#### GENERAL NOTES

1. 16 Foot General Easement. An easement, sixteen feet (16") in width, inuring to the benefit of ALDASORO LTD., its successors, designees and assigns, is hereby established and reserved on, over, across, and under the perimeter of each Single Family Lot for the purpose of constructing, operating, maintaining and repairing any and all improvements required for those uses, purposes and activities deemed necessary or appropriate by ALDASORO LTD, for the safe or efficient operation of The Aldasoro Ranch, or any lots contained therein, which shall include but are not limited to the following: water service, electrical service, telephone service, cable television service, sanitary sewage service, natural gas service, propane service, communication service, road construction, retaining walls, roadway and driveway cut and fill areas, drainage, bicycle access, skier access, pedestrian access, snow storage, storm sewer, grading, removal of vegetation, and removal or addition of soils materials; subject, however to the limitation that if any portion of a Building Site Boundary exists within the easement area, then the easement shall not exist within the area lying within the Building Site Boundary.

2. Setback. All Single Family Lots are subject to a building setback requirement of sixteen feet (16') from the perimeter of each lot ("Setback Area") and, consequently, no improvements, other than approved utilities, driveways and landscaping, may be constructed within the Setback Area without the prior written approval of ALDASORO LTD.; subject, however, to the limitation that if any portion of a Building Site Boundary exists within this setback area, then the setback limitation shall not exist within the area lying within the Building Site Boundary.

3. Infrastructure Easement. An easement inuring to the benefit of ALDASORO LTD., its successors, designees and assigns, is hereby established and reserved on, over, across, and under those areas designated as "Infrastructure Easement" for the purpose of constructing, operating, maintaining and repairing any and all improvements required for those uses, purposes and activities deemed necessary or appropriate by ALDASORO LTD. for the safe or efficient operation of The Aldasoro Ranch, or any lots contained therein, which shall include but are not limited to the following: water service, electrical service, telephone service, cable television service, sanitary sewage service, natural gas service, propane service, communication service, retaining walls, roadway, accessway and driveway cut and fill areas, drainage, snow storage, storm sewer, grading, removal of vegetation, and removal or addition of soils materials.

4. Intentionally left blank

5. Terms Imposed. Any person who purchases or obtains any interest in any of the real property platted pursuant to this plat shall be deemed to have accepted the terms, conditions, exceptions, restrictions, limitations and definitions contained

6. Additional Covenants. ALDASORO LTD. reserves the right to impose additional restrictive covenants on all lots in The Aldasoro Ranch which are in addition to the restrictive covenants as set forth in Book  $\frac{1490}{190}$  at pages  $\frac{817}{190}$  to  $\frac{149}{190}$  which are entitled "General Declaration for The Aldasoro Ranch."

7. Modify Plat. Subject to the approval of the San Miguel County Board of County Commissioners, ALDASORO LTD. may modify the terms of this plat if it is deemed necessary to effectuate the purpose and intent of this plat.

8. <u>Ditch Easement</u>. An easement, lying ten feet on each side of any centerline identified on this plat as "Ditch Easement", inuring to the benefit of ALDASORO LTD., its successors, designees and assigns, is hereby established and reserved on, over, across and under the Ditch Easement areas for the purpose of constructing, operating and maintaining surface or subsurface water ditches and related structures.

9. <u>Driveway Easement</u>. A non-exclusive easement inuring to the benefit of ALDASORO LTD., its successors, designees and assigns,

plat as "Driveway Easement," for the purpose of constructing, operating and maintaining pedestrian and vehicular access and subsurface utilities, is hereby established and reserved on, over, across and under Driveway Easement areas.

> 10. Turn-out Lots. With respect to those lots identified by the symbol "T.O.L." on this final plat, concurrent with the issuance of a building permit or foundation permit for the lot, whichever occurs first, the owner of the lot shall construct a driveway with a minimum width of 20 feet extending for a distance of 35 feet from the primary or paved driving surface of the adjacent roadway which provides the primary access to the lot.

11. Engineering - Lot Specific. Engineered site-specific grading, foundation and drainage plans shall be required prior to the issuance of a building permit for each lot.

12. Wetlands Easement. A non-exclusive easement inuring to the benefit of ALDASORO LTD., its successors, designees and assigns, is hereby established and reserved on, over, across and under the real property designated on this plat as "Wetlands Easement" for the purpose of prohibiting the destruction of the wetlands located within the Wetlands Easement area that were identified as wetlands by Wright Water Engineers, Inc., in Memorandum 20, The Aldasoro Ranch, Final Zoning and Preliminary Plat Approval, Wetlands Report, dated November 7, 1990; subject, however, to the limitation that nothing contained in this easement shall prohibit the construction of (i) subsurface utility crossings or roadway crossings over the wetlands or (ii) the construction of improvements within the Wetlands Easement area that do not impact the wetlands.

#### **DEDICATIONS**

1. TOWN OF TELLURIDE SEWER EASEMENT DEDICATION Aldasoro LTD. hereby acknowledges the dedication of a sanitary sewer easement over the area lying 10 feet on each side of a centerline for a sanitary sewer line which easement shall be generally referred to as "Town Sewer Easement Area." The dedication is more specifically set forth in the Town of Telluride/Aldasoro LTD. Sewer Easement Agreement recorded in Book 480, at page 418-88. This dedication and the term "Town Sewer Easement Area" shall include those portions of the 16 foot General Easement and the Infrastructure Easement referenced in General Notes 1 and 3 which are required and used for sanitary sewer purposes as more specifically set forth in the said agreement.

2. San Miguel County Trail Easement Dedication. ALDASORO LTD. hereby dedicates to San Miguel County a non-exclusive easement lying 5 feet on each side of the centerline identified on this plat as "Trail Easement", for the purpose of constructing operating and maintaining a public trail easement pursuant to The

DESIGNATED USE SINGLE FAMILY LOT SINGLE FAMILY LOT T.O.L. SINGLE FAMILY LOT SINGLE FAMILY LOT T.O.L. SINGLE FAMILY LOT SINGLE FAMILY LOT T.O.L. SINGLE FAMILY LOT (reserved for future use) (reserved for future use) (reserved for future use) (reserved for future use) SINGLE FAMILY LOT SINGLE FAMILY LOT SINGLE FAMILY LOT T.O.L. SINGLE FAMILY LOT SINGLE FAMILY LOT T.O.L. SINGLE FAMILY LOT SINGLE FAMILY LOT SINGLE FAMILY LOT SINGLE FAMILY LOT TOL. SINGLE FAMILY LOT SINGLE FAMILY LOT SINGLE FAMILY LOT T.O.L. SINGLE FAMILY LOT T.O.L. SINGLE FAMILY LOT T.O.L. SINGLE FAMILY LOT T.O.L. SINGLE FAMILY LOT TOLL SINGLE FAMILY LOT T.O.L. SINGLE FAMILY LOT T.O.L. SINGLE FAMILY LOT SINGLE FAMILY LOT (reserved for future use) SINGLE FAMILY LOT SINGLE FAMILY LOT TOL. (reserved for future use) (reserved for future use) SINGLE FAMILY LOT T.O.L. SINGLE FAMILY LOT T.O.L. SINGLE FAMILY LOT SINGLE FAMILY LOT T.O.L. SINGLE FAMILY LOT SINGLE FAMILY LOT SINGLE FAMILY LOT PASSIVE OPEN SPACE TRACT PASSIVE OPEN SPACE TRACT PASSIVE OPEN SPACE TRACT ACTIVE OPEN SPACE TRACT ACTIVE OPEN SPACE TRACT ACTIVE OPEN SPACE TRACT ACTIVE OPEN SPACE TRACT PASSIVE OPEN SPACE TRACT ACTIVE OPEN SPACE TRACT ACCESS TRACT ACCESS TRACT FUTURE DEVELOPMENT LOT FUTURE DEVELOPMENT LOT

FUTURE DEVELOPMENT LOT

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PLAT

ALDASORO RANCH

ALDASORO LTD.

ALDASORO RANCH

STATE OF COLORADO .) PILED FOR RECORD AT 105 O'CLOCK P M August 5,1991

AND DULY RECORDED IN Gav Cappis

1. Accessary Housing Units. Accessory Housing Unit means a secondary Dwelling Unit, limited to a maximum of 800 square feet, that is accessory to and fully integrated and contained within the primary Dwelling Unit structure on the lot.

2. Access Tract: Designates a tract which may be used for the construction, operation and maintenance of pedestrian and vehicular access, cut and fill areas, retaining walls, utilities, drainage, drainage ditches, drainage swales, drainage structures, landscaping, snow storage, roadway maintenance and related

3. Active Open Space Tract. Designates a tract of land intended to allow uses more intense than those allowed on Passive Open Space Tracts. Uses allowed on Active Open Space Tracts include but are not limited to the following and similar uses: Riding stables, equestrian facilities, tennis courts, children's play areas, cross country ski slopes, cross country snow making facilities, cross country ski racing structures, non-commercial refueling facilities, water wells, water storage tanks, water reservoirs, water treatment plants, communication receiving stations, communication transmitting stations, drainage ditches, drainage structures, drainage swales, access roads, service roads, maintenance roads, utility transmission lines, utility facilities, pedestrian trails, equestrian trails, vehicular recreation trails, transportation facilities, sewer collection system, storm drainage systems, retaining walls, benches, snow storage, landscaping, and all buildings and uses incidental or accessory to any of the above described uses.

Nothing to the contrary withstanding, no use shall be allowed on any Active Open Space Tract that is incompatible with the rural residential nature of The Aldasoro Ranch as determined by the San Miguel County Board of Commissioners. No use, including those specifically listed in this definitions, may be placed in a location that is incompatible with the rural residential nature of The Aldasoro Ranch, as determined by the San Miguel County Board of Commissioners. It is hereby acknowledged that Active Open Space Tracts are not intended to be rezoned to allow for future real estate development.

4. The Aldasoro Ranch: The Aldasoro Ranch shall mean all of the real property (Property) located within the boundaries of this final plat together with such additional real property which may be added to the Property, in the sole discretion of ALDASORO LTD., pursuant to the filing of supplements to the Declaration.

5. <u>Declaration</u>: Declaration shall mean the General Declaration for The Aldasoro Ranch recorded in Book (10) at page (23) and all amendments or supplements thereto hereafter recorded in the real property records of San Miguel County, Colorado.

6. <u>Dwelling Unit</u>: Dwelling Unit means one or more habitable rooms arranged, occupied, or intended or designed to be occupied by not more than one family with facilities for living, sleeping, cooking, and eating. Primary Dwelling Units shall have a minimum of 1,800 interior square feet of living area.

7. Future Development Lot: Designates an area that will be platted in the future as either a Single Family Lot or a portion

8. <u>Passive Open Space Tract</u>. Designates a tract of land intended to preserve land within flood plains, wetlands, riparian areas and wildlife habitats in their natural character. To the greatest extent possible, all lands designated as Passive Open Space Tracts shall include but are not limited to the following and similar uses: Walking trails, hiking trails, nature trails, land that is in its undisturbed and natural state and subsurface utilities. Nothing to the contrary withstanding, no use shall be allowed on these lands that is incompatible with the rural residential nature of The Aldasoro Ranch as determined by the San Miguel County Board of Commissioners. It is hereby acknowledge that Passive Open Space Tracts are not intended to be rezoned to allow for future real estate development.

9. <u>Single Family Lot</u>: Designates a lot that may be used for the construction of one primary Dwelling Unit and one Accessary Housing Unit. The Accessory Housing Unit must be integrated into the primary Dwelling Unit and may not be constructed in a structure which is detached from the primary Dwelling Unit constructed on the lot. A Single Family Lot may not be further subdivided or condominiumized.

# COUNTY COMMISSIONERS' APPROVAL

This plat has been approved for filing by the San Miguel County Board of Commissioners and the Trail Easement dedicated herein is

# RECORDER'S CERTIFICATE

APRIL 8 1991

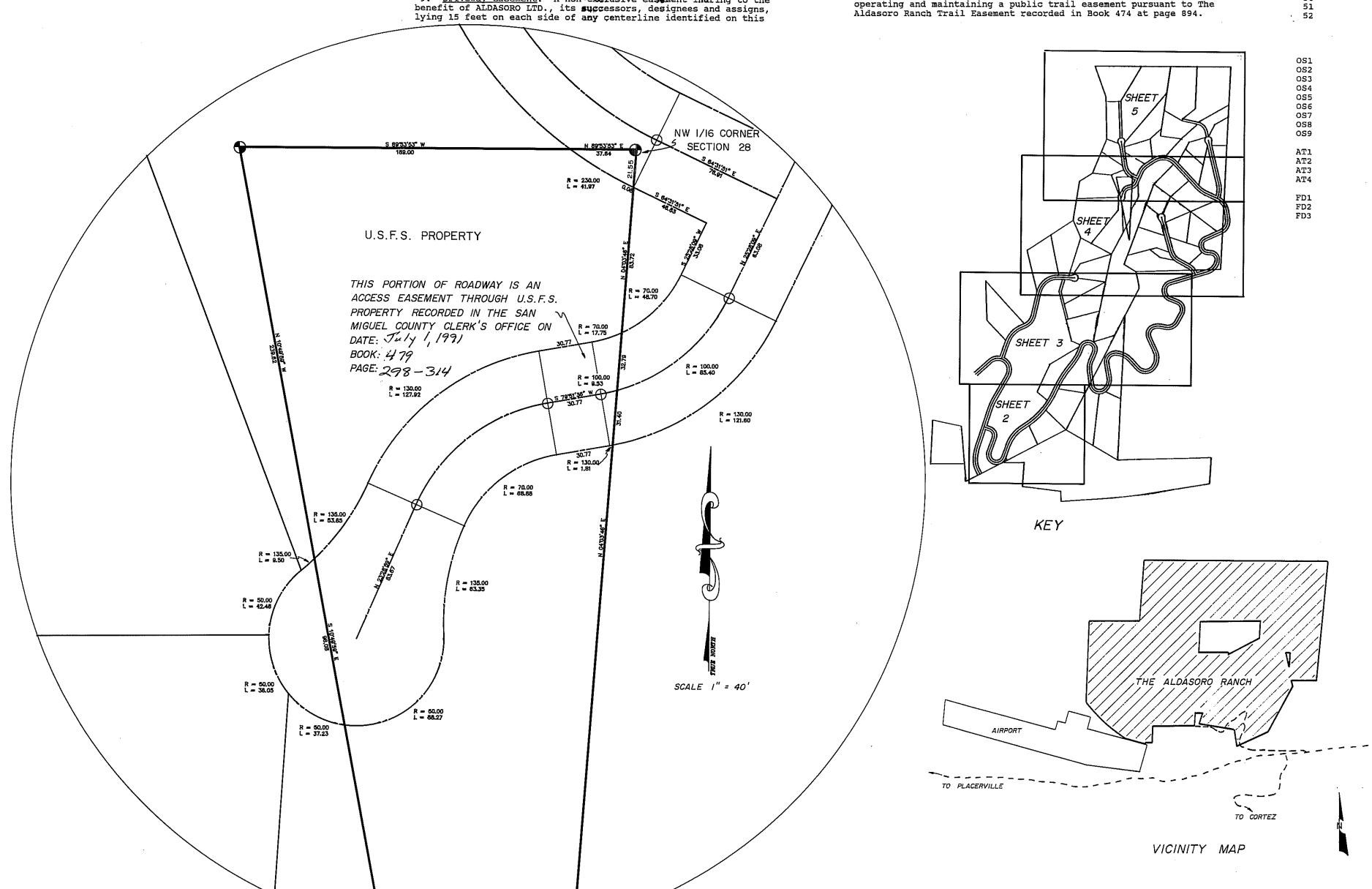
This plat was filed for record in the office of the County Clerk and Recorder of San Miguel County on this 5th day of May of Reception No. 37202 , Time 1.05 P.M.

# The Aldasoro Ranch

FILING I FINAL PLAT

SHEET | OF 5

A TRACT OF LAND LOCATED IN A PORTION OF SECTIONS 28, 29 AND 32 TOWNSHIP 43 NORTH, RANGE 9 WEST, OF THE NEW MEXICO PRINCIPAL MERIDIAN, COUNTY OF SAN MIGUEL, STATE OF COLORADO



### OWNERSHIP CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS that Aldasoro LTD., a Colorado limited partnership, is the owner of certain real property in San Miguel County, Colorado described as:

SEE LEGAL DESCRIPTION ON THIS SHEET

## APPROVED:

ALDASORO DEVELOPMENT CORPORATION, a Colorado corporation, its sole

general partner

#### ACKNOWLEDGEMENT

State of Colorado

L = 108.43

TRACT OS9

191 acres

L = 169.33

CORNER I M.S. 6809

L = 439.82

30.00 WITNESS CORNER

83,244 sq. ft.

B = 80.00

R = 630.00L = 119.85

R = 330.00L = 206.96

S 08° 51' 00" W. 51.63'

County of San Miguel the foregoing signature was acknowledged before me this day of 1991 A.D. by Albert J. Aldasoro as President and Pamela M. Story as Secretary of Aldasoro Development Corporation, a Colorado corporation, as the sole general partner of Aldasoro LTD., a Colorado limited partnership.

Approval of this plan may create a vested property right pursuant to Article 68 of Title 24, C.R.S., as amended.

TITLE INSURANCE COMPANY CERTIFICATE

THE SAN MIBUR TITLE GO herein shown on this plat and that the title to this land is in the names of those persons shown in the Certificate of Ownership which is on the face hereof and is free and clear of all encumbrances, liens, and taxes, except as follows: The ASSERTED STOPPER LAND BASE CHOSTS

CHECKARD BOOK 375 PACE 95: ACCOMPANCE

LECUMPTED BOOK 453 PACE 46

#### TREASURERS CERTIFICATE

I, the undersigned, Treasurer of the County of San Miguel, do hereby certify that according to the records in my office that there are no liens against this subdivision or any part thereof for unpaid state, county municipal, or local taxes, or special

assessments not yet payable.

MATCH TO SHEET 3

According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discovered 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.

### TAX BOND CERTIFICATE

I, the undersigned Treasurer of San Miguel County do certify that Dollars have been deposited to cover taxes and assessment against this property which are a lien, but are not yet payable.

Dated this

#### SURVEYOR'S CERTIFICATE

I, J. David Foley, do hereby certify that this accompanying plat and survey was performed under my direct responsibility, supervision, and checking and that the information contained herein is true and accurate to the best of my belief and

knowledge. L. S. No. 24954

TANGENT

345.58

309,55

CHORD

141,42

311,44

11° 26' 00' 35° 56' 00'

35°45′00

#### LEGAL DESCRIPTION

Beginning at Corner 6 of Scott and McDonald Placer MS 6809, Upper San Miguel Mining District, San Miguel County, Colorado;

THENCE N 28° 41' 12" E, 2231.69 feet to Corner 5 of said Scott and McDonald Placer;

THENCE N 10° 49' 59" W, 237.47 feet along line 14-13 of Oneita Placer MS 6809 to the south line of the NW 4 of Section 28, Township 43 North, Range 9 West, New Mexico Principal

THENCE N 89° 56' 09" E, 1199.78 feet along said south line to the Center 1/2 Corner of said Section 28;

THENCE N 04° 04' 43" E, 2640.19 feet to the North 1/4 Corner of said Section 28;

THENCE N 03° 40' 15" E, 511.00 feet along the east line of the SW 1 of Section 21; THENCE N 88° 18' 16" W, 1834.29 feet; THENCE S 00° 00' 00" W, 1319.96 feet; THENCE S 01° 14' 35" W, 542.86 feet; THENCE S 16° 05' 18" W, 697.20 feet; THENCE S 58° 51' 05" W, 769.09 feet; THENCE S 12° 35' 33" E,

THENCE S 00° 32' 44" E, 555.15 feet;

THENCE S 21° 21' 54" W, 82.03 feet to the northerly right-of-way of the County Airport Road;

THENCE along a curve to the right with a raduis of 193.00 feet, an arc length of 374.62 feet, subtended by a chord of 318.52 feet which bears S 24° 25' 22" E along said right-of-

THENCE S 31° 11' 00" W, 372.12 feet along said right-

THENCE along a tangential curve to the left with a radius of 720.00 feet an arc length of 143.67, and a delta of 11° 26' 00" along said right-of-way;

THENCE S 19° 45' 00" W, 549.61 feet along said right-

THENCE along a tangential curve to the left with a radius of 570.00 feet, an arc length of 108.43 feet, and a delta of 10° 54' 00" along said right-of-way;

THENCE S 08° 51' 00" W, 51.63 feet along said rightof-way;

THENCE along a tangential curve to the left with a radius of

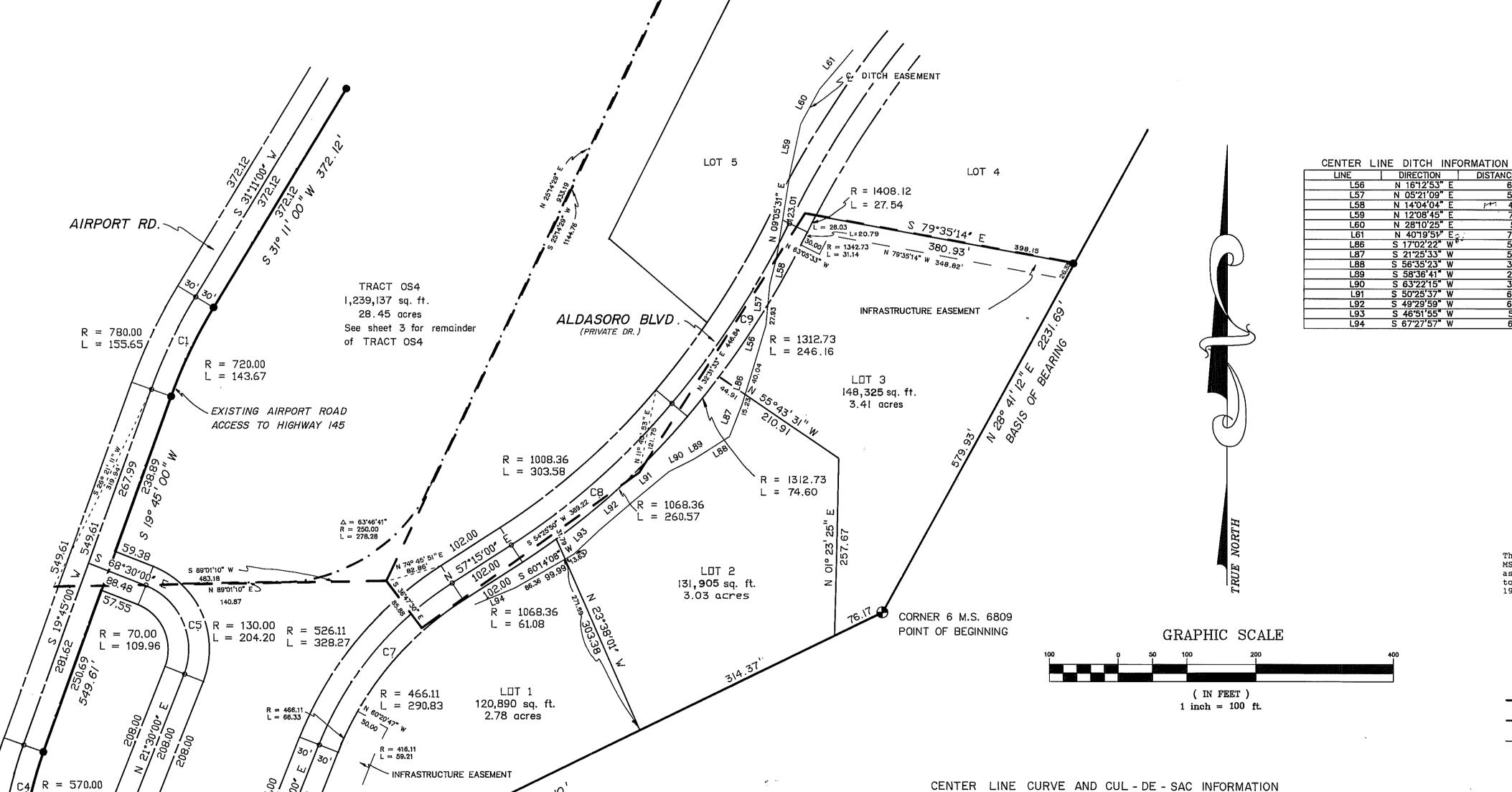
270.00 feet, an arc length of169.33 feet, and a delta of 35° 56' 00" along said right-of-way;

THENCE S 27° 05' 00" E, 66.20 feet along said rightof-way to line 1-6 of said Scott and McDonald Placer;

THENCE N 64° 05' 34" E, 1332.10 feet along said line 1-6 to the Point of Beginning containing 238.40 acres more or

LESS AND EXCEPT A Tract described as follows: Beginning at the NW 1/16 Corner of Section 28, Township 43 North, Range 9 West, N.M.P.M.; Thence S 04 03'46" W 866.24 feet along the east line of the SW1/4 NW1/4 of said Section 28 to line 13-14 of the Oneita Placer MS 6809; Thence N 10 49'59" W 879.33 feet along said line 13-14 to the north line of the SW1/4 NW1/4 of said Section 28; Thence N 89 53'53" E226.64 feet along said north line to the Point of Beginning containing 2.25 acres more or less.

Total acreage 236.15 acres more or less.



# BASIS OF BEARINGS

The bearing from Corner 6 of Scott and McDonald Placer MS 6809 to Corner 5 of Scott and McDonald Placer MS 6809 assumed as the record bearing of N 28 41' 12" E according to the Bureau of Land Management Dependent Resurvey

# LEGEND:

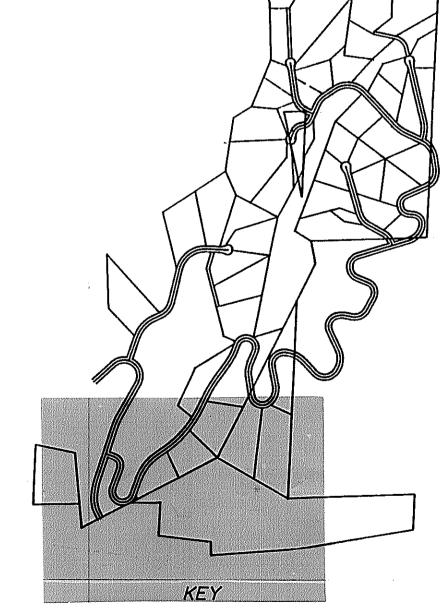
♣ FOUND 3 1/4" BRASS CAP ON 2 1/2" PIPE, B.L.M. 1976

• SET NO. 5 REBAR & ALUMINUM CAP L.S. 24954

CENTER LINE OF 10' TRAIL EASEMENT

CENTER LINE OF 20' "TOWN SEWER EASEMENT AREA"

CENTER LINE OF 20' DITCH EASEMENT NOTE: DIMENSIONS ARE IN FEET



# THE ALDASORO RANCH

FILING I FINAL PLAT

SHEET 2 OF 5 APRIL 8 1991

