

No. 43408

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# ABSTRACT of TITLE

TO

Tracts of land in Sec. 25, Twp.1N.  
R.1W. U.M.

and

in Sec. 30, 31 and 32, Twp.1N. R.1E.  
U.M. ALL in Mesa County, Colorado.

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Prepared by

**The Mesa County Abstract Co.**

Member of Colorado and American Title Associations

531 Rood Avenue

**GRAND JUNCTION, MESA COUNTY, COLO.**

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7-57-2M Wilson & Young

A B S T R A C T   O F   T I T L E  
to

No. 43408

Beginning at the East Quarter corner of Section Twenty-five (25), Township One (1) North, Range One (1) West of the Ute Meridian, thence North 840 feet, thence North 54°57' West to a point 700 feet West of the Northeast corner of the Southeast Quarter of the Northeast Quarter of said Section 25, thence West to the Northwest Corner of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 25, thence South to a point 475 feet North of the Southwest corner of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 25, thence South 54°57' East to a point 465 feet South of the East Quarter corner of said Section 25, thence North 465 feet to the point of beginning;

AND

Beginning at a point 415 feet East of the Southwest corner of the Northwest Quarter of the Southeast Quarter of Section Thirty (30), Township One (1) North, Range One (1) East of the Ute Meridian, thence North 54°57' West to a point 840 feet North of the West Quarter corner of said Section 30, thence South to the Southwest corner of the Northwest Quarter of the Southwest Quarter of said Section 30, thence East to the point of beginning;

AND

Beginning at a point 190 feet North of the Southwest Corner of the Southeast Quarter of the Northeast Quarter of Section Thirty-one (31), Township One (1) North, Range One (1) East of the Ute Meridian, thence North 55°35' East to the Northeast Corner of the South Half of the Northwest Quarter of the Northwest Quarter of Section Thirty-two (32), Township One (1) North, Range One (1) East of the Ute Meridian, thence North to the Northeast Corner of the Northwest Quarter of the Northwest Quarter of said Section 32, thence West to the Northwest corner of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 32, thence South to the Southwest corner of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 32, thence West to the Northwest corner of the Southeast Quarter of the Northeast Quarter of said Section 31, thence South to the point of beginning;

AND

Beginning at a point on the East of the Northeast Quarter of the Southeast Quarter of Section Twenty-five (25), Township One (1) North, Range One (1) West of the Ute Meridian, which is 515 feet South of the Northeast Corner of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 25, thence North 54°54' West to the West line of the Southeast Quarter of the Northeast Quarter of said Section 25, thence North 50 feet, thence South 54°54' East to the East line of said Section 25, thence South 50 feet to the point of beginning;

AND

Beginning at the Northwest Corner of the Southwest Quarter of the Northwest Quarter of Section Thirty (30), Township One (1) North, Range One (1) East of the Ute Meridian, thence South 54°57' East to the North line of the Southwest Quarter of the Southeast Quarter of said Section 30, thence West along the North line of said SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 30, 688 feet, thence North 54°57' West to the North line of the Southeast Quarter of the Northeast Quarter of Section Twenty-five (25), Township One (1) North, Range One (1) West of the Ute Meridian, thence East along said North line of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  to the point of beginning;

AND

Beginning at the Northeast corner of the South Half of the Northwest Quarter of the Northwest Quarter of Section Thirty-two (32), Township One (1) North, Range One (1) East of the Ute Meridian, thence South 55°35' West 1210 feet more or less along previously described Walker Field Airport Southeast boundary line to a point on the South line of said NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 32, thence South 89°48' West 21.42 feet along said South line, thence South 55°35' West 173.71 feet more or less along previously described Walker Field Airport Southeast boundary line to a point which is 500 feet at right angles from the projected Northwest-Southeast runway center line of said Airport, thence South 54°54' East 1373.07 feet parallel to and 500 feet from said projected center line, thence North 00°18' East 1550.88 feet more or less along East line of the West Half of the Northwest Quarter of Said Section 32, to the point of beginning;

ALL in Mesa County, Colorado.

(For plat showing the location of the property described in the caption hereof, see Entry N . 1 inside yellow cover sheet, which by this reference and notation is hereby made a part hereof.)

2. U. S. Receiver  
to  
John H. Wagner

RECEIVER'S RECEIPT #11916  
No. 546 Duplicate Series Book 13  
Dated June 27, 1891 Page 350  
Filed July 6, 1891  
At 8:30 o'clock A. M.

Received \$200.98 in full for SE $\frac{1}{4}$  NE $\frac{1}{4}$ ,  
NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 25, Twp. 1N, R. 1W and Lots 2 and 3 of quarter of Sec. 30, Twp. 1N, R. 1E, U. M.,  
160.78 acres. H. C. Fink, Receiver; Receiver's Office, Montrose, Colorado.

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3. United States  
to  
John H. Wagner

PATENT No. 546 Ute Series #21190  
Dated January 11, 1892 Book 11  
Filed June 19, 1895 Page 394  
At 8:10 o'clock A. M.

Grants:- SE $\frac{1}{4}$  NE $\frac{1}{4}$  and NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 25,  
Twp. 1N, R. 1W, Ute Meridian and Lots 2 and 3 Sec. 30, Twp. 1N, R. 1E, Ute  
Meridian, containing 160.78 acres, Colorado. 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. Subject to right of way of The Little  
Bookcliff Railway Company.

(Signed)

By the President, Benjamin Harrison,  
by E. Macfarland, Asst. Secretary, D. R.  
Roberts, Recorder of the General Land Office.

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

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4. John H. Wagner  
to  
Charles W. Winslow

WARRANTY DEED \$1,000. #11927  
Dated June 30, 1891 Book 33  
Filed July 8, 1891 Page 430  
At 11:10 o'clock A. M.

Conveys:- SE $\frac{1}{4}$  NE $\frac{1}{4}$  and NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 25,  
Twp. 1N, R. 1W and Lots 2 and 3 of quarter Sec. 30, Twp. 1N, R. 1E, Ute Meridian,  
160.78 acres, being same lands conveyed to first party by Receiver's Receipt  
No. 546, Ute Series, Montrose, Colorado. Subject to right of way of Little  
Bookcliff Railway.

Ack. July 8, 1891 before Charles R. Williams, Notary Public, Mesa County, Colorado  
(Seal) Commission expires July 25, 1894

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5. Charles W. Winslow  
to  
John H. Wagner

WARRANTY DEED \$1,000. #19540  
Dated November 23, 1894 Book 51  
Filed November 26, 1894 Page 42  
At 8:50 o'clock A. M.

Conveys:- SE $\frac{1}{4}$  NE $\frac{1}{4}$  and NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 25,  
Twp. 1N, R. 1W and Lots 2 and 3 of quarter Sec. 30, Twp. numbered \_\_\_; 160.78  
acres being same lands conveyed to John H. Wagner by H. C. Fink, Receiver of  
Land Office at Montrose, Colorado in U. S. duplicate, Receiver's Receipt No. 546,  
Ute Series, to which reference is hereby had; subject to right of way of the  
Little Book Cliff Railway.

Ack. November 23, 1894 before Henry E. Beck, Notary Public, Gunnison County,  
Colorado. (Seal) Commission expires April 14, 1898.

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6. Treasurer of Mesa County  
to  
F. F. Mead & Co.

TAX SALE \$7.03 #1688  
Dated November 26, 1894 Book F Page 173  
Sale of:-

SE $\frac{1}{4}$  NE $\frac{1}{4}$  and NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 25, Twp. 1N, R. 1W  
DEEDED to F. F. Mead, June 2, 1898.

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7. Treasurer of Mesa County TAX SALE \$5.05 #1689  
 to Dated November 26, 1894 Book F Page 173  
 F. F. Mead & Co. Sale of:-  
 SW $\frac{1}{4}$  NW $\frac{1}{4}$  and NW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 30, Twp. 1N, R. 1E  
 DEEDED to F. F. Mead, June 2, 1898

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8. John H. Wagner WARRANTY DEED \$500.00 #21191  
 to Dated June 17, 1895 Book 51  
 William Friend Filed June 19, 1895 Page 470  
 At 8:15 o'clock A. M.  
 Conveys:- SE $\frac{1}{4}$  NE $\frac{1}{4}$  and NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 25,  
 Twp. 1N, R. 1W, Ute Meridian and Lots 2 and 3, Sec. 30, Twp. 1N, R. 1E,  
 Ute Meridian, 160.78 acres, Mesa County, Colorado. Subject to Little Book Cliff  
 Railway Company right of way.  
 Ack. June 17, 1895 before Henry E. Beck, Notary Public, Gunnison County, Colorado  
 (Seal) Commission expires April 14, 1898.

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9. W. C. McCurdy, Treasurer, TREASURER'S DEED \$94.41 #27652  
 Mesa County, Colorado Dated June 2, 1898 Book 25  
 (County Treasurer Seal) Filed June 3, 1898 Page 68  
 to At 3:25 o'clock P. M.  
 F. F. Mead Whereas, the following land was subject to  
 taxation for year 1893 and whereas said taxes  
 remained due and unpaid at date of  
 sale hereinafter named and whereas said Treasurer did on Nov. 26, 1894 seperately  
 expose to public sale the said several parcels of land, and whereas, F..F. Mead  
 and Company having seperately offered to pay the sum due on each of said parcels  
 amounting in all to \$94.41 and whereas said F. F. Mead and Company assigned their  
 interest in said property Dec. 20, 1894 to F. F. Mead. Now, Therefore conveys:-  
 8 acres in SW corner of SE $\frac{1}{4}$  NW $\frac{1}{4}$  and in SW corner of NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 30, Twp. 1S,  
 R. 1W ; Also SE $\frac{1}{4}$  NE $\frac{1}{4}$  and NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 25, Twp. 1N, R. 1W ; and SW $\frac{1}{4}$  NW $\frac{1}{4}$  and  
 NW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 30, Twp. 1N, R. 1E ; (and other property), Mesa County, Colorado.  
 Ack. June 3, 1898 before H. Guy Bedwise, Notary Public, Mesa County, Colorado.  
 (Seal) Commission expires April 1, 1902.

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10. Treasurer of Mesa County TAX SALE \$3.65 #4166  
 to Dated December 8, 1898 Book E Page 174  
 Mesa County Sale of:-  
 SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 25, Twp. 1N, R. 1W  
 REDEEMED by Wm. Friend, December 11, 1899

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11. Treasurer of Mesa County TAX SALE \$3.65 #4169  
 to Dated December 8, 1898 Book E Page 174  
 Mesa County Sale of:-  
 NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 25, Twp. 1N, R. 1W  
 REDEEMED by Wm. Friend, January 11, 1900

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12. Treasurer of Mesa County TAX SALE \$3.60 #4260  
 to Dated December 8, 1898 Book E Page 184  
 Mesa County Sale of:-  
 NW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 30, Twp. 1N, R. 1E  
 REDEEMED by Wm. Friend, January 11, 1900

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13. Treasurer of Mesa County TAX SALE \$3.60 #4261  
 to Dated December 8, 1898 Book E Page 184  
 Mesa County Sale of:-  
 SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 30, Twp. 1N, R. 1E  
 REDEEMED by Wm. Friend, January 11, 1900

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14. Treasurer of Mesa County TAX SALE \$4.06 #4596  
to Dated December 26, 1899 Book H Page 27  
Delaplain & Crosby Sale of:-  
SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 25, Twp. 1N, R. 1W  
REDEEMED by Wm. Friend, January 11, 1900

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15. Treasurer of Mesa County TAX SALE \$4.06 #4597  
to Dated December 26, 1899 Book H Page 27  
Delaplain & Crosby Sale of:-  
NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 25, Twp. 1N, R. 1W  
REDEEMED by Wm. Friend, January 11, 1900

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16. F. F. Mead QUIT CLAIM DEED \$3500. #31245  
to Dated January 18, 1900 Book 56  
William Friend Filed March 8, 1900 Page 341  
At 4:25 o'clock P. M.  
Conveys:- SE $\frac{1}{4}$  NE $\frac{1}{4}$  and NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 25,  
Twp. 1N, R. 1W, Ute Meridian; Also SW $\frac{1}{4}$  NW $\frac{1}{4}$  and NW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 30, Twp. 1N, R. 1E,  
Ute Meridian, Mesa County, Colorado. The latter 80 Acres being also described  
as Lots 2 and 3 said Sec. 30.  
Ack. January 18, 1900 before James L. Pitot, Notary Public, Arapahoe County,  
Colorado. (Seal) Commission expires July 19, 1901

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17. F. F. Mead QUIT CLAIM DEED \$1.00 #33494  
to Dated December 15, 1900 Book 56  
The Denver Bond and Filed January 24, 1901 Page 413  
Security Company At 8:00 o'clock A. M.  
Conveys:- 8 acres in SW corner SE $\frac{1}{4}$  NW $\frac{1}{4}$  and  
SW corner of NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 30, Twp. 1N, R. 1E; SW $\frac{1}{4}$  NW $\frac{1}{4}$  and NW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 30,  
Twp. 1N, R. 1E; (and other property)  
Ack. December 15, 1900 before Charles E. French, Notary Public, Arapahoe County,  
Colorado. (Seal) Commission expires August 31, 1900

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18. Treasurer of Mesa County TAX SALE \$3.85 #5016  
to Dated December 30, 1899 Book H Page 75  
Mesa County Sale of:-  
SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 30, Twp. 1N, R. 1E  
REDEEMED by Wm. Friend, February 16, 1900

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19. Treasurer of Mesa County TAX SALE \$3.85 #5017  
to Dated December 30, 1899 Book H Page 75  
Mesa County Sale of:-  
NW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 30, Twp. 1N, R. 1E  
REDEEMED by Wm. Friend, February 16, 1900

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20. Charles E. French AFFIDAVIT #61902  
Filed July 24, 1906 Book 87  
At 3:05 o'clock P. M. Page 425  
Sworn, deposes and says that on September 1, 1900 he was appointed, Notary Public  
in the County of Arapahoe, Colorado under commission which authorized him to act as  
Notary Public from said date until September 1, 1904. That during all of said per-  
iod he resided at Denver, Colorado, and acted as Notary Public and that since  
Sept. 10, 1904 he has been acting as Notary Public under another commission. That on  
December 15, 1900 F. F. Mead who was personally known to him appeared before him in  
person and acknowledged that he signed, sealed and delivered as his free and volun-  
tary act for the uses and purposes set forth a deed from said Mead to The Denver  
Bond and Security Company, a corporation, conveying in consideration of \$1.00 cer-  
tain property situated in Mesa County, Colorado, as will appear by reference to said  
deed which was recorded in office of County Clerk and Recorder, Mesa County,

No. 20 continued on next sheet

No. 20 continued.

Colorado, January 24, 1901 book 56 page 413. That certificate of acknowledgment to said deed stated that commission of deponent expired August 31, 1900. That this was and is a clerical error. That Certificate should have stated that the Commission of deponent expired on September 1, 1904. That purpose of this affidavit is to make correction of date mentioned. That there is presented herewith for record a Certificate of County Clerk and Recorder of City and County of Denver formerly Arapahoe County, certifying that deponent was qualified and acting Notary Public upon date of acknowledgment of said deed. Subscribed and sworn to June 11, 1906 before Louise Thompson, Notary Public, in and for City and County of Denver.

(Seal) Commission expires April 5, 1908

Albion K. Vickery, County Clerk and Recorder, City and County of Denver, Colorado certifies that Charles E. French was on December 15, 1900 a Notary Public, in and for City and County of Denver, residing in said City and County, commissioned and qualified and authorized by laws of Colorado to take acknowledgment of deeds, etc. That all acts as such are entitled to faith and credence in all Courts of Judicature. Commission dated September 1, 1900. Expires September 1, 1904. Date of Certificate June 11, 1906. (Seal)

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21.

The Denver Bond and Security Company

ARTICLES OF INCORPORATION #183372  
Dated December 7, 1897 Filed  
Filed December 4, 1922  
At 8:05 o'clock A. M.

1. NAME: - - - - - The Denver Bond and Security Company
2. OBJECTS: - - - - - Buying, enforcing and selling tax sale certificates, and rights based on deeds and judgments decreeing the sale of real property for the collection of taxes due thereon: - - - of acquiring by lease, purchase or otherwise such property real, personal, or mixed as may be necessary for the carrying out of the above objects. (and other objects)
3. CAPITAL STOCK: - - - Shall be \$100,500 to be divided into 100,500 shares of \$1.00 for each share, non-assessable.
4. TERM: - - - - - Twenty years.
5. AFFAIRS AND MANAGEMENT: - To be under the control of a board of 5 directors.
6. OPERATIONS: - - - - - Of said company will be carried on in the County of Arapahoe in the State of Colorado and in such other counties in the State of Colorado as may from time to time be designated, the principal place of business shall be located in the City of Denver, Arapahoe County, Colorado and operations will be carried on in such other states and territories of the United States as may from time to time be designated.

7. The Board of Directors shall have power to make such prudential by-laws as they may deem proper.  
(Signed) William Church, John B. Church, Charles Boettcher, Frank F. Mead.  
Ack. December 18, 1897 by above incorporators before Charles T. Macy, Notary Public, Arapahoe County, Colorado.

(N. P. Seal) Commission expires November 7, 1899

Certificate of true transcript attached Dec. 1, 1922 by Carl S. Milkien, Secretary of State by Chas. W. Armstrong, Deputy. (State of Colorado Seal)

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22.

R. A. Matthews  
to  
Grand Valley Water  
Users Association

SUBSCRIPTION OF STOCK #104955  
Dated \_\_\_\_\_ 190 Book 130  
Filed February 21, 1912 Page 290  
At 9:32 o'clock A. M.  
Subscribed for 100 shares of stock of  
The Grand Valley Water Users' Association.

(Under the terms of the Articles of Incorporation, a copy of which is made a part of this instrument) to be inseparably appurtenant to the following real estate: The NE $\frac{1}{4}$  SW $\frac{1}{4}$ , The N $\frac{1}{2}$  and SE $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 24, The E $\frac{1}{2}$  and SW $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 25, all in Twp. 1N, R. 1W of the Ute P. M., Mesa County, Colorado.  
Ack. February 1912 by R. A. Matthews before William Milne, Notary Public, Mesa County, Colorado.

(N. P. Seal) Commission expires March 7, 1914.

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23.

William Friend  
to  
The Grand Valley  
Water Users Assn.

CONTRACT \$1.00  
Dated February 20, 1905  
Filed March 3, 1908  
At 8:06 o'clock A. M.

#73331  
Book 129  
Page 6

Contracts to pay for water to be supplied  
to:- SE $\frac{1}{4}$  NE $\frac{1}{4}$  and NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 25, Twp. 1N,  
R. 1W, U.M.; and SW $\frac{1}{4}$  NW $\frac{1}{4}$  and NW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 30,  
Twp. 1N, R. 1E, U.M.; and places said lands in trust to secure such payment,  
(and other provisions).

Ack. February 20, 1905 before W. S. Wallace, Notary Public, Mesa County, Colorado  
(Seal) Commission expires Dec. 9, 1907.

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24.

The Grand Valley Water  
Users' Association

ARTICLES OF INCORPORATION  
Dated February 7, 1905  
Filed February 23, 1905  
At 9:30 o'clock A. M.

#53297

Article I. The name of this corporation shall be and is The Grand Valley  
Water Users' Association.

Article II. (Here follows the names of the Incorporators)

Article III. The Principle place of transacting the business of the Associa-  
tion shall be at Grand Junction, Mesa County, Colorado.

Article IV. Sec. 1. The purpose for which this Association is organized - -  
furnish, provide for and distribute to the lands of the share-  
holders of the Association - - water for the irrigation thereof,  
to own, use, sell, transfer, convey, etc., property both real  
and personal etc. (other objects)

Article V. The capital stock shall be \$75,000.00, divided into 75,000  
shares of par value of \$1.00 each said stock shall be assessable etc.  
(Other articles and Sections)

Signed by the Incorporators, Lawrence M. Miller, S. P. Green, H. H. Beach,  
John T. Beaman, George Smith, Marion O. Delaplain, William S. Wallace, James H  
Smith, Merrill W. Blakslee and James B. Hunter.

Ack. February 7, 1905 by the above incorporators before William A. Marsh,  
Notary Public, Mesa County, Colorado.  
(N. P. Seal) Commission expires January 7, 1909

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25.

The Grand Valley Water  
Users' Association

AMENDMENT TO ARTICLES  
OF INCORPORATION  
Filed September 14, 1912  
At 3:00 o'clock P. M.

#108857  
Filed

Certificate of W. S. Wallace, President and D. W. Aupperle, Secretary of The  
Grand Valley Water Users' Association (Corporate Seal) dated September 14,  
1912, that at a meeting of the Board of Directors of said Association on  
August 15, 1912, the following resolution was adopted: - - That a special  
meeting of the stockholders of The Grand Valley Water Users' Association be  
called to be held at the office of the Association September 14, 1912 at 10:00  
o'clock A. M. for the purpose of voting on the question of amending Sec. 3 of  
Article VI of the Articles of Incorporation of said Association, so that it may  
read as follows: Assessments for the cost, operation, maintenance and repair  
of the works owned, controlled or to be maintained by the Association shall be  
equitably assessed against all the share holders in proportion to the number of  
shares held by them respectively. That said special meeting was called. That  
said meeting was held at the office of the Association in the City of Grand  
Junction, Colorado, September 14, 1912. That at said meeting votes represent-  
ing two-thirds of all the stock of said Association were cast in favor of the  
adoption of the proposed change.

Ack. September 14, 1912 by W. S. Wallace, President and D. W. Aupperle, Secre-  
tary of The Grand Valley Water Users' Association before Marion O. Delaplain  
Notary Public, Mesa County, Colorado. F. Hunter.

Ack. February (N. P. Seal) above Commission expires September 15, 1914  
Notary Public, Mesa County, Colorado.  
(N. P. Seal) Commission expires January 7, 1909

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THE  
MESA COUNTY  
ABSTRACT CO.  
GRAND JUNCTION  
COLORADO



26.

Walter L. Fisher, Secretary  
of the Interior for and on  
behalf of the United States  
of America  
to  
The Grand Valley Water  
Users' Association

CONTRACT

Dated February 13, 1913  
At 11:10 o'clock A. M.  
Filed August 5, 1913  
At 11:00 o'clock A. M.

#115142  
Book 175  
Page 532

Provides: That if the Secretary of the  
Interior shall authorize and cause the  
construction of said Irrigation works, the  
said association will take action to se-

ecure the determination by the courts of the relative rights to the use of water  
for said lands- - That the Water Users' Association guarantees the payment to  
the United States of the cost of the irrigation works as apportioned by the  
Secretary of the Interior against land of its shareholders, and also cost of  
operation and maintenance as assessed from year to year by the Secretary of  
Interior etc.

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27.

George A. Nahstoll  
to  
The Grand Valley Water  
Users' Association

SUBSCRIPTION OF STOCK  
Dated March 6, 1912  
Filed March 8, 1912  
At 10:30 o'clock A. M.

# 105378  
Book 183  
Page 310

Subscribed for 160 shares of stock of  
The Grand Valley Water Users' Association.

(Under the terms of the Articles of Incorporation, a copy of which is made a  
part of this instrument) to be inseparably appurtenant to the following real  
estate:

SE $\frac{1}{4}$  NW $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$  and N $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 30, in Twp. 1N, R. 1E of the  
Ute Meridian, containing 160 acres, Mesa County, Colorado.  
by George A. Nahstoll  
Ack. March 6, 1912/ before Marion O. Delaplain Notary Public, Mesa County,  
Colorado. (N. P. Seal) Commission expires Sept. 15, 1914.

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28.

The Grand Valley Water  
Users' Association

CERTIFICATE OF EXTENSION  
Filed April 11, 1925  
At 10:31 o'clock A. M.

#209483  
File #1538

State of Colorado, County of Mesa, SS

Certifies that a special meeting of the stockholders of said Association duly  
held in the Court Room of the County Court House at Grand Junction, Mesa  
County, Colorado, February 17, 1925 the following resolution was adopted:  
"Resolved that the corporate existence of The Grand Valley Water Users' Asso-  
ciation, a corporation be extended for a period of 20 years from the date of  
the expiration of the present charter and so continuing the same as if origin-  
ally incorporated." That said meeting was called and due and legal notice  
given in manner required by law and that at such meeting a majority of the  
entire outstanding capital stock was represented. That the said resolution  
was adopted by a majority vote of the entire outstanding/capital stock of said Asso-  
ciation.

Signed March 21, 1925 by C. E. Blumenshine, President, Attest: M. Ethel Cox,  
Secretary. (Corporate Seal)  
Subscribed and sworn to March 28, 1925 before Delmar B. Wright, Notary Public,  
Mesa County, Colorado.

(N. P. Seal) Commission expires July 1, 1928

What appears to be duplicate of this instrument was filed May 24, 1938 at 11:10  
o'clock A. M. File #3069. Reception No. 337413

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29.

The Grand Valley Water Users' Association

CERTIFICATE OF AMENDMENT  
Filed August 8, 1930  
At 10:30 o'clock A. M.

#254831  
File #1901

Certificate dated June 9, 1930 of

W. S. Wallace, President, Attest D. W. Aupperle, Secretary of The Grand Valley Water Users' Association (Corporate Seal) that they as President and Secretary on Jan. 14, 1913 state: That at the regular meeting of the shareholders of said Association held Jan. 14, 1913, the following proposed amendments were read; that 18,310 votes representing more than 2/3 of the shares of said Association, were polled, all cast in favor of said amendments; that said President and Secretary were authorized to file certificate necessary to carry in effect the changes adopted. Amends Art. III as to names of incorporators. Amends Art. V. Sec. 2 "Only those who are owners of lands or occupants of public lands having initiated a right to acquire the same shall be qualified to own shares of this Association. That not more than one share shall be allowed for each acre of land, but fractional shares may be issued for fractional acres." Sec. 4. "If shareholder or his successor should fail to make prompt application for such water right -- he shall be liable to the United States for water right charges levied by the Secretary of the Interior and the Association -- until such charges are fully paid they shall be a lien upon such lands and shares and the said lien shall be enforced by foreclosure and sale of said lands and shares of stock" Sec. 5. (To be stricken out). Art. VI. Sec. 5. "Calls and assessments shall be made and levied -- by Board of Directors, Assessments may be levied against such shares of stock as are appurtenant to the lands for which excess charges shall be levied by the Secretary of the Interior; when all payments required for such water rights shall have been made and evidence of the perfection of such water rights has been issued his stock shall be deemed to have been fully paid up, -- Secs. 4 & 5 refer to assessments. Art. XI Sec. 1 refers to acquirement of irrigation system etc. Art. XIII. refers to corporate indebtedness. Art. XV Sec. 2 refers to rights of way. Sec. 3 Refers to damages to property.

Ack. July 10, 1930 by W. S. Wallace, who was on Jan. 14, 1913, President of The Grand Valley Water Users' Association before Mary Bel Ward, Notary Public, City and County of Denver, Colorado.

(N. P. Seal)

Commission expires April 9, 1934.

Affidavit attached July 22, 1930 by W. S. Meek, President of The Grand Valley Water Users' Association, that he has examined the minutes of meeting above referred to and the above statements are correct.

Subscribed and Sworn to July 22, 1930 before Virginia O. Wallace, Notary Public, Mesa County, Colorado.

(N. P. Seal)

Commission expires April 9, 1934.

Certificate of true copy attached, July 30, 1930 by Chas. M. Armstrong, Secretary of State of Colorado by A. G. Snedeker, Deputy. (State of Colorado Seal)

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30.

The Grand Valley Water Users' Association

AMENDMENT  
Filed January 30, 1929  
At 3:10 o'clock P. M.

#242293  
File #1825

To Amend Sec. 1 of Article IV to read as

follows: To purchase or acquire land by foreclosure or otherwise and to hold, own, sell, transfer or convey such land, any such sale, transfer or conveyance to be upon such terms and conditions as may be fixed by the Board of Directors of this Association. (and other objects). To amend Article V by omitting therefrom Sections 3, 4 and 12. (Amends other Articles and Sections). Amendment adopted at Annual Meeting of Stockholders held Jan. 8, 1929 by more than 2/3 vote.

(Signed) W. S. Meek, President, Attest: W. W. Russell, Secretary. (Corporate Seal)  
Subscribed and Sworn to Jan. 24, 1929 by W. S. Meek, President and W. W. Russell, Secretary of the Grand Valley Water Users' Association before Charles M. Holmes, Notary Public, Mesa County, Colorado.

(N. P. Seal)

Commission expires June 20, 1931

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31.

The Grand Valley Water Users' Association

CERTIFICATE OF AMENDMENT

#455876

Filed December 17, 1946

Filed #3444

At 10:28 o'clock A. M.

State of Colorado, County of Mesa SS

Certificate of W. J. Baker, President and

C. E. Blumenshine Secretary of the Grand Valley Water Users' Association, a corporation organized under the laws of the State of Colorado---that at a special meeting of the stockholders of said Association, duly held in the Labor Temple of the City of Grand Junction, Mesa County, Colorado, on February 20, 1945 Resolution was adopted renewing and extending the corporate life of the Grand Valley Water Users' Association to and including February 1, 2031. --- (Signed) W. J. Baker, President, Attest: C. E. Blumenshine, Secretary (Corporate Seal).

Subscribed and sworn to August 28, 1945 before Mary Alice Sullivan, Notary Public (N. P. Seal) Commission expires Mar. 23, 1947.

Certificate of true copy of Certificate of Renewal of the Certificate of Incorporation of The Grand Valley Water Users Association attached September 11, 1945 by Walter F. Morrison, Secretary of State By Earl E. Ewing, Deputy, United States of America, State of Colorado. (State of Colorado Seal)

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32.

Christina E. Friend and Harry W. Friend

MORTGAGE \$2493.40

#133601

Dated September 10, 1916

Book 152

Filed October 12, 1916

Page 574

to

At 8:00 o'clock A. M.

The Gunnison Bank and Trust Company

Conveys:- The SE 1/4 NE 1/4 and NE 1/4 SE 1/4 Sec. 25 Twp. 1N, R. 1W, Ute Mer. and Lots No. 2 and 3 of Sec. 30, Twp. 1N, R. 1E, Ute Mer.

together with all improvements thereon; Subject to the Right of way of the Little Book Cliff Ry. Company. Also com. at the S.E. corner of the NE 1/4 NW 1/4 of Sec. 15, Twp. 1S, R. 1W, Ute Mer. running thence West 412 feet; thence N 40° W along the Right of Way of the D & R G R.R. Company's R.R. tract, 840 feet; thence due East 963 feet to the East boundary line of the NW 1/4 of said Sec. 15, Twp. 1S, R. 1W, Ute Mer. thence South 634 feet to the place of beginning, containing 10 acres, more or less; also all that part of the SW 1/4 SW 1/4 NE 1/4 of Sec. 15, Twp. 1S, R. 1W, Ute Meridian, lying North and East of the County Road and the D & R. G. R.R. Right of Way; also commencing at the center of the SW 1/4 NE 1/4 of said Sec. 15, thence East 170 feet; thence South 590 feet; thence West 170 feet; thence North 590 feet to the place of beginning; Also the NW 1/4 SE 1/4 NE 1/4 of said Sec. 15; also all that part of the N 1/2 SW 1/4 of said NE 1/4 lying North and East of the County road; also commencing at the Northeast corner of the NW 1/4 NE 1/4 of said Sec. 15, thence South 690 feet for a place of beginning; thence West to a point 1049 links East of the West line of said NW 1/4 NE 1/4; thence S to S line of said NW 1/4 NE 1/4 thence East to the Southeast corner of said NW 1/4 NE 1/4; thence North to place of beginning. EXCEPT a strip commencing 170 feet East of the center of said NW 1/4 NE 1/4 thence South 1320 feet; thence East 30 feet; thence North 1320 feet; thence West 30 feet to beginning. EXCEPT Also, commencing 30 feet West of the NE corner of the SE 1/4 NW 1/4 NE 1/4 of said Sec. 15, thence West 430 feet; thence South 202 1/2 feet; thence East 430 feet; thence North 202 1/2 feet to place of beginning, all of said land being in the NE 1/4 Sec. 15, Twp. 1S, R. 1W, Ute Meridian. Also Certificate No. 1671 of the Grand Valley Irrigation Company for 64 shares of the Capital stock. Also all ditches or ditch rights or water or water rights used or belonging to any of the above described parcel of land, in Mesa County, Colorado. Secures one note for the sum of \$2493.40 bearing even date herewith, payable one year after date with interest thereon from the date thereof until paid at 8% per annum, payable annually. Ack. September 19, 1916 before Winfield S. Henderson, Notary Public, Gunnison County, Colorado. (N. P. Seal) Commission expires Oct. 2, 1918.

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Treasurer of Mesa County

TAX SALE \$21.65

#19108

to

Dated December 14, 1917 Book R Page 25

Mesa County

Sale of:-

SE 1/4 NE 1/4 and NE 1/4 SE 1/4 Sec. 25, Twp. 1N, R. 1W

REDEEMED by Gunnison Bank & Trust Co., September 22, 1920.

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33.



34. Treasurer of Mesa County  
to  
Mesa County

TAX SALE \$12.80 #19109  
Dated December 14, 1917 Book R. Page 25  
Sale of:-  
SW $\frac{1}{4}$  NW $\frac{1}{4}$  and NW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 30, Twp. 1N, R. 1E  
REDEEMED by Gunnison Bank & Trust Co., September 22, 1920.

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35. Treasurer of Mesa County  
to  
Mesa County

TAX SALE \$13.00 #23336  
Dated December 22, 1922 Book V Page 47  
Sale of:-  
SW $\frac{1}{4}$  NW $\frac{1}{4}$  and NW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 30, Twp. 1N, R. 1E  
REDEEMED by Gunnison Bank & Trust Co., August 13, 1923.

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36. Treasurer of Mesa County  
to  
Mesa County

TAX SALE \$12.20 #23337  
Dated December 22, 1922 Book V Page 47  
Sale of:-  
SE $\frac{1}{4}$  NE $\frac{1}{4}$  and NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 25, Twp. 1N, R. 1W  
REDEEMED by Gunnison Bank & Trust Co., August 13, 1923

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37. The Gunnison Bank and  
Trust Company, a corporation,  
Plaintiff  
vs.  
Harry W. Friend, Harry W.  
Friend, as the sole and only  
devisee and legatee under  
the Last Will and Testament  
of Christina E. Friend,  
Deceased, C. W. Winslow, as  
Administrator with will annexed  
of the estate of Christina E.  
Friend, Deceased, Defendants.

LIS PENDENS #217305  
Filed February 5, 1926 Book 295  
At 10:00 o'clock A. M. Page 87  
State of Colorado, County of Mesa SS  
In the District Court  
To the above named defendants and to  
Whom it May concern, Greetings: Notice  
is hereby given, That the above named  
plaintiff has commenced an action against  
the above named defendants for the purpose  
of foreclosing mortgage deed given by  
Christina E. Friend and Harry W. Friend  
to the Gunnison Bank and Trust Company on  
the 10th day of Sept. 1916, and recorded on  
Oct. 12, 1916 in Book 152 at Page 574 of

the public records of Mesa County, Colorado in the office of the County Clerk  
and Recorder of said County and State. Said Mortgage covering the real estate  
lying and being in the County of Mesa, State of Colorado and described as follows  
The SE $\frac{1}{4}$  NE $\frac{1}{4}$  and the NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 25, in Twp. 1N, R. 1W, Ute Meridian and the  
Lots numbered 2 and 3 of Sec. 30 in Twp. 1N, R. 1E. Ute Meridian, containing  
160.78 acres together with all improvements thereon, subject to the right of way  
of the Little Book Cliff Railway Company, (and other property). Also Certificate  
#1671 of the Grand Valley Irrigation Company for 64 shares of its capital stock.  
Also all ditches or ditch rights, or water or water rights used or belonging to any  
of the above described parcels of land. And to obtain a decree foreclosing the  
aforesaid mortgage Deed according to the usual practice of the District Court of  
the County of Mesa, Colorado and that said mortgage be declared to be a first  
and prior lien upon said property; that the defendants and each of them and all  
persons claiming any right, title or interest in and to said premises under or through  
said defendants or any of them, in any manner at all before closed of any and all  
right, title or interest in or to said premises or any part thereof, and to obtain  
such other and further and different relief in the premises as to the Court may seem  
just and proper. The Gunnison Bank and Trust Company, a corporation, Plaintiff  
by Clifford H. Stone, Attorney.

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38. The Gunnison Bank & Trust  
Company, a corporation, Plaintiff  
vs  
Harry W. Friend, Harry W. Friend  
as the sole and only Devisee and  
Legatee under the Last Will and  
Testament of Christina E. Friend,  
deceased. C. W. Winslow, as Ad-  
ministrator with Will Annexed of  
the Estate of Christina E. Friend,  
Deceased, Defendants  
and the defendant Harry W. Friend, appearing by Elam B. Underhill, Esq., his

JUDGMENT AND DECREE #219653  
Dated April 22, 1926 Book 295  
Filed May 13, 1926 Page 258  
At 3:00 o'clock P. M.  
State of Colorado, County of Mesa, SS  
In the District Court, #4497  
Now on this day the above entitled matter  
comes on for hearing before the Judge of the  
Court in Chambers in Grand Junction, Colo-  
rado, on the application of plaintiff for  
judgment and decree, the plaintiff appearing  
by Clifford H. Stone, Esq., his attorney,  
and the defendant Harry W. Friend, appearing by Elam B. Underhill, Esq., his

No. 38 continued on next sheet

No. 38 continued.

Guardian Ad Litem by appointment of this Court, and the Defendant, C. W. Winslow, not appearing either in person or by counsel. And it appearing to the Court, 1. That summons in this cause was duly issued under the seal of this Court by the Clerk thereof and duly executed and regularly served by the Sheriff of the County of Chaffee, Colorado, on Feb. 9, 1926, upon the defendant, Harry W. Friend, by handing to and leaving with said Harry W. Friend, personally, in the County of Chaffee, Colorado, a true copy of said summons, together with a copy of the complaint therein thereto attached. 2. That alias summons in this cause was duly issued under the seal of the Court by the Clerk thereof, and duly executed and regularly served by the Sheriff of Gunnison County, Colorado, on Feb. 11, 1926 upon the defendant, C. W. Winslow, by handing to and leaving with said defendant personally in Gunnison County, Colorado, a true copy of said summons, together with a copy of the complaint therein thereto attached. 3. That service of summons was made in all respects as required by law on each and every defendant herein named and that the time provided by law for the said defendants to plead or answer has expired. 4. That upon the application of plaintiff and the showing herein made, that the defendant, Harry W. Friend, had been, and may now be of unsound mind, the Court appointed Elam B. Underhill, an attorney of this Court, as Guardian ad litem for the said defendant, and that the said Guardian ad litem did heretofore and within the time allowed by law file his answer accepting such appointment and placing plaintiff upon his proof. And the said Elam B. Underhill appearing at this hearing as hereinabove stated. And that the said Elam B. Underhill does appear herein as Guardian ad litem and in behalf of the said Harry W. Friend in his individual capacity and as the sole and only devisee and legatee under the last Will and Testament of Christina E. Friend, deceased. 5. That no appearance has been made herein, and no pleading, demurrer or answer to the complaint herein has been made or filed by C. W. Winslow Administrator with Will Annexed of the Estate of Christina E. Friend, deceased, or by any person or persons claiming to be interested in the premises described in the complaint, except the answer filed by said guardian ad litem. 6. That the default of the defendant C. W. Winslow, as Administrator with Will Annexed of the estate of Christina E. Friend, deceased, has been duly entered by the Clerk of this Court. And Having considered the pleadings and all the papers herein and the evidence introduced in support of the allegations of the complaint, including the principal notes and real estate mortgage sought to be foreclosed, And being fully advised in the premises, Doth Find as Follows; 1. That all material allegations of the complaint herein are true and that the equity of this cause is with the plaintiff. 2. That Christina E. Friend died on Nov. 18, 1922, leaving a Last Will and Testament; that said Last Will and Testament was duly admitted to probate on Dec. 30, 1922 and that under the terms and provisions of said Will, the defendant, Harry W. Friend, is the sole and only devisee and legatee; and that the defendant C. W. Winslow, is now, and every since February 8, 1923, has been the duly appointed, qualified and acting Administrator with Will Annexed of the estate of Christine E. Friend, deceased. That the plaintiff, The Gunnison Bank and Trust Company, has filed its two claims for the indebtedness evidenced by its two notes set out in its complaint, and secured by the real estate mortgage mentioned in said complaint, in the County Court of Gunnison County, Colorado, where the estate of said Christina E. Friend is in the course of administration. That both of said claims were filed on May 21, 1923; that both of said claims were allowed by said County Court of Gunnison County, Colorado, on May 21, 1923, for the amount then due on the same and that both of said claims were presented and allowed on Adjustment Day in said Estate, being less than one year from the date of the appointment of the Administrator said estate and that said estate is now in the course of Administration and has never been released. 3. That the defendant, Harry W. Friend, and the estate of Christina E. Friend, deceased, or either Harry W. Friend, individually, or the said estate are indebted to the plaintiff in the sum of \$2025.28; that \$1496.87 is the principal sum evidenced by the two promissory notes set out in the complaint herein, together with interest as provided in notes to Apr. 22, 1926, which is secured by and under the real estate mortgage dated Sep. 10, 1916, said mortgages being described in the complaint and covering the following described real estate situate in Mesa County, Colorado, and described as follows: The SE $\frac{1}{4}$  NE $\frac{1}{4}$  and the NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 25, Twp. 1N, R. 1W, Ute Meridian and the Lots numbered 2 and 3 of Sec. 30, in Twp. 1N, R. 1E, Ute Meridian, containing 160.75 acres (and other property) Also certificate #1671 of the The Grand Valley Irrigation Company for 64 shares of its Capital stock. Also all ditches or

No. 38 continued on next sheet



No. 38 continued.

ditch rights or water or water rights used or belonging to any of the above described parcels of land. That said mortgage was recorded on Oct. 12, 1916 and appears in Book 152 at page 574 of the Public Records in the office of the County Clerk and Recorder of Mesa County, Colorado. That the sum of \$415.13 of the said sum of \$2025.28, as above mentioned, is now due for taxes and interest thereon, paid by the plaintiff, as alleged in his complaint, and under the terms of said real estate mortgage, such sum is secured thereby; and that the sum of \$113.28 is attorney fees due under the terms of said real estate mortgage and should be recovered by the plaintiff and included in any judgment and decree entered in favor of said plaintiff and should be so much additional indebtedness secured by said real estate mortgage. 4. That on or about Nov. 23, 1916, Christina E. Friend, now deceased, and Harry W. Friend, sold a portion of the real estate hereinabove described and contained in said Mortgage deed and all money derived from such sale was paid to the plaintiff, and the portion of said lands so sold was released from encumbrance of said mortgage deed, the land so released lying in Mesa County, Colorado, and being (Land not under examination). 5. That the real estate mortgage given as security to secure the said indebtedness is a good and valid first lien and claim upon the lands, premises and water rights described in said real estate mortgage, with the exception of the lands released therefrom as set out in paragraph 4, and that the interest, right or claim of the defendants and the estate of Christina E. Friend deceased, and each or any of them, or the interest, right or claim of any person or persons claiming under said defendants or under or through said estate or each or any of them, is inferior, subordinate and subject to the real estate mortgage hereinabove set out. 6. That as further security for the principal indebtedness, taxes, interest and charges hereinabove mentioned, the defendants, Harry W. Friend and Christina E. Friend, now deceased, assigned in blank and delivered to the plaintiff certificate #1671 for 64 shares of stock in the The Grand Valley Irrigation Company; that on or about Nov. 23, 1916, when a portion of the land described in the real estate mortgage was sold, the said certificate #1671 was surrendered and a certificate issued to the purchaser of said land for 20 shares and a certificate issued to Harry W. Friend for 44 shares, the certificate issued to Harry W. Friend being #5774; and that said certificate #5774 in the Grand Valley Irrigation Company was assigned in blank by said Harry W. Friend and delivered to plaintiff in lieu of and for said certificate #1671 and that the Bank is now the holder and in possession of said certificate. That in addition to the said certificate of stock mentioned in said real estate mortgage, the defendant, Harry W. Friend, after the said mortgage was drawn, assigned in blank and delivered to the plaintiff as further security for said indebtedness mentioned in said real estate mortgage, certificate #1224 for 20 shares in the Grand Valley Irrigation Company; that said certificate #1224 was issued to William Friend on June 5, 1900 and came into possession of Christina E. Friend, deceased, under and by virtue of the Last Will and Testament of William Friend, now deceased; and that said certificate #1224 is now in the possession of said Bank. That the mortgage hereinabove mentioned provides that all ditch and water rights used or belonging to anu, hereinabove described, shall be included in said mortgage; and that the certificates of stock hereinabove mentioned were assigned and delivered as aforesaid for the purpose of effectuating said provisions of the mortgage. It is Therefore Ordered, Adjudged and Decreed by The Court; That the plaintiff do have and recover of and from the defendant Harry W. Friend, and the estate of Christina E. Friend, deceased, the sum of \$2025.28, together with interest at the rate of 8% per annum from this day until paid, and its costs in this behalf laid out and expended, to be taxes, raised and paid out of the lands and premises described in the real estate mortgage hereinabove mentioned and set out in the complaint herein. It is further ordered, adjudged and decreed that all and singular the lands and premises and ditch and water rights evidenced by the above mentioned certificates of stock hereinabove described and situate in Mesa County, Colorado, to-wit: The SE $\frac{1}{4}$  NE $\frac{1}{4}$  and the NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 25, Twp. 1N, R. 1W, U.M. and the Lots numberes 2 and 3 of Sec. 30 in Twp. 1N, R. 1E, U. M. containing 160.75 acres, together with all improvements thereon, subject to the right of way of the The Little Book Cliff Railway Company, (and other property) Also Certificate #1671 of the Grand Valley Irrigation Company for 64 shares of its capitol stock. Also all ditches or ditch rights or water or water rights used or belonging to any of the above described parcels of land, or so much as is necessary to satisfy the above mentioned indebtedness, be sold to the highest and best bidder for cash in hand at the S door of the County Court house in the City of Grand Junction, Mesa County, Colorado, and that such Sheriff execute this judgment and decree and make said



No. 38 continued.

sale and that a certified copy hereof be attached to and made a part of the writ of Special Execution to be issued by the Clerk of this Court commanding the said Sheriff to execute this decree according to its terms. That said Sheriff give public notice of the time and place of said sale according to the course and practice of this Court, and the law relating to the sale of real estate under execution, and that he made said sale in accordance therewith; that the plaintiff, or any other party to this suit may become a purchaser of said sale; that said sheriff in making such sale execute a certificate of purchase, according to law, to the purchaser or purchasers of said land, premises and water rights, which certificate shall specify the land, tenements and water rights purchased by said purchaser and the sum paid therefor and the time when any such purchaser will be entitled to a deed for such lands, tenements and water rights unless the same shall be redeemed according to law; and that said Sheriff also file in the office of the Clerk and Recorder of said Mesa County, a duplicate of such certificate of purchase, according to law, and the course of practice of this Court in the sales of real estate under execution. That the said Sheriff out of the proceeds of such sale retain his lawful fees, disbursements and commission on such sale, and that he pay first the costs of this suit, and that out of the remainder of said proceeds, he shall next pay and discharge all taxes and assessments then a lien upon said land and premises and redeem the same from any sales heretofore made; and that out of the then remainder of said proceeds of sale, he pay the plaintiff the aforesaid indebtedness of \$2025.28, together with legal interest thereon from the date of this decree to the date of sale, or if said remainder be insufficient to pay the whole of said amounts, as aforesaid, then that he apply said remainder to the extent to which it may reach in satisfaction of said amounts and interest. That in case said land and premises shall sell for more than sufficient to pay the aforesaid amounts decreed to be due and owing said plaintiff, then said Sheriff, after making the aforesaid payments, shall bring such surplus moneys into this Court without delay to abide the further order of this Court. It is further ordered, adjudged and decreed that upon the sale of the above described land and water rights, the Sheriff include in the certificate of sale delivered to the purchaser of said property, and all water and water rights, ditch and ditch rights used with and appurtenant to said land for irrigation and domestic purposes, particularly as evidenced by stock certificate #5774, for 44 shares of stock and stock certificate #1224 for 20 shares of stock in the Grand Valley Irrigation Company; that upon the expiration of the period of redemption, if no redemption of said property is had and a deed is issued to the purchaser of the same, as provided by law, the Sheriff shall include in said deed any and all water and water rights, ditch and ditch rights used with and appurtenant to said land for irrigation and domestic purposes, particularly as evidenced by stock certificate #5774, for 44 shares of stock and stock certificate #1224, for 20 shares of stock in the Grand Valley Irrigation Company; and that upon the delivery of said deed by the Sheriff, as aforesaid, he shall assign and deliver said certificates of stock to the purchaser or purchasers thereof. And it is further ordered, adjudged and decreed That the defendants, and each of them, and all persons claiming, by through or under them, or under said estate of Christina E. Friend, deceased, and all persons having liens subsequent to the aforesaid real estate mortgages and all persons having any lien or claim by or under any judgment or decree subsequent to said mortgages, and their heirs and personal representative, be forever barred and foreclosed of all equity of redemption or any right, claim or interest of, in or to said lands, and premises and water rights, or any part thereof, if the same are not redeemed according to law, and, if the same are not redeemed according to law, then at the expiration of 9 months, next after the day of sale, upon production to the said Sheriff of Mesa County, of the certificate of purchase executed by the said Sheriff as aforesaid to the purchaser of said mortgaged premises, by the said purchaser, his representatives or assigns, the said Sheriff, make, execute and deliver to such purchaser good and sufficient conveyance of said land and premises. And it is further ordered, adjudged and decreed That the said Sheriff take receipts from the respective parties to whom he may have made payments as aforesaid, and file the same together with the report of sale and that he make return of the said writ and this decree to this Court as soon as may be after said sale. And it is further ordered, adjudged and Decreed that the purchaser or purchasers of said mortgaged premises, and water rights, at such sale be let into the possession thereof at the expiration of the period of redemption and that any of the parties to this action who may be in the possession of said premises, or any part thereof, or any person who since the commencement of this action has gone into possession under them or any of them, deliver possession thereof to

No. 38 continued.

such purchaser or purchasers upon production of Sheriff's deed for such premises, or any part thereof. And it is further ordered, Adjudged and Decreed That, if the moneys arising from such sale shall be insufficient to pay the amount due the plaintiff with interest and costs as aforesaid, then the said Sheriff shall specify the amount of such deficiency and balance due plaintiff in his return, and upon the coming in of said return a judgment of this Court shall be docketed by the Clerk for such balance and deficiency against the defendant Harry W. Friend, and the Estate of Christina E. Friend, deceased, liable for the payment of the note so secured by said mortgages set forth in the complaint herein, and that plaintiff have execution therefor. Done this April 22, 1926. By the Court, Straud M. Logan, Judge.

Certificate of true copy attached May 13, 1926 by Joseph Quinn, Clerk of the District Court, by Gladys Moss, Deputy. (District Court Seal)

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39.

Joe Collier, Sheriff of Mesa County Colorado, by Clarence L. Glass, Deputy Sheriff to The Gunnison Bank and Trust Company	SHERIFF'S CERTIFICATE OF SALE \$2136.17 Dated June 14, 1926 Filed June 15, 1926 At 11:20 o'clock A. M.	#220394 Book 295 Page 323
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Execution and Decree of Court issued out of the Clerk's office of the District Court of Mesa County, Colorado, bearing date May 13, 1926 and to me directed wherein The Gunnison Bank and Trust Company, a corporation was Plaintiff and Harry W. Friend et al were defendants, whereby I was commanded to make out of the lands and chattels of said Harry W. Friend as the sole and only devisee and legatee under the Last Will and Testament of Christina E. Friend, Deceased, the sum of \$2025.28 and costs of suit, the amount of a certain Judgment theretofore and on Apr. 22, 1926 rendered in said Court in favor of said plaintiff and against the said defendant and interest on said Judgment from the date of rendition thereof at 8% per annum, having previously advertised the same for sale as provided by law, I did on Monday June 14, 1926 at 3:00 o'clock in the afternoon of said day at the South front door of the County Court House in the City of Grand Junction, Mesa County, Colorado, expose to sale at public auction to the highest bidder for cash in hand the following land in Mesa County, Colorado, to-wit: The SE $\frac{1}{4}$  NE $\frac{1}{4}$  and the NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 25, in Twp. 1N, R. 1W, Ute Meridian and the Lots numbered 2 and 3 of Sec. 30 in Twp. 1N, R. 1E, Ute Meridian, containing 160.75 acres, together with all improvements thereon, subject to the right of way of the The Little Book Cliff Railway Company. Together with all water and water rights, ditch and ditch rights used with and appurtenant to said land for irrigation and domestic purposes and including herein Stock Certificate No. 5774 for 44 shares of stock and Stock Certificate #1224 for 20 shares of stock in the Grand Valley Irrigation Company and that at said sale The Gunnison Bank and Trust Company being the highest and best bidder therefor, at \$2136.17, the said tracts or parcels of land was struck off and sold to it, and that said Company will be entitled to a deed on March 15, 1927 unless redeemed.

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40.

Joseph Collier, Sheriff of Mesa County, Colorado to The Gunnison Bank and Trust Company, a corporation of Gunnison, Colorado.	SHERIFF'S DEED \$2136.17 (Under Decree) Dated May 18, 1927 Filed May 18, 1927 At 9:15 o'clock A. M.	#228008 Book 294 Page 395
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Whereas at a term of the District Court of Mesa County, Colorado, held at Grand Junction, said County and State on Apr. 22, 1926, March Term of said Court, it was Decreed by said court in a certain action pending between The Gunnison Bank and Trust Company, a corporation, Plaintiff against Harry W. Friend, Harry W. Friend as the sole and only devisee and legatee under the Will of Christina E. Friend, Deceased, Defendant, that all the lands and premises described in the Special Execution foreclosed in said suit or such part thereof as may be sufficient to discharge said indebtedness and costs of suit and expense of sale be sold - - by Joseph Collier, Sheriff of Mesa County, Colorado, according to law; and Whereas said Sheriff did on June 14, 1926, after

No. 40 continued on next sheet





No. 40 continued.

public notice as required by law, sell at Public Auction the premises therein mentioned as hereinafter more particularly described and the same were struck off and sold to The Gunnison Bank and Trust Company for \$2136.17, being the highest and best bidder and that being the highest and best sum bid for same and the said Sheriff did issue Certificate of Purchase to the purchaser-- and Whereas, more than 9 months have elapsed since date of sale and no Redemption has been made; Therefore Conveys: The SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> and the NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> of Sec. 25, Twp. 1N, R. 1W, U.M., and the Lots numbered 2 and 3 of Sec. 30 in Twp. 1N, R. 1E, U.M., containing 160.75 acres, together with all improvements thereon, subject to the right of way of the Little Book Cliff Railway Company; (and other property), Mesa County, Colorado. Together with all water and water rights, ditch and ditch rights used with and appurtenant to said land for irrigation and domestic purposes, and including herein stock Certificate No. 5774 for 44 shares of stock and Stock Certificate No. 1224 for 20 shares of stock in the Grand Valley Irrigation Company; - and all right, title and interest of said Harry W. Friend and Harry W. Friend as the sole and only devisee and legatee under the last Will and Testament of Christina E. Friend, deceased and C. W. Winslow as administrator with Will annexed of the Estate of Christina E. Friend, Deceased,---

(Signed) Joe Collier, Sheriff by Clarence L. Glass, Undersheriff. (Granting clause recites Joseph Collier)  
Ack. May 18, 1927 by Joseph Collier by Clarence L. Glass, Undersheriff before Denzel L. Yarnell, County Clerk and Recorder of Mesa County, Colorado.  
(Mesa County, Colorado Seal)

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41.

The Gunnison Bank and Trust Company

CERTIFICATE OF INCORPORATION #351722  
Dated November 30, 1910 Filed #3114  
Filed May 9, 1939  
At 11:50 o'clock A. M.

NAME: - - - - - The Gunnison Bank and Trust Company  
INCORPORATORS: - - - C. W. Winslow, H. C. Bartlett, W. W. McKee, A. E. Hyzer and T. W. Gray.  
OBJECTS: - - - - - To carry on a trust business, including the receiving of money upon deposit or for investment; the making of loans, the acting as trustee, fiscal agent, transfer agent, executor, and administrator, and to do and exercise all the rights, and do all the kinds of business now authorized, or hereafter conferred upon Trust Companies by the laws, and under the statutes of the State of Colorado.  
LIFE: - - - - - To exist for 20 years.  
CAPITAL STOCK: - - - \$50,000.00 to be divided into 500 shares of \$100.00 each.  
DIRECTORS: - - - - - There shall be five directors.  
PRINCIPAL PLACE OF BUSINESS: Gunnison, Gunnison County, Colorado.

Ack. November 30, 1910 by above named incorporators before Dexter T. Sapp, Notary Public, Gunnison County, Colorado.  
(N. P. Seal) Commission expires July 20, 1912

Certificate of true copy of Certificate of Incorporation of The Gunnison Bank and Trust Company, attached Jan. 24, 1939 by George E. Saunders, Secretary of State, By W. B. McLean, Deputy. (State of Colorado Seal)

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42.

The Gunnison Bank and Trust Company

CERTIFICATE OF RENEWAL OF #353453  
CERTIFICATE OF INCORPORATION Filed #3120  
Dated January 14, 1931  
Filed June 14, 1939  
At 3:30 o'clock P. M.

At a regular annual meeting of the stockholders of said corporation, held at its office in Gunnison, County of Gunnison, Colorado, on Jan. 13, 1931, the following Resolution was adopted: Be It Resolved by the stockholders of The Gunnison Bank & Trust Company, a corporation as aforesaid, that the term of corporate existence of this said corporation be and is hereby extended for a further and additional term of 20 years from December 5, 1930 in the manner and form provided by law. Be It Further Resolved, that the President and Cashier of this said corporation be and are hereby authorized and directed to make and execute proper and sufficient certificates in the manner and form prescribed by law, of the extension of the term of existence of this corporation, and to file one each in the offices of the

No. 42 continued on next sheet





No. 42 continued.

Secretary of State of Colorado, the State Bank Commissioner of Colorado, and the County Clerk and Recorder of Gunnison County, Colorado, and pay the lawful and necessary fees incident to filing the same.

Signed, C. W. Winslow, President. Attest: A. E. Winslow, Cashier (Corporate Seal)  
Certificate of true copy which was filed on Jan. 26, 1931 at 10:05 o'clock A.M.  
In the office of the Secretary of State of Colorado, attached May 29, 1939 by  
George E. Saunders, Secretary of State, By W. B. McLean, Deputy.  
(State of Colorado Seal)

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43. Treasurer of Mesa County TAX SALE. \$11.09 #28766  
to Dated December 8, 1927 Book 23 Page 29  
Mesa County Sale of:-  
SW $\frac{1}{4}$  NW $\frac{1}{4}$  & NW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 30 Twp 1N R 1E  
REDEEMED by Lucius C. Currier, May 7, 1941

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44. Treasurer of Mesa County TAX SALE. \$12.68 #28767  
to Dated December 8, 1927 Book 23 Page 29  
Mesa County Sale of:-  
SE $\frac{1}{4}$  NE $\frac{1}{4}$  & NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 25, Twp 1N R 1W  
REDEEMED by Lucius C. Currier, May 7, 1941

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45. Treasurer of Mesa County TAX SALE. \$11.05 #31975  
to Dated December 12, 1929 Book 25 Page 73  
Mesa County Sale of:-  
SW $\frac{1}{4}$  NW $\frac{1}{4}$  & NW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 30, Twp. 1N, R. 1E.  
REDEEMED by Lucius C. Currier, May 7, 1941

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46. Treasurer of Mesa County TAX SALE. \$12.85 #31976  
to Dated December 12, 1929 Book 25 Page 73  
Mesa County Sale of:-  
SE $\frac{1}{4}$  NE $\frac{1}{4}$  & NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 25, Twp. 1N, R. 1W.  
REDEEMED by Lucius C. Currier, May 7, 1941

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47. The Gunnison Bank and Trust QUITCLAIM DEED \$1.00 #367713  
Company, A corporation, By Dated March 20, 1940 Book 389  
W. W. McKee, President, Filed May 1, 1940 Page 187  
Attest: Irvin A. Mergman, At 9:11 o'clock A. M.  
Secretary. (Corporate Seal) Quitclaims: The SE $\frac{1}{4}$  NE $\frac{1}{4}$  & NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 25,  
to Twp. 1-N, R. 1-W, of the Ute Meridian  
Lucius C. Currier and Lots 2 and 3 of Sec. 30, Twp. 1-N,  
R. 1-E, of the Ute Meridian all in  
Mesa County, Colorado together with the  
appurtenances.  
Ack. March 20, 1940 by W. W. McKee and Irvin A. Mergelman, respectively, as  
President and Secretary of The Gunnison Bank and Trust Company, a corporation,  
before Robert G. Porter, Notary Public, County of Gunnison, State of Colorado.  
(N. P. Seal) Commission expires Oct. 7, 1940.

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48. Lucius C. Currier QUITCLAIM DEED \$1.00 and #390114  
to other valuable consideration Book 402  
City of Grand Junction, a Dated August 15, 1941 Page 8  
municipal corporation. Filed October 8, 1941  
At 11:45 o'clock A. M.  
Quitclaims:- All of the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of  
Sec. 30, Twp. 1-N, R. 1-E, Ute Meridian in Mesa County, Colorado excepting  
therefrom the following described tract; beginning at the NE corner of the said  
NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 30, thence South 82 feet, thence N 54°57' W to a point on the

No. 48 continued on next sheet

No. 48 continued.

north line of the said NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 30, 130 feet more or less west of the point of beginning, thence east to the point of beginning, containing 39.88 acres; And all that part of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 30, Twp. 1-N, R. 1-E, Ute Meridian lying south and west of the following described line; beginning at a point 1,190 feet east of the W $\frac{1}{2}$  corner of the said Sec. 30, thence N 54°57' W to a point on the west line of the said SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 30, 840' north of the W $\frac{1}{2}$  corner of the said Sec. 30, containing 11.5 acres, more or less, all in Mesa County, Colorado; And all of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 25, Twp. 1-N, R. 1-W, Ute Meridian excepting therefrom the following described tracts; beginning at a point 840 feet north of the E $\frac{1}{2}$  corner of the said Sec. 25, thence N 54°57' W to a point on the north line of the said SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 700 feet, more or less West of the NE corner of the said SE $\frac{1}{4}$  NE $\frac{1}{4}$ , thence east to the NE corner of the said SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Thence south to the point of beginning; also beginning at the SW corner of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 25, Twp. 1N, R. 1 W, Ute Meridian thence N 475 feet more or less, thence S 54°57' E to a point on the south line of the said SE $\frac{1}{4}$  NE $\frac{1}{4}$  of the said Sec. 25, 670 feet more or less east of the point of beginning, thence W to the point of beginning, containing 32.6 acres, more or less, all in Mesa County, Colorado. And all that part of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 25, Twp. 1-N, R. 1-W, Ute Meridian lying north and east of the following described line; beginning at a point 650 feet more or less west of the E $\frac{1}{2}$  corner of Sec. 25, Twp. 1-N, R. 1-W, Ute Meridian thence S 54°57' E to a point on the east line of the said NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 25, 465 feet south of the E $\frac{1}{2}$  corner of the said Sec. 25, containing 3.5 acres, more or less, all in Mesa County, Colorado. Provided that any line or partition fences hereafter installed by grantee shall be at the expense of such grantee. (Consideration less than \$100.00)  
 Ack. August 15, 1941 before Elam B. Underhill, Notary Public, Mesa County, Colorado. (N. P. Seal) Commission expires Sept. 14, 1941.

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49.

U. S. Register  
 to  
 George A. Nahstoll

REGISTERS RECEIPT.  
 Dated July 21, 1911 Book 175  
 Filed July 29, 1911 Page 67  
 At 12:00 o'clock M.

It is hereby certified that, pursuant to the provisions of Sec. 2291, Revised Statutes of the United States, George A. Nahstoll has made full payment for SE $\frac{1}{4}$  NW $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , N $\frac{1}{2}$  SE $\frac{1}{4}$ , Sec. 30, Twp. 1N, R. 1E, Ute Meridian, containing 160 acres. Now therefore be it known that, on presentation of this certificate to the Commissioner of the General Land Office the said George A. Nahstoll shall be entitled to receive a patent for the lot above described. Serial No. 04807, Receipt No. 509596. B. P. Blair, Register.

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50.

United States  
 to  
 George A. Nahstoll

PATENT Montrose No. 04807, #110076  
 Recorded Patent No. 263635 Book 163  
 Dated May 1, 1912 Page 275  
 Filed November 21, 1912  
 At 1:10 o'clock P. M.

Grants:- The SE $\frac{1}{4}$  NW $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , and the N $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 30, Twp. 1N, R. 1E of the Ute Meridian, Colorado, containing 160 acres. 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 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.

(Signed)

By the President Wm. H. Taft by M. P. LeRoy,  
 Secretary, H. W. Sanford, Recorder of  
 the General Land Office.

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

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51.

George A. Nahstoll  
 to  
 Charles N. Needham

WARRANTY DEED \$1.00 and #110077  
 other valuable consideration Book 188  
 Dated November 21, 1912 Page 103  
 Filed November 21, 1912  
 At 1:15 o'clock P. M.

and to the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$  and N $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 30, Twp. 1N, R. 1E of the Ute Meridian, Colorado, containing 160 acres.  
 Ack. November 21, 1912 by George A. Nahstoll before Marion O. Delaplain, Notary Public, Mesa County, Colorado.  
 (N. P. Seal) Commission expires Sept. 15, 1914.

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52. George A. Nahstoll  
to  
B. F. Miller

WARRANTY DEED \$1.00 and #110078  
other valuable consideration Book 188  
Dated November 21, 1912 Page 104  
Filed November 21, 1912  
At 1:20 o'clock P. M.

Conveys:- An undivided 100 acre interest in and to the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , and the N $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 30, Twp. 1N, R. 1E of the Ute Meridian, Colorado, containing 160 acres.  
Ack. November 21, 1912 by George A. Nahstoll before Marion O. Delaplain, Notary Public, Mesa County, Colorado.  
(N. P. Seal) Commission expires Sept. 15, 1914.

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53. B. F. Miller and  
Elizabeth Miller, his wife  
to  
A. R. Rideout

WARRANTY DEED \$1.00 and #127319  
other valuable considerations Book 197  
Dated June 28, 1915 Page 385  
Filed August 30, 1915  
At 11:00 o'clock A. M.

Conveys:- An undivided 100 acre interest in and to the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , and N $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 30, Twp. 1N, R. 1E, Ute Meridian, Colorado, containing 160 acres, in Mesa County, Colorado. (\$1.00 I.R.S.)  
Ack. July 23, 1915 before Walter E. Butler, Notary Public, Los Angeles County, California.  
(N. P. Seal) Commission expires January 9, 1917.

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54. Treasurer of Mesa County  
to  
M. O. Delaplain

TAX SALE \$15.25 #17405  
Dated December 27, 1916 Book Q Page 37  
Sale of:-  
5/8 Int. in SE $\frac{1}{4}$  NW $\frac{1}{4}$  and NE $\frac{1}{4}$  SW $\frac{1}{4}$  and  
N $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 30, Twp. 1N, R. 1E.  
REDEEMED by Ida B. Garrison, August 2, 1917

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55. A. R. Rideout and  
Myrtle W. Rideout,  
husband and wife  
to  
Ida B. Garrison

WARRANTY DEED \$1.00 #136364  
Dated January 19, 1917 Book 197  
Filed March 12, 1917 Page 119  
At 8:00 o'clock A. M.

Conveys:- An undivided 100 acre interest in and to the SE $\frac{1}{4}$  NW $\frac{1}{4}$  and the NE $\frac{1}{4}$  SW $\frac{1}{4}$  and the N $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 30, Twp. 1N, R. 1E, Ute Meridian, in Mesa County, Colorado, containing 160 acres.  
Ack. February 8, 1917 before Minnie L. Clayton, Notary Public, Los Angeles County, California. (N. P. Seal) Commission expires \_\_\_\_\_.

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56. Ida B. Garrison and  
J. T. Garrison,  
her husband  
to  
Frank M. Harris and  
Olive G. Harris, his wife.

WARRANTY DEED \$10.00 and other #139012  
good and valuable considerations Book 220  
Dated July 25, 1917 Page 82  
Filed August 7, 1917  
At 8:00 o'clock A. M.

Conveys:- An undivided 100 acre interest in and to the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , the NE $\frac{1}{4}$  SW $\frac{1}{4}$  and the N $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 30, Twp. 1N, R. 1E, Ute P. M., in Mesa County, Colorado. (J. T. Garrison does not covenant).  
Ack. July 25, 1917 before H. H. Mills, Notary Public, Los Angeles County, California  
(N. P. Seal) Commission expires Oct. 28, 1920.

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57. Treasurer of Mesa County  
to  
Mesa County

TAX SALE \$9.70 #20309  
Dated December 20, 1918 Book S Page 19  
Sale of:-  
5/8 Int. SE $\frac{1}{4}$  NW $\frac{1}{4}$  and NE $\frac{1}{4}$  SW $\frac{1}{4}$  and  
N $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 30, Twp. 1N, R. 1E  
REDEEMED by Frank M. Harris, January 3, 1923

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58. Treasurer of Mesa County  
to  
Mesa County

TAX SALE \$15.95 #23364  
Dated December 22, 1922 Book V Page 49  
Sale of:-  
Und. 5/8 int. SE $\frac{1}{4}$  NW $\frac{1}{4}$  and NE $\frac{1}{4}$  SW $\frac{1}{4}$   
Sec. 30, Twp. 1N, R. 1E and N $\frac{1}{2}$  SE $\frac{1}{4}$   
Sec. 30, Twp. 1N, R. 1E, 100 acres.  
REDEEMED by Frank M. Harris, January 3, 1923

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59. Treasurer of Mesa County  
to  
Mesa County

TAX SALE \$9.45 #25364  
Dated December 12, 1924 Book X Page 61  
Sale of:-  
Und. 5/8 Int. SE $\frac{1}{4}$  NW $\frac{1}{4}$  and NE $\frac{1}{4}$  SW $\frac{1}{4}$  and  
N $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 30, Twp. 1N, R. 1E.  
REDEEMED by F. Harris, December 7, 1925

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60. Treasurer of Mesa County  
to  
Mesa County

TAX SALE \$16.10 #32020  
Dated December 10, 1926 Book 25 Page 78  
Sale of:-  
5/8 Int. SE $\frac{1}{4}$  NW $\frac{1}{4}$  & NE $\frac{1}{4}$  SW $\frac{1}{4}$  & N $\frac{1}{2}$  SE $\frac{1}{4}$   
Sec. 30, Twp. 1N, R. 1E  
DEEDED to Lucius C. Currier, February 19, 1942

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61. Treasurer of Mesa County  
to  
Mesa County

TAX SALE \$4.05 #32588  
Dated December 12, 1929 Book 25 Page 140  
Sale of:-  
1/8 Int. in SE $\frac{1}{4}$  NW $\frac{1}{4}$  & NE $\frac{1}{4}$  SW $\frac{1}{4}$  &  
N $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 30, Twp. 1N, R. 1E.  
DEEDED to Lucius C. Currier, February 19, 1942

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62. Treasurer of Mesa County  
to  
Mesa County

TAX SALE \$2.35 #43945  
Dated December 19, 1934 Book 29 Page 296  
Sale of:-  
 $\frac{1}{8}$  interest in Foll: SE $\frac{1}{4}$  NW $\frac{1}{4}$  & NE $\frac{1}{4}$  SW $\frac{1}{4}$  &  
N $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 30, Twp. 1N, R. 1E  
DEEDED to Lucius C. Currier, February 19, 1942

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63. Burrell C. Reynolds, Treasurer  
(County Treasurer, Mesa County,  
Colo. Seal)  
to  
Lucius C. Currier

TREASURER'S DEED #394840  
Dated February 13, 1942 Book 402  
Filed February 19, 1942 Page 406  
At 3:58 o'clock P. M.  
WHEREAS, the following described parcels  
of real property, situated in Mesa County,  
Colorado, were subject to taxation for the respective years shown, to-wit:

PARCEL NO.	DESCRIPTION	SUBJECT TO TAXATION FOR THE YEARS
1.	The SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 31, Twp. 1N. R. 1E. Ute Meridian, 40 acres	1932
2.	The N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 32, Twp. 1N. R. 1E. Ute Meridian, 20 acres	1916 1927 1928
3.	The S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 32, Twp. 1N. R. 1E. Ute Meridian, 20 acres	1925 1928
4.	The S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 32, Twp. 1N. R. 1E. Ute Meridian, 20 acres	1927

No. 63 continued on next sheet



No. 63 continued.

PARCEL NO.	DESCRIPTION	SUBJECT TO TAXATION FOR THE YEARS
5.	The SW $\frac{1}{4}$ Sec. 29, Twp. 1N. R. 1E. Ute Meridian, 160 acres	1925 1926 1928
6.	The NW $\frac{1}{4}$ SW $\frac{1}{4}$ and all of SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying North and West of Mesa County Irrigation District Ditch in Sec. 32, Twp. 1N. R. 1E. Ute Meridian, 69.62 acres	1929 1930
7.	An undivided $\frac{5}{8}$ interest in The SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 30, Twp. 1N. R. 1E. Ute Meridian.	1925
8.	An undivided $\frac{1}{8}$ interest in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 30, Twp. 1N. R. 1E. Ute Meridian	1928
9.	An undivided $\frac{1}{4}$ interest in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 30, Twp. 1N, R. 1E. Ute Meridian	1933

And Whereas the taxes assessed upon each of said parcels of real property respectively for the respective years above set forth remained due and unpaid at the respective dates of the sales hereinafter named; And Whereas, the Treasurer of said County did, on the respective dates hereinafter set forth for each of said separate parcels of real property, by virtue of the authority vested in him by law, at (an adjourned sale) the sale begun and publicly held on the respective dates hereinafter set forth for each of said separate parcels of real property, expose to public sale, at the office of the Treasurer in the County aforesaid, in substantial conformity with the requirements of the statute in such case made and provided, each separate parcel of real property above described for the payment of the taxes, interest and costs then due and remaining unpaid on said parcels of property respectively, to-wit:

PARCEL NO.	DATE OF SALE (ADJOURNED)	DATE SALE BEGAN	TAX SALE NO.
1.	Dec. 20, 1933	Dec. 11, 1933	41535
2.	Dec. 14, 1917	Dec. 11, 1917	19427
	Dec. 13, 1928	Dec. 10, 1928	30483
	Dec. 17, 1931	Dec. 14, 1931	36801
3.	Dec. 10, 1926	Dec. 7, 1926	27164
	Dec. 12, 1929	Dec. 9, 1929	31543
4.	Dec. 13, 1928	Dec. 10, 1928	30254
5.	Dec. 10, 1926	Dec. 7, 1926	27162
	Dec. 8, 1927	Dec. 6, 1927	28635
	Dec. 12, 1929	Dec. 9, 1929	31533
6.	Dec. 17, 1931	Dec. 14, 1931	36315
	Dec. 17, 1931	Dec. 14, 1931	36798
7.	Dec. 10, 1926	Dec. 7, 1926	27406
	Dec. 12, 1929	Dec. 9, 1929	32020
8.	Dec. 12, 1929	Dec. 9, 1929	32588
9.	Dec. 19, 1934	Dec. 10, 1934	43945

That because of the inability of the said Treasurer to prepare his delinquent tax list in time to commence the sale of property delinquent for taxes on or before the second Monday in November in the year 1917, the Tax Sale Certificate No. 19427 shown above under Parcel No. 2 was advertised for sale on the date above set forth under the heading "Date Sale Began" for the year of 1917, that being the earliest date upon which the said Treasurer was able to prepare said list, advertise, and make said sale. And for the further reason that it became the custom for many years prior to said sale, in order to accommodate the taxpayers, to postpone the date of sale to a later period than that then provided by law. And Whereas, at each of the sales so held as aforesaid by the Treasurer no bids were offered or made by any person or persons for the said property or any parcel thereof,

No. 63 continued on next sheet

No. 63 continued.

and no person or persons having offered to pay the said taxes, interest and costs upon the said respective parcels of real estate or any thereof for the said respective years above set forth and the Treasurer having become satisfied that no sale of said parcels of real property or any thereof could be had; Therefore, the said respective parcels of real property were by the then Treasurer of the said County stricken off to the said County on the date of sale above shown for each respective parcel the same being the last day of said sale, which began on the date above set forth, and certificates of sale herein described were duly issued therefor to the said County in accordance with the statute in such case made and provided; And Whereas, the said County of Mesa, acting by and through its County Treasurer, did on March 8, 1928 duly assign unto The Klein Land Company, a Corporation of Colorado, the Certificates of Sale Nos. 19427, 27162, 27164 and 27406, which said assignments were held invalid; and that the said County of Mesa, acting by and through its County Treasurer, did on November 22, 1930 issue a Treasurer's Deed to The Klein Land Company, a Corporation of Colorado, upon the land covered by Tax Sale No. 27162, which said deed was held invalid, and has been surrendered; and whereas the said County of Mesa, acting by and through its County Treasurer, did on March 8, 1928 duly assign unto H. S. Barker Tax Sale Certificate No. 28635, and the said H. S. Barker did thereafter duly assign said Tax Sale Certificate No. 28635 to the said The Klein Land Company, a Corporation of Colorado, which said assignment was held invalid. And Whereas, the said County of Mesa, acting by and through its County Treasurer, and in conformity with the order of the Board of County Commissioners of the said County, duly entered of record November 3, 1937, (the said day being one of the days of a regular session of the Board of County Commissioners in the said County) did duly assign unto Lucius C. Currier of Grand Junction, Colorado, the Tax Certificates of Sale Nos. 27162, 27406, 28635, 31533, 32020, 32588, and 43945, of said properties herein described so issued as aforesaid to said County, and all its rights, title and interest in said property held by virtue of said sales; And Whereas, the said County of Mesa, acting by and through its County Treasurer, and in conformity with the order of the Board of County Commissioners of the said County, duly entered of record February 27, 1940, (the said day being one of the days of a regular session of the Board of County Commissioners in the said County) did duly assign unto Lucius C. Currier of Grand Junction, Colorado, the Certificates of Sale, Nos. 19427, 27164, 30254, 30483, 31543, 36315, 36798, and 36801, of said properties herein described so issued as aforesaid to said County, and all its rights, title and interest in said property held by virtue of said sales; And Whereas, the said County of Mesa, acting by and through its County Treasurer did on January 23, 1939 duly assign unto Lucius C. Currier of Grand Junction, Colorado, Certificate of Sale No. 41535; and whereas the said Lucius C. Currier did on May 5, 1939 duly assign the said Certificate of Sale No. 41535 to Bruce C. Currier, of Grand Junction, Colorado; and whereas the said Bruce G. Currier did on August 16, 1941 duly assign the said Certificate of Sale No. 41535 to Lucius C. Currier, of Grand Junction, Colorado. And Whereas, the said Lucius C. Currier has paid all the taxes and subsequent taxes on said parcels of real property as follows:

PARCEL NO.	TAXES FOR THE YEARS
1.	1932 to 1941, both inclusive
2.	1916 to 1941, both inclusive, except for the years 1917 to 1920 incl. on Tax Sale Certificate No. 19427
3.	1925 to 1941, both inclusive
4.	1927 to 1941, " "
5.	1925 to 1941, " "
6.	1929 to 1941, " "
7.	1925 to 1941, " "
8.	1928 to 1941, " "
9.	1933 to 1941, " "

The Amount of said taxes and subsequent taxes against said respective parcels of property and the amount paid on the respective parcels of property pursuant to the order of the Board of County Commissioners being as follows, to-wit: PARCEL NO. 1. Tax Sale No. 41535 in the sum of \$15.70, being in full for the years 1932 to 1937, inclusive, and the subsequent taxes on said property, being in full for the years 1938 to 1941, inclusive, to the amount of \$7.02;

No. 63 continued on next sheet



No. 63 continued.

PARCEL NO. 2. Tax Sales No. 19427, 30483 and 36801, in the sum of \$48.85 by the payment of \$2.00, to and including the years 1916 to 1938, inclusive, except for the years 1917 to 1920, inclusive, on Tax Sale Certificate No. 19427, and the subsequent taxes on said property, being in full for the years 1939, 1940 and 1941, to the amount of \$2.78;

PARCEL NO. 3. Tax Sales No. 27164 and 31543, in the sum of \$29.16 by the payment of \$2.00, to and including the years 1925 to 1938, inclusive, and the subsequent taxes on said property, being in full for the years 1939, 1940 and 1941 to the amount of \$2.78;

PARCEL NO. 4. Tax Sale No. 30254 in the sum of \$20.82 by the payment of \$1.00 to and including the years 1927 to 1938, inclusive, and the subsequent taxes on said property, being in full for the years 1939, 1940 and 1941, to the amount of \$2.78;

PARCEL NO. 5. Tax Sales No. 31533, 28635 and 27162 in the sum of \$189.95 by the payment of \$20.00, to and including the years 1925 to 1935, inclusive, and the subsequent taxes on said property, being in full for the years 1936 to 1941, inclusive, to the amount of \$43.04;

PARCEL NO. 6. Tax Sales No. 36798 and 36315 in the sum of \$51.90 by the payment of \$15.00 to and including the years 1929 to 1938, inclusive, and the subsequent taxes on said property, being in full for the years 1939, 1940 and 1931, to the amount of \$9.24;

PARCEL NO. 7. Tax Sales No. 27406 and 32020, in the sum of \$122.07 by the payment of \$15.00, to and including the years 1925 to 1935, inclusive, and the subsequent taxes on said property, being in full for the years 1936 to 1941, inclusive, to the amount of \$24.74;

PARCEL NO. 8. Tax Sale No. 32588 in the sum of \$16.39 by the payment of \$5.00, to and including the years 1928 to 1935, inclusive, and the subsequent taxes on said property, being in full for the years 1936 to 1941, inclusive, to the amount of \$5.35;

PARCEL NO. 9. Tax Sale No. 43954, in the sum of \$5.40 by the payment of \$5.40, to and including the years 1933 to 1935, inclusive, and the subsequent taxes on said property, being in full for the years 1936 to 1941, inclusive, to the amount of \$10.23;

And Whereas, more than three years have elapsed since the dates of the said sales and the said properties, or any part or parcel thereof, has not been redeemed therefrom as provided by law; And Whereas, each of said parcels was assessed for the year preceding the said sale thereof at a sum of more than \$100.00; And Whereas, all the provisions of the statutes prescribing prerequisites to obtaining tax deeds have been fully complied with, and are now of record, and filed in the office of the County Treasurer of said County; Now, Therefore, I, Burrell C. Reynolds, Treasurer of the County aforesaid, for and in consideration of the sums to the Treasurer paid as aforesaid, and by virtue of the statute in such case made and provided, have granted, bargained and sold, and by these presents do grant, bargain and sell the above and foregoing described parcels of real estate unto the said Lucius C. Currier, his heirs and assigns forever, subject to all the rights of redemption by minors, insane persons, or idiots, provided by law.

Ack. February 13, 1942 by Burrell C. Reynolds, Treasurer, before Virginia O. Wallace, Notary Public, Mesa County, Colorado.

(N. P. Seal)

Commission expires March 14, 1942

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64. Olive B. Crosby and  
M. O. Delaplain  
to  
The Grand Valley Water  
Users Association

CONTRACT AND AGREEMENT \$1.00 #106050  
Dated March 1912 Book 129  
Filed April 6, 1912 Page 42

At 1:20 o'clock P. M.  
Contracts to pay for water to be  
supplied to:- NE $\frac{1}{4}$  and S $\frac{1}{2}$  SE $\frac{1}{4}$  of  
Sec. 31, Twp. 1N, R. 1E of the Ute  
P. M., Mesa County, Colorado; and

places said lands in trust to secure such payment, (and other provisions).

Ack. March 30, 1912 by Olive B. Crosby and M. O. Delaplain before Charles W. Rose Notary Public, Mesa County, Colorado.

(N. P. Seal)

Commission expires May 24, 1915.

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65. Bert Garlitz  
to  
The Grand Valley Water  
Users Association

SUBSCRIPTION OF STOCK #106064  
Dated March 26, 1912 Book 183  
Filed April 6, 1912 Page 340  
At 2:30 o'clock P. M.  
Subscribed for 40 shares of stock of  
The Grand Valley Water Users' Association.

(Under the terms of the Articles of Incorporation, a copy of which is made a part of this instrument) to be inseparably appurtenant to the following real estate: SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 31, Twp. 1N, R. 1E, Ute P.M., containing 40 acres, Mesa County, Colorado.  
Ack. March 26, 1912 by Bert Garlitz before Edward L. Penfield, Notary Public, Mesa County, Colorado.  
(N. P. Seal) Commission expires February 24, 1916.  
(Notary Public did not sign acknowledgment)

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66. United States  
to  
Bert Garlitz

PATENT No. 323301 #124517  
Dated April 3, 1913 Book 163  
Filed March 3, 1915 Page 489  
At 2:15 o'clock P. M.  
Grants:- SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 31, Twp. 1N, R. 1E,  
Ute Meridian, Colorado, containing 40 acres. Subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and right 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 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.  
(Signed) By the President, Woodrow Wilson  
(U. S. G. L. O. Seal) by M. P. LeRoy, Secretary; H. W. Sanford,  
Recorder of the General Land Office

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67. Treasurer of Mesa County  
to  
Mesa County

TAX SALE \$4.50 #17961  
Dated December 29, 1916 Book Q Page 82  
Sale of:-  
SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 31, Twp. 1N, R. 1E  
REDEEMED by Lucius C. Currier, August 28, 1941

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68. Treasurer of Mesa County  
to  
Mesa County

TAX SALE \$8.60 #31897  
Dated December 12, 1929 Book 25 Page 65  
Sale of:-  
SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 31, Twp. 1N, R. 1E  
REDEEMED by Emily F. Garlitz, May 2, 1931

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69. Treasurer of Mesa County  
to  
Mesa County

TAX SALE \$6.85 #37973  
Dated December 19, 1932 Book 28 Page 71  
Sale of:-  
SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 31, Twp. 1N, R. 1E  
REDEEMED by Lucius C. Currier, August 28, 1941

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70. Emily F. Garlitz, Walter F.  
Garlitz, Herbert L. Garlitz,  
Edith G. Dalrymple  
to  
Lucius C. Currier

QUITCLAIM DEED \$1.00 and #388781  
other valuable consideration Book 400  
Dated August 8, 1941 Page 334  
Filed August 27, 1941  
At 4:05 o'clock P. M.  
Quitclaims:- The SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 31,  
Twp. 1-N, R. 1-E, of the Ute Meridian,  
Mesa County, Colorado. (Granting clause recites "Emily F. Garlitz, Walter F. Garlitz, Edith G. Dalrymple and Herbert L. Garlitz, being all of the heirs at law of Bert Garlitz, Deceased").  
No. 70 continued on next sheet



No. 70 continued.

Ack. August 9, 1941 by Emily F. Garlitz and Walter F. Garlitz before Phabian L. Welch, Notary Public, Mesa County, Colorado.

(N. P. Seal)

Commission expires Feb. 2, 1943.

Ack. August 15, 1941 by Herbert L. Garlitz before L. M. Gensman, Notary Public, County of Comanche, State of Oklahoma.

(N. P. Seal)

Commission expires Jan. 30, 1942.

Ack. August 20, 1941 by Edith G. Dalrymple, before Albert Selak, Notary Public, County of Grand, State of Colorado.

(N. P. Seal)

Commission expires Jan. 19, 1943.

(Consideration less than \$100.00)

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71.

Agnes Whitley  
to  
Frank McMahan

WARRANTY DEED \$200.00 #23585  
Dated April 23, 1896 Book 55  
Filed May 8, 1896 Page 507  
At 1:40 o'clock P. M.

Conveys:- Undivided  $\frac{1}{2}$  Interest to the following tract, to-wit:  $W\frac{1}{2}NW\frac{1}{4}$  and  $NW\frac{1}{4}SW\frac{1}{4}$  Sec. 32, Twp. 1N, R. 1E, U. P. M., Mesa County, Colorado.

Ack. April 23, 1896 before William A. March, Notary Public, Mesa County, Colorado  
(Seal) Commission expires January 16, 1897.

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72.

United States  
to  
Agnes Whitley

PATENT Cert. #1037 Ute Series #24316  
Dated May 26, 1896 Book 11  
Filed September 17, 1896 Page 468  
At 1:25 o'clock P. M.

Grants:-  $W\frac{1}{2}NW\frac{1}{4}$  and  $NW\frac{1}{4}SW\frac{1}{4}$  Sec. 32, Twp. 1N, R. 1E, Ute Meridian, Colorado, containing 120 acres. 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.

(Signed)

By the President, Grover Cleveland  
by M. McKean, Secretary, L.Q.C. Lamar,  
Recorder of the General Land Office

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

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73.

Treasurer of Mesa County  
to  
James Whitley

TAX SALE \$6.15 #7155  
Dated November 23, 1903 Book I Page 155  
Sale of:-  
Und.  $\frac{1}{2}$   $W\frac{1}{2}NW\frac{1}{4}$  and  $NW\frac{1}{4}SW\frac{1}{4}$   
Sec. 32, Twp. 1N, R. 1E.

REDEEMED by Agnes M. Mahan, May 3, 1904

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74.

Agnes Whitley  
to  
J. P. Brazzel

WARRANTY DEED \$500.00 #50972  
Dated October 5, 1904 Book 98  
Filed October 5, 1904 Page 114  
At 2:00 o'clock P. M.

Conveys:- Undivided  $\frac{1}{2}$  interest in and to  $SW\frac{1}{4}NW\frac{1}{4}$  and  $NW\frac{1}{4}SW\frac{1}{4}$  all in Sec. 32, Twp. 1N, R. 1E, Ute Meridian, containing 80 acres, Mesa County, Colorado.

Ack. October 5, 1904 before James S. Carnahan, Notary Public, Mesa County, Colorado. (Seal) Commission expires September 25, 1906

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75.

Agnes Whitley  
to  
William Warner

WARRANTY DEED \$500.00 #50973  
Dated October 5, 1904 Book 98  
Filed October 5, 1904 Page 115  
At 2:05 o'clock P. M.

Conveys:- Undivided  $\frac{1}{2}$  interest in and to  
NW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32, Twp. 1N, R. 1E, Ute Meridian, containing 40 acres, Mesa County,  
Colorado.

Ack. October 5, 1904 before James S. Carnahan, Notary Public, Mesa County, Colorado  
(Seal) Commission expires September 25, 1906

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76.

William Warner  
to  
John E. Foltz

WARRANTY DEED \$5.00 #51058  
Dated October 15, 1904 Book 98  
Filed October 15, 1904 Page 145  
At 3:10 o'clock P. M.

Conveys:- Undivided  $\frac{1}{2}$  interest in and  
to NW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32, Twp. 1N, R. 1E, Ute Meridian, containing 40 acres, more or  
less, Mesa County, Colorado.

Ack. October 15, 1904 before Straud M. Logan, Notary Public, Mesa County, Colorado  
(Seal) Commission expires May 15, 1906

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77.

Agnes McMahon  
to  
Edith A. Smith

WARRANTY DEED \$300.00 #51400  
Dated November 4, 1904 Book 98  
Filed November 11, 1904 Page 241  
At 9:30 o'clock

Conveys:- Undivided  $\frac{1}{2}$  interest in  
W $\frac{1}{2}$  NW $\frac{1}{4}$  and NW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 32, Twp. 1N, R. 1E, Ute P. M.; Also all of SW $\frac{1}{4}$  NE $\frac{1}{4}$   
Sec. 27, Twp. 1N, R. 1W, Ute P. M., Mesa County, Colorado. Except taxes for  
1904.

Ack. November 7, 1904 by Agnes McMahon, a single woman before D. G. Reid,  
Notary Public, Shasta County, State of California.

(Seal) Commission expires January 13, 1906  
(Body of Deed recites, "Agnes McMahon a single woman")

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78.

J. P. Brazzel  
John E. Foltz  
to  
Edith A. Smith

WARRANTY DEED \$300.00 #51739  
Dated November 30, 1904 Book 98  
Filed December 1, 1904 Page 316  
At 10:30 o'clock A. M.

Conveys:- Undivided  $\frac{1}{2}$  interest in and  
to NW $\frac{1}{4}$  NW $\frac{1}{4}$  and N $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  all in Sec. 32, Twp. 1N, R. 1E, Ute Meridian,  
Mesa County, Colorado. The terms of grant and covenant herein contained shall  
only bind said J. P. Brazzel as to N $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32, Twp. 1N, R. 1E and  
shall only bind said John E. Foltz as to NW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32, Twp. 1N, R. 1E, U.M.

Ack. November 30, 1904 before James S. Carnahan, Notary Public, Mesa County,  
Colorado. (Seal) Commission expires September 25, 1906

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79.

Ora O. Arnold  
to  
The Grand Valley  
Water Users Assn.

SUBSCRIPTION OF STOCK #73567  
Dated December 28, 1907 Book 130  
Filed March 6, 1908 Page 99  
At 8:45 o'clock A. M.

Subscribed for 60 shares of stock of  
The Grand Valley Water Users' Association. (Under the terms of the Articles of  
Incorporation, a copy of which is made a part of this instrument) to be inseparably  
appurtenant to the following real estate: NW $\frac{1}{4}$  NW $\frac{1}{4}$  and N $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32,  
Twp. 1N, R. 1E, Ute Meridian, containing 60 acres, Mesa County, Colorado.

Ack. December 28, 1907 before Jacob H. Schiesswohl, Notary Public, Mesa County,  
Colorado.

(Seal)

Commission expires Jan. 10, 1910.

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80. Edith A. Smith  
to  
A. O. Arnold

WARRANTY DEED \$300.00 #77861  
Dated November 25, 1905 Book 136  
Filed August 26, 1908 Page 376  
At 1:00 o'clock P. M.  
Conveys: NW $\frac{1}{4}$  NW $\frac{1}{4}$  and N $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32,  
Twp. 1N, R. 1E, Ute Meridian, consisting of 60 acres, more or less, according  
to Government survey, Mesa County, Colorado.  
Ack. November 25, 1905 before Pearl Marean, Notary Public, Mesa County, Colorado.  
(Seal) Commission expires July 19, 1909.

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81. A. O. Arnold  
to  
Noah C. Weimer

WARRANTY DEED \$3000.00 #78201  
Dated July 29, 1908 Book 136  
Filed September 17, 1908 Page 478  
At 10:10 o'clock A. M.  
Conveys:- NW $\frac{1}{4}$  NW $\frac{1}{4}$  and N $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32,  
Twp. 1N R. 1E, Ute Meridian, consisting of 60 acres more or less according  
to Government survey, Mesa County, Colorado.  
Ack. July 29, 1908 before George W. Caldwell, Notary Public, Mesa County,  
Colorado. (Seal) Commission expires Oct. 14, 1911.

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82. Noah C. Weimer  
to  
Olive R. Mead

MORTGAGE DEED \$1.00 and other #79231  
good and valuable consideration Book 82  
Dated November 11, 1908 Page 533  
Filed November 12, 1908  
At 9:05 o'clock A. M.  
Conveys:- NW $\frac{1}{4}$  NW $\frac{1}{4}$  and N $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  all in  
Sec. 32, Twp. 1N, R. 1E, Ute Meridian, Mesa County, Colorado. That these  
presents are upon this express condition that if the said Noah C. Weimer his  
heirs, executors or administrators or assigns shall pay, satisfy and release  
on or before 5 years from Nov. 9, 1907 a certain Trust deed executed by said  
Noah C. Weimer to the Public Trustee for the N $\frac{1}{2}$  SW $\frac{1}{4}$  Sec. 13, Twp. 1N, R. 2W of  
the Ute Meridian which said Deed of Trust is to secure the sum of \$2000. and  
is dated Nov. 9th, 1907 and recorded in Book 124, at page 176 of the records  
of the Clerk and Recorder of Mesa County aforesaid.  
Ack. November 11, 1908 before Charles VanHoorebeke, Notary Public, Mesa County,  
Colorado. (N. P. Seal) Commission expires Mch. 22, 1910.  
RELEASED ON MARGIN by Olive R. Mead, Mar. 3, 1910 in presence of R. E. Starr,  
County Clerk.

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83. Noah C. Weimer  
to  
Walter S. Feaster

WARRANTY DEED \$1.00 and #82557  
other valuable consideration Book 141  
Dated April 13, 1909 Page 425  
Filed April 15, 1909  
At 8:10 o'clock A. M.  
Conveys:- NW $\frac{1}{4}$  NW $\frac{1}{4}$  and N $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32,  
Twp. 1N, R. 1E, Ute Meridian, consisting of 60 acres more or less, according  
to Government survey, Mesa County, Colorado  
Ack. April 13, 1909 before Noah J. Browne, Notary Public, Mesa County, Colorado  
(Seal) Commission expires December 21, 1912

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84. Walter S. Feaster  
to  
Jacob M. Shugar

WARRANTY DEED \$1.00 and #90279  
other valuable consideration Book 149  
Dated March 17, 1910 Page 588  
Filed March 17, 1910  
At 3:10 o'clock  
Conveys:- N $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32, Twp. 1N,  
R. 1E, Ute Meridian, Mesa County, Colorado.  
Ack. by Walter S. Feaster, March 17, 1910 before William G. Baylis, Notary Public,  
Mesa County, Colorado.  
(Seal) Commission expires October 30, 1912.

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No. 89 continued.

the same was sold to G. W. Davison who bid therefor the sum of \$92.27 said sum being the highest and best bid offered for said parcel of land, and further certify that said purchaser will be entitled to a deed after the expiration of 9 months from date of sale, viz:- January 10, 1917, unless redeemed according to law.

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90.

Jeff Watson, Sheriff of  
Mesa County, Colorado  
to  
G. W. Davison

SHERIFF'S DEED #135702  
Dated February 7, 1917 Book 197  
Filed February 7, 1917 Page 586  
At 4:30 o'clock P. M.

In consideration of the premises.

Whereas G. W. Davison did at the September term of the County Court of Mesa County, Colorado, recover a judgment against J. H. Williams, also known as John Henry Williams for \$67.27 and costs of suit, upon which judgment an execution was issued dated on March 16, 1916, directed to the Sheriff of Mesa County to execute, and by virtue of said execution the said Sheriff levied upon the land hereinafter described and the same were struck off and sold to G. W. Davison, he being the highest and best bidder therefor, and the time and place of sale thereof, having been duly advertised according to law. That the said G. W. Davison bid therefor the sum of \$92.27. Now therefore conveys: an undivided 1/2 interest in and to S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  and the N $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32, Twp. 1N, R. 1E, Ute Meridian, in Mesa County, Colorado. Ack. February 7, 1917 before Lee W. Burgess, Notary Public, Mesa County, Colorado (N. P. Seal) Commission expires January 20, 1920.

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91.

Treasurer of Mesa County  
to  
Mesa County

TAX SALE \$6.90 #19427  
Dated December 14, 1917 Book R Page 60

Sale of:-

$\frac{1}{2}$  Interest in S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  and N $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$   
Sec. 32, Twp. 1N, R. 1E.

REDEEMED by Geo. W. Davison, May 24, 1920 as to  $\frac{1}{2}$  interest in S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32, Twp. 1N, R. 1E; DEEDED to Lucius C. Currier Feb. 19, 1942 as to N $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32, Twp. 1N, R. 1E.

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92.

Julia Laura Williams  
John Henry Williams  
to  
Mary L. Morrison

WARRANTY DEED \$1.00 and other #147000  
good and valuable consideration Book 217  
Dated January 3, 1917 Page 580

Filed October 10, 1918

At 11:30 o'clock A. M.

Conveys:- The S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  and N $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$

Sec. 32, Twp. 1N, R. 1E, U. M., Mesa County, Colorado.

Ack. January 3, 1917 before William H. Haun, Notary Public, Mesa County, Colorado. (N. P. Seal) Commission expires July 16, 1918.

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93.

Mary L. Morrison  
to  
G. W. Davison

WARRANTY DEED \$1.00 #147001  
Dated March 9, 1918 Book 217  
Filed October 10, 1918 Page 581

At 11:35 o'clock A. M.

Conveys:- An undivided one-half interest

in and to the S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32, Twp. 1N,

R. 1E, U. M., in Mesa County, Colorado. (Equity of less than \$100.00 in value); subject however to all taxes now due and owing upon same.

Ack. March 11, 1918 before William H. Haun, Notary Public, Mesa County, Colorado (N. P. Seal) Commission expires July 16, 1922.

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94.

G. W. Davison  
to  
Mary L. Morrison

WARRANTY DEED \$1.00 #147002  
Dated March 9, 1918 Book 217  
Filed October 10, 1918 Page 582

At 11:40 o'clock A. M.

Conveys:- An undivided one-half interest

in and to the N $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32, Twp. 1N, R. 1E, U.M., Mesa County, Colorado. (Equity of less than \$100.00 value); subject however to all taxes now due and owing upon same.

Ack. October 10, 1918 before Lee W. Burgess, Notary Public, Mesa County, Colorado (N. P. Seal) Commission expires January 20, 1920.

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T. E. Thompson, et al.,  
Plaintiffs  
vs  
The Board of County Commissioners of  
Mesa County, Colorado, The Klein Land  
Company, a Corporation, et al.,  
Defendants

## FINDINGS AND JUDGMENT

No. 326349

Dated Mar. 9, 1934

Filed Aug. 24, 1937 at 3:21 P. M.

Book 362, page 465

STATE OF COLORADO  
COUNTY OF MESA

} SS

In the District Court No. 4909

In this cause, on January 31, 1933, the Court duly entered its findings, preliminary to an accounting herein, and in its order of said date found and determined that the sale of the tax-sale certificates described in the complaint herein, by the Board of County Commissioners of Mesa County, Colorado, to defendant The Klein Land Company under the resolutions of March 8th and May 3rd, 1928, was a bulk sale for a lump sum to a preferred purchaser, namely, The Klein Land Company, and, for such reasons and in accordance with such findings, the Court found and determined that said sale was void. Thereafter, and on the 2nd day of February 1933, this cause came on for further proceedings before the Court, on the application of the plaintiffs for an accounting, and the Court on said date entered its order herein, that The Klein Land Company, through its proper officers, attorneys, employees or accountants, at the time named in said order, produce in this Court all books, papers, records and documents relating to its dealings with the tax-sale certificates involved herein and the disposition thereof, and to render a just, full and true account of all moneys, treasurer's deeds and other property received by it from the County Treasurer of Mesa County and his predecessor in office and from all other persons, by reason of redemptions, sales or other dispositions of the tax-sale certificates involved herein; and said defendant was further ordered and directed to produce in this Court all of the tax-sale certificates involved in this action now in its possession or under its control. Thereafter, the matter of such accounting came on regularly to be heard before the Court, the plaintiffs appearing by Guy V. Sternberg, E. B. Adams and W. R. Hinman, their attorneys, the defendant The Board of County Commissioners appearing by Simon L. Smith, County Attorney, the defendant W. S. Meek appearing by his attorney, William F. Haywood, and the defendant The Klein Land Company appearing by its attorneys, Fred R. Wright, Clarence L. Ireland and R. H. Blackman; and evidence was presented on behalf of plaintiffs and defendant The Klein Land Company, and at the conclusion of the evidence the cause was argued orally before the Court on Sept. 8, 1933, and finally submitted on written briefs on Dec. 15, 1933. Numerous exhibits on the part of plaintiffs and said defendant were tendered and offered in evidence, and the rulings of the Court reserved thereon until the final disposition of the cause, and as to each and all of the said exhibits the Court now rules as follows: (Here follows list of exhibits.)

That the total of the above amounts, so found by the Court as having been received by said defendant, is the sum of \$71,517.47. The Court finds that the amount paid to the County of Mesa by The Klein Land Company, for and on account of said certificates involved herein, is the sum of \$34,421.99, which said defendant is entitled to have credited on the amount received as above set forth, which leaves a balance against the defendant The Klein Land Company in the sum of \$37,095.48, for which plaintiffs are entitled to judgment and for which sum judgment is hereby ordered against said defendant The Klein Land Company. The Court further finds that, as appears from the record and files herein, an order was entered on December 19, 1929, by the Hon. Francis E. Bouck, upon the written petition and request in open court of defendant W. S. Meek, County Treasurer of Mesa County, Colorado, permitting said defendant to deliver to defendant The Klein Land Company all redemption moneys then in his hands and in his possession and all redemption moneys thereafter coming into his possession on account of tax-sale certificates involved in this action, and, further, that said defendant County Treasurer might deliver to defendant The Klein Land Company Treasurer's deeds issued upon tax-sale certificates involved in this action, upon said defendant's delivering to said Treasurer a surety bond or bonds satisfactory to said Treasurer, in a sum equal to the amount of such redemption moneys and the face of the tax-sale certificates surrendered for such tax deeds, plus all subsequent taxes endorsed on said certificates, with accrued interest, penalties and costs, plus 10%; that, pursuant to said order, surety bonds were delivered to said Treasurer and said Treasurer paid over certain redemption moneys and delivered certain tax deeds to defendant The Klein Land Company, upon tax-sale certificates involved in this action, and the Court finds that plaintiffs are entitled to take such action as they may be advised with reference to such bonds in the event of their failure to collect the money judgment herein awarded to them against the defendant The Klein Land Company. The Court finds that the said defendant has deposited in Court, pursuant to the order of accounting, tax-sale certificates involved herein and not assigned or disposed of by said defendant, and that the plaintiffs are entitled to have and recover the same for the use of the County of Mesa, State of Colorado, which tax-sale certificates are numbered as follows, to-wit: #19427; #27162;

#27164; #27406 and #28635.

The Court finds that certain of the tax-sale certificates involved herein were delivered to the County Treasurer of Mesa County, Colorado, by the said defendant, for the issuance of Treasurer's deeds, and that Treasurer's deeds have been executed upon certain thereof, and that said tax-sale certificates and treasurer's deeds are now in the custody of this Court; that the plaintiffs are entitled to have and recover the same from said defendant for use of said County of Mesa, and that a list of such tax-sale certificates, upon which treasurer's deeds have been executed or applied for, in as follows, to-wit:

The Court finds that there have been deposited in court, pursuant to the order of accounting, certain promissory notes given by purchasers of tax-sale certificates from said defendant, representing the purchase price thereof, on which various amounts have been paid, and that plaintiffs are entitled to have and recover from said defendant said tax-sale certificates, for the use of said County of Mesa, and the Court finds that said defendant has no right or interest in said notes nor any right to collect said notes, and said notes are ordered to be cancelled and held among the exhibits in this case; that a list of said promissory notes is as follows, to-wit: George Brewer, Nick Colunga, Louis Goucher, Vesta Jones, J. G. Raney, W. R. Robb, Mattie Sales, C. J. Stutler.

The Court finds that the plaintiffs are entitled to have and recover any and all money that now may be on hand in the office of the County Treasurer of said County, paid in on account of redemptions of tax-sale certificates involved in this action, except moneys received for redemptions of tax-sale certificates assigned by defendant The Klein Land Company, and plaintiffs are entitled to have and recover all other property of whatsoever kind or nature which have been deposited in court by said defendant The Klein Land Company or is now remaining in its possession and which is connected with the said tax-sale certificates or was received by the said defen-



dant in connection therewith, except the bonds of the South Palisade Heights Irrigation District. It is therefore, Ordered, Adjudged and Decreed by the Court that said plaintiffs do have and recover of and from said defendant The Klein Land Company, for the use and benefit of the County of Mesa, State of Colorado, the same to be collected and received by the County Treasurer of said County, the sum of \$37,095.48, and their costs herein laid out and expended, to be taxed. It is further ordered, adjudged and decreed by the Court that the plaintiffs do likewise have and recover from said defendant, for the use and benefit of said County of Mesa, all the tax-sale certificates, treasurer's deeds, promissory notes and other property hereinabove listed and described in the findings herein, the said promissory notes to be canceled. The Court hereby expressly saves the rights of all assignees and persons holding tax-sale certificates, by, through, under and from said defendant, except such assignees or persons who may be privies or otherwise bound by the findings and judgment herein. The Court finds, adjudges and decrees that the plaintiffs as taxpayers of the County of Mesa, State of Colorado, have prosecuted this action for the benefit of the County of Mesa, State of Colorado, and are entitled to have and to receive and to have paid to them, out of the collection of said money judgment from defendant The Klein Land Company, their attorneys' fees herein rendered and incurred in the prosecution of this action and the recovery of judgment herein, and the Court finds, adjudges and decrees that 30% of any and all collections which may be made on the said money judgment or collected in any other action or proceedings involving the collection of said money judgment from said defendant and its sureties, upon the bonds filed with defendant County Treasurer pursuant to the former order of this Court, and all moneys collected or received by the said County of Mesa on redemption or other disposition of tax-sale certificates or on other evidence of indebtedness awarded to said County pursuant to this judgment and decree, represents a fair and reasonable attorneys' fee for the services of plaintiffs' attorneys, herein rendered and to be rendered in this action, and such attorneys' fee is hereby adjudged and awarded to the attorneys representing the plaintiffs in this proceeding. The Court finds that a motion for a new trial herein would be unavailing, and it is ordered that such motion be and is hereby dispensed with. Defendant The Klein Land Company objects and excepts to the foregoing findings and judgment of the Court herein. Defendant is hereby granted sixty days in which to prepare and tender a bill of exceptions, and execution is hereby stayed as provided in the Code of Civil Procedure. Done in open Court this March 9, 1934. By the Court: Straud M. Logan.

Certificate of true copy attached March 16, 1937 by Joseph Quinn, Clerk of the District Court, Mesa County, Colorado. (District Court Seal)

96.

The Klein Land Company, a Corporation.  
Plaintiff in Error.

vs.

T. E. Thompson, C. J. Bradfield, John Roth, L. E. Storm, W. D. Ela, J. B. Hunter, Dr. J. E. Ford, R. J. Derry, A. T. Gormley, William Murr, John Wolf, D. W. Aupperle, F. E. Dean, William Frey and H. W. Vorbeck, Defendants in Error.

FINDINGS AND JUDGMENT

No. 326350

Dated Dec. 14, 1936

Filed Aug. 24, 1937 at 3:22 p. m.

Book 362, page 470

Klein Land Company, a corporation, and others to commissioners of Mesa County, abrogate-sales of the issuance of deeds based on said sales, compel of all money and other property involved, compel join further acts based upon the questioned resolution to dismiss was sustained and, on December Plaintiffs sued out a writ of error, and this court, mained the cause to the District Court for further that plaintiffs had made a prima facie showing of lump sum, and to a particular purchaser, and we Board of County Commissioners of Mesa County, on November 4, 1932, the Land Company tender answer. Upon objection by plaintiffs, the court re the case on January 25, 1933, the testimony of w hibits introduced at that trial, subject to objections, Additional evidence was introduced, and the Court sales of tax certificates, each for a lump sum and pany, and that the sales were void. The Court ord and a decree was entered. The Land Company con permit the filing of the supplemental answer; (2) that the sales were bulk sales, each for a lump sum contends, also, (4) That there was a non-joinder it was charged erroneously with certain items; and penditures made by it wer erroneously disallowed. answer alleges, in substance, that while the suit was imately all of the property covered by the tax-sale that plaintiffs took no action to prevent such sales, firmed the sales of certificates to the Land Company have had to set aside the sales and lost all interest certificates and in the lands covered thereby. Section 80 of the Code of Civil Procedure provides that, "when facts occurring subsequent to the commencement of an action render it proper, the same may, by leave of court, be presented by supplemental pleadings. ---" )Italics are ours). The matter was within the discretion of the Court. Denison, Code Pleading, p. 599. In the exercise of its discretion, the Court refused leave to file. We cannot say that the Court abused its discretion. 2. Admission of Evidence. It is said that the Court erred in admitting irrelevant testimony of two witnesses and in admitting irrelevant exhibits. The case being one in equity, the trial was to the Court. The presumption is that the court did not consider irrelevant evidence in arriving at its conclusions, and nothing appears in the record to rebut that presumption; hence, if such testimony and exhibits were irrelevant, as claimed, their admission was not reversible error. 3. Bulk sales. In the Thompson case, supra, we held that the plaintiffs made a prima facie case of bulk sales, each for a lump sum and to a

Mr. Justice Butler delivered the opinion of the Court T. E. Thompson and fourteen other taxpayers of Mesa County, suing for themselves and for all other taxpayers similarly situated, sued The nullify certain resolutions of the board of County tax-sale certificates to the Land Company, enjoin an accounting, hold the Land Company as trustee the transfer thereof to the county treasurer, and entions. At the close of plaintiffs' evidence defendants' 17, 1929, judgment was entered accordingly. on June 27, 1932, reversed the judgment and re-proceedings in harmony with the opinion. We held two bulk sales of tax-sale certificates, each for a held that the sales were void. Thompson, et al. v. et. al., 91 Colo. 214, 14 Pac. (2d) 194. Thereafter ed for filing in the District Court a supplemental fused permission to file the same. At the re-trial of witnesses given at the former trial, together with ex-were admitted in evidence pursuant to stipulation. found and adjudged that there were two bulk to a particular purchaser, namely, the Land Com-erred an accounting, which was taken in due course, tends that the trial court erred; (1) In refusing to in admitting certain evidence; and (3) in holding and to a particular purchaser. The Land Company of necessary parties; (5) that in the accounting (6) that in the accounting certain claims for ex-1. Supplemental Answer. The Supplemental first pending in this Court, the county sold approx-certificates for the taxes of 1928, 1929, and 1930, and that by reason of such sales the county af-waived any right which it or the taxpayers might that the county might have had in the tax-sale certificates and in the lands covered thereby. Section 80 of the Code of Civil Procedure provides that, "when facts occurring subsequent to the commencement of an action render it proper, the same may, by leave of court, be presented by supplemental pleadings. ---" )Italics are ours). The matter was within the discretion of the Court. Denison, Code Pleading, p. 599. In the exercise of its discretion, the Court refused leave to file. We cannot say that the Court abused its discretion. 2. Admission of Evidence. It is said that the Court erred in admitting irrelevant testimony of two witnesses and in admitting irrelevant exhibits. The case being one in equity, the trial was to the Court. The presumption is that the court did not consider irrelevant evidence in arriving at its conclusions, and nothing appears in the record to rebut that presumption; hence, if such testimony and exhibits were irrelevant, as claimed, their admission was not reversible error. 3. Bulk sales. In the Thompson case, supra, we held that the plaintiffs made a prima facie case of bulk sales, each for a lump sum and to a

particular purchaser. For a statement and discussion of the plaintiffs' evidence introduced at the first trial, see the Thompson case, supra. We shall not encumber this opinion by repeating what was there said. The additional evidence introduced at the second trial, taken in connection with plaintiffs' evidence introduced at the first trial, which was admitted at the second trial by stipulation, was sufficient to sustain the finding of the trial court that the two sales to the Land Company were bulk sales, each for a lump sum and to a particular purchaser. 4. Non-joinder of Parties. While the case was pending in the District Court and also while the case was pending here the first time the Land Company sold and assigned some of the certificates and also sold and quit-claimed land for which it had received treasurer's deeds based upon certificates purchased by it. It is contended by the Land Company that the purchasers of the certificates and of the land were necessary parties defendant. We cannot sustain the contention. The situation was made to appear at the accounting. The Land Company made no request that such purchasers be made parties and made no objection to their non-joinder. The objection made at this time comes too late. Moreover, purchasers during the pendency of litigation purchase at their peril. The one from whom they purchase continues the litigation as the representative of their interest. They are not necessary parties to the suit. But if such purchasers apply to be made parties, the court, in its discretion, may grant the application when necessary to protect such purchasers' rights. *Howard v. Fisher*, 86 Colo. 493 283 Pac. 1042. No such purchaser applied to be made a party to this suit. 5. Disallowance of claim for expenditures. The Land Company paid costs of obtaining treasurer's deeds, commissions for sales of tax-sale certificates and lands, commissions on certificates redeemed and refunded, salary to agent and attorney for services in connection with the deal, agent's traveling expenses, office expenses incurred by the Company in connection with the deal, and miscellaneous expenses. It is said that such expenditures, plus interest on moneys invested by the Company in the certificates, more than offset any profits derived from the deal, and that at the accounting the expenses incurred should have been credited to the Land Company. We do not agree with that contention. The Land Company, as we have seen, participated in bulk sales of tax-sale certificates for a lump sum and to a particular purchaser (i. e., the Land Company), and such transactions are in violation of law, as we repeatedly have decided. The Land Company is not entitled to recover moneys expended in the prosecution of that forbidden enterprise. 6. Erroneous charges in accounting. The Court found that the Land Company paid to the county for the tax-sale certificates purchased by the Company \$34,421.99, and that it received in cash as proceeds of the transaction \$71,517.47. Judgment was entered against the Land Company for the difference, \$37,095.48. Under order of court, the Land Company had deposited in court certain tax-sale certificates that had not been disposed of by the company. The Court held that the plaintiffs were entitled thereto for the use of the county. The Land Company had delivered certain tax certificates to the county treasurer for the issuance of treasurer's deeds. The certificates and the deeds came into the custody of the court. The court held that plaintiffs were entitled thereto for the use of the county. Pursuant to order of court, the Land Company had deposited in court eight promissory notes given to the Land Company by purchasers of certificates on account of the purchase price thereof, and upon which the makers had made part payments. The Court ordered the notes cancelled. (a) Included in the items charged to the Land Company are amounts paid to it as purchase price by those to whom it sold certificates and land. The Land Company objects to those charges. It says that if the sales to the Land Company were void—and that is our holding—the purchasers of certificates and land from the Land Company would have a claim against the company for a return of the money paid therefor, and that if the judgment in favor of the plaintiffs for the amounts so received by the company should stand, it would result in double liability. In their brief counsel for plaintiffs say: "It seems that a money judgment having been so rendered, the rights of the assignees of tax-sale certificates are not disturbed and the County of Mesa must necessarily recognize the position of such assignees as the holders and as entitled to the possession of the same. . . . Neither the plaintiffs nor the Board of County Commissioners nor the County Treasurer, as defendants, are asking for any relief against such assignee. The Board of County Commissioners has taken no exception to the judgment of the Court, nor asked any review of the case, and must be considered as having acquiesced to (in) the judgment and decree of the trial court." In other words, as we understand counsel's contention, it is this, that as plaintiffs and the county officers acquiesced in the money judgment against the Land Company for the proceeds of the certificates and land sold by it, the sales by the Land Company were ratified and the purchasers thereby vested with title thereto, which cannot later be disturbed; hence, the judgment in favor of plaintiffs for the use of the county against the Land Company for the purchase price money received by it from those to whom it sold the certificates and land should not be disturbed. But the void sales cannot thus be validated. The County itself cannot do indirectly what it cannot do directly, and of course, the plaintiff taxpayers cannot do so. It was an error to charge such items to the Land Company. The rights, if any, of the purchasers from the Land Company to a return of the money paid by them can be determined in litigation between them and the Land Company. It is a matter with which plaintiffs and the county have no concern, and cannot be determined in this suit. It was error to include such amounts as charges against the Land Company and render judgment therefor. (b) Another item in the account is challenged. The Land Company deposited with the county a sum of money which proved to be \$1,198.01 in excess of the purchase price of the certificates delivered to the company, and the money was refunded to the company. In the accounting that amount was charged to the company as money received by it and the amount was included in the judgment. The inclusion of that amount in the judgment against the Land Company was error. The judgment, so far as it charges to the Land Company the items discussed in paragraph 6 (a) and (b) of this opinion is reversed. In all other respects the judgment is affirmed. Mr. Chief Justice Campbell did not participate.

The Klein Land Company, a corporation,  
Plaintiff in Error.

vs.

T. E. Thompson, C. J. Bradfield, John  
Roth, L. E. Storm, W. D. Ela, J. B. Hunter,  
Dr. J. E. Ford, R. J. Derry, A. T.  
Gormley, William Murr, John Wolf, D.  
W. Aupperle, F. E. Dean, William Fry  
and H. W. Vorbeck, Defendants in Error.

Supreme Court, State of Colorado No. 13692

Error to the District Court of Mesa County.

I, A. H. White, Clerk of the Supreme Court of the State of Colorado, hereby certify the foregoing to be a full, true and complete copy of an opinion of said Court announced in the above entitled matter of Dec. 14, 1936, as the same now remains on file in my office. In testimony thereof, I have here-

unto set my hand and affixed the seal of our Supreme Court at my office in the City of Denver, this 13th day of March, 1937. Signed: A. H. White, Clerk, Supreme Court. (Supreme Court Seal).



97.

Treasurer of Mesa County  
to  
Mesa County

TAX SALE \$2.70 #20413  
Dated December 20, 1918 Book 8 Page 31

Sale of:-

Und.  $\frac{1}{2}$  Interest in  $S\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  and  
N $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32, Twp. 1N, R. 1E.

REDEEMED by Geo. W. Davison, May 24, 1920; As to  $\frac{1}{2}$  Int. in  $S\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  only.  
CANCELLED by Order of Board of County Commissioners, June 11, 1920;  
As to  $\frac{1}{2}$  Interest in N $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32.

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98.

Treasurer of Mesa County  
to  
Mesa County

TAX SALE \$2.55 #30483  
Dated December 13, 1928 Book 24 Page 48

Sale of:-

$\frac{1}{2}$  Int. N $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32 Twp. 1N, R. 1E

DEEDED to Lucius C. Currier, February 19, 1942.

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99.

City of Grand Junction,  
A Municipal Corporation,  
Petitioner.

JUDGMENT AND DECREE #389449  
Filed September 17, 1941 Book 399  
At 1:40 o'clock P. M. Page 482

vs.

Lucius C. Currier, W. T. Penrose,  
Bert Garlitz, Mary L. Morrison,  
G. W. Davison, Geo. A. Nahstoll,  
Charles N. Needham, Frank M.  
Harris and Olive G. Harris,  
O. E. Mace, Respondents.

State of Colorado, County of Mesa, SS  
In the District Court No. 6689  
It appearing to the Court that the commiss-  
ioners in condemnation, heretofore appointed  
in this proceeding, have made and filed  
with the Clerk of this Court the following  
report, to-wit:

City of Grand Junction,  
A Municipal Corporation,  
Petitioner.

COMMISSIONERS' REPORT

State of Colorado, County of Mesa, SS  
In the District Court No. 6689

vs.

Lucius C. Currier, W. T. Penrose,  
Bert Garlitz, Mary L. Morrison,  
G. W. Davison, Geo. A. Nahstoll,  
Charles N. Needham, Frank M.  
Harris and Olive G. Harris,  
O. E. Mace, Respondents.

We, the undersigned commissioners, heretofore  
appointed by the Court for the purpose of de-  
termining values and assessing damages to the  
hereinafter described tracts or parcels of  
land, do hereby report that we have and do  
hereby estimate, fix and determine the fair  
and actual cash market value of the various  
tracts or parcels of property proposed to be  
taken for the improvement, without reference

to the projected improvement, and the fair, direct and actual damage caused on  
account of said improvement to other property not taken for the improvement as  
follows:

Parcel No. 1 That part of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 31, Twp. 1N, R. 1E, Ute Meridian,  
lying north and west of the following described line; beginning at a point  
1,085 feet north of the E $\frac{1}{4}$  corner of Sec. 31, Twp. 1N, R. 1E. Ute Meridian,  
thence South 55°35' west to a point on the West line of the said SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 31,  
said point being 190 feet more or less north of the SW corner of said SE $\frac{1}{4}$  NE $\frac{1}{4}$   
Sec. 31, containing 19.4 acres, more or less, all in Mesa County, Colorado.

Value of Bert Garlitz  
interest therein \$1.00

Damage to other property  
of Bert Garlitz None

Value of Lucius C. Currier  
interest therein \$30.00

Damage to other property  
of Lucius C. Currier None

Parcel No. 2 All that part of the N $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32, Twp. 1N, R. 1E., lying  
north and west of the following described line; beginning at a point 1,085  
feet north of the W $\frac{1}{4}$  corner of Sec. 32, Twp. 1N, R. 1E., Ute Meridian, thence  
N 55°35' E 410 feet more or less to the North line of the said SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32,  
containing 1 acre, more or less, all in Mesa County, Colorado.

Value of Mary L. Morrison  
interest therein \$1.00

Damage to other property  
of Mary L. Morrison None

Value of Lucius C. Currier  
interest therein \$1.50

Damage to other property  
of Lucius C. Currier None

Parcel No. 3 All that part of the S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32, Twp. 1N, R. 1E. Ute Meridian,  
lying north and west of the following described line; beginning at the NE corner

No. 99 continued on next sheet

No. 99 continued.

of the S $\frac{1}{2}$  of the said NW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32, thence S 55°35' W 1,210 feet, more or less, to the south line of the said NW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32, containing 14.6 acres, more or less, all in Mesa County, Colorado.

Value of G. W. Davison  
interest therein \$1.00

Damage to other property  
of G. W. Davison None

Value of Lucius C. Currier  
interest therein \$22.00

Damage to other property  
of Lucius C. Currier none

Parcel No. 4 All that part of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 30, Twp. 1N, R. 1E, Ute Meridian, lying south and west of the following described line; beginning at a point 415 feet, more or less, east of the SW corner of the said NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 30, thence N 54°57' W to the west line of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 30, said point being 290 feet north of the SW corner of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 30; Also that part of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 30, Twp. 1N, R. 1E, Ute Meridian, lying south and west of the following described line; beginning at a point 290 feet north of the SE corner of the said NE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 30, thence N 44°57' W to a point on the west line of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 30, 1,238 feet more or less north of SW corner of the said NE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 30, containing 24.6 acres, all in Mesa County, Colorado.

Value of Geo. A. Nahstoll  
interest therein \$1.00

Damage to other property  
of Geo. A. Nahstoll None

Value of Charles N. Needham  
interest therein \$1.00

Damage to other property  
of Charles N. Needham None

Value of Frank M. Harris  
interest therein \$1.00

Damage to other property  
of Frank M. Harris None

Value of Olive G. Harris  
interest therein \$1.00

Damage to other property  
of Olive G. Harris None

Value of Lucius C. Currier  
interest therein \$37.00

Damage to other property  
of Lucius C. Currier None

Parcel No. 5 The North one-half of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32, Twp. 1N, R. 1E, Ute Meridian, containing 20 acres, all in Mesa County, Colorado

Value of W. T. Penrose  
interest therein \$30.00

Damage to other property  
of W. T. Penrose None

Value of O. E. Mace  
interest therein None

Damage to other property  
of O. E. Mace None

(Note: The record owner of this tract is W. T. Penrose, but it was developed in evidence that one O. E. Mace has been paying the taxes thereon; if the ownership of the property be in controversy, the rights of the respective respondents to the above award is a matter for the determination of the Court.)

We hereby further certify that we have served two days time in hearing testimony in the condemnation proceeding, and have subsequently held meetings on additional days. Dated at Grand Junction, Colorado, this 26th day of August, 1941.

Wayne J. Chiesman (SEAL) Orval Herron (SEAL) Frank R. Hall (SEAL)

And it appearing to the Court that upon application of the petitioner the date for hearing and consideration of said report was set for the 17th day of September, 1941, at ten o'clock A.M., and that due and legal notice was given to each of the respondents of the matters contained in said report and of the time so fixed by the Court for the consideration thereof for the time and within the manner prescribed by law; And it further appearing to the Court that W. R. Himman, attorney for petitioner, has made and filed his affidavit herein that he did not know and was unable to ascertain whether the respondents, other than Lucius C. Currier, or any of them, were in the military service of the United States and the Court having appointed John P. Helman to represent the respondents, other than Lucius C. Currier, and each of them, and to protect their interests herein, if any they have, and the said John P. Helman, attorney for said respondents, being here present; And the default of all of the respondents and each of them having heretofore been entered and an order that the report of the commissioners in condemnation be confirmed as to such persons, and that decree be entered in accordance therewith and in accordance with the prayer of the petitioner having heretofore been entered; and it appearing to the Court that the commissioners' report and the acts of said commissioners are legal and in accordance with the orders of this Court and with the law; IT IS HEREBY ORDERED, That said commissioners' report and the statements and findings therein set forth are confirmed, approved and adopted by the Court; And it further



No. 99 continued.

appearing to the Court that the petitioner has paid to and deposited with the Clerk of this Court the sum of \$127.50 for the use of the respondents, which sum represents the aggregate amounts of compensation and damages proper to be paid by the petitioner to said respondents, as ascertained and certified and more particularly set forth by the commission in condemnation in its said report; IT IS THEREFORE ADJUDGED AND DECREED: That the compensation proper to be paid by the petitioner as the fair and actual cash market value of the various tracts or parcels of property condemned and taken for the improvement, and the fair, direct and actual damage caused on account of said improvement to other property of each respondent, and not taken for the improvement, together with a description of each parcel of property so condemned, the name of the owner thereof, is as follows:

Parcel No. 1 That part of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 31, Twp. 1N. R. 1E., Ute Meridian, lying north and west of the following described line; beginning at a point 1,085 feet north of the E $\frac{1}{4}$  corner of Sec. 31, Twp. 1N. R. 1E. Ute Meridian, thence South 55°35' west to a point on the west line of the said SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 31, said point being 190 feet more or less north of the SW corner of said SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 31, containing 19.4 acres, more or less, all in Mesa County, Colorado.

Value of Bert Garlitz interest therein \$1.00	Damage to other property of Bert Garlitz None
Value of Lucius C. Currier interest therein \$30.00	Damage to other property of Lucius C. Currier None

Parcel No. 2 All that part of the N $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32, Twp. 1N. R. 1E., lying north and west of the following described line; beginning at a point 1,085 feet north of the W $\frac{1}{4}$  corner of Sec. 32, Twp. 1N. R. 1E. Ute Meridian, thence N 55°35' E 410 feet more or less to the north line of the said SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32, containing 1 acre, more or less, all in Mesa County, Colorado.

Value of Mary L. Morrison interest therein \$1.00	Damage to other property of Mary L. Morrison None
Value of Lucius C. Currier interest therein \$1.50	Damage to other property of Lucius C. Currier None

Parcel No. 3 All that part of the S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32, Twp. 1N. R. 1E. Ute Meridian, lying north and west of the following described line; beginning at the NE corner of the S $\frac{1}{2}$  of the said NW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32, thence S 55°35' W 1,210 feet, more or less, to the south line of the said NW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32, containing 14.6 acres, more or less, all in Mesa County, Colorado.

Value of G. W. Davison interest therein \$1.00	Damage to other property of G. W. Davison None
Value of Lucius C. Currier interest therein \$22.00	Damage to other property of Lucius C. Currier None

Parcel No. 4 All that part of the NW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 30, Twp. 1N. R. 1E, Ute Meridian, lying south and west of the following described line; beginning at a point 415 feet more or less, east of the SW corner of the said NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 30, thence N 54°57' W to the west line of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 30, said point being 290 feet north of the SW corner of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 30; Also that part of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 30, Twp. 1N. R. 1E. Ute Meridian, lying south and west of the following described line; beginning at a point 290 feet north of the SE corner of the said NE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 30, thence N 54°57' W to a point on the west line of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 30, 1,238 feet more or less north of SW corner of the said NE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 30, containing 24.6 acres, all in Mesa County, Colorado.

Value of Geo. A. Nahstoll interest therein \$1.00	Damage to other property of Geo. A. Nahstoll None
Value of Charles N. Needham interest therein \$1.00	Damage to other property of Charles N. Needham None
Value of Frank M. Harris interest therein \$1.00	Damage to other property of Frank M. Harris None
Value of Olive G. Harris interest therein \$1.00	Damage to other property of Olive G. Harris None
Value of Lucius C. Currier interest therein \$37.00	Damage to other property of Lucius C. Currier None

No. 99 continued on next sheet



No. 99 continued.

Parcel No. 5 The North one half of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32, Twp. 1N. R. 1E. Ute Meridian, containing 20 acres, all in Mesa County, Colorado.

Value of W. T. Penrose or  
O. E. Mace interest therein  
as their interests may sub-  
sequently appear \$30.00

Damage to other property  
of W. T. Penrose None

Damage to other property  
of O. E. Mace None

That the petitioner having paid to and deposited with the Clerk of this Court all of the compensation ascertained as aforesaid for the use of the various respondents; IT IS THEREFORE ORDERED, ADJUDGED AND DECREED That City of Grand Junction, Colorado, a Municipal Corporation, petitioner aforesaid, has acquired and is hereby granted the fee simple title to each and all of the above described parcels of land, free of all liens and encumbrances, claims or demands of each or any of the respondents, and the right to enter upon said property forthwith; and that the petitioner is discharged from all claims of said respondents for any and all damages involved in this proceeding; And it further appearing to the Court that each of the Commissioners in condemnation have served two days time in hearing testimony in this proceeding, their compensation and fees are hereby fixed and determined in the sum of Eight (\$8.00) each. Done in Open Court, This September 17, 1941. By the Court; George W. Bruce, Judge.

Certificate of true copies of the original Judgment and Decree attached September 17, 1941 by Lucy E. Hogan, Clerk of the District Court, Mesa County, Colorado.

(Mesa County, Colorado, District Court Seal)

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STATE OF COLORADO)  
(SS  
COUNTY OF M E S A)

THE MESA COUNTY ABSTRACT COMPANY hereby certifies that the foregoing consisting of Ninety-nine (99) Entries numbered from 1 to 99, both inclusive, constitutes a true and correct Abstract of Title showing all instruments which appear of record or on file in the office of the County Clerk and Recorder of Mesa County, Colorado up to May 11, 1948 at 8:00 o'clock A. M. affecting the title to the property described in the caption hereof.

Dated at Grand Junction, Colorado

May 11, 1948 at 8:00 o'clock A. M.

THE MESA COUNTY ABSTRACT COMPANY

By R.B. Williams Manager



Lucius C. Currier  
to  
The Carter Oil Company

OIL AND GAS LEASE  
\$10.00 and more  
Dated February 26, 1955  
Filed May 13, 1955  
At 9:20 o'clock A. M.

#634148  
Book 643  
Page 517

Leases: SW $\frac{1}{4}$  Sec. 29; SE $\frac{1}{4}$  NW $\frac{1}{4}$  and that part of NE $\frac{1}{4}$  SW $\frac{1}{4}$  and N $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 30 - N and E of following described line: Beginning 415' E of SW corner of NW $\frac{1}{4}$  SE $\frac{1}{4}$ ; thence N 54°57' W to a point 1238' N of SW corner of said NW $\frac{1}{4}$  SE $\frac{1}{4}$ , and a tract of land described as follows: Beginning 82' S of SE corner of SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 30, thence N 54°57' W to a point 480' S of NW corner of said SW $\frac{1}{4}$  NW $\frac{1}{4}$ , thence N to said NW corner, thence E 1320' thence S 1402' to the point of beginning; that part of SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 31, S and E of the following described line; Beginning 1085' N of E $\frac{1}{4}$  corner of said Sec. 31, thence S 55°35' W to a point 190' N of SW corner of said SE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Sec. 31; S $\frac{1}{2}$  SE $\frac{1}{4}$ , NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 31; that part of E 3/4ths of S $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 32 S of Mesa County Canal; that part of W $\frac{1}{2}$  SW $\frac{1}{4}$  Sec. 32, N and W of Mesa County Canal; that part of S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  and SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32, S and E of the following described line: Beginning at NE corner of said S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$ , thence S 55°35' W 1210' to the W line of said SW $\frac{1}{4}$  NW $\frac{1}{4}$ ; Twp.1N, R.1E. Ute Meridian. SE $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 24; S $\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$ , N $\frac{1}{2}$  NE $\frac{1}{4}$  and a tract of land described as follows: beg at the NE corner of SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 25, thence W 700' thence S 54°57' E to a point 480' S of the point of beginning, thence N to the point of beginning, all in Sec. 25; and a tract of land described as follows: Beg-at the SW corner of SE $\frac{1}{4}$  NE $\frac{1}{4}$  thence N 475', thence S 54°57' E to a point 465' S of SE corner of said SE $\frac{1}{4}$  NE $\frac{1}{4}$ , thence S to the SE corner of NE $\frac{1}{4}$  SE $\frac{1}{4}$  thence W 1320' thence N 1320' to the point of beginning in Sec. 25; SW $\frac{1}{4}$ , W $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 27; the N 740' of NW $\frac{1}{4}$  NE $\frac{1}{4}$  and NE $\frac{1}{4}$  NW $\frac{1}{4}$  lying N and E of the canal and the S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  and the NE $\frac{1}{4}$  NW $\frac{1}{4}$  lying W of canal in Sec. 34; Twp.1N. R.1W. U.M. Containing in all, 1133.40 acres, more or less, Mesa County, Colorado. It being the purpose and intent of the lessor to lease and lessor does hereby lease all of the lands owned by the said lessor which adjoin the lands above mentioned or which lie in the section or sections herein specified. It is agreed that this lease shall remain in force for a term of 10 years from this date and as long thereafter as oil, gas, casinghead gas, casinghead gasoline or any of them is produced from said leased premises or drilling operations are continued as hereinafter provided. If, at the expiration of the primary term of this lease, oil or gas is not being produced on the leased premises but lessee is then engaged in drilling operations then this lease shall continue in force as long as drilling operations are being continuously prosecuted on the leased premises; and drilling operations shall be considered to be continuously prosecuted if not more than 60 days shall elapse between the completion or abandonment of one well and the beginning of operations for the drilling of a subsequent well if oil or gas shall be discovered and produced from any such well or wells drilled or being drilled at or after the expiration of the primary term of this lease, this lease shall continue in force so long as oil, or gas shall be produced from the leased premises. 1. To deliver to the credit of lessor, free of cost, in the pipeline to which lessee may connect his wells, the equal 1/8 part of all oil produced and saved from the leased premises or at the option may pay to the lessor for such 1/8 royalty, the market price for oil or like grade and gravity prevailing on the day such oil is run into the pipe line or into storage tanks. 2. To pay the lessor 1/8 at the market price at the well for the gas so used, for the gas from each well where gas only is found while the same being used off the premises, and lessor to have gas free of cost from any such well for all stoves and all inside lights in the principal dwelling house on said land during the same time by making his own connections with the wells at his own risk and expense. 3. To pay lessor for gas produced from any oil well and used off the premises or for the manufacture of casinghead gasoline 1/8 of the market price at the well for the gas so used for the time during which such gas shall be used, said payments to be made monthly. If no well be commenced on said land on or before 1 year from the date hereof, this lease shall terminate as to both parties, unless the lessee on or before that date shall pay or tender to the lessor's credit in the United States Bank of Grand Junction at Grand Junction, Colorado or its successors the sum of \$1,133.40 which shall operate as a rental and cover the privilege of deferring the commencement of a well for 12 months from said date.----- Lessee may at any time release this lease as to part or all of the lands above described, after which all payments and liabilities thereafter to accrue as to

(Continued on next page)

No. 100 Continued

the lands release shall cease and determine. In the event of a partial release, the annual delay rental above mentioned shall be reduced proportionately, No part of the surface of the leased premises shall, without the written consent of the lessee, be let, granted or licensed by the lessor to any other party for the erection, construction, location or maintenance of structures, tanks, pits, reservoirs, equipment or machinery to be used for the purpose of exploring, developing or operations adjacent lands for oil or gas, as to anyone claiming, by through and under lessor.-----Lessee shall have the right to use, free of cost, gas, oil and water produced on said land for its operation, thereon, except water from wells of lessor. When required by the lessor, lessee shall bury its pipe lines below plow depth. No well shall be drilled nearer than 200 feet to the house or barn now on said premises, without the written consent of the lessor. Lessee shall pay for damages caused by its operation to growing crops on said lands. Lessee shall have the right at any time to remove all machinery and fixtures placed on said premises, including the right to draw and remove casing. The undersigned lessors hereby surrender and release all rights of homestead in the premises herein described insofar as said homestead rights may in any way affect the purpose for which this lease is made as recited herein.

/s/ Lucius C. Currier

Ack, March 17, 1955 by Lucius C. Currier before D. E. Sanburg, Notary Public, Mesa County, Colorado.

(N. P. Seal shows City and County of Denver)

Commission expires February 18, 1958

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101

Lucius C. Currier  
to  
The Carter Oil Company

CORRECTION OF DESCRIPTION  
IN OIL AND GAS LEASE  
\$1.00 and other good and  
valuable considerations  
Dated January 11, 1956  
Filed January 26, 1956  
At 9:32 o'clock A. M.

#659091  
Book 674  
Page 398

WHEREAS, under date of Feb. 26, 1955, a certain oil and gas mining lease recorded in Book 643, at Page 517 of the records of Mesa County, Colorado and which lease covered certain lands situate in said Mesa County, Colorado described therein as follows, to-wit:

Twp.1N. R.1E. Ute Meridian: SW $\frac{1}{4}$  Sec. 29; SE $\frac{1}{4}$  NW $\frac{1}{4}$  and that part of NE $\frac{1}{4}$  SW $\frac{1}{4}$  and N $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 30 - N and E of following described line: Beginning 415' E of the SW corner of NW $\frac{1}{4}$  SE $\frac{1}{4}$ ; thence N 54°57' W to a point 1238' N of SW corner of said NW $\frac{1}{4}$  SE $\frac{1}{4}$ , and a tract of land described as follows: Beginning 82' S of SE corner of SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 30, thence N 54°57' W to a point 480' S of NW corner of said SW $\frac{1}{4}$  NW $\frac{1}{4}$ , thence N to said NW corner, thence E 1320' thence S 1402' to the point of beginning; that part of SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 31, S and E of the following described line; Beginning 1085' N of E $\frac{1}{4}$  corner of said Sec. 31, thence S 55°35' W to a point 190' N of SW corner of said SE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Sec. 31; S $\frac{1}{2}$  SE $\frac{1}{4}$ , NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 31; That part of E 3/4ths of S $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 32 S of Mesa County Canal; that part of W $\frac{1}{2}$  SW $\frac{1}{4}$  Sec. 32, N and W of Mesa County Canal; that part of S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  and SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32, S and E of the following described line; Beginning at NE corner of said S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$ , thence S 55°35' W 1210' to the W line of said SW $\frac{1}{4}$  NW $\frac{1}{4}$ ; Twp.1N. R.1W. Ute Meridian: SE $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 24; S $\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$ , N $\frac{1}{2}$  NE $\frac{1}{4}$  and a tract of land described as follows: Begin at the NE corner of SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 25, thence W 700' thence S 54°57' E to a point 480' S of the point of beginning, thence N to the point of beginning, all in Sec. 25; and a tract of land described as follows: Begin at the SW corner of SE $\frac{1}{4}$  NE $\frac{1}{4}$  thence N 475', thence S 54°57' E to a point 465' S of SE corner of said SE $\frac{1}{4}$  NE $\frac{1}{4}$ , thence S to the SE corner of NE $\frac{1}{4}$  SE $\frac{1}{4}$  thence W 1320' thence N 1320' to the point of beginning in Sec. 25; SW $\frac{1}{4}$ , W $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 27; the N 740' of NW $\frac{1}{4}$  NE $\frac{1}{4}$  and NE $\frac{1}{4}$  NW $\frac{1}{4}$  lying N and E of the canal and the S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  and the NE $\frac{1}{4}$  NW $\frac{1}{4}$  lying W of canal in Section 34; Containing in all, 1133.40 acres, more or less, Mesa County, Colorado.

AND WHEREAS said description is incomplete and indefinite, and the lands intended to be covered by said lease, and situate in said County and State, are more accurately described as follows, to-wit:

Twp.1N. R.1E. Ute Meridian: SW $\frac{1}{4}$  Sec. 29; SE $\frac{1}{4}$  NW $\frac{1}{4}$  and that part of NE $\frac{1}{4}$  SW $\frac{1}{4}$  and N $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 30 and lying N and E of following described line: Beginning 415'

THE  
MESA COUNTY  
ABSTRACT CO.  
GRAND JUNCTION  
COLORADO

(Continued on next page)



No. 101 Continued

E of SW corner of NW $\frac{1}{4}$  SE $\frac{1}{4}$ ; thence N 54°57' W to a point 1238' N of SW corner of said NE $\frac{1}{4}$  SW $\frac{1}{4}$ , and a tract of land described as follows: Beginning 82' S of SE corner of SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 30, thence N 54°57' W to a point 480' S of NW corner of said SW $\frac{1}{4}$  NW $\frac{1}{4}$ , thence N to said NW corner, thence E 1320' thence S 1402' to the point of beginning; that part of SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 31, S and E of the following described line; Beginning 1085' N of E $\frac{1}{4}$  corner of said Sec. 31, thence S 55°35' W to a point 190' N of SW corner of said SE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Sec. 31; S $\frac{1}{2}$  SE $\frac{1}{4}$ , NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 31; That part of E 3/4ths of S $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 32 S of Mesa County Canal; that part of W $\frac{1}{2}$  SW $\frac{1}{4}$  Sec. 32 N and W of Mesa County Canal; that part of S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  and SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32, S and E of the following described line: Beginning at the NE corner of said S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$ , thence S 55°35' W 1210' to the W line of said SW $\frac{1}{4}$  NW $\frac{1}{4}$ ; Twp. 1N. R. 1W. Ute Meridian: SE $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 24; S $\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$ , N $\frac{1}{2}$  NE $\frac{1}{4}$  and a tract of land described as follows: begin at the NE corner of SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 25, thence W 700' thence S 54°57' E to a point 480' S of the point of beginning, thence N to the point of beginning, all in Sec. 25; and a tract of land described as follows: Begin at the SW corner of SE $\frac{1}{4}$  NE $\frac{1}{4}$  thence N 475', thence S 54°57' E to a point 465' S of SE corner of said SE $\frac{1}{4}$  NE $\frac{1}{4}$ , thence S to the SE corner of NE $\frac{1}{4}$  SE $\frac{1}{4}$  thence W 1320' thence N 1320' to the point of beginning in Sec. 25; SW $\frac{1}{4}$ , W $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 27; the N 740' of NW $\frac{1}{4}$  NE $\frac{1}{4}$  and NE $\frac{1}{4}$  NW $\frac{1}{4}$  lying N and E of the canal and the S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  and the NE $\frac{1}{4}$  NW $\frac{1}{4}$  lying W of canal in Sec. 34; Containing in all, 1133.40 acres, more or less.

It being the purpose and intent of the lessor to include in such lease all of the lands owned by the said lessor which adjoin the lands last above mentioned of which lie in the section or sections herein last above specified. AND WHEREAS the undersigned are the owners of interest in the lands last above described, or in the minerals therein and thereunder, which interests are affected by said lease. For the purpose of making said lease definite and certain in respect to the identity of the lands intended to be covered thereby, we do hereby acknowledge that it was the intention of the lessor in the aforesaid lease to lease for oil and gas mining purposes all of the lands the above described; and we hereby amend said lease in respect to the description of the lands included therein and ratify and adopt the same as so amended.

Witness our hands and seals this 11th day of January, 1956.

Ack. January 11, 1956 by Lucius C. Currier before Viola Alstatt, Notary Public, Mesa County, Colorado.

(N. P. Seal)

Commission expires July 26, 1958

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102

The Carter Oil Company

CERTIFICATE OF BUSINESS  
AND AGENT

#408525

Dated February 27, 1948

Filed

Filed March 31, 1948

#3603

At 9:10 o'clock A. M.

KNOW ALL MEN BY THESE PRESENTS: That we,  
O.C. Schorp, President and Thos Brownfield,

Secretary of The Carter Oil Company, a corporation duly organized under and by virtue of the Laws of the State of West Virginia, do hereby certify that the principal place where the business of said Corporation is to be carried on in the State of Colorado is the City of Denver, County of Denver, and we hereby designate, constitute and appoint C. T Corporation System, a Colorado Corporation located at The First National Bank Building in the City of Denver, County of Denver and State aforesaid, the duly authorized agent of said Corporation, upon whom process may be served, pursuant to the Statutes in such case made and provided at Tulsa, Oklahoma.

/s/ O. C. Schorp, President, Thos Brownfield, Secretary. (Corporate Seal)  
Subscribed and sworn to Feb. 27, 1948 before Mary Frances Lee, Notary Public,  
(N. P. Seal shows Tulsa, Oklahoma)

Commission expires April 15, 1948

-o-----oo-----o-

#665181  
Filed #4679  
Filed April 5, 1956  
At 3:10 o'clock P.M.

IN THE DISTRICT COURT IN AND FOR THE  
COUNTY OF MESA AND STATE OF COLORADO

No. 10213

IN THE MATTER OF THE ORGANIZATION )  
OF UTE WATER CONSERVANCY DISTRICT )

D E C R E E

THIS MATTER Coming on to be heard upon the petition of the Petitioners herein, appearing by Albin Anderson, Jr., their attorney, at a hearing ordered by the Court for March 16, 1956, at 10:00 A.M., and the same having been continued to March 28, 1956, at 10:00 A.M., at which time it was made to appear to the Court that the petition herein has been signed and presented in conformity with C.R.S.'53, Chapter 149, Article 6, as amended; that the allegations of said petition are true; and that no protesting petition or objection was filed herein;

WHEREFORE, The Court, after said hearing and having been advised in the premises, does find that:

1. The proposed Ute Water Conservancy District is wholly within said County of Mesa;
2. The Court has jurisdiction in the premises;
3. The total valuation of irrigated land, together with improvements, within the proposed district is \$10,383,289.00;
4. The incorporated town of Fruita is wholly included within said proposed district; and no part of any other incorporated municipality or conservancy district is included therein;
5. The bond of Petitioners to secure costs herein has been filed herein in an amount and with security approved by the Court;
6. Due notice of the pendency of said petition and of said hearing has been given by publication and mailing; and
7. The number of owners of irrigated land within said proposed district is 6467 of whom 1744, having the requisite statutory qualifications,

( Continued on next page )



No. 103 continued:

have signed said petition; and the number of owners of non-irrigated land or lands embraced within the incorporated limits of the town of Fruita, all within said proposed district is 846 of whom 70, having the requisite statutory qualifications, have signed said petition.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED That the Court has, and does hereby take, jurisdiction in the premises;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the following territory and real estate situate in Mesa County, Colorado, to-wit: (Includes property under examination) be, and the same hereby is, organized as a water conservancy district pursuant to C. R. S. '53 Chapter 149, Article 6, as amended.

2. IT IS FURTHER ORDERED, ADJUDGED AND DECREED That the corporate name of said water conservancy district by which in all proceedings hereafter it shall be known, be, and the same hereby is, designated "UTE WATER CONSERVANCY DISTRICT."

Paragraphs 3, 4 and 5 establish three (3) Subdivisions for purpose of Director representation.

6. IT IS FURTHER ORDERED, ADJUDGED AND DECREED That the number of directors for and from each of the three subdivisions hereinbefore established and designated be, and the same hereby is, fixed at three.

7. IT IS FURTHER ORDERED That the office or principal place of business of said Ute Water Conservancy District shall be 128 So. Mulberry, Fruita, Colorado, within said District, until the further order of the Court.

Dated and entered this 4th day of April, A.D. 1956.

By the Court: Charles E. Blaine, Judge

Certificate of true copy of the Decree made and entered in the above entitled cause in the District Court of Mesa County, Colorado, on April 4, 1956, as the same appears of record and in the files in my office now remaining, attached April 5, 1956 by Lucy E. Hogan, Clerk. (District Court Seal, Mesa County, Colorado.)

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IN THE DISTRICT COURT IN AND FOR THE  
COUNTY OF MESA AND STATE OF COLORADO  
No. 10213

#665673  
Filed #4682  
Filed April 12, 1956  
At 11:35 o'clock A.M.

104

IN THE MATTER OF THE  
UTE WATER CONSERVANCY DISTRICT

O R D E R

THIS MATTER coming on to be heard upon the motion of the Ute Water Conservancy District, appearing by its attorney, Albin Anderson, Jr., that the Decree heretofore entered herein by the Court on April 4, 1956, be amended by striking out the fourth page thereof and substituting in lieu thereof a new fourth page; and the Court being advised in the premises,

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED, that the fourth page of the Decree heretofore entered herein on April 4, 1956, be amended by striking out all of the fourth page thereof and by substituting in lieu thereof a new fourth page, a copy of which is attached to this Order and marked "A" and incorporated herein by reference as fully as if the same were herein set forth in full; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that said Decree heretofore entered herein on April 4, 1956, as amended, be, and the same hereby is confirmed nunc pro tunc, as of April 4, 1956.

Dated and entered this 11th day of April A.D. 1956.

By the Court: /s/ Charles E. Blaine, Judge.

State of Colorado, County of Mesa, ss. I do hereby certify that the above and foregoing is a true and complete copy of the Order made and entered in the above entitled cause in the District Court of Mesa County, Colorado on April 11, 1956, as the same appears of record and in the files of my office now remaining.

Witness my hand and official seal this 12th day of April, 1956.

/s/ Lucy E. Hogan, Clerk of the District Court.

(District Court Seal)

NOTE: Paragraph Four above mentioned changes boundaries included within said district.

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105

The Carter Oil Company, a Corporation duly organized under and by virtue of the Laws of the State of West Virginia

CERTIFICATE OF BUSINESS AND AGENT

Dated February 27, 1950  
Filed March 4, 1950  
At 10:00 o'clock A. M.

#515812  
Filed  
#3796

KNOW ALL MEN BY THESE PRESENTS: That we, O. C. Schorp, President and LeRoy Young, Secretary of The Carter Oil Company, a Corporation duly organized under and by virtue of the Laws of the State of West Virginia, do hereby certify that the principal place where the business of said Corporation is to be carried on in the State of Colorado, is the City of Denver, County of Denver, and we hereby designate, constitute and appoint C T Corporation System, a Colorado Corporation located in the Equitable Building in the City of Denver, County of Denver, and State aforesaid, the duly authorized agent of said Corporation, upon whom process may be served, pursuant to the Statutes in such case made and provided.

/s/ O. C. Schorp, President, LeRoy Young, Secretary.

Subscribed and sworn to before me this 27th day of February, 1950. Betty Jean Sharp, Notary Public,

(N. P. Seal recites Tulsa, Oklahoma)

Commission expires June 28, 1950

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106

The Carter Oil Company a corporation of the State of West Virginia to

Lucius C. Currier

RELEASE OF OIL AND GAS LEASE

Dated February 9, 1957  
Filed March 21, 1957  
At 9:04 o'clock A. M.

#690353  
Book 705  
Page 348

Releases: Surrenders and abandons all of its right, title and interest in and to leases, for oil and gas mining purposes, set forth and described in Exhibit "A" attached hereto and made a part hereof,

only insofar as said leases cover the lands specifically described in said Exh: "A",---also in and to any ratifications of said leases and any instruments modifying the provisions or the land descriptions contained in said lease, only insofar as said instruments pertain to the lands specifically described in said Exhibit "A". This instrument shall not be construed to effect a release of any rights which the undersigned may hold in any lands or under any oil and gas lease or leases not specifically described in said Exhibit "A".

/s/ The Carter Oil Company by C. G. Herrington, Vice Presd.; Attest: F. B. Jordan, Jr. Assistant Secretary. (Corporate Seal)

Ack. February 9, 1957 by C. G. Herrington, Vice President of The Carter Oil Company by Louise Doll, Notary Public, Tulsa County, Oklahoma.

(N. P. Seal)

Commission expires Sept. 18, 1958

EXHIBIT "A"

Recorded

Lease No.	Lessor	Date of Lease	Book	Page
146293	Lucius C. Currier	Feb. 26, 1955	643	517

Description: SW $\frac{1}{4}$  Sec. 29 and SE $\frac{1}{4}$  NW $\frac{1}{4}$  and that part of NE $\frac{1}{4}$  SW $\frac{1}{4}$  & N $\frac{1}{2}$  SE $\frac{1}{4}$  of Sec. 30 - N and E of following described line: Beginning 415' E of SW corner of NW $\frac{1}{4}$  SE $\frac{1}{4}$ ; thence N 54°57' West to a point 1238' N of SW corner of said NE $\frac{1}{4}$  SW $\frac{1}{4}$ , and a tract of land described as follows: beginning 82' S of SE corner of SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 30, thence N 54°57' W to a point 480' S of NW cor. of said SW $\frac{1}{4}$  NW $\frac{1}{4}$ , thence N to said NW corner, thence E 1320' thence S 1402' to the point of beginning; that part of SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 31, S & E of the following described line: Beginning 1085' N of E $\frac{1}{4}$  corner of said Sec. 31, thence S 55°35' W to a point 190' N of SW corner of said SE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Sec. 31; S $\frac{1}{2}$  SE $\frac{1}{4}$ , NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 31; that part of E 3/4ths of S $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 32 S of Mesa County Canal; that part of W $\frac{1}{2}$  SW $\frac{1}{4}$  Sec. 32, N & W of Mesa County Canal; that part of S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  & SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 32, S & E of the following described line: Beginning at NE corner of said S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$ , thence S 55°35' W 1210' to the W line of said SW $\frac{1}{4}$  NW $\frac{1}{4}$ ; all of T.1N. R.1E. and SE $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 24; S $\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$ , N $\frac{1}{2}$  NE $\frac{1}{4}$  and a tract of land described as follows: begin at the NE corner of SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 25, thence W 700' thence S

(Continued on next page)





No. 10 continued

54°57' E to a point 480' S of the point of beginning, thence N to the point of beginning, all in Sec. 25; and a tract of land described as follows: begin at the SW corner of SE $\frac{1}{4}$  NE $\frac{1}{4}$ , thence N 475' thence S 54°57' E to a point 465' S of SE corner of said SE $\frac{1}{4}$  NE $\frac{1}{4}$ , thence S to the SE corner of NE $\frac{1}{4}$  SE $\frac{1}{4}$ , thence W 1320' thence N 1320' to the point of beginning in Sec. 25; SW $\frac{1}{4}$ , W $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 27, the N 740' of NW $\frac{1}{4}$  NE $\frac{1}{4}$  and NE $\frac{1}{4}$  NW $\frac{1}{4}$  lying N and E of the canal and the S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  and the NE $\frac{1}{4}$  NW $\frac{1}{4}$  lying W of canal in Sec. 34, T.1N. R.1W. as corrected by separate instrument dated January 11, 1956, recorded in Book 674, Page 398. (and other lessors and other land)

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107

Lucius C. Currier  
to  
Lucius C. Currier and  
Florence B. Currier,  
in joint tenancy

WARRANTY DEED \$10.00  
and other good and val-  
uable considerations  
Dated September 17, 1958  
Filed September 19, 1958  
At 2:01 o'clock P. M.

#727684  
Book 741  
Page 47

Conveys: Tract #1. That part of the E 3/4

S $\frac{1}{2}$  SE $\frac{1}{4}$  of Sec. 32, T.1N. R.1E. U.M. lying South of the Mesa County Canal and North of the Government Canal; EXCEPT the East 9 acres thereof; Tract #2. Beginning at the point of intersection of the East line of the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 32, T.1N. R.1E. U.M. with the North bank of the Mesa County Canal, thence North on the quarter section line to the NE corner of the S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  of said Sec. 32, thence S 55°35' West 2295 feet, more or less, to a point 190 feet North of the SW corner of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 31, Twp. and Range aforesaid, thence South on the Quarter Section line 1410 feet to the NW corner of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section, thence West 1320 feet, thence South 1320 feet, thence East 2640 feet to the SE corner of said Sec. 31, thence East approximately 500 feet to the canal bank, thence NE'ly along the canal bank to the point of beginning; Tract #3. The SW $\frac{1}{4}$  of Sec. 29, T.1N. R.1E. Ute Meridian; Tract #4. The SE $\frac{1}{4}$  NE $\frac{1}{4}$ , the SE $\frac{1}{4}$  NW $\frac{1}{4}$  and that part of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  and of the N $\frac{1}{2}$  SW $\frac{1}{4}$  and of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 30, T.1N. R.1E. U.M. lying North and East of the following described line; Beginning at a point 415 feet East of the SW corner of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 30, thence North 54°57' West to the west line of said Sec. 30; Tract #5. The N $\frac{1}{2}$  NE $\frac{1}{4}$  and the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 25, T.1N. R.1W. Ute Meridian; Also Beginning at the NE corner of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Sec. 25, thence W 700 feet, thence S 54°57' East to a point 480 feet South of the point of beginning, thence North to the point of beginning; Also, Beginning at the SW corner of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Sec. 25, thence North 475 feet, thence South 54°57' East to a point 465 feet South of the SE corner of said SE $\frac{1}{4}$  NE $\frac{1}{4}$ , thence South to the SE corner of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of said Sec. 25, thence West 1320 feet, thence North 1320 feet, to the point of beginning; Also the S $\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 25, said Twp. and Range; Also the SW $\frac{1}{4}$  SW $\frac{1}{4}$  and the SE $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 24, above Twp. and Range; Tract #6. The W $\frac{1}{2}$  SE $\frac{1}{4}$  of Sec. 27, T.1N. R.1W. U.M.;, Mesa County, Colorado.

(Consideration of value less than \$100.00)

/s/ Lucius C. Currier

Atk. September 17, 1958 by Lucius C. Currier before Elam B. Underhill, Notary Public, Mesa County, Colorado.

(N. P. Seal)

Commission expires Jan. 10, 1962

-o-----oo-----o-

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

CERTIFIED COPY  
OF ORDER  
Filed August 7, 1957  
At 4:00 o'clock P.M.

#700396  
Book 714  
Page 521

State of Colorado, County of Mesa  
ss. At a meeting of the Board of  
County Commissioners for Mesa County, Colorado, held at the Court House in  
Grand Junction on Tuesday the 11th day of March, A.D.1890, there were  
present: E.W. Gannon, Chairman, J.W. Rose, Commissioner, J.P. Brown,  
Commissioner, Frank McClintock, Deputy, Clerk when the following proceedings,  
among others, were had and done, to-wit:  
The following orders were adopted:

Be it ordered that the following township and section lines on the  
public domain be declared public highways in accordance with the provisions  
of an act entitled: An act to amend section four (4), of chapter ninety-five  
(95) of the general statutes of the State of Colorado, entitled "Roads and  
Highways," approved April 7, 1885, that is to say: The township line constituting  
the west boundary line of township 1 North Range 1 West Ute Principal Meridian.  
The section line parallel with said township line, and 6 miles east thereof.  
The township line constituting the west boundary line of township 1 North Range  
1 East Ute Principal Meridian. The section line running through said township  
parallel with said township line, and 1 mile east thereof. The township line  
constituting the south boundary line of said township. The section line running  
through said township parallel with said township line, and 1 mile north thereof.

Certificate of true copy of Order attached August 7, 1957 by Annie M.  
Dunston, County Clerk, Mesa County, Colorado.  
( Mesa County, Colorado, Seal)



State of Colorado  
to  
Upper Grand Valley  
Soil Conservation  
District

CERTIFICATE  
Filed January 16, 1959  
At 2:21 o'clock P.M.  
I, George J. Baker, Secretary of State  
of the State of Colorado do hereby  
certify that by virtue of the auth-  
ority vested in me, I do hereby declare

#735541  
Filed  
5318

the area within the boundaries described as hereto attached to be a lawful soil conservation district by the consolidation of Orchard Mesa Soil Erosion District and Redlands Soil Erosion District and Upper Grand Valley Soil Conservation District filed December 15, 1958 under the name and style of UPPER GRAND VALLEY SOIL CONSERVATION DISTRICT.

/s/ George J. Baker, Secretary of State, by F. J. Serafini, Deputy.  
( Colorado Seal)

Legal Description of the Combined Orchard Mesa, Redlands, and Upper Grand Valley Soil Conservation Districts.

Commencing at the junction of the Gunnison River and the S line of T. 1S. , of the Ute Base Line and R. 1W of the Ute Principal Meridian; thence E along the twp line to the SE corner of Section 36, Twp. 1S. , R. 2E. , thence in a general NEly direction along the drainage divide to the SE corner of SW $\frac{1}{4}$  of Section 29, Twp. 11S. , R. 97 W of the 6th P.M. , thence in a general NWly direction along the drainage divide to the NW corner of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 11, Twp. 11S. , R. 98 E. thence in a general NWly direction along the drainage divide to the Colorado River; thence in a NEly direction along the Colorado River to its intersection with the S Section line of Section 2, Twp. 11S. R. 98W; thence E along the section line to the SE corner of said Section 2; thence N to the NE corner of said Sec. 2; thence Wly along the Section line to its intersection with the rim of the Bookcliff Mesa in Sec. 3, Twp. 11S. , R. 98W; thence Wly along said rim to its intersection with the top section line of Sec. 22, Twp. 1N. R. 1E of the U.M. , thence W to the SW corner of Sec. 13, Twp. 1N. , R. 1W; thence S to the W $\frac{1}{4}$  corner of Sec. 12, Twp. 1S. R. 1W. thence E  $\frac{1}{4}$  mile, S  $\frac{1}{4}$  mile, E  $\frac{1}{4}$  mile, S  $\frac{1}{4}$  Mile, E  $\frac{1}{2}$  mile, S  $\frac{1}{2}$  mile, W  $\frac{1}{2}$  mile, S  $\frac{1}{2}$  mile, E  $\frac{1}{2}$  mile to the SE corner of Sec. 13, Twp. 1S. R. 1W. thence S along the section line to its intersection with the Colorado River; thence W and NWly along the S bank of the said Colo. River to its intersection with the W section line of Sec. 34, T1N. R. 2W; thence S to the NW corner of SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 34; thence Wly along the boundary of the Colo. National Monument to the NW corner of Sec. 31, T1N. , R. 2W; thence S and SEly along the Colo. National Monument boundary to the SE corner of Sec. 7, T12 S. R. 101W of 6th P.M. , thence E along the section line to the point of beginning.

EXCEPT the following described land, which are the property of the City of Grand Junction. NE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 27 E of the D. & R. G. R. R. ; NW $\frac{1}{4}$  NW $\frac{1}{4}$  E of the Gunnison River; SW $\frac{1}{4}$  NW $\frac{1}{4}$  E and S of the I. O. O. F. and A. F. & A. M. cemetery plots, NW $\frac{1}{4}$  SW $\frac{1}{4}$  E of the Gunnison River; S $\frac{1}{2}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ , W $\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  E of the Gunnison River in Sec. 26 T1S. , R. 1W of the U.M. and excluding further, areas within incorporated municipalities and areas devoted exclusively to commercial or industrial uses. In addition #1 to the Redlands Soil Conservation District Section 13 and 14 in T12S. R. 101W of 6th P.M. were erroneously included in the District and that these 2 sections are already in the Glade Park Conservation District; therefore they should be excluded from the Addition.

The total area is 105,207 acres more or less.

110

Lucius C. Currier  
to  
Lucius C. Currier and  
Florence B. Currier,  
in joint tenancy

WARRANTY DEED \$10.00 and  
other good and valuable  
considerations

#738422  
Book 751  
Page 166

Dated February 26, 1959

Filed February 27, 1959

At 9:45 o'clock A. M.

Conveys: Tract #1. That part of the E 3/4  
S 1/2 SE 1/4 of Sec. 32, T.1N. R.1E. U.M. lying

South of the Mesa County Canal and North of the Government Canal; EXCEPT the East 9 acres thereof; Tract #2. Beginning at the point of intersection of the East line of the SW 1/4 SW 1/4 Sec. 32, T.1N. R.1E. Ute Meridian, with the North bank of the Mesa County Canal, thence North on the 16th section line to the NE corner of the S 1/2 NW 1/4 NW 1/4 of said Sec. 32, thence South 55°35' West 3190 feet, more or less, to a point 190 feet North of the SW corner of SE 1/4 NE 1/4 of Sec. 31, Twp. and Range aforesaid, thence South on the 16th Section line 1510 feet to the NW corner of the SE 1/4 SE 1/4 of said Section, thence West 1320 feet, thence South 1320 feet, thence East 2640 feet to the SE corner of said Sec. 31, thence East approximately 500 feet to the canal bank, thence NE'ly along the canal bank to the point of beginning; Tract #3. The SW 1/4 of Sec. 29, Twp.1N. R.1E. U.M.; Tract #4. The SE 1/4 NW 1/4 and that part of the N 1/2 SE 1/4 and of the N 1/2 SW 1/4 and of the SW 1/4 NW 1/4 of Sec. 30, T.1N. R.1E. U.M. lying North and East of the following described line; Beginning at a point 415 feet East of the SW corner of the NW 1/4 SE 1/4 of said Sec. 30, thence North 54°57' West to the West line of said Sec. 30; Tract #5. The N 1/2 NE 1/4 and the SW 1/4 NE 1/4 of Sec. 25, T.1N. R.1W. U.M.; Also Beginning at the NE corner of the SE 1/4 NE 1/4 of said Sec. 25, thence West 700 feet, thence South 54°57' East to a point 480 feet South of the point of beginning, thence North to the point of beginning; Also, Beginning at the SW corner of the SE 1/4 NE 1/4 of said Sec. 25, thence North 475 feet, thence South 54°57' East to a point 465 feet South of the SE corner of said SE 1/4 NE 1/4, thence South to the SE corner of the NE 1/4 SE 1/4 of said Sec. 25, thence West 1320 feet, thence North 1320 feet, to the point of beginning; Also the S 1/2 NE 1/4 NW 1/4 of Sec. 25, said Twp. and Range; Also the SW 1/4 SE 1/4 and the SE 1/4 SE 1/4 SW 1/4 of Sec. 24, above Twp. and Range; Tract #6. The W 1/2 SE 1/4 of Sec. 27, T.1N. R.1W. U.M.; Mesa County, Colorado. (This deed is made for the purpose of correcting errors occurring in that certain other deed by and between the same parties, as to description therein, which deed is dated Sept. 17, 1958, recorded Sept. 19, 1958 in Book 741 at Page 47 of the Mesa County Records.)

/s/ Lucius C. Currier

Ack. Feb. 26, 1959 by Lucius C. Currier before Elam B. Underhill, Notary Public,  
Mesa County, Colorado.

(N. P. Seal)

Commission expires Jan. 10, 1962

-o-----oo-----o-

111

Lucius C. Currier and  
Florence B. Currier  
to

QUIT CLAIM DEED \$1.00 and  
other good and valuable  
considerations

#766394  
Book 778  
Page 289

City of Grand Junction,  
a Municipal corporation  
and County of Mesa

Dated April 20, 1960

Filed April 22, 1960

At 9:26 o'clock A. M.

Quitclaims: Parcel #1: Beginning at the SW corner of Sec. 29, T.1N. R.1E, thence N 00°28' E 257.20 feet along West line of

said Sec. 32, thence S 54°54' E 443.96 feet to a point on South line of said Sec. 32, thence S 89°42' W 365.31 feet to the point of beginning. This parcel contains 1.078 acres. Parcel #2: Beginning at a point on the East line of the NE 1/4 SE 1/4 of Sec. 25, T.1N. R.1W. which is 515 feet more or less from the NE corner NE 1/4 SE 1/4 and is 750 feet at right angles from the center line projected Walker Field Airport, Northwest-Southeast runway, thence N 54°54' West 1810 feet parallel to and 750 feet from said projected center line, thence N 35°06' E 250 feet, thence S 54°54' E 24 feet more or less to the West line of the SE 1/4 NE 1/4 of Sec. 25, T.1N. R.1W. U.M., thence S along said West line 256 feet more or less to intersection with previously described Southwest boundary line Walker Field Airport, thence S 54°57' East along said boundary line to the East line of the NE 1/4 SE 1/4 of Sec. 25, Twp.1N. R.1W. U.M., thence South to the point of beginning. Said parcel contains 2.18 acres.

(Continued on next page)

750  
510  
406  
51



No. 111 Continued

Parcel #3 Beginning at the NW corner of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 30, T.1N. R.1E. U.M., thence N 54°54' West 757 feet parallel to and 752 feet from center line Walker Field Airport Northwest-Southeast runway projected, thence S 35°06' West 252 feet, thence N 54°54' West, parallel to and 500 feet from said projected runway center line, 2300 feet more or less to the West line of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 24, T.1N. R.1W., thence South along West line of the said SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Sec. 24 and along the East line of the N $\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 25, T.1N. R.1W. U.M., to the SE corner of said N $\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$ , thence West along the South line of said N $\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  477 feet more or less to a point which is 500 feet at right angles from the center line Walker Field Airport Northwest-Southeast runway projected, thence S 54°54' East parallel to and 500 feet from said projected center line to the West line of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 25, T.1N. R.1W. U.M., thence North to the NW corner of said SE $\frac{1}{4}$  NE $\frac{1}{4}$ , thence East along the North line of said SE $\frac{1}{4}$  NE $\frac{1}{4}$  620 feet more or less to a point of intersection with previously described NE boundary line of Walker Field Airport, thence S 54°57' East along said boundary line to the East line of said SE $\frac{1}{4}$  NE $\frac{1}{4}$ , thence North to the point of beginning. Said tract contains 52.91 acres. Parcel #4 Beginning at the NW corner of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 30, T.1N. R.1E, U.M., thence S 54°54' East parallel to and 752 feet from the center line of Northwest-Southeast runway Walker Field Airport to a point on the North line of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Sec. 30, thence West along said North line of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 30, 688 feet more or less to intersection with previously described NE boundary line Walker Field Airport, thence N 54°57' West along said boundary line to the West line of Sec. 30, thence North to the point of beginning. said Tract contains 37.95 acres. with all its appurtenances, reserving unto the grantors all gas, oil and mineral rights on all parcels above described.

/s/ Lucius C. Currier, Florence B. Currier  
 Ack. April 20, 1960 by Lucius C. Currier and Florence B. Currier before Helen C. Tomlinson, Notary Public, Mesa County, Colorado.  
 (N. P. Seal) Commission expires Dec. 9, 1962

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D. E. Sanburg,  
 Lessee  
 to  
 whom it may concern

NOTICE OF ISSUANCE  
 OF LEASE

#665751  
 Book 681  
 Page 592

Dated March 22, 1956  
 Filed April 13, 1956  
 At 9:35 o'clock A. M.

Notice is hereby given: 1. That on January 1, 1956, there was issued by the United

States of America under and pursuant to the mineral leasing laws and defined in Section 11 of the Act of August 13, 1954 (68 Stat. 708), an oil and gas lease to D. E. Sanburg, as lessee, and that the undersigned, D. E. Sanburg whose address is 3292 South Glencoe Street, Denver, Colorado, is the present lessee under said lease as to the lands described in section 2 of this notice, bearing Serial No. Colo. 010376 as shown by the records of the Bureau of Land Management, Department of the Interior; and 2. That said lease covers lands in the County of Mesa, State of Colorado, described as follows, to-wit:

Twp.1N. R.1E. U.M. Sec. 27: N $\frac{1}{2}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$ ; Sec. 28: SW $\frac{1}{4}$ , W $\frac{1}{2}$  SE $\frac{1}{4}$ , NE $\frac{1}{4}$  SE $\frac{1}{4}$ ; Sec. 29: N $\frac{1}{2}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$  SE $\frac{1}{4}$ ; Sec. 30: N $\frac{1}{2}$  SE $\frac{1}{4}$ ; Sec. 32: E $\frac{1}{2}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  SE $\frac{1}{4}$ ; Sec. 33: W $\frac{1}{2}$  NE $\frac{1}{4}$ , N $\frac{1}{2}$  NW $\frac{1}{4}$ , SE $\frac{1}{4}$ ; Sec. 34: N $\frac{1}{2}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  NW $\frac{1}{4}$ ; Sec. 35: SW $\frac{1}{4}$  cont. 1,360 acres, more or less

/s/ D. E. Sanburg, Lessee  
 Ack. March 22, 1956 by D. E. Sanburg, before Mary Ellen Smythe, Notary Public, City and County of Denver, Colorado.  
 (N. P. Seal) Commission expires March 18, 1959

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D. E. Sanburg, Lessee  
to  
Whom it may Concern

SUPPLEMENT TO NOTICE OF  
ISSUANCE OF LEASE  
Dated July 5, 1956  
Filed July 17, 1956  
At 11:55 o'clock A. M.  
Notice of Transfer, Segregation or Other  
Change TO WHOM IT MAY CONCERN:

#673349  
Book 690  
Page 83

NOTICE IS HEREBY GIVEN: 1. That under and pursuant to the Multiple Mineral Development Act of 1954 (P.L. 585, 68 Stat. 708) and applicable regulations (43 CFR 186) there was filed for record on April 13, 1956 in the office of record in and for the County of Mesa State of Colorado, at page 592 of book 681, a Notice of Issuance of Lease, such lease bearing Serial No. C-010376, and covering lands situated in said county described as follows, to-wit:

Twp. 1N. R. 1E. U.M. Sec. 27: N $\frac{1}{2}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$ ; Sec. 28: SW $\frac{1}{4}$ , W $\frac{1}{2}$  SE $\frac{1}{4}$ , NE $\frac{1}{4}$  SE $\frac{1}{4}$ ; Sec. 29: N $\frac{1}{2}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$  SE $\frac{1}{4}$ ; Sec. 30: N $\frac{1}{2}$  SE $\frac{1}{4}$ ; Sec. 32: E $\frac{1}{2}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  SE $\frac{1}{4}$ ; Sec. 33: W $\frac{1}{2}$  NE $\frac{1}{4}$ , N $\frac{1}{2}$  NW $\frac{1}{4}$ , SE $\frac{1}{4}$  Sec. 34: N $\frac{1}{2}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  NW $\frac{1}{4}$ ; Sec. 35: SW $\frac{1}{4}$  containing 1,360 acres, more or less

2. That since the filing of said Notice the following transfer, segregation or other change has occurred: Lease held to be null and void in part, and subject to cancellation as to the W $\frac{1}{2}$  SW $\frac{1}{4}$  Sec. 35-1N-1E, Ute Mer. Lease intact as to balance, containing 1,280.00 acres, more or less.

3. That the undersigned, D. E. Sanburg, whose address is 3292 South Glencoe Street, Denver Colorado is the present Lessee under said lease as to the lands described in Section 1 of this Notice, and said lease, in so far as it covers said lands, now bears Serial No. C-010376.

/s/ D. E. Sanburg, Lessee

Ack. July 6, 1956 by D. E. Sanburg, before Mary Ellen Smythe, Notary Public, City and County of Denver, Colorado.

(N. P. Seal)

Commission expires March 18, 1959

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City of Grand Junction,  
Colorado, a Municipal  
Corporation  
to  
County of Mesa, State  
of Colorado

DEED \$10.00 #686372  
Dated May 14, 1956 Book 702  
Filed January 24, 1957 Page 31  
At 2:50 o'clock P. M.

Conveys: an undivided 1/2 interest in the following land situate in Mesa County, Colorado, to-wit: That part of Lots 1, 2, 7, 8, 9 and 10 of Jaynes Subdivision lying North and East of Right-of-way of

U. S. Government Highline Canal; also beginning at the E $\frac{1}{4}$  corner of Sec. 25, T. 1N. R. 1W. U.M., thence North 840 feet, thence North 54°57' West to a point 700 feet West of the NE Corner of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Sec. 25, thence West to the NW Corner of said SE $\frac{1}{4}$  NE $\frac{1}{4}$ , thence South to a point 475 feet North of the SW Corner of said SE $\frac{1}{4}$  NE $\frac{1}{4}$ , thence South 54°57' East to a point 465 feet South of the E $\frac{1}{4}$  Corner of said Sec. 25, thence North 465 feet to the point of beginning, and beginning at a point 415 feet East of the SW Corner of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 30, T. 1N. R. 1E. U.M., thence North 54°57' West to a point 840 feet North of the W $\frac{1}{2}$  Corner of said Sec. 30, thence South to the SW Corner of the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of said Sec. 30, thence East to the point of beginning, also beginning at a point 190 feet North of the SW Corner of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 31, T. 1N. R. 1E. U.M. thence North 55°35' East to the NE corner of the S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 32, T. 1N. R. 1E. U.M., thence North to the NE Corner of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of said Sec. 32, thence West to the NW Corner of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of said Sec. 32, thence South to the SW Corner of said NW $\frac{1}{4}$  NW $\frac{1}{4}$ , thence West to the NW Corner of said SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 31, T. 1N. R. 1E. U.M., thence South to the point of beginning, also the S $\frac{1}{4}$  of Sec. 30, the N $\frac{1}{4}$  of Sec. 31, the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 31, the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 31, the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 31, the SW $\frac{1}{4}$  of Sec. 31, Twp. 1N. R. 1E., U.M., that part of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 6, and that part of the E $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  lying North of the U. S. Government Highline Canal. with all appurtenances.

/s/ City of Grand Junction, Colorado by W. D. Toyne, City Manager; attest: Helen C. Tomlinson, City Clerk. (City of Grand Junction, Colorado Seal)

Ack. May 16, 1956 by W. D. Toyne, City Manager, and attested by Helen C. Tomlinson, City Clerk of the City of Grand Junction, Colorado, a Municipal Corporation before Warren L. Turner, Notary Public, Mesa County, Colorado.

(N. P. Seal)

Commission expires Sept. 23, 1957

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THE  
A COUNTY  
TRACT CO.  
D JUNCTION  
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Lucius C. Currier and  
 Florence B. Currier,  
 Grantors  
 to  
 City of Grand Junction  
 and Mesa County, Colorado,  
 Grantees

CLEAR ZONE EASEMENT  
 Dated April 20, 1960  
 Filed April 22, 1960  
 At 9:27 o'clock A. M.

#766395  
 Book 778  
 Page 291

WHEREAS, the Grantors are the owners of a certain tract of land situate in Mesa County, Colorado, more particularly described as follows:

Beginning at the NE corner of the  $S\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 32, Twp. 1N. R. 1E. U.M., thence South  $55^{\circ}35'$  West 1210 feet more or less along previously described Walker Field Airport Southeast boundary line to a point on the South line of said NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 32, thence South  $89^{\circ}48'$  West 21.42 feet along said South line, thence South  $55^{\circ}35'$  West 173.71 feet more or less along previously described Walker Field Airport Southeast boundary line to a point which is 500 feet at right angles from the projected Northwest-Southeast runway center line of said Airport, thence South  $54^{\circ}54'$  East 1373.07 feet parallel to and 500 feet from said projected center line, thence North  $00^{\circ}18'$  East 1550.88 feet more or less along East line of the  $W\frac{1}{2}$  NW $\frac{1}{4}$  of Sec. 32, Twp. 1N. R. 1E., Ute Meridian to the point of beginning. Said tract contains 19.650 acres.

WHEREAS, the Grantees are the owners and operators of Walker Field Airport, situate in Mesa County, Colorado, in close proximity to the above-described tract of land; and,

WHEREAS, it is deemed necessary that a clear zone approach area to the Northwest-Southeast runway be and remain free and clear of any structure, tree or other object which is or would constitute an obstruction or hazard to the flight of aircraft in landing and taking off at the said Walker Field Airport, which said clear zone approach area covers, in its entirety the above-described tract of land;

NOW, THEREFORE, in consideration of the sum of \_\_\_ (\$) \_\_\_ Dollars, paid by the Grantees to the Grantors, and of other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the grantors, for themselves, their heirs, successors and assigns, do hereby covenant and agree with the Grantees that, for the benefit of the public in its use of the airport, they will not hereafter erect or permit the erection or growth of any structure, tree or other object within the area above described lying within the clear zone approach area to the Northwest-Southeast runway, which area is identified in Exhibit "A" attached hereto and made a part hereof by reference, to a height above the clear zone approach surface for that approach area (as also identified on the said Exhibit "A"), said clear zone approach surface being an inclined plane with a slope of 50:1 (one foot of elevation for each 50 feet of horizontal distance) located directly above the clear zone approach area, which inclined plane has an elevation of 4848 feet (mean sea level) at its inner and lower edge along line AB as shown on Exhibit "A" and an elevation of 4898 feet (mean sea level) at its outer and upper edge along line CD as shown on said Exhibit "A"; and,

The Grantors, for themselves, their heirs, successors and assigns, for the said consideration, do hereby grant and convey to the Grantees, their agents, servants and employees, a continuing right and easement to take any action necessary to prevent the erection or growth of any structure, tree, or other object into the air space above and to remove from such air space, or mark and light as obstructions to air navigation, any and all structures, trees, or other objects that may at any time project or extend above the said approach surface, together with the right of ingress to, egress from, and passage over the land of the Grantors within the said clear zone approach area for such purposes;

TO HAVE AND TO HOLD said easement and all rights appertaining thereto unto the Grantees, their successors and assigns, until said Walker Field Airport shall be abandoned and shall cease to be used for public airport purposes.

IT IS UNDERSTOOD AND AGREED that these covenants and agreements shall be binding upon the heirs, administrators, executors, and assigns of the Grantors, that these covenants and agreements shall run with the land.

/s/ Lucius C. Currier, Florence B. Currier

Ack. April 20, 1960 by Lucius C. Currier and Florence B. Currier before Helen C. Tomlinson, Notary Public, Mesa County, Colorado.

(N. P. Seal)

Commission expires Dec. 9, 1962

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Mesa County Planning Commission  
to  
The State

AMENDED SUBDIVISION #741347  
REGULATIONS 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.)

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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 )





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