

PNG49BNT

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: DEED

PURPOSE: CONDEMNATION ACTION

NAME OF AGENCY OR CONTRACTOR: HUGH J. PINGER AND MESA
FEDERAL SAVINGS AND LOAN ASSOCIATION

STREET ADDRESS/PARCEL NAME/SUBDIVISION (LOT AND BLOCK):
BUNTING AVENUE - BETWEEN 13TH STREET AND 15TH STREET

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1949

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

IN THE DISTRICT COURT IN AND FOR THE
COUNTY OF MESA AND STATE OF COLORADO
CIVIL ACTION NO. 7688

CITY OF GRAND JUNCTION, COLORADO,)
a municipal corporation,)

Petitioner,)

vs.)

HUGH J. PINGER and MESA FEDERAL)
SAVINGS AND LOAN ASSOCIATION,)

Respondents.)

JUDGMENT AND DECREE

It appearing to the Court that the Commissioners in condemnation, heretofore appointed in this proceeding, have made and filed with the Clerk of this Court the following report, to-wit:

"We, the undersigned commissioners, heretofore appointed by the Court, do hereby report our findings and awards in the above-entitled proceeding, as follows:

1. That the description of the property proposed to be taken by the petitioner in this proceeding, for the purpose of constructing a street, is the North 11.95 feet of the West 154 feet of the East 308.95 feet of the North 100 feet of Lot 2, Grand View Subdivision, now located within the City of Grand Junction, Mesa County, Colorado;

2. That the said commissioners do estimate, fix and determine the fair and actual cash market value of the said described property proposed to be taken for this improvement to be \$150.00;

3. That the fair, direct and actual damage caused on account of said improvement to other property not taken for the improvement is in the amount of \$500.00;

4. And that no benefit will accrue to the property not taken for the improvement by reason of the said improvement.

We hereby further certify that we have served 2 days time in hearing testimony in the condemnation proceeding and inspecting the premises, and have subsequently held meetings on 1 additional days.

Dated in Grand Junction, Colorado, this 28th day of March, 1949.

/s/ M. N. Due

/s/ L. C. Nowlan

/s/ W. D. Ela "

And it appearing to the Court that upon application of the petitioner the date for hearing and consideration of said report was set for the 11th day of April, 1949, at 10:00 o'clock A.M. and that due and legal notice was given to each of the respondents of the matters contained in said report and of the time so fixed by the Court for the consideration thereof within the manner prescribed by law;

And the default of all of the respondents and each of them having heretofore been entered, and an order that the report of the commissioners in condemnation be approved and confirmed and that decree be entered in accordance with said report and the prayer of the petition;

And it appearing to the Court that the commissioners' report and the acts of said commissioners are legal and in accordance with the orders of this Court and with the law;

IT IS HEREBY ORDERED, that said commissioners report and the statements and findings therein set forth are confirmed, approved and adopted by the Court; and

IT IS THEREFORE ADJUDGED AND DECREED:

That the compensation proper to be paid by the petitioner to the respondent Hugh J. Pinger as the fair and actual cash market value of the property condemned and taken for the improvement, and the fair, direct and actual damage caused on account of said improvement to other property of the said respondent, and not taken for the improvement, together with a description of the property so condemned, is as follows:

The North 11.95 feet of the West 154 feet of the East 308.95 feet of the North 100 feet of Lot 2, Grand View Subdivision, now located within the City of Grand Junction, Mesa County, Colorado.

Cash market value of the property so taken, \$150.00.

Damage to other property not taken for the improvement \$500.00.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED:

That the City of Grand Junction, Colorado, a municipal corporation, the petitioner herein, shall pay to the said Hugh J. Pinger, the compensation hereinabove ascertained and set forth, and that the said petitioner shall also pay the costs of this action; and that upon payment of the aforesaid amounts, the title to the property condemned herein, as hereinabove described shall vest in the petitioner, the City of Grand Junction, Colorado, a municipal corporation, free and clear of all liens and encumbrances, claims or demands of each or any of the respondents, and the said petitioner shall have the right to enter upon the said property forthwith.

Done by the Court this 13th day of April, 1949.

Paul L. Little
Judge

STATE OF COLORADO)
COUNTY OF WASHINGTON)

ss.

C E R T I F I C A T E

I hereby certify that the attached is a true copy of Judgment and Decree entered by the District Court of Wase County, Colorado, on April 13, 1949 in Civil Action No. 7088, City of Wase Junction vs. Hugh J. Pinger, as the same appears on file and of record in my office.

I further certify that the compensation in the amount of \$250.00 was paid into Court and was by me delivered to the defendant Hugh J. Pinger, and that all costs of this action have been paid.

Dated this 11th day of January, 1951.

Lucy E. Hogan
Clerk of the District Court



R E S O L U T I O N

WHEREAS the development of the Northeast Addition to the City of Grand Junction, and the construction of residences therein makes it necessary for Bunting Avenue to be established, opened and constructed from Thirteenth Street to Fifteenth Street;

AND WHEREAS all owners of property along the proposed street right-of-way have executed and delivered to the City of Grand Junction a deed conveying the property necessary for such a Street, except one Hugh J. Pinger, who has failed and refused to execute such a conveyance;

AND WHEREAS the City Council does now find and determine that it is necessary to condemn and take the North 16.95 feet of the West 154 feet of the East 308.95 feet of the North 100 feet of Lot 2, Grand View Subdivision in the City of Grand Junction, Colorado, which said described property is owned by the said Hugh J. Pinger;

NOW, THEREFORE, Be it resolved by the City Council of the City of Grand Junction, Colorado:

That Bunting Avenue be established and constructed between Thirteenth and Fifteenth Streets; that the above-described property belonging to Hugh J. Pinger shall be taken and condemned for such purpose at the cost of the City; and that the City Attorney shall be and he is hereby authorized to file and prosecute to its completion any action or proceedings which is necessary to condemn and take the said land.

R E S O L U T I O N

WHEREAS the development of the Northeast Addition to the City of Grand Junction, and the construction of residences therein makes it necessary for Bunting Avenue to be established, opened and constructed from Thirteenth Street to Fifteenth Street;

AND WHEREAS all owners of property along the proposed street right-of-way have executed and delivered to the City of Grand Junction a deed conveying the property necessary for such a Street, except one Hugh J. Pinger, who has failed and refused to execute such a conveyance;

AND WHEREAS the City Council does now find and determine that it is necessary to condemn and take the North 16.95 feet of the West 154 feet of the East 308.95 feet of the North 100 feet of Lot 2, Grand View Subdivision in the City of Grand Junction, Colorado, which said described property is owned by the said Hugh J. Pinger;

NOW, THEREFORE, Be it resolved by the City Council of the City of Grand Junction, Colorado;

That Bunting Avenue be established and constructed between Thirteenth and Fifteenth Streets; that the above-described property belonging to Hugh J. Pinger shall be taken and condemned for such purpose at the cost of the City; and that the City Attorney shall be and he is hereby authorized to file and prosecute to its completion any action or proceedings which is necessary to condemn and take the said land.

Recorded at 10:00 o'clock A.M., Dec 5, 1956

Reception No. 682703 Annie M. Dunston Recorder.

Annie M. Dunston

RECORDER'S STAMP

KNOW ALL MEN BY THESE PRESENTS, That I, VOICE OF WESTERN COLORADO, INC., a Colorado Corporation of the County of Mesa and State of Colorado, for the consideration of TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS-- Dollars, in hand paid, hereby sell and quit claim to CITY OF GRAND JUNCTION, COLORADO, a Municipal Corporation

of the County of Mesa and State of Colorado, the following real property, situate in the County of Mesa and State of Colorado, to-wit:

The North 25 feet of the W 1/2 SE 1/4 SE 1/4 SE 1/4 of Section 12, Township 1 South, Range 1 West of the Ute Meridian, for street purposes.

The property East of the property herein conveyed has been obtained for constructing an armory building thereon by the State of Colorado for the use and benefit of the Colorado National Guard. In the event that such armory building is not commenced within twenty-four months from the date hereof, the property herein conveyed shall revert to grantor.

Grantors shall not be responsible for special assessments levied for the improvement of the roadway herein granted.

with all its appurtenances.

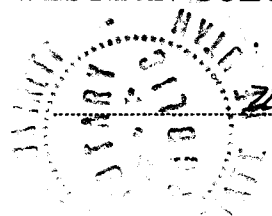
Signed and delivered this day of VOICE OF WESTERN COLORADO, INC. In the presence of By [Signature] President [SEAL] [Signature] [SEAL] ATTEST: [Signature] Secretary [SEAL]

STATE OF COLORADO, County of MESA } ss.

The foregoing instrument was acknowledged before me this 2nd day of October 1956, by D. Spencer Grow and Arta L. Grow, President and Secretary, respectively, of VOICE OF WESTERN COLORADO, INC.

My commission expires 5/25/60

Witness my hand and official seal.



[Signature] Hilb Barrett Notary Public.

*If by natural person or persons here insert name or names; if by person acting in representative or official capacity or as attorney-in-fact, then insert name of person as executor, attorney-in-fact or other capacity or description; if by officer of corporation, then insert name of such officer or officers, as the president or other officers of such corporation, naming it.—Statutory Acknowledgment, Session 1927.

LOYD FILES and CLARENCE FILES,

Mesa
Ten Dollars and other valuable

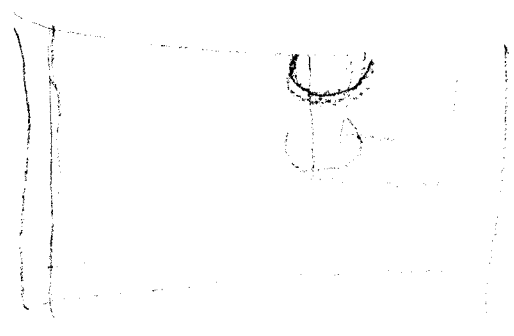
considerations - - - - -

THE CITY OF GRAND JUNCTION - For Street Purposes

Mesa
Mesa

The West 30 feet and the South 50 feet of the West Half of the Southeast
Quarter of the Southwest Quarter of the Southeast Quarter of Section 12,
Township One (1) South, Range One (1) ^{west} ~~South~~ of the Ute Meridian.

*City
Street Right
Way
2*



October

55.

MESA

55 Loyd Files and Clarence Files.

October

Recorded at 1:47 o'clock P. M., May 27, 1954

Reception No. 602142 Annie M. Dunston Recorder.

RECORDER'S STAMP

KNOW ALL MEN BY THESE PRESENTS, That I,

GENE FILES and FAYE FILES

of the County of Mesa, and State of Colorado, for the consideration of Ten Dollars and other valuable consideration, in hand paid, hereby sell and quit claim to

CITY OF GRAND JUNCTION

of the County of Mesa, and State of Colorado, the following real property, situate in the County of Mesa and State of Colorado, to-wit:

A right of way for road purposes over and across the following described property: The South 23.85 feet of Lot Sixteen (16) Block 1 of Arcadia Village, according to the re-filing plat thereof;

with all its appurtenances.

Signed and delivered this 27th day of May, A. D. 19 54.

In the presence of

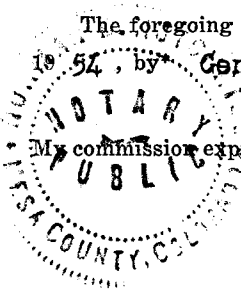
Gene Files [SEAL]

Faye Files [SEAL]

[SEAL]

STATE OF COLORADO, County of M E S A } ss.

The foregoing instrument was acknowledged before me this 27th day of May 19 54, by Gene Files and Faye Files.



My commission expires September 30, 1954.

. Witness my hand and official seal.

Norman A. Hutchins Notary Public.

*If by natural person or persons here insert name or names; if by person acting in representative or official capacity or as attorney-in-fact, then insert name of person as executor, attorney-in-fact or other capacity or description; if by officer of corporation, then insert name of such officer or officers, as the president or other officers of such corporation, naming it.—Statutory Acknowledgment, Session 1927.

KNOW ALL MEN BY THESE PRESENTS, That I, JOSEPH STOVLEN

of the County of Mesa, and State of Colorado,
for the consideration of One Dollar and other valuable considerations ~~xxx Dollars~~,
in hand paid, hereby sell and quit claim to The City of Grand Junction

of the County of Mesa, and State of Colorado,
the following real property, situate in the County of Mesa
and State of Colorado, to-wit:

The North 15 feet of the South one-half of Lot 2 in Grandview
Subdivision in the City of Grand Junction, for highway purposes

Total Consideration less than \$1,000⁰⁰

with all its appurtenances.

Signed and delivered this 20th day of July, A. D. 1950

In the presence of
Henry D. Kild

Joseph Stovlen [SEAL]
[SEAL]
[SEAL]

STATE OF COLORADO, }
County of Mesa } ss.

The foregoing instrument was acknowledged before me this 20th day of July
1950, by* Joseph Stovlen

My commission expires Nov. 27, 1950

Helen C. Louderiso
Notary Public.

*If by natural person or persons here insert name or names; if by person acting in representative or official capacity or as attorney-in-fact, then insert name of person as executor, attorney-in-fact or other capacity or description; if by officer of corporation, then insert name of such officer or officers, as the president or other officers of such corporation, naming it.—Statutory Acknowledgment, Session 1927.

KNOW ALL MEN BY THESE PRESENTS, That we, Thomas Jefferson Sheedy, M. E. McCallister, Olive Hammar McCallister, Edith J. Borschell, Roy Vernon French, Cleo Louise French, Daniel C. Preston, Beatrice B. Preston, George L. Martinez, Winona Martinez, Kathryn C. Elsberry, Mamie M. Tracy, Sylvester Tracy, Arley C. Rowlands, ~~Hugh J. Pinger~~, O. M. Eddy and Elaine Eddy of the County of Mesa, and State of Colorado, for the consideration of One Dollar and other valuable consideration, in hand paid, hereby sell and quit claim to the City of Grand Junction, Colorado, of the County of Mesa, and State of Colorado, the following real property, situate in the County of Mesa, and State of Colorado, to-wit:

A strip of land extending 10 feet to the North of and 30 feet to the South of a line which is described as follows: Beginning at a point 676.36 feet North and 658.44 feet East of the Southwest Corner of Section 12, Township 1 South, Range 1 West of the Ute Meridian, thence East to a point on the East Boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 12 which is 676.41 feet North of the Southeast Corner of the said SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12.

The above-described strip of land, which is 40 feet in width, and as described on attached plat, is hereby conveyed to the City of Grand Junction, Colorado, for use as a public street which will be an extension of Bunting Avenue (Cherry Avenue) in the City of Grand Junction, Colorado.

Signed and delivered this 25th day of March, 1948.

George L. Martinez (SEAL)
Winona Martinez (SEAL)
Elaine Eddy (SEAL)
M. E. McCallister (SEAL)
Thomas J. Sheedy (SEAL)
Edith J. Borschell (SEAL)
Arley C. Rowlands (SEAL)
Kathryn C. Elsberry (SEAL)
Daniel C. Preston (SEAL)
Beatrice B. Preston (SEAL)
Mamie M. Tracy (SEAL)
Sylvester Tracy (SEAL)

Roy Vernon French (SEAL)

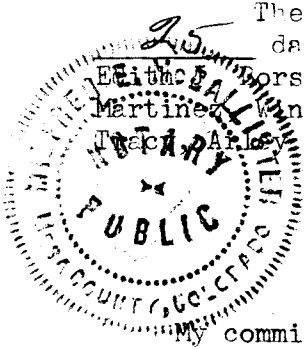
Cleo Louise French (SEAL)

Olive Hammar McCallister (SEAL)

M. E. McCallister (SEAL)

STATE OF COLORADO)
) ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me on this day of March, 1948, by Thomas Jefferson Sheedy, ~~Edith E. Borschell~~, Daniel C. Preston, Beatrice B. Preston, George L. ~~Martinez~~, ~~Vanona Martinez~~, Kathryn C. Elsberry, Mamie M. Tracy, Sylvester ~~Tracy~~, ~~Alma C. Rowlands~~, O. M. Eddy and Elaine Eddy.



M. E. McCallister
Notary Public

My commission expires January 26, 1952.

STATE OF COLORADO)
) ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me on this day of March, 1948, by M. E. McCallister, Olive Hammar McCallister, Roy Vernon French, Cleo Louise French, ~~and Hugh J. Pinger~~.

Helen C. Tomlinson
Notary Public

My commission expires November 27, 1950.



