

SUBDIVISION PLAT

RASPBERRY MOUNTAIN RANCH

BOUNDARY AND PHASE 1

PART OF SECTION 7, TOWNSHIP 30 SOUTH, RANGE 68 WEST OF THE 6TH P.M.,
AND PART OF SECTIONS 11, 12, 13 AND 14, TOWNSHIP 30 SOUTH, RANGE 69 WEST OF THE 6TH P.M.,
COUNTY OF HUERFANO, STATE OF COLORADO.

RASPBERRY MOUNTAIN RANCH - REVISED BOUNDARY DESCRIPTION (SHEET 2)

A TRACT OF LAND LYING IN PART OF SECTIONS 7, TOWNSHIP 30 SOUTH, RANGE 68 WEST, AND IN PART OF SECTIONS 11, 12, 13 AND 14, TOWNSHIP 30 SOUTH, RANGE 69 WEST OF THE 6TH P.M., COUNTY OF HUERFANO, STATE OF COLORADO, BEING A PART OF THAT TRACT OF LAND AS SHOWN ON A PLAT OF "GOEMMER RANCH", BY WACHOB AND WACHOB, INC., COLORADO CITY, COLORADO, DATED MARCH 30, 1995 FOR MR. J. LOWELL GOEMMER MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE LINE BETWEEN SAID SECTION 12 AND SECTION 7, SAID POINT BEING ON THE WESTERLY BOUNDARY OF MOUNTAIN VALLEY ROAD, AN ACCESS ROAD IN CUCHARA RIVER ESTATES, AMENDMENT 1, FROM WHICH THE SOUTHWEST CORNER OF SAID SECTION BEARS S 00°06'31" E, 522.09 FEET, THENCE ALONG THE WESTERLY BOUNDARY OF SAID MOUNTAIN VALLEY ROAD THE FOLLOWING (18) COURSES:

- 1) S 89°50'02" W, 14.61 FEET TO A POINT;
- 2) S 65°26'08" W, 256.87 FEET TO A POINT;
- 3) S 66°37'43" W, 140.13 FEET TO A POINT;
- 4) S 47°52'01" W, 172.85 FEET TO A POINT;
- 5) S 14°09'39" W, 275.87 FEET TO A POINT;
- 6) S 14°01'42" W, 90.58 FEET TO A POINT;
- 7) S 01°41'09" W, 71.18 FEET TO A POINT;
- 8) S 02°57'08" W, 1017.76 FEET TO A POINT;
- 9) S 24°02'05" E, 226.97 FEET TO A POINT;
- 10) S 09°07'03" W, 104.35 FEET TO A POINT;
- 11) S 17°33'20" W, 118.12 FEET TO A POINT;
- 12) S 12°32'47" E, 265.44 FEET TO A POINT;
- 13) S 12°48'05" W, 368.66 FEET TO A POINT;
- 14) S 08°10'04" E, 129.51 FEET TO A POINT;
- 15) S 08°39'01" E, 249.52 FEET TO A POINT;
- 16) S 25°23'28" W, 132.07 FEET TO A POINT;
- 17) S 43°22'48" W, 73.30 FEET TO A POINT;
- 18) S 01°02'54" E, 63.93 FEET TO A POINT;

THENCE DEPARTING THE WESTERLY LINE OF SAID MOUNTAIN VALLEY ROAD, S 16°15'19" W, 1225.87 FEET TO A POINT ON THE SOUTH LINE OF THAT TRACT OF LAND AS SHOWN ON SAID "GOEMMER RANCH" PLAT; THENCE ALONG THE SAID SOUTH LINE, S 89°42'31" W, 374.03 FEET TO A POINT; THENCE N 14°11'38" W, 397.71 FEET TO A POINT; THENCE S 89°25'35" W, 475.07 FEET TO A POINT; THENCE N 88°32'02" W, 1769.76 FEET TO A POINT; THENCE N 01°15'18" E, 990.98 FEET TO A POINT; THENCE N 88°45'44" W, 1554.59 FEET TO THE SOUTHWEST CORNER OF THAT TRACT OF LAND AS SHOWN ON SAID "GOEMMER RANCH" PLAT; THENCE ALONG THE WEST LINE OF SAID TRACT, N 28°56'24" E, 146.20 FEET TO A POINT; THENCE N 70°51'42" E, 161.11 FEET TO A POINT; THENCE N 27°17'54" E, 145.34 FEET TO A POINT; THENCE N 41°55'04" E, 236.12 FEET TO A POINT; THENCE N 32°18'52" E, 145.32 FEET TO A POINT; THENCE N 10°20'51" W, 125.62 FEET TO A POINT; THENCE N 23°57'08" E, 228.69 FEET TO A POINT; THENCE N 07°40'02" E, 223.71 FEET TO A POINT; THENCE N 09°15'22" W, 478.08 FEET TO A POINT; THENCE N 12°32'47" E, 265.44 FEET TO A POINT; THENCE N 22°55'57" E, 178.06 FEET TO A POINT; THENCE N 15°59'25" E, 222.73 FEET TO A POINT; THENCE N 12°32'47" E, 233.08 FEET TO A POINT; THENCE N 40°15'46" E, 176.50 FEET TO A POINT; THENCE S 08°56'17" E, 265.07 FEET TO A POINT; THENCE N 36°10'19" E, 288.79 FEET TO A POINT; THENCE N 21°53'55" W, 2145.97 FEET TO A POINT; THENCE N 12°28'42" W, 601.86 FEET TO A POINT; THENCE N 30°36'31" W, 1819.79 FEET TO A POINT; SAID POINT BEING ON THE NORTH LINE OF THE SE 1/4 NW 1/4 OF SAID SECTION 11; THENCE S 89°45'43" E, 1314.65 FEET TO THE NW 1/4 CORNER OF SAID SECTION 11; THENCE S 89°15'39" E, 2818.16 FEET TO THE NW 1/4 CORNER COMMON TO SECTIONS 11 AND 12; THENCE N 89°54'10" E, 1708.83 FEET TO THE NW 1/4 CORNER OF SAID SECTION 12; THENCE N 89°54'17" E, 2697.46 FEET TO THE NW 1/4 CORNER COMMON TO SECTION 12 AND SECTION 7; THENCE N 89°59'39" E, 3000.97 TO A POINT ON THE WEST LINE OF SAID CUCHARA RIVER ESTATES, AMENDMENT 1; THENCE ALONG THE WEST LINE OF SAID CUCHARA RIVER ESTATES, AMENDMENT 1, S 47°21'24" W, 1458.66 FEET TO A POINT ON THE WESTERLY LINE OF SAID MOUNTAIN VALLEY ROAD; THENCE ALONG THE WESTERLY BOUNDARY OF SAID ROAD THE FOLLOWING (16) COURSES:

- 1) S 05°40'03" W, 114.36 FEET TO A POINT;
- 2) S 09°12'42" W, 419.81 FEET TO A POINT;
- 3) S 00°24'35" E, 335.01 FEET TO A POINT;
- 4) S 00°39'23" W, 197.38 FEET TO A POINT;
- 5) S 12°09'56" W, 126.07 FEET TO A POINT;
- 6) S 03°48'23" E, 146.68 FEET TO A POINT;
- 7) S 19°48'45" E, 134.17 FEET TO A POINT;
- 8) S 28°59'08" W, 154.20 FEET TO A POINT;
- 9) S 58°43'08" W, 301.15 FEET TO A POINT;
- 10) S 58°57'41" W, 313.17 FEET TO A POINT;
- 11) S 73°44'07" W, 188.98 FEET TO A POINT;
- 12) S 67°48'15" W, 389.88 FEET TO A POINT;
- 13) S 77°31'31" W, 183.97 FEET TO A POINT;
- 14) S 59°14'40" W, 358.12 FEET TO A POINT;
- 15) S 46°28'20" W, 103.18 FEET TO A POINT;
- 16) S 58°50'02" W, 192.41 FEET TO THE POINT OF BEGINNING, CONTAINING 1528.40 ACRES.

EXCEPTING FROM THE ABOVE DESCRIBED TRACT OF LAND THE E 1/2 SE 1/4, SECTION 11, TOWNSHIP 30 SOUTH, RANGE 69 WEST OF THE 6TH P.M., AS SHOWN ON A PLAT OF "GOEMMER RANCH", BY WACHOB AND WACHOB, INC., COLORADO CITY, COLORADO, DATED MARCH 30, 1995 FOR MR. J. LOWELL GOEMMER, CONTAINING 80.92 ACRES.

TOTAL ACRES IN RASPBERRY MOUNTAIN RANCH: 1,528.40 ACRES - 80.92 ACRES = 1447.48 ACRES TOTAL.

RASPBERRY MOUNTAIN RANCH - PHASE 1 BOUNDARY (SHEET 3)

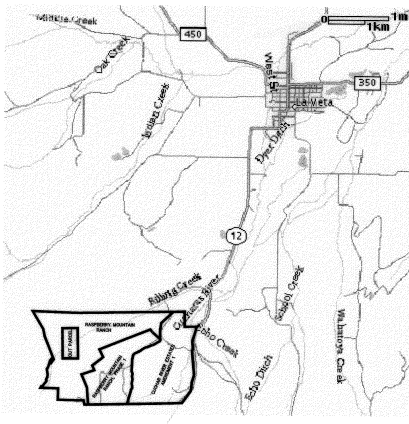
A TRACT OF LAND LYING IN PART OF THE SW 1/4, SECTION 7, TOWNSHIP 30 SOUTH, RANGE 68 WEST, AND IN PART OF SECTIONS 12 AND 13 TOWNSHIP 30 SOUTH, RANGE 69 WEST OF THE 6TH P.M., COUNTY OF HUERFANO, STATE OF COLORADO, BEING A PART OF THAT TRACT OF LAND AS SHOWN ON A PLAT OF "GOEMMER RANCH", BY WACHOB AND WACHOB, INC., COLORADO CITY, COLORADO, DATED MARCH 30, 1995 FOR MR. J. LOWELL GOEMMER MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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- 16) S 58°50'02" W, 192.41 FEET TO THE POINT OF BEGINNING, CONTAINING 498.15 ACRES.



MAP# 436

PK# 10, Fld. 1

INDemnITY

Raspberry Mountain Ranch Property Owners Association, Inc., a Colorado non-profit corporation ("POA"), shall indemnify, release and hold harmless individual tract owners, their guests, licensees and invitees from any and all claims of action, liabilities, damages, costs and expenses, including all fees and costs arising out of, or relating to, use, operation and maintenance of the roads, as depicted on the plat(s) for Raspberry Mountain Ranch, Phase 1, and Cuchara River Estates, Amendment 1.

ROADS

The roads, as depicted on the plat(s) for Raspberry Mountain Ranch, Phase 1, will be owned by individual tract owners subject to an easement of ingress and egress over and across such roads to all tract owners within Raspberry Mountain Ranch, Phase 1, the POA, Cuchara River Estates, Cuchara River Estates Property Owners Association, Cuchara River Ranch, as well as Cuchara River, LLC. The roads are private and not publically dedicated. The POA shall maintain, at its cost and expense, all such roads, including without limitation, binding adequate insurance coverage for the use of such roads. In addition, the owner, Cuchara River, LLC, grants an easement for ingress and egress over and across Mountain Valley Road as depicted on the Cuchara River Estates Amendment 1 plat map recorded September 29, 2000 at reception # 346143, to individual tract owners of Raspberry Mountain Ranch, and the POA.

UTILITY EASEMENTS

A 60 foot utility easement, being 30 foot on either side of centerline, is hereby set aside over and across all roads as depicted on the plat(s) for Raspberry Mountain Ranch, Phase 1. In addition, a 30 foot utility easement is hereby set aside over and across the emergency access road as depicted on the plat of Raspberry Mountain Ranch, Phase 1, and on the plat of Cuchara River Estates, Amendment 1.

EMERGENCY ACCESS

Emergency access as depicted on the plat(s) of Raspberry Mountain Ranch, Phase 1, and Cuchara River Estates, Amendment 1, shall be for the sole benefit of the individual tract owners of Raspberry Mountain Ranch, Raspberry Mountain Ranch Property Owners Association, Cuchara River Estates, and Cuchara River Estates Property Owners Association, in accordance with that certain Grant of Easement dated September 29, 2000, and recorded at reception # 346144.

RECREATIONAL EASEMENTS

The owner of Raspberry Mountain Ranch hereby grants unto all individual owners within Raspberry Mountain Ranch, the POA, Cuchara River Ranch, Cuchara River Estates, the POA, and Cuchara River, LLC, Recreational easements, being 15 feet in width, for non-vehicular, pedestrian, and equestrian use, over and across all side and rear set-backs for Raspberry Mountain Ranch, Phase 1, as depicted on plat.

FENCE LINE

The exterior ranch fence, as depicted on the plat(s) for Raspberry Mountain Ranch, Phase 1, is owned, and shall be maintained by the POA at its cost and expense.

VACATION

All easements depicted on the plat(s) for Raspberry Mountain Ranch, Phase 1, vacate all prior easements for the area described by the plat(s), except as otherwise shown hereon.

SPRINGS

Ownership of adjudicated Spring Rights (adjudicated for livestock use only) as depicted on the plat(s) of Raspberry Mountain Ranch, Phase 1, vests in the POA, for the benefit of the POA and all tracts which are appurtenant thereto, in order to preserve the historic spring flow and agricultural integrity of the property. Cuchara River, LLC reserve unto itself and the POA a perpetual easement over and across the property for ingress and egress, and repair and maintenance of the Springs.

PRIVATE EASEMENT

A private easement exists for ingress and egress for the sole benefit of Cuchara River, LLC, as depicted on the plat.

MORTGAGE HOLDERS CERTIFICATE

Know all men by these presents, that Pueblo Bank and Trust, organized under the laws of the State of Colorado, being the beneficiary of that certain deed of trust, recorded on this 5th day of April, 1999 at Reception number 338670 of the Records of the Clerk and Recorder of Huerfano County, Colorado, described herein, owned by Cuchara River, LLC, consents to the recording of this plat for Raspberry Mountain Ranch, Phase 1, in accordance with the covenants, restrictions, easements, right-of-ways and conditions set forth on this plat and the Declarations of Protective Covenants recorded on November 1, 2000, Reception # 346807, of the Records of the Clerk and Recorder of Huerfano County, Colorado, and any amendments thereto, as though delivered and reserved prior to the delivery and recording of said encumbrance, provided however said beneficiary shall not be liable for any of the obligations of Cuchara River, LLC, hereunder.

Dated this 9th day of February, 2001 A.D.

PUEBLO BANK AND TRUST, A COLORADO CORPORATION

BY:

Vice President

STATE OF

COUNTY OF

Witness my hand and seal *Amelia Campbell*

My commission expires 10-29-2002



BASE OF BEARINGS

BEARINGS WERE OBTAINED FROM USING NOS CONTROL STATION "GREYSKY" (BEING AN ALUMINUM CAP SET IN A CONCRETE HEADWALL) AND USING PUBLISHED MAP(S) 1992 DATA, BY GPS OBSERVATION OF THE SOUTH LINE OF SECTION 7, 1350, FROM BETWEEN THE SOUTHWEST CORNER AND THE SOUTHWEST CORNER, WHICH BEARS S 89°21'23" W. MEASUREMENTS ARE 1/4" 7/32" REBAR WITH 2" ALUMINUM CAPS MARKED LS 12640.

NOTE: BOUNDARY INFORMATION IS TAKEN FROM THE PLAT OF "GOEMMER RANCH", BY WACHOB AND WACHOB, INC., COLORADO CITY, COLORADO, DATED MARCH 30, 1995 FOR MR. J. LOWELL GOEMMER MORE PARTICULARLY DESCRIBED AS FOLLOWS:

NOTE: CLIENT DID NOT REQUEST THAT UTILITIES EASEMENTS OR R.O.W. BE RESEARCHED AND SHOWN.

NOTE: TERRY SURVEYING DID NOT DO A TITLE SEARCH TO DETERMINE OWNERSHIP, RIGHT OF WAY, OR EASEMENT OF RECORD.

DEDICATION

THE FOLLOWING MANAGER HAS CAUSED THE PARCEL SHOWN AND DESCRIBED HEREON TO BE SURVEYED AND SUBDIVIDED AS SHOWN, OWNED AND DESCRIBED HEREON TO BE KNOWN AS "RASPBERRY MOUNTAIN RANCH, PHASE 1, ALL EASEMENTS ARE HEREBY SET ASIDE ACCORDING TO THE DEFINITIONS HEREON.

IN WITNESS WHEREOF

GEORGE ANN CLARK HAS CAUSED THE PRESENTS TO BE EXECUTED THIS

13th DAY OF February, 2001 A.D.

SIGNED

George Ann Clark

MANAGER, CUCHARA RIVER, LLC

STATE OF COLORADO

COUNTY OF

SS

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS 13th DAY OF February, 2001 A.D. by *George Ann Clark*

WITNESS MY HAND AND SEAL *Amelia Campbell*

MY COMMISSION EXPIRES 10-29-2002

SURVEYOR'S CERTIFICATE

I, GARY L. TERRY, A DAILY REGISTERED PROFESSIONAL SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY REPRESENTED BY THIS PLAT WAS SURVEYED UNDER MY DIRECTION AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

GARY L. TERRY

COLORADO P.L.S. 12160

DATE

11/09/00

DRAWN BY: NLE / GTI

CHECKED BY: Gary Terry

JOB NO.: 2542-00

DRAWING NO.: 665-00

SHEET 1 OF 3

TERRY SURVEYING, INC.
P.O. BOX 851, TRINIDAD, CO. 81082 (719) 846-6921

RASPBERRY MOUNTAIN RANCH
BOUNDARY AND PHASE 1

PART OF SECTION 7, TOWNSHIP 30 SOUTH, RANGE 68 WEST,
AND PART OF SECTIONS 11, 12, 13 AND 14, TOWNSHIP 30 SOUTH, RANGE 69 WEST OF THE 6TH P.M.

DRAWING NUMBER

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DRAWING NUMBER

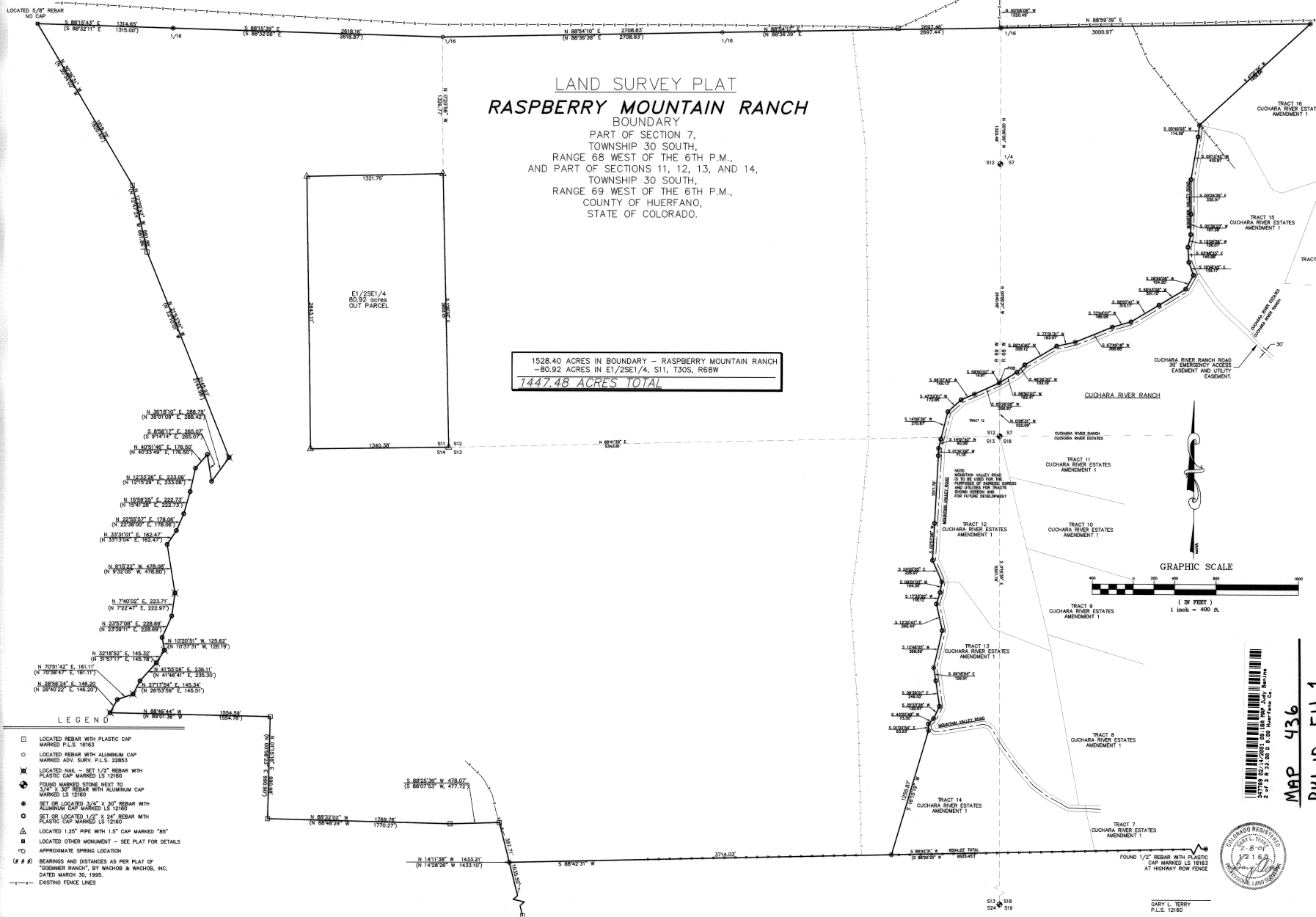
436

P-2

LAND SURVEY PLAT RASPBERRY MOUNTAIN RANCH

PART OF SECTION 7,
TOWNSHIP 30 SOUTH,
RANGE 68 WEST OF THE 6TH P.M.,
AND PART OF SECTIONS 11, 12, 13, AND 14,
TOWNSHIP 30 SOUTH,
RANGE 69 WEST OF THE 6TH P.M.,
COUNTY OF HUERFANO,
STATE OF COLORADO.

1528.40 ACRES IN BOUNDARY - RASPBERRY MOUNTAIN RANCH
- 80.92 ACRES IN E1/2SE1/4, S11, T30S, R68W
1447.48 ACRES TOTAL



RASPBERRY MOUNTAIN RANCH
BOUNDARY

TERRY SURVEYING, INC.
P.O. BOX 861, TROMBAY, CO. 81086 (719) 846-6871

DATE: 11/09/00
DRAWING NO.: 665-00
SHEET: 2 OF 3

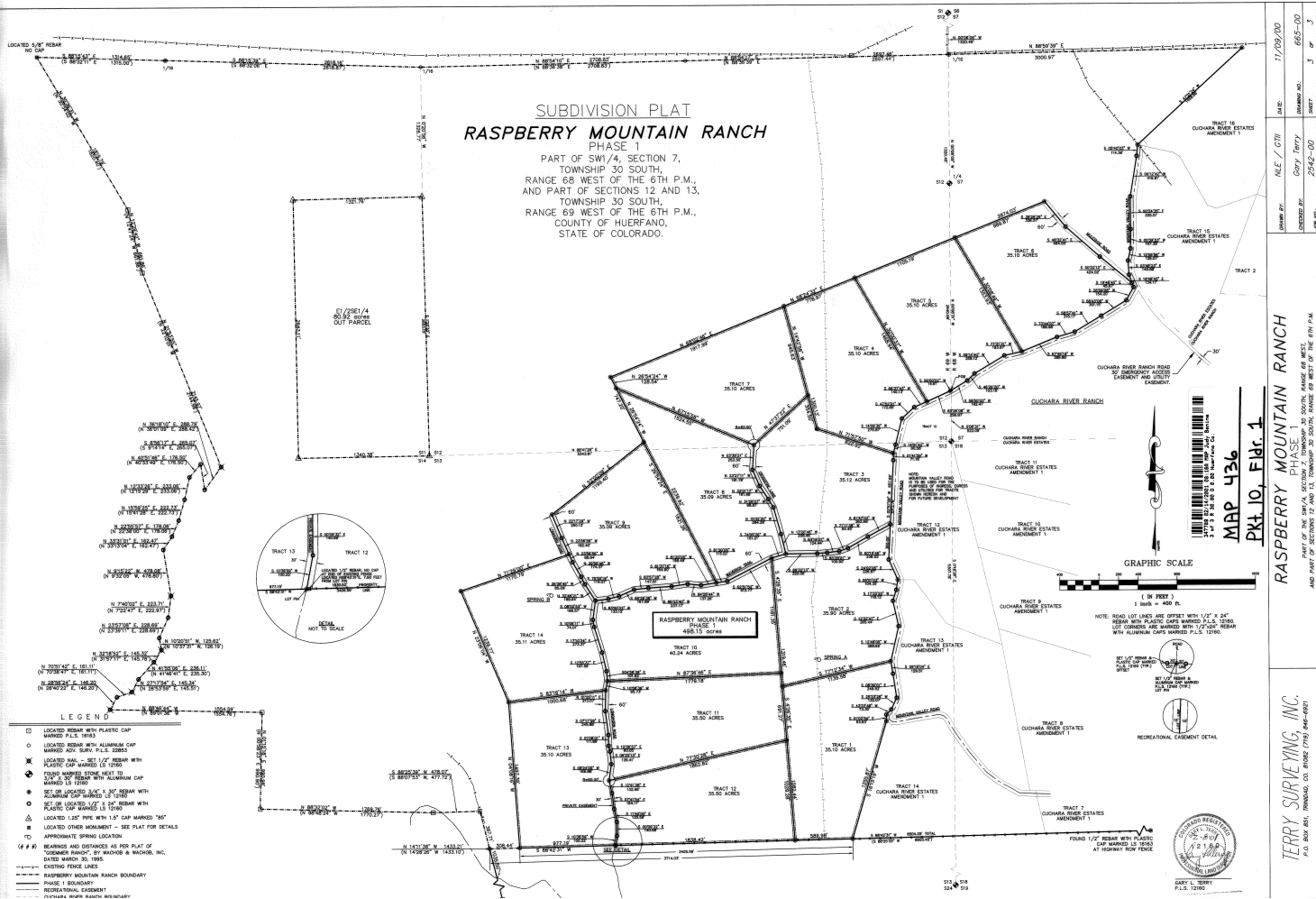
DATE OF SECTION: RANGE 68 WEST
AND PART OF SECTIONS 11, 12, 13, AND 14, TOWNSHIP 30 SOUTH, RANGE 69 WEST OF THE 6TH P.M.

MAP 436
PKT 10, FLD 1



GARY L. TERRY
P.L.S. 12160

PART OF SW1/4, SECTION 7,
 TOWNSHIP 30 SOUTH,
 RANGE 68 WEST OF THE 6TH P.M.,
 AND PART OF SECTIONS 12 AND 13,
 TOWNSHIP 30 SOUTH,
 RANGE 69 WEST OF THE 6TH P.M.,
 COUNTY OF HUERFANO,
 STATE OF COLORADO.



RASPBERRY MOUNTAIN RANCH
PHASE 1

TERRY SURVEYING, INC.
P.O. BOX 855 TOMBALL, TEXAS 77480 (713) 266-6071