

FILE # SPR-96-225

1778058 1146AM 11/18/96  
MONIKA TODD CLK&REC MESA COUNTY CO

BE IT KNOWN THAT:

Richard Maynard and Janet Maynard as owner(s) of the real property described herein, all situated in the City of Grand Junction, Mesa County Colorado, and more particularly known and described as ATTACHED EXHIBIT "A" do hereby acknowledge and agree that this instrument shall represent our understanding that as a condition of City approval of the attached site plan, that ATTACHED EXHIBIT "A" are and shall be treated as one parcel for the principal use of a Office Space and to satisfy setback requirements for any and all structures constructed thereon.

If and when we or our successors in interest build, own or acquire any structure, which has been placed or built on or over the property line between ATTACHED EXHIBIT "A", 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 required setbacks and bulk requirements as required by the Zoning and Development Code of the City of Grand Junction.

We further understand and agree that ATTACHED EXHIBIT "A" 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 ATTACHED EXHIBIT "A" (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 accordance with cause stated herein.

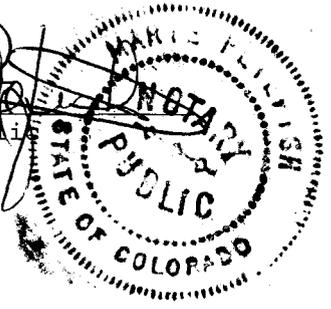
Any agreement, representation or waiver is made knowingly and voluntarily with full understanding and complete knowledge of the consequences thereof.

IN WITNESS WHEREOF, WE, have signed, executed and acknowledged this instrument on this 29th day of October 1996.

Richard Maynard  
Janet Maynard

STATE OF COLORADO  
COUNTY OF MESA

The foregoing agreement was subscribed and sworn to before me this 29th day of October 1996 by \_\_\_\_\_.

Marie [Signature]  
Notary Public  


My commission expires August 20, 1999.

PARCEL 1

315 KENNEDY AVENUE  
2945-113-16-010

West 100 Feet of Lot 1, Block 12 Sherwood Addition

PARCEL 2

1355 N. 4th STREET  
2945-143-06-007

Lot 1 Block 12, Sherwood Addition except the West 100 Feet