

PERMANENT DRAINAGE EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That Alpine Lumber Company, a Corporation, whose legal address is 10170 Church Ranch Way, Suite 350, Westminster, CO 80221, hereinafter called "Grantor", for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, and convey to the COUNTY OF ADAMS, STATE OF COLORADO, a body politic, whose address is 4430 South Adams County Parkway, Brighton, Colorado 80601 hereinafter "County", its successors and assigns, a permanent storm water drainage easement for the purpose of maintenance of all drainage facilities including inlets, pipes, culverts, channels, ditches, hydraulic structures, detention basins, catch grates, maintenance roads, etc., said easement to be used solely in the event Grantor fails to maintain such drainage facilities, together with lateral and subjacent support thereto as may from time to time be required on, over, across, and through the following described land to wit:

Legal description as set forth in Exhibit "A" attached hereto and incorporated by this reference.

Together with the right to ingress and egress over and across the land of Grantor by means of roads and lanes thereon if such there be; otherwise by such route as shall cause the least practical damage and inconvenience to the Grantor.

In further consideration hereof, Grantor covenants and agrees that no permanent buildings or structures will be placed, erected, installed or permitted upon said easement that will cause any obstructions to prevent the proper maintenance and use of said drainage facility.

In the event the County exercises its right to maintain the detention pond, all of the County's costs to maintain the detention pond shall be reimbursed by Grantor within thirty days of receiving the County's invoice, including any collection costs and attorney fees.

In further consideration of the granting of this easement, it is hereby agreed that all work performed by the County, its successors and assigns, in connection with this easement shall be done with care, and the surface of the property shall be restored to its original condition, or as close thereto as possible, except as necessarily modified to accommodate the facilities and appurtenances installed and any damages caused on said easement arising out of the reconstruction, maintenance and repair of said drainage facilities and appurtenances in the exercise of the rights hereby provided shall be restored reasonably similar to its original condition following completion of the work performed.

IN WITNESS WHEREOF, Grantor has hereto set his hand on this 9th day of AUGUST, 2017.

Name,
Alpine Lumber Company

By: _____

Print Name: Harid Taha

Print Title: CEO

STATE OF COLORADO)

) §
COUNTY OF SAN MIGUEL

The foregoing instrument was acknowledged before me this 9th day of AUGUST, 2017 by HARID TAHA, as CEO of ALPINE LUMBER, a COLORADO COMPANY.

IN WITNESS WHEREOF, I have hereto set my hand and official seal.

Candace Walls
Notary Public

My commission expires: 12/5/2020

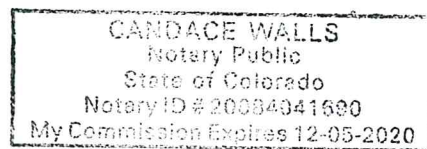


EXHIBIT A – LEGAL DESCRIPTION OF EASEMENT

AN EASEMENT LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 9, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 9, WHENCE THE CENTER ONE-QUARTER CORNER IS ASSUMED TO BEAR NORTH 00° 00' 04" WEST, SAID LINE FORMING THE BASIS OF BEARINGS FOR THIS DESCRIPTION:

THENCE NORTH 03° 48' 53" EAST A DISTANCE OF 1017.71 FEET TO THE INTERSECTION OF THE SOUTH LINE OF THAT PARCEL OF LAND CONVEYED TO ALPINE LUMBER, CO IN QUITCLAIM DEED RECORDED AT RECEPTION NO. 20050520000540300 AND THAT PORTION OF SAID PARCEL OF LAND CONVEYED TO ADAMS COUNTY DESCRIBED AS TRACT NO 5-REV IN WARRANTY DEED RECORDED AT RECEPTION NO. 2009000071137, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING;

THENCE ALONG THE EAST LINE OF SAID TRACT NO. 5-REV THE FOLLOWING TWO COURSES;

NORTH 00° 00' 14" EAST A DISTANCE OF 25.48 FEET TO A NON-TANGENT CURVE;

THENCE ALONG SAID NON-TANGENT CURVE THE RIGHT, HAVING A RADIUS OF 81.50 FEET, AN ARC LENGTH OF 38.59 FEET, A DELTA ANGLE OF 027° 07' 49" AND HAVING A CHORD BEARING OF NORTH 56° 21' 02" EAST, A DISTANCE 38.23 FEET TO THE NORTHWEST CORNER OF A DRAINAGE EASEMENT RECORDED AT RECEPTION NO. 2009000071138;

THENCE ALONG SAID DRAINAGE EASEMENT THE FOLLOWING THREE COURSES;

SOUTH 04° 50' 54" WEST, A DISTANCE OF 36.19 FEET;

SOUTH 89° 09' 06" EAST, A DISTANCE OF 20.00 FEET;

NORTH 04° 50' 54" EAST, A DISTANCE OF 42.51 FEET TO A NON-TANGENT CURVE ON THE EAST LINE OF SAID TRACT NO. 5-REV;



THENCE ALONG SAID NON-TANGENT CURVE THE RIGHT, HAVING A RADIUS OF 81.50 FEET, AN ARC LENGTH OF 7.63 FEET, A DELTA ANGLE OF 005° 22' 01" AND HAVING A CHORD BEARING OF NORTH 87° 23' 12" EAST, A DISTANCE 7.63 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 89° 55' 47" EAST, A DISTANCE OF 29.92 FEET TO A TANGENT CURVE TO THE LEFT;

THENCE ALONG SAID TANGENT CURVE THE LEFT, HAVING A RADIUS OF 58.29 FEET, AN ARC LENGTH OF 20.73 FEET, A DELTA ANGLE OF 020° 22' 35" AND HAVING A CHORD BEARING OF NORTH 79° 54' 01" EAST, A DISTANCE 20.62 FEET TO A POINT ON THE NORTH LINE OF SAID PARCEL RECORDED AT RECEPTION NO. 20050520000540300;

THENCE ALONG SAID NORTH LINE, SOUTH 59° 04' 30" EAST, A DISTANCE OF 11.19 FEET;

THENCE DEPARTING FROM SAID NORTH LINE, SOUTH 29° 23' 40" WEST, A DISTANCE OF 100.26 FEET TO A POINT ON THE SOUTH LINE OF SAID PARCEL RECORDED AT RECEPTION NO. 20050520000540300;

THENCE ALONG A NON-TANGENT CURVE THE LEFT, HAVING A RADIUS OF 1559.78 FEET, AN ARC LENGTH OF 80.07 FEET, A DELTA ANGLE OF 002° 56' 29" AND HAVING A CHORD BEARING OF NORTH 61° 44' 36" WEST, A DISTANCE 80.07 FEET TO THE POINT OF BEGINNING;

THE ABOVE DESCRIBED EASEMENT CONTAINS 6,011 SQUARE FEET (0.138 ACRES) MORE OR LESS.

LEGAL DESCRIPTION STATEMENT:

I, RY PATRICK RUSK, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED EXHIBIT "B" WERE PREPARED UNDER MY RESPONSIBLE CHARGE AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF ARE CORRECT.

RY PATRICK RUSK
PLS No. 38226
FORESIGHT WEST SURVEYING, INC.
4955 IRIS STREET
WHEAT RIDGE, CO 80033
303.901.0479
JULY 27, 2017

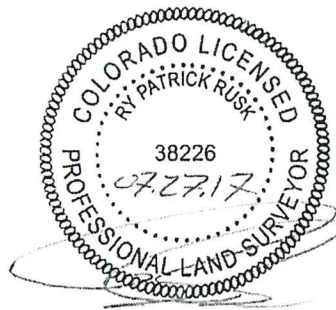
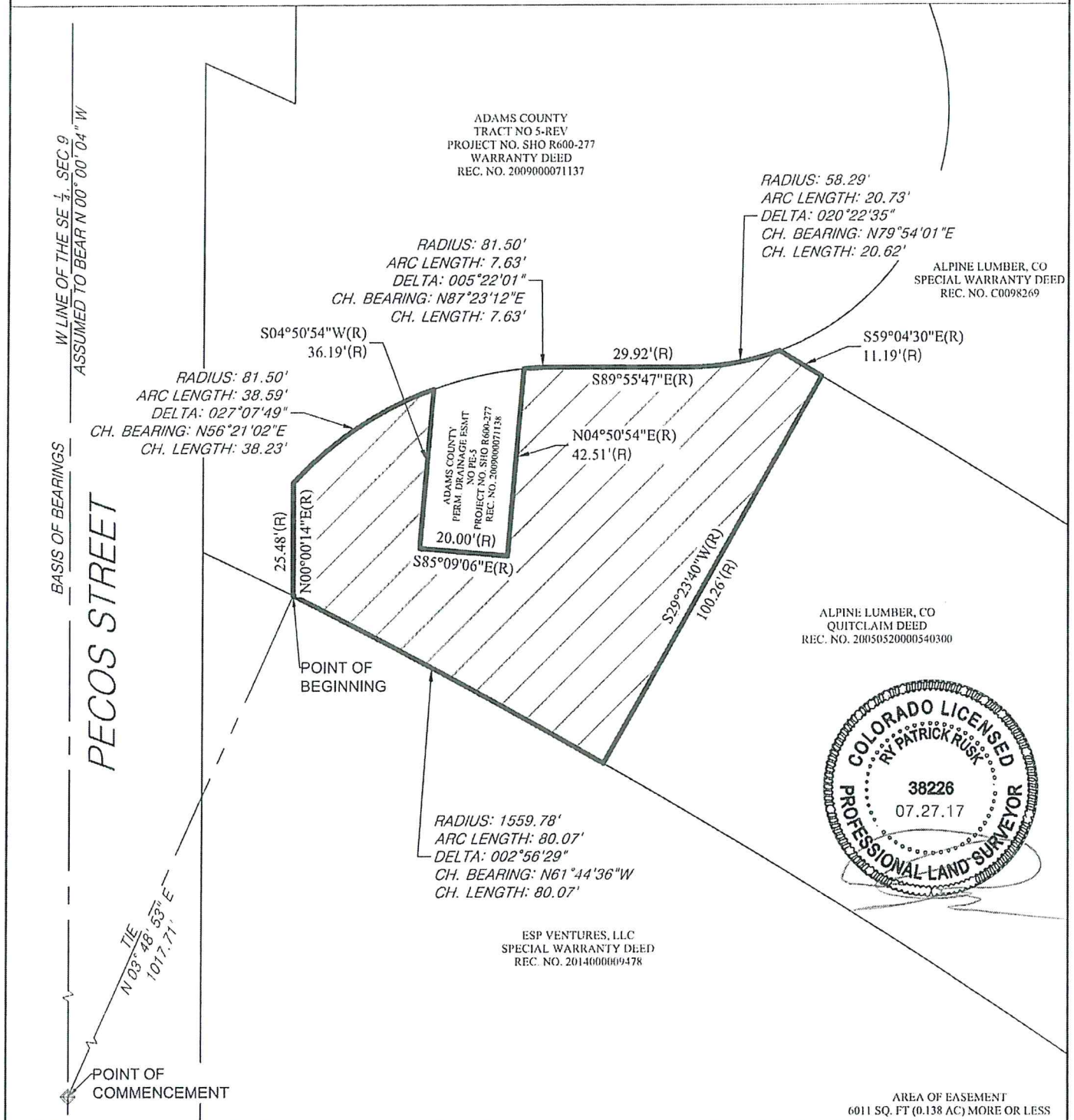


EXHIBIT B:



Surveyed By: Rusk
Compiled By: Rusk
Checked By: Scott
Job Number: 2016037

THIS ILLUSTRATION DOES NOT
REPRESENT A MONUMENTED SURVEY. IT
IS INTENDED ONLY TO DEPICT THE
ATTACHED LEGAL DESCRIPTION.

EXHIBIT B

AN EASEMENT SITUATED IN THE SE 1/4 OF
OF SECTION 9, TOWNSHIP 3 SOUTH, RANGE
68 WEST OF THE 6TH P.M., COUNTY OF
ADAMS, STATE OF COLORADO

FWS FORESIGHT WEST
SURVEYING INC.

4955 Iris Street
Wheat Ridge, Colorado 80033
303.504.4440