



### Mineral Rights Notification Application Requirements

Applicant: Alan Brass and Benjamin J. Oliver

Project Name: Brass Oliver Addition No. 1

City File Number(s): \_\_\_\_\_

The Applicant certifies that he has complied with the applicable provisions of the City of Colorado Springs Mineral Estate Owner Notification process. The Applicant certifies that the records, including filed requests for surface development notification forms, of the El Paso County Tax Assessor and the Clerk and Recorder were examined. The Applicant further certifies the following:

<input checked="" type="checkbox"/>	<p><b>Yes, a separate mineral estate owner(s) was identified and the Applicant certifies that</b></p> <ol style="list-style-type: none"> <li>The mineral estate owner(s) was notified by certified mail, return receipt requested, or by a nationally recognized overnight courier of the initial City Planning Commission public hearing not less than thirty (30) days prior to the hearing;</li> <li>Has attached a listing of the Mineral Estate Owner(s) with mailing addresses, and</li> <li>Has attached a copy of the notice that was mailed. Said notice contained the time and place of the public hearing, the nature and subject of the hearing, legal description of the property and the name of the applicant.</li> </ol>
<input type="checkbox"/>	<p><b>Yes, a separate mineral estate owner(s) was identified, but the Applicant certifies that</b></p> <ol style="list-style-type: none"> <li>No mailing addresses of record(s) are known;</li> <li>they have attached a listing of the Mineral Estate Owner(s); and</li> <li>no further action was taken.</li> </ol>
<input type="checkbox"/>	<p><b>No separate mineral estate owner(s) were identified and no further action was taken.</b></p>

Pursuant to 24-65.5-103(4), C.R.S., I certify that above is true and accurate and that I have acted in good faith to comply with the applicable provisions of the City of Colorado Springs Mineral Estate Owner Notification process.

Dated this 25 day of January, 2023.

Kristin Allers  
 \_\_\_\_\_  
 Signature

**Notary Certificate:**

"STATE OF COLORADO )  
 )  
 COUNTY OF ~~EL PASO~~ Douglas ) sis

The foregoing certification was acknowledged before me this 25<sup>th</sup> day of January, 2023 by Kristin Allers  
 Witness my hand and official seal.

My Commission Expires: 06-22-2024

[Signature]  
 \_\_\_\_\_  
 Notary Public

**KARI WETZIG-SYE**  
**NOTARY PUBLIC**  
**STATE OF COLORADO**  
**NOTARY ID 20204021499**  
**MY COMMISSION EXPIRES 06/22/2024**



LAND SERVICES  
OIL AND GAS TITLE

P.O. Box 336337  
Greeley, CO 80633-0606

Phone (970) 351-0733  
Fax (970) 351-0867

**LIST OF MINERAL OWNERS AND MINERAL LESSEES for NOTIFICATION**  
(Benjamin J. Oliver and Alan Brass; Eric Davis Property)

Subject Property:

Township 13 South, Range 65 West, 6th P.M., El Paso County, CO  
Sections 6: Those tracts of land being more particularly described on Exhibit A,  
being a part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$

Zeren Land Services, an oil and gas title research company, states that to the best of its knowledge the following is a true and accurate list of the names and addresses of the mineral owners and mineral leasehold owners entitled to notice under the Surface Development Notification Act, Colorado Revised Statutes §24-65.5-101, et seq. in the Subject Property based upon the records of the El Paso County Assessor and Clerk Recorder as of November 14, 2022 at 7:45 a.m.:

**Mineral Owners:**

Patrick and Lisa Clark Joint Revocable Living Trust  
6077 S Brook Forest Road  
Evergreen CO 80439-7136

Roy L. Jennings and Maurice Clogg  
DBA Jennings & Clogg  
6006 N Ross Ave.  
Oklahoma City OK 73112-7020

Mary Susan Endacott  
503 Vista Del Lago Dr.  
Huffman TX 77336

**Mineral Leasehold Owners:**

None (entitled to notice)

Dated this 16<sup>th</sup> day of November, 2020.

ZEREN LAND SERVICES

  
By: Cynthia A. E. Zeren, CPL  
Certified Professional Landman #4044

**EXHIBIT A**

**7830 BLACK FOREST ROAD**

Township 13 South, Range 65 West, 6th P.M., El Paso County, CO

Sections 6: That portion of the NE¼SE¼, being described as follows: Commencing at the Southeast Quarter of the NE¼SE¼, thence westerly on the South Line thereof 30 feet; thence northerly parallel with the East line thereof 305 feet to the Point of Beginning of the tract to be described hereby; thence westerly parallel with the South line thereof 426.3 feet; thence Northerly parallel with the West line thereof 200 feet; thence Easterly parallel with the South line thereof 426.82 feet to intersect a line drawn northerly from the Point of Beginning and parallel with the East line of the NE¼SE¼; thence southerly on said parallel line 200 feet to the Point of Beginning.

EXCEPT that portion conveyed to the Woodmen Road Metropolitan District by instrument recorded December 20, 2002 at Reception No. 202227779.

**7770 BLACK FOREST ROAD**

**PARCEL A**

Township 13 South, Range 65 West, 6th P.M., El Paso County, CO

Sections 6: That portion of the NE¼SE¼,

Commencing at the Southeast corner of said NE¼SE¼ and run Westerly on said South line thereof, a distance of 30 feet to the POINT OF BEGINNING of the tract to be described:

Continue this last mentioned course Westerly on said South line a distance of 825.5 feet; thence angle right and run Northerly parallel with the West line of said NE¼SE¼ of said Section 6, a distance of 305 feet; thence angle right 87°39'30" Easterly a distance of 234.30 feet; thence angle right and run Southerly 140 feet parallel to said West line; thence angle left 77.5 feet parallel to the South line thereof; thence angle right parallel to the West line thereof 80 feet; thence angle left 514.5 feet parallel to the South line of said NE¼SE¼; thence angle right 85 feet parallel to the East line of said NE¼SE¼ to the POINT OF BEGINNING; EXCEPT that portion conveyed to the Woodmen Road Metropolitan District by instrument recorded December 20, 2002 at Reception No. 202227779.

**PARCEL C**

Township 13 South, Range 65 West, 6th P.M., El Paso County, CO

Sections 6: The East 544.5 feet of the North 80 feet of the South 165 feet of the NE¼SE¼, EXCEPT the Easterly 30 feet thereof for road purposes, County of El Paso, State of Colorado; EXCEPT that portion conveyed to the Woodmen Road Metropolitan District by instrument recorded December 20, 2002 at Reception No. 202227779.

NOTE: Parcel B is a right-of-way and not herein described.

At the request of Ireland Dean Designs, LLC ("Client"), Zeren Land Services, an independent land consulting firm, has prepared the foregoing list of mineral estate owners entitled to notice under the Surface Development Notification Act, Colorado Revised Statutes §24-65.5-101, et seq.

Zeren Land Services, searched (i) the records of the El Paso County Assessor relating to the Subject Property for persons identified therein as mineral estate owners, and (ii) the records of the El Paso County Clerk and Recorder relating to the Subject Property for recorded requests for notification in the form specified in the Surface Development Notification Act. The results of these searches are set forth above in this List of Mineral Owners Entitled to Notice. At the date of the search, the records of the Assessor and the Clerk and Recorder were posted through November 14, 2022 at 7:45 A.M.

Zeren Land Services, agreed to prepare this listing for the Client only if the Client agreed that the liability of Zeren Land Services, would be strictly limited to the amount paid by the Client for such services. Zeren Land Services, makes no warranty, express, implied or statutory, in connection with the accuracy, completeness or sufficiency of such listing of mineral estate owners. In the event the listing proves to be inaccurate, incomplete, insufficient or otherwise defective in any way whatsoever or for any reason whatsoever, the liability of Zeren Land Services, shall never exceed the actual amount paid by Client to Zeren Land Services, for the listing.

In order to induce Zeren Land Services, to provide such services, Client further agreed to indemnify and hold Zeren Land Services, its managers, members and employees, harmless from and against all claims by all persons (including, but not limited to Client) of whatever kind or character arising out of the preparation and use of each such listing of mineral estate owners, to the extent that such claims exceed the actual amount paid to Client by Zeren Land Services, for such listing. Client specifically intends that both the foregoing limitation on liability and foregoing indemnification shall be binding and effective without regard to the cause of the claim, inaccuracy or defect, including, but not limited to, breach of representation, warranty or duty, any theory of tort or of breach of contract, or the fault or negligence of any party (including Zeren Land Services) of any kind or character (regardless of whether the fault or negligence is sole, joint, concurrent, simple or gross). Client's use of this listing evidences Client's acceptance of, and agreement with, this limitation on liability and the indemnification.

Date: November 16, 2020

ZEREN LAND SERVICES

By:   
Cynthia A. E. Zeren, as President