

FORT COLLINS BREWERY

BEING A REPLAT OF LOTS 2 AND 3, REPLAT OF NORTH LEMAY SUBDIVISION, SECOND FILING, CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO. BEING WITHIN THE NORTHEAST ONE-QUARTER OF SECTION 12, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO.

STATEMENT OF OWNERSHIP AND SUBDIVISION

Know all men by these presents, that the undersigned, being owners of the following described land: a tract of land located in the Northeast One-quarter of Section 12, Township 7 North, Range 69 West of the Sixth Principal Meridian being more particularly described as follows:

Lots 2 and 3, Replat of North Lemay Subdivision, Second Filing, City of Fort Collins, County of Larimer, State of Colorado.

(which above described tract contains 2.633 acres, more or less)

have caused the above described land to be surveyed and subdivided into lots, tracts and streets as shown on this plat to be known as FORT COLLINS BREWERY, subject to all easements and rights-of-way now of record or existing or indicated on this plat.

CERTIFICATE OF DEDICATION

The undersigned does hereby dedicate and convey to the City Of Fort Collins, Colorado, for public use, forever, the streets and easements as laid out and designated on this Plat; provided, however, that (1) acceptance by the city of this dedication of easements does not impose upon the city a duty to maintain the easements so dedicated, and (2) acceptance by the city of this dedication of streets does not impose upon the city a duty to maintain streets so dedicated until such time as the provisions of the Maintenance Guarantee have been fully satisfied.

MAINTENANCE GUARANTEE

The undersigned hereby warrants and guarantees to the City Of Fort Collins, for a period of two (2) years from the date of completion and first acceptance by the city of the improvements warranted hereunder, the full and complete maintenance and repair of the improvements constructed under the authority of this Plat. This warranty and guarantee is made in accordance with the City Of Fort Collins Land Use Code and/or the Transitional Land Use Regulations, as applicable. This guarantee applies to the streets and all other appurtenant structures and amenities lying within the rights-of-way, easements and other public properties, including, without limitation, all curbing, sidewalks, bike paths, drainage pipes, culverts, catch basins, drainage ditches and landscaping. Any maintenance and/or repair required on utilities shall be coordinated with the owning utility company or department.

The undersigned shall maintain said improvements in a manner that will assure compliance on a consistent basis with all construction standards, safety requirements and environmental protection requirements of the city. The undersigned shall also correct and repair, or cause to be corrected and repaired, all damages to said improvements resulting from development-related or building-related activities. In the event the undersigned fails to correct any damages within thirty (30) days after written notice thereof, then said damages may be corrected by the city and all costs and charges billed to and paid by the undersigned. The city shall also have any other remedies available to it as authorized by law. Any damages which occurred prior to the end of said two (2) year period and which are unrepaired at the termination of said period shall remain the responsibility of the undersigned.

REPAIR GUARANTEE

In consideration of the approval of this final plat and other valuable consideration, the undersigned does hereby agree to hold the City Of Fort Collins, Colorado, harmless for a five (5) year period, commencing upon the date of completion and first acceptance by the city of the improvements constructed under the authority of this plat, from any and all claims, damages, or demands arising on account of the design and construction of public improvements of the property shown herein; and the Owner furthermore commits to make necessary repairs to said public improvements, to include, without limitation, the roads, streets, fills, embankments, ditches, cross pans, sub-drains, culverts, walls and bridges within the right-of-way, easements and other public properties, resulting from failures caused by design and/or construction defects. The agreement to hold the city harmless includes defects in materials and workmanship, as well as defects caused by or consisting of settling trenches, fills or excavations.

Further, the undersigned warrants that he/she owns fee simple title to the property shown hereon and agrees that the City Of Fort Collins shall not be liable to the undersigned or his/her successors in interest during the warranty period, for any claim of damages resulting from negligence in exercising engineering techniques and due caution in the construction of cross drains, drives, structures or buildings, the changing of courses of streams and rivers, flooding from natural creeks and rivers, and any other matter whatsoever on private property. Any and all monetary liability occurring under this paragraph shall be the liability of the Owner. I further warrant that I have the right to convey said land according to this Plat.

The obligations of the undersigned pursuant to the "Maintenance Guarantee" and "Repair Guarantee" provisions set forth above may not be assigned or transferred to any other person or entity unless the warranted improvements are completed by, and a Letter of Acceptance of the warranted improvements is received from the city by, such other person or entity.

WITNESS OUR HANDS AND SEALS THIS 23 DAY OF APRIL, A.D., 2009. BY: OUT WEST PROPERTIES, L.L.C. - OWNERS

Tom Peters
ON BEHALF OF OUT WEST PROPERTIES, LLC

STATE OF COLORADO) S.S.
COUNTY OF LARIMER)

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS 22nd DAY OF April, A.D., 2009, BY Tom Peters

MY COMMISSION EXPIRES 8/11/2013

Notary Public
NOTARY PUBLIC
900 E. Lemay St.
Fort Collins, CO 80525

WITNESS OUR HANDS AND SEALS THIS 23 DAY OF APRIL, A.D., 2009. BY: PUBLIC SERVICE CREDIT UNION - AS LIEN HOLDER

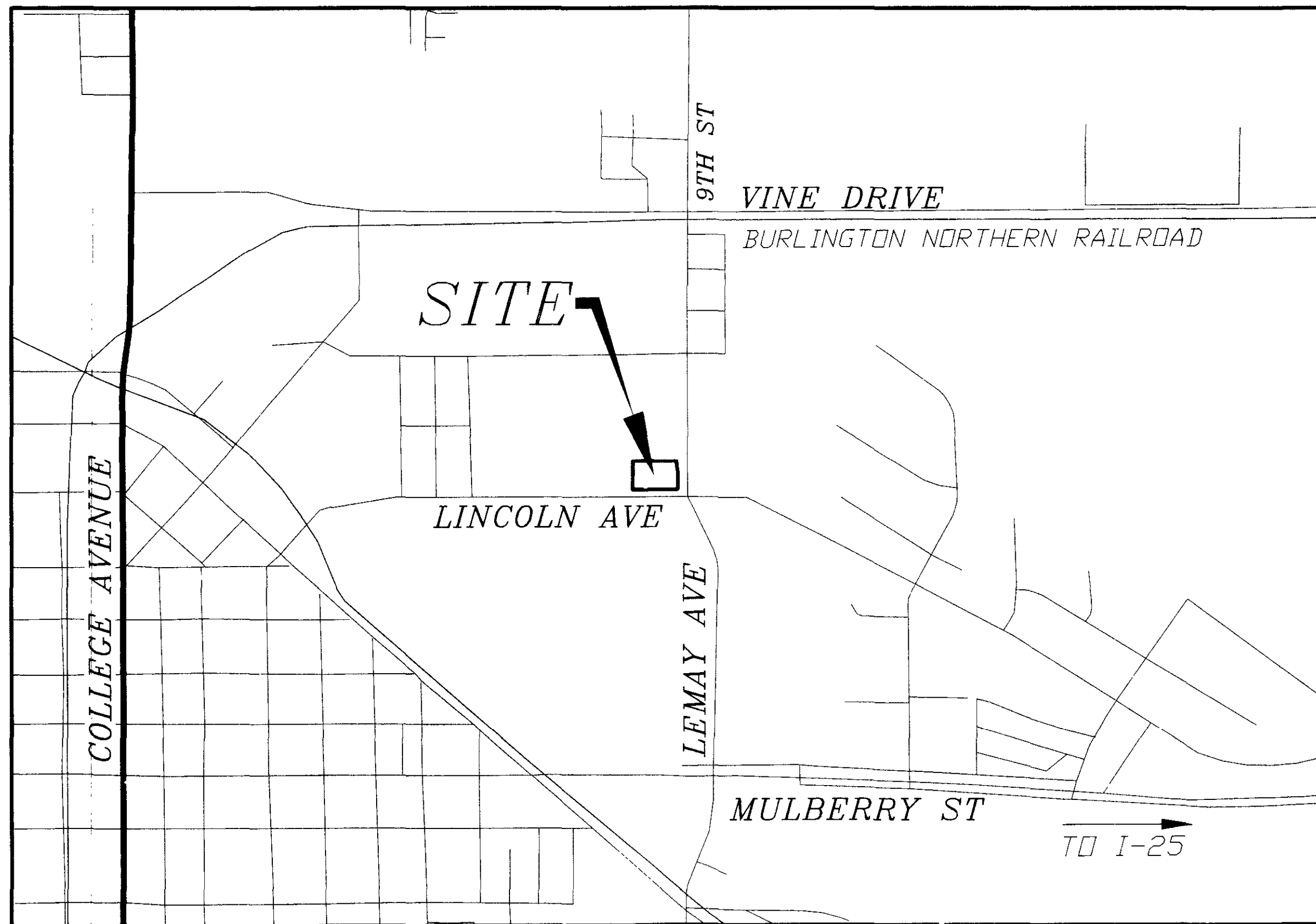
Notary Public
ON BEHALF OF PUBLIC SERVICE CREDIT UNION

STATE OF COLORADO) S.S.
COUNTY OF Larimer)

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS 22nd DAY OF April, A.D., 2009, BY Herb White

MY COMMISSION EXPIRES 8/11/2013

Notary Public
NOTARY PUBLIC
900 E. Lemay St.
Fort Collins, CO 80525



VICINITY MAP
SCALE: 1"=1000'

CURVE TABLE				
CURVE	RADIUS	LENGTH	DELTA	CHORD
C1	1247.48'	122.48'	5:37.31"	N07°11'07"W 122.43'
C2	15.00'	23.55'	89:57.09"	N45°15'08"E 21.20'
C3	15.00'	16.78'	64:06.38"	N32°19'53"E 15.92'
C4	15.00'	6.77'	25:50.31"	N77°18'27"E 6.71'
C5	1247.48'	27.05'	1:14.32"	S04°59'37"E 27.05'
C6	1247.48'	30.18'	1:23.11"	S06°18'29"E 30.18'
C7	50.00'	78.54'	90:00.00"	S45°00'00"W 70.71'
C8	25.00'	39.27'	90:00.00"	S45°00'00"W 35.36'
C9	50.00'	41.65'	47:43.53"	S66°08'03"W 40.46'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N90°00'00"W	4.46'
L2	S00°00'00"E	32.59'
L3	N90°00'00"E	60.50'
L4	N00°00'00"E	19.75'
L5	N90°00'00"W	47.50'
L6	S00°00'00"E	47.52'
L7	S00°13'34"W	15.84'
L8	N00°16'34"E	52.29'

NOTICE

ALL RESPONSIBILITIES AND COSTS OF OPERATION, MAINTENANCE AND RECONSTRUCTION OF THE PRIVATE STREETS AND/OR DRIVES LOCATED ON THE PRIVATE PROPERTY THAT IS THE SUBJECT OF THIS PLAT SHALL BE BORNE BY THE OWNERS OF SAID PROPERTY, EITHER INDIVIDUALLY, OR COLLECTIVELY, THROUGH A PROPERTY OWNERS' ASSOCIATION, IF APPLICABLE. THE CITY OF FORT COLLINS SHALL HAVE NO OBLIGATION OF OPERATION, MAINTENANCE OR RECONSTRUCTION OF SUCH PRIVATE STREETS AND/OR DRIVES NOR SHALL THE CITY HAVE ANY OBLIGATION TO ACCEPT SUCH STREETS AND/OR DRIVES AS PUBLIC STREETS OR DRIVES.

PLANNING APPROVAL

By the Directory of Planning of the City of Fort Collins, Colorado this 10th day of August, A.D., 2009.

Director of Planning
Director of Planning



APPROVED AS TO FORM CITY ENGINEER

By the City Engineer of the City of Fort Collins, Colorado this 10th day of August, A.D., 2009.

City Engineer
City Engineer

NOTICE OF OTHER DOCUMENTS

All persons take notice that the Developer and/or Owner has executed certain documents pertaining to this Development which create certain rights and obligations of the Development, the Developer and/or subsequent Owners of all or portions of the Development site, many of which obligations constitute promises and covenants which run with the land. The said documents may also be amended from time to time and may include, without limitation, the Development Agreement, Site And Landscape Covenants, Final Site Plan, Final Landscape Plan, and Architectural Elevations, which documents are on file in the office of the clerk of The City Of Fort Collins and should be closely examined by all persons interested in purchasing any portion of the Development site.

ATTORNEY'S CERTIFICATION

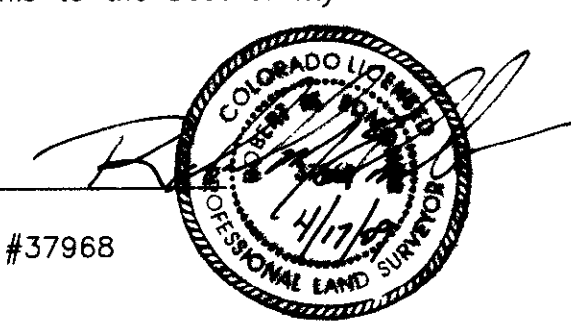
I hereby certify that this Subdivision Plat has been duly executed as required pursuant to Section 2.2.3(C)(3)(a) through (e) inclusive of the Land Use Code of the City of Fort Collins and that all persons signing this Subdivision Plat on behalf of a corporation or other entity are duly authorized signatories under the laws of the State of Colorado. This Certification is based upon the records of the Clerk and Recorder of Larimer County, Colorado as of the date of execution of the plat and other information discovered by me through reasonable inquiry and is limited as authorized by Section 2.2.3(C)(3)(f) of the Land Use Code.

ATTORNEY: *Anderson P. Englin*
ADDRESS: 215 W. Oak Street #500
Fort Collins, CO 80521
REGISTRATION NO.: 13944

SURVEYOR'S STATEMENT

I, Robert M. Edmonds, a Colorado Registered Professional Land Surveyor, do hereby state that this Subdivision Plat was prepared from an actual survey under my personal supervision, that the monumentation as indicated hereon were found or set as shown, and that the foregoing plat is an accurate representation thereof, all this to the best of my knowledge, information and belief.

Robert M. Edmonds
Colorado Registered Professional Land Surveyor #37968



NOTES

- 1.) BASIS OF BEARINGS: BEARINGS FOR THIS SURVEY ARE BASED ON THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 12, TOWNSHIP 7 NORTH, RANGE 69 WEST 6TH P.M., BETWEEN FOUND MONUMENTS AS SHOWN AND DESCRIBED HEREON. SAID LINE BEARS N00°16'34"E, BEING A GRID BEARING ON THE COLORADO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD83(2007).
- 2.) SECURITY TITLE GUARANTY COMPANY'S TITLE COMMITMENT NO. S0276547, EFFECTIVE DATE OF JUNE 13, 2008 AT 8:00 A.M., WAS ENTIRELY RELIED UPON FOR THE PROPERTY DESCRIPTION AND FOR EASEMENTS, RIGHTS-OF-WAY AND ENCUMBRANCES OF RECORD AFFECTING THIS PROPERTY. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY EDMONDS LAND SURVEYING, INC. TO DETERMINE OWNERSHIP OR EASEMENTS, RIGHTS-OF-WAY OR ENCUMBRANCES OF RECORD.
- 3.) CITY OF FORT COLLINS NOTE: THERE SHALL BE NO PRIVATE CONDITIONS, COVENANTS OR RESTRICTIONS THAT PROHIBIT OR LIMIT THE INSTALLATION OF RESOURCE CONSERVING EQUIPMENT OR LANDSCAPING THAT ARE ALLOWED BY SECTIONS 12-120 - 12-122 OF THE CITY CODE.
- 4.) NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.
- 5.) THE LINEAL UNIT OF MEASUREMENT FOR THE SURVEY OF THIS PROPERTY IS U.S. SURVEY FEET.
- 6.) THE ENTIRE SITE IS LOCATED WITHIN THE 500-YEAR FLOODPLAIN FROM THE CACHE LA POUDE RIVER.

DATE: SEPTEMBER 18, 2008
SCALE: N/A
DWG: RME
PLAT: 07N69W-12-102

CLIENT:
OUTWEST PROPERTIES, LLC
1900 EAST LINCOLN AVENUE, #B
FORT COLLINS, CO 80524

EDMONDS LAND SURVEYING, INC.
PO BOX 641
KERSEY, CO 80644
PHONE (970) 886-6970
FAX (970) 284-6802
www.EdmondsLandSurveying.com

REVISIONS	PER CITY COMMENTS	(NAME, ESMIS)
10/20/08	PER CITY COMMENTS	
10/21/08	ADDRESS PER CITY	
3/18/09	UTILITY EASEMENT	
04/17/09	DRAINAGE EASEMENTS	
04/17/09	LIEN HOLDER	

FORT COLLINS BREWERY
BEING WITHIN THE NORTHEAST ONE-QUARTER OF SECTION 12, TOWNSHIP 7 NORTH, RANGE 69 WEST 6TH P.M., CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO.

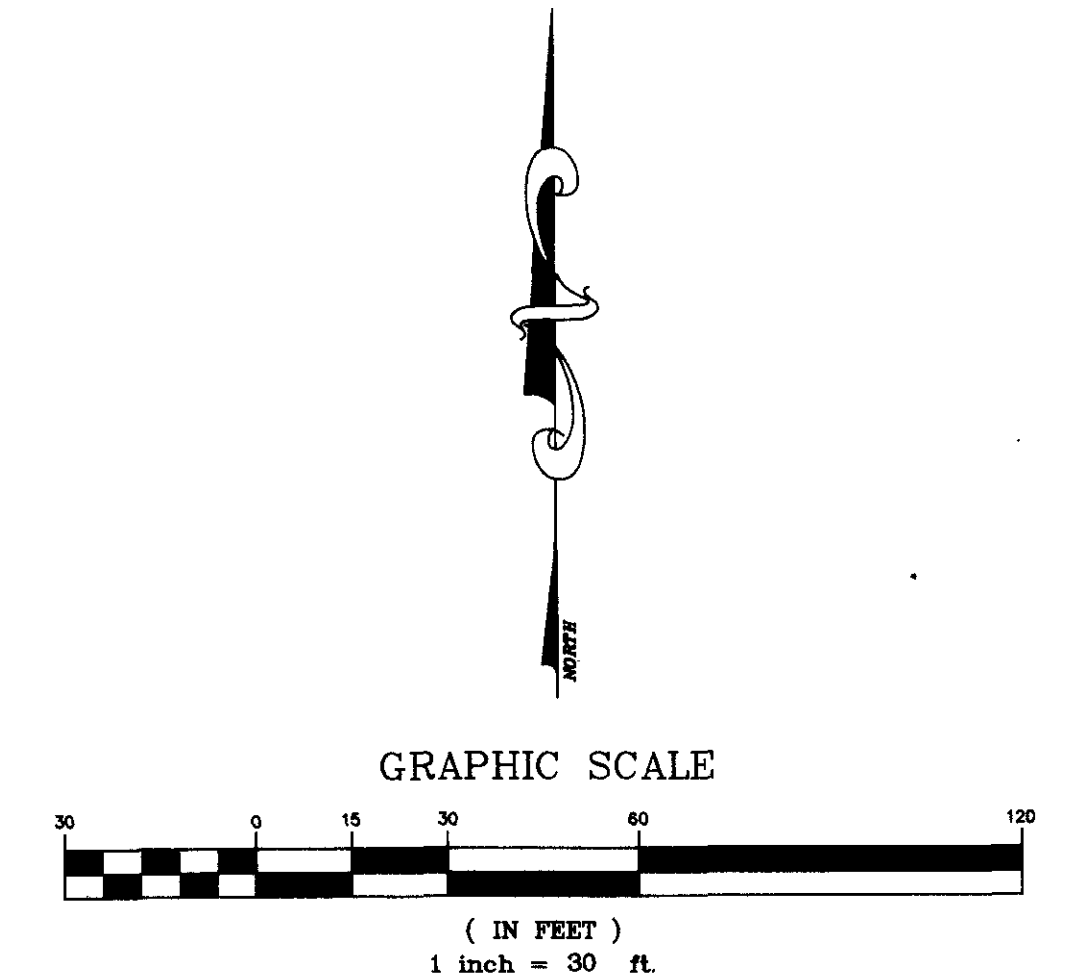
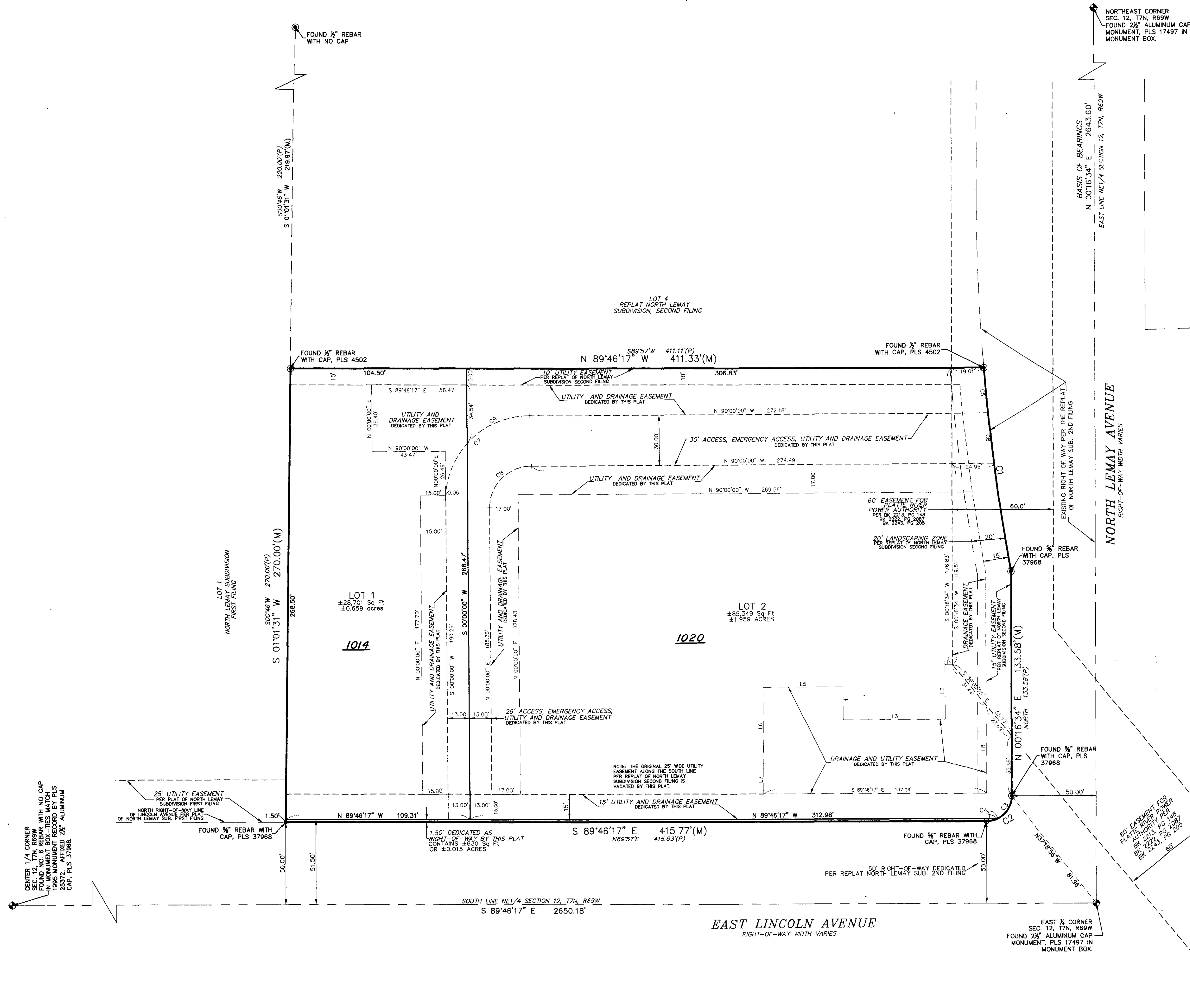
PROJECT NO.:

08-0265

1
SHEET 1 OF 2

FORT COLLINS BREWERY

BEING A REPLAT OF LOTS 2 AND 3, REPLAT OF NORTH LEMAY SUBDIVISION, SECOND FILING,
CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO.
BEING WITHIN THE NORTHEAST ONE-QUARTER OF SECTION 12,
TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO.



- LEGEND**
- INDICATES FOUND SURVEY MONUMENT AS NOTED HEREON
 - INDICATES SET 5/8" REBAR WITH PLASTIC CAP, PLS 37968
 - INDICATES ALIQUOT CORNER AS NOTED
 - (M) INDICATES MEASURED BEARING/DISTANCE BY THIS SURVEY
 - (P) INDICATES BEARING/DISTANCE FROM REPLAT OF NORTH LEMAY SUBDIVISION SECOND FILING

Robert M. Edmonds
 ROBERT M. EDMONDS, PLS 37968
 SHEET 2 OF 2

DATE: SEPTEMBER 18, 2008
 SCALE: 1"=30'
 DWG: RME
 CHK: RME
 PLAT: 07689W-12-102

CLIENT:
 OUTWEST PROPERTIES, LLC
 1900 EAST LINCOLN AVENUE, #6
 FORT COLLINS, CO 80524

EDMONDS LAND SURVEYING, INC.
 P.O. BOX 641
 KEESLER, CO. 80644
 PHONE (970) 888-8800
 FAX (970) 284-8802
 www.EdmondsLandSurveying.com

REVISIONS	DATE	BY	REASON
12/03/08	12/03/08	RME	ADD TO TITLE PER CITY
10/28/08	10/28/08	RME	ADD TO TITLE PER CITY
12/28/09	12/28/09	RME	DRAINAGE EASEMENT
04/10/09	04/10/09	RME	UTILITY EASEMENT
04/16/09	04/16/09	RME	DRAINAGE EASEMENTS
04/16/09	04/16/09	RME	LIEN HOLDER

FORT COLLINS BREWERY
 BEING WITHIN THE NORTHEAST ONE-QUARTER OF SECTION 12,
 TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
 CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO.

PROJECT NO.:
 08-0265
 2
 SHEET 2 OF 2