

FINAL PLAT AND CONDOMINIUM MAP

MILLER RANCH MILL LOFTS-PHASE 3

PARCEL 9B, MILLER RANCH FILING 2, PARCEL 9A AND PARCEL 9B

COUNTY OF EAGLE, STATE OF COLORADO

SHEET 1 OF 6

CERTIFICATE OF DEDICATION AND OWNERSHIP

Know all men by these presents that Berry Creek Limited Liability Company, a Colorado limited liability company, and RBC Centura Bank, being the sole owner(s) in fee simple, mortgagee or lien holder of all that real property situated in Eagle County, Colorado described as follows:

PARCEL 9B, MILLER RANCH FILING 2, PARCEL 9A AND PARCEL 9B according to the Final Plat of Miller Ranch Filing 2, Parcel 9A and Parcel 9B as recorded JANUARY 13, 2005 at Reception No. 753870 in the Office of the Clerk and Recorder, Eagle County, Colorado.

containing 1,944 acres more or less, have by these presents laid out, platted and subdivided the same into lots and blocks and condominium units as shown on this Final Plat under the name and style of MILLER RANCH MILL LOFTS-PHASE 3, a subdivision in the County of Eagle, and does hereby accept the responsibility for the completion of required improvements, and does hereby dedicate and set apart all of the public roads and other public improvements and places as shown on the accompanying plat to the use of the public forever; and does hereby dedicate those portions of said real property which are created as easements on the accompanying plat to the public forever as easements for the purposes shown herein, unless otherwise expressly provided therein; and does hereby grant the right to install and maintain necessary structures to the entity responsible for providing the services for which the easements are established.

EXECUTED this 20th day of JAN, A.D., 2005

Owner: UNITED STATES OF COLORADO OPERATIONS

Berry Creek Limited Liability Company, a Colorado limited liability company
P.O. Box 1869
Edwards, CO 81631

STATE OF COLORADO)
COUNTY OF EAGLE)

The foregoing Certificate of Dedication and Ownership was acknowledged before me this 20th day of JAN, A.D., 2005 by RBC CENTURA BANK, as President & Co. Operations of Berry Creek Limited Liability Company, a Colorado limited liability company.

My Commission expires: 3/10/07
Witness my hand and official seal: Robert A. Rulon
NOTARY PUBLIC

(SEAL) RBC Centura Bank

By: [Signature] as Vice President

RBC Centura Bank
111011 Richmond Avenue, Suite 850
Houston, TX 77042

STATE OF TEXAS)
COUNTY OF HARRIS)

The foregoing Certificate of Dedication and Ownership was acknowledged before me this 20th day of JANUARY, A.D., 2005 by David J. Boney as Vice President

My Commission expires: 06-05-07

Witness my hand and official seal: Dawn Hauke
NOTARY PUBLIC

(SEAL)



CERTIFICATE OF TAXES PAID R055302

I, the undersigned, do hereby certify that the entire amount of taxes and assessments due and payable as of January 1, 2005 upon all parcels of real estate described on this Plat are paid in full.
Dated this 20th day of JANUARY, A.D., 2005
Anna A. Mueller by [Signature]
Treasurer of Eagle County, Colorado.

NOTES:

1) The purpose of this Final Plat and Condominium Map is to create Individual Condominium Units, to define Limited Common Elements (L.C.E.) and General Common Elements (G.C.E.), and to create an Expansion Property for future development, as shown herein.

2) BASIS OF BEARING: S 01°52'06" E for the east boundary line of the Miller Ranch Final Plat (Reception No. 820378) between found 1 1/2" Aluminum Cop Monuments as shown and further described herein on Sheet 2.

3) SURVEY DATE: November and December 2004.

4) Record Easements and Rights-of-Way shown on this Plat were derived from ALTA Title Commitment order No. VC50007457, dated October 20, 2004 and provided by Land Title Guarantee Company.

5) The property shown herein is subject to the terms, conditions and provisions of the P.U.D. control document for Berry Creek/Miller Ranch Planned Unit Development recorded March 22, 2002 at Reception No. 785801.

6) The property shown herein is subject to applicable easements, conditions, covenants, restrictions, reservations and notes as shown on the plat for the Berry Creek/Miller Ranch Planned Unit Development recorded on June 25, 2002 at Reception No. 789649, the final plat for Miller Ranch (A Resubdivision of Tract D, Berry Creek/Miller Ranch PUD) recorded January 15, 2003 at Reception No. 820378, the final plat for Miller Ranch Filing 2 recorded October 23, 2003 at Reception No. 854785, the amended final plat for Miller Ranch Filing 2 recorded August 17, 2004 at Reception No. 858020 and the final plat for Miller Ranch Filing 2, Parcel 9A & 9B as recorded on JAN 13, 2005 at reception No. 753870. The following non-exclusive easements and rights-of-way have been previously dedicated on the plats as referenced above:

a) Utility and Drainage Easements on, over, across and through those areas designated as "Utility and Drainage Easement" and as "Public Right-of-Way" for the purpose of i) the installation, use, repair, replacement, improvement and maintenance of utilities of any kind whatsoever, including but not limited to waterlines and hydrants, sanitary sewerlines and manholes, telephone lines, cable television lines, gaslines, electric lines, fiber optic lines, other communication lines and all related structures, together with a perpetual right of ingress and egress thereto, ii) storm drainage, drainage of water flowing from other lands along with the installation, use, repair, replacement, improvement and maintenance of surface drainage structures including but not limited to swales, gutters, ditches, culverts, together with a perpetual right of ingress and egress thereto.

b) Utility Easements on, over, under, above, across and through those areas designated as "Utility Easement" and as "Public Right-of-Way" for the purpose of the installation, use, repair, replacement, improvement and maintenance of utilities of any kind whatsoever, including but not limited to waterlines and hydrants, sanitary sewerlines and manholes, telephone lines, cable television lines, gaslines, electric lines, fiber optic lines, other communication lines and all related structures, together with a perpetual right of ingress and egress thereto.

7) This property may be subject to a Holy Cross Energy Underground Right-of-Way Easement on September 3, 2002 at Reception No. 806010 in which the location of said easement is not discernible from the record documents.

8) This property is subject to the terms, conditions, and provisions of the Deed Restriction Agreement for the Occupancy and Resale of Miller Ranch Housing recorded October 24, 2003 at Reception No. 855028 and the First Amendment thereto recorded December 7, 2004, at Reception No. 856894.

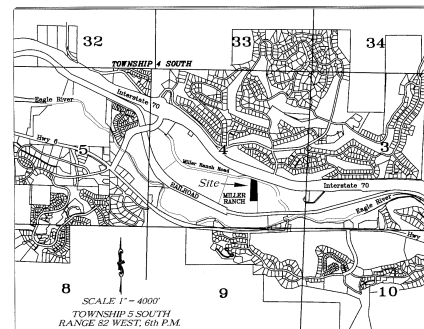
9) The condominium units for Parcel 9B-Phase 3 as defined herein are subject to the Master Declaration for Miller Ranch recorded October 31, 2003 at Reception No. 856076 and any supplements thereto.

10) The condominium units for Parcel 9B-Phase 3 as defined herein are subject to the Master Declaration for Miller Ranch Mill Lofts as recorded on May 27, 2004 at Reception No. 878618 and any supplements thereto.

11) Street addresses are for informational purposes only and may be subject to change. Verify the correct addresses with the Eagle County Department of Community Development.

12) According to Colorado law 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 certification herein.

13) Elevations are based on a rim elevation of 7285.47 and an invert out elevation of 7274.98 for sewer manhole F2 as shown on Sheet 2 herein.



SURVEYOR'S CERTIFICATE

I, Stephen R. Wujek, do hereby certify that I am a Registered Land Surveyor licensed under the laws of the State of Colorado; that this condominium map fully and accurately depicts the improvements, including the condominium units and the common ownership areas, and identifies location, layout, dimension, and horizontal and vertical boundaries; that such map was prepared subsequent to substantial completion of the improvements; and that such map complies with, and contains all the information required by C.R.S. 38-33.1-208 and all other statutes and regulations applicable to maps of condominium common interest subdivision.

In Witness Whereof, I have set my hand and seal this 20th day of JANUARY, A.D., 2005.

Stephen R. Wujek PLS 22589
Professional Land Surveyor
State of Colorado

COMMUNITY DEVELOPMENT CERTIFICATE

Pursuant to the Eagle County Land Use Regulations, the Director of Eagle County Community Development hereby approves this final plat the 20th day of JANUARY, A.D., 2005.

[Signature]
Director, Community Development
County of Eagle, Colorado

STATE OF COLORADO)
COUNTY OF EAGLE)

The foregoing instrument was acknowledged before me this 20th day of JANUARY, A.D., 2005, by Stephen R. Wujek

My Commission expires: 8/5/2006

Witness my hand and official seal: [Signature]
NOTARY PUBLIC



COUNTY COMMISSIONERS' CERTIFICATE

Based upon the review and recommendation of the Eagle County Director of Community Development, the Board of County Commissioners of Eagle County, Colorado hereby approved this final plat this 18th day of JANUARY, A.D., 2005, for filing with the Clerk and Recorder of Eagle County and for conveyance to the County of the public dedications shown herein; subject to the provision that approval in no way obligates Eagle County for maintenance of roads dedicated to the public until construction of improvements thereon shall have been completed in accordance with Eagle County specifications and the Board of County Commissioners of Eagle County has by a subsequent resolution agreed to undertake maintenance of the same. This approval does not guarantee that the site, soil conditions, subsurface geology, groundwater conditions or flooding conditions of any lot shown herein are such that a building permit, sewage disposal permit or any other required permit shall be issued. This approval is with the understanding that all expenses involving required improvements for all utility services, paving, grading, landscaping, curbs, gutters, sidewalks, road lighting, road signs, flood protection devices, drainage structures and all other improvements that may be required shall be the responsibility of the subdivider and not the County of Eagle.

[Signature]
Chairman, Board of County Commissioners
Eagle County, Colorado

Witness my hand and seal of the County of Eagle

[Signature]
Clerk to the Board of County Commissioners



Title Certificate

Land Title Guarantee Company does hereby certify that it has examined the Title to all lands shown upon this Plat and that Title to such lands is vested in Berry Creek Limited Liability Company, a Colorado limited liability company, free and clear of all liens, except any encumbrances, except as follows:

2004 under reception 879444
A deed of trust to RBC Centura Bank recorded October 15, 2004 under reception 879445

Dated this 18th day of JANUARY, A.D., 2005.

AGENT [Signature] for Land Title Guarantee Co

CLERK AND RECORDER'S CERTIFICATE

This Plat was filed for record in the Office of the Clerk and Recorder at 5:47 o'clock P.M. on this 20th day of JANUARY, A.D., 2005 and is duly recorded.

[Signature]
Clerk and Recorder of Eagle County, Colorado



| | |
|---|--------------------------------|
| FINAL PLAT AND CONDOMINIUM MAP MILLER RANCH MILL LOFTS - PHASE 3 PARCEL 9B, MILLER RANCH FILING 2 COUNTY OF EAGLE, STATE OF COLORADO | |
| DRAWN BY: <u>SRW</u> | DATE: <u>1-13-05</u> |
| CHECKED BY: <u>PJO</u> | DRAWING NO.: <u>COVERSHEET</u> |
| JOB NO.: <u>04017V</u> | SHEET <u>1</u> OF <u>6</u> |

MARCIN ENGINEERING LLC

P.O. Box 1062
AVON, CO 81620
(970) 748-0274
(970) 748-9021 FAX

P.O. Box 5018
EAGLE, CO 81631
(970) 328-1900
(970) 328-1901 FAX



[illegible]

| LAND USE SUMMARY | | | | | | |
|---|----------|-------|-------------|-------------|------------------|-------------|
| PARCEL | BUILDING | UNITS | UNIT AREA | LAND USE | ADDRESS | PARCEL AREA |
| PARCEL 9B (PHASE 3) | | | | | | |
| | | | | | | 1.029 AC. |
| I | | 141 | 761 sq. ft. | Residential | 0085-1141 Marble | |
| I | | 142 | 761 sq. ft. | Residential | 0085-1142 Marble | |
| I | | 143 | 761 sq. ft. | Residential | 0085-1143 Marble | |
| I | | 144 | 761 sq. ft. | Residential | 0085-1144 Marble | |
| J | | 145 | 761 sq. ft. | Residential | 0085-145 Marble | |
| J | | 146 | 761 sq. ft. | Residential | 0085-146 Marble | |
| J | | 147 | 761 sq. ft. | Residential | 0085-147 Marble | |
| J | | 148 | 761 sq. ft. | Residential | 0085-148 Marble | |
| J | | 149 | 761 sq. ft. | Residential | 0085-149 Marble | |
| J | | 150 | 761 sq. ft. | Residential | 0085-150 Marble | |
| K | | 241 | 850 sq. ft. | Residential | 0085-241 Marble | |
| K | | 242 | 987 sq. ft. | Residential | 0085-242 Marble | |
| K | | 243 | 987 sq. ft. | Residential | 0085-243 Marble | |
| L | | 244 | 847 sq. ft. | Residential | 0085-244 Marble | |
| L | | 257 | 245 sq. ft. | Residential | 0085-245 Marble | |
| L | | 246 | 994 sq. ft. | Residential | 0085-246 Marble | |
| L | | 247 | 994 sq. ft. | Residential | 0085-247 Marble | |
| L | | 248 | 994 sq. ft. | Residential | 0085-248 Marble | |
| L | | 249 | 994 sq. ft. | Residential | 0085-249 Marble | |
| L | | 250 | 863 sq. ft. | Residential | 0085-250 Marble | |
| PARCEL 9B (PHASE 4 EXPANSION PROPERTY) | | | | | | |
| | | | | | | 0.915 AC. |
| TOTAL | | | | | | 1.944 AC. |

NOTICE: 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 certification shown hereon.

MARBLE
VARIABLE WIDTH
RIGHT-OF-WAY

MARCIN ENGINEERING LLC

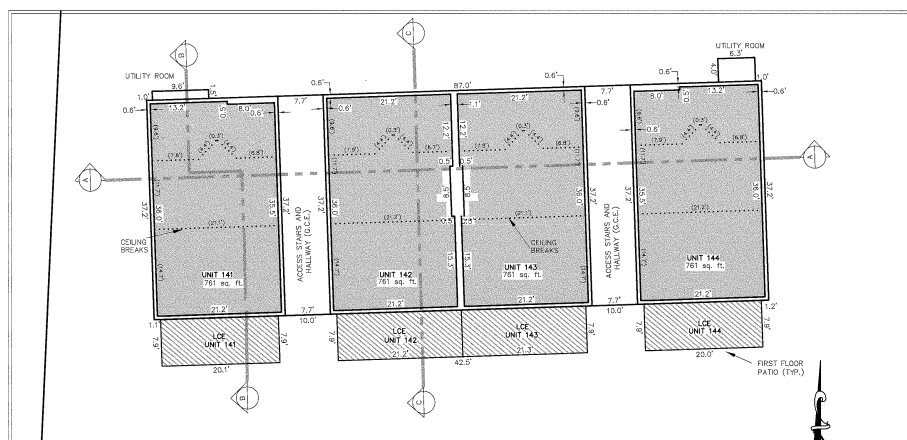
P.O. Box 1062
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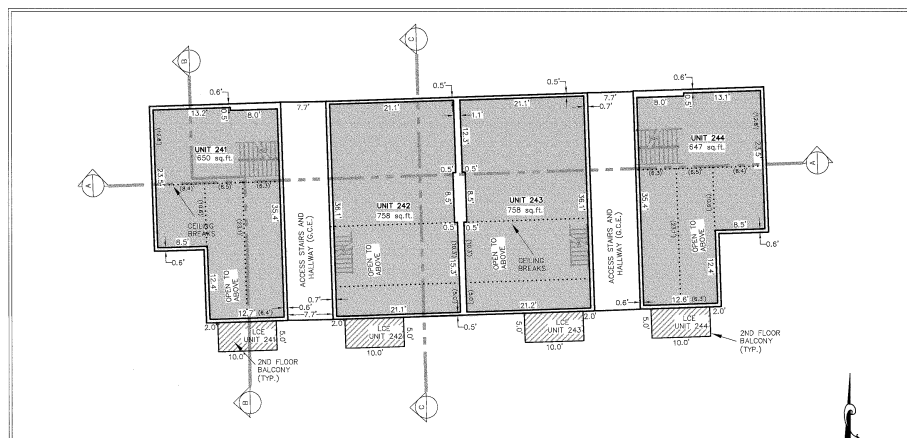
FINAL PLAT AND CONDOMINIUM MAP
MILLER RANCH MILL LOFTS - PHASE 3,
PARCEL 9B, MILLER RANCH FILING 2
COUNTY OF EAGLE, STATE OF COLORADO

| | |
|------------------------|-----------------------------|
| DRAWN BY: <i>PJQ</i> | DATE: <i>1-13-05</i> |
| CHECKED BY: <i>SRW</i> | DRAWING NO.: <i>SH2_PH3</i> |
| JOB NO.: <i>04017V</i> | SHEET <i>2</i> OF <i>6</i> |

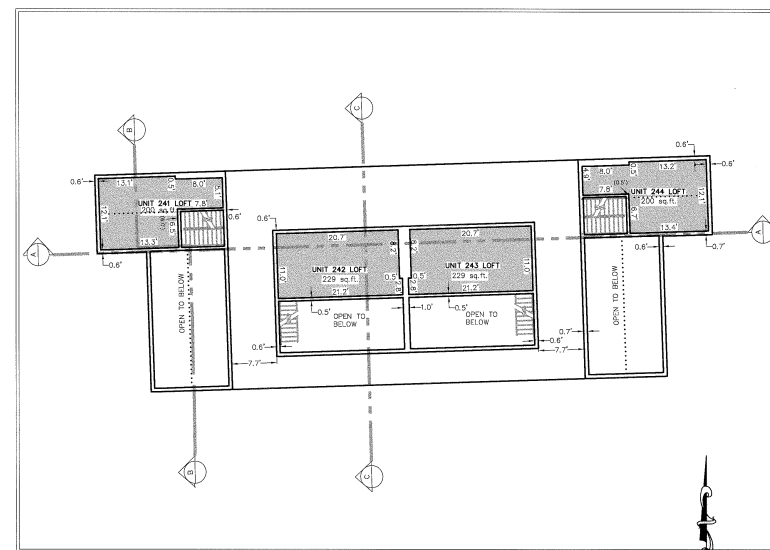
FINAL PLAT AND CONDOMINIUM MAP
MILLER RANCH MILL LOFTS- PHASE 3
 PARCEL 9B, MILLER RANCH FILING 2,
 PARCEL 9A AND PARCEL 9B
 COUNTY OF EAGLE, STATE OF COLORADO
 SHEET 3 OF 6



BUILDING NO. 1
 FIRST FLOOR ELEVATION = 7297.5
 SCALE 1"=10'



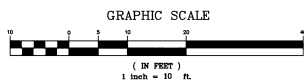
BUILDING NO. 1
 SECOND FLOOR ELEVATION = 7310.9
 SCALE 1"=10'



BUILDING NO. 1
 THIRD FLOOR ELEVATION = 7320.2
 SCALE 1"=10'

LEGEND

- UNIT
- GENERAL COMMON ELEMENT (G.C.E.)
- LIMITED COMMON ELEMENT (L.C.E.)



NOTE: Dimensions in parenthesis indicate typical dimensions to locate ceiling breaks.

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FINAL PLAT AND CONDOMINIUM MAP
 MILLER RANCH MILL LOFTS-PHASE 3,
 PARCEL 9B, MILLER RANCH FILING 2,
 COUNTY OF EAGLE, STATE OF COLORADO

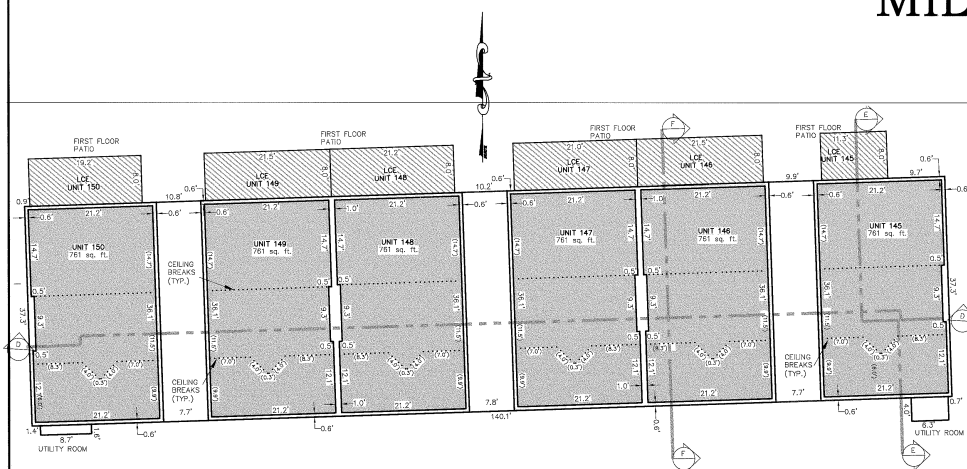
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 CHECKED BY: SRW DRAWING NO.: CONDO9&10
 JOB NO.: 04017v SHEET 3 OF 6

MARCIN ENGINEERING LLC

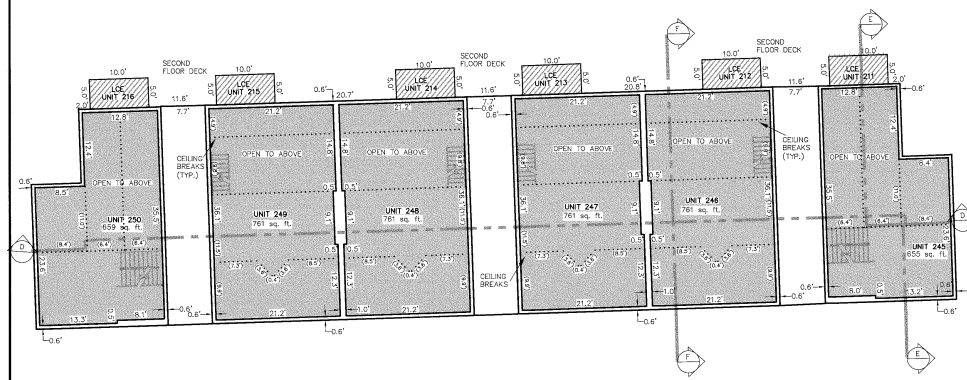
P.O. Box 1062
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FINAL PLAT AND CONDOMINIUM MAP
MILLER RANCH MILL LOFTS- PHASE 3
 PARCEL 9B, MILLER RANCH FILING 2,
 PARCEL 9A AND PARCEL 9B
 COUNTY OF EAGLE, STATE OF COLORADO
 SHEET 4 OF 6

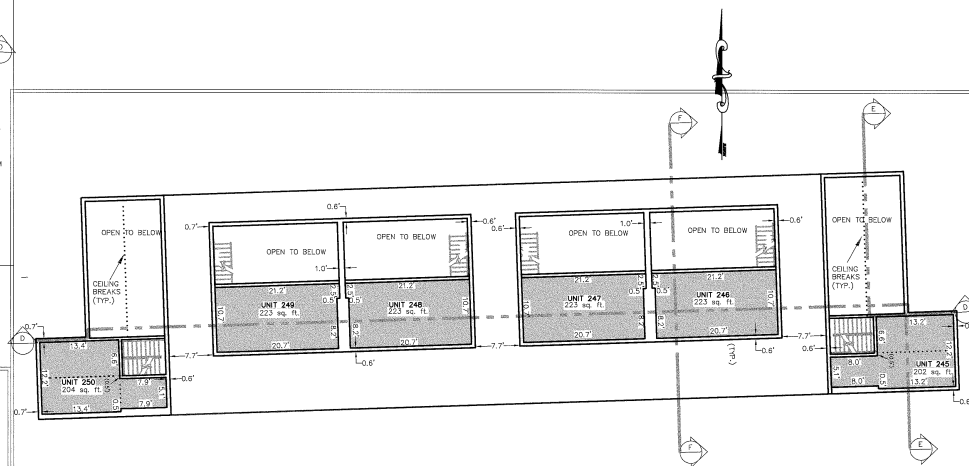


BUILDING NO. J
 FIRST FLOOR ELEVATION = 7296.6
 SCALE 1"=10'



BUILDING NO. J
 SECOND FLOOR ELEVATION=7310.1
 SCALE 1"=10'

- UNIT
- GENERAL COMMON ELEMENT (G.C.E.)
- LIMITED COMMON ELEMENT (L.C.E.)



BUILDING NO. J
 THIRD FLOOR ELEVATION = 7319.3
 SCALE 1"=10'

NOTE: Dimensions in parenthesis indicate typical dimensions to locate ceiling breaks.



FINAL PLAT AND CONDOMINIUM MAP
 MILLER RANCH MILL LOFTS-PHASE 3,
 PARCEL 9B, MILLER RANCH FILING 2,
 COUNTY OF EAGLE, STATE OF COLORADO

DRAWN BY: PJO DATE: 1-13-05
 CHECKED BY: SRW DRAWING NO.: CONDO9&10
 JOB NO.: 04017v SHEET 4 OF 6

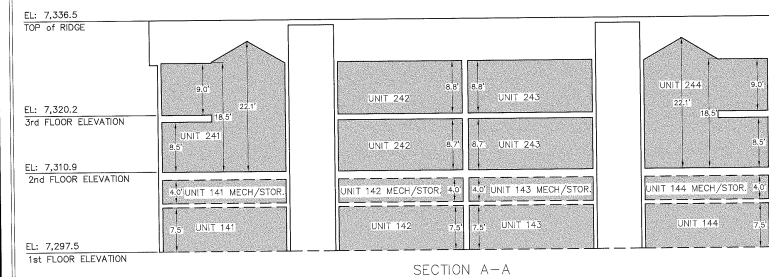
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FINAL PLAT AND CONDOMINIUM MAP
MILLER RANCH MILL LOFTS- PHASE 3
 PARCEL 9B, MILLER RANCH FILING 2,
 PARCEL 9A AND PARCEL 9B
 COUNTY OF EAGLE, STATE OF COLORADO
 SHEET 5 OF 6






BUILDING NO. 1
FIRST FLOOR ELEVATION = 7297.5
SCALE 1"=10'



BUILDING NO. J
FIRST FLOOR ELEVATION = 7,296.6
SCALE 1"=10'



| | |
|---|---------------------------------|
|  | UNIT |
|  | GENERAL COMMON ELEMENT (G.C.E.) |
|  | LIMITED COMMON ELEMENT (L.C.E.) |

BUILDING SECTIONS

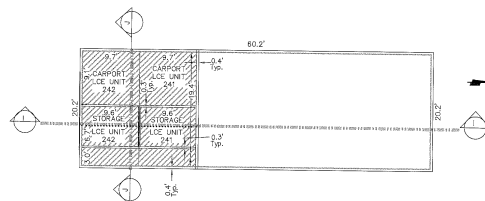
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| | |
|---|-----------------------------------|
| FINAL PLAT AND CONDOMINIUM MAP MILLER RANCH MILL LOFTS-PHASE 3, PARCEL 9B, MILLER RANCH FILING 2, COUNTY OF EAGLE, STATE OF COLORADO | |
| DRAWN BY: <i>PJQ</i> | DATE: <i>1-13-05</i> |
| CHECKED BY: <i>SRW</i> | DRAWING NO.: <i>COND09&10</i> |
| <i>04017v</i> | SHEET <i>5</i> of <i>6</i> |

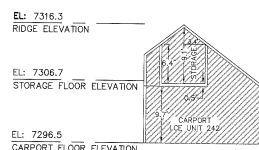
MARCIN ENGINEERING LLC

| | |
|--------------------|--------------------|
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| AVON, CO 81620 | EAGLE, CO 81631 |
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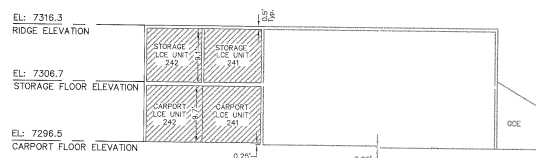
FINAL PLAT AND CONDOMINIUM MAP
MILLER RANCH MILL LOFTS- PHASE 3
 PARCEL 9B, MILLER RANCH FILING 2,
 PARCEL 9A AND PARCEL 9B
 COUNTY OF EAGLE, STATE OF COLORADO
 SHEET 6 OF 6



CARPORT NO. 4
 FIRST FLOOR
 PLAN VIEW
 SCALE 1"=10'

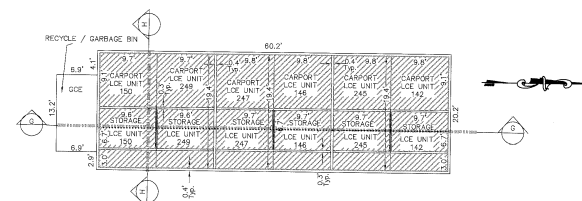


SECTION J-J

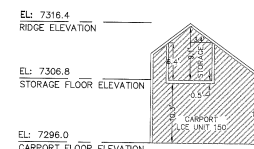


SECTION I-I

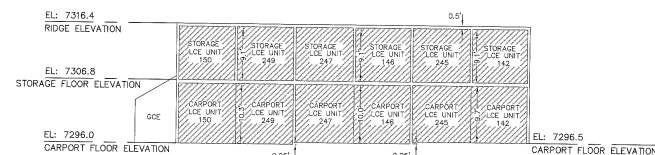
CARPORT NO. 4
 SECTION VIEW
 SCALE 1"=10'



CARPORT NO. 5
 FIRST FLOOR
 PLAN VIEW
 SCALE 1"=10'



SECTION H-H



SECTION G-G

CARPORT NO. 5
 SECTION VIEW
 SCALE 1"=10'

CARPORT NO. 4 AND 5
 PLAN VIEWS AND BUILDING SECTIONS

- UNIT
 GENERAL COMMON ELEMENT (G.C.E.)
 LIMITED COMMON ELEMENT (L.C.E.)

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| | |
|---|------------------------|
| FINAL PLAT AND CONDOMINIUM MAP MILLER RANCH MILL LOFTS-PHASE 3, PARCEL 9B, MILLER RANCH FILING 2, COUNTY OF EAGLE, STATE OF COLORADO | |
| DRAWN BY: PUQ | DATE: 1-13-05 |
| CHECKED BY: SRW | DRAWING NO.: CONDO9&10 |
| JOB NO.: 04017v | SHEET 6 OF 6 |

MARCIN ENGINEERING LLC

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