## **Mineral Owner Notification**

## Front Range-Midway Solar Project Major Amendment to WSE-O Plan

The Front Range-Midway Solar Project, LLC sent notices to the mineral owners at the time of the original WSEO-17-001 application submittal, including initial notices and notices for the public hearings. For this WSEO-17-001 Major Amendment for the Front Range-Midway Solar Project, research on mineral owners will be updated and notices will be sent to the mineral owners for the public hearing as required by law. The Mineral Rights Certification from 2018 is provided as Attachment 12.

#### **CERTIFICATION:**

I, <u>Craig Gleaton</u>, <u>Gleaton</u>, <u>Gleaton</u> <u>Dumouff</u> researched the records of the El Paso County Clerk and Recorder and established that there was<del>/was not</del> a mineral estate owner(s) on the real property known as <u>described below</u>. An initial public hearing on a wind/solar energy generation zoning overlay, which is the subject of the hearing, is scheduled for <u>date to be determined</u>, 2017.

Pursuant to §24-65.5-103(4), C.R.S., I certify that a Notice of an initial public hearing was mailed to the mineral estate owner(s) (if established above) and a copy was mailed to the El Paso County Planning Department on <u>date to be determined</u>, 2012

Dated this \_\_\_\_\_ day of \_\_\_\_\_ day of \_\_\_\_\_, 2017.

STATE OF COLORADO ) DENVER ) S.S. COUNTY OF EL PASO )

The foregoing certification was acknowledged before me this <u>9</u><sup>th</sup> day of <u>October</u> 20<u>17</u>, by <u>Croug Gleaton ps Partner of Greaton</u>. Durning LLP

Witness my hand and official seal.

My Commission Expires: 06 - 27 - 2020

Public Notar e of Colorado 20164024355 Expires 06-27-2020

Notary Public

[Subject Lands begin next page.]

CARMINE TADAROLA Notary Public State of Colorado Notary ID # 20164024355 My Commission Expires 06-27-2020 **TRACT ONE**: The South 200 Feet of Lot 27, El Dorado Village Filing No. 1, County of El Paso, State of Colorado, recorded under Reception No. 201085497 of the Records of the El Paso County Clerk and Recorder.

## <u>Ore</u>

The United States of America 2850 Youngfield St. Lakewood, CO 80215 Attn: All

#### ALL MINERALS EXCEPT ORE<sup>1</sup>

Powell Homes, LLC, a Colorado limited liability company 396 South Forty Road Woodland Park, CO 80863 All

<u>**TRACT Two(A)</u>**: Lots 122 through 129, and Lots 135 through 141, Midway Ranches Filing No. 7, County of El Paso, State of Colorado, recorded under Reception No. 201085497 of the Records of the El Paso County Clerk and Recorder, except that portion of Lot 122 located in the SE/4 of Section 22, Township 17 South, Range 65 West, 6<sup>th</sup> P.M., El Paso County, Colorado.</u>

#### <u>Ore</u>

The United States of America 2850 Youngfield St. Lakewood, CO 80215 Attn: All

#### ALL MINERALS EXCEPT ORE<sup>1</sup>

Midway Development Company, Inc.,Alla Colorado corporationP.O. Box 25936Colorado Springs, CO 80936

**TRACT TWO(B)**: Lot 122, Midway Ranches Filing No. 7, County of El Paso, State of Colorado, recorded under Reception No. 201085497 of the Records of the El Paso County Clerk and Recorder, but only insofar as that portion of Lot 122 located in the SE/4 of Section 22, Township 17 South, Range 65 West, 6<sup>th</sup> P.M., El Paso County, Colorado.

## **ALL MINERALS**<sup>1</sup>

Midway Development Company, Inc., a Colorado corporation P.O. Box 25936 Colorado Springs, CO 80936 All

**TRACT THREE**: Lots 130, 131, 132 and 143 Midway Ranches Filing No. 7, El Paso County, Colorado, recorded under Reception No. 201085497 of the Records of the El Paso County Clerk and Recorder.

# <u>Ore</u>

The United States of America 2850 Youngfield St. Lakewood, CO 80215 Attn: All

All

## ALL MINERALS EXCEPT ORE<sup>1</sup>

SWG Fountain Valley II, LLC, a Colorado limited liability company, f/k/a Black Hills Fountain Valley II, LLC 600 17<sup>th</sup> Street, Suite 2400 Denver, CO 80202

**TRACT FOUR**: A parcel of land located within a portion of the W/2 of the NW/4 and a portion of the S/2N/2 of Section 20, Township 17 South, Range 65 West, 6<sup>th</sup> P.M., El Paso County, Colorado, being more particularly described as follows:

BEGINNING AT THE SE CORNER OF THE NW <sup>1</sup>/<sub>4</sub> OF THE NE <sup>1</sup>/<sub>4</sub> OF SAID SECTION 20, THENCE S 01 DEGREES 50 MINUTES 48 SECONDS E (BEARINGS BASED ON THE NORTH LINE OF THE NW <sup>1</sup>/<sub>4</sub> OF SECTION 21, MONUMENTED AT EACH END WITH A 3 <sup>1</sup>/<sub>2</sub>" ALUMINUM MONUMENT, P.L.S. NO. 11624, ASSUMED TO BEAR S 89 DEGREES 26 MINUTES 12 SECONDS E) A DISTANCE OF 1137 51 FEET, THENCE NORTH 89 DEGREES 01 MINUTES 41 SECONDS WEST, A DISTANCE OF 1756 37 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF RANCHO COLORADO BOULEVARD; THENCE ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE, THE FOLLOWING FIVE (5) COURSES:

(1) NORTH 58 DEGREES 04 MINUTES 26 SECONDS WEST, A DISTANCE OF 644.07 FEET

(2) ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, WHOSE CENTER BEARS NORTH 31 DEGREES 55 MINUTES 41 SECONDS EAST, HAVING A CENTRAL ANGLE OF 47 DEGREES 00 MINUTES 35 SECONDS AND A RADIUS OF 1495.00 FEET, A DISTANCE OF 1226.61 FEET;

(3) NORTH 11 DEGREES 04 MINUTES 07 SECONDS WEST, 534.74 FEET;

(4) NORTH 30 DEGREES 18 MINUTES 16 SECONDS WEST, A DISTANCE OF 105 97 FEET;

(5) NORTH 11 DEGREES 02 MINUTES 52 SECONDS WEST, A DISTANCE OF 130.40 FEET,

THENCE N 90 DEGREES 00 MINUTES 00 SECONDS E A DISTANCE OF 503 33 FEET TO A POINT ON THE WESTERLY LINE OF THE NE ¼ OF THE NW ¼ OF SAID SECTION 20; THENCE S 00 DEGREES 51 MINUTES 42 SECONDS W ALONG SAID WESTERLY LINE A DISTANCE OF 901.71 FEET TO THE SW CORNER OF SAID NE ¼ OF THE NW ¼; THENCE S 88 DEGREES 44 MINUTES 17 SECONDS E ALONG THE SOUTH LINE OF SAID NE ¼ OF THE NW ¼ A DISTANCE OF 1316.97 FEET TO THE SW CORNER OF SAID NW ¼ OF NE ¼; THENCE S 88 DEGREES 44 MINUTES 02 SECONDS E ALONG THE SOUTH LINE OF THE SAID NW ¼ OF THE NE ¼ A DISTANCE OF THE 1317.39 FEET TO THE POINT OF BEGINNING.

## <u>Ore</u>

The United States of America 2850 Youngfield St. Lakewood, CO 80215 Attn:

All

All

# ALL MINERALS EXCEPT ORE<sup>1</sup>

Fountain Valley Power, LLC, a Delaware limited liability company c/o Black Hills Energy Capital 350 Indiana Street Ste. 400 Golden, CO 80401

**TRACT FIVE**: Part of the NE1/4NE1/4, Section 20, Township 17 South, Range 65 West, 6th P.M., El Paso County, Colorado, more particularly described as follows:

Beginning at the Southwest corner of the NE1/4NE1/4 of said Section 20; thence North 0 °09.2' West along the West line of the NE 1/4 NE1/4 of said Section 20 a distance of 466.7 feet; thence South 89°46.5' East a distance of 466.7 feet; thence South 0 °09.2' East a distance of 466.7 feet; thence North 89°46.5' West along the South line of the NE1/4NE1/4 of said section 20 a distance of 466.7 feet; thence North 89°46.5' West along the South line of the NE1/4NE1/4 of said section 20 a distance of 466.7 feet; thence North 89°46.5' West along the South line of the NE1/4NE1/4 of said section 20 a distance of 466.7 feet; thence North 89°46.5' West along the South line of the NE1/4NE1/4 of said section 20 a distance of 466.7 feet; thence North 89°46.5' West along the South line of the NE1/4NE1/4 of said section 20 a distance of 466.7 feet; thence North 89°46.5' West along the South line of the NE1/4NE1/4 of said section 20 a distance of 466.7 feet; thence North 89°46.5' West along the South line of the NE1/4NE1/4 of said section 20 a distance of 466.7 feet; thence North 89°46.5' West along the South line of the NE1/4NE1/4 of said section 20 a distance of 466.7 feet; thence North 89°46.5' West along the South line of the NE1/4NE1/4 of said section 20 a distance of 466.7 feet; thence North 89°46.5' West along the South line of the NE1/4NE1/4 of said section 20 a distance of 466.7 feet; thence North 89°46.5' West along the South line of the NE1/4NE1/4 of said section 20 a distance of 466.7 feet; thence NE1/4NE1/4 of said section 20 a distance of 466.7 feet; thence NE1/4NE1/4 of said section 20 a distance of 466.7 feet; thence NE1/4NE1/4 of said section 20 a distance of 466.7 feet; thence NE1/4NE1/4 of said section 20 a distance of 466.7 feet; thence NE1/4NE1/4 of said section 20 a distance of 466.7 feet; thence NE1/4NE1/4 of said section 20 a distance of 466.7 feet; thence NE1/4NE1/4 of said section 20 a distance of 466.7 feet; thence NE1/4NE1/4 of said section 20 a distance of 466.7 feet; thence NE1/4NE1/4 of said secti

# <u>Ore</u>

The United States of America 2850 Youngfield St. Lakewood, CO 80215 Attn: All

## ALL MINERALS EXCEPT ORE<sup>1</sup>

Mountain States Telephone & Telegraph Company c/o US West Communications 1801 California Street, Suite 4600 Denver, CO 80202 All

<u>**TRACT SIX(A)</u>**: All of Lots 152 and 153, Midway Ranches Filing No. 7, El Paso County, Colorado, recorded under Reception No. 201085497 of the Records of the El Paso County Clerk and Recorder, except that portion of Lot 153 located in the S/2SW/4 of Section 17, Township 17 South, Range 65 West, 6<sup>th</sup> P.M., El Paso County, Colorado.</u>

# AND

A portion of Lots 149 and 150, Midway Ranches Filing No. 7, El Paso County, Colorado, recorded under Reception No. 201085497 of the Records of the El Paso County Clerk and Recorder, located in Section 17, Township 17 South, Range 65 West, 6<sup>th</sup> P.M., El Paso County, Colorado, being more particularly described as follows:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 17, FROM WHICH THE EAST ONE-QUARTER CORNER OF SAID SECTION 17 BEARS N00°49'21"E, A DISTANCE OF 2643.52 FEET AND IS THE BASIS OF BEARINGS USED HEREIN; THENCE N46°44'55"W. A DISTANCE OF 3928.85 FEET TO THE NORTH CORNER COMMON TO LOTS 151 AND 152 OF SAID MIDWAY RANCHES FILING NO. 7, SAID POINT ALSO BEING A POINT ON THE SOUTH LINE OF SAID LOT 150 AND THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE N90°00'00"W ALONG THE SOUTH LINE OF SAID LOT 150, A DISTANCE OF 1051.22 FEET TO THE SOUTHWEST CORNER OF SAID LOT 150 AND A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF BOCA RATON HEIGHTS (FORMERLY RANCHO COLORADO BOULEVARD); THENCE ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, THE FOLLOWING FOUR (4) COURSES: 1.)THENCE N21°56'43"E, A DISTANCE OF 29.14 FEET; 2.)THENCE ALONG THE ARC OF A 930.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 23°59'45", AN ARC LENGTH OF 389.49 FEET (THE LONG CHORD OF WHICH BEARS N33°56'30"E, A LONG CHORD DISTANCE OF 386.65 FEET); 3.) THENCE N45°56'15"E, A DISTANCE OF 476.24 FEET TO THE WEST CORNER COMMON TO LOTS 149 AND 150; THENCE CONTINUING N45°56'15"E, A DISTANCE OF 671.08 FEET; THENCE S00°00'00"W, A DISTANCE OF 1145.69 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 15.19 ACRES OF LAND, MORE OR LESS.

# <u>Ore</u>

The United States of America 2850 Youngfield St. Lakewood, CO 80215 Attn: All

# ALL MINERALS EXCEPT ORE<sup>1</sup>

Phillip A. Cline 6322 S 90<sup>th</sup> East Ave Tulsa, OK All

**TRACT SIX(B)**: All of Lots 153 and 155, Midway Ranches Filing No. 7, El Paso County, Colorado, recorded under Reception No. 201085497 of the Records of the El Paso County Clerk and

Recorder, except that portion of Lot 153 not located in the S/2SW/4 of Section 17, Township 17 South, Range 65 West, 6<sup>th</sup> P.M., El Paso County, Colorado.

## <u>Ore</u>

The United States of America 2850 Youngfield St. Lakewood, CO 80215 Attn: All

All

## ALL MINERALS EXCEPT ORE<sup>1</sup>

El Paso County, Colorado, by and through the Board of County Commissioners of El Paso County, Colorado 200 S. Cascade Ave. Colorado Springs, CO 80903

<sup>&</sup>lt;sup>1</sup> Though the interest has likely expired due to the lapse of time, we recommend that notice is provided to the current record owners of that certain 1/2 mineral interest, for a period of fifty years and so much longer thereafter as oi, gas, coal, and any other minerals are, or can be produced or mined from, the lands described above and other lands, as reserved in Warranty Deed dated December 13, 1951, recorded in Book 1916, Page 162-164, Clerk & Recorder's Office, El Paso County, Colorado. We believe the current record owners to be the unknown heirs of Helen Dolores Conover, deceased, and Linda Conover Snyder, daughter of Helen Dolores Conover.

Mineral Rights Owner	Mineral Rights Owner Address	Mineral Rights	Location
US of America	2850 Youngfield St, Lakewood, CO 80215	ore	tract one-south 200 feet of lot 27, el dorado village filing no.1
Powell Homes, LLC	396 South Forty Road, Woodland Park, CO 80863	all minerals except ore	tract one-south 200 feet of lot 27, el dorado village filing no.1
US of America	2850 Youngfield St, Lakewood, CO 80215	ore	tract two(a)-Lots 122-129, Lots 135-141, Midway Ranches Filing No. 7
Midway Development	PO Box 25936, Colorado Springs,	all minerals except ore	tract two(a)-Lots 122-129, Lots 135-141,
Company, inc.	CO 80936	- 11 1	Midway Ranches Filing No. 7
Midway Development Company, inc.	PO Box 25936, Colorado Springs, CO 80936	all minerals	tract two(b)-Lots 122-129, Lots 135-141, Midway Ranches Filing No. 7
US of America	2850 Youngfield St, Lakewood, CO 80215	ore	tract three-Lots 130,131,132,143, Midway Ranches Filing No. 7
SWG Foutnain Valley II, LLC	600 17th Street, Stuie 2400, Denver, CO 80202	all minerals except ore	tract three-Lots 130,131,132,143, Midway Ranches Filing No. 7
US of America	2850 Youngfield St, Lakewood, CO 80215	ore	tract four-a parcel of land lcoated within a portion of the W 1/2 of the NW 1/4 and a portion of the S 1/2N1/2 of Section 20, Township 17 South, Range 65 West
Fountain Valley Power, LLC	c/o Black Hills Energy Capital, 350 Indiana Street Ste. 400, Golden, CO 80401	all minerals except ore	tract four-a parcel of land lcoated within a portion of the W 1/2 of the NW 1/4 and a portion of the S 1/2N1/2 of Section 20, Township 17 South, Range 65 West
US of America	2850 Youngfield St, Lakewood, CO 80215	ore	tract five-part of the NE1/4NE1/4, Section 20, Township 17 South, Range 65 West
Mountain States Telephone & Telegraph Company	c/o West Communications, 1801 California Street Suite 4600, Denver, CO 80202	all minerals except ore	tract five-part of the NE1/4NE1/4, Section 20, Township 17 South, Range 65 West
US of America	2850 Youngfield St, Lakewood, CO 80215	ore	tract six(a)-all of lots 152 and 153, and a portion of lots 149 and 150, Midway Ranches Filing No. 7,
Phillip A. Cline	6322 S 90th East Avenue, Tulsa, OK 74133	all minerals except ore	tract six(a)-all of lots 152 and 153, and a portion of lots 149 and 150, Midway Ranches Filing No. 7,
US of America	2850 Youngfield St, Lakewood, CO 80215	ore	tract six(b)-all of lots 153 and 155, Midway Ranches Filing No. 7, except that portion of Lot 153 not located in the S1/2W1/4 of Section 17, Township 17 South, Range 65 West
El Paso County, Colorado, by and through the Board of County Commissioners	200 S. Cascade Avenue, Colorado Springs, CO 80903	all minerals except ore	tract six(b)-all of lots 153 and 155, Midway Ranches Filing No. 7, except that portion of Lot 153 not located in the S1/2W1/4 of Section 17, Township 17 South, Range 65 West
William T Ward and Donna Ward	4444 Winding Circle Colorado Springs, CO 80917		
W.T. Ward and Aldine Ward	19615 La Huerta View Fountain, CO 80817		
Timothy T. Ward and Nancy	19615 La Huerta View Fountain,		
Ward	CO 80817		
	NA on record		

12/15/2017

El Paso County Colorado Board of County Commissioners 200 S. Cascade Avenue Colorado Springs, CO 80903

Subject: Notification to Mineral Estate Owners of the Wind/Solar Energy Generation Overlay (WSE-O) Zoning Overlay in El Paso County (County) at the Front Range-Midway Property for Development of Solar Energy Generation

Dear El Paso County Colorado Board of County Commissioners,

Front Range-Midway Solar Project, LLC proposes to obtain a zoning overlay which would allow the construction, operation, and maintenance of solar generation facilities within the Front Range-Midway Project area. This request supports multiple local, state, and federal statutes including Colorado's renewable energy standard (RES) statue (Section 40-2-124, C.R.S) which requires 30% of retail energy sales to be derived from renewable generation from investor owned utilities and 10% for large municipal utilities by the year 2020. Pursuant to the El Paso county Land Development Code, you as a mineral rights owner are receiving this letter with information as notification that Tradewind Energy is submitting the above mentioned application for the WSE-O zoning overlay at the Front Range-Midway Project. This letter provides information regarding the location of parcels within the proposed overlay boundary (**Attachment**: WSE-O Overlay Map).

## **Project Description**:

#### WSE-O Area:

The WSE-O zoning overlay would encompass 1,085 acres and includes 33 parcels. Parcels 5717007047, 5717007052, 5717008023, 5717008024, 5721001002, 5721001003, 5721001004, 5721001005, 5721001006, 5721001007, 5721001008, 5721001009, 5721001010, 5721001011, 5721001012, 5721001013, 5721001014, 5721001015, 5721001017, 5722001001, 5722001002, and 5722001003 are zoned Rural Residential (RR) 2.5 acre, and parcels 5717007004, 5717007005, 5717007006, 5717007019, 5720007001, 5720007002, 5720007003, 5720007004, 5720000010, and 5720000003 are zoned RR 5 acre. Parcel #572000007 is zoned heavy industrial I-3. Project components would include the installation of solar arrays, a gen-tie line that would interconnect the electricity produced from the solar generation facility to either the Western Area Power Administration (WAPA) substation or the Public Service Co. of Colorado (PsCo) substation, access roads, and other associated facilities.

The El Paso County address for the project is listed as: Front Range-Midway Solar Project, LLC 9070 and 9310 Rancho Colorado Boulevard Fountain, CO 81008

#### **Public Involvement:**

El Paso County will hold two public hearings providing adjacent property owners the opportunity to provide public comment on the WSE-O zoning overlay. Both the El Paso County Planning Commission and Board of County Commissioners (BOCC) must approve the WSE-O during public hearings. The Planning Commission hearing should occur in January, and the BOCC hearing should occur in February. The Planning Commission will issue a recommendation to the BOCC at the completion of the Planning Commission hearing. The BOCC will issue a decision on the WSE-O application once the BOCC public hearing has been conducted. You will have an opportunity to provide public comment either in person at the hearing or in writing. To request information on the location, date, and time of either hearing or to comment on the WSE-O zoning overlay in writing, please contact:

Ms. Kari Parsons Project Manager/Planner II El Paso County Development Services Department 2880 International Circle Colorado Springs, CO 80910 (719) 520-6306 Office (719) 373-8562 cell

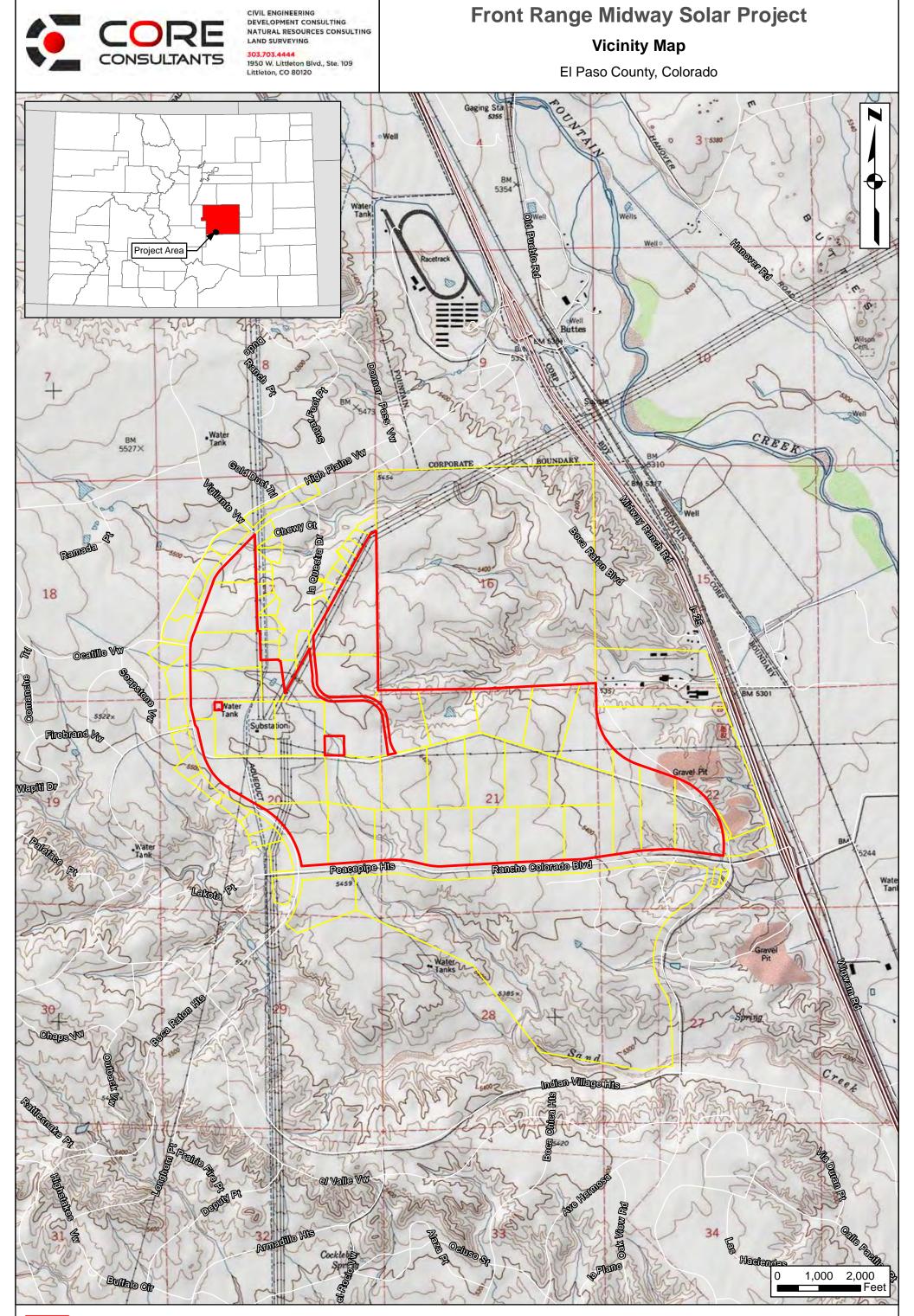
Approval of the Front Range-Midway Project requires a public involvement process for the proposed WSE-O zoning overlay application and for the associated 1041 application. The Colorado 1041 regulations (Colorado Land Use Act) provide local governments the opportunity to control the planning process for activities of state interest, including construction of a solar facility. The complete 1041 regulations can be found under Section C.R.S. 24-65.1 of the Colorado State Statutes. You will receive an additional letter notifying you of your right to comment at the Board of County Commissioners hearing associated with the 1041 application. If you have any questions or concerns prior to the public hearings, please feel free to contact:

Dave ladarola, Project Manager (720) 732-3154 <u>diadarola@tradewindenergy.com</u>

Dave Tadarola

Dave Iadarola Project Manager

Attachment: WSE-O Vicinity Map



Proposed Project Boundary

Parcel Boundary

Reference: USGS 7.5 Minute Topographic Quadrangle Buttes, CO Quad

Date: 9/13/2017

