

MSC97BRI

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: WARRANTY DEEDS

NAME OF AGENCY OR CONTRACTOR: MESA COUNTY

STREET ADDRESS/PARCEL NAME/SUBDIVISION: MESA COUNTY
VALLEY SCHOOL DISTRICT NO. 51, BRICE PROPERTY EXCHANGE

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1997

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

A parcel of land situate in the West 1/2 of the West 1/2 of the Southeast 1/4 of Section 29, Township 1 North, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, and being a portion of that parcel of land described in Book 1568 at Page 440 of the records of the Mesa County Clerk and Recorder, and being more particularly described as follows, to wit:

Commencing at a found Mesa County Survey Monument in place for the South 1/4 corner of said Section 29, whence a found Mesa County Survey Monument in place for the Southeast corner of said Section 29 bears N 89°58'43" E a distance of 2635.40 feet, with all bearings contained herein being relative thereto; thence N 00°03'14" W along the North-South centerline of said Section 29 a distance of 1319.69 feet to a found Mesa County Survey Monument in place for the Center-South 1/16 corner of said Section 29; thence continuing along said North-South centerline, N 00°02'59" W a distance of 1319.76 feet to a found Mesa County Survey Monument in place for the Center 1/4 corner of said Section 29; thence N 89°59'02" E along the East-West centerline of said Section 29 a distance of 33.00 feet to the **True Point of Beginning** of the parcel described herein;

thence N 89°59'02" E along said East-West centerline a distance of 627.11 feet to the Northeast corner of the NW 1/4 NW 1/4 SE 1/4 of said Section 29;

thence S 00°01'28" E along the East line of said NW 1/4 NW 1/4 SE 1/4 a distance of 659.87 feet to the Southeast corner of said NW 1/4 NW 1/4 SE 1/4;

thence S 00°01'28" E along the East line of the SW 1/4 NW 1/4 SE 1/4 of said Section 29 a distance of 138.44 feet to a point;

thence S 89°59'01" W along a line 138.44 feet South of and parallel with the north line of said SW 1/4 NW 1/4 SE 1/4 a distance of 626.76 feet to a point;

thence N 00°02'59" W along a line 33.00 feet East of and parallel with the North-South centerline of said Section 29 a distance of 798.32 feet to the Point of Beginning.

Said parcel contains 11.49 acres more or less.

The foregoing legal description was prepared by Steve R. Pace of the City of Grand Junction, 250 North 5th Street, Grand Junction, Colorado 81501.

1793228 0314PM 03/31/97
MONTANA TOOL CLEARING MESA COUNTY CO
DOCUMENT FEE RECEIPT
BOOK 2312 PAGE 906

WARRANTY DEED

THE CITY OF GRAND JUNCTION, a Colorado home rule municipality, whose address is 250 North 5th Street, Grand Junction, Colorado 81501, Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, hereby grants, sells and conveys and by these presents does hereby grant, sell and convey to THE COUNTY OF MESA of the State of Colorado, Grantee, for Roadway and Utilities Right-of-Way purposes, the following described real property in the County of Mesa, State of Colorado, to wit: 750 Main Street Grand Jct. CO 81501

See Exhibit "A" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in any wise appertaining, unto the said Grantee and unto its successors and assigns forever, the said Grantor hereby covenanting that it will warrant and forever defend the title and quiet possession to said premises unto the said Grantee and unto the Grantee's successors and assigns, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, this Deed has been executed and delivered this 23rd day of March, 1997.

Attest:



Stephanie Nye
City Clerk

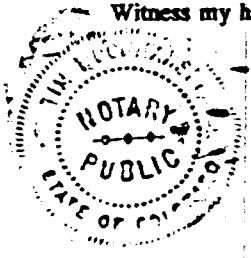
For the City of Grand Junction,
a Colorado home rule municipality

Mark K. Achen
City Manager Subdivision Registration, County of
Mesa, State of Colorado, is approved this 20
day of March, 1997.
By: Shirley Gerstenberger
For Mesa County Board of Commissioners

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 13th day of March, 1997, by Mark K. Achen as City Manager and attested to by Stephanie Nye as City Clerk of the City of Grand Junction, a Colorado home rule municipality.

My commission expires: 2-28-98
Witness my hand and official seal.



Tina Woodman
Notary Public

A parcel of land situate in the West 1/2 of the West 1/2 of the Southeast 1/4 of Section 29, Township 1 North, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, and being a portion of that parcel of land described in Book 1568 at Page 440 of the records of the Mesa County Clerk and Recorder, and being more particularly described as follows, to wit:

Commencing at a found Mesa County Survey Monument in place for the South 1/4 corner of said Section 29, whence a found Mesa County Survey Monument in place for the Southeast corner of said Section 29 bears N 89°58'43" E a distance of 2635.40 feet with all bearings contained herein being relative thereto; thence N 00°03'14" W along the North-South centerline of said Section 29 a distance of 1319.69 feet to a found Mesa County Survey Monument in place for the center-south 1/16 corner of said Section 29; thence continuing along said North-South centerline, N 00°02'59" W a distance of 1319.76 feet to a found Mesa County Survey Monument in place for the Center 1/4 corner of said Section 29 and True Point of Beginning of the parcel described herein; thence N 89°59'02" E along the East-West centerline of said Section 29 a distance of 33.00 feet to a point; thence S 00°02'59" E along a line 33.00 feet east of and parallel with the north-south centerline of said Section 29 a distance of 989.75 feet to a point; thence S 89°58'36" W a distance of 33.00 feet to a point on the North-South centerline of said Section 29; thence N 00°02'59" W along said North-South centerline a distance of 989.76 feet to the Point of Beginning.
Said parcel contains 0.75 acres more or less.

The foregoing legal description was prepared by Steve R. Pace of the City of Grand Junction, 250 North 5th Street, Grand Junction, Colorado 81501.

EXHIBIT "A"

BOOK 2312 PAGE 909

A parcel of land situate in the West 1/2 of the West 1/2 of the Southeast 1/4 of Section 29, Township 1 North, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, and being a portion of that parcel of land described in Book 202 at Page 467 and Book 367 at Page 487 of the records of the Mesa County Clerk and Recorder, and being more particularly described as follows, to wit:

Commencing at a found Mesa County Survey Monument in place for the South 1/4 corner of said Section 29, whence a found Mesa County Survey Monument in place for the Southeast corner of said Section 29 bears N 89°58'43" E a distance of 2635.40 feet with all bearings contained herein being relative thereto; thence N 89°58'53" E along the South line of the SW 1/4 SE 1/4 of said Section 29 a distance of 279.37 feet to the True Point of Beginning of the parcel described herein;
thence leaving said South line, N 00°01'31" W a distance of 30.00 feet to a point;
thence N 89°58'53" E along a line 30.00 feet North of and parallel with the South line of said SW 1/4 SE 1/4 a distance of 379.50 feet to a point;
thence S 00°01'31" E a distance of 30.00 feet to a point on the South line of said SW 1/4 SE 1/4;
thence S 89°58'53" W along the South line of said SW 1/4 SE 1/4 a distance of 379.50 feet to the Point of Beginning.
Said parcel contains 0.26 acres more or less.

The foregoing legal description was prepared by Steve R. Pace of the City of Grand Junction, 250 North 5th Street, Grand Junction, Colorado 81501.

g:\property\apple2.doc (02/10/97)
parcel "b"

WARRANTY DEED


1793222 0316PM 03/31/97
MONTA TOGO CLEARCO MESA COUNTY CO
DOCUMENT FEE EXEMPT

THE CITY OF GRAND JUNCTION, a Colorado home rule municipality, whose address is 250 North 5th Street, Grand Junction, Colorado 81501, Grantor, for and in consideration of the exchange of comparable real property, the receipt and sufficiency of which is hereby acknowledged, hereby grants and conveys and by these presents does hereby grant and convey to MESA COUNTY VALLEY SCHOOL DISTRICT NO. 51, a Colorado Public School District, whose address is 2115 Grand Avenue, Grand Junction, Colorado 81501, Grantee, the following described real property in the County of Mesa, State of Colorado, to wit:

See Exhibit "A" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in any wise appertaining, unto the said Grantee and unto its successors and assigns forever, the said Grantor hereby covenanting that it will warrant and forever defend the title and quiet possession to said premises unto the said Grantee and unto the Grantee's successors and assigns, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, this Deed has been executed and delivered this 20th day of March, 1997.

Attest: 
Stephanie Nye
City Clerk

For the City of Grand Junction,
a Colorado home rule municipality
Mark K. Achen
City Manager
Exempt from Subdivision Regulation, County of
Mesa, State of Colorado, is approved this 20
day of March, 1997.
By Shirley Herdumburg

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me on this 20th day of March, 1997, by Mark K. Achen as City Manager and attested to by Stephanie Nye as City Clerk of the City of Grand Junction, a Colorado home rule municipality.

My commission expires: 2-28-98
Witness my hand and official seal.



Jim Woodman
Notary Public

A parcel of land situate in the West 1/2 of the West 1/2 of the Southeast 1/4 of Section 29, Township 1 North, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, and being a portion of that parcel of land described in Book 1568 at Page 440 of the records of the Mesa County Clerk and Recorder, and being more particularly described as follows, to wit:

Commencing at a found Mesa County Survey Monument in place for the South 1/4 corner of said Section 29, whence a found Mesa County Survey Monument in place for the Southeast corner of said Section 29 bears: N 89°58'43" E a distance of 2635.40 feet, with all bearings contained herein being relative thereto; thence N 89°58'53" E along the South line of the SW 1/4 SE 1/4 of said Section 29 a distance of 279.37 feet to a point; thence leaving said South line, N 00°01'31" W a distance of 659.84 feet to a point on the North line of the SW 1/4 SW 1/4 SE 1/4 of said Section 29; thence N 89°58'57" E along said North line a distance of 50.39 feet to the True Point of Beginning of the parcel described herein; thence leaving said North line, N 00°03'14" W a distance of 659.84 feet to a point on the North line of the NW 1/4 SW 1/4 SE 1/4 of said Section 29; thence S 89°59'01" W along said North line a distance of 12.75 feet to a point; thence N 00°02'54" W a distance of 344.52 feet to a point; thence N 88°58'06" W a distance of 284.40 feet to a point; thence N 00°02'59" W along a line 33.00 feet east of and parallel with the North-South centerline of said Section 29 a distance of 171.71 feet to a point; thence N 89°59'01" E along a line 138.44 feet South of and parallel with the North line of the SW 1/4 NW 1/4 SE 1/4 of said Section 29 a distance of 626.76 to a point on the East line of said SW 1/4 NW 1/4 SE 1/4; thence S 00°01'28" E along said East line a distance of 521.44 feet to the Southeast Corner of said SW 1/4 NW 1/4 SE 1/4 of said Section 29; thence S 00°01'31" E along the East line of the NW 1/4 SW 1/4 SE 1/4 of said Section 29 a distance of 659.83 feet to the Southeast Corner of said NW 1/4 SW 1/4 SE 1/4; thence S 89°58'57" W along the South line of said NW 1/4 SW 1/4 SE 1/4 a distance of 329.11 feet to the Point of Beginning.
Said parcel contains 10.22 acres more or less.

The foregoing legal description was prepared by Steve R. Pace of the City of Grand Junction, 250 North 5th Street, Grand Junction, Colorado 81501.

A parcel of land situate in the West 1/2 of the West 1/2 of the Southeast 1/4 of Section 29, Township 1 North, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, and being a portion of that parcel of land described in Book 202 at Page 467 and Book 367 at Page 487 of the records of the Mesa County Clerk and Recorder, together with a portion of that parcel of land described in Book 1568 at Page 440 of said records, and being more particularly described as follows, to wit:

Commencing at a found Mesa County Survey Monument in place for the South 1/4 corner of said Section 29, whence a found Mesa County Survey Monument in place for the Southeast corner of said Section 29 bears N 89°58'43" E a distance of 2635.40 feet, with all bearings contained herein being relative thereto; thence N 89°58'53" E along the South line of the SW 1/4 SE 1/4 of said Section 29 a distance of 279.37 feet to a point; thence leaving said South line, N 00°01'31" W a distance of 30.00 feet to the True Point of Beginning of the parcel described herein;

thence N 00°01'31" W a distance of 629.84 feet to a point on the North line of the SW 1/4 SW 1/4 SE 1/4 of said Section 29;

thence N 89°58'57" E along said North line a distance of 50.39 feet to a point;

thence leaving said North line, N 00°03'14" W a distance of 659.84 feet to a point on the North line of the NW 1/4 SW 1/4 SE 1/4 of said Section 29;

thence S 89°59'01" W along said North line a distance of 12.75 feet to a point;

thence N 00°02'54" W a distance of 344.52 feet to a point;

thence N 88°58'06" W a distance of 284.40 feet to a point;

thence N 00°02'59" W along a line 33.60 feet East of and parallel with the North-South centerline of said Section 29 a distance of 171.71 feet to a point;

thence N 89°59'01" E along a line 138.44 feet South of and parallel with the North line of the SW 1/4 NW 1/4 SE 1/4 of said Section 29 a distance of 626.76 to a point on the East line of said SW 1/4 NW 1/4 SE 1/4;

thence S 00°01'28" E along said East line a distance of 521.44 feet to the Southeast corner of the SW 1/4 NW 1/4 SE 1/4 of said Section 29;

thence S 00°01'31" E along the East line of the NW 1/4 SW 1/4 SE 1/4 of said Section 29 a distance of 659.83 feet to the Southeast corner of said NW 1/4 SW 1/4 SE 1/4;

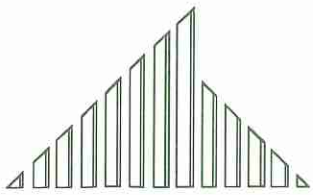
thence S 00°01'31" E along the East line of said SW 1/4 SW 1/4 SE 1/4 a distance of 629.83 feet to a point;

thence S 89°58'53" W along a line 30.00 feet North of and parallel with the South line of the SW 1/4 SE 1/4 of said Section 29 a distance of 379.50 feet to the Point of Beginning.

Said parcel contains 15.71 acres more or less.

The foregoing legal description was prepared by Steve R. Pace of the City of Grand Junction, 250 North 5th Street, Grand Junction, Colorado 81501.

Brice 10.2 ac to School District



ABSTRACT & TITLE CO.
OF MESA COUNTY, INC.

205 N. 4th Street, P.O. Box 3738, Grand Junction, Colorado 81502 970/242-8234 FAX 970/241-4925

***"Where Title Examination is a Science . . . and
Closing is an Art"***

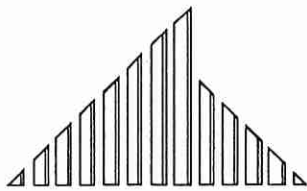
ABSTRACT & TITLE CO.
OF MESA COUNTY, INC.

Issuing Agent for:

TRANSNATION
TITLE INSURANCE COMPANY

J. Dale Williams — PRESIDENT

Scott D. Miller — VICE-PRESIDENT



ABSTRACT & TITLE CO. OF MESA COUNTY, INC.

205 N. 4th Street, P.O. Box 3738, Grand Junction, Colorado 81502

970/242-8234

FAX 970/241-4925

Issuing Agent for:
TRANSNATION
TITLE INSURANCE COMPANY

┌ CITY OF GRAND JUNCTION
Engineering/Property
Management Dept.
205 N 5th
└ Grand Junction, Colo. 81501
Attn: Tim Woodmansee

	AMOUNT	PREMIUM
┌ OWNER	\$ 5,000.00	\$ 210.00
MORTGAGE	\$ _____	\$ _____
COST OF TAX CERTIFICATE	\$ _____	\$ _____
FORM 100	\$ _____	\$ _____
└ ALTA 8.1	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____

Your Reference _____
No. 897840 _____ C
Tax Schedule No. 2701-294-00-948
Property Address Vacant

CC's To:

— COMMITMENT TO INSURE —

Transnation Title Insurance Company, an Arizona corporation, herein called the Company, for a valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedules A and B and to the conditions and stipulations shown on the reverse side.

Customer Contact: Jeanice A. Swank
Phone: (970) 242-8234

By Jeanice A Swank
AUTHORIZED SIGNATURE

The effective date of this commitment is August 29, 19 96 at 7:00 A.M.
At which time fee title was vested in:

THE CITY OF GRAND JUNCTION.

SCHEDULE A

- Policies to be issued:
 - Owners':

MESA COUNTY SCHOOL DISTRICT NO. 51.
 - Mortgagee's:

SCHEDULE A—Continued

2. Covering the Land in the State of Colorado, County of Mesa
Described as:

Beginning at a point North $00^{\circ}03'45''$ West 660.00 feet and North $89^{\circ}57'45''$ East 330.09 feet of the South $\frac{1}{4}$ corner of Section 29, Township 1 North Range 1 West of the Ute Meridian;
thence North $00^{\circ}03'45''$ West 659.82 feet;
thence South $89^{\circ}57'45''$ West 66.09 feet;
thence North $00^{\circ}03'45''$ West 330 feet;
thence South $89^{\circ}57'45''$ West 264 feet;
thence North $00^{\circ}03'45''$ West 989.82 feet;
thence North $89^{\circ}58'16''$ East 660.08 feet;
thence South $00^{\circ}02'07''$ East 1979.55 feet;
thence South $89^{\circ}57'45''$ West 329.05 feet to beginning;
EXCEPT Commencing at the South $\frac{1}{4}$ corner of said Section 29 and considering the South line of the $SE\frac{1}{4}$ of said Section 29 to bear North $89^{\circ}57'45''$ East with all other bearings contained herein to be relative thereto;
thence North $00^{\circ}03'45''$ West 660.00 feet;
thence North $89^{\circ}57'45''$ East 330.09 feet;
thence North $00^{\circ}03'45''$ West 659.82 feet;
thence South $89^{\circ}57'45''$ West 66.09 feet to the POINT OF BEGINNING;
thence North $00^{\circ}03'45''$ West 330.00 feet;
thence South $89^{\circ}57'45''$ West 231.00 feet;
thence North $00^{\circ}03'45''$ West 19.72 feet;
thence South $88^{\circ}58'57''$ East 284.39 feet;
thence South $00^{\circ}03'45''$ East 344.48 feet;
thence South $89^{\circ}57'45''$ West 53.34 feet to the POINT OF BEGINNING.

SCHEDULE A—Continued
REQUIREMENTS

3. The following are the requirements to be complied with prior to the issuance of said policy or policies. Any other instrument recorded subsequent to the date hereof may appear as an exception under Schedule B of the policy to be issued. Unless otherwise noted, all documents must be recorded in the office of clerk and recorder of the county in which said property is located.

- A. Correction Deed from County of Mesa, State of Colorado to City of Grand Junction.
NOTE: This requirement is necessary because in the Deed recorded December 20, 1985 in Book 1568 at page 440 between the County of Mesa and City of Grand Junction, there were the following errors in the legal description:
Line two recited: deg. 57'45"West East, WHEREAS it should be deg 57'45" East.
Line three: it should be Township 1 North, Range 1 West of the Ute Meridian.
Line 4 recited: thence South 89°57'45" West 65.09 feet, WHEREAS it should be thence South 89°57'45" West 66.09 feet.
Line 7 recited: thence South 00°02'07" 1979.55 feet, WHEREAS it should be thence South 00°02'07" East 1979.55 feet.
- B. Duly certified copy of Ordinance of the City Council of the City of Grand Junction, a Municipal Corporation authorizing the sale of subject property.
- C. Deed from The City of Grand Junction to Mesa County School District NO. 51.

Commitment No.

File No.

Schedule B – Section 2

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Rights or claims of parties in possession not shown by the public records.
2. Easements, or claims of easements, not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct survey and inspection of the premises would disclose and which are not shown by the public records.
4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof.
6. Any and all unpaid taxes, assessments and unredeemed tax sales.
7. Reservation of right of the proprietor of any penetrating vein or lode to extract and remove his ore in U. S. Patent recorded December 16, 1891 in book 11 at page 134.
8. Right of way for 23 1/2 road over the West side of subject property.
9. Right of way for the Grand Valley Mainline Canal over subject property.
10. Power of Attorney, including the terms and conditions thereof, recorded April 13, 1995 in Book 2138 at page 835, as set forth on the sheet attached hereto.
11. Right of way, whether in fee or easement only as granted to Grand Junction Drainage District by instrument recorded January 10, 1996 in Book 2199 at page 525, as set forth on the sheet attached hereto.

QUITCLAIM DEED

BOOK 1568 PAGE 440

The County of Mesa, Colorado, for the consideration of Ten Dollars (\$10.00), in hand paid, hereby sells and quitclaims to the City of Grand Junction, County of Mesa and State of Colorado, the following real property in the County of Mesa and State of Colorado, to-wit:

That certain property referenced as Berry Park and identified on the County Assessor's records as two parcels by tax schedule numbers 2701-294-00-945 and 2701-294-00-935 and more specifically described as follows:

The E1/2 of the NW1/4 of the SE1/4 and the NE1/4 of the SE1/4 and that part of the SE1/4 of the NE1/4 lying south of the Grand Valley Canal, all in Section 29, Township 1 North, Range 1 West, except that part of said NE1/4 of the SE1/4 of said Section 29 lying east of Berry Creek Canal and south of the East-West drain canal.

Beginning at a point north 00 deg. 03'45" West 660.00 feet North 89 deg. 57'45" West East 330.09 feet of the S1/4 corner of Section 29, Township 1 North, Range 1 West, thence North 00 deg. 03'45" West 659.82 feet, thence South 89 deg. 57'45" West 65.09 feet, thence North 00 deg. 03'45" West 330 feet, thence South 89 deg. 57'45" West 264 feet, thence North 00 deg. 03'45" West 989.82 feet, thence North 89 deg. 57'16" East 660.08 feet, thence South 00 deg. 02'07" 1979.55 feet, thence South 89 deg. 57'45" West 329.05 feet to beginning

EXCEPT the following-described property:

That part of the Southeast Quarter of Section 29, Township 1 North, Range 1 West of the Ute Principal Meridian, being more particularly described as follows:

Commencing at the South Quarter Corner of said Section 29, and considering the south line of the Southeast Quarter of said Section 29 to bear N 89 deg. 57'45" E with all other bearings contained herein to be relative thereto; thence N 00 deg. 03'45" W 660.00 feet; thence N 89 deg. 57'45" E 330.09 feet; thence N 00 deg. 03'45" W 659.82 feet; thence S 89 deg. 57'45" W 66.09 feet to the POINT OF BEGINNING; thence N 01 deg. 03'45" W 330.00 feet; thence S 89 deg. 57'45" W 231.00 feet; thence N 00 deg. 03'45" W 19.72 feet; thence S 88 deg. 58'57" E 284.39 feet; thence S 00 deg. 03'45" E 344.48 feet; thence S 89 deg. 57'45" W 53.34 feet to the POINT OF BEGINNING, containing 0.52 acres, more or less.

Signed this 17th day of December, 1985.

ATTEST:

Earl Sawyer
Earl Sawyer, Mesa County Clerk

and Recorder
by Jean Hawk, Deputy

Gordon Tiffany
Gordon Tiffany, Commissioner to
Convey pursuant to Resolution
MCM83-131 and under authority of
Resolution MCM85-

STATE OF COLORADO)

) SS:

COUNTY OF MESA)

Acknowledged before me this 17th day of December, 1985
by Gordon Tiffany as Commissioner to Convey and Earl Sawyer as Mesa County
Clerk and Recorder.

Witness my official hand and seal.



Lisa M. Harrison
Notary Public

GLENN R. BRICE and JULIA G. BRICE, as Tenants in Common
whose address is 820 - 23 1/2 Road
County of Mesa, State of Colorado
for the consideration of
One hundred three thousand three hundred ninety two dollars, in hand paid, hereby sell(s) and convey(s) to

STATE DOCUMENTARY FEE

DATE DEC 28 '79

Exempt

COUNTY OF MESA and THE CITY OF GRAND JUNCTION

whose legal address is 250 North Fifth Street
Mesa, and State of Colorado the following real property in the

County of Mesa, and State of Colorado, to wit:

Beginning at a point which bears North 00 Degrees 03' 45" West 660.00 feet and North 89 Degrees 57' 45" East 330.09 feet from the S 1/4 corner of Section 29, Township 1 North, Range 1 West, Ute P.M., and considering the South line of the SE 1/4 of said Section 29 to bear North 89 Degrees 57' 45" East with all other bearings contained herein relative thereto,
thence North 00 Degrees 03' 45" West 659.82 feet,
thence South 89 Degrees 57' 45" West 66.09 feet,
thence North 00 Degrees 03' 45" West 330.00 feet,
thence South 89 Degrees 57' 45" West 264.00 feet,
thence North 00 Degrees 03' 45" West 989.82 feet,
thence North 89 Degrees 58' 16" East 660.08 feet,
thence South 00 Degrees 02' 07" East 1979.55 feet,
thence South 89 Degrees 57' 45" West 329.05 feet to the Point of Beginning,
Mesa County, Colorado.

TOGETHER with 22 shares of capital stock in the Grand Valley Irrigation Company, ditch and ditch rights of way thereunto appertaining and used in connection therewith; SUBJECT TO reservations, restrictions, easements and rights of way, if any, of record;

also known as street and number

with all its appurtenances, and warrant(s) the title to the same, subject to all taxes and special assessments.

Signed this _____ day of December, 1979

Glenn R. Brice
Glenn R. Brice
Julia G. Brice
Julia G. Brice

STATE OF COLORADO,
County of Mesa

} ss.

The foregoing instrument was acknowledged before me this 28th day of December, 1979, by Glenn R. Brice and Julia G. Brice

My Commission expires May 20, 1982
Witness my hand and official seal.
NOTARY PUBLIC
STATE OF COLORADO

Earl Sawyer
Notary Public

The following described real property consisting of approximately 80 acres of vacant land located west of 24 Road and south of the Mainline of the Grand Valley Canal, commonly known as Berry Park:

The E½ of the NW¼ of the SE¼ and the NE¼ of the SE¼ and that part of the SE¼ of the NE¼ lying South of the Grand Valley Canal, all in Section 29, Township 1 North, Range 1 West of the Ute Meridian, except that part of said NE¼ of the SE¼ of said Section 29 lying East of Berry Creek Canal and South of the East-West Drain Canal; and also

Beginning at a point N 00°03'45" W 660.0 feet and N 89°57'45" E 330.09 feet of the S¼ Corner of Section 29, Township 1 North, Range 1 West of the Ute Meridian, thence N 00°03'34" W 659.82 feet; thence S 89°57'45" W 65.09 feet; thence N 00°03'45" W 330 feet; thence S 89°57'45" W 264 feet; thence N 00°03'45" W 989.82 feet; thence N 89°57'16" E 660.08 feet; thence S 00°02'07" E 1979.55 feet; thence S 89°57'45" W 329.05 feet to the Point of Beginning, Excepting therefrom the following described real property:

Commencing at the S¼ Corner of said Section 29; thence N 00°03'45" W 660.0 feet; thence N 89°57'45" E 330.09 feet; thence N 00°03'45" W 659.82 feet; thence S 89°57'45" W 66.09 feet to the Point of Beginning; thence N 00°03'45" W 330.0 feet; thence S 89°57'45" W 231.0 feet; thence N 00°03'45" W 19.72 feet; thence S 88°58'57" E 284.39 feet; thence S 00°03'45" E 344.48 feet; thence S 89°57'45" W 53.34 feet to the Point of Beginning.

RESOLUTION NO. 113-95

CONCERNING THE GRANTING OF AN EASEMENT ACROSS CITY PROPERTY
TO THE GRAND JUNCTION DRAINAGE DISTRICT

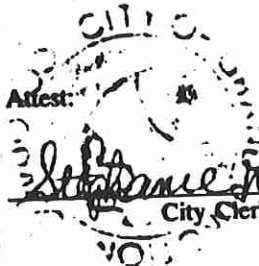
WHEREAS, at the request of the City, the Grand Junction Drainage District has agreed to maintain the drainage system through the City property commonly known as the "Berry Property", generally located west of 24 Road and North of H Road, and requires an easement from the City prior to the operation, maintenance and repair of said system by the Drainage District; and

WHEREAS, such action will help the City achieve its objective of improving and the functional utility of its land holdings.

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

That the City Manager is hereby authorized to execute the attached Grant of Easement conveying a non-exclusive easement across the City property as described in the attached Grant of Easement.

PASSED and ADOPTED this 6th day of December, 1995.

Attest:

Stephanie [Signature]
City Clerk

Ken Mauvin
President of the Council

EASEMENT AND AGREEMENT

THIS AGREEMENT, made this 25th day of December, 1995, by and between the GRAND JUNCTION DRAINAGE DISTRICT, hereinafter referred to as "District", whose address for the purpose of this agreement is 722 - 23 Road, Grand Junction, Colorado, and CITY OF GRAND JUNCTION, hereinafter referred to as "owners", whose address for the purpose of this agreement is 250 North Fifth Street, Grand Junction, Colorado.

WITNESSETH:

WHEREAS, the parties hereto agree that the installation hereinafter described is for the mutual benefit of the parties; and

WHEREAS, the owners desire to acknowledge the right-of-way and easement applied to the historical, existing drainage ditch across their premises known as the APPLETON DRAIN SYSTEM as more particularly described in Exhibit "A" attached hereto and made a part hereof.

IT IS THEREFORE AGREED AS FOLLOWS:

1. Owners agree to operate their premises in such a manner as not to damage said drain ditch. Any such damage so caused by the owners shall be the owners' sole responsibility to repair.
2. District agrees to maintain in a workmanlike manner said drain ditch, EXCEPT if any act or omission of the owners causes said upkeep or maintenance to be increased over and above that which would normally be expected, the owners shall then be responsible for the cost of any additional upkeep and maintenance.
3. In consideration of the foregoing and in order to accomplish the maintenance and upkeep of said drain ditch, the owners hereby grant unto the District an easement through, over and across the owners' premises for the drainage ditch together with such area as is reasonably necessary for the cleaning, maintenance, adjustment, or deepening of said drain ditch. Owners hereby grant unto the District the reasonable right of ingress and egress to accomplish the above, including the right to bring the necessary equipment upon the premises to accomplish same. It is agreed by the owners that said easement shall not be burdened or over-burdened by erection or placing of any improvement thereon, including fences.
4. Owners agree that they indemnify and save harmless the District from any and all damages or claims arising out of the operation and maintenance thereof.
5. Should either party fail or refuse to comply with the terms of this agreement, after having received ten (10) days written notice specifying the matters complained of, the complaining party may take whatever legal action is necessary to perform or correct the complaints thereunder and collect the cost thereof plus damages from the offending party. The prevailing party shall in addition to the above, be entitled to collect all costs incurred as a result of said breach including their reasonable attorney's fees.
6. If there is more than one owner as a party to this agreement, then and in that event the cost is allocated to the owners hereunder and shall be borne equally between them.
7. This agreement shall be binding upon and inure to the benefit of the heirs, successors and assigns of the respective parties.
8. The recitals are a part of this agreement.

IN WITNESS WHEREOF, the parties have affixed their signatures, the day and year above mentioned.

EXHIBIT "A"

We the undersigned owners, their heirs, assigns and successors, hereby grant to the District, Easements which include twenty (20) foot maintenance roadways on both sides of the drain ditch channels as well as the drain ditch channels over and across a part of the North 1/2 of the SE1/4 of Section 29, Township 1 North, Range 1 West, of the Ute Meridian, County of Mesa, State of Colorado, as described in Book 1297 Page 100 and Book 1568 Page 440 as recorded in the office of the Clerk and Recorder of said County, the sidelines of said Easements being more particularly described as follows:

EASEMENT NO. 1 (BERRY DRAIN)

Commencing at the SW Corner of the NW1/4 SE1/4 of said Section 29 and considering the west line of the NW1/4 SE1/4 of said Section 29 to bear N00°03'45"W with all other bearings contained herein relative thereto;
Thence N 89°58'14"E along the south line of the North 1/2 of the SE1/4 of said section 29 a distance of 1788.98 feet to the TRUE POINT OF BEGINNING;

- | | |
|---------------------------------|---------------------------------|
| Thence N49°27'01"E 232.81 feet; | Thence N56°35'19"E 116.27 feet; |
| Thence N47°44'10"E 117.69 feet; | Thence N21°14'23"E 134.11 feet; |
| Thence N27°45'12"E 59.86 feet; | Thence N43°32'00"E 193.63 feet; |
| Thence N29°33'45"E 37.27 feet; | Thence N18°30'31"E 393.58 feet; |
| Thence N21°38'06"E 115.38 feet; | Thence N02°48'25"E 38.86 feet; |
| Thence N13°10'39"W 29.24 feet; | Thence N36°39'44"W 54.75 feet; |
| Thence N45°50'25"W 90.53 feet; | Thence N38°04'50"W 43.78 feet; |
| Thence S68°28'17"W 54.47 feet; | Thence N60°18'51"W 219.16 feet; |
| Thence N80°05'02"W 27.71 feet; | Thence S80°45'08"W 56.36 feet; |
| Thence S86°51'32"W 122.51 feet; | Thence N01°05'47"W 54.33 feet; |
| Thence N81°47'33"E 110.42 feet; | Thence N80°54'33"E 92.44 feet; |
| Thence S62°23'08"E 135.77 feet; | Thence S58°30'49"E 91.86 feet; |
| Thence N86°17'09"E 19.88 feet; | Thence N31°31'37"W 191.36 feet; |
| Thence N60°19'38"E 40.01 feet; | Thence S79°11'57"E 34.14 feet; |
| Thence S32°51'58"E 132.38 feet; | Thence S27°31'40"E 80.50 feet; |
| Thence S36°45'34"E 50.09 feet; | Thence S45°42'36"E 133.40 feet; |
| Thence S28°32'07"E 39.41 feet; | Thence S14°32'46"E 50.72 feet; |
| Thence S89°57'41"E 16.55 feet; | |

Thence S00°02'19"W along the east line of the NE1/4 SE1/4 of said Section 29 a distance of 74.50 feet;

- | | |
|--------------------------------|---------------------------------|
| Thence N89°57'41"W 34.66 feet; | Thence S19°05'32"W 413.23 feet; |
| Thence S21°15'49"W 94.23 feet; | Thence N85°52'50"E 204.21 feet; |

Thence S00°02'19"W along the east line of the NE1/4 SE1/4 of said Section 29 a distance of 36.91 feet;

- | | |
|---------------------------------|---------------------------------|
| Thence N89°57'41"W 32.22 feet; | Thence S85°48'37"W 78.48 feet; |
| Thence S86°50'01"W 88.17 feet; | Thence N77°56'48"W 44.44 feet; |
| Thence N57°18'16"W 12.14 feet; | Thence S43°26'41"W 116.49 feet; |
| Thence S41°28'01"W 85.47 feet; | Thence S27°14'19"W 48.70 feet; |
| Thence S20°52'38"W 25.77 feet; | Thence S21°03'34"W 104.97 feet; |
| Thence S38°23'02"W 42.47 feet; | Thence S48°10'47"W 50.99 feet; |
| Thence S53°14'58"W 192.20 feet; | Thence S51°08'48"W 156.31 feet; |

Thence S89°58'14"W along the south line of the North 1/2 of the SE1/4 of said Section 29 a distance of 51.29 feet to the TRUE POINT OF BEGINNING.

AND ALSO EASEMENT NO. 2 (APPLETON AND CUNNINGHAM DRAINS)

Commencing at the SW Corner of the NW1/4 SE1/4 of said Section 29; Thence N89°58'14"E along the south line of the NW1/4 SE1/4 of said Section 29 a distance of 680.63 feet to the TRUE POINT OF BEGINNING;

- Thence N00°02'12"W 44.16 feet; Thence S89°20'21"E 219.24 feet; Thence N00°00'39"W 608.52 feet; Thence N74°39'39"E 37.87 feet; Thence N00°06'05"W 461.96 feet; Thence N27°54'54"W 28.95 feet; Thence N71°45'32"E 67.03 feet; Thence S42°52'50"E 59.19 feet; Thence N65°38'57"E 181.50 feet; Thence S26°23'56"E 54.61 feet; Thence S66°19'40"W 100.30 feet; Thence S02°10'52"E 94.58 feet; Thence S01°33'05"E 196.53 feet; Thence S66°27'37"W 34.03 feet; Thence S78°22'46"W 25.47 feet; Thence S00°01'22"E 299.44 feet; Thence S24°57'36"W 60.24 feet; Thence S89°48'16"E 378.04 feet; Thence N34°50'47"E 37.03 feet; Thence N33°16'04"E 45.89 feet; Thence S86°34'49"E 132.27 feet; Thence N44°55'40"W 77.90 feet; Thence N16°37'05"W 32.70 feet; Thence S16°37'05"E 31.95 feet; Thence N59°34'23"E 148.89 feet; Thence N66°27'54"E 127.38 feet; Thence S62°52'28"W 219.07 feet; Thence S61°04'39"W 137.55 feet; Thence S00°23'00"W 196.60 feet; Thence S29°11'53"W 36.87 feet; Thence N87°34'57"W 121.17 feet; Thence S00°18'42"E 185.00 feet; Thence S01°49'53"W 113.60 feet;

Thence S89°58'14"W along the south line of the NW1/4 SE1/4 of said Section 29 a distance of 658.41 feet to the TRUE POINT OF BEGINNING.

AND ALSO EASEMENT NO. 3 (MAYO DRAIN)

Commencing at the SW Corner of the NW1/4 SE1/4 of said Section 29; Thence N00°03'45"W along the west line of the NW1/4 SE1/4 of said Section 29 a distance of 1027.44 feet to the TRUE POINT OF BEGINNING;

- Thence N42°33'58"E 204.93 feet; Thence N54°54'01"E 52.03 feet; Thence S54°21'32"E 140.81 feet; Thence S73°16'18"E 169.69 feet; Thence N85°23'29"E 50.80 feet; Thence S88°10'29"W 56.54 feet; Thence N74°06'22"W 185.88 feet; Thence S41°32'31"W 187.88 feet; Thence N88°58'57"W 26.29 feet; Thence S89°57'12"W 33.16 feet; Thence N33°12'17"W 109.13 feet; Thence S35°05'53"E 95.64 feet; Thence S61°19'32"E 42.56 feet; Thence S84°46'06"E 32.82 feet; Thence S02°47'20"E 57.96 feet; Thence N83°31'51"W 39.32 feet; Thence N57°14'32"W 136.57 feet; Thence S00°15'05"W 650.67 feet; Thence S00°03'45"E 19.72 feet;

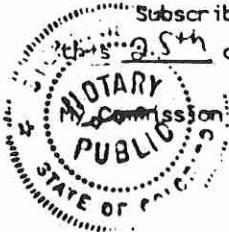
Thence N00°03'45"W along the west line of the NW1/4 SE1/4 of said Section 29 a distance of 697.34 feet to the TRUE POINT OF BEGINNING.

Dated this 28th day of December, 1995.

Signature of Mark K. Achen, City Manager

State of Colorado)
)ss
County of Mesa)

Subscribed and sworn to before me by Mark K. Achen, this 28th day of December, 1995.



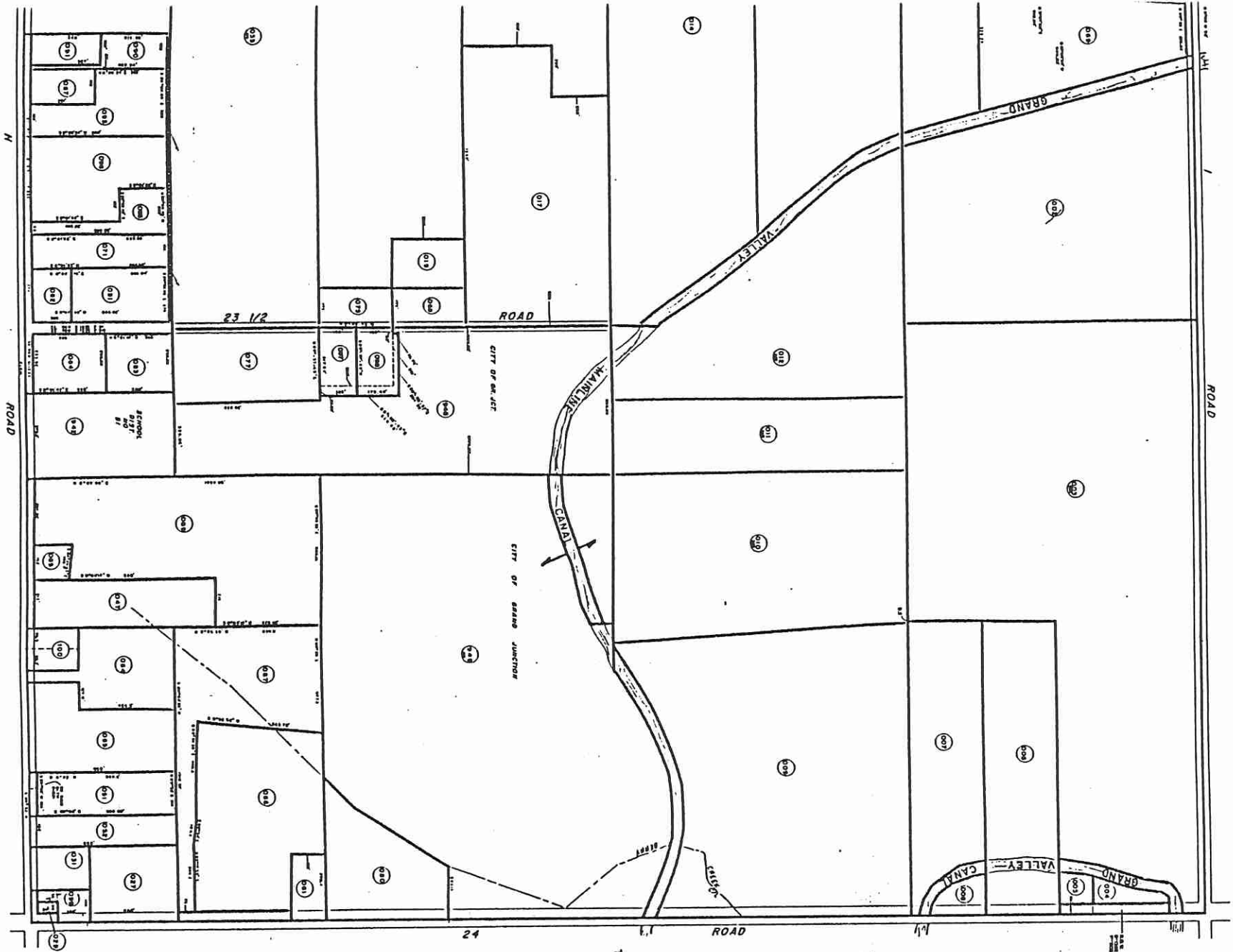
Signature of Stephanie Kuhl, Notary Public

ACCEPTED BY GRAND JUNCTION DRAINAGE DISTRICT

Signatures of John Pade and Arthur Bulla

Adjoining

T.I.N. R.I.W.
2701-20



Adjoining
T.I.N. R.I.W.
2701-28

Adjoining
T.I.N. R.I.W.
2701-20



September 16, 1996

City of Grand Junction, Colorado
250 North Fifth Street
81501-2668
FAX: (970)244-1599

Ms. Jeanice A. Swank
Abstract & Title Company of Mesa County
205 North 4th Street
Grand Junction, CO 81501

Re: Commitment to Insure a parcel of land in Section 29, Township 1 North, Range 1 West of the Ute Meridian, being a part of Tax Schedule No. 2701-294-00-948.

Dear Jeanice:

The letter is in reference to a commitment for title insurance policy, Abstract & Title Company file number 897840.

The City of Grand Junction has entered into a contract to exchange real property with Mesa County Valley School District No. 51. In accordance with our agreement, a parcel of land will be carved out of the above referenced parcel and attached to the Appleton School property. We recognize the need to obtain approvals from the Mesa County Planning Department and an application for a boundary line adjustment is currently being processed. Also in accordance with our agreement, the current fair market value of the parcel to be created has been determined to be \$61,200.

With this background, the City and School District respectfully request the following changes to the title commitment:

1. The value of the property to be insured be changed from \$5,000 to \$61,200;
2. The description of the land to be insured coincide with our contract as described on the enclosed Exhibit "A".

With respect to item 1, the City's Finance Department has already processed payment for the premium in the amount of \$210.00. If the change in value increases the premium, please send me an invoice for the additional amount owed.

Thank you very much for your assistance. Please do not hesitate to contact me at 244-1565 if you have any questions or concerns.

Sincerely,

A handwritten signature in cursive script that reads "Tim Woodmansee".

Tim Woodmansee
City Property Agent

enclosure.

cc: Mr. Dan Wilson, City Attorney
Mr. Birney Cox, School District 51
Mr. John Groves, Groves & Price, PC

EXHIBIT "A"

A parcel situate in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ and in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29, Township 1 North, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the South $\frac{1}{4}$ corner of Section 29; thence N 00°04'08" W along the west line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 29 a distance of 659.42 feet to the southwest corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 29; thence N 89°58'12" E along the south line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 330.19 feet to the **True Point of Beginning** of the parcel described herein;

thence N 00°03'30" W a distance of 659.46 feet to a point on the south line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 29;

thence S 89°57'48" W along said south line a distance of 12.75 feet to a point;

thence N 00°03'30" W a distance of 344.48 feet to a point;

thence N 88°58'42" W a distance of 284.55 feet to a point;

thence S 00°02'52" E a distance of 19.72 feet to a point;

thence S 89°58'00" W a distance of 33.00 feet to a point on the west line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 29;

thence N 00°02'52" W along the west line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 181.89 feet to a point;

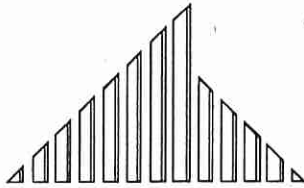
thence leaving said west line N 89°57'51" E a distance of 659.83 feet to a point on the east line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$;

thence S 00°01'20" E along said east line a distance of 511.90 feet to the southeast corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$;

thence S 00°02'15" E along the east line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 29 a distance of 659.49 feet to the southeast corner of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;

thence S 89°58'12" W along the south line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 329.05 feet to the Point of Beginning,

containing 10.22 acres as described.



**ABSTRACT & TITLE CO.
OF MESA COUNTY, INC.**

205 N. 4th Street, P.O. Box 3738, Grand Junction, Colorado 81502

970/242-8234

FAX 970/241-4925

Issuing Agent for:
**TRANSNATION
TITLE INSURANCE COMPANY**

┌ CITY OF GRAND JUNCTION
Engineering/Property
Management Dept.
205 N 5th
└ Grand Junction, Colo. 81501
Attn: Tim Woodmansee

	AMOUNT	PREMIUM
┌ OWNER \$ 61,200.00	\$ 61,200.00	\$ 183.80*
MORTGAGE\$	\$	\$
COST OF TAX CERTIFICATE	\$	\$
FORM 100	\$	\$
└ ALTA 8.1	\$	\$
	\$	\$
	\$	\$

Your Reference _____

No. 897840 C 3

Tax Schedule No. 2701-294-00-948

Property Address Vacant

CC's To:
(2) City Grand Junction-Tim
(1) John Groves
405 Ridges Blvd. Suite B

*Premium on \$62,000 \$393.80
Less amount paid 210.00

— COMMITMENT TO INSURE —

Transnation Title Insurance Company, an Arizona corporation, herein called the Company, for a valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedules A and B and to the conditions and stipulations shown on the reverse side.

Customer Contact: Jeanice A. Swank
Phone: (970) 242-8234

By Jeanice Swank
AUTHORIZED SIGNATURE

The effective date of this commitment is August 29, 19 96 at 7:00 A.M.
At which time fee title was vested in:

THE CITY OF GRAND JUNCTION.

SCHEDULE A

1. Policies to be issued:
(A) Owners':

MESA COUNTY VALLEY SCHOOL DISTRICT, NO. 51.

(B) Mortgagee's:

SCHEDULE A—Continued

2. Covering the Land in the State of Colorado, County of Mesa
Described as:

A parcel situate in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ and in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29, Township 1 North, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado being more particularly described as follows:

Commencing at the South 1/4 corner of Section 29;
thence North 00°04'08" West along the West line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 29 a distance of 659.42 feet to the Southwest corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 29;
thence North 89°58'12" East along the South line of the said NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 330.19 feet to the TRUE POINT OF BEGINNING of the Parcel described herein;
thence North 00°03'30" West a distance of 659.46 feet to a point on the South line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 29;
thence South 89°57'48" West along said South line a distance of 12.75 feet to a point;
thence North 00°03'30" West a distance of 344.48 feet to a point;
thence North 88°58'42" West a distance of 284.55 feet to a point;
thence South 00°02'52" East a distance of 19.72 feet to a point;
thence South 89°58'00" West a distance of 33.00 feet to a point on the West line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 29;
thence North 00°02'52" West along the West line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 181.89 feet to a point;
thence leaving said West line North 89°57'51" East a distance of 659.83 feet to a point on the East line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$;
thence South 00°01'20" East along said East line a distance of 511.90 feet to the Southeast corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$;
thence South 00°02'15" East along the East line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 29 a distance of 659.49 feet to the Southeast corner of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;
thence South 89°58'12" West along the South line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 329.05 feet to the point of beginning.

SCHEDULE A—Continued

REQUIREMENTS

3. The following are the requirements to be complied with prior to the issuance of said policy or policies. Any other instrument recorded subsequent to the date hereof may appear as an exception under Schedule B of the policy to be issued. Unless otherwise noted, all documents must be recorded in the office of clerk and recorder of the county in which said property is located.

A. Correction Deed from County of Mesa, State of Colorado to City of Grand Junction.

NOTE: This requirement is necessary because in the Deed recorded December 20, 1985 in Book 1568 at page 440 between the County of Mesa and City of Grand Junction, there were the following errors in the legal description:

Line two recited: deg. 57'45"West East, WHEREAS it should be deg 57'45" East.

Line three: it should be Township 1 North, Range 1 West of the Ute Meridian.

Line 4 recited: thence South 89°57'45" West 65.09 feet, WHEREAS it should be thence South 89°57'45" West 66.09 feet.

Line 7 recited: thence South 00°02'07" 1979.55 feet, WHEREAS it should be thence South 00°02'07" East 1979.55 feet.

B. Duly certified copy of Ordinance of the City Council of the City of Grand Junction, a Municipal Corporation authorizing the sale of subject property.

C. Deed from The City of Grand Junction to Mesa County Valley School District No. 51.

Commitment No.

File No.

Schedule B – Section 2

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Rights or claims of parties in possession not shown by the public records.
2. Easements, or claims of easements, not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct survey and inspection of the premises would disclose and which are not shown by the public records.
4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof.
6. Any and all unpaid taxes, assessments and unredeemed tax sales.

7. Reservation of right of the proprietor of any penetrating vein or lode to extract and remove his ore in U. S. Patent recorded December 16, 1891 in book 11 at page 134.
8. Right of way for 23 1/2 road over the West side of subject property.
9. Right of way for the Grand Valley Mainline Canal over subject property.
10. Power of Attorney, including the terms and conditions thereof, recorded April 13, 1995 in Book 2138 at page 835, as set forth on the sheet attached hereto.
11. Right of way, whether in fee or easement only as granted to Grand Junction Drainage District by instrument recorded January 10, 1996 in Book 2199 at page 525, as set forth on the sheet attached hereto.