

WAL89NTH

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: DEED (WARRANTY)

NAME OF AGENCY OR CONTRACTOR: WAL-MART PROPERTIES, INC. A  
DELAWARE CORPORATION BY: CURTIS BARLOW (VICE PRESIDENT -  
REAL ESTATE) AND MICHAEL NELSON (ASST. SECRETARY)

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: ROAD RIGHT  
OF WAY FOR NORTH AVE AND MELODY LANE

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1989

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

**SPECIAL WARRANTY DEED**

1515579 10:16 AM 05/11/89  
E.SAWYER, CLK&REC MESA COUNTY CO  
DOC EXEMPT

**THIS DEED**, Made this 24<sup>th</sup> day of February, 19 88,  
between Wal-Mart Properties, Inc.,  
a Delaware Corporation

**BOOK 1741 PAGE 969**

a corporation duly organized and existing under and by virtue of the laws of the State  
of Delaware, grantor, and

The City of Grand Junction,  
a municipal corporation

whose legal address is  
250 North 5th Street,  
Grand Junction

of the \*County of Mesa, State of Colorado, grantee(s):

**WITNESSETH**, That the grantor, for and in consideration of One Dollar (\$1.00) and other good and  
valuable consideration. DOLLARS

the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell,  
convey, and confirm, unto the grantee(s) its heirs, successors and assigns forever, all the real property, together with improvements, if any,  
situate, lying and being in the County of Mesa, State of Colorado,  
described as follows:

See Exhibit "A", attached hereto

~~also kept by street light/traffic light~~ For Road and Utilities right-of-way purposes.

**TOGETHER** with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and  
reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor,  
either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

**TO HAVE AND TO HOLD** the said premises above bargained and described with the appurtenances, unto the grantee(s), its heirs,  
successors and assigns forever. The grantor, for itself, its successors and assigns does covenant and agree that it shall and will **WARRANT AND**  
**FOREVER DEFEND** the above-bargained premises in the quiet and peaceable possession of the grantee(s), its heirs, successors and assigns,  
against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor.

**IN WITNESS WHEREOF**, The grantor has caused its corporate name to be hereunto subscribed by its  
President, ~~and its~~ corporate seal to be hereunto affixed, attested by its \_\_\_\_\_ Secretary, the day and year first  
above written.

Attest: \_\_\_\_\_  
Secretary

Wal-Mart Properties, Inc.  
By Curtis Barlow  
Vice President, Real Estate

STATE OF COLORADO Arkansas  
County of Denton

} ss.

The foregoing instrument was acknowledged before this 24<sup>th</sup> day of February, 1988,  
by Curtis H. Barlow as Vice President  
and Nicholas Nelson as Asst Secretary  
of Wal-Mart Properties, Inc. a corporation.

My commission expires July 19, 1993  
Witness my hand and official seal. \_\_\_\_\_  
Notary Public

\*If in Denver, insert "City and."

EXHIBIT "A"

The following described parcels of land for Road and Utilities Right-of-Way purposes situated in the NE1/4 NE1/4 of Section 18, Township 1 South, Range 1 East of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, to wit:

Parcel 1:

The North 10 feet and the East 30 feet of that tract of land described in Book 1694, Page 418 in the Mesa County Clerk and Recorder's Office, being more particularly described as follows:

Beginning at a point on the south right-of-way line for North Avenue being 40.00 feet South 00°09'25" East and 329.32 feet North 90°00'00" East of the Northwest corner of the NE1/4 NE1/4 of said Section 18, and considering the north line of the NE1/4 NE1/4 said Section 18 to bear North 90°00'00" West and all bearings contained herein to be relative thereto:

Thence North 90°00'00" East 93.31 feet along the south right-of-way line for North Avenue to the West line of that parcel of land described in Book 957 at Page 318, thence South 00°16'12" East 280.00 feet to the Southwest corner of that parcel of land described in Book 957 at Page 318, thence North 90°00'00" East 236.00 feet to the East line of the E1/2 W1/2 NE1/4 NE1/4 of said Section 18, thence South 00°16'12" East 705.36 feet along the East line of the E1/2 W1/2 NE1/4 NE1/4 said Section 18 to the Northeast corner of that parcel of land described in Book 1318 at Page 659, thence North 89°59'52" West 330.29 feet along the North line of that parcel of land described in Book 1318 at Page 659 to the West line of the E1/2 W1/2 NE1/4 NE1/4 of said Section 18, thence North 00°12'49" West 985.34 feet to the point of beginning,

containing 22,094 square feet, more or less.

Parcel 2:

The North 10 feet and the East 30 feet of the South 105.0 feet of that tract of land described in Book 1694, Page 416 in the Mesa County Clerk and Recorder's Office, being more particularly described as follows:

Beginning at a point on the south right-of-way line for North Avenue being 40.00 feet South 00°09'25" East and 422.63 feet North 90°00'00" East of the Northwest corner of the NE1/4 NE1/4 of said Section 18, and considering the north line of the NE1/4 NE1/4 said Section 18 to bear North 90°00'00" West and all bearings contained herein to be relative thereto:

Thence North 90°00'00" East 142.00 feet along the south right-of-way line for North Avenue to the Northeast corner of that parcel of land described in Book 957 at Page 318, thence South 00°16'12" East 175.00 feet, thence North 90°00'00" East 94.00 feet to the East line of the E1/2 W1/2 NE1/4 NE1/4 said Section 18, thence South 00°16'12" East 105.00 feet along the East line of the E1/2 W1/2 NE1/4 NE1/4 said Section 18 to the Southeast corner of that parcel of land described in Book 957 at Page 318, thence North 90°00'00" West 236.00 feet to the Southwest corner of that parcel of land described in Book 957 at Page 318, thence North 00°16'12" West 280.00 feet to the point of beginning,

containing 4,750 square feet, more or less.

INITIAL  
43

Parcel 3:

The North 10 feet of that tract of land described in Book 1694, Page 402 in the Mesa County Clerk and Recorder's Office, being more particularly described as follows:

Beginning at a point on the south right-of-way line for North Avenue being 40.00 feet South  $00^{\circ}09'25''$  East of the Northwest corner of the NE1/4 NE1/4 of said Section 18, and considering the north line of the NE1/4 NE1/4 said Section 18 to bear North  $90^{\circ}00'00''$  West and all bearings contained herein to be relative thereto:

Thence North  $90^{\circ}00'00''$  East 164.66 feet along the south right-of-way line for North Avenue to the East line of the W1/8 NE1/4 NE1/4 said Section 18, thence South  $00^{\circ}11'07''$  East 985.33 feet along the East line of the W1/8 NE1/4 NE1/4 said Section 18 to the North line of that parcel of land described in Book 1443 at Page 639, thence North  $89^{\circ}59'52''$  West 165.14 feet to the West line of the W1/8 NE1/4 NE1/4 said Section 18, thence North  $00^{\circ}09'25''$  West 985.33 feet along the West line of the W1/8 NE1/4 NE1/4 said Section 18 to the point of beginning, containing 1,647 square feet, more or less.

INITIAL

73