

MEMORANDUM OF RIGHT OF WAY AGREEMENT

Parcel No. 0156731300001

[illegible]

This Memorandum of Right of Way Agreement (“**Memorandum**”) is executed on the date or dates set forth below, to evidence for recording purposes the execution of a certain Right of Way Agreement, the relevant terms of which are set forth below:

Name and Address of Grantor:

County of Adams
4430 South Adams County Parkway
Brighton, Colorado 80601

Name and Address of Grantee:

Discovery DJ Services, LLC (“**Discovery**”)
7859 Walnut Hill Lane, Suite 335
Dallas, Texas 75230

1. By Right of Way Agreement effective _____, 2017 (the “**Agreement**”), Grantor granted, warranted, conveyed and assigned unto Discovery, its successors and assigns, a perpetual and exclusive easement and right of way for the locating of the routes for, and the laying, constructing, erecting, operating, maintaining, inspecting, testing, repairing, changing the size of, relocating, relaying, removing and/or abandoning in place a pipeline or pipelines, and appurtenances, along with right of ingress, egress, and regress, together with such valves, fittings, meters, connections, markers, cathodic protection, corrosion control and monitoring devices, pipeline operating control devices, hydrate removal systems, communications, telemetry and data acquisition facilities and related facilities, overhead and/or underground electric lines, regulators and other above and below ground appurtenances, and other equipment and appurtenances (collectively, “the Facilities”) as may be necessary or convenient for the transportation by pipeline of oil, gas, condensate, natural gas liquids petroleum or any products, byproducts thereof, water, other liquids and gases and mixtures of any of the foregoing, including temporary water lines on, over, under, across and through a strip of land thirty feet in width (the “**Right of Way**”), further depicted on Exhibit “A” attached hereto and made a part hereof, and located all or in part of:

A portion of the Southwest Quarter (SW1/4) of Section 31, Township 1 South, Range 65 West of the 6th Principal Meridian, County of Adams, State of Colorado, being more particularly described in that certain Special Warranty Deed dated May 1, 2008 between SCM-GRP Van Schaak, LLLP, et al as Grantor and County of Adams as Grantee, recorded at Reception No. 2008000035998 of the Real Estate Records, Adams County, Colorado.

2. Grantor and Discovery incorporate by reference in this Memorandum all the terms, covenants and conditions contained in the Agreement. Reference is hereby made to the Agreement for a complete statement of the rights, privileges and obligations created under and by the Agreement and of the terms, covenants and conditions contained therein, which complete Agreement may be obtained from Discovery at the address indicated below.

3. Grantor and Discovery, for themselves and their respective heirs, successors or assigns, agree to observe, conform to and comply with such terms, covenants and conditions on the part of each of them to be observed and performed under the Agreement.
4. Both Grantor and Discovery intend and agree that the easement and right of way granted pursuant to, and all the term and conditions of, the Agreement are covenants running with the land.
5. Grantor and Discovery hereby ratify in all respects the grant of the easement and right of way and all other provisions contained in the Agreement as of the effective date of the Agreement.
6. This Memorandum is executed in simplified short form for the convenience of Grantor and Discovery and for the purpose of recording the same to place every person on notice of the existence of the Agreement. This Memorandum will not have the effect of modifying, supplementing or abridging the Agreement or any of its provisions. In the event of a conflict between the terms of the Agreement and the terms of this Memorandum, the terms of the Agreement will govern and control.

IN WITNESS WHEREOF, Grantor and Discovery have executed this Memorandum on the respective dates as set forth in the acknowledgments below.

IN WITNESS WHEREOF, the Grantor has executed this Right-of-Way Agreement on the date set forth above.

ATTEST:
STAN MARTIN,
CLERK AND RECORDER

BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, COLORADO

BY:

Chairperson

APPROVED AS TO FORM:

Adams County Attorney's Office

DISCOVERY:

Discovery DJ Services, LLC

By: Cory G. Jordan
Its: EVP Operations

ACKNOWLEDGEMENTS

STATE OF TEXAS)
)ss.
COUNTY OF DALLAS)

The foregoing instrument was acknowledged before me this _____day of _____, 2016,
by **Cory G. Jordan**, as **EVP Operations**, of **Discovery DJ Services, LLC**, a Texas limited
liability company, and being authorized to do so, on behalf of said company.

WITNESS my hand and Official Seal.

Notary Public in and for said State and County

MY COMMISSION EXPIRES:

Attached to and made a part of that certain Memorandum of Right of Way Agreement dated the _____ day of _____, 2016 by and between the **County of Adams**, as Grantor and **Discovery DJ Services, LLC** as Discovery.

