

POWER OF ATTORNEY FOR AND AUTHORIZING THE CREATION OF A SEWER IMPROVEMENT DISTRICT

I, Kenneth N. Scissors, as owner of that certain real property described on the Plat of Park Mesa Subdivision and as platted thereby (Property) located in the City of Grand Junction Colorado, County of Mesa, for ourselves, our heirs, successors and/or assigns covenant and agree that, as a condition of approval of the Park Mesa Subdivision final plat and development permits authorizing development of the Property with individual sewage disposal system (ISDS) also known as septic tank(s) and leach field(s) on the Property, this power of attorney is executed in favor of the City Clerk of the City of Grand Junction authorizing and permitting the City Clerk to act on behalf of me, my executors, successors in interest and/or assigns, to sign a petition to form a special improvement district to construct a public sewer/sewer improvement district for the benefit of and to serve the Property. This instrument shall be recorded and shall be deemed a covenant, which binds and shall run with the land.

The requirement that I connect to public sewer has, with the consent of the City Manager, been deferred to such time, if any, as a sewer improvement district or equivalent legal mechanism is formed, for and benefiting the Property, described herein.

The actual cost that I, my heirs, successors and/or assigns shall pay for the sewer improvements/infrastructure will be determined in accordance with rates and policies established by the City at the time of formation of the improvement district.

I, my heirs, successors and/or assigns, as owners of the Property do hereby agree to participate in an improvement district, if one is formed, for the improvement of sewer service and elimination of ISDS/septic systems, either as a larger scope of work or otherwise, to the then existing standards and do hereby designate and appoint the City Clerk of the City of Grand Junction as my attorney in fact to execute any and all petitions, documents and instruments to effectuate my intention to participate in said improvement district for such purpose or to otherwise act in conformity with said general purpose and direction.

The City Clerk is empowered by me to do and perform any and all acts which the City Clerk shall deem necessary, convenient or expedient to accomplish such improvements, construction or reconstruction as fully as I might do if personally present.

This authority and the covenant created hereby shall be binding upon any and all successors in interest to the Property and shall not cease upon my death (the death of either or both of us) or the dissolution of marriage, partnership, corporation or other form of association which may hold title or claim an interest

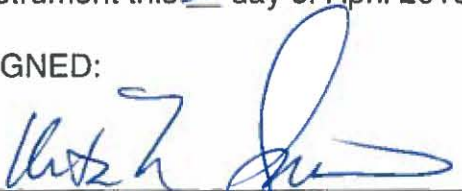
to the Property. The authority and covenant created hereby shall run with the land.

As a further covenant to run with the land, I agree that in the event of a counter-petition to any proposed sewer improvement(s), improvement district, construction or reconstruction any signature on such petition purporting to affect the land herein described may be ignored and of no force and effect by the City of Grand Junction.

This power of attorney is not terminable; it shall terminate only upon the formation of an improvement district or other legal means of accomplishing the purpose of effecting urban sewer infrastructure/improvements and elimination of individual sewage disposal system (ISDS) also known as septic tank(s) and leach field(s) on the Property.

In witness whereof I (we) have signed executed and acknowledged this instrument this 20 day of April 2016.

SIGNED:


Kenneth N. Scissors

STATE OF COLORADO)
COUNTY OF MESA)ss.

The foregoing instrument was subscribed and sworn to before me this 20th day of April, 2016 by Kenneth N. Scissors.

My Commission expires 7-11-2018.


Notary Public

JANET HARRELL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #20144027406
My Commission Expires July 11, 2018