

SEE96RAI

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: POWER OF ATTORNEY

NAME OF AGENCY OR CONTRACTOR: RALPH E. SEELEY

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: 2175  
RAILROAD AVENUE RAILROAD INDUSTRIAL PARK 2945-062-05-004

CITY DEPARTMENT: COMMUNITY DEVELOPMENT

YEAR: 1996

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

SEWER HOOKUP PERMIT  
CITY OF GRAND JUNCTION, COLORADO

1752421 0248PM 04/05/96  
MONIKA TODD CLR&REG MESA COUNTY CO

OWNER(S): COO RALPH E SEELEY  
ADDRESS OF PROPERTY: 2175 RAILROAD AVENUE  
TAX PARCEL NUMBER: 2945-062-05-004  
LEGAL DESCRIPTION OF PROPERTY: see Exhibit A

SPECIAL DISTRICT:  
 OMSD  CGV  FRUITVALE  OTHER \_\_\_\_\_  
 OUTSIDE OF SPECIAL DISTRICTS

IN CONSIDERATION FOR BEING ALLOWED TO CONNECT TO THE CITY OF GRAND JUNCTION/MESA COUNTY JOINT SEWER SYSTEM AND TO OBTAIN SEWER TREATMENT SERVICES FROM THE CITY, THE UNDERSIGNED PROPERTY OWNER(S), BY SIGNING BELOW, AGREES TO: (1) PAY ALL APPROPRIATE TAP, PLANT INVESTMENT, HOOKUP AND OTHER FEES AS REQUIRED BY THE CITY AND ANY APPLICABLE SPECIAL SEWER DISTRICT, (2) GRANT TO THE CITY THE FOLLOWING POWER OF ATTORNEY FOR ANNEXATION, AND (3) TIMELY PAY ALL APPLICABLE SEWER SERVICE CHARGES PURSUANT TO ALL APPLICABLE CITY ORDINANCES, RULES AND REGULATIONS. (1) AND (2), ABOVE, MUST BE PERFORMED BY THE PROPERTY OWNER(S) PRIOR TO ISSUANCE OF ANY BUILDING PERMIT ALLOWING CONNECTION TO THE SEWER SYSTEM BY THE SUBJECT PROPERTY.

AGREEMENT AND POWER OF ATTORNEY FOR ANNEXATION

BE IT KNOWN THAT:

I (We) do hereby designate and appoint the City Clerk of the City of Grand Junction as my (our) Attorney in Fact granting said City Clerk full power and authority for me (us) and in my (our) 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 (we) 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 portions 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(s), shall be binding upon successors in interest and shall not cease upon my (our) disability, death(s) or the dissolution of marriage, partnership, corporation or other form

of association from which I (we) may hold title or claim an interest to the property described herein. This agreement for annexation is intended to comply with C.R.S. § 31-12-121, as amended.

As a further covenant to run with the land, I (we) agree that in the event a counter-petition to a proposed annexation of the land is prepared, any signature of mine (ours) 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.

Further, I (we) agree that the said City Clerk may vote in my (our) behalf in any elections concerning the annexation of this property, as if I (we) were physically present.

If any clause, provision or detail of this Power of Attorney is deemed void, unlawful or unenforceable, such invalidity shall not effect any other person or provision hereof.

IN WITNESS WHEREOF, I (we) agree, for myself (ourselves) and for my (our) heirs, personal representatives, successors and assigns, to be bound by the terms of this Sewer Hookup Permit, including the Agreement and Power of Attorney for Annexation set forth above. Agreed to this 1 day of MARCH, 1996.

OWNER(S):

[Handwritten Signature]

STATE OF COLORADO, )  
                                  ) SS;  
COUNTY OF MESA.     )

The foregoing instrument was acknowledged before me this 1 day of MARCH, 1996, by RALPH E. SEELEY

WITNESS my hand and official seal:

[Handwritten Signature]  
Notary Public  
The seal is circular with "NOTARY PUBLIC" in the center and "STATE OF COLORADO" around the perimeter.

2/21/98  
My commission expires:  
552 25 ROAD  
GRAND JCT., CO 81505

## EXHIBIT "A"

THAT PART OF BLOCK ONE AND BLOCK TWO OF RAILHEAD INDUSTRIAL PARK AS AMENDED, IN THE SE  $\frac{1}{4}$  OF SECTION 36, TOWNSHIP ONE NORTH, RANGE TWO WEST OF THE UTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8 INCH REBAR (LS 9960) FOR THE N.W. CORNER OF SAID BLOCK TWO FROM WHENCE A 5/8 INCH REBAR (LS 9960) ON THE WESTERLY LINE OF SAID BLOCK TWO BEARS SOUTH 63°10'49" WEST 230.77 FEET, THENCE NORTH 63°10'49" EAST ON THE WESTERLY LINE OF SAID BLOCK ONE 34.53 FEET, THENCE LEAVING SAID WESTERLY LINE SOUTH 56°31'00" EAST PARALLEL TO THE NORTHERLY LINE OF SAID BLOCK TWO 782.89 FEET, THENCE SOUTH 33°29'00" WEST 380.00 FEET TO THE SOUTHERLY LINE OF SAID BLOCK TWO, THENCE NORTH 56°31'00" WEST ON SAID SOUTHERLY LINE 827.46 FEET TO THE BEGINNING OF A 100.00 FOOT RADIUS CURVE TO THE RIGHT (THE CHORD OF WHICH BEARS NORTH 03°19'54" EAST 172.94 FEET); THENCE ALONG THE ARC OF SAID CURVE 208.91 FEET TO SAID WESTERLY LINE OF BLOCK TWO; THENCE NORTH 63°10'49" EAST 230.77 FEET TO THE BEGINNING,

MESA COUNTY, COLORADO