

RESOLUTION NO. 1-24

A RESOLUTION OF THE BOARD OF DIRECTORS OF GRAND JUNCTION PUBLIC FINANCE CORPORATION AUTHORIZING THE CONVEYANCE OF PROPERTY BY THE CORPORATION TO THE CITY OF GRAND JUNCTION

Recitals:

After fair and reasonable notice to the voting members of the Grand Junction Public Finance Corporation ("GJPFC") those members ("Board" or "the Board") do represent, ratify, and confirm the following.

1. That the GJPFC is the owner of real property in the City of Grand Junction, Mesa County, Colorado commonly known as Matchett Park ("Property" or "the Property").
2. Pursuant to that certain Mortgage and Indenture of Trust, together with the Open Space Lease Purchase Agreement, made by the GJPFC dated May 1, 1996, and recorded in the Mesa County land title records on May 29, 1996, at Reception #1758670 and 1758669/Book 2236 Pages 17-138 the GJPFC acquired the real property that is the subject of, and is described therein.
3. Pursuant to the Mortgage and Indenture of Trust, certificates of participation ("Certificates") were issued to finance the purchase of the Property. In accordance with the Open Space Lease Purchase Agreement the City for itself as Lessee and on behalf of the GJPFC as the Lessor paid the Certificates. Evidence of payment and a release and satisfaction is recorded in the Mesa County land title records at Reception # 3085718.
4. Furthermore, as provided by the Mortgage and Indenture of Trust and the Open Space Lease Purchase Agreement, the GJPFC shall execute and deliver to the City all necessary documents assigning, transferring, and conveying good and marketable title to the Property.
5. To facilitate the City's enforcement of the GJPFC's obligation to convey the Property pursuant to the Open Space Lease Purchase Agreement the GJPFC was to deposit in escrow concurrently with the delivery of the Certificates a deed to the Property satisfactory to the City.
6. Upon satisfaction and payment in full of the Open Space Lease Purchase Agreement the escrowed deed was to be dated and released to the City (or to the order of the City) for recording.

7. No deed has heretofore been released and/or recorded, and the successor to Trustee was without knowledge of the escrow and/or has no deed in its possession.

8. In consideration of the foregoing, and to facilitate the City's development of the Property, the Board has determined that a deed to the Property be executed by the Board and that by, with, and through that deed the Property is and shall be conveyed to the City.

NOW, THEREFORE, IN WITNESS WHEREOF, the undersigned board of directors have indicated their approval and resolved that:

- 1) The Recitals are incorporated and duly adopted; and,
- 2) That the Board of the Grand Junction Public Finance Corporation as an official act does hereby authorize the signing, execution, and transmittal of the Special Warranty Deed (Deed) in the form attached to this Resolution to the City of Grand Junction for its ownership, use, and enjoyment of the Property as described in the Deed.

DONE this 21st day of February 2024.



Greg Caton, President of the Board
Grand Junction Public Finance Corporation



Scott Coleman, Vice President of the Board
Grand Junction Public Finance Corporation

Attest:


John Gormley,
Secretary Treasurer
Grand Junction Public Finance Corporation



When recorded return to:
City of Grand Junction
250 N. 5th Street
Grand Junction, Colorado 81501
Attn: John P. Shaver Esq.

STATEMENT OF AUTHORITY

1. This Statement of Authority relates to ANB Bank, a Colorado state bank ("Bank").
2. The type of entity is a corporation.
3. The Bank is formed under the laws of the State of Colorado.
4. The mailing address for the Bank is 3033 East First Avenue, Suite 300, Denver, Colorado.
5. The name of the person authorized to execute the attached SATISFACTION AND RELEASE OF MORTGAGE AND INDENTURE OF TRUST AND OPEN SPACE LEASE PURCHASE AGREEMENT on behalf of the Bank is Patricia Frisch ("Officer").
6. The authority of the Officer to bind the entity with respect to the SATISFACTION AND RELEASE OF MORTGAGE AND INDENTURE OF TRUST AND OPEN SPACE LEASE PURCHASE AGREEMENT is not limited.
7. This Statement of Authority is executed on behalf of the Bank pursuant to the provisions of §38-30-172 C.R.S. for the purpose(s) of the SATISFACTION AND RELEASE OF MORTGAGE AND INDENTURE OF TRUST AND OPEN SPACE LEASE PURCHASE AGREEMENT.

Executed this 2nd day of February 2024.

ANB Bank, a Colorado state bank

By: _____

Name: Patricia Frisch

Title: Executive Vice President

STATE OF COLORADO

COUNTY OF DENVER

The foregoing Statement of Authority was acknowledged before me this 2nd day of February 2024 by Patricia Frisch as the Officer and Executive Vice President of ANB Bank, a Colorado state bank.

Witness my hand and official seal.

My commission expires: 4/12/2026



Angela A. Martinez
Notary Public

When recorded return to:
City of Grand Junction
250 N. 5th Street
Grand Junction, Colorado 81501
Attn: John P. Shaver Esq.

**SATISFACTION AND RELEASE OF MORTGAGE AND INDENTURE OF TRUST AND OPEN
SPACE LEASE PURCHASE AGREEMENT**

KNOW ALL PERSONS BY THESE PRESENTS THAT ANB Bank, as successor by merger to The Bank of Cherry Creek NA ("Releasor" aka "Trustee") located at 3033 East First Avenue, Suite 300, Denver, Colorado 80206, does hereby release and discharge that certain Mortgage and Indenture of Trust, together with all of its interest in the Open Space Lease Purchase Agreement, made by the Grand Junction Public Finance Corporation ("Releasee" aka "Lessor") to the Releasor, dated May 1, 1996 and recorded in the Mesa County Colorado land title records on May 29, 1996 at Reception #1758670 and #1758669 / Book 2236 Pages 17-138.

IN WITNESS WHEREOF the Releasor does acknowledge that the obligations of the Mortgage and Indenture of Trust, and the obligations to the Releasor under the Open Space Lease Purchase Agreement, have been paid, satisfied and by and with this instrument the same are canceled, released, and fully satisfied.

ANB Bank, a Colorado state bank

By: 
Name: Patricia Frisch
Title: Executive Vice President

STATE OF COLORADO
COUNTY OF DENVER

The foregoing Satisfaction and Release of Mortgage and Indenture of Trust and Open Space Lease Purchase Agreement was acknowledged before me this 2nd day of February 2024, by Patricia Frisch as Executive Vice President of ANB Bank, a Colorado state bank.

Witness my hand and official seal.

My commission expires: 4/12/2026




Notary Public

SPECIAL WARRANTY DEED

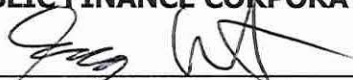
This Special Warranty Deed made this 20th day of February 2024 by and between **Grand Junction Public Finance Corporation, a Colorado Nonprofit Corporation, Grantor**, whose mailing address is 250 N 5th Street, Grand Junction, CO 81501, who is the owner of a parcel of land located at 2844 Patterson Road, Grand Junction, CO 81506, as recorded in Reception No. 1758668 restating the description of the land conveyed in Reception No. 1758667, Mesa County Clerk and Recorder's records of Mesa County, Colorado, for and in consideration of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has sold, granted and conveyed, and by these presents does hereby sell, grant and convey to the **City of Grand Junction, a Colorado home rule municipality, Grantee**, whose address is 250 N 5th Street, Grand Junction, CO 81501, its successors and assigns forever, the following described tract or parcel of land, in the County of Mesa, State of Colorado, to wit:

See the attached Exhibit "A" and Exhibit "B" incorporated herein. Exhibit "A" includes the description in the most recent deed restating the description of the land as the boundary of all the parcels originally conveyed to Grantor. Exhibit "B" includes the descriptions of the original individual parcels.


TO HAVE AND TO HOLD the said Property, with the appurtenances unto the Grantee, its successors and assigns forever. The Grantor, for itself, its successors and assigns, does covenant and agree that it shall and will WARRANT AND FOREVER DEFEND the Property in the quiet and peaceable possession of Grantee, its successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, by, through or under the Grantor, but not otherwise. The warranty is subject to statutory exceptions.

Executed and delivered this 20th day of February 2024.

GRANTOR: GRAND JUNCTION PUBLIC FINANCE CORPORATION



Greg Caton, President of the Board
Grand Junction Public Finance Corporation



Scott Coleman, Vice President of the Board
Grand Junction Public Finance Corporation

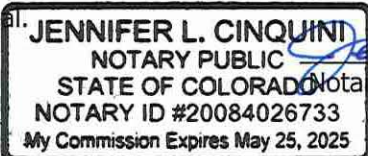

Attest:


John Gormley,
Secretary Treasurer
Grand Junction Public Finance Corporation



State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 20th day of February 2024, by Greg Caton, as President of the Board of Grand Junction Public Finance Corporation, a Colorado Nonprofit Corporation.

Witness my hand and official seal.  
JENNIFER L. CINQUINI
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #20084026733
My Commission Expires May 25, 2025

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 20th day of February 2024, by Scott Coleman as Vice President of the Board of Grand Junction Public Finance Corporation, a Colorado Nonprofit Corporation.

Witness my hand and official seal.  
JENNIFER L. CINQUINI
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #20084026733
My Commission Expires May 25, 2025

EXHIBIT "A"

A tract or parcel of land lying, being and situate in Section 6, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described by the following metes and bounds, to wit:

Commencing at the South 1/4 Corner of Section 6, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, and considering the South line of Southeast 1/4 of the Southwest 1/4 of said Section 6 to bear N 89°59'34" W with all bearings contained herein being relative thereto; thence N 00°37'34" W along the East line of the Southeast 1/4 of said Section 6 a distance of 50.00 feet to a point on the North right-of-way line for F Road (also known as Patterson Road), as recorded in Book 1370 at Page 219 in the office of the Mesa County Clerk and Recorder, said point being the True Point of Beginning;

thence N 89°59'34" W along the North right-of-way line for F Road a distance of 675.45 feet to a point on the West line of the East 1/2 of the Southeast 1/4 Southwest 1/4 of said Section 6;

thence N 00°18'44" W along the West line of said East 1/2 Southeast 1/4 Southwest 1/4 a distance of 1271.63 feet to the Northwest Corner of said East 1/2 Southeast 1/4 Southwest 1/4; thence N 00°15'26" W along the West line of the East 1/2 of the Northeast 1/4 Southwest 1/4 of said Section 6 a distance of 930.90 feet to a point;

thence N 89°59'00" W a distance of 663.95 feet to a point on the West line of the Northeast 1/4 of the Southwest 1/4 of Section 6;

thence N 00°00'43" E along the West line of the Northeast 1/4 Southwest 1/4 of Section 6 a distance of 391.00 feet to the West 1/16th Corner of Section 6;

thence N 00°01'41" E along the West line of the Southeast 1/4 of the Northwest 1/4 of Section 6 a distance of 1320.19 feet to the Northwest 1/16th Corner of Section 6;

thence N 00°36'18" W along the West line of the Northeast 1/4 of the Northwest 1/4 of Section 6 a distance of 579.25 feet to the center line of the Government Highline Canal;

thence along the center line of said Government Highline Canal the following three (3) courses and distances:

1. S 68°58'44" E a distance of 733.10 feet;
2. 388.73 feet along the arc of a curve to the left having a radius of 523.55 feet, a central angle of 42°32'27", and a long chord bearing S 89°39'49" E a distance of 379.86 feet;
3. N 69°03'58" E a distance of 217.84 feet;

thence leaving the center line of said Government Highline Canal, S 22°35'08" E a distance of 67.50 feet to a point;

thence N 67°24'52" E a distance of 40.88 feet to a point which is the intersection of the West line of the Northwest 1/4 of the Northeast 1/4 of Section 6 with the Southwest Corner of Tract 115 of the United States Department of Interior, Bureau of Reclamation, Government Highline Canal;

thence along the South boundary line of said Tract 115 the following five (5) courses and distances:

1. N 67°24'52" E a distance of 113.43 feet;
2. 150.51 feet along the arc of a curve to the right having a radius of 387.46 feet, a central angle of 22°15'27", and a long chord bearing N 78°32'36" E a distance of 149.57 feet;
3. N 89°40'20" E a distance of 142.26 feet;
4. 129.13 feet along the arc of a curve to the right having a radius of 482.96 feet, a central angle of 15°19'09", and a long chord bearing S 82°40'05" E a distance of 128.75 feet;
5. S 75°00'32" E a distance of 842.80 feet to a point which is the intersection of the South boundary line of said Tract 115 with the East line of the Northwest 1/4 Northeast 1/4 of Section 6;

thence S 00°37'02" W along the East line of the Northwest 1/4 Northeast 1/4 of Section 6 a distance of 190.20 feet to the Northeast 1/16th Corner of Section 6;

thence S 00°35'44" E along the East line of the Southwest 1/4 Northeast 1/4 of Section 6 a distance of 1317.48 feet to the East 1/16th Corner of Section 6;

thence S 00°01'16" E along the East line of the Northwest 1/4 Southeast 1/4 of Section 6 a distance of 1320.48 feet to the Southeast 1/16th Corner of Section 6;

thence N 89°58'28" W along the South line of the Northwest 1/4 Southeast 1/4 of Section 6 a distance of 668.29 feet to the Northeast Corner of the West 1/2 of the Southwest 1/4 Southeast 1/4 of Section 6;

thence S 00°16'28" E along the East line of the West 1/2 of the Southwest 1/4 Southeast 1/4 of Section 6 a distance of 1270.94 feet to a point on the North right-of-way line for F Road as described in Book 1410 at Page 316 in the office of the Mesa County Clerk and Recorder;

thence S 89°59'21" W along the North right-of-way line for F Road a distance of 357.11 feet;

thence leaving said right-of-way line, N 00°00'39" W a distance of 149.99 feet to a point;

thence N 27°41'39" W a distance of 120.00 feet to a point;

thence S 31°02'21" W a distance of 138.10 feet to a point;

thence S 78°29'14" W a distance of 100.00 feet to a point;

thence S 00°00'39" E a distance of 118.00 feet to a point on the North right-of-way line for F Road;

thence S 89°59'21" W a distance of 78.64 feet to the True Point of Beginning, containing 207.862 acres as described.

EXHIBIT "B"

PARCEL 1:

The E 1/2 NW 1/4 South of the centerline of the Government Canal, Section 6, Township 1 South, Range 1 East, Ute Meridian,

PARCEL 2:

The NE 1/4 SW 1/4, Section 6, Township 1 South, Range 1 East, Ute Meridian, Except a parcel of land being more particularly described as follows:

Commencing at the South quarter corner of said Section 6, whence the East 1/16 Corner on the South line of Section 6 bears North 89°49'12" East, thence North 00°48'05" West 660.70 feet; thence South 89°50'44" West 672.05 feet; thence North 00°28'53" West 660.79 feet to the South line of the Northeast quarter of the Southwest quarter, this being the Point of Beginning;

Thence South 89°51'19" West 668.36 feet to the Southeast corner of Government Lot 6 in said Section 6;
Thence North 00°09'27" West 930.89 feet along the East line of said Government Lot 6;
Thence North 89°50'51" East 664.00 feet;
Thence South 00°25'32" East 930.99 feet to the Point of Beginning,

PARCEL 3:

The N 1/2 E 1/2 SE 1/4 SW 1/4 of Section 6, Township 1 South, Range 1 East of the Ute Meridian,

PARCEL 4:

Beginning at a point on the South line of Section 6, Township 1 South, Range 1 East of the Ute Meridian, being 675.75 feet North 89°50'00" East of the Southeast corner of Government Lot 7 Section 6, Township 1 South, Range 1 East, Ute Meridian, and considering the South line of the SW 1/4 Section 6, Township 1 South, Range 1 East, Ute Meridian to bear North 89°50'00" East and all bearings contained herein to be relative thereto; thence North 00°49'01" West 1321.82 feet to the Northwest corner of the E 1/2 SE 1/4 SW 1/4 Section 6, Township 1 South, Range 1 East, Ute Meridian, thence North 89°51'10" East 670.95 feet to the Northeast corner of the E 1/2 SE 1/4 SW 1/4 Section 6, thence South 01°01'30" East 1321.66 feet to the Southeast corner of E 1/2 SE 1/4 SW 1/4 of Section 6, thence South 89°50'00" West 675.75 feet to the Point of Beginning,

EXCEPT the South 50 feet for Road Right-of-way as granted to Mesa County by instrument recorded May 3, 1982 in Book 1370 at Page 219, and EXCEPT the NE 1/4 SE 1/4 SW 1/4 Section 6, Township 1 South, Range 1 East, Ute Meridian,

PARCEL 5:

W 1/2 NW 1/4 SE 1/4 and the W 1/2 SW 1/4 SE 1/4 of Section 6, Township 1 South, Range 1 East of the Ute Meridian,

EXCEPT Beginning at a point 203.10 feet East of the S 1/4 corner of said Section 6,

thence North 130 feet,
thence North 25° West 63.93 feet,
thence North 31°03' East 138.10 feet,
thence South 27°41' East 120 feet,
thence South 200 feet to a point on the South line of said Section 6,
thence West along the South line of said Section 6, a distance of 100 feet to the point of beginning,

AND EXCEPT from the S 1/4 corner of said Section 6 and considering the South line of said Section 6 to bear due East and with all other bearings described herein being relative thereto, East along the South line of said Section 6, a distance of 78.10 feet to the point of beginning,

thence North 168 feet,
thence North 78°30' East 100 feet,
thence South 25°00' East 63.93 feet,
thence South 130 feet to a point on the South line of said Section 6,
thence West along the South line of said Section 6, a distance of 125 feet to beginning,

AND EXCEPT the South 50 feet as conveyed to County of Mesa by instrument recorded January 14, 1983 in Book 1410 at Page 316,

PARCEL 6:

The E 1/2 NW 1/4 SE 1/4 of Section 6, Township 1 South, Range 1 East, Ute Meridian and the W 1/2 NE 1/4 South of the centerline of the Government Canal, Section 6, Township 1 South, Range 1 East, Ute Meridian, EXCEPT that part conveyed to Department of Interior, Bureau of Reclamation by instrument recorded April 8, 1992 in Book 1891 at Page 528,

ALL IN MESA COUNTY, COLORADO.