

29G08WAL

TYPE OF RECORD:	PERMANENT
CATEGORY OF RECORD:	DEED (WARRANTY)
NAME OF PROPERTY OWNER OR GRANTOR OR GRANTEE:	29 & G ROADS, LLC.
PURPOSE:	WALNUT ESTATES FILING 1
ADDRESS:	EAST END OF BRODICK WAY
PARCEL NO:	2943-052-00-070
CITY DEPARTMENT:	PUBLIC WORKS AND PLANNING
YEAR:	2008
EXPIRATION DATE:	NONE
DESTRUCTION DATE:	NONE

Muirfield Drive onto their property to the north of Walnut Estates Subdivision Filing No. 1 and in the further event that such extension of Muirfield Drive is actually constructed or the City of Grand Junction determines that the temporary turnaround created by this grant is no longer required by the City of Grand Junction, then this grant of easement shall terminate. Once access is available through an extension of Muirfield Drive, Grantor shall be permitted to remove any improvements constructed within the temporary easement. In the event any improvements to the turnaround are made beyond compaction and gravel, the developer of Walnut Estates Subdivision Filing No. 1 shall remove such improvements at his own expense upon the termination of the temporary easement granted herein.

6. Grantor shall be permitted to construct and maintain a fence around the perimeter of the property subject to the temporary turnaround easement described herein provided that no such fence shall block or interfere with the use of the turnaround or access from Muirfield Drive to the turnaround.

Grantor hereby specially warrants the title to the property which is the subject of this temporary easement against all claims or defects arising during or as a result of Grantor's ownership thereof, subject to taxes for the current year, a lien but not yet due and payable, and subject to all liens, encumbrances and other matters of record.

Witness our hand signed this 2nd day of October, 2008.

Grantor:
29 & G Roads, LLC

By: 
Its Duly Authorized Member or Manager

State of Indiana :
County of Porter :

The foregoing instrument was signed and acknowledged before me this 2ND day of October, 2008, by Robert S. Harris who attested under oath that he/she is a Member or Manager of 29 & G Roads, LLC, a Colorado limited liability company duly authorized to sign this instrument on behalf of said entity. Witness my hand and official seal. My commission expires 4/21/16.



Mary M. Gulbransen
Notary Public
Mary M. Gulbransen

Exhibit A

Temporary Turnaround Easement

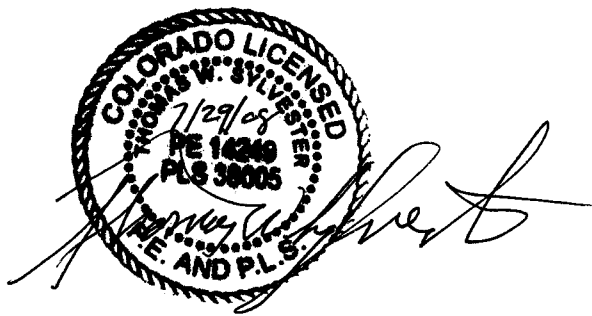
Legal Description

A parcel or tract of land situate in the NW1/4 Section 5, Township 1 South, Range 1 East of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

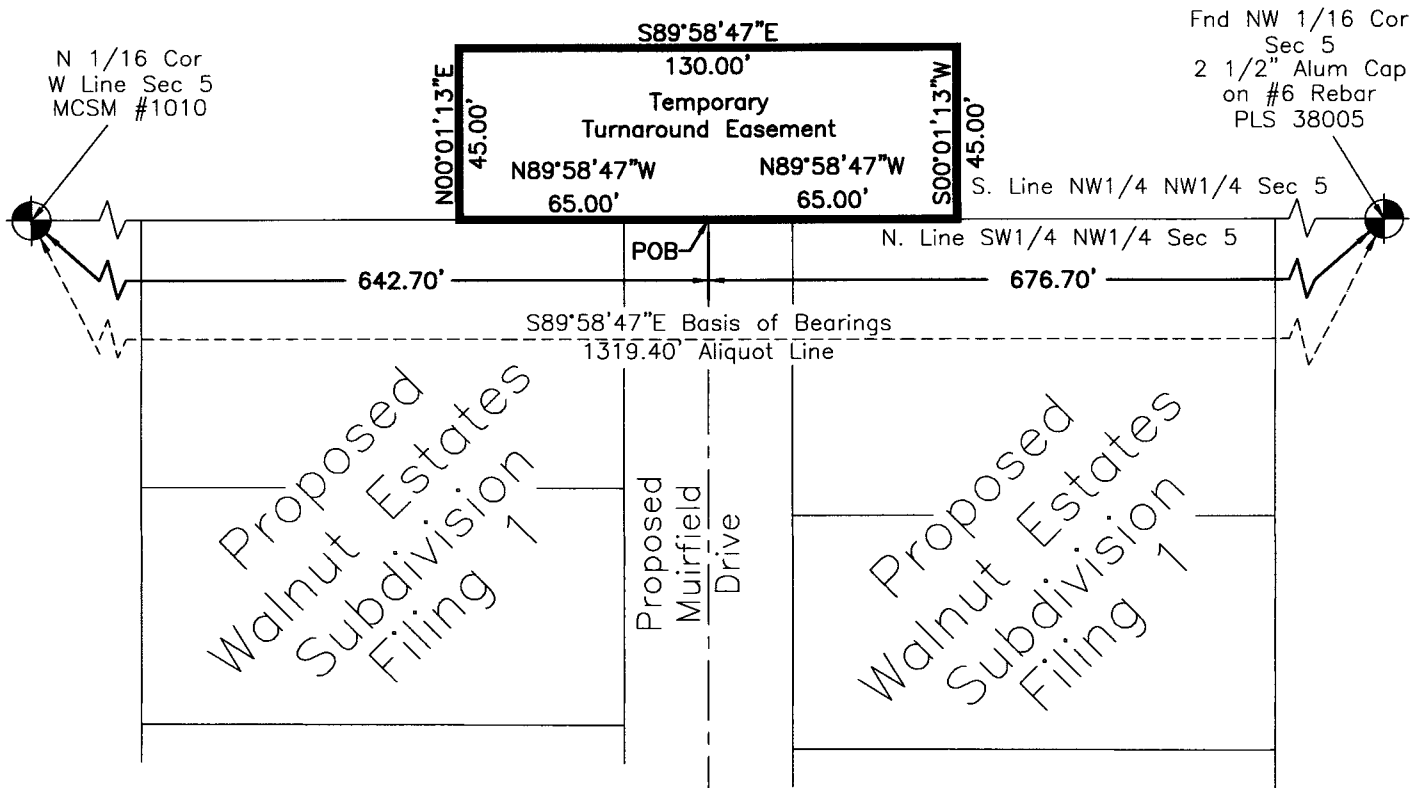
BEGINNING at a point on the south line of the NW1/4 NW1/4 Section 5, Township 1 South, Range 1 East of the Ute Meridian, said point also being on the centerline of the proposed Muirfield Drive within the proposed Walnut Estates Subdivision Filing 1, whence the N 1/16 corner of said Section 5 bears N89°58'47"W, a distance of 642.70 feet with all other bearings contained herein being relative thereto; thence, N89°58'47"W along the south line of said NW1/4 NW1/4, a distance of 65.00 feet; thence, N00°01'13"E, a distance of 45.00 feet; thence, S89°58'47"E, a distance of 130.00 feet; thence, S00°01'13"W, a distance of 45.00 feet to the south line of said NW1/4 NW1/4; thence, N89°58'47"W along the south line of said NW1/4 NW1/4, a distance of 65.00 feet to the POINT OF BEGINNING; containing 5850 square feet by these measures.


Legal description prepared by:
Merritt LS, L.L.C.
743 Horizon Ct., Suite 100B
Grand Junction, CO 81506

Thomas W. Sylvester
P. E. 14249
P. L. S. 38005



A PORTION OF SECTION 5,
TOWNSHIP 1 SOUTH, RANGE 1 EAST,
UTE MERIDIAN,
MESA COUNTY, COLORADO



 Found Section Monument

SURVEYORS CERTIFICATE

I hereby certify that I was in responsible charge of the survey represented by this plat and it was prepared from a field survey completed by me or under my direct supervision.

Thomas W. Sylvester,
P. E. 14249
P. L. S. 38005

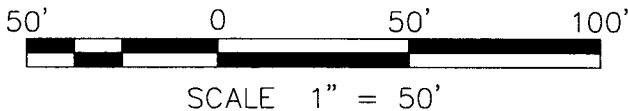
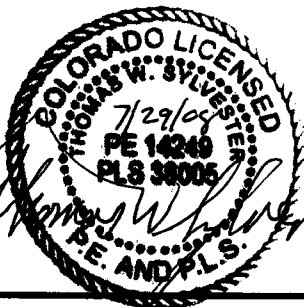


EXHIBIT A – Page 2 of 2



TEMPORARY TURNAROUND EASEMENT

in the NW1/4 Section 5
Township 1 South, Range 1 East, U. M.
Mesa County, Colorado



2478 Patterson Road, Suite 18
Grand Junction, CO 81505
hiramr@turnkeyllc.net
O: 970-985-4001
F: 970-985-4002

Date: September 16, 2008

To: Tom Sylvester
743 Horizon Ct. Suite 100B
Grand Junction CO 81506

From: TurnKey Consulting, LLC.
2478 Patterson Road, Suite 18
Grand Junction CO 81505

Re: Temporary Turn-around easement fees

Mr. Sylvester;

After speaking to Mr. Robert Harris concerning the use of his land at 29 and G Roads for a temporary turn-around easement, he has come to the conclusion that your client, Mr. Sneddon, should be responsible for the attorney and consulting fees Mr. Harris has incurred during this process. Mr. Harris has no plans to develop this parcel at this time and is currently marketing the parcel for sale. In addition, Mr. Harris would prefer to hold the money estimated for removal of the materials used for this easement in order to alleviate headaches in the future. A breakdown of fees and removal costs are as follows:

Attorney Fees for review:	\$ 416.00
Consultant Fees:	\$ 455.00
<u>Estimated removal costs:</u>	<u>\$ 500.00</u>
Total:	\$ 1,371.00

Once Mr. Harris receives a check for the above total, he will sign the easement agreement and return it to you for recording. Please make the check payable to: "29 and G Roads, LLC" and mail to: Robert Harris - 404 Franklin - Porter, IN 46304

Respectfully,

Hiram Reyez
TurnKey Consulting, LLC.

Cc: Robert Harris
Rich Krohn

Merritt LS, L.L.C.

743 Horizon Ct., Suite 100B
Grand Junction, CO 81506
(970) 255-7386
Fax: (970) 256-7386

September 17, 2008

Mr. Robert Harris
404 Franklin
Porter, IN 46304

Re: Walnut Estates
Muirfield Drive
Temporary Turnaround Easement

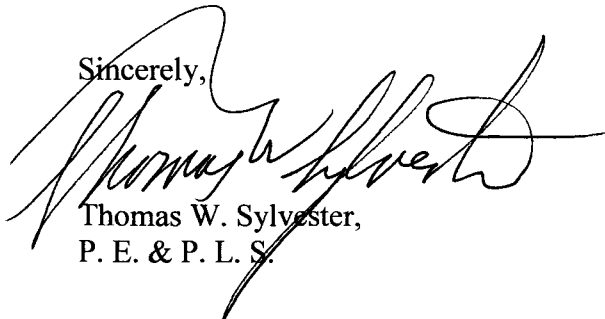
Dear Mr. Harris:

Per the letter I received yesterday from Mr. Hiram Reyez of TurnKey Consulting, LLC (a copy of which is attached), please find enclosed a check for \$1371.00 for payment in full for your attorney's fees, consultant's fees, and future removal costs for the subject easement.

Please sign the temporary turnaround easement attached, a copy of which I had sent by e-mail via Hiram Reyez on September 5, 2008 for your review. Your signature needs to be witnessed by a notary public. Please return the signed documents to me in the enclosed pre-paid self-addressed FedEx return envelope.

Thank you for your accommodation. If you have any questions, please don't hesitate to call.

Sincerely,



Thomas W. Sylvester,
P. E. & P. L. S.

cc: Robert A. Larson, P. L. S.
Maxwell Sneddon
Max F. Sneddon
Bill Balaz
Hiram Reyez
Paul Sunderland

6 PAGE DOCUMENT

**SPECIAL WARRANTY DEED
TEMPORARY EASEMENT**

Know all men by these presents:

That for and in consideration of the sum of Ten Dollars and other consideration in hand paid, the receipt and sufficiency of which is hereby acknowledged, **29 & G Roads, LLC**, a limited liability corporation organized under the laws of the State of Colorado, "Grantor", hereby grants, bargains, sells and conveys to the City of Grand Junction, Colorado, a municipal corporation organized under the laws of the State of Colorado whose address is 250 N. 5th St., Grand Junction, CO, "Grantee", a non-exclusive, temporary turnaround easement as described on the attached Exhibit A, which is incorporated herein and made a part hereof. Said easement shall be subject to the following terms and conditions:

1. The easement granted hereby is being required by the City of Grand Junction to temporarily permit vehicles to turn around at the end of proposed Muirfield Drive (as shown on the plat of Walnut Estates Subdivision Filing No. 1), which street the City of Grand Junction requires be extended to the north boundary of the Walnut Estates property so that, if Grantor develops its property in the future, Grantor's property may be accessed from Muirfield Drive.
2. The easement granted hereby shall become effective at the time of the recording with the Mesa County Clerk and Recorder's office of the final plat of Walnut Estates Subdivision Filing No. 1 and shall remain in effect until a plat of Grantor's property is recorded showing an extension of Muirfield Drive onto Grantor's property and either (i) Muirfield Drive is built onto Grantor's property or (ii) the City determines that the temporary turnaround is no longer needed. Once a plat of Grantor's property is recorded and Muirfield Drive is extended onto Grantor's property or the City declares that the temporary turnaround is no longer needed, the easement granted hereby shall terminate and cease.
3. If for any reason the final plat of Walnut Estates Subdivision Filing No. 1 is not recorded with the Mesa County Clerk and Recorder's office by January 1, 2010, this grant of easement shall automatically terminate and the same shall thereafter be null and void.
4. Grantee or the developer of Walnut Estates Subdivision Filing No. 1 shall be permitted to compact and gravel the road surface within the temporary turnaround easement and to make any other improvements to the property within this temporary easement which may be required by any applicable regulations or which may be necessary or useful in order to permit the use of the easement for its intended purpose as a turnaround at the end of Muirfield Drive. All construction within the temporary easement shall be done in conformity with all applicable laws, ordinances and regulations and with the plans for Walnut Estates Subdivision Filing No. 1 which have been approved by the City of Grand Junction including: the Storm Water Management Plan and associated Storm Water permits; and the drawing/design of the turnaround improvements to be constructed within the temporary easement.
5. If at any time Grantor or its successors or assigns record a plat showing the extension of