

2261535 BK 3930 PG 455-456
06/30/2005 12:00 PM
Janice Ward CLK@REC Mesa County, CO
RecFee \$10.00 SurChg \$1.00
DocFee EXEMPT

WARRANTY DEED

THIS DEED, dated this 29 day of June, 2005, between BESS Investments, Inc, a Colorado corporation, whose legal address is 860 4th Avenue, Grand Junction, Colorado 81501 grantor, and THE CITY OF GRAND JUNCTION, a Colorado home rule municipality, whose legal address is 250 North 5th Street, Grand Junction, Colorado 81501 of the County of Mesa and State of Colorado, grantee:

NO DOCUMENTARY FEE
REQUIRED

WITNESS, that the grantor, for and in consideration of the sum of ONE HUNDRED FIVE THOUSAND NINE HUNDRED THIRTY ONE 00/100 DOLLARS (\$105,931.00), the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the grantee, its successors and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of Mesa and State of Colorado, described as follows:

A tract or parcel of land for Public Roadway and Utilities Right-of-Way purposes known as Riverside Parkway Parcel No. E-75, dated February 25, 2005, as described in Exhibit "A" attached hereto and incorporated herein by reference.

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, 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 grantor, 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 grantee, its successors and assigns forever. The grantor, for itself and for its, successors and assigns, does covenant, grant, bargain and agree to and with the grantee, its successors and assigns, that at the time of the ensembling and delivery of these presents, grantor is well seized of the premises above conveyed, has 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 as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever.

The grantor shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of the grantee, it's successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

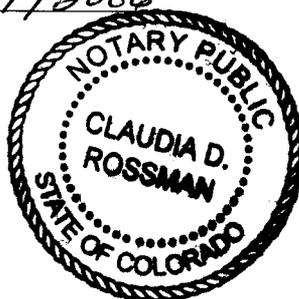
IN WITNESS WHEREOF, the grantors has executed this deed on the date set forth above.

Attest: BESS Investments, Inc., a Colorado corporation
By: Dean Sharpe Vice Pres By: John Bonella Pres

STATE OF COLORADO)
)ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 29 day of June, 2005, by John Bonella as President and attested to by Dean Sharpe as Vice President of BESS Investments, Inc., a Colorado corporation.

Witness my hand and official seal
My commission expires: 10/17/2006



Claudia D. Rossman
Notary Public

WHEN RECORDED RETURN TO:
H.C. PECK & ASSOCIATES, INC.
ATTN: LACHELLE HARRIS
P.O. BOX 480306
DENVER, CO 80248-0306

RIVERSIDE PARKWAY PARCEL E-75

February 25, 2005
071514.402.1.0025

PROPERTY DESCRIPTION

Parcel No. E-75

A parcel of land being a portion of a tract of land described in Book 1700, Page 748, recorded on July 8, 1988 at Mesa County Clerk and Recorder's Office, lying in the Northeast Quarter of Section 23, Township 1 South, Range 1 West of the Ute Principal Meridian, Mesa County, Colorado being more particularly described as follows:

COMMENCING at the East Quarter Corner of said Section 23 (a 3 1/2" Aluminum Cap stamped "D H Surveys Inc S23 | S24 1/4, T1S, R1W LS24306 1996") whence the Center Quarter Corner of said Section 23 (a 3" Brass Cap stamped "MESA COUNTY SURVEY MARKER-C 1/4 S23-NO1280), bears N89°36'03"W a distance of 2638.76 feet; THENCE N22°10'03"E a distance of 179.52 feet to the POINT OF BEGINNING;

THENCE along the southerly line of said Book 1700, Page 748 the following three (3) courses:

1. Along the arc of a curve to the right, having a central angle of 14°34'46", a radius of 1156.28 feet, a chord bearing of S82°36'05"W a distance of 293.43 feet, and an arc distance of 294.23 feet;
2. THENCE S89°53'28"W tangent with the last and following described curve a distance of 710.66 feet;
3. THENCE along the arc of a curve to the right, having a central angle of 22°34'33", a radius of 369.93 feet, a chord bearing of N78°49'16"W a distance of 144.82 feet, and an arc distance of 145.76 feet;

THENCE N89°26'45"E non-tangent with the last described curve a distance of 1143.77 feet to the POINT OF BEGINNING.

Containing 32,594 square feet, (0.748 Acres), more or less.

Basis of Bearing: N89°58'01"E between Mesa County Local Coordinate System points Southwest Corner of Section 15 (2-1/2" Alumn. Cap in Monument Box Stamped: AES T1S R1W S16/S15/S21/S22 2002 PLS 24320) and the Southeast Corner of Section 15, (2-1/2" Brass Cap Stamped: COUNTY SURVEY MARKER 828-1 15/14/22/23), both in Township 1 South, Range 1 West Ute P.M.


 Prepared by:
 Date: 2/25/05
 Marla Mellor McOmbert, PLS 24961
 For and on behalf of Carter & Burgess, Inc.

