

MEMORANDUM OF SURFACE USE AGREEMENT

This Memorandum of Surface Use Agreement (this "Memorandum") is made and entered into on this 22nd day of January, 2022, is made by and between Everett Jackson Jr. and Florence Jackson, (hereinafter referred to as "Grantor"), and The Nature Conservancy, a District of Columbia nonprofit corporation, for the use and benefit of BNL (Enterprise), Inc., a Colorado corporation, and its successors and assigns (hereinafter referred to as "Grantee") (collectively, the "Parties").

WHEREAS, the Parties, on the same date set forth above, did enter into that certain Surface Use Agreement wherein Grantor did grant, bargain, sell, and convey unto Grantee certain rights of way and easements and rights of use covering the said lands being situated in Las Animas County, Colorado, described as follows, to wit:

TOWNSHIP 30 SOUTH, RANGE 51 WEST, 6th P.M.
Section 14: NE
Section 31: Lots 3 (20.07), 4 (20.02), E2SW
TOWNSHIP 30 SOUTH, RANGE 53 WEST, 6th P.M.
Section 32: S2SW
TOWNSHIP 30 SOUTH, RANGE 54 WEST, 6th P.M.
Section 19: S2NE, N2SE
Section 27: N2SW, SE
Section 29: W2
Section 30: Lots 5 (40.00), 6 (46.86), 7 (46.82), Lot 8 (40.00), SENW, E2SW, SESE, SWSE
Section 31: Lots 1 (40.00), 2 (46.82), 4 (40.00), 5 (40.00), 6 (46.90), 7 (46.94), 8 (40.00), E2SW, SE, E2NW, NE
Section 32: ALL
Section 33: S2
Section 34: SE, N2NE, S2NE, NW, NESW, W2SW, SESW
Section 35: SWNW, SW
TOWNSHIP 31 SOUTH, RANGE 54 WEST, 6th P.M.
Section 02: Lots 3 (50.48), 4 (50.94), S2NW, SWNE
Section 03: Lots 1 (51.33), 2 (51.94), 3 (52.54), SWNE, SENW, SENE
Section 04: Lots 1 (53.69), 2 (54.38), 4 (55.76), S2N2
Section 10: SESE

This Memorandum of Surface Use Agreement is filed in lieu of the original Surface Use Agreement to provide public notice of said Surface Use Agreement, which is incorporated herein by reference and is subject to all of the terms and provisions set forth therein. Grantor and Grantee both possess an executed copy of the Surface Use Agreement. Any party having legal standing to inquire, may request a copy of the Surface Use Agreement from either of those parties.

GRANTOR:

Name: Everett Jackson Jr.

By: Everett Jackson Jr.

Name: Florence Jackson

By: Florence Jackson

OPERATOR:

BNL (ENTERPRISE) INC.

By: Paul A. Jordan
Name: Paul A. Jordan
Title: President

SUDESH SHARMA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20174049100
MY COMMISSION EXPIRES 12/03/2025

SUDESH SHARMA
NOTARY PUBLIC

MY COMMISSION EXPIRES 12/03/2025



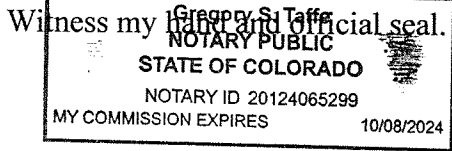
202200763056
Book 1181 Page(s) 1966-1967
4/6/2022 9:56 AM MEM AGREE
Doc Fees \$0.00 \$18.00
Patricia M. Vigil, COUNTY RECORDER
Filed for Record in LAS ANIMAS, CO.

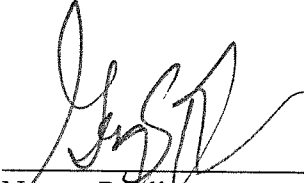
ACKNOWLEDGEMENTS

STATE OF Colorado)

COUNTY OF Bent)

This instrument was acknowledged before me this 22 day of January, 2022 by Everett Jackson Jr.

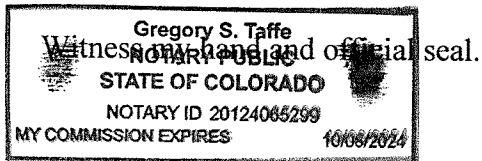


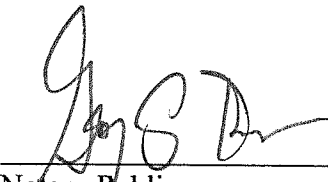

Notary Public

STATE OF Colorado)

COUNTY OF Bent)

This instrument was acknowledged before me this 22 day of January, 2022 by Florence Jackson.

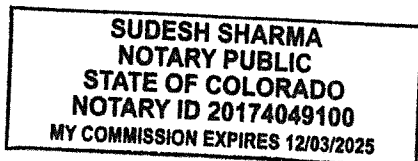



Notary Public

STATE OF Colorado)
COUNTY OF Jefferson)

This instrument was acknowledged before me this 28 day of January, 2022 by Ben Jordan as President of BNL (Enterprise) Inc.

Witness my hand and official seal.




Notary Public