

BAN220MC

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: DEED (WARRANTY)

NAME OF AGENCY OR CONTRACTOR: OLLIE E. BANNISTER

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: ORCHARD MESA CEMETERY

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1922

EXPIRATION DATE: NONE

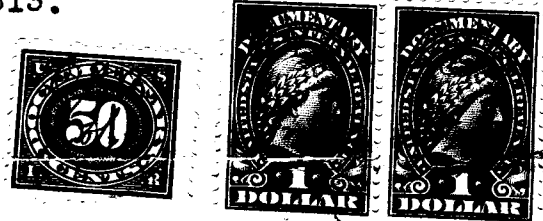
DESTRUCTION DATE: NONE

This Deed, Made this 23rd day of February in the year of our Lord one thousand nine hundred and twenty-two between Ollie E. Bannister

of the Grand Junction County of Mesa, and State of Colorado, of the first part and the City of Grand Junction, a municipal Corporation

of the County of Mesa, and State of Colorado, of the second part;

Witnesseth, That the said part y of the first part, for and in consideration of the sum of two thousand five hundred DOLLARS, to the said part y of the first part in hand paid by the said part y of the second part, the receipt whereof is hereby confessed and acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the said part y of the second part, its successors and assigns forever, all the following described lot or parcel of land, situate, lying and being in the County of Mesa and State of Colorado, to wit: Beginning at a point 30 feet South and 870.22 feet West of the center of the northwest quarter of Section twenty-six, Township One South, Range One West of the Ute Meridian; thence South 390.46 feet; thence East 390.46 feet; thence South 46.14 feet; thence West 20.24 feet; thence South 500 feet; thence East 500 feet; thence South 289.4 feet; thence West 22 feet; thence South 64 feet; thence West 865.2 feet; thence North 15 degrees West 88 feet; thence West 256.3 feet; thence South 15 degrees East 88 feet; thence West 176.5 feet; thence North 1290 feet; thence East 449.78 feet to the place of beginning; except the Right of Way of the Denver & Rio Grande Railway track; also except right of way for pipe line to City of Grand Junction from the reservoirs; and except all lots heretofore deeded to various parties for burial purposes; also except Right of Way of the Orchard Mesa Irrigation District Canal No. 1, conveyed by deed from W.H. Bannister to the Orchard Mesa Irrigation District, dated October 14th, 1910 and recorded in the office of the County Clerk & Recorder of Mesa County, Colorado, on March 9th, 1911 in Book 156 at page 513.



Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of the said part y of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

To have and to hold the said premises above bargained and described, with the appurtenances, unto the said part y of the second part, its successors and assigns forever. And the said part y of the first part, for himself, his heirs, executors, and administrators, does covenant, grant, bargain and agree to and with the said part y of the second part, its successors and assigns, that at the time of the ensembling and delivery of these presents, he is well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments and incumbrances of whatever kind or nature soever,

and the above bargained premises in the quiet and peaceable possession of the said part y of the second part, its successors and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said part y of the first part shall and will WARRANT AND FOREVER DEFEND.

In Witness Whereof, The said part y of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in Presence of

Ollie E. Bannister (with three circular seals)

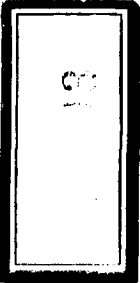
STATE OF COLORADO, } ss.  
COUNTY OF Mesa

I, Ollie E. Bannister, a Notary Public  
in and for said Mesa County, in the State aforesaid, do hereby certify that  
Ollie E. Bannister

who is personally known to me to be the person whose name is subscribed to  
the foregoing Deed, appeared before me this day in person, and acknowledged that he  
signed, sealed and delivered the said instrument of writing as his free and voluntary act,  
for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 24<sup>th</sup> day of February, A. D. 19 22  
My commission expires January 11<sup>th</sup>, 19 25

Severin M. Macy  
Notary Public.



Severin M. Macy  
RECORDED  
By Severin M. Macy

No. 176380

# WARRANTY DEED

Ollie E. Bannister

TO

City of Grand Junction.

STATE OF COLORADO, } ss.  
County of MESA

I hereby certify that this instrument was  
filed for record in my office this  
day of MAR 1 1922 A. D. 19  
at 2<sup>20</sup> o'clock P. M., and duly recorded  
in Book 255 Page 50

Engel L. Arnold  
Recorder.  
By Engel L. Arnold  
Deputy.

Fee, \$ 1.00  
12-20-11M RECORDED BY AW. F. Kischer State 922 Denver

The following resolution was introduced and read:

WHEREAS, under and by virtue of People's Ordinance No. 10, the City Council of the City of Grand Junction was authorized to purchase what is known as the Orchard Mesa Cemetery, situated in Mesa County, Colorado, described as follows:

Beginning at a point 30 feet South and 870.22 feet West of the center of the Northwest quarter (NW $\frac{1}{4}$ ) of Section twenty-six (26) Township one (1) South of Range one (1) West of the Ute Meridian, thence South 390.46 feet; thence East 390.46 feet; thence South 46.14 feet; Thence East 479.76 feet; thence South 789.4 feet; thence West 22 feet; thence South 64 feet; thence West to the West line of said Section 26; thence North 1290 feet; thence East 449.78 feet to place of beginning, except right of way of D & R G Railway Company, also except right of way of pipe line to the City of Grand Junction from the reservoirs and except all lots deeded to various parties for burial purposes, and

WHEREAS, Ollie E. Bannister was the owner of said Orchard Mesa Cemetery, and

WHEREAS, the abstract of title to the Orchard Mesa Cemetery owned by the said Ollie E. Bannister discloses that the said Ollie E. Bannister owns the following described land on Orchard Mesa, embraced in said cemetery, to-wit:

Beginning at a point 30 feet South and 879.22 feet west of the center of the Northwest quarter (NW $\frac{1}{4}$ ) of Section 26, Township 1 South Range 1 West Ute Meridian, thence South 390.46 feet; thence East 390.46 feet; thence South 46.14 feet; thence West 20.24 feet; thence South 500 feet; thence East 500 feet; thence South 289.4 feet; thence West 22 feet; thence South 64 feet; thence West 865.2 feet; thence North 15 West 88 feet; thence West 256.3 feet; thence South 15 East 88 feet; thence West 176.5 feet; thence North 1290 feet; thence East 449.78 feet to the place of beginning, except right of way of D. & R.G. Railway track, also except right of way for pipe line to the City of Grand Junction from the reservoirs and except all rights heretofore deeded to various parties for burial purposes, also except right of way to the Orchard Mesa Irrigation District, and

WHEREAS, there is a tract of land 500 feet square included in the description in People's Ordinance No. 10, which the said Ollie E. Bannister does not own, which constitutes the original first subdivision of the Orchard Mesa Cemetery, practically all of which has heretofore been sold to various people for burial purposes, and

WHEREAS, there is included in the description of said cemetery in People's Ordinance No. 10, a tract of land belonging to the County of Mesa, and used by said County as a Pauper's Field, being about 88

feet wide and about 256 feet long, and being on the South side of said Orchard Mesa Cemetery, which the said Ollie E. Bannister does not own, and

WHEREAS, the People of the City of Grand Junction desire that the City purchase the Orchard Mesa Cemetery and handle and control the same.

NOW THEREFORE, be it resolved by the City Council of the City of Grand Junction:

That the purchase of the Orchard Mesa Cemetery, owned by Ollie E. Bannister, as described herein as belonging to him, be, and the same is hereby ratified and confirmed.

Dated this 12th day of April, A.D. 1922.

.....*W. G. Gibson*.....  
President of Council

.....*Frank M. ...*.....  
City Clerk