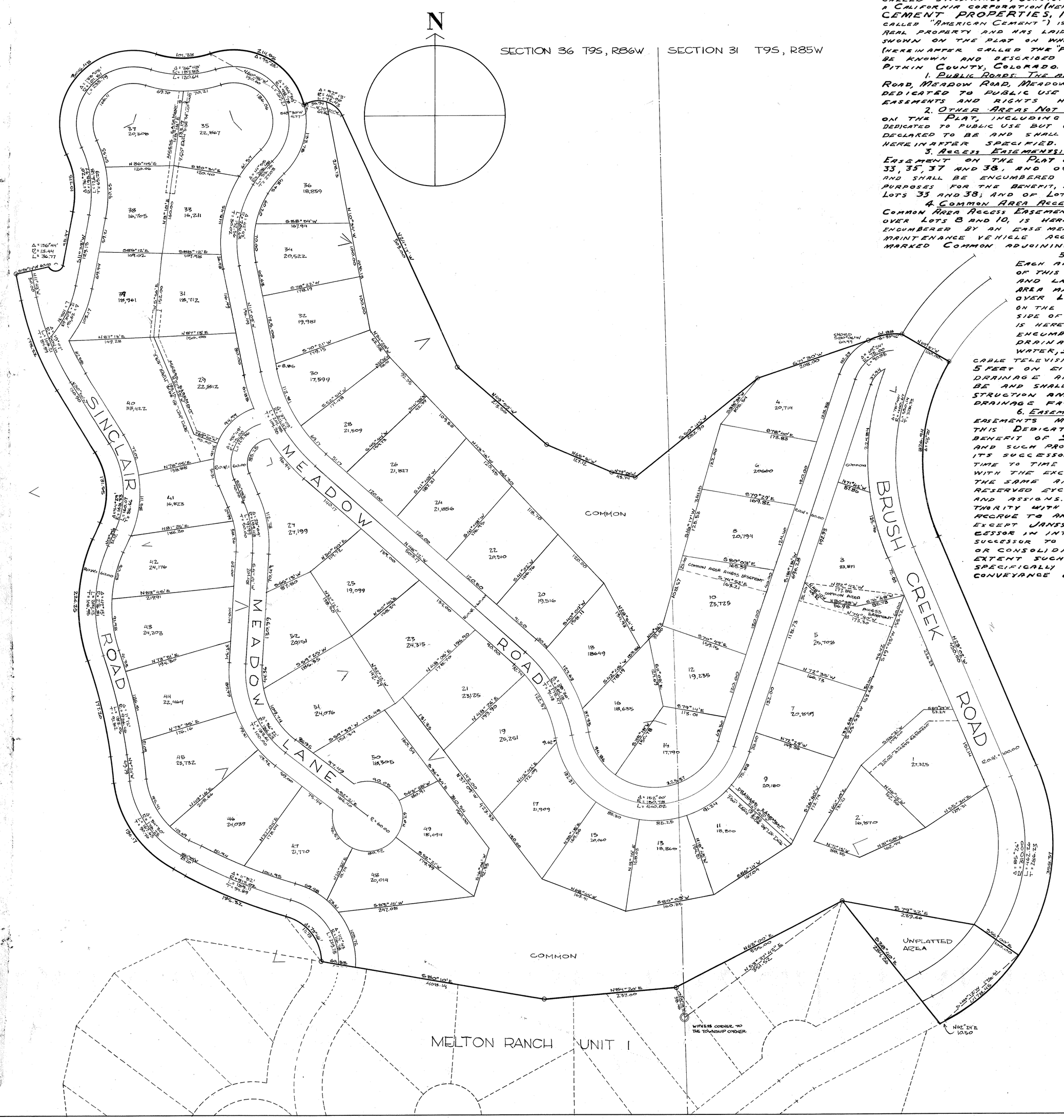
MELTON RANCH UNIT 2



DEDICATION

SNOWMASS-AT-ASPEN, A JOINT VENTURE (HEREINAFTER CALLED "SNOWMASS") CONSISTING OF JANSS COLORADO CORPORATION, A CALIFORNIA CORPORATION (HEREINAFTER CALLED "JANSS") AND AMERICAN CEMENT PROPERTIES, INC., A DELAWARE CORPORATION (HEREINAFTER CALLED "AMERICAN CEMENT") IS THE OWNER OF THE HEREINAFTER DESCRIBED REAL PROPERTY AND HAS LAID OUT AND SUBDIVIDED THE SAME AS SHOWN ON THE PLAT ON WHICH THIS DEDICATION IS ENDORSED (HEREINAFTER CALLED THE "PLAT") WHICH PROPERTY SHALL HEREAFTER BE KNOWN AND DESIGNATED AS MELTON RANCH UNIT TWO, PITKIN COUNTY, COLORADO.

1. PUBLIC ROADS: THE AREAS MARKED ON THE PLAT AS BRUSH CREEK ROAD, MEADOW ROAD, MEADOW LANE AND SINCLAIR ROAD ARE HEREBY DEDICATED TO PUBLIC USE FOR ROAD PURPOSES SUBJECT TO THE EASEMENTS AND RIGHTS HEREINAFTER STATED.

2. OTHER AREAS NOT DEDICATED: THE OTHER AREAS SHOWN ON THE PLAT, INCLUDING THE AREAS MARKED COMMON, ARE NOT DEDICATED TO PUBLIC USE BUT CERTAIN AREAS THEREON ARE HEREBY DECLARED TO BE AND SHALL BE ENCUMBERED BY EASEMENTS AS HEREINAFTER SPECIFIED.

3. ACCESS EASEMENTS: EACH AREA MARKED ACCESS OR ACCESS EASEMENT ON THE PLAT OVER LOTS 29, 31, 39 AND 40, OVER LOTS 33, 35, 37 AND 38, AND OVER LOT 1, IS HEREBY DECLARED TO BE AND SHALL BE ENCUMBERED BY AN EASEMENT FOR DRIVEWAY AND ACCESS PURPOSES FOR THE BENEFIT, RESPECTIVELY, OF LOTS 31, 39 AND 40, OF LOTS 33 AND 38, AND OF LOTS 1 AND 2.

4. COMMON AREA ACCESS EASEMENTS: EACH AREA MARKED COMMON AREA ACCESS EASEMENT ON THE PLAT, OVER LOTS 3 AND 5 AND OVER LOTS 8 AND 10, IS HEREBY DECLARED TO BE AND SHALL BE ENCUMBERED BY AN EASEMENT FOR PEDESTRIAN, EQUESTRIAN AND MAINTENANCE VEHICLE ACCESS TO AND FROM THE AREA MARKED COMMON ADJOINING LOTS 4 THROUGH 36.

5. UTILITIES AND DRAINAGE EASEMENTS: EACH AREA MENTIONED IN SECTIONS 1, 3 AND 4 OF THIS DEDICATION, INCLUDING THE ROADS AND LANES DEDICATED TO PUBLIC USE, THE AREA MARKED DRAINAGE EASEMENT ON THE PLAT OVER LOTS 9 AND 11, EACH AREA MARKED COMMON ON THE PLAT AND AN AREA OF 6 FEET ON EACH SIDE OF EACH LOT LINE SHOWN ON THE PLAT, IS HEREBY DECLARED TO BE AND SHALL BE ENCUMBERED BY EASEMENTS FOR PURPOSES OF DRAINAGE AND FOR UTILITIES, INCLUDING WATER, SEWER, GAS, ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICE. AN ADDITIONAL AREA OF 5 FEET ON EITHER SIDE OF SAID EASEMENTS FOR DRAINAGE AND UTILITIES IS HEREBY DECLARED TO BE AND SHALL BE ENCUMBERED FOR USE IN CONSTRUCTION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES.

6. EASEMENTS EXCEPTED AND RESERVED: THE EASEMENTS MENTIONED IN SECTIONS 4 AND 5 OF THIS DEDICATION SHALL BE EXCLUSIVELY FOR THE BENEFIT OF SNOWMASS, ITS SUCCESSORS AND ASSIGNS, AND SUCH PROPERTY, PERSONS OR PARTIES AS SNOWMASS, ITS SUCCESSORS OR ASSIGNS MAY, HEREAFTER, FROM TIME TO TIME DESIGNATE. SAID EASEMENTS, TOGETHER WITH THE EXCLUSIVE RIGHT TO AUTHORIZE USE OF THE SAME ARE HEREBY EXPRESSLY EXCEPTED AND RESERVED EXCLUSIVELY TO SNOWMASS, ITS SUCCESSORS AND ASSIGNS. NO RIGHT IN OR TO, OR POWER OR AUTHORITY WITH RESPECT TO, SAID EASEMENTS SHALL ACCRUE TO ANY SUCCESSOR OR ASSIGN OF SNOWMASS, EXCEPT JANSS OR AMERICAN CEMENT AS A SUCCESSOR IN INTEREST TO SNOWMASS AND EXCEPT A SUCCESSOR TO JANSS OR AMERICAN CEMENT BY MERGER OR CONSOLIDATION, UNLESS AND EXCEPT TO THE EXTENT SUCH RIGHT, POWER OR AUTHORITY IS SPECIFICALLY GRANTED IN OR BY AN INSTRUMENT OF CONVEYANCE OR ASSIGNMENT.

7. DESCRIPTION: THE DESCRIPTION OF THE REAL PROPERTY LAID OUT AND SUBDIVIDED AND SHOWN ON THE PLAT IS AS FOLLOWS: A TRACT OF LAND BEING PART OF LOT 3, SECTION 31 AND TRACT 37 ALL IN T 9 S, R 85 W OF THE 6TH P.M. AND ALSO BEING A PART OF LOTS 1 AND 3 SECTION 36 AND TRACT 37 ALL IN T 9 S, R 86 W OF THE 6TH P.M. SAID TRACT OF LAND IS MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHENCE THE WITNESS CORNER TO THE SOUTHWEST CORNER OF T 9 S, R 85 W OF THE 6TH P.M. BEARS S 18°19'29" E 58.46 FEET; THENCE N 63°00' E 335.00 FEET; THENCE S 38°40' E 284.26 FEET; THENCE N 62°24' E 10.50 FEET; THENCE AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 360.00 FEET A DISTANCE OF 236.79 FEET; THENCE N 23°02' W 450.00 FEET; THENCE 326.94 FEET AROUND A CURVE TO THE RIGHT HAVING A RADIUS OF 350.67 FEET; THENCE N 59°37' W 100.00 FEET, THENCE 61.88 FEET AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 105.00 FEET (THE CHORD OF WHICH BEARS S 80°06' W 60.93 FEET), THENCE S 71°30' W 208.00 FEET; THENCE S 50°45' W 282.90 FEET; THENCE N 79°28' W 43.74 FEET; THENCE N 65°51' W 127.12 FEET, THENCE N 49°59' W 213.56 FEET; THENCE N 24°17' W 603.00 FEET, THENCE 72.43 FEET AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 45.00 FEET (THE CHORD OF WHICH BEARS N 70°24' W 64.86 FEET); THENCE S 66°30' W 4.77 FEET; THENCE 214.58 FEET AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 128.78 FEET (THE CHORD OF WHICH BEARS N 60°46' W 190.60 FEET); THENCE 101.38 FEET AROUND A CURVE TO THE RIGHT HAVING A RADIUS OF 187.93 FEET; THENCE 305.48 FEET AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 131.51 FEET; THENCE S 11°33' W 98.47 FEET, THENCE 36.77 FEET AROUND A CURVE TO THE RIGHT HAVING A RADIUS OF 13.44 FEET; THENCE S 78°17' W 60.00 FEET; THENCE S 11°43' E 50.00 FEET; THENCE 176.32 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 138.33 FEET; THENCE S 30°50' E 130.90 FEET; THENCE 151.55 FEET AROUND A CURVE TO THE RIGHT HAVING A RADIUS OF 138.33 FEET; THENCE S 23° 33' W 81.12 FEET; THENCE 226.25 FEET AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 306.81 FEET; THENCE 177.20 FEET AROUND A CURVE TO THE RIGHT HAVING A RADIUS OF 906.46 FEET; THENCE S 7°-24'E 69.79 FEET; THENCE 196.17 FEET AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 206.23 FEET; THENCE S 34°-54'E 23.20 FEET; THENCE 195.82 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 963.02 FEET; THENCE 111.76 FEET AROUND A CURVE TO THE RIGHT HAVING A RADIUS OF 86.75 FEET; THENCE S 80°10' E 408.14 FEET; THENCE N 84° 20' E 25.00 FEET TO THE POINT OF BEGINNING. (SAID TRACT CONTAINS 44.87 ACRES MORE OR LESS) EXCEPT THAT PORTION THEREOF DESCRIBED IN THE FOLLOWING SECTION OF THIS DEDICATION ENTITLED UNPLATTED AREA WHICH IS NOT AND SHALL NOT BE CONSIDERED PART OF MELTON RANCH UNIT TWO.

8. UNPLATTED AREA: THE HEREINAFTER DESCRIBED PROPERTY IS SHOWN ON THIS PLAT FOR PURPOSES OF DEDICATING A PORTION THEREOF AS PART OF BRUSH CREEK ROAD BUT IS NOT AND SHALL NOT BE CONSIDERED PART OF MELTON RANCH UNIT TWO: A TRACT OF LAND BEING PART OF LOT 3, SECTION 31 AND TRACT 37 ALL IN T 9 S, R 85 W OF THE 6TH P.M. AND ALSO BEING PART OF LOTS 1 AND 3, SECTION 36 AND TRACT 37 ALL IN T 9 S, R 86 W OF THE 6TH P.M. SAID TRACT OF LAND IS MORE FULLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT WHENCE THE WITNESS CORNER TO THE SOUTHWEST CORNER OF T 9 S, R 85 W OF THE 6TH P.M. BEARS S 57° 37' 42" W 351.52 FEET; THENCE S 79° 32' E 239.66 FEET; THENCE S 56° 00' E 100.00 FEET; THENCE 179.45 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 360.00 FEET THE CHORD OF WHICH BEARS S 46° 12' W 176.61 FEET; THENCE S 62° 24' W 10.50 FEET; THENCE N 38° 40' W 284.26 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS .75 ACRE MORE OR LESS.

IN WITNESS WHEREOF, SNOWMASS HAS EXECUTED THIS DEDICATION THIS 6TH DAY OF FEBRUARY, 1967.

SNOWMASS-AT-ASPEN, A JOINT VENTURE, AND JANSS COLORADO CORPORATION, AS A MEMBER THEREOF, AND AMERICAN CEMENT PROPERTIES, INC., AS A MEMBER THEREOF

BY R. L. Herbers
R. L. HERBERS, ATTORNEY-IN-FACT

STATE OF COLORADO } S.S.
COUNTY OF PITKIN }

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 6TH DAY OF FEBRUARY, 1967, BY R. L. HERBERS, AS ATTORNEY-IN-FACT FOR SNOWMASS-AT-ASPEN, A JOINT VENTURE, AND FOR JANSS COLORADO CORPORATION, A CORPORATION, AS A MEMBER OF SAID JOINT VENTURE, AND FOR AMERICAN CEMENT PROPERTIES, INC., A CORPORATION, AS A MEMBER OF SAID JOINT VENTURE.

MY COMMISSION EXPIRES Sept. 5, 1967

WITNESS MY HAND AND OFFICIAL SEAL. Peggy E. Calle
NOTARY PUBLIC

SURVEYORS CERTIFICATE

I G. E. BUCHANAN, CIVIL ENGINEER AND LICENSED SURVEYOR, DO HEREBY CERTIFY THAT I HAVE PREPARED THIS PLAT OF MELTON RANCH UNIT TWO; THAT THE LOCATION OF THE OUTSIDE BOUNDARY, LOTS, ROADS, AND OTHER FEATURES ARE ACCURATELY AND CORRECTLY SHOWN HEREON; THAT THE SAME ARE BASED ON FIELD SURVEYS AND THAT THE PLATTED LOTS AND ROADS CONFORM TO THOSE STAKED ON THE GROUND.

IN WITNESS WHEREOF I HAVE SET MY HAND AND SEAL THIS 8TH DAY OF FEBRUARY, 1967.

G E Buchanan

G. ERNEST BUCHANAN, JR. REGISTERED 1595 LAND SURVEYOR STATE OF COLORADO

APPROVALS

THIS PLAT OF MELTON RANCH UNIT TWO IS APPROVED BY RESOLUTION OF THE PITKIN COUNTY PLANNING AND ZONING COMMISSION THIS 17TH DAY OF JANUARY, 1967.

Fredric G. Brandt
ACTING CHAIRMAN

ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF PITKIN COUNTY COLORADO, THIS 16TH DAY OF FEBRUARY, 1967 IN PLAT BOOK 3, PAGE 126

Peggy E. Calle
CLERK AND RECORDER

THIS PLAT OF MELTON RANCH UNIT TWO IS HEREBY APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF PITKIN COUNTY, COLORADO THIS 6 DAY OF FEBRUARY 1967, AND THE DEDICATION OF ROADS IS ACCEPTED SUBJECT TO THE CONDITION THAT THE COUNTY SHALL UNDERTAKE MAINTENANCE OF SUCH ROADS ONLY AFTER CONSTRUCTION OF SUCH ROADS HAS BEEN COMPLETED IN ACCORDANCE WITH PITKIN COUNTY SPECIFICATIONS.

J. Herbert Bates
CHAIRMAN OF PITKIN CO. COMMISSIONERS.

STATE OF COLORADO
COUNTY OF PITKIN
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