IMPROVEMENT SURVEY PLAT

A TRACT OF LAND IN THE LEGAL TENDER LODE U.S.M.S. NO. 6116 AND THE ERIE LODE, U.S.M.S. NO. 3283

UNSURVEYED SECTIONS 1 & 12, TOWNSHIP 11 SOUTH, RANGE 85 WEST OF THE 6TH P.M.

COUNTY OF PITKIN, STATE OF COLORADO

SHEET 1: PARCEL ONE - A
SHEET 2: PARCEL TWO - B

TITLE COMMITMENT EXCEPTION NOTES:

STEWART TITLE FILE NO. 0130-72094, HAVING AN EFFECTIVE DATE OF JANUARY 15, 2016.

10.) RIGHT OF THE PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM, SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES HEREIN GRANTED, AS RESERVED IN UNITED STATES PATENT RECORDED MARCH 25, 1989 IN BOOK 330 AT PAGE 943. APPLIES TO PARCEL ONE. THIS DOCUMENT IS ILLEGIBLE AND CAN NOT BE REVIEWED.

11.) EASEMENT AGREEMENT RECORDED DECEMBER 8, 1976 IN BOOK 380 AT PAGE 228 AND AMENDMENTS THERETO RECORDED JULY 3, 1986 IN BOOK 489 AT PAGE 374, DECLARATION REGARDING RIGHT OF ACCESS EASEMENT AND THE SUPPLEMENT RECORDED AUGUST 18, 1988 IN BOOK 599 AT PAGE 836, AGREEMENT TO AMEND AND CLARIFY AN EASEMENT AGREEMENT RECORDED AUGUST 18, 1988 IN BOOK 599 AT PAGE 842, AND ASSIGNMENT OF ACCESS RIGHTS RECORDED AUGUST 18, 1988 IN BOOK 599 AT PAGE 853. APPLIES TO PARCEL ONE. EASEMENT IS SHOWN HEREON.

12.) WATER WELL EASEMENT AND RIGHT OF ACCESS AGREEMENT RECORDED MARCH 14, 1983 IN BOOK 441 AT PAGE 945, DECLARATION REGARDING WATER WELL EASEMENT RECORDED AUGUST 18, 1988 IN BOOK 599 AT PAGE 839 AS RECEPTION NO. 314300 AND ASSIGNMENT OF WATER WELL EASEMENT RECORDED AUGUST 18, 1988 IN BOOK 599 AT PAGE 853 AS RECEPTION NO. 314312. APPLIES TO PARCEL ONE. WELL IS SHOWN AND EASEMENT IS NOTED HEREON.

13.) RESOLUTION NO. 85-10 ISSUED BY THE PITKIN COUNTY PLANNING AND ZONING COMMISSION RECORDED SEPTEMBER 17, 1985 IN BOOK 468 AT PAGE 302. APPLIES TO PARCEL ONE AND NOTHING GRAPHICALLY TO BE SHOWN HEREON.

14.) EASEMENT AND RIGHT OF WAY TO HOLY CROSS ELECTRIC ASSOCIATION RECORDED JUNE 3, 1983 IN BOOK 714 AT PAGE 13. APPLIES TO PARCEL ONE AND EASEMENT IS SHOWN HEREON.

15.) TRENCH, CONDUIT AND VAULT AGREEMENT WITH HOLY CROSS ELECTRIC ASSOCIATION RECORDED JUNE 3, 1983 IN BOOK 714 AT PAGE 13. APPLIES TO PARCEL ONE AND NOTHING GRAPHICALLY TO BE SHOWN HEREON.

16.) OCCUPANCY DEED RESTRICTION RECORDED JULY 18, 1983 IN BOOK 718 AT PAGE 112. APPLIES TO PARCEL ONE AND NOTHING GRAPHICALLY TO BE SHOWN HEREON.

17.) RESOLUTION RECORDED JULY 28, 1983 IN BOOK 718 AT PAGE 257. APPLIES TO PARCEL ONE AND NOTHING GRAPHICALLY TO BE SHOWN HEREON.

18.) ALL MATTERS SHOWN ON THE 1041 HAZARD REVIEW PLAT RECORDED JULY 29, 1983 IN BOOK 32 AT PAGE 32. APPLIES TO PARCEL ONE AND BUILDING ENVELOPE IS SHOWN HEREON.

19.) AGREEMENT BETWEEN JACQUELINE YELLIN AND MARILYN LONEY RECORDED APRIL 14, 1983 IN BOOK 708 AT PAGE 978 AS RECEPTION NO. 353969. APPLIES TO PARCEL ONE AND NOTHING GRAPHICALLY TO BE SHOWN HEREON.

20.) RESERVATIONS AFFECTING ERIE LODE MINING CLAIM, USMS NO. 3283, AS SET FORTH IN PATENT RECORDED OCTOBER 13, 1883 IN BOOK 28 AT PAGE 8 AS FOLLOWS: A. THAT THE PREMISES HEREIN GRANTED WITH THE EXCEPTION OF THE SURFACE, MAY BE ENTERED BY THE PROPRIETOR OF ANY VEIN, LODE OR LEDGE, THE TOP APEX OF WHICH LIES OUTSIDE THE BOUNDARY OF SAID GRANTED PREMISES SHOULD THE SAME IN ITS DIP BE FOUND TO PENETRATE, INTERSECT OR EXTEND INTO OR UNDERLIE THE PREMISES, FOR THE PURPOSE OF EXTRACTING AND REMOVING THE ORE FROM SUCH OTHER VEIN, LODE OR LEDGE; B. THAT THE PREMISES HEREBY GRANTED SHALL BE HELD SUBJECT TO ANY VESTED AND ACCRUED WATER RIGHTS FOR MINING AGRICULTURAL, MANUFACTURING OR OTHER PURPOSES, AND RIGHTS TO DITCHES AND RESERVOIRS USED IN CONNECTION WITH SUCH WATER RIGHTS AS MAY BE RECOGNIZED AND ACKNOWLEDGED BY THE LOCAL LAWS, CUSTOMS, AND DECISIONS OF COURTS. APPLIES TO PARCEL TWO.

21.) EASEMENT AGREEMENT BETWEEN LITTLE MARK, LIMITED PARTNERSHIP, JOHN MATHEWS AND JAMES C. GLASHING, JR., RECORDED DECEMBER 2, 1983 IN BOOK 438 AT PAGE 663. APPLIES TO PARCEL TWO AND EASEMENT IS SHOWN ON SHEET 2.

22.) EASEMENTS FOR INGRESS AND EGRESS TO AND FROM THE GEM LODE, U.S.M.S. NO. 3284 IN GRANT OF ACCESS EASEMENT RECORDED DECEMBER 7, 1984 IN BOOK 477 AT PAGE 808 AND IN RECIPROCAL GRANTS OF ACCESS EASEMENTS RECORDED JULY 22, 1985 IN BOOK 481 AT PAGE 681 AS RECEPTION NO. 368888. APPLIES TO PARCEL TWO AND EASEMENTS ARE SHOWN ON SHEET 2.

23.) EASEMENT FOR UNDERGROUND ELECTRICAL AND TELEPHONE LINES BENEFITING THE GEM LODE, U.S.M.S. NO. 3284 AS SET FORTH IN GRANT OF UNDERGROUND UTILITY EASEMENT RECORDED DECEMBER 7, 1984 IN BOOK 477 AT PAGE 816. APPLIES TO PARCEL TWO AND EASEMENT IS SHOWN ON SHEET 2.

24.) EASEMENT AND RIGHT OF WAY FOR ALL FORMS OF SURFACE INGRESS AND EGRESS TO THE NON-ADJOINING GLOBE LODE AS GRANTED TO JOHN MATHEWS BY LAURIE G. ADAMS IN THE INSTRUMENT RECORDED MARCH 30, 1987 IN BOOK 531 AT PAGE 775. APPLIES TO PARCEL TWO AND EASEMENT IS SHOWN ON SHEET 2.

25.) EASEMENT AND RIGHT OF WAY FOR INSTALLING, MAINTAINING AND OPERATING UNDERGROUND ELECTRICAL AND TELEPHONE LINES AS GRANTED TO JOHN MATHEWS BY LAURIE G. ADAMS IN THE INSTRUMENT RECORDED MARCH 30, 1987 IN BOOK 531 AT PAGE 777. APPLIES TO PARCEL TWO AND EASEMENT IS SHOWN ON SHEET 2.

26.) ACCESS AND UTILITY EASEMENT GRANTED UNTO STERLING M. COOPER, JR. AND THEODORE S. COOPER IN INSTRUMENT RECORDED NOVEMBER 13, 1991 IN BOOK 662 AT PAGE 117. APPLIES TO PARCEL TWO AND EASEMENT IS SHOWN ON SHEET 2.

27.) UNDERGROUND RIGHT OF WAY EASEMENT GRANTED UNTO HOLY CROSS ELECTRIC ASSOCIATION, INC. RECORDED JANUARY 13, 1993 IN BOOK 696 AT PAGE 586. APPLIES TO PARCEL TWO AND EASEMENT IS SHOWN ON SHEET 2.

28.) EASEMENT CONTAINED IN AGREEMENT TO GRANT AN EASEMENT RECORDED FEBRUARY 27, 1996 AS RECEPTION NO. 392263. APPLIES TO PARCEL TWO AND EASEMENT IS SHOWN ON SHEET 2.

29.) RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PITKIN COUNTY, COLORADO, GRANTING 1041 HAZARD REVIEW AMENDMENT AND SPECIAL REVIEW APPROVAL TO JUDY HAAS TO RELOCATE AND APPROVE BUILDING ENVELOPE IN THE RURAL/REMOTE ZONE DISTRICT, RESOLUTION NO. 96-43 RECORDED APRIL 15, 1996 AS RECEPTION NO. 397776. APPLIES TO PARCEL TWO AND NOTHING GRAPHICALLY TO BE SHOWN HEREON.

30.) RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PITKIN COUNTY, COLORADO, DENYING THE HAAS REZONING FROM RURAL/REMOTE TO AFR-10, RESOLUTION NO. 97-68 RECORDED JUNE 16, 1997 AS RECEPTION NO. 408410. APPLIES TO PARCEL TWO AND NOTHING GRAPHICALLY TO BE SHOWN HEREON.

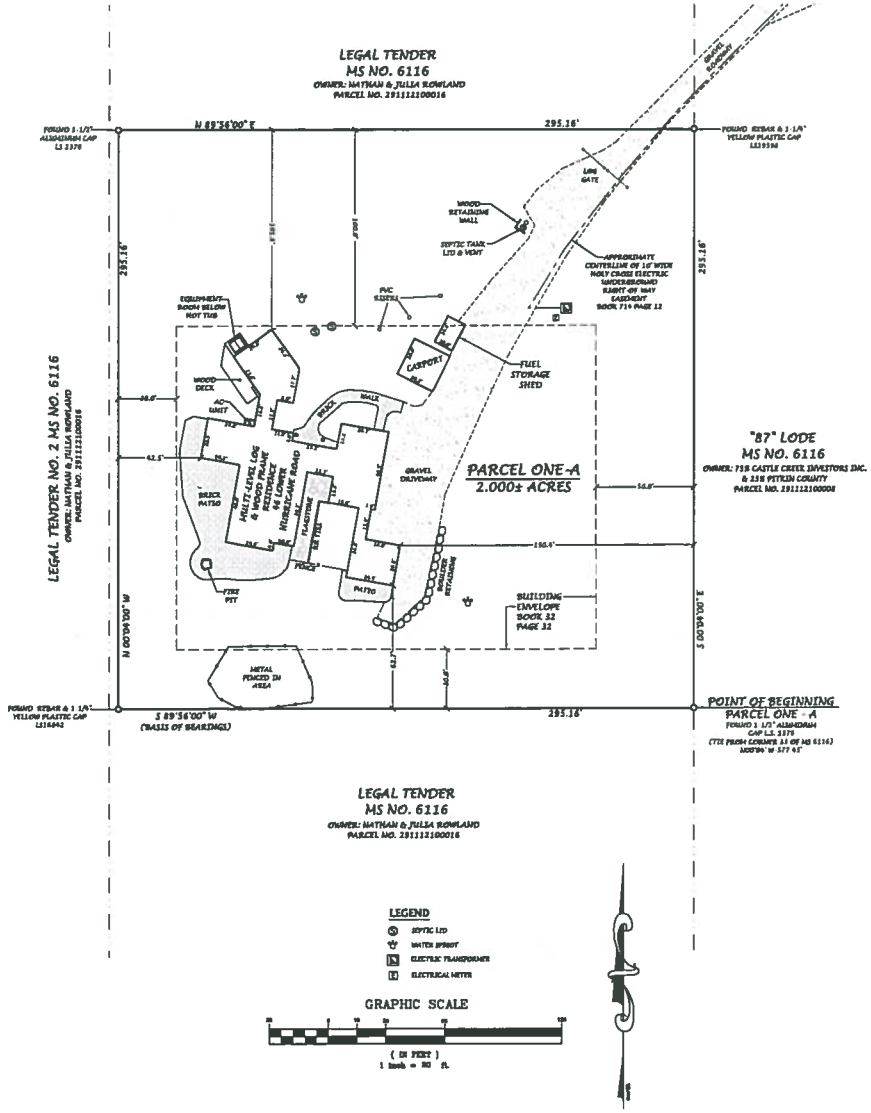
31.) ALL MATTERS SHOWN ON THE 1041 REVIEW MAP: ADAMS PROPERTY SITE PLAN RECORDED AUGUST 1, 1988 IN BOOK 21 AT PAGE 14 AND ON THE HAAS 1041 HAZARD REVIEW MAP RECORDED OCTOBER 23, 1997 IN BOOK 43 AT PAGE 96 AS RECEPTION NO. 408848. APPLIES TO PARCEL TWO AND BUILDING ENVELOPE IS SHOWN ON SHEET 2.

32.) MEMORANDUM FROM THE PITKIN COUNTY PLANNING DEPARTMENT RECORDED AUGUST 26, 1987 AS RECEPTION NO. 407704 AND AN ADMINISTRATIVE DECISION OF THE COMMUNITY DEVELOPMENT DIRECTOR RECORDED AUGUST 26, 1987 AS RECEPTION NO. 407705. APPLIES TO PARCEL TWO AND NOTHING GRAPHICALLY TO BE SHOWN HEREON.

33.) RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PITKIN COUNTY, COLORADO, GRANTING SPECIAL REVIEW APPROVAL TO JUDY HAAS TO RETAIN AN EXISTING CABIN AS AN ACCESSORY STRUCTURE RESOLUTION NO. 98-128 RECORDED SEPTEMBER 28, 1998 AS RECEPTION NO. 423486. APPLIES TO PARCEL TWO AND NOTHING GRAPHICALLY TO BE SHOWN HEREON.

34.) EASEMENT AGREEMENT BETWEEN CASTLE CREEK INVESTORS, INC. AND JUDY HAAS RECORDED SEPTEMBER 14, 2000 AS RECEPTION NO. 448864. APPLIES TO PARCEL TWO EASEMENT IS SHOWN ON SHEET 2.

NOTICE: 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 certification shown hereon.



PROPERTY DESCRIPTION:

STEWART TITLE FILE NO. 0130-72094, HAVING AN EFFECTIVE DATE OF JANUARY 15, 2016.

PARCEL ONE-A (FEE)

A TRACT OF LAND IN THE LEGAL TENDER CLAIM MS NO. 6116, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF THE "LEGAL TENDER" CLAIM MS NO. 6116, BEING 577.65 FEET N. 00 DEGREES 04 MINUTES W. FROM THE BOCK CORNER 11/MS 6116; THENCE N. 00 DEGREES 04 MINUTES W. 295.16 FT. ALONG THE EAST LINE OF THE LEGAL TENDER CLAIM; THENCE S. 89 DEGREES 56 MINUTES W. 295.16 FT.; THENCE S. 00 DEGREES 04 MINUTES E. 295.16 FT.; THENCE N. 89 DEGREES 56 MINUTES E. 295.15 FT. TO THE POINT OF BEGINNING.

PARCEL ONE-B (EASEMENT)

EASEMENT RIGHTS FOR INGRESS AND EGRESS CONTAINED IN EASEMENT AGREEMENT RECORDED DECEMBER 8, 1976 IN BOOK 380 AT PAGE 228.

AND

PARCEL TWO-A (FEE)

ERIE LODE, U.S.M.S. NO. 3283 AS DESCRIBED IN UNITED STATES PATENT RECORDED OCTOBER 13, 1883 IN BOOK 28 AT PAGE 8 AS RECEPTION NO. 12703.

PARCEL TWO-B (EASEMENT)

A PERPETUAL NON-EXCLUSIVE EASEMENT AND RIGHT OF WAY FOR INGRESS AND EGRESS UNDER TERMS AND CONDITIONS AS SET FORTH IN EASEMENT AGREEMENT RECORDED DECEMBER 2 1983 IN BOOK 438 AT PAGE 663 AS RECEPTION NO. 348535. SAID EASEMENT BEING 30 FEET IN WIDTH AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AN EASEMENT SITUATED IN SECTIONS 1 AND 12, TOWNSHIP 11 SOUTH, RANGE 85 WEST OF THE SIXTH PRINCIPAL MERIDIAN, PITKIN COUNTY, COLORADO. SAID EASEMENT IS 30.00 FEET IN WIDTH (15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT A POINT WHENCE CORNER NO. 3 OF THE ERIE LODE, U.S.M.S. 3283 BEARS N. 11 DEGREES 46 MINUTES 05 SECONDS E. 28.28 FEET; THENCE S. 88 DEGREES 17 MINUTES 39 SECONDS W. 108.85 FEET; THENCE S. 87 DEGREES 58 MINUTES 58 SECONDS W. 33.63 FEET; THENCE N. 63 DEGREES 57 MINUTES 38 SECONDS W. 25.43 FEET; THENCE N. 38 DEGREES 53 MINUTES 33 SECONDS E. 65.49 FEET; THENCE N. 38 DEGREES 35 MINUTES 45 SECONDS E. 38.08 FEET; THENCE N. 42 DEGREES 17 MINUTES 17 SECONDS E. 76.88 FEET; THENCE N. 28 DEGREES 40 MINUTES 50 SECONDS E. 22.80 FEET; THENCE N. 04 DEGREES 13 MINUTES 18 SECONDS W. 22.86 FEET; THENCE N. 38 DEGREES 38 MINUTES 35 SECONDS W. 25.38 FEET; THENCE N. 32 DEGREES 18 MINUTES 33 SECONDS W. 28.28 FEET; THENCE N. 36 DEGREES 15 MINUTES 40 SECONDS W. 66.79 FEET; THENCE N. 48 DEGREES 50 MINUTES 43 SECONDS W. 74.33 FEET; THENCE N. 63 DEGREES 41 MINUTES 10 SECONDS W. 32.86 FEET; THENCE N. 83 DEGREES 18 MINUTES 08 SECONDS W. 34.08 FEET TO THE CENTERLINE OF THE LITTLE ANNIE'S ROAD AS NOW CONSTRUCTED AND IN USE; THENCE THE FOLLOWING COURSES AND DISTANCE ALONG SAID ROAD: S. 18 DEGREES 46 MINUTES 11 SECONDS W. 108.09 FEET; S. 63 DEGREES 58 MINUTES 50 SECONDS W. 88.34 FEET; S. 83 DEGREES 57 MINUTES 24 SECONDS W. 170.12 FEET; THENCE S. 67 DEGREES 53 MINUTES 48 SECONDS W. 198.88 FEET; S. 73 DEGREES 32 MINUTES 53 SECONDS W. 135.25 FEET; S. 76 DEGREES 41 MINUTES 08 SECONDS W. 107.64 FEET; S. 75 DEGREES 05 MINUTES 38 SECONDS W. 74.67 FEET; S. 68 DEGREES 50 MINUTES 24 SECONDS W. 57.05 FEET; S. 57 DEGREES 39 MINUTES 12 SECONDS W. 177.88 FEET; S. 37 DEGREES 28 MINUTES 04 SECONDS W. 98.40 FEET; S. 08 DEGREES 13 MINUTES 33 SECONDS W. 110.52 FEET; S. 53 DEGREES 46 MINUTES 38 SECONDS E. 125.46 FEET; S. 13 DEGREES 35 MINUTES 07 SECONDS E. 276.10 FEET; S. 24 DEGREES 22 MINUTES 43 SECONDS W. 131.29 FEET; S. 16 DEGREES 38 MINUTES 23 SECONDS E. 148.44 FEET; S. 17 DEGREES 29 MINUTES 16 SECONDS W. 108.84 FEET; S. 28 DEGREES 32 MINUTES 08 SECONDS W. 67.28 FEET; S. 74 DEGREES 63 MINUTES 38 SECONDS W. 36.85 FEET MORE OR LESS TO THE POINT OF INTERSECTION WITH THE EASTERLY BOUNDARY LINE OF LINE CREEK VILLAGE SUBDIVISION, FIRST FILING.

COUNTY OF PITKIN, STATE OF COLORADO.

NOTES:

1. BASIS OF BEARINGS FOR THIS SURVEY IS A BEARING OF S89°56'00"W ALONG THE SOUTHERLY PROPERTY LINE OF PARCEL ONE-A BETWEEN THE SOUTHEAST CORNER OF SAID PARCEL 1-1/2" ALUMINUM CAP LS2378 AND THE SOUTHWEST CORNER A REBAR AND 1-1/4" YELLOW PLASTIC CAP LS19642 AS SHOWN HEREON.
2. DATE OF FIELD SURVEY: FEBRUARY 17 & 18, 2016. AT THE TIME OF THE SURVEY THERE WAS 3-4 FEET OF SNOW ON THE GROUND.
3. LINEAR UNITS USED TO PERFORM THIS SURVEY HERE U.S. SURVEY FEET.
4. THIS SURVEY IS BASED ON QUIT CLAIM DEED RECORDED AS RECEPTION NO. 624868, QUIT CLAIM DEED RECORDED AS RECEPTION NO. 624866, UNITED STATE PATENT FOR THE ERIE LODE IN BOOK 28 AT PAGE 8, PLAT OF MINERAL SURVEY NO. 3283 THE ERIE LODE, PLAT OF MINERAL SURVEY NO. 6116, HAAS 1041 HAZARD REVIEW SITE PLAN RECORDED IN PLAT BOOK 43 AT PAGE 96, ROAD LOCATION SURVEY PREPARED BY G.E.E. SURVEYING SYSTEMS, INC DATED 10-24-08 AND CORNERS FOUND IN PLACE AS SHOWN HEREON.
5. THIS IMPROVEMENT SURVEY PLAT DOES NOT CONSTITUTE A TITLE SEARCH BY HIGH COUNTRY ENGINEERING, INC. FOR ALL INFORMATION REGARDING EASEMENT, RIGHTS-OF-WAY AND/OR TITLE OF RECORD, HIGH COUNTRY ENGINEERING, INC. RELIED UPON TITLE COMMITMENT NO. 0130-72094 ISSUED BY STEWART TITLE HAVING AN EFFECTIVE DATE OF JANUARY 15, 2016.

SURVEYOR'S CERTIFICATION

I, RODNEY P. KEER, HEREBY CERTIFY TO SLUSHER PROPERTIES 3, LLC, GATES, KNOCHNOH, BARDESHARTZ, KELLY & MONSON, P.C. AND STEWART TITLE GUARANTY COMPANY, THAT THIS IS AN "IMPROVEMENT SURVEY PLAT" AS DEFINED BY C.R.S.38-51-102(9) AND THAT IT IS A MONUMENTED LAND SURVEY SHOWING THE LOCATION OF ALL STRUCTURES, VISIBLE UTILITIES, FENCES, HEDGES, OR WALLS SITUATED ON THE DESCRIBED PARCELS AND WITHIN FIVE FEET OF ALL BOUNDARIES OF SUCH PARCELS, ANY CONFLICTING BOUNDARY EVIDENCE OR VISIBLE ENCROACHMENTS.

RODNEY P. KEER, PLS NO. 38215
COLORADO PROFESSIONAL LAND SURVEYOR

COLORADO LICENSED RODNEY P. KEER 38215 7/24/2016

CLERK AND RECORDER'S CERTIFICATE

THIS IMPROVEMENT SURVEY PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE CLERK AND RECORDER OF PITKIN COUNTY AT _____ O'CLOCK_____.M. ON THE _____ DAY OF_____, A.D. 2016, AND IS DULY RECORDED IN BOOK _____ PAGE _____ RECEPTION NO._____

_____
CLERK AND RECORDER

BY: _____
DEPUTY

NO.	DATE	REVISION	BY

CALL UTILITY NOTIFICATION CENTER OF COLORADO 811 OR 800-922-1987 OR 504-OFFICE IN METRO DENVER

CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES

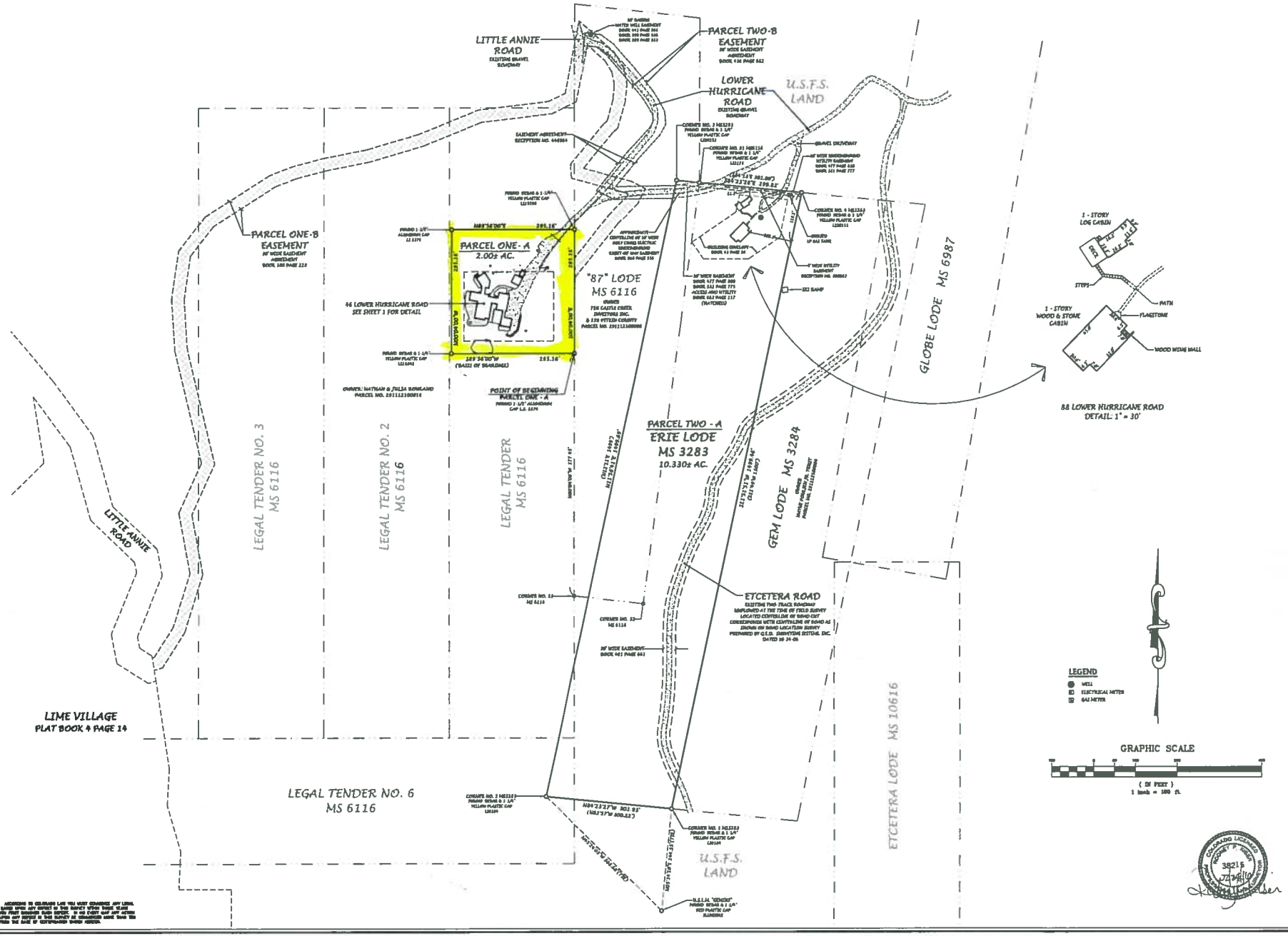
DRAWN BY: TJK
CHECKED BY: TJK
DATE: 03-24-16
FILE: 1831.DWG

HIGH COUNTRY ENGINEERING, INC.
1517 BLAKE AVENUE, STE 101
GLENWOOD SPRINGS, CO 81601
PHONE (970) 945-9778 · FAX (970) 945-8693
WWW.HCENG.COM

MELANIE GRIFFITH
HURRICANE ROAD-ASPEN

IMPROVEMENT SURVEY PLAT
LEGAL TENDER & ERIE LODES
PITKIN COUNTY, COLORADO

PROJECT NO.
2161631



CALL UTILITY NOTIFICATION CENTER OF COLORADO
CALL 1-800-922-1987
OR 811 BEFORE YOU DIG

CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES

NO.	DATE	REVISION	BY

Drawn by: RPK
Checked by:
DATE: 02-24-16
FILE: 1631.DWG

HIGH COUNTRY ENGINEERING, INC.
1517 BLAKE AVENUE, STE 101,
GLENWOOD SPRINGS, CO 81601
PHONE (970) 945-8778 • FAX (970) 945-8858
WWW.HCENG.COM

MELANIE GRIFFITH
HURRICANE ROAD-ASPEN
IMPROVEMENT SURVEY PLAT
LEGAL TENDER & ERIE LODES
PITKIN COUNTY, COLORADO

PROJECT NO.
2161631