

AFFIDAVIT PURSUANT TO SECTION 38-35-109(5)(a), C.R.S.

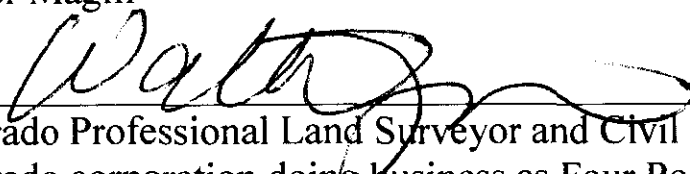
The undersigned, Walter Magill (“Affiant”), being duly sworn and testifying under penalty of perjury, states that:

1. Affiant is a Colorado Professional Land Surveyor and Civil Engineer with Steamboat Engineering and Surveying, Inc., a Colorado corporation doing business as Four Points Surveying and Engineering and has actual knowledge, of and is competent to testify in a court of competent jurisdiction to, the facts in this Affidavit.
2. The land that is affected by the facts stated in this Affidavit is described on the attached **Exhibit A**.
3. The title that may be affected by this Affidavit is the conservation easement interest granted to Yampa Valley Land Trust Inc., a Colorado nonprofit corporation in the Amended and Restated Deed of Conservation Easement for Gunn Creek Ranch recorded May 6, 2015 as Reception No. 757747 in the records of the Clerk and Recorder of Routt County, Colorado (the “**Conservation Easement**”).
4. The name of the entity appearing to be the owner of the land at the time of the recording of this Affidavit is Conservation Lodge IV, LLC, a Colorado limited liability company, Conservation Lodge V, LLC, a Colorado limited liability company and Conservation Lodge VI, LLC, a Colorado limited liability company.
5. The Conservation Easement contains a scrivener’s error on the page numbered 51 (recorded page 52 of 54) of the recorded document attached thereto as Exhibit D-1 and titled “Property Characteristics Map”. The Survey is erroneously referenced as having been recorded in the plat books of Routt County as File No. 2647. The correct recording information for the Survey is that it was filed at Survey Plat No. 2674 of the land survey records of Routt County, Colorado.

Dated: May 29, 2015

AFFIANT:

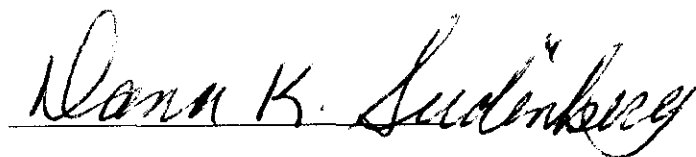
Walter Magill


 Colorado Professional Land Surveyor and Civil Engineer, Steamboat Engineering and Surveying, Inc., a Colorado corporation doing business as Four Points Surveying and Engineering

STATE OF COLORADO)
)
 COUNTY OF ROUTT)

The foregoing instrument was acknowledged, subscribed, and sworn to before me this 29 day of May, 2015 by Walter Magill, Steamboat Engineering and Surveying, Inc., a Colorado corporation doing business as Four Points Surveying and Engineering

My commission expires 3-11-16



Notary Public

SEAL

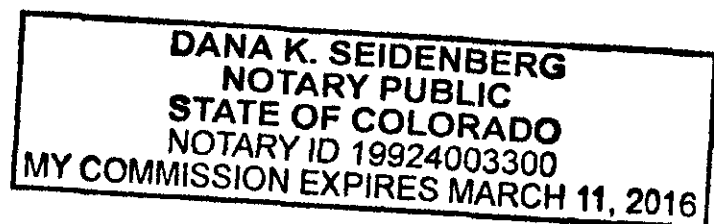


EXHIBIT A

Legal Description of Property

The Property is comprised of Parcels #1-4, described in **Exhibits A-1 through A-4**, below.

EXHIBIT A-1

Description of Parcel #1

(2 pages)

A Tract of Land located in the SE ¼, SW ¼ and the S ½ NW ¼ Section 21 and the N ½ NE ¼ and N ½ NW ¼ of Section 28, Township 7 North, Range 84 West of the 6th P.M., Routt County, Colorado more particularly described as follows:

Commencing at the Southeast corner of Section 21, Township 7 North, R84W of the 6th P.M. as monumented by a 3½" aluminum cap on 2 ½" aluminum pipe U.S. BLM survey monument; thence along the east line of the SE ¼ of Section 21, N00°15'05"E, 1176.72 feet to the Point of Beginning;

Thence N00°15'05"E, 1467.08 feet along said east line of the SE ¼ of Section 21 to the east corner of Section 21 as monumented by a 3½" aluminum cap on 2 ½" aluminum pipe U.S. BLM survey monument; thence S89°47'25"W, 2645.46 feet along the north line of the SE ¼ of Section 21 to the Center ¼ corner of Section 21 as monumented by a 3½" aluminum cap on 2 ½" aluminum pipe U.S. BLM survey monument; thence N00°05'03"E, 1449.74 feet along the east line of the NW ¼ of Section 21 to the CN 1/16th of Section 21 as monumented by a 3½" aluminum cap on 2 ½" aluminum pipe U.S. BLM survey monument; thence N87°03'01"W, 2651.46 feet along the north line of the S ½ NW ¼ of Section 21 to the N 1/16th corner of Section 21 and Section 22 as monumented by a 3½" aluminum cap on 2 ½" aluminum pipe U.S. BLM survey monument; thence along the west line of the NW ¼ of Section 21 S00°21'00"W, 1585.29 feet to the west corner of Section 21 as monumented by a 3½" aluminum cap on 2 ½" aluminum pipe U.S. BLM survey monument; thence S89°54'40"E, 662.24 feet along the south line of the NW ¼ of Section 21 to the center W-W 1/64th of Section 21 as monumented by a 3½" aluminum cap on 2 ½" aluminum pipe U.S. BLM survey monument; thence S00°21'57"W, 523.53 feet to the northwest corner of a tract of land as conveyed at Reception No. 667267 of Routt County records; thence continuing along the north line of said tract as conveyed at Reception No. 667267 the following two courses:

1. N88°29'49"E, 537.13 feet;
2. S22°59'17"E, 1048.24 feet to the northeast corner of a tract of land as conveyed at Reception No. 667269 of Routt County records;

Thence continuing along the easterly line of said tract as conveyed at Reception No. 667269 the following two courses:

1. S22°59'17"E, 826.67 feet;
2. S48°27'13"W, 1575.77 feet to a point on the north line of a tract of land as described in Book 571 at Page 132 of Routt County records;

Thence S89°30'21"E, 559.23 feet along the north line of said tract as described in Book 571 at Page 132 to the northeast corner of said tract; thence S00°05'58"W, 348.68 feet to the northwest corner of a tract of land as conveyed at Reception No. 626804 of Routt County records; thence S89°27'01"E, 1401.13 feet

along the north line of said tract as conveyed at Reception No. 626804 to the northeast corner; thence along the centerline of fifty (50') foot wide driveway access and utility easements as recorded in Book 716 at Page 435 the following twenty one courses:

1. N15°03'49"E, 134.05 feet;
2. N21°49'07"E, 49.26 feet;
3. N28°50'59"E, 50.74 feet;
4. N31°41'12"E, 43.96 feet;
5. N29°56'33"E, 37.67 feet;
6. S79°26'18"E, 38.93 feet;
7. N40°28'20"E, 39.55 feet;
8. N39°51'08"E, 104.59 feet;
9. N74°37'47"E, 66.78 feet;
10. N33°46'49"E, 117.98 feet;
11. N45°48'26"E, 84.24 feet;
12. S22°53'40"E, 86.95 feet;
13. S16°34'31"E, 59.59 feet;
14. S28°31'43"E, 50.68 feet;
15. S20°42'53"E, 79.46 feet;
16. S33°30'18"E, 22.68 feet;
17. N84°39'22"E, 36.65 feet;
18. N66°06'53"E, 64.17 feet;
19. N82°07'32"E, 56.00 feet;
20. N86°28'18"E, 250.47 feet;
21. N88°59'41"E, 93.21 feet;

Thence departing said centerline N41°51'27"E, 1164.78 feet; thence N30°45'21"E, 317.65 feet; thence N47°17'36"E, 113.39 feet; thence N31°09'31"E, 110.93 feet; thence N14°24'52"W, 70.58 feet; thence N17°01'20"E, 105.15 feet; thence N38°47'42"E, 325.34 feet; thence N65°26'56"E, 261.99 feet to a point of intersection with the east line of the SE ¼ of Section 21 and the Point of Beginning.

Basis of Bearing: Bearings are based upon the west line of the SW ¼ of NW ¼ of Section 21 as being N00°21'00"W between found U.S. BLM monuments.

EXHIBIT A-2

Description of Parcel #2

A parcel of land located in the SW ¼ of Section 21 and the NW ¼ of Section 28, Township 7 North, Range 84 West of the 6th P.M., and more particularly described as follows:

BEGINNING at the SW corner of said Section 21;

Thence along the west line of said Section 21 N00°20'28"E, 642.57 feet to the Southwest corner of a tract of land described in Deed recorded September 19, 1983 in Book 589 at Page 698, also being an angle point of Lot 2, Clifford-Monke Exemption according to the Plat filed August 17, 1993 at File No. 11844;

thence along the south line of said tract and said Lot 2 S89°37'53"E, 662.23 feet;

thence along the east line of said tract and said Lot 2 N00°20'32"E, 658.28 feet to the Southwest corner of the SE ¼ NW ¼ SW ¼ of Section 21;

thence along the west line of said SE ¼ NW ¼ SW ¼, N00°19'05"E, 651.42 feet to the Southwest corner of the NE ¼ NW ¼ SW ¼ of Section 21;

thence along the west line of said NE ¼ NW ¼ SW ¼, N00°21'10"E, 128.49 feet;

thence N88°29'49"E, 537.13 feet;

thence S22°59'17"E, 1048.24 feet;

thence S53°22'59"W, 651.72 feet;

thence S43°01'51"W, 1361.34 feet to the easterly right of way of Routt County Road No. 36;

thence along said right-of-way N29°47'28"W, 90.47 feet;

thence continuing along said right-of-way N34°56'19"W, 215.97 feet to the west line of Section 28;

thence along said west line N00°07'52"W, 2.71 feet to the Point of Beginning.

Basis of Bearing: Bearings are based upon the west line of the SW ¼ of NW ¼ of Section 21 as being N00°21'00"W between found U.S. BLM monuments.

EXHIBIT A-3

Description of Parcel #3

A parcel of land located in the SW ¼ of Section 21 and the NW ¼ of Section 28, Township 7 North, Range 84 West of the 6th P.M., and more particularly described as follows:

Beginning at a point on the easterly right-of-way of Routt County Road No. 36 and the south line of the N ½ NW ¼ NW ¼ of Section 28, from which the SW corner of Section 21 bears N18°03'25"W, 710.76 feet;

Thence along said right-of-way N03°32'27"W, 251.71 feet;

Thence continuing along said right-of-way N07°02'19"W, 94.00 feet;

Thence continuing along said right-of-way N18°38'11"W, 77.09 feet;

Thence N43°01'51"E, 1361.34 feet;

Thence N53°22'59"E, 651.72 feet;

Thence S22°59'17"E, 826.67 feet;

Thence S48°27'13"W, 1575.77 feet to the south line of the N ½ NW ¼ NW ¼ of Section 28;

Thence along said south line N89°30'21"W, 543.89 feet to the Point of Beginning.

Basis of Bearing: Bearings are based upon the west line of the SW ¼ of NW ¼ of Section 21 as being N00°21'00"W between found U.S. BLM monuments.

EXHIBIT A-4

Description of Parcel #4

A parcel of land located in the SE ¼ Section 21 and the NE ¼ of Section 28, Township 7 North, Range 84 West of the 6th P.M., Routt County, Colorado and more particularly described as follows:

Beginning at the NE corner of said Section 28;

Thence along the east line of said Section 28, S00°34'33"W, 741.52 feet;

Thence N89°57'37"W, 1426.27 feet along the north line of a tract of land conveyed in Book 716 at Page 437;

Thence departing said north line N45°30'40"W, 105.47 feet;

Thence S88°59'41"W, 21.62 feet;

Thence N41°51'27"E, 1164.78 feet;

Thence N30°45'21"E, 317.65 feet;

Thence N47°17'36"E, 113.39 feet;

Thence N31°09'31"E, 110.93 feet;

Thence N14°24'52"W, 70.58 feet;

Thence N17°01'20"E, 105.15 feet;

Thence N38°47'42"E, 325.34 feet;

Thence N65°26'56"E, 261.99 feet to the east line of said Section 21;

Thence along said east line S00°15'05"W, 1176.72 feet the Point of Beginning.

Said parcel contains 35.47 acres more or less.

Basis of Bearing: Bearings are based upon the west line of the SW ¼ of NW ¼ of Section 21 as being N00°21'00"W between found U.S. BLM monuments.