

**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
- 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).

**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

Email Statement from Land Title:

Robert Hayes  
Commercial Title Officer  
License # 545269  
Land Title Guarantee Company  
5975 Greenwood Plaza Blvd, Suite 200  
Greenwood Village, CO 80111  
Office: 303-850-4136

Charles

in this case since the Patents contain reservation of rights of the owner of any mining claim or property who, by reason of established rights, shall be entitled to follow any mineral-bearing vein or lode into the property of another. What the document is referring to is the Patent is subject to established rights of others but it does not reserve any minerals

This is not a reservation that would require Notice of Development as prescribed Under Chapter 24 of the Colorado State Statutes.

Robert

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\_\_\_\_\_ 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:**

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\_\_\_\_\_ 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).

**CERTIFICATION:**

I Charles K. Cothorn, on behalf of 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:

**LEGAL DESCRIPTION (PARCEL 135B)**

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

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 9; THENCE S00°19'32"E ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 9, A DISTANCE OF 1613.76 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION:

1. THENCE S00°19'32"E CONTINUING ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 9, A DISTANCE OF 3638.37 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 9;
2. THENCE S89°33'35"W ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9, A DISTANCE OF 2495.44 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF POWERS BOULEVARD AS RECORDED IN BOOK 5307 AT PAGE 1472 OF THE RECORDS OF SAID EL PASO COUNTY;

THE FOLLOWING TWO (2) COURSES FOLLOW SAID EASTERLY RIGHT-OF-WAY LINE:

3. THENCE N00°29'10"W A DISTANCE OF 3037.92 FEET TO A POINT OF CURVE TO THE RIGHT;
4. THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT WITH A RADIUS OF 150.00 FEET, A DELTA ANGLE OF 87°49'03", AN ARC LENGTH OF 229.91 FEET, WHOSE LONG CHORD BEARS N43°25'21"E A DISTANCE OF 208.05 FEET TO A POINT ON THE SOUTHERLY 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 FIVE (5) COURSES FOLLOW SAID SOUTHERLY RIGHT-OF-WAY LINE:

5. THENCE N87°19'53"E A DISTANCE OF 53.06 FEET TO A POINT OF CURVE TO THE LEFT;
6. THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT WITH A RADIUS OF 2969.79 FEET, A DELTA ANGLE OF 12°59'05", AN ARC LENGTH OF 673.03 FEET, WHOSE LONG CHORD BEARS N80°50'20"E A DISTANCE OF 671.59 FEET;
7. THENCE N74°20'48"E A DISTANCE OF 952.02 FEET TO A POINT OF CURVE TO THE RIGHT;
8. THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT WITH A RADIUS OF 2759.79 FEET, A DELTA ANGLE OF 15°09'41", AN ARC LENGTH OF 730.29 FEET, WHOSE LONG CHORD BEARS N81°55'38"E A DISTANCE OF 728.16 FEET;
9. THENCE N89°30'29"E A DISTANCE OF 3.77 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION.

THE ABOVE TRACT OF LAND CONTAINS 195.25 ACRES, MORE OR LESS.



Charles K. Cothorn, P.E.  
On Behalf of Springs Engineering

Dated this 2 day of ~~October~~, 2016. May 2017

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

The foregoing certification was acknowledged before me this 2nd day of ~~October~~ <sup>May, 2017</sup>, 2016,  
by Charles Cothorn

Witness my hand and official seal.

My Commission Expires: 7/22/2019



Lisa C. Hipps  
Notary Public