

Notice to Mineral Estate Owners
§24-65.5-101, et seq., C.R.S. – Checklist and Certification

An examination of the records of the Clerk and Recorder's Office established the following:

Checklist

- identity of the owner(s) of mineral estate
- the mineral estate owner(s) has filed a proper notification form
- the mineral estate owner(s) has recorded an instrument satisfying an applicable dormant mineral interest act
- no mineral estate owner(s) was found
- mineral owner(s) waived the right to notice in writing to the Applicant.

If a mineral estate owner(s) exists, a Notice shall be sent to the mineral estate owner no less than thirty (30) days prior to the initial public hearing. The Notice shall include:

- time and place of initial public hearing
- nature of hearing
- location of property/subject of hearing
- name of applicant
- notice was sent to mineral estate owner(s) no less than thirty (30) days prior to initial public hearing (do not count day of mailing in thirty (30) day calculation).

If a mineral estate owner(s) exists, a copy of the Notice shall be sent to the local government at the same time as notice s mailed to the mineral owner(s) and no less than thirty (30) days prior to the initial public hearing. The Notice shall include:

- time and place of initial public hearing
- nature of hearing
- location of property/subject of hearing
- name of applicant
- name and address of mineral estate owner
- notice was sent to El Paso County Planning Department no less than thirty (30) days prior to initial public hearing (do not count day of mailing in thirty (30) day calculation).

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Celebrating over 41 years in business

Mineral Rights Search Certification

Date: January 23, 2020

Job No.: 19-5348

Client: Jesse and Sherrie Tix

Address: 10634 and 10658 Maltese Point, Falcon, CO 80831

Legal Description: PARCEL A:

LOT 2, ROLLING THUNDER BUSINESS PARK, COUNTY OF EL PASO, STATE OF COLORADO

PARCEL B:

LOT 3, ROLLING THUNDER BUSINESS PARK, COUNTY OF EL PASO, STATE OF COLORADO

I, Erik S. Watts have researched the records of the El Paso County Clerk and Records Office and established that at one time there was a mineral rights owner on the subject property. This is based on the title commitment, provided by the client as follows:

Title Company: Old Republic National Title Insurance Company

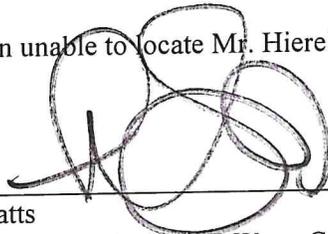
Order Number: SCB55083172

Effective date: 02/27/2020 at 5:00 P.M.

Said Title Commitment identifies the Mineral Estate Owner as:

David G. Hiereline, as recorded in **Book 143 at Page 63** of the records of said County, dated **July 29, 1892**.

I have been unable to locate Mr. Hiereline or his heirs, successors and/or assigns.



Erik S. Watts

For and on behalf of Oliver E Watts Consulting Engineer, inc.

STATE OF COLORADO)
) SS
COUNTY OF EL PASO)

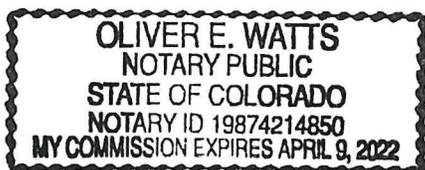
Acknowledged before me this 23rd day of January, 2020 by
Erik S. Watts.

My commission expires 4-9-22

Witness my hand and official seal



Oliver E. Watts Notary Public



THE UNITED STATES OF AMERICA.

CERTIFICATE No. 3005

To all to whom these presents shall come, GREETING:

Whereas, David H. Bessette of the State of Colorado

has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Pueblo, Colorado, whereby it appears that full payment has been made by the said

David H. Bessette

according to the provisions of the act of Congress of the 24th of April, 1820, entitled "An Act making further provision for the sale of the Public Lands," and the acts supplemental thereto for the West half of the North East quarter of Section eleven, and the West half of the North West quarter of Section twelve, Township Thirtieth South of Range thirty third West of the Sixth Principal Meridian in Colorado, containing one hundred and sixty acres.

according to the Official Plat of the Survey of the said Lands, returned to the General Land Office by the Surveyor General, which said Tract has been purchased by the said

David H. Bessette

Now Know Ye, That the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, have given and granted, and by these presents do give and grant unto the said

David H. Bessette

and to his heirs, the said Tract above described, TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities and appurtenances of whatsoever nature, thereto belonging, unto the said

David H. Bessette

and to his heirs and assigns forever, subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water, as may be recognized and acknowledged by the local customs, laws and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law and this is given and granted subject to any ditches or canals constructed by the authority of the United States.

In Testimony Whereof, I, Benjamin Harrison

President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, this 1st

day of September in the year of our Lord one thousand eight hundred and ninety one and of the independence of the United States the one hundred and sixtieth.

By the President: Benjamin Harrison



Recorded, Vol. 117 or Page 165

Filed for Record the 17th day of August 1891

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part II
(Exceptions)

Order Number: SCB55083172

This commitment does not republish any covenants, condition, restriction, or limitation contained in any document referred to in this commitment to the extent that the specific covenant, conditions, restriction, or limitation violates state or federal law based on race, color, religion, sex, sexual orientation, gender identity, handicap, familial status, or national origin.

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. ANY EXISTING LEASES AND/OR TENANCIES, IF ANY.
9. RIGHT OF THE PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM, SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES HEREBY GRANTED, AND A RIGHT OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES, AS RESERVED IN UNITED STATES PATENT RECORDED JULY 29, 1892 IN BOOK 143 AT PAGE 63.
10. THE EFFECT OF NOTICE CONCERNING UNDERGROUND FACILITIES, RECORDED MAY 09, 1983, IN BOOK 3718 AT PAGE 812.
11. THE EFFECT OF RESOLUTION NO. 01-289, REGARDING ZONING, RECORDED JANUARY 03, 2002, UNDER RECEPTION NO. 202001629.
12. THE EFFECT OF INCLUSION OF SUBJECT PROPERTY IN THE FALCON HIGHLANDS METROPOLITAN DISTRICT, AS EVIDENCED BY INSTRUMENTS RECORDED AUGUST 02, 2002, UNDER RECEPTION NO. 202127235, NOVEMBER 19, 2002 UNDER RECEPTION NO. 202203981 AND JULY 14, 2006 UNDER RECEPTION NO. 206103850.