

THE MESA COUNTY ABSTRACT CO.

Established 1885

531 Rood Avenue

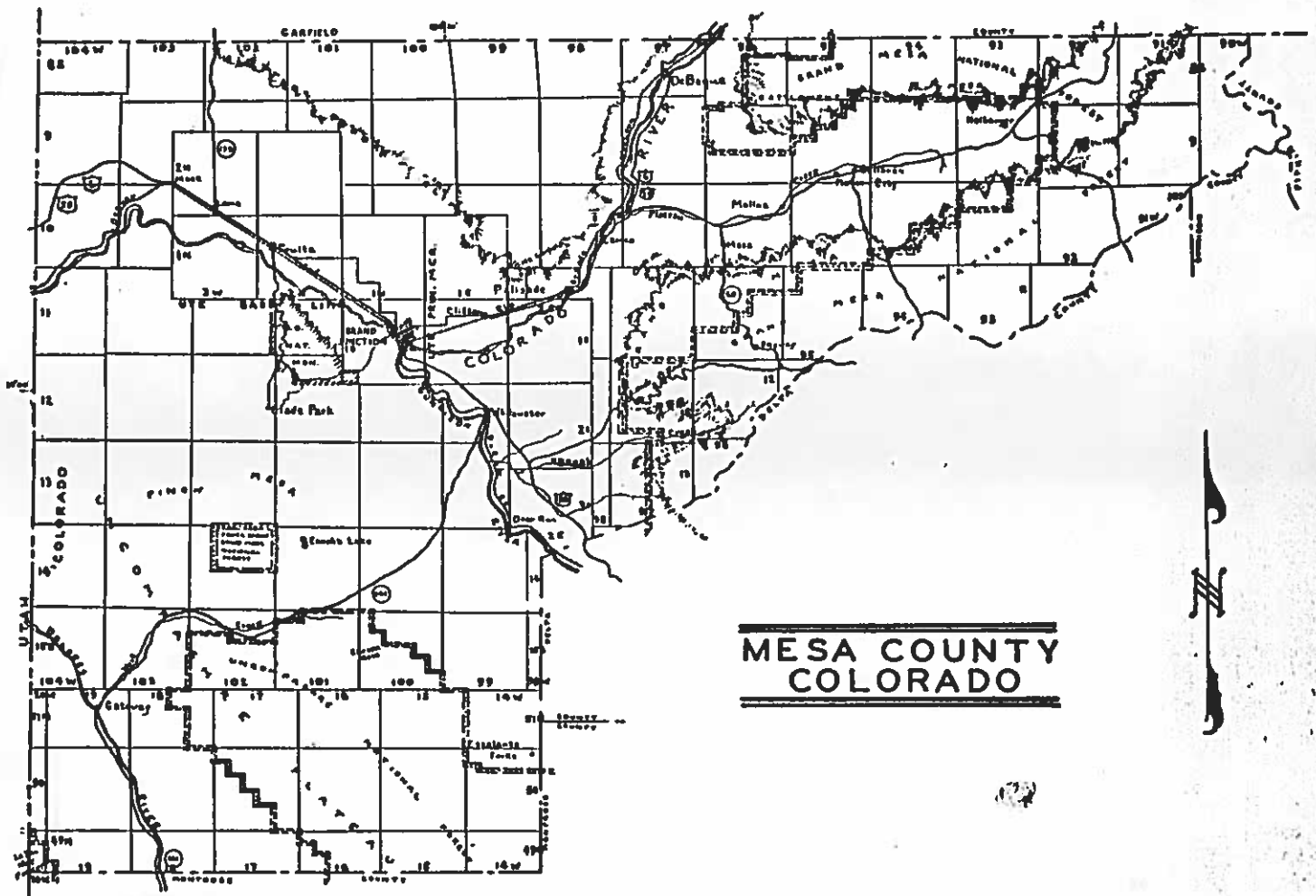
Grand Junction, Colo.

ABSTRACT OF TITLE TO

No. 54882

Lots Six (6), Nine (9) and Fifteen (15) of Section Thirty-two (32), Township Twelve (12) South, Range Ninety-seven (97) West, of the Sixth (6th) Principal Meridian. And Lot Two (2) of Section Five (5), Township Thirteen (13) South, Range Ninety-seven (97) West, of the Sixth (6th) Principal Meridian, in Mesa County, Colorado.

1. (For plat showing the location of the property described in the caption hereof, see entry No. 1 inside yellow cover sheet at the end of this abstract).



2 The Twin Reservoir Irrigation
Company

INCORPORATION
Dated July 8, 1909
Filed July 12, 1909
At 9:10 o'clock A.M.

#84403
Filed

T.M. Morrow, J.A. Bentley, E.J. Burns

incorporators. Objects: To acquire, construct, maintain and operate certain irrigation canals and reservoirs more particularly described as follows: The stream from which the water is to be taken is the Kannah Creek. The part or place at or near which the water is to be taken out is on the S bank of said Kannah Creek whence E $\frac{1}{4}$ Cor. Sec. 33, Twp. 12S. R. 97W. 6th P.M. bears N 22°2' E 984.4 ft; from which said point said ditch is to run in a Southwesterly direction through said Sec. 33, through Sections 4, 5, 8 and 7, Twp. 13S. R. 97W. 6th P.M. Also through Sections 12, 13 and 14, Twp. 13S. R. 98W. 6th P.M.; also to a point SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 1, Twp. 3S. R. 2E. U.M., when said ditch divides into 2 branches one of which is to be continued from said point in a Southwesterly direction through Sections 12 and 11 to where it empties into Reservoir No. 1, which is located in Sections 10 and 11, Twp. 3S. R. 2E. U.M. The other branch is to be continued from said part of division in said SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 1 in a Westerly direction through said Sec. 1 and through a portion of Sec. 2, Twp. 3S. R. 2E. U.M. to where it empties into Reservoir No. 2 which is located in Sec. 2, Twp. 3S. R. 2E. U.M. The outlet ditch of said Reservoir No. 1 commences at a point in the dam of said Reservoir in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10, said township and range and extends from said point in a Southwesterly direction through SW $\frac{1}{4}$ said Sec. 10, in a Southeasterly direction through Sec. 15, in a Southeasterly direction through Sec. 22 in a Southeasterly direction through SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 23, in a Southwesterly direction through NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 26 in a Westerly direction through NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 27; thence in a Northwesterly direction through Sections 22, 21, 16, 17 and 8 to a point about 30 rods SW of center of said Sec. 8. One of the outlet ditches from Res. #2 commencing at a point in down of said Reservoir in NW $\frac{1}{4}$ SE $\frac{1}{4}$ said Sec. 2, and extended thence in a Westerly direction to point about 40 rods E of W $\frac{1}{4}$ Cor. said Sec. 2; thence in a Southeasterly direction to S $\frac{1}{4}$ Corner said Sec. 2; thence in a Southwesterly direction to a point near SW Corner SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 11; thence in a Southeasterly direction to point about 20 rods S of center of said Sec. 11, thence in a Southeasterly direction to a point about 30 rods W of the SE Corner NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 11; thence to S $\frac{1}{4}$ Cor. Sec. 11 where said ditch terminates. The other outlet ditch from said Res. No. 2 commences at same point as does above described outlet ditch from said Reservoir and extends in a Northerly direction to center of Sec. 2, thence in a Westerly direction about 45 rods; thence in a Northeasterly direction to NE Corner SE $\frac{1}{4}$ NW $\frac{1}{4}$ said Sec. 2; thence in a Westerly direction to NW Cor. SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3; All in Twp. 3S. R. 2E. U.M. To acquire the right to use water from Kannah Creek and other sources for irrigation domestics and other purposes. To acquire by purchase, condemnation or otherwise, right of way and to sell and dispose of same. (and other objects). Capital stock \$250,000.00. \$25000 shares of \$10. each; it being understood that this corporation may construct for the issuance of capital stock to purchasers of water rights in the proportion that the water rights issued bear to the center capacity of the irrigation system of said corporation and as fast as such contracts for water rights have been fully paid up each stockholder may be required to surrender such proportionate amount of capital stock owned by him as will enable said corporation to comply with said contract. To exist twenty years. Provides for 3 directors with power to make By Laws. Principal office Grand Junction, Mesa County, Colorado and to operate in said county but may have offices in County and City of Denver. Ack. July 8, 1909 before Ernest W. Norhic, Notary Public, City and County of Denver, Colorado.

(Seal)

Commission expires January 11, 1913.

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THE TITLE GUARANTY COMPANY

MESA COUNTY BRANCH
531 ROOD AVENUE
GRAND JUNCTION, COLORADO

3 W.J. Chenoweth
Jeremiah Cole
Albert A. Carpenter
J.D. Bean and Daniel Bradbury
to
The Twin Reservoirs
Irrigation Company.
(A Corporation)

WARRANTY DEED \$5000.00 #84689
Dated July 24, 1909 Book 125
Filed July 26, 1909 Page 236

At 1:00 o'clock P.M.
Conveys: The right of way of the Mariposa
Ditch, the head gate of which is located
at a point on the south bank of Kannah
Creek, whence the E $\frac{1}{4}$ Corner of Sec. 33,
Twp. 12S, R. 97W, 6th P.M., bears N
22°2' E, 984.4 feet; thence in a

southwesterly direction through said Sec. 33, and Sections 4, 5, 6, 8 and 7, Twp. 13S. R. 97W. 6th P.M.; Also through sections 12, 13 & 14 in Twp. 13S. R. 98W, 6th P.M.; Also sections 1, 2, 12, 11, and 10, Twp. 3S. R. 2E. U.M., to where said ditch empties into 2 certain reservoirs located in Sections 2, 11 & 10, Twp. 3S. R. 2E. U.M., which said right of way is more particularly described in maps and plats and in amended maps and plats filed in the office of the State Engineer of Colorado, and in the United States Land Office at Monroe, Colorado, to which said maps and plats and amended maps and plats reference is hereby made for a more particular description of said right of way. Also Mariposa Reservoir Site No. 1, located in Sections 10 & 11, and Maricopa Reservoir Site No. 2, located in Sec. 2, Twp. 3S, R. 2E. U.M.; which said Reservoir sites are more particularly described in a certain plat filed in the office of the State Engineer of the State of Colorado, and approved by him on May 25, 1907, and also in a certain plat filed in the United States Land office at Monroe, Colorado, reference to which said maps is made for a more particular description of said reservoir sites. Also all water rights and rights to appropriate and use water from Kannah Creek acquired by virtue of any and all filings made by the grantors herein in the office of the State Engineer of Colorado, for storage in said reservoirs above mentioned for irrigation and all other purposes for which said water was intended to be used, together with any and all other rights, privileges and easements acquired by said parties of the first part under and by virtue of any and all of said filings above mentioned.

Ack. by W.J. Chenoweth, July 24, 1909 before Sterling B. Lacy, Notary Public, Mesa County, Colorado.

(Seal)

Commission expires Aug. 21, 1912.

Ack. by Albert A. Carpenter July 19, 1909 before Hartley R. Walker, Notary Public, Franklin County, Mass.

(Seal)

Commission expires April 24, 1914.

Ack. by J.D. Bean and Daniel Bradbury, July 24, 1909 before William C. Meserve, Notary Public, Mesa County, Colorado.

(Seal)

Commission expires February 17, 1912.

Ack. by Jeremiah Cole, July 14, 1909 before Clarence B. Holaday, Notary Public, San Miguel County, Colorado.

(Seal)

Commission expires Dec. 12, 1912.

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THE TITLE GUARANTY COMPANY

MESA COUNTY BRANCH
531 ROOD AVENUE
GRAND JUNCTION, COLORADO

4 J.A. Laurent, et al
to
County Commissioners.

ROAD PETITION #137011
Filed April 11, 1917 Book 3
At 8:30 o'clock A.M. Page 19

To the Honorable Board of County Commissioners, of Mesa County, Colorado. Petition for County Wagon Road to be laid out as follows, to-wit: Commencing at the S.W. Corner of Sec. 36, Twp. 12S. R. 98W, 6th P.M., and running thence E on the Section line about 1 1/4 miles more or less; thence Northeasterly to a point about 40 rods S and about 40 rods W of the E 1/4 corner of Sec. 31, Twp. 12S. R. 97W, 6th P.M., thence E to a point about 40 rods E and 40 rods S of the E 1/4 corner of said Sec. 31: thence NEly and Ely with the necessary curves, to a point about 30 rods E of the center of Sec. 33, Twp. 12S. R. 97W, 6th P.M., to the top of the bluff, said road to be not less than 40 feet in width. Here follows Plat showing road to run along the South line of Sec. 36, Twp. 12S. R. 98W, and the N line of Sec. 1, Twp. 13S, R. 98W, and the S line of the SW 1/4 SW 1/4 of Sec. 31, and through the SE 1/4 SW 1/4 of Sec. 31, and the NW 1/4 NW 1/4 of Sec. 32, and the NE 1/4 SW 1/4, SE 1/4 NW 1/4 and on the S line of the SW 1/4 NE 1/4, NW 1/4 SE 1/4, SE 1/4 NE 1/4 and the N line of NE 1/4 SE 1/4 of Sec. 31, and through the center line E and W, of Sec. 33, and through the center line of Sec. 34 from W 1/4 to end of road, somewhere on line between the SW 1/4 NE 1/4, NW 1/4 SE 1/4 of Sec. 34, all in Twp. 12S, R. 97W. Signed:- J.A. Laurent, for the SW 1/4 of Sec. 36, Twp. 12S. R. 98W, 6th P.M., S.W. Ashley for the SE 1/4 of Sec. 36, Twp. 12S. R. 98, and Lots 1, 2 and 3, Sec. 13, Twp. 13S, R. 98W. Gail C. Murray for the E 1/2 NE 1/4 of Sec. 31 and the W 1/2 NW 1/4 Sec. 32, Twp. 12 97 E.W. Spencer for the E 1/2 SE 1/4, SE 1/4 NE 1/4 of Sec. 32, and the SW 1/4 NW 1/4 of Sec. 33, Twp. 12 97. H.W. Merritt for the W 1/2 NW 1/4 of Sec. 1, Twp. 13 R 98, C.M. Raber for the Lots 2, 3 & 4, Sec. 6, Twp. 13 R. 97. Mrs. Nell Spencer SE 1/4 NW 1/4, N 1/2 SW 1/4, SE 1/4 SW 1/4 R 97 6th P.M. Mrs. Clemmie Cox SW 1/4 NE 1/4 of Sec. 32, Twp. 12S. R. 97, Chas. McArthur, Lots 4, 5 and 6, Sec. 6, Twp. 13S, R. 97W. and NE 1/4 SE 1/4 Twp. 13 R. 98W, 6th P.M. Grace Learned Lots 3 and 4 and the S 1/4 Sec. 31, Twp. 12S. R. 97W. 6th P.M. I. H. Davisson SE 1/4 Sec. 31, Twp. 12S. R. 96W. 6th P.M., I. M. Gillespie SW 1/4 Sec. 33, Twp. 12 R97 V.C. Kerstetter, Wm. A. Lynch S 1/2 NE 1/4 and the SE 1/4 NW 1/4, NW 1/4 SE 1/4 of Sec. 33, Twp. 12S. R. 97W, 6th P.M. Petition Granted, and Road declared a public Highway and ordered opened, April 10, 1917. C. Bower, Chairman.

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5 United States
to
John W. Cox

PATENT #915299 #204761
Dated August 29, 1923 Book 279
Filed November 20, 1924 Page 310
At 12:05 o'clock P.M.

Grants: Lots 6, 9 and 15 of Sec. 32, Twp. 12S. And the Lot 2 of Sec. 5, Twp. 13S. All in R. 97W. 6th P.M. Colorado containing 159.48 acres according to the official plat of the survey of said land. Subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws and decisions of courts; And also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

(U. S. G. L. O. Seal).

(Signed) By the President: Calvin Collidge by Viola B. Pugh, Secretary
John O'Connell, Acting Recorder of the General Land Office.

MARGINAL HOMESTEAD ENTERED August 15, 1929 No. 246674. Signed in the Presence of Beth Derryberry, Deputy County Clerk.

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THE TITLE GUARANTY COMPANY

MESA COUNTY BRANCH
531 ROOD AVENUE
GRAND JUNCTION, COLORADO

6 John W. Cox TRUST DEED \$1.00 #204783
to Dated Nov. 20, 1924 Book 276
Public Trustee, Filed Nov. 21, 1924 Page 87
for the use of At 8:50 o'clock A.M.
D.T. Stone. Conveys: Lots 6, 9 and 15 of Sec. 32,
Twp. 12S. and the Lot 2 of Sec. 5, Twp.
13S, all in R. 97W. 6th P.M. Colorado
containing 159.49 acres. Together with 125 shares of stock in the Kannah Creek Highline
Ditch Company. (Certificate No. 9). IN TRUST to secure his one note bearing even
date payable after date for the sum of \$2,000.00 payable 6 months after date with
interest from date until paid at 8% per annum interest payable when due.
Ack. Nov. 20, 1924 before Crissa B. Pond, Notary Public, Mesa County, Colorado.
(N.P. Seal) Commission expires July 30, 1928.

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7 A. Scott McKinney, RELEASE DEED \$2.00 #212145
Public Trustee Dated June 29, 1925 Book 282
to Filed June 29, 1925 Page 448
John W. Cox At 4:26 o'clock P.M.
Releases: Lots 6, 9 & 15 Sec. 32, Twp.
12S. and Lot 2 Sec. 5, Twp. 13S all in
R. 97W. 6th P.M., containing 159.48 acres. Together with 125 shares of Stock in
The Kannah Creek High Line Ditch Company. (Cert. #9) From Deed of Trust dated Nov.
20, 1924, recorded Nov. 21, 1924 in book 276 at page 87. to secure D.T. Stone payment
of one note. Note paid.
Ack. June 29, 1925 before Virginia O. Wallace, Notary Public, Mesa County, Colorado.
(N.P. Seal) Commission expires Aug. 24, 1925.

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John W. Cox AMORTIZATION MORTGAGE #211894
Clemmie C. Cox \$25000.00 Book 232
to Dated June 15, 1925 Page 59
The Federal Land Filed June 22, 1925
Bank of Wichita. At 11:35 o'clock A.M.
Mortgages: Lots 6, 9 & 15 Sec. 32,
Twp. 12S Lot 2 Sec. 5, Twp. 13S. R. 97W.
6th P.M. Containing 159.48 acres of land
8 more or less according to the Government survey thereof, together with 250 shares of
stock of The Kannah Creek High Line Ditch Co. To secure the sum of \$2500.00, with
interest at rate of 5 $\frac{1}{2}$ % per annum payable semi-annually evidenced by note even date
herewith executed by parties of first part to party of second part conditioned for
the payment of said sum and interest on the amortization plan in 39 equal semi-
annual payments and a 40th or final payment unless sooner matured by extra payments.
Ack. June 22, 1925 by John W. Cox and Clemmie C. Cox his wife before J. Ernest Leaverton,
Notary Public, Mesa County, Colorado.
(N.P. Seal) Commission expires Dec. 29, 1925.
Endorsed and guaranteed June 22, 1925 by The Kannah Creek National Farm Loan
Association of Grand Junction, Colorado by Ernest Leaverton, Secretary Treasurer.

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THE TITLE GUARANTY COMPANY

MESA COUNTY BRANCH
531 ROOD AVENUE
GRAND JUNCTION, COLORADO

9 The Federal Land Bank of Wichita,
Wichita, Kansas. By John Fields,
Vice President, Attest: W.E. Fisher,
Secretary. (Corporate Seal)
to
John W. Cox and Clemmie C. Cox,
His wife.

RELEASE OF MORTGAGE #240932
\$1.00 and other valuable Book 314
consideration Page 266
Dated November 16, 1928
Filed December 8, 1928
At 10:10 o'clock A.M.
Releases: Mortgage dated June 15, 1925,
executed by John W. Cox and Clemmie C. Cox,
his wife, as mortgagors, in favor of said

bank as mortgagee securing a note for \$2500.00 recorded in book 232 page 59 of
records of mortgagee of Mesa County, Colorado, and covering the following described
land situated in said County, to-wit: Lots 6, 9 and 15 of Sec. 32, Twp. 12S., Lot 2 of
Sec. 5, Twp. 13S. R. 97W. 6th P.M.; containing 159.48 acres of land, more or less,
according to the Government survey thereof, together with 250 shares of stock of
the Kannah Creek High Line Ditch Company.
Ack. November 16, 1928 by John Fields as Vice President before Fern Allburn, Notary
Public, Sedgwick County, Kansas.
(N.P. Seal)

Commission expires Nov. 26, 1931.

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10 John W. Cox
to
Clemmie C. Cox

WARRANTY DEED \$1.00 and love #428005
and affection Book 433
Dated March 17, 1942 Page 210
Filed February 14, 1945
At 3:29 o'clock P.M.

Conveys: Lots 6, 9 and 15 in Sec. 32,
Twp. 12S. R. 97W. 6th P.M. and Lot 2 Sec. 5,
Twp. 13S. R. 97W. 6th P.M., containing 159.48 acres of land more or less together with
250 shares of stock of The Kannah Creek High Line Ditch Company and all ditch, lateral
and water rights thereto belonging in Mesa County, Colorado. Subject to taxes.
Ack. March 17, 1942 before Orlo D. Williams, Notary Public, Mesa County, Colorado.
(N.P. Seal)

Commission expires January 20, 1944.

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11 Clemmie C. Cox
to
Clemmie C. Cox,
John W. Cox, Fred E. Click
and Ica M. Click,
in joint tenancy.

WARRANTY DEED \$1.00 and #460625
other good and valuable Book 467
consideration Page 300
Dated February 26, 1947
Filed March 17, 1947
At 11:15 o'clock A.M.

Conveys: Lots 6, 9 and 15 in Sec. 32,
Twp. 12S., R. 97W. 6th P.M. and Lot 2
Sec. 5, Twp. 13S, R. 97W. 6th P.M., con-
taining 159.48 acres of land more or less, together with all ditch, lateral and
water rights thereunto belonging, or in anywise appertaining, including 250 shares
of stock of The Kannah Creek High Line Ditch Company, and 15 shares of the capital
stock of the Juniata Ditch Company, and a 22% interest in and of the Hallenbeck
No. 2 Reservoir Company, Mesa County, Colorado. Except and subject to the taxes levied
and assessed in 1947 and payable in 1948. (Consideration less than \$100.00).
Ack. February 26, 1947 before Loring W. Jordan, Notary Public, Mesa County, Colorado.
(N.P. Seal)

Commission expires February 27, 1947.

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THE TITLE GUARANTY COMPANY

MESA COUNTY BRANCH
531 ROOD AVENUE
GRAND JUNCTION, COLORADO

STATEMENT

Filed November 19, 1954

At 3:45 o'clock P.M.

#618742

Filed

No. 1410

Know All Men By These Presents: That

the undersigned, C.W. Hallenbeck, John P. Raber, Wilbur J. Raber and Luther Crosswhite, whose post office addresses are Whitewater, Colorado, have caused to be located the Amended Juniata Reservoir Enlarged as hereinafter mentioned, have made these several statements relative thereto, and filed the same in compliance with the laws of the State of Colorado. The accompanying map shows the location of said reservoir, and forms a part of this filing. The amended filing is made to show the location, sections and capacity of the Juniata Ditch as enlarged as feeder ditch for said enlarged reservoir.

FIRST: The maximum height of the dam is 69 feet;

SECOND: The initial point of survey of the high water line of the reservoir is located at a point whence the E $\frac{1}{4}$ corner of Sec. 36, Twp. 12S. R. 98W., 6th P.M., bears S 46-20 W 738 feet.

THIRD: The attached table gives the area and the total capacity of said reservoir in cubic feet and in acre feet for each foot in depth, from the bottom of the outlet tube at the upper end thereof, up to and including the highwater line. The capacity from 0 to 21.55 feet is from the original filing, the balance from the survey for the enlargement.

FOURTH: The total capacity of the original reservoir is 18,212,099 cubic feet the total capacity of the enlarged reservoir is 167,075.679 cubic feet or 3,835.5 acre feet Claim is hereby made for 148,863.580 cubic feet of 3,417.4 acre feet, the capacity of the enlargement for irrigation purposes. The source of supply is Kannah Creek, by means of Kannah Creek High Line Ditch and an enlargement of the Juniata Ditch. The total capacity of the enlarged Juniata Ditch is 150 cubic feet per second of time, 75 C.F.S. is for supply for the reservoir enlargement.

SIXTH: The estimated cost is \$75,000.00

SEVENTH: Work was commenced by survey on the 17th day of June 1953.

/s/ John P. Raber, Wilbur J. Raber, Luther Crosswhite, Wilbur J. Raber, and C. V. Hallenbeck.

Guy S. Newkirk being duly sworn on his oath, deposes and says that he is the engineer of the Amended Juniata Reservoir Enlarged; that the amended map was made by him from filing map No. 19462 in the office of the State Engineer of Colorado; that the sections of the enlarged Juniata Ditch were made by him and that the data given on filing No. 19462 is accurately represented upon this map.

/s/ Guy S. Newkirk, Registered Engineer

(Registered Engineer Seal)

Ack. October 7, 1954, before Wilson Moore, Notary Public, _____ County, Colorado.

(N.P. Seal)

Commission expires Sep. 17, 1957.

Accepted for filing the office of the State Engineer of Colorado on the 7th day of Oct. 1954.

/s/ By J.E. Whitten, State Engineer by C.C. Hezmalhalch; Reservoir In Sec. 31; Ditch passes through S $\frac{1}{2}$ Sec. 32, Twp. 12S., R. 97W., 6th P.M.

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THE TITLE GUARANTY COMPANY

MESA COUNTY BRANCH
531 ROOD AVENUE
GRAND JUNCTION, COLORADO

RECORDER'S STAMP

THIS DEED, Made this 18th day of March in the year of our Lord one thousand nine hundred and fifty-five between CLEMMIE O. COX, FRED E. CLICK and IOA M. CLICK

of the County of Mesa and State of Colorado, of the first part, and

FRED E. CLICK and IOA M. CLICK

of the County of Mesa and State of Colorado, of the second part:

WITNESSETH, that the said parties of the first part, for and in consideration of the sum of One Dollar and other valuable consideration

to the said parties of the first part in hand paid by the said parties of the second part, the receipt whereof is hereby confessed and acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, not in tenancy in common but in joint tenancy, the survivor of them, their assigns and the heirs and assigns of such survivor forever, all the following described lot or parcel of land, situate, lying and being in the County of Mesa and State of Colorado, to-wit:

Lots 9 and 15 in Section 32, Township 12 South, Range 97 West, 6th P.M., and Lot 2 in Section 5, Township 13 South, Range 97 West, 6th P.M.

Together with all water and ditch rights held or used in connection therewith and together with 15 shares of the capital stock of the Juniata Ditch Company, 250 shares of the capital stock of the Kannah Creek Highline Ditch Company and 23 shares of the Hallenbeck Reservoir #2 Co.

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainders and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of the said parties of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the said parties of the second part, the survivor of them, their assigns, and the heirs and assigns of such survivor, forever, And the said parties of the first part, for themselves, their heirs, executors, and administrators do covenant, grant, bargain and agree to and with the said parties of the second part, the survivor of them, their assigns and the heirs and assigns of such survivor, that at the time of the executing and delivery of these presents, they are well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and have good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments and incumbrances of whatever kind or nature soever,

subject to taxes due or to become due,

and the above bargained premises in the quiet and peaceable possession of the said parties of the second part, the survivor of them, their assigns and the heirs and assigns of such survivor, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said parties of the first part shall and will WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF the said parties of the first part have hereunto set their hands and seals the day and year first above written.

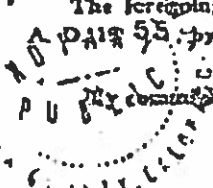
Signed, Sealed and Delivered in the Presence of

Clemmie O. Cox [SEAL]
Fred E. Click [SEAL]
Ioa M. Click [SEAL]

STATE OF COLORADO,

County of Mesa

The foregoing instrument was acknowledged before me this 18th day of March 1955 by Clemmie O. Cox, Fred E. Click and Ioa M. Click.



January 7, 1958. Witness my hand and official seal.

Phyllis M. Harrington
Notary Public

628814
1-37-317
91036100
13
MAR 24, 1955

COMBINED GLADE PARK SOIL #707580
CONSERVATION DISTRICT AND Filed #5145
KANNAH CREEK SOIL CONSERVATION
DISTRICT
Filed December 2, 1957
At 9:30 o'clock A.M.

14 United States of America, State of Colorado, ss Certificate
I, George J. Baker, Secretary of State of the State of Colorado, do hereby
certify that the annexed is a full, true and correct copy of legal description
of the combined Glade Park Soil Conservation District (established May 1,
1940) and Kannah Creek Soil Conservation District (established July 9, 1940)
which were consolidated under the provisions of 128-1-19, Colorado Revised
Statutes 1953, under the name of Glade Park Soil Conservation District.
I do further certify the lawful organization of such consolidated district
this 6th day of November, A.D. 1957. In Testimony Whereof: I have hereunto
set my hand and affixed the Great Seal of the State of Colorado, at the City
of Denver, November 6, 1957. /s/ Geo. J. Baker, Secretary of State by F.J.
Serafini, Deputy. (State of Colorado Seal)

LOCAL DESCRIPTION OF THE COMBINED
GLADE PARK AND KANNAH CREEK SOIL
CONSERVATION DISTRICTS

Beginning at the NW corner of Montrose County and the SW corner of Mesa
County, at the intersection of the Colorado-Utah State Line; thence N on
the state line to where the Colorado River and the State line intersect;
thence following upstream in a generally Ely direction along the S bank
of the Colorado River to its intersection with the N and S line between
Secs. 33 and 34, Twp. 1N. R. 2W. of the Ute Base Line and the Ute Principal
Meridian, near the NE corner of said Sec. 33; thence S along the Sec. line
approximately 54 chains to a junction with the boundary of the Colorado
National Monument; thence in a generally Wly and Sly direction along the
Northern and Western boundary of the said Colorado National Monument to
the SE corner of Sec. 7, Twp. 12S. R. 16W; thence E along the Colorado National
Monument boundary, sec. line and the U base line to the intersection with
the watershed divide between the Colorado and Gunnison Rivers thence in
a NEly direction along the watershed divide between the Colorado River
and the Gunnison River to a point of intersection of said boundary line
and the Twp. line common to both Twp. 11S., and 12S., R. 95W. of the 6th
P.M. and the Delta County line; thence follow the County line in a SWly
course to a point where the County line intersects with the Gunnison River
and Mesa County; thence S along the said County line to a corner common
to Secs. 25 and 36, Twp. 51N., R. 14W., N.M.P.M.; thence W to the Range line
common to Rs. 14 and 15 W., of the N.M.P.M.; thence S along said line to
the Sec. Corner common to Secs. 1 & 12 Twp. 50N., R. 15W., and Secs. 6 and 7
Twp. 50N., R. 14W.; thence E to a Sec. corner common to Sec. 5, 6, 7 & 8 Twp.
50N., R. 14W., thence $\frac{1}{2}$ mile S to a $\frac{1}{4}$ corner common to Sec. 7 and 8, thence
E to the Mesa-Montrose County line; thence S and W along said County
line to intersection with the Utah-Colorado State Line or point of
beginning.

15 Mesa County Planning Commission
to
The State

AMENDED SUBDIVISION
REGULATIONS

#741347
Filed

Filed April 8, 1959
At 9:34 o'clock A.M.

"Amended Subdivision Regulations
of Mesa County, Colorado, adopted

the 23rd day of February, 1959, by the Mesa County Planning Commission as part of a Master Plan of the physical development of unincorporated territory within Mesa County, and approved and adopted by the Board of County Commissioners of Mesa County on the 6th day of April, 1959."

Said Amended Subdivision Regulations set forth standards for subdivisions in the unincorporated areas of the County and specify procedure to be followed in creating such subdivisions. They also include the provisions that no sale of land located within a proposed subdivision shall be made, by reference to or use of a plan or plat of the subdivision before such plan or plat has been approved and recorded and that no building shall be erected within a subdivision or a proposed subdivision unless a building permit therefor shall have been issued by the County Building Inspector.

Reference is made to said subdivision regulations for the specific provisions thereof. Said regulations may be examined in the Office of the County Clerk and Recorder or the office of the Mesa County Planning Commission. (Abstracter's Note: The original subdivision regulations of Mesa County, Colorado, were never recorded and thus are not shown.)

16

Board of County Commissioners
of Mesa County, Colorado
to
The State

CERTIFIED COPY OF ORDER #758144
Filed December 17, 1959 Filed
At 10:15 o'clock A.M.
State of Colorado, County of Mesa ss.
At a regular adjourned meeting of
the Board of County Commissioners
for Mesa County, Colorado, held at

the Court House, in Grand Junction on Monday the fourteenth day of December A. D. 1959, there were present: Roe F. Saunders Chairman, Henry J. Tupper Commissioner, Arthur J. Jens Commissioner, Thomas K. Younge County Attorney, Annie M. Dunston Clerk, when the following proceedings, among others, were had and done, to-wit: On motion of Arthur Jens, seconded by Henry Tupper and carried the following resolution amending page two and page seven of the Amended Subdivision Regulations of Mesa County was adopted:

Page two-

A resolution relative to the division of land, preparation of plats for such divisions and procedure for approval of plats in the County of Mesa, and repealing all resolutions in conflict therewith.

BE IT RESOLVED by the Planning Commission* of Mesa County, Colorado, as provided by State of Colorado Statutes:

Before dividing any tract of land within the unincorporated territory within Mesa County into two or more tracts or parcels of less than five acres in size, the owner thereof shall subdivide said property by means of a recorded plat in accordance with the procedures and requirements herein, as provided by the Colorado Revised Statutes 1953 106-2-9 amended 1959. In achieving such subdivision, the following procedure shall be followed:

Section 1
PROCEDURE

1. At least one week before a Planning Commission meeting, three copies of the preliminary subdivision plat shall be submitted to the Planning Commission. After receiving the plat, the Planning Commission may mail notices to notify owners of property surrounding the proposed subdivision of the time and place of a public hearing regarding the study of such proposed subdivision.
2. After receiving preliminary approval of the plat, permanent survey monuments shall be set to finished grade at all exterior corners of the land to be subdivided, and approval of the plat shall be obtained from the Utility Companies which may serve the subdivision and the Fire Department.
3. Within one year after receiving approval of the preliminary plat by the Planning Commission, after the intermediate steps described in subparagraph No. 2 have been completed and at least one week in advance of a Planning Commission meeting the original and three copies of the final plat shall be submitted to the Planning Commission for final approval.
4. After receiving final approval by the Planning Commission, the original and one copy of the final plat shall be presented to the Board of County Commissioners for its acceptance of the areas dedicated to public use.
5. Following acceptance by the Board of County Commissioners, the final plat as approved shall be legally recorded in compliance with State Statutes.

*FOR PURPOSES OF THIS RESOLUTION, THE TERM " PLANNING COMMISSION" SHALL REFER TO THE APPROPRIATE DISTRICT PLANNING COMMISSION WHERE SUCH DISTRICT PLANNING AREA HAS BEEN LEGALLY CONSTITUTED: IN ALL OTHER AREAS THE TERM " PLANNING COMMISSION" SHALL REFER TO THE MESA COUNTY PLANNING COMMISSION.

Page seven-

(continued on next sheet)

No. 16 continued:

Section V
DEFINITIONS

For the purpose of this resolution, certain words and phrases used herein are defined as follows:

1. " Alley"

A public or private way with less width than a street and designed for special access to the rear of the building.

2. " Easement"

A grant of the right to use a strip of land for specific purposes.

3. " Lot"

A parcel of land intended as a unit for transfer of ownership or for development.

4. " Street"

A public way for sidewalk, roadway, and utility installations, being the entire width from lot line to lot line, and including the terms " Road", " Highway", " Land", " Place", " Avenue", or other similar designations.

5. " Subdivider"

A person, persons, or corporation dividing or proposing to divide land to be sold or used as a lot as defined above.

6. " Subdivision"

The division of any tract or parcel of land into two or more lots of 5 acres or less in size for the purpose (whether immediate or future) of transfer of ownership or for building development or for street use.

Section VI
PUBLIC STREETS

Acceptance of streets on a subdivision plat by the County of Mesa shall be for purposes of legal description and for building purposes as outlined in the following paragraph and not for automatic maintenance services. Such maintenance shall be provided only after streets have been improved by the Subdivider or subsequent land owners, according to County of Mesa construction standards and consequently adopted by the Board of County Commissioners as a part of the County Road system.

Certificate of true copy attached December 15, 1959 by Annie M. Dunston, County Clerk and ex-officio Clerk of the Board of County Commissioners, Mesa County, Colorado. (Mesa County, Colorado Seal)

-O---OO---O-

Board of County Commissioners
of Mesa County, Colorado
to
The State

MESA COUNTY CONSOLIDATED #797472
ZONING AREA Filed
CERTIFIED COPY OF ORDER
Filed August 8, 1961
At 3:13 o'clock P.M.
State of Colorado, County of Mesa, ss.
At a regular adjourned meeting of the
Board of County Commissioners for Mesa
County, Colorado, held at the Court House,

in Grand Junction on Monday the 31 day of July A.D. 1961, there were present:
Arthur J. Jens Chairman, Roe F. Saunders Commissioner, Henry J. Tupper Commissioner,
Thomas K. Younge, County Attorney, Annie M. Dunston, Clerk, when the following
proceedings, among others, were had and done, to-wit:

On motion by Mr. Tupper, seconded by Mr. Saunders, with Mr. Tupper and
Mr. Saunders voting "aye" and Mr. Jens voting "nay", the following resolution
was adopted:

RESOLUTION

WHEREAS, on April 18, 1961, the Mesa County Planning Commission
certified to the Mesa County Commissioners a comprehensive zoning resolution
concerning all property within the unincorporated areas of Mesa County except
the property included in Crestridge and Fruitvale Planning Districts and

WHEREAS, The Redlands Zoning District, the Fruitridge Planning District,
and the West Orchard Mesa Planning District, have submitted resolutions to
the Board of County Commissioners requesting dissolution and -----

WHEREAS, notice of the public hearing hereinafter described, was published
in the Daily Sentinel, a newspaper of general circulation in Mesa
County, on April 29th, 1961, being a date more than 30 days prior to the public
hearing and

WHEREAS, a copy of said zoning resolution, together with all maps pertaining
thereto were available for inspection by the public in the office of
the Mesa County Planning Commission subsequent to said publication and

WHEREAS, a public hearing by the Board of County Commissioners was
held June 2nd, 1961, from the hour of 9:00 A.M. until the hour of 5:00 P.M.
at which hearing numerous opponents and proponents of said Mesa County Zoning
Resolution were heard and numerous resolutions, petitions and other written
documents were submitted to the Board of County Commissioners and

AFTER considering the evidence presented and after independent investigation
by the commission, the Board of County Commissioners of Mesa County,
finds as follows: -----

That the best interests of all citizens in Mesa County will be served
by the adoption of a comprehensive Mesa County Zoning Resolution.

NOW, THEREFORE, FOR THE PURPOSE OF PROMOTING THE PUBLIC HEALTH, SAFETY,
MORALS AND GENERAL WELFARE OF THE COUNTY: REGULATING AND RESTRICTING THE USE
OF LAND, THE USE AND LOCATIONS OF BUILDINGS AND STRUCTURES; THE SIZE, HEIGHT,
AND BULK OF BUILDINGS AND STRUCTURES; GOVERNING THE AREA OF YARDS, COURTS AND
PLACES SURROUNDING BUILDINGS AND STRUCTURES; CONTROLLING THE DENSITY OF
POPULATION; DIVIDING THE ZONED AREA INTO DISTRICTS FOR ZONING PURPOSES;
ADOPTING A MAP OF SAID AREAS AND ZONING DISTRICTS THEREIN, SHOWING BOUNDARIES

(continued on next sheet)

No. 17 Continued:

AND THE CLASSIFICATION OF SUCH DISTRICTS; ESTABLISHING A BOARD OF ADJUSTMENT AND APPEAL PROCEDURES; PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT OF SAID ZONING PROVISIONS; DEFINING CERTAIN TERMS USED HEREIN AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS; AND REPEALING ALL RESOLUTIONS IN CONFLICT HERewith.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MESA

THAT ALL OF THE UNINCORPORATED AREAS WITHIN THE COUNTY OF MESA, STATE OF COLORADO, EXCEPT THE AREAS IN CRESTRIDGE AND FRUITVALE PLANNING DISTRICTS SHALL BE KNOWN AS " MESA COUNTY CONSOLIDATED ZONING AREA" AND THE FOLLOWING REGULATIONS, RESTRICTIONS, AND PROVISIONS SHALL APPLY THERETO:

(Here follows list of classifications for districts,
General Procedure, -Board of Adjustment and Appeal)

Amendments to the text and map of this resolution shall be in accordance with the laws of the State of Colorado.-----

REPEALS AND ENACTMENT

Repeals

All resolutions of portions thereof of the Board of County Commissioners of Mesa County, inconsistent herewith are hereby repealed to the extent of such inconsistency. In particular, but not by way of limitation, all inconsistent portions of the following resolutions are hereby repealed;

Fruitridge Planning District
West Orchard Mesa Planning District
Redlands Zoning District
Clifton Bridge Planning District
Palisade Planning District
West Central Orchard Mesa Planning District
Central Orchard Mesa Planning District
South Clifton Planning District

Certificate of true copy of Order attached August 8, 1961 by Annie M. Dunston,
County Clerk and ex-officio Clerk of the Board of County Commissioners, Mesa
County, Colorado. (Mesa County, Colorado, Seal)

RESOLUTION

#850894

Filed Oct. 18, 1963

Filed

At 4:30 o'clock P.M.

State of Colorado, County of Mesa, SS

At a regular adjourned meeting of the Board of County Commissioners for Mesa County, Colorado, held at the Court House in Grand Junction on Monday the 5th day of August, A.D. 1963 there were present: Henry J. Tupper, Chairman, Arthur J. Jens, Commissioner, Roe F. Saunders, Commissioner, Thomas K. Young, County Attorney, Annie M. Dunston, Clerk; when the following proceedings, among others, were had and done to-wit:

Hearing was had on the proposed changes to be adopted in the Subdivision regulations. It was moved by Roe Saunders, Seconded by Arthur Jens and carried that the following resolution be adopted:

RESOLUTION

At a regular meeting of the Board of County Commissioners, County of Mesa, State of Colorado held Aug. 5, 1963 upon motion by Roe Saunders, seconded by Arthur Jens and unanimously carried, the following resolution was adopted:

RESOLVED that the Subdivision regulations of Mesa County, Colorado, be amended as follows:

1. " Before dividing any tract of land within the unincorporated territory within Mesa County into two or more tracts or parcels, any one of which is less than 5 acres in size, the owner thereof shall subdivide said property by means of a recorded plat in accordance with the procedures and requirements thereof, and of Colorado Revised Statutes, 1953, 106-2-9, as amended. In achieving such subdivision, the following procedure shall be allowed:

Section I

PROCEDURE

--- A waiver of compliance with these regulations may be made by the Board of County Commissioners for division of land into two tracts either of which is less than 5 acres in size, if said tracts are adequately served by roads and utilities or adequate provisions are made thereof, and said tracts comply with the zoning regulations. A request for such a waiver shall be submitted to and acted upon by the Mesa County Planning Commission before submission to the Board of County Commissioners.-----

STATE OF COLORADO }
COUNTY OF M E S A } SS

I, Annie M. Dunston, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid, do hereby certify that the annexed and foregoing Order is truly copied from the Records of the proceedings of the Board of County Commissioners for said Mesa County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Grand Junction, this 17th day of October, A.D. 1963.
/s/ Annie M. Dunston, County Clerk. (Mesa County Seal)

THE TITLE GUARANTY COMPANY

A duly licensed and bonded abstractor, operating under certificate of authority granted by the State of Colorado, and whose bond is in force at the date of this certificate

Hereby Certifies

That the foregoing -18- entries numbered 1 to 18 constitute a true and correct abstract of all instruments on file or of record in the office of the County Clerk and Recorder of Mesa County, Colorado, affecting the title to the following described real estate located in said Mesa County, Colorado:

From the Beginning

Lots Six (6), Nine (9) and Fifteen (15) of Section Thirty-two (32), Township Twelve (12) South, Range Ninety-seven (97) West, of the Sixth (6th) Principal Meridian.

And Lot Two (2) of Section Five (5), Township Thirteen (13) South, Range Ninety-seven (97) West, of the Sixth (6th) Principal Meridian, in Mesa County, Colorado.

Dated this 11th day of August, A.D., 19 64, at 8 o'clock A.M.



THE TITLE GUARANTY COMPANY

By *Richard B. Williams*

Authorized Signature.

THE TITLE GUARANTY COMPANY

MESA COUNTY BRANCH
531 ROOD AVENUE
GRAND JUNCTION, COLORADO

State of Colorado) recorded at _____ o'clock _____
County of Mesa) ss. Reception No. 875609 _____ Recorder

Form 17

STATE OF COLORADO
DEPARTMENT OF LAW
INHERITANCE TAX DIVISION

BOOK 874 PAGE 701

RELEASE OF INHERITANCE TAX LIEN

Estate of..... JOHN W. COX.....
Date of Death..... AUGUST 17, 1954.....
Gross Estate \$..... 4,775.00**.....

It appearing to the attorney general that it is not necessary to preserve the lien granted by the Colorado inheritance tax law against the hereinafter described real estate, in which the above named decedent had an interest, by virtue of the authority vested in me under the provisions of Section 66, Chapter 85, 1935 Colorado Statutes Annotated, as amended, I do hereby forever release and discharge the inheritance tax lien against the following described real estate, to-wit: LOTS 6, 9 & 15, SECTION 32 TWP 12S RANGE 97 WEST 6TH P M., AND LOT 2, IN SECTION 5, TWP 13S RANGE 97 WEST 6TH P M., TOGETHER WITH ALL WATER AND DITCH RIGHTS HELD OR USED IN CONNECTION THEREWITH AND TOGETHER WITH 15 SHS CAP STK OF THE JUANITA DITCH CO., 250 SHS CAP STK OF THE KANNAH CREEK HIGHLINE DITCH CO., AND 23 SHS STK OF THE HALLENBECK RESERVOIR #2 CO., RECORD OWNERS- CLEMMIE C COX, JOHN W COX, FRED E CLICK & ICA M CLICK, AS JOINT TENANTS, DEED RECORDED MARCH 17, 1947, BOOK 467 AT PAGE 300, MESA COUNTY, STATE OF COLORADO

Dated at Denver, Colorado, _____
DUKE W. DUNBAR,
Attorney General of Colorado.
APRIL 4, 1955
By _____
NEIL TASHER,
Assistant Attorney General.

Note—This release must be recorded in the office of the clerk and recorder of the county in which the property is situate.

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701
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875609

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122.112

20

XERO COPY

XERO COPY

State of Colorado) Recorded at ^{9:15} 878650'clock AM NOV 17 1964
County of Mesa) ss. Reception No. *Ann M. Johnston* Recorder

BOOK 876 PAGE 278

WARRANTY DEED

FRED E. CLICK and ICA M. CLICK (herein called Grantors), for and in consideration of the sum of Ten Dollars and other valuable considerations, convey, assign and transfer to the CITY OF GRAND JUNCTION, COLORADO, a municipal corporation, (herein called Grantee) the following described real estate and water rights situate and located in Mesa County, Colorado:

Lots 9 and 15 in Section 32, Township 12 South, Range 97 West, 6th P.M., and Lot 2 of Section 5, Township 13 South, Range 97 West;

Together with all improvements and appurtenances situate thereon and used in connection therewith;

and warrant title to such real estate;

Also together with all of Grantors' right, title and interest in and to any and all water and ditch rights, reservoir rights and all water rights of any kind whatsoever used on or in connection with the above described real estate including, but not limited to, all of Grantors' right, title and interest in and to:

- (i). The right to divert and appropriate water for irrigating purposes out of Kannah Creek under Stream Priority No. 16 through the Kannah Creek High-line Ditch.
- (ii). The right to divert and appropriate water for irrigating purposes out of Kannah Creek under Stream Priority No. 24 through the Kannah Creek High-line Ditch.
- (iii). The right to divert and appropriate water for irrigating purposes out of Kannah Creek under Stream Priority No. 43 through the First Enlargement of the original Juniata Ditch.
- (iv). All water diverted and appropriated from Kannah Creek in Water District No. 42 and impounded and stored in the Hallenbeck No. 2 Reservoir under Reservoir Priority No. 50.

RESERVING AND EXCEPTING to Grantors and the survivor of them a life estate in and to the real estate described herein, together with the right to retain the income derived from said real estate during the period of the life estates reserved herein;



21
Page 278
REV 22.00
Book 876
Time 9:15
NOV 17 1964

State of Colorado) Recorded at 9:55 o'clock AM Nov 23 1964
County of Mesa) ss. Reception No. 879110 Annie M. Winston Recorder

BOOK 878 PAGE 458

AGREEMENT

THIS AGREEMENT, made at Grand Junction, Colorado, by and between FRED E. CLICK and ICA M. CLICK (herein sometimes called "Sellers") and the CITY OF GRAND JUNCTION, COLORADO, a municipal corporation, (herein called "the City"), WITNESSETH:

I. WHEREAS, the Sellers are the owners as joint tenants of the following described real estate situate in Mesa County, Colorado:

Tract 1:

Lot 6 of Section 32, Township 12 South, Range 97 West, 6th P.M.; together with all improvements and appurtenances situate thereon and used in connection therewith;

and;

II. WHEREAS, the Sellers are also the owners as joint tenants of the following described real property situate in Mesa County, Colorado:

Tract 2:

Lots 9 and 15 in Section 32, Township 12 South, Range 97 West, 6th P.M., and Lot 2 of Section 5, Township 13 South, Range 97 West, 6th P.M., together with all improvements and appurtenances situate thereon and used in connection therewith;

III. WHEREAS, the Sellers are also the owners of the following described water rights which are now and have been heretofore used on and in connection with some or all of the real estate described above:

A. The right to divert and appropriate under Stream Priority No. 16 out of Kannah Creek in Water District No. 42, Mesa County, Colorado, .6375

123770

22

Book 879119

Page 458

Page 876

Page 876

Time 9:55

NOV 23 1964

No. 22. continued .

cubic feet of water per second of time through the Kannah Creek Highline Ditch. Said right has an appropriation date of January 7, 1884.

B. The right to divert and appropriate under Stream Priority No. 24 out of Kannah Creek in Water District No. 42, Mesa County, Colorado, six and 139/1000 (6.139) cubic feet of water per second of time through the Kannah Creek Highline Ditch. Said right has an appropriation date of March 8, 1908 and is represented by the Sellers' ownership of 250 shares of the capital stock of the Kannah Creek Highline Ditch Company, which shares are sometimes referred to herein as the "Highline Stock".

C. The right to divert and appropriate under Stream Priority No. 43 out of Kannah Creek in Water District No. 42, Mesa County, Colorado, fifteen one-hundredths (15/100) of one cubic foot of water per second of time through the First Enlargement of the original Juniata Ditch. Such right has an original appropriation date of September 1, 1939 and is represented by the Sellers' ownership of 15 shares of the capital stock of Juniata Ditch Company.

D. Twenty-two per cent (22%) of all water diverted and appropriated from Kannah Creek in Water District No. 42, Mesa County, Colorado, and impounded and stored in the Hallenbeck No. 2 Reservoir under Reservoir Priority No. 50 out of said Kannah Creek for 520 acre feet of water. Said right is represented by 22 shares of the capital stock of the Hallenbeck No. 2 Reservoir Company.

IV. WHEREAS, the Sellers desire to sell and the City desires to buy, upon terms and conditions set forth herein, the above described real estate and water rights, such real estate and water rights sometimes referred to herein, collectively, as the "Property and Rights";

NOW, THEREFORE, in consideration of the mutual covenants herein contained and other considerations of value, the parties agree:

No. 22. continued:

1. The closing of this transaction (herein called the "Closing") shall be at the offices of Eugene H. Mast, Esq., First National Bank Building, Grand Junction, Colorado, on the 5th day of November, 1964, at 3:00 p. m.

2. The total purchase price for the Property and Rights shall be \$27,000.00, which shall be paid as follows: The sum of \$20,000.00 shall be paid at the Closing. The remainder of the purchase price, i. e. \$7,000.00, shall be paid as provided in Paragraph 5 hereof, contemporaneously with the City's receipt of the deed for Tract 1. No interest shall be charged on the \$7,000.00 deferred balance.

3. Upon receipt of the aforementioned sum of \$20,000.00, the Sellers shall:

(a). Convey to the City marketable title to Tract 2 by warranty deed in the form customarily used in Mesa County, Colorado. Such deed shall also convey and transfer to the City the direct flow rights specified in subparagraphs A and C of Paragraph III hereof and all of the Sellers' right, title and interest, of every kind whatsoever, in and to all of the water rights specifically described in this instrument and any and all other water rights, if any, owned by Sellers and used in connection with the real estate described in Tracts 1 and 2.

(b). Transfer, assign and convey to the City, free and clear of liens or encumbrances, good and valid title to 250 shares of the capital stock of the Kannah Creek Highline Ditch Company, a corporation.

(c). Transfer and convey to the City, free and clear of liens and encumbrances, 22 shares of the capital stock of the Hallenbeck No. 2 Reservoir Company, a corporation.

(d). Transfer and convey to the City, free and clear of liens and encumbrances, 15 shares of the capital stock of the Juniata Ditch Company, a corporation.

No. 22. continued:
City marketable title to Tract 1. Such transfer and conveyance shall be by Sellers' warranty deed in the form customarily used in Mesa County, Colorado. Such deed shall be subject only to (i) the 1964 and subsequent real estate taxes, (ii) mineral reservations and leases as shown of record on or prior to July 1, 1964, (iii) zoning orders and regulations enacted by the Commissioners of Mesa County, Colorado, and (iv) a life estate in said Tract 1 to be reserved to Sellers upon the same terms and conditions and subject to the same provisions for termination as the life estate reserved with respect to Tract 2. The life estate reserved by Sellers with respect to Tract 1 shall include such rights as were acquired by Sellers from the Juniata Ditch Company as expressed in the minutes of the meeting of said Juniata Ditch Company held October 20, 1953.

(b). Contemporaneously with its receipt of said deed, the City shall pay to Sellers the balance of the sales and purchase price, i.e. \$7,000.00.

6. Real property taxes and any assessments or charges pertaining to the water rights described herein, or the shares representing such water rights, with respect to the calendar year 1964 shall be paid by Sellers. All real property taxes and assessments pertaining to Tract 2 for the year 1965 and subsequent years shall be paid by the City. All taxes and assessments levied against Tract 1 for the year 1965 and subsequent years shall be paid by Sellers for so long as Sellers are in possession of Tract 1.

7. The Sellers, for themselves, their heirs, personal representatives, successors, assigns and grantees, covenant and warrant that they will not object to any changes in points of diversion, changes in place, manner or type of use of any of

No. 22.continued:

the water rights, including the Rights described herein, then owned by the City and which take their supply of water from the North and/or Main Forks of Kannah Creek, even though and notwithstanding that such changes may adversely affect the real estate described in Tracts 1 and 2 hereof or any other real estate which is irrigated by direct flow or storage waters appropriated out of Kannah Creek which may hereafter be acquired, owned, leased or otherwise controlled by Sellers.

8. The covenants expressed herein shall survive the Closing.

9. The provisions hereof shall be binding upon the heirs, executors, administrators and assigns of the parties hereto.

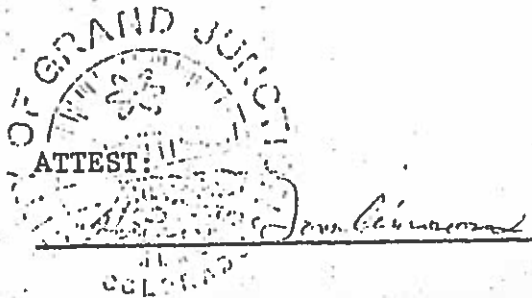
IN WITNESS WHEREOF the parties have executed this instrument on the 5th day of November, 1964.

Fred E. Click
Fred E. Click

Ica M. Click
Ica M. Click

CITY OF GRAND JUNCTION, COLORADO

By J. M. Lacy



THE TITLE GUARANTY COMPANY

A duly licensed and bonded abstractor, operating under certificate of authority granted by the State of Colorado, and whose bond is in force at the date of this certificate

Hereby Certifies

That the foregoing ⁻⁴⁻ entries numbered ⁹ to ²² constitute a true and correct abstract of all instruments on file or of record in the office of the County Clerk and Recorder of Mesa County, Colorado, affecting the title to the following described real estate located in said Mesa County, Colorado:

From August 11, 1964, at 8:00 o'clock A.M.

Lots Six (6), Nine (9) and Fifteen (15) of Section Thirty-two (32), Township Twelve (12) South, Range Ninety-seven (97) West, of the Sixth (6th) Principal Meridian. And Lot Two (2) of Section Five (5), Township Thirteen (13) South, Range Ninety-seven (97) West, of the Sixth (6th) Principal Meridian, in Mesa County, Colorado.

Dated this 5th day of January

, A.D., 19 65 , at 8 o'clock A.M.



THE TITLE GUARANTY COMPANY

By

Richard B. Williams
Authorized Signature.

THE TITLE GUARANTY COMPANY

MESA COUNTY BRANCH
531 ROOD AVENUE
GRAND JUNCTION, COLORADO

The Mesa County Abstract Company

BRANCH OF THE TITLE GUARANTY CO. OF COLORADO

Abstracts

Grand Junction, Colorado

Title Insurance

One acre (43,560 square feet) contains 160 square rods, and in rectangular form is 208 feet, 8 inches square, or 8 rods by 20 rods, 2½ rods by 64 rods, or any similar equivalent where the product is 160 square rods. Any rectangular tract, the product of the length and width of which totals 43,560 square feet, will equal one acre.

TO REDUCE FEET TO ACRES

.000023 is the reciprocal of 43,560 square feet. Multiply the number of square feet by .000023, or multiply the number of square feet by 23 and count off six places and the answer will be the number of acres.

36	31	32	33	34	35		
1	6	5	4	3	2		
12	7	8	9	10	11	12	7
13	18	17	16	15	14	13	18
24	19	20	21	22	23	24	19
25	30	29	28	27	26	25	30
36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6

50 seconds (") make 1 minute—60 minutes (') make 1 degree
 90 degrees (90°) make 1 right angle or 1 quadrant or 1 sign
 180 degrees make a straight line—360 degrees make 1 circle
 Multiply diameter times pi (3.1416) to find circumference
 Multiply circumference times .3183 to find diameter
 Diameter squared multiplied by .7851 will give area of circle
 Radius of circle is equal to one-half of diameter
 Length of arc of circle multiply by one-half of radius will give area of sector of circle.

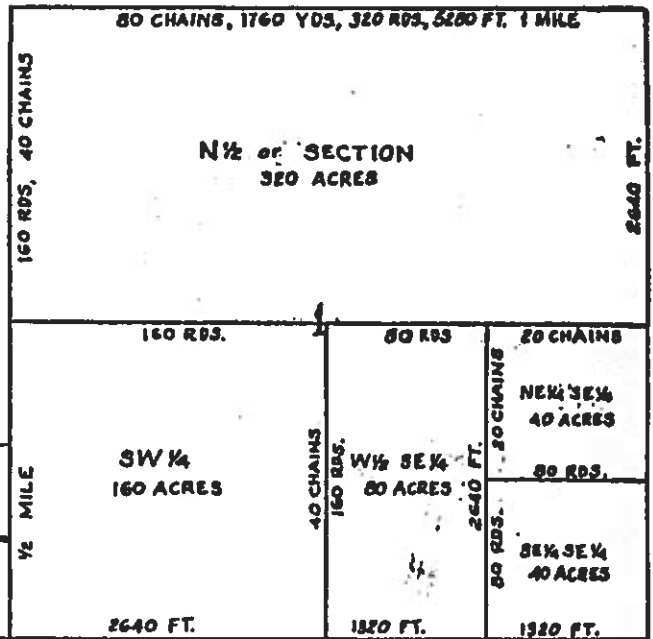


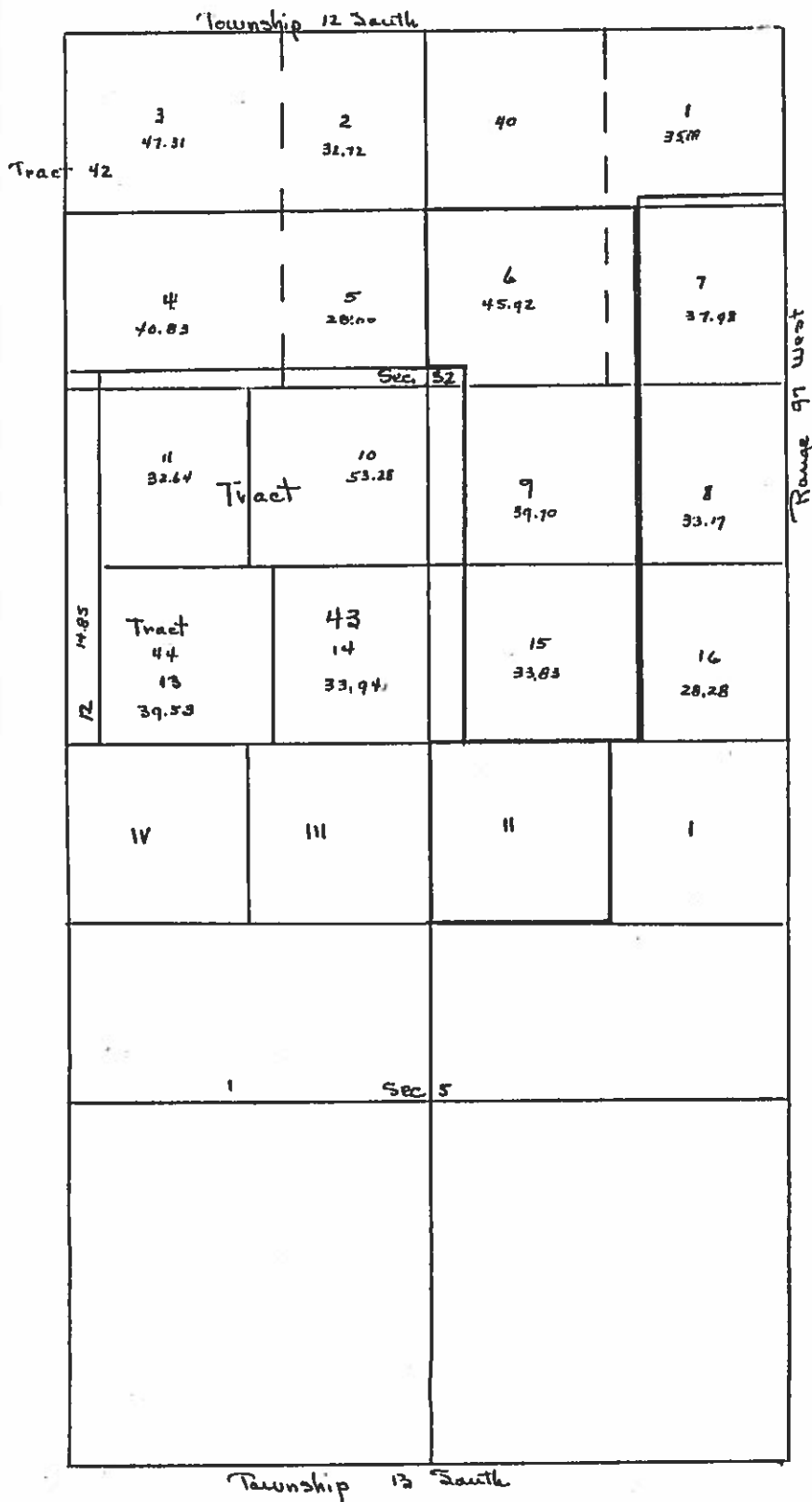
Diagram showing a Congressional township of 36 sections, with relative position of sections in adjoining townships.

LINEAR LAND MEASURE

7.92 inches, or .66 foot make 1 link
 25 links, 5½ yds., or 16½ ft. make 1 rod or perch
 100 links, 66 ft. or 4 rods make 1 chain
 80 chs., 320 rds., 1760 yds., 5280 ft., 8,000 links make 1 mile

SQUARE LAND MEASURE

144 sq. inches make 1 sq. ft.
 9 sq. ft. make 1 sq. yd.
 272¼ sq. ft., or 30½ sq. yds. make 1 sq. rod
 16 sq. rods, or 4356 sq. ft. make 1 sq. chain
 43,560 sq. ft., 4840 sq. yd., 160 sq. rd., 10 sq. chs. make 1 acre
 640 acres, or 2.59 sq. kilm. make 1 regular sec. or 1 sq. mile
 36 sq. miles make 1 regular twp.



Entry
No. 1

The above is a Plat of Section 32, Township 12 South, Range 97 West, and of Section 5, Township 13 South, Range 97 West, Sixth Principal Meridian, showing the location of the property described in the caption hereof, in Mesa County, Colorado.