

2301990 BK 4095 PG 144-145 02/15/2006 03:20 PM Janice Ward CLKWREC Mesa County, CO RecFee \$10.00 SurChy \$1:00 DocFee EXEMPT

WARRANTY DEED

THIS DEED, dated _ tebruary 2006, between West White Avenue Partnership, L.L.P., a Colorado limited liability partnership, whose address is 747 West White Avenue, Grand Junction, Colorado 81501, grantor, and The City of Grand Junction, a Colorado home rule municipality, whose legal address is 250 North 5th Street, Grand Junction, Colorado 81501 of the County of Mesa and State of Colorado grantee:

NO DOCUMENTARY FEE REQUIRED

WITNESS, that the grantor, for and in consideration of the sum of FIVE HUNDRED FORTY-ONE AND 20/100 (\$541.20) DOLLARS, 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, State of Colorado, described as follows:

A tract or parcel of land for Public Roadway & Utilities Right-of-Way purposes known as Riverside Parkway Parcel No. C-16 dated February 15, 2005, as more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

TOGETHER with all and singular the hereditaments and appurtenances thereto 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 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, except all oil, gas and other minerals not owned by grantor.

The grantor shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of the grantee its 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.

West White Avenue Partnership, L.L.P., a Colorado limited liability partnership

nn C. Cotton, General Partner STATE OF COLORADO)

) ss.

COUNTY OF MESA

The foregoing instrument was acknowledged before me this 1543 day of February, 2006 by Lynn C. Cotton and William L. Cotton, General Partners of West White Avenue Partnership, L.L.P., a Colorado limited liability partnership.

My commission expires: 5/11 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

Riverside Parkway Parcel No. C-16

Carter::Burgess

February 20, 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 C-16

A portion of Lot 13, Block 5, THE GRAND RIVER SUB-DIVISION, recorded at Reception Number 18387 in the Mesa County Clerk and Recorder's Office, lying in Section 15, Township 1 South, Range 1 West of the Ute Principal Meridian, being more particularly described as follows:

COMMENCING at the Center Quarter Corner of said Section 15, (a 2 1/2" aluminum cap stamped "MESA COUNTY SURVEY MARKER C1/4-S15-LS 32824-2003"), whence the Center East Sixteenth Corner of said Section 15, (a brass cap stamped "E 1/16-S15-543-2280") bears N.89°39'43"E., a distance of 1323.38 feet; THENCE S42°29'01"E a distance of 509.14 feet to a point on the northerly line of said Lot 13, being the POINT OF BEGINNING;

THENCE S.44°11'00"W., a distance of 22.95 feet to the westerly line of said Lot 13; THENCE N.00°20'17"W. along said westerly line, a distance of 16.36 feet to the Northwest Corner of said Lot 13;

THENCE N.89°39'43"E. along the northerly line of said Lot 13, a distance of 16.09 feet to the POINT OF BEGINNING.

The above described parcel contains 0.003 acres / 132 square feet, 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:

Marla Mellor McOmbers 2

For and on behalf of Carte

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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