

POWER OF ATTORNEY #26  
AND ALL LOTS -  
ANNEXATION COVENANT

FRUITWOOD SUB. FILE #7



ROBERT P. GERLOFS and DEE A BRINEGAR owners of that real property situated in Mesa County, Colorado, and described as:

A part of the West 1/2 West 1/2 NW 1/4 NE 1/4 Section 16, T.1S, R. 1E, Ute Meridian said Tract being more particularly described as follows:

Beginning at the North 1/4 Corner of said Section 16 Thence N. 89° 54' 00" E along the North Line NW 1/4 NE 1/4 of said Section 16 a distance of 330.41 feet; Thence S. 00° 00' 31" W 1319.77 feet; Thence S. 89° 53' 11" W along the South line NW 1/4 NE 1/4 of said Section 16, a distance of 330.21 feet; Thence N. 00° 00' 00" E along the West line NE 1/4 of said Section 16 A distance of 1319.85 feet to the TRUE POINT OF BEGINNING. Containing 10.007 Acres.

which property has been petitioned for rezoning in the County to Transitional (a zoning category permitting urban development) and which property is not presently eligible for annexation to the City of Grand Junction whose zoning permits the same or similar type of development.

As a part of the zoning process to secure such Transitional zoning, we do hereby designate and appoint the City Clerk of the City of Grand Junction, as our Attorney in fact to sign any petition for annexation, when eligible, of the described land to the City, whether for the described land alone or in conjunction with other land, shall be binding upon our successors in interest and shall not cease upon the death of either or all of us.

As a further covenant to run with the land, we agree that in the event a counter-petitioner to the proposed annexation of the land is prepared any signature on such petition purporting to affect the land herein described may be ignored as of no force and effect by the City under its annexation requirements.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 22 day of Feb 1977.

Robert P. Gerlofs  
  
Dee A. Brinegar

STATE OF COLORADO }  
COUNTY OF MESA } ss

The foregoing instrument was acknowledged before me this 22 day of Feb, 1977 by Robert P. Gerlofs and Dee A. Brinegar.

WITNESS my hand and official seal:

Notary Public

My Commission Expires: May 28, 1977

