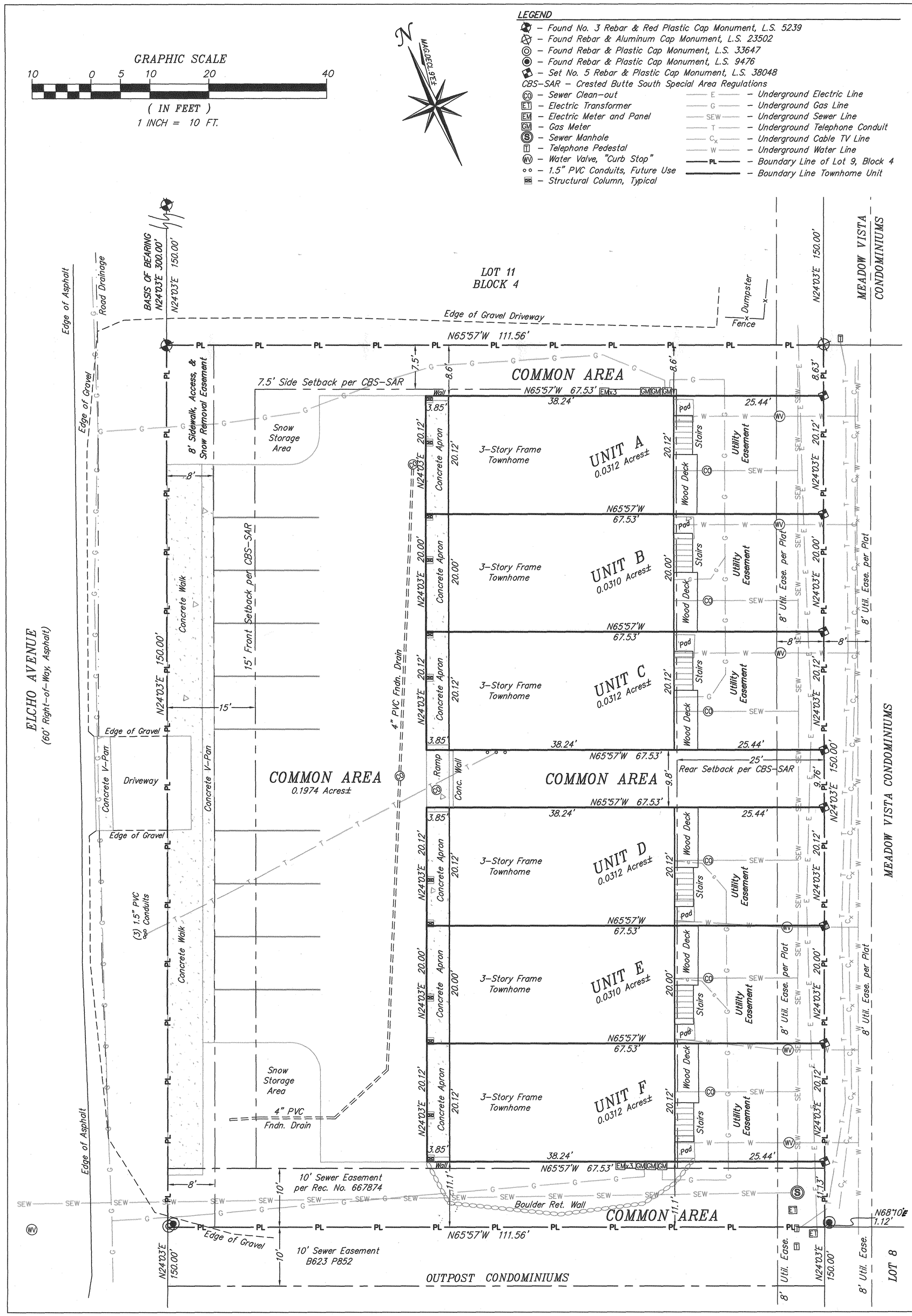

ATTORNEY'S OPINION

I, Jacob A. With, an Attorney-at-Law duly licensed to practice in the State of Colorado, hereby certify that I have examined title to all lands herein dedicated and subdivided. Such title is vested in the Dedicator and is free and clear of all liens, defects, encumbrances, restrictions and reservations, except as follows:

1. All matters shown hereon.
2. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
3. 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 hereby granted, and a right of way for ditches or canals constructed by the authority of the United States, as reserved in United States Patent recorded June 30, 1882 in Book 41 at page 494; and in Patent recorded August 12, 1901 in Book 101 at page 248; and in Patent recorded May 19, 1898 in Book 115 at page 303.
4. Easement and right of way for cattle driveway as reserved in Warranty Deed recorded October 1, 1936 with the Clerk and Recorder of Gunnison County, Colorado in Book 245 at page 364, in which the specific location of the easement is not defined.
5. Restrictive covenants and other matters as contained in Covenants and Restrictions of Crested Butte South recorded August 26, 1970, in Book 420 at page 404; in Crested Butte South Property Owners' Association Board of Directors concerning the amendment of the Covenants and Restrictions of Crested Butte South recorded January 21, 1983 in Book 589 at page 304; in Resolution concerning the installation and use of satellite dishes recorded December 8, 1988 in Book 661 at page 284; in Resolution concerning the use and installation of solid fuel burning devices recorded April 27, 1990 in Book 677 at page 578; in Resolution concerning dogs running at large recorded April 27, 1990 in Book 677 at page 581; in Resolution concerning impounded dogs recorded November 20, 1990 in Book 684 at page 901; in Resolution concerning individual wells and sewage disposal systems recorded June 8, 1993 in Book 725 at page 218; in Resolution amending the Covenants and Restrictions of Crested Butte South recorded October 22, 1993 in Book 733 at page 740; in Resolution concerning wells and individual sewer disposal systems recorded December 15, 1994 in Book 757 at page 223; in Amendment regarding regulation of modular or factory built structures recorded May 1, 1996 in Book 782 at page 202; in Amendment regarding the minimum size of multi-family structures recorded May 1, 1996 in Book 782 at page 203; in Amendment regarding residential uses on commercial property recorded May 1, 1996 in Book 782 at page 204; in Amendment regarding resubdivision recorded May 1, 1996 in Book 782 at page 205; in Notice of Amendment of Covenants and Restrictions of Crested Butte South recorded November 22, 1996 under Reception No. 472225; in Resolution concerning the provision of a legal survey as an architectural submittal requirement recorded March 27, 1998 under Reception No. 482581; in Resolution concerning setbacks for driveways, septic tanks and wells recorded April 30, 1998 under Reception No. 483318; in Resolution concerning lot appearance recorded October 19, 1998 under Reception No. 487930; in Resolution of rules and regulations regarding dogs recorded November 8, 1999 under Reception No. 497644; in Amended Resolution concerning building deposits recorded March 22, 2001 under Reception No. 509429; in Resolution regarding outdoor commercial vendors recorded September 25, 2001 under Reception No. 514482; in Resolution concerning the provision of the use of metal siding on the exterior of buildings in Crested Butte South recorded February 5, 2002 under Reception No. 517978; in Resolution regarding fines for violations of covenants recorded June 23, 2003 under Reception No. 531851; and in Amendment to Covenants and Restrictions of Crested Butte South recorded February 23, 2004 under Reception No. 539220; and in Resolution regarding the adoption of a short term rental policy by the Crested Butte South Property Owners Association, Inc. recorded May 22, 2018 under Reception No. 653309.
6. Easements, conditions, covenants, restrictions, reservations and other matters on the Plat of Crested Butte South - Second Filing recorded September 24, 1970 under Reception No. 281588.
7. Terms, conditions and provisions contained in Board of County Commissioners of Gunnison County Resolution No. 03-46 recorded September 25, 2003 under Reception No. 535203.
8. Encroachment of sewer line 5.0' as disclosed on Warranty Deed recorded May 14, 2004 under Reception No. 542046.
9. Terms, conditions, and provisions contained in Board of County Commissioners of Gunnison County Resolution No. 43, series 2004 recorded July 20, 2004, under Reception No. 544256.
10. Easement to Crested Butte South Metropolitan District recorded November 15, 1985 in Book 623 at page 852.
11. Terms, conditions, and provisions contained in Board of County Commissioners of the County of Gunnison, Colorado Resolution No. 2008-38 recorded September 3, 2008, under Reception No. 586264 and in Resolution No. 2017-5 amending Resolution No. 2008-38 recorded March 8, 2017 under Reception No. 645299.
12. Terms, conditions, provisions and restrictions of Board of County Commissioners of Gunnison County Resolution No. 2017-6 recorded March 8, 2017 at Reception No. 645298.
13. Matters disclosed on Improvement Location Certificate certified July 1, 2016 prepared by NCW & Associates, Inc., job #16108.00.
14. Terms, conditions, provisions, burdens and obligations as set forth in Grant of Perpetual Nonexclusive Easement for sewer line recorded July 22, 2020 at Reception No. 667874.
15. Terms, conditions and provisions of Resolution No. 14 series 2020 recorded September 1, 2020 at Reception No. 668955.
16. The lien for 2022 and subsequent years' real property taxes.

Dated this 2nd day of March, 2022.

Jacob A. With, Registration No. 40546
For and on behalf of Law of the Rockies, LLC
525 N. Main Street
Gunnison, CO 81230

PLAT NOTES

1. Any person who acquires any interest in any of the real property dedicated on this Plat shall be deemed to have accepted the terms, conditions, exceptions, restrictions, limitations and definitions set forth herein and in the Declaration establishing ELCHO PLACE TOWNHOMES recorded as Reception No. _____.
2. According to Colorado law you must commence 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 on any defect in this survey be commenced more than ten years from the date of the surveyor's certificate shown hereon.
3. Upon completion of the installation or maintenance of any utilities, the property disturbed or damaged by such installation or maintenance shall be restored as near as reasonably possible to its original condition.
4. Animals must be controlled by kenneling, leashing or other physical restraint. Any expense of enforcing domestic animal control restrictions by Gunnison County shall be at the expense of the the individual unit owner.
5. C.R.S. Section 35-46-101 *et. seq.* requires the land owner to construct and maintain fencing to keep livestock off of the subject property.
6. An irrigation ditch owner has the right to enter the designated irrigation ditch maintenance easement, maintain the ditch and leave natural debris on the bank of the ditch.
7. Compliance with Certificate of Approval. The property described on this Plat is subject to all requirements, terms and conditions of Certificate of Administrative Review, Certification No. _____, Series 2022, recorded at Reception No. _____ of the records of the Clerk and Recorder of Gunnison County.

SURVEY NOTES

1. Boundaries are based upon the Plat of Crested Butte South - Second Filing, recorded 24 September 1970 at Reception No. 281588 of the records of Gunnison County, Colorado.
2. Distances and dimensions are in U.S. Survey Feet.
3. Restrictions, easements, and encumbrances are based on Land Title Guarantee's Title Commitment File No. GUL88003304-2 dated March 26, 2021.
4. Setbacks are based on the "Crested Butte South Special Area Regulations" dated April 7, 2020. Contact the Crested Butte South Property Owner's Assoc. for more details.
5. This Townhome Plat does not represent a title search by this surveyor. Additional easements and encumbrances may exist.

DEDICATION

Tucumcari Partners LLC, a Colorado limited liability company, being the owner of the land described as follows:

Lot 9, Block 4, Crested Butte South - Second Filing, according to the Plat thereof recorded September 24, 1970 under Reception No. 281588, County of Gunnison, State of Colorado.

1. Tucumcari Partners LLC, under the name of ELCHO PLACE TOWNHOMES, has laid out, platted and/or subdivided the same as shown on this Plat and do hereby permanently dedicate and convey to the owners of lots, tracts or parcels within this subdivision and their guests, but not to the public at large, the common right to use streets, alleys, roads and other areas as shown hereon and hereby permanently dedicate those portions of land labeled as easements for the installation and maintenance of public utilities as shown hereon.

2. Townhome Declaration. The real property laid out as ELCHO PLACE TOWNHOMES, County of Gunnison, State of Colorado, is platted and dedicated pursuant to the terms and conditions of the Declaration Establishing ELCHO PLACE TOWNHOMES dated April 12, 2022 and recorded May 3, 2022 as Reception No. 684457 in the office of the Gunnison County Clerk and Recorder.

IN WITNESS WHEREOF, David Gross, Member of Tucumcari Partners LLC, a Colorado limited liability company, has subscribed his name this 31 day of March, A.D. 2022.

David Gross, Member
Tucumcari Partners LLC, a Colorado limited liability company

STATE OF COLORADO)
) ss.
COUNTY OF GUNNISON)

The foregoing instrument was acknowledged before me this 31st day of March, 2022 by David Gross, Member of Tucumcari Partners LLC, a Colorado limited liability company.

Witness my hand and official seal. My commission expires: Jan. 23, 2026.

Notary Public

MORGAN SCHAEFER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20184003986
My Commission Expires January 23, 2026

MORTGAGEE AND LIENHOLDER CONSENT

By: PBT Bank
Name: Mark Magnone
Title: Vice President

STATE OF COLORADO)
) ss.
COUNTY OF Pueblo)

The foregoing instrument was acknowledged before me this 5th day of April, A.D. 2022 by Mark Magnone.

Witness my hand and official seal. My commission expires: 04-17-2025.

Notary Public

ADRIAN GARNETT
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20134024363
My Commission Expires 04-17-2025

LAND SURVEYOR'S STATEMENT

I, STEPHEN L. JESSOE, for and on behalf of All County Survey, Inc., being a Licensed Professional Land Surveyor in the State of Colorado, do hereby state that this Townhome Plat of ELCHO PLACE TOWNHOMES was prepared by me and under my responsible charge & supervision and a) is accurate to the best of my knowledge, information and belief, b) is in accordance with applicable standards of practice, and c) is not a guarantee or warranty either expressed or implied.
Basis of Bearing is based on a record bearing of N24°03'00"E between original red plastic cap monuments stamped "L.S. 5239" found at the northwesterly boundary corner of Lot 19, Block 4 and the northwesterly boundary corner of Lot 13, Block 4, Crested Butte South - Second Filing, as shown hereon.

Dated this 29th day of March, A.D. 2022.

COLORADO LICENSED
STEPHEN LAWRENCE JESSOE
38048
PROFESSIONAL LAND SURVEYOR

Stephen L. Jessoe
Licensed Professional Land Surveyor No. 38048
For and on behalf of All County Survey, Inc.
P.O. Box 7164, Gunnison, CO 81230

CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION APPROVAL

The within Townhome Plat of ELCHO PLACE TOWNHOMES is approved this 12th day of April, A.D. 2022.

By _____
Andrew Sandstrom, President, Board of Directors

ATTEST:

Secretary

BOARD OF COUNTY COMMISSIONERS APPROVAL

The within Townhome Plat of ELCHO PLACE TOWNHOMES is approved this 3rd day of May, A.D. 2022, and the private dedication of roads and common areas is approved on the condition that such roads and common areas shall be maintained and snowplowed, by and at the expense of the lot owners and not by Gunnison County or any other public agency.

By _____
Chairperson, Board of County Commissioners

ATTEST:
Kathy Simillion
Gunnison County Clerk and Recorder

GUNNISON COUNTY SEAL COLORADO

GUNNISON COUNTY CLERK AND RECORDER'S ACCEPTANCE

This Townhome Plat was accepted for filing in the office of the Clerk and Recorder of Gunnison County, Colorado, on this 3RD day of MAY, 2022.

Reception Number #684456 Time 2:37PM Date 5/3/22

Kathy Simillion
Gunnison County Clerk and Recorder

GUNNISON COUNTY SEAL COLORADO

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684456
Page 1 of 1
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ALL COUNTY SURVEY INC.
Stephen Jessoe, P.L.S.
P.O. Box 7164, Gunnison, CO 81230
970-349-9400 www.allcountysurvey.com

TOWNHOME PLAT of ELCHO PLACE TOWNHOMES
LOT 9, BLOCK 4, CRESTED BUTTE SOUTH – SECOND FILING
LOCATED in NW 1/4 SEC. 27, T14S, R85W, 6th P.M.
STATE of COLORADO, COUNTY of GUNNISON

SCALE: 1" = 10'

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 legal action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

DATE: 29 March 2022
DRAWN BY: ADJ
REVIEWED BY: SLJ

REVISIONS:
1. 3/24/22 Edits per County

TOWNHOME PLAT of
ELCHO PLACE TOWNHOMES
LOT 9, BLOCK 4
CRESTED BUTTE SOUTH– SECOND FILING
IN NW1/4 SEC. 27, T14S, R85W, 6th PM
GUNNISON COUNTY, COLORADO