POWER OF ATTORNEY AND SEWERAGE SERVICE AGREEMENT

S. Broadway Mapped
Kom 00 040

WE, (K) Sammy J. Marutzky and Iris L. Marutzky
owner(s) of the real property situate in Mesa County, Colorado,
and described as:

SEE EXHIBIT "A"

which property is not presently eligible for annexation to the City of Grand Junction, but requires connection of the property to the City's sewerage system, as consideration for permission to connect to such system, do hereby designate and appoint the City Clerk of the City of Grand Junction as our Attorney in Fact to sign any petition for annexation of the described land to the City, when eligible, whether for the described land alone or in conjunction with other lands. Such authority shall be a covenant running with the land, shall be binding upon successors in interest and shall not cease upon my death (the death of either or both of us).

As a further covenant to run with the land, we (I) agree that in the event a counter-petition to a proposed annexation of the land is prepared, any signature on such petition purporting to affect the land herein described may be ignored as of no force and effect by the City under annexation requirements.

Further, the then owner or owners of this land or any portion of it shall not be permitted to vote in any annexation election, but such vote may be cast by the City Clerk.

As a further covenant running with the land, it is understood that the City shall have the right, along with suit for collection of monies owing, to shut off sewerage service for failure to pay charges when the same are due, requiring payment for all costs, plus penalties, of such shutting off and opening before service will be resumed; and, in addition, such charges shall constitute a lien against the property enforceable by appropriate action.

and s	eal(s)	this _	6th_	day of	f No	Vember Dan-	Mari	19 91	·
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	OF CO	W.)	ss:					
		regoing			was ac	nowled 19 _91	ged befo	re me tl	nis
	Sammy	J. Mar	itzky a	and Iris	L. Maru	ıtzky			
	WITNES	S my ha	nd an	d offi	cial sea	al: ,			

IN WITNESS WHEREOF, we (I) have hereunto set our (my) hand(s)

My Commission expires:

MO_I

1860 FAGE 467 BOOK

A parcel of land situated in the NE 1/4 NW 1/4 Section 18, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado, being more particularly described as follows:

Commencing at the Mesa County Survey Monument for the N 1/4 corner of said Section 18, thence South 00 17'26" East 1315.15 feet (basis of bearing) to the Mesa County Survey Monument for the Center North 1/16 corner of said Section 18, also being the Point of Beginning, thence South 89 35'31" West 434.30 feet along the South line of said NE 1/4 NW 1/4, thence North 49 33'29" West 111.99 feet to a point on the Southerly edge of the Redlands Canal, following along the South side of the Redlands Canal for the next five (5) courses:

thence North 33°50'48" East 127.45 feet,

thence 149.73 feet along the arc of a 212.05 foot radius non-tangent curve to the right, the radius point of which bears South 55°12'45" East, through a central angle of 40°27'22", the chord of which bears North 55000 56" East 146.64 feet,

thence North 74°18'17" East 109.79 feet, thence North 70°58'28" East 47.77 feet, thence North 65°05'03" East 48.74 feet, thence South 22°17'20" East 351.55 feet to the Point of Beginning,

TOGETHER WITH an easement described as follows:

An easement for ingress, egress and utilities over, under, and across the following described parcel:

Beginning at a point which is South 00⁰17'26" East 1320 feet and South 89⁰35'31" West 434.30 feet and North 49⁰33'29" West 111.99 feet from the N 1/4 corner Section 18, Township 1 South, Range 1 West of the Ute Meridian, which point is on the Southerly edge of the Redlands Canal, thence North 48°28' West 300 feet more or less, to a point on the Easterly end of a road right of way recorded in Book 994 at Page 603, thence North 44°13' East 30 feet, along said Easterly end of right of way, thence South 48°28' East to the East edge of the Redlands Canal, thence Southwesterly along said East edge of the Redlands Canal to Point of Beginning,

Mesa County, Colorado.