

A-33 2470

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 Quarter (NE1/4) of Section Nine (9), Township Seven North (T.7N), Range Sixty-nine West (R.69W), Sixth Principal Meridian (6th P.M.), County of Larimer, State of Colorado and being more particularly described as follows: COMMENCING at the North Quarter Corner of said Section 9 and assuming the North line of said NE1/4 as bearing South 89°14'52" East, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/92, a distance of 2627.67 feet with all other bearings contained herein relative thereto: THENCE South 89°14'52" East along the North line of the NE1/4 of said Section 9 a distance of 1101.60 feet to the East Right of Way (ROW) line of Impala Drive as dedicated in the Replat of the Green Acres Subdivision; THENCE South 00°39'43" West along the East ROW line of Impala Drive a distance of 150.28 feet to a Point of Curvature (PC); THENCE continuing along the East ROW line of Impala Drive and along the arc of a curve concave to the East a distance of 3.75 feet, said curve has a Radius of 843.16 feet, a Delta of 0°20'03" and is subtended by a chord bearing South 02°29'41" West a distance of 3.75 feet to the TRUE POINT OF BEGINNING; THENCE South 89°22'20" East a distance of 108.15 feet; THENCE North 48°12'51" East a distance of 23.72 feet; THENCE South 89°22'20" East a distance of 68.80 feet to the West line of a parcel of land described in Reception No. 91012605 of the Records of Larimer County; THENCE South 00°39'43" West along said West line a distance of 296.50 feet to the North line of said parcel of land described in Reception No. 91012605 of the Records of Larimer County; THENCE North 88°06'11" West along said North line a distance of 174.66 feet to the East ROW line of Impala Drive as dedicated in the Replat of the Green Acres Subdivision; The next three (3) courses and distances are along the East ROW line of said Impala Drive: THENCE North 00°39'43" East a distance of 45.73 feet to a PC; THENCE along the arc of a curve concave to the West a distance of 126.39 feet, said curve has a Radius of 743.16 feet, a Delta of 09°44'40" and is subtended by a chord bearing North 04°12'37" West a distance of 126.24 feet to a Point of Reverse Curvature; THENCE along the arc of a curve concave to the East a distance of 105.63 feet, said curve has a Radius of 643.16 feet, a Delta of 09°24'37" and is subtended by a chord bearing North 04°22'39" West a distance of 105.51 feet to the TRUE POINT OF BEGINNING. (which above described tract contains 1.196 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 ADRIAN SUBDIVISION FIRST FILING, 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 as 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 apartment structures and amenities lying within the rights-of-way, easements and other public properties, including, without limitation, 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 paths, sub-drains, culverts, wells and bridges within the right-of-way, easements and other public properties, resulting from failures caused by design and/or construction defects. This 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 care 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.

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.

OWNERS:

By: William John Adrian, Jr. Date: 3-28-06
By: Julie K. Adrian Date: 3/28/06

NOTARIAL CERTIFICATE:

STATE OF Colorado ss. COUNTY OF Larimer ss. The foregoing instrument was acknowledged before me by William John Adrian, Jr. and Julie K. Adrian as owners this 28 day of March, 2006. My commission expires 11-10-2006. Witness my hand and official seal. Sandra Lundell Notary Public

SURVEYOR'S STATEMENT:

I, Steven A. Lund, 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 hereof, all this to the best of my knowledge, information and belief. Steven A. Lund - On Behalf Of King Surveyors Inc. Colorado Registered Professional Land Surveyor, #34995

LIENHOLDER:

NEW FRONTIER BANK
By: James A. Rutz As: Senior Vice President
NOTARIAL CERTIFICATE
STATE OF Colorado ss. COUNTY OF Weld ss. The foregoing instrument was acknowledged before me by James A Rutz as Senior Vice President of New Frontier Bank this 4 day of May, 2006. My commission expires 2-23-2008. Witness my hand and official seal. Beverly Buratt Notary Public State of Colorado

LIENHOLDER:

SELECT PORTFOLIO SERVING, INC.
By: Diane Mitchell As: Senior Vice President
NOTARIAL CERTIFICATE
STATE OF Utah ss. COUNTY OF Salt Lake ss. The foregoing instrument was acknowledged before me by Diane Mitchell as Senior Vice President of Full Spectrum Lending, this 27 day of April, 2006. My commission expires Nov. 2, 2008. Witness my hand and official seal. Lisa M. Wyllie Notary Public

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 deed 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: Wm. J. Hansen 674 Flan
Address: Fort Collins, Co. 80521
1958
Registration No.

APPROVED AS TO FORM, CITY ENGINEER:

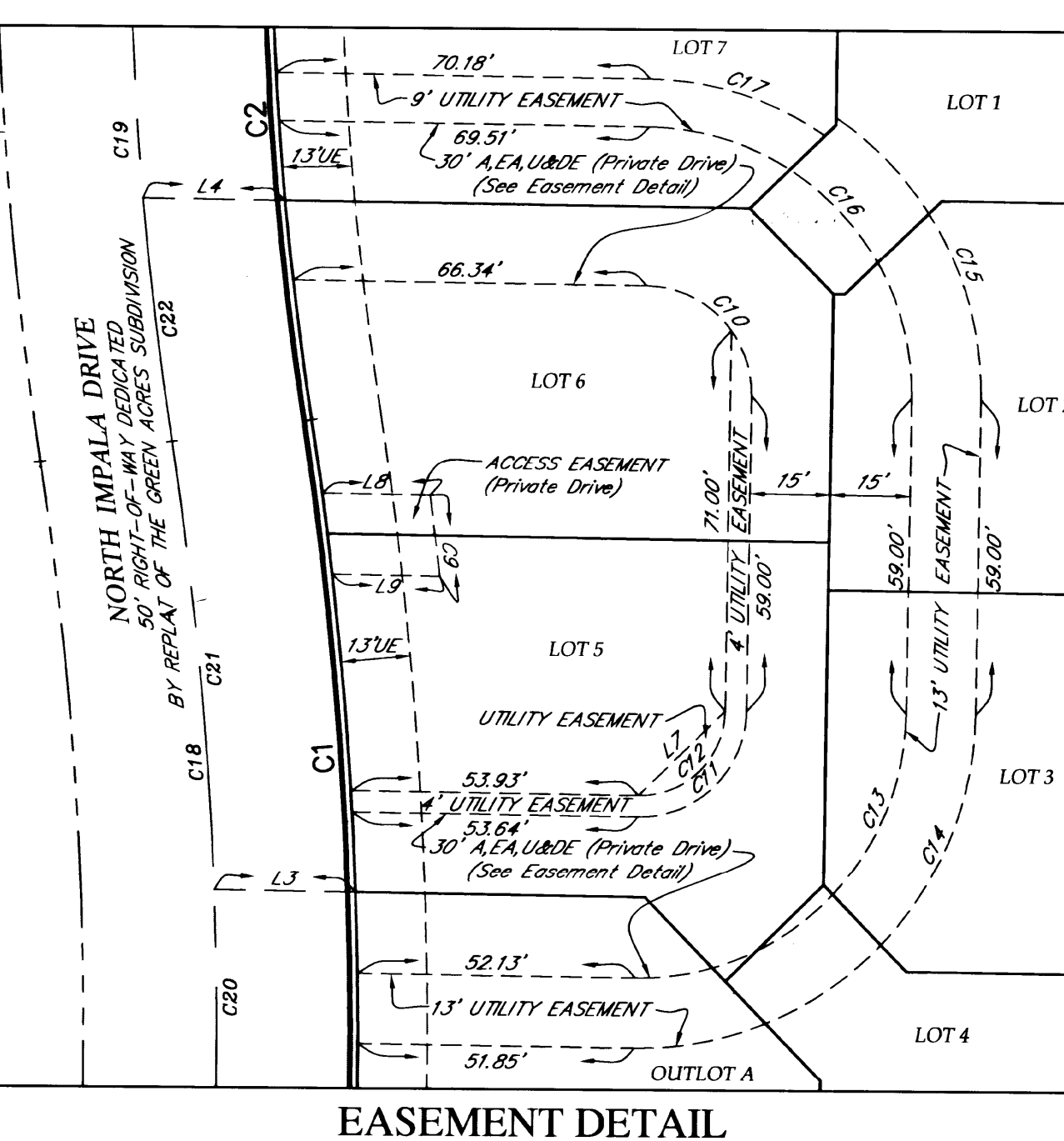
By the City of Engineer the City of Fort Collins, Colorado this 24 day of May, 2006 A.D.
D. Baughn City Engineer

PLANNING APPROVAL:

By the Director of Planning the City of Fort Collins, Colorado this 29 day of May, 2006 A.D.
Director of Planning
City Clerk

TITLE COMMITMENT NOTE:

This survey does not constitute a title search by King Surveyors Inc. to determine ownership or easements of record. For all information regarding easements, rights-of-way and title of records, King Surveyors Inc. relied upon Title Policy Number FC205902, dated September 7, 2000 at 5:00 p.m., as prepared by Land Title Guarantee Company was relied upon to delineate the aforesaid information.



LINE TABLE

Table with columns: LINE, BEARING, LENGTH. Lists lines L1 through L14 with their respective bearings and lengths.

CURVE TABLE

Table with columns: CURVE, LENGTH, RADIUS, DELTA, CHORD, CH BEARING. Lists curves C1 through C23 with their respective parameters.

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.

NOTE TO BUILDER:

All roof drains shall direct flow towards private drive on all lots. No downspouts shall fall or direct flows to adjacent properties to the East and South.

NOTE:

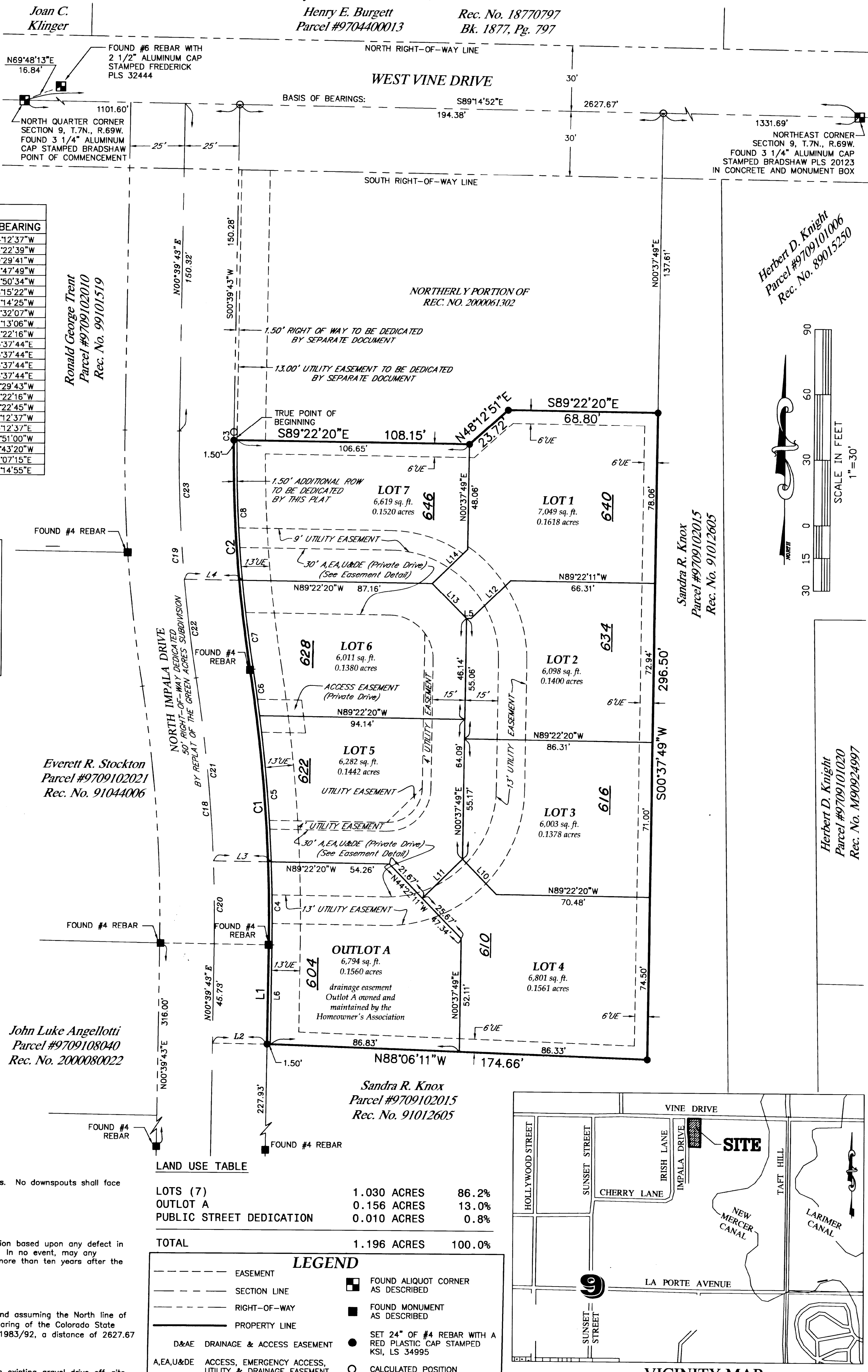
According to Colorado law, you must commence any legal action based upon any defect in this survey within three years after you discover such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years after the date of the certificate shown hereon. (13-80-105 C.R.S.)

BASIS OF BEARINGS:

COMMENCING at the North Quarter Corner of said Section 9 and assuming the North line of said NE1/4 as bearing South 89°14'52" East, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/92, a distance of 2627.67 feet with all other bearings contained herein relative thereto:

ADRIAN SUBDIVISION FIRST FILING

Part Of The Northeast Quarter Of Section 9, Township 7 North, Range 69 West Of The 6th P.M., City Of Fort Collins, County Of Larimer, State Of Colorado



Joan C. Klinger
Henry E. Burgett
Rec. No. 18770797
BK. 1877, Pg. 797

FOUND #6 REBAR WITH 2 1/2" ALUMINUM CAP STAMPED FREDERICK PLS 32444

FOUND #4 REBAR

FOUND #4 REBAR

FOUND #4 REBAR

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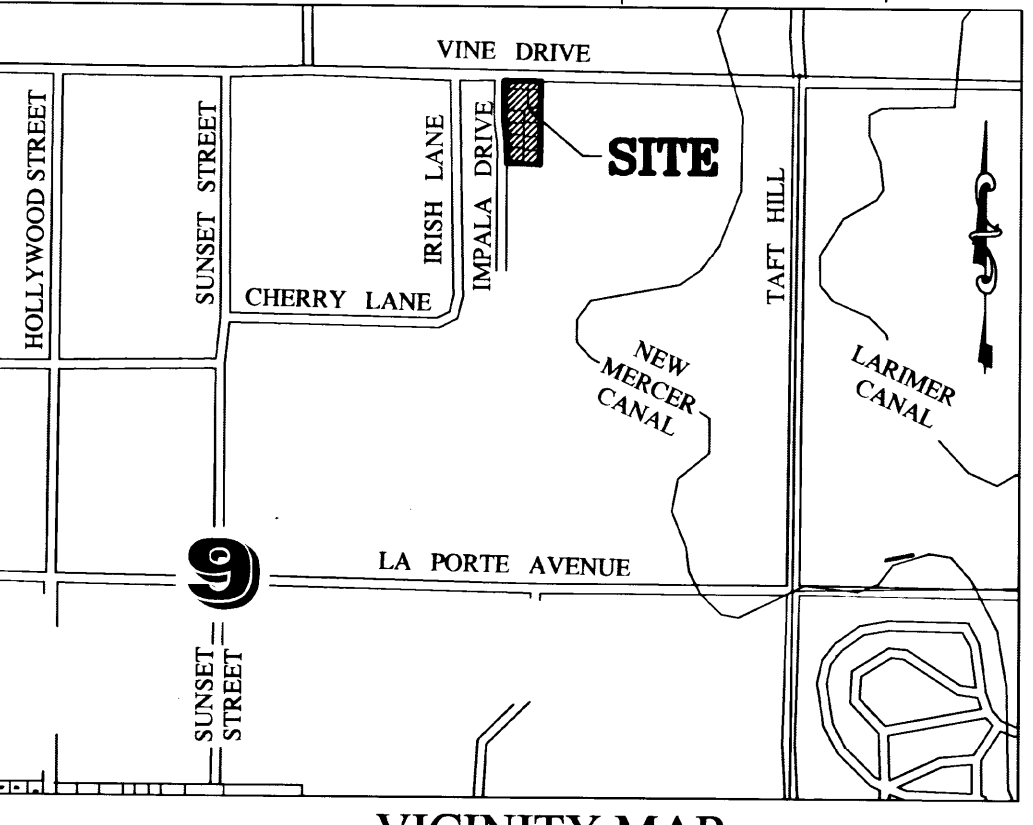
FOUND #4 REBAR

LAND USE TABLE

Table with columns: LOTS (7), OUTLOT A, PUBLIC STREET DEDICATION, TOTAL. Shows acreage and percentages for each category.

LEGEND

- EASEMENT AS DESCRIBED
SECTION LINE
RIGHT-OF-WAY
PROPERTY LINE
D&AE DRAINAGE & ACCESS EASEMENT
A.E.A.U&DE ACCESS, EMERGENCY ACCESS, UTILITY & DRAINAGE EASEMENT
UE UTILITY EASEMENT
FOUND ALIQUOT CORNER AS DESCRIBED
FOUND MONUMENT AS DESCRIBED
SET 24" OF #4 REBAR WITH A RED PLASTIC CAP STAMPED KSI, LS 34995
CALCULATED POSITION
ROW RIGHT OF WAY



DATE: 10/30/2003
FILE NAME: 2003306SUB-093004
SCALE: 1"=30'

DRAWN BY: DJB/KRG
CHECKED BY: SAL

KING SURVEYORS, INC.
650 Garden Drive | Windsor, Colorado 80550
phone: (970) 686-5011 | fax: (970) 686-5821



DATE: 3-20-06
ADD LIENHOLDER INFORMATION
REVISE LIENHOLDER INFORMATION
REVISIONS: KRG 3-23-06
KRG 3-23-06

ADRIAN SUBDIVISION FIRST FILING
FOR JOHN & JULIE ADRIAN C/O MIKAL TORGERSO
2333 W. VINE DR., FT. COLLINS, CO 80521
PHONE: (970) 416-7431

PROJECT #: 2003306
SHEET 1 OF 1