

DRG74MIL

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: DEED (QUIT CLAIM)

NAME OF AGENCY OR CONTRACTOR: THE DENVER AND RIO GRANDE WESTERN RAILROAD
COMPANY, A CORPORATION OF THE STATE OF DELAWARE

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: LOT 21 OF BLOCK 8,
MILLDALE SUBDIVISION - 1.687 ACRES (10TH/12TH AND D ROAD) IN EXCHANGE FOR LOT
12, BLOCK 8 MILLDALE SUBDIVISION

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1974

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

Recorded at 2:34 o'clock P. M. Jul 5 1974

STATE DOCUMENTARY FEE

Reception No. 1071563 Annie M. Dunston, Recorder DATE: Jul 5 1974

QUITCLAIM DEED\$ Exempt

THIS DEED, Made this 6th day of May, 1974, between THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY, a corporation of the State of Delaware, party of the first part, and THE CITY OF GRAND JUNCTION, State of Colorado, party of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of ONE DOLLAR (\$1.00) and other valuable considerations, to the said party of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, has remised, released, sold, conveyed and QUITCLAIMED, and by these presents does remise, release, sell, convey and QUITCLAIM unto the said party of the second part, its heirs, successors and assigns forever, all the right, title, interest, claim and demand which the said party of the first part has in and to the following described tract of land, to-wit:

A tract of land located in the Northeast Quarter (NE $\frac{1}{4}$) of Section 23, Township 1 South, Range 1 West, Ute Meridian, located within the City of Grand Junction, County of Mesa, State of Colorado, more particularly described as follows:

Beginning at the northeast corner of Lot 21 of Block 8, Milldale Subdivision; thence S 89° 36' 00" E. along The Denver and Rio Grande Western Railroad Company's existing south property line, 146.97 feet to a point of curve; thence along the arc of a 550.00 foot radius curve to the left for an arc distance of 188.80 feet, the long chord of said curve bears N 65° 04' 03" E., for a distance of 187.87 feet; thence N 55° 14' 00" E., 278.82 feet; thence along the arc of a 25.00 foot radius curve to the right for an arc distance of 39.27 feet, the long chord of said curve bears S 79° 46' 00" E. for a distance of 35.36 feet; thence along the arc of a 142.85 foot radius curve to the right for an arc distance of 86.52 feet, the long chord of said curve bears S 17° 24' 57" E. for a distance of 85.20 feet; thence S 00° 03' 55" E., 153.83 feet to said Railroad Company's existing south property line; thence S 89° 36' 00" E. along said south property line 10.00 feet to a point that is located 40 feet west (measured perpendicularly) of the east line of NE $\frac{1}{4}$ of said Section 23; thence N 00° 03' 55" W., parallel to said east line of the NE $\frac{1}{4}$ of Section 23, a distance of 411.79 feet; thence S 55° 14' 00" W., 433.44 feet; thence along the arc of a 450.00 foot radius curve to the right for an arc distance of 276.20 feet, the long chord of said

curve bears S 72° 49' 00" W. for a distance of 271.88 feet, to a point on the east line of Lot 12, Block 8 of said Milldale Subdivision; thence S 00° 24' 00" W. along said east line of Lot 12 and the southerly extension thereof for a distance of 80.00 feet to the Point of Beginning. Said described tract contains 1.687 acres (0.36 acres of which is presently encumbered by the existing public roadway).

TO HAVE AND TO HOLD, the above described premises, 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 said party of the first part, either in law or equity, to the only proper use, benefit and behoof of the said party of the second part for roadway and utility purposes.

IN WITNESS WHEREOF, the said party of the first part has caused its corporate name to be hereunto subscribed and its corporate seal to be hereunto affixed by its officers thereunto duly authorized, the day and year first above written.



THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY

By W. J. Holtman
Executive Vice President
and General Manager

STATE OF COLORADO)
CITY AND COUNTY OF DENVER) ss

6th The foregoing instrument was acknowledged before me this day of May, 1974, by W. J. HOLTMAN, as Executive Vice President and General Manager, and M. E. MASTERTSON, as Secretary, of THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY, a Delaware corporation.

My notarial commission expires March 21, 1977

Witness my hand and official seal.

Charles A. [Signature]
Notary Public



R E S O L U T I O N

WHEREAS, the City Council has by ordinance vacated the portion of right of way hereinafter described; and

WHEREAS, the DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY has requested that a quit claim deed to such portion of right of way also be given them;

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

That the City Manager be authorized and directed to convey to the DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY by quit claim deed the right of way heretofore vacated situated in Mesa County, Colorado and described as follows:

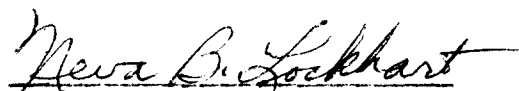
All that public road right of way located in the Northeast quarter Northeast quarter Northeast quarter of Section 23 of Township 1 South of Range 1 West of the Ute Meridian and lying north of the following described line:

Beginning at a point on the East line of Lot 12 Block 8 Milldale Subdivision Section 23 Township 1 South Range 1 West from which point the Northeast corner of Lot 21 Block 8 bears South $00^{\circ}24'00''$ West a distance of 80.00 feet; thence along the arc of 150.00 foot radius curve to the left for an arc distance of 276.20 feet, long chord of said curve bears North $72^{\circ}49'00''$ East 271.88 feet; thence North $55^{\circ}14'00''$ East 433.44 feet to a point 40.00 feet west of the East Section line of said Section 23, EXCEPT that right of way for 12th Street lying in the East 40 feet of said Northeast quarter Northeast quarter Northeast quarter Section 23, said described tract containing 0.71 acres, more or less.

PASSED and ADOPTED this 5th day of June, 1974.


Lawrence P. Kline
President of the Council

ATTEST:


Neva B. Lockhart
City Clerk

QUITCLAIM DEED

THIS DEED, Made this day of 1974, between THE CITY OF GRAND JUNCTION, State of Colorado, party of the first part, and THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY, a corporation of the State of Delaware, party of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sume of ONE DOLLAR (\$1.00) and other valuable considerations, to the said party of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, has remised, released, sold, conveyed and QUITCLAIM unto the said party of the second part, its heirs, successors and assigns forever, all the right, title, interest, claim and demand which the said party of the first part has in and to the following described tract of land, to-wit:

All that public road right of way located in the NE 1/4 NE 1/4 NE 1/4 of Section 23 of Township 1 South of Range 1 West of the Ute Meridian and lying north of the following Described Line.

Beginning at a point on the East line of Lot 12 Block 8 Milldale Sub. Section 23 T.1S. R.1W. from which point the N.E. Cor. of Lot 21 block 8 bears S.00°24'00" W a distance of 80.00 feet. Thence along the arc of 450.00 foot radius curve to the left ~~fro~~ **for** **an** **ⓐ** arc distance of 276.20 feet, long chord of said curve bears N 72° 49'00"E. 271.88 feet, thence N. 55° 14'00" E. 433.44' feet to a point 40.00 feet west of the East Section line of ~~Said~~ Section 23, except that right of way for 12th street lying in the east 40 feet of said NE 1/4 NE 1/4 NE 1/4 Section 23. **Said described tract containing 0.71 acres, more or less.**

TO HAVE AND TO HOLD, the above described premises, 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 said party of the first part, either in law or equity, to the only proper use, benefit and behoof of the said party of the second part its heirs, successors and assigns forever.

IN WITNESS WHEREOF, the said party of the first part has caused its corporate name to be hereunto subscribed and its corporate seal to be hereunto affixed by its officers thereunto duly authorized, the day and year first above written.



