RESOLUTION NO. 26-24

A RESOLUTION ACCEPTING THE SPECIAL WARRANTY DEED FROM THE GRAND JUNCTION REGIONAL AIRPORT AUTHORITY FOR PUBLIC RIGHT OF WAY FOR THE REALIGNMENT OF A SEGMENT OF 27 ¼ ROAD IN THE CITY OF GRAND JUNCTION, COLORADO

Recitals.

With the adoption of Ordinance 4835 the City Council conditionally vacated a portion of the 27 ¼ Road right of way adjacent to Grand Junction Regional Airport Authority (Airport) property. That action provided for the relocation of a section of the road to the west of the new runway protection zone for runway 11/29. Approximately 1 mile of 27 ¼ Road was realigned by the Airport for the project; however, the vacation of the former 27 ¼ Road alignment was conditioned on the Airport transferring the land for the realigned road to the City.

In order to convey the land to the City the Airport had to make application to the Federal Aviation Administration to release the land and authorize the transfer. That process was recently completed. Accordingly, the Airport has executed the attached Special Warranty Deed and tendered the same to the City in full and final satisfaction of the conditions created and imposed by and with Ordinance 4835.

The City Attorney has reviewed and approved the form of the Request for Release, the Instrument of Release, the Special Warranty Deed and the Exhibits thereto and has found the same to be sufficient to satisfy the conditions of the Ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

1. The foregoing Recitals are incorporated herein.

2. That the City Manager is hereby authorized and directed to accept the Special Warranty Deed (Deed) from the Grand Junction Regional Airport Authority for the conveyance of the 27 ¼ Road right of way and realignment as defined and described in the Deed and the Exhibits attached thereto, this Resolution and Ordinance 4835.

3. That by and with this Resolution the conditions of Ordinance 4835 shall be found to be satisfied.

PASSED and ADOPTED this 17th day of April 2024. Anna M. Stort President of the City Council

ATTEST llyse

Amy Phillips City Clerk



INSTRUMENT OF RELEASE

THIS INSTRUMENT OF RELEASE, made by the United States of America, acting through the Federal Aviation Administration to Mesa County, Colorado; City of Grand Junction, Colorado; Grand Junction Regional Airport Authority, Colorado; herein called "Sponsor"

WHEREAS,

The United States, acting by and through the Administrator, Federal Aviation Administration, granted Federal Funds for land acquisition and development of the Grand Junction Regional Airport, in Grant Agreements ADAP 8-08-0027-01 and in BLM transfer Patent 05-2019-0003; and

WHEREAS,

Said Grant Agreement and BLM Patent provide that said land is for airports use, and

WHEREAS,

The Administrator of the Federal Aviation Administration has determined that the hereinafter described approximately 21.81 acres of land no longer serves the purpose for which it was acquired and made subject to certain terms, conditions, reservations and restrictions in said Grant Agreement and BLM Patent.

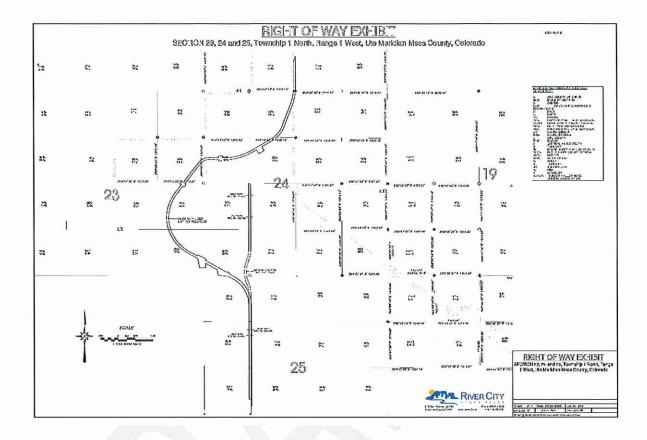
NOW THEREFORE, for and in consideration the Sponsor, the Administrator of the Federal Aviation Administration, on behalf of the United States, hereby releases the Sponsor, the hereinafter described real property subject to the following provisions and reservations:

 The Sponsor agrees to continue to be bound by and further agrees to reserve unto itself, its successors and assigns in any instruments of transfer conveying title or any interest in the hereinafter described real property, for the use and benefit of the public, a right of flight for the passage of aircraft in the airspace above the surface of the real property hereinafter described, together with the right to cause in said airspace such noise as may be inherent in the operation of aircraft now known or hereafter used for navigation of or flight in the said airspace and for use of said airspace for landing on, taking off from, or operating on the Grand Junction Regional Airport.

2. The Sponsor expressly agrees for itself, its successors and assigns to prevent any use of the hereinafter described real property which would interfere with landing or taking off of aircraft at the Grand Junction Regional Airport, or otherwise constitute an airport hazard. In the event the aforesaid covenant is breached, the grantor is to reserve the right to enter upon the land released hereunder and to remove the offending structure or object and to cut the offending growth, all of which shall be at the expense of the grantee.

By this Instrument of Release, the United States of America by and through the Administrator, Federal Aviation Administration, hereby releases the real property described below from all the remaining conditions, reservations and restrictions except those reserved herein, contained in the identified Grant Agreements.

The real property is located within Mesa County, State of Colorado, and legally described and shown graphically as (see 5 attached pages):



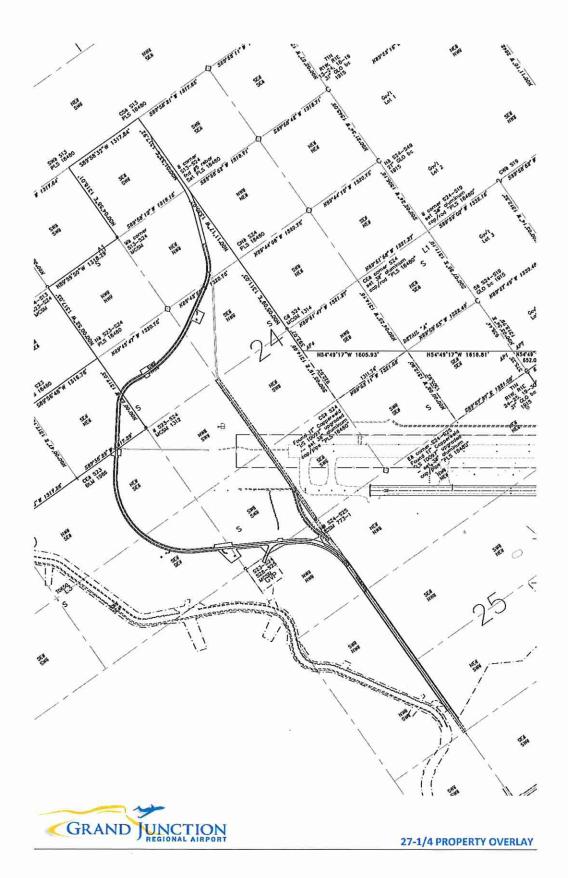


EXHIBIT C

Page 1

A road right of way situated in the southeast quarter of the southwest quarter of Section 13, the northwest quarter and the southwest quarter of the southwest quarter of Section 24, the southeast quarter of the northeast quarter and the east half of the southeast quarter of Section 23, and the northwest quarter and the north half of the southwest quarter of Section 25, Township 1 North, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, said right of way being more particularly described as follows:

Beginning at a 2½" diameter flared end aluminum pipe with a 3¼" aluminum cap marked "RIVER CITY CONSULTANTS PLS 18480 T1N R1W 1/4 S13 • S24 2012" projecting 0.2 feet above ground for the quarter corner common to said Sections 13 and 24, whence a 2½" diameter flared end aluminum pipe with a 3¼" aluminum cap marked "RIVER CITY CONSULTANTS PLS 18480 S1/16 S13 C—C 2012" projecting 0.3 feet above ground for the center-south sixteenth corner of said Section 13 bears North 00°01'33" East a distance of 1317.92 feet, with all bearings herein relative thereto;

Thence along the east line of the northeast quarter of the northwest quarter of said Section 24 South $00^{\circ}11'17^{\pi}$ East, a distance of 35.35 feet;

Thence departing said east line 381.53 feet along the arc of a 1530.00 foot radius non-tangent curve to the right, through a central angle of 14°17'15", with a chord bearing South 13°40'50" West, a distance of 380.54 feet;

Thence South 20°49'27" West tangent to said curve, a distance of 671.98 feet; Thence 491.49 feet along the arc of a 730.00 foot radius tangent curve to the right, through a central angle of 38°34'32", with a chord bearing South 40°06'43" West, a distance of 482.26 feet;

Thence South 59°23'59" West tangent to said curve, a distance of 372.45 feet;

Thence South 30°36'01" East, a distance of 130.00 feet;

Thence South 59°23'59" West, a distance of 176.56 feet;

Thence North 30°36'01" West, a distance of 130.00 feet;

Thence South 59°23'59" West, a distance of 68.20 feet;

Thence 1001.66 feet along the arc of a 1830.00 foot radius tangent curve to the right, through a central angle of 31°21'40", with a chord bearing South 75°04'49" West, a distance of 989.21 feet;

Thence radial to said curve, South 00°45'39" West, a distance of 32.33 feet;

Thence North 88°09'27" West, a distance of 72.42 feet;

Thence North 02°59'21" East, a distance of 32.37 feet; to the beginning of a 1830.00 foot radius curve concave to the north radial to said line;

Thence westerly 158.42 feet along the arc of said curve, through a central angle of 4°57'36", with a chord bearing North 84°31'51" West, a distance of 158.37 feet to a point of reverse curvature;

This description was prepared by: Kenneth Scott Thompson Colorado P.L.S. 18480 744 Horizon Court - #110 Grand Junction, CO 81506



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Thence 460.31 feet along the arc of a 440.00 foot radius curve to the left, through a central angle of 59°56'24", with a chord bearing South 67°58'45" West, a distance of 439.60 feet; Thence South 38°00'33" West tangent to said curve, a distance of 666.94 feet;

Thence South 53°33'07" East, a distance of 40.01 feet;

Thence South 38°00'33" West, a distance of 100.00 feet;

Thence North 53°33'07" West, a distance of 40.01 feet;

Thence South 38°00'33" West, a distance of 281.86 feet;

Thence 1871.90 feet along the arc of a 1090.00 foot radius tangent curve to the left, through a central angle of 98°23'47", with a chord bearing South 11°11'20" East, a distance of 1650.20 feet;

Thence South 60°23'14" East tangent to said curve, a distance of 298.33 feet;

Thence North 29°36'46" East, a distance of 34.87 feet;

Thence South 63°20'57" East, a distance of 267.30 feet;

Thence South 29°36'46" West, a distance of 42.68 feet;

Thence South 60°23'14" East, a distance of 701.67 feet;

Thence North 29°36'46" East, a distance of 27.62 feet;

Thence South 60°23'14" East, a distance of 77.05 feet;

Thence South 29°36'46" West, a distance of 26.62 feet;

Thence South 60°23'14" East, a distance of 192.06 feet;

Thence 987.14 feet along the arc of a 937.00 foot radius tangent curve to the right, through a central angle of 60°21'42", with a chord bearing South 30°12'23" East, a distance of 942.12 feet;

Thence South 00°01'32" East tangent to said curve, a distance of 2874.37 feet to the southerly boundary of that parcel of land described at Reception Number 2267948 of the Mesa County records;

Thence along said southerly boundary South 64°21′53" West, a distance of 8.34 feet; Thence continuing along said boundary North 00°04′56" West, a distance of 198.89 feet; Thence North 89°58′49" West, a distance of 67.28 feet;

Thence North 00°01'32" West, a distance of 2679.03 feet;

Thence 908.12 feet along the arc of a 862.00 foot radius tangent curve to the left, through a central angle of 60°21'42", with a chord bearing North 30°12'23" West, a distance of 866.71 feet;

Thence North 60°23'14" West tangent to said curve, a distance of 173.19 feet;

Thence North 84°28'31" West, a distance of 282.77 feet;

Thence North 25°29'14" West, a distance of 40.33 feet;

Thence North 08°45'04" West, a distance of 122.86 feet;

Thence North 60°23'14" West, a distance of 374.14 feet;

Thence South 00°00'50" East, a distance of 129.52 feet; Thence South 89°59'10" West, a distance of 129.52 feet;

This description was prepared by: Kenneth Scott Thompson Colorsdo P.L.S. 18480 744 Horizon Court - #110 Grand Junction, CO 81506



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Thence North 11º12'30" West, a distance of 271.96 feet;

Thence North 60°23'14" West, a distance of 350.60 feet;

Thence 1974.94 feet along the arc of a 1150.00 foot radius tangent curve to the right, through a central angle of 98°23'47", with a chord bearing North 11°11'20" West, a distance of 1741.04 feet;

Thence North 38°00'33" East tangent to said curve, a distance of 281.31 feet;

Thence North 51°59'27" West, a distance of 55.00 feet;

Thence North 38°00'33" East, a distance of 100.00 feet;

Thence South 51°59'27" East, a distance of 55.00 feet;

Thence North 38°00'33" East, a distance of 667.48 feet;

Thence 523.07 feet along the arc of a 500.00 foot radius tangent curve to the right, through a central angle of 59°56'24", with a chord bearing North 67°58'45" East, a distance of 499.55 feet to a point of reverse curvature;

Thence 138.48 feet along the arc of a 1770.00 foot radius curve to the left, through a central angle of $4^{\circ}28^{\circ}57^{\circ}$, with a chord bearing South $84^{\circ}17^{\circ}32^{\circ}$ East, a distance of 138.44 feet; Thence radial to said curve, North $03^{\circ}28^{\circ}00^{\circ}$ East, a distance of 55.05 feet;

Thence South 88°11'27" East, a distance of 119.10 feet;

Thence South 00°30'44" East, a distance of 54.35 feet; to the beginning of a 1770.00 foot radius curve concave to the north radial to said line;

Thence easterly and northeasterly 929.49 feet along the arc of said curve, through a central angle of 30°05'17", with a chord bearing North 74°26'37" East, a distance of 918.84 feet; Thence North 59°23'59" East tangent to said curve, a distance of 617.21 feet;

Thence 451.09 feet along the arc of a 670.00 foot radius tangent curve to the left, through a central angle of $38^{\circ}34'32"$, with a chord bearing North $40^{\circ}06'43"$ East, a distance of 442.62 feet;

Thence North 20°49'27" East tangent to said curve, a distance of 671.98 feet; Thence 533.61 feet along the arc of a 1470.00 foot radius tangent curve to the left, through a central angle of 20°47'54", with a chord bearing North 10°25'30" East, a distance of 530.68 feet;

Thence North 00°01'33" East tangent to said curve, a distance of 661.10 feet; Thence 93.54 feet along the arc of a 280.00 foot radius tangent curve to the right, through a central angle of 19°08'26", with a chord bearing North 09°35'46" East, a distance of 93.10 feet;

Thence North 19°09'59" East tangent to said curve, a distance of 105.28 feet to the east line of the southeast quarter of the southwest quarter of said Section 13;

Thence along said east line South $00^\circ01'33"$ West, a distance of 990.50 feet to the Point of Beginning.

Containing 21.813 acres, more or less.

This description was prepared by: Kenneth Scott Thompson Colorado P.L.S. 18480 744 Horizon Court - #110 Grand Junction, CO 81506



NOTICE: Any rewriting or retyping of this description must nor include this preparation information. Lack of an original seal indicates this document is not the original. By its acceptance of this Instrument of Release the Sponsor covenants and agrees for itself, its successors and assigns to comply with and observe all the limitations set forth herein, expressly limited to the above described property.

IN WITNESS WHEREOF the United States of America has caused this Instrument of Release to be executed as of the .

UNITED STATES OF AMERICA

Federal Aviation Administration

By

Manager, Denver Airports District Office

ACCEPTED:

By_____ Grand Junction Regional Airport Authority

APPROVED:

Sponsor's Attorney

By_____ Mesa County, Colorado

APPROVED:

Sponsor's Attorney

By_____ City of Grand Junction, Colorado

APPROVED:

Sponsor's Attorney

SPECIAL WARRANTY DEED

This Special Warranty Deed made this _____ day of ______, 2024 by and between Grand Junction Regional Airport Authority, f.k.a Walker Field, Colorado, Public Airport Authority, a.k.a. Walker Field, Colorado Public Airport Authority, a.k.a Walker Field Colorado Public Airport Authority, a.k.a Walker Field Public Airport Authority, Grantor whose mailing address is 2828 Walker Field Drive, Grand Junction, CO 81506, 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, all right, title and fee simple interest in land for Public Roadway purposes, to wit:

as described in **Exhibit A** which exhibit is attached hereto and incorporated herein by this reference. The area is comprised of 21.813 acres, more or less.

Exhibit B which is attached hereto and incorporated herein by this reference depicts certain land which has heretofore been used as public roadway and to the extent that the use(s) for public roadway are not historically determined/derived the Grantor does sell, grant and convey the same to Grantee for public roadway purposes.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereunto belonging or in anywise appertaining, unto the said Grantee and unto its successors and assigns forever, the said Grantor hereby covenanting it will warrant and defend the title to said premises unto the said Grantee against all persons claiming under Grantor. Grantor further warrants that it has met all covenants set forth in the airport patent from the United States at Reception #2883212 and has the authority to grant such conveyance herein in accordance with the Instrument of Release recorded at Reception #______ in the Mesa County Clerk and Recorder's records allowing Grantor to convey the land and interest in land herein described.

Executed and delivered this _____ day of _____, 2024.

GRANTOR:

Grand Junction Regional Airport Authority, f.k.a Walker Field, Colorado, Public Airport Authority, a.k.a. Walker Field, Colorado Public Airport Authority, a.k.a Walker Field Colorado Public Airport Authority, a.k.a Walker Field Public Airport Authority

Angela Padalecki as Executive Director for Grand Junction Regional Airport

)ss

State of Colorado	
County of Mesa	

The foregoing instrument was acknowledged before me this _____ day of _____ 2024 by Angela Padalecki, as Executive Director for Grand Junction Regional Airport.

Witness my hand and official seal.

Notary Public

SHEET 1 OF 5

EXHIBIT A

A road right of way situated in the southeast quarter of the southwest quarter of Section 13, the northwest quarter and the southwest quarter of the southwest quarter of Section 24, the southeast quarter of the northeast quarter and the east half of the southeast quarter of Section 23, and the northwest quarter and the north half of the southwest quarter of Section 25, Township 1 North, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, said right of way being more particularly described as follows:

Beginning at a 2½" diameter flared end aluminum pipe with a 3¼" aluminum cap marked "RIVER CITY CONSULTANTS PLS 18480 T1N R1W 1/4 S13 • S24 2012" projecting 0.2 feet above ground for the quarter corner common to said Sections 13 and 24, whence a 2½" diameter flared end aluminum pipe with a 3¼" aluminum cap marked "RIVER CITY CONSULTANTS PLS 18480 S1/16 S13 C—C 2012" projecting 0.3 feet above ground for the center-south sixteenth corner of said Section 13 bears North 00°01'33" East a distance of 1317.92 feet, with all bearings herein relative thereto;

Thence along the east line of the northeast quarter of the northwest quarter of said Section 24 South 00°11'17" East, a distance of 35.35 feet;

Thence departing said east line 381.53 feet along the arc of a 1530.00 foot radius non-tangent curve to the right, through a central angle of $14^{\circ}17'15"$, with a chord bearing South $13^{\circ}40'50"$ West, a distance of 380.54 feet;

Thence South 20°49'27" West tangent to said curve, a distance of 671.98 feet;

Thence 491.49 feet along the arc of a 730.00 foot radius tangent curve to the right, through a central angle of 38°34'32", with a chord bearing South 40°06'43" West, a distance of 482.26 feet;

Thence South 59°23'59" West tangent to said curve, a distance of 372.45 feet;

Thence South 30°36'01" East, a distance of 130.00 feet;

Thence South 59°23'59" West, a distance of 176.56 feet;

Thence North 30°36'01" West, a distance of 130.00 feet;

Thence South 59°23'59" West, a distance of 68.20 feet;

Thence 1001.66 feet along the arc of a 1830.00 foot radius tangent curve to the right, through a central angle of 31°21'40", with a chord bearing South 75°04'49" West, a distance of 989.21 feet;

Thence radial to said curve, South 00°45'39" West, a distance of 32.33 feet;

Thence North 88°09'27" West, a distance of 72.42 feet;

Thence North 02°59'21" East, a distance of 32.37 feet; to the beginning of a 1830.00 foot radius curve concave to the north radial to said line;

Thence westerly 158.42 feet along the arc of said curve, through a central angle of 4°57'36", with a chord bearing North 84°31'51" West, a distance of 158.37 feet to a point of reverse curvature;

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SHEET 2 OF 5

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Thence 460.31 feet along the arc of a 440.00 foot radius curve to the left, through a central angle of 59°56'24", with a chord bearing South 67°58'45" West, a distance of 439.60 feet; Thence South 38°00'33" West tangent to said curve, a distance of 666.94 feet;

Thence South 53°33'07" East, a distance of 40.01 feet;

Thence South 38°00'33" West, a distance of 100.00 feet;

Thence North 53°33'07" West, a distance of 40.01 feet;

Thence South 38°00'33" West, a distance of 281.86 feet;

Thence 1871.90 feet along the arc of a 1090.00 foot radius tangent curve to the left, through a central angle of 98°23'47", with a chord bearing South 11°11'20" East, a distance of 1650.20 feet;

Thence South 60°23'14" East tangent to said curve, a distance of 298.33 feet;

Thence North 29°36'46" East, a distance of 34.87 feet;

Thence South 63°20'57" East, a distance of 267.30 feet;

Thence South 29°36'46" West, a distance of 42.68 feet;

Thence South 60°23'14" East, a distance of 701.67 feet;

Thence North 29°36'46" East, a distance of 27.62 feet;

Thence South 60°23'14" East, a distance of 77.05 feet;

Thence South 29°36'46" West, a distance of 26.62 feet;

Thence South 60°23'14" East, a distance of 192.06 feet;

Thence 987.14 feet along the arc of a 937.00 foot radius tangent curve to the right, through a central angle of 60°21'42", with a chord bearing South 30°12'23" East, a distance of 942.12 feet;

Thence South 00°01'32" East tangent to said curve, a distance of 2874.37 feet to the southerly boundary of that parcel of land described at Reception Number 2267948 of the Mesa County records;

Thence along said southerly boundary South 64°21'53" West, a distance of 8.34 feet;

Thence continuing along said boundary North 00°04'56" West, a distance of 198.89 feet; Thence North 89°58'49" West, a distance of 67.28 feet;

Thence North 00°01'32" West, a distance of 2679.03 feet;

Thence 908.12 feet along the arc of a 862.00 foot radius tangent curve to the left, through a central angle of 60°21'42", with a chord bearing North 30°12'23" West, a distance of 866.71 feet;

Thence North 60°23'14" West tangent to said curve, a distance of 173.19 feet;

Thence North 84°28'31" West, a distance of 282.77 feet;

Thence North 25°29'14" West, a distance of 40.33 feet;

Thence North 08°45'04" West, a distance of 122.86 feet;

Thence North 60°23'14" West, a distance of 374.14 feet;

Thence South 00°00'50" East, a distance of 129.52 feet;

Thence South 89°59'10" West, a distance of 180,48 feet;

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SHEET 3 OF 5

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Thence North 11°12'30" West, a distance of 271.96 feet;

Thence North 60°23'14" West, a distance of 350.60 feet;

Thence 1974.94 feet along the arc of a 1150.00 foot radius tangent curve to the right, through a central angle of 98°23'47", with a chord bearing North 11°11'20" West, a distance of 1741.04 feet;

Thence North 38°00'33" East tangent to said curve, a distance of 281.31 feet;

Thence North 51°59'27" West, a distance of 55.00 feet;

Thence North 38°00'33" East, a distance of 100.00 feet;

Thence South 51°59'27" East, a distance of 55.00 feet;

Thence North 38°00'33" East, a distance of 667.48 feet;

Thence 523.07 feet along the arc of a 500.00 foot radius tangent curve to the right, through a central angle of 59°56'24", with a chord bearing North 67°58'45" East, a distance of 499.55 feet to a point of reverse curvature;

Thence 138.48 feet along the arc of a 1770.00 foot radius curve to the left, through a central angle of 4°28'57", with a chord bearing South 84°17'32" East, a distance of 138.44 feet;

Thence radial to said curve, North 03°28'00" East, a distance of 55.05 feet;

Thence South 88°11'27" East, a distance of 119.10 feet;

Thence South 00°30'44" East, a distance of 54.35 feet; to the beginning of a 1770.00 foot radius curve concave to the north radial to said line;

Thence easterly and northeasterly 929.49 feet along the arc of said curve, through a central angle of 30°05'17", with a chord bearing North 74°26'37" East, a distance of 918.84 feet; Thence North 59°23'59" East tangent to said curve, a distance of 617.21 feet;

Thence 451.09 feet along the arc of a 670.00 foot radius tangent curve to the left, through a central angle of 38°34'32", with a chord bearing North 40°06'43" East, a distance of 442.62 feet;

Thence North 20°49'27" East tangent to said curve, a distance of 671.98 feet; Thence 533.61 feet along the arc of a 1470.00 foot radius tangent curve to the left, through a central angle of 20°47'54", with a chord bearing North 10°25'30" East, a distance of 530.68 feet;

Thence North 00°01'33" East tangent to said curve, a distance of 661.10 feet; Thence 93.54 feet along the arc of a 280.00 foot radius tangent curve to the right, through a central angle of 19°08'26", with a chord bearing North 09°35'46" East, a distance of 93.10 feet; Thence North 19°09'59" East tangent to said curve, a distance of 105.28 feet to the east line of the southeast quarter of the southwest quarter of said Section 13;

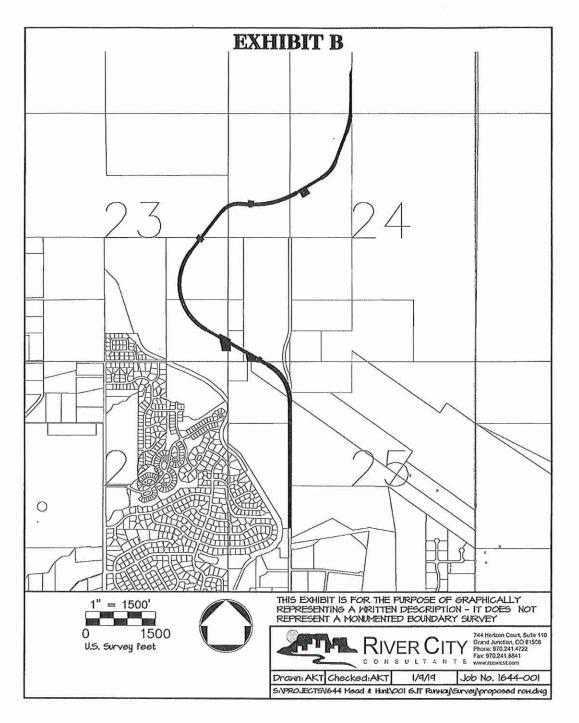
Thence along said east line South 00°01'33" West, a distance of 990.50 feet to the Point of Beginning.

Containing 21.813 acres, more or less.

This description was prepared by: Kenneth Scott Thompson Colorado P.L.S. 18480 744 Horizon Court - #110 Grand Junction, CO 81506 CPLICOT COTACINA IN CECOLA IN CECOLA

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SHEET 4 OF 5



SHEET 5 OF 5