

**SPECIAL WARRANTY DEED  
(Water Rights)**

**THIS DEED** is made this \_\_6th\_\_ day of October, 2023 between Phillip Shay Miles (“**Grantor**”), and Terra Ridge North, Inc., a Colorado nonprofit corporation, whose address is 15630 Fox Creek Lane, Colorado Springs, CO 80908, (“**Grantee**”).

**WITNESSETH**, that the Grantor, in consideration of funds paid in hand and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the Grantee, its heirs and assigns forever, all right, title and interest in and to the water and water rights, ground water and ground water rights, associated with, appurtenant to or underlying that certain real property, located in the County of El Paso, State of Colorado, more particularly described as on the attached Exhibit A, commonly known as the Terra Ridge North subdivision.

Said water and water rights specifically include the following specifically described rights in the Arapahoe and Laramie-Fox Hills aquifers, originally decreed by District Court, Water Division 1, Case No. 18CW3226, and the associated augmentation plan for use of such aquifers as amended by the decree in Case No. 22CW3066, District Court, Water Division 1, on December 9, 2022, recorded at Reception No. 222148412 of the El Paso County Clerk and Recorder’s Office more specifically described as follows:

1. 1,650 acre-feet of water in the nontributary Arapahoe aquifer, subject to the terms and conditions of the 18CW3226 Decree as amended by the 22CW3066 Decree.
2. 1,130 acre-feet of water in the nontributary Laramie-Fox Hills aquifer, subject to the terms and conditions of the 18CW3226 Decree as amended by the 22CW3066 Decree.

Any and all other groundwater rights, specifically including water and water rights in the Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers underlying the above-described overlying land not expressly conveyed herein is expressly reserved by and to the Grantor. Grantor reserves the right of ingress and egress at all times for the purpose of extracting, developing, storing, and transporting the reserved water and water rights.

TOGETHER WITH all easements and rights-of-way appurtenant thereto, all and singular the hereditaments and appurtenances thereunto belonging, or in any ways appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever, of Grantor, either in law or equity, of, in and to the Water Rights.

TO HAVE AND TO HOLD the said water rights above bargained and described with the appurtenances, unto the Grantee, its heirs and assigns forever. The Grantor, for itself, its heirs and personal representatives or successors, does covenant and agree that

it shall and will warrant and forever defend the above-bargained water rights in the quiet and peaceable possession of the Grantee, its heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the Grantor.

**GRANTOR:**

\_\_\_\_\_  
Phillip Shay Miles

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

The foregoing SPECIAL WARRANTY DEED (Water Rights) was acknowledged before me this \_\_\_\_ day of October, 2023 by Phillip Shay Miles.

Witness my hand and official seal.

My commission expires \_\_\_\_\_.

[SEAL]

\_\_\_\_\_  
Notary Public

it shall and will warrant and forever defend the above-bargained water rights in the quiet and peaceable possession of the Grantee, its heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the Grantor.

**GRANTOR:**

  
\_\_\_\_\_  
Phillip Shay Miles

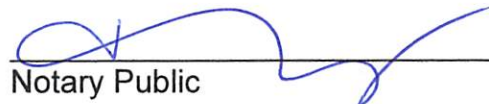
COUNTY OF EL PASO    )  
  ) ss.  
STATE OF COLORADO    )

The foregoing SPECIAL WARRANTY DEED (Water Rights) was acknowledged before me this 10 day of October, 2023 by Phillip Shay Miles.

Witness my hand and official seal.

My commission expires April 11, 2027.

[SEAL]

  
\_\_\_\_\_  
Notary Public



## EXHIBIT A

Property Description. Approximately 39.72 acres more particularly described as follows:

A portion of the SW $\frac{1}{4}$  of Section 29, Township 11 South, Range 65 West of the 6<sup>th</sup> P.M. described as: Beginning at the northwest corner of the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , thence S89°46'29"E along the south line of Whispering Hills Estates as recorded in Plat Book Z-2 at Page 2 of said county records, 1,407.75 feet to the southeast corner thereof, thence N00°58'34"E, 1,327.96 feet to the northeast corner thereof; thence S89°47'26"E 1,246.16 feet to the northeast corner of said SW $\frac{1}{4}$ , said northeast corner also being on the west line of Wildwood Village Unit 3 as recorded in Plat book H-3 at Page 57 of said county records; thence S00°59'16"W along the east line of said SW $\frac{1}{4}$  and the west line of said Wildwood Village Unit 3 and Wildwood Village Unit 4 as recorded in Plat Book M-3 at Page 46 of said county records, 1,366.81 feet; thence N89°46'29"W, 945.48 feet; thence N00°58'34"E 8.50 feet; thence N89°46'29"W 1,708.14 feet to a point on the west line of said SW $\frac{1}{4}$ ; thence N00°58'34"E, 30.00 feet to the point of beginning, El Paso County, State of Colorado.