

CITY OF GRAND JUNCTION  
POWER OF ATTORNEY FOR ALLEY IMPROVEMENT

OWNERS: GARRY CURRY  
ADDRESS OF PROPERTY: ~~729~~ 729 NORTH AVE  
TAX PARCEL # 2945-141-02-001  
LEGAL DESCRIPTION OF PROPERTY: \* LOTS 13 & 14 IN BLOCK 5 OF THE CITY OF GRAND JUNCTION.

DESCRIPTION OF ALLEY:

I, (WE), Garry Curry as owner(s) of the real property described above, located in the City of Grand Junction Colorado, agree that, as a condition of City approval of development of the property, the alley(s) which adjoin(s) the above described property is (are) required to be improved or reconstructed to City standards and specifications. The required improvement or reconstruction has, with the consent of the City Manager, been deferred to such time, if any, as an alley improvement district, or equivalent legal mechanism, is formed for that certain alley described above. The estimated cost to the owners, or their heirs, successors and assigns, in 20\_\_ dollars is \$ \_\_\_\_\_. The actual cost which I (we) will pay will be determined in accordance with rates and policies established by the City at the time of formation of the improvement district.

I (We) as owners of the above described real property do hereby agree to participate in an improvement district, if one is formed, for the improvement or reconstruction of said alley(s) either as a part of a larger scope of work or otherwise, to the then existing standards and do hereby designate and appoint the City Clerk of the City of Grand Junction as my (our) Attorney-in-Fact, to execute any and all petitions, documents and instruments to effectuate my (our) intention to participate in said improvement district for such purpose, or to otherwise act in conformity with said general direction. The City Clerk is empowered by me (us) to do and perform any and all acts which the City Clerk shall deem necessary, convenient or expedient to accomplish such improvements or reconstruction as fully as I (we) might do if personally present.

This instrument is irrevocable and shall be recorded. This instrument shall be deemed to be a covenant which runs with the land. This authority and the covenant created thereby shall be binding upon any and all successors in interest to the above described property and shall not cease upon my death (the death of either or both of us) or the dissolution of marriage, partnership, corporation or other form of association which may hold title, or claim an interest to the property described herein.

As a further covenant to run with the land, I (we) agree that in the event a counterpetition to any proposed improvements or improvement district is prepared, any signature on such petition purporting to affect the land herein described may be ignored as of no force and effect by the City.

This power of attorney is not terminable; it shall terminate only upon the formation of an improvement district as herein described.

IN WITNESS WHEREOF, I (WE), have signed, executed and acknowledged this instrument on this June 9 day of 2010

Garry Curry  
Print Name: Garry Curry

Print Name: \_\_\_\_\_

STATE OF COLORADO  
COUNTY OF MESA

The foregoing instrument was subscribed and sworn to before me this 9th day of June, 2010  
My commission expires **My Commission Expires** 04/06/2014

JoRee Polzine  
Notary Public

\* If the legal description is lengthy, attach as Exhibit "A"



# LAND SURVEY PLAT

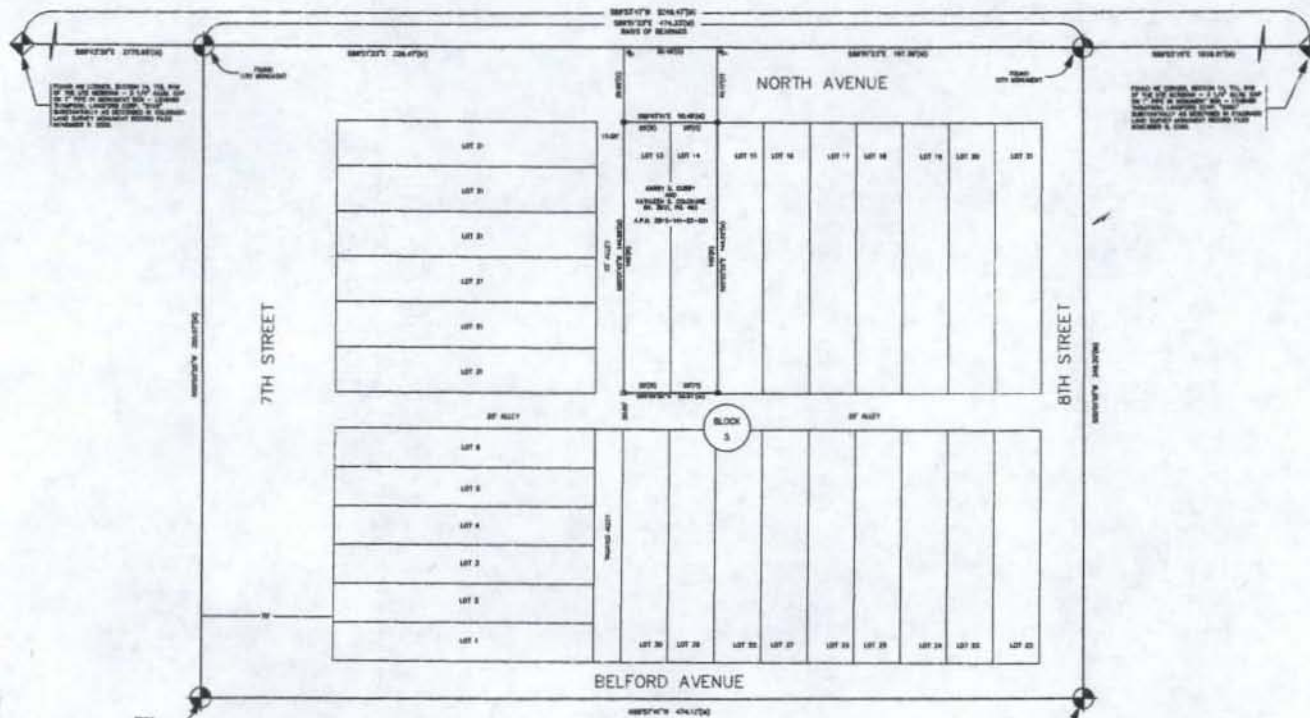
A PORTION OF THE NE1/4 OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN  
CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO

**LEGAL DESCRIPTION:**

LOTS 13 AND 14 IN BLOCK 5 OF THE  
CITY OF GRAND JUNCTION,  
COUNTY OF MESA, STATE OF COLORADO

**NOTES:**

- 1.) IN THE PREPARATION OF THIS MAP WHICH REPRESENTS THE RESULTS OF A SURVEY, THE UNDERSIGNED SURVEYOR RELIED SOLELY UPON THE RECORDED WARRANTY DEED PROVIDED BY THE OWNERS OF THE PROPERTY. NO EASEMENTS WERE REQUESTED TO BE RESEARCHED OR SHOWN. NO TITLE COMMITMENT OR TITLE INSURANCE POLICY WAS PROVIDED AND NO INDEPENDENT RECORD SEARCH WAS PERFORMED.
- 2.) CERTIFICATION DEFINED: THE USE OF THE WORD "CERTIFY" BY A REGISTERED PROFESSIONAL SURVEYOR, IN THE PRACTICE OF LAND SURVEYING, CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THOSE FACTS OR FINDINGS WHICH ARE THE SUBJECT OF THE CERTIFICATION, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESSED OR IMPLIED.
- 3.) NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED ON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.



**SURVEYOR'S CERTIFICATE:**

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT PLAT REPRESENTING THE RESULTS OF A SURVEY MADE BY ME, OR UNDER MY DIRECT SUPERVISION, AND COMPLIES WITH SECTION 38-51-102, COLORADO REVISED STATUTES.

\_\_\_\_\_  
MICHAEL I. FEIGENBAUM, LS29035

**CLERK AND RECORDER'S CERTIFICATE**  
STATE OF COLORADO } SS  
COUNTY OF MESA

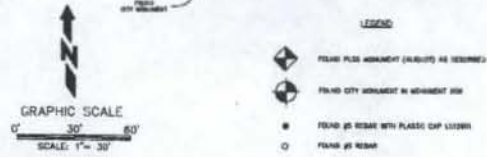
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT \_\_\_\_\_ O'CLOCK \_\_\_\_M., \_\_\_\_\_ A.D., 2007 AND WAS DULY RECORDED IN PLAT BOOK NO. \_\_\_\_\_ PAGE NO. \_\_\_\_\_

RECEPTION NO. \_\_\_\_\_ CLERK AND RECORDER

DRAWER NO. \_\_\_\_\_ BY: \_\_\_\_\_ DEPUTY

ATLAS LAND CONSULTANTS, INC.  
5082 EAST HAMPODEN AVENUE, #325  
DENVER, COLORADO 80222

CONTACT: MICHAEL FEIGENBAUM, LS - (303) 748-2714



**BASIC OF BEARINGS**  
THE BEARINGS SHOWN ON THIS PLAT ARE BASED UPON THE MEASUREMENTS MADE BY THE CITY ENGINEER AT THE APPROXIMATE OF NORTH ARNEY & SCOTT AND THE CITY ENGINEER OFFICE AT THE APPROXIMATE OF NORTH ARNEY & SCOTT AND THE CITY ENGINEER OFFICE AT THE APPROXIMATE OF NORTH ARNEY & SCOTT. THE BEARINGS ARE BASED UPON THE MEASUREMENTS MADE BY THE CITY ENGINEER OFFICE AT THE APPROXIMATE OF NORTH ARNEY & SCOTT.

RELEASE OF POWER OF ATTORNEY

The City of Grand Junction does hereby release and terminate that certain document entitled "City of Grand Junction Power of Attorney for Alley Improvement" recorded at Book 5022, Page 395, a copy of which is attached hereto. Said Power of Attorney is being released because events subsequent to the recording of the document have made the document moot.

The address and tax parcel number of the involved real property is: 729 North Avenue, Grand Junction, CO; 2945-141-02-001.

DONE this 3rd day of August 2010.

CITY OF GRAND JUNCTION

Laurie Kadrach  
Laurie Kadrach  
City Manager

STATE OF COLORADO )  
COUNTY OF MESA )

The foregoing instrument was acknowledged before me this 3rd day of August 2010 City Manager Laurie Kadrach.

Witness my hand and official seal:



Juanita Peterson  
Notary Public

My Commission expires: 10-10-2013

**RELEASE OF POWER OF ATTORNEY**

The City of Grand Junction does hereby release and terminate that certain document entitled "City of Grand Junction Power of Attorney for Alley Improvement" recorded at Book 5022, Page 395, a copy of which is attached hereto. Said Power of Attorney is being released because events subsequent to the recording of the document have made the document moot.

The address and tax parcel number of the involved real property is: 729 North Avenue, Grand Junction, CO; 2945-141-02-001.

DONE this 3rd day of August 2010.

CITY OF GRAND JUNCTION

*Laurie Kadrich*  
Laurie Kadrich  
City Manager

STATE OF COLORADO )  
  )  
COUNTY OF MESA     )

The foregoing instrument was acknowledged before me this 3rd day of August 2010 City Manager Laurie Kadrich.

Witness my hand and official seal:



*Juanita Peterson*  
Notary Public

My Commission expires: 10-10-2013