

State of Colorado Filed for record this 2 day of Dec. A.D. 1980 at 3:00 o'clock P.M. ALBERT P. VIGIL RECORDER
County of Huerfano: Rec # 4266 Book 1072 & Page No. 387 By DCS Deputy Initials

INDEXED

FOREST ACCESS EASEMENT GRANT

This Easement Grant is made between Coowner Land and Livestock Company, a Colorado limited partnership, its successors and assigns, (hereinafter referred to as "the Grantor") and Roger M. Grace and Jo-Ann Grace, its successors and assigns, (hereinafter referred to as "the Grantee").

The following recitals of fact are a material part of this instrument:

A. Grantor is the owner of a perpetual easement for ingress and egress over the following described road:

SEE EXHIBIT "A" ATTACHED HERETO

B. The Grantee is the owner of a tract of land described as follows and hereinafter referred to as "Exhibit B":

SEE EXHIBIT "B" ATTACHED HERETO

NOW, THEREFORE, in consideration of ONE DOLLAR (\$1.00) and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the following grants, agreements, and covenants and restrictions are made:

1. Grant of Easement. The Grantor hereby grants to the Grantee, its heirs and assigns, as an easement appurtenant to Exhibit B, a perpetual easement 60' in width for ingress and egress, over, under and across the Easement Premises described on Exhibit A.

2. Use of Easement Premises. Use of the Easement Premises is not confined to present uses of Exhibit B, or present means of transportation. Exclusive use of the Easement Premises is not hereby granted. The right to use the Easement Premises, likewise for ingress or egress or utility purposes, is expressly reserved by the Grantor. The Grantor also reserves the right to use the Easement Premises for sub-surface use that does not unreasonably interfere with Grantee's use of the Easement Premises. Either party shall have the right to repair and maintain the Easement Premises and the expense of said repair or maintenance shall be borne by the party performing the maintenance or making the repair. The Easement Premises shall be maintained in a reasonable condition by the parties using the Easement Premises. It is expressly agreed that neither Grantee nor Grantor, and their successors and assigns, shall be liable to the other party for the condition or repair of any road built across the Easement Premises.

CRE + RMP

3. Additions to Dominant Tenement. Said easement is also appurtenant to any land that may hereafter come into common ownership with Exhibit B and that is contiguous to Exhibit U.

4. Division of Dominant Tenement. If Exhibit B is hereafter divided into more than one part by separation of ownership or by lease, all parts shall enjoy the benefit of the easement hereby created.

5. Warranties of Title. Grantor warrants that he has good and indefeasible fee simple title to an easement over the Easement Premises.

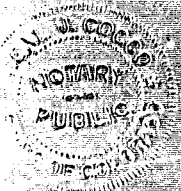
6. Running of Benefits and Burdens. All provisions of this instrument, including the benefits and burdens, run with the land and are binding upon and enure to the heirs, assigns, successors, tenants and personal representatives of the parties hereto.

7. Termination of Covenant Liability. Whenever a transfer of ownership of any parcel takes place, transferor shall have no liability for breach of covenant occurring subsequent to such transfer, except that the grantor herein remains liable for breaches of covenant of title set forth in Paragraph 5.

8. Attorney Fees. Either party may enforce this instrument by appropriate action and should it prevail in such litigation, it shall recover as part of its costs a reasonable attorneys' fee.

IN WITNESS WHEREOF, the Grantor and Grantee have hereunto set their hands and seals this 5th day of Sept, 1990.

9/5/90



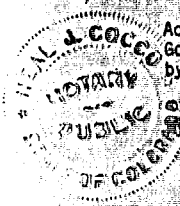
GRANTOR:
GOEMMER LAND AND LIVESTOCK COMPANY,
a Colorado limited partnership.

By: J. Lowell Goemmer
J. Lowell Goemmer, General Partner

GRANTEE:
Roger M. Grace
Roger M. Grace

JoAnn Grace
JoAnn Grace

State of Colorado }
County of Huerfano } ss:



Acknowledged before me this 20th day of Sept, 1990 by
Goemmer Land and Livestock Company, a Colorado Limited Partnership,
by J. Lowell Goemmer, General Partner.

commission expires: January 16, 1992

Neal J. Cocco
Notary Public

LEGAL DESCRIPTION OF
FOREST ACCESS EASEMENT

EXHIBIT "A"

A 60.00 foot Ingress and Egress easement located in the NW 1/4 of the SW 1/4 of Section 14, Township 30 South, Range 69 West of the 6th P.M., Huerfano County, Colorado, and being 30.00 feet on each side of the following described centerline: Beginning at a point on the north line of a 545.36 acre tract of land referred to as Goemmer Mountain Ranch Tract No. 11, thence along the centerline of said 60.00 foot easement, the following seven (7) courses: 1. N 19-11-08 E, a distance of 111.32 feet; 2. N 50-47-28 W, a distance of 272.79 feet; 3. N 74-01-34 W, a distance of 151.39 feet; 4. N 52-01-04 W, a distance of 195.58 feet; 5. N 28-25-47 E, a distance of 300.09 feet; 6. N 14-45-17 E, a distance of 235.33 feet; 7. N 28-40-24 E, a distance of 67.28 feet to a point on the south line of the Nelson tract, and referred to as Goemmer Mountain Ranch Tract No. 7, the Point of Terminus; and thence thirty (30) feet on each side of the following described centerline, the following sixteen (16) courses along the Rilling Canyon Road which forms the Southeast border of said Tract 7:

- 1.) S 28-40-22 W, a distance of 146.20 feet;
- 2.) S 70-38-47 W, a distance of 161.11 feet;
- 3.) S 26-53-59 W, a distance of 145.51 feet;
- 4.) S 41-46-41 W, a distance of 235.30 feet;
- 5.) S 31-57-17 W, a distance of 145.73 feet;
- 6.) S 10-37-31 E, a distance of 126.19 feet;
- 7.) S 23-39-11 W, a distance of 228.69 feet;
- 8.) S 7-22-47 W, a distance of 222.97 feet;
- 9.) S 9-32-05 E, a distance of 478.80 feet;
- 10.) S 33-13-04 W, a distance of 162.47 feet;
- 11.) S 22-38-00 W, a distance of 178.06 feet;
- 12.) S 15-41-28 W, a distance of 222.73 feet;
- 13.) S 12-15-29 W, a distance of 233.06 feet;
- 14.) S 40-33-49 W, a distance of 176.50 feet;
- 15.) N 9-14-14 W, a distance of 265.07 feet;
- 16.) S 36-01-09 W, a distance of 288.42 feet;

and thence thirty (30) feet on each side of the centerline of the Rilling Canyon Road which traverses Tract 7 along the following thirty (30) courses:

- 1.) S 76-59-18 W, a distance of 83.60 feet;
- 2.) S 84-55-54 W, a distance of 133.83 feet;
- 3.) S 62-16-00 W, a distance of 117.06 feet;
- 4.) N 85-06-54 W, a distance of 100.00 feet;
- 5.) S 80-48-00 W, a distance of 184.31 feet;
- 6.) S 40-11-18 W, a distance of 63.05 feet;
- 7.) S 56-43-30 W, a distance of 155.55 feet;
- 8.) S 27-49-00 W, a distance of 202.91 feet;
- 9.) S 66-07-00 W, a distance of 96.80 feet;

- 10.) S 56-34-07 W, a distance of 96.40 feet;
- 11.) S 20-35-38 E, a distance of 55.14 feet;
- 12.) S 51-37-57 E, a distance of 118.56 feet;
- 13.) S 7-20-43 E, a distance of 256.60 feet;
- 14.) S 36-03-28 W, a distance of 195.36 feet;
- 15.) S 78-13-30 W, a distance of 59.13 feet;
- 16.) N 5-39-39 W, a distance of 138.52 feet;
- 17.) N 44-18-39 W, a distance of 100.99 feet;
- 18.) N 56-45-46 W, a distance of 300.21 feet;
- 19.) S 79-46-24 W, a distance of 204.02 feet;
- 20.) N 72-28-29 W, a distance of 125.80 feet;
- 21.) N 42-17-16 W, a distance of 80.12 feet;
- 22.) N 60-30-16 W, a distance of 77.21 feet;
- 23.) N 8-38-26 W, a distance of 77.04 feet;
- 24.) N 2-07-34 W, a distance of 511.68 feet;
- 25.) N 28-33-05 W, a distance of 73.23 feet;
- 26.) S 54-11-38 W, a distance of 61.03 feet;
- 27.) S 16-44-43 W, a distance of 146.30 feet;
- 28.) S 22-16-30 W, a distance of 119.94 feet;
- 29.) S 65-02-54 W, a distance of 157.84 feet;
- 30.) N 82-00-47 W, a distance of 55.63 feet;

and thence thirty (30) feet on each side of the centerline of the Killing Canyon Road traversing Tract 6 of the Gommer Mountain Ranch;

commencing at the Southeast corner of the NE 1/4 of the NE 1/4 of said Section 15; thence N 4-32-55 W, a distance of 208.81 feet; thence S 89-27-05 W, a distance of 30.00 feet to the point of beginning of the herein described centerline; thence (1) N 4-32-55 W, a distance of 117.34 feet; thence (2) N 22-37-04 E, a distance of 339.83 feet; thence (3) N 63-42-43 E, a distance of 502.53 feet; thence (4) N 76-59-18 E, a distance of 129.69 feet to the point of terminus.

EXHIBIT "B"

A tract of land located in Sections 13, 14, 23, and 24 of Township 30 South, Range 69 West of the 6th P.M., Huerfano County, Colorado, being more particularly described as follows:

Beginning at the corner common to Sections 23, 24, 25, and 26 of said Township 30 South, Range 69 West of the 6th P.M.; thence S 09-29-49 W, along the south line of said Section 23, a distance of 2245.63 feet to a point on the approximate centerline of a geologic dike; thence along the centerline of said geologic dike, the following five (5) courses:

- 1.) N 02-25-18 W, a distance of 550.13 feet;
- 2.) N 03-08-33 E, a distance of 777.98 feet;
- 3.) N 11-33-55 E, a distance of 566.59 feet;
- 4.) N 08-12-06 E, a distance of 455.81 feet;
- 5.) N 04-09-44 W, a distance of 1462.84 feet to a point on

the south line of the N 1/2 of the N 1/2 of said Section 23; thence N 88-04-33 W, along said south line of the N 1/2 of the N 1/2, a distance of 1810.29 feet; thence N 00-26-47 W, a distance of 1319.45 feet; thence N 00-34-27 W, a distance of 1642.84 feet; thence S 88-48-24 E, a distance of 3959.78 feet; thence N 88-07-53 E, a distance of 477.71 feet to a point on the approximate top of "Piney Ridge"; thence along the approximate top of "Piney Ridge" the following three (3) courses:

- 1.) S 14-28-26 E, a distance of 1433.19 feet;
- 2.) S 05-24-09 E, a distance of 1286.13 feet;
- 3.) S 14-32-42 E, a distance of 1574.42 feet to the southeast corner of the SW 1/4 of the NW 1/4 of said Section 24; thence S 81-55-26 W, a distance of 1353.28 feet to the 1/4 corner common to Sections 23 and 24; thence S 00-27-09 E, along the section line common to said Sections 23 and 24, a distance of 2345.97 feet to the point of beginning, containing 545.36 acres, more or less.

IN ADDITION:

A one-tenth undivided interest, in a parcel of land located in the NE 1/4 of the NE 1/4 of Section 15, Township 30 South, Range 69 West of the 6th P.M., Huerfano County, Colorado, to-wit:

Beginning at the Southeast corner of the NE 1/4 of the NE 1/4 of said Section 15, thence N 0-32-55 W, along the east line of said Section 15, a distance of 208.81 feet; thence S 89-27-05 W, a distance of 208.81 feet; thence S 0-32-55 E, a distance of 208.81 feet; thence N 89-27-05 E, a distance of 208.81 feet to the point of beginning, containing 1.0 acres, more or less.

1 ACRE

