

PUBLIC NOTICE TOWN OF WINTER PARK PLANNING COMMISSION & TOWN COUNCIL FINAL PLAT

Applicant: Jeff Mark, Terracina Design

Property Owner: Ken Boenish, Lakota Pointe Development LLC

Case Number: PLN24-002

Physical Address of Property for Which the Final Plat Approval is Requested: 2800 Lakota Trail, Winter Park, CO

Legal Description of Property for Which the Final Plat Approval is Requested: See "Exhibit A"

Description of Request: Request to plat five single-family lots, three tracts and two outlots on 56.089 acres.

Applicable Provision(s) of the Unified Development Code (UDC):

§ 5-D-5, FINAL PLAT

The Planning Commission and Town Council will review the Final Plat and render a decision under § 5-D-5 of the UDC.

Additional information is available at this link: https://wpgov.com/current-development-projects/

A Public Hearing at Winter Park Town Hall, 50 Vasquez Road and online via Zoom is scheduled for:

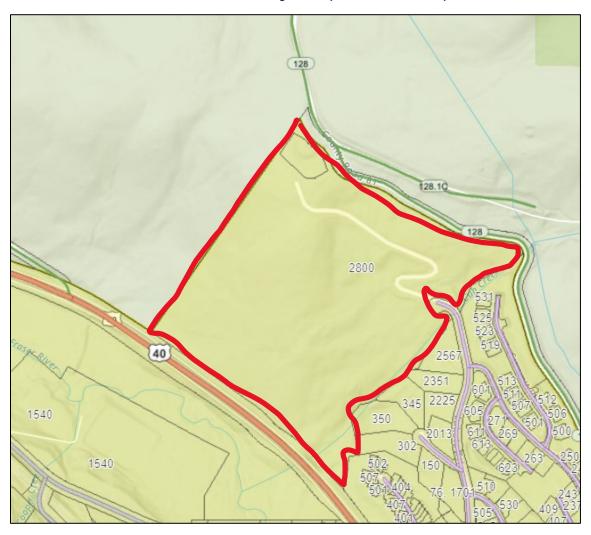
Planning Commission, Tuesday, May 28, 2024 at 8:00 A.M. Town Council, Tuesday, June 4, 2024 at 5:30 P.M.

Members of the public wishing to make comment regarding the final plat may do so at the scheduled meeting, or write to Shelia Booth, Contracted Planner, Town of Winter Park, P.O. Box 3327, Winter Park, CO 80482, or sbooth@planstrategize.com. For comments to be included within the digital packet, they must be submitted by 5:00 P.M. on the Wednesday before the hearing.

The Zoom link will be made available in the full agenda, which will be published by end of day the Friday before the hearing at: https://wpgov.com/our-government/agendas-minutes/

The meeting will be broadcast via Zoom and public comment can be made by those attending. If there are technical difficulties with Zoom, public comment via Zoom will not be available and the meeting will continue in person.

Exhibit A – Legal Description and Location Map



A REPLAT OF LOT 2, LAKOTA FILING 5, TRACT G & A PORTION OF THAT USBLM SUPPLEMENTAL PLAT OF TRACT 48 ACCEPTED JUNE 25, 1997 TOWNSHIP 2 SOUTH, RANGE 75 WEST OF THE 6TH PRINCIPAL MERIDIAN TOWN OF WINTER PARK, GRAND COUNTY, COLORADO



Project Description Letter Lakota Pointe Filing 1 - Final Plat

The purpose for this submittal is to provide a final plat for the entire 56.089 acres of Lakota Pointe. The preliminary plat for Lakota Pointe was approved on October 17, 2023. This plat follows the preliminary plat design and associated conditions of approval. The focus of this plat is on the first phase of construction. The proposed plat includes Cub Creek Way and Sunnyside Place, 5 single family detached lots, tracts for future residential development, emergency vehicle access off FS 128, and defines the first 19.052 acres of open space. Additional lots and access proposed in the preliminary plat will be submitted in subsequent final plats.

Existing Conditions:

Lakota Pointe consists of 56.089 acres bordered by USFS land to the east; Forest Service Rd 128 to the north; US-40 to the south; and Cub Creek/existing Lakota to the east.

Infrastructure

A Winter Park water tank exists in the far north corner of the site with an existing service line running through the site. Water and wastewater service will be provided by Winter Park Water and Sanitation District. An existing access is located to the site via Lakota Trail which connects to US-40 at a signalized intersection. Final sewer connections, design, and easements for Filing 1 will be completed prior to approval of the plat.

Natural Features

Cub Creek along the easternmost boundary is a natural drainage with undisturbed vegetation and trees. Much of the site was covered in lodgepole and aspen trees, beetle kill impacted much of the site and mitigation matters have been occurring over the past 10 years. Much of the site has consistent slopes of 20 to 30 percent with greater slopes on the south / southwest half of the site.

Views

Panoramic views from most of the site exist with primary views across US-40 at Winter Park Ski Resort with views to the south of James Peak and the Berthoud Pass vicinity.

Zoning

Pursuant to the Lakota FDP and the Lakota Ordinance Lakota Tracts F and H are zoned "P-D" (Planned Development District), with an underlying "R-2" (Multiple-Family Residential District) zoning designation. The site has a maximum of 143

<u>terracina design</u>

residential units. This proposed development currently has an approved preliminary plat which this plan complies with.

Final Plat:

The proposed plat provides utility service and access infrastructure to 5 single family detached lots, 2 future residential tracts, a tract for the future connection to F\$128, an outlot for US 40, and an outlot for open space. Remnant future development parcels will be platted as shown and will include their own final plats at a future date. The proposed plan has utilized the existing water line location while providing access to the line. Access for the proposed single family lots will come from the existing Lakota Trail. The proposed Filing 1 plat will include access and utility easements for Cub Creek Way and Sunnyside Place.

Additional Reports:

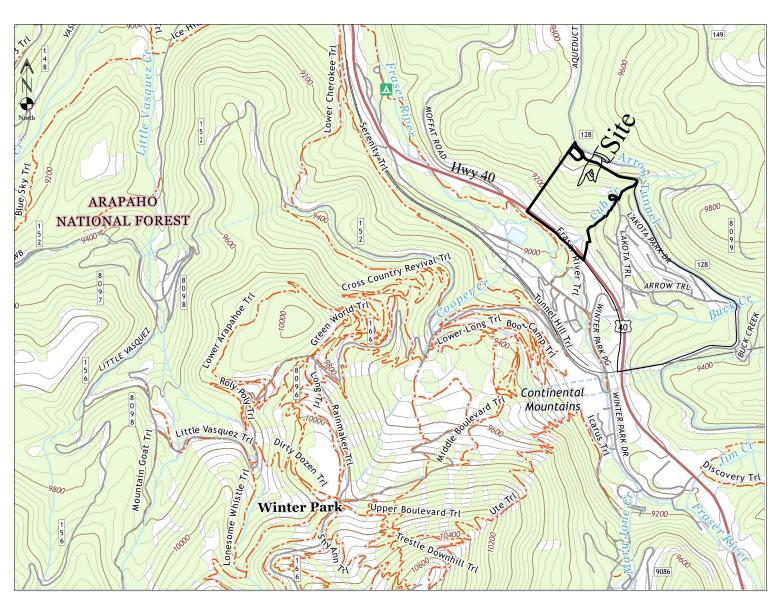
- -Traffic Impact study for improvements to the intersection of US40 and Lakota Trail.
- -Wildlife impact Study for the crossing of Cub Creek with a sewer line.
- -Updated Wetland Report.

Please feel free to contact me with any questions or comments you may have.

303-632-8867

Sincerely,

Jeff Marck



Vicinity Map 1"=2000'

Title Exceptions:

Topographic, Co. relied on Westcor Land Title Insurance Company Commitment for Title Insurance as issued by Title Company of the Rockies Commitment Number 0304875-C with an effective date of February 13, 2024 for the preparation of this survey. This survey does not constitute a title search by this surveyor of the property shown and described hereon to determine:

- a. ownership of the tract of land.
- b. compatibility of this description with those of adjacent tracts of land.
- c. rights of way, easements and encumbrances of record affecting this tract of land.

These premises are subject to any and all easements, rights of way, variances and or agreements as of record may appear. The following are the listed exceptions 7-24 of said commitment:

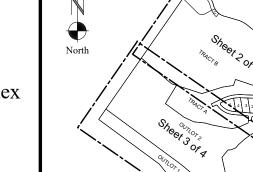
- Exceptions 1-6. Standard Exceptions.
- Exception 7 Right of way for ditches and canals constructed by the authority of the United States, as reserved by United States Patent recorded April 21, 1998 at Reception No. 98004457.
- Exception 8. Rights for an easement for U.S. Highway No. 40, as evidenced by United States Patent recorded April 21, 1998 at Reception No. 98004457.
- Exception 9. Restrictions regarding wetlands, which do not contain a forfeiture or reverter clause, as contained in United States Patent recorded April 21, 1998 at Reception No. 98004457.
- Exception 10. Terms, agreements, provisions, conditions and obligations as contained in Town of Winter Park Ordinance No. 277, Series of 1998, recorded September 21, 1998 at Reception No. 98010148, together with the Annexation Plat approved in conjunction therewith, filed September 21, 1998 at Reception No. 98010149; as amended by instruments Ordinance No. 287, Series of 1999, recorded May 17, 1999 at Reception No. 99005411; Ordinance No. 289, Series of 1999, recorded June 07, 1999 at Reception No. 99006078; Ordinance No. 356, Series of 2005, recorded September 09, 2005 at Reception No. 2005-009857; and Ordinance No. 381, Series of 2006, recorded August 08, 2006 at Reception No. 2006-008097.
- Exception 11. Memorandum of Understanding Between Public Service Company and Vernon Moore recorded September 22, 1998 at Reception No. 98010177.
- Exception 12. Restrictions, which do not contain a forfeiture or reverter clause, but omitting any covenants or restrictions, if any, including, but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as contained in instrument recorded October 13, 1998 at Reception No. 98010902, as amended by instruments recorded July 07, 1999 at Reception No. 99007016; September 30, 1999 at Reception No. 99010371; January 06, 2000 at Reception No. 2000-000149; January 12, 2000 at Reception No. 2000-000386; January 18, 2001 at Reception No. 2001-000464 and Reception No. 2001-000465; June 08, 2001 at Reception No. 2001-005305; April 09, 2002 at Reception No. 2002-003673; July 17, 2002 at Reception No. 2002-007304; November 06, 2002 at Reception No. 2002-012192; September 05, 2003 at Reception No. 2003-011506; March 16, 2004 at Reception No. 2004-003115; April 01, 2004 at Reception No. 2004-003759; December 03, 2004 at Reception No. 2004-014340; September 13, 2005 at Reception No. 2005-010039; February 07, 2006 at Reception No. 2006-001268; June 08, 2006 at Reception No. 2006-005618 and Reception No. 2006-005619; September 01, 2006 at Reception No. 2006-009078; October 03, 2006 at Reception No. 2006-010425 and Reception No. 2006-010426; October 13, 2006 at Reception No. 2006-010917 and Reception No. 2006-010919; October 20, 2006 at Reception No. 2006-011197; November 08, 2007 at Reception No. 2007-012501; January 29, 2008 at Reception No. 2008-000999; September 03, 2008 at Reception No. 2008-008513; September 23, 2009 at Reception No. 2009-009169; and September 23, 2009 at Reception No. 2009-009170. NOTE: The documents listed above provides, among other things, that the subject property has the potential to become subject to their terms and conditions at some point in the future. NOTE: Assignment of Declarants Rights recorded November 28, 2022 as Reception No. 2022009830. NOTE: General Assignment of Contract Rights recorded November 28, 2022 as Reception No. 2022009831.
- Exception 13. Lakota Common Interest Community Plat recorded October 13, 1998 at Reception No. 98010903, as amended by instruments recorded July 7, 1999 at Reception No. 99007017; September 30, 1999 at Reception No. 99010372; January 6, 2000 at Reception No. 2000-000150; January 18, 2001 at Reception No. 2001-000465; November 6, 2002 at Reception No. 2002-012193; October 20, 2003 at Reception No. 2003-013625; and July 19, 2006 at Reception No. 2006-007122. NOTE: The documents listed above provides, among other things, that the subject property has the potential to become subject to their terms and conditions at some point in the future.
- Exception 14. Easement Agreement granted to Winter Park Water and Sanitation District recorded June 7, 1999 at Reception No. 99006083.
- Exception 15. Exceptions, restrictions, reservations, easements, trails and rights of way as set forth on the plat of Lakota Filing 5, Tract G recorded June 7, 1999 at Reception No. 99006079. NOTE: That certain 20' Water Line Easement dedicated and conveyed pursuant to said plat has been superseded and replaced in its entirety by the Amended and Restated Waterline Easement Agreement recorded December 21, 2006 at Reception No. 2006-013723, and by Quit Claim Deed from Winter Park Water and Sanitation District recorded December 21, 2006 at Reception No. 2006-013722.
- Exception 16. Terms, agreements, provisions, conditions and obligations as contained in Water Storage Tank Drainage, Slope, Construction and Maintenance Easement Agreement recorded September 21, 1999 at Reception No. 99010040.
- Exception 17. Terms, agreements, provisions, conditions and obligations as contained in Agreement for Water Line Easement recorded October 15, 1999 at Reception No. 99010849.
- Exception 18. Any rights, interests or easements in favor of the State of Colorado, the United States of America, or the public, which exist or are claimed to exist in any beach areas lying above the mean high water mark, or, over, under and/or across the waters and present and past bed and banks of the Cub Creek. • Exception 19. Terms, agreements, provisions, conditions and obligations as contained in Lakota Design
- Guidelines recorded June 8, 2001 at Reception No. 2001-005305.
- Exception 20. Terms, agreements, provisions, conditions and obligations as contained in Amended and Restated Waterline Easement Agreement recorded December 21, 2006 at Reception No. 2006-013723.
- Exception 21. Terms, agreements, provisions, conditions and obligations as contained in Declaration of
- Reciprocal Covenant recorded June 28, 2019 at Reception No. 2019004786. • Exception 22. Terms, agreements, provisions, conditions and obligations as contained in Certificate of
- Exemplification recorded December 09, 2021 at Reception No. 2021013752
- Exception 23. Terms, agreements, provisions, conditions and obligations as contained in Public Disclosure Statement recorded December 10, 2021 at Reception No. 2021013786.
- Exception 24. Terms, agreements, provisions, conditions and obligations as contained in Notice Regarding
- Agreements for Sale and Purchase of Real Estate recorded January 24, 2023 at Reception No. 2023000453.

Survey Notes:

- 1. The Basis of Bearings is a line between AP1 and AP2 of Tract 48, as monumented with a USBLM brass cap at AP1 and a USBLM brass cap witness corner
- 2. This parcel is subject to any and all easements, rights of way, variances and or agreements as may appear in the real property records of Grand County,
- 3. Topographic, Co. relied on Westcor Land Title Insurance Company Commitment for Title Insurance as issued by Title Company of the Rockies ommitment Number 0304875-C with an effective date of February 13, 2024 for the preparation of this survey. This survey does not constitute a title search by this surveyor of the property shown and described hereon to determine: a. ownership of the tract of land.
- b. compatibility of this description with those of adjacent tracts of land.
- c. rights of way, easements and encumbrances of record affecting this tract of land.
- 4. The Restricted Building Areas depicted hereon are approximate and based on a Restricted Building Area Approvals document executed December 14, 2021 by Lakota Land Group, LTD., the Town of Winter Park, and the Town of Winter Park Engineer. That document states: THE INTENT OF THIS DOCUMENT IS TO DEFINE AREAS THAT PRIMARILY EXCEED 30% SLOPES IN WHICH DEVELOPMENT IS LIMITED PER THE TOWN OF WINTER PARK AND 2005 LAKOTA FOP. THE AREAS SHOWN ON EXHIBIT A OF THIS DOCUMENT WILL BE RESTRICTED FROM HAVING ANY RESIDENTIAL BUILDING FOOTPRINT LOCATED ON THEM BASED OFF OF STUDIES PERFORMED IN WHICH THE SLOPES EXCEED THOSE RECOMMENDED BY THE TOWN OR OTHER AGENCIES. THE RESTRICTED AREAS SHOWN ON THE PLAN ARE ONLY RESTRICTING RESIDENTIAL BUILDING FOOTPRINTS. UTILITIES, GRADING, WALLS, ROADS, DRIVEWAYS, AND ANY OTHER NECESSARY COMPONENTS TO DEVELOPMENT MAY ENCROACH INTO THIS AREA GIVEN THAT ALL TOWN AND ENGINEERING REOUIREMENTS ARE MET. ANY SLOPES EXCEEDING 30% OUTSIDE OF THE RESTRICTED AREA CAN HAVE RESIDENTIAL BUILDINGS AND OTHER DEVELOPMENT LOCATED WITHIN THEM. ANY VARIATION FROM THIS PLAN WILL NEED TO BE APPROVED BY THE TOWN OF WINTER PARK. Topographic, Co. cannot accurately place the defined areas because the document does not contain survey directions and distances. Topographic, Co. did not survey nor verify any slopes depicted on the document.
- 5. The Wetlands depicted hereon were identified and surveyed by a third party in 2023. The current wetland locations vary from those shown on previous
- Lakota plats. Topographic Co. does not guaranty the identification nor the accuracy of the wetland locations. 6. The Property described on this Survey lies within Zone X, Area of Minimal Flood Hazard, as defined by the Federal Emergency Management Agency and as shown on Flood Insurance Rate Map No. 08049C0994C bearing an effective date of January 02, 2008.
- 7. Site Benchmark No. 1 is AP1 of Tract 48, a 3-1/4" U.S.B.L.M. Brass Cap, NAVD88 Elevation= 9441.89' Site Benchmark No. 2 is AP2 of Tract 48, a 2-1/2" Aluminum Cap PLS 22097, NAVD88 Elevation= 9021.25'

Development Notes:

- 1. The land in this subdivision is subject to that Lakota Amended Final Development Plan and Development Agreement with Vested Rights filed September 9, 2005 at Reception Number 2005-09857, as described in said document, as Tract F and subject to the following restrictions:
- a. The zoning for the property shall be P-D (R-2): Planned Development.
- b. Front Setacks = 15' side loaded garage / 20' front loaded garage
- c. Rear Setback = 15'
- d. Side Setback = 10'
- e. Per the 2005 Lakota FDP 143 residential units are allowed in Tract F. 138 units will remain upon recoding of this plat.
- 2. Open Space requirements, 40% coverage to 60% open space, established pursuant to the Town code must be provided upon full build-out, however, such requirements are not required to be met prior to full build-out. Lakota Pointe consists of a 56.089 ac. super lot. 60% of this super lot, net Outlot 1 US Highway 40 (5.224 Ac) will be required as open space (30.52 Acres). A tabulation table will be provided with each final plat for multi-family or building permit application for single family residences to ensure the 30.52 Acres is provided by the time of full build-out.
- 3. All lots depicted on this replat will be used for single family residential.
- 4. Lakota Trail, Cub Creek Way and Sunnyside Place are Private R.O.W. and Utility Easements. This R.O.W. will be conveyed to the Lakota Pointe Owners Association and
- will not be accepted for maintenance by the Town of Winter Park without the approval of the Town of Winter Park. 5. The Lakota Pointe Owners Association, a Colorado nonprofit corporation has been created to own, operate, maintain, and otherwise administer the "Common Elements" of Lakota Pointe Subdivision (and any other additional lands included within the association in the future) as more particularly described and defined in the declaration. All of
- the common elements of Lakota Pointe Subdivision, this plat, or separately recorded instruments. 6. Outlot 2 shall be conveyed and maintained by the Lakota Pointe Owners Association and is to be used as open space, snow storage, drainage easements, utility easements, retaining walls, and trails. Cub Creek Way and Sunnyside Place shall be conveyed and maintained by the Lakota Pointe Owners Association and are to be used as access,
- drainage easements, and/or utility easements.
- 7. All trash, rubbish or garbage (collectively "waste") shall be stored in accordance with Town UDC Section I-6, Screening. 8. This plat is subject to all of the rights, obligations, terms, and conditions of that certain Lakota Final Development Plan Application dated September 1, 1998 and approved by the Town of Winter Park by Ordinance No. 277, Series of 1998 recorded September 21, 1998 at Reception No. 98010148, and as amended by Ordinance No. 287, Series of 1999 recorded May 17, 1999 at Reception No. 99005411, and as amended by Ordinance No. 289, Series of 1999 recorded June 7, 1999 at Reception No. 99006078, and as
- amended by Ordinance No. 356, Series of 2005 recorded September 9, 2005 at Reception No. 20050099857 (collectively, and as the same may hereafter be further amended, the "Lakota Ordinance").
- 9. Wildlife will be protected by the following measures: a. All domestic dogs will be under control of the owner when outside of the home;
- b. All dogs will be required to be on a leash;
- c. Hike/Bike trails will be sited to avoid wildlife areas to the extent practicable;
- d. All trash receptacles shall be wildlife proof containers;
- e. Any fencing installed on this subdivision shall conform to the design criteria of the Colorado Division of Wildlife publication titled "Fencing with Wildlife in Mind".
- 10. To protect against wildfires and enhance forest health the following wildfire mitigation measures are required:
 - a. Water hydrants will be sited at appropriate distances; b. All dead vegetation located within 50' of a structure shall be pruned or removed;
- c. Utilities will be constructed underground.
- 11. Wetlands adjacent to snow storage locations shall be protected from damage. 12. To ensure the drainage facilities function as they are designed to, continued maintenance is required. The Lakota Pointe Metropolitan District shall be responsible for the maintenance of all drainage facilities, including inlets, pipes, culverts, channels, ditches, hydraulic structures, and detention basins located on Lakota Pointe. Should the Lakota Pointe Metropolitan District fail to adequately maintain such facilities, the town shall have the right to enter said land for the purpose of operations and maintenance,
- all such costs will be assessed to the Lakota Pointe Metropolitan District. 13. Any retaining walls or other improvements that encroach into the water and sewer utility easement will require special construction or consideration to address the event of future maintenance or replacement of the water and sewer pipelines. The WPWSD is not responsible for protection, removal or replacement of these walls or improvements or associated impacts due to the operation, maintenance, or replacement of the water or sewer pipelines.
- 14. Any buildings or other improvements that are located close to the water or sewer utility easement, such that the proximity of the buildings or improvements might be impacted by future maintenance or replacement of the water and sewer pipelines may be subject to special construction requirements, such as deeper footings that prevent undermining of the building foundation in the event of required utility maintenance or replacement. The WPWSD is not responsible for protection, removal or replacement of these buildings or improvements or associated impacts due to the operation, maintenance, or replacement of the water or sewer pipelines.
- 15. Dry utility easements ("DUE") are hereby dedicated to the Town of Winter Park as shown hereon for the installation, maintenance, and replacement of electric, gas, television cable, telecommunications facilities and all similar purposes. No structure shall be placed or constructed within any DUE except as necessary for utility operations when explicitly approved by the Town.
- 16. The road connection to USFS Road 128 cannot be made without a license from Denver Water and a permit from the Forest Service. At time of Final Plat if either Denver Water or the Forest Service is non-responsive to said applications it will be assumed that emergency access can be utilized.
- 17. At times when the canal is full, Denver Water will bypass creek flows rather than divert. Similarly, in an emergency Denver Water will need to bypass Cub Creek flows, and maybe even discharge canal water into the creek.
- 18. Building permits must be issued for any proposed retaining walls that will support USFS Road 128 and a PE stamped design be put on file with the Town of Winter Park. A geologic engineer shall conduct and stamp a slope stability analysis for any construction of retaining walls and any excavations deeper than 2 feet.
- 19. All residential structures shall be protected by fire suppression sprinkler / alarm systems. 20. Outlot 1 is subject to that certain highway easement deed dated July 3, 1986 by and between the United States of America, acting by and through the Department of Transportation, Federal Highway Administration and State Department of Highways, Division of Highways, State of Colorado, and recorded at Reception No. 245391, Book 399 at Page 711 of the County of Grand, Colorado real property records, and is further subject to a reservation in favor of the owner of the real property more fully described separately hereon and his designees, of a subsurface easement, with the right to penetrate the surface lying above said easement, for the purposes of constructing, installing,
- repairing, replacing, and maintaining utilities located within said easement. 21. The No Build Zone and Non-Disturbance Zone are based on that ALTA/ACSM Land Title Survey prepared by GEOSURV Inc. dated July 7, 2006 and submitted to the Grand County Land Surveyor on October 17, 2006 at LS-1687.
- 22. The intersection of US Highway 40 and Lakota Trail improvements will need to be agreed to in concept and designed per CDOT requirements prior to issuance of any residential building permit. Improvements will need to be installed and approved by CDOT, prior to issuance of any certificate of occupancy.
- 23. Snow storage can only occur on the 10 feet adjacent to any road tract within any 15 foot wide Utility, Snow Storage, and Drainage Easements depicted hereon. The remaining 5' is reserved for utilities only. Snow storage can occur on any portion of a Metro District owned tract.
- 24. A Wildlife Impact Report was completed on 11/9/2023. Per the report guidance should be followed by Colorado Parks and Wildlife to determine and potential avoidance measures to take during and after construction regarding general wildlife.
- 25. Individual slope stability analysis will need to be performed for each residential lot prior to issuance of a building permit. 26. Lots 1-5 driveway access will be provided off Cub Creek Way. Driveway access will not be allowed off Sunnyside Place.
- 27. To allow for adequate snow removal, no structure, including utility facilities, shall be placed within five feet of a public ROW unless specifically exempted by the Town.



Sheet Index

Dedication Certificate:

Know all men by these presents: That Lakota Pointe Winter Park, LLC is the owner of that real property situate in the Town of Winter Park, Grand County, Colorado, more fully described as follows: Lot 2, Lakota Filing 5, Tract G, filed June 7, 1999 at Reception No. 99006079 in the office of the Grand County

Containing 30.233 acres more or less.

TOGETHER WITH:

Clerk and Recorder.

That portion of Tract 48 described in patent to Vernon H. Moore filed for record at Reception No. 98004457 in the office of the Grand County Clerk and Recorder, situated in Township 2 South, Range 75 West of the Sixth Principal Meridian, Town of Winter Park, County of Grand, State of Colorado, described as follows:

- a. The Basis of Bearings is a line between AP1 and AP2 of Tract 48, as monumented with a USBLM brass cap at AP1 and a USBLM brass cap witness corner at AP2 with a bearing of N 34°51'03" E.
- b. The following described parcel being subject to any and all easements, rights of way, variances and or agreements as of record may appear.

COMMENCING at Angle Point 1 of said Tract 48, also being the north corner of Lot 2, Lakota Filing 5, Tract G recorded June 7, 1999 at Reception Number 99006079; Thence along the westerly line of said Tract 48, and the westerly line of said Lot 2, S 34°51'03" W a distance of 777.32 feet to the west corner of said Lot 2 and the

Thence along the southerly line of said Lot 2 the following three (3) courses:

- Thence S 39°58'13" E a distance of 685.22 feet;
- Thence S 26°16'37" E a distance of 165.59 feet;
- Thence S 19°57'29" E a distance of 578.97 feet to the south corner of said Lot 2 and a westerly corner of Lakota Filing 4 Tract D recorded September 29, 1999 at Reception Number 99010292;

Thence S 12°28'55" E, along the westerly line of said Lakota Filing 4 Tract D, a distance of 249.31 feet to a point on the westerly line of Lakota Filing 6, Tract E recorded June 4, 2001 at Reception Number 2001005105;

Thence along the westerly line of said Lakota Filing 6, Tract E the following three (3) courses:

- Thence S 78°45'33" W a distance of 66.01 feet;
- 2. Thence S 05°15'49" W a distance of 125.86 feet;
- Thence S 13°17'33" W a distance of 264.62 feet to the southwesterly corner of said Lakota Filing 6, Tract E and the southerly line of said Tract 48;

Thence along the southerly line of said Tract 48 the following five (5) courses:

- Thence N 37°00'27" W a distance of 27.88 feet;
- Thence N 51°18'17" W a distance of 133.12 feet to a point of non-tangent curvature;
- Thence along a curve to the left a distance of 513.36 feet, said curve having a radius of 1810.00 feet, a delta angle of 16°15'01" and a chord distance of 511.64 feet which bears N 45°24'25" W;
- 4. Thence N 38°33'40" W a distance of 132.91 feet;
- Thence N 53°36'58" W a distance of 785.71 feet to Angle Point 2 of said Tract 48, a 2-1/2" aluminum cap

Thence departing said southerly line N 34°51'03" E, along the westerly line of said Tract 48, a distance of 1001.96 feet to the POINT OF BEGINNING.

Containing 25.856 acres more or less.

Containing in all 56.089 acres more or less (30.233 acres + 25.856 acres).

That it has caused said real property to be laid out and surveyed as Lakota Pointe Filing No. 1, and does hereby grant, convey, dedicate, and set apart to the Lakot Pointe Metropolitan District, Outlot 2, and does hereby grant, convey, dedicate, and set apart to the Town of Winter Park, Outlot 1 (subject, however, to the easements and other matters described in Note No. 20 of this plat) as shown on the accompanying plat for the use of the public forever, and does hereby grant to the Town of Winter Park use of those portions of said real property which are indicated as easements on the accompanying plat as permanent public easements.

In witness whereof, Lakota Poin	te Winter Park, LLC has caused its name to be hereunto subscribed this
day of	

Kennith P. Boenish, as Principal of Lakota Pointe Winter Park, LLC

State of Colorado)

County of Grand)

My Commission Expires:

The foregoing instrument was acknowledged before me this ___

Notary Public

Surveyor's Certificate:

I, Eric M. Purcell, a duly registered land surveyor in the State of Colorado, do hereby certify that this plat of Lakota Pointe Filing No. 1 truly and correctly represents the results of a survey made by me or under my direction, and that said plat complies with the requirements of Title 38, Article 51, Colorado Revised Statutes, and that the monuments required by said Statute and by the Town of Winter Park Unified Development Code have been placed on the ground.

This plat is a true and accurate representation of said survey.

Eric M. Purcell PLS 38850

> FOR REVIEW, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE. THIS DOCUMENT SHALL NOT BE USED FOR CONSTRUCTION, BIDDING, RECORDATION, CONVEYANCE, SALES, OR AS THE BASIS FOR THE ISSUANCE OF A PERMIT.

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 Durvey be commenced more than ten years from the date of the certification shown hereon. This plat is a true and accurate representation of said survey.

Lakota Pointe Winter Park LLC P.O. Box 840 Winter Park, CO 80482

Terracina Design 10200 E. Girard Ave Ste. A-314 Denver, CO 80231 303-632-8867

Terracina Design 10200 E. Girard Ave Ste. A-314 520 Stacy Ct Ste. B Denver, CO 80231 303-632-8867

Topographic, Co. Lafayette, CO 80026 303-666-0379

Final Plat Lakota Pointe Filing No. 1

A Replat of Lot 2, Lakota Filing 5, Tract G & a Portion of that USBLM Supplemental Plat of Tract 48 accepted June 25, 1997 Township 2 South, Range 75 West of the 6th Principal Meridian Town of Winter Park, Grand County, Colorado Sheet 1 of 4

Planner's Certificate:

I, Martin Metsker being a qualified professional engineer or planner, certify that this plat of Lakota Pointe Filing 1 has been engineered, designed, and planned in accordance with all applicable design standards and other requirements of the Town of Winter Park Unified Development Code.

Martin Metsker - Senior PM Terracina Design

Planning Commission Certificate:

, 20 by the Town of Winter Park Planning Approved this day of Commission, Winter Park, Colorado

David Barker, Chairperson

Mayor's Certificate:

Approved and all public dedications accepted this day of Town Council of the Town of Winter Park situated in Grand County, Colorado. Acceptance of this platted subdivision by the Town of Winter Park does not constitute an acceptance of the roads and rights-of-way reflected hereon for maintenance by said Town. Until such roads and rights of way meet Town specifications and are specifically accepted for maintenance by resolution of the Town Council, the maintenance, construction, and all other matters pertaining to or affecting said roads and rights-of-way are the sole responsibility of the owners of the land embraced within the subdivision. This approval does not guarantee that the size or soil conditions of any lot shown hereon are such that a building permit may be issued.

Nick Kutrumbo	s, Mayor	
Attest:		
Danielle Jardee		

Estoppel Certificate:

Lakota Pointe Winter Park, LLC, the owner of the property included in Lakota Pointe Filing No. 1, certify that this final plat and the subdivision improvement agreement to be executed in connection with this final plat, if required, embody the entire agreement between the owner of said property and the Town with regard to the subdivision of said property, and that the owner is not relying upon any other representations, warranties, understandings, or agreements in connection with any matter encompassed by this plat or the subdivision improvement agreement if required, except as set forth on this plat or in said subdivision improvement

Kennith P. Boenish, as Principal of Lakota Pointe Winter Park, LLC

Certificate of Lienholder/Deed of Trust Holder:

The undersigned hereby certifies that it is a lawful lienholder/deed of trust holder as to the real property described in this Final Plat, does hereby certify that it accepts the conditions and restrictions set forth in this Final Plat, and does hereby subordinate its interests in the property described in this Final Plat to the fee simple dedications and grants of easements (if any) hereby provided to the Town of Winter Park.

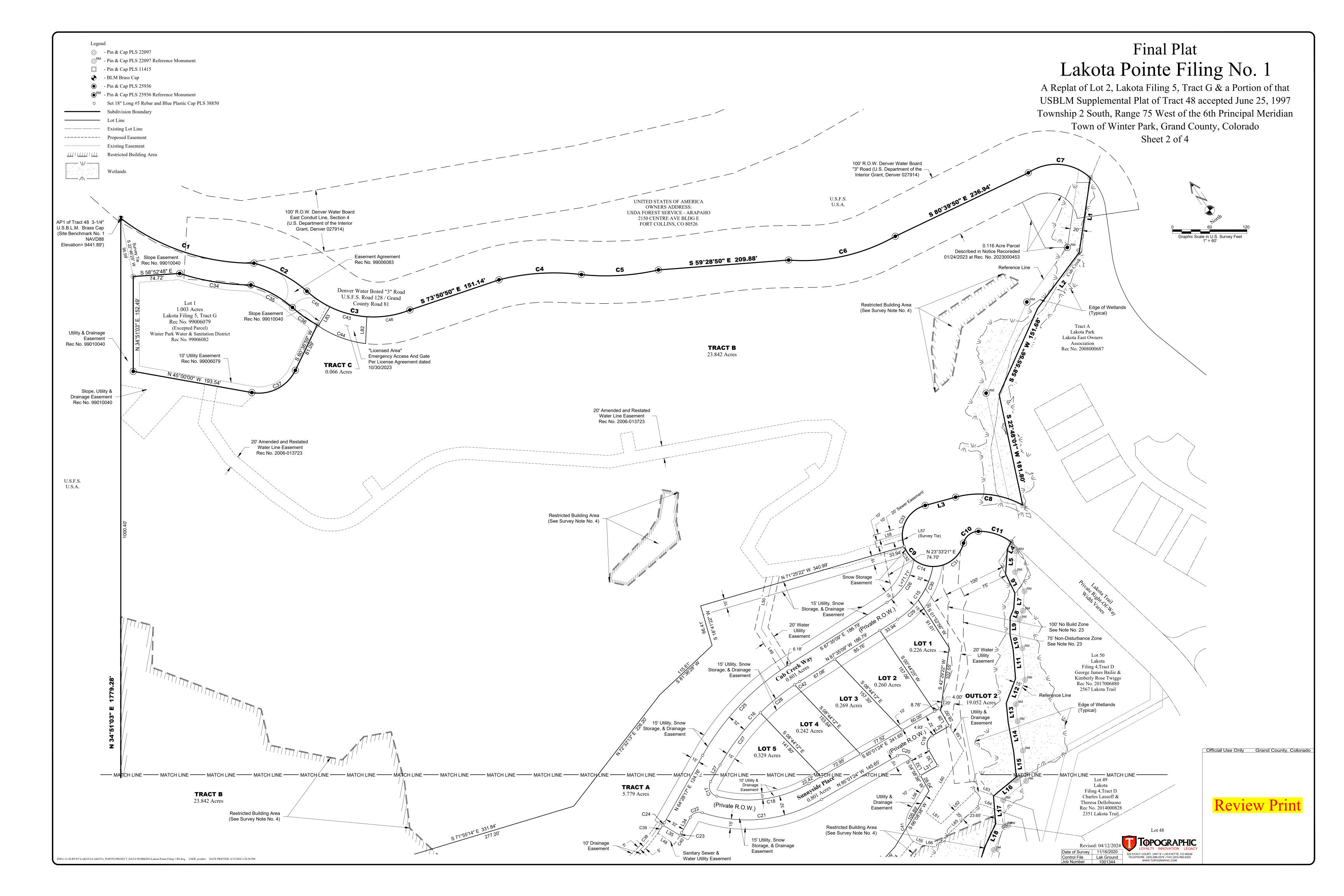
Wild Basin Real Estate	Investments, LLC, a Missouri limited liab	oility company	
Name:			
Title:			
State of Colorado)			
SS.			
County of Grand)			
The foregoing instrumer	nt was acknowledged before me this	day of	, 20
by	, as	of	

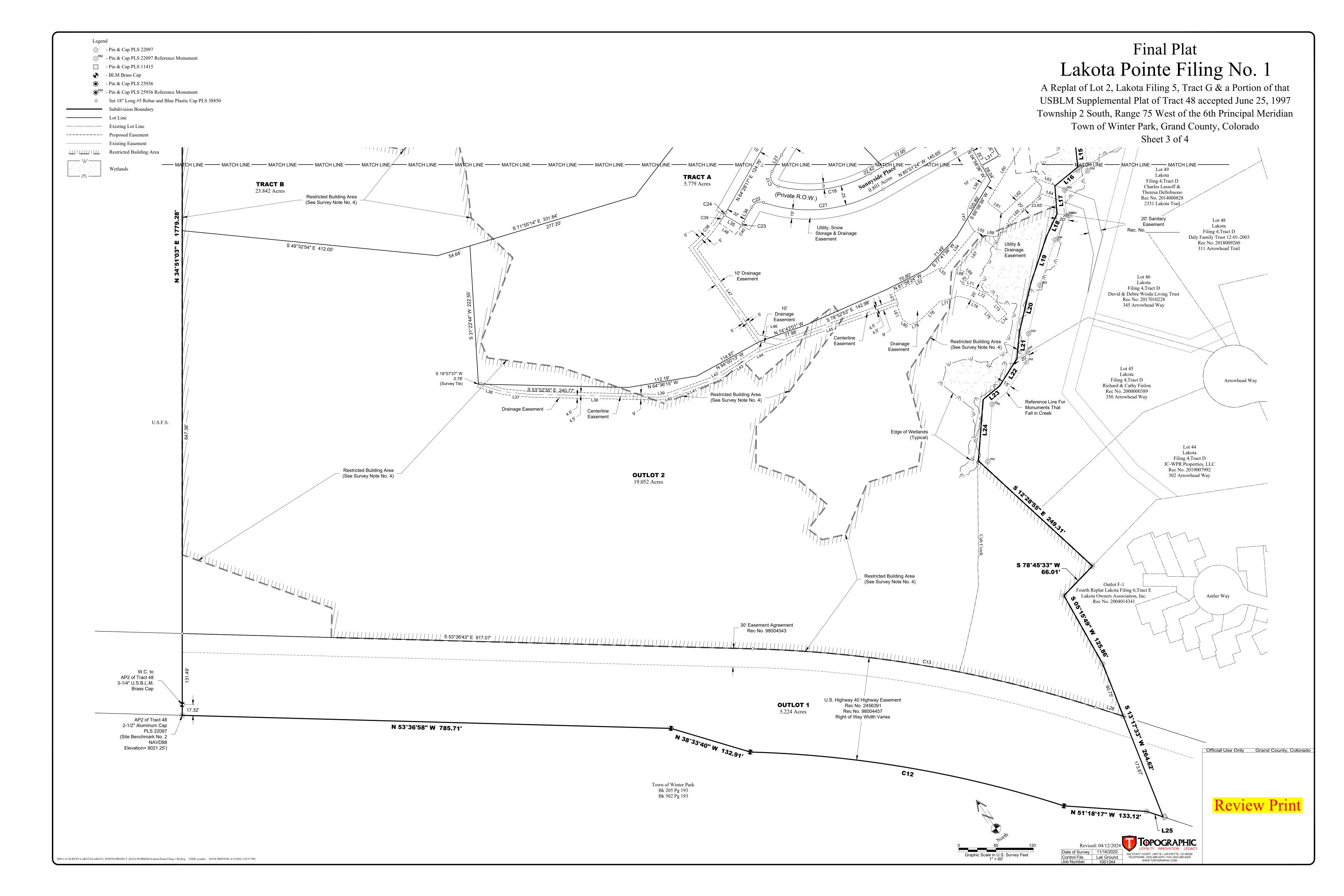
My Commission Expires:

Official Use Only Grand County, Colorado









Final Plat Lakota Pointe Filing No. 1

A Replat of Lot 2, Lakota Filing 5, Tract G & a Portion of that USBLM Supplemental Plat of Tract 48 accepted June 25, 1997 Township 2 South, Range 75 West of the 6th Principal Meridian Town of Winter Park, Grand County, Colorado Sheet 4 of 4

					CHORD BEARING
C1	229.86'	348.47'	37°47'37"	225.72'	S 36°30'50" E
C2	97.21'	211.86'	26°17'23"	96.36'	S 27°17'50" E
C3	177.43'	158.40'	64°10'48"	168.30'	S 44°48'50" E
C4	133.42'	359.03'	21°17'32"	132.66'	S 58°46'50" E
C5	124.63'	382.13'	18°41'11"	124.08'	S 58°36'50" E
C6	178.15'	300.95'	33°54'56"	175.56'	S 67°42'50" E
C7	107.78'	79.86'	77°19'34"	99.78'	S 50°31'51" E
C8	111.24'	145.00'	43°57'26"	108.54'	N 48°20'43" W
C9	209.95'	50.00'	240°35'20"	86.34'	S 10°37'06" E
C10	32.63'	25.00'	74°46'40"	30.36'	N 86°28'33" E
C11	56.37'	85.00'	37°59'45"	55.34'	S 37°08'14" E
C12	513.36'	1810.00'	16°15'01"	511.64'	N 45°24'25" W
C13	561.02'	1974.05'	16°17'00"	559.14'	N 45°28'13" W
C14	33.30'	50.00'	38°09'33"	32.69'	S 35°03'44" E
C15	104.73'	126.00'	47°37'30"	101.74'	S 68°36'07" W
C16	187.27'	384.00'	27°56'34"	185.42'	S 78°26'34" W
C17	29.42'	16.00'	105°20'38"	25.45'	S 11°47'58" W
C18	153.34'	199.00'	44°09'03"	149.58'	S 62°56'52" E
C19	25.13'	16.00'	90°00'00"	22.63'	S 49°58'36" W
C20	25.13'	16.00'	90°00'00"	22.63'	N 40°01'24" W
C21	194.28'	231.00'	48°11'19"	188.61'	N 60°55'44" W
C22	21.98'	16.00'	78°41'38"	20.29'	N 76°10'54" W
C23	5.14'	266.00'	1°06'29"	5.14'	S 65°01'32" W
C24	4.53'	234.00'	1°06'29"	4.53'	N 65°01'32" E
C25	202.88'	416.00'	27°56'34"	200.88'	N 78°26'34" E
C26	83.90'	94.00'	51°08'16"	81.14'	N 66°50'44" E
C27	106.43'	384.00'	15°52'49"	106.09'	N 72°24'42" E
C28	71.19'	384.00'	10°37'17"	71.08'	N 85°39'45" E
C29	45.37'	126.00'	20°37'45"	45.12'	N 82°05'59" E
C30	59.37'	126.00'	26°59'44"	58.82'	N 58°17'14" E
C31	67.00'	50.00'	76°46'16"	62.10'	N 87°28'22" E
C32	26.35'	50.00'	30°11'24"	26.04'	N 00°53'16" W
C33	83.31'	50.00'	95°28'08"	74.00'	N 61°56'30" E
C34	116.50'	383.47'	17°24'22"	116.05'	S 45°58'22" E
C35	76.47'	176.86'	24°46'28"	75.88'	S 26°40'03" E
C36	48.91'	193.40'	14°29'20"	48.78'	S 20°06'35" E
C37	84.39'	65.00'	74°23'01"	78.58'	N 82°11'31" W
C38	72.42'	229.00'	18°07'14"	72.12'	N 74°38'23" E
C39	15.12'	234.00'	3°42'05"	15.11'	S 67°25'49" W
C40	17.18'	266.00'	3°42'05"	17.18'	N 67°25'49" E
C41	53.15'	40.00'	76°07'31"	49.32'	N 28°04'52" E
C42	9.66'	384.00'	1°26'28"	9.66'	N 88°18'22" W
C43	61.87'	158.40'	22°22'51"	61.48'	S 40°08'00" E
C44	81.88'	171.91'	27°17'26"	81.11'	N 34°36'48" W
C45	44.84'	158.40'	16°13'09"	44.69'	S 20°50'00" E
C46	70.72'	158.40'	25°34'48"	70.13'	N 64°06'49" W

LINE	BEARING	DISTANCE
<u>L\</u>	S 43°13'25" W	121.19'
L2	S 71°29'29" W	112.10'
L3	N 70°19'26" W	50.63'
L4	S 63°30'23" W	12.30'
L5	S 39°06'01" W	40.68'
<u>L6</u>	S 08°42'58" W	34.08'
L7	S 39°10'47" W	25.30'
L8	S 57°16'36" W S 35°19'39" W	15.10' 27.93'
L9 L10	S 35°19'39" W S 22°53'29" W	24.48'
L11	S 30°06'13" W	46.69'
L12	S 55°35'42" W	42.03'
L13	S 29°17'04" W	31.56'
L14	S 24°15'35" W	47.88'
L15	S 28°48'10" W	40.63'
L16	S 85°09'32" W	47.79'
L17	S 30°24'31" W	44.71'
L18 L19	S 59°47'57" W S 53°22'18" W	40.13' 78.43'
L20	S 48°06'39" W	81.63'
L21	S 40°00'05" W	43.01'
L22	S 67°20'04" W	52.04'
L23	S 85°27'17" W	34.11'
L24	S 39°18'46" W	98.98'
L25	N 37°00'27" W	27.88'
L26	N 37°19'43" W	46.83'
L27	S 64°28'17" W	30.67'
L28	S 04°58'36" W	32.00'
L29	N 85°01'24" W S 04°58'36" W	32.00'
L30 L31	S 04°58'36" W N 85°01'24" W	30.00' 32.00'
L32	N 04°58'36" E	30.00'
L34	S 64°28'17" W	28.36'
L34 L35	N 24°25'14" W	32.00'
L36	S 39°14'50" E	41.58'
L37	S 49°23'18" E	41.53'
L38	S 53°52'35" E	207.72'
L39	S 59°11'13" E	10.29'
L40	S 69°48'28" E	10.29'
L41 L42	S 75°07'06" E S 81°36'59" E	71.86' 12.84'
L42 L43	S 88°06'52" E	67.65'
L44	S 80°52'11" E	10.87'
L45	S 74°43'01" E	232.07'
L46	N 42°34'53" W	27.26'
L47	N 00°36'15" W	184.52'
L48	S 20°43'09" E	32.00'
L49	N 02°24'51" E	73.05'
L50	N 47°24'51" E N 15°16'59" E	85.50'
L51 L52		11.70' 86.10'
L53	S 83°13'18" E S 15°39'51" E	4.34'
L54	N 74°20'09" E	78.56'
L55	S 32°20'34" F	17.76'
L56	N 66°08'38" E	49.59'
L57	N 26°26'48" E	21.20'
L58	N 71°25'22" W	45.92'
L59	S 04°58'36" W	45.98'
L60	S 66°08'38" W	115.93'
<u>L61</u> L62	S 17°25'56" E N 81°23'52" E	30.14' 80.19'
L62 L63	S 35°14'39" E	28.63'
L64	N 35°14'39" W	24.49'
L65	S 81°23'52" W	100.35'
L66	N 49°15'40" W	18.52'
L67	S 74°20'09" W	70.96'
L68	S 44°21'39" E	11.23'
L69	S 08°45'32" E	13.81'
L70	S 81°14'28" W	16.44'
L71	S 40°04'24" E	18.66'
L72 L73	S 28°01'49" E S 06°56'52" E	32.68' 37.13'
L73 L74	S 83°03'08" W	20.00'
L75	N 06°56'52" W	33.41'
L76	N 28°01'49" W	26.85'
L77	N 70°41'07" W	31.79'
L78	S 81°23'33" W	46.09'
L79	N 75°34'03" W	15.76'
L80	N 19°28'26" W	14.69'
L81	N 15°16'59" E	24.25'
L82	S 37°30'58" W N 66°09'45" E	43.12'
L83	N 66°09'45" E	35.75'

Area Tabulations:

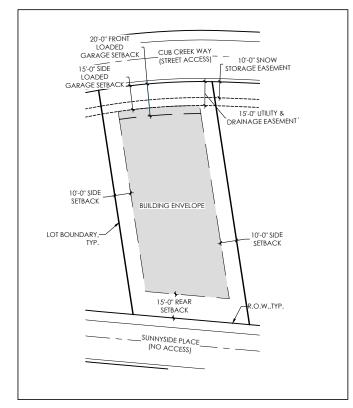
Lot	Acres	% of Total	Use
LOT 1	0.226	0.403%	Residential
LOT 2	0.260	0.463%	Residential
LOT 3	0.269	0.479%	Residential
LOT 4	0.242	0.432%	Residential
LOT 5	0.329	0.586%	Residential
OUTLOT 1	5.224	9.313%	Highway 40
OUTLOT 2	19.052	33.968%	Private Open Space
CUB CREEK WAY & SUNNYSIDE PLACE	0.801	1.427%	Private R.O.W.
TRACT A	5.779	10.303%	Future Residential Development
TRACT B	23.842	42.508%	Future Residential Development
TRACT C	0.066	0.117%	Access
Grand Total	56.089	100.00%	

(Average Lot size is 0.265 Acres (Lots 1-5 only))

OPEN SPACE TRACKING:

SITE DATA	AREA (AC)	%
TOTAL OPEN SPACE REQUIRED	30.520	100.0%
FILING 1 (OUTLOT 2)	19.052	62.4%
LOTS 1-5	TBD AT TIME OF PLOT PLAN	TBD
REMAINING	11.468	37.6%

(Table and values provide by Terracina Design LLC)



Lot Typical Layout
Not To Scale

Official Use Only Grand County, Colorado



