

## LEGAL DESCRIPTION:

LOT 88, MOUNTAIN VALLEY SUBDIVISION, FILING 3, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 8, 1971 IN PLAT BOOK 4 AT PAGE 186 AS RECEPTION NO. 144332, COUNTY OF PITKIN. STATE OF COLORADO.

## NOTES

DATE OF FIELD SURVEY: NOVEMBER 25, 2020

- 1. ALL BEARINGS ARE GRID BEARINGS OF THE COLORADO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM 1983. THE REFERENCE BEARING BETWEEN "A" (FOUND 2" ALUMINUM WASHER LS #23875 AND "B" (FOUND #5 REBAR WITH 1.5" ALUMINUM CAP (ILLEGIBLE ) IS \$71°38'52"W. ALL DISTANCES ARE GROUND DISTANCES BASED ON A COMBINED SCALE FACTOR.
- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THIS SURVEYOR OF THE PROPERTY SHOWN AND DESCRIBED HEREON TO DETERMINE:

   A) OWNERSHIP OF THE TRACT OF LAND

B) COMPATIBILITY OF THIS DESCRIPTION WITH THOSE OF ADJOINERS

C) RIGHT'S-OF WAY, EASEMENTS AND ENCUMBRANCES OF RECORD AFFECTING THIS PARCEL.

- 3. FOR ALL INFORMATION REGARDING EASEMENT, RIGHTS-OF-WAY AND/OR TITLE OF RECORD, HIGH COUNTRY ENGINEERING, INC. RELIED UPON TITLE COMMITMENT NO. 7000497-C ISSUED BY TITLE COMPANY OF THE ROCKIES, EFFECTIVE DATE: OCTOBER 23, 2020. THIS PROPERTY IS SUBJECT TO ALL CONDITIONS AND RESTRICTIONS CONTAINED THEREIN.
- 4. ALL DIMENSIONS AND COURSES ARE AS MEASURED IN THE FIELD UNLESS DENOTED IN PARENTHESIS, WHICH DENOTE THE BOUNDARIES OF RECORD ON THE ORIGINAL PLAT OF MOUNTAIN VALLEY SUBDIVISION, THIRD FILING, PLAT BOOK 4, PAGE 186 IN THE PUBLIC RECORDS OF PITKIN COUNTY, STATE OF COLORADO.
- 5. THE CLIENT DID NOT REQUEST ANY ADDITIONAL EASEMENTS, RIGHTS-OF-WAY AND/OR IMPROVEMENTS BE RESEARCHED OR SHOWN ON THIS PLAT.
- 6. FOR BUILDING SETBACK INFORMATION REFER TO CITY OF ASPEN COMMUNITY DEVELOPMENT BUILDING STANDARDS
- 7. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO SECTION 18-4-508 OF THE COLORADO REVISED STATUTES.
- 8. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED ON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED ON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.
- 9. NOTICE: THIS PLAT AND THE INFORMATION SHOWN HEREON MAY NOT BE USED FOR ANY ADDITIONAL OR EXTENDED PURPOSE BEYOND THAT FOR WHICH IT WAS INTENDED AND MAY NOT BE USED BY ANY PARTIES OTHER THAN THOSE TO WHICH IT IS CERTIFIED. THIS DOCUMENT AND THE WORK IT REPRESENTS IS THE PROPERTY OF HIGH COUNTRY ENGINEERING, INC. NO PART OF THIS DOCUMENT MAY BE STORED, REPRODUCED, DISTRIBUTED OR USED TO PREPARE DERIVATIVE PRODUCTS WITHOUT PRIOR WRITTEN PERMISSION. AN ORIGINAL SEAL AND ORIGINAL SIGNATURE IS REQUIRED TO VALIDATE THIS DOCUMENT AND IS EXCLUSIVE TO HIGH COUNTRY ENGINEERING, INC. AND THE OWNER(S) OF RECORD AS OF THIS DATE, OF THE PROPERTY DELINEATED HEREON AND THE SUBJECT OF THE SURVEY.

#### **B2 EXCEPTIONS**

EXCEPTIONS 1-7 ARE STANDARD - TITLE COMMITMENT NO. 7000497-C ISSUED BY TITLE COMPANY OF THE ROCKIES, EFFECTIVE DATE: OCTOBER 23, 2020.

- 7. RIGHTS OF THE PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE THIS ORE THEREFROM, SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES HEREBY GRANTED AND A RIGHT OF WAY FOR DITCHES OR CANALS AS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES PATENT RECORDED OCTOBER 14, 1920 IN BOOK 55 AT PAGE 561 AS RECEPTION NO. 80870. (Not Plottable)
- TERMS AND CONDITIONS OF CONTRACT FOR WATER SERVICE BETWEEN THE CITY OF ASPEN AND MOUNTAIN VALLEY DEVELOPMENT COMPANY AS CONTAINED IN INSTRUMENT RECORDED JULY 27, 1966 IN BOOK 221 AT PAGE 510 AS RECEPTION NO. 124868. (Not Plottable)
- 9. EASEMENTS, RIGHTS OF WAY AND ALL OTHER MATTERS SHOWN ON THE PLAT OF MOUNTAIN VALLEY SUBDIVISION, FILING NO. 3, RECORDED FEBRUARY 9, 1971 IN PLAT BOOK 4 AT PAGE 186 AS RECEPTION NO. 144332. (As shown hereon)
- NO. 144332. (As shown hereon)

  10. ARTICLES OF INCORPORATION OF MOUNTAIN VALLEY HOMEOWNERS ASSOCIATION, A COLORADO CORPORATION NOT FOR PROFIT, RECORDED APRIL 19, 1982 IN BOOK 425 AT PAGE 276 AS RECEPTION NO. 240705. AND RECORDED AUGUST 2, 2013 AS RECEPTION NO. 602236. (Not Plottable)
- NO. 240705, AND RECORDED AUGUST 2, 2013 AS RECEPTION NO.602226. (Not Plottable)

  11. TERMS, AGREEMENTS, PROVISIONS, CONDITIONS AND OBLIGATIONS AS CONTAINED IN RESOLUTION NO. 84-47, CONCERNING ROADS AND MAINTENANCE FOR THE THIRD FILING OF MOUNTAIN VALLEY SUBDIVISION, RECORDED JULY 10, 1984 IN BOOK 469 AT PAGE 258 AS RECEPTION NO. 26085. Not Plottable)
- 12. RESTRICTIONS, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, AS CONTAINED IN AMENDED PROTECTIVE COVENANTS FOR MOUNTAIN VALLEY SUBDIVISION, RECORDED JULY 17, 1991 IN BOOK 651 AT PAGE 625 AS RECEPTION NO. 334643, FIRST AMENDMENT RECORDED MAY 1, 2013 AS RECEPTION NO. 599155. (Not Plottable)
- 13. TERMS, AGREEMENTS, PROVISIONS, CONDITIONS AND OBLIGATIONS AS CONTAINED IN ORDINANCE NO. 93-13 OF THE BOARD OF COUNTY COMMISSIONERS OF PITKIN COUNTY, COLORADO, GRANTING RE-ZONING TO THE MOUNTAIN VALLEY SUBDIVISION, RECORDED AUGUST 17, 1993 IN BOOK 721 AT PAGE 574 AS RECEPTION NO. 360141. Not Plottable)
- TERMS AND CONDITION'S AS CONTAINED IN NOTICE OF NON-COMPLIANCE, BY THE PITKIN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT, RECORDED FEBRUARY 4, 2015 AS RECEPTION NO. 617176. (Not Plottable)
- 15. ANY RIGHTS, EASEMENTS, INTERESTS OR CLAIMS WHICH MAY EXIST BY REASON OF OR REFLECTED BY THE FOLLOWING FACTS SHOWN ON THE IMPROVEMENTS LOCATION CERTIFICATE PROVIDED BY HIGH COUNTY ENGINEERING INC., DATED FEBRUARY 21, 2008, NO. 2081610.00 ADJOINER'S DRIVEWAY CROSSING SUBJECT PROPERTY GOING ONTO ADJOINING LOT 89 AND TIE RETAINING WALL AND CONCRETE DRIVEWAY ONTO MOUNTAIN LAUREL DRIVE RIGHT OF WAY. (As shown and noted hereon no R.R. Retaining wall observed)

# LAND SURVEY PLAT DEPOSIT CLERK AND RECORDER'S CERTIFICATE

THIS LAND SURVEY PLAT HAS BEEN ACCEPTED FOR DEPOSIT IN THE OFFICE OF THE CLERK AND RECORDER OF PITKIN COUNTY, COLORADO THIS \_\_\_\_ DAY OF \_\_\_\_\_\_, 2020, PLAT BOOK \_\_\_\_\_, PAGE \_\_\_\_\_, AS RECEPTION NO.\_\_\_\_\_\_.

TITLE 38, ARTICLE 50, §101 C.R.S. (5)(a) PLATS SHALL BE DEPOSITED IN ACCORDANCE WITH THIS SECTION FOR THE SOLE PURPOSE OF RECORDING INFORMATION ON SURVEYING MONUMENTATION IN ORDER TO PROVIDE SURVEY DATA FOR SUBSEQUENT LAND SURVEYS AND SHALL NOT BE CONSTRUED TO AFFECT, IN ANY MANNER WHATSOEVER, THE DESCRIPTION OF A SUBDIVISION, LINE, OR CORNER CONTAINED IN THE OFFICIAL PLATS AND FIELD NOTES FILED AND OF RECORD OR TO SUBDIVIDE BOUNDARY. (b) NO PLAT DEPOSITED IN ACCORDANCE WITH THIS SECTION SHALL CONSTITUTE NOTICE PURSUANT TO SECTION 38-35-109 CRS.

IN THE EVENT THIS SURVEY CANNOT BE DEPOSITED, THIS IS YOUR NOTICE THAT THIS IS NOT A RECORDABLE DOCUMENT.

\_\_\_\_\_ CLERK AND RECORDER

BY:\_\_\_\_\_

### SURVEYOR'S CERTIFICATION

I, BILL W.A. BAKER, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO (#23875) DO BY THESE PRESENTS CERTIFY TO ANNA MARKS, PAUL MARKS AND TITLE COMPANY OF THE ROCKIES THAT THE DRAWING SHOWN HEREON, WITH NOTES ATTACHED HERETO AND MADE A PART HEREOF, REPRESENTS A MONUMENTED LAND SURVEY MADE UNDER MY DIRECT SUPERVISION AND THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, AN ACCURATE DEPICTION OF SAID SURVEY IS RENDERED BY THIS PLAT. THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE, IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED. THIS SURVEY PLAT COMPLIES WITH TITLE 38-51-102, COLORADO REVISED STATUTES.

BILL W.A. BAKER, COLORADO PROFESSIONAL LAND SURVEYOR #23875 CERTIFIED FEDERAL SURVEYOR #1699



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ASPEN MOUNTAIN RETREAT, LLO
PITKIN COUNTY
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780 MOUNTAIN LAUREL DRIVE

PROJECT NO. 220-1727

SHEET NUMBER