

OLIVER E. WATTS PE-LS

OLIVER E. WATTS, CONSULTING ENGINEER, INC.
CIVIL ENGINEERING AND SURVEYING
614 ELKTON DRIVE
COLORADO SPRINGS, COLORADO 80907
(719) 593-0173
FAX (719) 265-9660
CELL (719) 964-0733
olliewatts@aol.com

Celebrating over 42 years in business

MINERAL RIGHTS SEARCH CERTIFICATION

Date: January 17, 2022

Job No.: 21-56699

Clients: Powroy Family Living Trust and Jay D. Stoner and Michale Stoner

Addresses: 2295 Old Ranch Road, and 10245 Otero Avenue Colorado Springs, CO 80920

Legal Description:

Lot 7, Powroy Family Living Trust:

PARCEL A:

LOT 7, BLOCK E, SPRING CREST AMENDED FILING, TOGETHER WITH THE ADJACENT 20 FEET OF VACATED OTERO AVENUE, COUNTY OF EL PASO, STATE OF COLORADO

PARCEL B:

A NON-EXCLUSIVE EASEMENT RIGHT OF INGRESS AND EGRESS AS GRANTED IN QUIT CLAIM DEED RECORDED SEPTEMBER 8, 2003 UNDER RECEPTION NO. [203209403](#), COUNTY OF EL PASO, STATE OF COLORADO

Lot 8, Jay D. Stoner and Michale Stoner

LOT 8, EXCEPT THAT PORTION LYING NORTHERLY OF A TRACT OF LAND CONVEYED BY DEED RECORDED APRIL 25, 1969 IN BOOK 2288 AT PAGE [416](#), IN BLOCK E, IN AMENDED FILING OF SPRING CREST, TOGETHER WITH THE EAST 20 FEET OF VACATED OTERO AVENUE ADJACENT, VACATED BY RESOLUTION RECORDED FEBRUARY 15, 1972 IN BOOK 2467 AT PAGE [843](#), COUNTY OF EL PASO, STATE OF COLORADO

I, Erik S. Watts have researched the records of the El Paso County Clerk and Recorders Office and established that there were NO mineral rights owner(s) on the subject property. This is based on the title commitments, provided by the client as follows:

Lot 7

Title Company: Old Republic National Title Insurance Company

Order Number: RND55099487

Effective date: 08/25/2021 at 5:00 P.M.

Lot 8

Title Company: Old Republic National Title Insurance Company

Order Number: SCB55097176

Effective date: 06/02/2021 at 5:00 P.M.

Said Title Commitments did NOT identify any Mineral Estate Owners for the site(s)

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule A

Order Number: RND55099487

Property Address:

2295 OLD RANCH ROAD, COLORADO SPRINGS, CO 80908

1. Effective Date:

08/25/2021 at 5:00 P.M.

2. Policy to be Issued and Proposed Insured:

"TBD" Commitment

\$5,000.00

Proposed Insured:

A BUYER TO BE DETERMINED

3. The estate or interest in the land described or referred to in this Commitment and covered herein is:

A FEE SIMPLE AS TO PARCEL A AND AN EASEMENT INTEREST AS TO PARCEL B

4. Title to the estate or interest covered herein is at the effective date hereof vested in:

THE POWROY FAMILY LIVING TRUST, U/A DATED DECEMBER 20, 2018

5. The Land referred to in this Commitment is described as follows:

PARCEL A:

LOT 7, BLOCK E, SPRING CREST AMENDED FILING,
TOGETHER WITH THE ADJACENT 20 FEET OF VACATED OTERO AVENUE,

COUNTY OF EL PASO, STATE OF COLORADO

PARCEL B:

A NON-EXCLUSIVE EASEMENT RIGHT OF INGRESS AND EGRESS AS GRANTED IN QUIT CLAIM DEED
RECORDED SEPTEMBER 8, 2003 UNDER RECEPTION NO. [203209403](#),

COUNTY OF EL PASO, STATE OF COLORADO

Copyright 2006-2021 American Land Title Association. All rights reserved.

The use of this Form is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

AMERICAN
LAND TITLE
ASSOCIATION



ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule B, Part II

(Exceptions)

Order Number: RND55099487

This commitment does not republish any covenants, condition, restriction, or limitation contained in any document referred to in this commitment to the extent that the specific covenant, conditions, restriction, or limitation violates state or federal law based on race, color, religion, sex, sexual orientation, gender identity, handicap, familial status, or national origin.

- 1. Any facts, rights, interests, or claims thereof, not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.**
- 2. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.**
- 3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.**
- 4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.**
- 5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date of the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.**
- 6. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.**
- 7. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water.**
- 8. EXISTING LEASES AND TENANCIES.**
- 9. ANY RIGHTS OR INTERESTS OF THIRD PARTIES WHICH EXIST OR ARE CLAIMED TO EXIST IN AND OVER THE PRESENT AND PAST BED, BANKS OR WATERS OF KETTLE CREEK.**
- 10. ANY INCREASE OR DECREASE IN THE AREA OF THE LAND AND ANY ADVERSE CLAIM TO ANY PORTION OF THE LAND WHICH HAS BEEN CREATED BY OR CAUSED BY ACCRETION OR RELICTION, WHETHER NATURAL OR ARTIFICIAL; AND THE EFFECT OF THE GAIN OR LOSS OF AREA BY ACCRETION OR RELICTION UPON THE MARKETABILITY OF THE TITLE OF THE LAND.**
- 11. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF AMENDED FILING OF SPRING CREST RECORDED DECEMBER 07, 1959 IN BOOK B2 AT PAGE [20](#).**
- 12. ANY AND ALL EASEMENT RIGHTS, WATER RIGHTS AND WELLS AS SET FORTH IN DEEDS RECORDED NOVEMBER 6, 1963 IN BOOK 1984 AT PAGES [365](#) AND [366](#).**
- 13. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN PERMANENT EASEMENT RECORDED JUNE 08, 1988 IN BOOK 5517 AT PAGE [37](#).**
- 14. TERMS, CONDITIONS, AND PROVISIONS CONTAINED IN LETTER/AGREEMENT RECORDED MARCH 28, 1986, IN BOOK 5146 AT PAGE [1058](#).**

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part II
(Exceptions)

Order Number: RND55099487

15. TERMS, CONDITIONS, PROVISIONS, RESERVATIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN AGREEMENT RECORDED JANUARY 11, 1994 IN BOOK 6357 AT PAGE [1222](#).
16. TERMS, CONDITIONS, PROVISIONS, RESERVATIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN GRANT OF EASEMENT RECORDED JANUARY 11, 1994 IN BOOK 6357 AT PAGE [1225](#).
17. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN QUIT CLAIM DEED RECORDED SEPTEMBER 08, 2003 UNDER RECEPTION NO. [203209403](#).
18. TERMS, CONDITIONS, PROVISIONS, BENEFITS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN GRAZING EASEMENT AGREEMENT RECORDED AUGUST 22, 2012 UNDER RECEPTION NO. [212097475](#).

AMENDMENT TO GRAZING EASEMENT AGREEMENT RECORDED DECEMBER 19, 2013 UNDER RECEPTION NO. [213149561](#).

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule A

Order Number: SCB55097176

Property Address:

10245 OTERO AVENUE, COLORADO SPRINGS, CO 80920

1. Effective Date:

06/02/2021 at 5:00 P.M.

2. Policy to be issued and Proposed Insured:

"ALTA" Owner's Policy 06-17-06

\$485,000.00

Proposed Insured:

JAY D. STONER AND MICHAEL STONER

3. The estate or interest in the land described or referred to in this Commitment and covered herein is:

A FEE SIMPLE

4. Title to the estate or interest covered herein is at the effective date hereof vested in:

THE HUNSINGER FAMILY PARTNERSHIP LLLP, A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP

5. The Land referred to in this Commitment is described as follows:

LOT 8, EXCEPT THAT PORTION LYING NORTHERLY OF A TRACT OF LAND CONVEYED BY DEED RECORDED APRIL 25, 1969 IN BOOK 2288 AT PAGE 416, IN BLOCK E, IN AMENDED FILING OF SPRING CREST, TOGETHER WITH THE EAST 20 FEET OF VACATED OTERO AVENUE ADJACENT, VACATED BY RESOLUTION RECORDED FEBRUARY 15, 1972 IN BOOK 2467 AT PAGE 843, COUNTY OF EL PASO, STATE OF COLORADO.

Copyright 2006-2021 American Land Title Association. All rights reserved.

The use of this Form is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

AMERICAN
LAND TITLE
ASSOCIATION



ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule B, Part II

(Exceptions)

Order Number: SCB55097176

This commitment does not republish any covenants, condition, restriction, or limitation contained in any document referred to in this commitment to the extent that the specific covenant, conditions, restriction, or limitation violates state or federal law based on race, color, religion, sex, sexual orientation, gender identity, handicap, familial status, or national origin.

1. Any facts, rights, interests, or claims thereof, not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
2. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date of the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
6. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
7. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water.
8. EXISTING LEASES AND TENANCIES.
9. ANY RIGHTS OR INTERESTS OF THIRD PARTIES WHICH EXIST OR ARE CLAIMED TO EXIST IN AND OVER THE PRESENT AND PAST BED, BANKS OR WATERS OF KETTLE CREEK.
10. ANY INCREASE OR DECREASE IN THE AREA OF THE LAND AND ANY ADVERSE CLAIM TO ANY PORTION OF THE LAND WHICH HAS BEEN CREATED BY OR CAUSED BY ACCRETION OR RELICTION, WHETHER NATURAL OR ARTIFICIAL; AND THE EFFECT OF THE GAIN OR LOSS OF AREA BY ACCRETION OR RELICTION UPON THE MARKETABILITY OF THE TITLE OF THE LAND.
11. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF AMENDED FILING OF SPRING CREST RECORDED DECEMBER 07, 1959 IN BOOK B2 AT PAGE [20](#).
12. ANY AND ALL EASEMENT RIGHTS, WATER RIGHTS AND WELLS AS SET FORTH IN DEEDS RECORDED NOVEMBER 6, 1963 IN BOOK 1984 AT PAGES [365](#) AND [366](#).
13. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN PERMANENT EASEMENT RECORDED JUNE 08, 1988 IN BOOK 5517 AT PAGE [37](#).
14. TERMS, CONDITIONS, AND PROVISIONS CONTAINED IN LETTER/AGREEMENT RECORDED MARCH 28, 1986, IN BOOK 5146 AT PAGE [1058](#).

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part II
(Exceptions)

Order Number: SCB55097176

15. TERMS, CONDITIONS, PROVISIONS, RESERVATIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN AGREEMENT RECORDED JANUARY 11, 1994 IN BOOK 6357 AT PAGE [1222](#).
16. TERMS, CONDITIONS, PROVISIONS, RESERVATIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN GRANT OF EASEMENT RECORDED JANUARY 11, 1994 IN BOOK 6357 AT PAGE [1225](#).
17. TERMS, CONDITIONS, PROVISIONS, BENEFITS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN GRAZING EASEMENT AGREEMENT RECORDED AUGUST 22, 2012 UNDER RECEPTION NO. [212097475](#) AND AMENDMENT TO GRAZING EASEMENT AGREEMENT RECORDED DECEMBER 19, 2013 UNDER RECEPTION NO. [213149561](#).