

COLORADO IRON AND METAL SECOND FILING

Being A Replat of Lot 1, Colorado Iron and Metal and A Replat of a Portion of Lot 23, Replat of North Lemay Subdivision Second Filing and Part Of The Northeast Quarter Of Section 12, Township 7 North, Range 69 West Of The 6th P.M., City Of Fort Collins, County Of Larimer, State Of Colorado

STATEMENT OF OWNERSHIP AND SUBDIVISION:

Know all persons by these presents, that the undersigned owner(s) of the following described land:

Lot One (1), Colorado Iron and Metal, recorded March 21, 2012 as Reception No. 20120018655 of the records of the Larimer County Clerk and Recorder,

TOGETHER WITH:

That parcel of land described in that Special Warranty Deed recorded March 12, 2012 as Reception No. 20120018619 of the records of the Larimer County Clerk and Recorder, being part of Lot 23, Replat of North Lemay Subdivision, Second Filing, recorded October 14, 1981 as Reception No. 432424 of the records of the Larimer County Clerk and Recorder and also being part of an unplatted portion of the Northeast Quarter (NE1/4) of Section Twelve (12), Township Seven North (T.7N.), Range Sixty-nine West (R.69W.) of the Sixth Principal Meridian (6th P.M.), City of Fort Collins, County of Larimer, State of Colorado, and being more particularly described as follows:

BEGINNING at the Southwest corner of said parcel of land described in said Special Warranty Deed with Reception No. 20120018619 and assuming the Westerly line of said parcel of land described in said Special Warranty Deed with Reception No. 20120018619, being monumentalized by a 12" outside diameter pipe at the South end and by a #4 rebar with an orange plastic cap stamped "LS34176" at the North end, as bearing North 00°00'00" East, with all other bearings contained herein relative thereto;

The following Six (6) courses and distances are along the Westerly, Northerly, Easterly and Southerly lines of said parcel of land described in said Special Warranty Deed with Reception No. 20120018619:

THENCE North 00°00'00" East a distance of 884.65 feet to the Northerly line of said Lot 23, also being the Southerly Right-of-Way line of Buckingham Street, said point being the Northwest corner of said parcel of land described in said Special Warranty Deed with Reception No. 20120018619;

THENCE North 90°00'00" East along the Northerly line of said Lot 23, also being along said Southerly Right-of-Way line, a distance of 77.05 feet to the Northeast corner of said parcel of land described in said Special Warranty Deed with Reception No. 20120018619;

THENCE South 00°00'00" East a distance of 535.18 feet to an Easterly corner of said parcel of land described in said Special Warranty Deed with Reception No. 20120018619;

THENCE South 89°39'58" East a distance of 185.26 feet to a Northerly corner of said parcel of land described in said Special Warranty Deed with Reception No. 20120018619;

THENCE South 00°43'36" West a distance of 343.30 feet to the Southeast corner of said parcel of land described in said Special Warranty Deed with Reception No. 20120018619;

THENCE South 88°38'28" West a distance of 258.04 feet to the POINT OF BEGINNING.

(which above described tract contains 8.739 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 COLORADO IRON AND METAL SECOND FILING, subject to all easements and rights-of-way now of record or existing or indicated on this plat.

OWNER: Colorado Iron and Metal Inc.
By: *Kent D. Garvin*
Kent D. Garvin, President/CEO

NOTARIAL CERTIFICATE

STATE OF COLORADO)
COUNTY OF LARIMER) ss.

The foregoing instrument was acknowledged before me this 14 day of June, 2013, by Kent D. Garvin as President/CEO of Colorado Iron and Metal, Inc.

My commission expires July 28, 2015

Witness my hand and official seal. *Susan M. Jones* (SEAL)
Notary Public

OWNER: GTG Investments LLC
By: *Kent D. Garvin*
Kent D. Garvin, Managing Member

NOTARIAL CERTIFICATE

STATE OF COLORADO)
COUNTY OF LARIMER) ss.

The foregoing instrument was acknowledged before me this 14 day of June, 2013, by Kent D. Garvin as Managing Member of GTG Investments LLC.

My commission expires July 28, 2015

Witness my hand and official seal. *Susan M. Jones* (SEAL)
Notary Public

LIENHOLDER: Western States Bank
By: *Larry Meier*
Larry Meier, Bank President

NOTARIAL CERTIFICATE

STATE OF COLORADO)
COUNTY OF LARIMER) ss.

The foregoing instrument was acknowledged before me this 14 day of June, 2013, by Western States Bank by Larry Meier, Bank President.

My commission expires July 28, 2015

Witness my hand and official seal. *Susan M. Jones* (SEAL)
Notary Public

APPROVED AS TO FORM, CITY ENGINEER

By the City Engineer of the City of Fort Collins, Colorado this 2nd day of August, A.D., 2013

Chris Fox
City Engineer

PLANNING APPROVAL

By the Director of Planning of the City of Fort Collins, Colorado this 5 day of August, A.D., 2013

Wanda Nelson
Director of Planning

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: *Timothy J. Paine*
Address: 125 S. Howes, 5th Floor
Fort Collins, Co 80521
Registration No.: 17645

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 constructed under the full and complete maintenance and repair 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 out 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, but not limited to, the roads, streets, fills, embankments, ditches, cross-poles, 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 under 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, 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.

NOTES

- 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.)
- South side of Buckingham Street Right-of-Way dedicated by:
 - North Lemay Subdivision, Second Filing (1974) (Rec. No. 105331) originally established 30'
 - Replat of North Lemay Subdivision, Second Filing (1981) (Rec. No. 432424) reduced the R.O.W. to 27'
 - Vanworks Subdivision Second Filing (1998) (Rec. No. 98036775) added 7' for a total of 34' (except for Lot 23, Replat of North Lemay Subdivision, Second Filing)
 - Deed of Dedication (2008) (Rec. No. 20080071168) added 4' for a total of 38' (except for Lot 23, Replat of North Lemay Subdivision, Second Filing)
 - Deed of Dedication (2010) (Rec. No. 20100045756) added 11' for a total of 38' to a portion (17.91') of Lot 23, Replat of North Lemay Subdivision, Second Filing
- The Colorado Iron and Metal Development Agreement dated January 18, 2012 between the City of Fort Collins and GTG Investments, LLC shall apply to the property on this replat.

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 LTG25105824, dated March 12, 2012 at 5:00 p.m. and Title Policy Number LTAQ25108387, dated May 30, 2012, both prepared by Land Title Guarantee Company to delineate the aforesaid information.

SURVEYOR'S STATEMENT

I, Michael Chad Dilka, a Colorado Licensed Professional Land Surveyor, do hereby state that this Subdivision Plat was prepared from an actual survey under my personal supervision and that the monumentization 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.

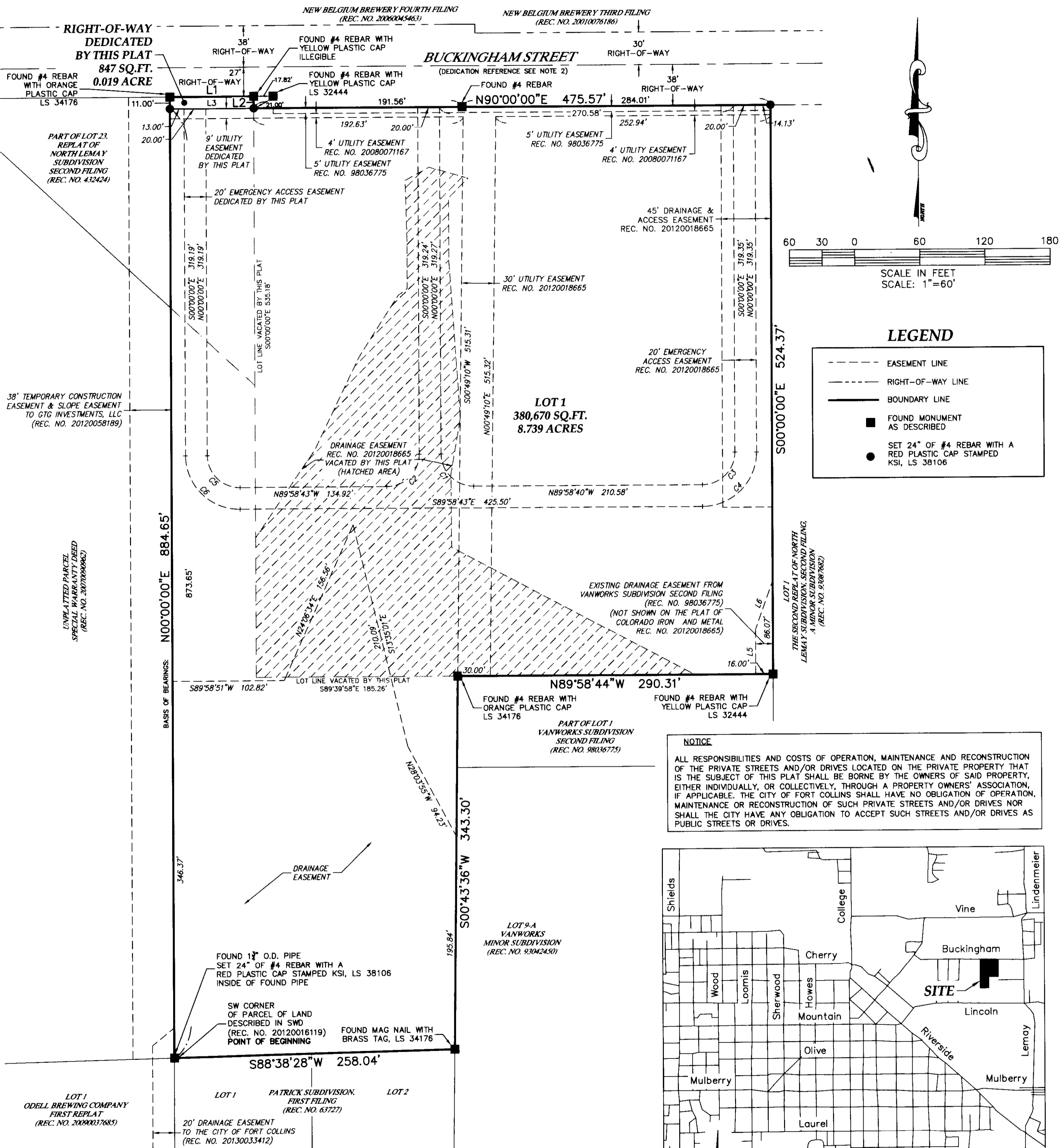
Michael Chad Dilka
6/13/2013
Michael Chad Dilka

Michael Chad Dilka - On Behalf Of King Surveyors, Inc.
Colorado Licensed Professional Land Surveyor #38106

BASIS OF BEARINGS AND LINEAL UNIT DEFINITION

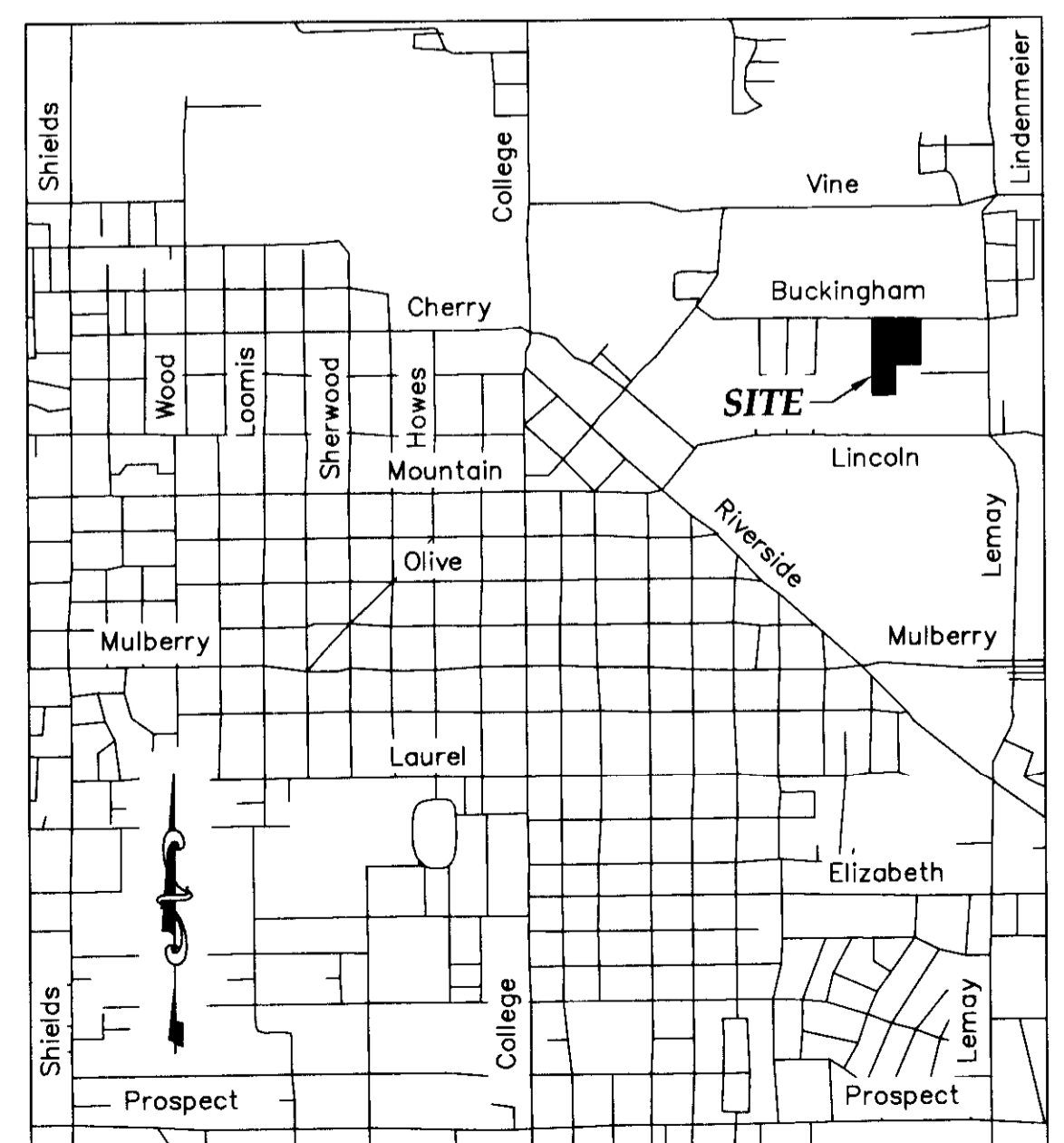
Assuming the Westerly line of that parcel of land described in that Special Warranty Deed recorded March 12, 2012 as Reception No. 20120018619 of the records of the Larimer County Clerk and Recorder, being monumentalized by a 12" outside diameter pipe at the South end and by a #4 rebar with an orange plastic cap stamped "LS34176" at the North end, as bearing North 00°00'00" East, with all other bearings contained herein relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C1	47.11'	30.00'	89°58'43"	42.42'	N44°59'22"W
C2	47.14'	30.00'	90°01'17"	42.43'	S45°00'38"W
C3	47.14'	30.00'	90°01'17"	42.43'	S45°00'38"W
C4	78.56'	50.00'	90°01'17"	70.72'	N45°00'38"E
C5	47.11'	30.00'	89°58'43"	42.42'	N44°59'22"E
C6	78.52'	50.00'	89°58'43"	70.70'	S44°59'22"E

LINE TABLE		
LINE	BEARING	LENGTH
L1	N90°00'00"E	77.05'
L2	S00°00'00"W	11.00'
L3	N90°00'00"W	77.05'
L4	N00°00'00"E	41.34'
L5	N19°40'55"E	47.51'



DATE: 6/10/2013
FILE NAME: 2011577SUB
SCALE: 1"=60'
DRAWN BY: CSK
CHECKED BY: MCD

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



DATE: 6/10/13
REVISED PER COMMENTS: CSK 8/20/12
REVISED PER REDLINES: MCD 11/9/12
ADDED NOTE #3: MCD 6/7/13

COLORADO IRON AND METAL SECOND FILING
FOR COLORADO IRON AND METAL INC.
903 BUCKINGHAM STREET
FORT COLLINS, CO 80524

PROJECT # 2011577