

February 10, 2021

Garfield County  
Community Development Department  
108 8<sup>th</sup> Street, Ste. 401  
Glenwood Springs, CO 81601

**Re: Provision of Water and Sanitary Sewer Service to the Nutrient Farm PUD Project**

Dear Mr. Patrick Waller:

Diane and Steve Boat are the founders and sole members of the RB Water and Sewer Co.. ("RBWS"). The Riverbend Water and Sewer Co. ("RWSC") is the water and sewer provider for the Riverbend Subdivision located outside of New Castle, CO.

RBWS owns the excess capacity and excess water rights for the Riverbend Water and Sewer facilities and PUD. These were retained upon conveyance of the facilities to RWSC so that Steve and Diane would be able to expand the system to recoup costs of permitting and construction. The RWSC owns the water and sewer facilities and only those water rights which are in use and supply service to 73 units. Because of this configuration, both entities are reviewing the Nutrient Farm request for the extension of water and sewer services to its 17-lot development. Nutrient Farm has been in contact with both organizations and has been negotiating with both to get an agreement for water and sewer service.

Both entities have an interest in serving the residential components of the proposed Nutrient Farm 17 lot Planned Unit Development ("PUD"). The future residential areas of the PUD property contained within the submission are not presently members of the RWSC nonprofit corporation. The inclusion of additional members is possible and if accomplished would allow Nutrient Farm to have one membership for each unit to be serviced with both potable water and sanitary sewer service.

The water and sewer system has the legal and physical capacity to serve the additional units proposed by Nutrient Farm (after some enlargements being installed). Engineering analysis has concluded that there is sufficient groundwater available and facilities can be expanded to provide for additional users. The augmentation plan held by RBWC allows for additional water to be used within the system. Of course, CDPHE regulations will have to be met for providing water and sewer service to an additional 34 units (17 residences and up to 17 ADUs).

The current facilities will need to be expanded to be able to deliver water to the additional homes. RBWC and RWSC will require developer Nutrient Farm to make all improvements at its own cost.

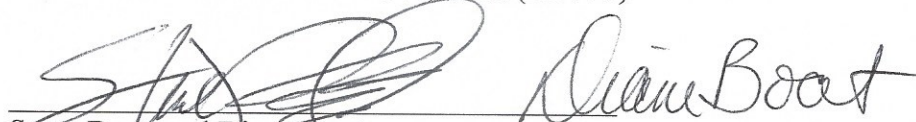
The specific details and agreements along with the necessary steps to include future created lots into the membership of the RWSC and an agreement with both entities to provide

both excess capacity and inclusion of new lot owners as members of RWSC must be negotiated to finalize an agreement.

We understand that the potential 17 residential lots with one ADU per lot would be a maximum of 34 EQR's at full build-out. RBWC and RWSC are both willing to negotiate for an agreement to provide Nutrient Farm with water and sewer service at the proposed area at this projected service level. We are hopeful that an acceptable agreement can be structured to both parties satisfaction.

We look forward to working with the Developer and the County toward completion of this project. Please contact me with any questions.

RB WATER AND SEWER CO., INC. (RBWC)



Steve Boat, and Diane Boat

RIVERBEND WATER AND SEWER CO. (RWSC)



President of the Board of Directors, Roger Pihl

cc: David Kotz, SGM



## WILL SERVE LETTER

August 19, 2020

Nutrient Farm PUD  
520 River View Dr Unit 506  
New Castle CO 81647

Re: Nutrient Farm PUD

Dear Sir,

This letter is to confirm that Xcel Energy is your utility provider for electrical service. In accordance with our tariffs, on file with and approved by the Colorado Public Utilities Commission, electric facilities can be made available to serve the project at Nutrient Farm PUD in New Castle.

Your utility service(s) will be provided after the following steps are completed:

- ***Application submitted to Public Service's "Builders Call Line (BCL)"*** – once your application is accepted you will be assigned a design department representative who will be your primary point of contact
- ***Utility design is completed*** – you must provide your design representative with the site plan, the one line diagrams, and panel schedules for electric and gas loads if applicable
- ***All documents provided by design representative are signed and returned***
- ***Payment is received***
- ***Required easements are granted*** - you must sign and return applicable easement documents to your Right-of-Way agent
- ***Site is ready for utility construction***

A scheduled in-service date will be provided once these requirements have been met.

It is important to keep in mind that the terms and conditions of utility service, per our tariffs, require that you provide adequate space and an easement on your property for all gas and electric facilities required to serve your project, including but not limited to gas and electrical lines and meters, transformers, and pedestals. General guidelines for these requirements can be found at [Site Requirements. https://www.xcelenergy.com/staticfiles/xcel-responsive/Admin/Managed Documents & PDFs/Xcel-Energy-Standard-For-Electric-Installation-and-Use.pdf](https://www.xcelenergy.com/staticfiles/xcel-responsive/Admin/Managed Documents & PDFs/Xcel-Energy-Standard-For-Electric-Installation-and-Use.pdf) Easement requirements can be found at [Utility Design and Layout](#).

Xcel Energy looks forward to working with you on your project and if I can be of further assistance, please contact me at the phone number or email listed below.

Sincerely,

Samantha Wakefield  
Xcel Energy Planner

Mailing address: Xcel Energy  
1995 Howard Ave  
Rifle, CO 81650

## **Appendix S – Riverbend Planned Unit Development Information:**

- Appendix S.1      • November 17, 1983, April 25, and May 11, 1984 Letters from Mark Bean and Janell Kenzie
- Appendix S.2      • Preliminary Map of the Riverbend Planned Unit Development
- Appendix S.3      • Declaration of Protective Covenants for Riverbend, Garfield County, Colorado
- Appendix S.4      • Map – Nutrient Holdings Property/Nutrient Farm PUD Area Overlayed on the Riverbend PUD Boundaries



BOUNDARY EXHIBIT MAP OF:  
**NCIG RANCH PARCEL**  
A PARCEL OF LAND SITUATED IN SECTIONS 33, 34 AND 35, TOWNSHIP 5 SOUTH, RANGE 90 WEST AND  
SECTIONS 5, 6 AND 8, TOWNSHIP 6 SOUTH, RANGE 90 WEST,  
BOTH OF THE 6th P.M., GARFIELD COUNTY, COLORADO  
SHEET 1 OF 8  
PROPERTY DESCRIPTION AND VICINITY MAP

PROPERTY DESCRIPTION

Parcel A  
Township 5 South, Range 90 West, 6th P.M.  
Section 35: That portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$  lying Southerly of the centerline of the Colorado River

Parcel C  
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 4,483.3 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 1,076.3 feet)

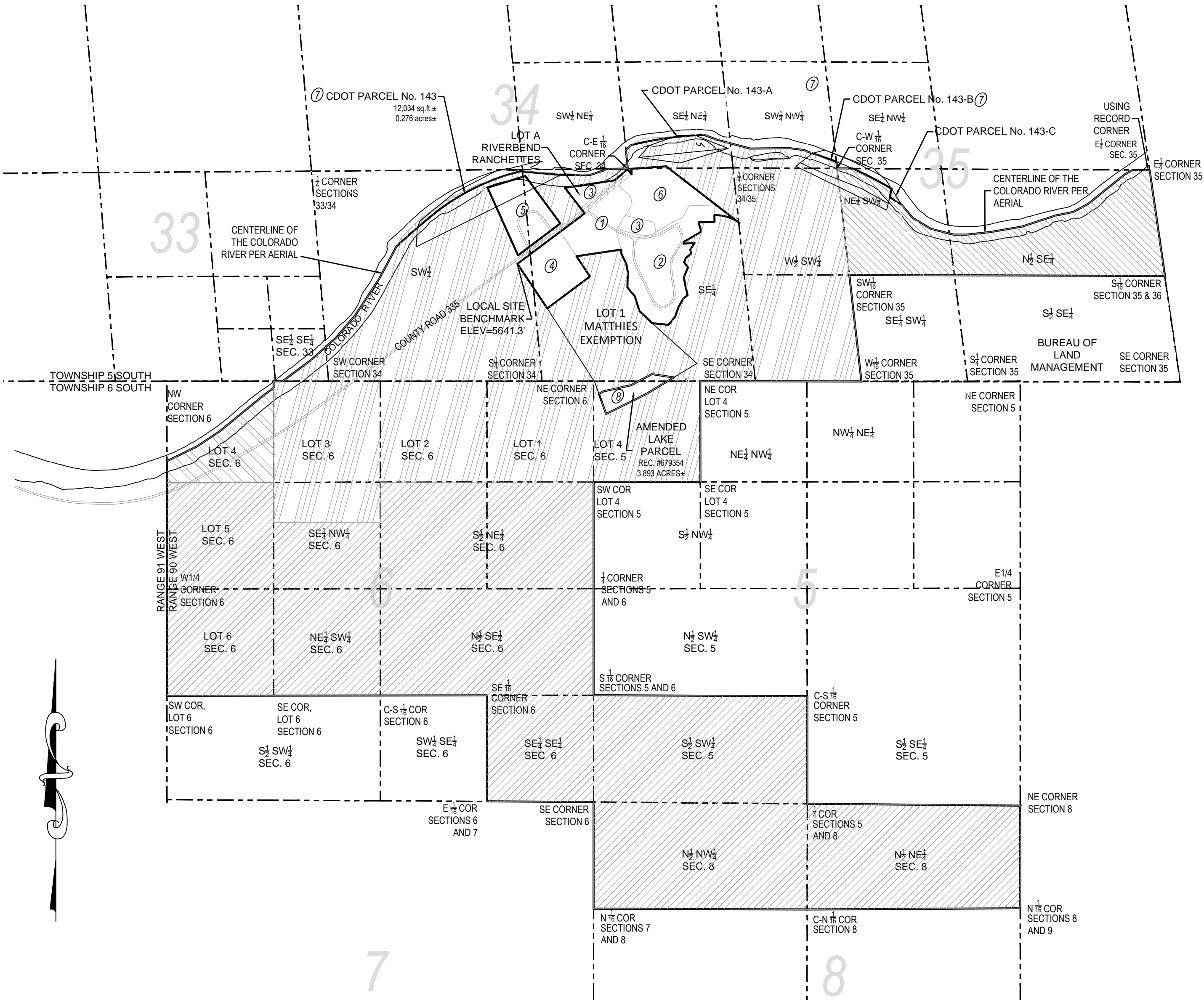
PARCEL No. 143-C  
A tract or parcel of land No. 143-C of the State Department of Highways Division of Highways, State of Colorado, Project No. I 70-1 (12) 89 Section 2, in the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 35, Township 5 South, Range 90 West of the 6th P.M. in Garfield County, 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 $\frac{1}{4}$  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:  
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. 673354  
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 $\frac{1}{2}$

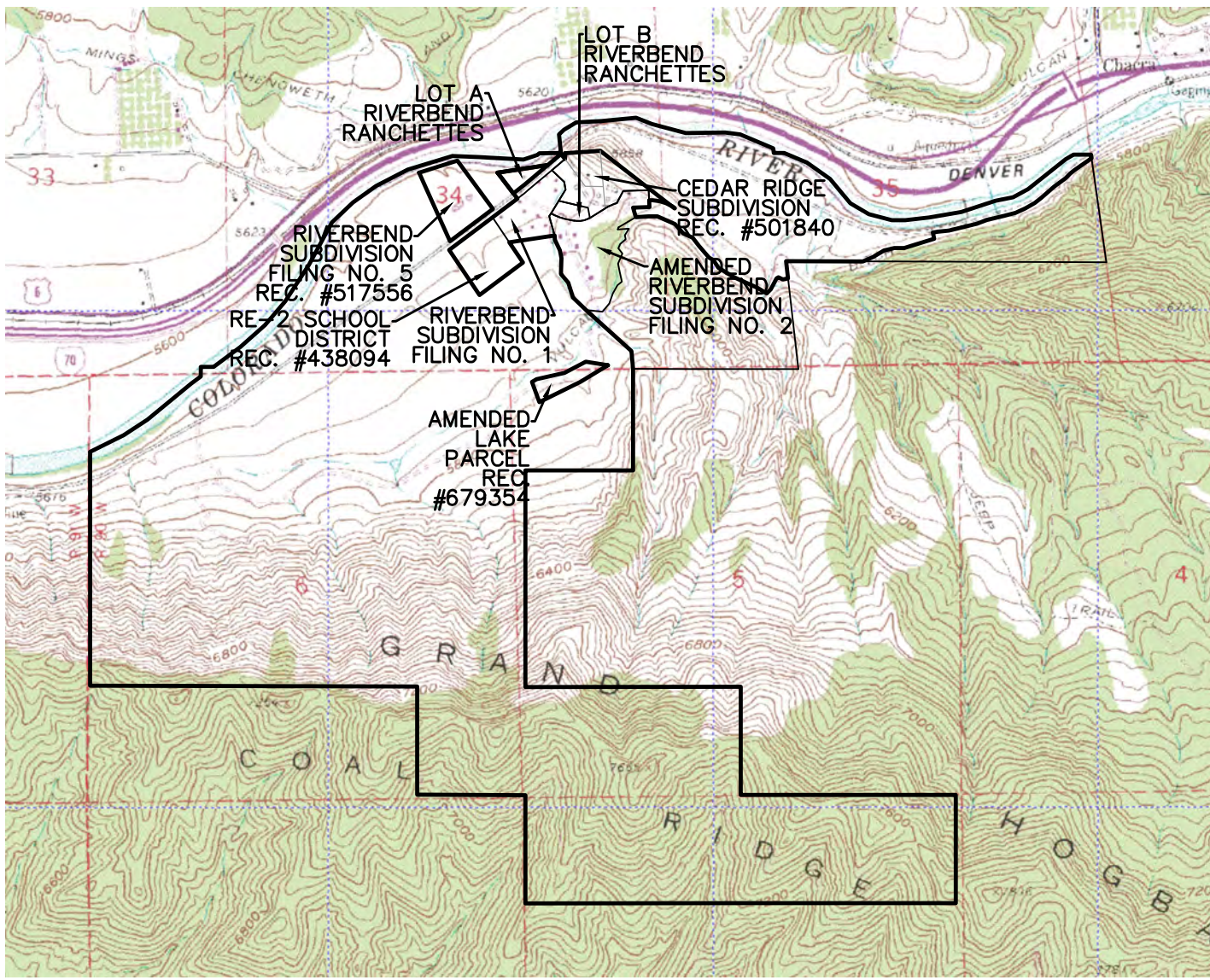


TITLE SUBJECT PROPERTY PARCEL AND EXCEPTION PARCEL LOCATION MAP  
SCALE: 1" = 1000'

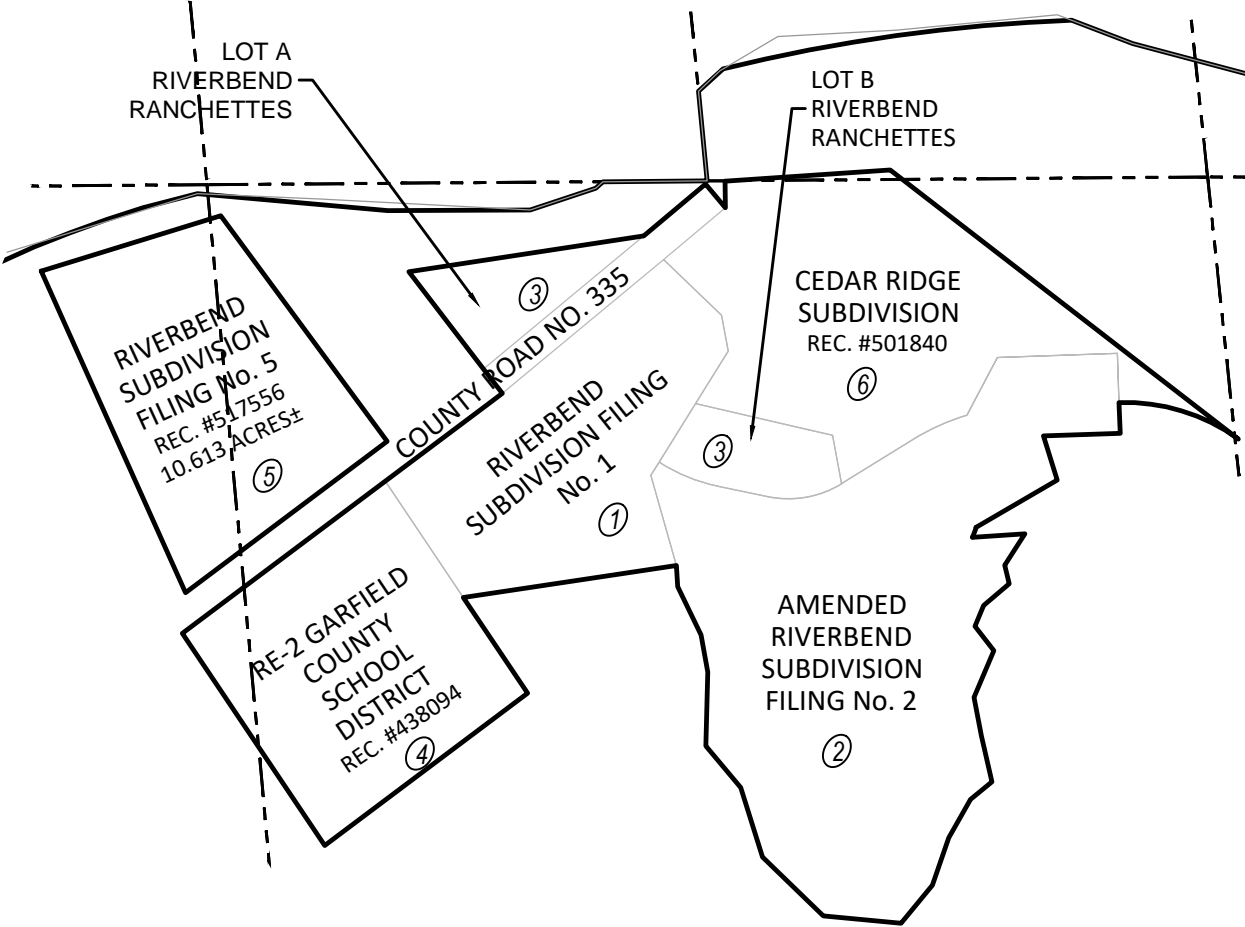
SURVEY NOTES:

- 1) Date of Preparation: June - July, 2018
- 2) Date of Field Work: June - July, 2018
- 3) Basis of Bearing: A bearing of S 05°58'00"E from the NE corner of Section 34, T5S, R90W, a found stone marked with four notches on the north side and five notches on the east side, and the SE corner of Section 34, T5S, R90W, a found 2.5" aluminum pipe with a 3" aluminum cap marked S34/S35 (1988 Bureau of Land Management).
- 4) Basis of Map: The 1887 BLM/GLO Plats and notes related to T5S and T6S, R90W of the 6th P.M., The Final Plat of Cedar Ridge Subdivision, recorded December 3, 1996 as Reception No. 501840, The map of Riverbend Subdivision Filing No. 1, recorded October 20, 1977 as Reception No. 281326, The Final map of Riverbend Ranchettes, recorded December 4, 1978 as Reception No. 280481, The Exemption Plat of Matthies Exemption, recorded November 16, 1994 as Reception No. 471051, The Final Plat of Riverbend Filing No. 5, recorded December 9, 1997 as Reception No. 517550, Amended Riverbend Subdivision Filing No. 2, recorded November 26, 1979 as Reception No. 299710, prior work performed by Sopris Engineering in 2000 and 2001 on subject property, aerial mapping of subject property prepared by Bell Mapping in 2000, Department of Highways State of Colorado Federal AID Project No. I-70-1(12)89 SEC. 2 right-of-way maps, various documents of record, and the found monuments, as shown.
- 5) Basis of Elevation: Basis of elevation: a 1988 North American Vertical Datum (NAVD 1988) elevation of 5598' on the National Geodetic Survey (NGS) designation station "ANDERS M". Which established a site bench mark elevation of 5641.3' on found #5 rebar & 1.25" plastic cap P.L.S. NO. 15710 monumenting the westerly boundary corner of the RE-2 Garfield County School District parcel recorded as reception No. 438094.
- 6) This map does not constitute a property boundary survey, nor a title search by Sopris Engineering, LLC (SE) to determine ownership or easements of record. For all information regarding easements, rights of way and/or title of record, SE relied upon the above said items described in Note 3 and the title commitment prepared by Commonwealth Title Company of Garfield County, Inc. File Number 1805028 with an effective date of May 9, 2018.

**SOPRIS ENGINEERING - LLC**  
CIVIL CONSULTANTS  
502 MAIN STREET, SUITE A3  
CARBONDALE, COLORADO 81623  
(970) 704-0311  
sopris@sopriseng.com



VICINITY MAP  
SCALE: 1" = 2000'



DETAIL  
SCALE: 1" = 500'

SHEET INDEX

- SHEET 1 — PROPERTY DESCRIPTION AND VICINITY MAP  
SHEET 2 — TITLE EXCEPTIONS  
SHEET 3 — EASEMENTS (NORTH)  
SHEET 4 — EXTERIOR BOUNDARY, EXCEPTION PARCELS AND ROADS (NORTH)  
SHEET 5 — EXTERIOR BOUNDARY, EXCEPTION PARCELS AND ROADS (SOUTH)  
SHEET 6 — TOPOGRAPHY  
SHEET 7 — ADJOINERS & MONUMENTS  
SHEET 8 — AERIAL FROM GOOGLE MAPS

SURVEYOR'S STATEMENT

I, Matthew S. Reckler, do hereby state that this map was prepared by Sopris Engineering, LLC for Andrew Bruno Revocable Trust UTA dated May 25, 2018, and that I am a duly Licensed Professional Engineer in the State of Colorado, and that it is true and correct to the best of my knowledge and belief.  
Matthew S. Reckler, P.E.  
Professional Engineer  
No. 126843  
State of Colorado



BOUNDARY EXHIBIT MAP OF:  
**NCIG RANCH PARCEL**  
A PARCEL OF LAND SITUATED IN SECTIONS 33, 34 AND 35, TOWNSHIP 5 SOUTH, RANGE 90 WEST AND  
SECTIONS 5, 6 AND 8, TOWNSHIP 6 SOUTH, RANGE 90 WEST,  
BOTH OF THE 6th P.M., GARFIELD COUNTY, COLORADO  
**SHEET 2 OF 8**  
TITLE EXCEPTIONS

SCHEDULE B-2 TITLE EXCEPTIONS

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  |
- Above referenced documents affect Subject Property, portions of the Subject Property are within the aliquot parts listed for each Patent – Not Plottable**
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.
- Affects portions of Subject Property within the SE1/4SE1/4 Section 34 – Not Plottable**
11. Right of way for the Midland Railway Company as referred to in patent recorded February 21, 1923 in Book 73 at Page 131.
- Affected portions of Subject Property within the N1/2SE1/4, NE1/4SW1/4 and SW1/4NE1/4 Section 35 – Railroad tracks have been removed and Right-of-Way abandoned, old alignment follows county road and dirt road shown hereon;**
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)
- Affects portions of Subject Property within the N1/2SE1/4, NE1/4SW1/4 Section 35 - Not Plottable**
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)
- Affects portions of Subject Property within the listed aliquot parts except for the S1/2NW1/4 Section 9 - no portions of Subject Property are within Section 9 - Not Plottable**
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.
- Affects portions of Subject Property within:  
SE1/4SE1/4 Section 33, S1/2: Section 34; W1/2SW1/4 Section 35; Lot 4 Section 5; Lots 1, 2 and 3 and the SE1/4NW1/4 Section 6; S1/2SW1/4 Section 5; S1/2NE1/4, SW1/4NW1/4, N1/2S1/2 and the SE1/4SE1/4 Section 6; N1/2N1/2 Section 8; S1/2NE1/4 Section 34; SW1/4NW1/4 Section 35; NE1/4SW1/4 and the N1/2SE1/4 Section 35 - Not Plottable**
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.
- Document describes lands within the Subject Property, but Does Not Affects Subject Property (need legal clarification) due to property being sold by party of the first part – Agreement between Daryl Richardson and the State of Colorado which contains language regarding the right by the State to enter onto the property and remove road improvement if property sold -**
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.
- Book 381 at Page 24: Affects portions of Subject Property within the NE1/4SW1/4 Section 35 – Shown hereon  
Book 382 at Page 169: Affects portions of Subject Property within the W1/2SW1/4 Section 35 – Shown hereon  
Book 382 at Page 170: Affects portions of Subject Property within the S1/2 Section 34 – Shown hereon  
Book 382 at Page 171: Affects portions of Subject Property within Lot 3 Section 6 – Shown hereon  
Book 382 at Page 175: Affects portions of Subject Property within the SW1/4NW1/4 Section 6 – Shown hereon  
Book 382 at Page 178: Affects portions of Subject Property within Lot 4 Section 6 – Shown hereon  
Book 382 at Page 169: Does Not Affect Subject Property described easement within Section 15  
Book 343 at Page 342: Affects portions of Subject Property within the SE 1/4 Section 34 and the SW1/4 Section 35 – Shown hereon**

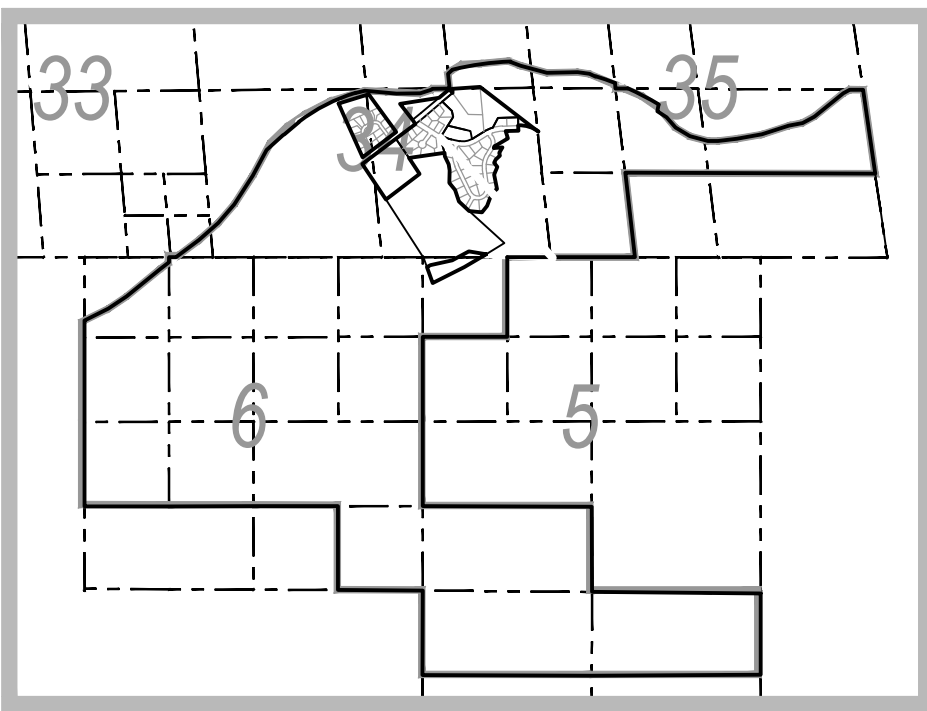
17. Terms, conditions, easements and all matters set forth in Rule and Order recorded October 18, 1972 in Book 437 at Page 1 and as amended in instrument recorded February 23, 1973 in Book 441 at Page 111.
- Does not affect Subject Property – lands described within both documents describe property north of the centerline of the Colorado River;**
18. Terms, conditions, easements and all matters set forth in Rule and Order recorded November 8, 1972 in Book 437 at Page 383.
- Affects Subject Property shown hereon**
19. Perpetual non-exclusive easement for a cattle drive as described in instrument recorded January 10, 1978 in Book 504 at Page 799.
- Affects Subject Property shown hereon**
20. Utility Easement granted to Cunningham Construction and Development Co. as described in deed recorded May 28, 1980 in Book 549 at Page 172.
- Affects Subject Property shown hereon**
21. Mineral rights conveyed in deed recorded January 14, 1988 in Book 727 at Page 783 and any interests therein or assignments thereof.
- Affects Subject Property – Not Plottable**
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.
- Affects Subject Property insofar as NCIG has a Special Used Permit or operates its property for coal mining – Not Plottable**
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.
- Affects Subject Property shown hereon**
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. (affects Section 34, Township 5 South, Range 90 West)
- Affects Subject Property shown hereon**
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. (affects Section 34, Township 5 South, Range 90 West and Sections 5 and 6, Township 6 South, Range 90 West)
- Affects Subject Property – Described land within document is currently contained within portions of Lot 1 and 2 Matthies Exemption Plat. Described land is shown hereon;**
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. (affects Section 34, Township 5 South, Range 90 West and Sections 5 and 6, Township 6 South, Range 90 West)
- Affects Subject Property – Described land within document is currently contained within portions of Lot 1 and 2 Matthies Exemption Plat. Described land is shown hereon;**
27. 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)
- Affects Subject Property – Described land within document is currently contained within portions of Lot 1 and 2 Matthies Exemption Plat. Document reserves to the Grantor an easement and right-of-way for a roadway in place which is not described. Existing roadways are shown hereon.;**
28. Terms and conditions of Garfield County Resolution No. 94-130 recorded November 16, 1994 in Book 922 at Page 738. (affects Matthies Exemption)
- Affects Subject Property within Lot 1 and 2 Matthies Exemption Plat – Not Plottable;**
29. Easements, rights of way and all matters shown on the plat of Matthies Exemption recorded November 16, 1994 as Reception No. 471051.
- Affects Subject Property within Lot 1 and 2 Matthies Exemption Plat – Shown hereon;**
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. (affects Section 34, Township 5 South, Range 90 West and Sections 5 and 6, Township 6 South, Range 90 West)
- Affects Subject Property shown hereon**

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.**
- Affects Subject Property shown hereon**
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.
- Affects Subject Property shown hereon**
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.
- Affects Subject Property shown hereon**
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.
- Affects NCIG successors assigns in title to an interest in the Vulcan Ditch or water rights in the Vulcan Ditch - Covenant Regarding Vulcan Ditch as it crosses Lots 4, 5 and 7 within Amended Riverbend Subdivision Filing No. 2 shown hereon**
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.
- Affects Subject Property Not Plottable**
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. 333.

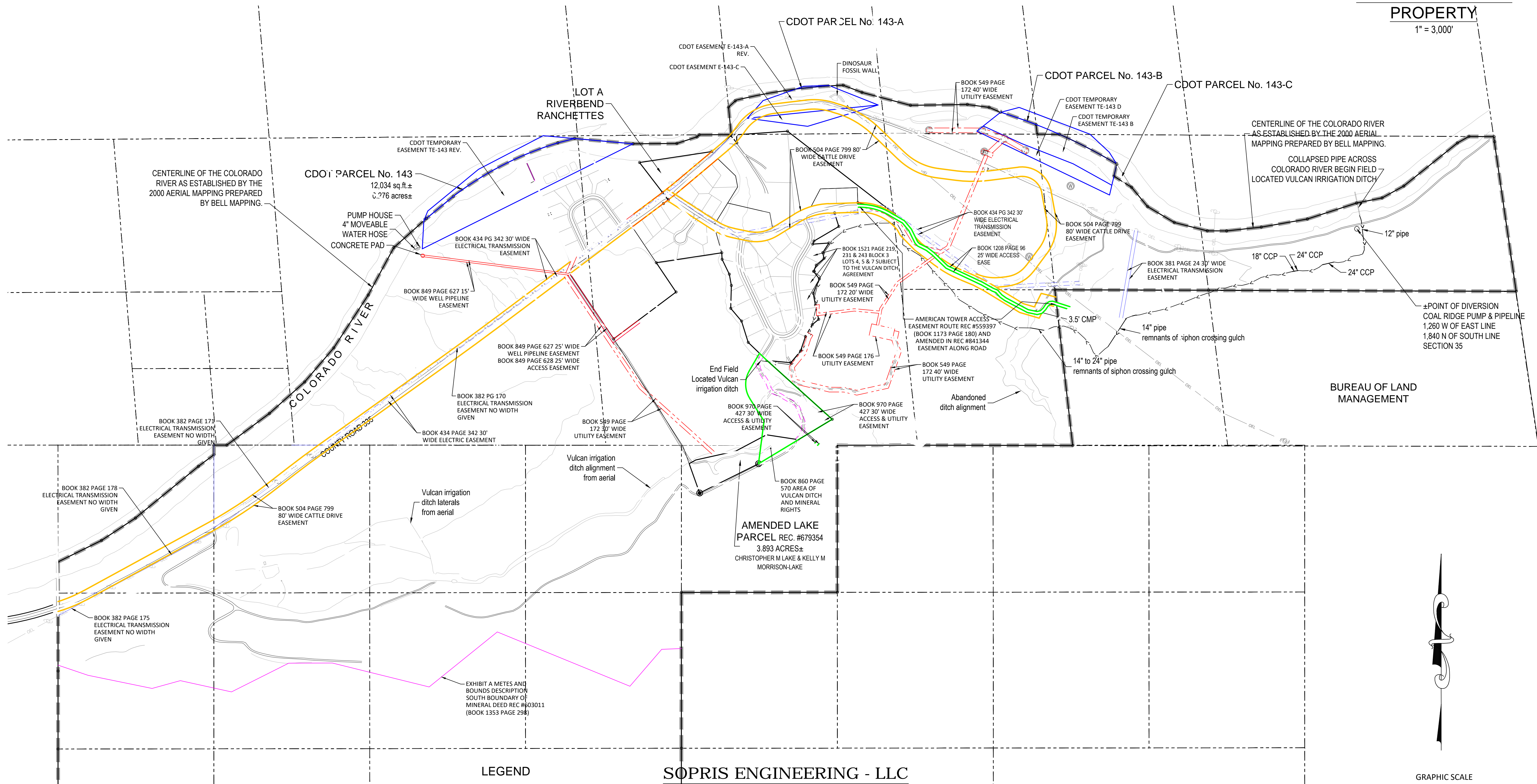
**SOPRIS ENGINEERING - LLC**  
CIVIL CONSULTANTS  
502 MAIN STREET, SUITE A3  
CARBONDALE, COLORADO 81623  
(970) 704-0311  
sopris@sopriseng.com



BOUNDARY EXHIBIT MAP OF:  
**NCIG RANCH PARCEL**  
A PARCEL OF LAND SITUATED IN SECTIONS 33, 34 AND 35, TOWNSHIP 5 SOUTH, RANGE 90 WEST AND  
SECTIONS 5, 6 AND 8, TOWNSHIP 6 SOUTH, RANGE 90 WEST,  
BOTH OF THE 6th P.M., GARFIELD COUNTY, COLORADO  
**SHEET 3 OF 8**  
EASEMENTS (NORTH)

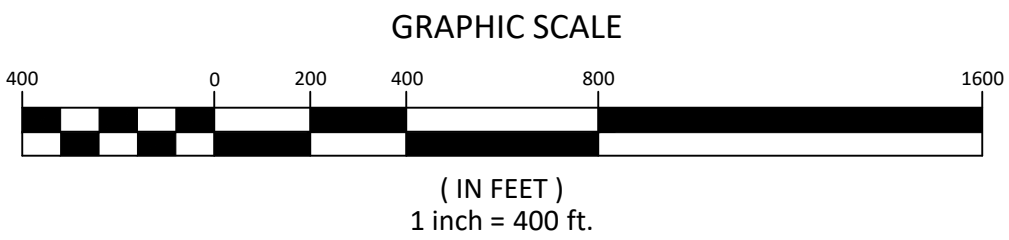


**OVERVIEW OF NCIG  
PROPERTY**  
1" = 3,000'



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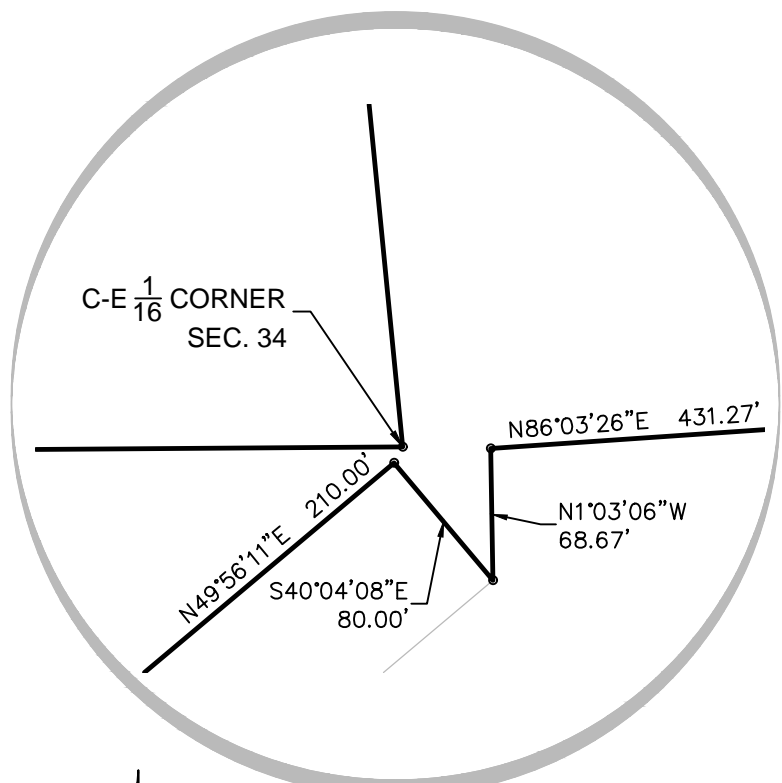
BOUNDARY EXHIBIT MAP OF:

# NCIG RANCH PARCEL

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SHEET 4 OF 8

EXTERIOR BOUNDARY, EXCEPTION PARCELS AND ROADS (NORTH)



DETAIL SCALE

1"=100'

Property Boundary Line Table

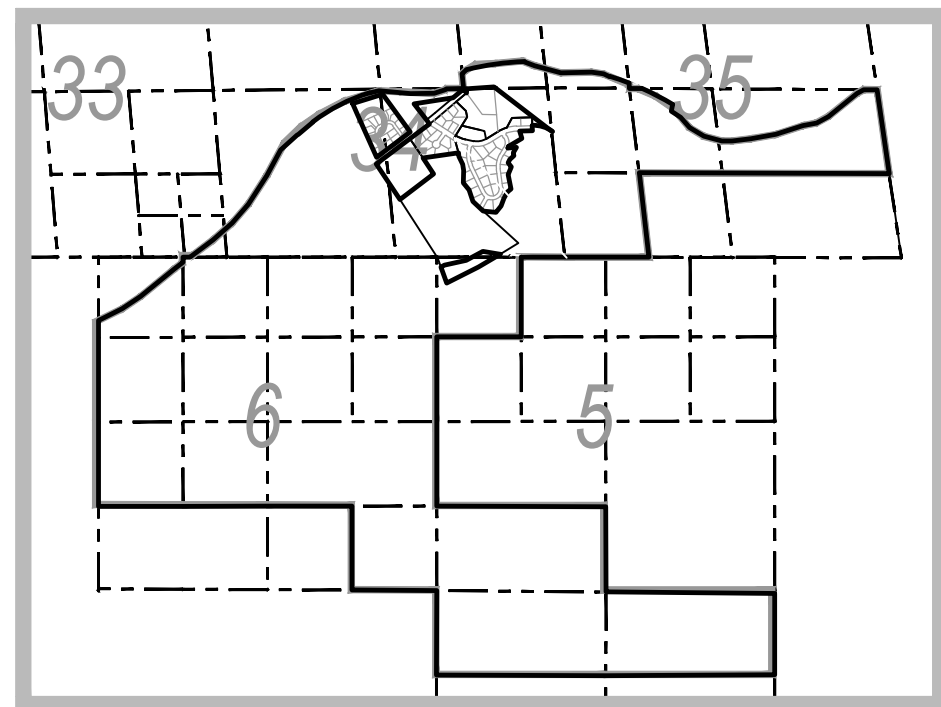
Line #	Direction	Length
L1	N63° 45' 00"E	409.66'
L2	N56° 35' 00"E	345.00'
L3	N50° 35' 00"E	690.00'
L4	N53° 18' 00"E	164.17'
L5	N0° 00' 15"E	81.70'
L6	S89° 59' 44"E	109.59'
L7	N53° 18' 00"E	449.13'
L8	N48° 15' 00"E	400.00'
L9	N40° 35' 00"E	380.00'
L10	N33° 05' 00"E	535.00'
L11	N28° 20' 00"E	455.98'
L12	N48° 06' 02"E	342.24'
L13	N49° 32' 26"E	28.30'
L14	N50° 31' 56"E	294.70'
L15	N75° 16' 56"E	146.60'
L16	S84° 50' 58"E	497.82'
L17	N89° 40' 02"E	370.15'
L18	N71° 53' 00"E	180.00'
L19	N46° 35' 00"E	25.25'
L20	N89° 33' 34"E	271.88'
L21	N5° 36' 26"W	234.59'
L22	N48° 02' 20"E	86.79'
L23	S69° 00' 00"E	170.44'
L24	S75° 10' 00"E	425.00'
L25	N89° 15' 00"E	482.00'
L26	S82° 30' 00"E	185.00'
L27	S66° 57' 21"E	106.20'
L28	S6° 44' 54"E	81.62'
L29	S89° 38' 43"E	188.29'
L30	S13° 11' 19"W	104.88'
L31	S57° 36' 38"E	176.30'
L32	S39° 50' 00"E	212.01'
L33	S59° 10' 00"E	263.00'
L34	S75° 45' 00"E	288.00'
L35	S89° 50' 00"E	164.00'
L36	N83° 50' 00"E	295.00'
L37	N80° 00' 00"E	397.00'
L38	N72° 00' 00"E	438.00'
L39	N78° 40' 00"E	220.00'
L40	N61° 20' 00"E	210.00'
L41	N51° 15' 00"E	582.00'
L42	N60° 20' 00"E	112.19'
L43	S89° 41' 59"E	210.29'
L44	S58° 52' 41"W	394.16'
L45	S63° 33' 22"W	556.96'
L46	N19° 38' 31"W	263.80'
L47	N60° 14' 57"E	64.14'
L48	N77° 27' 34"E	347.15'
L49	N62° 07' 02"E	293.85'
L50	S81° 18' 49"E	273.63'
L51	N46° 00' 48"W	220.19'
L52	N17° 26' 13"W	189.20'
L53	N40° 05' 54"W	141.75'
L54	N1° 37' 38"E	193.12'
L55	N10° 21' 42"W	97.88'
L56	N25° 51' 28"W	139.90'
L57	N3° 00' 26"W	55.08'
L58	S81° 25' 33"W	560.92'
L59	S33° 52' 20"E	300.00'
L60	N37° 34' 29"W	80.00'

Property Boundary Curve Table

Curve #	Length	Radius	Tangent	Delta	Chord Direction	Chord
C1	1000.14'	2764.80'	505.60'	20°43'35"	N62° 54' 26"E	994.70'
C2	916.93'	4483.70'	460.07'	11°43'02"	N82° 02' 24"E	915.33'
C3	318.40'	4483.70'	159.27'	4°04'07"	S70° 50' 27"E	318.33'
C4	50.97'	4168.53'	25.48'	0°42'02"	N52° 46' 33"E	50.97'
C5	330.66'	500.00'	171.63'	37°53'28"	N73° 00' 42"W	324.67'
C6	27.59'	192.83'	13.82'	8°11'56"	S20° 23' 37"W	27.57'
C7	548.22'	4483.70'	274.45'	7°00'20"	S62° 33' 55"E	547.88'

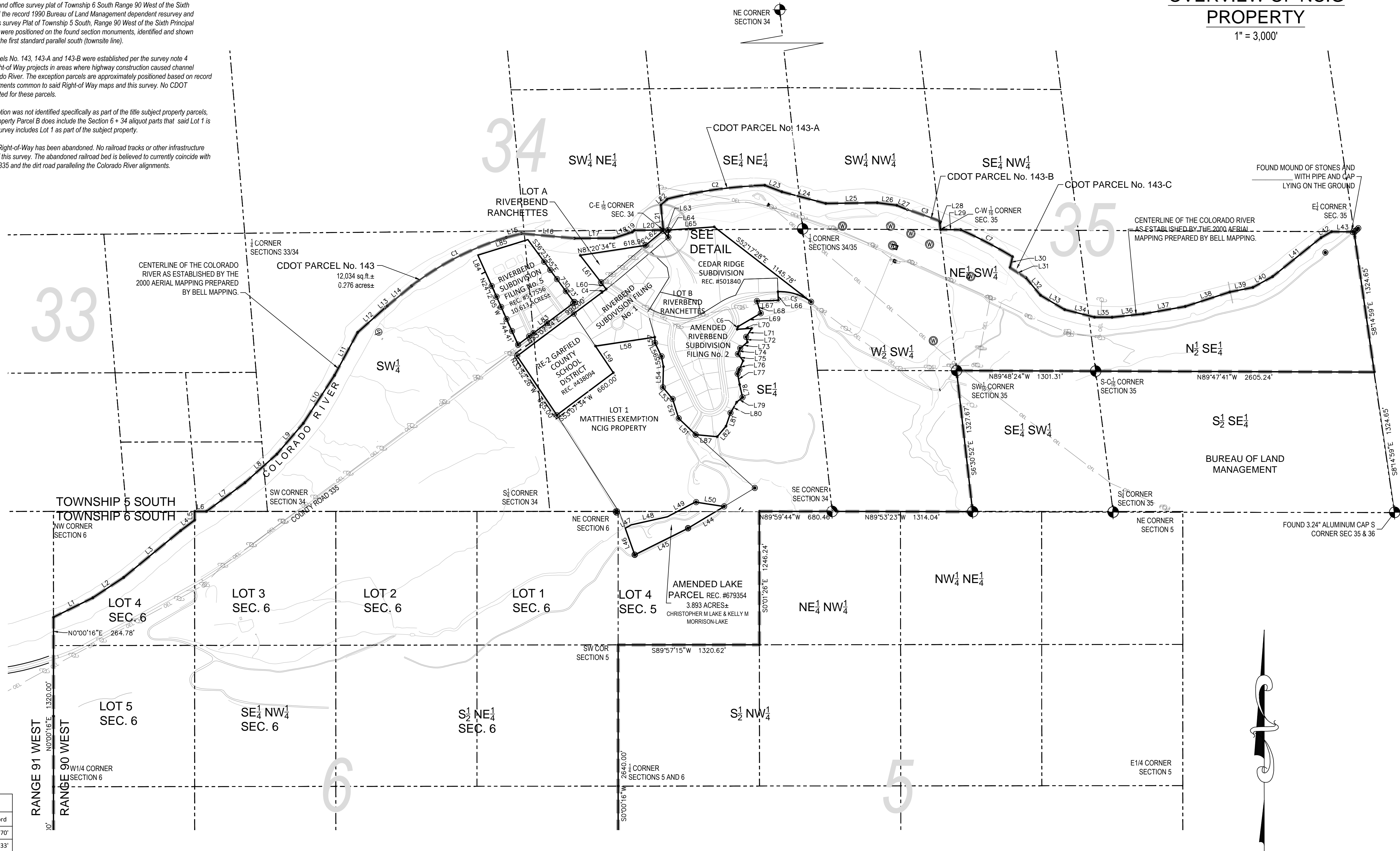
## BOUNDARY NOTES:

- Those portions of the subject property boundary identified as the centerline of the Colorado River, are riparian and dynamic in nature subject to accretion and reliction from the natural ebb and flow of said river.
- The government sections and associated aliquot parts, shown hereon, are based solely on the record 1887 general land office survey plat of Township 6 South Range 90 West of the Sixth Principal Meridian and the record 1990 Bureau of Land Management dependent resurvey and subdivision of sections survey Plat of Township 5 South, Range 90 West of the Sixth Principal Meridian. These Plats were positioned on the found section monuments, identified and shown hereon located along the first standard parallel south (township line).
- Exception CDOT Parcels No. 143, 143-A and 143-B were established per the survey note 4 referenced CDOT Right-of-Way projects in areas where highway construction caused channel changes to the Colorado River. The exception parcels are approximately positioned based on record ties and area improvements common to said Right-of-Way maps and this survey. No CDOT movements were located for these parcels.
- Lot 1, Matthias Exemption was not identified specifically as part of the title subject property parcels, but the title subject property Parcel B does include the Section 6 + 34 aliquot parts that said Lot 1 is within, therefore this survey includes Lot 1 as part of the subject property.
- The Midland Railway Right-of-Way has been abandoned. No railroad tracks or other infrastructure was found as a part of this survey. The abandoned railroad bed is believed to currently coincide with the County Road No. 335 and the dirt road paralleling the Colorado River alignments.



## OVERVIEW OF NCIG PROPERTY

1" = 3,000'



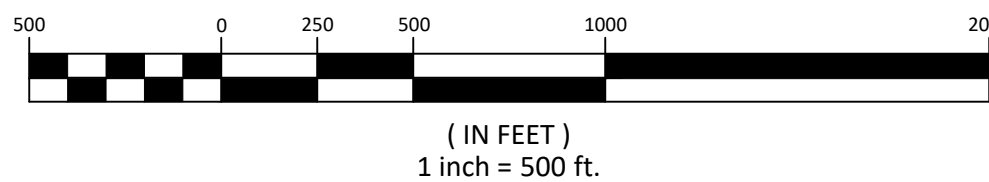
## SOPRIS ENGINEERING - LLC

CIVIL CONSULTANTS  
502 MAIN STREET, SUITE A3  
CARBONDALE, COLORADO 81623  
(970) 704-0311  
sopris@sopriseng.com

## KEY TO MONUMENTS

- FOUND SECTION CORNERS
- FOUND MONUMENTS
- NCIG PROPERTY LINE
- FOUND MONUMENTS AS DESCRIBED ON SHEET 7 OF 8

## GRAPHIC SCALE



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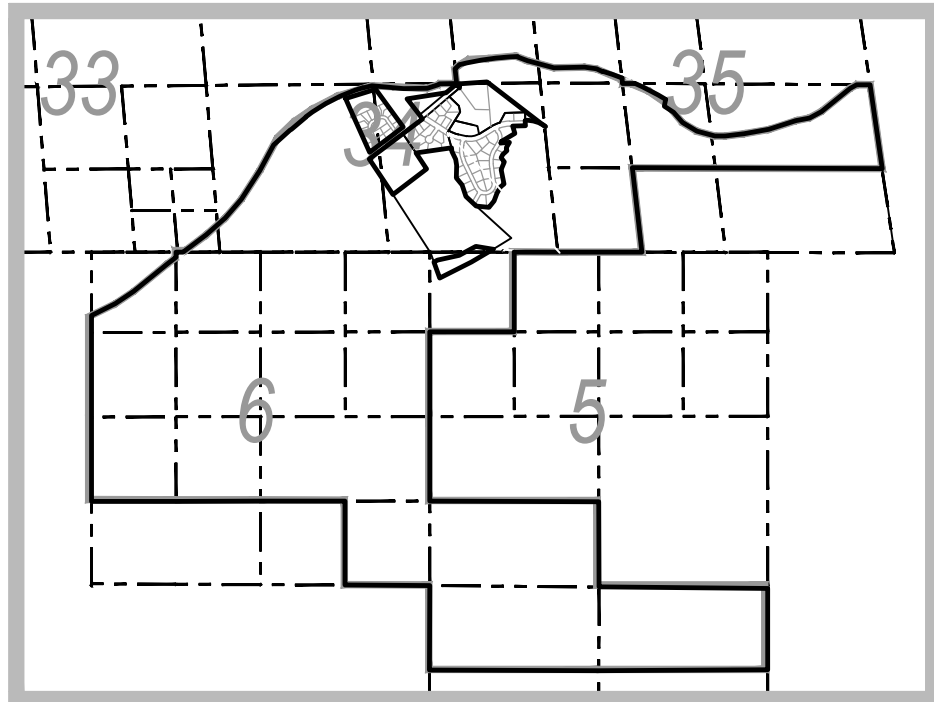
BOUNDARY EXHIBIT MAP OF:

# NCIG RANCH PARCEL

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SECTIONS 5, 6 AND 8, TOWNSHIP 6 SOUTH, RANGE 90 WEST,  
BOTH OF THE 6th P.M., GARFIELD COUNTY, COLORADO

SHEET 5 OF 8

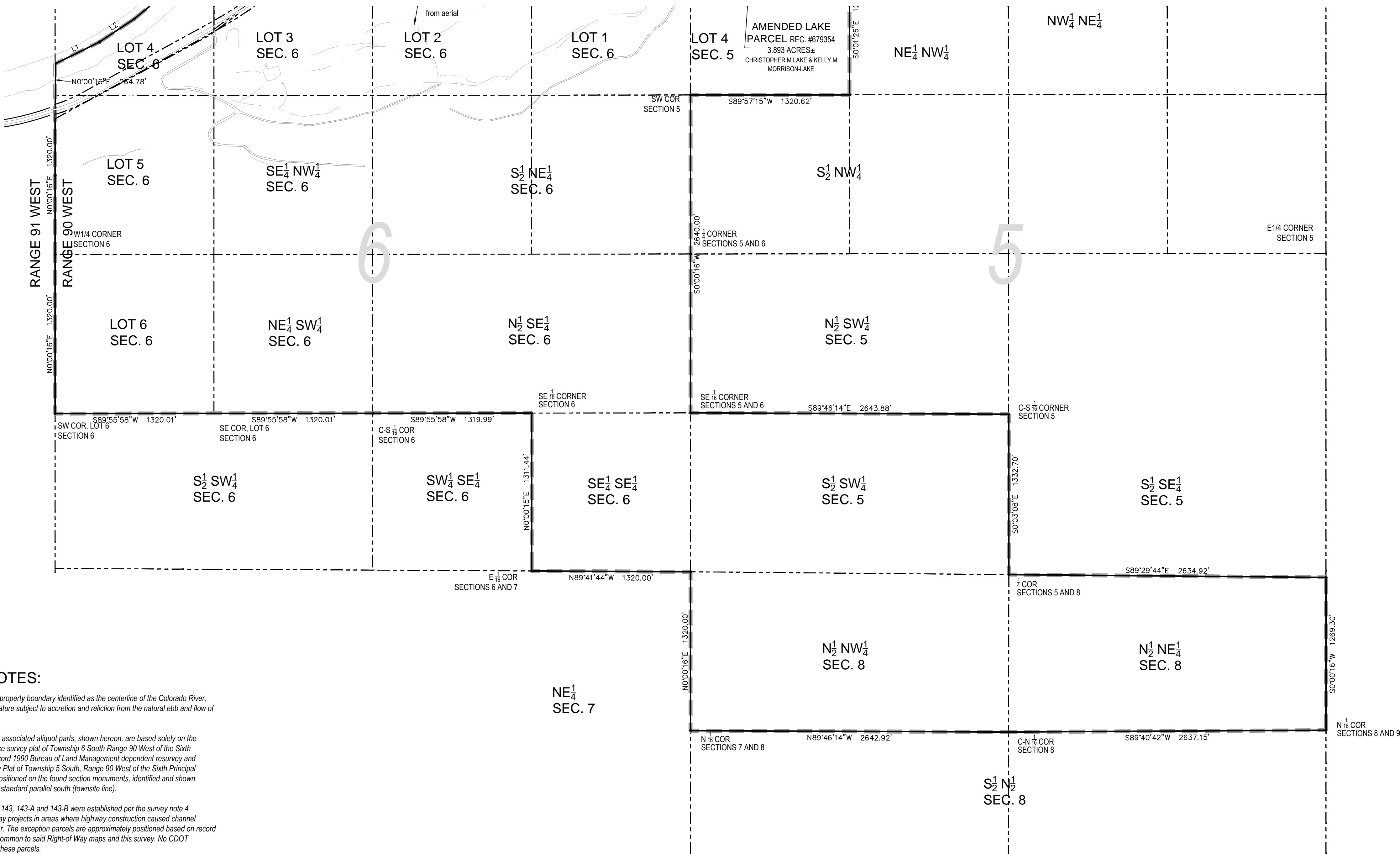
EXTERIOR BOUNDARY, EXCEPTION PARCELS AND ROADS (SOUTH)



OVERVIEW OF NCIG  
PROPERTY

1" = 3,000'

Property Boundary Line Table		
Line #	Direction	Length
L1	N63°45' 00"E	409.66'
L2	N56°35' 00"E	345.00'



## BOUNDARY NOTES:

- Those portions of the subject property boundary identified as the centerline of the Colorado River, are riparian and dynamic in nature subject to accretion and reliction from the natural ebb and flow of said river.
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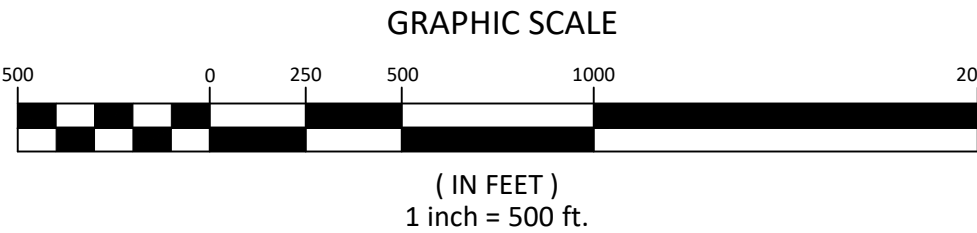
## KEY TO MONUMENTS

- SECTION CORNERS
- FOUND MONUMENTS
- SET MONUMENTS

## SOPRIS ENGINEERING - LLC

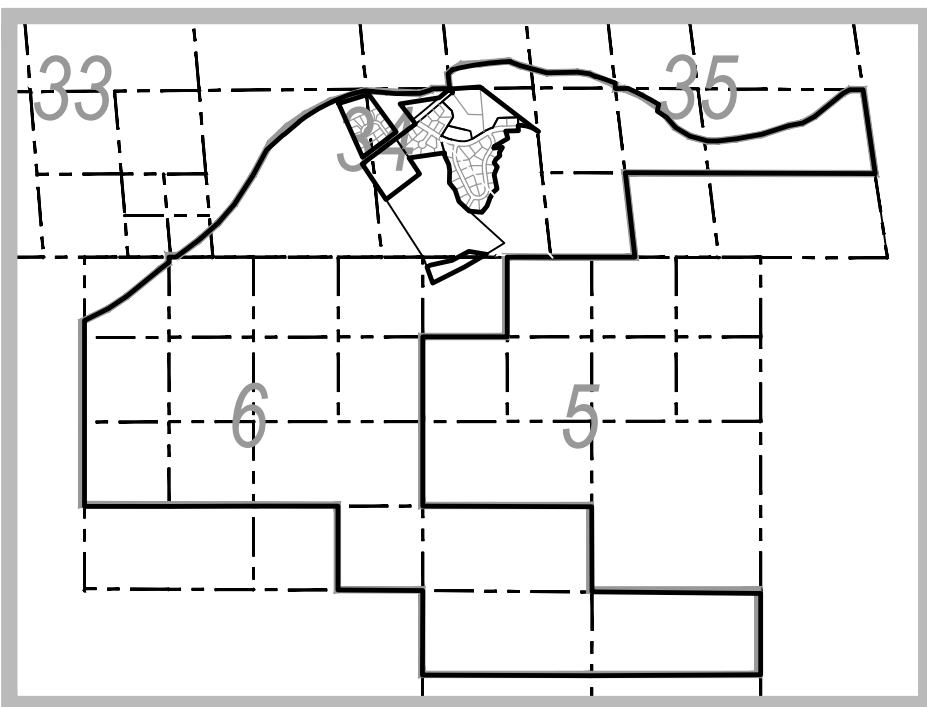
CIVIL CONSULTANTS  
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N 1/4 N 1/2  
SEC. 9

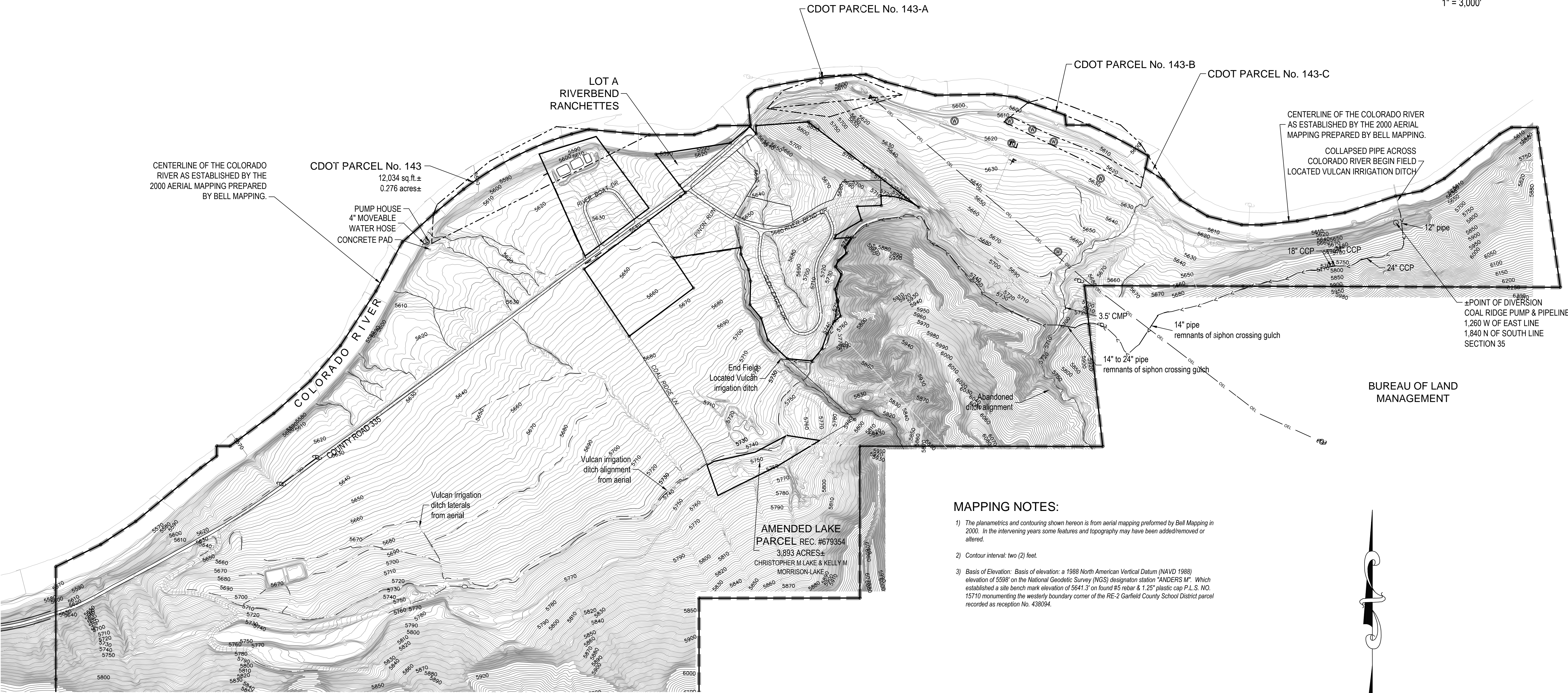




BOUNDARY EXHIBIT MAP OF:  
**NCIG RANCH PARCEL**  
A PARCEL OF LAND SITUATED IN SECTIONS 33, 34 AND 35, TOWNSHIP 5 SOUTH, RANGE 90 WEST AND  
SECTIONS 5, 6 AND 8, TOWNSHIP 6 SOUTH, RANGE 90 WEST,  
BOTH OF THE 6th P.M., GARFIELD COUNTY, COLORADO  
SHEET 6 OF 8  
TOPOGRAPHY



**OVERVIEW OF NCIG  
PROPERTY**  
1" = 3,000'



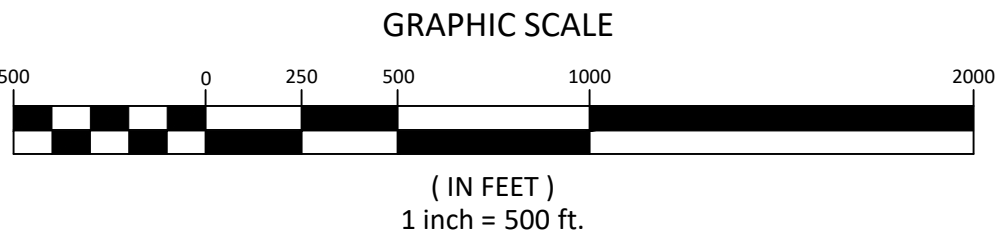
**MAPPING NOTES:**

- 1) The planimetrics and contouring shown hereon is from aerial mapping performed by Bell Mapping in 2000. In the intervening years some features and topography may have been added/removed or altered.
- 2) Contour interval: two (2) feet.
- 3) Basis of Elevation: Basis of elevation: a 1988 North American Vertical Datum (NAVD 1988) elevation of 5598' on the National Geodetic Survey (NGS) designation station "ANDERS M". Which established a site bench mark elevation of 5641.3' on found #5 rebar & 1.25" plastic cap P.L.S. NO. 15710 monumenting the westerly boundary corner of the RE-2 Garfield County School District parcel recorded as reception No. 438094.

**LEGEND**

- >—>—>—>—>— FIELD LOCATED VULCAN DITCH
- - - - - AERIAL DITCHES
- OEL — OEL — OVERHEAD POWER LINE
- ⦿ POWER POLE
- ⦿ WATER WELL
- ⦿ GAS WELL
- ⦿ STRUCTURE

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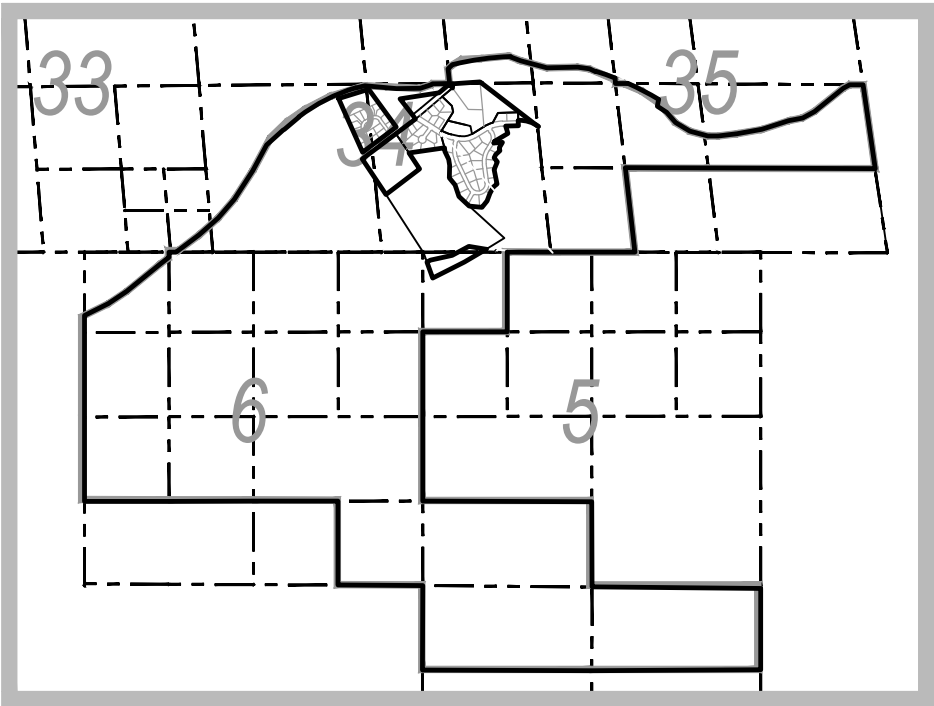


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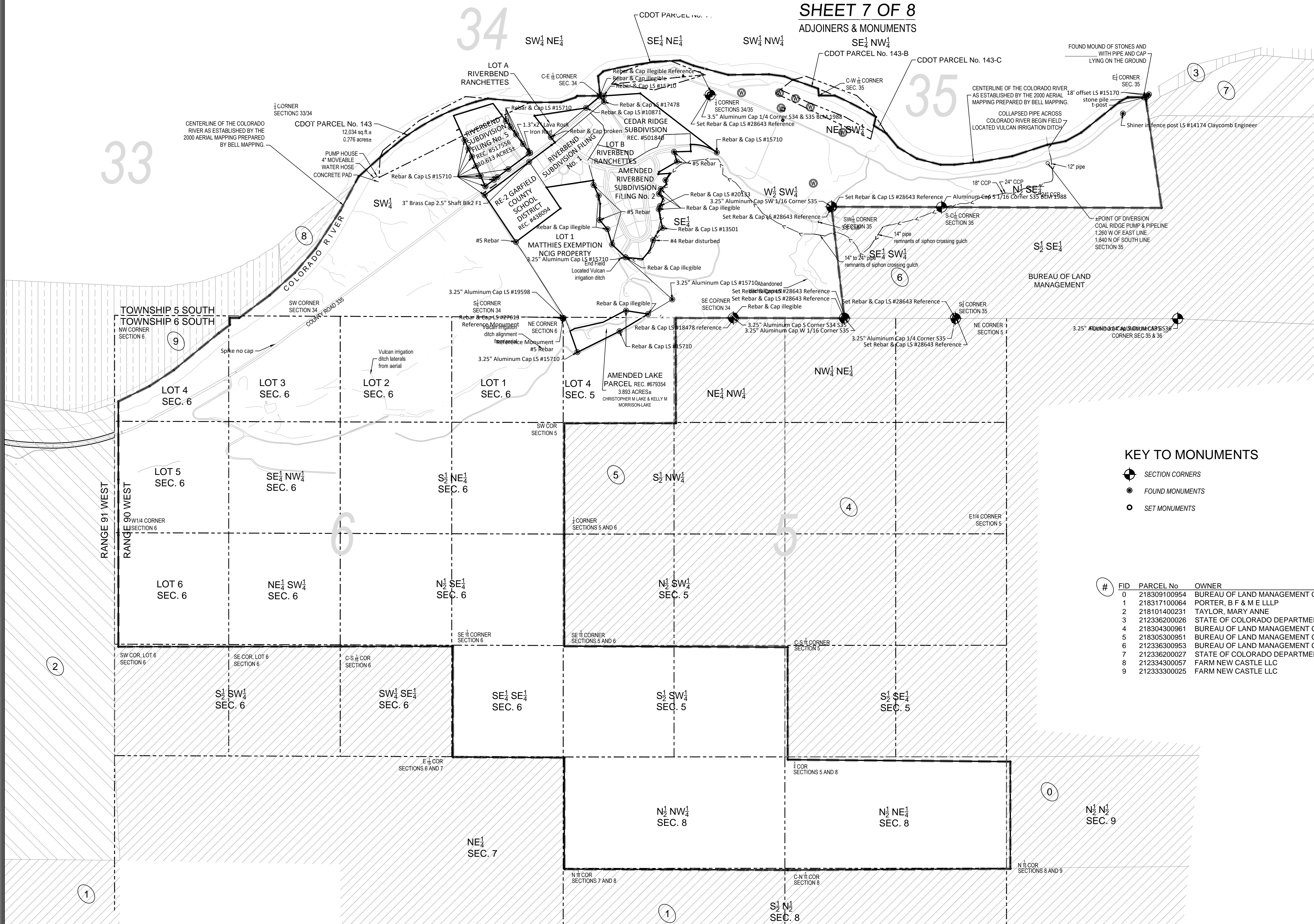


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**SHEET 7 OF 8**  
ADJOINERS & MONUMENTS



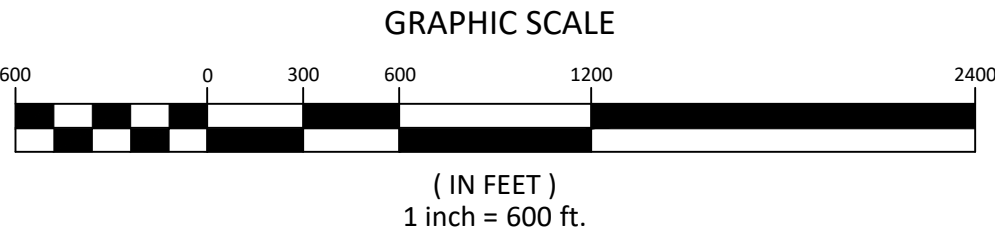
**OVERVIEW OF NCIG  
PROPERTY**  
1" = 3,000'



**KEY TO MONUMENTS**

- SECTION CORNERS
- FOUND MONUMENTS
- SET MONUMENTS

#	FID	PARCEL No	OWNER	CARE OF OWNER ADDRESS
0	218309100954		BUREAU OF LAND MANAGEMENT COLORADO RIVER VALLEY FIELD OFFICE	2300 RIVER FRONTAGE ROAD SILT, CO 81652
1	218317100064		PORTER, B F & M E LLLP	2904 COUNTY ROAD 314 NEW CASTLE CO 81647
2	218101400231		TAYLOR, MARY ANNE	2418 BLAKE AVENUE GLENWOOD SPRINGS, CO 81601
3	212336200026		STATE OF COLORADO DEPARTMENT OF HIGHWAYS	4201 E ARKANSAS AVENUE DENVER, CO 80222-3406
4	218304300961		BUREAU OF LAND MANAGEMENT COLORADO RIVER VALLEY FIELD OFFICE	2300 RIVER FRONTAGE ROAD SILT, CO 81652
5	218305300951		BUREAU OF LAND MANAGEMENT COLORADO RIVER VALLEY FIELD OFFICE	2301 RIVER FRONTAGE ROAD SILT, CO 81652
6	212336300953		BUREAU OF LAND MANAGEMENT COLORADO RIVER VALLEY FIELD OFFICE	2302 RIVER FRONTAGE ROAD SILT, CO 81652
7	212336200027		STATE OF COLORADO DEPARTMENT OF HIGHWAYS	4201 E ARKANSAS AVENUE DENVER, CO 80222-3406
8	212334300057		FARM NEW CASTLE LLC	1270 COUNTY ROAD 240 GLENWOOD SPRINGS, CO 81601
9	212333300025		FARM NEW CASTLE LLC	1271 COUNTY ROAD 240 GLENWOOD SPRINGS, CO 81601

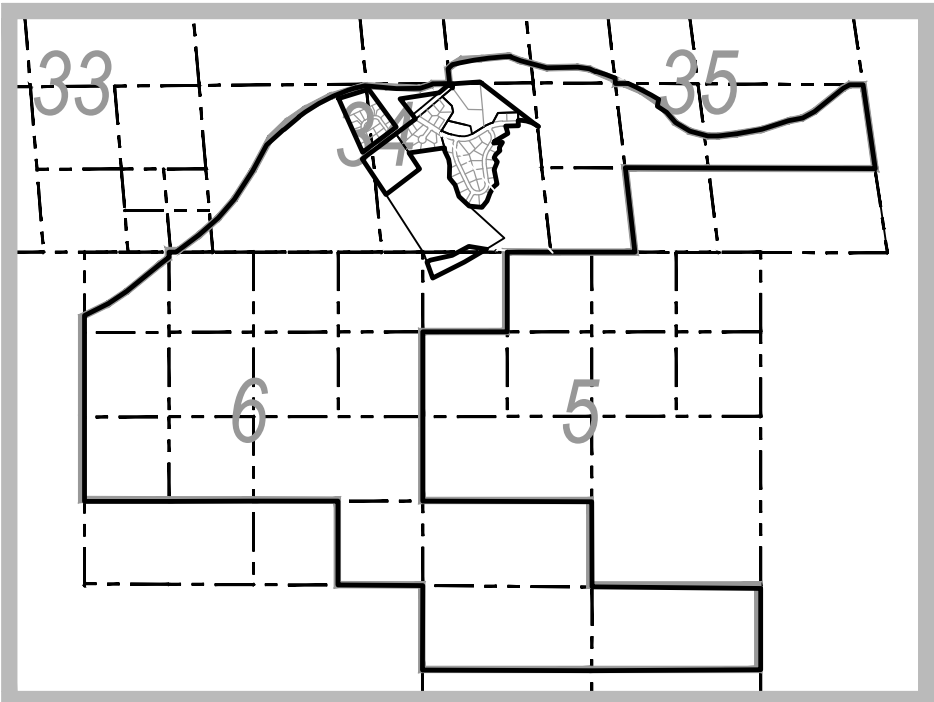


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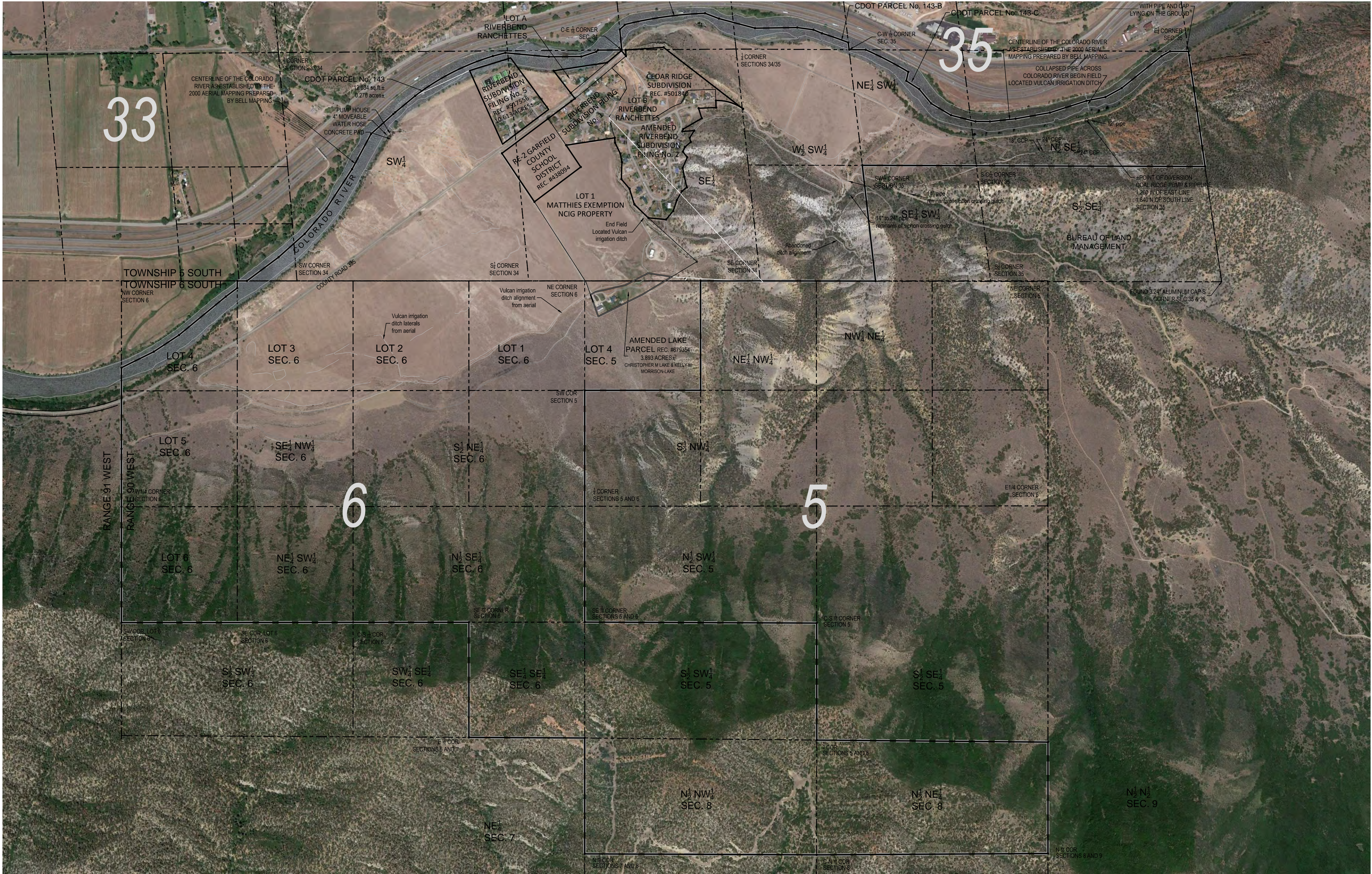
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BOTH OF THE 6th P.M., GARFIELD COUNTY, COLORADO  
**SHEET 8 OF 8**  
AERIAL FROM GOOGLE MAPS



**OVERVIEW OF NCIG  
PROPERTY**  
1" = 3,000'

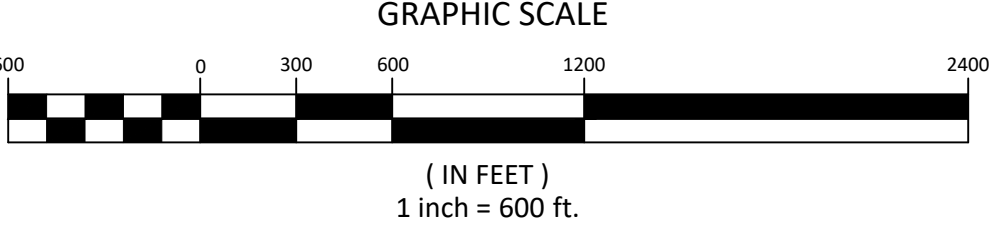


**KEY TO MONUMENTS**

- SECTION CORNERS
- FOUND MONUMENTS
- SET MONUMENTS

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GARFIELD COUNTY  
DEPARTMENT OF DEVELOPMENT

PLANNING: 945-8212 / ENVIRONMENTAL HEALTH: 945-2339 / BUILDING: 945-8241

November 17, 1983

Sam S. Arentz, III  
Vice President, Operations  
Storm King Mines  
5335 West 8th Ave  
Denver, CO. 80212

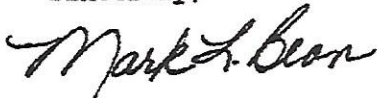
Dear Mr. Arentz:

Enclosed is a copy of the Declaration of Protective Covenants for Riverbend. In reviewing the file for PUD rezoning, it appears that the County accepted this document as the method of controlling land use within the PUD. Presently, a separate zoning text is required, which becomes a part of the resolution of approval.

It appears that your company will have to amend these covenants, to allow for some parts of your operations. Whether or not there is any action required on the part of the County is still in question. Normally, the County does not enforce protective covenants. I have asked the County Attorney's office to review this matter.

If this office can be of further assistance, feel free to call or write.

Sincerely,



Mark L. Bean  
Senior Planner

MLB/emh  
encl.

GARFIELD COUNTY  
DEPARTMENT OF DEVELOPMENT

PLANNING / ENVIRONMENTAL HEALTH / BUILDING: 945-8212

April 25, 1984

Sam Arentz, Vice President, Operations  
Storm King Mines  
9137 East Mineral Circle  
Englewood, CO 80112

Dear Sam:

Please consider this letter to be a confirmation of 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.

If you or Janell Kinzie have any questions or concerns about these documents, please feel free to call or write this office at your convenience.

Sincerely,



Mark L. Bean  
Senior Planner

XC: Earl Rhodes, County Attorney  
Steve Zwick, Ass't County Attorney



CARPENTER & KLATSKIN, P.C.

ATTORNEYS AT LAW

1500 DENVER CLUB BUILDING

518 SEVENTEENTH STREET

DENVER, COLORADO 80202

WILLIS V. CARPENTER  
ANDREW S. KLATSKIN

JANELL KINZIE

May 11, 1984

TELEPHONE:  
(303) 534-6315

Mark L. Bean, Senior Planner  
Garfield County Department of Development  
108th Street  
P.O. Box 640  
Glenwood Springs, Colorado 81602

Re: Riverbend PUD

Dear Mark:

I received from Sam Arentz a copy of your letter to him dated April 25, 1984. This letter concerned the verbal discussions at our meeting of April 13 regarding the controlling documents for the Riverbend PUD. For the record, we would like briefly to reiterate our objections to your position on this matter:

1. The designated "P.U.D. Plan Map" is clearly labeled as a preliminary map only; no final map appears in anyone's records and no map of any kind was ever recorded.

2. The Declaration of Protective Covenants, which you are identifying as the zoning text, is unsigned and undated, and perhaps most significantly, was never recorded. As a subsequent purchaser of this property, my client acquired title with no knowledge, actual or constructive, of the existence of these covenants.

As I indicated in our meeting, I believe the legitimacy of the existing PUD to be highly questionable, particularly when based on the documents upon which you appear to rely. Nonetheless, it is the intention of Storm King Mines to proceed with a rezoning application on that portion of the property which it acquired. It is Storm King's hope that this action can be taken in conjunction with the Riverbend homeowners, so that there will be no dispute about the rezoning action. It is our intention to create a valid PUD for the bulk of the property.

Mark L. Bean, Senior Planner  
May 11, 1984  
Page 2

Hopefully, it will not become necessary for us to contest the validity of the "preliminary" PUD. But we do want it clearly established that we do not agree with the position on this matter set forth in your letter of April 25, 1984.

Sincerely yours,

  
Janell Kinzie

CJK:deg  
cc: Mr. Sam Arentz  
Earl Rhodes, Esq.



PRELIMINARY MAP  
OF THE  
RIVERBEND  
PLANNED UNIT DEVELOPMENT  
GLENWOOD SPRINGS, COLORADO

DESCRIPTION OF RIVERBEND PLANNED UNIT DEVELOPMENT:  
A PARCEL OF LAND SITUATED IN THE SIXTH PRINCIPAL MERIDIAN, NW1/4 SW1/4, SW1/4 NW1/4 AND THE SW1/4 NW1/4 OF SECTION 35, ALSO IN THE SE1/4, SE1/4 NW1/4 AND THE SW1/4 NW1/4 OF SECTION 35, ALL IN TOWNSHIP 5 SOUTH, RANGE 30 WEST OF THE SIXTH PRINCIPAL MERIDIAN, LIES THE S1/4 NW1/4 OF SECTION 35, LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 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2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2



River bend  
Pub

DECLARATION OF PROTECTIVE COVENANTS  
FOR RIVERBEND  
GARFIELD COUNTY, COLORADO

ARTICLE ONE  
Property Subject to this  
Declaration of Protective Covenants

Hamilton R. Duncan, Jr. ("Declarant") is the owner of all of that property within the subdivision named Riverbend in Garfield County, Colorado. The real property which is, and shall be conveyed, transformed, occupied, and sold subject to the conditions, covenants, restrictions, reservations and easements as set forth within the various clauses and covenants of this declaration is located in the County of Garfield, State of Colorado, and is to include that portion of said property encompassing Filings I through IV more particularly described as follows:

A parcel of land being Phases 1, 2, 3, and 4 of Riverbend Subdivision situated in the SE $\frac{1}{4}$  of Section 34 and in the W $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 35, Township 5 South, Range 90 West of the Sixth Principal Meridian, also in Lot 4 of Section 5 and in Lots 1, 2, and in the S $\frac{1}{2}$ NE $\frac{1}{4}$  of Section 6, Township 6 South, Range 90 West of the Sixth Principal Meridian, County of Garfield, State of Colorado, said parcel of land is described as follows:

Beginning at a point whence the Southeast Corner of said Section 34 bears: N.72°37'25" E. 3692.20 feet; thence N.45°45'00" E. 140.00 feet; thence N.58°10'00" E. 177.00 feet; thence N.64°00'00" E. 162.00 feet; thence N.49°00'00" E. 117.00 feet; thence N.53°20'00" E. 93.00 feet; thence N.61°45'00" E. 189.00 feet; thence N.75°37'00" E. 85.00 feet; thence N.84°30'00" E. 110.00 feet; thence S.87°12'00" E. 100.00 feet; thence N.76°45'00" E. 40.00 feet; thence N.52°37'00" E. 45.00 feet; thence N.37°48'00" E. 205.00 feet; thence N.49°05'00" E. 195.00 feet; thence N.82°15'00" E. 40.00 feet; thence N.36°36'00" E. 55.00 feet; thence N.58°18'00" E. 185.00 feet; thence N.64°40'00" E. 115.00 feet; thence N.72°45'00" E. 65.00 feet; thence N.84°05'00" E. 105.00 feet; thence N.74°00'00" E. 160.00 feet; thence S.68°33'00" E. 85.00 feet; thence S.28°30'00" E. 290.00 feet; thence N.33°00'00" E. 70.00 feet; thence 146.57 feet along the arc of a curve to the left, having a radius of 383.17 feet, the chord of which bears: N.43°57'30" E. 145.68 feet; thence N.11°05'00" E. 70.00 feet; thence 255.51 feet along the arc of a curve to the left, having a radius of 297.25 feet, the chord of which bears: N.13°32'30" W. 247.72 feet; thence N.38°10'00" W. 273.00 feet; thence 290.56 feet along the arc of a curve to the right, having a radius of 243.63 feet, the chord of which bears: N.04°00'00" W. 273.65 feet; thence N.30°10'00" E. 100.00 feet; thence N.47°06'00" W. 60.00 feet; thence N.27°00'00" W. 435.00 feet; thence N.08°20'00" W. 440.93 feet; thence S.81°28'00" W. 560.92 feet; thence N.33°50'00" W. 365.00 feet; thence N.53°10'00" E. 330.00 feet; thence 232.17 feet along the arc of a curve to the left, having a radius of 4168.53 feet, the chord of which bears: N.51°34'16" E. 232.14 feet; thence N.49°58'32" E. 364.47 feet; thence S.46°00'00" E. 208.92 feet; thence S.10°31'00" E. 95.00 feet; thence S.31°46'43" W. 340.63 feet; thence 140.09 feet along the arc of a curve to the left, having a radius of 445.92 feet, the chord of which bears: S.66°05'00" E. 139.51 feet; thence S.75°05'00" E. 150.00 feet; thence 176.93 feet along the arc of a curve to the left, having a radius of 217.30 feet, the chord of which bears: N.81°35'30" E. 172.08 feet; thence N.58°16'00" E. 178.00 feet; thence N.53°15'00" E. 220.00 feet; thence 340.93 feet along the arc of a curve to the right, having a radius of 217.61 feet, the chord of which bears: N.63°32'04" E. 307.12 feet; thence S.71°35'00" E. 190.00 feet; thence 201.52 feet along the arc of a curve to the right, having a radius of 1474.01 feet, the chord of which bears: S.67°40'00" E. 201.37 feet; thence S.63°45'00" E. 121.83 feet; thence 194.19 feet along the arc of a curve to the right,



having a radius of 226.68 feet, the chord of which bears: S.39°12'30" E. 188.31 feet; thence S.14°40'00" E. 18.82 feet; thence 127.39 feet along the arc of a curve to the left, having a radius of 191.24 feet, the chord of which bears: S.33°45'00" E. 125.05 feet; thence S.52°50'00" E. 210.00 feet; thence 208.77 feet along the arc of a curve to the left, having a radius of 829.72 feet, the chord of which bears: S.60°02'30" E. 208.22 feet; thence S.67°15'00" E. 137.00 feet; thence 194.52 feet along the arc of a curve to the left, having a radius of 377.81 feet, the chord of which bears: S.82°00'00" E. 192.38 feet; thence S.13°00'00" E. 80.48 feet; thence S.83°15'00" W. 8.76 feet; thence 235.71 feet along the arc of a curve to the right, having a radius of 457.81 feet, the chord of which bears: N.82°00'00" W. 233.12 feet; thence N.67°15'00" W. 137.00 feet; thence 228.90 feet along the arc of a curve to the right, having a radius of 909.72 feet, the chord of which bears: N.60°02'30" W. 228.30 feet; thence N.52°50'00" W. 210.00 feet; thence 180.68 feet along the arc of a curve to the right, having a radius of 271.24 feet, the chord of which bears: N.33°45'00" W. 177.36 feet; thence N.14°40'00" W. 18.82 feet; thence 125.66 feet along the arc of a curve to the left, having a radius of 146.68 feet, the chord of which bears: N.39°12'30" W. 121.85 feet; thence N.63°45'00" W. 121.83 feet; thence 96.51 feet along the arc of a curve to the left, having a radius of 1394.01 feet, the chord of which bears: N.65°44'00" W. 96.49 feet; thence S.78°45'00" W. 290.00 feet; thence S.05°00'00" E. 80.00 feet; thence S.28°55'00" W. 191.50 feet; thence S.18°35'00" W. 45.00 feet; thence S.04°45'00" W. 25.00 feet; thence S.00°45'00" E. 30.00 feet; thence S.52°50'00" W. 58.00 feet; thence S.28°45'00" W. 65.00 feet; thence S.16°05'00" E. 45.00 feet; thence S.43°09'00" E. 40.00 feet; thence S.11°24'00" W. 15.00 feet; thence S.32°08'00" W. 35.00 feet; thence S.26°10'00" W. 52.00 feet; thence S.02°45'00" E. 130.00 feet; thence S.09°35'00" W. 135.00 feet; thence S.13°10'00" W. 85.00 feet; thence S.25°10'00" W. 83.00 feet; thence S.19°30'00" W. 64.00 feet; thence S.42°10'00" W. 40.00 feet; thence S.34°10'00" W. 60.00 feet; thence S.27°07'00" W. 35.00 feet; thence S.55°45'00" W. 35.00 feet; thence S.77°10'00" W. 150.00 feet; thence N.47°06'00" W. 100.00 feet; thence S.30°10'00" W. 90.00 feet; thence S.43°48'58" E. 767.83 feet, more or less; thence S.13°40'00" W. 585.00 feet; thence N.87°57'00" W. 190.00 feet; thence N.44°04'00" W. 90.00 feet; thence S.33°00'00" W. 215.00 feet; thence S.57°00'00" E. 60.00 feet; thence S.05°00'58" E. 174.20 feet; thence S.38°40'00" W. 135.00 feet; thence N.23°35'00" W. 184.45 feet; thence S.33°00'00" W. 20.00 feet; thence 49.08 feet along the arc of a curve to the right, having a radius of 608.58 feet, the chord of which bears: S.35°18'37" W. 49.07 feet; thence S.23°35'00" E. 178.97 feet; thence S.38°40'00" W. 140.00 feet; thence S.64°26'00" W. 140.00 feet; thence N.24°30'00" W. 174.35 feet; thence S.63°55'00" W. 60.00 feet; thence S.20°04'00" E. 174.61 feet; thence S.64°26'00" W. 868.57 feet; thence S.71°51'00" W. 400.00 feet; thence N.29°56'00" W. 180.00 feet; thence S.72°30'00" W. 370.00 feet; thence 133.66 feet along the arc of a curve to the right, having a radius of 1044.31 feet, the chord of which bears: S.76°10'00" W. 133.57 feet; thence S.79°50'00" W. 60.00 feet; thence 416.45 feet along the arc of a curve to the right, having a radius of 142.95 feet, the chord of which bears: N.16°42'30" W. 284.04 feet; thence N.12°00'00" E. 182.00 feet, more or less to the point of beginning.

The above described parcel of land contains 83.91 acres, more or less.