

SMI94HW6

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: POWER OF ATTORNEY

NAME OF AGENCY OR CONTRACTOR: ROBERT H. SMITH BOB'S MOBILE
HOMES INC.

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: 2508 HWY 6
AND 50 2945-103-00-058

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1994

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

CITY OF GRAND JUNCTION
POWER OF ATTORNEY FOR SEWER IMPROVEMENT

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OWNERS BOBS MOBILE HOMES INC.

1676824 02:44 PM 04/01/94
MONIKA TODD CLK&REC MESA COUNTY CO

ADDRESS OF PROPERTY 2508 Hwy 6350

TAX PARCEL # 2945-103-00-058

LEGAL DESCRIPTION OF PROPERTY:

SEE ATTACHMENT "A"

RECORDER NOTE: POOR QUALITY DOCUMENT
PROVIDED FOR REPRODUCTION

Subject to all easements apparent and recorded.

DESCRIPTION OF SEWER:

A new sewer line generally located in the right-of-way of Highway 6 & 50 or parallel thereto sufficient to serve the described property.

BE IT KNOWN THAT:

I, (WE), Robert H. Smith, 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, sewer(s) to serve the above described property is (are) required to be constructed to City standards and specifications in location(s) determined appropriate by the City. The required construction has, with the consent of the City Manager, been deferred to such time, if any, as a sewer improvement district, or equivalent legal mechanism, is formed for the sewer improvements generally described above. The estimated cost to the owners, or their successors and assigns, in 1994 dollars is 18,260⁰⁰ on a per lot, prorated basis. Because we are paying in cash as of the signing hereof, the described property will not be assessed as a part of the formation of the district; nevertheless, the described property shall be a part of the district for all other purposes.

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 construction of said sewer(s) either as a part of a larger scope of work or otherwise, to the then existing standards of the City and WE 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(s), or 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 construction, and to form such district 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 my 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, or the construction of the sewer improvements as described, whichever shall occur later.

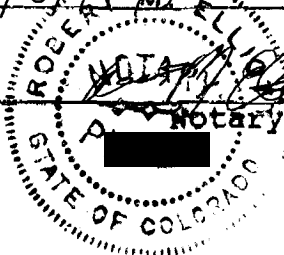
IN WITNESS WHEREOF, I, (WE), have signed, executed and acknowledged this instrument on this 25th day of March 1994.

[Handwritten Signature]

STATE OF COLORADO
COUNTY OF MESA

The foregoing agreement was subscribed and sworn to before me this 25th day of March 1994.

My commission expires 2/8/1998



dw:c:poaa:March 25, 1994

That part of Lot 3 in RIVERSIDE SUBDIVISION, lying North and East of the U. S. Highway 6 & 50 Right-of-Way and in addition that part of Lot 4 of said RIVERSIDE SUBDIVISION, being more particularly described as follows:

Beginning at the Northwest corner of said Lot 4 also being the Northwest corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, Township 1 South, Range 1 West of the Ute Meridian, that when aligned with the Southwest corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ is assumed to bear South 00°00'05" West with all bearings contained herein to be relative thereto;
 thence South 89°57'59" East along the North line of said Lot 4 a distance of 328.98 feet to the Northeast corner of said Lot 4;
 thence along the East line of said Lot 4 South 00°02'30" East 315.09 feet to the TRUE POINT OF BEGINNING;
 thence continuing South 00°02'30" East 294.70 feet to the Northerly Right-of-Way of said U. S. Highway 6 & 50;
 thence along said Northerly Right-of-Way North 61°20'53" West 141.01 feet;

thence leaving said Northerly Right-of-Way North 28°32'42" East 258.51 feet to the TRUE POINT OF BEGINNING; **BOOK 2060 PAGE 376**
 EXCEPT the North 100.00 feet thereof;

AND ALSO EXCEPT Beginning at the Southeast corner of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10;

thence North 166.9 feet (Measured 167.33 feet) to a point on the Northerly Right-of-Way of said U. S. Highway 6 & 50;
 thence North 61°22' West 747.6 feet (measured North 61°20'53" West 752.91 feet) to the TRUE POINT OF BEGINNING;
 thence continuing along said Northerly Right-of-Way North 61°22' West 200.00 feet (Measured North 61°20'53" West);

thence North 154.2 feet (measured North 00°05'04" West);
 thence East 175.5 feet (measured South 89°58'05" East 175.37 feet)
 thence South 250.00 feet (Measured South 00°05'04" East)
 to the TRUE POINT OF BEGINNING.

RESERVING THEREFROM an easement for ingress-egress being 30 feet in width and lying East of the following described line:
 Commencing at the Northwest corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, Township 1 South, Range 1 West of the Ute Meridian, whose West line is assumed to bear South 00°00'05" West and all bearings contained herein to be relative thereto;

thence South 89°57'59" East 30.00 feet;
 thence South 00°00'05" West 454.67 feet to the Northerly Right-of-Way of U. S. Highway 6 & 50;
 thence along said Right-of-Way South 77°23'00" East 26.40 feet;
 thence South 61°20'53" West 170.85 feet to the point of beginning;
 thence leaving said Northerly Right-of-Way North 28°32'42" East 258.51 feet;
 thence North 00°02'30" West 215.09 feet to its terminus.

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