

WARRANTY DEED

This Warranty Deed made this 28th day of June, 2011 by and between **Fruitvale III, LLC, a Colorado Limited Liability Company, Grantor**, whose address is 734 Centauri Court, Grand Junction, Colorado 81506, for and in consideration of Ten and 00/100 Dollars, (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has sold, granted and conveyed, and by these presents does hereby sell, grant and convey to **The City of Grand Junction, a Colorado home rule municipality, Grantee**, whose address is 250 North 5th Street, Grand Junction, Colorado 81501, its successors and assigns forever, the following described tract or parcel of land for Public Roadway Right-of-Way purposes, to wit:

A parcel of land, situate in the SW 1/4 SW 1/4 of Section 9, Township 1 South, Range 1 East of the Ute Meridian, Mesa County, Colorado being located in that property as described in Book 3305, Pages 17 and 18 of the deed records of Mesa County, Colorado, and being more particularly described as follows:

Commencing at the found Mesa County survey marker for the S 1/16 corner of the West side of said Section 9; and considering the west line of the SW 1/4 SW 1/4 of said Section 9 to bear S00° 07'38" E with all other bearings contained herein relative thereto;
thence S 00°07'38" E a distance of 673.00 feet;
thence N 89°50'04" E a distance of 40.00 feet to the Point of Beginning;
thence N 89°50'04" E a distance of 19.44 feet;
thence S 00°00'00" E a distance of 3.50 feet;
thence S 46°35'37" W a distance of 26.69 feet;
thence N 00°07'38" W a distance of 21.79 feet to the point of beginning.

Containing 246 square feet or 0.0056 Acres, more or less, as described herein and depicted on **Exhibit "A"**, attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereunto belonging or in anywise appertaining, unto the said Grantee and unto its successors and assigns forever, the said Grantor hereby covenanting that it will warrant and defend the title to said premises unto the said Grantee and unto its successors and assigns forever, against the lawful claims and demands of all persons whomsoever.

Executed and delivered this 28th day of June, 2011.

By: James M. Flynn
James M. Flynn, Manager
Fruitvale III, LLC, a Colorado Limited Liability Company

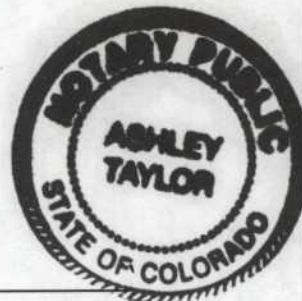
State of Colorado)
)ss.
County of Mesa)

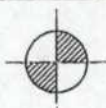
The foregoing instrument was acknowledged before me this 28th day of June, 2011, by James M. Flynn, Manager of Fruitvale III, LLC, a Colorado Limited Liability Company.

My commission expires May 4, 2015.

Witness my hand and official seal.

Ashley Taylor
Notary Public

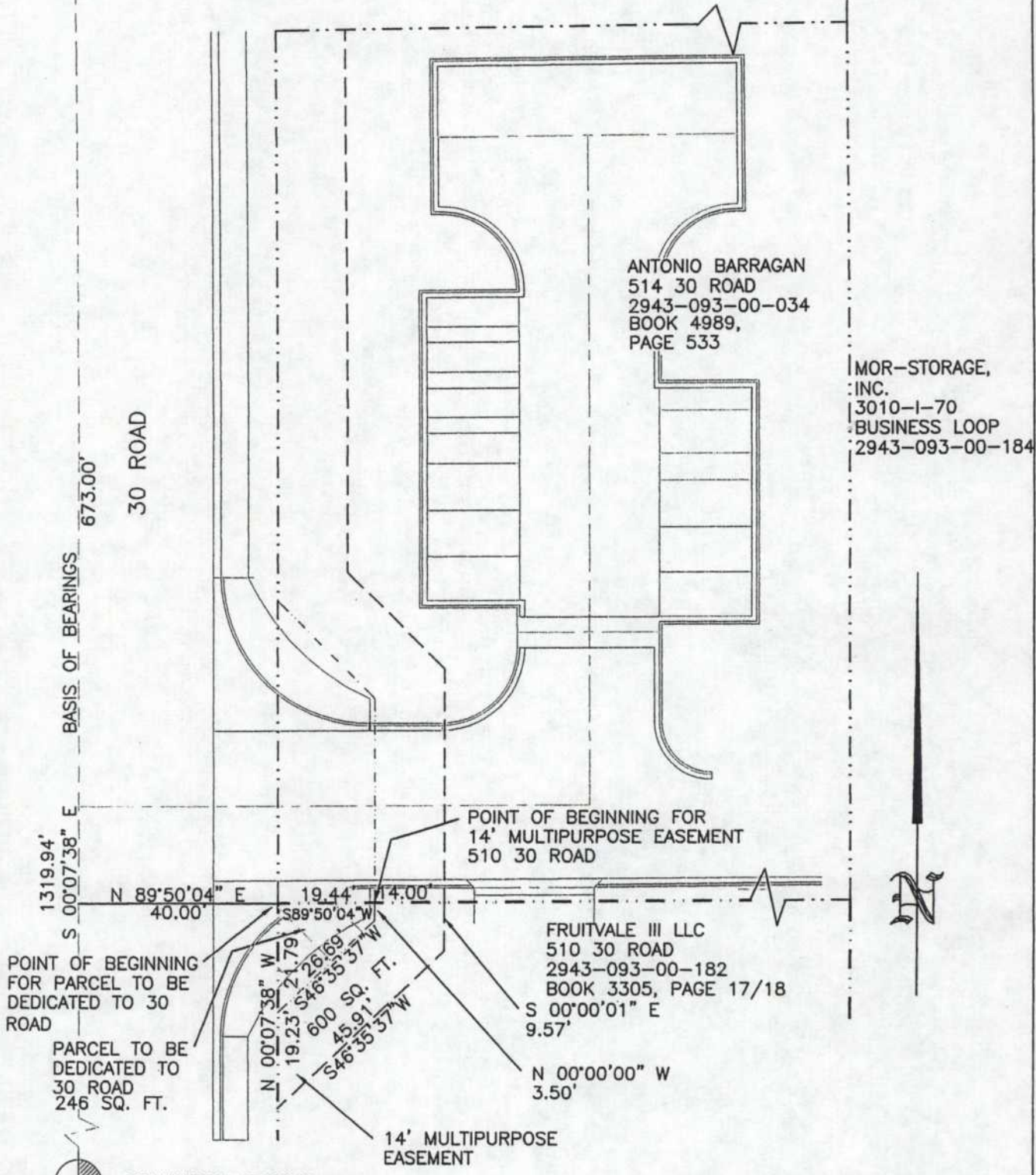




SOUTH 1/16 CORNER
WEST SIDE
SECTION 9, T1S, R1E, U.M.

EXHIBIT "A"

JOHN E. AND MARY K.
BAUGHMAN
516 30 ROAD
2943-093-00-033



SOUTHWEST CORNER
SECTION 9, T1S, R1E, U.M.

SURVEYOR'S CERTIFICATE

I, Wayne H. Lizer, a registered Professional Land Surveyor in the State of Colorado, hereby certify that this map was prepared from notes taken in the field by me during April, 2010, and from information from an Improvement Location Survey on 514 30 Road by D H Surveys, Inc., Job No. 1182-09-01, dated November, 2009.

Wayne H. Lizer
Wayne H. Lizer P.E., P.L.S. 14113

LEGEND

- - - ORIGINAL PROPERTY LINE
- . . . NEW DEDICATION RIGHT-OF-WAY LINE
- - - ADJACENT PROPERTY LINE
- - - 14' MULTIPURPOSE EASEMENT LINE

0' 20' 40' 60'

SCALE: 1" = 30'
LINEAR UNITS OF MEASUREMENTS
ARE U.S. SURVEY FOOT.



STREET DEDICATION AND UTILITY EASEMENT PLAN FOR 510 30 ROAD FRUITVALE III LLC GRAND JUNCTION, COLORADO					
W.H. LIZER AND ASSOCIATES ENGINEERING CONSULTING AND LAND SURVEYING 576 25 ROAD-UNIT B GRAND JUNCTION, COLORADO					
DATE: 5/26/11	PROJ. NO. 094291-9	SCALE: 1" = 30'	FILE NAME: 514ESMT3	DRAWN BY: WHL	CHECKED BY: W.H.L.