

BAR98N1S

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: CONTRACT

NAME OF AGENCY OR CONTRACTOR: BARBARA A. ROBERTS

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: 522 AND 534 NORTH 1<sup>ST</sup>  
STREET, LOTS 1 AND 2, BLOCK 56, BUILD ON PROPERTY LINE

CITY DEPARTMENT: COMMUNITY DEVELOPMENT

YEAR: 1998

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

1880585 12/23/98 1043AM  
MONIKA TODD CLK&REC MESA COUNTY CO  
REF FEE \$5.00 SURCHG \$1.00

BE IT KNOWN THAT:

I/We BARBARA A. ROBERTS, as owner(s) of the real property described herein, all situate in the City of Grand Junction, Mesa County, Colorado, the legal description of which is 522 & 534 N. 1st GRAND JCT, CO. B1501 N70' of Lots 1 & 2 Blk 56 & S 55.35' of Lots 1 & 2 Blk 56 Grand Jct (the "Lots") do hereby acknowledge and agree that this instrument shall represent my/our understanding that as a condition of City approval of the above referenced site plan and Community Development File, that the Lots are and shall be treated as one parcel for the principal use of a commercial structure. ~~and described on the site plan and to satisfy setback requirements~~ depicted

If and when I/we or my/our successors in interest build, own or acquire any structure, which has been placed or built on or over the property line between the lots, or on or over any portion of said line, or so close thereto that the structure does not meet applicable setbacks and/or bulk requirements, then sufficient area from one and/or both lots shall be used to meet any and all setbacks and bulk requirements as required by the Zoning and Development Code of the City of Grand Junction.

We further understand and agree that the lots constitute two parcels but by placement of a use on or sufficiently near the property line that the adjoining and contiguous parcel shall be encumbered by and shall serve as, the necessary area for setback and bulk requirement purposes and either or both lots may be rendered undevelopable for additional uses.

This instrument shall be recorded in the land records of Mesa County and shall be deemed to be a covenant which runs with the land for such time as any or all structure(s) constructed on the lots is/are on or over the lot line, or is/are so close thereto as to not meet applicable setback and bulk requirements for each lot.

This covenant shall be binding upon any and all successors in interest to the above described property and shall not cease except for and in accordance with cause stated herein.

Any agreement, representation or waiver is made knowingly and voluntarily with full understanding and complete knowledge of the consequences thereof.

IN WITNESS WHEREOF, I/WE have signed, executed and acknowledged this instrument on this 10 day of DECEMBER, 1998.

Barbara A Roberts

STATE OF COLORADO  
COUNTY OF MESA

The foregoing agreement was subscribed and sworn to before me this 10 day of December, 1998 by Barbara A. Roberts.

Shonda J. Edwards  
Notary Public  
My commission expires September 20, 2001.

