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|---|------------------------|--------------|---------------|
| U. S. DEPARTMENT OF AGRICULTURE Forest Service | Holder No. | Issue Date | Expir. Date |
| | 4 0 5 2-0 1 | 2 2/2 2/9 1 | No expiration |
| | Type Site | Authority | Auth. Type |
| | 1 5 2 | 5 1 5 | - 1 0 - |
| | PRIVATE ROAD EASEMENT | | |
| Act of October 21, 1976 (PL 94-579); 36 CFR 251.50, et seq | Region/Forest/District | State/County | |
| | 2 2/ 1 9/ 2 1 | 2 8/ 2 2 | 0 4 7 |
| | Cong. Dist. | Latitude | Longitude |
| | 2 2 | - - - - - | - - - - - |

THIS EASEMENT, dated this 22nd day of June, 1977, from the United States of America, acting by and through the Forest Service, Department of Agriculture, hereinafter called Grantor, to GILPIN-CLEAR CREEK HOME AND LANDOWNERS ASSOCIATION, INC., (a nonprofit corporation of the State of Colorado), hereinafter called Grantee.

WITNESSETH:

WHEREAS, Grantee has applied for a grant of an easement under the Act of October 21, 1976 (90 Stat. 2743; 43 U.S.C. 1761), for a road over certain lands or assignable easements owned by the United States in the Counties of Clear Creek & Gilpin, State of Colorado, and administered by the Forest Service, Department of Agriculture.

NOW THEREFORE, Grantor, for and in consideration of the payment of an annual use fee paid by Grantee does hereby grant to Grantee, subject to existing easements and valid rights, a nonexclusive easement for use of a road, along and across a strip of land, over and across the following described lands in the Counties of Clear Creek & Gilpin, State of Colorado:

Township 3 South, Range 73 West of the 6th P. M.
Portions of Sections 4, 5, 8, 9, 15, 16, 17

The location of said easement is shown approximately on exhibits A1-A7 attached hereto. Mineral Survey Line Summary is shown on exhibit B attached hereto.

Said easement shall be 10 feet on each side of the centerline with such additional width as required for accommodation and protection of cuts and fills. If the road is located substantially as described herein, the centerline of said road as constructed is hereby deemed accepted by Grantor and Grantee as the true centerline of the easement granted.

This grant is made subject to the following terms, provisions, and conditions applicable to Grantee, its permittees, contractors, assignees, and successors in interest.

A. Grantee shall comply with applicable Federal or State law and shall comply with State standards for public health and safety, environmental protection, and siting, construction, operation, and maintenance of or for rights-of-way for similar purposes, if those standards are more stringent than applicable Federal standards.

100022 12/30/1997 02:57P 0350 P100 EASEMENT
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B. The rights herein conveyed do not include the right to use the road for access to developments for short- or long-term residential purposes, unless and until the Grantor and the Grantee agree upon traffic control regulations, rules, and other provisions to accommodate such use of the road.

C. Upon change in ownership of the land or facility served by this road, the rights granted under this easement may be transferred to the new owner upon written notification to the Regional Forester.

D. This easement shall continue for as long as property served is used for a single family residence; provided, that the Grantor shall review terms and conditions of this easement at the end of each 30-year period from the date of issuance, and may incorporate in the easement such new terms, conditions, and stipulations as existing or prospective conditions may warrant. These shall have the same force and effect in the future as if incorporated in this grant.

E. All construction or reconstruction of the road shall be in accordance with plans, specifications, and written stipulations approved by the Grantor prior to beginning such construction or reconstruction.

F. Grantee shall have the right to cut timber upon the easement area to the extent necessary for maintaining the road. Timber so cut shall, unless otherwise agreed to, be cut into standard log lengths or other products as specified by the authorized officer and decked along the road for disposal by the owner of such timber.

G. The Grantee shall maintain the right-of-way clearing by means of chemicals only after the Grantor has given specific written approval. Application for such approval must be in writing and must specify the time, method, chemicals, and the exact portion of the right-of-way to be chemically treated.

H. The Grantee shall provide maintenance so that there is no damage on adjacent National Forest land. The Grantee shall construct and maintain lead-off drainage and water barriers as necessary to prevent erosion.

I. Grantee shall pay annually in advance a sum determined by the Forest Service to be the fair market value of the use authorized by this easement. The initial payment is set at \$ 354.00 for the remainder of the calendar year. Payments for each subsequent calendar year shall be the amount of \$ 364.00 adjusted using the Implicit Price Deflator-Gross National Product index (IPD-GNP), or other factor selected by the Forest Service, to reflect more nearly the current fair-market value of the use. At intervals to be determined by certain changes in the indexes used to establish the linear rights-of-way fee schedule, the fee shall be reviewed and adjusted as necessary to assure that it is commensurate with the value of the rights and privileges authorized. Failure of the Permittee to pay the annual payment, late charges, or other fees or charges shall cause the permit to terminate.

Grantee shall pay an interest charge on any fee amount not paid by the payment due date.

Interest shall be assessed using the most current rate prescribed by the United States Department of Treasury Financial Manual (TFM-6-8020). Interest shall accrue from the date the fee payment was due. In addition, certain processing and handling administrative costs may be assessed in the event the account becomes delinquent and added to the amounts due.

180022 12/30/1997 02:57P 0550 P101 EASEMENT
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A penalty of 6 percent per year shall be assessed on any fee amount overdue in excess of 90 days from the due date of the first billing.

Payments will be credited on the date received by the designated collection officer or deposit location. If the due date(s) for any of the above payments or fee calculation statements fall on a nonworkday, the charges shall not apply until the close of business of the next workday.

J. This easement shall terminate in the event an easement is granted subsequently by the United States to a public road agency for operation of this road as a public highway.

K. Grantee shall pay the United States for all injury, loss, or damage, including fire suppression costs, in accordance with existing Federal and State laws.

L. Grantee shall indemnify the United States for any and all injury, loss, or damage, including fire suppression costs the United States may suffer as a result of claims, demands, losses, or judgments caused by the Grantee's use or occupancy under this easement.

M. Upon termination of this easement, the Grantee shall remove within a reasonable time the structures and improvements and shall restore the site to a condition satisfactory to the Grantor, unless otherwise waived in writing. If the Grantee fails to remove the structures or improvements within a reasonable period, as determined by the Grantor, the Grantor may remove and dispose of any improvements and restore the area and all costs shall be paid by the Grantee.

If the Grantor waives the removal of the improvements and restoration of the site, all improvements shall become the property of the United States.

The foregoing notwithstanding, this easement is granted subject to the following reservations by Grantor, for itself, its permittees, contractors, and assignees:

1. The right to cross and recross the road at any place by any reasonable means and for any purpose in such manner as will not interfere unreasonably with Grantee's use of the road.
2. The right to all timber now or hereafter growing on the right-of-way, subject to Grantee's right to cut such timber as herein provided.
3. The right alone to extend rights and privileges for use of the road constructed on the premises to other users, provided that nonfederal users shall bear a fair share of the current replacement cost less depreciation of the road and shall reconstruct the road as necessary to accommodate their use.
4. The Grantor reserves the right to use or authorize the use of the road by other Federal agencies, without cost other than the performance or payment, as it may elect, for its proportionate share of maintenance costs.
5. The Grantor retains the right to occupy and use the right-of-way, and to issue or grant rights-of-way for other land uses, for other than road purposes, upon, over, under, and through the easement area provided that the occupancy and use do not interfere unreasonably with the rights granted herein.



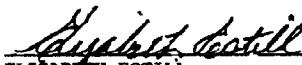
164622 12/30/1997 02:57P 0550 P102 EASEMENT
3 of 17 R 06.00 D 0.00 N 0.00 Clear Creek Cnty, C

6. The right to terminate this easement if the Grantor assumes jurisdiction and control of the road as a Forest Development Road and issues a replacement easement providing only for use of the road. The replacement easement shall be in the current standard format, which provides the Grantee the right to use the road for the purposes and for the period authorized by this easement, subject to such traffic control regulation and rules as Grantor may impose reasonably upon or require of other users of the road without unreasonably reducing the rights herein granted.

The Grantor may take action to suspend, revoke, or terminate this easement under the Rules of Practice Governing Formal Adjudicatory Administrative Proceedings Instituted by the Secretary Under Various Statutes in 7 CFR 1.130-1.151. An administrative proceeding is not required when the easement terminates on the occurrence of a fixed or agreed-upon condition, event, or time.

IN WITNESS WHEREOF, the Grantor, by its Regional Forester, Forest Service, has executed this easement pursuant to the delegation of authority by the Secretary of Agriculture to the Assistant Secretary for Natural Resources and Conservation, the delegation of authority by the Assistant Secretary for Natural Resources and Conservation, to the Chief, Forest Service, 7 CFR 2.60, and the delegation of authority by the Chief, Forest Service, dated August 16, 1932, (47 FR 36465), on the day and year first above written.

UNITED STATES OF AMERICA


ELIZABETH ESTILL
Regional Forester
Rocky Mountain Region
Forest Service
Department of Agriculture

ACKNOWLEDGEMENT

State Of Colorado)
) ss:
County Of Jefferson)

The foregoing instrument was acknowledged before me this 2nd day of June 1997, by Elizabeth Estill.

Witness my hand and official seal.


Susan M. Ballerdi
Notary Public
My Commission Expires 12/31/98

166622 12/30/1997 02:57P 8559 P103 EASEMENT
4 of 17 R 85.00 D 0.00 N 0.00 Clear Creek Cnty, C

6. The right to terminate this easement if the Grantor assumes jurisdiction and control of the road as a Forest Development Road and issues a replacement easement providing only for use of the road. The replacement easement shall be in the current standard format, which provides the Grantee the right to use the road for the purposes and for the period authorized by this easement, subject to such traffic control regulations and rules as Grantor may impose reasonably upon or require of other users of the road without unreasonably reducing the rights herein granted.

The Grantor may take action to suspend, revoke, or terminate this easement under the Rules of Practice Governing Formal Adjudicatory Administrative Proceedings Instituted by the Secretary Under Various Statutes in 7 CFR 1.130-1.151. An administrative proceeding is not required when the easement terminates on the occurrence of a fixed or agreed-upon condition, event, or time.

IN WITNESS WHEREOF, the Grantor, by its (Deputy) Regional Forester, Forest Service, has executed this easement pursuant to the delegation of authority by the Secretary of Agriculture to the Assistant Secretary for Natural Resources and Conservation, the delegation of authority by the Assistant Secretary for Natural Resources and Conservation, to the Chief, Forest Service, 7 CFR 2.60, and the delegation of authority by the Chief, Forest Service, dated August 16, 1982, (47 FR 36465), on the day and year first above written.

UNITED STATES OF AMERICA

TOM L. THOMPSON
Deputy Regional Forester
Forest Service, Department of Agriculture

ACKNOWLEDGEMENT

State of Colorado)
County of Jefferson)

ss:

The foregoing was acknowledged before me this ____ day of _____,
19 ____, by _____.

(Seal)

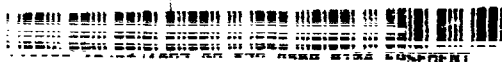
Signature

Print Name

My Commission Expires: _____.

ACCEPTANCE

This easement is accepted subject to all terms and conditions.



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JAYE RILEY-WAGGONER, President
of Gilpin-Clear Creek Home &
Landowners Association, Inc.

Date

This information is needed by the Forest Service to evaluate requests to use National Forest System lands and manage those lands to protect natural resources, administer the use, and ensure public health and safety. This information is required to obtain or retain a benefit. The authority for that requirement is provided by the Organic Act of 1897 and the Federal Land Policy and Management Act of 1976, which authorize the Secretary of Agriculture to promulgate rules and regulations for authorizing and managing National Forest System lands. These statutes, along with the Term Permit Act, National Forest Ski Area Permit Act, Granger-Thye Act, Mineral Leasing Act, Alaska Term Permit Act, Act of September 3, 1954, Wilderness Act, National Forest Roads and Trail Act, Act of November 16, 1973, Archeological Resources Protection Act, and Alaska National Interest Lands Conservation Act, authorize the Secretary of Agriculture to issue authorizations for the use and occupancy of National Forest System lands. The Secretary of Agriculture's regulations at 36 CFR Part 251, Subpart B, establish procedures for issuing those authorizations.

Public reporting burden for this collection of information, if requested, is estimated to average 1 hour per response for annual financial information; average 1 hour per response to prepare or update operation and/or maintenance reports; average 1 hour per response for inspection reports; and an average of 1 hour for each request that may include such things as reports, logs, facility and user information, sublease information, and other similar miscellaneous information requests. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, AG Box 7630, Washington D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB # 0550-0047) Washington, D.C. 20503.

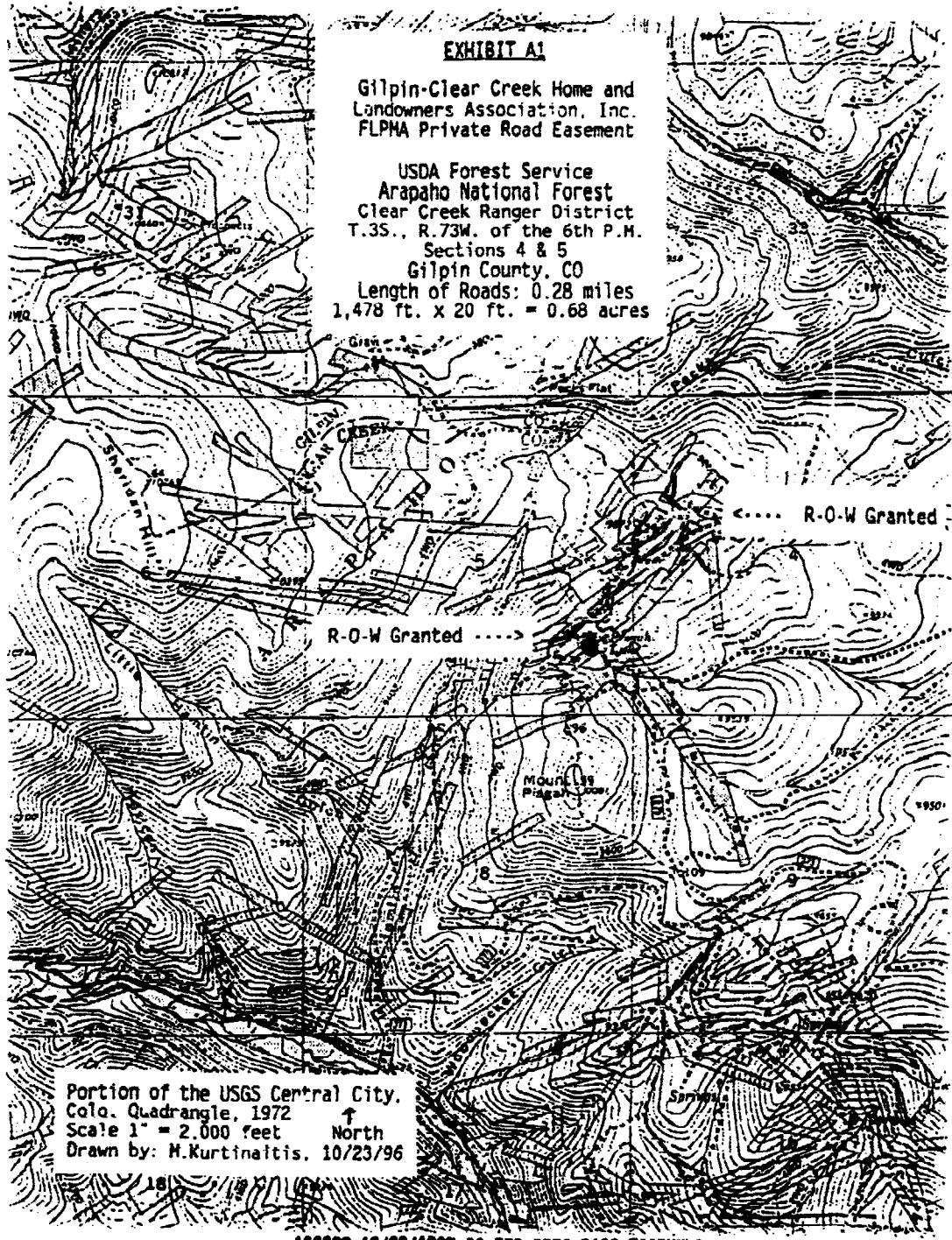


EXHIBIT A1

Gilpin-Clear Creek Home and
Landowners Association, Inc.
FLPMA Private Road Easement

USDA Forest Service
Arapaho National Forest
Clear Creek Ranger District
T.3S., R.73W. of the 6th P.M.
Sections 4 & 5
Gilpin County, CO
Length of Roads: 0.28 miles
1,478 ft. x 20 ft. = 0.68 acres

..... R-O-W Granted

R-O-W Granted

Portion of the USGS Central City,
Colo. Quadrangle, 1972
Scale 1" = 2,000 feet North
Drawn by: M. Kurtinaitis, 10/23/96

188822 12/30/1987 02:57P 8958 P106 EASEMENT
7 of 17 R 86.00 D 0.00 N 0.00 Clear Creek Only, C

100022 12/30/1997 02:57P 0300 P107 EASEMENT
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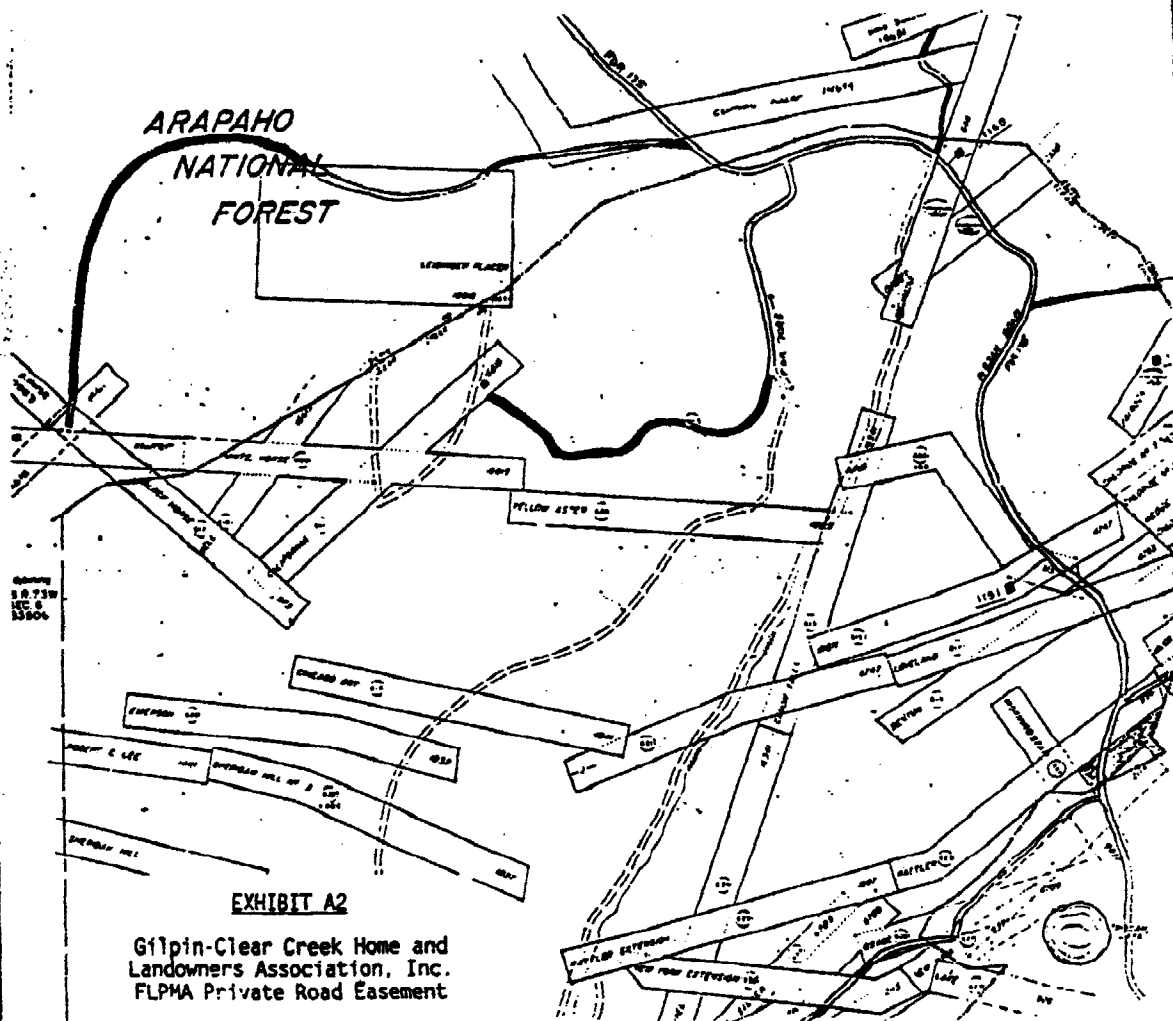


EXHIBIT A2

Gilpin-Clear Creek Home and
Landowners Association, Inc.
FLPMA Private Road Easement

USDA Forest Service
Arapaho National Forest
Clear Creek Ranger District
T.3S., R.73W. of t- 6th P.M.
Section 5
Clear Creek County, CO
Length of Roads: 0.95 miles
5,000 ft. x 20 ft. = 2.30 acres

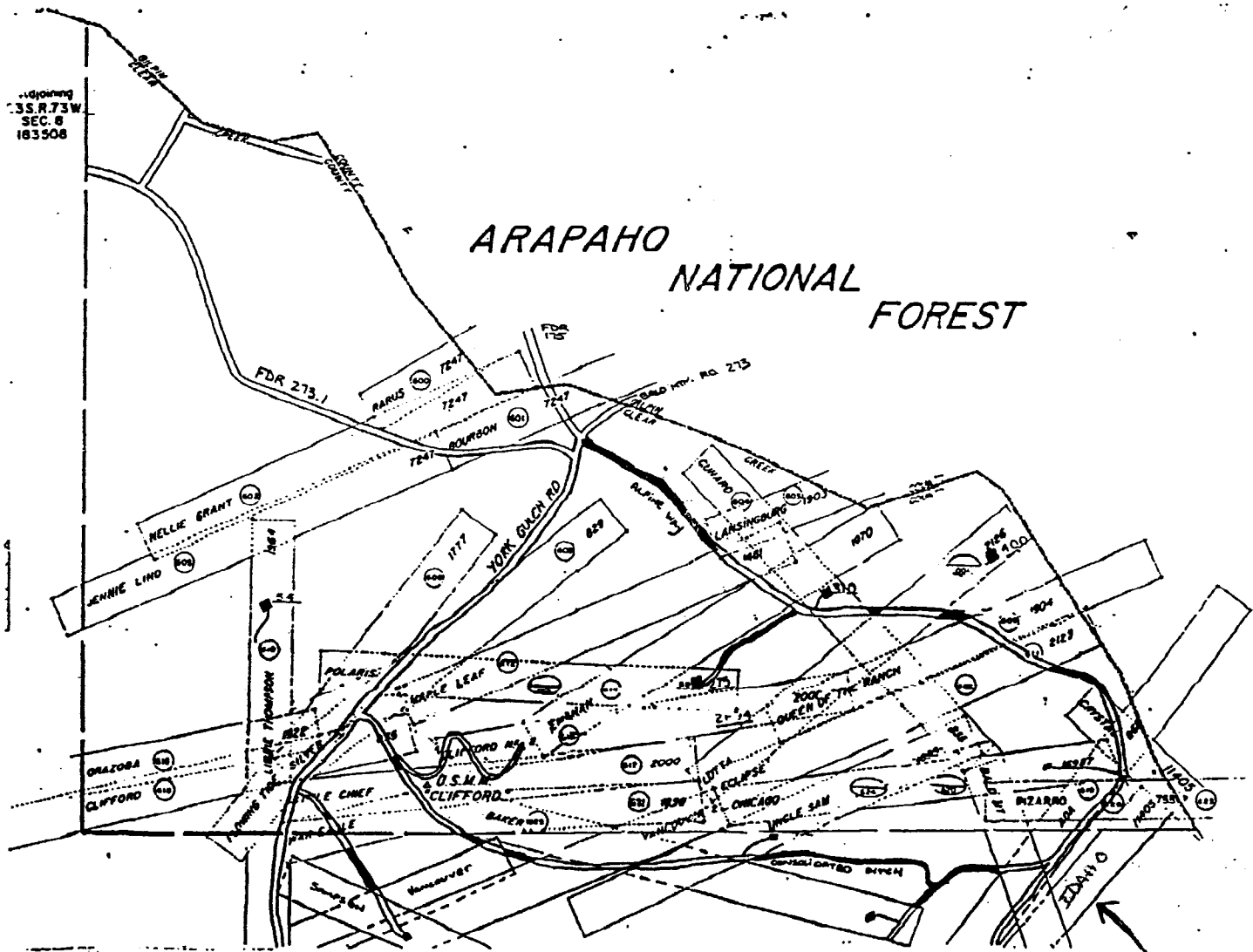
Portion of Clear Creek County Plat
#183505, 02/15/69
Scale 1" = 600 feet North
Drawn by: M.Kurtinaitis, 01/03/97

R-O-W Granted

EXHIBIT A3

Gilpin-Clear Creek Home and
Landowners Association, Inc.
FLPMA Private Road Easement

USDA Forest Service
Arapaho National Forest
Clear Creek Ranger District
T.3S., R.73W. of the 6th P.M.
Section 9
Clear Creek County, CO
Length of Roads: 1.70 miles
8,976 ft. x 20 ft. = 4.12 acres



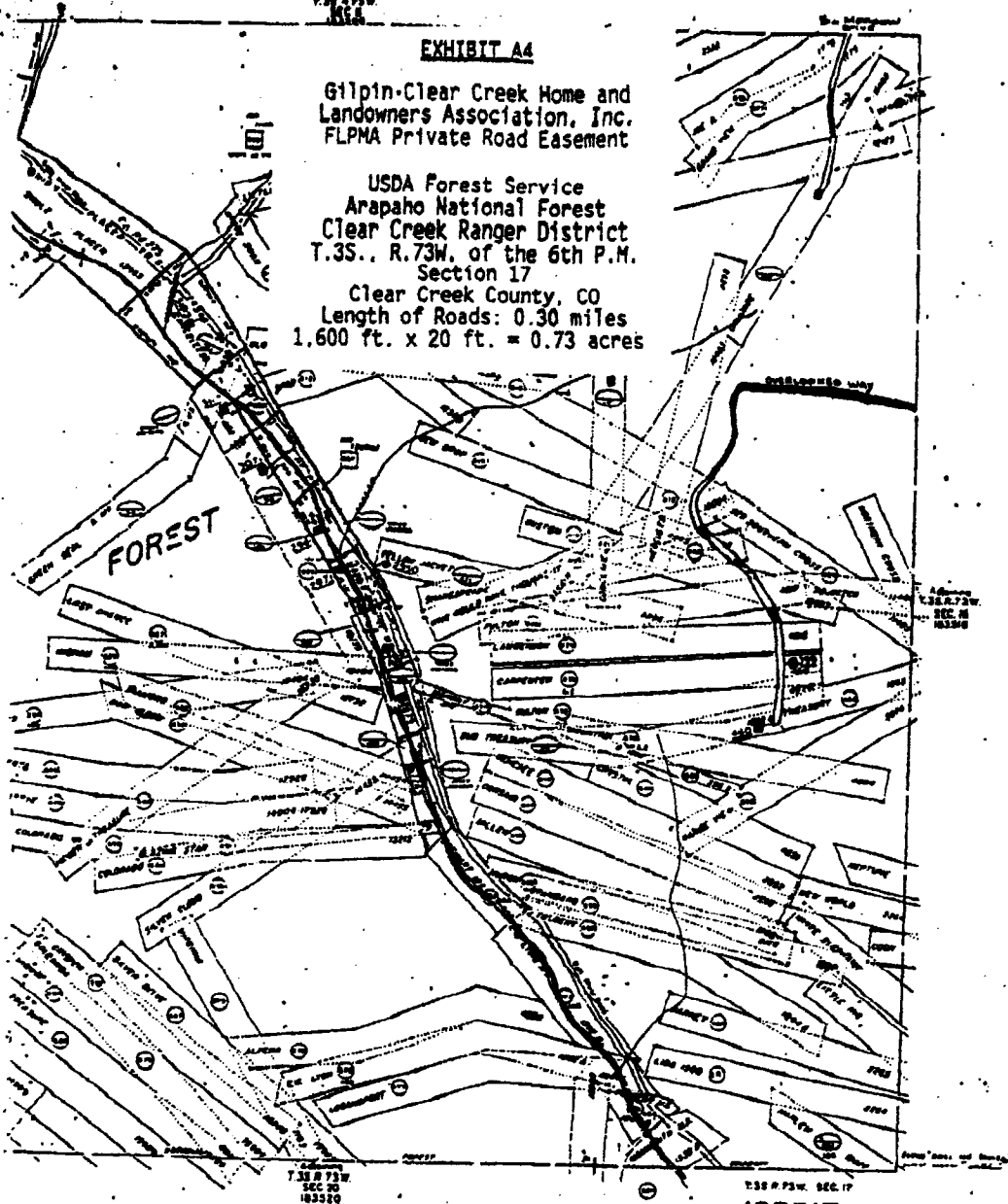
Portion of Clear Creek County Plat
#183509, 02/15/69
Scale 1" = 600 feet
North
Drawn by: M.Kurtinaitis, 01/03/97

R-O-W Granted

EXHIBIT A4

Gilpin-Clear Creek Home and
Landowners Association, Inc.
FLPMA Private Road Easement

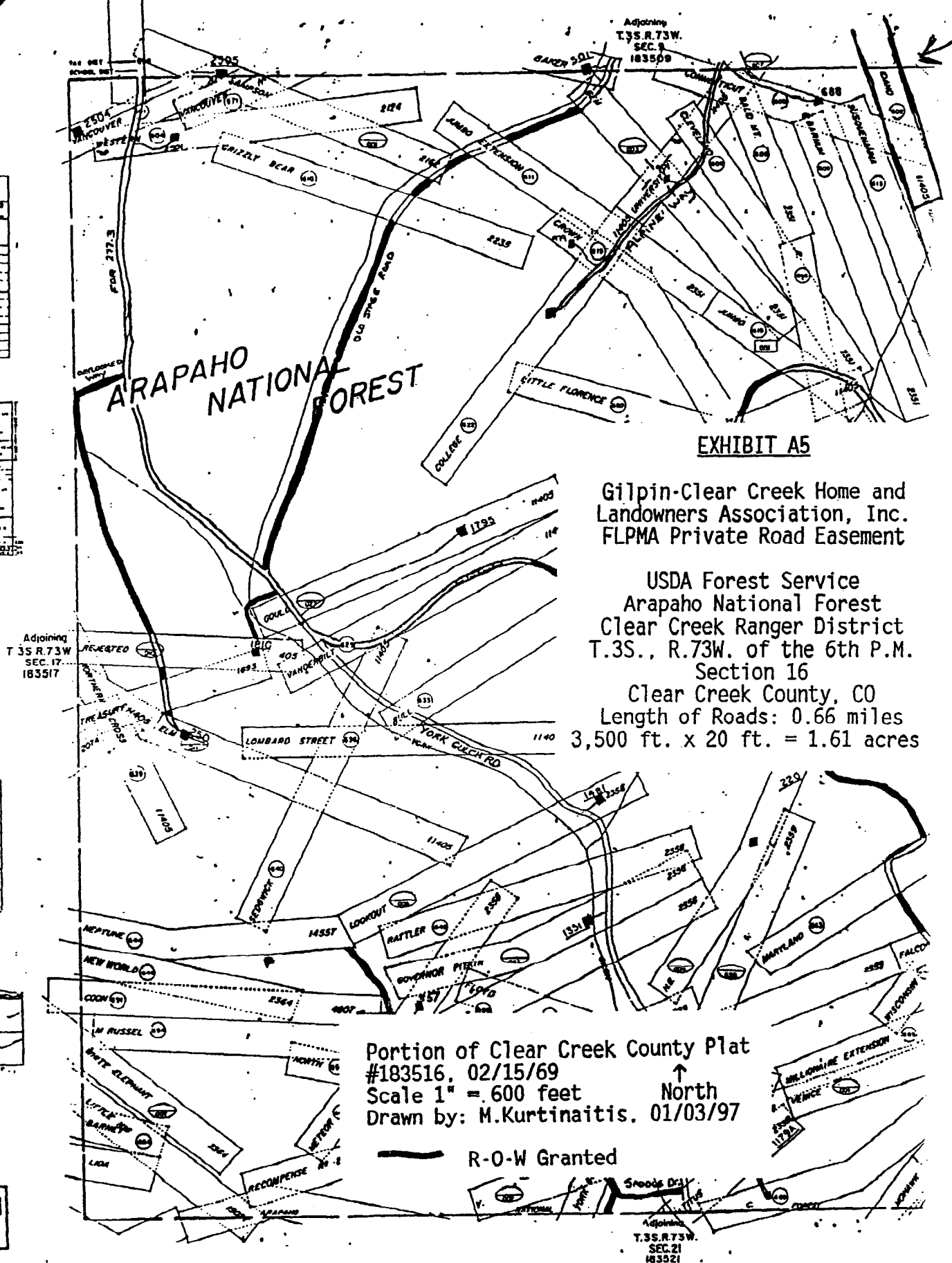
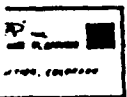
USDA Forest Service
Arapaho National Forest
Clear Creek Ranger District
T.3S., R.73W. of the 6th P.M.
Section 17
Clear Creek County, CO
Length of Roads: 0.30 miles
1,600 ft. x 20 ft. = 0.73 acres



Portion of Clear Creek County Plat
#183517, 02/15/69
Scale 1" = 600 feet North
Drawn by: M. Kurtinaitis, 01/03/97

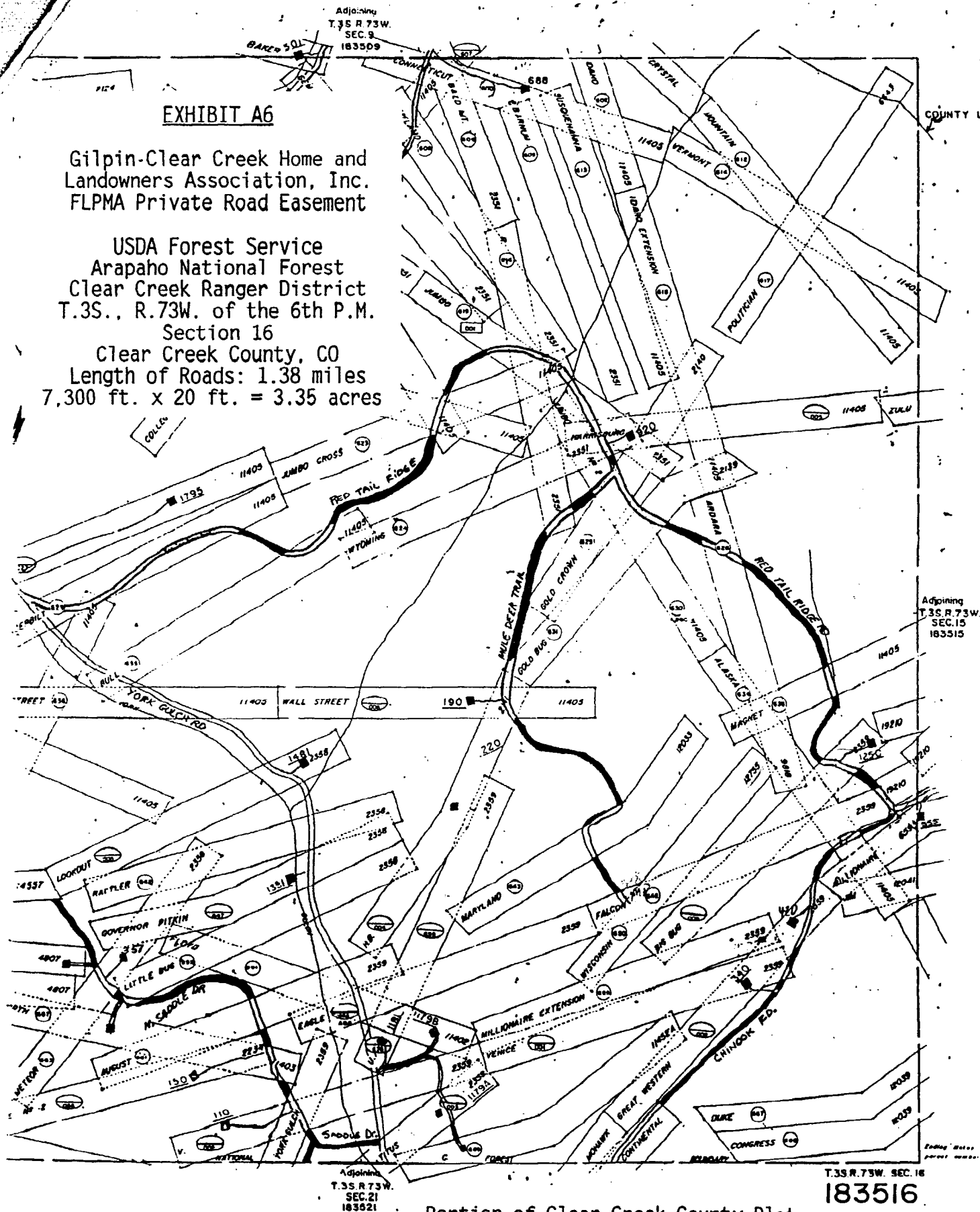
~ R-O-W Granted

180622 12/30/1997 02:57P 5558 P109 EASEMENT
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Gilpin-Clear Creek Home and
Landowners Association, Inc.
FLPMA Private Road Easement

USDA Forest Service
Arapaho National Forest
Clear Creek Ranger District
T.3S., R.73W. of the 6th P.M.
Section 16
Clear Creek County, CO
Length of Roads: 1.38 miles
7,300 ft. x 20 ft. = 3.35 acres



Portion of Clear Creek County Plat
#183516, 02/15/69 ↑
Scale 1" = 600 feet North
Drawn by: M.Kurtinaitis, 01/03/97

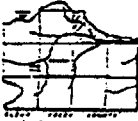
R-O-W Granted

| | |
|-------------|---|
| SECTION | 1 |
| DATE | 02/15/69 |
| BY | M. Kurtinaitis |
| FOR | USDA Forest Service |
| PROJECT | Clear Creek Home and Landowners Association, Inc. |
| DESCRIPTION | FLPMA Private Road Easement |
| ACRES | 0.55 |
| SECTION | 15 |
| TOWNSHIP | 73S |
| RANGE | 73W |
| COUNTY | Clear Creek Co., CO |

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| SECTION | 15 |
| TOWNSHIP | 73S |
| RANGE | 73W |
| COUNTY | Clear Creek Co., CO |



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| SECTION | 15 |
| TOWNSHIP | 73S |
| RANGE | 73W |
| COUNTY | Clear Creek Co., CO |



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| SECTION | 15 |
| TOWNSHIP | 73S |
| RANGE | 73W |
| COUNTY | Clear Creek Co., CO |

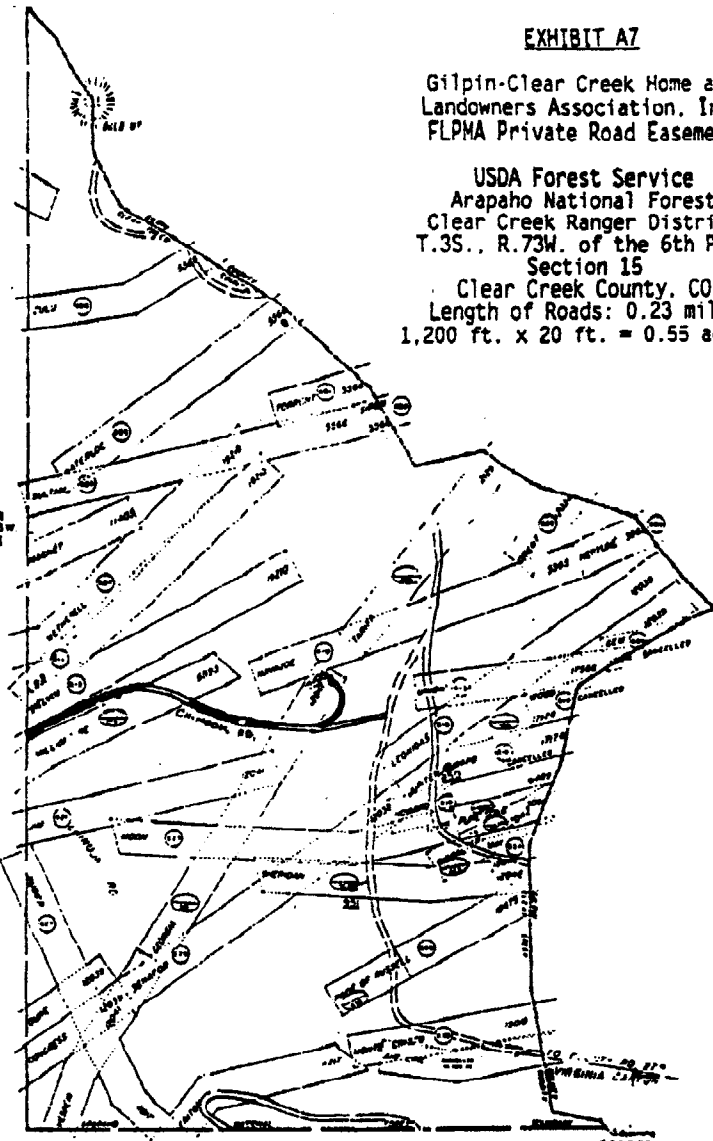


EXHIBIT A7

Gilpin-Clear Creek Home and Landowners Association, Inc.
FLPMA Private Road Easement

USDA Forest Service
Arapaho National Forest
Clear Creek Ranger District
T.35S., R.73W. of the 6th P.M.
Section 15
Clear Creek County, CO
Length of Roads: 0.23 miles
1,200 ft. x 20 ft. = 0.55 acres

Portion of Clear Creek County Plat
#183515, 02/15/69
Scale 1" = 600 feet North
Drawn by: M.Kurtinaitis, 01/03/97

~ R-O-W Granted

183515 12/30/1997 02:57P 0558 P112 EASEMENT
13 of 17 R 85.00 D 0.00 N 0.00 Clear Creek Only.

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5 acres

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EXHIBIT B

Mineral Survey Summary for Access Under Easement

| Mineral Survey Name | M.S. Number | Remarks |
|---------------------|-------------|----------------------|
| Ada | 868 | Gilpin & Clear Creek |
| Alaska | 11405 | |
| American | 4897 | |
| Ardara | 9848 | |
| Atlantic | 15041 | |
| August | 2359 | |
| B. Horse | 7553 | |
| Baker | 1971 | |
| Bald Mtn. | 2351 | |
| Baltic | 19278 | |
| Barney | 2265 | |
| Barnum | 2351 | |
| Baskin | 16483 | |
| Benton | 4783 | |
| Big Bug | 11405 | |
| Boston | 14691 | |
| Bourbon | 7247 | Gilpin & Clear Creek |
| Brooklyn | 4783 | Gilpin & Clear Creek |
| Buck | 4747 | Gilpin & Clear Creek |
| Bull | 11405 | |
| Bullion | 4816 | |
| Buzzard | 17023 | |
| C | 11452 | |
| C Millsite | 11452B | |
| California | 16615 | |
| Canon Falls | 16341 | |
| Cherub | 19691 | |
| Chicago | 16987 | |
| Chloride | 4773 | |
| Chloride Extension | 4783 | |
| Chloride No. 2 | 4783 | |
| Chloride No. 3 | 4783 | Gilpin & Clear Creek |
| Cifford No. 2 | 2001 | |
| Clifford | 835 | |
| College | 11405 | |
| Colorado | 644 | Gilpin & Clear Creek |
| Comet | 2338 | Gilpin & Clear Creek |
| Conclave | 16483 | |
| Congo | 2335 | |
| Congress | 12039 | |
| Connecticut | 11405 | |
| Continent | 15041 | |
| Continental | 4814 | |
| Coon | 4807 | |
| Cross | 4783 | |
| Crown | 11405 | |
| Crystal | 11405 | Gilpin & Clear Creek |
| Cunard | 2351 | |
| Dakota | 12038 | |
| Denbeigh | 2035 | |
| Denver | 4783 | |

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Dew Drop 4954
 Diamond Joe 4556
 Duke 12039
 Eagle 2355
 Eclipse 2123
 Elm 11403
 Emanan 1970
 F Scott Monitor 7247
 Falcon 2359
 Flowing Tide 1777
 Floyd 11402
 Forest 4816
 Fulton 4517
 Gary Cooper *Gray Copper* 4682
 Gem 2351
 Genessee 2052
 Georgia 12041
 Gold Bug 2139
 Gold Crown 2140
 Gold Dollar 18681
 Gould 11405
 Governor Pitkin 2358
 Grandview 1775
 Great Western 2359
 Grizzly Bear 2235
 Guston 16483
 Harlem 15027
 Harrisburg 11405
 Hercules 1492
 Idaho 11405
 Idaho Extension 11405
 Iowa 6018A
 Iron 4747
 Jennie Lind 7247
 Jim 12041
 Joe B 1776
 Jumbo Cross 11405
 Jumbo Extension 2351
 Jumbo No. 2 11405
 Juno 11576
 Lake 926
 Lamberson 4518
 Lansingburg 1903
 LDB 19210
 Leidinger Placer 16615
 Leonides 12039
 Libbie Thompson 1964
 Liberty 19914
 Lida 2264
 Lion 15429
 Little Bug 2358
 Little Chief 2000
 Little Florence 11405
 Little Nig 15027
 Little Norcie 2211
 Lombard Street 11405
 Loveland 2195
 M Russell 4807

Gilpin County

Gilpin & Clear Creek



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 15 of 17 R 88.00 D 0.00 N 0.00 Clear Creek Cnty.

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|------------------------|--------|----------------------|
| Mabel | 10168 | |
| Mackey | 924 | |
| Mackey Extension | 4783 | |
| Mackey No. 2 Extension | 4783 | |
| Magnet | 11405 | |
| Mahaney | 396 | |
| Maple Leaf | 1481 | |
| Maryland | 12033 | |
| Meteor | 2358 | |
| Miller | 1966 | |
| Millionaire Extension | 2359 | |
| Mohawk | 4184 | |
| Montana | 10563A | |
| Montana | 12929 | |
| Morning Star | 4637 | Gilpin & Clear Creek |
| Mt. Pisgah Extension | 925 | |
| Navajoe | 5565 | |
| Nellie Grant | 7247 | Gilpin & Clear Creek |
| Neptune | 5565 | |
| Neptune | 14557 | Clear Creek Cty |
| New York | 2114 | Gilpin & Clear Creek |
| Northern Cross | 11405 | |
| Orazoba | 1922 | |
| Osage | 6709 | Gilpin & Clear Creek |
| Otto | 4783 | |
| Pay Rock | 9140 | |
| Phillips | 529 | |
| Pizarro | 755 | |
| Polaris | 2333 | |
| Politician | 6643 | |
| Puritan | 17017 | |
| Queen of the Ranch | 1904 | |
| R | 2351 | |
| Range View | 2174 | |
| Rarus | 7247 | Gilpin & Clear Creek |
| Rattler | 1996 | |
| Rattler | 2358 | Clear Creek Cty |
| Rattler No. 2 | 4783 | Gilpin & Clear Creek |
| Ray | | |
| Reciprocity | 16583 | |
| Recompense | 2234 | Clear Creek Cty |
| Recompense | 2057 | |
| Rejected | 11405 | |
| Rugier | 4817 | |
| Saginaw | 15028 | |
| Sampson | 2162 | |
| Satisfaction | 12035 | |
| Senator | 12039 | |
| Shakespeare | 15064 | |
| Silver Cloud | 829 | |
| Silver Star | 2043 | |
| Southern Cross | 11405 | |
| Sphinx | 4817 | |
| SRC | 11405 | |
| Standard | 4897 | |
| Sub Treasury | 1892A | |
| Susquehanna | 11405 | |
| Titus | 2359 | |

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| | |
|---------------------------|-------|
| Treasury | 1893 |
| Triton | 4817 |
| U | 2359 |
| Uncle Sam | 1895 |
| University | 11405 |
| V | 2359 |
| Vancouver | 2044 |
| Vancouver No. 2 | 2334 |
| Vanderbilt | 11405 |
| Vendome | 5566 |
| Venice | 2359 |
| Vermont | 11405 |
| Vesper | 12041 |
| Vesper Extension | 12041 |
| Wall Street | 11405 |
| War Eagle | 1999 |
| Waterloo | 5566 |
| Wadys | 4783 |
| Western | 2124 |
| White Elephant | 2364 |
| White Horse | 16615 |
| White Metal | 6962 |
| Who Would Have Thought It | 15064 |
| Wisconsin | 12755 |
| Witheral | 19210 |
| Wyoming | 2351 |
| York | 2125 |
| York Gulch | 2359 |

Silpin & Clear Creek

SEMENT
Creek Cnty.



12/30/1987 02:57P 8959 P118 EASEMENT
17 of 17 R 88.08 D 0.00 N 0.00 Clear Creek Cnty.