

BEING A PART OF SECTION 26 AND SECTION 35, TOWNSHIP 4 SOUTH, RANGE 78 WEST
OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF SILVERTHORNE,
COUNTY OF SUMMIT, STATE OF COLORADO

EAGLES NEST GOLF COURSE FILING NO. 2

BEING A PART OF SECTION 26 AND SECTION 35, TOWNSHIP 4 SOUTH, RANGE 78 WEST
OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF SILVERTHORNE,
COUNTY OF SUMMIT, STATE OF COLORADO

CERTIFICATION AND DEDICATION FOR MORTGAGE HOLDER OR DEED OF TRUST HOLDER

KNOW ALL BY THESE PRESENTS that U.S. Bank National Association, being the holder of a mortgage or deed of trust on the real property situated in the Town of Silverthorne, Summit County, Colorado, described as follows:

PARCEL 1

A parcel of land being a portion of Section Twenty-six (26) and Section Thirty-five (35), Township Four (4) South, Range Seventy-eight (78) West of the Sixth Principal Meridian, Town of Silverthorne, County of Summit, State of Colorado, said parcel of land being more particularly described as follows:

COMMENCING at the Southwest Corner of said Section 26, and considering the West line of the Southwest Quarter (SW1/4) of said Section 26 to bear North 00°18'06" East, with all bearings contained herein relative thereto:

THENCE North 00°18'06" East along said line a distance of 415.95 feet to the POINT OF BEGINNING;

THENCE North 00°18'06" East along said line a distance of 2248.22 feet to the North line of the SW1/4 of said Section 26;
THENCE South 89°32'18" East along said line a distance of 849.17 feet;
THENCE North 30°35'02" East a distance of 614.35 feet;
THENCE North 68°02'07" East a distance of 147.42 feet;
THENCE North 06°34'26" West a distance of 205.00 feet;
THENCE South 89°37'29" East a distance of 266.17 feet to a point on a curve, said curve being non-tangent to the aforesaid line, also being the Westerly right-of-way of Colorado State Highway No. 9;
THENCE along the Arc of a curve which is concave to the Northeast a distance of 355.88 feet, whose Radius is 1687.10 feet, whose Delta is 12°05'10" and whose Long Chord bears South 39°00'42" East a distance of 355.22 feet to the Northeast corner of Eagles Nest Golf Course Filing No. 1 as recorded in Summit County Records under Reception No. 603696;
THENCE along said Eagle Nest Golf Course Filing No. 1 the following Forty-two courses;
THENCE South 52°15'41" West along a line being non-tangent to the aforesaid curve a distance of 147.62 feet;
THENCE South 25°39'22" West a distance of 39.67 feet;
THENCE South 15°57'20" East a distance of 52.06 feet;
THENCE South 35°00'37" East a distance of 52.38 feet;
THENCE South 22°46'23" West a distance of 89.20 feet to a point on a curve, said curve being non-tangent to the aforesaid line;
THENCE along the Arc of a curve which is concave to the Northwest a distance of 307.24 feet, whose Radius is 115.00 feet, whose Delta is 153°04'29" and whose Long Chord bears South 09°18'24" West a distance of 223.68 feet;
THENCE South 09°41'36" West along a line being non-tangent to the aforesaid curve a distance of 59.83 feet;
THENCE South 03°34'43" East a distance of 63.83 feet;
THENCE South 26°34'50" East a distance of 84.59 feet;
THENCE South 46°52'01" East a distance of 174.71 feet;
THENCE South 40°20'00" East a distance of 172.36 feet;
THENCE South 24°07'00" East a distance of 165.77 feet;
THENCE South 26°34'50" West a distance of 44.52 feet;
THENCE South 84°43'10" West a distance of 346.11 feet;
THENCE South 79°39'05" West a distance of 127.86 feet;
THENCE North 83°40'49" West a distance of 174.35 feet;
THENCE South 78°38'59" West a distance of 129.77 feet;
THENCE South 13°29'57" West a distance of 312.09 feet;
THENCE South 00°53'03" East a distance of 576.33 feet;
THENCE South 56°17'35" West a distance of 126.80 feet;
THENCE North 33°42'25" West a distance of 221.87 feet;
THENCE North 11°08'41" West a distance of 443.00 feet;
THENCE North 17°02'17" East a distance of 338.37 feet;
THENCE North 10°13'16" West a distance of 133.35 feet;
THENCE North 39°04'10" West a distance of 86.53 feet;
THENCE North 00°30'24" West a distance of 20.96 feet to a point on a curve, said curve being non-tangent to the aforesaid line;
THENCE along the Arc of a curve which is concave to the Northeast a distance of 67.36 feet, whose Radius is 280.00 feet, whose Delta is 13°47'04" and whose Long Chord bears North 71°07'37" West a distance of 67.20 feet;
THENCE South 10°08'18" West along a line being non-tangent to the aforesaid curve a distance of 35.74 feet;
THENCE South 67°04'54" West a distance of 126.50 feet;
THENCE South 41°46'19" West a distance of 91.24 feet;
THENCE South 18°13'06" West a distance of 48.01 feet;
THENCE South 56°32'18" West a distance of 195.86 feet;
THENCE South 84°12'42" West a distance of 105.08 feet to a point on a curve, said curve being non-tangent to the aforesaid line;
THENCE along the Arc of a curve which is concave to the Southwest a distance of 76.44 feet, whose Radius is 1030.00 feet, whose Delta is 04°15'08" and whose Long Chord bears South 04°13'07" East a distance of 76.42 feet to a Point of Tangency (PT);
THENCE South 02°05'33" East a distance of 506.33 feet to a Point of Curvature (PC);
THENCE along the Arc of a curve which is concave to the Northeast a distance of 249.89 feet, whose Radius is 970.00 feet, whose Delta is 14°45'37" and whose Long Chord bears South 09°28'22" East a distance of 249.20 feet to a PT;
THENCE South 16°51'10" East a distance of 270.57 feet to a PC;
THENCE along the Arc of a curve which is concave to the Northeast a distance of 74.32 feet, whose Radius is 170.00 feet, whose Delta is 25°02'59" and whose Long Chord bears South 29°22'40" East a distance of 73.73 feet to a Point of non-Tangency;
THENCE North 42°38'15" East a distance of 251.60 feet;
THENCE South 47°03'37" East a distance of 645.10 feet;
THENCE South 60°54'13" East a distance of 57.76 feet to a point on Eagles Nest Golf Course Filing No. 4 as recorded in Summit County Records under Reception No. 627909;
THENCE along said Eagles Nest Golf Course Filing NO. 4 the following six courses;
THENCE South 44°07'10" West a distance of 213.10 feet;
THENCE South 62°36'08" West a distance of 104.41 feet to a point on a curve, said curve begin non-tangent to the aforesaid line;
THENCE along the arc of a curve which is concave to the West a distance of 36.53 feet, whose Radius is 180.00 feet, whose Delta is 11°37'36" and whose Long Chord bears South 11°32'21" East a distance of 36.46 feet to a PT;
THENCE South 05°43'33" East a distance of 100.00 feet to a PC;
THENCE along the arc of a curve which is concave to the Northeast a distance of 118.24 feet, whose Radius is 70.00, whose Delta is 96°46'47" and whose Long Chord bears South 54°06'56" East a distance of 104.68 feet to a PT;
THENCE North 77°29'41" East a distance of 97.88 feet to a point on the Westerly line of said Eagles Nest Golf Course Filing No. 1;

THENCE South 12°30'19" East along said line distance of 60.00 feet;
THENCE South 77°29'41" West a distance of 97.88 feet to a PC;
THENCE along the Arc of a curve which is concave to the Northeast a distance of 219.59 feet, whose Radius is 130.00 feet, whose Delta is 96°46'47" and whose Long Chord bears North 54°06'56" West a distance of 194.40 feet to a PT;
THENCE North 05°43'33" West a distance of 78.77 feet to a PC;
THENCE along the Arc of a curve which is concave to the Southwest a distance of 26.31 feet, whose Radius is 15.00 feet, whose Delta is 100°29'47" and whose Long Chord bears North 55°58'27" West a distance of 23.06 feet;
THENCE North 18°47'28" West along a line being non-tangent the aforesaid curve a distance of 50.05 feet to a point on a curve, said curve being non-tangent to the aforesaid line;
THENCE along the Arc of a curve which is concave to the Northwest a distance of 28.98 feet, whose Radius is 15.00 feet, whose Delta is 110°40'43" and whose Long Chord bears North 18°26'18" East a distance of 24.68 feet to a PT;
THENCE North 36°54'03" West a distance of 264.67 feet to a PC;
THENCE along the Arc of a curve which is concave to the Southwest a distance of 143.36 feet, whose Radius is 370.00 feet, whose Delta is 22°11'58" and whose Long Chord bears North 48°00'02" West a distance of 142.46 feet to a PT;
THENCE North 59°06'01" West a distance of 41.02 feet to a PC;
THENCE along the Arc of a curve which is concave to the Northeast a distance of 149.96 feet, whose Radius is 580.00 feet, whose Delta is 14°48'50" and whose Long Chord bears North 51°41'36" West a distance of 149.54 feet;
THENCE South 43°42'20" West along a line being non-tangent to the aforesaid curve a distance of 441.66 feet;
THENCE South 57°59'25" West a distance of 127.45 feet to the POINT OF BEGINNING;
Containing 60.065 acres, more or less; as shown on this final plat under the name and style of
EAGLES NEST GOLF COURSE FILING NO. 2, a subdivision in the Town of Silverthorne, Summit County, Colorado; agrees to the dedication and setting 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 agree to the dedication of these portions of said real property which are indicated as easement on the accompanying plat as easements for the purpose shown hereon; and does hereby agree to the granting of the right to install and maintain necessary structures to the entity responsible for providing the services for which the easements are established and does hereby subordinate its interests in said dedicated property to the Town of Silverthorne.

Executed this 2nd day of October, A.D. 2000.

Deed of Trust Holder: U.S. Bank National Association
Denver, CO
By: [Signature]
Its: Vice-President

State of Colorado _____
County of Summit ss

The foregoing Certificate of Dedication for Mortgage Holder or Deed of Trust Holder was acknowledged

before me this 2nd day of October, A.D. 2000 by [Signature] as

Vice-President of U.S. Bank National Association.

Witness my hand and seal.

MARY CLAIRE KENDALL
NOTARY PUBLIC
STATE OF COLORADO

(seal) Notary Public [Signature]

My Commission Expires: 1-31-2004

[Signature] 3309-2900

DATE:
9-12-00
FILE NAME:
98170SUB2ND
SCALE:
1"= 50'
DRAWN BY:
L.P.
CHECKED BY:
L.P.

KING SURVEYORS INC.
9299 EASTMAN PARK DRIVE • WINDSOR, CO 80550 • (970)-686-5011



DATE:
REVISIONS:

EAGLES NEST GOLF COURSE FILING NO. 2
FOR
BLUE RIVER LAND COMPANY, LLC
EAGLES NEST GOLF COURSE SECOND FILING
SILVERTHORNE, COLORADO

PROJECT #:
99320

2

SHT 2 OF 9

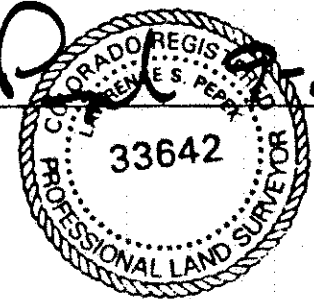
EAGLES NEST GOLF COURSE FILING NO. 2

BEING A PART OF SECTION 26 AND SECTION 35, TOWNSHIP 4 SOUTH, RANGE 78 WEST
OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF SILVERTHORNE,
COUNTY OF SUMMIT, STATE OF COLORADO

Surveyor's Statement

I, Lawrence S. Pepek, a Colorado Registered Professional Land Surveyor, do hereby state that this Land Survey Plat was prepared from an actual survey under my supervision, that the monumentation as indicated hereon were found or set as shown, and that the foregoing plat is an accurate representation thereof, all this to the best of my knowledge, information and belief.

Lawrence S. Pepek
Colorado Registered Professional
Land Surveyor #33642



NOTES:

DATE OF SURVEY: August 2000

1) According to Colorado law, you must commence any legal actions based upon any defect in this survey within three years after you discover such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years after the date of the certificate shown hereon. (13-80-105 C.R.S.)

2) This survey does not constitute a title or ownership search by King Surveyors Inc. All ownership, easement and public record information was based on the owner's policy of title Commitment No. M20002380, issued by the Land Title Guarantee Company as agent for the Old Republic National Title Insurance Company dated July 19, 2000.

3) Property is subject to exceptions as described in the title policy as described above.

4) Wetlands shown on this Plat are based upon plans labeled: EAGLE'S NEST, PRELIMINARY WETLAND SURVEY, Prepared by: Eric Olgerison, Ph.D., Consulting Ecologist, Dated: October 1998, revised 10-14-98, Scale: 1"= 300'. Locations of wetlands were approved by Mr. Grady L. McNure, Chief, Northwestern Colorado Regulatory Office 402 Road Avenue, Room 142, Grand Junction, Colorado 81501-2563 in a letter from the Department Of The Army, US Army Engineer District, Sacramento Corps of Engineers, dated November 9, 1988. (Regulatory Branch 199875497).

5) It is not to be radial or perpendicular to right-of-way lines are perpendicular or radial.

BASIS OF BEARINGS

COMMENCING at the Southwest Corner of Section 26 and considering the West line of the Southwest Quarter (SW1/4) of Section 26 to bear North 00°18'06" East, with all bearings contained herein relative thereto;

LEGEND

USCS (BLM) = U.S. CADASTRAL SURVEY - BUREAU OF LAND MANAGEMENT

SHD (ROW) = DEPT. OF HIGHWAYS STATE OF COLORADO - R.O.W. MARKER

USDI (BLM) = U.S. DEPT. OF THE INTERIOR - BUREAU OF LAND MANAGEMENT

USDA (FS) = U.S. DEPARTMENT OF AGRICULTURE - FOREST SERVICE

E.N.G.C. = EAGLES NEST GOLF COURSE

■ = FOUND MONUMENT AS DESCRIBED

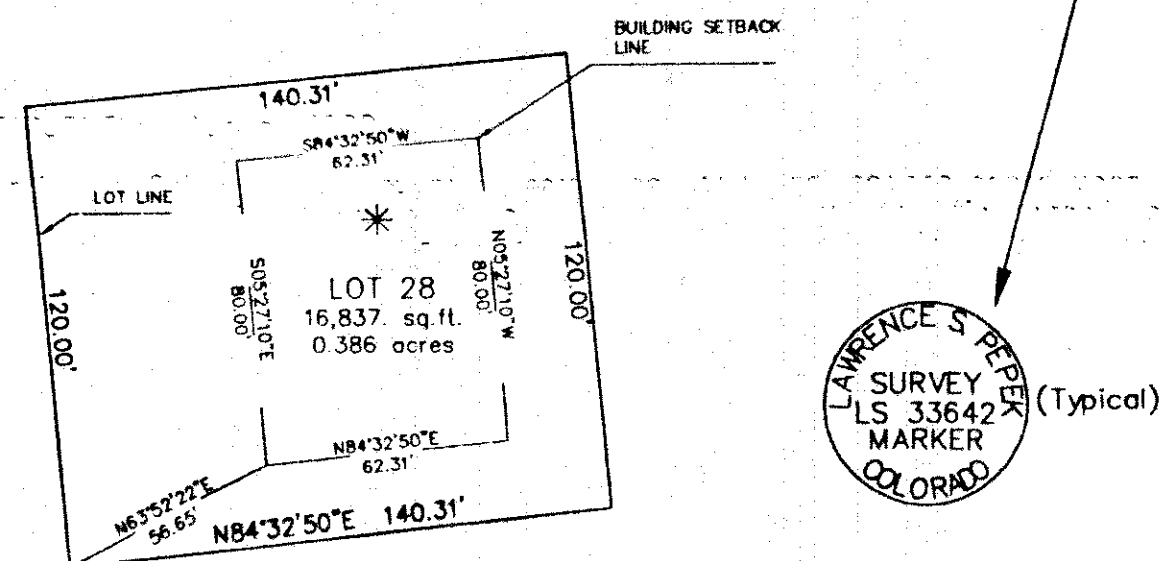
◆ = FOUND #5 REBAR WITH YELLOW PLASTIC CAP STAMPED COSTIN 11330

▲ = FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED SCHEAR 18475

* = SEE NOTE THIRTEEN UNDER PLAT NOTES

□ = FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED JONES 22098

● = SET 24" OF #4 REBAR WITH YELLOW PLASTIC CAP STAMPED



TYPICAL LOT WITH
BUILDING SETBACK LINES

TYPICAL EASEMENT LABELS

S. - SEWER
U. - UTILITY
W. - WATER
R.W. - RETAINING WALL
A. - ACCESS
D. - DRAINAGE
W.S.U.A. - WATER, SEWER, UTILITY & ACCESS
EDGE OF EASEMENT
EASEMENT

CLERK AND RECORDER'S CERTIFICATE

This plat was filed for record in the office of the Clerk and Recorder on this 2 day of November

A.D. 2000, at 10:50 P o'clock .M. recorded under Reception No. 457322

Chris Brunda
Clerk and Recorder
Summit County, Colorado
Cindi S. Angel
Deputy

PLANNING COMMISSION APPROVAL

This final plat has been recommended for approval on this 20 day of November, A.D. 2000, by the Town of Silverthorne Planning and Zoning Commission.

Chairman
Town of Silverthorne Planning
and Zoning Commission

TOWN COUNCIL APPROVAL

This plat is approved by the Town Council of the Town of Silverthorne, Colorado this 20 day of November, A.D. 2000, for filing with the Clerk and Recorder of Summit County, Colorado and for the conveyance to the Town of Silverthorne of the public dedications shown hereon; subject to the provision that approval in no way obligates the Town of Silverthorne for maintenance of roads dedicated to the public until construction of improvements thereon shall have been completed in accordance with Town of Silverthorne specifications. This approval does not guarantee that soil conditions, subsurface geology, ground water conditions, or flooding conditions of any lot shown hereon are such that a building permit or any other required permit will be issued. This approval is with the understanding that all expenses involving all improvements required shall be the responsibility of the subdivider and not the Town of Silverthorne.

ATTEST:

Michelle Karlin
Town Clerk
Town of Silverthorne, Colorado

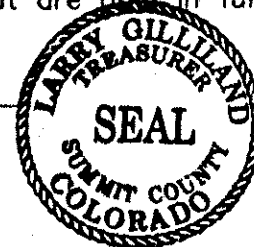
M. J. J. J.
Mayor
Town Council
Town of Silverthorne, Colorado



CERTIFICATES OF TAXES PAID

I, the undersigned, do hereby certify that the entire amount of taxes due and payable as of April 30, 2000 upon all parcels of real estate described on this plat are paid in full. Dated this 4 day of October, A.D., 2000.

Karen Hobbs, Deputy
Summit County Treasurer



TITLE COMPANY CERTIFICATE

Land Title Guarantee Company does hereby certify that it has examined the title to all lands as shown hereon and title to such lands is in the dedicatory free and clear of all liens, taxes, and encumbrances, except as set forth in title Commitment No. M20002380, dated to be effective as of 07-19-2000, issued by Land Title Guarantee Company.

Dated this 20 day of November, 2000
Agent

DRAINAGE EASEMENTS

Notwithstanding anything to the contrary contained in this Plat, those easements identified on this Plat as "Drainage Easements" are hereby dedicated to the Town as drainage easements. The Town may construct, install, maintain, repair and replace such drainage structures as it deems necessary or appropriate in all Drainage Easements.

VACATION OF EASEMENTS

The Town of Silverthorne, Colorado (The "Town") hereby forever releases, vacates, quit claims and conveys to Blue River Land Company, LLC, all right, title and interest of the Town in and to all easements and rights-of-way previously granted to the Town over, across, through or under the property subject to this plat, whether by prior plats, or separate agreements, to the extent the same are not shown on this plat.

PLAT NOTES

1. No new home, building, structure or other improvement may be constructed on any lot, except in accordance with the rules, regulations and guidelines (including, without limitation, the Eagles Nest Design Guidelines and the Eagles Nest Architectural Design Guidelines) adopted by the Design Committee created pursuant to the Declaration and Agreement Creating Covenants, Conditions, Restrictions and Easements, dated June 8, 1983, and recorded in the Summit County Clerk and Recorder's office at Reception No. 257911, as such rules, regulations and guidelines may be amended from time to time.

2. All dwellings constructed on Lots created by this Plat must be equipped with an automatic fire protection sprinkler system approved by Lake Dillon Fire Rescue. The Town shall not issue a certificate of occupancy for any dwelling unless and until it has verified that the dwelling is equipped with an automatic fire protection sprinkler system approved by Lake Dillon Fire Rescue.

3. The areas delineated as wetlands on this Plat include the wetland inner buffer zones described in Section 4-8-15 (2) of the Silverthorne Town Code.

4. No building permit shall be issued until all roadway, utilities (other than the sewer lift station which must be under construction) and drainage improvements, including the construction of privately owned shared access, have been constructed by the developer and accepted or approved by the Town.

5. The Town shall not be required to issue a Certificate of Occupancy for any lot until all improvements (including the sewer lift station), other than the landscaping, described in the SIA (as hereinafter defined) have been completed.

6. Substation License.

(a) Owner shall not sell Lot 1 until the Electric Substation Temporary Easement, between Owner and Public Service Company of Colorado, dated October 12, 1999, and recorded on May 25, 2000, in the real property record of Summit County, Colorado at Reception No. 623093, has been released of record.

(b) For purposes of the Note 4(a), the term "Sell" shall mean the closing or conveyance of title to a lot from Owner to a third party, but does not include the conveyance of title to a lot to another developer as a bulk sale or signing a contract for the sale of a lot.

7. Irrigation Easement.

(a) Notwithstanding anything to the contrary contained on this Plat, the easement identified on this Plat as an "Irrigation Easement" is hereby created for, and benefits solely, the owner of the Oxbow Parcel. Such Irrigation Easement is provided solely to provide irrigation for the benefit of the Owner of the Oxbow Parcel through the Highline Ditch, which ditch is located within such Irrigation Easement. Pursuant to the Agreement between the Oxbow Ranch Company, a Colorado general partnership and Centron Corporation, a Colorado corporation, dated December 8, 1982 (the "Ditch Agreement"), the Highline Ditch may be relocated or, under certain circumstances, eliminated. In the event any portion of the Highline Ditch that is located within the Irrigation Easement is relocated pursuant to the Ditch Agreement or is relocated in some other manner not in violation of the Ditch Agreement, then, upon the filing with the Town by Owner (or its successors or assigns) of an affidavit attesting to such ditch relocation and describing the new ditch location, then: (i) this Plat shall be deemed modified to eliminate the portion of the Irrigation Easement in which the Highline Ditch is no longer located, and (ii) Owner (or its successors or assigns) shall be deemed to have granted a new irrigation easement in the location described in such affidavit, solely for the benefit of the owner of the Oxbow Parcel. In the event any portion of the Highline Ditch that is located within the Irrigation Easement is eliminated pursuant to the Ditch Agreement or is eliminated in some other manner not in violation of the Ditch Agreement, then, upon the filing with the Town by Owner (or its successors or assigns) of an affidavit attesting to such ditch elimination then this Plat shall be deemed modified to eliminate the portion of the Irrigation Easement in which the Highline Ditch is no longer located.

(b) For purposes of the Note (a), the term "Oxbow Parcel" shall mean that parcel of real property described as follows:

A Tract of land being a portion of the Northwest One-Quarter of Section 26, Township 4 South, Range 78 West of the Sixth Principal Meridian, Town of Silverthorne, Summit County, Colorado. Said Tract of Land being more particularly described as follows:

Beginning at the Northwest Corner of said Section 26, Thence S89°38'21"E along the North line of said Section 26 a distance of 716.41 feet to a point of intersection with the Westerly Right-of-Way of Colorado State Highway No. 9; Thence Southerly along said Westerly Right-of-Way Line for the following three courses:

S 23°20'42" E a distance of 1279.12 feet.
S 22°07'59" E a distance of 472.78 feet.
274.85 feet along the arc of a curve to the left, having a central angle of 09°20'03", a radius of 1687.10 feet and a chord which bears S28°00'42"E 274.55 feet distant;

Thence N89°38'30"W a distance of 269.09 feet;
Thence Southerly along an existing fence line for the following three courses:

S 06°35'27" E a distance of 205.00 feet;
S 68°01'08" W a distance of 147.42 feet;
S 30°34'01" W a distance of 497.77 feet to a point of intersection with the North line of U.S. Government Lot 15 in said Section 26;
Thence N89°35'56"W along said North line of Government Lot 15 a distance of 262.05 feet;
Thence N27°38'30"W a distance of 376.03 feet;
Thence N89°38'30"W a distance of 470.00 feet to a point on the West line of said Section 26; Thence N00°17'58"E along said West line of said Section 26 a distance of 2207.13 feet to the Point of Beginning, Containing 61.073 Acres, more or less.

8. Common Driveways.

(a) The common driveways that provide access to Lots 1-3 and 7, 8-10, 17-20, 23-27, 30-33, 34-35, 41-43, 47-51, 56-57 are private driveways, not public roads. As such the Town will not maintain or repair these common driveways. The owners of the lots served by such common driveway shall arrange for such maintenance and repair of such common driveways, including snowplowing and removal, as they deem necessary and shall share all costs incurred in connection therewith equally. Notwithstanding the foregoing, (a) Owner hereby grants to the Town utility easements across, through and under the common driveways for water, sewer, electric, gas, telephone and lines and facilities and (b) following acceptance of such utility lines and facilities by the Town under the Site Improvements Agreement for Eagles Nest Golf Course Filing No. 2, the Town (with respect to water and sewer services) and the other providers of such utility services (with respect to the other utility services) shall maintain and repair such lines and facilities as they use in providing their respective utility services.

(b) Notwithstanding anything to the contrary contained on this Plat, all access easements created by this Plat, over, across and through each such common driveway shall be deemed easements for access, created solely for the benefit of the owners of the lots served by such common driveway (and shall not be deemed access easements created for the benefit of the Town or any other person), other than the common driveway providing access to Lots 1-3 and 7 which shall be an access easement created solely for the benefit of the owners of Lots 1-3 and 7 and Public Service Company of Colorado and its successors and assigns.

9. No Lot shall be served by more than one access point. Accordingly, each of 1-3 and 7, 8-10, 17-20, 23-27, 30-33, 34-35, 41-43, 47-51, 56-57, which are served by common driveways, shall obtain access by such common driveways and may not obtain access from any additional access point.

10. This Plat creates certain setback areas on each Lot. No dwellings, buildings or other improvements may be constructed outside of such setback areas, except (a) utility lines and facilities, (b) driveways and sidewalks, and (c) retaining walls related to the improvements described in clauses (a) and (b) above. No grading, cut or fill may be performed in such setback areas, except that performed in connection with the improvements permitted in clauses (a)-(c) above. The building envelopes created by the Eagles Nest Architectural Design Guidelines may be more restrictive than the setback areas created by this Plat.

11. Tracts A and B may be used only for irrigation, drainage, open space and other recreational purposes, including, without limitation, hiking trails, cross country ski trails, bicycle paths and picnic areas and improvements related thereto. Notwithstanding anything to the contrary on this Plat, Owner does not hereby dedicate Tract A or Tract B to the Town. However, pursuant to the Site Improvements Agreement that Owner and the Town have executed in connection with this Plat (the "SIA"), Owner has agreed to construct a certain pedestrian trail across Lot 38 and Tract B. Owner hereby dedicates to the Town a pedestrian trail easement over those portions of Lot 38 and Tract B labeled on this Plat as "Trail Easement." Within thirty days after the Town's acceptance of the improvements that Owner is obligated to construct under the SIA, Owner shall convey Tract A and Tract B to the Eagles Nest Homeowners Association, Inc. by quitclaim deed, with reservations for drainage, irrigation and improvements related thereto as Owner may determine.

12. Upon issuance of a certificate of completion for the sewer lift station that Owner is obligated to construct under the SIA, Owner shall convey Tract D to the Town. Tract D shall not be used for any purpose except operating, maintaining, repairing and replacing a sewer lift station (and facilities related thereto) or drainage detention (facilities related thereto) on Tract D or open space.

13. Lots 19, 26, 28 and 52 (each of which is noted on this Plat with an asterisk) are subject to special conditions set forth in the Eagles Nest Golf Course Filing No. 2 Disturbance Permit Application, dated December 19, 1999. As and when the owner of any such Lot desires to construct a dwelling or other building or improvement on such Lot, it will be required to comply with all "Best Management Practices" applicable to its Lot as set forth in the Eagles Nest Golf Course Filing No. 2 Disturbance Permit Application or with other Best Management Practices approved by the Town.

14. Notwithstanding anything to the contrary contained on this Plat, the easement located on Lot 23 of this Plat identified as a "Golf Easement" is hereby created for, and benefits solely, the owner of the Golf Course Tracts, and shall be restricted to the use by the owner of the Golf Course Tracts, its employees, agents, licensees and invitees as a pedestrian walkway and for the operation and passage of golf carts and golf course maintenance vehicles.

DATE: 9-12-00
FILE NAME: 98170SUB2ND
SCALE: 1"= 50'
DRAWN BY: L.P.
CHECKED BY: L.P.

KING SURVEYORS INC.
9299 EASTMAN PARK DRIVE • WINDSOR, CO 80550 • (970)-686-5011



DATE: _____
REVISIONS: _____

EAGLES NEST GOLF COURSE FILING NO. 2
FOR
BLUE RIVER LAND COMPANY, LLC
EAGLES NEST GOLF COURSE SECOND FILING
SILVERTHORNE, COLORADO

PROJECT #: 99320

3

SHT 3 OF 9