7/13/2010 10:51 AM
EASEAGR R$86.00 D$0.00
Eryn K Follman
Mineral County Clerk

This property is subject to an Environmental Covenant held by the Colorado Department of Public Health and Environment pursuant to section 25-15-321, C.R.S.

ENVIRONMENTAL COVENANT

Navajo Development Co., Inc. grants an Environmental Covenant ("Covenant") this 23 day of April, 2009 to the Hazardous Materials and Waste Management Division of the Colorado Department of Public Health and the Environment ("the Department") pursuant to § 25-15-321 of the Colorado Hazardous Waste Act, § 25-15-101, *et seq*. The Department's address is 4300 Cherry Creek Drive South, Denver, Colorado 80246-1530.

WHEREAS, Navajo Development Co., Inc. is the owner of certain property commonly referred to as the Creede Airport Corner Site, which includes two parcels which will be subject to this Environmental Covenant, the East Containment Pile, located in the SW ¼ Section 6, T.41N., R.1W., N.M.P.M., Mineral County, Colorado, said parcel containing 5.14 acres, more or less, which parcel is more particularly described in Attachment A, attached hereto, and the West Containment Pile, located in the SE ¼ Section 1, T.41N., R.1W., N.M.P.M., Mineral County, Colorado, said parcel containing 1.95 acres, more or less, which parcel is more particularly described in Attachment B, attached hereto; the Attachments are incorporated herein by reference as though fully set forth, and include pertinent structures to control runon and runoff of stormwater (such parcels hereinafter referred to as "the Property"); and

WHEREAS, the purpose of this Covenant is to ensure protection of human health and the environment by means of the Creede Airport Corner Site Voluntary Cleanup Plan, pursuant to the Colorado Voluntary Clean-up and Redevelopment Act, C.R.S. § 25-16-301, *et seq*., which includes construction of protective caps over each Containment Pile ("Cap"); and

WHEREAS, Navajo Development Co., Inc. desires to subject the Property to certain covenants and restrictions as provided in Article 15 of Title 25, Colorado Revised Statutes, which covenants and restrictions shall burden the Property and bind Navajo Development Co., Inc. and all parties now or subsequently having any right, title or interest in the Property, or any part thereof, and any persons using the land, as described herein, for the benefit of the Department and OWNER.

NOW, THEREFORE, Navajo Development Co., Inc. hereby grants this Environmental Covenant to the Department, and declares that the Property as described in Attachments A and B shall hereinafter be bound by, held, sold, and conveyed subject to the following requirements set forth in paragraphs 1 through 10 below, which shall run with the Property in perpetuity and be binding on Navajo Development Co., Inc. and all parties now or subsequently having any right, title or interest in the Property, or any part thereof, and any

persons using the land, as described herein. As used in this Environmental Covenant, the term OWNER means the then current record owner of the Property and, if any, any other person or entity otherwise legally authorized to make decisions regarding the transfer of the Property or placement of encumbrances on the Property, other than by the exercise of eminent domain.

1. Use restrictions: The use restrictions following within this Section 1 apply only to the East and West Containment Piles and the associated structures that are necessary for implementation of the remedy:

a. No person shall construct or use any buildings or other enclosed structures upon the East or West Containment Piles and no storm water detention ponds or man made lakes or ponds shall be constructed thereupon.

b. No person shall till, excavate, grade, construct, or take any other activity that exposes mine waste materials or changes the flow of water around the East and West Containment Piles without first modifying this Covenant pursuant to paragraph 2. Solar photovoltaic power systems may be constructed on the East or West Containment Piles without amendment of this covenant as long as the system design is approved by the Department in writing prior to any construction activities. Any modifications hereto shall be kept on file at the Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division, Records Center.

c. No person shall take any action that impairs or interferes with the growth of vegetation on the Containment Piles, with the exception of actions needed to physically remove all deep-rooted plant species in order to maintain the integrity of the engineered cap.

d. No person shall irrigate the vegetative cover on the Containment Piles at any time other than the time where emergency conditions require such irrigation in order to maintain the viability of such vegetative cover. Even where such emergency irrigation is permitted, such irrigation shall not cause any erosion or leaching of metals to ground water.

e. Navajo Development Co., Inc. and OWNERS and all parties now or subsequently having any right, title or interest in the Property, or any part thereof, and any persons using the Property shall inspect each calendar year the Caps and the associated run-on and run-off controls and perform sufficient maintenance to prevent exposure of mine waste materials or damage to the Caps.

f. Appropriate signage shall be installed and maintained on all four sides of the Containment Piles to warn persons of the presence of mine waste materials and to prevent activities which might damage the Cap. The signage should be such that it is visible, without aid from at least 20 feet.

2. Modifications: This Covenant runs with the land and is perpetual, unless modified or terminated pursuant to this paragraph. OWNER may request that the Department approve a

modification or termination of the Covenant. The request shall contain information showing that the proposed modification or termination shall, if implemented, ensure protection of human health and the environment. The Department shall review any submitted information, and may request additional information. If the Department determines that the proposal to modify or terminate the Covenant will ensure protection of human health and the environment, it shall approve the proposal. No modification or termination of this Covenant shall be effective unless the Department has approved such modification or termination in writing. Information to support a request for modification or termination may include one or more of the following:

a) a proposal to perform additional remedial work;
b) new information regarding the risks posed by the residual contamination;
c) information demonstrating that residual contamination has diminished;
d) information demonstrating that the proposed modification would not adversely impact the remedy and is protective of human health and the environment; and
e) information demonstrating that an engineered feature or structure is no longer necessary
f) other appropriate supporting information.

3. Conveyances: OWNER shall notify the Department at least fifteen (15) days in advance of the closing on any proposed sale or other conveyance of any interest in any or all of the Property.

4. Notice to Lessees: OWNER agrees to incorporate either in full or by reference the restrictions of this Covenant in any leases, licenses, or other instruments granting a right to use the Property.

5. Notification for proposed construction and land use: OWNER shall notify the Department simultaneously when submitting any application to a local government for a building permit or change in land use.

6. Inspections: The Department shall have the right of entry to the Property at reasonable times with prior notice for the purpose of determining compliance with the terms of this Covenant.

7. Third Party Beneficiary: The OWNER of the Property is a third party beneficiary with the right to enforce the provisions of this Covenant as provided in §25-15-322, C.R.S.

8. No Liability: The Department does not acquire any liability under State law by virtue of accepting this Covenant.

9. Enforcement: The Department may enforce the terms of this Covenant pursuant to §25-15-322. C.R.S. Navajo Development Co., Inc. or any future OWNER may file suit in district court to enjoin actual or threatened violations of this Covenant.

10. Owner's Compliance Certification: OWNER shall execute and return a certification form provided by the Department, on an annual basis, detailing OWNER's compliance, and any lack of compliance, with the terms of this Covenant.

11. Notices: Any document or communication required under this Covenant shall be sent or directed to:

Voluntary Cleanup Unit Leader
Hazardous Materials and Waste Management Division
Colorado Department of Public Health and the Environment
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530

Navajo Development Co., Inc.
% John Parker
2043 S. Washington Street
Denver, CO 80210

Navajo Development Co., Inc. has caused this instrument to be executed this 23 day of April, 2009.

Navajo Development Co., Inc.

By: John H. Parker
John Parker
Title: President

STATE OF Colorado)
) ss:
COUNTY OF Denver)

The foregoing instrument was acknowledged before me this 23 day of April, 2009 by John Parker on behalf of Navajo Development Co., Inc.

Nancy A. Boldiszar
Notary Public

NANCY A. BOLDISZAR
NOTARY PUBLIC
STATE OF COLORADO
MY COMMISSION EXPIRES 6/16/2012

12460 W. Crestline Dr.
Address
Colorado

My commission expires: 6-16-2012

Accepted by the Colorado Department of Public Health and Environment this 22nd day of June ~~, 2009.~~ 2010.

By: Gary W. Baughman

Title: Director, HMWMD

STATE OF Colorado)
) ss:
COUNTY OF ARAPAHOE)

The foregoing instrument was acknowledged before me this 22 day of June, 2~~009~~10 by GARY W. BAUGHMAN on behalf of the Colorado Department of Public Health and Environment.

Claudette M. Ferris
Notary Public

4300 Cherry Creek Dr So
Address

Denver, CO 80246

My commission expires: October 21, 2011

ATTACHMENT A

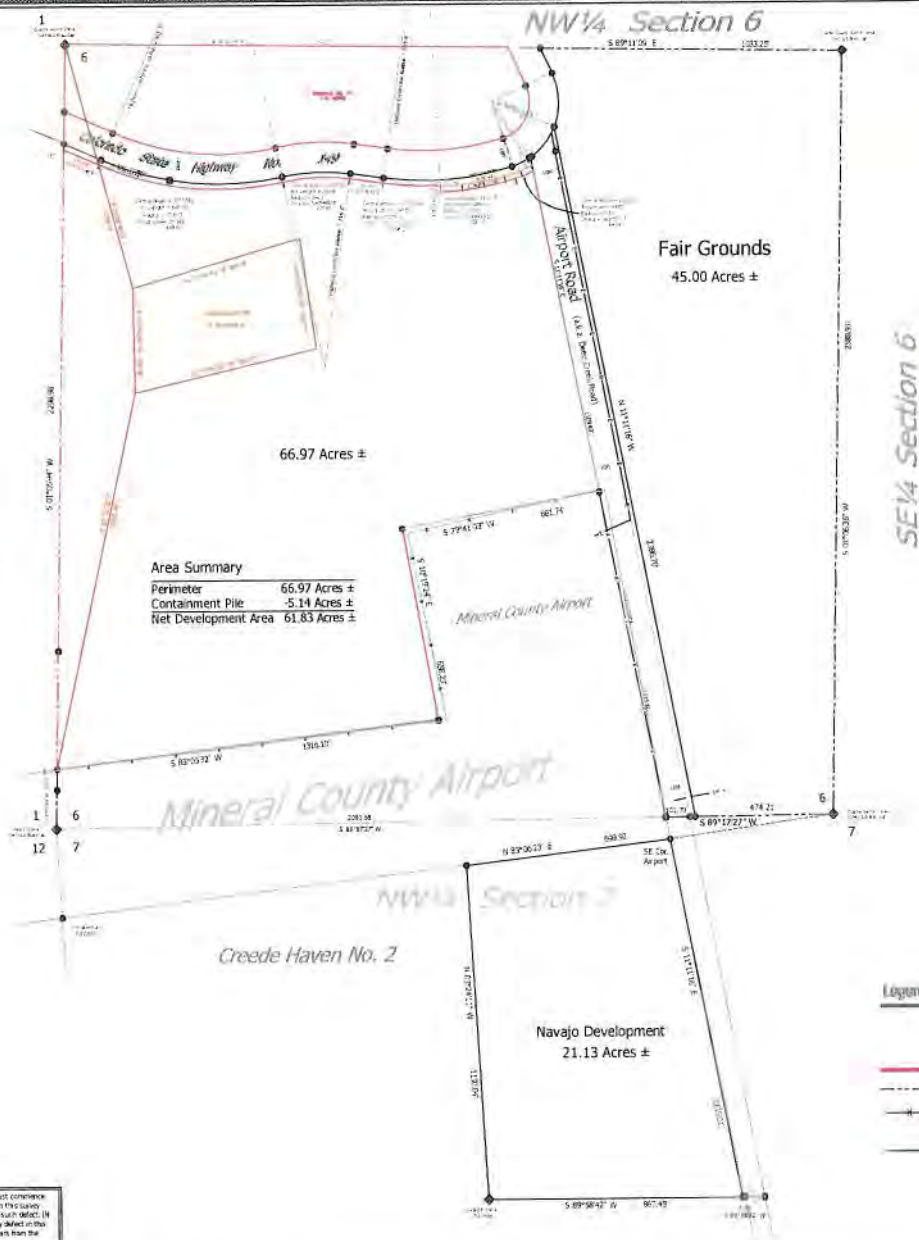
East Containment Area Easement

A parcel of land located in the SW1/4 Section 6, T.41N., R.1E., N.M.P.M., Mineral County, Colorado, said parcel containing 5.14 acres, more or less, which parcel is more particularly described by metes and bounds as follows: Beginning at the NW corner of the parcel herein described, whence the W1/4 corner of said Section 6, a GLO Brass Cap, bears N15°02'49"W a distance of 859.19 feet; thence N73°54'55"E a distance of 599.75 feet to the NE corner of the parcel herein described; thence S08°08'55"E a distance of 378.77 feet to the SE corner of the parcel herein described; thence S76°46'53"W a distance of 641.80 feet to the SW corner of the parcel herein described; thence N00°49'56"W a distance of 355.58 feet to the place of beginning.

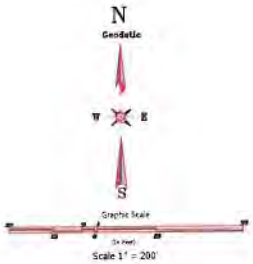
7/13/2010 10:51 AM
EASEAGR R$86.00 D$0.00
Eryn K Follman
Mineral County Clerk

Navajo Development Commercial Perimeter

Fraction of the SW¼ Section 6,
Township 41 North, Range 1 East,
New Mexico Principal Meridian,
Mineral County,
Colorado.



Location Map



Commercial Area Perimeter Description

A parcel of land containing 66.97 acres, more or less, said parcel being a fraction of the SW1/4 Section 6, T.41N., R. 1E., N.M.P.M., Mineral County, Colorado, more particularly described by metes and bounds as follows: Beginning at the SW corner of the parcel herein described, whence the SW corner for said Section 6, a 1940 GLO brass cap; bears S01°05'44"W a distance of 201.88 feet; thence N01°05'44"E, along the West line of said Section 6, a distance of 2068.98 feet to the NW corner of the parcel herein described; thence generally Southeasterly along the Southerly line of a 20 foot wide multi-use path for the following eight (8) courses; S66°17'08"E a distance of 129.33 feet; thence Southeasterly a distance of 646.33 feet along the arc of a curve to the left, said curve having a radius of 1025.0 feet, the chord of which bears S84°21'04"E a distance of 635.67 feet to a PRC; thence Northeasterly a distance of 229.08 feet along the arc of a curve to the right, said curve having a radius of 646.2 feet, the chord of which bears N87°44'30"E a distance of 227.69 feet to a PT; thence S82°06'12"E a distance of 115.00 feet to a PC; thence Southeasterly a distance of 196.57 feet along the arc of a curve to the left, said curve having a radius of 1025.0 feet, the chord of which bears S87°35'50"E a distance of 196.27 feet; thence S03°05'28"E a distance of 25.00 feet; thence Northeasterly a distance of 259.76 feet along the arc of a curve to the left, said curve having a radius of 1050.0 feet, the chord of which bears N79°49'10"E a distance of 259.09 feet to a PCC; thence Northeasterly a distance of 64.89 feet along the arc of a curve to the left, said curve having a radius of 274.1 feet, the chord of which bears N65°57'13"E a distance of 64.74 feet to a point on the Westerly right of way for Airport Road (a.k.a. Deep Creek Road); thence S11°11'16"E, along said Westerly right of way, a distance of 1109.43 feet; thence S79°41'03"W, along the Northerly line of the Mineral County Airport, a distance of 681.74 feet to an angle point in said Northerly line; thence S19°19'24"E, along the boundary of the Mineral County Airport, a distance of 658.23 feet to an angle point in said Northerly line; thence S83°09'32"W, along the boundary Mineral County Airport, a distance of 1316.10 feet to the place of beginning, and SUBJECT TO any and all existing easements and/or rights of way of whatsoever nature.

NOTES: Description includes containment pile but excludes multi use path.
(Original Description was generated February 2, 2006)
(There is no official record of this description)
(There is no official record of this map)

Bearing Basis

Courses are referred to Geodetic North by Observations on the East Line of the SW¼ Section 6, as per monuments shown on this plat. Observed bearing N01°06'36"E.

Legend

- Aliquot Section Corner (as described)
- Set 24" No. 4 Rebar with Green Plastic Cap
- Property Boundary
- Section Line
- Fence Line
- Found Monument RLS 5442 (or as described)
- Overhead Power

NOTE: According to Colorado law you must commence any legal action based upon any defect in this survey within 3 three years after you discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of certification shown hereon.

Rincon Associates, Inc.
P.O. Box 1227 Alamosa, CO 81101 (719) 589-2444

Navajo Development Commercial Perimeter
Fraction of the SW¼ Section 6,
Township 41 North, Range 1 East,
New Mexico Principal Meridian,
Mineral County,
Colorado.

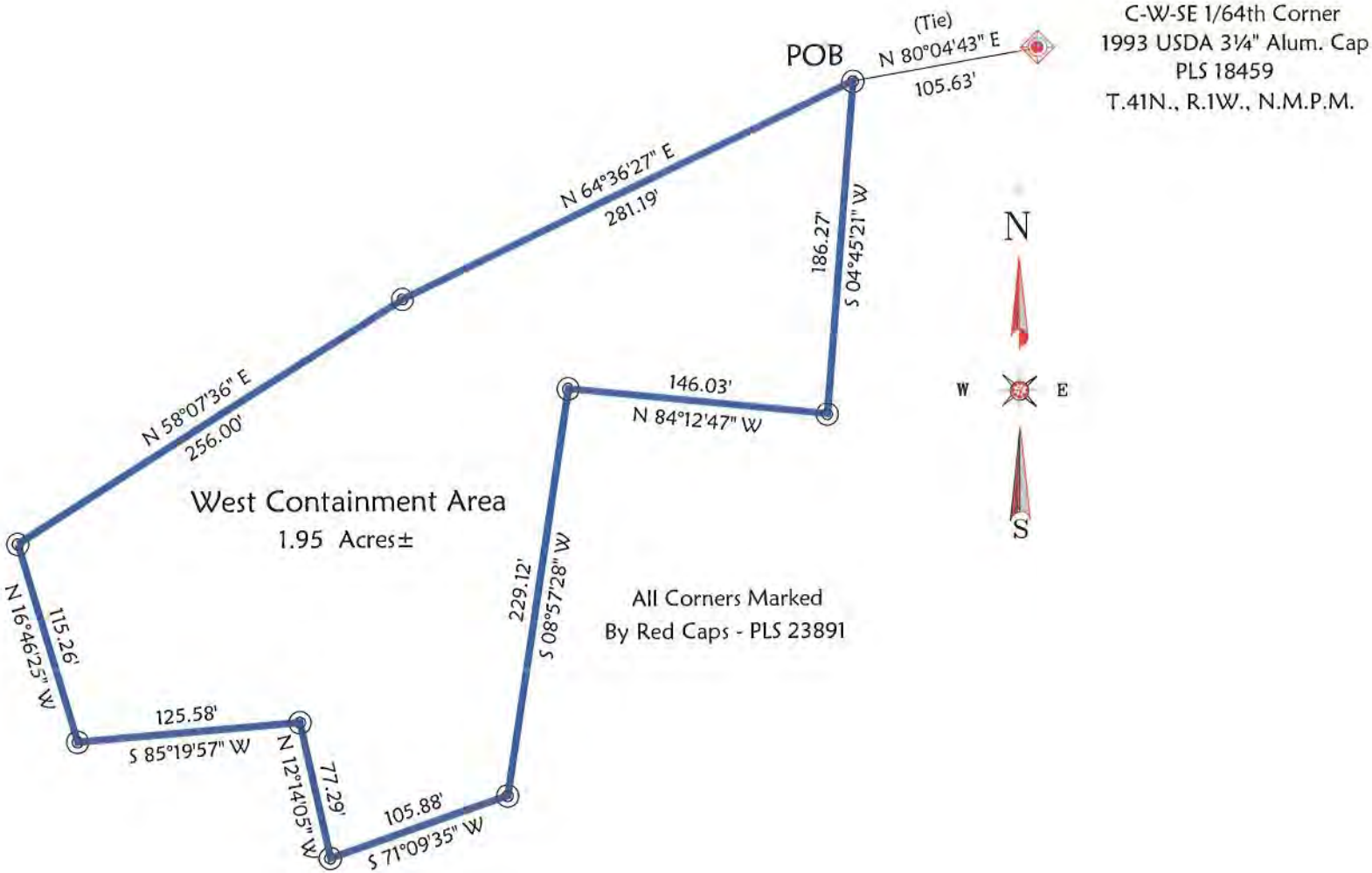
Drawn by: WDK August 2001
Revision: January 2005
Revision: February 2006
Revision: [illegible]
Project: 2006-06
Job No. 2365 A Sheet 1 of 1

ATTACHMENT B

West Containment Area Easement

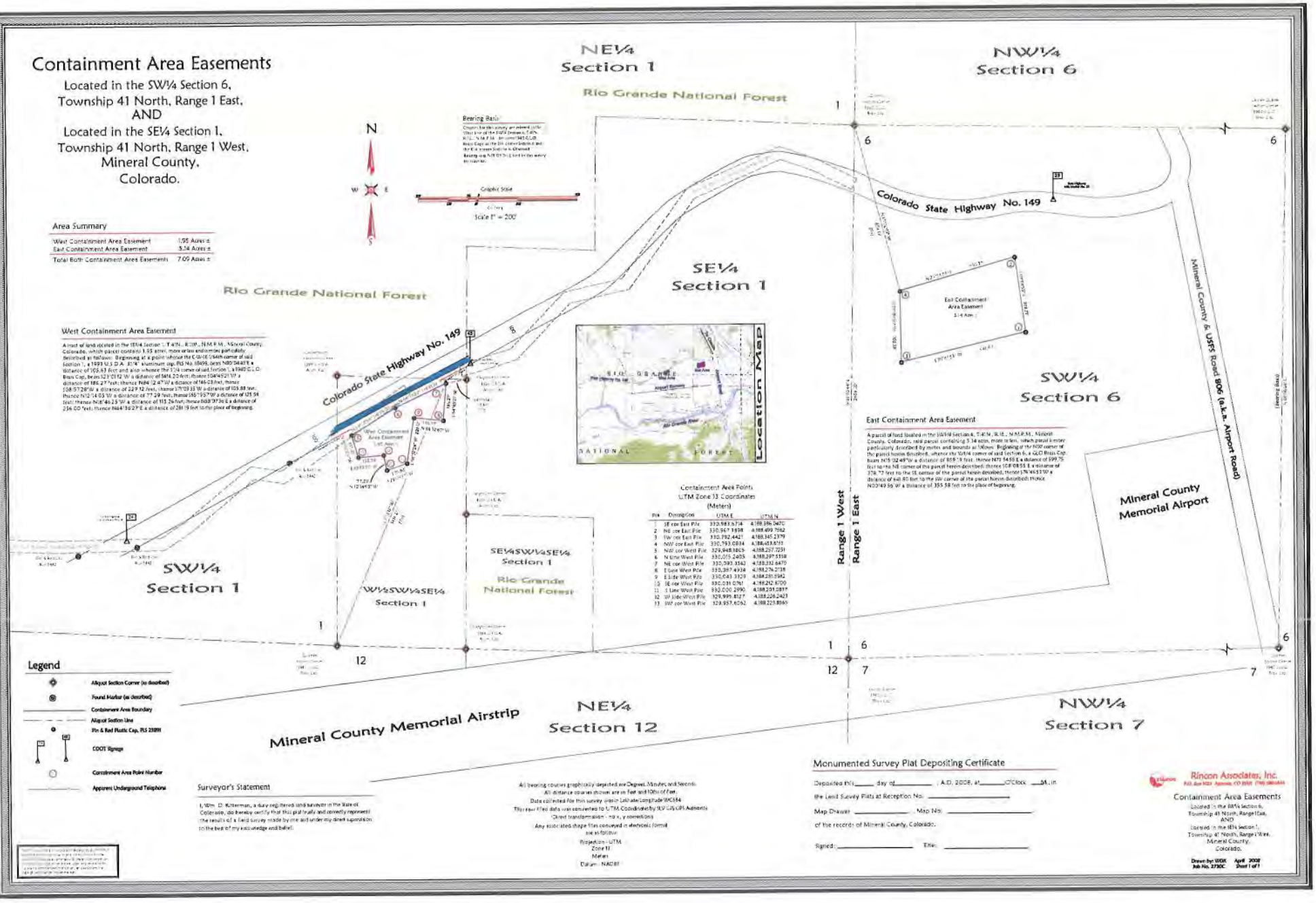
A tract of land located in the SE1/4 Section 1, T.41N., R.1W., N.M.P.M., Mineral County, Colorado, which parcel contains 1.95 acres, more or less and is more particularly described as follows: Beginning at a point whence the C-W-SE 1/64th corner of said Section 1, a 1993 U.S.D.A. 31/4" aluminum cap, PLS No. 18459, bears N80°04'43"E a distance of 105.63 feet and also whence the S1/4 corner of said Section 1, a 1940 G.L.O. Brass Cap, bears S23°01'12"W a distance of 1414.20 feet; thence S04°45'21"W a distance of 186.27 feet; thence N84°12'47"W a distance of 146.03 feet; thence S08°57'28"W a distance of 229.12 feet; thence S71°09'35"W a distance of 105.88 feet; thence N12°14'05"W a distance of 77.29 feet; thence S85°19'57"W a distance of 125.58 feet; thence N16°46'25"W a distance of 115.26 feet; thence N58°07'36"E a distance of 256.00 feet; thence N64°36'27"E a distance of 281.19 feet to the place of beginning.

7/13/2010 10:51 AM
EASEAGR R$86.00 D$0.00
Eryn K Follman
Mineral County Clerk



Containment Area Easements

Located in the SW¼ Section 6,
Township 41 North, Range 1 East,
AND
Located in the SE¼ Section 1,
Township 41 North, Range 1 West,
Mineral County,
Colorado.



Area Summary

West Containment Area Easement	1.95 Acres ±
East Containment Area Easement	5.14 Acres ±
Total Both Containment Area Easements	7.09 Acres ±

West Containment Area Easement

A tract of land located in the SE¼ Section 1, T.41N., R.1W., N.M.P.M., Mineral County, Colorado, which parcel contains 1.95 acres, more or less and is more particularly described as follows: Beginning at a point whence the C.W.W.D.S.M.M. corner of said Section 1, a 1993 U.S.D.A. 3½" aluminum cap, PLS No. 18496, bears N80°04'45"E a distance of 105.63 feet and also whence the S¼ corner of said Section 1, a 1940 G.L.O. Brass Cap, bears S21°01'12"W a distance of 1614.20 feet; thence S04°45'21"E a distance of 186.27 feet; thence N84°12'47"W a distance of 146.03 feet; thence S08°37'28"W a distance of 229.32 feet; thence S71°03'35"W a distance of 105.88 feet; thence N12°14'03"W a distance of 77.29 feet; thence S85°19'57"W a distance of 125.94 feet; thence N06°46'25"W a distance of 113.26 feet; thence N68°37'36"E a distance of 236.00 feet; thence N44°39'27"E a distance of 281.19 feet to the place of beginning.

East Containment Area Easement

A parcel of land located in the SW¼ Section 6, T.41N., R.1E., N.M.P.M., Mineral County, Colorado, said parcel containing 5.14 acres, more or less, which parcel is more particularly described by metes and bounds as follows: Beginning at the NW corner of the parcel herein described, whence the SW¼ corner of said Section 6, a G.L.O. Brass Cap, bears N15°02'49"W a distance of 859.19 feet; thence N71°54'55"E a distance of 599.75 feet to the NE corner of the parcel herein described; thence S08°08'55"E a distance of 378.73 feet to the SE corner of the parcel herein described; thence S76°45'33"W a distance of 641.80 feet to the SW corner of the parcel herein described; thence N00°49'56"W a distance of 355.58 feet to the place of beginning.

Containment Area Points
UTM Zone 13 Coordinates
(Meters)

Pts	Description	UTM E	UTM N
1	SE cor East Pts	330,983.6714	4,188,386.0470
2	NE cor East Pts	330,967.1898	4,188,499.7062
3	NW cor East Pts	330,792.4421	4,188,345.2379
4	NW cor East Pts	330,793.0834	4,188,433.6751
5	NW cor West Pts	329,948.5805	4,188,237.7231
6	N Line West Pts	330,015.2405	4,188,297.5358
7	NE cor West Pts	330,093.3542	4,188,332.6470
8	E Line West Pts	330,287.4924	4,188,276.2738
9	E Side West Pts	330,643.3329	4,188,291.5942
10	SE cor West Pts	330,039.0761	4,188,212.6700
11	S Line West Pts	330,000.2990	4,188,203.0837
12	SW side West Pts	329,999.8127	4,188,226.2423
13	SW cor West Pts	329,957.6092	4,188,223.8969

Surveyor's Statement

I, Wm. D. Ketterman, a duly registered land surveyor in the State of Colorado, do hereby certify that this plat truly and correctly represents the results of a field survey made by me and under my direct supervision to the best of my knowledge and belief.

All bearing courses graphically depicted are Degrees, Minutes and Seconds.
All distance courses shown are in Feet and 10ths of Feet.
Data collected for this survey was in Latitude/Longitude WGS84
This raw field data was converted to UTM Coordinates by SLV GIS/GPS Authority
Direct transformation - no x, y corrections
Any associated shape files conveyed in electronic format
are as follow:
Projection - UTM
Zone 13
Meters
Datum - NAD83

Monumented Survey Plat Depositing Certificate

Deposited this ____ day of _____, A.D. 2008, at ____ O'Clock ____ M. in
the Land Survey Plats at Reception No: _____
Map Drawer _____ Map No: _____
of the records of Mineral County, Colorado.
Signed: _____ Title: _____

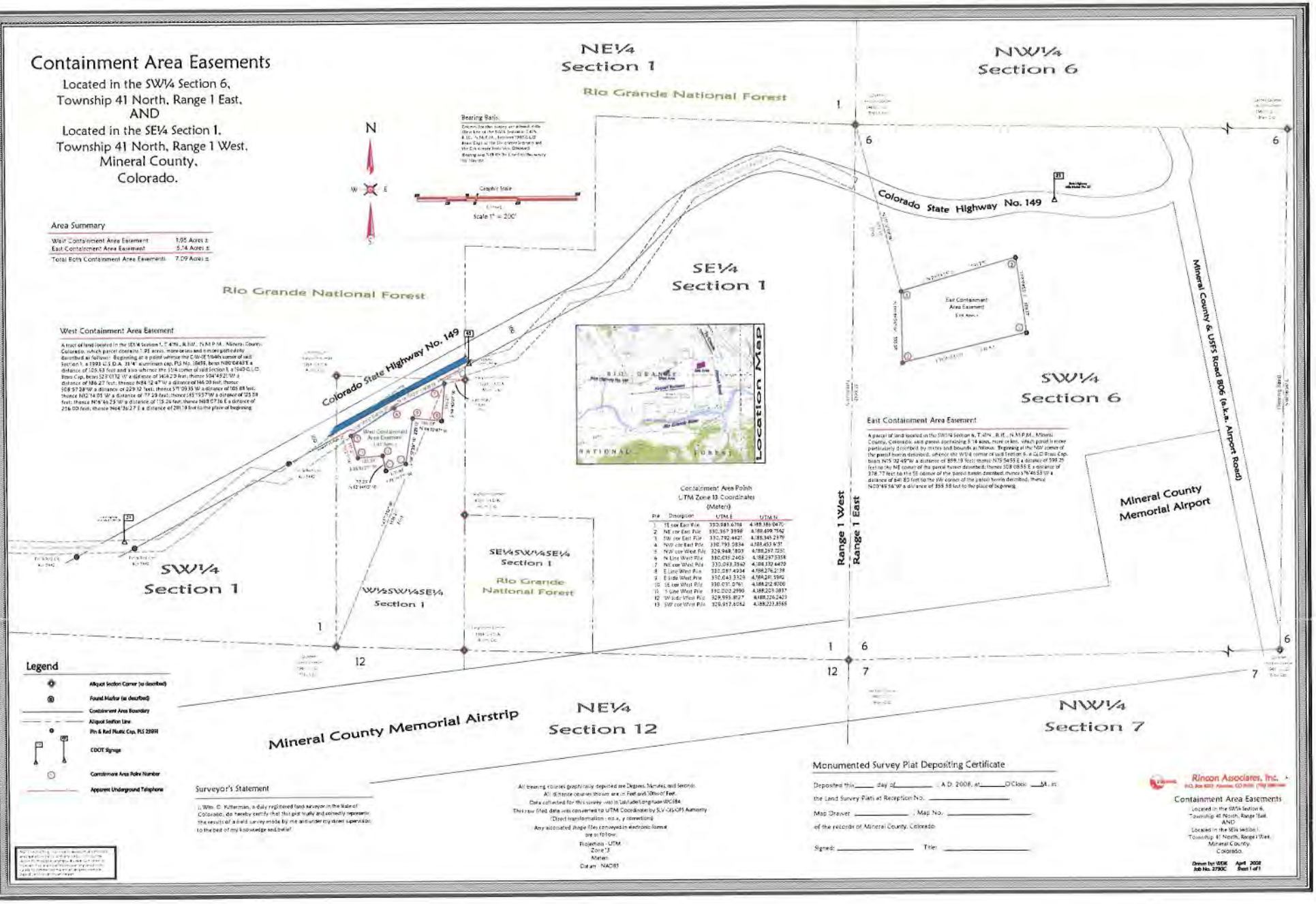
Rincon Associates, Inc.
P.O. Box 1023 Ignacio, CO 81137 (970) 563-9287

Containment Area Easements
Located in the SW¼ Section 6,
Township 41 North, Range 1 East,
AND
Located in the SE¼ Section 1,
Township 41 North, Range 1 West,
Mineral County,
Colorado.

Drawn by: WDK April 2008
Job No. 2730C Sheet 1 of 1

Containment Area Easements

Located in the SW¼ Section 6,
Township 41 North, Range 1 East,
AND
Located in the SE¼ Section 1,
Township 41 North, Range 1 West,
Mineral County,
Colorado.



Area Summary

West Containment Area Easement	1.95 Acres ±
East Containment Area Easement	5.14 Acres ±
Total Both Containment Area Easements	7.09 Acres ±

West Containment Area Easement

A tract of land located in the SE¼ Section 1, T.41N., R.1W., N.M.P.M., Mineral County, Colorado, which parcel contains 1.95 acres, more or less and is more particularly described as follows: Beginning at a point whence the C.W.-E. 1/16th corner of said Section 1, a 1993 G.L.O.A. 3¼" aluminum cap, PLS No. 18459, bears N80°04'43"E a distance of 126.63 feet and s.w.n. whence the 1/4 corner of said Section 1, a 1940 G.L.O. Brass Cap, bears S29°01'12" W a distance of 1424.29 feet; thence S04°49'21"W a distance of 186.27 feet; thence N84°12'47"W a distance of 146.00 feet; thence S08°57'28"W a distance of 229.12 feet; thence S71°09'35"W a distance of 105.88 feet; thence N02°14'05"W a distance of 77.29 feet; thence S65°15'57"W a distance of 125.59 feet; thence N76°46'25"W a distance of 115.26 feet; thence N88°07'36"E a distance of 256.00 feet; thence N64°36'27"E a distance of 281.19 feet to the place of beginning.

East Containment Area Easement

A parcel of land located in the SW¼ Section 6, T.41N., R.1E., N.M.P.M., Mineral County, Colorado, said parcel containing 5.14 acres, more or less, which parcel is more particularly described by metes and bounds as follows: Beginning at the NW corner of the parcel herein described, whence the W¼ corner of said Section 6, a G.L.O. Brass Cap, bears N15°02'49"W a distance of 899.19 feet; thence N75°54'55"E a distance of 599.25 feet to the NE corner of the parcel herein described; thence S08°08'55"E a distance of 378.77 feet to the SE corner of the parcel herein described; thence S76°45'53"W a distance of 641.80 feet to the SW corner of the parcel herein described; thence N00°49'56"W a distance of 355.58 feet to the place of beginning.

Containment Area Points
UTM Zone 13 Coordinates
(Meters)

Pnt	Description	UTM E	UTM N
1	SE cor East Pcl	330,983.6784	4,188,386.0470
2	NE cor East Pcl	330,967.3998	4,188,499.7142
3	SW cor East Pcl	330,792.4427	4,188,345.2379
4	NW cor East Pcl	330,793.0834	4,188,453.9131
5	NW cor West Pcl	329,948.7803	4,188,297.5551
6	N Line West Pcl	330,019.2465	4,188,297.5358
7	NE cor West Pcl	330,043.3562	4,188,332.6420
8	E Line West Pcl	330,087.4934	4,188,276.2139
9	E side West Pcl	330,043.3328	4,188,241.5992
10	SE cor West Pcl	330,031.0791	4,188,212.9000
11	S Line West Pcl	330,000.2990	4,188,203.0817
12	W side West Pcl	329,955.8127	4,188,226.2423
13	SW cor West Pcl	329,957.6062	4,188,221.8565

Surveyor's Statement

I, Wm. C. Ketterman, a duly registered land surveyor in the State of Colorado, do hereby certify that this plat truly and correctly represents the results of a field survey made by me and under my direct supervision, to the best of my knowledge and belief.

All bearing courses graphically depicted are Degrees, Minutes, and Seconds.
All distance courses shown are in Feet and Tenths of Feet.
Data collected for this survey was in Latitude/Longitude WGS84.
This raw field data was converted to UTM Coordinates by SLV-GIS-GPS Authority (Direct transformation - no x, y corrections).
Any associated image files conveyed in electronic format are as follows:
Projection - UTM
Zone 13
Meters
Datum NAD83

Monumented Survey Plat Depositing Certificate

Deposited this _____ day of _____ , A.D. 2008, at _____ O'Clock ____ M., in the Land Survey Plats at Reception No. _____
Map Drawer _____ , Map No. _____
of the records of Mineral County, Colorado.
Signed: _____ Title: _____

Rincon Associates, Inc.
P.O. Box 4227 Alamosa, CO 81101 (719) 589-6000

Containment Area Easements
Located in the SW¼ Section 6,
Township 41 North, Range 1 East,
AND
Located in the SE¼ Section 1,
Township 41 North, Range 1 West,
Mineral County,
Colorado.

Drawn by: VEK Job No. 2730C
April 2008 Sheet 1 of 1

Kemp

66365 7/13/2010 10:51 AM Eryn K Follman
12 of 16 EASEAGR R$86.00 D$0.00 Mineral County Clerk

QUITCLAIM DEED

THIS QUITCLAIM DEED, Executed this 30th day of Oct, 20 08, by the Grantor, NAVATO Development LLC whose mailing address is 2043 S. Washington St, Denver, Co 80210 to the Grantee, NAVATO Development Co, Inc whose mailing address is 2043 S. Washington St, Denver, Co 80210.

WITNESSETH, That the said Grantor, for good consideration and for the sum of $ 10.00 paid by the said Grantee, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the said Grantee forever, all the right, title, interest and claim which the said Grantor has in and to the following described parcel of land, and improvements and appurtenances thereto in the County of Mineral, State of Colorado, to wit: Exhibit A

IN WITNESS WHEREOF, The said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of:

Witness John Parker — Grantee John H. Parker II

Witness John Parker — Grantor

STATE OF } Colorado
COUNTY OF } Denver

On October 30th 2008 before me, Kimberly S. Osika, personally appeared John H. Parker II, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

KIMBERLY S OSIKA
Notary Public
State of Colorado

Kimberly S. Osika
Signature

Commission Expires 6-14-2011

Affiant: ✓ Known ____ Unknown

ID Produced: Colorado Drivers License

[Seal]

Exhibit A

Containment Pile Description

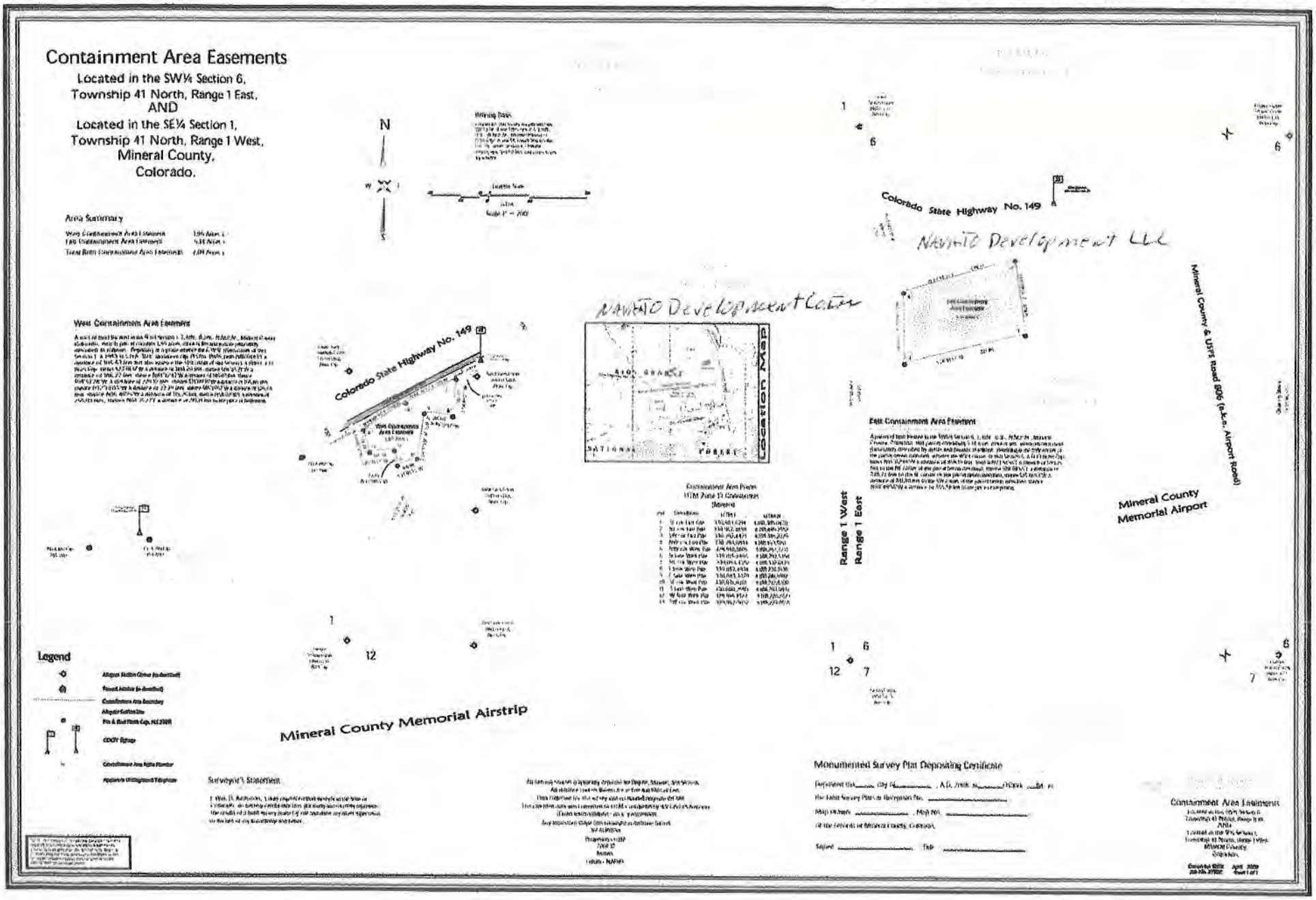
A parcel of land located in the SW¼ Section 6, T.41N., R.1E., N.M.P.M., Mineral County, Colorado, said parcel containing 5.14 acres, more or less, which parcel is more particularly described by metes and bounds as follows: Beginning at the NW corner of the parcel herein described, whence the W¼ corner of said Section 6, a GLO Brass Cap, bears N15°02'49"W a distance of 859.19 feet; thence N73°54'55"E a distance of 599.75 feet to the NE corner of the parcel herein described; thence S08°08'55"E a distance of 378.77 feet to the SE corner of the parcel herein described; thence S76°46'53"W a distance of 641.80 feet to the SW corner of the parcel herein described; thence N00°49'56"W a distance of 355.58 feet to the place of beginning.

The foregoing description was prepared by Wm. D. Kitterman for and on behalf of Rincon Associates, Inc., Alamosa, Colorado on January 13, 2005.

66365 7/13/2010 10:51 AM Eryn K Follman
14 of 16 EASEAGR R$86.00 D$0.00 Mineral County Clerk

Containment Area Easements

Located in the SW¼ Section 6,
Township 41 North, Range 1 East,
AND
Located in the SE¼ Section 1,
Township 41 North, Range 1 West,
Mineral County,
Colorado.



10/30/08

Managing Member John Parker called a special meeting of Navajo Development LLC to discuss giving a Quitclaim Deed of the east containment area containing 5.14 acres to Navajo Development Co., Inc. Upon said motion, the motion was unanimously passed.

John H Parker II
Managing Member
Navajo Development LLC

10/30/08

Chairman John Parker called a special meeting of the Directors of Navajo Development CO., Inc. to discuss the acceptance of a Quitclaim Deed of the east containment area containing 5.14 acres from Navajo Development LLC. Upon said motion, the motion was unanimously passed.

John H Parker II
Chairman & President
Navajo Development Co., Inc.