

**PERMANENT DRAINAGE EASEMENT
ACCESS, AND MAINTENANCE AGREEMENT**

THIS EASEMENT AND AGREEMENT, dated for reference this 27th day of Sept, 2019, is made between

DL Holdings, LLC - Jeff Dwire
(hereinafter referred to as "Grantor"), and

WMAO, LLC - Tim Emick
(hereinafter referred to as "Grantee").

In consideration of the sum of ONE DOLLAR (\$1.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the following grant, agreement, covenants, and restrictions are made:

1. The Grantor is the owner of the following described real property, situated in the County of El Paso and the State of Colorado, to-wit:

Schedule Number, 5300000552, Colorado Springs, CO (No Physical Address)
2. The Grantee is the owner of the following described real property, situated in the County of El Paso and the State of Colorado, to-wit:

Schedule Number, 5300000176, 8110 Opportunity View, Colorado Springs, CO 80939
3. Grant of Use: The Grantor hereby grants to the Grantee and his/ her successors and assigns, a nonexclusive easement for access to and use of that portion of the Grantor's property, described in the construction drawings prepared by M&S Civil Consultants, Inc., for "Timberline Storage Yard" and further described in attached **Exhibit A**, with uses to include ingress, egress, utilities, drainage and maintenance of the easement. The **Grantee** hereby offers the same to **Grantor**.
4. Use of the Premises: **Grantee or Grantor** are not confined to the present configuration of the property. **Grantor or Grantee** may construct improvements on or otherwise modify or use his/ her property. However, both the **Grantor and Grantee** agree to construct no fences or place any other obstructions on their respective properties in a manner which would prevent, or reasonably impede, vehicle or personnel travel across those portions of their respective properties. Each owner shall have full use and occupancy of land over which the easements pass.
5. Maintenance of the Easement(s): The Grantor and Grantee agree to share equally the cost and expense of maintaining the Easement(s) in good operating condition and to share equally the cost and expense of affecting any repair to said Easement(s), accruing from and after the date of this Agreement.
6. This Agreement shall be binding upon the undersigned Grantor and Grantee, and their respective successors, assigns, and personal representatives. This Grant, Covenant, and Agreement may not be revoked without the written unanimous consent of the Grantor, and

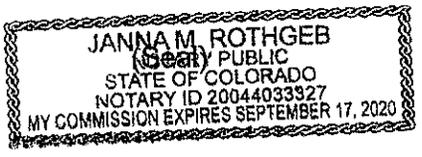
Grantee. This agreement shall be recorded in the land records of the Office of the Clerk and Recorder of El Paso County, Colorado, and shall be a covenant running with the lands of the Grantor and the Grantee as those lands are described herein above, and shall be enforceable by the Grantor and the Grantor's successors and assigns and personal representatives, the Grantee and Grantee's successors and assigns and personal representatives. Any persons or other entities who hereby acquire title to the Grantor or Grantee property hereinabove described, whether by purchase or otherwise, shall be subject to the provisions of this agreement to the same extent as if such parties had been signatory to this Agreement.

GRANTOR:

By: [Signature] this 5th day of Sept., 2019.
Jeff Dwire

State of Colorado)
County of El Paso) ss

The foregoing instrument was acknowledged before me this 5 day of September, 2019
by Jeff Dwire



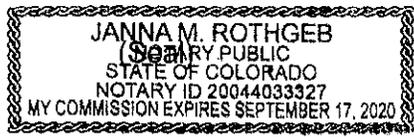
[Signature]
Notary Public
My Commission Expires:
Sept 17, 2020

GRANTEE:

By: [Signature] this 10 day of September, 2019.
Tim Emick

State of Colorado)
County of El Paso) ss

The foregoing instrument was acknowledged before me this 10 day of September, 2019
by TIM EMICK



[Signature]
Notary Public
My Commission Expires:
Sept 17, 2020



102 E. Pikes Peak Ave., 5th Floor
Colorado Springs, CO 80903
Mail to: PO Box 1360
Colorado Springs, CO 80901
719.955.5485

AUGUST 26, 2019

**CROSS ACCESS AND PERMANENT DRAINAGE EASEMENT
EXHIBIT A**

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE1/4 SW1/4) OF SECTION 28, T13S, R65W OF THE 6TH P.M., EL PASO COUNTY, COLORADO, BEING A PORTION OF THOSE PARCELS DESCRIBED IN SPECIAL WARRANTY DEEDS RECORDED UNDER RECEPTION NO. 205184816 AND RECEPTION NO. 217149589 OF THE RECORDS OF EL PASO COUNTY, AND BEING MORE PARTICULAR DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: A PORTION OF THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M. AS MONUMENTED AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER (SW1/4) BY A NO. 6 REBAR WITH A 2 1/2" ALUMINUM CAP PLS 22095, AND AT THE SOUTHWEST CORNER OF THAT PARCEL DESCRIBED IN SPECIAL WARRANTY DEED RECORDED UNDER RECEPTION NO. 217149589 OF THE RECORDS OF EL PASO COUNTY BY A NO. 5 REBAR WITH A YELLOW PLASTIC CAP PLS 37909, SAID LINE IS ASSUMED TO BEAR N90°00'00"W, A DISTANCE OF 1,148.92 FEET AS MEASURED.

BEGINNING AT THE SOUTHWEST CORNER OF THAT PARCEL DESCRIBED UNDER RECEPTION NO. 217149589;
THENCE S89°57'07"W ALONG THE SOUTH LINE OF THAT PARCEL DESCRIBED UNDER RECEPTION NO. 205184816, A DISTANCE OF 138.64 FEET;
THENCE N00°02'53"W A DISTANCE OF 218.00 FEET;
THENCE N89°57'07"E A DISTANCE OF 139.70 FEET TO A POINT ON THE BOUNDARY LINE COMMON TO AFORESAID PROPERTIES;
THENCE CONTINUING N89°57'07"E A DISTANCE OF 100.30 FEET;
THENCE S00°02'53"E A DISTANCE OF 218.09 FEET TO THE SOUTH LINE OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 217149589;
THENCE S90°00'00"W ALONG SAID SOUTH LINE A DISTANCE OF 101.36 FEET TO THE POINT OF BEGINNING;

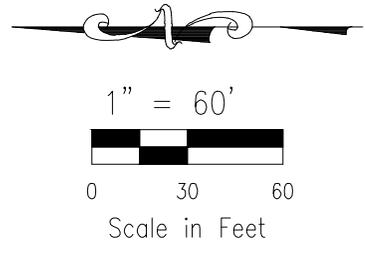
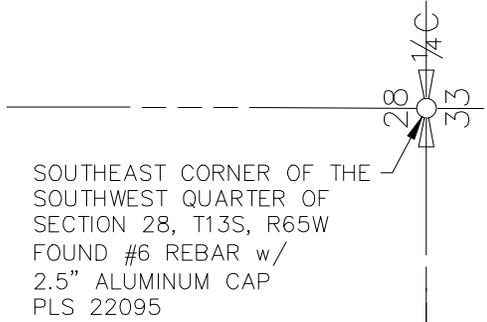
SAID TRACT OF LAND CONTAINS A CALCULATED AREA OF 52,324 SQUARE FEET (1.201 ACRES) MORE OR LESS.

PREPARED BY:

VERNON P. TAYLOR, COLORADO PLS NO. 25966
FOR AND ON BEHALF OF M&S CIVIL CONSULTANTS, INC
102 E. PIKES PEAK AVE., 5TH FLOOR
COLORADO SPRINGS, CO 80903

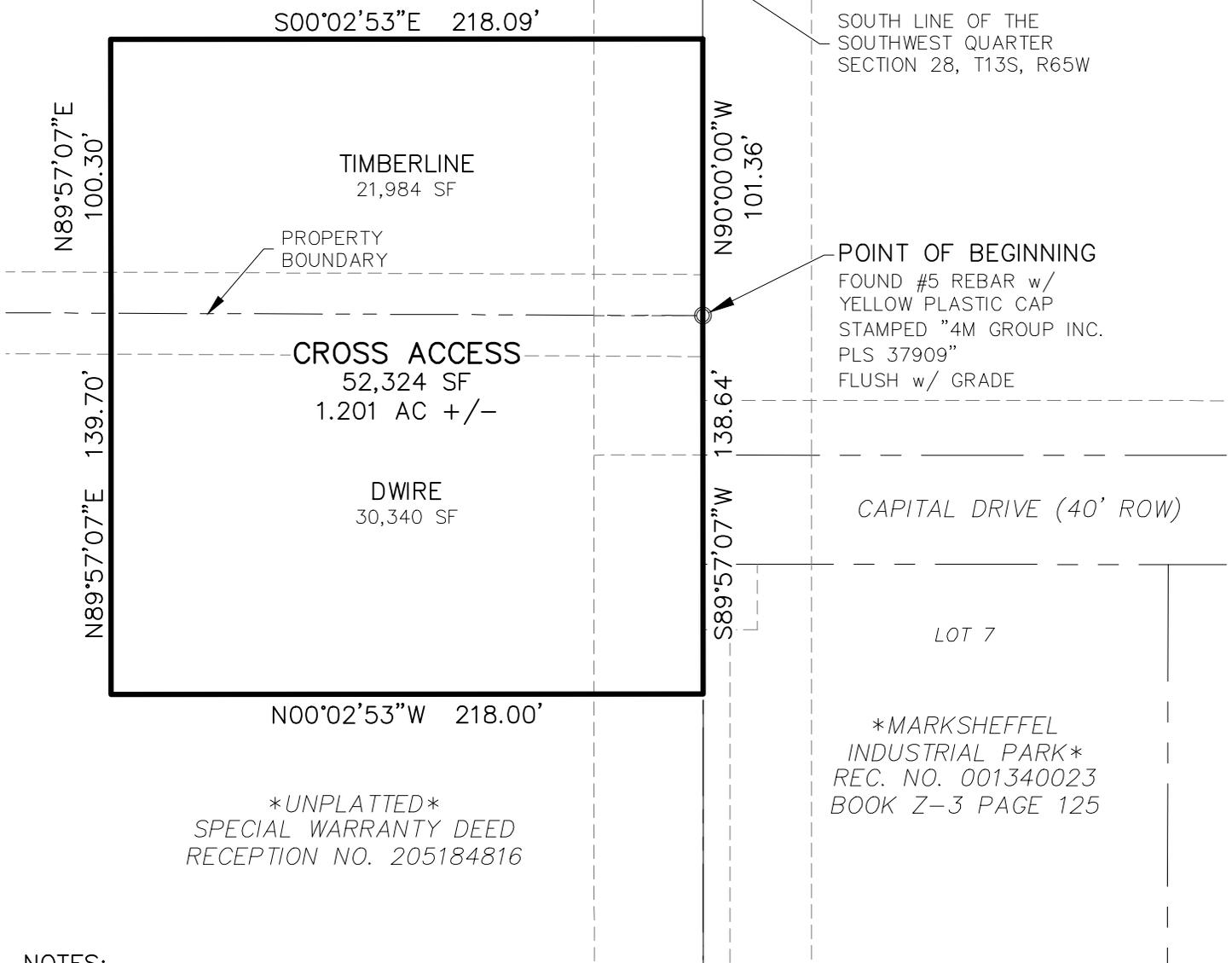


CROSS ACCESS AND DRAINAGE EASEMENT



UNPLATTED
SPECIAL WARRANTY DEED
RECEPTION NO. 217149589

UNPLATTED
SPECIAL WARRANTY DEED
RECEPTION NO. 201112950



UNPLATTED
SPECIAL WARRANTY DEED
RECEPTION NO. 205184816

NOTES:

THIS SKETCH IS INTENDED FOR LEGAL DESCRIPTION CLARIFICATION ONLY.
THIS SKETCH IS NOT INTENDED TO REPRESENT A LAND SURVEY PLAT NOR AN IMPROVEMENT LOCATION SURVEY PLAT.

CROSS ACCESS AND DRAINAGE EASEMENT
EXHIBIT "B"
JOB NO. 43-095
DATE PREPARED: 08/26/2019



102 E. PIKES PEAK AVE., 5TH FLOOR
COLORADO SPRINGS, CO 80903
PHONE: 719.955.5485