

CLA9629R

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: POWER OF ATTORNEY

NAME OF AGENCY OR CONTRACTOR: GEORGE R. CLARK AND BETTY J.
CLARK

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: 521 29 1/2
ROAD 2943-083-06-012

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1996

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

Street Address: 521 29 1/2 Rd.

1771867 0251PM 09/20/96
MONIKA TODD CLK&REC MESA COUNTY CO

Parcel # 2943-083-06-012

**UTILITY CONNECTION AND ANNEXATION AGREEMENT
AND DECLARATION OF COVENANTS**

This Utility Connection and Annexation Agreement and Declaration of Covenants is made between George R. Clark & Betty J. Clark, of the County of Mesa, State of Colorado, herein called 'declarant' or 'owner,' and the CITY OF GRAND JUNCTION, COLORADO, in Mesa County, State of Colorado, herein called 'City.'

WITNESSETH:

1. Owner hereby covenants that (s)he is the Owner in fee of the following described real property located in Mesa County, Colorado: [attach the legal as Exhibit "A"]
2. In consideration for and as a condition precedent to being allowed to connect to the Persigo Regional Sewer System and to receive sewer service for the above described property, said Owner hereby covenants, agrees and declares that the following terms, covenants, conditions, restrictions, and obligations shall be deemed to run with the land described in paragraph 1 above, and shall be binding and accrue to the Declarant, Declarant's heirs, successors and assigns and any person acquiring or holding an interest in said property, their grantees, successors, heirs, executors, administrators or assigns, for the benefit of the City and said property.
 - a. Sewer service from the City of Grand Junction or the Persigo Regional Sewer System shall be subject to all terms and conditions as provided by the ordinances and regulations of the City as such may exist from time to time.
 - b. The owner and applicant agree to annex (and to execute a petition for annexation of the property served) to the City upon request at any time that such property is eligible for annexation. Further, each such owner and/or applicant agrees to forthwith execute and deliver to the City subsequent petition(s) for annexation at any time upon request of the City. This agreement shall be binding upon and shall run with the land for which service is provided.
 - c. As a condition precedent to the supplying of such sewer services, the undersigned consumer who is the owner in fee of the real property so supplied as described above, hereby agrees and covenants to apply for and consent to the annexation of the area described above to the City of Grand Junction at such date as the area described above or any portion thereof becomes eligible for annexation, as determined solely by the City. The undersigned hereby irrevocably appoints the Grand Junction City Clerk as his lawful attorney-in-fact for the purpose of executing a petition for annexation or petition for

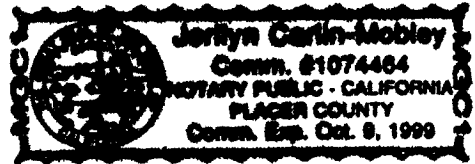
State of California
County of Placer

On August 20, 1996 before me, the undersigned, a Notary Public in and
for said State, personally appeared George O. Clark and
Betty S. Clark

personally known to me (or proved to me on the basis of satisfactory evidence)
to be the person(s) whose name(s) is/are subscribed to the within instrument
and acknowledged to me that he/she/they executed the same in his/her/their
authorized capacity(ies), and that by his/her/their signature(s) on the
instrument the person(s), or the entity upon behalf of which the person(s)
acted, executed the instrument.

WITNESS my hand and official seal.

Signature *Jerilyn Carlin-Mobley*
Name Jerilyn Carlin-Mobley
(typed or printed)



(Seal)

2 PAGE DOCUMENT WARRANTY DEED

BOOK 2247 PAGE 171

THIS DEED, Made this _____ day of June, 19 96, between CFP Estate, Ltd., a Colorado Limited Partnership, and Paul Gugenheim, Jack L. Strauss, and Arthur M. Schwartz Employees Pension and Profit Sharing Plan of the City and _____

1763448 1114AM 07/08/96 MONIKA TODD CLK&REC MESA COUNTY CO DOCUMENT FEE \$2.50

1763448

County of Denver, State of Colorado, grantor(s) and

THE G & B CLARK FAMILY TRUST, DATED APRIL 23, 1994

whose legal address is 5863 WEDGEWOOD DRIVE, GRANITE BAY, CA 95746

of the SAME County of PLACER, CALIFORNIA, State of Colorado, grantee(s): WITNESSETH, That the grantor(s), for and in consideration of the sum of Twenty Five Thousand and no/100

DOLLARS.

the receipt and sufficiency of which is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey, and confirm, unto the grantee(s), heirs 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:

Lot 12, Block 1, Palace Estates Subdivison

also known by street and number as: assessor's schedule or parcel number: 2943-083-06-012

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and 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(s), 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(s), heirs and assigns forever. And the grantor(s), for them selves, their heirs and personal representatives, do covenant, grant, bargain, and agree to and with the grantee(s), heirs and assigns, that at the time of the ensembling and delivery of these presents, they are well seized of the premises above conveyed, have good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and have 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 soever, except general taxes and assessments for the year 1996 and subsequent years; restrictions, easements, covenants, rights-of-way and agreements of record.

The grantor(s) shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee(s), heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

IN WITNESS WHEREOF, the grantor(s) have executed this deed on the date set forth above. CFP Estate, Ltd., a Colorado Limited Partnership Arthur M. Schwartz Employees Pension and Profit Sharing Plan

by: Christine F. Pavlakis, General Partner Paul Gugenheim Paul Gugenheim STATE OF COLORADO by: Arthur M. Schwartz, Trustee Jack L. Strauss Jack L. Strauss

County of Denver, 18th day of June, 1996. The foregoing instrument was acknowledged before me this day by Christine F. Pavlakis as General Partner of CFP Estate, Ltd., a Colorado Limited Partnership; and by Paul Gugenheim; and by Jack L. Strauss

Witness my hand and official seal. Maria K. Ischetter Notary Public

*If in Denver, insert "City and". Name and Address of Person Creating Newly Created Legal Description (§ 38-35-106.5, C.R.S.)

2943-083-06-012

Recorded by First American Title

Recorder's Note: Not An Original Signature When Recorded

No. _____

WARRANTY DEED

TO _____

STATE OF COLORADO.
County of _____ } ss.

I hereby certify that this instrument was filed for record in my

office this _____ day of _____, 19____

at _____ o'clock _____ M., and duly recorded

in Book _____ Page _____

Film No. _____ Reception No. _____

Recorder _____

By _____

Deputy
10/80
Fees: \$ 5.00 + \$ 2.50 + \$ 1.00

Slack
The Gr & B Family Trust
5803 Wedgwood Blvd
Granite Bay, CA 95746

BRADFORD PUBLISHING CO
Granite Bay, CA 95746

BOOK 2266 PAGE 76

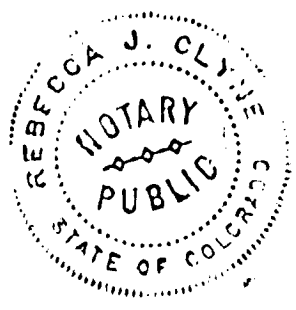
BOOK 2247 PAGE 172

State of Colorado)
City and County of Denver) ss.

The foregoing instrument was acknowledged before me this 18 day of June, 1996, by Arthur M. Schwartz as Trustee of the Arthur M. Schwartz Employees Pension and Profit Sharing Plan

My commission Expires: 10-30-97

Witness my hand and official seal.



Rebecca J. Clyne
Notary Public
600-17th ST #225D S
DENVER, CO 80202

