

STATE OF
COLORADO

Lennberg - DNR, Patrick <patrick.lennberg@state.co.us>

Franciscotti Pit M2007-006

2 messages

Jodi Schreiber <jodi@arycorp.com>

Thu, Aug 5, 2021 at 3:06 PM


To: "Lennberg - DNR, Patrick" <patrick.lennberg@state.co.us>

Patrick,

Attached are the first page and last page of the fully executed lease between Fremont Paving and Redi Mix, Inc. and Ted Franciscotti for this site. As stated on the lease it is for a 10 year term starting August 3rd, 2021.

Please let me know if you require further documentation.

Thank you,

 **2021_08_05_15_04_13.pdf**
520K

Lennberg - DNR, Patrick <patrick.lennberg@state.co.us>

Thu, Aug 5, 2021 at 3:14 PM

To: Jodi Schreiber <jodi@arycorp.com>

Good Afternoon Jodi,

Now that Fremont Paving has signed a lease agreement it is anticipated that weed control and removal of Tamarisk may begin in the near future. Please document weed control efforts as soon as they begin and provide them to the Division. The Division considers the problem cited in the June 24, 2020 inspection abated with the understanding that weed control may now begin.

Thank you,
Patrick

[Quoted text hidden]

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Patrick Lennberg
Environmental Protection Specialist**COLORADO**
Division of Reclamation,
Mining and Safety
Department of Natural Resources

P 303.866.3567 x8114 | F 303.832.8106
1313 Sherman Street, Room 215, Denver, CO 80203
Patrick.Lennberg@state.co.us | <https://drms.colorado.gov>

Gravel Property Lease Agreement

This Gravel Property Lease Agreement dated this 3 day of August, 2021, (hereinafter referred to as the "Agreement"), is by and between Ted Franciscotti, ("Lessor"), whose address is 455 County Road 13 and Fremont Paving & Redi Mix, Inc., a Colorado Corporation ("Company"), whose address is 839 Mackenzie, Canon City, CO 81212.

1. In consideration of the sum of Ten Dollars (\$10) paid by the Company to Lessor, the receipt and sufficiency of which is hereby acknowledged by Lessor, and on and subject to the terms and conditions provided in this Lease, Lessor hereby leases, lets and demises to the Company the Materials as defined herein, in, on and under the following described real property situate in Huerfano County, Colorado with a legal description as follows:

Section 34, Range 67 W, Township 26 S

Total Acreage 282

the exclusive right to sample, drill, and test for, develop, mine, quarry, extract, process, convey, sell, use, and remove them during the Term of this Lease, along with the right to locate and operate and /or sublease aggregate, asphalt and concrete plants and with associated easements as provided herein.

2. Definitions.

- a. Lease Year shall commence on the date of execution of this Lease, or if not, on the date specified herein by the Parties. The date of commencement shall also be the anniversary date of the Lease.
- b. Materials shall mean stone, sand and gravel, aggregate and any overburden or other material, other than hydrocarbon minerals such as coal, oil, and gas and associated liquid hydrocarbons, that are weighed and removed from the Property incidental to sand and gravel operations hereunder.
- c. Net Sales Ton shall mean 2000 pounds of Materials weighed and removed from the Property.
- d. Plant shall mean a portable and/or fixed facility for processing, storing, washing, sorting, handling loading and shipping of Materials, along with ancillary facilities, including concrete or asphalt batch plants.
- e. Term. The Term of this lease shall be for a period of Ten (10) years commencing on the date of execution or other date specified by the Parties, which in this case is 3RD August 2021. ~~The lease shall renew automatically at the end of the Ten (10) year term unless Company~~

Lessor Initials T.F.

Lessee Initials T.F.

NEXT PAGE IS SIGNATURE PAGE

IN WITNESS WHEREOF, this Gravel Property Lease has been duly executed as of the date first above written.

FREMONT PAVING & REDI MIX, INC.

By: [Signature]
John P. Ary, President

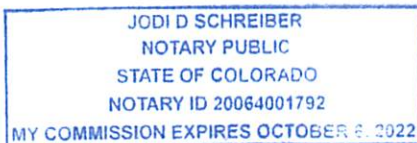
STATE OF COLORADO)

COUNTY OF Huerfano)

The foregoing instrument was acknowledged before me this 3rd day of August, 2020, by Fremont Paving and Redi Mix, Inc. by John P. Ary, its President.

Witness my hand and official seal.

My Commission Expires: 10/6/22



[Signature]
Notary Public

By: Ted Franciscotti
Ted Franciscotti, Lessor

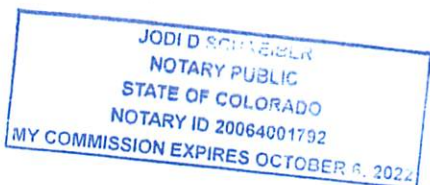
STATE OF COLORADO)

COUNTY OF _____)

The foregoing instrument was acknowledged before me this 3rd day of August, 2020, by Ted Franciscotti.

Witness my hand and official seal.

My Commission Expires: 10/6/22



[Signature]
Notary Public

Lessor Initials [Signature]

Lessee Initials TF