

6 425 1/2 SW corner

Karl Metzner

mapped KMM  
1/20/94

POWER OF ATTORNEY AND SEWERAGE SERVICE AGREEMENT

WE, (I) Walid Boumatar  
owner(s) of the real property situate in Mesa County, Colorado and described as: MOONRIDGE FALLS - ~~PARCELS~~

see attached legal description

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, 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, and 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.

IN WITNESS WHEREOF, we (I) have hereunto set our (my) hand (s) and seal (s) this 7<sup>th</sup> day of JANUARY, 1994.

Walid Boumatar  
\_\_\_\_\_

STATE OF COLORADO )  
                                  )  
COUNTY OF MESA        )

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of January, 1994 by Walid Boumatar

WITNESS my hand and official seal: Heresa A. Martinez  
Notary Public

My Commission expires: June 13, 1995



C60-93 Moonridge Falls - Revised ODP/Preliminary/Final and Rezone  
 Petitioner: Walid and Teresa Bou-Matar  
 Location: Southwest of G and 25-1/2 Roads, Northwest of G.J.  
 A request for approval of an official development plan and zone change from Planned Residential (PR9.9) to Planned Unit Development (PUD) for 60 single-family residential lots on 29.11 acres and a preliminary/final plan for 12 of those 60 lots. If questions or concerns, please call Linda Dannenberger at 244-1771.

The E1/2 NE1/4 NW1/4 lying South of Turpin Wash, also known as East Fork of Persigo Wash,

EXCEPT a parcel of land described as follows:

Beginning at a point from which the North Quarter corner of Section 3, Township 1 South, Range 1 West, of the Ute Meridian bears North 150.06 feet;  
 thence South 408.07 feet along Quarter line of said Section 3;  
 thence West 336.55 feet;  
 thence North 313.02 feet to the center of wash;  
 thence East along said center of wash 15 feet;  
 thence along said center South 38°54' East 78.47 feet;  
 thence along said center South 77°19' East 50.21 feet;  
 thence along said center North 63°42' East 138.21 feet;  
 thence along said center North 43°11' East 145.27 feet to the Point of Beginning, also in the center of said wash; all in Section 3, Township 1 South, Range 1 West of the Ute Meridian;

AND all that portion lying South of Turpin Wash of the NW1/4 NW1/4 of Section 3, Township 1 South, Range 1 West of the Ute Meridian and lying East of the Grand Junction and Grand River Valley Railway Company's former right-of-way, and more particularly described as follows:

Beginning at a point 1317.7 feet North 89°43'45" East from the Northwest corner of said Section 3, which is the Northeast corner of said Subdivision;  
 thence South 89°43'45" West 238.7 feet to a point;  
 thence South 14°10'45" East 992.3 feet to a point;  
 thence Southeasterly on the arc of a 12°20' curve to the left 6.3 feet to a point in the East limit of said subdivision;

thence North 0°21'15" West 969.6 feet, more or less, to the place of beginning;

AND ALSO all that part of the W1/2 NE1/4 NW1/4 of Section 3, Township 1 South, Range 1 West of the Ute Meridian which lies North and East of the former right-of-way of the Grand Junction and Grand River Valley Railway and South of Turpin Wash, also known as East fork of Persigo Wash.

EXCEPT beginning at the Southeast Corner of the NE 1/4 NW 1/4 of Section 3, T1S, R1W, U.M.; thence S89°14'08"W 509.32 feet; thence N00°02'45"E 220.96 feet; thence N89°59'05"E 508.04 feet; thence S00°16'55"E 214.30 feet to the point of beginning.