#### CERTIFICATE OF DEDICATION AND OWNERSHIP

Know all men by these presents, that Clearwater Development, Inc. a Colorado corporation, and Marshall Investments Corporation, a Delaware corporation, being owners or lienholders of the following described real property, to wit:

PARCEL L, according the the Final Plat for BRIGHTWATER CLUB FILING 1, as filed for recorded on May 18, 2005 at Reception Number 916179 of the Eagle County Clerk and Recorders

said parcels containing 87.577 acres, more or less, and has caused the same to be surveyed, laid out, subdivided, and designated as BRIGHTWATER CLUB FILING 5 and has caused this plat to be made, filed and further declares: 1. The street rights-of-way and easements shown hereon are for purposes of ingress & egress, vehicular movement, utility lines and facilities, drainage, and other public facilities as may be described hereon together with the right to construct, maintain, and operate such lines and facilities as deemed appropriate and necessary.

In consideration of the approval of this subdivision plot, the declarants hereby waive any and all claims of damages against the Town of Gypsum occasioned by the alteration of land surfaces to conform to this subdivision plat.

Owner: Clearwater Development, Inc. a Colorado corporation 4000 Gypsum Creek Road Gypsym, **©**O 81637

Title:

STATE OF COLORADO

COUNTY OF EAGLE

The foregoing Certificate of Dedication and Ownership was acknowledged before me this day of , 20 by as **Chef Cording White** of Clearwater Development, Inc. a Colorado corporation.

Witness my hand and official seal

My commission expires:

Mortgagee: Marshall Investments Corporation, a Delaware corporation 150 S. Fifth Street, STE 3000

Minneapolis, Minnesota 55402

STATE OF Minesota)

COUNTY OF Nennegun

The foregoing Certificate of Dedication and Ownership was acknowledged before me this Sth day of Mary 2000, by Meghan H. Narris as Authorized Signal of Marshall Investments Corporation, a Delaware corporation.

Witness my hand and official seal.

My commission expires: Sandia Spanier 131/2010

#### TITLE CERTIFICATE

Land Title Guarantee Company does hereby certify that it has examined the title to all lands shown on this plat and that title to such lands is vested in Clearwater Development, Inc. a Colorado corporation, free and clear of all liens, and encumbrances, except as follows:

Deed of Trust to Michael Investments Corporation 4 Delguare Corporation recorded September 1, 2005, under reception na 928082.

Executed this 20th day of 40ct 20th

#### CERTIFICATE OF TAXES PAID

I, the undersigned, do hereby certify that the entire amount of taxes and assessments due and payable as of DECEMBER 31, 2006 upon all parcels of real estate described on this Plat are paid in full.

## FINAL PLAT BRIGHTWATER CLUB FILING 5

# RANCHVIEW

## PARCEL L, BRIGHTWATER CLUB FILING 1 TOWN OF GYPSUM - EAGLE COUNTY - COLORADO

1) The purpose of this Final Plat is to (i) create Tracts, Lots, and Rights-of-Way, as listed in the Land Use Summary, pursuant to Town of Gypsum Land Use Regulations and Colorado Revised Statutes concerning the subdivision of Lands and approval of this Plat shall create a vested property right pursuant to Article 68 of Title 24, C.R.S., as amended; (ii) create Easements for the purposes described hereon.

2) BASIS OF BEARING: N 89°37'18" W between found GLO Brass Cap Monuments as shown and further described on Sheet 3 herein.

3) SURVEY DATE: April, 2005.

4) Record Easements and Rights-of-Way shown on this Plat were derived from title commitment order No. V50013686, dated March 3, 2006, provided by Land Title Guarantee Company and the Final Plat for Brightwater Club

5) The platted lands herein are subject to an Eagle Valley Telephone Company Right-of-Way Easement described in Book 277, Page 869 of the Eagle County Clerk and Recorders records. The location of which is not discernible from record documents nor visible evidence upon the ground.

6) The platted lands herein are subject to an Agreement for Permanent Damage Prevention Fencing described in Book 495, Page 153 of the Eagle County Clerk and Recorders records.

7) The platted lands herein are subject to a Permit for Access Roadway for Colorade-Ute Electric described in the document at Book 328, Page 854 of the Eagle County Clerk and Recorders records. The location of which is not discernible from record documents.

8) The platted lands herein are subject to a Holy Cross Electric Easements described in the documents at Book 429, Page 804 and 805, along with document at Reception Number 929043 of the Eagle County Clerk and Recorders records as shown hereon.

9) The platted lands herein are subject to Natural Gas Easements described in the documents at Book 657, Page 292 and Book 683, Page 810 of the Eagle County Clerk and Recorders records as shown hereon.

10) The platted lands herein are subject to Water Storage Easement described in the document at Reception Number 896917 of the Eagle County Clerk and Recorders records as shown hereon.

11) The platted lands herein are subject to Declaration of Covenants, Conditions, Restrictions and Easements for Brightwater Club described in the document filed for record in the office of the Eagle County Clerk and Recorder on September 8, 2005, at Reception Number 928910.

12) Each single family residence is restricted to lawn irrigation of not more than 18% of each lot, with an average of not more than 2,500 square feet per lot, up to a maximum cumulative residential and/or commercial lawn irrigation of not more than 68.6 acres with water provided by the Town of Gypsum through its municipal system.

13) All portions of the real property identified and depicted on the within Plat as Irrigation Easements are hereby reserved, dedicated and set apart for the joint use and benefit of Clearwater Development, Inc. and its successors and assigns including, without limitation, the owner of the Golf/Recreation Parcels as may be depicted on the Final Plat of Brightwater Club Filing 1, the Brightwater Club Property Owners Association, a Colorado non-profit corporation, and the other owners of water rights in the respective ditches that are the subject of the Irrigation Easements. The easements may be used for the installation, operation, maintenance, repair, removal, improvement or replacement of drainage, ditch, and irrigation systems and facilities for the conveyance, distribution, and use of water for irrigation and other decreed purposes for the water rights decreed to the ditches within the easements. The specific interests of the aforesaid parties in and to the said Drainage Easements and Irrigation Easements, and the parties' rights and obligations with respect to the operation, maintenance and repair thereof, and the payment of costs therefor, may be set forth in ditch operation and maintenance agreements among the parties with interests therein that may be entered into from time to time and recorded in the official records of the Clerk and Recorder of Eagle County.

14) All portions of the real property identified and depicted on the within Plat as Irrigation Access Easement are hereby reserved, dedicated and set apart for the joint use and benefit of Clearwater Development, Inc. and its successors and assigns including, without limitation, the owner of the Golf/Recreation Parcels as may be depicted on the Final Plat of Brightwater Club Filing 1, the Brightwater Club Property Owners Association, a Colorado non-profit corporation, and the other owners of water rights in the respective ditches that are the subject of the Irrigation Easements. The easements may be used for the installation, operation, maintenance, repair, removal, improvement or replacement of vehicular paths and facilities for the decreed purposes for the water rights decreed to the ditches within the Irrigation Easements. The specific interests of the aforesaid parties in and to the said Irrigation Access Easement, and the parties' rights and obligations with respect to the operation, maintenance and repair thereof, and the payment of costs therefor, may be set forth in ditch operation and maintenance agreements among the parties with interests therein that may be entered into from time to time and recorded in the official records of the Clerk and Recorder of Eagle County.

15) Clearwater Development Inc., for itself, its successors and assigns, hereby reserves the following perpetual and non-exclusive easements and rights-of-way:

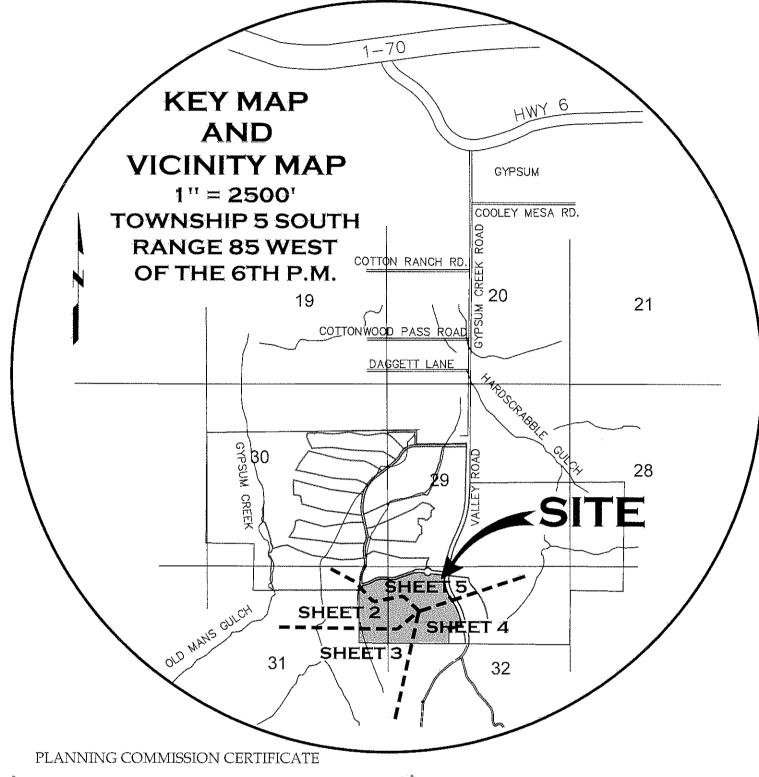
Utility and Drainage Easements on, over, under, above, across and through those areas designated hereon as "Utility Easement", "Private Right-of-Way", as well as blanket easements on all lands designated as Tracts herein, for the purpose of the installation, use, repair, replacement, improvement and maintenance of utilities of any kind whatsoever, including but not limited to waterlines and hydrants, sanitary sewerlines and manholes, irrigation ditches, telephone lines, cable television lines, gaslines, electric lines, fiber optic lines, other communication lines and all related structures, together with a perpetual right of ingress and egress thereto.

16) The easements and private rights-of-way reserved by Clearwater Development Inc. shall not merge with any fee interest owned by Clearwater Development Inc. either presently or in the future but shall remain separate and distinct property rights of Clearwater Development Inc., its successors and assigns until relinquished in accordance with law.

17) The easements which are granted by Clearwater Development, Inc. and the easements which are reserved by Clearwater Development Inc. may, in the future, be dedicated by Clearwater Development, Inc. or its successors or assigns to public, quasi-public or other entities for public or other use.

18) Rights-of-way designated on this Final Plat as Private Right-of-Way are for private use by permission only and are not dedicated to the public. Clearwater Development, Inc., for itself and its successors and assigns reserves the right to grant use by permission in and to the designated private rights-of-way and to publicly dedicate such private

19) 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 the certification hereon.

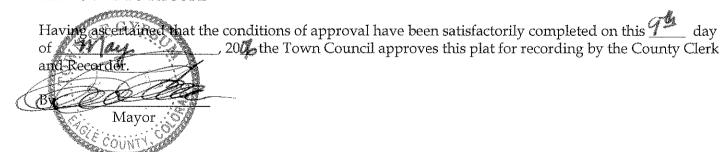


This plat and the statements hereon are approved this 💯 day of Way Planning Commission of Town of Gypsum, Colorado. This approval does not extend to the design of utilities, sewage disposal, roads, or any other service facility.

#### TOWN COUNCIL CERTIFICATE

This plat and the statements hereon are conditionally approved, pending completion of specified improvements, this day of Way, 2006 by the Town Council of Town of Gypsum, Colorado. This approval does not extend to the design of utilities, sewage disposal, roads, or any other service facility and does not constitute acceptance of roads, utilities, or services by the Town for maintenance or operation.

#### APPROVAL TO RECORD



EAGLE COUNTY CLERK AND RECORDER CERTIFICATE

This plat was filed for record in the office of the Eagle County Clerk and Recorder at 4:48 o'clock D.M. on the 10 +0 day of May , 2006 and is duly recorded in Reception No. 2006 (2-175)

EAGLE COUNTY CLERK & RECORDER By: Mylls & Selly Steel . Sylver



## Archibeque Land Consulting, Ltd

~ Professional Land Surveying & Mapping ~ 105 Capitol Street, Suite 5 - P.O. Box 3893 Eagle, Colorado 81631 970.328.6020 Office 970.328.6021 Fax

> REVISED: 05-04-06 - TIA, TOWN COMMENTS REVISED: 04-25-06 - TJA, TOWN COMMENTS REVISED: 03-11-06 - TJA, ADDED EASEMENTS

### LAND USE SUMMARY

PARCEL	AREA	LAND USE	ADDRESS
LOT 1	0.620 ACRES	SINGLE FAMILY	0580 WRANGLERS CROSSING
LOT 2	0.620 ACRES	SINGLE FAMILY	0554 WRANGLERS CROSSING
LOT 3	0.620 ACRES	SINGLE FAMILY	0532 WRANGLERS CROSSING
LOT 4	0.615 ACRES	SINGLE FAMILY	0500 WRANGLERS CROSSING
LOT 5	0.668 ACRES	SINGLE FAMILY	0470 WRANGLERS CROSSING
LOT 6	0.732 ACRES	SINGLE FAMILY	0432 WRANGLERS CROSSING
LOT 7	0.667 ACRES	SINGLE FAMILY	0390 WRANGLERS CROSSING
LOT 8	0.668 ACRES	SINGLE FAMILY	0352 WRANGLERS CROSSING
LOT 9	0.638 ACRES	SINGLE FAMILY	0316 WRANGLERS CROSSING
LOT 10 LOT 11	0.653 ACRES 0.705 ACRES	SINGLE FAMILY	0284 WRANGLERS CROSSING
LOT 12	0.629 ACRES	SINGLE FAMILY	0256 WRANGLERS CROSSING
LOT 13	0.597 ACRES	SINGLE FAMILY SINGLE FAMILY	0238 WRANGLERS CROSSING
LOT 14	0.570 ACRES	SINGLE FAMILY	0216 WRANGLERS CROSSING 0166 WRANGLERS CROSSING
LOT 15	0.570 ACRES	SINGLE FAMILY	0138 WRANGLERS CROSSING
LOT 16	0.911 ACRES	SINGLE FAMILY	0449 WRANGLERS CROSSING
LOT 17	0.942 ACRES	SINGLE FAMILY	0421 WRANGLERS CROSSING
LOT 18	0.759 ACRES	SINGLE FAMILY	0399 WRANGLERS CROSSING
LOT 19	0.751 ACRES	SINGLE FAMILY	0376 WRANGLERS CROSSING
LOT 20	0.757 ACRES	SINGLE FAMILY	0355 WRANGLERS CROSSING
LOT 21	0.923 ACRES	SINGLE FAMILY	0333 WRANGLERS CROSSING
LOT 22	0.893 ACRES	SINGLE FAMILY	0313 WRANGLERS CROSSING
LOT 23	0.756 ACRES	SINGLE FAMILY	0291 WRANGLERS CROSSING
LOT 24	0.771 ACRES	SINGLE FAMILY	0265 WRANGLERS CROSSING
LOT 25	0.772 ACRES	SINGLE FAMILY	0229 WRANGLERS CROSSING
LOT 26	0.517 ACRES	SINGLE FAMILY	0020 MOUNTAIN SPUR
LOT 27	0.556 ACRES	SINGLE FAMILY	0046 MOUNTAIN SPUR
LOT 28	0.565 ACRES	SINGLE FAMILY	0076 MOUNTAIN SPUR
LOT 29	0.566 ACRES	SINGLE FAMILY	0108 MOUNTAIN SPUR
LOT 30	0.629 ACRES	SINGLE FAMILY	0130 MOUNTAIN SPUR
LOT 31	0.788 ACRES	SINGLE FAMILY	0142 MOUNTAIN SPUR
LOT 32	0.665 ACRES	SINGLE FAMILY	0144 MOUNTAIN SPUR
LOT 33	0.688 ACRES	SINGLE FAMILY	0149 MOUNTAIN SPUR
LOT 34	0.542 ACRES	SINGLE FAMILY	0127 MOUNTAIN SPUR
LOT 35	0.478 ACRES	SINGLE FAMILY	0105 MOUNTAIN SPUR
LOT 36 LOT 37	0.586 ACRES 0.601 ACRES	SINGLE FAMILY	0089 MOUNTAIN SPUR
LOT 38	0.576 ACRES	SINGLE FAMILY	0067 MOUNTAIN SPUR
LOT 39	0.577 ACRES	SINGLE FAMILY SINGLE FAMILY	0043 MOUNTAIN SPUR
LOT 40	0.573 ACRES	SINGLE FAMILY	0031 MOUNTAIN SPUR 0015 MOUNTAIN SPUR
LOT 41	0.514 ACRES	SINGLE FAMILY	0018 MOUNTAIN SPOK 0018 DOLL STATION
LOT 42	0.502 ACRES	SINGLE FAMILY	0034 DOLL STATION
LOT 43	0.503 ACRES	SINGLE FAMILY	0056 DOLL STATION
LOT 44	0.501 ACRES	SINGLE FAMILY	0078 DOLL STATION
LOT 45	0.505 ACRES	SINGLE FAMILY	0098 DOLL STATION
LOT 46	0.501 ACRES	SINGLE FAMILY	0116 DOLL STATION
LOT 47	0.534 ACRES	SINGLE FAMILY	0138 DOLL STATION
LOT 48	0.541 ACRES	SINGLE FAMILY	0156 DOLL STATION
LOT 49	0.502 ACRES	SINGLE FAMILY	0178 DOLL STATION
LOT 50	0.699 ACRES	SINGLE FAMILY	0190 DOLL STATION
LOT 51	0.639 ACRES	SINGLE FAMILY	0191 DOLL STATION
LOT 52	0.538 ACRES	SINGLE FAMILY	0185 DOLL STATION
LOT 53	0.563 ACRES	SINGLE FAMILY	0171 DOLL STATION
LOT 54	0.502 ACRES	SINGLE FAMILY	0149 DOLL STATION
LOT 55	0.501 ACRES	SINGLE FAMILY	0127 DOLL STATION
LOT 56	0.514 ACRES	SINGLE FAMILY	0109 DOLL STATION
LOT 57	0.503 ACRES	SINGLE FAMILY	0087 DOLL STATION
LOT 58	0.512 ACRES	SINGLE FAMILY	0069 DOLL STATION
LOT 59	0.500 ACRES	SINGLE FAMILY	0037 DOLL STATION
LOT 60	0.502 ACRES	SINGLE FAMILY	0015 DOLL STATION
TRACTS			
TRACT TT	13.987 ACRES	IRRIGATION/OPEN S	
TRACT UU TRACT VV	30.081 ACRES 6.219 ACRES	IRRIGATION/OPEN S. PRIVATE RIGHT OF W	
	Jimas Lavallo	IMVAIE NIGHT OF W	
TOTAL:	87.577 ACRES		

#### SURVEYOR'S CERTIFICATE

I, Theodore J. Archibeque, a duly Registered Professional Surveyor in the State of Colorado, do hereby certify that this plat of BRIGHTWATER CLUB FILING 5 subdivision was prepared under my direction, truly and correctly represents a field survey of the same, and was monumented in accordance with sections 38-51-101, et. seq, C.R.S.



Theodore J. Archibeque, PLS 37902 Professional Land Surveyor State of Colorado

### FINAL PLAT **BRIGHTWATER CLUB FILING 5 RANCHVIEW**

PARCEL L. BRIGHTWATER CLUB FILING 1 TOWN OF GYPSUM - EAGLE COUNTY - COLORADO

DRAWN BY: TJA			JOB NUMBER:	JOB NUMBER: $04007 ext{-}F5$		DRAWING NAME: 04007_PLAT-F5	
$_{ ext{SHEET}}$ $1$	OF	5	DATE: 03	-07-06	CHECKED BY:	CAP	

