TOWN OF ERIE
Community Development Department – Planning Division
645 Holbrook Street – PO Box 750 – Erie, CO 80516
Tel: 303.926.2770 – Fax: 303.926.2706 – Web: www.erieco.gov

LAND USE APPLICATION

Please fill in this form completely. Incomplete applications will not be processed.

STAFF USE ONLY

FILE NAME:

FILE NO: DATE SUBMITTED: FEES PAID:

PROJECT/BUSINESS NAME: SCHMIDT

PROJECT ADDRESS: NW OF INTERSECTION JAY ROAD AND NE COUNTY ONE ROAD

PROJECT DESCRIPTION: SUBDIVISION OF 119 DWELLING UNITS

LEGAL DESCRIPTION *(attach legal description if Metes & Bounds)*

Subdivision Name: SCHMIDT

Filing #: Lot #: Block #: Section: 13 Township: 1 NORTH Range: 69

OWNER *(attach separate sheets if multiple)*

Name/Company: TI RESIDENTIAL, LLC

Contact Person: ANDREW TRIETLEY

Address: 9801 E. Easter Ave

City/State/Zip: CENTENNIAL, CO 80112

Phone: 720-413-3948 Fax:

E-mail: atrietley@ventanacap.com

AUTHORIZED REPRESENTATIVE

Company/Firm: RICK ENGINEERING

Contact Person: TROY W. BALES

Address: 9801E. EASTER AVE

City/State/Zip: CENTENNIAL, CO 80112

Phone: 303.537-8020 Fax:

E-mail: TBALES@RICKENGINEERING.COM

MINERAL RIGHTS OWNER *(attach separate sheets if multiple)*

Name/Company:

Address:

City/State/Zip:

MINERAL LEASE HOLDER *(attach separate sheets if multiple)*

Name/Company:

Address:

City/State/Zip:

LAND-USE & SUMMARY INFORMATION

Present Zoning: OPEN SPACE, LOW DENSITY RESIDENTIAL

Proposed Zoning: OPEN SPACE, LOW DENSITY RESIDENTIAL

Gross Acreage: 90.032

Gross Site Density (du/ac): 1.32

Lots/Units Proposed: 119

Gross Floor Area:

SERVICE PROVIDERS

Electric: UNITED POWER AND XCEL

Metro District:

Water *(if other than Town)*:

Gas: XCEL AND SOURCEGAS

Fire District: MOUNTAIN VIEW FIRE RESCUE AND STATION 6

Sewer *(if other than Town)*:

PAGE TWO MUST BE SIGNED AND NOTARIZED

DEVELOPMENT REVIEW FEES			
ANNEXATION		**SUBDIVISION**	
☐ Major (10+ acres)	$ 4000.00	☑ Sketch Plan	$ 1000.00 + 10.00 per lot
☐ Minor (less than 10 acres)	$ 2000.00	☐ Preliminary Plat	$ 2000.00 + 40.00 per lot
☐ Deannexation	$ 1000.00	☐ Final Plat	$ 2000.00 + 20.00 per lot
COMPREHENSIVE PLAN AMENDMENT		☐ Minor Subdivision Plat	$ 2000.00
☐ Major	$ 3000.00	☐ Minor Amendment Plat	$ 1000.00 + 10.00 per lot
☐ Minor	$ 1200.00	☐ Road Vacation (constructed)	$ 1000.00
ZONING/REZONING		☐ Road Vacation (paper)	$ 100.00
☐ Rezoning	$ 1700.00 + 10.00 per acre	**SITE PLAN**	
☐ PUD Rezoning	$ 1700.00 + 10.00 per acre	☐ Residential	$ 1400.00 + 10.00 per unit
☐ PUD Amendment	$ 1700.00 + 10.00 per acre	☐ Non-Resi. (>10,000 sq. ft.)	$ 2200.00
☐ Major PD Amendment	$ 3700.00 + 10.00 per acre	☐ Non-Resi. (>2,000 sq. ft.)	$ 1000.00
☐ Minor PD Amendment	$ 500.00	☐ Non-Resi. (<2,000 sq. ft.)	$ 200.00
SPECIAL REVIEW USE		☐ Amendment (major)	$ 1100.00
☐ Major	$ 1000.00	☐ Amendment (minor)	$ 350.00
☐ Minor	$ 400.00	**VARIANCE**	**$ 600.00**
☐ Oil & Gas	$ 1200.00	**SERVICE PLAN**	**$ 10,000.00**

*All fees **include** both Town of Erie Planning & Engineering review. These fees **do not include** referral agency review fees, outside consultant review fees, or review fees incurred by consultants acting on behalf of staff. See Town of Erie Municipal Code, Title 2-10-5 for all COMMUNITY DEVELOPMENT FEES.*

The undersigned is fully aware of the request/proposal being made and the actions being initiated on the referenced property. The undersigned understand that the application must be found to be complete by the Town of Erie before the request can officially be accepted and the development review process initiated. The undersigned is aware that the applicant is fully responsible for all reasonable costs associated with the review of the application/request being made to the Town of Erie. Pursuant to Chapter 7 (Section 7.2.B.5) of the Unified Development Code (UDC) of the Town of Erie, applicants shall pay all costs billed by the Town for legal, engineering and planning costs incurred by staff, including consultants acting on behalf of staff, necessary for project review. By this acknowledgement, the undersigned hereby certify that the above information is true and correct.

Owner: _____ Date: 7/27/2017

Owner: _____ Date: _____

Applicant: _____ Date: _____

STATE OF COLORADO)
) ss.
County of Arapahoe)

The foregoing instrument was acknowledged before me this 27th day of July, 2017, by Ashley Weiss.

My commission expires: 5/12/2021.
Witness my hand and official seal.

ASHLEY WEISS
Notary Public
State of Colorado
Notary ID # 20174020366
My Commission Expires 05-12-2021

Notary Public

RICK
ENGINEERING COMPANY

August 15, 2017

Town of Erie Planning Department
645 Holbrook St
Erie, CO 80516

SUBJECT: SCHMIDT PROPERTY LETTER OF INTENT

To whom it may concern:

Rick Engineering Company (RICK) is pleased to submit the attached Sketch Plan Applications on behalf of TI Residential, L.L.C., the Applicant, for the proposed Schmidt Property.

The Schmidt Property proposes 119 dwelling units on 90 acres. Within the proposed 90 acres will have open space of 19.47 acres and an undeveloped mine subsidence area of 33.66 acres south of the development. The project site is located northwest of the intersection of Jay Rd and NE Countyline Rd. The adjacent zoning consists of low density residential and open space to the north and east, rural residential to the south and west. The project recently went through the process of Annexation and Zoning through the town. The existing Zoning as defined in the approved Zoning Map is open space and Low Density Residential. The project as zoned is permitted to have up to 150 single family units within the LR zone. As a part of the annexation and zoning process the project analyzed the impacts of the additional 150 units to the existing school infrastructure and fire protection services and have determined that both meet minimum standard. Will serve letters have been obtained from the electric, gas and communication providers as a part of the annexation and zoning process which assessed existing infrastructure and determined allowable service is available. The Plan has been designed to incorporate key environmental factors; including topography, geology, soils, watersheds and drainage, visual resources, and transportation. The goal of the development is to create a distinct and balanced community that integrates both the natural and built environment.

Additional improvements within the Schmidt Property consist of road improvements and utilities. Lombardi Street will continue to be constructed north east of the project from the Kenosha Farms development and connect into the intersection of Jay and Jasper Rd. Jay and Jasper Rd will have a road widening from the intersection of Lombardi and continue until the intersection of NE Countyline Rd. Water and sewer services will be supplied by the Town of Erie and connect to the adjacent developments of Kenosha Farms and Lost Creek Farms. The project is proposing to connect water and sewer to the Lost Creek Farms Subdivision understanding that the development is not currently in place. Based on discussions with the Town its our understanding that these facilities will be in place prior to construction. If there is a case where water and sewer is not available provisions will be made to make water and sewer connections to the existing water and sewer systems to the north of the property.

The site generally slopes from the south to the north. The Lower Boulder Ditch traverses the site in the east, west direction and bisects the open space and Low Density Residential Zoning districts. This ditch requires a 75' buffer along the southern edge of the ditch which we have provided an allowance for in the site layout. Drainage will be collected in a storm drain network and drain into a single detention basin located on the northern edge of the site just south of the Lower Boulder Ditch.

A ditch crossing will be proposed consisting of either a siphon or pump system. The outlet will be to the regional ditch located on the north edge of the property.

The site is encumbered by a 30'trail easement along the eastern edge of the property which currently allows public access use of the existing trail. This project proposes to maintain the trail and incorporate it into the site amenities. A 0.8 acre park has been proposed which will be maintained by the HOA or district, which abuts the trail to provide connectivity to residents of the proposed development as well as other residents in adjacent developments that utilize the trail.

The project will be constructed in one phase. The site does rely on the adjacent property titled Lost Creek Farms for secondary road access. It's our understanding from discussions with Town staff that construction is underway however if for some reason construction halts a temporary access through the Lost Creek Farm Subdivision is proposed.

A portion of the site has been determined undevelopable and is defined as the property south of the 0% Strain Line. A significant amount of analysis has been performed by Western Environmental and Ecology to review and assess the existence of an old mine located below the property. Due to the possibility of mine subsidence which has occurred in the past in the area south of the strain line we are currently proposing to leave the site as is currently shown today.

There are gas and oil wells located on the site and on the adjacent site to the east. We have located these facilities and have provided adequate setbacks as allowed by the Town Code and Approved annexation agreement.

If you have any questions regarding the documents provided with this application, please contact us at 303-537-8020.

Sincerely,

Troy Bales, P.E.
Principal Project Engineer Manager
RICK ENGINEERING COMPANY

VENTANA
CAPITAL

August 2, 2017

To Whom It May Concern:

This letter will serve as official notice that Troy Bales of Rick Engineering Company is authorized to represent TI Residential, L.L.C., in the processing of all documents and activities related to the submittal and processing of Schmidt Property, including but not limited to sketch plan, preliminary and final platting, landscaping, site improvement plans, and construction plans.

Sincerely,

Signed:

TI Residential, L.L.C.

By: _____
Andrew Trietley

STATE OF COLORADO)
) ss.
COUNTY OF Arapahoe)

Acknowledged before me this 3 day of August, 2017 by Ashley Weiss as Notary Public.

My commission expires: 5/12/2021.

Witness my hand and official seal

_____
Notary Public

ASHLEY WEISS
Notary Public
State of Colorado
Notary ID # 20174020366
My Commission Expires 05-12-2021

9801 E. Easter Avenue, Centennial, CO, 80112 303-346-7006 Phone . 303-865-7006 Fax

PREVENT FRAUD - Please remember to call a member of our closing team when initiating a wire transfer or providing wiring instructions.

Customer Distribution

Our Order Number: ABZ70535358.1

Date: 08-17-2017

Property Address: PROPOSED PLAT, ERIE, CO 80516

For Title Assistance
KIM ZIMMERMAN
5975 GREENWOOD PLAZA BLVD
GREENWOOD VILLAGE, CO 80111
720-406-2083 (phone)
303-393-4842 (fax)
kzimmerman@ltgc.com

PLEASE CONTACT YOUR CLOSER OR CLOSER'S ASSISTANT FOR WIRE TRANSFER INSTRUCTIONS

Seller/Owner
TI RESIDENTIAL LLC
Attention: ANDREW TRIETLEY
9801 E EASTER AVE
CENTENNIAL, CO 80112
303-346-7006 (work)
atrietley@ventanacap.com
Delivered via: Linked Commitment Delivery

Land Title Guarantee Company

Estimate of Title Fees

Order Number: ABZ70535358.1 Date: 08-17-2017

Property Address: PROPOSED PLAT, ERIE, CO 80516

Buyer/Borrower: A BUYER TO BE DETERMINED

Seller: TI RESIDENTIAL LLC, A COLORADO LIMITED LIABILITY COMPANY AS TO PARCEL 1 AND SUE OWEN SCHMIDT AS TO PARCEL 2

Visit Land Title's website at www.ltgc.com for directions to any of our offices.

Estimate of Title Insurance Fees	
TBD Commitment	$270.00
If Land Title Guarantee Company will be closing this transaction, the fees listed above will be collected at closing.	
Total	$270.00
THANK YOU FOR YOUR ORDER!	

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule A

Order Number: ABZ70535358.1

Customer Ref-Loan No.:

Property Address:

PROPOSED PLAT, ERIE, CO 80516

1. Effective Date:

08-04-2017 At 5:00 P.M.

2. Policy to be Issued and Proposed Insured:

"TBD" Commitment $0.00
Proposed Insured:
A BUYER TO BE DETERMINED

3. The estate or interest in the land described or referred to in this Commitment and covered herein is:

A FEE SIMPLE

4. Title to the estate or interest covered herein is at the effective date hereof vested in:

TI RESIDENTIAL LLC, A COLORADO LIMITED LIABILITY COMPANY AS TO PARCEL 1 AND SUE OWEN SCHMIDT AS TO PARCEL 2

5. The Land referred to in this Commitment is described as follows:

PARCEL 1:

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 13,
THENCE NORTH 00°10'48" EAST ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 116.80 FEET;
THENCE NORTH 89°24'12" WEST, A DISTANCE OF 666.10 FEET;
THENCE NORTH 88°05'06" WEST, A DISTANCE OF 258.00 FEET;
THENCE NORTH 2°11'05" EAST, A DISTANCE OF 23.32 FEET TO A POINT ON THE APPARENT NORTH RIGHT OF WAY LINE OF JAY ROAD, EVIDENCED BY A 5/8" REBAR AND PLASTIC CAP, PLS 6716, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING;
THENCE NORTH 86°53'01" WEST, A DISTANCE OF 493.00 FEET;
THENCE NORTH 84°46'00" WEST, A DISTANCE OF 929.46 FEET TO A POINT OF CURVE;
THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 300.00 FEET AND A CENTRAL ANGLE OF 84°10'43", AN ARC DISTANCE OF 440.76 FEET, (CHORD BEARS NORTH 42°40'38" WEST, A DISTANCE OF 402.17 FEET) TO A POINT OF TANGENT;
THENCE NORTH 00°35'17" WEST, A DISTANCE OF 708.07 FEET;
THENCE NORTH 00°07'43" EAST, A DISTANCE OF 156.84 FEET;
THENCE NORTH 89°54'17" WEST, A DISTANCE OF 40.13 FEET TO A POINT ON THE WEST LINE OF THE SAID NORTHEAST QUARTER OF SECTION 13 FROM WHENCE THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 13 BEARS SOUTH 00 ° 07'34" WEST, A DISTANCE OF 65.45 FEET;
THENCE NORTH 00°07'34" EAST ALONG SAID WEST LINE, A DISTANCE OF 1264.78 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 13, EVIDENCED BY A 4" BRASS CAP SET IN CONCRETE,

PLS 13446;
THENCE SOUTH 89°08'12" EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 1789.05 FEET TO A POINT ON THE APPROXIMATE CENTERLINE OF AN IRRIGATION DITCH;

THENCE ALONG SAID DITCH CENTERLINE THE FOLLOWING FIVE COURSES:

1. SOUTH 05°18'53" WEST, A DISTANCE OF 85.95 FEET;
2. SOUTH 09°21'45" WEST, A DISTANCE OF 18.85 FEET TO A POINT OF CURVE;
3. ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 171.00 FEET AND A CENTRAL ANGLE OF 71°01'12", AN ARC DISTANCE OF 211.96 FEET; (CHORD BEARS SOUTH 44°52'21" WEST, A DISTANCE OF 198.65 FEET) TO A POINT OF TANGENT;
4. SOUTH 80°22'57" WEST, A DISTANCE OF 39.94 FEET;
5. SOUTH 84°33'07" WEST, A DISTANCE OF 110.15 FEET TO A POINT ON THE NORTH LINE OF AN EASEMENT FOR THE LOWER BOULDER IRRIGATION CANAL, AS RECORDED AT BOOK 986, PAGES 266 AND 269, BOULDER COUNTY CLERK AND RECORDER'S OFFICE;

THENCE ALONG THE NORTH LINE OF SAID EASEMENT THE FOLLOWING TWO COURSES:

1. NORTH 76°17'21" WEST, A DISTANCE OF 116.57 FEET;
2. SOUTH 67°06'39" WEST, A DISTANCE OF 46.92 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 13;

THENCE SOUTH 00°09'11" WEST ALONG SAID WEST LINE, A DISTANCE OF 846.84 FEET TO A POINT, EVIDENCED BY A 5/8" REBAR AND PLASTIC CAP, PLS 6716;
THENCE NORTH 89°29'13" EAST, A DISTANCE OF 104.55 FEET;
THENCE SOUTH 00°09'16" WEST, A DISTANCE OF 17.93 FEET TO A POINT ON THE APPROXIMATE CENTERLINE OF AN IRRIGATION DITCH;

THENCE ALONG SAID DITCH CENTERLINE THE FOLLOWING NINE COURSES:

1. SOUTH 87°53'01" EAST, A DISTANCE OF 96.53 FEET;
2. SOUTH 54°47'37" EAST, A DISTANCE OF 37.79 FEET;
3. SOUTH 35°58'27" EAST, A DISTANCE OF 46.95 FEET;
4. SOUTH 30°22'26" EAST, A DISTANCE OF 187.12 FEET;
5. SOUTH 27°11'53" EAST, A DISTANCE OF 237.04 FEET;
6. SOUTH 20°56'33" EAST, A DISTANCE OF 133.69 FEET;
7. SOUTH 08°05'21" EAST, A DISTANCE OF 67.96 FEET;
8. SOUTH 01°39'24" EAST, A DISTANCE OF 209.10 FEET;
9. SOUTH 00°14'08" WEST, A DISTANCE OF 273.40 FEET TO A POINT ON THE NORTH LINE OF A PARCEL OF LAND RECORDED AT RECEPTION NO. 2484649, BOULDER COUNTY CLERK AND RECORDER'S OFFICE;

THENCE NORTH 89°36'22" WEST, A DISTANCE OF 0.66 FEET TO THE NORTHWEST CORNER OF SAID PARCEL, EVIDENCED BY A 5/8" REBAR AND ALUMINUM CAP, PLS 4846;
THENCE SOUTH 00 ° 14'06" WEST ALONG THE MOST WESTERLY LINE OF SAID PARCEL, A DISTANCE OF 75.50 FEET TO A POINT, EVIDENCED BY A 1-1/2" ALUMINUM CAP SET IN CONCRETE, PLS 2152;
THENCE NORTH 73°58'04" WEST, A DISTANCE OF 114.01 FEET TO A POINT, AS EVIDENCED BY A 1-1/2" ALUMINUM CAP SET IN CONCRETE, PLS 2152;
THENCE SOUTH 02°13'11" WEST, A DISTANCE OF 239.47 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THE FOLLOWING PARCEL:

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule A

Order Number: ABZ70535358.1

Customer Ref-Loan No.:

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 13,
THENCE NORTH 00°10'48" EAST, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 116.80 FEET;
THENCE NORTH 89°24'12" WEST, A DISTANCE OF 666.10 FEET;
THENCE NORTH 88°05'06" WEST, A DISTANCE OF 258.00 FEET;
THENCE NORTH 2°11'05" EAST, A DISTANCE OF 23.32 FEET TO A POINT ON THE APPARENT NORTH RIGHT OF WAY LINE OF JAY ROAD, EVIDENCED BY A 5/8" REBAR AND PLASTIC CAP, PLS 6716, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING;
THENCE ALONG THE NORTH RIGHT OF WAY LINE OF JAY ROAD, NORTH 86°53'01" WEST, A DISTANCE OF 400.00 FEET;
THENCE DEPARTING SAID RIGHT OF WAY LINE NORTH 03°06'59" EAST, A DISTANCE OF 100.00 FEET TO A POINT OF CURVE;
THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 525.00 FEET AND A CENTRAL ANGLE OF 26°20'43", AN ARC DISTANCE OF 241.40 FEET (CHORD BEARS NORTH 16°17'21" EAST, A DISTANCE OF 239.28 FEET) TO A POINT OF COMPOUND CURVE;
THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET AND A CENTRAL ANGLE OF 65°46'18", AN ARC DISTANCE OF 22.96 FEET (CHORD BEARS NORTH 62°20'51" EAST, A DISTANCE OF 21.72 FEET);
THENCE SOUTH 84°46'00" EAST, A DISTANCE OF 128.96 FEET TO A POINT OF CURVE; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 82°34'31", AN ARC DISTANCE OF 72.06 FEET (CHORD BEARS NORTH 53°56'45" EAST, A DISTANCE OF 65.98 FEET);
THENCE SOUTH 87°31'40" EAST, A DISTANCE OF 246.29 FEET;
THENCE SOUTH 00°14'08" WEST, A DISTANCE OF 94.50 FEET TO A POINT ON THE NORTH LINE OF A PARCEL OF LAND RECORDED AT RECEPTION NO. 2484649, BOULDER COUNTY CLERK AND RECORDER'S OFFICE;
THENCE NORTH 89°36'22" WEST, A DISTANCE OF 0.66 FEET TO THE NORTHWEST CORNER OF SAID PARCEL, EVIDENCED BY A 5/8" REBAR AND ALUMINUM CAP, PLS 4846;
THENCE SOUTH 00°14'06" WEST ALONG THE MOST WESTERLY LINE OF SAID PARCEL, A DISTANCE OF 75.50 FEET TO A POINT, EVIDENCED BY A 1-1/2" ALUMINUM CAP SET IN CONCRETE, PLS 2152;
THENCE NORTH 73°58'04" WEST, A DISTANCE OF 114.01 FEET TO A POINT, AS EVIDENCED BY A 1-1/2" ALUMINUM CAP SET IN CONCRETE, PLS 2152;
THENCE SOUTH 02°13'11" WEST, A DISTANCE OF 239.47 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 13,
THENCE NORTH 00°10'48" EAST, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 116.80 FEET;
THENCE NORTH 89°24'12" WEST, A DISTANCE OF 666.10 FEET;
THENCE NORTH 88°05'06" WEST, A DISTANCE OF 258.00 FEET;
THENCE NORTH 2°11'05" EAST, A DISTANCE OF 23.32 FEET TO A POINT ON THE APPARENT NORTH RIGHT OF WAY LINE OF JAY ROAD, EVIDENCED BY A 5/8" REBAR AND PLASTIC CAP, PLS 6716, SAID

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule A

Order Number: ABZ70535358.1

Customer Ref-Loan No.:

POINT ALSO BEING THE TRUE POINT OF BEGINNING;
THENCE ALONG THE NORTH RIGHT OF WAY LINE OF JAY ROAD, NORTH 86°53'01" WEST, A DISTANCE OF 400.00 FEET;
THENCE DEPARTING SAID RIGHT OF WAY LINE NORTH 03°06'59" EAST, A DISTANCE OF 100.00 FEET TO A POINT OF CURVE;
THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 525.00 FEET AND A CENTRAL ANGLE OF 26°20'43", AN ARC DISTANCE OF 241.40 FEET (CHORD BEARS NORTH 16°17'21" EAST, A DISTANCE OF 239.28 FEET) TO A POINT OF COMPOUND CURVE;
THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET AND A CENTRAL ANGLE OF 65°46'18", AN ARC DISTANCE OF 22.96 FEET (CHORD BEARS NORTH 62°20'51" EAST, A DISTANCE OF 21.72 FEET);
THENCE SOUTH 84°46'00" EAST, A DISTANCE OF 128.96 FEET TO A POINT OF CURVE; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 82°34'31", AN ARC DISTANCE OF 72.06 FEET (CHORD BEARS NORTH 53°56'45" EAST, A DISTANCE OF 65.98 FEET);
THENCE SOUTH 87°31'40" EAST, A DISTANCE OF 246.29 FEET;
THENCE SOUTH 00°14'08" WEST, A DISTANCE OF 94.50 FEET TO A POINT ON THE NORTH LINE OF A PARCEL OF LAND RECORDED AT RECEPTION NO. 2484649, BOULDER COUNTY CLERK AND RECORDER'S OFFICE;
THENCE NORTH 89°36'22" WEST, A DISTANCE OF 0.66 FEET TO THE NORTHWEST CORNER OF SAID PARCEL, EVIDENCED BY A 5/8" REBAR AND ALUMINUM CAP, PLS 4846;
THENCE SOUTH 00°14'06" WEST ALONG THE MOST WESTERLY LINE OF SAID PARCEL, A DISTANCE OF 75.50 FEET TO A POINT, EVIDENCED BY A 1-1/2" ALUMINUM CAP SET IN CONCRETE, PLS 2152;
THENCE NORTH 73°58'04" WEST, A DISTANCE OF 114.01 FEET TO A POINT, AS EVIDENCED BY A 1-1/2" ALUMINUM CAP SET IN CONCRETE, PLS 2152;
THENCE SOUTH 02°13'11" WEST, A DISTANCE OF 239.47 FEET TO THE TRUE POINT OF BEGINNING.

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ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B-1

(Requirements)

Order Number: ABZ70535358.1

The following are the requirements to be complied with:

Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.

Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record, to-wit:

THIS COMMITMENT IS FOR INFORMATION ONLY, AND NO POLICY WILL BE ISSUED PURSUANT HERETO.

Old Republic National Title Insurance Company
Schedule B-2

(Exceptions)

Order Number: ABZ70535358.1

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

1. **Any facts, rights, interests, or claims thereof, not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.**

2. **Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.**

3. **Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and 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 of the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.**

6. **(a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.**

7. **(a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water.**

8. EXISTING LEASES AND TENANCIES, IF ANY.

9. ALL OIL, GAS AND OTHER MINERALS AND TERMS THEREIN AS RESERVED IN DEED RECORDED JANUARY 17, 1921, IN BOOK 445 AT PAGE 534.

   NOTE: MINERAL DEED WAS RECORDED JUNE 16, 2008 UNDER RECEPTION NO. 2936492.

   NOTE: REQUEST FOR NOTICE OF SURFACE DEVELOPMENT WAS RECORDED SEPTEMBER 28, 2009 UNDER RECEPTION NO. 03032258.

10. OIL AND GAS LEASE BETWEEN THE ROCKY MOUNTAIN FUEL COMPANY, LESSOR, AND THE VESSELS COMPANY, LESSEE, AS MEMORIALIZED BY MEMORANDUM OF LEASE RECORDED OCTOBER 31, 1980 UNDER RECEPTION NO. 420402, AND ANY AND ALL ASSIGNMENTS THEREOF, OR INTEREST THEREIN.

    DECLARATION OF UNITIZATION RECORDED APRIL 21, 1981 UNDER RECEPTION NO. 442785 AND AMENDMENT THERETO RECORDED SEPTEMBER 14, 1992 UNDER RECEPTION NO. 01219238.

    PRODUCTION AFFIDAVIT RECORDED JULY 27, 1981 UNDER RECEPTION NO. 456647.

    NOTICE OF RIGHT TO USE SURFACE OF LANDS WAS RECORDED DECEMBER 24, 1996 UNDER RECEPTION NO. 1666157.

    REQUEST FOR NOTIFICATION OF SURFACE DEVELOPMENT WAS RECORDED APRIL 11, 2006

Old Republic National Title Insurance Company
Schedule B-2

(Exceptions)

Order Number: ABZ70535358.1

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

UNDER RECEPTION NO. 2769128.

AMENDMENT TO LEASES RECORDED DECEMBER 13, 2007 UNDER RECEPTION NOS. 2899426 AND DECEMBER 13, 2007 UNDER RECEPTION NO. 2899427.

DECLARATION OF POOLING RECORDED FEBRUARY 5, 2013 UNDER RECEPTION NO. 03287549 AND FEBRUARY 5, 2013 UNDER RECEPTION NO. 03287555.

(AFFECTS W1/2 NE1/4)

11. OIL AND GAS LEASE BETWEEN RUSSELL L. PEATE, LESSOR, AND THE VESSELS COMPANY, LESSEE, RECORDED MARCH 11, 1981 UNDER RECEPTION NO. 437378, AND ANY AND ALL ASSIGNMENTS THEREOF, OR INTEREST THEREIN.

    NOTE: PRODUCTION AFFIDAVIT RECORDED JULY 27, 1981, UNDER RECEPTION NO. 456647.

    REQUEST FOR NOTIFICATION OF SURFACE DEVELOPMENT RECORDED APRIL 11, 2006 AT RECEPTION NO. 2769128.

    AMENDMENT TO LEASES RECORDED DECEMBER 13, 2007 UNDER RECEPTION NOS. 2899426 AND DECEMBER 13, 2007 UNDER RECEPTION NO. 2899427.

    DECLARATION OF POOLING WAS RECORDED FEBRUARY 5, 2013 UNDER RECEPTION NO. 03287549.

12. DECLARATION OF POOLING RECORDED FEBRUARY 5, 2013 UNDER RECEPTION NO. 03287559.

    (AFFECTS PORTION NE1/4 NE1/4)

13. EASEMENT AND RIGHT OF WAY FOR WATER PIPELINE PURPOSES AS GRANTED TO THE TOWN OF ERIE BY INSTRUMENT RECORDED JULY 06, 1923, IN BOOK 465 AT PAGE 483.

    NOTE: THE ABOVE ITEM MAY BE MODIFIED OR DELETED, OR COVERED BY ENDORSEMENT, UPON REVIEW OF THE FINAL PLAT TO BE RECORDED AND RECEIPT OF THE FINAL LEGAL DESCRIPTION TO BE INSURED.

14. EASEMENTS AND RIGHTS OF WAY FOR COMMUNICATION LINE PURPOSES AS GRANTED TO MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY BY INSTRUMENT RECORDED AUGUST 05, 1928, IN BOOK 559 AT PAGE 436 AND RECORDED FEBRUARY 14, 1955, IN BOOK 971 AT PAGE 495.

    NOTE: THE ABOVE ITEM MAY BE MODIFIED OR DELETED, OR COVERED BY ENDORSEMENT, UPON REVIEW OF THE FINAL PLAT TO BE RECORDED AND RECEIPT OF THE FINAL LEGAL DESCRIPTION TO BE INSURED.

15. EASEMENT AND RIGHT OF WAY FOR IRRIGATION CANAL AND INCIDENTAL PURPOSES AS GRANTED TO THE NORTHERN COLORADO WATER CONSERVANCY DISTRICT BY INSTRUMENT RECORDED JULY 28, 1955, IN BOOK 986 AT PAGE 269 FOR THE LOWER BOULDER CANAL, ALSO KNOWN AS SOUTH PLATTE SUPPLY CANAL.

Old Republic National Title Insurance Company
Schedule B-2

(Exceptions)

Order Number: ABZ70535358.1

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

NOTE: THE ABOVE ITEM MAY BE MODIFIED OR DELETED UPON REVIEW OF THE FINAL PLAT TO BE RECORDED AND RECEIPT OF THE FINAL LEGAL DESCRIPTION TO BE INSURED.

16. EASEMENT AND RIGHT OF WAY FOR WATER PIPELINE PURPOSES AS GRANTED TO FOOTHILLS WATER USERS ASSOCIATION BY INSTRUMENT RECORDED OCTOBER 21, 1963, IN BOOK 1306 AT PAGE 160.

    NOTE: THE ABOVE ITEM MAY BE MODIFIED OR DELETED UPON REVIEW OF THE FINAL PLAT TO BE RECORDED AND RECEIPT OF THE FINAL LEGAL DESCRIPTION TO BE INSURED.

17. EASEMENT AND RIGHT OF WAY FOR WATER PIPELINE PURPOSES AS GRANTED TO FOOTHILLS WATER USERS ASSOCIATION BY INSTRUMENT RECORDED OCTOBER 31, 1963, IN BOOK 1307 AT PAGE 494.

    NOTE: THE ABOVE ITEM MAY BE MODIFIED OR DELETED UPON REVIEW OF THE FINAL PLAT TO BE RECORDED AND RECEIPT OF THE FINAL LEGAL DESCRIPTION TO BE INSURED.

18. EASEMENT AND RIGHT OF WAY FOR AN OIL AND GAS PIPELINE AS GRANTED TO PANHANDLE EASTERN PIPE LINE COMPANY BY INSTRUMENT RECORDED MARCH 12, 1983, UNDER RECEPTION NO. 549198.

    NOTE: THE ABOVE ITEM MAY BE MODIFIED OR DELETED UPON REVIEW OF THE FINAL PLAT TO BE RECORDED AND RECEIPT OF THE FINAL LEGAL DESCRIPTION TO BE INSURED.

19. EASEMENT AND RIGHT OF WAY FOR AN UNNAMED IRRIGATION DITCH AND ANY AND ALL LATERAL DITCHES AS REFERENCED IN DECREE RECORDED JANUARY 31, 1986, UNDER RECEPTION NO. 739581.

    NOTE: THE ABOVE ITEM MAY BE MODIFIED OR DELETED UPON REVIEW OF THE FINAL PLAT TO BE RECORDED AND RECEIPT OF THE FINAL LEGAL DESCRIPTION TO BE INSURED.

20. EASEMENT AND RIGHT OF WAY FOR THE LOWER BOULDER EXTENSION DITCH AS FILED OCTOBER 25, 1910 IN PLAT BOOK D AT PAGE 189 AND AS SET FORTH IN AFFIDAVIT RECORDED SEPTEMBER 24, 1999, UNDER RECEPTION NO. 1984825.

    NOTE: THE ABOVE ITEM MAY BE MODIFIED OR DELETED UPON REVIEW OF THE FINAL PLAT TO BE RECORDED AND RECEIPT OF THE FINAL LEGAL DESCRIPTION TO BE INSURED.

21. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE NORTHERN COLORADO WATER CONSERVANCY DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED APRIL 22, 2005, UNDER RECEPTION NO. 2682176.

22. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN GRANT OF PERMANENT ACCESS AND UTILITIES EASEMENT AGREEMENT DATED JANUARY 31, 2004 AND RECORDED MARCH 06, 2007 UNDER RECEPTION NO. 2840481.

    NOTE: THE ABOVE ITEM MAY BE MODIFIED OR DELETED UPON REVIEW OF THE FINAL PLAT TO BE RECORDED AND RECEIPT OF THE FINAL LEGAL DESCRIPTION TO BE INSURED.

23. UNRECORDED COMPATIBLE DEVELOPMENT AND SURFACE USE AGREEMENT DATED APRIL 1,

Old Republic National Title Insurance Company
Schedule B-2

(Exceptions)

Order Number: ABZ70535358.1

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

2008 AS EVIDENCED IN MEMORANDUM OF COMPATIBLE DEVELOPMENT AND SURFACE USE AGREEMENT BY AND BETWEEN ENCANA OIL & GASE (USA INC., AND TI RESIDENTIAL LLC, RECORDED SEPTEMBER 5, 2008 UNDER RECEPTION NO. 2953523.

24. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN SCHMIDT PROPERTY PUBLIC TRAIL CONSTRUCTION COMPREHENSIVE DEVELOPMENT PLAN INTERGOVERNMENTAL AGREEMENT RECORDED OCTOBER 15, 2008 UNDER RECEPTION NO. 2959619 AND RECORDED NOVEMBER 06, 2008 UNDER RECEPTION NO. 2963193.

25. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN PUBLIC TRAIL EASEMENT AGREEMENT RECORDED OCTOBER 15, 2008 UNDER RECEPTION NO. 2959794.

26. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN SCHMIDT PARCEL PRE-DEVELOPMENT AGREEMENT RECORDED OCTOBER 15, 2008 UNDER RECEPTION NO. 2959795.
ACKNOWLEDGEMENT OF PAYMENT AND PERFORMANCE UNDER SCHMIDT PARCEL PRE-DEVELOPMENT AGREEMENT RECORDED DECEMBER 4, 2014 UNDER RECEPTION NO. 03416132

27. TERMS, CONDITIONS AND PROVISIONS OF ANNEXATION ORDINANCE RECORDED DECEMBER 30, 2016 AT RECEPTION NO. 03566775.

28. THE EFFECT OF SCHMIDT PROPERTY ANNEXATION MAP TO THE TOWN OF ERIE RECORDED DECEMBER 30, 2016, UNDER RECEPTION NO. 03566776.

29. TERMS, CONDITIONS AND PROVISIONS OF SCHMIDT PROPERTY TI RESIDENTIAL ANNEXATION AGREEMENT RECORDED DECEMBER 30, 2016 AT RECEPTION NO. 03566777.

30. TERMS, CONDITIONS AND PROVISIONS OF ANNEXATION AGREEMENT RECORDED DECEMBER 30, 2016 AT RECEPTION NO. 03566778.

31. TERMS, CONDITIONS AND PROVISIONS OF ZONING ORDINANCE RECORDED DECEMBER 30, 2016 AT RECEPTION NO. 03566779.

32. THE EFFECT OF SCHMIDT PROPERTY ZONING MAP RECORDED DECEMBER 30, 2016, UNDER RECEPTION NO. 03566780.

JOINT NOTICE OF PRIVACY POLICY OF

LAND TITLE GUARANTEE COMPANY
LAND TITLE GUARANTEE COMPANY OF SUMMIT COUNTY
LAND TITLE INSURANCE CORPORATION AND
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

This Statement is provided to you as a customer of Land Title Guarantee Company and Meridian Land Title, LLC, as agents for Land Title Insurance Corporation and Old Republic National Title Insurance Company.

We want you to know that we recognize and respect your privacy expectations and the requirements of federal and state privacy laws. Information security is one of our highest priorities. We recognize that maintaining your trust and confidence is the bedrock of our business. We maintain and regularly review internal and external safeguards against unauthorized access to non-public personal information ("Personal Information").

In the course of our business, we may collect Personal Information about you from:

- applications or other forms we receive from you, including communications sent through TMX, our web-based transaction management system;
- your transactions with, or from the services being performed by, us, our affiliates, or others;
- a consumer reporting agency, if such information is provided to us in connection with your transaction;

  and
- the public records maintained by governmental entities that we either obtain directly from those entities, or from our affiliates and non-affiliates.

Our policies regarding the protection of the confidentiality and security of your Personal Information are as follows:

- We restrict access to all Personal Information about you to those employees who need to know that information in order to provide products and services to you.
- We maintain physical, electronic and procedural safeguards that comply with federal standards to protect your Personal Information from unauthorized access or intrusion.
- Employees who violate our strict policies and procedures regarding privacy are subject to disciplinary action.
- We regularly access security standards and procedures to protect against unauthorized access to Personal Information.

WE DO NOT DISCLOSE ANY PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT PERMITTED BY LAW.

Consistent with applicable privacy laws, there are some situations in which Personal Information may be disclosed. We may disclose your Personal Information when you direct or give us permission; when we are required by law to do so, for example, if we are served a subpoena; or when we suspect fraudulent or criminal activities. We also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce our rights arising out of any agreement, transaction or relationship with you.

Our policy regarding dispute resolution is as follows. Any controversy or claim arising out of or relating to our privacy policy, or the breach thereof, shall be settled by arbitration in accordance with the rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.

LAND TITLE GUARANTEE COMPANY

DISCLOSURE STATEMENTS

Note: Pursuant to CRS 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 will be obtained from the county treasurer of the county in which the real property is located or that county treasurer's authorized agent unless the proposed insured provides written instructions to the contrary. (for an Owner's Policy of Title Insurance pertaining to a sale of residential real property)
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.

Note: Effective September 1, 1997, CRS 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, except that, the requirement for the top margin shall not apply to documents using forms on which space is provided for recording or filing information at the top margin of the document.

Note: Colorado Division of Insurance Regulations 8-1-2 requires that "Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed". Provided that Land Title Guarantee Company 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.

Note: Affirmative mechanic's lien protection for the Owner may be available (typically by deletion of Exception no. 4 of Schedule B-2 of the Commitment from the Owner's Policy to be issued) 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 have been furnished by mechanics or material-men for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.
C) The Company must receive an appropriate affidavit indemnifying the Company against un-filed mechanic's and material-men's liens.
D) The Company must receive payment of the appropriate premium.
E) If there has been construction, improvements or major repairs undertaken on the property to be purchased within six months prior to the Date of the Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and or the contractor; payment of the appropriate premium fully executed Indemnity Agreements satisfactory to the company, and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

Note: Pursuant to CRS 10-11-123, notice is hereby given:

This notice applies to owner's policy commitments disclosing that a mineral estate has been severed from the surface estate, in Schedule B-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.

Note: Pursuant to CRS 10-1-128(6)(a), It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.

Note: Pursuant to Colorado Division of Insurance Regulations 8-1-3, notice is hereby given of the availability of a closing protection letter for the lender, purchaser, lessee or seller in connection with this transaction.

Commitment to Insure

ALTA Commitment - 2006 Rev.

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, a Minnesota corporation, (Company) for a valuable consideration, commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the Proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest in the land described or referred to in Schedule A, upon payment of the premiums and charges and compliance with the requirements; all subject to the provisions of Schedule A and B and to the Conditions of this Commitment.

This Commitment shall be effective only when the identity of the Proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A by the Company. All liability and obligation under this commitment shall cease and terminate six months after the Effective Date or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of the Company.

CONDITIONS AND STIPULATIONS

1. The term "mortgage", when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquires actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions and Stipulations.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and the Conditions and Stipulations and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. This commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.
5. The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is $2,000,000 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at www.alta.org.

STANDARD EXCEPTIONS

In addition to the matters contained in the Conditions and Stipulations and Exclusions from Coverage above referred to, this Commitment is also subject to the following:

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 or inspection of the Land would disclose and which are not shown by the Public Records.
4. Any lien, or right to a lien, for services, labor or material theretofore 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.

IN WITNESS WHEREOF, Old Republic National Title Insurance Company has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A to be valid when countersigned by a validating officer or other authorized signatory.

Issued by:
Land Title Guarantee Company
3033 East First Avenue
Suite 600
Denver, Colorado 80206
303-321-1880

John E. Freyer, Jr
President

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

Old Republic National Title Insurance Company
a Stock Company
400 Second Avenue South
Minneapolis, Minnesota 55401
(612)371-1111

Mark Bilbrey
President

AMERICAN LAND TITLE ASSOCIATION

Rande Yeager
Secretary

ALTA/ACSM LAND TITLE SURVEY

A PORTION OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO

LEGAL DESCRIPTION

PROVIDED BY: LAND TITLE GUARANTEE COMPANY PROPERTY INFORMATION BINDER ORDER NO. IN70430349 WITH AN EFFECTIVE DATE OF NOVEMBER 5, 2014.

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 13, THENCE NORTH 00° 10'48" EAST, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 116.80 FEET; THENCE NORTH 89° 24'12" WEST, A DISTANCE OF 666.10 FEET; THENCE NORTH 88° 05'06" WEST, A DISTANCE OF 258.00 FEET; THENCE NORTH 2° 11'05" EAST, A DISTANCE OF 23.32 FEET TO A POINT ON THE APPARENT NORTH RIGHT OF WAY LINE OF JAY ROAD, EVIDENCED BY A 5/8" REBAR AND PLASTIC CAP, PLS 6716, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE ALONG THE NORTH RIGHT OF WAY LINE OF JAY ROAD, NORTH 86° 53'01" WEST, A DISTANCE OF 400.00 FEET; THENCE DEPARTING SAID RIGHT OF WAY LINE NORTH 03° 06'59" EAST, A DISTANCE OF 100.00 FEET TO A POINT OF CURVE; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 525.00 FEET AND A CENTRAL ANGLE OF 26° 20'43", AN ARC DISTANCE OF 241.40 FEET (CHORD BEARS NORTH 16° 17'21" EAST, A DISTANCE OF 239.28 FEET) TO A POINT OF COMPOUND CURVE; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET AND A CENTRAL ANGLE OF 65° 46'18", AN ARC DISTANCE OF 22.96 FEET (CHORD BEARS NORTH 62° 20'51" EAST, A DISTANCE OF 21.72 FEET); THENCE SOUTH 84° 46'00" EAST, A DISTANCE OF 128.96 FEET TO A POINT OF CURVE; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 82° 34'31", AN ARC DISTANCE OF 72.06 FEET (CHORD BEARS NORTH 53° 56'45" EAST, A DISTANCE OF 65.98 FEET); THENCE SOUTH 87° 31'40" EAST, A DISTANCE OF 246.29 FEET; THENCE SOUTH 00° 14'08" WEST, A DISTANCE OF 94.50 FEET TO A POINT ON THE NORTH LINE OF A PARCEL OF LAND RECORDED AT RECEPTION NO. 2484649, BOULDER COUNTY CLERK AND RECORDER'S OFFICE; THENCE NORTH 89° 36'22" WEST, A DISTANCE OF 0.66 FEET TO THE NORTHWEST CORNER OF SAID PARCEL, EVIDENCED BY A 5/8" REBAR AND ALUMINUM CAP, PLS 4846; THENCE SOUTH 00° 14'06" WEST ALONG THE MOST WESTERLY LINE OF SAID PARCEL, A DISTANCE OF 75.50 FEET TO A POINT, EVIDENCED BY A 1-1/2" ALUMINUM CAP SET IN CONCRETE, PLS 2152; THENCE NORTH 73° 58'04" WEST, A DISTANCE OF 114.01 FEET TO A POINT, AS EVIDENCED BY A 1-1/2" ALUMINUM CAP SET IN CONCRETE, PLS 2152; THENCE SOUTH 02° 13'11" WEST, A DISTANCE OF 239.47 FEET TO THE TRUE POINT OF BEGINNING.

TITLE COMMITMENT NOTES

LAND TITLE GUARANTEE COMPANY PROPERTY INFORMATION BINDER ORDER NO. IN70430349 WITH AN EFFECTIVE DATE OF NOVEMBER 5, 2014 WAS RELIED UPON FOR RECORD INFORMATION REGARDING RIGHTS-OF-WAY, EASEMENTS AND ENCUMBRANCES.

ITEM NUMBERS BELOW REFER TO THOSE ITEMS AS LISTED IN SAID PROPERTY INFORMATION BINDER THAT AFFECT THE SURVEYED PARCEL.

(#10) INDICATES THE ITEM NUMBER TO WHICH THE TITLE ITEM CORRESPONDS IN RELATION TO THE SUBJECT PROPERTY.

(#1) ALL OIL, GAS AND OTHER MINERALS AND TERMS THEREIN AS RESERVED IN DEED RECORDED JANUARY 17, 1921, IN BOOK 445 AT PAGE 534.
NOTE: OIL AND GAS LEASE RECORDED OCTOBER 31, 1980, UNDER RECEPTION NO. 420402.
NOTE: DECLARATION OF UNITIZATION RECORDED APRIL 21, 1981, UNDER RECEPTION NO. 442785 AND AMENDMENT THERETO RECORDED SEPTEMBER 14, 1992, UNDER RECEPTION NO. 1219238.
NOTE: PRODUCTION AFFIDAVIT RECORDED JULY 27, 1981, UNDER RECEPTION NO. 456647.
AFFECTS THE SURVEYED PROPERTY BUT IS NOT A PLOTTABLE ITEM.

(#2) EASEMENT AND RIGHT OF WAY FOR WATER PIPELINE PURPOSES AS GRANTED TO THE TOWN OF ERIE BY INSTRUMENT RECORDED JULY 06, 1923, IN BOOK 465 AT PAGE 483.
AFFECTS THE SURVEYED PROPERTY BUT LOCATION IS INDETERMINATE IN NATURE.

(#3) (ITEM INTENTIONALLY DELETED)

(#4) EASEMENT AND RIGHT OF WAY FOR WATER PIPELINE PURPOSES AS GRANTED TO FOOTHILLS WATER USERS ASSOCIATION BY INSTRUMENT RECORDED OCTOBER 21, 1963, IN BOOK 1306 AT PAGE 160.
AFFECTS SURVEYED PROPERTY AND IS PLOTTED HEREIN.

(#5) EASEMENT AND RIGHT OF WAY FOR WATER PIPELINE PURPOSES AS GRANTED TO FOOTHILLS WATER USERS ASSOCIATION BY INSTRUMENT RECORDED OCTOBER 31, 1963, IN BOOK 1307 AT PAGE 494, AND AS SPECIFICALLY NOTED AS GENERAL NOTE NO. 10 ON SURVEY DATED APRIL 11, 2000, JOB NO. 00031, BY FORESIGHT WEST SURVEYING INC., AND REVISION THERETO DATED AUGUST 20, 2004.
DOES NOT AFFECT SURVEYED PROPERTY BUT IS PLOTTED HEREIN.

(#6) EASEMENT AND RIGHT OF WAY FOR AN OIL AND GAS PIPELINE AS GRANTED TO PANHANDLE EASTERN PIPE LINE COMPANY BY INSTRUMENT RECORDED MARCH 12, 1983, UNDER RECEPTION NO. 549198.
DOES NOT AFFECT THE SURVEYED PROPERTY.

(#7) EASEMENT AND RIGHT OF WAY FOR AN UNNAMED IRRIGATION DITCH AND ANY AND ALL LATERAL DITCHES AS REFERENCED IN DECREE RECORDED JANUARY 31, 1986, UNDER RECEPTION NO. 739581.
DOES NOT AFFECT THE SURVEYED PROPERTY.

(#8) TERMS, CONDITIONS AND PROVISIONS OF NOTICE OF RIGHT TO USE SURFACE OF LANDS RECORDED DECEMBER 24, 1996 AT RECEPTION NO. 1666157.
AFFECTS THE SURVEYED PROPERTY BUT IS NOT A PLOTTABLE ITEM..

(#9) EASEMENT AND RIGHT OF WAY FOR THE LOWER BOULDER EXTENSION DITCH AS FILED OCTOBER 25, 1910 IN PLAT BOOK D AT PAGE 189 AND AS SET FORTH IN AFFIDAVIT RECORDED SEPTEMBER 24, 1999, UNDER RECEPTION NO. 1984825.
DOES NOT AFFECT THE SURVEYED PROPERTY.

(#10) SPECIAL WARRANTY DEED RECORDED SEPTEMBER 9, 2004 UNDER RECEPTION NO. 2625443.
THIS ITEM WAS NOT ADDRESSED BY THIS SURVEY.

(#11) ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE NORTHERN COLORADO WATER CONSERVANCY DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED APRIL 22, 2005, UNDER RECEPTION NO. 2682176.
AFFECTS THE SURVEYED PROPERTY BUT IS NOT A PLOTTABLE ITEM.

(#12) REQUEST FOR NOTIFICATION OF SURFACE DEVELOPMENT AS EVIDENCED BY INSTRUMENT RECORDED APRIL 11, 2006 UNDER RECEPTION NO. 2769128.
AFFECTS THE SURVEYED PROPERTY BUT IS NOT A PLOTTABLE ITEM.

(#13) TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN GRANT OF PERMANENT ACCESS AND UTILITIES EASEMENT AGREEMENT RECORDED MARCH 06, 2007 UNDER RECEPTION NO. 2840481.
DOES NOT AFFECT THE SURVEYED PROPERTY.

(#14) TERMS, CONDITIONS AND PROVISIONS OF NOTICE OF MINERAL INTERESTS AND SURFACE USE RECORDED MARCH 07, 2007 AT RECEPTION NO. 2840804.
AFFECTS THE SURVEYED PROPERTY BUT IS NOT A PLOTTABLE ITEM.

(#15) TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN PUBLIC TRAIL EASEMENT AGREEMENT RECORDED OCTOBER 15, 2008 UNDER RECEPTION NO. 2959794.
AFFECTS SURVEYED PROPERTY AND IS PLOTTED HEREIN.

(#16) TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN SCHMIDT PARCEL PRE-DEVELOPMENT AGREEMENT RECORDED OCTOBER 15, 2008 UNDER RECEPTION NO. 2959795.
AFFECTS THE SURVEYED PROPERTY BUT IS NOT A PLOTTABLE ITEM.

(#17) TERMS, CONDITIONS AND PROVISIONS OF SCHMIDT PROPERTY PUBLIC TRAIL CONSTRUCTION COMPREHENSIVE DEVELOPMENT INTERGOVERNMENTAL AGREEMENT RECORDED NOVEMBER 06, 2008 AT RECEPTION NO. 2963193.
AFFECTS THE SURVEYED PROPERTY BUT IS NOT A PLOTTABLE ITEM.

(#18) TERMS, CONDITIONS AND PROVISIONS OF MEMORANDUM OF COMPATIBLE DEVELOPMENT AND SURFACE USE AGREEMENT RECORDED JANUARY 13, 2009 AT RECEPTION NO. 2973241.
AFFECTS THE SURVEYED PROPERTY BUT IS NOT A PLOTTABLE ITEM.

(#19) REQUEST FOR NOTIFICATION OF SURFACE DEVELOPMENT AS EVIDENCED BY INSTRUMENT RECORDED SEPTEMBER 28, 2009 UNDER RECEPTION NO. 3032258.
AFFECTS THE SURVEYED PROPERTY BUT IS NOT A PLOTTABLE ITEM.

(#20) MINERAL DEED RECORDED OCTOBER 5, 2009 UNDER RECEPTION NO. 3033969.
AFFECTS THE SURVEYED PROPERTY BUT IS NOT A PLOTTABLE ITEM.

(#21) TERMS, CONDITIONS AND PROVISIONS OF MEMORANDUM OF GAS GATHERING AND PROCESSING AGREEMENT RECORDED MAY 27, 2011 AT RECEPTION NO. 3151186.
AFFECTS THE SURVEYED PROPERTY BUT IS NOT A PLOTTABLE ITEM.

(#22) TERMS, CONDITIONS AND PROVISIONS OF WELLBORE SPECIFIC DECLARATION OF POOLING RECORDED FEBRUARY 05, 2013 AT RECEPTION NO. 3287555.
AFFECTS THE SURVEYED PROPERTY BUT IS NOT A PLOTTABLE ITEM.

(#23) TERMS, CONDITIONS AND PROVISIONS OF WELLBORE SPECIFIC DECLARATION OF POOLING RECORDED FEBRUARY 05, 2013 AT RECEPTION NO. 3287559.
AFFECTS THE SURVEYED PROPERTY BUT IS NOT A PLOTTABLE ITEM.

GENERAL NOTES

1. THIS SURVEY DOES NOT REPRESENT A TITLE SEARCH BY AZTEC CONSULTANTS, INC. TO DETERMINE OWNERSHIP, RIGHTS-OF-WAY OR EASEMENTS OF RECORD. AZTEC CONSULTANTS, INC. RELIED UPON FIRST FIRST AMERICAN TITLE INSURANCE COMPANY ALTA COMMITMENT NO. 606804-1 WITH AN EFFECTIVE DATE OF AUGUST 27, 2014 AND LAND TITLE GUARANTEE COMPANY PROPERTY INFORMATION BINDER ORDER NO. IN70430349 WITH AN EFFECTIVE DATE OF NOVEMBER 5, 2014 TO DETERMINE OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS OR OTHER MATTERS OF PUBLIC RECORD FOR THE PROPERTY SHOWN HEREON.
2. THE WORD "CERTIFY" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THIS SURVEY AND DOES NOT CONSTITUTE A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.
3. THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED IN THE SURVEYOR'S CERTIFICATE HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON OR ENTITY WITHOUT AN EXPRESS WRITTEN RECERTIFICATION BY THE SURVEYOR OF RECORD NAMING SAID PERSON OR ENTITY.
4. THIS SURVEY DOES NOT SHOW THE LOCATION OF, OR ENCROACHMENTS BY, SUBSURFACE FOOTINGS AND/OR FOUNDATIONS OF ANY BUILDINGS SHOWN HEREON. IF FLOOD ZONE DATA, ZONING AND SETBACK DATA, OR BUILDING RESTRICTION LINES ARE SHOWN HEREON, IT IS FOR INFORMATIONAL PURPOSES ONLY, HAVING BEEN OBTAINED FROM RELIABLE AND RESPONSIBLE SOURCES NOT CONNECTED WITH AZTEC CONSULTANTS, INC. NO GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED, IS MADE AS TO THE ACCURACY OR THOROUGHNESS OF SUCH INFORMATION.
5. BURIED UTILITIES AND PIPELINES SHOWN HEREON ARE PER VISIBLE AND APPARENT SURFACE EVIDENCE, NO GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED, IS MADE AS TO THE ACCURACY OR THOROUGHNESS OF SUCH INFORMATION. AZTEC CONSULTANTS, INC. DOES NOT ALLOW FIELD PERSONNEL TO ACCESS UTILITY MANHOLES, THEREFORE SUB-SURFACE PIPE SIZES NOTED HEREIN ARE OBSERVED FROM SURFACE LOCATIONS AND/OR TAKEN FROM RECORD DRAWINGS. IF MORE ACCURATE LOCATIONS OR SIZES OF UNDERGROUND UTILITIES OR PIPELINES ARE REQUIRED, THE UTILITY OR PIPELINE LOCATION OR SIZE WILL HAVE TO BE VERIFIED BY FIELD POTHOLING. AZTEC CONSULTANTS, INC. AND THE SURVEYOR OF RECORD SHALL NOT BE HELD LIABLE FOR THE LOCATION OF OR THE FAILURE TO NOTE THE LOCATION OF NON-VISIBLE UNDERGROUND UTILITIES OR PIPELINES.
6. THE LINEAL UNITS OF MEASURE SHOWN ON THIS SURVEY ARE BASED UPON THE U.S. SURVEY FOOT.
7. THE FIELD WORK FOR THIS SURVEY WAS PERFORMED BY AZTEC CONSULTANTS, INC. AND WAS COMPLETED ON OCTOBER 18, 2014.
8. THE SURVEYED PARCEL CONTAINS: 154,072 SQUARE FEET OR 3.537 ACRES, MORE OR LESS.

BASIS OF BEARINGS

BEARINGS SHOWN HEREON ARE ASSUMED AND ARE BASED UPON THE EASTERLY LINE OF THE NORTHEAST QUARTER OF SECTION 13, T1N, R69W, 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO, WHICH BEARS NORTH 00°10'48" EAST BETWEEN THE MONUMENTS SHOWN HEREIN.

FLOOD ZONE

THE SURVEYED PARCELS SHOWN HEREIN LAY WITHIN FLOOD ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP (FIRM) NOS. 08013C0437J AND 08013C0441J, BOTH WITH A REVISED DATE OF DECEMBER 18, 2012. DETERMINATION OF FLOOD ZONE CLASSIFICATION IS DEPICTED BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY.

FLOOD ZONE

THE SURVEYED PARCEL SHOWN HEREIN LIES WITHIN FLOOD ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP (FIRM) NOS. 08013C0437J AND 08013C0441J, BOTH WITH A REVISED DATE OF DECEMBER 18, 2012. DETERMINATION OF FLOOD ZONE CLASSIFICATION IS DEPICTED BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY.

SURVEYOR'S STATEMENT

TO: SUE OWEN SCHMIDT
LAND TITLE GUARANTEE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 8, 11(a), AND 13 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON OCTOBER 18, 2014.

DATE OF SURVEY: NOVEMBER 24, 2014.

COLORADO LICENSED PROFESSIONAL LAND SURVEYOR ROBERT D. SNODGRASS 36580

PRELIMINARY FOR REVIEW

ROBERT D. SNODGRASS, PLS NO. 36580
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

INDEXING STATEMENT

DEPOSITED THIS _____ DAY OF _____, 2014, AT _____, M., IN BOOK _____ OF THE COUNTY SURVEYOR'S LAND SURVEY/RIGHT-OF-WAY SURVEYS AT PAGE(S) _____,

RECEPTION NUMBER_____,

_____
COUNTY SURVEYOR/DEPUTY COUNTY SURVEYOR

SCALE	DWN	CKD	DATE
N.T.S.	RDS	JRW	11-24-2014

DATE	BY	REVISION DESCRIPTION	APPV	DATE

AZTEC CONSULTANTS, INC.
300 East Mineral Ave., Suite 1
Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com

ALTA/ACSM LAND TITLE SURVEY
POR. NE 1/4 SEC. 13, T1N, R69W, 6TH P.M.
COUNTY OF BOULDER, STATE OF COLORADO

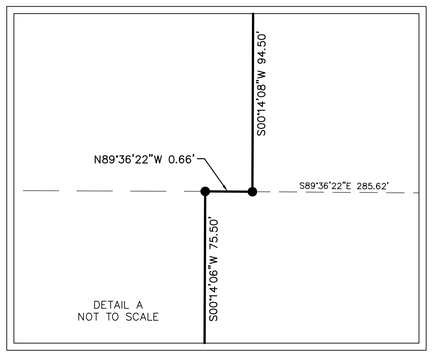
PREPARED FOR
TERRA VISIONS
4 INVERNESS COURT EAST, SUITE 300, ENGLEWOOD, CO 80112

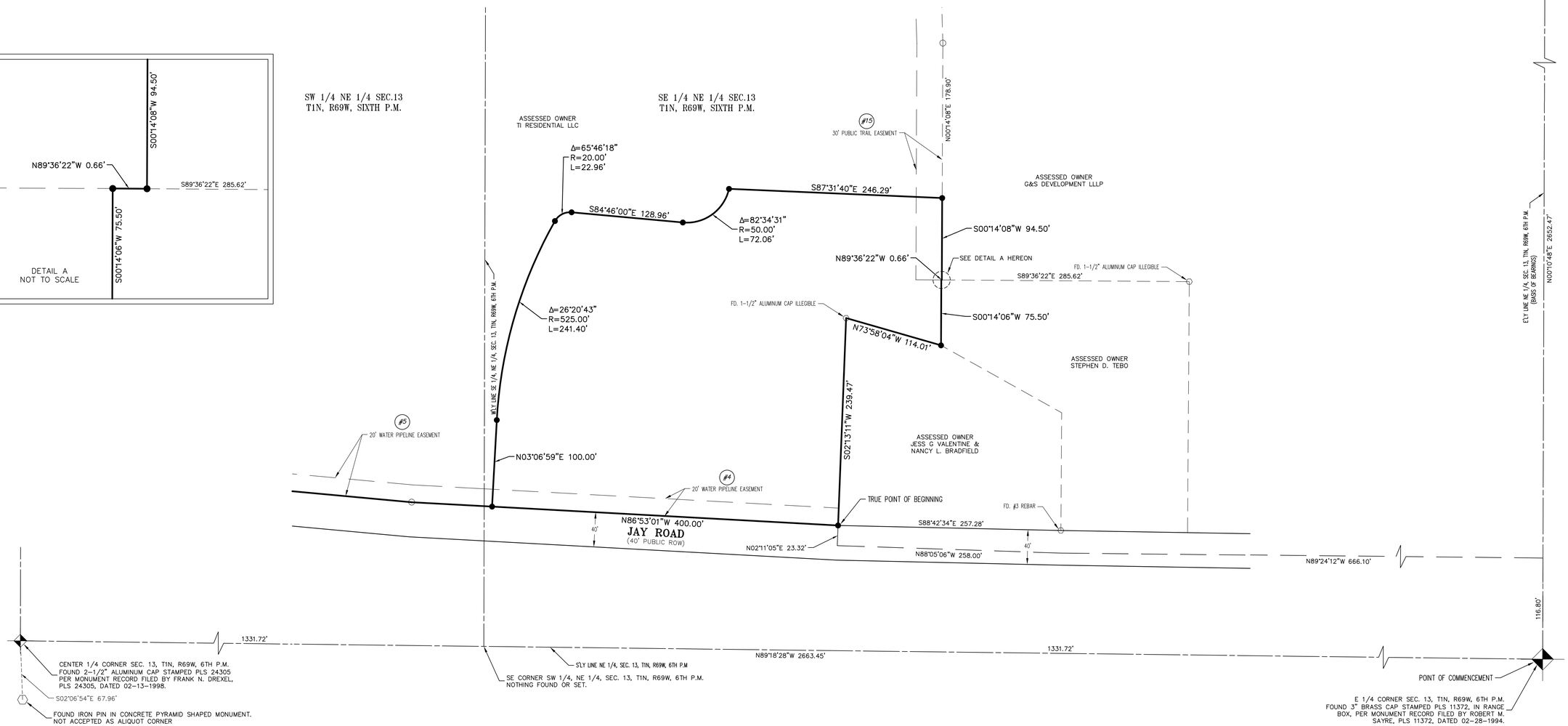
SHEET 1 OF 3 SHEETS

92714-01
JOB NO.

ALTA/ACSM LAND TITLE SURVEY

A PORTION OF THE NORTHEAST QUARTER OF SECTION 13,
TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF BOULDER, STATE OF COLORADO





LEGEND

- FOUND SECTION CORNER MONUMENT AS NOTED
- FOUND #5 REBAR W/ 1-1/4" PLASTIC CAP STAMPED "PLS 17477"
- FOUND MONUMENT AS NOTED
- SET #5 REBAR W/ 1-1/4" PLASTIC CAP STAMPED "AZTEC LS 36580"

0' 15 30 60 120
1 Inch = 60 Feet

SCALE	CKD	DWN	DATE
1" = 60'	JRW	RDS	11-24-2014

DATE	BY	REVISION DESCRIPTION	APPV	DATE

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ALTA/ACSM LAND TITLE SURVEY
POR. NE 1/4 SEC. 13, T1N, R69W, 6TH P.M.
COUNTY OF BOULDER, STATE OF COLORADO

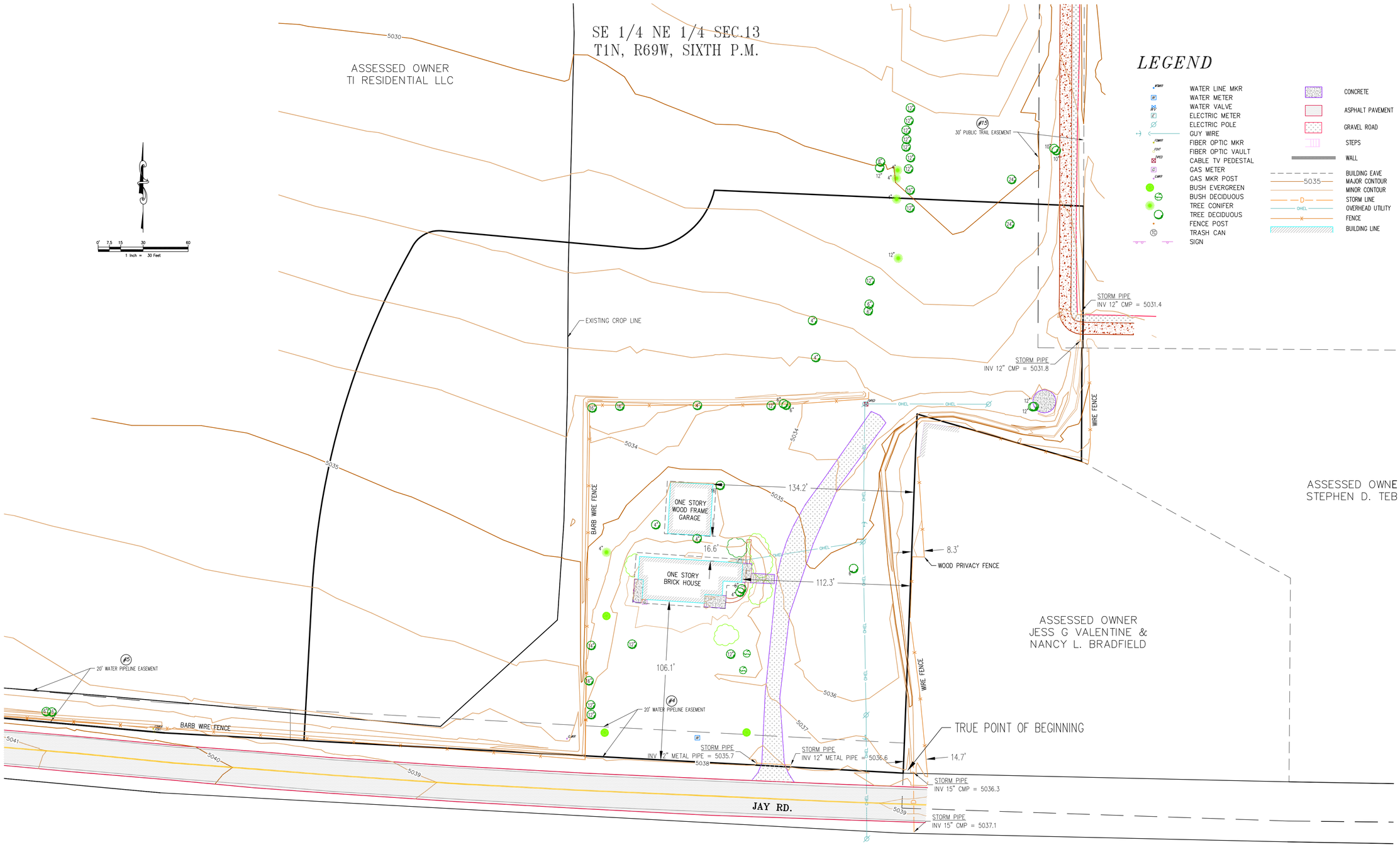
PREPARED FOR
TERRA VISIONS
4 INVERNESS COURT EAST, SUITE 300, ENGLEWOOD, CO 80112

SHEET 2 OF 3 SHEETS

JOB NO. 92714-01

ALTA/ACSM LAND TITLE SURVEY

A PORTION OF THE NORTHEAST QUARTER OF SECTION 13,
TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF BOULDER, STATE OF COLORADO



SCALE	DWN	CKD	DATE
1" = 30'	RDS	JRW	11-24-2014

DATE	BY	REVISION DESCRIPTION	APPV	DATE

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POR. NE 1/4 SEC. 13, T1N, R69W, 6TH P.M.
COUNTY OF BOULDER, STATE OF COLORADO

PREPARED FOR
TERRA VISIONS
4 INVERNESS COURT EAST, SUITE 300, ENGLEWOOD, CO 80112

SHEET 3 OF 3 SHEETS

JOB NO. 92714-01

ALTA/ACSM LAND TITLE SURVEY

A PORTION OF THE NORTHEAST QUARTER OF SECTION 13,
TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF BOULDER, STATE OF COLORADO

LEGAL DESCRIPTION

PROVIDED BY: FIRST AMERICAN TITLE INSURANCE COMPANY ALTA COMMITMENT NO. 606804-1 WITH AN EFFECTIVE DATE OF AUGUST 27, 2014.

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 13,

THENCE NORTH 00 DEGREES 10 MINUTES 48 SECONDS EAST ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 116.80 FEET;

THENCE NORTH 89 DEGREES 24 MINUTES 12 SECONDS WEST, A DISTANCE OF 666.10 FEET;

THENCE NORTH 88 DEGREES 05 MINUTES 06 SECONDS WEST, A DISTANCE OF 258.00 FEET;

THENCE NORTH 2 DEGREES 11 MINUTES 05 SECONDS EAST, A DISTANCE OF 23.32 FEET TO A POINT ON THE APPARENT NORTH RIGHT OF WAY LINE OF JAY ROAD, EVIDENCED BY A 5/8"REPAR AND PLASTIC CAP, PLS 6716, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING;

THENCE NORTH 86 DEGREES 53 MINUTES 01 SECOND WEST, A DISTANCE OF 493.00 FEET;

THENCE NORTH 84 DEGREES 46 MINUTES 00 SECONDS WEST, A DISTANCE OF 929.46 FEET TO A POINT OF CURVE;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 300.00 FEET AND A CENTRAL ANGLE OF 84 DEGREES 10 MINUTES 43 SECONDS, AN ARC DISTANCE OF 440.76 FEET, (CHORD BEARS NORTH 42 DEGREES 40 MINUTES 38 SECONDS WEST, A DISTANCE OF 402.17 FEET) TO A POINT OF TANGENT;

THENCE NORTH 00 DEGREES 35 MINUTES 17 SECONDS WEST, A DISTANCE OF 708.07 FEET;

THENCE NORTH 00 DEGREES 07 MINUTES 43 SECONDS EAST, A DISTANCE OF 156.84 FEET;

THENCE NORTH 89 DEGREES 54 MINUTES 17 SECONDS WEST, A DISTANCE OF 40.13 FEET TO A POINT ON THE WEST LINE OF THE SAID NORTHEAST QUARTER OF SECTION 13 FROM WHENCE THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION BEARS SOUTH 00 DEGREES 07 MINUTES 34 SECONDS WEST, A DISTANCE OF 65.45 FEET;

THENCE NORTH 00 DEGREES 07 MINUTES 34 SECONDS EAST ALONG SAID WEST LINE, A DISTANCE OF 1264.78 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 13,EVIDENCED BY A 4"BRASS CAP SET IN CONCRETE, PLS 13446;

THENCE NORTH 89 DEGREES 08 MINUTES 12 SECONDS EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 1789.05 FEET TO A POINT ON THE APPROXIMATE CENTERLINE OF AN IRRIGATION DITCH;

THENCE ALONG SAID DITCH CENTERLINE THE FOLLOWING FIVE COURSES:

1. SOUTH 05 DEGREES 18 MINUTES 53 SECONDS WEST, A DISTANCE OF 85.95 FEET;
2. SOUTH 09 DEGREES 21 MINUTES 45 SECONDS WEST, A DISTANCE OF 18.85 FEET TO A POINT OF CURVE;
3. ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 171.00 FEET AND A CENTRAL ANGLE OF 71 DEGREES 01 MINUTE 12 SECONDS, AN ARC DISTANCE OF 211.96 FEET; (CHORD BEARS SOUTH 44 DEGREES 52 MINUTES 21 SECONDS WEST, A DISTANCE OF 198.65 FEET) TO A POINT OF TANGENT;
4. SOUTH 80 DEGREES 22 MINUTES 57 SECONDS WEST, A DISTANCE OF 39.94 FEET;
5. SOUTH 84 DEGREES 33 MINUTES 07 SECONDS WEST, A DISTANCE OF 110.15 FEET TO A POINT ON THE NORTH LINE OF AN EASEMENT FOR THE LOWER BOULDER IRRIGATION CANAL, AS RECORDED AT BOOK 986, PAGES 266 AND 269, BOULDER COUNTY CLERK AND RECORDER'S OFFICE;

THENCE ALONG THE NORTH LINE OF SAID EASEMENT THE FOLLOWING TWO COURSES:

1. NORTH 76 DEGREES 17 MINUTES 21 SECONDS WEST, A DISTANCE OF 116.57 FEET;
2. SOUTH 67 DEGREES 06 MINUTES 39 SECONDS WEST, A DISTANCE OF 46.92 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 13;

THENCE SOUTH 00 DEGREES 09 MINUTES 11 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 846.84 FEET TO A POINT, EVIDENCED BY A 5/8"REBAR AND PLASTIC CAP, PLS 6716;

THENCE NORTH 89 DEGREES 29 MINUTES 13 SECONDS EAST, A DISTANCE OF 104.55 FEET;

THENCE SOUTH 00 DEGREES 09 MINUTES 16 SECONDS WEST, A DISTANCE OF 17.93 FEET TO A POINT ON THE APPROXIMATE CENTERLINE OF AN IRRIGATION DITCH;

THENCE ALONG SAID DITCH CENTERLINE THE FOLLOWING NINE COURSES:

1. SOUTH 87 DEGREES 53 MINUTES 01 SECOND EAST, A DISTANCE OF 96.53 FEET;
2. SOUTH 54 DEGREES 47 MINUTES 37 SECONDS EAST, A DISTANCE OF 37.79 FEET;
3. SOUTH 35 DEGREES 58 MINUTES 27 SECONDS EAST, A DISTANCE OF 46.95 FEET;
4. SOUTH 30 DEGREES 22 MINUTES 26 SECONDS EAST, A DISTANCE OF 187.12 FEET;
5. SOUTH 27 DEGREES 11 MINUTES 53 SECONDS EAST, A DISTANCE OF 237.04 FEET;
6. SOUTH 20 DEGREES 56 MINUTES 33 SECONDS EAST, A DISTANCE OF 133.69 FEET;
7. SOUTH 08 DEGREES 05 MINUTES 21 SECONDS EAST, A DISTANCE OF 67.96 FEET;
8. SOUTH 01 DEGREES 39 MINUTES 24 SECONDS EAST, A DISTANCE OF 209.10 FEET;
9. SOUTH 00 DEGREES 14 MINUTES 08 SECONDS WEST, A DISTANCE OF 273.40 FEET TO A POINT ON THE NORTH LINE OF A PARCEL OF LAND RECORDED AT RECEPTION NO. 2484649, BOULDER COUNTY CLERK AND RECORDER'S OFFICE;

THENCE NORTH 89 DEGREES 36 MINUTES 22 SECONDS WEST, A DISTANCE OF 0.66 FEET TO THE NORTHWEST CORNER OF SAID PARCEL, EVIDENCED BY A 5/8"REBAR AND ALUMINUM CAP, PLS 4846;

THENCE SOUTH 00 DEGREES 14 MINUTES 06 SECONDS WEST ALONG THE MOST WESTERLY LINE OF SAID PARCEL, A DISTANCE OF 75.50 FEET TO A POINT, EVIDENCED BY A 1-1/2"ALUMINUM CAP SET IN CONCRETE, PLS 2152;

THENCE NORTH 73 DEGREES 58 MINUTES 04 SECONDS WEST, A DISTANCE OF 114.01 FEET TO A POINT, AS EVIDENCED BY A 1-1/2"ALUMINUM CAP SET IN CONCRETE, PLS 2152;

THENCE SOUTH 02 DEGREES 13 MINUTES 11 SECONDS WEST, A DISTANCE OF 239.47 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THE FOLLOWING PARCEL:

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 13,

THENCE NORTH 00 DEGREES 10 MINUTES 48 SECONDS EAST, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 116.80 FEET;

THENCE NORTH 89 DEGREES 24 MINUTES 12 SECONDS WEST, A DISTANCE OF 666.10 FEET;

THENCE NORTH 88 DEGREES 05 MINUTES 06 SECONDS WEST, A DISTANCE OF 258.00 FEET;

THENCE NORTH 02 DEGREES 11 MINUTES 05 SECONDS EAST, A DISTANCE OF 23.32 FEET TO A POINT ON THE APPARENT NORTH RIGHT OF WAY LINE OF JAY ROAD, EVIDENCED BY A 5/8"REBAR AND PLASTIC CAP, PLS 6716, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING;

THENCE ALONG THE NORTH RIGHT OF WAY LINE OF JAY ROAD, NORTH 86 DEGREES 53 MINUTES 01 SECONDS WEST, A DISTANCE OF 400.00 FEET;

LEGAL DESCRIPTION (CONT.)

THENCE DEPARTING SAID RIGHT OF WAY LINE NORTH 03 DEGREES 06 MINUTES 59 SECONDS EAST, A DISTANCE OF 100.00 FEET TO A POINT OF CURVE;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 525.00 FEET AND A CENTRAL ANGLE OF 26 DEGREES 20 MINUTES 43 SECONDS, AN ARC DISTANCE OF 241.40 FEET (CHORD BEARS NORTH 16 DEGREES 17 MINUTES 21 SECONDS EAST, A DISTANCE OF 239.28 FEET) TO A POINT OF COMPOUND CURVE;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET AND A CENTRAL ANGLE OF 65 DEGREES 46 MINUTES 18 SECONDS, AN ARC DISTANCE OF 22.96 FEET (CHORD BEARS NORTH 62 DEGREES 20 MINUTES 51 SECONDS EAST, A DISTANCE OF 21.72 FEET);

THENCE SOUTH 84 DEGREES 46 MINUTES 00 SECONDS EAST, A DISTANCE OF 128.96 FEET TO A POINT OF CURVE;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 82 DEGREES 34 MINUTES 31 SECONDS, AN ARC DISTANCE OF 72.06 FEET (CHORD BEARS NORTH 53 DEGREES 56 MINUTES 45 SECONDS EAST, A DISTANCE OF 65.98 FEET;

THENCE SOUTH 87 DEGREES 31 MINUTES 40 SECONDS EAST, A DISTANCE OF 246.29 FEET;

THENCE SOUTH 00 DEGREES 14 MINUTES 08 SECONDS WEST, A DISTANCE OF 94.50 FEET TO A POINT ON THE NORTH LINE OF A PARCEL OF LAND RECORDED AT RECEPTION NO. 2484649, BOULDER COUNTY CLERK AND RECORDER'S OFFICE;

THENCE NORTH 88 DEGREES 36 MINUTES 22 SECONDS WEST, A DISTANCE OF 0.66 FEET TO THE NORTHWEST CORNER OF SAID PARCEL, EVIDENCED BY A 5/8"REBAR AND ALUMINUM CAP, PLS 4846;

THENCE SOUTH 00 DEGREES 14 MINUTES 06 SECONDS WEST ALONG THE MOST WESTERLY LINE OF SAID PARCEL, A DISTSANCE OF 75.50 FEET TO A POINT, EVIDENCED BY A 1-1/2"ALUMINUM CAP SET IN CONCRETE, PLS 2152;

THENCE NORTH 73 DEGREES 58 MINUTES 04 SECONDS WEST, A DISTANCE OF 114.01 FEET TO A POINT, AS EVIDENCED BY A 1-1/2"ALUMINUM CAP SET IN CONCRETE, PLS 2152;

THENCE SOUTH 02 DEGREES 13 MINUTES 11 SECONDS WEST, A DISTANCE OF 239.47 FEET TO THE TRUE POINT OF BEGINNING.

TITLE COMMITMENT NOTES

FIRST AMERICAN TITLE INSURANCE COMPANY ALTA COMMITMENT NO. NCS-695460-PHX1 WITH AN EFFECTIVE DATE OF OCTOBER 14, 2014 WAS RELIED UPON FOR RECORD INFORMATION REGARDING RIGHTS-OF-WAY, EASEMENTS AND ENCUMBRANCES.

ITEM NUMBERS BELOW REFER TO THOSE ITEMS AS LISTED IN SCHEDULE B - SECTION 2 OF SAID COMMITMENT.

INDICATES THE NUMBER TO WHICH THE SCHEDULE B-2 ITEM CORRESPONDS IN RELATION TO THE SUBJECT PROPERTY.

ITEM NUMBERS 1-6 ARE STANDARD EXCEPTIONS AND ARE NOT ADDRESSED AS A PART OF THIS SURVEY.

TC #7 — AN EASEMENT FOR RIGHT OF WAY FOR WATER PIPELINES AND INCIDENTAL PURPOSES GRANTED TO THE TOWN OF ERIE, AS SET FORTH IN AN INSTRUMENT RECORDED JULY 6, 1923 IN BOOK 465 AT PAGE 483. **AFFECTS THE SURVEYED PARCEL BUT LOCATION IS INDETERMINATE IN NATURE AND CANNOT BE PLOTTED.**

TC #8 — AN EASEMENT FOR RIGHT OF WAY FOR COMMUNICATION LINES AND INCIDENTAL PURPOSES GRANTED TO MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY, AS SET FORTH IN AN INSTRUMENT RECORDED AUGUST 8, 1928 IN BOOK 559 AT PAGE 436, AND RECORDED FEBRUARY 14, 1955 IN BOOK 971 AT PAGE 495. **AFFECTS THE SURVEYED PARCEL BUT LOCATION IS INDETERMINATE IN NATURE AND CANNOT BE PLOTTED.**

TC #9 — AN EASEMENT FOR RIGHT OF WAY FOR IRRIGATION CANAL AND INCIDENTAL PURPOSES GRANTED TO THE NORTHERN COLORADO WATER CONSERVANCY DISTRICT, AS SET FORTH IN AN INSTRUMENT RECORDED JULY 28, 1955 IN BOOK 986 AT PAGE 269. **AFFECTS SURVEYED PARCEL AND IS PLOTTED HEREIN.**

TC #10 — AN EASEMENT FOR RIGHT OF WAY FOR WATER PIPELINE AND INCIDENTAL PURPOSES GRANTED TO FOOTHILLS WATER USERS ASSOCIATION, AS SET FORTH IN AN INSTRUMENT RECORDED OCTOBER 21, 1963 IN BOOK 1306 AT PAGE 160. **AFFECTS THE SURVEYED PARCEL AND IS PLOTTED HEREIN.**

TC #11 — AN EASEMENT FOR RIGHT OF WAY FOR WATER PIPELINE AND INCIDENTAL PURPOSES GRANTED TO FOOTHILLS WATER USERS ASSOCIATION, AS SET FORTH IN AN INSTRUMENT RECORDED OCTOBER 31, 1963 IN BOOK 1307 AT PAGE 494. **AFFECTS THE SURVEYED PARCEL AND IS PLOTTED HEREIN.**

TC #12 — OIL AND GAS LEASE RECORDED MARCH 11, 1981 AT RECEPTION NO. 437378 AND ANY AND ALL ASSIGNMENTS THEREOF OR INTERESTS THEREIN. **AFFECTS THE SURVEYED PARCEL BUT IS NOT A PLOTTABLE ITEM.**

TC #13 — AN EASEMENT FOR RIGHT OF WAY FOR AN OIL AND GAS PIPELINE AND INCIDENTAL PURPOSES GRANTED TO PANHANDLE EASTERN PIPELINE COMPANY, AS SET FORTH IN AN INSTRUMENT RECORDED MARCH 12, 1983 AT RECEPTION NO. 549198. **AFFECTS THE SURVEYED PARCEL AND IS PLOTTED HEREIN.**

TC #14 — EASEMENT AND RIGHT OF WAY FOR AN UNNAMED IRRIGATION DITCH AND ANY AND ALL LATERAL DITCHES AS REFERENCED IN DECREE REORDED JANUARY 31, 1986 AT RECEPTION NO. 739581. **AFFECTS SURVEYED PARCEL AND IS PLOTTED HEREIN**

TC #15 — EASEMENT AND RIGHT OF WAY FOR THE LOWER BOULDER EXTENSION DITCH AS FILED OCTOBER 25, 1910 IN PLAT BOOK D AT PAGE 189 AND AS SET FORTH IN AFFIDAVIT RECORDED SEPTEMBER 24, 1999 AT RECEPTION NO. 1984825. **AFFECTS SURVEYED PARCEL AND IS PLOTTED HEREIN**

TC #16 — ANY TAX, LIEN, FEE OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE THE NORTHERN COLORADO WATER CONSERVANCY DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED APRIL 22, 2005 AT RECEPTION NO. 2682176. **AFFECTS THE SURVEYED PARCEL BUT IS NOT A PLOTTABLE ITEM.**

TC #17 — TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS AND AGREEMENTS AS SET FORTH IN THE MEMORANDUM OF COMPATIBLE DEVELOPMENT AND SURFACE USE AGREEMENT RECORDED SEPTEMBER 5, 2008 AT RECEPTION NO. 2953523. **AFFECTS THE SURVEYED PARCEL BUT IS NOT A PLOTTABLE ITEM.**

TC #18 — TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS AND AGREEMENTS AS SET FORTH IN THE SCHMIDT PROPERTY PUBLIC TRAIL CONSTRUCTION COMPREHENSIVE DEVELOPMENT PLAN INTERGOVERNMENTAL AGREEMENT RECORDED OCTOBER 15, 2008 AT RECEPTION NO. 2959619 AND RECORDED NOVEMBER 6, 2008 AT RECEPTION NO. 2963193. **AFFECTS THE SURVEYED PARCEL BUT IS NOT A PLOTTABLE ITEM.**

TC #19 — TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS, EASEMENTS AND AGREEMENTS AS SET FORTH IN THE PUBLIC TRAIL EASEMENT AGREEMENT RECORDED OCTOBER 15, 2008 AT RECEPTION NO. 2959794. **AFFECTS THE SURVEYED PARCEL AND IS PLOTTED HEREIN.**

TC #20 — TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS AND AGREEMENTS AS SET FORTH IN THE SCHMIDT PARCEL PRE-DEVELOPMENT AGREEMENT RECORDED OCTOBER 15, 2008 AT RECEPTION NO. 2959795. **AFFECTS THE SURVEYED PARCEL BUT IS NOT A PLOTTABLE ITEM.**

TC #21 — EXISTING LEASES AND TENANCIES. **THIS ITEM WAS NOT ADDRESSED AS PART OF THIS SURVEY.**

TC #22 — WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS. **THIS ITEM WAS NOT ADDRESSED AS PART OF THIS SURVEY.**

GENERAL NOTES

1. THIS SURVEY DOES NOT REPRESENT A TITLE SEARCH BY AZTEC CONSULTANTS, INC. TO DETERMINE OWNERSHIP, RIGHTS-OF-WAY OR EASEMENTS OF RECORD. AZTEC CONSULTANTS, INC. RELIED UPON FIRST FIRST AMERICAN TITLE INSURANCE COMPANY ALTA COMMITMENT NO. 606804-1 WITH AN EFFECTIVE DATE OF AUGUST 27, 2014 AND LAND TITLE GUARANTEE COMPANY PROPERTY INFORMATION BINDER ORDER NO. IN70430349 WITH AN EFFECTIVE DATE OF NOVEMBER 5, 2014 TO DETERMINE OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS OR OTHER MATTERS OF PUBLIC RECORD FOR THE PROPERTY SHOWN HEREON.
2. THE WORD "CERTIFY" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THIS SURVEY AND DOES NOT CONSTITUTE A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.
3. THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED IN THE SURVEYOR'S CERTIFICATE HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON OR ENTITY WITHOUT AN EXPRESS WRITTEN RECERTIFICATION BY THE SURVEYOR OF RECORD NAMING SAID PERSON OR ENTITY.
4. THIS SURVEY DOES NOT SHOW THE LOCATION OF, OR ENCROACHMENTS BY, SUBSURFACE FOOTINGS AND/OR FOUNDATIONS OF ANY BUILDINGS SHOWN HEREON. IF FLOOD ZONE DATA, ZONING AND SETBACK DATA, OR BUILDING RESTRICTION LINES ARE SHOWN HEREON, IT IS FOR INFORMATIONAL PURPOSES ONLY, HAVING BEEN OBTAINED FROM RELIABLE AND RESPONSIBLE SOURCES NOT CONNECTED WITH AZTEC CONSULTANTS, INC. NO GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED, IS MADE AS TO THE ACCURACY OR THOROUGHNESS OF SUCH INFORMATION.
5. BURIED UTILITIES AND PIPELINES SHOWN HEREON ARE PER VISIBLE AND APPARENT SURFACE EVIDENCE, NO GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED, IS MADE AS TO THE ACCURACY OR THOROUGHNESS OF SUCH INFORMATION. AZTEC CONSULTANTS, INC. DOES NOT ALLOW FIELD PERSONNEL TO ACCESS UTILITY MANHOLES, THEREFORE SUB-SURFACE PIPE SIZES NOTED HEREIN ARE OBSERVED FROM SURFACE LOCATIONS AND/OR TAKEN FROM RECORD DRAWINGS. IF MORE ACCURATE LOCATIONS OR SIZES OF UNDERGROUND UTILITIES OR PIPELINES ARE REQUIRED, THE UTILITY OR PIPELINE LOCATION OR SIZE WILL HAVE TO BE VERIFIED BY FIELD POTHOLING. AZTEC CONSULTANTS, INC. AND THE SURVEYOR OF RECORD SHALL NOT BE HELD LIABLE FOR THE LOCATION OF OR THE FAILURE TO NOTE THE LOCATION OF NON-VISIBLE UNDERGROUND UTILITIES OR PIPELINES.
6. THE LINEAL UNITS OF MEASURE SHOWN ON THIS SURVEY ARE BASED UPON THE U.S. SURVEY FOOT.
7. THE FIELD WORK FOR THIS SURVEY WAS PERFORMED BY AZTEC CONSULTANTS, INC. AND WAS COMPLETED ON OCTOBER 18, 2014.
8. THE SURVEYED PARCEL CONTAINS: 3,767,736 SQUARE FEET OR 86.495 ACRES, MORE OR LESS.
9. THERE ARE NO BUILDINGS EXISTING ON THE SURVEYED PROPERTY.
10. THE SURVEYED PROPERTY DOES NOT HAVE A POSTED ADDRESS OR AN ADDRESS PER THE BOULDER COUNTY GIS DATABASE.

BASIS OF BEARINGS

BEARINGS SHOWN HEREON ARE ASSUMED AND ARE BASED UPON THE EASTERLY LINE OF THE NORTHEAST QUARTER OF SECTION 13, T1N, R69W, 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO, WHICH BEARS NORTH 00°10'48" EAST BETWEEN THE MONUMENTS SHOWN HEREIN.

BENCHMARK

CITY OF ERIE CONTROL POINT NO. 18

CP 18 IS A 3-1/4" BRASS CAP MONUMENT BEING THE NORTH QUARTER CORNER OF SECTION 13, T1N, R69W, 6TH PM., COUNTY OF BOULDER, STATE OF COLORADO.

ELEVATION = 6718.33 FEET (NAVD 29 DATUM)

FLOOD ZONE

THE SURVEYED PARCELS SHOWN HEREIN LAY WITHIN FLOOD ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP (FIRM) NOS. 08013C0437J AND 08013C0441J, BOTH WITH A REVISED DATE OF DECEMBER 18, 2012. DETERMINATION OF FLOOD ZONE CLASSIFICATION IS DEPICTED BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY.

SURVEYOR'S STATEMENT

TO: TI RESIDENTIAL LLC, A COLORADO LIMITED LIABILITY COMPANY
FIRST AMERICAN TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 8, 11(a), AND 13 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON OCTOBER 18, 2014.

DATE OF SURVEY: NOVEMBER 24, 2014.

COLORADO LICENSED PROFESSIONAL LAND SURVEYOR ROBERT D. SNODGRASS 36580

PRELIMINARY FOR REVIEW

ROBERT D. SNODGRASS, PLS NO. 36580
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

INDEXING STATEMENT

DEPOSITED THIS _____ DAY OF _____, 2014, AT _____, M., IN BOOK _____ OF

THE COUNTY SURVEYOR'S LAND SURVEY/RIGHT-OF-WAY SURVEYS AT PAGE(S) _____,

RECEPTION NUMBER_____,

_____
COUNTY SURVEYOR/DEPUTY COUNTY SURVEYOR

SCALE	DRN	CKD	DATE
N.T.S.	RDS	JRW	11-24-2014

DATE	BY	REVISION DESCRIPTION	APPV	DATE

AZTEC CONSULTANTS, INC.
300 East Mineral Ave., Suite 1
Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com

ALTA/ACSM LAND TITLE SURVEY
POR. NE 1/4 SEC. 13, T1N, R69W, 6TH P.M.
COUNTY OF BOULDER, STATE OF COLORADO

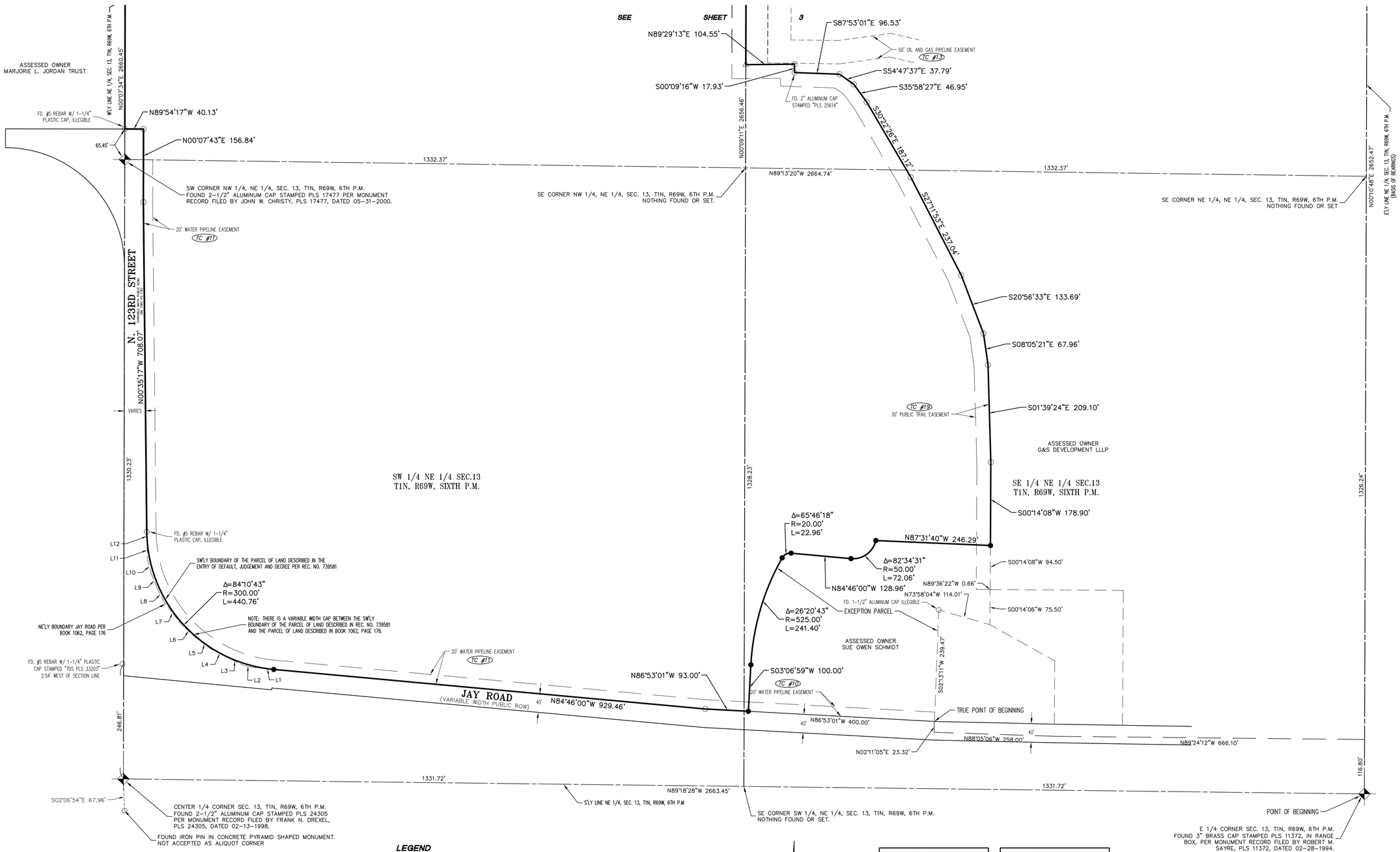
PREPARED FOR
TERRA VISIONS
4 INVERNESS COURT EAST, SUITE 300, ENGLEWOOD, CO 80112

SHEET 1 OF 5 SHEETS

JOB NO. 92714-01

ALTA/ACSM LAND TITLE SURVEY

A PORTION OF THE NORTHEAST QUARTER OF SECTION 13,
TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF BOULDER, STATE OF COLORADO



LEGEND

- ✧ FOUND SECTION CORNER MONUMENT AS NOTED
- ○ FOUND #5 REBAR W/ 1-1/4" PLASTIC CAP STAMPED "PLS 17477"
- □ FOUND #5 REBAR W/ 1-1/4" PLASTIC CAP STAMPED "EHRHART LS 29414"
- △ FOUND #5 REBAR
- ○ FOUND MONUMENT AS NOTED
- ● SET #5 REBAR W/ 1-1/4" PLASTIC CAP STAMPED "AZTEC LS 36580"

CALC – CALCULATED
EOC – END OF CURVE
POC – POINT OF CURVE

0' 25 50 100 200
1 Inch = 100 Feet

LINE TABLE		
LINE	BEARING	LENGTH
L1	N83°58'34"W	48.50'
L2	N76°28'34"W	18.30'
L3	N64°18'34"W	38.10'
L4	N62°16'34"W	39.00'
L5	N53°08'34"W	42.80'
L6	N46°48'34"W	42.00'

LINE TABLE		
LINE	BEARING	LENGTH
L7	N37°32'34"W	57.90'
L8	N26°38'34"W	34.10'
L9	N21°53'34"W	34.30'
L10	N14°23'34"W	30.50'
L11	N02°28'34"W	40.00'
L12	N00°35'17"W	19.50'

SCALE	DWN	DATE
1" = 100'	RDS	11-24-2014
CKD JRW		

DATE	BY	REVISION DESCRIPTION	APPV	DATE

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SHEET 2 OF 5 SHEETS

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COUNTY OF BOULDER, STATE OF COLORADO

LEGEND

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0' 25 50 100 200
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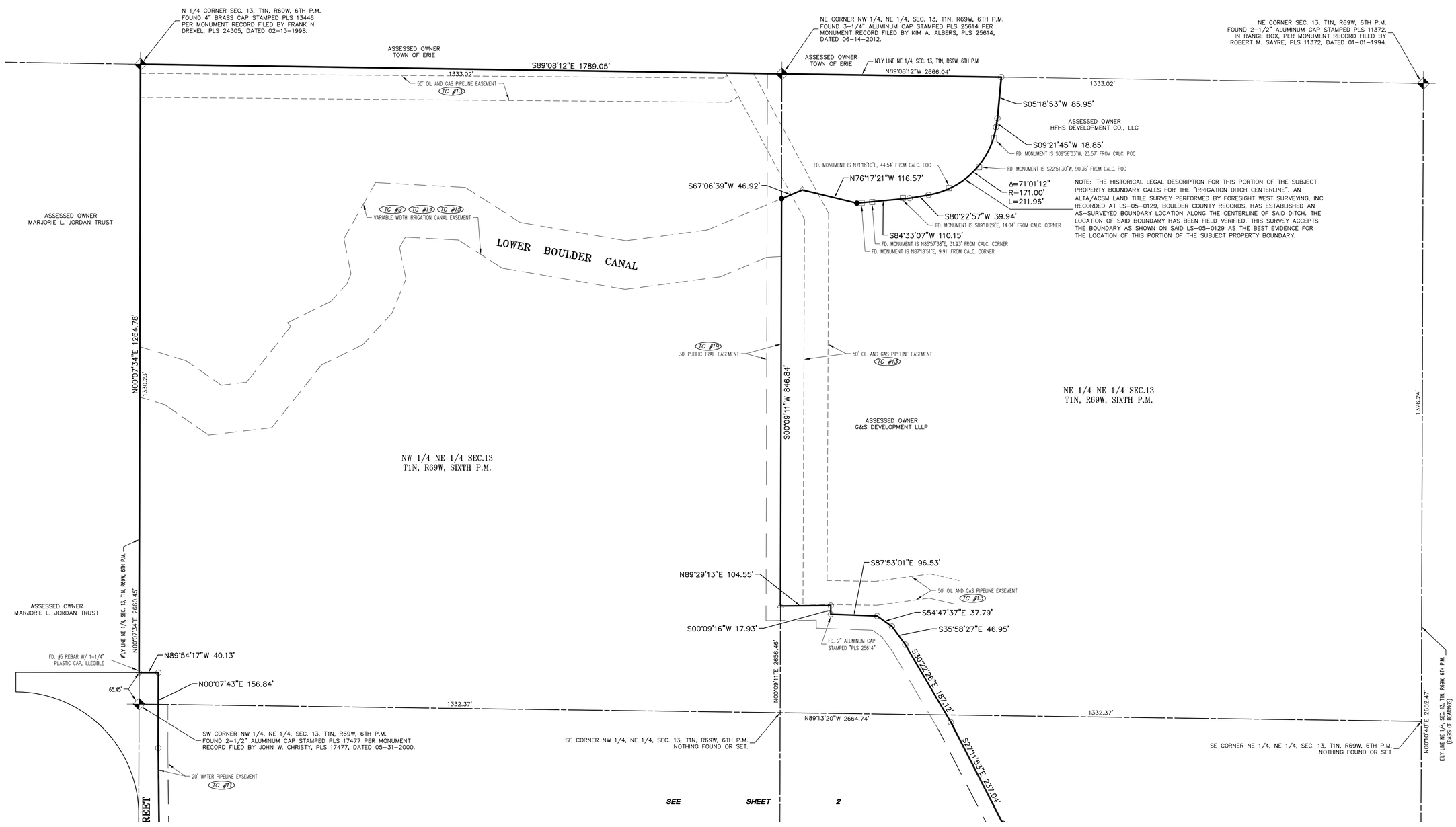

NOTE: THE HISTORICAL LEGAL DESCRIPTION FOR THIS PORTION OF THE SUBJECT PROPERTY BOUNDARY CALLS FOR THE "IRRIGATION DITCH CENTERLINE". AN ALTA/ACSM LAND TITLE SURVEY PERFORMED BY FORESIGHT WEST SURVEYING, INC. RECORDED AT LS-05-0129, BOULDER COUNTY RECORDS, HAS ESTABLISHED AN AS-SURVEYED BOUNDARY LOCATION ALONG THE CENTERLINE OF SAID DITCH. THE LOCATION OF SAID BOUNDARY HAS BEEN FIELD VERIFIED. THIS SURVEY ACCEPTS THE BOUNDARY AS SHOWN ON SAID LS-05-0129 AS THE BEST EVIDENCE FOR THE LOCATION OF THIS PORTION OF THE SUBJECT PROPERTY BOUNDARY.

SCALE	DRN	DWG	DATE
1" = 100'	JRW	RDS	11-24-2014

DATE	BY	REVISION DESCRIPTION	APPV	DATE

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SHEET 3 OF 5 SHEETS

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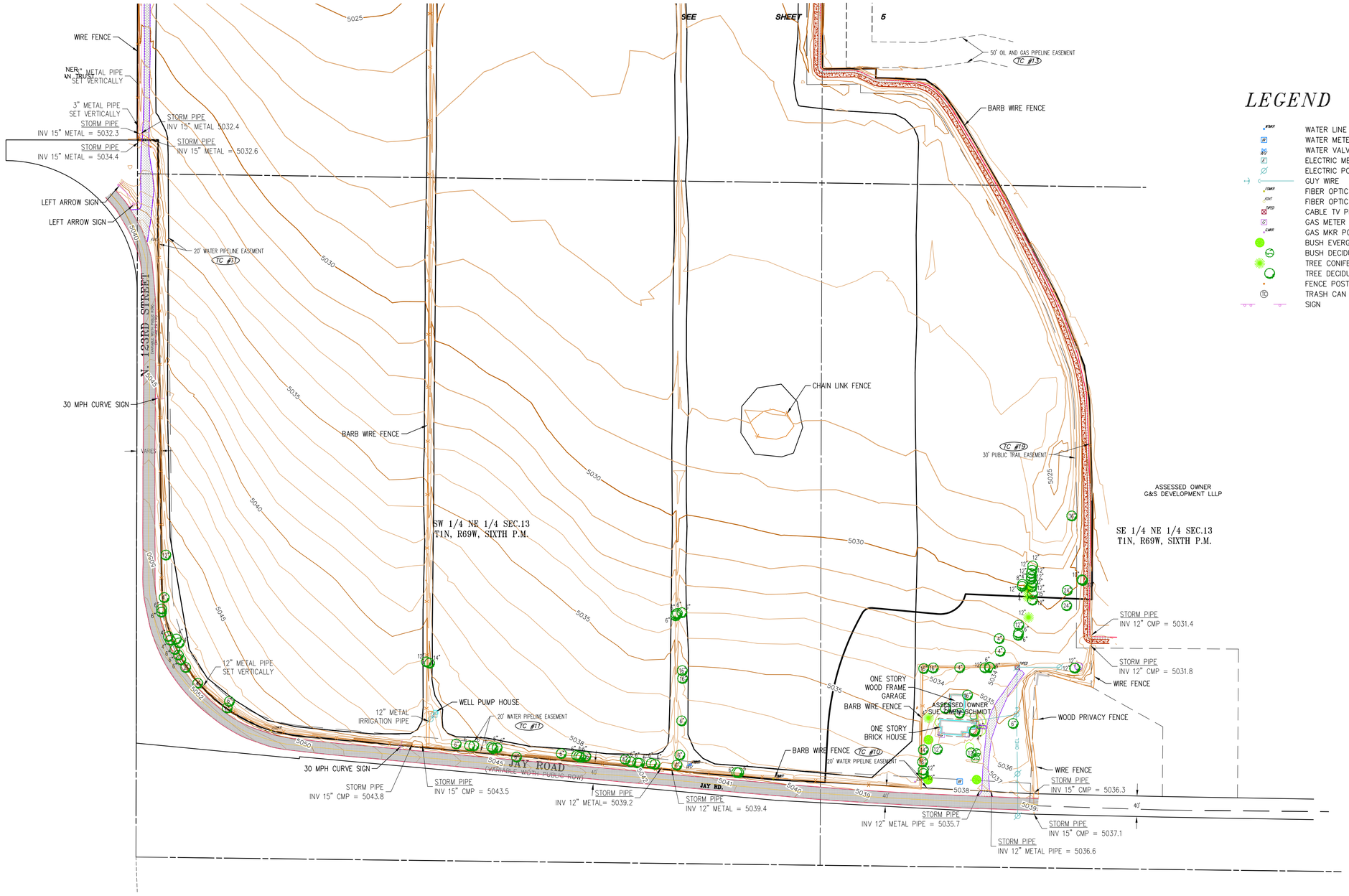

LEGEND

- WATER LINE MKR
- WATER METER
- WATER VALVE
- ELECTRIC METER
- ELECTRIC POLE
- GUY WIRE
- FIBER OPTIC MKR
- FIBER OPTIC VAULT
- CABLE TV PEDESTAL
- GAS METER
- GAS MKR POST
- BUSH EVERGREEN
- BUSH DECIDUOUS
- TREE CONIFER
- TREE DECIDUOUS
- FENCE POST
- TRASH CAN
- SIGN
- CONCRETE
- ASPHALT PAVEMENT
- GRAVEL ROAD
- STEPS
- WALL
- BUILDING EAVE

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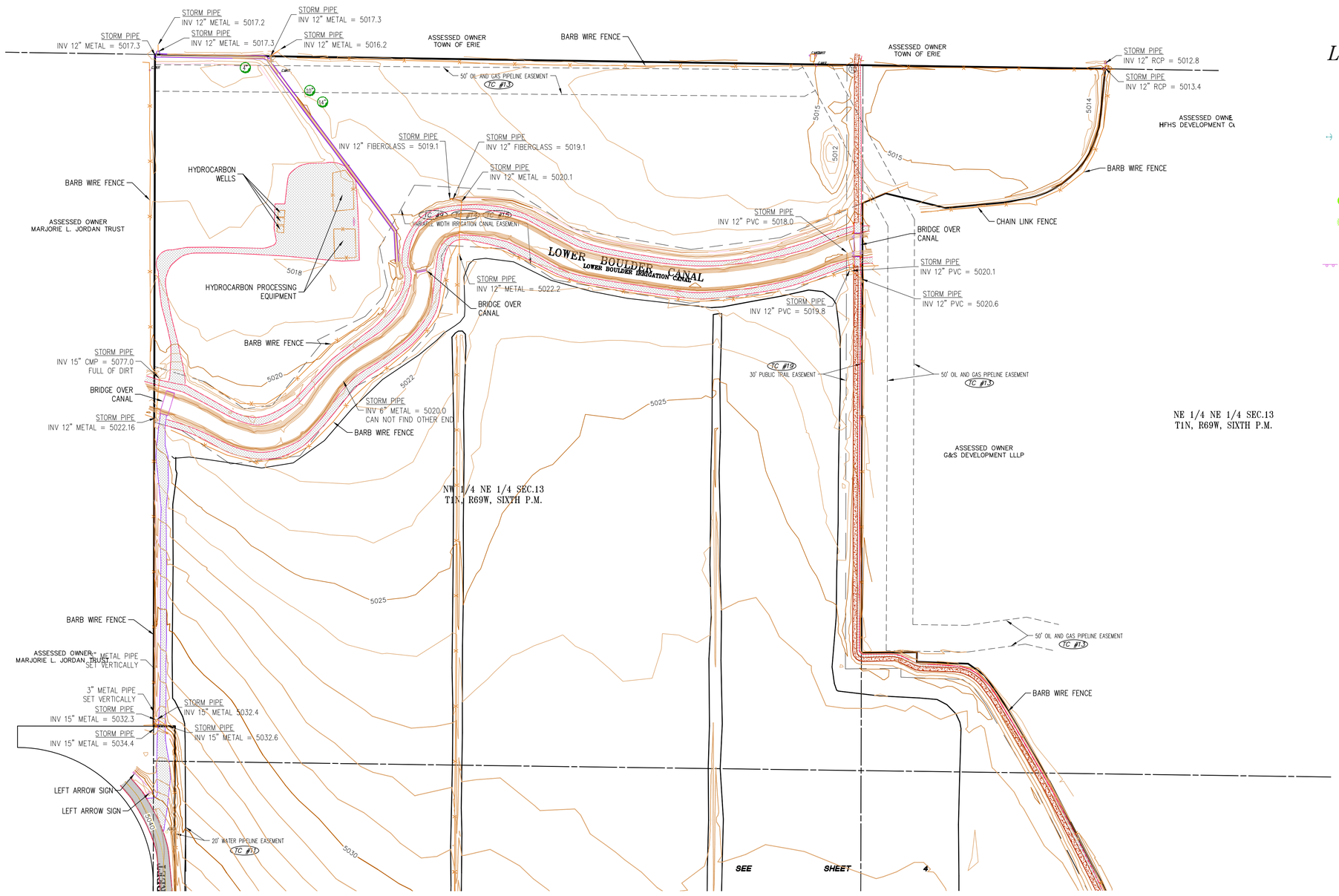

LEGEND

- WATER LINE MKR
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- WATER VALVE
- ELECTRIC METER
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