



**REVOCATION OF THE
COAL RIDGE PLANNED UNIT DEVELOPMENT
NARRATIVE**

NUTRIENT HOLDINGS LLC

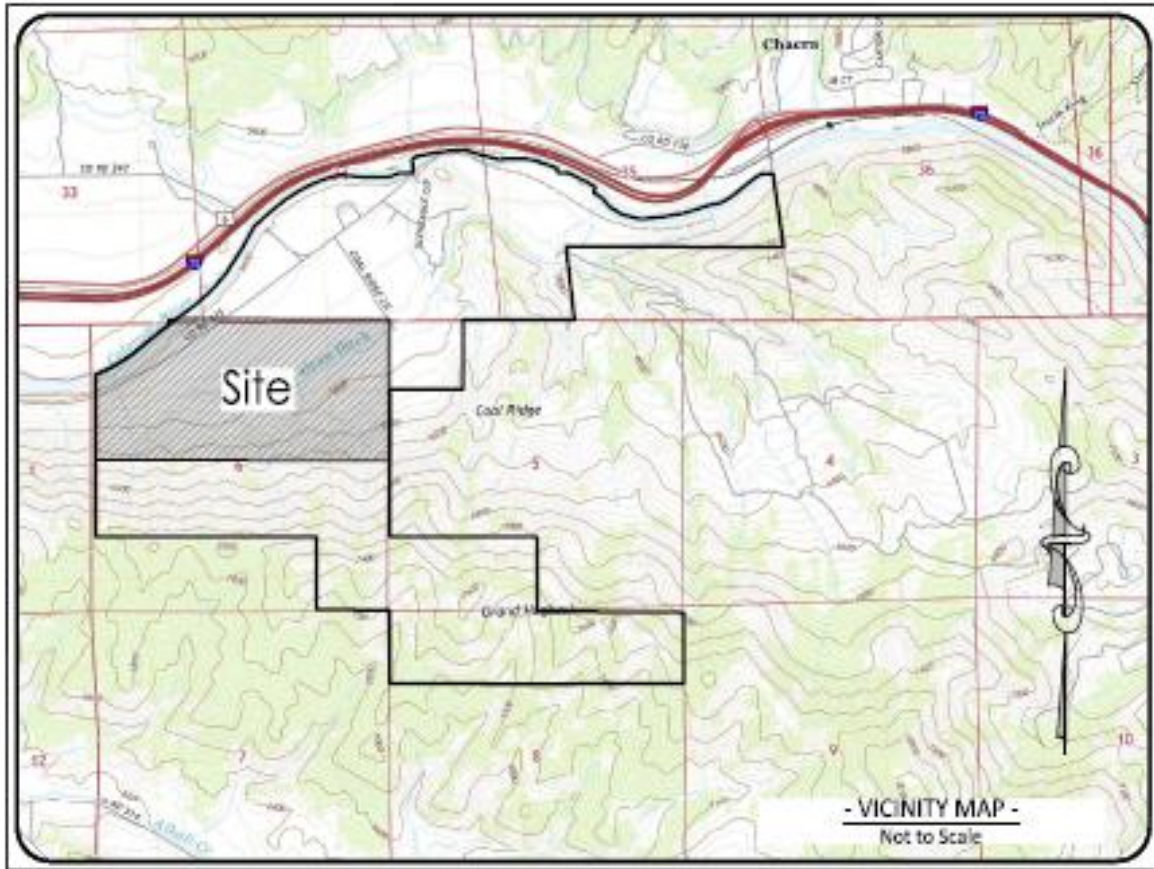
October 2022

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REVOCATION OF THE COAL RIDGE PLANNED UNIT DEVELOPMENT

LOCATION OF THE COAL RIDGE PLANNED UNIT DEVELOPMENT AREA IN RELATION TO THE ORIGINAL RIVERBEND PLANNED UNIT DEVELOPMENT AREA



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All the above Team Members have degrees and/or professionally licensed and certified in their respective fields and qualified to practice in Colorado and prepare the documents contained within this submittal package. Any necessary stamps/certifications have been included on/in the applicable maps and documents.

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A. LIST OF APPLICATION SUBMITTAL MATERIALS

Table 6-301. of the Garfield County Land Use and Development Code (“LUDC”) does not contain specific information on the formal submittal requirements for a PUD revocation request. Thus, per the Pre-Application Conference Summary and November 22, 2022 Letter the following materials have been provided:

Pre-Application Conference Summary	Appendix A
November 22, 2022 Letter from Glenn Hartmann (NFPUDNTC Letter)	Appendix A.1
General Application Materials (4-203.B.):	Appendix B
• Land Use Change Permit Application Form	Appendix B.1
• Statement of Authority (Reception No. 981220)	Appendix B.2
• Letter of Authorization	Appendix B.3
• Evidence of Ownership – Special Warranty Deed – Land (Reception No. 949446)	Appendix B.4
• Evidence of Ownership – Special Warranty Deed – Mineral Rights (Reception No. 949447)	Appendix B.5
• Evidence of Ownership – Title Commitment Commonwealth Title Company of Garfield County, Inc. File No. 2103068	Appendix B.6
• Nutrient Holdings LLC – Articles of Organization and Statement of Change Changing the Principal Office Address	Appendix B.7
• Memo – Chain of Title	Appendix B.8
• List of Names and Mailing Addresses of all Property Owners in the Coal Ridge PUD and Map. *Updated list to be generated 30 days prior to the hearing dates per 4-101.E. of the LUDC	Appendix B.9
• List of Names and Mailing Addresses of all Property Owners in the Riverbend PUD Amendment Area and Map. *Updated list to be generated 30 days prior to the hearing dates per 4-101.E. of the LUDC	Appendix B.10
• List of Names and Mailing Addresses of all Property Owners in the Remaining Riverbend PUD Area. *Updated list to be generated 30 days prior to the hearing dates per 4-101.E. of the LUDC	Appendix B.11
• Map of All Property Owners in the Remaining Riverbend PUD Area	Appendix B.12
• List of Names and Mailing Addresses of all Property Owners within 200’ of the Nutrient Holdings Property/Nutrient Farms PUD Area. *Updated list to be generated 30 days prior to the hearing dates per 4-101.E. of the LUDC	Appendix B.13
• Map of All Property Owners within 200’ of the Nutrient Holdings Property/Nutrient Farms PUD Area	Appendix B.14
• Certificate of Mineral Owner Research and List of Names and Mailing Addresses of all Mineral Estate Owners and Lessees within the Subject Site. *Updated list to be generated 30 days prior to the hearing dates per 4-101.E. of the LUDC	Appendix B.15
• Fees – Payment Agreement Form. (A \$300 base fee is provided, and it is understood that Nutrient Holdings LLC will be charged \$40.50/hour for Plan Review.)	Appendix B.16

• General Project Description	Narrative
• Vicinity Map. (Reduction. 8"x11" showing three mile radius.)	Appendix C
Additional Submittal Materials:	
• November 17, 1983, April 25, and May 11, 1984 Letters from Mark Bean and Janell Kenzie	Appendix D
• Preliminary Map of the Riverbend Planned Unit Development	Appendix E
• Resolution No. 84-261 – Modifying the Riverbend PUD to the Coal Ridge PUD and Approval of its Plan. (Includes Legal Description.)	Appendix F
• Coal Ridge PUD Plan Map – Per County Website. (Reduction. Full size bound separately.)	Appendix G
• Coal Ridge Legal Description	Appendix H
• Sopris Engineering Survey (May 25, 2011)	Appendix I
• Nutrient Farm PUD Plan Map. (Reduction. Full size bound separately.)	Appendix J
• Map – Nutrient Holdings Property Overlaid on Original Preliminary Map of the Riverbend Planned Unit Development	Appendix K
• Map – Coal Ridge PUD Boundaries Overlaid on Nutrient Holdings Property/Proposed Nutrient Farm PUD Boundaries. (Reduction. Full size bound separately.)	Appendix L
• Overlay Map – Riverbend PUD and Coal Ridge PUD Boundaries Overlaid on Nutrient Holdings Property/Proposed Nutrient Farm PUD Area. (Reduction. Full size bound separately.)	Appendix M
• Phase III Bond Release and Termination of Jurisdiction Report	Appendix N

B. OVERVIEW OF THE REQUEST AND BACKGROUND

This proposal is submitted on behalf of the subject Property Owner, Nutrient Holdings LLC, (“Owner/Developer”). The Owner/Developer is requesting approval for the revocation of the entire existing and antiquated Coal Ridge Planned Unit Development (“PUD”) concurrently with the approval of the proposed Nutrient Farm PUD for the property. A separate application has been submitted for the Nutrient Farm PUD request, as well as a separate application to amend a portion of the existing Riverbend PUD owned by Nutrient Holdings. The area of this vacation request and the Riverbend PUD Amendment request correspond with the total proposed Nutrient Farm PUD area and the property owned by Nutrient Holdings. No properties owned by others are included in any of these three requests.

The Nutrient Holdings property is located between the Town of New Castle and Glenwood Springs, and to the south of Interstate 70 (“I-70”) and the Colorado River. The property is bisected by County Road (“CR”) 335/Colorado River Road and consists of four parcels, containing approximately 1,136 acres. (Assessor’s records Parcel ID Numbers are: 2123-344-00-005, 2123-344-00-007, 2123-353-00-081, 2183-053-00-086, and 2183-061-00-057. Per our surveyor’s research, the five Assessor’s parcels were combined and re-organized into four parcels in the property’s formal legal description contained in the title work and property deeds, prior to the present property Owner acquiring these parcels. The following shows how each Assessor Parcel ID Number relates to the title commitment and warranty deeds:

- Assessor Parcel ID Number 2123-344-00-005 is part of Parcel B;
- Assessor Parcel ID Number 2123-344-00-007 is part of Parcel B;
- Assessor Parcel ID Number 2123-353-00-081 is all of Parcel A and part of Parcel B;
- Assessor Parcel ID Number 2183-053-00-086 is all and only Parcel D; and
- Assessor Parcel ID Number 2183-061-00-057 is all of Parcel C and part of Parcel B.

Thus, portions of Assessor Parcel ID Numbers 2183-061-00-057 and 2183-053-00-086 contain the Coal Ridge PUD area and also contain portions of the Riverbend PUD area since the Coal Ridge PUD area was never formally subdivided. (A map has been provided illustrating the location of the various Assessor Parcel ID numbers on the Nutrient Holding property and the location of the Coal Ridge PUD Revocation and Riverbend PUD Amendment areas.)

The Nutrient Holdings property has historically been used for crop production and grazing and continues to be used as such by Nutrient Holdings. The long established Vulcan Ditch runs through the property and other agricultural improvements such as sheds, greenhouses, fences, gates, ditches, and dirt roads exist. There is one existing single-family home to the south of Riverbend Filing No. 2.

The Coal Ridge PUD is almost four decades old. It was approved by the Board of County Commissioners (“BOCC”) on December 27, 1984, with Resolution No. 84-261. The Resolution approved a request by Storm Kings Mines, Inc. to modify the western 292 acre portion of the

Riverbend PUD for the Coal Ridge PUD. (Resolution No. 84-261 has been attached which includes a legal description of the property. The Coal Ridge PUD Map found on the County's website has also been included for reference.)

The original Riverbend PUD area reaches back almost 50 years to a Sketch Plan that was reviewed and approved by the BOCC on June 26, 1973. The Sketch Plan and materials from that time show a 617 residential dwelling unit community containing an outdoor education center, riding stables, open space, pasture, and a demonstration cattle ranch on approximately 1,180 acres. A Preliminary Plat for Riverbend was reviewed and approved by the Planning Commission on January 14, 1974. The Sketch Plan and associated Preliminary Plat approval pre-dated the County's adoption of its Zoning regulations. Thus, when the developer later requested a modification to the approved subdivision, the County required that the subdivision request be accompanied by a formal PUD Zoning application in order to meet the County's new zoning regulations. Those modifications were reviewed and approved as the Riverbend PUD in January 1977 by the BOCC with Resolution No. 77-2.

The Preliminary Map of the Riverbend Planned Unit Development dated August 1976 drawn by Scarrow and Walker and the associated Declaration of Protective Covenants for Riverbend, Garfield County, Colorado received by the County on August 4, 1976, became the demonstrative documents for the Riverbend PUD. Mark Bean, then Senior Planner for Garfield County, indicated such documents, and the County's written acknowledgement of the same, would so control in his April 13 and April 25, 1984 letters to Sam Arentz of Storm King Mines. (These letters have been attached as well as a May 11, 1984 letter from Janell Kenzie, representing Storm King Mines, further describing these documents, and questioning them as they were neither signed nor recorded.)

Per his April 25, 1984 Letter to Mr. Arentz, Mr. Bean states as follows:

Dear Sam:

Please consider this letter to be confirmation for the County Attorney's Office and Department of Development position regarding the zoning of the Storm King Mines property. As noted on April 13, 1984, the following documents will be considered the controlling documents for the Riverbend P.U.D.:

- 1. The approved P.U.D. Plan Map as required by Section 4.08.05(2) of the Zoning Resolution is a map entitled, "PRELIMINARY MAP OF THE RIVERBEND PLANNED UNIT DEVELOPMENT," dated August, 1976 and prepared by Scarrow and Walker, Inc.*
- 2. The P.U.D. zoning text, as required by Section 4.08.05(2)(H) of the Zoning Resolution, is contained in the "Declaration of Protective Covenants for Riverbend, Garfield County, Colorado" and received by the Garfield County Planner on August 4, 1976, as a part of the P.U.D. rezoning and Preliminary Plan application.*

It was at this time that the Riverbend P.U.D. was created and the above referenced documents correspond in time to the time that Resolution No. 77-2 was signed....

The Preliminary Map has a number of land use designations depicted as well as specific information on the Development Areas and Notes. The Preliminary Map shows a 376 acre open space/agricultural area adjacent to CR 335 and surrounded by future development blocks for at least 198 residential units (118 single-family and 80 multi-family units), a 10 acre school site, a 0.33 acre commercial site for a convenience store, park/playground, stable, infrastructure areas (i.e., sewage treatment facility, storage tank, etc.), and common areas. Documents from that time indicate the open space/agricultural land area was to function as a working ranch and sufficient water rights existed for it. The 1180.83 acre property was shown to be divided into 11 development blocks, including the open space/agricultural land area, and common areas backing up to the mountains. Hamilton Duncan, the owner/developer, envisioned the PUD as homes for local working families and anticipated build-out of Riverbend in five phase within 10 years. However, to date, only a few of the residential areas shown on the map have been subdivided and developed with homes. The PC 4/12/95 and BOCC 6/5/95 Staff Reports for PUD Zone District and Text Amendment of the Riverbend PUD and Sketch Plan for the Riverbend by the River Subdivision (which later became Filing No. 5) relay this same history, specifically references the Preliminary Map, and acknowledges the 198 residential units of density.

The existing Riverbend PUD is approved for at least 198 residential units—118 single-family units and 80 multi-family units. (The Notes on the Preliminary Map indicate that the 80 multi-family units may be developed as multi-family units or single-family units.) The Preliminary Map contains a number of Notes discussing the residential development of the property—the location, type (i.e., single-family or multi-family), the size of the residential lots, as well as utility easements and public street dedications. The Preliminary Map shows residential lots in the existing Riverbend Subdivisions Filing Nos. 1 and 2 locations (designated as Phases I, II, and III on the Preliminary Map) and additional lots extending to the southwest along the foothills of Coal Ridge. According to the Preliminary Map and its Notes, these areas were to be developed as single-family lots of a “1/2 acre more or less.” These areas contain 70 single-family lots in Blocks 7-10 and were to be developed in Phase IV of the Riverbend PUD but were never subdivided. The 80 multi-family/single-family units were shown on the northeastern portion of the property, adjacent to the Colorado River, in Block 6. They were to be developed in Phase V, but that subdivision phase also did not take place. Thus, according to the Preliminary Map, at least 70 single-family lots on the southwest portion of the property backing up to the Grand Hogback in Blocks 7-10 and 80 multi-family/single-family lots on Block 6 adjacent to the Colorado River have yet to be developed. (Please refer to the Riverbend PUD Amendment Narrative for more information about the Preliminary Map.)

Again, to date, only a few of the residential areas shown on the Preliminary Map have been subdivided and developed with homes by the original owner/developer—Riverbend Subdivision Filing Nos. 1 and 2 and the Riverbend Ranchettes. The remainder of the property subject to the

PUD was sold off in the early 1980's. Some of the PUD areas were developed by others in a different manner than planned—the Cedar Ridge Subdivision, Riverbend Filing No. 5, the Matthies Exemption, and the Coal Ridge PUD. In 1984, Storm King Mines received approval to modify approximately 292 acres of the undeveloped western portion of the Riverbend PUD into the Coal Ridge PUD. (The Coal Ridge PUD area encompasses some portions of Blocks 8, 9, and 10—the Phase IV residential subdivisions, a portion of the open space/agricultural land, and a portion of the common areas.) The Coal Ridge PUD allowed for a coal mine, heavy industrial support facilities, as well as residential and agricultural uses in it. The Coal Ridge PUD contains three types of development districts Common Open Space, Transition, and Heavy Industrial. Agricultural was a By-Right Use in both the Transition and Heavy Industrial Districts, and a single-family dwelling was also a By-Right Use in the Transition District.

The Coal Ridge Common Open Spaces areas are generally located on the hillside and between CR 335 and the Colorado River and were intended for the use and enjoyment of the owners, occupants, and employees of the PUD. They allowed for the then existing on-site uses as well as future uses such as utility lines, substations, power/water utilities, water impoundments, storage of agricultural materials, public gatherings, recreational facilities, and park shelter including maintenance facilities.

The Transition Areas are located directly to the south of CR 335 and allow for a variety of utilities, as well as agricultural uses and a single-family dwelling. The utilities include such improvements as, “Utility lines not greater than 68 KV, and facilities and municipal structures to serve existing and industrial needs, such as pipelines, powerline, sub-stations, conveyors, ditches, roads, underground water and sewer facilities, and easements.”

The Heavy Industrial Districts are located behind/south of the Transition Areas. A minimum lot size of two acres and a maximum lot coverage of 85% is specified. No number of buildings or square footage limitations were specified. Agricultural and utilities were By Right Uses and include, “Utility lines and facilities and municipal structures to serve existing and industrial needs such as pipelines, powerlines, sub-stations, conveyors, ditches, road, water and sewer facilities, and easements.”

Beyond these particular, intensive uses, according to the PUD, additional Special Uses encompass several rather expansive and very intensive uses, such as the following:

Heliport with support facilities, mine salvage yard, yards for layout of storage, temporary structures for housing, office or storage when approved as part of an extractive operation.

Plant for fabrication of goods from processed natural resources; material handling, pumping facilities, electoral distributions, warehouse facilities/staging areas, fabrication areas, storage areas, water impoundments, access routes, utility lines over 69KV, pipelines.

Sites for extraction, processing, and storage of natural resources, including mines, shafts, pits, storage points, and boreholes for coal, oil and gas, geothermal and other minerals, water, sand, gravel, rock, soil, explosives, chemicals, and fuel.

Railroad corridor for spur or branch lines serving agricultural/industrial sites; radio and/or television transmission and receiving facility (not general broadcast), wholesale/retail sale of coal.

According to the staff report and other submittal documents from the time of the PUD adoption, development of the mine in Coal Ridge was to take place in nine phases with the goal of producing 2.2 million tons of coal annually. Retail and wholesale production and conveyance of coal was allowed, as well as a railroad spur onto the property to transport the coal off-site. The Coal Ridge PUD Amendment staff report did not contain any analysis of the proposal in relation to the existing Riverbend PUD (i.e., uses, density, open space, etc.). Rather, it focused on the proposed mining activities of the Coal Ridge PUD in relation to the Comprehensive Plan and potential impacts to neighboring properties. That PUD was highly contested by the neighboring property owners and the community, with numerous concerns articulated ranging from decreased property values, additional truck traffic, air, water, and noise pollution, to compromised safety, and the general visual aspect of the project. Invariably, the subject property area of the Coal Ridge PUD was originally envisioned for a highly intensive operation that would be predominately industrial in nature. That operation was reflected in the PUD and thereby wrapped into the vision for the area, despite the protestations of the adjacent community.

In 1986, Coal Ridge mining operations began with two exploratory holes drilled into the hillside and the construction of sediment control improvements. However, no coal seams were reached, and the operation ceased the following year. The portals were sealed and backfilled, and all disturbed areas reclaimed and revegetated to the satisfaction of the Colorado Division of Reclamation, Mining and Safety according to their Phase III Bond Release and Termination of Jurisdiction Report. (A copy of the Phase III Bond Release and Termination of Jurisdiction Report has been included in this submittal package.) Roads were developed on the property in connection with the mining activities. Those roads still exist and will be utilized/improved in the forthcoming Nutrient Farm PUD in the interests of efficiency and minimizing impacts and new disturbance. Invariably, the coal mine operation was never fully developed, yet the PUD remains in place and the intensive uses contemplated therein remain authorized.

Ultimately, essentially the entire property area now planned to be contained within the newly proposed Nutrient Farm PUD has always been planned for rather extensive development—residential, commercial, and even industrial in nature—essentially since the early 1970's with the Riverbend PUD and with the 1984 Coal Ridge PUD. A variety of uses—residential, agricultural, commercial, mining, and heavy industrial activities are all allowed under the existing Riverbend and Coal Ridge PUDs. Of course, the Nutrient Farm PUD as proposed seeks to eliminate the intensive, industrial, and even intense residential nature of the property, and restore that property

to what we believe is its highest and best function—a primarily agricultural and educational operation that embraces the unique physical beauty and function of the area.

In accord with this new vision, we are now seeking to vacate the entire existing Coal Ridge PUD in its entirety, and the intensive nature of uses contemplate therein. Further we seek to modify the remaining portions of the existing Riverbend PUD that are owned by Nutrient Holdings and replace them with the Nutrient Farm PUD. None of the existing residential subdivided lots (vacant or developed) or any other property owned by any third party are included in the boundaries of the PUD request; neither will be any common area, infrastructure, nor any other aspect of the existing residential aspects of Riverbend be affect or compromised by this Nutrient Farm rezoning. (Maps showing the boundaries of the Coal Ridge PUD in relation to the property owned by Nutrient Holdings and the proposed Nutrient Farm PUD boundaries and the original Riverbend PUD area have been included in this submittal package for location reference.) The proposed Nutrient Farm PUD goes back to the original agricultural and light rural residential intent of the Riverbend PUD and is much more compatible, sensitive, and less intense than which is currently allowed under the existing Coal Ridge PUD.

We believe that the very act of elimination of the Coal Ridge PUD, which will proceed concomitantly with the adoption of the Nutrient Farm PUD, is a significant benefit to the adjacent properties and the overall community, and accordingly a significant public benefit of our present PUD proposal. It allows the vision for this property to much more adroitly reflect the vision of the community and the area at this juncture. It also will eliminate, permanently, the very intensive uses once planned for this area and the abundance of impacts that run hand in hand with such anachronistic industrial operations.

C. REVIEW CRITERIA

Section 6-203.A.2. of the LUDC expressly contemplates “Removal or release of a plan provision as stated in C.R.S. § 24-67-106(3).” That statutory provision sets forth, in relevant part, the following:

(3) All those provisions of the plan authorized to be enforced by the county or municipality may be modified, removed, or released by the county or municipality, subject to the following:

(a) No modification, removal, or release of the provisions of the plan by the county or municipality shall affect the rights of the residents, occupants, and owners of the planned unit development to maintain and enforce those provisions at law or in equity as provided in subsection (1) of this section.

(b) Except as otherwise provided in paragraph (b.5) of this subsection (3), no substantial modification, removal, or release of the provisions of the plan by the county or municipality shall be permitted except upon a finding by the county or municipality, following a public hearing called and held in accordance with the provisions of section 24-67-104 (1)(e) that the modification, removal, or release is consistent with the efficient development and preservation of the entire planned unit development, does not affect in a substantially adverse manner either the enjoyment of land abutting upon or across a street from the planned unit development or the public interest, and is not granted solely to confer a special benefit upon any person.

It follows that, per both the LUDC and Colorado law, these statutory criterion serve as the driving standards to consider in order to determine if a removal or release of a PUD is appropriate. In that regard, we address such standards as follows:

- 1. Removal, or release of the provisions of the plan by the county or municipality shall not affect the rights of the residents, occupants, and owners of the planned unit development to maintain and enforce those provisions at law or in equity*

As discussed in detail herein, the entirety of the Coal Ridge PUD is owned by one entity, the applicant on this proposal as well as the associated Nutrient Farm PUD. We have outlined herein our keen interest in rescinding the impactful, industrial type uses and intensive development allowances of the Coal Ridge PUD. Instead, we will overlay the entire area of this PUD with a new PUD that is focused on agriculture, education, and community experience for guests and residents alike. Plainly, our efforts at modification underscore the fact that our rights will not be compromised by this PUD removal or release.

- 2. Removal, or release is consistent with the efficient development and preservation of the entire planned unit development, does not affect in a substantially adverse manner either the enjoyment of land abutting upon or across a street from the planned unit development or the public interest, and is not granted solely to confer a special benefit upon any person.*

Again, in this instance, the removal of the entire Coal Ridge PUD, to be replaced with the Nutrient Farm PUD, instills a more reasonable approach to the efficient use, development, and preservation of the land within the PUD. The intensive impacts of industry and coal mining and other such onerous uses will be replaced by uses which are far more passive and experiential in nature.

The proposed PUD revocation also does not affect in a substantially adverse manner either the enjoyment of land abutting upon or across a street from the planned unit development or the public interest. As discussed, the original Coal Ridge PUD was met with very significant public opposition and concern. Those uses commenced but ultimately failed, yet the approved PUD has left this entire area in limbo indefinitely, as coal mining or other impactful uses could always just recommence. The residential uses in the adjacent areas will not be impacted by this lessened impact and higher preservation associated with the new Nutrient approach—a biodynamic farm with low level uses and very low impacts.

Finally, the revocation is not sought solely to confer a special benefit upon any person. We have stressed that the Coal Ridge PUD is anachronistic, highly impactful, illogical for the area and serves no driving logical or pragmatic purpose at this juncture. The surrounding community never embraced such impactful industrial uses. The present Owner seeks not a special benefit but rather an altered vision for its property that seeks a low impact, biodynamic, high preservation, and low intensity approach for the property—as an experiential and productive farm.

Ultimately all these issues must be considered and deliberated upon at a public hearing. Nonetheless, we are confident that all evidence and testimony at such a hearing will underscore the strong merit and public benefit of not only removing and releasing the entire Coal Ridge PUD, but also replacing that same area with the Nutrient Farm PUD.

Moreover, the revocation of the Coal Ridge PUD satisfies all of the standards for PUD adoption set forth in Section 6-202.C of the LUDC. Of course, this Narrative is specific to a revocation, not an adoption, however, the same logic applies in force. In that light, as the Nutrient Farm PUD application underscores, our overall proposal greatly fosters the following concerns:

1. The standards for the purpose and intent of Section 6-101 are fostered by removing the Coal Ridge PUD and allowing flexible zoning to enable a low impact biodynamic farm.
2. The PUD standards of 6-401. are greatly satisfied by removing the Coal Ridge PUD. Industry is not nearly as contemplative of the County’s Comprehensive Plan as the allowance of a biodynamic farm will be. The impacts of industry do not foster the goals of the PUD standards in the LUDC.
3. The standards of Article 7 are furthered by revoking the Coal Ridge PUD. The new approach to the property will improve access, utility connection, avoidance of natural hazards, preservation of water resources and preservation of open areas. It will further the public interest and abate the potential of significant impacts to the community, particularly adjacent properties.

Perhaps most importantly, Chapter 7 also focuses on the preservation and protection of agricultural lands and operations. The revocation of Coal Ridge will, in turn, greatly enhance the fundamental agricultural character of the area, by removing industrial uses and specifically replacing them with such agriculture. Further, we contemplate a high level biodynamic farm operation that the entire community can experience, enjoy, and learn from. This consideration, alone, underscores the importance of the proposed revocation.

4. Finally, the zoning standards of the LUDC are greatly furthered by the proposed revocation. The zoning standards all contemplate lessening the impacts of the zoning uses allowed, the conformance of the PUD with the general area, and the intensity and impacts of uses mollified when possible. All such goals and standards are well satisfied by revoking the Coal Ridge PUD.

Conclusion

We are requesting that the BOCC revoke the entire undeveloped Coal Ridge PUD in concurrent fashion with the adoption of the now proposed Nutrient Farm PUD. The adoption must necessarily run concurrently with the revocation as we need the new zoning designation to replace the repealed Coal Ridge zoning. Nutrient Holdings owns all of the Coal Ridge PUD area and the remaining portions of the Riverbend PUD in singular ownership, which offers a unique opportunity to make this significant and lasting change to the vision for the area.

All of this subject land is now proposed to be included in the proposed Nutrient Farm PUD. As mentioned before, there will be no direct zoning implications whatsoever to properties owned by others in the Riverbend PUD—developed or vacant. All applicable submittal material has been provided and the notice described in Section 4-101.E. of the LUDC will be provided for the BOCC hearing relating to this PUD vacation request.

We will be glad to provide any further information that may be needed for this application and elaborate upon any aspect of this proposal if requested. Thank you for your time and attention, and we look forward to working with the County on these efforts to change the vision of the area for the good of the community.

D. ADDITIONAL REQUESTED INFORMATION PER NOVEMBER 22, 2022 LETTER

This revised Coal Ridge Revocation request package includes the following additional information in response to the November 22, 2022 Letter's requests. For ease of reference, responses to each request have been provided below or it has been noted where the information has been provided earlier in this Narrative.

Ensure consistency between the multiple applications, legal descriptions, and mapping.

The revisions to this Coal Ridge PUD Revocation request package are consistent with the contents of the Riverbend PUD Amendment and the revised Nutrient Farm PUD submittal packages.

The application needs to address submittal requirements noted below as items #1 - #4.

1. Title Commitments need to be updated to be more current.

The title commitment was updated by Commonwealth Title Company of Garfield County, Inc. on December 6, 2022 and a copy has been included in this submittal package as well as in the accompanying Riverbend PUD Amendment and Nutrient Farm PUD requests' packages.

2. Statement of Authority needs to be recorded.

A Statement of Authority for Nutrient Holdings LLC was recorded on November 10, 2022 with the Garfield County Clerk and Recorder under Reception No. 981220 to ensure proper ownership interests on the subject property was properly implemented and designated. (A copy has been included in this submittal package.) Working with our title insurer and our title counsel, it does not appear that any further statements of authority are required. Nevertheless, if at any juncture it comes to light that some additional or modified statement of authority is needed, we will promptly do so. Of course, in accordance with CRS 38-30-172(6) a statement of authority may be recorded which reaches back to and clarifies or corrects prior transactions or prior statements of authority.

3. A Plat Amendment Application for the Matthies Exemption is needed, or the Application needs to proposed appropriate timing or completions of the Plat Amendment.

The Matthies Exemption Plat was approved by the Garfield County BOCC on November 14, 1994 and recorded in the Garfield County records at Reception No. 471051, over three decades prior to Nutrient Holdings acquiring the subject Nutrient Holdings property. That plat created two parcels, colloquially the Lake Property (owned by the Lakes and not subject to the PUD proposal), and the "Owner's Parcel" for the primary Farm House. In terms of the various PUD proposals at hand, and the alignment and relative sizes and boundaries of these parcels, we have utilized this subject exemption plat for such descriptions, which is the only tool we can use. It does appear that there may be some ambiguity related to Assessor's records and some potential subsequent quit claims deeds that also well preceded Nutrient Holdings' involvement, but we simply cannot speak to the

same within the context of this zoning application. Moreover, we also cannot unilaterally proceed with any plat application that affects property outside of our interests.

Nonetheless, in order to address and resolve any concerns regarding such a plat, we will agree to some sort of condition of review or approval, etc. that notes that if it is properly determined that a plat amendment is needed to the existing Matthies Exemption Plat, we will take prompt, good faith efforts to process such plat in collaboration with the owners of the Lake Parcel prior to recordation of the Nutrient Farm PUD.

4. *Boundary Line Adjustments to address merger of the properties to be aggregated under the Nutrient Farm PUD are needed or the Application needs to proposed appropriate timing for such mergers and/or provide a legal opinion/assessment of this issue.*

As indicated previously, we will not be merging any parcels or adjusting any internal boundary lines within the property prior to the Nutrient Farm PUD review and approval. To proceed with such efforts on the auspice of presuming quasi-judicial approval seems to be placing the proverbial cart before the horse. Moreover, there is no pressing reason or requirement to do so at this juncture, as there is simply no requirement under the LUDC or state law or jurisprudence that would mandate such an effort. In fact, to the contrary, both the LUDC and state law belie any notion that such merger is required.

First, per section 6-101.B. of the LUDC, multiple contiguous parcels are expressly allowed to be included in one proposed PUD, as follows:

Any single parcel of land or contiguous parcels of land comprising a minimum of 2 acres, sufficient to accommodate an integrally planned environment to be developed through a unified plan, is eligible for PUD zoning.

In terms of pragmatic application of this notion, one need to look no further than the Riverbend PUD itself, which of course includes scores of separate properties within it. That PUD, in closer to its present manifestation with various parcels under different ownership, contained therein, has already been subject to several PUD Amendments. We of course have four contiguous parcels here that far exceed two acres in total area, all under one owner (though they need not be). We readily meet the qualifications to proceed with the PUD as proposed.

Further, we point to a Colorado appellate case which has become the seminal case regarding how a PUD may be processed amongst owners of the property within a PUD. In Whatley Ranch v. Summit County, 77 P.3d 793 (2003), the Colorado Court of Appeals noted that a proposed PUD designation may be processed if all owners of property within the proposed PUD sign off on the application. In terms of a PUD Modification, only the directly affected properties within a PUD need sign off on the application to proceed. Any other property owners need only receive notice of the application via the public notice process.

In the present matter, Nutrient Holdings is the owner of all property within the Nutrient Farm PUD—and has of course signed off on the application fully. Nutrient Holdings is also the owner of all property within the Coal Ridge PUD and has signed off accordingly. In regard to the Riverbend PUD Amendment request, we are seeking an amendment only to the PUD area boundaries that exclusively only affects the property that Nutrient Holdings owns. Thus, we are signatories to the application that only affects such properties.

Ultimately, we are happy to explore any future platting or merger that the County feels is necessary or appropriate after the PUD is reviewed and hopefully approved. However, there is no legal mandate, nor any good policy impetus, behind doing so prior to review—when of course quasi-judicial approval is not even in any manner guaranteed.

Updated listing of all property owners within the PUD to be revoked or eliminated.

Nutrient Holdings owns the entire area of the Coal Ridge PUD. There is no other owner as illustrated on the submitted maps and shown metes and bounds legal description. A property owner list with Nutrient Holdings as the sole owner to be notified has been included in this submittal package.

Payment of a \$300 Application Fee.

As requested, an application fee of \$300 is included in this submittal package.

Conclusion to Additional Requested Information per November 22, 2022 Letter

Thank you for this Letter and the opportunity to provide additional information and clarification on the Coal Ridge Revocation request. We believe we have addressed each comment adequately and with practicality. We will be glad to discuss any of these items, and the overall Coal Ridge Revocation request, at Staff's convenience.



PRE-APPLICATION CONFERENCE SUMMARY

DATE:	August 7, 2018 – Update March 20, 2020 – Update #2 – February 12, 2021
TAX PARCEL NUMBER:	218305300086, 218306100057, 212334400005, 212334400007 and 212335300081
PROJECT:	Riverbend PUD – Coal Ridge PUD
OWNER:	Nutrient Holdings LLC
REPRESENTATIVE:	Andy Bruno, Danny Teodoru, Christie Mathews-Leidal
PRACTICAL LOCATION:	Riverbend and Coal Ridge PUD – Between New Castle and Glenwood south of the Colorado River
ZONING:	PUD
TYPE OF APPLICATION:	PUD Revocation
COMPREHENSIVE PLAN:	City of New Castle Urban Growth Area and Residential Medium High

I. GENERAL PROJECT DESCRIPTION

February 12, 2021 Update:

No Land Use and Development Code regulations have changed regarding PUD revocation.

March 20, 2020 Update:

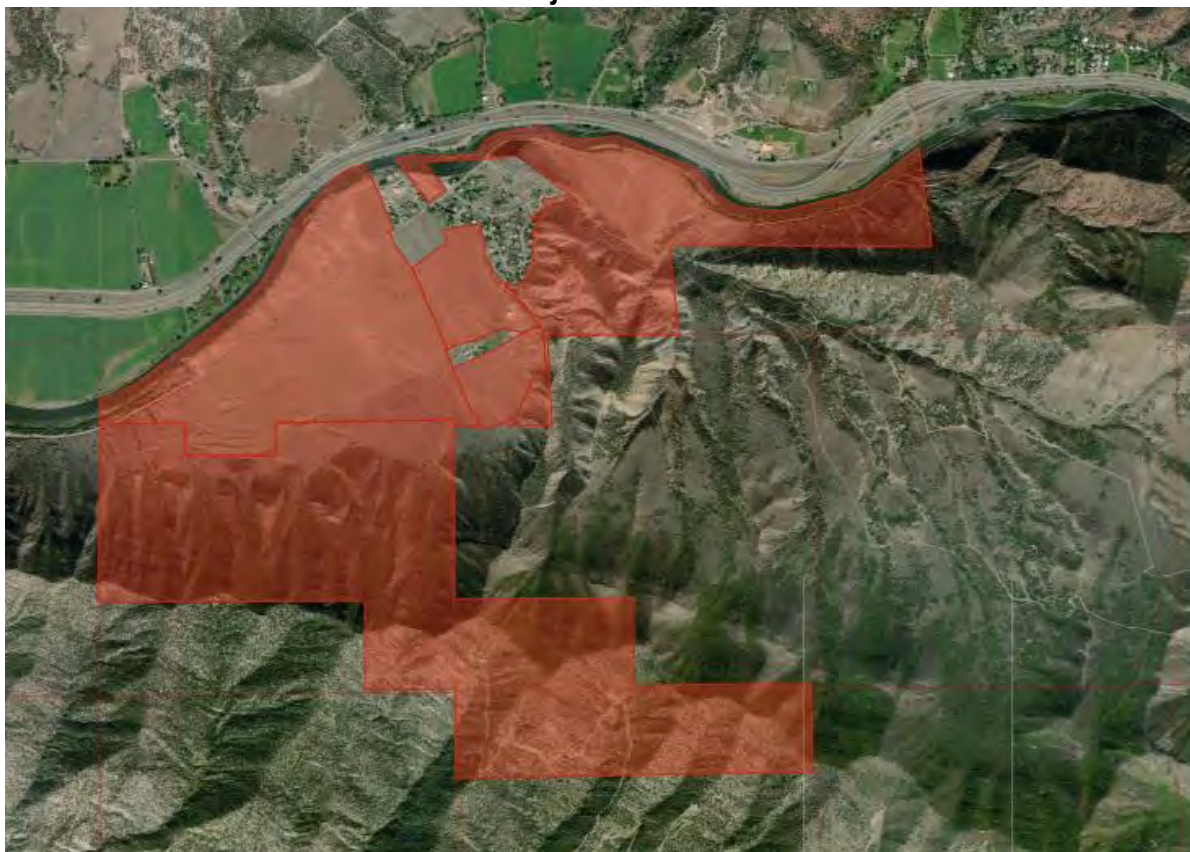
The applicant met with Staff and indicated that the Riverbend plan is generally the same. The Applicant should note that no regulations have changed regarding PUD revocation, however the County has adopted a new Comprehensive Plan.

The applicant is proposing to revoke the existing undeveloped portion of the Riverbend PUD and the Coal Ridge PUD and replace them with a new PUD. This pre-application conference summary deals with the revocation procedure. A separate summary has been provided to the applicant regarding

applying for new PUD zoning. The Community Development Director has determined that this process can be completed concurrently with the request for a new PUD zoning.

The Riverbend PUD has been in place since the 1970's and has been developed in phases since that time. There is a substantial portion of the PUD that has not been developed. The Coal Ridge PUD was approved in 1984 and has not been developed. The applicant is proposing to revoke the PUD zoning for the undeveloped portions of the Riverbend PUD and the entirety of the Coal Ridge PUD. In applying for the process, the remaining developed parcels of the Riverbend Subdivision will maintain their existing Riverbend PUD zoning.

Subject Parcels



II. REGULATORY PROVISIONS APPLICANT IS REQUIRED TO ADDRESS

- Garfield County Comprehensive Plan 2030
- Garfield County Land Use and Development Code, as amended
- Section 6-202 – PUD Zoning (B)(2)(C)(1)

III. PROCESS

Section 6-202(B)2(C)(1) describes the process for revocation of a PUD. It states:

c. If the Applicant does not comply with the time limits imposed by the preceding subsection:

(1) The BOCC shall review the PUD in a noticed Public Hearing and may revoke approval for the incomplete portion(s) of the PUD, or require that the PUD be amended, or extend the time for completion of the PUD; the BOCC must provide notice in the forms described in Section 4-101.E., or

(2) The Applicant may request extension, revocation, or amendment prior to any expiration of approval.

Notice for the BOCC hearing is described in Section 4-101.E and is required to be sent to every property owner in the PUD. This means that at least 30 days prior to the hearing the applicant is required to Publish, Mail and Post notice as required for all property owners within the existing PUD and all Mineral Owners.

IV. SUBMITTAL REQUIREMENTS

The Director has determined that the applicant shall supply the following General Application materials for the revocation application. Please refer directly to Table 6-301 and the list of General Application Materials in section 4-203 for the full description of this information:

- General Application Materials (4-203.B)
 - Application Form (property owner must be applicant)
 - General project description
 - Ownership Documentation – Deed and Title Commitment
 - Statement of Authority or Letter of Authorization, as necessary
 - Fee Payment and Payment Agreement Form
 - Pre-Application Conference Summary
 - Names and addresses of all property owners and mineral owners of record within the PUD.

Submit **three** paper copies and **one** digital copy of the application. Additional copies will be requested upon determination of completeness, if necessary. See the land use code for additional information on submittal requirements.

V. APPLICATION REVIEW

a. Review by: Staff for completeness recommendation and referral agencies for additional technical review

b. Public Hearing: None (Director's Decision)
 Planning Commission
 X Board of County Commissioners
 Board of Adjustment

c. Referral Agencies: May include Garfield County Road and Bridge, Fire Protection District, Town of New Castle, Colorado Department of Transportation, Garfield County Vegetation Management, and Garfield County Designated Engineer.

VI. APPLICATION REVIEW FEES

- a. **Planning Review Fees:** \$ Applicant will be billed at \$40.50/hour
- b. **Referral Agency Fees:** \$ TBD – consulting engineer/civil engineer fees
- c. **Total Deposit:** \$ 0

Disclaimer

The pre-application meeting summary is only valid for six (6) months from the date of the written summary. The foregoing summary is advisory in nature only and is not binding on the County. The summary is based on current zoning, which is subject to change in the future, and upon factual representations that may or may not be accurate. This summary does not create a legal or vested right.

Pre-application Summary Prepared by:



Patrick Waller, Senior Planner

February 12, 2021

Date



MEMORANDUM

TO: Staff
FROM: County Attorney's Office
DATE: June 24, 2014
RE: Mineral Interest Research

Mineral interests may be severed from surface right interests in real property. Colorado revised statute 24-65.5-103 requires notification to mineral owners when a landowner applies for a land use designation by 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 "as such owners can be identified through the records in the office of the Clerk and Recorder or Assessor, or through other means."

It is the duty of the applicant to notify mineral interest owners. The following is a suggested process to research mineral interests:

1. Review the current ownership deed for the property (i.e. Warranty Deed, Special Warranty, Quit Claim Deed or Bargain and Sale Deed—NOT a Deed of Trust). The ownership deed is usually one or two pages. Is there a reservation of mineral interests on the ownership deed? Are there any exceptions to title? A deed may include a list of reservations that reference mineral owners or oil and gas leases.
2. Review your title insurance policy. Are there exceptions to title listed under Schedule B-II? If so, review for mineral interests that were reserved and oil and gas leases.
3. Check with the Assessor's office to determine if a mineral interest has been reserved from the subject property. The Assessor's office no longer documents the mineral reservation ownership for its tax roll records unless ownership has been proven. There are only a limited number of mineral owners who have provided such information to the Assessor's office so this may not provide any information, depending on your property.

MEMO

June 24, 2014

Page 2

4. Research the legal description of the subject property with the Clerk and Recorder's computer. You can search the Section, Township, and Range of the subject property. You may find deeds for mineral interests for the subject property.
5. Research whether a Notice of Mineral Estate Ownership was filed for the subject property. On the Clerk and Recorder's computer, search under Filter (on the right hand side of the screen), General Recordings, Notice of Mineral Estate Ownership for the subject property.
6. If you find mineral interest owners as reservations on your deed, listed in your title insurance policy, from the Assessor's records or the Clerk and Recorder's computer, you need to determine whether these mineral interests were transferred by deed and recorded in the Clerk and Recorder's office.
7. Enter the name of the mineral interest owner as the Grantor in the Clerk and Recorder's computer to see if the mineral interest was transferred. If you find a transfer deed, you need to repeat this process to follow any transfer of the mineral interest to present day.
8. Include a description of your research process in your application and the name(s) and address(es) of the current mineral interest owner(s).

Mineral interest research can be a difficult and time consuming process. If you are unable to determine mineral rights ownership by yourself, consider hiring an attorney or landman. Attorneys and landmen specialize in determining mineral rights ownership, but they charge a fee for their services.



November 22, 2022

Andrew Bruno
Nutrient Holdings LLC
P.O. Box 560
New Castle, CO 81647

Daniel Teodoru, Timberline Partners
P.O. Box 625
Breckenridge, CO 80424

Christie Mathews Leidal
Mathews Leidal, LLC
P.O. Box 4678
Breckenridge, CO 80424

David Kotz, SGM
118 W. Sixth St.
Glenwood Springs, CO 81601

RE: Nutrient Farms PUD Revocation and PUD Application
(PUAA-5-22-8898) (PUDA-5-22-8899)

Dear Andrew, Daniel, Christie and David:

Thank you for your detailed submittals, several meetings, past communication and site visit regarding your submittals. Of note we have also received revised submittals for the revocation application, specific to the Coal Ridge PUD. The following outline and completeness summary sets out the needed next steps for a determination of completeness. They are intended to provide information along with the opportunity for additional questions/answers regarding the unique applications and proposals you are putting forth.

Applications for PUD Revocation of the Coal Ridge PUD and Riverbend PUD

The County was not able to process your applications as submitted as the revocations would eliminate the zoning for a significant number of residential properties that have been developed and built on based on the Riverbend PUD Zoning that you were

proposing to eliminate. This Application needs to be withdrawn and replaced by your current Coal Ridge PUD Vacation request and a revised application requesting an amendment to the Riverbend PUD.

Riverbend PUD

The Application regarding the Riverbend PUD needs to be resubmitted as a PUD Amendment designed to remove from the PUD those portions of the property to be included in a new Application for the Nutrient Farms PUD. Based on review of your submittals, the Director has determined that the amendment will be reviewed as a Substantial Modification. Those portions currently developed with residential uses would remain under the Riverbend PUD Zoning. An initial listing of submittal requirements for the amendment is outlined below:

- A. Updated narrative describing the intent of the PUD Amendment/Substantial Modification.
- B. Mapping and labelling of areas to be retained in the PUD and those being removed, along with legal descriptions
- C. The Application needs to address technical issues noted below as #1 - #4. items.
- D. Copies of the existing PUD Approvals and Resolutions as available.
- E. Copies of the existing PUD Guidelines or applicable interpretations regarding the PUD Guidelines, as available.
- F. Mailing list of all property owners within PUD.
- G. Updated public notice mailing lists and mineral owners lists applicable to this application and the current legal/parcel description.
- H. Updated information on status of infrastructure for the PUD, as proposed to be amended. This needs to include but is not limited to the status of water and wastewater facilities, any road or access issues/updates, ongoing fire protection topics, open space provisions and any other changes in existing conditions relevant to and/or in support of the proposed amendment.
- I. Specific responses to the PUD Review Criteria in Section 6-202(C).
- J. Payment of a \$300 Application Fee

Coal Ridge PUD

Staff's understanding is this PUD can be revoked as it is currently undeveloped. The updated submittals are consistent with this direction, however, clearer mapping and labelling of exhibits along with legal descriptions are needed. A listing of additional submittal requirements is outlined below:

- A. Ensure consistency between the multiple applications, legal descriptions, and mapping.
- B. The Application needs to address the submittal requirements noted below as items #1 - #4.
- C. Updated listing of all property owners within the PUD to be revoked or eliminated.

D. Payment of a \$300 Application Fee.

Nutrient Farms PUD

As noted in previous meetings thanks you for the very detailed and extensive PUD Application submittals. While some technical completeness issues will still need to be addressed the primary need prior to initiating review is the coordination between the three anticipated applications including legal descriptions and mapping to clearly delineate the property to be rezoned into the new PUD. Outlined below are technical completeness items that need to be addressed.

1. Title Commitments need to be updated to be more current.
2. Statements of Authority need to be recorded.
3. A Plat Amendment Application for the Mathias Exemption is needed, or the Application needs to propose appropriate timing for completion of the Plat Amendment.
4. Boundary Line Adjustments to address merger of the properties to be aggregated under the Nutrient Farms PUD are needed or the Application needs to propose appropriate timing for such mergers and/or provide a legal opinion/assessment of this issue.
5. Updated public notice mailing lists and mineral owners lists applicable to this application and the current legal/parcel description.
6. A check or payment to CGS (Colorado Geological Survey) is needed as we will be referring the Application to them for comment.
7. Mapping needs to show legal descriptions for the existing PUD's and proposed PUD. (Note: recent meetings have identified the Sopris Engineering Survey mapping as referenced in your title work as a key document)
8. Specific responses are needed to Article 7, Division 2 Standards including but not limited to Agricultural Lands, Wildlife, Waterbody Protection, Drainage & Erosion, Environment, Natural and Geologic Hazards, and Reclamation.

While not completeness issues the following topics have been identified as key issues that are anticipated to be further considered in the course of the development review process for the Nutrient Farms PUD.

- Section 7-109 Fire Protection and any special considerations for major uses with significant attendance, capacity, and or accessibility issues.
- Floodplain Details associated with the mapped floodplain.
- Traffic Study including larger special events and modelling assumptions. Level of service and impacts on adjacent land uses is key issue.
- Location and size of parking areas including areas for temporary parking.
- Noise Study and receiver locations and/or calculation of noise estimates for key PUD zones.
- Clarification to the PUD Guide and including reference to a number of uses that will require additional Land Use Permitting by the County and some industrial uses and high traffic and noise generating uses.

- Additional information on employee housing including the "bunk house" use will be beneficial.

Once the above completeness issues are addressed, we can complete your referral process and schedule your initial Planning Commission reviews/public hearings. Supplements to the submittals are an effective way to address completeness issues, however, a complete compilation/update of any changes/additions will be needed to facilitate referrals and Planning Commission/Board of County Commissioners review.

Please note that the Garfield County Land Use and Development Code requires that the technical completeness issues be resolved within 60-days of the date of this letter, otherwise the application will be deemed withdrawn unless a request for extension is submitted and approved.

Please feel free to contact me with any questions on the completeness topics noted above or if we need to discuss any of the items.

Sincerely,



Glenn Hartmann
Principal Planner

Appendix B – General Application Materials (4-203.B.)

Appendix B.1	• Land Use Change Permit Application Form
Appendix B.2	• Statement of Authority (Reception No. 981220)
Appendix B.3	• Letter of Authorization
Appendix B.4	• Evidence of Ownership – Special Warranty Deed – Land (Reception No. 949446)
Appendix B.5	• Evidence of Ownership – Special Warranty Deed – Mineral Rights (Reception No. 949447)
Appendix B.6	• Evidence of Ownership – Title Commitment – Commonwealth Title Company of Garfield County, Inc. File No. 2103068
Appendix B.7	• Nutrient Holdings Article of Organization and Statement of Change Changing the Principal Office Address
Appendix B.8	• Memo – Chain of Title
Appendix B.9	• List of Names and Mailing Addresses of all Property Owners in the Coal Ridge PUD and Map. *Updated list to be generated 30 days prior to hearing per 4-101.E. of the LUDC.
Appendix B.10	• List of Names and Mailing Addresses of all Property Owners in the Riverbend PUD Amendment Area and Map. *Updated list to be generated 30 days prior to hearing per 4-101.E. of the LUDC.
Appendix B.11	• List of Names and Mailing Addresses of all Property Owners in the Remaining Riverbend PUD Area. *Updated list to be generated 30 days prior to hearing per 4-101.E. of the LUDC.
Appendix B.12	• Map of all Property Owners in the Remaining Riverbend PUD Area
Appendix B.13	• List of Names and Mailing Addresses of all Property Owners within 200’ of Nutrient Holdings Property/Nutrient Farm PUD Area. *Updated list to be generated 30 days prior to hearing per 4-101.E. of the LUDC.
Appendix B.14	• Map of all Property Owners within 200’ of Nutrient Holdings Property/Nutrient Farm PUD Area
Appendix B.15	• Certificate of Mineral Owner Research and List of Names and Mailing Addresses of all Mineral Estate Owners and Lessees within the Nutrient Holdings property/Nutrient Farm PUD area. *Updated list to be generated 30 days prior to hearing per 4-101.E. of the LUDC.
Appendix B.16	• Fees – Payment Agreement Form
Narrative	• General Project Description



Community Development Department
108 8th Street, Suite 401
Glenwood Springs, CO 81601
(970) 945-8212
www.garfield-county.com

LAND USE CHANGE PERMIT APPLICATION FORM

TYPE OF APPLICATION

<input type="checkbox"/> Administrative Review	<input type="checkbox"/> Development in 100-Year Floodplain
<input type="checkbox"/> Limited Impact Review	<input type="checkbox"/> Development in 100-Year Floodplain Variance
<input type="checkbox"/> Major Impact Review	<input type="checkbox"/> Code Text Amendment
<input type="checkbox"/> Amendments to an Approved LUCP	<input checked="" type="checkbox"/> Rezoning
<input type="checkbox"/> LIR <input type="checkbox"/> MIR <input type="checkbox"/> SUP	<input type="checkbox"/> Zone District <input type="checkbox"/> PUD <input type="checkbox"/> PUD Amendment
<input type="checkbox"/> Minor Temporary Housing Facility	<input type="checkbox"/> Administrative Interpretation
<input type="checkbox"/> Vacation of a County Road/Public ROW	<input type="checkbox"/> Appeal of Administrative Interpretation
<input type="checkbox"/> Location and Extent Review	<input type="checkbox"/> Areas and Activities of State Interest
<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Accommodation Pursuant to Fair Housing Act
<input type="checkbox"/> Pipeline Development	<input type="checkbox"/> Variance
<input type="checkbox"/> Time Extension (also check type of original application)	

INVOLVED PARTIES

Owner/Applicant

Name: Andrew Bruno, Nutrient Holdings LLC Phone: (970) 984-4369
Mailing Address: PO Box 560
City: New Castle State: CO Zip Code: 81647
E-mail: andy@nutrientfarm.com

Representative (Authorization Required)

Name: Daniel Teodoru, Timberline Partners Phone: (970) 485-9998
Mailing Address: PO Box 625
City: Breckenridge State: CO Zip Code: 80424
E-mail: danny@timberlinelaw.com

PROJECT NAME AND LOCATION

Project Name:

Revocation of the Coal Ridge Planned Unit Development (PUD)

Assessor's Parcel Number: - - -

Physical/Street Address: 0 Riverbend Drive, New Castle & unassigned address, New Castle.

Legal Description: Please see submittal package for Special Warranty Deed.

Assessor's Parcel ID Numbers: 2183-053-00-086 & 2183-061-00-057

Zone District: Coal Ridge PUD Property Size (acres): 292 (Approximately)

PROJECT DESCRIPTION

Existing Use: Vacant land consisting of the entire undeveloped Coal Ridge PUD area (approximately 292 acres). Minor agricultural uses,

and associated roads, ditches, ponds, fences, and other improvements exist on the property.

Proposed Use (From Use Table 3-403):

Description of Project: Revocation of the entire Coal Ridge PUD in order to establish the Nutrient Farm PUD.

(Please see the project Narrative for additional background information.)

REQUEST FOR WAIVERS

Submission Requirements

- ☐ The Applicant requesting a Waiver of Submission Requirements per Section 4-202. List:

Section: _____ Section: _____

Section: _____ Section: _____

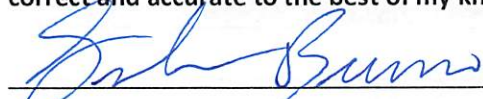
Waiver of Standards

- ☐ The Applicant is requesting a Waiver of Standards per Section 4-118. List:

Section: _____ Section: _____

Section: _____ Section: _____

I have read the statements above and have provided the required attached information which is correct and accurate to the best of my knowledge.



Signature of Property Owner or Authorized Representative, Title

9-29-2022

Date

OFFICIAL USE ONLY

File Number: _____ - _____

Fee Paid: \$ _____



Reception#: 981220
11/10/2022 01:22:58 PM Jean Alberico
1 of 1 Rec Fee:\$13.00 Doc Fee:0.00 GARFIELD COUNTY CO



STATEMENT OF AUTHORITY

Pursuant to C.R.S. §38-30-172, the undersigned executes this Statement of Authority on behalf of Nutrient Holdings LLC, a Colorado (corporation, limited liability company, general partnership, registered limited liability partnership, registered limited liability limited partnership, limited partnership association, government agency, trust or other), an entity other than an individual, capable of holding title to real property (the "Entity"), and states as follows:

The name of the Entity is Nutrient Holdings LLC,
and is formed under the laws of Colorado.
The mailing address for the Entity is PO Box 560, New Castle, Colorado 81647.

The name and/or position of the person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the Entity is Andrew Bruno.

The limitations upon the authority of the person named above or holding the position described above to bind the Entity are as follows (if no limitations, insert "None"): None.

Other matters concerning the manner in which the Entity deals with any interest in real property are (if no other matter, leave this section blank): _____.

EXECUTED this 10 day of January, 2022.

Signature: [Signature]
Name (printed): Andrew Bruno
Title (if any): CEO

STATE OF Colorado)
)SS.
COUNTY OF Garfield)

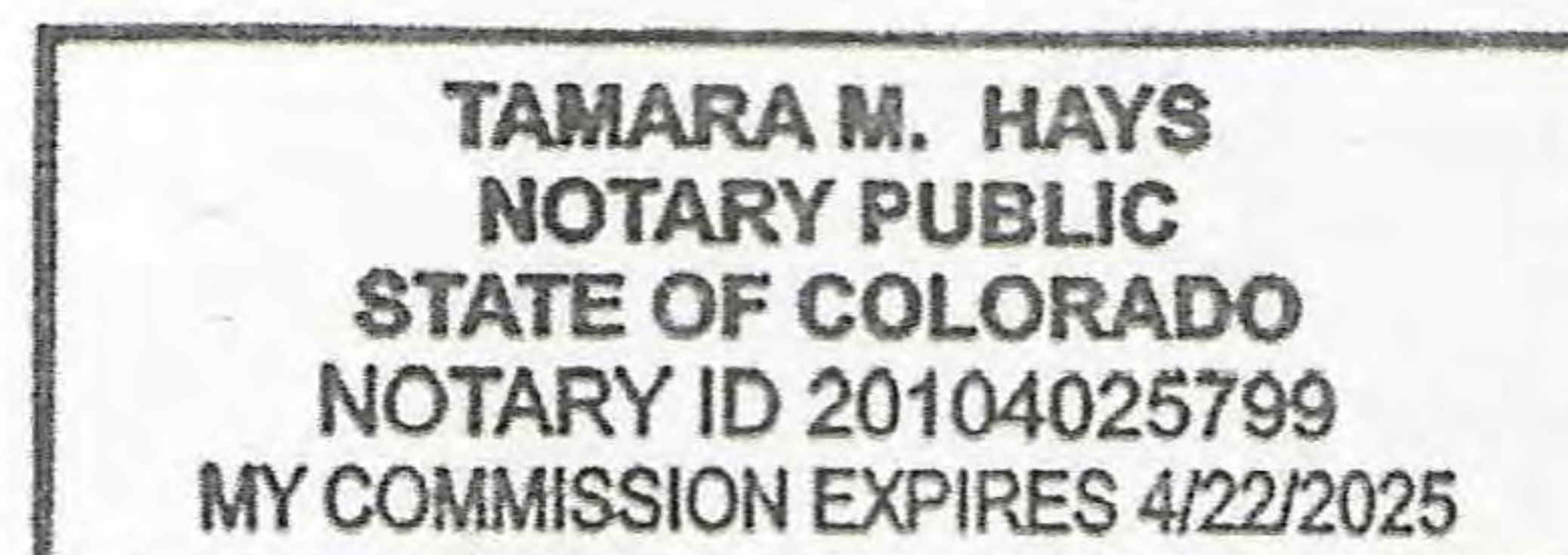
The foregoing instrument was acknowledged before me this 10 day of January, 2022
by Tamara M Hays, on behalf of Andrew Bruno, a
Colorado, LLC.

Witness my hand and official seal.

My commission expires: 2025
(Date)

Tamara M Hays
(Notary Public)

[SEAL]



September 28, 2022

Glenn Hartmann
Garfield County Community Development Department
108 8th Street, #401
Glenwood Springs, Colorado 81601

RE: Letter of Authorization for the Revocation of the Coal Ridge Planned Unit Development

Mr. Hartmann,

Nutrient Holdings LLC is the owner of approximately 1,136 acres of land located on the south side of the Colorado River, bisected by County Road 335/Colorado River Road, near the existing Riverbend subdivisions in Garfield County, Colorado and as more specifically described in attached Exhibit A. This area includes the entire Coal Ridge Planned Unit Development Area. (Please see attached Exhibit B map for location details.)

I, Andrew Bruno, am a Member of Nutrient Holdings LLC and expressly authorize Daniel Teodoru of Timberline Partners, and his agents, to act on behalf of, and represent, Nutrient Holdings LLC regarding all aspects of the application for the above and during the associated review process with Garfield County.

Should you have any questions or need additional information, please feel free to contact me at your convenience at (970) 984-4369 or at andy@nutrientfarm.com.

Sincerely,

Nutrient Holdings LLC


Andrew Bruno, Member

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



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



CURVE TABLE				
CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING
CA	232.58	500.00	37.3225°	112.80042°W
CB	21.50	123.83	81.156°	56.03337°W
CC	20.93	4168.53	0.02802°	182.46335°E

[illegible]

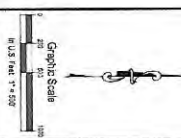
Revision		Date	By
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Notes: According to Colorado Law, you must complete any legal order based upon any of the above orders within any other state or federal court. If you have any legal order based upon any district in the state, be concerned that you be aware for the state of Colorado. If you have any legal order based upon any district in the state, be concerned that you be aware for the state of Colorado.

Nutrient Holdings LLC
Garfield County, Colorado

County Map

Nutrient Holdings LLC
Garfield County, Colorado



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.

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

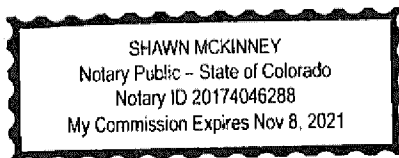
APB Holdings LLC,
a Colorado limited liability company

By: 
Andrew Bruno, its Member

STATE OF COLORADO)
) ss.
COUNTY OF GARFIELD)

The foregoing instrument was acknowledged before me this 26th 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
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 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:

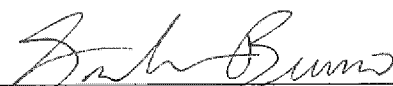
See **Exhibit A**, attached hereto and incorporated herein,

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.

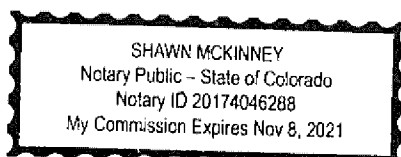
**APB Holdings LLC,
a Colorado limited liability company**

By: 
Andrew Bruno, its Member

STATE OF COLORADO)
) ss.
COUNTY OF GARFIELD)

The foregoing instrument was acknowledged before me this 26th 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 th P.M. Sec. 35: Parcel A [see opinion for detail] T. 6 S., R. 90 W., 6 th P.M. Sec. 6: Parcel C [see opinion for detail]	Parcels A and C
Acquisition Title Opinion dated 05/29/08	T. 5 S., R. 90 W., 6 th P.M. Portions of Sections 33, 34 and 35 T. 6 S., R. 90 W., 6 th P.M. Portions of Sections 5 and 6	Parcel B
Acquisition Title Opinion dated 05/29/08	T. 6 S., R. 90 W., 6 th 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	Parcel D

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**

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
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 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
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](#). (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.



Document must be filed electronically.
Paper documents are not accepted.
Fees & forms are subject to change.
For more information or to print copies
of filed documents, visit www.sos.state.co.us.

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

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)

Timberline Partners LLC

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

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

Document must be filed electronically.
Paper documents are not accepted.
Fees & forms are subject to change.
For more information or to print copies
of filed documents, visit www.sos.state.co.us.

Document number: 20201298003
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

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

(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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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.

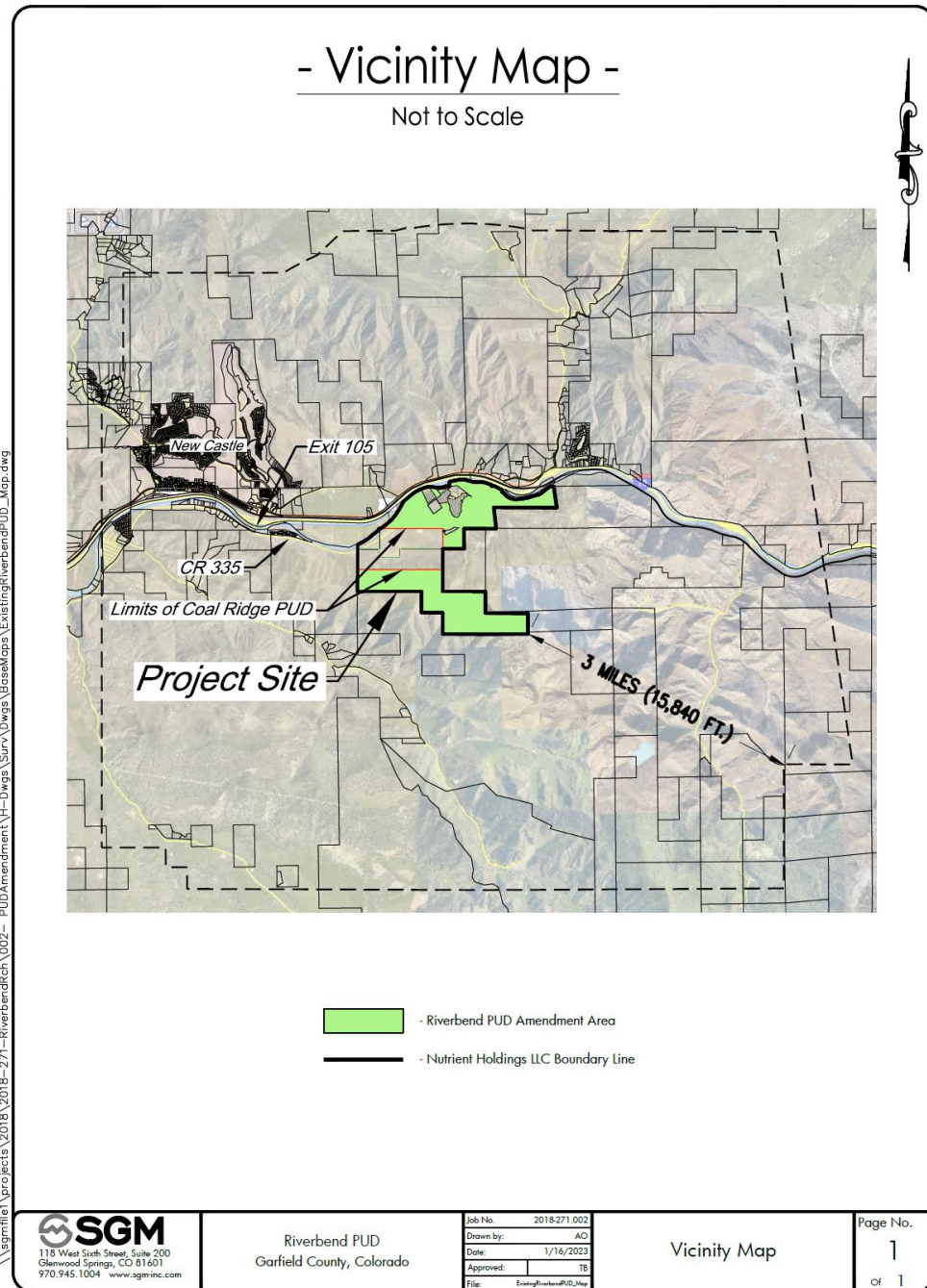
Accordingly, the Property owner of the Nutrient Farms Property, Nutrient Holdings LLC, is also the Applicant and the proponent of the proposals. Nutrient's sibling, Nutrient Incorporated, will also run all the business and agricultural operations on the Property. I do hope this letter sheds some light 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.

Portions of Assessor Parcel ID Numbers: 2183-061-00-057 and 2183-053-00-086:
Nutrient Holdings LLC
PO Box 560
New Castle, CO 81647



Appendix B.10 – 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	DUCLO, 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

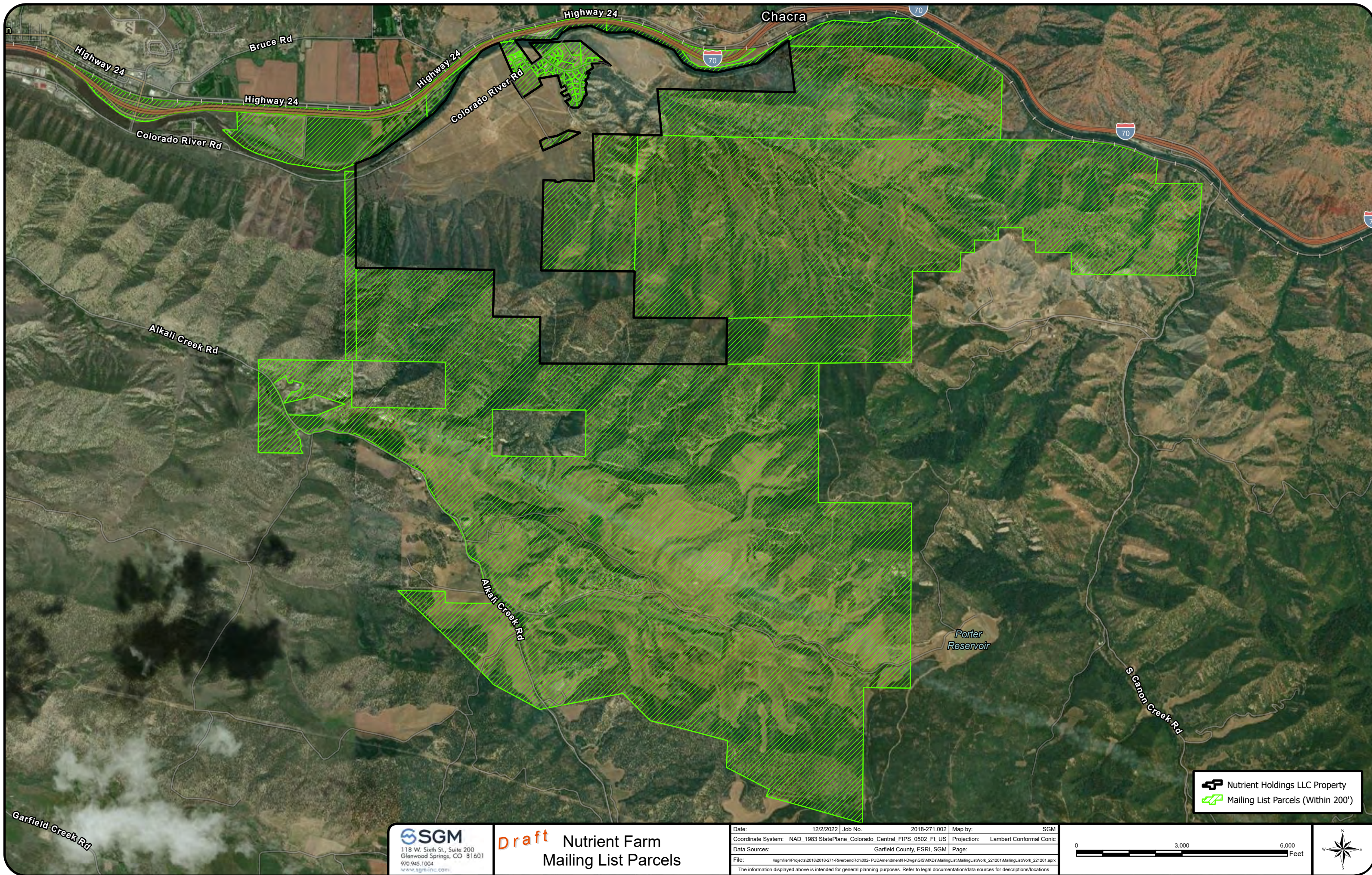




PARCELNB	ACCOUNTNB	OWNER	CAREOFNAME	OWNERADDRE	OWNERCITY	OWNERSTATE	OWNERZIP
218309100954	R170320	BUREAU OF LAND MANAGEMENT	COLORADO RIVER VALLEY FIELD OFFICE	2300 RIVER FRONTAGE ROAD SILT, CO 81652	SILT	CO	81652
218305200063	R170298	LAKE, CHRISTOPHER M & MORRISON-LAKE, KELLY M		PO BOX 313 NEW CASTLE, 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	2300 RIVER FRONTAGE ROAD SILT, CO 81652	SILT	CO	81652
218305300951	R170317	BUREAU OF LAND MANAGEMENT	COLORADO RIVER VALLEY FIELD	2300 RIVER FRONTAGE ROAD SILT, CO 81652	SILT	CO	81652
212336300953	R080933	BUREAU OF LAND MANAGEMENT	COLORADO RIVER VALLEY FIELD	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		370GLEN EAGLE 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



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


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-Dwgs\GIS\MXD\MailingList\MailingListWork_221201\MailingListWork_221201.aprx				
The information displayed above is intended for general planning purposes. Refer to legal documentation/data sources for descriptions/locations.					





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):

Name of Mineral Owner	Mailing Address of Mineral Owner
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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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
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