

GER74FRT

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: POWER OF ATTORNEY

NAME OF AGENCY OR CONTRACTOR: ROBERT P. GERLOFS

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: FRUITWOOD #1
SUBDIVISION

CITY DEPARTMENT: COMMUNITY DEVELOPMENT

YEAR: 1974

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

1074255

Fruitwood #1

POWER OF ATTORNEY AND ANNEXATION COVENANT

I, ROBERT P. GERLOFS, owner of the real property situate in Mesa County, Colorado, and described as:

A part of the Northeast quarter (NE1/4) Northwest quarter (NW1/4) of Section 16, Township 1 South, Range 1 East of the Ute Meridian as shown on the accompanying plat thereof, said tract being more particularly described as follows:

Beginning at the North quarter corner (N1/4 Cor.) of said Section 16; thence South 00°00'00" West along the East line of the Northwest quarter (NW1/4) of said Section 16 a distance of 473.00 feet; thence North 90°00'00" West 120.47 feet; thence along the arc of a curve to the right whose radius is 50.00 feet and whose long chord bears North 84°17'55" West 50.00 feet; thence North 05°42'05" East 23.75 feet; thence South 89°54'00" West 113.60 feet; thence North 00°00'00" East 7.08 feet; thence South 89°54'00" West 180.00 feet; thence North 00°00'00" East 437.00 feet to a point on the North line of said Section 16; thence North 89°54'00" East along said North line of Section 16 a distance of 461.46 feet to the Point of Beginning containing 4.959 acres.

which property has been petitioned for rezoning in the County to Transitional (a zoning category permitting urban development), and which property is not presently eligible for annexation to the City of Grand Junction whose zoning permits the same of similar type of development.

As a part of the zoning process to secure such Transitional zoning, we 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 either or all of us.

As a further covenant to run with the land, I agree that in the event a counter-petitioner 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.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this _____ day of _____, 1974.

[Signature of Robert P. Gerlofs]
Robert P. Gerlofs

STATE OF COLORADO)
) ss
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this _____ day of _____, 1974 by Robert P. Gerlofs.

WITNESS my hand and official seal:



[Signature of Notary Public]
Notary Public

My Commission expires: March 10 1975