This property is subject to an Environmental Covenant held by the Colorado Department of Public Health and Environment pursuant to CRS. § 25-15-321

1-10

ENVIRONMENTAL COVENANT

This Environmental Covenant is entered into this 14th day of November, 2011, by the United States of America, acting through the United States Department of Energy (DOE), and the Hazardous Materials and Waste Management Division of the Colorado Department of Public Health and the Environment (the Department), pursuant to § 25-15-320 of the Colorado Hazardous Waste Act, CRS § 25-15-101 (CHWA).

WHEREAS, for purposes of indexing in the County Clerk and Recorder's office Grantor-Grantee index only, the United States of America shall be considered the **Grantor**, and the Colorado Department of Public Health and Environment, whose address is 4300 Cherry Creek Drive South, Denver, Colorado 80246-1530, shall be considered the **Grantee**; nothing in the preceding clause shall be construed to create or transfer any right, title or interest in the Property; and

WHEREAS, the United States owns, and DOE has administrative jurisdiction over, certain property commonly referred to as the Central Operable Unit (Central OU). The Central OU is located at property formerly known as the Rocky Flats Environmental Technology Site (RFETS) or Rocky Flats, located at 10808 Highway 93, Golden, Colorado. The Central OU is more particularly described in Attachment A, attached hereto and incorporated herein by reference as though fully set forth; and

WHEREAS, the Central OU together with certain engineered structures, is hereinafter referred to as the Property, and is situated as shown in Attachment A; and

WHEREAS, pursuant to the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 et seq. (RCRA), and CHWA, the Central OU is subject to closure, post-closure and corrective action requirements; and

WHEREAS, pursuant to the Rocky Flats Cleanup Agreement (Federal Facility Agreement and Consent Order, CERCLA VIII-96-21, RCRA (3008(h)) VIII-96-01, State of Colorado Docket #96-07-19-01, as amended) (RFC), the final Corrective Action Decision/Record of Decision for Rocky Flats Plant (USDOE) Peripheral Operable Unit and Central Operable Unit, dated September 29, 2006, EPA/541/R-06/197 (CAD/ROD) which may be found in the CERCLA Administrative Record for Rocky Flats, has been issued; and

WHEREAS, the CAD/ROD specifies certain corrective and remedial actions pursuant to CHWA and RCRA, and the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601, *et seq.* (CERCLA), and certain closure requirements pursuant to CHWA and RCRA; and

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Jefferson County, Colorado

WHEREAS, pursuant to the CAD/ROD, RFCA was superseded by the Rocky Flats Legacy Management Agreement (Federal Facility Agreement and Consent Order, CERCLA VIII-96-21, RCRA (3008(h)) VIII-96-01, State of Colorado Docket #96-07-19-01, as amended) (RFLMA) on March 14, 2007 to establish the regulatory framework for implementing the final response action selected and approved in the CAD/ROD; and

WHEREAS, an amendment to the CAD/ROD clarifying land use restrictions required by the CAD/ROD as institutional controls and implemented through RFLMA was issued on September 22, 2011; and

WHEREAS, the purpose of this Covenant is to ensure protection of human health and the environment through the use restrictions specified in the CAD/ROD as institutional controls, including the objective and rationale of each institutional control; and

WHEREAS, DOE has placed in the administrative record required under 42 U.S.C. § 9613(k) for the Rocky Flats Site, and filed with the Department and the Jefferson County Planning and Zoning Department a survey plat and record of the wastes that have been disposed in a landfill known as the Present Landfill, which is located in the Central OU, as required by 6 CCR 1007-3 § 265.119(b)(1)(iii); and

WHEREAS, the United States, acting by and through DOE, has previously granted an Environmental Covenant to the Department that relates to the Central OU use restrictions specified in the CAD/ROD as institutional controls. This Covenant was recorded with Jefferson County, Colorado, and bears reception number 2006148295; and

WHEREAS the United States and the Department intend that this Covenant shall modify and supersede the Covenant described in the preceding clause; and

WHEREAS, the United States, acting by and through the DOE, is prepared 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 DOE 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, the United States, acting by and through the DOE pursuant to its authority under the Atomic Energy Act, 42 U.S.C. § 2011, et seq., and CERCLA, hereby grants this 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 11, below, which shall run with the Property and be binding on DOE 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 Covenant, the term OWNER means the current owner of the Property, as the term owner is defined in CRS § 25-15-101(12.5),.

1) Use restrictions.

Control	Use Restrictions
1	The construction and use of buildings that will be occupied on a permanent or temporary basis (such as for residences or offices) is prohibited. The construction and use of storage sheds or other, non-occupied structures is permitted, consistent with the restrictions contained in controls 2 and 3 below, and provided such use does not impair any aspect of the response action at Rocky Flats.
	Objective: Prevent unacceptable exposures via the indoor air pathway. **Rationale:** The analysis of the indoor air pathway in the Comprehensive Risk Assessment indicated that subsurface volatile organic compounds were at levels in certain portions of the Central OU that could pose a risk of unacceptable exposure to the WRW if occupied structures were built in these areas.
2	Excavation, drilling, and other intrusive activities below a depth of three feet are prohibited, without prior regulatory review and approval pursuant to the Soil Disturbance Review Plan in RFLMA Attachment 2.
	Objective: Prevent unacceptable exposure to residual subsurface contamination. **Rationale:** Contaminated structures, such as building basements, exist in certain areas of the Central OU, and the Comprehensive Risk Assessment did not evaluate the risks posed by exposure to this residual contamination. Thus, this restriction eliminates the possibility of unacceptable exposures. Additionally, it prevents damage to subsurface engineered components of the remedy.
3	No grading, excavation, digging, tilling, or other disturbance of any kind of surface soils is permitted, except in accordance with an erosion control plan (including Surface Water Protection Plans submitted to EPA under the Clean Water Act) approved by CDPHE or EPA. Soil disturbance that will not restore the soil surface to preexisting grade or higher may not be performed without prior regulatory review and approval pursuant to the Soil Disturbance Review Plan in RFLMA Attachment 2.
	Objective: Prevent migration of residual surface soil contamination to surface water. **Rationale:** Certain surface soil contaminants, notably plutonium-239/240, were identified in the fate and transport evaluation in the Remedial Investigation as having complete pathways to surface water if disturbed. This restriction minimizes the possibility of such disturbance and resultant impacts to surface water. Restoring the soil surface to preexisting grade maintains the current depth to subsurface contamination or contaminated structures.
4	Surface water may not be used for drinking water or agricultural purposes.
	Objective: Prevent unacceptable exposure to local surface water contamination above the terminal ponds. **Rationale:** While the Comprehensive Risk Assessment did not evaluate the risks posed by the use of surface water for drinking or agricultural purposes, the nature and extent of contamination evaluation in the Remedial Investigation showed that certain contaminants were found at levels exceeding standards above the terminal ponds. This restriction reduces the possibility of unacceptable exposures to future users from this source.

	The construction or operation of groundwater wells is prohibited, except for remedy-related purposes.
5	**Objective:** Prevent unacceptable exposure to contaminated groundwater. **Rationale:** While the Comprehensive Risk Assessment did not evaluate the risks posed by the use of groundwater for drinking or agricultural purposes, the nature and extent of contamination evaluation in the Remedial Investigation identified areas in the Central OU where groundwater contaminants exceeded water quality standards or MCLs. This restriction reduces the possibility of unacceptable exposures to future users from this source. Additionally, it prevents the disruption of groundwater flow paths so as to avoid impacts on groundwater collection and treatment systems.
6	Digging, drilling, tilling, grading, excavation, construction of any sort (including construction of any structures, paths, trails or roads), and vehicular traffic are prohibited on the covers of the Present Landfill and the Original Landfill, except for authorized response actions.
	Objective: Ensure the continued proper functioning of the landfill covers. **Rationale:** This restriction helps ensure the integrity of the landfill covers.
7	Activities that may damage or impair the proper functioning of any engineered component of the response action, including but not limited to any treatment system, monitoring well, landfill cap, or surveyed benchmark, are prohibited. The preceding sentence shall not be construed to prohibit the modification, removal, replacement, or relocation of any engineered component of the response action in accordance with the action determinations in RFLMA Attachment 2.
	Objective: Ensure the continued proper functioning of engineered portions of the remedy. **Rationale:** This restriction helps ensure the integrity of other engineered components of the remedy, including monitoring and survey points.

WRW = Wildlife Refuge Worker.
MCL = maximum contaminant level.

2) Modifications and Termination 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. Any approved modification or termination shall be recorded as required in CRS § 25-15-321(3). 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 an engineered feature or structure is no longer necessary;

e) information demonstrating that the proposed modification would not adversely impact the remedy and is protective of human health and the environment; and
f) other appropriate supporting information.

5

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 This Covenant may be enforced as provided in CRS § 25-15-322., consistent with state and federal laws.

9) Owner's Compliance Certification OWNER shall submit an annual Report to the Department, on the anniversary of the date this Covenant was signed by DOE (or other date agreed to between DOE and the Department), detailing OWNER's compliance, and any lack of compliance, with the terms of this Covenant. If DOE is the OWNER, DOE may provide the annual Report by including the compliance information in any annual report required by RFLMA to be submitted to the Department.

10) Notices Any document or communication required under this Covenant shall be sent or directed to:

Hazardous Waste Corrective Action 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

11) This document is an approved modification of the Environmental Covenant between DOE and the Department, dated December 4, 2006, and recorded at Jefferson County, Colorado, reception number 2006148295. As of the date the Department signs this Covenant, it supersedes the December 4, 2006 Covenant, and the December 4, 2006 Covenant no longer has any independent force or effect.

U.S. Department of Energy has caused this instrument to be executed this 14th day of November, 2011.

U.S. Department of Energy

By: Dr. Laura E. Kilpatrick
Dr. Laura E. Kilpatrick
Title: Senior Realty Officer

~~By:~~ _____

~~Title:~~ _____

STATE OF Colorado)
) ss:
COUNTY OF Jefferson)

The foregoing instrument was acknowledged before me this 14 day of November, 2011 by Laura Kilpatrick on behalf of the U.S. Department of Energy, Office of Legacy Management.

Katherine Spica
Notary Public

11025 Dover St Ste 1000
Address

Westminster, CO 80021

My commission expires: 9-30-2015

Accepted by the Colorado Department of Public Health and Environment this 18th day of November, 2011.

By: Gary W. Baughman

Title: Director, HMWMD

STATE OF COLORADO)
) ss:
COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 18 day of NOVEMBER, 2011 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, 2015

Attachment A
Description of the Central Operable Unit

CENTRAL OPERABLE UNIT DESCRIPTION

A PARCEL OF LAND LOCATED IN PARTS OF SECTIONS 2, 3, 9, 10, 11, 14, 15, AND 16, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE 6TH P.M., COUNTY OF JEFFERSON, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9 AS ASSUMED TO BEAR S00°04'20"E BETWEEN A FOUND 4" BRASS CAP IN CONCRETE STAMPED U.S. ARMY–WAR DEPARTMENT–CORPS OF ENGINEERS, NW 1/4, SW 1/4 SEC. 10, POT 2W, 1951 AT THE EAST QUARTER CORNER OF SAID SECTION 9 AND A FOUND 4" BRASS CAP IN CONCRETE STAMPED U.S. ARMY–WAR DEPARTMENT–CORPS OF ENGINEERS, SE COR, SEC. 9, PT1, 1951 AT THE SOUTHEAST CORNER OF SAID SECTION 9 WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 9; THENCE SOUTH 83°30'34" EAST, A DISTANCE OF 781.01 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE FOLLOWING THIRTY–FIVE (35) COURSES AND DISTANCES;

1) NORTH 00°47'30" WEST, 486.22 FEET;
2) NORTH 77°03'40" EAST, 1859.46 FEET;
3) NORTH 00°15'35" EAST, 1490.32 FEET;
4) NORTH 62°19'38" WEST, 31.77 FEET;
5) NORTH 00°14'56" EAST, 1398.25 FEET;
6) NORTH 47°18'38" EAST, 955.47 FEET;
7) NORTH 47°56'20" EAST, 1969.68 FEET;
8) NORTH 55°35'10" EAST, 453.84 FEET;
9) NORTH 89°08'50" EAST, 1630.09 FEET;
10) SOUTH 11°59'19" EAST, 648.68 FEET;
11) NORTH 76°40'22" EAST, 5466.70 FEET;
12) SOUTH 07°34'38" EAST, 1335.72 FEET;
13) SOUTH 29°54'39" WEST, 1192.66 FEET;
14) SOUTH 05°10'44" WEST, 4152.31 FEET;
15) SOUTH 05°13'45" EAST, 358.96 FEET;
16) SOUTH 11°29'21" EAST, 111.31 FEET;
17) SOUTH 25°06'30" EAST, 54.39 FEET;
18) SOUTH 38°14'48" EAST, 255.02 FEET;
19) SOUTH 56°45'28" WEST, 583.89 FEET;
20) NORTH 43°53'26" WEST, 885.97 FEET;
21) NORTH 84°29'30" WEST, 2098.82 FEET;
22) SOUTH 88°39'54" WEST, 577.74 FEET;
23) SOUTH 82°25'57" WEST, 657.96 FEET;
24) NORTH 77°49'49" WEST, 47.05 FEET;
25) NORTH 63°43'37" WEST, 22.82 FEET;
26) SOUTH 28°04'58" WEST, 21.35 FEET;
27) SOUTH 73°43'41" WEST, 969.12 FEET;
28) SOUTH 72°06'47" WEST, 873.68 FEET;
29) NORTH 79°28'51" WEST, 228.77 FEET;
30) NORTH 83°23'48" WEST, 2400.13 FEET;
31) NORTH 53°05'27" WEST, 176.84 FEET
32) SOUTH 87°05'20" WEST, 539.50 FEET;
33) NORTH 60°00'49" WEST, 390.82 FEET;
34) SOUTH 88°36'06" WEST, 697.23 FEET;
35) NORTH 74°46'56" WEST, 281.07 FEET TO THE POINT OF BEGINNING.

CONTAINING 57, 009, 784 SQUARE FEET OR 1,308 ACRES, MORE OR LESS

I, JOHN B. GUYTON, A LICENSED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE FOR AND ON BEHALF OF FLATIRONS, INC., THAT THIS PARCEL DESCRIPTION WAS PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE AT THE REQUEST OF THE CLIENT AND IS NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY OR SUBDIVIDE LAND IN VIOLATION OF STATE STATUTE.

JOHN B. GUYTON
COLORADO P.L.S. #16406
PRESIDENT, FLATIRONS, INC.

DATE
FSI JOB NO. 06–51,569

Flatirons, Inc.
3825 IRIS AVENUE, SUITE 100
BOULDER, CO 80301
PHONE: (303) 443–7001
FAX: (303) 443–9830
www.flatsurv.com

LAND SURVEY PLAT

A PARCEL OF LAND LOCATED IN PARTS OF SECTIONS 2, 3, 9, 10, 11, 14, 15, AND 16, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE 6TH P.M., COUNTY OF JEFFERSON, STATE OF COLORADO.

SHEET 1 OF 1

Central Operable Unit
Parcel Description
(Prepared by Flatirons Inc., at the request of the client)

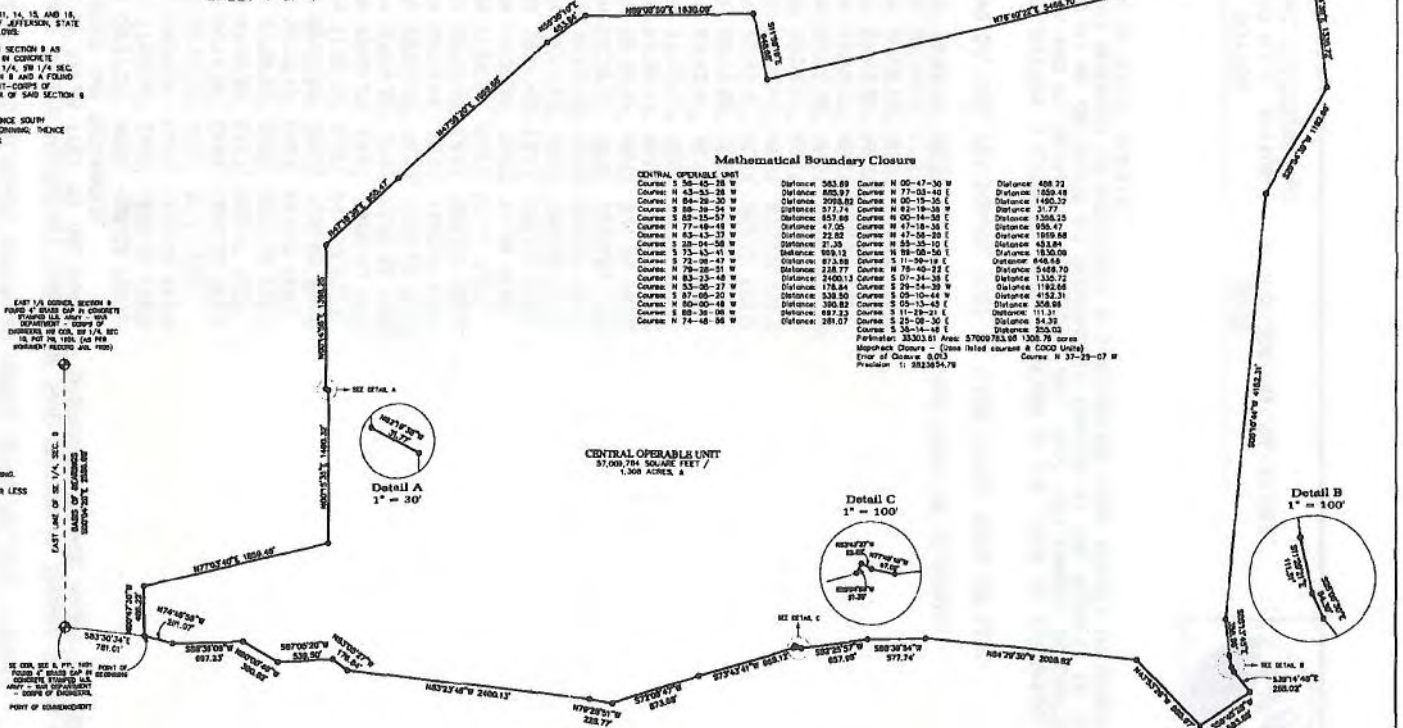
A PARCEL OF LAND LOCATED IN PARTS OF SECTIONS 2, 3, 9, 10, 11, 14, 15, AND 16, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE 6TH P.M., COUNTY OF JEFFERSON, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9 AS ASSUMED TO BEAR S00°04'20"E BETWEEN A FOUND 4" BRASS CAP IN CONCRETE STAMPED U.S. ARMY–WAR DEPARTMENT–CORPS OF ENGINEERS, NW 1/4, SW 1/4 SEC. 10, POT 2W, 1951 AT THE EAST QUARTER CORNER OF SAID SECTION 9 AND A FOUND 4" BRASS CAP IN CONCRETE STAMPED U.S. ARMY–WAR DEPARTMENT–CORPS OF ENGINEERS, SE COR, SEC. 9, PT1, 1951 AT THE SOUTHEAST CORNER OF SAID SECTION 9 WITH ALL BEARINGS CONTAINED HEREON BEING RELATIVE THERETO:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 9; THENCE SOUTH 83°30'34" EAST, A DISTANCE OF 781.01 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE FOLLOWING THIRTY–FIVE (35) COURSES AND DISTANCES:

1) NORTH 00°47'30" WEST, 488.22 FEET;
2) NORTH 77°03'40" EAST, 1859.48 FEET;
3) NORTH 00°15'35" EAST, 1490.32 FEET;
4) NORTH 62°18'38" WEST, 31.77 FEET;
5) NORTH 00°14'56" EAST, 1308.25 FEET;
6) NORTH 42°16'38" EAST, 955.47 FEET;
7) NORTH 47°58'39" EAST, 1869.68 FEET;
8) NORTH 55°35'10" EAST, 453.84 FEET;
9) NORTH 89°08'50" EAST, 1830.09 FEET;
10) SOUTH 11°59'19" EAST, 648.68 FEET;
11) NORTH 76°40'23" EAST, 5468.70 FEET;
12) SOUTH 67°34'38" EAST, 1335.72 FEET;
13) SOUTH 29°54'39" WEST, 1192.66 FEET;
14) SOUTH 05°19'44" WEST, 4152.31 FEET;
15) SOUTH 05°13'45" EAST, 358.08 FEET;
16) SOUTH 11°29'21" EAST, 111.31 FEET;
17) SOUTH 25°08'30" EAST, 54.39 FEET;
18) SOUTH 36°14'48" EAST, 255.02 FEET;
19) SOUTH 58°45'28" WEST, 583.89 FEET;
20) NORTH 43°53'28" WEST, 885.97 FEET;
21) NORTH 84°29'30" WEST, 2058.82 FEET;
22) SOUTH 88°38'54" WEST, 577.74 FEET;
23) SOUTH 88°25'57" WEST, 657.98 FEET;
24) NORTH 77°48'48" WEST, 47.05 FEET;
25) NORTH 63°43'37" WEST, 22.82 FEET;
26) SOUTH 28°04'58" WEST, 21.35 FEET;
27) SOUTH 73°43'41" WEST, 868.12 FEET;
28) SOUTH 73°08'47" WEST, 873.88 FEET;
29) NORTH 79°28'51" WEST, 238.77 FEET;
30) NORTH 83°23'48" WEST, 2400.13 FEET;
31) NORTH 53°05'27" WEST, 178.84 FEET;
32) SOUTH 87°05'20" WEST, 539.50 FEET;
33) NORTH 80°00'49" WEST, 300.82 FEET;
34) SOUTH 89°38'08" WEST, 697.23 FEET;
35) NORTH 74°48'58" WEST, 781.07 FEET TO THE POINT OF BEGINNING.

CONTAINING 57, 009, 784 SQUARE FEET OR 1,308 ACRES, MORE OR LESS



Mathematical Boundary Closure

CENTRAL OPERABLE UNIT

Course: S 58–45–28 W	Distance: 583.89	Course: N 00–47–30 W	Distance: 488.22		
Course: N 43–53–28 W	Distance: 885.97	Course: N 77–03–40 E	Distance: 1859.48		
Course: N 84–29–30 W	Distance: 2058.82	Course: N 00–15–35 E	Distance: 1490.32		
Course: S 88–38–54 W	Distance: 577.74	Course: N 62–18–38 W	Distance: 31.77		
Course: S 88–25–57 W	Distance: 657.98	Course: N 00–14–56 E	Distance: 1308.25		
Course: N 77–48–48 W	Distance: 47.05	Course: N 42–16–38 E	Distance: 955.47		
Course: N 63–43–37 W	Distance: 22.82	Course: N 47–58–39 E	Distance: 1869.68		
Course: S 28–04–58 W	Distance: 21.35	Course: N 55–35–10 E	Distance: 453.84		
Course: S 73–43–41 W	Distance: 868.12	Course: N 89–08–50 E	Distance: 1830.09		
Course: S 73–08–47 W	Distance: 873.88	Course: S 11–59–19 E	Distance: 648.68		
Course: N 79–28–51 W	Distance: 238.77	Course: N 76–40–23 E	Distance: 5468.70		
Course: N 83–23–48 W	Distance: 2400.13	Course: S 67–34–38 E	Distance: 1335.72		
Course: N 53–05–27 W	Distance: 178.84	Course: S 29–54–39 W	Distance: 1192.66		
Course: S 87–05–20 W	Distance: 539.50	Course: S 05–19–44 W	Distance: 4152.31		
Course: N 80–00–49 W	Distance: 300.82	Course: S 05–13–45 E	Distance: 358.08		
Course: S 89–38–08 W	Distance: 697.23	Course: S 11–29–21 E	Distance: 111.31		
Course: N 74–48–58 W	Distance: 781.07	Course: S 25–08–30 E	Distance: 54.39		
		Course: S 36–14–48 E	Distance: 255.03		

Perimeter: 33303.51 Area: 57009783.95 1308.78 acres
Mapcheck Closure – (Uses listed courses & COGO Units)
Error of Closure: 0.03 Course: N 37–29–07 W
Precision 1: 1823654.78

Legend

- FOUND ALIQUOT MONUMENT AS DESCRIBED
- SET #5 REBAR w/ 3 1/4" CAP "FLATIRONS SURV. LS 18408"

NORTH
GRAPHIC SCALE
(IN FEET)
1 inch = 600 ft.

Depositing Certificate

DEPOSITED THIS _____ DAY OF _____, 200___ AT _____ O'CLOCK ___M.
IN BOOK _____ OF LAND SURVEY PLATS AT PAGE _____
RECEPTION NUMBER _____
OF THE RECORDS OF JEFFERSON COUNTY, COLORADO.

SIGNED: _____
TITLE: _____
BY: _____

Notes

1) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT AND DOES NOT CONSTITUTE A TITLE SEARCH BY FLATIRONS, INC. TO DETERMINE TITLE OR EASEMENTS OF RECORD. THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, BUILDING SETBACK LINES, RESTRICTIVE COVENANTS, SUBDIVISION RESTRICTIONS, ZONING OR OTHER LAND–USE REGULATIONS, AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

2) ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE 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.

3) THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE OFFICE OF OFFICE OF LEGACY MANAGEMENT, U.S. DEPARTMENT OF ENERGY, ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE, NAMED IN THE STATEMENT HEREON. SAID STATEMENT DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS STATEMENT BY THE SURVEYOR NAMING SAID PERSON.

4) BASES OF BEARINGS: CONSIDERING THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9 AS ASSUMED TO BEAR S00°04'20"E BETWEEN A FOUND 4" BRASS CAP IN CONCRETE STAMPED U.S. ARMY–WAR DEPARTMENT–CORPS OF ENGINEERS, NW 1/4, SW 1/4 SEC. 10, POT 2W, 1951 AT THE EAST QUARTER CORNER OF SAID SECTION 9 AND A FOUND 4" BRASS CAP IN CONCRETE STAMPED U.S. ARMY–WAR DEPARTMENT–CORPS OF ENGINEERS, SE COR, SEC. 9, PT1, 1951 AT THE SOUTHEAST CORNER OF SAID SECTION 9 WITH ALL BEARINGS CONTAINED HEREON BEING RELATIVE THERETO:

5) ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT AND/OR BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE C.R.S. SEC. 18–4–508.

6) THIS SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.

7) AT THE REQUEST OF THE CLIENT, NO EASEMENTS ARE SHOWN HEREON.

8) DATES OF FIELD WORK: 11/10/2006 TO 11/13/2006.

Surveyor's Statement

I, JOHN B. GUTTON, A DULY REGISTERED LAND SURVEYOR, LICENSED IN THE STATE OF COLORADO, HEREBY STATE FOR AND ON BEHALF OF FLATIRONS SURVEYING, INC., TO OFFICE OF LEGACY MANAGEMENT, U.S. DEPARTMENT OF ENERGY, ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE, DEPARTMENT OF ENERGY, THAT A SURVEY OF THE ABOVE DESCRIBED PREMISES WAS CONDUCTED BY ME OR UNDER MY RESPONSIBLE CHARGE ON NOVEMBER 13, 2006; THAT SAID SURVEY AND THE ATTACHED PRINT HEREON WERE MADE IN SUBSTANTIAL ACCORDANCE WITH C.R.S. SEC. 38–51–108 "LAND SURVEY PLAT".

JOHN B. GUTTON — DATE
COLORADO P.L.S. #18408
PRESIDENT, FLATIRONS, INC.

FSI JOB NO. 06–51,569

Land Survey Plat
PREPARED FOR
OFFICE OF LEGACY MANAGEMENT, U.S. DEPARTMENT OF ENERGY, ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE
SHEET 1 OF 1

DRAWN BY: B.Swift	Flatirons, Inc. - Surveying & Engineering	BDS	11/21/06
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FSI JOB NO. 06–51,569	300 FOURTH AVENUE LONGMONT, CO 80501 PH: (303) 772–1721 FAX: (303) 772–1759 Established 1982	REVISIONS	
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