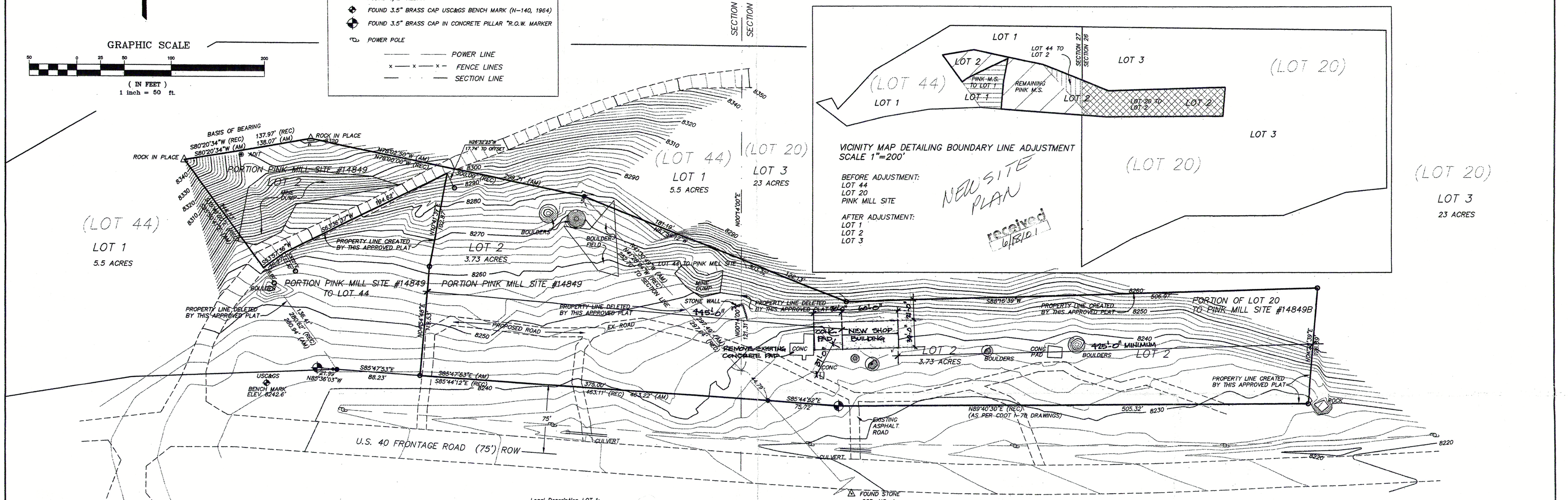
PINK DIVISION OF LAND

LAND SURVEY PLAT
BOUNDARY LINE ADJUSTMENT EXEMPTION CASE #01-AX-01
BEING THE PINK MILL SITE, U.S. SURVEY NO. 14849B, GOVERNMENT LOT 44 AND GOVERNMENT LOT 20
LOCATED IN THE NORTHEAST 1/4 OF SECTION 27 AND THE NORTHWEST 1/4 OF SECTION 26
TOWNSHIP 3 SOUTH, RANGE 74 WEST OF THE 6TH P.M.
CLEAR CREEK COUNTY, COLORADO

-N-

GRAPHIC SCALE
50 0 25 50 100 200
(IN FEET)
1 inch = 50 ft.

LEGEND
- SET 5/8" REBAR WITH CAP
- FOUND CHISELED X IN ROCK
- FOUND 5/8" REBAR, W/ 2" ALUM CAP, LS#29421
- FOUND 1/2" REBAR
- FOUND 3.5" BRASS CAP USC&GS BENCH MARK (N-140, 1964)
- FOUND 3.5" BRASS CAP IN CONCRETE PILLAR "R.O.W. MARKER
- POWER POLE
- POWER LINE
- FENCE LINES
- SECTION LINE



(LOT 20)
LOT 3
23 ACRES

AGREEMENT

In consideration of the Clear Creek County Board of County Commissioner's determination of exemption from the terms "subdivision" and "subdivided land" as noted hereon:

I hereby waive all claims against Clear Creek County for damage or loss to out persons and/or property which may be caused by such determination, and I hereby agree to hold harmless, indemnify, and defend Clear Creek County in any action which may arise in connection with any and all errors, omissions, or mistakes in this land survey plat and/or other information which I have submitted in connection with this request;

I hereby further acknowledge and state under oath that I am the legal owner of the property described hereon;

I hereby agree that this Exemption Agreement constitutes the "Site specific Development Plan" which establishes all vested property tights pursuant to CSR 24-68-101, et seq.; and

I hereby agree to abide by the condition and stipulations contained herein.

Mining and Environmental Services, LLC

The foregoing instrument was subscribed and sworn before me by Mark Leiter *this* 4th *day of* June, 2001.

Notary Public — Date 6-4-01

Richard Dana — Joan Dana

The foregoing instrument was subscribed and sworn before me by Richard & Joan Dana *this* 7th *day of* June, 2001.

Notary Public — Date 6-1-01

My Commission expires 1-30-05

APPROVAL

This plat is hereby approved and exempted from the terms "subdivision" and "subdivided land" pursuant to CSR section 30-28-101-(10)(a). Approval of this plat may create a vested property right pursuant to Article 68, title 24, CSR, as amended

Planning Director — *Date*
as agent for the Board of County Commissioners

Attest:

Clerk and Recorder

RECORDER'S CERTIFICATE

This plat was filed for record in the office of the County Clerk and Recorder of Clear Creek County at _____m. on this ____day of_____, 2001 at Book____ Page____ Reception #_____.

Clerk and Recorder

PLATTING CONDITIONS

1. ZONING REGULATIONS
   Must meet all applicable County zoning regulations.
2. REVISION AND/OR AMENDMENT
   The conditions, restrictions, agreements and covenants herein shall not be waived, abandoned, terminated nor amended except by unanimous written consent of the then parcel owners, and consent of the then Board of County Commissioners.
3. SEVERABILITY
   Invalidation of any of these restrictions or agreements by judgement or court order shall in no way affect any of the other provisions hereof, which shall remain in full force and effect.
4. MINING
   Former mining lands may have physical hazards and environmental issues associated with past mineral explorations, production and processing. Additionally, patented mining properties used for non-mining purposes remain subject to the provisions of Colorado Mining Laws regarding rights-of-way, drainage, extralateral right, and other provisions. Finally, mineral exploration, development, or processing may occur on adjacent or nearby lands at any time.

Legal Description LOT 1:
That part of Lot 44 of Lot 44 in Section 27, Township 3 South, Range 74 West of the 6th P.M., lying North of U.S. Highway 6 and 40, and described in Book 241 at Page 473, as follows:

Beginning at Corner No. 3 of Survey No. 12162A, Denver Mill Site; thence N74°E, 150 feet to Corner No. 3 of Survey No. 12162A, Russell Lode; thence N74°30'E, 23.0 feet to Corner No. 3 of Survey No. 777, Kanawha Lode; thence N43°E, 236.15 feet to Corner No. 2 of Survey No. 777, Kanawha Lode; thence N59°15'E, 200.1 feet, more or less, to the North line of Lot 44, in Section 27; thence N89°51'E, 786.3 feet, more or less, to the NE Corner of said Lot 44, (which corner is markedby an iron bolt 1/2" in diameter, which is driven in the ground near a mine road, and from which corner a cross which is chiseled on a boulder 6x6x4 feet bears S81°45'E, 41.7 feet); thence S0°14'W, 338.9 feet, more or less to the east boundary of Survey No. 14849b, Pink Mil Site, (which point is marked by a stone set in the ground, from which a cross chiseled on a boulder 4x3x6 feet bears S40°10'W, 17.8 feet); thence N41°18'W, 252.7 feet, more or less, to Corner No. 5 of Survey No. 14849B, Pink Mill Site; thence N78°W, 300 feet to Corner No. 6 of Survey No. 6 of Survey no. 14849B; thence S80°17'W, 137.8 feet to Corner No. 1 of Survey No. 14849B, Pink Mill Site; thence S35°49'E, 330.2 feet, more or less, to the North line of right-of-way of U.S. Highway 6 and 40, (which point is marked by a stone set in the ground with an X chiseled on top); thence in a westerly direction along teh said North line of the said right-of-way 723.5 feet (which course of 723.5 feet is described as follows:

N85°35'W, 75.6 Feet; Thence N87°22'W, 100 Feet; Thence S89°03'W, 100 Feet; Thence S85°29'W, 100 Feet; Thence S81°54'W, 100 Feet; Thence S78°20'W, 100 Feet; Thence S74°45'W, 147.9 Feet; Thence more or less, To The East Boundary of Survey No. 12162B, Denver Mill Site, marked by a stone set in the ground with a x chiseled on top); Thence from said N. Line of the said Right of Way N53°06'W, 208.8 Feet, more or less to the point of beginning.

INCLUDING A portion of the Pink Mill Site (M.S. No. 14849) located in the Northeast of Section 27 and the Northwest of Section 26, Township 3 South, Range 74 West of the 6th P.M., County of Clear Creek, State of Colorado. Described as follows:

Beginning at a point on line 1-2 of said Pink Mill Site from which Corner No. 1 of said Pink Mill Site bears N 35°50'41" W, 144.53 feet; Thence N53°57'36"E, 28.27 feet; Thence N 63°36'37"E, 194.62 feet; Thence S10°41'37"W, 102.87 feet; Thence S 04°54'48" W, 119.53 feet to a point on the Northerly R.O.W. line of U.S. Highway 40 Frontage Road; Thence along said Northerly R.O.W. line N 85°47'53" W, 88.23 feet to a point on line 1-2 of said Pink Mill Site; Thence along line 1-2 of said Pink Mill Site N35°50'41"W, 136.41 feet to the Point of Beginning.

Excepting and excluding any portion lying within the prescriptive R.O.W. for Clear Creek County Road 255.

EXCEPTING AND EXCLUDING A portion of Lot 44 located in the Northeast of Section 27, Township 3 South, Range 74 West of the 6th P.M., County of Clear Creek, State of Colorado. Described as follows:

Beginning at Corner No. 5 of the Pink Mill Site (M.S. No. 14849); Thence S67°59'12"E, 181.19 feet, more or less to a point on the East line of said Lot 44 and the East line of said Section 27; Thence along said East line S001°41'00"W, 121.31 feet, more or less to a point on line 4-5 of said Pink Mill Site; Thence along said line 4-5 of said Pink Mill Site N 41°30'49" W, 252.70 feet, more or less, to Corner No. 5 of said Pink Mill Site, the point of beginning.

Area = 5.5 acres, more or less.

Legal Description LOT 2:
Part of the Pink Mill Site, U.S. Survey No. 14849B, located in the Northeast 1/4 of Section 27, Township 3 South, Range 73 West of the 6th. P.M., County of Clear Creek, State of Colorado, more particularly described as follows:
Beginning at corner no. 1 of said Pink Mill Site; thence S35°50'41"E, 280.94 feet along the 1-2 line of said Pink Mill Site to the Northerly right-of-way of U.S. frontage road; thence along said frontage road S85°47'53"E, 463.22 feet to a point on the 4-5 line of the said Pink Mill Site; thence along the said 4-5 line N41°30'49"w, 297.49 feet to corner no. 5 of the said Pink Mill Site; thence N78°02'50"W, 299.71 feet to corner no. 6 of the said Pink Mill Site; thence S80°20'34"W, 138.07 feet to corner no. 1 of the said Pink Mill Site and the point of beginning.

INCLUDING a portion of Lot 44 located in the Northeast of Section 27, Township 3 South, Range 74 West of the 6th P.M., County of Clear Creek, State of Colorado. Described as follows:

Beginning at Corner No. 5 of the Pink Mill Site (M.S. No. 14849); Thence S67°59'12"E, 181.19 feet, more or less to a point on the East line of said Lot 44 and the East line of said Section 27; Thence along said East line S001°41'00"W, 121.31 feet, more or less to a point on line 4-5 of said Pink Mill Site; Thence along said line 4-5 of said Pink Mill Site N 41°30'49" W, 252.70 feet, more or less, to Corner No. 5 of said Pink Mill Site, the point of beginning.

INCLUDING the following:
A portion of Lot 20 (Patent No. 7942) located in the Northwest of Section 26, Township 3 South, Range 74 West of the 6th P.M., County of Clear Creek, State of Colorado. Described as follows:

Beginning at Corner No. 5 of the Pink Mill Site (M.S. No. 14849); Thence S 67°59'12" E, 181.19 feet, more or less to a point on the West line of said Lot 20 and the West line of said Section 26, The True Point of Beginning; Thence S 67°59'12" E, 122.13 feet; Thence N 88°16'39" E, 506.97 feet; Thence S 04°28'39" W, 126.69 feet to a point on the Northerly R.O.W. line of U.S. Highway 40 Frontage Road; Thence along said Northerly R.O.W. S89°40'30"W, 505.32 feet; Thence along said Northerly R.O.W. N 85°44'52" W, 75.72 feet to a point on line 4-5 of said Pink Mill Site; Thence along said line 4-5 of said Pink Mill Site N 41°30'49" W, 44.79 feet, more or less to a point on said West line of said Lot 20; Thence along said West line of said Lot 20 N 00°14'00" E, 121.31 feet, more or less, to the True Point of Beginning.

EXCEPTING AND EXCLUDING a portion of the Pink Mill Site (M.S. No. 14849) located in the Northeast of Section 27 and the Northwest of Section 26, Township 3 South, Range 74 West of the 6th P.M., County of Clear Creek, State of Colorado. Described as follows:

Beginning at a point on line 1-2 of said Pink Mill Site from which Corner No. 1 of said Pink Mill Site bears N 35°50'41" W, 144.53 feet; Thence N 53°57'36" E, 28.27 feet; Thence N 63°36'37"E, 194.62 feet; Thence S 10°41'37" W, 102.87 feet; Thence S 04°54'48" W, 119.53 feet to a point on the Northerly R.O.W. line of U.S. Highway 40 Frontage Road; Thence along said Northerly R.O.W. line N 85°47'53" W, 88.23 feet to a point on line 1-2 of said Pink Mill Site; Thence along line 1-2 of said Pink Mill Site N35°50'41"W, 136.41 feet to the Point of Beginning.

Excepting and excluding any portion lying within the prescriptive R.O.W. for Clear Creek County Road 255.

Area = 3.73 acres, more or less.

Legal Description LOT 3:
A parcel of land located in Township 3 South, Range 74 West of the 6th P.M., Section 26: Lot 20, State of Colorado Patent No. 7942, containing 21.71 acres, more or less.

EXCEPTING AND EXCLUDING the following:
A portion of Lot 20 (Patent No. 7942) located in the Northwest of Section 26, Township 3 South, Range 74 West of the 6th P.M., County of Clear Creek, State of Colorado. Described as follows:

Beginning at Corner No. 5 of the Pink Mill Site (M.S. No. 14849); Thence S67°59'12"E, 181.19 feet, more or less to a point on the West line of said Lot 20 and the West line of said Section 26, The True Point of Beginning; Thence S 67°59'12" E, 122.13 feet; Thence N 88°16'39" E, 506.97 feet; Thence S 04°28'39" W, 126.69 feet to a point on the Northerly R.O.W. line of U.S. Highway 40 Frontage Road; Thence along said Northerly R.O.W. S89°40'30"W, 505.32 feet; Thence along said Northerly R.O.W. N 85°44'52" W, 75.72 feet to a point on line 4-5 of said Pink Mill Site; Thence along said line 4-5 of said Pink Mill Site N 41°30'49" W, 44.79 feet, more or less to a point on said West line of said Lot 20; Thence along said West line of said Lot 20 N 00°14'00" E, 121.31 feet, more or less, to the True Point of Beginning.

Area = 23 acres, more or less.

NOTES:

1) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. AT THE REQUEST OF THE CLIENT NO ADDITIONAL RESEARCH OF RECORDED EASEMENTS, RIGHTS-OF-WAY OR ENCUMBRANCES WAS PERFORMED. RECORDED EASEMENTS AND RIGHTS-OF-WAY REFERENCED HEREON WERE SUPPLIED TO RMCS SURVEYING LLC BY THE CLIENT.

2)ELEVATIONS ARE BASED UPON AN ELEVATION OF 8242.6' AT THE UNITED STATES COAST & GEODETIC SURVEY BENCH: MARK N 140 (1964), AS INDICATED.

3)BASIS OF BEARING IS N80°20'34"E FROM THE FOUND CORNERS NO. 1 AND 6 OF THE PINK MILL SITE.

4)REFERENCE SURVEY PLAT BY CLEAR MOUNTAIN SURVEYING LLC, DATED 9/12/00.

SURVEYOR'S CERTIFICATE

I, DAVID WALDNER, A COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE SURVEY OF THE BOUNDARY OF THE PROPERTY HEREON SHOWN WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THE ACCOMPANYING MAP ACCURATELY REPRESENTS THE RESULTS OF SAID SURVEY AND THAT SAID SURVEY HAS BEEN PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO.

DAVID WALDNER
COLORADO REGISTERED
LAND SURVEYOR #28667

COLORADO REGISTERED DAVID J. WALDNER 28667 PROFESSIONAL LAND SURVEYOR

PREPARED FOR:
MINING AND ENVIRONMENTAL SERVICES LLC

IN ACCORDANCE WITH CRS 13-80-127.3:
NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ~~ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN 3 YEARS AFTER~~ YOU FIRST 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 THE CERTIFICATION SHOWN HEREON.

RMCS SURVEYING & ENGINEERING LLC
4535 NORTH BROADWAY, SUITE 101
BOULDER, COLORADO 80304
(303) 448-1870
(303) 499-6755
720-565-1488 FAX

5/16/01 | 1637P