

425898

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Nancy C. Cruz, Clerk & Recorder
Huerfano County, CO

03-10-2022 01:55 PM Recordings Fee \$28.00

After recording, please return to:

MASON LAW AND PLANNING GROUP, LLC
16055 Old Forest Point, Suite #301
Monument, Colorado 80132

Reserved for recording information

Special Warranty Deed

THIS DEED is made this 24th day of February 2022 between **JONATHAN HOTALING AND JENNIFER HOTALING**,

Grantors,

whose address is 3327 Springridge Circle, Colorado Springs, Colorado 80906, and

JJH PROPERTY 3, LLC,

Grantee,

whose address is 3327 Springridge Circle, Colorado Springs, Colorado 80906,

for and in consideration of Ten and no/100 Dollars (\$10.00), in hand paid, the receipt and sufficiency of which is hereby acknowledged, granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey, and confirm, unto the grantee(s) heirs and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of Huerfano, State of Colorado, described as follows:

TRACT B-3, L-2 AND L-3, CUCHARA MOUNTAIN PARK ESTATES (PANADERO DEVELOPMENT, FILING NO. 4), RECORDED MAP NO. 425, RECORDED AUGUST 2, 1999 AT RECEPTION NO. 340387, ACCORDING TO THE RECORDS OF THE CLERK AND RECORDER FOR HUERFANO COUNTY, COLORADO.

SEE EXHIBIT A ATTACHED BELOW

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversions and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto the grantee(s) heirs and assigns forever. And the grantor(s), for sell heirs and personal representatives, do covenant, grant, bargain, and agree to and with the grantee(s), heirs and assigns, that at the time of the ensealing and delivery of these presents, well seized of the premises above conveyed, good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and good right, full power and authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances, and restrictions of whatever kind or nature.

Special Warranty Deed

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EXHIBIT A
EXCEPTIONS TO TITLE

DECLARATION OF COVENANTS FOR CUCHARA MOUNTAIN PARK ESTATES, RECORDED AUGUST 2, 1999 AT RECEPTION No. 340388

9. TREASURES DEED FOR THE ROADS AT CUCHARA MOUNTAIN PARK ESTATES PANADERO DEVELOPMENT FILING No. 4, RECORDED AUGUST 16, 2017 AT RECEPTION No. 409771.

10. RESOLUTION No. 99-18 FOR CUCHARA MOUNTAIN PARK ESTATES – PANADERO DEVELOPMENT FILING No. 4, RECORDED AUGUST 4, 1999 AT RECEPTION No. 340418 AND RESOLUTION No. 99-19A, RECORDED AUGUST 4, 1999 AT RECEPTION No. 340420.

11. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING AND DRILLING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND OTHER IMMUNITIES RELATING THERETO.

12. ANY AND ALL EXISTING ROADS, HIGHWAYS, DITCHES, CANALS, RESERVOIRS, WELLS, RAILROAD TRACKS, PIPELINES, WATER LINES, POWER LINES, TELEPHONE LINES, AND ANY AND ALL RIGHT OF WAY EASEMENTS THEREFORE.

13. EASEMENTS GRANTED TO THE CUCHARAS SANITATION AND WATER DISTRICT BY DEEDS RECORDED FEBRUARY 15, 1985 IN BOOK 373 PAGE 319.

14. EASEMENT GRANTED TO CUCHARAS SANITATION AND EATER DISTRICT BY INSTRUMENT RECORDED FEBRUARY 14, 1985 IN BOOK 373 PAGE 318.

15. TERMS, CONDITIONS AND AGREEMENTS IN THE AGREEMENT REGARDING CUCHARA VALLEY RESORT WATER AND SEWER SYSTEMS RECORDED MARCH 22, 1990 IN BOOK 8M PAGE 568.

16. SPECIAL WARRANTY DEED REGARDING CUCHARA VALLEY RESORT WATER AND SEWER SYSTEMS RECORDED MARCH 22, 1990 IN BOOK 8M PAGES 565, 566 AND 567.

17. UNRECORDED LEASE TO THE LA VETA FIRE PROTECTION DISTRICT DATED JUNE 1, 1987 AFFECTING A PARCEL OF LAND 120 FEET BY 240 FEET IN THE NW1/4 OF SECTION 16, TOWNSHIP 31 SOUTH, RANGE 69 WEST OF THE 6TH P.M.

18. EXCEPTING AND RESERVING TO THE UNITED STATES A RIGHT OF WAY FOR DITCHES AND CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES ACT OF AUGUST 30, 1890 (26 STAT, 39; 43 U.S.C. 945) AS RESERVED IN PATENT RECORDED IN BOOK 379 PAGE 485.

19. EASEMENT TO U.S. WEST COMMUNICATIONS, INC. RECORDED JULY 26, 1994 IN BOOK 26M PAGE 16.

20. MASTER LAND USE ON MAP FILED DECEMBER 17, 1997 AS MAP NO. 405.

21. RESOLUTION 99-19-A, A RESOLUTION APPROVING THE PLAT OF CUCHARA MOUNTAIN PARK

- ESTATES, PANADERO SUBDIVISION FILING NO. 4, FILED AUGUST 4, 1999 AT RECEPTION NO. 340420.**
- 22. NOTES, RESTRICTIONS AND EASEMENTS AS SHOWN ON PLAT OF CUCHARA MOUNTAIN PARK ESTATES (PANADERO DEVELOPMENT FILING NO. 4) AND PANADERO DEVELOPMENT FILING 4A AS FILED AUGUST 2, 1999 AT RECEPTION NO. 340387, MAP NO. 425.**
- 23. PERPETUAL EASEMENT FOR UTILITIES CUCHARA PARTNERS, LTD ETAL FILED JANUARY 9, 2002 AT RECEPTION NO. 352165 FOR PANADERO FILING NO. 3.**
- 24. EASEMENT TO THE CUCHARAS SANITATION AND WATER DISTRICT RECORDED SEPTEMBER 13, 2004 AT RECEPTION NO. 364883.**
- 25. TERMS AND CONDITIONS OF THE SETTLEMENT AGREEMENT WITH THE CUCHARAS SANITATION AND WATER DISTRICT RECORDED SEPTEMBER 14, 2004 AT RECEPTION NO. 364899.**
- 26. RECEPTION OF USE OF PROPERTY FOR RECREATIONAL PURPOSES ONLY AS SHOWN IN DEED RECORDED AUGUST 2, 1999 AT RECEPTION NO. 340385 AS TO LOTS L-2 AND L-3.**
- 27. PERPETUAL EASEMENT RECORDED ON SPECIAL WARRANTY DEED FROM SKI CUCHARA, L.P., A TEXAS LIMITED PARTNERSHIP AND CUCHARA PARTNERS, LTD, RECORDED JULY 16, 1997 AT RECEPTION NO. 329792.**