

5 PAGE DOCUMENT

QUITCLAIM DEED

THIS DEED, made this 4<sup>th</sup> day of APRIL, 2009, between

DEPARTMENT OF TRANSPORTATION,  
STATE OF COLORADO

of the City and County of Denver and State of Colorado, grantor,  
and

THE CITY OF GRAND JUNCTION,  
a Colorado home rule municipality,

whose legal address is 250 North 5<sup>th</sup> Street, Grand Junction, Colorado 81501,  
of the County of Mesa, State of Colorado, grantee,

WITNESS, that the grantor, for and in consideration of the sum of Ten Dollars and NO/100th, the receipt and sufficiency of which is hereby acknowledged, has remised, released, sold and QUITCLAIMED, and by these presents does remise, release, sell and QUITCLAIM unto the grantee, its successors and assigns forever, all the right, title, interest, claim and demand which the grantor has in and to the real property, together with improvements, if any, situate, lying and being in Mesa County, State of Colorado, described as follows:

See Attached Exhibit "A" dated September 10, 2008 for Project No. F 001-1(8)  
Parcel No. 100-X.

also known by street and number as: N/A  
assessor's schedule or parcel number: N/A

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging, or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the grantor, either in law or equity, to the only proper use, benefit and behoof of the grantee, its successors and assigns forever, SUBJECT, HOWEVER, to the reservations, conditions, restrictions, limitations and reversionary provisions contained in Exhibit "B" attached hereto and incorporated herein by reference.

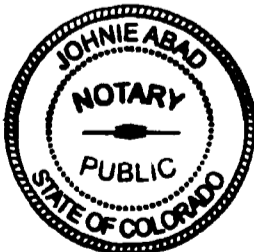
IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

DEPARTMENT OF TRANSPORTATION,  
STATE OF COLORADO

Pamela Hutton  
Pamela Hutton, P.E.  
Chief Engineer

Bernhardt K. Rasmussen  
Bernhardt K. Rasmussen  
Chief Clerk for Right of Way  
STATE OF COLORADO  
City and County of Denver

The foregoing instrument was acknowledged before me this 2nd day of April, 2009, by Pamela Hutton, P.E., Chief Engineer and Bernhardt K. Rasmussen, Chief Clerk for Right of Way, Department of Transportation, State of Colorado.



Witness my hand and official seal.  
My commission expires: 6-16-2012

Johnnie Abad  
Notary Public

WHEN RECORDED PLEASE RETURN TO:  
Colorado Department of Transportation  
ATTN: ROW Manager  
222 South 6<sup>th</sup> Street, Rm 317  
Grand Junction, CO 81501

Exhibit "A"

REAL PROPERTY  
TO BE ACQUIRED  
FROM  
COLORADO DEPARTMENT OF TRANSPORTATION

PARCEL NO. 100-X

PROJECT NUMBER: F 001-1(8)  
PARCEL NUMBER: 100-X  
PROJECT CODE: N/A  
DATE: September 10, 2008

INTERSTATE 70 BUSINESS LOOP

DESCRIPTION

A tract or parcel of land no. 100-X of the Department of Transportation, State of Colorado, Project No. F 001-1(8) containing 2.437 acres, more or less, located in the Southwest Quarter of the Northwest Quarter of Section 17, and the Southeast Quarter of the Northeast Quarter of Section 18, Township 1 South, Range 1 East, of the Ute Meridian, in Mesa County, Colorado, said tract or parcel being more particularly described as follows:

Beginning at a point on the east line of Section 18 from which the N 1/16 Corner common to Sections 17 & 18, T. 1 S., R. 1 E. of the Ute Meridian, bears N. 0°01'34" W. a distance of 147.93 feet;

1. Thence N. 73°41'01" E. along northerly ROW line (Book 605 Page 241) Project F 001-1(18) a distance of 31.2 feet;
2. Thence continuing along said ROW line S 53°12'59" E. a distance of 60.0 feet;
3. Thence N 73°41'01" E. a distance of 587.80 feet;
4. Thence S 89°23'59" E. a distance of 30.6 feet;
5. Thence N 0°09'01" E along northerly ROW line (Book 605 Page 243) a distance of 9.3 feet;
6. Thence N 73°41'01" E. along northerly ROW line (Book 605 Page 243) a distance of 501.84 feet;
7. Thence S 16°19'01" E. along easterly ROW line (Book 605 Page 247) a distance of 39.41 feet;
8. Thence S 73°45'39" W. along southerly ROW line (Book 605 Page 245) a distance of 1343.03 feet;
9. Thence S 73°45'39" W. along southerly ROW line (Book 605 Page 237) a distance of 1343.03 feet;
10. Thence N 16°13'50" W. along southerly ROW line (Book 605 Page 237) (Book 605 Page 235) a distance of 35.73 feet;
11. Thence N 73°41'01" E. along northerly ROW line (Book 605 Page 237) a distance of 1402.05 feet;
12. Thence N 36°47'01" E. along northerly ROW line (Book 605 Page 239) a distance of 80.0 feet;
13. Thence continuing along said ROW line N. 73°41'01" E. a distance of 31.2 feet to the point of beginning.

The above described parcel contains 2.437 acres more or less.

Basis of Bearings: All bearings are based on a line between the N 1/16 Corner of Section 17, Section 18, T. 1 S., R. 1 E. Ute Meridian (3 " brass cap stamped COUNTY SURVEY MARKER) and the W 1/4 Corner of Section 17, (3 inch brass cap stamped COUNTY SURVEY MARKER) as bearing S. 0°10'30" E. a distance of 1322.29 feet.

For and on behalf of the

Department of Transportation  
Mark C. Wagner, LSIT II  
Room 317, 222 South 6<sup>th</sup> Street, Grand Junction, CO

Exhibit "B"

The foregoing grant by The Department of Transportation, State of Colorado (Grantor) to The City of Grand Junction, a Colorado home rule municipality (Grantee), of the hereinabove described parcel is made subject to the following reservations, conditions, restrictions, limitations and reversionary provisions:

1. The conveyance of the hereinabove described parcel is made subject to the condition that Grantee shall use said parcel as right-of-way for a City street for public transportation purposes on a permanent basis; Grantee shall be solely and perpetually responsible for all future maintenance, repair and replacement of the same as a City street for public transportation purposes. In the event Grantee shall cease to use said parcel as right-of-way for a City street for public transportation purposes, said real property shall revert to Grantor.
2. The conveyance of the hereinabove described real property is made subject to the right of any Public Utility to continue to operate, maintain, repair, replace and reconstruct in perpetuity their facilities which may be located within said parcel.
3. The conveyance of the hereinabove described parcel is made subject to the condition that Grantee shall not have any right or rights of access to and from any part of the right-of-way of Colorado State Highway No. I-70B, a freeway established according to the laws of the State of Colorado, and from and to any part of the hereinabove described parcel situated in the West ½ of Section 17 and the East ½ of Section 18, Township 1 South, Range 1 East of the Ute Meridian in Mesa County, Colorado, abutting upon said Highway.



## EXHIBIT A

December 3, 2008  
071913.402.1.0021  
Revised: September 14, 2009

### PROPERTY DESCRIPTION Parcel UPRR #1Rev (H-17LA1Rev)

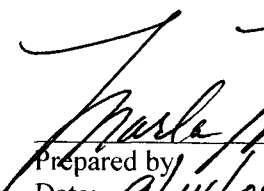
A parcel of land being a portion of the tract of land described in Book 560 at Page 177 recorded January 28, 1952 and a portion of the tract of land described in Book 560 at Page 107 recorded January 24, 1952 in the Mesa County Clerk and Recorder's Office lying in the Southwest Quarter of the Northwest Quarter of Section 17 and the Southeast Quarter of the Northeast Quarter of Section 18, Township 1 South, Range 1 East of the Ute Meridian, Mesa County, Colorado and being more particularly described as follows:

BEGINNING at the Southwest Corner of said Southwest Quarter of the Northwest Quarter of Section 17 (a MCSM brass cap set in concrete, LS 2280 1/4 S18 S17 No.26-1) whence the Northwest Corner of said Section 17 (a 2 1/2" MCSM Brass Cap, illegible) bears N00°12'02"W a distance of 2641.65 feet (basis of bearing – assumed);

THENCE N89°35'13"W along the southerly line of said Southeast Quarter of the Northeast Quarter of Section 18 a distance of 70.99 feet;  
THENCE N00°13'33"W a distance of 396.42 feet;  
THENCE N72°46'27"E a distance of 125.22 feet;  
THENCE S00°13'33"E a distance of 434.01 feet;  
THENCE S89°59'13"W along the southerly line of said Southwest Quarter of the Northwest Quarter of Section 17 a distance of 48.76 feet to the POINT OF BEGINNING.

Containing 1.142 Acres (49,735 square feet), more or less.

Of the above described parcel, 1,463 square feet (0.034 acres) fall within the Public Road Right-of-way as shown in Road Book 2 at Page 17 and recorded January 18, 2007 in Book 4336 at Page 844 in the Mesa County Clerk and Recorder's Office.

  
Prepared by  
Date: 9/14/09  
Marla Mellor McOmber, P.S. 24961  
For and on behalf of Jacobs Engineering Group Inc.

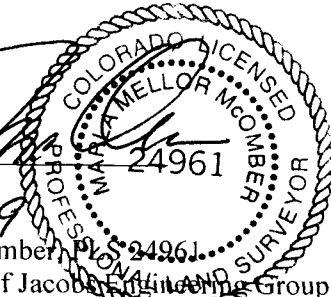
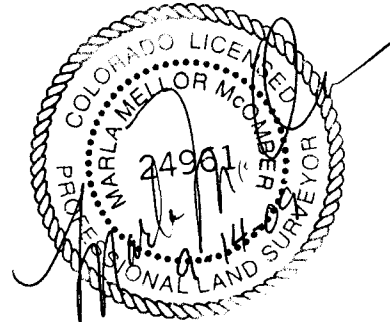


EXHIBIT A

This exhibit does not represent a monumented survey and is intended only to depict the attached property description.



Book 560  
Page 177

SW 1/4 NW 1/4 SECTION 17  
T1S, R1E, UTE MERIDIAN



UPRR RIGHT-OF-WAY  
UPRR #1  
H-17LA1Rev  
1.142 Ac.  
(49,735 Sq.Ft.)±

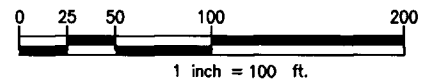
1,463 square feet  
(0.034 acres)±  
N'y line Bk 2 Pg 17

434.01' S 00°13'33" E

29 Road

Public Road Right-of-way D 1/2 Road 30.00'  
Road Book 2, Page 17  
S'y line SW1/4NW1/4 60.00'

48.76'  
S89°59'13"W



NW Cor. Sec. 17  
T1S, R1E, Ute Meridian  
2 1/2" MCSM Brass Cap,  
illegible

125.22'  
N 72°46'27" E

SE 1/4 NE 1/4 SECTION 18  
T1S, R1E, UTE MERIDIAN

Book 560  
Page 107

396.42' N 00°13'33" W

W'y line SW1/4NW1/4

2641.65' N 00°12'02" W  
Basis of Bearings(assumed)

70.99'

N 89°35'13" W

S'y line SE1/4NE1/4

POINT OF BEGINNING  
SW Cor. SW1/4NW1/4 Sec. 17  
T1S, R1E, Ute Meridian  
3 1/4" MCSM Brass Cap set in  
concrete, "LS 2280 1/4 S18  
S17 No. 26-1"

CARTER & BURGESS PROJECT NO.		071913	
CLIENT PROJECT NO.			
REVISION DESCRIPTION		09/14/09-Revised parcel configuration	
DRAWN	jsk	DATE	11/3/08
SCALE		1"=100'	
<b>JACOBS</b>			
707 17th Street, Suite 2300, Denver CO 80202 (303) 820-5240 Fax (303) 820-4842			
THIS MATERIAL AND ANY ASSOCIATED ELECTRONIC DATA WAS PREPARED BY CARTER & BURGESS, INC. FOR THE PROJECT INDICATED. ANY REUSE OR MODIFICATION WITHOUT THE WRITTEN CONSENT OF CARTER & BURGESS SHALL BE AT THE SOLE RISK OF THE USER.			

29 ROAD AND I-70B GRAND JUNCTION COLORADO		
TITLE: EXHIBIT Parcel UPRR #1 (H-17LA1)Rev		
REVISION: 1	DRAWING NO. H-17LA1Rev.dwg	SHEET NO. 1 OF 1

RESOLUTION NO. 85-09

A RESOLUTION AUTHORIZING THE PURCHASE OF REAL PROPERTY AT 29 ROAD AND D ½ ROAD, IDENTIFIED BY PARCEL SCHEDULE # 2943-172-00-056 FROM UNION PACIFIC RAILROAD COMPANY

Recitals.

A. The City of Grand Junction has entered into a contract with Union Pacific Railroad Company, for the purchase by the City of certain real property located within the proposed alignment of the 29 Road and I-70B Interchange.

Parcel #	Schedule #	Address	Zoned	Current Use	ROW Req'd (Sq ft)	Multi-Purpose Easement Req'd (Sq ft)	Temporary Easement Req'd (Sq ft)
H-17 LA1Rev	2943-172-00-056		I-1	Industrial	49,735		
Total Sq Ft. =					49,735		

B. The purchase contract provides that on or before December 1, 2009, the City Council must ratify the purchase and the allocation of funds for all expenses required to effectuate the purchase of the property.

C. Based on the advice and information provided by the City staff, the City Council finds that it is necessary and proper that the City purchase a portion of the property identified by parcel schedule # 2943-172-00-056 at 29 Road and D ½ Road.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, THAT:

1. The property described herein shall be purchased for a price of \$241,360. All actions heretofore taken by the officers, employees and agents of the City relating to the purchase of said property which are consistent with the provisions of the negotiated Contract to Buy and Sell Real Estate and this Resolution are hereby ratified, approved and confirmed.

2. The sum of \$241,360 is authorized to be paid at closing, in exchange for conveyance of the fee simple title to the described property.

3. The officers, employees and agents of the City are hereby authorized and directed to take all actions necessary or appropriate to complete the purchase of the described property. Specifically, City staff is directed to effectuate this Resolution and the Contract to Buy and Sell Real Estate, including the execution and delivery of such certificates and documents as may be necessary or desirable to complete the purchase for the stated price.

PASSED and ADOPTED this 2<sup>nd</sup> day of November, 2009.

Attest:

/s/: Teresa Coons  
President of the Council Pro Tem

/s/: Stephanie Tuin  
City Clerk