

GRANT OF EASEMENT

THIS GRANT DEED, dated July 15, 2009, between X QUARTER CIRCLE BAR RANCH LIMITED PARTNERSHIP, 6137 Marine Road, Montrose, CO 81401, of the County of Montrose, State of Colorado, Grantor, and JOHN R. JENSEN AND KEITH P. JENSEN, whose legal addresses are 3653 56.75 Rd., Olathe, Colorado 81425 and P. O. Box 893, Olathe, Colorado 81425, respectively, of the County of Montrose, State of Colorado, Grantee,

WITNESS, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has remised, released, sold and GRANTED, and by these presents does remise, release, sell and QUIT CLAIM unto Grantee, its heirs, successors and assigns forever, all the right, title, interest, claim and demand which the Grantor has in and to the real property, together with improvements, if any, for ingress and egress and historical agricultural uses, situate, lying and being in the County of Montrose and State of Colorado, described as follows:

An exclusive easement over and across the Tract of land described in Exhibit A attached hereto and recorded at Reception Number 696552, dated December 24, 2002 in the Montrose County Clerk and Recorder's office, said easement being over the road currently in existence from the property described in Exhibits B & C attached hereto and proceeding over the property described in Exhibit A, for the purpose of access and agricultural uses. Said easement shall be for the use of an existing roadway across the Keller property to access a spring, and shall be restricted to its historical location, character and scope, and shall not be improved, expanded or modified in any way except by written agreement of the parties.

For the use and benefit of land described as: See Exhibits B and C attached hereto.
also known by street and number: vacant land

TO HAVE AND TO HOLD the same, together with all and singular the appurtenance and privileges thereunto belonging, or otherwise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the grantor, either in law or equity, to the only proper use, benefit of the grantee, its heirs and assigns forever.

IN WITNESS WHEREOF, the grantor has executed this Grant of Easement on the date set forth above.

X QUARTER CIRCLE BAR RANCH
LIMITED PARTNERSHIP

By: Barbara Keller
Barbara Keller, Partner

STATE OF COLORADO)
COUNTY OF MONTROSE) ss.

The foregoing instrument was acknowledged before me this 15th day of July, 2009, by Barbara Keller, Partner of X QUARTER CIRCLE BAR RANCH LIMITED PARTNERSHIP.

WITNESS my hand and official seal. My commission expires: 6-19-12

(Seal)

CHERYL M. BIRAWER
NOTARY PUBLIC
STATE OF COLORADO

Cheryl M. Birawer
Notary Public

My Commission Expires 06/19/2012

(pp 2-3 of this doc)
and full copy attached



696552

Page: 2 of 3

12/24/2002 12:09P

R 16.00 D 0.00

C KRUSE, CLK&REC MONTROSE, CO QCD

QUIT CLAIM DEED

**EDWARD DENNIS KELLER AND BARBARA L. KELLER
TO X QUARTER CIRCLE BAR RANCH LIMITED PARTNERSHIP**

EXHIBIT "A"

TRACT A

Lots 3, 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 31, Township 48 North, Range 11 West, New Mexico Principal Meridian; E $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, Township 48 North, Range 12 West, New Mexico Principal Meridian; Lots 1, 2, 3 of Section 1, Township 47 North, Range 12 West, New Mexico Principal Meridian; and Lots 3, 4, 5, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 6, Township 47 North, Range 11 West, New Mexico Principal Meridian

SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 2, Township 47 North, Range 12 West, New Mexico Principal Meridian; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, Township 47 North, Range 12 West, New Mexico Principal Meridian; W $\frac{1}{2}$ SW $\frac{1}{4}$, Lot 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 1, Township 47 North, Range 12 West, New Mexico Principal Meridian; W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 12, Township 47 North, Range 12 West, New Mexico Principal Meridian; W $\frac{1}{2}$ Section 25, Township 48 North, Range 12 West, New Mexico Principal Meridian; W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ Section 36, Township 48 North, Range 12 West, New Mexico Principal Meridian; Lot 1 Section 2, Township 47 North, Range 12 West, New Mexico Principal Meridian; SE $\frac{1}{4}$, Section 35, Township 48 North, Range 12 West, New Mexico Principal Meridian; NE $\frac{1}{4}$, Section 35, Township 48 North, Range 12 West, New Mexico Principal Meridian

Together with all water and water rights, ditches and ditch rights belonging thereto and used in connection therewith

TRACT B

NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 25, Township 49 North, Range 10 West, N.M.P.M. together with all water and water rights, ditches and ditch rights thereto appertaining and belonging including particularly, but not by way of limitation 0.70 c.f.s. of water per second of time allowed to flow in the Montrose and Delta Canal under Priority No. 3;

EXCEPTING therefrom the following two (2) tracts of land:



696552

Page: 3 of 3

12/24/2002 12:09P

R 16.00 D 0.00

Exception Tract I:

A tract of land situated in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, Township 49 North, Range 10 West, New Mexico Principal Meridian, and being more particularly described as follows: Commencing at the southeast corner of said NW $\frac{1}{4}$ SW $\frac{1}{4}$; thence S 89°57'07" W along the south line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$, 644.64 ft.; thence N 00° 39' 36" W, 24.80 ft. to the true point of beginning; thence S 89° 57' 07" W, 316.40 ft.; thence N 00°39' 36" W, 141.20 ft.; thence N 89° 57' 07" E, 216.32 ft.; thence S 77° 40' 45" E, 102.70 ft.; thence S 00° 39' 36" E, 119.20 ft. to the true point of beginning, containing 1.000 acre.

Exception Tract II:

A tract of land in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 25, Township 49 North, Range 10 West, New Mexico Principal Meridian and more particularly described as follows: Beginning at a point on the northerly right-of-way of Monroe County Road from whence the Southeast corner NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 25 bears South 0°01'32" East, 30.0 feet and North 89°58'28" East, 585.45 feet; thence North 1°43'00" West, 158.53 feet; thence North 86°04'13" East, 89.62 feet; thence South 31°35'52" East, 193.16 feet to a point on the Northerly right-of-way of Monroe County Road; thence south 89°58'28" West, 185.87 feet along said Northerly right-of-way to the point of beginning, also known as Keller Exemption, shown on Plat of Survey recorded January 10, 1975 in Book 613 at Page 297, County of Montrose, State of Colorado.

Recorded at 3:42 P.M. August 10, 1992
Reception No. 579826 Ruth E. Heath Recorder.

WARRANTY DEED

RECEIVED
TRANSFER CLERK
MONTROSE COUNTY

STATE DOCUMENTARY FEE
AUG 10 1992
12.50

THIS DEED, Made this August 8, 1992
between RAYMOND G. WALKER
of the County of T Jefferson and State of CO, grantor,
and KEITH P. JENSEN AND JOHN R. JENSEN
whose legal address is 1883 S.E. 7th ROAD OLATHE COLORADO 64621 of the County of MONTROSE
and State of COLORADO, grantees:

WITNESS, that the grantor, for and in consideration of the sum of
ONE HUNDRED TWENTY FIVE THOUSAND AND NO/100 DOLLARS,
the receipt and sufficiency of which is hereby acknowledged, has granted,
bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey
and confirm unto the grantees, their heirs and assigns forever, not in tenancy in
common but in joint tenancy, all the real property, together with improvements, if any,
situate, lying and being in the County of MONTROSE and State of Colorado,
described as follows:

LOTS 3 AND 4, S1/2NW1/4 AND W1/2N1/2, EXCEPT S1/2NW1/4NE1/4, SECTION 2 AND LOT 1,
SECTION 3, ALL IN TOWNSHIP 47 NORTH, RANGE 12 WEST, NEW MEXICO PRINCIPAL MERIDIAN,
ALSO, S1/2NW1/4, SECTION 3E, TOWNSHIP 48 NORTH, RANGE 12 WEST, NEW MEXICO PRINCIPAL
MERIDIAN,

S1/2NW1/4NE1/4, SECTION 2, TOWNSHIP 47 NORTH, RANGE 12 WEST, NEW MEXICO PRINCIPAL
MERIDIAN, COUNTY OF MONTROSE, STATE OF COLORADO.

also known by street and number as VACANT LAND MONTROSE Colorado 81401

TOGETHER with all and singular the hereditaments and appurtenances thereto
belonging, or in 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 whatsoever of the grantor, either in law or equity, of,
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 grantees, their heirs and assigns forever. And the grantor,
for himself, his heirs and personal representatives, does covenant, grant, bargain and
agree to and with the grantees, their heirs and assigns, that at the time of the
executing and delivery of these presents, he is well seized of the premises
above conveyed, has good, sure, perfect, absolute and indefeasible estate of
inheritance, in law, in fee simple, and has good right, full power and lawful authority
to grant, bargain, sell and convey the same in manner and form aforesaid, and that the
same are free and clear from all former and other grants, bargains, sales, liens,
taxes, assessments, encumbrances and restrictions of whatever kind or nature soever,
except 1992 TAXES AND SUBSEQUENT YEARS, EASEMENTS VISIBLE AND/OR OF RECORD,
RESERVATIONS, RESTRICTIONS, RIGHTS OF WAY VISIBLE AND/OR OF RECORD AND SEE EXHIBIT "A"
ATTACHED HERETO AND MADE A PART HEREOF

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises
in the quiet and peaceable possession of the grantee, his heirs and assigns, against
all and every person or persons lawfully claiming the whole or any part thereof. The
singular number shall include the plural, the plural the singular, and the use of any
gender shall be applicable to all gender.

IN WITNESS WHEREOF the grantor has executed this deed on the date set forth above.

Raymond G. Walker
RAYMOND G. WALKER

STATE OF CO.
County of T Jefferson

The foregoing instrument was acknowledged before me this 07 day of
August, 1992.

by RAYMOND G. WALKER

Witness my hand and official seal.
My Commission expires 06-28-95, 19

Linda W. Wink
Notary Public 1940 SO Kipling Parkway
Lakewood CO 80223
If in Denver, Insert "City and."

EXHIBIT

B

BOOK 838 PAGE 880

EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF
WARRANTY DEED FROM RAYMOND C. WALKER TO KEITH P. JENSEN
AND JOHN R. JENSEN.

EXCEPTIONS:

RIGHT OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE
AUTHORITY OF THE UNITED STATES AS RESERVED IN UNITED
STATES PATENT RECORDED APRIL 28, 1919 IN BOOK 159 AT PAGE
49 AND JANUARY 10, 1921 IN BOOK 154 AT PAGE 12.

RIGHT OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE
AUTHORITY OF THE UNITED STATES AS RESERVED IN UNITED
STATES PATENT RECORDED MARCH 2, 1956 IN BOOK 437 AT PAGE
37.

UNDIVIDED ONE-HALF INTEREST IN ALL OIL, GAS AND OTHER
MINERAL RIGHTS AS RESERVED BY CORWIN C. BORDER IN THE DEED
TO CARL H. WALKER AND ETHEL MAE WALKER, RECORDED JUNE 12,
1957 IN BOOK 455 AT PAGE 80, AND ANY AND ALL ASSIGNMENTS
THEREOF OR INTERESTS THEREIN.

UNDIVIDED ONE-HALF INTEREST IN ALL OIL, GAS AND OTHER
MINERAL RIGHTS AS RESERVED BY LOUIS E. BORDER IN THE DEED
TO CARL H. WALKER, RECORDED FEBRUARY 21, 1951 IN BOOK 331
AT PAGE 453, AND ANY AND ALL ASSIGNMENTS THEREOF OR
INTERESTS THEREIN.

ANY TAX, ASSESSMENTS, FEES OR CHARGES BY REASON OF THE
INCLUSION OF THE SUBJECT PROPERTY IN THE SHAVANO SOIL
CONSERVATION DISTRICT AND TRI-COUNTY WATER CONSERVANCY
DISTRICT.

LACK OF A RIGHT OF ACCESS FROM THE SUBJECT PROPERTY TO ANY
OPEN PUBLIC ROAD, STREET OR HIGHWAY.

RIGHTS OF WAY FOR EXISTING ROADS, DITCHES, FLUMES, PIPES
AND POWER LINES, AND EASEMENTS THEREFOR, INSOFAR AS THE
SAME MIGHT AFFECT SUBJECT PROPERTY.

BOOK 838 PAGE 1

TRANSFER WILLAMSON
ACCOMPANIED THIS DOCUMENT

Recorded at 3:44 P.M. August 10, 1992
Reception No. 879827 Ruth E. Heath Recorder.

WARRANTY DEED

STATE DOCUMENTARY FEE

AUG 10 1992
12.50

THIS DEED, Made this August 8, 1992
between GERALD J. WALKER
of the County of Fairfax and State of VA, grantor,
and KEITH P. JENSEN AND JOHN R. JENSEN
whose legal address is 3683 SE 78 ROAD OLAHE COLORADO 81421 of the County of MONTROSE
and State of COLORADO, grantees:

WITNESS, that the grantor, for and in consideration of the sum of
ONE HUNDRED TWENTY FIVE THOUSAND AND NO/100 DOLLARS,
the receipt and sufficiency of which is hereby acknowledged, has granted,
bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey
and confirm unto the grantees, their heirs and assigns forever, not in tenancy in
common but in joint tenancy, all the real property, together with improvements, if any,
situate, lying and being in the County of MONTROSE and State of Colorado,
described as follows:

LOTS 2 AND 4, S1/2NW1/4 AND W1/2NW1/2, SECTION 31/2NW1/4NE1/4, SECTION 3 AND LOT 1,
SECTION 3, ALL IN TOWNSHIP 47 NORTH, RANGE 12 WEST, NEW MEXICO PRINCIPAL MERIDIAN,
ALSO: S1/2NW1/4, SECTION 32, TOWNSHIP 48 NORTH, RANGE 12 WEST, NEW MEXICO PRINCIPAL
MERIDIAN.

also known by street and number as VACANT LAND MONTROSE Colorado 81401
TOGETHER with all and singular the hereditaments and appurtenances thereunto
belonging, or in 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 whatsoever of the grantor, either in law or equity, of,
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 grantees, their heirs and assigns forever. And the grantor,
for himself, his heirs and personal representatives, does covenant, grant, bargain and
agree to and with the grantees, their heirs and assigns, that at the time of the
executing and delivery of these presents, he is well seized of the premises
above conveyed, has good, sure, perfect, absolute and indefeasible estate of
inheritance, in law, in fee simple, and has good right, full power and lawful authority
to grant, bargain, sell and convey the same in manner and form aforesaid, and that the
same are free and clear from all former and other grants, bargains, sales, liens,
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RESERVATIONS, RESTRICTIONS, RIGHTS OF WAY VISIBLE AND/OR OF RECORD AND SEE EXHIBIT "A"
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The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises
in the quiet and peaceable possession of the grantees, his heirs and assigns, against
all and every person or persons lawfully claiming the whole or any part thereof. The
singular number shall include the plural, the plural the singular, and the use of any
gender shall be applicable to all gender.

IN WITNESS WHEREOF the grantor has executed this deed on the date set forth above.

Gerald J. Walker
GERALD J. WALKER

STATE OF VA

County of Fairfax

The foregoing instrument was acknowledged before me this 6th day of
August, 1992.

by GERALD J. WALKER

Witness my hand and official seal.

My Commission expires May 14, 1993.

[Signature]
Notary Public

If in doubt, insert "City and."

EXHIBIT

C

BOOK 838 PAGE 882

EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF
WARRANTY DEED FROM GERALD J. WALKER TO KEITH P. JENSEN AND
JOHN R. JENSEN.

EXCEPTIONS:

RIGHT OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE
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MINERAL RIGHTS AS RESERVED BY CORWIN C. BORDER IN THE DEED
TO CARL H. WALKER AND ETHEL MAE WALKER, RECORDED JUNE 12,
1957 IN BOOK 455 AT PAGE 80, AND ANY AND ALL ASSIGNMENTS
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