

Mapped
4/26/90
KOH

POWER OF ATTORNEY AND
SEWERPAGE SERVICE AGREEMENT

WE, (I), Top Development Inc
owner(s) of the real property situate in Mesa County, Colorado,
and described as: Cambridge Sub Lots: 10 thru 18 in
Block 1, Lots 8, 10, 14, 15, 17 of Block 2 & Lot E. of Block 3

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.

IN WITNESS WHEREOF, we (I) have hereunto set our (my) hand(s) and seal(s) this 24 day of January, 1990.

Thomas M. Burke

STATE OF COLORADO)
) ss:
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 24 day of January, 1990 by Thomas M. Burke

WITNESS my hand and official seal:

May Louis Poller
Notary Public

My Commission Expires 4/30/91
2190 BUFFALO DR.
GRAND JUNCTION, CO 81503



City of Grand Junction, Colorado
81501-2668
250 North Fifth Street

January 12, 1990

Mr. Thomas M. Burke
Burke Construction Co.
336 Main Street, Suite 205
Grand Junction, CO 81501

Re: Acceptance of Sewer Improvements - Cambridge Subdivision

Dear Thom:

The following sanitary sewer lines within Phase 2 of Cambridge Subdivision have been inspected, approved, "As-Builts" received and will be accepted into the 201 System when you have supplied the City with a Power of Attorney for annexation as per the City/County sewer agreement:

1. Cambridge Court
2. Cambridge Drive
3. Cambridge Road

Centauri Drive and the west end of Cambridge Road have not been completed and are therefore not included in this acceptance.

The developer remains responsible for any failure of the system, including trench settlement and any related damages for a period of one year following the date of acceptance.

FOR THE CITY OF GRAND JUNCTION

A handwritten signature in cursive script that reads "Bill Cheney".

Bill Cheney, Utility Engineer

cc: Linda Dannenberger, Mesa County Planning