

PON76FR5

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: POWER OF ATTORNEY

NAME OF AGENCY OR CONTRACTOR: FRANK W. POND, ANITA N. POND,  
J. LEHMAN POND AND MARY E. POND

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: FRUITWOOD #5  
SUBDIVISION

CITY DEPARTMENT: COMMUNITY DEVELOPMENT

YEAR: 1976

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

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CITY OF GRAND JUNCTION, COUNTY OF MESA  
RECORDED 3:22 P  
MAY 5 1976  
RECEPTION NO. 1105095

BOOK 1063 PAGE 831

POWER OF ATTORNEY  
AND ANNEXATION COVENANT

We, FRANK W. POND and ANITA N. POND, husband and wife,  
and J. LEHMAN POND and MARY E. POND, husband and wife, owners  
of the real property situate in Mesa County, Colorado, des-  
cribed as:

A tract of land located in a part of the N $\frac{1}{2}$   
East, Twp 16S, R. 10E, S. 10T, Range 1  
East, Ute Meridian, Mesa County, Colorado,  
being more particularly described as follows:

Commencing at the North  $\frac{1}{2}$  corner of said  
Section 16; thence S 00°00'00" East along  
the east line NW $\frac{1}{4}$  of said Section 16 a dis-  
tance of 1319.85 feet to the SE corner of the  
NE $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 16; thence S 89°55'30"  
West along the South line of the N $\frac{1}{2}$  NW $\frac{1}{4}$  of  
said Section 16 a distance of 660.82 feet to  
the True Point of Beginning; thence continu-  
ing S 89°55'39" West along said South line of  
the N $\frac{1}{2}$  NW $\frac{1}{4}$  of Section 16 a distance of 1152.20  
feet; thence N 00°04'30" West 113.82 feet;  
thence N 89°55'30" East 50.00 feet, thence  
N 00°04'30" West 154.27 feet; thence N 90°00'00"  
East 20.11 feet; thence N 00°00'00" East 95.00  
feet; thence S 30°00'00" West 19.92 feet; thence  
N 00°02'30" West 155.00 feet; thence S 89°57'30"  
West 23.97 feet; thence N 00°00'00" East 140.75  
feet; thence N 89°57'30" East 630.57 feet; thence  
S 05°57'00" East 104.85 feet; thence S 00°00'00"  
West 275.00 feet; thence N 90°00'00" East 485.00  
feet; thence S 00°00'00" West 278.55 feet to the  
True Point of Beginning;

which property has been petitioned for rezoning in the county to  
Transitional (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 or similar  
type of development.

As a part of the zoning process to secure such Transition-  
al 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 conjunc-  
tion with other lands. Such authority shall be a covenant run-  
ning with the land, shall be binding upon our successors in interest  
and shall not cease upon the death of any or all of us.

As a further covenant to run with the land, we agree  
that in the event a counter-petitioner to the proposed annexation  
of the land is prepared, any signature on such petition purporting

Fruitwood #5

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, we have hereunto set our hands this 18th day of March, 1976.

[Signature]  
Frank W. Pond

[Signature]  
Anita N. Pond

[Signature]  
J. Lehman Pond

[Signature]  
Mary E. Pond

STATE OF COLORADO )  
                            ) ss.  
COUNTY OF MESA    )

The foregoing instrument was acknowledged before me this 18th day of March, 1976 by Frank W. Pond and Anita N. Pond, husband and wife.  
Witness my hand and official seal.  
[Signature]  
Notary Public

My commission expires:  
December 28, 1977

STATE OF COLORADO )  
                            ) ss.  
COUNTY OF MESA    )

The foregoing instrument was acknowledged before me this 18th day of March, 1976 by J. Lehman Pond and Mary A. Pond, husband and wife.  
Witness my hand and official seal.

[Signature]  
Notary Public

My commission expires:  
December 28, 1977

