

High Country Title, Inc.
486 Lewis Street
P.O. Box 2400
Pagosa Springs, CO 81147
(970) 264-2128 (Tel)
(970) 264-2130 (Fax)

March 8, 2019

Josh Mack
Goldman, Robbins, Nicholson & Mack, P.C.
679 E. 2nd Ave., Suite C
P.O. Box 2270
Durango, CO 81302

Re: **Our File No. 201921647**
River bed of the San Juan River
Second Amended Plat of San Juan River Resort Subdivision Unit No. 2
Archuleta County, Colorado

Dear Josh:

Attached, please find our Title Commitment covering the captioned property. Also included is my chain of title and copies of the following instruments which either appear as exceptions on the Title Commitment or are included for informational purposes in anticipation of a Quiet Title Action:

1. Book 6, Page 95 – Patent
2. Book 6, Page 96 – Patent
3. Book 115, Page 395 – Warranty Deed
4. Book 115, Page 398 – Quitclaim Deed
5. Book 124, Page 198 – Warranty Deed
6. Book 126, Page 245 – Warranty Deed
7. Book 146, Page 451 – Plat Dedication
8. Book 159, Page 141 – CCRS
9. Book 161, Page 286 – Special Warranty Deed
10. Book 166, Page 630 – Warranty Deed
11. Rec. No. 124278 – Amended CCRS
12. Book 319, Page 344 – Amended CCRS
13. Book 319, Page 349 – Quitclaim Deed
14. Book 319, Page 350 – Warranty Deed
15. Rec. No. 93007615 – Warranty Deed
16. Rec. No. 1994005061 – Warranty Deed
17. Re. No. 20007509 – Corrective Warranty Deed
18. Rec. No. 21602261 – Bargain & Sale Deed (Correction)
19. Rec. No. 21602262 – Quitclaim Deed – Easement
20. Rec. No. 21802096 – Grant of Easement (River Access)
21. Rec. No. 21802097 – Grant of Easement (Bridge)
22. Second Amended Plat of San Juan River Resort Subdivision Unit No. 2 (PDF)

We have determined that title is vested in Lawyers Title of Pueblo, Inc., pursuant to Warranty Deed recorded December 29, 1970, in Book 124, Page 198, in which they acquired the unsubdivided land underlying San Juan River Resort Unit 2. As we discussed, it is my understanding from various other sources that Lawyers Title was acting as Trustee for S. Allen Gardner, James H. Stephens and Frank E. Griffiths.

Lawyers Title, after conveying various Lots within Unit 2, eventually conveyed what appears to be the remainder of the platted Lots, plus Tract A, to Frank E. Griffiths (Book 161, Page 630), who in turn conveyed the same description to San Juan River Resort, Inc. (Book 166, Page 630). The legal description does not include any mention of the river bed, nor any other common areas. Picnic Island comprises Lot 179 and was conveyed. One point to consider, however, would be the status of Rainbow Lake, which, like the river bed, was never mentioned in the deed out of Lawyers Title.

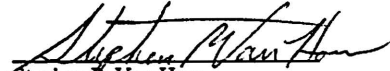
While neither Lawyers Title nor San Juan River Resort, Inc. executed the plats, Lawyers Title did execute the Plat Dedication at Book 146, Page 451.

Interestingly, the POA conveyed to the Metro District, both Picnic Island and Rainbow Lake (*two of the common areas mentioned, along with the River, in the Covenants at Book 159, Page 141*) at Rec. No. 20007509, and "All roads, bridges, rights-of-way and easements set forth on the official recorded plat..." at Rec. No. 21602261.

The Metro District then conveyed to the POA "All surface pedestrian and river access easements and rights-of-way as set forth on the plat..." at Rec. No. 21602262.

If you have any questions or require any further information, please feel free to contact me at the number set out above.

High Country Title, Inc.



Stephen F. Van Horn
Independent Contractor for
High Country Title, Inc.

Transaction Identification Data for reference only:

Issuing Agent: High Country Title Inc.

Issuing Office: 486 Lewis Street , Pagosa Springs CO 81147

Issuing Office's ALTA® Registry ID: 1053746

Issuing Office File Number: 201921647

Property Address: X San Juan River Resort, Pagosa Springs, Colorado 81147

SCHEDULE A

1. Commitment Date: 3/4/2019 at 7:45 A.M.
2. Policy to be issued:

	Premium
A. ALTA Owner's Policy (06/17/06), Amount \$100,000.00	\$709.00
Proposed Insured: San Juan River Resort Property Association, Inc.	
Certificate of Taxes Due	\$10.00
Endorsements:	\$0.00
Additional Charges:	\$
Total	\$ 719.00
3. The estate or interest in the land described or referred to in this Commitment is Fee Simple
4. The Title is at the Commitment Date vested in: Lawyers Title of Pueblo, Inc., Trustee
5. The Land is described as follows:

See Schedule C attached hereto.

For informational purposes only, the property address is: X San Juan River Resort, Pagosa Springs, Colorado 81147

Tracy Bunning

Authorized Officer or Agent

202

Member Number

FOR INFORMATION OR SERVICES IN CONNECTION WITH THIS COMMITMENT, CONTACT:

Tracy Bunning, 486 Lewis Street , Pagosa Springs CO 81147, Phone: 970-264-2128, Fax: 970-264-2130

Commitment Number: PC201903002862

This page is only a part of an ALTA® Commitment for Title Insurance issued by Attorneys Title Guaranty Fund, Inc. This Commitment is not valid without the Notice: the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its Issuing agent that may be in electronic form.

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SCHEDULE B, PART I
Requirements

All the following are the Requirements that must be met:

- a. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
- b. Pay the agreed amount for the estate or interest to be insured.
- c. Pay the premiums, fees, and charges for the Policy to the Company.
- d. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
- e. A Certification of Taxes due listing each taxing jurisdiction shall be obtained from the County Treasurer or an authorized agent (pursuant to Senate Bill 92-143, CRS 10-11-122).
- f. Quit Claim Deed must be sufficient to convey the fee simple estate or interest in the land described or referred to herein, to the proposed insured, Schedule A, item 2A. NOTE: C.R.S. §38-35-109(2) required that a notation of the purchaser's legal address, (not necessarily the same as the property address) be included on the face of the Deed to be recorded.
- g. In the alternative, file an Action to Quiet Title in a Colorado court having jurisdiction, naming the following parties as defendants and resulting in a Decree Quieting Title to subject property into the proposed insured.

1. Lawyers Title of Pueblo, Inc. (a dissolved corporation)
5600 Cox Road
Glenn Allen, CA 23060

2. Fidelity National Title Group, as successor by merger
with Lawyers Title Corporation
601 Riverside Avenue
Jacksonville, FL 32204

3. San Juan River Resort, Inc. a defunct Arizona Corporation
Address unknown

4. D. Allen Gardner
Address unknown

5. James H. Stephens
Address unknown

6. Frank E. Griffiths
Address unknown.

Note: If the sales price of the subject property exceeds \$100,000.00, the seller shall be required to comply with the disclosure or withholding provisions of C.R.S. §39-22.604.5 (non-resident withholding).

Note: Effective September 1, 1997, C.R.S. §30-10-406 requires that all documents received for recording or filing in the clerk and recorder's office shall contain a top margin of at least one inch and a left, right and bottom margin of at least one-half inch. The clerk and recorder may refuse to record or file any document that does not conform.

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Note: All conveyances (deeds) subject to the documentary fee submitted to the county clerk and recorder for recordation must be accompanied by a Real Property Transfer Declaration. This Declaration must be completed and signed by the grantor (seller) or grantee (buyer).

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