

DLL88BLH

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: DEED (QUIT CLAIM)

NAME OF AGENCY OR CONTRACTOR: DILLON REAL ESTATE COMPANY,
INC., FRANK J. REMAR, VICE PRESIDENT, PAUL W. DILLON,
SECRETARY

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: CITY MARKET
WAREHOUSE STRIP ADJACENT TO COLORADO RIVER NEAR BLUE HERON
LAKE

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1988

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

QUIT CLAIM DEED

BOOK 1724 PAGE 104

DILLON REAL ESTATE COMPANY, INC.

whose address is P. O. Box 729, Grand Junction

County of Mesa, and State of

Colorado 81502, for the consideration of ten dollars (\$10)

and other valuable consideration Dollars, in hand paid,

hereby sell(s) and quit claim(s) to CITY OF GRAND JUNCTION

whose address is 5th and Rood Street, Grand Junction

County of Mesa, and State of Colorado 81501, the following real

property, in the County of Mesa, and State of Colorado, to wit:

SEE ATTACHED EXHIBIT A

1504518 DOC EXEMPT 09:38 AM
DEC 28, 1988 E. SAWYER, CLK&REC MESA CTY, CO

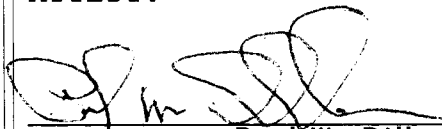
also known as street and number

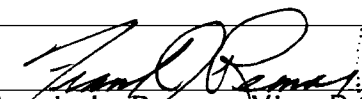
with all its appurtenances subject to easements, reservations and restrictions of record, 1988 real property taxes payable in 1989, and all subsequent taxes and assessments.

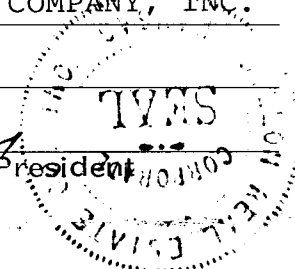
Signed this 8th day of August, 1988

ATTEST:

DILLON REAL ESTATE COMPANY, INC.


Secretary, Paul W. Dillon

By: 
Frank J. Remar, Vice President



KANSAS
STATE OF ~~COLORADO~~,

County of RENO } ss.
~~Mesa~~

The foregoing instrument was acknowledged before me this
19 88, by Frank J. Remar
My commission expires 12/29/90

8th day of August

WITNESS my hand and official seal.


Notary Public

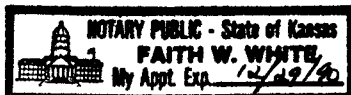


EXHIBIT A
TO
QUIT CLAIM DEED
DILLON REAL ESTATE COMPANY, INC.
AND
CITY OF GRAND JUNCTION

BOOK 1724 PAGE 105

All of the land of Grantor in Section 9, Township 1 South, Range 1 West, Ute Meridian, lying south of a line described as follows:

From the center of Section 9, Township 1 South, Range 1 West, Ute Meridian, S89°59'37"W 656.53 feet, thence S0°2'26"E 878.28 feet to the point of beginning of the line. From this point of beginning of the line, the line runs S66°55'45"W 370.63 feet, thence S68°9'W 150 feet, thence S73°38'44"W 183.61 feet more or less to the westerly line of Grantor's property. Reserving to Grantor an irrigation drainage easement across the above-described property and reserving to Grantor a right of entry for Grantor to do all things deemed appropriate by the Grantor to build, maintain and preserve a flood dike on the above-described property with Grantor having no liability for any damage caused by Grantor to the property or to any improvements installed by Grantee or others in exercising this right of entry. Notwithstanding anything herein to the contrary, Grantor hereby conveys the real property herein described to Grantee, its successors and assigns, for so long as within 10 years from the date of this deed Grantee builds on said property a trail for scenic, wildlife habitat, educational, and recreational purposes and for access to the Colorado River for fishing, boating and sightseeing purposes and within 60 days from the building of the trail, Grantee erects a 6 foot fence on the south side of the line described above, and so long as after the trail is built the property is used exclusively for a trail for scenic, wildlife habitat, educational and recreational purposes and for access to the Colorado River for fishing, boating and sightseeing purposes. In the event the trail described above is not built within 10 years from the date of this deed, or the fence is not erected as provided above or after the trail is built the property is not being used exclusively for a trail as described above, then at that time the property herein described shall automatically revert to Grantor, its successors and assigns, and Grantor, its successors and assigns will not be required to take any affirmative action to effectuate such reversion of title.

Exhibit B

RESOLUTION NO. 52-88

AUTHORIZING THE ACCEPTANCE OF DONATED PROPERTY
FOR THE USE IN THE RIVERFRONT/GREENBELT PROJECT

WHEREAS, Dillon Real Estate Company, Inc., is willing to donate approximately 1.78 acres of industrially zoned property in a 110-foot strip along the Colorado River, Mesa County, Colorado, for use in the City/Mesa County Greenbelt Development Project; and

WHEREAS, the acceptance of such donation would facilitate the completion of that project, which project is in the public interest;

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

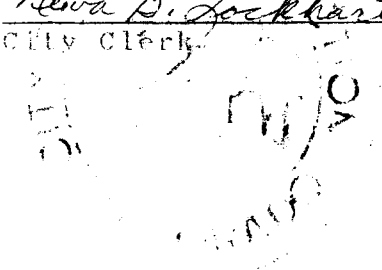
That the City Manager, on behalf of the City and as the act of the City, is hereby authorized to execute such documents and receive such deeds as may be reasonably necessary to effectuate the transfer to the City of Grand Junction of the property described on the attached Exhibit A for use as the site of a Riverfront Trail in accordance with the terms of the quit-claim deed from Dillon Real Estate Company, Inc., to the City of Grand Junction.

PASSED and ADOPTED this 21st day of December, 1988.

Attest:

John W. Bennett
President of the Council

Reva B. Lockhart, CMC
City Clerk



Strip adjacent to Colorado River near Blue Heron Lake

City of AG
9.00
SW

88-22

WHEREAS the City of Phoenix is desirous of acquiring the strip of land described in the annexed plat for the purpose of providing a public park and playground for the use and enjoyment of the people of the City of Phoenix;

AND WHEREAS the City of Phoenix is desirous of providing a public park and playground for the use and enjoyment of the people of the City of Phoenix;

THE CITY OF PHOENIX HEREBY RESOLVES that the City of Phoenix do acquire the strip of land described in the annexed plat for the purpose of providing a public park and playground for the use and enjoyment of the people of the City of Phoenix;

PASSED AND ADOPTED

[Signature]
CITY CLERK



Noncash Charitable Contributions

Department of the Treasury
Internal Revenue Service

▶ **Attach to your Federal income tax return if the total claimed value of all property contributed exceeds \$500.**

Attachment
Sequence No. **55**

Name(s) as shown on your income tax return
Dillon Real Estate Co., Inc.

Identification number
48-0680105

Section A Include in Section A **only** items (or groups of similar items) which have a claimed value of \$5,000 or less per item or group and certain publicly traded securities (see instructions).

Part I Information on Donated Property

	(a) Name and address of the donee organization	(b) Description of donated property (attach a separate sheet if more space is needed)
1		
A	City of Grand Junction	Approximately 1.78 acres of industrial
B	250 N. Fifth Street	zoned property in a 110' strip along the
C	Grand Junction, Colorado 81501	Colorado River, Mesa County, Colorado,
D		for city/county greenbelt development
E		

Note: Columns (d), (e), and (f) do not have to be completed for items with a value of \$500 or less.

	(c) Date of the contribution	(d) Date acquired by donor (mo., yr.)	(e) How acquired by donor	(f) Donor's cost or adjusted basis	(g) Fair market value	(h) Method used to determine the fair market value
A						
B						
C						
D						
E						

Part II Other Information—Complete questions 2 and 3 only if you gave less than the entire interest in property or if restrictions were attached to the contribution.

2 If less than the entire interest in the property is contributed during the year, complete the following:

- (a) Enter letter from Part I which identifies the property _____. (Attach a separate statement if Part II applies to more than one property.)
- (b) Total amount claimed as a deduction for the property listed in Part I for this tax year _____; for any prior tax year(s) _____.
- (c) Name and address of each organization to which any such contribution was made in a prior year (complete only if different from the donee organization above).

Charitable organization (donee) name _____

Number and street _____

City or town, state, and ZIP code _____

- (d) The place where any tangible property is located or kept. _____
- (e) Name of any person, other than the donee organization, having actual possession of the property. _____

3 If conditions were attached to the contribution, answer the following questions:

	Yes	No
(a) Is there a restriction either temporarily or permanently on the donee's right to use or dispose of the donated property?	x	
(b) Did you give to anyone (other than the donee organization or another organization participating with the donee organization in cooperative fundraising) the right to the income from the donated property or to the possession of the property, including the right to vote donated securities, to acquire the property by purchase or otherwise, or to designate the person having such income, possession, or right to acquire?		x
(c) Is there a restriction limiting the donated property for a particular use?	x	

Name(s) as shown on your income tax return. (Do not enter name and identification number if shown on the other side.)

Identification number

Section B Appraisal Summary—Include in Section B only items (or groups of similar items) which have a claimed value of more than \$5,000 per item or group. (Report contributions of certain publicly traded securities only in Section A.)

Part I Donee Acknowledgment (To be completed by the charitable organization.)

1 This charitable organization acknowledges that it is a qualified organization under section 170(c) and that it received the donated property as described in Part II on December 2, 1988 (Date)

Furthermore, this organization affirms that in the event it sells, exchanges, or otherwise disposes of the property (or any portion thereof) within two years after the date of receipt, it will file an information return (Form 8282, Donee Information Return) with the IRS and furnish the donor a copy of that return. This acknowledgment does not represent concurrence in the claimed fair market value.

Charitable organization (donee) name City of Grand Junction	Employer identification number 84-6000592
Number and street 250 N. Fifth Street	City or town, state, and ZIP code Grand Junction, Colorado 81501
Authorized signature <i>Mark Kelchen</i>	Title Date <i>City Manager 12/21/88</i>

Part II Information on Donated Property (To be completed by the taxpayer and/or appraiser.)

2 Check type of property:

- Art* Real Estate Gems/Jewelry
 Stamp Collections Coin Collections Books Other

*Art includes paintings, sculpture, watercolors, prints, drawings, ceramics, antique furniture, decorative arts, textiles, carpets, silver, rare manuscripts, historical memorabilia, and other similar objects.

3	(a) Description of donated property (attach a separate sheet if more space is needed)	(b) Date acquired by donor (mo., yr.)	(c) How acquired by donor	(d) Donor's cost or adjusted basis	(e) Appraised fair market value
A	1.78 acres along Colorado River, Mesa County, Colorado	January 1975	Purchase	5,490	
B					
C					
D					

4 If tangible property was donated, write a brief summary of the overall physical condition of the property at the time of the gift.

.....

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.....

Part III Taxpayer (Donor) Statement (To be completed for items listed in Section B, Part II, with appraised value of \$500 or less per item.)

I declare that item(s) (enter letter(s) identifying property) _____ listed in Part II above has (have) to the best of my knowledge and belief an appraised value of not more than \$500 (per item).

Signature of taxpayer (donor) ▶

Date ▶

Part IV Certification of Appraiser (To be completed by the appraiser of the above donated property.)

I declare that I am not the donor, the donee, a party to the transaction in which the donor acquired the property, employed by or related to any of the foregoing persons, or a person whose relationship to any of the foregoing persons would cause a reasonable person to question my independence as an appraiser.

Also, I declare that I hold myself out to the public as an appraiser and that because of my qualifications as described in the appraisal, I am qualified to make appraisals of the type of property being valued. I certify the appraisal fees were not based upon a percentage of the appraised property value. Furthermore, I understand that a false or fraudulent overstatement of the property value as described in the qualified appraisal or this appraisal summary may subject me to the civil penalty under section 6701(a) (aiding and abetting the understatement of tax liability). I affirm that I have not been barred from presenting evidence or testimony by the Director of Practice.

Please Sign Here

Signature ▶

Title ▶

Date of appraisal ▶

Business address

Identification number

City or town, state, and ZIP code



Box 729, Grand Junction, CO 81502 (303) 241-0750

Karl Metzner
Please have appropriate
city staff review legal descrip-
tion, statements, etc. If Commission
does not plan to announce until
January, when should this be placed
on Council's agenda? When
some action so I can sign
ITP, from. JTA 12/6/88

December 2, 1988

Karl
Legal
looks correct
Jan W.
12-13-88

Mr. Mark Achen
City Manager
City of Grand Junction
250 North Fifth Street
Grand Junction, Colorado 81501

Re: Contribution of river front property
from City Market warehouse

Dear Mark:

I understand that you are familiar with the agreement by City Market to donate a strip of river front property to the City of Grand Junction, for use in the river front/green belt project now under way. Enclosed is the original deed conveying that property to the city.

The legal description of this parcel was developed jointly by Judge Ela, representing the Riverfront Commission, and us, and we believe that this parcel is configured as Judge Ela requested.

You will notice an easement provision in the deed providing access for performing dike maintenance and for discharging irrigation drainage (which drain pipes are already in place in the dike). You will also see a restriction that the boundary with our remaining property be fenced when the river front trail is built, a restriction that the property may only be used for the purposes expressed by the Riverfront Commission, and a right of reverter if the trail is not built within ten years. We believe that all of these items have been previously discussed with Judge Ela, and that he has found them satisfactory. Please advise if that is not the case. Perhaps he should review the deed before it is recorded to confirm that these restrictions are acceptable.

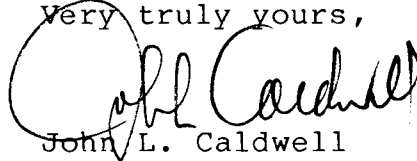
We understand that the Riverfront Commission does not plan to publicly announce receipt of this contribution until January, 1989. That is acceptable to us.

The Donee Acknowledgment which I previously sent you was merely a sample to determine if it was acceptable to you. Enclosed is the original which we will file with our tax return. Please sign and date the form and return it to me as soon as possible.

Mr. Mark Achen
December 2, 1988
Page two

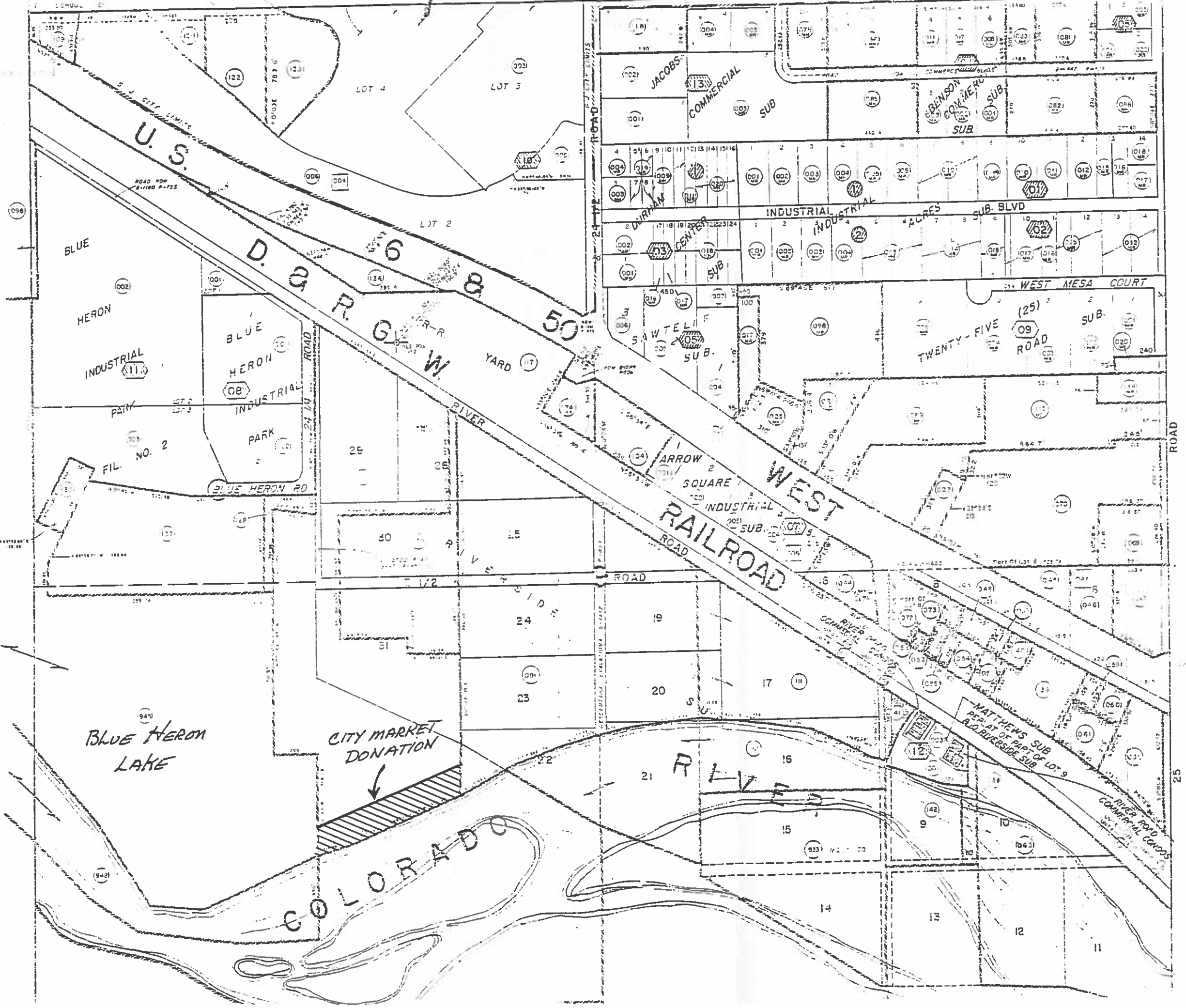
Certainly call at your convenience if you have further questions or comments regarding this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "John L. Caldwell". The signature is written in a cursive style with a large, circular initial "J".

John L. Caldwell
Director of Real Estate

JLC/lcg
Enclosures
cc: Teo Prinster
Tony Prinster
John Gaarde



Joining
RIW
4508

Adjoining
TIS RIW
294510