

This Deed,

Made this 8th day of February in the year of our Lord one thousand nine hundred and seventy-one between DON E. KOLB and IDA M. KOLB

of the County of La Plata and State of Colorado, of the first part, and JOHN W. ZINK AND RUBY N. ZINK of the County of La Plata and State of Colorado, of the second part;

Witnesseth, That the said parties of the first part, for and in consideration of the sum of One Dollar and other considerations to the said parties of the first part in hand paid by the said parties of the second part, the receipt whereof is hereby confessed and acknowledged, have remised, released, sold and quit-claimed, and by these presents do remise, release, sell and quit-claim, unto the said parties of the second part, not in tenancy in common but in joint tenancy, the survivor of them, their assigns and the heirs and assigns of such survivors forever, all the following described ~~XXX~~ easement ~~XXX~~ situate, lying and being in the County of La Plata and State of Colorado, to-wit:

A non-exclusive easement and right of way for a road not to exceed thirty feet in width lying along the south boundary line of the following described tract of land:

All that part of the Northwest Quarter of the Southeast Quarter (NW/4SE/4) Section Twenty-eight (28) Township 36 North, Range 9 West, N. M. P. M., described as follows: BEGINNING at a point on the West right of way line of State Highway No. U. S. 550 whence the Southeast Corner of said Section 28 a stone properly marked bears S. 39°09' E., 2745.87 feet; thence N. 11°13' E., 375 feet along said right of way line; thence West to the West line of said Northwest Quarter of the Southeast Quarter (NW/4SE/4), (Approximately 980 feet) thence Southerly along said West line 367.84 feet; thence East to the said right of way line and the point of beginning (approximately 907 feet). Containing 9.783 acres, more or less. Meaning and intending hereby to convey the same property as described in deed recorded in Book 286 at Page 297 of the records of La Plata County, Colorado.

It is the intention of the parties of the first part to create an access roadway connecting old U. S. Highway No. 550 to the roadway commonly known as the Falls Creek road and to confirm unto parties of the second part the right to use said Falls Creek Road.

To Have and to Hold the Same, Together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, unto the said parties of the first part, either in law or equity, to the only proper use, benefit and behoof of the said parties of the second part, the survivors of them, their assigns and the heirs and assigns of said survivors forever.

In Witness Whereof, The said parties of the first part have hereunto set their hands and seals the day and year first above written. Signed, Sealed and Delivered in the Presence of *Christine S. Roberts* } Don E. Kolb } Seal, Ida M. Kolb } Seal, Seal,

STATE OF COLORADO, County of La Plata, } ss. I, R. E. Roberts, a Notary Public in and for said Polk County, ILLA. County, in the State aforesaid, do hereby certify that Don E. Kolb and Ida M. Kolb who personally known to me to be the persons whose name subscribed to the foregoing Deed, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument of writing as their free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and seal, this 13th day of February, A. D. 1972. My commission expires *7-12-75*, A. D. 19 *[Signature]* Notary Public

STATE DOCUMENTARY REC. FILED 3-22-72

Case 1982 54124W

