

To all property and structure owners adjacent to the Vollmer Pit

What is This About?

This packet has been sent to you because you are an owner of man-made structures near a mining operation called the Vollmer Pit. The laws governing mining operations require that all mine operators have agreements with owners of structures within 200 feet of the disturbed land. All or part of your ownership has been determined to be within that 200 foot zone. Included are a couple of maps plus a Structure Agreement form which are provided for your signature. On the map you can find your property and see how your property is related to the 200 foot boundary. Please note, that when the satellite image was taken some homes had not yet been constructed, but the current structures have been confirmed by inspection on the ground.

A Structure Agreement is a legal document required by law that provides protection for you in the event the mine operator damages any permanent man-made structures on your property. It provides a legal document that you can use to force, if necessary, repair or replacement of your damaged property. The operator has already signed and notarized the agreement which requires the operator to do such repairs or replacements if damage occurs. It is in your best interest to enter into the agreement with the operator so if anything does happen you have easier legal recourse.

So, what is going to happen at the Vollmer Pit?

That is pretty simple - it is going to be reclaimed. The landowner is assuming the existing permit from Schmidt Construction and will be doing the reclamation according to their plans. Those plans are for residential development. To develop this permitted site, land will need to be disturbed in the development process. Thus the need for the Structure Agreement. The future reclamation plan for the pit itself will first need to be approved by the local government. That will then provide the foundation for the plan to be included in an amendment to the State of Colorado Reclamation Permit for the Vollmer Pit M-1983-035 issued by the Colorado Mined Land Reclamation Board.

What will eventually happen to this sand pit?

Once the development plan and the permit amendment are approved, work on actually reclaiming the site can begin. Although the plan is yet to be finalized, basically the pit will be reconfigured using on site material, primarily the berms on the north and south side which were placed in their current location to store this material for future backfill and reclamation of this pit, as well as excess soil and clean fill hauled in from other construction sites. For example, when a basement is excavated for a home the material removed often has to be hauled away as there is no place to use it on that development. As the landowner has other residential construction projects going on there is a good deal of excess material from those projects that can be deposited here to help create a suitable topography to build houses where the sand pit currently is. All of this work will be done in accordance with the plan approved in the amendment to the permit. Once that is done to the satisfaction of the Mined Land Reclamation Board, the permit will be concluded and actual development will begin. All of this may take a couple of years to complete.

(over)

What are the chances damage would occur to my property?

Extremely remote, considering the nature of the work done near the permit boundaries. With a mining operation excavation would be occurring and as that presents a hazard to adjacent property the structure agreements are primarily intended for that. But here, no excavations are proposed. In fact it is the opposite. Current steep slopes will be removed by filling the pit. Thus, the land will become more stable rather than potentially less stable as could occur with mining. Nevertheless, Structure Agreements are still needed simply because earthmoving will be occurring. The greatest hazard will be to fences that run along the boundary between this property. But even those will be several feet from where any actual earthmoving will occur. In essence, the chances of damages beyond the boundary fences are negligible.

What do I need to do?

Please complete the third page of the Structure Agreement. Make sure you have your signature notarized. That step is very important. Then return **one COPY** of the third page or a **COPY** of the entire Structure Agreement, if you prefer, to the following address. Please return the completed agreement within 30 days of the receipt of this form.

(NOTE: Please keep the original copy that you signed and return a copy of that. Originals returned will be sent back and a copy kept for our files and files at the Colorado Division of Reclamation, Mining and Safety.)

Mark Heifner
37 E. Colorado Avenue
Denver, CO 80210-3105

Thank you very much for your cooperation in this matter. The Legislature created this process in 1976 to protect property owners from possible adverse effects due to mining and the reclamation of mines. It is wise to protect yourself with this agreement, just in case.

If you have any questions please call Mark Heifner at 303-906-8096 (cell) or home office at 303-777-3371.

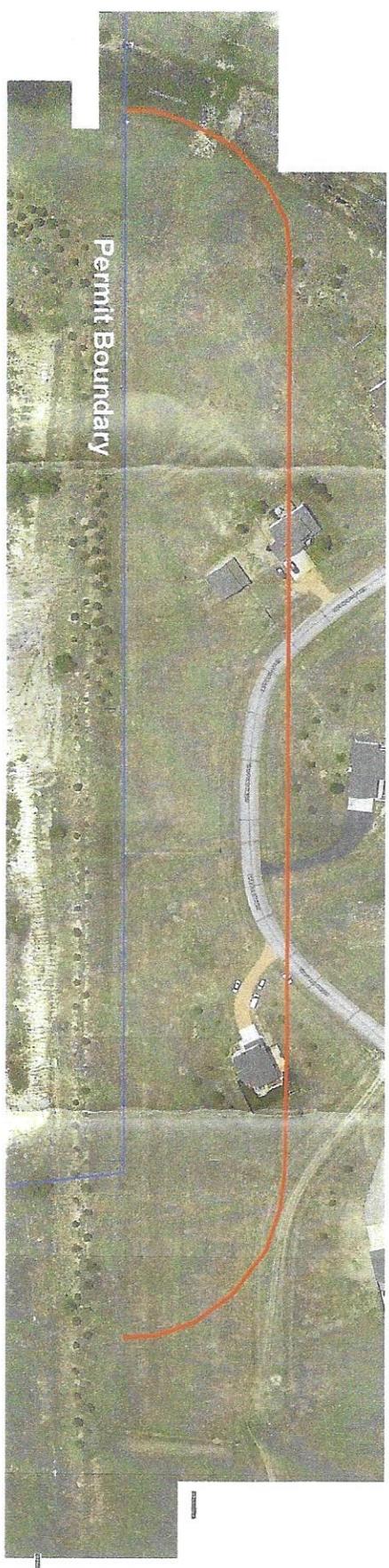
Structure Agreement Map - adjacent lands for consideration



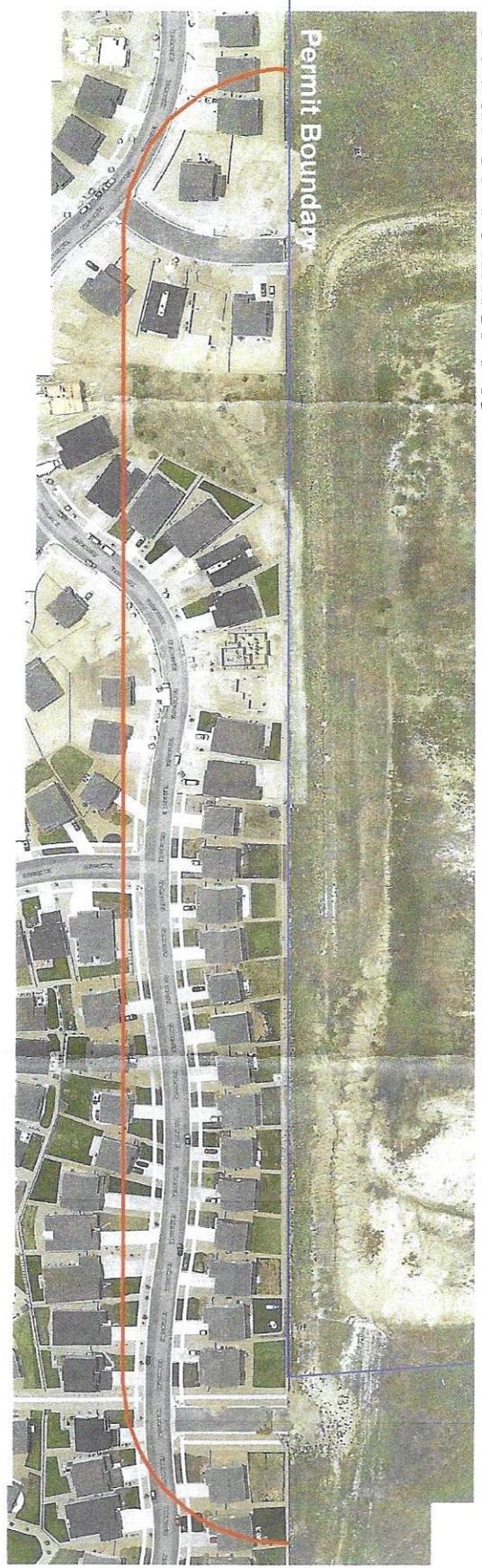
1" = 200'



- Vollmer Pit permit boundary
- 200' boundary for adjacent structure consideration



North of Vollmer Pit



South of Vollmer Pit