

**PARCEL B**  
(PER PLAT BOOK 40 AT PAGE 8)  
AREA = 7.44423 ACRES  
"LANDS OF ASHCROFT, LLC"  
(PER QUIET TITLE DECREE RECEPTION #663091)  
(9888 CASTLE CREEK ROAD)

**LEGAL DESCRIPTION**

(PER COURT ORDER RECEPTION #663091)  
All that certain real property situate in the County of Pitkin, State of Colorado, being a portion of Homestead Entry Survey No. 95 ("H.E.S. No. 95") as situate in Sections 19, 20, 29, and 30 in Township 11 South, Range 84 West of the 6th P.M., said real property being originally platted as "Parcel B" per that certain Plat titled "WTS Cabin Partners LTD/McEuen Subdivision Exemption Lot Line Adjustment Plat" recorded in Plat Book 40 at Page 8 Official Records of Pitkin County, said real property also being shown and surveyed on that certain plat entitled "Boundary Survey" filed August 27, 2014 in Plat Book 107 at page 97 as Reception #612965, said real property being more particularly described as follows:

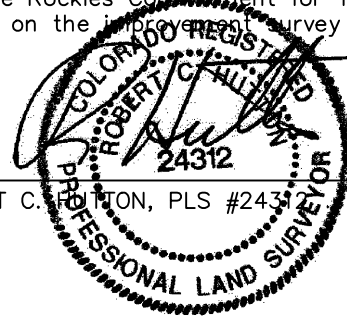
Beginning at Corner No. 7 of said H.E.S. No. 95, thence South 10°13'33" East 314.39 feet along the 7-8 line of H.E.S. No. 95 to a point on the Northerly boundary of said real property being shown and surveyed as "Elk Mountain Lodge" on said certain plat entitled "Boundary Survey" filed August 27, 2014 in Plat Book 107 at Page 97 as Reception No. 612965; thence South 81°19'00" West 307.51 feet along said Northerly boundary to a point on the Easterly right of way of Castle Creek Road as said road is described in that certain Deed by Little Lee Brand to the County of Pitkin recorded September 8, 1938 in deed Book 157 at Page 557 Official Records of Pitkin County; thence continuing Northerly along said Easterly right of way line 135.78 feet along a non-tangent curve to the left having a radius of 603.00 feet, the chord of which bears North 15°21'03" East 135.49 feet; thence continuing along said Easterly right of way line North 08°54'00" East 42.60 feet to a point of beginning of a tangent curve to the left; thence 427.45 feet along said curve, having a radius of 746.30 feet, the chord of which bears North 07°30'30" West 421.63 feet; thence North 23°55'00" West 334.00 feet along said Easterly right of way line to a point beginning of a tangent curve to the left; thence 173.24 feet along said curve, having a radius of 746.30 feet, the chord of which bears North 30°54'00" West 172.85 feet; thence continuing along said Easterly right of way line North 37°13'00" West 285.21 feet; thence departing from said Easterly right of way line North 56°37'00" East 352.62 feet along an agreed upon common boundary line as set forth in that certain instrument recorded as Reception #607808 Official Records of Pitkin County to intersection with Line 6-7 of said H.E.S. No. 95; thence South 18°04'00" East 1167.83 feet along Line 6-7 of said H.E.S. No. 95 to the Point of Beginning and containing 7.4423 acres of land more or less.

County of Pitkin  
State of Colorado

**SURVEYOR'S CERTIFICATE:**

I, Robert C. Hutton, hereby certify to Paige Anne Mycoskie and Title Company of the Rockies and/or assigns that this is an "improvement survey plat" as defined by C.R.S. § 38-51-102(9) and that it is a monumented land survey showing the location of all structures, visible utilities, fences, hedges, or walls situated on the described parcel and within five feet of all boundaries of such parcel, any conflicting boundary evidence or visible encroachments, and all easements, and locatable underground utilities described in Title Company of the Rockies' Commitment for Title Insurance Commitment Number 0706496-C, or other sources as specified on the plat.

Dated: 8-24-20 By: ROBERT C. HUTTON, PLS #24312



**IMPROVEMENT SURVEY PLAT**  
OF THE LANDS OF ASHCROFT LLC BEING PARCEL B  
OF WTS CABIN PARTNERS LTD/McEUEEN  
SUBDIVISION EXEMPTION LOT LINE ADJUSTMENT PLAT  
AS AFFECTED BY THAT CERTAIN QUIET TITLE DECREE RECORDED AS  
REC. NO. 663091 IN PITKIN COUNTY, COLORADO ASSESSOR'S  
PARCEL 2909-20-301002 (9888 CASTLE CREEK ROAD)

UNINCORPORATED PITKIN COUNTY COLORADO  
SCALE: 1" = 50' DATE: AUGUST, 2020

PINNACLE DESIGN  
805 BUCK POINT ROAD  
CARBONDALE, CO  
(970) 963-2170

**Legend and Notes:**

- □ indicates found monument as described
- ● indicates found rebar and plastic cap L.S. #33638
- Bearings are based upon original stone monuments of H.E.S. No. 95 found at corners #6 and #7 of the subject parcel "ASHCROFT" and the adjacent parcel of land to the North using a bearing S18°04'00"E
- This survey does not represent a title search by this surveyor to determine ownership or to discover encumbrances or other encumbrances of record all information pertaining to ownership, easements or other encumbrances of record have been taken from a title commitment prepared by Title Company of the Rockies dated effective July 31, 2020, Commitment Number 0706496-C.
- Wetlands shown hereon were located prior to May 2014.

1. THIS PROPERTY IS SUBJECT IN PART TO THE FOLLOWING: (AS PER THE EXCEPTIONS LISTED ON THE ABOVE MENTIONED TITLE COMMITMENT SCHEDULE B-OWNERS) SAID EXCEPTIONS ARE NUMBERED IN THE COMMITMENT AND SAID NUMBERING IS SHOWN BELOW IN PARENTHESIS ( )

- A) (1 thru 6) These are standard title exceptions.
  - B) (7) Reservations and exceptions as contained in United States Patent recorded March 31, 1927 in Book 55 at Page 583, as follows: Right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises; and the right of way for ditches or canals constructed by the authority of the United States. (PATENT AFFECTS LAND - NOT PLOTTABLE)
  - C) (8) Right of way granted to the County of Pitkin, being 60 feet in width as contained in deed recorded September 8, 1938 in Book 157 at Page 557. (ADJACENT RIGHT-OF-WAY PLOTTED AND SHOWN HEREON)
  - D) (9) Easements, rights of way and restrictions and other matters as contained in deed granted to William R. Bell, recorded March 31, 1971 in Book 254 at Page 400. (AFFECTS PROPERTY - EASEMENT SHOWN HEREON)
  - E) (10) Terms, conditions, obligations and restrictions as contained in Right-of-Way Easement granted onto Holy Cross Electric Association, Inc. recorded July 12, 1982 in Book 429 at Page 71 as Reception No. 242586. (AFFECTS PARCEL B AS DEPICTED HEREON - ALL ELECTRIC WIRES NOW UNDERGROUND)
  - F) (11) Easements, rights of way and all other matters as shown on the WTS Cabin Partners Ltd / McEuen Subdivision Exemption Lot Line Adjustment Plat, recorded August 22, 1996 in Plat Book 40 at Page 8 as Reception No. 396284. (DEPICTED HEREON AS AFFECTED BY COURT ORDER REC 663091)
  - G) (12) Rights and reservations to a non-exclusive, perpetual twenty-foot (20') access easement, and as further described in Deed reserved by Pond Property, Ltd, recorded August 22, 1996 as Reception No. 396287. (AFFECTS PROPERTY - EASEMENT SHOWN HEREON)
  - H) (13) Terms, conditions, obligations and restrictions as contained in Allocation Agreement, recorded November 16, 2000 as Reception No. 448953. (AFFECTS PROPERTY - NOT PLOTTABLE)
  - I) (14) Terms, conditions, obligations and restrictions as contained in Underground Right-of-Way Easement granted unto Holy Cross Energy, recorded September 28, 2007 as Reception No. 542555. (AFFECTS PROPERTY - UNDERGROUND ELECTRIC LINE LOCATION SHOWN HEREON)
  - J) (15) Terms, agreements, provisions conditions and obligations as contained in Quit Claim Deed by and between Michael A. Husaluk, Barbara C. Fish-Husaluk and Ashcroft, LLC, recorded February 6, 2014 as Reception No. 607808. (AFFECTS PROPERTY - RESULTING PROPERTY LINE SHOWN HEREON)
  - K) (16) Easements, rights of way and all other matters as shown on the Boundary Survey of lands for Elk Mountain Lodge, LLC, recorded August 27, 2014 in Plat Book 107 at Page 97 as Reception No. 612965
- NOTE: As further referenced in Quiet Title Decree noted in Legal Description. (AFFECTS PROPERTY - RESULTING BOUNDARY SHOWN HEREON)

FND. 1/2" REBAR WITH W/ RED CAP (ILLEGIBLE) REBAR IS 1.2' NORTH OF FENCE CORNER (FND. S 56°37'W 0.3' TO REC LOCATION) REBAR HELD FOR BEARING OF NORTHERLY LOT LINE

FND. H.E.S. NO. 95 CORNER #6 STONE MONUMENT W/ "+" (#6 SCRIBED BACKWARDS) END SPLIT RAIL FENCE (HELD POSITION)

LANDS OF HUSALUK (DEED 508 OR 944) (DEED 271 OR 749)

ADJACENT "MAKESHIFT" WOOD POLE FENCE ±

ORIGINAL LINE 5-6 OF H.E.S. 95 MEASURED BETWEEN CORNERS 5-6

FND. 5/8" REBAR WITH W/ YELLOW CAP L.S. #9184 TRI-CO (FND. S 55°41'E 15.05' TO REC LOCATION) (FND. 0.24' NORTHWEST OF LOT LINE)

FND. H.E.S. NO. 95 CORNER #5 REBAR MONUMENT W/ 1.5" ALUMINIUM CAP "TRI-CO" (HELD POSITION) CORNER WOOD POST FENCE 1± SOUTHEAST

FND. 5/8" REBAR W/ YELLOW CAP L.S. #9184 (FND. N 66°10'W 6.5' TO REC)

FND. 5/8" REBAR W/ YELLOW CAP L.S. #9184 (FND. N 66°39'W 6.3' TO REC)

SET 5/8" REBAR AND YELLOW PLASTIC CAP L.S. NO. 24312

FND. 5/8" REBAR W/ PLASTIC CAP L.S.#16129 (FND. S 77°57'E 0.5' TO REC LOCATION) (FND. 0.1' NORTH OF LOT LINE)

SET 5/8" REBAR AND YELLOW PLASTIC CAP L.S. NO. 24312

FND. 5/8" REBAR NO CAP (FND. N 83°26'E 12.7' TO REC) (FND. 0.47' NORTH OF LOT LINE)

RESET H.E.S. NO. 95 CORNER #4 5/8" REBAR AN YELLOW PLASTIC CAP MARKED HUTTON LS 24312 (HELD POSITION)