

Escrow No. 1036764

RECORDING REQUESTED BY, AND
WHEN RECORDED, RETURN TO:

Fox Rothschild LLP
Attn: Rick Rubin, Esq.
1225 17th Street, Ste 2200
Denver, CO 80202

(Space above line for Recorder's use only)

SPECIAL WARRANTY DEED

Effective as of the 8th day of February, 2021, CS 2005 Investments LLC, a Colorado limited liability company ("**Grantor**"), in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, sell and convey to Murray Fountain, LLC, a Colorado limited liability company ("**Grantee**"), having an office at 212 N. Wahsatch Ave #301, Colorado Springs, CO 80903 all of its right, title and interest in and to the real property situated in El Paso County, State of Colorado, more particularly described in **Exhibit A** attached hereto and incorporated herein by reference ("**Property**"), together with any improvements thereon and further including, but not limited to, all interest of Grantor, if any, in: (1) any land lying in or under the bed or any creek, stream, or waterway or any highway, avenue, street, road, alley, easement, or right-of-way, in, on, across, abutting, or adjacent to the Property; (2) any strips and gores, streets, alleys, easements, rights-of-way, public ways, or other rights appurtenant, adjacent, or connected to the Property; and, (3) wind rights in, on, over, and across the Property.

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversions, remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantee and the Grantee's successors and assigns forever. The Grantor, for itself and its successors and assigns, does covenant and agree that the Grantor shall and will **WARRANT THE TITLE AND DEFEND** the above described premises in the quiet and peaceable possession of the Grantee and the successors and assigns of the Grantee, against all and every person or persons claiming the whole or any part thereof, by, through or under the Grantor except and subject to those interests set forth on **Exhibit B** attached hereto and made a part hereof.

IN WITNESS WHEREOF, Grantor has executed this deed effective as of the date first set forth above.

[Signature Page Follows]

EXHIBIT A
TO
SPECIAL WARRANTY DEED

LEGAL DESCRIPTION

PARCEL A:

A TRACT OF LAND BEING A PORTION OF SECTIONS 1, 2, 11 AND 12, TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE NORTH LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 1, BEING MONUMENTED AT THE EAST END BY A 3.50 INCH ALUMINUM CAP IN RANGE BOX STAMPED "LS 17496" AND MONUMENTED AT THE WEST END BY A 3.50 INCH ALUMINUM CAP IN RANGE BOX STAMPED "LS 17496", WITH THE LINE CONSIDERED TO BEAR N 00 DEGREES 25 MINUTES 12 SECONDS E.

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 1 SAID POINT BEING THE POINT OF BEGINNING;

THENCE S 00 DEGREES 04 MINUTES 44 SECONDS E AND ALONG THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 1 A DISTANCE OF 2643.43 FEET TO THE EAST ONE-QUARTER CORNER OF SECTION 1;

THENCE S 00 DEGREES 04 MINUTES 53 SECONDS E AND ALONG THE EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SECTION 1 A DISTANCE OF 2609.66 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF BRADLEY ROAD AS RECORDED IN THE EL PASO COUNTY RECORDS UNDER RECEPTION NO. 098124132;

THENCE WESTERLY AND ALONG THE NORTH RIGHT-OF-WAY LINE OF BRADLEY ROAD THE FOLLOWING THREE COURSES;

1. S 89 DEGREES 50 MINUTES 39 SECONDS W A DISTANCE OF 1124.04 FEET TO A POINT OF CURVE;
2. ALONG THE ARC OF CURVE TO THE LEFT HAVING A DELTA OF 13 DEGREES 39 MINUTES 41 SECONDS, A RADIUS OF 5105.00 FEET, AND A LENGTH OF 1217.22 TO THE POINT OF TANGENT;
3. S 76 DEGREES 10 MINUTES 58 SECONDS W A DISTANCE OF 5797.66 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 11;

THENCE N 00 DEGREES 10 MINUTES 04 SECONDS W AND ALONG THE WEST LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 11 A DISTANCE OF 1392.70 FEET TO THE NORTH ONE-QUARTER CORNER OF SECTION 11;

THENCE N 00 DEGREES 23 MINUTES 37 SECONDS W AND ALONG THE EAST LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 2 A DISTANCE OF 1319.07 FEET TO THE NORTHEAST CORNER OF THE SOUTH ONE-HALF OF SECTION 2;

THENCE S 89 DEGREES 37 MINUTES 54 SECONDS W ALONG THE NORTH LINE OF THE SOUTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF SECTION 2 A DISTANCE OF 1964.31 FEET TO THE NORTHWEST CORNER OF THE WEST ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 2;

THENCE N 05 DEGREES 50 MINUTES 18 SECONDS E A DISTANCE OF 2540.30 FEET;

THENCE N 36 DEGREES 32 MINUTES 24 SECONDS E A DISTANCE OF 1604.90 FEET;

THENCE N 16 DEGREES 58 MINUTES 50 SECONDS E A DISTANCE OF 184.45 FEET TO A POINT ON THE NORTH LINE OF THE NORTHWEST ONE-QUARTER OF SECTION 2;

THENCE N 89 DEGREES 23 MINUTES 49 SECONDS E AND ALONG THE NORTH LINE OF THE NORTHWEST ONE-QUARTER OF SECTION 2 A DISTANCE OF 668.25 FEET TO THE NORTH ONE-QUARTER CORNER OF SECTION 2;

THENCE N 89 DEGREES 23 MINUTES 28 SECONDS E AND ALONG THE NORTH LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 2 A DISTANCE OF 2668.77 FEET TO THE NORTHEAST CORNER OF SECTION 2;

THENCE N 89 DEGREES 21 MINUTES 45 SECONDS E AND ALONG THE NORTH LINE OF THE NORTHWEST ONE-QUARTER OF SECTION 1 A DISTANCE OF 2657.57 FEET TO THE NORTH ONE-QUARTER CORNER OF SECTION 1;

THENCE N 89 DEGREES 19 MINUTES 28 SECONDS E AND ALONG THE NORTH LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 1 A DISTANCE OF 2667.46 FEET TO THE POINT OF BEGINNING.

EXCLUDING THEREFROM THAT PORTION AS CONVEYED IN WARRANTY DEED RECORDED JANUARY 21, 2014 AT RECEPTION NO. 214004738.

PARCEL B:

A TRACT OF LAND BEING IN THE NORTHEAST ONE-QUARTER OF SECTION 11, AND THE NORTHWEST ONE-QUARTER OF SECTION 12, TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 11, BEING MONUMENTED AT THE WEST END BY A 3.50 INCH ALUMINUM CAP STAMPED "PLS 23044" AND MONUMENTED AT THE EAST END BY A 3.50 INCH ALUMINUM CAP STAMPED "PLS 23044", WITH THE LINE CONSIDERED TO BEAR N 89 DEGREES 31 MINUTES 36 SECONDS E.

COMMENCING AT THE CENTER ONE-QUARTER CORNER OF SAID SECTION 11, SAID POINT BEING THE POINT OF BEGINNING;

THENCE N 00 DEGREES 10 MINUTES 04 SECONDS W AND ALONG THE WEST LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 11 A DISTANCE OF 1033.36 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF BRADLEY ROAD AS RECORDED IN THE EL PASO COUNTY RECORDS UNDER RECEPTION NO. 98124132;

THENCE N 76 DEGREES 10 MINUTES 58 SECONDS E AND ALONG THE SOUTH RIGHT-OF-WAY OF BRADLEY ROAD A DISTANCE OF 4694.01 FEET;

THENCE SOUTHERLY AND ALONG THE WEST LINE OF DRAINAGE TRACT THE FOLLOWING TWO COURSES;

1. ALONG THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S 54 DEGREES 13 MINUTES 04 SECONDS E HAVING A DELTA OF 35 DEGREES 53 MINUTES 49 SECONDS, A RADIUS OF 3000.00 FEET AND A LENGTH OF 1879.56 FEET TO THE POINT OF TANGENT, SAID POINT BEING ON THE WEST LINE OF THE EAST ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SECTION 12;

2. S 00 DEGREES 06 MINUTES 53 SECONDS E AND ALONG THE WEST LINE OF THE EAST ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SECTION 12 A DISTANCE OF 355.87 FEET TO THE SOUTHEAST CORNER OF THE WEST ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SECTION 12;

THENCE S 89 DEGREES 17 MINUTES 26 SECONDS W AND ALONG THE SOUTH LINE OF THE WEST ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SECTION 12 A DISTANCE OF 1323.85 FEET TO THE WEST ONE-QUARTER OF SECTION 12;

THENCE S 89 DEGREES 31 MINUTES 36 SECONDS W AND ALONG THE SOUTH LINE OF THE NORTHWEST ONE-QUARTER OF SECTION 11 A DISTANCE OF 2665.93 FEET TO THE POINT OF BEGINNING.

EXCLUDING THEREFROM THAT PORTION CONVEYED IN SPECIAL WARRANTY DEED RECORDED JANUARY 3, 2014 AT RECEPTION NO. 21400553.

PARCEL C:

NON-EXCLUSIVE EASEMENT CREATED BY AND CONTAINED IN THAT CERTAIN SPECIAL WARRANTY DEED RECORDED JANUARY 3, 2014 AT RECEPTION NO. 21400553.

A.P.N. 55000-00-314 and 55000-00-315 and 55000-00-316 and 55000-00-317 and 55000-00-318 and 55000-00-319 and 55000-00-320 and 55000-00-321 and 55000-00-322 and 55000-00-323 and 55000-00-385 and 55000-00-383

EXHIBIT B
TO
SPECIAL WARRANTY DEED

PERMITTED EXCEPTIONS

1. Taxes and assessments for 2021 and subsequent years, a lien not yet due and payable.
2. Rights of way for County Roads 30 feet on either side of section and township lines, as established by the Resolution of the Board of County Commissioners of El Paso County, recorded June 20, 1917 in Book 571 at Page 55.
3. Reservation of an undivided one half interest interest in oil, gas and other minerals as reserved in Deed recorded April 28, 1943 in Book 1033 at Page 120 at Reception No. 580581. Conveyance of Mineral interests in connection therewith as contained in documents recorded April 19, 1944 in Book 1058 at Page 262 at Reception No. 696056, June 10, 1977 in Book 2930 at Page 326 at Reception No. 330421, and recorded December 23, 1985 in Book 5105 at Page 504 at Reception No. 1337855 and Book 5105 at Page 506 at Reception No. 1337857, and any and all assignments thereof or interests therein.
4. Reservation of coal, oil, gas and other minerals as reserved in Deed recorded May 4, 1959 in Book 1741 at Page 384 at Reception No. 110878, Personal Representative's Mineral Deed in connection therewith recorded November 13, 1992 in Book 6068 at Page 779 at Reception No. 2218856, and any and all assignments thereof or interests therein.
5. An easement for utility lines and incidental purposes granted to Public Service Company of Colorado, as set forth in an instrument recorded July 9, 1964 in Book 2023 at Page 395 at Reception No. 355606, Consent to Easement in connection therewith recorded July 9, 1964 in Book 2023 at Page 397 at Reception No. 355607.
6. An easement for electric lines and incidental purposes granted to Mountain View Electric Association, Inc., as set forth in an instrument recorded February 8, 1974 in Book 2655 at Page 58 at Reception No. 49697. Assignment to Tri-State Generation and Transmission Association, Inc. in document recorded July 27, 1976 in Book 2846 at Page 719 at Reception No. 249731.
7. Pipeline Easement as disclosed in documents recorded July 18, 1986 in Book 5203 at Page 396 at Reception No. 1424775, April 4, 1994 in Book 6417 at Page 1238 at Reception No. 94046627, November 22, 1994 in Book 6566 at Page 1050 at Reception No. 94158102, February 13, 1998 at Reception No. 98017721 and January 20, 1999 at Reception No. 99009587.
8. An easement for gas pipeline and incidental purposes granted to Diamond Shamrock Pipeline Company, as set forth in an instrument recorded April 15, 1994 in Book 6426 at Page 1105 at Reception No. 94053029.

9. An easement for electric, telephone and telegraph lines and incidental purposes granted to Mountain View Electric Association, Inc., as set forth in an instrument recorded August 12, 1994 in Book 6506 at Page 72 at Reception No. 94112033.
10. Those easements created and set forth in the instruments recorded August 31, 1998 at Reception No. 98124132, August 16, 1999 at Reception No. 99131064, January 11, 2001 at Reception No. 201004459 and July 29, 2004 under Reception No. 204127323.
11. Any tax, lien, fee or assessment by reason of inclusion of subject property in the Rolling Hills Ranch Metropolitan Districts 1-10, as evidenced by instruments recorded January 4, 2007 at Reception Nos. 207001680, 207001681, 207001682, 207001683, 207001684, 207001685, 207001686, 207001687, 207001688 and 207001689.

Board of County Commissioners County of El Paso, State of Colorado Resolution No. 06-324 approving the Title 32 Consolidated Service Plan for Rolling Hills Ranch Metropolitan Districts Nos. 1-15 in connection therewith recorded September 14, 2006 at Reception No. 206136195.
12. Any tax, lien, fee or assessment by reason of inclusion of subject property in the Southeastern Colorado Water Conservancy District, as evidenced by instrument recorded February 9, 2007 at Reception No. 207019085.
13. Terms, conditions, provisions, obligations and agreements as set forth in the Board of County Commissioners County of El Paso, State of Colorado Resolution No. 06-395 approving the Rezone from the RR-3 Zone District to an Overall PUD District recorded March 1, 2007 at Reception No. 207028929.
14. Terms, conditions, provisions, obligations and agreements as set forth in the Service Agreement between Widefield Water and Sanitation District and CS 2005 Investments, LLC (Rolling Hills Ranch) recorded May 11, 2007 at Reception No. 207064749, and re-recorded at Reception No. 212101012. As affected by Water Connection Agreement recorded January 8, 2018 at Reception No. 218002992.
15. The effect of Rolling Hills Ranch Overall PUD Development Plan recorded October 5, 2007 at Reception No. 207130796.
16. The effect of Homestead at Rolling Hills Ranch PUD Development Plan recorded October 5, 2007 at Reception No. 207130797.
17. Terms, conditions, provisions, obligations, easements and agreements as set forth in the Permanent Easement Agreement recorded January 3, 2014 at Reception No. 214000554.
18. Terms, conditions, provisions, obligations, easements and agreements as set forth in the Easement Agreement recorded April 25, 2018 at Reception No. 218046272.
19. Terms, conditions, provisions, obligations, easements and agreements as set forth in the Easement Agreement recorded April 25, 2018 at Reception No. 218046273.

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