

ELM08RIV

TYPE OF RECORD:	PERMANENT
CATEGORY OF RECORD:	DEED (SPECIAL WARRANTY)
NAME OF PROPERTY OWNER OR GRANTOR OR GRANTEE:	ELAM CONSTRUCTION, INC.
PURPOSE:	ORCHARD GROVE SUBDIVISION
ADDRESS:	2353 RIVER ROAD
PARCEL NO.:	2945-054-00-062
CITY DEPARTMENT:	PUBLIC WORKS AND PLANNING
YEAR:	2008
EXPIRATION DATE:	NONE
DESTRUCTION DATE:	NONE

3 PAGE DOCUMENT

SPECIAL WARRANTY DEED

This Special Warranty Deed made this 19th day of MARCH, 2008 by and between **Elam Construction, Inc., a Colorado Corporation, Grantor**, whose address is 556 Struthers Avenue, Grand Junction, CO 81501, for and in consideration of Twenty-One Thousand Two Hundred Seventy-Four Dollars and 40/100, (\$21,274.40), in hand paid, hereby sells, grants and conveys to **The City of Grand Junction, Grantee**, a Colorado home rule municipality, whose address is 250 North 5th Street, Grand Junction, Colorado 81501, its successors and assigns forever, the following described tract or parcel of land for Public Roadway Right-of-Way purposes, to wit:

A certain parcel of land located in Lot 15 of the Orchard Grove Subdivision, Plat Book 2, Page 1 of the Mesa County, Colorado public records, Section 5, Township One South, Range One West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Northwest corner of said Lot 15 and assuming the west line of said Lot 15 to bear S00°08'28"W with all bearings contained herein relative thereto; thence S56°31'44"E along the North line of said Lot 15 a distance of 156.62 feet; thence N72°13'45"W a distance of 106.94 feet; thence S33°55'37"W a distance of 52.05 feet to a point on the Westerly line of said Lot 15; thence N00°08'28"E along the Westerly line of said Lot 15 a distance of 96.92 feet to the Point of Beginning.

Said parcel contains 3,668 square feet, more or less, as described herein and depicted on **Exhibit "A"**, attached hereto and incorporated herein by reference.

also known by street and number as: 2353 River Road, Grand Junction, Colorado 81501
also known by Tax Parcel Number: 2945-054-00-062,

with all its appurtenances and warrants the title to the Property against all persons claiming under the Grantor subject to the following matters:

See **Exhibit "B"** for exceptions listed in Schedule B of the Title Commitment for Elam and also including the Deed of Trust between Elam Construction, Inc. and RST Ventures, attached hereto and incorporated herein by reference.

Executed and delivered this 19th day of MARCH, 2008.

Elam Construction, Inc.,
a Colorado Corporation

By: [Signature]
Stephen J. Kaspar, President

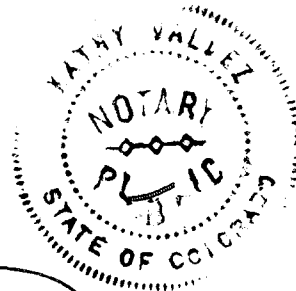
State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 19th day of March, 2008 by Stephen J. Kaspar, President, Elam Construction, Inc., a Colorado Corporation.

My commission expires 11-17-08.

Witness my hand and official seal.

[Signature]
Notary Public



REQUEST FOR RELEASE OF DEED OF TRUST AND RELEASE

2327455 BK 4202 PG 735
07/13/2006 02:53 PM
Janice Ward CLK&REC Mesa County, CO
RecFee \$5.00 SurChs \$1.00

January, 2006 Date

High Plains Properties, LLC Original Grantor
aka High Plains Property, LLC (Borrower)
Mildred F. Elam Family Trust and Original Beneficiary
Robert D. Elam Living Trust (Lender)

October 20, 1997 Date of Deed of Trust
October 21, 1997 Recording Date of Deed of Trust

Mesa County of Recording
1817329 Reception and/or Film No.
Reception No. 2368 Film No. 908
Book No. 2368 Page No. 908 Book and Page of Deed of Tr

add to deed file on Elam property

TO THE PUBLIC TRUSTEE OF Mesa County (The Public Trustee to which the above Deed of Trust conveys
Please execute this release, as the indebtedness has been paid and/or the terms and con
satisfied.

MILDRED F. ELAM FAMILY TRUST and ROBERT D. ELAM LIVI
Current Owner and Holder of the Evid

Robert D. Elam, Trustee and Robert D. Elam and Therese Elam, Trustees
Name and Title of Agent or Officer of Current Owner and Holder

MILDRED F. ELAM FAMILY TRUST

ROBERT D. ELAM LIVING TRUST

By Robert D. Elam
Robert D. Elam, Trustee Signature

By Robert D. Elam
Robert D. Elam Trustee Signature

State of Colorado, County of Mesa

By Therese Elam
Therese Elam, Trustee

The foregoing request for release was acknowledged
before me on January 8, 2006 (date) by
Robert D. Elam as Trustee of the Mildred F. Elam Family
Trust and by Robert D. Elam and Therese Elam as
Trustees of the Robert D. Elam Living Trust

Witness My Hand and Seal

Patricia Mendicelli
Notary Public

11-18-07 Date Commission Expires

RELEASE OF DEED OF TRUST

WHEREAS, the above referenced Grantor(s), by Deed of Trust, conveyed certain real property described in said Deed of Trust, to the Public Trustee of the County referenced above, in the State of Colorado to be held in trust to secure the payment of the indebtedness referred to therein.

WHEREAS, the indebtedness secured by the Deed of Trust has been fully or paid and/or the purpose of the Deed of Trust has been fully satisfied as set forth in the written request of the current owner and holder of the said indebtedness.

NOW THEREFORE, in consideration of the premises and the payment of the statutory sum, receipt of which is hereby acknowledged, I, as the Public Trustee in the County first referenced above, do hereby remise, release and quitclaim unto the present owner or owners of the property hereinafter described, and unto the heirs, successors and assigns of such owner or owners forever, all the right, title and interest which I have under and by virtue of the aforesaid Deed of Trust in the real estate described therein, to have and to hold the same, with all the privileges and appurtenances thereunto belonging forever; and further I do hereby fully and forever release, cancel and forever discharge said Deed of Trust.



State of Colorado, County of MESA

By [Signature]
Public Trustee

The for STATE OF COLORADO
COUNTY OF MESA

Deputy Public Trustee

Signed by Barbara A. Brewer,
Public Trustee on July 12, 2006.
Notarization not required per CRS 38-3-106.

Witness My Hand and Seal

_____ Date Commission Expires

Notary Public

Original Note and Deed of Trust Returned to:

John Shaver
City Attorney
250 North 5th St.
Grand Jct, CO 81501

Received by _____