

7 PAGE DOCUMENT

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Janice Ward CLK&REC Mesa County, CO  
RecFee \$35.00 SurChg \$1.00  
DocFee EXEMPT

**SPECIAL WARRANTY DEED**

**HIGH PLAINS PROPERTIES, LLC**, Grantor, whose address is 1225 South 7<sup>th</sup> Street, Grand Junction, Colorado 81501, for the consideration of One Million Eleven Thousand Seven Hundred Thirty Three and 50/100 Dollars (\$1,011,733.50), in hand paid, hereby sells and conveys to **THE CITY OF GRAND JUNCTION**, a Colorado home rule municipality, whose legal address is 250 North 5<sup>th</sup> Street, Grand Junction, Colorado 81501, the following real property ("Property") in the County of Mesa and State of Colorado, to wit:

Riverside Parkway Parcel Nos. E-57A, E-57BRev, E-58, E-59, E-60, E-61, E-62, E-67, E-90 and E-91 as described on **Exhibit "A"**, **Exhibit "B"**, **Exhibit "C"**, **Exhibit "D"** and **Exhibit "E"**, which Exhibits are attached hereto and incorporated herein by reference,

with all its appurtenances and warrants the title to the Property against all persons claiming under the Grantor subject to the following matters:

See **Exhibit "F"**, attached hereto and incorporated herein by reference.

Signed this 10<sup>th</sup> day of July, 2006.

HIGH PLAINS PROPERTIES, LLC  
a Colorado limited liability company,  
Grantor:

By: [Signature]  
Harold F. Elam, Manager

State of Colorado )  
County of Mesa )

The foregoing was acknowledged before me this 10 day of July, 2006, by Harold F. Elam, Manager of HIGH PLAINS PROPERTIES, LLC, a Colorado limited liability company, Grantor.

My commission expires: 5/11/2010  
Witness my hand and official seal.

[Signature]  
Notary Public



WHEN RECORDED RETURN TO:  
H.C. PECK & ASSOCIATES, INC.  
ATTN: Michele Spencer  
P.O. BOX 480306  
DENVER, CO 80248-0306  
Riverside Parkway Parcels E-57A,  
E-57BRev, E-58, E-59, E-60, E-61,  
E-62, E-67, E-90 and E-91.

**Carter Burgess**

**EXHIBIT "A"**

707 17th Street, Suite 2300  
Denver, Colorado 80202-3404  
Phone: 303.820.5240  
Fax: 303.820.2402  
www.c-b.com

February 24, 2005  
071514.402.1.0025

**PROPERTY DESCRIPTION**

Parcel No. E-57A


A parcel of land being a portion of Lot 10, Block 2, SOUTH FIFTH STREET SUBDIVISION recorded in Book 7 at page 19, at Mesa County Clerk and Recorder's Office on November 29, 1946, lying in the Northwest Quarter of Section 23, Township 1 South, Range 1 West of the Ute Principal Meridian, Mesa County, Colorado being more particularly described as follows:

COMMENCING at the Center Quarter Corner of said Section 23 (a 3" Brass Cap stamped "MESA COUNTY SURVEY MARKER-C 1/4 S23-NO1280), whence the Center North 1/16<sup>th</sup> Corner of said Section 23 (a brass cap stamped PLS16413-1/16 S23-1991) bears N00°11'11"E a distance of 1315.15 feet;  
THENCE N00°53'27"W a distance of 367.92 feet to a point on the easterly line of said Lot 10, being the POINT OF BEGINNING;

THENCE N46°08'41"W a distance of 189.74 feet;  
THENCE S89°24'12"E along the northerly line of said Lot 10 a distance of 138.41 feet;  
THENCE S00°41'48"W along the easterly line of said Lot 10 a distance of 130.03 feet to the POINT OF BEGINNING.

Containing 8,998 square feet, (0.207 Acres), more or less.

Basis of Bearing: N89°58'01"E between Mesa County Local Coordinate System points Southwest Corner of Section 15 (2-1/2" Alumn. Cap in Monument Box Stamped: AES T1S R1W S16/S15/S21/S22 2002 PLS 24320) and the Southeast Corner of Section 15, (2-1/2" Brass Cap Stamped: COUNTY SURVEY MARKER 828-1 15/14/22/23), both in Township 1 South, Range 1 West Ute P.M.

  
Prepared by:  
Date: 2/25/05  
Marla Mellor McComber, PLS 24961  
For and on behalf of Carter & Burgess, Inc.



Carter & Burgess, Inc. Carter & Burgess Architects/Engineers, Inc. Carter & Burgess Consultants, Inc.  
C&B Architects/Engineers, Inc. C&B Architects/Engineers, P.C. C&B Nevada, Inc.



**Carter-Burgess****EXHIBIT "B"**

February 24, 2005  
 071514.402.1.0025  
 Revised March 2, 2005

707 17th Street, Suite 2300  
 Denver, Colorado 80202-3404  
 Phone: 303.820.5240  
 Fax: 303.820.2402  
 www.c-b.com

**PROPERTY DESCRIPTION**

Parcel No. E-57BRev


A parcel of land being a portion of Lot 10, Block 2, SOUTH FIFTH STREET SUBDIVISION recorded in Book 7 at page 19, at Mesa County Clerk and Recorder's Office on November 29, 1946, and a portion of an alley vacated by Ordinance No. 1582, recorded in Book 1048, Page 515, at Mesa County Clerk and Recorder's Office on October 8, 1975, lying in the Northwest Quarter of Section 23, Township 1 South, Range 1 West of the Ute Principal Meridian, Mesa County, Colorado being more particularly described as follows:

COMMENCING at the Center Quarter Corner of said Section 23 (a 3" Brass Cap stamped "MESA COUNTY SURVEY MARKER-C 1/4 S23-NO1280), whence the Center North 1/16<sup>th</sup> Corner of said Section 23 (a brass cap stamped PLS16413-1/16 S23-1991) bears N00°11'11"E a distance of 1315.15 feet;  
 THENCE N00°11'11"E along the easterly line of the Southeast Quarter of the Northwest Quarter of said Section 23, a distance of 54.79 feet to the POINT OF BEGINNING;

THENCE S00°11'11"W along the easterly of said vacated alley a distance of 14.47 feet;  
 THENCE N89°24'12"W along the southerly line of said Lot 10, Block 2 and the extension thereof a distance of 23.44 feet;  
 THENCE N58°47'56"E a distance of 27.46 feet to the POINT OF BEGINNING.

Containing 170 square feet, (0.004 Acres), more or less.

Basis of Bearing: N89°58'01"E between Mesa County Local Coordinate System points Southwest Corner of Section 15 (2-1/2" Alumn. Cap in Monument Box Stamped: AES T1S R1W S16/S15/S21/S22 2002 PLS 24320) and the Southeast Corner of Section 15, (2-1/2" Brass Cap Stamped: COUNTY SURVEY MARKER 828-1 15/14/22/23), both in Township 1 South, Range 1 West Ute P.M.

Prepared by:   
 Date: 3/03/05  
 Marla Mellor McOmber, PLS 24961  
 For and on behalf of Carter-Burgess, Inc.



Carter & Burgess, Inc. Carter & Burgess Architects/Engineers, Inc. Carter & Burgess Consultants, Inc.  
 C&B Architects/Engineers, Inc. C&B Architects/Engineers, P.C. C&B Nevada, Inc.

EXHIBIT "C"

**Project Parcel No.:** E-58  
**Tax Schedule No.:** 2945-231-16-026  
**Property Address:** 1125 South 7<sup>th</sup> Street  
**Legal Description:** The South 44.40 feet of the North 60 feet of Lot 2 in Block 9 of Benton Canon's First Subdivision, EXCEPT right of way for roadway and utility purposes on the Northeast corner as described in the deed to the City of Grand Junction recorded September 13, 1991 in Book 1856 at Page 304.

**Project Parcel No.:** E-59  
**Tax Schedule No.:** 2945-231-16-003  
**Property Address:** 1135 South 7<sup>th</sup> Street  
**Legal Description:** The South 75 feet of Lot 2 in Block 9 of Benton Canon's First Subdivision.

**Project Parcel No.:** E-60  
**Tax Schedule No.:** 2945-231-17-001  
**Property Address:** 1207 South 7<sup>th</sup> Street  
**Legal Description:** Lot 1 in Block 16 of the Amended Plat of Benton Canon's First Subdivision, EXCEPT the South 75 feet thereof.

**Project Parcel No.:** E-61  
**Tax Schedule No.:** 2945-231-17-002  
**Property Address:** 1225 South 7<sup>th</sup> Street, Unit 1  
**Legal Description:** The South 75 feet of Lot 1 in Block 16 of the Amended Plat of Benton Canon's First Subdivision.

**Project Parcel No.:** E-62  
**Tax Schedule No.:** 2945-231-17-003  
**Property Address:** 1225 South 7<sup>th</sup> Street, Unit 2  
**Legal Description:** Lot 2 in Block 16 of Benton Canon's First Subdivision, EXCEPT right of way for roadway and utility purposes on the Southeast corner as described in the deed to the City of Grand Junction recorded September 13, 1991 in Book 1856 at Page 304.

**Project Parcel No.:** E-67  
**Tax Schedule No.:** 2945-231-17-023  
**Property Address:** 730 Struthers Avenue  
**Legal Description:** Lots 19 to 27, both inclusive in Block 15 of Benton Canon's First Subdivision, according to the amended plat thereof.

ALL IN MESA COUNTY, COLORADO.

**Carter Burgess**

**EXHIBIT "D"**

707 17th Street, Suite 2300  
Denver, Colorado 80202-3404  
Phone: 303.820.5240  
Fax: 303.820.2402  
www.c-b.com

February 28, 2005  
071514.402.1.0025

**PROPERTY DESCRIPTION**  
Parcel No. E-90

A parcel of land being a portion of the tract of land described in Book 2368 at Page 906, Parcel 9, recorded at the Mesa County Clerk and Recorder's Office on October 21, 1997, lying in the Southwest Quarter of the Northeast Quarter of Section 23, Township 1 South, Range 1 West of the Ute Principal Meridian, Mesa County, Colorado being more particularly described as follows:

COMMENCING at the Center Quarter Corner of said Section 23 (a 3" Brass Cap stamped "MESA COUNTY SURVEY MARKER-C 1/4 S23-NO1280), whence the Center North 1/16<sup>th</sup> Corner of said Section 23 (a brass cap stamped PLS16413-1/16 S23-1991) bears N00°11'11"E a distance of 1315.15 feet;  
THENCE N34°14'59"E a distance of 422.03 feet to the southerly line of said tract of land described in Book 2368 at Page 906, Parcel 9, being the POINT OF BEGINNING;


THENCE along the arc of a curve to the right, having a central angle of 118°36'53", a radius of 57.00 feet, a chord bearing of N66°40'24"E a distance of 98.03 feet, and an arc distance of 118.00 feet;


THENCE S00°15'12"W along the easterly line of said tract of land described in Book 2368 at Page 906, Parcel 9, non-tangent with the last described curve a distance of 39.21 feet;

THENCE N89°44'48"W along the southerly line of said tract of land described in Book 2368 at Page 906, Parcel 9 a distance of 89.85 feet to the POINT OF BEGINNING.

Containing 3699 square feet, (0.085 Acres), more or less.

Basis of Bearing: N89°58'01"E between Mesa County Local Coordinate System points Southwest Corner of Section 15 (2-1/2" Alumn. Cap in Monument Box Stamped: AES T1S R1W S16/S15/S21/S22 2002 PLS 24320) and the Southeast Corner of Section 15, (2-1/2" Brass Cap Stamped: COUNTY SURVEY MARKER 828-1 15/14/22/23), both in Township 1 South, Range 1 West Ute P.M.

  
Prepared by: *3-01*  
Date: *3-01*  
Marla Mellor McOmb, PLS 24961  
For and on behalf of Carter Burgess



Carter & Burgess, Inc. Carter & Burgess Architects/Engineers, Inc. Carter & Burgess Consultants, Inc.  
C&B Architects/Engineers, Inc. C&B Architects/Engineers, P.C. C&B Nevada, Inc.



**Carter-Burgess**

**EXHIBIT "E"**

707 17th Street, Suite 2300  
Denver, Colorado 80202-3404  
Phone: 303.820.5240  
Fax: 303.820.2402  
www.cb.com

February 28, 2005  
071514.402.1.0025

**PROPERTY DESCRIPTION**  
Parcel No. E-91


A parcel of land being a portion of the tract of land described in Book 2368 at Page 906, Parcel 7, recorded at the Mesa County Clerk and Recorder's Office on October 21, 1997, lying in the Southwest Quarter of the Northeast Quarter of Section 23, Township 1 South, Range 1 West of the Ute Principal Meridian, Mesa County, Colorado being more particularly described as follows:


COMMENCING at the Center Quarter Corner of said Section 23 (a 3" Brass Cap stamped "MESA COUNTY SURVEY MARKER-C 1/4 S23-NO1280), whence the Center North 1/16<sup>th</sup> Corner of said Section 23 (a brass cap stamped PLS16413-1/16 S23-1991) bears N00°11'11"E a distance of 1315.15 feet;  
THENCE N46°07'34"E a distance of 502.53 feet to the southerly line of said tract of land described in Book 2368 at Page 906, Parcel 7, being the POINT OF BEGINNING;

N89°44'48"W along said southerly line a distance of 34.90 feet;  
THENCE N00°15'12"E along the westerly line of said tract of land described in Book 2368 at Page 906, Parcel 7, non-tangent to the following described curve a distance of 39.21 feet;  
THENCE along the arc of a curve to the right, having a central angle of 14°37'08", a radius of 57.00 feet, a chord bearing of S46°42'35"E a distance of 14.50 feet, and an arc distance of 14.54 feet;  
THENCE S39°24'01"E tangent with the last described curve a distance of 38.08 feet to the POINT OF BEGINNING.

Containing 724 square feet, (0.017 Acres), more or less.

Basis of Bearing: N89°58'01"E between Mesa County Local Coordinate System points Southwest Corner of Section 15 (2-1/2" Alumn. Cap in Monument Box Stamped: AES T1S R1W S16/S15/S21/S22 2002 PLS 24320) and the Southeast Corner of Section 15, (2-1/2" Brass Cap Stamped: COUNTY SURVEY MARKER 828-1 15/14/22/23), both in Township 1 South, Range 1 West Ute P.M.

  
Prepared by:  
Date: 3/01/05  
Marla Mellor McOmber PLS 24961  
For and on behalf of Carter & Burgess



Carter & Burgess, Inc. Carter & Burgess Architects/Engineers, Inc. Carter & Burgess Consultants, Inc.  
C&B Architects/Engineers, Inc. C&B Architects/Engineers, P.C. C&B Nevada, Inc.

**EXHIBIT "F" – EXCEPTIONS**

1. Easements, or claims of easements, not shown by the public records.
2. Unpatented mining claims: reservations or exceptions in Patents or in Acts authorizing the issuance thereof.
3. Water rights, claims or title to water, whether or not shown by the public records.
4. Any existing leases and/or tenancies.
5. All oil, gas and other mineral interests, including limestone, that have been, are, or may be claimed by others.
6. All matters set forth in the plat of Benton Canon's First Subdivision recorded May 15, 1894 in Plat Book 2 at Page 1.
7. All matters set forth in the Amended Plat of Benton Canon's First Subdivision recorded May 4, 1900 in Plat Book 2 at Page 24.
8. All matters set forth in the Amended Plat of Benton Canon's First Subdivision recorded December 9, 1913 in Plat Book 4 at Page 39.
9. All matters set forth in the plat of South Fifth Street Subdivision recorded November 29, 1946 in Plat Book 7 at Page 19.
10. Terms, conditions, provisions, agreements and obligations as specified in Quit Claim Deed between Elam Construction, Inc. and the City of Grand Junction dated May 1, 1970 and recorded May 4, 1970 in Book 946 at Page 9.

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**END OF EXHIBIT "F"**