

RECEPTION #: 2550572, BK 5075 PG 325 10/22/2010 at 02:39:45 PM, 1 OF 2, R \$15.00 S \$1.00 D \$0.00
Janice Rich, Mesa County, CO CLERK AND RECORDER

WARRANTY DEED

Fruitvale Water and Sanitation District, a Colorado Title 32 Special District, with an address of 2887 North Avenue, Grand Junction, Colorado 81501, for the consideration of ten Dollars, and other valuable consideration, in hand paid, hereby sells, grants and conveys to the **City of Grand Junction**, a Colorado Home Rule Municipality, with an address of 250 North 5th Street, Grand Junction, Colorado 81501, ("Grantee"), all of Grantor's right, title and interest in and to the following real property in the County of Mesa, State of Colorado:

Beginning at the Northeast corner of the E1/2 W1/2 NE1/4 NE1/4 of Section 18, Township 1 South, Range 1 East of the Ute Meridian;

thence West 94 feet;

thence South 215 feet;

thence East 94 feet;

thence North 215 feet to the point of beginning;

EXCEPT a tract conveyed to the Department of Highways, State of Colorado in instrument recorded May 4, 1960 in Book 779 at Page 157, Reception No. 767184;

AND ALSO EXCEPTING a tract conveyed to the City of Grand Junction in instrument recorded March 12, 1990 in Book 1779 at Page 565, Reception No. 1537299 and corrected in instrument recorded May 4, 1990 in Book 1786 at Page 200, Reception No. 1541166.

Tax Schedule Number: 2943-181-00-944

with a physical location of 2887 North Avenue, Grand Junction, CO 81501.

The property is conveyed with all its appurtenances, and Grantor warrants title to the same subject to easements, restrictions, covenants and encumbrances of record and as reflected in the attached Schedule B.

Signed this 19 day of December, 2008.

Fruitvale Water and Sanitation District

By Arthur E. Crawford
Arthur E. Crawford, General Manager

BILL OF SALE

THIS BILL OF SALE is from **Fruitvale Water and Sanitation District**, Colorado Title 32 Special District, with an address of 2887 North Avenue, Grand Junction, Colorado 81501, ("Grantor") and conveys the **City of Grand Junction**, a Colorado Home Rule Municipality, with an address of 250 North 5th Street, Grand Junction, Colorado 81501 ("Grantee") all of Grantor's interest in the Assets described below. The Assets are conveyed in accordance with the provisions of the Plan of Dissolution approved by the Mesa County District Court in Case Number 10603 and as approved by the qualified electors of Grantor.

NOW, THEREFORE, pursuant to the terms of the Plan of Dissolution, Grantor does hereby sell, assign, and transfer to Grantee all assets, whether tangible or intangible, of Grantor, including:

- (a) All sewer facilities including, but without limitation, all lines, pipes, fittings, taps, valves, controls, fixtures and appurtenances which are a part of the sewer collection system;
- (b) All books, records, warranties, maps/construction drawings, files, correspondence, manuals, business records, and other such documents which relate to District assets;
- (c) All investment accounts, savings, bank accounts, receivables and cash;
- (d) All inventory and supplies of Grantor, wherever located;
- (e) All, equipment, furniture, furnishings, tools, machinery, and other tangible Assets owned by Grantor, including all records associated with such Assets such as equipment manuals, repair records, warranties, repair contracts and purchase records;
- (f) All customer listings, vendor listings and master data base lists, files, accounts, computers and computer software;
- (g) Assignment of all known and unknown contracts, claims, demands, litigation, judgments and other commitments of Grantor;
- (h) The telephone number 243-1494 and the FAX number 243-2411; and all other tangible and intangible assets held by Grantor.

Grantor conveys the Assets free and clear from any liens and encumbrances or claims of third parties and hereby reaffirms the warranties made in the Plan of Dissolution with respect to the Assets. This Bill of Sale shall be effective for all purposes as of the date of its execution.

IN WITNESS WHEREOF, Grantor has signed this Bill of Sale the 19 day of December, 2008.

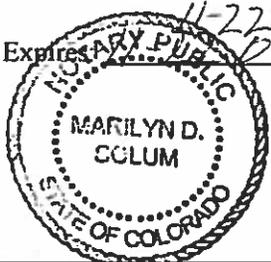
Fruitvale Water and Sanitation District

By: Arthur E. Crawford
Arthur E. Crawford, General Manager

Subscribed and sworn to before me this 19 day of December, 2008, by Arthur E. Crawford, General Manager of Fruitvale Water and Sanitation District.

Commission Expires 11-22-09

(Seal)



Marilyn D. Colum
Notary Public

STATE OF COLORADO)
) ss.
COUNTY OF MESA)

This Warranty Deed was acknowledged before me this 19 day of December, 2008, by Arthur E. Crawford, General Manager of Fruitvale Sanitation District, a Title 32 Special District.

My commission expires: 11-22-09

WITNESS my hand and seal



Marilyn D. Solum
Notary Public

ACCEPTED BY GRANTEE:

CITY OF GRAND JUNCTION, COLORADO, a Colorado Home Rule Municipality

By: *Laurie Kadrach*
Laurie Kadrach, City Manager

STATE OF COLORADO)
) ss.
COUNTY OF MESA)

¹⁰ The foregoing instrument was subscribed and sworn to before me this 21st day of ~~December~~ ^{October}, 2008, by Laurie Kadrach, City Manager of the City of Grand Junction, Colorado.

[Seal]



Deana Pietro
Notary Public

My Commission Expires 07/07/2012

RESOLUTION NO. 03 -09

**A RESOLUTION AUTHORIZING THE ACQUISITION OF PROPERTY AND ASSETS
OF THE FRUITVALE SANITATION DISTRICT**

Recitals:

The Fruitvale Sanitation District, the City and Mesa County are parties to a Total Services Agreement (TSA) whereby the District agreed to dissolve, upon approval by qualified voters, and convey all of the District's assets and property to the City. Those assets are for the benefit of the Persigo 201 Sewer System.

In accordance with the TSA, the City has agreed to assume and continue all sanitary sewer services previously provided by the District.

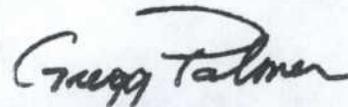
The District took the dissolution question to the voters in November 2008. Qualified voters in the District approved the dissolution.

The Board of Directors of the District and the City filed a Petition of Dissolution with the Mesa County District Court. A Plan of Dissolution and final Order are pending submittal of financial information from the District and the transfer of assets.

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

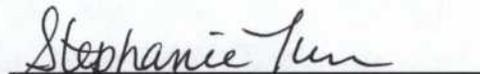
The acquisition of assets and real and personal property from the Fruitvale Sanitation District pursuant to the Plan of Dissolution is hereby authorized and the assumption of the District's sanitary sewer services by the City is approved.

PASSED AND APPROVED this 5th of January, 2009.



Gregg Palmer
President of the Council

ATTEST:



Stephanie Tuin
City Clerk