



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Colorado Front Range National Wildlife Refuge Complex
6550 Gateway Road, Headquarters
Commerce City, Colorado 80022-4358

In Reply Refer to:
FWS/R6/NWRS/CFR/Access Terms and Conditions

Refuge Access Terms and Conditions

The National Wildlife Refuge System Administration Act of 1966 (“Act”) is a U.S. federal law that provides for the administration and management of the national wildlife refuge system. It also makes provisions for the administration of wildlife refuges, areas for the protection and conservation of fish and wildlife threatened with extinction, wildlife ranges, game ranges, wildlife management areas and waterfowl production areas. The provisions of the Act are codified at 16 U.S.C. §§ 668dd through 668ee. The Act has been amended a number of times since its enactment.

The Act identifies areas to be designated as the National Wildlife Refuge System (System) and administered by the Secretary of the Interior (Secretary). Additionally, it guides the Secretary on refuge management, requires refuge planning, and gives refuge managers directions for making decisions about proper uses of the refuges.

The United States Congress has directed the Department of the Interior, U.S. Fish and Wildlife Service through the National Wildlife Refuge Improvement Act of 1997 (Public Law 105-57).

The Colorado Front Range National Wildlife Refuge Complex consists of the following urban national wildlife refuges:

- Rocky Mountain Arsenal NWR
- Rocky Flats NWR
- Two Ponds NWR
- Cavalry Lake Unit

These units typically receive multiple requests by outside entities such as, but not limited to, construction companies, surveyors, educational groups, researchers, and local and federal governments to gain access to the refuges beyond what is open to the public (administrative areas). In order to provide access to these closed areas in the refuges, applicants must agree to the following terms and conditions before conducting field activities. It is imperative that individuals accessing the refuge understand that the mission of the National Wildlife Refuge System is *“to administer a national network of lands and waters for the conservation, management and, where appropriate, restoration of the fish, wildlife and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.”*

INTERIOR REGION 7
UPPER COLORADO RIVER BASIN

COLORADO, NEW MEXICO, UTAH, WYOMING

Each entity requesting access (Permittee) must review, sign and date these terms and conditions, and establish a point of contact with Refuge staff before commencing work.

Name of Permittee (Company or Individual): _____

Address: _____

Phone Number (typically cell phone): _____


Purpose of Access: _____

Requested Access Dates and Hours: _____

Refuge Point of Contact (leave blank if unknown): _____

Terms and Conditions for refuge access beyond areas open to the public:

- No off-road use. Vehicles must remain on established roads. Foot travel is allowed.
- Access through refuge gates can be provided by refuge staff if necessary. All gates will remain locked at all times unless a gate attendant is in place.
- No 'dummy locking' of gates.
- No driving around gates. Gates are in place for the protection of wildlife habitat.
- Access is for permittee only (i.e., contractor, crew and associates) only. No additional visitors are allowed unless approved by the Refuge POC.
- A copy of these terms and conditions must be easily accessible by each person in the field (on person or in vehicle nearby) at all times.
- Vehicles must have identifiable placarding. If formal placarding is not available for the sides of vehicles, an 8.5 x 11 inch paper with the name of the Permittee can be used in the front and back windshields. They should be clearly legible from 50'.
- Permittee will make every effort to minimize disturbance to wildlife. Harassment of wildlife is a criminal offense under U.S. 50 CFR.
- Disturbing or changing the landscape or habitat is prohibited. This includes driving off-road.
- Permittee will ensure that the project will not adversely impact other projects or other infrastructure. It is the responsibility of the Permittee to recognize these items.
- Permittee will confine locations to only those areas necessary for the project.
- Permittee will not collect, search for, or remove any items from the Refuge. If the Permittee did not place an object on the ground, he/she shall not disturb it.
- Permittee will make every effort to avoid causing a wildfire. (For example, Permittee will avoid parking over dry vegetation that is tall enough to reach the underside of the vehicle.)
 - If a fire is started, call 911, and then notify the Refuge POC immediately.
- Permittee understands that the U.S. Fish and Wildlife Service is not responsible for the Permittee's equipment or supplies.
- Any violations of these terms and conditions will result in immediate termination of access, AND the permittee depositing \$1,000 per violation into the Refuge's restitution account within five (5) business days of said violation.

 3/15/2023

Permittee (sign and date)

FWS POC (sign and date)



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

Documentation of Legal Authority to Execute Financial Warranty Documents

The Colorado Mined Land Reclamation Board ("Board") has adopted the attached Affidavit of Authority to Execute Financial Warranty Documents pursuant to the Mined Land Reclamation Act (C.R.S. § 34-32-101 et. seq.) and the Land Reclamation Act for the Extraction of Construction Materials (C.R.S. § 34-32.5-101 et. seq.). The Board and the Division of Reclamation Mining and Safety ("Division") have determined that, in order to carry out the financial warranty requirements set forth in C.R.S. §§ 34-32-117 and 34-32.5-117 with reasonable diligence, it is prudent to verify the legal authority of the individual signing all necessary documents.

Accordingly, you must provide confirmation of the legal authority of the individual signing all Financial Warranty Documents to the Division. You may do so either by submitting a resolution of the decision-making body of your company that authorizes an individual to sign the Financial Warranty Documents on the company's behalf, or by completing and notarizing the attached affidavit. The Division reserves the right to require the attached affidavit in all circumstances. Please note that if you are a sole proprietor who is executing documents on your own behalf, documentation of legal authority is unnecessary.



Affidavit of Authority to Execute Financial Warranty Documents

Before me this day, the undersigned Therese Houlahan [name of authorized person], in his/her capacity as Treasurer [title of authorized person] ("Affiant"), personally appeared and, being first duly sworn upon oath said:

1. This affidavit is being executed and submitted on behalf of Holcim-MAMR, Inc. [name of business organization], a(n) Corporation [legal form of business organization, e.g., corporation, partnership, limited liability company, etc.], in good standing in the State of Colorado (the "Company").
2. It is in the interest of the Company to execute certain financial warranty documents associated with file number M1991035 (DRMS file number), which are required by the Colorado Mined Land Reclamation Board and Division of Reclamation Mining and Safety pursuant to Colorado law ("Financial Warranty Documents").
3. Affiant is duly authorized to sign such Financial Warranty Documents on behalf of the Company and to bind the Company to the same.
4. Affiant is not prohibited or limited by the Company's governing documents or by any applicable law from executing the Financial Warranty Documents.
5. Affiant will inform the Division of Reclamation Mining and Safety within thirty (30) days in the event that his/her authorization to execute Financial Warranty Documents on the Company's behalf is terminated.

Further, Affiant sayeth not.

Therese Houlahan

Affiant's Name

[Signature]
Signature

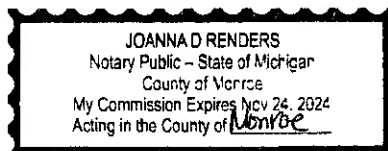
STATE OF Michigan)
) ss.:

COUNTY OF Monroe)

The foregoing instrument was acknowledged before me this 17 day of January, 2023,
by Therese Houlahan as Treasurer of Holcim-MAMR, Inc.

Notary Public [Signature]

My Commission Expires 11/24/2024



LETTER OF TRANSFER
Rocky Flats Environmental Technology Site to
Rocky Flats National Wildlife Refuge
Jefferson County, Colorado

From: The Department of Energy, Office of Legacy Management

To: The Department of the Interior, U.S. Fish and Wildlife Service

The Rocky Flats National Wildlife Refuge Act of 2001 (Public Law 107-107, as amended by Section 3112 of the National Defense Authorization Act for Fiscal Year 2006) provided for the Secretary of the Department of Energy (DOE) to retain jurisdiction of the surface estate of certain lands with outstanding essential mineral interests until such time as those mineral interests were purchased by the DOE, or the surface estate was reclaimed by the mineral rights holders in accordance with requirements established by the State of Colorado. The DOE has acquired outstanding essential mineral interests for certain parcels of land and active mining and reclamation has been completed on other parcels, which are now being transferred to the Department of Interior, U. S. Fish and Wildlife Service (USFWS) pursuant to this Letter of Transfer.

By these presents, I, Dr. Laura E. Kilpatrick, Senior Realty Officer, on behalf of the United States Department of Energy, Office of Legacy Management (LM) do hereby transfer to the USFWS, administrative jurisdiction, to include custody, accountability and control, over a portion of the real property, interests, rights, permits, easements, licenses and appurtenances acquired by the DOE for the Rocky Flats Environmental Technology Site (Rocky Flats), as herein described, to be managed in accordance with the National Wildlife Refuge System Administration Act of 1966, amended, (16 U.S.C. Section 668dd, *et seq.*) and other applicable laws.

Article 1 – Authority: This transfer is made pursuant to and under the authority of the Rocky Flats National Wildlife Refuge Act of 2001, 16 USC Section 668d note; Public Law 107-107, as amended by Section 3112 of the National Defense Authorization Act for Fiscal Year 2006 (“Refuge Act”).

Article 2 – Purpose and Nature of Action: In accordance with Section 3175(a) of the Refuge Act, this Letter of Transfer transfers administrative jurisdiction, without cost, of 756.31 acres, more or less (“Transfer Areas”) at Rocky Flats, from the DOE to the USFWS, for inclusion in the Rocky Flats National Wildlife Refuge, pursuant to Section 3177 of the Refuge Act. The property included within this transfer represents the second phase of the transfer of jurisdiction over property at Rocky Flats from the DOE to the USFWS. The property included within this transfer is not surplus property of the DOE, as defined by the Federal Property and Administrative Services Act of 1949, as amended and implementing regulations issued under Title 41 of the Code of Federal Regulations. General Services Administration disposal procedures are not applicable to this congressionally directed transfer.

Article 3 – Description of Property and Project Maps: The DOE has contracted with a licensed surveyor who has prepared a legal description and plat map which depicts the Transfer Areas and which is attached hereto and made a part hereof as Exhibit “A.” The parcels being transferred are described as parcels A1, A2, B, C, D-1, and a portion of parcel D-2 as previously described in the Corrected Survey Plat (“Corrected Survey”), which has been filed as reception no 39236 in the official records of Jefferson County, Colorado and as reception no 478678 in Boulder County, Colorado. The portion of parcel D-2 that is transferring to the USFWS is identified as parcel D-2A on Exhibit A attached hereto and made a part of this Transfer Letter. The remaining portion of parcel D-2 will remain under the jurisdiction of DOE.

Article 4: Acreage and Interests Acquired and Herein Assigned: The Transfer Areas consist of 756.31 acres, more or less, are located in Jefferson County, Colorado and are located in the Denver metropolitan area, approximately sixteen miles northwest of Denver, Colorado and ten miles south of Boulder, Colorado. Nearby communities include the Cities of Arvada, Broomfield, Golden, Superior and Westminster, Colorado.

The Transfer Areas include portions of the following sections of Rocky Flats:

Sections 3, 4 and 9 Township 2 South, Range 70 West of the 6th Principal Meridian

Article 5 – Effective Date of Transfer: This Letter of Transfer is effective upon acceptance by the Secretary of the Interior or the Secretary's duly authorized representative, as directed by the Refuge Act.

Article 6 – Possession, Accountability and Transfer of Deeds and Title Documents: Accountability records, copies of recorded deeds, Declaration of Taking, Attorney General Opinions on Title and other title documents, including existing outgrants issued by the DOE related to the Transfer Areas, either have been provided by the Environmental Management Consolidated Business Center and LM or they will be provided by the LM to the USFWS at the following address: Chief, Realty Division, USFWS, P.O. Box 25486, Denver Federal Center, Lakewood, Colorado 80225-0486. These documents have been provided in electronic format. DOE agrees to take all steps necessary to secure final Attorney General Opinions pertaining to the Transfer Areas described in this Transfer Letter.

Article 7 – Restrictions, Conditions, Reservations, Retention, Exceptions and Requirements: This transfer is subject to the restrictions, conditions, reservations, retentions, exceptions and requirements contained in the Refuge Act and applicable remediation documents, which are summarized in the "Corrective Action Decision/Record of Decision for Rocky Flats Plant (USDOE) Peripheral Operable Unit and Central Operable Unit ("CAD/ROD") Rocky Flats Environmental Technology Site", dated September 2006, incorporated into this Letter of Transfer by reference. The DOE, the Environmental Protection Agency ("EPA") and the Colorado Department of Public Health and Environment ("CDPHE") will retain and the USFWS agrees to a right-of-entry over and through the Additional Transfer Areas, granting the DOE, EPA and CDPHE, as appropriate, access to complete any and all actions necessary to finish post-transfer environmental remediation requirements as directed by the Refuge Act.

This transfer is subject to the following third party interests, if any:

- a. Any and all existing easements, rights-of-way, reservations and servitudes, whether of record or not; all such easements, rights-of-way, reservations and servitudes, are depicted on the Corrected Survey.
- b. Any and all valid and existing recorded and unrecorded outstanding liens, licenses, leases, easements and other encumbrances, including roads, highways, streets, railroads, utility systems, rights-of-way, pipelines, sewer lines, water lines, conduits, flumes, ditches and canals; all valid and existing recorded and unrecorded outstanding liens, licenses, leases, easements and other encumbrances, including roads, highways, streets, railroads, pipelines, utility systems, right-of-way, pipelines, sewer lines, water lines, conduits, flumes, ditches and canals are depicted on the Corrected Survey;
- c. Water rights outstanding in third parties; Exceptions and any other outstanding rights in third parties contained in or referred to in patents issued by the United States;
- d. Existing outgrants issued by the DOE; all existing outgrants issued by the DOE are depicted on the Corrective Survey.

There is no guarantee that title to the Transfer Areas is free of any claim or title defect.

Article 9 – Record of Environmental Consideration: This agency-to-agency transfer of administrative jurisdiction qualifies for a categorical exclusion under 10 CFR Part 1021, Appendix B1.25. Based upon a compliance review it has been determined that this transfer is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement. Specifically, this transfer of jurisdiction action for these lands to be administered as part of the Rocky Flats National Wildlife Refuge has no extraordinary circumstances potentially having effects which may significantly affect the environment. Transfer of jurisdiction of this land for habitat preservation or wildlife management is specifically identified as an action categorically excluded from additional documentation under the National Environmental Protection Act of 1969, (“NEPA”) 42 USC Sections 4321-4347. Therefore, based on the environmental, archeological, cultural and historical review of this project, it is determined that there is no further documentation or compliance required under NEPA.

Article 10 – Environmental Condition of Property: A Remedial Investigation/Feasibility Study (“RI/FS”) was completed in June 2006 covering the entire Rocky Flats site, including the Additional Transfer Areas and is incorporated into this Letter of Transfer by reference. The RI/FS describes remediation and restrictions of certain portions of the site to be retained by the DOE and demonstrates that the Additional Transfer Areas do not require remediation or restrictions for transfer. The DOE shall have sole and exclusive Federal responsibility to fund and implement any Response Actions (including operation and maintenance and Land Use Control) required by applicable law or implementing regulations, including but not limited to Comprehensive Environmental Response, Compensation and Liability Act of 1980 (“CERCLA”), 42 USC Section 9601, et seq, Resource Conservation and Recovery Act (“RCRA”), 42 USC Section 6901 et seq., and Colorado Hazardous Waste Act (“CHWA”), Sections 25-15-101 to 25-15-327, Colorado Revised Statutes, to address Covered Substances resulting from the activities of the DOE (including entities acting with permission or under the authority of, or in a contractual relationship with the DOE) or which are present at the time of this transfer by the DOE to USFWS (including contamination that is subsequently discovered), except to the extent that USFWS or a third party caused or contributed to such contamination after the date of this transfer. For the purposes of this Letter of Transfer the term “Response Action” means any of the following:

1. A response, as such term is defined in Section 101(25) of CERCLA, (42 USC Section 9601(25)).
2. A corrective action or closure under RCRA or CHWA; or
3. Any requirement for institutional controls imposed by any of the laws referred to in subparagraph (1) or (2).

For the purposes of this Letter of Transfer the term “Covered Substances” means any of the following:

1. Any hazardous substance, as such term is defined in Section 101(14) of CERCLA, 42 USC Section 9601(14). This includes all radioactive substances released at Rocky Flats by the DOE; and
2. Any pollutant or contaminant, as such term is defined in Section 101(33) of CERCLA, 42 USC Section 9601(33); and
3. Any petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under Section 101(14)(A) through (F) of CERCLA, 42 US Section 9601(14); and
4. Any other substance, material, or waste the release of which requires a response action to protect human health and the environment.

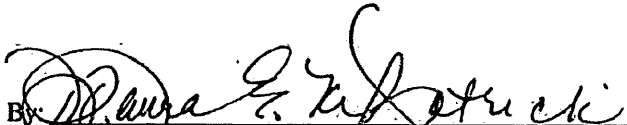
Article 11 – Notice of the Presence of Asbestos and Agreement: The USFWS is hereby informed and does acknowledge that non-friable asbestos or asbestos-containing materials have not been found on the Transfer Areas.

Article 12 – Notice of Ordnance and Explosives/Recovered Chemical Warfare Material: No buildings or land in the Transfer Areas are known to contain Munitions and Explosives of Concern or chemical warfare items.

Article 12 – Jurisdiction: The Federal Jurisdiction being transferred is proprietary.

NOW THEREFORE, in consideration of the foregoing premises, I hereby approve and deliver this Letter of Transfer and cause administrative jurisdiction over all of the property, rights and interests enumerated above and listed with the accompanying Exhibit hereto and by this reference, incorporated herein, to be assigned to the Department of the Interior, U.S. Fish and Wildlife Services.

UNITED STATES OF AMERICA

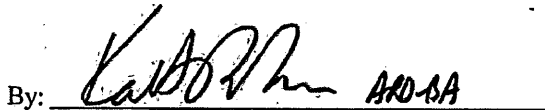
By: 

Dr. Laura E. Kilpatrick, Senior Realty Officer
DEPARTMENT OF ENERGY
OFFICE OF LEGACY MANAGEMENT

Date: February 20, 2014

In accordance with the Refuge Act, the undersigned hereby accepts, on behalf of the Department of the Interior, U.S. Fish and Wildlife Service, administrative jurisdiction, to include custody, accountability and control, for the above-described real property and all appurtenant facilities, rights and interests.

DEPARTMENT OF THE INTERIOR,
U.S. FISH AND WILDLIFE SERVICE

By:  K. B. Smith

Date: 2-26-2014

EXHIBIT "A"

LOCATED IN SECTIONS 3, 4 & 9, TOWNSHIP 2 SOUTH,
RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF JEFFERSON, STATE OF COLORADO

SHEET 1 OF 7

PARCEL A-1 DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTH HALF OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 3 AS ASSUMED TO BEAR SOUTH 00°32'48" WEST BETWEEN A FOUND 3" ALUMINUM CAP ON ALUMINUM PIPE FLUSH WITH GROUND STAMPED NORTHEAST COR SEC 3 FOUND 4" ALUM. CAP MARKED "BELL, R70W, T1S, 34, 35, T2S, 3, 2, 7361" AT THE NORTHEAST CORNER OF SAID SECTION 3 AND A FOUND 4" BRASS CAP IN CONCRETE MARKED "WAR DEPARTMENT-CORPS OF ENGINEERS-U.S. ARMY, TRAVERSE STATION, NE 1/4 SE 1/4 SEC 3, POT 2E, 51" AT THE EAST QUARTER CORNER OF SAID SECTION 3 WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 3;
THENCE SOUTH 00°32'48" WEST ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 3 A DISTANCE OF 280.65 FEET TO A POINT ON THE SOUTHERLY R.O.W. OF STATE HIGHWAY 128 AND THE POINT OF BEGINNING;
THENCE CONTINUING SOUTH 00°32'48" WEST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER A DISTANCE OF 2348.15 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 3;
THENCE SOUTH 89°23'36" WEST ALONG THE SOUTH LINE OF THE NORTH HALF OF SAID SECTION 3 A DISTANCE OF 5279.81 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 3;
THENCE NORTH 22°00'36" EAST A DISTANCE OF 2393.52 FEET;
THENCE NORTH 80°23'19" EAST A DISTANCE OF 1599.63 FEET TO A POINT ON THE SOUTHERLY R.O.W. OF STATE HIGHWAY 128;
THENCE ALONG SAID R.O.W. THE FOLLOWING 3 COURSES;
SOUTH 86°51'08" EAST A DISTANCE OF 311.75 FEET;
THENCE SOUTH 88°23'01" EAST A DISTANCE OF 2288.55 FEET;
THENCE SOUTH 89°51'51" EAST A DISTANCE OF 228.82 FEET TO THE POINT OF BEGINNING.

CONTAINING 11,426,400 SQUARE FEET OR 262.31 ACRES, MORE OR LESS.



JOB NUMBER: 09-56,801
DRAWN BY: B. OELKE
DATE: NOVEMBER 15, 2013

THIS IS NOT A "LAND SURVEY PLAT" OR "IMPROVEMENT SURVEY PLAT" AND THIS EXHIBIT IS NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND. RECORD INFORMATION SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY CLIENT.

Flatirons, Inc.
Surveying, Engineering & Geomatics
3825 IRIS AVE, STE 395
BOULDER, CO 80301
PH: (303) 443-7001
FAX: (303) 443-9830
www.FlatironsInc.com



BY:BOELKE FILE:56801_4311-027_DESC.DWG DATE:11/19/2013 9:25 AM

EXHIBIT "A"

LOCATED IN SECTIONS 3, 4 & 9, TOWNSHIP 2 SOUTH,
RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF JEFFERSON, STATE OF COLORADO

SHEET 2 OF 7

PARCEL A-2 DESCRIPTION

A PARCEL OF LAND LOCATED IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4 AS ASSUMED TO BEAR S00°13'25"E BETWEEN A FOUND 4" BRASS CAP IN CONCRETE STAMPED "WAR DEPARTMENT-CORPS OF ENGINEERS-U.S. ARMY, TRAVERSE STATION, NW COR SW 1/4 SEC 3, P.I. 4, 1951" AT THE EAST QUARTER CORNER OF SAID SECTION 4 AND A FOUND 3 1/4" BRASS CAP IN CONCRETE STAMPED "WAR DEPARTMENT-CORPS OF ENGINEERS-U.S. ARMY, TRAVERSE STATION, PI 13, 1951" AT THE SOUTHEAST CORNER OF SAID SECTION 4 WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 4;
THENCE SOUTH 00°13'25" EAST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4 A DISTANCE OF 406.19 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING SOUTH 00°13'25" EAST ALONG SAID EAST LINE A DISTANCE OF 2228.45 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 4;
THENCE NORTH 89°30'16" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4 A DISTANCE OF 1319.31 FEET;
THENCE NORTH 00°24'46" WEST ALONG THE WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 4 A DISTANCE OF 1797.42 FEET;
THENCE NORTH 72°24'28" EAST A DISTANCE OF 1388.45 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,662,035 SQUARE FEET OR 61.11 ACRES, MORE OR LESS.



JOB NUMBER: 09-56,801
DRAWN BY: B. OELKE
DATE: NOVEMBER 15, 2013

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Surveying, Engineering & Geomatics



3825 IRIS AVE, STE 395
BOULDER, CO 80301
PH: (303) 443-7001
FAX: (303) 443-9830

www.FlatironsInc.com

BY:BOELKE FILE:56801_4311-027_DESC.DWG DATE:11/19/2013 9:25 AM

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LOCATED IN SECTIONS 3, 4 & 9, TOWNSHIP 2 SOUTH,
RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF JEFFERSON, STATE OF COLORADO

SHEET 3 OF 7

PARCEL B DESCRIPTION

THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH,
RANGE 70 WEST OF THE 6TH P.M., COUNTY OF JEFFERSON, STATE OF COLORADO, BEING
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 9 AS ASSUMED
TO BEAR SOUTH 00°04'37" EAST BETWEEN A FOUND 3 1/4" ALUM. CAP ON #6 REBAR
STAMPED "FLATIRONS SURVEYING, T2S-R70W, 1/4 S4/S9, 1998, LS 16406" AT THE
NORTH QUARTER CORNER OF SAID SECTION 9 AND A FOUND 3 1/2" ALUM. CAP
STAMPED "FLATIRONS SURVEYING, T2S, R70W, C 1/4, S9, 1998, LS 16406" AT THE
CENTER QUARTER OF SAID SECTION WITH ALL BEARINGS CONTAINED HEREIN BEING
RELATIVE THERETO.

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 9; THENCE SOUTH
00°04'37" EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 9
A DISTANCE OF 2662.14 FEET TO THE CENTER QUARTER CORNER OF SAID SECTION 9;
THENCE SOUTH 89°58'53" WEST ALONG THE SOUTH LINE OF THE EAST HALF OF THE
NORTHWEST QUARTER OF SAID SECTION 9 A DISTANCE OF 1313.26 FEET TO THE CENTER
WEST ONE-SIXTEENTH CORNER OF SAID SECTION 9;
THENCE NORTH 00°12'06" WEST ALONG THE WEST LINE OF THE EAST HALF OF THE
NORTHWEST QUARTER OF SAID SECTION 9 A DISTANCE OF 2673.42 FEET TO THE WEST
ONE-SIXTEENTH CORNER COMMON TO SECTION 4 AND 9;
THENCE SOUTH 89°31'43" EAST ALONG THE NORTH LINE OF THE EAST HALF OF THE
NORTHWEST QUARTER OF SAID SECTION 9 A DISTANCE OF 1319.15 FEET TO THE POINT
OF BEGINNING.

CONTAINING 3,511,241 SQUARE FEET OR 80.61 ACRES, MORE OR LESS



BY:BOELKE FILE:58801_4311-027_DESC.DWG DATE:11/19/2013 9:25 AM

JOB NUMBER: 09-56,801
DRAWN BY: B. OELKE
DATE: NOVEMBER 15, 2013

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RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF JEFFERSON, STATE OF COLORADO

SHEET 4 OF 7

PARCEL C DESCRIPTION

A PARCEL OF LAND BEING THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 9 AS ASSUMED TO BEAR SOUTH 00°04'47" EAST BETWEEN A FOUND 3 1/4" BRASS CAP IN CONCRETE STAMPED "WAR DEPARTMENT-CORPS OF ENGINEERS-U.S. ARMY, TRAVERSE STATION, PI 13, 1951" AT THE NORTHEAST CORNER OF SAID SECTION 9 AND A FOUND 4" BRASS CAP IN CONCRETE STAMPED "WAR DEPARTMENT-CORPS OF ENGINEERS-U.S. ARMY, TRAVERSE STATION, NW COR SW 1/4 SEC 10, POI 2W, 1951" AT THE EAST QUARTER CORNER OF SAID SECTION 9 WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO.

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 9;
THENCE SOUTH 00°04'47" EAST ALONG THE EAST LINE OF THE NORTHEAST QUARTER A DISTANCE OF 2638.44 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 9;
THENCE SOUTH 89°58'53" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER A DISTANCE OF 2638.62 FEET TO THE CENTER QUARTER CORNER OF SAID SECTION 9;
THENCE NORTH 00°04'37" WEST ALONG THE WEST LINE OF THE NORTHEAST QUARTER A DISTANCE OF 2662.14 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 9;
THENCE SOUTH 89°30'16" EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER A DISTANCE OF 2638.62 FEET TO THE NORTHEAST CORNER OF SAID SECTION 9 AND THE POINT OF BEGINNING.

CONTAINING 6,992,945 SQUARE FEET OR 160.54 ACRES, MORE OR LESS.



BY:BOELKE FILE:56801_4311-027_DESC.DWG DATE:11/19/2013 9:25 AM

JOB NUMBER: 09-56,801
DRAWN BY: B. OELKE
DATE: NOVEMBER 15, 2013

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Flatirons, Inc.
Surveying, Engineering & Geomatics
 3825 IRIS AVE, STE 395
BOULDER, CO 80301
PH: (303) 443-7001
FAX: (303) 443-9830
www.FlatironsInc.com

EXHIBIT "A"

LOCATED IN SECTIONS 3, 4 & 9, TOWNSHIP 2 SOUTH,
RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF JEFFERSON, STATE OF COLORADO

SHEET 5 OF 7

PARCEL D-1 DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 4, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE 6TH P.M., COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4 AS ASSUMED TO BEAR SOUTH 00°13'25" EAST BETWEEN A FOUND 4" BRASS CAP IN CONCRETE STAMPED "WAR DEPARTMENT-CORPS OF ENGINEERS-U.S. ARMY, TRAVERSE STATION, NW COR SW 1/4 SEC 3, P.I. 4, 1951" AT THE EAST QUARTER CORNER OF SAID SECTION 4 AND A FOUND 3 1/4" BRASS CAP IN CONCRETE STAMPED "WAR DEPARTMENT-CORPS OF ENGINEERS-U.S. ARMY, TRAVERSE STATION, PI 13, 1951" AT THE SOUTHEAST CORNER OF SAID SECTION 4 WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 4;
THENCE NORTH 89°30'16" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4 A DISTANCE OF 1319.31 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING NORTH 89°30'16" WEST ALONG SAID SOUTH LINE A DISTANCE OF 1319.31 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 4;
THENCE NORTH 89°31'43" WEST ALONG THE SOUTH LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 4 A DISTANCE OF 1319.15 FEET TO THE WEST ONE-SIXTEENTH CORNER COMMON TO SECTIONS 4 AND 9;
THENCE NORTH 00°47'25" WEST ALONG THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 4 A DISTANCE OF 2625.36 FEET TO THE CENTER WEST ONE-SIXTEENTH CORNER OF SAID SECTION 4;
THENCE NORTH 89°22'53" EAST A DISTANCE OF 1700.53 FEET;
THENCE SOUTH 88°56'14" EAST A DISTANCE OF 683.38 FEET;
THENCE SOUTH 01°03'49" WEST A DISTANCE OF 949.57 FEET;
THENCE NORTH 72°24'28" EAST A DISTANCE OF 310.06 FEET TO A POINT ON THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 4;
THENCE SOUTH 00°24'46" EAST ALONG SAID EAST LINE A DISTANCE OF 1797.42 FEET TO THE POINT OF BEGINNING.

CONTAINING 6,746,936 SQUARE FEET OR 154.89 ACRES, MORE OR LESS.



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EXHIBIT "A"

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RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF JEFFERSON, STATE OF COLORADO

SHEET 6 OF 7

PARCEL D-2A DESCRIPTION

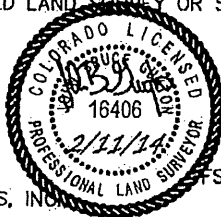
A PARCEL OF LAND LOCATED IN THE EAST HALF OF THE SOUTHWEST
QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE 6TH
P.M., COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 9
AS ASSUMED TO BEAR SOUTH 00°04'37" EAST BETWEEN A FOUND 3 1/2"
ALUM. CAP ON A #6 REBAR STAMPED "FLATIRONS SURVEYING, T2S, R70W,
C 1/4, S9, 1998, LS 16406" AT THE CENTER QUARTER OF SAID SECTION 9
AND A FOUND 3 1/4" ALUM. CAP ON 1 1/2" AXLE STAMPED "FLATIRONS
SURVEYING, T2S-R70W, 1/4, S9/S16, 1998, LS 16406" AT THE SOUTH
QUARTER CORNER OF SAID SECTION 9 WITH ALL BEARINGS CONTAINED
HEREIN BEING RELATIVE THERETO:

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 9;
THENCE SOUTH 89°58'53" WEST ALONG THE NORTH LINE OF THE EAST HALF
OF THE SOUTHWEST QUARTER OF SAID SECTION 9 A DISTANCE OF 527.98
FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID NORTH LINE
SOUTH 01°39'46" EAST, A DISTANCE OF 1831.71 FEET; THENCE SOUTH
51°03'46" WEST A DISTANCE OF 156.88 FEET; THENCE SOUTH 78°50'01"
WEST 722.05 FEET TO A POINT ON THE WEST LINE OF SAID EAST HALF OF
THE SOUTHWEST QUARTER; THENCE ALONG SAID WEST LINE NORTH 00°13'19"
WEST, A DISTANCE OF 2069.13 FEET TO THE NORTHWEST CORNER OF SAID
EAST HALF OF THE SOUTHWEST QUARTER; THENCE ALONG THE NORTH LINE
OF SAID EAST HALF OF THE SOUTHWEST QUARTER NORTH 89°58'53" EAST,
A DISTANCE OF 785.28 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,605,356 SQ. FT. OR 36.85 ACRES MORE OR LESS.

I, JOHN B. GUYTON, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY
STATE FOR AND ON BEHALF OF FLATIRONS, INC., THAT THIS PARCEL DESCRIPTION AND
ATTACHED EXHIBIT, BEING MADE A PART THEREOF, WERE PREPARED BY ME OR UNDER MY
RESPONSIBLE CHARGE AT THE REQUEST OF THE CLIENT AND IS NOT INTENDED TO
REPRESENT A MONUMENTED LAND SURVEY OR SUBDIVIDE LAND IN VIOLATION OF STATE
STATUTE.



JOHN B. GUYTON
COLORADO P.L.S. #16406
CHAIRMAN/CEO, FLATIRONS, INC.

FSI JOB NO. 09-56,801

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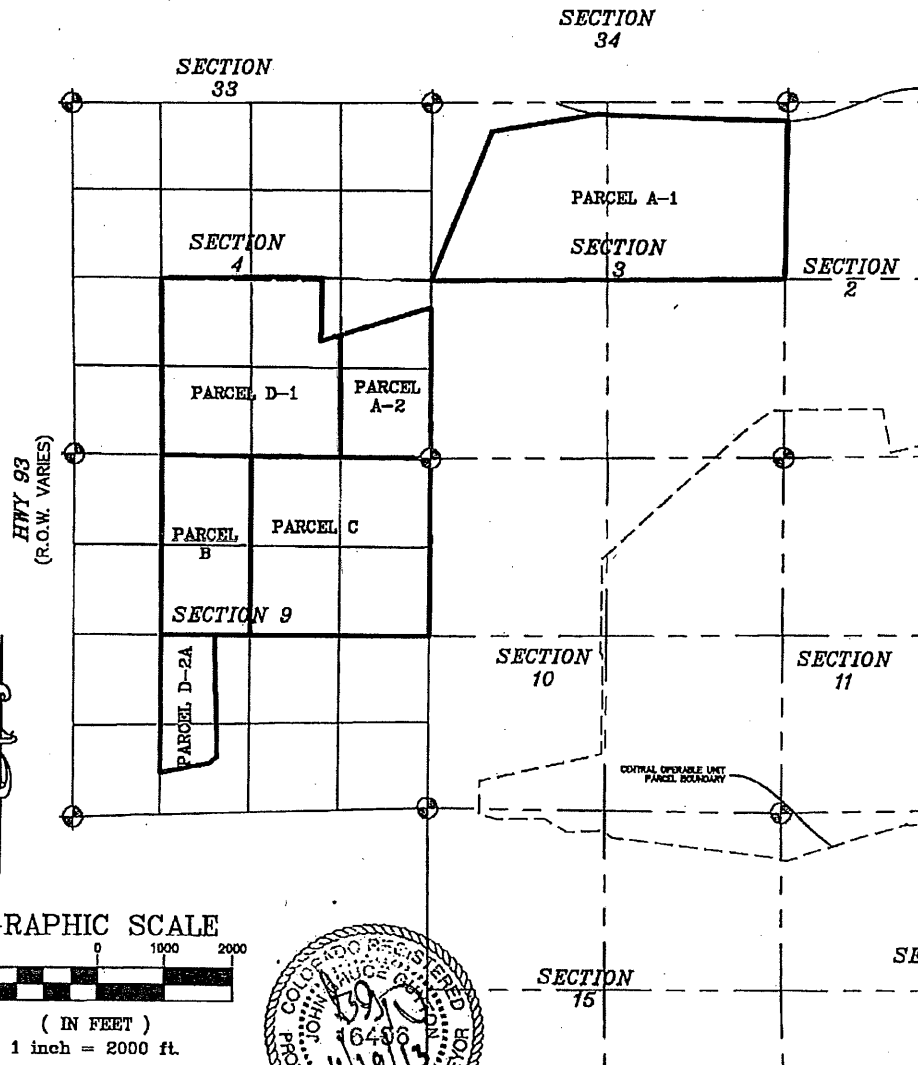
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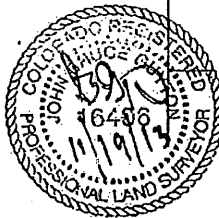
SHEET 7 OF 7



BY:BOELKE FILE:56801_4311-027_DESC.DWG DATE:11/19/2013 9:37 AM

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