

MEMORANDUM

SURFACE USE AGREEMENT

STATE OF COLORADO

ARAPAHOE COUNTY

Lessee:

**Burlington Resources Oil & Gas
Company, LP**

ConocoPhillips Company

Attn: RPA

P.O. Box 7500

Bartlesville, Oklahoma 74004

and

**Burlington Resources Oil & Gas
Company, LP**

ConocoPhillips Company

Attn: Surface Land

34501 E. Quincy Ave. Building #1

Watkins, Colorado 80137

Email: Maxwell.0.Blair@conocophillips.com

Phone: 303-268-3711

Surface Owners:

Cherry Creek Vista Holding Partnership, LLP, a Colorado limited liability partnership

Eastern Hills, LLC, a Colorado limited liability company

Alpert Village 1, LLC, a Colorado limited liability company

ACJ Partnership, a Colorado general partnership

Coal Creek Reserve, LLP, a Colorado limited liability partnership

Murphy Creek LLC, a Wyoming limited liability company

Yale/MC LLC, a Colorado limited liability company

Alpert Corporation, a Colorado corporation

Cooper/Alpert #3, LLP, a Colorado limited liability partnership

Harvest Investors, LLC, a Colorado limited liability company

EH 2002 LLC, a Colorado limited liability

Harvest & Jewell, LLC, a Colorado limited liability company

c/o Alpert Corporation

3033 East 1st Avenue, Suite 725, Denver, Co 80206

(303)-773-3400

MCooper@coopermgmt.com

Effective date: January 26, 2011

Leased Premises:

See attached legal descriptions.

MEMORANDUM

Waivers, Exceptions, and Stipulations:

1) Visual Impacts and Aesthetics.

a) To the extent reasonably practicable, a well site and production-site will be located to avoid hilltops and ridges in order to prevent the appearance of pump jack and accessory equipment profiles on the horizon.

b) Electric pumping systems will be required in areas where reasonably feasible.

c) Production tanks and tanks for storage of produced water will be low profile tanks not exceeding 16' in height for single well pads and 20' tanks for multiple well pads.

d) Permanent production equipment will not exceed 16 feet in height, with the exception of the following items of equipment that shall not exceed 35' in height:

- Combustor
- Flare
- Vapor Recovery Tower (VRT)
- Production Unit
- Compressor
- Communications Tower
- Pumping Unit

e) To the extent reasonably practicable, facilities will be located at the base of slopes to provide background of topography and natural cover.

f) Electrical lines servicing pumping and accessory equipment will be installed below ground only.

2) Fencing.

a) All pumping systems, tank batteries and accessory equipment used in the operation of a well will be screened on all sides by a fence. The fence will be constructed as specified in Section 9(g) of the Agreement.

b) Access through the fence will be provided by a solid gate that preserves the integrity of the screening. The access gate will be securely locked to prevent access by unauthorized persons.

3) Landscaping.

a) To the extent reasonably feasible, existing trees, landforms or other natural screening of well and production sites will be retained and integrated into facility design.

MEMORANDUM

b) During excavation, topsoil will be stripped and stored on-site until required for reseeding at time of reclamation

c) Other excess excavation material, if any, will be contoured into a berm to help provide visual screening for Operator's facilities.

d) After commencement of production operations, all excavation slopes will be spread with topsoil and planted with grasses, plants, or shrubs for the purposes of adequate erosion control.

Attachments:

Signature Pages

SUA Map

PROPERTY DESCRIPTION

A PARCEL OF LAND, SITUATED IN SECTION 30, T4S, R65W, OF THE 6TH PM, ARAPAHOE COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SECTION 30, THENCE N89°36'25"E ALONG THE NORTH LINE OF THE NW 1/4 OF SAID SECTION 30, A DISTANCE OF 95.11 FEET; THENCE S00°13'08" E, A DISTANCE OF 70.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF EAST JEWELL AVENUE AND ALSO BEING THE POINT OF BEGINNING; THENCE N89°36'25"E ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 2546.21 FEET; THENCE CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE N89°36'40"E, A DISTANCE OF 2420.56 FEET TO A POINT ON THE WEST LINE OF 210.00 FOOT PUBLIC SERVICE COMPANY EASEMENT AS RECORDED IN BOOK 1234 AT PAGE 263; THENCE S80°01'20"W ALONG SAID WEST EASEMENT LINE, A DISTANCE OF 5018.96 FEET; THENCE S89°43'01"W, A DISTANCE OF 2416.03 FEET; THENCE S89°41'36"W, A DISTANCE OF 2553.76 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SOUTH GUN CLUB ROAD; THENCE N00°14'13"W ALONG SAID EAST RIGHT-OF-WAY, A DISTANCE OF 2435.18 FEET; THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE N00°13'07"W, A DISTANCE OF 2550.46 FEET TO A POINT OF CURVATURE; THENCE 39.19 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 89°49'33", AND WHOSE CHORD BEARS N44°41'39"E, A DISTANCE OF 35.30 FEET TO THE POINT OF BEGINNING.

CONTAINING [REDACTED] SQUARE FEET, 573.39 ACRES MORE OR LESS.

24,976,868.40

Prepared By: Robert B. Taylor, PLS #28291
For and on behalf of
Peak Civil Consultants
200 W. Harrison Ave., Suite 200
Englewood, CO 80110

Murphy Creek

PROPERTY DESCRIPTION

A PARCEL OF LAND, SITUATED IN SECTION 30, T4S, R63W, OF THE 6TH PM, ARAPAHOE COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SECTION 30, THENCE N89°36'25"E ALONG THE NORTH LINE OF THE NW 1/4 OF SAID SECTION 30, A DISTANCE OF 95.11 FEET; THENCE S00°13'08"E, A DISTANCE OF 70.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF EAST JEWELL AVENUE AND ALSO BEING THE POINT OF BEGINNING; THENCE N89°36'25"E ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 2346.21 FEET; THENCE CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE N89°36'40"E, A DISTANCE OF 2420.56 FEET TO A POINT ON THE WEST LINE OF 210.00 FOOT PUBLIC SERVICE COMPANY BASEMENT AS RECORDED IN BOOK 1234 AT PAGE 263; THENCE S00°01'20"W ALONG SAID WEST BASEMENT LINE, A DISTANCE OF 5018.96 FEET; THENCE S89°43'01"W, A DISTANCE OF 2416.03 FEET; THENCE S89°41'36"W, A DISTANCE OF 2553.76 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SOUTH GUN CLUB ROAD; THENCE N00°14'13"W ALONG SAID EAST RIGHT-OF-WAY, A DISTANCE OF 2435.18 FEET; THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE N00°13'07"W, A DISTANCE OF 2550.46 FEET TO A POINT OF CURVATURE; THENCE 39.19 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 89°49'33", AND WHOSE CHORD BEARS N44°41'29"E, A DISTANCE OF 35.30 FEET TO THE POINT OF BEGINNING.

CONTAINING [REDACTED] SQUARE FEET, 573.39 ACRES MORE OR LESS.

24,976,266.40

SSC

Prepared By: Robert B. Taylor, PLS #28291
For and on behalf of:
Peak Civil Consultants
200 W. Hampden Ave., Suite 200
Englewood, CO 80110

Murphy Creek

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PROPERTY DESCRIPTION

A PARCEL OF LAND, SITUATED IN SECTION 30, T4S, R65W, OF THE 6TH PM, ARAPAHOE COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SECTION 30, THENCE N89°36'25"E ALONG THE NORTH LINE OF THE NW 1/4 OF SAID SECTION 30, A DISTANCE OF 95.11 FEET; THENCE S00°13'08"E, A DISTANCE OF 70.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF EAST JEWELL AVENUE AND ALSO BEING THE POINT OF BEGINNING; THENCE N89°36'25"E ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 2546.21 FEET; THENCE CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE N89°36'40"E, A DISTANCE OF 2420.56 FEET TO A POINT ON THE WEST LINE OF 210.00 FOOT PUBLIC SERVICE COMPANY BASEMENT AS RECORDED IN BOOK 1234 AT PAGE 263; THENCE S80°01'20"W ALONG SAID WEST BASEMENT LINE, A DISTANCE OF 4018.96 FEET; THENCE S89°43'01"W, A DISTANCE OF 2416.03 FEET; THENCE S89°41'36"W, A DISTANCE OF 2553.76 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SOUTH GUN CLUB ROAD; THENCE N00°14'13"W ALONG SAID EAST RIGHT-OF-WAY, A DISTANCE OF 2435.18 FEET; THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE N00°15'07"W, A DISTANCE OF 2550.46 FEET TO A POINT OF CURVATURE; THENCE 39.19 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 89°49'33", AND WHOSE CHORD BEARS N44°41'39"E, A DISTANCE OF 95.30 FEET TO THE POINT OF BEGINNING.

CONTAINING [REDACTED] SQUARE FEET, 573.39 ACRES MORE OR LESS.

24,376,866.40 *Ha*

Prepared By: Robert B. Taylor, PLS #28291
For and on behalf of:
Peak Civil Consultants
200 W. Hampden Ave., Suite 200
Englewood, CO 80110

Murphy Creek

LEGAL DESCRIPTION

ALL OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, EXCEPT THE NORTH 264.63 ACRES OF SAID SECTION 34 AND EXCEPT THE SOUTH 30 FEET OF SAID SECTION 34 FOR ROADWAY PURPOSES, COUNTY OF ARAPAHOE, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE NORTH 00 DEGREES 29 MINUTES 34 SECONDS EAST ALONG THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 34 A DISTANCE OF 30.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 00 DEGREES 29 MINUTES 34 SECONDS EAST ALONG SAID WEST LINE A DISTANCE OF 2,610.70 FEET TO THE WEST ONE-QUARTER CORNER OF SAID SECTION 34; THENCE NORTH 00 DEGREES 29 MINUTES 53 SECONDS EAST ALONG THE WEST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 34 A DISTANCE OF 460.68 FEET TO THE SOUTHWEST CORNER OF SAID NORTH 264.63 ACRES, WHENCE THE NORTHWEST CORNER OF SAID SECTION 34 BEARS 00 DEGREES 29 MINUTES 53 SECONDS EAST A DISTANCE OF 2,179.60 FEET; THENCE SOUTH 89 DEGREES 50 MINUTES 47 SECONDS EAST ALONG THE SOUTH LINE OF SAID 264.63 ACRES, PARALLEL WITH THE NORTH LINE OF SAID SECTION 34 A DISTANCE OF 5,287.39 FEET TO THE SOUTHEAST CORNER OF SAID NORTH 264.63 ACRES, SAID CORNER BEING A POINT ON THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 34, WHENCE THE NORTHEAST CORNER OF SAID SECTION 34 BEARS NORTH 00 DEGREES 34 MINUTES 21 SECONDS EAST A DISTANCE OF 2,179.62 FEET; THENCE SOUTH 00 DEGREES 34 MINUTES 21 SECONDS WEST ALONG SAID EAST LINE A DISTANCE OF 451.06 FEET TO THE EAST ONE-QUARTER CORNER OF SAID SECTION 34; THENCE SOUTH 00 DEGREES 33 MINUTES 51 SECONDS WEST A DISTANCE OF 2,599.16 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF EXISTING ARAPAHOE COUNTY ROAD NO. 50; THENCE SOUTH 89 DEGREES 56 MINUTES 01 SECONDS WEST ALONG SAID RIGHT-OF-WAY, 30.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST ONE-QUARTER A DISTANCE OF 2,640.49 FEET; THENCE SOUTH 89 DEGREES 54 MINUTES 51 SECONDS WEST ALONG SAID RIGHT-OF-WAY, 30.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST ONE-QUARTER A DISTANCE OF 2,643.23 FEET TO THE TRUE POINT OF BEGINNING.

[Parcel A]

A parcel of land located in the West Half of Section 28, Township 4 South, Range 65 West of the Sixth Principal Meridian, Arapahoe County, Colorado, more particularly described as follows:

BEGINNING at the southwest corner of said Section 28;
THENCE N00°37'20"E along the westerly line of the Southwest Quarter of said Section 28 a distance of 2666.49 feet to the west quarter corner of said Section 28;
THENCE N00°36'47"E along the westerly line of the Northwest Quarter of said Section 28 a distance of 367.11 feet;
THENCE S89°42'51"E along a line parallel with the northerly line of said Northwest Quarter a distance of 702.00 feet;
THENCE N00°36'47"E along a line parallel with the westerly line of said Northwest Quarter a distance of 2270.00 feet;
THENCE S89°42'51"E along a line parallel with and 30.00 feet southerly of the northerly line of said Northwest Quarter a distance of 712.94 feet;
THENCE S00°00'00"W a distance of 5294.25 feet to the southerly line of the Southwest Quarter of said Section 28;
THENCE S89°55'24"W along said southerly line a distance of 1472.10 feet to the POINT OF BEGINNING.

PROPERTY DESCRIPTION

PARCEL B

A parcel of land located in the West Half of Section 28, Township 4 South, Range 65 West of the Sixth Principal Meridian, Arapahoe County, Colorado, being more particularly described as follows:

COMMENCING at the southwest corner of said Section 28;
THENCE S89°55'24"E along the southerly line of the Southwest Quarter of said Section 28 a distance of 1472.10 feet to the POINT OF BEGINNING;
THENCE N00°00'00"E a distance of 5294.25 feet;
THENCE S89°42'51"E along a line 30.00 feet southerly of and parallel with the northerly line of the Northwest Quarter of said Section 28 a distance of 1144.46 feet;
THENCE S00°00'00"W a distance of 3267.01 feet;
THENCE S89°55'24"E along said southerly line of the Southwest Quarter a distance of 1144.45 feet to the POINT OF BEGINNING.

PROPERTY DESCRIPTION
PARCEL C

A parcel of land located in Section 28, Township 4 South, Range 63 West of the Sixth Principal Meridian, Arapahoe County, Colorado, being more particularly described as follows:

COMMENCING at the southwest corner of said Section 28;
THENCE N89°59'24"E along the southerly line of the Southwest Quarter of said Section 28 a distance of 2616.55 feet to the POINT OF BEGINNING;
THENCE N00°00'00"E a distance of 5287.01 feet;
THENCE S89°42'51"E along a line 30.00 feet southerly of and parallel with the northerly line of the Northwest Quarter of said Section 28 a distance of 118.26 feet;
THENCE N00°37'40"E along the easterly line of said Northwest Quarter a distance of 30.00 feet to the north quarter corner of said Section 28;
THENCE S00°17'59"W along the westerly line of a parcel of land described in Book 1898, Page 30, Arapahoe County Clerk and Recorder's Office a distance of 330.00 feet;
THENCE S89°42'01"E along the southerly line of a parcel of land described in Book 1898, Page 30 and the southerly line of a parcel of land described in Book 2753, Page 567, Arapahoe County Clerk and Recorder's Office a distance of 660.00 feet;
THENCE N00°17'59"E along the easterly line of a parcel of land described in said Book 2753, Page 567, Arapahoe County Clerk and Recorder's Office a distance of 330.00 feet;
THENCE S89°42'01"E along the northerly line of the Northeast Quarter of said Section 28 a distance of 330.00 feet;
THENCE S00°17'59"W along the westerly line of a parcel of land described in Book 1946, Page 133, Arapahoe County Clerk and Recorder's Office a distance of 330.00 feet;
THENCE S89°42'01"E along the southerly line of a parcel of land described in said Book 1946, Page 133 a distance of 330.00 feet;
THENCE N00°17'59"E along the easterly line of a parcel of land described in said Book 1946, Page 133 a distance of 330.00 feet;
THENCE S89°42'01"E along the northerly line of said Northeast Quarter a distance of 1332.33 feet;
THENCE S00°22'04"W along the easterly line of said Northeast Quarter a distance of 2649.53 feet;
THENCE S89°53'44"W along the southerly line of said Northeast Quarter a distance of 1332.21 feet;
THENCE S00°29'53"W along the easterly line of the West Half of the Southeast Quarter of said Section 28 a distance of 70.33 feet;
THENCE S35°58'58"E a distance of 27.56 feet to a found nail and washer, L.S. 15649 in corner fence post of fence northeasterly and southeasterly;
THENCE continuing S35°58'58"E a distance of 131.88 feet to a found No. 9 Rebar, L.S. 15649 at corner of fences northeasterly and southeasterly;

THENCE $S24^{\circ}18'39''E$ a distance of 2387.18 feet to a found No. 5 rebar, L.S. 15649 at corner of fences northwesterly and easterly;

THENCE $N89^{\circ}51'15''E$ a distance of 241.15 feet to a set No. 3 rebar, L.S. 13155 under fence westerly;

THENCE $S00^{\circ}22'04''W$ along the easterly line of the Southeast Quarter of said Section 28 a distance of 277.68 feet;

THENCE $S89^{\circ}55'28''W$ along the southerly line of said Southeast Quarter a distance of 2676.55 feet to the south quarter corner of said Section 28;

THENCE $S89^{\circ}55'24''W$ along the southerly line of the Southeast Quarter of said Section 28 a distance of 60.35 feet to the POINT OF BEGINNING.

PROPERTY DESCRIPTION

Homestead

A parcel of land located in the Northwest Quarter of Section 28, Township 4 South, Range 63 West, of the 8th Principal Meridian, Arapahoe County, Colorado, more particularly described as follows:

COMMENCING at the west quarter corner of said Section 28;

THENCE N00°36'47"E along the westerly line of said Northwest Quarter of Section 28 a distance of 367.11 feet to the POINT OF BEGINNING;

THENCE continuing N00°36'47"E along the westerly line of said Northwest Quarter of said Section 28 a distance of 2270.00 feet;

THENCE S89°42'51"E along a line 30.00 feet southerly of and parallel with the northerly line of said Northwest Quarter of Section 28, also being the southerly deed line of Book 1143, Page 119 filed at the Arapahoe County Clerk and Recorder's Office a distance of 702.00 feet;

THENCE S00°36'47"W along a line 702.00 feet easterly of and parallel with the westerly line of said Northwest Quarter of Section 28 a distance of 2270.00 feet;

THENCE N89°42'51"W along a line 2300.00 feet southerly of and parallel with the northerly line of the Northwest Quarter of said Section 28 a distance of 702.00 feet to the POINT OF BEGINNING.

Legal Description Section 20

SECTION A:

A PARCEL OF LAND IN SECTION 20, TOWNSHIP 4 SOUTH, RANGE 85 WEST OF THE 6TH PRINCIPAL MERIDIAN, ARAPAHOE COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 20;
THENCE NORTH 89 DEGREES 46 MINUTES 28 SECONDS EAST ALONG THE NORTHERLY LINE OF SAID SECTION 20 A DISTANCE OF 2858.58 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 20;
THENCE NORTH 89 DEGREES 45 MINUTES 33 SECONDS EAST CONTINUING ALONG SAID NORTHERLY LINE A DISTANCE OF 2859.35 FEET TO THE NORTHEAST CORNER OF SAID SECTION 20;
THENCE SOUTH 00 DEGREES 05 MINUTES 57 SECONDS WEST ALONG THE EASTERLY LINE OF SAID SECTION 20 A DISTANCE OF 2641.87 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 20;
THENCE CONTINUING SOUTH 00 DEGREES 05 MINUTES 57 SECONDS WEST ALONG SAID EASTERLY LINE A DISTANCE OF 2611.87 FEET;
THENCE NORTH 89 DEGREES 05 MINUTES 23 SECONDS WEST ALONG A LINE 30.00 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTHERLY LINE OF SAID SECTION 20 A DISTANCE OF 2870.00 FEET TO THE WESTERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 20;
THENCE THE FOLLOWING 3 (THREE) COURSES ALONG THE EASTERLY LINE OF A PARCEL OF LAND DESCRIBED IN BOOK 488 AT PAGE 141 AND THE EASTERLY AND NORTHERLY LINES OF A PARCEL OF LAND DESCRIBED IN BOOK 488 AT PAGE 141 BOTH IN THE ARAPAHOE COUNTY CLERK AND RECORDER'S OFFICE:
1) NORTH 00 DEGREES 13 MINUTES 17 SECONDS EAST A DISTANCE OF 2604.30 FEET;
2) THENCE NORTH 00 DEGREES 13 MINUTES 17 SECONDS EAST A DISTANCE OF 2181.18 FEET;
3) THENCE SOUTH 81 DEGREES 46 MINUTES 28 SECONDS WEST A DISTANCE OF 2659.72 FEET;
THENCE NORTH 00 DEGREES 21 MINUTES 32 SECONDS EAST ALONG THE WESTERLY LINE OF SAID SECTION 20 A DISTANCE OF 472.11 FEET TO THE POINT OF BEGINNING;

EXCEPTING THEREFROM PARCEL Y AS DESCRIBED IN BOOK 488 AT PAGE 134 SAID ARAPAHOE COUNTY CLERK AND RECORDER'S OFFICE, LYING IN THE EAST HALF OF SAID SECTION 20, ADDITIONALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 20;
THENCE SOUTH 89 DEGREES 55 MINUTES 22 SECONDS WEST ALONG THE NORTHERLY LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 504.34 FEET TO THE POINT OF BEGINNING;
THENCE NORTH 00 DEGREES 05 MINUTES 42 SECONDS WEST A DISTANCE OF 860.00 FEET TO THE SOUTHERLY LINE OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 20;
THENCE SOUTH 89 DEGREES 57 MINUTES 41 SECONDS WEST ALONG SAID SOUTHERLY LINE AND SOUTHERLY LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SOUTHEAST 1/4 AND THE SOUTHERLY LINE OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SOUTHEAST 1/4 A DISTANCE OF 1361.72 FEET;
THENCE NORTH 00 DEGREES 10 MINUTES 32 SECONDS EAST ALONG THE WESTERLY LINE OF

Legal Description Section 20

Section A Continued:

SAID EAST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4
AND THE WESTERLY LINE OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4
OF SAID NORTHEAST 1/4 A DISTANCE OF 1318.14 FEET;
THENCE NORTH 89 DEGREES 32 MINUTES 55 SECONDS EAST ALONG THE NORTHERLY LINE OF
THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID NORTHEAST 1/4
AND THE NORTHERLY LINE OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST
1/4 OF SAID NORTHEAST 1/4 AND NORTHERLY LINE OF THE SOUTH 1/2 OF THE SOUTHEAST
1/4 OF SAID NORTHEAST 1/4 A DISTANCE OF 1161.12 FEET;
THENCE SOUTH 89 DEGREES 08 MINUTES 42 SECONDS WEST A DISTANCE OF 811.06 FEET TO
THE POINT OF BEGINNING.

EXCEPT THAT PART DEED TO THE CITY OF AURORA IN WARRANTY DEED RECORDED NOVEMBER
20, 2000 UNDER RECEIPTION NO. 100150014.

Excepting:

A parcel of land located in the Northeast Quarter of Section 20, Township 3 South, Range 65 West
of the 6th Principal Meridian, being more particularly described as follows:

Commencing at the Northeast corner of said Section 20, whence the North Quarter corner of said
Section 20 bears South 89°16'59" West, a distance of 2659.55 feet, thence South 89°16'59" West,
along the Northerly line of said Northeast Quarter of Section 20, a distance of 1450.56 feet to the
point of beginning, thence South 89°41'01" East a distance of 460.03 feet; thence South 83°36'11"
West a distance of 444.37 feet; thence South 89°16'59" West a distance of 82.64 feet; thence North
28°54'06" West a distance of 124.39 feet; thence North 89°16'59" East, along said Northerly line of
the Northeast Quarter of Section 20, a distance of 831.74 feet to the point of beginning.

County of Arapahoe,
State of Colorado.

Legal Description Section 20

SECTION 20:

A PARCEL OF LAND LYING IN THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 8TH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 20;
THENCE NORTH 80 DEGREES 21 MINUTES 02 SECONDS EAST ALONG THE WESTERLY LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 1832.15 FEET;
THENCE SOUTH 80 DEGREES 55 MINUTES 23 SECONDS EAST PARALLEL WITH THE SOUTHERLY LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 2887.08 FEET TO THE EASTERLY LINE OF SAID SOUTHWEST QUARTER;
THENCE SOUTH 00 DEGREES 13 MINUTES 17 SECONDS WEST ALONG SAID EASTERLY LINE A DISTANCE OF 1832.14 FEET TO THE SOUTH 1/4 CORNER OF SAID SECTION 20;
THENCE NORTH 80 DEGREES 55 MINUTES 23 SECONDS WEST ALONG THE SOUTHERLY LINE OF SAID SECTION 20 A DISTANCE OF 2887.14 FEET TO THE POINT OF BEGINNING. COUNTY OF ARAPAHO, STATE OF COLORADO.

EXCEPT THAT PART DEEDED TO THE CITY OF AURORA IN WARRANTY DEED RECORDED NOVEMBER 20, 2006 UNDER RECEPTION NO. 80150814.

Legal Description Section 20

Excepting From Sections A and B of the foregoing:

A PARCEL OF LAND, 42.00 FEET WIDE, BEING A PORTION OF THAT PARCEL OF LAND AS DESCRIBED IN THAT WARRANTY DEED RECORDED AT REGISTRATION NO. 26104407 IN THE AGGREGATE COUNTY CLERK AND RECORDED'S OFFICE, SITUATED IN THE SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP 1 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF WYOMING, STATE OF COLORADO, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 20, THENCE THE SOUTH 1/4 CORNER OF SAID SECTION 20 BEARS BEARING S89°15'47"W ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4, 2670.26 FEET;

THENCE BEARING S89°15'47"W 261.35 FEET TO THE INTERSECTION OF A LINE 10.00 FEET NORTHERLY OF, WHEN MEASURED PERPENDICULAR TO, AND RUNNING PARALLEL WITH, SAID SOUTH LINE AND THE EAST LINE OF SAID PARCEL, SAID INTERSECTION BEING THE POINT OF BEGINNING;

THENCE S89°15'47"W ALONG SAID PARALLEL LINE, 2408.65 FEET TO THE NORTH-SOUTH CENTERLINE OF SAID SECTION 20;

THENCE S89°15'47"W ALONG A LINE 10.00 FEET NORTHERLY OF, WHEN MEASURED PERPENDICULAR TO, AND RUNNING PARALLEL WITH, THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 20, 2060.40 FEET TO THE EAST LINE OF HARVEST MILE ROAD AS DESCRIBED IN THAT WARRANTY DEED RECORDED AT REGISTRATION NO. 20150024 IN SAID OFFICE;

THENCE S89°15'47"W ALONG SAID EAST LINE, 42.00 FEET TO A LINE 20.00 FEET NORTHERLY OF, WHEN MEASURED PERPENDICULAR TO, AND RUNNING PARALLEL WITH, SAID SOUTH LINE;

THENCE S89°15'47"W ALONG SAID PARALLEL LINE, 2060.32 FEET TO SAID NORTH-SOUTH CENTERLINE;

THENCE S89°15'47"W ALONG A LINE 10.00 FEET NORTHERLY OF, WHEN MEASURED PERPENDICULAR TO, AND RUNNING PARALLEL WITH, SAID SOUTH LINE OF THE SOUTHEAST 1/4, 2179.75 FEET TO THE EAST LINE OF SAID PARCEL;

THENCE S89°15'47"W ALONG SAID EAST LINE, 50.00 FEET TO THE POINT OF BEGINNING;

CONTAINING 202,000 SQUARE FEET OR 4.7722 ACRES, MORE OR LESS.

Legal Description Section 20

SECTION C:

A PARCEL OF LAND SITUATED IN THE WEST HALF OF SECTION 20, TOWNSHIP 4 SOUTH, RANGE 85 WEST OF THE 6TH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 20;
THENCE NORTH 60 DEGREES 21 MINUTES 02 SECONDS EAST ALONG THE WESTERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 20 A DISTANCE OF 1032.15 FEET TO THE POINT OF BEGINNING;
THENCE NORTH 80 DEGREES 21 MINUTES 02 SECONDS EAST CONTINUING ALONG THE WESTERLY LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 995.20 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 20;
THENCE NORTH 00 DEGREES 21 MINUTES 33 SECONDS EAST ALONG THE WESTERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 20 A DISTANCE OF 2154.35 FEET;
THENCE NORTH 89 DEGREES 48 MINUTES 28 SECONDS EAST PARALLEL WITH THE NORTHERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 20 A DISTANCE OF 2658.72 FEET TO THE EASTERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 20;
THENCE SOUTH 00 DEGREES 13 MINUTES 17 SECONDS WEST ALONG SAID EASTERLY LINE A DISTANCE OF 2161.19 FEET TO THE CENTER QUARTER CORNER OF SAID SECTION 20;
THENCE SOUTH 00 DEGREES 13 MINUTES 17 SECONDS WEST ALONG THE EASTERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 20 A DISTANCE OF 1002.36 FEET;
THENCE NORTH 89 DEGREES 48 MINUTES 28 SECONDS WEST ALONG A LINE PARALLEL WITH THE SOUTHERLY LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 2887.08 FEET TO THE POINT OF BEGINNING, COUNTY OF ARAPAHOE, STATE OF COLORADO.

EXCEPT THAT PART DEEDED TO THE CITY OF AURORA IN WARRANTY DEED RECORDED NOVEMBER 20, 2000 UNDER RECEPTION NO. 00130314.

Legal Description Section 20

SECTION 20:

A PARCEL OF LAND LYING IN THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 20;
THENCE SOUTH 40 DEGREES 30 MINUTES 22 SECONDS WEST ALONG THE NORTHERLY LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 304.34 FEET TO THE POINT OF BEGINNING;
THENCE SOUTH 00 DEGREES 00 MINUTES 42 SECONDS WEST A DISTANCE OF 600.08 FEET TO THE SOUTHERLY LINE OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 20;
THENCE SOUTH 89 DEGREES 47 MINUTES 47 SECONDS WEST ALONG SAID SOUTHERLY LINE AND SOUTHERLY LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SOUTHEAST 1/4 AND THE SOUTHERLY LINE OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SOUTHEAST 1/4 A DISTANCE OF 1101.72 FEET;
THENCE NORTH 00 DEGREES 10 MINUTES 52 SECONDS EAST ALONG THE WESTERLY LINE OF SAID EAST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 AND THE WESTERLY LINE OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID NORTHEAST 1/4 A DISTANCE OF 1318.53 FEET;
THENCE NORTH 89 DEGREES 42 MINUTES 55 SECONDS EAST ALONG THE NORTHERLY LINE OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID NORTHEAST 1/4 AND THE NORTHERLY LINE OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID NORTHEAST 1/4 AND NORTHERLY LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID NORTHEAST 1/4 A DISTANCE OF 1301.02 FEET;
THENCE SOUTH 00 DEGREES 00 MINUTES 42 SECONDS WEST A DISTANCE OF 650.08 FEET TO THE POINT OF BEGINNING; COUNTY OF ARAPAHOE, STATE OF COLORADO.

ALL OF SECTION 21, TOWNSHIP 4 SOUTH, RANGE 65 WEST, EXCEPTING THEREFROM, A PARCEL OF LAND IN THE SW/4 DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST 1/4 CORNER OF SAID SECTION 21; THENCE NORTH 89°24'56" EAST, ALONG THE NORTH LINE OF THE SW/4 OF SAID SECTION 21, A DISTANCE OF 814.76 FEET; THENCE SOUTH 00°30'47" EAST 739.62 FEET; THENCE SOUTH 89°46'10" WEST, 814.76 FEET TO A POINT ON THE WEST LINE OF SAID SW/4; THENCE NORTH 00°30'46" WEST, 736.00 FEET TO THE POINT OF BEGINNING, CONTAINING 13.80 ACRES, MORE OR LESS.

Legal Description Section 15

A PARCEL OF LAND BEING LOCATED IN THE SOUTH ONE-HALF OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ARAPAHOE, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST ONE-QUARTER CORNER OF SECTION 15;

THENCE NORTH 89°07'03" EAST ALONG THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 15 A DISTANCE OF 2625.94 FEET TO THE CENTER ONE-QUARTER CORNER OF SAID SECTION 15, SAID LINE FORMING THE BASIS OF BEARINGS FOR THIS DESCRIPTION;

THENCE NORTH 89°07'02" EAST ALONG THE NORTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 15 A DISTANCE OF 2626.58 FEET TO THE EAST ONE-QUARTER CORNER OF SAID SECTION 15;

THENCE SOUTH 00°37'14" EAST ALONG THE EAST LINE OF SAID SOUTHEAST ONE-QUARTER A DISTANCE OF 2654.80 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 15;

THENCE SOUTH 89°26'12" WEST ALONG THE SOUTH LINE OF SAID SOUTHEAST ONE-QUARTER A DISTANCE OF 2628.69 FEET TO THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 15;

THENCE SOUTH 89°26'43" WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST ONE-QUARTER A DISTANCE OF 2627.94 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 15;

THENCE NORTH 00°31'47" WEST ALONG THE WEST LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 15 A DISTANCE OF 2625.14 FEET TO THE POINT OF BEGINNING.

SAID PARCEL OF LAND CONTAINS 13,872,327 SQUARE FEET OR 318.465 ACRES.

Legal Description Section 16

THE SOUTHEAST ONE-QUARTER OF SECTION 16, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ARAPAHOE, STATE OF COLORADO.

Legal Description Section 17

SECTION E:

A PARCEL OF LAND LYING IN THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 17;
THENCE SOUTH 89 DEGREES 59 MINUTES 48 SECONDS EAST ALONG THE NORTHERLY LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 1189.62 FEET;
THENCE SOUTH 00 DEGREES 14 MINUTES 16 SECONDS WEST PARALLEL WITH THE WESTERLY LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 1300.00 FEET;
THENCE NORTH 89 DEGREES 59 MINUTES 48 SECONDS WEST PARALLEL WITH SAID NORTHERLY LINE A DISTANCE OF 1189.62 FEET TO THE WESTERLY LINE OF SAID SOUTHWEST QUARTER;
THENCE NORTH 00 DEGREES 14 MINUTES 16 SECONDS EAST ALONG SAID WESTERLY LINE A DISTANCE OF 1300.00 FEET TO THE POINT OF BEGINNING, COUNTY OF ARAPAHOE, STATE OF COLORADO.

SECTION F:

A PARCEL OF LAND LYING WITHIN THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 17;
THENCE NORTH 00 DEGREES 07 MINUTES 29 SECONDS EAST ALONG THE WESTERLY LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 1117.32 FEET TO THE POINT OF BEGINNING;
THENCE NORTH 00 DEGREES 07 MINUTES 29 SECONDS EAST CONTINUING ALONG SAID WESTERLY LINE A DISTANCE OF 1180.18 FEET;
THENCE SOUTH 89 DEGREES 59 MINUTES 45 SECONDS EAST PARALLEL WITH THE NORTHERLY LINE OF SAID SECTION 17 A DISTANCE OF 2445.99 FEET;
THENCE SOUTH 00 DEGREES 02 MINUTES 12 SECONDS WEST PARALLEL WITH AND 210.00 FEET WESTERLY FROM THE EASTERLY LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 1169.72 FEET;
THENCE SOUTH 89 DEGREES 45 MINUTES 33 SECONDS WEST PARALLEL WITH THE SOUTHERLY LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 2447.83 FEET TO THE POINT OF BEGINNING, COUNTY OF ARAPAHOE, STATE OF COLORADO;

AND

A PARCEL OF LAND LYING WITHIN THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 17;

Legal Description Section 17

THENCE NORTH 00 DEGREES 07 MINUTES 29 SECONDS EAST ALONG THE WESTERLY LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 07 MINUTES 29 SECONDS EAST CONTINUING ALONG SAID WESTERLY LINE A DISTANCE OF 907.32 FEET;

THENCE NORTH 89 DEGREES 45 MINUTES 33 SECONDS EAST PARALLEL WITH THE SOUTHERLY

LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 2447.83 FEET;

THENCE SOUTH 00 DEGREES 02 MINUTES 12 SECONDS WEST ALONG A LINE 210.00 FEET WESTERLY AND PARALLEL WITH THE EASTERLY LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 907.31 FEET;

THENCE SOUTH 89 DEGREES 45 MINUTES 33 SECONDS WEST ALONG A LINE 210.00 FEET NORTHERLY AND PARALLEL WITH THE SOUTHERLY LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 2449.23 FEET TO THE POINT OF BEGINNING, COUNTY OF ARAPAHOE, STATE OF COLORADO.

SECTION G:

THE NORTHWEST 1/4 AND WEST 648.89 FEET OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO.

SECTION H:

THE NORTHEAST 1/4, EXCEPT THE WEST 648.89 FEET AND EXCEPT THE EAST 210 FEET THEREOF, SECTION 17, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO.

SECTION I:

A PARCEL OF LAND LYING IN THE SOUTH HALF OF SECTION 17, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, ARAPAHOE COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTH HALF OF SECTION 17;
THENCE NORTH 00 DEGREES 14 MINUTES 16 SECONDS EAST ALONG THE WESTERLY LINE OF SAID SOUTH HALF A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 14 MINUTES 16 SECONDS EAST ALONG THE WESTERLY LINE OF SAID SOUTH HALF A DISTANCE OF 1141.98 FEET;

THENCE THE FOLLOWING TWO (2) COURSES ALONG A PARCEL OF LAND DESCRIBED IN BOOK 4488, PAGE 127, ARAPAHOE COUNTY CLERK AND RECORDERS OFFICE:

1) THENCE SOUTH 89 DEGREES 59 MINUTES 48 SECONDS EAST A DISTANCE OF 1189.62 FEET;

2) THENCE NORTH 00 DEGREES 14 MINUTES 16 SECONDS EAST A DISTANCE OF 1300.00 FEET;

THENCE SOUTH 89 DEGREES 59 MINUTES 48 SECONDS EAST ALONG THE NORTHERLY LINE OF

THE SOUTHWEST QUARTER OF SAID SECTION 17 A DISTANCE OF 1483.69 FEET;

THENCE SOUTH 89 DEGREES 59 MINUTES 48 SECONDS EAST ALONG THE NORTHERLY LINE OF

THE SOUTHEAST QUARTER OF SAID SECTION 17 A DISTANCE OF 2445.46 FEET;

THENCE SOUTH 00 DEGREES 02 MINUTES 12 SECONDS WEST ALONG A LINE 210.00 FEET.

Legal Description Section 17

WESTERLY OF AND PARALLEL WITH THE EASTERLY LINE OF SAID SOUTHEAST QUARTER A
DISTANCE OF 343.74 FEET;
THENCE SOUTH 89 DEGREES 59 MINUTES 45 SECONDS WEST ALONG THE NORTHERLY LINE
OF A
PARCEL OF LAND DESCRIBED IN BOOK 4488, PAGE 147, ARAPAHOE COUNTY CLERK AND
RECORDERS OFFICE A DISTANCE OF 2445.99 FEET;
THENCE SOUTH 00 DEGREES 07 MINUTES 29 SECONDS WEST ALONG THE EASTERLY LINE OF
SAID SOUTHWEST QUARTER A DISTANCE OF 2087.50 FEET;
THENCE SOUTH 89 DEGREES 46 MINUTES 28 SECONDS WEST ALONG A LINE 210.00 FEET
NORTHERLY OF AND PARALLEL WITH THE SOUTHERLY LINE OF SAID SOUTHWEST
QUARTER A
DISTANCE OF 2658.17 FEET TO THE POINT OF BEGINNING.

EXHIBIT E
To
Surface Use and Damage Agreement

Legal Description of the Additional Lands

TRACT 1 - Legal Description of the ACJ Partnership/EH 2002 LLC Additional Lands

A PARCEL OF LAND BEING A PORTION OF SECTION 29, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ARAPAHOE COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 29;

THENCE S 00°16'49" W ALONG THE WESTERLY LINE OF SECTION 29, A DISTANCE OF 30.00 FEET;

THENCE S 89°55'23" E, ALONG A LINE 30.00 FEET SOUTHERLY OF AND PARALLEL WITH THE NORTHERLY LINE OF SAID SECTION 29 A DISTANCE OF 1721.81 FEET TO THE **POINT OF BEGINNING;**

THENCE CONTINUING S 89°55'23" E, 30.00 FEET SOUTHERLY OF AND PARALLEL WITH SAID NORTHERLY LINE A DISTANCE OF 919.54 FEET;

THENCE S 00°16'16" W, A DISTANCE OF 1090.39 FEET;

THENCE S 89°55'14" E, A DISTANCE OF 799.01 FEET;

THENCE N 00°14'02" E, A DISTANCE OF 1090.42 FEET;

THENCE S 89°55'23" E, ALONG A LINE 30.00 FEET SOUTHERLY OF AND PARALLEL WITH SAID NORTHERLY LINE A DISTANCE OF 968.22 FEET;

THENCE S 00°36'47" W, 933.42 FEET WESTERLY OF AND PARALLEL WITH THE EASTERLY LINE OF SAID SECTION 29 A DISTANCE OF 903.42 FEET;

THENCE S 89°55'23"E, 933.42 FEET SOUTHERLY OF AND PARALLEL WITH SAID NORTHERLY LINE A DISTANCE OF 903.42 FEET;

THENCE S 00°36'47" W, 30.00 FEET WESTERLY OF AND PARALLEL WITH SAID EASTERLY LINE A DISTANCE OF 1733.60 FEET;

THENCE S 89°44'52" E, A DISTANCE OF 30.00 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 29;

THENCE S 00°37'20" W ALONG SAID EASTERLY LINE A DISTANCE OF 2666.49 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 29;

THENCE N 89°33'30 W, ALONG THE SOUTHERLY LINE OF SAID SECTION 29 A DISTANCE OF 3586.35 FEET;

THENCE N 00°15'35" E, A DISTANCE OF 5280.56 FEET TO THE **POINT OF BEGINNING.**

CONTAINING 397.182 ACRES MORE OR LESS

DOYLE C. ABRAHAMSON
P.L.S. 13155
DATE: 4-30-86
FOR AND ON BEHALF OF
MERRICK AND COMPANY

TRACT 2 - Legal Description of the Harvest & Jewell, LLC, Additional Lands

Part of W1/2, Section 29, T 4 S, R 65 W, of the 6th P.M.
CITY OF AURORA, COUNTY OF ARAPAHOE, STATE OF COLORADO

LEGAL DESCRIPTION :

A PARCEL OF LAND BEING PART OF THE NORTHWEST QUARTER OF SECTION 29,
TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
CITY OF AURORA, COUNTY OF ARAPAHOE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 29, AND CONSIDERING THE WEST LINE
OF THE NW1/4 OF SAID SECTION 29 TO BEAR SOUTH 00° 02' 41" WEST, WITH ALL BEARINGS
CONTAINED HEREIN BEING RELATIVE THERETO; THENCE SOUTH 00° 02' 41" WEST, ALONG SAID WEST
LINE, FOR 30.00 FEET;
THENCE SOUTH 00° 02' 41" WEST, CONTINUING ALONG SAID WEST LINE, FOR 789.82 FEET TO THE
TRUE POINT OF BEGINNING
THENCE SOUTH 89° 57' 19" EAST, FOR 275.00 FEET TO A POINT OF CURVE;
THENCE ALONG THE ARC OF A CURVE, TO THE RIGHT, HAVING A CENTRAL ANGLE OF 30° 59' 53",
A RADIUS OF 916.00 FEET, AND A LENGTH OF 495.03 FEET (A CHORD WHICH BEARS SOUTH 74°
27' 21" EAST, FOR 489.01 FEET);
THENCE SOUTH 58° 57' 26" EAST, FOR 382.62 FEET TO A POINT OF CURVE;
THENCE ALONG THE ARC OF A CURVE, TO THE LEFT, HAVING A CENTRAL ANGLE OF 31° 00' 41", A
RADIUS OF 870.00 FEET, AND A LENGTH OF 470.89 FEET (A CHORD WHICH BEARS SOUTH 74° 27'
46" EAST, FOR 465.16 FEET);
THENCE SOUTH 89° 58' 08" EAST, FOR 200.04 FEET;
THENCE SOUTH 00° 01' 47" WEST, FOR 4032.44 FEET TO A POINT ON THE SOUTH LINE OF SAID
SECTION 29
THENCE SOUTH 89° 50' 17" WEST, ALONG SAID SOUTH LINE, FOR 1722.18 FEET TO THE
SOUTHWEST CORNER OF SAID SECTION 29;
THENCE NORTH 00° 00' 51" WEST, FOR 2648.81 FEET TO THE WEST QUARTER CORNER OF SAID
SECTION 29;
THENCE NORTH 00° 02' 41" WEST, ALONG THE WEST LINE OF THE NW1/4 OF SAID SECTION 29,
FOR 1830.87 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION.

CONTAINING 168.746 ACRES, MORE OR LESS.

[Signature Page – Amended and Restated Surface Use and Damage Agreement]

DATED as of the year and date first above written.

OPERATOR:

Burlington Resources Oil & Gas Company LP
By: BROG GP LLC, its sole general partner

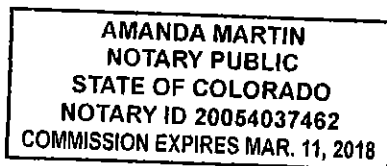
By: J.D. Adkins
Name: J.D. Adkins
Title: Attorney-In-Fact

STATE OF Colorado §
COUNTY OF Wapahoe §

The foregoing instrument was acknowledged before me this 12th day of January, 2017 by J.D. Adkins, Attorney-in-Fact for BROG GP LLC, sole general partner of Burlington Resources Oil & Gas Company LP, a Delaware limited partnership.

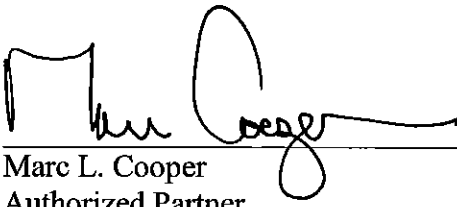
My Commission expires: 3/11/18

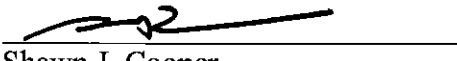
A. Martin
Notary Public



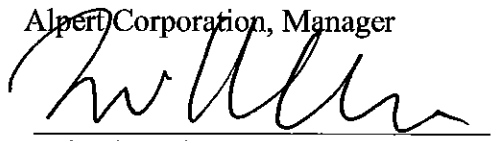
OWNER:

CHERRY CREEK VISTA HOLDING PARTNERSHIP, LLP, a Colorado limited liability partnership

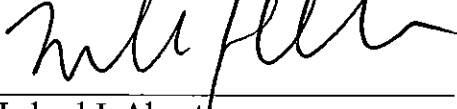
By: 
Name: Marc L. Cooper
Title: Authorized Partner

By: 
Name: Shawn J. Cooper
Title: Authorized Partner

ALPERT VILLAGE 1, LLC, a Colorado limited liability company

By: Alpert Corporation, Manager
By: 
Name: Leland J. Alpert
Title: President

ALPERT CORPORATION, a Colorado corporation

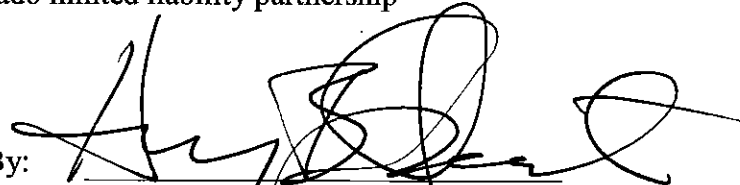
By: 
Name: Leland J. Alpert
Title: Manager

EASTERN HILLS, LLC, a Colorado limited liability company

By: Alpert Corporation, a Colorado corporation

By: 
Name: Leland J. Alpert
Title: President

COAL CREEK RESERVE, LLP, a Colorado limited liability partnership

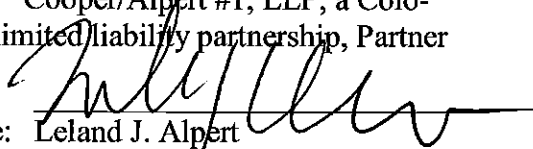
By: 
Name: Harvey B. Alpert
Title: Manager

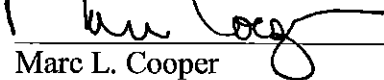
YALE/MC LLC, a Colorado limited liability company

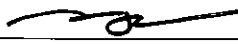
By: 
Name: Harvey B. Alpert
Title: Manager

ACJ PARTNERSHIP, a Colorado partnership

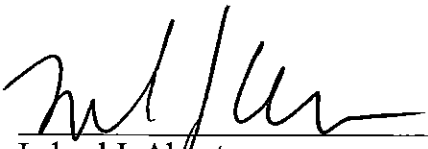
By: Cooper/Alpert #1, LLP, a Colorado limited liability partnership, Partner

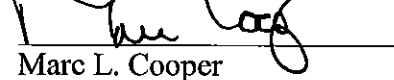
By: 
Name: Leland J. Alpert
Title: Managing Partner (Alpert Group)

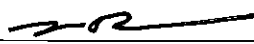
By: 
Name: Marc L. Cooper
Title: Managing Partner (Cooper Group)

By: 
Name: Shawn J. Cooper
Title: Managing Partner (Cooper Group)

COOPER/ALPERT #3, LLP, a Colorado limited liability partnership

By: 
Name: Leland J. Alpert
Title: Managing Partner (Alpert Group)

By: 
Name: Marc L. Cooper
Title: Managing Partner (Cooper Group)

By: 
Name: Shawn J. Cooper
Title: Managing Partner (Cooper Group)

HARVEST INVESTORS, LLC, a Colorado limited liability company

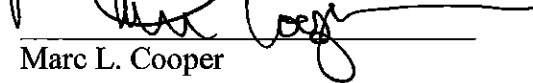
By: 
Name: Harvey B. Alpert
Title: Manager

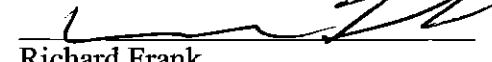
MURPHY CREEK LLC, a Wyoming limited liability company

By: 
Name: Harvey B. Alpert
Title: Manager

HARVEST & JEWELL, LLC, a Colorado limited liability company

By: 
Name: Harvey B. Alpert
Title: Manager

By: 
Name: Marc L. Cooper
Title: Manager

By: 
Name: Richard Frank
Title: Manager

EH 2002 LLC, a Colorado limited liability partnership

By: _____
Name: Richard M. Evans
Title: Senior Vice President

[Signature Page – Amended and Restated Surface Use and Damage Agreement cont'd.]

HARVEST & JEWELL, LLC, a Colorado limited liability company

By: _____
Name: Harvey B. Alpert
Title: Manager

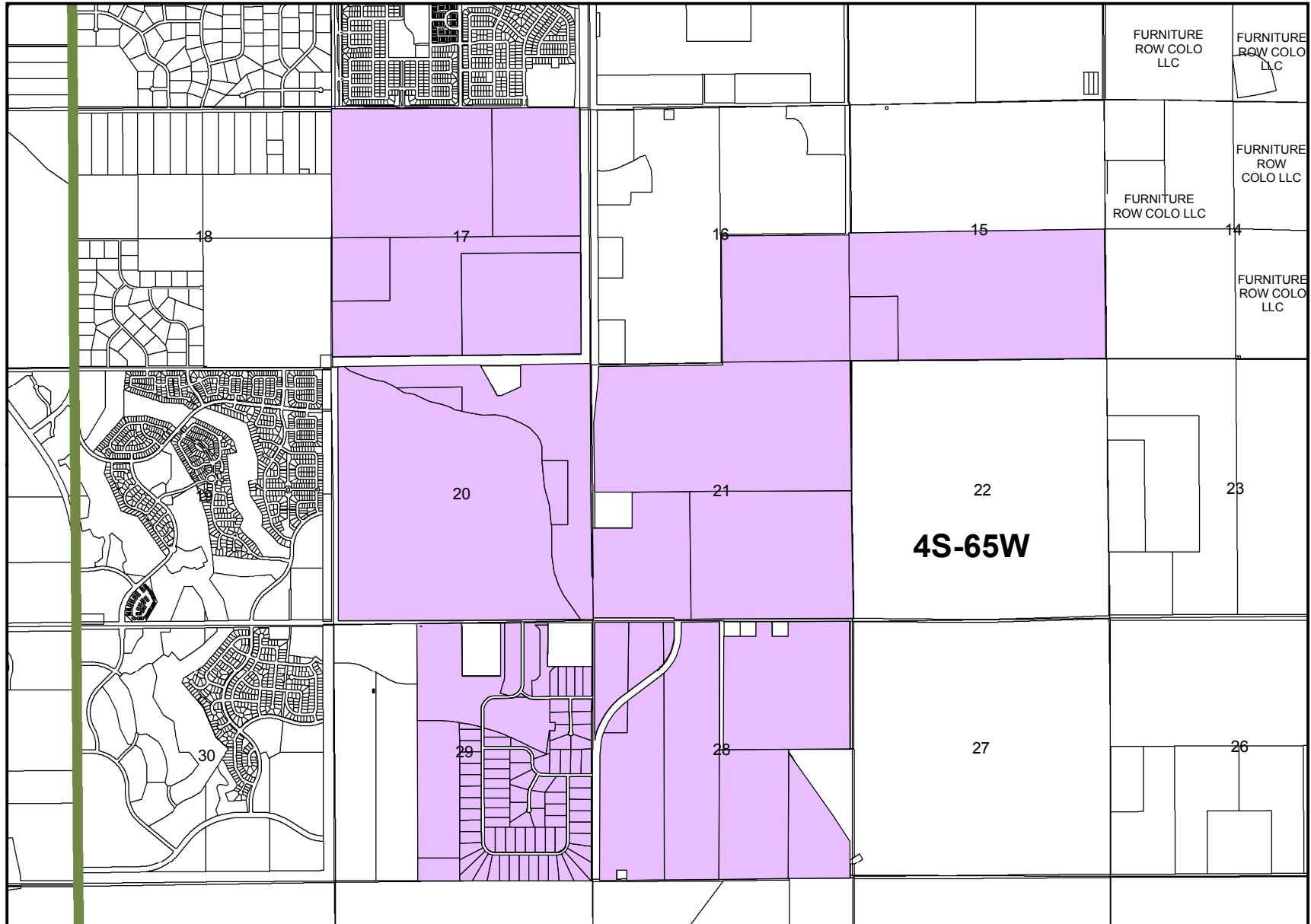
By: _____
Name: Marc L. Cooper
Title: Manager

By: _____
Name: Richard Frank
Title: Manager

EH 2002 LLC, a Colorado limited liability partnership

By: Robert M. Evans
Name: Robert M. Evans
Title: Senior Vice President

Parklands Surface Ownership 4S-65W



1:36,000

1 inch = 3,000 feet

