

**CERTIFICATION OF MINERAL ESTATE OWNER  
NOTIFICATION**

PROJECT NAME: Aspen Ranch

Application for Development: Overall Development Plan (ODP) and Rezone  
[insert type of application, such as minor subdivision, etc.]

Property Description & Address: \_\_\_\_\_

59 Acre Vacant Land Parcel at the northeast  
intersection of Link Rd and Kane Rd

As developer/applicant for the above named Application for Development in the City of Fountain, the undersigned hereby certifies that notice has been provided to any mineral estate owner or lessee underneath the surface estate that is the subject of the Application for Development as required by Section 24-65.5-103 of the Colorado Revised Statutes, as amended, or that developer/applicant has obtained a written waiver of the right to notice from any such mineral estate owner or lessee.

If this box is checked, the undersigned hereby certifies as developer/applicant for the above named Application for Development that the mineral estate has not been severed from the surface estate for the property that is the subject of the Application for Development.

The developer/applicant certifies that the records, including filed requests for surface development notification, of the El Paso County tax assessor and the clerk and recorder were examined, and no separate mineral estate owner(s) were identified and no further action was taken.

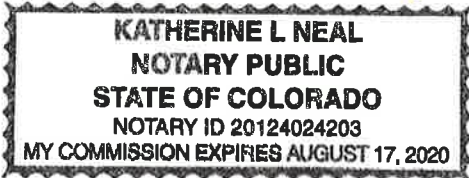
Applicant's Signature: [Signature] Date: 10-30-18

STATE OF COLORADO    )  
  ) ss.  
COUNTY OF EL PASO    )

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of October, 2018, by Kexin Hart.

Witness my hand and official seal.

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



## Mineral Rights Research Aspen Ranch

[https://images.findagrave.com/photos250/photos/2009/120/33944381\\_124118489463.jpg](https://images.findagrave.com/photos250/photos/2009/120/33944381_124118489463.jpg)

### Roy D. Remp

Services for Roy D. Remp of Canon City and formerly of 818 W. Bijou will be at 11 a.m. Tuesday at Memorial Gardens Chapel, with the Rev. Lewis Adkisan officiating. Burial will be in Memorial Gardens, directed by Evergreen Funeral Home.

Mr. Remp died Friday in Canon City.

Born Sept. 17, 1898, in Bucyrus, Ohio, he lived in Newton, Kan., before moving to Colorado Springs where he was employed by Colorado Springs Equipment Co. He was a member of the Southern Baptist Church.

Survivors include his wife, Dolly Remp; a daughter, Phyllis Hall of Colorado Springs; a son, Harold Remp of Denver; a brother; six sisters and five grandchildren.

COLO SPRGS GAZETTE TELEGRAPH Sun. 2/22/1981 A 4:6

Roger,

Ben concurs with my analysis. The link above should take you to a web page showing the Remp's gravesite (in a local cemetery) plus his obituary. He had 2 kids but addresses unknown. Son Harold Remp appears to live

out of state and is now 89 years old (Roy was born in 1898). While it is interesting to keep searching, it is not required by the notification statute.

I will be out of the office from Monday, April 23 through Friday, April 27, 2018.

**JANE B. FREDMAN, LLC**  
**13511 Northgate Estates Drive, Suite 250**  
**Colorado Springs, CO 80921**  
**Telephone: (719) 434-5607**  
**Email: jane@fredmanlawco.com**

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**From:** Ben Lowe <[blowe@ltgc.com](mailto:blowe@ltgc.com)>  
**Sent:** Tuesday, April 17, 2018 12:33 PM  
**To:** Jane Fredman <[Jane@fredmanlawco.com](mailto:Jane@fredmanlawco.com)>  
**Subject:** Re: FW: FW: Aspen Ranch ODP Submittal Items Mineral Rights Certification Issue

Hi Jane.

I confirm your analysis. The only remaining severed mineral interest is the Remps 1/2 interest reserved in 1959. I also find no recorded Request for Notification.

Thanks Jane. Let me know if I can be of further assistance.

**Ben K. Lowe**  
Commercial Title Officer  
Colorado Title License #137098  
Land Title Guarantee Company  
102 S Tejon St, Suite 760  
Colorado Springs, CO 80903  
Direct: 719-381-0240  
Office: 719-634-4821  
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*PREVENT FRAUD – Please remember to call a member of our closing team when initiating a wire transfer or providing wiring instructions.*

On Tue, Apr 17, 2018 at 12:12 PM, Jane Fredman <[Jane@fredmanlawco.com](mailto:Jane@fredmanlawco.com)> wrote:

**Hi Ben – Roger Miller of Aspen View asked me to help with the mineral rights certification. I'd like to make sure that before AVH makes the certification to the City of Fountain, that the title company's research has disclosed no recorded request for notification of development by a mineral interest owner.**

**From my review, it appears Mr. and Mrs. Remp, of 114 E. Ramona Avenue, were conveyed the land in 1940, subject to a 20-year reservation of O&G interests from grantor (Fed Land Bank of Wichita). 20 years and about one week later, the Rempes and the bank signed a declaration of expiration of the bank's ½ mineral interest reservation. So the bank no longer has an O&G interest in the land.**

**In the meantime, the Rempes and Carl Sandmann (no address noted) had some dealings whereby in 1959, the Rempes reserved their own ½ mineral interest when they conveyed the land to Carl, but subject to the bank's ½ interest (which then expired a year later in 1960). Carl also assigned his ½ mineral interest to the Rempes around the same time.**

**Under the statute, the developer is to give notice of an upcoming development hearing to all mineral interest owners of record and with an address. I know the Rempes have been deceased since 1981, but I'll recommend to AVH that it mail the Rempes a notice at their last known address on Ramona. Otherwise, I don't see any other mineral interest owner that must be notified.**

**Can you confirm that your search has disclosed no other information that would contradict my analysis above?**

**Thanks!**

**Jane**

**I will be out of the office from Monday, April 23 through Friday, April 27, 2018.**

**JANE B. FREDMAN, LLC**

**[13511 Northgate Estates Drive, Suite 250](#)**

**[Colorado Springs, CO 80921](#)**

**Telephone: (719) 434-5607**

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**From:** Ben Lowe <[blowe@ltgc.com](mailto:blowe@ltgc.com)>  
**Sent:** Tuesday, April 10, 2018 12:23 PM  
**To:** Roger Miller <[rmiller@asperviewhomes.net](mailto:rmiller@asperviewhomes.net)>  
**Cc:** Jason Alwine <[jalwine@ttplan.net](mailto:jalwine@ttplan.net)>  
**Subject:** Re: FW: Aspen Ranch ODP Submittal Items

Roger,

We can't sign off on the form, as it includes additional public hearing assurances.

However, per the title commitment, the following mineral severances have occurred on the property.

RESERVATION OF AN UNDIVIDED ONE-HALF OF ALL OIL, GAS AND OTHER MINERALS AND MINERAL RIGHTS IN, UPON AND UNDER TRACT 28, AS SET FORTH IN WARRANTY DEED RECORDED MARCH 27, 1947 IN BOOK 1128 AT PAGE [176](#). ASSIGNMENT IN CONNECTION WITH SAID RESERVATION RECORDED FEBRUARY 20, 1959 IN BOOK 1728 AT PAGE [404](#). DECLARATION OF EXPIRATION OF MINERAL RESERVATION RECORDED DECEMBER 13, 1960 IN BOOK 1836 AT PAGE [21](#).

RESERVATION OF AN UNDIVIDED ONE-HALF OF ALL OIL, GAS AND OTHER MINERALS AS SET FORTH IN WARRANTY DEED RECORDED FEBRUARY 20, 1959 IN BOOK 1728 AT PAGE [387](#).

Thanks!

**Ben K. Lowe**

Commercial Title Officer

Colorado Title License #137098

Land Title Guarantee Company

[102 S Tejon St, Suite 760](#)

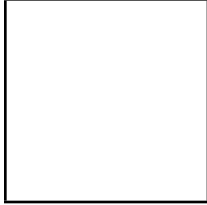
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On Tue, Apr 10, 2018 at 11:43 AM, Roger Miller <[rmiller@asperviewhomes.net](mailto:rmiller@asperviewhomes.net)> wrote:

Ben from my past experience this needs to be done by someone other than the Owner, usually the title company has done this in the past for us, I'm confused, but if you not able to I understand.

**From:** Ben Lowe <[blowe@ltgc.com](mailto:blowe@ltgc.com)>  
**Sent:** Tuesday, April 10, 2018 11:24 AM  
**To:** Roger Miller <[rmiller@asperviewhomes.net](mailto:rmiller@asperviewhomes.net)>  
**Subject:** Re: FW: Aspen Ranch ODP Submittal Items

Hi Roger.

The form actually needs to be filled out by the property owner. The title company does not complete the form.

However, the information included in the title commitment will inform as to any mineral rights notices that need to be done.

Thanks!

**Ben K. Lowe**

Commercial Title Officer

Colorado Title License #137098

Land Title Guarantee Company

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