

P&R03GRD

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: **CONTRACT**

NAME OF CONTRACTOR: PARKS & RECREATION

SUBJECT/PROJECT: 2402 G ROAD AND 730 24 ROAD SHALL BE
TREATED AS ONE PARCEL FOR PRINCIPAL USE AS A PARK

2402 G ROAD - 2701-333-00-940

730 24 ROAD - 2701-333-00-948

CITY DEPARTMENT: PARKS & REC/COMMUNITY DEVELOPMENT

YEAR: 2003

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

2127336 06/12/03 0340PM
JANICE WARD CLK&REC MESA COUNTY CO
REC FEE \$10.00 SURCHG \$1.00

BE IT KNOWN THAT: 2 PAGE DOCUMENT

The City of Grand Junction, 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 2402 G Road 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 2402 G Rd & 730 24 Road are and shall be treated as one parcel for the principal use of a public park 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 2402 G Rd & 730 24 Rd 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.

2701-333-CO-940 & 2701-333-CO-948

We further understand and agree that 2402 G Rd & 730 24 Rd 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 2402 G Road or 730 24 Road 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 10th day of June 2003.

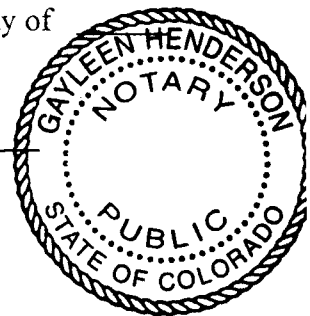
[Signature]
Director of Parks & Recreation

STATE OF COLORADO
COUNTY OF MESA

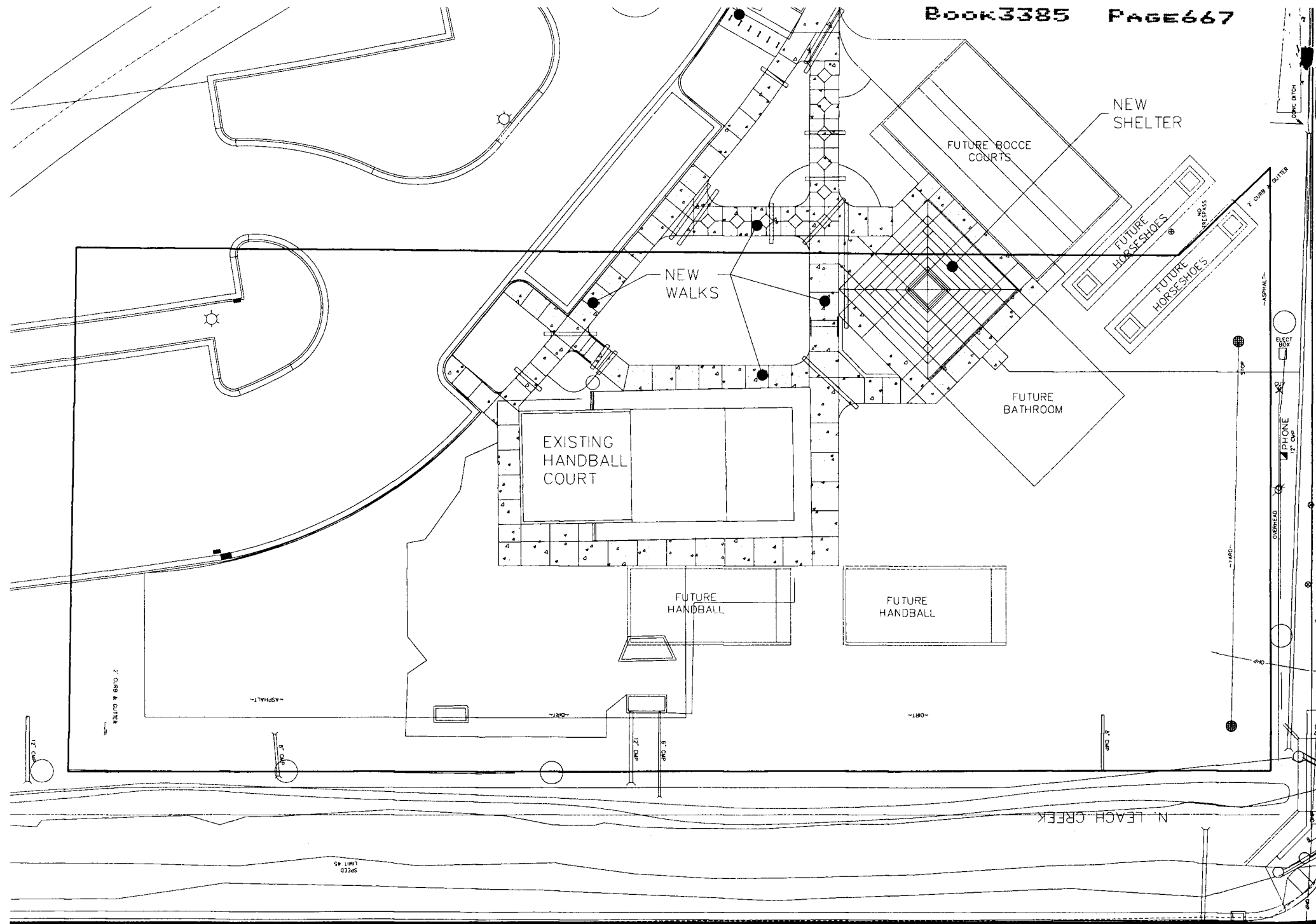
The foregoing agreement was subscribed and sworn to before me this 11th day of June 2003.

Gayleen Henderson
Notary Public

My commission expires 10/29/2005



My Commission Expires 10/29/2005



RECORDER NOTE: POOR QUALITY DOCUMENT PROVIDED FOR REPRODUCTION

24 ROAD 24 ROAD

DATE OF CROSSING 03/20/00