TITLE COMMITMENT SCHEDULE B NOTES:

EXCEPTIONS 1 THROUGH 7 ARE STANDARD EXCEPTIONS TO TITLE. (NOT PLOTTABLE)

8.) THIS PROPERTY IS SUBJECT TO RIGHT OF PROPRIETOR OF A VEIN OR LODE TO EXTRACT OR REMOVE ORE THEREFROM, SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES HEREBY GRANTED AS DESCRIBED IN THE UNITED STATES PATENT DATED SEPTEMBER 20, 1882, AND RECORDED AUGUST 1, 1885 IN BOOK 28 AT PAGE 1 AND IN THE UNITED STATES PATENT DATED FEBRUARY 24, 1882, AND RECORDED APRIL 8.

9.) THIS PROPERTY IS SUBJECT TO RIGHT OF PROPRIETOR OF A VEIN OR LODE TO EXTRACT OR REMOVE ORE THEREFROM, SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES HEREBY GRANTED, AND RIGHT FOR DITCHES OR CANALS CONSTRUCTED BY AUTHORITY OF THE UNITED STATES, AS DESCRIBED IN THE UNITED STATES PATENT DATED FEBRUARY 15, 1883, AND RECORDED APRIL 8, 1889. IN BOOK 28 AT PAGE 36. AND IN THE UNITED STATES PATENT DATED JULY 3, 1894, AND RECORDED NOVEMBER 17, 1895, IN BOOK 136 AT PAGE 53, AS RECEPTION NO. 057713, AND IN THE PATENT DEED TO MINING LODES, DATED JULY 28, 1908, AND RECORDED DECEMBER 22, 1909, IN BOOK 136 AT PAGE 365, AS RECEPTION NO. 073629, AND IN THE MINERAL PATENT DATED NOVEMBER 29, 1907, AND RECORDED MAY 20, 1949, IN BOOK 159 AT PAGE 90, AS RECEPTION NO. 041316, AND IN THE UNITED STATES PATENT DATED DECEMBER 21, 1893, AND RECORDED MAY 20, 1949, IN BOOK 175 AT PAGE 159, AS RECEPTION NO. 096336, AND IN UNITED STATES PATENT DATED FEBRUARY 21, 1884, AND RECORDED MAY 20, 1949, IN BOOK 175 AT PAGE 159, AS RECEPTION NO. 096336, AND IN THE UNITED STATES PATENT DATED FEBRUARY 21, 1884, AND RECORDED MAY 20, 1949, IN BOOK 175 AT PAGE 160, AS RECEPTION NO. 096337, AND IN UNITED STATES PATENT DATED JANUARY 18, 1896, AND RECORDED MAY 20, 1949, IN BOOK 175 AT PAGE 162, AS RECEPTION NO. 096338, AND IN UNITED STATES PATENT DATED JULY 16, 1892, AND RECORDED MAY 20, 1949, IN BOOK 175 AT PAGE 167, AS RECEPTION NO. 096342, AND IN UNITED STATES PATENT DATED JANUARY 20, 1892, AND RECORDED MAY 20, 1949, IN BOOK

10.) EASEMENT RECORDED MAY 22, 1888 IN BOOK 33 AT PAGE 128, AS RECEPTION NO. 024159 IS A ROAD EASEMENT TO SHAFT HOUSE OF THE J.C. JOHNSON MINE AND THE EXACT LOCATION IS NOT GIVEN AND IS NOT

11.) EASEMENT RECORDED SEPTEMBER 3, 1889 IN BOOK 68 AT PAGE 570, AS RECEPTION NO. 032061. A TUNNEL EASEMENT FROM STANDARD MINING COMPANY FOR SERVICE TO THE J.C. JOHNSON AND CHATFIELD

CLAIMS FOR WATER DRAINAGE. THE EXACT LOCATION OF TUNNEL IS NOT GIVEN AND IS NOT PLOTTABLE. 12.) THIS PROPERTY IS SUBJECT TO EASEMENT FOR SMUGGLER MOUNTAIN TUNNEL AND TUNNEL SITE UNDER INSTRUMENT DATED JULY 9, 1889, AND RECORDED OCTOBER 2, 1889 IN BOOK 68 AT PAGE 404, AS RECEPTION

13.) THIS PROPERTY IS SUBJECT TO CONTRACT FOR RIGHT-OF-WAY FOR COWENHOVEN TUNNEL RECORDED APRIL 20, 1891 IN BOOK 92 AT PAGE 66 AS RECEPTION NO. 040920. THE APPROXIMATE LOCATION OF THE COWENHOVEN TUNNEL WAS TAKEN FROM THE SMUGGLER MINE SUBDIVISION FINAL PLAT AND IS SHOWN HEREON.

14.) RIGHT OF WAY AND EASEMENT RECORDED MARCH 30, 1895 IN BOOK 131 AT PAGE 425, AS RECEPTION NO. 056529 RESERVES THE RIGHT TO TUNNEL UNDER PROPERTY FROM FREESILVER SHAFT TO DELLA S. CLAIM AND TO ACCESS THE COMENHOVEN TUNNEL THE EXACT LOCATION IS NOT GIVEN AND AND IS NOT PLOTTABLE. THE

5.) CONTRACT AND AGREEMENT RECORDED APRIL 2, 1895 IN BOOK 131 AT PAGE 429, AS RECEPTION NO. 156537 IS FOR USE OF PUMPING STATION ON SMUGGLER CLAIM WHICH IS NO LONGER IS USE.

6.) A PORTION OF THE PROPERTY IS SUBJECT TO RIGHT OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES, AS DESCRIBED IN THE UNITED STATES PATENT DATED OCTOBER 27, 1910, AND RECORDED NOVEMBER 22, 1910, IN BOOK 136 AT PAGE 373, AS RECEPTION NO. 074292. THE PORTION OF FRACTION LODE MS5350 IS CROSS-HATCHED HEREON.

17.) INTENTIONALLY DELETED.

18.) AGREEMENT RECORDED AUGUST 30, 1988 IN BOOK 572 AT PAGE 70, AS RECEPTION 303397 IS FOR A 30' WIDE UTILITY EASEMENT ALONG THE SMUGGLER MINE ROAD AND IS NOTED HEREON.

19.) AGREEMENT RECORDED AUGUST 30, 1988 IN BOOK 572 AT PAGE 72, AS RECEPTION NO. 303398 IS A 15'

20.) THIS PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS SPECIFIED UNDER THE PLAT DATED FEBRUARY 27, 1990 AND RECORDED MARCH 2, 1990, IN PLAT BOOK 23 AT PAGE 96-97, AS RECEPTION NO. 320502. THIS IS THE PLAT OF NORTH AND SOUTH PORTION OF PARCEL C -THE PRIDE OF ASPEN, MS 7883 AND 30' PRIVATE ACCESS EASEMENT IS SHOWN HEREON.

NOTE: THE PLAT OF THE NORTH PORTION AND SOUTH PORTION OF PARCEL "C" THE PRIDE OF ASPEN MS7883 AM WILL BE DELETED FROM THE OWNER'S POLICY SIX MONTHS AFTER THE RECORDING OF AN ORDER IN PITKIN COUNTY DISTRICT COURT CASE NO. 2015 CV 030015, SO LONG AS A LITIGATION GUARANTEE HAS BEEN OBTAINED AND SO LONG AS NO APPEAL OR OTHER OBJECTION TO THE ORDER HAS BEEN FILED. SUCH ORDER WAS RECORDED ON JULY 6, 2015 AS RECEPTION NO. 621287.

21.) INTENTIONALLY DELETED.

22.) THIS PROPERTY IS SUBJECT TO ORDINANCE NO 94-15 RECORDED JUNE 27, 1994 IN BOOK 754 AT PAGE

23.) THIS PROPERTY IS SUBJECT TO RESOLUTION NO. 94-110 RECORDED SEPTEMBER 9, 1994 IN BOOK 760 AT

24.) INTENTIONALLY DELETED.

EASEMENT AGREEMENT RECORDED MARCH 15, 1995 IN BOOK 776 AT PAGE 301, AS RECEPTION NO. 379742 IS FOR SILVERLODE DRIVE AND IS SHOWN HEREON.

26.) THIS PROPERTY IS SUBJECT TO THE SMUGGLER MINE SUBDIVISION IMPROVEMENTS AGREEMENT RECORDED MARCH 15, 1995 IN BOOK 776 AT PAGE 307, AS RECEPTION NO. 379743.

27.) THIS PROPERTY IS SUBJECT TO ANY AND ALL NOTES, EASEMENTS AND RECITALS AS DISCLOSED ON THE RECORDED SMUGGLER MINE SUBDIVISION FINAL PLAT RECORDED MARCH 15, 1995 IN PLAT BOOK 36 AT PAGE 77, AS RECEPTION NO. 379740, AND MINOR AMENDMENT TO SMUGGLER MINE SUBDIVISION RECORDED APRIL 28, 1997 IN BOOK 42 AT PAGE 52, AS RECEPTION NO. 403789. PLOTTABLE EASEMENTS THAT AFFECT THE PROPERTY ARE

NOTE: THE PRESCRIPTIVE EASEMENT SHOWN ON THE SMUGGLER MINE FINAL SUBDIVISION PLAT WILL BE DELETED FROM THE OWNER'S POLICY SIX MONTHS AFTER RECORDING OF AN ORDER IN PITKIN COUNTY DISTRICT COURT CASE NO. 2015 CV 030015, SO LONG AS A LITIGATION GUARANTEE HAS BEEN OBTAINED AND SO LONG AS NO APPEAL OR OTHER OBJECTION TO THE ORDER HAS BEEN FILED. SUCH ORDER WAS RECORDED ON JULY 6, 2015 AS RECEPTION NO. 621287.

28.) THIS PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS SPECIFIED UNDER THE PARTIAL CONSENT DECREE WITH PITKIN COUNTY, RECORDED APRIL 5, 1995 IN BOOK 777 AT PAGE

29.) RESOLUTION RECORDED MAY 1, 1995 IN BOOK 779 AT PAGE 729 AS RECEPTION NO. 380911, DENIES TEMPORARY ACCESS ROAD ACROSS SMUGGLER MINE PARCEL FOR WILLIAMS RANCH SUBDIVISION.

30.) RESOLUTION RECORDED JUNE 8, 1995 IN BOOK 782 AT PAGE 934, AS RECEPTION NO. 382011

31.) EASEMENT AGREEMENT RECORDED FEBRUARY 22, 1996 AS RECEPTION NO. 390141 IS FOR A PORTION OF SILVERLODE DRIVE THAT CROSSES SMUGGLER MINE PARCEL AND EASEMENT IS SHOWN HEREON.

32.) RESOLUTION RECORDED NOVEMBER 26, 1996 AS RECEPTION NO. 399447 IS FOR SOIL PLACEMENT ON THE MOLLIE GIBSON PARK DURING GRADING AND LANDSCAPING ON THE SMUGGLER MINE-WILLIAMS RANCH SUBDIVISION

33.) EASEMENT AND RIGHT OF WAY RECORDED MAY 16, 1997 AS RECEPTION NO. 404531 IS TO HOLY CROSS FOR A 10 FOOT WIDE UNDERGROUND ELECTRIC EASEMENT AND IS SHOWN HEREON.

34.) THIS PROPERTY IS SUBJECT TO HOLY CROSS ELECTRIC ASSOCIATION TRENCH, CONDUIT AND VAULT AGREEMENT RECORDED MAY 19, 1997 AS RECEPTION NO. 404567.

35.) INTENTIONALLY DELETED.

) DISCLAIMERS RECORDED AUGUST 25, 2000 AS RECEPTION NO. 446395, RECORDED AUGUST 25, 2000 AS RECEPTION NO. 445405, RECORDED DECEMBER 13, 2000 AS RECEPTION NO. 449604, RECORDED DECEMBER 13, 2000 AS RECEPTION NO. 449605 IS DISCLAIMING ANY INTEREST IN FEE TITLE IN THE ROAD RIGHTS OF WAY OF ROAD BEDS SITUATED ON SMUGGLER MOUNTAIN.

ACCEPTANCE OF 6D FOOT WIDE EASEMENT FOR SMUGGLER MOUNTAIN ROAD WITHIN SMUGGLER MINE PARCEL. 38.) EASEMENT CONVEYED BY DEED RECORDED AUGUST 31, 2000 AS RECEPTION NO. 446576 IS QUIT CLAIM

DEED FOR 60 FOOT WIDE EASEMENT FOR SMUGGLER MOUNTAIN ROAD WITHIN SMUGGLER MINE PARCEL.

39.) THIS PROPERTY IS SUBJECT TO RESOLUTION RECORDED JULY 26, 2010 AS RECEPTION NO. 572207 IS FOR COMMERCIAL SNOW, TRUCKING/DUMPING/STORAGE IN AN EXISTING RETENTION POND LOCATED ON THE SMUGGLER MINE PARCEL THROUGH THE 2010/2011 WINTER AND RETENTION POND IS SHOWN HEREON.

FOR COMMERCIAL SNOW TRUCKING/DUMPING/STORAGE IN AN EXISTING RETENTION POND LOCATED ON THE SMUGGLER MINE PARCEL THROUGH 2015/2016 WINTER AND RETENTION POND IS SHOWN HEREON. 41.) THIS PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS SPECIFIED

UNDER THE QUITCLAIM DEED DATED FEBRUARY 14, 2015, AND RECORDED FEBRUARY 23, 2015, AS RECEPTION

NOTE: THE QUITCLAIM DEED FROM DEFENDANTS AUSTIN GLEASON AND GEORGE ANNA GLEASON DISCLAIMING ANY INTEREST IN THE PRESCRIPTIVE EASEMENT SHOWN ON THE PLAT OF THE NORTH PORTION AND SOUTH PORTION OF PARCEL "C" THE PRIDE OF ASPEN MS7883 AM WILL BE DELETED FROM THE OWNER'S POLICY SIX MONTHS AFTER THE RECORDING OF AN ORDER IN PITKIN COUNTY DISTRICT COURT CASE NO. 2015 CV 030015, SO LONG AS A LITIGATION GUARANTEE HAS BEEN OBTAINED AND SO LONG AS NO APPEAL OR OTHER OBJECTION TO THE ORDER HAS BEEN FILED. SUCH ORDER WAS RECORDED ON JULY 6, 2015 AS RECEPTION NO. 621287.



IMPROVEMENT SURVEY
MUGGLER MINE PA
ASPEN - COLORA

PROJECT NO. 2151696

1 OF 2

