

PHX0613T

TYPE OF RECORD:	PERMANENT
CATEGORY OF RECORD:	POWER OF ATTORNEY
NAME OF GRANTOR/OWNER:	PHOENIX L.L.P
SUBJECT/PROJECT:	1333 N 13 <sup>TH</sup> STREET ALLEY IMPROVEMENT
TAX PARCEL #:	2945-123-18-975
CITY DEPARTMENT:	PUBLIC WORKS AND PLANNING
YEAR:	2006
EXPIRATION DATE:	NONE
DESTRUCTION DATE:	NONE

CITY OF GRAND JUNCTION  
POWER OF ATTORNEY FOR ALLEY IMPROVEMENT

OWNERS: Phoenix L.L.P VAR-2006-132

ADDRESS OF PROPERTY: 1333 N. 13th St.

TAX PARCEL # 2945-123-18-~~007~~ 975

LEGAL DESCRIPTION OF PROPERTY: \*

Lots 16 & 17 in block 3 of Henderson Heights, <sup>Amended</sup> in SW 1/4 Section 12, Township 1S, Range 1W, Ute Meridian.

DESCRIPTION OF ALLEY: <sup>Amended</sup> The east-west alley in Block 3 Henderson Heights Subdivision

I, (WE), Daniel Whalen 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, in 2006, dollars is \$  
The actual cost which I (we) will pay will be determined in accordance with rates and policies established by the City at the time of formation of the improvement district.

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 is irrevocable and shall be recorded. This instrument 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 counterpetition 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 30<sup>th</sup> day of March 2006

Daniel Whalen  
Print Name: DANIEL WHALEN

NA  
Print Name: \_\_\_\_\_

STATE OF COLORADO

COUNTY OF MESA

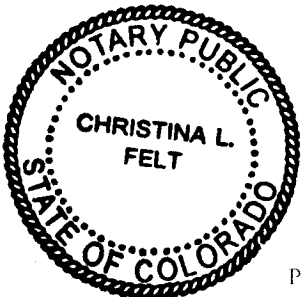
The foregoing instrument was subscribed and sworn to before me this 30<sup>th</sup> day of March 2006

My commission expires 04/06/08

Christina L. Felt  
Notary Public

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

2330934 BK 4217 PG 259  
08/02/2006 04:05 PM  
Justice Ward CLK/REC Mesa County, CO  
RecFee \$5.00 SurChg \$1.00



City of Grand Junction, Colorado  
Release of Powers of Attorney for Alley Improvement

1. That those Powers of Attorney for alley improvements listed in the attached Exhibit A, which are referenced by Book and Page Numbers as they are recorded in the office of the Mesa County Clerk and Recorder, are hereby revoked; and that the City Clerk of the City of Grand Junction is hereby released as Attorney in Fact as stated in said Powers of Attorney.
2. That the revocation of said Powers of Attorney shall in no way remove or affect any assessments or any other past act(s) or action(s) which may have heretofore been levied against lands encumbered by said Powers of Attorney; nor otherwise affect any pending court claims.
3. That revoking those Powers of Attorney referenced in said Exhibit A does not in any way invalidate any other Powers of Attorney for other types of improvements attached to properties affected by said Powers of Attorney, including, but not limited to, street improvements or sanitary sewer improvements.

Signed under my hand and seal this 3<sup>rd</sup> day of June, 2014.



Stephanie Tuin  
Stephanie Tuin, City Clerk  
City of Grand Junction

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RED CRAWFORD INC/ MOUNTAIN COMMUNICATIONS AND ELECTRONICS INC	1351 COLORADO AVENUE	2945-133-18-007	LOTS 13 + 14 BLK N KEITH ADD	BK 2258, PG 61
MW ROBERTSON/FELIX TORNARE	1102 BELFORD AVENUE	2945-141-06-024	LOTS 31 THRU 34 BLK 1 GR JCT SEC 14 1S 1W	BK 2215, PG 959
JOSEPH SPRAGUE	1020 GRAND AVENUE <i>Came up as 1022</i>	2945-141-41-014	LOTS 24 THRU 32 BLK 68 CITY OF GRAND JCT SEC 14 1S 1W	BK 2056, PG 639
THOMAS MARTIN BLACK/ TIMOTHY HUBER/ MICHAEL D. GOODKNIGHT	1330 ELM AVENUE	2945-123-13-023	W 59.25FT OF LOT 20 + S 118.38FT OF E 6FT LOT 21 BLK 2 PROSPECT PARK	BK 2541, PG 158-159
DAN AND JAN WILKERSON	936 TELLER AVENUE	2945-141-09-011	LOTS 25 AND 26, BLOCK 20, GRAND JUNCTION TOWNSITE	BK 3593, PG 248
H & J PROPERTIES/ ROBERT BRAY	244 N. 7 <sup>TH</sup> STREET	2945-144-08-030	LOTS 8 THRU 10 INCL BLK 93 CITY OF GRAND JUNCTION SEC 14 1S 1W & THAT PTN OF VAC ALLEY PER B-1498 P-221 ORD NO 2190 MESA CO RECDS - 0.28AC	NOT RECORDED

**EXHIBIT A  
POWERS OF ATTORNEY FOR ALLEY IMPROVEMENTS HEREBY REVOKED**

<b>PROPERTY OWNER(S) PREVIOUS/CURRENT</b>	<b>ADDRESS</b>	<b>TAX SCHEDULE NUMBER</b>	<b>LEGAL DESCRIPTION</b>	<b>BOOK/PAGE</b>
<b>GRAND JUNCTION FEDERAL CREDIT UNION/LUTHERAN CHURCH OF MESSIAH</b>	<b>1156 HILL AVENUE</b>	<b>2945-141-18-014</b>	<b>LOTS 19 THRU 22 INC BLK 23 GRAND JUNCTION SEC 14 1S 1W - 0.29AC</b>	<b>BK 2086, PG 347- 348</b>
<b>LUTHERAN CHURCH OF MESSIAH</b>	<b>1130 HILL AVENUE</b>	<b>2945-141-18-951</b>	<b>LOT 28 AND THE WEST ½ OF LOT 27, BLOCK 23, CITY OF GRAND JUNCTION</b>	<b>BK 4697, PG 282- 283</b>
<b>LELAND J. LINDAUER</b>	<b>802 ROOD AVENUE</b>	<b>2945-144-09-018</b>	<b>LOTS 31 + 32 + W2 OF LOT 30 BLK 92 CITY OF GR JCT SEC 14 1S 1W</b>	<b>BK 2127, PG 108</b>
<b>LARRY S. MASON/LARRY BARNETT</b>	<b>1130 BELFORD AVENUE</b>	<b>2945-141-06-011</b>	<b>LOTS 27 + 28 BLK 1 GRAND JUNCTION</b>	<b>BK 3452, PG 733</b>
<b>DAN WHALEN, PHOENIX LLP</b>	<b>1333 N. 13<sup>TH</sup> STREET</b>	<b>2945-123-18-975</b>	<b>LOTS 16 &amp; 17 BLK 3 HENDERSON HEIGHTS AMENDED SEC 12 1S 1W- 0.14AC</b>	<b>BK 4217, PG 259</b>

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