

QUIT CLAIM DEED

THIS QUIT CLAIM DEED made this 14th day of April, 2007, between GYPSUM INVESTORS, LLC (hereinafter "Grantor"), and MERITAGE JFA GYPSUM, LLC a Colorado limited liability company, whose address is _____ (hereinafter "Grantee").

WITNESSETH:

That the Grantor, for and in consideration of Ten Dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has remised, released, sold, conveyed and QUIT CLAIMED, and by these presents does remise, release, sell, convey and QUIT CLAIM unto the Grantee, its successors and assigns, forever, all the right, title, interest, claim and demand which the Grantor has in and to the following described real property, together with improvements, if any, situate, lying and being in the County of Eagle and State of Colorado, described as follows:

A temporary nonexclusive emergency access and drainage easement as depicted on Exhibit A which shall traverse Parcel B as depicted on the Amended Exemption Plat for the Lehmann Parcels as recorded in the public records of Eagle County at Reception No. 200617646. The purpose of said easement is for emergency vehicle access as may be required under the Town of Gypsum's approval of the Stratton Flats Residential Development. The term of this easement shall last until such time as Grantor obtains a final plat from the Town of Gypsum depicting and thereafter constructs a permanent access road at approximately this location which provides similar access to Stratton Flats Residential Development. At the time of recordation of such final plat and construction of a permanent access road, this easement shall terminate and be vacated without further action by Grantor.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of the Grantor, either in law or equity, to the only proper use, benefit and behoof of the Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth above.

GYPSUM INVESTORS, LLC,
a Colorado limited liability company

By Robert B. Katz, Manager

[Notary Block on Next Page]

STATE OF Virginia,
COUNTY OF Fairfax) ss.

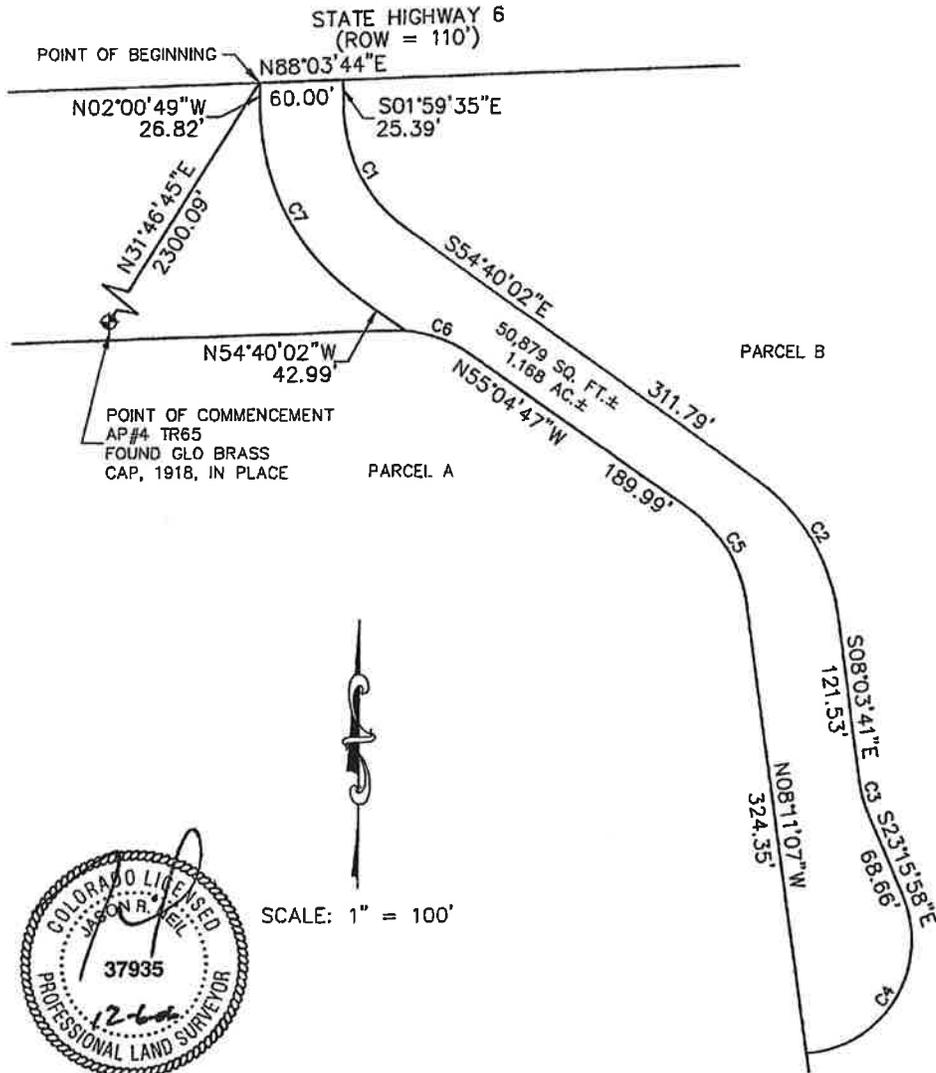
Acknowledged, subscribed and sworn to before me this 19th day of April, 2007,
by Richard B. Kabot as Manager of Gypsum Investors, LLC.

WITNESS my hand and official seal.

My Commission expires: Hope A. Fees
NOTARY PUBLIC
Commonwealth of Virginia
My Commission Expires 7/31/08

Hope A. Fees
Notary Public

EMERGENCY ACCESS AND DRAINAGE EASEMENT



SCALE: 1" = 100'

CURVE TABLE						
CURVE	RADIUS	LENGTH	DELTA	TANGENT	BEARING	CHORD
C1	108.00	95.28	50°32'48"	50.99	S29°23'37"E	92.22
C2	142.00	115.51	46°36'20"	61.16	S31°21'51"E	112.35
C3	70.00	18.58	15°12'17"	9.34	S15°39'50"E	18.52
C4	80.00	154.17	110°25'03"	115.14	S31°56'33"W	131.40
C5	100.00	81.85	46°53'39"	43.37	N31°37'57"W	79.58
C6	100.00	52.10	29°51'02"	26.66	N70°00'18"W	51.51
C7	168.00	149.07	50°50'19"	79.84	N29°14'52"W	144.22

HIGH COUNTRY ENGINEERING, INC.



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TOWN OF GYPSUM
 EAGLE COUNTY, CO

**EMERGENCY ACCESS
 & DRAINAGE EASEMENT**

DRAWN BY: JKA	SCALE: 1" = 100'
CHECKED BY: JRN	PROJECT NO: 2061052
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EMERGENCY ACCESS AND DRAINAGE EASEMENT DESCRIPTION

A PARCEL OF LAND SITUATED IN TRACTS 42, 61 AND 62 OF SECTION 4, TOWNSHIP 5 SOUTH, RANGE 85 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EAGLE, STATE OF COLORADO; SAID PARCEL BEING A PORTION OF PARCEL B, AMENDED EXEMPTION PLAT OF LEHMANN PARCELS ACCORDING TO THE PLAT THEREOF RECORDED JUNE 30, 2006 AS RECEPTION NO. 200617646 IN THE EAGLE COUNTY CLERK AND RECORDER'S OFFICE; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT ANGLE POINT #4 OF TRACT 65, A GLO BRASS CAP IN PLACE, THENCE N31°46'45"E A DISTANCE OF 2300.09 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF STATE HIGHWAY 6, ALSO BEING THE NORTHERLY BOUNDARY OF SAID PARCEL B, THE POINT OF BEGINNING; THENCE N88°03'44"E ALONG SAID SOUTHERLY RIGHT-OF-WAY A DISTANCE OF 60.00 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY S01°59'35"E A DISTANCE OF 25.39 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 108.00 FEET AND A CENTRAL ANGLE OF 50°32'48", A DISTANCE OF 95.28 FEET (CHORD BEARS S29°23'37"E A DISTANCE OF 92.22 FEET); THENCE S54°40'02"E A DISTANCE OF 311.79 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 142.00 FEET AND A CENTRAL ANGLE OF 46°36'20", A DISTANCE OF 115.51 FEET (CHORD BEARS S31°21'51"E A DISTANCE OF 112.35 FEET); THENCE S08°03'41"E A DISTANCE OF 121.53 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 70.00 FEET AND A CENTRAL ANGLE OF 15°12'17", A DISTANCE OF 18.58 FEET (CHORD BEARS S15°39'50"E A DISTANCE OF 18.52 FEET); THENCE S23°15'58"E A DISTANCE OF 68.66 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 80.00 FEET AND A CENTRAL ANGLE OF 110°25'03", A DISTANCE OF 154.17 FEET (CHORD BEARS S31°56'33"W A DISTANCE OF 131.40 FEET) TO A POINT ON THE EASTERLY BOUNDARY OF PARCEL A, OF SAID AMENDED EXEMPTION PLAT OF LEHMANN PARCELS; THENCE ALONG SAID EASTERLY BOUNDARY THE FOLLOWING FOUR (4) COURSES:

- 1) N08°11'07"W A DISTANCE OF 324.35 FEET
- 2) ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 100.00 FEET AND A CENTRAL ANGLE OF 46°53'39", A DISTANCE OF 81.85 FEET (CHORD BEARS N31°37'57"W A DISTANCE OF 79.58 FEET)
- 3) N55°04'47"W A DISTANCE OF 189.99 FEET
- 4) ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 100.00 FEET AND A CENTRAL ANGLE OF 29°51'02", A DISTANCE OF 52.10 FEET (CHORD BEARS N70°00'18"W A DISTANCE OF 51.51 FEET); THENCE LEAVING SAID EASTERLY BOUNDARY N54°40'02"W A DISTANCE OF 42.89 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 168.00 FEET AND A CENTRAL ANGLE OF 50°50'19", A DISTANCE OF 149.07 FEET (CHORD BEARS N29°14'52"W A DISTANCE OF 144.22 FEET); THENCE N02°00'49"W A DISTANCE OF 26.82 FEET TO THE POINT OF BEGINNING; SAID PARCEL CONTAINING 1.168 ACRES, MORE OR LESS.



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TOWN OF GYPSUM
 EAGLE COUNTY, CO

EMERGENCY ACCESS
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