

**EXHIBIT "A"**

**Nutrient Holdings LLC, a Colorado limited liability company**

**Legal description according to the title insurance commitment issued by Commonwealth Title Company of Garfield County, Inc., File No. 2103068, having an effective date of November 30, 2022**

**Parcels A and C**

Township 5 South, Range 90 West, 6th P.M.:

Section 35: That portion of the N $\frac{1}{2}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$  lying Southerly of the centerline of the Colorado River.

Township 6 South, Range 90 West, 6th P.M.

Section 6: All that part of Lot 4, lying southerly of the centerline of the Colorado River as described in deed recorded May 28, 1974 in Book 459 at Page 535 in the office of the Clerk and Recorder of Garfield County, Colorado

Excluding the following parcels of property described in the Rule and Order entered in the District court for Garfield County, Colorado, in Civil Action No. 6635, entitled Board of County Commissioners, et al. v. Daryl Gean Richardson, et al., recorded November 8, 1982 in Book 437 at Page 383 as Reception No. 255941

Parcel No. 143-B

A tract or parcel of land No. 143-B of the State Department of Highways, Division of Highways, State of Colorado, Project No. I 70-1 (12), 89 Sec. 2 in the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$ , in the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  and in the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 35, Township 5 South, Range 90 West of the Sixth Principal Meridian, in Garfield County, Colorado, said tract or parcel being more particularly described as follows:

Beginning at a point on the centerline of the Colorado River from which point the NW corner of Section 35, Township 5 South, Range 90 West of the 6th P.M. bears North 27°13'30" West a distance of 2,615.7 feet; thence North 73°59' East along the centerline of the Colorado River, a distance of 162.8 feet; thence South 70°43' East along the centerline of the Colorado River, a distance of 640.8 feet; thence South 48°26' East, along the centerline of the Colorado River, a distance of 223.6 feet;  
thence South 33°52' East along the centerline of the Colorado River, a distance of 119.8 feet; thence along the arc of a curve to the left having a radius of 4,483.7 feet, a distance of 1,080.9 feet, more or less, to the POINT OF BEGINNING (the chord of this arc bears North 67°23'30" West a distance of 1,078.3 feet)

PARCEL No. 143-C

A tract or parcel of land No. 143-C of the State Department of Highways Division of Highways, State of Colorado, Project No. I 70-1 (12) 89 Section 2, in the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 35, Township 5 South, Range 90 West of the 6th P.M. in Garfield County, Colorado, said tract or parcel being more particularly described as follows: Beginning at a point on the thread of the Colorado River in the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 35, Township 5 South, Range 90 West, 6th P.M. from which point the S $\frac{1}{4}$  corner of Section 35 bears South 21°36'30" East a distance of 2,796.8 feet; thence South 11°47' West a distance of 104.9 feet; thence South 59°02' East a distance of 176.3 feet; to the thread of the Colorado River; thence North 33°52' West along the thread of the Colorado River, a distance of 232.9 feet, more or less, to the Point of Beginning.

**Parcel B**

Township 5 South, Range 90 West, 6th P.M.:

Section 33: All that portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  lying Southerly of the centerline of the Colorado River;

Section 34: All that portion of the S $\frac{1}{2}$  and SE $\frac{1}{4}$ NE $\frac{1}{4}$  lying Southerly of the centerline of the Colorado River;

Section 35: W $\frac{1}{2}$ SW $\frac{1}{4}$ , that portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$  lying Southerly of the Colorado River.

Township 6 South, Range 90 West, 6th P.M.:

Section 5: Lot 4

Section 6: Lots 1, 2 3 and the Northerly 15 acres of the SE $\frac{1}{4}$ NW $\frac{1}{4}$

EXCEPTING FROM THE ABOVE DESCRIBED LANDS the following:

1. All that portion platted as Riverbend Subdivision Filing No. 1 as shown on Reception No. 281326
2. All that portion platted as Riverbend Subdivision Filing No. 2 as amended as shown on Reception No. 281329 and No. 299710
3. All that portion platted as Riverbend Ranchettes Final Plat as shown on Reception No. 290481
4. All that portion conveyed to the Board of County Commissioners of Garfield County, Colorado, by Deed recorded August 31, 1979 in Book 534 at Page 416 as Reception No. 297140
5. All that portion platted as Riverbend Subdivision Filing No. 5 as shown on Reception No. 517550
6. All that portion platted as Cedar Ridge Subdivision as shown on Reception No. 501840
7. All those portions described as Parcel No. 143; Parcel No. 143-A; and Parcel No. 143-B in the Rule and Order of the Garfield County District Court in Civil Action No. 6635 and recorded in Book 437 at Page 383 as Reception No. 255941
8. All that portion of the lands described in the deeds recorded in Book 906 at Page 790 as Reception No. 464984, Book 863 at Page 424 as Reception no. 447796, and Book 1712 at Page 990 as Reception No. 679354. All as recorded in the office of the Clerk and Recorder of Garfield County, Colorado.

**Parcel D**

Township 6 South, Range 90 West, 6th P.M.:

Section 5: S $\frac{1}{2}$ SW $\frac{1}{4}$

Section 6: Lot 5 (SW $\frac{1}{4}$ NW $\frac{1}{4}$ ), Lot 6 (NW $\frac{1}{4}$ SW $\frac{1}{4}$ ), SE $\frac{1}{4}$ NW $\frac{1}{4}$  except the North 15 acres, NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 8: N $\frac{1}{2}$ N $\frac{1}{2}$

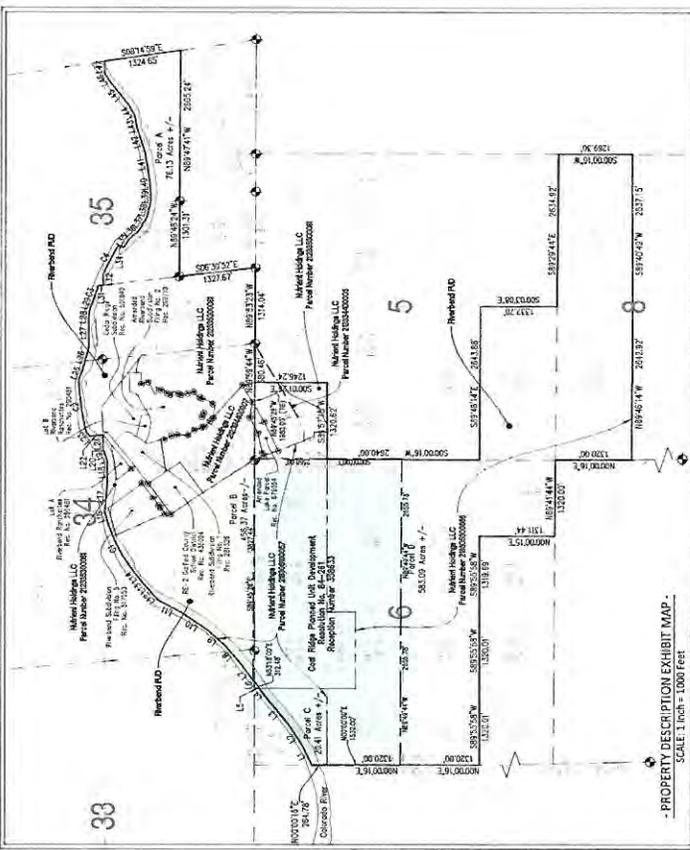
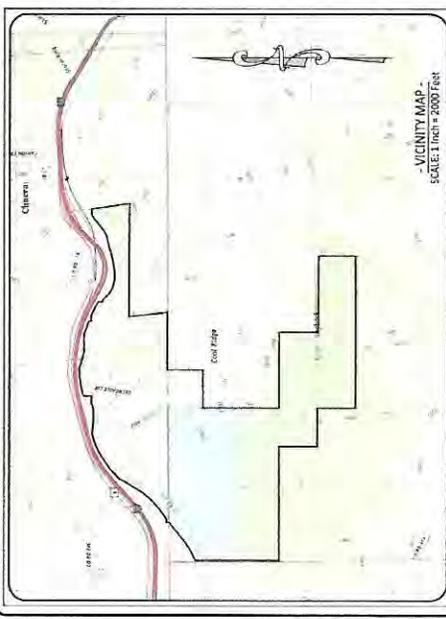
Legal description according to the title insurance commitment issued by Commonwealth Title Company of Garfield County, Inc., File No. 2103068, having an effective date of November 30, 2022

Timothy Barnett PLS 38404



# EXHIBIT "B" Nutrient Holdings LLC Overlay Map

Parcels of Land Situated in  
Sections 33, 34, & 35, Township 5 South, Range 90 West of the 6th P.M. &  
Sections 5, 6, & 8, Township 6 South, Range 90 West of the 6th P.M. &  
Garfield County, Colorado



- LEGEND -

- Parcel Boundary
- Section Boundary
- Section Corner
- Section Center
- Section Area
- Section Perimeter
- Section Perimeter Area
- Section Perimeter Length
- Section Perimeter Perimeter
- Section Perimeter Perimeter Area
- Section Perimeter Perimeter Length
- Section Perimeter Perimeter Perimeter

SGM  
118 West Sixth Street, Suite 200  
Greenwood Springs, CO 81601  
970.945.1004 www.sgm-llc.com

Nutrient Holdings LLC  
Garfield County, Colorado

- LINE TABLE -

LINE#	BEARING	DISTANCE
1	N 89° 52' 30" E	423.96'
2	S 89° 52' 30" E	423.96'
3	S 89° 52' 30" E	423.96'
4	S 89° 52' 30" E	423.96'
5	S 89° 52' 30" E	423.96'
6	S 89° 52' 30" E	423.96'
7	S 89° 52' 30" E	423.96'
8	S 89° 52' 30" E	423.96'
9	S 89° 52' 30" E	423.96'
10	S 89° 52' 30" E	423.96'
11	S 89° 52' 30" E	423.96'
12	S 89° 52' 30" E	423.96'
13	S 89° 52' 30" E	423.96'
14	S 89° 52' 30" E	423.96'
15	S 89° 52' 30" E	423.96'
16	S 89° 52' 30" E	423.96'
17	S 89° 52' 30" E	423.96'
18	S 89° 52' 30" E	423.96'
19	S 89° 52' 30" E	423.96'
20	S 89° 52' 30" E	423.96'
21	S 89° 52' 30" E	423.96'
22	S 89° 52' 30" E	423.96'
23	S 89° 52' 30" E	423.96'
24	S 89° 52' 30" E	423.96'
25	S 89° 52' 30" E	423.96'
26	S 89° 52' 30" E	423.96'
27	S 89° 52' 30" E	423.96'
28	S 89° 52' 30" E	423.96'
29	S 89° 52' 30" E	423.96'
30	S 89° 52' 30" E	423.96'
31	S 89° 52' 30" E	423.96'
32	S 89° 52' 30" E	423.96'
33	S 89° 52' 30" E	423.96'
34	S 89° 52' 30" E	423.96'
35	S 89° 52' 30" E	423.96'
36	S 89° 52' 30" E	423.96'
37	S 89° 52' 30" E	423.96'
38	S 89° 52' 30" E	423.96'
39	S 89° 52' 30" E	423.96'
40	S 89° 52' 30" E	423.96'
41	S 89° 52' 30" E	423.96'
42	S 89° 52' 30" E	423.96'
43	S 89° 52' 30" E	423.96'
44	S 89° 52' 30" E	423.96'
45	S 89° 52' 30" E	423.96'
46	S 89° 52' 30" E	423.96'
47	S 89° 52' 30" E	423.96'
48	S 89° 52' 30" E	423.96'
49	S 89° 52' 30" E	423.96'
50	S 89° 52' 30" E	423.96'

- CURVE TABLE -

CURVE#	LENGTH	CHORD	CHORD BEARING	CHORD LENGTH
1	100.00'	278.88'	229° 33'	285.52'
2	100.00'	278.88'	229° 33'	285.52'
3	100.00'	278.88'	229° 33'	285.52'
4	100.00'	278.88'	229° 33'	285.52'
5	100.00'	278.88'	229° 33'	285.52'
6	100.00'	278.88'	229° 33'	285.52'
7	100.00'	278.88'	229° 33'	285.52'
8	100.00'	278.88'	229° 33'	285.52'
9	100.00'	278.88'	229° 33'	285.52'
10	100.00'	278.88'	229° 33'	285.52'
11	100.00'	278.88'	229° 33'	285.52'
12	100.00'	278.88'	229° 33'	285.52'
13	100.00'	278.88'	229° 33'	285.52'
14	100.00'	278.88'	229° 33'	285.52'
15	100.00'	278.88'	229° 33'	285.52'
16	100.00'	278.88'	229° 33'	285.52'
17	100.00'	278.88'	229° 33'	285.52'
18	100.00'	278.88'	229° 33'	285.52'
19	100.00'	278.88'	229° 33'	285.52'
20	100.00'	278.88'	229° 33'	285.52'
21	100.00'	278.88'	229° 33'	285.52'
22	100.00'	278.88'	229° 33'	285.52'
23	100.00'	278.88'	229° 33'	285.52'
24	100.00'	278.88'	229° 33'	285.52'
25	100.00'	278.88'	229° 33'	285.52'
26	100.00'	278.88'	229° 33'	285.52'
27	100.00'	278.88'	229° 33'	285.52'
28	100.00'	278.88'	229° 33'	285.52'
29	100.00'	278.88'	229° 33'	285.52'
30	100.00'	278.88'	229° 33'	285.52'
31	100.00'	278.88'	229° 33'	285.52'
32	100.00'	278.88'	229° 33'	285.52'
33	100.00'	278.88'	229° 33'	285.52'
34	100.00'	278.88'	229° 33'	285.52'
35	100.00'	278.88'	229° 33'	285.52'
36	100.00'	278.88'	229° 33'	285.52'
37	100.00'	278.88'	229° 33'	285.52'
38	100.00'	278.88'	229° 33'	285.52'
39	100.00'	278.88'	229° 33'	285.52'
40	100.00'	278.88'	229° 33'	285.52'
41	100.00'	278.88'	229° 33'	285.52'
42	100.00'	278.88'	229° 33'	285.52'
43	100.00'	278.88'	229° 33'	285.52'
44	100.00'	278.88'	229° 33'	285.52'
45	100.00'	278.88'	229° 33'	285.52'
46	100.00'	278.88'	229° 33'	285.52'
47	100.00'	278.88'	229° 33'	285.52'
48	100.00'	278.88'	229° 33'	285.52'
49	100.00'	278.88'	229° 33'	285.52'
50	100.00'	278.88'	229° 33'	285.52'

**NOTES:**

- Block of Bearings shown herein are based on a bearing of 89°52'30"E between the E/A Corner of Section 34, a found in E/A Corner of Section 35, and the S/W Corner of Section 34, a found in E/A Corner of Section 35.
- This map has been prepared pursuant to client request for an Overlay Map.
- Date of field survey: May, June, July, 2020.
- Units of linear measurements are expressed in US Survey Feet.
- SGM is not responsible for any errors made in this document other than those caused by typographical errors. It is the responsibility of the client to verify the accuracy of the information shown on any document must be compared to the original survey, notes and field notes to ensure the accuracy of the information shown on any document.
- Every effort has been made to show all adjacent parcels, including those owned by the client, and to show all adjacent parcels, including those owned by the client, and to show all adjacent parcels, including those owned by the client.
- Property descriptions shown herein are based on the following:
  - The Traverse commitment issued by Commonwealth Title Company of Garfield County, Inc., File No. 2020084, having an effective date of November 24, 2020.
  - Section 34, Township 5 South, Range 90 West, of the 6th P.M. dated Feb. 14, 1984.
  - Section 35, Township 5 South, Range 90 West, of the 6th P.M. dated Feb. 24, 1987.
  - Section 5, Township 6 South, Range 90 West, of the 6th P.M. dated Aug. 8, 1989.
  - Section 6, Township 6 South, Range 90 West, of the 6th P.M. dated Aug. 8, 1989.
  - Section 8, Township 6 South, Range 90 West, of the 6th P.M. dated Aug. 8, 1989.
- The property shown herein is subject to all easements, rights-of-way, utility easements, or other restrictions of record, as such items may affect the property, the map and all documents filed in connection therewith, and the surveyor is deemed responsible to disclose the same to the client. The surveyor is not responsible for any errors or omissions in the original survey or for any errors or omissions in the original survey or for any errors or omissions in the original survey.
- 100 Year Flood Zone is shown from the Garfield County GIS Database.
- All roads except Hwy 315 are not necessarily suitable for public roads as considered private roads under this PUD Ordinance.
- This property is subject to riparian areas shown on 1989 Instream Mapping by Geotech and is not shown herein for clarity.

**LEGAL DESCRIPTION OF NUTRIENT HOLDINGS, LLC PROPERTY:**

**Parcel 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 1I, 1J, 1K, 1L, 1M, 1N, 1O, 1P, 1Q, 1R, 1S, 1T, 1U, 1V, 1W, 1X, 1Y, 1Z**  
 Parcel 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 1I, 1J, 1K, 1L, 1M, 1N, 1O, 1P, 1Q, 1R, 1S, 1T, 1U, 1V, 1W, 1X, 1Y, 1Z  
 Parcel 2A, 2B, 2C, 2D, 2E, 2F, 2G, 2H, 2I, 2J, 2K, 2L, 2M, 2N, 2O, 2P, 2Q, 2R, 2S, 2T, 2U, 2V, 2W, 2X, 2Y, 2Z  
 Parcel 3A, 3B, 3C, 3D, 3E, 3F, 3G, 3H, 3I, 3J, 3K, 3L, 3M, 3N, 3O, 3P, 3Q, 3R, 3S, 3T, 3U, 3V, 3W, 3X, 3Y, 3Z  
 Parcel 4A, 4B, 4C, 4D, 4E, 4F, 4G, 4H, 4I, 4J, 4K, 4L, 4M, 4N, 4O, 4P, 4Q, 4R, 4S, 4T, 4U, 4V, 4W, 4X, 4Y, 4Z  
 Parcel 5A, 5B, 5C, 5D, 5E, 5F, 5G, 5H, 5I, 5J, 5K, 5L, 5M, 5N, 5O, 5P, 5Q, 5R, 5S, 5T, 5U, 5V, 5W, 5X, 5Y, 5Z  
 Parcel 6A, 6B, 6C, 6D, 6E, 6F, 6G, 6H, 6I, 6J, 6K, 6L, 6M, 6N, 6O, 6P, 6Q, 6R, 6S, 6T, 6U, 6V, 6W, 6X, 6Y, 6Z  
 Parcel 7A, 7B, 7C, 7D, 7E, 7F, 7G, 7H, 7I, 7J, 7K, 7L, 7M, 7N, 7O, 7P, 7Q, 7R, 7S, 7T, 7U, 7V, 7W, 7X, 7Y, 7Z  
 Parcel 8A, 8B, 8C, 8D, 8E, 8F, 8G, 8H, 8I, 8J, 8K, 8L, 8M, 8N, 8O, 8P, 8Q, 8R, 8S, 8T, 8U, 8V, 8W, 8X, 8Y, 8Z  
 Parcel 9A, 9B, 9C, 9D, 9E, 9F, 9G, 9H, 9I, 9J, 9K, 9L, 9M, 9N, 9O, 9P, 9Q, 9R, 9S, 9T, 9U, 9V, 9W, 9X, 9Y, 9Z  
 Parcel 10A, 10B, 10C, 10D, 10E, 10F, 10G, 10H, 10I, 10J, 10K, 10L, 10M, 10N, 10O, 10P, 10Q, 10R, 10S, 10T, 10U, 10V, 10W, 10X, 10Y, 10Z  
 Parcel 11A, 11B, 11C, 11D, 11E, 11F, 11G, 11H, 11I, 11J, 11K, 11L, 11M, 11N, 11O, 11P, 11Q, 11R, 11S, 11T, 11U, 11V, 11W, 11X, 11Y, 11Z  
 Parcel 12A, 12B, 12C, 12D, 12E, 12F, 12G, 12H, 12I, 12J, 12K, 12L, 12M, 12N, 12O, 12P, 12Q, 12R, 12S, 12T, 12U, 12V, 12W, 12X, 12Y, 12Z  
 Parcel 13A, 13B, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, 13K, 13L, 13M, 13N, 13O, 13P, 13Q, 13R, 13S, 13T, 13U, 13V, 13W, 13X, 13Y, 13Z  
 Parcel 14A, 14B, 14C, 14D, 14E, 14F, 14G, 14H, 14I, 14J, 14K, 14L, 14M, 14N, 14O, 14P, 14Q, 14R, 14S, 14T, 14U, 14V, 14W, 14X, 14Y, 14Z  
 Parcel 15A, 15B, 15C, 15D, 15E, 15F, 15G, 15H, 15I, 15J, 15K, 15L, 15M, 15N, 15O, 15P, 15Q, 15R, 15S, 15T, 15U, 15V, 15W, 15X, 15Y, 15Z  
 Parcel 16A, 16B, 16C, 16D, 16E, 16F, 16G, 16H, 16I, 16J, 16K, 16L, 16M, 16N, 16O, 16P, 16Q, 16R, 16S, 16T, 16U, 16V, 16W, 16X, 16Y, 16Z  
 Parcel 17A, 17B, 17C, 17D, 17E, 17F, 17G, 17H, 17I, 17J, 17K, 17L, 17M, 17N, 17O, 17P, 17Q, 17R, 17S, 17T, 17U, 17V, 17W, 17X, 17Y, 17Z  
 Parcel 18A, 18B, 18C, 18D, 18E, 18F, 18G, 18H, 18I, 18J, 18K, 18L, 18M, 18N, 18O, 18P, 18Q, 18R, 18S, 18T, 18U, 18V, 18W, 18X, 18Y, 18Z  
 Parcel 19A, 19B, 19C, 19D, 19E, 19F, 19G, 19H, 19I, 19J, 19K, 19L, 19M, 19N, 19O, 19P, 19Q, 19R, 19S, 19T, 19U, 19V, 19W, 19X, 19Y, 19Z  
 Parcel 20A, 20B, 20C, 20D, 20E, 20F, 20G, 20H, 20I, 20J, 20K, 20L, 20M, 20N, 20O, 20P, 20Q, 20R, 20S, 20T, 20U, 20V, 20W, 20X, 20Y, 20Z  
 Parcel 21A, 21B, 21C, 21D, 21E, 21F, 21G, 21H, 21I, 21J, 21K, 21L, 21M, 21N, 21O, 21P, 21Q, 21R, 21S, 21T, 21U, 21V, 21W, 21X, 21Y, 21Z  
 Parcel 22A, 22B, 22C, 22D, 22E, 22F, 22G, 22H, 22I, 22J, 22K, 22L, 22M, 22N, 22O, 22P, 22Q, 22R, 22S, 22T, 22U, 22V, 22W, 22X, 22Y, 22Z  
 Parcel 23A, 23B, 23C, 23D, 23E, 23F, 23G, 23H, 23I, 23J, 23K, 23L, 23M, 23N, 23O, 23P, 23Q, 23R, 23S, 23T, 23U, 23V, 23W, 23X, 23Y, 23Z  
 Parcel 24A, 24B, 24C, 24D, 24E, 24F, 24G, 24H, 24I, 24J, 24K, 24L, 24M, 24N, 24O, 24P, 24Q, 24R, 24S, 24T, 24U, 24V, 24W, 24X, 24Y, 24Z  
 Parcel 25A, 25B, 25C, 25D, 25E, 25F, 25G, 25H, 25I, 25J, 25K, 25L, 25M, 25N, 25O, 25P, 25Q, 25R, 25S, 25T, 25U, 25V, 25W, 25X, 25Y, 25Z  
 Parcel 26A, 26B, 26C, 26D, 26E, 26F, 26G, 26H, 26I, 26J, 26K, 26L, 26M, 26N, 26O, 26P, 26Q, 26R, 26S, 26T, 26U, 26V, 26W, 26X, 26Y, 26Z  
 Parcel 27A, 27B, 27C, 27D, 27E, 27F, 27G, 27H, 27I, 27J, 27K, 27L, 27M, 27N, 27O, 27P, 27Q, 27R, 27S, 27T, 27U, 27V, 27W, 27X, 27Y, 27Z  
 Parcel 28A, 28B, 28C, 28D, 28E, 28F, 28G, 28H, 28I, 28J, 28K, 28L, 28M, 28N, 28O, 28P, 28Q, 28R, 28S, 28T, 28U, 28V, 28W, 28X, 28Y, 28Z  
 Parcel 29A, 29B, 29C, 29D, 29E, 29F, 29G, 29H, 29I, 29J, 29K, 29L, 29M, 29N, 29O, 29P, 29Q, 29R, 29S, 29T, 29U, 29V, 29W, 29X, 29Y, 29Z  
 Parcel 30A, 30B, 30C, 30D, 30E, 30F, 30G, 30H, 30I, 30J, 30K, 30L, 30M, 30N, 30O, 30P, 30Q, 30R, 30S, 30T, 30U, 30V, 30W, 30X, 30Y, 30Z  
 Parcel 31A, 31B, 31C, 31D, 31E, 31F, 31G, 31H, 31I, 31J, 31K, 31L, 31M, 31N, 31O, 31P, 31Q, 31R, 31S, 31T, 31U, 31V, 31W, 31X, 31Y, 31Z  
 Parcel 32A, 32B, 32C, 32D, 32E, 32F, 32G, 32H, 32I, 32J, 32K, 32L, 32M, 32N, 32O, 32P, 32Q, 32R, 32S, 32T, 32U, 32V, 32W, 32X, 32Y, 32Z  
 Parcel 33A, 33B, 33C, 33D, 33E, 33F, 33G, 33H, 33I, 33J, 33K, 33L, 33M, 33N, 33O, 33P, 33Q, 33R, 33S, 33T, 33U, 33V, 33W, 33X, 33Y, 33Z  
 Parcel 34A, 34B, 34C, 34D, 34E, 34F, 34G, 34H, 34I, 34J, 34K, 34L, 34M, 34N, 34O, 34P, 34Q, 34R, 34S, 34T, 34U, 34V, 34W, 34X, 34Y, 34Z  
 Parcel 35A, 35B, 35C, 35D, 35E, 35F, 35G, 35H, 35I, 35J, 35K, 35L, 35M, 35N, 35O, 35P, 35Q, 35R, 35S, 35T, 35U, 35V, 35W, 35X, 35Y, 35Z  
 Parcel 36A, 36B, 36C, 36D, 36E, 36F, 36G, 36H, 36I, 36J, 36K, 36L, 36M, 36N, 36O, 36P, 36Q, 36R, 36S, 36T, 36U, 36V, 36W, 36X, 36Y, 36Z  
 Parcel 37A, 37B, 37C, 37D, 37E, 37F, 37G, 37H, 37I, 37J, 37K, 37L, 37M, 37N, 37O, 37P, 37Q, 37R, 37S, 37T, 37U, 37V, 37W, 37X, 37Y, 37Z  
 Parcel 38A, 38B, 38C, 38D, 38E, 38F, 38G, 38H, 38I, 38J, 38K, 38L, 38M, 38N, 38O, 38P, 38Q, 38R, 38S, 38T, 38U, 38V, 38W, 38X, 38Y, 38Z  
 Parcel 39A, 39B, 39C, 39D, 39E, 39F, 39G, 39H, 39I, 39J, 39K, 39L, 39M, 39N, 39O, 39P, 39Q, 39R, 39S, 39T, 39U, 39V, 39W, 39X, 39Y, 39Z  
 Parcel 40A, 40B, 40C, 40D, 40E, 40F, 40G, 40H, 40I, 40J, 40K, 40L, 40M, 40N, 40O, 40P, 40Q, 40R, 40S, 40T, 40U, 40V, 40W, 40X, 40Y, 40Z  
 Parcel 41A, 41B, 41C, 41D, 41E, 41F, 41G, 41H, 41I, 41J, 41K, 41L, 41M, 41N, 41O, 41P, 41Q, 41R, 41S, 41T, 41U, 41V, 41W, 41X, 41Y, 41Z  
 Parcel 42A, 42B, 42C, 42D, 42E, 42F, 42G, 42H, 42I, 42J, 42K, 42L, 42M, 42N, 42O, 42P, 42Q, 42R, 42S, 42T, 42U, 42V, 42W, 42X, 42Y, 42Z  
 Parcel 43A, 43B, 43C, 43D, 43E, 43F, 43G, 43H, 43I, 43J, 43K, 43L, 43M, 43N, 43O, 43P, 43Q, 43R, 43S, 43T, 43U, 43V, 43W, 43X, 43Y, 43Z  
 Parcel 44



**SPECIAL WARRANTY DEED**

THIS DEED, made this 26 day of January, 2021, between **APB Holdings LLC, a Colorado limited liability company** ("Grantor"), and **Nutrient Holdings LLC, a Colorado limited liability company**, whose legal address is 520 River View Drive, Unit 506, New Castle, CO 81647 ("Grantee");

WITNESSETH, that Grantor, for and in consideration of the sum of **Ten Dollars (\$10.00) and other good and valuable consideration**, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, and conveyed, and by these presents does grant, bargain, sell, convey, and confirm, unto Grantee, and Grantee's heirs, successors, and assigns forever, 100% of the real property, together with all improvements, situate, lying and being in the County of Garfield, State of Colorado, described as follows:

See **Exhibit A**, attached hereto and incorporated herein,

TOGETHER WITH all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, claim, and demand whatsoever of Grantor, either in law or equity, of, in, and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto Grantee, and Grantee's heirs, successors, and assigns forever. Grantor, for Grantor and Grantor's heirs, successors, and assigns, does covenant and agree that Grantor shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of Grantee, and Grantee's heirs, successors, and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under Grantor subject to those specific exceptions set forth on **Exhibit B** attached hereto and incorporated herein.

THIS SPECIAL WARRANTY DEED IS NOT INTENDED TO CONVEY WATER RIGHTS.  
WATER RIGHTS ARE BEING CONVEYED BY SEPARATE SPECIAL WARRANTY DEEDS.

THIS SPECIAL WARRANTY DEED IS NOT CONVEYING OIL, GAS, COAL AND OTHER MINERALS. OIL, GAS, COAL AND OTHER MINERALS ARE BEING CONVEYED BY A SEPARATE SPECIAL WARRANTY DEED.



**EXHIBIT A**  
**Legal Description**

**Parcels A and C**

Township 5 South, Range 90 West, 6th P.M.:

Section 35: That portion of the N $\frac{1}{2}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$  lying Southerly of the centerline of the Colorado River

Township 6 South, Range 90 West, 6th P.M.:

Section 6: All that part of Lot 4, lying southerly of the centerline of the Colorado River as described in deed recorded May 28, 1974 in Book 459 at Page 535 in the office of the Clerk and Recorder of Garfield County, Colorado

Excluding the following parcels of property described in the Rule and Order entered in the District Court for Garfield County, Colorado, in Civil Action No. 6635, entitled Board of County Commissioners, et al. v. Daryl Gean Richardson, et al., recorded November 8, 1982 in Book 437 at Page 383 as Reception No. 255941.

Parcel No. 143-B

A tract or parcel of land No. 143-B of the State Department of Highways, Division of Highways, State of Colorado, Project No. I 70-1 (12), 89 Sec. 2 in the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$ , in the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  and in the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 35, Township 5 South, Range 90 West of the Sixth Principal Meridian, in Garfield County, Colorado, said tract or parcel being more particularly described as follows:

Beginning at a point on the centerline of the Colorado River from which point the NW corner of Section 35, Township 5 South, Range 90 West of the 6th P.M. bears North 27°13'30" West a distance of 2,615.7 feet; thence North 73°59' East along the centerline of the Colorado River, a distance of 162.8 feet; thence South 70°43' East along the centerline of the Colorado River, a distance of 640.8 feet; thence South 48°26' East, along the centerline of the Colorado River, a distance of 223.6 feet; thence South 33°52' East along the centerline of the Colorado River, a distance of 119.8 feet; thence along the arc of a curve to the left having a radius of 4,483.7 feet, a distance of 1,080.9 feet, more or less, to the POINT OF BEGINNING (the chord of this arc bears North 67°23'30" West a distance of 1,078.3 feet).

PARCEL No. 143-C

A tract or parcel of land No. 143-C of the State Department of Highways Division of Highways, State of Colorado, Project No. I 70-1 (12) 89 Section 2, in the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 35, Township 5 South, Range 90 West of the 6th P.M. in Garfield County, Colorado, said tract or parcel being more particularly described as follows: Beginning at a point on the thread of the Colorado River in the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 35, Township 5 South, Range 90 West, 6th P.M. from which point the S $\frac{1}{4}$  corner of Section 35 bears South 21°36'30" East a distance of 2,796.8 feet; thence South 11°47' West a distance of 104.9 feet; thence South 59°02' East a distance of 176.3 feet; to the thread of the Colorado River; thence North 33°52' West along the thread of the Colorado River, a distance of 232.9 feet, more or less, to the Point of Beginning.

**Parcel B**

Township 5 South, Range 90 West, 6th P.M.:

Section 33: All that portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  lying Southerly of the centerline of the Colorado River;

Section 34: All that portion of the S $\frac{1}{2}$  and SE $\frac{1}{4}$ NE $\frac{1}{4}$  lying Southerly of the centerline of the Colorado River;

Section 35: W $\frac{1}{2}$ SW $\frac{1}{4}$ , that portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$  lying Southerly of the Colorado River.

Township 6 South, Range 90 West, 6th P.M.:

Section 5: Lot 4

Section 6: Lots 1, 2, 3 and the Northerly 15 acres of the SE $\frac{1}{4}$ NW $\frac{1}{4}$

EXCEPTING FROM THE ABOVE DESCRIBED LANDS the following:

1. All that portion platted as Riverbend Subdivision Filing No. 1 as shown on Reception No. 281326
  2. All that portion platted as Riverbend Subdivision Filing No. 2 as amended as shown on Reception No. 281329 and No. 299710
  3. All that portion platted as Riverbend Ranchettes Final Plat as shown on Reception No. 290481
  4. All that portion conveyed to the Board of County Commissioners of Garfield County, Colorado, by Deed recorded August 31, 1979 in Book 534 at Page 416 as Reception No. 297140
  5. All that portion platted as Riverbend Subdivision Filing No. 5 as shown on Reception No. 517550
  6. All that portion platted as Cedar Ridge Subdivision as shown on Reception No. 501840
  7. All those portions described as Parcel No. 143; Parcel No. 143-A; and Parcel No. 143-B in the Rule and Order of the Garfield County District Court in Civil Action No. 6635 and recorded in Book 437 at Page 383 as Reception No. 255941
  8. All that portion of the lands described in the deeds recorded in Book 906 at Page 790 as Reception No. 464984, Book 863 at Page 424 as Reception no. 447796, and Book 1712 at Page 990 as Reception No. 679354.
- All as recorded in the office of the Clerk and Recorder of Garfield County, Colorado.

**Parcel D**

Township 6 South, Range 90 West, 6th P.M.:

Section 5: S $\frac{1}{2}$ SW $\frac{1}{4}$

Section 6: Lot 5 (SW $\frac{1}{4}$ NW $\frac{1}{4}$ ), Lot 6 (NW $\frac{1}{4}$ SW $\frac{1}{4}$ ), SE $\frac{1}{4}$ NW $\frac{1}{4}$  except the North 15 acres, NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 8: N $\frac{1}{2}$ N $\frac{1}{2}$

**EXHIBIT B**  
**Permitted Encumbrances**

6. General taxes and assessments for the year 2018 and thereafter, not yet due and payable.
7. Any lien or charge on account of the inclusion of subject property in an improvement district.
8. Any and all water rights, claims, or title to water, whether or not the matters excepted are shown by the public record.

9. Right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted and a right of way for ditches and canals constructed by the authority of the United States as contained in the following United States Patents:

Book	Page	Date	Property
12	20	03/19/1889	N1/2NE1/4 Section 8
12	19	04/13/1889	N1/2NW1/4 Section 8
12	17	04/19/1889	S1/2SW1/4 Section 5, SE1/4SE1/4 Section 6
12	25	04/10/1889	W1/2SE1/4, E1/2SW1/4 Section 6
12	174	06/22/1892	NE1/4SE1/4 Section 6
12	26	04/19/1889	Lot 6 Section 6
12	157	05/20/1892	Lot 4 Section 5, Lots 1, 2 and 3
Section 6			
12	267	01/23/1894	Lot 4 Section 6
12	68	01/10/1891	Lot 5, S1/2NE1/4, SE1/4NW1/4
Section 6			
12	335	10/23/1894	NW1/4SW1/4 Section 34, E1/2SE1/4 Section 33
12	152	05/20/1892	SW1/4SW1/4 Section 34
12	156	05/20/1892	E1/2SW1/4, W1/2SE1/4 Section 34
73	154	04/05/1923	SE1/4SE1/4 Section 34
12	155	05/20/1892	NE1/4SE1/4 Section 34, W1/2SW1/4 Section 35
73	131	02/21/1923	N1/2SE1/4, NE1/4SW1/4, SE1/4NW1/4 Section 35
12	521	01/23/1894	S1/2NE1/4 Section 34, SW1/4NW1/4 Section 35

10. Reservation of all coal, together with the right to prospect for, mine and remove the same, as described in United States Patent recorded April 5, 1923 in Book 73 at Page 154 and any interests therein or assignments thereof.
11. Right of way for the Midland Railway Company as referred to in patent recorded February 21, 1923 in Book 73 at Page 131.
12. Right of way for pipeline to the Vulcan Farming Company as evidenced by deed recorded January 19, 1909 in Book 75 at Page 445.
13. Reservation of all oil and gas, together with the right of ingress and egress to prospect for, drill and remove the same as more particularly described in deed recorded July 11, 1945 in Book 213 at Page 455 and any interests therein or assignments thereof.

14. Reservation of an undivided one-half interest in all oil, gas, hydrocarbons and valuable minerals as described in deed recorded September 23, 1955 in Book 287 at Page 455 and any interests therein or assignments thereof.
15. Terms and conditions of Agreement by and between Daryl Richardson and the State of Colorado for the use and benefit of the Game and Fish Commission regarding the use of a road for public access as described in the Agreement recorded June 26, 1963 in Book 351 at Page 211.
16. Easement and right of way for an electric transmission line as granted to Public Service Company of Colorado and more particularly described in instruments recorded December 28, 1966 in Book 381 at Page 24, February 13, 1967 in Book 382 at Pages 169, 170, 171, 175, 178 and 180, and August 18, 1972 in Book 434 at Page 342.
17. DELETED.
18. Terms, conditions, easements and all matters set forth in Rule and Order recorded November 8, 1972 in Book 437 at Page 383.
19. Perpetual non-exclusive easement for a cattle drive as described in instrument recorded January 10, 1978 in Book 504 at Page 799.
20. Utility Easement granted to Cunningham Construction and Development Co. as described in deed recorded May 28, 1980 in Book 549 at Page 172.
21. Mineral rights conveyed in deed recorded January 14, 1988 in Book 727 at Page 783 and any interests therein or assignments thereof.
22. Terms and conditions of Agreement by and between Greg McKennis, Jill C. McKennis and NCIG Financial, Inc. recorded May 28, 1991 in Book 804 at Page 936 and recorded October 3, 1991 in Book 814 at Page 737.
23. Exclusive access easement granted to E. Peter Matthies and Debra Elena Matthies as described as described in Easement Agreement recorded June 28, 1991 in Book 807 at Page 430 and all terms, conditions and matters set forth therein.
24. Easement described in Revised Easement Agreement recorded December 14, 1992 in Book 849 at Page 627 and all terms, conditions and matters set forth therein.
25. Reservation of all oil, gas and minerals by Orion Homes, Inc. in deed recorded April 26, 1993 in Book 860 at Page 570 and any and all interests therein or assignments thereof.
26. Easement and right of way for the Vulcan Ditch (the exact location of which is not defined) reserved by Orion Homes, Inc. in the deed recorded April 26, 1993 in Book 860 at Page 570.
27. Easement for a roadway reserved by Orion Homes, Inc. in the deed recorded April 26, 1993 in Book 860 at Page 570.
28. Terms and conditions of Garfield County Resolution No. 94-130 recorded November 16, 1994 in Book 922 at Page 738.
29. Easements, rights of way and all matters shown on the plat of Matthies Exemption recorded November 16, 1994 as Reception No. 471051.

30. Easements described in Amended Road Easement Agreement recorded March 15, 1996 in Book 970 at Page 427 and all terms, conditions and matters set forth therein.

31. Access easement granted to American Tower, L.P. d/b/a Mountain Top Management, Inc. as described in instrument recorded February 15, 2000 in Book 1173 at Page 180 and all terms, conditions and matters set forth therein.

Amended in Amendment to Easement Agreement recorded September 30, 2015 at Reception No. 841344. Amendment recorded September 30, 2013 as Reception No. 841344.

32. Access Easement granted to Unites States Bureau of Land Management in instrument recorded September 19, 2000 in Book 1208 at Page 96 and all terms, conditions and matters set forth therein.

33. Mineral rights conveyed to CB Minerals Company, LLC in mineral deed recorded May 8, 2002 in Book 1353 at Page 298 and any interests therein or assignments thereof.

34. Terms and conditions of covenant regarding the Vulcan Ditch recorded September 22, 2003 in Book 1521 at Page 219, Page 231 and Page 243.

35. Reservation of all oil, gas and other minerals by CB Minerals Company, LLC in Special Warranty Deed - Surface Property, recorded June 11, 2015 at Reception No. 863933 and any and all interests therein or assignments thereof.

36. Any question, dispute or adverse claims as to any loss or gain as a result of any change in the river bed location by other than natural causes, or alteration through accretion, reliction, erosion or avulsion of the center thread, bank, channel or flow of waters in the Colorado River lying within subject land; and any questions as to the location of such center thread, bed, bank or channel as a legal description monument or marker for purposes of describing or locating subject lands.

37. Easement and right of way for County Road No. 335.

38. CDOT easements, ditches, pipes, dinosaur fossil wall and all matters shown on Boundary Exhibit Map of NCIG Ranch Parcel prepared by Sopris Engineering LLC.

**SPECIAL WARRANTY DEED  
(Mineral Rights)**

THIS DEED, made this 26 day of January, 2021, between **APB Holdings LLC, a Colorado limited liability company** ("Grantor"), and **Nutrient Holdings LLC, a Colorado limited liability company**, whose legal address is 520 River View Drive, Unit 506, New Castle, CO 81647 ("Grantee");

WITNESSETH, that Grantor, for and in consideration of the sum of **Ten Dollars (\$10.00) and other good and valuable consideration**, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, and conveyed, and by these presents does grant, bargain, sell, convey, and confirm, unto Grantee, and Grantee's heirs, successors, and assigns forever, all of Grantor's interest in the oil, gas, carbon dioxide, helium, casing head gasoline, gas condensate, distillate, together with all coal, including lignite and subbituminous coal, coal bed gas, all other gaseous substances and all other minerals in and under and that may be produced from the property situate, lying and being in the County of Garfield, State of Colorado, described as follows:

See **Exhibit A**, attached hereto and incorporated herein,

TOGETHER WITH all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, claim, and demand whatsoever of Grantor, either in law or equity, of, in, and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto Grantee, and Grantee's heirs, successors, and assigns forever. Grantor, for Grantor and Grantor's heirs, successors, and assigns, does covenant and agree that Grantor shall and will **WARRANT AND FOREVER DEFEND** the above bargained premises in the quiet and peaceable possession of Grantee, and Grantee's heirs, successors, and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under Grantor subject to those specific exceptions set forth on **Exhibit B** attached hereto and incorporated herein.

IN WITNESS WHEREOF, Grantor has executed this deed on the date set forth above.

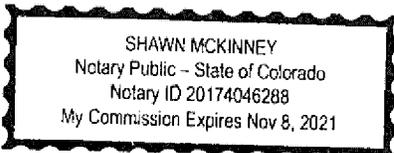
**APB Holdings LLC,  
a Colorado limited liability company**

By:   
Andrew Bruno, its Member

STATE OF COLORADO                    )  
  ) ss.  
COUNTY OF GARFIELD                )

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of January, 2021 by Andrew Bruno, as Member of APB Holdings LLC, a Colorado limited liability company, on behalf of said corporation.

Witness my hand and official seal:



  
Notary Public

**EXHIBIT A**  
**Legal Description**

**Parcels A and C**

Township 5 South, Range 90 West, 6th P.M.:

Section 35: That portion of the N $\frac{1}{2}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$  lying Southerly of the centerline of the Colorado River

Township 6 South, Range 90 West, 6th P.M.:

Section 6: All that part of Lot 4, lying southerly of the centerline of the Colorado River as described in deed recorded May 28, 1974 in Book 459 at Page 535 in the office of the Clerk and Recorder of Garfield County, Colorado

Excluding the following parcels of property described in the Rule and Order entered in the District Court for Garfield County, Colorado, in Civil Action No. 6635, entitled Board of County Commissioners, et al. v. Daryl Gean Richardson, et al., recorded November 8, 1982 in Book 437 at Page 383 as Reception No. 255941.

**Parcel No. 143-B**

A tract or parcel of land No. 143-B of the State Department of Highways, Division of Highways, State of Colorado, Project No. I 70-1 (12), 89 Sec. 2 in the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$ , in the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  and in the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 35, Township 5 South, Range 90 West of the Sixth Principal Meridian, in Garfield County, Colorado, said tract or parcel being more particularly described as follows:

Beginning at a point on the centerline of the Colorado River from which point the NW corner of Section 35, Township 5 South, Range 90 West of the 6th P.M. bears North 27°13'30" West a distance of 2,615.7 feet; thence North 73°59' East along the centerline of the Colorado River, a distance of 162.8 feet; thence South 70°43' East along the centerline of the Colorado River, a distance of 640.8 feet; thence South 48°26' East, along the centerline of the Colorado River, a distance of 223.6 feet; thence South 33°52' East along the centerline of the Colorado River, a distance of 119.8 feet; thence along the arc of a curve to the left having a radius of 4,483.7 feet, a distance of 1,080.9 feet, more or less, to the POINT OF BEGINNING (the chord of this arc bears North 67°23'30" West a distance of 1,078.3 feet).

**PARCEL No. 143-C**

A tract or parcel of land No. 143-C of the State Department of Highways Division of Highways, State of Colorado, Project No. I 70-1 (12) 89 Section 2, in the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 35, Township 5 South, Range 90 West of the 6th P.M. in Garfield County, Colorado, said tract or parcel being more particularly described as follows: Beginning at a point on the thread of the Colorado River in the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 35, Township 5 South, Range 90 West, 6th P.M. from which point the S $\frac{1}{4}$  corner of Section 35 bears South 21°36'30" East a distance of 2,796.8 feet; thence South 11°47' West a distance of 104.9 feet; thence South 59°02' East a distance of 176.3 feet; to the thread of the Colorado River; thence North 33°52' West along the thread of the Colorado River, a distance of 232.9 feet, more or less, to the Point of Beginning.

**Parcel B**

Township 5 South, Range 90 West, 6th P.M.:

Section 33: All that portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  lying Southerly of the centerline of the Colorado River;

Section 34: All that portion of the S $\frac{1}{2}$  and SE $\frac{1}{4}$ NE $\frac{1}{4}$  lying Southerly of the centerline of the Colorado River;

Section 35: W $\frac{1}{2}$ SW $\frac{1}{4}$ , that portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$  lying Southerly of the Colorado River.

Township 6 South, Range 90 West, 6th P.M.:

Section 5: Lot 4

Section 6: Lots 1, 2, 3 and the Northerly 15 acres of the SE $\frac{1}{4}$ NW $\frac{1}{4}$

EXCEPTING FROM THE ABOVE DESCRIBED LANDS the following:

1. All that portion platted as Riverbend Subdivision Filing No. 1 as shown on Reception No. 281326
2. All that portion platted as Riverbend Subdivision Filing No. 2 as amended as shown on Reception No. 281329 and No. 299710
3. All that portion platted as Riverbend Ranchettes Final Plat as shown on Reception No. 290481
4. All that portion conveyed to the Board of County Commissioners of Garfield County, Colorado, by Deed recorded August 31, 1979 in Book 534 at Page 416 as Reception No. 297140
5. All that portion platted as Riverbend Subdivision Filing No. 5 as shown on Reception No. 517550
6. All that portion platted as Cedar Ridge Subdivision as shown on Reception No. 501840
7. All those portions described as Parcel No. 143; Parcel No. 143-A; and Parcel No. 143-B in the Rule and Order of the Garfield County District Court in Civil Action No. 6635 and recorded in Book 437 at Page 383 as Reception No. 255941
8. All that portion of the lands described in the deeds recorded in Book 906 at Page 790 as Reception No. 464984, Book 863 at Page 424 as Reception no. 447796, and Book 1712 at Page 990 as Reception No. 679354.

All as recorded in the office of the Clerk and Recorder of Garfield County, Colorado.

**Parcel D**

Township 6 South, Range 90 West, 6th P.M.:

Section 5: S $\frac{1}{2}$ SW $\frac{1}{4}$

Section 6: Lot 5 (SW $\frac{1}{4}$ NW $\frac{1}{4}$ ), Lot 6 (NW $\frac{1}{4}$ SW $\frac{1}{4}$ ), SE $\frac{1}{4}$ NW $\frac{1}{4}$  except the North 15 acres, NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 8: N $\frac{1}{2}$ N $\frac{1}{2}$

**EXHIBIT B  
 Permitted Encumbrances**

Each of the Title Comments and Requirements set forth in the following Acquisition Title Opinions:

Acquisition Title Opinion dated 4/2/08	T. 5 W., R. 90 W., 6 <sup>th</sup> P.M. Sec. 35: Parcel A [see opinion for detail] T. 6 S., R. 90 W., 6 <sup>th</sup> P.M. Sec. 6: Parcel C [see opinion for detail]	<b>Parcels A and C</b>
Acquisition Title Opinion dated 05/29/08	T. 5 S., R. 90 W., 6 <sup>th</sup> P.M. Portions of Sections 33, 34 and 35 T. 6 S., R. 90 W., 6 <sup>th</sup> P.M. Portions of Sections 5 and 6	<b>Parcel B</b>
Acquisition Title Opinion dated 05/29/08	T. 6 S., R. 90 W., 6 <sup>th</sup> P.M. Sec. 5: S/2SW/4 Sec. 6: Lot 5, Lot 6, SE/4NW/4 except the north 15 acres, NE/4SW/4, S/2NE/4, N/2SE/4, SE/4SE/4 Sec. 8: N/2N/2	<b>Parcel D</b>

**Commonwealth Title Company of Garfield County, Inc.**

**127 E. 5th Street**

**Rifle, CO 81650**

**Phone (970) 625-3300 / Fax (970) 625-3305**

**1322 Grand Avenue**

**Glenwood Springs, CO 81601**

**Phone (970) 945-4444 / Fax (970) 945-4449**

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**Date: December 6, 2022**

**File No. 2103068**

**Property Address. , New Castle**

Timberline Partners LLC  
210 South Ridge Street  
Breckenridge CO 80424  
Attn: Erin Hunter  
Email: erin@timberlinelaw.com

**COMMITMENT FOR TITLE INSURANCE  
SCHEDULE A**

**File No. 2103068**

1. Effective Date: **November 30, 2022 at 7:59 AM**

2. Policy or Policies to be issued:

(a) ALTA OWNER POLICY (ALTA 6-17-06)

**\$N/A**

Proposed Insured:

(b) ALTA LOAN POLICY (ALTA 6-17-06)

Proposed Insured:

3. The Estate or interest in the land described or referred to in the Commitment and covered herein is Fee Simple and is at the effective date hereof vested in:

**Nutrient Holdings LLC, a Colorado limited liability company**

4. The land referred to in this Commitment is situated in the County of Garfield, State of Colorado and described as follows:

**See Attached Exhibit "A"**

**TITLE CHARGES**

**Title Commitment Update**

**\$150.00**

COUNTERSIGNED: \_\_\_\_\_ Patrick P. Burwell

Authorized Officer or Agent

Valid Only if Schedule B and Cover Are Attached

American Land Title Association  
Schedule A  
(Rev'd 6-06)

Issuing Agent:  
Commonwealth Title Company of Garfield County, Inc.  
127 East 5th Street Rifle, CO 81650

**EXHIBIT "A"**

**Parcels A and C**

Township 5 South, Range 90 West, 6th P.M.:

Section 35: That portion of the N $\frac{1}{2}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$  lying Southerly of the centerline of the Colorado River.

Township 6 South, Range 90 West, 6th P.M.

Section 6: All that part of Lot 4, lying southerly of the centerline of the Colorado River as described in deed recorded May 28, 1974 in Book 459 at Page 535 in the office of the Clerk and Recorder of Garfield County, Colorado

Excluding the following parcels of property described in the Rule and Order entered in the District court for Garfield County, Colorado, in Civil Action No. 6635, entitled Board of County Commissioners, et al. v. Daryl Gean Richardson, et al., recorded November 8, 1982 in Book 437 at Page 383 as Reception No. 255941

Parcel No. 143-B

A tract or parcel of land No. 143-B of the State Department of Highways, Division of Highways, State of Colorado, Project No. I 70-1 (12), 89 Sec. 2 in the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$ , in the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  and in the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 35, Township 5 South, Range 90 West of the Sixth Principal Meridian, in Garfield County, Colorado, said tract or parcel being more particularly described as follows:

Beginning at a point on the centerline of the Colorado River from which point the NW corner of Section 35, Township 5 South, Range 90 West of the 6th P.M. bears North 27°13'30" West a distance of 2,615.7 feet; thence North 73°59' East along the centerline of the Colorado River, a distance of 162.8 feet; thence South 70°43' East along the centerline of the Colorado River, a distance of 640.8 feet; thence South 48°26' East, along the centerline of the Colorado River, a distance of 223.6 feet;

thence South 33°52' East along the centerline of the Colorado River, a distance of 119.8 feet; thence along the arc of a curve to the left having a radius of 4,483.7 feet, a distance of 1,080.9 feet, more or less, to the POINT OF BEGINNING (the chord of this arc bears North 67°23'30" West a distance of 1,078.3 feet)

PARCEL No. 143-C

A tract or parcel of land No. 143-C of the State Department of Highways Division of Highways, State of Colorado, Project No. I 70-1 (12) 89 Section 2, in the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 35, Township 5 South, Range 90 West of the 6th P.M. in Garfield County, Colorado, said tract or parcel being more particularly described as follows: Beginning at a point on the thread of the Colorado River in the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 35, Township 5 South, Range 90 West, 6th P.M. from which point the S $\frac{1}{4}$  corner of Section 35 bears South 21°36'30" East a distance of 2,796.8 feet; thence South 11°47' West a distance of 104.9 feet; thence South 59°02' East a distance of 176.3 feet; to the thread of the Colorado River; thence North 33°52' West along the thread of the Colorado River, a distance of 232.9 feet, more or less, to the Point of Beginning.

**Parcel B**

Township 5 South, Range 90 West, 6th P.M.:

Section 33: All that portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  lying Southerly of the centerline of the Colorado River;

Section 34: All that portion of the S $\frac{1}{2}$  and SE $\frac{1}{4}$ NE $\frac{1}{4}$  lying Southerly of the centerline of the Colorado River;

Section 35:  $W\frac{1}{2}SW\frac{1}{4}$ , that portion of the  $SW\frac{1}{4}NW\frac{1}{4}$  lying Southerly of the Colorado River.

Township 6 South, Range 90 West, 6th P.M.:

Section 5: Lot 4

Section 6: Lots 1, 2 3 and the Northerly 15 acres of the  $SE\frac{1}{4}NW\frac{1}{4}$

EXCEPTING FROM THE ABOVE DESCRIBED LANDS the following:

1. All that portion platted as Riverbend Subdivision Filing No. 1 as shown on Reception No. 281326
  2. All that portion platted as Riverbend Subdivision Filing No. 2 as amended as shown on Reception No. 281329 and No. 299710
  3. All that portion platted as Riverbend Ranchettes Final Plat as shown on Reception No. 290481
  4. All that portion conveyed to the Board of County Commissioners of Garfield County, Colorado, by Deed recorded August 31, 1979 in Book 534 at Page 416 as Reception No. 297140
  5. All that portion platted as Riverbend Subdivision Filing No. 5 as shown on Reception No. 517550
  6. All that portion platted as Cedar Ridge Subdivision as shown on Reception No. 501840
  7. All those portions described as Parcel No. 143; Parcel No. 143-A; and Parcel No. 143-B in the Rule and Order of the Garfield County District Court in Civil Action No. 6635 and recorded in Book 437 at Page 383 as Reception No. 255941
  8. All that portion of the lands described in the deeds recorded in Book 906 at Page 790 as Reception No. 464984, Book 863 at Page 424 as Reception no. 447796, and Book 1712 at Page 990 as Reception No. 679354.
- All as recorded in the office of the Clerk and Recorder of Garfield County, Colorado.

**Parcel D**

Township 6 South, Range 90 West, 6th P.M.:

Section 5:  $S\frac{1}{2}SW\frac{1}{4}$

Section 6: Lot 5 ( $SW\frac{1}{4}NW\frac{1}{4}$ ), Lot 6 ( $NW\frac{1}{4}SW\frac{1}{4}$ ),  $SE\frac{1}{4}NW\frac{1}{4}$  except the North 15 acres,  $NE\frac{1}{4}SW\frac{1}{4}$ ,  $S\frac{1}{2}NE\frac{1}{4}$ ,  $N\frac{1}{2}SE\frac{1}{4}$ ,  $SE\frac{1}{4}SE\frac{1}{4}$

Section 8:  $N\frac{1}{2}N\frac{1}{2}$

**SCHEDULE B - SECTION 1**

The Following are the requirements to be complied with prior to the issuance of said policy or policies. Any other instrument recorded subsequent to the date hereof may appear as an exception under Schedule B of the policy to be issued. Unless otherwise noted, all documents must be recorded to the office of the Clerk and Recorder of the County in which said property is located.

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

This is an informational only commitment and no policy will be issued hereunder.

5. Receipt of satisfactory Improvement Survey Plat certified to the Company (i) prepared from an on-the-ground inspection by a registered land surveyor licensed in the State of Colorado; (ii) currently dated, showing the location of the Property and all improvements, fences, easements, roads, rights-of-way and encroachments or other matters identified in Schedule B - Section 2 of this Commitment, to the extent such matters are capable of being shown, (iii) containing a legal description of the boundaries of the Property by metes and bounds or other appropriate legal description; and (iv) meeting the criteria of Colorado Revised Statute 38-51-102(9), as amended, for an Improvement Survey Plat.

## DISCLOSURES

Colorado Division of Insurance Regulation 8-1-2, Section 5, Paragraph F provides: "Whenever a title entity provides the closing and settlement service that is in conjunction with the issuance of an owner's policy of title insurance, it shall update the title commitment from the date of issuance to be as reasonably close to the time of closing as permitted by the real estate records. Such update shall include all impairments of record at the time of closing or as close thereto as permitted by the real estate records. The title insurance company shall be responsible to the proposed insured(s) subject to the terms and conditions of the title commitment, other than the effective date of the title commitment, for all undisclosed matters that appear of record prior to the time of closing." Provided Commonwealth Title Insurance Company of Garfield County, Inc. conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 5 will not appear on the Owner's Title Policy and the Lenders Policy when issued. This Notice is required by Colorado Division of Insurance Regulation 8-1-2, Section 5, Paragraph G.

Pursuant to Colorado Division of Insurance Regulation 8-1-2, notice is hereby given that affirmative mechanic's lien protection for the prospective insured owner may be available upon compliance with the following conditions:

A. The land described in Schedule A of this Commitment must be a single family residence, which includes a condominium or townhouse unit. B. No labor or materials may have been furnished by mechanics or materialmen for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months. C. The Company must receive appropriate affidavits indemnifying the Company against all unfiled mechanic's and materialmen's liens. D. Any deviation from conditions A through C above is subject to such additional requirements or information as the Company may deem necessary; or, at its option, the Company may refuse to delete the exception. No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay. Colorado Division of Insurance Regulation 8-1-2, Section 5, Paragraph M.

Pursuant to Colorado Division of Insurance Regulation 8-1-3, notice is hereby given of the availability of a Closing Protection Letter which may, upon request, be provided to certain parties to the transaction.

Pursuant to C.R.S. §10-11-122, notice is hereby given that:

A) The subject real property may be located in a special taxing district; B) A Certificate of Taxes Due listing each taxing jurisdiction may be obtained from the County Treasurer's authorized agent; C) The information regarding special districts and the boundaries of such districts may be obtained from the Board of County Commissioners, the County Clerk and Recorder, or the County Assessor; and D) The company will not issue its policy of policies of title insurance contemplated by the commitment until it has been provided a Certificate of Taxes due from the County Treasurer or the County Treasurer's authorized agent; or until the Proposed Insured has notified or instructed the company in writing to the contrary

C.R.S. §30-10-406 requires that all documents received for recording or filing in the clerk and recorder's office shall contain a top margin of at least one inch and a left, right, and bottom margin of at least one half of an inch. The clerk and recorder may refuse to record or file any document that does not conform.

Pursuant to C.R.S. §10-11-123, notice is hereby given:

This notice applies to owner's policy commitments containing a mineral severance instrument exception, or exceptions, in Schedule B, Section 2.

A) That there is recorded evidence that a mineral estate has been severed, leased, or otherwise conveyed from the surface estate and that there is a substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and B) That such mineral estate may include the right to enter and use the property without the surface owner's permission.

If the transaction includes a sale of the property and the price exceeds \$100,000.00, the seller must comply with the disclosure/withholding provisions of C.R.S. §39-22-604.5 (Nonresident withholding).

Pursuant to C.R.S. §38-35-125(2), no person or entity that provides closing and settlement services for a real estate transaction shall disburse funds as a part of such services until those funds have been received and are available for immediate withdrawal as a matter of right. Colorado Division of Insurance Regulation 8-1-2, Section 5, Paragraph J. **"Good Funds Law"**

C.R.S. §39-14-102 requires that a real property transfer declaration accompany any conveyance document presented for recordation in the State of Colorado. Said declaration shall be completed and signed by either the grantor or grantee and Section 38-35-109 (2) of the Colorado Revised Statutes, 1973, requires that a notation of the purchasers legal address, (not necessarily the same as the property address) be included on the face of the deed to be recorded.

**SCHEDULE B - SECTION 2**

Schedule B of the Policy or Policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the company:

1. Rights or claims of parties in possession not shown by the Public records.
2. Easements, or claims of easements, not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts, which a correct survey and inspection of the premises would disclose, and which are not shown by the public records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this commitment.
6. Any and all unpaid taxes, assessments and unredeemed tax sales.
7. Any lien or charge on account of the inclusion of subject property in an improvement district.
8. Any and all water rights, claims, or title to water, whether or not the matters excepted are shown by the public record.
9. Right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted and a right of way for ditches and canals constructed by the authority of the United States as contained in the following United States Patents:

Book	Page	Date	Property
<a href="#">12</a>	<a href="#">20</a>	03/19/1889	N1/2NE1/4 Section 8
<a href="#">12</a>	<a href="#">19</a>	04/13/1889	N1/2NW1/4 Section 8
<a href="#">12</a>	<a href="#">17</a>	04/19/1889	S1/2SW1/4 Section 5, SE1/4SE1/4 Section 6
<a href="#">12</a>	<a href="#">25</a>	04/10/1889	W1/2SE1/4, E1/2SW1/4 Section 6
<a href="#">12</a>	<a href="#">174</a>	06/22/1892	NE1/4SE1/4 Section 6
<a href="#">12</a>	<a href="#">26</a>	04/19/1889	Lot 6 Section 6
<a href="#">12</a>	<a href="#">157</a>	05/20/1892	Lot 4 Section 5, Lots 1, 2 and 3 Section 6
<a href="#">12</a>	<a href="#">267</a>	01/23/1894	Lot 4 Section 6
<a href="#">12</a>	<a href="#">68</a>	01/10/1891	Lot 5, S1/2NE1/4, SE1/4NW1/4 Section 6
<a href="#">12</a>	<a href="#">335</a>	10/23/1894	NW1/4SW1/4 Section 34, E1/2SE1/4 Section 33
<a href="#">12</a>	<a href="#">152</a>	05/20/1892	SW1/4SW1/4 Section 34
<a href="#">12</a>	<a href="#">156</a>	05/20/1892	E1/2SW1/4, W1/2SE1/4 Section 34
<a href="#">73</a>	<a href="#">154</a>	04/05/1923	SE1/4SE1/4 Section 34
<a href="#">12</a>	<a href="#">155</a>	05/20/1892	NE1/4SE1/4 Section 34, W1/2SW1/4 Section 35
<a href="#">73</a>	<a href="#">131</a>	02/21/1923	N1/2SE1/4, NE1/4SW1/4, SE1/4NW1/4 Section 35
<a href="#">12</a>	<a href="#">521</a>	01/23/1894	S1/2NE1/4 Section 34, SW1/4NW1/4 Section 35

10. Reservation of all coal, together with the right to prospect for, mine and remove the same, as described in United States Patent recorded April 5, 1923 in [Book 73 at Page 154](#) and any interests therein or assignments thereof.
11. Right of way for the Midland Railway Company as referred to in patent recorded February 21, 1923 in [Book 73 at Page 131](#).
12. Right of way for pipeline to the Vulcan Farming Company as evidenced by deed recorded January 19, 1909 in [Book 75 at Page 445](#). (affects N1/2SW1/4, Section 35, Township 5 South, Range 90 West)
13. Reservation of all oil and gas, together with the right of ingress and egress to prospect for, drill and remove the same as more particularly described in deed recorded July 11, 1945 in [Book 213 at Page 455](#) and any interests therein or assignments thereof. (affects S1/2SW1/4 Section 5, S1/2NE1/4, SE1/4NW1/4, SW1/4NW1/4, N1/2S1/2 and SE1/4SE1/4 Section 6, N1/2N1/2 Section 8, S1/2NW1/4 Section 9)
14. Reservation of an undivided one-half interest in all oil, gas, hydrocarbons and valuable minerals as described in deed recorded September 23, 1955 in [Book 287 at Page 455](#) and any interests therein or assignments thereof.

(Continued)

**SCHEDULE B - SECTION 2**  
**(Continued)**

15. Terms and conditions of Agreement by and between Daryl Richardson and the State of Colorado for the use and benefit of the Game and Fish Commission regarding the use of a road for public access as described in the Agreement recorded June 26, 1963 in [Book 351 at Page 211](#).
16. Easement and right of way for an electric transmission line as granted to Public Service Company of Colorado and more particularly described in instruments recorded December 28, 1966 in [Book 381 at Page 24](#), February 13, 1967 in Book 382 at Pages [169](#), [170](#), [171](#), [175](#), [178](#) and [180](#), and August 18, 1972 in [Book 434 at Page 342](#).
17. Terms, conditions, easements and all matters set forth in Rule and Order recorded November 8, 1972 in [Book 437 at Page 383](#).
18. Perpetual non-exclusive easement for a cattle drive as described in instrument recorded January 10, 1978 in [Book 504 at Page 799](#).
19. Utility Easement granted to Cunningham Construction and Development Co. as described in deed recorded May 28, 1980 in [Book 549 at Page 172](#).
20. Mineral rights conveyed in deed recorded January 14, 1988 in [Book 727 at Page 783](#) and any interests therein or assignments thereof.
21. Terms and conditions of Agreement by and between Greg McKennis, Jill C. McKennis and NCIG Financial, Inc. recorded May 28, 1991 in [Book 804 at Page 936](#) and recorded October 3, 1991 in [Book 814 at Page 737](#).
22. Exclusive access easement granted to E. Peter Matthies and Debra Elena Matthies as described as described in Easement Agreement recorded June 28, 1991 in [Book 807 at Page 430](#) and all terms, conditions and matters set forth therein.
23. Easement described in Revised Easement Agreement recorded December 14, 1992 in [Book 849 at Page 627](#) and all terms, conditions and matters set forth therein. (affects Section 34, Township 5 South, Range 90 West)
24. Reservation of all oil, gas and minerals by Orion Homes, Inc. in deed recorded April 26, 1993 in [Book 860 at Page 570](#) and any and all interests therein or assignments thereof. (affects Section 34, Township 5 South, Range 90 West and Sections 5 and 6, Township 6 South, Range 90 West)
25. Easement and right of way for the Vulcan Ditch (the exact location of which is not defined) reserved by Orion Homes, Inc. in the deed recorded April 26, 1993 in [Book 860 at Page 570](#). (affects Section 34, Township 5 South, Range 90 West and Sections 5 and 6, Township 6 South, Range 90 West)
26. Easement for a roadway reserved by Orion Homes, Inc. in the deed recorded April 26, 1993 in [Book 860 at Page 570](#). (affects Section 34, Township 5 South, Range 90 West and Sections 5 and 6, Township 6 South, Range 90 West)
27. Terms and conditions of Garfield County Resolution No. 94-130 recorded November 16, 1994 in [Book 922 at Page 738](#). (affects Matthies Exemption)
28. Easements, rights of way and all matters shown on the plat of Matthies Exemption recorded November 16, 1994 as [Reception No. 471051](#).
29. Easements described in Amended Road Easement Agreement recorded March 15, 1996 in [Book 970 at Page 427](#) and all terms, conditions and matters set forth therein. (affects Section 34, Township 5 South, Range 90 West and Sections 5 and 6, Township 6 South, Range 90 West)
30. Access easement granted to American Tower, L.P. d/b/a Mountain Top Management, Inc. as described in instrument recorded February 15, 2000 in [Book 1173 at Page 180](#) and all terms, conditions and matters set forth therein.

Amended in Amendment to Easement Agreement recorded September 30, 2015 at [Reception No. 841344](#). Amendment recorded September 30, 2013 as Reception No. 841344.

(Continued)

**SCHEDULE B - SECTION 2  
(Continued)**

31. Access Easement granted to Unites States Bureau of Land Management in instrument recorded September 19, 2000 in [Book 1208 at Page 96](#) and all terms, conditions and matters set forth therein.
32. Mineral rights conveyed to CB Minerals Company, LLC in mineral deed recorded May 8, 2002 in [Book 1353 at Page 298](#) and any interests therein or assignments thereof.
33. Terms and conditions of covenant regarding the Vulcan Ditch recorded September 22, 2003 in [Book 1521 at Page 219](#), Page [231](#) and Page [243](#).
34. Reservation of all oil, gas and other minerals by CB Minerals Company, LLC in Special Warranty Deed - Surface Property, recorded June 11, 2015 at [Reception No. 863933](#) and any and all interests therein or assignments thereof.
35. Any question, dispute or adverse claims as to any loss or gain as a result of any change in the river bed location by other than natural causes, or alteration through accretion, reliction, erosion or avulsion of the center thread, bank, channel or flow of waters in the Colorado River lying within subject land; and any questions as to the location of such center thread, bed, bank or channel as a legal description monument or marker for purposes of describing or locating subject lands.
36. Easement and right of way for County Road No. 335.
37. Temporary CDOT easements, ditches, pipes, dinosaur fossil wall and all matters shown on [Boundary Exhibit Map of NCIG Ranch Parcel](#) prepared by Sopris Engineering LLC.
38. Right of way for ditches and canals in place and in use.

**NOTE: EXCEPTION(S) N/A WILL NOT APPEAR IN THE POLICY TO BE ISSUED HEREUNDER.**

The Owner's Policy of Title Insurance committed for in this Commitment, if any, shall contain, in addition to the Items set forth in Schedule B - Section 2, the following items:

- (1) The Deed of Trust, if any, required under Schedule B - Section 1. (2) Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof. (3) any and all unpaid taxes, assessments and unredeemed tax sales.

NOTE: The policy (s) of insurance may contain a clause permitting arbitration of claims at the request of either the Insured or the Company. Upon request, the Company will provide a copy of this clause and the accompanying arbitration rules prior to the closing of the transaction.

## COMMONWEALTH TITLE COMPANY PRIVACY POLICY

### **We Are Committed to Safeguarding Customer Information**

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, we have adopted this Privacy Policy to govern the use and handling of your personal information.

### **Applicability**

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity.

### **Types of Information**

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means.
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

### **Use of Information**

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

### **Former Customers**

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

### **Confidentiality and Security**

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy. We currently maintain physical, electronic and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.



Colorado Secretary of State  
 Date and Time: 06/15/2018 02:41 PM  
 ID Number: 20181475989  
 Document number: 20181475989  
 Amount Paid: \$50.00

Document must be filed electronically.  
 Paper documents are not accepted.  
 Fees & forms are subject to change.  
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 of filed documents, visit [www.sos.state.co.us](http://www.sos.state.co.us).

ABOVE SPACE FOR OFFICE USE ONLY

**Articles of Organization**

filed pursuant to § 7-90-301 and § 7-80-204 of the Colorado Revised Statutes (C.R.S.)

1. The domestic entity name of the limited liability company is

Nutrient Holdings LLC

*(The name of a limited liability company must contain the term or abbreviation "limited liability company", "ltd. liability company", "limited liability co.", "ltd. liability co.", "limited", "l.l.c.", "llc", or "ltd.". See §7-90-601, C.R.S.)*

*(Caution: The use of certain terms or abbreviations are restricted by law. Read instructions for more information.)*

2. The principal office address of the limited liability company's initial principal office is

Street address

364 Storm King Road

*(Street number and name)*

New Castle

*(City)*

CO

*(State)*

81647

*(ZIP/Postal Code)*

United States

*(Country)*

*(Province – if applicable)*

Mailing address

*(leave blank if same as street address)*

5670 Brentwood Drive

*(Street number and name or Post Office Box information)*

Hoffman Estates

*(City)*

IL

*(State)*

60192

*(ZIP/Postal Code)*

United States

*(Country)*

*(Province – if applicable)*

3. The registered agent name and registered agent address of the limited liability company's initial registered agent are

Name

*(if an individual)*

*(Last)*

*(First)*

*(Middle)*

*(Suffix)*

or

*(if an entity)*

*(Caution: Do not provide both an individual and an entity name.)*

Timberline Partners LLC

Street address

210 South Ridge Street

*(Street number and name)*

Breckenridge

*(City)*

CO

*(State)*

80424

*(ZIP Code)*

Mailing address

*(leave blank if same as street address)*

PO Box 625

*(Street number and name or Post Office Box information)*

Breckenridge CO 80424  
(City) (State) (ZIP Code)

(The following statement is adopted by marking the box.)

The person appointed as registered agent has consented to being so appointed.

4. The true name and mailing address of the person forming the limited liability company are

Name  
(if an individual) \_\_\_\_\_  
(Last) (First) (Middle) (Suffix)

or

(if an entity) Andrew Bruno Revocable Trust  
(Caution: Do not provide both an individual and an entity name.)

Mailing address 5670 Brentwood Drive  
(Street number and name or Post Office Box information)

Hoffman Estates IL 60192  
(City) (State) (ZIP/Postal Code)  
United States  
(Province – if applicable) (Country)

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

The limited liability company has one or more additional persons forming the limited liability company and the name and mailing address of each such person are stated in an attachment.

5. The management of the limited liability company is vested in

(Mark the applicable box.)

one or more managers.

or

the members.

6. (The following statement is adopted by marking the box.)

There is at least one member of the limited liability company.

7. (If the following statement applies, adopt the statement by marking the box and include an attachment.)

This document contains additional information as provided by law.

8. (Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)

The delayed effective date and, if applicable, time of this document is/are \_\_\_\_\_  
(mm/dd/yyyy hour:minute am/pm)

Notice:

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S., the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is named in the document as one who has caused it to be delivered.

9. The true name and mailing address of the individual causing the document to be delivered for filing are

<u>Ray</u>	<u>Shannon</u>		
<small>(Last)</small>	<small>(First)</small>	<small>(Middle)</small>	<small>(Suffix)</small>
<u>PO Box 625</u>			
<small>(Street number and name or Post Office Box information)</small>			
<hr/>			
<u>Breckenridge</u>	<u>CO</u>	<u>80424</u>	
<small>(City)</small>	<small>(State)</small>	<small>(ZIP/Postal Code)</small>	
<u>United States</u>			
<small>(Province – if applicable)</small>		<small>(Country)</small>	

*(If the following statement applies, adopt the statement by marking the box and include an attachment.)*

- This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

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Colorado Secretary of State  
 Date and Time: 03/31/2020 11:10 AM  
 ID Number: 20181475989

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 Amount Paid: \$10.00

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**Statement of Change  
 Changing the Principal Office Address**

filed pursuant to § 7-90-305.5 and § 7-90-705 of the Colorado Revised Statutes (C.R.S.)

1. The entity ID number and the entity name, or, if the entity does not have an entity name, the true name are

Entity ID number 20181475989  
*(Colorado Secretary of State ID number)*

Entity name or True name Nutrient Holdings LLC

2. The entity's principal office address has changed.

Such address, as changed, is

Street address 364 Storm King Road  
*(Street number and name)*

New Castle CO 81647  
*(City) (State) (ZIP/Postal Code)*

United States  
*(Province – if applicable) (Country)*

Mailing address 520 River View Drive Unit 506  
 (leave blank if same as street address) *(Street number and name or Post Office Box information)*

New Castle CO 81647  
*(City) (State) (ZIP/Postal Code)*

United States  
*(Province – if applicable) (Country)*

3. (If applicable, adopt the following statement by marking the box and include an attachment.)

This document contains additional information as provided by law.

4. (Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)

The delayed effective date and, if applicable, time of this document are \_\_\_\_\_  
*(mm/dd/yyyy hour:minute am/pm)*

Notice:

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that such document is such individual's act and deed, or that such individual in good faith believes such document is the act and deed of the person on whose behalf such individual is causing such document to be delivered for filing, taken in

conformity with the requirements of part 3 of article 90 of title 7, C.R.S. and, if applicable, the constituent documents and the organic statutes, and that such individual in good faith believes the facts stated in such document are true and such document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is identified in this document as one who has caused it to be delivered.

5. The true name and mailing address of the individual causing this document to be delivered for filing are

Ray Shannon  
(Last) (First) (Middle) (Suffix)  
210 South Ridge Street  
(Street number and name or Post Office Box information)  
PO Box 625  
Breckenridge CO 80424  
(City) (State) (ZIP/Postal Code)  
United States  
(Province – if applicable) (Country)

*(If applicable, adopt the following statement by marking the box and include an attachment.)*

- This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

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This form/cover sheet, and any related instructions, are not intended to provide legal, business or tax advice, and are furnished without representation or warranty. While this form/cover sheet is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form/cover sheet. Questions should be addressed to the user's legal, business or tax advisor(s).

**Memorandum**

**TO:** Sheryl Bower, Garfield County Community Development Director  
**FROM:** Daniel Teodoru, Timberline Law LLC  
**SUBJECT:** Chain of Title and Ownership Interests in the Nutrient Farm Property  
**DATE:** March 27, 2022

Please accept this memorandum as an explanation as to the chain of ownership interest in the collective parcels referenced top herein as the Nutrient Farm Property. Nutrient Farm is located between the Town of New Castle and Glenwood Springs, and to the south of Interstate-70 (I-70) and the Colorado River. It is bisected by County Road 335 ("CR 335") – a/k/a Colorado River Road. The Property consists of four parcels containing approximately 1,136 acres, located on a benched area between the Colorado River and Coal Ridge and the Grand Hogback (Garfield County Assessor Records Parcel ID numbers are: 2123-353-00-081, 2183-061-00-057, 2123-344-00-007, 2123-344-00-005, and 2183-053-00-086). Per our surveyor's research, these five parcels were combined and re-organized into four parcels for the Property's formal legal description in the title work and Special Warranty Deed – reception #949446.

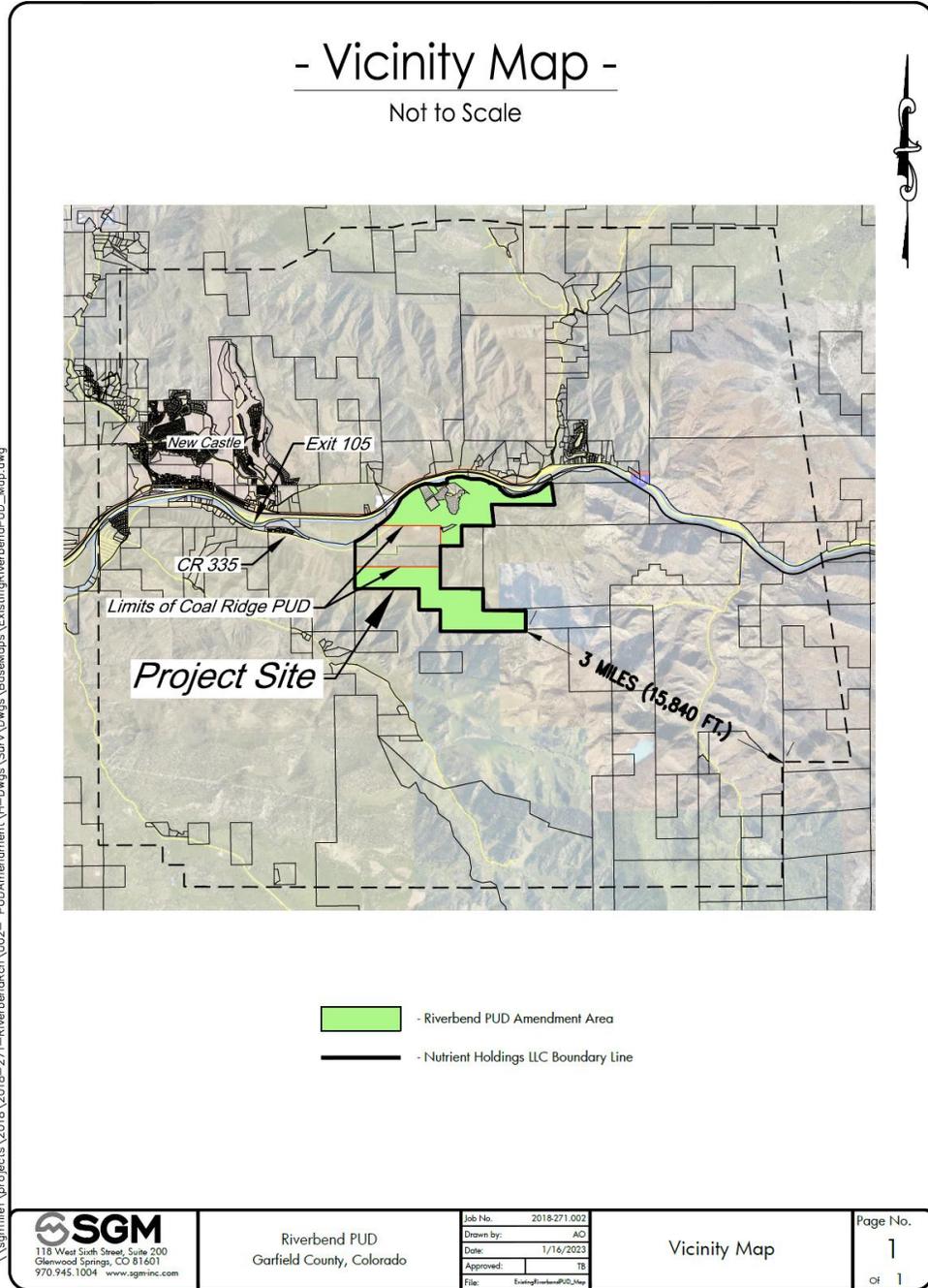
All the subject Properties were acquired in November of 2018 via a series of special warranty deeds from NGIC Financial to APB Holdings LLC, a Colorado Limited Liability Company and my client's initial property holding company. This chain of title is reflected in the Title Commitment materials submitted as part of the subject Nutrient Farm Planned Unit Development (PUD) and Revocations of the Coal Ridge and Riverbend Planned Unit Development Applications.

However, for business reasons, the title in the collective Properties' interests was subsequently conveyed from APB Holdings LLC to Nutrient Holdings LLC, on January 28, 2021, again via Special Warranty Deeds – reception nos. 949446 through 949449. Nutrient Holdings LLC is the Applicant for the PUD and Revocations Applications, and as a Colorado LLC has the right and authority to hold and develop real property in the state of Colorado.

Accordingly, the Property owner of the Nutrient Farms Property, Nutrient Holdings LLC, is also the Applicant and the proponent of the proposals. Nutrient's sibling, Nutrient Incorporated, will also run all the business and agricultural operations on the Property. I do hope this letter sheds some light on the chain of title and ownership interests in the subject Property. If there are any further questions or concerns, we are happy to promptly respond.

# Appendix B.9 – List of Names and Mailing Addresses of All Property Owners within the Riverbend PUD Amendment Area and Map

Nutrient Holdings LLC  
 PO Box 560  
 New Castle, CO 81647





PARCELNB	ACCOUNTNB	OWNER	CAREOFNAME	OWNERADDRE	OWNERCITY	OWNERSTATE	OWNERZIP
212334430019	R083306	RIVERBOAT DRIVE LOT 8 LLC		PO BOX 1989 GLENWOOD SPRINGS, CO 81602	GLENWOOD SPRINGS	CO	81602
212334430020	R083307	RIVERBOAT DRIVE LOT 8 LLC		PO BOX 1989 GLENWOOD SPRINGS, CO 81602	GLENWOOD SPRINGS	CO	81602
212334401001	R017062	WELLER, STEPHEN F		80 DONEGAN ROAD GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
212334401010	R017053	KRICK, JON ROBERT & LESLIE JEAN		91 RIVER BEND DRIVE NEW CASTLE, CO 81647-9777	NEW CASTLE	CO	81647-9777
212334401003	R017094	HILBORN, RYAN & REBEKKA		9496 COUNTY ROAD 335 NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334401004	R017102	PACHECO, PHILLIP A & JEANNETTE M		21 RIVER BEND DRIVE NEW CASTLE, CO 81647-9777	NEW CASTLE	CO	816479777
212334401005	R017076	BJORK, JEREMIAH & JULIA		23 PINION RUN NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334401006	R017004	SHAW, BRIAN LEE & SEPTEMBER		41 PINION RUN NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334401007	R017007	SANDOVAL, JUVENAL LEDEZMA		64 PINION RUN NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334401008	R017078	DUCCLO, JAY A & TINKER E J		48 PINON RUN NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334401009	R017136	PIHL, ROGER A & HOLLY D JOINT REV LIVING TRUST		24 PINON RUN NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334402001	R017110	WORTON, DOUGLAS SCOTT & WORTON, SHEILA VICTORIA		9620 COUNTY ROAD 335 NEW CASTLE, CO 81647-9654	NEW CASTLE	CO	81647-9654
212334402002	R017016	QUEVEDO, GUSTAVO EDILBERTO & ELLIOTT, SAMUEL MARTIN		9602 COUNTY ROAD 335 NEW CASTLE, CO 81647-9686	NEW CASTLE	CO	816479686
212334402003	R017003	BARTEL, WILLIAM J		9580 COUNTY ROAD 335 NEW CASTLE, CO 81647-9654	NEW CASTLE	CO	81647-9654
212334402004	R017106	KUNKLE, WENDY C & GLENN H		9552 COUNTY ROAD 335 NEW CASTLE, CO 81647-9654	NEW CASTLE	CO	81647-9654
212334402005	R017101	HAYCOCK, ROY A		50 RIVERBEND DRIVE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334402006	R017022	COLBY, KALEN J & WESLEY J		250 COUNTY ROAD 127, TRLR 8 GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
212334402007	R017144	PACHECO, MARY		84 RIVER BEND DRIVE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334403001	R017126	CASTORINA, MICAH ANTHONY & MARILYN		161 GLEN EAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334403003	R017125	HANCHETT, KEVIN E & ANNETTE M		113 GLEN EAGLE CIRCLE NEW CASTLE, CO 81647-9446	NEW CASTLE	CO	81647-9446
212334403005	R017123	VAN ENGELENBURG, RANDY & VICTORIA A		59 GLEN EAGLE CIRCLE NEW CASTLE, CO 81647-9767	NEW CASTLE	CO	81647-9767
212334403006	R017105	BOLLING, PACE WALKER & EDWARD CHRISTOPHER		29 GLEN EAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647

212334404001	R017028	SCOTT, MICHAEL D & EVELINA A		162 RIVER BEND DRIVE NEW CASTLE, CO 81647-9776	NEW CASTLE	CO	816479776
212334404010	R017121	HEISER, ALLEN J & DALICE L		128 GLENEAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334404011	R017120	COLLINGE, ZACHARY A & JENNA		100 GLEN EAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334404012	R017119	MILLER, JASON L & TIFFANIE R		72 GLEN EAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334404013	R017118	ROMAIN, IAN M & GAYLE A		32 GLENEAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334404002	R017029	FELLER, ALEX KEYTH		192 RIVERBEND DRIVE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334404003	R017030	KAISER, JEFFREY R & BRENDA S		220 RIVER BEND DRIVE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334404004	R017031	BAKER, RONALD E		349 GLENEAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334404005	R017032	SPANGLER, STEVEN		720 GRAND AVENUE GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
212334404006	R017033	HOLSTEIN, ARIEL ALYSSA		305 GLEN EAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334404007	R017034	SEYMOUR, JOHN A & LOPEZ HARBURU, MARIA V		277 GLEN EAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334404008	R017035	HUNTER, TODD ALLEN & JULIE ANN		227 GLENEAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334404009	R017122	MITCHELL, RAYMOND ROYCE JR & ANDREA LEE		156 GLENEAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334405001	R017036	VAN ROEKEL, DAVID J & CATHLEEN C		291 RIVER BEND DRIVE NEW CASTLE, CO 81647-9777	NEW CASTLE	CO	81647-9777
212334405010	R017045	LINDSTROM, TIMOTHY		182 GLEN EAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334405002	R017037	LEINTZ, KIRK A		263 RIVERBEND DRIVE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334405003	R017038	GALLEGOS, MELIANO JOE		370GLENEAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334405004	R017039	SMITH, TYLER J & SAMANTHA L		364 GLEN EAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334405005	R017040	JONES, THOMAS W & DINA M		PO BOX 620 NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334405006	R017041	COWAN, JESSE & SHELBY		306 GLENEAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334405007	R017042	WALTENBURG, JESSICA		278 GLENEAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334405008	R017043	BILODEAU, LEANN		560 RIVER VIEW DRIVE, UINT 704 NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334405009	R017044	MOORE, DELBERT L		198 GLEN EAGLE CIRCLE NEW CASTLE, CO 81647-9412	NEW CASTLE	CO	816479412

212334330017	R170405	RIVERBEND WATER & SEWER COMPANY		PO BOX 1989 GLENWOOD SPRINGS, CO 81602	GLENWOOD SPRINGS	CO	81602
212334330018	R170409	RIVERBEND FILING #5 HOMEOWNERS ASSN,INC		PO BOX 1989 GLENWOOD SPRINGS, CO 81602	GLENWOOD SPRINGS	CO	81602
212334330001	R170389	MCFARLIN, WILLIAM L & WENDY S		11 RIVERBOAT DRIVE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334330010	R170398	GARRISON, CRYSTAL M & JACOB		139 RIVERBOAT DRIVE NEW CASLTE, CO 81647	NEW CASLTE	CO	81647
212334330011	R170399	GARCIA, ANGEL C & BERTHA E		159 RIVERBOAT DRIVE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334330012	R170400	BOTTROFF, DAVID S & JEANNE E		181 RIVERBOAT DRIVE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334330013	R170401	HEIKKILA, WRYAN & ILIANA		12 RIVERBOAT DRIVE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334330014	R170402	MACFARLANE, PATRICK & VICTORIA		178 RIVERBOAT DRIVE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334330015	R170403	HANSON, JARED & MOLLY		152 RIVERBOAT DRIVE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334330016	R170404	CHAVEZ, PAULINA & PAVON ESTACIO, HERNAN		34 RIVER BOAT DRIVE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334330002	R170390	CROOK, CRAIG A & TINA M		31 RIVERBOAT DRIVE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334330003	R170391	AYALA VILLAMAN, LORETO		55 RIVERBOAT AVENUE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334330004	R170392	RB HOMES, INC		PO BOX 1989 GLENWOOD SPRINGS, CO 81602	GLENWOOD SPRINGS	CO	81602
212334330005	R170393	RB HOMES, INC		PO BOX 1989 GLENWOOD SPRINGS, CO 81602	GLENWOOD SPRINGS	CO	81602
212334330006	R170394	RB HOMES, INC		PO BOX 1989 GLENWOOD SPRINGS, CO 81602	GLENWOOD SPRINGS	CO	81602
212334330007	R170395	RIVERBOAT DRIVE LOT 7 LLC		PO BOX 1989 GLENWOOD SPRINGS, CO 81602	GLENWOOD SPRINGS	CO	81602
212334330009	R170397	RB HOMES, INC		PO BOX 1989 GLENWOOD SPRINGS, CO 81602	GLENWOOD SPRINGS	CO	81602



 Nutrient Holdings LLC Property  
 Riverbend PUD Parcels

 **SGM**  
 118 W. Sixth St., Suite 200  
 Glenwood Springs, CO 81601  
 970.945.1004  
[www.sgm-inc.com](http://www.sgm-inc.com)

**Draft** Nutrient Farm  
 Riverbend PUD

Date:	12/2/2022	Job No.	2018-271.002	Map by:	SGM
Coordinate System:	NAD_1983 StatePlane_Colorado_Central_FIPS_0502_Ft_US		Projection:	Lambert Conformal Conic	
Data Sources:	Garfield County, ESRI, SGM		Page:		
File:	\\sgmfile1\Projects\2018\2018-271-Riverbend\2022-PUDAmendment\H-Dwgs\GIS\MXDs\MailingList\MailingListWork_221201.aprx				
The information displayed above is intended for general planning purposes. Refer to legal documentation/data sources for descriptions/locations.					

0 300 600 Feet

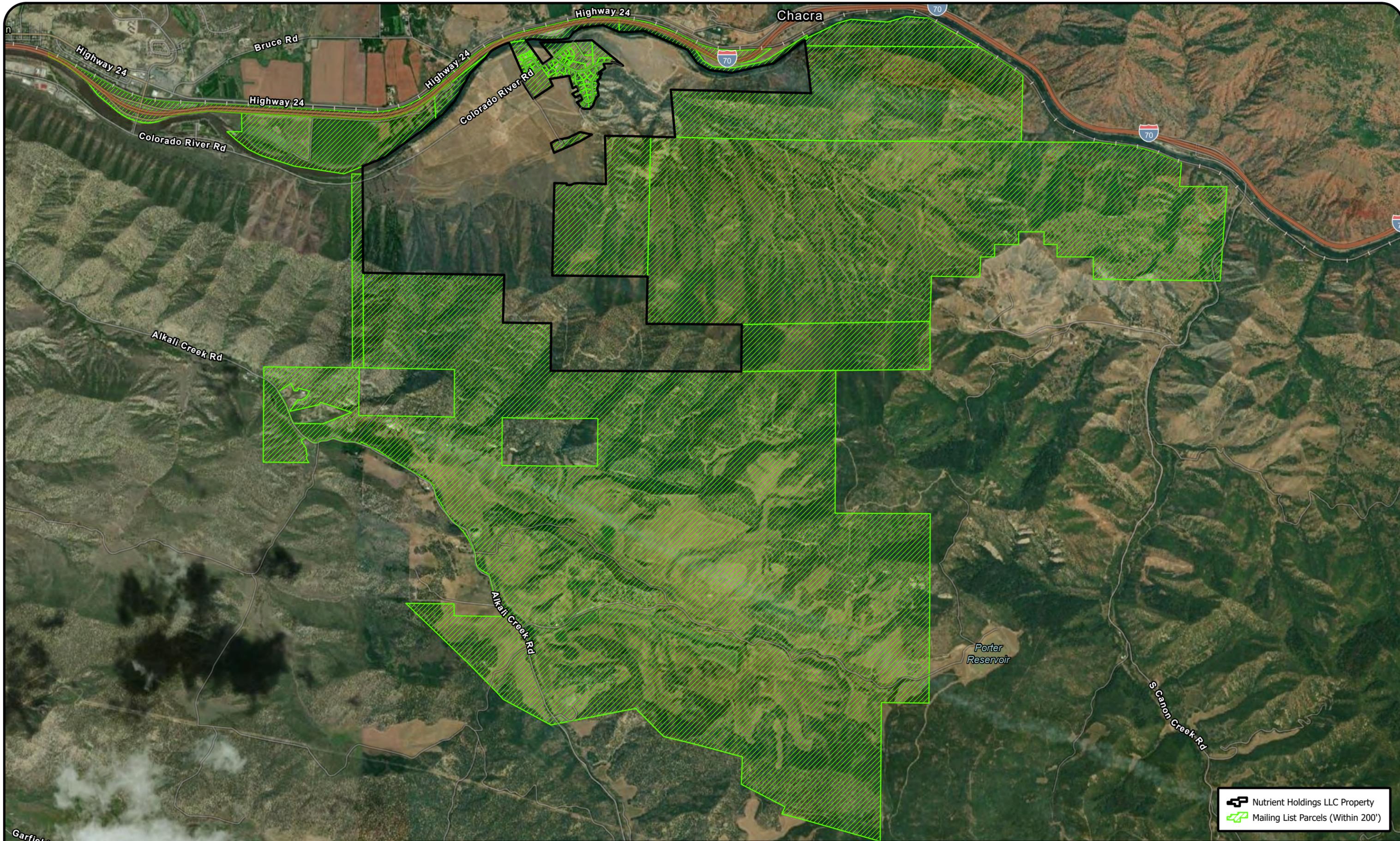


PARCELNB	ACCOUNTNB	OWNER	CAREOFNAME	OWNERADDRE	OWNERCITY	OWNERSTATE	OWNERZIP
218309100954	R170320	BUREAU OF LAND MANAGEMENT	COLORADO RIVER VALLEY FIELD OFFICE	2300 RIVER FRONTAGE ROAD SILT, CO 81652	SILT	CO	81652
218305200063	R170298	LAKE, CHRISTOPHER M & MORRISON-LAKE, KELLY M		PO BOX 313 NEW CASTLE, CO 81647-0313	NEW CASTLE	CO	81647-0313
212536402021	R017074	MARIN, ALEJANDRO HERRERA & TORIBIO, ALICIA GONZALEZ		144 PEAR COURT NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212536402041	R017103	VALENZE, NICHOLAS & SQUILLANTE, NATALIE		443 APPLE DRIVE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212536402023	R017024	DIAZ JIMENEZ, GEORGINA ELIZABETH		127 PEAR COURT NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212536402040	R017077	SCHOONOVER, JEFF		429 APPLE DRIVE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334405010	R017045	LINDSTROM, TIMOTHY		182 GLEN EAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334405009	R017044	MOORE, DELBERT L		198 GLEN EAGLE CIRCLE NEW CASTLE, CO 81647-9412	NEW CASTLE	CO	816479412
212334403001	R017126	CASTORINA, MICAH ANTHONY & MARILYN		161 GLEN EAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334405011	R082776	RIVERBEND FILING #2 HOMEOWNERS ASSN, INC		PO BOX 1989 GLENWOOD SPRINGS, CO 81602	GLENWOOD SPRINGS	CO	81602
212334405008	R017043	BILODEAU, LEANN		560 RIVER VIEW DRIVE, UINT 704 NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334403003	R017125	HANCHETT, KEVIN E & ANNETTE M		113 GLEN EAGLE CIRCLE NEW CASTLE, CO 81647-9446	NEW CASTLE	CO	81647-9446
212334405007	R017042	WALTENBURG, JESSICA		278 GLENEAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334405006	R017041	COWAN, JESSE & SHELBY		306 GLENEAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334403005	R017123	VAN ENGELBURG, RANDY & VICTORIA A		59 GLEN EAGLE CIRCLE NEW CASTLE, CO 81647-9767	NEW CASTLE	CO	81647-9767
212334405005	R017040	JONES, THOMAS W & DINA M		PO BOX 620 NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334405004	R017039	SMITH, TYLER J & SAMANTHA L		364 GLEN EAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334401007	R017007	SANDOVAL, JUVENAL LEDEZMA		64 PINION RUN NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334401008	R017078	DUCLO, JAY A & TINKER E J		48 PINON RUN NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334330001	R170389	MCFARLIN, WILLIAM L & WENDY S		11 RIVERBOAT DRIVE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334400004	R017243	GARFIELD COUNTY SCHOOL DISTRICT RE-2		839 WHITERIVER AVENUE RIFLE, CO 81650-3515	RIFLE	CO	81650-3515
212334401010	R017053	KRICK, JON ROBERT & LESLIE JEAN		91 RIVER BEND DRIVE NEW CASTLE, CO 81647-9777	NEW CASTLE	CO	81647-9777

212334330002	R170390	CROOK, CRAIG A & TINA M		31 RIVERBOAT DRIVE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334330003	R170391	AYALA VILLAMAN, LORETO		55 RIVERBOAT AVENUE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334330012	R170400	BOTTROFF, DAVID S & JEANNE E		181 RIVERBOAT DRIVE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334330004	R170392	RB HOMES, INC		PO BOX 1989 GLENWOOD SPRINGS, CO 81602	GLENWOOD SPRINGS	CO	81602
212334330005	R170393	RB HOMES, INC		PO BOX 1989 GLENWOOD SPRINGS, CO 81602	GLENWOOD SPRINGS	CO	81602
212334330011	R170399	GARCIA, ANGEL C & BERTHA E		159 RIVERBOAT DRIVE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334330010	R170398	GARRISON, CRYSTAL M & JACOB		139 RIVERBOAT DRIVE NEW CASLTE, CO 81647	NEW CASLTE	CO	81647
212334330009	R170397	RB HOMES, INC		PO BOX 1989 GLENWOOD SPRINGS, CO 81602	GLENWOOD SPRINGS	CO	81602
212334406001	R017055	RUPLE, JOSIAH COLLINS III & MEREDITH ANNA & MARINA DONA		9573 COUNTY ROAD 335 NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334407001	R170345	HEIBERGER, CHRISTOPHER P		9680 COUNTY ROAD 335 NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334330017	R170405	RIVERBEND WATER & SEWER COMPANY		PO BOX 1989 GLENWOOD SPRINGS, CO 81602	GLENWOOD SPRINGS	CO	81602
218304300961	R080934	BUREAU OF LAND MANAGEMENT	COLORADO RIVER VALLEY FIELD OFFICE	2300 RIVER FRONTAGE ROAD SILT, CO 81652	SILT	CO	81652
218305300951	R170317	BUREAU OF LAND MANAGEMENT	COLORADO RIVER VALLEY FIELD OFFICE	2300 RIVER FRONTAGE ROAD SILT, CO 81652	SILT	CO	81652
212336300953	R080933	BUREAU OF LAND MANAGEMENT	COLORADO RIVER VALLEY FIELD OFFICE	2300 RIVER FRONTAGE ROAD SILT, CO 81652	SILT	CO	81652
212336200027	R080595	STATE OF COLORADO DEPARTMENT OF HIGHWAYS		4201 E ARKANSAS AVENUE DENVER, CO 80222-3406	DENVER	CO	80222-3406
212334300057	R030071	FARM NEW CASTLE LLC		2429 COUNTY ROAD 39 MEEKER, CO 81641	MEEKER	CO	81641
212334403006	R017105	BOLLING, PACE WALKER & EDWARD CHRISTOPHER		29 GLEN EAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334405003	R017038	GALLEGOS, MELIANO JOE		370GLENEAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334405001	R017036	VAN ROEKEL, DAVID J & CATHLEEN C		291 RIVER BEND DRIVE NEW CASTLE, CO 81647-9777	NEW CASTLE	CO	81647-9777
212334407003	R170347	SPANGLER, STEVEN		720 GRAND AVENUE GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
218101400232	R084816	HOGBACK LLC		109 SHAVANO DRIVE ASPEN, CO 81611	ASPEN	CO	81611
218317100064	R170309	PORTER, B F & M E LLLP		51975 AMBER ROAD DELTA, CO 81416	DELTA	CO	81416
212333300025	R013202	FARM NEW CASTLE LLC		2429 COUNTY ROAD 39 MEEKER, CO 81641	MEEKER	CO	81641

212334404009	R017122	MITCHELL, RAYMOND ROYCE JR & ANDREA LEE		156 GLENEAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334404008	R017035	HUNTER, TODD ALLEN & JULIE ANN		227 GLENEAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334404010	R017121	HEISER, ALLEN J & DALICE L		128 GLENEAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334404007	R017034	SEYMOUR, JOHN A & LOPEZ HARBURU, MARIA V		277 GLEN EAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334404011	R017120	COLLINGE, ZACHARY A & JENNA		100 GLEN EAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334404006	R017033	HOLSTEIN, ARIEL ALYSSA		305 GLEN EAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334404012	R017119	MILLER, JASON L & TIFFANIE R		72 GLEN EAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334404005	R017032	SPANGLER, STEVEN		720 GRAND AVENUE GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
212334404004	R017031	BAKER, RONALD E		349 GLENEAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334401006	R017004	SHAW, BRIAN LEE & SEPTEMBER		41 PINION RUN NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334330013	R170401	HEIKKILA, WRYAN & ILIANA		12 RIVERBOAT DRIVE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334401009	R017136	PIHL, ROGER A & HOLLY D JOINT REV LIVING TRUST		24 PINON RUN NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334401001	R017062	WELLER, STEPHEN F		80 DONEGAN ROAD GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
212334330014	R170402	MACFARLANE, PATRICK & VICTORIA		178 RIVERBOAT DRIVE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334330016	R170404	CHAVEZ, PAULINA & PAVON ESTACIO, HERNAN		34 RIVER BOAT DRIVE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334401005	R017076	BJORK, JEREMIAH & JULIA		23 PINION RUN NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334330015	R170403	HANSON, JARED & MOLLY		152 RIVERBOAT DRIVE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334401003	R017094	HILBORN, RYAN & REBEKKA		9496 COUNTY ROAD 335 NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334401004	R017102	PACHECO, PHILLIP A & JEANNETTE M		21 RIVER BEND DRIVE NEW CASTLE, CO 81647-9777	NEW CASTLE	CO	816479777
212334402006	R017022	COLBY, KALEN J & WESLEY J		250 COUNTY ROAD 127, TRLR 8 GLENWOOD SPRINGS, CO 81601	GLENWOOD SPRINGS	CO	81601
212334330018	R170409	RIVERBEND FILING #5 HOMEOWNERS ASSN,INC		PO BOX 1989 GLENWOOD SPRINGS, CO 81602	GLENWOOD SPRINGS	CO	81602
212334402005	R017101	HAYCOCK, ROY A		50 RIVERBEND DRIVE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334402007	R017144	PACHECO, MARY		84 RIVER BEND DRIVE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647

212334330006	R170394	RB HOMES, INC		PO BOX 1989 GLENWOOD SPRINGS, CO 81602	GLENWOOD SPRINGS	CO	81602
212334402004	R017106	KUNKLE, WENDY C & GLENN H		9552 COUNTY ROAD 335 NEW CASTLE, CO 81647-9654	NEW CASTLE	CO	81647-9654
212334330007	R170395	RIVERBOAT DRIVE LOT 7 LLC		PO BOX 1989 GLENWOOD SPRINGS, CO 81602	GLENWOOD SPRINGS	CO	81602
212334430019	R083306	RIVERBOAT DRIVE LOT 8 LLC		PO BOX 1989 GLENWOOD SPRINGS, CO 81602	GLENWOOD SPRINGS	CO	81602
212334430020	R083307	RIVERBOAT DRIVE LOT 8 LLC		PO BOX 1989 GLENWOOD SPRINGS, CO 81602	GLENWOOD SPRINGS	CO	81602
212334402003	R017003	BARTEL, WILLIAM J		9580 COUNTY ROAD 335 NEW CASTLE, CO 81647-9654	NEW CASTLE	CO	81647-9654
212334402002	R017016	QUEVEDO, GUSTAVO EDILBERTO & ELLIOTT, SAMUEL MARTIN		9602 COUNTY ROAD 335 NEW CASTLE, CO 81647-9686	NEW CASTLE	CO	816479686
212334402001	R017110	WORTON, DOUGLAS SCOTT & WORTON, SHEILA VICTORIA		9620 COUNTY ROAD 335 NEW CASTLE, CO 81647-9654	NEW CASTLE	CO	81647-9654
212334404013	R017118	ROMAIN, IAN M & GAYLE A		32 GLENEAGLE CIRCLE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334404001	R017028	SCOTT, MICHAEL D & EVELINA A		162 RIVER BEND DRIVE NEW CASTLE, CO 81647-9776	NEW CASTLE	CO	816479776
212334404002	R017029	FELLER, ALEX KEYTH		192 RIVERBEND DRIVE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334404003	R017030	KAISER, JEFFREY R & BRENDA S		220 RIVER BEND DRIVE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334406002	R017054	THOMPSON, MARY H		9682 COUNTY ROAD 335 NEW CASTLE, CO 81647-9654	NEW CASTLE	CO	81647-9654
212334405002	R017037	LEINTZ, KIRK A		263 RIVERBEND DRIVE NEW CASTLE, CO 81647	NEW CASTLE	CO	81647
212334407002	R170346	ALEXANDER, J MARK & SUSAN M		9681 COUNTY ROAD 335 NEW CASTLE, CO 81647-9655	NEW CASTLE	CO	81647-9655



Garfield Creek Rd

**SGM**  
 118 W. Sixth St., Suite 200  
 Glenwood Springs, CO 81601  
 970.945.1004  
 www.sgm-inc.com

**Draft** Nutrient Farm  
 Mailing List Parcels

Date:	12/2/2022	Job No.	2018-271.002	Map by:	SGM
Coordinate System:	NAD_1983 StatePlane_Colorado_Central_FIPS_0502_Ft_US		Projection:	Lambert Conformal Conic	
Data Sources:	Garfield County, ESRI, SGM				
File:	\\sgmfile1\Projects\2018\2018-271-RiverbendRch\002-PUDAmendment\H-Dwg\GIS\MXD\Map\List\MailingListWork_221201\MailingListWork_221201.aprx				
The information displayed above is intended for general planning purposes. Refer to legal documentation/data sources for descriptions/locations.					



Nutrient Holdings LLC Property  
 Mailing List Parcels (Within 200')



**CERTIFICATION OF MINERAL OWNER RESEARCH**

*This form is to be completed and submitted with **any** application for a Land Use Change Permit.*

Mineral interests may be severed from surface right interests in real property. C.R.S. § 24-65.5-101, *et seq*, requires notification to mineral owners when a landowner applies for an application for development from a local government. As such, the landowner must research the current owners of mineral interests for the property.

The Garfield County Land Use and Development Code of 2013 (“LUDC”) Section 4-101(E)(1)(b)(4) requires written notice to owners of mineral interests in the subject property in accordance with C.R.S. § 24-65.5-101, *et seq*, “as such owners can be identified through the records in the office of the Clerk and Recorder or Assessor, or through other means.” This form is proof of applicant’s compliance with the Colorado Revised Statutes and the LUDC.

**The undersigned applicant certifies that mineral owners have been researched for the subject property as required pursuant to C.R.S. § 24-65.5-101, *et seq*, and Section 4-101 (E)(1)(b)(4) of the Garfield County Land Use and Development Code, as amended. As a result of that research, the undersigned applicant certifies the following (Please initial on the blank line next to the statement that accurately reflects the result of research):**

I own the entire mineral estate relative to the subject property; or

Minerals are owned by the parties listed below

The names and addresses of any and all mineral owners identified are provided below (attach additional pages as necessary):

<b>Name of Mineral Owner</b>	<b>Mailing Address of Mineral Owner</b>
Michael Webster. O'Shaughnessy	1921 E 4th Ave. Denver, CO 80206-4101
Daniel J. O'Shaughnessy	4880 S. Franklin Street Englewood, CO 80113-7036
Daniel J. O'Shaughnessy	1110 E. Layton Ave. Englewood, CO 80113-7036
Robert E. Zimmerman	6200 Valley Forge Dr. Houston, TX 77057
ZRC Minerals, LP	1616 S. Voxx Rd., Ste. 875 Houston, TX 77057-2631
ZRC Minerals, LP	P.O. Box 570174 Houston, TX 77257-0174
Earl J. Tuttle, Ellis A. Tuttle	449 E. 500 S. Manti, UT 84642

**I acknowledge I reviewed C.R.S. § 24-65.5-101, *et seq*, and I am in compliance with said statute and the LUDC.**

  
 \_\_\_\_\_  
**Applicant's Signature**

3-26-2020  
 \_\_\_\_\_  
**Date**



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I own the entire mineral estate relative to the subject property; or

Minerals are owned by the parties listed below

The names and addresses of any and all mineral owners identified are provided below (attach additional pages as necessary):

Name of Mineral Owner	Mailing Address of Mineral Owner
Wayne K. Tuttle, Ruth J. Tuttle	823 S. Carterville Rd. Orem, UT 84097-6643
Tim M. Tuttle, Ruth Ann C. Tuttle	4573 W. 500 N Fillmore, UT 84631-5567
Lana Tuttle Nielson, Kay Nielson	4263 S. Jummer Way, Unit 319 Salt Lake City, UT 84107-2394
Sheri Kay T. Thueson, Greg B. Thueson	1876 W. Crooked Stick Dr. Eagle, ID 83616-6742
Sheri Kay Thueson	6003 W. Overland Rd., Ste. 101 Boise, ID 83709-3073
Gerald E. O'Shaughnessy	851 N Tara Ln., Apt. N Wichita, KS 67206-1833
Gerald E. O'Shaughnessy	5555 W. 78th St., Ste. M Minneapolis, MN 55439-2702

**I acknowledge I reviewed C.R.S. § 24-65.5-101, *et seq*, and I am in compliance with said statute and the LUDC.**

  
 \_\_\_\_\_  
**Applicant's Signature**

3-26-2020  
 \_\_\_\_\_  
**Date**



## CERTIFICATION OF MINERAL OWNER RESEARCH

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The undersigned applicant certifies that mineral owners have been researched for the subject property as required pursuant to C.R.S. § 24-65.5-101, *et seq*, and Section 4-101 (E)(1)(b)(4) of the Garfield County Land Use and Development Code, as amended. As a result of that research, the undersigned applicant certifies the following (*Please initial on the blank line next to the statement that accurately reflects the result of research*):

I own the entire mineral estate relative to the subject property; or

Minerals are owned by the parties listed below

The names and addresses of any and all mineral owners identified are provided below (attach additional pages as necessary):

Name of Mineral Owner	Mailing Address of Mineral Owner
Vessels Coal Gas, Inc.	730 17th Street Suite 510 Denver, CO 80202

I acknowledge I reviewed C.R.S. § 24-65.5-101, *et seq*, and I am in compliance with said statute and the LUDC.

  
Applicant's Signature

3-26-2020  
Date

4. We reviewed the title to the property at the Garfield County Clerk and Recorder's office and determined the following owners may own a portion of the minerals under the subject property:

Michael Webster. O'Shaughnessy 1921 E 4 <sup>th</sup> Ave. Denver, CO 80206-4101	Tim M. Tuttle Ruth Ann C. Tuttle 4573 W. 500 N Fillmore, UT 84631-5567
Daniel J. O'Shaughnessy 4880 S. Franklin Street 1110 E. Layton Ave. Englewood, CO 80113-7036	Lana Tuttle Nielson Kay Nielson 4263 S. Jummer Way, Unit 319 Salt Lake City, UT 84107-2394
Robert E. Zimmerman 6200 Valley Forge Dr. Houston, TX 77057	Sheri Kay T. Thueson Greg B. Thueson 1876 W. Crooked Stick Dr. Eagle, ID 83616-6742
ZRC Minerals, LP 1616 S. Voxx Rd., Ste. 875 Houston, TX 77057-2631	Sheri Kay Thueson 6003 W. Overland Rd., Ste. 101 Boise, ID 83709-3073
ZRC Minerals, LP P.O. Box 570174 Houston, TX 77257-0174	Gerald E. O'Shaughnessy 851 N Tara Ln., Apt. N Wichita, KS 67206-1833
Earl J. Tuttle Ellis A. Tuttle 449 E. 500 S. Manti, UT 84642	Gerald E. O'Shaughnessy 5555 W. 78 <sup>th</sup> St., Ste. M Minneapolis, MN 55439-2702
Wayne K. Tuttle Ruth J. Tuttle 823 S. Carterville Rd. Orem, UT 84097-6643	Vessels Coal Gas, Inc. 730 17 <sup>th</sup> Street Suite 510 Denver, CO 80202

5. We spoke with Casey at the Garfield County Assessor's office. The Assessor's office indicated they have no record of mineral owner accounts for the Property.

Applicant acknowledges that it has reviewed C.R.S. § 24-65.5-101, *et seq*, and it is in compliance with said statute and the LUDC. This satisfies our obligations under Colorado law and the County's Code. We look forward to working through this application with your office.

Sincerely,

BALCOMB & GREEN, P.C.