

OCN02PAL

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: **POWER OF ATTORNEY FOR ALLEY IMPROVEMENT**

NAME OF PROPERTY OWNER OR GRANTOR: TRAVIS O'CONNOR AND NICOLE O'CONNOR

STREET ADDRESS/PARCEL NAME/SUBDIVISION (LOT AND BLOCK): 1861 PALISADE STREET, LOTS 17, 18 AND 19 IN BLOCK 18 OF ORCHARD MESA HEIGHTS SUBDIVISION

PARCEL NO: 2945-261-21-006

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 2002

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

CITY OF GRAND JUNCTION
POWER OF ATTORNEY FOR ALLEY IMPROVEMENT

OWNERS Travis O'Connor and Nicole O'Connor
ADDRESS OF PROPERTY 1861 Palisade

TAX PARCEL # _____

LEGAL DESCRIPTION OF PROPERTY: * See attached

2060128 06/07/02 0259PM
MONIKA TODD CLK&REC MESA COUNTY CO
REC FEE \$10.00

DESCRIPTION OF ALLEY:

BE IT KNOWN THAT:

I, (WE), Travis + Nicole O'Connor as owner(s) of the real property described above, located in the City of Grand Junction Colorado, agree that, as a condition of City approval of development of the property, the alley(s) which adjoin(s) the above described property is (are) required to be improved or reconstructed to City standards and specifications. The required improvement or reconstruction has, with the consent of the City Manager, been deferred to such time, if any, as an alley improvement district, or equivalent legal mechanism, is formed for that certain alley described above. The estimated cost to the owners, or their heirs, successors and assigns, will be applicable fees in effect at the time of formation will apply. The actual cost which I will pay will be determined in accordance with the assessment established by the City at the time of completion of construction.

I, (WE) as owners of the above described real property do hereby agree to participate in an improvement district, if one is formed, for the improvement or reconstruction of said alley(s) either as a part of a larger scope of work or otherwise, to the then existing standards and do hereby designate and appoint the City Clerk of the City of Grand Junction as my (our) Attorney in Fact, to execute any and all petitions, documents and instruments to effectuate my (our) intention to participate in said improvement district for such purpose, or to otherwise act in conformity with said general direction. The City Clerk is empowered by me (us) to do and perform any and all acts which the City Clerk shall deem necessary, convenient or expedient to accomplish such improvements or reconstruction as fully as I (we) might do if personally present.

This instrument shall be recorded and shall be deemed to be a covenant which runs with the land. This authority and the covenant created thereby shall be binding upon any and all successors in interest to the above described property and shall not cease upon my death (the death of either or both of us) or the dissolution of marriage, partnership, corporation or other form of association which may hold title, or claim an interest to the property described herein.

As a further covenant to run with the land, I (we) agree that in the event a counter-petition to any proposed improvements or improvement district 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.

This power of attorney is not terminable; it shall terminate only upon the formation of an improvement district as herein described.

IN WITNESS WHEREOF, I, (WE), have signed, executed and acknowledged this instrument on this May 7, 2002
Travis O'Connor

STATE OF COLORADO
COUNTY OF MESA

The foregoing instrument was subscribed and sworn to before me this 7th day of May, 2002

My commission expires 02-04-06
Patricia A. Maurer
Notary Public

* If the legal description is lengthy, attach as Exhibit "POA"

PATRICIA A. MAURER
Notary Public
State of Colorado
My Comm. Expires 02-04-06

EXHIBIT P0A

LEGAL DESCRIPTION

Lots 17, 18 and 19 in Block 18 of Orchard Mesa Heights;
TOGETHER WITH that portion of the West 15 feet of Palisade Street adjoining said lots on the East, as vacated by Order dated April 21, 1949, in Book 503 at Page 70;
AND ALSO TOGETHER WITH that portion of the North half of vacated Glenwood Avenue adjoining said Lot 19 on the South and adjoining the said vacated Palisade Street on the South, as said Glenwood was vacated by Ordinance No. 2775, recorded October 7, 1994, in Book 2103 at Page 771.

ALLEY DESCRIPTION

Alley, 20' wide is located on West side of property line traversing North and South.