

QUITCLAIM DEED

Village Homes of Colorado, Inc., a Colorado Corporation, Grantor, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, has remised, released, conveyed and QUITCLAIMED, and by these presents does hereby remise, release, convey and QUITCLAIM unto The City of Grand Junction, a Colorado home rule municipality, Grantee, whose address is 250 North 5th Street, Grand Junction, Colorado 81501, all of the right, title and interest of Grantor in and to the following described parcel of land for Public Roadway and Utilities Right-of-Way purposes, to wit:

A certain parcel situated in the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section 35, Township One North, Range One West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Northwest corner of the NW 1/4 SW 1/4 of said Section 35 and assuming the North line of the NW 1/4 SW 1/4 of said Section 35 to bear S89°56'25"E with all bearings contained herein relative thereto; thence S00°11'02"W a distance of 495.39 feet to the Point of Beginning; thence S89°21'58"E a distance of 30.00 feet; thence S00°11'02"W a distance of 496.25 feet to a point on that certain agreed upon boundary, as same is recorded in Book 4419, Pages 830 through 835, inclusive, of the Mesa County, Colorado public records; thence N89°56'14"W along said boundary line a distance of 30.00 feet to a point on the West line of the NW 1/4 SW 1/4 of said Section 35; thence N00°11'02"E along the West line of the NW 1/4 SW 1/4 a distance of 496.55 to the Point of Beginning ("Property").

Containing 14,902 square feet, more or less, as described herein all of which is located within the open, used and historical Right-of-Way for 26 Road and depicted on Exhibit "A" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD said premises, together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the Grantor, either in law or equity, to the only proper use, benefit and behoof of Grantee its successors and assigns forever.

Guaranty Bank is the beneficiary of a deed of trust against the Property, recorded in Book 3856 at Page 914 of the records of Mesa County. Guaranty Bank has signed a Consent of Beneficiary of Deed of Trust, consenting to the grant of right-of-way. That Consent is attached hereto and incorporated herein by this reference as Exhibit "B".

Executed and delivered this 20th day of May, 2009.

Village Homes of Colorado, Inc., a Colorado Corporation

By Matthew P. Osborn, President

State of Colorado)
)ss.
County of Arapahoe)

The foregoing instrument was acknowledged before me this 20 day of May, 2009, by Matthew Osborn for Village Homes of Colorado, Inc., a Colorado Corporation.

My commission expires: April 29, 2012
Witness my hand and official seal.

Keely Schreffler
Notary Public

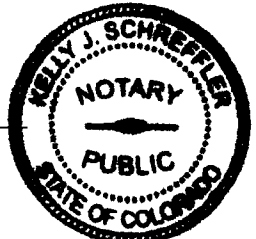
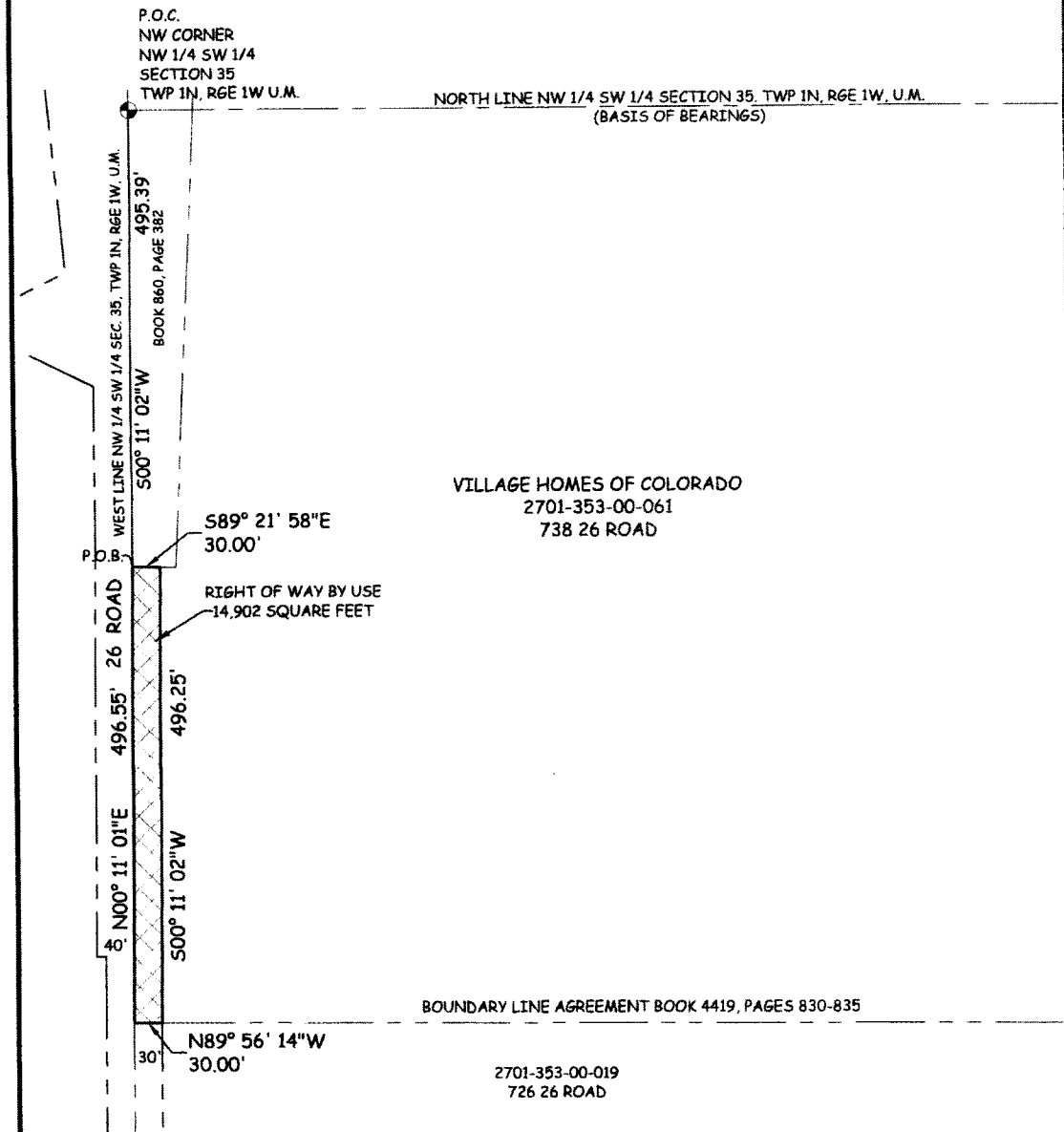


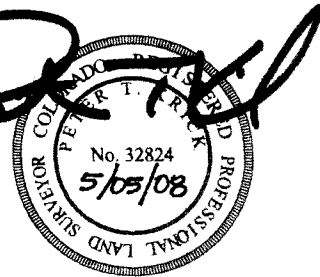
EXHIBIT "A"



ABBREVIATIONS

- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- R.O.W. RIGHT OF WAY
- SEC. SECTION
- TWP. TOWNSHIP
- R6E. RANGE
- U.M. UTE MERIDIAN

The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



DRAWN BY: TLP
DATE: 5-01-08
SCALE: 1" = 150'
APPR. BY: PTK

RIGHT OF WAY BY USE

VILLAGE HOMES OF COLORADO
2701-353-00-061



EXHIBIT B

CONSENT OF BENEFICIARY OF DEED OF TRUST

Guaranty Bank, 8333 Douglas Avenue, Dallas, TX 75225 ("Bank") is the beneficiary of a deed of trust recorded in Book 3856 at Page 914 of the records of Mesa County, Colorado (the "Deed of Trust"). The Deed of Trust encumbers the following property ("Jacobson's Pond Property"):

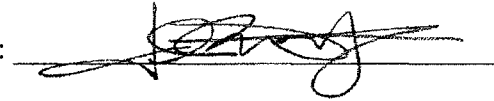
The North 30 acres of the NW¼ SW¼ of Section 35, Township 1 North, Range 1 West of the Ute Meridian; AND All that part of the SW¼ NW¼ of Section 35, Township 1 North, Range 1 West of the Ute Meridian lying South of Interstate Highway No. 70 and lying South of the Drainage Ditch "E" of United States Reclamation Survey Map; ALSO EXCEPTING THEREFROM tracts conveyed to The Department of Highways, State of Colorado by instruments recorded July 8, 1964 in Book 871 at Page 423, December 12, 1963 in Book 860 at Page 382 and March 25, 1964 in Book 867 at Page 238, Mesa County, Colorado.

For good and valuable consideration, the receipt and sufficiency of which is acknowledged, Bank hereby consents to the conveyance to the City of Grand Junction of the Public Roadway and Utilities Right-of-Way and Slope Easement as described in the attached exhibits. The Bank agrees that it shall have no ownership, security or other interest in the in the Public Roadway, that the Slope Easement shall be and is prior and paramount to all rights of the Bank under the Deed of Trust, and that any foreclosure and sale of the Jacobson's Pond Property pursuant to the Deed of Trust shall be subject to the conveyance of the Public Roadway and Utilities Right-of-Way and Slope Easement and the rights of the City of Grand Junction in and to Public Roadway and Utilities Right-of-Way and Slope Easement.

Dated: April 2, 2009.

GUARANTY BANK

By: _____



STATE OF TEXAS)
) ss.
COUNTY OF DALLAS)

The foregoing instrument was acknowledged before me this 2ND day of April, 2009, by John P. Wedemeyer as Vice President of Guaranty Bank.

WITNESS my hand and official seal.
My commission expires: 01-10-2010

Kimberlina K. Jackson
Notary Public

