

No. 45777

ABSTRACT of TITLE

TO

A tract of land in Section 32, Twp.
1N, R. 1E. U.M. in Mesa County, Colorado.

Prepared by

The Mesa County Abstract Co.

Member of Colorado and American Title Associations

531 Rood Avenue

GRAND JUNCTION, MESA COUNTY, COLO.

7-57-2M Wilson & Young

THE MESA COUNTY ABSTRACT CO.

Established 1885

531 Rood Avenue

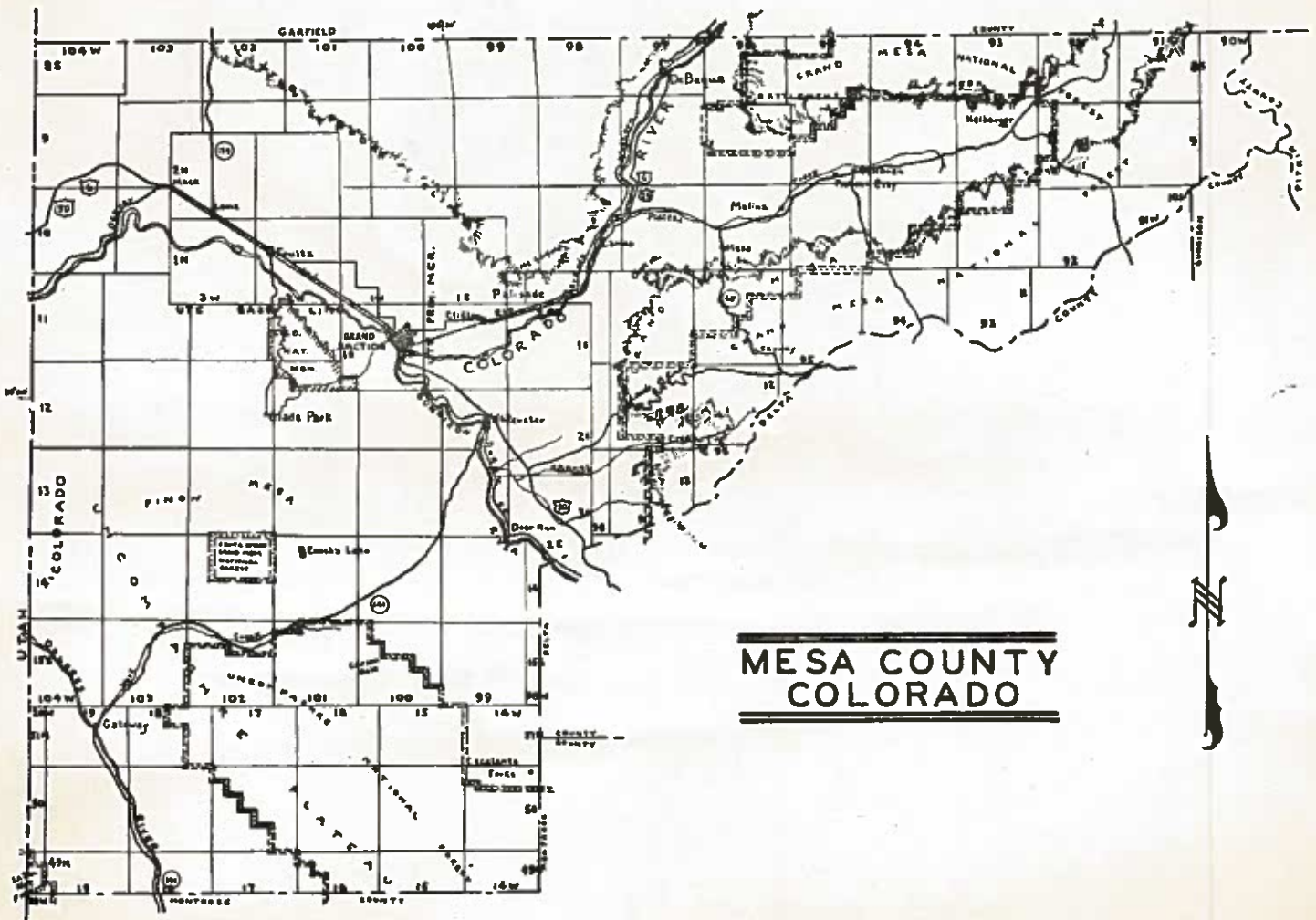
Grand Junction, Colo.

ABSTRACT OF TITLE TO

No. 45777

The Southeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northeast Quarter of Section Thirty-two (32), Township One (1) North, Range One (1) East of the Ute Meridian, in Mesa County, Colorado.

(For plat showing the location of the property described in the caption hereof, See entry No. 1 inside yellow cover sheet, which by this reference and notation is hereby made a part hereof.)



2

E. H. Smith Receiver
to
Georgia White

RECEIVER'S RECEIPT
#1032 Ute Series
Dated January 18, 1896
Filed January 24, 1896
At 8:40 o'clock A.M.

#22776
Book 13
Page 408

SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29, SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 32, T. 1N, R. 1E. U.M. containing 160 acres at \$1.25 per acre. E. H. Smith, Receiver.

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3

United States
to
Georgia White

PATENT Cert #1032
Ute Series
Dated May 26, 1896
Filed June 22, 1896
At 1:00 o'clock P.M.

#23902
Book 11
Page 454

Grants: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29 and SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the W $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 32, Twp. 1N, R. 1E. U.M. Colorado. 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 also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

(U.S. General Land Office Seal)

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

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4

Agnes A. Schaefer
to
Andrew Foster

ASSIGNMENT
Filed January 12, 1925
At 2:10 o'clock P.M.

#206598
Book 279
Page 413

For and in consideration of \$1.00 to me in hand paid and other valuable consideration, the receipt whereof is hereby confessed and acknowledged, I, Agnes A. Schaefer of 429 White Ave. Grand Jct. Colorado do hereby sell, transfer and assign to Andrew Foster his or her heirs or assigns an undivided 1/8 interest in and to any and all moneys, property, or other thing of value, as bonus or royalty, recorded or to be recorded by me in connection with any lease, drilling contract, or other contract, heretofore entered into by me, or in connection with my application for a prospecting Permit, or any Permit issued thereunder, or any lease issued in connection therewith, said application being Serial Number 017330, Montrose Land Office, Montrose, Colorado; lands described as follows to-wit: S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 32, W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 33, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 34, Twp. 1N, R. 1E. U.P.M. Colorado. Subject to the approval of the Secretary of the Interior.

Subscribed and sworn to before me January 8, 1925 Marion Fletcher, Notary Public, Mesa County, Colorado.

(N.P. Seal)

Commission expires Jan. 19, 1928.

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5

Treasurer of Mesa County
to
Mesa County

TAX SALE \$11.00
Dated December 12, 1929
Sale of:
SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 32, Twp. 1N, R. 1E.

#32209
Book 25
Page 98

CANCELLED April 13, 1950 by provisions of Chapter 241, Session Laws 1945, as amended. #518286.

-O---OO---O-

(6)

The Grand Valley Water Users' Association)

Articles of Incorporation
Dated Feb. 7, 1905
Filed Feb. 23, 1905 at 9:30 A.M.

Name: The Grand Valley Water Users' Association.

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

Principal place of business: Grand Junction, Mesa County, Colorado.

Purposes: To provide and distribute water for irrigation purposes, etc., and to construct, purchase, lease, condemn, or acquire in any manner whatsoever, and to own, sell, transfer, control, maintain and operate any irrigation works, etc., and property both real and personal necessary for the accomplishment of any of the purpose of this organization. To have power to enter into any contract with the U. S., individual, or corporation for the accomplishment of any of the aforesaid purposes. And to enter into any agreement with the U. S. with reference to the collection of all charges made under the federal statutes for the works and providing water for the lands of shareholders and to comply with the provisions of any federal statute applicable to the work done by the U. S. in connection with such system of water supply and any rules and regulations established thereunder.

The territory within which the lands to be irrigated are situated, to be shown as the Grand Valley Irrigation District, includes all lands within the boundaries as follows:

That portion of Grand Valley lying between the east boundary line of Range 98W. 6th P.M. and the west boundary line of Range 104W. 6th P.M. irrigable by diversion of water from the Grand River in Colorado.

Capital Stock: \$75000; 75000 shares: \$1 each Assessable by the Board of Directors.

Only owners of lands within the area above described, or extensions duly made, shall be qualified to own shares and not more than 1 share for each acre. Each subscriber shall make application for water right to U. S. for the land represented by his shares as soon as water is available. Upon failure so to do, his shares shall be forfeited and shall have no rights thereunder. Ownership of stock shall carry right to water for irrigation of the lands to which such share is appurtenant. Provides for equal distribution of water proportionate to number of shares held. Subscribers agree that water heretofore appropriated for irrigation of lands described in subscription shall become appurtenant to such lands, etc.

Has power to assess for revenue equally against all shareholders in proportion to the number of shares held.

Powers: In Board of Directors, who have power to make by-laws.

Electors: Must be the owner of at least one share, and be 21 years of age, and each holder entitled to one vote for each share, but not to exceed in the aggregate 160 votes.

Provides for duties of officers.

Objects: To acquire a canal to be constructed by the U. S. to furnish water to unwatered land lying within district for irrigation and domestic purposes. The Headgate of said Canal is to tap the water of the Grand River in Twp. 10 S. R. 98W. 6th P.M. at the most feasible point, thence Southwestcrly along the bank of Grand River 6 or 7 miles, thence in a general westerly and northwesterly course between 50 and 60 miles to a point at or near the Excelsior Divide so-called. Also provides for lateral canal upon South side of Grand River known as Orchard Mosa and Red Mosa.

Corporate indebtedness shall not exceed two-thirds of stock.

Existence: 20 years.

Provides for amendment of articles, etc. etc.

By subscribing to these Articles of Incorporation or to a copy thereof, each shareholder grants lands and rights of way to the Association or to the United States as the case may be necessary for canals, tunnels, telephone and transmission lines required in connection with the works constructed by the Association, or by the United States, for the use and benefit of shareholders.

Ack. by the Incorporators Feb. 7, 1905 before William A. Marsh, Notary Public, Mesa County, Colorado. (SEAL) Commission expires Jan. 7, 1909.

Georgia White Jones
to
The Grand Valley Water Users Association

(7)

SUBSCRIPTION FOR STOCK #73492
Dated May 26, 1905
Filed March 5, 1908
At 10:20 o'clock A.M.

Know all men by these presents, that I, Georgia White Jones do hereby subscribe for and agree to take 35 shares of the capital stock of The Grand Valley Water Users' Association, and for that purpose and in order to become a member of said Association do hereby, subject to all the provisions thereof and of the by-laws of said Association not inconsistent therewith, subscribe to the following copy of the Articles of Incorporation of said Association, which are as follows:

No. 7 continued.

(Here is set out the Articles of Incorporation as shown on the last above entry)

The said shares of stock and all rights and interest represented thereby or existing or accruing by reason thereof, or incident thereto, are to be inseparably appurtenant to the following described real estate:

SW¹/₄ SE¹/₄ Sec. 29, W¹/₂ NE¹/₄ Sec. 32, and SE¹/₄ NW¹/₄ Sec. 32, all in Twp. 2N, R. 3W. U.M.

in Mesa County, Colorado, containing 35 acres, and no more, of which I am the owner.

Signed:

Ack. May 26, 1905 before Marion O. Delaplain, Notary Public, Mesa County, Colorado.

(Seal) Commission expires Sept. 20, 1906 Book 130 Page 59

The Grand Valley Water Users' Association)

(8) Amendment to Articles of Incorporation Filed Sept. 14, 1912 at 3:00 P.M.

At meeting of the Stockholders of said Association held on Sept. 14, 1912, Sec. 3, Art. VI of the Articles of Incorporation was amended to read as follows: "Assessments for the costs, 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." W. S. Wallace, President, D. W. Aupperle, Secretary. (Corporate Seal)

Filed Instrument No. 108856

The U. S. Government and The Grand Valley Water Users' Association)

(9) Contract Dated Feb. 13, 1913 Filed Aug. 4, 1913 at 11:00 A. M.

Walter L. Fisher, Secretary of the Interior for and on behalf of the U.S.A. The said Association by W. S. Wallace, President, D. W. Aupperle, Sec. (Corporate Seal)

Provided that if the Secretary of the Interior shall authorize and cause the construction certain irrigation works, the said Association will take prompt action to secure the determination by the Courts of the relative rights to the use of water for said lands out of the Grand River. That the said Association hereby guarantees the payment to the U. S. of the costs of the irrigation works as equitably apportioned by the Secretary of the Interior of the lands of its shareholders; and also of the cost of operation and maintenance as assessed from year to year by the Secretary of the Interior; and will promptly levy assessments therefor and collect or require payment thereof in such manner as the Secretary of the Interior may direct, etc. etc.

Book 175 Page 532

The Grand Valley Water Users' Association)

(10) Extension of Articles of Incorporation Dated Mar. 21, 1925 Filed Apr. 11, 1925 at 10:31 A. M.

At a meeting of the stockholders of said Association Feb. 17, 1925 the following resolution was adopted: "Resolved that the Corporate Existence of the Grand Valley Water Users' Association be extended for a period of twenty years from the date of the expiration of the present Charter and so continuing the same as if originally incorporated."

Certificate of C. E. Blumshino, President, Attest: M. Ethel Cox, Secretary (Corporate Seal)

Subscribed and sworn to Mar. 28, 1925 before Delmar B. Wright, Notary Public, of Mesa County, Colorado. (N. P. Seal) Commission expires July 1, 1928. Filed Instrument No. 209483

The Grand Valley Water Users' Association, a Corporation of Colorado)

(11) Certificate of Renewal Dated Mar. 21, 1925 Filed May 24, 1938 at 11:10 A. M. File #3039

Certificate of C. E. Blumshino, President, Attest: M. Ethel Cox, Secretary (Corporate Seal) of The Grand Valley Water Users' Association, a corporation of Colorado, that a special meeting of the Stockholders of said Association held in the Court Room of the County Courthouse at Grand Junction, Mesa County, Colorado, Feb. 17, 1925 the following resolution was adopted:

No. 11 cont.

Resolved that the corporate existence of The Grand Valley Water Users' Association, 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 originally incorporated." That the said meeting was called and due and legal notice given in the manner required by law, and that at such meeting a majority of the entire outstanding capital stock of said Association was represented. That at such meeting the said resolution was adopted by a majority vote of the entire outstanding capital stock of said Association.

Subscribed and sworn to March 28, 1925 before Delmar B. Wright, Notary Public, Mesa County, Colorado. (N.P. Seal) Commission expires July 1, 1928

Filed Instrument No. 337413

The Grand Valley Water Users' Association

) (12)
)

CERTIFICATE OF AMENDMENT OF ARTICLES OF INCORPORATION

Dated January 8, 1929

Filed January 30, 1929, 3:10 P. M.

Certificate of W. S. Meek, President and W. W. Russell, Secretary, of said Association, of date January 16, 1929. (Corporate Seal), that at the regular meeting of the Board of Directors of said Association, in Grand Junction, Colorado, December 3, 1928, a Resolution was adopted providing for submission to the vote of the stockholders at the meeting to be held in Grand Junction, Colorado, on January 8, 1929, certain amendments to the Articles of Incorporation of said Association as follows:

(A) To amend Section 12, Art. IV to read as follows:

The purpose for which this Association is organized and the general nature of the business to be transacted are: To acquire, furnish and distribute to the lands of the shareholders of the Association, as adequate supply of water for the irrigation thereof. -----To mortgage, purchase or acquire land by foreclosure or otherwise, and to hold, own, sell, transfer or convey such lands, upon such terms as may be fixed by the Board of Directors of said Association.

(B) To amend Art. V by omitting therefrom, Sections 3, 4 and 12.

(C) To amend Sections 1, 2, 3, 4 and 6 of Art. VI to read as follows: Sec. 1 The revenue for accomplishment of the purposes of this Association shall be raised:

(A) Income from rental of water and electric power.

(B) From assessments against shares of stock to meet:

(1) Cost of construction, improvements, repairs, operation and maintenance of the irrigation works.

(2) Payments due the U. S.

(3) Deficiencies caused by some shareholders failing to pay assessments upon their shares of stock.

(4) Any and all lawful obligations of the Association.

Sec. 2 Directors have power to make and enforce by-laws.

Sec. 3 Assessments for ordinary cost shall be equally assessed against all shareholders in proportion to the number of shares held by them respectively, unless the U. S. shall require unequal assessments, etc.

Sec. 4 Assessments for constructing, etc. for increasing distribution of water may be equally assessed against all shareholders in proportion to the number of shares owned by them respectively, but is not to prevent unequal assessments when required by the U. S.

Sec. 6 Assessments shall become a lien upon the shares of stock, and may be foreclosed and sale of the lands and shares made in the manner provided by foreclosure of real estate in a court of competent jurisdiction. (Here follows other amendments having to do with Officers, etc.)

Sec. 10. The Board of Directors shall have power to make and levy assessments against the shares of stock of said Association in the manner authorized by these Articles and the By-laws of this Association and the terms and conditions for supplying water upon the lands of this Association. (Here follows recital as to Notice of meeting, publication of notice and copy of notice.)

Adopted at stockholders meeting in Grand Junction, Colorado, on January 8, 1929, at 10 o'clock A. M. by more than the 2/3rds vote of all the stock of the Association outstanding.

Subscribed and sworn to by said Officers of said Association on January 24, 1929, before Charles M. Holmes, Notary Public, of Mesa County, Colorado.

(N. P. Seal) Commission expires June 20, 1931

Filed Instrument No. 242293

The Grand Valley Water Users' Association)

CERTIFICATE OF AMENDMENT TO
CERTIFICATE OF INCORPORATION

Filed Aug. 8, 1930 at 10:00 A. M.

Filed in the Office of the Secretary of State of Colorado on July 30, 1930 at 1:00 PM
Certified on July 30, 1930 by Chas. M. Armstrong, Secretary of State of Colorado.
(State of Colorado, Seal)

Certificate of W. S. Wallace, President and D. W. Aupperle, Secretary of The
Grand Valley Water Users' Association (Corporate Seal) that on January 14, 1913 at a
meeting of the stockholders of said Association that the Articles of said Association
were amended as follows:

- - - Only owners of lands or having initiated a right to acquire the same within the
area described in Art. 4 or as extended, shall be qualified to own shares - - -.
Shareholders shall be liable for water furnished by the U.S. and the Association shall
have a lien on the lands and the right to foreclose the same for indebtedness and
that assessments may be levied against the stock and lands and assessments may be
made for operation, maintenance and repair of works.

The headgate of the Canal is to tap the water of the Grand River at a point near
the South line of the NW $\frac{1}{4}$ of Sec. 3, Twp. 10s. R. 98W. of the 6th P.M., whence the
Canal will extend in a southwesterly direction through the Canyon of the Grand River
for a distance of about five miles, thence in a general westerly and north-westerly
direction between 60 and 65 miles to a point near the Excelsior Divide, so called, and
discharge its waste water into the Grand River, or tributary thereof.

Grants to the U.S., over the lands described therein the necessary right of way
for canals, etc., and releases the U.S. from all damages and grants to the U.S. all
seepage, waste and spring water arising on the lands so described, not heretofore
appropriated.

Ack. Jan. 14, 1913 by W. S. Wallace, President of said Association, before Mary
Dol Gard, a Notary Public of the City and County of Denver, Colorado. And subscribed
and sworn to before said Notary Public, on July 10, 1930, by said Officers.

(N.P. Seal) Commission expires May 1, 1933.

Affidavit as to above facts as shown on the minute book of said Association made
by W. S. Meek, President and John Hynos, Secretary of said Association, subscribed
and sworn to on July 22, 1930 before Virginia O. Wallace, Notary Public, of Mesa
County, Colorado. (N.P. Seal) Commission expires April 9, 1934

Filed Instrument No. 254831

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14 The Grand Valley Water
Users' Association

CERTIFICATE OF AMENDMENT

#455876

Filed Dec. 17, 1946

Filed

At 10:28 o'clock A. M.

#3444

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.-----

/s/ 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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15

Georgia W. Jones
to
Silmon Smith

QUIT CLAIM DEED \$50.00 #463020
Dated April 25, 1947 Book 466
Filed April 28, 1947 Page 275
At 10:25 o'clock A.M.
Quitclaims: SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 32,
T. 1N, R. 1E. U.M. Mesa County, Colorado.
(Consideration less than \$100.00).

Ack. April 25, 1947 before C.W. Berrick, Notary Public, Los Angeles County, California.
(N. P. Seal) Commission expires May 10, 1948.

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16

Georgia M. Holmes
and Charles Holmes,
also known as Charles M. Holmes,
Lina B. Smith and Silmon
Smith & Smith & Holmes,
Raso Bldg. Grand Junction,
Colorado.
to
The Carter Oil Company
Box 801, Tulsa, Okl.

OIL AND GAS LEASE #635339
\$10.00 and more Book 645
Dated March 7, 1955 Page 524
Filed May 25, 1955

At 9:12 o'clock A.M.
Leases: With the exclusive right of
mining exploring and operating for
and producing therefrom oil, gas, casing-
head gas, casinghead gasoline, and hous-
ing and boarding employees and any
and all other rights and privileges
necessary or convenient for the operat-
ion for the production, saving, and taking

care of oil, gas, casinghead gasoline, all that certain tract of land situated in the County of Mesa, State of Colorado described as follows, to-wit: Twp. 1N, R. 1E, U.M. Sec. 32: SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ Containing 281.69 acres, more or less. (and other property). It is agreed that this lease shall remain in force for a term of ten 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. In consideration of the premises the said lessee covenants and agrees: To deliver to the credit of lessor, free of cost, in the pipe line 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 lessee's option, may pay to the lessor for such 1/8 royalty, the market price for oil of like grade and gravity prevailing on the day such oil is run into the pipe line or into storage tanks. To pay the lessor one-eighth at the market price at the well for the gas so used, for the gas from each well where gas only is found, 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. To pay lessor for gas produced from any oil well and used off the premises or for the manufacture of casinghead gasoline, 1/8 at 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 one year from the date hereof, this lease shall terminate as to both parties, unless the lessor on or before that date shall pay or tender to the lessor or to the lessor's credit in the United States Bank at Grand Junction, Colorado, or its successors, which shall continue as the depository regardless of changes in the ownership of said land, the sum of \$81.69 which shall operate as a rental and cover the privilege of deferring the commencement of a well for twelve months from said date. Lessee shall, have the right to use, free of cost, gas, oil and water produced on said land for its operation thereof, except water from well of lessor. When requested 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. Lessor hereby warrants and agrees to defend the title to the lands herein described, and agrees that the lessee shall have the right at any time to pay for lessor, any mortgage, taxes or other liens on the above described lands, in the event of default of payment by lessor. All express or implied covenants of this lease shall be subject to all Federal and State Laws, Executive Orders, Rules or Regulations.

/s/ Georgia M. Holmes, Lina B. Smith, Silmon Smith, Charles M. Holmes Witness: S.G. Merritt.

Ack. March 7, 1955 by Georgia M. Holmes and Charles Holmes, also known as Charles M. Holmes, Lina B. Smith and Silmon Smith before Anthony W. Williams, Notary Public, Mesa County, Colorado.
(N. P. Seal)

Commission expires July 22, 1956.

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17

The Carter Oil Company

CERTIFICATE OF BUSINESS AND AGENT

#480525 Filed #3603

Dated February 27, 1948 Filed March 31, 1948 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. (Corporation Seal) Subscribed and sworn to February 27, 1948 before Mary Frances Lee, Notary Public, (N.P. Seal shows Tulsa, Oklahoma.) Commission expires April 15, 1948.

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18

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

#515812 Filed #3796

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

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 Statute in such case made and provided. /s/ O. C. Schorp, President, LeRoy Young, Secretary (Corporation Seal).

Subscribed and sworn to before me this 27th day of February, 1950. Betty Jean Sharp, Notary Public. (N.P. Seal shows Tulsa, Oklahoma.) Commission expires June 28, 1950.

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19

THE CARTER OIL COMPANY to Georgia M. Holmes, et al

RELEASE OF OIL AND GAS LEASE

#692557 Book 707 Page 270

Dated February 16, 1957 Filed April 18, 1957 At 10:31 o'clock A.M.

Releases: Twp. 1N, R. 1E, U.M. Sec. 32:

SE 1/4 NW 1/4, SW 1/4 NE 1/4, containing 281.69 acres, more or less. (and other land). From Oil and Gas lease dated March 7, 1955 executed by Georgia M. Holmes, et al, recorded in Mesa County, State of Colorado, in Book 645 on page 524, said lease covering said above described land. The undersigned also does hereby release, surrender and abandon all right, title and interest in and to any ratifications of said lease and any instruments modifying the provisions of the land description contained in said lease, insofar as any such ratifications and instruments pertain to and cover the land above specifically described. Witness The Carter Oil Company by the hand of its Vice President and the seal of said corporation duly attested by its Assistant Secretary, this 16th day of February, 1957. (Corporation Seal)

/s/ The Carter Oil Company by Thos. Brownfield, Vice President, Attest F. B. Jordan, Jr., Assistant Secretary.

Ack. February 16, 1957 by Thos. Brownfield, as its Vice President before Louise Doll, Notary Public, Tulsa County, State of Oklahoma.

(N.P. Seal) Commission expires September 18, 1958.

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State of Colorado
to
Upper Grand Valley
Soil Conservation
District

CERTIFICATE #735541
Filed January 16, 1959 Filed
At 2:21 o'clock P.M. 5318
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

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. RLW. 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. RLW. 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. R2W; 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., R2W; 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. R101W 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.

Mesa County Planning Commission
to
The State

AMENDED SUBDIVISION
REGULATIONS

#741347
Filed

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

"Amended Subdivision Regulations
of Mesa County, Colorado, adopted

21

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.)

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

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

Page two-

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

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

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

Section 1

PROCEDURE

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

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

Page seven-

(continued on next sheet)

No. 22. continued:

Section V
DEFINITIONS

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

1. " Alley"

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

2. " Easement"

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

3. " Lot"

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

4. " Street"

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

5. " Subdivider"

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

6. " Subdivision"

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

Section VI
PUBLIC STREETS

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

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

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Silmon Smith
to
The City of Grand
Junction and the County of
Mesa, State of Colorado.

QUIT CLAIM DEED \$10.00 and #764444
Other Valuable Considerations Book 776
Dated March 9, 1960 Page 473
Filed March 23, 1960
At 10:35 o'clock A.M.

Quitclaims: Beginning at a point on the
S line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 32, Twp. 1N, R. 1E.

U.M., which is S 89°54' W 267.30 feet from the SE corner said SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 32, thence S 89°54' W 445.80 feet along said S line SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 32, thence N 54°54' W 742.90 feet parallel to the center line of Grand Junction NW-SE airport runway projected, to the W line said SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 32, thence N 00°18' E 891.16 feet to the NW corner said SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 32, thence N 89°48' E 464.18 feet along N line said SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 32, thence S 54°54' E 1236.94 feet parallel to the center line of Grand Junction NW-SE airport runway projected, thence S 35°06' W 743.03 feet to the point of beginning. Said tract containing 30.58 acres, Mesa County, Colorado. Reserving unto the grantor however all oil, gas and other minerals with the right to prospect for and remove the same, Mesa County, Colorado. (IRS ___ fees ___)

/s/ Silmon Smith

Ack. March 9, 1960 by Silmon Smith before Mildred A. Miller, Notary Public, Mesa County, Colorado.

(N. P. Seal)

Commission expires July 25, 1962.

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24

Silmon Smith
to
The City of Grand Junction
and the County of Mesa

QUIT CLAIM DEED \$10.00 and #793787
other good and valuable Book 805
consideration Page 31

Dated June 13, 1961

Filed June 13, 1961

At 3:45 o'clock P.M.

Quitclaims: The SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec.
32, Twp. 1N, R. 1E, U.M. except beginning

at a point on the S line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, Twp. 1N, R. 1E, U.M. which is S 89°54' W 267.30 feet from the SE corner of said SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, thence, S 89°54' W 445.8 feet along said S line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, thence, N 54°54' W 742.9 feet parallel to the center line of the Grand Junction NW-SE Airport runway projected to the W line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, thence, N 00°18' E 891.16 feet to NW corner of said SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, thence, N 89°48' E 464.18 feet along the N line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, thence, S 54°54' E 1236.94 feet parallel to the center line of the Grand Junction NW-SE Airport runway projected; thence, S 35°06' W 743.03 feet to the point of beginning. Said tract containing 49.42 acres. Reserving unto the grantor all oil, gas and mineral rights, with right to prospect for, drill, mine and remove the same with reasonably necessary drill sites with ingress and egress and subject to the limitations in the Subordination Agreement, of even date herewith, Mesa County, Colorado. (IRS .55¢ Conveyance Fees 1¢)

/s/ Silmon Smith

Ack. June 13, 1961 by Silmon Smith before Mildred A. Miller, Notary Public, Mesa County, Colorado.

(N. P. Seal)

Commission expires July 25, 1962.

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25

Silmon Smith ,
" First Party"
and
The City of Grand
Junction and the County
of Mesa, Colorado
" Second Party"

SUBORDINATION AGREEMENT #793788
Dated June 13, 1961 Book 805
Filed June 13, 1961 Page 32

At 3:46 o'clock P.M.

WITNESSETH: That whereas, First Party is the owner of the oil, gas and minerals in and to that certain tract of land situate in the County of Mesa, State of

Colorado and more specifically described as follows: The SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, Twp. 1N., R. 1E, U.M., and the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 32, Twp. 1N., R. 1E, U.M., containing 80 acres. and WHEREAS, Second Party is the owner and operator of Walker Field, a city-county airport, hereinafter referred to as the " Airport", situated in the County of Mesa, State of Colorado, which land above described has been acquired as a part of the airport property; and " WHEREAS, it is deemed necessary that the land above described be and remain free and clear of any structure, or other object, which is or would constitute an obstruction or hazard to the flight of aircraft, of landing and taking off at said airport. NOW THEREFORE, for valuable considerations paid by Second Party to First Party, the receipt and sufficiency of which is hereby acknowledged, First Party for himself, his heirs, successors and assigns does hereby agree with Second Party that for the benefit and in the interests of the public using or affected by the use of the airport, he will not hereafter erect or permit the erection, of any structure or other object within the land above described which would penetrate the glide approach angle as shown on Exhibit A which is attached hereto except as the same may be temporarily permitted by the Federal Aviation Agency and Second Party under proper precautions for the protection of the public." THIS AGREEMENT is binding upon the respective heirs, executors, administrators, successors, and assigns of the parties hereto.

/s/ Silmon Smith " First Party"

/s/ Carl A. Alstatt, Airport Manager for the City of Grand Junction and County of Mesa, Colorado " Second Party"

Ack. June 13, 1961 by Silmon Smith before Mildred A. Miller, Notary Public, Mesa County, Colorado.

(N. P. Seal)

Commission expires: July 25, 1962.

Ack. June 13, 1961 by Carl A. Alstatt, as Airport Manager for the City of Grand Junction and County of Mesa, Colorado before Mildred A. Miller, Notary Public, Mesa County, Colorado.

(N. P. Seal)

Commission expires July 25, 1962.

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Exhibit "A" Recorded as document #793789 on June 13, 1961 at 3:47 o'clock P.M. in Book 805 on Page 35 appears as Entry No. 26 attached to yellow sheet at end of this abstract.

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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 Twenty-six (26) entries, numbered from 1 to 26, both inclusive, constitutes a true and correct Abstract of Title showing all instruments appearing of record or on file in the Office of the County Clerk and Recorder of Mesa County, Colorado, from the beginning, up to June 23, 1961, at 8:00 o'clock A.M., affecting the title to the property described in the caption hereof.

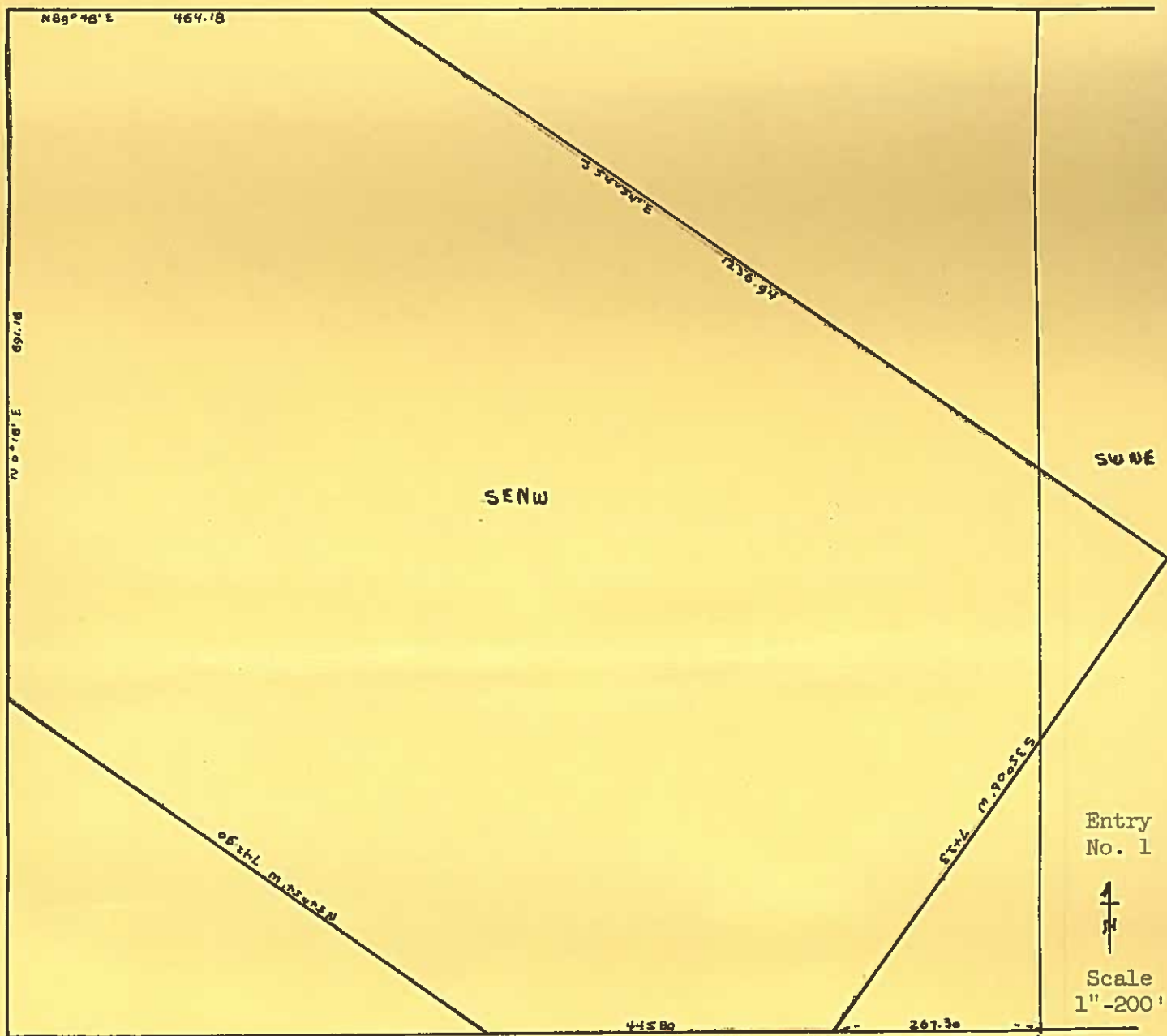
Dated at Grand Junction, Colorado

June 23, 1961, at 8:00 o'clock A.M.

THE MESA COUNTY ABSTRACT COMPANY

By Richard B. Williams
Manager *RWB*





Entry
No. 1

↑
N

Scale
1" - 200'

SE Corner
SE 1/4 NW 1/4
Sec. 32-1N-1E-4M

The above is a Plat of the SE¹/₄ NW¹/₄ and a part of the SW¹/₄ NE¹/₄ of Sec. 32, Twp. 1N., R. 1E., U.M., showing the location of the property described in the caption hereof, in Mesa County, Colorado.

