

WARRANTY DEED

This Warranty Deed made this 12th day of July, 2023 by and between **David S. Mundy, Grantor**, who is the owner of a parcel of land located at 659 24 1/2 Rd., Grand Junction, CO 81505 as recorded at Reception No. 2615625, in the Mesa County Clerk and Recorder's records, 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, have sold, granted and conveyed, and by these presents do 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 interest in fee simple the following described parcel of land for Public Road and Utilities Right-of-Way purposes, to wit:

See **Exhibit "A"** and **Exhibit "B"** attached hereto and incorporated herein by reference for the legal description and graphic illustration of the parcel of land that is the subject of this instrument.

Said Parcel being a part of Mesa County Assessor Parcel No. 2945-042-00-127

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 Grantors hereby covenanting that Grantors will warrant and defend the title to said premises unto the said Grantee and unto its successors and assigns forever, against the lawful claims and demands of all persons whomsoever.

Executed and delivered this 12th day of July, 2023.

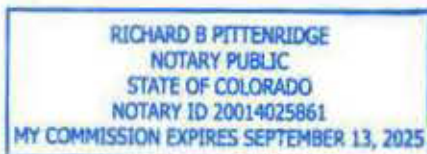
By: David S. Mundy
David S. Mundy

State of COLORADO)
) ss
County of Mesa)

The foregoing instrument was acknowledged before me this 12th day of July, 2023 by David S. Mundy.

My commission expires 9-13-2025.
Witness my hand and official seal.

Richard B. Pittenridge
Notary Public



LEGAL DESCRIPTION

2945-042-00-127

RIGHT-OF-WAY PARCEL NO. RW-43

A parcel of land being a portion of the tract of land as described in Reception Number 2615625 located in the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of Section 4, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Southeast (SE) Corner of the said SE1/4 NW1/4 of Section 4, and assuming the East line of said SE1/4 NW1/4 bears N0°01'45"E with all other bearings contained herein being relative thereto; thence from said point of commencement, S89°55'28"W a distance of 30.00 feet to a point on the West Right-of-Way line of 24 1/2 Road as described in Reception Number 838138; thence N0°01'45"E along said West line, a distance of 313.67 feet to the Southeast corner of the said tract of land described in Reception Number 2615625 being the Point of Beginning;

thence N0°01'45"E along the East boundary of the said tract, a distance of 176.90 feet; thence S89°55'28"W along the North boundary of the said tract, a distance of 2.25 feet; thence Southwesterly along the arc of a non-tangent 764.00 foot radius curve concave Westerly, a distance of 51.59 feet thru a central angle of 3°52'08" whose chord bears S06°21'28"W, a distance of 51.58 feet; thence S08°17'32"W a distance of 117.49 feet; thence Southwesterly along the arc of a 412.00 foot radius curve concave Easterly, a distance of 9.49 feet thru a central angle of 1°19'12" whose chord bears S07°37'56"W, a distance of 9.49 feet to the South boundary of said tract of land; thence N89°55'28"E along the said South boundary, a distance of 26.07 feet to the Point of Beginning.

Said Parcel of land CONTAINING 2389 Square Feet or 0.06 Acres, more or less, as described.

Authored by: Renee B. Parent, CO PLS #38266
City Surveyor - City of Grand Junction
333 West Avenue, Building C
Grand Junction, CO 81501



ABBREVIATIONS

P.O.C.	Point of Commencement	Rec.	Reception
P.O.B.	Point of Beginning	No.	Number
R.O.W.	Right-of-Way	RW	Right-of-Way
R.	Section	MPE	Multi-Purpose Easement
S.	Township	TCE	Temporary Construction Easement
R.	Range	U.M.	Ute Meridian
~	Approximately		

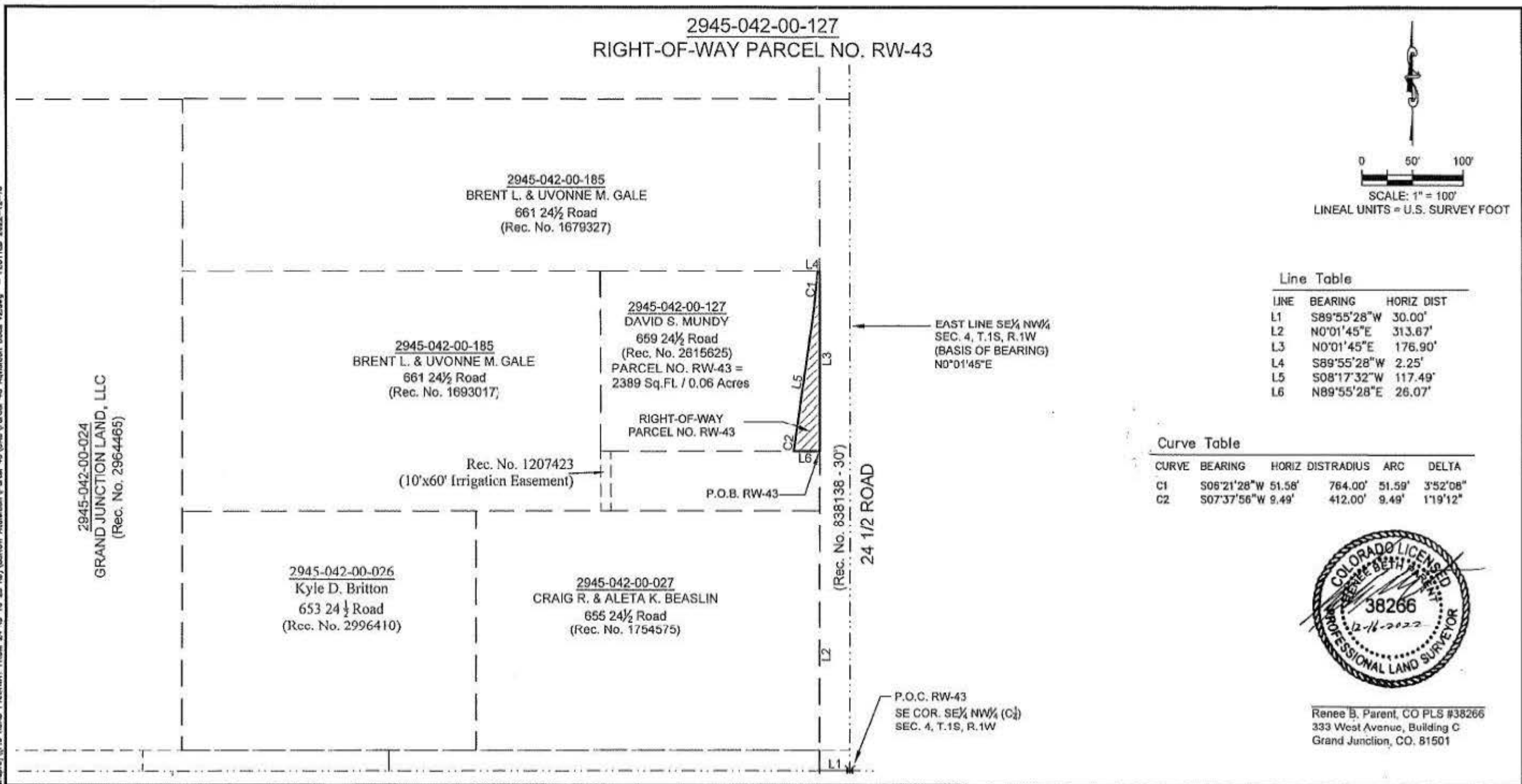
The sketch & description shown hereon have been derived from subdivision plats & deed descriptions as they appear in the office of the Mesa County Clerk & Recorder & monuments as shown. This sketch does not constitute a legal boundary survey, & is not intended to be used as a means for establishing or verifying property boundary lines.

WRITTEN BY: RBP
DATE: 12-16-2022
REVIEWED BY: CVW
APPROVED BY: BH
SCALE:

Portion of 2945-042-00-127
Located in part of the SE1/4 NW1/4
Section 4, T.1S, R.1W
Ute Meridian, City of Grand Junction
Mesa County, Colorado

CITY OF
Grand Junction
COLORADO

PUBLIC WORKS
ENGINEERING DIVISION
PROJECT NO. 207-F210306



LINE	BEARING	HORIZ DIST
L1	S89°55'28"W	30.00'
L2	N0°01'45"E	313.67'
L3	N0°01'45"E	176.90'
L4	S89°55'28"W	2.25'
L5	S08°17'32"W	117.49'
L6	N89°55'28"E	26.07'

CURVE	BEARING	HORIZ DIST	RADIUS	ARC	DELTA
C1	S06°21'28"W	51.58'	764.00'	51.59'	3°52'00"
C2	S07°37'56"W	9.49'	412.00'	9.49'	1°19'12"



Renee B. Parent, CO PLS #38266
333 West Avenue, Building C
Grand Junction, CO. 81501

ABBREVIATIONS	
P.O.C.	Point of Commencement
P.O.B.	Point of Beginning
R.O.W.	Right-of-Way
R.	Section
S.	Township
R.	Range
~	Approximately
Rec.	Reception
No.	Number
RW	Right-of-Way
MPE	Multi-Purpose Easement
TCE	Temporary Construction Easement
U.M.	Ute Meridian

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DRAWN BY:	RBP
DATE:	12-16-2022
REVIEWED BY:	CVW
APPROVED BY:	BH
SCALE:	1" = 100'

Portion of 2945-042-00-127
Located in part of the SE¼ NW¼
Section 4, T.1S, R.1W
Ute Meridian, City of Grand Junction
Mesa County, Colorado



PUBLIC WORKS
ENGINEERING DIVISION
PROJECT NO. 207-F210308

REQUEST FOR FULL ☐ / PARTIAL ☒

RELEASE OF DEED OF TRUST AND RELEASE BY HOLDER OF EVIDENCE OF DEBT WITHOUT PRODUCTION OF EVIDENCE OF DEBT PURSUANT TO §38-39-102 (1)(a) AND (3), COLORADO REVISED STATUTES

 Date
David S. Mundy and Yolanda Mundy
 Original Grantor (Borrower)
659 24 1/2 ROAD, GRAND JUNCTION, CO 81505
 Current Address of Original Grantor, Assuming Party, or Current Owner
☐ Check here if current address is unknown
Citibank, N.A.
 Original Beneficiary (Lender)
FEBRUARY 24, 2012
 Date of Deed of Trust
MARCH 12, 2012
 Date of Recording and/or Re-Recording of Deed of Trust
REC #2803626
 Recording Information

TO THE PUBLIC TRUSTEE OF MESA COUNTY (The County of the Public Trustee who is the appropriate grantee to whom the above Deed of Trust should grant an interest in the property described in the Deed of Trust)

PLEASE EXECUTE AND RECORD A RELEASE OF THE DEED OF TRUST DESCRIBED ABOVE. The indebtedness secured by the Deed of Trust has been fully or partially paid and/or the purpose of the Deed of Trust has been fully or partially satisfied in regard to the property encumbered by the Deed of Trust as described therein as to a full release or, in the event of a partial release, only that portion of the real property described as:

(IF NO LEGAL DESCRIPTION IS LISTED THIS WILL BE DEEMED A FULL RELEASE.)

See Attached Legal Description

Pursuant to §38-39-102 (3), Colorado Revised Statutes, in support of this Request for Release of Deed of Trust, the undersigned, as the holder of the evidence of debt secured by the Deed of Trust described above, or a Title Insurance Company authorized to request the release of a Deed of Trust pursuant to §38-39-102 (3) (c), Colorado Revised Statutes, in lieu of the production or exhibition of the original evidence of debt with this Request for Release, certifies as follows:

1. The purpose of the Deed of Trust has been fully or partially satisfied.
2. The original evidence of debt is not being exhibited or produced herewith.
3. It is one of the following entities (check applicable box):
 - a. ☒ The holder of the original evidence of debt that is a qualified holder, as specified in §38-39-102 (3) (a), Colorado Revised Statutes, that agrees that it is obligated to indemnify the Public Trustee for any and all damages, costs, liabilities, and reasonable attorney fees incurred as a result of the action of the Public Trustee taken in accordance with this Request for Release.
 - b. ☐ The holder of the evidence of debt requesting the release of a Deed of Trust without producing or exhibiting the original evidence of debt that delivers to the Public Trustee a Corporate Surety Bond as specified in §38-39-102 (3) (b), Colorado Revised Statutes; or
 - c. ☐ A Title Insurance Company licensed and qualified in Colorado, as specified in §38-39-102 (3) (c), Colorado Revised Statutes, that agrees that it is obligated to indemnify the Public Trustee pursuant to the statute as a result of the action of the Public Trustee taken in accordance with this Request for Release and that has caused the indebtedness secured by the Deed of Trust to be satisfied in Full, or in the case of a Partial Release, to the extent required by the holder of the Indebtedness.

Mortgage Electronic Registration System, Inc. as nominee for Citibank, N.A.

Name and Address of Current Owner and Holder of the Evidence of Debt Secured by Deed of Trust (Lender)
 Or name and address of Title Insurance Company Authorized to Request the Release of a Deed of Trust
MEERS AS NOMINEE FOR CITIBANK, Elise Masselle
 Name, Title and Address of Officer, Agent or Attorney of Holder of the Evidence of Debt Secured by Deed of Trust (Lender)
Elise Masselle
 Signature
 State of NJ County of MERCER
 The foregoing Request for Release was acknowledged before me on
November 27, 2023 (date)
 by Elise Masselle as Vice President
 of MEERS
 Date Commission Expires
 Notary Public
 Witness my hand and official seal



SETH L. RUBY
 NOTARY PUBLIC
 STATE OF NEW JERSEY
 ID#50152651

MY COMMISSION EXPIRES FEB. 24, 2026

RELEASE OF DEED OF TRUST

WHEREAS, the Grantor(s) named above, by Deed of Trust, granted certain real property described in the Deed of Trust to the Public Trustee of the County referenced above, in the State of Colorado, to be held in trust to secure the payment of the indebtedness referred to therein; and

WHEREAS, the indebtedness secured by the Deed of Trust has been fully or partially paid and/or the purpose of the Deed of Trust has been fully or partially satisfied according to the written request of the holder of the evidence of debt or Title Insurance Company authorized to request the release of the Deed of Trust;

NOW THEREFORE, in consideration of the premises and the payment of the statutory sum, receipt of which is hereby acknowledged, I, as the Public Trustee in the County named above, do hereby fully and absolutely release, cancel and forever discharge the Deed of Trust or that portion of the real property described above in the Deed of Trust, together with all privileges and appurtenances thereto belonging.

(Public Trustee use only; use appropriate label)

(Public Trustee use only; use appropriate label)



Public Trustee

Savannah Doudy
 Deputy Public Trustee

Savannah Doudy December 26 2023

(If applicable: Notary Seal)

(If applicable, Name and Address of Person Creating New Legal Description as Required by § 38-39-108.5, Colorado Revised Statutes.)

Original Note and deed of Trust Returned to:

WHEN RECORDED RETURN TO: TRS Corporation, 6551 Revere Parkway, Suite 210, Centennial, CO 80111

Prepared/Received by:

MS22104102

EXHIBIT A

LEGAL DESCRIPTION

2945-042-00-127

RIGHT-OF-WAY PARCEL NO. RW-43

A parcel of land being a portion of the tract of land as described in Reception Number 2815625 located in the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of Section 4, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Southeast (SE) Corner of the said SE1/4 NW1/4 of Section 4, and assuming the East line of said SE1/4 NW1/4 bears N0°01'45"E with all other bearings contained herein being relative thereto; thence from said point of commencement, S89°55'28"W a distance of 30.00 feet to a point on the West Right-of-Way line of 24 1/2 Road as described in Reception Number 838138; thence N0°01'45"E along said West line, a distance of 313.67 feet to the Southeast corner of the said tract of land described in Reception Number 2815625 being the Point of Beginning;

thence N0°01'45"E along the East boundary of the said tract, a distance of 176.90 feet; thence S89°55'28"W along the North boundary of the said tract, a distance of 2.25 feet; thence Southwesterly along the arc of a non-tangent 764.00 foot radius curve concave Westerly, a distance of 51.59 feet thru a central angle of 3°52'08" whose chord bears S08°21'28"W, a distance of 51.58 feet; thence S08°17'32"W a distance of 117.49 feet; thence Southwesterly along the arc of a 412.00 foot radius curve concave Easterly, a distance of 9.49 feet thru a central angle of 1°19'12" whose chord bears S07°37'56"W, a distance of 9.49 feet to the South boundary of said tract of land; thence N89°55'28"E along the said South boundary, a distance of 26.07 feet to the Point of Beginning.

Said Parcel of land CONTAINING 2389 Square Feet or 0.06 Acres, more or less, as described.

Authored by: Renea B. Parent, CO PLS #38266
City Surveyor - City of Grand Junction
333 West Avenue, Building C
Grand Junction, CO 81501



ABBREVIATIONS

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~	Approximately		

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WRITTEN BY:

RBP

DATE:

12-18-2022

REVIEWED BY:

CWW

APPROVED BY:

DH

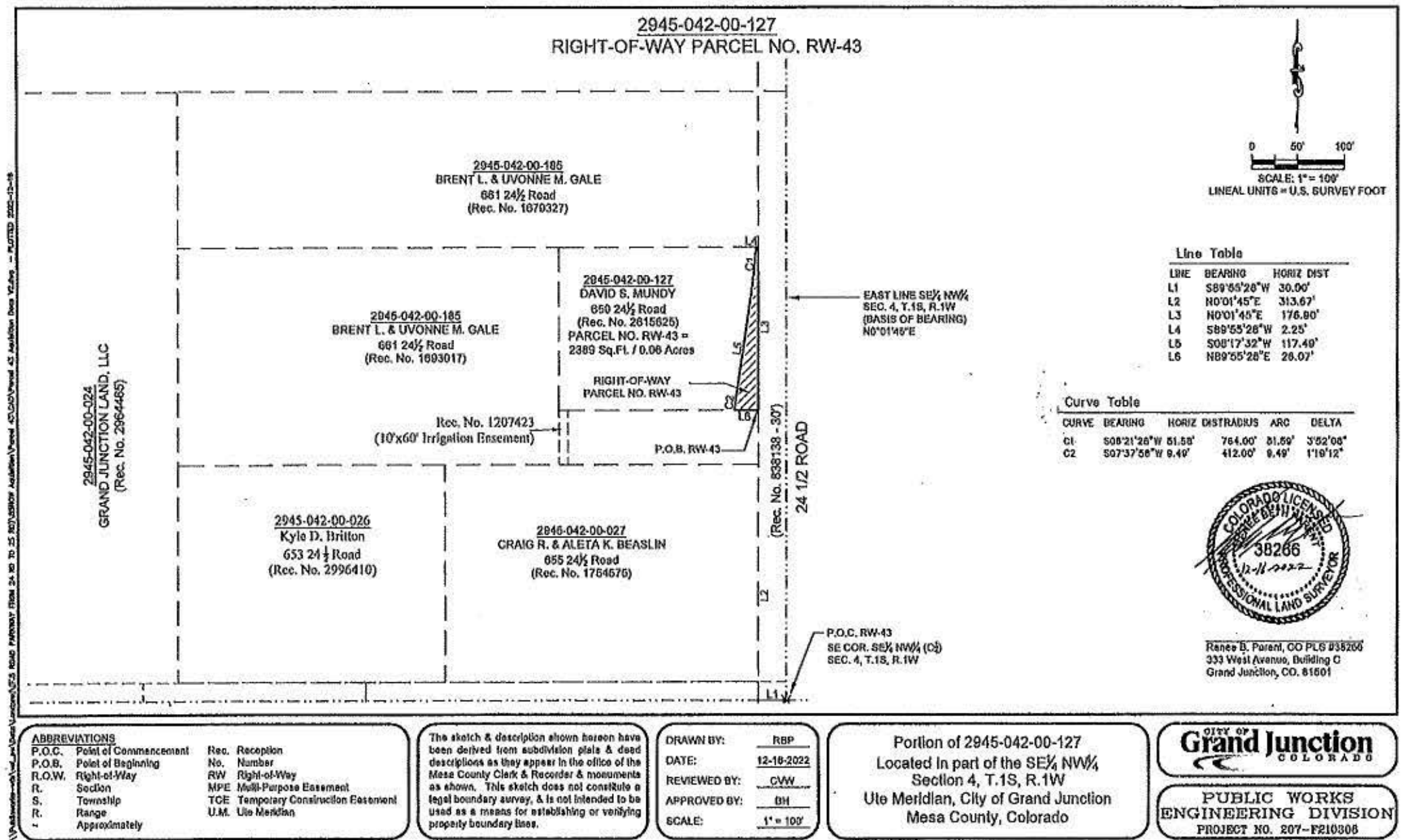
SCALE:

Portion of 2945-042-00-127
Located in part of the SE1/4 NW1/4
Section 4, T.1S, R.1W
Ute Meridian, City of Grand Junction
Mesa County, Colorado

CITY OF
Grand Junction
COLORADO

PUBLIC WORKS
ENGINEERING DIVISION
PROJECT NO. 207-F210300

EXHIBIT B



Consent to Easement

Mortgage Electronic Registration Systems, Inc. ("MERS"), as Beneficiary, as nominee for Citibank, N.A., its successors and assigns, 1000 Technology Drive, O'Fallon, MO 63368-2240, of a Deed of Trust executed by DAVID S. MUNDY AND YOLANDA MUNDY DATED FEBRUARY 24, 2012 AND RECORDED MARCH 12, 2012 WITH THE OFFICE OF THE CLERK AND RECORDER, MESA COUNTY, COLORADO AT RECEPTION NO. 2603626 which encumbers the property described in the Deed of Trust referenced above, does hereby consent to the Grant of Multi-Purpose Easement and agrees that said easement shall be superior to the lien of MERS, Beneficiary.

SEE EXHIBITS A & B – Easement Legal Description and Depiction Attached

Signed this 27 day of November, 2023

Mortgage Electronic Registration System, Inc. as nominee for Citibank, N.A.

By: [Signature]

Print Name: Elise Masselli

Its: Vice President

STATE OF New Jersey

COUNTY OF Mesa

On 11/27 2023 before me appeared Elise Masselli to me personally known, who did say that s/he/they is (are) Vice President of MERS and that the instrument was signed on behalf of the corporation (or association), by authority from its board of directors, and that s/he/they acknowledged the instrument to be the free act and deed of the corporation (or association).

[Signature] NOTARY PUBLIC

(SEAL)

My Commission Expires: Feb 24, 2026

 **SETH L. RUBY**
NOTARY PUBLIC
STATE OF NEW JERSEY
ID # 50152651
MY COMMISSION EXPIRES FEB. 24, 2026

EXHIBIT A

LEGAL DESCRIPTION

2945-042-00-127

MULTI-PURPOSE EASEMENT PARCEL NO. MPE-43

A parcel of land being a portion of the tract of land as described in Reception Number 2615625 located in the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of Section 4, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Southeast (SE) Corner of the said SE1/4 NW1/4 of Section 4, and assuming the East line of said SE1/4 NW1/4 bears N0°01'45"E with all other bearings contained herein being relative thereto; thence from said point of commencement, S89°55'28"W a distance of 30.00 feet to a point on the West Right-of-Way line of 24 1/2 Road as described in Reception Number 838138; thence N0°01'45"E along said West line, a distance of 313.67 feet to the Southeast corner of the said tract of land described in Reception Number 2615625 also being the Southeast Corner of Parcel RW-43; thence S89°55'28"W along the South line of said tract a distance of 26.07 feet to the Southwest Corner of said Parcel RW-43 being the Point of Beginning;

thence along the boundary of said Parcel RW-43 for the following three (3) courses: 1) Northeasterly along the arc of a non-tangent 412.00 foot radius curve concave Easterly, a distance of 9.49 feet thru a central angle of 1°19'12" whose chord bears N07°37'56"E, a distance of 9.49 feet; 2) N08°17'32"E, a distance of 117.49 feet; 3) Northeasterly along the arc of a 764.00 foot radius curve concave Westerly, a distance of 51.59 feet thru a central angle of 3°52'08" whose chord bears N06°21'28"E, a distance of 51.58 feet to the North boundary of said tract; thence S89°55'28"W along the North boundary of the said tract, a distance of 14.04 feet; thence Southwesterly along the arc of a non-tangent 750.00 foot radius curve concave Westerly, a distance of 49.54 feet thru a central angle of 3°47'05" whose chord bears S06°23'59"W, a distance of 49.53 feet; thence S08°17'32"W a distance of 117.49 feet; thence Southwesterly along the arc of a 426.00 foot radius curve concave Easterly, a distance of 11.55 feet thru a central angle of 1°33'10" whose chord bears S07°30'57"W, a distance of 11.55 feet to the South boundary of said tract; thence N89°55'28"E along the said South boundary, a distance of 14.10 feet to the Point of Beginning.

Said Parcel of land CONTAINING 2500 Square Feet or 0.06 Acres, more or less, as described.

Authored by: Renee B. Parent, CO PLS #36266
City Surveyor - City of Grand Junction
333 West Avenue, Building C
Grand Junction, CO 81501



ABBREVIATIONS

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WRITTEN BY: RBP
DATE: 12-16-2022
REVIEWED BY: CWV
APPROVED BY: BH
SCALE:

Portion of 2945-042-00-127
Located in part of the SE1/4 NW1/4
Section 4, T.1S, R.1W
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Mesa County, Colorado

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Grand Junction
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PUBLIC WORKS
ENGINEERING DIVISION
PROJECT NO. 207-P210300

EXHIBIT B

