



Appendix D
Existing Legal
Documents

electronic only

AN INITIATED ORDINANCE SUBMITTED TO THE ELECTORS
OF THE CITY AT THE REGULAR ELECTION ON APRIL 1, 1997
RELATING TO THE CREATION OF A TRAILS, OPEN SPACE AND PARKS
PROGRAM THROUGH A SALES AND USE TAX

That there is hereby submitted and referred to the vote of the electors of the City at the regular general election to be held on Tuesday, April 1, 1997 the following proposed ordinance.

**AN ORDINANCE ESTABLISHING A TRAILS, OPEN SPACE AND PARKS
PROGRAM FOR THE CITY OF COLORADO SPRINGS.**

BE IT ENACTED BY THE PEOPLE OF THE CITY OF COLORADO SPRINGS:

WHEREAS, Section 29-2-102, Colorado Revised Statutes and Chapter 7 of the Code of the City of Colorado Springs 1980, As Amended ("City Code"), authorize the City of Colorado Springs ("City") to levy a sales or use tax, or both, upon the approval of a majority of the registered electors of the city voting on such proposal; and

WHEREAS, the City Code provides that a proposal for a citywide sales and use tax may be referred to the registered electors of the City upon initiation by registered electors pursuant to requirements under the City Code; and

WHEREAS, there is a critical need for the preservation of open space lands and for the provision of trails and parks within the City of Colorado Springs, (the "City") and areas within the immediate vicinity of the City, and it is in the best interests of the present and future citizens of the City to establish a sales tax and use tax of one tenth of one percent (0.10 %) to finance the foregoing; and

WHEREAS, it is the intent of this Resolution to encourage, foster and promote public-private partnerships in the preservation of open space lands, trails and parks in the City and surrounding areas; and

WHEREAS, registered electors within the City desire to submit this proposal to all registered electors of the City;

NOW, THEREFORE, BE IT RESOLVED that the Code of the City of Colorado Springs 1980 As Amended, shall be amended to reflect the following provisions:

Section 1) An ordinance amending those sections of Article 2, Chapter 7 of the Code of the City of Colorado Springs 1980 As Amended which reflect the tax rate are hereby amended to reflect an increase of .1%.

GENERAL PROVISIONS

1. Purpose. The general purposes of this ordinance are as follows:

- a. To establish a trails, open space and parks program to acquire real property in the City and El Paso County by various types of actions when determined by the City Council, acting pursuant to authority set forth in this ordinance to be necessary to preserve such areas;
- b. To acquire water rights and water storage rights for use in preserving fragile ecosystems, natural areas, scenic vistas and areas, fish and wildlife habitats and corridors, or important areas that support bio diversity, natural resources and landmarks, and cultural, historical and archaeological areas;
- c. To acquire mineral and fuel resource rights in order to protect the visual, geological and biological surface features of open space lands and trails;
- d. To acquire rights-of-way and easements for access to open space lands and for trails and to build and improve such access ways and trails;
- e. To acquire options related to these acquisitions;
- f. Conservation of new open. space lands shall be related to resource management including but not limited to water improvements (irrigation, domestic use and recreational use), preservation enhancements (fences, wetlands and wildlife habitat improvements), and passive recreational uses, such as trails, trailhead parking and other access improvements, and restrooms;
- g. To manage, patrol, improve and maintain all new open space lands and trails acquired with revenues generated by a sales and use tax approved by the electorate pursuant to this ordinance in accordance with the purposes set forth in this ordinance;
- h. To improve new park lands acquired with revenues generated by a sales tax and use tax approved by the electorate pursuant to this ordinance in accordance with this ordinance;
- i. To permit the use of the funds generated by the approved sales and use tax for the joint acquisition of new open space lands between the City and the County of El Paso and neighboring counties, recreational districts or with other governmental entities or land trusts, or with private individuals, corporations or entities, as would benefit the citizens of the City;
- j. To permit the use of the funds generated by the approved sales and use tax for repaying bonds issued for trails, open space and park capital purchases;
- k. Open space for the purposes of this ordinance, are generally described as those lands that are, or which may be in the future, in the public interest to protect and preserve, and which fulfill one or more of the functions described in this ordinance. The interest acquired may include fee simple ownership, leases,

easements, including conservation easements, or development rights. All open space lands purchases in fee simple shall require the payment of fair market value as just compensation. The City shall be authorized, but shall not be obligated, to accept lands donated as trails, open space or park lands which are consistent with the functions or which fulfill the purposes described herein.

l. Open space lands shall serve one or more of the following functions:

- 1) linkages and trails, access to public lakes, streams, and other suitable open space lands, stream corridors and scenic corridors along existing highways;
- 2) preservation of fragile ecosystems, natural areas, scenic vistas and areas, fish and wildlife habitats and corridors, or important areas that support bio-diversity, natural resources, significant land formations and landmarks. and cultural, historical and archaeological areas;
- 3) creating spatial definition of and between urban areas;
- 4) areas of environmental preservation, designated as areas of concern, Generally in multiple ownership, where several different preservation methods (including other governmental bodies? participation or private ownership) may need to be used;
- 5) conservation of natural and visual resources, including but not limited to forest lands, range lands, agricultural land, aquifer recharge areas, and surface water;
- 6) lands within or adjacent to a park or public open lands whose development potential is clearly incompatible with those lands;
- 7) preservation of land for educational opportunities and outdoor recreation areas limited to passive recreational use, including but not limited to hiking, photography or nature studies, and if specifically designated, bicycling, horseback riding or fishing.

m. Park lands shall serve one or more of the following functions:

- 1) Irrigated multi-purpose turf playing areas for both youth and adult baseball, softball, soccer, football, etc.
- 2) Individual picnic areas and group picnic pavilions;
- 3) Playgrounds;
- 4) On site parking; and

5) Restrooms, drinking water fountains and storage areas.

n. Trails are defined as public thoroughfares within and connecting open space lands for non-motorized use, often located in or near natural waterways, and which shall serve one or more of the following functions:

- 1) Hiking, walking or jogging;
- 2) Recreational or commuter bicycling; and
- 3) Horseback riding.

o. No motorized vehicles, other than those necessary for maintenance, emergencies or safety, shall be permitted on trails, open space or parks supported by this ordinance. No right-of-way for new roadways or utility corridors shall be assumed in areas obtained pursuant to this ordinance.

p. When public improvements are located in urban trail corridors, maximum effort will be undertaken to restore the land to its state while also providing for efficient maintenance of the constructed facilities.

2. City Code Definitions Incorporated. For purposes of this ordinance, the definitions of the word contained herein shall be as defined in Chapter 7 of the City Code concerning Sales and Use Taxes which definitions are incorporated herein by this reference.

DEPOSIT AND EXPENDITURE OF REVENUES

3. The sales tax and other revenue source funding collected pursuant to this ordinance shall be deposited in a special fund, to be known as the "Colorado Springs Trails, Open Space and Parks Fund" (the "Fund") and all revenue derived from said sales and revenues received from other sources shall be allocated and expended only in the following amounts, and for the following purposes:

a. Of the proceeds collected pursuant to this ordinance, a maximum of two percent (2%) may be deposited into an account identified as a Trails, Open Space and Parks Administration, Planning and Maintenance Fund as may be allocated for use by the City Council as recommended by the new Trails, Open Space and Parks Advisory Committee ("Advisory Committee") established by this ordinance for planning purposes as concerning trails, open space and parks.

b. For purposes of Article X, Section 20 of the Colorado Constitution and City Charter Section 7-90, the receipt and expenditure of revenues of the sales and use tax shall be accounted for, budgeted and appropriated separately from other revenues and expenditures of the City and outside of the fiscal year spending of the City as calculated under Article X, Section 20 and City Charter Section 7-90, and nothing, in Article X, Section 20 and City Charter Section 7-90 shall Limit

the receipt and expenditure in each fiscal year of the full amount of such revenues of the sales and use tax, nor shall receipt and expenditure of such revenues affect or limit the receipt or expenditure of any and all other revenues of the City for any fiscal year; nor shall Article X, Section 20, or City Charter Section 7-90 limit the receipt and expenditure of revenues received from sources outside of the sales and use tax described by this ordinance, regardless of the source, and specifically including, but not limited to, any revenues received from the Great Outdoors Colorado Fund or private donations.

c. Private individuals, corporations or entities may form public-private partnerships with the City and the respective municipalities to advance the purposes described in Section I of this ordinance, including the of private donations for such purposes. This ordinance shall not be construed to limit any tax credits or deductions that may be afforded to private individuals, corporations or entities for charitable donations made hereunder and which are permitted by the Internal Revenue Code, as amended.

d. The City may issue bonds as approved by the voters in future elections to advance the capital acquisition purposes of this ordinance.

e. Interest generated from the revenues of the sales and use tax or other revenues received pursuant to this ordinance shall be used for the purposes set forth above in this ordinance.

f. Open Space Lands Account. Of the revenues distributed hereunder, after deductions for planning as described in Section 3.a. above, a minimum of sixty per cent (60%) shall be used only for the acquisition and stewardship of new open space lands as provided herein.

1) The funds allocated for new open space lands shall be expended by the City only for the purposes set forth in Section 1 of this ordinance.

2) Excepting land leases for the growing of agricultural crops, no new open space land acquired through the revenue provided by these sales taxes or other revenue sources as described in this ordinance may be sold, traded or otherwise conveyed, nor may any exclusive license or permit with respect to such open space land be given, until approval is given by a majority vote of the electors of the City in a regular election after referral from the City Council or through a citizen initiative. Prior to such referral to the electors of the City, the proposal shall be reviewed by the Advisory Committee established by this or which shall make a recommendation to the City Council.

3) If the new open space land or any interest acquired in real property by use of proceeds of said sales and use tax generated pursuant to this ordinance be ever sold, exchanged, transferred or otherwise disposed of, the consideration for such sale, exchange, transfer or disposition shall be subject to the same expenditure and use restrictions as those set forth herein for the original proceeds of said sales and use tax and other revenue source, including restrictions set forth in this paragraph; and if such consideration is by its nature incapable of being so subject, then the proposed sale, exchange, transfer or disposition shall be unlawful and shall not be made.

4) Revenue collected by the city that is generated from activities on open space lands acquired with funds generated by this ordinance must be used to acquire, manage, patrol, improve and maintain open space lands consistent with this ordinance.

- g. Use for Trails. Of the revenues received from the sales and use tax and other revenue sources, after deductions for planning as described in Section 3.a. above, a maximum of twenty per cent (20%) of the revenues may be used to acquire an interest in new open space land for new trails within the City, including the construction, acquisition and maintenance of new trails, and to join in partnerships with El Paso County, neighboring counties and municipalities incorporated therein, recreational districts or other Governmental entities or land trusts, or with private individuals, corporations or entities, as would benefit the City residents by completing trail plans as they exist as of the passage of this ordinance. Such recreational capital improvements shall be limited to the purposes described in Section 1.m. of this ordinance.

Use for parks. Of the revenues received from the sales and use tax and other revenue sources, after deductions for planning as described in Section 3.a. above, a maximum of twenty per cent (20%) of the revenues may be used to acquire an interest in new open space land for new park areas, including the construction and acquisition (but not maintenance) of new park area recreational capital improvements for the use and benefit of the public. Such recreational improvements shall be limited to the purposes described in Section 1.m. of this ordinance. Any funds or other revenue received pursuant to this ordinance that is spent on existing, lands owned by the City may be spent only to establish new parks and related facilities thereon as are described in Section 1.m. of this ordinance.

CITIZENS ADVISORY COMMITTEE

4. If said sales tax is approved, the City Council shall establish and appoint a Trails, Open Space and Parks Advisory Committee which shall be charged with the following duties and responsibilities:

a. To make recommendations to the City Council regarding disbursements of funds from the Colorado Springs Trails, Open Space and Parks Fund, and the selection of open space land to be acquired, maintained, developed or preserved, and establishment of priorities therefor; and may by separate and additional resolutions promulgate such rules and regulations as may be required to implement this proposal for the best interests and preservation of the public peace, health, safety and welfare of the citizens of the City, including without limiting the generality of the foregoing, all rules and regulations designed to assure that all proceeds from said taxes and other revenue sources, reimbursements, rebates or refunds thereof shall be used for the purposes set forth herein.

b. To make recommendations to the City Council concerning the Trails, Open Space and Parks program, to periodically review the open space elements of the comprehensive land use plans for both the City and the County of El Paso, to review the City Manager's budget as it relates to open space matters and to submit its recommendations concerning this budget to the City Council, and it may prepare and submit to the City Council, the City Manager, the Parks Department, the Utility Department or any other City department recommendations on any other matter relating to or affecting the open space program, and it may request and obtain from the City Manager, the Parks Department, the Utility Department or any other City department information relating thereto.

5. To assist the Advisory Committee in carrying out its functions in an efficient manner, the Advisory Committee shall be authorized to recommend to City Council the expenditure of up to two percent (2%) of the revenues collected by the City to retain outside professional services to the extent necessary or appropriate. Such expenses shall be considered part of and count against the administration expenses described in Section 3.a. of this ordinance, and subject to the limitations set forth therein.

6. The members of said Advisory Committee shall all be residents of the City, shall not hold elected public office, shall serve without pay and shall be appointed by the City Council. At a minimum, said Advisory Committee shall include at least one member from each of the following:

a. one (1) representative appointed at large selected from lists of nominees submitted by non-profit groups whose mission includes promoting and protecting open space lands;

b. one (1) representative appointed at large selected from lists of nominees submitted by non-profit neighborhood groups; and

c. one (1) representative appointed at large selected from lists of nominees submitted by non-profit groups whose mission includes promoting and protecting trails.

7 . In the year 2009, the Advisory Committee shall draft language for and recommend to the City Council a ballot measure which shall be referred to the electors of the City in November 2010 concerning renewal of this ordinance.

BIENNIAL REVIEW

8. The City Council shall adopt regulations requiring biennial review by the City Council, with City and Advisory Committee participation, of the expenditures of all of the net proceeds from said sales tax and other revenue sources made for the precede two (2) years, and of the proposed expenditures to be made during the next succeeding two (2) years when appropriate, with a view to establishing priorities therefor; and for such purpose the relevant official City audit reports shall be made available to the Advisory Committee and to the City Council.

EFFECTIVE DATE - EXPIRATION DATE

9. Upon adoption by the electorate at the election on April 1, 1997, of the sales and use tax to fund the trails, open space and parks program described in this ordinance, this ordinance shall become effective and in force at 12:01 a.m. on July 1, 1997, and shall expire at 12:00 a.m. on April 30, 2009, unless renewed by a vote of the electors of the City; and upon said expiration all moneys remaining in any of the Funds created hereunder may continue to be expended for the purposes set forth herein until completely exhausted.

MISCELLANEOUS

10. Severability. If any section, paragraph, clause, or provision of this ordinance, or the ballot question submitted to the registered electors at the election shall be adjudged to be invalid or unenforceable, the invalidity or enforceability of such section, paragraph, clause or provision shall not affect any of the remaining sections, paragraphs, clauses' or provisions of this ordinance or said ballot question. It is the intention of the City Council that the various parts of this ordinance and said ballot question are severable. 11. Repeal and Amendment. If this ordinance is approved by a majority of the registered electors of the City at the election to be held on April 1, 1997, its provisions shall not be repealed or amended except by a vote of the registered electorate of the City.

Section 2) If passed by the electorate, this ordinance shall be in full force and effect on July 1, 1997.

SPECIAL WARRANTY DEED

The undersigned ("Grantors"), in consideration of \$2,600,000 in cash and charitable contributions, the receipt and sufficiency of which are hereby acknowledged, sell and convey to The City of Colorado Springs, a Colorado home rule city whose address is 30 S. NEVADA AVENUE ROOM #403 COLORADO SPGS, CO 80903 the real property described on Exhibit A hereto with all its appurtenances, and warrants the title against all persons claiming under Grantors, subject to the matters on Exhibit B attached hereto.

No Documentary - Statutory Exemption
Actual Consideration \$2,600,000.00

Grantors:

Sheila Venezia
Sheila Venezia (48.675%)

C. Lewis Christensen
Law Christensen & Associates (8.25%)
by C. Lewis Christensen President
Rosemarie Venezia
Rosemarie Venezia (6.16667%)

John Venezia
John Venezia (6.65833%)
Daniel Venezia
Daniel Venezia (6.16667%)

Dean Venezia
Dean Venezia (6.16667%)

Kathleen Venezia
Kathleen Venezia (6.16667%)

Edward Robinson
Edward Robinson (5.0%)

Kim Christensen Wyse
Kim Christensen Wyse (3.375%)

Brett Christensen
Brett Christensen (3.375%)

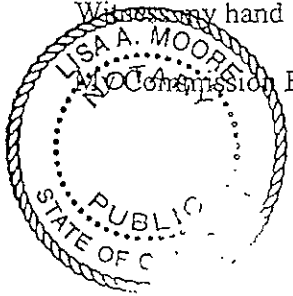
by C. Lewis Christensen, Attorney in fact

ACKNOWLEDGEMENT(S)

STATE OF COLORADO)
) ss
COUNTY OF EL PASO)

The foregoing instrument was acknowledged before me this 26th day of March, 2001, by Sheila Venezia.

Witness my hand and official seal.



My Commission Expires: 11/30/2002

Lisa A. Moore
Notary Public



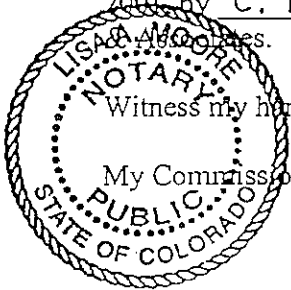
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Special Warranty Deed
Peregrine/City of Colorado Springs
March 2001

J. Patrick Kelly El Paso Cty, CO
04/02/2001 11:39 201039309
Doc \$0.00 Page
Rec \$30.00 2 of 6

STATE OF COLORADO)
) ss
COUNTY OF EL PASO)

The foregoing instrument was acknowledged before me this 26th day of March,
2001 by C. Lewis Christensen as the President of Lew Christensen
Associates.



Witness my hand and official seal.

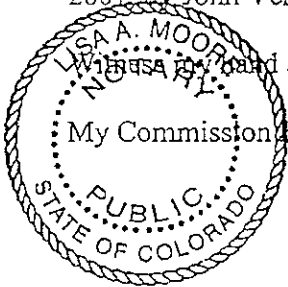
My Commission Expires: 11/30/2002

Lisa A. Moore
Notary Public

My Commission Expires 11/30/2002

STATE OF COLORADO)
) ss
COUNTY OF EL PASO)

The foregoing instrument was acknowledged before me this 26th day of March,
2001 by John Venezia.



Witness my hand and official seal.

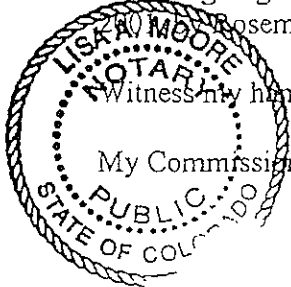
My Commission Expires: 11/30/2002

Lisa A. Moore
Notary Public

My Commission Expires 11/30/2002

STATE OF COLORADO)
) ss
COUNTY OF EL PASO)

The foregoing instrument was acknowledged before me this 26th day of March,
2001 by Rosemarie Venezia.



Witness my hand and official seal.

My Commission Expires: 11/30/2002

Lisa A. Moore
Notary Public

My Commission Expires 11/30/2002

Special Warranty Deed
Peregrine/City of Colorado Springs
March 2001

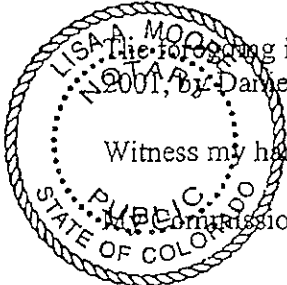
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Rec \$30.00 3 of 6

STATE OF COLORADO)
) ss
COUNTY OF EL PASO)

The foregoing instrument was acknowledged before me this 26th day of March, 2001, by Daniel Venezia.

Witness my hand and official seal.

My Commission Expires: 11/30/2002



My Commission Expires 11/30/2002

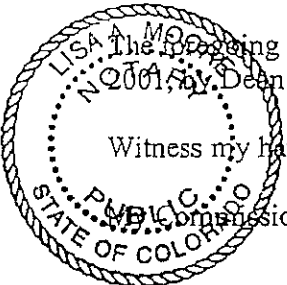
Lisa A. Moore
Notary Public

STATE OF COLORADO)
) ss
COUNTY OF EL PASO)

The foregoing instrument was acknowledged before me this 26th day of March, 2001, by Dean Venezia.

Witness my hand and official seal.

My Commission Expires: 11/30/2002



My Commission Expires 11/30/2002

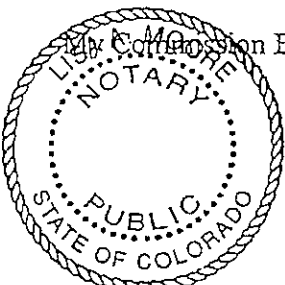
Lisa A. Moore
Notary Public

STATE OF COLORADO)
) ss
COUNTY OF EL PASO)

The foregoing instrument was acknowledged before me this 26th day of March, 2001, by Kathleen Venezia BERRY. & M

Witness my hand and official seal.

My Commission Expires: 11/30/02



My Commission Expires 11/30/2002

Lisa A. Moore
Notary Public

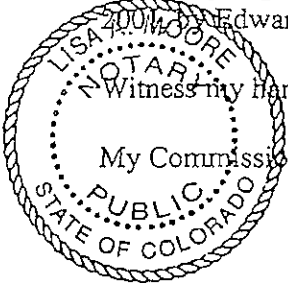
Special Warranty Deed
Peregrine/City of Colorado Springs
March 2001

J. Patrick Kelly El Paso Cty, CO
04/02/2001 11:39
Doc \$0.00 Page
Rec \$30.00 4 of 6

201039309

STATE OF COLORADO)
) ss
COUNTY OF EL PASO)

The foregoing instrument was acknowledged before me this 26th day of March,
2001, by Edward Robinson



Witness my hand and official seal.

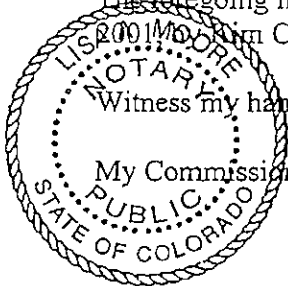
My Commission Expires: 11/30/02

My Commission Expires 11/30/2002

Lisa A. Moore
Notary Public

STATE OF COLORADO)
) ss
COUNTY OF EL PASO)

The foregoing instrument was acknowledged before me this 26th day of March,
2001, by Ann Christensen Wyse by C. Lewis Christensen as Attorney in Fact.



Witness my hand and official seal.

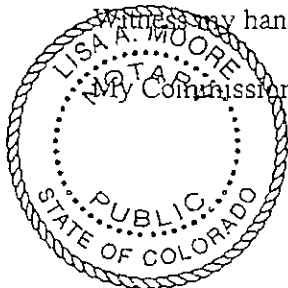
My Commission Expires: 11/30/02

My Commission Expires 11/30/2002

Lisa A. Moore
Notary Public

STATE OF COLORADO)
) ss
COUNTY OF EL PASO)

The foregoing instrument was acknowledged before me this 26th day of March,
2001, by Brett Christensen.



Witness my hand and official seal.

My Commission Expires: 11/30/02

My Commission Expires 11/30/2002

W\B\M\W\Real Estate 76.087 Special Warranty Deed Mar 23, 01

Lisa A. Moore
Notary Public

EXHIBIT A

Order Number: 200115336

LEGAL DESCRIPTION

PARCEL A:

The Southeast Quarter of the Northwest Quarter; the Southwest Quarter of the Northeast Quarter; the Southeast Quarter of the Northeast Quarter, and the Northeast Quarter of the Southeast Quarter, all in Section 4, Township 13 South, Range 67 West of the 6th P.M. in the City of Colorado Springs, El Paso County, Colorado, EXCEPTING THEREFROM:

(a) that portion of the Southwest Quarter of the Northeast Quarter conveyed to the City of Colorado Springs by Warranty Deed recorded March 3, 1995 in Book 6611 at Page 1377 of the El Paso County, Colorado records, and now platted as UPPER WOODMEN VALLEY RESERVOIR by plat recorded July 29, 1994 in Plat Book F-5 at Page 186 of said El Paso County records.

(b) those portions of the Southeast Quarter of the Northeast Quarter now included within the areas platted as CEDAR VALLEY AT PEREGRINE FILING NO. 1 by plat recorded January 19, 1994 in Plat Book F-5 at Page 82 of said El Paso County records and platted as ANGLESTONE AT PEREGRINE by plat recorded June 20, 1995 in Plat Book H-5 at Page 17 of said El Paso County records.

PARCEL B:

Those portions of the Southwest Quarter of the Northwest Quarter and of the Northwest Quarter of the Southwest Quarter of Section 3, Township 13 South, Range 67 West of the 6th P.M. in the City of Colorado Springs, El Paso County, Colorado, which lie [a] Southerly of the South boundary of ANGELSTONE AT PEREGRINE as depicted on the plat thereof recorded June 20, 1995 in Plat Book H-5 at Page 17 of said El Paso County records; [b] Westerly of the Northwesterly, Westerly, and Southwesterly boundaries of MAHOGNANY VALE AT PEREGRINE FILING NO. 2 as depicted on the plat thereof recorded August 7, 1996 at Reception No. 96099980 of said El Paso County records, and [c] Northerly of that parcel of ground conveyed to Point Aerie, Ltd. by Quitclaim Deed recorded December 26, 1995 in Book 6789 at Page 165 of said El Paso County records.

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04/02/2001

11:39

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Rec \$30.00 6 of 6

EXHIBIT B:

[1] Terms, conditions, and provisions of Ordinance No. 81-139 of the City Council of the City of Colorado Springs: AN ORDINANCE ANNEXING TO THE CITY OF COLORADO SPRINGS THAT TERRITORY SOMETIMES KNOWN AS MOUNT ST. FRANCIS ADDITION recorded June 27, 1981 in Book 3460 at Page 591.

[2] Terms, conditions, and provisions of Ordinance No. 87-102 of the City Council of the City of Colorado Springs: "...ESTABLISHING AND CREATING THE CITY OF COLORADO SPRINGS PEREGRINE GENERAL IMPROVEMENT DISTRICT..." recorded May 27, 1988 in Book 5512 at Page 1132.

[3] Avigation Easement granted to the United States Air Force Academy for the passage of aircraft used in the Academy's airmanship program through the airspace above the surface of Grantor's property, together with the right to cause noise and other effects of flight, by instrument recorded March 23, 1992 in Book 5951 at Page 445.

[4] An easement 50 feet wide for the installation, maintenance, repair, and replacement of public improvements and utilities, together with rights of ingress and egress thereto, as granted to the City of Colorado Springs by instrument recorded May 27, 1993 in Book 6182 at Page 4.

[5] An easement for the installation, maintenance, repair, and replacement of drainage facilities as granted to the City of Colorado Springs by instrument recorded May 27, 1993 in Book 6182 at Page 8.

[6] An easement for the installation, maintenance, repair, and replacement of drainage facilities as granted to the City of Colorado Springs by instrument recorded May 27, 1993 in Book 6182 at Page 12.

[7] An easement 50 feet wide for the installation, maintenance, repair, and replacement of a water line, together with rights of ingress and egress thereto, as granted to the City of Colorado Springs by instrument recorded March 17, 1994 in Book 6403 at Page 861.

[8] An easement 50 feet wide for access and the installation, maintenance, repair, and replacement of utilities lines, as granted to the City of Colorado Springs by instrument recorded May 27, 1994 in Book 6456 at Page 355.

[9] An easement 50 feet wide for access and the installation, maintenance, repair, and replacement of utilities lines, as granted to the City of Colorado Springs by instrument recorded May 27, 1994 in Book 6456 at Page 359.

[10] An easement 40 feet wide for the installation, maintenance, repair, and replacement of a water line, together with rights of ingress and egress thereto, as granted to the City of Colorado Springs by instrument recorded July 26, 1994 in Book 6494 at Page 358.

Bell

After recording, return to:
The Board of County
Commissioners of El Paso County
27 East Vermijo, Third Floor
Colorado Springs, CO 80903

ROBERT C. "BOB" BALINK	El Paso County, CO
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**ASSIGNMENT OF INTEREST IN
AND AMENDMENT TO
DEED OF CONSERVATION EASEMENT
(Blodgett Ranch Properties, LLC Property)**

THIS ASSIGNMENT OF INTEREST IN AND AMENDMENT TO DEED OF CONSERVATION EASEMENT (the "Assignment") is entered into this 6th day of November, 2006, by and between:

- (i) THE WILLIAM J. PALMER PARKS FOUNDATION, INC., a charitable nonprofit Colorado corporation, a/k/a The Palmer Land Trust, 915 W. Cucharras Street, Colorado Springs, CO 80905 ("Palmer Land Trust") which is the Grantee under the Conservation Easement described herein, as Assignor;
- (ii) EL PASO COUNTY ACTING BY AND THROUGH THE BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO, 27 East Vermijo, Third Floor, Colorado Springs, Colorado 80903 ("El Paso County") as Assignee, and;
- (iii) BLODGETT RANCH PROPERTIES, LLC, a Colorado limited liability company ("Grantor") who has executed this Assignment for the purpose of acknowledging its consent to the Assignment.

RECITALS

A. Grantor conveyed a Deed of Conservation Easement to the Palmer Land Trust dated August 20, 2003 recorded August 20, 2003 at Reception No. 203193483 of the records of the El Paso County, Colorado, Clerk and Recorder (the "Conservation Easement") which encumbered the Property described in **Exhibit "A"**.

B. Paragraph 18 of the Conservation Easement permits assignment of Palmer Land Trust's interest as Grantee to another "qualified organization" as that term is defined under Section 170(h) of the Internal Revenue Code of 1986, as amended.

C. El Paso County is a qualified organization under Section 170(h) of the Internal Revenue Code of 1986, as amended, and is authorized to acquire and hold conservation easements under Colorado law.

D. El Paso County has executed this Assignment as Assignee of the interest of Palmer Land Trust under the Conservation Easement and by this Assignment accepts assignment of the interest of Palmer Land Trust in the Conservation Easement.

E. Amendments to the Conservation Easement identified herein are required in order for El Paso County to accept assignment of the Conservation Easement.

AGREEMENT

NOW, THEREFORE, in consideration of Ten Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Assignment. Palmer Land Trust hereby assigns all of its rights and obligations as Grantee under the terms of the Conservation Easement to El Paso County, as permitted in the Conservation Easement.

2. Acceptance of Assignment. El Paso County hereby accepts the assignment of the rights and obligations of Palmer Land Trust as Grantee under the Conservation Easement as Assignee and successor Grantee. El Paso County and Palmer Land Trust agree that a condition of this Assignment is that El Paso County, as Grantee, continue to carry out the conservation purposes of the Conservation Easement as originally intended to advance.

3. Release of Original Grantee. Palmer Land Trust is hereby released from any and all obligations as Grantee under the terms of the Conservation Easement arising after the date of this Assignment.

4. The Parties hereby agree that the specific provisions of the Conservation Easement shall be amended as follows:

- A. Replace paragraph H of the Recitals with the following: Grantee is a governmental organization qualified under Colorado law and Section 170(h) of the Internal Revenue Code of 1986, to hold conservation easements.
- B. Add the following language to paragraph 3.n.: Given Grantor's ability to store and use fuels, fertilizers, treated lumber and legal chemicals for agricultural operations, if, at any time, there occurs, or has occurred, a release of any solid waste, petroleum products, or hazardous materials which are polluting, or otherwise contaminating to the air, water, or in any way harmful or threatening to human health or the environment, Grantor agrees to take all steps reasonably necessary to assure their containment and remediation, including any cleanup that may be required.

ASSIGNOR:

WILLIAM J. PALMER PARKS FOUNDATION, INC.

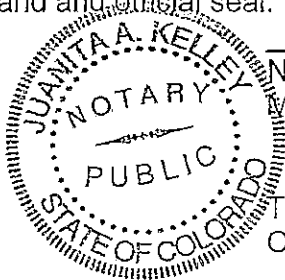
By: _____

Title: _____

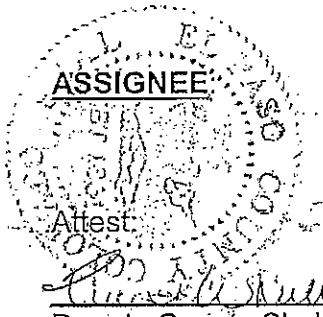
STATE OF COLORADO)
) ss.
COUNTY OF EL PASO)

The foregoing document was acknowledged before me this 26th day of October 2006, by Elizabeth Joemon Hurry, as President of the William J. Palmer Parks Foundation, Inc.

Witness my hand and official seal.



Juanita A. Kelley
Notary Public
My commission expires: 02-05-09



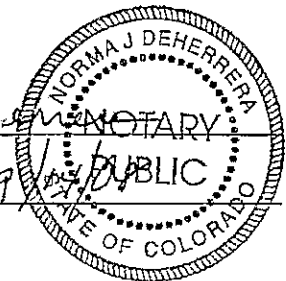
THE BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

By Sallie Clark
Name: Sallie Clark
Title: Chair

STATE OF COLORADO)
) ss.
COUNTY OF EL PASO)

The foregoing document was acknowledged before me this 5th day of October, 2006 by Sallie Clark as Chair of The Board of County Commissioners of El Paso County, Colorado, as Assignee, as attested to by Eileen Wheeler, Deputy County Clerk to the Board.

WITNESS my hand and official seal.



Norma J. DeHerrera
Notary Public
My commission expires: 9/1/07

CONSENT AND APPROVAL OF AMENDMENTS

BLODGETT RANCH PROPERTIES, LLC hereby consents to the Assignment of the Conservation Easement and the amendments thereto as identified herein of which it is Grantor, dated and recorded August 20, 2003 at Reception No. 203193483 of the records of the El Paso County, Colorado, Clerk and Recorder, from PALMER LAND TRUST to EL PASO COUNTY acting by and through THE BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO and releases Palmer Land Trust for any past acts and omissions as holder of the Conservation Easement. BLODGETT RANCH PROPERTIES, LLC agrees to look solely to El Paso County to discharge the obligations of the holder of the Conservation Easement arising after the date of this Assignment.

BLODGETT RANCH PROPERTIES, LLC

BY: Michael P. Slattery
Michael P. Slattery, General Manager
Date: NOV. 6, 2006

STATE OF COLORADO)
) ss.
COUNTY OF EL PASO)

The foregoing document was acknowledged before me this 6th day of November 2006, by Michael P. Slattery as General Manager of Blodgett Ranch Properties, LLC.

WITNESS my hand and official seal.

Juanita A. Kelley
Notary Public
My commission expires: 02-05-09

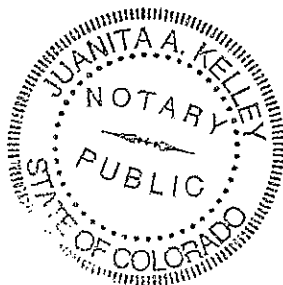


EXHIBIT "A"

LEGAL DESCRIPTION: BLODGETT RANCH PROPERTIES, LLC

A TRACT OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTHERLY BOUNDARY LINE OF MAHOGANY VALE AT PEREGRINE FILING NO. 3, AS RECORDED UNDER RECEPTION NO. 97148164, EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE WESTERLY END BY A NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LTD RLS 10377," AND BEING MONUMENTED AT THE EASTERLY END BY A NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LTD RLS 10377," BEING ASSUMED TO BEAR S89°50'13"E, A DISTANCE OF 829.25 FEET.

COMMENCING AT THE SOUTHWESTERLY CORNER OF MAHOGANY VALE AT PEREGRINE FILING NO. 3, AS RECORDED UNDER RECEPTION NO. 97148164, EL PASO COUNTY, COLORADO, SAID POINT BEING THE POINT OF BEGINNING;
THENCE S89°50'13"E ON THE SOUTHERLY BOUNDARY LINE OF SAID MAHOGANY VALE AT PEREGRINE FILING NO. 3, A DISTANCE OF 64.48 FEET;
THENCE S00°10'17"W, A DISTANCE OF 243.92 FEET;
THENCE S90°00'00"E, A DISTANCE OF 1028.56 FEET;
THENCE N02°41'10"E, A DISTANCE OF 67.57 FEET;
THENCE S87°18'50"E, A DISTANCE OF 30.77 FEET TO A POINT OF CURVE;
THENCE ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF 27°38'00", A RADIUS OF 230.00 FEET, A DISTANCE OF 110.93 FEET TO A POINT OF TANGENT;
THENCE S59°40'50"E, A DISTANCE OF 80.32 FEET;
THENCE N30°19'10"E, A DISTANCE OF 20.41 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF CENTENNIAL BOULEVARD AS PLATTED IN CENTENNIAL BOULEVARD SUBDIVISION FILING NO. 2, RECORDED IN PLAT BOOK R-3 AT PAGE 57, EL PASO COUNTY, COLORADO;
THENCE ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID CENTENNIAL BOULEVARD, THE FOLLOWING TWO (2) COURSES:

1. ON THE ARC OF A CURVE TO THE RIGHT, WHOSE CENTER BEARS S33°42'47"W, HAVING A DELTA OF 21°18'18", A RADIUS OF 666.80 FEET, A DISTANCE OF 247.95 FEET TO A POINT OF TANGENT;
2. S34°58'55"E, A DISTANCE OF 385.92 FEET TO A POINT ON THE NORTHERLY BOUNDARY LINE OF TRACT "A" AS PLATTED IN OAK VALLEY RANCH FILING NO. 6, RECORDED IN PLAT BOOK G-5 AT PAGE 27;

THENCE S88°47'16"W ON THE NORTHERLY BOUNDARY LINE OF SAID TRACT
"A", A DISTANCE OF 626.02 FEET;
THENCE N00°00'00"E, A DISTANCE OF 372.67 FEET;
THENCE N90°00'00"W, A DISTANCE OF 1364.35 FEET;
THENCE N00°00'00"E, A DISTANCE OF 362.13 FEET TO A POINT ON THE
SOUTHERLY BOUNDARY LINE OF MAHOGANY VALE AT PEREGRINE FILING NO.
2, AS RECORDED UNDER RECEPTION NO. 96099980;
THENCE S89°50'13"E ON SAID SOUTHERLY BOUNDARY LINE, A DISTANCE OF
281.57 FEET TO THE POINT OF BEGINNING.

10

**DEED OF CONSERVATION EASEMENT
BLODGETT RANCH**

THIS DEED OF CONSERVATION EASEMENT is made this 20th day of August, 2003, by BLODGETT RANCH PROPERTIES, LLC, a Colorado limited liability company having an address at 7870 Ravenstone Court, Colorado Springs, CO 80919 ("Grantor"), in favor of WILLIAM J. PALMER PARKS FOUNDATION, INC., a charitable nonprofit Colorado corporation, having an address at P.O. Box 1281, Colorado Springs, Colorado 80901 ("Grantee").

RECITALS:

A. Grantor is the sole owner in fee simple of certain real property in El Paso County, Colorado, more particularly described in Exhibit "A" attached hereto and incorporated by this reference (the "Property"). The Property is adjacent to approximately sixty (60) acres which will sometimes be utilized in connection with the Property and which is legally described on Exhibit "B" attached hereto and incorporated by this reference (the "Adjacent Property").

B. The Property possesses natural, scenic, open space, aesthetic, educational, recreational, ecological and environmental values (collectively, "Conservation Values") of great importance to Grantor, the Grantee, the people of El Paso County and the people of the State of Colorado which are worthy of protection in perpetuity. Grantor and Grantee recognize that economic development of the Property would have an adverse impact on and greatly impair these Conservation Values.

C. Colorado Revised Statutes §§33-1-101, *et. seq.*, provides in relevant part that "it is the declared policy of the State of Colorado that the wildlife and their environment are to be protected, preserved, enhanced and managed for the use, benefit and enjoyment of the people of this state and its visitors." Additionally, Colorado Revised Statutes §§38-30.5-101, *et. seq.*, provides for the establishment of conservation easements to maintain land "in a natural, scenic or open condition, or for wildlife habitat, or for agricultural . . . or other use or condition consistent with the protection of open land having wholesome environmental quality or life-sustaining ecological diversity".

D. In particular, the Property possesses at least the following Conservation Values:

(1) Trails Connection. The Property will be used for a public trail connection to the 167 acre Blodgett Peak Open Space owned by the City of Colorado Springs. There currently is no direct public access to the southern portion of the Open Space. In addition, the trail connection through the Property will be incorporated into the Woodmen Trail, connecting Blodgett Peak Open Space to other future open space to the east across Centennial Boulevard.

(2) Open Area Connection. The Property is adjacent to the Blodgett Peak Open Space. The Property is also adjacent to future open space to the east across Centennial Boulevard, which is currently under review in the Peregrine Master Plan.

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Robert C. Balink El Paso Cty, CO

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(3) Wildlife. The Property provides habitat for wildlife typical of scrub oak and foothill grassland vegetation communities, including deer, coyote, and numerous species of resident and migratory birds.

(4) Scenic. The Property is an undeveloped natural area visible from Centennial Boulevard and the surrounding neighborhood. The Property is located within the Hillside Overlay Zone. Lands within this zone are considered significant landscape and aesthetic features within the City of Colorado Springs.

(5) Ecological. The Property is essentially in a natural condition, with minimal soil erosion, vegetation dominated by native plant species, and few state-listed noxious weeds.

E. The parties acknowledge that specific Conservation Values of the Property are being documented in an inventory of natural features of the Property, (the "Baseline Documentation"). A copy of the Baseline Documentation, signed by both the Grantor and the Grantee, will be kept on file at the offices of the Grantor and the Grantee. The Baseline Documentation shall consist of reports, maps, photographs, and other documentation that the parties agree to provide, collectively, an accurate representation of the Property at the time of this grant and which is intended to serve as an objective information baseline for monitoring compliance with the terms of this grant.

F. The Grantor intends that the Property's natural characteristics and Conservation Values, as cited above, be preserved and that the Property be used as a ranch in conjunction with the Adjacent Property and for recreational uses, which will be compatible with the Grant.

G. Grantor further intends, as owner of the Property, to convey to Grantee the affirmative right to preserve and protect the Conservation Values of the Property in perpetuity exclusively for conservation purposes by allowing no development on the Property and by extinguishing any and all development rights and allocation and density rights and allocations, whether presently existing or arising in the future.

H. Grantee is a publicly supported, tax-exempt nonprofit organization, qualified under Section 501(c)(3) of the Internal Revenue Code, as amended, and a qualified organization as defined under Section 170(h) of the Internal Revenue Code, as amended, whose primary purpose is the preservation, protection, or enhancement of land in its natural, scenic, historical, agricultural, forested, and/or open space condition.

I. Grantee agrees by accepting this grant to honor the intentions of Grantor stated herein and to preserve and protect in perpetuity the Conservation Values of the Property for the benefit of this generation and the generations to come.

NOW, THEREFORE, in consideration of the above and the mutual covenants, terms, conditions, and restrictions contained herein, and pursuant to the laws of the State of Colorado, and in particular C.R.S. § 38-30.5-101 et seq., Grantor hereby voluntarily grants and conveys to

Grantee a Conservation Easement in perpetuity over the Property of the nature and character and to the extent hereinafter set forth ("Easement").

1. Purpose. It is the purpose of this Easement to assure that the Property will be retained forever predominantly in its natural, scenic, forested, and open space condition, to preserve and protect in perpetuity the aesthetic, ecological, environmental, forestry, public recreational and educational, scenic and botanical values of the Property, and to prevent any use of the Property that will impair or interfere with the Conservation Values of the Property and to extinguish any and all development rights and allocations and density rights and allocations, whether presently existing or arising in the future. Grantor intends that this Easement will confine the use of the Property to such activities as are consistent with the purpose of this Easement.

2. Affirmative Rights of Grantee. To accomplish the purpose of this Easement the following rights are conveyed to Grantee by this Easement:

a. To identify, preserve, protect and enhance the Conservation Values of the Property;

b. To enter upon the Property at reasonable times upon prior notice to the Grantor in order to monitor Grantor's compliance with and otherwise enforce the terms of this Easement and to observe, study and make educational and scientific observations on the Property and for purposes of leading, organizing and facilitating public hikes, bird watching and similar activities on the Public Trail on the Property giving the public full access to such Public Trail for those purposes; provided, however, that such right of entry shall not unreasonably interfere with Grantor's use and quiet enjoyment of the Property consistent with this Easement; and

c. To enjoin or prevent any activity on or use of the Property that is inconsistent with the purpose of this Easement and to require the restoration of such areas or features of the Property that may be damaged by any inconsistent activity or use.

3. Prohibited Uses. Any activity on or use of the Property inconsistent with the purpose of this Easement is prohibited. Without limiting the generality of the foregoing, the following activities and uses are expressly prohibited:

a. New Structures and Improvements. New buildings, improvements, and other structures and improvements may not be built without the advance written permission of Grantee except as are permitted in paragraph 4. Grantee may withhold such permission, in its reasonable discretion, if Grantee determines that the proposed building, structure, or improvement will diminish or impair one or more of the Conservation Values of the Property.

b. Subdivision. Any division, subdivision or de facto subdivision of title to the Property, whether by physical or legal process, is prohibited and any and all rights, however designated, now or hereafter associated with the Property pursuant to governmental laws or regulations, to compute number of structures, development density, lot yield, or any similar

development variable on or pertaining to the Property or any other property shall be surrendered and donated to the Grantee.

c. Timber Harvesting. Trees may be cut to help construct the Public Trail, to control insects and disease, to control invasive non-native species, and to prevent personal injury and property damage. Dead trees may also be cut for firewood and other uses on the Property. Commercial timber harvesting on the Property shall be prohibited; however, cutting a limited quantity of trees to be used on the Property and on the Adjacent Property as fence and corral posts, corral rails and for other similar purposes in connection with ranching activities on the Property and on the Adjacent Property shall be permitted.

d. Mining. The mining or extraction of soil, sand, gravel, rock, oil, natural gas, fuel, or any other mineral substance, peat or other material is prohibited.

e. Road Construction and Paving and Public Trail Construction. Other than the interior ranch roads that exist as of the date of this Easement, the road which will access the barn and the road which will access the Adjacent Property, both of which are shown on Exhibit "C" attached hereto, Grantor shall not construct any new roads without first obtaining Grantee's written consent. Grantor, and its Public Trail easement grantee, may construct the Public Trail on the Property which is shown on Exhibit "C" attached hereto without obtaining consent from Grantee. Subject to the aforementioned exceptions Grantee may withhold its permission if it reasonably determines that any proposed new road will diminish or impair any of the Conservation Values of the Property. No portion of the Property shall be paved or otherwise covered with concrete, asphalt, or any other paving material, without the advance written permission of Grantee. Grantee shall give such permission unless Grantee determines that the proposed paving or covering of the soil will diminish or impair any of the Conservation Values of the Property or is otherwise inconsistent with this Easement.

f. Trash. The dumping or uncontained accumulation of any kind of trash or refuse on the Property, or the storage or any other deposit of abandoned vehicles, is prohibited. However, waste material generated on the Property as a consequence of a permitted use may be buried provided the ground over it is restored to its original vegetative condition. Collections of cars and trucks and working and farming and recreational equipment are permitted, and normally will be parked in the Building Envelope area.

g. Water Rights. Grantor shall retain and reserve the right to use water rights sufficient to maintain and improve the Conservation Values of the Property, and shall not transfer, encumber, lease, sell or otherwise separate any water rights associated with the Property from title to the Property itself. Grantor shall have the right to preserve, use, enhance and protect water rights as may be appropriate.

h. Commercial or Industrial Activity. No commercial or industrial uses shall be allowed on the Property. However, ranching, forestry, the construction of perimeter fencing, boarding up to six (6) horses on the Property, horse back riding for hire, horseback lessons in a riding arena in the Building Envelope on the Property, farming, home office or home business

and any other use or practice expressly permitted under paragraph 4 shall not be considered a commercial or industrial use.

i. Feedlot. The establishment or maintenance of any commercial feedlot is prohibited. A commercial feedlot shall be defined for purposes of this Easement as a permanently constructed, confined area or facility, within which the land is not grazed or cropped annually, for the purpose of engaging in the business of reception and feeding of livestock. Cattle feeding operations on the Property which are consistent with normal ranching practices shall not constitute a commercial feedlot.

j. Motor Vehicles. The use of motor vehicles, including automobiles, snow mobiles, ATV's, four wheelers and motorcycles, which would in any way in result in substantial degradation of the Property and wildlife habitat thereon is prohibited, except such vehicular use as is necessary for ranch or forestry management purposes, and other permitted uses and practices stated in paragraph 4. Such degrading uses shall include, without limitation, those which increase susceptibility of the soil to erosion or disturb wildlife.

k. Billboards. The construction, placing or erection of any commercial signs or billboards on the Property is prohibited except for directional signs for a proposed bed and breakfast to be located on the Adjacent Property.

l. Alternation of Watercourses and Topography. The Grantor shall not change, disturb, alter, excavate, or impair any watercourse or wetland or alter the land surface through grading or soil dumping or trenching, except as may be necessary for activities related to the purpose of this Easement, such as Public Trail construction.

m. Water Pollution. The material degradation or pollution of any surface or sub-surface water on the Property is prohibited, above and beyond that which may occur from normal agricultural practices and which are permitted hereunder.

n. Hazardous Materials. The storage, dumping or other disposal of toxic and/or hazardous materials or of non-compostable refuse on the Property is prohibited, except for the above ground storage and use of fuels, fertilizers, treated lumber and legal chemicals as necessary for the agricultural operation. All materials shall be stored in accordance with all applicable laws and regulations, and in a manner which prevents spillage, leakage, and dumping, and which prevents soil, and surface water or groundwater contamination, and in a manner which is consistent with the preservation of the Conservation Values of the Property.

4. Reserved Rights. Grantor reserves to itself, and to its successors and assigns, all rights accruing from their ownership of the Property, except for rights granted in connection with the Public Trail, including the right to engage in or permit or invite others to engage in all uses of the Property that are not expressly prohibited herein and are not inconsistent with the purpose of this Easement. Grantor retains the right to control access to the Property by all persons, except that Grantee and its designated agents shall have the right of ingress and egress at reasonable times and upon giving prior notice to Grantor for the purpose of inspecting the Property to insure compliance with the terms of this Easement. Grantor and Grantee acknowledge that the present

uses of the Property are permitted uses hereunder. The following uses and practices, though not an exhaustive recital of consistent uses and practices, are permitted under this Easement, and these uses and practices are not to be precluded, prevented, or limited by this Easement. Grantor retains the following rights:

a. To conduct conservative ranching operations on the Property (whether or not operated for a profit), including pasturing, grazing, and care of horses and other livestock consistent with recognized ranching practices; provided that such ranching activities shall not result in over-grazing or in the pollution or degradation of any surface or sub-surface waters. The intent of the Grantor is that the permissible number of animal units should be consistent with sound ranching practices.

b. To conduct such forestry and pastoral activities on the Property as are consistent with the overall purposes of this Easement, including, without limitation, tree thinning, tree planting of native species anywhere on the Property, pest control and/or other necessary forest and pasture maintenance in accordance with the recommendations from the Natural Resource Conservation Service, the Colorado State Forest Service or any other successor or governmental agency which similar interests and purposes

c. To construct a perimeter fence and livestock fencing used in ranching operations; to maintain, repair and replace fences at locations of Grantor's choosing as may be necessary or desirable to maintain the Property in its current condition. Grantor may place new fencing in locations of its choosing within the Building Envelope without the need to obtain Grantee's consent.

d. To use the Property for the primary purpose of the enjoyment of the open space and as a venue for Grantor's ranching, farming, forestry, recreational and horseback riding activities on the Property and grazing its horses and other livestock anywhere on the Property without the need to obtain Grantee's consent.

e. Grantor may construct ditches, corrals and pastures with Grantee's consent which shall be granted so long as the proposed improvement does not impair the Conservations Values.

f. Grantor may also construct the Public Trail, the access road to the barn and the access road to the Adjacent Property in the respective locations shown on Exhibit "C" attached hereto.

g. To construct, develop, maintain and operate existing and additional wells, ditches, water storage and pipeline facilities, sewer line facilities, electrical lines, natural gas lines, telephone lines and cable television lines, and generally to appropriate, employ and use all surface and ground water that may be allowed under Colorado Water Law; provided, however, that the development and use of such water resources shall be compatible with the purposes of this Easement, such as domestic use; furthermore, all of the aforementioned utility lines and facilities must be installed in a manner which will minimize the damage to the surface of the Property and Grantor must restore and re-vegetate the ground with vegetation substantially

similar to the vegetation which existed prior to the installation. Additionally, all such utilities shall be located underground.

h. To construct, maintain, occupy and replace a barn with stables and bunkroom on the Property. The barn, with stables, bunkroom, lavatory, storage access for feed, paddocks, riding arenas and a stand-alone hay storage facility and similar structures, as well as a vehicle parking area, shall be located within a one and one-half (1 ½) acre building envelope which is shown on Exhibit "C" attached hereto. Grantor may create earth berms around such dwellings and other buildings and thin the trees within the building envelope. Grantor shall be permitted to develop, construct and improve, within the building envelope, to the extent that such development, construction, and improvements are permitted by the building, development, grading, zoning and all other relevant codes and ordinances of the City of Colorado Springs, as amended from time to time; provided, however, that all such utilities will be located underground. Grantor shall give Grantee written notice in accordance with paragraph 5 before any construction is commenced in order to ensure that the location of the improvements is within the building envelope shown on Exhibit "C".

i. To control soil erosion, conserve soil and existing desirable vegetation and control weeds, invasive, noxious, parasitic native and non-native plants on the Property in a manner consistent with good conservation practices as established by the Natural Resource Conservation Service or any successor governmental agency with similar interests and purposes. Notwithstanding this reserved right, Grantor has the responsibility to control weeds in a manner consistent with state laws and county ordinances, subject to the following:

(i) All control techniques shall be consistent with the labeled instructions of the application materials which constitute the reasonable minimum necessary to control and/or eradicate the weeds, and which reasonably minimize impacts on the Conservation Values of the Property;

(ii) Aerial application of any weed control is prohibited without the Grantee's prior written approval;

(iii) Biological (insect) control of weeds which do not materially adversely impact any of the Conservation Values of the Property shall be deemed consistent with the purposes of this Easement.

j. To observe, study and make educational and scientific observations on the Property and to retain all rights to lead, organize and facilitate public hikes, bird watching and similar activities on the Public Trail and elsewhere on the Property.

k. To sell, mortgage, bequeath, or donate the Property. Any conveyance will remain subject to the terms of the Conservation Easement and the subsequent Owner will be bound by all obligations in this agreement.

5. Notice of Intention to Undertake certain Permitted Actions. The purpose of requiring Grantor to notify Grantee prior to undertaking certain permitted activities is to afford

Grantee an opportunity to ensure that the activities in question are designed and carried out in a manner consistent with the purpose of this Easement. Whenever notice is required, Grantor shall notify Grantee in writing not less than sixty (60) days prior to the date Grantor intends to undertake the activity in question. The notice shall describe the nature, scope, design, location, timetable, and any other material aspect of the proposed activity in sufficient detail to permit Grantee to make an informed judgment as to its consistency with the purpose of this Easement.

6. Grantee's Approval. Where Grantee's approval is required Grantee shall grant or withhold its approval in writing within sixty (60) days of receipt of Grantor's written request therefor. Grantee's approval may be withheld upon a reasonable determination by Grantee that the action as proposed would be inconsistent with the purpose of this Easement; provided, however, that Grantee's failure to respond to Grantor's request within such sixty (60) day period shall be deemed to be approval of the activity referred to in Grantor's notice.

7. Enforcement. Grantee shall have the right to prevent and correct or require correction of violations of the terms and purposes of this Deed. Grantee may enter the Property for the purpose of inspecting for violations. If Grantee finds what it believes is a violation, Grantee shall immediately notify Grantor in writing of the nature of the alleged violation. Upon receipt of this written notice, Grantor shall either (a) immediately cease the activity constituting the violation and promptly restore the Property to its condition prior to the violation to the reasonable satisfaction of Grantee or (b) immediately provide a written explanation to Grantee of the reason why the alleged violation should be permitted.

If the condition described in clause (b) above occurs, both parties agree to meet as soon as possible to resolve this difference. Grantor shall discontinue any activity which could increase or expand the alleged violation during this process. If a resolution of this difference cannot be achieved at the meeting, both parties agree to meet with a mutually acceptable mediator to attempt to resolve the dispute, but only if Grantor has ceased, and agrees to postpone during such mediation, any further activity that constitutes the alleged violation. If either party believes that efforts to mediate the dispute will be futile or if the mediation efforts are unsuccessful, then either party may pursue legal action.

When, in Grantee's opinion, an ongoing or imminent violation could diminish or impair any of the Conservation Values of the Property, Grantee may, at its discretion, take appropriate legal action without waiting to pursue the mediation process described above. If a court with jurisdiction determines that a violation is imminent, exists, or has occurred, Grantee may seek an injunction ex parte to stop the alleged violation, temporarily or permanently. A court may also issue an injunction to require Grantor to restore the Property to its condition prior to the violation. Grantor agrees that Grantee's remedies at law for any violation of the terms of this Easement are inadequate and that Grantee shall be entitled to the injunctive relief described in this paragraph 7, both prohibitive and mandatory, including specific performance of the terms of this Easement, without the necessity of proving either actual damages or the inadequacy of otherwise available legal remedies.

Grantee may bring an action to recover any damages to which it may be entitled for violation of the terms of this Easement for injury to any Conservation Values protected by this

Easement, including damages for the loss of scenic, aesthetic, or environmental values. Grantee's remedies described in this paragraph 7 are cumulative and shall be in addition to all remedies now or hereafter existing at law or in equity.

8. Costs of Enforcement. Any costs incurred by Grantee in enforcing the terms of this Easement against Grantor, including, without limitation, costs of suit and attorneys' fees, and any costs of restoration necessitated by Grantor's violation of the terms of this Easement shall be borne by Grantor. If Grantor prevails in any action to enforce the terms of this Easement, Grantor's costs of suit, including, without limitation, attorneys' fees, shall be borne by Grantee, but only if the court determines that the Grantee's position was frivolous or substantially without merit.

9. Grantee's Discretion. Enforcement of the terms of this Easement shall be at the discretion of Grantee, and any forbearance by Grantee to exercise its rights under this Easement in the event of any breach of any term of this Easement by Grantor shall not be deemed or construed to be a waiver by Grantee of such term or of any subsequent breach of the same or any other term of this Easement or of any of Grantee's rights under this Easement. No delay or omission by Grantee in the exercise of any right or remedy upon any breach by Grantor shall impair such right or remedy or be construed as a waiver.

10. Waiver of Certain Defenses. Grantor hereby waives any defense of laches, estoppel, or prescription. Grantor hereby specifically waives any defense available to Grantor pursuant to C.R.S. Section 38-41-119.

11. Acts Beyond Grantors' Control. Nothing contained in this Easement shall be construed to entitle Grantee to bring any action against Grantor for any injury to or change in the Property resulting from causes beyond Grantor's control, including, without limitation, fire, flood, storm, and earth movement, or from any prudent action taken by Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Property resulting from such causes.

12. Access. No right of access by the general public to any portion of the Property is conveyed by this Easement except on the Public Trails.

13. Costs and Liabilities. Grantor retains all responsibilities and shall bear all costs and liabilities of any kind related to the ownership, operation, upkeep, and maintenance of the Property, including the maintenance of adequate comprehensive general liability insurance coverage. Such insurance coverage shall list Grantee as an additional insured and Grantor, upon request, shall provide copies of such policies to Grantee. Grantor shall keep the Property free of any liens arising out of any work performed for, materials furnished to, or obligations incurred by Grantor.

14. Hold Harmless. Grantor shall hold harmless, indemnify, and defend Grantee and its members, directors, officers, employees, agents, and contractors and the heirs, personal representatives, successors, and assigns of each of them (collectively "Indemnified Parties") from and against all liabilities, penalties, costs, losses, damages, expenses, causes of action, claims,

demands, or judgments, including, without limitation, reasonable attorneys' fees, arising from or in any way connected with: (1) injury to or the death of any person, or physical damage to any property, resulting from any act, omission, condition, or other matter related to or occurring on or about the Property, regardless of cause, unless due solely to the negligence of any of the Indemnified Parties; (2) the obligations specified in paragraph 13; (3) the presence or release of hazardous or toxic substances on, under or about the Property. For the purpose of this paragraph, hazardous or toxic substances shall mean any hazardous or toxic substance which is regulated under any federal, state or local law; and (4) any claim against Grantor's title or any defect in Grantor's title that threatens Grantee's interest in the Property.

15. Extinguishment. If circumstances arise in the future such as render the purpose of this Easement impossible to accomplish, this Easement can be terminated or extinguished, whether in whole or in part, only by judicial proceedings in a court of competent jurisdiction. Each party shall promptly notify the other when it first learns of such circumstances. The amount of the proceeds to which Grantee shall be entitled, after the satisfaction of prior claims, from any sale, exchange, or involuntary conversion of all or any portion of the Property subsequent to such termination or extinguishment, shall be determined, unless otherwise provided by Colorado law at the time, in accordance with paragraph 16, below.

16. Proceeds. This Easement constitutes a real property interest immediately vested in Grantee, which the parties stipulate to have a fair market value determined by multiplying the fair market value of the Property unencumbered by the Easement (minus any increase in value after the date of this grant attributable to improvements) by the ratio of the value of the Easement at the time of this grant to the value of the Property, without deduction for the value of the Easement, at the time of this grant. For the purposes of this paragraph, the ratio of the value of the Easement to the value of the Property unencumbered by the Easement shall remain constant and shall be 93.13%.

17. Condemnation. If the Easement is taken, in whole or in part, by exercise of the power of eminent domain, Grantee shall be entitled to compensation in accordance with applicable law and as determined in accordance with paragraphs 15 and 16 above.

18. Assignment. This Easement is transferable, but Grantee may assign its rights and obligations under this Easement only to an organization that is (a) a qualified organization at the time of transfer under Section 170(h) of the Internal Revenue Code of 1986, as amended (or any successor provision then applicable), and the applicable regulations promulgated thereunder, (b) authorized to acquire and hold conservation easements under Colorado law. As a condition of such transfer, Grantee shall require that the conservation purposes that this grant is intended to advance continue to be carried out.

19. Subsequent transfers.

(a) Grantor agrees to incorporate the terms of this Easement by reference into any deed or other legal instrument by which they divest themselves of any interest in all or a portion of the Property, including, without limitation, a leasehold interest. Grantor further agree to give written notice to Grantee of the transfer of any interest at least thirty (30) days prior to the

date of such transfer. The failure of Grantor to perform any act required by this paragraph shall not impair the validity of this Easement or limit its enforceability in any way.

(b) There shall be assessed by the Grantee, and collected from any subsequent purchaser or purchasers of the Property, a transfer fee equal to one half of one percent of the sales price or other consideration paid in connection with the transfer of any interest in such Property, which transfer fee shall be paid to the Grantee at the time of the transfer. In the event of non-payment of such transfer fee, Grantee shall have the right to file a lien for such unpaid transfer fees which shall be a lien on the Property but which lien shall be subordinate to this conservation easement and to the lien of any first mortgage on the Property that predates such transfer. Any such lien may be enforced and/or foreclosed in accordance with the laws of the State of Colorado. Grantee may require the Grantor and/or any subsequent purchaser to provide reasonable written proof of the applicable sales price, such as executed closing statements, contracts of sale, copies of deeds or other such evidence. Any transfer subsequent to the conveyance of this conservation easement without consideration or to a family trust, family partnership or family limited liability company in which of at least 50% of the equity interests are owned by a member of Grantor, shall be exempt from the assessment of such transfer fee. An exchange of properties pursuant to IRC Section 1031, or similar statute, shall be deemed to be for consideration based on the market value of the property received at the time of such transfer. Market value shall be determined by agreement of the Grantor and the Grantee, or in the absence of such agreement by an MAI appraiser selected by the Grantee, whose appraisal fee shall be paid by the subsequent purchaser.

20. Notices. Any notice, demand, request, consent, approval, or communication that either party desires or is required to give to the other shall be in writing and either served personally or sent by registered or certified mail, postage prepaid, return receipt requested addressed as follows:

To Grantor:
Blodgett Ranch Properties, LLC
Attn: Michael P. Slattery
7870 Ravenstone Ct.
Colorado Springs, Colorado 80919

With a Copy to:
Thomas E. Berg, Esquire
Berniger, Berg, Diver, Noecker & Wood-Ellis, LLC
90 S. Cascade Avenue, Suite 310
P. O. Box 1716
Colorado Springs, Colorado 80901

To Grantee:
William J. Palmer Parks Foundation, Inc.
P. O. Box 1281
Colorado Springs, Colorado 80911

or to such other address as either party from time to time shall designate by written notice to the other.

21. Recording. Grantee shall record this instrument in timely fashion in the official records of each county in which the Property is situated, and may re-record it at any time as may be required to preserve its rights in this Easement.

22. Warranty of Title. Grantor warrants that he has good and sufficient title to the Property, that he has good right, full power and lawful authority to grant and convey this Easement, that any mortgages or liens on the Property are and shall remain subordinate to the terms of this Easement and that the Property is free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature whatsoever which are not subordinate to the terms of this Easement. If required, or if requested by Grantee, the Grantor shall warrant and forever defend the title to the Easement in the quiet and peaceable possession of the Grantee, its successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

23. General Provisions.

a. Controlling Law. The interpretation and performance of this Easement shall be governed by the laws of the State of Colorado. The parties agree that the Statute of Limitations applicable to contracts shall apply to any proceeding to enforce this Conservation Easement. Grantor hereby specifically waives any defense available to Grantor pursuant to C.R.S. Section 38-41-119.

b. Liberal Construction. Any general rule of construction to the contrary notwithstanding, this Easement shall be liberally construed in favor of the grant to effect the purpose of this Easement and the policy and purpose of C.R.S. § 38-30.5-101 et seq. If any provision in this instrument is found to be ambiguous, an interpretation consistent with the purpose of this Easement that would render the provision valid shall be favored over any interpretation that would render it invalid. The Recitals at the beginning of this Easement are not mere surplusage but are an integral part of the Easement and are incorporated into the body of this Easement.

c. Severability. If any provision of this Easement, or the application thereof to any person or circumstance, is found to be invalid, the remainder of the provisions of this Easement, or the application of such provision to persons or circumstances other than those as to which it is found to be invalid, as the case may be, shall not be affected thereby.

d. Entire Agreement. This instrument sets forth the entire agreement of the parties with respect to the Easement and supersedes all prior discussions, negotiations, understandings, or agreements relating to the Easement, all of which are merged herein.

e. No Forfeiture. Nothing contained herein will result in a forfeiture or reversion of Grantor's title in any respect.

f. Successors. The covenants, terms, conditions, and restrictions of this Easement shall be binding upon, and inure to the benefit of, the parties hereto and their successors, and assigns and shall continue as a servitude running in perpetuity with the Property.

g. Termination of Rights and Obligations. A party's rights and obligations under this Easement terminate upon transfer of the party's interest in the Easement or Property, except that liability for acts or omissions occurring prior to transfer shall survive transfer.

h. Captions. The captions in this instrument have been inserted solely for convenience of reference and are not a part of this instrument and shall have no effect upon construction or interpretation.

i. Amendment. If circumstances arise under which an amendment to or modification of this instrument would be appropriate, Grantor and Grantee are free to jointly amend this instrument; provided that no amendment shall be allowed that will affect the qualifications of this instrument under any applicable laws, especially Section 170(h) of the Internal Revenue Code, as amended, and C.R.S. 38-30.5-100 to 38-30.5-111, as amended. Any amendment must be consistent with the conservation purposes of this instrument and may not affect its perpetual duration and Conservation Values shall not be lessened by the amendment. Any amendment must be in writing, signed by both parties, and recorded in the records of the Clerk and Recorder of the County in which the Property is located.

j. Counterparts. This Easement may be signed in counterparts which when combined shall constitute but a single document.

TO HAVE AND TO HOLD unto Grantee, its successors, and assigns forever.

IN WITNESS WHEREOF Grantor and Grantee have executed this Deed of Conservation Easement on the day and year first above written.

GRANTOR:

BLODGETT RANCH PROPERTIES, LLC

BY: 
Michael P. Slattery, General Manager

GRANTEE:

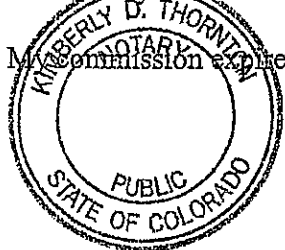
WILLIAM J. PALMER PARKS FOUNDATION, INC.

BY: 
Paula J. Wenham, President

STATE OF COLORADO)
) ss.
COUNTY OF EL PASO)

The foregoing document was acknowledged before me this 20th day of August, 2003, by Michael P. Slattery as General Manager of Blodgett Ranch Properties, LLC, as Grantor.

Witness my hand and official seal.



My Commission Expires
1/03/2005

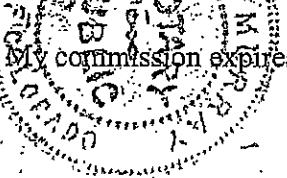
My commission expires: _____

Kimberly D Thornton
Notary Public

STATE OF COLORADO)
) ss.
COUNTY OF EL PASO)

The foregoing document was acknowledged before me this 18th day of August, 2003, by Paula J. Wenham as President of the William J. Palmer Parks Foundation, Inc.

Witness my hand and official seal.



My commission expires: _____

1/03/05

Paula J Wenham
Notary Public

Exhibits:

- A Legal Description of the Property
- B Legal Description of Adjacent Property
- C Map of Building Envelope, Access Roads to Barn and Adjacent Property and Public Trail

EXHIBIT "A"
LEGAL DESCRIPTION OF THE PROPERTY

LEGAL DESCRIPTION: BLODGETT RANCH PROPERTIES, LLC

A TRACT OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTHERLY BOUNDARY LINE OF MAHOGANY VALE AT PEREGRINE FILING NO. 3, AS RECORDED UNDER RECEPTION NO. 97148164, EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE WESTERLY END BY A NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LTD RLS 10377," AND BEING MONUMENTED AT THE EASTERLY END BY A NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LTD RLS 10377," BEING ASSUMED TO BEAR S89°50'13"E, A DISTANCE OF 829.25 FEET.

COMMENCING AT THE SOUTHWESTERLY CORNER OF MAHOGANY VALE AT PEREGRINE FILING NO. 3, AS RECORDED UNDER RECEPTION NO. 97148164, EL PASO COUNTY, COLORADO, SAID POINT BEING THE POINT OF BEGINNING;
THENCE S89°50'13"E ON THE SOUTHERLY BOUNDARY LINE OF SAID MAHOGANY VALE AT PEREGRINE FILING NO. 3, A DISTANCE OF 64.48 FEET;
THENCE S00°10'17"W, A DISTANCE OF 243.92 FEET;
THENCE S90°00'00"E, A DISTANCE OF 1028.56 FEET;
THENCE N02°41'10"E, A DISTANCE OF 67.57 FEET;
THENCE S87°18'50"E, A DISTANCE OF 30.77 FEET TO A POINT OF CURVE;
THENCE ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF 27°38'00", A RADIUS OF 230.00 FEET, A DISTANCE OF 110.93 FEET TO A POINT OF TANGENT;
THENCE S59°40'50"E, A DISTANCE OF 80.32 FEET;
THENCE N30°19'10"E, A DISTANCE OF 20.41 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF CENTENNIAL BOULEVARD AS PLATTED IN CENTENNIAL BOULEVARD SUBDIVISION FILING NO. 2, RECORDED IN PLAT BOOK R-3 AT PAGE 57, EL PASO COUNTY, COLORADO;
THENCE ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID CENTENNIAL BOULEVARD, THE FOLLOWING TWO (2) COURSES:

1. ON THE ARC OF A CURVE TO THE RIGHT, WHOSE CENTER BEARS S33°42'47"W, HAVING A DELTA OF 21°18'18", A RADIUS OF 666.80 FEET, A DISTANCE OF 247.95 FEET TO A POINT OF TANGENT;

2. S34°58'55"E, A DISTANCE OF 385.92 FEET TO A POINT ON THE
NORTHERLY BOUNDARY LINE OF TRACT "A" AS PLATTED IN OAK VALLEY
RANCH FILING NO. 6, RECORDED IN PLAT BOOK G-5 AT PAGE 27;

THENCE S88°47'16"W ON THE NORTHERLY BOUNDARY LINE OF SAID TRACT
"A", A DISTANCE OF 626.02 FEET;
THENCE N00°00'00"E, A DISTANCE OF 372.67 FEET;
THENCE N90°00'00"W, A DISTANCE OF 1364.35 FEET;
THENCE N00°00'00"E, A DISTANCE OF 362.13 FEET TO A POINT ON THE
SOUTHERLY BOUNDARY LINE OF MAHOGANY VALE AT PEREGRINE FILING NO.
2, AS RECORDED UNDER RECEPTION NO. 96099980;
THENCE S89°50'13"E ON SAID SOUTHERLY BOUNDARY LINE, A DISTANCE OF
281.57 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 10.887 ACRES.

EXHIBIT "B"
LEGAL DESCRIPTION OF ADJACENT PROPERTY

A TRACT OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTHERLY BOUNDARY LINE OF MAHOGANY VALE AT PEREGRINE FILING NO. 3, AS RECORDED UNDER RECEPTION NO. 97148164, EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE WESTERLY END BY A NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LTD RLS 10377," AND BEING MONUMENTED AT THE EASTERLY END BY A NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LTD RLS 10377," BEING ASSUMED TO BEAR S89°50'13"E, A DISTANCE OF 829.25 FEET.

COMMENCING AT THE NORTHWESTERLY CORNER OF TRACT A, AS PLATTED IN OAK VALLEY RANCH FILING NO. 6, AS RECORDED IN PLAT BOOK G-5 AT PAGE 27, SAID POINT BEING THE POINT OF BEGINNING;
THENCE ON THE WESTERLY BOUNDARY LINE OF SAID TRACT A, THE FOLLOWING TWO (2) COURSES:

1. S39°55'48"W, A DISTANCE OF 381.43 FEET;
2. S21°54'04"W, A DISTANCE OF 410.57 FEET TO THE NORTHWESTERLY CORNER OF TRACT B, AS PLATTED IN OAK VALLEY RANCH FILING NO. 5, AS RECORDED IN PLAT BOOK F-5 AT PAGE 88;

THENCE S11°33'07"W ON THE WESTERLY BOUNDARY LINE OF SAID TRACT B, A DISTANCE OF 90.00 FEET TO THE NORTHEASTERLY CORNER OF THE PLAT OF OAK VALLEY RANCH FILING NO. 7, AS RECORDED IN PLAT BOOK E-5 AT PAGE 285;
THENCE ON THE NORTHERLY BOUNDARY LINE OF SAID OAK VALLEY RANCH FILING NO. 7, THE FOLLOWING TWO (2) COURSES:

1. N78°26'53"W, A DISTANCE OF 120.00 FEET;
2. N34°03'05"W, A DISTANCE OF 183.77 FEET;

THENCE N00°19'10"E, A DISTANCE OF 235.00 FEET;
THENCE N78°49'27"W, A DISTANCE OF 743.30 FEET;
THENCE N00°00'00"E, A DISTANCE OF 578.92 FEET;
THENCE N90°00'00"E, A DISTANCE OF 1364.35 FEET;
THENCE S00°00'00"E, A DISTANCE OF 372.67 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 22.719 ACRES.

A TRACT OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

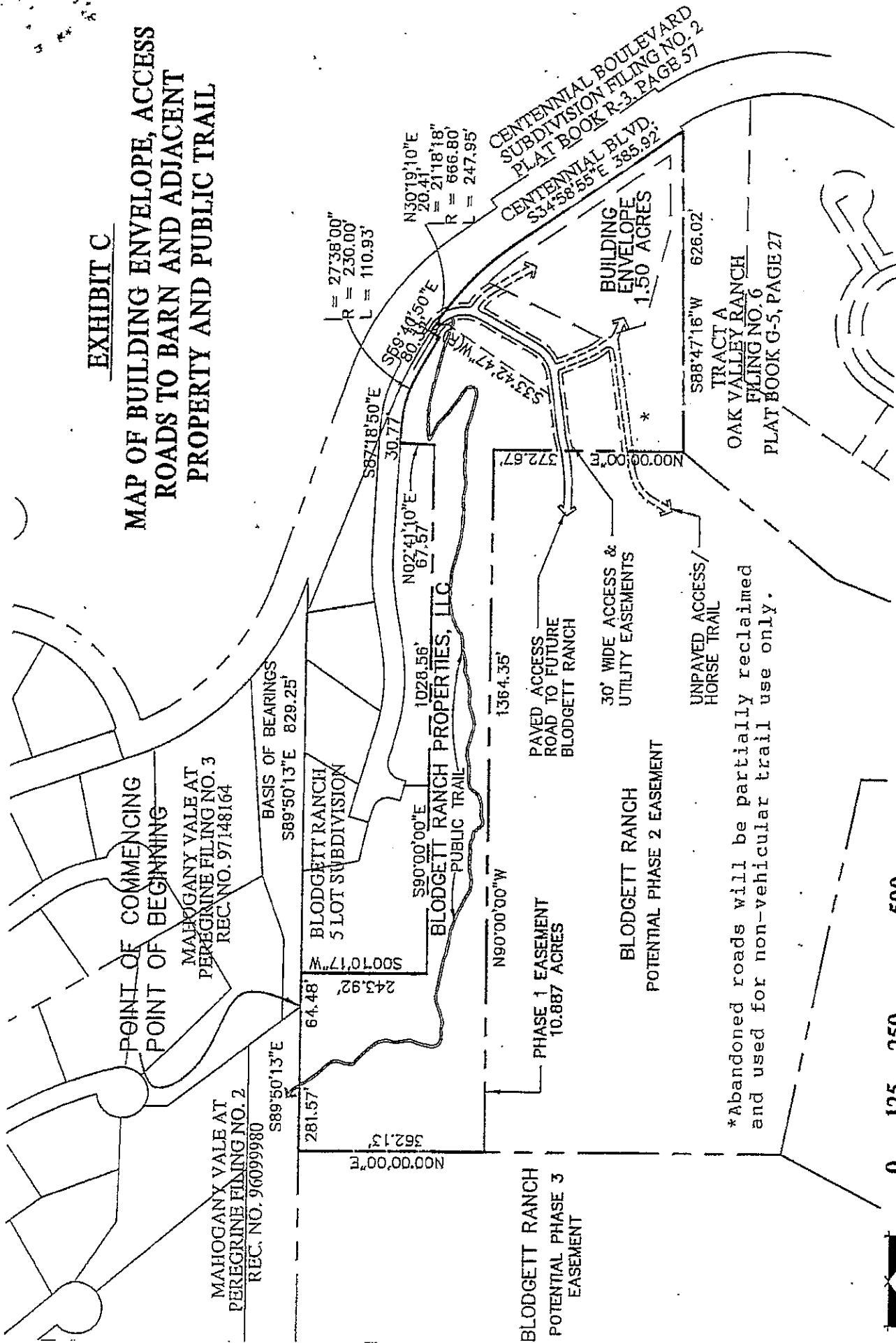
BASIS OF BEARINGS: THE SOUTHERLY BOUNDARY LINE OF MAHOGANY VALE AT PEREGRINE FILING NO. 3, AS RECORDED UNDER RECEPTION NO. 97148164, EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE WESTERLY END BY A NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LTD RLS 10377," AND BEING MONUMENTED AT THE EASTERLY END BY A NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LTD RLS 10377," BEING ASSUMED TO BEAR S89°50'13"E, A DISTANCE OF 829.25 FEET.

COMMENCING AT THE SOUTHWESTERLY CORNER OF MAHOGANY VALE AT PEREGRINE FILING NO. 2, AS RECORDED UNDER RECEPTION NO. 96099980, EL PASO COUNTY, COLORADO, SAID POINT BEING THE POINT OF BEGINNING;
THENCE S89°50'13"E ON THE SOUTHERLY BOUNDARY LINE OF SAID MAHOGANY VALE AT PEREGRINE FILING NO. 2, A DISTANCE OF 436.42 FEET;
THENCE S00°00'00"E, A DISTANCE OF 941.05 FEET;
THENCE S27°43'47"W, A DISTANCE OF 304.14 FEET;
THENCE S71°53'04"W, A DISTANCE OF 94.87 FEET;
THENCE N33°22'14"W, A DISTANCE OF 72.11 FEET;
THENCE N72°34'40"W, A DISTANCE OF 408.04 FEET;
THENCE S28°19'53"W, A DISTANCE OF 273.65 FEET;
THENCE N30°56'58"W, A DISTANCE OF 900.02 FEET;
THENCE N00°43'43"W, A DISTANCE OF 530.00 FEET;
THENCE S89°50'13"E, A DISTANCE OF 823.71 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 30.426 ACRES.

EXHIBIT C

**MAP OF BUILDING ENVELOPE, ACCESS
ROADS TO BARN AND ADJACENT
PROPERTY AND PUBLIC TRAIL**



POINT OF COMMENCING
POINT OF BEGINNING

MAHOGANY VALE AT
PEREGRINE FILING NO. 3
REC. NO. 97148164

MAHOGANY VALE AT
PEREGRINE FILING NO. 2
REC. NO. 96099980

BASIS OF BEARINGS
S89°50'13"E 829.25'

BLODGETT RANCH
5 LOT SUBDIVISION

BLODGETT RANCH PROPERTIES, LLC
PUBLIC TRAIL

BLODGETT RANCH
POTENTIAL PHASE 3
EASEMENT

PHASE 1 EASEMENT
10.887 ACRES

BLODGETT RANCH
POTENTIAL PHASE 2 EASEMENT

PAVED ACCESS
ROAD TO FUTURE
BLODGETT RANCH

30' WIDE ACCESS &
UTILITY EASEMENTS

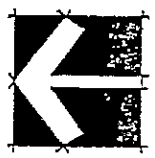
UNPAVED ACCESS/
HORSE TRAIL

BUILDING
ENVELOPE
1.50 ACRES

OAK VALLEY RANCH
TRACT A
FILING NO. 6
PLAT BOOK G-5, PAGE 27

CENTENNIAL BOULEVARD
SUBDIVISION FILING NO. 2
PLAT BOOK R-3, PAGE 57

*Abandoned roads will be partially reclaimed
and used for non-vehicular trail use only.



SCALE 1"=250'-0"

NORTH

PERMANENT EASEMENT AGREEMENT

This Permanent Easement Agreement ("Agreement") is made and entered into this 7th day of January, 2005, by and between Blodgett Ranch Properties LLC ("Grantor"), whose address is 7870 Rvenstone Ct., Colorado Springs, Co 80919-2928, and the City of Colorado Springs, a Colorado home rule city and municipal corporation ("Grantee"), on behalf of its enterprise Colorado Springs Utilities, whose address is 30 S. Nevada Avenue, Colorado Springs, Colorado 80903 (both Grantor and Grantee hereinafter collectively referred to as the "Parties").

Recitals

WHEREAS, Grantee has determined that its facilities described in Paragraph 1 should, for engineering and maximum efficiency purposes, be constructed along a certain utilities corridor; and

WHEREAS, Grantor owns real property (the "Property"), described in Exhibit "A", through which Grantee's facilities described in paragraph 1, as approved by Grantee, will pass; and

WHEREAS, the Parties hereby enter into this Agreement.

Covenants

NOW, THEREFORE, in consideration of the promises, mutual covenants and agreements contained herein, the Parties agree as follows:

1. Conveyance of Permanent Easement. For good and valuable consideration, Grantor hereby grants and conveys to the Grantee a perpetual non-exclusive easement, (the "Permanent Easement") to enter, occupy and use the property described in this Paragraph 1 to construct, reconstruct, use, operate, maintain, repair, patrol, replace, enlarge or remove one or more pipelines, conduits, poles, vaults, meters, regulator stations, switches, transformers, valves, hydrants, manholes, or any other utility structures (including, but not limited to communication facilities), and all necessary underground or aboveground cables, wires and appurtenances thereto, including, but not limited to, electric or other control systems, cables, wires, connections and surface appurtenances (the "Improvements") in, through, over and across the property described in Exhibit "B", to wit:

Exhibit "B"- Legal Description of Permanent Easement

(Prepared by or under the supervision of a Professional Land Surveyor licensed in Colorado)

2. Easement Map. Exhibit "C", attached hereto and by this reference made a part hereof, is a graphic representation of the aforementioned Permanent Easement. The legal description referred to in Paragraph 1 describes, exclusively, the Permanent Easement. In the event the legal description set forth in paragraph 1 is inconsistent with the graphic representation in Exhibit "C", said legal description shall control.

3. Ingress and Egress. Grantee shall have and exercise the right of reasonable ingress and egress in, to, through, over, under and across the Property for access to and from any roads, highways, streets, alleys or any other point to the Permanent Easement in order to perform construction, reconstruction, operation, use, maintenance, repair, replacement or removal of the Improvements. Except in emergencies, Grantee shall attempt to give Grantor reasonable advance notice prior to exercising its rights of ingress and egress. To the maximum practicable extent, Grantee shall use existing gates, roads, trails and facilities to avoid disruption of Grantor's operations on the property.

4. Additional Construction. Grantee shall have the right to lay, construct, maintain, operate, alter, repair, patrol, remove, change the size of and replace, at any time or from time to time, one or more additional Improvements and appurtenances thereto within the Permanent Easement. Such right shall not be lost by mere passage of time, and Grantor shall not stop, hinder or impede construction of such additional improvements or limit same.

5. Grantor's Rights Unaffected. Except as provided in Paragraph 6 hereof, Grantor shall retain the right to make full use of the Property, except for such use as might endanger or interfere with the rights of Grantee in its construction, operation or maintenance of the Improvements. Grantor shall only perform or permit other persons or entities to perform construction or other work within the Permanent Easement in accordance with the terms of this Agreement.

6. Surface Installations in Permanent Easement. Grantor shall not construct or place any structure or building on any part of the Permanent Easement. Any such structure or building constructed or placed on the Permanent Easement

ROBERT C. "BOB" BALINK El Paso County, CO

04/06/2005 01:23:29 PM

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Rec \$36.00 1 of 7



Page 1 of 4

701972

PERMANENT EASEMENT AGREEMENT

after the date of this Agreement, may be removed by Grantee without liability for damages arising therefrom. If Grantor constructs or places any structure or building within the Permanent Easement, Grantor shall reimburse Grantee for all expenses associated with removing such structure or building. Such structures or buildings, which are prohibited on the Permanent Easement, include, but are not limited to the following: dwellings, garages, barns, sheds, storage structures of any kind, lean-tos, playhouses or other play structures, outbuildings, gazebos, hot tubs, swimming pools, concrete patios, decks, dog runs, basketball/sports courts, retaining walls, posts, or poles.

Grantor reserves use of the Permanent Easement, whether longitudinal or otherwise, for installing pavement, curbs, gutters, sidewalks, paved parking areas and associated curb cuts, paved driveways, fences (except fences which cannot be reasonably removed and erected again such as stone, brick, or other masonry type fences or walls), low-height landscaping, and sprinkler systems which are capable of being reasonably located by Grantee (the "Grantor's Improvements"); provided, however, that the exercise of such rights, in the reasonable opinion of Grantee, does not injure or interfere with, now or in the future, any of the rights provided to Grantee under this Agreement, including, but not limited to, Grantee's rights of maintenance and reasonable access.

The foregoing notwithstanding, in no event shall Grantor:

(1) Construct or place, longitudinally along or otherwise within the Permanent Easement, any tree, underground pipeline, cable, wire, conduit or other utility without the prior written consent of Grantee, which shall not be unreasonably withheld or delayed; or

(2) Change, by excavation or filling, the present grade or ground level of the Permanent Easement by more than one foot without the prior written consent of Grantee.

Grantor shall control and, to the extent reasonably necessary, prevent the construction or alteration within the Permanent Easement or the Property of landfills, land excavations, water impoundments, and other land uses which might endanger or interfere with any Improvements, including Grantee's rights of maintenance and reasonable access.

If at any time the Grantor undertakes to construct or place improvements within the Permanent Easement that necessitates the relocation, reconstruction, removal, or abandonment of any of the Improvements that are located within the Permanent Easement, Grantor shall notify Grantee in writing of such necessity. If Grantee agrees that the Improvements must be relocated, reconstructed, removed or abandoned, Grantor shall be responsible for the costs of such relocation, reconstruction, removal or abandonment. If, as a result of Grantor's improvements, Grantee must terminate the use and occupancy of all or part of the Permanent Easement, Grantor shall perform the following: (1) provide at Grantor's sole expense a good and sufficient alternative easement for Grantee outside of the Permanent Easement; or (2) reimburse Grantee through an appropriate written agreement for all costs incurred by Grantee to acquire an alternative, adequate easement as determined by Grantee; and (3) reimburse Grantee for all costs of relocating, reconstructing, removing or abandoning its Improvements.

7. Surface Restoration to Land. Grantee shall repair or reimburse Grantor for the reasonable cost of repair for any physical damage done by or resulting from actions or operations of Grantee to Grantor's property outside the Permanent Easement. Grantee shall repair or replace damaged property or reimburse Grantor for the reasonable cost of repair or replacement of physical damage to growing crops, livestock, grazing land, and Grantor's Improvements whether within or without the Permanent Easement caused by laying, repairing, replacing, maintaining or removing of Improvements. Grantee, in constructing, maintaining or altering the Improvements, shall promptly restore, replace, or repair the surface to the original condition as near as may be reasonably possible. Notwithstanding the foregoing, Grantee shall not be liable for damage to structures; buildings, or any other articles whatsoever, constructed, installed, or otherwise existing on the Permanent Easement in violation of the terms of this Agreement, including, but not limited to, any tree(s) which interfere with the Improvements or the rights granted herein.

8. Maintenance of Permanent Easement. Grantee shall have the right from time to time to cut, trim, control, and remove trees, brush and other obstructions which injure or interfere with the Grantee's use, occupation or enjoyment of the Permanent Easement and the operation, maintenance, repair and patrolling of the Improvements without liability for damages arising therefrom.

PERMANENT EASEMENT AGREEMENT

9. Subjacent and Lateral Support. Grantor shall not impair the lateral or subjacent support for the Improvements.
10. Binding Effect. Each and every one of the benefits and burdens of this Agreement shall inure to and be binding upon the respective legal representatives, heirs, executors, administrators, successors and assigns of the Parties.
11. Nature of Easement and Additional Uses. This Permanent Easement shall be permanent and run with the land. It shall also be deemed to touch and concern the land. Exercise of any rights in the Permanent Easement other than those retained by Grantor shall be within the sound discretion of Grantee. Grantee agrees to permit and authorize such other uses of the subject Permanent Easement, not reserved in Grantor, as will not impair Grantee's rights upon such reasonable terms, limitations, and conditions as Grantee shall find reasonably necessary to protect the right of occupancy of the subject Permanent Easement for the purposes of Grantee without undue or unnecessary injury to or impairment of the estate retained by Grantor.
12. Warranty of Title. Grantor warrants that it has full right and lawful authority to make the grant contained herein, and promises and agrees to defend Grantee in the exercise of its rights hereunder against any defect in its title to the land involved or its right to make the grant contained herein.
13. Mechanic's and Materialmen's Liens. In no event shall Grantee allow any mechanic's or materialmen's liens to attach against the Property for materials supplied or work performed at the request of, or for the benefit of, Grantee, and Grantee, to the extent expressly permitted by law, shall indemnify and hold Grantor harmless from any cost or expense, incurred by Grantor to release any such mechanic's or materialmen's liens against the Property.
14. Indemnity/Liability. Grantor hereby releases Grantee and shall fully protect, defend, indemnify and hold harmless Grantee, the City of Colorado Springs, their officers, City Council, Utilities Board, directors, employees, agents and representatives from and against any and all claims, costs (including but not limited to all fees and charges of engineers, architects, attorneys, and other professionals and all court or other dispute resolution costs), losses, damages, causes of action, or liability of any nature regarding this Agreement or the Improvements to the extent caused by Grantor.
15. Waiver. The failure of Grantee to insist, in any one or more instances, upon a strict performance of any of the obligations, covenants or agreements herein contained, or the failure of Grantee in any one or more instances to exercise any option, privilege or right herein contained, shall in no way be construed to constitute a waiver, relinquishment or release of such obligations, covenants or agreements, and no forbearance by the Grantee of any default hereunder shall in any manner be construed as constituting a waiver of such default.
16. Severability. The provisions of this Agreement are severable. Illegality or unenforceability of an provision herein shall not affect the validity or enforceability of the remaining provisions in this Agreement.
17. Entire Agreement. This Agreement represents the entire agreement between the Parties and no additional or different oral representation, promise or agreement shall be binding on any of the Parties hereto with respect to the subject matter of this instrument, unless stated in writing and signed by Grantee and Grantor.
18. Notice. All notices necessary or required under this Agreement shall be in writing and shall be personally delivered, sent by overnight delivery service, or mailed by certified mail, postage prepaid and return receipt requested, as follows:

If to Grantee: Colorado Springs Utilities
Utilities Development Services
P.O. Box 1103, Mail Code 1015
Colorado Springs, Colorado 80903
Phone: (719) 668-8264

If to Grantor: Grantor: Blodgett Ranch Properties
Attn: Mike Slattery
Address: 7870 Raventstone Ct
Colorado Springs, Co 80919
Phone:
(or to the current owner of the Property)

Notice given by personal delivery, overnight delivery or mail shall be effective upon actual receipt. The Parties may change any address to which Notice is to be given by giving notice as provided above of such change of address.

PERMANENT EASEMENT AGREEMENT

19. Governing Law and Jurisdiction. This Agreement shall be construed in accordance with the laws of the State of Colorado, the Colorado Springs City Charter, City Code, Ordinances, Rules and Regulations. In the event of litigation, this Agreement shall be enforceable by either Colorado Springs Utilities or the City of Colorado Springs as provided in Colorado Springs City Code 12-1-108. In the event of any dispute over the Agreement's terms and conditions, the exclusive venue and jurisdiction for any litigation arising thereunder shall be in the District Court of El Paso County, Colorado, and, if necessary for exclusive federal questions, the United States District Court for the District of Colorado.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year first above written.

GRANTOR:

(SEAL)

Entity: Blodgett Ranch Properties LLC
 By: [Signature]
 Name: MIKE SLATTERY
 Title: GENERAL MANAGER

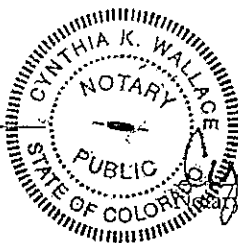
STATE OF _____)
) SS
 COUNTY OF _____)

The foregoing instrument was acknowledged before me this 28th day of March 2005 by Mike Slattery as General Manager (Title) of Blodgett Ranch Properties, LLC (Name of Entity) a _____ (Type of Entity).

Witness my hand and official seal.

My Commission Expires: 07/07/05

(SEAL)



[Signature]
 Cynthia K. Wallace
 Notary Public

GRANTEE:

CITY OF COLORADO SPRINGS,
 on behalf of its enterprise,
 Colorado Springs Utilities
 By: [Signature]
 Name: MATTHEW L. WILLIAMS
 Title: ENG. SUPPORT COORD.

APPROVED AS TO FORM:

_____ Date: _____
 Colorado Springs Utilities General Counsel Division

EXHIBIT A

JOB NO. 9814.01 - 07
JANUARY 6, 2005
PAGE 1 OF 1

LEGAL DESCRIPTION: BLODGETT RANCH PROPERTIES, LLC

A TRACT OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTHERLY BOUNDARY LINE OF MAHOGANY VALE AT PEREGRINE FILING NO. 3, AS RECORDED UNDER RECEPTION NO. 97148164, EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE WESTERLY END BY A NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LTD RLS 10377," AND BEING MONUMENTED AT THE EASTERLY END BY A NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LTD RLS 10377," BEING ASSUMED TO BEAR S89°50'13"E, A DISTANCE OF 829.25 FEET.

COMMENCING AT THE SOUTHWESTERLY CORNER OF MAHOGANY VALE AT PEREGRINE FILING NO. 3, AS RECORDED UNDER RECEPTION NO. 97148164, RECORDS OF EL PASO COUNTY, COLORADO, SAID POINT BEING THE POINT OF BEGINNING;

THENCE S89°50'13"E ON THE SOUTHERLY BOUNDARY LINE OF SAID MAHOGANY VALE AT PEREGRINE FILING NO. 3, A DISTANCE OF 64.48 FEET;

THENCE S00°10'17"W, A DISTANCE OF 243.92 FEET;

THENCE S90°00'00"E, A DISTANCE OF 1028.56 FEET;

THENCE N02°41'10"E, A DISTANCE OF 67.57 FEET;

THENCE S87°18'50"E, A DISTANCE OF 30.77 FEET TO A POINT OF CURVE;

THENCE ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF 27°38'00", A RADIUS OF 230.00 FEET, A DISTANCE OF 110.93 FEET TO A POINT OF TANGENT;

THENCE S59°40'50"E, A DISTANCE OF 80.32 FEET;

THENCE N30°19'10"E, A DISTANCE OF 20.41 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF CENTENNIAL BOULEVARD AS PLATTED IN CENTENNIAL BOULEVARD SUBDIVISION FILING NO. 2, RECORDED IN PLAT BOOK R-3 AT PAGE 57;

THENCE ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID CENTENNIAL BOULEVARD, THE FOLLOWING TWO (2) COURSES:

1. ON THE ARC OF A CURVE TO THE RIGHT, WHOSE CENTER BEARS S33°42'47"W, HAVING A DELTA OF 21°18'18", A RADIUS OF 666.80 FEET, A DISTANCE OF 247.95 FEET TO A POINT OF TANGENT;
2. S34°58'55"E, A DISTANCE OF 385.92 FEET TO A POINT ON THE NORTHERLY BOUNDARY LINE OF TRACT "A" AS PLATTED IN OAK VALLEY RANCH FILING NO. 6, RECORDED IN PLAT BOOK G-5 AT PAGE 27;

THENCE S88°47'16"W ON THE NORTHERLY BOUNDARY LINE OF SAID TRACT "A", A DISTANCE OF 626.02 FEET;

THENCE N00°00'00"E, A DISTANCE OF 372.67 FEET;

THENCE N90°00'00"W, A DISTANCE OF 1364.35 FEET;

THENCE N00°00'00"E, A DISTANCE OF 362.13 FEET TO A POINT ON THE SOUTHERLY BOUNDARY LINE OF MAHOGANY VALE AT PEREGRINE FILING NO. 2, AS RECORDED UNDER RECEPTION NO. 96099980;

THENCE S89°50'13"E ON SAID SOUTHERLY BOUNDARY LINE, A DISTANCE OF 281.57 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 10.887 ACRES.

EXHIBIT B

JOB NO. 9814.01 - 12
MARCH 24, 2005
PAGE 1 OF 2

LEGAL DESCRIPTION: PUBLIC UTILITY EASEMENT

AN EASEMENT BEING OVER, ACROSS AND UNDER A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTHERLY BOUNDARY LINE OF MAHOGANY VALE AT PEREGRINE FILING NO. 3, AS RECORDED UNDER RECEPTION NO. 97148164, EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE WESTERLY END BY A NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LTD RLS 10377," AND BEING MONUMENTED AT THE EASTERLY END BY A NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LTD RLS 10377," BEING ASSUMED TO BEAR S89°50'13"E, A DISTANCE OF 829.25 FEET.

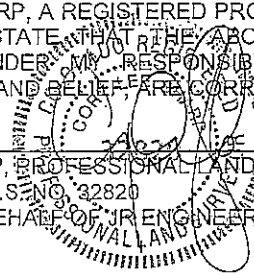
COMMENCING AT THE SOUTHWESTERLY CORNER OF MAHOGANY VALE AT PEREGRINE FILING NO. 3, AS RECORDED UNDER RECEPTION NO. 97148164, RECORDS OF EL PASO COUNTY, COLORADO, THENCE S79°57'30"E, A DISTANCE OF 1331.57 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF CENTENNIAL BOULEVARD AS PLATTED IN CENTENNIAL BOULEVARD SUBDIVISION FILING NO. 2, RECORDED IN PLAT BOOK R-3 AT PAGE 57, SAID POINT BEING THE SOUTHEASTERLY CORNER OF WOODMEN ROAD AS PLATTED IN BLODGETT RANCH ESTATES FILING NO. 1, AS RECORDED UNDER RECEPTION NO. 205035680, RECORDS OF EL PASO COUNTY, COLORADO, SAID POINT BEING THE POINT OF BEGINNING;
THENCE ON SAID SOUTHWESTERLY RIGHT-OF-WAY LINE AND ON THE ARC OF A CURVE TO THE RIGHT, WHOSE CENTERS BEARS S33°42'47"W, HAVING A DELTA OF 16°45'51", A RADIUS OF 666.80 FEET, A DISTANCE OF 195.10 FEET TO A POINT ON CURVE;
THENCE N63°54'07"W, A DISTANCE OF 191.25 FEET TO A POINT ON THE BOUNDARY LINE OF SAID BLODGETT RANCH ESTATES FILING NO. 1;
THENCE N30°19'10"E ON SAID BOUNDARY LINE, A DISTANCE OF 20.41 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 2,867 SQUARE FEET.

LEGAL DESCRIPTION STATEMENT:

I, CORY L. SHARP, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED UNDER MY RESPONSIBLE CHARGE AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF ARE CORRECT.

CORY L. SHARP, PROFESSIONAL LAND SURVEYOR
COLORADO P.L.S. NO. 32820
FOR AND ON BEHALF OF JR ENGINEERING, LLC



MARCH 25, 2005
DATE



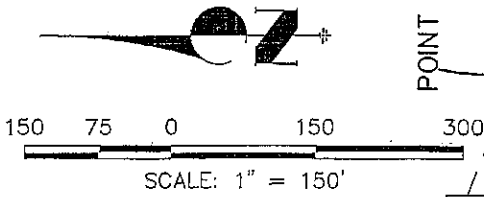
J-R ENGINEERING

A Wastrian Company

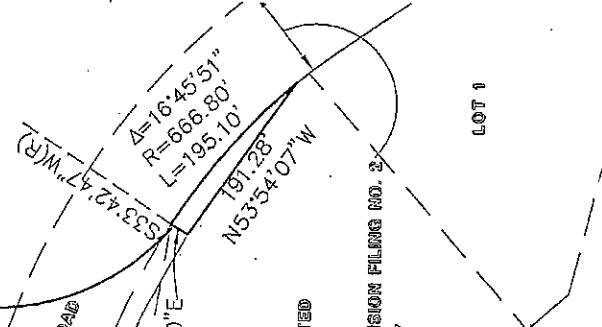
4310 ArrowsWest Drive • Colorado Springs, CO 80907
719-593-2593 • Fax: 719-528-6618 • www.jrengineering.com

PUBLIC UTILITY EASEMENT
FOR BLODGETT
RANCH PROPERTIES, LLC
JOB NO. 9814.01-12
SHEET 2 OF 2
MARCH 24, 2005

EXHIBIT C



POINT OF BEGINNING



MARGARY VALE AT PERGORE FILING NO. 3
RECEPTION NO. 97140164
BASIS OF BEARINGS
S89°50'13\"/>

3 S79°57'30\"/>

4 1331.57'

TRACT A

POINT OF COMMENCING
SOUTHWESTLY CORNER

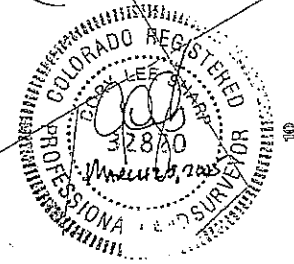
BLODGETT RANCH ESTATES FILING NO. 1
REC. NO. 20503660

UNPLATTED

CENTENNIAL BOULEVARD
CENTENNIAL BOULEVARD SUBDIVISION FILING NO. 2
PLAT BOOK R-3 AT PAGE 57

* UNPLATTED *

* LOT 1 *
BLODGETT RANCH RESIDENCE FILING NO. 1



JR ENGINEERING DOES NOT EXPRESS NOR IMPLY ANY WARRANTY WITH THE ABOVE WRITTEN LEGAL DESCRIPTION AND EXHIBIT. THE LEGAL DESCRIPTION WAS WRITTEN FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT DEPICT A MONUMENTED LAND SURVEY.

X:\2800000\ah286\101Drawings\Legal Exhibits\UTILITY-ESMT-0324105.dwg, 8.5x11.4 Tills Portait, 3/24/2005 1:53:55 PM, Lynchw

BLODGETT RANCH ESTATES

AMENDED DEVELOPMENT PLAN

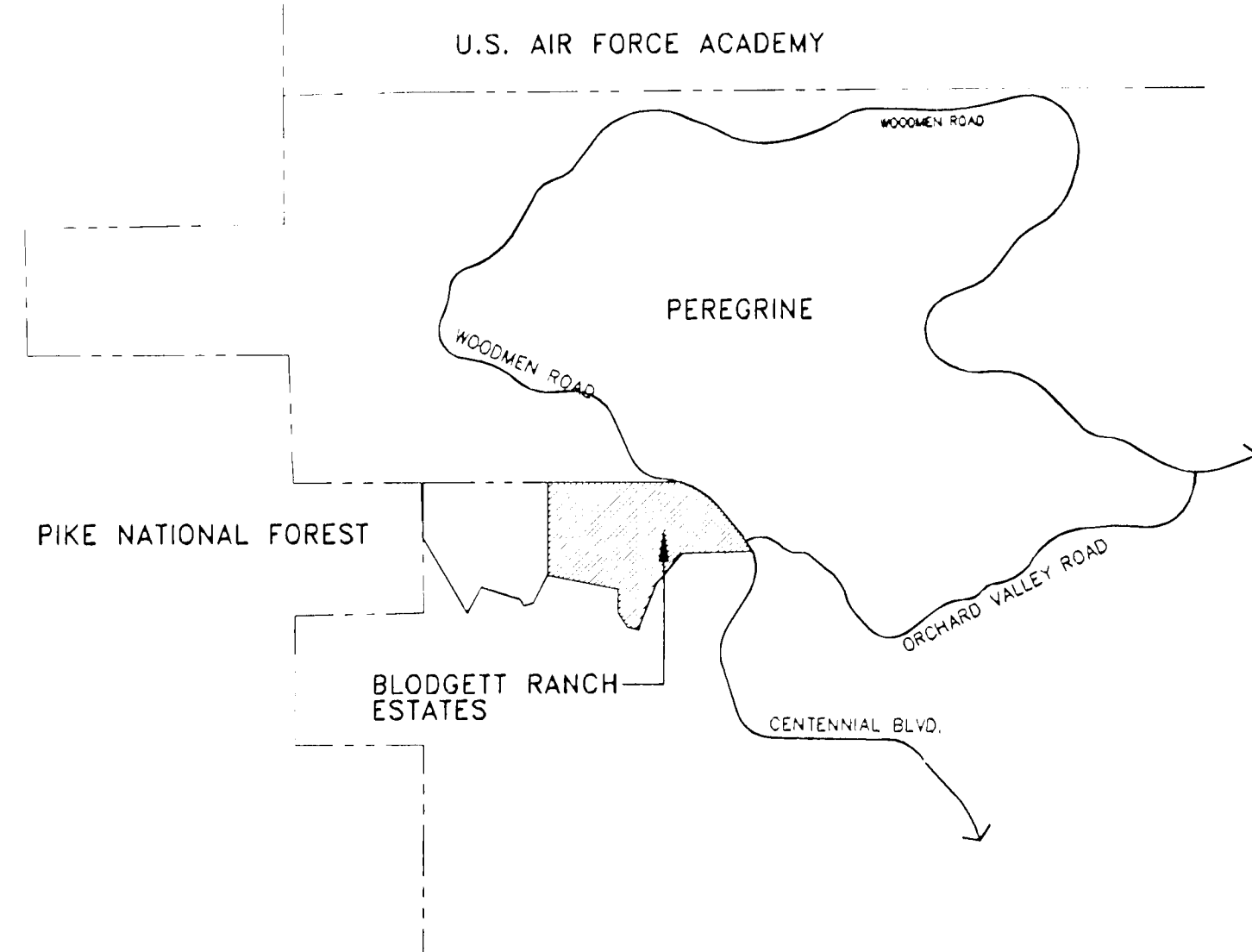
CITY OF COLORADO SPRINGS

DATE: May 23, 2003
REV: July 18, 2003
April 5, 2005

A DEVELOPMENT BY:
BLODGETT RANCH PROPERTIES, LLC
7870 RAVENSTONE COURT
COLORADO SPRINGS, CO 80919
(719) 531-5600

LAND PLANNING BY:
DHM DESIGN CORPORATION
1390 LAWRENCE STREET, SUITE 100
DENVER, COLORADO 80204
(303) 892-5566

ENGINEERING BY:
JR ENGINEERING
4310 ARROWS WEST DRIVE
COLORADO SPRINGS, COLORADO 80907
(719) 593-2593

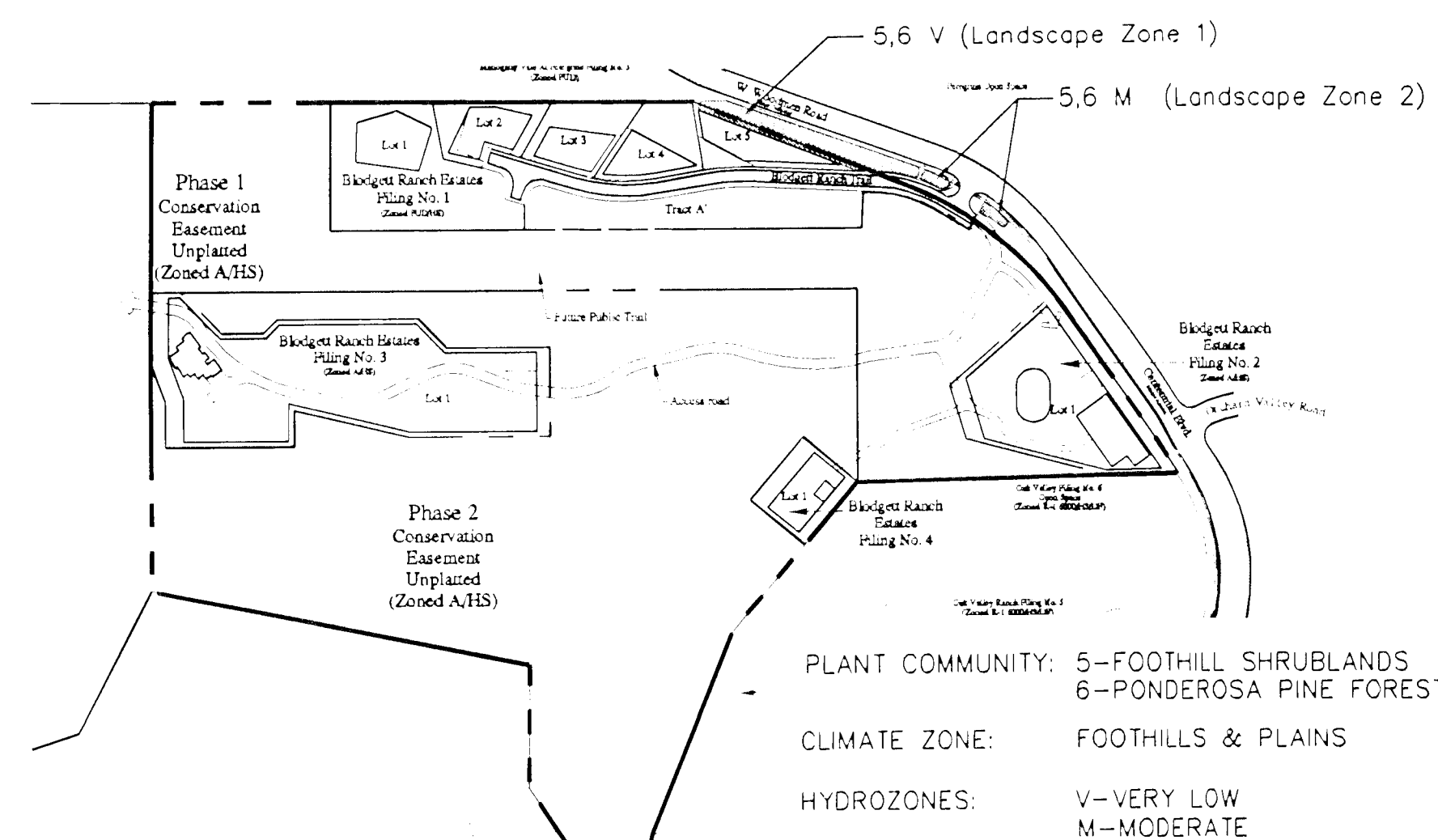


GENERAL VICINITY MAP

N.T.S.

SCHEMATIC LANDSCAPE DIAGRAM

Scale 1" = 300'



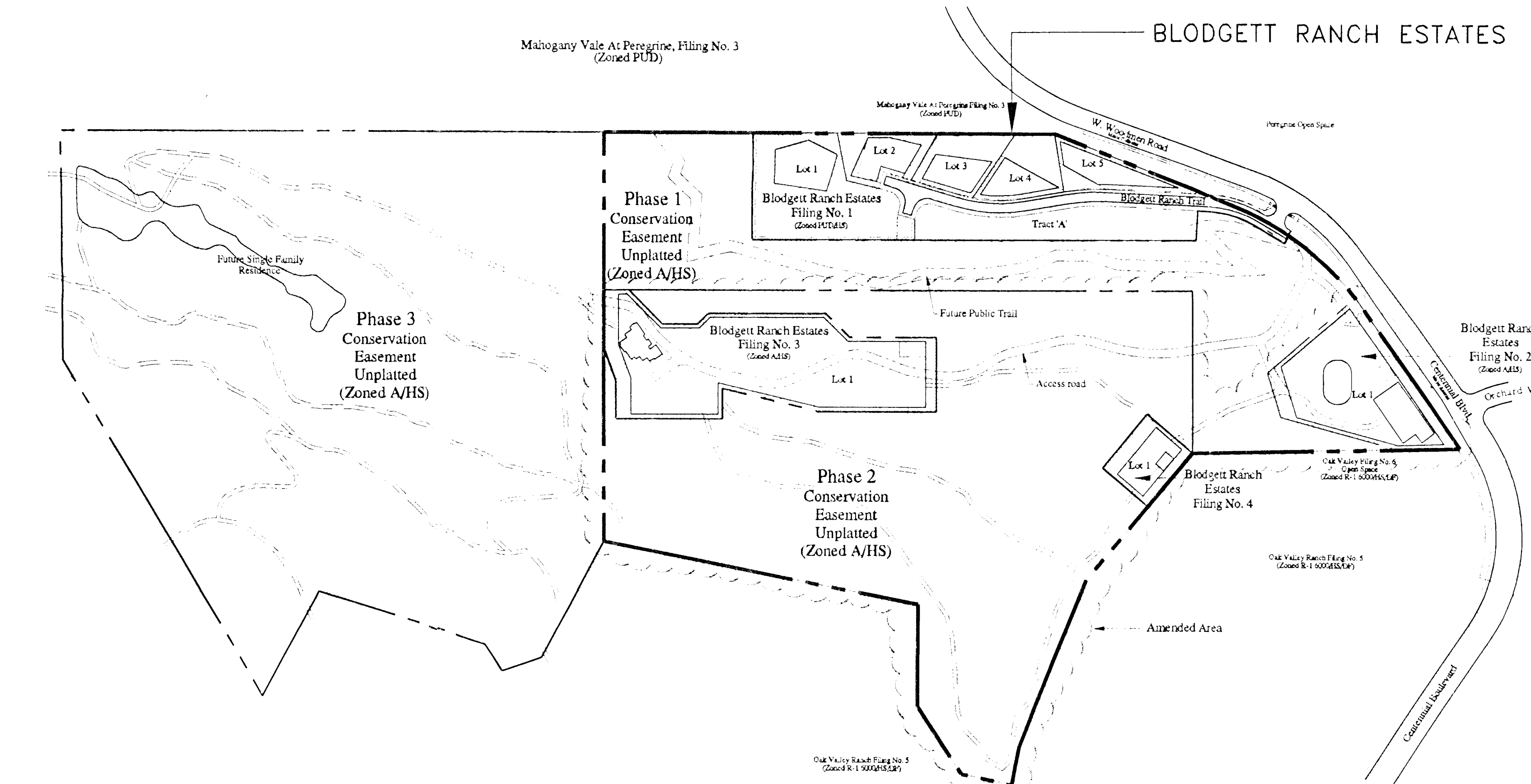
LANDSCAPE ZONE 1
Landscape areas will consist of natural plantings associated with the Pine Forest community with Ponderosa Pine, Austrian Pine, and/or Colorado Spruce being the tree species to be planted. Native and/or enhanced grasses will be the predominant ground plane treatment and will remain unmowed to allow growth to its mature height. Water requirements of plants in this zone will need a minimal amount of water, ranging from 0" to 7" of total precipitation per year, and will be able to survive period of drought once established.

LANDSCAPE ZONE 2
Landscape areas will consist of an organic organization character of native planting. Trees will be deciduous shade trees and/or scattered planting of Pine Trees. Shrub beds will be planted in organized informal arrangements. Plant species may include native, borrowed, historically adapted or compatible plants. Ground plane treatment will be low grow native grass or irrigated turf. Water requirements of plants may range from 15" to 25" of total precipitation per year.

CPC DP 02-013-A2(05)
PLANNER: MAYERL

PLAN NOTES

- Land Use Data:
 - Total site acreage: 38.99 Ac. (includes Blodgett Ranch Estates Filing 1-4 and Phases 1 & 2 Conservation Easements)
 - Existing zoning: P.U.D./Hillside (amended) & Agricultural/Hillside
 - Proposed zoning: P.U.D./Hillside (amended) & Agricultural/Hillside
 - Name of drainage basins: Dry Creek & Douglas Creek
 - General land uses: Single Family Homes/ Blodgett Ranch Horse Stable & Related Uses
 - Number of units: 6
 - Gross Density: .15 D.U./Ac.
 - Approximate schedule for development: Spring 2005
 - Maximum building height: 35'
 - Minimum number of parking spaces within garage and driveway: 4 per lot.
 - Percent of open space: 73.2% (includes conservation easement)
 - Approximate size of units: 2500 S.F. to 5000 S.F.
- Tract 'A' is reserved for private open space, utilities, drainage, and driveway access. Tract 'A' will be owned and maintained by the Blodgett Ranch Homeowners Association or their assigns.
- Landscape on individual lots will be the responsibility of the individual property owner. Preservation of existing vegetation and use of indigenous plant materials will be encouraged in order to retain the vegetative character of the site. Significant natural features including evergreen trees, scrub oak and rock outcroppings shall be preserved unless removal is specifically required due to construction activities. Retaining walls shall be utilized as a means of protecting trees where possible. All areas disturbed due to construction activities shall be revegetated to stabilize slopes and to control erosion.
- The graphic drawings contained within this Development Plan are intended to depict general locations and illustrate design concepts. Minor variations in road alignment, lot size and shape, building envelopes and easement location may occur at time of plotting.
- Location and height of street lighting within the public rights-of-way shall be approved by the City Traffic Engineering Division. Light standards shall be full cut-off fixtures with no sag lenses. Illumination for signage shall be from a concealed light source.
- Minimum Building Setbacks:
 - PUD/HS Lots
 - From front lot lines: 10'
 - The setback shall be measured from the front property line. The distance from the back of the walk, (or back of curb in the absence of a walk), to the front of the garage must be greater than or equal to 18 feet or less than or equal to 10 feet.
 - From side lot lines: 10'
 - From rear lot lines: 10'
 - A/HS Lots
 - From front lot lines: 25'
 - From side lot lines: 10'
 - From rear lot lines: 35'
- Prior to and during construction access roadways must be made serviceable and maintained for fire protection and emergency purposes. Required street and on-site fire hydrants and water mains must be installed and operable. Compliance with applicable sections of the Uniform Fire Code, Article 10, City, and building codes is required.
- Blodgett Ranch Estates is subject to the findings and conclusions of the Geologic Hazards Investigation Report for Blodgett Ranch Estates prepared by CTL Thompson. A copy of this report and the recommendations of the Colorado Geological Survey have been placed on file with the City Colorado Springs Planning Department. See files CPC DP 02-13 and CPC DP 02-013 A1 (03).
- The following wildfire mitigation factors shall be implemented for the safety improvement of Blodgett Ranch:
 - All lots within this subdivision shall have automatic fire sprinklers installed.
 - A minimum of a Class A roof covering shall be installed on all roofing and re-roofing applications on buildings located within this development. Exterior walls, siding, soffits, & eaves shall be of non-combustible materials or a minimum of 1 hr. rated fire-resistant construction. Heavy timber or log wall construction exempted. Rain gutters and downspouts to be of metal (no plastic material).
 - An expert in wildland/urban interface issues, products, and techniques shall be consulted during the planning stages for engineering and landscaping for each building site.
 - In conjunction with an expert in wildland/urban interface issues, a fuel modification plan will be developed south of Lots 1 & 2 to reduce the brush class to a point where fuel bed isolation from the adjoining south open land will be established.
 - Fuel modification Zone I to extend to 30 feet. Fuel modification Zone II to extend to 30 feet. Fuel modification Zone III to extend to 50 feet.
- Site specific stability analysis shall be performed after a building site has been selected and grading plans are drawn up. Site grading shall minimize cuts at toes or faces of slopes. This shall be done before any grading is done on any lot. The overall stability of the impact of any excavation on the building lot and adjacent building lot shall be evaluated by a geologist or geotechnical engineer and filed with the plot plan (to Development Review Enterprise) for that lot.
- Location of public multi-use trails are shown on this Development Plan.
- The lots within the subdivision are in a landslide susceptible area.
- This area is underlain by steeply dipping expansive bedrock. Where encountered, lots will require appropriate foundation methods to address this condition.
- Notice: This property may be impacted by noise and other similar sensory effects of flight caused by aircraft used in the USAF Academy's Airmanship Program. This notice shall remain in effect until the Air Force Academy shall cease to be used for flight training purposes. This notice shall run with the land.
- Designated Preservation Areas as shown on this Development Plan are for the sole purpose of only excluding residential buildings from these areas. Driveways, utility access, trails, fencing, fuel modification for wildfire mitigation, and associated grading shall be permitted in these areas.
- Individual site grading plans should be reviewed by a licensed professional engineer for geologic hazard and drainage purposes prior to starting excavation for foundation construction.
- Supplemental irrigation applied to landscaping of individual lots shall be limited so that there will be no net increase in the existing subsurface moisture that would result in a substantial rise in the ground water levels. The quantity of irrigation should be determined in consultation with CTL/Thompson and shall be monitored by the Blodgett Ranch Homeowners Association (HOA). The HOA shall have the authority to restrict water consumption with the assistance of the City of Colorado Springs in case of excess irrigation by an individual property owner beyond the amounts recommended.
- Proposed Striping Plan for Centennial Boulevard/Woodmen Road will be submitted with Blodgett Ranch Trail Construction Drawings.
- No direct vehicular access shall be permitted from W. Woodmen Road or Centennial Boulevard to Lots 4 and 5 or Tract B.
- Variations in subsurface conditions are possible and should be anticipated. If the cut slopes expose granular material the slopes should be flattened to a maximum slope 2.5:1. The drainage at the toe of cuts steeper than 2.5:1 not protected by a retaining wall should be lined with riprap, concrete, or similar material to reduce erosion at the toe of the slope. All retaining walls constructed at the base of slopes steeper than 2.5:1 should be designed by an engineer.



DETAILED VICINITY MAP

Scale 1" = 200'

SHEET INDEX

No.	TITLE
1	COVER SHEET
2	DEVELOPMENT PLAN
3	ROAD SECTIONS, LEGAL, & DETAILS
4	PRELIMINARY GRADING
5	MASTER FACILITY PLAN
6	VEGETATION ANALYSIS
7	SLOPE ANALYSIS
8	GEOLOGY, SOILS AND NATURAL FEATURES

SHEET OF

BLODGETT RANCH ESTATES

AMENDED DEVELOPMENT PLAN

CITY OF COLORADO SPRINGS

DATE: May 23, 2003
 REV: July 18, 2003
 April 5, 2005

A DEVELOPMENT BY:
 BLODGETT RANCH PROPERTIES, LLC
 7870 RAVENSTONE COURT
 COLORADO SPRINGS, CO 80919
 (719) 531-5600

LAND PLANNING BY:
 DHM DESIGN CORPORATION
 1390 LAWRENCE STREET, SUITE 100
 DENVER, COLORADO 80204
 (303) 892-5566

ENGINEERING BY:
 JR ENGINEERING
 4310 ARROWS WEST DRIVE
 COLORADO SPRINGS, COLORADO 80907
 (719) 593-2593

PRELIMINARY PLANT SCHEDULE

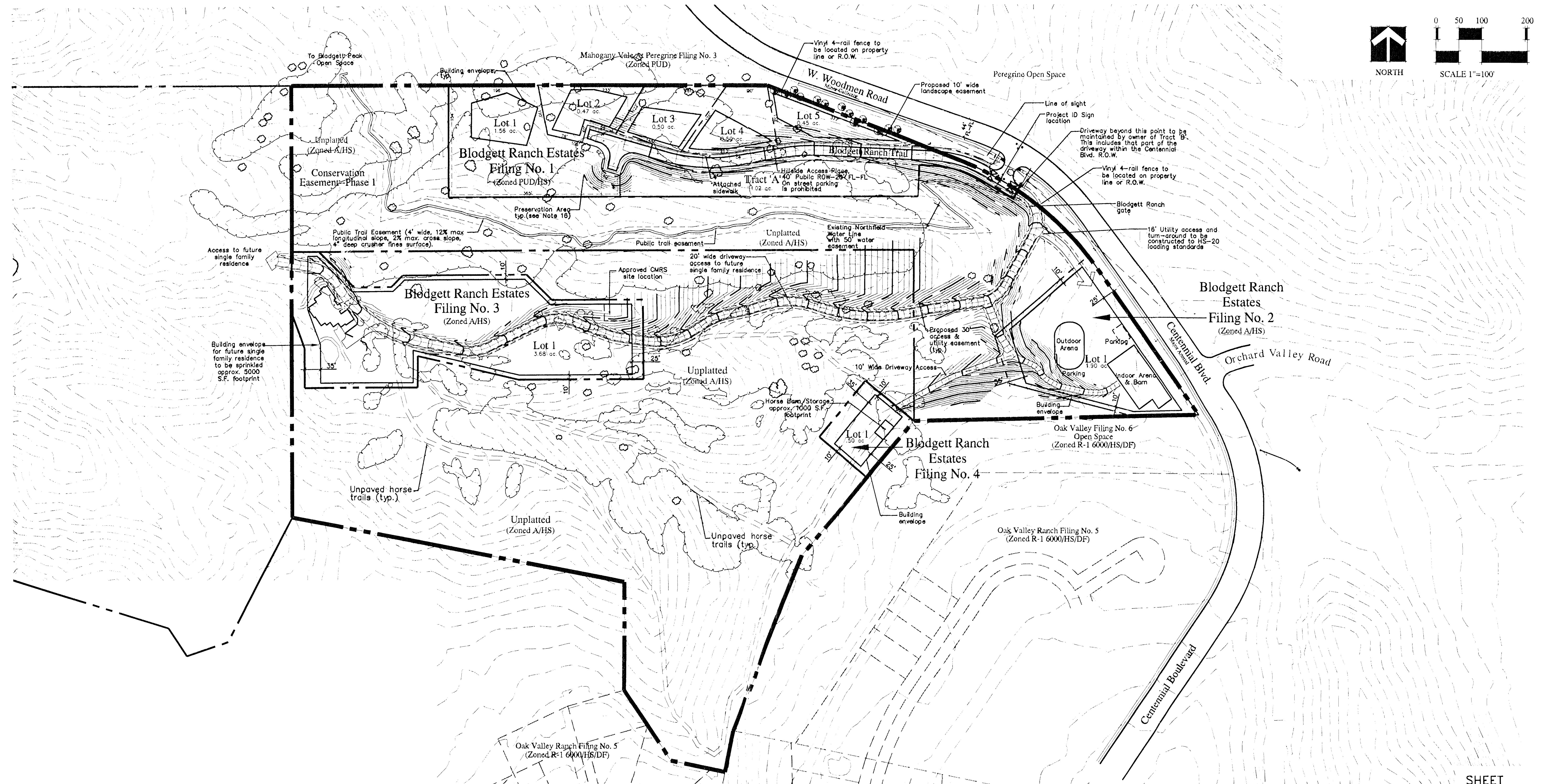
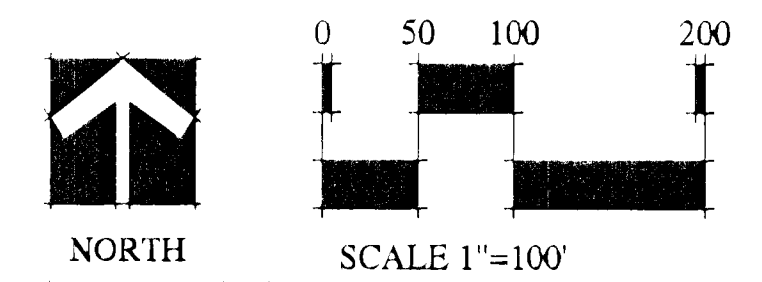
SYMBOL	BOTANICAL NAME	COMMON NAME	KEY FROM APPENDIX B	MATURE WIDTH	PLANTING SIZE	NOTES
	PINUS NIGRA	AUSTRIAN PINE	25678A	30-40'	8'	B&B
	PICEA PUNGENS	COLORADO SPRUCE	678S	VARIES	8'	B&B
	PINUS PONDEROSA	PONDEROSA PINE	268D	20-30'	8'	B&B

SITE CATEGORY CALCULATIONS

STREET NAME	STREET CLASSIFICATION	SETBACK WIDTH REQ./PROV.	LINEAR FOOTAGE	TREES/FEET REQUIRED	TREES REQ./PROV.
W. Woodmen Rd.	Non-Arterial	6/10'	370'	1/30'	13/13

SYMBOL LEGEND

	EXISTING WATER LINE
	EXISTING ELECTRIC LINE
	EXISTING SANITARY SEWER
	PROPOSED WATER LINE WITH FIRE HYDRANT
	PROPOSED SANITARY SEWER
	PROPOSED GAS MAIN
	RIGHT OF WAY AND LOT LINE
	ZONING BOUNDARY
	BASEMENT (Type 4430000)
	BUILDING ENVELOPE
	FENCE
	PRESERVATION AREA (see note 17)



BLODGETT RANCH ESTATES

AMENDED DEVELOPMENT PLAN

CITY OF COLORADO SPRINGS

DATE: May 23, 2003
REV: July 18, 2003
April 5, 2005

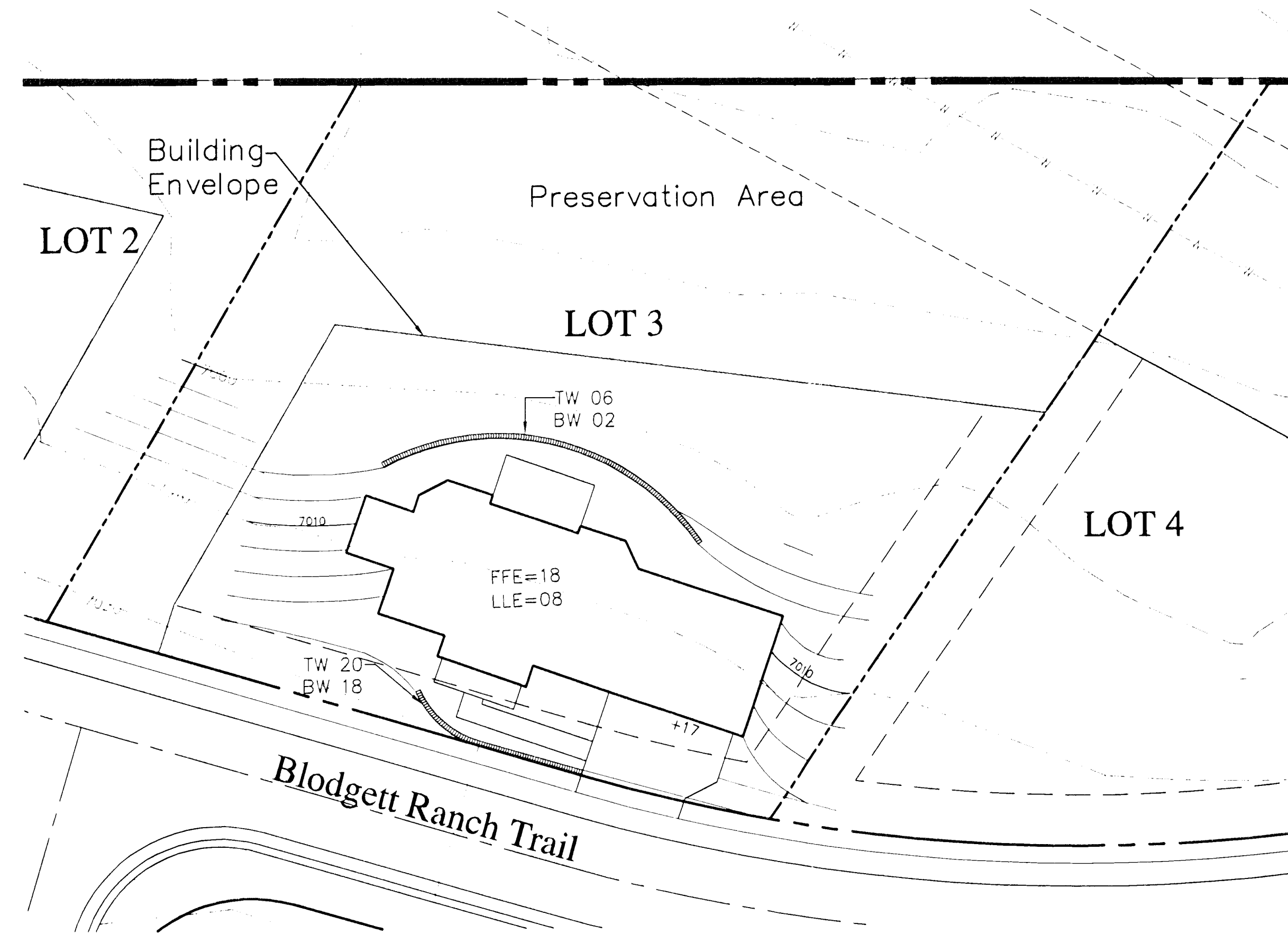
A DEVELOPMENT BY: BLODGETT RANCH PROPERTIES, LLC
7870 RAVENSTONE COURT
COLORADO SPRINGS, CO 80919
(719) 531-5600

LAND PLANNING BY: DHM DESIGN CORPORATION
1390 LAWRENCE STREET, SUITE 100
DENVER, COLORADO 80204
(303) 892-5566

ENGINEERING BY: JR ENGINEERING
4310 ARROWS WEST DRIVE
COLORADO SPRINGS, COLORADO 80907
(719) 593-2593

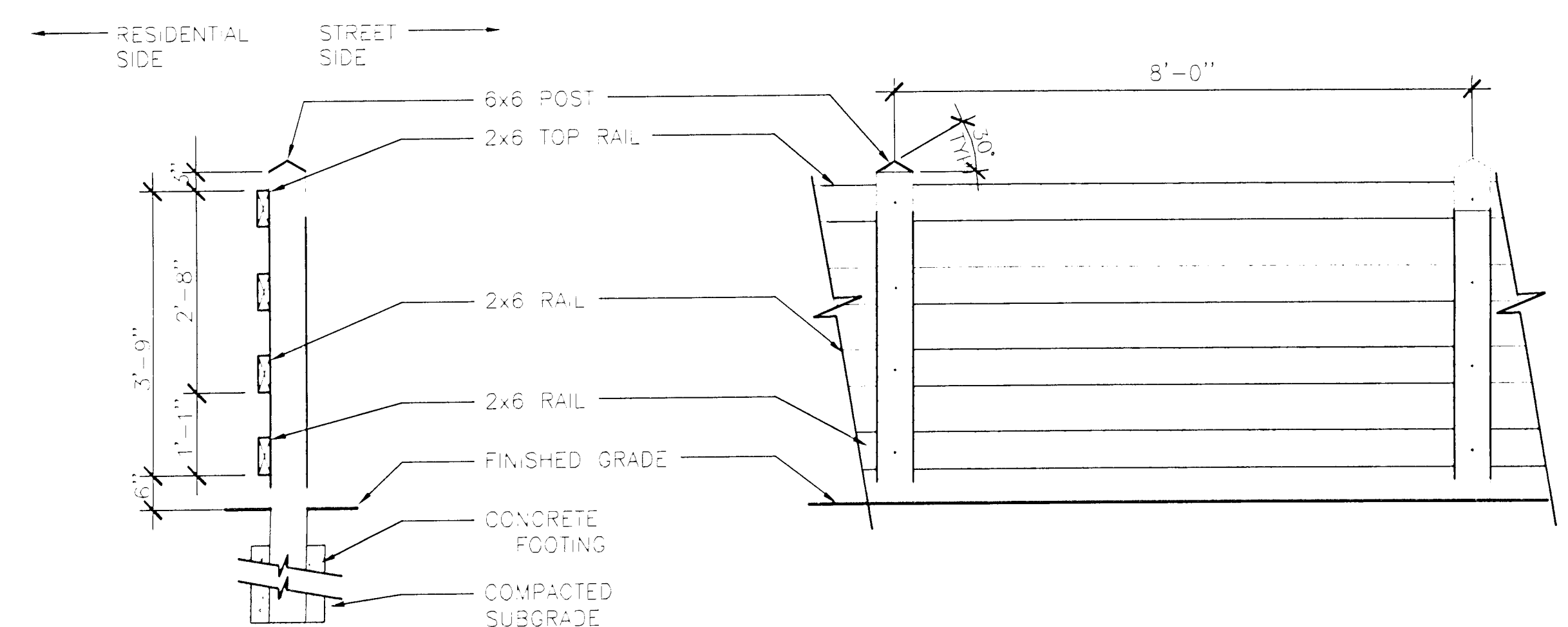
LOT 3-TYPICAL LAYOUT & GRADING PLAN

Scale 1" = 20'-0"



OPEN 4-RAIL FENCE DETAIL

N.T.S.



LEGAL DESCRIPTION: BLODGETT RANCH ESTATES FILING NO. 1

A TRACT OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTHERLY BOUNDARY LINE OF MAHOGANY VALE AT PEREGRINE FILING NO. 3, AS RECORDED UNDER RECEPTION NO. 97148164, EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE WESTERLY END BY A NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LTD RLS 10377," AND BEING MONUMENTED AT THE EASTERLY END BY A NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LTD RLS 10377," BEING ASSUMED TO BEAR S89°50'13"E, A DISTANCE OF 829.25 FEET.

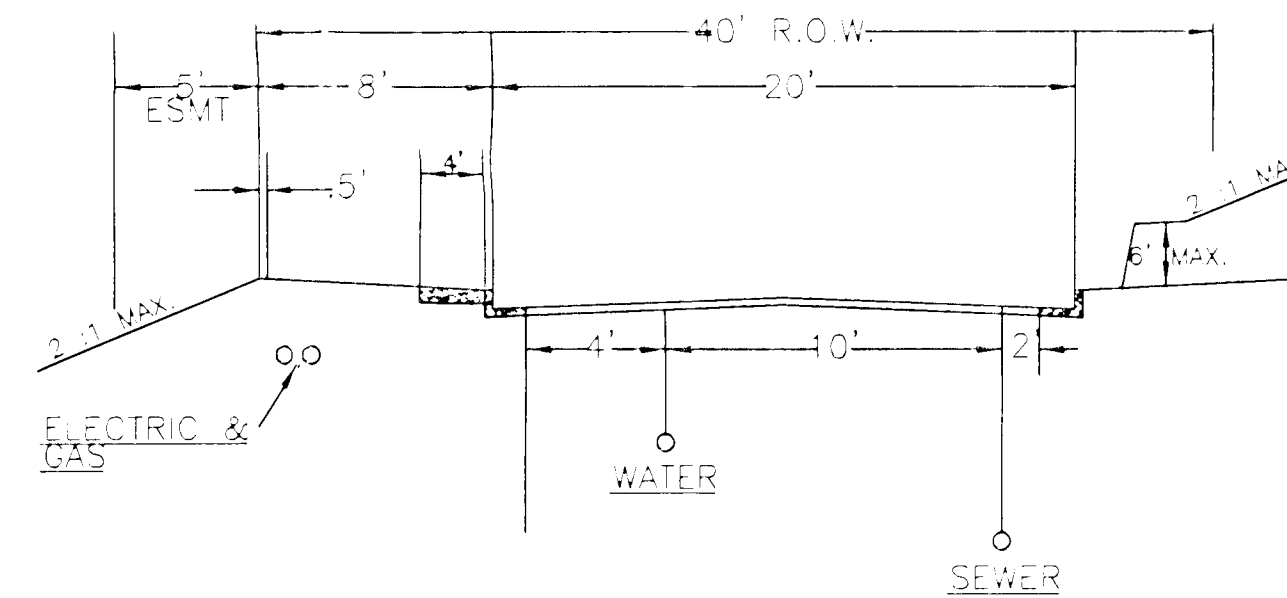
COMMENCING AT THE POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF CENTENNIAL BOULEVARD'S MOST NORTHERLY EXTENSION, AS PLATTED IN CENTENNIAL BOULEVARD SUBDIVISION FILING NO. 2, RECORDED IN PLAT BOOK R-3 AT PAGE 57, EL PASO COUNTY, COLORADO, SAID POINT BEING THE POINT OF BEGINNING; THENCE ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID CENTENNIAL BOULEVARD, THE FOLLOWING TWO (2) COURSES:

1. S68°43'55"E, A DISTANCE OF 86.77 FEET TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF 12°26'42", A RADIUS OF 666.80 FEET, A DISTANCE OF 144.83 FEET TO A POINT OF TANGENT;

THENCE S30°19'10"W, A DISTANCE OF 20.41 FEET;
THENCE N59°40'50"W, A DISTANCE OF 80.32 FEET TO A POINT OF CURVE;
THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A DELTA OF 27°38'00", A RADIUS OF 230.00 FEET, A DISTANCE OF 110.93 FEET TO A POINT OF TANGENT;
THENCE N87°18'50"W, A DISTANCE OF 30.77 FEET;
THENCE S02°41'10"W, A DISTANCE OF 67.57 FEET;
THENCE N90°00'00"W, A DISTANCE OF 1028.56 FEET;
THENCE N00°10'17"E, A DISTANCE OF 243.92 FEET TO A POINT ON THE SOUTHERLY BOUNDARY LINE OF MAHOGANY VALE AT PEREGRINE FILING NO. 3, RECORDED UNDER RECEPTION NO. 97148164;
THENCE S89°50'13"E, ON SAID SOUTHERLY BOUNDARY LINE, A DISTANCE OF 764.77 FEET;
THENCE S89°50'13"E, A DISTANCE OF 271.06 FEET;
THENCE S00°46'41"E, A DISTANCE OF 130.86 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 5.885 ACRES.

PUBLIC STREET SECTIONS



BLODGETT RANCH DRIVE STREET SECTION 40' R.O.W. (Hillside Access Place)

N.T.S.

LEGAL DESCRIPTION: BLODGETT RANCH ESTATES FILING NO. 2

A TRACT OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTHERLY BOUNDARY LINE OF MAHOGANY VALE AT PEREGRINE FILING NO. 3, AS RECORDED UNDER RECEPTION NO. 97148164, EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE WESTERLY END BY A NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LTD RLS 10377," AND BEING MONUMENTED AT THE EASTERLY END BY A NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LTD RLS 10377," BEING ASSUMED TO BEAR S89°50'13"E, A DISTANCE OF 829.25 FEET.

COMMENCING AT THE SOUTHWESTERLY CORNER OF MAHOGANY VALE AT PEREGRINE FILING NO. 3, AS RECORDED UNDER RECEPTION NO. 97148164, RECORDS OF EL PASO COUNTY, COLORADO; THENCE S66°27'03"E, A DISTANCE OF 1375.56 FEET TO THE POINT OF BEGINNING;

THENCE N49°25'26"E, A DISTANCE OF 268.90 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF CENTENNIAL BOULEVARD AS PLATTED IN CENTENNIAL BOULEVARD SUBDIVISION FILING NO. 2, AS RECORDED IN PLAT BOOK R-3 AT PAGE 57;

THENCE ON SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, THE FOLLOWING TWO (2) COURSES:

1. ON THE ARC OF A CURVE TO THE RIGHT, WHOSE CENTER BEARS S51°49'14"W, HAVING A DELTA OF 03°11'51", A RADIUS OF 666.80 FEET, A DISTANCE OF 37.21 FEET TO A POINT OF TANGENT;
2. S34°58'55"E, A DISTANCE OF 385.89 FEET TO A POINT ON THE NORTHERLY BOUNDARY LINE OF TRACT A AS PLATTED IN OAK VALLEY RANCH FILING NO. 6, AS RECORDED IN PLAT BOOK G-5 AT PAGE 27;

THENCE S88°47'16"W ON SAID NORTHERLY BOUNDARY LINE, A DISTANCE OF 145.84 FEET;

THENCE N75°13'52"W, A DISTANCE OF 279.90 FEET;
THENCE N16°51'50"W, A DISTANCE OF 107.50 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 1.9010 ACRES.

LEGAL DESCRIPTION: BLODGETT RANCH ESTATES FILING NO. 3

A TRACT OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTHERLY BOUNDARY LINE OF MAHOGANY VALE AT PEREGRINE FILING NO. 3, AS RECORDED UNDER RECEPTION NO. 97148164, EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE WESTERLY END BY A NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LTD RLS 10377," AND BEING MONUMENTED AT THE EASTERLY END BY A NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LTD RLS 10377," BEING ASSUMED TO BEAR S89°50'13"E, A DISTANCE OF 829.25 FEET.

COMMENCING AT THE SOUTHWESTERLY CORNER OF MAHOGANY VALE AT PEREGRINE FILING NO. 3, AS RECORDED UNDER RECEPTION NO. 97148164, RECORDS OF EL PASO COUNTY, COLORADO; THENCE S37°55'40"W, A DISTANCE OF 458.08 FEET TO THE POINT OF BEGINNING;

THENCE N90°00'00"E, A DISTANCE OF 59.69 FEET;
THENCE S45°00'00"E, A DISTANCE OF 110.50 FEET;
THENCE N90°00'00"E, A DISTANCE OF 81.39 FEET;
THENCE N45°00'00"E, A DISTANCE OF 35.54 FEET;
THENCE N90°00'00"E, A DISTANCE OF 271.52 FEET;
THENCE S45°00'00"E, A DISTANCE OF 78.42 FEET;
THENCE N90°00'00"E, A DISTANCE OF 199.68 FEET;
THENCE S00°00'00"E, A DISTANCE OF 172.83 FEET;
THENCE N90°00'00"W, A DISTANCE OF 272.32 FEET;
THENCE N76°38'47"W, A DISTANCE OF 228.15 FEET;
THENCE S00°00'00"E, A DISTANCE OF 69.39 FEET;
THENCE N90°00'00"W, A DISTANCE OF 248.48 FEET;
THENCE N00°00'00"E, A DISTANCE OF 87.93 FEET;
THENCE N20°05'33"W, A DISTANCE OF 82.15 FEET;
THENCE N00°00'00"E, A DISTANCE OF 132.70 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 3.6808 ACRES.

LEGAL DESCRIPTION: BLODGETT RANCH ESTATES FILING NO. 4

A TRACT OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

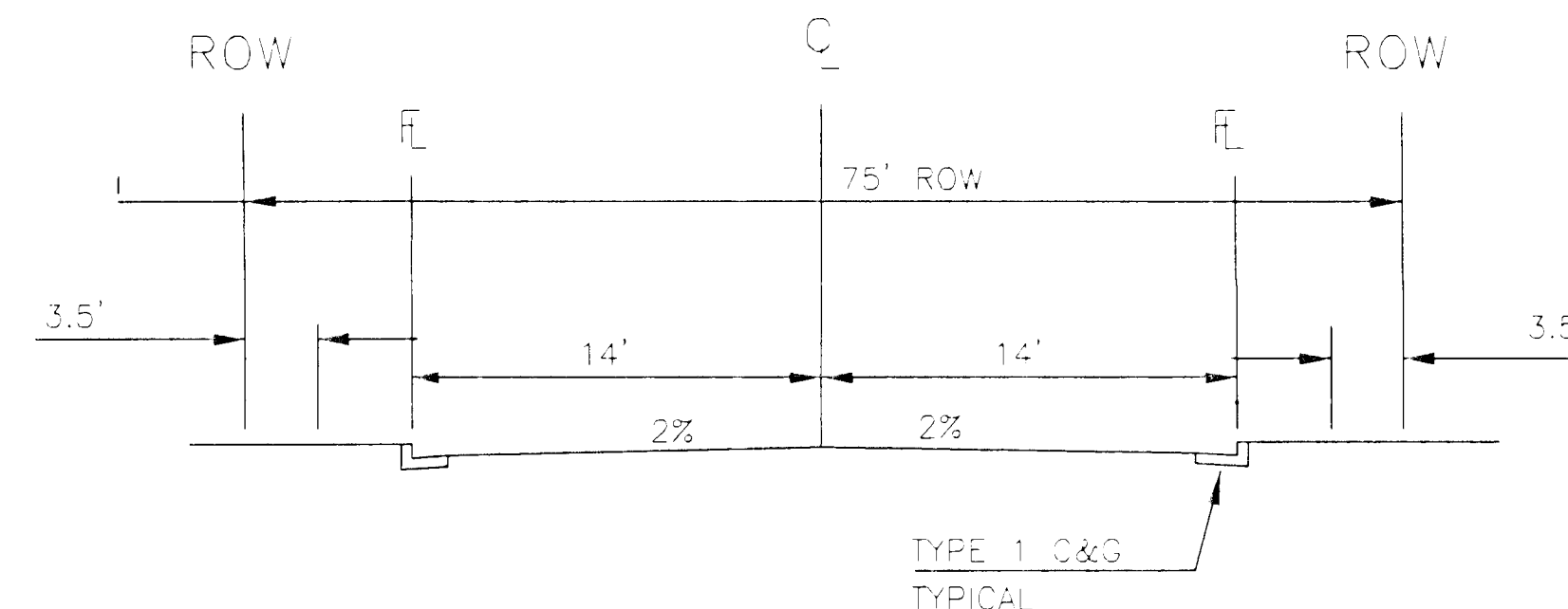
BASIS OF BEARINGS: THE SOUTHERLY BOUNDARY LINE OF MAHOGANY VALE AT PEREGRINE FILING NO. 3, AS RECORDED UNDER RECEPTION NO. 97148164, EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE WESTERLY END BY A NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LTD RLS 10377," AND BEING MONUMENTED AT THE EASTERLY END BY A NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LTD RLS 10377," BEING ASSUMED TO BEAR S89°50'13"E, A DISTANCE OF 829.25 FEET.

COMMENCING AT THE SOUTHWESTERLY CORNER OF MAHOGANY VALE AT PEREGRINE FILING NO. 3, AS RECORDED UNDER RECEPTION NO. 97148164, RECORDS OF EL PASO COUNTY, COLORADO; THENCE S56°32'39"E, A DISTANCE OF 1171.90 FEET TO THE POINT OF BEGINNING;

THENCE S50°04'12"E, A DISTANCE OF 137.00 FEET TO A POINT ON THE NORTHWESTERLY BOUNDARY LINE OF TRACT A AS PLATTED IN OAK VALLEY RANCH FILING NO. 6, AS RECORDED IN PLAT BOOK G-5 AT PAGE 27;
THENCE S39°55'48"W ON SAID NORTHWESTERLY BOUNDARY LINE, A DISTANCE OF 160.00 FEET;

THENCE N50°04'12"W, A DISTANCE OF 137.00 FEET;
THENCE N39°55'48"E, A DISTANCE OF 160.00 FEET TO THE POINT OF BEGINNING;

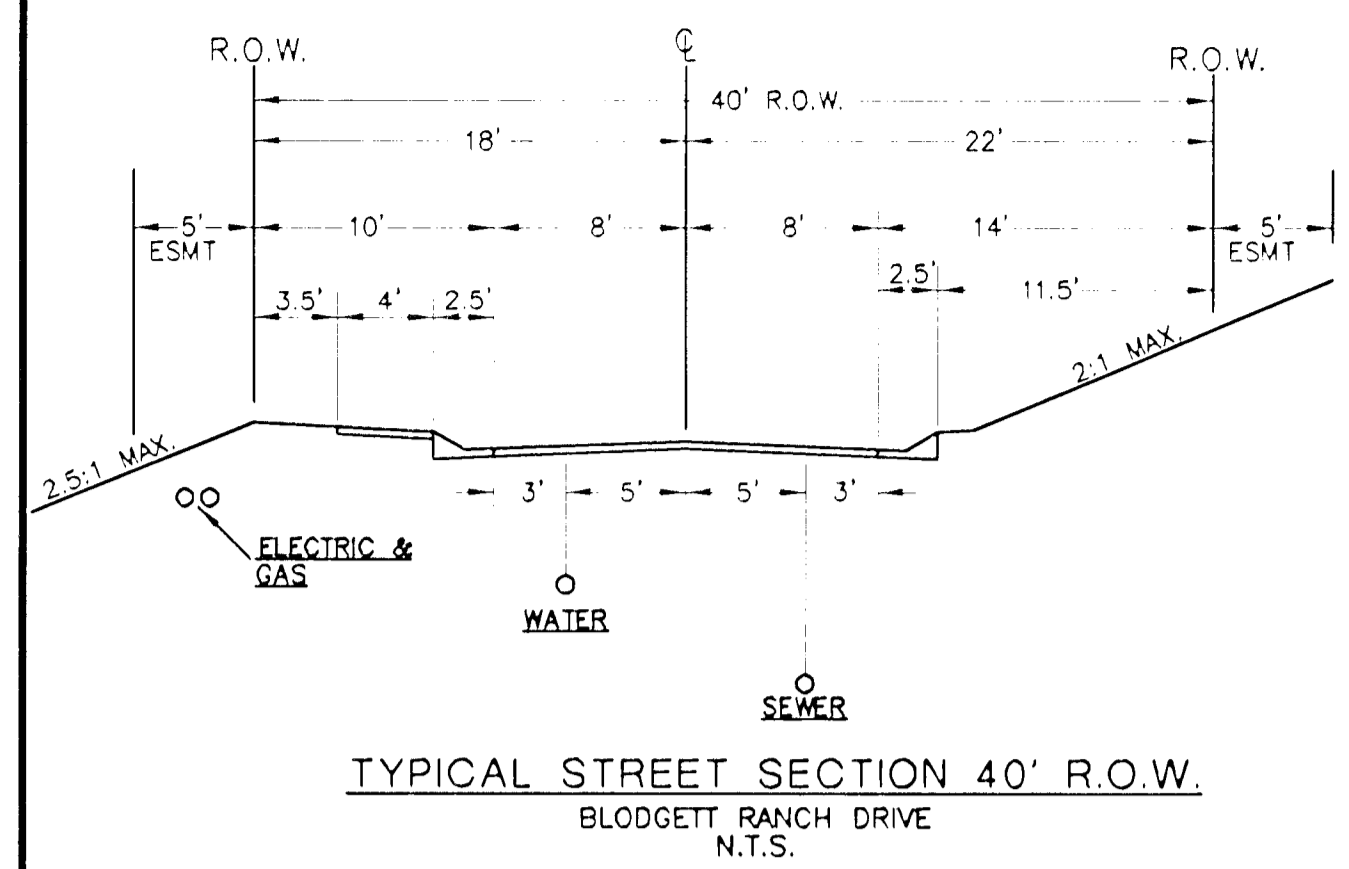
CONTAINING A CALCULATED AREA OF 21,920 SQUARE FEET.



ENTRANCE DRIVE STREET SECTION 75' R.O.W.

N.T.S.

SHEET OF



BLODGETT RANCH ESTATES FILING NO. 1, 2, 3 & 4

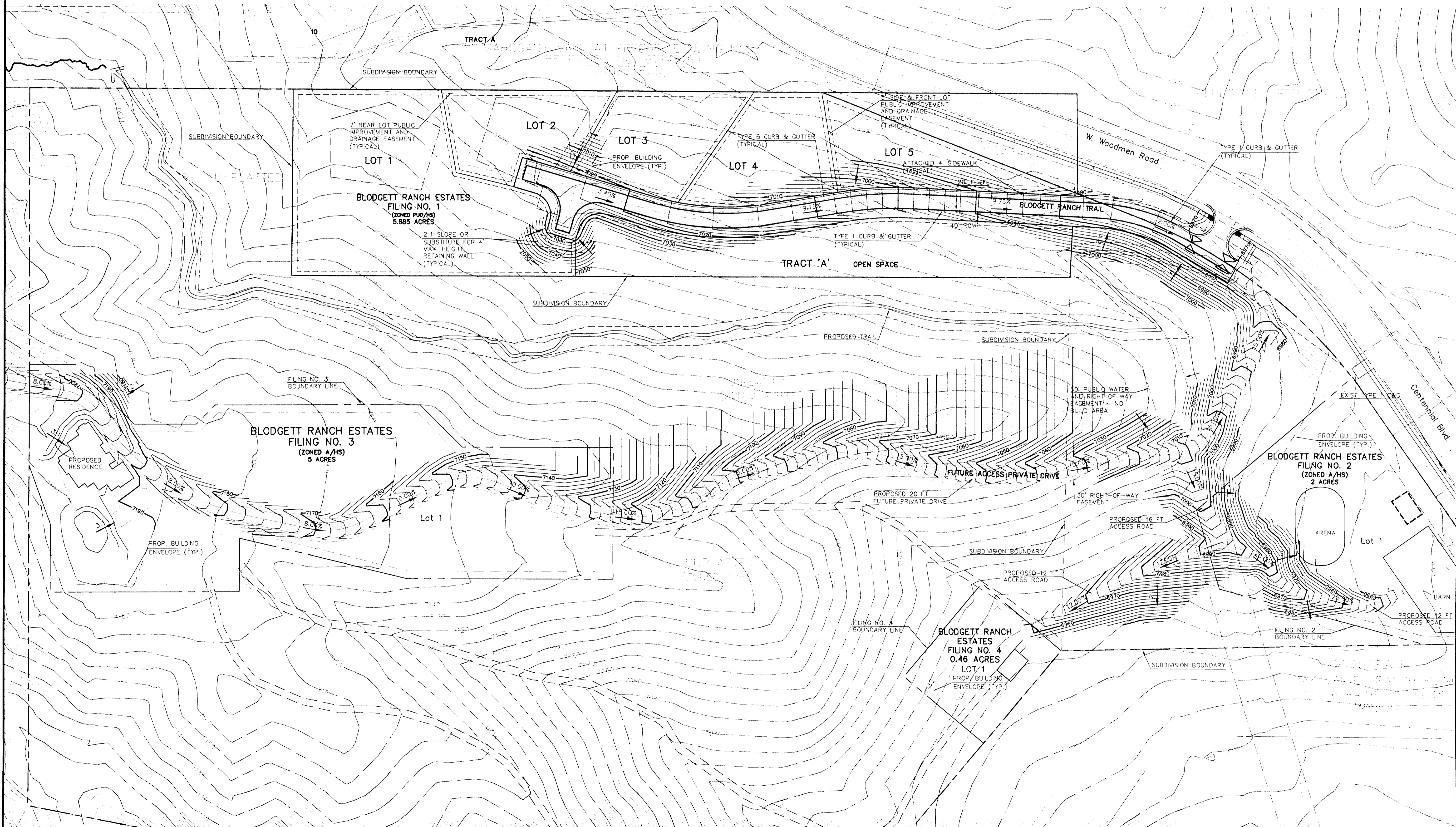
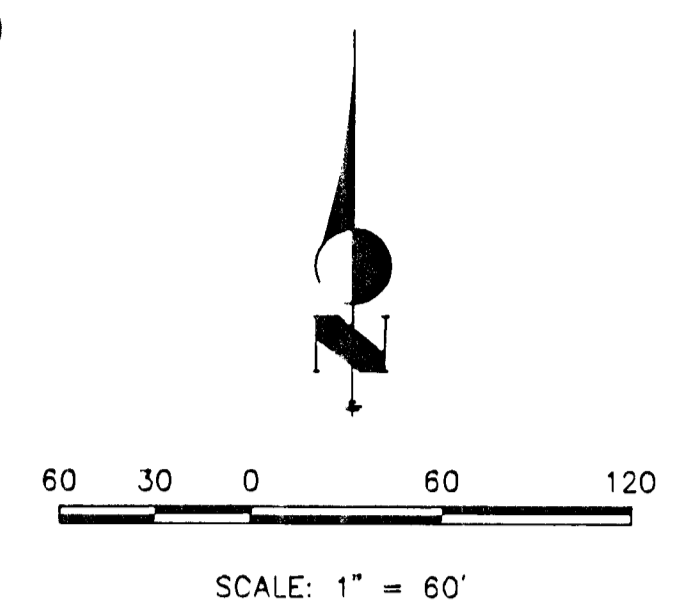
CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO

PRELIMINARY GRADING

JANUARY 2005

LEGEND

- SUBDIVISION BOUNDARY
- PROPOSED GRADE INDEX CONTOUR
- PROPOSED GRADE NOMINAL CONTOUR
- BUILDING ENVELOPE
- EXISTING GRADE INDEX CONTOUR
- EXISTING GRADE NOMINAL CONTOUR
- DRAINAGE FLOW ARROW



UNTIL SUCH TIME AS THE APPLICANT HAS OBTAINED ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES, THE ENGINEERING APPROVES THEIR USE ONLY FOR THE PURPOSES DESIGNATED BY WRITTEN AUTHORIZATION.

BLODGETT RANCH PROPERTIES, LLC
7870 RAVENSTONE COURT
COLORADO SPRINGS, CO 80919
88807 (719) 266-8000

J.R. ENGINEERING
A Subsidiary of Wustman
4310 ArrowWest Drive, Colorado Springs, CO 80907
719-593-2943 Fax: 719-528-6613
www.jrengineering.com

NO.	REVISION	BY	DATE

H-SCALE 1"=60'
V-SCALE N/A
DATE 01/27/05
DESIGNED BY ABE
DRAWN BY KEM
CHECKED BY

BLODGETT RANCH ESTATES FILING NO. 1, 2, 3 & 4
DEVELOPMENT PLAN
PRELIMINARY GRADING PLAN

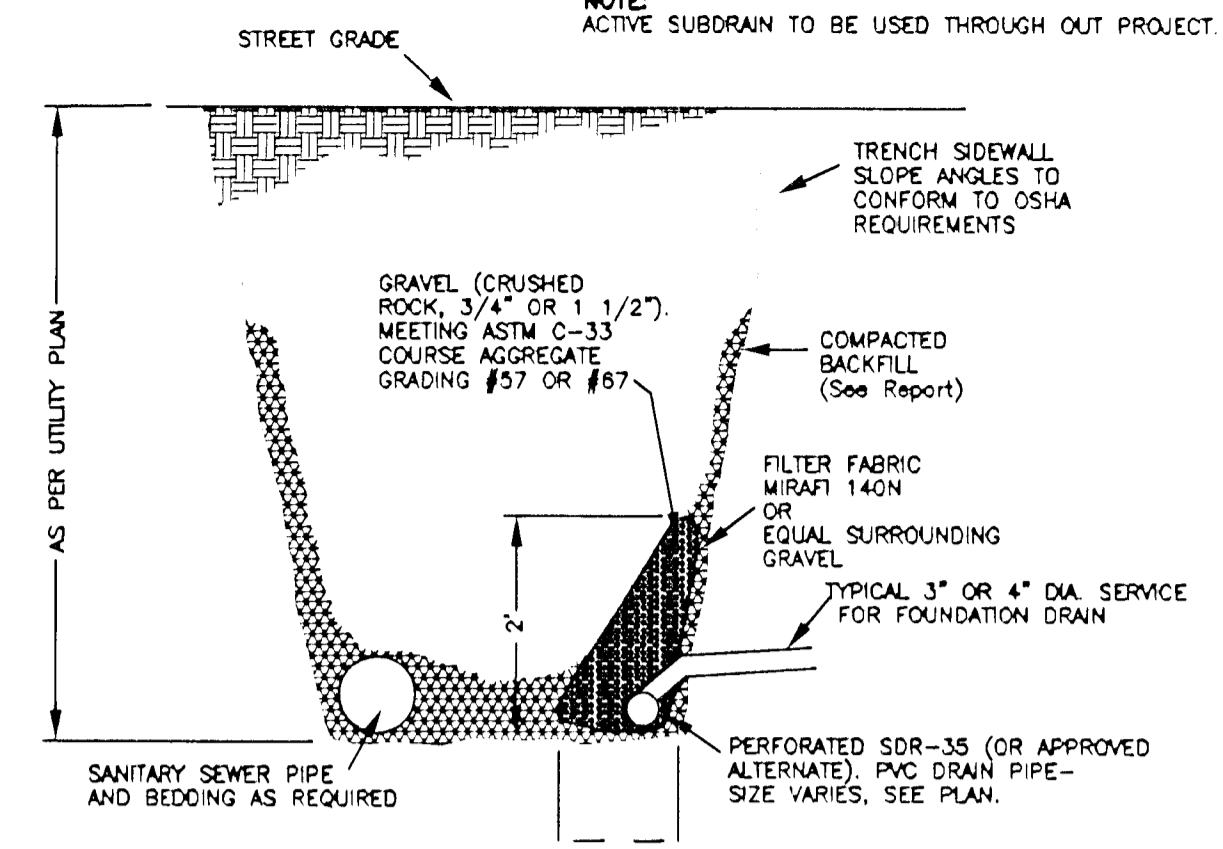
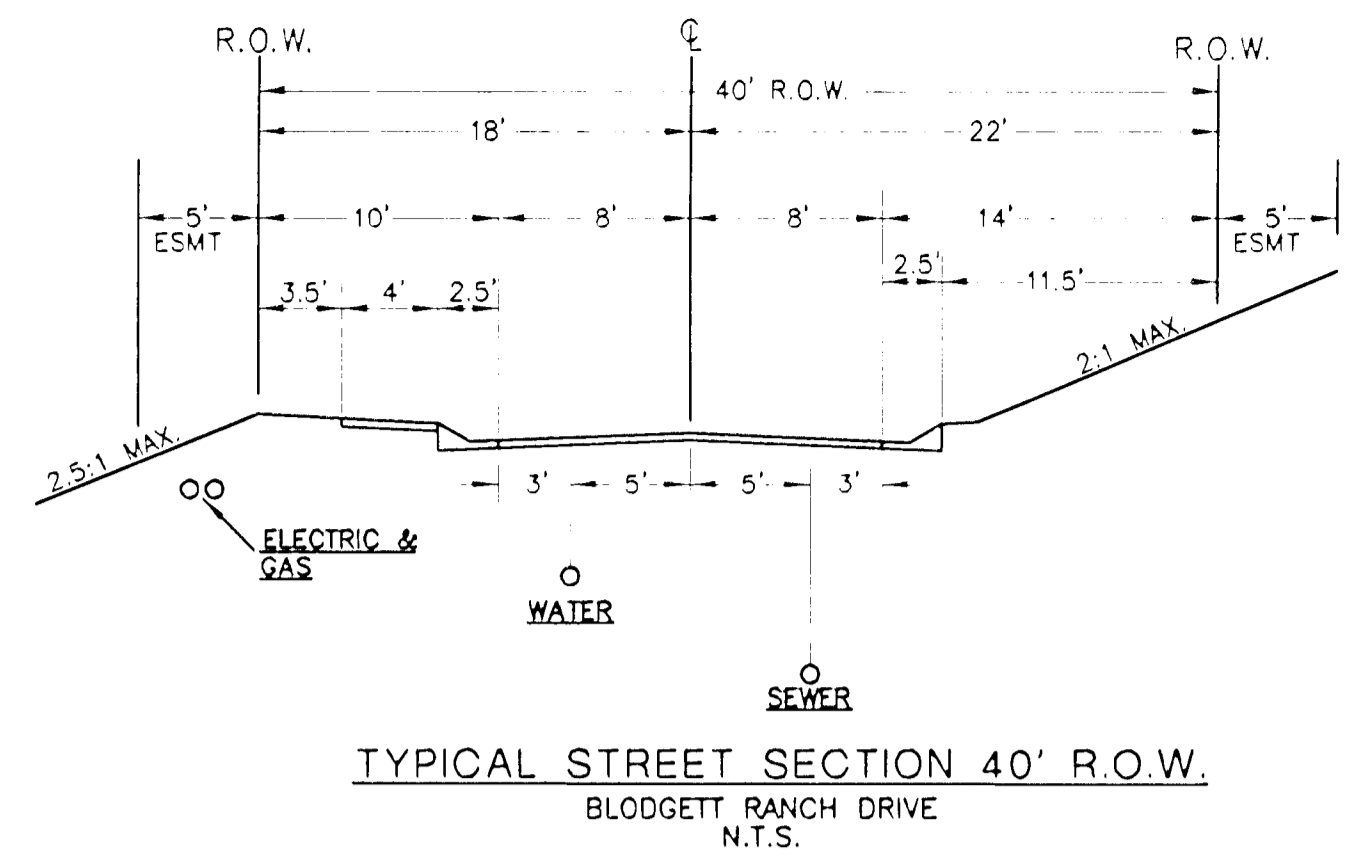
SHEET 2 OF 2
JOB NO. 9814.01

BLODGETT RANCH ESTATES FILING NO. 1, 2, 3, & 4

CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO

MASTER FACILITY PLAN

JANUARY 2005



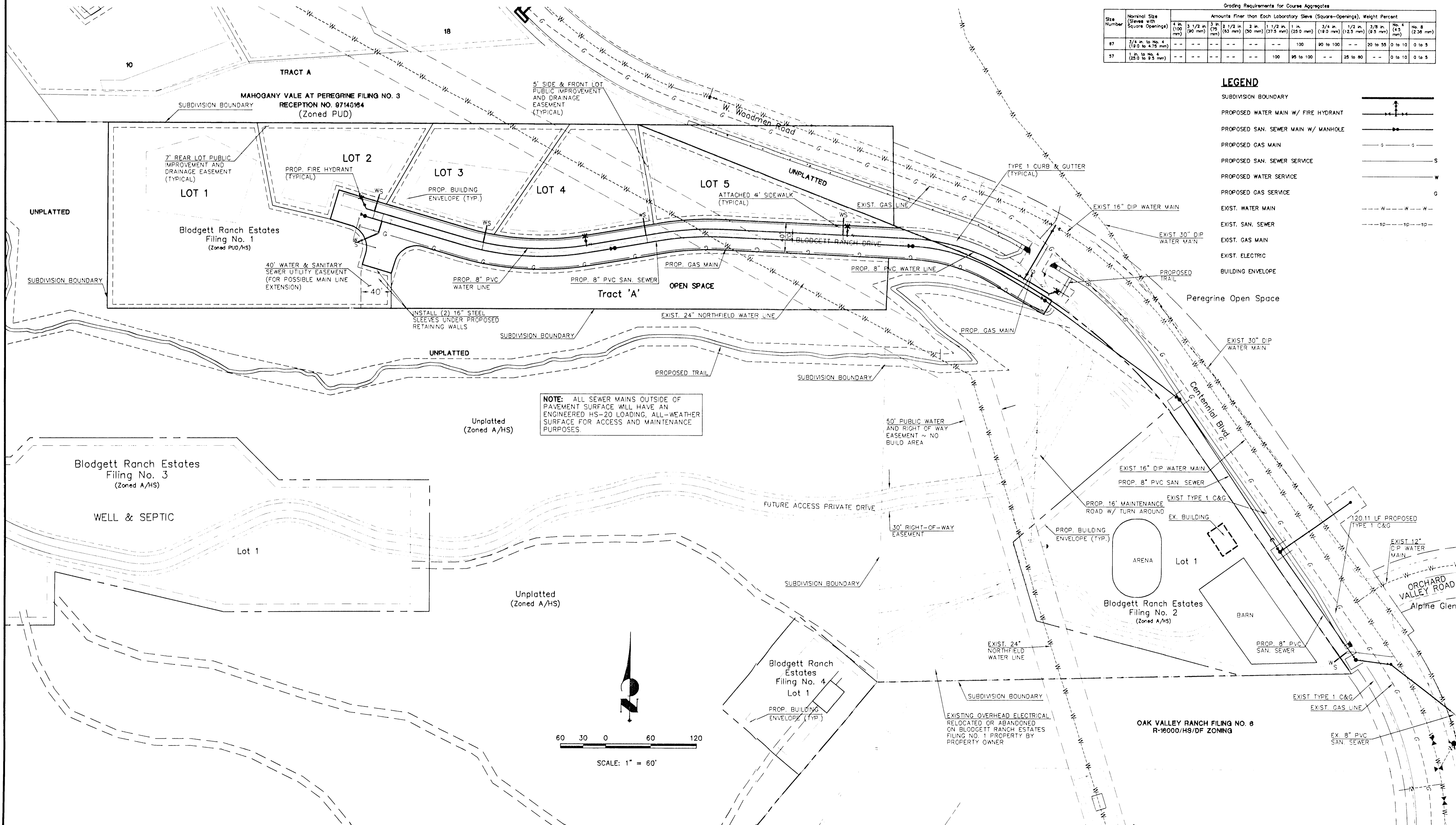
Grading Requirements for Course Aggregates

Size Number	Nominal Size (Sieved with Square Opening)	4 in (100 mm)	3 1/2 in (90 mm)	2 1/2 in (63 mm)	2 in (50 mm)	1 1/2 in (37.5 mm)	1 in (25.0 mm)	3/4 in (19.0 mm)	1/2 in (12.5 mm)	3/8 in (9.5 mm)	No. 4 (4.75 mm)	No. 8 (2.36 mm)
67	3/4 in. to No. 4 (19.0 to 4.75 mm)	100	100	100	100	100	100	100	100	100	100	100
57	1 in. to No. 4 (25.0 to 4.75 mm)	100	100	100	100	100	100	100	95 to 100	25 to 90	0 to 10	0 to 5

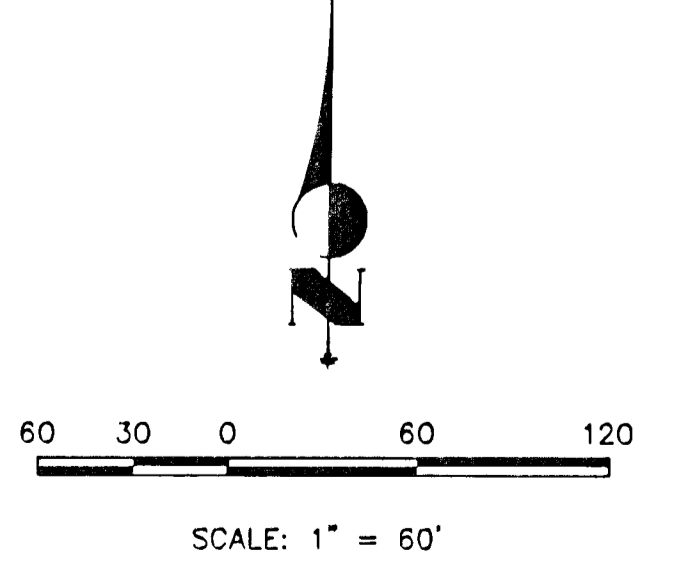
Amounts finer than Each Laboratory Sieve (Square-Opening), Weight Percent

LEGEND

- SUBDIVISION BOUNDARY
- PROPOSED WATER MAIN W/ FIRE HYDRANT
- PROPOSED SAN. SEWER MAIN W/ MANHOLE
- PROPOSED GAS MAIN
- PROPOSED SAN. SEWER SERVICE
- PROPOSED WATER SERVICE
- PROPOSED GAS SERVICE
- EXIST. WATER MAIN
- EXIST. SAN. SEWER
- EXIST. GAS MAIN
- EXIST. ELECTRIC
- BUILDING ENVELOPE



NOTE: ALL SEWER MAINS OUTSIDE OF PAVEMENT SURFACE WILL HAVE AN ENGINEERED HS-20 LOADING, ALL-WEATHER SURFACE FOR ACCESS AND MAINTENANCE PURPOSES.



UNTIL SUCH TIME AS APPROVED BY THE APPROPRIATE REVIEWING AGENCIES, JR ENGINEERING APPROVES THEIR USE ONLY FOR THE PURPOSES DESIGNATED BY WRITTEN AUTHORIZATION.

BLODGETT RANCH PROPERTIES, LLC
7870 RAVENSTONE COURT
COLORADO SPRINGS, CO 80919
(719) 266-8000

J-R ENGINEERING
A Subsidiary of Wustian
4310 ArrowsWest Drive Colorado Springs,
719-593-2943 Fax: 719-528-6613
www.fceengineering.com

NO.	REVISION	BY	DATE

1" = 60"
H-SCALE N/A
V-SCALE N/A
DATE 01/27/05
DESIGNED BY ABE
DRAWN BY KEM
CHECKED BY

BLODGETT RANCH ESTATES FILING NO. 1, 2, 3, & 4
DEVELOPMENT PLAN
MASTER FACILITY PLAN

SHEET 1 OF 2
JOB NO. 9814.01

Boxx

ROBERT C. "BOB" BALINK El Paso County, CO
11/09/2006 10:07:22 AM
Doc \$0.00 Page
Rec \$31.00 1 of 6 206165431



After recording, return to:
The Board of County
Commissioners of El Paso County
27 East Vermijo, Third Floor
Colorado Springs, CO 80903

**ASSIGNMENT OF INTEREST IN
AND AMENDMENT TO
DEED OF CONSERVATION EASEMENT
(Blodgett Ranch Properties, LLC Property)**

THIS ASSIGNMENT OF INTEREST IN AND AMENDMENT TO DEED OF CONSERVATION EASEMENT (the "Assignment") is entered into this 6th day of November, 2006, by and between:

- (i) THE WILLIAM J. PALMER PARKS FOUNDATION, INC., a charitable nonprofit Colorado corporation, a/k/a The Palmer Land Trust, 915 W. Cucharras Street, Colorado Springs, CO 80905 ("Palmer Land Trust") which is the Grantee under the Conservation Easement described herein, as Assignor;
- (ii) EL PASO COUNTY ACTING BY AND THROUGH THE BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO, 27 East Vermijo, Third Floor, Colorado Springs, Colorado 80903 ("El Paso County") as Assignee, and;
- (iii) BLODGETT RANCH PROPERTIES, LLC, a Colorado limited liability company ("Grantor") who has executed this Assignment for the purpose of acknowledging its consent to the Assignment.

RECITALS

A. Grantor conveyed a Deed of Conservation Easement to the Palmer Land Trust dated August 20, 2003 recorded August 20, 2003 at Reception No. 203193483 of the records of the El Paso County, Colorado, Clerk and Recorder (the "Conservation Easement") which encumbered the Property described in **Exhibit "A"**.

B. Paragraph 18 of the Conservation Easement permits assignment of Palmer Land Trust's interest as Grantee to another "qualified organization" as that term is defined under Section 170(h) of the Internal Revenue Code of 1986, as amended.

C. El Paso County is a qualified organization under Section 170(h) of the Internal Revenue Code of 1986, as amended, and is authorized to acquire and hold conservation easements under Colorado law.

D. El Paso County has executed this Assignment as Assignee of the interest of Palmer Land Trust under the Conservation Easement and by this Assignment accepts assignment of the interest of Palmer Land Trust in the Conservation Easement.

E. Amendments to the Conservation Easement identified herein are required in order for El Paso County to accept assignment of the Conservation Easement.

AGREEMENT

NOW, THEREFORE, in consideration of Ten Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Assignment. Palmer Land Trust hereby assigns all of its rights and obligations as Grantee under the terms of the Conservation Easement to El Paso County, as permitted in the Conservation Easement.

2. Acceptance of Assignment. El Paso County hereby accepts the assignment of the rights and obligations of Palmer Land Trust as Grantee under the Conservation Easement as Assignee and successor Grantee. El Paso County and Palmer Land Trust agree that a condition of this Assignment is that El Paso County, as Grantee, continue to carry out the conservation purposes of the Conservation Easement as originally intended to advance.

3. Release of Original Grantee. Palmer Land Trust is hereby released from any and all obligations as Grantee under the terms of the Conservation Easement arising after the date of this Assignment.

4. The Parties hereby agree that the specific provisions of the Conservation Easement shall be amended as follows:

A. Replace paragraph H of the Recitals with the following: Grantee is a governmental organization qualified under Colorado law and Section 170(h) of the Internal Revenue Code of 1986, to hold conservation easements.

B. Add the following language to paragraph 3.n.: Given Grantor's ability to store and use fuels, fertilizers, treated lumber and legal chemicals for agricultural operations, if, at any time, there occurs, or has occurred, a release of any solid waste, petroleum products, or hazardous materials which are polluting, or otherwise contaminating to the air, water, or in any way harmful or threatening to human health or the environment, Grantor agrees to take all steps reasonably necessary to assure their containment and remediation, including any cleanup that may be required.

ASSIGNOR:

WILLIAM J. PALMER PARKS FOUNDATION, INC.

By: _____

Title: _____

STATE OF COLORADO)
) ss.
COUNTY OF EL PASO)

The foregoing document was acknowledged before me this 26th day of October 2006, by Elizabeth Joemon Hickey, as President of the William J. Palmer Parks Foundation, Inc.

Witness my hand and official seal.



Juanita A. Kelley
Notary Public
My commission expires: 02-05-09



Attest:

[Signature]
Deputy County Clerk to the Board

THE BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

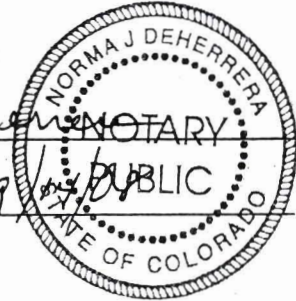
By [Signature]
Name: Sallie Clark
Title: Chair

STATE OF COLORADO)
) ss.
COUNTY OF EL PASO)

The foregoing document was acknowledged before me this 5th day of October, 2006 by Sallie Clark as Chair of The Board of County Commissioners of El Paso County, Colorado, as Assignee, as attested to by Eileen Wheeler, Deputy County Clerk to the Board.

WITNESS my hand and official seal.

[Signature]
Notary Public
My commission expires: 9/15/07



CONSENT AND APPROVAL OF AMENDMENTS

BLODGETT RANCH PROPERTIES, LLC hereby consents to the Assignment of the Conservation Easement and the amendments thereto as identified herein of which it is Grantor, dated and recorded August 20, 2003 at Reception No. 203193483 of the records of the El Paso County, Colorado, Clerk and Recorder, from PALMER LAND TRUST to EL PASO COUNTY acting by and through THE BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO and releases Palmer Land Trust for any past acts and omissions as holder of the Conservation Easement. BLODGETT RANCH PROPERTIES, LLC agrees to look solely to El Paso County to discharge the obligations of the holder of the Conservation Easement arising after the date of this Assignment.

BLODGETT RANCH PROPERTIES, LLC

BY: Michael P. Slattery
Michael P. Slattery, General Manager
Date: NOV. 6, 2006

STATE OF COLORADO)
) ss.
COUNTY OF EL PASO)

The foregoing document was acknowledged before me this 6th day of November 2006, by Michael P. Slattery as General Manager of Blodgett Ranch Properties, LLC.

WITNESS my hand and official seal.

Juanita A. Kelley
Notary Public
My commission expires: 02-05-09



EXHIBIT "A"

LEGAL DESCRIPTION: BLODGETT RANCH PROPERTIES, LLC

A TRACT OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTHERLY BOUNDARY LINE OF MAHOGANY VALE AT PEREGRINE FILING NO. 3, AS RECORDED UNDER RECEPTION NO. 97148164, EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE WESTERLY END BY A NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LTD RLS 10377," AND BEING MONUMENTED AT THE EASTERLY END BY A NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LTD RLS 10377," BEING ASSUMED TO BEAR S89°50'13"E, A DISTANCE OF 829.25 FEET.

COMMENCING AT THE SOUTHWESTERLY CORNER OF MAHOGANY VALE AT PEREGRINE FILING NO. 3, AS RECORDED UNDER RECEPTION NO. 97148164, EL PASO COUNTY, COLORADO, SAID POINT BEING THE POINT OF BEGINNING; THENCE S89°50'13"E ON THE SOUTHERLY BOUNDARY LINE OF SAID MAHOGANY VALE AT PEREGRINE FILING NO. 3, A DISTANCE OF 64.48 FEET; THENCE S00°10'17"W, A DISTANCE OF 243.92 FEET; THENCE S90°00'00"E, A DISTANCE OF 1028.56 FEET; THENCE N02°41'10"E, A DISTANCE OF 67.57 FEET; THENCE S87°18'50"E, A DISTANCE OF 30.77 FEET TO A POINT OF CURVE; THENCE ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF 27°38'00", A RADIUS OF 230.00 FEET, A DISTANCE OF 110.93 FEET TO A POINT OF TANGENT; THENCE S59°40'50"E, A DISTANCE OF 80.32 FEET; THENCE N30°19'10"E, A DISTANCE OF 20.41 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF CENTENNIAL BOULEVARD AS PLATTED IN CENTENNIAL BOULEVARD SUBDIVISION FILING NO. 2, RECORDED IN PLAT BOOK R-3 AT PAGE 57, EL PASO COUNTY, COLORADO; THENCE ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID CENTENNIAL BOULEVARD, THE FOLLOWING TWO (2) COURSES:

1. ON THE ARC OF A CURVE TO THE RIGHT, WHOSE CENTER BEARS S33°42'47"W, HAVING A DELTA OF 21°18'18", A RADIUS OF 666.80 FEET, A DISTANCE OF 247.95 FEET TO A POINT OF TANGENT;
2. S34°58'55"E, A DISTANCE OF 385.92 FEET TO A POINT ON THE NORTHERLY BOUNDARY LINE OF TRACT "A" AS PLATTED IN OAK VALLEY RANCH FILING NO. 6, RECORDED IN PLAT BOOK G-5 AT PAGE 27;

THENCE S88°47'16"W ON THE NORTHERLY BOUNDARY LINE OF SAID TRACT
"A", A DISTANCE OF 626.02 FEET;
THENCE N00°00'00"E, A DISTANCE OF 372.67 FEET;
THENCE N90°00'00"W, A DISTANCE OF 1364.35 FEET;
THENCE N00°00'00"E, A DISTANCE OF 362.13 FEET TO A POINT ON THE
SOUTHERLY BOUNDARY LINE OF MAHOGANY VALE AT PEREGRINE FILING NO.
2, AS RECORDED UNDER RECEPTION NO. 96099980;
THENCE S89°50'13"E ON SAID SOUTHERLY BOUNDARY LINE, A DISTANCE OF
281.57 FEET TO THE POINT OF BEGINNING.

10

**DEED OF CONSERVATION EASEMENT
BLODGETT RANCH**

THIS DEED OF CONSERVATION EASEMENT is made this 20th day of August, 2003, by BLODGETT RANCH PROPERTIES, LLC, a Colorado limited liability company having an address at 7870 Ravenstone Court, Colorado Springs, CO 80919 ("Grantor"), in favor of WILLIAM J. PALMER PARKS FOUNDATION, INC., a charitable nonprofit Colorado corporation, having an address at P.O. Box 1281, Colorado Springs, Colorado 80901 ("Grantee").

RECITALS:

A. Grantor is the sole owner in fee simple of certain real property in El Paso County, Colorado, more particularly described in Exhibit "A" attached hereto and incorporated by this reference (the "Property"). The Property is adjacent to approximately sixty (60) acres which will sometimes be utilized in connection with the Property and which is legally described on Exhibit "B" attached hereto and incorporated by this reference (the "Adjacent Property").

B. The Property possesses natural, scenic, open space, aesthetic, educational, recreational, ecological and environmental values (collectively, "Conservation Values") of great importance to Grantor, the Grantee, the people of El Paso County and the people of the State of Colorado which are worthy of protection in perpetuity. Grantor and Grantee recognize that economic development of the Property would have an adverse impact on and greatly impair these Conservation Values.

C. Colorado Revised Statutes §§33-1-101, *et. seq.*, provides in relevant part that "it is the declared policy of the State of Colorado that the wildlife and their environment are to be protected, preserved, enhanced and managed for the use, benefit and enjoyment of the people of this state and its visitors." Additionally, Colorado Revised Statutes §§38-30.5-101, *et. seq.*, provides for the establishment of conservation easements to maintain land "in a natural, scenic or open condition, or for wildlife habitat, or for agricultural . . . or other use or condition consistent with the protection of open land having wholesome environmental quality or life-sustaining ecological diversity".


D. In particular, the Property possesses at least the following Conservation Values:

(1) Trails Connection. The Property will be used for a public trail connection to the 167 acre Blodgett Peak Open Space owned by the City of Colorado Springs. There currently is no direct public access to the southern portion of the Open Space. In addition, the trail connection through the Property will be incorporated into the Woodmen Trail, connecting Blodgett Peak Open Space to other future open space to the east across Centennial Boulevard.

(2) Open Area Connection. The Property is adjacent to the Blodgett Peak Open Space. The Property is also adjacent to future open space to the east across Centennial Boulevard, which is currently under review in the Peregrine Master Plan.

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(3) Wildlife. The Property provides habitat for wildlife typical of scrub oak and foothill grassland vegetation communities, including deer, coyote, and numerous species of resident and migratory birds.

(4) Scenic. The Property is an undeveloped natural area visible from Centennial Boulevard and the surrounding neighborhood. The Property is located within the Hillside Overlay Zone. Lands within this zone are considered significant landscape and aesthetic features within the City of Colorado Springs.

(5) Ecological. The Property is essentially in a natural condition, with minimal soil erosion, vegetation dominated by native plant species, and few state-listed noxious weeds.

E. The parties acknowledge that specific Conservation Values of the Property are being documented in an inventory of natural features of the Property, (the "Baseline Documentation"). A copy of the Baseline Documentation, signed by both the Grantor and the Grantee, will be kept on file at the offices of the Grantor and the Grantee. The Baseline Documentation shall consist of reports, maps, photographs, and other documentation that the parties agree to provide, collectively, an accurate representation of the Property at the time of this grant and which is intended to serve as an objective information baseline for monitoring compliance with the terms of this grant.

F. The Grantor intends that the Property's natural characteristics and Conservation Values, as cited above, be preserved and that the Property be used as a ranch in conjunction with the Adjacent Property and for recreational uses, which will be compatible with the Grant.

G. Grantor further intends, as owner of the Property, to convey to Grantee the affirmative right to preserve and protect the Conservation Values of the Property in perpetuity exclusively for conservation purposes by allowing no development on the Property and by extinguishing any and all development rights and allocation and density rights and allocations, whether presently existing or arising in the future.

H. Grantee is a publicly supported, tax-exempt nonprofit organization, qualified under Section 501(c)(3) of the Internal Revenue Code, as amended, and a qualified organization as defined under Section 170(h) of the Internal Revenue Code, as amended, whose primary purpose is the preservation, protection, or enhancement of land in its natural, scenic, historical, agricultural, forested, and/or open space condition.

I. Grantee agrees by accepting this grant to honor the intentions of Grantor stated herein and to preserve and protect in perpetuity the Conservation Values of the Property for the benefit of this generation and the generations to come.

NOW, THEREFORE, in consideration of the above and the mutual covenants, terms, conditions, and restrictions contained herein, and pursuant to the laws of the State of Colorado, and in particular C.R.S. § 38-30.5-101 et seq., Grantor hereby voluntarily grants and conveys to

Grantee a Conservation Easement in perpetuity over the Property of the nature and character and to the extent hereinafter set forth ("Easement").

1. Purpose. It is the purpose of this Easement to assure that the Property will be retained forever predominantly in its natural, scenic, forested, and open space condition, to preserve and protect in perpetuity the aesthetic, ecological, environmental, forestry, public recreational and educational, scenic and botanical values of the Property, and to prevent any use of the Property that will impair or interfere with the Conservation Values of the Property and to extinguish any and all development rights and allocations and density rights and allocations, whether presently existing or arising in the future. Grantor intends that this Easement will confine the use of the Property to such activities as are consistent with the purpose of this Easement.

2. Affirmative Rights of Grantee. To accomplish the purpose of this Easement the following rights are conveyed to Grantee by this Easement:

a. To identify, preserve, protect and enhance the Conservation Values of the Property;

b. To enter upon the Property at reasonable times upon prior notice to the Grantor in order to monitor Grantor's compliance with and otherwise enforce the terms of this Easement and to observe, study and make educational and scientific observations on the Property and for purposes of leading, organizing and facilitating public hikes, bird watching and similar activities on the Public Trail on the Property giving the public full access to such Public Trail for those purposes; provided, however, that such right of entry shall not unreasonably interfere with Grantor's use and quiet enjoyment of the Property consistent with this Easement; and

c. To enjoin or prevent any activity on or use of the Property that is inconsistent with the purpose of this Easement and to require the restoration of such areas or features of the Property that may be damaged by any inconsistent activity or use.

3. Prohibited Uses. Any activity on or use of the Property inconsistent with the purpose of this Easement is prohibited. Without limiting the generality of the foregoing, the following activities and uses are expressly prohibited:

a. New Structures and Improvements. New buildings, improvements, and other structures and improvements may not be built without the advance written permission of Grantee except as are permitted in paragraph 4. Grantee may withhold such permission, in its reasonable discretion, if Grantee determines that the proposed building, structure, or improvement will diminish or impair one or more of the Conservation Values of the Property.

b. Subdivision. Any division, subdivision or de facto subdivision of title to the Property, whether by physical or legal process, is prohibited and any and all rights, however designated, now or hereafter associated with the Property pursuant to governmental laws or regulations, to compute number of structures, development density, lot yield, or any similar

development variable on or pertaining to the Property or any other property shall be surrendered and donated to the Grantee.

c. Timber Harvesting. Trees may be cut to help construct the Public Trail, to control insects and disease, to control invasive non-native species, and to prevent personal injury and property damage. Dead trees may also be cut for firewood and other uses on the Property. Commercial timber harvesting on the Property shall be prohibited; however, cutting a limited quantity of trees to be used on the Property and on the Adjacent Property as fence and corral posts, corral rails and for other similar purposes in connection with ranching activities on the Property and on the Adjacent Property shall be permitted.

d. Mining. The mining or extraction of soil, sand, gravel, rock, oil, natural gas, fuel, or any other mineral substance, peat or other material is prohibited.

e. Road Construction and Paving and Public Trail Construction. Other than the interior ranch roads that exist as of the date of this Easement, the road which will access the barn and the road which will access the Adjacent Property, both of which are shown on Exhibit "C" attached hereto, Grantor shall not construct any new roads without first obtaining Grantee's written consent. Grantor, and its Public Trail easement grantee, may construct the Public Trail on the Property which is shown on Exhibit "C" attached hereto without obtaining consent from Grantee. Subject to the aforementioned exceptions Grantee may withhold its permission if it reasonably determines that any proposed new road will diminish or impair any of the Conservation Values of the Property. No portion of the Property shall be paved or otherwise covered with concrete, asphalt, or any other paving material, without the advance written permission of Grantee. Grantee shall give such permission unless Grantee determines that the proposed paving or covering of the soil will diminish or impair any of the Conservation Values of the Property or is otherwise inconsistent with this Easement.

f. Trash. The dumping or uncontained accumulation of any kind of trash or refuse on the Property, or the storage or any other deposit of abandoned vehicles, is prohibited. However, waste material generated on the Property as a consequence of a permitted use may be buried provided the ground over it is restored to its original vegetative condition. Collections of cars and trucks and working and farming and recreational equipment are permitted, and normally will be parked in the Building Envelope area.

g. Water Rights. Grantor shall retain and reserve the right to use water rights sufficient to maintain and improve the Conservation Values of the Property, and shall not transfer, encumber, lease, sell or otherwise separate any water rights associated with the Property from title to the Property itself. Grantor shall have the right to preserve, use, enhance and protect water rights as may be appropriate.

h. Commercial or Industrial Activity. No commercial or industrial uses shall be allowed on the Property. However, ranching, forestry, the construction of perimeter fencing, boarding up to six (6) horses on the Property, horse back riding for hire, horseback lessons in a riding arena in the Building Envelope on the Property, farming, home office or home business

and any other use or practice expressly permitted under paragraph 4 shall not be considered a commercial or industrial use.

i. Feedlot. The establishment or maintenance of any commercial feedlot is prohibited. A commercial feedlot shall be defined for purposes of this Easement as a permanently constructed, confined area or facility, within which the land is not grazed or cropped annually, for the purpose of engaging in the business of reception and feeding of livestock. Cattle feeding operations on the Property which are consistent with normal ranching practices shall not constitute a commercial feedlot.

j. Motor Vehicles. The use of motor vehicles, including automobiles, snow mobiles, ATV's, four wheelers and motorcycles, which would in any way result in substantial degradation of the Property and wildlife habitat thereon is prohibited, except such vehicular use as is necessary for ranch or forestry management purposes, and other permitted uses and practices stated in paragraph 4. Such degrading uses shall include, without limitation, those which increase susceptibility of the soil to erosion or disturb wildlife.

k. Billboards. The construction, placing or erection of any commercial signs or billboards on the Property is prohibited except for directional signs for a proposed bed and breakfast to be located on the Adjacent Property.

l. Alternation of Watercourses and Topography. The Grantor shall not change, disturb, alter, excavate, or impair any watercourse or wetland or alter the land surface through grading or soil dumping or trenching, except as may be necessary for activities related to the purpose of this Easement, such as Public Trail construction.

m. Water Pollution. The material degradation or pollution of any surface or sub-surface water on the Property is prohibited, above and beyond that which may occur from normal agricultural practices and which are permitted hereunder.

n. Hazardous Materials. The storage, dumping or other disposal of toxic and/or hazardous materials or of non-compostable refuse on the Property is prohibited, except for the above ground storage and use of fuels, fertilizers, treated lumber and legal chemicals as necessary for the agricultural operation. All materials shall be stored in accordance with all applicable laws and regulations, and in a manner which prevents spillage, leakage, and dumping, and which prevents soil, and surface water or groundwater contamination, and in a manner which is consistent with the preservation of the Conservation Values of the Property.

4. Reserved Rights. Grantor reserves to itself, and to its successors and assigns, all rights accruing from their ownership of the Property, except for rights granted in connection with the Public Trail, including the right to engage in or permit or invite others to engage in all uses of the Property that are not expressly prohibited herein and are not inconsistent with the purpose of this Easement. Grantor retains the right to control access to the Property by all persons, except that Grantee and its designated agents shall have the right of ingress and egress at reasonable times and upon giving prior notice to Grantor for the purpose of inspecting the Property to insure compliance with the terms of this Easement. Grantor and Grantee acknowledge that the present

uses of the Property are permitted uses hereunder. The following uses and practices, though not an exhaustive recital of consistent uses and practices, are permitted under this Easement, and these uses and practices are not to be precluded, prevented, or limited by this Easement. Grantor retains the following rights:

a. To conduct conservative ranching operations on the Property (whether or not operated for a profit), including pasturing, grazing, and care of horses and other livestock consistent with recognized ranching practices; provided that such ranching activities shall not result in over-grazing or in the pollution or degradation of any surface or sub-surface waters. The intent of the Grantor is that the permissible number of animal units should be consistent with sound ranching practices.

b. To conduct such forestry and pastoral activities on the Property as are consistent with the overall purposes of this Easement, including, without limitation, tree thinning, tree planting of native species anywhere on the Property, pest control and/or other necessary forest and pasture maintenance in accordance with the recommendations from the Natural Resource Conservation Service, the Colorado State Forest Service or any other successor or governmental agency which similar interests and purposes

c. To construct a perimeter fence and livestock fencing used in ranching operations; to maintain, repair and replace fences at locations of Grantor's choosing as may be necessary or desirable to maintain the Property in its current condition. Grantor may place new fencing in locations of its choosing within the Building Envelope without the need to obtain Grantee's consent.

d. To use the Property for the primary purpose of the enjoyment of the open space and as a venue for Grantor's ranching, farming, forestry, recreational and horseback riding activities on the Property and grazing its horses and other livestock anywhere on the Property without the need to obtain Grantee's consent.

e. Grantor may construct ditches, corrals and pastures with Grantee's consent which shall be granted so long as the proposed improvement does not impair the Conservations Values.

f. Grantor may also construct the Public Trail, the access road to the barn and the access road to the Adjacent Property in the respective locations shown on Exhibit "C" attached hereto.

g. To construct, develop, maintain and operate existing and additional wells, ditches, water storage and pipeline facilities, sewer line facilities, electrical lines, natural gas lines, telephone lines and cable television lines, and generally to appropriate, employ and use all surface and ground water that may be allowed under Colorado Water Law; provided, however, that the development and use of such water resources shall be compatible with the purposes of this Easement, such as domestic use; furthermore, all of the aforementioned utility lines and facilities must be installed in a manner which will minimize the damage to the surface of the Property and Grantor must restore and re-vegetate the ground with vegetation substantially

similar to the vegetation which existed prior to the installation. Additionally, all such utilities shall be located underground.

h. To construct, maintain, occupy and replace a barn with stables and bunkroom on the Property. The barn, with stables, bunkroom, lavatory, storage access for feed, paddocks, riding arenas and a stand-alone hay storage facility and similar structures, as well as a vehicle parking area, shall be located within a one and one-half (1 ½) acre building envelope which is shown on Exhibit "C" attached hereto. Grantor may create earth berms around such dwellings and other buildings and thin the trees within the building envelope. Grantor shall be permitted to develop, construct and improve, within the building envelope, to the extent that such development, construction, and improvements are permitted by the building, development, grading, zoning and all other relevant codes and ordinances of the City of Colorado Springs, as amended from time to time; provided, however, that all such utilities will be located underground. Grantor shall give Grantee written notice in accordance with paragraph 5 before any construction is commenced in order to ensure that the location of the improvements is within the building envelope shown on Exhibit "C".

i. To control soil erosion, conserve soil and existing desirable vegetation and control weeds, invasive, noxious, parasitic native and non-native plants on the Property in a manner consistent with good conservation practices as established by the Natural Resource Conservation Service or any successor governmental agency with similar interests and purposes. Notwithstanding this reserved right, Grantor has the responsibility to control weeds in a manner consistent with state laws and county ordinances, subject to the following:

(i) All control techniques shall be consistent with the labeled instructions of the application materials which constitute the reasonable minimum necessary to control and/or eradicate the weeds, and which reasonably minimize impacts on the Conservation Values of the Property;

(ii) Aerial application of any weed control is prohibited without the Grantee's prior written approval;

(iii) Biological (insect) control of weeds which do not materially adversely impact any of the Conservation Values of the Property shall be deemed consistent with the purposes of this Easement.

j. To observe, study and make educational and scientific observations on the Property and to retain all rights to lead, organize and facilitate public hikes, bird watching and similar activities on the Public Trail and elsewhere on the Property.

k. To sell, mortgage, bequeath, or donate the Property. Any conveyance will remain subject to the terms of the Conservation Easement and the subsequent Owner will be bound by all obligations in this agreement.

5. Notice of Intention to Undertake certain Permitted Actions. The purpose of requiring Grantor to notify Grantee prior to undertaking certain permitted activities is to afford

Grantee an opportunity to ensure that the activities in question are designed and carried out in a manner consistent with the purpose of this Easement. Whenever notice is required, Grantor shall notify Grantee in writing not less than sixty (60) days prior to the date Grantor intends to undertake the activity in question. The notice shall describe the nature, scope, design, location, timetable, and any other material aspect of the proposed activity in sufficient detail to permit Grantee to make an informed judgment as to its consistency with the purpose of this Easement.

6. Grantee's Approval. Where Grantee's approval is required Grantee shall grant or withhold its approval in writing within sixty (60) days of receipt of Grantor's written request therefor. Grantee's approval may be withheld upon a reasonable determination by Grantee that the action as proposed would be inconsistent with the purpose of this Easement; provided, however, that Grantee's failure to respond to Grantor's request within such sixty (60) day period shall be deemed to be approval of the activity referred to in Grantor's notice.

7. Enforcement. Grantee shall have the right to prevent and correct or require correction of violations of the terms and purposes of this Deed. Grantee may enter the Property for the purpose of inspecting for violations. If Grantee finds what it believes is a violation, Grantee shall immediately notify Grantor in writing of the nature of the alleged violation. Upon receipt of this written notice, Grantor shall either (a) immediately cease the activity constituting the violation and promptly restore the Property to its condition prior to the violation to the reasonable satisfaction of Grantee or (b) immediately provide a written explanation to Grantee of the reason why the alleged violation should be permitted.

If the condition described in clause (b) above occurs, both parties agree to meet as soon as possible to resolve this difference. Grantor shall discontinue any activity which could increase or expand the alleged violation during this process. If a resolution of this difference cannot be achieved at the meeting, both parties agree to meet with a mutually acceptable mediator to attempt to resolve the dispute, but only if Grantor has ceased, and agrees to postpone during such mediation, any further activity that constitutes the alleged violation. If either party believes that efforts to mediate the dispute will be futile or if the mediation efforts are unsuccessful, then either party may pursue legal action.

When, in Grantee's opinion, an ongoing or imminent violation could diminish or impair any of the Conservation Values of the Property, Grantee may, at its discretion, take appropriate legal action without waiting to pursue the mediation process described above. If a court with jurisdiction determines that a violation is imminent, exists, or has occurred, Grantee may seek an injunction *ex parte* to stop the alleged violation, temporarily or permanently. A court may also issue an injunction to require Grantor to restore the Property to its condition prior to the violation. Grantor agrees that Grantee's remedies at law for any violation of the terms of this Easement are inadequate and that Grantee shall be entitled to the injunctive relief described in this paragraph 7, both prohibitive and mandatory, including specific performance of the terms of this Easement, without the necessity of proving either actual damages or the inadequacy of otherwise available legal remedies.

Grantee may bring an action to recover any damages to which it may be entitled for violation of the terms of this Easement for injury to any Conservation Values protected by this

Easement, including damages for the loss of scenic, aesthetic, or environmental values. Grantee's remedies described in this paragraph 7 are cumulative and shall be in addition to all remedies now or hereafter existing at law or in equity.

8. Costs of Enforcement. Any costs incurred by Grantee in enforcing the terms of this Easement against Grantor, including, without limitation, costs of suit and attorneys' fees, and any costs of restoration necessitated by Grantor's violation of the terms of this Easement shall be borne by Grantor. If Grantor prevails in any action to enforce the terms of this Easement, Grantor's costs of suit, including, without limitation, attorneys' fees, shall be borne by Grantee, but only if the court determines that the Grantee's position was frivolous or substantially without merit.

9. Grantee's Discretion. Enforcement of the terms of this Easement shall be at the discretion of Grantee, and any forbearance by Grantee to exercise its rights under this Easement in the event of any breach of any term of this Easement by Grantor shall not be deemed or construed to be a waiver by Grantee of such term or of any subsequent breach of the same or any other term of this Easement or of any of Grantee's rights under this Easement. No delay or omission by Grantee in the exercise of any right or remedy upon any breach by Grantor shall impair such right or remedy or be construed as a waiver.

10. Waiver of Certain Defenses. Grantor hereby waives any defense of laches, estoppel, or prescription. Grantor hereby specifically waives any defense available to Grantor pursuant to C.R.S. Section 38-41-119.

11. Acts Beyond Grantors' Control. Nothing contained in this Easement shall be construed to entitle Grantee to bring any action against Grantor for any injury to or change in the Property resulting from causes beyond Grantor's control, including, without limitation, fire, flood, storm, and earth movement, or from any prudent action taken by Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Property resulting from such causes.

12. Access. No right of access by the general public to any portion of the Property is conveyed by this Easement except on the Public Trails.

13. Costs and Liabilities. Grantor retains all responsibilities and shall bear all costs and liabilities of any kind related to the ownership, operation, upkeep, and maintenance of the Property, including the maintenance of adequate comprehensive general liability insurance coverage. Such insurance coverage shall list Grantee as an additional insured and Grantor, upon request, shall provide copies of such policies to Grantee. Grantor shall keep the Property free of any liens arising out of any work performed for, materials furnished to, or obligations incurred by Grantor.

14. Hold Harmless. Grantor shall hold harmless, indemnify, and defend Grantee and its members, directors, officers, employees, agents, and contractors and the heirs, personal representatives, successors, and assigns of each of them (collectively "Indemnified Parties") from and against all liabilities, penalties, costs, losses, damages, expenses, causes of action, claims,

demands, or judgments, including, without limitation, reasonable attorneys' fees, arising from or in any way connected with: (1) injury to or the death of any person, or physical damage to any property, resulting from any act, omission, condition, or other matter related to or occurring on or about the Property, regardless of cause, unless due solely to the negligence of any of the Indemnified Parties; (2) the obligations specified in paragraph 13; (3) the presence or release of hazardous or toxic substances on, under or about the Property. For the purpose of this paragraph, hazardous or toxic substances shall mean any hazardous or toxic substance which is regulated under any federal, state or local law; and (4) any claim against Grantor's title or any defect in Grantor's title that threatens Grantee's interest in the Property.

15. Extinguishment. If circumstances arise in the future such as render the purpose of this Easement impossible to accomplish, this Easement can be terminated or extinguished, whether in whole or in part, only by judicial proceedings in a court of competent jurisdiction. Each party shall promptly notify the other when it first learns of such circumstances. The amount of the proceeds to which Grantee shall be entitled, after the satisfaction of prior claims, from any sale, exchange, or involuntary conversion of all or any portion of the Property subsequent to such termination or extinguishment, shall be determined, unless otherwise provided by Colorado law at the time, in accordance with paragraph 16, below.

16. Proceeds. This Easement constitutes a real property interest immediately vested in Grantee, which the parties stipulate to have a fair market value determined by multiplying the fair market value of the Property unencumbered by the Easement (minus any increase in value after the date of this grant attributable to improvements) by the ratio of the value of the Easement at the time of this grant to the value of the Property, without deduction for the value of the Easement, at the time of this grant. For the purposes of this paragraph, the ratio of the value of the Easement to the value of the Property unencumbered by the Easement shall remain constant and shall be 93.13%.

17. Condemnation. If the Easement is taken, in whole or in part, by exercise of the power of eminent domain, Grantee shall be entitled to compensation in accordance with applicable law and as determined in accordance with paragraphs 15 and 16 above.

18. Assignment. This Easement is transferable, but Grantee may assign its rights and obligations under this Easement only to an organization that is (a) a qualified organization at the time of transfer under Section 170(h) of the Internal Revenue Code of 1986, as amended (or any successor provision then applicable}, and the applicable regulations promulgated thereunder, (b) authorized to acquire and hold conservation easements under Colorado law. As a condition of such transfer, Grantee shall require that the conservation purposes that this grant is intended to advance continue to be carried out.

19. Subsequent transfers.

(a) Grantor agrees to incorporate the terms of this Easement by reference into any deed or other legal instrument by which they divest themselves of any interest in all or a portion of the Property, including, without limitation, a leasehold interest. Grantor further agree to give written notice to Grantee of the transfer of any interest at least thirty (30) days prior to the

date of such transfer. The failure of Grantor to perform any act required by this paragraph shall not impair the validity of this Easement or limit its enforceability in any way.

(b) There shall be assessed by the Grantee, and collected from any subsequent purchaser or purchasers of the Property, a transfer fee equal to one half of one percent of the sales price or other consideration paid in connection with the transfer of any interest in such Property, which transfer fee shall be paid to the Grantee at the time of the transfer. In the event of non-payment of such transfer fee, Grantee shall have the right to file a lien for such unpaid transfer fees which shall be a lien on the Property but which lien shall be subordinate to this conservation easement and to the lien of any first mortgage on the Property that predates such transfer. Any such lien may be enforced and/or foreclosed in accordance with the laws of the State of Colorado. Grantee may require the Grantor and/or any subsequent purchaser to provide reasonable written proof of the applicable sales price, such as executed closing statements, contracts of sale, copies of deeds or other such evidence. Any transfer subsequent to the conveyance of this conservation easement without consideration or to a family trust, family partnership or family limited liability company in which of at least 50% of the equity interests are owned by a member of Grantor, shall be exempt from the assessment of such transfer fee. An exchange of properties pursuant to IRC Section 1031, or similar statute, shall be deemed to be for consideration based on the market value of the property received at the time of such transfer. Market value shall be determined by agreement of the Grantor and the Grantee, or in the absence of such agreement by an MAI appraiser selected by the Grantee, whose appraisal fee shall be paid by the subsequent purchaser.

20. Notices. Any notice, demand, request, consent, approval, or communication that either party desires or is required to give to the other shall be in writing and either served personally or sent by registered or certified mail, postage prepaid, return receipt requested addressed as follows:

To Grantor:
Blodgett Ranch Properties, LLC
Attn: Michael P. Slattery
7870 Ravenstone Ct.
Colorado Springs, Colorado 80919

With a Copy to:
Thomas E. Berg, Esquire
Berniger, Berg, Diver, Noecker & Wood-Ellis, LLC
90 S. Cascade Avenue, Suite 310
P. O. Box 1716
Colorado Springs, Colorado 80901

To Grantee:
William J. Palmer Parks Foundation, Inc.
P. O. Box 1281
Colorado Springs, Colorado 80911

or to such other address as either party from time to time shall designate by written notice to the other.

21. Recording. Grantee shall record this instrument in timely fashion in the official records of each county in which the Property is situated, and may re-record it at any time as may be required to preserve its rights in this Easement.

22. Warranty of Title. Grantor warrants that he has good and sufficient title to the Property, that he has good right, full power and lawful authority to grant and convey this Easement, that any mortgages or liens on the Property are and shall remain subordinate to the terms of this Easement and that the Property is free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature whatsoever which are not subordinate to the terms of this Easement. If required, or if requested by Grantee, the Grantor shall warrant and forever defend the title to the Easement in the quiet and peaceable possession of the Grantee, its successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

23. General Provisions.

a. Controlling Law. The interpretation and performance of this Easement shall be governed by the laws of the State of Colorado. The parties agree that the Statute of Limitations applicable to contracts shall apply to any proceeding to enforce this Conservation Easement. Grantor hereby specifically waives any defense available to Grantor pursuant to C.R.S. Section 38-41-119.

b. Liberal Construction. Any general rule of construction to the contrary notwithstanding, this Easement shall be liberally construed in favor of the grant to effect the purpose of this Easement and the policy and purpose of C.R.S. § 38-30.5-101 et seq. If any provision in this instrument is found to be ambiguous, an interpretation consistent with the purpose of this Easement that would render the provision valid shall be favored over any interpretation that would render it invalid. The Recitals at the beginning of this Easement are not mere surplusage but are an integral part of the Easement and are incorporated into the body of this Easement.

c. Severability. If any provision of this Easement, or the application thereof to any person or circumstance, is found to be invalid, the remainder of the provisions of this Easement, or the application of such provision to persons or circumstances other than those as to which it is found to be invalid, as the case may be, shall not be affected thereby.

d. Entire Agreement. This instrument sets forth the entire agreement of the parties with respect to the Easement and supersedes all prior discussions, negotiations, understandings, or agreements relating to the Easement, all of which are merged herein.

e. No Forfeiture. Nothing contained herein will result in a forfeiture or reversion of Grantor's title in any respect.

f. Successors. The covenants, terms, conditions, and restrictions of this Easement shall be binding upon, and inure to the benefit of, the parties hereto and their successors, and assigns and shall continue as a servitude running in perpetuity with the Property.

g. Termination of Rights and Obligations. A party's rights and obligations under this Easement terminate upon transfer of the party's interest in the Easement or Property, except that liability for acts or omissions occurring prior to transfer shall survive transfer.

h. Captions. The captions in this instrument have been inserted solely for convenience of reference and are not a part of this instrument and shall have no effect upon construction or interpretation.

i. Amendment. If circumstances arise under which an amendment to or modification of this instrument would be appropriate, Grantor and Grantee are free to jointly amend this instrument; provided that no amendment shall be allowed that will affect the qualifications of this instrument under any applicable laws, especially Section 170(h) of the Internal Revenue Code, as amended, and C.R.S. 38-30.5-100 to 38-30.5-111, as amended. Any amendment must be consistent with the conservation purposes of this instrument and may not affect its perpetual duration and Conservation Values shall not be lessened by the amendment. Any amendment must be in writing, signed by both parties, and recorded in the records of the Clerk and Recorder of the County in which the Property is located.

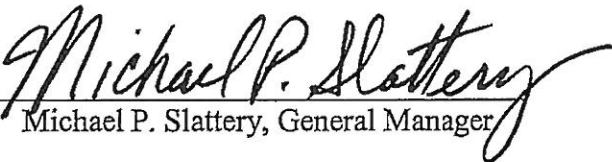
j. Counterparts. This Easement may be signed in counterparts which when combined shall constitute but a single document.

TO HAVE AND TO HOLD unto Grantee, its successors, and assigns forever.

IN WITNESS WHEREOF Grantor and Grantee have executed this Deed of Conservation Easement on the day and year first above written.

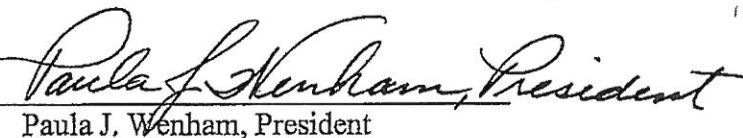
GRANTOR:

BLODGETT RANCH PROPERTIES, LLC

BY: 
Michael P. Slattery, General Manager

GRANTEE:

WILLIAM J. PALMER PARKS FOUNDATION, INC.

BY: 
Paula J. Wenham, President

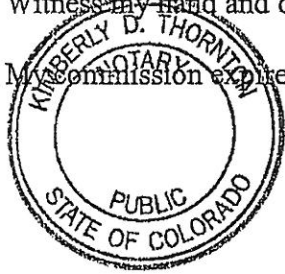
STATE OF COLORADO)
) ss.
COUNTY OF EL PASO)

The foregoing document was acknowledged before me this 20th day of August, 2003, by Michael P. Slattery as General Manager of Blodgett Ranch Properties, LLC, as Grantor.

Witness my hand and official seal.

My commission expires: _____

My Commission Expires
1/03/2005



Kimberly D Thornton
Notary Public

STATE OF COLORADO)
) ss.
COUNTY OF EL PASO)

The foregoing document was acknowledged before me this 18th day of August, 2003, by Paula J. Wenham as President of the William J. Palmer Parks Foundation, Inc.

Witness my hand and official seal.

My commission expires: _____

1/23/05



[Signature]
Notary Public

Exhibits:

- A Legal Description of the Property
- B Legal Description of Adjacent Property
- C Map of Building Envelope, Access Roads to Barn and Adjacent Property and Public Trail

EXHIBIT "A"
LEGAL DESCRIPTION OF THE PROPERTY

LEGAL DESCRIPTION: BLODGETT RANCH PROPERTIES, LLC

A TRACT OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTHERLY BOUNDARY LINE OF MAHOGANY VALE AT PEREGRINE FILING NO. 3, AS RECORDED UNDER RECEPTION NO. 97148164, EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE WESTERLY END BY A NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LTD RLS 10377," AND BEING MONUMENTED AT THE EASTERLY END BY A NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LTD RLS 10377," BEING ASSUMED TO BEAR S89°50'13"E, A DISTANCE OF 829.25 FEET.

COMMENCING AT THE SOUTHWESTERLY CORNER OF MAHOGANY VALE AT PEREGRINE FILING NO. 3, AS RECORDED UNDER RECEPTION NO. 97148164, EL PASO COUNTY, COLORADO, SAID POINT BEING THE POINT OF BEGINNING;
THENCE S89°50'13"E ON THE SOUTHERLY BOUNDARY LINE OF SAID MAHOGANY VALE AT PEREGRINE FILING NO. 3, A DISTANCE OF 64.48 FEET;
THENCE S00°10'17"W, A DISTANCE OF 243.92 FEET;
THENCE S90°00'00"E, A DISTANCE OF 1028.56 FEET;
THENCE N02°41'10"E, A DISTANCE OF 67.57 FEET;
THENCE S87°18'50"E, A DISTANCE OF 30.77 FEET TO A POINT OF CURVE;
THENCE ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF 27°38'00", A RADIUS OF 230.00 FEET, A DISTANCE OF 110.93 FEET TO A POINT OF TANGENT;
THENCE S59°40'50"E, A DISTANCE OF 80.32 FEET;
THENCE N30°19'10"E, A DISTANCE OF 20.41 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF CENTENNIAL BOULEVARD AS PLATTED IN CENTENNIAL BOULEVARD SUBDIVISION FILING NO. 2, RECORDED IN PLAT BOOK R-3 AT PAGE 57, EL PASO COUNTY, COLORADO;
THENCE ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID CENTENNIAL BOULEVARD, THE FOLLOWING TWO (2) COURSES:

1. ON THE ARC OF A CURVE TO THE RIGHT, WHOSE CENTER BEARS S33°42'47"W, HAVING A DELTA OF 21°18'18", A RADIUS OF 666.80 FEET, A DISTANCE OF 247.95 FEET TO A POINT OF TANGENT;

2. S34°58'55"E, A DISTANCE OF 385.92 FEET TO A POINT ON THE NORTHERLY BOUNDARY LINE OF TRACT "A" AS PLATTED IN OAK VALLEY RANCH FILING NO. 6, RECORDED IN PLAT BOOK G-5 AT PAGE 27;

THENCE S88°47'16"W ON THE NORTHERLY BOUNDARY LINE OF SAID TRACT "A", A DISTANCE OF 626.02 FEET;

THENCE N00°00'00"E, A DISTANCE OF 372.67 FEET;

THENCE N90°00'00"W, A DISTANCE OF 1364.35 FEET;

THENCE N00°00'00"E, A DISTANCE OF 362.13 FEET TO A POINT ON THE SOUTHERLY BOUNDARY LINE OF MAHOGANY VALE AT PEREGRINE FILING NO. 2, AS RECORDED UNDER RECEPTION NO. 96099980;

THENCE S89°50'13"E ON SAID SOUTHERLY BOUNDARY LINE, A DISTANCE OF 281.57 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 10.887 ACRES.

EXHIBIT "B"
LEGAL DESCRIPTION OF ADJACENT PROPERTY

A TRACT OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTHERLY BOUNDARY LINE OF MAHOGANY VALE AT PEREGRINE FILING NO. 3, AS RECORDED UNDER RECEPTION NO. 97148164, EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE WESTERLY END BY A NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LTD RLS 10377," AND BEING MONUMENTED AT THE EASTERLY END BY A NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LTD RLS 10377," BEING ASSUMED TO BEAR S89°50'13"E, A DISTANCE OF 829.25 FEET.

COMMENCING AT THE NORTHWESTERLY CORNER OF TRACT A, AS PLATTED IN OAK VALLEY RANCH FILING NO. 6, AS RECORDED IN PLAT BOOK G-5 AT PAGE 27, SAID POINT BEING THE POINT OF BEGINNING;
THENCE ON THE WESTERLY BOUNDARY LINE OF SAID TRACT A, THE FOLLOWING TWO (2) COURSES:

1. S39°55'48"W, A DISTANCE OF 381.43 FEET;
2. S21°54'04"W, A DISTANCE OF 410.57 FEET TO THE NORTHWESTERLY CORNER OF TRACT B, AS PLATTED IN OAK VALLEY RANCH FILING NO. 5, AS RECORDED IN PLAT BOOK F-5 AT PAGE 88;

THENCE S11°33'07"W ON THE WESTERLY BOUNDARY LINE OF SAID TRACT B, A DISTANCE OF 90.00 FEET TO THE NORTHEASTERLY CORNER OF THE PLAT OF OAK VALLEY RANCH FILING NO. 7, AS RECORDED IN PLAT BOOK E-5 AT PAGE 285;
THENCE ON THE NORTHERLY BOUNDARY LINE OF SAID OAK VALLEY RANCH FILING NO. 7, THE FOLLOWING TWO (2) COURSES:

1. N78°26'53"W, A DISTANCE OF 120.00 FEET;
2. N34°03'05"W, A DISTANCE OF 183.77 FEET;

THENCE N00°19'10"E, A DISTANCE OF 235.00 FEET;
THENCE N78°49'27"W, A DISTANCE OF 743.30 FEET;
THENCE N00°00'00"E, A DISTANCE OF 578.92 FEET;
THENCE N90°00'00"E, A DISTANCE OF 1364.35 FEET;
THENCE S00°00'00"E, A DISTANCE OF 372.67 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 22.719 ACRES.

A TRACT OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

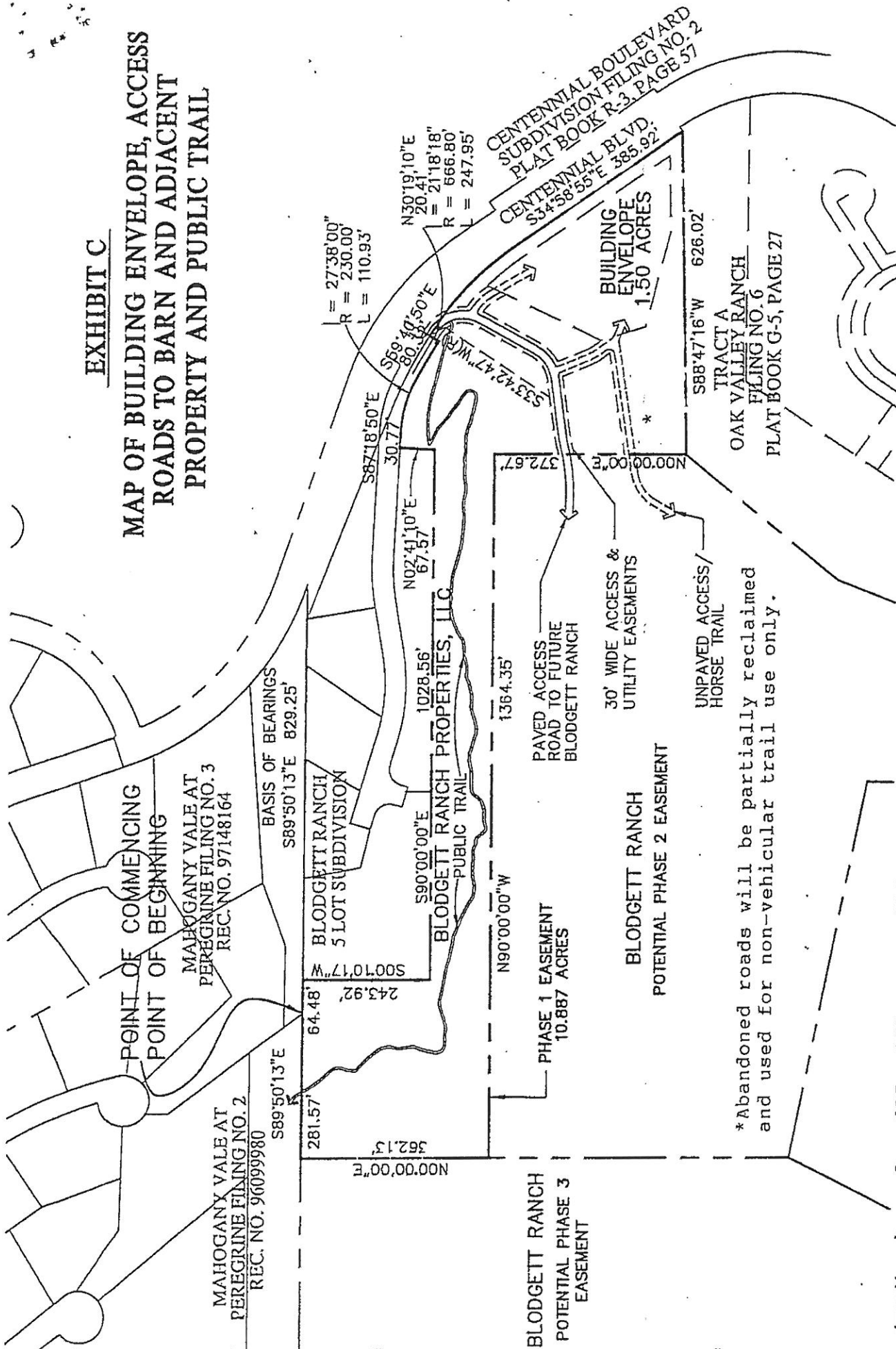
BASIS OF BEARINGS: THE SOUTHERLY BOUNDARY LINE OF MAHOGANY VALE AT PEREGRINE FILING NO. 3, AS RECORDED UNDER RECEPTION NO. 97148164, EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE WESTERLY END BY A NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LTD RLS 10377," AND BEING MONUMENTED AT THE EASTERLY END BY A NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LTD RLS 10377," BEING ASSUMED TO BEAR S89°50'13"E, A DISTANCE OF 829.25 FEET.

COMMENCING AT THE SOUTHWESTERLY CORNER OF MAHOGANY VALE AT PEREGRINE FILING NO. 2, AS RECORDED UNDER RECEPTION NO. 96099980, EL PASO COUNTY, COLORADO, SAID POINT BEING THE POINT OF BEGINNING;
THENCE S89°50'13"E ON THE SOUTHERLY BOUNDARY LINE OF SAID MAHOGANY VALE AT PEREGRINE FILING NO. 2, A DISTANCE OF 436.42 FEET;
THENCE S00°00'00"E, A DISTANCE OF 941.05 FEET;
THENCE S27°43'47"W, A DISTANCE OF 304.14 FEET;
THENCE S71°53'04"W, A DISTANCE OF 94.87 FEET;
THENCE N33°22'14"W, A DISTANCE OF 72.11 FEET;
THENCE N72°34'40"W, A DISTANCE OF 408.04 FEET;
THENCE S28°19'53"W, A DISTANCE OF 273.65 FEET;
THENCE N30°56'58"W, A DISTANCE OF 900.02 FEET;
THENCE N00°43'43"W, A DISTANCE OF 530.00 FEET;
THENCE S89°50'13"E, A DISTANCE OF 823.71 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 30.426 ACRES.

EXHIBIT C

MAP OF BUILDING ENVELOPE, ACCESS ROADS TO BARN AND ADJACENT PROPERTY AND PUBLIC TRAIL



POINT OF COMMENCING
POINT OF BEGINNING

MAHOGANY VALE AT
PEREGRINE FILING NO. 3
REC. NO. 97148164

MAHOGANY VALE AT
PEREGRINE FILING NO. 2
REC. NO. 96099980

BASIS OF BEARINGS
S89°50'13"E 829.25'

BLODGETT RANCH
5 LOT SUBDIVISION

BLODGETT RANCH PROPERTIES, LLC
PUBLIC TRAIL

BLODGETT RANCH
POTENTIAL PHASE 3
EASEMENT

PHASE 1 EASEMENT
10.887 ACRES

BLODGETT RANCH
POTENTIAL PHASE 2 EASEMENT

PAVED ACCESS
ROAD TO FUTURE
BLODGETT RANCH

30' WIDE ACCESS &
UTILITY EASEMENTS

UNPAVED ACCESS/
HORSE TRAIL

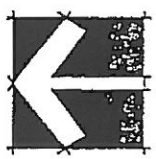
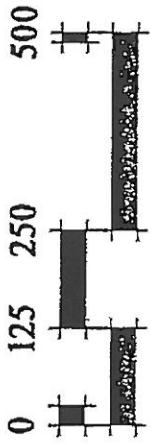
*Abandoned roads will be partially reclaimed
and used for non-vehicular trail use only.

BUILDING
ENVELOPE
1.50 ACRES

TRACT A
OAK VALLEY RANCH
FILING NO. 6
PLAT BOOK G-5, PAGE 27

CENTENNIAL BOULEVARD
SUBDIVISION FILING NO. 2
PLAT BOOK R-3, PAGE 57

CENTENNIAL BLVD.
S34°58'55"E 385.92'



NORTH
SCALE 1"=250'-0"

From: [Nancy Prieve](#)
To: [Deitemeyer, David](#)
Cc: [Kathy Andrew](#); [Lori Seago](#)
Subject: RE: El Paso County Held Conservation Easements on Blodgett Open Space Parcels
Date: Tuesday, January 23, 2024 11:29:23 AM
Attachments: [image001.png](#)
[image002.png](#)

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Hello David,

The proposed work continues to fall within the parameters of the conservation easement. If there are no changes after you address the public comments, send us the final plan for review.

Thank you,
Nancy

From: Deitemeyer, David <David.Deitemeyer@coloradosprings.gov>
Sent: Monday, January 22, 2024 2:29 PM
To: Nancy Prieve <NancyPrieve@elpasoco.com>
Cc: Kathy Andrew <KathyAndrew@elpasoco.com>; Lori Seago <LoriSeago@elpasoco.com>
Subject: RE: El Paso County Held Conservation Easements on Blodgett Open Space Parcels

CAUTION: This email originated from outside the El Paso County technology network. Do not click links or open attachments unless you recognize the sender and know the content is safe. Please call IT Customer Support at 520-6355 if you are unsure of the integrity of this message.

Good afternoon, Nancy,

Following up on the Blodgett Master Plan, the city published the January 19th Public Review Draft of the plan and posted in on the project webpage www.coloradosprings.gov/blodgettmasterplan. The plan is available to the public with a survey open until February 18th. After the 18th, the public comment will be reviewed and considered by the planning team. We anticipate finalizing the plan to present to our TOW Working Committee and Parks Advisory Board in March and will ask for their approval at the April meetings. The plan submitted in March be the final plan for consideration but is still subject to changed based on the conversation at our Parks board.

You may notice the only change within the Conservation Easement area that has occurred since the plan I provided you in December, was based on public comment. We have scaled back the total parking provided at the Orchard Valley Trailhead and removed consideration of relocating the parking lot to the lower terrace (where the horse barn is located) and eliminated the proposed access to Woodmen Road with a 4-way stop. The management plan states that if parking demand

increased or another indicator warrants expanding the parking lot size, this area parking area will be studied in the future, a new public process would be required. There were no changes to trails or the restoration plan that overlap the Conservation Easement.

Please let me know if you have any questions, would like to meet to further discuss, or need any additional information to formally approval.

Thank you,

David Deitemeyer

Senior Landscape Architect, PLA, ASLA, NRPA
Parks, Recreation & Cultural Services
1401 Recreation Way
Colorado Springs, CO 80905

(719) 385-6515

David.Deitemeyer@coloradosprings.gov



From: Nancy Prieve <NancyPrieve@elpasoco.com>

Sent: Friday, December 8, 2023 11:03 AM

To: Deitemeyer, David <David.Deitemeyer@coloradosprings.gov>

Cc: Kathy Andrew <KathyAndrew@elpasoco.com>; Lori Seago <LoriSeago@elpasoco.com>

Subject: RE: El Paso County Held Conservation Easements on Blodgett Open Space Parcels

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Hi David,

It appears that these activities fall within the parameters of the Deed of Conservation Easement. We're sure that you are planning this but be advised that all trails that are closed must be reclaimed to an undisturbed state. Please resubmit once you have a finalized plan so that we can do a formal approval.

Thank you,
Nancy

From: Deitemeyer, David <David.Deitemeyer@coloradosprings.gov>

Sent: Tuesday, December 5, 2023 5:53 PM

To: Nancy Prieve <NancyPrieve@elpasoco.com>

Cc: Kathy Andrew <KathyAndrew@elpasoco.com>; Lori Seago <LoriSeago@elpasoco.com>

Subject: RE: El Paso County Held Conservation Easements on Blodgett Open Space Parcels

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Hi Nancy and Kathy,

I wanted to continue the conversation on the Blodgett Open Space Master Plan and the overlap with the three CE's held on a portion of the property. Our planning team concluded the latest phase of public comment on November 30th and have been reviewing the comments. We anticipate a few minor changes to the Master Plan and Management Plan as we work towards the next phase of a final draft document, which will be shared with the public at the end of December. That review period will extend to the end of January 2024, and the Final Master Plan and Management Plan will be presented to our Parks Board in March and April 2024.

I would like to submit the Master Plan concept for the trail and parking lot trailhead that correspond to the CE parcels. I have attached several documents that show the proposed recommendations. The most prominent change within the CE parcels would be the reroute of the existing unsustainable trails (steep fall line trails on ridges and in valleys) to purposed built sustainable trails. The goal of this will seek to improve trail connectivity in all the open space, user experience and safety, improve drainage challenges and enhance and expand wildlife habitat areas. The files include:

- master plan on all of Blodgett Open Space,
- Enlargement of the Easement parcels with the proposed trail and trailhead location
- A copy of the easement exhibits with existing trails from the Slattery's.
- A photo showing the existing trails in the area.

I welcome any questions you may have or requests for additional information. Please let me know as well if you would prefer to meet in person to discuss or tour the property as you consider if the proposed improvements are consistent with the conservation values. I look forward to hearing from you soon.

Thank you,

David Deitemeyer

Senior Landscape Architect, PLA, ASLA, NRPA
Parks, Recreation & Cultural Services
1401 Recreation Way
Colorado Springs, CO 80905

(719) 385-6515

David.Deitemeyer@coloradosprings.gov

LAND SURVEY PLAT

LOCATED IN SECTIONS 3, 9 & 10, TOWNSHIP 13 SOUTH, RANGE 67 WEST

OF THE 6TH P.M., CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO

LEGAL DESCRIPTION PROVIDED BY: OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, ORDER NO. SC55084317-4, EFFECTIVE DATE: 08/27/2020 AT 5:00 P.M. AREA = 151.538 ACRES +/-

TRACT 1:

LOT 1, BLOCK 1, CASTLE HEIGHTS SUBDIVISION, IN THE CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO. CONTAINING 1.963 ACRES, MORE OR LESS.

TRACT 2:

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO, BEING PARCEL 1 DESCRIBED IN SPECIAL WARRANTY DEED RECORDED MAY 12, 1993 IN BOOK 6171 AT PAGE 1451 OF THE EL PASO COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE PLAT OF MOUNTAIN SHADOWS FILING NO. 31, RECORDED IN PLAT BOOK E5 AT PAGE 196 OF THE EL PASO COUNTY RECORDS.

NOTE: ALL DOCUMENTS REFERRED TO BY BOOK AND PAGE IN THIS DESCRIPTION ARE RECORDS ON FILE WITH THE EL PASO COUNTY CLERK AND RECORDER, UNLESS OTHERWISE STATED.

COMMENCING AT THE MOST NORTHWESTERLY CORNER OF SAID PARCEL 1, MONUMENTED BY A NO. 5 REBAR WITH A 1 1/2 INCH ALUMINUM SURVEYORS CAP MARKED "LW PE & LS 2692", SAID POINT BEING THE POINT OF BEGINNING;

THENCE SOUTH 78 DEGREES 46 MINUTES 20 SECONDS EAST A DISTANCE OF 397.28 FEET;

THENCE SOUTH 54 DEGREES 47 MINUTES 42 SECONDS EAST A DISTANCE OF 515.19 FEET TO A POINT ON THE SOUTHWESTERLY BOUNDARY LINE OF LIVE OAK STATION FILING NO. 2, RECORDED IN PLAT BOOK A-4 AT PAGE 182;

THENCE SOUTHEASTERLY, ON SAID BOUNDARY LINE, THE FOLLOWING TWO COURSES:

(1) SOUTH 38 DEGREES 32 MINUTES 12 SECONDS EAST A DISTANCE OF 126.70 FEET; (2) SOUTH 58 DEGREES 20 MINUTES 16 SECONDS EAST A DISTANCE OF 229.25 FEET TO THE SOUTHERLY MOST CORNER OF SAID FILING NO. 2, SAID POINT BEING ON THE WESTERLY RIGHT OF WAY LINE OF ALLEGHENY DRIVE, RECORDED IN ALLEGHENY DRIVE SUBDIVISION IN PLAT BOOK R-3 AT PAGE 46; THENCE SOUTHERLY, ON SAID RIGHT OF WAY LINE, THE FOLLOWING FIVE (5) COURSES:

(1) SOUTH 54 DEGREES 19 MINUTES 12 SECONDS WEST A DISTANCE OF 334.08 FEET TO A POINT OF CURVE;
(2) ON THE ARC OF A CURVE LEFT, HAVING A DELTA OF 88 DEGREES 05 MINUTES 49 SECONDS, A RADIUS OF 310.00 FEET, A DISTANCE OF 476.65 FEET, MEASURED ALONG THE ARC, TO A POINT OF TANGENT;
(3) SOUTH 33 DEGREES 46 MINUTES 37 SECONDS EAST A DISTANCE OF 32.17 FEET TO A POINT OF CURVE;
(4) ON THE ARC OF A CURVE LEFT, HAVING A DELTA OF 42 DEGREES 16 MINUTES 21 SECONDS, A RADIUS OF 230.00 FEET, A DISTANCE OF 169.69 FEET, MEASURED ALONG THE ARC, TO A POINT OF TANGENT;
(5) SOUTH 76 DEGREES 02 MINUTES 58 SECONDS EAST A DISTANCE OF 190.48 FEET TO THE NORTHEASTERLY CORNER OF A TRACT OF LAND DESCRIBED IN WARRANTY DEED RECORDED AUGUST 10, 1982 IN BOOK 3596 AT PAGE 875;

THENCE SOUTH 81 DEGREES 18 MINUTES 18 SECONDS WEST, ON THE NORTHERLY LINE OF SAID TRACT AND ON THE SOUTHERLY LINE OF A TRACT OF LAND DESCRIBED IN WARRANTY DEED RECORDED AUGUST 10, 1982 IN BOOK 3596 AT PAGE 874, A DISTANCE OF 1091.63 FEET;

THENCE NORTH 00 DEGREES 09 MINUTES 12 SECONDS EAST, ON THE WESTERLY LINE OF A TRACT OF LAND DESCRIBED IN WARRANTY DEED RECORDED AUGUST 10, 1982 IN BOOK 3596 AT PAGE 874, A DISTANCE OF 1545.85 FEET TO THE POINT OF BEGINNING.
CONTAINING 25.494 ACRES, MORE OR LESS.

TRACT 3 PARCEL A:

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 10,

THENCE NORTH 00 DEGREES 23 MINUTES 58 SECONDS WEST, 714.20 FEET ALONG THE WESTERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10 TO THE SOUTHWEST CORNER OF PARCEL B AS DESCRIBED IN EASEMENT, COVENANT AND RELEASE RECORDED DECEMBER 30, 1974 IN BOOK 2725 AT PAGE 604 OF THE RECORDS OF SAID COUNTY; THENCE NORTH 77 DEGREES 14 MINUTES 16 SECONDS EAST, 1033.19 FEET ALONG THE SOUTHERLY LINE OF SAID PARCEL B;

THENCE SOUTH 00 DEGREES 09 MINUTES 47 SECONDS WEST, 945.27 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID NORTHWEST QUARTER OF SECTION 10;

THENCE NORTH 89 DEGREES 50 MINUTES 13 SECONDS WEST, A DISTANCE OF 1000.00 FEET ALONG SAID SOUTHERLY LINE OF THE NORTHWEST QUARTER TO THE POINT OF BEGINNING,

EXCEPT THOSE PORTIONS THEREOF DESCRIBED IN WARRANTY DEED RECORDED AUGUST 10, 1982 IN BOOK 3596 AT PAGE 874 AND PLATTED AS CASTLE HEIGHTS SUBDIVISION RECORDED MARCH 14, 1985 UNDER RECEPTION NO. 1225415 IN PLAT BOOK X3 AT PAGE 186.

TRACT 3 PARCEL B:

A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 10, THENCE SOUTH 89 DEGREES 30 MINUTES 50 SECONDS EAST, ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 10, A DISTANCE OF 1,000.00 FEET;

THENCE NORTH 00 DEGREES 29 MINUTES 09 SECONDS EAST, 185.37 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUE NORTH 00 DEGREES 29 MINUTES 09 SECONDS EAST, 13.31 FEET;

THENCE NORTH 81 DEGREES 37 MINUTES 25 SECONDS EAST, 1,049.67 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF 60 FOOT WIDE ALLEGHENY DRIVE;

THENCE SOUTH 75 DEGREES 43 MINUTES 41 SECONDS EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE 52.51 FEET;

THENCE SOUTH 71 DEGREES 46 MINUTES 23 SECONDS WEST, 392.60 FEET TO A POINT OF CURVE;

THENCE WESTERLY ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 480.00 FEET AND A CENTRAL ANGLE OF 17 DEGREES 35 MINUTES 00 SECONDS, AN ARC DISTANCE OF 147.31 FEET TO A POINT OF TANGENT;

THENCE SOUTH 89 DEGREES 21 MINUTES 23 SECONDS WEST, ALONG SAID TANGENT, 571.86 FEET TO THE TRUE POINT OF BEGINNING,

EXCEPT THAT PORTION THEREOF DESCRIBED IN WARRANTY DEED RECORDED AUGUST 10, 1982 IN BOOK 3596 AT PAGE 874.

TRACT 3 PARCEL C:

A TRACT OF LAND IN THE NORTH HALF OF SECTION 10, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 10;

THENCE SOUTH 89 DEGREES 30 MINUTES 51 SECONDS EAST, ALONG THE SOUTHERLY LINE OF THE NORTH HALF OF SAID SECTION 10, A DISTANCE OF 1000.00 FEET;

THENCE NORTH 00 DEGREES 29 MINUTES 09 SECONDS EAST, 125.36 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUE NORTH 00 DEGREES 29 MINUTES 09 SECONDS EAST, 60.01 FEET; THENCE NORTH 89 DEGREES 21 MINUTES 23 SECONDS EAST, 571.86 FEET TO A POINT OF CURVE;

THENCE NORTHEASTERLY ON A CURVE TO THE LEFT, HAVING A RADIUS OF 480.00 FEET AND A CENTRAL ANGLE OF 17 DEGREES 35 MINUTES 00 SECONDS, AN ARC DISTANCE OF 147.31 FEET TO A POINT OF TANGENT;

THENCE NORTH 71 DEGREES 46 MINUTES 23 SECONDS EAST, ALONG SAID TANGENT, 392.60 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF 60 FEET WIDE ALLEGHENY DRIVE;

THENCE SOUTH 75 DEGREES 43 MINUTES 41 SECONDS EAST, ALONG SAID SOUTH WESTERLY RIGHT-OF-WAY LINE, 111.67 FEET;

THENCE SOUTH 71 DEGREES 46 MINUTES 23 SECONDS WEST, 486.79 FEET TO A POINT OF CURVE;

THENCE SOUTHWESTERLY ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 540.00 FEET AND A CENTRAL ANGLE OF 17 DEGREES 35 MINUTES 00 SECONDS, AN ARC DISTANCE OF 165.72 FEET TO A POINT OF TANGENT;

THENCE SOUTH 89 DEGREES 21 MINUTES 23 SECONDS WEST ALONG SAID TANGENT, 573.04 FEET TO THE TRUE POINT OF BEGINNING,

EXCEPT THAT PORTION THEREOF DESCRIBED IN WARRANTY DEED RECORDED AUGUST 10, 1982 IN BOOK 3596 AT PAGE 874.

TRACT 3 PARCEL D:

A TRACT OF LAND IN THE NORTH HALF OF SECTION 10, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 10;

THENCE SOUTH 89 DEGREES 30 MINUTES 51 SECONDS EAST, ALONG THE SOUTHERLY LINE OF THE NORTH HALF OF SAID SECTION 10, A DISTANCE OF 1000.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUE SOUTH 89 DEGREES 30 MINUTES 51 SECONDS EAST, ALONG SAID SOUTHERLY LINE, 2287.52 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF 60 FEET WIDE ALLEGHENY DRIVE;

THENCE NORTH 69 DEGREES 00 MINUTES 13 SECONDS WEST, ALONG SAID WESTERLY RIGHT-OF WAY LINE, 396.2 FEET TO A POINT OF CURVE;

THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, AND ON A CURVE TO THE LEFT, HAVING A RADIUS OF 821.07 FEET AND A CENTRAL ANGLE OF 06 DEGREES 43 MINUTES 28 SECONDS, AN ARC DISTANCE OF 96.36 FEET TO A POINT OF TANGENT;

THENCE NORTH 75 DEGREES 43 MINUTES 41 SECONDS WEST, ALONG SAID SOUTH WESTERLY RIGHT OF-WAY LINE AND ALONG SAID TANGENT, 646.41 FEET TO A POINT ON THE SOUTHERLY LINE OF THE 60 FOOT WIDE CASTLE CONCRETE ACCESS ROAD;

THENCE SOUTH 71 DEGREES 46 MINUTES 23 SECONDS WEST, ALONG SAID SOUTHERLY LINE, 486.79 FEET TO A POINT OF CURVE;

THENCE WESTERLY ALONG SAID SOUTHERLY LINE AND ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 540.00 FEET AND A CENTRAL ANGLE OF 17 DEGREES 35 MINUTES 00 SECONDS, AND ARC DISTANCE OF 165.72 FEET TO A POINT OF TANGENT;

THENCE SOUTH 89 DEGREES 21 MINUTES 23 SECONDS WEST, ALONG SAID SOUTHERLY LINE AND ALONG SAID TANGENT, 573.04 FEET;

THENCE SOUTH 00 DEGREES 29 MINUTES 09 SECONDS WEST, 125.36 FEET TO THE TRUE POINT OF BEGINNING, EXCEPT THAT PORTION THEREOF DESCRIBED IN WARRANTY DEED RECORDED AUGUST 10, 1982 IN BOOK 3596 AT PAGE 874.

TRACT 3 PARCEL E:

A TRACT OF LAND IN SECTIONS 9 AND 10, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO, DESCRIBED AS FOLLOWS;

THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER EXCEPT THE SOUTHWEST QUARTER THEREOF IN SAID SECTION 9 AND THAT PORTION OF SAID SECTION 10, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 10; THENCE SOUTH 00 DEGREES 02 MINUTES 05 SECONDS WEST, ALONG THE WESTERLY LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 10, A DISTANCE OF 110.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUE SOUTH 00 DEGREES 02 MINUTES 05 SECONDS WEST, ALONG SAID WESTERLY LINE, 1205.35 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER, SAID POINT BEING ALSO THE NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN EASEMENT, COVENANT AND RELEASE RECORDED DECEMBER 30, 1974 IN BOOK 2725 AT PAGE 604 OF THE RECORDS OF EL PASO COUNTY, COLORADO;

THENCE SOUTH 00 DEGREES 12 MINUTES 00 SECONDS EAST, ALONG THE WESTERLY LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION AND ALONG THE WESTERLY LINE OF SAID TRACT IN BOOK 2725 AT PAGE 604, A DISTANCE OF 600.00 FEET TO THE SOUTHWEST CORNER THEREOF;

THENCE NORTH 78 DEGREES 44 MINUTES 47 SECONDS EAST, ALONG THE SOUTHERLY LINE THEREOF, 1270.70 FEET;
THENCE NORTH 00 DEGREES 16 MINUTES 05 SECONDS EAST, 346.17 FEET TO A POINT ON THE NORTHERLY LINE THEREOF, SAID POINT BEING ALSO THE NORTHERLY LINE OF THE SOUTH HALF OF SAID SECTION 10; THENCE NORTH 89 DEGREES 43 MINUTES 55 SECONDS WEST, ALONG SAID NORTHERLY LINE, 234.27 FEET;

THENCE NORTH 00 DEGREES 29 MINUTES 09 SECONDS EAST, 381.31 FEET;
THENCE NORTH 45 DEGREES 35 MINUTES 01 SECONDS WEST, 577.24 FEET;
THENCE NORTH 54 DEGREES 57 MINUTES 55 SECONDS WEST, 740.00 FEET TO THE TRUE POINT OF BEGINNING, EXCEPT THOSE PORTIONS THEREOF DESCRIBED IN WARRANTY DEEDS RECORDED AUGUST 10, 1982 IN BOOK 3596 AT PAGES 872 AND 874.
CONTAINING 88.456 ACRES, MORE OR LESS.

TRACT 4:

THAT PORTION OF THE S 1/2 OF THE SW 1/4, THE W 1/2 OF THE SE 1/4 OF SECTION 3 AND THE NW 1/4 OF SECTION 10, ALL IN TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 3 (BEARINGS REFERRED TO HEREIN ARE BASED ON THE WESTERLY LINE OF OAK VALLEY RANCH FILING NO. 1 AS RECORDED IN PLAT BOOK M-3 AT PAGE 73 OF THE RECORDS OF SAID COUNTY, RECORDED AS BEING S 01 DEGREES 23 MINUTES 43 SECONDS W);

THENCE N 01 DEGREES 02 MINUTES 53 SECONDS W, 1318.04 FEET ALONG THE WESTERLY LINE OF SAID S 1/2 OF SW 1/4 OF SECTION 3 TO THE NORTHWEST CORNER THEREOF;

THENCE N 89 DEGREES 50 MINUTES 37 SECONDS E, 2305.16 FEET ALONG THE NORTHERLY LINE OF SAID S 1/2 OF THE SW 1/4 OF SECTION 3 TO THE NORTHWESTERLY EXTENSION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF CENTENNIAL BOULEVARD, AS DESCRIBED IN CENTENNIAL BOULEVARD SUBDIVISION FILING NO. 2 AS RECORDED IN PLAT BOOK R-3 AT PAGE 57 OF SAID RECORDS;

THENCE S 69 DEGREES 03 MINUTES 05 SECONDS E, 363.38 FEET TO THE MOST NORTHERLY SOUTHWEST CORNER OF SAID CENTENNIAL BOULEVARD SUBDIVISION FILING NO. 2 (THE FOLLOWING 7 COURSES ARE ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID CENTENNIAL BOULEVARD);

1) THENCE CONTINUING S 69 DEGREES 03 MINUTES 05 SECONDS E, 86.77 FEET;
2) THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 33 DEGREES 45 MINUTES 00 SECONDS, A RADIUS OF 666.80 FEET, FOR AN ARC DISTANCE OF 392.78 FEET;
3) THENCE S 35 DEGREES 18 MINUTES 05 SECONDS E, 385.92 FEET;
4) THENCE N 54 DEGREES 41 MINUTES 55 SECONDS E, 10.00 FEET;
5) THENCE ALONG THE ARC OF A CURVE CONCAVE TO THE WEST, SAID CURVE HAVING A CHORD BEARING OF S 00 DEGREES 38 MINUTES 55 SECONDS E, A CENTRAL ANGLE OF 69 DEGREES 18 MINUTES 21 SECONDS, A RADIUS OF 360.00 FEET, FOR AN ARC DISTANCE OF 435.46 FEET;
6) THENCE S 34 DEGREES 00 MINUTES 16 SECONDS W, 421.49 FEET;
7) THENCE ON THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 13 DEGREES 01 MINUTES 18 SECONDS, A RADIUS OF 440.00 FEET, FOR AN ARC DISTANCE OF 100.00 FEET; THENCE N 78 DEGREES 46 MINUTES 03 SECONDS W, 765.68 FEET;

THENCE S 11 DEGREES 13 MINUTES 57 SECONDS W, 189.95 FEET; THENCE S 18 DEGREES 33 MINUTES 09 SECONDS E, 308.01 FEET;

THENCE S 49 DEGREES 02 MINUTES 38 SECONDS E, 251.07 FEET; THENCE S 17 DEGREES 30 MINUTES 43 SECONDS E, 220.00 FEET TO THE MOST NORTHERLY CORNER OF ALLEGHENY DRIVE SUBDIVISION AS RECORDED IN PLAT BOOK R-3 AT PAGE 46 OF SAID RECORDS (THE FOLLOWING 3 COURSES ARE ALONG THE NORTH WESTERLY RIGHT-OF-WAY LINE OF SAID ALLEGHENY DRIVE);

1) THENCE S 72 DEGREES 29 MINUTES 17 SECONDS W, 92.76 FEET;
2) THENCE ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 67 DEGREES 33 MINUTES 48 SECONDS, A RADIUS OF 310.00 FEET, FOR AN ARC DISTANCE OF 365.55 FEET TO A POINT OF REVERSE CURVE;
3) THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 49 DEGREES 23 MINUTES 43 SECONDS, A RADIUS OF 334.02 FEET, FOR AN ARC DISTANCE OF 287.97 FEET;

THENCE N 54 DEGREES 47 MINUTES 42 SECONDS W, 873.02 FEET;

THENCE N 78 DEGREES 46 MINUTES 20 SECONDS W, 397.29 FEET TO THE NORTHWEST CORNER OF THAT TRACT OF LAND AS DESCRIBED WARRANTY DEED RECORDED AUGUST 10, 1982 IN BOOK 3596 AT PAGE 874 OF SAID RECORDS, SAID CORNER ALSO BEING ON THE NORTHEASTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED IN BOOK 3486 AT PAGE 378 OF SAID RECORDS (THE FOLLOWING 2 COURSES ARE ALONG SAID NORTHEASTERLY LINE);

1) THENCE N 45 DEGREES 54 MINUTES 08 SECONDS W, 519.67 FEET;
2) THENCE N 55 DEGREES 17 MINUTES 02 SECONDS W, 740.00 FEET TO THE WESTERLY LINE OF SAID NW 1/4 OF SECTION 10; THENCE N 00 DEGREES 17 MINUTES 51 SECONDS W, 110.00 FEET ALONG SAID WESTERLY LINE TO THE POINT OF BEGINNING;

EXCEPT THAT PORTION THEREOF DESCRIBED IN PARTIAL RELEASE RECORDED SEPTEMBER 24, 1985 IN BOOK 5065 AT PAGE 354 AND IN DEED RECORDED OCTOBER 6, 1987 IN BOOK 5430 AT PAGE 1112

AND EXCEPT THAT PORTION PLATTED AS OAK VALLEY RANCH FILING NO. 6 AND OAK VALLEY RANCH, FILING NO. 7,

LESS THAT PARCEL DESCRIBED IN DEED RECORDED APRIL 27, 2018 UNDER RECEPTION NO. 21847585.
CONTAINING 35.625 ACRES, MORE OR LESS.

AND LESS AND EXCEPT:

56561_Pikeview_Encroachment_LOT-5_200818 THAT PORTION OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 10 TOWNSHIP , 13 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WESTERLY CORNER OF TRACT C, LIVE OAK STATION, FILING NO. 2 AS RECORDED IN BOOK A4, PAGE 182; THENCE ON THE WESTERLY LINE OF SAID LIVE OAK STATION, SOUTH 38°35'49" EAST A DISTANCE OF 58.02 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ON SAID WESTERLY LINE, SOUTH 38°35'49" EAST A DISTANCE OF 26.93 FEET; THENCE SOUTH 69°11'21" WEST A DISTANCE OF 17.04 FEET; THENCE NORTH 36°45'16" WEST A DISTANCE OF 13.81 FEET; THENCE NORTH 24°44'08" EAST A DISTANCE OF 17.66 FEET TO THE POINT OF BEGINNING.

56561_Pikeview_Encroachment_LOT-6_200818

THAT PORTION OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 10 TOWNSHIP , 13 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WESTERLY CORNER OF TRACT C, LIVE OAK STATION, FILING NO. 2 AS RECORDED IN BOOK A4, PAGE 182;

THENCE ON THE WESTERLY LINE OF SAID LIVE OAK STATION, SOUTH 38°35'49" EAST A DISTANCE OF 84.95 FEET TO THE POINT OF BEGINNING;

THENCE, CONTINUING ON SAID LINE, SOUTH 38°35'49" EAST A DISTANCE OF 68.50 FEET;
THENCE SOUTH 54°58'13" WEST A DISTANCE OF 18.59 FEET;
THENCE NORTH 36°45'16" WEST A DISTANCE OF 72.59 FEET;
THENCE NORTH 69°11'21" EAST A DISTANCE OF 17.04 FEET TO THE POINT OF BEGINNING.

LAND SURVEY PLAT

LOCATED IN SECTIONS 3, 9 & 10, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE 6TH P.M., CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO

56561_Pikeview_Encroachment_LOT-7_200818

THAT PORTION OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 10 TOWNSHIP , 13 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WESTERLY CORNER OF TRACT C, LIVE OAK STATION, FILING NO. 2 AS RECORDED IN BOOK A4, PAGE 182; THENCE ON THE WESTERLY LINE OF SAID LIVE OAK STATION, SOUTH 38°35'49" EAST A DISTANCE OF 153.46 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ON SAID WESTERLY LINE, SOUTH 38°35'49" EAST A DISTANCE OF 63.05 FEET;

THENCE SOUTH 51°24'11" WEST A DISTANCE OF 20.62 FEET; THENCE NORTH 36°45'16" WEST A DISTANCE OF 64.24 FEET;

THENCE NORTH 54°58'13" EAST A DISTANCE OF 18.59 FEET TO THE POINT OF BEGINNING.

56561_Pikeview_Encroachment_LOT-8_200818

THAT PORTION OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 10 TOWNSHIP , 13 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WESTERLY CORNER OF TRACT C, LIVE OAK STATION, FILING NO. 2 AS RECORDED IN BOOK A4, PAGE 182; THENCE ON THE WESTERLY LINE OF SAID LIVE OAK STATION, SOUTH 38°35'49" EAST A DISTANCE OF 234.97 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ON SAID WESTERLY LINE, SOUTH 38°35'49" EAST A DISTANCE OF 31.02 FEET;

THENCE SOUTH 51°34'30" WEST A DISTANCE OF 9.00 FEET; THENCE NORTH 81°32'01" WEST A DISTANCE OF 2.99 FEET;

THENCE NORTH 38°47'51" WEST A DISTANCE OF 26.52 FEET;

THENCE NORTH 06°00'32" EAST A DISTANCE OF 2.96 FEET;

THENCE NORTH 50°15'17" EAST A DISTANCE OF 9.05 FEET TO THE POINT OF BEGINNING.

56561_Pikeview_Encroachment_LOT-9_1_200818

THAT PORTION OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 10 TOWNSHIP , 13 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST CORNER OF LOT 10, OAK VALLEY RANCH FILING NO. 7 AS RECORDED IN PLAT BOOK E-5 AT PAGE 285;

THENCE ON THE WESTERLY LINE OF SAID OAK VALLEY RANCH FILING NO. 7 , SOUTH 53°25'35" EAST A DISTANCE OF 136.74 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ON SAID WESTERLY LINE, SOUTH 53°25'35" EAST A DISTANCE OF 89.60 FEET;

THENCE SOUTH 27°50'42" WEST A DISTANCE OF 12.55 FEET;

THENCE NORTH 83°00'30" WEST A DISTANCE OF 22.91 FEET;

THENCE NORTH 52°49'01" WEST A DISTANCE OF 62.28 FEET;

THENCE NORTH 14°35'47" EAST A DISTANCE OF 24.86 FEET TO THE POINT OF BEGINNING.

56561_Pikeview_Encroachment_LOT-9-2_200818

THAT PORTION OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 10 TOWNSHIP , 13 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WESTERLY CORNER OF TRACT C, LIVE OAK STATION, FILING NO. 2 AS RECORDED IN BOOK A4, PAGE 182; THENCE ON THE WESTERLY LINE OF SAID LIVE OAK STATION, SOUTH 38°35'49" EAST A DISTANCE OF 281.54 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ON SAID WESTERLY LINE, SOUTH 38°35'49" EAST A DISTANCE OF 64.42 FEET; THENCE SOUTH 43°47'09" WEST A DISTANCE OF 8.94 FEET;

THENCE NORTH 43°38'45" WEST A DISTANCE OF 63.89 FEET;

THENCE NORTH 43°40'11" EAST A DISTANCE OF 14.61 FEET TO THE POINT OF BEGINNING.

56561_Pikeview_Encroachment_LOT-10_200818

THAT PORTION OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 10 TOWNSHIP , 13 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHERLY CORNER OF LOT 13, LIVE OAK STATION, FILING NO. 2 AS RECORDED IN BOOK A4, PAGE 182;

THENCE ON THE WESTERLY LINE OF SAID LIVE OAK STATION, NORTH 58°31'41" WEST A DISTANCE OF 177.13 FEET TO THE SOUTHERLY CORNER OF LOT 10, SAID LIVE OAK STATION AND THE POINT OF BEGINNING;

THENCE SOUTH 36°02'05" WEST A DISTANCE OF 22.56 FEET;

THENCE NORTH 47°28'24" WEST A DISTANCE OF 19.75 FEET;

THENCE NORTH 30°18'55" WEST A DISTANCE OF 44.91 FEET TO THE WESTERLY LINE OF SAID LOT 10; THENCE ON SAID WESTERLY LINE, SOUTH 38°35'49" EAST A DISTANCE OF 7.42 FEET;

THENCE CONTINUING ON SAID WESTERLY LINE, SOUTH 58°31'41" EAST A DISTANCE OF 53.78 FEET TO THE POINT OF BEGINNING.

56561_Pikeview_Encroachment_LOT-11_200818

THAT PORTION OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 10 TOWNSHIP , 13 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHERLY CORNER OF LOT 13, LIVE OAK STATION, FILING NO. 2 AS RECORDED IN BOOK A4, PAGE 182;

THENCE ON THE WESTERLY LINE OF SAID LIVE OAK STATION, NORTH 58°31'41" WEST A DISTANCE OF 121.95 FEET TO THE SOUTHERLY CORNER OF LOT 11, SAID LIVE OAK STATION AND THE POINT OF BEGINNING;

THENCE SOUTH 23°07'19" WEST A DISTANCE OF 6.47 FEET;

THENCE SOUTH 38°22'10" WEST A DISTANCE OF 26.97 FEET;

THENCE NORTH 47°28'24" WEST A DISTANCE OF 55.71 FEET;

THENCE NORTH 36°02'05" EAST A DISTANCE OF 22.56 FEET TO THE WESTERLY CORNER OF SAID LOT 11;

THENCE ON THE WESTERLY LINE OF SAID LOT 11, SOUTH 58°31'41" EAST A DISTANCE OF 55.18 FEET TO THE POINT OF BEGINNING.

56561_Pikeview_Encroachment_LOT-12_200818

THAT PORTION OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 10 TOWNSHIP, 13 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHERLY CORNER OF LOT 13, LIVE OAK STATION, FILING NO. 2 AS RECORDED IN BOOK A4, PAGE 182;

THENCE ON THE WESTERLY LINE OF SAID LIVE OAK STATION, NORTH 58°31'41" WEST A DISTANCE OF 71.59 FEET TO THE SOUTHERLY CORNER OF LOT 12, SAID LIVE OAK STATION AND THE POINT OF BEGINNING;

THENCE SOUTH 30°47'54" WEST A DISTANCE OF 12.16 FEET;

THENCE NORTH 51°53'33" WEST A DISTANCE OF 49.90 FEET;

THENCE NORTH 23°07'19" EAST A DISTANCE OF 6.47 FEET TO THE SOUTHERLY CORNER OF SAID LOT 12;

THENCE ON THE WESTERLY LINE OF SAID LOT 12, SOUTH 58°31'41" EAST A DISTANCE OF 50.36 FEET TO THE POINT OF BEGINNING.

56561- Pikeview_Encroachment_LOT-13_200818

THAT PORTION OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 10 TOWNSHIP , 13 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHERLY CORNER OF LOT 13, LIVE OAK STATION, FILING NO. 2 AS RECORDED IN BOOK A4, PAGE 182;

THENCE SOUTH 54°28'52" WEST A DISTANCE OF 41.84 FEET;

THENCE NORTH 36°31'40" WEST A DISTANCE OF 42.16 FEET;

THENCE NORTH 25°08'25" WEST A DISTANCE OF 19.17 FEET;

THENCE NORTH 30°47'54" EAST A DISTANCE OF 12.16 FEET TO THE WESTERLY CORNER OF SAID LOT 13; THENCE ON THE WESTERLY LINE OF SAID LOT 13, SOUTH 58°31'41" EAST A DISTANCE OF 71.59 FEET TO THE POINT OF BEGINNING .

56561_Pikeview_Encroachment_LOT-17_200818

THAT PORTION OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 10 TOWNSHIP , 13 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH CORNER OF LOT 17, OAK VALLEY RANCH FILING NO. 7 AS RECORDED IN PLAT BOOK E-5 AT PAGE 285; THENCE ON THE NORTHERLY LINE OF SAID LOT 17, SOUTH 64°57'16" WEST A DISTANCE OF 2.20 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ON SAID NORTHERLY LINE, SOUTH 64°57'16" WEST A DISTANCE OF 86.71 FEET TO A NON TANGENT CURVE TO THE RIGHT;

THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 48.00 FEET, A DELTA OF 129°09'56" AND A CHORD THAT BEARS NORTH 64°57'16" EAST A DISTANCE OF 86.71 FEET TO THE POINT OF BEGINNING.

56561_Pikeview_Encroachment_LOT-75_200818

THAT PORTION OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 10 TOWNSHIP , 13 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WESTERLY CORNER OF TRACT A, LIVE OAK STATION, FILING NO. 2 AS RECORDED IN BOOK A4, PAGE 182;

THENCE ON THE NORTHERLY LINE OF SAID LIVE OAK STATION, NORTH 64°54'26" EAST A DISTANCE OF 115.72 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 25°05'34" WEST A DISTANCE OF 11.99 FEET;

THENCE NORTH 64°54'26" EAST A DISTANCE OF 24.44 FEET;

THENCE NORTH 73°26'18" EAST A DISTANCE OF 80.82 FEET TO SAID NORTHERLY LINE; THENCE ON SAID NORTHERLY LINE, SOUTH 64°54'26" WEST A DISTANCE OF 104.36 FEET TO THE POINT OF BEGINNING.

NOTES:

1. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THIS SURVEYOR OR SURVEYING AND MAPPING, LLC OF THE PROPERTY SHOWN AND DESCRIBED HEREON TO DETERMINE THE OWNERSHIP OF THE TRACT, COMPATIBILITY OF THE DESCRIPTION WITH THOSE ADJACENT TRACTS, RIGHTS OF WAY, EASEMENTS, ENCUMBRANCES OR COURT ACTIONS OF RECORD.
2. 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 SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
3. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED IN THIS CERTIFICATE HEREON. THIS CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT A RECERTIFICATION NAMING SAID PERSON. THIS SURVEY IS VALID ONLY IF THE PRINT HAS THE ORIGINAL SIGNATURE AND SEAL OF THE SURVEYOR.
4. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACTS ANY PUBLIC LAND SURVEY MONUMENT AND/OR BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE C.R.S. SEC. 18-4-508.
5. BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 13 SOUTH, RANGE 67 WEST. THE BEARING OF SAID LINE IS NORTH 00°35'16" WEST BETWEEN THE MONUMENTS AS DESCRIBED HEREON. DISTANCES ARE GROUND DISTANCES MEASURED IN US SURVEY FEET.
6. ONLY SPECIFIC IMPROVEMENTS ARE SHOWN HEREON FOR INFORMATIONAL PURPOSES. THIS IS NOT AN IMPROVEMENT SURVEY PLAT AS DEFINED BY C.R.S. 38-51-102(9).
7. THIS SURVEY REFLECTS A DILIGENT SEARCH OF CONTROLLING MONUMENTS AND BOUNDARY EVIDENCE FOR ADJOINING PLATTED SUBDIVISION AND PREVIOUSLY MONUMENTED SURVEYS. THE BOUNDARY SHOWN HEREON IS IN HARMONY WITH SAID ADJOINING PLATS AND LONG ESTABLISHED LINES OF OWNERSHIP.

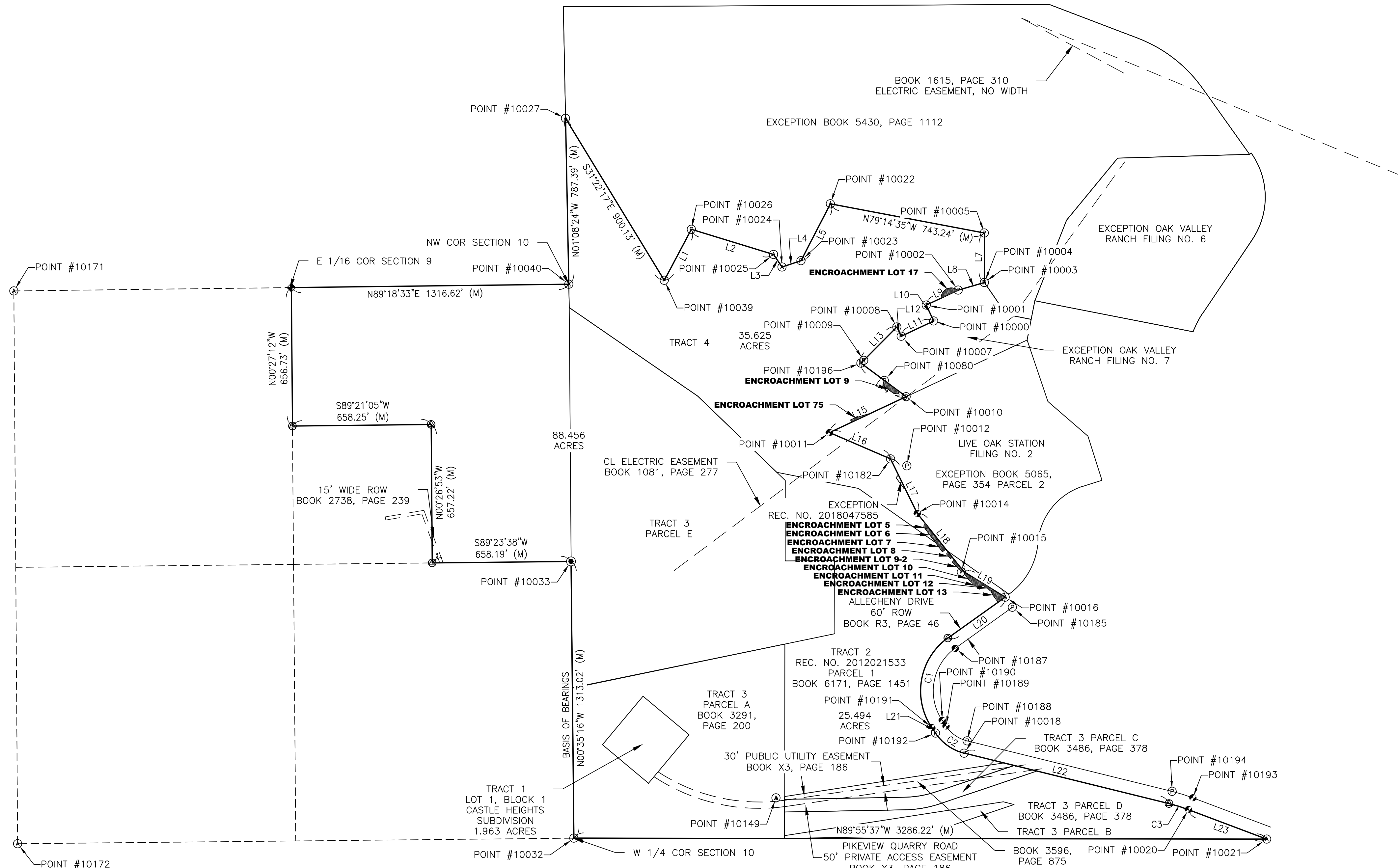
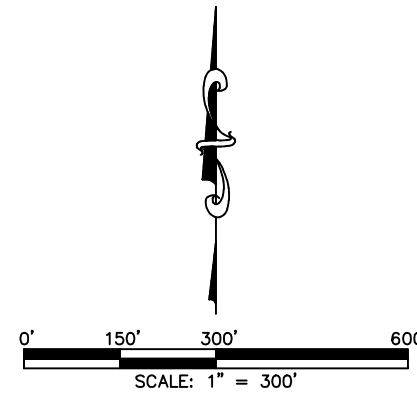
SURVEYOR'S CERTIFICATION:

I, BASIL MICAH HANSON, DO HEREBY CERTIFY TO THE CONSERVATION FUND, THAT, SUBJECT TO THE NOTES SHOWN HEREON, A SURVEY OF THE ABOVE DESCRIBED PREMISES (COMPLETED ON JULY 23, 2020) WAS CONDUCTED BY ME OR UNDER MY DIRECT SUPERVISION; THAT SAID SURVEY AND ATTACHED PRINT HEREON WERE MADE IN SUBSTANTIAL ACCORDANCE WITH C.R.S. 38-51-106 "LAND SURVEY PLAT".

 BASIL MICAH HANSON, PLS 38020
 FOR AND ON BEHALF OF SAM, LLC

LAND SURVEY PLAT

LOCATED IN SECTIONS 3, 9 & 10, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE 6TH P.M., CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO



LINE TABLE		
NUMBER	DIRECTION	LENGTH
L1	S27°54'22\"W	273.64'
L2	N73°01'25\"W	408.00'
L3	N33°49'21\"W	72.08'
L4	S71°33'59\"W	94.88'
L5	S27°17'36\"W	304.19'
L7	N00°02'58\"W	235.15'
L8	N73°50'20\"E	128.98'
L9	N64°57'16\"E	167.71'
L10	N25°02'48\"W	82.96'
L11	N64°43'33\"E	170.35'
L12	S24°42'28\"E	48.52'
L13	N44°49'17\"E	241.84'
L14	N53°25'35\"W	267.22'
L15	N64°54'26\"E	401.78'
L16	S66°43'09\"E	315.53'
L17	S26°02'06\"E	288.47'
L18	S38°35'49\"E	353.38'
L19	S58°31'41\"E	230.91'
L20	S54°28'52\"W	334.30'
L21	S33°45'02\"E	32.07'
L22	S76°08'55\"E	1000.56'
L23	S69°22'10\"E	395.54'

FOUND MONUMENTS	
POINT #	DESCRIPTION
10000	FOUND 1/2" REBAR W/ YELLOW PLASTIC CAP "ILLEGIBLE"
10001	FOUND 1/2" REBAR W/ YELLOW PLASTIC CAP "PLS 17665"
10002	FOUND 1/2" REBAR W/ YELLOW PLASTIC CAP "PLS 17665"
10003	FOUND 5/8" REBAR W/ YELLOW PLASTIC CAP "PLS 22568"
10004	FOUND 5/8" REBAR W/ 1 1/2" ALUMINUM CAP "PLS 23515 DB & CO"
10005	FOUND 5/8" REBAR W/ YELLOW PLASTIC CAP "LS 22568"
10007	FOUND 1/2" REBAR W/ YELLOW PLASTIC CAP "RLS 17665"
10008	FOUND 1/2" REBAR W/ YELLOW PLASTIC CAP "RLS 17665"
10009	FOUND 1/2" REBAR W/ YELLOW PLASTIC CAP "RLS 17665"
10010	FOUND 5/8" REBAR W/ RED PLASTIC CAP "APR 27270"
10011	FOUND 1/2" REBAR
10012	FOUND 1/2" REBAR W/ YELLOW PLASTIC CAP "HVE RLS 17665"
10014	FOUND 1/2" REBAR
10015	FOUND 1/2" REBAR W/ YELLOW PLASTIC CAP "HVS RLS 17665", BENT SOUTH
10016	FOUND 5/8" REBAR W/ 1 1/2" ALUMINUM CAP "JR ENG LTD RLS 10377"
10018	FOUND 1/2" REBAR W/ YELLOW PLASTIC CAP "HVE RLS 17665"

FOUND MONUMENTS	
POINT #	DESCRIPTION
10020	FOUND 1/2" REBAR
10021	FOUND REBAR W/ 1 1/2" ALUMINUM CAP
10022	FOUND 5/8" REBAR W/ 1 1/2" ALUMINUM CAP "PLS 23515 DB & CO"
10023	FOUND 5/8" REBAR W/ YELLOW PLASTIC CAP "LS 22568"
10024	FOUND 5/8" REBAR W/ 1 1/2" ALUMINUM CAP "PLS 23515 DB & CO"
10025	FOUND 5/8" REBAR W/ 1 1/2" ALUMINUM CAP "PLS 23515 DB & CO"
10026	FOUND 5/8" REBAR W/ YELLOW PLASTIC CAP "LS 22568"
10027	FOUND 5/8" REBAR W/ 1 1/2" ALUMINUM CAP "PLS 23515 DB & CO"
10032	FOUND 5/8" REBAR W/ 2" ALUMINUM CAP "LWA PLS 28658"
10033	FOUND 3/4" PIPE
10039	FOUND 5/8" REBAR W/ YELLOW PLASTIC CAP "LS 22568"
10040	FOUND 5/8" REBAR W/ 3" ALUMINUM CAP "PLS 23515 DB & CO"
10080	FOUND 1 1/2" REBAR W/ RED PLASTIC CAP "ILLEGIBLE"
10149	FOUND 5/8" REBAR W/ 1 1/2" ALUMINUM CAP "LW PE & LS 2692"
10171	FOUND 3/4" REBAR W/ 2 1/2" ALUMINUM CAP "PLS 28658"
10172	FOUND 3/4" REBAR W/ 2 1/2" ALUMINUM CAP "PLS 28658"

FOUND MONUMENTS	
POINT #	DESCRIPTION
10182	FOUND 5/8" REBAR W/ YELLOW PLASTIC CAP "ILLEGIBLE"
10185	FOUND 5/8" REBAR W/ YELLOW PLASTIC CAP "COSTIN ENGR LS 18455"
10187	FOUND 3/4" REBAR
10188	FOUND 5/8" REBAR W/ YELLOW PLASTIC CAP "PLS 13830"
10189	FOUND 3/4" REBAR
10190	FOUND 3/4" REBAR
10191	FOUND 1/2" REBAR, BENT
10192	FOUND 1/2" REBAR W/ YELLOW PLASTIC CAP "M.V.E. RLS 17665"
10193	FOUND 1/2" REBAR
10194	FOUND 1/2" REBAR W/ YELLOW PLASTIC CAP "PLS 13830"
10196	FOUND 5/8" REBAR W/ YELLOW PLASTIC CAP "PLS 17665"

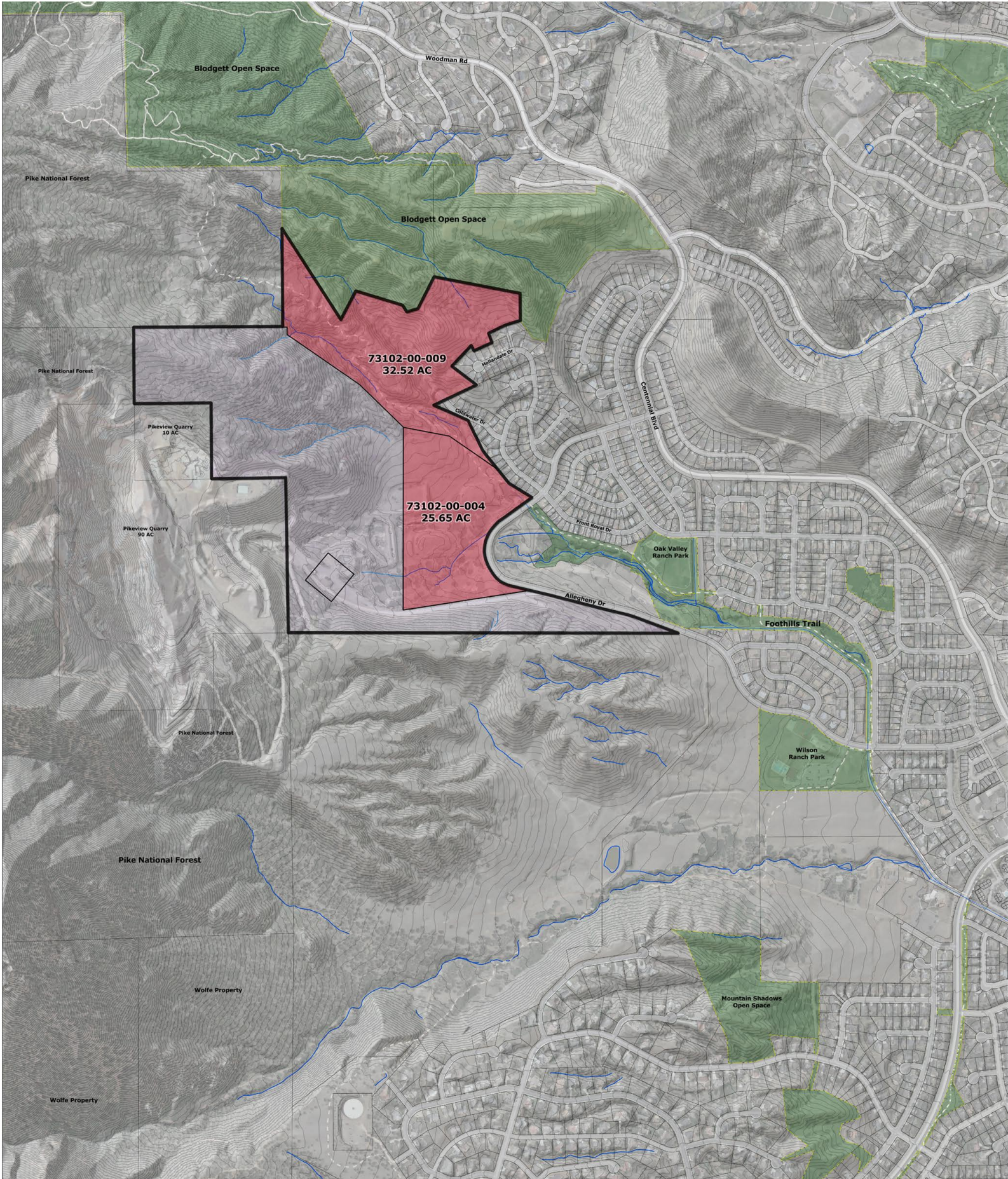
CURVE TABLE					
CURVE NO.	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	476.21'	310.00'	088°00'59"	S10°15'27\"W	430.75'
C2	170.20'	230.00'	042°23'53"	S54°56'58\"E	166.34'
C3	97.15'	821.07'	006°46'45"	N72°45'32\"W	97.09'

LEGEND:

- PROPERTY LINE
- EXISTING EASEMENT
- ADJOINING PARCEL LINE
- SECTION LINE
- FOUND ALUMINUM CAP (SEE TABLE)
- FOUND REBAR W/ PLASTIC CAP (SEE TABLE)
- FOUND REBAR (SEE TABLE)
- FOUND PIPE (SEE TABLE)
- SET 5/8" REBAR WITH RED PLASTIC CAP "PLS 38020"
- SET 3/4" REBAR WITH 2 1/2" ALUMINUM CAP "PLS 38020"

ATTACHMENT B-2

Phase 2 Properties



Phase I Environmental Site Assessment

Blodgett Peak Addition
Southwest of Blodgett Ranch Trail and
West Woodmen Road
Colorado Springs, Colorado

The Trust for Public Land

1401 Grant Street, Suite D210 | Denver, Colorado 80203

June 22, 2018 | Project No. 501506001



Geotechnical | Environmental | Construction Inspection & Testing | Forensic Engineering & Expert Witness

Geophysics | Engineering Geology | Laboratory Testing | Industrial Hygiene | Occupational Safety | Air Quality | GIS

Ninyo & Moore

Geotechnical & Environmental Sciences Consultants

Phase I Environmental Site Assessment

Blodgett Peak Addition

Southwest of Blodgett Ranch Trail and

West Woodmen Road

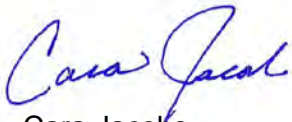
Colorado Springs, Colorado

Mr. Justin Spring, Colorado Director of Land Protection

[The Trust for Public Land](#)

1410 Grant Street, Suite D210 | Denver, Colorado 80203

June 22, 2018 | Project No. 501506001



Cara Jacobs
Project Environmental Scientist



Beth McDonald, PE, PG
Principal Engineer

CEJ/BM/drm

Distribution: (1) Addressee (via e-mail)

CONTENTS

EXECUTIVE SUMMARY	1
Conclusions	2
Recommendations	2
Certification Statement	2
1 INTRODUCTION	4
1.1 Purpose	4
1.2 Involved Parties	5
1.3 Scope of Services	5
1.4 Tasks Not Undertaken	6
1.5 Limitations and Exceptions	6
2 PROPERTY OVERVIEW	7
2.1 Property Location and Land Use(s)	7
2.1.1 Property Location	7
2.1.2 Adjacent Property Locations and Land Uses	7
2.1.3 Utilities	8
2.1.3.1 Source of Potable Water	8
2.1.3.2 Sewage Disposal System	8
2.1.3.3 Source of Fuel for Heating and Cooling	8
2.1.4 Description of Structures, Roads and Other Improvements	8
2.2 Physical Setting	9
2.2.1 Topography	9
2.2.2 Geology/Hydrogeology	9
2.2.3 Surface Water Bodies	9
2.2.4 Groundwater	9
2.2.5 Wetlands	9
2.2.6 Flood Maps	10
3 PROPERTY BACKGROUND	10
3.1 Interviews	10
3.1.1 Current Owner/Site Manager or Occupant	10
3.1.2 Past Owner/Site Manager or Occupant	11
3.2 Review of Aerial Photographs	11

3.3	Review of Topographic Maps	12
3.4	Review of Fire Insurance Maps	12
3.5	Review of Reverse City Directories	12
3.6	Title Records	13
3.7	Recorded Environmental Covenants and AULs	13
3.8	Previous Investigations	13
3.9	User-Provided Information	14
3.9.1	Environmental Lien and Activity and Use Restriction Search Results	14
3.9.2	Specialized Knowledge	14
3.9.3	Commonly Known or Reasonable Ascertainable Information	14
3.9.4	Valuation Reduction for Environmental Issues	14
3.9.5	Owner, Property Manager, and Occupant Information	14
4	REGULATORY DATABASE SEARCH AND SIGNIFICANT FINDINGS	14
4.1	Subject Property	15
4.2	Surrounding Properties	15
4.3	Freedom of Information Act /Colorado Open Records Act	16
4.3.1	Colorado Department of Public Health and Environment	17
4.3.2	Colorado Division of Oil and Public Safety (OPS)	17
4.3.3	United States Environmental Protection Agency (USEPA)	17
4.3.4	Other local governments/agencies	17
5	SITE RECONNAISSANCE	17
5.1	Site Reconnaissance	18
5.1.1	Transformers	19
5.2	Adjoining Properties	19
6	FINDINGS AND OPINIONS	19
6.1	Known or suspect Recognized Environmental Conditions	19
6.2	Controlled Recognized Environmental Conditions	19
6.3	Historical Recognized Environmental Conditions	19
6.4	Environmental Concerns	19

7	DATA GAPS	19
8	CONCLUSIONS	20
9	RECOMMENDATIONS	21
10	LIMITING CONDITIONS/DEVIATIONS	21
11	REFERENCES	22
12	ENVIRONMENTAL PROFESSIONAL STATEMENT	23

TABLES

1 – Adjoining Properties	8
2 – Aerial Photographs Summary	11
3 – Topographic Maps Summary	12
4 – Summary of Environmental Records Sources Database Search	15
5 – Facilities of Potential Concern	16
6 – On-Site Observations	18

FIGURES

1 – Site Location	
2 – Site Plan	

APPENDICES

Appendix A – Resumes	
Appendix B – Assessor’s Information and Questionnaires	
Appendix C – Environmental Data Resources (EDR) Radius Map Report	
Appendix D – Historical Research Documentation	
Appendix E – Site Documentation and Regulatory Records	
Appendix F – Site Photographs	

EXECUTIVE SUMMARY

Ninyo & Moore has conducted a Phase I Environmental Site Assessment (ESA) on three parcels totaling approximately 64 acres located southwest of Blodgett Ranch Trail and West Woodmen Road in Colorado Springs, Colorado (site). The site is designated as El Paso County Assessor's Schedule Numbers 73000-00-481, 73000-00-483, and 73000-00-484.

The objective of this ESA is to identify, to the extent feasible pursuant to the process described in American Society for Testing and Materials (ASTM) E1527-13, recognized environmental conditions (REC), which are defined by ASTM as "the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment.

In general, the following items were noted:

- Review of historical resources indicated the site was vacant, undeveloped land from at least 1937. In the late 1980s, trail systems were depicted across the site. The current barn near the east boundary of the site was first depicted in the early 2000s. A small structure was depicted in the location of the current cell tower building in the early 2000s. The current cell tower building was constructed in 2005. The vicinity of the site was depicted as vacant, undeveloped land from as early as 1937. Residential development was depicted to the south of the site in the late 1980s and to the north of the site in the late 1990s. Pikeview Quarry to the southwest of the site was depicted in historical topographic maps beginning in 1948.
- On May 31, 2018, Ms. Cara Jacobs, Project Environmental Scientist with Ninyo & Moore, conducted a site reconnaissance. The reconnaissance involved visual observation of the site and adjoining properties. Ms. Jacobs was accompanied by Mr. Justin Spring, Colorado Director of Land Protection with The Trust for Public Land, during the site reconnaissance.
- Hazardous substances and/or petroleum products were not observed on or adjacent to the site during the site reconnaissance.
- Indications of on-site underground storage tanks (USTs) or aboveground storage tanks (ASTs) were not observed during the site reconnaissance. No record of on-site USTs or ASTs was present in regulatory files.
- Municipal sewer and water services are provided to the site vicinity by Colorado Springs Utilities.
- Based on a review of the environmental database report obtained from Environmental Data Resources, Inc. (EDR), the site was not listed in the searched databases.

- Two off-site facilities, Pikeview Quarry and Moonlight Hills (surface mine), were located within the EDR search radius from the site. The facilities were listed on the Leaking AST, Leaking UST TRUST, Active and Closed Colorado Division of Oil and Public Safety Petroleum Release Events in Colorado, and MINES databases. Based on groundwater gradient in the area and the location of these facilities, they are not considered RECs to the site.
- An environmental lien or activity and use limitations search was not provided or requested by the Client for this Phase I ESA. Ninyo & Moore did search the Colorado Department of Public Health and Environment Environmental Covenants and Use Restrictions website for the site addresses, and the site was not listed.

Conclusions

Ninyo & Moore has performed this Phase I ESA in general conformance with the scope and limitations of the ASTM Practice E1527-13 on three parcels totaling approximately 64 acres located southwest of Blodgett Ranch Trail and West Woodmen Road in Colorado Springs, Colorado. Any exceptions to, or deletions from, this practice are described in Section 1.5 of this report. This assessment has revealed no evidence of RECs in connection with the site.

This assessment has revealed no evidence of environmental concerns for the site, with the exception of the pesticides/herbicides reportedly applied to approximately 11-acres on the east side of the site in March/April 2018 for noxious weed control.

Recommendations

Based on the findings of this report, Ninyo & Moore recommends no further investigation at the site at this time.

In the event the proposed development plan changes to include residential or school use, specifically in the 11-acre area previously treated with pesticides/herbicides, soil sampling should be conducted. Soil samples collected should be laboratory analyzed to insure no residual impacts remain in shallow soils from pesticide/herbicide application.

Certification Statement

This report has been prepared by the staff of Ninyo & Moore for The Trust for Public Land and the City of Colorado Springs under the professional supervision of the principal and/or senior staff whose signatures appear hereon. Neither Ninyo & Moore, nor any staff member assigned to this assessment, has any interest or contemplated interest, financial or otherwise, in the subject or surrounding properties, or in any entity which owns, leases, or occupies the subject or surrounding properties or which may be responsible for environmental issues observed during the course of this assessment, and has no personal bias with respect to the parties involved.

The information contained in this report has received appropriate technical review and approval. The conclusions represent professional judgments founded upon the findings of the assessment summarized in the report and the interpretation of such data based on our experience and expertise according to the existing standard of care. No other warranty or limitation exists, either expressed or implied.

Anyone seeking defenses to Comprehensive Environmental Response, Compensation and Liability Act liability must take independent action to protect their position.

1 INTRODUCTION

Ninyo & Moore conducted a Phase I Environmental Site Assessment (ESA) on three parcels totaling approximately 64 acres located southwest of Blodgett Ranch Trail and West Woodmen Road in Colorado Springs, Colorado (site). The site is designated as El Paso County Assessor's Schedule Numbers 73000-00-481, 73000-00-483, and 73000-00-484. This Phase I ESA was conducted for The Trust for Public Land as part of the due diligence process prior to purchase of the three parcels.

This Phase I ESA meets the criteria set forth in the American Society for Testing and Materials (ASTM) E1527-13, was conducted by an Environmental Professional as defined by §312.10 of 40 CFR 312 and satisfies all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312. The following sections identify the purpose, the involved parties, the scope of services, and the limitations and exceptions associated with this Phase I ESA.

1.1 Purpose

In accordance with the ASTM Standard Practice for ESAs on Commercial Real Estate E 1527-13, the objective of the Phase I ESA is to identify recognized environmental conditions (RECs). The term recognized environmental conditions means *“the presence or likely presence of any hazardous substances or petroleum products in, on, or at the property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. De minimis conditions are not recognized environmental conditions.”*

Identification of RECs will fall into three categories: existing REC (as defined above), Historical REC, or controlled REC.

Historical Recognized Environmental Condition (HREC): An HREC is defined as “a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls” (such as property use restrictions, activity and use limitations (AULs), institutional controls, or engineering controls). A HREC is an environmental condition which in the past would have been considered a REC, but which may or may not be considered a REC currently. An example of a HREC is a former gas station where

a release of gasoline had occurred, but the site was cleaned up to an unrestricted land use standard.

Controlled Recognized Environmental Condition (CREC): A CREC is defined as a “recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority” (as evidenced by the issuance of a “No Further Action” letter or equivalent, or meeting risk-based criteria established by regulatory authority). Hazardous substances or petroleum products are allowed to remain in place, subject to the implementation of required controls such as property use restrictions, AULs, institutional controls, or engineering controls. An example of CREC is a former gas station where a release of gasoline has been cleaned up to a commercial use standard, but does not meet unrestricted residential cleanup criteria.

1.2 Involved Parties

Ms. Beth McDonald, PE, PG, Principal Engineer with Ninyo & Moore, was the Environmental Professional assigned to this project. Ms. Cara Jacobs, Project Environmental Scientist with Ninyo & Moore, conducted the site reconnaissance and performed regulatory inquiries, historical research, document review, and report preparation. Ms. McDonald provided a principal level review of the report. Resumes of these individuals are included in Appendix A.

1.3 Scope of Services

Ninyo & Moore's scope of services for this Phase I ESA included the following:

- Perform a site reconnaissance to visually and/or physically observe the interior and exterior of structures and other features on the site, as well as observe visible exterior features of adjoining properties to observe areas of possibly contaminated surface soil or surface water, improperly stored hazardous materials, possible sources of polychlorinated biphenyls, and possible risks of contamination from activities at the site and adjoining properties.
- Review of reasonably ascertainable standard environmental record sources including federal, state, and tribal regulatory agency databases for the site and for properties located within a specified radius of the site. The purpose of this review was to evaluate possible environmental impacts to the site and site vicinity activities. These databases list location of known hazardous waste sites, landfills, leaking underground storage tanks (LUSTs), permitted facilities that utilize LUSTs, and facilities that use, store, or dispose of hazardous materials and/or petroleum products.
- Review of reasonable ascertainable additional environmental record sources including local records and/or additional state or tribal records for the site and for properties located within a specified radius of the site. The purpose of this review was to evaluate possible environmental impacts to the site and site vicinity activities. These databases list locations of known hazardous waste sites, solid waste landfills, registered storage tanks, emergency

releases, contaminated public wells, and facilities that use, store, or dispose of hazardous materials and/or petroleum products.

- Review of reasonable ascertainable standard physical setting sources including a current United States Geological Survey (USGS) 7.5-minute topographic map, and possibly including USGS and/or state groundwater and geologic maps, and soil maps. The purpose of this review was to note information about the geologic, hydrologic, and/or topographic characteristics of the site and site vicinity.
- Review of reasonably ascertainable historical documents may include aerial photographs, historical fire insurance rate maps, city directories, and property tax files. The purpose of this review was to review obvious uses of the site from the present, back to the site's first developed use, or back to 1940, whichever is earlier.
- Conduct interviews with present owners, operators, and occupants of the site as well as other knowledgeable parties as appropriate. The purpose of these interviews is to obtain information regarding potential RECs in connection with the site.
- Prepare this ESA report documenting methodology, reporting findings, significant data gaps, and conclusions, and providing opinions of the impact on the site of conditions noted in the findings section regarding RECs at the site.

1.4 Tasks Not Undertaken

In accordance with ASTM E 1527-13, the following, which is not intended to be all inclusive, represents out-of-scope items with respect to this Phase I ESA and, therefore, will not be addressed: asbestos, radon, lead-based paint, lead in drinking water, regulatory compliance, cultural and historical risk, industrial hygiene, health and safety, indoor air quality, and high voltage power lines. In addition, Ninyo & Moore will not address interpretations of zoning regulations, building code requirements, or property title issues.

1.5 Limitations and Exceptions

The environmental services described in this report have been conducted in general accordance with current regulatory guidelines and the standard of care exercised by environmental consultants performing similar work in the project area. No other warranty, expressed or implied, is made regarding the professional opinions presented in this report.

This document is intended to be used only in its entirety. No portion of the document, by itself, is designed to completely represent any aspect of the project described herein. Ninyo & Moore should be contacted if the reader requires any additional information or has questions regarding the content, interpretations presented, or completeness of this document.

Our conclusions, recommendations, and opinions are based on an analysis of the observed site conditions and the referenced literature. It should be understood that the conditions of a site

could change with time as a result of natural processes or the activities of man at the subject property or nearby sites. In addition, changes to the applicable laws, regulations, codes, and standards of practice may occur due to government action or the broadening of knowledge. The findings of this report may, therefore, be invalidated over time, in part or in whole, by changes over which Ninyo & Moore has no control.

This report may be relied upon by, and is intended exclusively for, The Trust for Public Land and the City of Colorado Springs. Any use or reuse of the findings, conclusions, and/or recommendations of this report by parties other than these is undertaken at said parties' sole risk.

2 PROPERTY OVERVIEW

The following sections describe the location and the current uses of the site. The uses of adjacent properties are also described. The Site Location is presented on Figure 1 and a Site Plan is presented on Figure 2.

2.1 Property Location and Land Use(s)

2.1.1 Property Location

The site is located southwest of Blodgett Ranch Trail and West Woodmen Road in Colorado Springs, Colorado. The site is designated as El Paso County Assessor's Schedule Numbers 73000-00-481, 73000-00-483, and 73000-00-484. According to the El Paso County Assessor's website, no addresses are associated with 73000-00-481 or 73000-00-483; however, the address for 73000-00-484 is listed as 2905 Blodgett Mountain Heights. Information from the El Paso County Assessor's website can be found in Appendix B.

The Site Location is presented on Figure 1 and the Site Plan with additional information concerning the site and surrounding properties is presented on Figure 2.

2.1.2 Adjacent Property Locations and Land Uses

Table 1 lists the properties adjoining the site and associated land use. Based on the nature of the current uses of the adjoining properties and observations made during the site reconnaissance, it is unlikely that the current uses of these properties have impacted the environmental integrity of the site.

Table 1 – Adjoining Properties

Location	Description
North	Undeveloped land, Blodgett Ranch Trail, and single-family residential development.
South	Undeveloped land and single-family residential development. Pikeview Quarry is located approximately 0.20 mile southwest of the site.
East	West Woodmen Road, followed by single-family residential development.
West	Undeveloped land (Pike National Forest).

2.1.3 Utilities

2.1.3.1 Source of Potable Water

Colorado Springs Utilities provides potable water to the site vicinity. Based on our review of the well search information provided in the Environmental Database Resources, Inc. (EDR) Report and our site reconnaissance, no evidence indicating the presence of potable groundwater wells was found on the site. If wells are discovered at the site during future site development activities, Ninyo & Moore recommends abandoning these wells in accordance with applicable regulatory guidelines.

2.1.3.2 Sewage Disposal System

Sewage disposal is provided to the site vicinity by Colorado Springs Utilities.

2.1.3.3 Source of Fuel for Heating and Cooling

Electric and gas utilities used for heating and cooling are provided to the area by Xcel Energy/Public Service Company of Colorado.

2.1.4 Description of Structures, Roads and Other Improvements

As shown on Figure 2, the site is primarily undeveloped land with multiple hiking trails. An approximately 864 square-foot (sf) barn and an approximately 224 sf shed were observed on the eastern side of the site. An approximately 1,925 sf cell tower building was observed near the center of the site. The site is accessible from West Woodmen Road to the east.

2.2 Physical Setting

2.2.1 Topography

Ninyo & Moore reviewed USGS 7.5 Minute Series, Cascade, Colorado, Topographic Quadrangle Map, dated 2013. The site is at an approximate elevation of 7,175 feet above mean sea level and generally slopes from the west down towards the east.

2.2.2 Geology/Hydrogeology

The site is located to the east of the Front Range within the Southern Rocky Mountains Physiographic Province. The Province is bounded by the Great Plains to the east and the Colorado Plateau to the west. The Southern Rocky Mountains are comprised of highly deformed sedimentary rocks and igneous intrusions and extrusions. (USGS, 1995).

Based on our review of the EDR Physical Setting Maps report and United States Department of Agriculture Soil Conservation Soil Survey Geographic Database data, the site is underlain by Jarre, which is classified as a gravelly, sandy loam, well drained, with moderate infiltration rates.

2.2.3 Surface Water Bodies

Natural surface water bodies, including streams or other bodies of water, are not present on or adjacent to the site. The nearest body of water is Dry Creek, located approximately 0.50 mile north of the site.

2.2.4 Groundwater

Based on information provided in the EDR report from wells in the vicinity, depth to groundwater at the site is approximately 60 to 70 feet below ground surface. Groundwater gradient is assumed to be towards the east. Groundwater levels and flow direction can fluctuate due to seasonal variations, groundwater withdrawal or injection, and other factors.

2.2.5 Wetlands

The EDR Radius Map Report included a search of the US Fish and Wildlife Services Wetlands Mapper results. No mapped wetlands were depicted on or adjacent to the site. A copy of the wetlands map is included on Page 13 of the EDR Radius Map Report in Appendix C.

2.2.6 Flood Maps

According to the FEMA flood maps, the site lies in the flood zone classified as Zone X. Zone X designates an area that has been determined to be outside of the 0.2% annual chance floodplain.

3 PROPERTY BACKGROUND

3.1 Interviews

Interviews were conducted by Ninyo & Moore with the objective of obtaining information regarding potential RECs in connection with the site. Interviews with the present owners, operators, and/or occupants of the site, as well as other knowledgeable parties as appropriate, is mandated by ASTM E1527-13.

3.1.1 Current Owner/Site Manager or Occupant

Mr. Justin Spring, Colorado Director of Land Protection with The Trust for Public Land accompanied Ninyo & Moore during the site visit. Mr. Spring also completed a user questionnaire for the site, which indicated he was unaware of any environmental cleanup liens or AULs in place at the site. He indicated that the site was used for grazing in the past and that noxious weed control chemicals were used at the site.

Mr. Michael Slattery, the owner representative, completed a property background questionnaire for the site. He indicated that the original 65-acre parcel was vacant agriculture-zoned land until it was purchased by Mr. Slattery in 2002 for equestrian breeding and riding activities. Conservation easements were placed on the three parcels in 2003, 2004, and 2007. Electric and fiber utilities were installed in 2005 for the cell tower. He indicated that no other utilities or structures have been added since 2005. Mr. Slattery indicated that no USTs are currently or were previously located at the site. He also indicated he was unaware of any environmental issues at the site and that fill soils have never been brought to the site. He indicated there has been no storage of hazardous materials or wastes on the property. Mr. Slattery indicated that pesticides [herbicides] were applied in March/April 2018 on the 11-acre Phase I easement property for noxious weeds (the eastern portion of the site). He also indicated that there are three Recorded Conservation Easement Agreements with El Paso County Commissioners at the site.

3.1.2 Past Owner/Site Manager or Occupant

Past ownership entities were not made available to Ninyo & Moore during the preparation of this ESA. Therefore, interviews with past site owners were not conducted.

3.2 Review of Aerial Photographs

Ninyo & Moore reviewed historical aerial photographs of the site provided by EDR in a report dated May 31, 2018. The report included aerial photographs that begin in 1937. A listing of the photographs reviewed is presented in Table 2. Copies of the historical aerial photographs are provided in Appendix D.

Date	Source	Site	Adjoining Properties
1937, 1947, 1953, 1960, 1969, 1972, 1975, 1983	USDA, USGS	The site is depicted as vacant, undeveloped land.	Properties to the north, south, and west are depicted as vacant, undeveloped land. A roadway is depicted to the east of the site, followed by vacant, undeveloped land.
1988, 1993	USGS	The site is depicted as vacant, undeveloped land with trail systems throughout the site.	Properties to the north and west are depicted as vacant, undeveloped land. Residential development is depicted to the south of the site. A roadway followed by vacant land is depicted to the east of the site.
1999	USGS/DOQQ	No significant change.	Residential development is depicted to the north and south of the site. A roadway, followed by vacant land is depicted to the east of the site. Pike National Forest is depicted to the west of the site.
2005	USDA/NAIP	The site is primarily depicted as vacant, undeveloped land with trail systems. A barn is depicted near the east boundary of the site and a small structure is depicted near the center of the site.	No significant change.
2011, 2015	USDA/NAIP	No significant change, with the addition of the current cell tower building in the location of the previous small structure located near the center of the site.	No significant change, with the addition of single-family residences to the east of the site, east of the roadway.

3.3 Review of Topographic Maps

Ninyo & Moore reviewed historical topographic maps of the site. A listing of the maps reviewed is presented in Table 3 below. Copies of the historical topographic maps are provided in Appendix D.

Date	Quadrangle	Uses
1893, 1909	Colorado Springs	Difficult to discern due to map scale.
1948, 1950, 1951	Cascade	The site is depicted as vacant, undeveloped land. A roadway is depicted adjacent to the east. A quarry is depicted farther southwest of the site.
1961, 1969, 1975	Cascade	No significant change since the 1951 map, with the addition of an aqueduct transecting the eastern portion of the site and a small quarry northeast of the site.
1986	Cascade	No significant change since the 1975 map. The small quarry to the northeast of the site is no longer depicted.
1994	Cascade	No significant change since the 1986 map, with the addition of a residential development to the south of the site.
2013	Cascade	This map does not depict features/structures other than roadways. West Woodmen Road is depicted to the east of the site and residential roadways are depicted to the south of the site.

3.4 Review of Fire Insurance Maps

EDR was contracted to research and provide Sanborn Fire Insurance Rate Maps. According to EDR, Sanborn maps do not exist for the site or vicinity. The Sanborn Map Report can be found in Appendix C.

3.5 Review of Reverse City Directories

EDR provided a historical city directory report for the site and vicinity. City directories for the site were searched from 1922 through 2014. The only known site address of 2905 Blodgett Mountain Heights was not listed in the city directories. Additionally, adjacent properties were not listed in the city directories.

The EDR City Directory Abstract is provided in Appendix C.

3.6 Title Records

Title records were not provided to Ninyo & Moore. According to the Grand County Assessor, the site parcels are currently owned by T Slattery LLC, 35 Martin Lane, Englewood, Colorado.

3.7 Recorded Environmental Covenants and AULs

An environmental lien search was not provided to Ninyo & Moore for review. Ninyo & Moore conducted an on-line search of the GIS database maintained by the Colorado Department of Public Health and Environment (CDPHE) depicting environmental covenants in Colorado (CDPHE, 2018). No covenants were found for the site.

3.8 Previous Investigations

The following were provided to Ninyo & Moore:

- A Phase I ESA was provided to Ninyo & Moore for review for the cell tower building located on the site (Communication Services, 2006). The report was prepared for T-Mobile. At the time of the report, the current cell tower structure was under construction. The report revealed no evidence of RECS in connection with the property.
- A NEPA Environmental Screen was provided to Ninyo & Moore for review. It was prepared for T-Mobile by Communication Services, Inc. in 2006 for the cell tower portion of the site. The report indicated that the cell tower site would not affect any of the Federal Communications Commission (FCC) Special Interest items outlined in 47CFR Section 1.1307 (a) (1) through (8). Special Interest items included wilderness area, wildlife preserve, endangered species, historic place, Indian religious, flood plain, surface features (wetlands, floodways, etc.), and high intensity white lights.
- A Soils and Foundation Investigation was provided to Ninyo & Moore for review for a northern adjacent property (CTL Thompson, 2007). The report indicated sandy clay was encountered in the subsurface to a depth of 3.5 to 5 feet, underlain by claystone and shale bedrock. Groundwater was not encountered.
- A Preliminary/Final Drainage Report was provided to Ninyo & Moore for review for the eastern site parcel (JR Engineering, 2004). According to the report, runoff sheet flows to the south and is collected by an existing inlet located at the intersection of Allegheny Drive and Centennial Boulevard. Portions of the site lie within the Dry Creek and the Douglas Creek Basins. The report stated that development of the site would not adversely affect

surrounding developments and that all developed on-site runoff would continue to discharge into the storm facilities as it did historically.

3.9 User-Provided Information

The following sections summarize information provided by the user to assist the Environmental Professional in identifying the possibility of RECs in connection with the site and to fulfill the user's Title Records responsibilities in accordance with Section 6 of ASTM E1527-13.

A User Questionnaire was completed by Mr. Justin Spring, Colorado Director of Land Protection with The Trust for Public Land. A copy of the completed user questionnaire is included in Appendix B.

3.9.1 Environmental Lien and Activity and Use Restriction Search Results

Mr. Spring indicated he was not aware of any environmental liens or AULs associated with the site.

3.9.2 Specialized Knowledge

Mr. Spring indicated he had no specialized knowledge regarding environmental conditions at the site.

3.9.3 Commonly Known or Reasonable Ascertainable Information

Mr. Spring indicated the site was previously used for grazing and that noxious weed control chemicals were previously used at the site.

3.9.4 Valuation Reduction for Environmental Issues

Mr. Spring indicated the purchase price being paid for the property reasonably reflects the fair market value of the property.

3.9.5 Owner, Property Manager, and Occupant Information

According to the El Paso County Assessor, the site parcels are currently owned by T Slattery LLC, 35 Martin Lane, Englewood, Colorado.

4 REGULATORY DATABASE SEARCH AND SIGNIFICANT FINDINGS

EDR performed a computerized environmental information database search for the site and site vicinity on May 30, 2018. The EDR Radius Map Report included federal, state, and local databases. The review was conducted in order to evaluate whether or not the site or properties

within the vicinity of the site have been listed as having experienced significant unauthorized releases of hazardous substances or other events with potentially adverse environmental effects for the site. A summary of the environmental databases searched, their corresponding search distance, and the number of listed properties of potential environmental concern to the site are presented in Table 4 below. A list of the environmental databases searched and their corresponding search distance is included in the EDR Radius Map Report, presented in Appendix C.

Table 4 – Summary of Environmental Records Sources Database Search			
Database Name	Agency	Search Radius (miles)	#Facilities
Standard Federal, State and Tribal Record Sources			
Leaking Aboveground Storage Tank (LAST) Database	CDLE	0.50	1
Leaking Underground Storage Tank (LUST) TRUST Database	CDLE	0.50	1
Petroleum Release Events Listing (LTANKS)	CDLE	0.50	1
MINES	Department of Labor, Mine Safety and Health Administration	0.25	1

4.1 Subject Property

The site was not listed in the database report.

4.2 Surrounding Properties

The off-site facility listed in Table 4 above was evaluated for its potential to impact soil, soil vapor, and/or groundwater at the site. It is discussed in Table 5 below.

Table 5 – Facilities of Potential Concern

Facility Name/Address	Direction/ Distance from Site	Database	Notes/Comments
<p>Pikeview Quarry 7250 Allegheny Drive</p>	<p>SSW/1000 feet</p>	<p>LAST, LUST TRUST, LTANKS</p>	<p>Cross-gradient to the site.</p> <p>The CDPHE had no records for this facility. CDLE records indicated a release in June 2003 and a closure report submitted November 2003. No other information was available.</p> <p>According to the EDR report, an aboveground storage tank (AST) at the facility had a confirmed release in 2003 and is classified as closed. The facility entered into the LUST TRUST in 2004. No other information was available.</p> <p>Based on groundwater gradient and distance from the site, this facility does not represent a REC for the site.</p>
<p>Moonlight Hills No listed address</p>	<p>ENE/650 feet</p>	<p>MINES</p>	<p>Down-gradient to the site.</p> <p>The CDPHE and CDLE had no records for this facility.</p> <p>According to the EDR report, this facility was listed as a 56.5-acre surface mine. Pre-mining, the area was listed as general agriculture and post-mining the area is listed as industrial/commercial. The mine status is listed as “terminated”. No other information was available.</p> <p>Based on groundwater gradient, this facility does not represent a REC for the site.</p>

4.3 Freedom of Information Act /Colorado Open Records Act

Local and state departments were interviewed regarding available records for the site. Results of the interviews and file reviews are discussed below. Copies of requests and responses, including public records, are included as Appendix E.

4.3.1 Colorado Department of Public Health and Environment

Ninyo & Moore requested records from the CDPHE, Air Pollution Control Division (APCD). A representative of the CDPHE APCD responded by e-mail on June 6, 2018, indicating that no records were located for the site.

Ninyo & Moore requested documentation for the site from the CDPHE, Hazardous Materials and Waste Management Division (HMWMD). Ms. Pearl Campos, a representative of the HMWMD, responded by e-mail on June 5, 2018, indicating no records were located for the site.

Ninyo & Moore requested documentation for the site from the CDPHE, Water Quality Control Division (WQCD). Mr. Frank Dale, a representative of the WQCD, responded by e-mail on June 4, 2018, indicating no records were located for the site.

Additional inquiries were made with the CDPHE for the off-site properties listed in Table 5 above. The CDPHE had no records for the facilities.

4.3.2 Colorado Division of Oil and Public Safety (OPS)

Ninyo & Moore conducted an online search for the site on the CDLE Colorado Storage Tank Information System database maintained by the OPS. No records were located for the site.

Additional inquiries were made with the CDLE for the off-site properties listed in Table 5 above. The available files are summarized in the table.

4.3.3 United States Environmental Protection Agency (USEPA)

Ninyo & Moore conducted an online search of the USEPA's MyPropertyInfo database for the site and the vicinity. No listings were found.

4.3.4 Other local governments/agencies

No other local governments or agencies were contacted for this Phase I ESA.

5 SITE RECONNAISSANCE

The following sections provide a general description of the site and adjacent properties. Photographs taken during the site reconnaissance are provided in Appendix F.

5.1 Site Reconnaissance

The site reconnaissance was conducted on May 31, 2018, by Ms. Cara Jacobs, Project Environmental Scientist with Ninyo & Moore. Ms. Jacobs was accompanied by Mr. Justin Spring, Colorado Director of Land Protection with The Trust for Public Land. At the time of the site visit, the site was primarily undeveloped land with multiple hiking trails. An approximately 864 sf barn and an approximately 224 sf shed were observed on the eastern side of the site. An approximately 1,925 sf cell tower building was observed near the center of the site.

Table 6 below summarizes key on-site observations for indications of the following potential environmental concerns:

Table 6 – On-Site Observations			
Conditions	Not Observed or Noted	Observed or Noted	Significant Concern?
Hazardous Substances/Petroleum Products	X		
Storage Tanks (ASTs and/or Underground Storage Tanks [USTs])/Vents/Fill Pipes	X		
Building Foundations/Concrete Patches or Pads	X		
Chemical/Petroleum Odors or Staining	X		
Drums/Other Containers	X		
Debris	X		
Potentially Asbestos Containing Materials	X		
Transformers		X	No
Pits, Ponds, Lagoons	X		
Solid Waste	X		
Wells/Stand-Pipe	X		
Stressed Vegetation	X		
Floor Drains/Sumps/Sand Traps	X		
Elevator	X		
Waste or Storm Water Discharges/Disposal Systems	X		
Septic Systems/Cesspools	X		
Other Notable Features	X		

5.1.1 Transformers

Two pad-mounted transformers were observed on the site – one near the eastern site boundary and one on the western side of the cell tower building. The transformers appeared to be in good condition with no staining or odors that would indicate a leak and do not represent a REC for the site.

5.2 Adjoining Properties

The areas surrounding the site consist primarily of single-family residential properties. The site is bordered on the north by Blodgett Ranch Trail, undeveloped land, and single-family residences, on the south by undeveloped land and single-family residences, on the east by West Woodmen Road followed by single-family residences and undeveloped land, and on the west by Pike National Forest. Pikeview Quarry is located approximately 0.20 mile southwest of the site.

6 FINDINGS AND OPINIONS

Based on the results of this ESA, the following findings, opinions, conclusions and recommendations are provided.

6.1 Known or suspect Recognized Environmental Conditions

This assessment has revealed no RECs in connection with the site.

6.2 Controlled Recognized Environmental Conditions

This assessment has revealed no evidence of CRECs in connection with the site.

6.3 Historical Recognized Environmental Conditions

This assessment has revealed no evidence of HRECs in connection with the site.

6.4 Environmental Concerns

This assessment has revealed no evidence of additional environmental concerns for the site, with the exception of the pesticides/herbicides reportedly applied to approximately 11-acres on the east side of the site in March/April 2018 for noxious weed control.

7 DATA GAPS

The following data gaps were encountered during the Phase I ESA:

- Previous site owners were not interviewed.

Based on the history of the site, this limitation does not constitute a significant data gap and did not affect the Environmental Professional's ability to identify RECs for the site.

8 CONCLUSIONS

Ninyo & Moore conducted a Phase I ESA on three parcels totaling approximately 64 acres located southwest of Blodgett Ranch Trail and West Woodmen Road in Colorado Springs, Colorado. Historical research, document review, and site assessment activities were conducted between May 24, 2018 and June 22, 2018.

In general, the following items were noted:

- Review of historical resources indicated the site was vacant, undeveloped land from at least 1937. In the late 1980s, trail systems were depicted across the site. The current barn near the east boundary of the site was first depicted in the early 2000s. A small structure was depicted in the location of the current cell tower building in the early 2000s. The current cell tower building was first depicted in mid 2000s. The vicinity of the site was depicted as vacant, undeveloped land from as early as 1937. Residential development was depicted to the south of the site in the late 1980s and to the north of the site in the late 1990s. Pikeview Quarry to the southwest of the site was depicted in historical topographic maps beginning in 1948.
- On May 31, 2018, Ms. Cara Jacobs, Project Environmental Scientist with Ninyo & Moore, conducted a site reconnaissance. The reconnaissance involved visual observation of the site and adjoining properties. Ms. Jacobs was accompanied by Mr. Justin Spring, Colorado Director of Land Protection with The Trust for Public Land, during the site reconnaissance.
- Hazardous substances and/or petroleum products were not observed on or adjacent to the site during the site reconnaissance.
- Indications of on-site USTs or ASTs were not observed during the site reconnaissance. No record of on-site USTs or ASTs was present in regulatory files.
- Municipal sewer and water services are provided to the site and vicinity by Colorado Springs Utilities.
- Based on a review of the environmental database report obtained from EDR, the site was not listed in the searched databases.
- Two off-site facilities, Pikeview Quarry and Moonlight Hills (surface mine), were located within the EDR search radius from the site. The facilities were listed on the LAST, LUST TRUST, LTANKS, and MINES databases. Based on groundwater gradient in the area and the location of these facilities, they are not considered RECs to the site.
- An environmental lien or activity and use limitations search was not provided or requested by the Client for this Phase I ESA. Ninyo & Moore did search the Colorado Department of Public Health and Environment Environmental Covenants and Use Restrictions website for the site addresses, and the site was not listed.

Ninyo & Moore has performed this Phase I ESA in general conformance with the scope and limitations of ASTM Practice E 1527-13 on the site located southwest of Blodgett Ranch Trail and West Woodmen Road in Colorado Springs, Colorado. Any exceptions to, or deletions from, this practice are described in Section 10 of this report.

This assessment has revealed no RECs in connection with the site.

9 RECOMMENDATIONS

Based on the findings of this report, Ninyo & Moore recommends no further investigation at the site at this time.

In the event the proposed development plan changes to include residential or school use, specifically in the 11-acre area previously treated with pesticides/herbicides, soil sampling should be conducted. Soil samples collected should be laboratory analyzed to insure no residual impacts remain in shallow soils from pesticide/herbicide application.

10 LIMITING CONDITIONS/DEVIATIONS

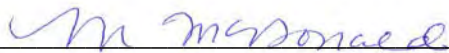
This report was prepared in accordance with ASTM E1527-13. No deviations from the standard occurred in this ESA. Based on the information gathered by Ninyo & Moore for the purposes of this ESA, it is Ninyo & Moore's opinion the data obtained from the site reconnaissance, records reviewed, and interviews conducted, is adequate to make a conclusion on the environmental condition of the site with respect to the existence or lack of RECs associated with the site.

11 REFERENCES

- ASTM International, 2013, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, Designation E-1527-13.
- Colorado Department of Public Health and Environment (CDPHE), Website, 2018, <http://www.colorado.gov/pacific/cdphe/hmcovenants>.
- Colorado Storage Tank Information System (COSTIS) Website, 2018, <http://costis.cdle.state.co.us/ois2000/home.asp>.
- Communication Services, Inc., 2006, Phase I Environmental Site Assessment, DN03588D – Blodgett Ranch Barn, 4098 West Woodmen Road, Colorado Springs, Colorado 80919, dated June 21.
- CTL Thompson, 2007, Soils and Foundation Investigation, 2710 Blodgett Ranch Trail, Lot 5, Blodgett Ranch, Colorado Springs, Colorado, dated May 10.
- Environmental Data Resources, Inc., 2018, Certified Sanborn® Map Report, dated May 30.
- Environmental Data Resources, Inc., 2018, The EDR Aerial Photo Decade Package, dated May 31.
- Environmental Data Resources, Inc., 2018, The EDR-City Directory Image Report, dated May 30.
- Environmental Data Resources, Inc., 2018, EDR Historical Topo Map Report, dated May 30.
- Environmental Data Resources, Inc., 2018, The EDR Radius Map™ Report with GeoCheck®, dated May 30.
- JR Engineering, 2004, Preliminary/Final Drainage Report for Blodgett Ranch Estates, Filing Nos. 1,2,3 & 4, dated April 2002, revised December 2004.
- Trimble, Donald E., 1980, The Geologic Story of the Great Plains, Geological Survey Bulletin 1493.
- United States Environmental Protection Agency, 2006, Innocent Landowner, Standards for Conducting All Appropriate Inquiries, 40 CFR Part 312.
- United States Geological Survey, 2013, Cascade, Colorado Quadrangle: 7.5-minute Series (Topographic).

12 ENVIRONMENTAL PROFESSIONAL STATEMENT

I declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined by §312.10 of 40 CFR 312. I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.



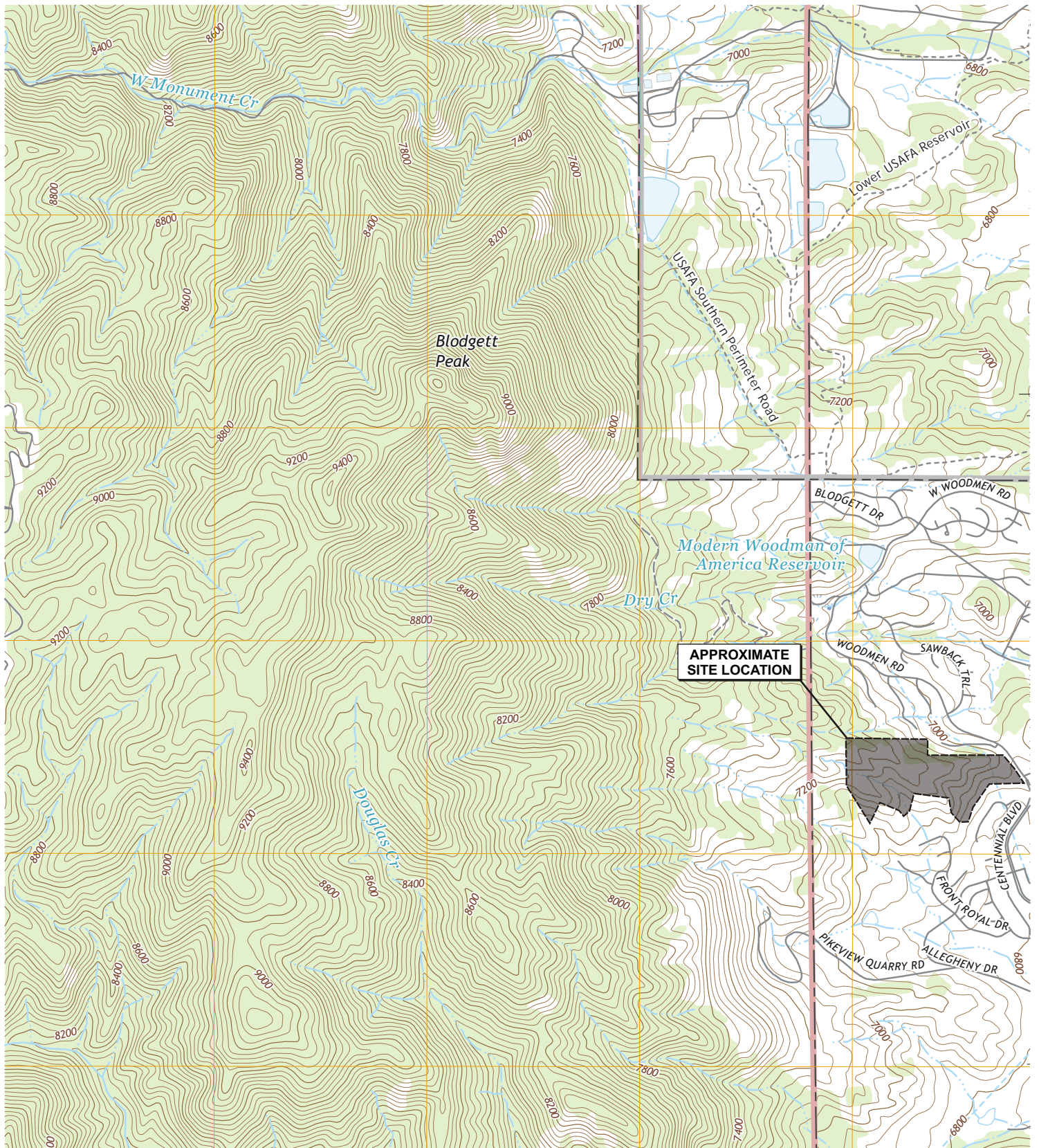
Beth McDonald, PE, PG
Principal Engineer

June 22, 2018

Date



FIGURES



Source: US Geological Survey 7.5-minute topographic map, Cascade, Colorado, 2016.



0 2000
Approximate Scale in Feet

Note: Dimensions, directions and locations are approximate.

FIGURE 1

SITE LOCATION

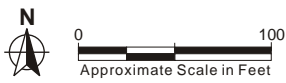
PHASE I ENVIRONMENTAL SITE ASSESSMENT
 BLODGETT PEAK ADDITION
 SOUTHWEST OF BLODGETT RANCH TRAIL AND WEST WOODMAN ROAD
 COLORADO SPRINGS, COLORADO



APPROXIMATE
SITE BOUNDARY

LEGEND	
T	Pad-mounted Transformer
1	Pike National Forest
2	Pikeview Quarry
3	Residential
4	Cell Tower
5	Barn
6	Shed

Source: NAVTEQ, 06/09/17.



Note: Dimensions, directions and locations are approximate.

bsm file no: 1506sp0618

APPENDIX A

Resumes

Beth McDonald, PE, PG

Principal Engineer



EDUCATION

B.S.C., Geological Engineering, 1998,
Colorado School of Mines

REGISTRATIONS/ CERTIFICATIONS

PE 38487 (Colorado)
PG 2042 (Arkansas)
PG 3502 (Wyoming)
OSHA 40-Hour Health & Safety Training
OSHA 8-Hour Refresher Training
Class D Industrial Wastewater Operator
& Certified Water Professional

EXPERIENCE HIGHLIGHTS

Groundwater and Soil Remediation
System Design, Installation, Operation
and Maintenance
Phase I and II ESAs and LSAs
Dewatering Projects and Permitting
Pump Test Design, Installation,
Operation and Maintenance, Data
Analysis and Reporting
Computer modeling and mapping of
geology, soil and groundwater chemistry,
capture zone and slope stability
Data management of geological, soil and
groundwater chemistry, groundwater
elevation and flow, geotechnical and
boring log data, utility location and
relocations
Agency coordination for environmental
and engineering projects

Beth McDonald is a Registered Professional Engineer in the state of Colorado, and a Registered Professional Geologist in the states of Wyoming and Arkansas. Ms. McDonald possesses professional experience in the environmental and geotechnical engineering and hydrogeological fields. She serves as Principal Engineer conducting hydrogeological and geotechnical investigations, aquifer testing, and groundwater and soil sampling.

EXPERIENCE

Le Mouton Noir Business Park/Mid-America Plating, Phased Environmental Site Assessment, 4875-4877 Packing House Road, National Western Center (NWC) Redevelopment Area, Denver, Colorado: Senior Engineer and Project Manager for environmental services for environmental site assessments conducted and currently ongoing. The site is located within the NWC, was constructed in the 1920s and has been occupied by a plating operation since mid-1980s. The assessment to date has included preparation of a Phase I ESA, scope of work planning in anticipation of inclusion in the CDPHE RCRA Corrective Action Program (CAP), coordination with a subconsultant firm with extensive experience remediating plating operations, meeting with the CDPHE RCRA CAP unit leader, development of location specific contaminant-of-concern (COC) lists, researching 3D scanning scope of services for surveying the plating operations, and coordination of off-site field sampling. This project schedule is dependent upon CCoD acquisition by eminent domain and accessibility.

University Developments, 2400 Block of South University Boulevard, Denver, Colorado: Senior Engineer and Project Manager for environmental engineering and consulting services during the redevelopment of an urban infill project in Denver with two known areas with petroleum impacts to soil and groundwater. Ms. McDonald conducted Phase I and II ESAs and prepared applications to the CDLE Petroleum Clean-up and Redevelopment Fund and the CDPHE Voluntary Cleanup Program (VCUP). Services include materials management oversight and emergency response when environmental issues were discovered, soil profiling for off-site disposal, construction dewatering monitoring and permit compliance. This project has benefited from participation in two state agency funds to assist with clean-up costs for soil and groundwater.

National Western Center Redevelopment Area, City and County of Denver, Colorado: Senior Engineer and Project Manager for numerous projects across the NWC, including Phase I ESAs, Phase II ESAs, sampling and analysis plan (SAP) preparation, groundwater surveys, monitoring well permitting, materials management plan preparation, and environmental consulting services for the CCoD. The NWC redevelopment includes property acquisitions by conventional means and eminent domain, industrial and agricultural uses since the late 1800s, numerous identified and unidentified environmental issues including an off-site sourced, tetrachloroethylene (PCE) plume; buried building and factory debris; abandoned petroleum and hazardous material underground storage tanks (USTs); current industrial uses; historical urban fill areas; and methane soil gas.

Cara E. Jacobs

Project Environmental Scientist

YEARS OF EXPERIENCE

Total Years of Experience: 5

Years with Ninyo & Moore: 5

EDUCATION

B.S., Geography – Resource and Environmental Studies, 2012, Texas State University

B.A., Journalism, 2008, Pennsylvania State University

REGISTRATIONS AND CERTIFICATIONS

OSHA 40-Hour Health & Safety Training

OSHA 8-Hour Refresher Training

NOLS Wilderness First Aid Training

EXPERIENCE HIGHLIGHTS

Brownfields Assessments

Phase I ESAs

Phase II ESAs

Wildlife Surveys

Construction Dewatering Monitoring

Categorical Exclusions

Ms. Jacobs' primary role as Project Environmental Scientist for the Denver office is providing support for the day-to-day operations including planning, and execution of all projects assigned. Ms. Jacobs coordinates and conducts Phase I Environmental Site Assessments (ESAs) and wildlife surveys, and assists with Phase II ESAs.

Ms. Jacobs' education includes energy resource management, physical geography, water resources, natural resource use and management, environmental management, land use planning, urban geography, geographic information systems (GIS), and reporting methods. She has performed preliminary assessment/site investigations, Phase I ESAs, Phase II ESAs, environmental drilling, soil and water sample collecting, construction dewatering monitoring, air monitoring, and wildlife surveys.

EXPERIENCE

South Platte RiverPlace Initiative Brownfields Assessment project, STEAM on the Platte Redevelopment, 1400 Zuni Street, Denver, Colorado: Ms. Jacobs assisted with a geophysical survey to locate previously unidentified petroleum underground storage tanks (USTs) discovered on historical Sanborn maps.

Market Street Phase I and Phase II ESAs, Denver, Colorado: Ms. Jacobs conducted an ASTM E1527-13 compliant Phase I ESA for a potential acquisition for a local redevelopment company. Filling station and drycleaner facilities were previously located on and adjacent to the site. The site was also located in an area known to contain coal-based fill in the subsurface. A Limited Phase II ESA was conducted, and Ms. Jacobs provided drilling oversight, conducted soil and groundwater sampling, and assisted with report preparation.

McDonald Farm Enterprises, Inc., Denver, Colorado: Ms. Jacobs assisted with soil and groundwater sample collection for a Phase II ESA on a site occupied by an approximately 22,921 square foot industrial wastewater and used cooking oil treatment facility. Three diesel USTs were removed from the site prior to 1999 and listed on the Leaking Underground Storage Tank (LUST) database. Two of the USTs were reported as unregulated and no assessment was conducted for soil and groundwater. The regulated UST was removed prior to 1999 and may not have been fully characterized. Additionally, historical industrial and railroad activity in the vicinity of the site may have had an impact on the site. Seven soil borings were advanced at the site. One-inch temporary groundwater monitoring wells were installed in the deeper borings.

4747 Packing House Road, Denver, Colorado: Ms. Jacobs assisted with soil and groundwater sample collection for a Phase II ESA on a site occupied by an approximately 16,892 square foot industrial warehouse. Ten soil borings were advanced to assess impacts from two gas tanks discovered on historical Sanborn maps, a brick-lined vault described as an "oil wash-out" basin, a concrete pad that appeared to be a vault access or a former dispenser island, an obsolete transformer, and multiple rusted 55-gallon drums on the property.

Peninsula Boulevard, Jacintoport Boulevard, and Sheldon Road Widening, Houston, Texas: The project consisted of the widening of three roadways and outfall drainage. Ms. Jacobs conducted a Texas Department of Transportation (TxDOT) Categorical Exclusion (CE) that included a Scope Development Tool, a Project Scoping Form, a Biological Evaluation Form, and a Hazardous Materials Initial Site Assessment. A Traffic Noise Analysis was also included as part of the CE, per TxDOT guidelines. The project included a Wetland Delineation with U.S. Army Corps of Engineers (USACE) verification, a Cultural Resources Survey for submittal to the Texas Historical Commission (THC), and a Threatened and Endangered Species Survey.



APPENDIX B

Assessor's Information and Questionnaires



Public Record Property Information

[Property Search](#)

[Parcel Map](#)
[Print Data](#)
[City Zoning](#)
[On-Line Appeals](#)

[Map Sheet 73000.tif](#)

[Recent Sales Database](#)

Personal Information

Schedule No: 7300000481
 Owner Name: T SLATTERY LLC ▼
 Location: 03-13-67 ▼
 Mailing Address: 35 MARTIN LN
 ENGLEWOOD CO 80113-4826

Legal Description

TR IN SW4 SEC 3-13-67 DESC AS FOLS: BEG AT SWLY COR OF MAHOGANY VALE AT PEREGRINE FIL NO 2, TH S 89<50'13" E ON SLY BDRY LN OF SD SUB 436.42 FT, S 00<00'00" E 941.05 FT, S 27<43'47" W 304.14 FT,

Plat No: 0

Market Information (2018 Values)

Levy Year: 2017 Mill Levy: 69.494 Exempt Status: Not Exempt

Table	Use Code	2018 Market Value	2018 Assessed Value	Exempt
Land	VACANT LAND = 10 AND < 35 ACRES	76379	22150	
	Total Value \$	76379	22150	

Estimated Taxes Payable in 2019: \$1,539.29

Tax Entity and Levy Information [County Treasurer Tax Information](#)

(District: FBY)

Taxing Entity	Contact Name	Contact Phone



Assessor:
Steve Schleiker

Location:
1675 W. Garden of the Gods Rd
Suite 2300
Colorado Springs, CO 80907

Telephone:
(719) 520-6600

Fax Number:
(719) 520-6635

Hours:
8:00 AM - 5:00 PM
Monday - Friday
Offices closed:
Saturday - Sunday, weekly

Send any concerns or comments to:
asrweb@elpasoco.com



EL PASO COUNTY	FINANCIAL SERVICES	(719) 520-6498
EPC ROAD & BRIDGE SHARE		(719) 520-6498
CITY OF COLORADO SPRINGS	CITY OF CS-CFO	(719) 385-5224
EPC-COLORADO SPGS ROAD & BRIDGE SHARE		(719) 520-6498
COLO SPGS SCHOOL NO 11	GLENN GUSTAFSON	(719) 520-2010
PIKES PEAK LIBRARY	MIKE VARNET	(719) 531-6333
SOUTHEASTERN COLO WATER CONSERVANCY	JAMES BRODERICK	(719) 948-2400
EL PASO COUNTY CONSERVATION	PAMELA DAVISON	(719) 632-9598

Sale Information

(Click on the row for further information)

Sale Date	Sale Price	Sale Type
04/09/2003	0	-
04/09/2003	0	-
01/04/2011	0	-

Land Information

Seq #	Use	Exempt	Area
1	VACANT LAND = 10 AND < 35 ACRES		30.43 acres

Residential Information

None

Commercial Information

None

We have made a good-faith effort to provide you with the most recent and most accurate information available. However, if you need to use this information in any legal or official venue, you will need to obtain official copies from the Assessor's Office. Do be aware that

this data is subject to change on a daily basis. If you believe that any of this information is incorrect, please call us at (719) 520-6600.



Public Record Property Information

[Property Search](#)

[Parcel Map](#)
[Print Data](#)
[City Zoning](#)
[On-Line Appeals](#)

[Map Sheet 73000.tif](#)

[Photo 7300000483.jpg](#)

[Sketch 7300000483.pdf](#)

[Recent Sales Database](#)

Personal Information

Schedule No: 7300000483
 Owner Name: T SLATTERY LLC ▼
 Location: W WOODMEN RD ▼
 Mailing Address: 35 MARTIN LN
 ENGLEWOOD CO 80113-4826

Legal Description

TR IN SW4SE4 & SW4 SEC 3-13-67 DESC AS FOLS:
 BEG AT SWLY COR OF MAHOGANY VALE AT PEREGRINE FIL NO 3,
 TH S 89<50'13" E ON SLY BDRY LN OF SD SUB 64.48 FT,
 S 00<10'17" W 243.92 FT, S 90<00'00" E 1028.56 FT,

Plat No: 0

Market Information (2018 Values)

Levy Year: 2017 Mill Levy: 69.494 Exempt Status: Not Exempt

Table	Use Code	2018 Market Value	2018 Assessed Value	Exempt
Land	VACANT LAND = 10 AND < 35 ACRES	27443	7960	
Imp	MINOR STRUCTURES VACANT LAND	3731	1080	
Imp	MINOR STRUCTURES VACANT LAND	847	250	
	Total Value \$	32021	9290	

Estimated Taxes Payable in 2019: \$645.60

Tax Entity and Levy Information [County Treasurer Tax Information](#)



Assessor:
Steve Schleiker

Location:
1675 W. Garden of the Gods Rd
Suite 2300
Colorado Springs, CO 80907

Telephone:
(719) 520-6600

Fax Number:
(719) 520-6635

Hours:
8:00 AM - 5:00 PM
Monday - Friday
Offices closed:
Saturday - Sunday, weekly

Send any concerns or comments to:
asrweb@elpasoco.com



(District: FBY)

Taxing Entity	Contact Name	Contact Phone
EL PASO COUNTY	FINANCIAL SERVICES	(719) 520-6498
EPC ROAD & BRIDGE SHARE		(719) 520-6498
CITY OF COLORADO SPRINGS	CITY OF CS-CFO	(719) 385-5224
EPC-COLORADO SPGS ROAD & BRIDGE SHARE		(719) 520-6498
COLO SPGS SCHOOL NO 11	GLENN GUSTAFSON	(719) 520-2010
PIKES PEAK LIBRARY	MIKE VARNET	(719) 531-6333
SOUTHEASTERN COLO WATER CONSERVANCY	JAMES BRODERICK	(719) 948-2400
EL PASO COUNTY CONSERVATION	PAMELA DAVISON	(719) 632-9598

Sale Information

(Click on the row for further information)

Sale Date	Sale Price	Sale Type
01/04/2011	0	:

Land Information

Seq #	Use	Exempt	Area
1	VACANT LAND = 10 AND < 35 ACRS		10.89 acres

Residential Information

None

Commercial Information

(Click on the row for further information)

Bldg #	Admin Code	Year Built	Neigh #	Area
1	MINOR STRUCTURES VACANT LAND	2001	70	864
2	MINOR STRUCTURES VACANT	2001	70	320

LAND				
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Public Record Property Information

[Property Search](#)

[Parcel Map](#)
[Print Data](#)
[City Zoning](#)
[On-Line Appeals](#)

[Map Sheet 73000.tif](#)

[Recent Sales Database](#)

Personal Information

Schedule No: 7300000484
 Owner Name: T SLATTERY LLC ▼
 Location: 2905 BLODGETT MOUNTAIN HTS ▼
 Mailing Address: 35 MARTIN LN
 ENGLEWOOD CO 80113-4826

Legal Description

TR IN SW4 SEC 3-13-67 DESC AS FOLS: BEG AT NWLY COR OF TRACT A OAK VALLEY RANCH FIL NO 6, TH ON WLY BDRY LN OF SD TRACT A S 39<55'48" W 381.43 FT, S 21<54'04" W 410.57 FT TO NWLY COR OF TRACT B OAK VALLEY RANCH FIL

Plat No: 0

Market Information (2018 Values)

Levy Year: 2017 Mill Levy: 69.494 Exempt Status: Not Exempt

Table	Use Code	2018 Market Value	2018 Assessed Value	Exempt
Land	VACANT LAND = 10 AND < 35 ACRES	57027	16540	
	Total Value \$	57027	16540	

Estimated Taxes Payable in 2019: \$1,149.43

Tax Entity and Levy Information [County Treasurer Tax Information](#)

(District: FBY)

Taxing Entity	Contact Name	Contact Phone



Assessor:
Steve Schleiker

Location:
1675 W. Garden of the Gods Rd
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EL PASO COUNTY	FINANCIAL SERVICES	(719) 520-6498
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COLO SPGS SCHOOL NO 11	GLENN GUSTAFSON	(719) 520-2010
PIKES PEAK LIBRARY	MIKE VARNET	(719) 531-6333
SOUTHEASTERN COLO WATER CONSERVANCY	JAMES BRODERICK	(719) 948-2400
EL PASO COUNTY CONSERVATION	PAMELA DAVISON	(719) 632-9598

Sale Information

(Click on the row for further information)

Sale Date	Sale Price	Sale Type
04/09/2003	0	=
04/09/2003	0	=
01/04/2011	0	=

Land Information

Seq #	Use	Exempt	Area
1	VACANT LAND = 10 AND < 35 ACRES		22.72 acres

Residential Information

None

Commercial Information

None

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this data is subject to change on a daily basis. If you believe that any of this information is incorrect, please call us at (719) 520-6600.

**PHASE I ESA
USER
QUESTIONNAIRE**

Property Name/Address:

Please respond to all of the following questions to the best of your knowledge. The purpose of this questionnaire is to assist the user (the client or party seeking to use the Phase I ESA) and the environmental professional in gathering information from the user that may be material to documenting Recognized Environmental Conditions (RECs) at the site. Please note that the user of the Phase I ESA (the client), if seeking protection from CERCLA liability, must adhere to a set of user responsibilities as defined by the American Society for Testing and Materials (ASTM) Standard Practice E1527-13 and the United States Environmental Protection Agency (EPA) 40 Code of Federal Regulations Part 312 titled "Standards and Practices for all Appropriate Inquiries (AAI)". Failure to provide this information could result in a determination that AAI is not complete.

Per Section 6 of ASTM Standard E1527-13 and 40 CFR Part 312 of the AAI rule, the user's responsibilities include, but are not limited to, the following:

- review reasonably ascertainable land title records, lien records, and/or judicial records to search for environmental cleanup liens or activity and use limitations (AULs) against the site filed or recorded under federal, tribal, state, or local law, or engage a title company to review such records. Evidence of environmental liens and/or activity and use limitations on the site, if discovered, must be provided to the environmental consultant;
- report to the environmental professional specialized knowledge or experience material to RECs in connection with the property;
- report to the environmental professional knowledge of environmental liens or AULs encumbering or in connection with the property;
- consider the relationship of the purchase price of the property to its fair market value and whether a lower purchase price is related to potential contamination;
- report to the environmental professional commonly known or reasonably ascertainable information material to RECs; and
- report to the environmental professional the reason for conducting the Phase I ESA.

User responsibilities, CERCLA liability relief, and AAI components are discussed in the AAI rule and in the ASTM E1527-05 standard.

1) Environmental cleanup liens that are filed or recorded against the site (40 CFR 312.25).

1a. Have you conducted a search for environmental cleanup liens that are filed or recorded under federal, tribal, state or local law?

Yes No If yes, please describe:

1b. Are you aware of any environmental cleanup liens against the property that are filed or recorded under federal, tribal, state or local law?

Yes No If yes, please describe:

2) Activity and land use limitations (AULs) that are in place on the site or that have been filed or recorded in a registry.

2a. Have you conducted a search for the existence of AULs, such as engineering controls, land use restrictions or institutional controls, that have been filed or recorded in a registry under federal, tribal, state or local law?

Yes No If yes, please describe:

2b. Are you aware of any AULs that are in place at the site and/or have been filed or recorded in a registry under federal, tribal, state or local law?

Yes No If yes, please describe:

3) Specialized knowledge or experience of the person seeking to qualify for the liability protections (40 CFR 312.28).

As the user of this Phase I ESA do you have any specialized knowledge or experience related to the property or nearby properties? For example, are you involved in the same line of business as the current or former occupants of the property or an adjoining property so that you would have specialized knowledge of the chemicals and processes used by this type of business?

Yes No If yes, please describe:

4) Relationship of the purchase price to the fair market value of the property if it were not contaminated (40 CFR 312.29).

4a. Does the purchase price being paid for this property reasonably reflect the fair market value of the property?

Yes No Not applicable (No Property Purchase Involved)

4b. If you conclude that there is a difference, have you considered whether the lower purchase price is because contamination is known or believed to be present at the property?

Yes No If yes, please describe:

5) Commonly known or reasonably ascertainable information about the property (40 CFA 312.30).

Are you aware of commonly known or reasonably ascertainable information about the property that would help the environmental professional to identify conditions indicative of releases or threatened releases? For example, as the user,

a) Do you know the past uses of the property?

Yes No If yes, please describe:

b) Do you know of specific chemicals that are present or once were present at the property?

Yes No If yes, please describe:

c) Do you know of spills or other chemical releases that have taken place at the property?

Yes No If yes, please describe:

d) Do you know of any environmental cleanups that have taken place at the property?

Yes No If yes, please describe:

6) The degree of obviousness of the presence of likely presence of contamination at the property, and the ability to detect the contamination by appropriate investigation (40 CFR 312.31).

As the user of this ESA, based on your knowledge and experience related to the property are there any obvious indicators that point to the presence or likely presence of contamination at the property?

Yes No If yes, please describe:

7) What is the reason for having the Phase I ESA performed (ASTM 1527-13, Section 6.7)?

8) Are you aware of any previously prepared documentation for the site, such as:

- previous Phase I ESA or Phase II ESA reports
- environmental sampling, compliance audit, or assessment reports
- environmental permits
- registrations for aboveground or underground storage tanks
- registrations for underground injections systems
- material safety data sheets (MSDS)
- community right-to-know plans,
- safety plans; preparedness and prevention plans; spill prevention, countermeasure, and control plans
- geotechnical or hydrogeologic reports
- storm water documents
- risk assessments
- hazardous waste generator notices

Yes No If yes, please describe:

Completed By:

Signature

Date

Printed Name

Title

Company



APPENDIX C

Environmental Data Resources Radius Report

Blodgett Peak Addition

SW of Blodgett Ranch Trail & West Woodmen Road
Colorado Springs, CO 80919

Inquiry Number: 5316533.2s
May 30, 2018

The EDR Radius Map™ Report with GeoCheck®



6 Armstrong Road, 4th floor
Shelton, CT 06484
Toll Free: 800.352.0050
www.edrnet.com

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
Executive Summary	ES1
Overview Map	2
Detail Map	3
Map Findings Summary	4
Map Findings	8
Orphan Summary	12
Government Records Searched/Data Currency Tracking	GR-1
 <u>GEOCHECK ADDENDUM</u>	
Physical Setting Source Addendum	A-1
Physical Setting Source Summary	A-2
Physical Setting SSURGO Soil Map	A-5
Physical Setting Source Map	A-11
Physical Setting Source Map Findings	A-13
Physical Setting Source Records Searched	PSGR-1

Thank you for your business.
Please contact EDR at 1-800-352-0050
with any questions or comments.

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EXECUTIVE SUMMARY

A search of available environmental records was conducted by Environmental Data Resources, Inc (EDR). The report was designed to assist parties seeking to meet the search requirements of EPA's Standards and Practices for All Appropriate Inquiries (40 CFR Part 312), the ASTM Standard Practice for Environmental Site Assessments (E 1527-13), the ASTM Standard Practice for Environmental Site Assessments for Forestland or Rural Property (E 2247-16), the ASTM Standard Practice for Limited Environmental Due Diligence: Transaction Screen Process (E 1528-14) or custom requirements developed for the evaluation of environmental risk associated with a parcel of real estate.

TARGET PROPERTY INFORMATION

ADDRESS

SW OF BLODGETT RANCH TRAIL & WEST WOODMEN ROAD
COLORADO SPRINGS, CO 80919

COORDINATES

Latitude (North): 38.9423300 - 38° 56' 32.38"
Longitude (West): 104.8813840 - 104° 52' 52.98"
Universal Transverse Mercator: Zone 13
UTM X (Meters): 510279.8
UTM Y (Meters): 4310176.0
Elevation: 7175 ft. above sea level

USGS TOPOGRAPHIC MAP ASSOCIATED WITH TARGET PROPERTY

Target Property Map: 5960198 CASCADE, CO
Version Date: 2013

East Map: 5959388 PIKEVIEW, CO
Version Date: 2013

AERIAL PHOTOGRAPHY IN THIS REPORT

Portions of Photo from: 20150909
Source: USDA

MAPPED SITES SUMMARY

Target Property Address:
 SW OF BLODGETT RANCH TRAIL & WEST WOODMEN ROAD
 COLORADO SPRINGS, CO 80919

Click on Map ID to see full detail.

MAP ID	SITE NAME	ADDRESS	DATABASE ACRONYMS	RELATIVE ELEVATION	DIST (ft. & mi.) DIRECTION
Reg	UNITED STATES AIR FO		DOD	Same	3154, 0.597, North
1	MOONLIGHT HILLS		MINES	Lower	1057, 0.200, ENE
2	PIKEVIEW QUARRY	7250 ALLEGHENY DR	LAST, LUST TRUST, AIRS, LTANKS	Lower	2219, 0.420, SSW

EXECUTIVE SUMMARY

TARGET PROPERTY SEARCH RESULTS

The target property was not listed in any of the databases searched by EDR.

DATABASES WITH NO MAPPED SITES

No mapped sites were found in EDR's search of available ("reasonably ascertainable ") government records either on the target property or within the search radius around the target property for the following databases:

STANDARD ENVIRONMENTAL RECORDS

Federal NPL site list

NPL..... National Priority List
Proposed NPL..... Proposed National Priority List Sites
NPL LIENS..... Federal Superfund Liens

Federal Delisted NPL site list

Delisted NPL..... National Priority List Deletions

Federal CERCLIS list

FEDERAL FACILITY..... Federal Facility Site Information listing
SEMS..... Superfund Enterprise Management System

Federal CERCLIS NFRAP site list

SEMS-ARCHIVE..... Superfund Enterprise Management System Archive

Federal RCRA CORRACTS facilities list

CORRACTS..... Corrective Action Report

Federal RCRA non-CORRACTS TSD facilities list

RCRA-TSDF..... RCRA - Treatment, Storage and Disposal

Federal RCRA generators list

RCRA-LQG..... RCRA - Large Quantity Generators
RCRA-SQG..... RCRA - Small Quantity Generators
RCRA-CESQG..... RCRA - Conditionally Exempt Small Quantity Generator

Federal institutional controls / engineering controls registries

LUCIS..... Land Use Control Information System
US ENG CONTROLS..... Engineering Controls Sites List

EXECUTIVE SUMMARY

US INST CONTROL..... Sites with Institutional Controls

Federal ERNS list

ERNS..... Emergency Response Notification System

State- and tribal - equivalent CERCLIS

SHWS..... This state does not maintain a SHWS list. See the Federal CERCLIS list and Federal NPL list.

State and tribal landfill and/or solid waste disposal site lists

SWF/LF..... Solid Waste Sites & Facilities

State and tribal leaking storage tank lists

LUST..... Leaking Underground Storage Tank List
INDIAN LUST..... Leaking Underground Storage Tanks on Indian Land

State and tribal registered storage tank lists

FEMA UST..... Underground Storage Tank Listing
UST..... Underground Storage Tank Database
AST..... Aboveground Tank List
INDIAN UST..... Underground Storage Tanks on Indian Land

State and tribal institutional control / engineering control registries

AUL..... Environmental Covenants and Environmental Use Restrictions List

State and tribal voluntary cleanup sites

VCP..... Voluntary Cleanup & Redevelopment Act Application Tracking Report
INDIAN VCP..... Voluntary Cleanup Priority Listing

State and tribal Brownfields sites

BROWNFIELDS..... Brownfields Sites Listing

ADDITIONAL ENVIRONMENTAL RECORDS

Local Brownfield lists

US BROWNFIELDS..... A Listing of Brownfields Sites

Local Lists of Landfill / Solid Waste Disposal Sites

HIST LF..... Historical Landfill List
SWRCY..... Registered Recyclers Listing
INDIAN ODI..... Report on the Status of Open Dumps on Indian Lands
DEBRIS REGION 9..... Torres Martinez Reservation Illegal Dump Site Locations
ODI..... Open Dump Inventory
IHS OPEN DUMPS..... Open Dumps on Indian Land

EXECUTIVE SUMMARY

Local Lists of Hazardous waste / Contaminated Sites

US HIST CDL..... Delisted National Clandestine Laboratory Register
CDL..... Meth Lab Locations
US CDL..... National Clandestine Laboratory Register

Local Land Records

LIENS 2..... CERCLA Lien Information

Records of Emergency Release Reports

HMIRS..... Hazardous Materials Information Reporting System
CO ERNS..... Spills Database
SPILLS 90..... SPILLS 90 data from FirstSearch

Other Ascertainable Records

RCRA NonGen / NLR..... RCRA - Non Generators / No Longer Regulated
FUDS..... Formerly Used Defense Sites
SCRD DRYCLEANERS..... State Coalition for Remediation of Drycleaners Listing
US FIN ASSUR..... Financial Assurance Information
EPA WATCH LIST..... EPA WATCH LIST
2020 COR ACTION..... 2020 Corrective Action Program List
TSCA..... Toxic Substances Control Act
TRIS..... Toxic Chemical Release Inventory System
SSTS..... Section 7 Tracking Systems
ROD..... Records Of Decision
RMP..... Risk Management Plans
RAATS..... RCRA Administrative Action Tracking System
PRP..... Potentially Responsible Parties
PADS..... PCB Activity Database System
ICIS..... Integrated Compliance Information System
FTTS..... FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
MLTS..... Material Licensing Tracking System
COAL ASH DOE..... Steam-Electric Plant Operation Data
COAL ASH EPA..... Coal Combustion Residues Surface Impoundments List
PCB TRANSFORMER..... PCB Transformer Registration Database
RADINFO..... Radiation Information Database
HIST FTTS..... FIFRA/TSCA Tracking System Administrative Case Listing
DOT OPS..... Incident and Accident Data
CONSENT..... Superfund (CERCLA) Consent Decrees
INDIAN RESERV..... Indian Reservations
FUSRAP..... Formerly Utilized Sites Remedial Action Program
UMTRA..... Uranium Mill Tailings Sites
LEAD SMELTERS..... Lead Smelter Sites
US AIRS..... Aerometric Information Retrieval System Facility Subsystem
US MINES..... Mines Master Index File
ABANDONED MINES..... Abandoned Mines
FINDS..... Facility Index System/Facility Registry System
ECHO..... Enforcement & Compliance History Information
DOCKET HWC..... Hazardous Waste Compliance Docket Listing
UXO..... Unexploded Ordnance Sites

EXECUTIVE SUMMARY

FUELS PROGRAM.....	EPA Fuels Program Registered Listing
AIRS.....	Permitted Facility & Emissions Listing
ASBESTOS.....	Asbestos Abatement & Demolition Projects
METHANE SITE.....	Methane Site Investigations - Jefferson County 1980
Methane Investigation.....	Methane Gas & Swamp Findings
DRYCLEANERS.....	Drycleaner Facilities
Financial Assurance.....	Financial Assurance Information Listing
LEAD.....	LEAD
NPDES.....	Permitted Facility Listing
UMTRA.....	Uranium Mill Tailings Sites

EDR HIGH RISK HISTORICAL RECORDS

EDR Exclusive Records

EDR MGP.....	EDR Proprietary Manufactured Gas Plants
EDR Hist Auto.....	EDR Exclusive Historical Auto Stations
EDR Hist Cleaner.....	EDR Exclusive Historical Cleaners

EDR RECOVERED GOVERNMENT ARCHIVES

Exclusive Recovered Govt. Archives

RGA LF.....	Recovered Government Archive Solid Waste Facilities List
RGA LUST.....	Recovered Government Archive Leaking Underground Storage Tank

SURROUNDING SITES: SEARCH RESULTS

Surrounding sites were identified in the following databases.

Elevations have been determined from the USGS Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified. Sites with an elevation equal to or higher than the target property have been differentiated below from sites with an elevation lower than the target property.

Page numbers and map identification numbers refer to the EDR Radius Map report where detailed data on individual sites can be reviewed.

Sites listed in ***bold italics*** are in multiple databases.

Unmappable (orphan) sites are not considered in the foregoing analysis.

STANDARD ENVIRONMENTAL RECORDS

State and tribal leaking storage tank lists

LAST: A listing of leaking aboveground storage tank sites.

A review of the LAST list, as provided by EDR, and dated 03/01/2018 has revealed that there is 1 LAST site within approximately 0.5 miles of the target property.

<u>Lower Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
<i>PIKEVIEW QUARRY</i>	<i>7250 ALLEGHENY DR</i>	<i>SSW 1/4 - 1/2 (0.420 mi.)</i>	<i>2</i>	<i>8</i>

EXECUTIVE SUMMARY

Event Id: 9233
Facility Id: 15298

LUST TRUST: Reimbursement application package. The 1989 Colorado General Assembly established Colorado's Petroleum Storage Tank Fund. The Fund reimburses eligible applicants for allowable costs incurred in cleaning up petroleum contamination from underground and aboveground petroleum storage tanks, as well as for third-party liability expenses. Remediation of contamination caused by railroad or aircraft fuel is not eligible for reimbursement. The Fund satisfies federal Environmental Protection Agency financial assurance requirements. Monies in the Fund come from various sources, predominantly the state environmental surcharge imposed on all petroleum products except railroad or aircraft fuel.

A review of the LUST TRUST list, as provided by EDR, and dated 03/27/2018 has revealed that there is 1 LUST TRUST site within approximately 0.5 miles of the target property.

<u>Lower Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
PIKEVIEW QUARRY Facility Id: 15298	7250 ALLEGHENY DR	SSW 1/4 - 1/2 (0.420 mi.)	2	8

LTANKS: Active and Closed OPS Petroleum Release Events in Colorado. Includes the OPS Open Event locations, but also shows locations of closed events (releases that have been issued a No Further Action determination).

A review of the LTANKS list, as provided by EDR, and dated 03/01/2018 has revealed that there is 1 LTANKS site within approximately 0.5 miles of the target property.

<u>Lower Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
PIKEVIEW QUARRY	7250 ALLEGHENY DR	SSW 1/4 - 1/2 (0.420 mi.)	2	8

ADDITIONAL ENVIRONMENTAL RECORDS

Other Ascertainable Records

DOD: Consists of federally owned or administered lands, administered by the Department of Defense, that have any area equal to or greater than 640 acres of the United States, Puerto Rico, and the U.S. Virgin Islands.

A review of the DOD list, as provided by EDR, and dated 12/31/2005 has revealed that there is 1 DOD site within approximately 1 mile of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
UNITED STATES AIR FO		N 1/2 - 1 (0.597 mi.)	0	8

EXECUTIVE SUMMARY

MINES: This dataset represents permitted mines in the State of Colorado

A review of the MINES list, as provided by EDR, and dated 11/20/2017 has revealed that there is 1 MINES site within approximately 0.25 miles of the target property.

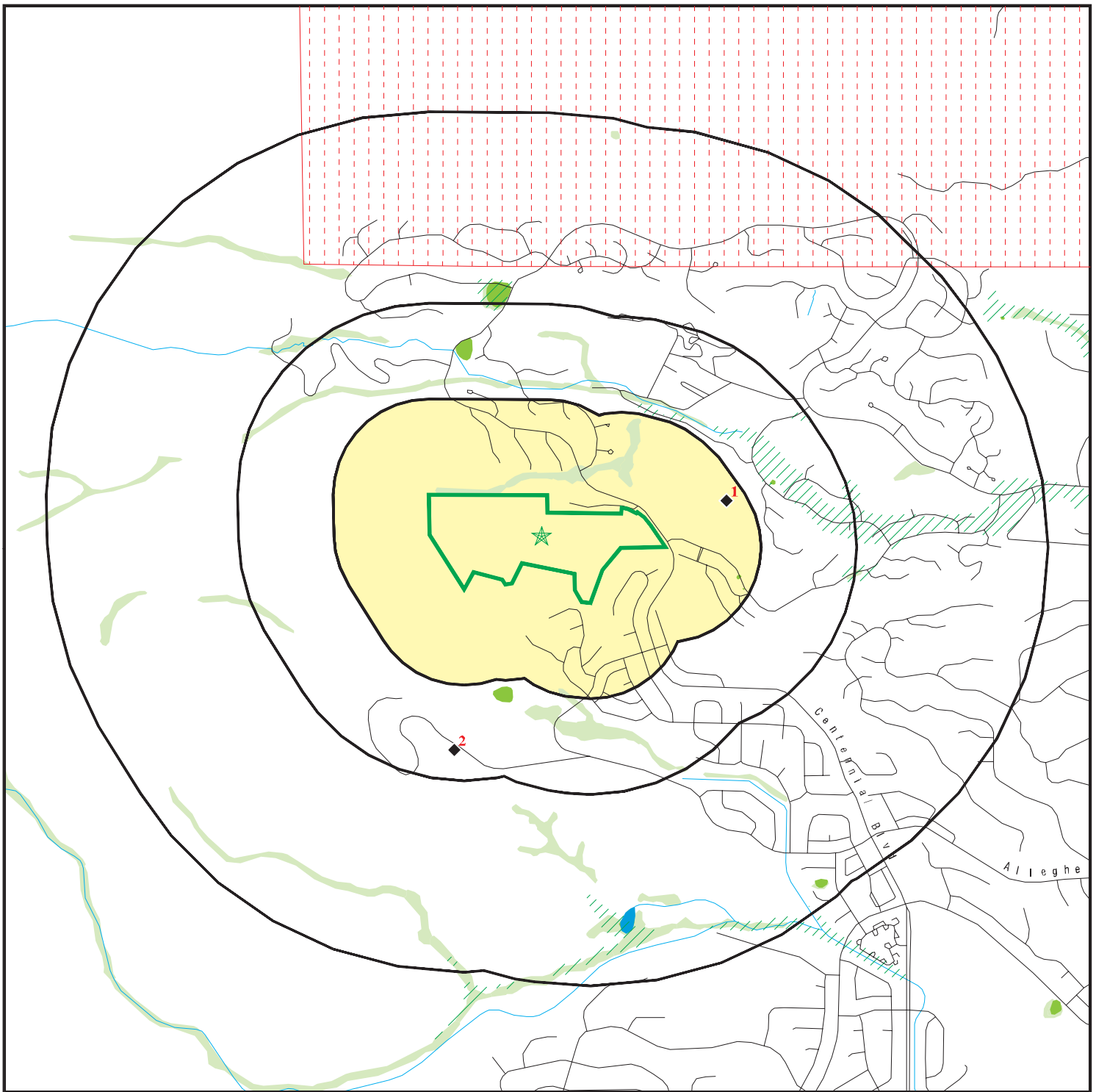
<u>Lower Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
MOONLIGHT HILLS Facility Id: M1988016		ENE 1/8 - 1/4 (0.200 mi.)	1	8

EXECUTIVE SUMMARY

Due to poor or inadequate address information, the following sites were not mapped. Count: 16 records.

<u>Site Name</u>	<u>Database(s)</u>
	CDL, CO ERNS
	CDL, CO ERNS
	CDL, CO ERNS
	CDL, CO ERNS
	VCP
	VCP
	VCP
	VCP
	VCP
	VCP
	VCP
	VCP
	VCP
	VCP
	VCP
	VCP
	VCP
CORDES AND COMPANY	
WOODLAND STATION PROPERTY	
MESA VALLEY SPRINGS	
GOLD HILL MESA FILING #6	
GOLD HILL MESA/FOUNTAIN CRK	
GOLD HILL MESA - SW CORNER	
MIDLAND GREENS, LOT 5 II	
MIDLAND GREENS ('OLD MILL')	
GOLD HILL MESA: FILING 2	
GOLD HILL MESA FILINGS 3&7	
FALCON HIGH SCHOOL #3	
VAN BUREN STREET EXTENSION II	

OVERVIEW MAP - 5316533.2S



Target Property

Sites at elevations higher than or equal to the target property

Sites at elevations lower than the target property

Manufactured Gas Plants

National Priority List Sites

Dept. Defense Sites



Indian Reservations BIA

100-year flood zone

500-year flood zone

National Wetland Inventory

State Wetlands

Upgradient Area

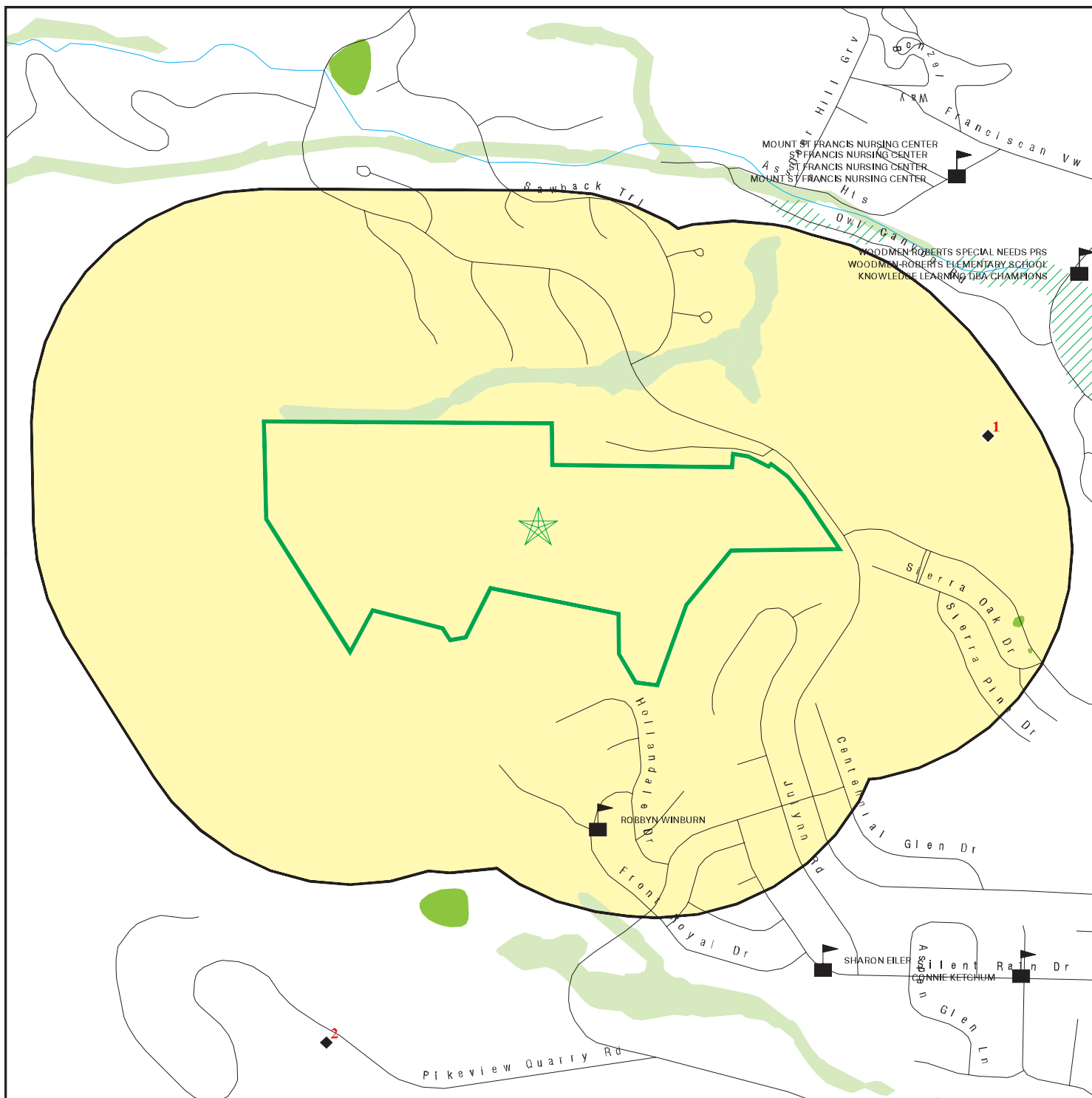







This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

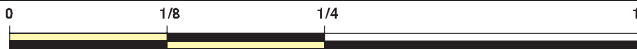





SITE NAME: Blodgett Peak Addition
 ADDRESS: SW of Blodgett Ranch Trail & West Woodmen Road
 Colorado Springs CO 80919
 LAT/LONG: 38.94233 / 104.881384

CLIENT: Ninyo & Moore
 CONTACT: Cara Jacobs
 INQUIRY #: 5316533.2s
 DATE: May 30, 2018 5:38 pm

DETAIL MAP - 5316533.2S



-  Target Property
-  Sites at elevations higher than or equal to the target property
-  Sites at elevations lower than the target property
-  Manufactured Gas Plants
-  Sensitive Receptors
-  National Priority List Sites
-  Dept. Defense Sites

-  0 1/8 1/4 1/2 Miles
-  Indian Reservations BIA
-  100-year flood zone
-  500-year flood zone
-  National Wetland Inventory
-  State Wetlands

This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: Blodgett Peak Addition
 ADDRESS: SW of Blodgett Ranch Trail & West Woodmen Road
 Colorado Springs CO 80919
 LAT/LONG: 38.94233 / 104.881384

CLIENT: Ninyo & Moore
 CONTACT: Cara Jacobs
 INQUIRY #: 5316533.2s
 DATE: May 30, 2018 5:40 pm

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
STANDARD ENVIRONMENTAL RECORDS								
<i>Federal NPL site list</i>								
NPL	1.000		0	0	0	0	NR	0
Proposed NPL	1.000		0	0	0	0	NR	0
NPL LIENS	0.001		0	NR	NR	NR	NR	0
<i>Federal Delisted NPL site list</i>								
Delisted NPL	1.000		0	0	0	0	NR	0
<i>Federal CERCLIS list</i>								
FEDERAL FACILITY	0.500		0	0	0	NR	NR	0
SEMS	0.500		0	0	0	NR	NR	0
<i>Federal CERCLIS NFRAP site list</i>								
SEMS-ARCHIVE	0.500		0	0	0	NR	NR	0
<i>Federal RCRA CORRACTS facilities list</i>								
CORRACTS	1.000		0	0	0	0	NR	0
<i>Federal RCRA non-CORRACTS TSD facilities list</i>								
RCRA-TSDF	0.500		0	0	0	NR	NR	0
<i>Federal RCRA generators list</i>								
RCRA-LQG	0.250		0	0	NR	NR	NR	0
RCRA-SQG	0.250		0	0	NR	NR	NR	0
RCRA-CESQG	0.250		0	0	NR	NR	NR	0
<i>Federal institutional controls / engineering controls registries</i>								
LUCIS	0.500		0	0	0	NR	NR	0
US ENG CONTROLS	0.500		0	0	0	NR	NR	0
US INST CONTROL	0.500		0	0	0	NR	NR	0
<i>Federal ERNS list</i>								
ERNS	0.001		0	NR	NR	NR	NR	0
<i>State- and tribal - equivalent CERCLIS</i>								
SHWS	N/A		N/A	N/A	N/A	N/A	N/A	N/A
<i>State and tribal landfill and/or solid waste disposal site lists</i>								
SWF/LF	0.500		0	0	0	NR	NR	0
<i>State and tribal leaking storage tank lists</i>								
LAST	0.500		0	0	1	NR	NR	1
LUST	0.500		0	0	0	NR	NR	0
INDIAN LUST	0.500		0	0	0	NR	NR	0
LUST TRUST	0.500		0	0	1	NR	NR	1

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
LTANKS	0.500		0	0	1	NR	NR	1
State and tribal registered storage tank lists								
FEMA UST	0.250		0	0	NR	NR	NR	0
UST	0.250		0	0	NR	NR	NR	0
AST	0.250		0	0	NR	NR	NR	0
INDIAN UST	0.250		0	0	NR	NR	NR	0
State and tribal institutional control / engineering control registries								
AUL	0.500		0	0	0	NR	NR	0
State and tribal voluntary cleanup sites								
VCP	0.500		0	0	0	NR	NR	0
INDIAN VCP	0.500		0	0	0	NR	NR	0
State and tribal Brownfields sites								
BROWNFIELDS	0.500		0	0	0	NR	NR	0
ADDITIONAL ENVIRONMENTAL RECORDS								
Local Brownfield lists								
US BROWNFIELDS	0.500		0	0	0	NR	NR	0
Local Lists of Landfill / Solid Waste Disposal Sites								
HIST LF	0.500		0	0	0	NR	NR	0
SWRCY	0.500		0	0	0	NR	NR	0
INDIAN ODI	0.500		0	0	0	NR	NR	0
DEBRIS REGION 9	0.500		0	0	0	NR	NR	0
ODI	0.500		0	0	0	NR	NR	0
IHS OPEN DUMPS	0.500		0	0	0	NR	NR	0
Local Lists of Hazardous waste / Contaminated Sites								
US HIST CDL	0.001		0	NR	NR	NR	NR	0
CDL	0.001		0	NR	NR	NR	NR	0
US CDL	0.001		0	NR	NR	NR	NR	0
Local Land Records								
LIENS 2	0.001		0	NR	NR	NR	NR	0
Records of Emergency Release Reports								
HMIRS	0.001		0	NR	NR	NR	NR	0
CO ERNS	0.001		0	NR	NR	NR	NR	0
SPILLS 90	0.001		0	NR	NR	NR	NR	0
Other Ascertainable Records								
RCRA NonGen / NLR	0.250		0	0	NR	NR	NR	0
FUDS	1.000		0	0	0	0	NR	0

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
DOD	1.000		0	0	0	1	NR	1
SCRD DRYCLEANERS	0.500		0	0	0	NR	NR	0
US FIN ASSUR	0.001		0	NR	NR	NR	NR	0
EPA WATCH LIST	0.001		0	NR	NR	NR	NR	0
2020 COR ACTION	0.250		0	0	NR	NR	NR	0
TSCA	0.001		0	NR	NR	NR	NR	0
TRIS	0.001		0	NR	NR	NR	NR	0
SSTS	0.001		0	NR	NR	NR	NR	0
ROD	1.000		0	0	0	0	NR	0
RMP	0.001		0	NR	NR	NR	NR	0
RAATS	0.001		0	NR	NR	NR	NR	0
PRP	0.001		0	NR	NR	NR	NR	0
PADS	0.001		0	NR	NR	NR	NR	0
ICIS	0.001		0	NR	NR	NR	NR	0
FTTS	0.001		0	NR	NR	NR	NR	0
MLTS	0.001		0	NR	NR	NR	NR	0
COAL ASH DOE	0.001		0	NR	NR	NR	NR	0
COAL ASH EPA	0.500		0	0	0	NR	NR	0
PCB TRANSFORMER	0.001		0	NR	NR	NR	NR	0
RADINFO	0.001		0	NR	NR	NR	NR	0
HIST FTTS	0.001		0	NR	NR	NR	NR	0
DOT OPS	0.001		0	NR	NR	NR	NR	0
CONSENT	1.000		0	0	0	0	NR	0
INDIAN RESERV	0.001		0	NR	NR	NR	NR	0
FUSRAP	1.000		0	0	0	0	NR	0
UMTRA	0.500		0	0	0	NR	NR	0
LEAD SMELTERS	0.001		0	NR	NR	NR	NR	0
US AIRS	0.001		0	NR	NR	NR	NR	0
US MINES	0.250		0	0	NR	NR	NR	0
ABANDONED MINES	0.001		0	NR	NR	NR	NR	0
FINDS	0.001		0	NR	NR	NR	NR	0
ECHO	0.001		0	NR	NR	NR	NR	0
DOCKET HWC	0.001		0	NR	NR	NR	NR	0
UXO	1.000		0	0	0	0	NR	0
FUELS PROGRAM	0.250		0	0	NR	NR	NR	0
AIRS	0.001		0	NR	NR	NR	NR	0
ASBESTOS	0.001		0	NR	NR	NR	NR	0
METHANE SITE	0.001		0	NR	NR	NR	NR	0
Methane Investigation	0.001		0	NR	NR	NR	NR	0
DRYCLEANERS	0.250		0	0	NR	NR	NR	0
Financial Assurance	0.001		0	NR	NR	NR	NR	0
LEAD	0.001		0	NR	NR	NR	NR	0
MINES	0.250		0	1	NR	NR	NR	1
NPDES	0.001		0	NR	NR	NR	NR	0
UMTRA	0.500		0	0	0	NR	NR	0

EDR HIGH RISK HISTORICAL RECORDS

EDR Exclusive Records

EDR MGP	1.000		0	0	0	0	NR	0
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MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
EDR Hist Auto	0.125		0	NR	NR	NR	NR	0
EDR Hist Cleaner	0.125		0	NR	NR	NR	NR	0
<u>EDR RECOVERED GOVERNMENT ARCHIVES</u>								
<i>Exclusive Recovered Govt. Archives</i>								
RGA LF	0.001		0	NR	NR	NR	NR	0
RGA LUST	0.001		0	NR	NR	NR	NR	0
- Totals --		0	0	1	3	1	0	5

NOTES:

TP = Target Property

NR = Not Requested at this Search Distance

Sites may be listed in more than one database

N/A = This State does not maintain a SHWS list. See the Federal CERCLIS list.

MAP FINDINGS

Map ID
Direction
Distance
Elevation

Site

Database(s)

EDR ID Number
EPA ID Number

DOD
Region
North
1/2-1
3154 ft.

UNITED STATES AIR FORCE ACADEMY
UNITED STATES AIR FORCE A (County), CO

DOD **CUSA133547**
N/A

DOD:
Feature 1: Air Force DOD
Feature 2: Not reported
Feature 3: Not reported
URL: Not reported
Name 1: United States Air Force Academy
Name 2: Not reported
Name 3: Not reported
State: CO
DOD Site: Yes
Tile name: COEL_PASO

1
ENE
1/8-1/4
0.200 mi.
1057 ft.

MOONLIGHT HILLS
, CO

MINES **S112330461**
N/A

Relative: **MINES:**
Lower Facility Id: M1988016
Actual: Mine Type: surface
6848 ft. Status Description: Terminated
Permittee: HLBE Inc
Permit Type: 112c
Date Permit Issued: Not reported
Permit Acreage: 56.5
Commodity 2: Not reported
Annual Fee: 0
Required Surety: 301500
Actual Surety: 0
UTM X: 511057.29999999999
UTM Y: 4310331.09999999996
Latitude: 38.943719999999999
Longitude: -104.87241
Post Mining: industrial/commercial
Pre Mining: general agriculture
Affected Acres: 56
Mineral Owner: private
Surface Owner: private
Permit Specialist Assigned: Not reported

2
SSW
1/4-1/2
0.420 mi.
2219 ft.

PIKEVIEW QUARRY
7250 ALLEGHENY DR
COLORADO SPRINGS, CO 80919

LAST **S117033744**
LUST TRUST **N/A**
AIRS
LTANKS

Relative: **LAST:**
Lower Facility Id: 15298
Actual: Event Id: 9233
7008 ft. Confirmed Release: 06/19/2003
Event Status: Closed

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

PIKEVIEW QUARRY (Continued)

S117033744

Contact Name: Technical Assistance Line
Contact Phone: 303-318-8547
Contact Email: Not reported
Latitude Degrees: 38.934271
Longitude Degrees: -104.8856

CO LUST TRUST:

Facility ID: 15298
Payee Name: Castle Concrete Company
Event ID: 9233
RAP ID: 8521
Commissioned Date: Not reported
Cap Status: Not reported
Eligibility Type Description: Tank Owner/Operator
Total Percent Reduction: 8.0
Total Reimbursement for Event: \$15,640.27
RAP Type Description: Original
RAP Status: Approved
RAP Filed Date: 11/28/2003
Total Reimbursement: \$27,685.08
Net Reimbursement: \$15,640.27
FPR Date: 05/24/2004
Pay Voucher Date: 05/28/2004
Protest Number: Not reported
Special Conditions: Not reported
Fund Analyst: Carolyn Skaggs
Category: Commercial/Industrial
Technical Reviewer: Jane Bral
Technical Reviewer Phone: (303) 318-8510
Fund Analyst Phone: (303) 318-8514

[Click here for COSTIS:](#)

CO AIRS:

County/Plant ID: 777-0285
Contact Person: RICK PARADAY
Contact Phone: (719)598-0215
Latitude: 0.0000
Longitude: 0.0000
SIC Primary: 1422
NAICS Primary: 212312
Unique Emission Unit ID: 001
Construction Permit Number: 92EP175P.CAN
Emission Unit Description: EL JAY MODEL 2100 CRUS.CN
Full Pollutant Name: CARBON MONOXIDE
Site-wide Estimated Emissions: 0.0000000
Site-wide Estimated Emissions Units: Tons Per Year

County/Plant ID: 777-0285
Contact Person: RICK PARADAY
Contact Phone: (719)598-0215
Latitude: 0.0000
Longitude: 0.0000
SIC Primary: 1422
NAICS Primary: 212312
Unique Emission Unit ID: 001

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

PIKEVIEW QUARRY (Continued)

S117033744

Construction Permit Number: 92EP175P.CAN
Emission Unit Description: EL JAY MODEL 2100 CRUS.CN
Full Pollutant Name: NITROGEN OXIDES
Site-wide Estimated Emissions: 0.0000000
Site-wide Estimated Emissions Units: Tons Per Year

County/Plant ID: 777-0285
Contact Person: RICK PARADAY
Contact Phone: (719)598-0215
Latitude: 0.0000
Longitude: 0.0000
SIC Primary: 1422
NAICS Primary: 212312
Unique Emission Unit ID: 001
Construction Permit Number: 92EP175P.CAN
Emission Unit Description: EL JAY MODEL 2100 CRUS.CN
Full Pollutant Name: PARTICULATE MATTER < 10 UM
Site-wide Estimated Emissions: 0.0000000
Site-wide Estimated Emissions Units: Tons Per Year

County/Plant ID: 777-0285
Contact Person: RICK PARADAY
Contact Phone: (719)598-0215
Latitude: 0.0000
Longitude: 0.0000
SIC Primary: 1422
NAICS Primary: 212312
Unique Emission Unit ID: 001
Construction Permit Number: 92EP175P.CAN
Emission Unit Description: EL JAY MODEL 2100 CRUS.CN
Full Pollutant Name: PARTICULATE MATTER < 2.5 UM
Site-wide Estimated Emissions: 0.0000000
Site-wide Estimated Emissions Units: Tons Per Year

County/Plant ID: 777-0285
Contact Person: RICK PARADAY
Contact Phone: (719)598-0215
Latitude: 0.0000
Longitude: 0.0000
SIC Primary: 1422
NAICS Primary: 212312
Unique Emission Unit ID: 001
Construction Permit Number: 92EP175P.CAN
Emission Unit Description: EL JAY MODEL 2100 CRUS.CN
Full Pollutant Name: SULFUR DIOXIDE
Site-wide Estimated Emissions: 0.0000000
Site-wide Estimated Emissions Units: Tons Per Year

County/Plant ID: 777-0285
Contact Person: RICK PARADAY
Contact Phone: (719)598-0215
Latitude: 0.0000
Longitude: 0.0000
SIC Primary: 1422
NAICS Primary: 212312
Unique Emission Unit ID: 001
Construction Permit Number: 92EP175P.CAN

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number
EPA ID Number

PIKEVIEW QUARRY (Continued)

S117033744

Emission Unit Description: EL JAY MODEL 2100 CRUS.CN
Full Pollutant Name: TOTAL PARTICULATE MATTER
Site-wide Estimated Emissions: 0.0000000
Site-wide Estimated Emissions Units: Tons Per Year

County/Plant ID: 777-0285
Contact Person: RICK PARADAY
Contact Phone: (719)598-0215
Latitude: 0.0000
Longitude: 0.0000
SIC Primary: 1422
NAICS Primary: 212312
Unique Emission Unit ID: 001
Construction Permit Number: 92EP175P.CAN
Emission Unit Description: EL JAY MODEL 2100 CRUS.CN
Full Pollutant Name: VOLATILE ORGANIC COMPOUNDS
Site-wide Estimated Emissions: 0.0000000
Site-wide Estimated Emissions Units: Tons Per Year

LTANKS:

Facility ID: 15298
Type: Tier I
Status: Closed
Event ID: 9233
Release Date: 06/19/2003
Closed Date: 11/13/2003
Contact: Technical Assistance Line
Phone: 303-318-8547
Email: cdle_ops_public_records_center@state.co.us
The GEOM: POINT (-104.885608 38.934271)
URL: https://opus.cdle.state.co.us/OIS2000/event.asp?h_id=9233

Count: 16 records.

ORPHAN SUMMARY

City	EDR ID	Site Name	Site Address	Zip	Database(s)
COLORADO SPRINGS	S112185940	CORDES AND COMPANY	4890, 5010, AND 5030 CENTENNIA		VCP
COLORADO SPRINGS	S110119450	WOODLAND STATION PROPERTY	NW CORNER OF S.PARK ST. AND W.		VCP
COLORADO SPRINGS	S107687293	MESA VALLEY SPRINGS	NW CORNER OF SEC1,TOWNSHIP14S,		VCP
COLORADO SPRINGS	S118427413	GOLD HILL MESA FILING #6	NW CORNER OF ECLIPSE DR. AND S		VCP
COLORADO SPRINGS	S108029800		DUMPED IN A FIELD ON BLANEY RD	80919	CDL, CO ERNS
COLORADO SPRINGS	S116692562	GOLD HILL MESA/FOUNTAIN CRK	S OF HWY 24 & E OF 21ST ST.		VCP
COLORADO SPRINGS	S113902380	GOLD HILL MESA - SW CORNER	NE OF S 21 ST & LWR GOLD CAMP		VCP
COLORADO SPRINGS	S111869269	MIDLAND GREENS, LOT 5 II	SE OF HIGHWAY 24 AND 31ST STRE		VCP
COLORADO SPRINGS	S111869268	MIDLAND GREENS ('OLD MILL')	SE OF HWY 24 & 31 ST		VCP
COLORADO SPRINGS	S111869263	GOLD HILL MESA: FILING 2	SE OF 21ST STREET & HIGHWAY 24		VCP
COLORADO SPRINGS	S111869258	GOLD HILL MESA FILINGS 3&7	SOUTHEAST OF 21ST ST & HWY 24		VCP
COLORADO SPRINGS	S108128699		OPEN SPACE AT 100 BLOCK OF SOU		CDL, CO ERNS
COLORADO SPRINGS	S108355577	FALCON HIGH SCHOOL #3	SEC 7, TS 13S, R 66, WEST OF 6		VCP
COLORADO SPRINGS	S106784576	VAN BUREN STREET EXTENSION II	SEC 36,T13S, R67W OF THE 6TH P		VCP
EL PASO COUNTY	S105811794		HERMAN RD. - E. OF F.S. RD. 71		CDL, CO ERNS
EL PASO COUNTY	S106778357		RAMPART RNG. RD.-1 MILE N. OF		CDL, CO ERNS

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

To maintain currency of the following federal and state databases, EDR contacts the appropriate governmental agency on a monthly or quarterly basis, as required.

Number of Days to Update: Provides confirmation that EDR is reporting records that have been updated within 90 days from the date the government agency made the information available to the public.

STANDARD ENVIRONMENTAL RECORDS

Federal NPL site list

NPL: National Priority List

National Priorities List (Superfund). The NPL is a subset of CERCLIS and identifies over 1,200 sites for priority cleanup under the Superfund Program. NPL sites may encompass relatively large areas. As such, EDR provides polygon coverage for over 1,000 NPL site boundaries produced by EPA's Environmental Photographic Interpretation Center (EPIC) and regional EPA offices.

Date of Government Version: 12/11/2017	Source: EPA
Date Data Arrived at EDR: 12/22/2017	Telephone: N/A
Date Made Active in Reports: 01/05/2018	Last EDR Contact: 04/27/2018
Number of Days to Update: 14	Next Scheduled EDR Contact: 07/16/2018
	Data Release Frequency: Quarterly

NPL Site Boundaries

Sources:

EPA's Environmental Photographic Interpretation Center (EPIC)
Telephone: 202-564-7333

EPA Region 1
Telephone 617-918-1143

EPA Region 6
Telephone: 214-655-6659

EPA Region 3
Telephone 215-814-5418

EPA Region 7
Telephone: 913-551-7247

EPA Region 4
Telephone 404-562-8033

EPA Region 8
Telephone: 303-312-6774

EPA Region 5
Telephone 312-886-6686

EPA Region 9
Telephone: 415-947-4246

EPA Region 10
Telephone 206-553-8665

Proposed NPL: Proposed National Priority List Sites

A site that has been proposed for listing on the National Priorities List through the issuance of a proposed rule in the Federal Register. EPA then accepts public comments on the site, responds to the comments, and places on the NPL those sites that continue to meet the requirements for listing.

Date of Government Version: 12/11/2017	Source: EPA
Date Data Arrived at EDR: 12/22/2017	Telephone: N/A
Date Made Active in Reports: 01/05/2018	Last EDR Contact: 04/27/2018
Number of Days to Update: 14	Next Scheduled EDR Contact: 07/16/2018
	Data Release Frequency: Quarterly

NPL LIENS: Federal Superfund Liens

Federal Superfund Liens. Under the authority granted the USEPA by CERCLA of 1980, the USEPA has the authority to file liens against real property in order to recover remedial action expenditures or when the property owner received notification of potential liability. USEPA compiles a listing of filed notices of Superfund Liens.

Date of Government Version: 10/15/1991	Source: EPA
Date Data Arrived at EDR: 02/02/1994	Telephone: 202-564-4267
Date Made Active in Reports: 03/30/1994	Last EDR Contact: 08/15/2011
Number of Days to Update: 56	Next Scheduled EDR Contact: 11/28/2011
	Data Release Frequency: No Update Planned

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Federal Delisted NPL site list

Delisted NPL: National Priority List Deletions

The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425.(e), sites may be deleted from the NPL where no further response is appropriate.

Date of Government Version: 12/11/2017	Source: EPA
Date Data Arrived at EDR: 12/22/2017	Telephone: N/A
Date Made Active in Reports: 01/05/2018	Last EDR Contact: 04/27/2018
Number of Days to Update: 14	Next Scheduled EDR Contact: 07/16/2018
	Data Release Frequency: Quarterly

Federal CERCLIS list

FEDERAL FACILITY: Federal Facility Site Information listing

A listing of National Priority List (NPL) and Base Realignment and Closure (BRAC) sites found in the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) Database where EPA Federal Facilities Restoration and Reuse Office is involved in cleanup activities.

Date of Government Version: 11/07/2016	Source: Environmental Protection Agency
Date Data Arrived at EDR: 01/05/2017	Telephone: 703-603-8704
Date Made Active in Reports: 04/07/2017	Last EDR Contact: 04/06/2018
Number of Days to Update: 92	Next Scheduled EDR Contact: 07/16/2018
	Data Release Frequency: Varies

SEMS: Superfund Enterprise Management System

SEMS (Superfund Enterprise Management System) tracks hazardous waste sites, potentially hazardous waste sites, and remedial activities performed in support of EPA's Superfund Program across the United States. The list was formerly know as CERCLIS, renamed to SEMS by the EPA in 2015. The list contains data on potentially hazardous waste sites that have been reported to the USEPA by states, municipalities, private companies and private persons, pursuant to Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). This dataset also contains sites which are either proposed to or on the National Priorities List (NPL) and the sites which are in the screening and assessment phase for possible inclusion on the NPL.

Date of Government Version: 01/09/2018	Source: EPA
Date Data Arrived at EDR: 02/06/2018	Telephone: 800-424-9346
Date Made Active in Reports: 04/13/2018	Last EDR Contact: 04/27/2018
Number of Days to Update: 66	Next Scheduled EDR Contact: 07/30/2018
	Data Release Frequency: Quarterly

Federal CERCLIS NFRAP site list

SEMS-ARCHIVE: Superfund Enterprise Management System Archive

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

SEMS-ARCHIVE (Superfund Enterprise Management System Archive) tracks sites that have no further interest under the Federal Superfund Program based on available information. The list was formerly known as the CERCLIS-NFRAP, renamed to SEMS ARCHIVE by the EPA in 2015. EPA may perform a minimal level of assessment work at a site while it is archived if site conditions change and/or new information becomes available. Archived sites have been removed and archived from the inventory of SEMS sites. Archived status indicates that, to the best of EPA's knowledge, assessment at a site has been completed and that EPA has determined no further steps will be taken to list the site on the National Priorities List (NPL), unless information indicates this decision was not appropriate or other considerations require a recommendation for listing at a later time. The decision does not necessarily mean that there is no hazard associated with a given site; it only means that, based upon available information, the location is not judged to be potential NPL site.

Date of Government Version: 01/09/2018	Source: EPA
Date Data Arrived at EDR: 02/06/2018	Telephone: 800-424-9346
Date Made Active in Reports: 04/13/2018	Last EDR Contact: 04/27/2018
Number of Days to Update: 66	Next Scheduled EDR Contact: 07/30/2018
	Data Release Frequency: Quarterly

Federal RCRA CORRACTS facilities list

CORRACTS: Corrective Action Report

CORRACTS identifies hazardous waste handlers with RCRA corrective action activity.

Date of Government Version: 12/11/2017	Source: EPA
Date Data Arrived at EDR: 12/26/2017	Telephone: 800-424-9346
Date Made Active in Reports: 02/09/2018	Last EDR Contact: 03/28/2018
Number of Days to Update: 45	Next Scheduled EDR Contact: 07/09/2018
	Data Release Frequency: Quarterly

Federal RCRA non-CORRACTS TSD facilities list

RCRA-TSDF: RCRA - Treatment, Storage and Disposal

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Transporters are individuals or entities that move hazardous waste from the generator offsite to a facility that can recycle, treat, store, or dispose of the waste. TSDFs treat, store, or dispose of the waste.

Date of Government Version: 12/11/2017	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/26/2017	Telephone: 303-312-6149
Date Made Active in Reports: 02/09/2018	Last EDR Contact: 03/28/2018
Number of Days to Update: 45	Next Scheduled EDR Contact: 07/09/2018
	Data Release Frequency: Quarterly

Federal RCRA generators list

RCRA-LQG: RCRA - Large Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Large quantity generators (LQGs) generate over 1,000 kilograms (kg) of hazardous waste, or over 1 kg of acutely hazardous waste per month.

Date of Government Version: 12/11/2017	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/26/2017	Telephone: 303-312-6149
Date Made Active in Reports: 02/09/2018	Last EDR Contact: 03/28/2018
Number of Days to Update: 45	Next Scheduled EDR Contact: 07/09/2018
	Data Release Frequency: Quarterly

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

RCRA-SQG: RCRA - Small Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Small quantity generators (SQGs) generate between 100 kg and 1,000 kg of hazardous waste per month.

Date of Government Version: 12/11/2017	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/26/2017	Telephone: 303-312-6149
Date Made Active in Reports: 02/09/2018	Last EDR Contact: 03/28/2018
Number of Days to Update: 45	Next Scheduled EDR Contact: 07/09/2018
	Data Release Frequency: Quarterly

RCRA-CESQG: RCRA - Conditionally Exempt Small Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Conditionally exempt small quantity generators (CESQGs) generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month.

Date of Government Version: 12/11/2017	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/26/2017	Telephone: 303-312-6149
Date Made Active in Reports: 02/09/2018	Last EDR Contact: 03/28/2018
Number of Days to Update: 45	Next Scheduled EDR Contact: 07/09/2018
	Data Release Frequency: Quarterly

Federal institutional controls / engineering controls registries

LUCIS: Land Use Control Information System

LUCIS contains records of land use control information pertaining to the former Navy Base Realignment and Closure properties.

Date of Government Version: 02/16/2018	Source: Department of the Navy
Date Data Arrived at EDR: 02/22/2018	Telephone: 843-820-7326
Date Made Active in Reports: 05/11/2018	Last EDR Contact: 05/09/2018
Number of Days to Update: 78	Next Scheduled EDR Contact: 08/27/2018
	Data Release Frequency: Varies

US ENG CONTROLS: Engineering Controls Sites List

A listing of sites with engineering controls in place. Engineering controls include various forms of caps, building foundations, liners, and treatment methods to create pathway elimination for regulated substances to enter environmental media or effect human health.

Date of Government Version: 02/13/2018	Source: Environmental Protection Agency
Date Data Arrived at EDR: 02/27/2018	Telephone: 703-603-0695
Date Made Active in Reports: 05/11/2018	Last EDR Contact: 05/29/2018
Number of Days to Update: 73	Next Scheduled EDR Contact: 09/10/2018
	Data Release Frequency: Varies

US INST CONTROL: Sites with Institutional Controls

A listing of sites with institutional controls in place. Institutional controls include administrative measures, such as groundwater use restrictions, construction restrictions, property use restrictions, and post remediation care requirements intended to prevent exposure to contaminants remaining on site. Deed restrictions are generally required as part of the institutional controls.

Date of Government Version: 02/13/2018	Source: Environmental Protection Agency
Date Data Arrived at EDR: 02/27/2018	Telephone: 703-603-0695
Date Made Active in Reports: 05/11/2018	Last EDR Contact: 05/29/2018
Number of Days to Update: 73	Next Scheduled EDR Contact: 09/10/2018
	Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Federal ERNS list

ERNS: Emergency Response Notification System

Emergency Response Notification System. ERNS records and stores information on reported releases of oil and hazardous substances.

Date of Government Version: 01/16/2018
Date Data Arrived at EDR: 01/19/2018
Date Made Active in Reports: 03/23/2018
Number of Days to Update: 63

Source: National Response Center, United States Coast Guard
Telephone: 202-267-2180
Last EDR Contact: 03/27/2018
Next Scheduled EDR Contact: 07/09/2018
Data Release Frequency: Quarterly

State- and tribal - equivalent CERCLIS

SHWS: This state does not maintain a SHWS list. See the Federal CERCLIS list and Federal NPL list.

State Hazardous Waste Sites. State hazardous waste site records are the states' equivalent to CERCLIS. These sites may or may not already be listed on the federal CERCLIS list. Priority sites planned for cleanup using state funds (state equivalent of Superfund) are identified along with sites where cleanup will be paid for by potentially responsible parties. Available information varies by state.

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A
Number of Days to Update: N/A

Source: Department of Public Health & Environment
Telephone: 303-692-3300
Last EDR Contact: 05/09/2018
Next Scheduled EDR Contact: 08/27/2018
Data Release Frequency: N/A

State and tribal landfill and/or solid waste disposal site lists

SWF/LF: Solid Waste Sites & Facilities

Solid Waste Facilities/Landfill Sites. SWF/LF type records typically contain an inventory of solid waste disposal facilities or landfills in a particular state. Depending on the state, these may be active or inactive facilities or open dumps that failed to meet RCRA Subtitle D Section 4004 criteria for solid waste landfills or disposal sites.

Date of Government Version: 12/04/2014
Date Data Arrived at EDR: 02/13/2015
Date Made Active in Reports: 03/04/2015
Number of Days to Update: 19

Source: Department of Public Health & Environment
Telephone: 303-692-3300
Last EDR Contact: 05/11/2018
Next Scheduled EDR Contact: 08/20/2018
Data Release Frequency: Annually

State and tribal leaking storage tank lists

LUST: Leaking Underground Storage Tank List

Leaking Underground Storage Tank Incident Reports. LUST records contain an inventory of reported leaking underground storage tank incidents. Not all states maintain these records, and the information stored varies by state.

Date of Government Version: 03/01/2018
Date Data Arrived at EDR: 03/07/2018
Date Made Active in Reports: 04/03/2018
Number of Days to Update: 27

Source: Department of Labor and Employment, Oil Inspection Section
Telephone: 303-318-8521
Last EDR Contact: 03/07/2018
Next Scheduled EDR Contact: 06/18/2018
Data Release Frequency: Quarterly

LAST: Leaking Aboveground Storage Tank Listing

A listing of leaking aboveground storage tank sites.

Date of Government Version: 03/01/2018
Date Data Arrived at EDR: 03/07/2018
Date Made Active in Reports: 04/03/2018
Number of Days to Update: 27

Source: Department of Labor & Employment
Telephone: 303-318-8525
Last EDR Contact: 03/07/2018
Next Scheduled EDR Contact: 06/18/2018
Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

INDIAN LUST R1: Leaking Underground Storage Tanks on Indian Land

A listing of leaking underground storage tank locations on Indian Land.

Date of Government Version: 10/14/2017	Source: EPA Region 1
Date Data Arrived at EDR: 01/23/2018	Telephone: 617-918-1313
Date Made Active in Reports: 04/13/2018	Last EDR Contact: 05/18/2018
Number of Days to Update: 80	Next Scheduled EDR Contact: 08/06/2018
	Data Release Frequency: Varies

INDIAN LUST R4: Leaking Underground Storage Tanks on Indian Land

LUSTs on Indian land in Florida, Mississippi and North Carolina.

Date of Government Version: 10/14/2017	Source: EPA Region 4
Date Data Arrived at EDR: 01/23/2018	Telephone: 404-562-8677
Date Made Active in Reports: 04/13/2018	Last EDR Contact: 05/16/2018
Number of Days to Update: 80	Next Scheduled EDR Contact: 08/06/2018
	Data Release Frequency: Varies

INDIAN LUST R6: Leaking Underground Storage Tanks on Indian Land

LUSTs on Indian land in New Mexico and Oklahoma.

Date of Government Version: 01/06/2018	Source: EPA Region 6
Date Data Arrived at EDR: 01/23/2018	Telephone: 214-665-6597
Date Made Active in Reports: 04/13/2018	Last EDR Contact: 05/18/2018
Number of Days to Update: 80	Next Scheduled EDR Contact: 08/06/2018
	Data Release Frequency: Varies

INDIAN LUST R7: Leaking Underground Storage Tanks on Indian Land

LUSTs on Indian land in Iowa, Kansas, and Nebraska

Date of Government Version: 10/12/2017	Source: EPA Region 7
Date Data Arrived at EDR: 01/23/2018	Telephone: 913-551-7003
Date Made Active in Reports: 04/13/2018	Last EDR Contact: 05/18/2018
Number of Days to Update: 80	Next Scheduled EDR Contact: 08/06/2018
	Data Release Frequency: Varies

INDIAN LUST R8: Leaking Underground Storage Tanks on Indian Land

LUSTs on Indian land in Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming.

Date of Government Version: 10/12/2017	Source: EPA Region 8
Date Data Arrived at EDR: 01/23/2018	Telephone: 303-312-6271
Date Made Active in Reports: 04/13/2018	Last EDR Contact: 05/18/2018
Number of Days to Update: 80	Next Scheduled EDR Contact: 08/06/2018
	Data Release Frequency: Varies

INDIAN LUST R9: Leaking Underground Storage Tanks on Indian Land

LUSTs on Indian land in Arizona, California, New Mexico and Nevada

Date of Government Version: 09/30/2017	Source: Environmental Protection Agency
Date Data Arrived at EDR: 01/23/2018	Telephone: 415-972-3372
Date Made Active in Reports: 04/13/2018	Last EDR Contact: 05/18/2018
Number of Days to Update: 80	Next Scheduled EDR Contact: 08/06/2018
	Data Release Frequency: Varies

INDIAN LUST R5: Leaking Underground Storage Tanks on Indian Land

Leaking underground storage tanks located on Indian Land in Michigan, Minnesota and Wisconsin.

Date of Government Version: 10/16/2017	Source: EPA, Region 5
Date Data Arrived at EDR: 01/23/2018	Telephone: 312-886-7439
Date Made Active in Reports: 04/13/2018	Last EDR Contact: 05/18/2018
Number of Days to Update: 80	Next Scheduled EDR Contact: 08/06/2018
	Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

INDIAN LUST R10: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Alaska, Idaho, Oregon and Washington.

Date of Government Version: 10/24/2017	Source: EPA Region 10
Date Data Arrived at EDR: 01/23/2018	Telephone: 206-553-2857
Date Made Active in Reports: 04/13/2018	Last EDR Contact: 05/18/2018
Number of Days to Update: 80	Next Scheduled EDR Contact: 08/06/2018
	Data Release Frequency: Varies

TRUST: Lust Trust Sites

Reimbursement application package. The 1989 Colorado General Assembly established Colorado's Petroleum Storage Tank Fund. The Fund reimburses eligible applicants for allowable costs incurred in cleaning up petroleum contamination from underground and aboveground petroleum storage tanks, as well as for third-party liability expenses. Remediation of contamination caused by railroad or aircraft fuel is not eligible for reimbursement. The Fund satisfies federal Environmental Protection Agency financial assurance requirements. Monies in the Fund come from various sources, predominantly the state environmental surcharge imposed on all petroleum products except railroad or aircraft fuel.

Date of Government Version: 03/27/2018	Source: Department of Labor and Employment, Oil Inspection Section
Date Data Arrived at EDR: 03/29/2018	Telephone: 303-318-8521
Date Made Active in Reports: 04/03/2018	Last EDR Contact: 03/21/2018
Number of Days to Update: 5	Next Scheduled EDR Contact: 07/09/2018
	Data Release Frequency: Varies

LTANKS: Petroleum Release Events Listing

Active and Closed OPS Petroleum Release Events in Colorado. Includes the OPS Open Event locations, but also shows locations of closed events (releases that have been issued a No Further Action determination).

Date of Government Version: 03/01/2018	Source: Department of Labor & Employment
Date Data Arrived at EDR: 03/16/2018	Telephone: 303-318-8525
Date Made Active in Reports: 05/11/2018	Last EDR Contact: 03/26/2018
Number of Days to Update: 56	Next Scheduled EDR Contact: 06/18/2018
	Data Release Frequency: Quarterly

State and tribal registered storage tank lists

FEMA UST: Underground Storage Tank Listing

A listing of all FEMA owned underground storage tanks.

Date of Government Version: 05/15/2017	Source: FEMA
Date Data Arrived at EDR: 05/30/2017	Telephone: 202-646-5797
Date Made Active in Reports: 10/13/2017	Last EDR Contact: 04/13/2018
Number of Days to Update: 136	Next Scheduled EDR Contact: 07/23/2018
	Data Release Frequency: Varies

UST: Underground Storage Tank Database

Registered Underground Storage Tanks. UST's are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA) and must be registered with the state department responsible for administering the UST program. Available information varies by state program.

Date of Government Version: 02/28/2018	Source: Department of Labor and Employment, Oil Inspection Section
Date Data Arrived at EDR: 03/01/2018	Telephone: 303-318-8521
Date Made Active in Reports: 04/03/2018	Last EDR Contact: 02/28/2018
Number of Days to Update: 33	Next Scheduled EDR Contact: 06/18/2018
	Data Release Frequency: Quarterly

AST: Aboveground Tank List

Aboveground storage tank locations.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 02/28/2018
Date Data Arrived at EDR: 03/01/2018
Date Made Active in Reports: 04/03/2018
Number of Days to Update: 33

Source: Department of Labor and Employment, Oil Inspection Section
Telephone: 303-318-8521
Last EDR Contact: 02/28/2018
Next Scheduled EDR Contact: 06/18/2018
Data Release Frequency: Semi-Annually

INDIAN UST R6: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 6 (Louisiana, Arkansas, Oklahoma, New Mexico, Texas and 65 Tribes).

Date of Government Version: 04/24/2017
Date Data Arrived at EDR: 07/27/2017
Date Made Active in Reports: 12/08/2017
Number of Days to Update: 134

Source: EPA Region 6
Telephone: 214-665-7591
Last EDR Contact: 05/18/2018
Next Scheduled EDR Contact: 08/06/2018
Data Release Frequency: Varies

INDIAN UST R7: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 7 (Iowa, Kansas, Missouri, Nebraska, and 9 Tribal Nations).

Date of Government Version: 01/13/2018
Date Data Arrived at EDR: 01/23/2018
Date Made Active in Reports: 04/13/2018
Number of Days to Update: 80

Source: EPA Region 7
Telephone: 913-551-7003
Last EDR Contact: 05/18/2018
Next Scheduled EDR Contact: 08/06/2018
Data Release Frequency: Varies

INDIAN UST R10: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 10 (Alaska, Idaho, Oregon, Washington, and Tribal Nations).

Date of Government Version: 10/24/2017
Date Data Arrived at EDR: 01/23/2018
Date Made Active in Reports: 04/13/2018
Number of Days to Update: 80

Source: EPA Region 10
Telephone: 206-553-2857
Last EDR Contact: 05/18/2018
Next Scheduled EDR Contact: 08/06/2018
Data Release Frequency: Varies

INDIAN UST R5: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 5 (Michigan, Minnesota and Wisconsin and Tribal Nations).

Date of Government Version: 10/16/2017
Date Data Arrived at EDR: 01/23/2018
Date Made Active in Reports: 04/13/2018
Number of Days to Update: 80

Source: EPA Region 5
Telephone: 312-886-6136
Last EDR Contact: 05/18/2018
Next Scheduled EDR Contact: 08/06/2018
Data Release Frequency: Varies

INDIAN UST R8: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 8 (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming and 27 Tribal Nations).

Date of Government Version: 10/12/2017
Date Data Arrived at EDR: 01/23/2018
Date Made Active in Reports: 04/13/2018
Number of Days to Update: 80

Source: EPA Region 8
Telephone: 303-312-6137
Last EDR Contact: 05/18/2018
Next Scheduled EDR Contact: 08/06/2018
Data Release Frequency: Varies

INDIAN UST R1: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 1 (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont and ten Tribal Nations).

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 10/14/2017
Date Data Arrived at EDR: 01/23/2018
Date Made Active in Reports: 04/13/2018
Number of Days to Update: 80

Source: EPA, Region 1
Telephone: 617-918-1313
Last EDR Contact: 05/18/2018
Next Scheduled EDR Contact: 08/06/2018
Data Release Frequency: Varies

INDIAN UST R4: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee and Tribal Nations)

Date of Government Version: 10/14/2017
Date Data Arrived at EDR: 01/23/2018
Date Made Active in Reports: 04/13/2018
Number of Days to Update: 80

Source: EPA Region 4
Telephone: 404-562-9424
Last EDR Contact: 05/16/2018
Next Scheduled EDR Contact: 08/06/2018
Data Release Frequency: Varies

INDIAN UST R9: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 9 (Arizona, California, Hawaii, Nevada, the Pacific Islands, and Tribal Nations).

Date of Government Version: 09/30/2017
Date Data Arrived at EDR: 01/23/2018
Date Made Active in Reports: 04/13/2018
Number of Days to Update: 80

Source: EPA Region 9
Telephone: 415-972-3368
Last EDR Contact: 05/18/2018
Next Scheduled EDR Contact: 08/06/2018
Data Release Frequency: Varies

State and tribal institutional control / engineering control registries

AUL: Environmental Real Covenants List

Senate Bill 01-145 gave authority to the Colorado Department of Public Health and Environment to approve requests to restrict the future use of a property using an enforceable agreement called an environmental covenant. When a contaminated site is not cleaned up completely, land use restrictions may be used to ensure that the selected cleanup remedy is adequately protective of human health and the environment.

Date of Government Version: 04/03/2018
Date Data Arrived at EDR: 05/01/2018
Date Made Active in Reports: 05/24/2018
Number of Days to Update: 23

Source: Department of Public Health & Environment
Telephone: 303-692-3331
Last EDR Contact: 04/25/2018
Next Scheduled EDR Contact: 08/13/2018
Data Release Frequency: Varies

State and tribal voluntary cleanup sites

INDIAN VCP R7: Voluntary Cleanup Priority Listing

A listing of voluntary cleanup priority sites located on Indian Land located in Region 7.

Date of Government Version: 03/20/2008
Date Data Arrived at EDR: 04/22/2008
Date Made Active in Reports: 05/19/2008
Number of Days to Update: 27

Source: EPA, Region 7
Telephone: 913-551-7365
Last EDR Contact: 04/20/2009
Next Scheduled EDR Contact: 07/20/2009
Data Release Frequency: Varies

INDIAN VCP R1: Voluntary Cleanup Priority Listing

A listing of voluntary cleanup priority sites located on Indian Land located in Region 1.

Date of Government Version: 07/27/2015
Date Data Arrived at EDR: 09/29/2015
Date Made Active in Reports: 02/18/2016
Number of Days to Update: 142

Source: EPA, Region 1
Telephone: 617-918-1102
Last EDR Contact: 03/21/2018
Next Scheduled EDR Contact: 07/09/2018
Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

VCP: Voluntary Cleanup & Redevelopment Act Application Tracking Report

The Voluntary Cleanup and Redevelopment Act is intended to permit and encourage voluntary cleanups by providing a method to determine clean-up responsibilities in planning the reuse of property. The VCRA was intended for sites which were not covered by existing regulatory programs.

Date of Government Version: 02/20/2018
Date Data Arrived at EDR: 04/13/2018
Date Made Active in Reports: 04/20/2018
Number of Days to Update: 7

Source: Department of Public Health and Environmental
Telephone: 303-692-3331
Last EDR Contact: 04/13/2018
Next Scheduled EDR Contact: 07/23/2018
Data Release Frequency: Semi-Annually

State and tribal Brownfields sites

BROWNFIELDS: Brownfields Sites Listing Brownfields Sites Listing

Date of Government Version: 04/18/2018
Date Data Arrived at EDR: 04/23/2018
Date Made Active in Reports: 05/24/2018
Number of Days to Update: 31

Source: Department of Public Health & Environment
Telephone: 303-692-3331
Last EDR Contact: 04/18/2018
Next Scheduled EDR Contact: 08/06/2018
Data Release Frequency: Varies

ADDITIONAL ENVIRONMENTAL RECORDS

Local Brownfield lists

US BROWNFIELDS: A Listing of Brownfields Sites

Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Cleaning up and reinvesting in these properties takes development pressures off of undeveloped, open land, and both improves and protects the environment. Assessment, Cleanup and Redevelopment Exchange System (ACRES) stores information reported by EPA Brownfields grant recipients on brownfields properties assessed or cleaned up with grant funding as well as information on Targeted Brownfields Assessments performed by EPA Regions. A listing of ACRES Brownfield sites is obtained from Cleanups in My Community. Cleanups in My Community provides information on Brownfields properties for which information is reported back to EPA, as well as areas served by Brownfields grant programs.

Date of Government Version: 01/19/2018
Date Data Arrived at EDR: 01/19/2018
Date Made Active in Reports: 02/09/2018
Number of Days to Update: 21

Source: Environmental Protection Agency
Telephone: 202-566-2777
Last EDR Contact: 03/21/2018
Next Scheduled EDR Contact: 07/02/2018
Data Release Frequency: Semi-Annually

Local Lists of Landfill / Solid Waste Disposal Sites

SWRCY: Registered Recyclers Listing

A listing of registered recycler locations in the state of Colorado.

Date of Government Version: 03/08/2018
Date Data Arrived at EDR: 03/13/2018
Date Made Active in Reports: 04/03/2018
Number of Days to Update: 21

Source: Department of Public Health & Environment
Telephone: 303-692-3337
Last EDR Contact: 03/07/2018
Next Scheduled EDR Contact: 06/25/2018
Data Release Frequency: Semi-Annually

HISTORICAL LANDFILL: Historical Landfill List Abandoned/Inactive Landfills.

Date of Government Version: 01/31/1993
Date Data Arrived at EDR: 04/24/1994
Date Made Active in Reports: 05/30/1994
Number of Days to Update: 36

Source: Department of Public Health & Environment
Telephone: 303-692-3300
Last EDR Contact: 09/05/1996
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

INDIAN ODI: Report on the Status of Open Dumps on Indian Lands

Location of open dumps on Indian land.

Date of Government Version: 12/31/1998
Date Data Arrived at EDR: 12/03/2007
Date Made Active in Reports: 01/24/2008
Number of Days to Update: 52

Source: Environmental Protection Agency
Telephone: 703-308-8245
Last EDR Contact: 01/30/2018
Next Scheduled EDR Contact: 05/14/2018
Data Release Frequency: Varies

DEBRIS REGION 9: Torres Martinez Reservation Illegal Dump Site Locations

A listing of illegal dump sites location on the Torres Martinez Indian Reservation located in eastern Riverside County and northern Imperial County, California.

Date of Government Version: 01/12/2009
Date Data Arrived at EDR: 05/07/2009
Date Made Active in Reports: 09/21/2009
Number of Days to Update: 137

Source: EPA, Region 9
Telephone: 415-947-4219
Last EDR Contact: 04/18/2018
Next Scheduled EDR Contact: 08/06/2018
Data Release Frequency: No Update Planned

ODI: Open Dump Inventory

An open dump is defined as a disposal facility that does not comply with one or more of the Part 257 or Part 258 Subtitle D Criteria.

Date of Government Version: 06/30/1985
Date Data Arrived at EDR: 08/09/2004
Date Made Active in Reports: 09/17/2004
Number of Days to Update: 39

Source: Environmental Protection Agency
Telephone: 800-424-9346
Last EDR Contact: 06/09/2004
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

IHS OPEN DUMPS: Open Dumps on Indian Land

A listing of all open dumps located on Indian Land in the United States.

Date of Government Version: 04/01/2014
Date Data Arrived at EDR: 08/06/2014
Date Made Active in Reports: 01/29/2015
Number of Days to Update: 176

Source: Department of Health & Human Services, Indian Health Service
Telephone: 301-443-1452
Last EDR Contact: 05/04/2018
Next Scheduled EDR Contact: 08/13/2018
Data Release Frequency: Varies

Local Lists of Hazardous waste / Contaminated Sites

US HIST CDL: National Clandestine Laboratory Register

A listing of clandestine drug lab locations that have been removed from the DEAs National Clandestine Laboratory Register.

Date of Government Version: 02/22/2018
Date Data Arrived at EDR: 03/01/2018
Date Made Active in Reports: 05/11/2018
Number of Days to Update: 71

Source: Drug Enforcement Administration
Telephone: 202-307-1000
Last EDR Contact: 02/27/2018
Next Scheduled EDR Contact: 06/11/2018
Data Release Frequency: No Update Planned

CDL: Meth Lab Locations

Meth lab locations that were reported to the Department of Public Health & Environment.

Date of Government Version: 03/28/2018
Date Data Arrived at EDR: 04/03/2018
Date Made Active in Reports: 04/20/2018
Number of Days to Update: 17

Source: Department of Public Health and Environment
Telephone: 303-692-3023
Last EDR Contact: 03/29/2018
Next Scheduled EDR Contact: 07/16/2018
Data Release Frequency: Quarterly

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

US CDL: Clandestine Drug Labs

A listing of clandestine drug lab locations. The U.S. Department of Justice ("the Department") provides this web site as a public service. It contains addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the Department, and the Department has not verified the entry and does not guarantee its accuracy. Members of the public must verify the accuracy of all entries by, for example, contacting local law enforcement and local health departments.

Date of Government Version: 02/22/2018	Source: Drug Enforcement Administration
Date Data Arrived at EDR: 03/01/2018	Telephone: 202-307-1000
Date Made Active in Reports: 05/11/2018	Last EDR Contact: 02/27/2018
Number of Days to Update: 71	Next Scheduled EDR Contact: 06/11/2018
	Data Release Frequency: Quarterly

Local Land Records

LIENS 2: CERCLA Lien Information

A Federal CERCLA ("Superfund") lien can exist by operation of law at any site or property at which EPA has spent Superfund monies. These monies are spent to investigate and address releases and threatened releases of contamination. CERCLIS provides information as to the identity of these sites and properties.

Date of Government Version: 01/09/2018	Source: Environmental Protection Agency
Date Data Arrived at EDR: 02/06/2018	Telephone: 202-564-6023
Date Made Active in Reports: 05/11/2018	Last EDR Contact: 04/27/2018
Number of Days to Update: 94	Next Scheduled EDR Contact: 08/06/2018
	Data Release Frequency: Semi-Annually

Records of Emergency Release Reports

HMIRS: Hazardous Materials Information Reporting System

Hazardous Materials Incident Report System. HMIRS contains hazardous material spill incidents reported to DOT.

Date of Government Version: 01/19/2018	Source: U.S. Department of Transportation
Date Data Arrived at EDR: 01/19/2018	Telephone: 202-366-4555
Date Made Active in Reports: 03/23/2018	Last EDR Contact: 03/27/2018
Number of Days to Update: 63	Next Scheduled EDR Contact: 07/09/2018
	Data Release Frequency: Quarterly

CO ERNS: Spills Database

State reported spills.

Date of Government Version: 03/28/2018	Source: Department of Public Health and Environmental
Date Data Arrived at EDR: 04/03/2018	Telephone: 303-692-2000
Date Made Active in Reports: 04/20/2018	Last EDR Contact: 03/29/2018
Number of Days to Update: 17	Next Scheduled EDR Contact: 07/16/2018
	Data Release Frequency: Quarterly

SPILLS 90: SPILLS90 data from FirstSearch

Spills 90 includes those spill and release records available exclusively from FirstSearch databases. Typically, they may include chemical, oil and/or hazardous substance spills recorded after 1990. Duplicate records that are already included in EDR incident and release records are not included in Spills 90.

Date of Government Version: 10/15/2012	Source: FirstSearch
Date Data Arrived at EDR: 01/03/2013	Telephone: N/A
Date Made Active in Reports: 02/06/2013	Last EDR Contact: 01/03/2013
Number of Days to Update: 34	Next Scheduled EDR Contact: N/A
	Data Release Frequency: No Update Planned

Other Ascertainable Records

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

RCRA NonGen / NLR: RCRA - Non Generators / No Longer Regulated

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Non-Generators do not presently generate hazardous waste.

Date of Government Version: 12/11/2017	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/26/2017	Telephone: 303-312-6149
Date Made Active in Reports: 02/09/2018	Last EDR Contact: 03/28/2018
Number of Days to Update: 45	Next Scheduled EDR Contact: 07/09/2018
	Data Release Frequency: Quarterly

FUDS: Formerly Used Defense Sites

The listing includes locations of Formerly Used Defense Sites properties where the US Army Corps of Engineers is actively working or will take necessary cleanup actions.

Date of Government Version: 01/31/2015	Source: U.S. Army Corps of Engineers
Date Data Arrived at EDR: 07/08/2015	Telephone: 202-528-4285
Date Made Active in Reports: 10/13/2015	Last EDR Contact: 05/25/2018
Number of Days to Update: 97	Next Scheduled EDR Contact: 09/03/2018
	Data Release Frequency: Varies

DOD: Department of Defense Sites

This data set consists of federally owned or administered lands, administered by the Department of Defense, that have any area equal to or greater than 640 acres of the United States, Puerto Rico, and the U.S. Virgin Islands.

Date of Government Version: 12/31/2005	Source: USGS
Date Data Arrived at EDR: 11/10/2006	Telephone: 888-275-8747
Date Made Active in Reports: 01/11/2007	Last EDR Contact: 04/13/2018
Number of Days to Update: 62	Next Scheduled EDR Contact: 07/23/2018
	Data Release Frequency: Semi-Annually

FEDLAND: Federal and Indian Lands

Federally and Indian administrated lands of the United States. Lands included are administrated by: Army Corps of Engineers, Bureau of Reclamation, National Wild and Scenic River, National Wildlife Refuge, Public Domain Land, Wilderness, Wilderness Study Area, Wildlife Management Area, Bureau of Indian Affairs, Bureau of Land Management, Department of Justice, Forest Service, Fish and Wildlife Service, National Park Service.

Date of Government Version: 12/31/2005	Source: U.S. Geological Survey
Date Data Arrived at EDR: 02/06/2006	Telephone: 888-275-8747
Date Made Active in Reports: 01/11/2007	Last EDR Contact: 04/11/2018
Number of Days to Update: 339	Next Scheduled EDR Contact: 07/23/2018
	Data Release Frequency: N/A

SCRD DRYCLEANERS: State Coalition for Remediation of Drycleaners Listing

The State Coalition for Remediation of Drycleaners was established in 1998, with support from the U.S. EPA Office of Superfund Remediation and Technology Innovation. It is comprised of representatives of states with established drycleaner remediation programs. Currently the member states are Alabama, Connecticut, Florida, Illinois, Kansas, Minnesota, Missouri, North Carolina, Oregon, South Carolina, Tennessee, Texas, and Wisconsin.

Date of Government Version: 01/01/2017	Source: Environmental Protection Agency
Date Data Arrived at EDR: 02/03/2017	Telephone: 615-532-8599
Date Made Active in Reports: 04/07/2017	Last EDR Contact: 05/15/2018
Number of Days to Update: 63	Next Scheduled EDR Contact: 08/27/2018
	Data Release Frequency: Varies

US FIN ASSUR: Financial Assurance Information

All owners and operators of facilities that treat, store, or dispose of hazardous waste are required to provide proof that they will have sufficient funds to pay for the clean up, closure, and post-closure care of their facilities.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 01/11/2018
Date Data Arrived at EDR: 01/19/2018
Date Made Active in Reports: 03/02/2018
Number of Days to Update: 42

Source: Environmental Protection Agency
Telephone: 202-566-1917
Last EDR Contact: 03/27/2018
Next Scheduled EDR Contact: 07/09/2018
Data Release Frequency: Quarterly

EPA WATCH LIST: EPA WATCH LIST

EPA maintains a "Watch List" to facilitate dialogue between EPA, state and local environmental agencies on enforcement matters relating to facilities with alleged violations identified as either significant or high priority. Being on the Watch List does not mean that the facility has actually violated the law only that an investigation by EPA or a state or local environmental agency has led those organizations to allege that an unproven violation has in fact occurred. Being on the Watch List does not represent a higher level of concern regarding the alleged violations that were detected, but instead indicates cases requiring additional dialogue between EPA, state and local agencies - primarily because of the length of time the alleged violation has gone unaddressed or unresolved.

Date of Government Version: 08/30/2013
Date Data Arrived at EDR: 03/21/2014
Date Made Active in Reports: 06/17/2014
Number of Days to Update: 88

Source: Environmental Protection Agency
Telephone: 617-520-3000
Last EDR Contact: 05/07/2018
Next Scheduled EDR Contact: 08/20/2018
Data Release Frequency: Quarterly

2020 COR ACTION: 2020 Corrective Action Program List

The EPA has set ambitious goals for the RCRA Corrective Action program by creating the 2020 Corrective Action Universe. This RCRA cleanup baseline includes facilities expected to need corrective action. The 2020 universe contains a wide variety of sites. Some properties are heavily contaminated while others were contaminated but have since been cleaned up. Still others have not been fully investigated yet, and may require little or no remediation. Inclusion in the 2020 Universe does not necessarily imply failure on the part of a facility to meet its RCRA obligations.

Date of Government Version: 04/22/2013
Date Data Arrived at EDR: 03/03/2015
Date Made Active in Reports: 03/09/2015
Number of Days to Update: 6

Source: Environmental Protection Agency
Telephone: 703-308-4044
Last EDR Contact: 05/08/2018
Next Scheduled EDR Contact: 08/20/2018
Data Release Frequency: Varies

TSCA: Toxic Substances Control Act

Toxic Substances Control Act. TSCA identifies manufacturers and importers of chemical substances included on the TSCA Chemical Substance Inventory list. It includes data on the production volume of these substances by plant site.

Date of Government Version: 12/31/2016
Date Data Arrived at EDR: 06/21/2017
Date Made Active in Reports: 01/05/2018
Number of Days to Update: 198

Source: EPA
Telephone: 202-260-5521
Last EDR Contact: 03/23/2018
Next Scheduled EDR Contact: 07/02/2018
Data Release Frequency: Every 4 Years

TRIS: Toxic Chemical Release Inventory System

Toxic Release Inventory System. TRIS identifies facilities which release toxic chemicals to the air, water and land in reportable quantities under SARA Title III Section 313.

Date of Government Version: 12/31/2016
Date Data Arrived at EDR: 01/10/2018
Date Made Active in Reports: 01/12/2018
Number of Days to Update: 2

Source: EPA
Telephone: 202-566-0250
Last EDR Contact: 05/25/2018
Next Scheduled EDR Contact: 09/03/2018
Data Release Frequency: Annually

SSTS: Section 7 Tracking Systems

Section 7 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended (92 Stat. 829) requires all registered pesticide-producing establishments to submit a report to the Environmental Protection Agency by March 1st each year. Each establishment must report the types and amounts of pesticides, active ingredients and devices being produced, and those having been produced and sold or distributed in the past year.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 12/31/2009
Date Data Arrived at EDR: 12/10/2010
Date Made Active in Reports: 02/25/2011
Number of Days to Update: 77

Source: EPA
Telephone: 202-564-4203
Last EDR Contact: 04/09/2018
Next Scheduled EDR Contact: 08/06/2018
Data Release Frequency: Annually

ROD: Records Of Decision

Record of Decision. ROD documents mandate a permanent remedy at an NPL (Superfund) site containing technical and health information to aid in the cleanup.

Date of Government Version: 01/09/2018
Date Data Arrived at EDR: 02/06/2018
Date Made Active in Reports: 05/11/2018
Number of Days to Update: 94

Source: EPA
Telephone: 703-416-0223
Last EDR Contact: 04/27/2018
Next Scheduled EDR Contact: 06/18/2018
Data Release Frequency: Annually

RMP: Risk Management Plans

When Congress passed the Clean Air Act Amendments of 1990, it required EPA to publish regulations and guidance for chemical accident prevention at facilities using extremely hazardous substances. The Risk Management Program Rule (RMP Rule) was written to implement Section 112(r) of these amendments. The rule, which built upon existing industry codes and standards, requires companies of all sizes that use certain flammable and toxic substances to develop a Risk Management Program, which includes a(n): Hazard assessment that details the potential effects of an accidental release, an accident history of the last five years, and an evaluation of worst-case and alternative accidental releases; Prevention program that includes safety precautions and maintenance, monitoring, and employee training measures; and Emergency response program that spells out emergency health care, employee training measures and procedures for informing the public and response agencies (e.g the fire department) should an accident occur.

Date of Government Version: 11/02/2017
Date Data Arrived at EDR: 11/17/2017
Date Made Active in Reports: 12/08/2017
Number of Days to Update: 21

Source: Environmental Protection Agency
Telephone: 202-564-8600
Last EDR Contact: 04/20/2018
Next Scheduled EDR Contact: 08/06/2018
Data Release Frequency: Varies

RAATS: RCRA Administrative Action Tracking System

RCRA Administration Action Tracking System. RAATS contains records based on enforcement actions issued under RCRA pertaining to major violators and includes administrative and civil actions brought by the EPA. For administration actions after September 30, 1995, data entry in the RAATS database was discontinued. EPA will retain a copy of the database for historical records. It was necessary to terminate RAATS because a decrease in agency resources made it impossible to continue to update the information contained in the database.

Date of Government Version: 04/17/1995
Date Data Arrived at EDR: 07/03/1995
Date Made Active in Reports: 08/07/1995
Number of Days to Update: 35

Source: EPA
Telephone: 202-564-4104
Last EDR Contact: 06/02/2008
Next Scheduled EDR Contact: 09/01/2008
Data Release Frequency: No Update Planned

PRP: Potentially Responsible Parties

A listing of verified Potentially Responsible Parties

Date of Government Version: 10/25/2013
Date Data Arrived at EDR: 10/17/2014
Date Made Active in Reports: 10/20/2014
Number of Days to Update: 3

Source: EPA
Telephone: 202-564-6023
Last EDR Contact: 04/27/2018
Next Scheduled EDR Contact: 08/20/2018
Data Release Frequency: Quarterly

PADS: PCB Activity Database System

PCB Activity Database. PADS Identifies generators, transporters, commercial storers and/or brokers and disposers of PCB's who are required to notify the EPA of such activities.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 06/01/2017
Date Data Arrived at EDR: 06/09/2017
Date Made Active in Reports: 10/13/2017
Number of Days to Update: 126

Source: EPA
Telephone: 202-566-0500
Last EDR Contact: 04/13/2018
Next Scheduled EDR Contact: 07/23/2018
Data Release Frequency: Annually

ICIS: Integrated Compliance Information System

The Integrated Compliance Information System (ICIS) supports the information needs of the national enforcement and compliance program as well as the unique needs of the National Pollutant Discharge Elimination System (NPDES) program.

Date of Government Version: 11/18/2016
Date Data Arrived at EDR: 11/23/2016
Date Made Active in Reports: 02/10/2017
Number of Days to Update: 79

Source: Environmental Protection Agency
Telephone: 202-564-2501
Last EDR Contact: 04/09/2018
Next Scheduled EDR Contact: 07/23/2018
Data Release Frequency: Quarterly

FTTS: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
FTTS tracks administrative cases and pesticide enforcement actions and compliance activities related to FIFRA, TSCA and EPCRA (Emergency Planning and Community Right-to-Know Act). To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 04/09/2009
Date Data Arrived at EDR: 04/16/2009
Date Made Active in Reports: 05/11/2009
Number of Days to Update: 25

Source: EPA/Office of Prevention, Pesticides and Toxic Substances
Telephone: 202-566-1667
Last EDR Contact: 08/18/2017
Next Scheduled EDR Contact: 12/04/2017
Data Release Frequency: Quarterly

FTTS INSP: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
A listing of FIFRA/TSCA Tracking System (FTTS) inspections and enforcements.

Date of Government Version: 04/09/2009
Date Data Arrived at EDR: 04/16/2009
Date Made Active in Reports: 05/11/2009
Number of Days to Update: 25

Source: EPA
Telephone: 202-566-1667
Last EDR Contact: 08/18/2017
Next Scheduled EDR Contact: 12/04/2017
Data Release Frequency: Quarterly

MLTS: Material Licensing Tracking System

MLTS is maintained by the Nuclear Regulatory Commission and contains a list of approximately 8,100 sites which possess or use radioactive materials and which are subject to NRC licensing requirements. To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 08/30/2016
Date Data Arrived at EDR: 09/08/2016
Date Made Active in Reports: 10/21/2016
Number of Days to Update: 43

Source: Nuclear Regulatory Commission
Telephone: 301-415-7169
Last EDR Contact: 05/03/2018
Next Scheduled EDR Contact: 08/20/2018
Data Release Frequency: Quarterly

COAL ASH DOE: Steam-Electric Plant Operation Data

A listing of power plants that store ash in surface ponds.

Date of Government Version: 12/31/2005
Date Data Arrived at EDR: 08/07/2009
Date Made Active in Reports: 10/22/2009
Number of Days to Update: 76

Source: Department of Energy
Telephone: 202-586-8719
Last EDR Contact: 03/09/2018
Next Scheduled EDR Contact: 06/18/2018
Data Release Frequency: Varies

COAL ASH EPA: Coal Combustion Residues Surface Impoundments List

A listing of coal combustion residues surface impoundments with high hazard potential ratings.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 07/01/2014
Date Data Arrived at EDR: 09/10/2014
Date Made Active in Reports: 10/20/2014
Number of Days to Update: 40

Source: Environmental Protection Agency
Telephone: N/A
Last EDR Contact: 03/06/2018
Next Scheduled EDR Contact: 06/18/2018
Data Release Frequency: Varies

PCB TRANSFORMER: PCB Transformer Registration Database

The database of PCB transformer registrations that includes all PCB registration submittals.

Date of Government Version: 05/24/2017
Date Data Arrived at EDR: 11/30/2017
Date Made Active in Reports: 12/15/2017
Number of Days to Update: 15

Source: Environmental Protection Agency
Telephone: 202-566-0517
Last EDR Contact: 04/27/2018
Next Scheduled EDR Contact: 08/06/2018
Data Release Frequency: Varies

RADINFO: Radiation Information Database

The Radiation Information Database (RADINFO) contains information about facilities that are regulated by U.S. Environmental Protection Agency (EPA) regulations for radiation and radioactivity.

Date of Government Version: 01/03/2018
Date Data Arrived at EDR: 01/04/2018
Date Made Active in Reports: 04/13/2018
Number of Days to Update: 99

Source: Environmental Protection Agency
Telephone: 202-343-9775
Last EDR Contact: 04/05/2018
Next Scheduled EDR Contact: 07/16/2018
Data Release Frequency: Quarterly

HIST FTTS: FIFRA/TSCA Tracking System Administrative Case Listing

A complete administrative case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

Date of Government Version: 10/19/2006
Date Data Arrived at EDR: 03/01/2007
Date Made Active in Reports: 04/10/2007
Number of Days to Update: 40

Source: Environmental Protection Agency
Telephone: 202-564-2501
Last EDR Contact: 12/17/2007
Next Scheduled EDR Contact: 03/17/2008
Data Release Frequency: No Update Planned

HIST FTTS INSP: FIFRA/TSCA Tracking System Inspection & Enforcement Case Listing

A complete inspection and enforcement case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

Date of Government Version: 10/19/2006
Date Data Arrived at EDR: 03/01/2007
Date Made Active in Reports: 04/10/2007
Number of Days to Update: 40

Source: Environmental Protection Agency
Telephone: 202-564-2501
Last EDR Contact: 12/17/2008
Next Scheduled EDR Contact: 03/17/2008
Data Release Frequency: No Update Planned

DOT OPS: Incident and Accident Data

Department of Transportation, Office of Pipeline Safety Incident and Accident data.

Date of Government Version: 07/31/2012
Date Data Arrived at EDR: 08/07/2012
Date Made Active in Reports: 09/18/2012
Number of Days to Update: 42

Source: Department of Transportation, Office of Pipeline Safety
Telephone: 202-366-4595
Last EDR Contact: 05/03/2018
Next Scheduled EDR Contact: 08/13/2018
Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

CONSENT: Superfund (CERCLA) Consent Decrees

Major legal settlements that establish responsibility and standards for cleanup at NPL (Superfund) sites. Released periodically by United States District Courts after settlement by parties to litigation matters.

Date of Government Version: 12/31/2017	Source: Department of Justice, Consent Decree Library
Date Data Arrived at EDR: 01/24/2018	Telephone: Varies
Date Made Active in Reports: 04/13/2018	Last EDR Contact: 04/06/2018
Number of Days to Update: 79	Next Scheduled EDR Contact: 07/02/2018
	Data Release Frequency: Varies

BRS: Biennial Reporting System

The Biennial Reporting System is a national system administered by the EPA that collects data on the generation and management of hazardous waste. BRS captures detailed data from two groups: Large Quantity Generators (LQG) and Treatment, Storage, and Disposal Facilities.

Date of Government Version: 12/31/2015	Source: EPA/NTIS
Date Data Arrived at EDR: 02/22/2017	Telephone: 800-424-9346
Date Made Active in Reports: 09/28/2017	Last EDR Contact: 05/25/2018
Number of Days to Update: 218	Next Scheduled EDR Contact: 09/03/2018
	Data Release Frequency: Biennially

INDIAN RESERV: Indian Reservations

This map layer portrays Indian administered lands of the United States that have any area equal to or greater than 640 acres.

Date of Government Version: 12/31/2014	Source: USGS
Date Data Arrived at EDR: 07/14/2015	Telephone: 202-208-3710
Date Made Active in Reports: 01/10/2017	Last EDR Contact: 04/11/2018
Number of Days to Update: 546	Next Scheduled EDR Contact: 07/23/2018
	Data Release Frequency: Semi-Annually

FUSRAP: Formerly Utilized Sites Remedial Action Program

DOE established the Formerly Utilized Sites Remedial Action Program (FUSRAP) in 1974 to remediate sites where radioactive contamination remained from Manhattan Project and early U.S. Atomic Energy Commission (AEC) operations.

Date of Government Version: 12/23/2016	Source: Department of Energy
Date Data Arrived at EDR: 12/27/2016	Telephone: 202-586-3559
Date Made Active in Reports: 02/17/2017	Last EDR Contact: 05/07/2018
Number of Days to Update: 52	Next Scheduled EDR Contact: 08/20/2018
	Data Release Frequency: Varies

UMTRA: Uranium Mill Tailings Sites

Uranium ore was mined by private companies for federal government use in national defense programs. When the mills shut down, large piles of the sand-like material (mill tailings) remain after uranium has been extracted from the ore. Levels of human exposure to radioactive materials from the piles are low; however, in some cases tailings were used as construction materials before the potential health hazards of the tailings were recognized.

Date of Government Version: 06/23/2017	Source: Department of Energy
Date Data Arrived at EDR: 10/11/2017	Telephone: 505-845-0011
Date Made Active in Reports: 11/03/2017	Last EDR Contact: 05/18/2018
Number of Days to Update: 23	Next Scheduled EDR Contact: 09/03/2018
	Data Release Frequency: Varies

LEAD SMELTER 1: Lead Smelter Sites

A listing of former lead smelter site locations.

Date of Government Version: 01/09/2018	Source: Environmental Protection Agency
Date Data Arrived at EDR: 02/06/2018	Telephone: 703-603-8787
Date Made Active in Reports: 03/02/2018	Last EDR Contact: 04/27/2018
Number of Days to Update: 24	Next Scheduled EDR Contact: 07/16/2018
	Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

LEAD SMELTER 2: Lead Smelter Sites

A list of several hundred sites in the U.S. where secondary lead smelting was done from 1931 and 1964. These sites may pose a threat to public health through ingestion or inhalation of contaminated soil or dust

Date of Government Version: 04/05/2001	Source: American Journal of Public Health
Date Data Arrived at EDR: 10/27/2010	Telephone: 703-305-6451
Date Made Active in Reports: 12/02/2010	Last EDR Contact: 12/02/2009
Number of Days to Update: 36	Next Scheduled EDR Contact: N/A
	Data Release Frequency: No Update Planned

US AIRS (AFS): Aerometric Information Retrieval System Facility Subsystem (AFS)

The database is a sub-system of Aerometric Information Retrieval System (AIRS). AFS contains compliance data on air pollution point sources regulated by the U.S. EPA and/or state and local air regulatory agencies. This information comes from source reports by various stationary sources of air pollution, such as electric power plants, steel mills, factories, and universities, and provides information about the air pollutants they produce. Action, air program, air program pollutant, and general level plant data. It is used to track emissions and compliance data from industrial plants.

Date of Government Version: 10/12/2016	Source: EPA
Date Data Arrived at EDR: 10/26/2016	Telephone: 202-564-2496
Date Made Active in Reports: 02/03/2017	Last EDR Contact: 09/26/2017
Number of Days to Update: 100	Next Scheduled EDR Contact: 01/08/2018
	Data Release Frequency: Annually

US AIRS MINOR: Air Facility System Data

A listing of minor source facilities.

Date of Government Version: 10/12/2016	Source: EPA
Date Data Arrived at EDR: 10/26/2016	Telephone: 202-564-2496
Date Made Active in Reports: 02/03/2017	Last EDR Contact: 09/26/2017
Number of Days to Update: 100	Next Scheduled EDR Contact: 01/08/2018
	Data Release Frequency: Annually

US MINES: Mines Master Index File

Contains all mine identification numbers issued for mines active or opened since 1971. The data also includes violation information.

Date of Government Version: 01/25/2018	Source: Department of Labor, Mine Safety and Health Administration
Date Data Arrived at EDR: 02/28/2018	Telephone: 303-231-5959
Date Made Active in Reports: 05/11/2018	Last EDR Contact: 02/28/2018
Number of Days to Update: 72	Next Scheduled EDR Contact: 06/11/2018
	Data Release Frequency: Semi-Annually

US MINES 2: Ferrous and Nonferrous Metal Mines Database Listing

This map layer includes ferrous (ferrous metal mines are facilities that extract ferrous metals, such as iron ore or molybdenum) and nonferrous (Nonferrous metal mines are facilities that extract nonferrous metals, such as gold, silver, copper, zinc, and lead) metal mines in the United States.

Date of Government Version: 12/05/2005	Source: USGS
Date Data Arrived at EDR: 02/29/2008	Telephone: 703-648-7709
Date Made Active in Reports: 04/18/2008	Last EDR Contact: 03/02/2018
Number of Days to Update: 49	Next Scheduled EDR Contact: 06/11/2018
	Data Release Frequency: Varies

US MINES 3: Active Mines & Mineral Plants Database Listing

Active Mines and Mineral Processing Plant operations for commodities monitored by the Minerals Information Team of the USGS.

Date of Government Version: 04/14/2011	Source: USGS
Date Data Arrived at EDR: 06/08/2011	Telephone: 703-648-7709
Date Made Active in Reports: 09/13/2011	Last EDR Contact: 03/02/2018
Number of Days to Update: 97	Next Scheduled EDR Contact: 06/11/2018
	Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

ABANDONED MINES: Abandoned Mines

An inventory of land and water impacted by past mining (primarily coal mining) is maintained by OSMRE to provide information needed to implement the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The inventory contains information on the location, type, and extent of AML impacts, as well as, information on the cost associated with the reclamation of those problems. The inventory is based upon field surveys by State, Tribal, and OSMRE program officials. It is dynamic to the extent that it is modified as new problems are identified and existing problems are reclaimed.

Date of Government Version: 12/20/2017	Source: Department of Interior
Date Data Arrived at EDR: 12/21/2017	Telephone: 202-208-2609
Date Made Active in Reports: 03/23/2018	Last EDR Contact: 03/07/2018
Number of Days to Update: 92	Next Scheduled EDR Contact: 06/25/2018
	Data Release Frequency: Quarterly

FINDS: Facility Index System/Facility Registry System

Facility Index System. FINDS contains both facility information and 'pointers' to other sources that contain more detail. EDR includes the following FINDS databases in this report: PCS (Permit Compliance System), AIRS (Aerometric Information Retrieval System), DOCKET (Enforcement Docket used to manage and track information on civil judicial enforcement cases for all environmental statutes), FURS (Federal Underground Injection Control), C-DOCKET (Criminal Docket System used to track criminal enforcement actions for all environmental statutes), FFIS (Federal Facilities Information System), STATE (State Environmental Laws and Statutes), and PADS (PCB Activity Data System).

Date of Government Version: 02/21/2018	Source: EPA
Date Data Arrived at EDR: 02/23/2018	Telephone: (303) 312-6312
Date Made Active in Reports: 03/23/2018	Last EDR Contact: 02/23/2018
Number of Days to Update: 28	Next Scheduled EDR Contact: 06/18/2018
	Data Release Frequency: Quarterly

UXO: Unexploded Ordnance Sites

A listing of unexploded ordnance site locations

Date of Government Version: 09/30/2016	Source: Department of Defense
Date Data Arrived at EDR: 10/31/2017	Telephone: 703-704-1564
Date Made Active in Reports: 01/12/2018	Last EDR Contact: 04/13/2018
Number of Days to Update: 73	Next Scheduled EDR Contact: 07/30/2018
	Data Release Frequency: Varies

ECHO: Enforcement & Compliance History Information

ECHO provides integrated compliance and enforcement information for about 800,000 regulated facilities nationwide.

Date of Government Version: 01/13/2018	Source: Environmental Protection Agency
Date Data Arrived at EDR: 01/19/2018	Telephone: 202-564-2280
Date Made Active in Reports: 03/02/2018	Last EDR Contact: 03/07/2018
Number of Days to Update: 42	Next Scheduled EDR Contact: 06/18/2018
	Data Release Frequency: Quarterly

DOCKET HWC: Hazardous Waste Compliance Docket Listing

A complete list of the Federal Agency Hazardous Waste Compliance Docket Facilities.

Date of Government Version: 01/04/2018	Source: Environmental Protection Agency
Date Data Arrived at EDR: 01/19/2018	Telephone: 202-564-0527
Date Made Active in Reports: 04/13/2018	Last EDR Contact: 03/02/2018
Number of Days to Update: 84	Next Scheduled EDR Contact: 06/11/2018
	Data Release Frequency: Varies

FUELS PROGRAM: EPA Fuels Program Registered Listing

This listing includes facilities that are registered under the Part 80 (Code of Federal Regulations) EPA Fuels Programs. All companies now are required to submit new and updated registrations.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 02/20/2018
Date Data Arrived at EDR: 02/21/2018
Date Made Active in Reports: 03/23/2018
Number of Days to Update: 30

Source: EPA
Telephone: 800-385-6164
Last EDR Contact: 05/23/2018
Next Scheduled EDR Contact: 09/03/2018
Data Release Frequency: Quarterly

AIRS: Permitted Facility & Emissions Listing

A listing of Air Pollution Control Division permits and emissions data.

Date of Government Version: 02/28/2018
Date Data Arrived at EDR: 03/05/2018
Date Made Active in Reports: 04/03/2018
Number of Days to Update: 29

Source: Department of Public Health & Environment
Telephone: 303-692-3213
Last EDR Contact: 02/28/2018
Next Scheduled EDR Contact: 06/18/2018
Data Release Frequency: Varies

ASBESTOS: Asbestos Abatement & Demolition Projects

Asbestos abatement and demolition projects by the contractor.

Date of Government Version: 12/31/2017
Date Data Arrived at EDR: 02/07/2018
Date Made Active in Reports: 02/22/2018
Number of Days to Update: 15

Source: Department of Public Health & Environment
Telephone: 303-692-3100
Last EDR Contact: 05/11/2018
Next Scheduled EDR Contact: 08/20/2018
Data Release Frequency: Semi-Annually

METHANE SITE: Methane Site Investigations - Jefferson County 1980

The objectives of the study are to define as closely as possible the boundaries of methane producing solid waste landfills.

Date of Government Version: 12/31/1980
Date Data Arrived at EDR: 02/13/1995
Date Made Active in Reports: 04/04/1995
Number of Days to Update: 50

Source: Jefferson County Health Department
Telephone: 303-239-7175
Last EDR Contact: 01/27/1995
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

METHANE INVESTIGATION: Methane Gas & Swamp Findings

The primary objective of this study was to assess methane gas related hazards at selected landfill sites in Colorado. These sites were selected by the Colorado Department of Health following evaluation of responses received from County and Municipal agencies about completed and existing landfills within their jurisdiction.

Date of Government Version: 03/15/1979
Date Data Arrived at EDR: 02/13/1995
Date Made Active in Reports: 04/04/1995
Number of Days to Update: 50

Source: Department of Health
Telephone: 303-640-3335
Last EDR Contact: 01/27/1995
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

DRYCLEANERS: Drycleaner Facilities

A listing of drycleaning facilities.

Date of Government Version: 02/28/2018
Date Data Arrived at EDR: 03/05/2018
Date Made Active in Reports: 04/03/2018
Number of Days to Update: 29

Source: Department of Public Health & Environment
Telephone: 303-692-3213
Last EDR Contact: 02/28/2018
Next Scheduled EDR Contact: 06/18/2018
Data Release Frequency: Varies

Financial Assurance 1: Financial Assurance Information Listing

A listing of financial assurance information for hazardous waste facilities. Financial assurance is intended to ensure that resources are available to pay for the cost of closure, post-closure care, and corrective measures if the owner or operator of a regulated facility is unable or unwilling to pay.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 04/04/2018
Date Data Arrived at EDR: 04/06/2018
Date Made Active in Reports: 04/20/2018
Number of Days to Update: 14

Source: Department of Public Health & Environment
Telephone: 303-692-3350
Last EDR Contact: 03/29/2018
Next Scheduled EDR Contact: 07/16/2018
Data Release Frequency: Varies

Financial Assurance 2: Financial Assurance Information Listing

A listing of financial assurance information for solid waste facilities. Financial assurance is intended to ensure that resources are available to pay for the cost of closure, post-closure care, and corrective measures if the owner or operator of a regulated facility is unable or unwilling to pay.

Date of Government Version: 04/04/2018
Date Data Arrived at EDR: 04/06/2018
Date Made Active in Reports: 04/24/2018
Number of Days to Update: 18

Source: Department of Public Health & Environment
Telephone: 303-392-3350
Last EDR Contact: 03/29/2018
Next Scheduled EDR Contact: 07/16/2018
Data Release Frequency: Quarterly

LEAD: Lead Abatement Permit Listing

Lead inspection

Date of Government Version: 12/18/2017
Date Data Arrived at EDR: 01/04/2018
Date Made Active in Reports: 05/11/2018
Number of Days to Update: 127

Source: Department of Public Health & Environment
Telephone: 303-692-2000
Last EDR Contact: 05/16/2018
Next Scheduled EDR Contact: 08/20/2018
Data Release Frequency: Varies

MINES: Permitted Mines Listing

This dataset represents permitted mines in the State of Colorado

Date of Government Version: 11/20/2017
Date Data Arrived at EDR: 01/17/2018
Date Made Active in Reports: 02/23/2018
Number of Days to Update: 37

Source: Division of Reclamation Mining and safety
Telephone: 303-866-3567
Last EDR Contact: 04/19/2018
Next Scheduled EDR Contact: 07/30/2018
Data Release Frequency: Semi-Annually

NPDES: Permitted Facility Listing

A listing of permitted facilities from the Water Quality Control Division.

Date of Government Version: 01/29/2018
Date Data Arrived at EDR: 01/31/2018
Date Made Active in Reports: 02/28/2018
Number of Days to Update: 28

Source: Department of Public Health & Environment
Telephone: 303-692-3611
Last EDR Contact: 04/25/2018
Next Scheduled EDR Contact: 08/13/2018
Data Release Frequency: Varies

UMTRA: Uranium Mill Tailings Sites

There were nine uranium mill tailings sites in Colorado designated for cleanup under the federal Uranium Mill Tailings Radiation Control Act. These nine sites, known commonly as UMTRA sites, were remediated jointly by the State of Colorado and the U.S. Department of Energy during the late 1980's and early 1990's. Mill tailings were removed from 8 of the mill sites and relocated in engineered disposal cells. A disposal cell is designed to encapsulate the material, reduce radon emanation, and prevent the movement of water through the material. At one site, Maybell, CO, the tailings were stabilized in-place at the mill site. After remediation of the tailings was completed, the State and DOE began to investigate the residual impacts to groundwater at the mill sites. The groundwater phase of the UMTRA program is on-going.

Date of Government Version: 11/23/2004
Date Data Arrived at EDR: 03/21/2007
Date Made Active in Reports: 05/02/2007
Number of Days to Update: 42

Source: Department of Public Health & Environment
Telephone: 970-248-7164
Last EDR Contact: 05/24/2018
Next Scheduled EDR Contact: 09/03/2018
Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

EDR HIGH RISK HISTORICAL RECORDS

EDR Exclusive Records

EDR MGP: EDR Proprietary Manufactured Gas Plants

The EDR Proprietary Manufactured Gas Plant Database includes records of coal gas plants (manufactured gas plants) compiled by EDR's researchers. Manufactured gas sites were used in the United States from the 1800's to 1950's to produce a gas that could be distributed and used as fuel. These plants used whale oil, rosin, coal, or a mixture of coal, oil, and water that also produced a significant amount of waste. Many of the byproducts of the gas production, such as coal tar (oily waste containing volatile and non-volatile chemicals), sludges, oils and other compounds are potentially hazardous to human health and the environment. The byproduct from this process was frequently disposed of directly at the plant site and can remain or spread slowly, serving as a continuous source of soil and groundwater contamination.

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A
Number of Days to Update: N/A

Source: EDR, Inc.
Telephone: N/A
Last EDR Contact: N/A
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

EDR Hist Auto: EDR Exclusive Historical Auto Stations

EDR has searched selected national collections of business directories and has collected listings of potential gas station/filling station/service station sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include gas station/filling station/service station establishments. The categories reviewed included, but were not limited to gas, gas station, gasoline station, filling station, auto, automobile repair, auto service station, service station, etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A
Number of Days to Update: N/A

Source: EDR, Inc.
Telephone: N/A
Last EDR Contact: N/A
Next Scheduled EDR Contact: N/A
Data Release Frequency: Varies

EDR Hist Cleaner: EDR Exclusive Historical Cleaners

EDR has searched selected national collections of business directories and has collected listings of potential dry cleaner sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include dry cleaning establishments. The categories reviewed included, but were not limited to dry cleaners, cleaners, laundry, laundromat, cleaning/laundry, wash & dry etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A
Number of Days to Update: N/A

Source: EDR, Inc.
Telephone: N/A
Last EDR Contact: N/A
Next Scheduled EDR Contact: N/A
Data Release Frequency: Varies

EDR RECOVERED GOVERNMENT ARCHIVES

Exclusive Recovered Govt. Archives

RGA LF: Recovered Government Archive Solid Waste Facilities List

The EDR Recovered Government Archive Landfill database provides a list of landfills derived from historical databases and includes many records that no longer appear in current government lists. Compiled from Records formerly available from the Department of Public Health & Environment in Colorado.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: N/A
Date Data Arrived at EDR: 07/01/2013
Date Made Active in Reports: 01/15/2014
Number of Days to Update: 198

Source: Department of Public Health & Environment
Telephone: N/A
Last EDR Contact: 06/01/2012
Next Scheduled EDR Contact: N/A
Data Release Frequency: Varies

RGA LUST: Recovered Government Archive Leaking Underground Storage Tank

The EDR Recovered Government Archive Leaking Underground Storage Tank database provides a list of LUST incidents derived from historical databases and includes many records that no longer appear in current government lists. Compiled from Records formerly available from the Department of Labor and Employment, Oil Inspection Section in Colorado.

Date of Government Version: N/A
Date Data Arrived at EDR: 07/01/2013
Date Made Active in Reports: 01/02/2014
Number of Days to Update: 185

Source: Department of Labor and Employment, Oil Inspection Section
Telephone: N/A
Last EDR Contact: 06/01/2012
Next Scheduled EDR Contact: N/A
Data Release Frequency: Varies

COUNTY RECORDS

ADAMS COUNTY:

Summary Report on Methane Gas Hazards and Surveys Conducted on Domestic and Demolition Landfills in Adams County
As of May 8, 1978, all known landfills or dumping sites in the Adams County area have been surveyed.

Date of Government Version: 05/08/1978
Date Data Arrived at EDR: 02/16/1995
Date Made Active in Reports: 04/04/1995
Number of Days to Update: 47

Source: Tri-County Health Department
Telephone: 303-761-1340
Last EDR Contact: 01/27/1995
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

ARAPAHOE COUNTY:

A Survey of Landfills in Arapahoe County

A survey of Arapahoe County was conducted from August through November, 1977, of all open and closed landfills and dumpsites in the county. Each of the sites found was classified as domestic or demolition.

Date of Government Version: 12/31/1978
Date Data Arrived at EDR: 02/16/1995
Date Made Active in Reports: 04/04/1995
Number of Days to Update: 47

Source: Tri-County Health Department
Telephone: 303-761-1340
Last EDR Contact: 01/27/1995
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

BOULDER COUNTY:

Old Landfill Sites

Landfill sites in Boulder county.

Date of Government Version: 05/01/1986
Date Data Arrived at EDR: 11/14/1995
Date Made Active in Reports: 12/07/1995
Number of Days to Update: 23

Source: Boulder County Health Department
Telephone: 303-441-1182
Last EDR Contact: 01/30/1998
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

DENVER COUNTY:

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Landfills in Denver County

Landfill sites in the city and county of Denver.

Date of Government Version: 06/23/2017
Date Data Arrived at EDR: 06/23/2017
Date Made Active in Reports: 09/06/2017
Number of Days to Update: 75

Source: City and County of Denver
Telephone: 720-913-4839
Last EDR Contact: 03/14/2018
Next Scheduled EDR Contact: 07/02/2018
Data Release Frequency: No Update Planned

Investigation of Methane Gas Hazards

The purpose of this study was to assess the actual and potential generation, migration, explosive and related problem associated with specified old landfills, and to identify existing and potential problems, suggested strategies to prevent, abate, and control such problems and recommend investigative and monitoring functions as may be deemed necessary. Eight sites determined to be priorities due to population density and potential hazards to population and property were selected by the Colorado Department of Health.

Date of Government Version: 01/01/1981
Date Data Arrived at EDR: 01/29/2013
Date Made Active in Reports: 03/08/2013
Number of Days to Update: 38

Source: City and County of Denver Department of Environmental Health
Telephone: 720-865-5522
Last EDR Contact: 01/15/2013
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

DOUGLAS COUNTY:

Douglas County Landfill Key

Landfill sites in Douglas county.

Date of Government Version: 06/12/1991
Date Data Arrived at EDR: 02/16/1995
Date Made Active in Reports: 04/04/1995
Number of Days to Update: 47

Source: Tri-County Health Department
Telephone: 303-761-1340
Last EDR Contact: 01/27/1995
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

PUEBLO COUNTY:

Designated Disposal & Landfill Sites

Only inert materials. Asphalt, cement, dirt & rock unless otherwise specified. These sites are no longer active.

Date of Government Version: 04/30/1990
Date Data Arrived at EDR: 11/16/1995
Date Made Active in Reports: 12/07/1995
Number of Days to Update: 21

Source: Pueblo City-County Health Department
Telephone: 719-583-4300
Last EDR Contact: 11/13/1995
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

TRI COUNTY:

Tri-County Area Solid Waste Facilities List (Adams, Arapahoe and Douglas Counties)

Closed Domestic Landfills in Adams County, Closed Domestic Landfills in Arapahoe County, Closed Demolition Landfills in Arapahoe County, Closed Domestic Landfills in Douglas County.

Date of Government Version: 10/15/1983
Date Data Arrived at EDR: 02/16/1995
Date Made Active in Reports: 04/04/1995
Number of Days to Update: 47

Source: Tri-County Health Department
Telephone: 303-761-1340
Last EDR Contact: 01/27/1995
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

WELD COUNTY:

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Solid Waste Facilities in Weld County

Solid Waste Facilities in Weld County.

Date of Government Version: 01/16/2018
Date Data Arrived at EDR: 02/09/2018
Date Made Active in Reports: 02/23/2018
Number of Days to Update: 14

Source: Weld County Department of Public Health
Telephone: 970-304-6415
Last EDR Contact: 05/11/2018
Next Scheduled EDR Contact: 08/20/2018
Data Release Frequency: No Update Planned

OTHER DATABASE(S)

Depending on the geographic area covered by this report, the data provided in these specialty databases may or may not be complete. For example, the existence of wetlands information data in a specific report does not mean that all wetlands in the area covered by the report are included. Moreover, the absence of any reported wetlands information does not necessarily mean that wetlands do not exist in the area covered by the report.

CT MANIFEST: Hazardous Waste Manifest Data

Facility and manifest data. Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a tsd facility.

Date of Government Version: 01/03/2018
Date Data Arrived at EDR: 02/14/2018
Date Made Active in Reports: 03/22/2018
Number of Days to Update: 36

Source: Department of Energy & Environmental Protection
Telephone: 860-424-3375
Last EDR Contact: 05/18/2018
Next Scheduled EDR Contact: 08/27/2018
Data Release Frequency: No Update Planned

NY MANIFEST: Facility and Manifest Data

Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a TSD facility.

Date of Government Version: 12/31/2017
Date Data Arrived at EDR: 01/31/2018
Date Made Active in Reports: 03/09/2018
Number of Days to Update: 37

Source: Department of Environmental Conservation
Telephone: 518-402-8651
Last EDR Contact: 05/03/2018
Next Scheduled EDR Contact: 08/13/2018
Data Release Frequency: Quarterly

PA MANIFEST: Manifest Information

Hazardous waste manifest information.

Date of Government Version: 12/31/2016
Date Data Arrived at EDR: 07/25/2017
Date Made Active in Reports: 09/25/2017
Number of Days to Update: 62

Source: Department of Environmental Protection
Telephone: 717-783-8990
Last EDR Contact: 04/12/2018
Next Scheduled EDR Contact: 07/30/2018
Data Release Frequency: Annually

WI MANIFEST: Manifest Information

Hazardous waste manifest information.

Date of Government Version: 12/31/2016
Date Data Arrived at EDR: 04/13/2017
Date Made Active in Reports: 07/14/2017
Number of Days to Update: 92

Source: Department of Natural Resources
Telephone: N/A
Last EDR Contact: 03/08/2018
Next Scheduled EDR Contact: 06/25/2018
Data Release Frequency: Annually

Oil/Gas Pipelines

Source: PennWell Corporation

Petroleum Bundle (Crude Oil, Refined Products, Petrochemicals, Gas Liquids (LPG/NGL), and Specialty Gases (Miscellaneous)) N = Natural Gas Bundle (Natural Gas, Gas Liquids (LPG/NGL), and Specialty Gases (Miscellaneous)). This map includes information copyrighted by PennWell Corporation. This information is provided on a best effort basis and PennWell Corporation does not guarantee its accuracy nor warrant its fitness for any particular purpose. Such information has been reprinted with the permission of PennWell.

Electric Power Transmission Line Data

Source: PennWell Corporation

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GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Sensitive Receptors: There are individuals deemed sensitive receptors due to their fragile immune systems and special sensitivity to environmental discharges. These sensitive receptors typically include the elderly, the sick, and children. While the location of all sensitive receptors cannot be determined, EDR indicates those buildings and facilities - schools, daycares, hospitals, medical centers, and nursing homes - where individuals who are sensitive receptors are likely to be located.

AHA Hospitals:

Source: American Hospital Association, Inc.

Telephone: 312-280-5991

The database includes a listing of hospitals based on the American Hospital Association's annual survey of hospitals.

Medical Centers: Provider of Services Listing

Source: Centers for Medicare & Medicaid Services

Telephone: 410-786-3000

A listing of hospitals with Medicare provider number, produced by Centers of Medicare & Medicaid Services, a federal agency within the U.S. Department of Health and Human Services.

Nursing Homes

Source: National Institutes of Health

Telephone: 301-594-6248

Information on Medicare and Medicaid certified nursing homes in the United States.

Public Schools

Source: National Center for Education Statistics

Telephone: 202-502-7300

The National Center for Education Statistics' primary database on elementary and secondary public education in the United States. It is a comprehensive, annual, national statistical database of all public elementary and secondary schools and school districts, which contains data that are comparable across all states.

Private Schools

Source: National Center for Education Statistics

Telephone: 202-502-7300

The National Center for Education Statistics' primary database on private school locations in the United States.

Daycare Centers: Daycare Listing

Source: Department of Human Services

Telephone: 303-866-5958

Flood Zone Data: This data was obtained from the Federal Emergency Management Agency (FEMA). It depicts 100-year and 500-year flood zones as defined by FEMA. It includes the National Flood Hazard Layer (NFHL) which incorporates Flood Insurance Rate Map (FIRM) data and Q3 data from FEMA in areas not covered by NFHL.

Source: FEMA

Telephone: 877-336-2627

Date of Government Version: 2003, 2015

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002, 2005 and 2010 from the U.S. Fish and Wildlife Service.

State Wetlands Data: Riparian Vegetation Data

Source: Division of Wildlife

Telephone: 970-416-3360

Current USGS 7.5 Minute Topographic Map

Source: U.S. Geological Survey

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

STREET AND ADDRESS INFORMATION

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GEOCHECK[®] - PHYSICAL SETTING SOURCE ADDENDUM

TARGET PROPERTY ADDRESS

BLODGETT PEAK ADDITION
SW OF BLODGETT RANCH TRAIL & WEST WOODMEN ROAD
COLORADO SPRINGS, CO 80919

TARGET PROPERTY COORDINATES

Latitude (North): 38.94233 - 38° 56' 32.39"
Longitude (West): 104.881384 - 104° 52' 52.98"
Universal Transverse Mercator: Zone 13
UTM X (Meters): 510279.8
UTM Y (Meters): 4310176.0
Elevation: 7175 ft. above sea level

USGS TOPOGRAPHIC MAP

Target Property Map: 5960198 CASCADE, CO
Version Date: 2013

East Map: 5959388 PIKEVIEW, CO
Version Date: 2013

EDR's GeoCheck Physical Setting Source Addendum is provided to assist the environmental professional in forming an opinion about the impact of potential contaminant migration.

Assessment of the impact of contaminant migration generally has two principal investigative components:

1. Groundwater flow direction, and
2. Groundwater flow velocity.

Groundwater flow direction may be impacted by surface topography, hydrology, hydrogeology, characteristics of the soil, and nearby wells. Groundwater flow velocity is generally impacted by the nature of the geologic strata.

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

GROUNDWATER FLOW DIRECTION INFORMATION

Groundwater flow direction for a particular site is best determined by a qualified environmental professional using site-specific well data. If such data is not reasonably ascertainable, it may be necessary to rely on other sources of information, such as surface topographic information, hydrologic information, hydrogeologic data collected on nearby properties, and regional groundwater flow information (from deep aquifers).

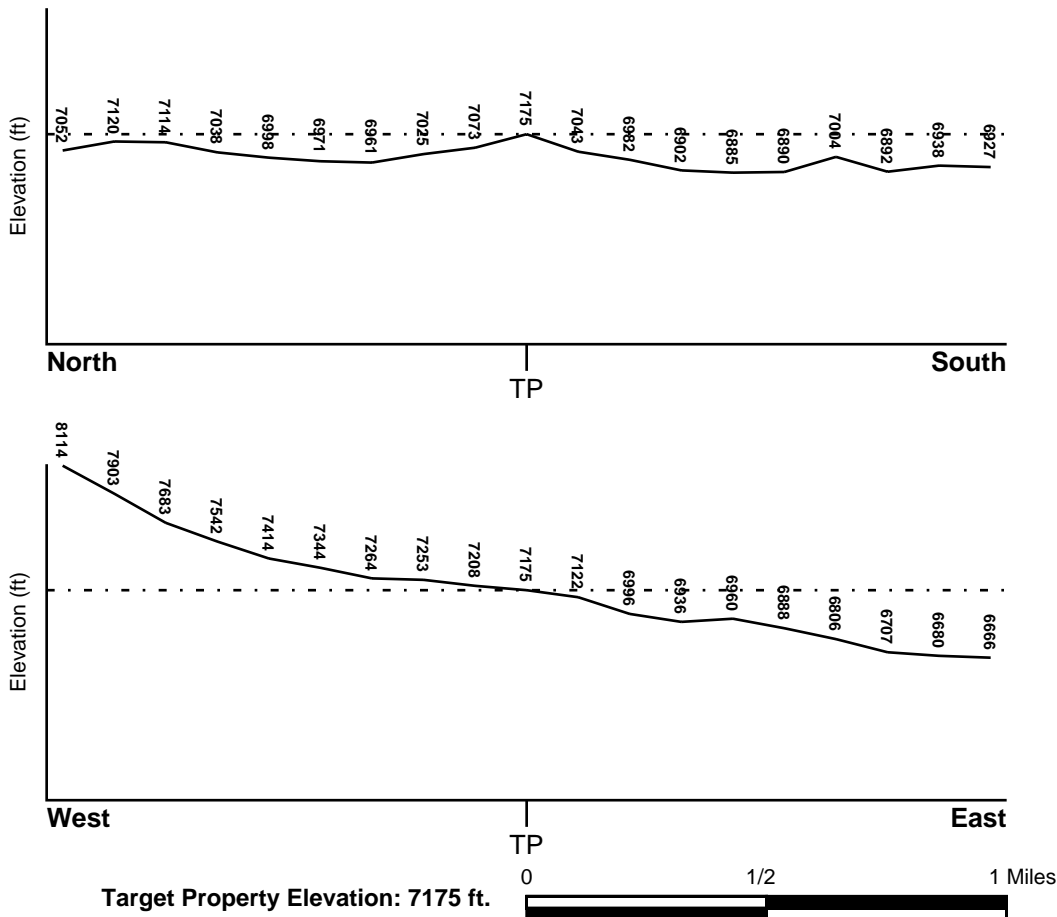
TOPOGRAPHIC INFORMATION

Surface topography may be indicative of the direction of surficial groundwater flow. This information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

TARGET PROPERTY TOPOGRAPHY

General Topographic Gradient: General East

SURROUNDING TOPOGRAPHY: ELEVATION PROFILES



Source: Topography has been determined from the USGS 7.5' Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified.

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

HYDROLOGIC INFORMATION

Surface water can act as a hydrologic barrier to groundwater flow. Such hydrologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

Refer to the Physical Setting Source Map following this summary for hydrologic information (major waterways and bodies of water).

FEMA FLOOD ZONE

<u>Flood Plain Panel at Target Property</u>	<u>FEMA Source Type</u>
08041C0484F	FEMA Q3 Flood data
<u>Additional Panels in search area:</u>	<u>FEMA Source Type</u>
08041C0503F	FEMA Q3 Flood data
08041C0511F	FEMA Q3 Flood data
08041C0495F	FEMA Q3 Flood data

NATIONAL WETLAND INVENTORY

<u>NWI Quad at Target Property</u>	<u>NWI Electronic Data Coverage</u>
CASCADE	YES - refer to the Overview Map and Detail Map

HYDROGEOLOGIC INFORMATION

Hydrogeologic information obtained by installation of wells on a specific site can often be an indicator of groundwater flow direction in the immediate area. Such hydrogeologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

AQUIFLOW®

Search Radius: 1.000 Mile.

EDR has developed the AQUIFLOW Information System to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted by environmental professionals to regulatory authorities at select sites and has extracted the date of the report, groundwater flow direction as determined hydrogeologically, and the depth to water table.

<u>MAP ID</u>	<u>LOCATION FROM TP</u>	<u>GENERAL DIRECTION GROUNDWATER FLOW</u>
Not Reported		

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

GROUNDWATER FLOW VELOCITY INFORMATION

Groundwater flow velocity information for a particular site is best determined by a qualified environmental professional using site specific geologic and soil strata data. If such data are not reasonably ascertainable, it may be necessary to rely on other sources of information, including geologic age identification, rock stratigraphic unit and soil characteristics data collected on nearby properties and regional soil information. In general, contaminant plumes move more quickly through sandy-gravelly types of soils than silty-clayey types of soils.

GEOLOGIC INFORMATION IN GENERAL AREA OF TARGET PROPERTY

Geologic information can be used by the environmental professional in forming an opinion about the relative speed at which contaminant migration may be occurring.

ROCK STRATIGRAPHIC UNIT

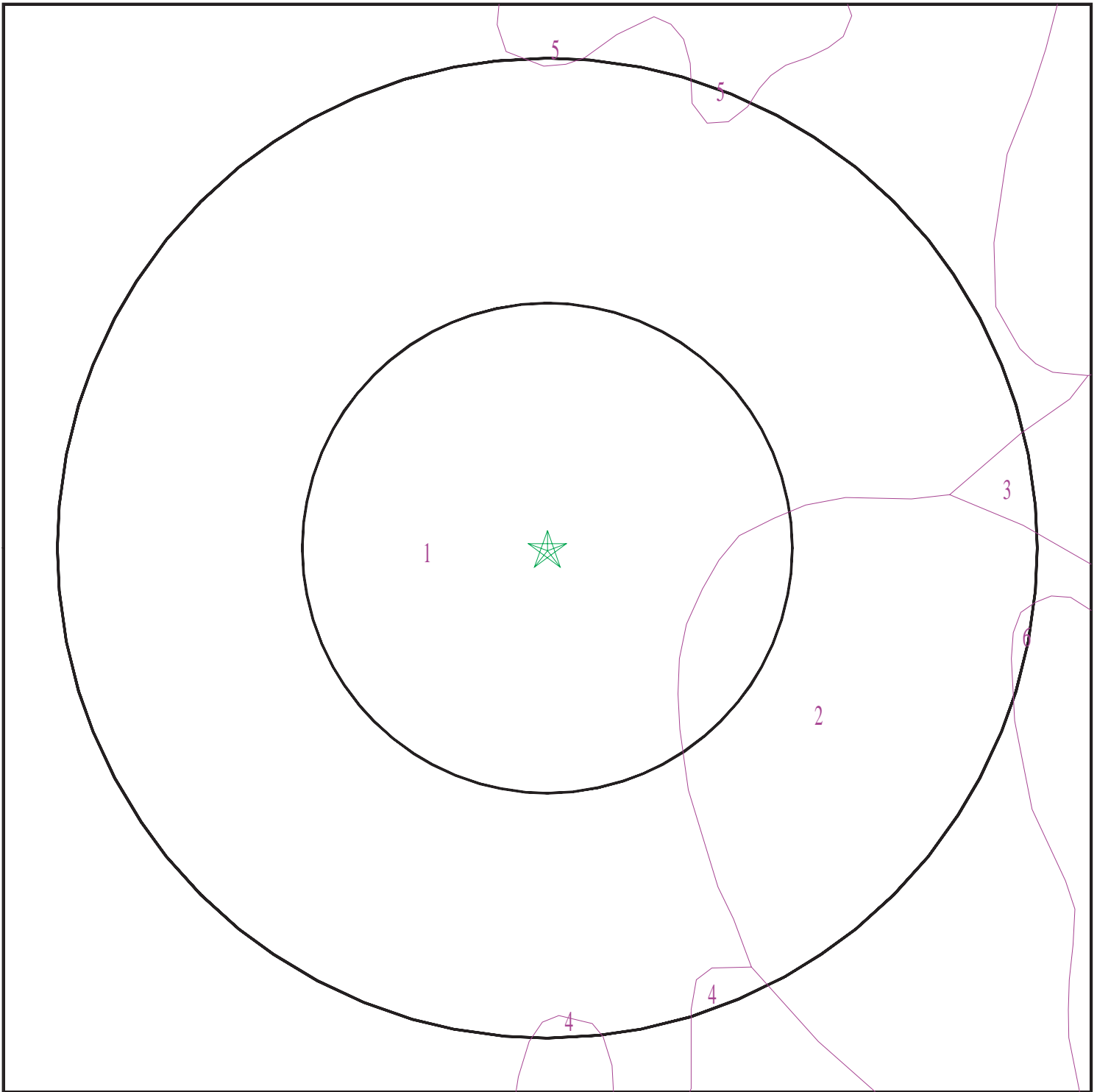
Era:	Mesozoic
System:	Cretaceous
Series:	Navarro Group
Code:	uK4 (<i>decoded above as Era, System & Series</i>)

GEOLOGIC AGE IDENTIFICATION

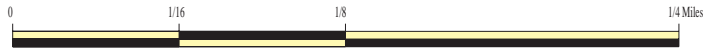
Category: Stratified Sequence

Geologic Age and Rock Stratigraphic Unit Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - a digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

SSURGO SOIL MAP - 5316533.2s



- ★ Target Property
- ∩ SSURGO Soil
- ∩ Water



SITE NAME: Blodgett Peak Addition
ADDRESS: SW of Blodgett Ranch Trail & West Woodmen Road
Colorado Springs CO 80919
LAT/LONG: 38.94233 / 104.881384

CLIENT: Ninyo & Moore
CONTACT: Cara Jacobs
INQUIRY #: 5316533.2s
DATE: May 30, 2018 5:41 pm

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

DOMINANT SOIL COMPOSITION IN GENERAL AREA OF TARGET PROPERTY

The U.S. Department of Agriculture's (USDA) Soil Conservation Service (SCS) leads the National Cooperative Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. The following information is based on Soil Conservation Service SSURGO data.

Soil Map ID: 1

Soil Component Name: Jarre

Soil Surface Texture: gravelly sandy loam

Hydrologic Group: Class B - Moderate infiltration rates. Deep and moderately deep, moderately well and well drained soils with moderately coarse textures.

Soil Drainage Class: Well drained

Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: Moderate

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
1	0 inches	5 inches	gravelly sandy loam	Not reported	Not reported	Max: 42.33 Min: 14.11	Max: 7.8 Min: 6.1
2	5 inches	22 inches	gravelly sandy clay loam	Not reported	Not reported	Max: 4.233 Min: 1.411	Max: 7.8 Min: 6.1
3	22 inches	59 inches	very gravelly sandy loam	Not reported	Not reported	Max: 42.33 Min: 14.11	Max: 7.8 Min: 6.1

Soil Map ID: 2

Soil Component Name: Chaseville

Soil Surface Texture: gravelly sandy loam

Hydrologic Group: Class A - High infiltration rates. Soils are deep, well drained to excessively drained sands and gravels.

Soil Drainage Class: Somewhat excessively drained

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: Low

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
1	0 inches	5 inches	gravelly sandy loam	Not reported	Not reported	Max: 42.33 Min: 14.11	Max: 7.3 Min: 6.1
2	5 inches	18 inches	very gravelly sandy loam	Not reported	Not reported	Max: 42.33 Min: 14.11	Max: 7.3 Min: 6.1
3	18 inches	40 inches	extremely gravelly loamy coarse sand	Not reported	Not reported	Max: 141 Min: 42	Max: 7.3 Min: 6.1
4	40 inches	59 inches	very gravelly loamy sand	Not reported	Not reported	Max: 141 Min: 42	Max: 7.3 Min: 6.1

Soil Map ID: 3

Soil Component Name: Kutch

Soil Surface Texture: clay loam

Hydrologic Group: Class C - Slow infiltration rates. Soils with layers impeding downward movement of water, or soils with moderately fine or fine textures.

Soil Drainage Class: Well drained

Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: High

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
1	0 inches	9 inches	clay loam	Not reported	Not reported	Max: 4.233 Min: 1.411	Max: 7.8 Min: 6.1

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
2	9 inches	27 inches	clay loam	Not reported	Not reported	Max: 1.411 Min: 0.4233	Max: 7.8 Min: 6.6
3	27 inches	35 inches	clay loam	Not reported	Not reported	Max: 1.411 Min: 0.4233	Max: 8.4 Min: 6.6
4	35 inches	40 inches	weathered bedrock	Not reported	Not reported	Max: 1.411 Min: 0.4233	Max: Min:

Soil Map ID: 4

Soil Component Name: Chaseville

Soil Surface Texture: gravelly sandy loam

Hydrologic Group: Class A - High infiltration rates. Soils are deep, well drained to excessively drained sands and gravels.

Soil Drainage Class: Somewhat excessively drained

Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: Low

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
1	0 inches	5 inches	gravelly sandy loam	Not reported	Not reported	Max: 42.33 Min: 14.11	Max: 7.3 Min: 6.1
2	5 inches	18 inches	very gravelly sandy loam	Not reported	Not reported	Max: 42.33 Min: 14.11	Max: 7.3 Min: 6.1
3	18 inches	40 inches	extremely gravelly loamy coarse sand	Not reported	Not reported	Max: 141 Min: 42	Max: 7.3 Min: 6.1
4	40 inches	59 inches	very gravelly loamy sand	Not reported	Not reported	Max: 141 Min: 42	Max: 7.3 Min: 6.1

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

Soil Map ID: 5

Soil Component Name: Perrypark

Soil Surface Texture: gravelly sandy loam

Hydrologic Group: Class B - Moderate infiltration rates. Deep and moderately deep, moderately well and well drained soils with moderately coarse textures.

Soil Drainage Class: Well drained

Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: Moderate

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
1	0 inches	3 inches	gravelly sandy loam	Not reported	Not reported	Max: 42.33 Min: 14.11	Max: 7.8 Min: 6.1
2	3 inches	48 inches	sandy clay loam	Not reported	Not reported	Max: 4.233 Min: 1.411	Max: 7.8 Min: 6.1
3	48 inches	59 inches	gravelly sandy loam	Not reported	Not reported	Max: 42.33 Min: 14.11	Max: 7.8 Min: 6.1

Soil Map ID: 6

Soil Component Name: Razor

Soil Surface Texture: clay loam

Hydrologic Group: Class C - Slow infiltration rates. Soils with layers impeding downward movement of water, or soils with moderately fine or fine textures.

Soil Drainage Class: Well drained

Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: High

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
1	0 inches	3 inches	clay loam	Not reported	Not reported	Max: 1.411 Min: 0.4233	Max: 8.4 Min: 6.6
2	3 inches	9 inches	clay loam	Not reported	Not reported	Max: 1.411 Min: 0.4233	Max: 8.4 Min: 7.4
3	9 inches	31 inches	clay	Not reported	Not reported	Max: 1.411 Min: 0.4233	Max: 8.4 Min: 7.4
4	31 inches	35 inches	weathered bedrock	Not reported	Not reported	Max: 1.411 Min: 0.4233	Max: Min:

LOCAL / REGIONAL WATER AGENCY RECORDS

EDR Local/Regional Water Agency records provide water well information to assist the environmental professional in assessing sources that may impact ground water flow direction, and in forming an opinion about the impact of contaminant migration on nearby drinking water wells.

WELL SEARCH DISTANCE INFORMATION

<u>DATABASE</u>	<u>SEARCH DISTANCE (miles)</u>
Federal USGS	1.000
Federal FRDS PWS	Nearest PWS within 0.001 miles
State Database	1.000

FEDERAL USGS WELL INFORMATION

<u>MAP ID</u>	<u>WELL ID</u>	<u>LOCATION FROM TP</u>
No Wells Found		

FEDERAL FRDS PUBLIC WATER SUPPLY SYSTEM INFORMATION

<u>MAP ID</u>	<u>WELL ID</u>	<u>LOCATION FROM TP</u>
No PWS System Found		

Note: PWS System location is not always the same as well location.

STATE DATABASE WELL INFORMATION

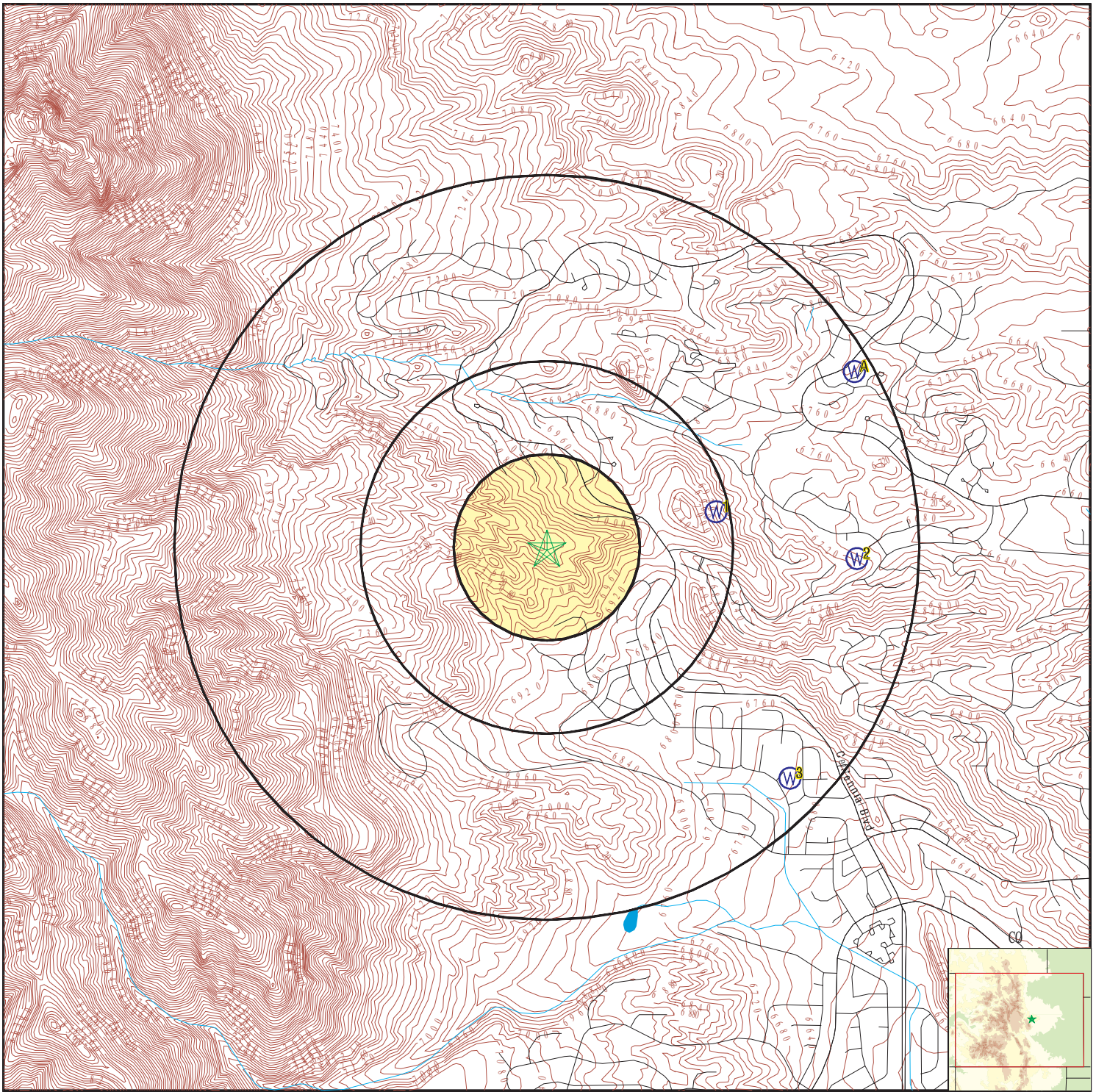
<u>MAP ID</u>	<u>WELL ID</u>	<u>LOCATION FROM TP</u>
1	CO6000000222885	1/4 - 1/2 Mile ENE








GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY





STATE DATABASE WELL INFORMATION

<u>MAP ID</u>	<u>WELL ID</u>	<u>LOCATION FROM TP</u>
2	CO6000000121258	1/2 - 1 Mile East
3	CO6000000286895	1/2 - 1 Mile SE
A4	CO6000000118741	1/2 - 1 Mile ENE
A5	CO6000000118356	1/2 - 1 Mile ENE
A6	CO6000000121149	1/2 - 1 Mile ENE
A7	CO6000000120116	1/2 - 1 Mile ENE
A8	CO6000000117808	1/2 - 1 Mile ENE

PHYSICAL SETTING SOURCE MAP - 5316533.2s



-  County Boundary
-  Major Roads
-  Contour Lines
-  Earthquake epicenter, Richter 5 or greater
-  Water Wells
-  Public Water Supply Wells
-  Cluster of Multiple Icons

-  Groundwater Flow Direction
-  Indeterminate Groundwater Flow at Location
-  Groundwater Flow Varies at Location
-  Oil, gas or related wells



SITE NAME: Blodgett Peak Addition
ADDRESS: SW of Blodgett Ranch Trail & West Woodmen Road
 Colorado Springs CO 80919
LAT/LONG: 38.94233 / 104.881384

CLIENT: Ninyo & Moore
CONTACT: Cara Jacobs
INQUIRY #: 5316533.2s
DATE: May 30, 2018 5:41 pm

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
 Direction
 Distance
 Elevation

Database EDR ID Number

1		Database	EDR ID Number
ENE		CO WELLS	CO6000000222885
1/4 - 1/2 Mile			
Lower			
Fid:	222884	Objectid:	222885
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0027825		
Receipt:	0027825	Permit:	27825-MH
Wdid:	Not Reported	Currstatus:	Permit Issued; Completion Status Unknown
Wellname:	Not Reported	Caseno:	Not Reported
Div:	2	Wd:	10
County:	EL PASO	Mgmtldist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	13.0 S
Range:	67.0 W	Section :	3
Q160:	SE	Q40:	Not Reported
Q10:	Not Reported	Coordew:	0
Coordewdir:	Not Reported	Coordns:	0
Coordnsdir:	Not Reported		
Utmx:	511011		
Utmy:	4310538.4		
Locaccurac:	Spotted from quarters		
Latdecdeg:	38.943716		
Longdecdeg:	-104.872941		
Use1:	OTHER	Use2:	Not Reported
Specialuse:	MONITORING WELL	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	acres		
Annapprpr:	0		
Permissued:	1996-04-12		
Permexpire:	1996-07-12		
Wellconstr:	Not Reported		
Firstbenef:	Not Reported		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	Not Reported		
Elev:	0	Welldepth:	0
Topperfcas:	0	Botperfcas:	0
Yield:	0		
Staticwl:	0		
Applicantn:	PEREGRINE JOINT VENTURE		
Complewew:	0	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	511011		
Disputmy:	4310538.4		
Latitude:	38.9437160776		
Longitude:	-104.872940709		
Site id:	CO6000000222885		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
 Direction
 Distance
 Elevation

Database EDR ID Number

2
East
1/2 - 1 Mile
Lower

CO WELLS CO6000000121258

Fid:	121257	Objectid:	121258
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=9082171		
Receipt:	9082171	Permit:	40768-
Wdid:	Not Reported	Currstatus:	Well Constructed
Wellname:	Not Reported	Caseno:	Not Reported
Div:	2	Wd:	10
County:	EL PASO	Mgmtldist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	13.0 S
Range:	67.0 W	Section :	2
Q160:	SW	Q40:	SW
Q10:	Not Reported	Coordew:	0
Coordewdir:	Not Reported	Coordns:	0
Coordnsdir:	Not Reported		
Utmx:	511619.4		
Utmy:	4310336.9		
Locaccurac:	Spotted from quarters		
Latdecdeg:	38.941892		
Longdecdeg:	-104.865924		
Use1:	DOMESTIC	Use2:	Not Reported
Specialuse:	Not Reported	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	Not Reported		
Annapprpr:	1		
Permissued:	Not Reported		
Permexpire:	Not Reported		
Wellconstr:	Not Reported		
Firstbenef:	1970-04-20		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	Not Reported		
Elev:	0	Welldepth:	180
Topperfcas:	0	Botperfcas:	0
Yield:	4		
Staticwl:	69		
Applicantn:	PAGE BOB		
Complewew:	1	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	511619.4		
Disputmy:	4310336.9		
Latitude:	38.9418924234		
Longitude:	-104.865923633		
Site id:	CO6000000121258		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
 Direction
 Distance
 Elevation

Database EDR ID Number

3
SE
1/2 - 1 Mile
Lower

CO WELLS CO6000000286895

Fid:	286894	Objectid:	286895
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0220503		
Receipt:	0220503	Permit:	123397-
Wdid:	Not Reported	Currstatus:	Not Reported
Wellname:	Not Reported	Caseno:	Not Reported
Div:	2	Wd:	10
County:	EL PASO	Mgmtldist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	13.0 S
Range:	67.0 W	Section :	10
Q160:	NE	Q40:	NE
Q10:	Not Reported	Coordew:	300
Coordewdir:	E	Coordns:	2450
Coordnsdir:	N		
Utmx:	511331.7		
Utmx:	4309387.5		
Locaccurac:	Spotted from section lines		
Latdecdeg:	38.933341		
Longdecdeg:	-104.869259		
Use1:	DOMESTIC	Use2:	Not Reported
Specialuse:	Not Reported	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	acres		
Annapprpr:	0		
Permissued:	1981-11-19		
Permexpire:	Not Reported		
Wellconstr:	Not Reported		
Firstbenef:	Not Reported		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	Not Reported		
Elev:	0	Welldepth:	0
Topperfcas:	0	Botperfcas:	0
Yield:	0		
Staticwl:	0		
Applicantn:	SCHAUF W M		
Complewew:	0	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	511331.7		
Disputmy:	4309387.5		
Latitude:	38.9333407368		
Longitude:	-104.869259109		
Site id:	CO6000000286895		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
 Direction
 Distance
 Elevation

Database EDR ID Number

A4
ENE
1/2 - 1 Mile
Lower

CO WELLS CO6000000118741

Fid:	118740	Objectid:	118741
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=9079557		
Receipt:	9079557	Permit:	15193-
Wdid:	Not Reported	Currstatus:	Well Constructed
Wellname:	Not Reported	Caseno:	Not Reported
Div:	2	Wd:	10
County:	EL PASO	Mgmtldist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	13.0 S
Range:	67.0 W	Section :	2
Q160:	NW	Q40:	SW
Q10:	Not Reported	Coordew:	0
Coordewdir:	Not Reported	Coordns:	0
Coordnsdir:	Not Reported		
Utmx:	511607.1		
Utmy:	4311144.9		
Locaccurac:	Spotted from quarters		
Latdecdeg:	38.949174		
Longdecdeg:	-104.866052		
Use1:	DOMESTIC	Use2:	Not Reported
Specialuse:	Not Reported	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	Not Reported		
Annapprpr:	1		
Permissued:	Not Reported		
Permexpire:	Not Reported		
Wellconstr:	Not Reported		
Firstbenef:	1963-05-06		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	Well address: 1485 Cedar Valley Lane, CO Springs, CO 80919		
Elev:	0	Welldepth:	140
Topperfcas:	0	Botperfcas:	0
Yield:	5		
Staticwl:	67		
Applicantn:	LARSON GLEN J & CYNTHIA K		
Complewew:	3	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	511626.3		
Disputmy:	4311167		
Latitude:	38.9491738104		
Longitude:	-104.866051862		
Site id:	CO6000000118741		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
 Direction
 Distance
 Elevation

Database EDR ID Number

A5
ENE
1/2 - 1 Mile
Lower

CO WELLS CO6000000118356

Fid:	118355	Objectid:	118356
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=9079154		
Receipt:	9079154	Permit:	10793-
Wdid:	Not Reported	Currstatus:	Well Constructed
Wellname:	Not Reported	Caseno:	Not Reported
Div:	2	Wd:	10
County:	EL PASO	Mgmtldist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	13.0 S
Range:	67.0 W	Section :	2
Q160:	NW	Q40:	SW
Q10:	Not Reported	Coordew:	0
Coordewdir:	Not Reported	Coordns:	0
Coordnsdir:	Not Reported		
Utmx:	511607.1		
Utmy:	4311144.9		
Locaccurac:	Spotted from quarters		
Latdecdeg:	38.949174		
Longdecdeg:	-104.866052		
Use1:	DOMESTIC	Use2:	Not Reported
Specialuse:	Not Reported	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	Not Reported		
Annapprpr:	1		
Permissued:	Not Reported		
Permexpire:	Not Reported		
Wellconstr:	Not Reported		
Firstbenef:	1962-03-12		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	Not Reported		
Elev:	0	Welldepth:	115
Topperfcas:	0	Botperfcas:	0
Yield:	4		
Staticwl:	21		
Applicantn:	LINDEMAN G DR		
Complewewe:	3	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	511617.3		
Disputmy:	4311172.2		
Latitude:	38.9491738104		
Longitude:	-104.866051862		
Site id:	CO6000000118356		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database EDR ID Number

A6
ENE
1/2 - 1 Mile
Lower

CO WELLS CO6000000121149

Fid:	121148	Objectid:	121149
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=9082062		
Receipt:	9082062	Permit:	39195-
Wdid:	Not Reported	Currstatus:	Well Constructed
Wellname:	Not Reported	Caseno:	Not Reported
Div:	2	Wd:	10
County:	EL PASO	Mgmtldist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	13.0 S
Range:	67.0 W	Section :	2
Q160:	NW	Q40:	SW
Q10:	Not Reported	Coordew:	0
Coordewdir:	Not Reported	Coordns:	0
Coordnsdir:	Not Reported		
Utmx:	511607.1		
Utmy:	4311144.9		
Locaccurac:	Spotted from quarters		
Latdecdeg:	38.949174		
Longdecdeg:	-104.866052		
Use1:	DOMESTIC	Use2:	Not Reported
Specialuse:	Not Reported	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	Not Reported		
Annapprpr:	1		
Permissued:	Not Reported		
Permexpire:	Not Reported		
Wellconstr:	Not Reported		
Firstbenef:	1969-08-22		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	Not Reported		
Elev:	0	Welldepth:	125
Topperfcas:	0	Botperfcas:	0
Yield:	10		
Staticwl:	42		
Applicantn:	LINDMAN DR		
Complewew:	3	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	511636.5		
Disputmy:	4311149.2		
Latitude:	38.9491738104		
Longitude:	-104.866051862		
Site id:	CO6000000121149		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
 Direction
 Distance
 Elevation

Database EDR ID Number

A7
ENE
1/2 - 1 Mile
Lower

CO WELLS CO6000000120116

Fid:	120115	Objectid:	120116
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=9080998		
Receipt:	9080998	Permit:	24155-
Wdid:	Not Reported	Currstatus:	Well Constructed
Wellname:	Not Reported	Caseno:	Not Reported
Div:	2	Wd:	10
County:	EL PASO	Mgmtldist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	13.0 S
Range:	67.0 W	Section :	2
Q160:	NW	Q40:	SW
Q10:	Not Reported	Coordew:	0
Coordewdir:	Not Reported	Coordns:	0
Coordnsdir:	Not Reported		
Utmx:	511607.1		
Utmy:	4311144.9		
Locaccurac:	Spotted from quarters		
Latdecdeg:	38.949174		
Longdecdeg:	-104.866052		
Use1:	DOMESTIC	Use2:	Not Reported
Specialuse:	Not Reported	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	Not Reported		
Annapprpr:	1		
Permissued:	Not Reported		
Permexpire:	Not Reported		
Wellconstr:	Not Reported		
Firstbenef:	1965-05-28		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	Not Reported		
Elev:	0	Welldepth:	140
Topperfcas:	0	Botperfcas:	0
Yield:	9		
Staticwl:	68		
Applicantn:	THOMPSON PAUL		
Complewew:	3	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	511633		
Disputmy:	4311159		
Latitude:	38.9491738104		
Longitude:	-104.866051862		
Site id:	CO6000000120116		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
 Direction
 Distance
 Elevation

Database EDR ID Number

A8
ENE
1/2 - 1 Mile
Lower

CO WELLS CO6000000117808

Fid:	117807	Objectid:	117808
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=9078581		
Receipt:	9078581	Permit:	3810-
Wdid:	Not Reported	Currstatus:	Well Constructed
Wellname:	Not Reported	Caseno:	Not Reported
Div:	2	Wd:	10
County:	EL PASO	Mgmtldist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	13.0 S
Range:	67.0 W	Section :	2
Q160:	NW	Q40:	SW
Q10:	Not Reported	Coordew:	0
Coordewdir:	Not Reported	Coordns:	0
Coordnsdir:	Not Reported		
Utmx:	511607.1		
Utmy:	4311144.9		
Locaccurac:	Spotted from quarters		
Latdecdeg:	38.949174		
Longdecdeg:	-104.866052		
Use1:	DOMESTIC	Use2:	Not Reported
Specialuse:	Not Reported	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	Not Reported		
Annapprpr:	1		
Permissued:	Not Reported		
Permexpire:	Not Reported		
Wellconstr:	Not Reported		
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Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	Not Reported		
Elev:	0	Welldepth:	170
Topperfcas:	0	Botperfcas:	0
Yield:	5		
Staticwl:	74		
Applicantn:	BYARLY CHARLES H		
Complewew:	1	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	511607		
Disputmy:	4311144		
Latitude:	38.9491738104		
Longitude:	-104.866051862		
Site id:	CO6000000117808		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS RADON

AREA RADON INFORMATION

State Database: CO Radon

Radon Test Results

Zip	Total Sites	Avg	% sites<=4 pCi/L	% sites>4<10 pCi/L	% sites>=10<20 pCi/L	% sites>20 pCi/L
80919	9	7.36	44.44	33.33	11.11	11.11

Federal EPA Radon Zone for EL PASO County: 1

- Note: Zone 1 indoor average level > 4 pCi/L.
 : Zone 2 indoor average level >= 2 pCi/L and <= 4 pCi/L.
 : Zone 3 indoor average level < 2 pCi/L.

Federal Area Radon Information for Zip Code: 80919

Number of sites tested: 5

Area	Average Activity	% <4 pCi/L	% 4-20 pCi/L	% >20 pCi/L
Living Area - 1st Floor	6.700 pCi/L	50%	50%	0%
Living Area - 2nd Floor	Not Reported	Not Reported	Not Reported	Not Reported
Basement	8.220 pCi/L	40%	40%	20%

PHYSICAL SETTING SOURCE RECORDS SEARCHED

TOPOGRAPHIC INFORMATION

USGS 7.5' Digital Elevation Model (DEM)

Source: United States Geologic Survey

EDR acquired the USGS 7.5' Digital Elevation Model in 2002 and updated it in 2006. The 7.5 minute DEM corresponds to the USGS 1:24,000- and 1:25,000-scale topographic quadrangle maps. The DEM provides elevation data with consistent elevation units and projection.

Current USGS 7.5 Minute Topographic Map

Source: U.S. Geological Survey

HYDROLOGIC INFORMATION

Flood Zone Data: This data was obtained from the Federal Emergency Management Agency (FEMA). It depicts 100-year and 500-year flood zones as defined by FEMA. It includes the National Flood Hazard Layer (NFHL) which incorporates Flood Insurance Rate Map (FIRM) data and Q3 data from FEMA in areas not covered by NFHL.

Source: FEMA

Telephone: 877-336-2627

Date of Government Version: 2003, 2015

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002, 2005 and 2010 from the U.S. Fish and Wildlife Service.

State Wetlands Data: Riparian Vegetation Data

Source: Division of Wildlife

Telephone: 970-416-3360

HYDROGEOLOGIC INFORMATION

AQUIFLOW^R Information System

Source: EDR proprietary database of groundwater flow information

EDR has developed the AQUIFLOW Information System (AIS) to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted to regulatory authorities at select sites and has extracted the date of the report, hydrogeologically determined groundwater flow direction and depth to water table information.

GEOLOGIC INFORMATION

Geologic Age and Rock Stratigraphic Unit

Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - A digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

STATSGO: State Soil Geographic Database

Source: Department of Agriculture, Natural Resources Conservation Service (NRCS)

The U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) leads the national Conservation Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. Soil maps for STATSGO are compiled by generalizing more detailed (SSURGO) soil survey maps.

SSURGO: Soil Survey Geographic Database

Source: Department of Agriculture, Natural Resources Conservation Service (NRCS)

Telephone: 800-672-5559

SSURGO is the most detailed level of mapping done by the Natural Resources Conservation Service, mapping scales generally range from 1:12,000 to 1:63,360. Field mapping methods using national standards are used to construct the soil maps in the Soil Survey Geographic (SSURGO) database. SSURGO digitizing duplicates the original soil survey maps. This level of mapping is designed for use by landowners, townships and county natural resource planning and management.

PHYSICAL SETTING SOURCE RECORDS SEARCHED

LOCAL / REGIONAL WATER AGENCY RECORDS

FEDERAL WATER WELLS

PWS: Public Water Systems

Source: EPA/Office of Drinking Water

Telephone: 202-564-3750

Public Water System data from the Federal Reporting Data System. A PWS is any water system which provides water to at least 25 people for at least 60 days annually. PWSs provide water from wells, rivers and other sources.

PWS ENF: Public Water Systems Violation and Enforcement Data

Source: EPA/Office of Drinking Water

Telephone: 202-564-3750

Violation and Enforcement data for Public Water Systems from the Safe Drinking Water Information System (SDWIS) after August 1995. Prior to August 1995, the data came from the Federal Reporting Data System (FRDS).

USGS Water Wells: USGS National Water Inventory System (NWIS)

This database contains descriptive information on sites where the USGS collects or has collected data on surface water and/or groundwater. The groundwater data includes information on wells, springs, and other sources of groundwater.

STATE RECORDS

Colorado GIS Well Database

Source: Office of State Engineer, Division of Water Resources

Telephone: 303-866-3581

The GIS Well database includes all wells that the Division of Water Resources permits.

OTHER STATE DATABASE INFORMATION

Oil and Gas Well Locations

Source: Department of Natural Resources

Telephone: 303-894-2100

RADON

State Database: CO Radon

Source: Department of Public Health & Environment

Telephone: 303-692-3090

Radon Study in Colorado

Area Radon Information

Source: USGS

Telephone: 703-356-4020

The National Radon Database has been developed by the U.S. Environmental Protection Agency (USEPA) and is a compilation of the EPA/State Residential Radon Survey and the National Residential Radon Survey. The study covers the years 1986 - 1992. Where necessary data has been supplemented by information collected at private sources such as universities and research institutions.

EPA Radon Zones

Source: EPA

Telephone: 703-356-4020

Sections 307 & 309 of IRAA directed EPA to list and identify areas of U.S. with the potential for elevated indoor radon levels.

OTHER

Airport Landing Facilities: Private and public use landing facilities

Source: Federal Aviation Administration, 800-457-6656

Epicenters: World earthquake epicenters, Richter 5 or greater

Source: Department of Commerce, National Oceanic and Atmospheric Administration

Earthquake Fault Lines: The fault lines displayed on EDR's Topographic map are digitized quaternary faultlines, prepared in 1975 by the United State Geological Survey

PHYSICAL SETTING SOURCE RECORDS SEARCHED

STREET AND ADDRESS INFORMATION

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APPENDIX D

Historical Research Documentation



Blodgett Peak Addition

SW of Blodgett Ranch Trail & West Woodmen Road

Colorado Springs, CO 80919

Inquiry Number: 5316533.8

May 31, 2018

The EDR Aerial Photo Decade Package



6 Armstrong Road, 4th floor
Shelton, CT 06484
Toll Free: 800.352.0050
www.edrnet.com

EDR Aerial Photo Decade Package

05/31/18

Site Name:

Blodgett Peak Addition
SW of Blodgett Ranch Trail & V
Colorado Springs, CO 80919
EDR Inquiry # 5316533.8

Client Name:

Ninyo & Moore
6001 S Willow Dr
Greenwood Village, CO 80111
Contact: Cara Jacobs



Environmental Data Resources, Inc. (EDR) Aerial Photo Decade Package is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR's professional researchers provide digitally reproduced historical aerial photographs, and when available, provide one photo per decade.

Search Results:

<u>Year</u>	<u>Scale</u>	<u>Details</u>	<u>Source</u>
2015	1"=500'	Flight Year: 2015	USDA/NAIP
2011	1"=500'	Flight Year: 2011	USDA/NAIP
2005	1"=500'	Flight Year: 2005	USDA/NAIP
1999	1"=500'	Acquisition Date: September 04, 1999	USGS/DOQQ
1993	1"=500'	Flight Date: June 27, 1993	USGS
1988	1"=500'	Flight Date: August 14, 1988	USGS
1983	1"=500'	Flight Date: October 25, 1983	USDA
1975	1"=500'	Flight Date: September 23, 1975	USGS
1972	1"=500'	Flight Date: June 15, 1972	USGS
1969	1"=500'	Flight Date: September 29, 1969	USGS
1960	1"=500'	Flight Date: October 24, 1960	USGS
1953	1"=500'	Flight Date: July 08, 1953	USGS
1947	1"=500'	Flight Date: July 27, 1947	USGS
1937	1"=500'	Flight Date: August 22, 1937	USDA

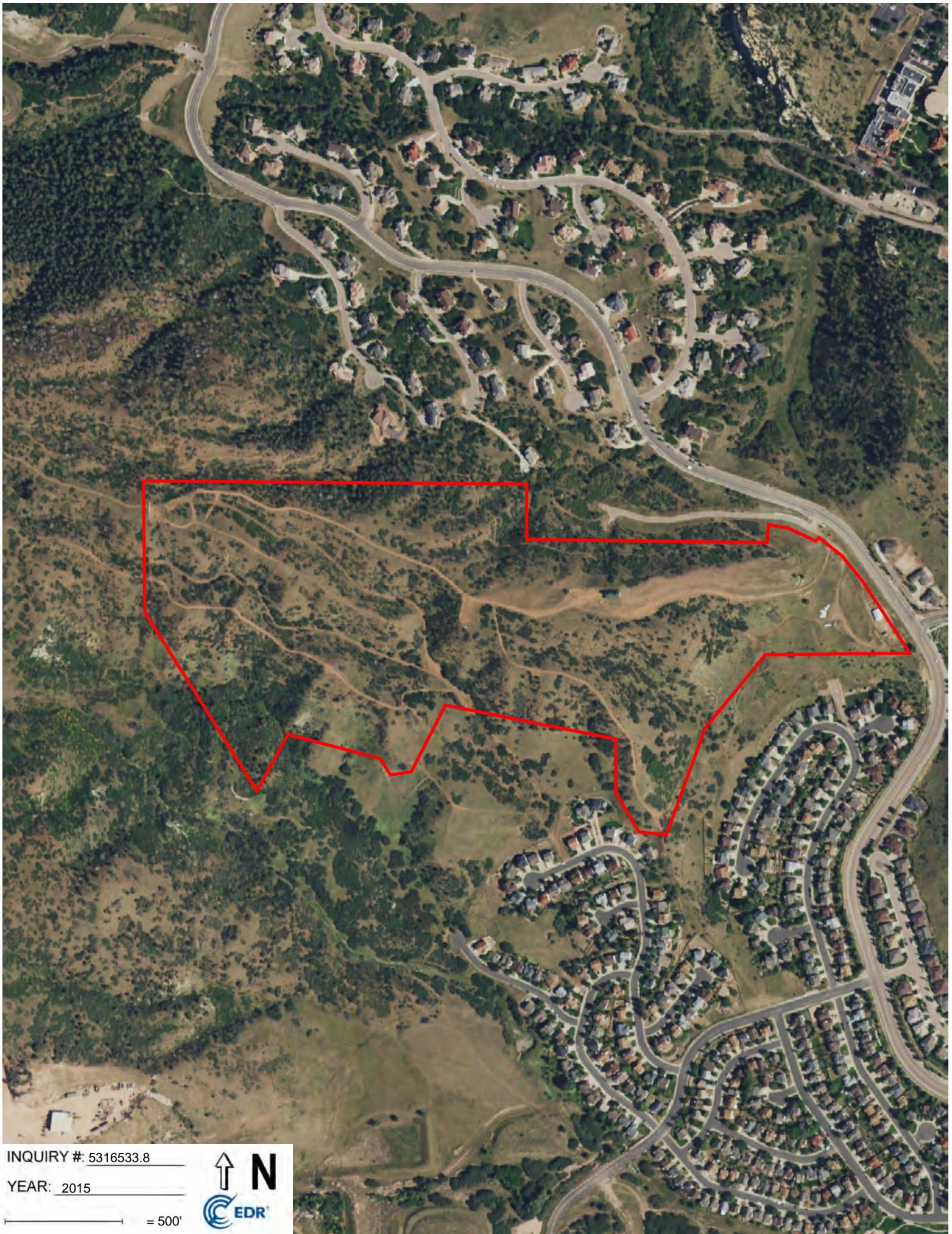
When delivered electronically by EDR, the aerial photo images included with this report are for ONE TIME USE ONLY. Further reproduction of these aerial photo images is prohibited without permission from EDR. For more information contact your EDR Account Executive.

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INQUIRY #: 5316533.8

YEAR: 2015

— = 500'





INQUIRY # 5316533.8

YEAR: 2011

 = 500'





INQUIRY #: 5316533.8

YEAR: 2005

— = 500'





INQUIRY #: 5316533.8

YEAR: 1999

— = 500'



Subject boundary not shown because it exceeds image extent or image is not georeferenced.



INQUIRY #: 5316533.8

YEAR: 1993

— = 500'



NIAPP

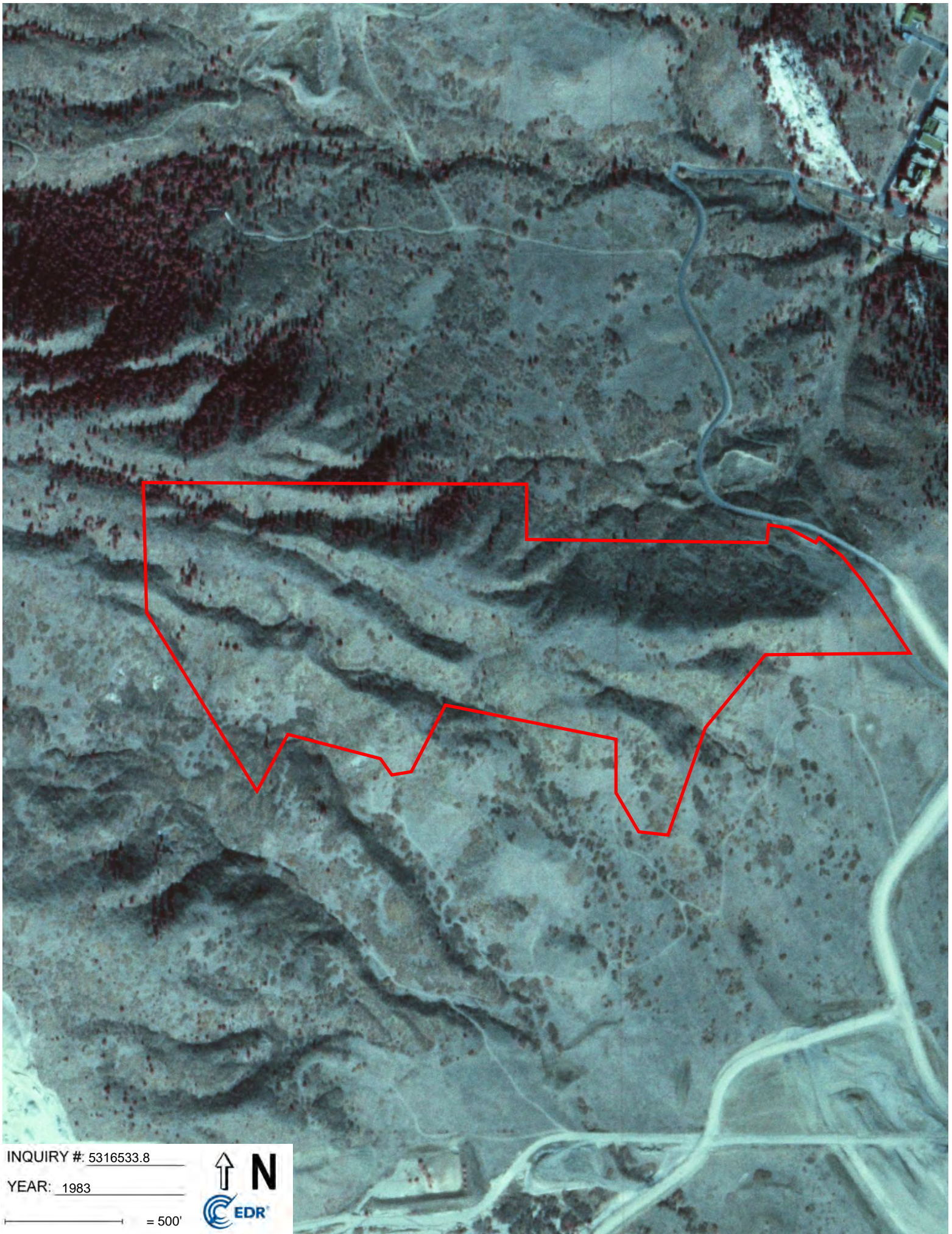
INQUIRY #: 5316533.8

YEAR: 1988

— = 500'



Subject boundary not shown because it exceeds image extent or image is not georeferenced.

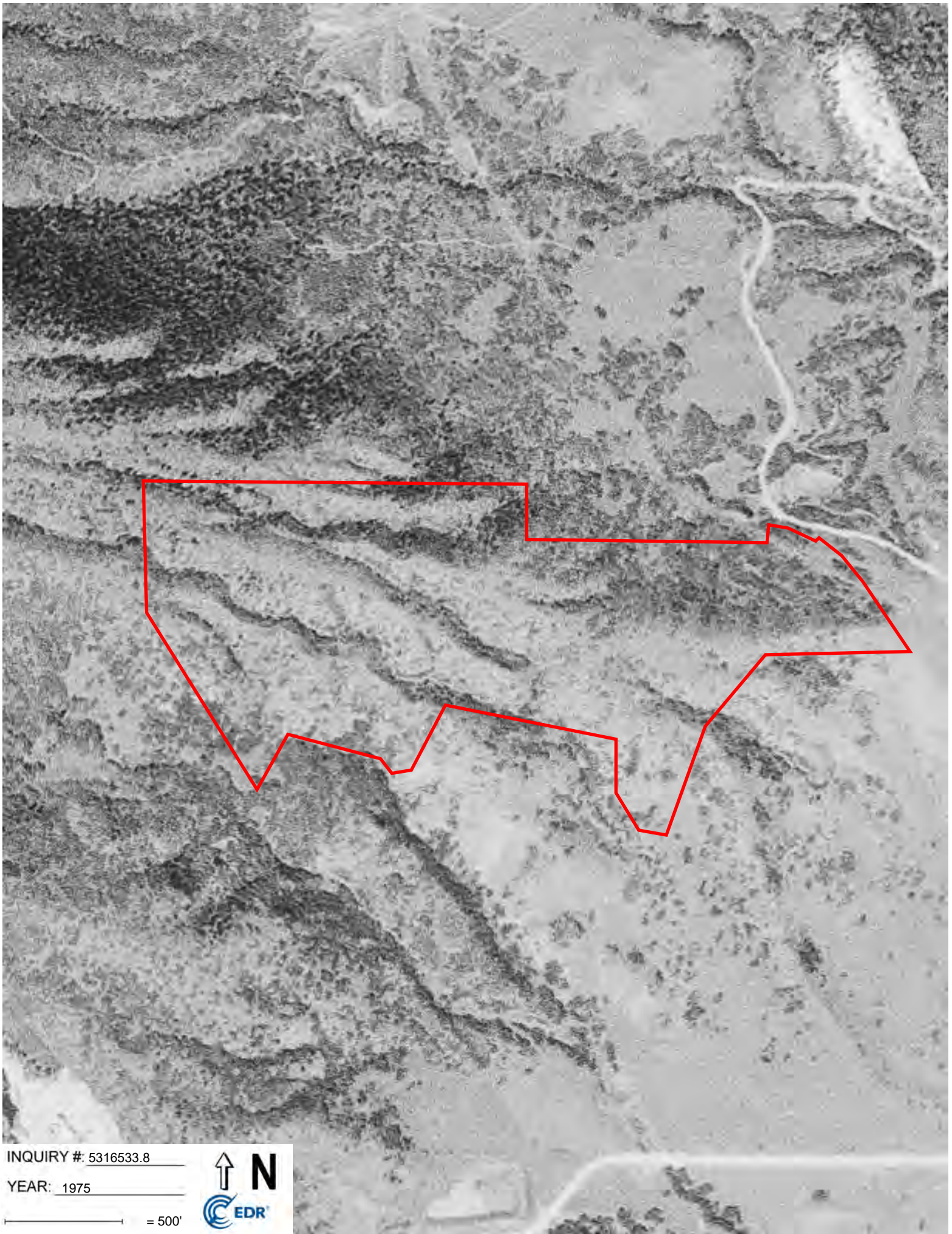


INQUIRY #: 5316533.8

YEAR: 1983

500'





INQUIRY #: 5316533.8

YEAR: 1975

— = 500'





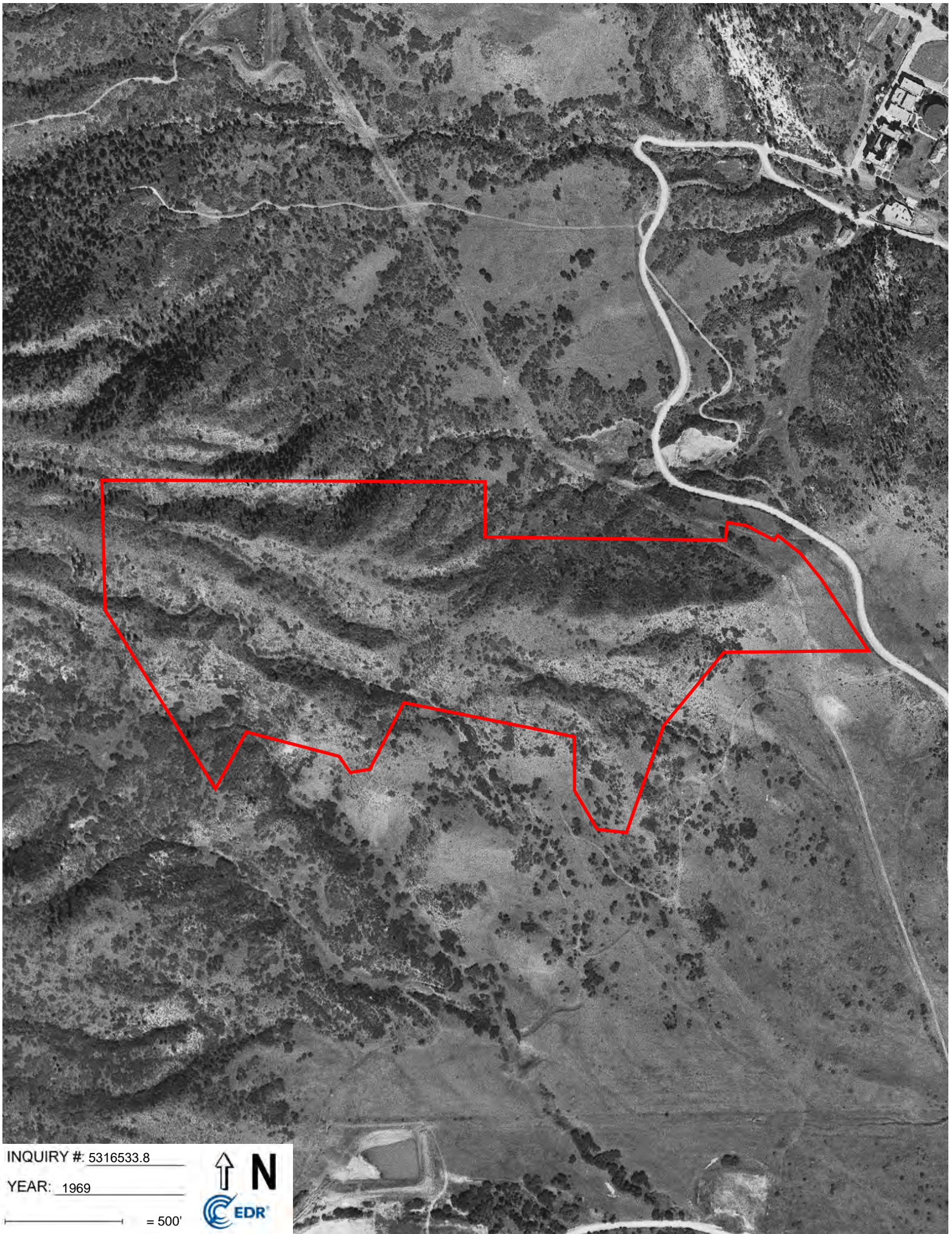
INQUIRY #: 5316533.8

YEAR: 1972

— = 500'



Subject boundary not shown because it exceeds image extent or image is not georeferenced.

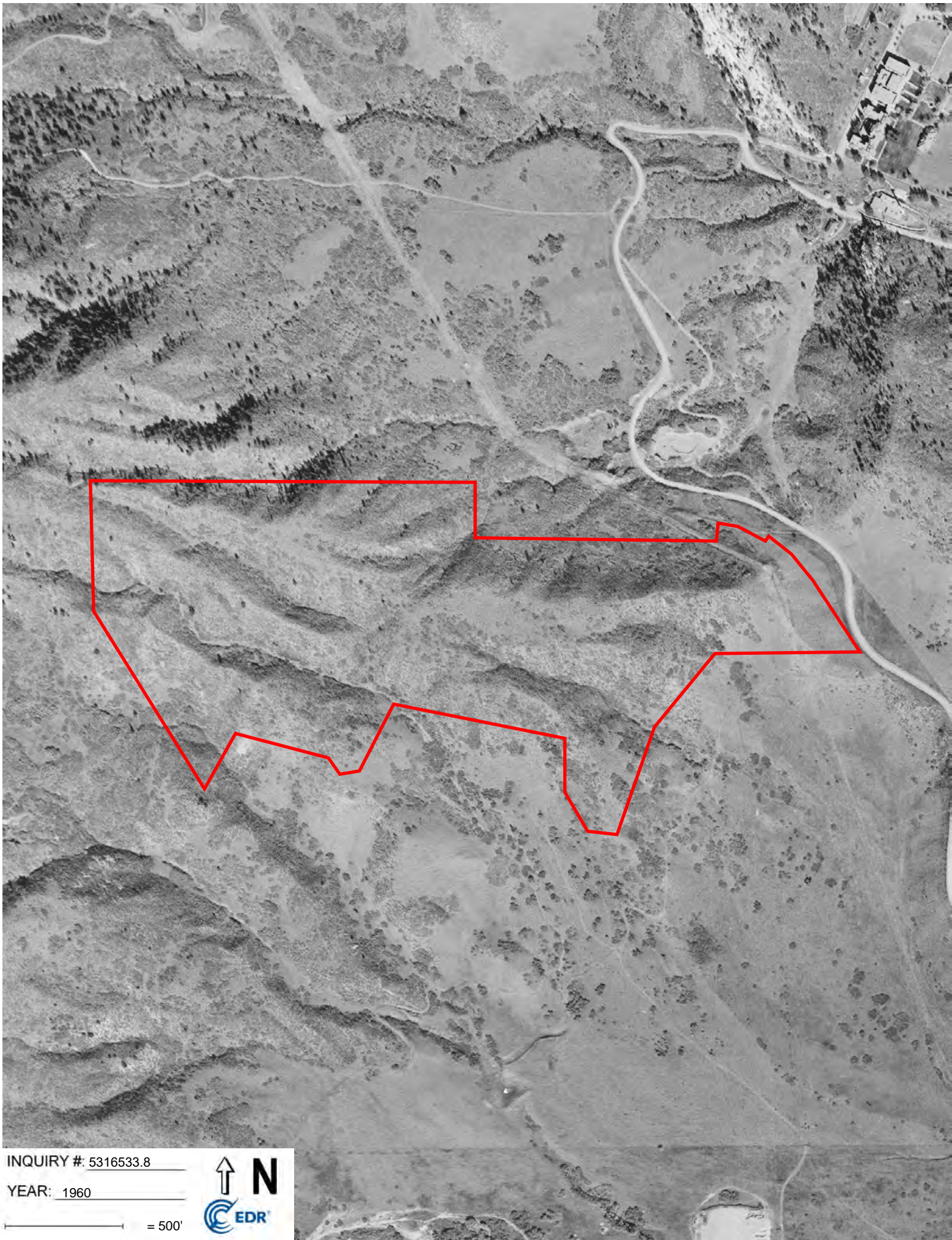


INQUIRY #: 5316533.8

YEAR: 1969

— = 500'



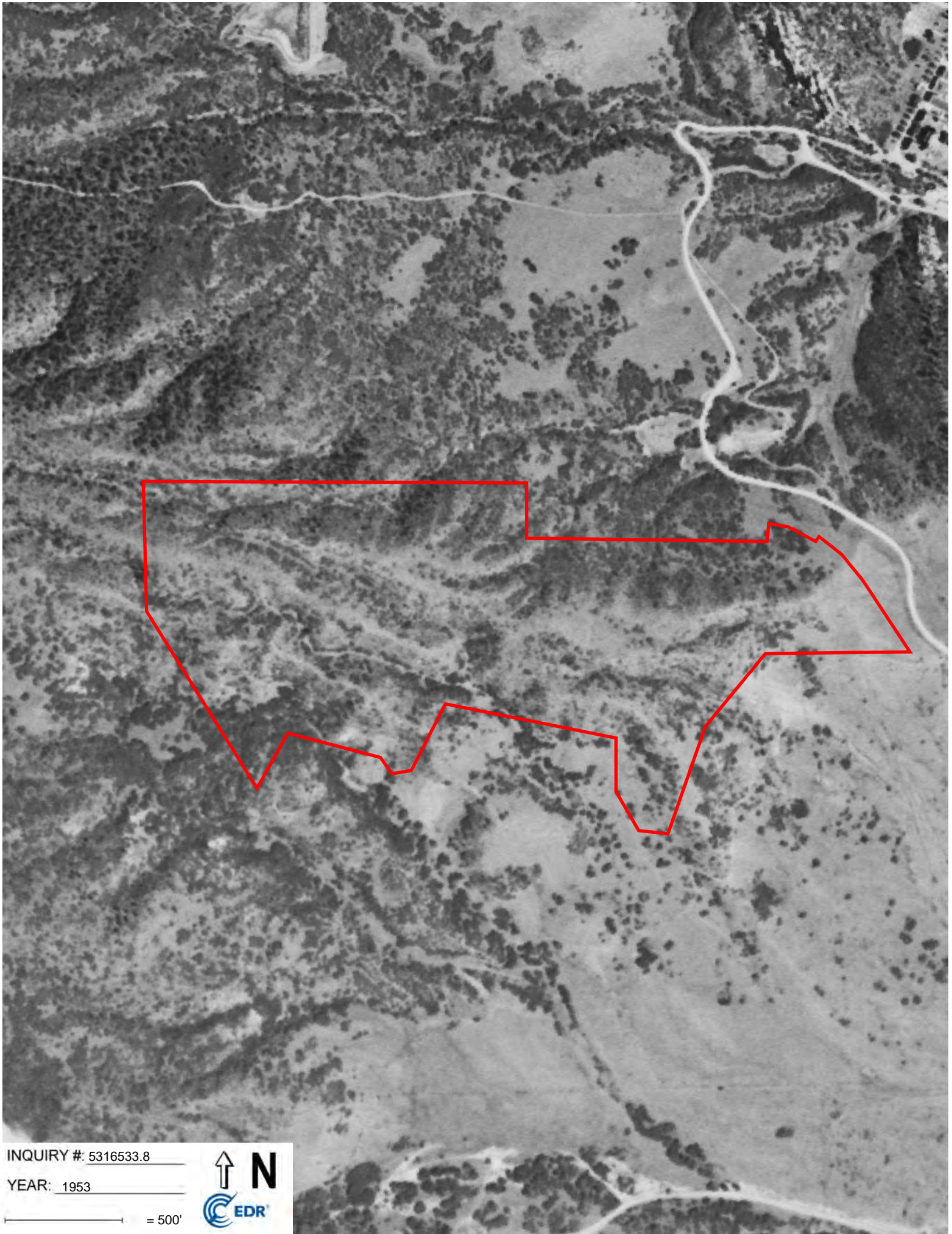


INQUIRY #: 5316533.8

YEAR: 1960

— = 500'





INQUIRY #: 5316533.8

YEAR: 1953

— = 500'



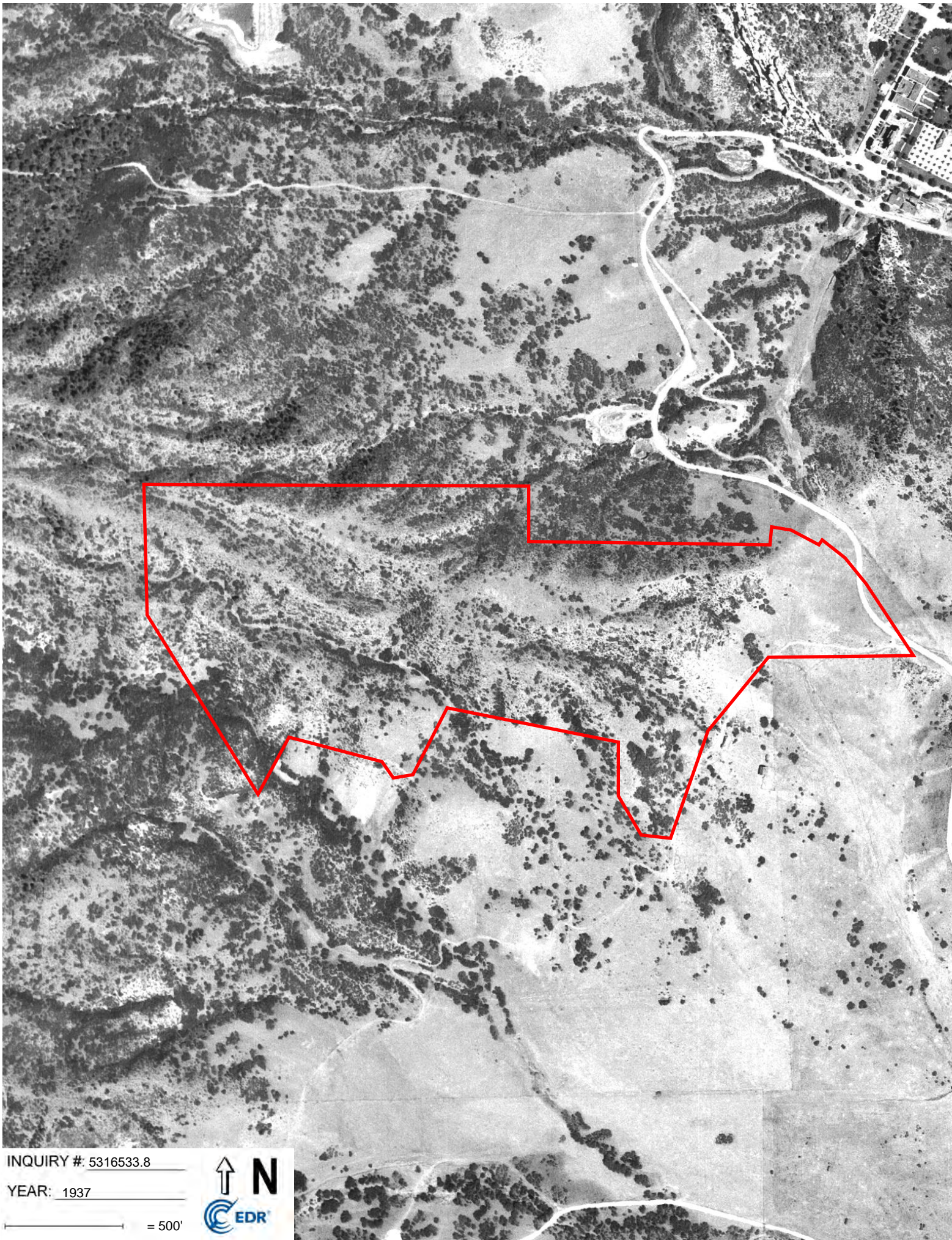


INQUIRY #: 5316533.8

YEAR: 1947

— = 500'





INQUIRY # 5316533.8

YEAR: 1937

— = 500'



Blodgett Peak Addition

SW of Blodgett Ranch Trail & West Woodmen Road

Colorado Springs, CO 80919

Inquiry Number: 5316533.4

May 30, 2018

EDR Historical Topo Map Report

with QuadMatch™



6 Armstrong Road, 4th floor
Shelton, CT 06484
Toll Free: 800.352.0050
www.edrnet.com

EDR Historical Topo Map Report

05/30/18

Site Name:

Blodgett Peak Addition
SW of Blodgett Ranch Trail & V
Colorado Springs, CO 80919
EDR Inquiry # 5316533.4

Client Name:

Ninyo & Moore
6001 S Willow Dr
Greenwood Village, CO 80111
Contact: Cara Jacobs



EDR Topographic Map Library has been searched by EDR and maps covering the target property location as provided by Ninyo & Moore were identified for the years listed below. EDR's Historical Topo Map Report is designed to assist professionals in evaluating potential liability on a target property resulting from past activities. EDR's Historical Topo Map Report includes a search of a collection of public and private color historical topographic maps, dating back to the late 1800s.

Search Results:**Coordinates:**

P.O.#	501506001	Latitude:	38.94233 38° 56' 32" North
Project:	NA	Longitude:	-104.881384 -104° 52' 53" West
		UTM Zone:	Zone 13 North
		UTM X Meters:	510279.50
		UTM Y Meters:	4310383.60
		Elevation:	7177.67' above sea level

Maps Provided:

2013	1948
1994	1909
1986	1893
1975	
1969	
1961	
1951	
1949, 1950	

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Topo Sheet Key

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

2013 Source Sheets



Cascade
2013
7.5-minute, 24000

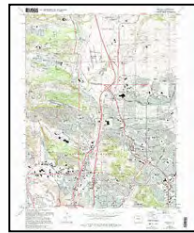


Pikeview
2013
7.5-minute, 24000

1994 Source Sheets



Cascade
1994
7.5-minute, 24000
Aerial Photo Revised 1990

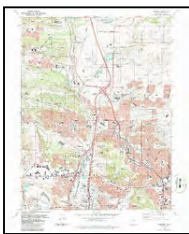


Pikeview
1994
7.5-minute, 24000
Aerial Photo Revised 1991

1986 Source Sheets



Cascade
1986
7.5-minute, 24000
Aerial Photo Revised 1947

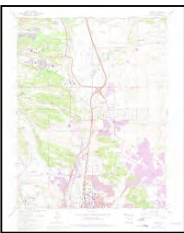


Pikeview
1986
7.5-minute, 24000
Aerial Photo Revised 1984

1975 Source Sheets



Cascade
1975
7.5-minute, 24000
Aerial Photo Revised 1975



Pikeview
1975
7.5-minute, 24000
Aerial Photo Revised 1975

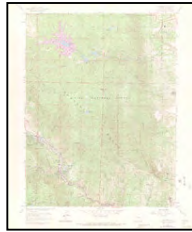
Topo Sheet Key

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

1969 Source Sheets



Pikeview
1969
7.5-minute, 24000
Aerial Photo Revised 1969



Cascade
1969
7.5-minute, 24000
Aerial Photo Revised 1969

1961 Source Sheets



Cascade
1961
7.5-minute, 24000
Aerial Photo Revised 1960



Pikeview
1961
7.5-minute, 24000
Aerial Photo Revised 1960

1951 Source Sheets



Colorado Springs
1951
15-minute, 62500
Aerial Photo Revised 1947

1949, 1950 Source Sheets



Pikeview
1949
7.5-minute, 24000
Aerial Photo Revised 1947



Cascade
1950
7.5-minute, 24000
Aerial Photo Revised 1947

Topo Sheet Key

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

1948 Source Sheets

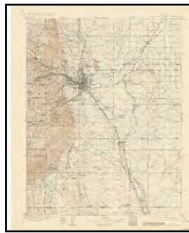


Pikeview
1948
7.5-minute, 24000
Aerial Photo Revised 1947



Cascade
1948
7.5-minute, 24000
Aerial Photo Revised 1947

1909 Source Sheets

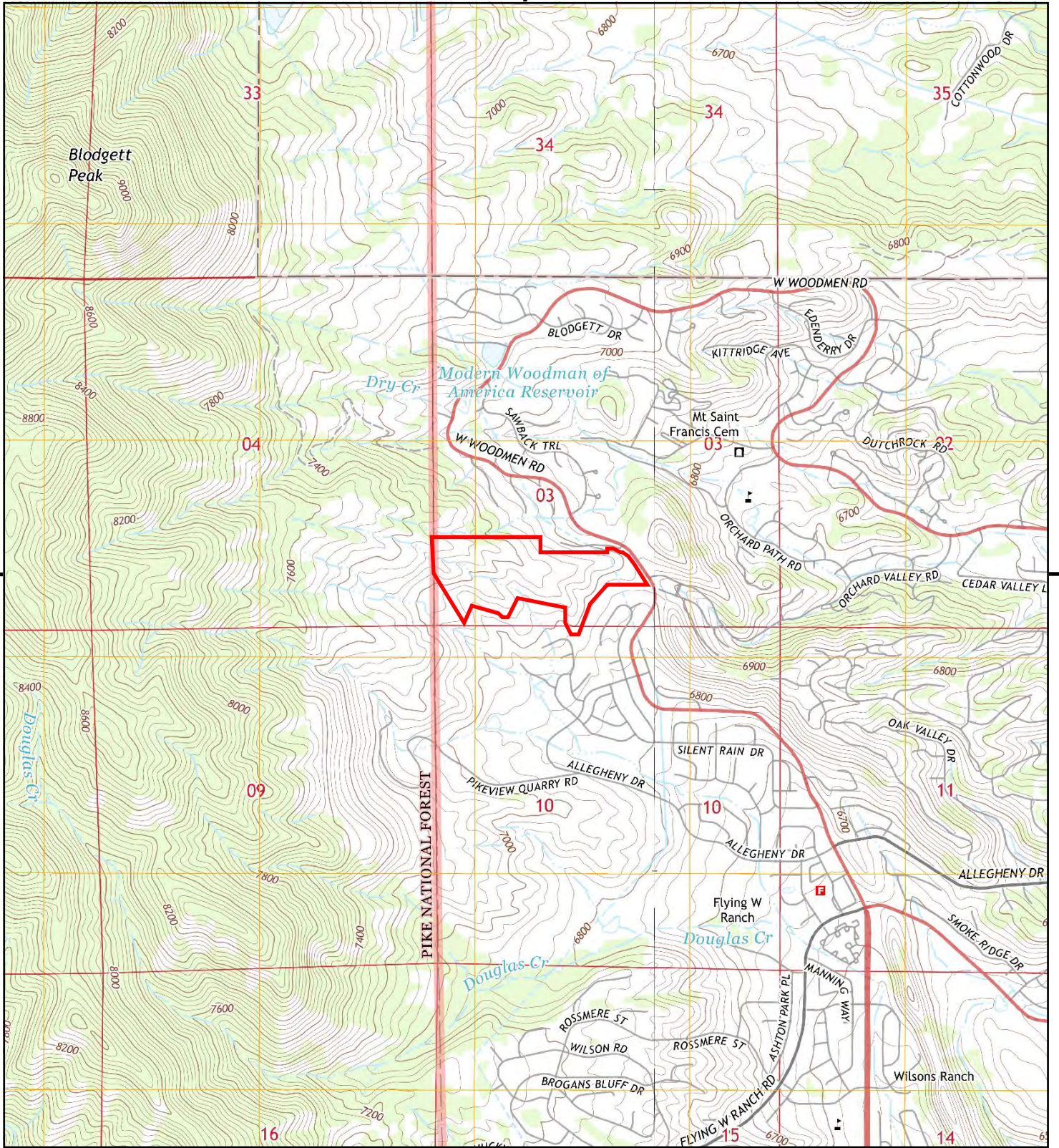


Colorado Springs
1909
30-minute, 125000

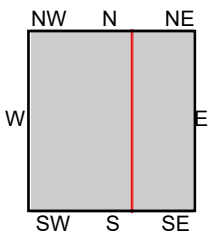
1893 Source Sheets



Colorado Springs
1893
30-minute, 125000



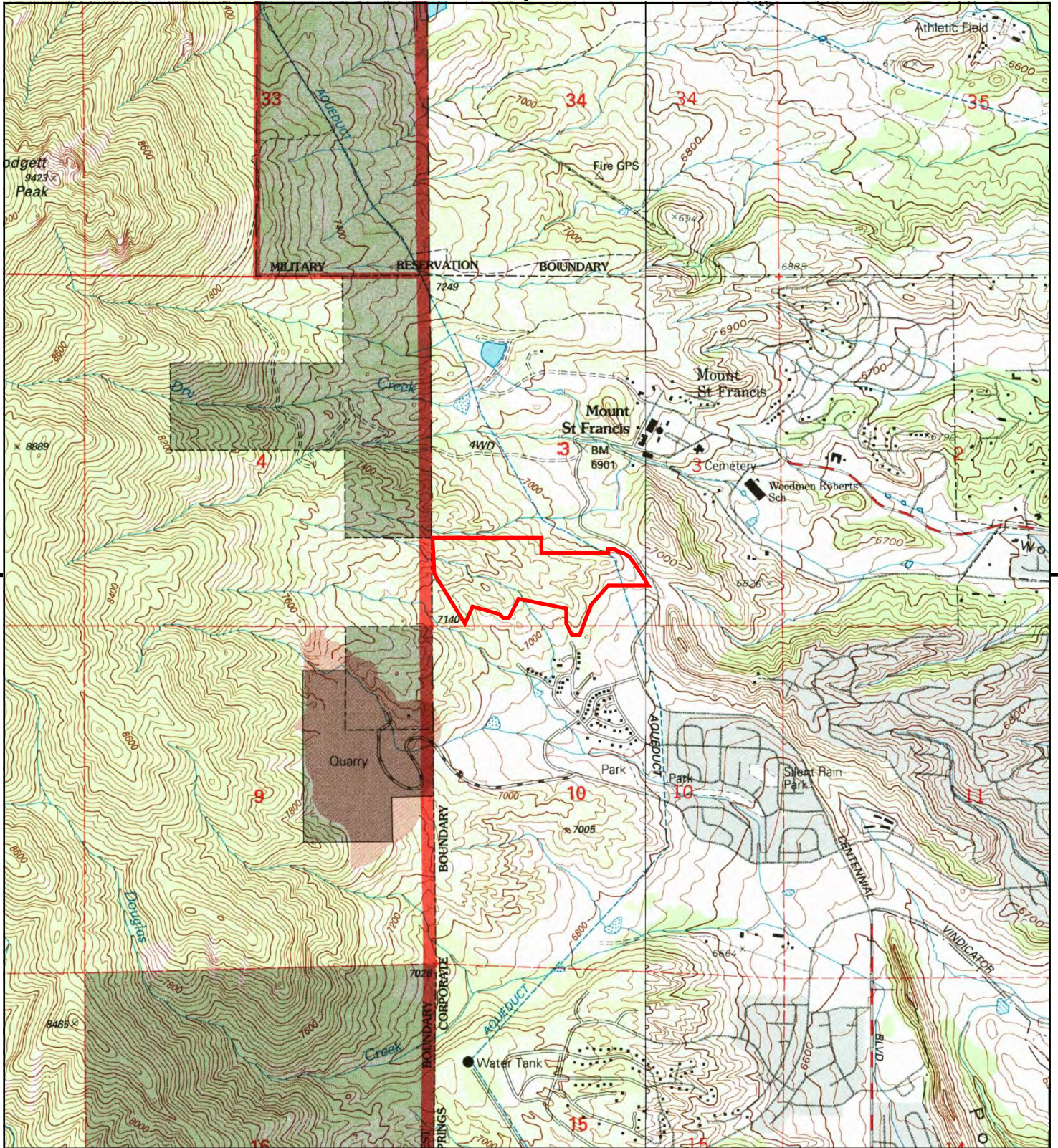
This report includes information from the following map sheet(s).



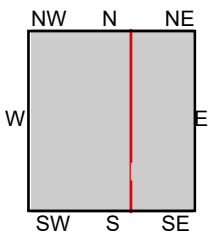
TP, Cascade, 2013, 7.5-minute
E, Pikeview, 2013, 7.5-minute

SITE NAME: Blodgett Peak Addition
ADDRESS: SW of Blodgett Ranch Trail & West Woodman Rd
Colorado Springs, CO 80919
CLIENT: Ninyo & Moore





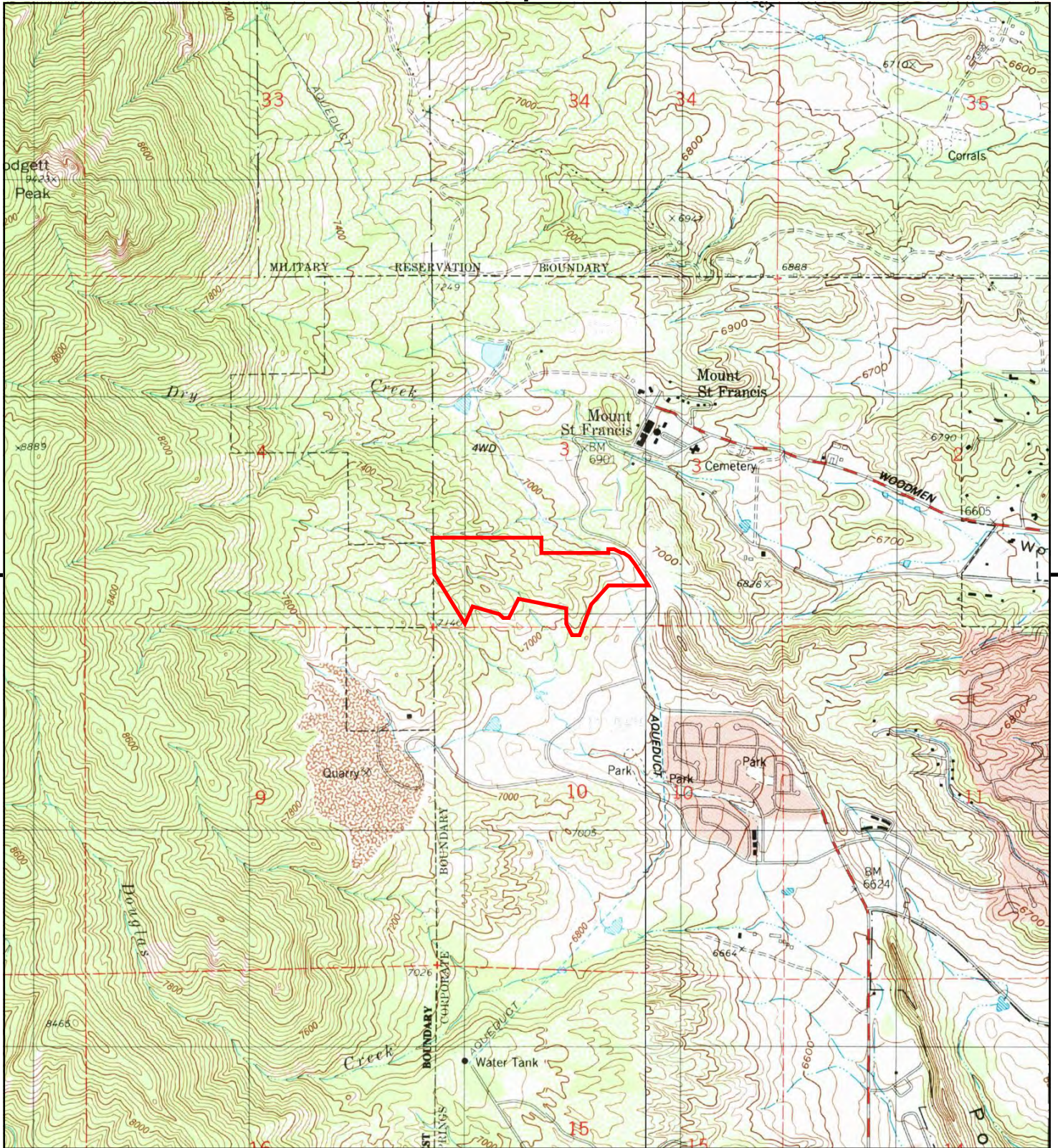
This report includes information from the following map sheet(s).



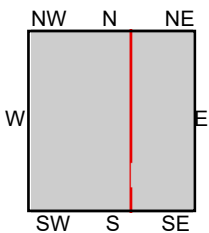
TP, Cascade, 1994, 7.5-minute
E, Pikeview, 1994, 7.5-minute

SITE NAME: Blodgett Peak Addition
ADDRESS: SW of Blodgett Ranch Trail & West Wood
Colorado Springs, CO 80919
CLIENT: Ninyo & Moore





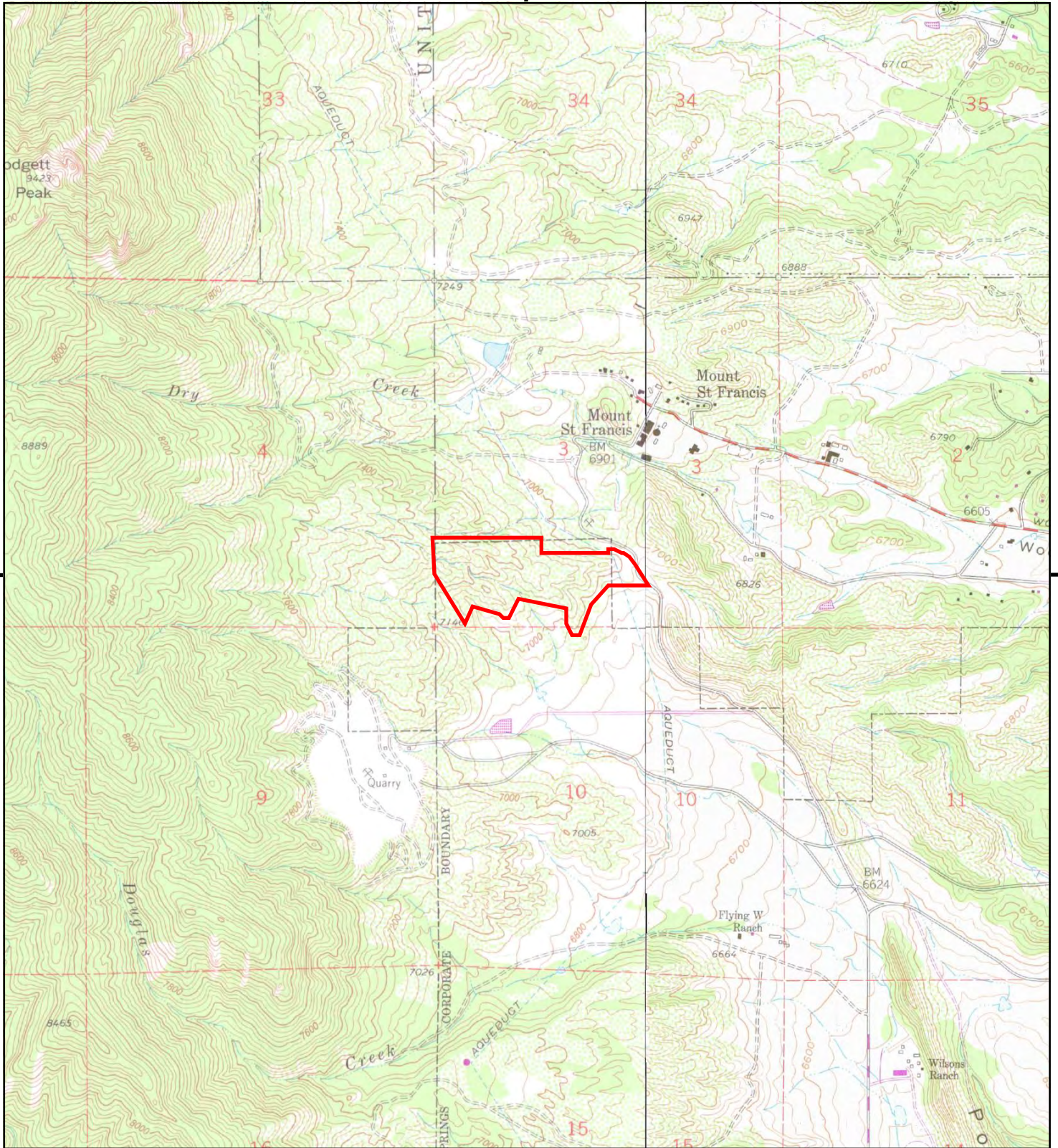
This report includes information from the following map sheet(s).



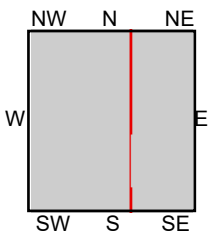
TP, Cascade, 1986, 7.5-minute
E, Pikeview, 1986, 7.5-minute

SITE NAME: Blodgett Peak Addition
ADDRESS: SW of Blodgett Ranch Trail & West Wood
Colorado Springs, CO 80919
CLIENT: Ninyo & Moore





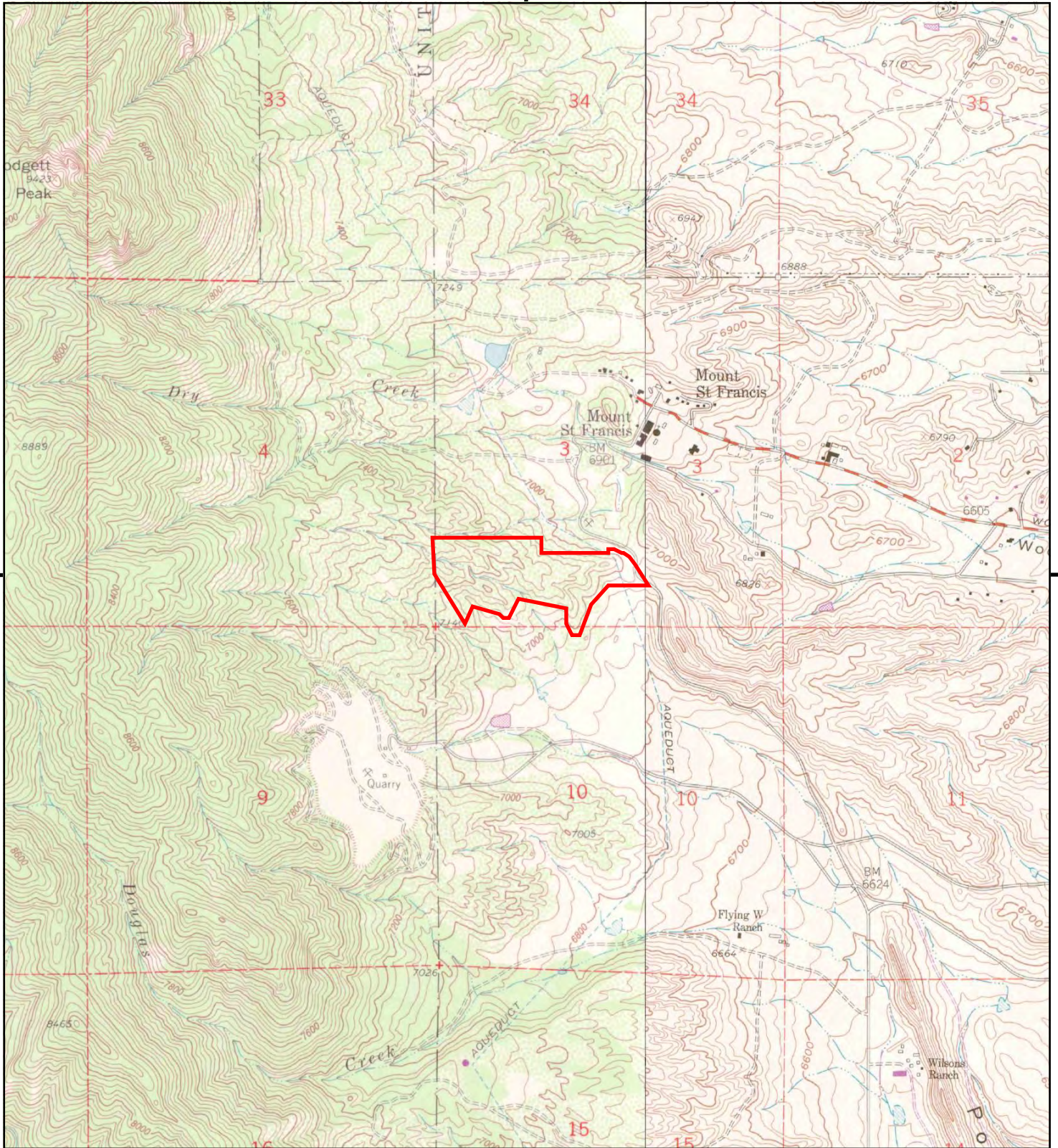
This report includes information from the following map sheet(s).



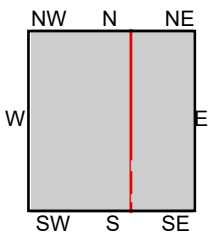
TP, Cascade, 1975, 7.5-minute
E, Pikeview, 1975, 7.5-minute

SITE NAME: Blodgett Peak Addition
ADDRESS: SW of Blodgett Ranch Trail & West Wood
Colorado Springs, CO 80919
CLIENT: Ninyo & Moore





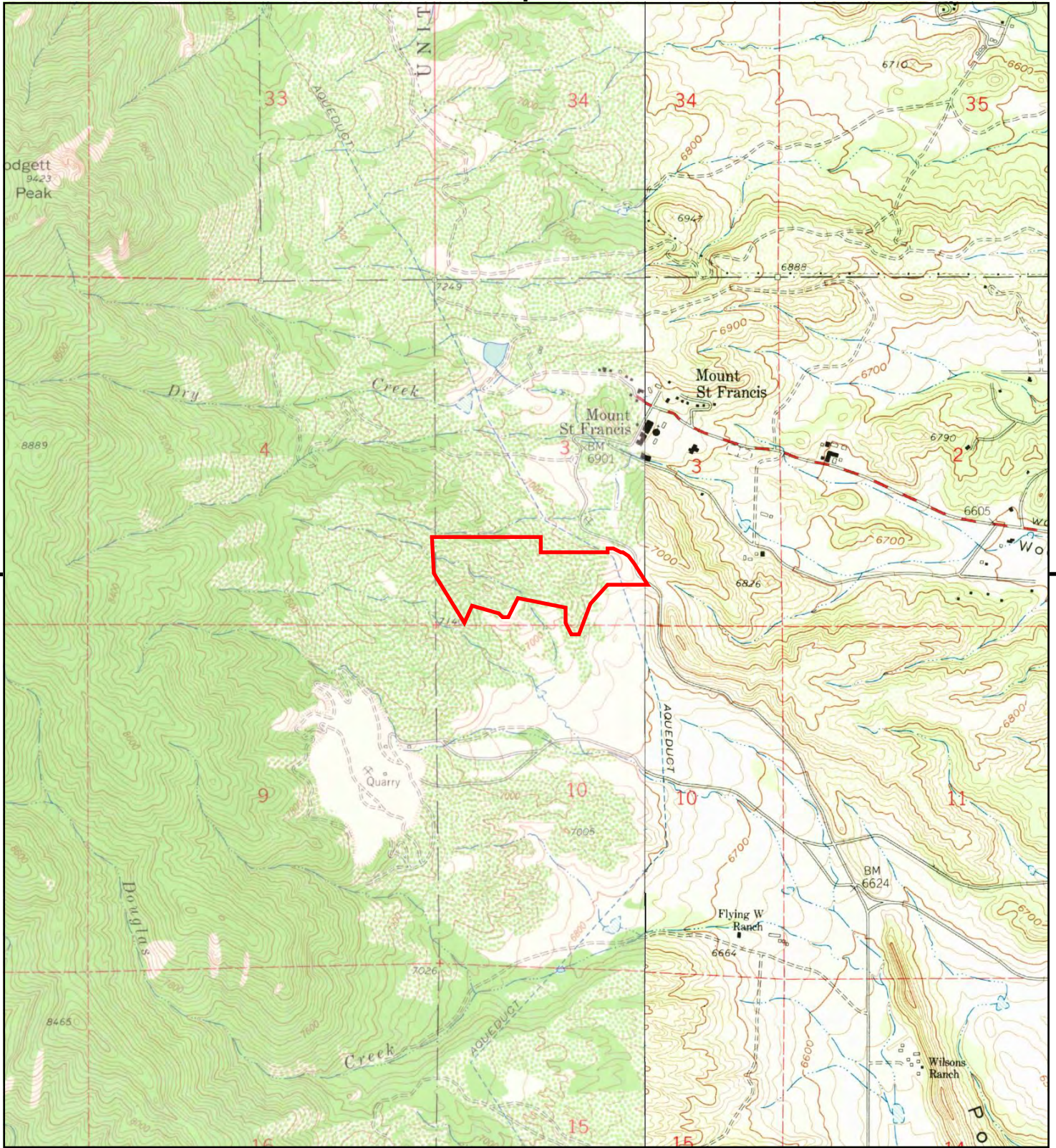
This report includes information from the following map sheet(s).



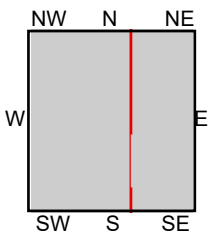
TP, Cascade, 1969, 7.5-minute
E, Pikeview, 1969, 7.5-minute

SITE NAME: Blodgett Peak Addition
ADDRESS: SW of Blodgett Ranch Trail & West Wood
Colorado Springs, CO 80919
CLIENT: Ninyo & Moore





This report includes information from the following map sheet(s).



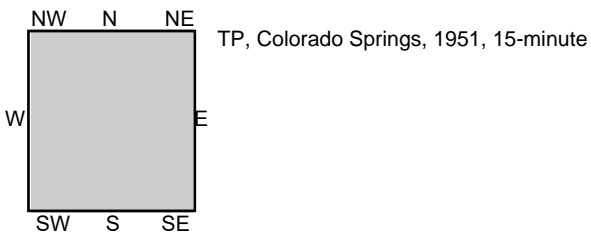
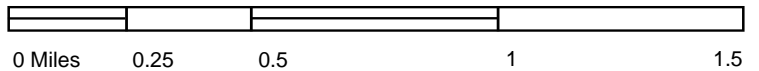
TP, Cascade, 1961, 7.5-minute
E, Pikeview, 1961, 7.5-minute

SITE NAME: Blodgett Peak Addition
ADDRESS: SW of Blodgett Ranch Trail & West Wood
 Colorado Springs, CO 80919
CLIENT: Ninyo & Moore



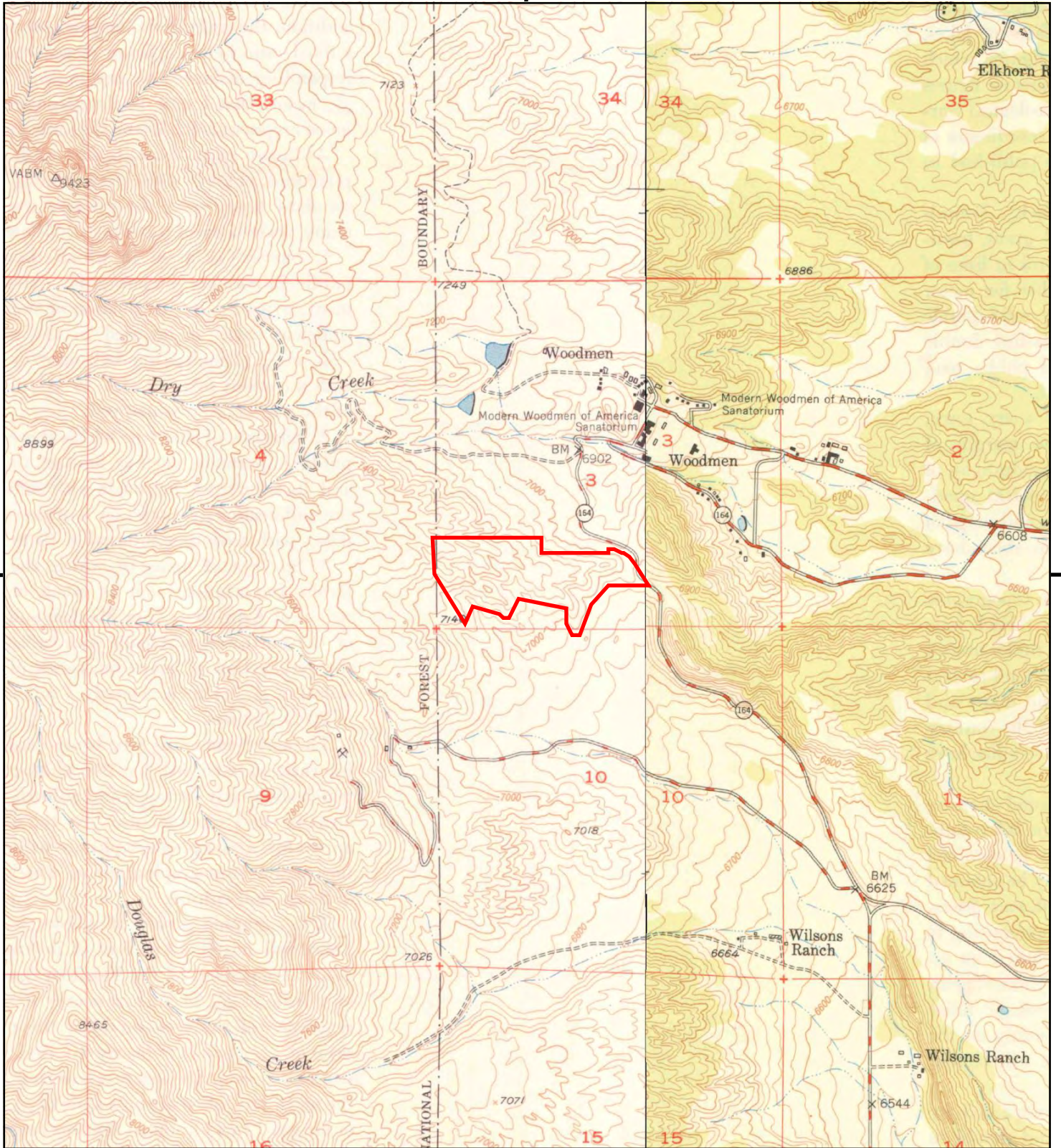


This report includes information from the following map sheet(s).

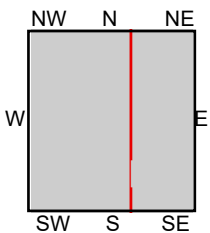
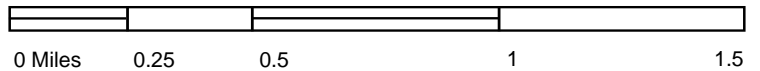


SITE NAME: Blodgett Peak Addition
 ADDRESS: SW of Blodgett Ranch Trail & West Wood
 Colorado Springs, CO 80919
 CLIENT: Ninyo & Moore





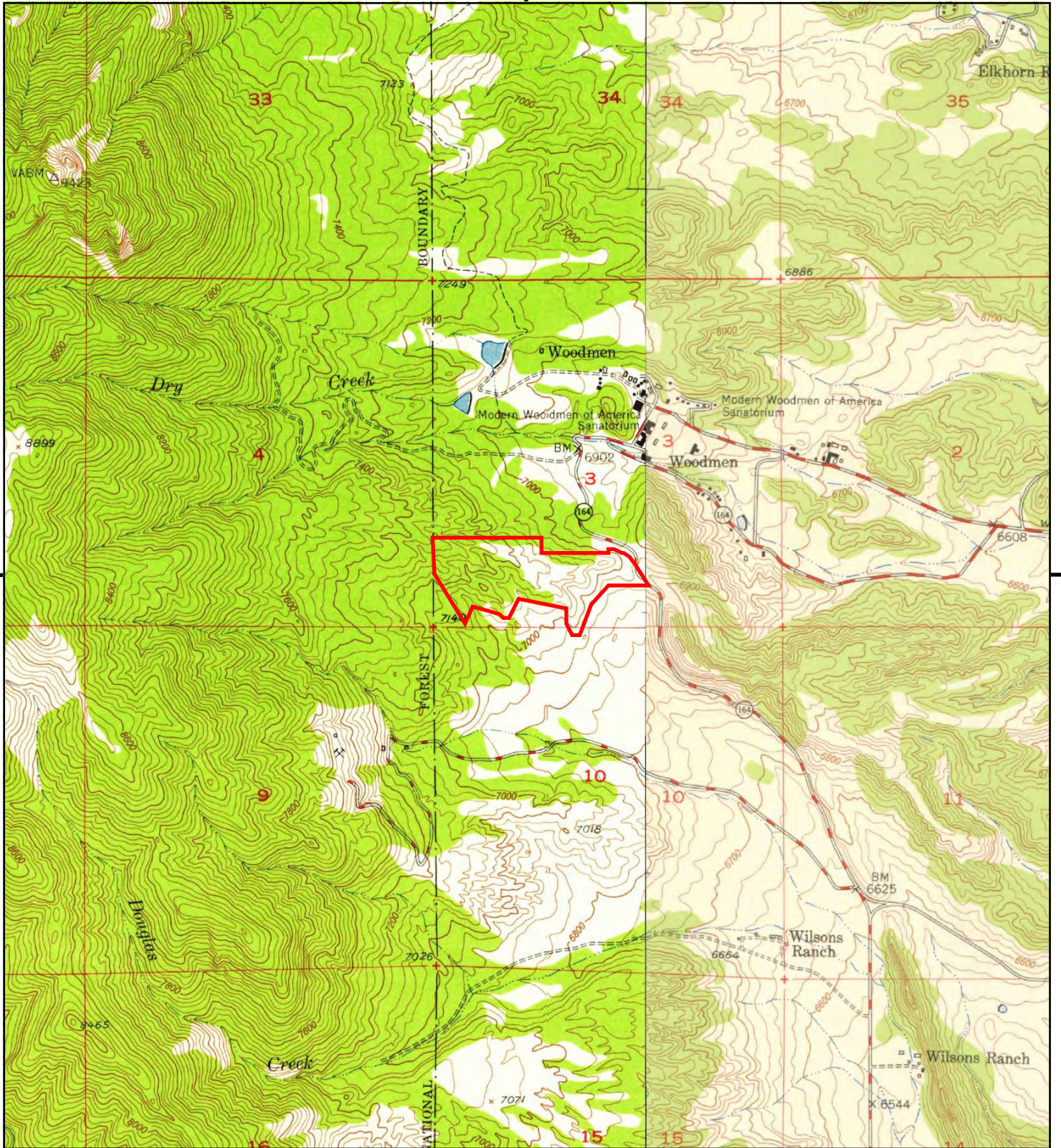
This report includes information from the following map sheet(s).



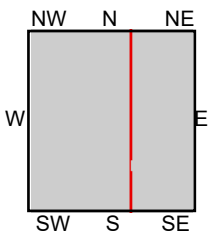
TP, Cascade, 1950, 7.5-minute
E, Pikeview, 1949, 7.5-minute

SITE NAME: Blodgett Peak Addition
ADDRESS: SW of Blodgett Ranch Trail & West Wood
 Colorado Springs, CO 80919
CLIENT: Ninyo & Moore





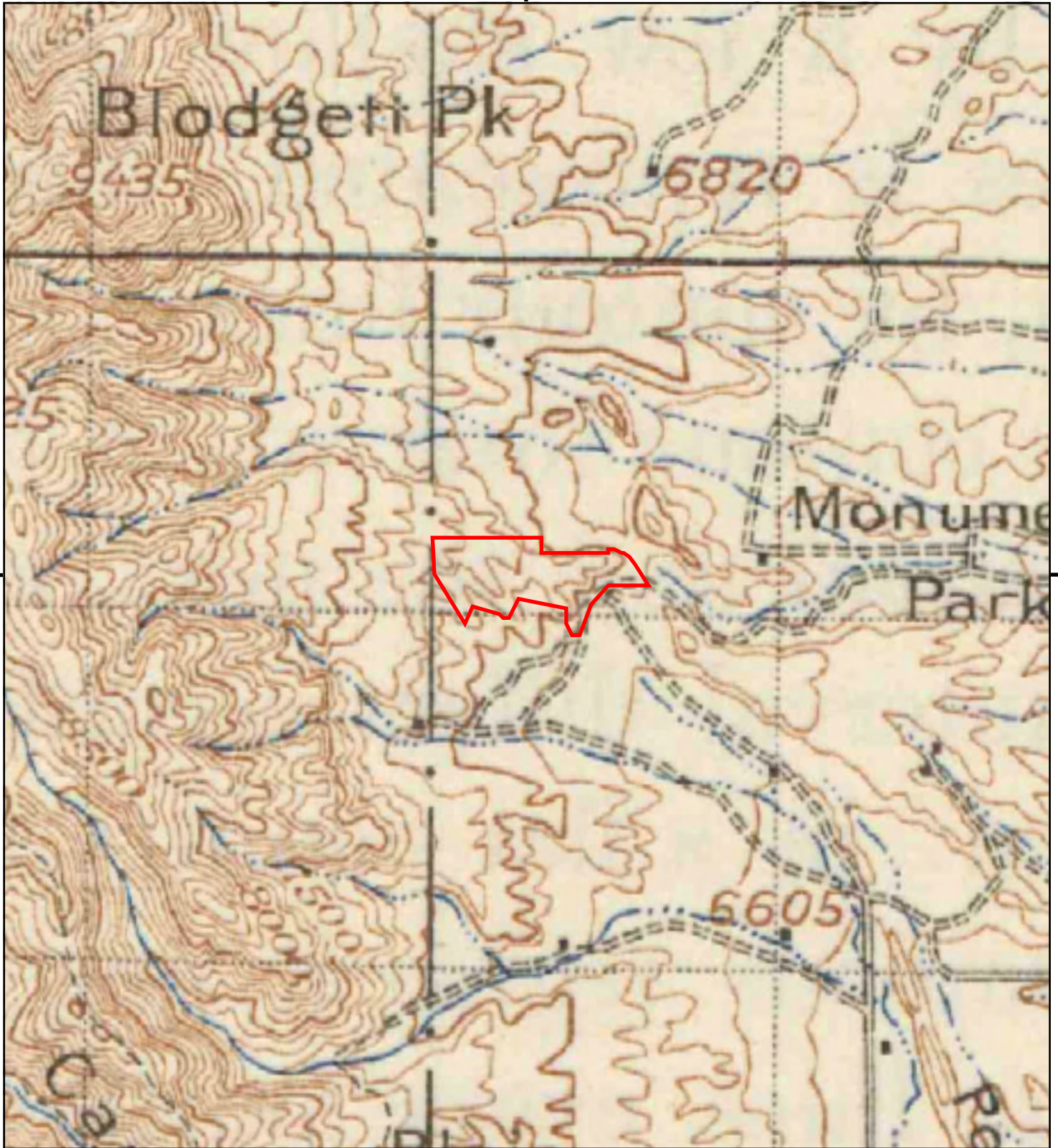
This report includes information from the following map sheet(s).



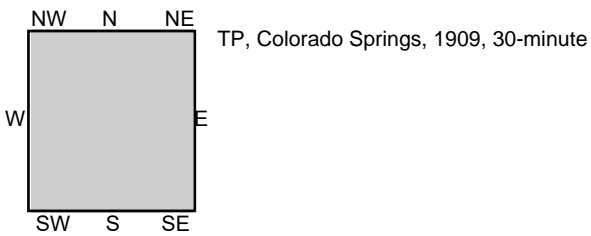
TP, Cascade, 1948, 7.5-minute
E, Pikeview, 1948, 7.5-minute

SITE NAME: Blodgett Peak Addition
ADDRESS: SW of Blodgett Ranch Trail & West Wood
 Colorado Springs, CO 80919
CLIENT: Ninyo & Moore



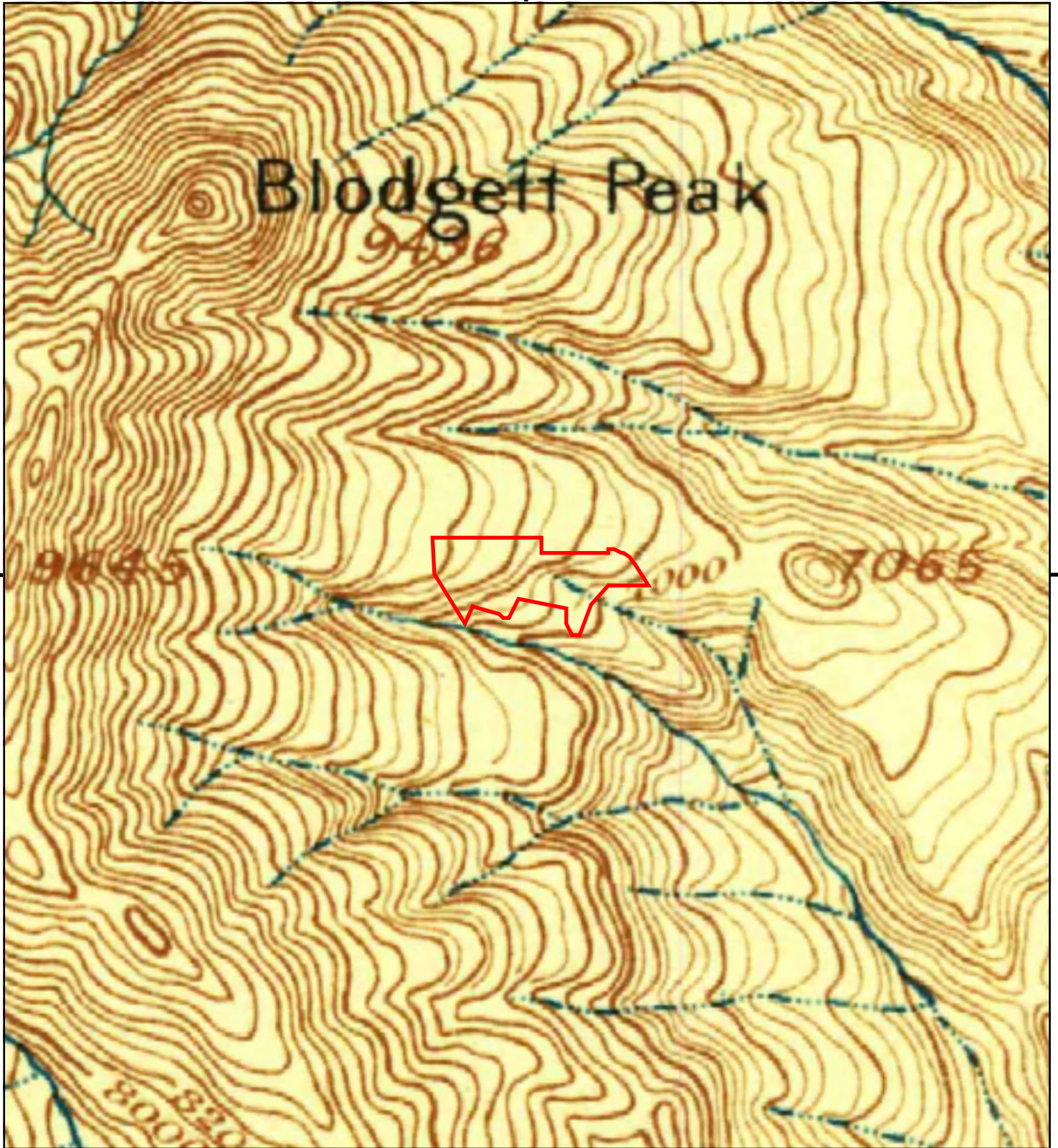


This report includes information from the following map sheet(s).

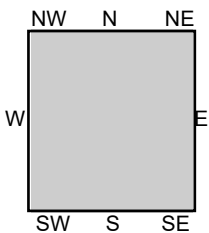
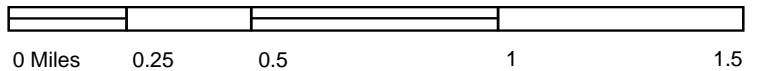


SITE NAME: Blodgett Peak Addition
ADDRESS: SW of Blodgett Ranch Trail & West Wood
Colorado Springs, CO 80919
CLIENT: Ninyo & Moore





This report includes information from the following map sheet(s).



TP, Colorado Springs, 1893, 30-minute

SITE NAME: Blodgett Peak Addition
ADDRESS: SW of Blodgett Ranch Trail & West Wooc
Colorado Springs, CO 80919
CLIENT: Ninyo & Moore



Blodgett Peak Addition

SW of Blodgett Ranch Trail & West Woodmen Road

Colorado Springs, CO 80919

Inquiry Number: 5316533.3

May 30, 2018

Certified Sanborn® Map Report



6 Armstrong Road, 4th floor
Shelton, CT 06484
Toll Free: 800.352.0050
www.edrnet.com

Certified Sanborn® Map Report

05/30/18

Site Name:

Blodgett Peak Addition
SW of Blodgett Ranch Trail & V
Colorado Springs, CO 80919
EDR Inquiry # 5316533.3

Client Name:

Ninyo & Moore
6001 S Willow Dr
Greenwood Village, CO 80111
Contact: Cara Jacobs



The Sanborn Library has been searched by EDR and maps covering the target property location as provided by Ninyo & Moore were identified for the years listed below. The Sanborn Library is the largest, most complete collection of fire insurance maps. The collection includes maps from Sanborn, Bromley, Perris & Browne, Hopkins, Barlow, and others. Only Environmental Data Resources Inc. (EDR) is authorized to grant rights for commercial reproduction of maps by the Sanborn Library LLC, the copyright holder for the collection. Results can be authenticated by visiting www.edrnet.com/sanborn.

The Sanborn Library is continually enhanced with newly identified map archives. This report accesses all maps in the collection as of the day this report was generated.

Certified Sanborn Results:

Certification # CB95-4A17-891F
PO # 501506001
Project NA



Sanborn® Library search results

Certification #: CB95-4A17-891F

UNMAPPED PROPERTY

This report certifies that the complete holdings of the Sanborn Library, LLC collection have been searched based on client supplied target property information, and fire insurance maps covering the target property were not found.

The Sanborn Library includes more than 1.2 million fire insurance maps from Sanborn, Bromley, Perris & Browne, Hopkins, Barlow and others which track historical property usage in approximately 12,000 American cities and towns. Collections searched:

- Library of Congress
- University Publications of America
- EDR Private Collection

The Sanborn Library LLC Since 1866™

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Blodgett Peak Addition

SW of Blodgett Ranch Trail and West Woodmen Road
Colorado Springs, CO 80919

Inquiry Number: 5316533.5
May 30, 2018

The EDR-City Directory Abstract

TABLE OF CONTENTS

SECTION

Executive Summary

Findings

City Directory Images

Thank you for your business.
Please contact EDR at 1-800-352-0050
with any questions or comments.

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EXECUTIVE SUMMARY

DESCRIPTION

Environmental Data Resources, Inc.'s (EDR) City Directory Abstract is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR's City Directory Abstract includes a search and abstract of available city directory data. For each address, the directory lists the name of the corresponding occupant at five year intervals.

Business directories including city, cross reference and telephone directories were reviewed, if available, at approximately five year intervals for the years spanning 1922 through 2014. This report compiles information gathered in this review by geocoding the latitude and longitude of properties identified and gathering information about properties within 1320 feet of the target property.

A summary of the information obtained is provided in the text of this report.

RECORD SOURCES

EDR's Digital Archive combines historical directory listings from sources such as Cole Information and Dun & Bradstreet. These standard sources of property information complement and enhance each other to provide a more comprehensive report.

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Data by

infoUSA[®]

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RESEARCH SUMMARY

The following research sources were consulted in the preparation of this report. An "X" indicates where information was identified in the source and provided in this report.

<u>Year</u>	<u>Source</u>	<u>TP</u>	<u>Adjoining</u>	<u>Text Abstract</u>	<u>Source Image</u>
2014	EDR Digital Archive	-	-	-	-
2010	EDR Digital Archive	-	-	-	-
2005	EDR Digital Archive	-	-	-	-
2002	Cole Information Services	-	-	-	-
1996	R. L. Polk Co.	-	-	-	-
1990	R. L. Polk Co.	-	-	-	-
1986	R. L. Polk Co.	-	-	-	-
1980	R. L. Polk Co.	-	-	-	-
1975	R. L. Polk & Co.	-	-	-	-
1971	R. L. Polk Co.	-	-	-	-
1965	R. L. Polk Co.	-	-	-	-
1961	Publisher: R. L. Polk Co.	-	-	-	-

EXECUTIVE SUMMARY

<u>Year</u>	<u>Source</u>	<u>TP</u>	<u>Adjoining</u>	<u>Text Abstract</u>	<u>Source Image</u>
1956	R. L. Polk Co.	-	-	-	-
1951	R. L. Polk Co.	-	-	-	-
1946	R. L. Polk Co.	-	-	-	-
1943	R. L. Polk Co.	-	-	-	-
1937	R. L. Polk Co.	-	-	-	-
1932	R. L. Polk Co.	-	-	-	-
1927	R. L. Polk Co.	-	-	-	-
1922	R. L. Polk Co.	-	-	-	-

EXECUTIVE SUMMARY

SELECTED ADDRESSES

The following addresses were selected by the client, for EDR to research. An "X" indicates where information was identified.

<u>Address</u>	<u>Type</u>	<u>Findings</u>
West Woodmen Road	Client Entered	
Centennial Boulevard	Client Entered	

FINDINGS

TARGET PROPERTY INFORMATION

ADDRESS

SW of Blodgett Ranch Trail and West Woodmen Road
Colorado Springs, CO 80919

FINDINGS DETAIL

Target Property research detail.

FINDINGS

ADJOINING PROPERTY DETAIL

The following Adjoining Property addresses were researched for this report. Detailed findings are provided for each address.

No Addresses Found

FINDINGS

TARGET PROPERTY: ADDRESS NOT IDENTIFIED IN RESEARCH SOURCE

The following Target Property addresses were researched for this report, and the addresses were not identified in the research source.

Address Researched

SW of Blodgett Ranch Trail and
West Woodmen Road

Address Not Identified in Research Source

2014, 2010, 2005, 2002, 1996, 1990, 1986, 1980, 1975, 1971, 1965, 1961, 1956,
1951, 1946, 1943, 1937, 1932, 1927, 1922

ADJOINING PROPERTY: ADDRESSES NOT IDENTIFIED IN RESEARCH SOURCE

The following Adjoining Property addresses were researched for this report, and the addresses were not identified in research source.

Address Researched

Centennial Boulevard

West Woodmen Road

Address Not Identified in Research Source

2014, 2010, 2005, 2002, 1996, 1990, 1986, 1980, 1975, 1971, 1965, 1961, 1956,
1951, 1946, 1943, 1937, 1932, 1927, 1922

2014, 2010, 2005, 2002, 1996, 1990, 1986, 1980, 1975, 1971, 1965, 1961, 1956,
1951, 1946, 1943, 1937, 1932, 1927, 1922



APPENDIX E

Site Documentation and Regulatory Records

From: cdphe_apcd_records - CDPHE, CDPHE
To: [Cara Jacobs](mailto:Cara.Jacobs@state.co.us)
Subject: Re: Records Request
Date: Wednesday, June 06, 2018 10:44:23 AM
Attachments: [image004.png](#)
[image002.png](#)
[image003.png](#)

Cara,

The Air Pollution Control Division found the following for stationary source.
2905 Blodgett Mountain Heights, Colorado Springs, Colorado : No records

The asbestos/lead database did not have abatement or demolition records (permits) responsive to that location

I did not notice if you had requested records from Hazardous Material and Water Quality Divisions. Each Division maintains their records separately.

Air: cdphe_apcd_records@state.co.us

Haz: cdphe_cora_hmwmd@state.co.us

Water: cdphe.wqrecordscenter@state.co.us

Records pertaining to underground storage tanks (UST) are held by the Office of Oil and Public Safety. You may visit <https://www.colorado.gov/pacific/ops/PRC> for information about how to request those records.

Thanks,
Margaret

Records Unit

4300 Cherry Creek Drive South
Denver CO 80246
303-692-3221
cdphe_apcd_records@state.co.us

*The Records Unit has been able to make many records available on-line. Please go to the link and search for records. There is a help button in the upper left corner to help you search.

<http://environmentalrecords.colorado.gov/HPRMWebDrawer/Record>

Are you curious about ground-level ozone in Colorado? Visit our [ozone webpage](#) to learn more.



This email is for the use of the intended recipient only. It may contain information that is privileged and confidential. Unauthorized viewing, copying, use or distribution of this information is prohibited and may violate federal and state privacy and security laws. If you have received this information in error please notify the sender or responsible authority and destroy the communication.

On Mon, Jun 4, 2018 at 11:31 AM, Cara Jacobs <cjacobs@ninyoandmoore.com> wrote:

Good morning,

I'm researching for a Phase I ESA and I'd like to request any records you may have for [2905 Blodgett](#) Mountain Heights, Colorado Springs, Colorado.

Thank you!

Cara E. Jacobs

Project Environmental Scientist



Geotechnical & Environmental Sciences Consultants

[6001 S Willow Drive, Suite 195 | Greenwood Village, CO 80111](#)

(303) 629-6000 (x11912) | (303) 629-60001 (fax)

www.ninyoandmoore.com

30+ Years of Quality Service



From: cdphe_cora_hmwmd - CDPHE, CDPHE
To: [Cara Jacobs](#)
Subject: Re: Records review Result Cara Jacobs
Date: Tuesday, June 05, 2018 1:54:59 PM

Good afternoon, Cara,
I'm not finding any records for 2905 Blodgett Mountain Heights in Colorado Springs.

Thank you,
Pearl Campos

On Mon, Jun 4, 2018 at 11:32 AM, Formsite <form_engine@fs20.formsite.com> wrote:

This is a system generated email. Please do not reply.

This email was sent to cdphe_cora_hmwmd@state.co.us as a result of a form being completed.
[Click here](#) to report unwanted email.

--

Colorado Department of Public Health and Environment
HMWMD Records Center
4300 Cherry Creek Drive South, B2
Denver, CO 80246
303.692.3331

Search HMWMD Records online:

<http://environmentalrecords.gov/HPRMWebDrawerHM/Record>

Some records are stored at an off-site facility. There will be a retrieval charge for offsite documents retrieved.

Cara Jacobs

From: WQ Records Center - CDPHE, CDPHE <cdphe.wqrecordscenter@state.co.us>
Sent: Monday, June 04, 2018 12:19 PM
To: Cara Jacobs
Subject: Re: Records Request

Hi Cara,

I have searched the Water Quality Control Division databases and have not identified responsive documents associated with the address provided.

Thanks,

Frank

Frank Dale
Records Manager
Business Services Unit



P [303.692.3565](tel:303.692.3565) | F [303.782.0390](tel:303.782.0390)
4300 Cherry Creek Drive South, Denver, CO 80246
cdphe.wqrecordscenter@state.co.us | www.colorado.gov/cdphe/wqcd

On Mon, Jun 4, 2018 at 11:34 AM, Cara Jacobs <cjacobs@ninyoandmoore.com> wrote:

Good morning,

I'm researching for a Phase I ESA and I'd like to request any records you may have for [2905 Blodgett](#) Mountain Heights, Colorado Springs, Colorado.

Thank you!

Cara E. Jacobs

Project Environmental Scientist



Geotechnical & Environmental Sciences Consultants

[6001 S Willow Drive, Suite 195](#) | [Greenwood Village, CO 80111](#)

(303) 629-6000 (**x11912**) | (303) 629-60001 (fax)

www.ninyoandmoore.com

30+ Years of Quality Service



Event

Event Id 9233
Logged By Tina Sandoval
Reviewer Jane Bral
REP
On Thursday, June 19, 2003

Facility
15298 - [Pikeview Quarry](#)
7250 Allegheny Dr
Colorado Springs, CO 80919, El Paso County
Category Commercial/Industrial

Site Name Pikeview Quarry
Location1 7250 Allegheny Dr
Location2
Location3
City,County,Zip Colorado Springs, El Paso, 80919

Discovery
Source of Release Tank
Status Closed

Site Classification
MTBE Classification
Projected Closure Date

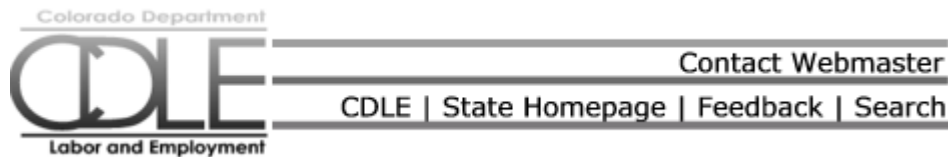
Cause of Release
Sardonix Primary ID: USELPPIK
Sardonix Secondary ID: 015

Activity Classify

Date	Activity
6/19/2003	Confirmed Release Reported
6/23/2003	SSF / SCR Request Letter Sent
6/25/2003	Other Notable Letters Received
7/31/2003	SSF - Site Summary Form Received
10/3/2003	SCR - Site Characterization Report Received
11/13/2003	Closure Letter Sent (Tier I)



Log in is for Oil and Public Safety Employees only. For more detailed information please contact the Public Records Center to schedule a file review at (303) 318-8525.



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You are currently logged into database COSTIS as Public

PROPERTY BACKGROUND INFORMATION QUESTIONNAIRE

Site Address Blodgett Peak Addition
Colorado Springs, CO

Project Number 501506001

***Please answer in good faith and to the best of your ability and elaborate as much as possible on any question answered “yes.”**

General Environmental

- 1) Describe the current uses of the site. How long has the site been used for these purposes?

Agriculture Zoned Horse Ranch with Cellular Tower and future Residential Site

- 2) Describe the structures previously present at the site and their usage/occupants and age.

(1) Existing 35x55 Wood & PVC faux barn cellular tower site
(1) Existing 24 x 36 Steel Pole Barn for stables, horse hay and storage
(1) Existing 14 x 16 Storage Barn

- 3) When were the structures constructed, if known?

Cellular Antenna Barn: 2005; Steel Pole Barn 2004 (est); Storage Barn 2004 (est)

- 4) What is the historical land use of the site? Describe the past uses, owners, and operators of the site.(Be as detailed as possible and note approximate time periods, if known.)

The original 65 acre parcel land was vacant agriculture-zoned land until purchased by Michael Slattery in 2002 for equestrian breeding and riding activities. Conservation easements were placed on the (3) parcels in 2003, 2004, and 2007 (amended Phase 3). Electric and fiber utilities were installed in 2005 for the cellular tower. No other utilities or structures have been added since 2005.

- 5) Are there currently, or were there previously any underground storage tanks (USTs) at the site? If so, please describe their capacities and contents.

NO

- 6) Have all USTs been removed from the site? If so, when?

N/A

- 7) Was associated underground piping associated with the USTs removed?

N/A

- 8) Was soil and/or groundwater sampling conducted at the time of UST removal? If so, please describe.

N/A

Yes No

- 9) Are you aware of any environmental issues associated with the site or of potential soil and/or groundwater contamination? NO

- 10) Have fill soils been brought to the property?

Yes No Unknown

PROPERTY BACKGROUND INFORMATION QUESTIONNAIRE

11) Has there been storage of hazardous materials or wastes on the property?

Yes No Unknown

12) Have any of the following items been stored on the site in containers greater than 5 gallons?

Paint	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown
Chemicals	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown
Pesticides/Herbicides	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown
Automotive-Related Oils/Fuels	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown

13) Have there been any spills or releases of chemicals, hazardous substances, or wastes on the property?

Yes No Unknown

14) Have any hazardous substances, petroleum products, unidentified waste materials, tires, automotive or industrial batteries, or other waste materials been dumped aboveground, buried, or burned on the site?

Yes No Unknown

15) Is the site hooked up to a municipal sanitary sewer system or is there a septic tank/system?

Sanitary Sewer Septic **NO**

16) Are/were there any subsurface wastewater features, such as sumps, clarifiers, discharge systems, at the site?

Yes No Unknown

17) Does the site discharge wastewater, other than domestic wastewater or storm water, into the sewer or onto another property?

Yes No Unknown

18) Other than permission for domestic hookup, have any city, county, or other permits for wastewater discharge been issued to the site?

Yes No Unknown

19) Is there a transformer, capacitor, or other equipment that may contain PCBs on the site?

Yes No Unknown **Possibly inside faux barn
cellular tower site**

PROPERTY BACKGROUND INFORMATION QUESTIONNAIRE

20) Other than small quantities of legal pesticides used for landscape maintenance (e.g., Roundup), have pesticides, herbicides, or insecticides been applied on the site?

Yes No Unknown Pesticides applied in March/April 2018 on 11 acre Phase 1 easement property for noxious weeds

21) Are/were there any wells on the site (e.g., water supply wells, groundwater monitoring wells, etc.)

Yes No Unknown

22) Are there currently, or were there previously, any pits, ponds, or lagoons on the site?

Yes No Unknown

23) Are there currently, or were there previously, areas on the site with stained soil?

Yes No Unknown

24) To your knowledge, have adjoining properties been used for industrial activities, such the following? (Please note that an adjoining property is a property that is contiguous with, or directly across the street from the site.)

Gasoline Station	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown
Printing Facility	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown
Metal Plating/Manufacturing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown
Landfill	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown
Auto Repair Facility	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown
Dry Cleaners	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown
Junkyard	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown
Waste or Wastewater Treatment Storage, Disposal, or Recycling Facility	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown

25) Are there any known issues related to spills/contamination with adjoining or nearby properties?

Yes No Unknown

26) Are you aware of any previously prepared documentation for the site, such as:

- environmental sampling, compliance audit, or assessment reports YES
- environmental permits YES
- registrations for aboveground or underground storage tanks NO
- registrations for underground injections systems NO
- material safety data sheets (MSDS) NO
- community right-to-know plans, NO
- safety plans; preparedness and prevention plans; spill prevention, countermeasure, and control plans NO
- geotechnical or hydrogeologic reports YES
- storm water documents YES
- risk assessments NO
- hazardous waste generator notices? NO

If so, are they available for review? YES

PROPERTY BACKGROUND INFORMATION QUESTIONNAIRE

27) Are you aware of any environmental cleanup liens or activity and use limitations such as engineering controls, land use or deed restrictions or institutional controls associated with the site that are filed or recorded under federal, tribal, state, or local law?

Yes No (3) Recorded Conservation Easement Agreements with El Paso County Commissioners

28) Are you aware of any pending, threatened, or past litigation or administrative proceedings relevant to hazardous substances or petroleum products in, on, or from the property?

Yes No

29) Are you aware of any notices from any governmental entity regarding any possible violation of environmental laws or possible liability relating to hazardous substances or petroleum products?

Yes No

Michael P. Slattery

NAME (IN PRINT)

June 18, 2018

DATE

Phone: 719-499-8558

Email: slatterymgt@gmail.com

Michael P. Slattery

SIGNATURE

Owner Occupant Owner Representative Other:

***When complete, return questionnaire via email, fax, and/or mail to the following:**

Ms. Cara Jacobs
Ninyo and Moore
6001 S. Willow Dr., Ste. 195
Greenwood Village, CO 80111
cjacobs@ninyoandmoore.com
(303) 629-6000 Office
(303) 629-6001 FAX



APPENDIX F

Site Photographs



Photograph 1: Typical view of the site, looking southeast from the western portion.



Photograph 2: Pad mounted transformer located on the eastern boundary of the site.

FIGURE A-1



Photograph 3: Northeastern boundary of the site, looking northwest along Blodgett Ranch Trail.



Photograph 4: Eastern adjacent property, looking east across West Woodmen Road.

FIGURE A-2



Photograph 5: View of the eastern boundary of the site, looking southeast.



Photograph 6: View of the eastern adjacent properties, looking southeast across West Woodmen Road.

FIGURE A-3



Photograph 7: View of the eastern boundary of the site, looking south.



Photograph 8: View of empty structure located near the eastern boundary of the site.

FIGURE A-4



Photograph 9: View of empty structure located near the eastern boundary of the site.



Photograph 10: View of adjacent properties, looking southeast from the southeast corner of the site, across West Woodmen Road.

FIGURE A-5



Photograph 11: View of empty shed located on the southeast corner of the site.



Photograph 12: View inside empty shed.

FIGURE A-6



Photograph 13: View of the southeast corner of the site, looking east.



Photograph 14: View of southern adjacent properties, looking south from the southern site boundary.

FIGURE A-7



Photograph 15: View of the south boundary of the site, looking west.



Photograph 16: View of the southern portion of the site, looking southwest.

FIGURE A-8



Photograph 17: View of the southern portion of the site, looking west.



Photograph 18: View of southern adjacent properties, looking south.

FIGURE A-9



Photograph 19: View of the eastern portion of the site, looking east along Blodgett Mountain Heights.



Photograph 20: View of cell tower building and pad-mounted transformer on the central portion of the site.

FIGURE A-10



Photograph 21: View of fans and electrical panel located along the west side of the cell tower building.



Photograph 22: View of the northern boundary of the site, looking east.

FIGURE A-11



Photograph 23: View of the northern adjacent properties, looking north.



Photograph 24: View of the northwest portion of the site, looking west.

FIGURE A-12



Photograph 25: View of the southern portion of the site, looking southwest.



Photograph 26: View of a proposed homestead area near the center of the site.

FIGURE A-13



Photograph 27: View of wooden platform near the center of the site.



Photograph 28: View of a proposed homestead area near the center of the site.

FIGURE A-14



Photograph 29: View of the western boundary of the site and the adjacent Pike National Forest to the west of the site, looking west.



Photograph 30: View of the southwestern portion of the site, looking southwest.

FIGURE A-15



Photograph 31: View of the western portion of the site, looking east.



Photograph 32: View of the central portion of the site, looking northeast.

FIGURE A-16



Photograph 33: View of a proposed homestead area along the western boundary of the site, looking north.



6001 South Willow Drive, Suite 195 | Greenwood Village, Colorado 80111 | p. 303.629.6000

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www.ninyoandmoore.com

Recording requested by
And when recorded mail to:

David W. Isbell, Esq.
Hogan Lovells US LLP
2 North Cascade Ave., Suite 1300
Colorado Springs, CO 80903

ACCESS EASEMENT AND FILL DIRT REMOVAL AGREEMENT

THIS ACCESS EASEMENT AND FILL DIRT REMOVAL AGREEMENT (“Agreement”) is made this ___ day of September, 2020 (the “Effective Date”), by and between **THE CONSERVATION FUND, a Maryland non-profit corporation** (hereinafter called the “Grantor”), whose address is 1655 N. Fort Myer Drive, Suite 1300, Arlington, Virginia 22209, to and for the benefit of **CASTLE CONCRETE COMPANY, a Colorado corporation** (“Grantee”), whose address is 7250 Allegheny Drive, Colorado Springs, Colorado 80919, all with respect to the following:

WITNESSETH

WHEREAS, pursuant to that certain “Contract For Sale Of Real Estate” dated September 11, 2020 and entered into between Grantor, Grantee, and Castle Rebar and Supply Company, a Colorado corporation (“Grantee’s Affiliate”) (the “Purchase Agreement”), Grantee, together with Grantee’s Affiliate, sold and conveyed to Grantor certain real property comprising approximately 151.538 acres and being more particularly described in the Purchase Agreement as the “Land” and commonly referred to between the parties as the “Buffer Property”, which Buffer Property is more particularly described in **Exhibit A** attached hereto;

WHEREAS, as disclosed in Section 15 “Access Easement And Fill Dirt Removal Agreement” of the Purchase Agreement, Grantee and the City of Colorado Springs (the “City”) concurrently entered into that certain “Agreement For The Donation Of Real Property” dated September 11, 2020 (the “Donation Agreement”), pursuant to which Grantee agreed to donate certain other real property to the City legally described on **Exhibit B** attached hereto (the “Donation Property”), which Donation Property is located adjacent to the Buffer Property conveyed to Grantor, and which Donation Property Grantee previously operated as a rock, sand and gravel quarry commonly referred to as the “Pikeview Quarry”;

WHEREAS, Grantor, Grantee and the City each intend for the Buffer Property and the Donation Property to ultimately be owned by the City for its future development of the same as a bike park and an open space recreation area for public use, and in connection therewith, Grantor intends to eventually convey all of the Buffer Property to the City for such purposes, all subject to the City’s acceptance of the same pursuant to the terms of the Donation Agreement;

WHEREAS, pursuant to the terms of the Donation Agreement, Grantee continues to own the Donation Property as of the Effective Date and remains obligated under the Donation Agreement to complete or cause the completion of certain reclamation work upon the Donation Property, all as a condition to Grantee's final conveyance and the City's final acceptance of the Donation Property following substantial completion of such reclamation work;

WHEREAS, as disclosed in Section 15 "Access Easement And Fill Dirt Removal Agreement" of the Purchase Agreement, Grantor, Grantee and the City each recognize that in order for Grantee to complete or cause the completion of the reclamation work contemplated for the Donation Property as described in the Donation Agreement, Grantee or its contractors or other entity engaged to complete the reclamation work will be required to and shall have the right to enter upon those portions of the Buffer Property comprising the fill dirt borrow area (as identified in Exhibit C attached hereto, the "Fill Dirt Borrow Area") and the existing haul road, each of which are located upon the Buffer Property and each of which are legally described and depicted on Exhibit C attached hereto (collectively, the "Easement Area Property") to grade and extract fill dirt (the "Fill Dirt") from the Fill Dirt Borrow Area portion of the Easement Area Property;

WHEREAS, in furtherance of all of the foregoing, Grantor now desires to grant and convey to Grantee a non-exclusive easement over and across the Easement Area Property, including the Fill Dirt Borrow Area and the existing haul road, all for the purpose of enabling Grantee, its employees, contractors, subcontractors, agents, successors and assigns to enter upon the Buffer Property and access the Easement Area Property, and to grade and remove Fill Dirt and related materials from the Fill Dirt Borrow Area portion of the Easement Area Property, all as more particularly specified herein and subject to the terms and provisions of this Agreement;

WHEREAS, Grantor and Grantee further desire that the Easement (as defined herein): (i) run with and be a burden upon the Easement Area Property portion of the Buffer Property and be a benefit to Grantee, its employees, contractors, subcontractors, agents, successors and assigns, (ii) be appurtenant to and be a part of and benefit the Donation Property, and (iii) remain an Easement, burden and encumbrance upon the Easement Area Property portion of the Buffer Property, and Grantor and all successors and assigns of Grantor and Grantor's interest in and to the Easement Area Property portion of the Buffer Property for the term of the Easement; and

WHEREAS, Grantor and Grantee are now entering into this Agreement in furtherance of the foregoing.

AGREEMENT

NOW THEREFORE, in consideration for the mutual covenants and agreements set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which is acknowledged, the parties agree as follows:

1. **Grant of Easement.** Grantor hereby forever and irrevocably grants and conveys to Grantee, its employees, contractors, subcontractors, agents, successors and assigns, and warrants title to the same against all persons claiming by, through, or under Grantor, a non-exclusive easement on, over and across the Easement Area Property (the "Easement"), which Easement shall be for the purpose of: (i) ingress, egress and entry upon the Easement Area Property (including through use of the existing haul road), including the construction of certain haul roads, drainage ditches, culverts and gates, if any, all so that such haul roads can be maintained as a viable means of pedestrian and vehicular ingress and egress to and from the Easement Area Property, and other related improvements as required in connection with Grantee's conducting the grading work and Fill Dirt removal from the Fill Dirt Borrow Area portion of the Easement Area Property, all at Grantee's sole cost and expense, (ii) removal of no more than 2.2 million cubic yards (2.2M yds³) of Fill Dirt from the Fill Dirt Borrow Area portion of the Easement Area Property (the "Maximum Fill Dirt Removal Amount") pursuant to the grading plan for the Easement Area Property set forth and described in **Exhibit D** attached hereto (the "Grading Plan"), (iii) parking, storage and operation of excavation and earth moving equipment, construction vehicles, construction equipment, construction trailers, and other heavy equipment and materials upon the Fill Dirt Borrow Area portion of the Easement Area Property as necessary to accommodate Grantee's grading and Fill Dirt removal and other construction activities upon the Fill Dirt Borrow Area portion of the Easement Area Property, (iv) stockpiling of the Fill Dirt and other rocks or other materials on the Fill Dirt Borrow Area portion of the Easement Area Property in connection with the grading and Fill Dirt removal work pursuant to the Grading Plan, and (v) conducting such other work and activities thereon associated with such grading and Fill Dirt removal operations, all such rights to commence as of the Effective Date of this Easement. Grantor and Grantee mutually acknowledge that the Grading Plan requires approval from governmental agencies having jurisdiction over the Easement Area Property. Therefore, Grantor and Grantee shall cooperate in good faith with one another to amend the Grading Plan to the extent needed in order to secure any required governmental approvals.

In connection with Grantee's Fill Dirt removal efforts and subject to the provisions below, Grantor and Grantee each agree that Grantee shall not enter upon or commence any of the grading work upon or removal of Fill Dirt from the Fill Dirt Borrow Area portion of the Easement Area Property until such time as Grantor has obtained, at its sole cost and expense and as soon as reasonably possible, a grading permit (or other equivalent permit) for the grading contemplated by the Grading Plan as required by applicable governmental authorities and as necessary for Grantee's entry upon and grading of the Fill Dirt Borrow Area portion of the Easement Area Property and removal of the Fill Dirt therefrom in accordance with the Grading

Plan, including, without limitation, the City's approval of the Grading Plan. If requested, Grantor shall furnish Grantee with evidence of such permits and authorizations. Grantor and Grantee each recognize that timely completion of the reclamation work contemplated for the Donation Property as described in the Donation Agreement pursuant to Grantee's plans and budget requires timely access to and timely use of the Fill Dirt from the Fill Dirt Borrow Area portion of the Easement Area Property. In recognition thereof, Grantor agrees to apply for, process and obtain, at its sole cost and expense and as soon as reasonably possible, the grading permit (or other equivalent permit) for the grading contemplated by the Grading Plan as required applicable governmental authorities and as necessary for Grantee's entry upon and grading of the Fill Dirt Borrow Area portion of the Easement Area Property and removal of the Fill Dirt therefrom in accordance with the Grading Plan, including, without limitation, the City's approval of the Grading Plan. Grantor and Grantee each agree to cooperate in good faith with one another in obtaining such requisite grading permit (or other equivalent permit), including, without limitation, execution and submission of any documents requiring signatures from Grantor as owner of the Easement Area Property.

2. **Term of Easement.** The term of the Easement (the "Term") shall commence upon the Effective Date and shall continue until such time as Grantee has (i) completed all grading and removed all Fill Dirt from the Fill Dirt Borrow Area portion of the Easement Area Property as Grantee deems necessary to complete the reclamation work upon the Donation Property up to the Maximum Fill Dirt Removal Amount, all as confirmed in writing from Grantee to Grantor, and (ii) completed all reclamation and grading work required by applicable governmental authorities pursuant to relevant permits and authorizations, provided, however, that the Grantor may, in writing, waive the obligation of Grantee to perform reclamation work in Grantor's sole discretion. Upon expiration of the Term of this Easement, Grantee agrees that it shall, upon the written request of Grantor, execute a document for recordation in the real property records of El Paso County, Colorado confirming the termination of this Agreement and the Easement created hereby.

3. **Maintenance of Easement.** Grantee, at its expense, shall keep the Easement Area Property in a state of good condition and repair, including periodic watering of the Easement Area Property for purposes of dust abatement. Grantee shall erect, at its sole cost and expense, temporary protective barriers such as plastic crowd control fencing to ensure stockpiling and parking is contained, all as required by applicable law. Maintenance and repair of any haul roads may further include, as necessary and without limitation, periodic grading and re-grading, snow plowing, snow storage and removal, placement and replacement of road material (pitrun and/or roadbase), construction and repair of culverts and periodic cleaning of any drainage ditches along such haul roads for proper drainage. Paving of the road surface shall not be permitted without the prior written consent of Grantor, which consent shall not be unreasonably withheld, conditioned or delayed. Grantee shall further have the right to conduct all other maintenance and repair of any such haul roads as Grantee desires or deems necessary to maintain the same in a state of good condition and repair.

4. **Liens; No Denial of Access.** Grantee shall not suffer or permit to be enforced against the Easement Area Property, or any part thereof, any mechanic's, materialmen's, contractor's or subcontractor's liens or any claims for damages arising from any permitted use of the Easement Area Property. Grantee shall pay or cause to be paid all of said liens, claims or damages before any action is brought to enforce same against the Easement Area Property. Grantee expressly agrees to protect, defend, indemnify and hold Grantor and the Easement Area Property harmless from and against all liability for any and all such liens, claims and demands arising as a result of Grantee's work on the Easement Area Property, together with reasonable attorney's fees and all costs and expenses in connection therewith. Under no circumstances shall access be denied to or from any portion of the Easement Area Property for emergency vehicles (police, fire and ambulance).

5. **Grantor Not Liable; Grantor Reserved Rights.** Grantee and its employees, contractors, subcontractors and agents understand and agree that they shall enter upon the Easement Area Property at their own risk. Grantor shall have no duty to inspect the Easement Area Property to which the Easement applies and shall have no duty to warn any person of any latent or patent defect, condition or risk that may exist on the Easement Area Property or that might be incurred in the exercise of the rights granted herein. Grantor shall not be responsible for any loss or theft of or damage to any of the equipment or vehicles or any items located therein while on or about the Easement Area Property. Grantee, as a material part of the consideration of this Agreement, waives all claims or damages against Grantor for any such loss, damage, or injury of Grantee or its employees, contractors, subcontractors or agents, except to the extent caused by the negligence or willful misconduct of Grantor. Grantor reserves the right for itself and for its successors and assigns to use and occupy the Easement Area Property for any and all uses and purposes not inconsistent with any Grantee's use thereof for the purposes herein described; provided, however, that Grantor's use and occupancy of all or any portion of the Easement Area Property shall not interfere with Grantee's grading and Fill Dirt removal operations contemplated by this Agreement, and provided further that Grantor shall not be permitted to install fences, gates, cattle guards, and any other agricultural improvements within the Easement Area Property, or to install any other improvements or conduct any other activities which unreasonably interfere with or otherwise preclude Grantee's access and other rights under this Agreement. In connection with the foregoing, Grantor understands, acknowledges and agrees that Grantee intends to use the Easement Area Property for, among other things, the removal and transportation of Fill Dirt and rock from the Fill Dirt Borrow Area portion of the Easement Area Property, and nothing in this paragraph shall be interpreted to permit Grantor to unreasonably interfere with those activities or to materially adversely interrupt or disrupt Grantee's business operations associated therewith. Subject to all of the foregoing, Grantor may maintain locked gates across or within the Easement Area Property, provided that Grantor shall provide a key or combination to such lock to any Grantee and provided that the same do not unreasonably interfere with or materially adversely interrupt or disrupt Grantee's grading and

Fill Dirt removal operations or use of any haul roads associated therewith constructed upon the Easement Area Property.

6. **Gates; No Signage or Locks.** Grantee shall have the right to install gates, fences, locks and other barriers upon the Easement Area Property as deemed reasonably necessary by Grantee or as otherwise required by applicable law. When using the Easement Area Property, Grantee and its employees, contractors, subcontractors and agents will leave any gates owned and installed by Grantor in the same open or closed condition as found. Grantee may not place signage within the Easement Area Property, except as and to the extent required by applicable law or as necessary to allow Grantee to safely conduct its transportation operations as contemplated herein.

7. **Default.** In the event of default of any of the terms and conditions contained herein, the non-breaching party shall give the breaching party written notice of the default. The defaulting party must cure the default within fifteen (15) days after receiving the default notice; provided, however, that if the nature of the default is such that it cannot be reasonably cured within such fifteen (15) day period, then the defaulting party shall not be in default provided that it commences such cure within the fifteen (15) day period and thereafter diligently and continuously prosecutes the same to completion. If the defaulting party has not cured by the end of the fifteenth (15) days, or such longer period as described above, then the non-defaulting party may seek appropriate legal and equitable relief with the District Court, County of El Paso, State of Colorado, which shall have exclusive jurisdiction over any such dispute. The parties agree that the Easement granted herein concerns unique real estate interests and that any breach under this Agreement shall cause immediate and irreparable harm to the nondefaulting party, and that there will be no plain, speedy or adequate remedy at law for such a breach. Therefore, the parties agree that a court will have equitable jurisdiction to grant injunctive relief in the event of a breach under this Agreement, and that rights of specific performance shall apply.

8. **Notices.** Any notice required to be given pursuant to this Easement agreement shall be deemed given upon the following:

a. Delivery in person to any of the parties to this Easement agreement or their successors in interest at the address set forth in the first paragraph of this Agreement, or at such other address as shall be provided in writing.

b. Three (3) days after placing such written notice in the U.S. mail, by certified mail, prepaid postage, addressed to the address of the parties as set forth in the first paragraph of this Agreement or at such other address as shall be provided in writing.

9. **Mutual Indemnifications.** Grantee agrees to protect, defend, indemnify and hold harmless Grantor and its officers, partners, members, agents, and employees (herein called the "Grantor Indemnified Parties"), from and against any and all claims, damages, liability, loss and

expense whatsoever, including attorneys' fees and other legal expenses, arising by reason of any injury to any person or persons (including, without limitation, death or bodily harm), damage to any property, or breach of any governmental regulations, statute, ordinance, or permit, to the extent resulting or arising from, directly or indirectly, Grantee's (i) negligent use of the Easement Area Property, or (ii) negligent exercise of rights by Grantee or any agent, employee, contractor or invitee of either or any person claiming under Grantee. Grantor agrees, to the extent permitted by law, to protect, defend, indemnify and hold harmless Grantee and its officers, partners, members, agents, and employees (herein called the "Grantee Indemnified Parties"), from and against any and all claims, damages, liability, loss and expense whatsoever, including attorneys' fees and other legal expenses, arising by reason of any injury to any person or persons (including, without limitation, death or bodily harm), damage to any property, or breach of any governmental regulations, statute, ordinance, or permit, to the extent resulting or arising from, directly or indirectly, Grantor's (i) negligent use of the Easement Area Property, or (ii) negligent exercise of rights by Grantor or any agent, employee, contractor or invitee of either or any person claiming under Grantor. In the event of any suit or proceeding brought against any of the Grantor Indemnified Parties or the Grantee Indemnified Parties, such party shall within a reasonable period of time notify the indemnitor hereunder of such suit or proceeding, and the Grantor Indemnified Party or the Grantee Indemnified Party, as applicable, shall be entitled to be defended by counsel chosen by such Grantor Indemnified Party or Grantee Indemnified Party, as applicable, at the cost and expense of the indemnitors.

10. Insurance Requirements. Grantee shall, at its own cost and expense, carry insurance in such amounts as may from time to time be reasonably available and required by Grantor against insurable hazards which are at the time commonly insured against in the case of similar grading and Fill Dirt removal operations. All policies of insurance required by this Paragraph to be carried and maintained by Grantee shall be for the mutual and joint benefit and protection of the parties and shall list Grantor as additionally insured. Copies or certificates of such new policies of insurance shall be delivered to the Grantor upon Grantor's request, and as often as any such policy or policies shall expire or terminate, renewal or additional policies shall be procured and maintained by Grantee in like manner and to like extent. All such policies shall contain a clause or endorsement to the effect that such policies may not be terminated or materially amended except after at least ten days' written notice thereof to Grantor.

11. Runs with the Land; Binding Upon Successors and Assigns; No Merger. The provisions of this Agreement are intended to run with the Buffer Property and the Easement Area Property and the Donation Property, and to be binding upon and inure to the benefit of the parties hereto, their heirs, assigns, successors and personal representatives, and all other persons who may hereafter acquire an interest in the Buffer Property, the Easement Area Property or the Donation Property or any part thereof. Grantor and Grantee each further acknowledge their mutual intent that, should the Buffer Property, the Easement Area Property and the Donation Property at any time in the future become owned by a single individual or entity, this Agreement and the Easement rights created hereunder shall merge, and this Easement shall thereupon terminate and be of no further force or effect. Whenever a transfer of fee simple ownership of

any of the described lands shall occur, the transferor shall have no liability for any breach of covenant occurring after such transfer. Notwithstanding any other provision of this Agreement to the contrary, Grantee hereby expressly agrees that The Conservation Fund, a Maryland non-profit corporation, shall have no liability under this Agreement for any acts or omissions of the City occurring after The Conservation Fund's conveyance of the Buffer Property to the City.

12. Miscellaneous. The recitals set forth at the beginning of this Agreement and all exhibits attached hereto are incorporated herein by this reference. This Agreement and the terms, conditions and provisions hereof may be enforced by any of the parties hereto, and their successors and assigns by proceedings as law or in equity; and in the event legal or administrative suits or proceedings are brought against any party (whether a party to this instrument or not) for the purposes of such enforcement, the party or parties substantially prevailing shall recover from the non-prevailing party or parties all costs associated therewith, including but not limited to reasonable attorney fees, all as and to the extent permitted by law. The Easement is granted and conveyed without warranties of title and subject to existing easements or rights to use the Easement, deeds of trust, mortgages, reservations, restrictions, easements, covenants and all other matters whether or not of record. This Easement shall run with the land, Grantor's property being the Easement Area Property and the servient estate, and the Grantee's property being the Donation Property and the dominant estate, and shall remain an Easement on the land until its expiration in accordance with the provisions of this Agreement and Colorado law. This Agreement shall be construed and enforced in accordance with Colorado law.

SIGNATURES ON FOLLOWING PAGE

EXHIBIT "A"

(Legal Description of Buffer Property)

TRACT 1 (73102-01-001, 7250 Allegheny Drive) (Commitment No. 55077768) (1.96 acres, more or less):

LOT 1, BLOCK 1, CASTLE HEIGHTS SUBDIVISION, IN THE CITY OF COLORADO SPRINGS,
COUNTY OF EL PASO, STATE OF COLORADO

AND

TRACT 2 (73102-00-0004) (Commitment No. 55077625) (25.7 acres more or less):

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 13 SOUTH,
RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF COLORADO
SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO, BEING PARCEL 1 DESCRIBED IN
SPECIAL WARRANTY DEED RECORDED MAY 12, 1993 IN BOOK 6171 AT PAGE 1451 OF THE
EL PASO COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE PLAT OF MOUNTAIN SHADOWS FILING NO. 31, RECORDED IN
PLAT BOOK E- 5 AT PAGE 196 OF THE EL PASO COUNTY RECORDS.

NOTE: ALL DOCUMENTS REFERRED TO BY BOOK AND PAGE IN THIS DESCRIPTION ARE
RECORDS ON FILE WITH THE EL PASO COUNTY CLERK AND RECORDER, UNLESS
OTHERWISE STATED.

COMMENCING AT THE MOST NORTHWESTERLY CORNER OF SAID PARCEL 1,
MONUMENTED BY A NO. 5 REBAR WITH A 1 ½ INCH ALUMINUM SURVEYORS CAP
MARKED "LW PE & LS 2692", SAID POINT BEING THE POINT OF BEGINNING;
THENCE SOUTH 78 DEGREES 46 MINUTES 20 SECONDS EAST A DISTANCE OF 397.28 FEET;
THENCE SOUTH 54 DEGREES 47 MINUTES 42 SECONDS EAST A DISTANCE OF 515.19 FEET
TO A POINT ON THE SOUTHWESTERLY BOUNDARY LINE OF LIVE OAK STATION FILING
NO. 2, RECORDED IN PLAT BOOK A-4 AT PAGE 182;
THENCE SOUTHEASTERLY, ON SAID BOUNDARY LINE, THE FOLLOWING TWO COURSES:
SOUTH 38 DEGREES 32 MINUTES 12 SECONDS EAST A DISTANCE OF 126.70 FEET;
SOUTH 58 DEGREES 20 MINUTES 16 SECONDS EAST A DISTANCE OF 229.25 FEET TO THE
SOUTHERLY MOST CORNER OF SAID FILING NO. 2, SAID POINT BEING ON THE WESTERLY
RIGHT OF WAY LINE OF ALLEGHENY DRIVE, RECORDED IN ALLEGHENY DRIVE
SUBDIVISION IN PLAT BOOK R-3 AT PAGE 46;
THENCE SOUTHERLY, ON SAID RIGHT OF WAY LINE, THE FOLLOWING FIVE (5) COURSES:
SOUTH 54 DEGREES 19 MINUTES 12 SECONDS WEST A DISTANCE OF 334.08 FEET TO A
POINT OF CURVE;
ON THE ARC OF A CURVE LEFT, HAVING A DELTA OF 88 DEGREES 05 MINUTES 49
SECONDS, A RADIUS OF 310.00 FEET, A DISTANCE OF 476.65 FEET, MEASURED ALONG THE
ARC, TO A POINT OF TANGENT;
SOUTH 33 DEGREES 46 MINUTES 37 SECONDS EAST A DISTANCE OF 32.17 FEET TO A POINT
OF CURVE;

ON THE ARC OF A CURVE LEFT, HAVING A DELTA OF 42 DEGREES 16 MINUTES 21 SECONDS, A RADIUS OF 230.00 FEET, A DISTANCE OF 169.69 FEET, MEASURED ALONG THE ARC, TO A POINT OF TANGENT;
SOUTH 76 DEGREES 02 MINUTES 58 SECONDS EAST A DISTANCE OF 190.48 FEET TO THE NORTHEASTERLY CORNER OF A TRACT OF LAND DESCRIBED IN WARRANTY DEED RECORDED AUGUST 10, 1982 IN BOOK 3596 AT PAGE 875;
THENCE SOUTH 81 DEGREES 18 MINUTES 18 SECONDS WEST, ON THE NORTHERLY LINE OF SAID TRACT AND ON THE SOUTHERLY LINE OF A TRACT OF LAND DESCRIBED IN WARRANTY DEED RECORDED AUGUST 10, 1982 IN BOOK 3596 AT PAGE 874., A DISTANCE OF 1091.63 FEET;
THENCE NORTH 00 DEGREES 09 MINUTES 12 SECONDS EAST, ON THE WESTERLY LINE OF A TRACT OF LAND DESCRIBED IN WARRANTY DEED RECORDED AUGUST 10, 1982 IN BOOK 3596 AT PAGE 874, a DISTANCE OF 1545.85 FEET TO THE POINT OF BEGINNING.

AND

TRACT 3 (No. 73102-00-005) (Commitment No. 55077696) (87.9 acres, more or less)

TRACT 3 PARCEL A:

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 10, THENCE NORTH 00 DEGREES 23 MINUTES 58 SECONDS WEST, 714.20 FEET ALONG THE WESTERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10 TO THE SOUTHWEST CORNER OF PARCEL B AS DESCRIBED IN EASEMENT, COVENANT AND RELEASE RECORDED DECEMBER 30, 1974 IN BOOK 2725 AT PAGE 604 OF THE RECORDS OF SAID COUNTY;
THENCE NORTH 77 DEGREES 14 MINUTES 16 SECONDS EAST, 1033.19 FEET ALONG THE SOUTHERLY LINE OF SAID PARCEL B;
THENCE SOUTH 00 DEGREES 09 MINUTES 47 SECONDS WEST, 945.27 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID NORTHWEST QUARTER OF SECTION 10;
THENCE NORTH 89 DEGREES 50 MINUTES 13 SECONDS WEST, A DISTANCE OF 1000.00 FEET ALONG SAID SOUTHERLY LINE OF THE NORTHWEST QUARTER TO THE POINT OF BEGINNING,
EXCEPT THOSE PORTIONS THEREOF DESCRIBED IN WARRANTY DEED RECORDED AUGUST 10, 1982 IN BOOK 3596 AT PAGE 874 AND PLATTED AS CASTLE HEIGHTS SUBDIVISION RECORDED MARCH 14, 1985 UNDER RECEPTION NO. 1225415 IN PLAT BOOK X3 AT PAGE 186.

TRACT 3 PARCEL B:

A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF COLORADO

Exhibit A

SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 10, THENCE SOUTH 89 DEGREES 30 MINUTES 50 SECONDS EAST, ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 10, A DISTANCE OF 1,000.00 FEET;

THENCE NORTH 00 DEGREES 29 MINUTES 09 SECONDS EAST, 185.37 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUE NORTH 00 DEGREES 29 MINUTES 09 SECONDS EAST, 13.31 FEET;

THENCE NORTH 81 DEGREES 37 MINUTES 25 SECONDS EAST, 1,049.67 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF 60 FOOT WIDE ALLEGHENY DRIVE;

THENCE SOUTH 75 DEGREES 43 MINUTES 41 SECONDS EAST, ALONG SAID SOUTHERLY RIGHT-OF- WAY LINE 52.51 FEET;

THENCE SOUTH 71 DEGREES 46 MINUTES 23 SECONDS WEST, 392.60 FEET TO A POINT OF CURVE; THENCE WESTERLY ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 480.00 FEET AND A CENTRAL ANGLE OF 17 DEGREES 35 MINUTES 00 SECONDS, AN ARC DISTANCE OF 147.31 FEET TO A POINT OF TANGENT;

THENCE SOUTH 89 DEGREES 21 MINUTES 23 SECONDS WEST, ALONG SAID TANGENT, 571.86 FEET TO THE TRUE POINT OF BEGINNING,

EXCEPT THAT PORTION THEREOF DESCRIBED IN WARRANTY DEED RECORDED AUGUST 10, 1982 IN BOOK 3596 AT PAGE 874

TRACT 3 PARCEL C:

A TRACT OF LAND IN THE NORTH HALF OF SECTION 10, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 10; THENCE SOUTH 89 DEGREES 30 MINUTES 51 SECONDS EAST, ALONG THE SOUTHERLY LINE OF THE NORTH HALF OF SAID SECTION 10, A DISTANCE OF 1000.00 FEET;

THENCE NORTH 00 DEGREES 29 MINUTES 09 SECONDS EAST, 125.36 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUE NORTH 00 DEGREES 29 MINUTES 09 SECONDS EAST, 60.01 FEET;

THENCE NORTH 89 DEGREES 21 MINUTES 23 SECONDS EAST, 571.86 FEET TO A POINT OF CURVE; THENCE NORTHEASTERLY ON A CURVE TO THE LEFT, HAVING A RADIUS OF 480.00 FEET AND A CENTRAL ANGLE OF 17 DEGREES 35 MINUTES 00 SECONDS, AN ARC DISTANCE OF 147.31 FEET TO A POINT OF TANGENT;

THENCE NORTH 71 DEGREES 46 MINUTES 23 SECONDS EAST, ALONG SAID TANGENT, 392.60 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF 60 FEET WIDE ALLEGHENY DRIVE; THENCE SOUTH 75 DEGREES 43 MINUTES 41 SECONDS EAST, ALONG SAID SOUTH WESTERLY RIGHT- OF-WAY LINE, 111.67 FEET;

THENCE SOUTH 71 DEGREES 46 MINUTES 23 SECONDS WEST, 486.79 FEET TO A POINT OF CURVE; THENCE SOUTHWESTERLY ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 540.00 FEET AND A CENTRAL ANGLE OF 17 DEGREES 35 MINUTES 00 SECONDS, AN ARC DISTANCE OF 165.72 FEET TO A POINT OF TANGENT; THENCE SOUTH 89 DEGREES 21 MINUTES 23 SECONDS WEST ALONG SAID TANGENT, 573.04 FEET TO THE TRUE POINT OF BEGINNING,

EXCEPT THAT PORTION THEREOF DESCRIBED IN WARRANTY DEED RECORDED
AUGUST 10, 1982 IN BOOK 3596 AT PAGE 874.

TRACT 3 PARCEL D:

A TRACT OF LAND IN THE NORTH HALF OF SECTION 10, TOWNSHIP 13 SOUTH, RANGE 67
WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF COLORADO SPRINGS,
COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS
FOLLOWS;

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 10;
THENCE SOUTH 89 DEGREES 30 MINUTES 51 SECONDS EAST, ALONG THE SOUTHERLY
LINE OF THE NORTH HALF OF SAID SECTION 10, A DISTANCE OF 1000.00 FEET TO THE
TRUE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89 DEGREES 30 MINUTES 51
SECONDS EAST, ALONG SAID SOUTHERLY LINE, 2287.52 FEET TO A POINT ON THE
SOUTHWESTERLY RIGHT-OF-WAY LINE OF 60 FEET WIDE ALLEGHENY DRIVE;
THENCE NORTH 69 DEGREES 00 MINUTES 13 SECONDS WEST, ALONG SAID WESTERLY
RIGHT-OF- WAY LINE, 396.2 FEET TO A POINT OF CURVE;
THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, AND
ON A CURVE TO THE LEFT, HAVING A RADIUS OF 821.07 FEET AND A CENTRAL ANGLE
OF 06 DEGREES 43 MINUTES 28 SECONDS, AN ARC DISTANCE OF 96.36 FEET TO A POINT
OF TANGENT;
THENCE NORTH 75 DEGREES 43 MINUTES 41 SECONDS WEST, ALONG SAID
SOUTHWESTERLY RIGHT- OF-WAY LINE AND ALONG SAID TANGENT, 646.41 FEET TO A
POINT ON THE SOUTHERLY LINE OF THE 60 FOOT WIDE CASTLE CONCRETE ACCESS
ROAD;
THENCE SOUTH 71 DEGREES 46 MINUTES 23 SECONDS WEST, ALONG SAID SOUTHERLY
LINE, 486.79 FEET TO A POINT OF CURVE;
THENCE WESTERLY ALONG SAID SOUTHERLY LINE AND ON A CURVE TO THE RIGHT,
HAVING A RADIUS OF 540.00 FEET AND A CENTRAL ANGLE OF 17 DEGREES 35 MINUTES
00 SECONDS, AND ARC DISTANCE OF 165.72 FEET TO A POINT OF TANGENT;
THENCE SOUTH 89 DEGREES 21 MINUTES 23 SECONDS WEST, ALONG SAID SOUTHERLY
LINE AND ALONG SAID TANGENT, 573.04 FEET;
THENCE SOUTH 00 DEGREES 29 MINUTES 09 SECONDS WEST, 125.36 FEET TO THE TRUE
POINT OF BEGINNING,
EXCEPT THAT PORTION THEREOF DESCRIBED IN WARRANTY DEED RECORDED AUGUST
10, 1982 IN BOOK 3596 AT PAGE 874.

TRACT 3 PARCEL E:

A TRACT OF LAND IS SECTIONS 9 AND 10, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE
SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF COLORADO SPRINGS, COUNTY OF EL PASO,
STATE OF COLORADO, DESCRIBED AS FOLLOWS;
THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER EXCEPT THE SOUTHWEST
QUARTER THEREOF IN SAID SECTION 9 AND THAT PORTION OF SAID SECTION 10,
DESCRIBED AS FOLLOWS:

Exhibit A

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 10; THENCE SOUTH 00 DEGREES 02 MINUTES 05 SECONDS WEST, ALONG THE WESTERLY LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 10, A DISTANCE OF 110.00 FEET TO THE TRUE POINT OF BEGINNING;
THENCE CONTINUE SOUTH 00 DEGREES 02 MINUTES 05 SECONDS WEST, ALONG SAID WESTERLY LINE, 1205.35 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER, SAID POINT BEING ALSO THE NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN EASEMENT, COVENANT AND RELEASE RECORDED DECEMBER 30, 1974 IN BOOK 2725 AT PAGE 604 OF THE RECORDS OF EL PASO COUNTY, COLORADO;
THENCE SOUTH 00 DEGREES 12 MINUTES 00 SECONDS EAST, ALONG THE WESTERLY LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION AND ALONG THE WESTERLY LINE OF SAID TRACT IN BOOK 2725 AT PAGE 604A DISTANCE OF 600.00 FEET TO THE SOUTHWEST CORNER THEREOF;
THENCE NORTH 78 DEGREES 44 MINUTES 47 SECONDS EAST, ALONG THE SOUTHERLY LINE THEREOF, 1270.70 FEET;
THENCE NORTH 00 DEGREES 16 MINUTES 34.17 FEET TO A POINT ON THE NORTHERLY LINE THEREOF, SAID POINT BEING ALSO THE NORTHERLY LINE OF THE SOUTH HALF OF THE NORTH HALF OF SAID SECTION 10;
THENCE NORTH 89 DEGREES 43 MINUTES 55 SECONDS WEST, ALONG SAID NORTHERLY LINE, 234.27 FEET;
THENCE NORTH 00 DEGREES 29 MINUTES 09 SECONDS EAST, 381.31 FEET;
THENCE NORTH 45 DEGREES 35 MINUTES 01 SECONDS WEST, 577.24 FEET;
THENCE NORTH 54 DEGREES 57 MINUTES 55 SECONDS WEST, 740.00 FEET TO THE TRUE POINT OF BEGINNING,

EXCEPT THOSE PORTIONS THEREOF DESCRIBED IN WARRANTY DEEDS RECORDED AUGUST 10, 1982 IN BOOK 3596 AT PAGES 872 AND 874.

AND

TRACT 4 (No. 73102-00-009) (Commitment No. 55077766) (32.5 acres, more or less)

THAT PORTION OF THE S 1/2 OF THE SW 1/4, THE W 1/2 OF THE SE 1/4 OF SECTION 3 AND THE NW 1/4 OF SECTION 10, ALL IN TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE 6TH P.M. EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 3 (BEARINGS REFERRED TO HEREIN ARE BASED ON THE WESTERLY LINE OF OAK VALLEY RANCH FILING NO. 1 AS RECORDED IN PLAT BOOK M-3 AT PAGE 73 OF THE RECORDS OF SAID COUNTY, RECORDED AS BEING S 01 DEGREES 23 MINUTES 43 SECONDS W); THENCE N 01 DEGREES 02 MINUTES 53 SECONDS W, 1318.04 FEET ALONG THE WESTERLY LINE OF SAID S 1/2 OF SW 1/4 OF SECTION 3 TO THE NORTHWEST CORNER THEREOF; THENCE N 89 DEGREES 50 MINUTES 37 SECONDS E. 2305.16 FEET ALONG THE NORTHERLY LINE OF SAID S 1/2 OF THE SW 1/4 OF SECTION 3 TO THE NORTHWESTERLY EXTENSION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF CENTENNIAL BOULEVARD. AS DESCRIBED IN CENTENNIAL BOULEVARD SUBDIVISION FILING NO. 2 AS RECORDED IN PLAT BOOK R-3 AT PAGE 57 OF SAID RECORDS; THENCE S 69 DEGREES 03 MINUTES 05 SECONDS E. 363.38

FEET TO THE MOST NORTHERLY SOUTHWEST CORNER OF SAID CENTENNIAL BOULEVARD SUBDIVISION FILING NO. 2 (THE FOLLOWING 7 COURSES ARE ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID CENTENNIAL BOULEVARD); 1) THENCE CONTINUING S 69 DEGREES 03 MINUTES 05 SECONDS E, 86.77 FEET; 2) THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 33 DEGREES 45 MINUTES 00 SECONDS. A RADIUS OF 666.80 FEET, FOR AN ARC DISTANCE OF 392.78 FEET; 3) THENCE S 35 DEGREES 18 MINUTES 05 SECONDS E, 385.92 FEET; 4) THENCE N 54 DEGREES 41 MINUTES 55 SECONDS E. 10.00 FEET; 5) THENCE ALONG THE ARC OF A CURVE CONCAVE TO THE WEST, SAID CURVE HAVING A CHORD BEARING OF S 00 DEGREES 38 MINUTES 55 SECONDS E, A CENTRAL ANGLE OF 69 DEGREES 18 MINUTES 21 SECONDS, A RADIUS OF 360.00 FEET, FOR AN ARC DISTANCE OF 435.46 FEET; 6) THENCE S 34 DEGREES 00 MINUTES 16 SECONDS W, 421.49 FEET; 7) THENCE ON THE ARC OF A CURVE TO THE LEFT. SAID CURVE HAVING A CENTRAL ANGLE OF 13 DEGREES 01 MINUTES 18 SECONDS, A RADIUS OF 440.00 FEET. FOR AN ARC DISTANCE OF 100.00 FEET; THENCE N 78 DEGREES 46 MINUTES 03 SECONDS W. 765.68 FEET; THENCE S 11 DEGREES 13 MINUTES 57 SECONDS W, 189.95 FEET; THENCE S 18 DEGREES 33 MINUTES 09 SECONDS E, 308.01 FEET; THENCE S 49 DEGREES 02 MINUTES 38 SECONDS E. 251.07 FEET; THENCE S 17 DEGREES 30 MINUTES 43 SECONDS E, 220.00 FEET TO THE MOST NORTHERLY CORNER OF ALLEGHENY DRIVE SUBDIVISION AS RECORDED IN PLAT BOOK R-3 AT PAGE 46 OF SAID RECORDS (THE FOLLOWING 3 COURSES ARE ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID ALLEGHENY DRIVE); 1) THENCE S 72 DEGREES 29 MINUTES 17 SECONDS W. 92.76 FEET; 2) THENCE ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 67 DEGREES 33 MINUTES 48 SECONDS, A RADIUS OF 310.00 FEET. FOR AN ARC DISTANCE OF 365.55 FEET TO A POINT OF REVERSE CURVE; 3) THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT SAID CURVE HAVING A CENTRAL ANGLE OF 49 DEGREES 23 MINUTES 43 SECONDS, A RADIUS OF 334.02 FEET, FOR AN ARC DISTANCE OF 287.97 FEET; THENCE N 54 DEGREES 47 MINUTES 42 SECONDS W, 873.02 FEET; THENCE N 78 DEGREES 46 MINUTES 20 SECONDS W, 397.29 FEET TO THE NORTHWEST CORNER OF THAT TRACT OF LAND AS DESCRIBED WARRANTY DEED RECORDED AUGUST 10, 1982 IN BOOK 3596 AT PAGE 874 OF SAID RECORDS. SAID CORNER ALSO BEING ON THE NORTHEASTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED IN BOOK 3486 AT PAGE 378 OF SAID RECORDS (THE FOLLOWING 2 COURSES ARE ALONG SAID NORTHEASTERLY LINE); 1) THENCE N 45 DEGREES 54 MINUTES 08 SECONDS W. 519.67 FEET; 2) THENCE N 55 DEGREES 17 MINUTES 02 SECONDS W, 740.00 FEET TO THE WESTERLY LINE OF SAID NW 1/4 OF SECTION 10; THENCE N 00 DEGREES 17 MINUTES 51 SECONDS W, 110.00 FEET ALONG SAID WESTERLY LINE TO THE POINT OF BEGINNING;

EXCEPT THAT PORTION THEREOF DESCRIBED IN PARTIAL RELEASE RECORDED SEPTEMBER 24, 1985 IN BOOK 5065 AT PAGE 354 AND IN DEED RECORDED OCTOBER 6, 1987 IN BOOK 5430 AT PAGE 1112;

AND EXCEPT THAT PORTION PLATTED AS OAK VALLEY RANCH FILING NO. 6 AND OAK VALLEY RANCH, FILING NO. 7.

LESS THAT PARCEL DESCRIBED IN DEED RECORDED APRIL 27, 2018 UNDER RECEPTION NO. 21847585.

Exhibit A

AND LESS AND EXCEPT:

56561_Pikeview_Encroachment_LOT-5_200818 THAT PORTION OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 10 TOWNSHIP , 13 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WESTERLY CORNER OF TRACT C, LIVE OAK STATION, FILING NO. 2 AS RECORDED IN BOOK A4, PAGE 182; THENCE ON THE WESTERLY LINE OF SAID LIVE OAK STATION, SOUTH 38°35'49" EAST A DISTANCE OF 58.02 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ON SAID WESTERLY LINE, SOUTH 38°35'49" EAST A DISTANCE OF 26.93 FEET; THENCE SOUTH 69°11'21" WEST A DISTANCE OF 17.04 FEET; THENCE NORTH 36°45'16" WEST A DISTANCE OF 13.81 FEET; THENCE NORTH 24°44'08" EAST A DISTANCE OF 17.66 FEET TO THE POINT OF BEGINNING.

56561_Pikeview_Encroachment_LOT-6_200818

THAT PORTION OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 10 TOWNSHIP , 13 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WESTERLY CORNER OF TRACT C, LIVE OAK STATION, FILING NO. 2 AS RECORDED IN BOOK A4, PAGE 182;

THENCE ON THE WESTERLY LINE OF SAID LIVE OAK STATION, SOUTH 38°35'49" EAST A DISTANCE OF 84.95 FEET TO THE POINT OF BEGINNING;

THENCE, CONTINUING ON SAID LINE, SOUTH 38°35'49" EAST A DISTANCE OF 68.50 FEET; THENCE SOUTH 54°58'13" WEST A DISTANCE OF 18.59 FEET; THENCE NORTH 36°45'16" WEST A DISTANCE OF 72.59 FEET; THENCE NORTH 69°11'21" EAST A DISTANCE OF 17.04 FEET TO THE POINT OF BEGINNING.

56561_Pikeview_Encroachment_LOT-7_200818

THAT PORTION OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 10 TOWNSHIP , 13 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WESTERLY CORNER OF TRACT C, LIVE OAK STATION, FILING NO. 2 AS RECORDED IN BOOK A4, PAGE 182; THENCE ON THE WESTERLY LINE OF SAID LIVE OAK STATION, SOUTH 38°35'49" EAST A DISTANCE OF 153.46 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ON SAID WESTERLY LINE, SOUTH 38°35'49" EAST A DISTANCE OF 63.05 FEET;

THENCE SOUTH 51°24'11" WEST A DISTANCE OF 20.62 FEET; THENCE NORTH 36°45'16" WEST A DISTANCE OF 64.24 FEET;

THENCE NORTH 54°58'13" EAST A DISTANCE OF 18.59 FEET TO THE POINT OF BEGINNING.

56561_Pikeview_Encroachment_LOT-8_200818

THAT PORTION OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 10 TOWNSHIP , 13 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WESTERLY CORNER OF TRACT C, LIVE OAK STATION, FILING NO. 2 AS RECORDED IN BOOK A4, PAGE 182; THENCE ON THE WESTERLY LINE OF SAID LIVE OAK STATION, SOUTH 38°35'49" EAST A DISTANCE OF 234.97 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ON SAID WESTERLY LINE, SOUTH 38°35'49" EAST A DISTANCE OF 31.02 FEET;

THENCE SOUTH 51°34'30" WEST A DISTANCE OF 9.00 FEET; THENCE NORTH 81°32'01" WEST A DISTANCE OF 2.99 FEET;

THENCE NORTH 38°47'51" WEST A DISTANCE OF 26.52 FEET;

THENCE NORTH 06°00'32" EAST A DISTANCE OF 2.96 FEET;

THENCE NORTH 50°15'17" EAST A DISTANCE OF 9.05 FEET TO THE POINT OF BEGINNING.

56561_Pikeview_Encroachment_LOT-9_1_200818

THAT PORTION OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 10 TOWNSHIP , 13 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST CORNER OF LOT 10, OAK VALLEY RANCH FILING NO. 7 AS RECORDED IN PLAT BOOK E-5 AT PAGE 285;

THENCE ON THE WESTERLY LINE OF SAID OAK VALLEY RANCH FILING NO. 7 , SOUTH 53°25'35" EAST A DISTANCE OF 136.74 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ON SAID WESTERLY LINE, SOUTH 53°25'35" EAST A DISTANCE OF 89.60 FEET;

THENCE SOUTH 27°50'42" WEST A DISTANCE OF 12.55 FEET;

THENCE NORTH 83°00'30" WEST A DISTANCE OF 22.91 FEET;

THENCE NORTH 52°49'01" WEST A DISTANCE OF 62.28 FEET;

THENCE NORTH 14°35'47" EAST A DISTANCE OF 24.86 FEET TO THE POINT OF BEGINNING.

56561_Pikeview_Encroachment_LOT-9-2_200818

THAT PORTION OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 10 TOWNSHIP , 13 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Exhibit A

COMMENCING AT THE WESTERLY CORNER OF TRACT C, LIVE OAK STATION, FILING NO. 2 AS RECORDED IN BOOK A4, PAGE 182;

THENCE ON THE WESTERLY LINE OF SAID LIVE OAK STATION, SOUTH 38°35'49" EAST A DISTANCE OF 281.54 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ON SAID WESTERLY LINE, SOUTH 38°35'49" EAST A DISTANCE OF 64.42 FEET; THENCE SOUTH 43°47'09" WEST A DISTANCE OF 8.94 FEET;

THENCE NORTH 43°38'45" WEST A DISTANCE OF 63.89 FEET;

THENCE NORTH 43°40'11" EAST A DISTANCE OF 14.61 FEET TO THE POINT OF BEGINNING.

56561_Pikeview_Encroachment_LOT-10_200818

THAT PORTION OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 10 TOWNSHIP , 13 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHERLY CORNER OF LOT 13, LIVE OAK STATION, FILING NO. 2 AS RECORDED IN BOOK A4, PAGE 182;

THENCE ON THE WESTERLY LINE OF SAID LIVE OAK STATION, NORTH 58°31'41" WEST A DISTANCE OF 177.13 FEET TO THE SOUTHERLY CORNER OF LOT 10, SAID LIVE OAK STATION AND THE POINT OF BEGINNING;

THENCE SOUTH 36°02'05" WEST A DISTANCE OF 22.56 FEET;

THENCE NORTH 47°28'24" WEST A DISTANCE OF 19.75 FEET;

THENCE NORTH 30°18'55" WEST A DISTANCE OF 44.91 FEET TO THE WESTERLY LINE OF SAID LOT 10; THENCE ON SAID WESTERLY LINE, SOUTH 38°35'49" EAST A DISTANCE OF 7.42 FEET;

THENCE CONTINUING ON SAID WESTERLY LINE, SOUTH 58°31'41" EAST A DISTANCE OF 53.78 FEET TO THE POINT OF BEGINNING.

56561_Pikeview_Encroachment_LOT-11_200818

THAT PORTION OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 10 TOWNSHIP , 13 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHERLY CORNER OF LOT 13, LIVE OAK STATION, FILING NO. 2 AS RECORDED IN BOOK A4, PAGE 182;

THENCE ON THE WESTERLY LINE OF SAID LIVE OAK STATION, NORTH 58°31'41" WEST A DISTANCE OF 121.95 FEET TO THE SOUTHERLY CORNER OF LOT 11, SAID LIVE OAK STATION AND THE POINT OF BEGINNING;

THENCE SOUTH 23°07'19" WEST A DISTANCE OF 6.47 FEET;

THENCE SOUTH 38°22'10" WEST A DISTANCE OF 26.97 FEET;

THENCE NORTH 47°28'24" WEST A DISTANCE OF 55.71 FEET;

THENCE NORTH 36°02'05" EAST A DISTANCE OF 22.56 FEET TO THE WESTERLY CORNER OF SAID LOT 11;
THENCE ON THE WESTERLY LINE OF SAID LOT 11, SOUTH 58°31'41" EAST A DISTANCE OF 55.18 FEET TO THE POINT OF BEGINNING.

56561_Pikeview_Encroachment_LOT-12_200818

THAT PORTION OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 10 TOWNSHIP, 13 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHERLY CORNER OF LOT 13, LIVE OAK STATION, FILING NO. 2 AS RECORDED IN BOOK A4, PAGE 182;

THENCE ON THE WESTERLY LINE OF SAID LIVE OAK STATION, NORTH 58°31'41" WEST A DISTANCE OF 71.59 FEET TO THE SOUTHERLY CORNER OF LOT 12, SAID LIVE OAK STATION AND THE POINT OF BEGINNING;

THENCE SOUTH 30°47'54" WEST A DISTANCE OF 12.16 FEET;
THENCE NORTH 51°53'33" WEST A DISTANCE OF 49.90 FEET;
THENCE NORTH 23°07'19" EAST A DISTANCE OF 6.47 FEET TO THE SOUTHERLY CORNER OF SAID LOT 12;
THENCE ON THE WESTERLY LINE OF SAID LOT 12, SOUTH 58°31'41" EAST A DISTANCE OF 50.36 FEET TO THE POINT OF BEGINNING.

56561- Pikeview_Encroachment_LOT-13_200818

THAT PORTION OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 10 TOWNSHIP , 13 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHERLY CORNER OF LOT 13, LIVE OAK STATION, FILING NO. 2 AS RECORDED IN BOOK A4, PAGE 182;

THENCE SOUTH 54°28'52" WEST A DISTANCE OF 41.84 FEET;
THENCE NORTH 36°31'40" WEST A DISTANCE OF 42.16 FEET;
THENCE NORTH 25°08'25" WEST A DISTANCE OF 19.17 FEET;
THENCE NORTH 30°47'54" EAST A DISTANCE OF 12.16 FEET TO THE WESTERLY CORNER OF SAID LOT 13; THENCE ON THE WESTERLY LINE OF SAID LOT 13, SOUTH 58°31'41" EAST A DISTANCE OF 71.59 FEET TO THE POINT OF BEGINNING .

56561_Pikeview_Encroachment_LOT-17_200818

THAT PORTION OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 10 TOWNSHIP , 13 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Exhibit A

COMMENCING AT THE NORTH CORNER OF LOT 17, OAK VALLEY RANCH FILING NO. 7 AS RECORDED IN PLAT BOOK E-5 AT PAGE 285; THENCE ON THE NORTHERLY LINE OF SAID LOT 17, SOUTH 64°57'16" WEST A DISTANCE OF 2.20 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ON SAID NORTHERLY LINE, SOUTH 64°57'16" WEST A DISTANCE OF 86.71 FEET TO A NON TANGENT CURVE TO THE RIGHT;
THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 48.00 FEET, A DELTA OF 129°09'56" AND A CHORD THAT BEARS NORTH 64°57'16" EAST A DISTANCE OF 86.71 FEET TO THE POINT OF BEGINNING.

56561_Pikeview_Encroachment_LOT-75_200818

THAT PORTION OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 10 TOWNSHIP , 13 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WESTERLY CORNER OF TRACT A, LIVE OAK STATION, FILING NO. 2 AS RECORDED IN BOOK A4, PAGE 182; THENCE ON THE NORTHERLY LINE OF SAID LIVE OAK STATION, NORTH 64°54'26" EAST A DISTANCE OF 115.72 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 25°05'34" WEST A DISTANCE OF 11.99 FEET;

THENCE NORTH 64°54'26" EAST A DISTANCE OF 24.44 FEET;

THENCE NORTH 73°26'18" EAST A DISTANCE OF 80.82 FEET TO SAID NORTHERLY LINE;

THENCE ON SAID NORTHERLY LINE, SOUTH 64°54'26" WEST A DISTANCE OF 104.36 FEET TO THE POINT OF BEGINNING.

EXHIBIT "B"

(Legal Description of Donation Property)

PARCEL A:

THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO.

PARCEL B:

THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER, THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO.

Exhibit B

EXHIBIT C
(Legal Description of Easement Area Property)

Legal Description and Depiction of Existing Haul Road

A FIFTY (50) FEET WIDE ACCESS EASEMENT, TWENTY FIVE (25) FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE, SITUATED IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

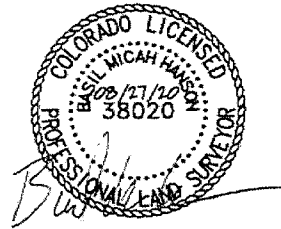
COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 10;

THENCE NORTH 81°10'01" EAST A DISTANCE OF 2165.39 FEET TO THE SOUTHERLY RIGHT OF WAY OF ALLEGHENY DRIVE AS RECORDED IN BOOK R3, PAGE 46 AND THE POINT OF BEGINNING; THENCE ON SAID CENTERLINE THE FOLLOWING TWELVE (12) COURSES:

1. THENCE SOUTH 81°37'25" WEST A DISTANCE OF 1143.71 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
2. THENCE 762.72 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 888.04 FEET, A CENTRAL ANGLE OF 49°12'38" AND A CHORD THAT BEARS NORTH 73°46'16" WEST A DISTANCE OF 739.50 FEET;
3. THENCE NORTH 49°09'57" WEST A DISTANCE OF 133.96 FEET TO A CURVE TO THE RIGHT;
4. THENCE 21.98 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 12°35'45" AND A CHORD THAT BEARS NORTH 42°52'04" WEST A DISTANCE OF 21.94 FEET;
5. THENCE NORTH 36°34'12" WEST A DISTANCE OF 196.11 FEET TO A CURVE TO THE RIGHT;
6. THENCE 17.78 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 10°11'11" AND A CHORD THAT BEARS NORTH 31°28'36" WEST A DISTANCE OF 17.76 FEET;
7. THENCE NORTH 26°23'01" WEST A DISTANCE OF 143.48 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER;
8. THENCE SOUTH 39°27'44" EAST A DISTANCE OF 55.67 FEET TO A CURVE TO THE LEFT;
9. THENCE 258.74 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 725.00 FEET, A CENTRAL ANGLE OF 20°25'53" AND A CHORD THAT BEARS SOUTH 48°41'11" EAST A DISTANCE OF 257.37 FEET TO A REVERSE CURVE TO THE RIGHT;
10. THENCE 299.10 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 2500.00 FEET, A CENTRAL ANGLE OF 06°51'18" AND A CHORD THAT BEARS SOUTH 55°28'59" EAST A DISTANCE OF 298.92 FEET;
11. THENCE SOUTH 52°03'20" EAST A DISTANCE OF 234.58 FEET TO A CURVE TO THE LEFT;
12. THENCE 262.80 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 450.00 FEET, A CENTRAL ANGLE OF 33°27'38" AND A CHORD THAT BEARS SOUTH 68°47'09" EAST A DISTANCE OF 259.08 FEET TO THE POINT OF TERMINUS ON THE CENTERLINE OF SAID 50 FEET WIDE ACCESS EASEMENT.

CONTAINING 164,080 SQUARE FEET OR 3.767 ACRES, MORE OR LESS.

CONTINUED ON SHEET 2



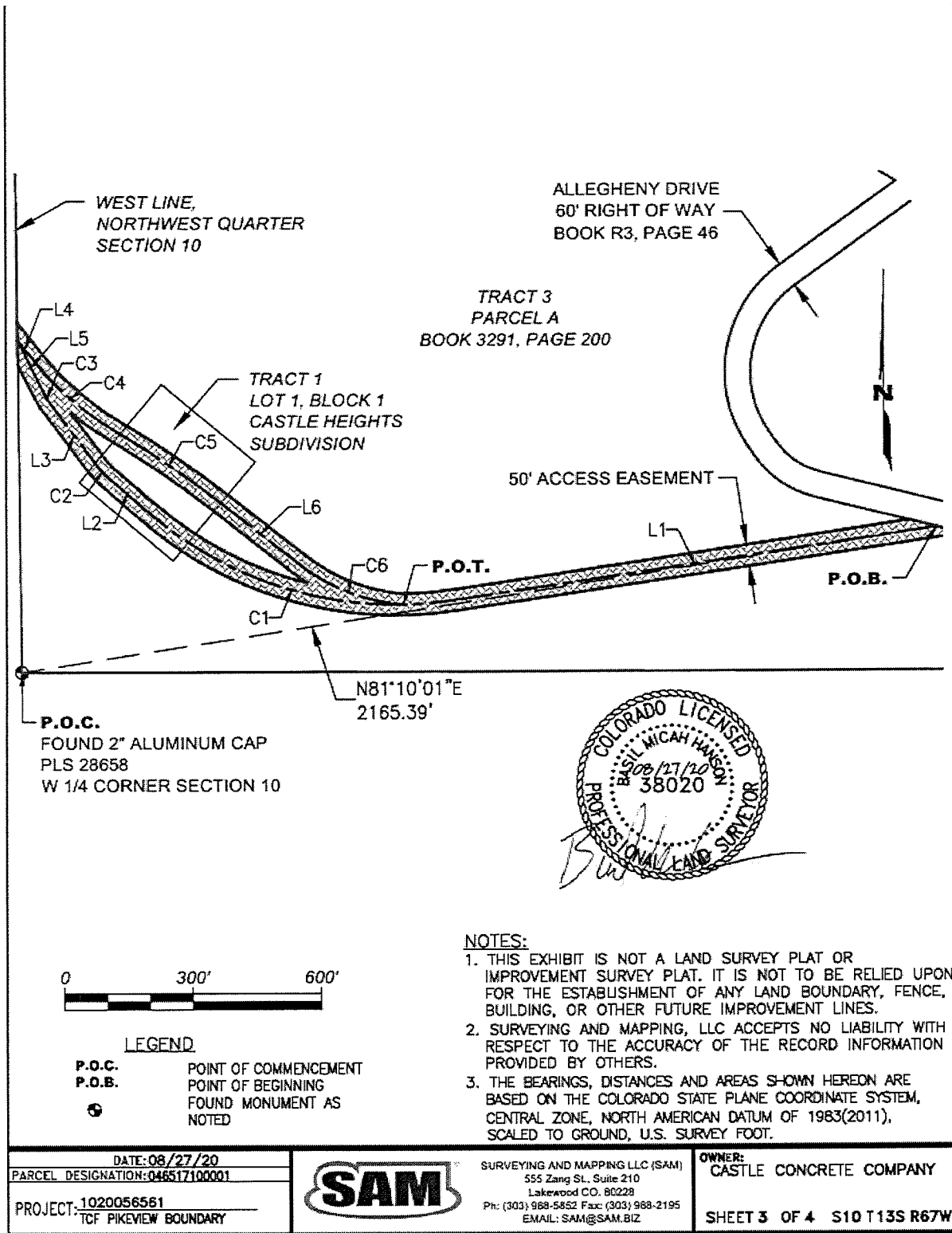
DATE: 08/27/20
PARCEL DESIGNATION: 046517100001
PROJECT: 1020056581 TCF PIKEVIEW BOUNDARY



SURVEYING AND MAPPING LLC (SAM)
555 Zang St., Suite 210
Lakewood CO, 80228
Ph: (303) 988-5852 Fax: (303) 988-2195
EMAIL: SAM@SAM.BIZ

OWNER:
CASTLE CONCRETE COMPANY

SHEET 1 OF 4 S10 T13S R67W



WEST LINE,
NORTHWEST QUARTER
SECTION 10

ALLEGHENY DRIVE
60' RIGHT OF WAY
BOOK R3, PAGE 46

TRACT 3
PARCEL A
BOOK 3291, PAGE 200

TRACT 1
LOT 1, BLOCK 1
CASTLE HEIGHTS
SUBDIVISION

50' ACCESS EASEMENT

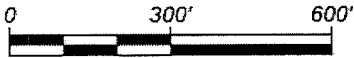
L4
L5
C3
C4
L3
C2
L2
L6

P.O.T.

P.O.B.

N81°10'01"E
2165.39'

P.O.C.
FOUND 2" ALUMINUM CAP
PLS 28658
W 1/4 CORNER SECTION 10



LEGEND

- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- ⊙ FOUND MONUMENT AS NOTED

NOTES:

1. THIS EXHIBIT IS NOT A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT. IT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF ANY LAND BOUNDARY, FENCE, BUILDING, OR OTHER FUTURE IMPROVEMENT LINES.
2. SURVEYING AND MAPPING, LLC ACCEPTS NO LIABILITY WITH RESPECT TO THE ACCURACY OF THE RECORD INFORMATION PROVIDED BY OTHERS.
3. THE BEARINGS, DISTANCES AND AREAS SHOWN HEREON ARE BASED ON THE COLORADO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983(2011), SCALED TO GROUND, U.S. SURVEY FOOT.

DATE: 08/27/20
PARCEL DESIGNATION: 046517100001
PROJECT: 1020056561 TCF PIKEVIEW BOUNDARY



SURVEYING AND MAPPING LLC (SAM)
555 Zang St., Suite 210
Lakewood CO, 80228
Ph: (303) 988-5852 Fax: (303) 988-2195
EMAIL: SAM@SAM.BIZ

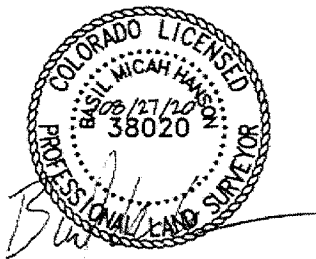
OWNER:
CASTLE CONCRETE COMPANY

SHEET 3 OF 4 S10 T13S R67W

Exhibit C


LINE TABLE		
NUMBER	DIRECTION	LENGTH
L1	S81°37'25"W	1143.71'
L2	N49°09'57"W	133.96'
L3	N36°34'12"W	196.11'
L4	S38°27'44"E	55.67'
L5	N26°23'01"W	143.48'
L6	S52°03'20"E	234.58'

CURVE TABLE					
CURVE NO.	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	762.72'	888.04'	049°12'38"	N73°46'16"W	739.50'
C2	21.98'	100.00'	012°35'45"	N42°52'04"W	21.94'
C3	17.78'	100.00'	010°11'11"	N31°28'36"W	17.76'
C4	258.74'	725.00'	020°26'53"	S48°41'11"E	257.37'
C5	299.10'	2500.00'	006°51'18"	S55°28'59"E	298.92'
C6	262.80'	450.00'	033°27'38"	S68°47'09"E	259.08'



NOTES:

1. THIS EXHIBIT IS NOT A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT. IT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF ANY LAND BOUNDARY, FENCE, BUILDING, OR OTHER FUTURE IMPROVEMENT LINES.
2. SURVEYING AND MAPPING, LLC ACCEPTS NO LIABILITY WITH RESPECT TO THE ACCURACY OF THE RECORD INFORMATION PROVIDED BY OTHERS.
3. THE BEARINGS, DISTANCES AND AREAS SHOWN HEREON ARE BASED ON THE COLORADO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983(2011), SCALED TO GROUND, U.S. SURVEY FOOT.

DATE: 08/27/20		SURVEYING AND MAPPING LLC (SAM) 555 Zang St., Suite 210 Lakewood CO. 80228 Ph: (303) 988-5852 Fax: (303) 988-2195 EMAIL: SAM@SAM.BIZ	OWNER:
PARCEL DESIGNATION: 046517100001			CASTLE CONCRETE COMPANY
PROJECT: 1020056581			SHEET 4 OF 4 S10 T13S R67W
TCF PIKEVIEW BOUNDARY			

LEGAL DESCRIPTION AND DEPICTION OF FILL DIRT BORROW AREA

DESCRIPTION

THAT PORTION OF LAND SITUATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 9; THENCE SOUTH 85°39'43" WEST A DISTANCE OF 1319.64 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 70°24'26" EAST A DISTANCE OF 453.83 FEET;

THENCE SOUTH 48°27'10" EAST A DISTANCE OF 565.98 FEET;

THENCE SOUTH 34°59'52" EAST A DISTANCE OF 387.74 FEET;

THENCE SOUTH 18°59'29" EAST A DISTANCE OF 163.04 FEET;

THENCE WEST A DISTANCE OF 375.92 FEET;

THENCE NORTH 39°05'13" WEST A DISTANCE OF 133.93 FEET;

THENCE NORTH 00°36'15" WEST A DISTANCE OF 330.10 FEET;

THENCE SOUTH 89°21'05" WEST A DISTANCE OF 262.25 FEET;

THENCE NORTH 39°05'13" WEST A DISTANCE OF 30.67 FEET;

THENCE NORTH 60°37'29" WEST A DISTANCE OF 434.40 FEET;

THENCE NORTH 00°27'12" WEST A DISTANCE OF 331.40 FEET TO THE POINT OF BEGINNING.

CONTAINING 405,754 SQUARE FEET OR 9.315 ACRES, MORE OR LESS.

THE BEARINGS, DISTANCES AND AREAS SHOWN HEREON ARE BASED ON THE COLORADO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 (2011), SCALED TO GROUND, U.S. SURVEY FOOT.



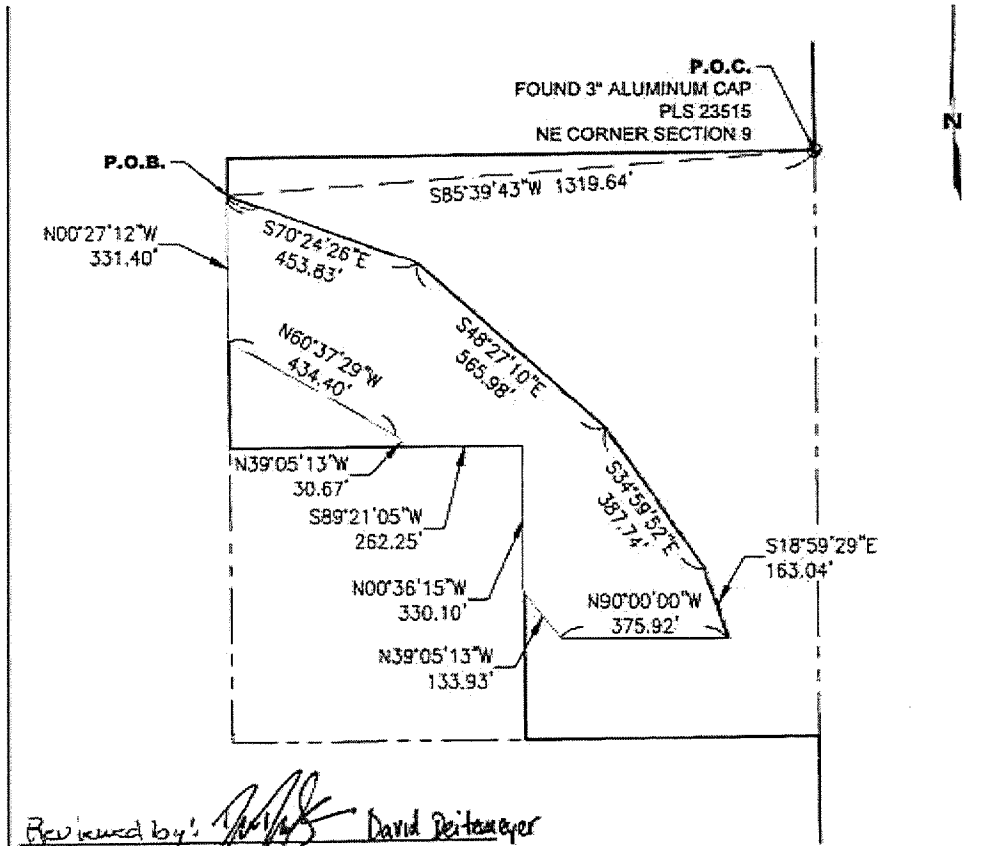
BASIL MICAH HANSON, PLS 38020 DATE
FOR AND ON BEHALF OF SAM, LLC

NOTES:

- 1) DRAWING ATTACHED AND BY THIS REFERENCE MADE PART HEREOF.
- 2) EXISTING EASEMENT AND RIGHT OF WAY INFORMATION PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, ORDER NO. SC55084317-3, EFFECTIVE DATE: 07/09/2020. SURVEYING AND MAPPING, LLC (SAM) HAS NOT RESEARCHED OR SHOWN ANY OTHER EASEMENTS, RIGHTS OF WAY, VARIANCES AND/OR AGREEMENTS OF RECORD. BLANKET EASEMENTS MAY EXIST AND HAVE NOT BEEN REFERENCED HEREON. SEE TITLE COMMITMENT FOR ADDITIONAL INFORMATION.
- 3) NOTICE: 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 SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- 4) THIS EXHIBIT IS NOT A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT. IT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF ANY LAND BOUNDARY, FENCE, BUILDING, OR OTHER FUTURE IMPROVEMENT LINES.

DATE: 08/25/20		SURVEYING AND MAPPING LLC (SAM) 555 Zang St., Suite 213 Littlewood CO, 80228 Ph: (303) 988-5852 Fax: (303) 988-2195 EMAIL: SAM@SAM.biz	OWNER:
PARCEL DESIGNATION: 044517100001			CASTLE CONCRETE COMPANY
PROJECT: 1020056561			
TOP PKEVIEW BOUNDARY			SHEET 1 OF 2 S101135 R67W

Exhibit C



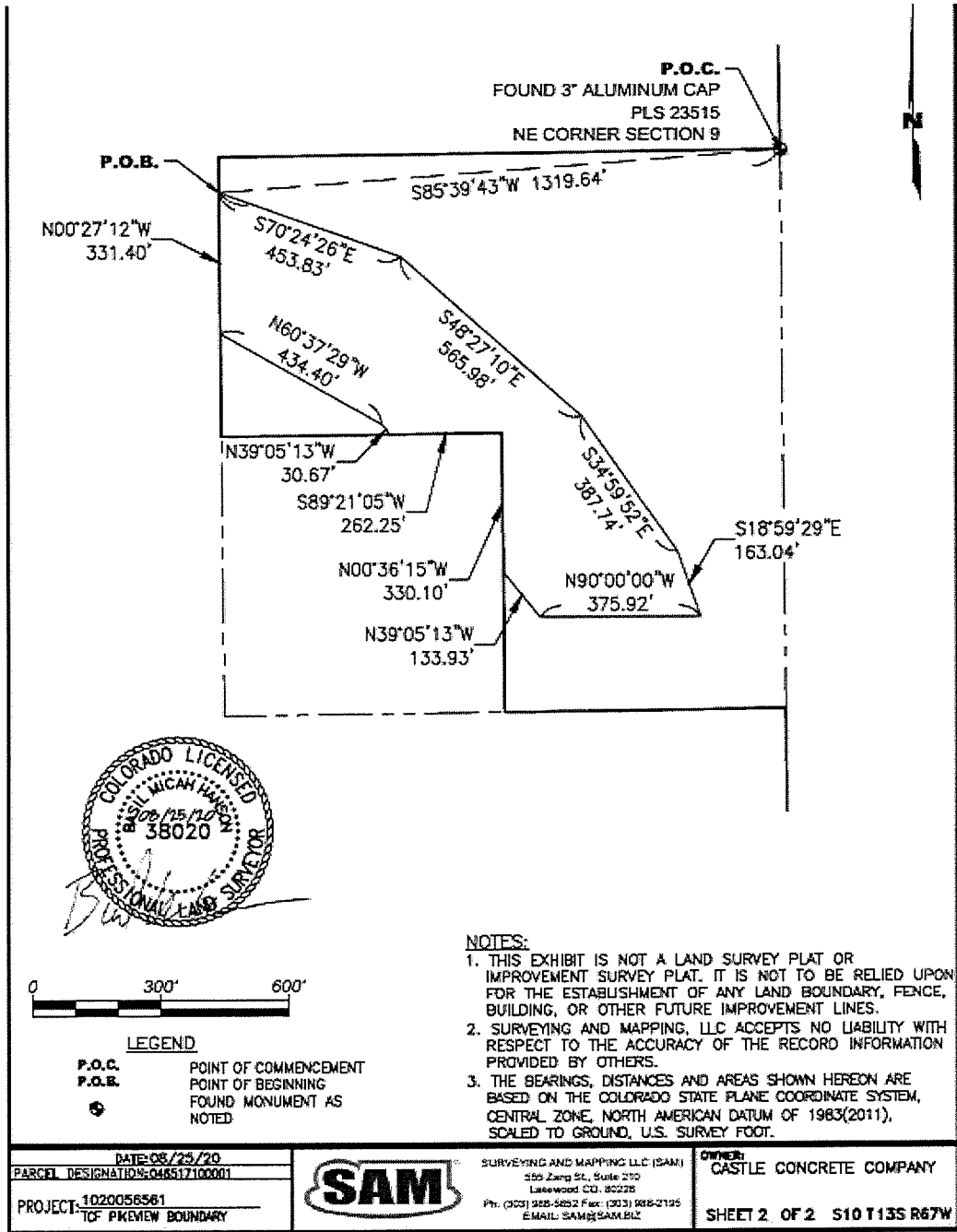
Reviewed by: *[Signature]* David Reitemeyer
 Date: 8/25/20



LEGEND
 P.O.C. POINT OF COMMENCEMENT
 P.O.B. POINT OF BEGINNING
 ⊙ FOUND MONUMENT AS NOTED

- NOTES:**
1. THIS EXHIBIT IS NOT A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT. IT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF ANY LAND BOUNDARY, FENCE, BUILDING, OR OTHER FUTURE IMPROVEMENT LINES.
 2. SURVEYING AND MAPPING, LLC ACCEPTS NO LIABILITY WITH RESPECT TO THE ACCURACY OF THE RECORD INFORMATION PROVIDED BY OTHERS.
 3. THE BEARINGS, DISTANCES AND AREAS SHOWN HEREON ARE BASED ON THE COLORADO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983(2011), SCALED TO GROUND, U.S. SURVEY FOOT.

DATE: 08/24/20		SURVEYING AND MAPPING LLC (SAM) 565 Zang St., Suite 210 Loveland CO 80538 Ph: (970) 585-9552 Fax: (970) 585-2185 EMAIL: SAM@SAM.BIZ	OWNER: CASTLE CONCRETE COMPANY
PROJECT: 1020056561 TDF PKEVIEW BOUNDARY		SHEET 2 OF 2 S10 T13S R67W	



- NOTES:**
1. THIS EXHIBIT IS NOT A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT. IT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF ANY LAND BOUNDARY, FENCE, BUILDING, OR OTHER FUTURE IMPROVEMENT LINES.
 2. SURVEYING AND MAPPING, LLC ACCEPTS NO LIABILITY WITH RESPECT TO THE ACCURACY OF THE RECORD INFORMATION PROVIDED BY OTHERS.
 3. THE BEARINGS, DISTANCES AND AREAS SHOWN HEREON ARE BASED ON THE COLORADO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983(2011), SCALED TO GROUND, U.S. SURVEY FOOT.

DATE: 08/25/20	SAM	SURVEYING AND MAPPING LLC (SAM)	OWNER: CASTLE CONCRETE COMPANY
PARCEL DESIGNATION: 046517100001		555 Zang St., Suite 210 Lafayette, CO. 80228 Ph: (303) 928-5822 Fax: (303) 928-2125 EMAIL: SAM@SAMBLZ	
PROJECT: 1020058561 TCF PKEVIEW BOUNDARY			SHEET 2 OF 2 S10 T13S R67W

Exhibit C

EXHIBIT D

(Description and Copy of Grading Plan)

DESCRIPTION OF GRADING PLAN:

That certain Reclamation Topography Plan prepared by Stantec Consulting Services, Inc., 2000 South Colorado Boulevard, Suite 2-300, Denver, CO 80222-7933, File Name "Pikeview", prepared under Project No. 227419041.



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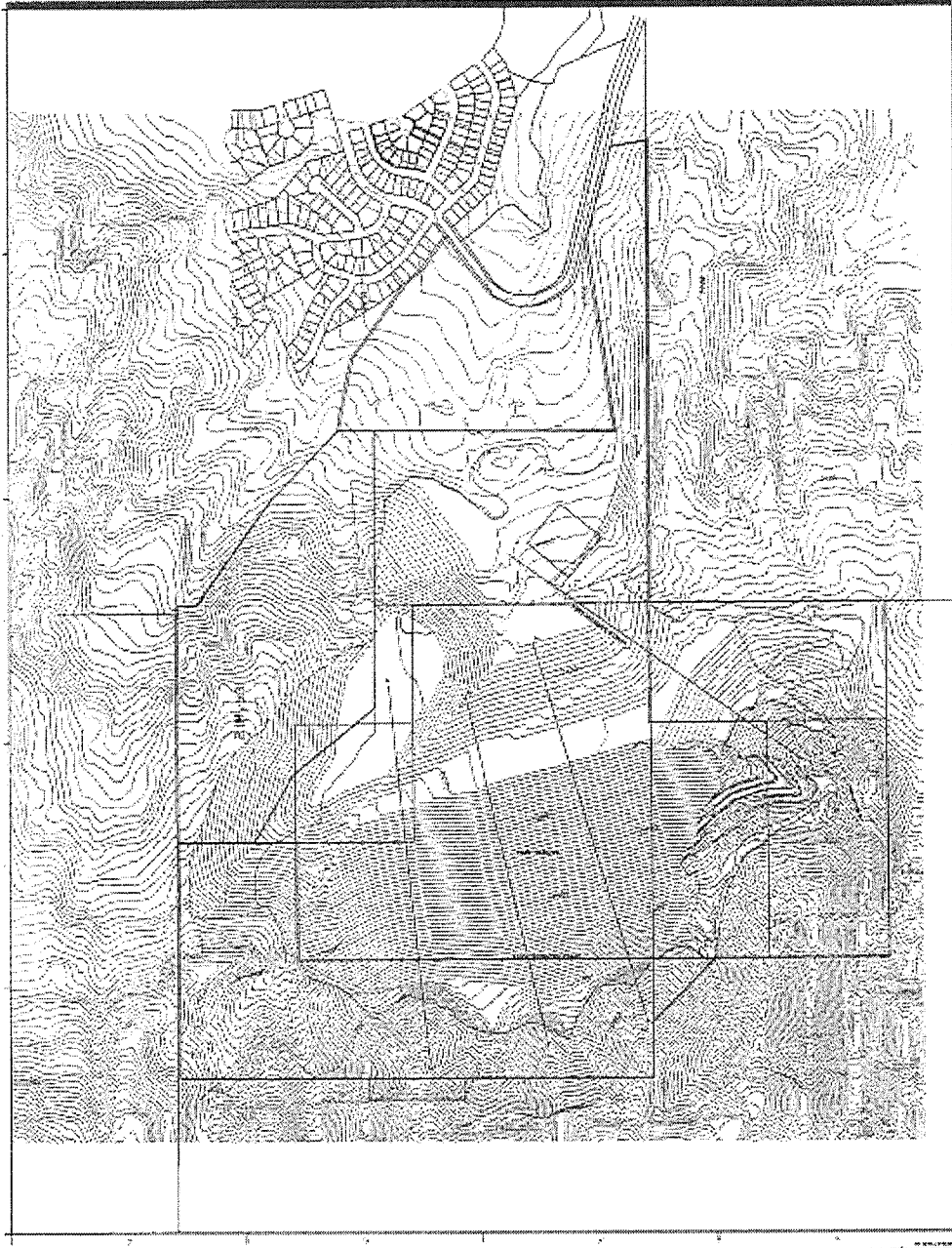


Exhibit D

