

WSM93SPR

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: DEED (SPECIAL WARRANTY)

NAME OF AGENCY OR CONTRACTOR: WESTERN STATES MOTEL
OPERATIONS, INC., ERRETT C. SECHLER, PRESIDENT

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: REPLAT OF
CROSSROADS COLORADO WEST - CROSSROADS PARK SITE

CITY DEPARTMENT: PARKS AND RECREATION

YEAR: 1993

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

SPECIAL WARRANTY DEED

THIS DEED, Made this 6th day of October, 1993, between **THE CITY OF GRAND JUNCTION**, a Colorado home rule municipality, Grantor, and **WESTERN STATES MOTEL OPERATIONS, INC.**, a Colorado corporation, Grantee, whose legal address is Post Office Box 2188, Grand Junction, Colorado, 81502:

WITNESSETH, That the Grantor, for and in consideration of the sum of Seventy Six Thousand Two Hundred Fifty and 00/100 (\$76,250.00) 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, its successors and assigns forever, that certain tract or parcel of vacant land referenced as **CITY OF GRAND JUNCTION PARK SITE** as shown on the **REPLAT OF CROSSROADS COLORADO WEST**, situated in the Southwest Quarter of the Northeast Quarter of Section 36, Township 1 North, Range 1 West of the Ute Meridian in the County of Mesa, State of Colorado, as recorded in Plat Book 12 at Page 92 in the office of the Mesa County Clerk and Recorder and being more specifically described as follows:

Beginning at a point which is N 89°51'40" W a distance of 329.64 feet from the Southeast corner of the SW1/4 NE1/4 of said Section 36;
thence N 89°51'40" W along the South line of said SW1/4 NE1/4 a distance of 329.78 feet;
thence N 36°05'05" W a distance of 70.0 feet;
thence N 33°25'06" E a distance of 360.15 feet;
thence 176.31 feet along the arc of a non-tangent curve to the left having a central angle of 36°04'39", a radius of 280.0 feet, and a long chord which bears N 78°10'32" E a distance of 173.41 feet;
thence S 01°18'13" E a distance of 153.45 feet;
thence S 00°08'00" W a distance of 240.10 feet to the Point of Beginning,

Subject to the following easements as shown and stated on the **REPLAT OF CROSSROADS COLORADO WEST**: A 10.0 foot wide Utility Easement along the Northerly boundary; A 70.0 foot wide Utility & Drainage Easement along the Easterly boundary; A 15.0 foot wide Utility Easement along the Southerly boundary; A 10.0 foot wide right-of-way adjacent to the outer lot lines which is reserved for bicycles and pedestrians. No improvements shall be permitted in this area which would impede or prevent access by said pedestrians and bicycles.

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, its 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, its 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 name to be hereunto subscribed by its City Manager, and its seal to be hereunto affixed, attested by its City Clerk, the day and year first above written.

Attest:

Stephanie Nye
City Clerk

Mark Klecher
City Manager



STATE OF COLORADO)
)ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 6 day of October, 1993, by Mark K. Achen as City Manager and by Stephanie Nye as City Clerk of the City of Grand Junction, a Colorado home rule municipality.

Witness my hand and official seal.

My commission expires June 13, 1995

Theresa A. Martinez
Notary Public

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

TREASURER'S RECEIPT
CITY OF GRAND JUNCTION, COLORADO

60297

Date 9-28-93

0494 00060297MISC.AMT.PD. \$68,625.00

Received of Western States Motel Operations Inc, Total 68,625.00

ORG				OBJECT				PROJECT				ACCOUNT TITLE/INVOICE #				AMOUNT			
1	5	7	90	4	5	3	06					Land purchase							
												Crossroads							
												(Colo. west)							

Customer # _____

FINANCE DIRECTOR by CB

To Norm

Insurance Purpose
Description of
Property

**PROPOSAL FORM
FOR THE SALE AND PURCHASE OF REAL PROPERTY**

For the following described real property:

2.37 ACRES

~~The City of Grand Junction Park Site~~ located in Block Two, Replat of Crossroads Colorado West, situated in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, Township 1 North, Range 1 West of the Ute Meridian, Mesa County, Colorado, hereinafter referred to as "the Property".

1. The undersigned bidder (hereafter "the Bidder") hereby agrees to the terms and conditions of this Proposal, and further agrees to pay to the City of Grand Junction the total sum of Seventy-Six Thousand Two Hundred Fifty----- Dollars (\$ 76,250), as full payment for the purchase of the said Property. Paid and Enclosed herewith is the amount of Seven Thousand Six Hundred Twenty-Five----- Dollars (\$ 7,625) representing ten percent (10%) of the total bid. I agree to pay the remaining balance of Sixty-Eight Thousand Six Hundred Twenty-Five Dollars (\$ 68,625) in certified funds on or before October 6, 1993 (hereafter "the Closing Date").

2. The Property shall be conveyed to the Bidder by Special Warranty Deed to:

Western States Motel Operations, Inc. a Colorado Corporation

(Show how to be titled)

Please check below if applicable:

- Husband and Wife, as Joint Tenants
 A Single Man
 A Single Woman
 A married man/woman as his/her sole and separate property
 As Tenants in Common
 Other (please specify above) a Colorado Corporation

3. All notices and matters arising in connection with this transaction will be given to the Bidder by registered mail addressed to bidder at:

P.O. Box 2188, Grand Junction, CO 81502

4. On or before 2:00 o'clock p.m., Grand Junction time, on September 30, 1993, the Bidder, if successful, agrees to deposit with the City Clerk of the City of Grand Junction all funds required to enable the proposed transaction to close. The City of Grand Junction agrees to deposit with said City Clerk a Special Warranty Deed conveying the Property to the Bidder.



RECEIVED
SEP 4 7 1993

September 2, 1993

City of Grand Junction, Colorado
250 North Fifth Street
81501-2668
FAX: (303) 244-1599

Mr. Errett C. Sechler, President
Western States Motel Operations, Inc.
P.O. Box 2188
Grand Junction, CO 81502

Dear Mr. Sechler:

The Grand Junction City Council has accepted your proposal to purchase the "Crossroads Park Site" for the total sum of \$76,250.00. Your proposal is now a Buy & Sell Agreement between the City of Grand Junction and Western States Motel Operations, Inc.

Enclosed for your records is a copy of the accepted proposal and a receipt for your 10% deposit. Please remember to deposit the remaining balance of \$68,625.00 with the Grand Junction City Clerk by 2:00 p.m., Grand Junction time, September 30, 1993.

Congratulations on your successful bid. Please contact me at (303) 244-1565 if you have any questions.

Sincerely,

Tim Woodmansee

Tim Woodmansee
City Property Agent

Enclosures.