

MRK9829R

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: POWER OF ATTORNEY

NAME OF AGENCY OR CONTRACTOR: MARK KENDALL AND RALENE
KENDALL

STREET ADDRESS/PARCEL NAME/SUBDIVISION: 163 29 1/2
ROAD, LOT 1 OF REPLAT OF LOT 5 OF COUNTRY HOMES ESTATES
SUBDIVISION

CITY DEPARTMENT: COMMUNITY DEVELOPMENT

YEAR: 1998

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

POWER OF ATTORNEY

(For use within the boundaries of the Orchard Mesa Sanitation District)

BE IT KNOWN, that I, as owner of the real property situate in Mesa County, Colorado, and described as: 163 29 1/2 Rd Lot 1 of Replat of Lot 5 of Country Homes Estates Sub

do hereby designate and appoint the City Clerk of the City of Grand Junction as my Attorney in Fact granting said City Clerk full power and authority for me and in my stead to: sign such documents and instruments as are necessary to cause the above described land(s) to be annexed to the City of Grand Junction; and to sign any petition(s) for annexation of the described land(s) to the City, when eligible; and to do and perform any and all acts which the said City Clerk shall deem necessary, convenient or expedient to accomplish said annexation, as fully as I might do if personally present.

The property described herein may be annexed to the City of Grand Junction in part or parts, at any time. Consent is hereby given to annex portion of tracts and parcels, even if the annexation has the effect of dividing tracts or parcels into separate parts or parcels.

The authority granted by this instrument shall be a covenant running with the land, shall be binding upon successors in interest and shall not cease upon my death or the dissolution of partnership, corporation or other form of association which may hold title or claim an interest to the property described herein. Notwithstanding the foregoing, however, this power of attorney must be "used" on or before the last day of the sixtieth calendar month following the date of execution hereof unless litigation or other intervening force results in an annexation petition not resulting in a completed annexation (but not the failure of the City Council to approve the proposed annexation). In the event of such litigation or intervening force, the City may "use" this power of attorney for annexation by the last day of the sixth calendar month following the end of the intervening force. The City will have "used" this power of attorney for annexation if the City Clerk has referred a petition for annexation to the City Council for an area or areas which include the property described herein either singly or with other properties. If the City does not "use" this power of attorney as set forth herein, this power of attorney shall thereafter terminate.

As a further covenant to run with the land, 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.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 14 day

of ~~1995~~ 1995
[Signature]

[Signature] John Kendall

STATE OF COLORADO)
)
 COUNTY OF MESA)

SS:

BOOK 2400 PAGE 45
 1830612 01/30/98 0430PM
 MONIKA TODD CLERK REC MESA COUNTY CO
 REC FEE \$10.00 SURCHG \$1.00

The foregoing instrument was acknowledged before me this 14th day
of JANUARY, 19 98 by

MARK E KENDALL + ROLEOF KENDALL

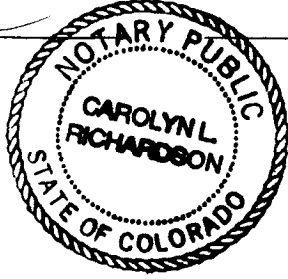
BOOK 2400 PAGE 46

WITNESS my hand and official seal:

My Commission expires:
March 10, 2001

Carolyn L Richardson
Notary Public

My Commission expires:



s: 11/1/95: anxpoaom