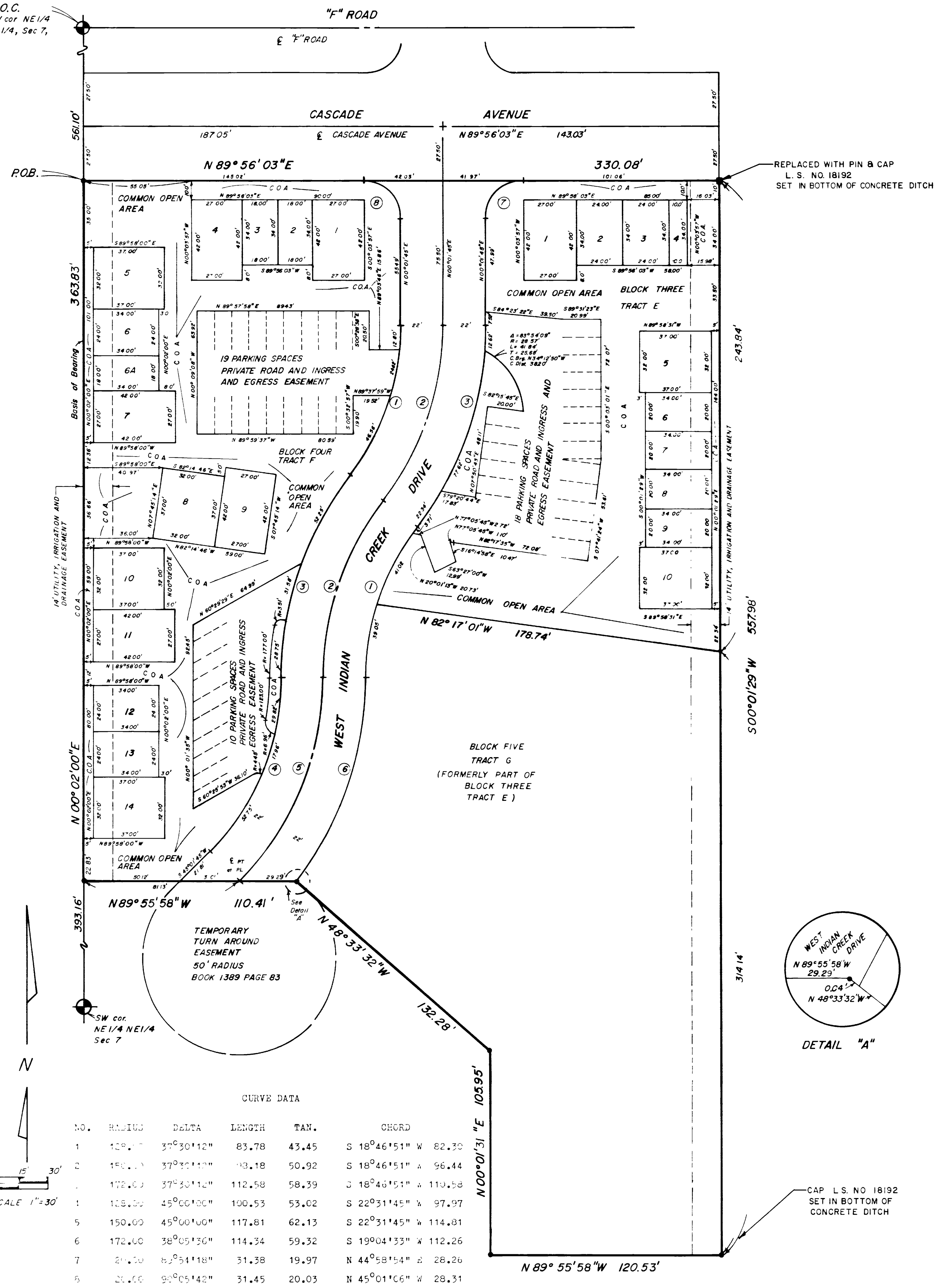


P.O.C.
NW cor NE 1/4
NE 1/4, Sec 7,

A REPLAT OF BLOCK FOUR, TRACT F AND BLOCK THREE, TRACT E PEPPER TREE FILING NO. THREE A PARCEL OF LAND BEING A PORTION OF THE W 1/4 OF THE NE 1/4 OF THE NE 1/4 OF SECTION 7, T.1S, R.1E, OF THE UTE MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO.



REPLACED WITH PIN & CAP
L. S. NO. 18192
SET IN BOTTOM OF CONCRETE DITCH

NOTE:

1. Notice: According to Colorado Law you must commence any legal action based upon any defect in this survey within six 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 certifications shown hereon.
2. All easements are as shown hereon.
3. All dimensions on curves are Arc Length unless otherwise shown.
4. All decks within the 14' utility, irrigation, and drainage easement shall be portable and removable wood decks.
5. Building Setback: Rear building setbacks are 14.00 feet. Front building setbacks are 20.00 feet.

LEGEND

- C.O.A. indicates Common Open Area.
- indicates found Pin and Cap L.S. No. 14113
- indicates set Pin and Cap L.S. No. 18192 (set in concrete)

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, Benchmark Communities, Ltd., an Ohio Partnership, is the owner of that real property situated in the City of Grand Junction, County of Mesa, State of Colorado, and being part of the W 1/4 of the NE 1/4 of Section 7, Township 1 South, Range 1 East of the Ute Meridian as shown on the accompanying plat, and being more specifically described as follows:

Commencing at the Northwest corner of the NE 1/4 of the NE 1/4 of Section 7, T.1S, R.1E, of the Ute Meridian Mesa County Colorado; thence S00°02'100"W along the west line of said NE 1/4 of the NE 1/4, which line is the basis of bearing, a distance of 561.10 feet to the point of beginning; thence N89°56'03"E a distance of 330.08 feet; thence S00°01'29"W a distance of 557.98 feet; thence N89°55'58"W a distance of 120.53 feet; thence N00°01'31"E a distance of 105.95 feet; thence N48°33'32"W a distance of 132.28 feet; thence N89°55'58"W a distance of 110.41 feet; thence N00°02'00"E a distance of 363.83 feet to the point of beginning; said tract containing 3.394 acres more or less.

That said owners have caused the real property to be laid out and surveyed as a Replat of Block Four, Tract F and Block Three, Tract E, Pepper Tree, Filing No. Three, a Subdivision of a part of the City of Grand Junction, County of Mesa, State of Colorado.

That said owner does hereby dedicate and set apart all streets shown on the accompanying plat to the use of the public forever and that said owner does hereby dedicate to the Public Utilities those portions of said real property which are labeled as utility easements on the accompanying plat as perpetual easements for the installation and maintenance of utilities, irrigation and drainage facilities, including but not limited to electric lines, gas lines, telephone lines; together with the right to trim interfering trees and brush; with perpetual right of ingress and egress for installation and maintenance of such lines. Such easements and rights shall be utilized in a reasonable and prudent manner.

The areas shown as private road are dedicated to the owners of the property within said Pepper Tree, Filing No. Three, for perpetual ingress and egress for themselves and the general public, including postal service, trash, fire, police and emergency vehicles.

The areas shown as common open areas are dedicated to the home owners in Pepper Tree, Filing No. Three, for the common use and enjoyment of the home owners of Pepper Tree, Filing No. Three as more fully provided for in the Declaration of Covenants, Conditions, and Restrictions applicable to Pepper Tree, Filing No. Three, recorded at the Mesa County, Colorado, Clerk and Recorder's Office. Said Declaration of Covenants, Conditions, and Restrictions is hereby for their use and maintenance as described above.

Each town home and the lots upon which said town home is situated, shall be subject to an easement for encroachment created by construction, settling and overhang as designed or constructed by the owner, a valid easement for said encroachment and for the maintenance of same, so long as it stands, shall and does exist.

IN WITNESS WHEREOF said owner has caused these names to be hereunto subscribed: this 14 day of July A.D., 1982.

Benchmark Communities Ltd., an Ohio Partnership
Coluna Properties N.V., General Partner
By:

Richard H. Grey
STATE OF COLORADO } ss
COUNTY OF MESA }

The foregoing instrument was acknowledged before me this 14 day of July A.D., 1982, by Richard H. Grey, Attorney In-Fact for Benchmark Communities, Ltd., an Ohio Partnership, Coluna Properties N.V., General Partner)

Witness my hand and official seal, _____
My commission expires: _____ Notary Public

SURVEYORS CERTIFICATE

I, Howard A. Paul, a Registered Land Surveyor in the State of Colorado, do hereby certify that the accompanying plat of Pepper Tree, Filing No. Three, a Subdivision of a part of the City of Grand Junction, County of Mesa, State of Colorado, has been prepared under my direction and accurately represents a survey of the same.

Howard A. Paul
Registered Land Surveyor
Colo. Registration No. 18192

The Declarations of Covenants, Conditions, and Restrictions referred to in this Declaration are recorded in Book _____ at _____

Utility Easement Dedication and Vacation

We, the undersigned, hereby agree to the vacation of the 14 foot wide easement along the eastern and westerly property lines of Peppertree, Filing No. Three, as shown on the plat of said subdivision, and the dedication of a 14 foot wide easement in lieu thereof along the eastern and westerly property lines as shown on this Replat of Peppertree, Filing No. Three.

- Public Service Company of Colorado
By: Paul A. Lopez Title: ENGRS Supt.
- Mountain Bell Telephone Company
By: Karen J. Logan Title: Area Manager, DDDC
- United Cable TV
By: Sam Chelpe Title: Plant Eng.
- Ute Water Conservancy District
By: Ala. Lockhart Title: Subdivision Supervisor
- Central Grand Valley Sanitation District
By: Stanley J. ... Title: ...

CITY APPROVAL

This replat of Pepper Tree, Filing No. Three, a subdivision of the City of Grand Junction, County of Mesa, State of Colorado, was approved on this 14 day of July A.D., 1982.

James D. W... City Manager
... City Engineer
... Chairman, Grand Junction Planning Commission
... Director of Development Commission

CLERK AND RECORDER'S CERTIFICATE

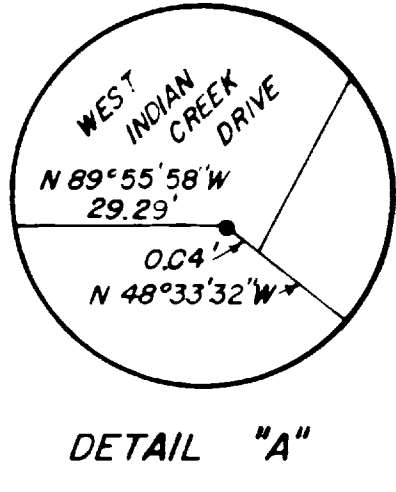
STATE OF COLORADO } ss
COUNTY OF MESA } ss 1332676

I hereby certify that this instrument was filed in my office at 9:55 o'clock P.M. this day of July 2, A.D. 1982 and is duly recorded in Plat Book No. 13 Page 192.

Deputy Clerk and Recorder Fees: \$ 1.00
Deputy

CURVE DATA

NO.	RADIUS	DELTA	LENGTH	TAN.	CHORD
1	120.00	37°30'12"	83.78	43.45	S 18°46'51" W 82.30
2	150.00	37°30'12"	103.18	50.92	S 18°46'51" W 96.44
3	172.00	37°30'12"	112.58	58.39	S 18°46'51" W 110.58
4	118.00	45°00'00"	100.53	53.02	S 22°31'45" W 97.97
5	150.00	45°00'00"	117.81	62.13	S 22°31'45" W 114.81
6	172.00	38°05'30"	114.34	59.32	S 19°04'33" W 112.26
7	210.00	62°34'18"	31.38	19.97	N 44°58'54" E 28.26
8	210.00	90°05'42"	31.45	20.03	N 45°01'06" W 28.31



CAP L.S. NO 18192
SET IN BOTTOM OF
CONCRETE DITCH

BWE

BASIN WEST ENGINEERING
1227 N 23rd Street Suite 104
PO Box 53 (303) 24-1613
Grand Junction, Colorado 81502
SUJ Job No. C-42-1121

PEPPER TREE SUB. FIL. No. 3 REPLAT