



LTIC / Commercial Lender and Search Services
 5600 Cox Road
 Glen Allen, VA 23060
 Toll-free dial: (866) 552.0129
 Facsimile machine: (866) 463.1124

**REPORT OF TITLE
 LAWYERS TITLE INSURANCE CORPORATION**

For the benefit of: **TowerCo, Inc.**

Re: 15620 Highway 94 - Colorado Springs, CO 80929
 LAWYERS TITLE INSURANCE CORPORATION File No. **11379561**
 Customer Reference No. CO2010

Issue Date: 09/09/2008

Scope of Search: Beginning 03/19/1981 and extending through 08/26/2008

Vested Owner (as described in last deed of record):
 Karen Williams Dring

Search disclosed the following:

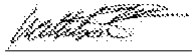
1. Taxes
 - Calendar year: 2007
 - Amount: \$2,552.46 annually
 - Parcel ID #: 44100-00-114
 - Paid through: 2007
 - Assessment: \$40,630.00 (total = land and improvements, if any)

2. Notice:
 - By: El Paso County Planning Department
 - Dated: 11/14/2003
 - Recorded on: 11/25/2003
 - Recorded in: Instrument No. 203276545

 It is extremely difficult, if not impossible, to determine the extent of damage which could arise from errors or omissions in the information set forth in this Report of Title. LAWYERS TITLE INSURANCE CORPORATION would not issue this document, but for your agreement, as part of the consideration given for this document, that with the exception of intentional acts or negligence resulting in errors and omissions which shall not be subject to this limitation, LAWYERS TITLE INSURANCE CORPORATION's liability is limited to \$2,500.00, and that any such liability is predicated upon the payment of LAWYERS TITLE INSURANCE CORPORATION's invoice for this Report of Title, and that is limited in your favor.

No third party is permitted to rely upon the information set forth in this Report of Title, and no liability to any third party is undertaken by LAWYERS TITLE INSURANCE CORPORATION. This Report of Title is limited in scope and is not a title opinion, preliminary title report, or commitment to issue title insurance. No title insurance is undertaken.

LAWYERS TITLE INSURANCE CORPORATION

By: 
 Authorized Signatory

3. Memorandum of Agreement:
Dated: 10/10/2003
Landlord: Karen Williams Dring, as Landlord/Lessor
Tenant: Nextel West Corp., a Delaware corporation, d/b/a Nextel Communications, as
Tenant/Lessee
Recorded on: 12/29/2003
Recorded in: Instrument No. 203294667
4. Grant of Right of Way:
In favor of: Mountain View Electric Association, Inc., a Colorado corporation
Recorded on: 07/19/2004
Recorded in: Instrument No. 204120468
5. Notice:
By: Nextel West Corp., d/b/a Nextel Communications LLC
Dated: 07/27/2007
Recorded on: 07/30/2004
Recorded in: Instrument No. 204128823
6. Notice:
By: El Paso County Development Services
Dated: 01/19/2006
Recorded on: 01/26/2006
Recorded in: Instrument No. 206012056

Judgment(s): NONE of record

DEED CHAIN

- A. Type of Deed: Warranty Deed
From: Carroll Loflin and Roy A. Johnson
To: James E. Lewis and Evelyn M. Lewis
Dated: 02/05/1981
Recorded on: 03/19/1981
Recorded in: Deed Book 3415, Page 24

- B. Type of Deed: Quit-Claim Deed
From: Evelyn M. Lewis
To: James E. Lewis
Dated: 02/09/1981
Recorded on: 03/19/1981
Recorded in: Deed Book 3415, Page 25

- C. Type of Deed: Warranty Deed
From: James E. Lewis
To: Harlow Incorporated, a Colorado corporation
Dated: 06/03/1985
Recorded on: 06/05/1985
Recorded in: Deed Book 5018, Page 0366

- D. Type of Deed: General Warranty Deed
From: Harlow, Inc., a Colorado corporation
To: Carlos D. Harlow and Shirle F. Harlow
Dated: 02/28/1992
Recorded on: 03/13/1992
Recorded in: Deed Book 5947, Page 243
Re-recorded on: 04/07/1992
Re-recorded in: Deed Book 5959, Page 3

- E. Type of Deed: Warranty Deed
From: Carlos D. Harlow and Shirle F. Harlow
To: Karen Williams Dring
Dated: 12/23/1996
Recorded on: 12/26/1996
Recorded in: Instrument No. 096157930

Legal Description
File No. 11379561

LEGAL DESCRIPTION

Property located in El Paso, CO

Part of the South half of the Southeast Quarter of Section 10, Township 14 South, Range 64 West of the 6th P.M., El Paso County, Colorado described as follows:

Beginning at the Southwest corner of said Southeast Quarter; thence North 0 degrees 28 minutes 52 seconds West, along the Westerly line of said Southeast Quarter, 54.39 feet to the Northerly right of way line of State Highway No. 94; thence South 89 degrees 46 minutes 16 seconds East, along said Northerly right of way line of State Highway No. 94, 1870.70 feet to the true point of beginning; thence continue South 89 degrees 46 minutes 16 seconds East, along said Northerly right of way line, 377.00 feet; thence North 0 degrees 37 minutes 50 seconds West, 550.00 feet; thence North 89 degrees 46 minutes 16 seconds West, and parallel to aforementioned Northerly right of way line of State Highway No. 94, 377.00 feet; thence South 0 degrees 37 minutes 50 seconds East, 550.00 feet to the true point of beginning, El Paso County, Colorado, (Basis for Bearing: Southerly line of the Southeast Quarter, Section 10, Township 14 South, Range 64 West of the 6th P.M., El Paso County, Colorado, assumed North 90 degrees East.) Except a tract or parcel of Land No. 3 of the State Department of Highways, Division of Highways, State of Colorado, Project No. R-AD 0094 (1) containing 0.020 acres, more or less, in the South ½ of the Southeast ¼ of Section 10, Township 14 South, Range 64 West of the Sixth Principal Meridian, in El Paso County Colorado, said tract of parcel being more particularly described as follows: Beginning at a point on the Easterly line of that tract of land described in Book 3415 at Page 25 of the records filed in El Paso County, Colorado, Clerk and Recorder's Office, from which the Northeast corner of Section 10 (found ½ iron pipe), Township 14 South, Range 64 West, of the 6th P.M., bears North 03 degrees 33 minutes 15 seconds East, a distance of 5200.6 feet; (1) thence along said Easterly line South 00 degrees 29 minutes 00 seconds East (South 00 degrees 37 minutes 50 seconds East - Deed Bearing), a distance of 30.0 feet, to a point on the Northerly right of way line of State Highway 94 as described in Book 910 at Page 484 of said El Paso County Records; (2) thence along said Northerly right of way line North 89 degrees 51 minutes 15 seconds West (North 89 degrees 57 minutes West - Deed Bearing), a distance of 58.1 feet; (3) thence North 62 degrees 41 minutes 15 seconds East, a distance of 65.1 feet, more or less, to the point of beginning.

Basis of Bearing: All Bearings referenced to line connecting Brass Cap Markers found at the Southwest corner and the Northwest corner of Section 26, Township 14 South, Range 64 West, of the 6th P.M., bearing North 00 degrees 25 minutes 30 seconds West.

Tax Parcel No. 44100-00-114

Title for record the... A.P. No. ARDIS W. SCHMIDT... El Paso County Clerk & Recorder... RECORDED

Warranty Deed

(STATUTORY FORM)

20

E-6681
#1934

Know all Men by these Presents, That CARROLL LOFLIN
and ROY A. JOHNSON
of the County of El Paso and State of Colorado, for the
consideration of One Dollar and other good and valuable considerations, in hand paid, hereby sell
and convey to JAMES E. LEWIS and EVELYN M. LEWIS
15620 Highway #94, Colorado Springs, Colorado 80908
of the County of El Paso and State of Colorado the
following Real Property situate in the County of El Paso and State of
Colorado, to-wit:

Part of the South half of the Southeast quarter of Section 10, Township 14 South, Range 64 West of the 6th P.M., in El Paso County, Colorado described as follows: Beginning at the Southwest corner of said Southeast quarter; thence N 0° 28' 52" W, along the Westerly line of said Southeast quarter, 54.39 feet to the Northerly right-of-way line of State Highway No. 94; thence S 89° 46' 16" East, along said Northerly right-of-way line of State Highway No. 94, 1870.70 feet to the true point of beginning; thence continue S 89° 46' 16" E, along said Northerly right-of-way line, 377.00 feet; thence N 0° 37' 50" W, 550.00 feet; thence N 89° 06' 16" W, and parallel, to aforementioned Northerly right-of-way line of State Highway No. 94, 377.00 feet thence S 0° 37' 50" E, 550.00 feet to the true point of beginning, El Paso County, Colorado.

(Basis for Bearing: Southerly line of the Southeast quarter, Section 10, Township 14 South, Range 64 West of the 6th P.M., El Paso County, Colorado, assumed North 90° East.)

with all its appurtenances and warrant the title to the same, subject to restrictions, reservations and easements of record.

S.600
D.F.

Signed and delivered this 5th day of February, 1981

STATE DOCUMENTARY

MAR 19 1981

FREE \$ 1.60

Carroll Loflin
Carroll Loflin
Roy A. Johnson
Roy A. Johnson

STATE OF Colorado

County of El Paso

STATUTORY ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me
this 5th day of February, 1981
by Carroll Loflin and Roy A. Johnson

Witness my hand and official seal
My commission expires April 18, 1982

Robert H. Anderson
NOTARY PUBLIC

STATE OF _____

County of _____

The foregoing instrument was acknowledged before me

this _____ day of _____, 19____

by _____ as _____ President

and _____ as _____ Secretary of

_____ a corporation.

Witness my hand and official seal

My commission expires _____

NOTARY PUBLIC

If Joint Tenancy required, add other grantors
Witness in Joint Tenancy

Know all Men by these Presents, ARDIS W. SCHMITZ, LEWIS, Notary Public in and for the County of El Paso, State of Colorado

E-6681 #1934

of the County of El Paso and State of Colorado for the consideration of TEN and 00/100 (\$10.00) and other valuable consideration _____ Dollars

in hand paid, hereby sell and quit-claim to JAMES E. LEWIS
15620 Highway #94, Colorado Springs.

of the County of El Paso and the State of Colorado 80909 the following real property, situate in the County of El Paso and State of Colorado, to-wit:

no doc fee

Part of the South half of the Southeast quarter of Section 10, Township 14 South, Range 64 West of the 6th P.M., in El Paso County, Colorado described as follows: Beginning at the Southwest corner of said Southeast quarter; thence N 0° 28' 52" W, along the Westerly line of said Southeast quarter, 54.39 feet to the Northerly right-of-way line of State Highway No. 94; thence S 89° 46' 16" East along said Northerly right-of-way line of State Highway No. 94, 1870.70 feet to the true point of beginning; thence continue S 89° 46' 16" E, along said Northerly right-of-way line, 377.00 feet; thence N 0° 37' 50" W, 550.00 feet; thence N 89° 46' 16" W, and parallel to aforementioned Northerly right-of-way line of State Highway No. 94, 377.00 feet thence S 0° 37' 50" E, 550.00 feet to the true point of beginning, El Paso County, Colorado

(Basis for Bearing: Southerly line of the Southeast quarter, Section 10, Township 14 South, Range 64 West of the 6th P.M., El Paso County, Colorado, assumed North 90° East.)

Grantee's address: 15620 Highway #94
Colorado Springs, CO 80909

STATE DOCUMENTARY

MAR 19 1981

FEE \$ None

with all its appurtenances.

Signed and delivered this 9th day of February, A. D. 1981.

In the Presence of

Evelyn M. Lewis
Evelyn M. Lewis

STATE OF COLORADO

County of El Paso

This foregoing instrument was acknowledged before me this 9th day of February, 1981, by Evelyn M. Lewis

Notary Public and Official seal
Notary Public
October 16, 1983

[Signature]
Notary Public

Filed for record the 01258861 day of June 1985

1985 JUN -5 PM 2:33

No. _____ ARDIS W. SCHMITZ RECORDER

Warranty Deed

KNOW ALL MEN BY THESE PRESENTS, That JAMES E. LEWIS
 of the County of EL PASO and State of COLORADO for the
 consideration of ONE HUNDRED NINETY THOUSAND DOLLARS AND NO/100
 (\$ 190,000.00) dollars in hand paid hereby sell and convey to
HARLOW INCORPORATED, A COLORADO CORPORATION
 whose legal address is (including road or street address if applicable)
750 Citadel Drive East, Suite 2296, Colorado Springs, Colo. 80909
 the following Real Property situated in the County of EL PASO
 and State of Colorado, to wit:

See attached Schedule A

E-19454
6522
DF \$19.00

STATE DOCUMENTARY

JUN 5 1985
FEE \$ 19.00

with all its appurtenances and want(s) the title to the same, subject to easements, restrictions, reservations, rights of way of record, if any, covenants of record, if any, 1985 taxes and subsequent years.

Signed and delivered this 3rd day of June 1985

James E. Lewis
James E. Lewis

STATE OF Colorado }
 County of El Paso } SS The foregoing instrument was acknowledged before me
 this 3rd day of June 1985
 by James E. Lewis

Hand and official seal
 expires 12-9-86
 80989

Ardis W. Schmitz
 NOTARY PUBLIC

SS The foregoing instrument was acknowledged before me
 this _____ day of _____ 19____
 by _____ as _____ President
 and _____ as _____ Secretary of
 a corporation.

Witness my hand and official seal.
My commission expires _____

NOTARY PUBLIC
* IF JOINT TENANCY IS NOT DESIRED,
STRIKE PHRASE BETWEEN ASTERISKS.

EXHIBIT "A"

Part of the South half of the Southeast quarter of Section 10, Township 14 South, Range 64 West of the 6th P.M., in El Paso County, Colorado described as follows:

Beginning at the Southwest corner of said Southeast quarter; thence N 0° 28'52" W, along the Westerly line of said Southeast quarter, 54.39 feet to the Northerly right of way line of State Highway No. 94; thence S 89°46'16" E, along said Northerly right of way line of State Highway No. 94, 1870.70 feet to the true point of beginning; thence continue S 89°46'16" E, along said Northerly right of way line, 377.00 feet; thence N 0°37'50" W, 550.00 feet; thence N 89°46'16" W, and parallel to aforementioned Northerly right of way line of State Highway No. 94, 377.00 feet; thence S 0°37'50" E, 550.00 feet to the true point of beginning, El Paso County, Colorado. (Basis for Bearing: Southerly line of the Southeast quarter, Section 10, Township 14 South, Range 64 West of the 6th P.M., El Paso County, Colorado, assumed North 90° East.)

E 19454

EXCEPT a tract or parcel of land No. 3 of the State Department of Highways, Division of Highways, State of Colorado, Project No. R-AD 0094(1) containing 0.020 acres, more or less, in the S ½ of the SE ¼ of Section 10, Township 14 South, Range 64 West of the Sixth Principal Meridian, in El Paso County, Colorado, said tract or parcel being more particularly described as follows: Beginning at a point on the Easterly line of that tract of land described in Book 3415 at Page 25 of the records filed in El Paso County, Colorado, Clerk and Recorder's Office, from which the NE corner of Section 10 (found ½ inch iron pipe), T. 14 S., R. 64 W., of the 6th P.M. bears N 03°33'15" E, a distance of 5,200.6 feet; (1) thence along said easterly line S 00° 29'00" E (S 00°37'50" E - Deed bearing), a distance of 30.0 feet, to a point on the Northerly right of way line of State Highway 94 as described in Book 910 at Page 484 of said El Paso County records; (2) Thence along said Northerly right of way line N 89°51'15" W (N 89°57" W - Deed bearing), a distance of 58.1 feet; (3) Thence N 62°41'15" E, a distance of 65.1 feet, more or less, to the point of beginning. The above described parcel contains 0.020 acres, more or less.

Basis of Bearings: All bearings referenced to line connecting Brass Cap Markers found at the SW corner and the NW corner of Section 26, T. 14 S., R. 64 W., of the 6th P.M., bearing N 00°25'30" W.

002131982

92 APR 7 PM 3:01

BOOK 5959 PAGE 3

ARDIS W. SCHMITT
EL PASO COUNTY CLERK & RECORDER

002123080

92 MAR 13 PM 12:21

ARDIS W. SCHMITT
EL PASO COUNTY CLERK & RECORDER

BOOK 5947 PAGE 243

STATE DOCUMENTARY

General Warranty Deed
(Statutory Form C.R.S. 38-30-113)

APR 07 1992

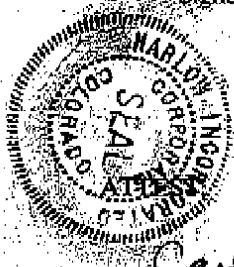
FEE EXEMPT
HARLOW, INC., a Colorado Corporation, Grantor(s), whose street address is 750 Citadel Drive East, Suite 2296, City or Town of Colorado Springs, County of El Paso and State of Colorado 80909, for the consideration of EIGHTY THOUSAND AND NO/100 Dollars, in hand paid, hereby sell(s) and convey(s) to Carlos D. Harlow and Shirle F. Harlow, in joint tenancy, Grantee(s), whose street address is 755 Carved Terrace, City or Town of Colorado Springs, County of El Paso and State of Colorado 80919, the following described real property situate in the County of El Paso, and State of Colorado, to-wit:

As more fully described on Exhibit "A" attached hereto and made a part hereof

Also known by street and number as 15620 Highway 94, El Paso County, Colorado.

With all its appurtenances and warrants the title to the same subject to Deed of Trust for the benefit of James E. Lewis recorded in Book at Page ; taxes for the current year and all subsequent years; and covenants, easements, restrictions, reservations and rights of way of record.

Signed this 28 day of February, 1992



STATE DOCUMENTARY

HARLOW, INC., a Colorado Corporation

MAR 13 1992

FEE 8.00

By: Shirle F. Harlow
Shirle F. Harlow, President

Carlos D. Harlow
Carlos D. Harlow, Secretary

STATE OF COLORADO)
COUNTY OF EL PASO)

The foregoing instrument was acknowledged before me this 28th day of FEBRUARY, 1992, by Shirle F. Harlow as President and Carlos D. Harlow as Secretary of Harlow, Inc., a Colorado Corporation.

Witness my hand and official seal.

My commission expires: 12-12-93

(SEAL)

David A. Hall
Notary Public

Return to: David H. Krall
25 E. Cache La Poudre, #103
Colorado Springs, CO 80903

BOOK PAGE
5939 4

The land referred to in this policy is situated in the State of
County of El Paso Colorado

and is described as follows:

Part of the South half of the Southeast quarter of Section 10, Township 14 South, Range 64 West of the 6th P.M., in El Paso County, Colorado described as follows:

Beginning at the Southwest corner of said Southeast quarter; thence N 0° 28' 52" W, along the Westerly line of said Southeast quarter, 54.39 feet to the Northerly right of way line of State Highway No. 94, thence S 89° 46' 16" E, along said Northerly right of way line of State Highway No. 94, 1870.70 feet to the true point of beginning; thence continue S 89° 46' 16" E, along said Northerly right of way line, 327.00 feet; thence N 0° 37' 50" W, 550.00 feet; thence N 89° 46' 16" W, and parallel to aforementioned Northerly right of way line of State Highway No. 94, 377.00 feet; thence S 0° 37' 50" E, 550.00 feet to the true point of beginning, El Paso County, Colorado.
(Basis for Bearing: Southerly line of the Southeast quarter, Section 10, Township 14 South, Range 64 West of the 6th P.M., El Paso County, Colorado, assumed North 90° East.)

EXCEPT a tract or parcel of land No. 3 of the State Department of Highways, Division of Highways, State of Colorado, Project No. R-AD 0094(1) containing 0.020 acres, more or less, in the S ½ of the SE ¼ of Section 10, Township 14 South, Range 64 West of the Sixth Principal Meridian, in El Paso County, Colorado, said tract or parcel being more particularly described as follows: Beginning at a point on the Easterly line of that tract of land described in Book 3415 at Page 25 of the records filed in El Paso County, Colorado, Clerk and Recorder's Office, from which the NE corner of Section 10 (found ½ inch iron pipe), T. 14 S., R. 64 W., of the 6th P.M., bears N 03° 33' 15" E, a distance of 5,200.6 feet; (1) thence along said easterly line S 00° 29' 00" E (S 00° 37' 50" E - Deed bearing), a distance of 30.0 feet, to a point on the Northerly right of way line of State Highway 94 as described in Book 910 at Page 484 of said El Paso County records; (2) thence along said Northerly right of way line N 89° 51' 15" W (N 89° 57" W - Deed bearing), a distance of 58.1 feet; (3) thence N 62° 41' 15" E, a distance of 65.1 feet, more or less, to the point of beginning. The above described parcel contains 0.020 acres, more or less.

Basis of Bearings: All bearings referenced to line connecting Brass Cap Markers found at the SW corner and the NW corner of Section 26, T. 14 S., R. 64 W., of the 6th P.M., bearing N 00° 25' 30" W.

EXHIBIT "A"

096157929

96 DEC 26 AM 8:58

182
1000
100

ARDIS W. SCHMITT
EL PASO COUNTY CLERK & RECORDER

002131982

92 APR -7 PM 3:01

BOOK PAGE
5959 3

ARDIS W. SCHMITT
EL PASO COUNTY CLERK & RECORDER

002123080

92 MAR 13 PM 12:21

STATE DOCUMENTARY

ARDIS W. SCHMITT
EL PASO COUNTY CLERK & RECORDER

BOOK PAGE
5947 243

General Warranty Deed
(Statutory Form C.R.S. 38-30-113)

APR 07 1992

FEE ~~EXEMPT~~

HARLOW, INC., a Colorado Corporation, Grantor(s), whose street address is 750 Citadel Drive East, Suite 2296, City or Town of Colorado Springs, County of El Paso and State of Colorado 80909, for the consideration of **EIGHTY THOUSAND AND NO/100** Dollars, in hand paid, hereby sell(s) and convey(s) to Carlos D. Harlow and Shirle F. Harlow, in joint tenancy, Grantee(s), whose street address is 755 Carved Terrace, City or Town of Colorado Springs, County of El Paso and State of Colorado 80919, the following described real property situate in the County of El Paso, and State of Colorado, to-wit:

As more fully described on Exhibit "A" attached hereto and made a part hereof

Also known by street and number as 15620 Highway 94, El Paso County, Colorado.

With all its appurtenances and warrants the title to the same subject to Deed of Trust for the benefit of James E. Lewis recorded in Book at Page ; taxes for the current year and all subsequent years; and covenants, easements, restrictions, reservations and rights of way of record.

Signed this 28 day of February, 1992



STATE DOCUMENTARY

HARLOW, INC., a Colorado Corporation

MAR 13 1992

By: Shirle F. Harlow
Shirle F. Harlow, President

FEE 8.00

Carlos D. Harlow
Carlos D. Harlow, Secretary

STATE DOCUMENTARY

DEC 26 1996

STATE OF COLORADO)
COUNTY OF EL PASO)

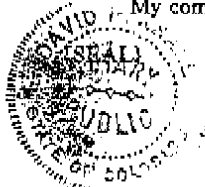
FEE Exempt

The foregoing instrument was acknowledged before me this 28th day of February, 1992, by Shirle F. Harlow as President and Carlos D. Harlow as Secretary of Harlow, Inc., a Colorado Corporation.

Witness my hand and official seal.

My commission expires: 12-12-93

96093



David A. Hall
Notary Public

ARDEL M. SCHMITT

WARRANTY DEED

STATE DOCUMENTARY

DEC 26 1996

FEE 15.00

THIS DEED, Made this day of December 23, 1996, between
 CARLOS D. HARLOW AND SHIRLE F. HARLOW
 of the County of EL PASO and State of COLORADO, grantor,
 and
 KAREN WILLIAMS DRING

whose address is 15620 HIGHWAY 94 COLORADO SPRINGS, CO 80930
 of the County of EL PASO and State of COLORADO, grantee:

10.00
1.00

WITNESSETH, that the grantor, for and in consideration of the sum of One Hundred fifty Thousand and 00/100 (\$150,000) DOLLARS, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the grantee, HER heirs and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of EL PASO and State of COLORADO, described as follows:

SEE ATTACHED EXHIBIT "A"

D.F.
15.00

also known as street and number 15620 HIGHWAY 94 COLORADO SPRINGS, CO 80930

TOGETHER with all and singular the hereditaments and appurtenances therunto belonging, or in anywise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the said grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the said grantee, HER heirs and assigns forever. And the said grantor, for himself, THEIR heirs, and personal representatives, does covenant, grant, bargain and agree to and with the grantee, HER heirs and assigns, that at the time of the executing and delivery of these presents, is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or naturesoever, EXCEPT FOR TAXES FOR THE CURRENT YEAR AND SUBSEQUENT YEARS, EASEMENTS, RESTRICTIONS, COVENANTS AND RIGHTS-OF-WAY OF RECORD, IF ANY.

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee HER heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

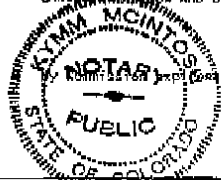
Carlos D. Harlow
CARLOS D. HARLOW

Shirle F. Harlow
SHIRLE F. HARLOW

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

The foregoing instrument was acknowledged before me this day of December 23, 1996 by

CARLOS D. HARLOW AND SHIRLE F. HARLOW



Witness my hand and official seal.

Kym McInlos
Notary Public

EXHIBIT "A"

PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 14 SOUTH, RANGE 64 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 0 DEGREES 29 MINUTES 52 SECONDS WEST, ALONG THE WESTERLY LINE OF SAID SOUTHEAST QUARTER, 54.39 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY NO. 94; THENCE SOUTH 89 DEGREES 46 MINUTES 16 SECONDS EAST, ALONG SAID NORTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY NO. 94, 1870.70 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89 DEGREES 46 MINUTES 16 SECONDS EAST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, 377.00 FEET; THENCE NORTH 0 DEGREES 37 MINUTES 50 SECONDS WEST, 550.00 FEET; THENCE NORTH 89 DEGREES 46 MINUTES 16 SECONDS WEST, AND PARALLEL TO AFOREMENTIONED NORTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY NO. 94, 377.00 FEET; THENCE SOUTH 0 DEGREES 37 MINUTES 50 SECONDS EAST, 550.00 FEET TO THE TRUE POINT OF BEGINNING, EL PASO COUNTY, COLORADO. (BASIS FOR BEARING: SOUTHERLY LINE OF THE SOUTHEAST QUARTER, SECTION 10, TOWNSHIP 14 SOUTH, RANGE 64 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, ASSUMED NORTH 90 DEGREES EAST.) EXCEPT A TRACT OR PARCEL OF LAND NO. 3 OF THE STATE DEPARTMENT OF HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO, PROJECT NO. R-AD 0094 (1) CONTAINING 0.020 ACRES, MORE OR LESS, IN THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 14 SOUTH, RANGE 64 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN EL PASO COUNTY, COLORADO, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EASTERLY LINE OF THAT TRACT OF LAND DESCRIBED IN BOOK 3415 AT PAGE 25 OF THE RECORDS FILED IN EL PASO COUNTY, COLORADO, CLERK AND RECORDER'S OFFICE, FROM WHICH THE NORTHEAST CORNER OF SECTION 10 (FOUND 1/2 INCH IRON PIPE), TOWNSHIP 14 SOUTH, RANGE 64 WEST, OF THE 6TH P.M. BEARS NORTH 93 DEGREES 33 MINUTES 15 SECONDS EAST, A DISTANCE OF 5,100.6 FEET; (1) THENCE ALONG SAID EASTERLY LINE SOUTH 00 DEGREES 29 MINUTES 00 SECONDS EAST (SOUTH 00 DEGREES 37 MINUTES 50 SECONDS EAST - DEED BEARING), A DISTANCE OF 30.0 FEET, TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY 94 AS DESCRIBED IN BOOK 910 AT PAGE 484 OF SAID EL PASO COUNTY RECORDS; (2) THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE NORTH 89 DEGREES 51 MINUTES 15 SECONDS WEST (NORTH 89 DEGREES 57 MINUTES WEST - DEED BEARING), A DISTANCE OF 58.1 FEET; (3) THENCE NORTH 62 DEGREES 41 MINUTES 15 SECONDS EAST, A DISTANCE OF 65.1 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

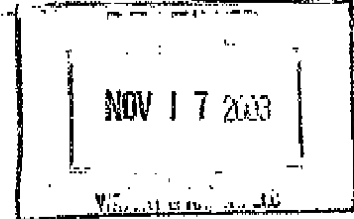
BASIS OF BEARING: ALL BEARINGS REFERENCED TO LINE CONNECTING BRASS CAP MARKERS FOUND AT THE SOUTHWEST CORNER AND THE NORTHWEST CORNER OF SECTION 25, TOWNSHIP 14 SOUTH, RANGE 64 WEST, OF THE 6TH P.M., BEARING NORTH 00 DEGREES 25 MINUTES 30 SECONDS WEST.

El Paso County Planning Department



November 14, 2003

Robert and Karen Dring
235 Franceville Coal Mine Road
Colorado Springs, CO 80929



RE: Nonconforming Use Rights

As you recall, your attorney, Jane Fredman, requested zoning information for property located at 15620 Highway 94. This 4.75-acre property is zoned RR-3 (Rural Residential) District and is also identified as Assessor Tax Parcel No. 44100-00-114. The specific inquiry was what, if any, nonconforming use rights existed for this property.

Having reviewed a letter, dated March 25, 2003, and several statements from long-time residents of the area and copies of Assessor records, sufficient documentation was noted that confirmed a truck parking and maintenance facility in continuous operation since prior to the establishment of zoning in 1983. A condition of this approval, however, required the owner to locate the parking area of the trucks from the western to the eastern half of the parcel...

At your attorney's request and submission of new documentation from adjacent property owners and concerned persons, a review of this condition has been made and it is the decision of Planning Department Staff and the County Attorney's Office that the parking of the trucks has been substantiated on the west side of the property. Therefore, future parking is permitted in this area.

If you have any questions about this matter, please contact Carl Schueler, Assistant Planning Director, 520-6307.


Sincerely,


Dennis Cripps
Interim Planning Director

Cc: C-02-050
INT-03-037
Jane B. Fredman, Attorney

Attachments

Robert C. Balink	El Paso Cty, CO	203276545
11/25/2003	03:41	
Doc	\$0.00	Page
Rep	\$20.00	1 of 4



El Paso County Planning Department



September 23, 2003

Robert and Karen Dring
235 Franceville Coal Mine Road
Colorado Springs, Colorado 80929

RE: Nonconforming Use Rights

Through your attorney, Jane Fredman, you have requested zoning information for property located at 15620 Highway 94. This 4.75-acre property is zoned RR-3 (Rural Residential) District and is also identified as Assessor Tax Parcel No. 44100-00-114. The specific inquiry is what, if any, nonconforming use rights exist for the property.

This property, along with 13 other parcels, was created by a Certificate of Survey that was performed by Leigh Whitehead on July 22, 1971. The property is considered legally created pursuant to El Paso County Subdivision Regulations since it was created prior to the County's adoption of Subdivision Regulations in accordance with Senate Bill 35 of 1972. Zoning of this property was first established on April 14, 1983. At that time the property was zoned A-4 (Agricultural) District. This District on May 1, 1991 was renamed the RR-3 (Rural Residential) District.

Ms. Fredman has provided a letter dated March 25, 2003, along with several statements from long-time residents of the area and copies of Assessor records to document that a truck parking and maintenance facility has been in continuous operation since prior to the establishment of zoning in 1983.

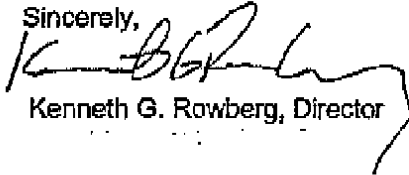
Therefore, based on this documentation and information on file, the Planning Department has determined that the property described as 15620 Highway 94 does enjoy legal nonconforming use status for the operation of a truck parking and maintenance facility. Said nonconforming use status is subject to the terms, limitations and conditions of Section 35.2 of the El Paso County Land Development Code. However, it is noted that the aforementioned nonconforming use status is limited to generally the eastern one-half of the subject property based upon the aerial photograph of the site that was taken in 1998 (copy enclosed). Section 35.2 F., Enlargement of a Nonconforming Use, states in part, a nonconforming use of land shall not be extended or enlarged, provided, however, such extension or enlargement may be permitted by the Planning Commission and Board of County Commissioners upon showing of peculiar and exceptional practical difficulties or undue hardship. As a result, any activities related to the truck parking and maintenance facility occurring on the western one-half of the property shall be relocated to the eastern one-half within thirty (30) days of the date of this letter or, in the alternative, seek expansion of a nonconforming use pursuant to Section 35.2 F.

Finally, it is noted that this letter only applies to the application of El Paso County Zoning Regulations. It is the property owners' responsibility to ensure compliance with all other applicable Federal, State, and local regulations.

Robert and Karen Dring
September 23, 2003
Page 2

Should you have any questions, or if I can be of further assistance, please contact me at 719-520-6300.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Rowberg", written over a white rectangular box.

Kenneth G. Rowberg, Director

cc: Jane Fredman
Shad Brown, Assistant County Attorney
Files: C-02-050, VA-03-003, EX-73-003

Enclosure

PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 14 SOUTH, RANGE 64 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 0 DEGREES 28 MINUTES 52 SECONDS WEST, ALONG THE WESTERLY LINE OF SAID SOUTHEAST QUARTER, 54.39 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY NO. 94; THENCE SOUTH 89 DEGREES 46 MINUTES 16 SECONDS EAST, ALONG SAID NORTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY NO. 94, 1870.70 FEET TO THE TANGENT POINT OF BEGINNING; THENCE CONTINUE SOUTH 89 DEGREES 46 MINUTES 16 SECONDS EAST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, 377.00 FEET; THENCE NORTH 0 DEGREES 2' MINUTES 50 SECONDS WEST, 550.00 FEET; THENCE NORTH 89 DEGREES 46 MINUTES 16 SECONDS WEST, AND PARALLEL TO AFOREMENTIONED NORTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY NO. 94, 377.00 FEET; THENCE SOUTH 0 DEGREES 37 MINUTES 50 SECONDS EAST, 550.00 FEET TO THE TRUE POINT OF BEGINNING, EL PASO COUNTY, COLORADO. (BASIS FOR BEARING: SOUTHERLY LINE OF THE SOUTHEAST QUARTER, SECTION 10, TOWNSHIP 14 SOUTH, RANGE 64 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, ASSUMED NORTH 90 DEGREES EAST.) EXCEPT A TRACT OR PARCEL OF LAND NO. 3 OF THE STATE DEPARTMENT OF HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO, PROJECT NO. R-AD 0094 (1) CONTAINING 0.020 ACRES, MORE OR LESS, IN THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 14 SOUTH, RANGE 64 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN EL PASO COUNTY, COLORADO, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EASTERLY LINE OF THAT TRACT OF LAND DESCRIBED IN BOOK 3415 AT PAGE 25 OF THE RECORDS FILED IN EL PASO COUNTY, COLORADO, CLERK AND RECORDER'S OFFICE, FROM WHICH THE NORTHEAST CORNER OF SECTION 10 (FOUND 1 1/2 INCH IRON PIPE), TOWNSHIP 14 SOUTH, RANGE 64 WEST, OF THE 6TH P.M. BEARS NORTH 03 DEGREES 33 MINUTES 15 SECONDS EAST, A DISTANCE OF 5,200.6 FEET; (1) THENCE ALONG SAID EASTERLY LINE SOUTH 00 DEGREES 29 MINUTES 00 SECONDS EAST (SOUTH 00 DEGREES 37 MINUTES 50 SECONDS EAST - DEED BEARING), A DISTANCE OF 30.0 FEET, TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY 94 AS DESCRIBED IN BOOK 910 AT PAGE 484 OF SAID EL PASO COUNTY RECORDS; (2) THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE NORTH 89 DEGREES 51 MINUTES 15 SECONDS WEST (NORTH 89 DEGREES 57 MINUTES WEST - DEED BEARING), A DISTANCE OF 58.1 FEET; (3) THENCE NORTH 62 DEGREES 41 MINUTES 15 SECONDS EAST, A DISTANCE OF 65.1 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

BASIS OF BEARING: ALL BEARINGS REFERENCED TO LINE CONNECTING BRASS CAP MARKERS FOUND AT THE SOUTHWEST CORNER AND THE NORTHWEST CORNER OF SECTION 26, TOWNSHIP 14 SOUTH, RANGE 64 WEST, OF THE 6TH P.M., BEARING NORTH 00 DEGREES 25 MINUTES 30 SECONDS WEST.

Robert C. Balink El Paso Cty, CO

12/29/2003

03:18

203294667

Doc \$0.00

Page

Rec \$15.00

1 of 3



RECORDED AT REQUEST OF, AND
WHEN RECORDED RETURN TO:

Nextel Communications
Attn: Property Management
333 Inverness Drive South
Englewood, CO 80112-5882

MEMORANDUM OF AGREEMENT
CO153A / Schriever
APN: 4410000114

This MEMORANDUM OF AGREEMENT is entered into on this 10 day of October, 2003, by Karen Williams Dring, with an address at 235 Franceville Coal Mine Road, Colorado Springs, CO 80929; Attention: Bert Dring (hereinafter referred to as "Owner" or "Landlord") and Nextel West Corp., a Delaware corporation, d/b/a Nextel Communications, with an office at 4643 South Ulster Street, Suite 500, Denver, Colorado 80237 (hereinafter referred to as "Nextel" or "Tenant").

1. Owner and Nextel entered into a Communications Site Lease Agreement ("Agreement") on the 10 day of October, 2003, ("Effective Date") for the purpose of Nextel undertaking certain investigations and Tests and, upon finding the Land appropriate, for the purpose of installing, operating and maintaining a communications facility and other improvements. All of the foregoing is set forth in the Agreement.
2. The term of Nextel's tenancy under the Agreement is for five (5) years commencing on the start of construction of the Tenant Facilities or eighteen (18) months following the Effective Date, whichever first occurs ("Term Commencement Date"), and terminating on the fifth anniversary of the Commencement Date with five (5) successive five (5) year options to renew.
3. The Land that is the subject of the Agreement is described in Exhibit A annexed hereto. The portion of the Land being leased to Tenant and all necessary access and utility easements (the "Premises") are set forth in the Agreement.

In witness whereof, the parties have executed this Memorandum of Agreement as of the day and year first written above.

LANDLORD:

TENANT:

Karen Williams Dring

Nextel West Corp.,
a Delaware corporation,
d/b/a Nextel Communications

By: K.W. Dring

By: A. Woydzak

Name: Karen Williams Dring

Name: Alan Woydzak

Title: Owner

Title: Director of Site Development

Date: 10/9/03

Date: 10.10.03

ORIGINAL

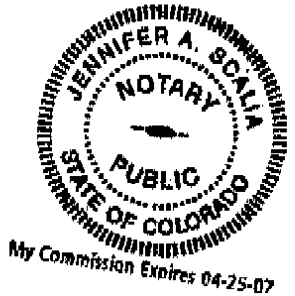
STATE OF Colorado

COUNTY OF El Paso

On Oct 10, 2003, before me, Jennifer Scalia, Notary Public, personally appeared Karen Williams Dring, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacity, and that by their signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.
Jennifer Scalia (SEAL)
Notary Public

My commission expires: 4-25-07



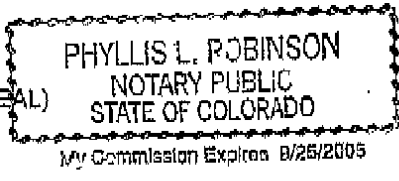
STATE OF COLORADO

COUNTY OF DENVER

On Oct 19, 2003, before me, Phyllis L. Robinson, Notary Public, personally appeared Alan Woydziak, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.
Phyllis L. Robinson (SEAL)
Notary Public

My commission expires: 9-25-05



ORIGINAL

EXHIBIT A

DESCRIPTION OF LAND

to the Agreement dated October 10, 2003, by and between Karen Williams Dring, as Landlord, and Nextel West Corp., a Delaware corporation, d/b/a Nextel Communications, as Tenant.

The Land is described and/or depicted as follows (metes and bounds description):

APN: 4410000114
Address: 15620 Highway 94
Colorado Springs, CO

A WRITTEN DESCRIPTION OF THE LAND WILL BE PRESENTED HERE OR ATTACHED HERETO

PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 14 SOUTH, RANGE 64 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO DESCRIBED AS FOLLOWS:

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ORIGINAL

GRANT OF RIGHT OF WAY

Karen W. Dring

of the County of El Paso, State of Colorado, hereinafter called the "Grantor", in consideration of the sum of ten dollars and other valuable considerations, hereby grants to Mountain View Electric Association, Inc., a Colorado Corporation, P.O. Box 1600, Limon, Colorado 80828, hereinafter called the "Grantee", its successors and assigns, and warrants title thereto, the easement and right-of-way to construct, maintain, change, renew, relocate, enlarge, and operate its line or lines for the transmission and distribution of electrical energy, including the necessary steel and wood poles, conduits, wires, footings, guys, anchors, struts and other equipment and fixtures, and as incident thereto, and in connection therewith, to construct, maintain, operate, relocate and enlarge such transformers, switch cabinets, voltage regulators and other above-ground apparatus, together with a telephone and/or telecommunications line (including but not limited to fiber optic cables) for use by Grantee, as may be found advisable, together with the right of ingress and egress across Grantor's property for any purpose necessary in connection therewith, over, upon, under and along a strip of land twenty (20) feet in width owned by Grantor, located in part of Section 10 Township 14 South, Range 64 West of the 6th P.M., County of El Paso, State of Colorado, described as follows:

An easement ten (10) feet either side of the power line and other fixtures as necessitated by good engineering practices to provide service to the premises at 15620 Highway 94.

The Grantee shall have the right (1) to trim or cut down any trees and shrubbery on or adjacent to said strip of land, and to control the growth of same by machinery or otherwise; and (2) to remove and enjoin and restrain the placement of any objects or buildings or changes of grade which may interfere with the construction and operation of such lines.

Grantor further grants unto the Grantee the right, privilege and authority to grant, permit or license any other public utility, cable television or private communications company to occupy and maintain its facilities within, over, upon, under and along the above described strip of land.

TO HAVE AND TO HOLD said easement and right-of-way unto the Grantee, its successors and assigns forever.

The Grantor covenants and agrees for himself, his heirs and assigns, not to change grade or erect any building or structure within the limits of said strip of land; and the Grantee, its successors and assigns, shall have the right, upon 10 days written notice to Grantor and AT THE EXPENSE OF GRANTOR (OR GRANTOR'S SUCCESSORS OR ASSIGNS), to remove objects or buildings interfering with the construction, maintenance, operation, control and use of said lines, to restore grade, or to relocate Grantee's facilities and right-of-way in order to remove the interference.

The Grantor agrees that all poles, wires, cables and other facilities, including any main service entrance equipment, installed in, upon or under the above described easement and right-of-way by Grantee shall remain the property of Grantee, removable at the option of Grantee.

This grant is subject to the right of the Grantor, his successors and assigns, to pass over said strip of land from one portion of the land to another, and to otherwise use, pasture and cultivate the surface of said strip of land consistent with the use of said strip of land by the Grantee, its successors and assigns, for the purposes aforesaid.

The Grantee, for itself, its successors and assigns, hereby agrees to repair, replace or pay for any damage which may arise from constructing, maintaining, operating or removing said electric distribution and/or transmission line or lines so far as the same shall affect fences, irrigation or draining ditches, or growing lawns, gardens or crops (not including trees unless specifically agreed to by a separate writing) that do not interfere with the operation and use of Grantee's lines and equipment, said damage, if not mutually agreed upon, to be ascertained and determined by three disinterested persons, one thereof to be appointed by the Grantor (or its successors or assigns), one by the Grantee and the third person by the two persons aforesaid, the award of such three persons to be final and conclusive.

The word "Grantor", wherever used herein, shall include either one or more persons or entities, and the masculine case wherever used shall include the feminine or neuter case. All covenants and agreements herein shall run with the land and shall bind and inure to the benefit of the successors, heirs and assigns of the parties.

Executed this 4th day of May, 2004

Karen W. Dring

STATE OF COLORADO)
COUNTY OF El Paso) ss.

The within instrument was acknowledged before me this 4th day of May, 2004

by KAREN W. DRING as owner of property
(Print the name(s) signed above)



WITNESS my hand and official seal
Account No. _____
04-1057 ym Notary Public
Work Order No. _____ 7025 Meridian Rd Peyton, CO
Notary's Address
My Commission Expires 12-6-07

Robert C. Balink El Paso Cty, CO
07/19/2004 03:29 204120468
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Fee \$5.00 1 of 1

Nextel Communications
333 Inverness Drive South, Englewood, CO 80116

NEXTEL

Robert C. Balink El Paso Cty, CO

07/30/2004 03:41

Doc \$0.00 Page

Req \$10.00 1 of 2

204128823



July 27, 2004

VIA FEDERAL EXPRESS

Mr. Michael Garrott
Planner II
El Paso County Planning Department
27 E. Vermijo
Colorado Springs, CO 80903

**RE: Co-location Agreement Pertaining to Nextel Site CO-0153C
El Paso County Project VA-03-016/EX-03-007**

Dear Mr. Garrott:

As per the Conditions of Approval issued by the El Paso County Planning Department on March 23, 2004, please let this letter serve as verification that Nextel West Corp., d/b/a, Nextel Communications ("Nextel") has entered into an agreement with Karen Williams Dring for the purposes of constructing a 195-foot monopole that will have the ability to accommodate up to four carriers.

Attached to this Letter please find a redacted copy of the executed lease between Nextel and Karen Williams Dring that demonstrates the intent of both parties to allow for the co-location of additional carriers on this monopole once construction on the project has been completed. As per Section 15, Assignment and Subletting, Nextel Communications has the right to sublet space on the monopole to additional carriers. Please note, however, that the lease identifies premises that encompass only 2,500 square feet. Based on the size of the Nextel lease area, there is insufficient ground space within Nextel's compound to accommodate the equipment shelter of additional carriers. So, although the monopole is freely co-locatable, future carriers will need to lease additional space on the ground from Mrs. Williams Dring.

Alan Woydziak
Director of Site Development
Nextel West Corp., d/b/a
Nextel Communications LLC

Karen Williams Dring
Property Owner

STATE OF COLORADO

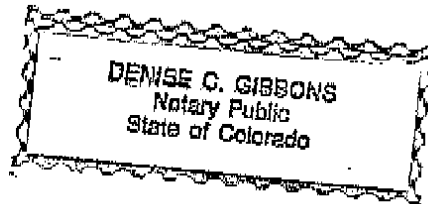
COUNTY OF EL PASO

On July 29, 2004, before me, Denise C. Gibbons Notary Public, personally appeared Karen Williams Dring, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacity, and that by their signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Denise C. Gibbons (SEAL)
Notary Public

My commission expires: 7-20-05



STATE OF COLORADO

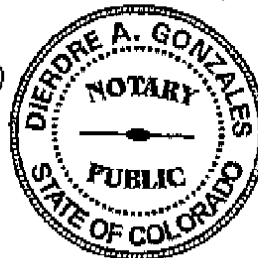
COUNTY OF DOUGLAS

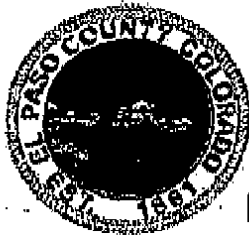
On 7/27/04, before me, Dierdre A. Gonzales, Notary Public, personally appeared Alan Woydziak, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Dierdre A. Gonzales (SEAL)
Notary Public

My commission expires: April 15, 2007





Dick Anderwald, AICP
Director

Imad Karaki
Assistant Director

El Paso County Development Services

January 19, 2006

Karen Dring
235 Franceville Coal Mine Road
Colorado Springs, CO 80929

ROBERT C. "BOB" BALINK El Paso County, CO
01/26/2006 01:53:53 PM
Doc \$0.00 Page
Rec \$11.00 1 of 2 206012056



RE: Nonconforming Use Rights at 15620 Highway 94 – Modification to Code Interpretation No. INT-03-037

Dear Ms. Dring:

A complaint concerning a "truck freight" operation and the sale of landscaping materials was lodged with the El Paso County Development Services Department against the above referenced property several years ago. In the course of responding to the complaint, Bert Dring, owner of the businesses, submitted letters from surrounding properties owners with evidence that the trucking operation had existed prior to zoning. At the time, it was apparently unclear to the reviewers whether the sale of landscaping materials pre-dated zoning. Accordingly, the trucking business was classified as nonconforming, but not the landscaping business.

Because the status of the landscaping business is still unsettled, I visited the property and reviewed the file materials. During review of the file materials, I discovered that one correspondent stated that there was ongoing storage of sand and gravel on this site by previous owners. Sand and gravel are both used as landscaping materials. The site currently contains materials in addition to sand and gravel, including decorative rock and railroad ties which appear to have been placed by Mr. Dring in the same area where aerial photos show sand and gravel to have been historically stored. It is my determination that these materials are collectively viewed as "landscaping materials," and can therefore be classified as nonconforming based on the historic and continuing presence of two of the constituent landscaping materials. As with the trucking operation, the sale of landscaping materials is hereby classified as nonconforming from this day forward. Should either or both of these uses be discontinued for a period of one year or more, they will lose their nonconforming status.

All other uses of the property must be consistent with uses permitted in the RR-3 (Rural Residential) District. Enclosed is a copy of the uses permitted in the RR-3 District. Additionally, the property must maintain compliance with all other applicable State, County, and local regulations including but not limited to well, septic, building and access permits.

Sincerely,

R. Anderwald
Dick Anderwald, AICP, Director

RECORDER NOTE: Legibility
of writing, typing or printing
UNSATISFACTORY in portions
of this document when received.



cc: Jane Fredman, Flynn, Wright and Fredman, LLC
Lori Seago, Assistant County Attorney

C-04-095/INT-03-037

2880 International Circle Suite 110 Colorado Springs, CO 80910

T: (719) 520-6300

F: (719) 520-6695

www.elpasoco.com

Paul Danley, PE
Engineering Manager

Mike Hrebener
Customer Services Manager

Starr Treasouthick, ASLA
Planning Review Manager

Carl Schuster, AICP
Long Range Planning Manager

El Paso County Assessor's Schedule No. 441000-00-114

PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 14 SOUTH, RANGE 64 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 0 DEGREE 28 MINUTES 52 SECONDS WEST, ALONG THE WESTERLY LINE OF SAID SOUTHEAST QUARTER, 54.39 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY NO. 94; THENCE SOUTH 89 DEGREE 46 MINUTES 16 SECONDS EAST, ALONG SAID NORTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY NO. 94, 1870.30 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89 DEGREE 46 MINUTES 16 SECONDS EAST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, 177.00 FEET; THENCE NORTH 0 DEGREE 31 MINUTES 50 SECONDS WEST, 350.00 FEET; THENCE NORTH 89 DEGREE 46 MINUTES 16 SECONDS WEST, AND PARALLEL TO AFOREMENTIONED NORTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY NO. 94, 377.00 FEET; THENCE SOUTH 0 DEGREE 37 MINUTES 50 SECONDS EAST, 550.00 FEET TO THE TRUE POINT OF BEGINNING, EL PASO COUNTY, COLORADO. (BASIS FOR BEARING: SOUTHERLY LINE OF THE SOUTHEAST QUARTER, SECTION 10, TOWNSHIP 14 SOUTH, RANGE 64 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, ASSUMED NORTH 90 DEGREE EAST.) EXCEPT A TRACT OR PARCEL OF LAND NO. 1 OF THE STATE DEPARTMENT OF HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO, PROJECT NO. R-AD 0034 (1) CONTAINING 0.020 ACRES, MORE OR LESS, IN THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 14 SOUTH, RANGE 64 WEST OF THE SIXTH PRINCIPAL MERIDIAN. IN EL PASO COUNTY, COLORADO, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EASTERLY LINE OF THAT TRACT OF LAND DESCRIBED IN BOOK 3415 AT PAGE 25 OF THE RECORDS FILED IN EL PASO COUNTY, COLORADO, CLERK AND RECORDER'S OFFICE, FROM WHICH THE NORTHERLY CORNER OF SECTION 10 (FOUND 1/2 INCH IRON PIPE), TOWNSHIP 14 SOUTH, RANGE 64 WEST, OF THE 6TH P.M. BEARS NORTH 01 DEGREE 11 MINUTES 16 SECONDS EAST, A DISTANCE OF 3,100.5 FEET; (1) THENCE ALONG SAID EASTERLY LINE SOUTH 00 DEGREE 29 MINUTES 30 SECONDS EAST (SOUTH 00 DEGREE 37 MINUTES 50 SECONDS EAST - DEED BEARING), A DISTANCE OF 10.0 FEET, TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY 94 AS DESCRIBED IN BOOK 910 AT PAGE 484 OF SAID EL PASO COUNTY RECORDS; (2) THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE NORTH 89 DEGREE 51 MINUTES 15 SECONDS WEST (NORTH 89 DEGREE 37 MINUTES WEST - DEED BEARING), A DISTANCE OF 38.1 FEET; (3) THENCE NORTH 85 DEGREE 41 MINUTE, 15 SECONDS EAST, A DISTANCE OF 45.1 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. BASIS OF BEARING: ALL BEARINGS REFERENCED TO LINE CONNECTING BRASS CAP MARKERS FOUND AT THE SOUTHWEST CORNER AND THE NORTHWEST CORNER OF SECTION 16, TOWNSHIP 14 SOUTH, RANGE 64 WEST, OF THE 6TH P.M., BEARING NORTH 00 DEGREE 13 MINUTES 30 SECONDS WEST.

**CERTIFICATE AD VALOREM PROPERTY TAXES
COUNTY OF EL PASO, STATE OF COLORADO**

I, the undersigned, County Treasurer, certify that there are no unpaid property taxes or other assessments collectable by my office on the following described property, except as disclosed this date. This does not include assessments not of record this date.

Schedule (Account) No: 44100-00-114

2007 TAXES PAYABLE 2008

Owner Per Tax Record: DRING KAREN W

Property Type: Real
 Property Location: 15620 HIGHWAY 94
 Property Description: TRACT IN SE4SE4 SEC 10-14-64 AS FOLS: BEG
 AT A POINT ON NLY R/W LN OF HWY 94 THAT
 IS 407.0 FT W OF E SEC LN, RUN NLY 550.0
 >> SEE REVERSE FOR SUPP. INFORMATION <<

Alerts:

<u>Assessed Value</u>	
Land	\$ 11240
Imp.	\$ 29390
Other	\$ 0
TOTAL	\$ 40630

<u>Tax District:</u>	<u>Tax Rate</u>	<u>Tax Amount</u>
EL PASO COUNTY	0.006234	253.29
EPC ROAD & BRIDGE (UNSHARED)	0.001280	52.01
ELLECOTT SCHOOL DISTRICT NO 22 - GEN	0.027047	1098.92
ELLECOTT SCHOOL DISTRICT NO 22 - BOND	0.019900	808.54
* PIKES PEAK LIBRARY	0.003325	135.09
ELLECOTT FIRE DISTRICT	0.004354	176.90
UPPER BLK. SQUIRREL CRK. GRD. WATER	0.000682	27.71
TOTAL		2552.46

*TEMPORARY TAX RATE REDUCTION/TAX CREDIT

Information regarding special taxing districts and the boundaries of such districts may be on file of deposit with the Board of County Commissioners, the Clerk to the Board, or the County Assessor.

Balance due on 2007 taxes: 0.00

Amount due valid through AUGUST 28th, 2008: \$ 0.00

IN WITNESS WHEREOF, I hereunto set my hand and seal this 18th day of AUGUST A.D. 2008

Issued to: VELOCITY PUBLIC RECORDS Sandra J. Damron
Treasurer, El Paso County

Fee for issuing this certificate \$10.00 By: *Sandra J. Damron*

Supplemental Information

Schedule (Account) No: 44100-00-114 **Date of Issue:** 18th day of AUGUST A.D. 2008

Full Property Description:

TRACT IN SE4SE4 SEC 10-14-64 AS FOLS: BEG AT A POINT ON NLY R/W LN OF HWY 94
THAT IS 407.0 FT W OF E SEC LN, RUN NLY 550.0 FT, WLY 377.0 FT, SLY 550.0 FT,
TH ELY 377.0 FT TO POB, EX THAT PART CONV TO COLO DEPT OF HWYS BY BK 3996-496