

FINAL PLAT AND CONDOMINIUM MAP

MILLER RANCH MILL LOFTS-PHASE 5

PARCEL 9A, 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) of the following described real property situated in Eagle County, Colorado described as follows:

PARCEL 9A, 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 19, 2003 at Reception No. 903890 in the Office of the Clerk and Recorder, Eagle County, Colorado.

containing 0.993 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 5, 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 26th day of September, A.D., 2005.

Owner: Ross Crank, Director of Operations Colorado

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 26th day of September, A.D., 2005, by Ross Crank as Director of Operations of Berry Creek Limited Liability Company, a Colorado limited liability company.

My Commission expires: 3/21/14

Witness my hand and official seal. Trevor L. Theelke

(SEAL) TREVOR L. THEELKE
NOTARY PUBLIC
STATE OF COLORADO

RBC Centura Bank, a North Carolina banking corporation

By: David J. Bourgeois, VP
DAVID J. BOURGEOIS, Vice President

STATE OF Texas }
COUNTY OF Harris }

The foregoing Certificate of Dedication and Ownership was acknowledged before me this 15th day of September, A.D., 2005, by David J. Bourgeois as Vice President of RBC Centura Bank.

My Commission expires: 7-20-2008

Witness my hand and official seal. Charlene Ballantyne

(SEAL) CHARLENE K. BALLANTYNE
NOTARY PUBLIC
STATE OF TEXAS
July 20, 2008

CERTIFICATE OF TAXES PAID

I, the undersigned, do hereby certify that the amount of taxes and assessments due and payable as of September 15, 2005 upon all parcels of real estate described on this Plat are paid in full.

Dated this 14th day of October, A.D., 2005.
Ross Crank, Director of Operations
Treasurer of Eagle County, Colorado

NOTES:

- 1) The purpose of this Final Plat and Condominium Map is to create individual Condominium Units and to define Limited Common Elements (L.C.E.) and General Common Elements (G.C.E.).
- 2) BASIS OF BEARING: S 01°52'06" E between found 1 1/2" Aluminum Cap Monuments for the east boundary line of the Miller Ranch Final Plat (Reception No. 820378) as shown and further described herein on Sheet 2.
- 3) SURVEY DATE: June - August 2005.
- 4) Record Easements and Rights-of-Way shown on this Plat were derived from ALTA Title Commitment, order No. VCSD010093, dated August 10, 2005 and provided by Land Title Guarantee Company.
- 5) The property shown hereon 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. 789801, and as amended and recorded on January 21, 2005 at Reception No. 904135, and as may be amended from time to time.
- 6) The property shown hereon 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. 799649, the final plat for Miller Ranch (A Re-subdivision of the Trust 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. 898021 and the final plat for Miller Ranch Filing 2, Parcel 9A & 9B as recorded on January 19, 2005 at Reception No. 903890. The following non-exclusive easements and rights-of-way have been previously dedicated on the plots 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 (1) 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; (2) 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 sewers, 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 discernable 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. 855078 and the First Amendment thereto recorded December 7, 2004, at Reception No. 898984.

9) The condominium units for Parcel 9A-Phase 5 as defined hereon 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 9A-Phase 5 as defined hereon are subject to the Condominium 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 address 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 hereon.

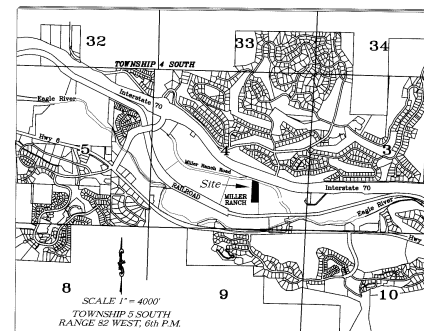
13) Elevations are based on an elevation of 7282.00 for the top of a rebar set in pavement at the intersection of Flat Top and Miller Ranch Road as shown on Sheet 2 hereon.

SURVEYOR'S CERTIFICATE

I, Stephen R. Wujak, do hereby certify that I am a Professional Land Surveyor licensed under the laws of the State of Colorado; that I have personally and fully and accurately depicted 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. 38-33.3-209 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 3rd day of October, A.D., 2005.

Stephen R. Wujak, PLS 22589
Colorado Licensed
Professional Land Surveyor



COMMUNITY DEVELOPMENT CERTIFICATE

Pursuant to the Eagle County Land Use Regulations, the Director of Eagle County Community Development hereby approves this final plat this 1st day of October, A.D., 2005.

David J. Bourgeois
Director, Community Development
County of Eagle, Colorado

STATE OF COLORADO }
COUNTY OF EAGLE }

The foregoing instrument was acknowledged before me this 3rd day of October, A.D., 2005, by David J. Bourgeois

My Commission expires: 8/1/2006

Witness my hand and official seal.

Harvey R. Lewis
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 4th day of October, A.D., 2005, for filing with the Clerk and Recorder of Eagle County and for conveyance to the County of the public dedications shown hereon; 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 size, soil conditions, subsurface geology, groundwater conditions or flooding conditions of any lot shown hereon 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 provider and not the County of Eagle.

David J. Bourgeois
Chairman, Board of County Commissioners
Eagle County, Colorado

Witness my hand and seal of the County of Eagle.

ATTEST: David J. Bourgeois
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, debts and encumbrances, except as follows:

Deed of Trust in favor of RBC Centura Bank
rec. 10-15-04 # 894404
Deed of Trust in favor of RBC Centura Bank
rec. 10-15-04 # 894405

Dated this 1 day of September, A.D., 2005.

AGENT Jeffrey J. Wujak

CLERK AND RECORDER'S CERTIFICATE

This Plat was filed for record in the Office of the Clerk and Recorder at 2:40 o'clock, P.M., on this 4th day of October, A.D., 2005, and is duly recorded at Reception No. 951855.

David J. Bourgeois
Clerk and Recorder of Eagle County, Colorado

By: Charles M. Kelly
Deputy

FINAL PLAT AND CONDOMINIUM MAP MILLER RANCH MILL LOFTS - PHASE 5 PARCEL 9A, MILLER RANCH FILING 2 COUNTY OF EAGLE, STATE OF COLORADO			
DRAWN BY:	SRW	DATE:	09-16-05
CHECKED BY:	MSS	DRAWING NO.:	COVERSHEET
REV NO.:	04017V	SHEET	1 of 6

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) 328-1800
(970) 328-1801 FAX



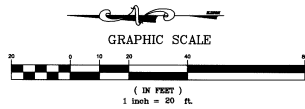
MILLER RANCH MILL LOFTS-PHASE 5

PARCEL 9A, MILLER RANCH FILING 2,
PARCEL 9A AND PARCEL 9B
COUNTY OF EAGLE, STATE OF COLORADO
SHEET 2 OF 6

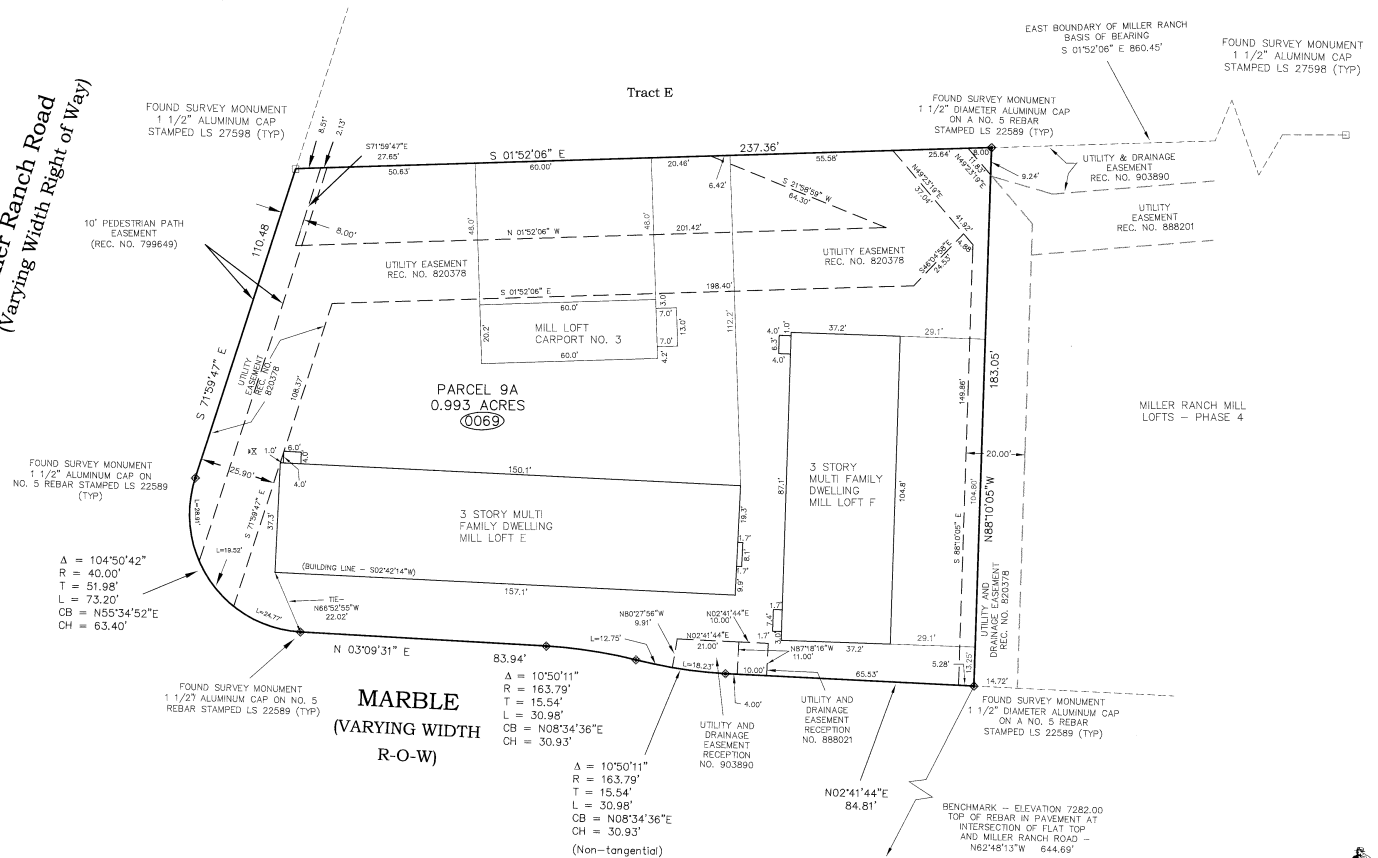
Eagle County File No. SMB-00377

M-219

2-6



Miller Ranch Road
(Varying Width Right of Way)



LAND USE SUMMARY					
PARCEL	BUILDING	UNITS	UNIT AREA	LAND USE	ADDRESS
PARCEL 9A (PHASE 5)					
E	121	761 sq. ft.	Residential	0069-E121 Marble	
E	122	761 sq. ft.	Residential	0069-E122 Marble	
E	123	761 sq. ft.	Residential	0069-E123 Marble	
E	124	761 sq. ft.	Residential	0069-E124 Marble	
E	125	761 sq. ft.	Residential	0069-E125 Marble	
E	126	761 sq. ft.	Residential	0069-E126 Marble	
F	127	765 sq. ft.	Residential	0069-F127 Marble	
F	128	761 sq. ft.	Residential	0069-F128 Marble	
F	129	761 sq. ft.	Residential	0069-F129 Marble	
F	130	765 sq. ft.	Residential	0069-F130 Marble	
E	221	865 sq. ft.	Residential	0069-E221 Marble	
E	222	864 sq. ft.	Residential	0069-E222 Marble	
E	223	864 sq. ft.	Residential	0069-E223 Marble	
E	224	864 sq. ft.	Residential	0069-E224 Marble	
E	225	864 sq. ft.	Residential	0069-E225 Marble	
E	226	865 sq. ft.	Residential	0069-E226 Marble	
F	227	864 sq. ft.	Residential	0069-F227 Marble	
F	228	892 sq. ft.	Residential	0069-F228 Marble	
F	229	892 sq. ft.	Residential	0069-F229 Marble	
F	230	896 sq. ft.	Residential	0069-F230 Marble	
TOTAL					0.993 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 herein.



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

DRAWN BY: SRW DATE: 09-16-05
CHECKED BY: PUJ DRAWING NO.: SH2_PHS
JOB NO.: 04017V SHEET 2 OF 6

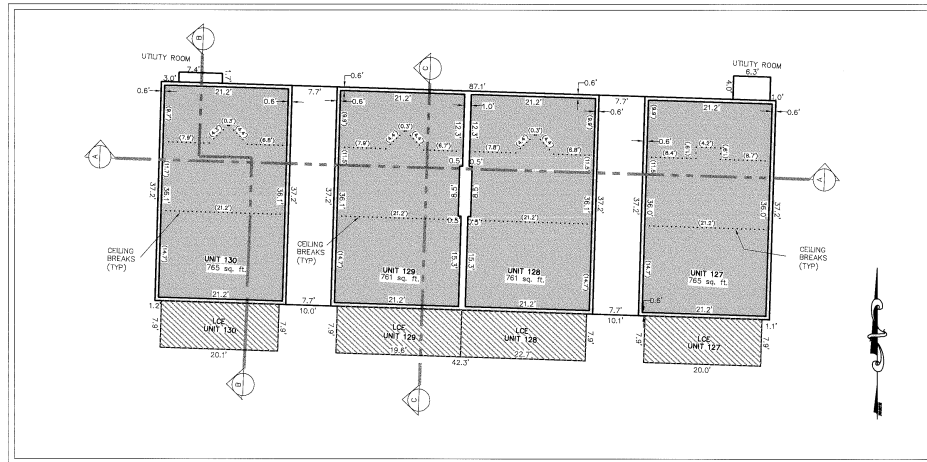
MARCIN ENGINEERING LLC

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

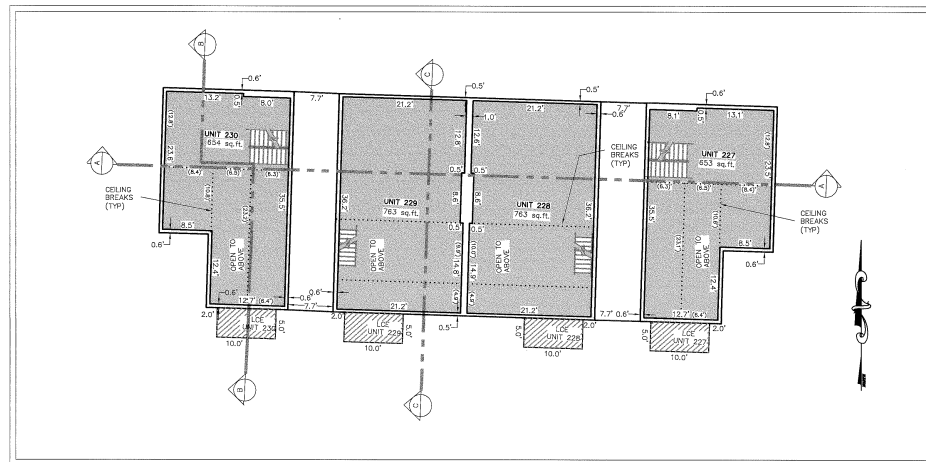
P.O. Box 5018
EAGLE, CO 81631
(970) 328-1900
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MILLER RANCH MILL LOFTS- PHASE 5

PARCEL 9A, MILLER RANCH FILING 2,
PARCEL 9A AND PARCEL 9B
COUNTY OF EAGLE, STATE OF COLORADO
SHEET 3 OF 6



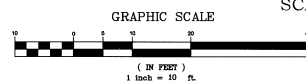
BUILDING F
FIRST FLOOR ELEVATION = 7296.9
SCALE 1"=10'



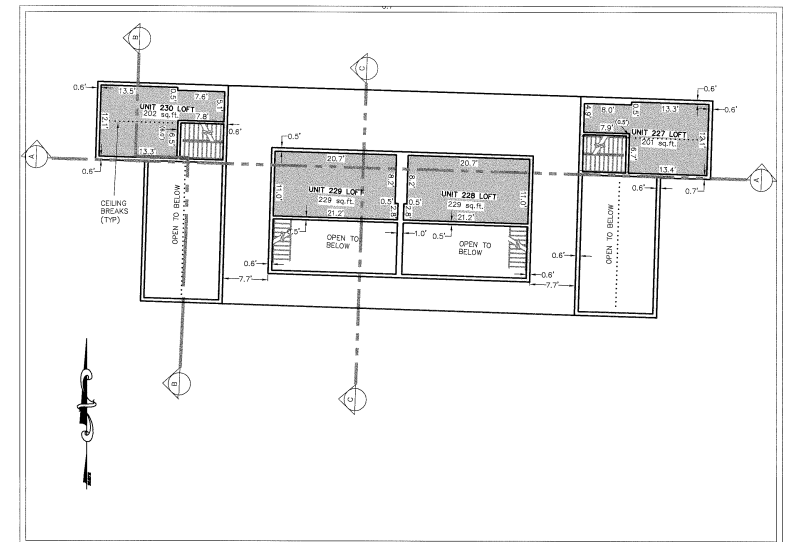
BUILDING F
SECOND FLOOR ELEVATION = 7310.4
SCALE 1"=10'

LEGEND

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



- NOTES
1) Dimensions in parenthesis indicate typical horizontal dimensions to locate ceiling breaks.
2) Stairwells shown within units are a part of that unit and are not a G.C.E.



BUILDING F
THIRD FLOOR ELEVATION = 7319.9
SCALE 1"=10'



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MILLER RANCH MILL LOFTS-PHASE 5,
PARCEL 9A, MILLER RANCH FILING 2,
COUNTY OF EAGLE, STATE OF COLORADO

DRAWN BY: KLD/JTC DATE: 09-16-05
CHECKED BY: SRW DRAWING NO.: CONDO5+6
JOB NO.: 04017v SHEET 3 OF 6

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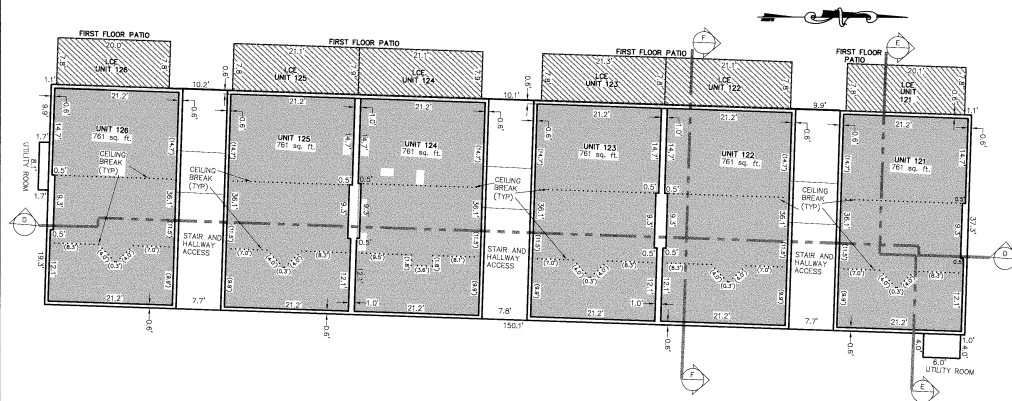
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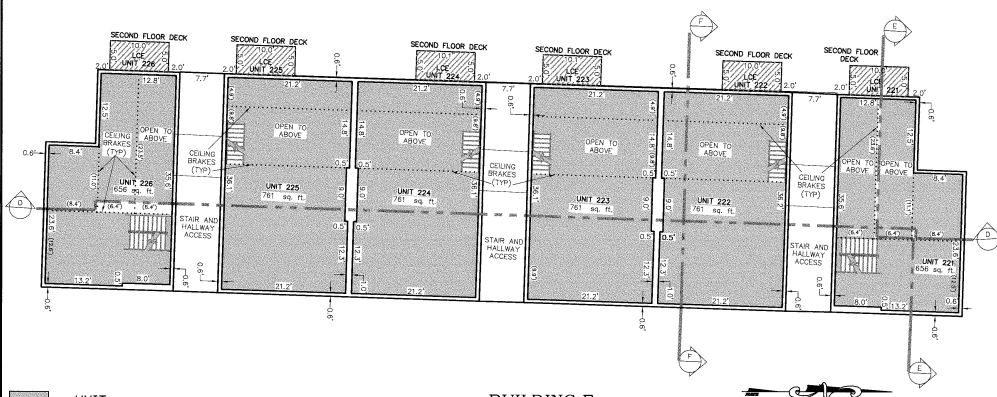
FINAL PLAT AND CONDOMINIUM MAP

MILLER RANCH MILL LOFTS- PHASE 5

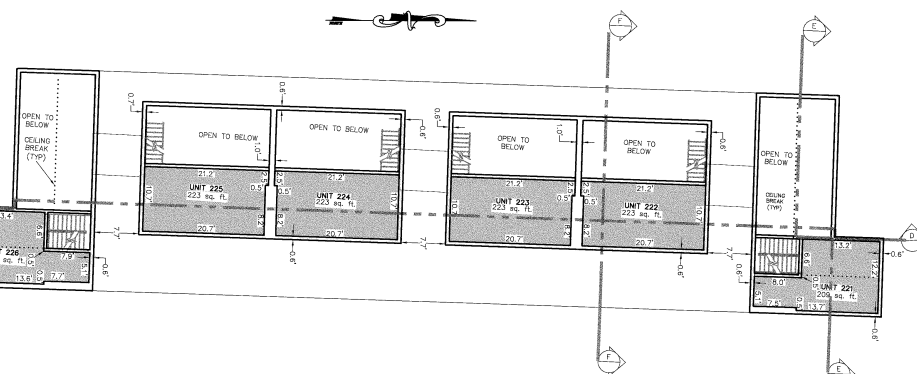
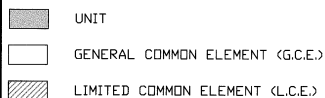
PARCEL 9A, MILLER RANCH FILING 2,
PARCEL 9A AND PARCEL 9B
COUNTY OF EAGLE, STATE OF COLORADO
SHEET 4 OF 6



BUILDING E
FIRST FLOOR ELEVATION = 7298.0
SCALE 1"=10'



BUILDING E
SECOND FLOOR ELEVATION = 7311.5
SCALE 1"=10'



BUILDING E
THIRD FLOOR ELEVATION = 7320.9
SCALE 1"=10'

- NOTES
- 1) Dimensions in parenthesis indicate typical horizontal dimensions to locate ceiling breaks.
 - 2) Stairwells shown within units are a part of that unit and are not a G.C.E.



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

DRAWN BY: KLD/JTC DATE: 09-16-05
CHECKED BY: SRW DRAWING NO.: CONDO5+6
JOB NO.: 04017v SHEET 4 OF 6

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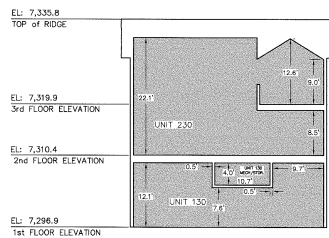
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FINAL PLAT AND CONDOMINIUM MAP
MILLER RANCH MILL LOFTS- PHASE 5
 PARCEL 9A, MILLER RANCH FILING 2,
 PARCEL 9A AND PARCEL 9B
 COUNTY OF EAGLE, STATE OF COLORADO
 SHEET 5 OF 6

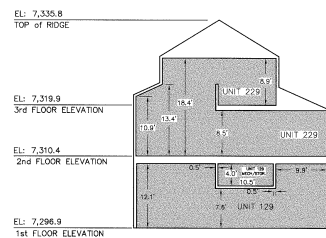
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M-219

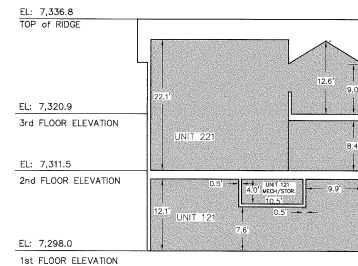
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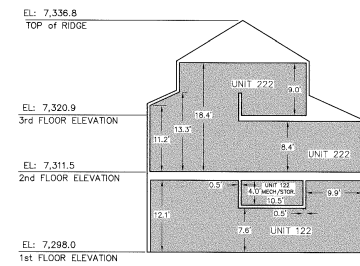
SECTION B-B



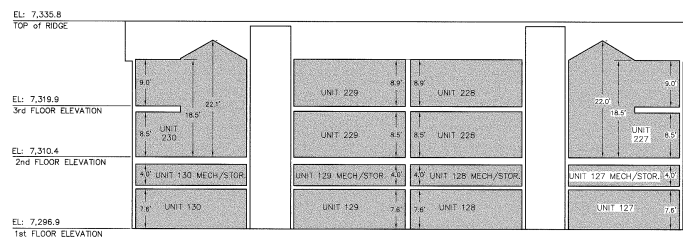
SECTION C-C



SECTION E-E

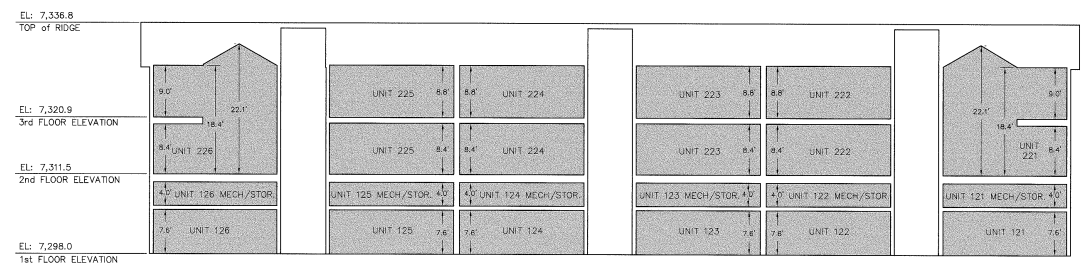


SECTION F-F



SECTION A-A

BUILDING F
 FIRST FLOOR ELEVATION = 7296.9
 SCALE 1"=10'



SECTION D-D

BUILDING E
 FIRST FLOOR ELEVATION = 7,298.0
 SCALE 1"=10'

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

BUILDING SECTIONS

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

DRAWN BY: KLD/JTC
 CHECKED BY: SRW
 DATE: 09-16-05
 DRAWING NO.: COND05+6
 JOB NO.: 04017v
 SHEET 5 of 6



MARCIN ENGINEERING LLC

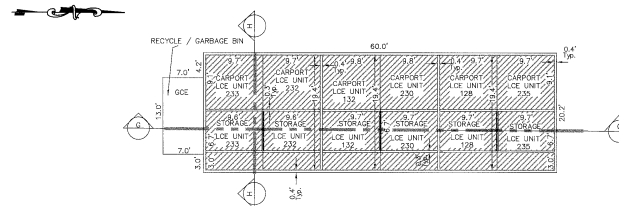
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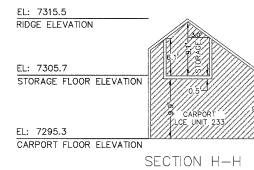
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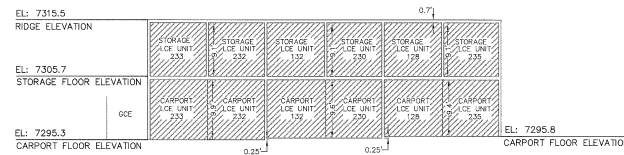
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 PARCEL 9A, MILLER RANCH FILING 2,
 PARCEL 9A AND PARCEL 9B
 COUNTY OF EAGLE, STATE OF COLORADO
 SHEET 6 OF 6



CARPORT NO. 3
 FIRST FLOOR
 PLAN VIEW
 SCALE 1"=10'



SECTION H-H



SECTION G-G

CARPORT NO. 3
 SECTION VIEW
 SCALE 1"=10'

CARPORT NO. 3
 PLAN VIEWS AND BUILDING SECTIONS

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



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

DRAWN BY: KLD/JTC DATE: 09-16-05
 CHECKED BY: SRW DRAWING NO.: CONDO5+6
 JOB NO.: 04017v SHEET 6 OF 6

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