

PEN94LEV

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: DEED (GENERAL WARRANTY)

NAME OF AGENCY OR CONTRACTOR: CHARLES D. PENNAL AND SHIRLEY
D. PENNAL

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: COLORADO
RIVER FLOOD CONTROL LEVEE

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1994

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

GENERAL WARRANTY DEED

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Charles D. Pennal and Shirley D. Pennal, Grantors, whose address is 404 Dressel Drive of the City of Grand Junction, County of Mesa, State of Colorado, for the consideration of Ninety Five Thousand Four Hundred Nine and 60/100ths (\$95,409.60) Dollars, in hand paid, hereby sell and convey to The City of Grand Junction, a Colorado home rule municipality, Grantee, whose address is 250 North 5th Street of the City of Grand Junction, County of Mesa, State of Colorado, 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.

as Right-of-Way for the installation, operation, maintenance and repair of the Army Corps of Engineers Colorado River Flood Control Levee, with all its appurtenances, and warrant title to the same, subject to the reservation of an easement to access and enter upon said Right-of-Way by foot traffic only; provided, however, that the Grantors, for themselves and for their heirs, successors, assigns, guests and invitees, shall save, indemnify and hold the Grantee, its officers, employees and agents harmless from any and all claims, damages, causes of action or liability for damage to person or property, including death, sustained in connection with accessing or entering upon said Right-of-Way.

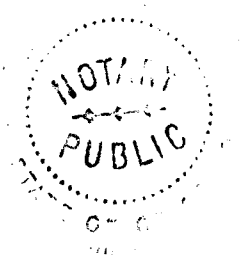
Charles D. Pennal
Charles D. Pennal

Shirley D. Pennal
Shirley D. Pennal

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 31st day of August, 1994, by Charles D. Pennal and Shirley D. Pennal.

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



Tim Woodmansee
Notary Public

Parcel No. 1: Commencing at the Center $\frac{1}{4}$ Corner of Section 23, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the East and West One-Half line of said Section 23 to bear due West with all bearings contained herein being relative thereto; thence West a distance of 929.62 feet; thence North a distance of 175.0 feet; thence West a distance of 311.59 feet to the True Point of Beginning;
thence S $23^{\circ}05'33''$ E a distance of 117.66 feet;
thence 145.45 feet along the arc of a curve to the left having a radius of 172.50 feet, a central angle of $48^{\circ}18'41''$, and a long chord bearing S $47^{\circ}14'58''$ E a distance of 141.18 feet;
thence N $57^{\circ}47'39''$ E a distance of 39.40 feet;
thence S $77^{\circ}29'01''$ E a distance of 45.48 feet;
thence S $32^{\circ}30'31''$ E a distance of 21.43 feet to the West Right-of-Way line of U.S. Highway No. 50;
thence S $27^{\circ}00'00''$ W along the West Right-of-Way line of U.S. Highway No. 50 a distance of 67.39 feet;
thence leaving said Right-of-Way, 272.82 feet along the arc of a curve to the right having a radius of 230.50 feet, a central angle of $67^{\circ}48'53''$, and a long chord bearing N $57^{\circ}00'05''$ W a distance of 257.17 feet;
thence N $23^{\circ}05'33''$ W a distance of 20.50 feet;
thence N $66^{\circ}21'45''$ W a distance of 3.54 feet;
thence N $23^{\circ}05'33''$ W a distance of 120.35 feet;
thence East a distance of 65.69 feet to the True Point of Beginning, containing 24,278.08 square feet (0.557 +/- acres).

Parcel No. 2: Commencing at the Center $\frac{1}{4}$ Corner of Section 23, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the East and West One-Half line of said Section 23 to bear due West with all bearings contained herein being relative thereto; thence West a distance of 929.62 feet; thence North a distance of 175.0 feet; thence West a distance of 377.28 feet to the True Point of Beginning;
thence West a distance of 105.95 feet to the Easterly Right-of-Way line of the Denver & Rio Grande Railroad;
thence S $22^{\circ}56'40''$ E along said Railroad Right-of-Way line to its intersection with the North Bank of the Colorado River;
thence Southeasterly along the North Bank of the Colorado River to the West Right-of-Way line of U.S. Highway No. 50;
thence N $27^{\circ}00'$ E to the intersection of the West Right-of-Way line for U.S. Highway No. 50 with the South line of Parcel No. 1 described above;
thence 272.82 feet along the arc of a curve to the right having a radius of 230.50 feet, a central angle of $67^{\circ}48'53''$, and a long chord bearing N $57^{\circ}00'05''$ W a distance of 257.17 feet;
thence N $23^{\circ}05'33''$ W a distance of 20.50 feet;
thence N $66^{\circ}21'45''$ W a distance of 3.54 feet;
thence N $23^{\circ}05'33''$ W a distance of 120.35 feet to the True Point of Beginning, containing 78,656.65 square feet (1.806 +/- acres).

The foregoing legal description was prepared by Tim Woodmansee, 250 North 5th Street, Grand Junction, Colorado 81501.