

POA95BPK

TYPE OF RECORD: POA

CATEGORY OF RECORD: PERMANENT

NAME OF AGENCY OR CONTRACTOR: BERRY PARK

STREET ADDRESS/PARCEL NAME/SUBDIVISION: W OF 24 RD & S OF
MAINLINE OF GRAND VALLEY CANAL

CITY DEPARTMENT: ADMINISTRATIVE SERVICES

YEAR: 1995

EXPIRATION DATE: PERMANENT

DESTRUCTION DATE: NONE

(FILE NAME 8 CHARACTERS)

TYPE OF RECORD: PERMANENT, ACTIVE NON PERMANENT, INACTIVE
NON PERMANENT

CATEGORY OF RECORD: CONTRACT/AGREEMENT, GRANT, LEASE, DEED,
EASEMENT, POA, REVOCABLE PERMIT, IMPROVEMENT GUARANTEE,
RIGHT-OF-WAY, BOND ISSUE

NAME OF AGENCY OR CONTRACTOR:

STREET ADDRESS/PARCEL NAME/SUBDIVISION:

CITY DEPARTMENT:

YEAR:

EXPIRATION DATE:

DESTRUCTION DATE:

POWER OF ATTORNEY

1714263 11:16 AM 04/13/95
MONIKA TODD CLK&REC MESA COUNTY CO

OWNER(S) City of Grand Junction

ADDRESS OF PROPERTY West of 24 Road and south of the mainline of the Grand Valley Canal

TAX PARCEL # 2701-294-00-945 and 2701-294-00-948

LEGAL DESCRIPTION OF PROPERTY See Attached

Berry Park

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) death(s) 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 a proposed annexation of the land is prepared, any signature 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.

IN WITNESS WHEREOF, I (we) have hereunto set my (our) hand(s) and seal this 28th day of March, 1995.

Mark K. Achen
Attest: *Stephanie Nye*

STATE OF COLORADO)
) ss:
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 28th day of March, 1995 by Mark K. Achen and Stephanie Nye

WITNESS my hand and official seal:

Heena J. Martinez
Notary Public

June 13, 1995
My Commission expires:

The following described real property consisting of approximately 80 acres of vacant land located west of 24 Road and south of the Mainline of the Grand Valley Canal, commonly known as Berry Park:

The E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and that part of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ lying South of the Grand Valley Canal, all in Section 29, Township 1 North, Range 1 West of the Ute Meridian, except that part of said NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 29 lying East of Berry Creek Canal and South of the East-West Drain Canal; and also

Beginning at a point N 00°03'45" W 660.0 feet and N 89°57'45" E 330.09 feet of the S $\frac{1}{4}$ Corner of Section 29, Township 1 North, Range 1 West of the Ute Meridian, thence N 00°03'34" W 659.82 feet; thence S 89°57'45" W 65.09 feet; thence N 00°03'45" W 330 feet; thence S 89°57'45" W 264 feet; thence N 00°03'45" W 989.82 feet; thence N 89°57'16" E 660.08 feet; thence S 00°02'07" E 1979.55 feet; thence S 89°57'45" W 329.05 feet to the Point of Beginning, Excepting therefrom the following described real property:

Commencing at the S $\frac{1}{4}$ Corner of said Section 29; thence N 00°03'45" W 660.0 feet; thence N 89°57'45" E 330.09 feet; thence N 00°03'45" W 659.82 feet; thence S 89°57'45" W 66.09 feet to the Point of Beginning; thence N 00°03'45" W 330.0 feet; thence S 89°57'45" W 231.0 feet; thence N 00°03'45" W 19.72 feet; thence S 88°58'57" E 284.39 feet; thence S 00°03'45" E 344.48 feet; thence S 89°57'45" W 53.34 feet to the Point of Beginning.