

First Supplemental Plat
WILDHORSE AT PROSPECT, MT. CRESTED BUTTE

A Parcel of land situated within
Lot 14 Section 13, Township 13 South, Range 86 West of the 6th P.M.,
NE1/4 and NW1/4 Section 24, Township 13 South, Range 86 West of the 6th P.M.,
County of Gunnison, State of Colorado

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That WILDHORSE LLC, a Colorado Limited Liability Company, being the owner of the land described as follows:

WILDHORSE AT PROSPECT, MT. CRESTED BUTTE, as recorded at Reception No. 555501 in the Office of the Clerk and Recorder, Gunnison County, Colorado, and being also described as a parcel of land situated in the East Trade Parcel as described at Reception No. 513451 in the Office of the Clerk and Recorder, Gunnison County, Colorado, also being in Government Lot 14 Section 13, Township 13 South, Range 86 West and the NW1/4 of Section 24, Township 13 South, Range 86 West of the 6th P.M. and more particularly described as follows:

Beginning at the NW1/4 of said Section 24 with all bearings being relative to S87°22'04"W between found monuments for said NW1/4 and the E-W1/2 of said Section 24, thence N67°01'12"E along the north line of the NW1/2 of said Section 24 a distance of 638.82 feet to the W-1/2 of said Section 24, thence S01°08'27"W along the east line of said NW1/2 of said Section 24 a distance of 637.76 feet to the NW-NE1/4 of said Section 24 also being a point on the northerly line of the plot for Prospect at Mt. Crested Butte, Phase 1 as recorded at Reception No. 522218 thence the following (13) courses along the northerly line of said Prospect at Mt. Crested Butte, Phase 1, S44°05'42"W a distance of 211.18 feet, thence N72°13'56"W a distance of 12.28 feet, thence N70°36'42"W a distance of 288.23 feet, thence S71°03'22"W a distance of 388.62 feet, thence S64°55'41"W a distance of 189.00 feet, thence S57°29'39"W a distance of 135.25 feet, thence S27°24'25"W a distance of 92.70 feet, thence S55°33'32"E a distance of 125.01 feet, thence N54°52'28"W a distance of 66.38 feet, thence S32.88 feet along the arc of a curve to the right, having a radius of 3288.00 feet, a central angle of 00°18'29" and subtending a chord bearing N59°11'44"W a distance of 532.27 feet, thence N54°10'20"W a distance of 114.39 feet, thence 112.65 feet along the arc of a curve to the right, having a radius of 3763.00 feet, a central angle of 17°26'44" and subtending a chord bearing N52°27'36"W a distance of 112.22 feet, thence S40°44'14"W a distance of 240.94 feet, thence 120.70 feet along the arc of a curve to the right, having a radius of 2700.00 feet, a central angle of 26°53'14" and subtending a chord bearing N33°17'37"W a distance of 125.94 feet, thence N39°56'29"E a distance of 302.74 feet, thence S43°14'2"E a distance of 220.48 feet, thence N81°37'57"E a distance of 95.17 feet to a point on the east line of said Government Lot 14 Section 13, thence S31°38'59"W along said east line a distance of 54.13 feet to said E-W1/2 of said Section 24, thence N87°22'34"E along the north line of the NE1/4 of said Section 24 a distance of 656.75 feet to the point of beginning, said parcel contains 24.653 acres more or less.

WILDHORSE BUTTE, Gunnison County, Colorado, under the name and style of WILDHORSE AT PROSPECT, MT. CRESTED BUTTE has laid out, platted and subdivided the same as shown on this plat, and by these presents do hereby convey (1) to the Reserve Metropolitan District No. 1 the public streets, roads and public trails shown hereon (2) to the Reserve Metropolitan District No. 1 those areas labeled as "Utility Easement" for the installation and maintenance of public utilities, drainage, (3) to the Town of Mt. Crested Butte those portions of land labeled as "Open Space D, E & F" (4) to the Wildhorse at Prospect Mt. Crested Butte Home Owners Association, the 40 foot Private Access Easement.

In witness whereof, Wildhorse LLC, a Colorado Limited Liability Company, has caused its name to be hereunto subscribed this 11th day of December, A.D. 2006.

WILDHORSE LLC, a Colorado Limited Liability Company,
By: William Development LLC, a Colorado Limited Liability Company,
Its Manager

By: Explo Resort Development, LLC, a Colorado Limited Liability Company,
in and for the benefit of Wildhorse Development LLC

By: Don L. Fitchell, Jr., Managing Member

By: Richard B. Barnes, Managing Member

STATE OF COLORADO) ss
County of GUNNISON)

The foregoing instrument was acknowledged before me this 11th day of December, 2006, by Don L. Fitchell, Jr. and Richard B. Barnes as Managing Members of Explo Resort Development, LLC, a Colorado Limited Liability Company.

Witness my hand and official seal.
My commission expires: 09/20/2010



RECITATION OF PROTECTIVE COVENANTS

1. Declaration of Covenants, Conditions and Restrictions for Prospect at Mt. Crested Butte recorded July 15, 2002 at Reception No. 521970, and Amendment to Declaration of Covenants, Conditions and Restrictions for WILDHORSE AT PROSPECT, MT. CRESTED BUTTE recorded 08/28/06 at Reception No. 521405.

2. Declaration of Covenants, Conditions and Restrictions for North Mt. Crested Butte recorded July 15, 2002 at Reception No. 539420 and the First Amendment recorded at Reception No. 539425.

3. Declaration of Covenants, Conditions and Restrictions in the PLANNED COMMUNITY DECLARATION, WILDHORSE AT PROSPECT, MT. CRESTED BUTTE recorded 7/15/02, 2006, at Reception No. 511645-1.

ATTORNEY'S OPINION

I, Norman Helms, being an attorney-at-law duly licensed to practice before the courts of record in the State of Colorado, do hereby certify that I have examined the file to all lands herein dedicated and shown upon this plat and that title to such lands is in the dedication (fee and clear of all liens, taxes and encumbrances, except the following exceptions as shown on First American Heritage Title Company's Commitment No. 931-10142305-043-SG, Amendment No. A.

- Taxes and Assessments not certified to the Treasurer's office.
- Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
- Easements, or claims of easements, not shown by public records.
- Unrecorded, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct survey and depiction of the land would disclose, and which are not shown by the public records.
- Any lien, or right to a lien, for services, labor or material furnished or hereafter furnished, imposed by law and not shown by the public records.
- Any water rights or claims or title to water in, on, or under the land.
- Any and all liens, burdens, obligations, assessments and rights of way arising from or created by membership in, applications to, or contracts with the Town of Mt. Crested Butte.
- Homeowners association assessments, now due and payable.
- Taxes and assessments, now due or payable.
- Amended Easement Agreement recorded on November 18, 1998 at Reception No. 488283.
- Terms, conditions, provisions, obligations and restrictions of that certain Special Warranty Deed recorded on April 1, 2003 at Reception No. 522315.
- Covenants, conditions and restrictions but containing restrictions if any, based on race, color, religion or national origin, as contained in instruments recorded on July 15, 2002 at Reception No. 521970, first amendment recorded March 1, 2004 at Reception No. 523405, Assignment of Declaration Rights recorded March 1, 2004 at Reception No. 520415, Assignment of Development Rights recorded April 1, 2005 at Reception No. 523216, Second Amendment recorded April 1, 2005 at Reception No. 523172, Amended Deed recorded September 23, 2005 at Reception No. 528501, Planned Community Declaration recorded September 23, 2005 at Reception No. 528502.
- Terms, conditions, provisions, obligations and restrictions of that certain PUD in Guide recorded on July 15, 2002 at Reception No. 521967.
- Stipulating Easement Agreement recorded on April 1, 2005 at Reception No. 523218.
- Right of way for ditches or canals constructed by the authority of the United States, as reserved in Declaration of State Patent recorded on November 18, 1998 at Reception No. 489713.
- The effects of that certain Ordinance recorded May 21, 2001 at Reception No. 510871.
- Any terms, conditions, provisions, obligations and restrictions of that certain Annexation and Development Agreement recorded on May 21, 2001 at Reception No. 510875, Amendment to the Annexation and Development Agreement recorded May 23, 2002 at Reception No. 520855, Second Amendment to the Annexation and Development Agreement recorded October 7, 2002 at Reception No. 524489.
- Conservation Easement Covenant recorded on July 15, 2002 at Reception No. 521965.
- Irrevocable License Agreement recorded on July 15, 2002 at Reception No. 521966.
- Mutual Agreement of Understanding recorded on July 15, 2002 at Reception No. 521965.
- Consolidated Service Plan for Reserve Metropolitan District No. 1 and No. 2 recorded on September 6, 2001 at Reception No. 513360.
- Order for Inclusion recorded on April 26, 2002 at Reception No. 518993 and June 20, 2002 at Reception No. 521283.
- Order and Decree recorded on September 6, 2001 at Reception No. 513362.
- Order of Inclusion recorded on June 19, 2001 at Reception No. 511638.
- Easement Agreement recorded on February 9, 2005 at Reception No. 550743.
- Raw Land Road Easement as disclosed by instrument recorded July 19, 2002 at Reception No. 522200.

DISCLAIMER

1. Lots and parcels within WILDHORSE AT PROSPECT, MT. CRESTED BUTTE contain inherent geologic hazard of varying degrees. This property is subject to the findings, summary and conclusions of a Geologic Hazard Report prepared by CIL Thompson dated November 24, 1998. A copy of said report had been placed within the DEVELOPMENT PLAN TITLE held by the Town of Mt. Crested Butte, Colorado, if you would like to review said report.

2. WILDHORSE AT PROSPECT, MT. CRESTED BUTTE is subject to a Conservation Easement Covenant for Prospect at Mt. Crested Butte recorded July 15, 2002 at Reception No. 521965.

3. The public has the same right of use of the Open Space within Wildhorse at Prospect, Mt. Crested Butte, as the lot owners of any lots or parcels within Wildhorse at Prospect, Mt. Crested Butte.

4. Use of Easements:
4.1 Roadways (40' and 60' Public Access and Utility Easements) All Roadways and general access areas within the subdivision, including driveways, may be utilized for utility, access and other common services for the subdivision on a non-exclusive basis without impairing any access to or passage through the subdivision.

4.2 Utility Easements: An easement for the construction, installation, maintenance, repair and use of public utilities, including water, sewer, electrical, telephone, gas, cablevision and to be used for snow storage, sidewalks, cut/fill slopes, retaining walls, utility, storm drainage control structures, ditches, detention ponds, infiltration wells, bridge and bridge abutments and any other related facilities adjacent to any street or road.

4.3 Trail Easements: An easement for the public to walk, hike or bicycle during such times as there is no snow cover on the trails. A Trail Easement that also exist across any Open Space may be determined by the Reserve Metropolitan District No. 1.

4.4 All General Common Areas (GCA), Open Space Areas and Homeless Development Areas (areas adjacent to the lots) are subject to perpetual, non-exclusive easements in favor of Wildhorse LLC, its successors and assigns, as well as the Homeowner's Association(s) and each owner of a lot or parcel within Wildhorse at Prospect, which easements exist over, under, across and through such areas as reasonably necessary for the construction, installation, maintenance, repair and replacement of storm drainage control structures, retention ponds, drainage and the structures, facilities, installations for water drainage and the control of water flow, as well as for any reasonable necessary cut/fill slopes and related facilities and installations adjacent to any street or road.

4.5 Limited Common Areas (areas adjacent to the lots), are further subject to perpetual, non-exclusive easements in favor of Wildhorse LLC, its successors and assigns, as well as the Homeowner's Association(s) and each owner of a lot or parcel within Wildhorse at Prospect, which easements exist over, under, across and through such areas as reasonably necessary for the provision, construction, installation, maintenance, repair and replacement of utility and other services, as well as driveways, sidewalks and other access facilities, to the lots and parcels.

4.6 Special Common Areas means those parts of the General Common Areas which may be owned by the Association to its management company or manager on an exclusive or non-exclusive basis, or which may be licensed to third parties by or through the Association.

5. Basis of bearing for this map is a bearing of N86°42'42"E, established between the South 1/4 corner BLM Brass Cap and the SE Station Corner of Section 24 BLM Brass Cap, Township 13 South, Range 86 West of the 6th Principal Meridian, Colorado. Bearings shown on this map are grid North Colorado State Plane Central Zone.

6. This survey does not represent a title search by this surveyor to determine ownership or to discover easements or other encumbrances of record. All information pertaining to ownership, interests or other encumbrances of record have been taken from a title insurance commitment issued by Gunnison County Abstract Company on June 10, 2005 at Commitment No. 310215.

7. In addition to the exceptions to title identified elsewhere in this Supplemental Plat, the ownership, use and enjoyment of the property, including without limitation title, residences, personal and limited common areas, roadways, amenities and future expansion on the property, if any, are governed and controlled by the Planned Community Declaration for Wildhorse at Prospect, as amended from time to time (the "Declaration"). The initial Declaration will be filed of record in the Office of the Clerk and Recorder for Gunnison County contemporaneously with the filing of this Plat.

8. @ U.S. Forest Service 2-1/2" Dia. aluminum marked as shown L.S. 20133
@ B.M. 2" Dia. aluminum or brass cap marked as shown
@ Set Rebar #5 & Red Plastic Cap marked L.S.20133

NOTICE: According to Colorado law, you must examine any open action before you sign this plat. If you do not, you may be liable for any loss or damage you incur. This disclaimer must be placed in the deed or other instrument which conveys the property. If you do not place this disclaimer in the deed or other instrument, you may be liable for any loss or damage you incur.

SCHMUESER GORDON MEYER
ENGINEERS & SURVEYORS

SCHMUESER GORDON MEYER
118 W. 6TH STREET, SUITE 200
DENVER, COLORADO 80202
(970) 945-1004 FAX (970) 945-5948
ASPEN, COLORADO 9701 925-5727
CRESTED BUTTE, CO 9701 348-5365
E-MAIL: survey@sgm.com

Wildhorse at Prospect
Mt. Crested Butte

FILE NO.	REVISION	DATE	BY

First Supplemental Plat

Job No. 2006-238.001
Drawn by: thc/mj
Date: Nov. 17, 2006
Approved: _____
Title: _____

1 of 4

RESERVE METROPOLITAN DISTRICT NO. 1

The dedication of the utility easements and public streets/roads and public trails shown hereon are accepted by the Reserve Metropolitan District No. 1, subject to the condition that the Reserve Metropolitan District No. 1 shall undertake the maintenance of said public streets, roads, ditches and trails only after consideration of said public streets, roads and ditches have been satisfactorily completed to the specifications of the Town of Mt. Crested Butte, Colorado and the District and a resolution of the Board of Directors of the Reserve Metropolitan District No. 1 accepting the same has been adopted and placed of record.

Dated this 12th day of December, 2006.

Reserve Metropolitan District No. 1
By: _____
Title: President

MT. CRESTED BUTTE TOWN COUNCIL

The within plat of WILDHORSE AT PROSPECT, MT. CRESTED BUTTE is approved for filing and the Town accepts the conveyance of all Open Space this 12th day of December, 2006.

THE TOWN COUNCIL
OF CRESTED BUTTE
By: _____
Mayor
Attest: Donna Orndorff
Town Clerk

SURVEYOR'S CERTIFICATE

I, Kendrick E. Hauswacker, being a registered land surveyor in the state of Colorado, do hereby certify that this plat and survey of WILDHORSE AT PROSPECT, MT. CRESTED BUTTE was made by me and under my supervision and that both are accurate to the best of my knowledge. Steel pins and/or large cap monuments were set at all boundary corners. Dated this 27th day of December, 2006.

Kendrick E. Hauswacker
Professional Land Surveyor #24322

GUNNISON COUNTY CLERK AND RECORDER'S OFFICE

This plat was accepted for filing in the office of the Clerk and Recorder of Gunnison County, Colorado, on this 15th day of December, A.D. 2006, Reception Number 521444, Time 10:21 AM, Date 12-15-2006.

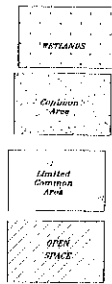
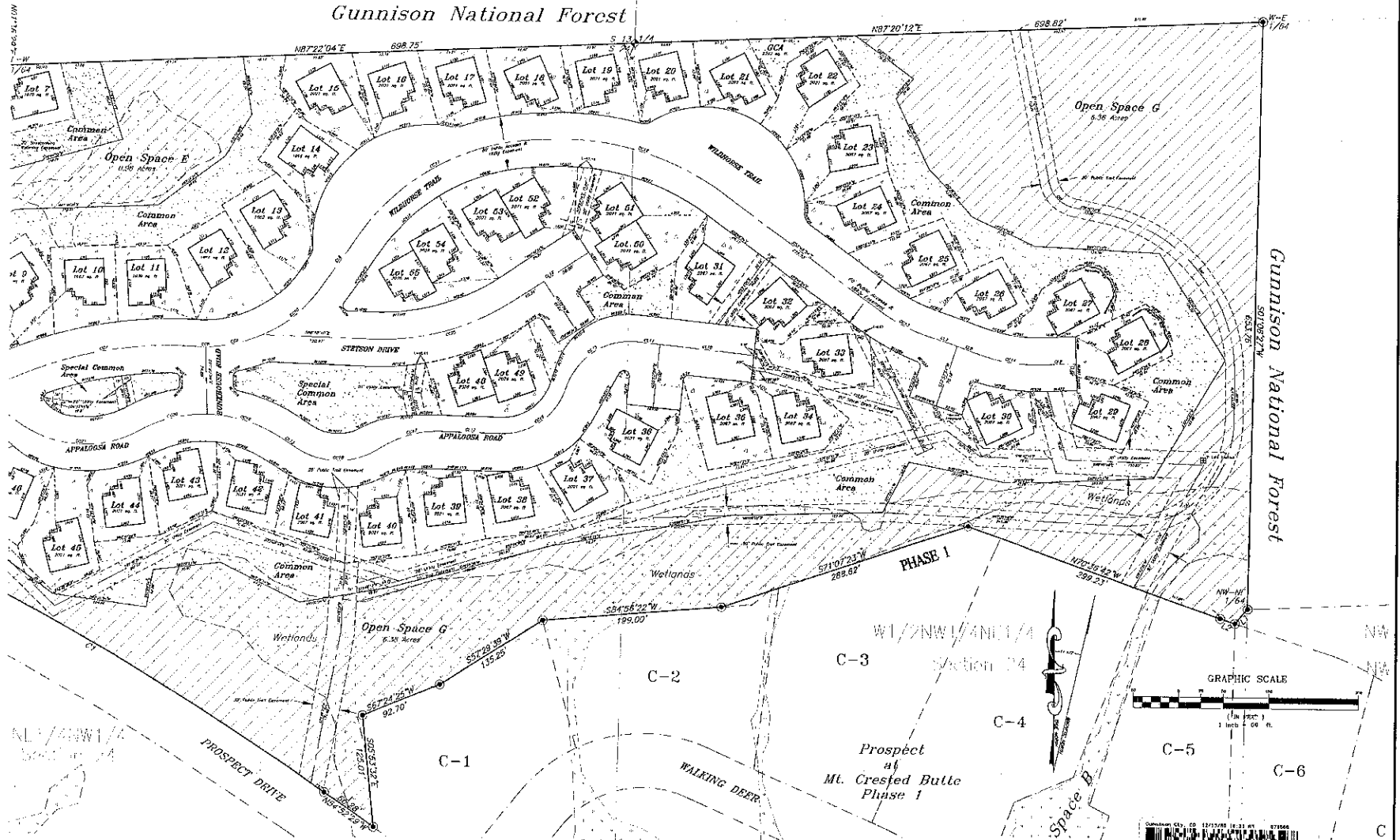
Richard M. Smith
Gunnison County Clerk and Recorder

First Supplemental Plat
Wildhorse at Prospect
Mt. Crested Butte

SW 1/4, 4, 1/4
Section 14

Gunnison National Forest

See Sheet 2



Note:
According to Colorado Law, you must
reference any plat within three years after
date of this survey within three years after
you first discover each defect. In no event
will any legal action extend date of defect
in this plat be commenced more than ten
years from the date of the certification survey
thereon.

SCHMUESER | GORDON | MEYER
ENGINEERS & SURVEYORS

SCHMUESER GORDON MEYER
116 W. 6TH STREET, SUITE 200
GLENWOOD SPRINGS, COLORADO 81601
(970) 945-1004 FAX (970) 945-9648
ASPEN, COLORADO (970) 625-6727
CRESTED BUTTE, CO (970) 349-5365
E-mail: smg@gsmc.com

Wildhorse at Prospect
Mt. Crested Butte

NO.	REVISION	DATE	BY

First Supplemental
Plat

Job No.	99097-07	3
Drawn by	lkc	
Date	8 July 05	
Approved		
		of 4

