

AGREEMENT TO GRANT ACCESS AND UTILITY EASEMENTS

RECEIVED of STERLING RANCH METROPOLITAN DISTRICT NO. 1, a Title 32 Special District and political subdivision of the State of Colorado, the sum of One Dollar (\$1.00), in consideration of which the undersigned, hereinafter called "GRANTOR", does, subject to the terms and conditions set forth herein, hereby grant, sell and convey unto said STERLING RANCH METROPOLITAN DISTRICT NO. 1, hereinafter called "DISTRICT 1", its successors, assigns, tenants, guests, licensees and invitees, and declares for itself and all future owners of any part of the real property described on Attachment F hereto, hereinafter called "OWNERS", their successors, assigns, tenants, guests, licensees and invitees, non-exclusive easements (the "Easements") for the purposes of utilizing said Easements for vehicular and pedestrian ingress and egress and for the construction and use of roads together with curbs, gutters and sidewalks, and all utility infrastructure which is customary for a residential development, including without limitation, water, sewer, stormwater, electrical, gas, telephone, cable and data, within the Easements (collectively, "Improvements"). Said Easements are described in Attachments A, B, C, D, and E hereto (the "Premises"). Collectively, DISTRICT 1 and OWNERS are hereinafter called "GRANTEE".

These Easements are made subject to the following terms and conditions:

1. GRANTEE accepts the Premises in its current "As Is" condition, and GRANTOR makes no warranties of any kind with respect to the Premises, other than as to title.

2. Any Grantee which constructs Improvements within the Easements (together with its successors and assigns, a "Constructing Grantee") shall do so for the benefit of each entity and person comprising GRANTEE. A Constructing Grantee shall be responsible for the maintenance of the Improvements constructed by such Constructing Grantee until such Improvements are dedicated or conveyed to, and accepted by District 1 or another metropolitan district, municipality, county, quasi-municipal entity, or utility company, which will be responsible thereafter for the maintenance of such Improvements for the benefit of GRANTEE or the public generally. In the performance of any maintenance or improvement of the Improvements and Premises, each GRANTEE shall maintain their respective Improvements and Premises in a reasonable condition for their intended purposes and shall protect against erosion and perform all work in a manner consistent with protecting the intended purposes of the Easements and the environment, and shall restore and repair any damage or alteration to the respective Premises as nearly as practicable to its condition prior to such maintenance or improvement.

3. GRANTOR hereby reserves to itself and its grantees and assignees the right to use the Premises for such purposes and for such improvements as GRANTOR may elect, so long as said uses and purposes do not unreasonably interfere with or obstruct the Easement and rights granted herein.

4. GRANTEE shall secure all permits, licenses and approvals required by any governmental authority for the use, construction upon or improvement of the Premises prior to such construction upon or improvement of the Premises by GRANTEE, and GRANTEE shall comply with all laws and regulations concerning the use or improvement of the Premises.

CS 131835

5. In no event shall any GRANTEE allow any liens to attach against the Premises for materials supplied or work performed at the request of, or for the benefit of, GRANTEE, and any GRANTEE which has allowed any such liens to attach to the Premises shall, to the extent allowed by law, indemnify and hold GRANTOR and any other GRANTEE harmless from and cost or expense, including reasonable attorney's fees incurred by GRANTOR or any other GRANTEE to release any such liens against the Premises.

6. The GRANTOR agrees to indemnify, defend and hold harmless, to the extent allowed by law, the GRANTEE, its respective agents, officers, servants and employees of and from any and all loss, costs, damage, injury, liability, claims, liens, demands, actions and causes of action whatsoever, arising out of or related to the GRANTOR'S intentional or negligent acts, errors or omissions or that of its agents, officers, servants and employees, whether contractual or otherwise. Likewise, each GRANTEE agrees to respectively indemnify, defend and hold harmless, to the extent allowed by law, the GRANTOR, its respective agents, officers, servants and employees of and from any and all loss, costs, damage, injury, liability, claims, liens, demands, actions and causes of action whatsoever, arising out of or related to such GRANTEE'S respective intentional or negligent acts, errors or omissions or that of its agents, officers, servants and employees, whether contractual or otherwise.

7. All provisions of these Easements, including all benefits and burdens, shall run with the land described in Attachments A through F hereto and shall be binding upon and shall inure to the benefit of the heirs, assigns, successors and personal representatives of the parties hereto. The Easements are for the benefit of GRANTEE and the respective successors and assigns of GRANTEE, and GRANTEE shall hold the Easements and exercise the rights granted hereunder for the benefit of the DISTRICTS (as defined below) and the parcels of real property served by the DISTRICTS, including but not limited to the property described on Attachment F. Except as otherwise stated herein, the Easements shall be exclusive to the entities and persons comprising GRANTEE. As used herein, the "DISTRICTS" means GRANTEE, STERLING RANCH METROPOLITAN DISTRICT NO. 2, STERLING RANCH METROPOLITAN DISTRICT NO. 3, and the respective successors and assigns of each. No provision or term of this Easement may be amended, modified, revoked, supplemented, waived, or otherwise changed except by a written instrument duly executed by GRANTOR, GRANTEE and NBH Bank, N.A., or its successors and assigns, so long as it (or its successors and assigns) continues to hold a deed of trust or other security instrument encumbering the property benefitted by the Easements, and Sterling Ranch Capital, LLC, or its successors and assigns, so long as it (or its successors and assigns) continues to hold a deed of trust or other security instrument encumbering the property benefitted by the Easements.

8. Notwithstanding anything herein to the contrary, the Easements granted to OWNERS pursuant to the terms of this Agreement shall terminate as of the date DISTRICT 1 causes the completion of Briargate Parkway, Marksheffel Road and Sterling Ranch Road providing access to the property described in Attachment F, which roads must be completed with a minimum of two (2) lanes (1 lane in each direction), and curbs, gutters, sidewalks, and utility infrastructure for all utilities serving the property described on Attachment F, along each such road, as contemplated in the Sketch Plan attached hereto as Attachment G and Attachments A-E.

9. In the event that any party to these Easements (including any successors and assigns of the original parties) shall breach this Agreement,

the other party may recover all reasonable costs and expenses of enforcement including but not limited to attorney's fees.

10. In the event the GRANTOR or any future owner of the property subject to the Easements, as described in Attachments A-E, also owns any portion of the property described on Attachment F, the Easements shall not terminate by merger, but shall continue in full force and effect. The Easements may be terminated by merger only if the person that owns both parcels herein described executes a written document confirming such merger and terminating such Easements.

IN WITNESS WHEREOF, the undersigned has hereunto set its hand and seal, this 20th day of October, 2014.

GRANTOR:

MORLEY-BENTLEY INVESTMENTS, LLC
A Colorado limited liability company.

By: 

GARY L. HALL, its Manager

Kansas
STATE OF ~~COLORADO~~)
Cherokee) ss.
COUNTY OF ~~EL PASO~~)

Oct, 2014, by GARY L. HALL, the Manager of Morley-Bentley Investments, LLC, a Colorado limited liability company, on behalf of the company.

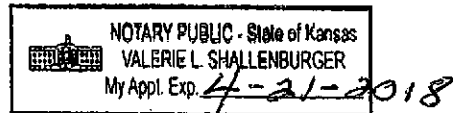
My Commission Expires:

Notary Public

April 21, 2018

Val Shallenburger

This instrument was drafted by:
P.J. Anderson
31 North Tejon Street
Suite 500
Colorado Springs, CO 80903



ATTACHMENT A

30 FOOT ACCESS & UTILITY EASEMENT

AN 30 FOOT STRIP OF LYING WITHIN THE SOUTH HALF OF SECTION 33 AND THE SOUTH HALF OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF EL PASO, STATE OF COLORADO, THE CENTERLINE OF SAID STRIP IS DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., MONUMENTED AT ITS EAST AND WEST ENDS BY A 3/4" REBAR AND 3.25" ALUMINUM CAP, STAMPED PLS 10376 , THE LINE BETWEEN THEM IS ASSUMED TO BEAR N89°04'30"E.

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 33; THENCE N89°04'30"E ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33, A DISTANCE OF 1,170.11 FEET; THENCE N00°13'07"E, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE THE FOLLOWING FOUR (4) COURSES, LYING 15 FEET NORTH AND RUNNING PARALLEL WITH THE SOUTH LINE OF SAID SECTION 33 AND THE SOUTH LINE OF SAID SECTION 34:

(1) N89°04'30"E, A DISTANCE OF 2,587.20 FEET; (2) N89°13'48"E, A DISTANCE OF 1,401.56 FEET; (3) N89°14'14"E, A DISTANCE OF 2,722.43 FEET AND (4) N89°14'26"E, A DISTANCE OF 1,349.60 FEET TO THE POINT OF TERMINUS, SAID POINT LYING ON THE EAST LINE OF THE WEST HALF OF THE WEST HALF OF SAID SECTION 34 AND BEARS N89°11'04"E, A DISTANCE OF 8,060.78 FEET FROM THE POINT OF BEGINNING, CONTAINING A CALCULATED AREA OF 241,824 SQUARE FEET (5.55 ACRES) OF LAND, MORE OR LESS.

THE SIDE LINES OF SAID STRIP ARE TO BE LENGTHENED OR SHORTENED TO TERMINATE AT THE EAST LINE OF THE WEST HALF OF THE WEST HALF OF SAID SECTION 34.

30' ACCESS & UTILITY EASEMENT

N 89° 4' 26" E 1349.60'

N 89°14'14" E 2722.43'

1401.56' — SOUTH LINE OF SAID SECTION 33 AND THE SOUTH LINE OF SAID SECTION 34

241,8247 S.F.
5.55 Ac.

N 89°04'30" E 2587.20'

- POINT OF BEGINNING

15.00'
N00°13'07"E

33
N89°04'30"E
1,170.11
BASIS OF
4 BEARING

EXHIBIT
EASMT #8
JOB NO. 09-001
DATE PREPARED: MARCH 13, 2014



✖ 719.55.5403
 ✖ 719.44.8407

SHEET 1 OF 1

[illegible]

10/10/1994
 10/10/1994
 10/10/1994

● 与 2013 年相比，2014 年 1—12 月全国规模以上工业企业利润总额下降了多少亿元？

ATTACHMENT B

60 FOOT ACCESS & UTILITY EASEMENT

A 60 FOOT STRIP OF LAND MEANDERING THROUGH THE WEST HALF OF SECTION 27 AND THE WEST HALF OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF EL PASO, STATE OF COLORADO, THE CENTERLINE OF SAID STRIP IS DESCRIBED AS FOLLOWS:

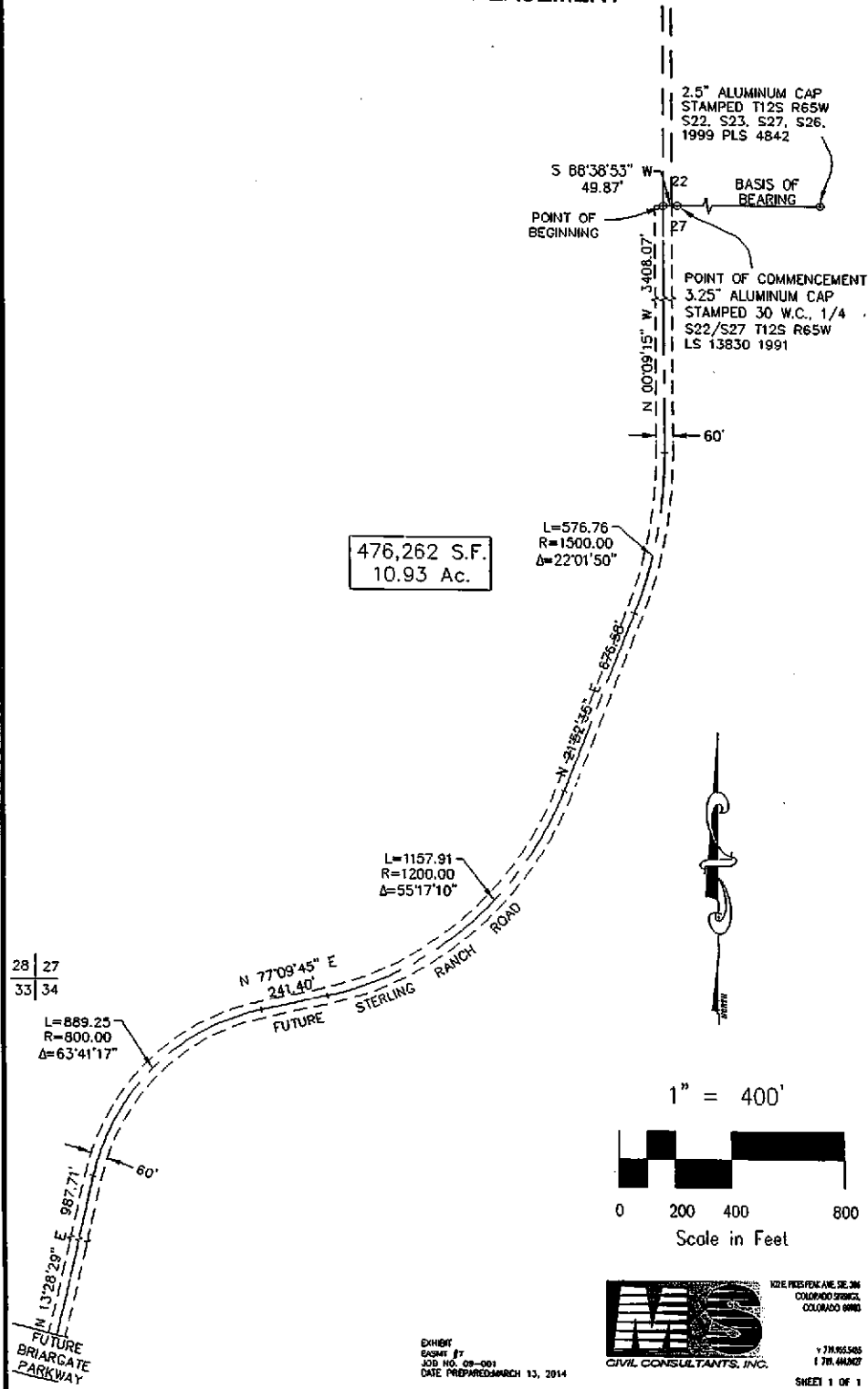
BASIS OF BEARINGS: BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., MONUMENTED AT ITS WEST END BY A 30.00 FOOT OFFSET WITNESS CORNER WHICH IS A 3.25" ALUMINUM CAP STAMPED 30 W.C., ¼ S22/S27 T12S R65W, LS 13830, 1991 AND A 2.5" ALUMINUM CAP STAMPED T12S R65W S22, S23, S27, S26, 1999, PLS 4842 AT THE EAST END, THE LINE BETWEEN THEM IS ASSUMED TO BEAR N89°05'36"E.

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 27; THENCE S88°38'53"W ALONG THE NORTH LINE OF NORTHWEST QUARTER OF SAID SECTION 27, A DISTANCE OF 49.87 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE S00°09'15"E, A DISTANCE OF 3,408.07 FEET; THENCE ALONG THE ARC OF A 1500.00 FOOT RADIUS TANGENTIAL CIRCULAR CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 22°01'50" AND AN ARC LENGTH OF 576.76 FEET; THENCE S21°52'35"W, A DISTANCE OF 676.58 FEET; THENCE ALONG THE ARC OF A 1200.00 FOOT RADIUS TANGENTIAL CIRCULAR CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 55°17'10" AND AN ARC LENGTH OF 1,157.91 FEET; THENCE S77°09'45"W, A DISTANCE OF 241.40 FEET; THENCE ALONG THE ARC OF A 800.00 FOOT RADIUS TANGENTIAL CIRCULAR CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 63°41'17" AND AN ARC LENGTH OF 889.25 FEET; THENCE S13°28'29"W, A DISTANCE OF 987.71 FEET, MORE OR LESS TO THE POINT OF TERMINUS, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF BRIARGATE PARKWAY AND BEARS S18°05'26"W, A DISTANCE OF 7,289.86 FEET FROM THE POINT OF BEGINNING, CONTAINING A CALCULATED AREA OF 476,262 SQUARE FEET (10.93 ACRES) OF LAND, MORE OR LESS.

THE SIDE LINES OF SAID STRIP ARE TO BE LENGTHENED OR SHORTENED TO TERMINATE AT THE: NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27 AND THE NORTHERLY RIGHT-OF-WAY LINE OF SAID BRIARGATE PARKWAY.

STERLING RANCH

60' ACCESS & UTILITY EASEMENT



ATTACHMENT C

80 FOOT ACCESS & UTILITY EASEMENT-STERLING RANCH-STERLING RANCH ROAD

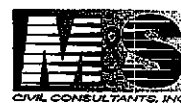
AN 80 FOOT STRIP OF LAND MEANDERING THROUGH THE SOUTH HALF OF SECTION 33, AND THE WEST HALF OF SECTION 34 AND THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF EL PASO, STATE OF COLORADO, THE CENTERLINE OF SAID STRIP IS DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., MONUMENTED AT ITS EAST AND WEST ENDS BY A 3/4" REBAR AND 3.25" ALUMINUM CAP, STAMPED PLS 10376, THE LINE BETWEEN THEM IS ASSUMED TO BEAR N89°04'30"E.

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 33; THENCE N89°04'30"E ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33, A DISTANCE OF 11.68 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE N40°21'31"E, A DISTANCE OF 203.73 FEET; THENCE ALONG THE ARC OF A 1,000.00 FOOT RADIUS TANGENTIAL CIRCULAR CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 35°57'49" AND AN ARC LENGTH OF 627.69 FEET; THENCE N76°19'20"E, A DISTANCE OF 3,577.39 FEET; THENCE ALONG THE ARC OF A 1,500.00 FOOT RADIUS TANGENTIAL CIRCULAR CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 62°50'52" AND AN ARC LENGTH OF 1,645.35 FEET; THENCE N13°28'29"E, A DISTANCE OF 1,188.83 FEET TO THE POINT OF TERMINUS, SAID POINT LYING ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF BRIARGATE PARKWAY AND BEARS N56°56'26"E, A DISTANCE OF 6,579.67 FEET FROM THE POINT OF BEGINNING, CONTAINING A CALCULATED AREA OF 579,437 SQUARE FEET (13.30 ACRES) OF LAND, MORE OR LESS.

THE SIDE LINES OF SAID STRIP ARE TO BE LENGTHENED OR SHORTENED TO TERMINATE AT THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF BRIARGATE PARKWAY AND THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33.

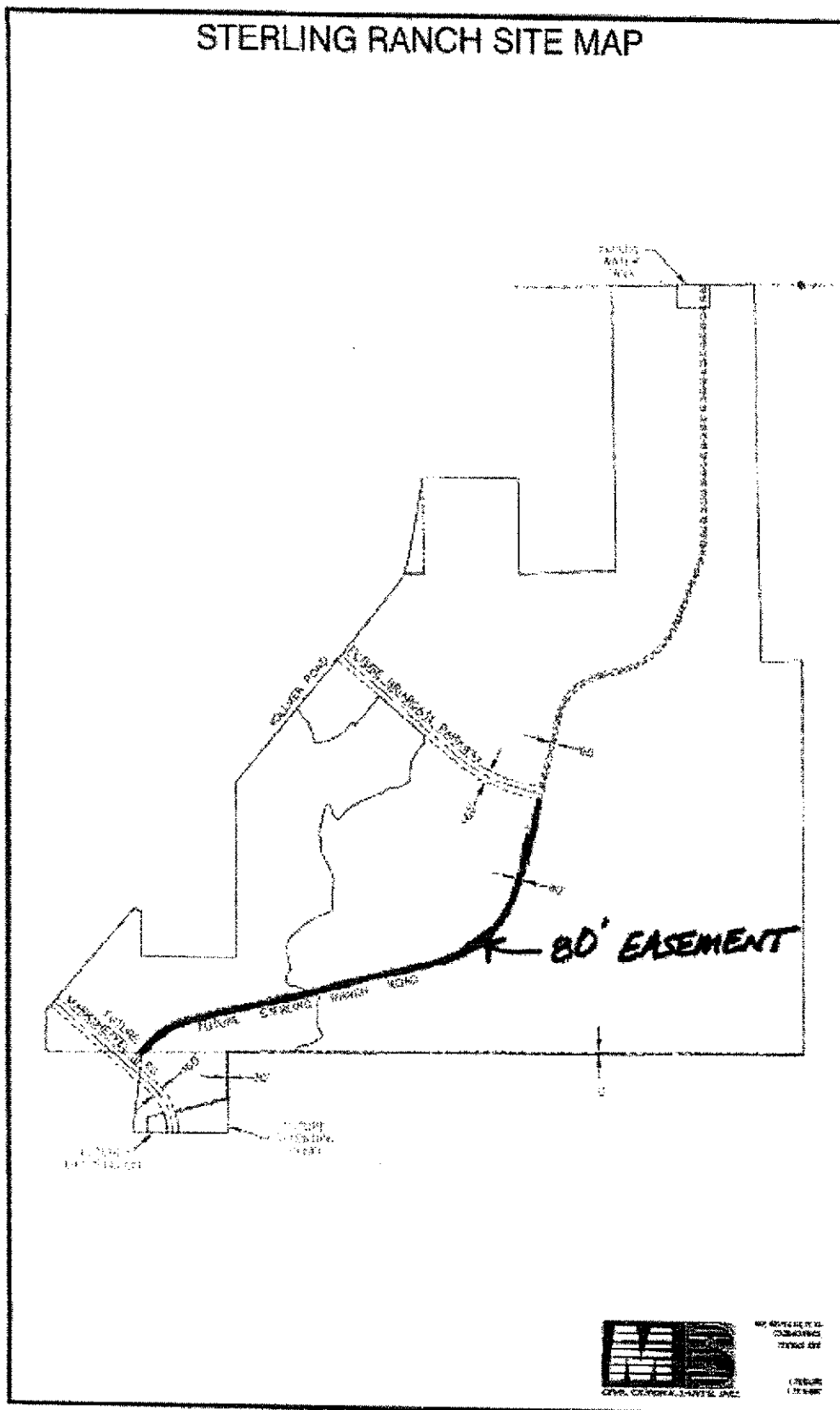
80' ACCESS & UTILITY EASEMENT



Y 791.933.5485
E 779.444.8428

SHEET 1 OF 1

STERLING RANCH SITE MAP



ATTACHMENT D

160 FOOT ACCESS & UTILITY EASEMENT

A 160 FOOT STRIP OF LAND LYING WITHIN THE SOUTH HALF OF SECTION 28, THE NORTH HALF OF SECTION 33 AND THE WEST HALF OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF EL PASO, STATE OF COLORADO, THE CENTERLINE OF SAID STRIP IS DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTIER OF SECTION 27, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., MONUMENTED AT ITS WEST END BY A 30.00 FOOT OFFSET WITNESS CORNER WHICH IS A 3.25" ALUMINUM CAP STAMPED 30 W.C., $\frac{1}{4}$ S22/S27 T12S R65W, LS 13830, 1991 AND A 2.25" ALUMINUM CAP STAMPED T12S R65W S22, S23, S27, S26, 1999, PLS 4842 AT THE EAST END, THE LINE BETWEEN THEM IS ASSUMED TO BEAR N89°05'36"E.

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 27, POINT BEING THE EAST END OF THE BASIS OF BEARING; THENCE S48°11'20"W, A DISTANCE OF 7,745.90 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE S50°26'12"E, A DISTANCE OF 2,165.06 FEET; THENCE ALONG THE ARC OF A 2,000.00 FOOT RADIUS TANGENTIAL CIRCULAR CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 26°05'19" AND AN ARC LENGTH OF 910.66 FEET; THENCE S76°31'31"E, A DISTANCE OF 347.55 FEET TO THE POINT OF TERMINUS, SAID POINT BEARS S56°30'03"E, A DISTANCE OF 3,375.60 FEET FROM THE POINT OF BEGINNING, CONTAINING A CALCULATED AREA OF 547,723 SQUARE FEET (12.57 ACRES) OF LAND, MORE OR LESS.

THE SIDE LINES OF SAID STRIP ARE TO BE LENGTHENED OR SHORTENED TO TERMINATE AT THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF VOLLMER ROAD.

STERLING RANCH

160' ACCESS & UTILITY EASEMENT

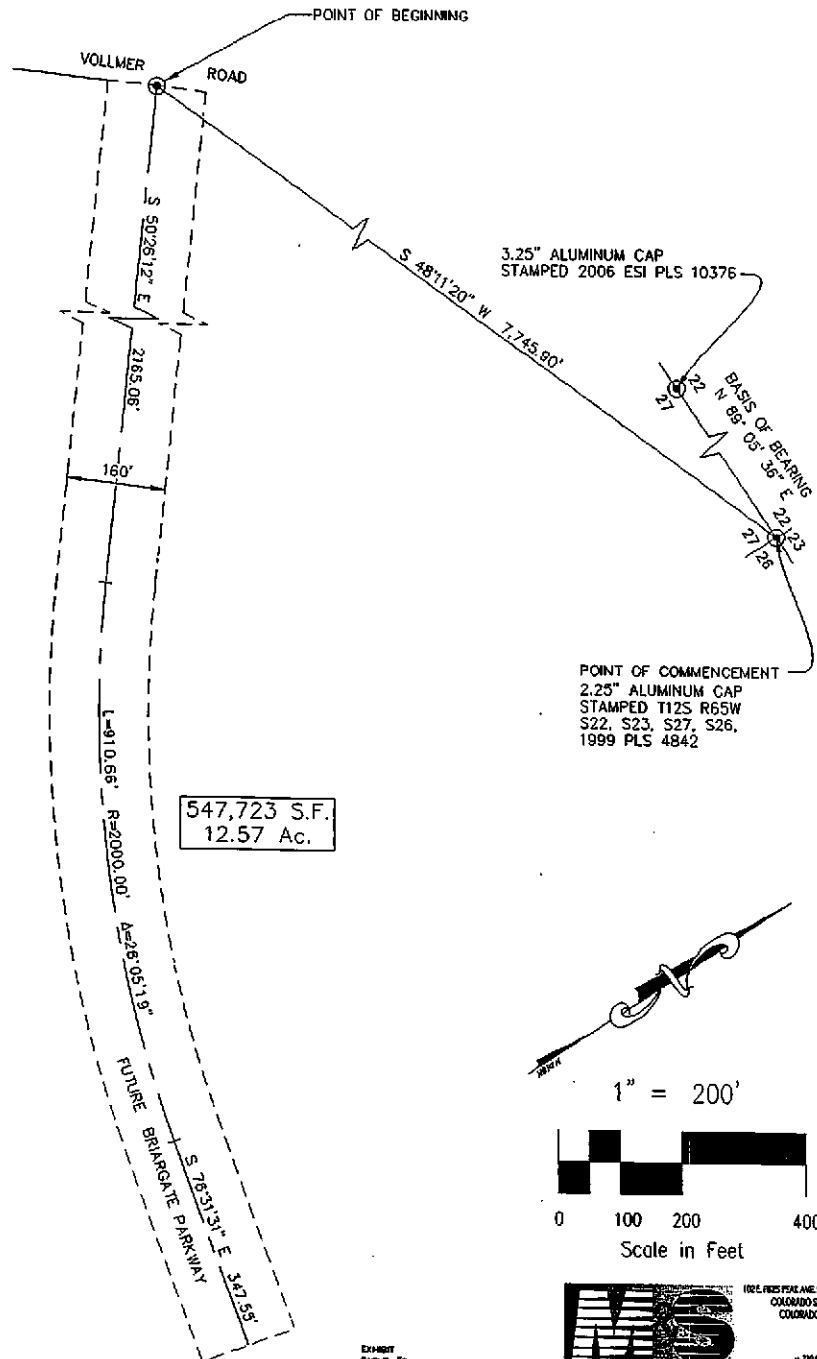


EXHIBIT
EASMENT #0
JOB NO. 08-001
DATE PREPARED: AUG. 25, 2014

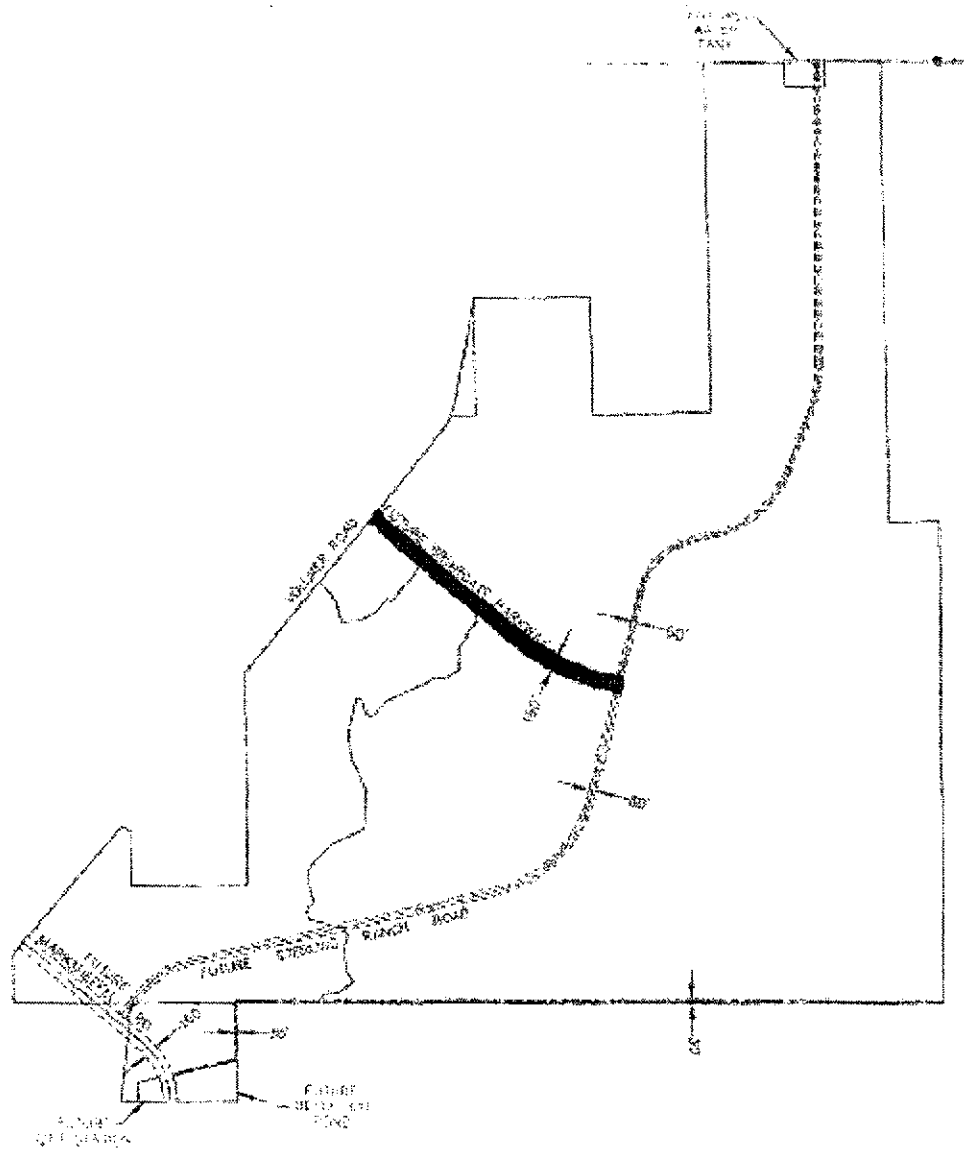
MS
CIVIL CONSULTANTS, INC.

100 E. PINE PARK AVE. STE. 304
COLORADO SPRING,
COLORADO 80903

770.255.5405
170.443.807

SHEET 1 OF 1

STERLING RANCH SITE MAP



REPRODUCED IN
ORIGINAL
FORM AND

1/18/82

ATTACHMENT E

160 FOOT ACCESS & UTILITY EASEMENT

A 160 FOOT STRIP OF LAND LYING WITHIN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF EL PASO, STATE OF COLORADO, THE CENTERLINE OF SAID STRIP IS DESCRIBED AS FOLLOWS:

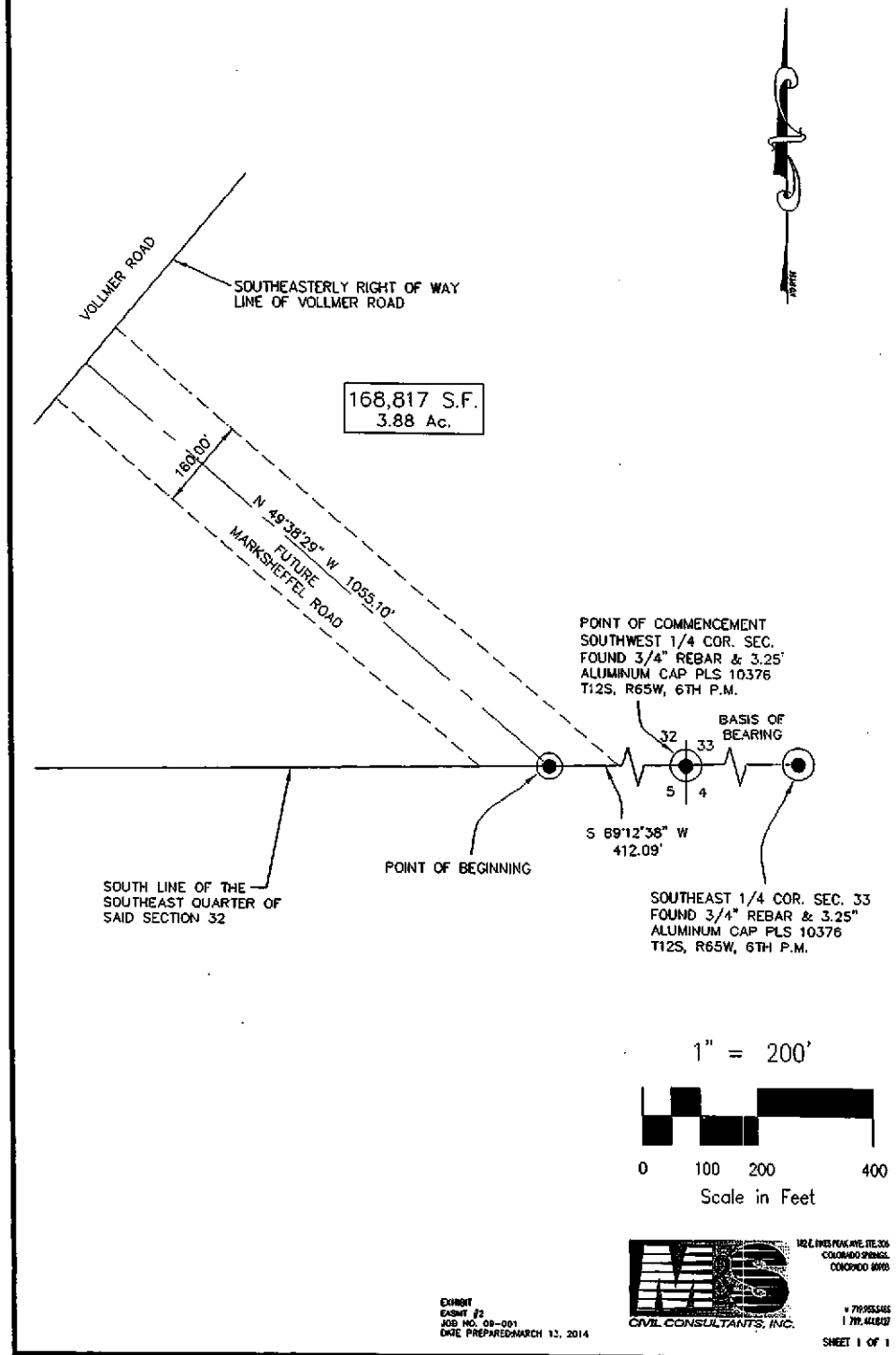
BASIS OF BEARINGS: BEARINGS ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., MONUMENTED AT ITS EAST AND WEST ENDS BY A 3/4" REBAR AND 3.25" ALUMINUM CAP, STAMPED PLS 10376, THE LINE BETWEEN THEM IS ASSUMED TO BEAR N89°04'30"E.

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 32; THENCE S89°12'38"W ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 32, A DISTANCE OF 412.09 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE N49°38'29"W, A DISTANCE OF 1,055.10 FEET TO THE POINT OF TERMINUS, SAID POINT LYING ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF VOLLMER ROAD AND BEARS N60°52'25"W, A DISTANCE OF 1,392.08 FEET FROM THE POINT OF COMMENCEMENT, CONTAINING A CALCULATED AREA OF 168,817 SQUARE FEET (3.88 ACRES) OF LAND, MORE OR LESS.

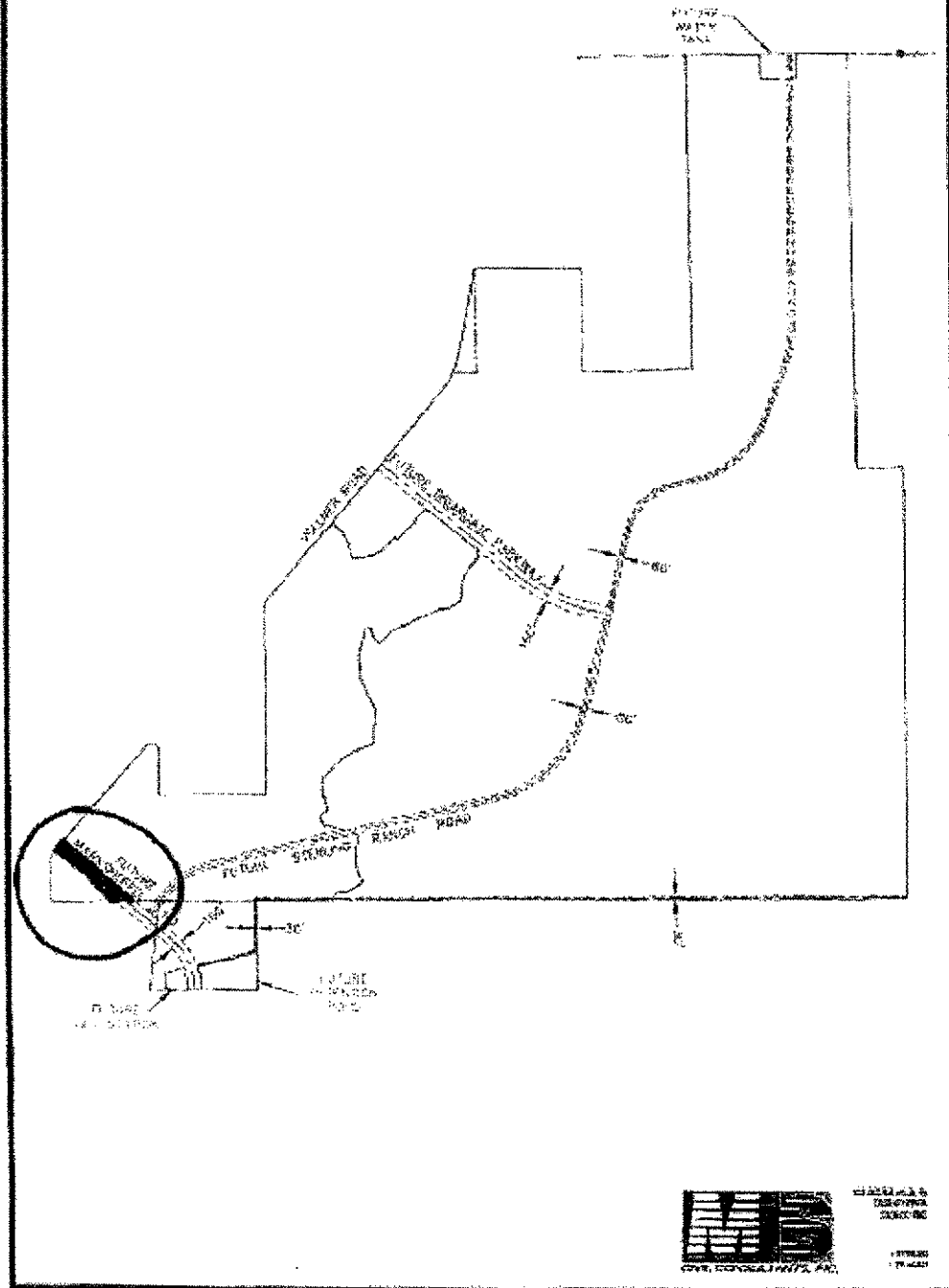
THE SIDE LINES OF SAID STRIP ARE TO BE LENGTHENED OR SHORTENED TO TERMINATE AT THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF VOLLMER ROAD AND THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 32.

STERLING RANCH

160' ACCESS & UTILITY EASEMENT



STERLING RANCH SITE MAP



ATTACHMENT F

Additional Benefited Parcel

STERLING RANCH
DISTRICT 1 - OWNERSHIP

M&S Job No. 09-002
August 31, 2009

That portion of the Northeast Quarter of the Northwest Quarter of Section 27, Township 12 South, Range 65 West of the 6th P.M., El Paso County, Colorado, described as follows:

The basis of bearings is the North line of the Northeast Quarter of Section 27, Township 12 South, Range 65 West of the 6th P.M., monumented at the West end by a 30.00 foot offset witness corner which is a 3 ½ inch aluminum cap stamped 30 W.C. ¼ S22, S27 T12S R65W, LS 13830, 1991 and a 2 ¼ inch aluminum cap stamped T12S R65W S22, S23, S27, S26, 1999, PLS 4842 at the East end and a line between them is assumed to bear N 89°05'36" E and having a distance of 2661.17 feet, the monuments were recovered in 2005.

Commencing at the Northwest corner of said Section 27; thence N 88°38'53" E on the North line of Section 27, a distance of 1330.89 feet to the point of beginning, said point being the Northwest corner of the Northeast Quarter of the Northwest Quarter of said Section 27; thence N 88°38'53" E, on said North line of the Northeast Quarter of the Northwest Quarter, a distance of 210.00 feet; thence S 01°21'07" E, a distance of 211.63 feet; thence S 89°05'30" W, a distance of 211.63 feet, to the West line of the Northeast Quarter of the Northwest Quarter of said Section 27; thence N 00°54'30" W on said West line of the Northeast Quarter of the Northwest Quarter, a distance of 210.00 feet to the point of beginning and containing 1.020 Acres, more or less.

STERLING RANCH
DISTRICT 2 - RESIDENTIAL

M&S Job No. 09-002
August 31, 2009

The West Half of the West Half of the East Half and East Half of the West Half and the Southwest Quarter of the Southwest Quarter of Section 27; the East Half of the Southeast Quarter and that portion of the Southwest Quarter of the Southeast Quarter lying South and East of the county road known as Vollmer Road, of Section 28; the West Half of the East Half and the West Half of Section 34; the East Half and the East Half of the Southwest Quarter and the Southwest Quarter of the Southwest Quarter of Section 33, and all that part of the Northwest Quarter of Section 33 lying South and East of the county road known as Vollmer Road, except that portion of the Southwest Quarter of the Northwest Quarter of said Section 33 lying South and East of said county road as deeded to Colorado Interstate Gas Company by warranty deed recorded in Book 1173 at Page 359; and that portion of the Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Southeast Quarter lying Southeast of the county road known as Vollmer Road, of Section 32, except that portion of the Northeast Quarter of the Southeast Quarter of said Section 32 deeded to J. Marcus Brown by trustees' deed recorded in Book 3292 at Page 168; all in Township 12 South, Range 65 West of the 6th p.m., El Paso County, Colorado, ALSO:

All that portion of the Northwest Quarter of the Southeast Quarter of Section 28, Township 12 South, Range 65 West of the 6th p.m., El Paso County, Colorado lying South and East of the county road (Vollmer Road), ALSO:

The Southeast Quarter of the Southwest Quarter of the Southeast Quarter of Section 32, Township 12 South, Range 65 West of the 6th p.m., lying Southeasterly of the public road known as Vollmer Road, El Paso County, Colorado, ALSO:

A portion of the Northwest Quarter of Section 4, Township 13 South, Range 65 West of the 6th p.m., El Paso County, Colorado described as follows:

Beginning at the Northwest corner of Pawnee Rancheros Filing No. 2 as recorded in plat Book U-2 at Page 45 of the Records of El Paso County; thence S 00°13'49" W on an assumed bearing to which all others in this description are relative and on the West line of said Filing No. 2, a distance of 1128.15 feet to the Southwest corner thereof; thence S 89°17'10" W on the boundary line of the tract of land described in Book 5528 at Page 947 of the said Records, 1321.24 feet to an angle point on said boundary; thence N 06°23'51" E, on the West line of Section 4, a distance of 1132.29 feet to the Northwest corner of said Section 4; thence N 89°04'30" E on the North line of said Section 4, a distance of 1199.66 feet to the point of beginning,

EXCEPTING THEREFROM the following four (4) tracts of land:

TRACT 1:

That portion of the Northeast Quarter of the Northwest Quarter of Section 27, Township 12 South, Range 65 West of the 6th P.M., El Paso County, Colorado, described as follows:

The basis of bearings is the North line of the Northeast Quarter of Section 27, Township 12 South, Range 65 West of the 6th P.M., monumented at the West end by a 30.00 foot offset witness corner which is a 3 ½ inch aluminum cap stamped 30 W.C. ¼ S22, S27 T12S R65W, LS 13830, 1991 and a 2 ¼ inch aluminum cap stamped T12S R65W S22, S23, S27, S26, 1999, PLS 4842 at the East end and a line between them is assumed to bear N 89°05'36" E and having a distance of 2661.17 feet, the monuments were recovered in 2005.

Commencing at the Northwest corner of said Section 27; thence N 88°38'53" E on the North line of Section 27, a distance of 1330.89 feet to the point of beginning, said point being the Northwest corner of the Northeast Quarter of the Northwest Quarter of said Section 27; thence N 88°38'53" E, on said North line of the Northeast Quarter of the Northwest Quarter, a distance of 210.00 feet; thence S 01°21'07" E, a distance of 211.63 feet; thence S 89°05'30" W, a distance of 211.63 feet, to the West line of the Northeast Quarter of the Northwest Quarter, of said Section 27; thence N 00°54'30" W on said West line of the Northeast Quarter of the Northwest Quarter, a distance of 210.00 feet to the point of beginning, said exception containing 1.020 Acres, more or less, ALSO EXCEPT:

TRACT 2:

That portion of the Southeast Quarter of Section 32, Township 12 South, Range 65 West of the 6th P.M., El Paso County, Colorado, described as follows:

The basis of bearings is the North line of the Northeast Quarter of Section 27, Township 12 South, Range 65 West of the 6th P.M., monumented at the West end by a 30.00 foot offset witness corner which is a 3 ½ inch aluminum cap stamped 30 W.C. ¼ S22, S27 T12S R65W, LS 13830, 1991 and a 2 ¼ inch aluminum cap stamped T12S R65W S22, S23, S27, S26, 1999, PLS 4842 at the East end and a line between them is assumed to bear N 89°05'36" E and having a distance of 2661.17 feet, the monuments were recovered in 2005.

Commencing at the Southeast corner of said Section 32; thence S 89°12'38" W on said South line of Section 32, a distance of 412.10 feet to the point of beginning; thence N 49°38'29" W, 1055.10 feet; thence on the Easterly line of Vollmer Road the following two (2) courses:

(1) S 40°15'29" W, 172.13 feet;

(2) S 36°15'39" W, 707.24 feet to the South line of Section 32; thence N 89°12'38" E on said South line, 1333.66 feet to the point of beginning said exception containing 10.725 Acres, more or less, ALSO EXCEPT:

TRACT 3:

That portion of the South Half of Section 28 and that portion of the North Half of Section 33, Township 12 South, Range 65 West of the 6th P.M., described as follows: Commencing at the point of intersection of the Easterly line of Vollmer Road with the West line of the East Half of the Northwest Quarter of said Section 33; thence N 39°33'48" E on the Easterly line of Vollmer Road, 1290.81 feet to the point of beginning; thence S 50°26'12" E, 28.24 feet to a point of curve; thence on the arc of a curve to

the right, having a central angle of $50^{\circ}10'52''$, a radius of 565.00 feet, an arc distance of 494.84 feet to point on curve; thence $N 89^{\circ}44'40'' E$, radial to the last mentioned curve, 97.13 feet to a point of curve; thence on the arc of a curve to the left, having a central angle of $50^{\circ}10'52''$, a radius of 565.00 feet, an arc distance of 494.84 feet to the point of tangent; thence $N 39^{\circ}33'48'' E$, 707.03 feet; thence $N 50^{\circ}26'12'' W$, 740.00 feet to the Easterly line of Vollmer Road; thence $S 39^{\circ}33'48'' W$ on said Easterly line, 1000.00 feet to the point of beginning said exception containing 17.941 Acres, more or less, ALSO EXCEPT:

TRACT 4:

That portion of Section 34, Township 12 South, Range 65 West of the 6th P.M., described as follows: Commencing at the Southeast corner of the West Half of the Southeast Quarter of said Section 34; thence $N 00^{\circ}13'01'' W$ on the East line of the West Half of the Southeast Quarter, 1721.93 feet to the point of beginning; thence continue on said line, $N 00^{\circ}13'01'' W$, 1095.85 feet; thence $S 89^{\circ}59'37'' W$, 576.78 feet; thence Northwesterly on the arc of a curve to the right, having a central angle of $13^{\circ}28'52''$, a radius of 930.00 feet, an arc distance of 218.82 feet to the point of tangent; thence $N 76^{\circ}31'31'' W$, 250.00 feet; thence $S 13^{\circ}28'29'' W$, 1035.83 feet; thence $S 82^{\circ}20'46'' E$, 1293.75 feet to the point of beginning said last exception containing 27.689 Acres, more or less.

STERLING RANCH
DISTRICT 3 - COMMERCIAL

M&S Job No. 09-002
August 31, 2009

That portion of the Southeast Quarter of Section 32, Township 12 South, Range 65 West of the 6th P.M., El Paso County, Colorado, described as follows:

The basis of bearings is the North line of the Northeast Quarter of Section 27, Township 12 South, Range 65 West of the 6th P.M., monumented at the West end by a 30.00 foot offset witness corner which is a 3 ½ inch aluminum cap stamped 30 W.C. ¼ S22, S27 T12S R65W, LS 13830, 1991 and a 2 ¼ inch aluminum cap stamped T12S R65W S22, S23, S27, S26, 1999, PLS 4842 at the East end and a line between them is assumed to bear N 89°05'36" E and having a distance of 2661.17 feet, the monuments were recovered in 2005.

Commencing at the Southeast corner of said Section 32; thence S 89°12'38" W on the South Line of Section 32, a distance of 412.10 feet to the point of beginning; thence N 49°38'29" W, 1055.10 feet; thence on the Easterly line of Vollmer Road the following two (2) courses:

(1) S 40°15'39" W, 172.13 feet;

(2) S 36°15'39" W, 707.24 feet to the South line of Section 32; thence N 89°12'38" E on said South line, 1333.66 feet to the point of beginning and containing 10.725 Acres, more or less, ALSO:

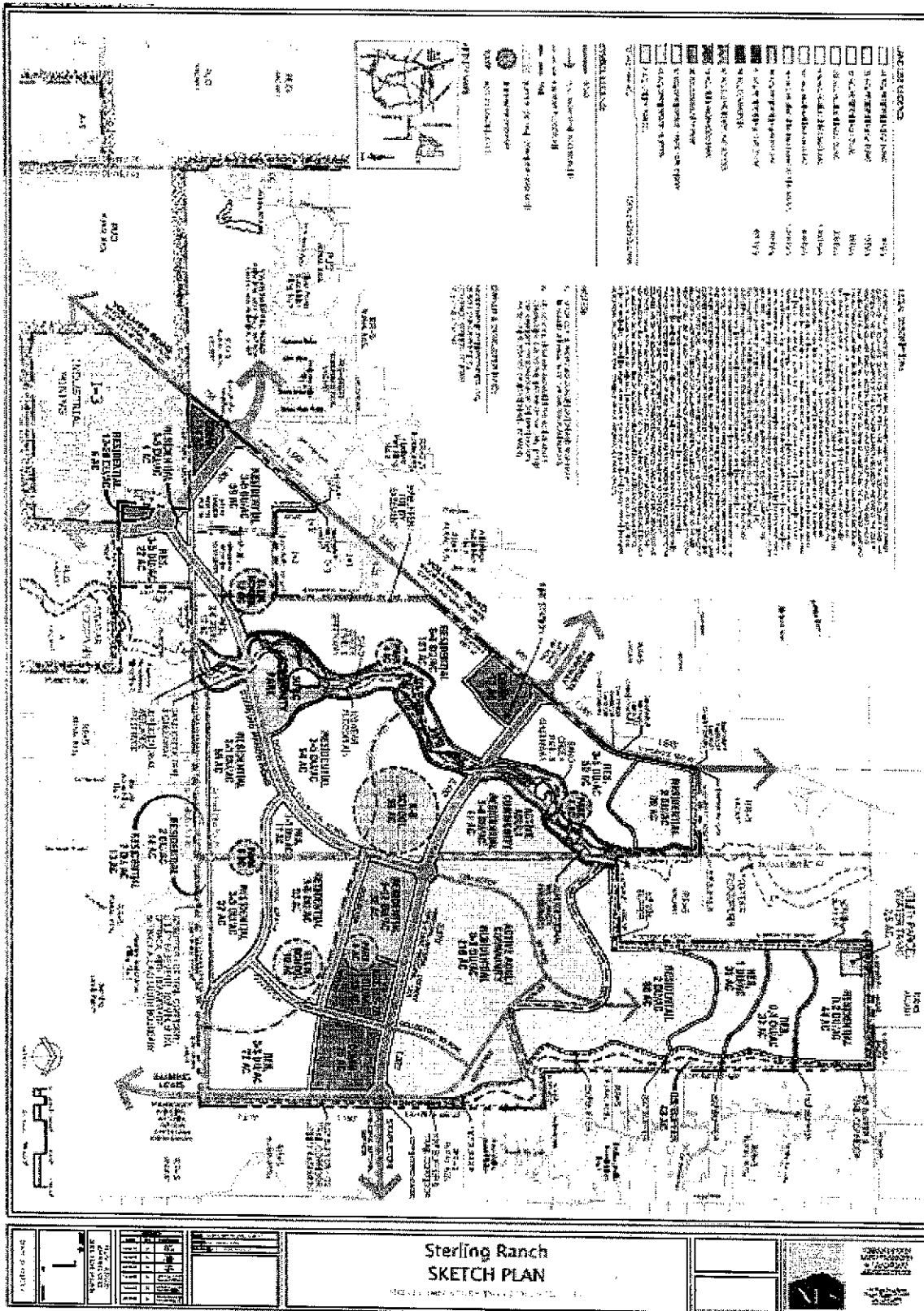
That portion of the South Half of Section 28 and that portion of the North Half of Section 33, Township 12 South, Range 65 West of the 6th P.M., described as follows: Commencing at the point of intersection of the Easterly line of Vollmer Road with the West line of the East Half of the Northwest Quarter of said Section 33; thence N 39°33'48" E on the Easterly line of Vollmer Road, 1290.81 feet to the point of beginning; thence S 50°26'12" E, 28.24 feet to a point of curve; thence on the arc of a curve to the right, having a central angle of 50°10'52", a radius of 565.00 feet, an arc distance of 494.84 feet to point on curve; thence N 89°44'40" E, radial to the last mentioned curve, 97.43 feet to a point of curve; thence on the arc of a curve to the left, having a central angle of 50°10'52", a radius of 565.00 feet, an arc distance of 494.84 feet to the point of tangent; thence N 39°33'48" E, 707.03 feet; thence N 50°26'12" W, 740.00 feet to the Easterly line of Vollmer Road; thence S 39°33'48" W on said Easterly line, 1000.00 feet to the point of beginning and containing 17.941 Acres, more or less, ALSO:

That portion of Section 34, Township 12 South, Range 65 West of the 6th P.M. described as follows: Commencing at the Southeast corner of the West Half of the Southeast Quarter of said Section 34; thence N 00°13'01" W on the East line of the West Half of the Southeast Quarter, 1721.93 feet to the point of beginning; thence continue on said line, N 00°13'01" W, 1095.85 feet; thence S 89°59'37" W, 576.78 feet; thence Northwesterly on the arc of a curve to the right, having a central angle of 13°28'52", a radius of 930.00 feet, an arc distance of 218.82 feet to the point of tangent; thence N 76°31'31" W, 250.00 feet; thence S 13°28'29" W, 1035.83 feet; thence S 82°20'46" E, 1293.75

feet to the point of beginning, and containing 27.689 Acres, more or less,
the sum of the three parcels is 56.355 Acres, more or less.

ATTACHMENT G

Sketch Plan



CONSENT AND SUBORDINATION OF DEED OF TRUST BENEFICIARY

BANK MIDWEST, A DIVISION OF NBH BANK, N.A. (formerly known as Bank Midwest, N.A., successor by merger with Hillcrest Bank, N.A., successor in interest to the Federal Deposit Insurance Corporation in its capacity as Receiver for Hillcrest Bank) ("Beneficiary") is (1) the current beneficiary under that certain Deed of Trust dated March 29, 2006 ("Deed of Trust"), given by Morley-Bentley Investments, LLC ("M-B"), a Colorado limited liability company, to the Public Trustee of El Paso County originally for the benefit of Hillcrest Bank, a Kansas bank, to secure payment of \$34,725,000, and recorded March 29, 2006 at Reception No. 206045412 in the office of the County Recorder in and for El Paso County, Colorado, as assigned to Beneficiary by that certain Assignment of Deed of Trust and Other Recorded Documents, made by the Federal Deposit Insurance Corporation, recorded May 27, 2011 at Reception No. 211052315 (the "Deed of Trust"), and (2) the holder of the lien of that certain Financing Statement, naming M-B, as debtor, recorded March 29, 2006 at Reception No. 206045413, as continued by Financing Statement Amendment recorded October 13, 2010 at Reception No. 210102085, as assigned in Financing Statement Amendment recorded February 13, 2013 at Reception No. 212016220 (the "Fixture Filing"). Beneficiary hereby (1) consents to the foregoing Agreement to Grant Access and Utility Easements (the "Easement"), dated _____, 2014, by M-B, as Grantor, in favor of the grantees therein named; (2) subordinates lien and security interest of the Deed of Trust and Fixture Filing, and any and all amendments thereto, to the Easement; and (3) agrees that the foreclosure of the Deed of Trust and/or Fixture Filing will have no effect on the continuing validity and enforceability of the Easement.

IN WITNESS WHEREOF, the undersigned has caused this Consent and Subordination to be executed as of the 9th day of October, 2014.

BANK MIDWEST, A DIVISION OF NBH
BANK, N.A.

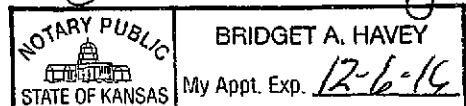
By: Bruce A. Ross
Its: Sec. V.P.

STATE OF Kansas)
COUNTY OF Johnson) ss.

October, 2014, by Bruce A. Ross, the Sec. V.P. of BANK
MIDWEST, A DIVISION OF NBH BANK, N.A., a national association, on behalf of
the association.

This instrument was drafted by:

Bridget A. Havey
Notary Public



AGREEMENT TO CORRECT AND AMEND EASEMENT

THIS AGREEMENT TO CORRECT AND AMEND EASEMENT (this "Agreement") is made as of April 25, 2016, by STERLING RANCH METROPOLITAN DISTRICT NO. 1, a Title 32 Special District and political subdivision of the State of Colorado ("District") and MORLEY-BENTLEY INVESTMENTS, LLC, a Colorado limited liability company ("Grantor").

RECITALS:

A. On October 20, 2014, Grantor granted to District and other beneficiaries that certain Agreement to Grant Access and Utility Easements recorded at Reception No. 214100441 in the Office of the Clerk and Recorder of El Paso County, Colorado (the "Easement"), which benefits the real property legally described on Exhibit A attached hereto and incorporated herein by reference.

B. Grantor and District desire to correct and amend the Easement as set forth herein.

NOW THEREFORE, in consideration of the Recitals above, and other good and valuable consideration, the receipt and sufficiency of which are acknowledged by each party, the parties agree as follows, intending to be legally bound:

1. Recitals. The recitals listed above form an integral part of this Agreement and are fully binding upon each party hereto.

2. Correction and Amendment of Easement. Exhibit B of the Easement is hereby amended and restated in its entirety to be the Exhibit B attached hereto and incorporated by reference. It is the intention of the parties hereto that (a) to the extent that any of the real property described in Exhibit B attached hereto was not previously described in Exhibit B to the Easement, such property shall hereafter be subject to and encumbered by the Easement as if such property had originally been described in such Exhibit B to the Easement, and (b) any real property described in Exhibit B to the Easement, which is not described in Exhibit B attached hereto, is hereby released from the Easement.

3. Ratification and Reaffirmation. All terms and conditions of the Easement that are not contrary to, or inconsistent with, the terms and conditions of this Agreement shall remain in full force and effect and are hereby reaffirmed, ratified, confirmed as of the date hereof and are incorporated herein by reference.



55055460

IN WITNESS WHEREOF, the parties have executed this Agreement effective as of the day and year first above written.

"GRANTOR":

MORLEY-BENTLEY INVESTMENTS, LLC
A Colorado limited liability company.

By:

GARY L. HALL, its Manager

STATE OF COLORADO)

52.

COUNTY OF EL PASO

The foregoing instrument was acknowledged before me this 14 day of Feb., 2016, by GARY L. HALL, the Manager of Morley-Bentley Investments, LLC, a Colorado limited liability company, on behalf of the company.

My Commission Expires:

History Public

CHRISTINE D. FAIR
Notary Public - Notary Seal
State of Missouri
Commissioned for Jasper County
My Commission Expires: October 18, 2017
Commission Number: 13888614

Christie D. Fair

"DISTRICT":

STERLING RANCH METROPOLITAN DISTRICT NO. 1
A Colorado Special District.

By:

Jim Morley
JIM MORLEY, its President

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


The foregoing instrument was acknowledged before me this 18th day of February, 2016, by JIM MORLEY, President of Sterling Ranch Metropolitan District No. 1.

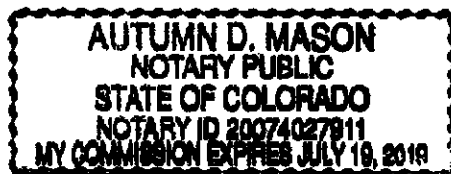
My Commission Expires:

7-19-2019

Notary Public

Notary Public





The undersigned, SR Land, a Colorado limited liability company, in its capacity as an "OWNER" and a "GRANTEE" under the Easement, joins in the making of the foregoing Agreement for the purpose of consenting to the terms thereof as required for the effectiveness of the Agreement pursuant to Section 7 of the Easement.

SR LAND, LLC
A Colorado limited liability company.

By: 

JAMES F. MORLEY, its Manager

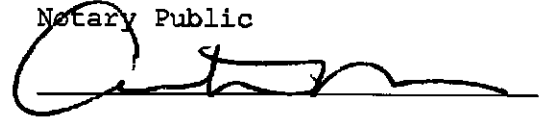
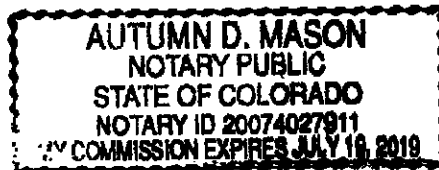
STATE OF COLORADO)
) ss.
COUNTY OF EL PASO)

The foregoing instrument was acknowledged before me this 17th day of February, 2016, by JAMES F. MORLEY, the Manager of SR Land, LLC, a Colorado limited liability company, on behalf of the company.

My Commission Expires:

7-19-2019

Notary Public

The undersigned, Sterling Ranch Capital, LLC, a Colorado limited liability company, joins in the making of the foregoing Agreement for the purpose of consenting to the terms thereof as required for the effectiveness of the Agreement pursuant to Section 7 of the Easement and, as the current beneficiary of that certain deed of trust dated October 31, 2014 given by SR Land, LLC, a Colorado limited liability company, to the Public Trustee of El Paso County for the benefit of the undersigned to secure payment of \$ 15,000,000.00, recorded October 31, 2014 at Reception No. 21400613 in the office of the County Reorder in and for El Paso County, Colorado (together with any amendments thereto, the "SRC Deed of Trust"), hereby subordinates the lien and security interest of the SRC Deed of Trust to the Easement as modified by the Agreement.

STERLING RANCH CAPITAL, LLC
A Delaware limited liability company.

By: Jill M. Johnson
Print Name: Jill M. Johnson
Title: VP of Manager, The Corundum Group, Inc.

STATE OF Colorado
COUNTY OF El Paso ss.

The foregoing instrument was acknowledged before me this 2nd day of March, 2016, by Jill M. Johnson, the VP of Manager of Sterling Ranch Capital, LLC, a Delaware limited liability company, on behalf of the company.

My Commission Expires:

3/13/17

Notary Public

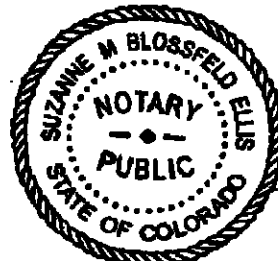
Kimberley A. Long

KIMBERLEY A LONG
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19934003682
MY COMMISSION EXPIRES MARCH 13, 2017

The undersigned, NBH Bank, a Colorado state-chartered bank (formerly known as NBH Bank, N.A.), joins in the making of the foregoing Agreement for the purpose of consenting to the terms thereof as required for the effectiveness of the Agreement pursuant to Section 7 of the Easement and, as the current beneficiary of that certain deed of trust dated March 29, 2006 given by Grantor to the Public Trustee of El Paso County originally for the benefit of Hillcrest Bank, a Kansas bank, to secure payment of \$34,725,000.00, recorded March 29, 2006 at Reception No. 206045412 in the office of the County Reorder in and for El Paso County, Colorado (together with any amendments thereto, the "NBH Deed of Trust"), hereby subordinates the lien and security interest of the NBH Deed of Trust to the Easement as modified by the Agreement.

NBH Bank,
a Colorado state-chartered bank

By: Franklin J. Gardiner
Print Name: Frank J. Gardiner
Title: President Special Assets Group



My Commission Expires 06/29/2016

STATE OF COLORADO)
) ss.
COUNTY OF ARAPAHO

The foregoing instrument was acknowledged before me this 4th day of MARCH, 2016, by Frank Gardiner, the President Special Assets Group of NBH Bank, a Colorado state-chartered bank, on behalf of the bank.

My Commission Expires:

6/29/16

Notary Public

Suzanne M. Blossfeld

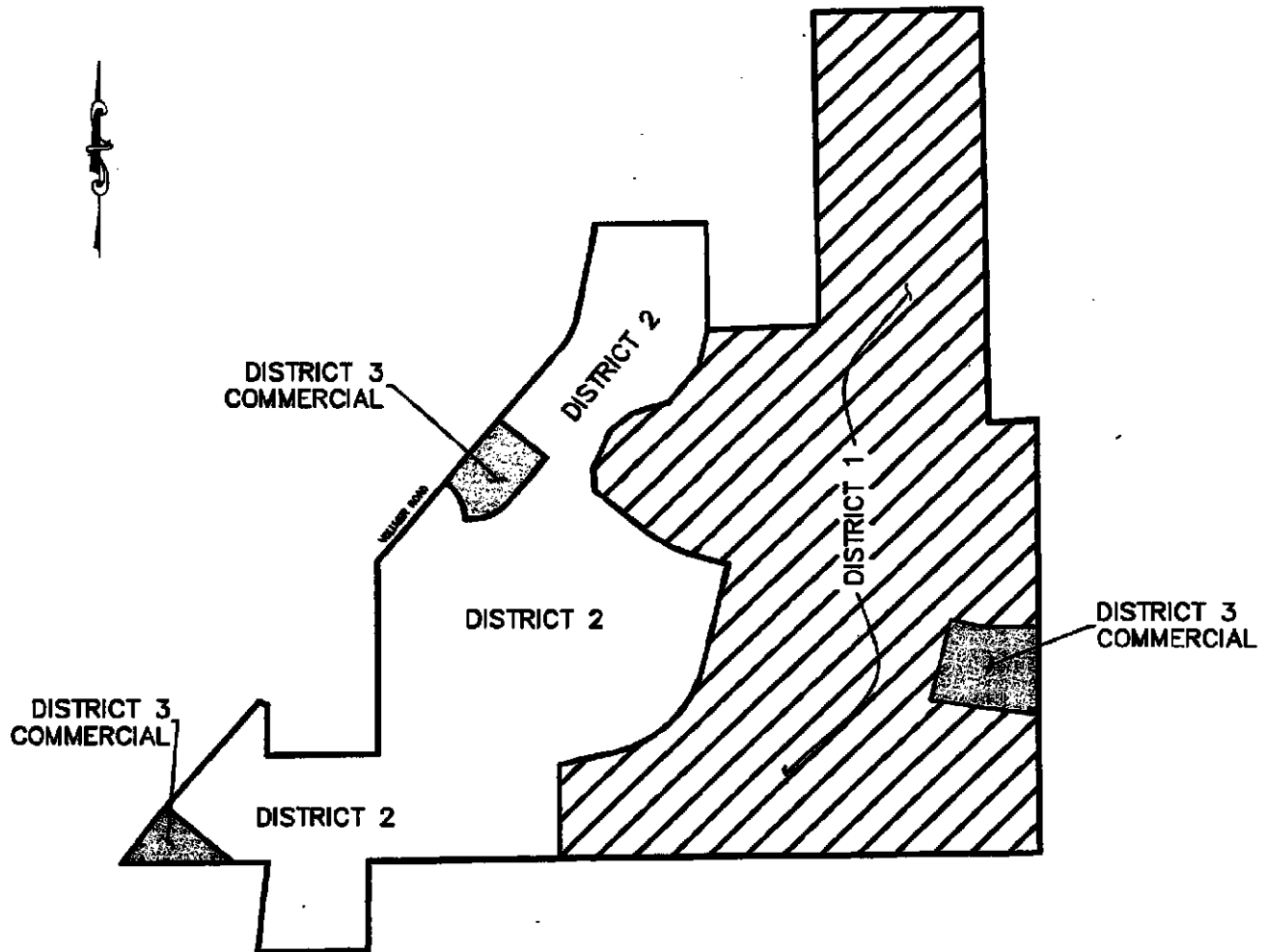
Exhibit A

[See attached Survey and Legal Description of Benefitted Property]

STERLING RANCH DISTRICT

EL PASO COUNTY, COLORADO

EXHIBIT



STERLING RANCH DISTRICT
BOUNDARY EXHIBIT
JOB NO. 09-002
DATE PREPARED: JUNE 30, 2015
DATE REVISED:



20 BOULDER CRESCENT
COLORADO SPRINGS,
COLORADO 80903

v 719.955.5485
c 719-491-0818

SHEET 1 OF 1

**Sterling Ranch
New District No. 1**

**M&S Job No. 09-002
June 30, 2015**

BASIS OF BEARING: Bearings are based on the North line of the Northeast Quarter of Section 27, Township 12 South, Range 65 West of the 6th P.M., monumented at its West end by a 3 ¼" aluminum cap stamped 2006 ESI PLS 10376, and at its East end by a 2 ¼" aluminum cap stamped PLS 4842, the line between them is assumed to bear N89°05'36"E.

The West Half of the West Half of the East Half AND the East Half of the West Half AND the Southwest Quarter of the Southwest Quarter of said Section 27. TOGETHER WITH;

A portion of the Southeast Quarter of the Southeast Quarter of Section 28, 12 South, Range 65 West of the 6th P.M., El Paso County, Colorado described as follows:

Beginning at the Southeast Quarter corner of Section 28; thence S 89°29'10" W along the South line of Southeast Quarter of the Southeast Quarter of said Section 28, a distance of 1213.72; thence N 22°50'05" E, a distance of 65.78 feet; thence N 51°36'34" E, a distance of 338.43 feet; thence N 71°17'55" E, a distance of 460.72 feet; thence N 39°16'45" E, a distance of 571.89 feet; thence N 12°34'31" E, a distance of 477.82 feet to a point on the East line of the Southeast Quarter of the Southeast Quarter of said Section 28; thence S 00°53'15" E along the East line of said Section 28 a distance of 1316.84 feet to the point of beginning, containing 5.772 Acres, more or less. TOGETHER WITH;

Portions of the East half of Section 33, Township 12 South, Range 65 West of the 6th P.M., El Paso County, Colorado, the following two (2) tracts of land, more particularly described as follows:

Beginning at the Southeast corner of said Section 33, thence S 89°12'24" W along the South line of said Section 33, a distance of 1662.49 feet; thence N 00°00'00" E, a distance of 1152.19 feet; thence N 76°19'20" E, a distance of 658.21 feet; thence 1601.47 feet along the arc of a 1460.00 foot radius tangential circular curve to the left, having a central angle of 62°50'52" and a chord that bears N 44°53'55" E, 1522.38 feet; thence N 13°28'29" E, a distance of 51.13 feet to a point on the East line of said Section 33; thence S 01°30'45" W along said East line, a distance of 2413.77 feet to the point of beginning, containing 56.978 Acres, more or less. AND;

Beginning at the Northeast corner of said Section 33, thence S 01°30'45" W along the East line of said Section 33, a distance of 1543.64 feet;
 thence 876.85 feet along the arc of a 1935.00 foot radius non-tangential circular curve to the right, having a central angle of 25°57'49" and a chord that bears N 63°25'07" W, 869.36 feet;
 thence N 50°26'12" W, a distance of 718.32 feet;
 thence N 05°18'13" W, a distance of 254.85 feet;
 thence N 22°50'05" E, a distance of 468.64 feet to a point on the North line of said Section 33;
 thence N 89°29'10" E, along said North line a distance of 1213.72 feet to the point of beginning, containing 36.424 Acres, more or less. TOGETHER WITH;

The West Half of the East Half AND the West Half of Section 34, Township 12 South, Range 65 West of the 6th P.M., El Paso County, Colorado;

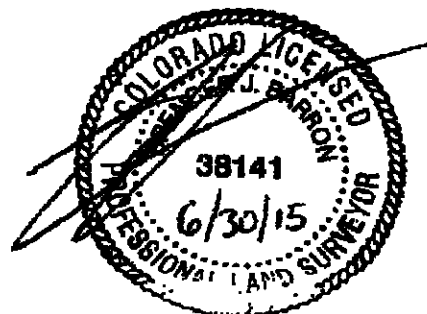
EXCEPTING THEREFROM the following two (2) tracts of land:

Commencing at Northwest Quarter corner of Section 34, thence S 01°30'45" W along the West line of said Section 34, a distance of 1543.64 feet to the point of beginning;
 thence 4.22 feet along the arc of a 935.00 foot radius non-tangential circular curve to the left, having a central angle of 00°07'30" and a chord that bears S 76°27'46" E, 4.22 feet;
 thence S 76°31'31" E, a distance of 267.55 feet;
 thence S 13°28'29" W, a distance of 1282.70 feet to a point on the West line of said Section 34;
 thence N 01°30'45" E along said West line, a distance of 1311.18 feet to the point of beginning, containing 4.001 Acres, more or less. AND;

Commencing at the Southeast corner of the West Half of the Southeast Quarter of said Section 34, thence N 00°13'01" W along the East line of the West Half of the Southeast Quarter of said Section 34, a distance of 1721.93 feet to the point of beginning;
 thence N 00°13'01" W continuing along said East line, a distance of 1095.85 feet;
 thence S 89°59'37" W, a distance of 576.78 feet;
 thence 218.82 feet along the arc of a 930.00 foot radius tangential circular curve to the right, having a central angle of 13°28'52" and a chord that bears N 83°15'57" W, 218.31 feet;
 thence N 76°31'31" W, a distance of 250.00 feet;
 thence S 13°28'29" W, a distance of 1035.83 feet;
 thence S 82°20'46" E, a distance of 1293.75 feet to the point of beginning, containing 27.689 Acres, more or less.

Spencer J. Barron
 Colorado Registered Professional
 Land Surveyor No. 38141

Description prepared by:
 M&S Civil Consultants, Inc.
 20 Boulder Crescent St., 1st Floor
 Colorado Springs, CO 80903



**Sterling Ranch
New District No. 2**

**M&S Job No. 09-002
June 30, 2015**

BASIS OF BEARING: Bearings are based on the North line of the Northeast Quarter of Section 27, Township 12 South, Range 65 West of the 6th P.M., monumented at its West end by a 3 ¼" aluminum cap stamped 2006 ESI PLS 10376, and at its East end by a 2 ¼" aluminum cap stamped PLS 4842, the line between them is assumed to bear N89°05'36"E.

The East Half of the Southeast Quarter AND that portion of the West Half of the Southeast Quarter lying South AND East of the county road known as Vollmer Road, of Section 28;

EXCEPTING THEREFROM the following parcel of land more particularly described as follows:

Beginning at the Southeast Quarter corner of Section 28; thence S 89°29'10" W along the south line of Southeast Quarter of the Southeast Quarter of said Section 28, a distance of 1213.72; thence
thence N 22°50'05" E, a distance of 65.78 feet;
thence N 51°36'34" E, a distance of 338.43 feet;
thence N 71°17'55" E, a distance of 460.72 feet;
thence N 39°16'45" E, a distance of 571.89 feet;
thence N 12°34'31" E, a distance of 477.82 feet to a point on the east line of the Southeast Quarter of the Southeast Quarter;
thence S 00°53'15" E along the east line of said Section 28 a distance of 1316.84 feet to the point of beginning containing 5.772 Acres, more or less. **TOGETHER WITH;**

A portion of the West Half of Section 34, Township 12 South, Range 65 West of the 6th P.M., El Paso County, Colorado described as follows:

Commencing at Northwest Quarter corner of Section 34, thence S 01°30'45" W along the West line of said Section 34, a distance of 1543.64 feet to the point of beginning;
thence 4.22 feet along the arc of a 935.00 foot radius non-tangential circular curve to the left, having a central angle of 00°07'30" and a chord that bears S 76°27'46" E, 4.22 feet;
thence S 76°31'31" E, a distance of 267.55 feet;
thence S 13°28'29" W, a distance of 1282.70 feet to a point on the West line of said Section 34;
thence N 01°30'45" E along said West line, a distance of 1311.18 feet to the point of beginning, containing 4.001 Acres, more or less. **TOGETHER WITH;**

A portion of the Northwest Quarter of Section 4, Township 13 South, Range 65 West of the 6th P.M., El Paso County, Colorado described as follows:

Beginning at the Northwest corner of Pawnee Rancheros Filing No. 2 as recorded in plat Book U-2 at Page 45 of the Records of El Paso County; thence S 00°13'49" W on an assumed bearing to which all others in this description are relative and on the West line of said Filing No. 2, a distance of 1128.15 feet to the Southwest corner thereof;
 thence S 89°17'10" W on the boundary line of the tract of land described in Book 5528 at Page 947 of the said Records, 1321.24 feet to an angle point on said boundary;
 thence N 06°23' 51" E, on the West line of Section 4, a distance of 1132.29 feet to the Northwest corner of said Section 4;
 thence N 89°04'30" E on the North line of said Section 4, a distance of 1199.66 feet to the point of beginning. TOGETHER WITH;

The East Half AND the East Half of the Southwest Quarter AND the Southwest Quarter of the Southwest Quarter of Section 33, AND all that part of the Northwest Quarter of Section 33 lying South and East of the county road known as Vollmer Road, EXCEPT that portion of the Southwest Quarter of the Northwest Quarter of said Section 33 lying South AND East of said county road as deeded to Colorado Interstate Gas Company by warranty deed recorded in Book 1173 at Page 359;

EXCEPTING THEREFROM the following three (3) tracts of land:

Beginning at the Southeast corner of Section 33, thence S 89°12'24" W along the South line of said Section 33, a distance of 1662.49 feet;
 thence N 00°00'00" E, a distance of 1152.19 feet;
 thence N 76°19'20" E, a distance of 658.21 feet;
 thence 1601.47 feet along the arc of a 1460.00 foot radius tangential circular curve to the left, having a central angle of 62°50'52" and a chord that bears N 44°53'55" E, 1522.38 feet;
 thence N 13°28'29" E, a distance of 51.13 feet;
 thence S 01°30'45" W, a distance of 2413.77 feet to the point of beginning containing 56.978 Acres, more or less. AND;

Beginning at the Northeast corner of Section 33, thence S 01°30'45" W along the East line of said Section 33, a distance of 1543.64 feet;
 thence 876.85 feet along the arc of a 1935.00 foot radius non- tangential circular curve to the right, having a central angle of 25°57'49" and a chord that bears N 63°25'07" W, 869.36 feet;
 thence N 50°26'12" W, a distance of 718.32 feet;
 thence N 05°18'13" W, a distance of 254.85 feet;
 thence N 22°50'05" E, a distance of 468.64 feet;
 thence N 89°29'10" E, a distance of 1213.72 feet to the point of beginning containing 36.424 Acres, more or less. AND;

That portion of the South Half of Section 28 and that portion of the North Half of Section 33, Township 12 South, Range 65 West of the 6th P.M., described as follows:

Commencing at the point of intersection of the Easterly line of Vollmer Road with the West line of the East Half of the Northwest Quarter of said Section 33; thence N 39°33'48" E on the Easterly line of Vollmer Road, 1290.81 feet to the point of beginning;

thence S 50°26'12" E, a distance of 28.24 feet;
 thence 494.84 feet along the arc of a 565.00 foot radius tangential circular curve to the right,
 having a central angle of 50°10'52" and a chord that bears S 25°20'46" E, 479.18 feet;
 thence N 89°44'40" E, a distance of 97.13 feet;
 thence 494.84 feet along the arc of a 565.00 foot radius tangential circular curve to the left,
 having a central angle of 50°10'52" and a chord that bears N 64°39'14" W, 479.18 feet;
 thence N 39°33'48" E, a distance of 707.03 feet;
 thence N 50°26'12" W, a distance of 740.00 feet to the Easterly line of Vollmer Road;
 thence S 39°33'48" W on said Easterly line, 1000.00 feet to the point of beginning said
 exception containing 17.941 Acres, more or less. TOGETHER WITH;

The Southeast Quarter of Section 32, Township 12 South, Range 65 West of the 6th p.m., lying
 Southeasterly of the public road known as Vollmer Road, El Paso County, Colorado.

EXCEPTING THEREFROM the following the following two (2) tracts of land:

That portion of the Northeast Quarter of the Southeast Quarter of said Section 32 deeded to J.
 Marcus Brown by trustees' deed recorded in Book 3292 at Page 168; all in Township 12 South,
 Range 65 West of the 6th p.m., El Paso County, Colorado. AND;

That portion of the Southeast Quarter of Section 32, Township 12 South, Range 65 West of the
 6th P.M., El Paso County, Colorado, described as follows:

Commencing at the Southeast corner of said Section 32; thence S 89°12'38" W on the South line
 of Section 32, a distance of 412.10 feet to the point of beginning; thence N 49°38'29" W,
 1055.10 feet; thence on the Easterly line of Vollmer Road the following two (2) courses:

(1) S 40°15'29" W, 172.13 feet;

(2) S 36°15'39" W, 707.24 feet to the South line of Section 32; thence N 89°12'38" E
 on said South line, 1333.66 feet to the point of beginning said exception containing 10.725
 Acres, more or less.

Spencer J. Barron
 Colorado Registered Professional
 Land Surveyor No. 38141

Description prepared by:
 M&S Civil Consultants, Inc.
 20 Boulder Crescent St., 1st Floor
 Colorado Springs, CO 80903



STERLING RANCH
DISTRICT 3 - COMMERCIAL

M&S Job No. 09-002
August 31, 2009

That portion of the Southeast Quarter of Section 32, Township 12 South, Range 65 West of the 6th P.M., El Paso County, Colorado, described as follows:

The basis of bearings is the North line of the Northeast Quarter of Section 27, Township 12 South, Range 65 West of the 6th P.M., monumented at the West end by a 30.00 foot offset witness corner which is a 3 ¼ inch aluminum cap stamped 30 W.C. ¼ S22, S27 T12S R65W, LS 13830, 1991 and a 2 ¼ inch aluminum cap stamped T12S R65W S22, S23, S27, S26, 1999, PLS 4842 at the East end and a line between them is assumed to bear N 89°05'36" E and having a distance of 2661.17 feet, the monuments were recovered in 2005.

Commencing at the Southeast corner of said Section 32; thence S 89°12'38" W on the South Line of Section 32, a distance of 412.10 feet to the point of beginning; thence N 49°38'29" W, 1055.10 feet; thence on the Easterly line of Vollmer Road the following two (2) courses:

(1) S 40°15'39" W, 172.13 feet;

(2) S 36°15'39" W, 707.24 feet to the South line of Section 32; thence N 89°12'38" E on said South line, 1333.66 feet to the point of beginning and containing 10.725 Acres, more or less, ALSO:

That portion of the South Half of Section 28 and that portion of the North Half of Section 33, Township 12 South, Range 65 West of the 6th P.M., described as follows: Commencing at the point of intersection of the Easterly line of Vollmer Road with the West line of the East Half of the Northwest Quarter of said Section 33; thence N 39°33'48" E on the Easterly line of Vollmer Road, 1290.81 feet to the point of beginning; thence S 50°26'12" E, 28.24 feet to a point of curve; thence on the arc of a curve to the right, having a central angle of 50°10'52", a radius of 565.00 feet, an arc distance of 494.84 feet to point on curve; thence N 89°44'40" E, radial to the last mentioned curve, 97.43 feet to a point of curve; thence on the arc of a curve to the left, having a central angle of 50°10'52", a radius of 565.00 feet, an arc distance of 494.84 feet to the point of tangent; thence N 39°33'48" E, 707.03 feet; thence N 50°26'12" W, 740.00 feet to the Easterly line of Vollmer Road; thence S 39°33'48" W on said Easterly line, 1000.00 feet to the point of beginning and containing 17.941 Acres, more or less, ALSO:

That portion of Section 34, Township 12 South, Range 65 West of the 6th P.M. described as follows: Commencing at the Southeast corner of the West Half of the Southeast Quarter of said Section 34; thence N 00°13'01" W on the East line of the West Half of the Southeast Quarter, 1721.93 feet to the point of beginning; thence continue on said line, N 00°13'01" W, 1095.85 feet; thence S 89°59'37" W, 576.78 feet; thence Northwesterly on the arc of a curve to the right, having a central angle of 13°28'52", a radius of 930.00 feet, an arc distance of 218.82 feet to the point of tangent; thence N 76°31'31" W, 250.00 feet; thence S 13°28'29" W, 1035.83 feet; thence S 82°20'46" E, 1293.75

feet to the point of beginning, and containing 27.689 Acres, more or less, the sum of the three parcels is 56.355 Acres, more or less.

Exhibit BTract 1 (Relocated Easement)

A 60 FOOT STRIP OF LAND MEANDERING THROUGH SECTION 27 AND THE WEST HALF OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF EL PASO, STATE OF COLORADO, THE CENTERLINE OF SAID STRIP IS DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., MONUMENTED AT ITS WEST END BY A 3 $\frac{1}{4}$ " ALUMINUM CAP STAMPED "2006 ESI PLS 10376", AND AT ITS EAST END BY A 2 $\frac{1}{4}$ " ALUMINUM CAP STAMPED "PLS 4842", THE LINE BETWEEN THEM IS ASSUMED TO BEAR N89°05'36"E.

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 27; THENCE S88°38'53"W ALONG THE NORTH LINE OF NORTHWEST QUARTER OF SAID SECTION 27, A DISTANCE OF 27.41 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE S01°21'06"E, A DISTANCE OF 320.00 FEET TO A POINT ON THE EASTERLY LINE OF 30.00 FOOT EASEMENT RECORDED UNDER RECEPTION NO. 214021314, RECORDS OF EL PASO COUNTY, COLORADO;

THENCE ON SAID EASTERLY LINE, THE FOLLOWING FOUR (4) COURSES:

- (1) THENCE S00°09'15"E, A DISTANCE OF 3,088.65 FEET TO A POINT OF CURVE;
- (2) THENCE ALONG THE ARC OF A 1530.00 FOOT RADIUS TANGENTIAL CIRCULAR CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 22°01'50" AND AN ARC LENGTH OF 588.29 FEET;
- (3) THENCE S21°52'35"W, A DISTANCE OF 676.58 FEET TO A POINT OF CURVE;
- (4) THENCE ALONG THE ARC OF A 1230.00 FOOT RADIUS TANGENTIAL CIRCULAR CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 55°14'48" AND AN ARC LENGTH OF 1,186.01 FEET;

THENCE S77°09'4S"W, A DISTANCE OF 241.40 FEET; THENCE ALONG THE ARC OF A 770.00 FOOT RADIUS TANGENTIAL CIRCULAR CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 63°41'16" AND AN ARC LENGTH OF 855.90 FEET; THENCE S13°28'29"W, A DISTANCE OF 987.71 FEET, MORE OR LESS TO THE POINT OF TERMINUS, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF BRIARGATE PARKWAY AND BEARS S18°01'21"W, A DISTANCE OF 7,294.93 FEET FROM THE POINT OF BEGINNING, CONTAINING A CALCULATED AREA OF 476,661 SQUARE FEET (10.943 ACRES) OF LAND, MORE OR LESS.

THE SIDE LINES OF SAID STRIP ARE TO BE LENGTHENED OR SHORTENED TO TERMINATE AT THE NORTH LINE OF SAID SECTION 27 AND THE NORTHERLY RIGHT-OF-WAY LINE OF SAID BRIARGATE PARKWAY.

SPENCER J. BARRON
COLORADO REGISTERED PROFESSIONAL LAND
SURVEYOR NO. 38141

DESCRIPTION PREPARED BY:
M&S CIVIL CONSULTANTS, INC.
20 BOULDER CRESCENT, SUITE 110
COLORADO SPRINGS, CO 80903.

Tract 2 (New Easement)

A PARCEL OF LAND LYING WITHIN SECTION 27, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., MONUMENTED AT ITS WEST END BY A 3 $\frac{1}{4}$ " ALUMINUM CAP STAMPED "2006 ESI PLS 10376", AND AT ITS EAST END BY A 2 $\frac{1}{4}$ " ALUMINUM CAP STAMPED "PLS 4842", THE LINE BETWEEN THEM IS ASSUMED TO BEAR N89°05'36"E.

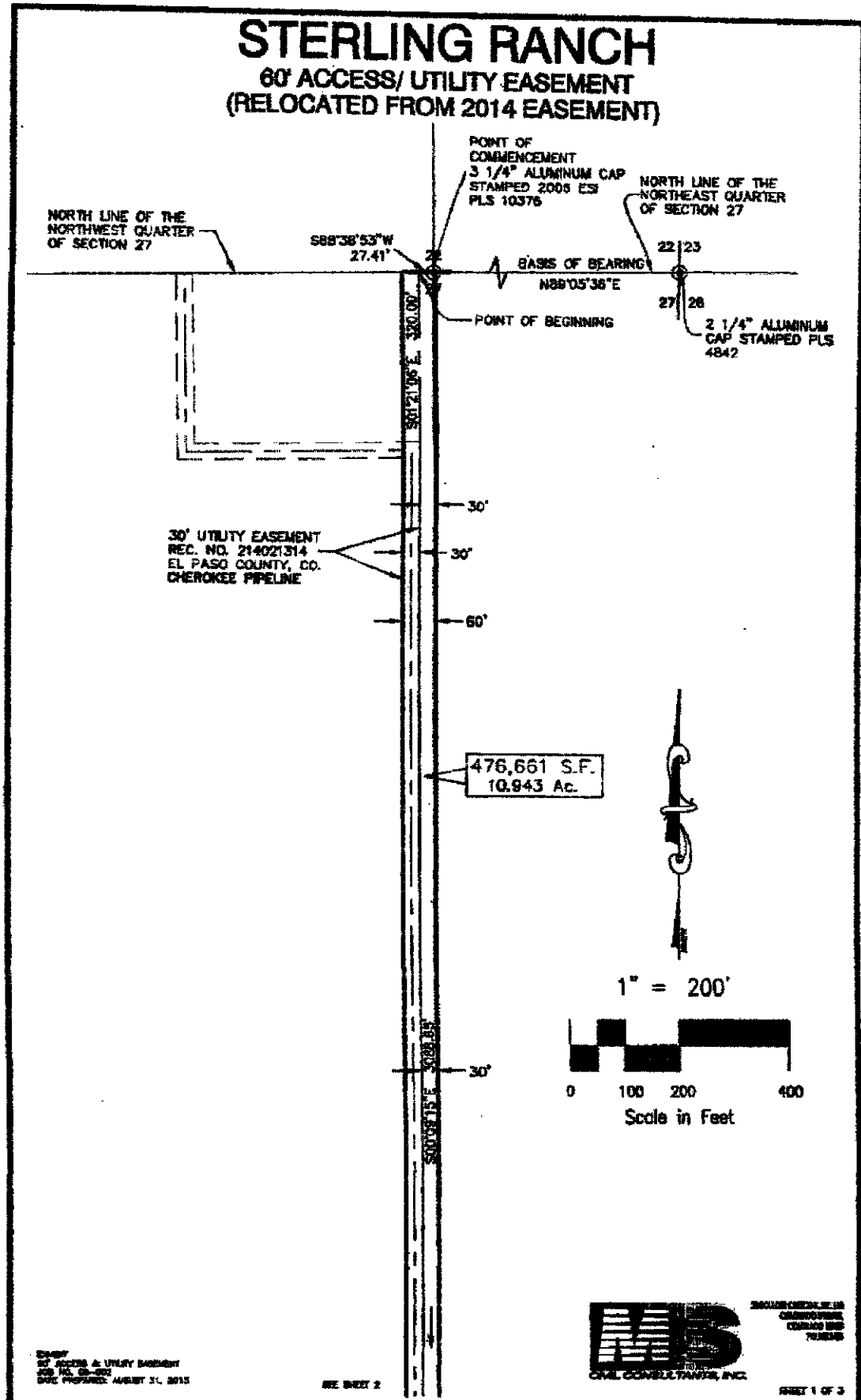
COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 27; THENCE $\text{S}04^{\circ}37'26''\text{W}$ A DISTANCE OF 5239.45 FEET TO A POINT ON A CURVE THAT IS 30.00 FEET EASTERLY OF THE EASTERLY LINE OF A 30.00 FOOT UTILITY EASEMENT REC. NO. 214021314, EL PASO COUNTY, COLORADO, ALSO BEING A POINT ON A LINE THAT IS 60.00 FEET NORTHERLY OF THE SOUTH LINE OF SAID SECTION 27, ALSO BEING THE POINT OF BEGINNING;

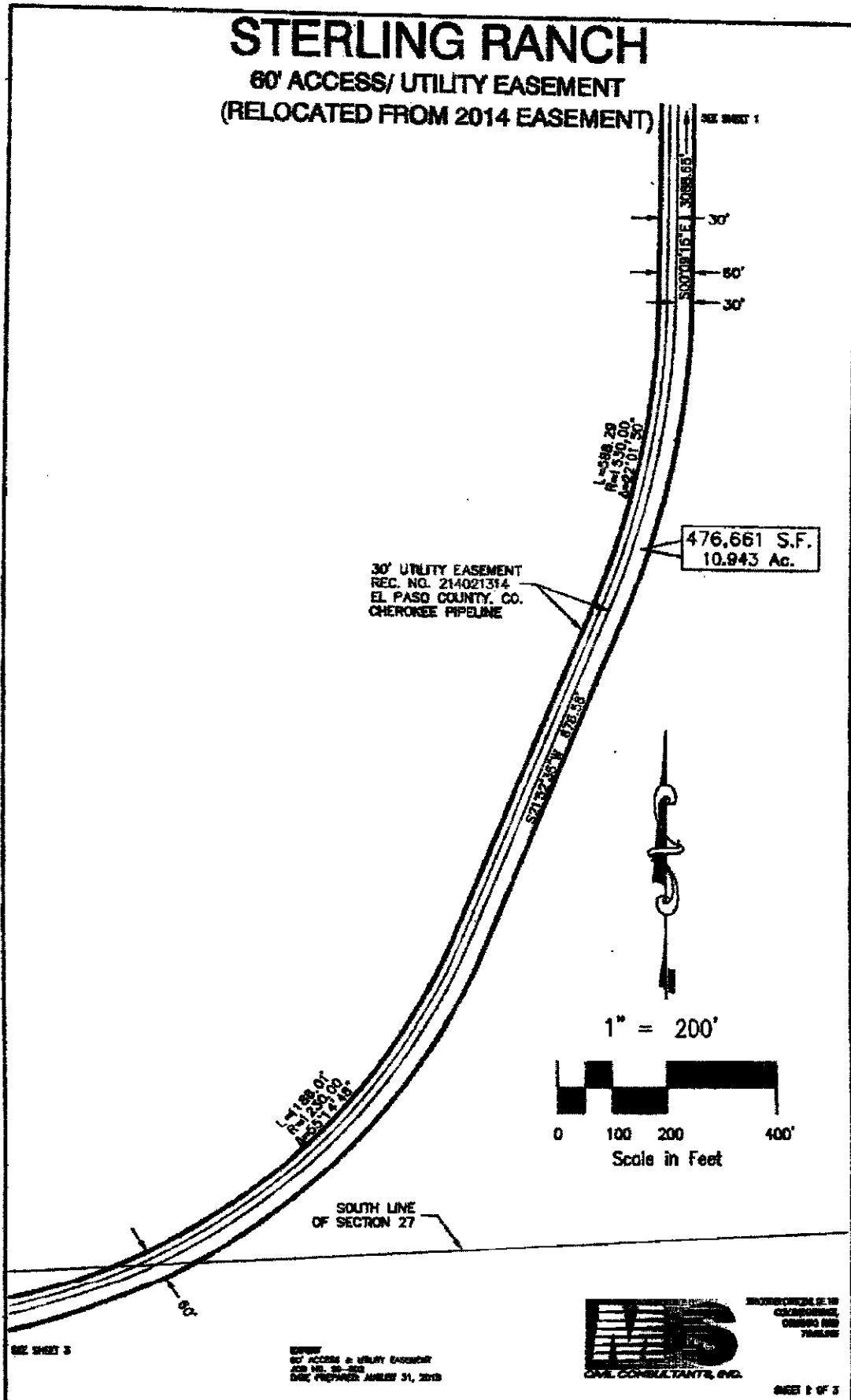
THENCE N87°09'09"E ON SAID LINE THAT IS 60.00 FEET NORTHERLY OF THE SOUTH LINE OF SAID SECTION 27, A DISTANCE OF 1544.82 FEET TO A POINT ON THE WESTERLY LINE OF INDIAN WELLS SUBDIVISION FILING NO. 1 AS RECORDED IN BOOK J-3, PAGE 83 RECORDS OF EL PASO COUNTY, COLORADO; THENCE $\text{S}01^{\circ}01'59''\text{E}$, ON SAID WESTERLY LINE, A DISTANCE OF 60.03 FEET TO A POINT ON SAID SOUTH LINE OF SECTION 27; THENCE $\text{S}87^{\circ}09'09''\text{W}$, ON SAID SOUTH LINE OF SECTION 27, A DISTANCE OF 1647.89 FEET TO A POINT ON CURVE, ALSO BEING A POINT ON SAID CURVE THAT IS 30.00 FEET EASTERLY OF THE EASTERLY LINE OF SAID 30.00 FOOT UTILITY EASEMENT; THENCE ON THE ARC OF 1260.00 FOOT RADIUS TANGENTIAL CIRCULAR CURVE TO THE LEFT, WHOSE CENTER BEARS $\text{N}29^{\circ}53'24''\text{W}$, HAVING A CENTRAL ANGLE OF $05^{\circ}29'38''$ AND AN ARC LENGTH OF 120.82 FEET TO THE POINT OF BEGINNING, CONTAINING A CALCULATED AREA OF 95,665 SQUARE FEET (2.196 ACRES) OF LAND, MORE OR LESS.

SPENCER J. BARRON
COLORADO REGISTERED PROFESSIONAL LAND
SURVEYOR NO. 38141

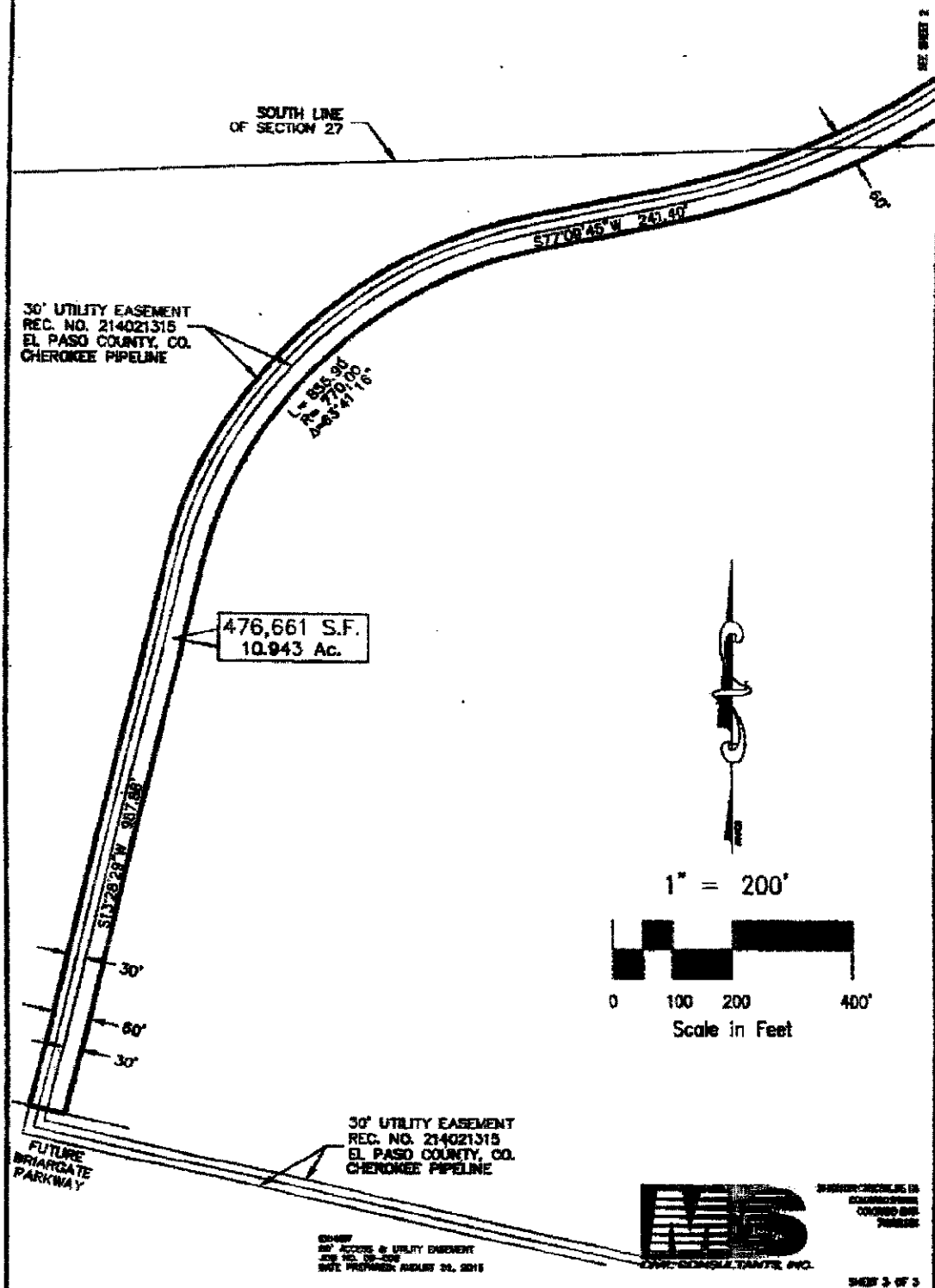
DESCRIPTION PREPARED BY:
M&S CIVIL CONSULTANTS, INC.
20 BOULDER CRESCENT, SUITE 110
COLORADO SPRINGS, CO 80903

et 1





STERLING RANCH
60' ACCESS/ UTILITY EASEMENT
(RELOCATED FROM 2014 EASEMENT)



RET A

