

ELBERT COUNTY GOVERNMENT

Public Works Department

Road & Bridge Division

Office 303-621-3157 Fax 303-621-3159

PO Box 116, 215 Comanche St, Kiowa, CO, 80117

Gravel Pit Agreement – Allison Pit

THIS AGREEMENT is entered into this 1 day of January, 2020
by and between Elbert County Government ("County") and Tex Aduddell, Linda Aduddell and
Danni Hankins ("Property Owner"), for the purpose of entering and operating a gravel pit on
property in Elbert County, Colorado.

WHEREAS, Property owner is the owner of 17906 County Road 149 in Elbert County. The
Property Owner wishes to allow the County to enter and operate a gravel pit on the following
described property: NW ¼ of Section 2, Township 10, Range 59 in Elbert County for a total of 120
acres.

WHEREAS, the County desires to enter and operate a gravel pit on Property Owner's
property according to the terms of this agreement.

NOW THEREFORE, in consideration of the promises made herein and other good and
valuable consideration, the parties agree as follows:

1. The County agrees to do the following:

- a) Acquire and maintain the required permits for operation of a gravel pit on the above
described property;
- b) Maintain the roads in the pit area used in the operation of the pit, and to maintain the
roads to the gate to the pit;
- c) Be responsible for all reclamation of disturbed area as required by the State of
Colorado at the time of the closure of the pit;
- d) Maintain appropriate liability insurance for the equipment and operations of the
County at the gravel pit;
- e) Provide all materials and labor to build 4 wire barbed wire fencing around the
perimeter of the active pit area
- e) Pay property owner on a monthly basis \$1.05 per ton for gravel or fill extracted and
hailed out of the pit. The parties agree to renegotiate the per ton fee every five (5) years
throughout the duration of the Agreement. If the parties cannot mutually agree upon a
reasonably acceptable fee at the time of renegotiation then the fee shall increase by ten
cents (\$0.10) per ton.
- F) Guarantee to haul a minimum of 35,000 tons annually subject to annual budget
appropriations.

2. In consideration of the foregoing, the Property owner hereby grants to the County
exclusive right to enter the property described above and to operate a gravel pit for the
purpose of extracting sand and gravel on an as needed basis. Property owner further agrees


not to sell gravel to third parties or enter the permitted pit area as this would be in violation to state permit regulations.

3. This Agreement shall be recorded in the Clerk and Records' Office in Elbert County and shall be binding on Property Owner, Property Owner's successors, heirs, and assigns.

4. This Agreement shall continue for twenty-five (25) years or until the pit either is deemed exhausted by the County, whichever occurs first. The County may also cease operation at this site upon thirty-day written notice to Property Owner. However, the county's reclamation obligation shall survive termination of this Agreement.

COUNTY:

Sam Albrecht, County Manager
Elbert County Government
215 Comanche Street
Kiowa, CO 80117



Sam Albrecht, County Manager

STATE OF COLORADO

COUNTY OF ELBERT

This instrument was acknowledged
before me this 6th day of January
by Sam Albrecht.



Notary Public

SEAL

TIFFANY A HERMES X
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20134019093
MY COMMISSION EXPIRES JULY 29, 2021

My commission expires July 29, 21

PROPERTY OWNER:

Tex & Linda Aduddell
Danni Hankins
13950 Co Rd 149
Matheson, CO 80830



Tex Aduddell, Owner



Linda Aduddell, Owner



Danni Hankins, Owner

STATE OF COLORADO

COUNTY OF EL PASO

This instrument was acknowledged
before me this 31st day of December
by Tex Aduddell, Linda Aduddell and Danni
Hankins.



Notary Public

SEAL

My commission expires 11-04-2023

CRISTINA BARBER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20114069463
My Commission Expires 11-04-2023

