



**GARRETT SHELDON**  
HUERFANO COUNTY ATTORNEY

517 MAIN STREET, P.O. BOX 808, WALSENBURG, COLORADO 81089  
(719) 738-3535 • garrett.sheldon@hotmail.com

November 1, 2021

Melanie Bounds  
Public Works Director  
401 Main Street  
Walsenburg, CO 81089

VIA EMAIL

Opinion re Rock, sand and gravel quarry lease between Huerfano County and Orlando and Rose Martinez

Dear Melanie:

Reference is made to the rock, sand and gravel quarry lease between Huerfano County and Orlando and Rose Martinez dated November 23, 2011, for the original term of 15 years and recorded in the office of the Huerfano County Clerk and Recorder on December 1, 2011.

The Grantor sold 2 properties in the eastern portion of the existing properties to a third party (Mark E. Martinez) on August 7, 2019 (recorded 8/9/2019). Said easement right in paragraph 5 of said lease allows a 50-foot-wide access easement for ingress and egress over and across lessors' real property for the removal of product.

In my opinion, the existing lease easement extends to a new owner and incorporates the full easement rights in the original lease. This obligation also extends to any and all reclamation requirements.

Thank you for your consideration.

Sincerely,

  
Garrett Sheldon  
County Attorney

GS:mlr