

FOX MEADOWS BUSINESS PARK NO. 3

Being a Replat of Tract B, Fox Meadows Business Park,
Part Of The Northwest Quarter Of Section 32, Township 7 North, Range 68 West Of The 6th P.M.,
City Of Fort Collins, County Of Larimer, State Of Colorado

DATE: 3/21/2007
FILE NAME: 2006163SUB
SCALE: 1"=50'
DRAWN BY: KRG
CHECKED BY: LSP

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



REVISIONS	DATE:
ADDRESS CITY COMMENTS/REVISE LAYOUT	6-25-07
ADDRESS CITY COMMENTS	8-4-07
UPDATE PER CLIENT REQUEST	8-20-07
CODED	PR 8/29/07

FOX MEADOWS BUSINESS PARK NO. 3
FOR DESIGN
NORTH STAR DESIGN
700 AUTOMATION DRIVE, WINDSOR, CO 80550
PHONE: (970) 686-6939 FAX: (970) 686-1188

PROJECT #: 2006163

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STATEMENT OF OWNERSHIP AND SUBDIVISION:

Know all men by these presents, that Timberline Retail, LLC, a Colorado limited liability company By: Capital Managers, LLC, Manager, being owner(s) of the following described land:

Tract B, Fox Meadows Business Park, as recorded November 20, 1999 at Reception No. 89053333 as recorded at Larimer County Clerk and Recorder, being a part of the Northwest Quarter of Section Thirty-two (32), Township Seven North (1.7N.), Range Sixty-eight West (R.68W.) of the Sixth Principal Meridian (6th P.M.), City of Fort Collins, County of Larimer, State of Colorado.

Said parcel contains 3.423 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 FOX MEADOWS BUSINESS PARK NO. 3, and is 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, oil 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 pons, 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. 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 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.

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.

OWNER:

Timberline Retail, LLC, a Colorado limited liability company
By: Capital Managers, LLC, Manager

By: Alan C. Line As: Manager

NOTARIAL CERTIFICATE

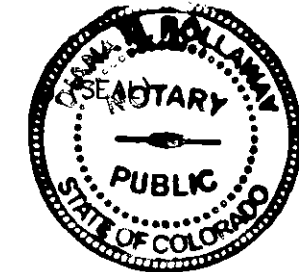
STATE OF Colorado)
COUNTY OF Larimer) ss.

The foregoing instrument was acknowledged before me by Timberline Retail, LLC, a Colorado limited liability company by Capital Managers, LLC by Alan C. Line, Manager this 21st day of September, 2007.

My commission expires 1-11-09

Witness my hand and official seal.

Diana M. Holladay
Notary Public



SURVEYOR'S STATEMENT

I, Lawrence S. Pepek, 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.

L. S. Pepek 9/20/07
Lawrence S. Pepek-On Behalf Of King Surveyors Inc.
Colorado Registered Professional Land Surveyor #33642

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: Joy A. Siskin
Address: 125 S. Adams, 6th Floor
FORT COLLINS CO 80521
Registration No.: 6586

APPROVED AS TO FORM, CITY ENGINEER

By the City Engineer of the City of Fort Collins, Colorado this 28TH day of SEPTEMBER A.D., 2007.

[Signature]
CITY OF FORT COLLINS
SEAL
COLORADO PLANNING APPROVAL

By the Director of Planning the City of Fort Collins, Colorado this 20th day of September A.D., 2007.
[Signature]
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 Commitment Number 62-0002590 C-3, dated May 30, 2007 at 8:00 am as prepared by Landamerica & Transation Title Insurance Company to delineate the aforesaid information.

DEVELOPMENT AGREEMENT NOTE: IN THE OFFICE OF THE CLERK OF THE CITY OF FORT COLLINS

A Development Agreement has been filed in conjunction with this plat. That agreement should be viewed for additional stipulations or requirements that may encumber the property.

OWNERSHIP AND MAINTENANCE COVENANTS FOR DETENTION FACILITIES:

In order to insure the continued maintenance of the Detention Facilities located within the Fox Drainage Easement Property as described in Drainage Easement Agreement dated August 11, 1999 as recorded by the Larimer County Clerk and Recorder on August 13, 1999 at Reception No. 99072717. Declarant hereby establishes and declares that all maintenance responsibilities with respect to the Detention Facilities located within the Fox Drainage Easement Property shall be shared equally by the current or future owner(s) of Parcel 1 and Parcel 2 of the aforesaid Property. Declarant hereby establishes and declares all maintenance responsibilities in the Declaration of Detention Facilities Maintenance Covenants as recorded by the Larimer County Clerk and Recorder on October 20, 2004 as recorded at Reception No. 2004-0102500. This Declaration is enforceable and shall constitute a real covenant that will run with, benefit and burden the Fox Property.

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.

BASIS OF BEARINGS

Assuming the West line of the Tract B, Fox Meadows Business Park, as bearing North 00°08'30" West being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/92, a distance of 329.78 feet with all other bearings contained herein relative thereto.

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.)



VICINITY MAP
(NOT TO SCALE)

OWNER:
TIMBERLINE RETAIL, LLC
3030 S. COLLEGE AVE, 2ND FLOOR
FORT COLLINS, CO 80522
PHONE: (970) 226-1500
FAX: (970) 223-4156

ENGINEER:
NORTH STAR DESIGN
700 AUTOMATION DRIVE
WINDSOR, CO 80550
PHONE: (970) 686-6939
FAX: (970) 686-1188

SURVEYOR:
KING SURVEYORS INC.
650 GARDEN DRIVE
WINDSOR, CO 80550
PHONE: (970) 686-5011
FAX: (970) 686-5821

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Being a Replat of Tract B, Fox Meadows Business Park,
Part Of The Northwest Quarter Of Section 32, Township 7 North, Range 68 West Of The 6th P.M.,
City Of Fort Collins, County Of Larimer, State Of Colorado

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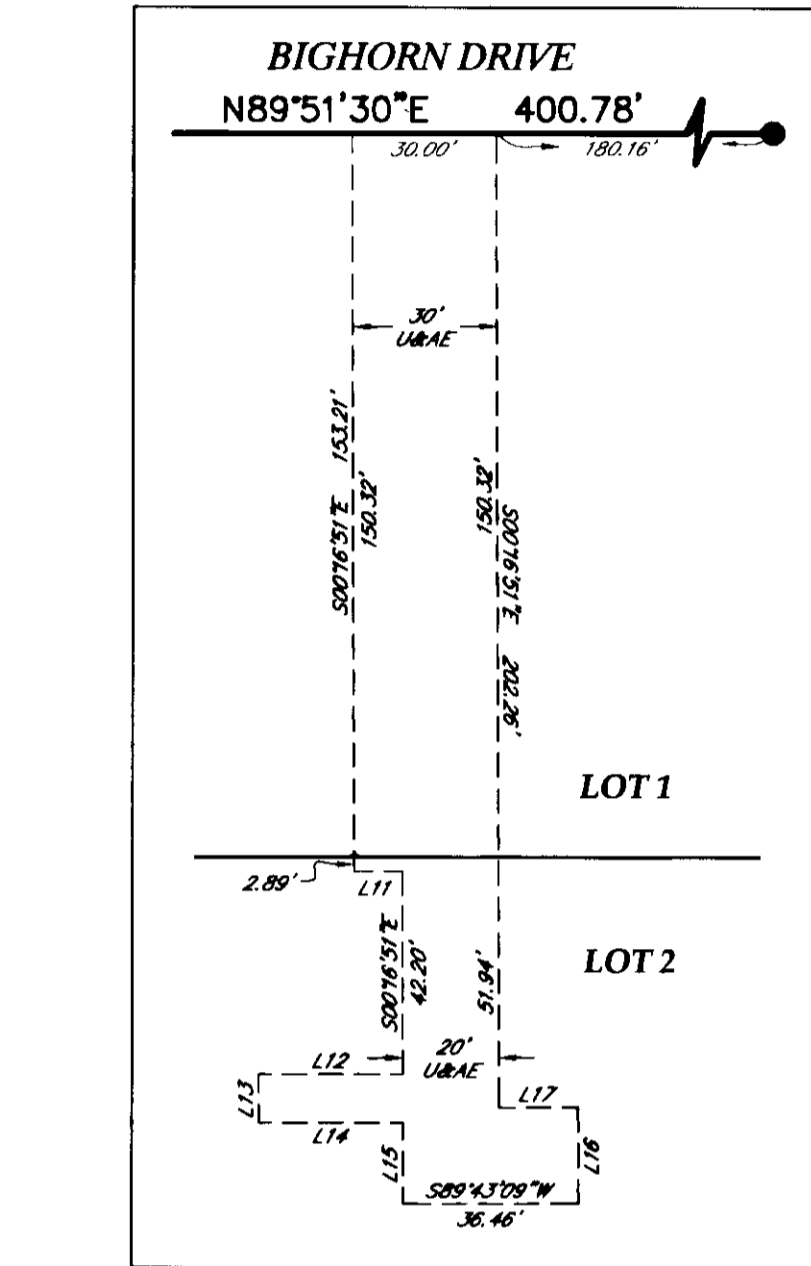


DATE: 8-25-07
KRG
ADDRESS CITY COMMENTS
KRG
UPDATE PER CLIENT REQUEST
PR: 18/29/07
COCO

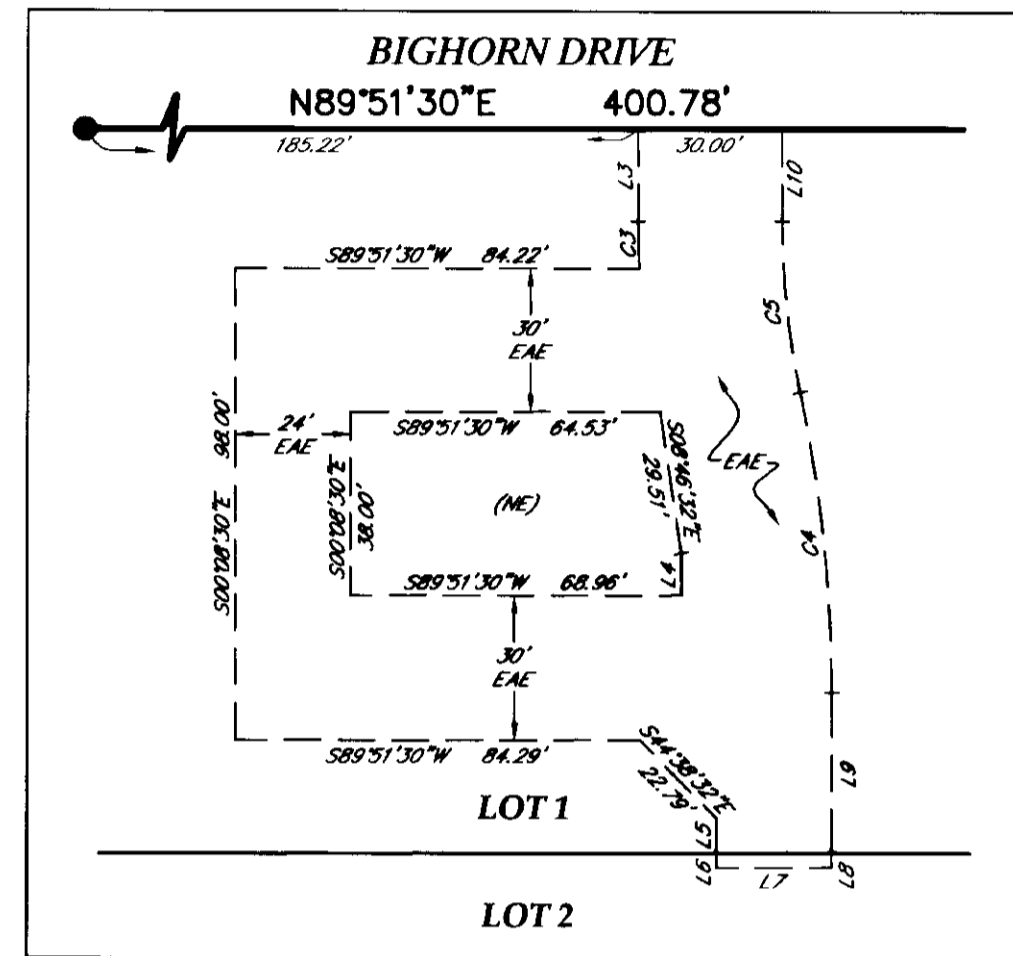
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2006163

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UTILITY AND ACCESS EASEMENT (U&AE) - DETAIL
SCALE: 1"=40'



EMERGENCY ACCESS EASEMENT (EAE) - DETAIL
SCALE: 1"=40'

CURVE	LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C1	23.56'	15.00'	90°00'00"	21.21'	S44°51'30"W
C2	14.23'	127.17'	6°24'33"	14.22'	S86°39'13"W
C3	9.62'	200.00'	2°45'26"	9.62'	S01°31'13"E
C4	62.85'	300.00'	12°00'13"	62.74'	S06°08'37"E
C5	35.82'	170.00'	12°00'13"	35.55'	S06°08'37"E

LINE	BEARING	LENGTH
L1	S00°16'51"E	5.00'
L2	S89°51'30"W	15.00'
L3	S00°08'30"E	19.20'
L4	S00°08'30"E	8.82'
L5	S00°08'30"E	10.13'
L6	S00°08'30"E	2.89'
L7	S89°51'30"W	24.00'
L8	S00°08'30"E	2.89'
L9	S00°08'30"E	33.38'
L10	S00°08'30"E	19.20'
L11	S89°51'30"W	10.00'
L12	S89°51'30"W	30.00'
L13	S00°16'51"E	10.00'
L14	S89°51'30"W	30.00'
L15	S00°16'51"E	16.90'
L16	S00°16'51"E	20.00'
L17	S89°43'09"W	16.46'

LEGEND

- X—X— EXISTING FENCE
- - - - - EASEMENT
- - - - - SECTION LINE
- - - - - RIGHT-OF-WAY
- — — — — PROPERTY LINE
- M MEASURED
- R RECORDED
- UE UTILITY EASEMENT
- U&AE UTILITY & ACCESS EASEMENT
- U&AE&E UTILITY, ACCESS & EMERGENCY ACCESS EASEMENT
- EAE EMERGENCY ACCESS EASEMENT
- (NE) NON-EASEMENT
- FOUND ALIQUOT CORNER AS DESCRIBED
- SET ALIQUOT CORNER AS DESCRIBED
- FOUND MONUMENT AS DESCRIBED
- SET 24" OF #4 REBAR WITH A ORANGE PLASTIC CAP STAMPED KSI, LS 33642
- CALCULATED POSITION

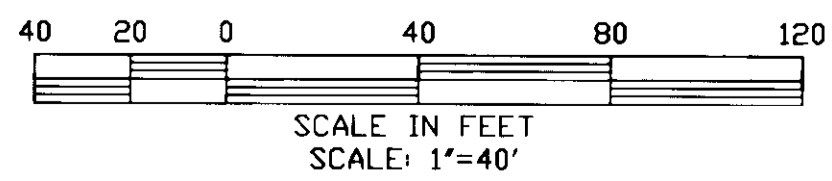
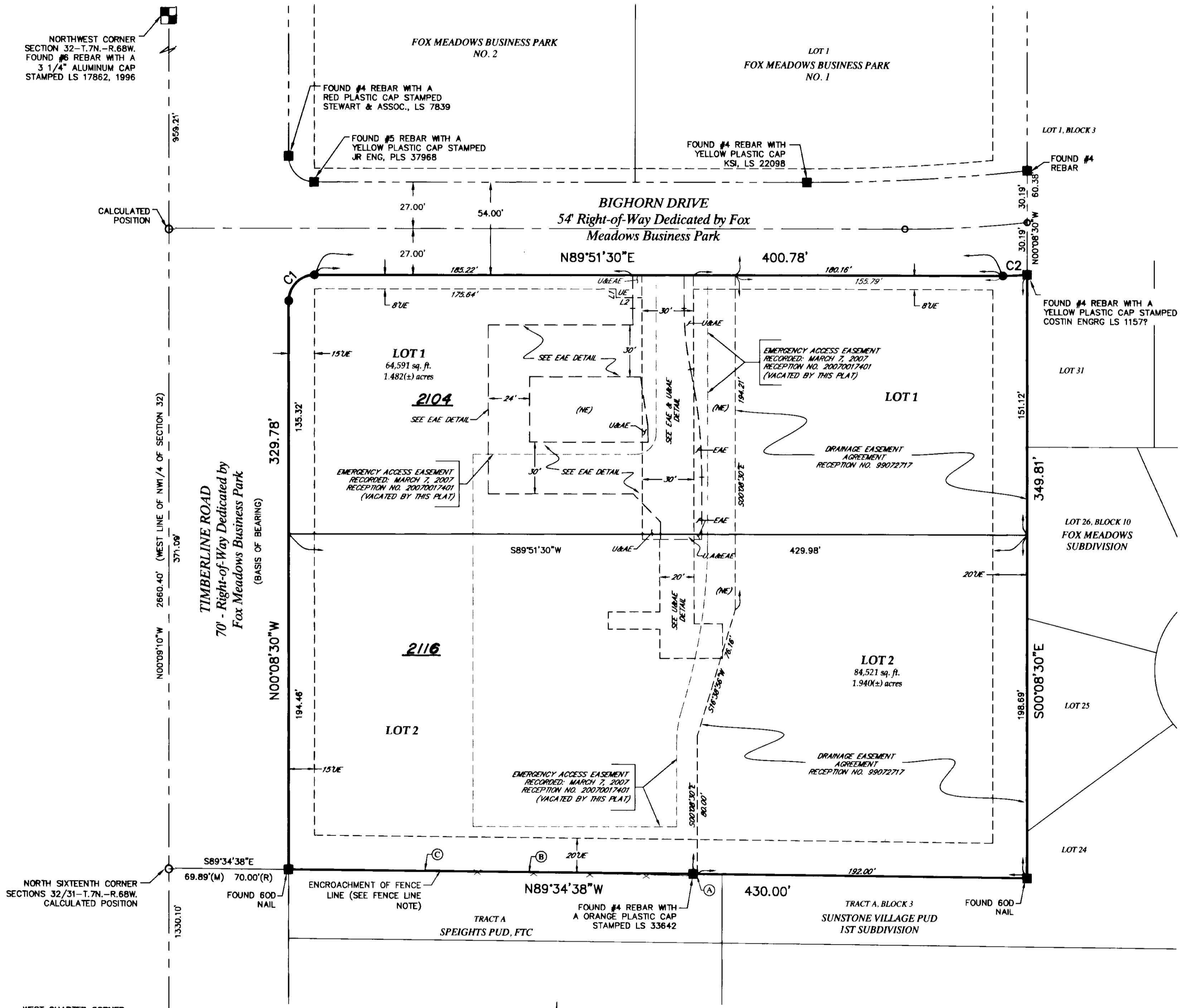
FENCE LINE NOTE:

Encroachment of fence line and all information shown in the Improvement Location to Property Line Table is based on ALTA/ACSM Land Title Survey recorded May 4, 2006 at Reception No. 20060033063.

- IMPROVEMENT LOCATION TO PROPERTY LINE TABLE**
- (A) Fence line is 1.0'± South of property line.
 - (B) Fence line crosses the property line.
 - (C) End fence line is 0.6'± North of property line.

BASIS OF BEARINGS

Assuming the West line of the Tract B, Fox Meadows Business Park, as bearing North 00°08'30" West being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/92, a distance of 329.78 feet with all other bearings contained herein relative thereto.



Lawrence S. Pepek - Registered Professional Land Surveyor #33642
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