

RAD97RED

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: POWER OF ATTORNEY

NAME OF AGENCY OR CONTRACTOR: MARY ANN VONRADICS TRUSTEE FOR  
DOROTHY R. SCHULTZ TRUST OF 1992

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: 209 1/2 RED  
MESA HEIGHTS 2945-163-27-002

CITY DEPARTMENT: COMMUNITY DEVELOPMENT

YEAR: 1997

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

3  
 Street Address: 209 1/2 Red Mesa Hts.  
GRAND JUNCTION CO, 81503

Parcel # 2945-163-27-002

**UTILITY CONNECTION AND ANNEXATION AGREEMENT  
 AND DECLARATION OF COVENANTS**

This Utility Connection and Annexation Agreement and Declaration of Covenants is made between Mary Ann von Radics; trustee for Dorothy E. Schultz Trust of 1992, of the County of Mesa, State of Colorado, herein called 'declarant' or 'owner,' and the CITY OF GRAND JUNCTION, COLORADO, in Mesa County, State of Colorado, herein called 'City.'

**WITNESSETH:**

1. Owner hereby covenants that (s)he is the Owner in fee of the following described real property located in Mesa County, Colorado: [attach the legal as Exhibit "A"]
  
2. In consideration for and as a condition precedent to being allowed to connect to the Persigo Regional Sewer System and to receive sewer service for the above described property, said Owner hereby covenants, agrees and declares that the following terms, covenants, conditions, restrictions, and obligations shall be deemed to run with the land described in paragraph 1 above, and shall be binding and accrue to the Declarant, Declarant's heirs, successors and assigns and any person acquiring or holding an interest in said property, their grantees, successors, heirs, executors, administrators or assigns, for the benefit of the City and said property.
  - a. Sewer service from the City of Grand Junction or the Persigo Regional Sewer System shall be subject to all terms and conditions as provided by the ordinances and regulations of the City as such may exist from time to time.
  - b. The owner and applicant agree to annex (and to execute a petition for annexation of the property served) to the City upon request at any time that such property is eligible for annexation. Further, each such owner and/or applicant agrees to forthwith execute and deliver to the City subsequent petition(s) for annexation at any time upon request of the City. This agreement shall be binding upon and shall run with the land for which service is provided.
  - c. As a condition precedent to the supplying of such sewer services, the undersigned consumer who is the owner in fee of the real property so supplied as described above, hereby agrees and covenants to apply for and consent to the annexation of the area described above to the City of Grand Junction at such date as the area described above or any portion thereof becomes eligible for annexation, as determined solely by the City. The undersigned hereby irrevocably appoints the Grand Junction City Clerk as his lawful attorney-in-fact for the purpose of executing a petition for annexation or petition for

annexation election with respect to the property described above. The undersigned further agrees to fully cooperate in annexation efforts and to sign no annexation petition or petition for annexation election which has the effect or is intended to hinder any annexation and to take no actions to hinder, delay, or avoid annexation of the property described above. The City shall be entitled to recover all costs, including reasonable attorney's fees, which it incurs in enforcing this annexation agreement on account of any breach of this agreement by the undersigned, his or her heirs, successors, or assigns,

IN WITNESS THEREOF, Owner has executed this Agreement as of the date above first written.

Mary Ann von Radics

Signature of Declarant(s)/Owner (s)

Mary Ann von Radics

(Print Name (s))

March 4 97

Date of Signature (s)

STATE OF COLORADO )

) ss.

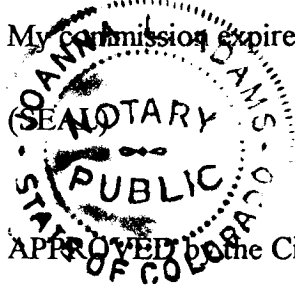
COUNTY OF MESA )

The foregoing was acknowledged before me this 4 day of March 1997, by

Mary Ann von Radics

Witness my hand and official seal.

My commission expires: 8-8-98



Sandra L. Adams

Notary

Grand St Co 81501

Address

By [Signature]

WARRANTY DEED

Grantors(s):

PAUL A. COOPER and LORRAINE HOGAN COOPER

whose address is

2095 WILDWOOD COURT, GRAND JUNCTION, COLORADO 81503

\*County of MESA

, and State of

COLORADO

, for the consideration of

ONE HUNDRED SIXTY FIVE THOUSAND AND NO/100-----

dollars, in hand paid, hereby sell(s)

COPY

and convey(s) to:

DOROTHY R. SCHULTZ TRUST OF 1992

whose legal address is 4620 ALTA RICA DRIVE, LA MESA, CALIFORNIA 91941

\*County of MESA

, and State of CALIFORNIA

the following real property, in the

\*County of MESA

, and State of Colorado,

to wit:

TAX SCHEDULE NUMBER: 2945-163-27-002

Lot 2 in

WILLIAM CARPENTER SUBDIVISION,

Mesa County, Colorado.

\*Together with any and all water, water rights, ditches and ditch rights appertaining thereto and used in connection therewith. also known by the street and number as 209 1/2 RED MESA HEIGHTS ROAD, GRAND JUNCTION, COLORADO 81503

with all its appurtenances, and warrant(s) the title to the same, subject to

current year real property taxes and all subsequent taxes, special assessments, covenants, restrictions, reservations and easements, and rights of way, existing or apparent, or of record, if any.

Signed this 28th day of June, 1996

\_\_\_\_\_  
PAUL A. COOPER

\_\_\_\_\_  
LORRAINE HOGAN COOPER

STATE OF COLORADO }  
County of MESA } ss.

The foregoing instrument was acknowledged before me this 28th day of June, 1996.

BY: PAUL A. COOPER and LORRAINE HOGAN COOPER

My Commission expires 12/18/99 .

Witness my hand and official seal.

\*If in Denver, insert "City and"

\_\_\_\_\_  
Cynthia M. Hawkins

Notary Public