City and County of Broomfield, Colorado

CERTIFICATE OF NOTICE TO MINERAL ESTATE OWNER OF SEVERED MINERAL ESTATES

The undersigned is the Surface Owner, as defined in section 10-11-123(1)(d), C.R.S., of the Surface Estate, as defined section 10-11-123(1)(c), C.R.S., for which an application for development has been submitted to the City and County of Broomfield, Colorado, for one or more of the following land use actions: preliminary or final plat, PUD plan or amendment to a PUD plan, site development plan or amendment to a site development plan, zoning, rezoning, or use permitted by special review. The name of the application for development is as follows:

House Bill 01-1088 concerning notifications regarding severed mineral rights is available upon request at the Planning Department or on the City's web site (ci.broomfield.co.us). The undersigned has read and fully understands the requirements of House Bill 01-1088 regarding the notification requirements for severed mineral estates.

The undersigned does hereby certify to the City and County of Broomfield, Colorado, that the Surface Owner and Applicant for the above named application for development has fully complied with the thirty-day notice requirement to the Mineral Estate Owner as required is section 24-65.5-103(1), C.R.S.

The undersigned understands that compliance with the **thirty-day** notice requirement to Mineral Estate Owner is a condition of approval for the above named application for development.

By pl	acing an "	X" in the bo	ox, the unde	ersigned o	certifies to	the City and	d County	of Broomfie	eld, Colorado	, that
the Mineral	Estate has	not been s	severed fror	n the Sur	face Esta	te for the abo	ove name	d developm	nent: 🗖	
Date:			•							
				SURFACE OWNER AND API				Γ		
STATE OF C)ss.								
The	foregoing	instrument				me this		of	20	_ by
WITN	ESS my ha	and and offici	ial seal.							
	(SEAL)		Nota	ary Public			-			

My commission expires:

24-65.5-103 Notice requirements for Mineral Estate Owners.

- (1) NOT LESS THAN THIRTY DAYS BEFORE THE DATE SCHEDULED FOR THE INITIAL PUBLIC HEARING BY A LOCAL GOVERNMENT ON AN APPLICATION FOR DEVELOPMENT, THE APPLICANT SHALL SEND NOTICE, BY FIRST CLASS MAIL, TO:
 - (a) THE MINERAL ESTATE OWNER. SUCH NOTICE SHALL CONTAIN THE TIME AND PLACE OF THE INITIAL PUBLIC HEARING, THE NATURE OF THE HEARING, THE LOCATION OF THE PROPERTY THAT IS THE SUBJECT OF THE HEARING, AND THE NAME OF THE APPLICANT.
 - (b) THE LOCAL GOVERNMENT CONSIDERING THE APPLICATION FOR DEVELOPMENT. SUCH NOTICE SHALL CONTAIN THE NAME AND ADDRESS OF THE MINERAL ESTATE OWNER.
- (2) (a) THE APPLICANT SHALL IDENTIFY THE MINERAL ESTATE OWNER BY EXAMINING THE RECORDS IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF THE COUNTY IN WHICH THE REAL PROPERTY IS LOCATED. NOTICE SHALL BE SENT TO THE MINERAL ESTATE OWNER IF THE RECORDS IN THE OFFICE OF THE COUNTY CLERK AND RECORDER ESTABLISH:
 - (I) THE IDENTITY OF THE OWNER OF THE MINERAL ESTATE; OR
 - (II) THAT AN APPLICABLE REQUEST FOR NOTIFICATION FORM PURSUANT TO SUBSECTION 3 OF THIS SECTION IS OF RECORD; OR
 - (III) THAT THE MINERAL ESTATE OWNER HAS RECORDED AN INSTRUMENT SATISFYING ANY APPLICABLE DORMANT MINERAL INTEREST ACT.
 - (b) IF SUCH RECORDS DO NOT IDENTIFY ANY MINERAL ESTATE OWNERS, THE APPLICANT SHALL BE DEEMED TO HAVE ACTED IN GOOD FAITH AND SHALL NOT BE SUBJECT TO FURTHER OBLIGATIONS UNDER THIS ARTICLE. THE APPLICANT SHALL NOT BE LIABLE FOR ANY ERRORS OR OMISSIONS IN SUCH RECORDS.
- (3) A MINERAL ESTATE OWNER OR MINERAL ESTATE OWNER'S AGENT MAY FILE IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF THE COUNTY IN WHICH THE REAL PROPERTY IS LOCATED A REQUEST FOR NOTIFICATION FORM THAT IDENTIFIES THE MINERAL ESTATE OWNER'S MINERAL ESTATE AND THE CORRESPONDING SURFACE ESTATE BY PARCEL NUMBER AND BY SECTION, TOWNSHIP, AND RANGE NUMBERS. THE CLERK AND RECORDER SHALL FILE REQUEST FOR NOTIFICATION FORMS IN THE REAL ESTATE RECORDS FOR THE COUNTY AND SHALL ALSO KEEP AN INDEX OF REQUEST FOR NOTIFICATION FORMS.
- (4) LOCAL GOVERNMENTS SHALL, AS A CONDITION OF APPROVAL OF AN APPLICATION FOR DEVELOPMENT, REQUIRE THE APPLICANT TO CERTIFY THAT NOTICE HAS BEEN PROVIDED TO THE MINERAL ESTATE OWNER PURSUANT TO SUBSECTION (1) OF THIS SECTION.
- (5) A MINERAL ESTATE OWNER MAY WAIVE THE RIGHT TO NOTICE UNDER THIS SECTION IN WRITING TO THE APPLICANT.