

JHN97JHN

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: CONTRACT

NAME OF AGENCY OR CONTRACTOR: GARY EDWARD JOHNSON AND VICKI
MARY JOHNSON

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: 693 25 ROAD
JOHNSON MINOR SUBDIVISION LOT 1 AND LOT 2

CITY DEPARTMENT: COMMUNITY DEVELOPMENT

YEAR: 1997

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

AGREEMENT

This agreement is between the City of Grand Junction, a Colorado home rule city, 250 North Fifth Street, Grand Junction CO 81501 ("City"), and Gary Edward Johnson and Vicki Mary Johnson ("Property Owner"), owners of the property described below, whose mailing address is 693 25 Road, Grand Junction, Colorado.

This agreement affects the properties platted as Lots 1 and 2, Johnson Minor Subdivision, the plat of which subdivision was recorded in Plat Book 15 page 316 on May 23, 1997 (the "Property")

1. Property Owner accepted certain conditions to be covenants running with the title to the Property as a part of the subdivision approval process. Each current and future owner, including the Property Owner and the successors, assigns and heirs of the Property Owner, of any portion of the Property is subject to the provisions of this agreement as well as the conditions and terms contained in the final subdivision approval granted by the City of Grand Junction. In addition to this agreement, reference should be made to the City's files (#RZF-96-194); contact the City's Community Development Department, or its successor, for more information and pertinent details.

2. At such time as sewer is available (as defined by the City), within 400 feet of any portion of the Property, the then owner(s) shall cause each dwelling or other habitable structure on that portion of the Property which is within said 400 feet of said sewer to be connected, at such owner's sole cost, to such sewer, in accordance with then applicable City requirements. In case of conflict between this provision and the terms of any ordinance, or requirement of the state or county Health Department, the terms and provisions of any such ordinance or Health department requirement shall govern.

3. In the event that the owner(s) of Lot 1 obtains the approval of the City to further subdivide said Lot 1, the then owner(s) of Lot 2 and any newly created lot or parcel, as the case may be, shall, for no additional consideration, dedicate to the City, for its use and the use of the public and utilities, the right-of-way described as:

A portion of Lot 2 of the Johnson Minor Subdivision located in the NE 1/4 of the NE 1/4 of Section 4, T1S, R1W Ute Meridian, County of Mesa, State of Colorado, being more particularly described as commencing at the Northeast corner of said Lot 2 as monumented by a 1/2" rebar with a plastic cap stamped "PLS 15760", said corner being the TRUE POINT OF BEGINNING;

thence South a distance of 28.50 feet along the easterly line of said Lot 2 to a 1/2" rebar with a plastic cap stamped "PLS 15760", said rebar being the Northeast corner of Lot 1 of said Johnson Minor Subdivision; thence West a distance of 410.10 feet along the North line of said Lot 1 to a 1/2" rebar with a plastic cap stamped "PLS 15760", said rebar being the Northwest corner of said Lot 1; thence North a distance of 28.50 feet to the North line of said Lot 2; thence East a distance of 410.10 feet along said North line of Lot 2 to the TRUE POINT OF BEGINNING.

4. The provisions of this agreement shall run with the lands described herein and the Property. The provisions of this agreement may only be avoided or amended by a writing signed by the Director of Community Development of the City of Grand Junction, and each affected property owner.

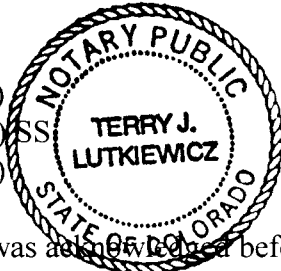
Gary Edward Johnson
Gary Edward Johnson

5/20/97
date

Vicki Mary Johnson
Vicki Mary Johnson

5/20/97
date

STATE OF COLORADO)
) SS
COUNTY OF MESA)



The foregoing instrument was acknowledged before me this 20 day of May A.D. 1997 by Gary Edward Johnson and Vicki Mary Johnson

2-18-2000
My Commission Expires

Terry J. Lutkiewicz
Notary Public
Address: 1220 Orchard Ave
Grand Junction CO 81501