

HAY38CAP

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: MAIDEE HAY AND HOYT HAY

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: LOT 20 OF
CAPITOL HILL SUBDIVISION

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1938

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

54-208
Recd. 323
June 24
Sept 12 1938
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STATE OF COLORADO)
 : ss
County Of Mesa)

IN THE COUNTY COURT

No. 8139

In The Matter Of The
Petition Of
CITY OF GRAND JUNCTION, COLORADO,
a Municipal Corporation,
For The Determination Of Interests In The
Lands and Tenements Of
MAIDEE HAY, Deceased.

DECREE

W. R. Hinman
Sept 12 1938

Now on this 12th day of September, A. D. 1938, there comes on for hearing the petition of City of Grand Junction, Colorado, a Municipal Corporation, for the determination of interests in the lands and tenements of Maidee Hay, deceased, said petitioner appearing by its attorney, W. R. Hinman, and after the introduction of oral and documentary evidence in support of the allegations of the petition, and after considering the same and being fully advised in the premises, the COURT DOETH FIND:

That the petition in this matter was filed in this Court on July 28, 1938, and that on said date an order was entered setting September 12th, 1938, as the date for the hearing of said petition; that a notice of said hearing in proper form as required by law was published for a period of four successive weeks, or a period of five successive insertions in the "Weekly Sentinel", designated as the newspaper most likely to give notice to those in interest, the first publication thereof appearing in the issue of July 29th, 1938, and the last on August 26th, 1938.

That sufficient and proper notice to all parties interested in this matter has been given in the manner and form as required by law; the within named Hoyt Hay having waived and accepted service of Petition, Order and Notice of Hearing and having heretofore entered his appearance herein.

That the hearing hereon has been regularly continued to this date.

That Maidee Hay departed this life intestate on or about November 7, 1933, in Grand Junction, Mesa County, Colorado, of which County and State she was a resident at the time of her death; that no administration of her estate has ever been previously determined.

That the said Maidee Hay left surviving her as her sole and only heir, her husband, Hoyt Hay, who upon the death of said decedent became the owner in fee simple of the hereinafter described real estate owned by said decedent at the time of her death, to-wit:

The South 50 feet of the North 150 feet of Lot 20, Capitol Hill Subdivision, *the value whereof is less than Two Thousand Dollars*

That thereafter on July 26, 1938, the said Hoyt Hay above mentioned, by a quit claim deed recorded in Book 345 at Page 350 of the records of Mesa County, Colorado, conveyed all his right, title and interest in and to the above described real estate to the said City of Grand Junction, Colorado, a Municipal Corporation, petitioner herein, and by virtue thereof the said City of Grand Junction, Colorado, a Municipal Corporation, became seized and possessed of the fee simple title to said lands and are now the owners and in occupancy thereof.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, That the sole and only heir at law of the said Maidee Hay, deceased, at the time of her death, was her husband, Hoyt Hay, who upon her death became the owner in fee simple of the following described real estate in Mesa County, Colorado, to-wit:

The South 50 feet of the North 150 feet of Lot 20, Capitol Hill Subdivision.

That thereafter the said above named Hoyt Hay conveyed by quit claim deed all his right, title and interest in and to the above described real estate to the said City of Grand Junction, Colorado, a Municipal Corporation, who thereupon became and now is the owner in fee simple of the above described real estate and in possession thereof.

Done in open Court the day and year first above written.

By the Court:

STATE OF COLORADO)
 : SS
COUNTY OF MESA)

Adair J. Holchman

JUDGE

I, Gladys Moss, Clerk of the County Court within and for the County and State aforesaid, do hereby certify the above and foregoing to be a true, perfect and complete copy of the original Decree duly made and entered in the above entitled matter, as appears from the records and files in this Court remaining.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of said

Court ~~at~~ my office in Grand Junction in said County and State, this
12th day of September, A. D. 1938.

(Seal)

Gladys Moss

Clerk of the County Court

STATE OF COLORADO)
 : ss
County Of Mesa)

IN THE COUNTY COURT

No. 8139

In The Matter Of The)
Petition Of)
CITY OF GRAND JUNCTION, COLORADO,)
a Municipal Corporation,)
For The Determination Of Interests In The)
Lands and Tenements Of)
MAIDEE HAY, Deceased.)

DECREE

Now on this 12th day of September, A. D. 1938, there comes on for hearing the petition of City of Grand Junction, Colorado, a Municipal Corporation, for the determination of interests in the lands and tenements of Maidee Hay, deceased, said petitioner appearing by its attorney, W. R. Hinman, and after the introduction of oral and documentary evidence in support of the allegations of the petition, and after considering the same and being fully advised in the premises, the COURT DOETH FIND:

That the petition in this matter was filed in this Court on July 28, 1938, and that on said date an order was entered setting September 12th, 1938, as the date for the hearing of said petition; that a notice of said hearing in proper form as required by law was published for a period of four successive weeks, or a period of five successive insertions in the "Weekly Sentinel", designated as the newspaper most likely to give notice to those in interest, the first publication thereof appearing in the issue of July 29th, 1938, and the last on August 26th, 1938.

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That the hearing hereon has been regularly continued to this date.

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That the said Maidee Hay left surviving her as her sole and only heir her husband, Hoyt Hay, who upon the death of said decedent became the owner in fee simple of the hereinafter described real estate owned by said decedent at the time of her death, to-wit:

The South 50 feet of the North 150 feet of Lot 20, Capitol Hill Subdivision, *the value whereof is less than Two Thousand Dollars*

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IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, That the sole and only heir at law of the said Maidee Hay, deceased, at the time of her death, was her husband, Hoyt Hay, who upon her death became the owner in fee simple of the following described real estate in Mesa County, Colorado, to-wit:

The South 50 feet of the North 150 feet of Lot 20,
Capitol Hill Subdivision.

That thereafter the said above named Hoyt Hay conveyed by quit claim deed all his right, title and interest in and to the above described real estate to the said City of Grand Junction, Colorado, a Municipal Corporation, who thereupon became and now is the owner in fee simple of the above described real estate and in possession thereof.

Done in open Court the day and year first above written.

By the Court:

STATE OF COLORADO)
 : SS
COUNTY OF MESA)

Adair J. Hotchkiss
JUDGE

I, Gladys Moss, Clerk of the County Court within and for the County and State aforesaid, do hereby certify the above and foregoing to be a true, perfect and complete copy of the original Decree duly made and entered in the above entitled matter, as appears from the records and files in this Court remaining.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of said

Court at my office in Grand Junction in said County and State, this

12th day of September, A. D. 1938.

Gladys Moss

Clerk of the County Court

THIS DEED, Made this 26th day of July in the year of our Lord one thousand nine hundred and thirty-eight between

Hoyt Hay

of the County of Mesa and State of Colorado, of the first part, and the City of Grand Junction/a municipal corporation

of the County of Mesa and State of Colorado, of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Other good and valuable considerations and the sum of One-----DOLLARS, to the said party of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, has remise, released, sold, conveyed and QUIT-CLAIMED, and by these presents does remise, release, sell, convey and QUIT-CLAIM unto the said party of the second part, its heirs and assigns forever, all the right, title, interest, claim and demand which the said party of the first part has in and to the following described premises situate, lying and being in the County of Mesa and State of Colorado, to-wit: The South Fifty (50) feet of the North One Hundred and Fifty (150) feet of Lot Twenty (20) of Capitol Hill Subdivision; said Lot lying in the SE 1/4 of Section 11 in Township 1 South of Range 1 West of the Ute Meridian in Mesa County, Colorado.

This deed is intended to convey all interest of grantor in said lands, including his interest as sole heir of Maidee Hay, deceased.

(Actual consideration less than \$100.00)

TO HAVE AND TO HOLD the same, 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 said party of the first part, either in law or equity, to the only proper use, benefit and behoof of the said party of the second part, its heirs and assigns forever.

IN WITNESS WHEREOF, The said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of [Signature: Hoyt Hay] [SEAL] [Signature: W.R. Hinman] [SEAL] [SEAL] [SEAL]