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10/17/2005 03:16 PM
Janice Ward CLK&REC Mesa County, CO
RecFee \$10.00 SurChg \$1.00
DocFee EXEMPT

WARRANTY DEED

THIS DEED, dated this 14 day October, 2005, between 3P Development, LLC, a Colorado limited liability company, whose legal address is 38 South Oak Way, Glenwood Springs, Colorado 81601, grantor, and The City of Grand Junction, a Colorado home rule municipality, whose legal address is 250 North 5th Street, Grand Junction, Colorado 81501, grantee:

NO DOCUMENTARY FEE
REQUIRED

WITNESS, that the grantor, for and in consideration of the sum of Two Hundred Eighty One Thousand One Hundred and 00/100 Dollars (\$281,100.00), the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the grantee, its successors and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of Mesa and State of Colorado, described as follows:

A tract or parcel of land for Public Roadway and Utilities Right-of-Way purposes known as Riverside Parkway Parcel No. E-47 dated March 1, 2005 as described in Exhibit "A" attached hereto and incorporated herein by reference.

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee, its successors and assigns forever. The grantor, for itself and for its successors and assigns, does covenant, grant, bargain, and agree to and with the grantee, its successors and assigns, that at the time of the ensembling and delivery of these presents, grantor is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature whatsoever.

The grantor shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of the grantee, it's successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

3P Development, LLC
a Colorado limited liability company, Grantor:

By: *Pamela R. Pine*
Pamela R. Pine, Manager *mgr*

STATE OF COLORADO)
)ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 14 day of October, 2005, by Pamela R. Pine as Manager of 3P Development, LLC, a Colorado limited liability company.

My commission expires: 10/17/2006
Witness my hand and official seal.

Claudia D. Rosner
Notary Public

Recorder's Note: No Notary Seal
When Recorded

WHEN RECORDED RETURN TO:
H.C. PECK & ASSOCIATES, INC.
ATTN: MICHELE SPENCER
P.O. BOX 480306
DENVER, CO 80248-0306

RIVERSIDE PARKWAY
PARCEL NO. E-47

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

Carter-Burgess

February 25, 2005
071514.402.1.0025

EXHIBIT "A"

PROPERTY DESCRIPTION

Parcel No. E-47

A parcel of land being a portion of Lot 25, Block 1, 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 1/16th 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°23'25"W a distance of 537.29 feet to the POINT OF BEGINNING;



THENCE the following three (3) courses along the easterly, southerly and westerly lines of said Lot 25, Block 1, SOUTH FIFTH STREET SUBDIVISION:

- 1) S00°41'48"W a distance of 9.39 feet;
- 2) THENCE N89°24'12"W a distance of 132.01 feet;
- 3) THENCE N00°41'48"E a distance of 180.73 feet;

THENCE S36°57'10"E a distance of 216.12 feet to the POINT OF BEGINNING.

Containing 12,549 square feet (0.288 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
 For and on behalf of Carter-Burgess