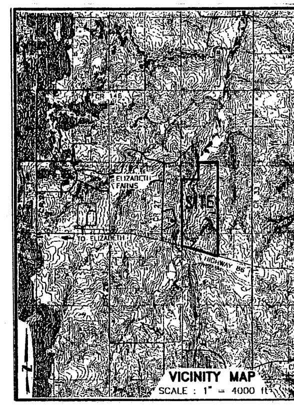
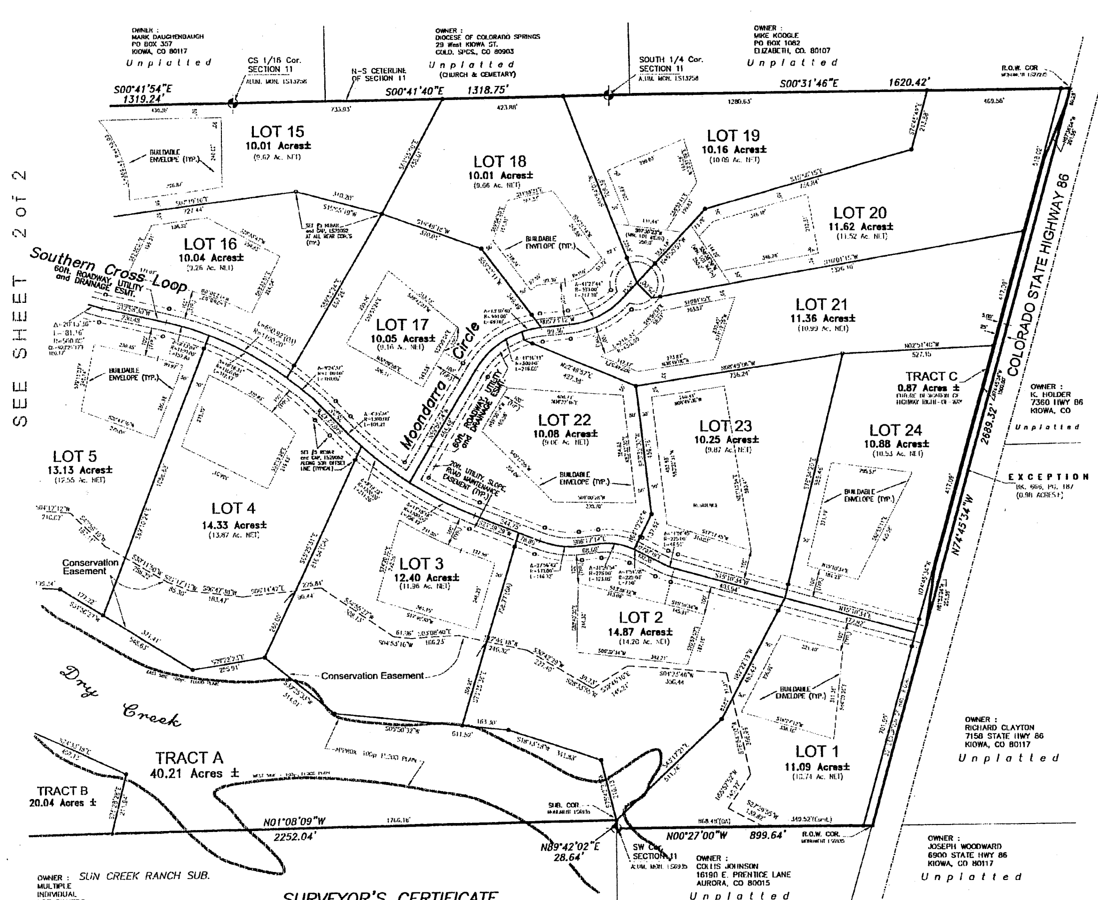
Willow Creek

FINAL SUBDIVISION PLAT

BEING A PORTION OF SECTIONS 11, and 14, TOWNSHIP 8 SOUTH, RANGE 64 WEST, of the 6th. P.M., COUNTY OF ELBERT, STATE OF COLORADO





LEGAL DESCRIPTION

(PER BOOK 655, PAGE 149)

A PARCEL OF LAND BEING THE E1/2NW1/4 OF SECTION 11; THE SW1/4NW1/4 OF SECTION 11; THE SW1/4 OF SECTION 11, EXCEPT THAT PORTION DESCRIBED IN DEED RECORDED IN BOOK 444 AT PAGE 617; THAT PORTION OF THE NW1/4 OF SECTION 14 LYING NORTHERLY OF STATE HIGHWAY NO. 86, ALL WITHIN TOWNSHIP 8 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ELBERT, STATE OF COLORADO, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE EAST LINE OF THE NE1/4 OF SECTION 11, BEING MONUMENTED AT THE NORTHEAST CORNER AND THE EAST ONE-QUARTER CORNER OF SAID SECTION 11 BY A 3-1/4" ALUMINUM SURVEYOR'S CAP - L.S. 13258, BEING ASSUMED TO BEAR S00°34'10"E, A DISTANCE OF 2644.65 FEET. COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 11, BEING MONUMENTED BY A 3-1/4" ALUMINUM SURVEYOR'S CAP -L.S. 13258; THENCE S89°23'27"W, ALONG THE NORTH LINE OF THE NE1/4NE1/4 OF SAID SECTION 11, A DISTANCE OF 1299.31 FEET TO THE NORTHEAST CORNER OF THE NW1/4NE1/4 OF SAID SECTION 11, BEING MONUMENTED BY A 2-1/2" ALUMINUM SURVEYOR'S CAP -L.S. 6935; THENCE S89?'46"W, ALONG THE NORTH LINE OF SAID NW1/4NE1/4, A DISTANCE 1299.42 FEET TO THE NORTH ONE-QUARTER CORNER OF SAID SECTION 11, BEING MONUMENTED BY A 2-1/2" ALUMINUM SURVEYOR'S CAP -L.S. 6935, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE THE FOLLOWING SIX (6) COURSES: 1) S00°41'54"E, ALONG THE EAST LINE NW1/4 OF SAID SECTION 11, A DISTANCE OF 2637.77 FEET TO THE CENTER ONE-QUARTER CORNER OF SAID SECTION 11, BEING MONUMENTED BY A 3-1/4" ALUMINUM SURVEYOR'S CAP -L.S. 13258; 2) CONTINUING, S00°41'54"E, ALONG THE EAST LINE OF THE NE1/4SW1/4 OF SAID SECTION 11, A DISTANCE OF 1319.24 FEET TO THE NE1/4SE1/4SW1/4 OF SAID SECTION 11, BEING MONUMENTED BY A 2-1/2" ALUMINUM SURVEYOR'S CAP -L.S. 6935; 3) S00°41'40"E, ALONG THE EAST LINE OF SAID SE1/4SW1/4, A DISTANCE OF 1318.75 FEET TO THE NORTH ONE-QUARTER CORNER OF SAID SECTION 14, BEING MONUMENTED BY A 2-1/2" ALUMINUM SURVEYOR'S CAP -L.S. 6935; 4) S00°31'46"E, ALONG THE EAST LINE OF THE NW1/4 OF SAID SECTION 14, A DISTANCE OF 1620.42 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 86, BEING MONUMENTED BY A 1-1/2" ALUMINUM SURVEYOR'S CAP -L.S. 27275; 5) N75°45'34"W, ALONG SAID NORTHERLY RIGHT-OF-WAY, A DISTANCE OF 2689.32 FEET TO A POINT OF THE WEST LINE OF THE NW1/4 OF SAID SECTION 14, BEING MONUMENTED BY A 1" PLASTIC SURVEYOR'S CAP -L.S. 6935; 6) N00°27'00"W, ALONG SAID WEST LINE, A DISTANCE OF 899.64 TO THE SOUTHWEST CORNER OF SAID SECTION 11, BEING MONUMENTED BY A 2-1/2" ALUMINUM SURVEYOR'S CAP -L.S. 6935, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED IN DEED RECORDED IN BOOK 444 AT PAGE 617; THENCE ALONG THE SOUTHERLY, EASTERLY AND NORTHERLY LINES OF SAID PARCEL THE FOLLOWING THREE (3) COURSES: 1) N89°'02"E, A DISTANCE OF 28.64 FEET; BEING MONUMENTED BY A 1-1/2" ALUMINUM SURVEYOR'S CAP -L.S. 27275; 2) N01°08'09"W, A DISTANCE OF 2252.04 FEET, BEING MONUMENTED BY A 1-1/2" ALUMINUM SURVEYOR'S CAP -L.S. 27275; 3) S86°06'50"W, A DISTANCE OF 16.41 FEET TO A POINT ON THE WEST LINE OF SAID SW1/4 OF SAID SECTION 11, BEING MONUMENTED BY A 1-1/2" ALUMINUM SURVEYOR'S CAP -L.S. 27275; THENCE THE FOLLOWING FIVE (5) COURSES: 1) N00°49'27"W, ALONG SAID WEST LINE, A DISTANCE OF 380.44 FEET TO THE W1/4 CORNER OF SAID SECTION 11, BEING A 2-1/2" ALUMINUM SURVEYOR'S CAP -L.S. 6935; 2) N00°49'28"W, ALONG THE WEST LINE OF THE SW1/4NW1/4 OF SECTION 11, A DISTANCE OF 1315.59 FEET TO THE NORTHWEST CORNER OF SAID SW1/4NW1/4, BEING A 2-1/2" ALUMINUM SURVEYOR'S CAP -L.S. 6935; 3) N89°28'33"E, ALONG THE NORTH LINE OF SAID SW1/4NW1/4, A DISTANCE OF 1298.08 FEET TO THE NORTHEAST CORNER OF SAID SW1/4NW1/4, BEING A 2-1/2" ALUMINUM SURVEYOR'S CAP -L.S. 6935; 4) N00°46'39"W, ALONG THE WEST LINE OF THE NE1/4 OF SAID NW1/4, A DISTANCE OF 1317.49 FEET TO THE NW1/4NE1/4NW1/4, BEING MONUMENTED BY A 2-1/2" ALUMINUM SURVEYOR'S CAP -L.S. 6935; 5) N89°24'28"E, ALONG THE NORTH LINE OF SAID NE1/4NW1/4, A DISTANCE OF 1299.32 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ANY PORTION CONVEYED TO DEPARTMENT OF TRANSPORTATION STATE OF COLORADO IN DEED RECORDED NOVEMBER 24, 2004 IN BK. 666, PG. 187; COUNTY OF ELBERT, STATE OF COLORADO

DEDICATION CERTIFICATE

THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST, HOLDERS OF OTHER INTERESTS IN THE LAND DESCRIBED HEREON, HAVE PLATTED SAID LANDS INTO LOTS, TRACTS, PUBLIC ROADWAYS AND EASEMENTS AS SHOWN HEREON UNDER THE NAME OF "WILLOW CREEK". EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED FOR PUBLIC ROADWAYS, PUBLIC UTILITIES AND CABLE COMMUNICATION SYSTEMS AND OTHER PURPOSES AS INDICATED. THE ENTITIES RESPONSIBLE FOR PROVIDING THE SERVICES WHICH THE RIGHT-OF-WAYS & EASEMENTS ARE ESTABLISHED ARE HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS & EGRESS FROM AND TO ADJACENT PROPERTIES FOR INSTALLATION, MAINTENANCE & REPLACEMENT OF ANY FACILITIES. THE DEDICATING OWNERS HEREBY RESERVE UNTO THEMSELVES, THEIR HEIRS, FUTURE OWNERS AND ASSIGNS RIGHTS IN AND TO THE EASEMENTS SHOWN ON THIS PLAT.

BY: *[signature]* MEMBER

WILLOW BEND CREEK, L.L.C., A COLORADO LIMITED LIABILITY COMPANY; By: *Timothy M. Lyons* Printed Name of Member

STATE OF *Colorado*)
COUNTY OF *Douglas*) ss

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON *4/20/05*
By *Timothy M. Lyons* MEMBER, WILLOW BEND CREEK, L.L.C., A COLORADO LIMITED LIABILITY CO. WITNESS MY OFFICIAL HAND & SEAL....

MY COMMISSION EXPIRES *[illegible]* NOTARY PUBLIC *[signature]*

BY: *[signature]*
COLONIAL BANK, AS A LIEN HOLDER By: *[illegible]* As *Vice President* Printed Name and Title

STATE OF *[illegible]*)
COUNTY OF *[illegible]*) ss

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON *[illegible]*
By *[illegible]* AS *[illegible]* OF COLONIAL BANK
WITNESS MY OFFICIAL HAND & SEAL....

MY COMMISSION EXPIRES *[illegible]* NOTARY PUBLIC *[signature]*

BY: *[signature]* and *Kathleen M. Luke*
ALFRED LUKE, AS LIEN HOLDER and KATHLEEN LUKE, AS LIEN HOLDER

STATE OF *[illegible]*)
COUNTY OF *[illegible]*) ss

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON *May 2, 2005*
By : ALFRED LUKE AND KATHLEEN LUKE
WITNESS MY OFFICIAL HAND & SEAL....

MY COMMISSION EXPIRES *2-17-08* NOTARY PUBLIC *[signature]*

TITLE VERIFICATION

WE, LAND TITLE GUARANTY COMPANY, A QUALIFIED TITLE INSURANCE COMPANY, DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE OF ALL LANDS PLATTED HEREON, AND THAT SUCH LAND IS IN THE NAME OF THE DEDICATOR FREE & CLEAR OF ALL LIENS, TAXES, AND ENCUMBRANCES.

BY: *[signature]* AS *Title Officer* OF LAND TITLE GARANTEE COMPANY

STATE OF *Colorado*)
COUNTY OF *Douglas*) ss

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON *4/20/05*
By *Bryce L. Nitsch* AS *Title Officer* OF LAND TITLE GUARATEE CO.
WITNESS MY OFFICIAL HAND & SEAL....

MY COMMISSION EXPIRES *4/20/2007* NOTARY PUBLIC *[signature]*

PLANNING DEPARTMENT

THIS SUBDIVISION PLAT WAS REVIEWED AND RECOMMENDED FOR APPROVAL BY THE ELBERT COUNTY PLANNING COMMISSION ON THE *31st* DAY OF *May*, THE YEAR *2005* A.D.

[signature]
PLANNING DEPT. DIRECTOR

APPROVAL OF COUNTY COMMISSIONERS

THIS SUBDIVISION PLAT WAS REVIEWED AND APPROVED BY THE ELBERT COUNTY BOARD OF COUNTY COMMISSIONERS ON THE *11th* DAY OF *May*, THE YEAR *2005* A.D.

[signature]
Vice CHAIR - BOARD OF COUNTY COMMISSIONERS

SURVEYOR'S CERTIFICATE

I, GARRY L. ROHLEDER, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY PERFORMED IN MAY OF 2003, UNDER MY DIRECT SUPERVISION; AND ALL MONUMENTS EXIST AS SHOWN, THAT THE MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:50,000, THAT THIS PLAT WAS PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO REGARDING MONUMENTS, SUBDIVISIONS AND THE SURVEYING OF LAND, AND THAT ALL PROVISIONS WITHIN MY CONTROL OF THE ELBERT COUNTY SUBDIVISION REGULATIONS HAVE BEEN MET.

DATE *April 19, 2005* *[signature]*
GARRY L. ROHLEDER, LS. 29052

RECORDING CERTIFICATE

STATE OF COLORADO)
COUNTY OF ELBERT) ss

I HEREBY CERTIFY THAT THIS PLAT WAS FILED IN MY OFFICE ON THIS *1st* DAY OF *June*, YEAR *2005* A.D., AT *2:20* O'CLOCK AM/PM AND WAS RECORDED AT RECEPTION NO. *462512*
PLAT BOOK *12*, PAGE *111*

Kristine Gretmaker (Deputy)
ELBERT COUNTY CLERK & RECORDER

Owner/Developer:
Willow Bend Creek, LLC.
7202 76th Street
Lubbock, Texas
(808) 767-4205

Project Engineer and Applicants Representative
Woodland Engineering
P.O. Box 1968
Elizabeth, CO 80107
(303) 646-4694

PREPARED BY
WLR
WLR SERVICES
13609 COUNTY RD. 94
ELBERT, COLORADO 80106
(303) 648-9755
FAX (303) 648-9757

DATE : JULY, 2004 J.N. 020801 "020801IP.DWG"

BOOK 12 PAGE 111 Page 1 of 2.

Willow Creek

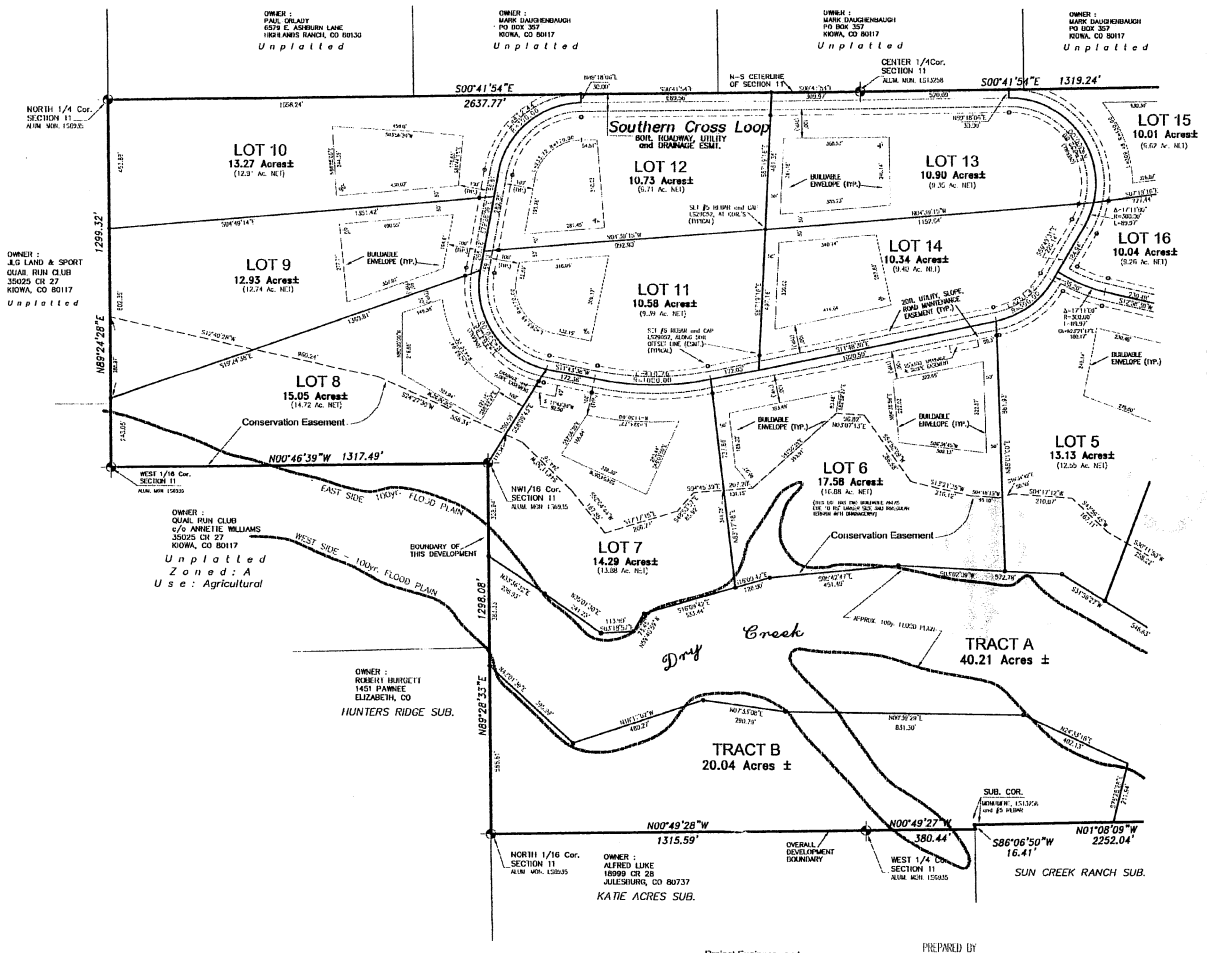
FINAL SUBDIVISION PLAT

BEING A PORTION OF SECTIONS 11, and 14, TOWNSHIP 8 SOUTH, RANGE 64 WEST, of the 6th. P.M., COUNTY OF ELBERT, STATE OF COLORADO

SHEET 2 of 2

200' 100' 0 200' 400'

ORIGINAL SCALE: 1" = 200'



SEE SHEET 1 of 2

NOTES

1. THIS SUBDIVISION PLAT WAS PREPARED WITH THE BENEFIT OF A TITLE COMMITMENT BY LAND TITLE GUARANTEE COMPANY, ORDER NO. PI15009829, DATED FEB. 20, 2004 AND NO TITLE SEARCH WAS CONDUCTED BY WLR SERVICES TO DETERMINE OWNERS OR EASEMENTS RECORDED OR UNRECORDED.
2. ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER FIRST DISCOVERING 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 SHOWN HEREON.
3. PORTIONS OF THE SUBJECT PROPERTY EXIST WITHIN THE 100-YEAR FLOOD ZONE OF DRY CREEK, PER ELBERT CO. FLOOD MAPS, EFFECTIVE DATE 1981.
4. BASIS OF BEARINGS: BEARINGS ARE BASED ON THE EAST LINE OF THE NE1/4 OF SECTION 11, T. 8 S., R. 64 W. MONUMENTED AS SHOWN HEREON. SAID LINE BEARS NORTH 00°41'0" WEST.
5. FOR PURPOSES OF THIS PLAT, TRACT B IS TO BE CONSIDERED A RESERVE PARCEL. IT WILL REMAIN IN THE OWNERSHIP OF THE DEVELOPER OF THIS SUBDIVISION UNTIL ISSUES REGARDING PREBLES MOUSE HABITAT ARE RESOLVED. ALTHOUGH IT IS A PART OF THIS PLAT, TRACT B IS NON-BUILDABLE UNTIL APPROVED AS SUCH THROUGH SEPARATE REVIEW. IT MAY BE GRANTED AS ADDITIONAL OPEN SPACE, BY SEPARATE DOCUMENT TO ANOTHER ENTITY, OR HELD & REPLATTED AS A FUTURE BUILDING SITES.
6. THERE ARE AREAS OF THIS PROPERTY WHICH CONTAIN 20% (OR GREATER) SLOPES. IT IS NOTED THAT THESE STEEP SLOPES DO EXIST DIRECTLY ADJACENT TO THE DRAINAGEWAYS THAT CROSS THROUGH THE PROPERTY, AND ARE NOT SHOWN HEREON, HOWEVER, THEY ARE DEPICTED ON THE RECORDED REZONING EXHIBIT. IF CONSTRUCTION OF A PROPOSED STRUCTURE IS IDENTIFIED AS OCCURING DIRECTLY OVER THESE SLOPES, THEN A SPECIAL ENGINEERING FEASABILITY STUDY MAY BE A REQUIRED SUBMITTAL FOR THE BUILDING PERMIT TO BE ISSUED.
7. THE QUAIL RUN SPORTS CLUB EXISIS DIRECTLY NORTH OF THIS SUBDIVISION, AND LOT OWNERS ARE HEREBY NOTICED THAT ARCHERY AND FIREARMS ARE IN USE ON A REGULAR BASIS ON THAT PROPERTY. LOT OWNERS IN WILLOW CREEK SHALL NOT HINDER OR PREVENT THE CONTINUED OPERATION OF THE CLUB WITHOUT JUST CAUSE.
8. OUR LADY OF THE VISITATION CATHOLIC CHURCH AND CEMETARY EXISTS DIRECTLY EAST OF LOTS 15, 16 &16. THESE LOT OWNERS SHOULD BE AWARE THAT FUNERALS AND OTHER CHURCH RELATED ACTIVITIES WILL OCCUR ON A REGULAR BASIS, WITHOUT NOTICE.
9. ALL UTILITY MAINS SHALL BE BURIED UNDERGROUND IN THE EASEMENTS PROVIDED HEREIN. INDIVIDUAL SERVICE LINES TO (AND/OR) BETWEEN STRUCTURES SHALL ALSO BE BURIED, BUT ARE NOT REQUIRED TO BE EASEMENTED, UNLESS SPECIFICALLY REQUIRED BY THE SERVICE PROVIDER (UNDER A SEPARATE DOCUMENT SPECIFIC TO THE INDIVIDUAL LOT) USE RIGHTS ARE VESTED IN ALL ENTITIES WITH A PERTINENT AND DIRECT NEED TO USE THE EASEMENTS SET FORTH ON THIS PLAT, AS STATED IN THE DEDICATION.
10. A TEN FOOT (10 FT.) DRAINAGE AND UTILITY EASEMENT IS HEREBY CREATED AND GRANTED ALONG THE REAR OF EACH LOT (or ALONG CONSERV. ESMT.), AND ON BOTH SIDES OF EACH SIDE LOT LINE, (ONLY TO BURDEN EACH OF THE 24 LOTS HEREIN, NOT TRACTS)
11. BUILDING ENVELOPE ADJUSTMENTS WILL BE PERMITTED, AND WILL BE REQUIRED TO ADHERE TO THE ADMINISTRATIVE REPLATTING PROCEDURE. IN NO EVENT SHALL SUCH PROCESS AFFECT THE CONSERVATION EASMENT ESTABLISHED HEREON.
12. THE DOCUMENT RECORDED IN BOOK 38, AT PAGE 506 PROVIDED A BLANKET EASEMENT OVER A PORTION OF THIS PROPERTY FOR COMMUNICATION LINES. HOWEVER, IT IS GENERALLY INTERPRETED TO BURDEN THE AREA ALONG THE OLD HIGHWAY 86 RIGHT-OF-WAY WITH POLES & OVERHEAD LINES, (WHICH NO LONGER EXIST).
13. THE DOCUMENT RECORDED IN BOOK 205, AT PAGE 233 PROVIDED A BLANKET EASEMENT OVER A PORTION OF THIS PROPERTY FOR SNOW FENCING TO PROTECT HIGHWAY 86 DURING BLIZZARDS. THE OWNERS OF LOTS 1, 20, 21, & 24 ARE REQUIRED TO CONTINUE TO ALLOW FOR THIS NEED. (OF WHICH, PHYSICAL EVIDENCE OF SAID FENCE STILL EXISTS)
14. THE DOCUMENT RECORDED IN BOOK 427, AT PAGE 148 PROVIDED AN ACCESS EASEMENT OVER A PORTION OF THIS PROPERTY. HOWEVER, SAID EASEMENT IS HEREBY VACATED BY THIS PLAT AS ALL PORTIONS OF THE EASEMENT AND BENEFITING PROPERTY ARE NOW OWNED BY THIS SUBDIVIDING OWNER.

CHART OF LOT AREAS

Lot/ Tract	Gross Area	Rdwy Area	Net Area	Conservation Esmt. Area	Buildable Envelope Area
1	11.09	0.35	10.74	2.42	1.95
2	14.87	0.67	14.20	6.48	2.09
3	12.40	0.44	11.96	5.23	2.19
4	14.33	0.46	13.87	5.34	2.08
5	13.13	0.58	12.55	2.42	1.80
6	17.58	0.70	16.88	8.39	3.54
7	14.29	0.41	13.88	7.59	1.56
8	15.05	0.33	14.72	9.37	1.70
9	12.93	0.19	12.74	1.00	1.97
10	13.27	0.36	12.91	0.00	2.15
11	10.58	0.87	9.71	0.00	1.69
12	10.73	1.38	9.35	0.00	1.65
13	10.90	1.50	9.40	0.00	2.19
14	10.34	0.95	9.39	0.00	2.40
15	10.01	0.39	9.62	0.00	2.20
16	10.04	0.78	9.26	0.00	2.48
17	10.05	0.89	9.16	0.00	1.91
18	10.01	0.35	9.66	0.00	1.62
19	10.16	0.07	10.09	0.00	1.58
20	11.62	0.10	11.52	0.00	1.66
21	11.36	0.37	10.99	0.00	1.55
22	10.08	1.02	9.06	0.00	3.83
23	10.25	0.38	9.87	0.00	3.25
24	10.88	0.35	10.53	0.00	2.08
TOTAL	287.81	13.89	273.92	46.90	51.12
A	40.21	0.00	0.00	40.21	0.00
B	20.04	0.00	0.00	0.00	0.00
C	1.85	0.00	0.00	0.00	0.00
TOTAL	348.06	13.89	273.92	87.11	51.12

NOTE 1 : ALL FIGURES ARE IN ACRES+/-
NOTE 2 : NET AREA IS GROSS LESS THE ROADWAY
NOTE 3 : UTILITY ESMT.'S ARE NOT INCLUDED IN THIS CHART

Owner/Developer:
Willow Bend Creek, LLC.
7202 76th Street
Lubbock, Texas
(806) 767-4205

Project Engineer and Applicants Representative
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P.O. Box 1968
Elizabeth, CO 80107
(303) 646-4694

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Book 12 PAGE 14 PAGE 2 of 2 WILLOW CREEK SUB