

Form 3025-14
(August 1982)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

RIGHT-OF-WAY GRANT/TEMPORARY USE PERMIT

County of Montrose
District

Section Number
C-38362

1. A right-of-way (grant) is hereby granted pursuant to:

- a. The National Federal Land Survey and Management Act of October 21, 1976 (50 Stat. 2776)
45 U.S.C. 1721b;
- b. Section 28 of the Mineral Leasing Act of 1920 as amended (30 U.S.C. 1802)
- c. Other (describe) _____

2. Name of interest

River Green Property Owners Association and

- a. by the instrument, its date 8 Central Basin Development Company rec-38362
high, its contents, terms, conditions, and whether it is ACCESS ROAD
on public lands (or Federal land or MLA Right-of-way; describe as follows)

T. 14 S., R. 56 W., 6th Principal Meridian, Colorado
Sec. 21 58554842

- b. The right-of-way in point hereof herein is 100 feet wide, 100 feet long ~~and 557.45 feet long by 60 feet wide~~
~~for part and 557.45 feet long by 60 feet wide~~ for part and 557.45 feet long by 60 feet wide
for the remaining part as shown on the approved right-of-way map.
- c. This agreement shall terminate on March 12, 2022 37 years from its effective date unless, prior thereto, it is duly renewed,
extended, amended, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.
- d. This instrument, if any may not be assigned, transferred, its right-of-way or terms, shall be subject to the regulations existing at the time of renewal and
any other laws, rules, conditions that are applicable or may become necessary to protect the public interest.
- e. Notwithstanding any provision of this instrument, or any related instrument, or any other law, rule, regulation, or term of any other provision of this instrument,
to the extent applicable, any provision of this instrument shall be binding on the holder, its successors, or assigns, with the exception of the obligation
to pay (including accruing thereon before or on receipt of the expiration or prior termination of the grant).

3. Rent: None Exempt

Noted in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management for market value rental as determined by the authorized officer unless specifically exempted from such payment by regulation. Provide, however, that the rental may be adjusted by the authorized officer, as may be necessary, to reflect changes in the fair market rental value as determined by the application of usual business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices.

4. Terms and Conditions:

- a. The grant or permit is subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations parts 2820 and 2821.
- b. Upon grant termination by the authorized officer, all improvements shall be removed from the subject lands within 60 days, or within an extended period as provided in paragraph (d)(1) or as directed by the authorized officer.
- c. Each grant issued pursuant to the authority of paragraph (1)(a) or (1)(b) of 20 years or more shall, at its termination, be reviewed by the authorized officer by the end of the 25th year and a regular renewal thereafter (i.e., to extend all years). Provided, however, such a right-of-way or permit granted herein may be renewed at any time deemed necessary by the authorized officer.
- d. The stipulations, plans, maps, or designs set forth in Paragraph A 5 B, dated February 14, 1990, attached hereto, are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.
- e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or permit shall constitute grounds for suspension or termination thereof.
- f. The holder shall perform all obligations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.

Enclosures:

- Standard Stipulations, Exhibit A
- Site Plot, Exhibit B

IN WITNESS WHEREOF, the undersigned agree to the terms and conditions of this right-of-way grant or permit:

Noel E. Andrews 3/1/90
River Green Property Owners Assoc./Date

President River Green Property
Owners Association
Date of Authorization

Michael Koyne 3/1/90
Crested Butte Development Company/Date

Vice President
(Title)

Tom H. Washman
Realty Specialist

March 13, 1990
(Effective Date of Grant)

Standard Stipulations.

1. The holder shall immediately bring to the attention of the authorized officer any and all antiquities or other objects of historic or prehistoric value or artifacts discovered as a result of operations under this right-of-way grant. The holder shall immediately suspend all activities in the area of the object and shall leave such discoveries intact until told to proceed by the authorized officer. Approval to proceed will be based upon evaluation of the cultural significance of the object. Evaluation shall be by a qualified professional selected by the authorized officer from a Federal agency insofar as practicable. When not practicable, the holder shall bear the cost of the services of a non-Federal professional. The holder shall follow the mitigation requirements set forth by the authorized officer concerning protection, preservation or disposition of any sites or material discovered. In those situations where the authorized officer determines that data recovery and/or salvage operations are necessary, the holder shall bear the cost of such data recovery and/or salvage operations.

2. The holder shall comply with the applicable Federal and State laws and regulations concerning the use of pesticides (i.e., insecticides, herbicides, fungicides, rodenticides, and other similar substances) in all activities and/or operations under this right-of-way grant. The holder shall obtain from the authorized officer approval of a written plan prior to the use of such substances. The plan must provide for the type and quantity of material to be used; the pest, insect, fungus, etc., to be controlled; the method of application, the location for storage and disposal of containers, and other pertinent information that the authorized officer may require. The plan should be submitted no later than December 1 of any calendar year to cover the proposed activities for the next fiscal year.

If need for emergency use of pesticides is identified, the use must be approved by the authorized officer. The use of substances on or near the right-of-way area shall be in accordance with its registered uses and without other limitations if the Secretary of the Interior has not imposed restrictions. A pesticide shall not be used if the Secretary has prohibited its use. Pesticides shall not be permanently stored on Federal lands authorized for use under this right-of-way grant.

3. No burning of trash, litter, trees, brush or other vegetative material generated by clearing the right-of-way shall be allowed under this grant.

4. The holder shall comply with applicable State standards for public health and safety, environmental protection and siting, construction, operation and maintenance, if these State standards are more stringent than Federal standards for similar projects.

5. In the construction, operation, maintenance and termination of the facilities authorized by this grant, the holder shall not discriminate against any employee or applicant for employment because of race, creed, color, sex, or national origin. All subcontractors shall include an identical provision.

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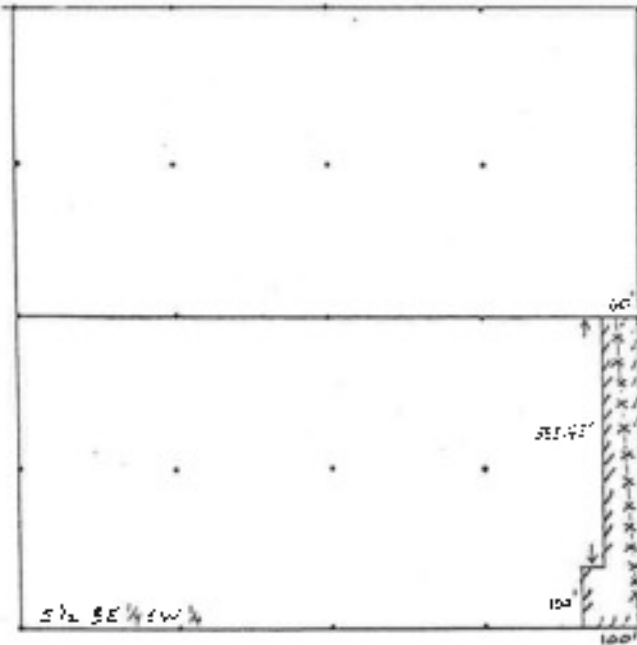
EXHIBIT B

Serial Number

C-22362



SITE PLOT

Township 11 S, Range 86 W, 6th Prize Meridian



LAND OWNERSHIP KEY AND ADDITIONAL TOPOGRAPHIC SYMBOLS

Scale: 1" = 330'

	Existing fence		
	3/4 Boundary		

OTHER DATA



SITE PLOT

Form BLM-2 (January 1975)