

BIR91TIA

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: POWER OF ATTORNEY

NAME OF AGENCY OR CONTRACTOR: WILLIAM S. BIRNEY AND ELINORE  
K. BIRNEY

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: 485 TIARA  
DRIVE TIARA RADO SUBDIVISION FILING 4 BLOCK 10 LOT 11  
2947-272-04-007

CITY DEPARTMENT: COMMUNITY DEVELOPMENT

YEAR: 1991

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

POWER OF ATTORNEY AND  
SEWERPAGE SERVICE AGREEMENT

1569010 09:55 AM 04/26/91  
MONIKA TODD CLK&REC MESA COUNTY CO

WE, (I), William S. Birney and Elinore K. Birney  
owner(s) of the real property situate in Mesa County, Colorado,  
and described as:

Tiara Rado Subdivision, Filing 4, Block 10, Lot 11.  
Also know as: 485 Tiarra Dr., Grand Junction, CO.

Tax Schedule # 2947-272-04-007 ✓

which property is not presently eligible for annexation to the City of Grand Junction, but requires connection of the property to the City's sewerage system, as consideration for permission to connect to such system, do hereby designate and appoint the City Clerk of the City of Grand Junction as our Attorney in Fact to sign any petition for annexation of the described land to the City, when eligible, whether for the described land alone or in conjunction with other lands. Such authority shall be a covenant running with the land, shall be binding upon successors in interest and shall not cease upon my death (the death of either or both of us).

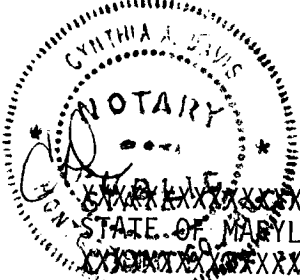
As a further covenant to run with the land, we (I) agree that in the event a counter-petition to a proposed annexation of the land is prepared any signature on such petition purporting to affect the land herein described may be ignored as of no force and effect by the City under annexation requirements.

Further, the then owner or owners of this land or any portion of it shall not be permitted to vote in any annexation election but such vote may be cast by the City Clerk.

As a further covenant running with the land, it is understood that the City shall have the right, along with suit for collection of monies owing, to shut off sewerage service for failure to pay charges when the same are due, requiring payment for all costs, plus penalties, of such shutting off and opening before service will be resumed; and, in addition, such charges shall constitute a lien against the property enforceable by appropriate action.

IN WITNESS WHEREOF, we (I) have hereunto set our (my) hand(s) and seal(s) this 5 day of April, 19 91.

William S. Birney  
Elinore K. Birney



STATE OF MARYLAND )  
COUNTY OF MONTGOMERY ) ss:

The foregoing instrument was acknowledged before me this 5th day of APRIL, 19 91 by Cynthia A. Davis  
My Commission expires 5/92.

WITNESS my hand and official seal:

Cynthia A. Davis  
Notary Public  
My Commission expires: 5/92