

## Legal Description

### Village at Silver Pick Description

KNOW ALL PERSONS BY THESE PRESENTS: That JAMES F. FRITZCHARD, whose legal address is 196 Oak Drive, Durango, Colorado, 81301, is the legal owner of a tract of land located in the NE 1/4 NE 1/4 of Section 35, Township 39 North, Range 9 West, N.M.P.M., La Plata County, Colorado, as described by Colorado Land Title Company order number L-530284.

Also, that LAND AT SILVERPICK, Inc., a Colorado Corporation, whose legal address is 4 Marina Isles Blvd., Suite 302, Indian Harbor Beach, Florida, 32937, being the record and legal owner of Tracts I, II, and III, located in the SW 1/4 SW 1/4 of Section 25 and the NW 1/4 NW 1/4 of Section 36, of Township 39 North, Range 9 West, N.M.P.M., La Plata County, as described by Colorado Land Title Company order number L-530285, and is herein re-described by the results of a survey:

Beginning at the Northeast corner of Section 35, Township 39 North, Range 9 West N.M.P.M., being a 3 1/4" diameter brass cap stamped BLM 1971-81;

Thence S 89°53'25" W along the north line of said Section 35, a distance of 1311.75 feet, to the Northwest corner of the said NE 1/4 NE 1/4 of Section 35;

Thence S 00°25'59" E along the west line of the said NE 1/4 NE 1/4 of Section 35, a distance of 1270.92 feet to a 1 1/2" aluminum cap stamped Clark LS 3836;

Thence N 89°17'45" E, a distance of 1816.38 feet to the westerly right-of-way of US Highway 550 project number FCCX 550-2(16);

Thence N 23°33'52" E along the said westerly right-of-way of US Highway 550, a distance of 487.63 feet to a 3 1/4" aluminum cap stamped CDOT ROW;

Thence N 23°18'55" E along the said westerly right-of-way of US Highway 550, a distance of 198.69 feet to a 3 1/4" aluminum cap stamped CDOT ROW;

Thence northeasterly along the said westerly right-of-way of US Highway 550, being a curve to the left, having a radius of 7539.44 feet, arc length of 676.18 feet, chord bearing of N 20°14'42" E, a distance of 675.97 feet, to a 3 1/4" aluminum cap stamped CDOT ROW;

Thence N 23°04'57" E along the said westerly right-of-way of US Highway 550, a distance of 99.26 feet to a 3 1/4" aluminum cap stamped CDOT ROW;

Thence northeasterly along the said westerly right-of-way of US Highway 550, being a curve to the left, having a radius of 5680.00 feet, arc length of 369.77 feet, chord bearing of N 1°33'16" E, a distance of 369.73 feet, to a point on the northerly line of Lot 3 of the Silverpick I, P.U.D. Phase I Silverpick at Purgatory Condominiums under Reception Number 507893;

Thence S 84°33'11" W along the said northerly line of Lot 3, a distance of 44.65 feet;

Thence N 72°06'49" W along the said northerly line of Lot 3, a distance of 93.00 feet;

Thence S 17°55'11" W along the said northerly line of Lot 3, a distance of 126.51 feet, to a point on the southerly line of said Silverpick I, P.U.D. Phase I Silverpick at Purgatory Condominiums;

Thence N 72°06'49" W along the said southerly line of Silverpick I, P.U.D. Phase I Silverpick at Purgatory Condominiums, a distance of 360.02 feet, to a 1 1/2" aluminum cap stamped Newport LS 11664;

Thence N 14°24'01" E along the westerly line of said Silverpick I, P.U.D. Phase I Silverpick at Purgatory Condominiums, a distance of 252.77 feet, to a 1 1/2" aluminum cap stamped Newport LS 11664;

Thence S 75°44'53" E along the said westerly line of Silverpick I, P.U.D. Phase I Silverpick at Purgatory Condominiums, a distance of 89.83 feet, to a 1 1/2" aluminum cap stamped Newport LS 11664;

Thence N 38°33'23" E along the said westerly line of Silverpick I, P.U.D. Phase I Silverpick at Purgatory Condominiums, a distance of 396.66 feet, to a 1 1/2" aluminum cap stamped Newport LS 11664;

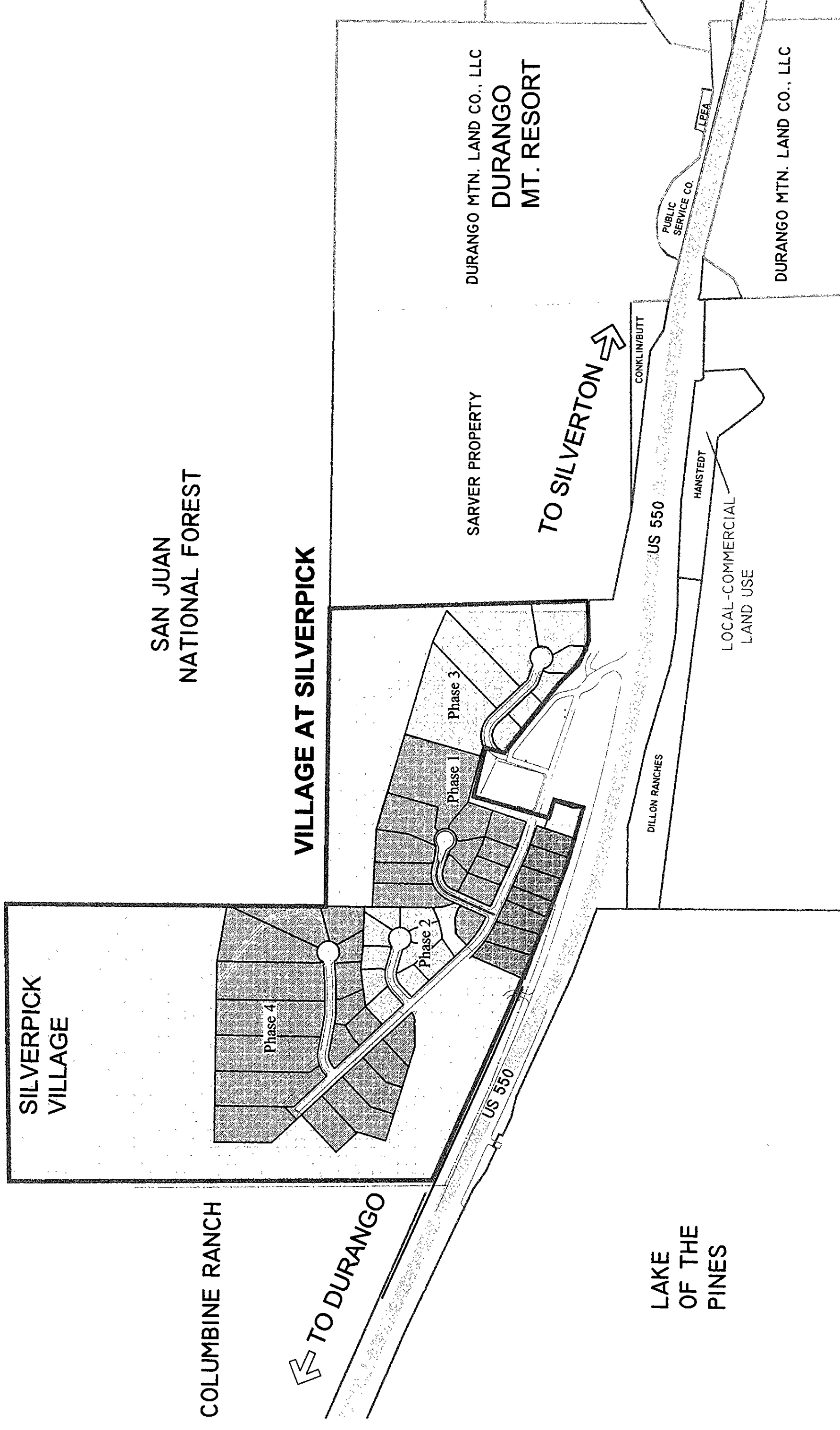
Thence N 00°49'41" W along the said westerly line of Silverpick I, P.U.D. Phase I Silverpick at Purgatory Condominiums, a distance of 179.73 feet, to a 1 1/2" aluminum cap stamped Newport LS 11664, being a point on the north line of the SW 1/4 SW 1/4 of said Section 25, Township 39 North, Range 9 West, N.M.P.M.;

Thence S 88°45'08" W along the north line of the said SW 1/4 SW 1/4 of Section 25, a distance of 1137.65 feet to the Northwest corner of said SW 1/4 SW 1/4 of Section 25, being a 1 1/2" aluminum cap stamped Newport LS 11664;

Thence S 00°28'28" W along the west line of the said SW 1/4 SW 1/4 of Section 25, a distance of 1318.08 feet to the Point of Beginning.

Containing 90.19 acres, more or less.

SUBJECT TO all easements of public record, or otherwise established.



## VILLAGE AT SILVERPICK VICINITY MAP



SCALE 1" = 400'-0"

Note:  
Full Size Sheet (24" X 36") Scale 1" = 400'  
Half Size Sheet (11" X 17") Scale 1" = 800'

### Village at Silverpick Conceptual Development Plan Notices:

**Notice: Land Use Governance** - All development in Village at Silverpick shall conform to the requirements set forth in the Village at Silverpick Development Agreement as recorded in the office of La Plata County, Colorado, Clerk and Recorder on 8/4/2006 at Reception No. 931393

**Notice: Conceptual Development Plan** - A conceptual development plan does not constitute a site-specific development plan as that term is defined in C.R.S. Sec. 24-68-102(4), or in the Village at Silverpick Development Agreement, or the La Plata County Code Section 82-80.

**Notice: Conceptual Layouts-Lot sizes, building envelope configurations, and all designs are conceptual only.** All roads shall be designed according to the Village at Silverpick Development Agreement and Master Infrastructure Plan.

**Notice: Any Conceptual Building Envelope** may be modified, relocated or removed by the Board of County Commissioners at Preliminary Plat stage, if necessary, in order to comply with the Village at Silverpick Development Agreement.

**Notice: Maximum Conceptual Densities** - The Village at Silverpick Conceptual Plan establishes Maximum Conceptual Densities. Site specific review may result in an adjustment in the total number of lots or redesign of lots or building envelope configurations.

**Notice: The designated land uses and infrastructure layout** depicted on these plans are only conceptual, and still subject to project reviews by La Plata County. These plans should not be relied upon as an accurate depiction of the final development Village at Silverpick. The governing documents for specifications is the Development Agreement and the La Plata County Code.

**Notice: The Conceptual Development Plan** does not constitute a site-specific development plan and does not represent a vested development right. The Conceptual Development Plan shall be recorded and the developer has 10 years to complete the development.

**Notice: Silverpick Water Utility LLC** holds a waterline easement as shown herein. Silverpick Water Utility LLC acknowledges that a Class II permit will be required prior to extending water service beyond current service area.

**Notice: A phase specific Geo-hazard report** will be submitted with each preliminary plat for review by CGS and the County. The plat shall require a geotechnical report for Lots 8, 9, 10, 11, 12, 20, 21, 22, 23, 34, 44, 45, 46, 47, 48, 49, 50, and 51 prior to issuance of a building permit, or any other lot if determined by County at the time of preliminary plat review.

**Notice: The Village at Silverpick Homeowners Association** shall be responsible for the on-going maintenance of the historic drainage channels located at both the northern and southern limits of the development, so as to ensure drainage flows remain in current day flow channels.

STATE OF COLORADO  
LA PLATA COUNTY

I hereby state that this instrument was filed for record at \_\_\_\_\_ o'clock \_\_\_\_\_ m. on the \_\_\_\_\_ day of **AUGUST**, 2006, and duly recorded. Rec. No. **131314**. Fee \$ **31.00**

Linda Daley, Recorder  
By: *Linda Daley* Deputy



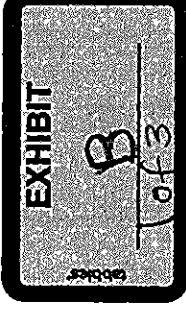
190 TALESMAN #C-5  
P.O. Box 388  
Durango, CO 81402  
Phone: 970-251-1473  
Fax: 970-251-1476

**BECHTOLT**  
ENGINEERING, INC.

VILLAGE AT SILVERPICK  
CONCEPTUAL DEVELOPMENT PLAN  
Project 2004-0187  
VICINITY MAP  
EXHIBIT 'B'

LOCATED IN SECTIONS 35 AND 36  
TOWNSHIP 39 NORTH, RANGE 9 WEST, N.M.P.M.  
DATE: 06/20/2006

SHEET: 1 of 3



# SITE LEGEND

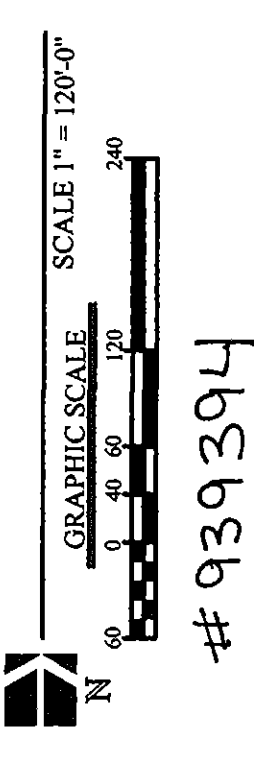
## LINE TYPE LEGEND

### EXISTING ITEMS

- ..... LIMITS OF HISTORIC DEBRIS FLOWS
- ..... LIMITS OF HISTORIC ROCKFALL ACTIVITY
- EXISTING 20' CONTOUR
- PUBLIC TRAIL
- PRIVATE TRAIL
- OPEN SPACE DELINEATION LINE
- 30% SLOPE
- BUILDING ENVELOPES (AREA IN WHICH STRUCTURE FOOTPRINT TO BE LOCATED)
- 50' MAXIMUM GEO-HAZARD EASEMENT

DEVELOPMENTAL LAND USE			
USE	AREA (AC)	UNITS	PERCENTAGE
BUILDING ENVELOPES	8.2	55	9.1%
SINGLE FAMILY MULTI FAMILY (LOT 16)	22.7	6	25.1%
INFRASTRUCTURE AREAS	0.7		0.8%
WETLAND AREAS	3.8		4.2%
GEO-HAZARD EASEMENT	54.8		60.8%
COMMON PRIVATE OPEN SPACE	41.9		46.5%
	12.9		14.3%
<b>TOTAL</b>	<b>90.2</b>		<b>100%</b>

\*OPEN SPACE (COMMON AND PRIVATE) as shown herein shall remain open and free of development other than the existing overhead utility, trail heads and related improvements, trails and signage.



# 939394

190 TALISMAN #C-3  
P.O. Box 388  
Silverpick, CO 81147  
Phone: 970-539-7314  
Fax: 970-539-4272

**BECHTOLT**  
ENGINEERING, INC.

VILLAGE AT SILVERPICK  
CONCEPTUAL DEVELOPMENT PLAN  
Project 2004-0187  
SITE PLAN  
EXHIBIT 'B'

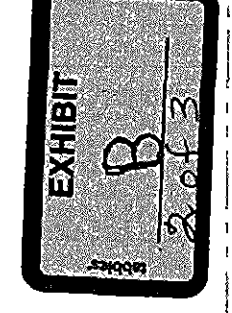
LOCATED IN SECTIONS 35 AND 36  
TOWNSHIP 39 NORTH, RANGE 9 WEST, N.M.P.M.

DATE: 06/20/2006

SHEET: 2 of 3

Silverpick Water System			
Well #1	N 37° 37.120'	W 107° 48.794'	
Well #2	N 37° 36.954'	W 107° 48.807'	
Treatment Building	N 37° 37.120'	W 107° 48.794'	

Note: No type of Development Rights Are Granted to the Adjacent Property, Other Than Utility Maintenance Needs by this CDP.



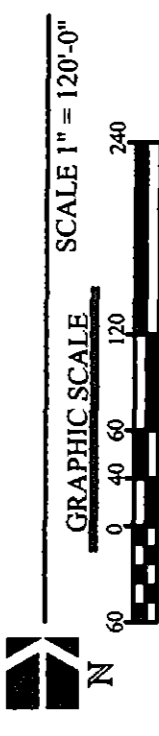
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Designed by: [Signature] Date: 06/20/2006  
Drawn by: [Signature] Date: 06/20/2006  
Scale: 1" = 120'-0"

# SITE LEGEND

- EXISTING 2'0" CONTOUR
- PUBLIC TRAIL
- PRIVATE TRAIL
- TREE LINE
- BUILDING ENVELOPES  
(AREA IN WHICH STRUCTURE  
FOOTPRINT TO BE LOCATED)

## Trail Design Standards shall include:

- Trails shall utilize existing trail routes of cleared areas wherever practical in order to reduce the amount of clearing necessary.
- Trails shall minimize the number of driveway and road crossings.
- Trails shall be separated from roadways and buildings where practical to preserve their mountain character.
- Trails shall be located in areas that will minimize user conflicts to the maximum extent practical.
- Trails shall be designed in a manner that takes advantage of natural, existing vegetation to buffer the trails from development and mitigate any safety hazards.
- Village at Silverpick will attempt to work with other private property owners to insure a continuous trail system but will not be responsible for acquiring trail easements on or across property owned by other parties.
- Trail construction shall include clearing and grading, footbridges, signage, drainage improvements and erosion control. All of these improvements may not be applicable to all trail sections.
- All trail easements shall be 10 feet in width and provide for a clearing of approximately 6 feet in width.



939394

190 TALLMAN #C-5  
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**BECHTOLT**  
ENGINEERING, INC.

VILLAGE AT SILVERPICK  
CONCEPTUAL DEVELOPMENT PLAN  
Project 2004 - 0187  
TRAIL MAP, TREE LINE DELINEATION,  
AND PHASE MAP  
EXHIBIT 'B'

LOCATED IN SECTIONS 35 AND 36  
TOWNSHIP 39 NORTH, RANGE 9 WEST, N.M.P.M.  
DATE: 06/20/2006

EXHIBIT  
B  
2 of 3

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