410089 Page 1 of 3 Nancy C. Cruz, Clerk & Recorder Huerfano County, CO RP \$0.00 09-18-2017 02:44 PM Recording Fee \$23.00

## ASSIGNMENT OF MINING PIT

This Assignment of Agreement is by and between Silver Mountain Preserve, Inc., ("Assignor"), and Raymond A. Whitmire, Trustee of the Raymond A. Whitmire Revocable Trust Dated May 31, 2012, whose legal address is 10748 Red Oak Road, Marietta, OK 73448 ("Assignee").

## RECITALS

A. Assignor is the owner and operator of a gravel pit, Permit No. M-1992-003, also known as the "Willis Pit."

B. The Willis Pit, along with other land and water rights owned by Assignor, are being purchased by Assignee concurrently with the execution of this Assignment;

C. Assignor desires to assign all rights, interests, entitlements and responsibilities of the Willis Pit to Assignee.

NOW, THEREFORE, in consideration of the above recitals and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the following assignment is made:

1. <u>Assignment of Permit</u>. Assignor hereby assigns to the Assignee all of its rights, responsibilities, entitlements and interests, including rights to compensation in any form, if any, to the Willis Pit.

2. <u>Binding Affect</u>. This assignment shall be binding upon and enure to the benefit of the parties hereto, as well as their respective heirs, executors, administrators, successors and assigns.

3. <u>Assignee's Acceptance and Indemnification</u>. Assignee accepts the Agreement and shall assume all duties, obligations, risks, and liabilities of whatsoever nature related to the Willis Pit arising on or after acceptance of this Assignment.

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This Assignment is executed this <u>1th</u> day of September 2017.

ASSIGNORS:

SILVER MOUNTAIN PRESERVE INC., a Colorado Corporation

Travis R. Crawford, President

ASSIGNEE:

RAYMOND A. WHITMIRE REVOCABLE TRUST DATED MAY 31, 2012

1. ster Raymond A. Whitmire, Trustee

) ss.

STATE OF TEXAS

COUNTY OF EL PASO

The foregoing instrument was acknowledged before me this  $\frac{144}{100}$  day of September 2017, by Travis R. Crawford as President of Silver Mountain Preserve, Inc., a Colorado corporation.

Witness my hand and official seal.

My commission expires: 09-04-2016

Notary Public

GLORIA GRANI Notary Public, State of Texas Comm. Expires 09-04-2018 Notary ID 12837942-2

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## STATE OF <u>Colorado</u>) COUNTY OF <u>Huerfono</u>)ss.

The foregoing instrument was acknowledged and accepted before me this  $15^{+-}$  day of September 2017, by Raymond A. Whitmire, as Trustee of the Raymond A. Whitmire Revocable Trust Dated May 31, 2012.

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Witness my hand and official seal.

KIMBERLY SUE TRUJILLO NOTARY PUBLIC STATE OF COLORADO My commission expires: 12-5-2020. NOTARY ID 20084041726 MY COMMISSION EXPIRES BECEMBER 5, 2020 lto