

2297515 BK 4079 PG 508-509 01/23/2006 10:48 AM Janice Ward CLK&REC Mesa County, CO RecFee \$10.00 SurCh9 \$1.00 DocFee EXEMPT

WARRANTY DEED

THIS DEED, dated this 20 day January _, 2006, between William Robert Jarvis Family Testamentary Trust, whose legal address is 2491 South Broadway, Grand Junction, Colorado 81503, 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 Thirty Six Thousand Three Hundred Twenty Three and 00/100 Dollars (\$36,323.00), 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-87 dated March 2, 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 ensealing 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.

William Robert Jarvis Family Testamentary Trust, Grantor:

STATE OF COLORADO

Ss.

COUNTY OF MESA

The foregoing instrument was acknowledged before me this 20 day of

by William R. Jarvis, Jr., Trustee of the William Robert Jarvis Family Testamentary Trust.

My commission expires: <u>5/11/2006</u>

Witness my hand and official seal.

Notary Public

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

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0 = Comments of

RIVERSIDE PARKWAY PARCEL No. E-87

Carter::Burgess

February 28, 2005 071514.402.1.0025

EXHIBIT "A"

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-87

A parcel of land being a portion of a tract of land described in Book 3527 at Page 544, recorded on November 12, 2003 in the Mesa County Clerk and Recorder's Office, 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 N66°11'33"W a distance of 1016.08 feet the POINT OF BEGINNING;

THENCE S00°00'00"W along the easterly line of said tract of land described in Book 3527 at Page 544 a distance of 115.04 feet;

THENCE N70°53'08"W tangent with the following described curve, a distance of 20.44 feet;

THENCE along the arc of a curve to the right, having a central angle of 134°26'33", a radius of 52.00 feet, a chord bearing N03°39'52"W a distance of 95.89 feet, and an arc distance of 122.02 feet;

THENCE N63°33'25"E tangent with the last described curve a distance of 28.41 feet to the POINT OF BEGINNING.

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: 3-02-05

Marla Mellor McOmber RLS 2496

For and on behalf of Carter &

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.

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THENCE N63°33'25"E tangent with the last described curve a distance of 28.41 feet to the POINT OF BEGINNING.

Containing 4574 square feet (0.105Acres) 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: 3-02-05

Marla Mellor McOmber 18 249

For and on behalf of Care

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.

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