



1297348

Kathleen Neel – Summit County Recorder

**THE RANCH AT BRECKENRIDGE
PLANNED UNIT DEVELOPMENT DESIGNATION**

This Planned Unit Development Designation, to be known as the Ranch at Breckenridge is approved this 23th day of November, 1992, and revised this 12th day of July, 2022, by the Board of County Commissioners of Summit County, Colorado, hereinafter referred to as the "County," for certain real property located in Summit County and described in attached Exhibit A, hereinafter referred to as the "Property." This designation establishes the general uses which shall be permitted on the Property, a general development plan and a statement of development guidelines and conditions which must be adhered to by The Denali Land Group¹, and/or assigns, with respect to Lots 1-12, and The Ranch at Breckenridge Phase II, LLC, a Colorado limited liability company, with respect to Lots 13-28, hereinafter referred to as the "Owner/Developer." This designation also specifies improvements which must be made and conditions which must be fulfilled in conjunction with this designation by the Owner/Developer.

A. PERMITTED USES AND DEVELOPMENT PLAN

Use and development of the property shall be in general conformance with the Development Plan attached hereto as Exhibit B, as revised with respect to Lots 13-28 as shown on Exhibit B and the following specific requirements:

1. Permitted Uses

Permitted uses shall be as follows: Twenty-eight (28) single family residential units and one restored historical cabin to be used as an entry feature. Except for a current occupant of one cabin who has agreed to vacate in June 2022, no cabins may be occupied or used for dwelling units at any time. The historic cabins may be restored, maintained or removed as recommended by the Summit Historical Society.

2. Accessory and Conditional Uses

Allowable accessory and/or conditional uses shall be those uses described as accessory and/or conditional uses in the RU (Rural Residential) zone district in Figure 3.3 of the Summit County Land Use and Development Code now in effect or hereafter amended accept as otherwise stated in this document. Approval of accessory and/or conditional uses shall go through the same process and procedures as described in the Summit County Land Use and Development Code.

3. Accessory Dwelling Units

Improvements on each Lot may include an accessory dwelling unit so long as the terms of Section 3809 of the Summit County Land Use and Development Code and any other applicable regulations of the County, as amended from time to time, are satisfied with respect to such use.

¹ The Denali Land Group completed the development of Phase I of the Ranch at Breckenridge (Lots 1-12 and corresponding roads, easements, and common areas). Phase I, Lots 1-12 have operated as an established neighborhood since the late 1990s. The Denali Land Group conveyed the remaining holdings Lots 13-28 of Phase II to JBK Partners, LTD in 2000, which then conveyed the same to the current developer, The Ranch at Breckenridge Phase II, LLC.

4. Animal Keeping

Animal keeping shall be restricted the same as in the RU zone district as described in the Summit County Land Use and Development Code, Section 3802, as now in effect or hereafter amended except as otherwise state in this document. Dogs shall be restrained at all times by means of fenced yard, pen, run or leash.

B. DEVELOPMENT STANDARDS

1. Building Height

Building heights shall not exceed 35 feet as defined in the Summit County Land Use and Development Code; except that building heights on Lots 23, 24, 25, 26 and 27 shall not exceed 32 feet. In addition, due to the visibility of residences that may be constructed on Lots 23, 24, 25, 26 and 27, the use of limited reflectivity glass windows shall be required at 15% or less reflectivity and non-reflective metals.

2. Setbacks

Setbacks for Lots 1-12 shall be 50 feet from all property lines except as may be provided by the building envelopes established on the final subdivision plat for those lots.

Lots 13-28 have disturbance envelopes and building envelopes.

A disturbance envelope identifies the location within which all grading, clearing, excavation, and associated disturbance shall be located on a lot, including but not limited to any septic systems, wells, driveways, retaining walls, and other exceptions to setbacks as listed in Section 3805.13.G, as amended from time to time.

The building envelope identifies areas where all buildings shall be located on a property. The building envelope shall be set back a minimum of 10 feet from the disturbance envelope.

3. Parking

No parking shall be allowed within any County road right-of-way or common driveway. At least two parking spaces for each dwelling unit shall be provided in conformance with all requirements of the Summit County Land Use and Development Code

4. Designated Open Space Areas

Areas outside of designated building envelopes shall remain open and free from all improvements except landscaping, utilities and access routes.

5. Wildlife Fencing

Fences on Lots 13-28 shall meet wildlife-friendly fencing requirements pursuant to Section 3505.C

C. REQUIRED IMPROVEMENTS

Public utilities, improvements and services are to be provided in the development of the property as set forth in this section. Detailed specifications and time schedules for their construction shall be set forth in

the Improvements Agreement required as a condition of final plat approval. All utility lines will be located underground.

1. Access

Access to the property and all building sites shall be provided by roads and driveways built to all County standards including grade and site distance. The development plan approved in 1992 as part of the original PUD included a cul-de-sac road design that was a deviation from the Code's Road and Bridge standards. In order to address public safety concerns posed by the original design, Phase II Owner/Developer has proposed a potential secondary emergency access/egress that would connect from the cul-de-sac road to Baldy Road. Depending on the design, configuration and functionality of the road, the secondary emergency access/egress may be required to be constructed at subdivision of Phase II or any portion thereof if deemed necessary and appropriate by the County Engineer and either Red White and Blue Fire District or Colorado State Forest Service. If constructed, the secondary access will be gated with access limited to that necessary for emergency response, and shall not include paving or other substantial improvements to the unpaved portion of Baldy Road without modification to this PUD. The County reserves the right to accept or reject responsibility for road maintenance on all dedicated public roads.

2. Water Systems

Water supply shall be provided by on-site wells subject to approval by the State Division of Water Resources. The water supply system shall provide adequate fire flows as determined by the Red, White and Blue Fire District in accord with fire mitigation requirements. All residences built on Lots 13-28 shall be sprinklered and constructed with a cistern (4,800 gallon minimum).

3. Sewer Systems

Sewer disposal shall be provided by on-site septic systems subject to the approval of the County Environmental Health Division.

4. Fire Protection/Mitigation

The entire property is located within the Red, White and Blue Fire Protection District. All development on the property shall meet all fire protection requirements of the District in accordance with fire mitigation requirements.

Fire mitigation on Lots 13-28 shall be as provided in the forest management plan for Lots 13-28. Fuels reduction along the roads to Lots 13-28 shall be at least 50 feet on both sides of the road. Localized site conditions shall dictate the lot-specific fuel break treatment with either a 100-foot wide break with no woody vegetation or a 300-foot shaded fuel break. In addition to community cisterns as required by the Fire District, all residences built on Lots 13-28 shall be sprinklered and constructed with individual cisterns (4,800 gallon minimum).

5. Landscaping/Reclamation

Reclamation of disturbed areas including mine sites, exploration holes and tailings areas located near roads and homesites shall be completed prior to approval of a final plat for the property or provided for in the subdivision improvements agreement as may be required by the County Engineer. All

disturbed areas shall receive a minimum of four inches of topsoil and short grass/perennial flower mix. A landscape plan shall be provided for County approval prior to issuance of grading permits. Cut or fill spaces greater than 2:1 shall receive erosion control netting.

6. Public Use Areas

The Owner/Developer has agreed to dedicate the following public open space parcels and easements to Summit County at time of subdivision as shown on Exhibit B, the "Ranch at Breckenridge Phase II Development Plan": an approximately 14 acre parcel on the northeast end of lot 28 and adjacent to Sallie Barber Mine, an approximately 9.32 acre parcel on the western edge adjacent to Goldenview and Miner's View Estates, a 4.9 acre parcel south of Baldy Road known as the 'Bellevue Mill Site', and a 3.84 acre parcel on the eastern edge of the property in the vicinity of the True Romance Trail and Powerline easement. Per previous conditions 2(a) and 2(b) of approval for the Ranch at Breckenridge PUD (Resolution 93-5, Reception #442594), and as also shown on Exhibit B, the Owner/Developer shall dedicate a trail easement for the continuation of the Spiral Staircase Trail out to the True Romance Trail, trail easements located within Lot 28 connecting from Spiral Staircase Trail to Sallie Barber Road and Nightmare on Baldy Trails, and a public access easement along Baldy Road. All dedication or improvements shall be in lieu of payment of Public Use Area Fees. Such credit shall meet all requirements of Section 3509.

E. GENERAL PROVISIONS

1. Enforcement

The provisions of the planned unit designation and the development plan relating to the use of land and the location of common open space shall run in favor of Summit County and shall be enforceable at law or in equity by the County without limitation on any power or regulation otherwise granted by law. Other provisions of the planned unit development designation and the development plan shall run in favor of the residents, occupants and owners of the planned unit development, but only to the extent expressly provided in, and in accordance with the terms of, the planned unit development designation and the development plan. Provisions not expressly stated as running in favor of the residents, occupants or owners of the planned unit development shall run in favor of the County.

2. Breach of Provision of PUD Designation

If at any time any provision or requirements stated in the planned unit designation has been breached by the Owner/Developer, the County may withhold approval of any or all site plans or plat maps, or the issuance of any or all grading or building permits or occupancy permits applied for on the Property, until such breach has been remedied; provided, however, that the County shall not take affirmative action on account of such breach until it shall have first notified the Owner/Developer in writing and afforded the Owner/Developer a reasonable opportunity to remedy the same.

3. Binding Effect

The PUD Designation shall run with the land and be binding upon the Owner/Developer, their respective successors, representatives and assigns, and all persons who may hereafter acquire an interest in the Property or any part thereof, with the exception that provisions of this designation may

be modified through an amendment in accordance with the procedure stated in the County Development Review Procedures. This designation shall be recorded in order to put prospective purchasers or other interested persons on notice as to the terms contained herein.

4. Amendments

Amendment to the provisions of a planned unit development designation shall be reviewed and acted upon as a rezoning application, subject to the County's procedures for zoning amendments and to the requirement for findings under the Planned Unit Development Act of 1972 at CRS 24-67-106(3)(b).

5. Notices

All notices required by this designation shall be in writing and shall be either hand-delivered or sent by certified mail, return receipt requested, postage prepaid, as follows:

Notice to County:

Board of County Commissioners
PO Box 68
Breckenridge, CO 80424

Notice to Owner/Developer:

David Marchinkowski
RAB President
Madera Residential
5214 68th Street, Ste 402
Lubbock, TX 79424

With a copy to:

Frederick Sprouse, Esq.
Sprouse Law, LLC
PO Box 4837
130 Ski Hill Road Ste 240-C
Breckenridge, CO 80424

The Ranch at Breckenridge
Phase II, LLC
Attn: Suzanne Allen-Sabo
PO Box 5540
Frisco, Colorado 80443

With a copy to:

The Ranch at Breckenridge
Phase II, LLC
Attn: Erik B. Young
870 Childs Point Road
Annapolis, MD 21401

With a copy to:

Wear Travers Perkins LLC
Attn: Gregory Perkins, Esq.
97 Main Street, Suite E202
Edwards, Colorado 81632

All notices so given shall be considered delivered three days after the mailing thereof. Either party, by notice so given, may change the address to which future notices shall be sent.

6. Entire Designation

This designation contains all provisions and requirements incumbent upon the Owner/Developer relative to the Ranch at Breckenridge Planned Unit Development, except as modified by subsequent action of the Board of County Commissioners in accordance with procedures set forth in the Summit County Land Use and Development Code and the Colorado Planned Unit Development Act (CRS 24-67-106) for amending planned unit developments, and except that nothing contained herein shall be construed as waiving any requirements of the Summit County Land Use and Development Code or other regulations otherwise applicable to the development of the Property.

7. Effective Date

This designation must be signed by both the Summit County Board of County Commissioners and the Owner/Developer and must be recorded by the Summit County Clerk and Recorder in order to become effective. The effective date shall be the date first written above.

IN WITNESS WHEREOF, the County and the Owner/Developer have executed this Designation as of the date first written above.

BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO

/S/ Joe Sands, Chair
By: Joe Sands, Chair

ATTEST:

/S/ Doris Brill, Clerk and Recorder
Doris Brill, Clerk and Recorder

OWNER/DEVELOPER

/S/ Norbert Reich
By: Norbert Reich, The Denali Land Group Inc.

APPROVAL OF AMENDMENTS

The foregoing document is the Ranch at Breckenridge Planned Unit Development Designation as approved by the Summit County Board of County Commissioners on the 23rd Day November, 1992 and under at Reception No. 435929 and as amended by the Summit County Board of County Commissioners as follows:

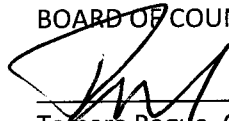
Resolution Number
22-046

Reception Number
1296421

The planned unit development document dated the 12th day of July 2022, and recorded at Reception No. 1296421 and revised to incorporate the amendments approved as noted above shall remain in force as revised. The foregoing document is issued as a continuation of the original document. Copies of the original Planned Unit Development Designation and the amendments noted above are available from the Summit County Clerk and Recorder.

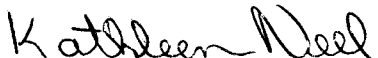
Adopted this 12th day of July, 2022.

COUNTY OF SUMMIT
STATE OF COLORADO
BY AND THROUGH ITS
BOARD OF COUNTY COMMISSIONERS



Tamara Pogue, Chair

ATTEST:



Kathleen Neel, Clerk & Recorder

Exhibit A

PARCEL A - RANCH AT BRECKENRIDGE PHASE I

Homesteads 1-12, and Tracts B-F, The Ranch at Breckenridge according to the recorded plat thereof recorded on February 5, 1993, at Reception No. 437734 in the office of the Clerk and Recorder, Summit County, Colorado.

PARCEL B - RANCH AT BRECKENRIDGE PHASE II TRACT A

Tract A, The Ranch at Breckenridge Amended, according to the Plat recorded August 26, 1993 at Reception No. 449466.

LEGAL DESCRIPTION CONTINUES ON FOLLOWING PAGES

PARCEL C - ALL OF THE PROPERTY DESCRIBED BELOW, BUT EXCLUDING PARCEL A AND PARCEL B DESCRIBED ABOVE.

A TRACT OF LAND LOCATED IN SECTIONS 3 AND 4 OF TOWNSHIP 7 SOUTH, RANGE 77 WEST AND IN SECTION 33 OF TOWNSHIP 6 SOUTH, RANGE 77 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SUMMIT COUNTY, COLORADO AND INCLUDING ALL OF, OR A PORTION OF THE FOLLOWING MINING CLAIMS:

CROESUS NO. 0 LODE	9913
CROESUS NO. 1 LODE	9913
CROESUS NO. 2 LODE	9913
CROESUS NO. 3 LODE	9913
CROESUS NO. 4 LODE	9913
PART OF THE CROESUS NO. 5 LODE	15281
PART OF THE CROESUS NO. 6 LODE	15281
PART OF THE BELLEVUE MILL SITE	18129-A
SAN JUAN LODE	2648
GENERAL JACKSON PLACER	2806
PART OF THE GEORGE RIDDLE et al. PLACER	3207
PART OF THE CALIFORNIA LODE	3587
CADIZ LODE	3588
PART OF THE BELCHER LODE	3590
PART OF THE ALAMEDA LODE	3592
PART OF THE KENTUCKY LODE	3593
SALLIE BARBER LODE	3718
CUMBERLAND LODE	3906
FIRST DISCOVERY LODE	3907
HALIFAX LODE	3908
AUSTRALIA GULCH PLACER	16110
Q LODE	16648
R LODE	16648
S LODE	16648
T LODE	16648
PART OF THE V LODE	16648
GOLD PAN LODE	18129-A
GOLD PAN NO. 2 LODE	18129-A
GOLD PAN NO. 4 LODE	18129-A
LITTLE SALLIE BARBER LODE	18630
LITTLE SALLIE BARBER EXTENSION LODE	18630
BIG SALLIE BARBER LODE	18630
BIG SALLIE BARBER EXTENSION LODE	18630
BROWN LODE	18630
STRENG LODE	18630
LONE BUG LODE	19132
PART OF THE EDNA LODE	19133
PART OF THE LEONA LODE	19133
BETA LODE	18604
THETA LODE	18604
UNPATENTED PLACER CLAIM	2720
UNPATENTED LODE CLAIM	
3589	

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(6/5/92)

BACKLUND LAND SURVEYS



P.O. BOX 614
FRISCO, CO 80443
PHONE (303) 668-3730

LEGAL DESCRIPTION

BEGINNING AT CORNER NO. 1 OF SAID AUSTRALIA GULCH PLACER, WHENCE THE NE CORNER OF SAID SECTION 4 BEARS N21°53'28"E 47.84 FEET DISTANT; THENCE S79°55'19"W A DISTANCE OF 800.88 FEET TO CORNER NO. 2 OF SAID AUSTRALIA GULCH PLACER, THENCE S18°59'18"W A DISTANCE OF 1895.35 FEET TO CORNER NO. 3 OF SAID AUSTRALIA GULCH PLACER; THENCE S92°58'12"W A DISTANCE OF 302.01 FEET TO CORNER NO. 4 OF SAID AUSTRALIA GULCH PLACER, SITUATED ON THE 2-3 LINE OF SAID SAN JUAN LOBE; THENCE S60°58'02"E A DISTANCE OF 1198.15 FEET TO CORNER NO. 3 OF SAID SAN JUAN LOBE; THENCE S28°48'20"W A DISTANCE OF 150.00 FEET TO CORNER NO. 4 OF SAID SAN JUAN LOBE, IDENTICAL TO CORNER NO. 5 OF SAID GENERAL JACKSON PLACER; THENCE S50°43'43"E A DISTANCE OF 323.40 FEET TO CORNER NO. 6 OF SAID GENERAL JACKSON PLACER; THENCE S67°34'01"W ALONG THE 6-7 LINE OF SAID GENERAL JACKSON PLACER A DISTANCE OF 30.21 FEET TO CORNER NO. 2 OF SAID GOLD PAN NO. 2 LOBE; THENCE S39°47'47"E ALONG THE 2-1 LINE OF SAID GOLD PAN NO. 2 LOBE A DISTANCE OF 72.22 FEET TO CORNER NO. 1 OF THE GOLD PAN NO. 3 LOBE USMS NO. 18129-A; THENCE S39°53'52"E A DISTANCE OF 86.83 FEET TO CORNER NO. 1 OF SAID GOLD PAN NO. 2 LOBE, SITUATED ON THE 1-2 LINE OF SAID GOLD PAN NO. 4 LOBE; THENCE N89°21'38"E A DISTANCE OF 24.77 FEET TO CORNER NO. 1 OF SAID GOLD PAN NO. 4 LOBE; THENCE S36°45'34"E A DISTANCE OF 158.85 FEET TO CORNER NO. 6 OF SAID GOLD PAN NO. 4 LOBE, WHENCE THE E 1/4 CORNER OF SAID SECTION 4 BEARS S28°02'24"W 212.74 FEET DISTANT; THENCE S89°37'12"W A DISTANCE OF 875.41 FEET TO CORNER NO. 5 OF SAID GOLD PAN NO. 4 LOBE; THENCE S38°43'54"W A DISTANCE OF 823.07 FEET TO CORNER NO. 4 OF SAID GOLD PAN NO. 4 LOBE, SITUATED ON THE 3-4 LINE OF SAID GEORGE RIDDLE at st. PLACER, WHENCE CORNER NO. 4 OF SAID PLACER, BEARS N39°08'48"W 345.85 FEET DISTANT; THENCE S39°08'48"E ALONG SAID 3-4 LINE OF THE GEORGE RIDDLE at st. PLACER A DISTANCE OF 31.09 FEET TO A POINT 30 FEET SOUTH OF THE CENTER-LINE OF AN EXISTING ROAD KNOWN AS BALDY ROAD; THENCE WESTERLY ALONG SAID LINE 30 FEET SOUTH OF SAID BALDY ROAD CENTER-LINE FOR THE FOLLOWING 15 COURSES:

- 1) S43°38'03"W A DISTANCE OF 57.84 FEET;
- 2) 105.00 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 10°02'18" AND A RADIUS OF 598.94 FEET;
- 3) S53°38'18"W A DISTANCE OF 171.78 FEET;
- 4) 180.38 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 24°02'10" AND A RADIUS OF 382.20 FEET;
- 5) S77°40'28"W A DISTANCE OF 177.31 FEET;
- 6) 181.77 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 28°20'37" AND A RADIUS OF 327.01 FEET;
- 7) N73°58'54"W A DISTANCE OF 599.10 FEET;
- 8) 157.85 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 17°03'40" AND A RADIUS OF 530.10 FEET;
- 9) N58°59'14"W A DISTANCE OF 338.07 FEET;
- 10) 80.81 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 32°01'44" AND A RADIUS OF 144.20 FEET;
- 11) N88°58'58"W A DISTANCE OF 289.40 FEET;
- 12) 157.42 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 18°02'22" AND A RADIUS OF 582.32 FEET;
- 13) N72°54'38"W A DISTANCE OF 185.11 FEET;
- 14) 128.54 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 33°01'28" AND A RADIUS OF 229.00 FEET;
- 15) THENCE S74°03'55"W 288.57 FEET TO A POINT OF INTERSECTION WITH THE 6-7 LINE OF THE DRY PLACER, USMS NO. 1357, WHENCE CORNER NO. 7 OF SAID DRY PLACER, BEARS S14°32'08"E 72.28 FEET DISTANT; THENCE N14°32'08"W ALONG SAID 6-7 LINE OF THE DRY PLACER A DISTANCE OF 881.88 FEET TO CORNER NO. 1 OF THE CROESUS LOBE NO. 0 USMS NO. 9813;

THENCE CONTINUING N14°32'08"W ALONG SAID 6-7 LINE OF THE DRY PLACER A DISTANCE OF 545.28 FEET TO CORNER NO. 8 OF SAID DRY PLACER; THENCE N80°00'43"E A DISTANCE OF 288.85 FEET TO CORNER NO. 41 OF THE BERLIN PLACER, USMS NO. 2378; THENCE S80°39'22"E CORNER NO. 40 OF SAID BERLIN PLACER; THENCE N43°23'57"W A DISTANCE OF 179.50 FEET TO CORNER NO. 39 OF SAID BERLIN PLACER; THENCE N43°23'33"W A DISTANCE OF 180.28 FEET TO CORNER NO. 38 OF SAID BERLIN PLACER; THENCE N42°57'18"W A DISTANCE OF 26.82 FEET TO CORNER NO. 35 OF SAID BERLIN PLACER; THENCE N43°42'08"W A DISTANCE OF 180.87 FEET TO CORNER NO. 4 OF SAID BERLIN PLACER; THENCE N49°14'46"W ALONG THE 4-3 LINE OF SAID BERLIN PLACER A DISTANCE OF 2.85 FEET TO THE POINT OF INTERSECTION WITH THE 1-2 LINE OF SAID KENTUCKY LOBE; THENCE N23°52'45"W ALONG SAID 1-2 LINE OF THE KENTUCKY LOBE A DISTANCE OF 11.74 FEET TO THE POINT OF INTERSECTION WITH THE 1-2 LINE OF SAID THETA LOBE; THENCE S50°18'02"W ALONG SAID 1-2 LINE A DISTANCE OF 3.21 FEET TO CORNER NO. 1 OF SAID THETA LOBE; THENCE N43°39'43"W ALONG ALSO BEING A POINT ON THE 4-3 LINE OF THE BERLIN PLACER; THE 1-4 LINE OF SAID THETA LOBE A DISTANCE OF 84.08 TO CORNER NO. 12 OF USMS NO. 548; THENCE N43°25'31"W ALONG THE 4-3 LINE OF SAID BERLIN PLACER A DISTANCE OF 52.55 FEET TO THE POINT OF INTERSECTION WITH THE 5-8 LINE OF SAID BETA LOBE; THENCE N39°22'48"W ALONG SAID 5-8 LINE A DISTANCE OF 150.17 FEET TO CORNER NO. 8 OF SAID BETA LOBE.

BACKLUND LAND SURVEYS



P.O. BOX 614
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ALSO BEING CORNER NO. 17 OF SAID AUSTRALIA GULCH PLACER; THENCE N47°24'39"N A DISTANCE OF 152.40 FEET TO CORNER NO. 18 OF SAID AUSTRALIA GULCH PLACER, IDENTICAL TO CORNER NO. 3 OF SAID BERLIN PLACER; THENCE N85°54'41"W A DISTANCE OF 74.85 FEET TO CORNER NO. 19 OF SAID AUSTRALIA GULCH PLACER; THENCE N08°30'20"E A DISTANCE OF 149.42 FEET TO CORNER NO. 2 OF THE E. LODE, USMS NO. 7830; IDENTICAL TO CORNER NO. 2 OF THE F LODE, USMS NO. 7830; THENCE N08°27'52"E A DISTANCE OF 151.48 FEET TO CORNER NO. 3 OF SAID F LODE, IDENTICAL TO CORNER NO. 2 OF THE G LODE, USMS NO. 7890; THENCE THENCE N08°45'59"E A DISTANCE OF 148.49 FEET TO CORNER NO. 20 OF SAID AUSTRALIA GULCH PLACER, IDENTICAL TO CORNER NO. 2 OF SAID O LODE; THENCE N07°00'18"E A DISTANCE OF 148.85 FEET TO CORNER NO. 1 OF SAID Q LOFE, IDENTICAL TO CORNER NO. 2 OF THE R LODE; THENCE N08°38'53"E A DISTANCE OF 150.41 FEET TO CORNER NO. 1 OF SAID R LODE, IDENTICAL TO CORNER NO. 2 OF THE S LODE; THENCE N08°34'03"E A DISTANCE OF 149.82 FEET TO CORNER NO. 1 OF SAID S LODE, IDENTICAL TO CORNER NO. 2 OF THE T LODE; THENCE N08°44'22"E A DISTANCE OF 150.39 FEET TO CORNER NO. 1 OF SAID J LODE, IDENTICAL TO CORNER NO. 2 OF THE U LODE; THENCE N08°33'45"E A DISTANCE OF 150.39 FEET TO CORNER NO. 1 OF SAID U LODE, IDENTICAL TO CORNER NO. 2 OF THE V LODE; THENCE N08°48'35"E A DISTANCE OF 149.85 FEET TO CORNER NO. 1 OF SAID V LODE, IDENTICAL TO CORNER NO. 23 OF SAID AUSTRALIA GULCH PLACER, WHENCE THE NW CORNER OF SAID SECTION 4 BEARS N78°29'10"N 589.89 FEET DISTANT; THENCE N08°35'58"E A DISTANCE OF 78.88 FEET TO CORNER NO. 24 OF SAID AUSTRALIA GULCH PLACER; THENCE N47°58'18"E A DISTANCE OF 218.85 FEET TO CORNER NO. 25 OF SAID AUSTRALIA GULCH PLACER; THENCE S43°54'08"E A DISTANCE OF 148.28 FEET TO CORNER NO. 2 OF THE HOPEFUL LODE, USMS. NO. 3184; IDENTICAL TO CORNER NO. 2 OF THE HELEN NO. 0 LODE, USMS. NO. 3292; THENCE S44°32'54"E A DISTANCE OF 150.02 FEET TO CORNER NO. 28 OF SAID AUSTRALIA GULCH PLACER; THENCE ALONG SAID BOUNDARY OF AUSTRALIA GULCH PLACER FOR THE FOLLOWING 5 COURSES:

- 1) N45°58'08"E A DISTANCE OF 403.70 FEET;
- 2) S44°10'03"E A DISTANCE OF 147.84 FEET;
- 3) N48°03'25"E A DISTANCE OF 1481.88 FEET;
- 4) N70°54'48"E A DISTANCE OF 887.23 FEET;
- 5) 888°48'38"E A DISTANCE OF 991.30 FEET TO CORNER NO. 31 OF SAID AUSTRALIA GULCH PLACER, IDENTICAL TO CORNER NO. 4 OF SAID LONE BUG LODE; THENCE S10°04'43"E A DISTANCE OF 149.88 FEET TO CORNER NO. 34 OF SAID AUSTRALIA GULCH PLACER; THENCE S10°04'43"E A DISTANCE OF 398.21 FEET TO CORNER NO. 25 OF SAID AUSTRALIA GULCH PLACER; THENCE S10°04'48"E A DISTANCE OF 158.88 FEET TO AN INTERSECTION WITH THE 1-2 LINE OF SAID EDNA LODE; THENCE S10°04'43"E A DISTANCE OF 50.00 FEET TO CORNER NO. 5 OF THE STAR PLACER, USMS NO. 2848; THENCE N78°58'59"E ALONG THE 5-8 LINE OF SAID STAR PLACER A DISTANCE OF 488.88 FEET TO AN INTERSECTION WITH THE 8-1 LINE OF SAID LEONA LODE, WHENCE CORNER NO. 8 OF SAID LEONA LODE BEARS N08°31'50"E 45.10 FEET DISTANT; THENCE 08°31'50"E ALONG SAID 8-1 LINE A DISTANCE OF 27.25 FEET TO AN INTERSECTION WITH THE 3-4 LINE OF SAID LITTLE SALLIE BARBER EXTENSION LODE; THENCE N77°11'59"E A DISTANCE OF 558.04 FEET TO CORNER NO. 4 OF SAID LITTLE SALLIE BARBER EXTENSION LODE, IDENTICAL TO CORNER NO. 8 OF SAID STAR PLACER; THENCE S08°58'50"E ALONG THE 8-7 LINE OF SAID STAR PLACER A DISTANCE OF 148.70 FEET TO CORNER NO. 1 OF SAID LITTLE SALLIE BARBER EXTENSION LODE; THENCE S73°12'57"N ALONG THE 1-2 LINE OF SAID LITTLE SALLIE BARBER EXTENSION LODE A DISTANCE OF 42.38 FEET TO CORNER NO. 2 OF SAID SALLIE BARBER LODE; THENCE S12°14'48"E A DISTANCE OF 148.48 FEET TO CORNER NO. 1 OF SAID SALLIE BARBER LODE, SITUATED ON THE 3-4 LINE OF SAID BIG SALLIE BARBER EXTENSION LODE; THENCE N78°28'24"E A DISTANCE OF 98.42 FEET TO CORNER NO. 4 OF SAID BIG SALLIE BARBER EXTENSION LODE, SITUATED ON THE 8-7 LINE OF SAID STAR PLACER; THENCE S08°58'50"E A DISTANCE OF 151.33 FEET TO CORNER NO. 1 OF SAID BIG SALLIE BARBER EXTENSION LODE; IDENTICAL TO CORNER NO. 44 OF SAID AUSTRALIA GULCH PLACER; THENCE S08°58'50"E A DISTANCE OF 85.48 FEET TO THE POINT OF BEGINNING, CONTAINING 384.345 ACRES, MORE OR LESS.

I, RICHARD A. BACKLUND, BEING A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION WAS DONE BY ME AND UNDER MY SUPERVISION FROM A SURVEY DONE BY ME AND UNDER MY SUPERVISION, THAT BOTH ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATE: July 16, 1992 BY: R. Backlund



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 (8/5/92)

