

GRAVEL LEASE

AGREEMENT made and entered into this 18 day of October, 2019, by and between David Merrill Senor hereinafter called Lessor (whether one or more) with an address of 32995 County Road 11, Las Animas, CO 81054 and by Kiowa County, a political subdivision of the State of Colorado, part of the second part, hereafter called Lessee.

WITNESSETH, that the said Lessor for and in consideration of ten dollars and other good and valuable consideration in had paid, receipt of which is hereby acknowledged and of the covenants and agreements hereinafter contained on the part of the Lessee to be paid, kept and performed, has granted, demised, leased, and let and by these presents does grant, demise, lease, and unto the said lessee, its successors and assigns, for the sole and only purposes of mining gravel and other elated substances and for conducting all operations as may be convenient or necessary for the mining and removal of gravel and related substances, including but not limited to the construction of roads, excavation of gravel pits, reclaiming the same and doing all things as may now by or hereafter become necessary to comply with the rules and regulations of the State of Colorado and United States of America, all that certain tract of land together with any revisionary rights therein, situated in the County of Crowley, State of Colorado. Described as follows, to wit:

9.6 acres within: approved 06-14-1993

12 acres with: (expansion project)

NW4SE4 25-20-55 21.49A

It is agreed that this lease shall remain in force for three (3) years. Renewal will be discussed at the end of the lease term.

In consideration of the premises, the said Lessee covenants and agrees that the Lessee shall pay to Lessor an annual fee of \$2,000.00 and then as gravel is used, it will be subtracted from that annual amount accordingly. Lessee also agrees to pay Lessor as royalty thirty-five cents (.35) per yard for all gravel and similar substance removed from the premises for county use and three dollars and thirty cents (3.30) per yard for all gravel and similar substance removed from the premises for commercial sales. County will send a spreadsheet on a quarterly basis and payment over the annual amount will be paid the month following usage.

It is understood and agreed that the lessee shall have possession of the surface of said premises during the term of this agreement.

Date: 10/18/19

Lessor:

David Merrill Senor

David Merrill Senor

522-91-8973
Lessors SSN or Tax ID number

ATTEST:

Richard E. Scott
Witness to above signature

Lessee:

Richard E. Scott
Richard E. Scott, Chairman of BOCC

ATTEST:

Delisa Weeks
Delisa Weeks, County Clerk
State of Colorado, County of Kiowa

The foregoing instrument was acknowledged before me on the 24th day of October, 2019.
My Commissioner expires with term.

STATE OF COLORADO