

## Summit County Open Space and Trail - Shoe Basin Mine Environmental Covenant Summary

**Covenant ID: HMC0V00064**

### **Covenant Information:**

Covenant Date: May 18, 2009

Self Reporting: Yes

Media of Concern:

Surface Water: No

Groundwater: No

Air: No

Soil: Yes

Other: No

Contaminants of Concern: Metals

Property Restrictions:

1. No construction of buildings
2. No activity that exposes mine waste
3. No irrigation
4. Operation and Maintenance on cap and diversion ditches

### **Site Information:**

ID: RV/30.7

Name: Shoe Basin Mine

Address:

City:

State: CO

Zip Code:

Legal Description: Tract A of the Globe and Phoenix Subdivision, Summit County Colorado

### **Site Contact Information:**

Name: Brian Lorch

Address: PO Box 5660

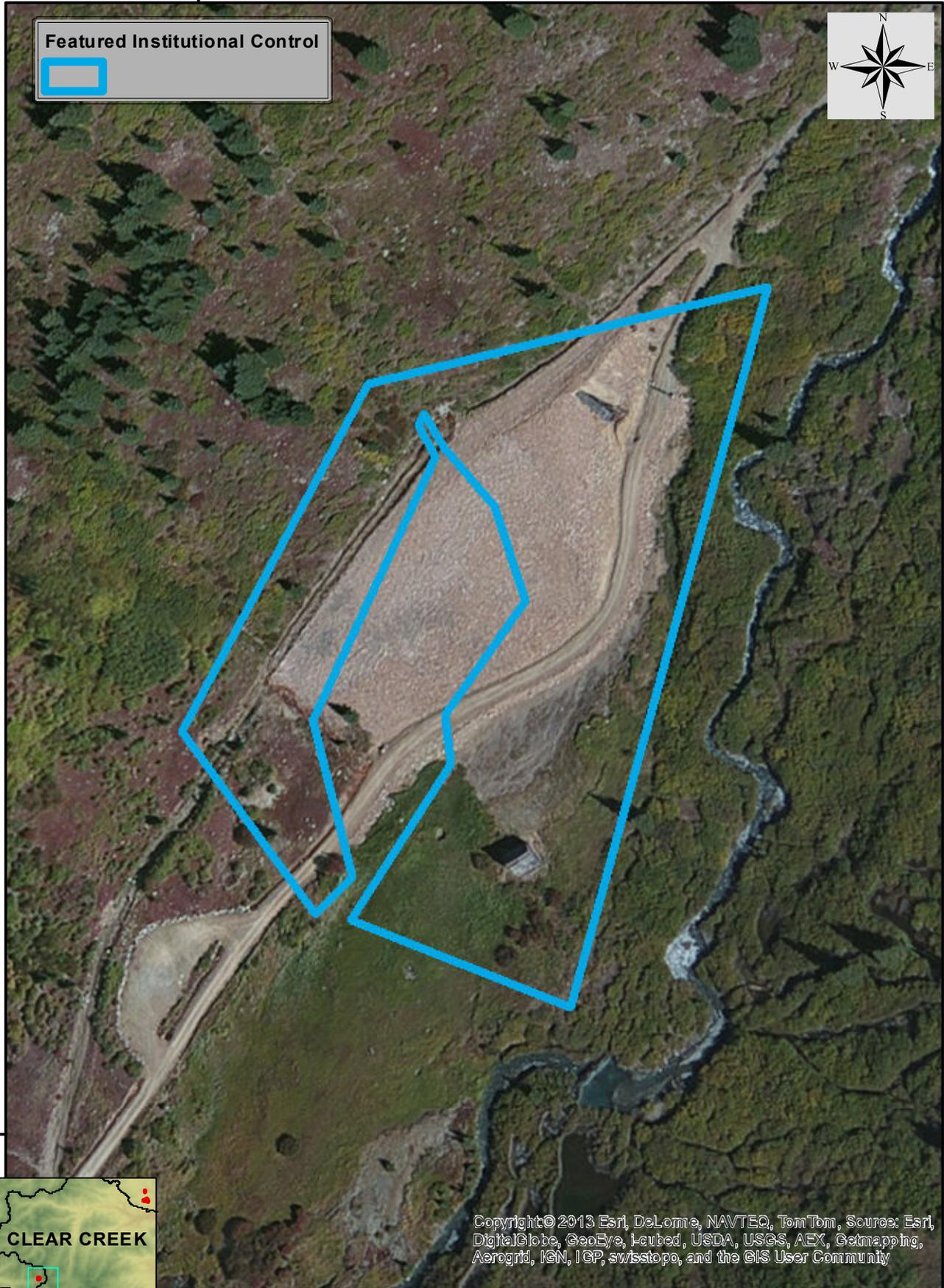
City: Frisco

State: CO Zip Code: 80443

# SHOE BASIN MINE

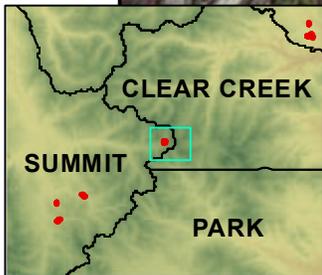
105°48'0"W

Featured Institutional Control



39°36'30"N

39°36'30"N



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## HMCOV00064





915818

Cheri Brunvand - Summit County Recorder

8 Pages

6/15/2009 3:10 PM

DF: \$0.00

**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**

Summit County Government, (Summit County) grants an Environmental Covenant ("Covenant") this 10<sup>th</sup> day of May, 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, Summit County is the owner of certain property commonly referred to as the Shoe Basin Mine, located at Tract A of the Globe and Phoenix Subdivision, Summit County, Colorado more particularly described in Attachment A, attached hereto and incorporated herein by reference as though fully set forth (hereinafter referred to as "the Property"); and

WHEREAS, the purpose of this Covenant is to ensure protection of human health and the environment by implementing the voluntary cleanup of the Shoe Basin Mine as described in the *Voluntary Clean-up Application: Shoe Basin Mine*, approved by the Department on September 16, 2004

WHEREAS, Summit County has applied for and received funding assistance from the Department to assist in implementing this voluntary cleanup plan and the Department has requested this environmental covenant as a condition of providing this funding; and

WHEREAS, Summit County 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 Summit County and all parties having any right, title or interest in the Property, or any part thereof, their heirs, successors and assigns, and any persons using the land, as described herein, for the benefit of the Department.

NOW, THEREFORE, Summit County hereby grants this Environmental Covenant to the Department, and declares that the Property as described in Attachment A 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 Summit County and all parties having any right, title or interest in the Property, or any part thereof, their heirs, successors and assigns, and any persons using the land, as described herein. As used in this Environmental Covenant, the term OWNER means the

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: Development on the Property shall be limited to uses and improvements directly associated with Open Space, Reclamation, Trail and Recreational uses of the property. The use restrictions following within this Section 1 apply only to the mine waste disposal cell and the associated structures that are necessary for implementation of the remedy. The location of the disposal cell is shown on Attachment A, and has the following legal description:

Tract A of the Globe and Phoenix Subdivision, A Subdivision Exemption Plat of Mineral surveys Nos. 462, 463, 1141A, 7654, 8154, 19781 A & B, Located in the W ½ Section 16, E ½ Section 17 and NW ¼ Section 21 T.5 S., R. 75 W. 6<sup>th</sup> P.M., Summit County, Colorado.

- a. No person shall construct or use any buildings or other enclosed structures on the mine waste disposal cell. No storm water detention ponds or man made lakes or ponds shall be constructed.

- b. No person shall till, excavate, grade, construct, or take any other activity that exposes mine waste or changes the flow of water around the mine waste disposal cell without first modifying this Covenant pursuant to paragraph 2. Any amendments thereto 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, 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 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. The cap and diversion ditches shall be inspected each calendar year and sufficient maintenance performed to prevent exposure of metal contaminated soils or leakage of water from lined ditches. Inspection and maintenance includes but is not limited to the hydrological controls that divert water away from the cover, making repairs to piping, ditches, outlets and erosion rills.

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 any proposed grant, transfer or 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. Nothing in this Covenant shall impair any other authority the Department may otherwise have to enter and inspect the Property.

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

8. Enforcement: The Department may enforce the terms of this Covenant pursuant to §25-15-322. C.R.S. Summit County may file suit in district court to enjoin actual or threatened violations of this Covenant.

9. 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.

10. 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

Summit County Government  
Open Space & Trails Department  
PO Box 5660  
Frisco, CO 80443

Summit County, has caused this instrument to be executed this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Summit County Government

By: [Signature]

Title: Chair BOCC

STATE OF Colorado )  
COUNTY OF Summit )

Approved as to form  
[Signature]  
Notary Public

The foregoing instrument was acknowledged before me this 29<sup>th</sup> day of April, 2009 by Robert French on behalf of Summit County Government.



Miria Gray-Irwin  
Notary Public

PO Box 108, 208 E Lincoln  
Address

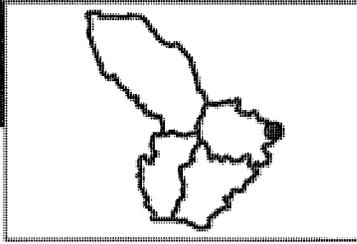
Breckenridge, CO 80424

My commission expires: 7/16/2012

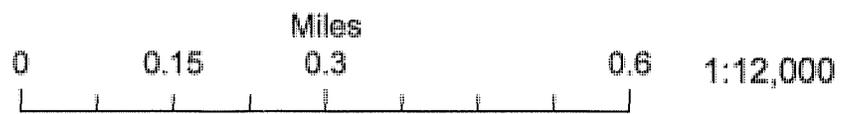




- Legend**
-  Private Parcels
  -  White River National Forest
  -  County Open Space



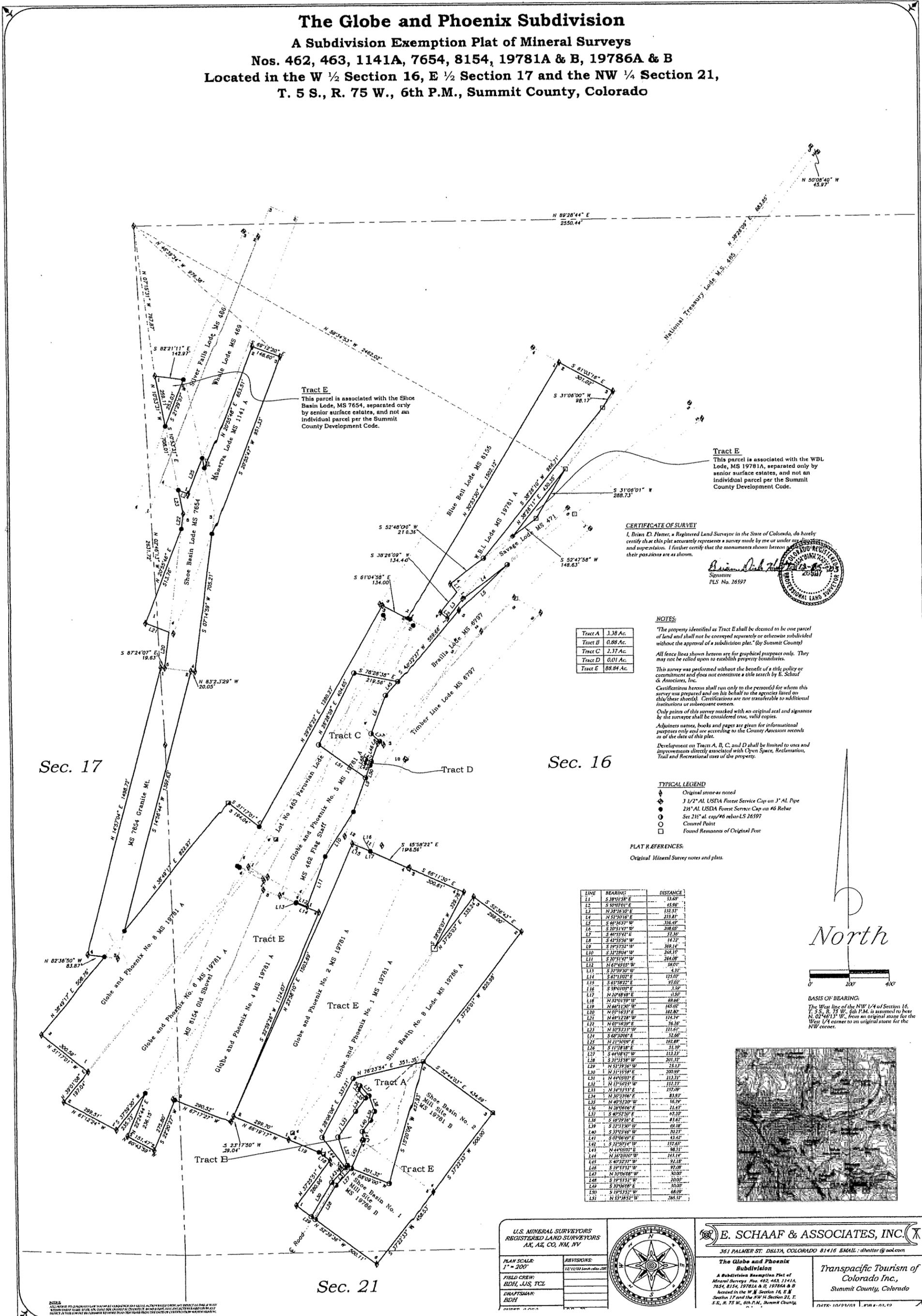
**Environmental  
Covenant  
Attachment A**



This map is for display purposes only and does not constitute a warranty. It is not intended to be used for any other purpose. © 2007 Summit County Government. All Rights Reserved.

# Environmental Covenant Attachment A

## The Globe and Phoenix Subdivision A Subdivision Exemption Plat of Mineral Surveys Nos. 462, 463, 1141A, 7654, 8154, 19781A & B, 19786A & B Located in the W 1/2 Section 16, E 1/2 Section 17 and the NW 1/4 Section 21, T. 5 S., R. 75 W., 6th P.M., Summit County, Colorado



**Tract E**  
This parcel is associated with the Shoe Basin Lode, MS 7654, separated only by senior surface estates, and not an individual parcel per the Summit County Development Code.

**Tract E**  
This parcel is associated with the WBL Lode, MS 19781A, separated only by senior surface estates, and not an individual parcel per the Summit County Development Code.

**CERTIFICATE OF SURVEY**

I, Brian D. Flatter, a Registered Land Surveyor in the State of Colorado, do hereby certify that this plat accurately represents a survey made by me or under my direct supervision, and I further certify that the monuments shown hereon are in their positions as are shown.

*Brian D. Flatter*  
Signature  
PLS No. 26597



**NOTES:**

The property identified as Tract E shall be deemed to be one parcel of land and shall not be conveyed separately or otherwise subdivided without the approval of a subdivision plat. (by Summit County)  
All fence lines shown hereon are for graphical purposes only. They may not be relied upon to establish property boundaries.  
This survey was performed without the benefit of a title policy or commitment and does not constitute a title search by E. Schaaf & Associates, Inc.  
Certifications hereon shall run only to the person(s) for whom this survey was prepared and on his behalf to the agencies listed on this (these) sheet(s). Certifications are not transferable to additional distributions or subsequent owners.  
Only prints of this survey marked with an original seal and signature by the surveyor shall be considered true, valid copies.  
Adjuncts names, books and pages are given for informational purposes only and are according to the County Assessor's records as of the date of this plat.  
Development on Tracts A, B, C, and D shall be limited to uses and improvements directly associated with Open Space, Reclamation, Trail and Recreational uses of the property.

**TYPICAL LEGEND**

- Original stone as noted
- 1 1/2" AL USDA Forest Service Cap on 1" AL Pipe
- 2 1/2" AL USDA Forest Service Cap on #6 Rebar
- Set 2 1/2" al cap/#6 rebar-LS 26597
- Control Point
- Found Remnants of Original Post

**PLAT REFERENCES:**

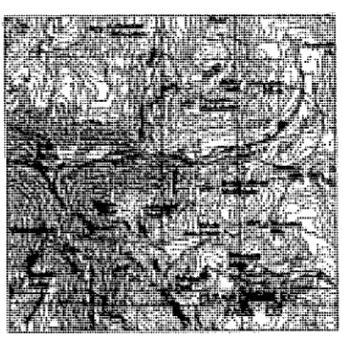
Original Mineral Survey notes and plats.

LINE	BEARING	DISTANCE
L1	S 89°28'44" E	2550.44'
L2	S 50°07'01" E	45.86'
L3	N 38°26'10" E	132.31'
L4	N 52°30'16" E	235.81'
L5	S 65°53'57" E	236.05'
L6	S 20°51'42" W	208.05'
L7	S 46°53'43" E	57.35'
L8	S 42°53'36" W	147.21'
L9	S 19°52'52" W	369.14'
L10	S 32°28'04" W	268.15'
L11	S 20°51'42" W	264.08'
L12	N 67°45'03" W	38.01'
L13	S 37°39'30" W	4.31'
L14	S 67°53'03" E	125.00'
L15	S 65°58'22" E	92.00'
L16	S 58°10'00" E	1.50'
L17	N 29°48'48" E	0.30'
L18	N 52°31'39" E	69.66'
L19	N 66°51'50" W	165.02'
L20	N 07°16'33" E	181.80'
L21	N 69°12'28" W	194.74'
L22	N 07°16'33" E	76.26'
L23	N 105°32'11" W	131.61'
L24	S 68°10'00" E	52.66'
L25	N 21°30'00" E	102.88'
L26	S 11°28'10" E	31.91'
L27	S 44°18'11" W	112.22'
L28	S 31°33'18" W	201.32'
L29	N 82°39'36" W	23.11'
L30	N 21°33'58" E	200.99'
L31	N 44°30'07" E	112.22'
L32	N 17°16'23" W	112.22'
L33	N 34°33'13" E	152.09'
L34	N 30°31'10" E	81.92'
L35	N 40°32'30" W	16.79'
L36	N 20°20'03" E	11.43'
L37	S 40°52'50" E	67.10'
L38	S 18°29'26" E	41.62'
L39	S 27°11'30" W	46.18'
L40	S 37°24'46" W	72.23'
L41	S 07°00'00" E	43.42'
L42	S 22°50'14" W	157.65'
L43	N 44°33'07" E	96.21'
L44	N 35°20'00" W	154.14'
L45	S 40°52'50" E	92.18'
L46	S 19°51'51" W	97.08'
L47	N 70°06'08" W	10.00'
L48	S 19°51'51" W	10.00'
L49	S 20°00'00" E	10.00'
L50	S 19°51'51" W	68.05'
L51	N 57°18'22" W	265.32'

North



**BASIS OF BEARING:**  
The West line of the NW 1/4 of Section 16, T. 5 S., R. 75 W., 6th P.M. is assumed to bear N 02°46'13" W, from an original stone for the West 1/4 corner to an original stone for the NW corner.



U.S. MINERAL SURVEYORS  
REGISTERED LAND SURVEYORS  
AZ, CO, NM, NV

PLAN SCALE: 1" = 200'  
REVISIONS:  
FIELD CREW: RDH, JJS, TCL  
DRAFTSMAN: RDH



**E. SCHAAF & ASSOCIATES, INC.**  
361 PALMER ST. DELTA, COLORADO 81416 EMAIL: editor@eas.com

**The Globe and Phoenix Subdivision**  
A Subdivision Exemption Plat of Mineral Surveys Nos. 462, 463, 1141A, 7654, 8154, 19781A & B, 19786A & B located in the W 1/2 Section 16, E 1/2 Section 17 and the NW 1/4 Section 21, T. 5 S., R. 75 W., 6th P.M., Summit County, Colorado

**Transpacific Tourism of Colorado Inc.,**  
Summit County, Colorado

DATE: 10/29/03 FILE: 01-02

Sec. 21

Sec. 17

Sec. 16

NOTES:  
1. THIS PLAT IS PREPARED IN ACCORDANCE WITH THE MINERAL SURVEYING ACT OF 1972 AND THE MINERAL SURVEYING REGULATIONS OF 1973, AS AMENDED.  
2. THIS PLAT IS SUBJECT TO THE SUPERSEDING EFFECTS OF ANY SUBSEQUENT SURVEYING ACTS OR REGULATIONS.  
3. THIS PLAT IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF E. SCHAAF & ASSOCIATES, INC.

# The Globe and Phoenix Subdivision

## A Subdivision Exemption Plat of Mineral Surveys

Nos. 462, 463, 1141A, 7654, 8154, 19781A & B, 19786A & B

Located in the W 1/2 Section 16, E 1/2 Section 17 and the NW 1/4 Section 21,  
T. 5 S., R. 75 W., 6th P.M., Summit County, Colorado



### OWNERS CERTIFICATE:

Know all men by these presents that: Transpacific Tourism of Colorado Inc., being the owner of the lands described as follows:

Beginning at corner No. 3, MS 1141A Manerva Lode; whence the NW corner of Section 16, T. 5 S., R. 75 W., 6th P.M. bears N. 46°39'34" W., 976.38 ft. dist.; thence S. 20°55'47" W., 951.33 ft. dist., along line 3-4 of said MS 1141A Manerva Lode, to the intersect of line 3-4 of MS 7654 Shoe Basin Lode; thence S. 07°14'59" W., 705.21 ft. dist., along line 3-4 of said MS 7654 Shoe Basin Lode to corner No. 4 of said MS 7654 Shoe Basin Lode; thence N. 83°23'29" W., 20.05 ft. dist., to corner No. 2 of MS 7654 Granite Mt. Lode; thence S. 14°56'44" W., 1357.63 ft. dist., along line 2-3 of said MS 7654 Granite Mt. Lode to the intersect of line 2-3 of MS 19781A Globe and Phoenix No. 8 Lode; thence N. 38°49'17" E., 822.97 ft. dist., along line 2-3 of the said MS 19781A Globe and Phoenix No. 8 Lode to corner No. 3 of said MS 19781A Globe and Phoenix No. 8 Lode; thence S. 51°17'01" E., 194.04 ft. dist., along line 3-4 of said MS 19781A Globe and Phoenix No. 8 Lode to the intersect of line 3-4 of MS 463 Peruvian Lode; thence N. 29°26'22" E., 1280.27 ft. dist., along line 3-4 of said MS 463 Peruvian Lode to corner No. 3 of said MS 463 Peruvian Lode; thence S. 61°04'58" E., 134.00 ft. dist., to corner No. 1 of MS 19781A W.B.L. Lode, identical with corner No. 2 of MS 8155 Blue Bell Lode; thence N. 30°53'30" E., 1502.12 ft. dist., along line 1-2 of said MS 19781A W.B.L. Lode, identical with line 1-2 of MS 8155 Blue Bell Lode to corner No. 2 of said MS 19781A W.B.L. Lode, identical with corner No. 1 of said MS 8155 Blue Bell Lode; thence S. 61°03'16" E., 301.02 ft. dist., along line 2-3 of said MS 19781A W.B.L. Lode to corner No. 3 of said MS 19781A W.B.L. Lode; thence S. 31°06'00" W., 98.17 ft. dist., along line 3-4 of said MS 19781A W.B.L. Lode, to the intersect of line 3-4 of MS 465 National Treasury Lode; thence S. 38°26'10" W., 966.71 ft. dist., along line 3-4 of said MS 465 National Treasury Lode to the intersect of line 3-4 of MS 471 Savage Lode; thence S. 52°48'00" W., 210.36 ft. dist., along line 3-4 of said MS 471 Savage Lode to corner No. 4 of said MS 471 Savage Lode; thence S. 38°01'58" E., 53.68 ft. dist., along line 4-1 of said MS 471 Savage Lode to the intersect of line 3-4 of said MS 465 National Treasury Lode; thence S. 38°26'09" W., 134.40 ft. dist., along line 3-4 of said MS 465 National Treasury Lode to corner No. 4 of said MS 465 National Treasury Lode; thence S. 50°07'01" E., 45.96 ft. dist., along line 4-1 of said MS 465 National Treasury Lode to corner No. 1 of said MS 465 National Treasury Lode; thence N. 38°26'10" E., 132.52 ft. dist., along line 1-2 of said MS 465 National Treasury Lode, to the intersect of line 1-2 of said MS 471 Savage Lode; thence N. 52°50'16" E., 275.87 ft. dist., along line 1-2 of said MS 471 Savage Lode to the intersect of line 5-6 of MS 6797 Braillo Lode; thence S. 46°36'57" W., 336.49 ft. dist., along line 5-6 of said MS 6797 Braillo Lode to corner No. 5 of said MS 6797 Braillo Lode; thence S. 40°32'37" W., 559.66 ft. dist., along line 4-5 of said MS 6797 Braillo Lode to the intersect of line 1-2 of MS 462 Flag Staff Lode; thence S. 20°51'47" W., 208.05 ft. dist., along line 1-2 of said MS 462 Flag Staff Lode to the intersect of line 3-4 of said MS 6797 Braillo Lode; thence S. 46°55'42" E., 57.36 ft. dist., along line 3-4 of said MS 6797 Braillo Lode to the intersect of line 7-8 of MS 6797 Timberline Lode; thence S. 42°55'56" W., 14.22 ft. dist., along line 7-8 of said MS 6797 Timberline Lode to corner No. 7 of said MS 6797 Timberline Lode; thence S. 19°53'52" W., 369.14 ft. dist., along line 7-12 of said MS 6797 Timberline Lode to the intersect of line 3-4 of MS 19781A Globe and Phoenix No. 5 Lode; thence S. 32°28'04" W., 268.35 ft. dist., along line 3-4 of said MS 19781A Globe and Phoenix No. 5 Lode to the intersect of line 1-2 of said MS 462 Flag Staff Lode; thence S. 20°51'47" W., 264.08 ft. dist., along line 1-2 of said MS 462 Flag Staff Lode to corner No. 1 of said MS 462 Flag Staff Lode; thence N. 67°45'05" W., 58.01 ft. dist., along line 4-1 of said MS 462 Flag Staff Lode to the intersect of line 4-1 of MS 19781A Globe and Phoenix No. 6 Lode; thence S. 37°59'30" W., 4.31 ft. dist., along line 4-1 of said MS 19781A Globe and Phoenix No. 6 Lode to the intersect of line 3-4 of MS 19781A Globe and Phoenix No. 4 Lode; thence S. 67°15'02" E., 125.07 ft. dist., along line 3-4 of MS 19781A Globe and Phoenix No. 4 Lode to corner No. 4 of said MS 19781A Globe and Phoenix No. 4 Lode; thence S. 22°59'26" W., 1124.07 ft. dist., along line 4-1 of said MS 19781A Globe and Phoenix No. 4 Lode to corner No. 2 of MS 19781A Globe and Phoenix No. 2 Lode; thence N. 23°58'10" E., 1503.69 ft. dist., along line 2-3 of said MS 19781A Globe and Phoenix No. 2 Lode to corner No. 3 of said MS 19781A Globe and Phoenix No. 2 Lode; thence S. 65°58'22" E., 97.02 ft. dist., along line 3-4 of said MS 19781A Globe and Phoenix No. 2 Lode to the intersect of line 11-12 of said MS 6797 Timberline Lode; thence S. 58°01'05" E., 3.59 ft. dist., along line 11-12 of said MS 6797 Timberline Lode to corner No. 11 of said MS 6797 Timberline Lode; thence N. 20°48'48" E., 0.50 ft. dist., along line 10-11 of MS 6797 Timberline Lode to the intersect of line 3-4 of said MS 19781A Globe and Phoenix No. 2 Lode; thence S. 65°58'22" E., 198.56 ft. dist., along line 3-4 of said MS 19781A Globe and Phoenix No. 2 Lode to corner No. 4 of said MS 19781A Globe and Phoenix No. 2 Lode, identical with corner No. 3 of MS 19781A Globe and Phoenix No. 1 Lode; thence S. 66°11'30" E., 300.61 ft. dist., along line 3-4 of said MS 19781A Globe and Phoenix No. 1 Lode to corner No. 4 of said MS 19781A Globe and Phoenix No. 1 Lode; thence S. 28°06'07" W., 329.78 ft. dist., along line 4-1 of said MS 19781A Globe and Phoenix No. 1 Lode to the intersect of line 4-1 of MS 19786A Shoe Basin No. 8 Lode; thence N. 37°25'03" E., 335.24 ft. dist., along line 4-1 of said MS 19786A Shoe Basin No. 8 Lode to corner No. 3 of said MS 19786A Shoe Basin No. 8 Lode; thence S. 52°36'43" E., 299.00 ft. dist., along line 2-3 of said MS 19786A Shoe Basin No. 8 Lode to corner No. 2 of said MS 19786A Shoe Basin No. 8 Lode; thence S. 37°25'01" W., 825.98 ft. dist., along line 1-2 of said MS 19786A Shoe Basin No. 8 Lode to corner No. 2 of MS 19781B Shoe Basin No. 2 Mill Site; thence S. 52°44'03" E., 434.69 ft. dist., along line 2-3 of said MS 19781B Shoe Basin No. 2 Mill Site to corner No. 3 of said MS 19781B Shoe Basin No. 2 Mill Site; thence S. 37°22'33" W., 500.00 ft. dist., along line 3-4 of said MS 19781B Shoe Basin No. 2 Mill Site to corner No. 4 of said MS 19781B Shoe Basin No. 2 Mill Site, identical with corner No. 5 of MS 19786B Shoe Basin No. 1 Mill Site; thence S. 37°22'33" W., 458.53 ft. dist., along line 5-6 of said MS 19786B Shoe Basin No. 1 Mill Site to corner No. 6 of said MS 19786B Shoe Basin No. 1 Mill Site; thence N. 52°39'36" W., 500.11 ft. dist., along line 6-1 of said MS 19786B Shoe Basin No. 1 Mill Site to corner No. 1 of said MS 19786B Shoe Basin No. 1 Mill Site; thence N. 37°25'51" E., 280.96 ft. dist., along line 1-2 of said MS 19786B Shoe Basin No. 1 Mill Site to corner No. 2 of said MS 19786B Shoe Basin No. 1 Mill Site; thence N. 52°01'59" W., 69.66 ft. dist., along line 4-1 of said MS 19786A Shoe Basin No. 8 Lode; thence N. 52°01'59" W., 69.66 ft. dist., along line 4-1 of said MS 19786A Shoe Basin No. 8 Lode to the intersect of line 1-2 of said MS 19781A Globe and Phoenix No. 1 Lode; thence N. 66°11'30" W., 165.02 ft. dist., along line 1-2 of said MS 19781A Globe and Phoenix No. 1 Lode to corner No. 2 of said MS 19781A Globe and Phoenix No. 1 Lode, identical with corner No. 1 of said MS 19781A Globe and Phoenix No. 2 Lode; thence N. 66°19'17" W., 299.70 ft. dist., along line 1-2 of said MS 19781A Globe and Phoenix No. 2 Lode, on line 4-1 of said MS 19781A Globe and Phoenix No. 4 Lode; thence S. 23°17'50" W., 29.04 ft. dist., along line 4-1 of said MS 19781A Globe and Phoenix No. 4 Lode to corner No. 1 of said MS 19781A Globe and Phoenix No. 4 Lode; thence N. 67°17'27" W., 290.52 ft. dist., along line 1-2 of said MS 19781A Globe and Phoenix No. 4 Lode to the intersect of line 1-2 of MS 8154 Old Shovel Lode; thence S. 22°20'27" W., 275.80 ft. dist., along line 1-2 of said MS 8154 Old Shovel Lode to corner No. 2 of said MS 8154 Old Shovel Lode; thence N. 60°43'59" W., 151.47 ft. dist., along line 2-3 of said MS 8154 Old Shovel Lode to corner No. 3 of said MS 8154 Old Shovel Lode; thence N. 22°24'44" E., 236.15 ft. dist., along line 3-4 of said MS 8154 Old Shovel Lode to the intersect of line 4-1 of said MS 19781A Globe and Phoenix No. 6 Lode; thence S. 37°59'30" W., 235.73 ft. dist., along line 4-1 of said MS 19781A Globe and Phoenix No. 6 Lode to corner No. 1 of said MS 19781A Globe and Phoenix No. 6 Lode; thence N. 61°12'24" W., 299.51 ft. dist., along line 1-2 of said MS 19781A Globe and Phoenix No. 6 Lode to corner No. 2 of said MS 19781A Globe and Phoenix No. 6 Lode; thence N. 39°01'08" E., 197.04 ft. dist., along line 2-3 of said MS 19781A Globe and Phoenix No. 6 Lode to corner No. 1 of said MS 19781A Globe and Phoenix No. 8 Lode; thence N. 51°17'01" W., 300.59 ft. dist., along line 1-2 of said MS 19781A Globe and Phoenix No. 8 Lode to corner No. 2 of said MS 19781A Globe and Phoenix No. 8 Lode; thence N. 38°49'17" E., 508.76 ft. dist., along line 2-3 of said MS 19781A Globe and Phoenix No. 8 Lode to the intersect of line 3-4 of said MS 7654 Granite Mt. Lode; thence N. 82°36'50" W., 83.87 ft. dist., along line 3-4 of said MS 7654 Granite Mt. Lode to corner No. 4 of said MS 7654 Granite Mt. Lode; thence N. 14°57'04" E., 1498.72 ft. dist., along line 4-1 of said MS 7654 Granite Mt. Lode to corner No. 1 of said MS 7654 Granite Mt. Lode; thence S. 87°24'07" E., 19.63 ft. dist., along line 1-2 of said MS 7654 Granite Mt. Lode to corner No. 5 of said MS 7654 Shoe Basin Lode; thence N. 07°16'33" E., 182.80 ft. dist., along line 5-6 of said MS 7654 Shoe Basin Lode to the intersect of line 4-1 of said MS 1141A Manerva Lode; thence N. 69°12'28" W., 124.74 ft. dist., along line 4-1 of said MS 1141A Manerva Lode to corner No. 1 of said MS 1141A Manerva Lode; thence N. 20°55'46" E., 513.76 ft. dist., along line 1-2 of said MS 1141A Manerva Lode to the intersect of line 5-6 of said MS 7654 Shoe Basin Lode; thence N. 07°16'39" E., 76.26 ft. dist., along line 5-6 of said MS 7654 Shoe Basin Lode to corner No. 6 of said MS 7654 Shoe Basin Lode; thence N. 10°53'33" W., 121.61 ft. dist., along line 6-1 of said MS 7654 Shoe Basin Lode to the intersect of line 4-1 of MS 469 Whole Lode; thence S. 68°30'06" E., 52.66 ft. dist., along line 4-1 of said MS 469 Whole Lode to corner No. 1 of said MS 469 Whole Lode; thence N. 21°30'09" E., 192.88 ft. dist., along line 1-2 of said MS 469 Whole Lode to the intersect of line 2-3 of said MS 7654 Shoe Basin Lode; thence S. 11°28'18" E., 51.39 ft. dist., along line 2-3 of said MS 7654 Shoe Basin Lode to the intersect of line 1-2 of said MS 1141A Manerva Lode; thence N. 20°55'48" E., 653.51 ft. dist., along line 1-2 of said MS 1141A Manerva Lode to corner No. 2 of said MS 1141A Manerva Lode; thence S. 69°12'20" E., 148.60 ft. dist., along line 2-3 of said MS 1141A Manerva Lode to corner No. 3 of said MS 1141A Manerva Lode, more or less, to the place of beginning. Said Tract contains 94.90 acres, more or less. Also including a Tract of land described as follows: Beginning at corner No. 1 MS 765 Shoe Basin Lode; whence the NW corner of Section 16, T. 5 S., R. 75 W., 6th P.M. bears N. 07°15'31" W., 767.87 ft. dist.; thence S. 82°21'11" E., 142.97 ft. dist., along line 1-2 of MS 7654 Shoe Basin Lode to the intersect of line 3-4 of MS 466 Falls Lode; thence S. 21°29'57" W., 253.03 ft. dist., along line 3-4 of said MS 466 Falls Lode to the intersect of line 6-1 of MS 7654 Shoe Basin Lode; thence N. 10°53'31" W., 259.11 ft. dist., along line 6-1 of said MS 7654 Shoe Basin Lode to corner No. 1 of said MS 7654 Shoe Basin Lode, more or less, to the point of beginning. Said Tract contains 0.40 acres, more or less. Also including a Tract of land described as follows: Beginning at a point of the intersect of line 3-4 of MS 19781A W.B.L. Lode and line 1-2 of MS 465 National Treasury Lode, whence the NW corner of Section 16, T. 5 S., R. 75 W., 6th P.M. bears N. 59°34'53" W., 2462.02 ft. dist.; thence S. 31°06'01" W., 288.73 ft. dist., along line 3-4 of said MS 19781A W.B.L. Lode to the intersect of line 3-4 of MS 471 Savage Lode; thence S. 31°06'01" W., 148.63 ft. dist., along line 3-4 of said MS 471 Savage Lode to the intersect of line 1-2 of said MS 465 National Treasury Lode; thence N. 38°26'11" E., 430.35 ft. dist., along line 1-2 of said MS 465 National Treasury Lode to the intersect of line 3-4 of said MS 19781A W.B.L. Lode, more or less, to the point of beginning. Containing 0.18 acres, more or less.

Under the name and style of The Globe and Phoenix Subdivision A Subdivision Exemption Plat of Mineral Surveys Nos. 462, 463, 1141A, 7654, 8154, 19781A & B, 19786A & B has laid out, Platted and subdivided some as shown on this plat, and by these presents does hereby dedicate to the County of Summit, State of Colorado, the streets, roads and other public areas as shown hereon for use as such and hereby dedicates those portions of land labeled as utility easements to the County of Summit for use by the utility companies in the installation and maintenance of utility lines and facilities. It is understood that the dedication of public rights-of-way for streets and roads does not necessarily result in the acceptance of roads constructed therein for maintenance by the County of Summit.

In witness whereof, the said owner, Transpacific Tourism of Colorado Inc., has caused its name hereunto to be subscribed this 17th day of December, 2003.

By Harvey H. Anderson  
By Harvey H. Anderson as President and CEO

### ACKNOWLEDGMENT:

State of Colorado)

County of Summit (Jefferson)

The foregoing owner's certificate was acknowledged before me this 17 day of Dec 2003, by Harvey H. Anderson

Witness my hand and seal:

Phyllis Bill  
Notary Public

My Commission Expires Aug. 6, 2005



### TITLE COMPANY'S CERTIFICATE:

Land Title Guarantees does hereby certify that it has examined the title to all lands shown hereon and title to such lands is in the dedicator free and clear of all liens, taxes and encumbrances, except as follows:

None

Dated this 17th day of December, 2003

Agent

### APPROVAL BY CHAIRMAN OF BOARD OF COUNTY COMMISSIONERS:

I, Gregory M. Lewis, on behalf of the Summit County Board of County Commissioners do hereby approve this Subdivision Exemption Plat on this 17th Day of December, 2003, and hereby accept dedication of utility easements as shown hereon.

By: Gregory M. Lewis  
Chairman, Board of County Commissioners

### CLERK AND RECORDER'S ACCEPTANCE:

This Plat was accepted for filing in the office of the Summit County Clerk and Recorder on this 17th Day of December, 2003 and filed for record at 10:20 P.M., under reception number 741235

Signature Heidi Brunvand By: Heidi Brunvand  
Deputy Clerk



### NOTICE:

ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED 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.

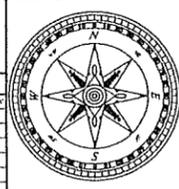
### CERTIFICATE OF SURVEY

I, Brian D. Hoffer, a Registered Land Surveyor in the State of Colorado, do hereby certify that this plat accurately represents a survey made by me or under my direction and supervision. I further certify that the monuments shown hereon actually exist and their positions are as shown.

Signature Brian D. Hoffer  
PLS No. 26597



U.S. MINERAL SURVEYORS REGISTERED LAND SURVEYORS AK, AZ, CO, NM, NV	
PLAN SCALE:	ARCSIN(S)
FILE NO.:	18717.02 (Form 10/18/02)
FIELD CHECK:	
BY: <u>BDH, KJS, TCL</u>	
DEWETSMAN:	
BY: <u>BDH</u>	
SHRKT 1 OF 2	F.B. 37



**E. SCHAAF & ASSOCIATES, INC.**  
161 PALMER ST. DELTA, COLORADO 81416 EMAIL: [d.hoffer@eas.com](mailto:d.hoffer@eas.com)

The Globe and Phoenix Subdivision  
A Subdivision Exemption Plat of Mineral Surveys  
Nos. 462, 463, 1141A, 7654, 8154, 19781A & B, 19786A & B  
Located in the W 1/2 Section 16, E 1/2 Section 17 and the NW 1/4 Section 21,  
T. 5 S., R. 75 W., 6th P.M., Summit County, Colorado

Transpacific Tourism of Colorado Inc.,  
Summit County, Colorado

DATE: 10/20/03 JOB #: 03-52