

SUBDIVISION PLAT

RASPBERRY MOUNTAIN RANCH

PHASE 2

PART OF SW1/4NE1/4, S1/2NW1/4 AND N1/2SW1/4, SECTION 7, TOWNSHIP 30 SOUTH, RANGE 68 WEST OF THE 6TH P.M.,
AND PART OF THE S1/2 AND S1/2N1/2, SECTION 12, AND PART OF THE N1/2NW1/4, SECTION 13,
TOWNSHIP 30 SOUTH, RANGE 69 WEST OF THE 6TH P.M.,
COUNTY OF HUERFANO, STATE OF COLORADO.

MAP 459

PKT 10

FlDr 1

359946

Huertano City, CO Judy Benning 700P R 21.00

Page 1 of 2
09/08/2003 02:30P
D 0.00

RASPBERRY MOUNTAIN RANCH - PHASE 2 BOUNDARY

A TRACT OF LAND LYING IN PART OF SW1/4NE1/4, S1/2NW1/4 AND N1/2SW1/4, SECTION 7, TOWNSHIP 30 SOUTH, RANGE 68 WEST OF THE 6TH P.M., AND PART OF THE S1/2 AND S1/2N1/2, SECTION 12, PART OF THE N1/4, SECTION 13, AND PART OF THE NE1/4NE1/4, SECTION 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 IN THE CENTERLINE OF LONGHORN ROAD, FROM WHICH THE SOUTHWEST CORNER OF SAID SECTION 12 BEARS N 64°07'13" W, 1389.74 FEET; THENCE ALONG THE CENTERLINE OF SAID LONGHORN ROAD THE FOLLOWING (8) COURSES:

- 1) N 21°28'34" W, 139.97 FEET TO A POINT;
- 2) N 34°49'03" W, 593.79 FEET TO A POINT;
- 3) N 19°25'41" W, 352.61 FEET TO A POINT;
- 4) N 03°59'43" W, 291.48 FEET TO A POINT;
- 5) N 08°13'05" W, 698.53 FEET TO A POINT;
- 6) N 32°18'02" W, 470.14 FEET TO A POINT;
- 7) N 19°43'06" W, 139.85 FEET TO A POINT;
- 8) N 09°59'13" E, 79.90 FEET TO A POINT;

SAID POINT BEING THE INTERSECTION OF THE CENTERLINE OF SAID LONGHORN ROAD WITH THE CENTERLINE OF RILLING CANYON ROAD; THENCE ALONG THE CENTERLINE OF RILLING CANYON ROAD THE FOLLOWING (26) COURSES:

- 1) N 48°18'53" E, 271.77 FEET TO A POINT;
- 2) N 65°36'31" E, 249.76 FEET TO A POINT;
- 3) N 41°37'29" E, 227.75 FEET TO A POINT;
- 4) N 60°26'18" E, 321.26 FEET TO A POINT;
- 5) N 80°26'25" E, 462.70 FEET TO A POINT;
- 6) N 70°00'33" E, 319.54 FEET TO A POINT;
- 7) N 72°05'44" E, 391.18 FEET TO A POINT;
- 8) N 83°07'36" E, 247.68 FEET TO A POINT;
- 9) S 65°31'17" E, 273.08 FEET TO A POINT;
- 10) S 80°41'04" E, 256.86 FEET TO A POINT;
- 11) N 88°00'23" E, 275.53 FEET TO A POINT;
- 12) N 84°16'37" E, 272.08 FEET TO A POINT;
- 13) N 57°14'49" E, 448.05 FEET TO A POINT;
- 14) N 50°39'42" E, 259.94 FEET TO A POINT;
- 15) N 54°16'23" E, 274.98 FEET TO A POINT;
- 16) N 40°12'34" E, 234.11 FEET TO A POINT;
- 17) N 59°20'48" E, 172.99 FEET TO A POINT;
- 18) N 73°03'27" E, 219.22 FEET TO A POINT;
- 19) N 76°17'19" E, 312.49 FEET TO A POINT;
- 20) N 86°04'08" E, 104.19 FEET TO A POINT;
- 21) S 71°54'22" E, 73.47 FEET TO A POINT;
- 22) N 83°57'47" E, 34.01 FEET TO A POINT;
- 23) N 64°19'00" E, 70.75 FEET TO A POINT;
- 24) N 49°04'55" E, 229.95 FEET TO A POINT;
- 25) N 38°57'12" E, 92.41 FEET TO A POINT;
- 26) N 31°04'37" E, 164.77 FEET TO A POINT;

SAID POINT BEING ON THE NORTH LINE OF THE S1/2NW1/4 OF SAID SECTION 12; THENCE N 88°59'39" E, 2455.89 FEET 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 (7) COURSES:

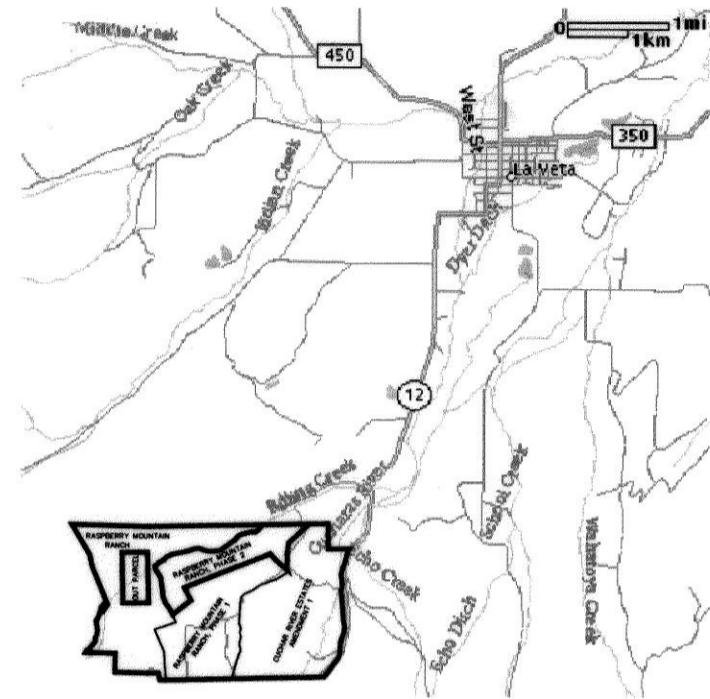
- 1) S 05°40'03" W, 114.38 FEET TO A POINT;
- 2) S 09°12'42" W, 419.81 FEET TO A POINT;
- 3) S 00°24'35" E, 335.01 FEET TO A POINT;
- 4) S 00°39'23" W, 197.38 FEET TO A POINT;
- 5) S 120°95'56" W, 126.07 FEET TO A POINT;
- 6) S 03°48'23" E, 145.88 FEET TO A POINT;
- 7) S 19°48'45" E, 88.19 FEET TO A POINT, SAID POINT BEING THE INTERSECTION OF THE WESTERLY BOUNDARY OF MOUNTAIN VALLEY ROAD AND THE CENTERLINE OF MULESHOE ROAD; THENCE ALONG THE CENTERLINE OF MULESHOE ROAD THE FOLLOWING (3) COURSES:

- 1) N 50°22'12" W, 424.02 FEET TO A POINT;
- 2) N 48°32'41" W, 464.55 FEET TO A POINT;
- 3) N 39°26'29" W, 336.57 FEET TO A POINT;

THENCE S 68°24'32" W, DEPARTING THE CENTERLINE OF MULESHOE ROAD, 2874.03 FEET TO A POINT; THENCE S 68°02'46" W, 1917.99 FEET TO A POINT; THENCE S 26°54'24" E, 747.20 FEET TO A POINT; THENCE S 52°00'09" W, 1199.40 FEET TO A POINT IN THE CENTERLINE OF LONGHORN ROAD; THENCE ALONG THE CENTERLINE OF SAID LONGHORN ROAD THE FOLLOWING (2) COURSES:

- 1) S 22°17'29" E, 260.13 FEET TO A POINT;
- 2) S 23°56'56" E, 182.40 FEET TO A POINT;

THENCE S 71°29'00" W, DEPARTING THE CENTERLINE OF SAID LONGHORN ROAD, 1170.79 FEET TO A POINT; THENCE N 38°17'48" W, 1752.01 FEET TO A POINT ON THE NORTH LINE OF THE NE1/4NE1/4 OF SAID SECTION 14; THENCE N 89°11'55" E, 772.95 FEET TO THE POINT OF BEGINNING, CONTAINING 292.05 ACRES.



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 causes 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 2, and Cuchara River Estates, Amendment 1.

ROADS

The roads, as depicted on the plat(s) for Raspberry Mountain Ranch, Phase 2 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 and 2, the POA, Cuchara River Ranch, Cuchara River Estates Property Owners Association, Cuchara River Ranch, as well as Cuchara River, LLC. The roads are private and not publicly 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 2. In addition, a 30 foot utility easement is hereby set aside over and across Cuchara River Ranch Road as depicted on the plat of Raspberry Mountain Ranch, Phase 1, and on the plat of Cuchara River Estates, Amendment 1.

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 and 2, as depicted on plats.

FENCE LINE

The exterior ranch fence, as depicted on the plat(s) for Raspberry Mountain Ranch, Phase 2, is owned, and shall be maintained by the POA at its cost and expense.

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 the 5th Day of April, 1999 at Reception number 338670 and that certain Deed of Trust, recorded on this 19th Day of August, 2002, at Reception number 355115, of the Records of the Clerk and Recorder of Huerfano County, Colorado, described hereon, owned by Cuchara River, LLC, consents to the recording of this plat for Raspberry Mountain Ranch, Phase 2, 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 346607, 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 the 6th day of September 2003 A.D.

PUEBLO BANK AND TRUST, A COLORADO CORPORATION

BY: W. Hartay

TITLE: Vice President

STATE OF Colorado

COUNTY OF Fremont

BASIS OF BEARINGS

BEARINGS WERE OBTAINED FROM USING NGS CONTROL STATION "GREYSEN" (BEING AN ALUMINUM CAP SET IN A CONCRETE HEADWALL) AND USING PUBLISHED NAD83(1992) DATA, BY GPS OBSERVATION OF THE SOUTH LINE OF SECTION 7, T30S, R68W, BETWEEN THE SOUTHEAST CORNER AND THE SOUTHWEST CORNER, WHICH BEARS S 89°21'23" W. MONUMENTS ARE 3/4"X3" REBAR WITH 2" ALUMINUM CAPS MARKED LS 12160.

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.

(BEARINGS AND DISTANCES IN PARENTHESIS ARE FROM SAID PLAT)

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 INTO TRACTS AND EASEMENTS AS SHOWN, DEFINED AND DESCRIBED HERON TO BE KNOWN AS "RASPBERRY MOUNTAIN RANCH, PHASE 2". ALL EASEMENTS ARE HEREBY SET ASIDE ACCORDING TO THE DEFINITIONS HEREON.

IN WITNESS WHEREOF

BRUCE E. BOHN HAS CAUSED THE PRESENTS TO BE EXECUTED THIS

5th DAY OF September 2003 A.D.

SIGNED Bruce E. Bohn
MANAGER, CUCHARA RIVER, LLC.

STATE OF COLORADO,)
COUNTY OF)
SS)

THE FORGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS 5th DAY OF September 2003 A.D. BY Bruce E. Bohn AND Georgian Clark

WITNESS MY HAND AND SEAL Georgian Clark
MY COMMISSION EXPIRES February 19, 2006

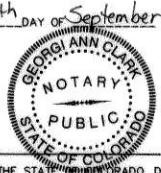
SURVEYOR'S CERTIFICATE

I, GARY L. TERRY, A DULY 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.

COLORADO REGISTERED SURVEYOR

GARY L. TERRY
121607
PROFESSIONAL LAND SURVEYOR

GARY L. TERRY DATE:
COLORADO P.L.S. 12160



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

RASPBERRY MOUNTAIN RANCH
PHASE 2
PART OF SECTION 7, TOWNSHIP 30 SOUTH, RANGE 68 WEST,
AND PART OF SECTIONS 12 AND 13, TOWNSHIP 30 SOUTH, RANGE 69 WEST OF THE 6TH P.M.

| | |
|-------------------------------|---------------------|
| DRAWN BY: <u>lne</u> | DATE: 09/05/2003 |
| CHECKED BY: <u>Gary Terry</u> | DRAWING NO.: 978-03 |
| JOB NO.: 3335-03 | SHEET 1 OF 2 |

