

**SPECIAL WARRANTY DEED**

**WILBUR C. VAN WINKLE and NONA F. VAN WINKLE**, Grantors, whose address is 2911 D Road, Grand Junction, Colorado 81504, for the consideration of Ninety Two Thousand Seven Hundred Seventy Eight and 00/100 Dollars (\$92,778.00), in hand paid, hereby sell and convey to **THE CITY OF GRAND JUNCTION**, a Colorado home rule municipality, whose legal address is 250 North 5<sup>th</sup> Street, Grand Junction, Colorado 81501, the following real property ("Property") in the County of Mesa and State of Colorado, to wit:

Two (2) tracts or parcels of land for Public Roadway & Utilities Right-of-Way purposes as described on **Exhibit A** and **Exhibit B**, which Exhibits are attached hereto and incorporated herein by reference,

with all its appurtenances; provided, however, that no water, water rights, ditches or ditch rights are conveyed by this deed.

Grantors warrant the title to the Property against all persons claiming under the Grantors, subject to the following matters:

See **Exhibit C**, attached hereto and incorporated herein by reference.

Signed this 21<sup>st</sup> day of October, 2005.

Wilbur C. Van Winkle  
Wilbur C. Van Winkle

Nona F. Van Winkle  
Nona F. Van Winkle

State of Colorado )  
County of Mesa )

The foregoing was acknowledged before me this 21 day of October, 2005, by Wilbur C. Van Winkle and Nona F. Van Winkle, Grantors.

My commission expires:  
Witness my hand and official seal.

Claudia D. Rossman  
Notary Public



WHEN RECORDED RETURN TO:  
H.C. PECK & ASSOCIATES, INC.  
ATTN: Michelle Spencer  
P.O. BOX 480306  
DENVER, CO 80248-0306  
Riverside Parkway Parcels F-61A Rev. & F-61B Rev2.

Rev. March 8, 2005  
February 24, 2005  
071514.402.1.0025EXHIBIT "A"PROPERTY DESCRIPTION  
Parcel F-61A Rev

A parcel of land being a portion of a tract of land described in Book 954 at Page 516, recorded January 18, 1971 in the Mesa County Clerk and Recorder's Office lying in the Northwest Quarter of the Northwest Quarter of Section 20, Township 1 South, Range 1 East of the Ute Principal Meridian, Mesa County, Colorado and being more particularly described as follows:

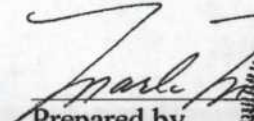
COMMENCING at the Northwest Corner of said Section 20 (a 2 1/2" MCSM brass cap illegible) whence the Northwest Corner of the Northeast Quarter of the Northeast Quarter of Section 19, Township 1 South, Range 1 East of the Ute Principal Meridian (a 3" MCSM brass cap #1110) bears N89°40'49"W a distance of 1319.51 feet;  
THENCE S82°27'50"E a distance of 262.20 feet to the POINT OF BEGINNING;

THENCE N00°06'19"E along the westerly line of said tract of land described in Book 954 at Page 516 a distance of 34.49 feet;  
THENCE N89°58'42"E along the northerly line of said Northwest Quarter of Section 20 a distance of 317.00 feet;  
THENCE S00°01'18"E along the easterly line of said tract of land described in Book 954 at Page 516 a distance of 25.27 feet;  
THENCE S88°25'49"W a distance of 161.63 feet;  
THENCE S78°49'41"W a distance of 35.95 feet;  
THENCE N89°01'18"W a distance of 120.25 feet to the POINT OF BEGINNING.

The above described parcel contains 9874 square feet, (0.227 Acres), more or less.

Currently being used as a roadway containing 8114 square feet (0.186 Acres) more or less, of the above described parcel is being used as a roadway.

Basis of Bearing: N89°58'01"E between Mesa County Local Coordinate System points Southwest Corner of Section 15 (2-1/2" Alumn. Cap in Monument Box Stamped: AES T1S R1W S16/S15/S21/S22 2002 PLS 24320) and the Southeast Corner of Section 15, (2-1/2" Brass Cap Stamped: COUNTY SURVEY MARKER 828-1 15/14/22/23), both in Township 1 South, Range 1 West Ute P.M.

  
Prepared by  
Date: 3/08  
Marla Mellor McComber, PLS 24961  
For and on behalf of Carter & Burgess, Inc.

Carter & Burgess, Inc. Carter & Burgess Architects/Engineers, Inc. Carter & Burgess Consultants, Inc.  
C&B Architects/Engineers, Inc. C&B Architects/Engineers, P.C. C&B Nevada, Inc.

Rev. June 15, 2005  
February 24, 2005  
071514.402.1.0025

EXHIBIT "B"

PROPERTY DESCRIPTION

Parcel F-61BRev2

A parcel of land being a portion of a tract of land described in Book 954 at Page 516, recorded January 18, 1971 in the Mesa County Clerk and Recorder's Office lying in the Northwest Quarter of the Northwest Quarter of Section 20, Township 1 South, Range 1 East of the Ute Principal Meridian, Mesa County, Colorado and being more particularly described as follows:

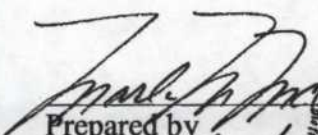
COMMENCING at the Northwest Corner of said Section 20 (a 2 1/2" MCSM brass cap illegible) whence the Northwest Corner of the Northeast Quarter of the Northeast Quarter of Section 19, Township 1 South, Range 1 East of the Ute Principal Meridian (a 3" MCSM brass cap #1110) bears N89°40'49"W a distance of 1319.51 feet;  
THENCE S09°23'38"E a distance of 263.52 feet to the northerly line of said tract of land described in Book 954 at Page 516, being the POINT OF BEGINNING;

THENCE S00°06'25"W a distance of 506.35 feet;  
THENCE S05°51'44"W a distance of 20.22 feet;  
THENCE S00°00'00"W a distance of 542.85 feet;  
THENCE S89°52'38"W along the southerly line of said tract of land described in Book 954 at Page 516 a distance of 42.46 feet;  
THENCE N00°06'21"E along the westerly line of said Northwest Quarter a distance of 1069.39 feet;  
THENCE N89°58'42"E along the northerly line of said tract of land described in Book 954 at Page 516 a distance of 43.49 feet to the POINT OF BEGINNING.

The above described parcel contains 45,648 square feet, (1.048 Acres), more or less.

Currently 13,678 square feet (0.314 Acres) more or less, of the above-described parcel is being used as a roadway.

Basis of Bearing: N89°58'01"E between Mesa County Local Coordinate System points Southwest Corner of Section 15 (2-1/2" Alumn. Cap in Monument Box Stamped: AES T1S R1W S16/S15/S21/S22 2002 PLS 24320) and the Southeast Corner of Section 15, (2-1/2" Brass Cap Stamped: COUNTY SURVEY MARKER 828-1 15/14/22/23), both in Township 1 South, Range 1 West Ute P.M.

  
Prepared by  
Date: 4/21/05  
Marla Mellor McOmber, PLS 24961  
For and on behalf of Carter & Burgess, Inc.



Carter & Burgess, Inc. Carter & Burgess Consultants, Inc.  
C&B Architects/Engineers, Inc. C&B Architects/Engineers, P.C. C&B Nevada, Inc.

## EXHIBIT C

1. Any discrepancies, conflicts in boundary lines, encroachments, easements, measurements, variations in area or content, and/or other facts which a correct survey and/or physical inspection of the Property would disclose.
2. Rights or claims of parties in possession not shown in the public records.
3. Easements or claims of easements not shown by the public records.
4. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof.
5. Water rights and claims or title to water, whether or not shown by the public records.
6. Any existing leases and/or tenancies.
7. All oil, gas and other mineral interests, including limestone, that have been, are, or may be owned or claimed by others.
8. Real property taxes due for the current year, and all future real property taxes and assessments.
9. Building and zoning regulations.
10. Inclusion of the Property within any special taxing district.
11. Terms, Conditions, Provisions, Agreements and Obligations as specified in Piping Agreement between Grand Junction Drainage District and Wilbur C. Van Winkle and Nona F. Van Winkle dated November 24, 2004 and recorded November 29, 2004 in Book 3786 at Page 882.
12. Terms, Conditions, Provisions, Agreements and Obligations as specified in Grant of Permanent Easement between Wilbur C. and Nona F. Van Winkle and Central Grand Valley Sanitation District dated April 23, 2004 and recorded April 30, 2004 in Book 3643 at Page 3.
13. Terms, Conditions, Provisions, Agreements and Obligations as specified in Easement and Agreement between Grand Junction Drainage District and Wilbur C. Van Winkle and Nona F. Van Winkle dated June 2, 1995 and recorded June 29, 1995 in Book 2155 at Page 46.
14. Terms, Conditions, Provisions, Agreements and Obligations as specified in Permanent Easement between Wilbur C. Van Winkle and Nona F. Van Winkle, et al and Central Grand Valley Sanitation District dated October 17, 1980 and recorded November 19, 1980 in Book 1285 at Page 345.

Amended Permanent Easement recorded March 1, 1999 in Book 2556 at Page 622.