

STRUCTURE AGREEMENT

This letter has been provided to you as the owner of a structure on or within two hundred (200) feet of a proposed mine site. The State of Colorado, Division of Reclamation, Mining and Safety ("Division") requires that where a mining operation may adversely affect the stability of any significant, valuable and permanent man-made structure located within two hundred (200) feet of the affected land, the Applicant shall either:

- a) Provide a notarized agreement between the Applicant and the Person(s) having an interest in the structure, that the Applicant is to provide compensation for any damages to the structure; or
- b) Where an agreement cannot be reached, the Applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or
- c) Where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have "no negative effect" on their utility. (*Construction Materials Rule 6.3.12 and Rule 6.4.19 & Hard Rock/Metal Mining Rule 6.3.12 and Rule 6.4.20*)

The Colorado Mined Land Reclamation Board ("Board") has determined that this form, if properly executed, represents an agreement that complies with Construction Materials Rule 6.3.12(a), Rule 6.4.19(a), and C.R.S. 34-32.5-115(4)(e) and with Hard Rock/Metal Mining Rule 6.3.12(a), Rule 6.4.20(a), and C.R.S. 34-32-115(4)(d). This form is for the sole purpose of ensuring compliance with the Rules and Regulations and shall not make the Board or Division a necessary party to any private civil lawsuit to enforce the terms of the agreement or create any enforcement obligations in the Board or the Division.

The following structures are located on or within 200 feet of the proposed affected area:

1. Drainage Easement
2. Access Easement
3. _____
4. _____
5. _____

CERTIFICATION

The Applicant, Kilgore Companies, LLC dba Peak Materials, represented by Russell A. Larsen, as Colorado Companies COO, does hereby certify that Town of Breckenridge Public Works (structure owner) shall be compensated for any damage from the proposed mining operation to the above listed structure(s) located on or within 200 feet of the proposed affected area described within Exhibit A, of the Reclamation Permit Application for Peak Ranch Resource.

This form has been approved by the Colorado Mined Land Reclamation Board pursuant to its authority under the Colorado Land Reclamation Act for the Extraction of Construction Materials and the Colorado Mined Land Reclamation Act for Hard Rock, Metal, and Designated Mining Operations. Any alteration or modification to this form shall result in voiding this form.

NOTARY FOR PERMIT APPLICANT

ACKNOWLEDGED BY: _____

Applicant: Kilgore Companies, LLC dba Peak Materials

Representative Name: Russell A. Larsen

Date: 11-19-2020

Title: ~~Colorado Companies COO~~ V.P.

STATE OF Colorado

) ss.

COUNTY OF mesa

The foregoing was acknowledged before me this 19 day of Nov, 2020 by

Russell A. Larsen as V.P. of Kilgore Companies LLC

Crystal Lake
Notary Public

My Commission Expires: 1-28-23

CRYSTAL LAKE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20194003813
MY COMMISSION EXPIRES JANUARY 28, 2023

NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Rick E. Holman

Structure Owner: TOWN of Breckenridge Name: Rick E. Holman

Date: 11/19/2020 Title: TOWN MANAGER

STATE OF Colorado)
COUNTY OF Summit) ss.

The foregoing was acknowledged before me this 19th day of November, 2020, by
Rick E. Holman as TOWN MANAGER of TOWN OF BRECKENRIDGE

H. J. Gospolich My Commission Expires: May 17, 2021
Notary Public

