

PROPERTY DESCRIPTION:

CONSERVATION EASEMENT A

A TRACT OF LAND BEING LOCATED IN SECTION 25, THE SOUTHEAST QUARTER OF SECTION 26 AND THE NORTH HALF OF SECTION 36, TOWNSHIP 21 SOUTH, RANGE 61 WEST OF THE 6th P.M., PUEBLO COUNTY, COLORADO, AND BEING MORE PARTICULARY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE MISSOURI PACIFIC RAILROAD FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 25 BEARS N78'45'26"E A DISTANCE OF 2266.40 FEET; THENCE SO2'51'47"E ON THE EASTERLY LINE OF THAT TRACT OF LAND DESCRIBED IN BOOK 2332 AT PAGE 88 AND THAT TRACT OF LAND DESCRIBED IN BOOK 2337 AT PAGE 426 OF THE RECORDS OF THE PUEBLO COUNTY CLERK AND RECORDER A DISTANCE OF 6375.45 FEET, MORE OR LESS, TO THE CENTERLINE OF THE ARKANSAS RIVER; THENCE ALONG SAID CENTERLINE OF THE ARKANSAS RIVER

THE FOLLOWING NINE (9) COURSES; 1.) THENCE N89°51'14"W A DISTANCE OF 424.49 FEET;

THENCE N82°40'27"W A DISTANCE OF 729.13 FEET; S.) THENCE N50°14'01"W A DISTANCE OF 900.72 FEET;

4.) THENCE N08°54'51"W A DISTANCE OF 309.57 FEET;

5.) THENCE N15'26'14"E A DISTANCE OF 1180.25 FEET 6.) THENCE N38°35'36"W A DISTANCE OF 683.24 FEET

7.) THENCE S72°02'02"W A DISTANCE OF 1098.57 FEET; B.) THENCE S78*50'40"W A DISTANCE OF 1040.78 FEET;

9.) THENCE N55°36'01"W A DISTANCE OF 552.70 FEET; THENCE N40°51'50"E A DISTANCE OF 4709.97 FEET, MORE OR LESS; THENCE S50°12'45"E A DISTANCE OF 870.19 FEET; THENCE NO2'51'47"W A DISTANCE OF 1368.84 FEET TO A POINT ON THE AFORESAID SOUTHERLY RIGHT-OF-WAY LINE OF THE MISSOURI PACIFIC RAILROAD; THENCE S50°52'22"E ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 672.71 FEET; TO THE POINT OF BEGINNING.

A TRACT OF LAND BEING LOCATED IN THE EAST HALF OF SECTION 23, THE SOUTHWEST QUARTER OF SECTION 24, THE WEST HALF OF SECTION 25, AND THE EAST HALF OF SECTION 26, TOWNSHIP 21 SOUTH, RANGE 61 WEST OF THE 6th P.M., PUEBLO COUNTY, COLORADO, AND BEING MORE PARTICULARY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE MISSOURI PACIFIC RAILROAD FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 25 BEARS N78'45'26"E A DISTANCE OF 2266.40 FEET; THENCE N50'52'22"W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 672.70 FEET; THENCE S02°51'47"E A DISTANCE OF 1368.84 FEET; THENCE N50°12'45"W A DISTANCE OF 870.19 FEET TO THE POINT OF BEGINNING OF THE TRACT DESCRIBED HEREIN; THENCE S40°51'50"W A DISTANCE OF 4709.97 FEET, MORE OR LESS, TO THE CENTERLINE OF THE ARKANSAS RIVER; THENCE ALONG

SAID CENTERLINE OF THE ARKANSAS RIVER THE FOLLOWING SEVEN (7) COURSES; 1.) THENCE N55°36'01"W A DISTANCE OF 552.70 FEET;

2.) THENCE N09°16'15"W A DISTANCE OF 672.99 FEET 3.) THENCE N11°48'13"W A DISTANCE OF 1055.28 FEET

 THENCE N21°52'33"E A DISTANCE OF 800.84 FEET; 5.) THENCE N41°45'29"E A DISTANCE OF 871.18 FEET;

6.) THENCE N11°53'33"E A DISTANCE OF 766.57 FEET;

7.) THENCE N35°20'41"W A DISTANCE OF 241.46 FEET TO A POINT ON THE SOUTHERLY LINE OF THAT TRACT OF LAND DÉSCRIBED IN BOOK 2822 AT PAGE 341 OF THE RECORDS OF THE PUEBLO COUNTY CLERK AND RECORDER; THENCE N90°00'00"E ALONG SAID SOUTHERLY LINE A DISTANCE OF 717.20 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NO2°04'19"W ALONG THE EASTERLY LINE OF SAID TRACT A DISTANCE OF 1414.26 FEET TO THE NORTHEAST CORNER THEREOF; THENCE N62'59'33"W ALONG THE NORTHERLY LINE OF SAID TRACT A DISTANCE OF 570.65 FEET; THENCE N27°00'27"E A DISTANCE OF 929.24 FEET TO A POINT ON THE AFORESAID SOUTHERLY RIGHT-OF-WAY LINE OF THE MISSOURI PACIFIC RAILROAD; THENCE S50"12'45"E ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 2145.71 FEET; THENCE SO2'51'47"E A DISTANCE OF 1359.62 FEET; THENCE S50"12'45"E A DISTANCE OF 870.19 FEET TO THE POINT OF BEGINNING;

A TRACT OF LAND BEING LOCATED IN THE SOUTH HALF OF SECTION 24 AND THE NORTH HALF OF SECTION 25, TOWNSHIP 21 SOUTH, RANGE 61 WEST OF THE 6th P.M., PUEBLO COUNTY, COLORADO, AND BEING MORE PARTICULARY DESCRIBED AS

COMMENCING AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE MISSOURI PACIFIC RAILROAD FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 25 BEARS N78'45'26"E A DISTANCE OF 2266.40 FEET; THENCE N50'52'22"W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 672.71 FEET TO THE POINT OF BEGINNING OF THE TRACT DESCRIBED HEREIN; THENCE S02'51'47"E A DISTANCE OF 1368.84 FEET; THENCE N50'12'45"W A DISTANCE OF 1740.39 FEET; THENCE NO2°51'47"W A DISTANCE OF 1359.62 FEET TO A POINT ON THE AFORESAID SOUTHERLY RIGHT-OF-WAY LINE OF THE MISSOURI PACIFIC RAILROAD; THENCE S50"12'45"E ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 1019.32 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 21088.61 FEET, THROUGH CENTRAL ANGLE OF 00'04'57", AN ARC DISTANCE OF 30.32 FEET TO THE NORTHWEST CORNER OF THE TRACT OF LAND DESCRIBED IN BOOK 2332 AT PAGE 88 OF RECORDS OF THE PUEBLO COUNTY CLERK AND RECORDER AND MONUMENTED BY A 1/2" DIAMETER REBAR WITH A YELLOW PLASTIC CAP LS #16128; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 21088.61 FEET, THROUGH CENTRAL ANGLE OF 00°35'35", AN ARC DISTANCE OF 218.29 FEET, THE LONG CHORD OF WHICH BEARS S50°34'34"E A DISTANCE OF 218.29 FEET; THENCE S50°52'22"E, CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 466.25 FEET TO THE POINT OF BEGINNING.

A TRACT OF LAND BEING LOCATED IN THE EAST HALF OF SECTION 23, TOWNSHIP 21 SOUTH, RANGE 61 WEST OF THE 6th P.M., PUEBLO COUNTY, COLORADO, AND BEING MORE PARTICULARY DESCRIBED AS FOLLOW COMMENCING AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE MISSOURI PACIFIC RAILROAD FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 25 BEARS N78'45'26"E A DISTANCE OF 2266.40 FEET; THE FOLLOWING THREE (3) COURSES ARE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE; (1) THENCE N50°52'22"W A DISTANCE OF 1138.96 FEET; (2) THENCE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 21088.61 FEET, THROUGH A CENTRAL ANGLE OF 0°40'32", AN ARC DISTANCE OF 248.61 FEET; (3) THENCE N50"12'45"W A DISTANCE OF 3165.03 FEET TO THE POINT OF BEGINNING OF THE TRACT DESCRIBED HEREIN; THENCE S27°00'27"W A DISTANCE OF 929.24 FEET TO A POINT ON THE NORTHERLY LINE OF THAT TRACT OF LAND DESCRIBED IN BOOK 2822 AT PAGE 341 OF THE RECORDS OF THE PUEBLO COUNTY CLERK AND RECORDER; THENCE N62°59'33"W ALONG THE NORTHERLY LINE OF SAID TRACT A DISTANCE OF 1226.64 FEET TO A POINT ON THE LINE DESCRIBED BY THE PROPERTY LINE AGREEMENT RECORDED IN BOOK 2255 AT PAGE 439 OF SAID PUEBLO COUNTY RECORDS; THENCE NO0'34'12"W ALONG SAID LINE A DISTANCE OF 1545.32 FEET TO A POINT ON THE AFORESAID SOUTHERLY RIGHT-OF-WAY LINE OF THE MISSOURI PACIFIC RAILROAD; THENCE S50"12'45"E ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 1991.37 FEET TO THE POINT OF BEGINNING.

INGRESS\EGRESS EASEMENT FOR CONSERVATION EASEMENT "B" AND PARCEL "D" A TRACT OF LAND BEING LOCATED IN THE SOUTH HALF OF SECTION 24, TOWNSHIP 21 SOUTH, RANGE 61 WEST OF THE 6th P.M., PUEBLO COUNTY, COLORADO, AND BEING MORE PARTICULARY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE MISSOURI PACIFIC RAILROAD FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 25 BEARS N78'45'26"E A DISTANCE OF 2266.40 FEET; THE FOLLOWING TWO (2) COURSES ARE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE; (1) THENCE N50°52'22"W A DISTANCE OF 1138.96 FEET; (2) THENCE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 21088.61 FEET, THROUGH A CENTRAL ANGLE OF 0°35'35", AN ARC DISTANCE OF 218.29 FEET TO THE POINT OF BEGINNING OF THE TRACT DESCRIBED HEREIN; THE FOLLOWING TWO (2) COURSES CONTINUE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE; (1) THENCE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 21088.61 FEET, THROUGH A CENTRAL ANGLE OF 0°04'57", AN ARC DISTANCE OF 30.32 FEET; (2) THENCE N5012'45"W A DISTANCE OF 1019.32 FEET; THENCE S02'51'47"E A DISTANCE OF 40.79 FEET; THENCE S5012'45"E ON A LINE THIRTY (30) FEET SOUTH OF AND PARALLEL WITH SAID SOUTHERLY RIGHT-OF-WAY LINE OF THE MISSOURI PACIFIC RAILROAD A DISTANCE OF 1030.01 FEET; THENCE N24'50'42"E A DISTANCE OF 31.07 FEET TO THE POINT OF BEGINNING.

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE NORTH LINE OF PARCEL B, S50'12'45"E - 5156.40'. THE DIRECTION IS BASED ON THE DEED RECORDED IN BOOK 2822 AT PAGE 343 OF THE PUEBLO COUNTY RECORDS. THE LINE IS MONUMENTED AS SHOWN.

- FOUND A 1/4" DIAMETER REBAR AND PLASTIC CAP LS 16128 OR AS SHOWN.
- ↑ FOUND A 1/4" DIAMETER REBAR AND PLASTIC CAP LS 10093
- SET A 5/8" DIAMETER REBAR, 18" IN LENGTH, WITH A 1-1/2" DIAMETER ALUMINUM CAP "LWA PLS 28658"
- RESEARCH FOR RECORDED RIGHTS OF WAY AND EASEMENTS WAS DONE BY COMMONWEALTH LAND TITLE INSURANCE COMPANY, COMMITMENT NO. 404224 C-2, EFFECTIVE DATE JANUARY 23, 2004.
- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY LEIGH WHITEHEAD & ASSOCIATES, INC., OR KEVIN M. O'LEARY. THE ABOVE REFERENCED TITLE COMMITMENT WAS RELIED UPON FOR OWNERSHIP AND EASEMENT INFORMATION.

SURVEYOR'S STATEMENT:

ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, I HEREBY STATE AND DECLARE TO SAGEBRUSH MOUNTAIN VILLAGE, LLC, EXCLUSIVELY, THAT AS A RESULT OF A SURVEY MADE ON THE GROUND IN JULY\DECEMBER, 2004 UNDER MY DIRECT SUPERVISION AND TO THE NORMAL STANDARD OF CARE OF PROFESSIONAL LAND SURVEYORS PRACTICING IN PUEBLO COUNTY, COLORADO, I FIND THAT THE BOUNDARIES OF THE ABOVE DESCRIBED TRACT OF LAND ARE AS SHOWN; THE CORNERS WERE FOUND OR SET AS INDICATED HEREON AND ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; EXCEPT AS SHOWN, THERE ARE NO VISIBLE ENCROACHMENTS ONTO ADJACENT PROPERTY BY IMPROVEMENTS LOCATED ON THE SUBJECT PROPERTY, NOR VISIBLE PROTRUSIONS FROM ADJOINING PROPERTY ONTO SUBJECT PROPERTY.

THIS SURVEY NULL AND VOID WITHOUT SURVEYOR'S ORIGINAL SIGNATURE AND

KEVIN M. O'LEARY COLORADO PLS 28658 FOR AND ON BEHALF OF LEIGH WHITEHEAD & ASSOCIATES, INC.

"NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON."