

POWER OF ATTORNEY FOR AND AUTHORIZING THE CREATION OF A SEWER
IMPROVEMENT DISTRICT

I, (we) Jeff York and Lindsay York as owner(s) of the real property described herein,

Property Address: **2204 Lyn Street**
Mesa County Tax Assessor Number: **2701-303-02-001**
Legal Description:

As evidenced by that certain Warranty Deed JT recorded at Reception # 2834876 in Mesa County, a parcel of land described as follows:

LOT 1 LYN SUBDIVISION SEC 30 1N 1W-2.503AC

(the Property) located in Mesa County, Colorado agree that, as a condition of City approval of a sewer variance that would allow construction of an individual sewage disposal system (ISDS), also known as on-site waste water treatment systems (OWTS), also known as septic tank and leach field, on the Property that I (we) for ourselves, our heirs, successors and/or assigns covenant and agree that I (we) have executed this a power of attorney in favor of the City Clerk of the City of Grand Junction authorizing and permitting the City Clerk to act on behalf of us our executors or assigns to sign a petition to form a special improvement district to construct a public sewer/sewer improvement district for the benefit of and to serve the Property.

This instrument shall be recorded and shall be deemed a covenant running with the land and binding all successors in interest.

The requirement that I (we) connect to public sewer as of the date of this document has, with the consent of the City Manager, been deferred to such time, if any, as a sewer improvement district or equivalent legal mechanism is formed, for and benefiting the Property, described herein.

The estimated cost of sewer improvements related to this property, in current dollars, is \$20,000 (twenty thousand dollars). The actual cost that I (we) our heirs, successors and/or assigns shall pay will be subject to time-related cost increases and the rates and policies established by the City in effect at the time of formation of the improvement district.

I (we) our heirs, successors and/or assigns as owners of the above described real property do hereby agree to participate in an improvement district, if one is formed, for the improvement of sewer service/elimination of ISDS/OWTS/septic systems, either as a larger scope of work or otherwise, to the then existing standards and do hereby designate and appoint the City Clerk of the City of Grand Junction as my (our) attorney in fact to execute any and all petitions, documents and instruments to

effectuate my (our) intention to participate in said improvement district for such purpose or to otherwise act in conformity with said general purpose and direction.

The City Clerk is empowered by me (us) to do and perform any and all acts which the City Clerk shall deem necessary, convenient or expedient to accomplish such improvements, construction or reconstruction as fully as I (we) might do if personally present.

This authority and the covenant created thereby shall be binding upon any and all successors in interest to the Property and shall not cease upon my death (the death of either or both of us) or the dissolution of marriage, partnership, corporation or other form of association which may hold title or claim an interest to the Property.

As a further covenant to run with the land, I (we) agree that in the event of a counter-petition to any proposed sewer improvement(s), improvement district, construction or reconstruction any signature on such petition purporting to affect the land herein described may be ignored and of no force and effect by the City of Grand Junction.

This power of attorney is not terminable; it shall terminate only upon the formation of an improvement district or other legal means of accomplishing the purpose described.

In witness whereof I (we) have signed executed and acknowledged this instrument this 14 day of February, 2020.

Jeff York Lindsay York
Signature(s)

Jeff York Lindsay York
Printed name(s)

STATE OF Colorado
COUNTY OF Mesa

The foregoing instrument was subscribed and sworn to before me this 14th day of February, 2020, by Jeff York and Lindsay York.

My Commission expires 8/20/2023.

Beverly M McIvor
Notary Public

