



State Documentary Fee
\$300.00

Special Warranty Deed
(Pursuant to 38-30-115 C.R.S.)

THIS DEED, made on March 2, 2015, by **STRATUS CROWN POINT, LLC, A COLORADO LIMITED LIABILITY COMPANY** Grantor(s), for the consideration of **(\$3,000,000.00) *** Three Million and 00/100 ****** dollars in hand paid, hereby sells and conveys to **BOONDOCKS PROPERTIES, LLC, A UTAH LIMITED LIABILITY COMPANY** Grantee(s), whose street address is 660 East Franklin, Suite 270, Meridian, ID 83642, the following real property in the County of Douglas, and State of Colorado, to wit:

LOT 4A, CROWN POINT FILING NO. 1, 20TH AMENDMENT, COUNTY OF DOUGLAS, STATE OF COLORADO

also known by street and number as: **VACANT LAND PARKER**

with all its appurtenances and warrants the title against all persons claiming under the Grantor(s), subject to general taxes and assessments for the year 2015 and subsequent years and those specific exceptions set forth in the attached "Exhibit A"

STRATUS CROWN POINT, LLC, A COLORADO LIMITED LIABILITY COMPANY




RICHARD DEAN, MANAGER

State of **COLORADO**)
) ss.
County of DENVER)

The foregoing instrument was acknowledged before me on this 2ND day of March, 2015, by **RICHARD DEAN AS MANAGER OF STRATUS CROWN POINT, LLC, A COLORADO LIMITED LIABILITY COMPANY**

Witness my hand and official seal.
My commission expires 5/25/2016



Notary Public

COLIN G. SNODY
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires 06/26/2018



EXHIBIT A

1. **TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN CROWN POINTE DEVELOPMENT GUIDE RECORDED OCTOBER 29, 1984 IN BOOK 545 AT PAGE 751 AND JANUARY 11, 1990 IN BOOK 892 AT PAGE 1016, AND AS AMENDED IN INSTRUMENT RECORDED SEPTEMBER 10, 2001 IN BOOK 2126 AT PAGE 1089.**
2. **TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN RIGHT OF WAY AND EASEMENT AGREEMENT RECORDED NOVEMBER 04, 1985 IN BOOK 604 AT PAGE 860.**
3. **ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE COTTONWOOD WATER AND SANITATION DISTRICT, AS EVIDENCED BY INSTRUMENTS RECORDED MAY 19, 1987, IN BOOK 721 AT PAGE 826 AND JANUARY 28, 1994 IN BOOK 1177 AT PAGE 899.**
4. **ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE CHERRY CREEK BASIN AUTHORITY, AS EVIDENCED BY INSTRUMENT RECORDED MAY 06, 1988, IN BOOK 790 AT PAGE 718.**
5. **TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN CERTIFICATE OF ORGANIZATION FOR THE E-470 PUBLIC HIGHWAY AUTHORITY RECORDED MAY 12, 1988 IN BOOK 792 AT PAGE 3 AND AMENDMENT RECORDED DECEMBER 19, 1995 IN BOOK 1307 AT PAGE 235.**
6. **TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH IN PERMANENT EASEMENT RECORDED SEPTEMBER 08, 1989 UNDER RECEPTION NO. 8920812.**
7. **TERMS, RESERVATIONS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS, INCLUDING BUT NOT LIMITED TO, ANY BENEFICIAL "REVERTER RIGHTS" AS SET FORTH IN SPECIAL WARRANTY DEED RECORDED SEPTEMBER 08, 1989 IN BOOK 872 AT PAGE 9 AND ASSIGNMENT RECORDED JULY 31, 2003 UNDER RECEPTION NO. 2003114947.**
8. **TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN DISTRICT COURT WATER DIVISION FINDINGS OF FACT RECORDED OCTOBER 17, 1989 IN BOOK 877 AT PAGE 768.**
9. **TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ANNEXATION ORDINANCE RECORDED JANUARY 11, 1990 IN BOOK 892 AT PAGE 1007 AND RE-RECORDED JULY 6, 1998 IN BOOK 1569 AT PAGE 1821 AND ANNEXATION MAP THERETO RECORDED JANUARY 11, 1990 UNDER RECEPTION NO. 9001001.**
10. **TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN CROWN POINTE CENTER, LTD. ANNEXATION AGREEMENT RECORDED JANUARY 11, 1990 IN BOOK 892 AT PAGE 1072.**
11. **TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ORDER APPROVING CANCELLATION OF THE 1985 AND 1988 SERVICE AGREEMENTS AND THE EXISTING 342 WATER AND SEWER TAPS RECORDED JANUARY 18, 1993 IN BOOK 1107 AT PAGE 1213.**
12. **TERMS, CONDITIONS AND PROVISIONS OF RULE AND ORDER, E-470 PUBLIC HIGHWAY AUTHORITY V CROWN POINTE CENTER, LTD., ET.AL., CIVIL ACTION #95CV448, RECORDED JUNE 3, 1998 IN BOOK 1564 AT PAGE 721.**

TERMINATIONS OF CERTAIN EASEMENTS RECORDED APRIL 2, 2004 UNDER RECEPTION NO. 2004033007 AND NOVEMBER 2, 2007 UNDER RECEPTION NO. 2007085756.

13. **RESTRICTIVE COVENANTS, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, BUT**

OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS CONTAINED IN INSTRUMENT RECORDED OCTOBER 17, 2000, IN BOOK 1908 AT PAGE 1913. ASSIGNMENTS OF DECLARANT'S RIGHTS AS DISCLOSED IN INSTRUMENTS RECORDED OCTOBER 17, 2000 IN BOOK 1908 AT PAGE 2090 AND APRIL 6, 2004 UNDER RECEPTION NO. 2004034257.

NOTE: RELEASE AND AMENDMENT RECORDED NOVEMBER 4, 2008 UNDER RECEPTION NO. 2008074230.

14. RESTRICTIVE COVENANTS, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS CONTAINED IN INSTRUMENT RECORDED OCTOBER 17, 2000, IN BOOK 1908 AT PAGE 2019.

NOTE: RELEASE AND AMENDMENT RECORDED NOVEMBER 4, 2008 UNDER RECEPTION NO. 2008074230.

FIRST SUPPLEMENT AND AMENDMENT RECORDED SEPTEMBER 10, 2001 IN BOOK 2126 AT PAGE 1239.
SECOND SUPPLEMENT AND AMENDMENT RECORDED JANUARY 3, 2003 UNDER RECEPTION NO. 2003000934.
DESIGNATION OF COMMON ELEMENTS RECORDED FEBRUARY 25, 2003 UNDER RECEPTION NO. 2003023639.
THIRD SUPPLEMENT AND AMENDMENT RECORDED SEPTEMBER 8, 2003 UNDER RECEPTION NO. 2003134048.
FOURTH SUPPLEMENT AND AMENDMENT RECORDED APRIL 6, 2004 UNDER RECEPTION NO. 2004034258 AND 2004034259, FIRST AMENDMENT TO FOURTH SUPPLEMENT RECORDED NOVEMBER 2, 2007 UNDER RECEPTION NO. 2007085747.
NOTICE STATEMENT CURRENT DECLARANT/HOLDER OF DECLARANT'S RIGHTS RECORDED NOVEMBER 12, 2010 UNDER RECEPTION NO. 2010078852.

DECLARATION RECORDED DECEMBER 7, 2012 UNDER RECEPTION NO. 2012094232.

15. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN TEMPORARY DRAINAGE EASEMENT AGREEMENT RECORDED OCTOBER 17, 2000 IN BOOK 1908 AT PAGE 2082.
16. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE CROWN POINT DEVELOPMENT PLAN MAP RECORDED SEPTEMBER 10, 2001 UNDER RECEPTION NO. 01083113.
17. CORRECTED DECLARATION OF RESTRICTIVE COVENANTS, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS CONTAINED IN INSTRUMENT RECORDED SEPTEMBER 10, 2001, IN BOOK 2126 AT PAGE 1251 AND RE-RECORDED NOVEMBER 29, 2001 IN BOOK 2184 AT PAGE 1724 AND SUPPLEMENTS THERETO RECORDED JANUARY 3, 2003 UNDER RECEPTION NO. 2003000935 AND JULY 31, 2003 UNDER RECEPTION NO. 2003114949.
18. RESTRICTIVE COVENANTS, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS CONTAINED IN INSTRUMENT RECORDED NOVEMBER 15, 2006, UNDER RECEPTION NO. 2006098006.

19. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES

**ON THE PLAT OF CROWN POINT F#1, 14TH AMENDMENT RECORDED OCTOBER 17, 2007
UNDER RECEPTION NO. 2007081477 AND CROWN POINT FILING NO. 1, 20TH AMENDMENT RECORDED
FEBRUARY 18, 2015 UNDER RECEPTION NO. 2015009597.**

- 20. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN CONSTRUCTION, OPERATION AND RECIPROCAL EASEMENT AGREEMENT RECORDED NOVEMBER 02, 2007 UNDER RECEPTION NO. 2007085754.**
- 21. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN DRAINAGE EASEMENT AGREEMENT RECORDED SEPTEMBER 09, 2008 UNDER RECEPTION NO. 2008062392.**
- 22. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN EASEMENT AGREEMENT RECORDED JANUARY 27, 2009 UNDER RECEPTION NO. 2009004599.**