

SMITH - ARKANSAS RIVER INVESTMENTS LLC BOUNDARY LINE ADJUSTMENT

A REPLAT of
FOUR TRACTS LOCATED WITHIN THE SW1/4 SECTION 5, TOWNSHIP 14 SOUTH, RANGE 78 WEST, OF THE 6TH. P.M.

CERTIFICATE OF OWNERSHIP AND DEDICATION

The undersigned certifies that Arkansas River Investments LLC, are the owners of the following described property:

Tract 1
Reception No. 470877
A tract of land in the Southeast 1/4 of the Southwest 1/4 of Section 5, Township 14 South, Range 78 West of the 6th P.M., Chaffee County, Colorado, more particularly described as beginning at the South 1/4 Corner of said Section 5; thence North 88°13' West along the south line of said SE 1/4 SW 1/4 a distance of 824.10 feet to a point on the northeasterly right-of-way line of U.S. Highway No. 24; thence North 27°18'30" West 957.30 feet to the point of beginning of the tract herein described; thence continuing North 27°18'30" West 206.17 feet; thence East 734.05 feet; thence South 183.82 feet; thence West 639.19 feet to the point of beginning.

AND

The undersigned certifies that Darrell Wade Smith and Kimberly Ann Walstrom Smith, are the owners of the following described property:

Tract 2
Reception No. 439451
A tract of land in the Southeast 1/4 of the Southwest 1/4 of Section 5, Township 14 South, Range 78 West of the 6th P.M., Chaffee County, Colorado, more particularly described as beginning at the South 1/4 Corner of said Section 5; thence North 88°13' West along the south line of said SE 1/4 SW 1/4 a distance of 824.10 feet to a point on the northeasterly right-of-way line of U.S. Highway No. 24; thence North 27°18'30" West along said right-of-way line 1163.47 feet; thence East 134.05 feet to the point of beginning of the tract herein described; thence North 216.18 feet; thence East 200 feet; thence South 216.18 feet; thence West 200.0 feet to the point of beginning. EXCEPT an easement for right-of-way as recorded in Book 319 at Page 65 of the records of Chaffee County, Colorado, for Sangre De Cristo Electric Association.

and

Tract 3
Reception No. 439450
A tract of land in the Southeast 1/4 of the Southwest 1/4, Section 5, Township 14 South, Range 78 West, 6th P.M., Chaffee County, Colorado, more particularly described as beginning at the Northwest Corner of said Southeast 1/4 of the Southwest 1/4; thence South 1°31' East 252.78 feet; thence South 27°18'30" East 36.62 feet; thence East 134 feet; thence North 216.18 feet; thence East 200 feet; thence approximately 60 feet to the North 1/4 Line of said Southeast 1/4 of the Southwest 1/4; thence Westerly along said line to the point of beginning.

Tract 4
Reception No. 151406
A tract of land in the Southeast 1/4 of the Southwest 1/4 of Section 5, Township 14 South, Range 78 West of the 6th P.M., Chaffee County, Colorado, more particularly described as beginning at the Northeast Corner of said SW1/4SW1/4 at which point is the true point of beginning; Thence South 02°25'25" East 290.00 feet to the Easterly Right of Way of U.S. Highway No. 24; Thence North 27°50'25" West 330.82 feet along said Right of Way; Thence South 89°00'45" East 142.12 feet to the point of beginning, containing 0.47 acres.

Have laid out, re-platted and re-subdivided the same into two (2) Lots, Lot 1 and Lot 2 having the dimensions and being located as shown on this plat under the name and style of:

Smith - Arkansas River Investments LLC Boundary Line Adjustment

In Witness Whereof the undersigned has caused these presents to be executed this ____ day of _____, 2021.

By: Darrell Wade Smith
By: Kimberly Ann Walstrom Smith

STATE OF COLORADO)
) ss.

COUNTY OF CHAFFEE)

The foregoing instrument was acknowledged before me on the ____ day of _____, 2021 by Darrell Wade Smith and Kimberly Ann Walstrom Smith who are personally known to me by such persons.

My commission expires: _____
Witness my hand and official seal.

Notary Public

In Witness Whereof the undersigned has caused these presents to be executed this ____ day of _____, 2021.

By: Lawrence Michael Kersting, Member
Arkansas River Investments LLC
By: Julie Lynn Kersting, Member
Arkansas River Investments LLC

STATE OF COLORADO)
) ss.

COUNTY OF CHAFFEE)

The foregoing instrument was acknowledged before me on the ____ day of _____, 2021 by Lawrence Michael Kersting and Julie Lynn Kersting who are personally known to me by such persons.

My commission expires: _____
Witness my hand and official seal.

Notary Public

APPROVAL AND ACCEPTANCE BY THE BOARD OF COUNTY COMMISSIONERS OF CHAFFEE COUNTY:

The Board of County Commissioners of Chaffee County, Colorado does hereby approve and accept this plat of Smith - Arkansas River Investments LLC Boundary Line Adjustment, subject to the conditions of Resolution 2021-76, recorded at Reception # 475330, and this plat is hereby approved and accepted by the

Board of County Commissioners of Chaffee County, Colorado on the ____ day of _____, 2021.

Chairman

CERTIFICATE OF TITLE INSURANCE

I, _____, a (Land Title Attorney or Abstractor or other qualified) licensed in the State of Colorado, certify that I have examined title to all the property included on this plat on _____ and found vested in (OWNERS) free of any recorded mortgages, liens, judgements, easement, contracts and agreements, except as follows:

Dated this ____ day of _____, 2021.

Agent

ACKNOWLEDGEMENT OF LIEN HOLDER

I, _____, a (Land Title Attorney or Abstractor or other qualified) licensed in the State of Colorado,

certify that I have examined title to all the property included on this plat on _____ and found vested in (OWNERS) free of any recorded mortgages, liens, judgements, easement, contracts and agreements, except as follows:

CHAFFEE COUNTY CLERK AND RECORDER'S CERTIFICATE

This Plat was accepted and filed for record in the Office of the Clerk and Recorder of Chaffee County, Colorado at ____M.

this ____ day of _____, 2021, at Reception No. _____.

PRELIMINARY NOT FOR RECORD

Chaffee County Clerk and Recorder

GENERAL PLAT NOTES- PROVIDED BY CHAFFEE COUNTY:

1. FURTHER SUBDIVISION OF THE LOTS SHALL BE SUBJECT TO THE SUBDIVISION REGULATION IN THE CHAFFEE COUNTY LAND USE CODE.

2. A COLORADO DEPARTMENT OF TRANSPORTATION ("CDOT") ACCESS PERMIT SHALL BE SUBMITTED AS PART OF THE BUILDING PERMIT FOR ANY OF THE LOTS IF REQUIRED BY CDOT FOR THE CHANGE IN USE.

LEGEND

- RECOVERED BLM BRASS CAP S 1/4 CORNER SECTION 5
- EPOXIED PK NAIL AND 1 3/4" ALUMINUM WASHER STAMPED TOTL SURVEYS, INC., LS 34985 INTO GRANITE ROCK.
- SET 5/8" X 24" REBAR AND 2" ALUMINUM CAP STAMPED TOTL SURVEYS, INC., LS 34985.
- RECOVERED 5/8" REBAR WITH 1.5" ALUMINUM CAP LS 2343
- RECOVERED 5/8" REBAR AND 1.5" ALUMINUM CAP STAMPED LS 16117
- RECOVERED STATE HWY DEPT. ROW MONUMENT BASE.
- RECOVERED 5/8" REBAR
- RECOVERED 1/2" REBAR
- RECOVERED 3/8" REBAR
- RECOVERED 3.25" BRASS CAP IN CONCRETE STATE HIGHWAY DEPARTMENT ROW MARKER, FBC SHD ROW 278+00
- RECOVERED 2.5" ALUMINUM CAP STAMPED BEAR T14S,R78W, S1/16 C/C S5, 2005, LS 31544
- OVERHEAD UTILITY POLE
- FENCE
- EDGE OF GRAVEL
- OVERHEAD UTILITY LINES
- LOT LINE TO BE ELIMINATED
- 20 NON-EXCLUSIVE EASEMENT
- RECORD PLAT MEASUREMENTS
- LINEAR UNIT = U.S. SURVEY FOOT

DEED REFERENCES:

Special Warranty Deed - Reception No. 470877.
Deed - Reception No. 151406.
Quit Claim Deed - Reception No. 439450. See Surveyor's Plat Note 8.
Quit Claim Deed - Reception No. 439451.

PLAT REFERENCES:

- Survey & Plat - That Portion of the Fred W. Heckendorf Estate in Section 5 and 6, Township 14 S., Range 78 W. of the 6th P.M. Chaffee County, Colorado, by Louis E. Bolis, Reg. Land Surveyor No. 1210, not dated.
- Colorado State Highway Department- Federal Aid Project N.R.H.-248-G, State Highway No. 4, Chaffee County. Used for this survey, no curve in the subject Lots.
- Colorado Department of Highways - Federal Aid Project No. RF 024-1(12), State Highway No. 24, Chaffee County.

SURVEYOR'S PLAT NOTES:

- The purpose of the Lot consolidation is to combine four tracts into two Lots, Lot 1, and Lot 2, as shown hereon.
- Deed lines are based on said Deeds and on the location of the monuments set by others, as shown hereon.
- All bearings are grid bearings of the Colorado State Plane Coordinate System, Central Zone, North American Datum 1983. The basis of grid bearing was determined by GPS RTK observation between recovered monuments, as shown. That bearing being S 89°38' 31" E: Record bearing (WEST).
- Last date of field observation: 11-8-2021. Closure of the Exterior meets the criteria of 1/30,000.
- This Lot Consolidation does not create, modify, amend, or otherwise affect any rights appurtenant (include the access and or roadway easements, water rights referenced herein) to former parcels or any other adjacent parcels.
- FEMA NOTE: The lots created by this plat lie outside the regulated Floodplain Zone A Flood Insurance Rate Map Chaffee County, Colorado Panel 307 of 725 Map Number 08015C0307D Effective Date December 7, 2017.
- This does not constitute a title search by TOTL Surveys, Inc. to determine ownership or easements of record. For all information regarding easements and rights of way, TOTL Surveys, Inc. relied upon commitment for title insurance issued by First American Title Insurance Company, provided by Central Colorado Title and Escrow, Commitment No. 21-14315, effective date May 1, 2021. @ 7:45 A.M. and Commitment No. 21-14316TBD, effective date May 7, 2021. @ 7:45 A.M. and Commitment No. 21-15561, effective date August 6, 2021. @ 7:45 A.M.
- This plat is not intended to show all public or private utilities, irrigation facilities, other improvements upon the parcel or parcels delineated hereon. A diligent search was made of the Chaffee County Clerk and Recorder's Office records for deposited or recorded plats in the area. A diligent search for the closest available monumentation was performed and those monuments are shown hereon.
- The property description described at Quit Claim Deed Reception 439450, appears to have a latent ambiguity in the description. The Boundary Line Adjustment will eliminate these Lot lines and its apparent latent ambiguity.

SURVEYOR'S CERTIFICATE

I, Kevin M. Burdges, being a Professional Land Surveyor in the State of Colorado, do hereby certify to Darrell Wade Smith and Arkansas River Investments LLC, that this Boundary Line Plat was prepared by me and/or under my supervision, that both this plat and the survey are true and accurate to the best of my knowledge and belief and complies with the Colorado Revised Statute regarding the minimum standards for Land Surveys and Plats. Monuments were placed pursuant to 38-51-105, C.R.S.

Dated November 8, 2021

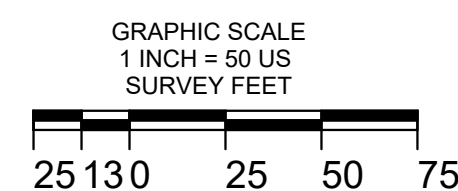
PRELIMINARY 11-8-21

Kevin M. Burdges PLS 34985
Agent for and on the behalf of
TOTL Surveys, Inc.

NOTICE:

ACCORDING TO COLORADO LAW (C. R. S. 13-80-105) AS AMENDED, 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 STATEMENT SHOWN HEREON.

*The word "certify", as used in any of its forms herein, is an expression of a professional opinion only and shall not be construed or understood to be a statement of fact, a warranty, or a guarantee of any kind, expressed or implied.



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Revised	JOB#	20-066Bla30210HWY24N BV	Drawn/g	Date	11-8-2021	Sheet No.	1 OF 1
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