AMENDMENT NO. 3

SKY RIM

FORMERLY KNOWN AS AMANDA PINES NORTH ESTATES, AMENDMENT NO. 1 A SUBDIVISION OF THE S1/2 OF SECTION 3 AND THE NE1/4 OF SECTION 10, T6S, R65W, OF THE 6TH P.M., COUNTY OF ELBERT, STATE OF COLORADO
AREA = 476.25 ACRES MORE OR LESS

KNOW ALL MEN BY THESE PRESENTS:

THAT THE FOLLOWING PARTIES ARE THE RESPECTIVE OWNERS OF THE FOLLOWING DESCRIBED REAL PROPERTY LOCATED IN SKY RIM (AMENDMENT NO. 2) ELBERT COUNTY, COLORADO, ACCORDING TO THE PLAT THEREOF, AND HEREBY DEDICATE THE FOLLOWING DESCRIBED EASEMENTS AND CHANGES TO SAID PLAT TO THE EXTENT SAID EASEMENTS AND CHANGES AFFECT THEIR RESPECTIVE INTERESTS:

1. SKY RIM DEVELOPMENT, LLC, A COLORADO LIMITED LIABILITY COMPANY: LOT 40.
2. NORTH PINES METROPOLITAN DISTRICT, A QUASI-MUNICIPAL CORPORATION AND POLITICAL SUBDIVISION OF THE STATE OF COLORADO: TRACTS A, B, D, AND G.
3. CARRINGTON HOMES, INC., A COLORADO CORPORATION: LOTS 18, 32 & 72.
4. JOHN ALLEN AND SHELIA ALLEN: LOT 69.
5. BRUCE M. RECTOR AND CAROLE RECTOR: LOT 39.
6. MOUNTAIN WIRELESS CONSTRUCTION, INC.: LOT 33.

KNOW ALL MEN BY THESE PRESENTS:

THAT THE FOLLOWING PARTIES ARE THE RESPECTIVE HOLDERS OF DEEDS OF TRUSTS ON THE FOLLOWING DESCRIBED REAL PROPERTY LOCATED IN SKY RIM (AMENDMENT NO. 2) ELBERT COUNTY, COLORADO, ACCORDING TO THE PLAT THEREOF, AND HEREBY CONSENT TO THE FOLLOWING DESCRIBED EASEMENTS AND CHANGES TO SAID PLAT TO THE EXTENT SAID EASEMENTS AND CHANGES AFFECT THEIR RESPECTIVE INTERESTS:

1. VECTRA BANK COLORADO, NATIONAL ASSOCIATION: LOT 18
2. M&T MORTGAGE CORPORATION: LOT 32.
3. SKY RIM DEVELOPMENT, LLC, A COLORADO LIMITED LIABILITY COMPANY: LOTS 18, 32 AND 72.
4. COMMERCIAL FEDERAL BANK: LOT 39.
5. CHAMPION BANK: LOT 72.
6. NORTH PINES METROPOLITAN DISTRICT: LOTS 18, 32, 33, 39,40, 69 AND 72.

DEDICATION:

BY THIS AMENDMENT NO. 3, THE UNDERSIGNED OWNERS, AS THEIR INTERESTS APPEAR, HEREBY GRANT UNTO THE COUNTY OF ELBERT THE FOLLOWING EASEMENTS AND MAKE THE FOLLOWING CHANGES AS SHOWN ON THE PLAT, UNLESS OTHERWISE NOTED, AND FURTHER RESTRICT THE USE OF THE EASEMENTS TO THE COUNTY OF ELBERT AND/OR ITS ASSIGNS, PROVIDED HOWEVER THAT THE SOLE, RIGHT AND AUTHORITY TO RELEASE OR QUIT CLAIM ALL OR PART OF SUCH EASEMENTS SHALL REMAIN EXCLUSIVELY VESTED IN THE COUNTY OF ELBERT:

1. A 30-FOOT ACCESS AND UTILITY EASEMENT OVER AND ACROSS LOT 72, TRACT D, AND LOT 69.
2. A 30-FOOT WIDE UTILITY EASEMENT ACROSS THE NORTHERN BOUNDARY FROM THE EAST LINE OF LOT 22 AND ACROSS TRACTS A, B AND G AND LOTS 32, 33, 39 AND 40 TO THE EASTERN BOUNDARY OF SKY RIM, WHICH SHALL OVERLAY THE EXISTING 20-FOOT WIDE EQUESTRIAN EASEMENT. THIS EASEMENT SHALL BE FOR ALL UTILITIES, INCLUDING WATER AND SEWER LINES FROM THE STERLING CROSSING SUBDIVISION. AFTER INSTALLATION OF ANY UTILITIES, THE LAND WILL BE RE-VEGETATED TO ITS NATURAL STATE.
3. THE SET-BACK ON LOT 18 IS CHANGED TO 150 FEET.

IN WITNESS WHEREOF:

SKY RIM DEVELOPMENT, LLC, A COLORADO LIMITED LIABILITY COMPANY AS OWNER OF LOT 40 AND AS A HOLDER OF DEED OF TRUST ON LOTS 18, 32 AND 72 HAS EXECUTED THESE PRESENTS THIS _____ DAY OF_____, 2005, A.D.

SKY RIM DEVELOPMENT, LLC, A COLORADO
LIMITED LIABILITY COMPANY

BY: SUNSHINE LAND & DEVELOPMENT COMPANY, A
COLORADO CORPORATION, ITS MANAGER

BY: _____
DAVID L. GERTZ, PRESIDENT

ACKNOWLEDGMENT

STATE OF COLORADO }
} SS
COUNTY OF _____}

THE ABOVE AND AFOREMENTIONED INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ___ DAY OF _____, 2005, A.D. BY DAVID L. GERTZ, AS PRESIDENT OF SUNSHINE LAND & DEVELOPMENT COMPANY, A COLORADO CORPORATION, AS MANAGER OF SKY RIM DEVELOPMENT, LLC, A COLORADO LIMITED LIABILITY COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL:

MY COMMISSION EXPIRES: _____

_____
NOTARY PUBLIC

IN WITNESS WHEREOF;

NORTH PINES METROPOLITAN DISTRICT, A QUASI-MUNICIPAL CORPORATION AND POLITICAL SUBDIVISION OF THE STATE OF COLORADO, AS OWNER OF TRACTS A, B, D AND G AND AS HOLDER OF DEEDS OF TRUST ON LOTS 18, 32, 33, 39, 40, 69 AND 72 HAS EXECUTED THESE PRESENTS THIS _____ DAY OF_____, 2005 A.D.

NORTH PINES METROPOLITAN DISTRICT, A QUASI-MUNICIPAL CORPORATION AND POLITICAL SUBDIVISION OF THE STATE OF COLORADO

BY: _____
DAVID L. GERTZ, PRESIDENT

ACKNOWLEDGMENT

STATE OF COLORADO }
} SS
COUNTY OF _____}

THE ABOVE AND AFOREMENTIONED INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ___ DAY OF _____, 2005, A.D. BY DAVID L. GERTZ AS PRESIDENT OF NORTH PINES METROPOLITAN DISTRICT, A QUASI-MUNICIPAL CORPORATION AND POLITICAL SUBDIVISION OF THE STATE OF COLORADO.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

_____
NOTARY PUBLIC

IN WITNESS WHEREOF;

CARRINGTON HOMES, INC., A COLORADO CORPORATION, AS OWNER OF LOTS 18, 32 AND 72 HAS EXECUTED THESE PRESENTS THIS _____ DAY OF_____, 2005 A.D.

CARRINGTON HOMES, INC., A COLORADO CORPORATION

BY: _____

TITLE: _____

ACKNOWLEDGMENT

STATE OF COLORADO }
} SS
COUNTY OF _____}

THE ABOVE AND AFOREMENTIONED INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ___ DAY OF _____, 2005, A.D. BY _____ AS _____ FOR CARRINGTON HOMES, INC., A COLORADO CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

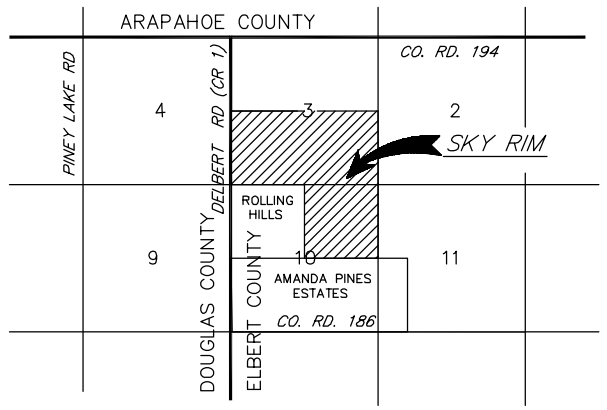
_____
NOTARY PUBLIC

IN WITNESS WHEREOF;

JOHN ALLEN AND SHELIA ALLEN, AS OWNERS OF LOT 69 HAVE EXECUTED THESE PRESENTS THIS _____ DAY OF_____, 2005 A.D.

BY: SKY RIM DEVELOPMENT, LLC, A COLORADO
LIMITED LIABILITY COMPANY, ITS ATTORNEY-IN- FACT

BY: _____
DAVID L. GERTZ, AS PRESIDENT OF SUNSHINE
LAND & DEVELOPMENT COMPANY, A COLORADO
CORPORATION, ITS MANAGER



ACKNOWLEDGMENT

STATE OF COLORADO }
} SS
COUNTY OF _____}

THE ABOVE AND AFOREMENTIONED INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ___ DAY OF _____, 2005, A.D. BY JOHN ALLEN AND SHELIA ALLEN.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

_____
NOTARY PUBLIC

IN WITNESS WHEREOF;

BRUCE M. RECTOR AND CAROLE RECTOR, AS OWNERS OF LOT 39, HAVE EXECUTED THESE PRESENTS THIS _____ DAY OF_____, 2005 A.D.

_____
BRUCE M. RECTOR

_____
CAROLE RECTOR

ACKNOWLEDGMENT

STATE OF COLORADO }
} SS
COUNTY OF _____}

THE ABOVE AND AFOREMENTIONED INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ___ DAY OF _____, 2005, A.D. BY BRUCE M. RECTOR AND CAROLE RECTOR.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

_____
NOTARY PUBLIC

IN WITNESS WHEREOF;

MOUNTAIN WIRELESS CONSTRUCTION, INC. AS THE OWNER OF LOT 33 HAS EXECUTED THESE PRESENTS THIS _____ DAY OF _____, 2005, A.D.

MOUNTAIN WIRELESS CONSTRUCTION, INC.

BY: SKY RIM DEVELOPMENT, LLC, A COLORADO
LIMITED LIABILITY COMPANY, ITS ATTORNEY-IN- FACT

BY: _____
DAVID L. GERTZ, AS PRESIDENT OF SUNSHINE
LAND & DEVELOPMENT COMPANY, A COLORADO
CORPORATION, ITS MANAGER

ACKNOWLEDGMENT

STATE OF COLORADO }
} SS
COUNTY OF _____}

THE ABOVE AND FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2005, A.D. BY DAVID L. GERTZ AS PRESIDENT OF SUNSHINE LAND & DEVELOPMENT COMPANY, A COLORADO CORPORATION AS MANAGER OF SKY RIM DEVELOPMENT, LLC, A COLORADO LIMITED LIABILITY COMPANY AS ATTORNEY-IN FACT FOR MOUNTAIN WIRELESS CONSTRUCTION, INC.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

_____
NOTARY PUBLIC

IN WITNESS WHEREOF;

CHAMPION BANK, AS HOLDER OF A DEED OF TRUST ON LOT 72 HAS EXECUTED THESE PRESENTS THIS _____ DAY OF_____, 2005 A.D.

CHAMPION BANK

BY: _____

TITLE: _____

ACKNOWLEDGMENT

STATE OF COLORADO }
} SS
COUNTY OF _____}

THE ABOVE AND AFOREMENTIONED INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ___ DAY OF _____, 2005, A.D. BY _____ AS _____ OF CHAMPION BANK.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

IN WITNESS WHEREOF;

COMMERCIAL FEDERAL , AS HOLDER OF A DEED OF TRUST ON LOT 39 HAS EXECUTED THESE PRESENTS THIS _____ DAY OF_____, 2005 A.D.

COMMERCIAL FEDERAL BANK

BY: _____

TITLE: _____

ACKNOWLEDGMENT

STATE OF COLORADO }
} SS
COUNTY OF _____}

THE ABOVE AND AFOREMENTIONED INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ___ DAY OF _____, 2005, A.D. BY _____ AS _____ OF COMMERCIAL FEDERAL BANK.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

IN WITNESS WHEREOF;

VECTRA BANK COLORADO, AS HOLDER OF A DEED OF TRUST ON LOT 18 HAS EXECUTED THESE PRESENTS THIS _____ DAY OF_____, 2005 A.D.

VECTRA BANK COLORADO, NATIONAL ASSOCIATION

BY: _____

TITLE: _____

ACKNOWLEDGMENT

STATE OF COLORADO }
} SS
COUNTY OF _____}

THE ABOVE AND AFOREMENTIONED INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ___ DAY OF _____, 2005, A.D. BY _____ AS _____ OF VECTRA BANK COLORADO, NATIONAL ASSOCIATION.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

IN WITNESS WHEREOF;

M&T MORTGAGE AS HOLDER OF A DEED OF TRUST ON LOT 32 HAS EXECUTED THESE PRESENTS THIS _____ DAY OF_____, 2005 A.D.

M&T MORTGAGE CORPORATION

BY: _____

TITLE: _____

ACKNOWLEDGMENT

STATE OF COLORADO }
} SS
COUNTY OF _____}

THE ABOVE AND AFOREMENTIONED INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ___ DAY OF _____, 2005, A.D. BY _____ AS _____ OF M&T MORTGAGE CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

GENERAL NOTES:

1. FOUND #6 REBAR, 30" LONG, W/2-1/2" ALUMINUM CAP MARKED "D.B. & CO. L.S. 22573" AT ALL EXTERIOR BOUNDARY CORNERS, UNLESS OTHERWISE NOTED.
2. NET ACREAGES ARE COMPUTED AS ACTUAL LOT ACREAGES INCLUSIVE OF ALL EASEMENTS OF RECORD.
3. THIS SUBDIVISION PLAT DOES NOT CONSTITUTE A TITLE SEARCH BY SURVCON, INC. TO DETERMINE THE OWNERSHIP, EASEMENTS OR RIGHTS OF WAY OF RECORD. FOR ALL INFORMATION REGARDING SAID MATTERS OF RECORD, SURVCON, INC. RELIED UPON TITLE COMMITMENT FILE NO. 70121411 PREPARED BY LAND TITLE GUARANTY COMPANY DATED OCTOBER 21, 2005.
4. DRAINAGE AND UTILITY EASEMENTS ARE TO BE MAINTAINED BY THE NORTH PINES METROPOLITAN DISTRICT AND/OR THE HOMEOWNERS ASSOCIATION (HOA) OF RECORD FOR THIS SUBDIVISION. NO TREES ARE TO BE PLANTED WITHIN THE EASEMENT..
5. BASIS OF BEARINGS:
BEARINGS SHOWN ON THIS PLAT ARE BASED ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 6 SOUTH, RANGE 65 WEST OF THE SIXTH P.M., THIS LINE IS MONUMENTED AT THE WEST QUARTER CORNER OF SECTION 3 BY A 2 1/2-INCH DIAMETER ALUMINUM CAP, PLS 6935, AND AT THE SOUTHWEST CORNER OF SECTION 3 BY A 3 1/4-INCH DIAMETER ALUMINUM CAP. PLS 10377, THIS LINE IS ASSUMED TO BEAR N00°40'06"E.
6. SURVCON, INC. PREPARED AMENDMENT NO. 3 FOR THE FOLLOWING PURPOSES:

A. TO CREATE A 30-FOOT ACCESS AND UTILITY EASEMENT OVER AND ACROSS LOT 72, TRACT D, AND LOT 69.

B. TO CREATE A 30-FOOT WIDE UTILITY EASEMENT ACROSS THE NORTHERN BOUNDARY FROM THE EAST LINE OF LOT 22 AND ACROSS TRACT A, B AND G AND LOTS 32, 33, 39 AND 40 TO THE EASTERN BOUNDARY OF SKY RIM WHICH SHALL OVERLAY THE EXISTING 20-FOOT WIDE EQUESTRIAN EASEMENT. THIS EASEMENT SHALL BE FOR ALL UTILITIES, INCLUDING WATER AND SEWER LINES FROM THE STERLING CROSSING SUBDIVISION. AFTER INSTALLATION OF ANY UTILITIES, THE LAND WILL BE RE-VEGETATED TO ITS NATURAL STATE.

C. THE SET-BACK ON LOT 18 IS CHANGED TO 150 FEET.

7. THIS AMENDMENT NO. 3 AMENDS SKY RIM (AMENDMENT NO. 2) RECORDED APRIL 6, 2001 IN BOOK 11 AT PAGE 89, UNDER RECEPTION NO. 40228, ELBERT COUNTY, COLOADO. IN ALL OTHER RESPECTS AMENDMENT NO. 2 SHALL REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

UTILITY EASEMENT ACKNOWLEDGMENT:

THOSE PORTIONS OF REAL PROPERTY WHICH ARE LABELED AS UTILITY EASEMENTS ON THIS PLAT, WHETHER PRIVATE OR PUBLIC, ARE HEREBY DEDICATED, FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES, INCLUDING BUT NOT LIMITED TO ELECTRIC LINES, GAS LINES, TELEPHONE LINES, CABLE T.V.; TOGETHER WITH THE RIGHT TO TRIM INTERFERING TREES AND BRUSH TOGETHER WITH A PERPETUAL RIGHT OF INGRESS AND EGRESS FOR INSTALLATION, MAINTENANCE, AND REPLACEMENT OF SUCH LINES; SAID EASEMENTS AND RIGHT TO BE UTILIZED IN A RESPONSIBLE AND PRUDENT MANNER, SUBJECT TO UTILITY PLACEMENT PERMITTING PROCEDURES FROM ELBERT COUNTY.

ATTORNEY'S OPINION:

I, JESSE N. LIPSCHUETZ, AN ATTORNEY AT LAW, DULY LICENSED TO PRACTICE BEFORE THE COURTS OF RECORD WITHIN THE STATE OF COLORADO DO HEREBY CERTIFY THAT I HAVE EXAMINED TITLE COMMITMENT_____AS PREPARED BY LAND TITLE GUARANTY COMPANY DATED _____, _____ AND IN RELIANCE THEREON, WITHOUT AN INDEPENDENT TITLE EXAMINATION, TITLE TO SUCH LANDS ARE IN THE DEDICATORS AND DEED OF TRUST HOLDERS AS OF SUCH DATE AS THEIR RESPECTIVE INTERESTS APPEAR.

_____ _____
DATE ATTORNEY-AT-LAW

SURVEYORS CERTIFICATE:

THE UNDERSIGNED REGISTERED LAND SURVEYOR OF THE STATE OF COLORADO DOES HEREBY CERTIFY THAT THE ACCOMPANYING PLAT HAS BEEN PREPARED BASED ON A FIELD SURVEY PERFORMED IN DECEMBER OF 2000 AND UNDER HIS DIRECT SUPERVISION IN ACCORDANCE WITH TITLE 38 OF THE COLORADO REVISED STATUTE, 1973, AS AMENDED, AND THAT SAID PLAT DOES ACCURATELY SHOW THE DESCRIBED TRACT OF LAND AND THE SUBDIVISION THEREOF TO THE BEST OF HIS KNOWLEDGE AND BELIEF.

FOR AND ON BEHALF OF SURVCON INC.

_____ _____
JEFFREY E. KISTNER DATE
PROFESSIONAL LAND SURVEYOR
NO. 30829

PLANNING DEPARTMENT:

THIS PLAT APPROVED BY THE ELBERT COUNTY LAND USE ADMINISTRATION THIS_____DAY OF _____, 200__, A.D.

_____
PLANNING DIRECTOR

APPROVAL OF COUNTY COMMISSIONERS:

THIS PLAT WAS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF ELBERT COUNTY, COLORADO ON THE_____DAY OF _____, 200__, A.D., FOR FILING, AND THE DEDICATIONS HEREON ARE ACCEPTED, SUBJECT TO THE CONDITIONS SET FORTH BY THE BOARD THAT THE COUNTY WILL UNDERTAKE MAINTENANCE OF ANY SUCH ROADS AFTER CONSTRUCTION HAS SATISFACTORILY MET SPECIFICATIONS COMPLETED BY THE SUBDIVIDER AT NO EXPENSE TO THE COUNTY, PROVIDED IN THE JUDGMENT OF THE BOARD OF COUNTY COMMISSIONERS, PUBLIC NEED AND NECESSITY IS SHOWN THEREFORE, PRIOR TO THE ACCEPTANCE OF THE ROADS FOR MAINTENANCE BY ELBERT COUNTY, AND THAT THE SUBDIVIDER SHALL MAINTAIN SUCH ROADS AND REMOVE SNOW ACCUMULATIONS FROM SAME AT HIS EXPENSE FOR A MINIMUM OF TWO (2) YEARS FROM CONSTRUCTION APPROVAL, OR SUCH TIME AS THERE IS AN AVERAGE OF EIGHT (8) OCCUPIED RESIDENCES PER MILE OF ROAD, WHICHEVER OCCURS LATER.

_____
CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

CLERK AND RECORDER'S CERTIFICATE:

STATE OF COLORADO)
)SS
COUNTY OF ELBERT)

I HEREBY CERTIFY THAT THIS PLAT WAS FILED IN MY OFFICE ON THIS DAY OF _____, 200___, A.D., AT_____O'CLOCK A.M./P.M., AND WAS RECORDED PER RECEPTION NUMBER _____.

_____
COUNTY CLERK AND RECORDER

REVISION 3: DECEMBER 2005:
COVER SHEET MISC. REVISIONS.
REVISION 2: NOVEMBER 2005:
COVER SHEET SIGNATURE BLOCK ADDITIONS.
REVISION 1: SEPTEMBER 2005:
COVER SHEET SIGNATURE BLOCKS, SETBACKS FOR LOTS 18 AND 19, ADD 30' UTILITY EASEMENT AND 30' ACCESS EASEMENT.

SURVCON INC.
PROFESSIONAL SURVEYORS
7800 E. DORADO PLACE, STE. 101
GREENWOOD VILLAGE, CO. 80111
PH. (303) 858-0404

SCALE:	NA	JOB NO.	1032-02
DATE:	12-27-00	DRAWING: J:\1032-02\DRAFTING\3202AP rev1	
DRAWN BY: JEK/BK		SHEET NO. 1 OF 3	

NO PART OR PARTS OF THIS DRAWING MAY BE REPRODUCED OR RETRANSMITTED IN ANY WAY OR FORM (ELECTRONIC, MECHANICAL, PHOTOCOPYING, OR OTHERWISE) WITHOUT THE EXPRESS