

Filed for record the 3 day of Mar A. D. 1972 at 9:45 o'clock A.M.
Reception No. 369482 Lema Tucker RECORDER

This Deed, Made this 25th day of February in the year of our Lord
one thousand nine hundred and seventy-two between JOHN W. ZINK AND RUBY N. ZINK

of the County of La Plata and State of Colorado, of the first part, and
ROBERT L. SWANSON AND GRACE M. SWANSON
of the County of La Plata and State of Colorado, of the second part;

Witnesseth, That the said parties of the first part, for and in consideration of the sum of other good and valuable considerations and Ten and no/100----- DOLLARS, to the said parties of the first part in hand paid by the said parties of the second part, the receipt whereof is hereby confessed and acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, not in tenancy in common but in joint tenancy, the survivor of them, their assigns and the heirs and assigns of such survivor forever, all the following described lot or parcel of land, situate, lying and being in the County of La Plata and State of Colorado, to-wit:

A tract of land lying and being in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, Township 36 North, Range 9 West, N.M.P.M., more particularly described on the attached Exhibit A, made a part hereof by reference.

Together with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of the said parties of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

To Have and to Hold the said premises above bargained and described, with the appurtenances, unto the said parties of the second part, the survivor of them, their assigns and the heirs and assigns of such survivor forever. And the said parties of the first part, for themselves, their heirs, executors, and administrators, do covenant, grant, bargain and agree to and with the said parties of the second part, the survivor of them, their assigns and the heirs and assigns of such survivor, that at the time of the ensembling and delivery of these presents, are well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and have good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments and incumbrances of whatever kind or nature soever, EXCEPT general taxes for the year 1972, which have been prorated,

and the above bargained premises in the quiet and peaceable possession of the said parties of the second part, the survivor of them, their assigns and the heirs and assigns of such survivor, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said parties of the first part shall and will WARRANT AND FOREVER DEFEND.

In Witness Whereof, The said parties of the first part have hereunto set their hand S and seal S the day and year first above written.

Signed, Sealed and Delivered in the Presence of

John W. Zink
RUBY N. ZINK
Seal Seal Seal

STATE OF COLORADO,
La Plata } ss.

County of..... The foregoing instrument was acknowledged before me this 31st day of March, 1972, *by JOHN W. ZINK AND RUBY N. ZINK.

Witness my hand and official seal.

My commission expires 4-3-74

Deanna Balliger
Notary Public

*If acting in official or representative capacity, insert name and also office or capacity and for whom acting.

STATE DOCUMENTARY FEE

DATE 3-3-72

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EXHIBIT A

A TRACT OF LAND lying and being in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, Township 36 North, Range 9 West, N.M.P.M., La Plata County, Colorado, more particularly described as follows, to-wit:

BEGINNING at a one-inch iron pipe in ground, being a point on the west boundary line of Primary La Plata County Highway designated as No. 2, formerly known as U. S. Highway No. 550, whence the Southeast corner of said Section 28 bears South 33° 49' East a distance of 2,970.61 feet; THENCE running from said point of beginning North 9° 33' 30" East along said west boundary line of said highway a distance of 629.9 feet to a one-inch iron pipe in ground; THENCE running West a distance of 1,091 feet, more or less, to the West boundary line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$; THENCE running South along said West boundary line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the West boundary line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 621.18 feet to a point; THENCE running East a distance of 986 feet, more or less, to the point of beginning, and containing 14.8 acres, more or less.

TOGETHER with a non-exclusive easement and right-of-way for a road not to exceed thirty feet in width, lying along the south boundary line of the following described tract of land: ALL that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28, Township 36 North, Range 9 West, N.M.P.M., described as follows: BEGINNING at a point on the west right-of-way line of State Highway No. U. S. 550 whence the southeast corner of said Section 28, a stone properly marked, bears South 39° 09' East, 2,745.87 feet; thence North 11° 13' East 375 feet along said right-of-way line; thence West to the West line of said Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$)(approximately 980 feet); thence Southerly along the said West line 367.84 feet; thence East to the said right-of-way line and the point of beginning (approximately 907 feet); containing 9.783 acres, more or less, meaning and intending hereby to convey the same property as described in deed recorded in Book 286 at Page 297 of the records of La Plata County, Colorado. IT IS THE INTENTION of the parties of the first part to create an access roadway connecting old U. S. Highway No. 550 to the roadway commonly known as the Falls Creek Road and to confirm unto parties of the second part the right to use said Falls Creek Road. SUBJECT to a non-exclusive easement and right-of-way for a road not exceeding 30 feet in width as laid out and constructed and commonly known as the Falls Creek Road.

369482

STATE OF COLORADO } ss Filing No. _____
LA PLATA COUNTY }

I hereby certify that this instrument was
filed for record at 9:46 O'clock A.M.

Mar 3 1972 and duly recorded
on Microfilm No. 369482 Fee \$ _____

Lena Weker Recorder

By *Paul Macky* Deputy

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118.

Mc Daniel