

CITY OF GRAND JUNCTION

RESOLUTION NO. 28-10

**A RESOLUTION AUTHORIZING THE CONVEYANCE OF REAL PROPERTY TO
CARL AND SHARON PELLAM**

Recitals.

The City of Grand Junction owns an unaddressed parcel of property near 422 Rosevale Road, Grand Junction Colorado.

The City purchased the property to complete the construction of the No Thoroughfare Trail. The trail has now been constructed.

Carl and Sharon Pellam own the property located at 422 Rosevale Road. The Pellams dispute the City's ownership of the land the City owns.

The City Attorney has met with the Pellam's and their attorney and reviewed the title to the property. The Pellam's issues have been considered by the City Council Property Committee. While the City is confident in its ownership of the property, the Property Committee has recommended that the portion of the City property not needed for the trail be conveyed to the Pellam's.

Based on the advice and information provided by the City staff and the City Council Property Committee, the City Council finds that it is necessary and proper that the City convey via Quit Claim Deed the property described therein located near 422 Rosevale Road.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, THAT:

1. The described property shall be conveyed upon signature of the President of the City Council for a price of \$10.00 to Sharon and Carl Pellam.
2. All actions heretofore taken by the officers, employees and agents of the City relating to the description and sale of said property which are consistent with the recommendation of the Property Committee and this Resolution are hereby ratified, approved and confirmed.

PASSED and ADOPTED this 17th day of May 2010.

/s/ Teresa A. Coons
President of the Council

Attest:

/s/ Stephanie Tuin
City Clerk

QUIT CLAIM DEED

The City of Grand Junction, a Colorado home rule municipality, Grantor, whose legal address is 250 North 5th Street, Grand Junction, Colorado 81501, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, have remised, released, conveyed and QUIT CLAIMED, and by these presents do hereby remise, release, convey and QUIT CLAIM unto **Carl E. Pellam and Sharon E. Pellam as Joint Tenants, Grantee**, whose address is 422 Rosevale Road, Grand Junction, Colorado 81504, its successors and assigns forever, all of the right, title and interest of Grantor in and to the following described tract or parcel of land in the County of Mesa, State of Colorado, to wit:

A certain parcel of land lying in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 15, Township 1 South, Range 1 West of the Ute Principal Meridian, City of Grand Junction, Mesa County, Colorado, being a portion of the land described in Book 339, Page 119, as established by Court Decree, lying within the land described and recorded in Book 4572, Page 823, Public Records of Mesa County, Colorado and lying Southerly of the following described line, said line lying 10 feet, more or less, Southeasterly of the Easterly line of an existing trail:

COMMENCING at the South Quarter (S 1/4) corner of said Section 15, being a found Mesa County Survey Marker, the basis of bearing being North 90°00'00" W to the West 1/16 corner between Sections 15 and 22, being a found #5 rebar with a 2" aluminum cap L.S. 16413; thence North 90°00'00" W a distance of 191.58 feet to the Easterly right of way of Rosevale Road;

Thence along said right of way the following 3 courses:

- 1.) N 37°32'00" W a distance of 66.68 feet;
- 2.) N 21°46'13" W a distance of 50.74 feet;
- 3.) N 37°15'31" W a distance of 500.55 feet to a point being the Southwest corner of the lands described in Book 4572, Page 823, Public Records of Mesa County, Colorado;

Thence continuing along said East right of way and/or the West line of lands described in said Book 4572, Page 823, the following 5 courses:

- 1.) N 44°42'46" W a distance of 129.50 feet;
- 2.) N 37°32'00" W a distance of 254.47 feet;
- 3.) N 20°50'42" W a distance of 161.40 feet;
- 4.) S 69°09'44" W a distance of 48.41 feet;
- 5.) N 37°32'00" W a distance of 151.56 feet to the POINT OF BEGINNING;

Thence from said Point of Beginning, N 23°15'03" E a distance of 132.31 to a point on the North line of the lands described in said Book 4572, Page 823; thence N 69°23'00" E along said North line, a distance of 3.64 feet to the Point of Terminus of the above described line.

CONTAINING 0.44 Acres or 19,164 Square Feet, more or less, as described herein and depicted on **Exhibit "A"** attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD said premises, 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 Grantors, either in law or equity, to the only proper use, benefit and behoof of Grantee its successors and assigns forever.

Executed and delivered this _____ day of _____, 2010.

Mayor
City of Grand Junction

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this _____ day of _____, 2010, by _____, Mayor, City of Grand Junction.

My commission expires _____.

Witness my hand and official seal.

Notary Public

Accepted this _____ day of _____, 2010.

Carl E. Pellam

Sharon E. Pellam

State of Colorado)
)ss.
County of Mesa)

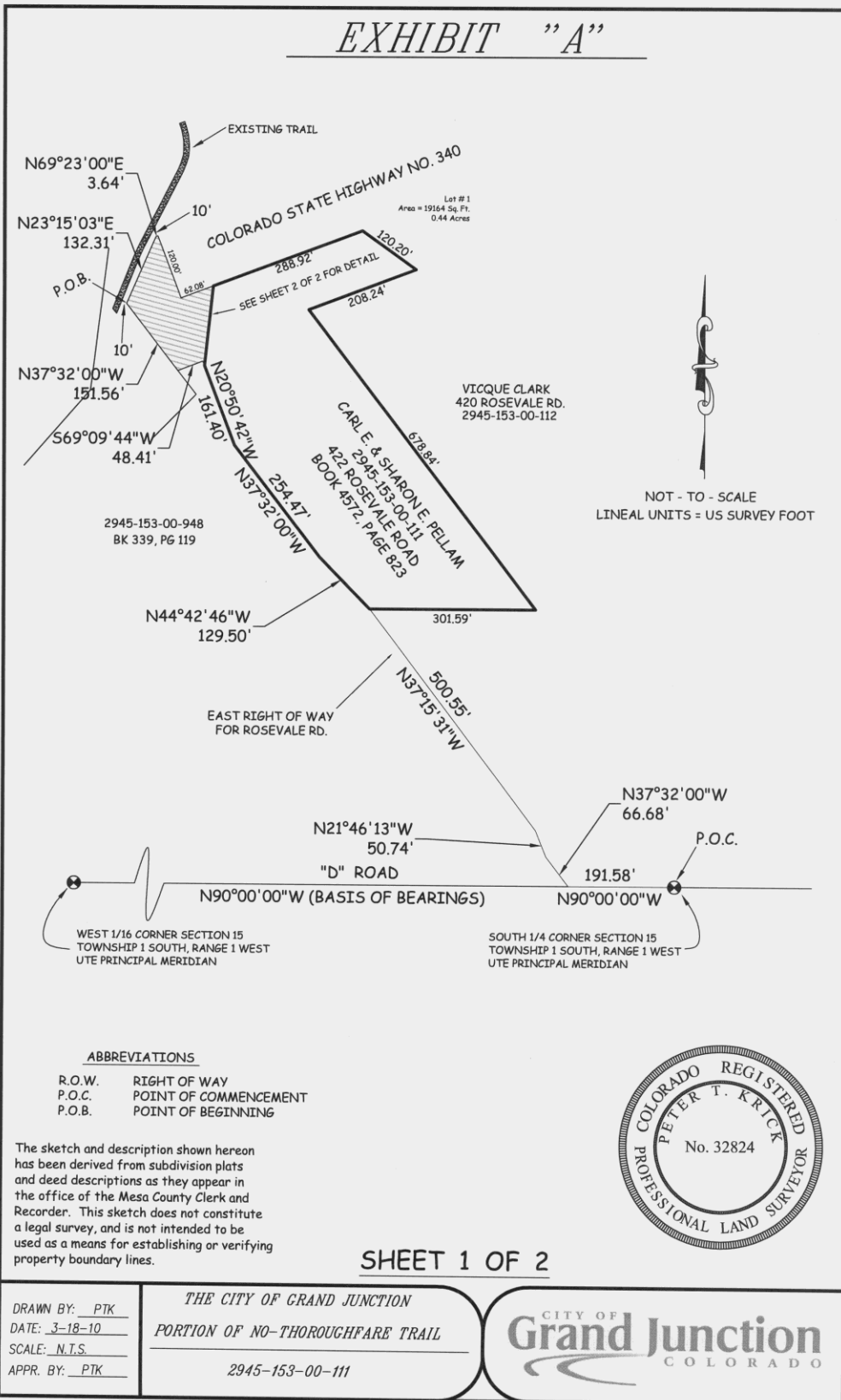
The foregoing instrument was acknowledged before me this _____ day of _____, 2010, by Carl E. Pellam and Sharon E. Pellam, in joint tenancy.

My commission expires _____.

Witness my hand and official seal.

Notary Public

EXHIBIT "A"



ABBREVIATIONS

- R.O.W. RIGHT OF WAY
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING

The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



SHEET 1 OF 2

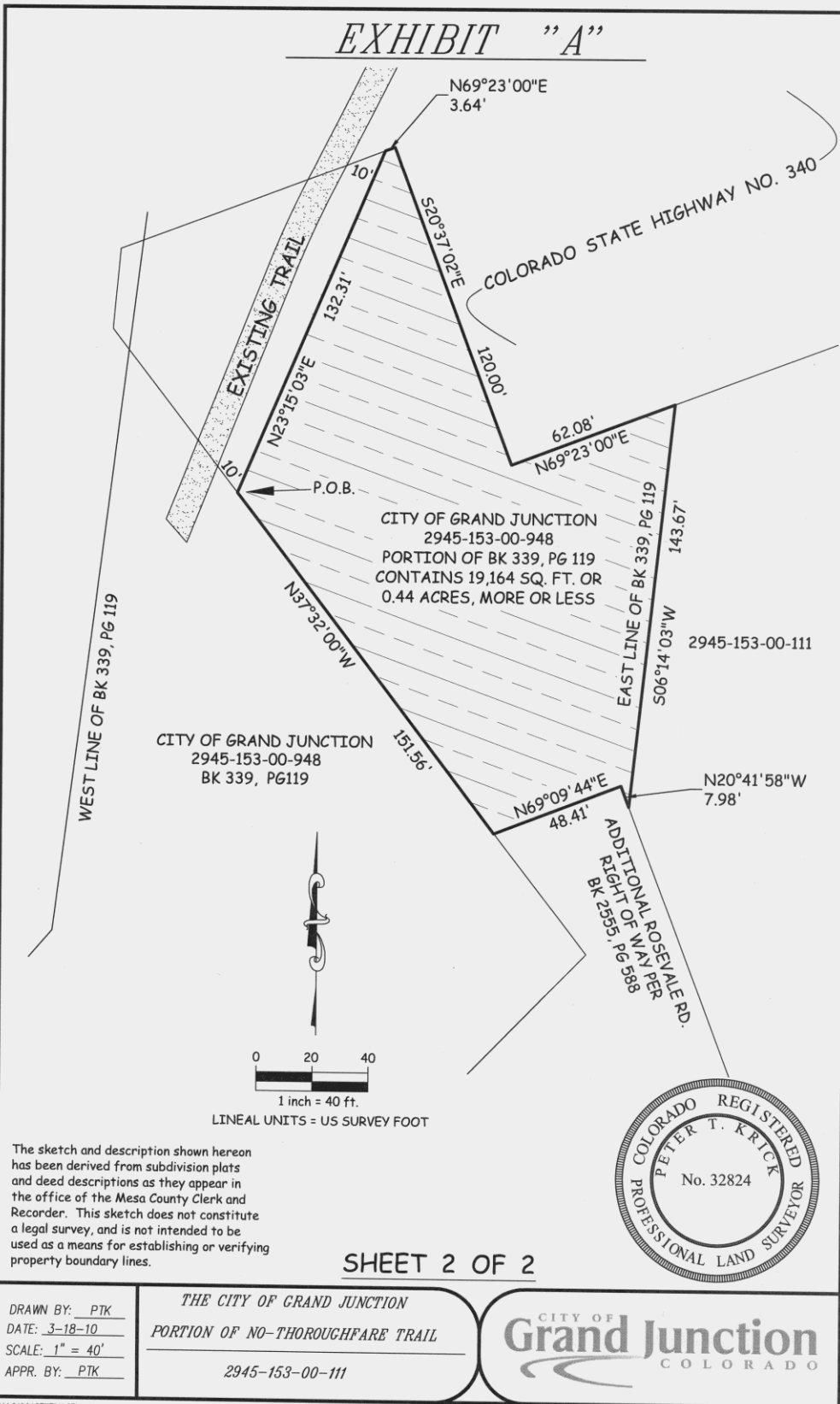
DRAWN BY: PTK
 DATE: 3-18-10
 SCALE: N.T.S.
 APPR. BY: PTK

THE CITY OF GRAND JUNCTION
 PORTION OF NO-THOROUGHFARE TRAIL
 2945-153-00-111



N:\CADD\PETERKPELLAM\TRAIL

EXHIBIT "A"



The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



SHEET 2 OF 2

DRAWN BY: PTK
 DATE: 3-18-10
 SCALE: 1" = 40'
 APPR. BY: PTK

THE CITY OF GRAND JUNCTION
 PORTION OF NO-THOROUGHFARE TRAIL
 2945-153-00-111

