2256928 BK 3910 PG 342-346 06/02/2005 03:18 PM Janice Ward CLK&REC Mesa Counts, CO RecFee \$25.00 SurChy \$1.00 DocFee EXEMPT

WARRANTY DEED

TROLLEY PARK OWNERS ASSOCIATION ("Grantor"), whose address is 1555 Independent Avenue, Grand Junction, CO 81505, in consideration of Four Thousand Six Hundred and 00/100 Dollars (\$4,600.00), sells and conveys to THE CITY OF GRAND JUNCTION, a Colorado home rule municipality, whose legal address is 250 N. Fifth Street, Grand Junction, CO 81501, three (3) tracts or parcels of land for Public Roadway and Utilities Right-of-Way Purposes in Mesa County, Colorado, described as follows:

Riverside Parkway Parcel Nos. B-16, B-17 and B-20, being more particularly described in Exhibit "A", Exhibit "B" and Exhibit "C" dated October 7, 2004, attached hereto and incorporated herein by reference.

together with all its appurtenances.

Grantor warrants title to the above Property, subject to: the Exceptions set forth in **Exhibit "D"** attached hereto and made a part hereof.

DAMBLE D' dittolled liefette dire made à part liefet	••
EXECUTED the 2nd day of June	, 2005.
Attest:	Trolley Park Owners Association, a Colorado nonprofit corporation, Grantor:
By: Slepho Male	By: Meet Refacet
STATE OF COLORADO)	
COUNTY OF MESA) ss.	
The foregoing instrument was acknowledge	d before me this and day of June,
2005, by MARTY R. SECREST	
to by STEPHEN MC CALLUM	as Secretary of Trolley
Park Owners Association, a Colorado nonprofit corporation.	
WITNESS my hand and official seal. My commission expires: 10/17/2006	Claudie D Joseph Notary Public
CLAUDIA D. ROSSMAN	Notary Public

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

Carter:Burgess

repared by Date: Marla Mel For and on B

September 22, 2004

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 B-16

A parcel of land being a portion of OUTLOT "B" as shown of the Final Plat of TROLLEY PARK, recorded at the Mesa County Clerk & Recorder's Office on March 11, 1996, lying in the Northwest Quarter of the Southwest Quarter of Section 10, Township 1 South, Range 1 West of the Ute Principal Meridian, Mesa County, Colorado being more particularly described as follows:

COMMENCING at the Southwest corner of the Northwest Quarter of the Southwest Quarter of said Section 10 (a found 2 1/2" Brass Cap "MESA COUNTY SURVEY MARKER LS illegible" in concrete), whence the witness monument to the Southeast corner of the Northwest Quarter of the Southwest Quarter of said Section 10 (found an Aluminum Cap "1/16 45.0 2003 LS17465") bears N89°56'54"E (Basis of Bearing-assumed) a distance of 1274.54 feet;

THENCE N02°11'50"E a distance of 1219.40 feet to the southerly line of said OUTLOT "B", being the POINT OF BEGINNING;

The following three (3) courses along the southerly, westerly and Northerly lines of said OUTLOT "B":

- S89°58'32"W a distance of 7.81 feet; 1.
- 2. THENCE N00°02'59"W a distance of 53.81 feet;
- THENCE N89°58'32"E a distance of 3.97 feet; 3.

THENCE S04°07'58"E a distance of 53.95 feet to the POINT OF BEGINNING.

weess, Inc.

Containing 317 square feet, (0.007 Acres), more or less.

L LAND HIT

K:\071514-Riverside\Desc\parcels\B-16.doc
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. Nixon & Laird Architects/Engineers, P.C.

Carter::Burgess

Prepared by: Date:

Marla Mellor For and on behan

September 22, 2004

071514.402.1.0025

EXHIBIT "B"

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

www.c-b.com

PROPERTY DESCRIPTION Parcel B-17

A parcel of land being a portion of OUTLOT "A" as shown of the Final Plat of TROLLEY PARK, recorded at the Mesa County Clerk & Recorder's Office on March 11, 1996, lying in the West Half of the Southwest Quarter of Section 10, Township 1 South, Range 1 West of the Ute Principal Meridian, Mesa County, Colorado being more particularly described as follows:

COMMENCING at the Southwest corner of the Northwest Quarter of the Southwest Quarter of said Section 10 (a found 2 ½" Brass Cap "MESA COUNTY SURVEY MARKER LS illegible" in concrete), whence the witness monument to the Southeast corner of the Northwest Quarter of the Southwest Quarter of said Section 10 (found an Aluminum Cap "1/16 45.0 2003 LS17465") bears N89°56'54"E (Basis of Bearing-assumed) a distance of 1274.54 feet;

THENCE N01°46'42"E a distance of 1305.44 feet to the southerly line of said OUTLOT "A", being the POINT OF BEGINNING;

The following two (2) courses along the southerly and westerly lines of said OUTLOT "A":

- S89°58'32"W a distance of 1.65 feet; 1.
- THENCE N00°02'59"W a distance of 23.07 feet;

THENCE S04°07'58"E a distance of 23.13 feet to the POINT OF BEGINNING.

Containing 19 square feet, (0.000 Acres), more or less.

K:\071514-Riverside\Desc\parcels\B-17.doc
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. Nixon & Laird Architects/Engineers, P.C.

Carter::Burgess

September 23, 2004

071514.402.1.0025

repared by:

Marla Mellor For and on beh

Date:

EXHIBIT "C"

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

www.c-b.com

PROPERTY DESCRIPTION Parcel B-20

A parcel of land being a portion of TROLLEY COURT as shown of the Final Plat of TROLLEY PARK, recorded at the Mesa County Clerk & Recorder's Office on March 11, 1996, lying in the West Half of the Southwest Quarter of Section 10, Township 1 South, Range 1 West of the Ute Principal Meridian, Mesa County, Colorado being more particularly described as follows:

COMMENCING at the Southwest corner of the Northwest Quarter of the Southwest Quarter of said Section 10 (a found 2 ½" Brass Cap "MESA COUNTY SURVEY MARKER LS illegible" in concrete), whence the witness monument to the Southeast corner of the Northwest Quarter of the Southwest Quarter of said Section 10 (found an Aluminum Cap "1/16 45.0 2003 LS17465") bears N89°56'54"E (Basis of Bearing-assumed) a distance of 1274.54 feet;

THENCE N01°55'46"E a distance of 1273.03 feet to the southerly line of said TROLLEY COURT, being the POINT OF BEGINNING;

THENCE S89°58'32"W along the southerly line of said TROLLEY COURT a distance of 3.97 feet;

THENCE N00°02'59"W a distance of 32.50 feet;

THENCE N89°58'32"E along the northerly line of said TROLLEY COURT a distance of 1.65 feet;

THENCE S04°07'58"E a distance of 32.58 feet to the POINT OF BEGINNING.

Containing 91 square feet, (0.002 Acres), more or less.

K:\071514-Riverside\Desc\parcels\B-20.doc

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. Nixon & Laird Architects/Engineers, P.C.

EXHIBIT "D"

SCHEDULE B - SECTION II 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.
- Terms, Conditions, Provisions, Agreements and Obligations as specified in Declaration of Covenants, Conditions, and Restrictions recorded September 29, 1994 in Book 2101 at Page 894.
 - Declaration of Covenants, Conditions, and Restrictions of Trolley Park Subdivision recorded March 7, 1995 in Book 2131 at Page 697.
- 7. Terms, Conditions, Provisions, Agreements and Obligations as specified in Electric and/or Gas System Utility Easement between Stephen D. & Bobette D. McCallum and Public Service Company of Colorado dated September 28, 1990 and recorded October 2, 1990 in Book 1807 at Page 577.
- 8. Terms, Conditions, Provisions, Agreements and Obligations as specified in Notice recorded June 27, 1988 in Book 1699 at Page 259.
- 9. Terms, Conditions, Provisions, Agreements and Obligations as specified in Easement between Harry L. & Shirley V. McCrary and Public Service Company of Colorado dated June 28, 1983 and recorded August 3, 1983 in Book 1448 at Page 34.
- 10. Terms, Conditions, Provisions, Agreements and Obligations as specified in Easement dated December 5, 1963 and recorded February 4, 1964 in Book 864 at Page 19.
- 11. All matters set forth in the Final Plat of Trolley Park recorded September 29, 1994 in (plat) Book 14 at Page 281.

END OF EXHIBIT "D"