

SMI96GRD

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: POWER OF ATTORNEY

NAME OF AGENCY OR CONTRACTOR: ROBERT L. SMITH AND JACKIE M. SMITH

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: 2556 G ROAD  
2701-344-00-030

CITY DEPARTMENT: COMMUNITY DEVELOPMENT

YEAR: 1996

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

1774734 0404PM 10/18/96  
 MONIKA TODD CLK&REC MESA COUNTY CO

Street Address: 2556 G ROAD  
~~2701-344-00-030~~ GRAND JUNCTION

Parcel # 2701-344-00-030

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

This Utility Connection and Annexation Agreement and Declaration of Covenants is made between ROBERT L SMITH & JACKIE M SMITH, 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.

Robert L. Smith Jackie M. Smith  
Signature of Declarant(s)/Owner (s)

ROBERT L. SMITH & JACKIE M. SMITH  
(Print Name (s))

Oct 14, 1996  
Date of Signature (s)

STATE OF COLORADO )  
 ) ss.  
COUNTY OF MESA )

The foregoing was acknowledged before me this 14<sup>th</sup> day of OCTOBER, 1996, by Robert L. Smith

Witness my hand and official seal.

My commission expires: 10-26-96

Mildred B Fowler  
Notary  
250 N 5<sup>th</sup> St  
Address

(SEAL)

APPROVED by the City of Grand Junction

By [Signature]

Joseph M. Rouse  
CUSTOMER SVC. MGR

PROPERTY	VALUE	TAX YEAR
Land	1,400	1995
Improve	9,150	
2701-344-00-030 1.50 10800		

BEG 170FT E OF S4 COR SEC 34 IN 1W N 16DEG54MIN E 113.65FT N 152.35FT E 345FT S 35DEG19MIN W 320FT W 193FT TO BEG

			MILLAGE
Colo. River	.383	4.04	
BJ Drainage	3.156	33.30	
BJ Rural FD	7.596	80.14	
Sch Dst 51	39.045	411.92	
Mesa County	21.465	226.45	
Library	2.730	28.80	
Ute Water	2.000	21.10	
5251 Bonds	6.620	69.84	
Social Svcs	3.985	42.04	
Temp. Tax Cr	-0.951	-10.03	
Total Millage			86.029

*Handwritten:* Paid in full 4/18/96 # 3416

TRENT PRALL  
ENGINEER

02556 00 G RD  
ROBERT L SMITH  
J M & L L SMITH - ETAL  
2556 G RD  
GRAND JUNCTION CO 81505-9546

RETAIN THIS NOTICE FOR YOUR RECORDS. IF TAXES ARE ESCROWED, YOUR MORTGAGE COMPANY WILL BE NOTIFIED.

**TOTAL** 907.60

**Mesa County Treasurer  
TAX NOTICE**

\*\* MARKET VALUE ON WHICH ASSESSED VALUE IS BASED \*\*  
Land 13,500 Improve 88,340

Please see reverse side of this form for additional information.