

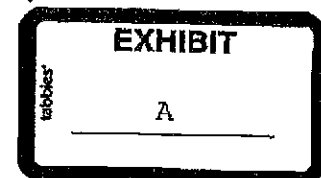
DISTRICT COURT, PARK COUNTY COLORADO 300 - 4 th Street Fairplay, Colorado 80440	
Plaintiffs: ELK FALLS PROPERTY OWNERS ASSOCIATION, a Colorado corporation; KATHRYN WELLS; THE PAUL VASTOLA AND SUZANNE G. NELSON LIVING TRUST, U/A; ROBERT W. PHELPS; and KEVIN O'CONNELL Defendants: VERA B. DUNWODY and DRAYTON D. DUNWODY, and FARM CREDIT OF SOUTHERN COLORADO, ACA, an agricultural credit association Plaintiffs in Intervention: PETER J. BRAUN and RENAE J. BRAUN	▲ COURT USE ONLY ▲
Victor F. Boog, No. 2561 Amanda B. Cruser, No. 30601 Boog & Cruser, P.C. 3333 S. Wadsworth Blvd., Suite D201 Lakewood, CO 80227 303-986-5769 Fax 303-985-3297 <i>Attorneys for Vera B. and Drayton D. Dunwody</i>	Case Number: 2010 CV 65 Div.: 1
AFFIDAVIT OF VERA B. DUNWODY	

STATE OF COLORADO)
) ss
 County of Jefferson)

Vera B. Dunwody, being duly sworn upon her oath, deposes and states as follows:

1. By warranty deed dated May 29, 1934, Elmer Berg acquired substantial property in Park County, Colorado including, but not limited to, the East half of the Southwest quarter (E 1/2 SW 1/4) of Section Twenty-four (24) and the Northwest quarter (NW 1/4) of Section Twenty five (25), Township 6, Range 72 West of the 6th Principal Meridian (hereinafter the "Elmer Berg Property". (See certified copy of warranty deed attached hereto as Exhibit 1.)

2. By deed dated November 6, 1959, Elmer Berg, also known as Elmer C. Berg, conveyed a 1.34 acre portion of the Elmer Berg Property lying immediately west of the north



quarter corner of Section 25 to J. F. Houze and Dorothy I. Houze. (See certified copy of deed attached hereto as Exhibit 2.)

3. No further conveyances of any portion of the Elmer Berg Property appear in the records of the Clerk and Recorder of Park County, Colorado prior to the approval of the Plat of Elk Falls-Block 1 in December, 1959.

4. By deed dated June 6, 1962, Elmer Berg conveyed a 0.145 acre portion of the Elmer Berg Property to Herbert Cobb Stebbins and Lucy H. Stebbins, a certified copy of which is attached hereto as Exhibit 3.

5. Elmer C. Berg died on December 26, 1962, as confirmed by a Release of Inheritance Tax Lien, a certified copy of which is attached hereto as Exhibit 4.

6. No conveyances of any additional portions of the Elmer Berg Property appear in the records of the Clerk and Recorder of Park County, Colorado prior to Elmer C. Berg's death on December 26, 1962; and the Release of Inheritance Tax Lien attached hereto as Exhibit 4 dated August 17, 1964, released all of Elmer C. Berg's interest in Section 25, T 6 S, R 72 W, Park County, Colorado, which included the Northwest quarter (NW 1/4) of Section 25, except for the aforesaid 1.34 acre parcel and the 0.145 acre parcel.

7. On May 31, 1963, Alice E. Berg quitclaimed to the County of Jefferson, State of Colorado, for road purposes, Tracts D, E, and J, Elk Falls-Block 1, Jefferson County, Colorado; and said conveyance was accepted by Jefferson County for road purposes on July 15, 1963 (see attached Exhibit 5).

8. On June 6, 1963, Jefferson County approved Alice E. Berg's Plat of Elk Falls-Block 2, Jefferson County, Colorado, which subdivision was immediately east of Elk Falls-Block 1. (See Plaintiffs' Amended and Restated Complaint, paragraph 15; Exhibits 3 and 3(a) attached thereto).

9. Elk Falls-Block 1, Tract D connected directly to High View Drive, a road dedicated to the public in Elk Falls-Block 2.

10. Elk Falls-Block 1, Tract E connected directly to Stallion Drive, a road dedicated to the public in Elk Falls-Block 2.

11. Elk Falls-Block 1, Tract J connected directly to Rock Creek Road, a road dedicated to the public in Elk Falls-Block 2.

12. By virtue of Alice E. Berg's conveyance of Tracts D, E, and J, Elk Falls-Block 1 to Jefferson County for road purposes; Jefferson County's acceptance of such conveyance; and Alice E. Berg's dedication of the roads, lanes, and drives in Elk Falls-Block 2 to the public, all

lots in Elk Falls Blocks 1 and 2 had access to Upper Ranch Drive, a road dedicated to the public by the Plat of Elk Falls-Block 2; and from there to South Elk Creek Road, a public road.

13. The Last Will and Testament of Elmer C. Berg, a certified copy of which is attached hereto as Exhibit 6, was admitted to probate in the County Court for the City and County of Denver, Colorado, on August 18, 1964. (See Order Admitting to Probate attached to the Affidavit of Vera B. Dunwoody as Exhibit 7.) The Last Will and Testament of Elmer C. Berg gave, devised, and bequeathed all of Elmer C. Berg's real property to his wife Alice E. Berg.

14. In December, 1966, Alice E. Berg conveyed to the Elk Falls Ranch Development Co. certain property including the property hereinbefore referred to as the Elmer Berg Property, as confirmed by a deed attached to the Plaintiffs' Amended and Restated Complaint as Exhibit 4. (Plaintiffs' Amended and Restated Complaint, paragraph 19.) Said warranty deed was recorded on December 22, 1966, at Book 193, Pages 65-68 in the office of the Clerk and Recorder of Park County, Colorado. Said deed noted that the property conveyed thereby was subject to certain rights-of-way and easements "for ingress and egress over, on and through existing roads for access to and from Sections 15 and 16, Township 6 South, Range 72 West . . ." Absent from such deed is any reference to easements for ingress and egress over, on, and through existing roads for access to Elk Falls, Block 1, Block 2, or the property now included in Elk Falls, Block 3.

15. On February 20, 1967, at the request of lot owners in Elk Falls-Block 1, the Board of County Commissioners of Jefferson County passed a Resolution vacating portions of Elk Road in Elk Falls-Block 1. The Resolution notes in pertinent part as follows:

WHEREAS, by a plat of Elk Falls, Block 1 . . . certain streets, avenues, and alleys shown thereon were dedicated to the public; and

WHEREAS, the following described road is no longer necessary for use by the public; and . . .

WHEREAS, no land would, by vacation of said road be left without an established public road connecting it with another established public road . . .

NOW, THEREFORE, BE IT RESOLVED . . . that the following described road [portions of Elk Road] . . . are hereby vacated . . .

(See attached Exhibit 8.)

16. On March 30, 1968, the Elk Falls Ranch Development Co. subdivided the land to the west of Block 1 as Elk Falls - Block 3. A true copy of this plat is attached as Exhibits 5 and 5(a) to the Plaintiffs' Amended and Restated Complaint. (Plaintiffs' Amended and Restated Complaint, paragraph 20.)

17. On January 14, 1969, the Board of County Commissioners of Park County, Colorado, accepted the dedicated roads in the Plat of Elk Falls-Block 3 for maintenance. (See attached Exhibit 9.)

18. The portion of roads that are in dispute lie in Park County and involve sections of the following roads: Elk Creek Road, a/k/a South Elk Creek Road, a/k/a CR 1184, Juniper Road, and Jensen Road. (Plaintiffs' Amended and Restated Complaint, paragraph 9.)

19. Those portions of Juniper Road, Jensen Road, and Elk Creek Road which are subject to Plaintiffs' claims (hereinafter the "Disputed Roads"), lie west of the west boundary line of the metes and bounds description of the property included in the plat of Elk Falls-Block 1, and outside of the metes and bounds description of the property included within the plat of Elk Falls-Block 3. Thus, the Disputed Roads are not part of the roads, lanes, circles, and drives included within the legal descriptions of Elk Falls-Block 1, and Elk Falls-Block 3, which were granted and dedicated for the use of the public. (See Plats attached to Plaintiffs' Amended and Restated Complaint as Exhibits 2, 2a, 2b, 5, and 5a.)

20. Vera B. Dunwody and Drayton D. Dunwody are owners of the property described in Exhibit A to the Special Warranty Deed attached to the Plaintiffs' Amended and Restated Complaint as Exhibit 6 (hereinafter the "Dunwody Property").

21. A survey of the Dunwody Property, which is based on the description of the Dunwody Property set forth as Exhibit A to the warranty deed attached to Plaintiffs' Amended and Restated Complaint as Exhibit 6, is attached hereto as Exhibit 10.

22. The description of the Dunwody Property set forth on Exhibit A to the warranty deed attached to the Plaintiffs' Amended and Restated Complaint as Exhibit 6, and the survey attached hereto as Exhibit 8, confirm that the Disputed Roads are located on the Dunwody Property.

23. There is no evidence in the chain of title to the Dunwody Property that easements over and across the Disputed Roads were granted of record to the owners of lots within Elk Falls-Block 1, Block 2, or Block 3.

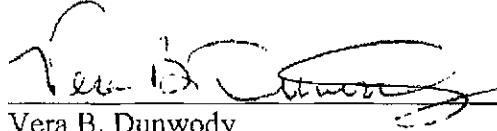
24. There is no evidence of a deed in the chain of title to the Dunwody Property that contains a dedication, reservation, or exception for a public road.

25. Access over and across said portion of South Elk Creek Road for the benefit of said Lots 30-46 has never been denied.

26. That portion of South Elk Creek Road which is included within the description of the Dunwody Property is a way of necessity to Lots 30-46, inclusive, in Elk Falls-Block 3.

27. Kirk Holleyman, counsel of record for Plaintiffs in Intervention, Peter J. Braun and Renae J. Braun, obtained a legal description of that portion of South Elk Creek Road located on the Dunwody Property, and non-exclusive easements over said portion of South Elk Creek Road have been granted by the Dunwodys and are being recorded for the benefit of Lots 30-46, inclusive, in Elk Falls-Block 3, Park County, Colorado.

Further affiant sayeth naught.



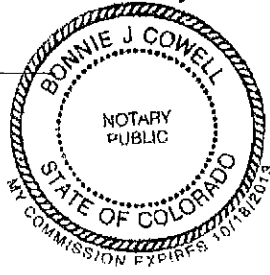
Vera B. Dunwody

Subscribed and sworn to before me this 4th day of January, 2011 by Vera B. Dunwody.



Notary Public

My Commission expires: 10/18/13





Public Trustee in said County of Park:

Please execute this release, the indebtedness secured by the above mentioned Deed of Trust having been fully paid.

By Max Schott

THE COLORADO NATIONAL BANK OF DENVER, AGENT

By Hugh McLean
The legal holder of the indebtedness
secured by said Deed of Trust
Trust Officer

STATE OF COLORADO, }
COUNTY OF PARK. } ss.

The foregoing instrument was acknowledged before me this 15th day of June, A. D. 1934, by A. Young as the Public Trustee in said County of Park, Colorado.

Witness my hand and Official Seal.

Harold C. Moyer
Deputy County Clerk

Filed for Record at 9:01 o'clock, A. M.

June 15th, 1934

H. L. Moyer
Recorder

Harold C. Moyer
Deputy



Norman Lester Jensen *

WARRANTY DEED

To * THIS DEED, Made this 29th day of May, A. D., in the year of our
Elmer Berg * Lord one thousand nine hundred and thirty-four, between Norman Lester
Warranty Deed * Jensen, Pearl Jensen McCoy, Mrs. Albert Jensen Severs, also known as
Stella Jensen Severs and Alice Ellen Jensen Berg, formerly Alice Ellen
Jensen, of the City and County of Denver and State of Colorado, of the first part, and Elmer
Berg of the City and County of Denver and State of Colorado, of the second part:

WITNESSETH, That the said parties of the first part, for and in consideration of the sum
Ten Dollars, to the said parties of the first part in hand paid by the said party of the
second part, the receipt whereof is hereby confessed and acknowledged, have granted, bargained,
and conveyed, and by these presents do grant, bargain, sell, convey and confirm, unto the
party of the second part, his heirs and assigns forever, all the following described lots
parcel of land, situate, lying and being in the County of Park and State of Colorado, to-wit:
The South half of the Southeast quarter (S $\frac{1}{2}$ -SE $\frac{1}{4}$) of Section twenty-three (23);
the East half of the Southwest Quarter (E $\frac{1}{2}$ -SW $\frac{1}{4}$) of Section Twenty-four (24);
The Northwest quarter (NW $\frac{1}{4}$) of Section Twenty-five (25); the North half of the
Southeast quarter (N $\frac{1}{2}$ -SE $\frac{1}{4}$); and the Northeast quarter (NE $\frac{1}{4}$) of Section Twenty-
six (26), all in Township six (6), South of Range Seventy-two (72), West of the
sixth principal meridian.

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or
anywise appertaining, and the reversion and reversions, remainder and remainders, rents,
issues and profits thereof; and all the estate, right, title, interest, claim and demand what-
soever of the said parties of the first part, either in law or equity, or, in and to the above
bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances,
unto the said party of the second part, his heirs and assigns forever. And the said parties of
the first part, for themselves, their heirs, executors, and administrators, do covenant, grant,
bargain and agree to and with the said party of the second part, his heirs and assigns, that
at the time of the encasing and delivery of these presents, they are well seized of the premises

above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and have good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments and encumbrances of whatever kind or nature soever, except encumbrances of record and taxes; and the above bargained premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said parties of the first part shall and will WARRANT AND FOREVER DEFEND.

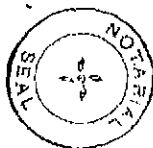
IN WITNESS WHEREOF, The said parties of the first part have hereunto set our hands and seals the day and year first above written.

Norman Lester Jensen (SEAL)
 Pearl Jensen McCoy (SEAL)
 Mrs. Albert Jensen Severs
 Also known as Stella Jensen
 Alice Ellen Jensen Berg
 Formerly Alice Ellen Jensen

STATE OF COLORADO) (Stamps \$1.00)
) SS.
 CITY AND COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 29th day of May, A. D. 1934, by Norman Lester Jensen, Pearl Jensen McCoy, Mrs. Albert Jensen Severs, also known as Stella Jensen Severs and Alice Ellen Jensen Berg, formerly Alice Ellen Jensen.

My commission expires; My Commission expires February 1, 1938
 Witness my hand and official seal.



Marian F. Kabel
 Notary Public

Filed for Record at 9:02 o'clock
 June 15th, 1934
 H. L. Moyer
 Recorder
Harold C. Moyer
 Deputy

J. R. Self, et al *
 *
 * To * This Indenture, Made the 28th. day of May in the year of our Lord
 * one thousand nine hundred and Thirty Four, between J. R. Self, Mrs. Anna
 * Elmer A. Self * Self, Jack C. Hanes, of the County of and State of Colorado, parties of the
 * Mining Deed * first part, and Elmer A. Self of the County of Park and State of Colorado,
 * party of the second part;

Witnesseth, That the said parties of the first part, for and in consideration of the sum of
 One Dollar and other good and valuable considerations of the United States of America, the sum of
 hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have
 granted, bargained, sold, remised, released and forever quit-claimed, and by these presents do
 grant, bargain, sell, remise, release and forever quit-claim, unto the said party of the second
 part, and to his heirs and assigns three eighths interest in The Lucky Break placer claim
 situated, in Mosquito Mining District of Park County, Colorado, the N. $\frac{1}{2}$ of SE $\frac{1}{4}$; NE $\frac{1}{4}$ of SE $\frac{1}{4}$;
 the E $\frac{1}{2}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$; of Sec. 11, T. 9 S. R7S W. of the 6th. P. M.
 Location Certificate recorded on page 72, Book 38 of county records of said Park County,

Together With all the dips, spurs and angles, and also all the metals, ores, gold and
 silver bearing quartz, rock and earth therein, and all the rights, privileges and franchises
 thereto incident, appendant and appurtenant, or therewith usually had and enjoyed; and also
 and singular the tenements, hereditaments and appurtenances thereto belonging, or in anywise

STATE OF COLORADO }
COUNTY OF PARK } SS

I, Debra A Green
County Clerk and Ex-Officio Recorder of Deeds, in and for the
County aforesaid, do hereby certify that the foregoing is a true,
full, correct and complete Warranty Deed

as the same appears of record in my office in Book 114
Page 410

Witness my hand and Official seal this 27th
day of Dec A.D. 20 10

Debra A Green
County Clerk and Recorder
By Barb Schmitt
Deputy
Barb Schmitt

Recorded Feb. 25, 1960 at 1:02 P.M. Clerk P.M.
Reception No. 152138 Marjorie M. Richardson, Recorder

Recorded at 1:05 o'clock P.M., Jan. 11, 1960 Book 166 Page 329
Reception No. 152947 Marjorie M. Richardson Recorder

KNOW ALL MEN BY THESE PRESENTS, That

ELMER C. BERG

of the County of Arapahoe, and State of Colorado,
for the consideration of TEN DOLLARS AND OTHER GOOD AND
VALUABLE CONSIDERATIONS,

do hereby sell and convey to J. F. HOUZE and
DOROTHY L. HOUZE, not in tenancy in common but
in joint tenancy,

of the City and County of Denver, and State of Colorado, the following real
property, situate in the County of Park, and State of Colorado, to-wit:
A tract of land located partially in Section 24 and partially in
Section 25, Township 6 South, Range 72 West of the 6th Principal
Meridian, described as follows:

Beginning at the South Quarter corner of said Section 24, being also
the North Quarter corner of said Section 25; thence North 1° 10'
East along the North-South center line of said Section 24, 76.3 feet
to a point thereon; thence North 87° 10' West, 249.1 feet; thence
South 3° 18' West, 271.0 feet; thence North 74° 00' East, 170.2 feet
to point of curvature of a curve to the right, said curve having a
radius distance of 384.98 feet; thence along said curve for an arc
distance of 99.4 feet to a point on the North-South center line of
said Section 25; thence North 0° 38' East along said North-South
center line of Section 25, 120.0 feet, more or less, to the point
of beginning; said tract containing 1.34 acres, more or less.



UNCLERKED & NOTED
LINDA PROBERT

of his appearances, and warrant the title to the same, subject to

and delivered this 6th day of November, 1959.

in the presence of

[Signature] (SEAL)

(SEAL)

(SEAL)

STATE OF COLORADO
County of *Arapahoe*

foregoing instrument was acknowledged before me this 6th day of November

by ELMER C. BERG.

in my hand and official seal
 commission expires *Jan 9, 1962*

[Signature]
Notary Public

Notary Public or persons here insert name of principal; if by person acting in representative or official capacity or an
agent, then insert name of person on executor, attorney-in-fact or other capacity or description; if by officer or em-
ployee of a corporation, insert name of such corporation, and the president or other officers of such corporation, naming it. (Statutory
Section 2222)

EXHIBIT
2

The Recording in Book 166 - Page 365

Recorded at 1:05 o'clock P. M., Jan. 11, 1960 Book 166 Page 365
Reception No. 152947 Marjorie M. Richardson Recorder.

Recorder's Stamp

ALL MEN BY THESE PRESENTS, That
ELMER C. BERG
County of Arapahoe, and State of Colorado,
for and in consideration of TEN DOLLARS AND OTHER GOOD AND
VALUABLE CONSIDERATIONS,

do hereby sell and convey to J. P. HOUZE and
L. HOUZE, not in tenancy in common but
as tenants,

City and County of Denver, and State of Colorado, the following real
estate in the County of Park and State of Colorado, to-wit:
a tract of land located partially in Section 24 and partially in
Section 25, Township 6 South, Range 72 West of the 6th Principal
Meridian, described as follows:

beginning at the South Quarter corner of said Section 24; being also
the North Quarter corner of said Section 25; thence North 1° 10'
East along the North-South center line of said Section 24, 76.3 feet
to a point thereon; thence North 87° 10' West, 249.1 feet; thence
North 3° 18' West, 271.0 feet; thence North 74° 00' East, 170.2 feet
to a point of curvature of a curve to the right, said curve having a
radius of distance of 384.98 feet; thence along said curve for an arc
distance of 99.4 feet to a point on the North-South center line of
said Section 25; thence North 0° 38' East along said North-South
center line of Section 25, 120.0 feet, more or less, to the point
beginning; said tract containing 1.34 acres, more or less.

RECORDED IN BOOK 166 PAGE 365
BY RECORDER

with his appurtenances, and warrant the title to the same, subject to

read and delivered this 6th day of November, 1959.

in the presence of

[Signature] (SEAL)
(SEAL)
(SEAL)

STATE OF COLORADO
County of Arapahoe

the foregoing instrument was acknowledged before me this 6th day of November
1959 by ELMER C. BERG.

Witness my hand and official seal
this commission expires Jan 9, 1960

[Signature]
Notary Public

Notary Public or persons here named shall not be liable if the person acting in representative or official capacity, or as agent, or in any other capacity, is not duly qualified or authorized to act in such capacity, or if the person named is not duly qualified or authorized to act in such capacity, or if the person named is not duly qualified or authorized to act in such capacity, or if the person named is not duly qualified or authorized to act in such capacity.

Recorder's Stamp

THIS DEED, Made this 6th day of June
in the year of our Lord one thousand
nine hundred and Sixty-Two between
Elmer Berg
of the County of Park
State of Colorado, of the first part, and
Herbert Cobb Stebbins and Lucy R. Stebbins
of the County of Park
and State of Colorado, of the second part.

WITNESSETH, That the said part y of the first part, for and in consideration of the sum of
Ten and no/100 ----- DOLLARS
to the said part y of the first part in hand paid by the said parties of the second part, the receipt
whereof is hereby confessed and acknowledged, he s remised, released, sold, conveyed and quit
claimed, and by these presents does remis, release, sell, convey and quit claim unto the said parties of
the second part, their heirs and assigns forever, not in tenancy in common but in joint tenancy, all the
right, title, interest, claim and demand which the said part y of the first part ha s in and to the
following described lot or parcel of land situate, lying and being in the
County of Park and State of Colorado, to-wit:

A tract of land in the Southeast one-quarter of the Northwest one-quarter,
Section 25, Township 6 South, Range 72 West of the 6th Principal Meridian
described as follows: Beginning at a point on the North-South center line
of said Section 25, which is also coincident with the Jefferson-Park Counties
boundary; said point being the Northwest corner of Tract K, ELK FALLS-BLOCK J,
according to the recorded plat thereof, in Jefferson County, Colorado; from
which the Northeast corner of the Northwest one-quarter of said Section 25
bears North 0°38' East a distance of 1760.8 Feet, more or less; thence
North 69°10' West 58.16 feet; thence South 15°30' West 90.24 feet; thence
South 70°14' East 81.93 feet, more or less, to the North-South centerline
of said Section 25; thence North 0°38' East along said North-South centerline
a distance of 93.23 feet, more or less, to the point of beginning, Park
County, State of Colorado.

(Correction deed, no revenue required.)

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privi-
leges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest,
and claim whatsoever of the said part y of the first part, either in law or equity, unto the said parties
of the second part, their heirs and assigns forever.

IN WITNESS WHEREOF, The said part y of the first part ha s hereunto set his
hand and seal the day and year first above written.
Signed, Sealed and Delivered in the presence of [Signature] [SEAL]
[Signature] [SEAL]
[Signature] [SEAL]

STATE OF COLORADO
County of Park
The foregoing instrument was acknowledged before me this 6th day of June
19 62, by Elmer Berg

WITNESS my hand and official seal.
My commission expires January 9, 1966
[Notary Seal: STATE OF COLORADO, NOTARY PUBLIC, ELMER BERG]
[Signature] Notary Public

EXHIBIT
3

STATE OF COLORADO } ss
COUNTY OF PARK

I, Debra A Green
County Clerk and Ex-Officio Recorder of Deeds, in and for the
County aforesaid, do hereby certify that the foregoing is a true,
full, correct and complete Deed

as the same appears of record in my office in Book 166

Page 329

Witness my hand and Official seal this 13th
day of Dec A.D. 20 10

Debra A Green
County Clerk and Ex-Officio

Barb Schmidt

Barb Schmidt

OK
CSM

Book 184 Page 152 Recorded August 25, 1964 at 1:05 o'clock P.M.
Rec. No. 162412 Marjorie N. Richardson, Recorder

FORM 17

STATE OF COLORADO
DEPARTMENT OF LAW
INHERITANCE TAX DIVISION

RELEASE OF INHERITANCE TAX LIEN

Estate of Elmer C. Bera
Date of Death December 26, 1962
Gross Estate \$674,510.98

It appearing to the attorney general that it is not necessary to preserve the lien granted by the Colorado inheritance tax law against the hereinafter described real estate, in which the above named decedent had an interest, by virtue of the authority vested in me under the provisions of Sec. 138-4-61, CRS, 1953, I do hereby forever release and discharge the inheritance tax lien against the following described real estate, to-wit: The SE $\frac{1}{4}$ of the SW $\frac{1}{4}$; the S $\frac{1}{2}$ of the SE $\frac{1}{4}$; the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec 23; the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Sec 24; the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$; the NE $\frac{1}{4}$; the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Sec 26; and the NW $\frac{1}{4}$ of Sec 25, T6S, R72W, Park County, Colorado, except that part desc. as follows: Beg. at the S $\frac{1}{4}$ corner of said Sec. 24, being also the North quarter corner of said Sec 25; thence N 1910' East along the No-So center line of said Sec 24, 76.3' to a point thereon; thence No. 570 10' West, 240.1'; thence So. 3018' West, 271.0'; thence No. 74000' East, 170.2' to point of curvature of a curve to the right, said curve having a radius distance of 384.98'; thence along said curve for an arc distance of 99.4' to a point on the No-So. center line of said Sec 25; thence N 0038' East along said No-So center line of Sec 25, 120.0', more or less, to the point of beginning said tract containing 1.34 acres, more or less. Deed recorded in Book 166, pages 329 and 364 and except: A tract of land located in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 25, T6S, R72W, 6th PM, further described as follows: Beg. at a point on the No-So center line of said Sec. 25; which is also coincident with the Jefferson-Park County boundary; whence the center of said Sec 25 bears South 0038' West, 951.6'; thence North 690 10' West, 58.16'; thence South 15030' West, 90.24'; thence S 70044' East 81.93' to a point on said No-So center line of said Sec 25; thence North 0038' East along Sec. center line, 93.23', more or less, to the point of beg.; and containing 0.145 acres, more or less.

The NE $\frac{1}{4}$ and the S $\frac{1}{2}$ of Sec. 16, T 6 S, R 72 W, Park County, Colorado. Known as Elk Falls Ranch, Pine, Colorado.

Dated at Denver, Colorado,

Duke W. Durbin,
Attorney General of Colorado.

August 17, 1964

By *Neil Tashke*
NEIL TASHKE,
Assistant Attorney General.

Note—This release must be recorded in the office of the clerk and recorder of the county in which the property is situated.

EXHIBIT
4

STATE OF COLORADO }
COUNTY OF FRANK } SS

I, Debra A Green
County Clerk and Ex-Officio Recorder of Deeds, in and for the
County aforesaid, do hereby certify that the foregoing is a true,
full, correct and complete Release

as the same is of record in my office in Book 184

Page 152

and Official seal this 13th

d. Dec A.D. 20 10

Debra A Green
County Clerk and Recorder

Barb Schmidt
Deputy
Barb Schmidt

Form 1 (Revised Mar. 1951)
TREASURY DEPARTMENT
INTERNAL REVENUE SERVICE

Recorded Dec. 22, 1966 11:06 AM O'Clock A. M.

Serial No. 68182 Marjorie M. Richardson

Book 185 Page 113

RECEIPT FOR PAYMENT OF TAXES

A- 1383681

District Director's Office at _____

Date _____

(NAME AND ADDRESS OF TAXPAYER)

Mr. Elmer C. Berg
c/o Alice E. Berg, Exec
501 E. 8th Ave
Denver, Colorado

Total Tax Notice

Up to (Inclusive) 5/3 13-26-62

(Description of earnings, interest, etc.)

(Paid amount)

Amount, \$ 27,231.76

Received payment, Check

NOT VALID UNLESS STAMPED BY CASHIER

U. S. GOVERNMENT PRINTING OFFICE 16-27835-6

District Director of Internal Revenue

Book 175 Page 164 Recorded Dec. 22, 1966 at 11:07 P.M. A.M.

Exception No. 168187 Marjorie M. Richardson, Recorder

FORM 19

STATE OF COLORADO
DEPARTMENT OF LAW
INHERITANCE TAX DIVISION

RELEASE OF INHERITANCE TAX LIEN

Estate of Elmer G. Berg

Date of Death December 26, 1962

Gross Estate \$.....

If appearing to the attorney general that it is not necessary to preserve the lien granted by the Colorado inheritance tax law against the hereinafter described real estate, in which the above named decedent had an interest, by virtue of the authority vested in me under the provisions of Sec. 138-4-61, CRS., 1953, I do hereby forever release and discharge the inheritance tax lien against the following described real estate, to-wit: East half of the SW quarter of Section 24, Township 6 South, Range 72 West, Park County, Colorado.

Dated at Denver, Colorado,

DUKE W. DUNBAR,
Attorney General of Colorado.

December 7, 1966

By

Neil Tashner
NEIL TASHNER,
Assistant Attorney General.

Note—This release must be recorded in the office of the clerk and recorder of the county in which the property is situated.

STATE OF COLORADO } ss
COUNTY OF PARK }

I, Debra A Green
County Clerk and Ex-Officio Recorder of Deeds, in and for the
County aforesaid, do hereby certify that the foregoing is a true,
full, correct and complete. Release

as the same appears of record in my office in Book 195
Page 163

Witness my hand and Official seal this 13th
day of Dec A.D. 20 10

Debra A Green
County Clerk and Recorder
By Barb Schmidt
Deputy
Barb Schmidt

1617. 64

Recorded at _____ o'clock _____ M.
Reception No. 991840

No Fee

277-03

THIS DEED, Made this thirty-first day of

May in the year of our Lord one thousand nine hundred and

thirty-three between

ALICE E. BERG
of the City and County of Denver

and State of Colorado, of the first part, and COUNTY OF JEFFERSON, STATE OF COLORADO

1617-64
MAY 15 11 10 AM '63
COUNTY OF JEFFERSON
CLERK AND RECORDER

and State of Colorado, of the second part.
WITNESSETH that the said party of the first part, for and in consideration of the sum of TEN DOLLARS and other good and valuable consideration to the said party of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, she has released, released, sold, conveyed and QUIT CLAIMED, and by these presents does remise, release, sell, convey and QUIT CLAIM unto the said party of the second part, its heirs, successors and assigns, forever, all the right, title, interest, claim and demand which the said party of the first part has in and to the following described real property situate, lying and being in the County of Jefferson and State of Colorado, to-wit:

Tracts D, E and J, Elk Falls-Block I

Said property is conveyed for road purposes.

ACCEPTED FOR ROAD PURPOSES
subject to the condition that the County shall assume maintenance only after construction thereof in accordance with the provisions of Jefferson County as such regulations apply to roads.

Dated July 15 1963
Jefferson County Commissioners
Chairman John B. Jensen

[Handwritten signature]
Chairman
977-6-63

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereto belonging or in anywise thereto appertaining, and all the estate, right, title, interest and claim whatsoever, of the said party of the first part, either in law or equity, to the only proper use, benefit and behoof of the said party of the second part, its heirs and assigns forever.

IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Alice E. Berg (SEAL)
Alice E. Berg (SEAL)
(SEAL)
(SEAL)

STATE OF COLORADO,
County of Jefferson



The foregoing instrument was acknowledged before me this 31st day of May, 1963, by Alice E. Berg
Notary Public, State of Colorado, Commission Expires January 9, 1966. Witness my hand and official seal.

[Handwritten signature]
Notary Public

Notary Public, State of Colorado, Commission Expires January 9, 1966. Witness my hand and official seal.

CLERK AND RECORDER OF JEFFERSON COUNTY CERTIFIED TO BE FULL TRUE AND CORRECT COPY OF THE ORIGINAL DOCUMENT IN MY CUSTODY. DATE 12/14/10
PAM ANDERSON, JEFFERSON COUNTY CLERK AND RECORDER
BY: Linda A. Baca DEPUTY CLERK

EXHIBIT
5

Recorded August 25, 1964 at 1:06 o'clock P.M.
Rec. No. 162413 Marjorie M. Richardson, Recorder

PROPOSANTS EX. A CASE NO. P-28208
7/21/63
E.M.

LAST WILL AND TESTAMENT

OF

ELMER C. BERG

KNOW ALL MEN BY THESE PRESENTS, That I, ELMER C. BERG, being of sound and disposing mind and memory and a resident of the City and County of Denver, State of Colorado, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking all previous wills, codicils or instruments in the nature of wills at any time by me heretofore made.

I.

I hereby direct that all of my just debts, funeral expenses and expenses of my last illness be paid as soon as practicable after my decease. I direct that a suitable headstone be erected over my grave and the amount expended therefor be chargeable against my estate.

II.

I hereby direct that all inheritance, estate and succession taxes payable with respect to my estate, by reason of the proceeds of insurance policies payable upon my death, and jointly owned property shall be paid by my legal representative or legal representatives hereinafter named as a part of the expense of the administration of my estate and a charge against the residuary portion thereof.

III.

I hereby give, devise and bequeath unto my beloved wife Alice E. Berg, all of my property of any nature or any description whatsoever whether real, personal or mixed, whether now owned by me or hereafter acquired.

In the event my said wife Alice E. Berg shall predecease me or in the event of our deaths simultaneously or approximately so due to a common accident or casualty, I then give, devise and bequeath all of my property of any nature or description whatsoever unto the following:

- (1) Unto Jack McCoy, Phyllis Griffin and Valerie Diehl, my nephew and nieces, share and share alike and to their survivor, the real property together with the livestock, farm equipment, furniture and furnishings therein located and known as "The Elk Falls Ranch", situate partially in the County of Jefferson and partially in the County of Park, State of Colorado.
- (2) Unto Siella Severs, my sister-in-law; Pearl McCoy, my sister-in-law; Norman Jensen, my brother-in-law;

*m.v.j.
mak
B.N.*

L.A. Hellerstein

L. A. HELLERSTEIN
ATTORNEY AT LAW
DENVER, COLORADO

EXHIBIT
6

Edward Berg, my brother; Ellen Jacobson, my sister; Laura Guyer, my sister; Emma Paulson, my sister; Artie L. Phelps, a loyal employee; and Andrew Beye, a loyal employee; such amount necessary to give each of the aforesaid legatees the sum of Two Thousand Five Hundred Dollars (\$2,500.00) taking into account amounts of insurance proceeds, if any, which may be payable to any of the aforesaid legatees. It is my intent that each of the aforesaid legatees shall have an aggregate amount of insurance proceeds plus such cash amount from my estate as is necessary to give each of said legatees the sum of \$2,500.00.

- (3) Unto Jack H. Berg, my nephew, my life membership in The Denver Athletic Club, together with the bond issued by The Denver Athletic Club in connection therewith.
- (4) All the rest, residue and remainder of my estate I hereby give, devise and bequeath unto the following named nieces and nephews, share and share alike and to their survivors:

Jack Berg
 Edna May Small
 Valerie Diehl
 Phyllis Griffin
 Jack McCoy
 Rudolph Paulson
 Harold Paulson
 Wallace Paulson
 Lorraine Deker
 Arlene Baugh
 Edith Blankenship
 Helen Hayward
 Marilyn Joy Berg
 Bonnie Livrahn
 Bette Reid
 Barbara Carman
 Beverly Bagnall
 Sue Ann Bagnall

IV.

I hereby direct that in the event any legatee hereinbefore named shall be deceased at the time of my decease, then such legacy or bequest to such deceased legatee or devisee shall be null, void and of no effect unless provision for such disposition is otherwise herein made.

V.

I direct that all business interests which I may own and any real or personal property that I might own not herein otherwise specifically devised or bequeathed, shall be disposed of without undue sacrifice as soon as practicable after my decease.

*m. of
mak*
BJT
EBB

L. A. HELLERSTEIN
ATTORNEY AT LAW
DENVER, COLORADO

During my lifetime I have entered into certain agreements concerning my stock holdings in Howry-Berg Steel and Iron Works, Inc., which provide for sales thereof in the event of my decease. I direct that such agreements made in my lifetime be fully and completely carried out and consummated.

VI.

I hereby nominate and appoint as Executrix of this my Last Will and Testament my wife Alice E. Berg. In the event my said wife Alice E. Berg shall predecease me or refuse or be unable to act, I then nominate and appoint as Executor of this my Last Will and Testament William D. Virtue of the City and County of Denver, State of Colorado. In the event of the predecease, refusal or inability of said William D. Virtue to act, I then nominate and appoint The First National Bank of Denver, Colorado as such Executor.

My Executrix or Executor acting hereunder shall serve without the necessity of filing or posting any bond whatsoever in connection with such duties.

VII.

I hereby grant unto my legal representative or legal representatives who may serve hereunder the following powers and duties:

- (a) To hold, sell or dispose of any assets of my estate not herein specifically devised or bequeathed; to vote all corporate shares of stock in person or by proxy; to mortgage, convey or renew mortgages, liens or deeds of trust outstanding, or otherwise dispose of my estate in whole or in part and upon such terms and conditions as may be deemed desirable.

No orders of Court shall be required in connection with the disposition of any assets of my estate.

- (b) To execute any and all instruments in connection with the sale, disposition, conveyance or transfer of any of the assets of my estate.
- (c) To carry out the terms of any agreements which I may enter into during my lifetime relative to disposition of any assets of my estate, stocks, interests in real estate, or otherwise.

VIII.

I hereby direct that my legal representative or legal representatives serving as such shall retain as counsel for the probate of this, my

m.v.g.
ma K
B.N.
E.B.B.

L. A. HELLERSTEIN
ATTORNEY AT LAW
DENVER, COLORADO

Book 134 Page 156

Last Will and Testament, and for the administration of my estate, my attorney, Mr. L. A. Hellerstein, of Denver, Colorado, who is fully familiar with my affairs and my estate.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 7th day of April, 1959.


Elmer G. Berg

The foregoing instrument, consisting of four (4) typewritten sheets, including this sheet (each sheet being identified by the signature or initials of the testator) was subscribed, published and declared by the above named testator to be his Last Will and Testament, in the presence of us, who, in his presence, at his request, and in the presence of each other, have hereunto subscribed our names as witnesses; and we declare that at the time of the execution of this instrument the said testator, according to our best knowledge and belief, was of sound mind and memory and under no constraint.

Dated at Denver, Colorado, this 7th day of April, 1959.

 Address 75 W. Baywood
Denver, Colorado

 Address 2405 S. Mead St
Denver, Colorado

 Address 1728 Logan St
Denver, Colorado

STATE OF COLORADO }
COUNTY OF PARK } SS

I, Debra A Green
County Clerk and Ex-Officio Recorder of Deeds, in and for the
County aforesaid, do hereby certify that the foregoing is a true,
full, correct and complete Will

as the same appears of record in my office in Book 184

Page 153

Witness my hand and Official seal this 13th

day of Dec A.D. 20 10

Debra A Green
County Clerk and Recorder

By Barb Schmidt
Deputy

Barb Schmidt

IN THE COUNTY COURT

In and for the City and County of Denver and State of Colorado

IN THE MATTER OF THE ESTATE OF

Elmer C. Berg
Deceased.

No. P. 29208

Last Will and Testament (and codicil...) of Elmer C. Berg deceased,
lodged in the County Court by The Central Bank Trust Co
this 2nd day of Jan 1963.

VICTOR B. GRANDY,
Clerk of the County Court,

By H. Morarty
Deputy Clerk.

WILL PRESENTED FOR PROBATE

Last Will and Testament (and codicil... thereto) presented for probate and record by
Alice E. Berg this 2nd day of January 1963
be, and the same is hereby, set for Monday, the 21 day of January 1963, at
10 o'clock A.M., or as soon thereafter as the same may be heard

County Judge.

ORDER ADMITTING TO PROBATE

Now on this 21 day of January 1963, it being the day fixed by the
Court to which said matter has been regularly continued for hearing on the application for the
probate of an instrument of writing filed herein purporting to be the Last Will and Testament
of said decedent (and codicil... thereto), the Court finds that due service has been had upon all
parties in interest in accordance with the law and orders of this Court; that Richard M.
Schmidt, Jr., Esquire, guardian ad litem, was present at the hearing;
and upon testimony the Court further finds that said instrument dated April 7, 1957,
(and codicil... thereto dated ...) is the Last Will and Testament (and codicil...
thereto) of said Elmer C. Berg deceased;

IT IS ORDERED that said Will (and codicil...) be admitted to probate.

By the Court

County Judge.

PHOTOCOPIED

STATE OF COLORADO

City and County of Denver

STEPHEN C. RENCH,

I, ~~WILLIAM C. GRANDY~~, Clerk of the County Court of the City and County of Denver, do
hereby certify the foregoing to be a full, true and correct copy of Last Will and Testa-
ment, Order Admitting to Probate, Letters Testamentary, and Petition and
Order Amending State of Estate

in my custody as the same remain(s) on file and of record in my office, in the matter of the
Estate of ELMER C. BERG, etc., Deceased - P 29208

Witness my signature and the seal of said Court this 18th day of August 1961

STEPHEN C. RENCH,
~~WILLIAM C. GRANDY~~
Clerk of the County Court,

By H. Morarty
Deputy Clerk.

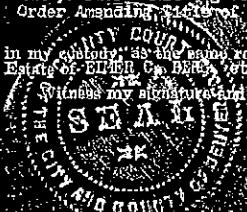


EXHIBIT
7

CERTIFIED COPY OF RESOLUTION

WHEREAS, by a plat of Elk Falls, Block 1 recorded in Plat Book 20 at Page 26 of the Jefferson County Records, certain streets, avenues and alleys shown thereon were dedicated to the public, and

WHEREAS, the following described road are/is no longer necessary for use by the public; and

WHEREAS, said road are/is not within the limits of any city or town and does not form the boundary line of a city, town or county; and

WHEREAS, no land would, by a vacation of said road be left without an established public road connecting it with another established public road; and

WHEREAS, the Jefferson County Planning Commission has approved the vacation of said road

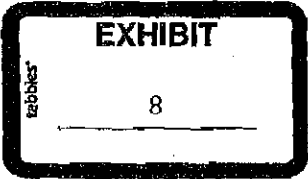
NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Jefferson County, Colorado, pursuant to CRS '63, Chapter 120, Article 14, that the following described road situate in the County of Jefferson, and State of Colorado, be and it/they are hereby vacated, subject to a reservation of easements for the continued use of existing sewer, gas, water or similar pipe lines and appurtenances, existing ditches and appurtenances, and existing electric, telephone and similar lines and appurtenances, if any:

That portion of Elk Road portrayed on the plat of record of Elk Falls, Block 1 recorded in Plat Book 20 at Page 26 extending Northerly from the Northerly boundary line of "Existing County Road--Proposed 50 foot R/W", as portrayed upon said plat of record, to its intersection with the projected curved Southerly boundary of Jensen Road, which curved boundary is defined by describing an arc of 30 foot radius from the established radius point defined on said Plat of Record, and located in the Southeasterly corner of Lot 17 of said Elk Falls, Block 1 and which radius point bears North 19°-13' West 30 feet from the Southeast corner of said lot and South 70°-43' West 30 feet from the beginning of the Westerly boundary of Curve 19 as defined on said Elk Falls, Block 1 Plat of Record.

Also that portion of said Elk Road extending Southerly from its intersection with Circle Drive of said Elk Falls, Block 1 to the curved Northeastly boundary of 50 foot wide Meadow View Drive which boundary is described on said Elk Falls, Block 1 official plat as a curve described by an arc, which radius point thereof bears South 75°-22' West 198.77 feet from the common Easterly corner of said Meadow View Drive and the Northerly corner of Tract J of said Elk Falls, Block 1; thence Northwesterly along the arc of said curved boundary 160 feet, more or less, to a point from which said radius point bears South 23°-14' West 193.77 feet.

SEAL OF COLORADO)
COUNTY OF JEFFERSON)

James P. Kelly
County Clerk and Recorder and Clerk to the Board of County Commissioners certify that the above is a true copy of a resolution passed at the regular/extraordinary meeting of the Board of County Commissioners held on February 20, 1967 as it appears on record in the Minute Book.



7869	Wear Prevention Alloys	Supplies	160.00
7870	Jefferson Store	Supplies	1.98
7871	Colo. Mtn. Gas & Equip.	Propane Co, Shops	714.05
7872	Fred A. Hoffman	Gas	33.02
7873	Hartsel Motor Co.	Gas, repairs	58.31
7874	Downing Supply Co.	repairs, supplies	2489.89
7875	Intermountain REA	Elec. Co. Shops Dist. 1 & 3 (to date)	27.70
7876	Twin Peaks Coal Co.	Coal Dist. 3	26.33
TOTAL ROAD & BRIDGE FUND			31,679.75
TOTAL ALL FUNDS			73,413.03

There being no further business to come before the Board, motion was made by Imboden and seconded by Settele that the Board adjourn until January 14, 1969. Voting yes, Landis, Settele and Imboden. Voting no, None. Motion carried.

Myron M. Richardson
County Clerk

Pat Landis
Chairman

The Board of County Commissioners of Park County, Colorado met in special session on January 14, 1969 at 10:00 A.M. with all members present.

The minutes of the meeting of January 6, 1969 were read. Motion was made by Imboden and seconded by Settele that the minutes be approved as read. Voting Yes, Landis, Settele and Imboden. Voting No, None. Motion carried.

The matter of the roads in Elk Falls Ranch being accepted for maintenance by the County and the bond for such roads being released was discussed. Motion was made by Imboden and seconded by Settele that the roads in Elk Falls Ranch Block #3 be accepted for maintenance by the County and the County Treasurer be instructed to return the bond. Voting Yes, Landis, Settele and Imboden. Voting No, None. Motion carried.

The following petition was presented to the Board.

PETITION TO VACATE ROADWAY

Comes Now, Placer Valley, Inc., a Colorado Corporation, and petition the Board of County Commissioners of the County of Park and State of Colorado that all of that part of Old Quartzville Road more particularly shown in the annexed plat be vacated.

Your petitioner, Placer Valley, Inc., states that he is the owner of Lots 14 and 15, Placer Valley, Unit 21, said lots having been platted to include the above referred to part of Old Quartzville Road. Your petitioner further states that no money has been expended by the Board of County Commissioners of Park County, Colorado for the opening or grading of said street and that no land adjoining said portion of Old Quartzville Road would be left without an established public road connecting said land with another established public road.

WHEREFORE, your petitioner requests that the above portion of Old Quartzville Road be vacated by the Board of County Commissioners of Park County, State of Colorado

Attest: *Marjorie A. Beresford*, Secretary, Placer Valley, Inc., by *James F. Beresford*, President

Motion was made by Settele and seconded by Imboden that the following Petition Resolution be approved. Voting Yes, Landis, Settele and Imboden. Voting No, None. Motion carried.

PETITION TO VACATE ROADWAY in Placer Valley,

WHEREAS, Placer Valley, Inc., have petitioned the Board of County Commissioners for vacation of a portion of Old Quartzville Road across Lots 14 and 15, Placer Valley, Unit 21 and hereinafter described, and

WHEREAS, The Board of County Commissioners determines that the petition should be granted and that the facts set forth in the petition are true.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of the County of Park, State of Colorado, hereby vacates the following portion of Quartzville Road across Lots 14 and 15, Placer Valley, Unit 21, Park County, Colorado legally described as follows:

That part of Old Quartzville Road as platted in Placer Valley, Unit 14, which is now situated in Lots

EXHIBIT

STATE OF COLORADO } ss
COUNTY OF PARK

I, Debra A Green
County Clerk and Ex-Officio Recorder of Deeds, in and for the
County aforesaid, do hereby certify that the foregoing is a true,
full, correct and complete.....

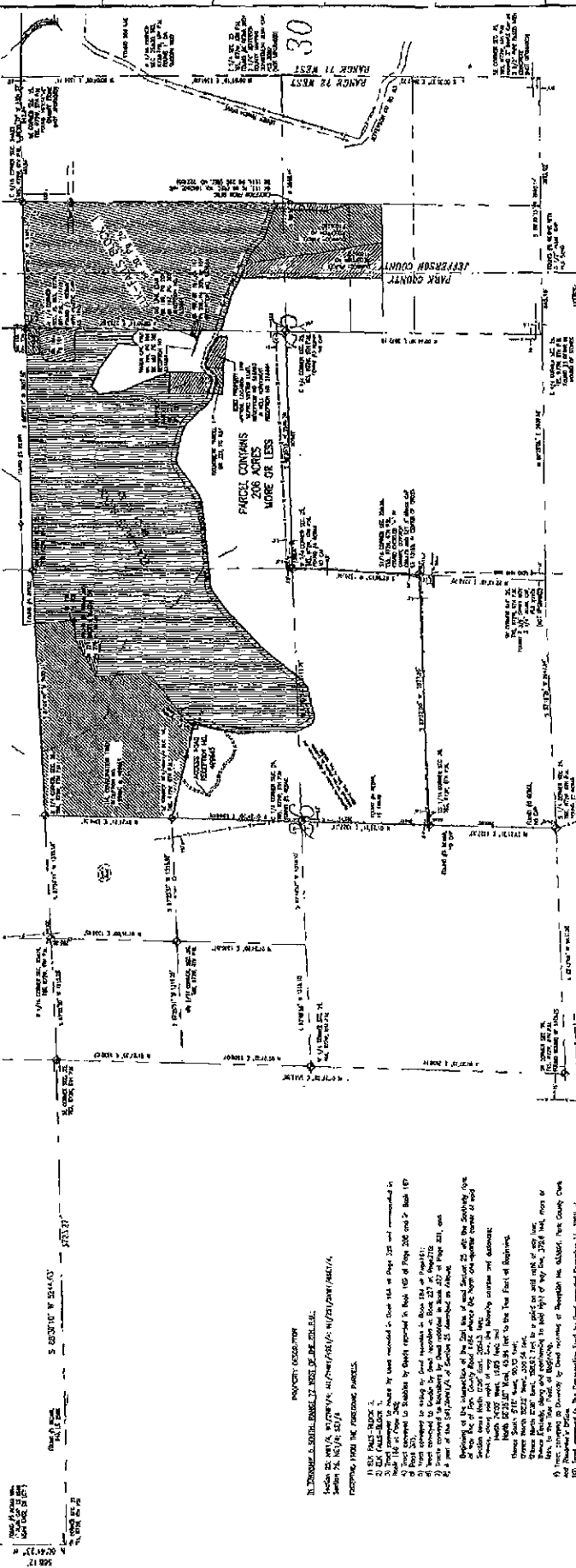
..... Commissioner Muecks
as the same appears of record in my office in Book 13
Page 88.....

Witness my hand and Official seal this 14
day of December A.D. 20 10.....

Debra A Green
County Clerk and Recorder

By Susan M Balicki
Deputy

SUSAN M BALICKI



PROVIDED FOR THE RECORD:

1. The Township of North Range 72 West of the 6th P.M. is hereby confirmed and approved in all respects as shown on the attached plat.

2. The Township of North Range 72 West of the 6th P.M. is hereby confirmed and approved in all respects as shown on the attached plat.

3. The Township of North Range 72 West of the 6th P.M. is hereby confirmed and approved in all respects as shown on the attached plat.

4. The Township of North Range 72 West of the 6th P.M. is hereby confirmed and approved in all respects as shown on the attached plat.

5. The Township of North Range 72 West of the 6th P.M. is hereby confirmed and approved in all respects as shown on the attached plat.

6. The Township of North Range 72 West of the 6th P.M. is hereby confirmed and approved in all respects as shown on the attached plat.

7. The Township of North Range 72 West of the 6th P.M. is hereby confirmed and approved in all respects as shown on the attached plat.

8. The Township of North Range 72 West of the 6th P.M. is hereby confirmed and approved in all respects as shown on the attached plat.

9. The Township of North Range 72 West of the 6th P.M. is hereby confirmed and approved in all respects as shown on the attached plat.

10. The Township of North Range 72 West of the 6th P.M. is hereby confirmed and approved in all respects as shown on the attached plat.

11. The Township of North Range 72 West of the 6th P.M. is hereby confirmed and approved in all respects as shown on the attached plat.

12. The Township of North Range 72 West of the 6th P.M. is hereby confirmed and approved in all respects as shown on the attached plat.

13. The Township of North Range 72 West of the 6th P.M. is hereby confirmed and approved in all respects as shown on the attached plat.

14. The Township of North Range 72 West of the 6th P.M. is hereby confirmed and approved in all respects as shown on the attached plat.

15. The Township of North Range 72 West of the 6th P.M. is hereby confirmed and approved in all respects as shown on the attached plat.

16. The Township of North Range 72 West of the 6th P.M. is hereby confirmed and approved in all respects as shown on the attached plat.

17. The Township of North Range 72 West of the 6th P.M. is hereby confirmed and approved in all respects as shown on the attached plat.

18. The Township of North Range 72 West of the 6th P.M. is hereby confirmed and approved in all respects as shown on the attached plat.

19. The Township of North Range 72 West of the 6th P.M. is hereby confirmed and approved in all respects as shown on the attached plat.

20. The Township of North Range 72 West of the 6th P.M. is hereby confirmed and approved in all respects as shown on the attached plat.

<p>ELK FALLS INCORPORATED EXHIBIT SECTIONS 25 & 26 T. 30N., R. 72W., 6TH P.M. PARK & JEFFERSON COUNTIES, CO</p>		<p>50013241-01 1 of 1</p>
<p>CLIENT PROJECT NO. 50013241-01 MEMBER PROJECT NO. 1-500</p>		<p>SCALE 1" = 500'</p>
<p>MERRICK Surveyors & Engineers 1000 14th Street, Suite 100 Boulder, CO 80502 Phone: 303.440.1100 Fax: 303.440.1101 www.merricksurvey.com</p>		
<p>DATE: 3/7/19</p>	<p>BY: [Signature]</p>	<p>SCALE: 1" = 500'</p>

tabbles

EXHIBIT

10