

BLF76BLF

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: POWER OF ATTORNEY

NAME OF AGENCY OR CONTRACTOR: THE BLUFFS WEST INCORPORATED,  
JOE WILLOUGHBY, PRESIDENT AND ROBERT ENGELKE

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: THE BLUFFS  
WEST AND THE BLUFFS WEST ESTATES SUBDIVISION LOCATED IN MESA  
COUNTY FILING 1 AND 2

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1976

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

Received in City Clerk's Office on 4-12-95

POWER OF ATTORNEY  
AND  
SEWERAGE SERVICE AGREEMENT

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1716426 02:53 PM 05/05/95

MONIKA TODD CLK&REC MESA COUNTY CO

WE, (I), THE BLUFFS WEST CORPORATION  
owner(s) of the real property situate in Mesa County, Colorado,  
and described as:

The Bluffs West, and the Bluffs West Estates  
subdivision located in Mesa County: see attached legal description

(GOOD FOR FILINGS 1 & 2) BLUFFS WEST ESTATES & BLUFFS WEST  
FILING ONE  
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,  
we (I) 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, when eligible, of the described land to the City, 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 our successors in interest and shall not cease upon  
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 the 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 its annexation requirements.

As a further covenant running with the land, it is under-  
stood that the City shall have the right, along with suit for  
collection of monies owing, to shut off sewerage service for fail-  
ure 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 con-  
stitute 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 7 day of September, 1977.

Robert E. Elgelke  
Recorder's Note: Not An Original  
Signature When Recorded

Joe Willoughby  
Recorder's Note: Not An Original  
Signature When Recorded

STATE OF COLORADO )  
                                  ) ss  
COUNTY OF MESA     )

The foregoing instrument was acknowledged before me this  
7<sup>th</sup> day of September, 1977 by Joe Willoughby &  
Robert E. Elgelke

WITNESS my hand and official seal: Recorder's Note: No Notary Seal  
When Recorded

Donald R. Williams  
Notary Public

Recorder's Note: Not An Original  
Signature When Recorded

My Commission expires: April 9, 1979

LEGAL DESCRIPTION

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A tract of land located in a part of the SE $\frac{1}{4}$  of Section 7, Township 1 South, Range 1 West, Ute Meridian, Mesa County Colorado being more particularly described as follows:

Beginning at the E $\frac{1}{4}$  Corner of said Section 7; Thence S. 00° 00' 00" W along the East line of said SE $\frac{1}{4}$  of Section 7 a distance of 1855.76 feet; Thence N. 90° 00' 00" W 804.40 feet; Thence N. 14° 04' 00" E 100.80 feet; Thence N. 07° 37' 00" W 394.95 feet; Thence N. 57° 21' 00" W 88.00 feet; Thence S. 67° 27' 00" W 145.50 feet; Thence S. 28° 13' 38" W 344.00 feet; Thence S. 83° 55' 00" W 340.32 feet; Thence S. 09° 00' 00" W 101.35 feet; Thence S. 38° 56' 00" W 154.06 feet to a point on the Northerly Right-of-way of Holland Drive and the Easterly Right-of-way of Kansas Avenue; Thence N. 86° 08' 38" W 67.69 feet to a point on the Westerly Right-of-Way of said Kansas Avenue Thence along said Westerly Right-of-way of Kansas Avenue by the following four (4) courses and distance's:

S. 49° 13' 37" W 268.35 feet

S. 22° 39' 30" W 183.25 feet

S. 03° 55' 34" E 129.27 feet

S. 33° 25' 30" W 177.90 feet to a point on the Northerly

Right-of-Way of Colorado State Highway No. 340; Thence along said Northerly Right-of-way of Colorado State Highway No. 340 along the arc of a curve to the left whose radius is 1392.00 feet and whose long chord bears N. 53° 57' 30" W. 37.91 feet to a point on the Easterly Boundary of Redlands Estates Subdivision; Thence along said Easterly Boundary of Redlands Estates Subdivision by the following three courses and distance's:

N. 21° 53' 18" E 367.85 feet

N. 22° 20' 32" E 236.32 feet

N. 22° 16' 42" E 918.86 feet

Thence N. 82° 43' 44" W 724.40 feet; Thence N. 65° 17' 44" W 71.23 feet; Thence S. 89° 42' 16" W 51.16 feet to a point on the Easterly Right-of-way of Foy Drive; Thence N. 00° 17' 44" E along said Easterly Right-of-Way of Foy Drive 50.00 feet to the Southwest corner of Lot 10, Block 1 of Tiffany Park Second Addition, Thence N. 89° 42' 16" E along the South Boundary of said Tiffany Park Second Addition 520.77 feet; Thence S. 00° 46' 24" E 53.27 feet; Thence S. 82° 43' 44" E 172.90 feet; Thence along the arc of a curve to the left whose radius is 256.48 feet and whose long chord bears N. 63° 41' 32" E 283.71 feet; Thence N. 30° 06' 48" E 356.02 feet; Thence N. 09° 27' 00" W 298.88 feet; Thence N. 85° 25' 00" E 143.60 feet; Thence N. 89° 41' 00" E 310.64 feet; Thence N. 00° 03' 00" E 289.37 feet to a point on the North line of said SE $\frac{1}{4}$  of Section 7, Thence S. 89° 57' 00" E along said North line of the SE $\frac{1}{4}$  of Section 7 a distance of 834.69 feet to the TRUE POINT OF BEGINNING. Containing 57.199 Acres.

2845-074

Beginning at the Southeast Corner of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 8, Township 1, South, Range 1 West of the Ute Meridian, and considering the East boundary line of said NE $\frac{1}{4}$  SW $\frac{1}{4}$  to bear South with all bearings contained herein relative thereto. Thence S. 89° 47' 07" W. 1319.34 feet to the Southwest Corner of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 8, Thence N. 89° 58' 09" W 787.74 feet; Thence N. 18° 28' 00" W 103.56 feet; Thence N. 17° 37' 00" E 98.64 feet; Thence N. 26° 41' 00" E 103.18 feet; Thence N. 17° 17' 00" E 162.75 feet; Thence N. 17° 06' 00" E 36.53 feet; Thence S. 69° 57' 00" E 303.75 feet; Thence E. 182.39 feet; Thence N. 19° 12' 00" E 216.42 feet; Thence E. 146.58 feet; Thence N. 00° 02' 29" E 742.55 feet: to the Northwest Corner of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 8; Thence N. 00° 02' 29" E 146.68 feet; Thence S. 86° 12' 30" E 241.57 feet; Thence N. 45° 39' 19" E 366.16 feet; Thence N. 69° 53' 30" E 394.00 feet; Thence S. 83° 30' 45" E 433.34 feet; Thence S. 1° 49' 18" E 466.40 feet to the center of Section 8; Thence S. 653.50 feet; Thence S. 65° 31' 28" E 571.87 feet; Thence S. 29° 37' 40" E 501.16 feet; Thence N. 89° 32' 52" W 81.23 feet; Thence S. 49° 56' 55" W 353.40 feet; Thence N. 40° 03' 05" W 150.00 feet; Thence S. 49° 56' 55" W 200.00 feet; Thence S. 40° 03' 05" E 150.00 feet; Thence S. 49° 56' 55" W 256.20 feet; Thence S. 45° 55' 55" W 167.18 feet; Thence S. 30° 45' 55" W 165.00 feet; Thence S. 14° 55' 55" W 100.00 feet; Thence S. 3° 55' 55" W 427.18 feet; Thence S. 00° 08' 05" E 98.20 feet; Thence N. 87° 15' 25" W 265.25 feet; Thence N. 08° 46' 10" E 560.17 feet; Thence N. 23° 53' 10" E 917.65 feet to the point of beginning.

2945-08-