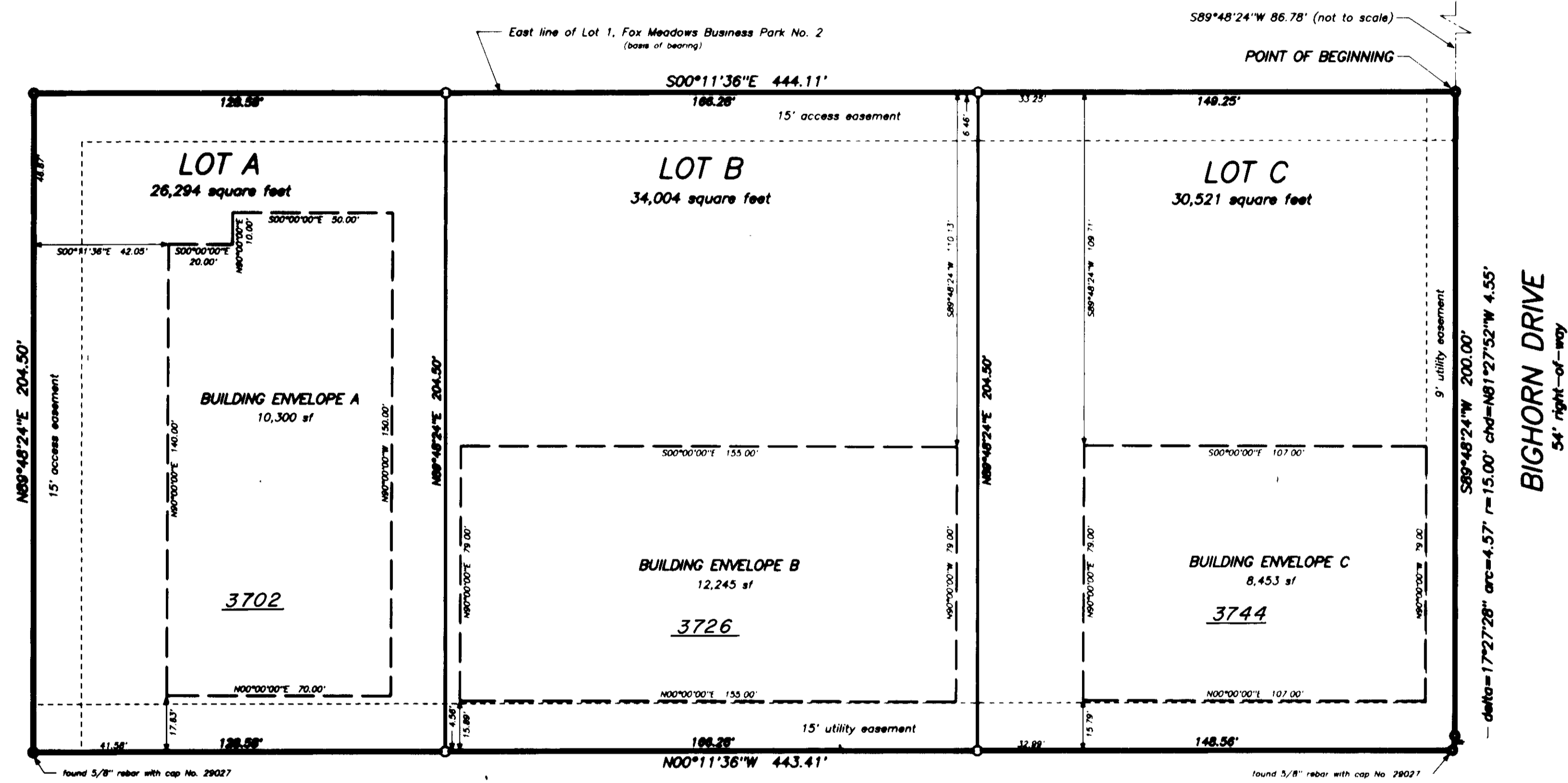
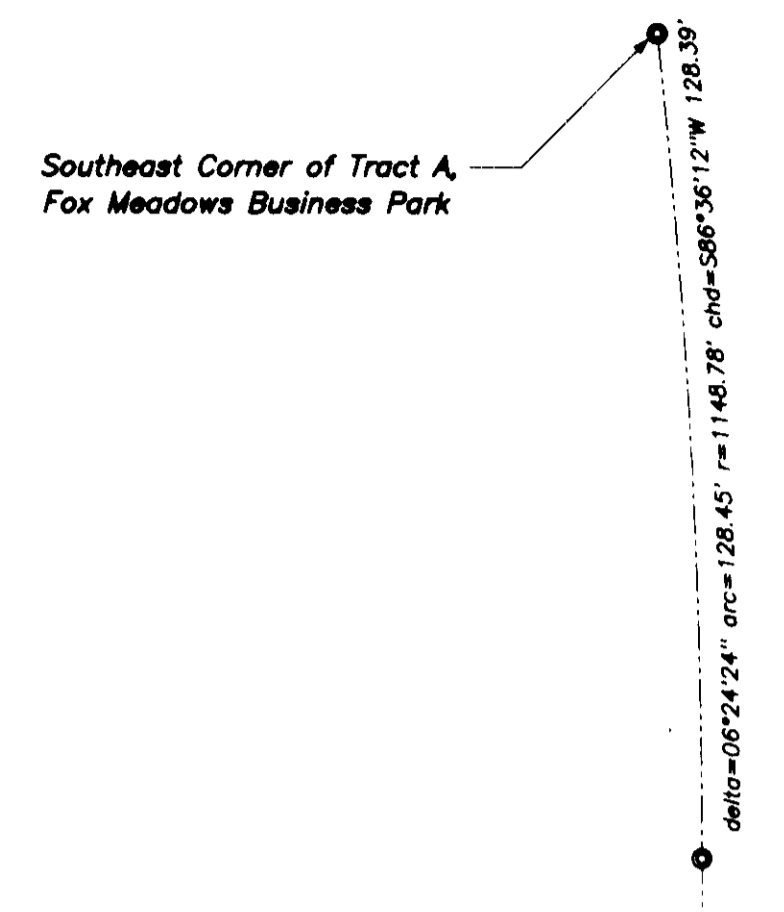
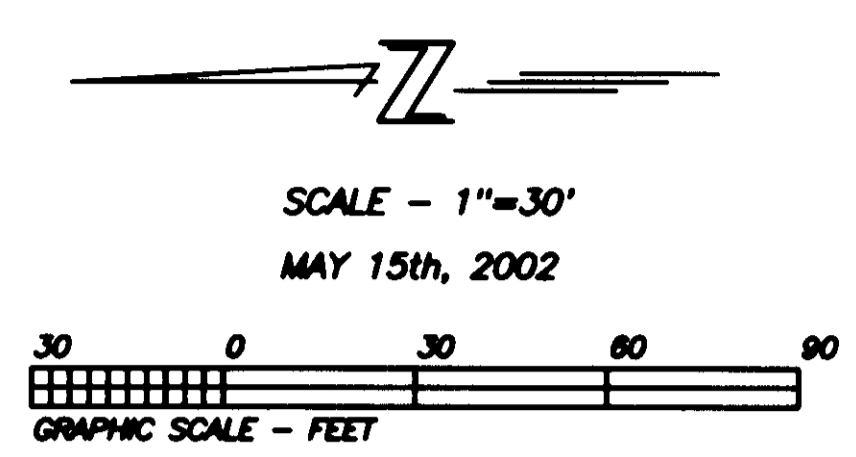


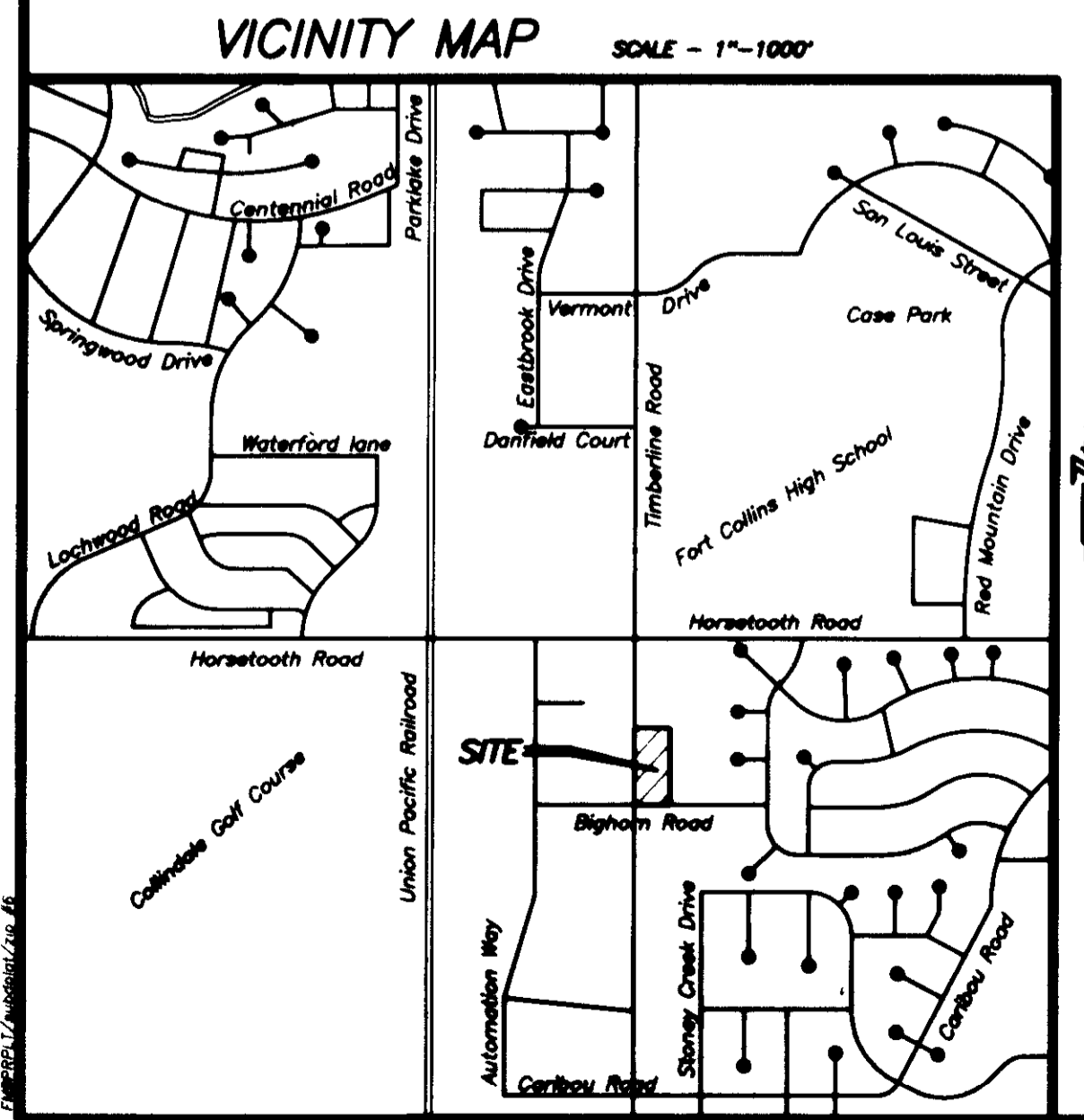
F-138 2319

# A REPLAT OF FOX MEADOWS BUSINESS PARK NO. 2

SITUATE IN THE NORTHWEST 1/4 OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE SIXTH P.M.,  
CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO



TIMBERLINE ROAD  
70.5' half right-of-way



- NOTES:
- All area outside of the building envelopes is a blanket access, drainage and utility easement.
  - Bearings are based on the East line of Fox Meadows Business Park No. 2 as bearing S00°11'36"E.
  - ⊙ - Indicates found 1/2" rebar with cap No. 5028 unless otherwise shown.

**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.

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 the certification shown hereon.

### STATEMENT OF OWNERSHIP AND SUBDIVISION:

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, being the owners and proprietors of Fox Meadows Business Park No. 2, situate in the Northwest 1/4 of Section 32, Township 7 North Range 68 West of the Sixth P.M., City of Fort Collins, County of Larimer, State of Colorado, being more particularly described as follows, to-wit: considering the East line of said Lot 1 as bearing S00°11'36"E and with all bearings contained herein relative thereto, is contained within the boundary lines which begin at a point on the North right-of-way line of Bighorn Road which bears along the arc of a 1148.78 foot radius curve to the right a distance of 128.45 feet, the long chord of which bears S86°36'12"W 128.39 feet, and again S89°48'24"W 86.78 feet from the Southeast Corner of Tract A, Fox Meadows Business Park, as recorded at Reception No. 89053333 in the office of the Clerk and Recorder of Larimer County, Colorado, and run thence along said North right-of-way line, S89°48'24"W 200.00 feet; thence along the arc of a 15.00 foot radius curve to the right a distance of 4.57 feet, the long chord of which bears N81°27'52"W 4.55 feet to a point on the East right-of-way line of Timberline Road; thence along said East right-of-way line, N00°11'36"W 443.41 feet; thence N89°48'24"E 204.50 feet; thence S00°11'36"E 444.11 feet to the point of beginning, containing 90,819 square feet, more or less.

The undersigned have caused the above described land to be surveyed and subdivided into lots and easements as shown on this plat to be known as A Replat Of FOX MEADOWS BUSINESS PARK NO. 2 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 the 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. 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.

Witness our hands and seals this 21st day of May, A.D., 2002.

FOX MEADOWS II, L.L.P., A COLORADO LIMITED LIABILITY COMPANY

*K. Bill Tiley*  
K. BILL TILEY, Managing Partner

*Gene R. Spencer*  
GENE R. SPENCER, Partner

State of Colorado } S.S.  
County of Larimer }  
The foregoing dedication was acknowledged before me this 21st day of May, A.D., 2002, by K. Bill Tiley as Managing Partner, and by Gene R. Spencer as Partner of Fox Meadows II, L.L.P., a Colorado Limited Liability Company.

My notarial commission expires 02-29-2006. NOTARY PUBLIC *Mary E. Wigley*

### ATTORNEY'S CERTIFICATE:

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.

*[Signature]* Attorney Registration No. 2432 Address 1405 S. Gilroy Ave., F.C., CO.

### SURVEYOR'S CERTIFICATE:

I, Richard A. Rutherford, 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.

*Richard A. Rutherford*  
RICHARD A. RUTHERFORD  
Colorado registered P.E. & L.S. No. 5028  
Date:



### ENGINEERING CERTIFICATE:

By the City Engineer of the City of Fort Collins, Colorado this 29th day of May, A.D., 2002.

*[Signature]*  
CITY ENGINEER

### PLANNING CERTIFICATE:

By the Director of Planning of the City of Fort Collins, Colorado this 29th day of May, A.D., 2002.

*[Signature]*  
DIRECTOR OF PLANNING



**STEWART & ASSOCIATES**  
CONSULTING ENGINEERS AND SURVEYORS  
103 S. MELDRUM STREET, FORT COLLINS, COLORADO 80521 (970)482-9331

ENGINEER:	JOB FILE:	PLAT No.:	DRAWN:	CHECKED:	SURVEY:	SCALE:
R.A.R.	FOXCAMP/11/0502/1	FMPB drawer	J.S.R. 1	R.A.R.	B.W.N.	1"=30'

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