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## We love being your national partner

**For the benefit of:** American Tower LLC

**Issue Date:** September 14,  
2021

**Our Order No.:** 23748157

**County:** El Paso

**State:** CO

**Address:** N.W. CORNER OF HWY. 94 &, CO

**Customer Ref. No.:** 82093-Falcon CO

**It's been a delight to serve you. Connect with us at:**

### Customer Care Team

Contact for all title needs including ordering,  
title questions and order status

• [sms-commercial@fnf.com](mailto:sms-commercial@fnf.com)

### Post Closing Team

Contact for all recording and policy needs

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Contact for all escrow and closing needs  
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• [elaine.bishop@fnf.com](mailto:elaine.bishop@fnf.com)

### We understand ALL commercial real estate transactions are important-small ones and big ones

Whether its services for small businesses, churches, cell towers, solar and wind farm sites, gas stations and convenience stores, or restaurants and retail locations, coast to coast and border to border, we handle it all. We support deals in every state, focusing on liabilities of \$5 million and less and can effectively fulfill high volumes. Our talented team has vast experience in closing commercial refinance and purchase transactions as well as taking on uninsured title research requests.

**Deed Report • Current Owner Title Report • O&E Title Report • 40 – 100 Year Title Reports  
• Title Commitments • Title Insurance • Recordings • Closing • Payoffs**

**REPORT OF TITLE****For the benefit of:** American Tower LLC**Issue Date:** September 14, 2021**Our Order No.:** 23748157**County:** El Paso**State:** Colorado**Address:** N.W. CORNER OF HWY. 94 &, CO**Customer Ref. No.:** 82093-Falcon CO

**Scope of Search:** Beginning **October 11, 1970** and extending through **August 30, 2021**, a search of the land records for the jurisdiction where the property is located was conducted and we have reported below what was found regarding taxes; deeds; mortgages; easements and right of ways; covenants and restrictions; judgments, liens and UCCs; and, other matters commonly recorded or filed in the local land records.

**Vested Owner:** Gary L. Anderson and Anita L. Anderson Revocable Trust

**Search disclosed the following:**

[CLICK HERE TO ACCESS DOCUMENT IMAGES](#)

1. Taxes  
Type of Tax: County  
Calendar year: 2020  
Amount: \$1,240.44 Annually  
Parcel ID #: 4405000007  
Paid through: 2020  
Assessment: \$17,860.00 (total = land and improvements, if any)
2. Terms and conditions of Memorandum of Option and Lease Agreement dated May 7, 1997 by and between Marvin R. Anderson and Ethel M. Anderson, and U S West NewVector Group, Inc., recorded on June 10, 1996 in Deed Book 6904, Page 1389.
3. Grant of Right of Way in favor of Mountain View Electric Association, Inc., a Colorado corporation, operate its line or lines set forth in instrument recorded on May 9, 1997 in Instrument No. 097052658.
4. Terms and conditions of Memorandum of Sublease dated February 29, 2000 by and between AirTouch Communications, Inc., and American Tower Delaware Corporation, a Delaware corporation, recorded on March 17, 2000 in Instrument No. 200027783.
5. Right of First Refusal Agreement dated November 22, 2010, by and between Marvin R. Anderson and Ethel M. Anderson, as Trustees under the Declaration of Trust dated November 14, 1998 and recorded November 23, 1998 at Reception No. 098172030 and City of Colorado Springs, Colorado, recorded on February 28, 2011 in Instrument No. 211020473.
6. Statement of Authority recorded on June 3, 2014 in Instrument No. 214047185.
7. Terms and conditions of Memorandum of Lease dated September 28, 2016 by and between Gary L. Anderson, and Verizon Wireless (VAW) LLC d/b/a Verizon Wireless, recorded on October 28, 2016 in Instrument No. 216125633.

**REPORT OF TITLE**  
(continued)

**FIDELITY NATIONAL TITLE INSURANCE COMPANY**



Authorized Signature

**END OF REPORT**

**EXHIBIT "A"**  
Legal Description

Property located in El Paso County, Colorado

Gary L. Anderson and Anita L. Anderson Revocable Trust

All that real property situated in City of Colorado Springs, County of EL Paso, State of Colorado, described as follows:

A parcel of land being a portion of Lot 3 in the Northwest One-quarter of Section 5, Township 14 South, Range 64 West of the Sixth Principal Meridian, County of El Paso, State of Colorado, more particularly described as follows:

Commencing at the North One-quarter corner of said Section 5:

Thence South 89° 54' 00" West along the North line of the Northwest One-quarter of said Section 5 a distance of 250.00 feet; thence South 00° 06' 00" East a distance of 30.00 feet to a point on the South line of the 30 foot road right-of-way established by the County commissioners of said El Paso County in the Document recorded in Book A at Page 78, said point being the true point of beginning; thence continuing South 00° 06' 00" East a distance of 500.00 feet; thence South 89° 54' 00" West a distance of 500.00 feet; thence North 00° 06' 00" West a distance of 500.00 feet to a point on the South line of said 30 foot road right-of-way; thence North 89° 54' 00" East along said South right-of-way line a distance of 500.00 feet to the true point of beginning.

Containing 250,000 Square feet or 5.7392 acres, more or less, (5.74 acres, more or less)

AND BEING the same property conveyed to Gary L. Anderson from Gary L. Anderson, Trustee of the Declaration of Trust of Marvin R. Anderson and Ethel M. Anderson dated November 14, 1998 recorded as Reception No. 98172029, as amended by Marvin R. Anderson on February 6, 2013, Recorded as Reception No. 213033516 by Warranty Deed dated May 21, 2014 and recorded May 03, 2014 in Instrument No. 214047186.

AND BEING the same property conveyed to Gary L. Anderson and Anita L. Anderson Revocable Trust from Gary L. Anderson by Quitclaim Deed dated June 22, 2017 and recorded June 27, 2017 in Instrument No. 217074641.

Tax Parcel No. 4405000007

## DEED CHAIN

- A. Type of Deed: Warranty Deed  
From: L.C. Trull  
To: Marvin R. Anderson and Ethel M. Anderson  
Dated: September 29, 1970  
Recorded on: October 7, 1970  
Recorded in: Deed Book 2367, Page 832
- B. Declaration of Trust  
Recorded on: November 23, 1998  
Recorded in: Instrument No. 098172030
- C. Type of Deed: Quit Claim Deed  
From: Marvin R. Anderson and Ethel M. Anderson  
To: Marvin R. Anderson and Ethel M. Anderson, Trustees  
Dated: November 14, 1998  
Recorded on: November 23, 1998  
Recorded in: Instrument No. 098172029
- D. Declaration of Trust  
Recorded on: March 14, 2013  
Recorded in: Instrument No. 213033516  
Death Certificate  
For: Ethel Mae Anderson  
Recorded on: February 26, 2014  
Recorded in: Instrument No. 214015633
- E. Certificate of Death  
For: Marvin R. Anderson  
Recorded on: March 5, 2014  
Recorded in: Instrument No. 214018380
- F. Type of Deed: Warranty Deed  
From: Gary L. Anderson, Trustee of the Declaration of Trust of Marvin R. Anderson and Ethel M. Anderson dated November 14, 1998 recorded as Reception NO. 98172029, as amended by Marvin R. Anderson on February 6, 2013, Recorded as Reception No. 213033516  
To: Gary L. Anderson  
Dated: May 21, 2014  
Recorded on: June 3, 2014  
Recorded in: Instrument No. 214047186
- G. Type of Deed: Quitclaim Deed  
From: Gary L. Anderson  
To: Gary L. Anderson and Anita L. Anderson Revocable Trust  
Dated: June 22, 2017  
Recorded on: June 27, 2017  
Recorded in: Instrument No. 217074641

## **LIMITATION LANGUAGE FOR LIMITATION TO AMOUNT OF FEE PAID FOR SEARCH**

YOU EXPRESSLY AGREE AND ACKNOWLEDGE THAT IT IS EXTREMELY DIFFICULT, IF NOT IMPOSSIBLE, TO DETERMINE THE EXTENT OF LOSS WHICH COULD ARISE FROM ERRORS OR OMISSIONS IN, OR THE COMPANY'S NEGLIGENCE IN PRODUCING, THE REPORT. YOU RECOGNIZE THAT THE FEE CHARGED IS NOMINAL IN RELATION TO THE POTENTIAL LIABILITY WHICH COULD ARISE FROM SUCH ERRORS OR OMISSIONS OR NEGLIGENCE. THEREFORE, YOU UNDERSTAND THAT THE COMPANY WAS NOT WILLING TO PROCEED IN THE PREPARATION AND ISSUANCE OF THE REQUESTED REPORT BUT FOR YOUR AGREEMENT THAT THE COMPANY'S LIABILITY IS STRICTLY LIMITED.

YOU AGREE THAT MATTERS AFFECTING TITLE BUT WHICH DO NOT APPEAR AS A LIEN OR ENCUMBRANCE AS DEFINED IN THE CUSTOMER AGREEMENT OR APPLICATION ARE OUTSIDE THE SCOPE OF THE REPORT.

YOU AGREE, AS PART OF THE CONSIDERATION FOR THE ISSUANCE OF THIS REPORT AND TO THE FULLEST EXTENT PERMITTED BY LAW, TO LIMIT THE LIABILITY OF THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS, OR ANY OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS FOR ANY AND ALL CLAIMS, LIABILITIES, CAUSES OF ACTION, LOSSES, COSTS, DAMAGES AND EXPENSES OF ANY NATURE WHATSOEVER, INCLUDING ATTORNEY'S FEES, HOWEVER ALLEGED OR ARISING INCLUDING BUT NOT LIMITED TO THOSE ARISING FROM BREACH OF CONTRACT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF WARRANTY, EQUITY, THE COMMON LAW, STATUTE, OR ANY OTHER THEORY OF RECOVERY OR FROM ANY PERSON'S USE, MISUSE, OR INABILITY TO USE THE REPORT, SO THAT THE TOTAL AGGREGATE LIABILITY OF THE COMPANY, ITS EMPLOYEES, AGENTS AND SUBCONTRACTORS SHALL NOT EXCEED THE COMPANY'S TOTAL FEE FOR THIS REPORT.

YOU AGREE THAT THE FOREGOING LIMITATION ON LIABILITY IS A TERM MATERIAL TO THE PRICE YOU ARE PAYING WHICH PRICE IS LOWER THAN WOULD OTHERWISE BE OFFERED TO YOU WITHOUT SAID TERM. YOU RECOGNIZE THAT THE COMPANY WOULD NOT ISSUE THIS REPORT, BUT FOR YOUR AGREEMENT, AS PART OF THE CONSIDERATION GIVEN FOR THIS REPORT, TO THE FOREGOING LIMITATION OF LIABILITY AND THAT ANY SUCH LIABILITY IS CONDITIONED AND PREDICATED UPON THE FULL AND TIMELY PAYMENT OF THE COMPANY'S INVOICE FOR THIS REPORT.

THIS REPORT IS LIMITED IN SCOPE AND IS NOT AN ABSTRACT OF TITLE, TITLE OPINION, PRELIMINARY TITLE REPORT, TITLE REPORT, COMMITMENT TO ISSUE TITLE INSURANCE, OR A TITLE POLICY, AND SHOULD NOT BE RELIED UPON AS SUCH. IN PROVIDING THIS REPORT, THE COMPANY IS NOT ACTING AS AN ABTRACTOR OF TITLE. THIS REPORT DOES NOT PROVIDE OR OFFER ANY TITLE INSURANCE, LIABILITY COVERAGE OR ERRORS AND OMISSIONS COVERAGE. THIS REPORT IS NOT TO BE RELIED UPON AS A REPRESENTATION OF THE STATUS OF TITLE TO THE PROPERTY. THE COMPANY MAKES NO REPRESENTATIONS AS TO THE REPORT'S ACCURACY, DISCLAIMS ANY WARRANTIES AS TO THE REPORT, ASSUMES NO DUTIES TO YOU, DOES NOT INTEND FOR YOU TO RELY ON THE REPORT, AND ASSUMES NO LIABILITY FOR ANY LOSS OCCURRING BY REASON OF RELIANCE ON THIS REPORT OR OTHERWISE.

IF YOU DO NOT WISH TO LIMIT LIABILITY AS STATED HEREIN AND YOU DESIRE THAT ADDITIONAL LIABILITY BE ASSUMED BY THE COMPANY, YOU MAY REQUEST AND PURCHASE A POLICY OF TITLE INSURANCE, A BINDER, OR A COMMITMENT TO ISSUE A POLICY OF TITLE INSURANCE. NO ASSURANCE IS GIVEN AS TO THE INSURABILITY OF THE TITLE OR STATUS OF TITLE. YOU EXPRESSLY AGREE AND ACKNOWLEDGE THAT YOU HAVE AN INDEPENDENT DUTY TO ENSURE AND/OR RESEARCH THE ACCURACY OF ANY INFORMATION OBTAINED FROM THE COMPANY OR ANY PRODUCTS OR SERVICES PURCHASED.

NO THIRD PARTY IS PERMITTED TO USE OR RELY UPON THE INFORMATION SET FORTH IN THIS REPORT, AND NO LIABILITY TO ANY THIRD PARTY IS UNDERTAKEN BY THE COMPANY.

YOU AGREE THAT, TO THE FULLEST EXTENT PERMITTED BY LAW, IN NO EVENT WILL THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS, OR ANY OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS BE LIABLE FOR CONSEQUENTIAL, INCIDENTAL, INDIRECT, PUNITIVE, EXEMPLARY, OR SPECIAL DAMAGES, OR LOSS OF PROFITS, REVENUE, INCOME, SAVINGS, DATA, BUSINESS, OPPORTUNITY, OR GOODWILL, PAIN AND SUFFERING, EMOTIONAL DISTRESS, NON-OPERATION OR INCREASED EXPENSE OF OPERATION, BUSINESS INTERRUPTION OR DELAY, COST OF CAPITAL, OR COST OF REPLACEMENT PRODUCTS OR SERVICES, REGARDLESS OF WHETHER SUCH LIABILITY IS BASED ON BREACH OF CONTRACT, TORT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTIES, FAILURE OF ESSENTIAL PURPOSE, OR OTHERWISE AND WHETHER CAUSED BY NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF CONTRACT, BREACH OF WARRANTY, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE OR ANY OTHER CAUSES WHATSOEVER, AND EVEN IF THE COMPANY HAS BEEN ADVISED OF THE LIKELIHOOD OF SUCH DAMAGES OR KNEW OR SHOULD HAVE KNOWN OF THE POSSIBILITY FOR SUCH DAMAGES.

THESE LIMITATIONS WILL SURVIVE THE CONTRACT.



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## ADDITIONAL INFORMATION

THIS INFORMATION IS PROVIDED AS A CONVENIENCE AND COURTESY AND IS NOT CONSIDERED TO BE PART OF THE TITLE PRODUCT.

**The following real estate tax information deemed reliable and is provided for informational purposes only.**

Real Estate Tax Type: County  
Taxes are Paid: Semi-Annual  
Due Date(s): February 28th, June 15th  
Tax Authority Name: El Paso Treasurer  
Phone: 719-520-7900

### **Additional notes regarding taxes, documents and/or special recordation requirements:**

·Real Property Transfer Declaration form (TD1000) is required for all conveyance documents.