

OMB77B5R

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: DEED [WARRANTY]

NAME OF AGENCY OR CONTRACTOR: O.M. BUILDING ASSOCIATES

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: B 1/2 ROAD  
AND 27 ROAD; FIRE STATION NO. 4 RIGHT-OF-WAY

CITY DEPARTMENT:

YEAR:

EXPIRATION DATE:

DESTRUCTION DATE:

Earl Sawyer

Recorder.

O. M. BUILDING ASSOCIATES, a Partnership,

whose address is Grand Junction,

County of Mesa, State of

Colorado, for the consideration of  
TEN DOLLARS AND OTHER VALUABLE CONSIDERATION,  
~~XXXXXX~~, in hand paid, hereby sell(s) and convey(s) to

CITY OF GRAND JUNCTION,

whose address is Grand Junction

County of

Mesa, and State of Colorado the following real property in the

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

Beginning at a point on the North right-of-way of  
B $\frac{1}{2}$  Road from whence the E $\frac{1}{4}$  Corner of Section 26,  
Township 1 South, Range 1 West of the Ute Meridian  
bears South 89°53' East 30 feet and South 20 feet,  
thence North 89°53' West 200 feet, thence North 175  
feet, thence South 89°53' East 200 feet, thence  
South 175 feet to the point of beginning; Mesa  
County, Colorado.

with all its appurtenances, and warrant(s) the title to the same, subject to 1977 taxes  
due and payable in 1978, and subject to a prior reservation of  
coal by instrument recorded November 8, 1907, in Book 93 at  
Page 544, of the Mesa County records.

Signed this 23rd day of March, 1977

O. M. BUILDING ASSOCIATES,  
a Partnership

By: *Raymond J. Boggs*  
Raymond J. Boggs, Attorney

STATE OF COLORADO,  
County of Mesa

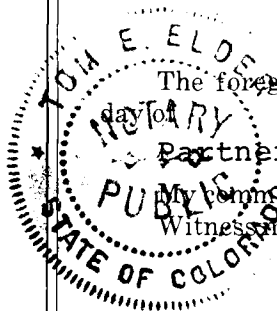
} ss.

The foregoing instrument was acknowledged before me this 23rd  
day of March, 1977, by O. M. Building Associates, a  
Partnership, by Raymond J. Boggs, Attorney.

My Commission expires August 17, 1978  
Witness my hand and official seal.

*Tom E. Eldred*

Notary Public



LAW OFFICES OF  
**ELDER, PHILLIPS & CARPENTER**

562 WHITE AVENUE  
GRAND JUNCTION, COLORADO 81501

TOM E. ELDER  
WALTER J. PHILLIPS  
STACY R. CARPENTER  
VICTOR J. DANIEL

AREA CODE 303  
TELEPHONE 243-0946

June 6, 1977

Gerald Ashby  
City Attorney  
City Hall  
Grand Junction, Colorado

Dear Gerry:

Enclosed is Attorneys' Title Guaranty Fund, Inc.  
Policy No. 36106, issued to the City of Grand Junction in  
connection with the O. M. Building Associates transaction.

Yours very truly,

ELDER, PHILLIPS & CARPENTER

By. 

TEE/tw  
Encl

Note: The attorney or firm of attorneys providing this policy has a financial interest as a member or shareholder of Attorneys' Title Guaranty Fund, Inc.

# ATTORNEYS, TITLE GUARANTY FUND, INC.

The Lawyers' Organization for Insuring Titles to Real Estate  
Denver, Colorado

## OWNERS POLICY OF TITLE INSURANCE

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS CONTAINED IN SCHEDULE B AND THE PROVISIONS OF THE CONDITIONS AND STIPULATIONS HEREOF, Attorneys' Title Guaranty Fund, Inc., a Colorado Corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the amount of insurance stated in Schedule A, and costs, attorneys' fees and expenses which the Company may become obligated to pay hereunder, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested otherwise than as stated therein;
2. Any defect in or lien or encumbrance on such title;
3. Lack of a right of access to and from the land;
4. Unmarketability of such title.

IN WITNESS WHEREOF the Company has caused this Policy to be signed and sealed, to be valid when Schedule A is countersigned by an authorized officer or agent of the Company, all in accordance with its By-Laws.

ATTEST:

*Fletcher Thomas*

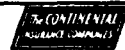
Fletcher Thomas, Secretary



ATTORNEYS' TITLE GUARANTY FUND, INC.

*John S. Kellogg*

By John S. Kellogg, President



In consideration of the premium paid under this policy, it is hereby understood and agreed that American Title Insurance Company assumes entire liability under this policy and that in the event Attorneys' Title Guaranty Fund, Inc. shall fail to pay any valid claim under this policy by reason of loss or damage insured against, then such loss shall be assumed and paid by American Title Insurance Company in the same manner and to the same extent as if such policy had been a policy of American Title Insurance Company.

IN WITNESS WHEREOF, American Title Insurance Company has caused this Certificate to be executed by its duly authorized officers.

AMERICAN TITLE INSURANCE COMPANY

ATTEST:

*Matthew L. Martin*

Secretary



By *Jay R. Schmitt*

President

Issued By TOM E. ELDER

(Member's Name and Address)

562 White Avenue, Grand Junction, Colorado

This policy must contain Schedules A and B

duly validated by this signature: *Tom Elder*

**ATTORNEYS,**  
**TITLE GUARANTY FUND, INC.**

AMOUNT  
 \$ 12,500.00

POLICY OF TITLE INSURANCE  
 SCHEDULE A

DATE OF POLICY  
May 23, 1977  
 at 8:30 A.M.

NAME OF INSURED: THE CITY OF GRAND JUNCTION, a Municipal corporation

1. The estate or interest in the land described herein and which is covered by this policy is:  
 Fee Simple

2. The estate or interest referred to herein is at Date of Policy vested in:

THE CITY OF GRAND JUNCTION, a Municipal corporation

3. The land referred to in this Policy is situate in the \_\_\_\_\_ County of Mesa  
 and State of Colorado and is described as follows:

Beginning at a point on the North right-of-way of  
 B½ Road from whence the E½ Corner of Section 26,  
 Township 1 South, Range 1 West of the Ute Meridian  
 bears South 89°53' East 30 feet and South 20 feet,  
 thence North 89°53' West 200 feet, thence North 175  
 feet, thence South 89°53' East 200 feet, thence  
 South 175 feet to the point of beginning; Mesa  
 County, Colorado.

Countersigned:

*Dmit Elder*  
 Authorized Officer or Agent

Issued at: Grand Junction, Colorado

Page 1--Schedule A--Policy

THIS POLICY VALID ONLY IF SCHEDULE B IS ATTACHED

OP No 36106

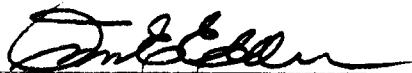
**ATTORNEYS,**  
  
**TITLE GUARANTY FUND, INC.**

**SCHEDULE B**

This Policy does not insure against loss or damage by reason of the following:

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; water rights, claims or title to water.
6. Any and all unpaid taxes, assessments and unredeemed tax sales.
7. Within described property subject to the right of a proprietor of a vein or lode to extract and remove his ore therefrom should the same be found to intersect said premises as set forth in U. S. Patent recorded March 21, 1891 in Book 11 at Page 82.
8. The obligations and restrictions, if any, of the Zoning and Subdivision regulations of Mesa County, the Orchard Mesa Irrigation District, West Orchard Mesa Planning District, West Orchard Mesa Water District, Grand Junction Rural Fire Protection District, Ute Water Conservancy District and Mesa Soil Conservation District.
9. The perpetual right of grantee and its assigns to mine, extract and remove any and all veins or deposits of coal situated and being underneath the surface of said lands in ordinary mine fashion but not to enter upon the surface, as set forth in Warranty Deed from W. H. Lee to The Orchard Mesa Coal Company, recorded November 8, 1907 in Book 93 at Page 544.
10. Unrecorded liens for unpaid water and sewer service and installation charges, if any.

Countersigned: \_\_\_\_\_



Authorized officer or agent

Page 1 of Schedule B—Policy No. **OP**

36106

Member No. 42

The typed serial number above MUST be the same as the printed serial number on Schedule A.