

Notice to Mineral Estate Owners
§24-65.5-101, et seq., C.R.S. -Checklist and Certification

An examination of the records of the Clerk and Recorder's Office established the following:

Checklist

- _____ identity of the owner(s) of mineral estate
_____ the mineral estate owner(s) has filed a proper notification form
_____ the mineral estate owner(s) has recorded an instrument satisfying an applicable dormant mineral interest act
_____ x _____ no mineral estate owner(s) was found-*Title Policy research revealed no mineral estate owner*
_____ mineral owner(s) waived the right to notice in writing to the Applicant.

If a mineral estate owner(s) exists, a Notice shall be sent to the mineral estate owner no less than thirty (30) days prior to the initial public hearing. The Notice shall include:

- _____ time and place of initial public hearing
_____ nature of hearing
_____ location of property/subject of hearing
_____ name of applicant
_____ notice was sent to mineral estate owner(s) no less than thirty (30) days prior to initial public hearing (do not count day of mailing in thirty (30) day calculation).

If a mineral estate owner(s) exists, a copy of the Notice shall be sent to the local government at the same time as notice s mailed to the mineral owner(s) and no less than thirty (30) days prior to the initial public hearing. The Notice shall include:

- _____ time and place of initial public hearing
_____ nature of hearing
_____ location of property/subject of hearing
_____ name of applicant
_____ name and address of mineral estate owner
_____ notice was sent to El Paso County Planning Department no less than thirty (30) days prior to initial public hearing (do not count day of mailing in thirty (30) day calculation).

Title Commitment indicates severed mineral rights as below:

8. EXISTING LEASES AND TENANCIES.
9. RIGHT OF THE PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM, SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES HEREBY GRANTED, AND A RIGHT OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES, AS RESERVED IN UNITED STATES PATENT RECORDED JULY 20, 1886 IN BOOK 72 AT PAGE [71](#).
(AFFECTS PARCEL A)
10. RIGHT OF THE PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM, SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES HEREBY GRANTED, AND A RIGHT OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES, AS RESERVED IN UNITED STATES PATENT RECORDED APRIL 28, 1888 IN BOOK 72 AT PAGE [247](#).
(AFFECTS PARCEL B)

You must attempt to contact the mineral rights owner or their heirs. If you are unable to locate them, you need to include a letter detailing your attempts to locate and why you were unsuccessful.

CERTIFICATION:

I Charles K. Cothern, on behalf of Dakota Springs Engineering, have researched the records of the El Paso County Clerk and Recorder and established that there are no potential mineral rights owner(s) on the real property known as Waterview North El Paso County Tax ID 5500000414 & 5500000332 & further described as:

A TRACT OF LAND LOCATED IN A PORTION OF SECTION 8 AND SECTION 9, BOTH IN TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION 9;

THENCE S00°19'32"E ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 9, A DISTANCE OF 1404.24 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF BRADLEY ROAD AS RECORDED IN BOOK 5307 AT PAGE 1472 OF THE RECORDS OF SAID EL PASO COUNTY;

THE FOLLOWING SEVEN (7) COURSES ARE ON SAID RIGHT-OF-WAY LINE AND THE NORTHEASTERLY RIGHT-OF-WAY LINE OF POWESRS BOULEVARD DESCRIBED IN SAID BOOK 5307 AT PAGE 1472 (NOW HIGHWAY 21):

THENCE S89°30'29"W A DISTANCE OF 4.29 FEET TO A POINT OF CURVE TO THE LEFT;

THENCE ON SAID CURVE, HAVING A RADIUS OF 2969.79 FEET, AN ARC LENGTH OF 785.85 FEET, A DELTA ANGLE OF 15°09'41", WHOSE LONG CHORD BEARS S81°55'38"W A DISTANCE OF 783.56 FEET;

THENCE S74°20'48"W A DISTANCE OF 952.02 FEET TO A POINT OF CURVE TO THE RIGHT;

THENCE ON SAID CURVE, HAVING A RADIUS OF 2759.79 FEET, AN ARC LENGTH OF 625.43 FEET, A DELTA ANGLE OF 12°59'05", WHOSE LONG CHORD BEARS S80°50'19"W A DISTANCE OF 624.10 FEET;

THENCE S87°19'53"W A DISTANCE OF 64.33 FEET TO A POINT OF CURVE TO THE RIGHT;

THENCE ON SAID CURVE, HAVING A RADIUS OF 150.00 FEET, AN ARC LENGTH OF 216.56 FEET, A DELTA ANGLE OF 82°43'14", WHOSE LONG CHORD BEARS N 51°18'28" W A DISTANCE OF 198.24 FEET TO A POINT OF REVERSE CURVE TO THE LEFT;

THENCE ON SAID CURVE, HAVING A RADIUS OF 2105.00 FEET; AN ARC LENGTH OF 2947.69 FEET, A DELTA ANGLE OF 80°13'57", WHOSE LONG CHORD BEARS N50°03'51"W A DISTANCE OF 2712.68 FEET TO THE NORTH LINE OF THE NE ¼ OF SAID SECTION 8;

THENCE N89°34'04"E ON SAID NORTH LINE, A DISTANCE OF 1967.80 FEET TO THE NE CORNER OF SAID SECTION 8;

THENCE S89°51'23"E ON THE NORTH LINE OF THE NW ¼ OF SAID SECTION 9, A DISTANCE OF 2636.19 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 5,075,954 SQUARE FEET OR 116.528 ACRES MORE OR LESS

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Charles K. Cothern, P.E.
On Behalf of Dakota Springs Engineering

Dated this 2 day of June, 2020.

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

The foregoing certification was acknowledged before me this 2 day of June, 2020
by Charles Kevin Cothern

Witness my hand and official seal.

My Commission Expires: 1/28/24

JOHN MATTHEW ADAMS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20164003737
MY COMMISSION EXPIRES 01/28/2024

Notary Public