

J. Patrick Kelly El Paso County  
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55.00



SPECIAL WARRANTY DEED

STATE OF COLORADO §  
  §  
COUNTY OF EL PASO §

DIAMOND SHAMROCK REFINING AND MARKETING COMPANY, a Delaware corporation ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration to the undersigned paid by the Grantee herein named, the receipt and sufficiency of which is hereby acknowledged, has GRANTED, SOLD, AND CONVEYED, and by these presents does GRANT, SELL, AND CONVEY unto CHI-CO, INC., a Colorado corporation ("Grantee"), whose address is 4101 E. Louisiana Avenue, Suite 200, Denver, Colorado 80246, all of the real property in Falcon, El Paso, County, Colorado, described in Exhibit "A" attached hereto and made a part hereof, together with all improvements and fixtures located thereon and all hereditaments and appurtenances thereto in anywise belonging (the "Property").

The Property is hereby restricted for a period of 40 years from the date of this deed to prohibit the Property being used for the sale or storage of hydrocarbon motor fuels, use as a convenience store, car wash, video store, and to prohibit the sale of liquor, beer, and/or wine.

Grantor has not made and does not make any representations, warranties or covenants of any kind or character whatsoever, whether express or implied, with respect to the quality or condition of the Property, the suitability of the Property for any and all activities and uses which Buyer may conduct thereon, compliance by the Property with any laws, rules, ordinances, or regulations of any applicable governmental authority or habitability, merchantability, or fitness for a particular purpose, and specifically, Grantor does not make any representations regarding hazardous waste, as defined by the Solid Waste Disposal Act and the regulations adopted thereunder, or the U.S. Environmental Protection Agency regulations, or the disposal of any hazardous waste or any other hazardous or toxic substances in or on the Property. Except for the warranties expressly contained herein, the Property is hereby sold, transferred, and assigned to Grantee "As Is" and "With All Faults."



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TO HAVE AND TO HOLD the above-described Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Grantee, its successors, and assigns forever, subject to all outstanding minerals, reservations, ordinances, and rights-of-way, if any; and taxes and assessments which accrue and fall due and payable after the date of title transfer.

Grantor shall and will WARRANT AND FOREVER DEFEND all and singular the said Property unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, and under Grantor only, but not otherwise.

Dated to be effective March 10, 1999.

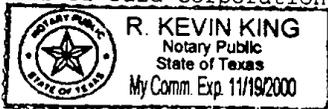
DIAMOND SHAMROCK REFINING AND  
MARKETING COMPANY,  
a Delaware corporation

By: Michael Russell  
Vice President

STATE OF TEXAS

COUNTY OF BEXAR

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of March, 1999 by MICHAEL D. RUSSELL, as Vice President of DIAMOND SHAMROCK REFINING AND MARKETING COMPANY, a Delaware corporation, on behalf of said corporation.



R. Kevin King  
Notary Public, State of Texas

My commission expires: 11/19/2000

After Recording Return to:

CHI-CO, INC.  
4101 E. Louisiana Avenue  
Denver, Colorado 80246

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EXHIBIT "A"

THAT PART OF BLOCKS 23 AND 24, TOWN OF FALCON, EL PASO COUNTY,  
COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF  
MERIDIAN ROAD, A 60 FOOT RIGHT-OF-WAY AND THE SOUTHEASTERLY  
RIGHT-OF-WAY LINE OF U. S. HIGHWAY 24, A 100 FOOT RIGHT-OF-WAY;  
THENCE NORTH 50 DEGREES 04 MINUTES 00 SECONDS EAST, ALONG, ADJOINING  
AND ADJACENT TO SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF  
235.27 FEET TO A POINT ON THE EASTERLY LINE OF LOT 10 OF SAID BLOCK  
23, TOWN OF FALCON; THENCE SOUTH 40 DEGREES 03 MINUTES 04 SECONDS  
EAST, ALONG SAID EASTERLY LINE AND SAID EASTERLY LINE EXTENDED  
SOUTHERLY, A DISTANCE OF 179.85 FEET; THENCE SOUTH 50 DEGREES 05  
MINUTES 49 SECONDS WEST, A DISTANCE OF 357.75 FEET TO A POINT ON THE  
EASTERLY RIGHT-OF-WAY LINE OF MERIDIAN ROAD; THENCE NORTH 05 DEGREES  
43 MINUTES 53 SECONDS WEST, ALONG, ADJOINING AND ADJACENT TO SAID  
EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 271.23 FEET TO THE POINT OF  
BEGINNING.

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