

PERMANENT EASEMENT

The foregoing instrument was acknowledged before me this 12 day of November, 2004, by Gary Bjornsrud and Karst Bergsma.

Witness my hand and official seal.
My commission expires: 3-8-2006



Vanessa V. Kelly
Notary Public



Attest:

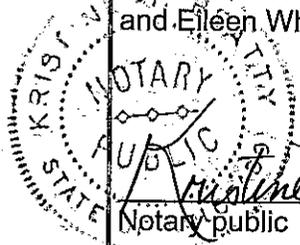
The Board of County Commissioners
El Paso County, Colorado

by: Eileen Wheeler
Eileen Wheeler,
Deputy County Clerk

by: Chuck Brown
Chuck Brown, Chairperson,
Board of County Commissioners

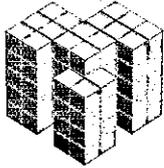
State of Colorado)
) ss.
County of El Paso)

Subscribed and sworn to before me this 6th day of January, 2004, by Chuck Brown, Chairperson, the Board of County Commissioners, El Paso County, Colorado, and Eileen Wheeler, Deputy County Clerk.



Kristine J. Reathy
Notary public

My commission expires: 8-8-2006



December 2, 2004

J.N.: 04.149.001

Page 1 of 2

EXHIBIT "A"

LEGAL DESCRIPTION

DRAINAGE EASEMENT

That certain parcel of land situated in the Southeast One-Quarter of Section 5, Township 14 South, Range 65 West of the 6th P.M., County of El Paso, State of Colorado, being a portion of the parcel of land as described in that Special Warranty Deed recorded on September 10, 2001 at Reception No. 201132016 of the records in the Office of the Clerk and Recorder of said El Paso County, more particularly described as follows:

Commencing at the East One-Quarter Corner of said Section 5, from which the Northeast Corner thereof bears North 00°08'32" East, 2617.04 feet; thence along the East line of the Southeast One-Quarter of said Section 5, South 00°07'45" West, 1241.81 feet; thence perpendicular from the East line of the Southeast One-Quarter of said Section 5, North 89°52'15" West, 30.00 feet to the Northeast Corner of the parcel of land described at said Reception No. 201132016; thence along the North line of said parcel, South 89°39'42" West, 75.00 feet to a line being 75.00 feet Westerly and parallel to the East line of said parcel and the TRUE POINT OF BEGINNING:

Thence along the line 75.00 feet Westerly and parallel of the East line of said parcel, South 00°07'45" West, 341.41 feet to a point on a non-tangent curve concave Southeasterly and having a radius of 1132.18 feet, a radial line from said point from said curve bears South 36°49'02" East;

Thence along the Southeasterly and Southerly lines of the parcel of land described in said Reception No. 201132016, the following three (3) courses and distances:

Thence along said curve, Southwesterly, 380.63 feet through a central angle of 19°15'45";

Thence tangent from said curve, South 33°55'13" West, 921.15 feet;

Thence South 89°42'11" West, 209.25 feet;

Thence North 33°33'40" East, 1143.29 feet to the beginning of a tangent curve concave Southeasterly and having a radius of 2085.00 feet;

Thence along said curve, Northeasterly, 291.23 feet through a central angle of 08°00'11";

Thence tangent from said curve, North 41°33'51" East, 264.73 feet to the TRUE POINT OF BEGINNING.

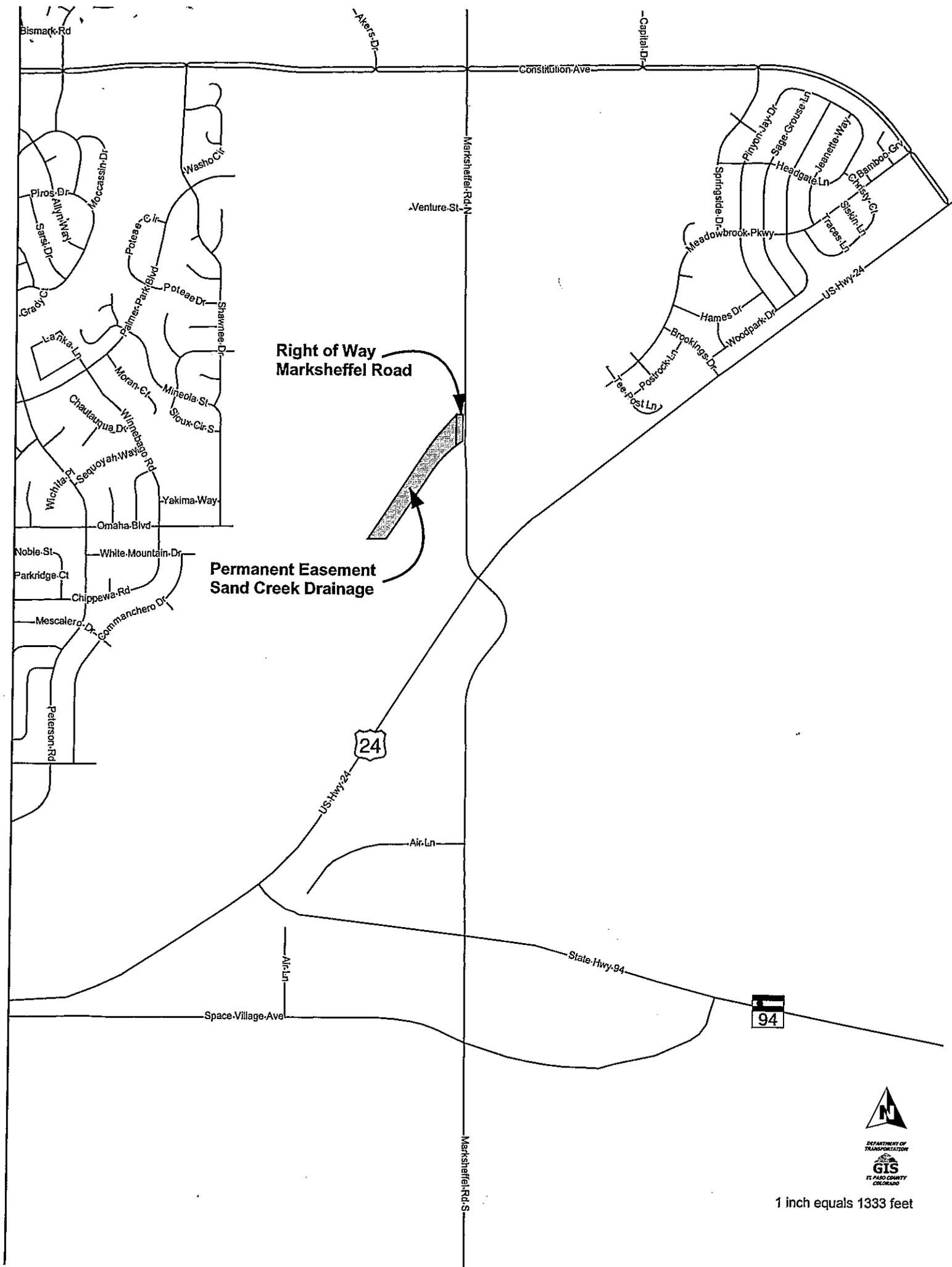
CONTAINING: 6.406 Acres, more or less.

SUBJECT TO all Covenants, Rights, Rights-of-Way and Easements of Record.

EXHIBIT "B" attached to and made a part thereof.

Legal Description Prepared By:
Ian Cortez, P.L.S. No. 32822
Matrix Design Group, Inc.
2925 Professional Place, Suite 202
Colorado Springs, CO 80904
(719) 575-0100





Right of Way
Marksheffel Road

Permanent Easement
Sand Creek Drainage



1 inch equals 1333 feet