

After Recording Return To:
Schelwat Law, LLC
4160 1st Ave. SW
Naples, FL 34119

State Documentary Fee
Date <u>5/21/24</u>
\$ <u>28.72</u>

SPECIAL WARRANTY DEED

This Special Warranty deed (this "**Deed**") is dated this 21st day of May, 2024 between Aden L. Yutzy, Jr. and Edna M. Yutzy, and Christy J. Borntrager and Elsie L. Borntrager (collectively, "**Grantor**") and Elam S. Swarey, Jr. and Susie F. Swarey (collectively, "**Grantee**"), as joint tenants, whose address is ~~6996 CREEK, La Jara, CO 81140~~.

32755 County Road 5, PO Box 175, Toponas CO 80479

WITNESSETH, that Grantor, for and in consideration of other valuable consideration and the sum of Two Hundred Eighty-Seven Thousand One Hundred Sixty and 00/100 Dollars (\$287,160.00) (the "**Purchase Price**") to Grantor in hand paid by Grantee, the receipt whereof is hereby confessed and acknowledged, has granted, bargained, sold, and conveyed, and by these presents does grant, bargain, sell, convey, and confirm, unto Grantee, their successors and assigns forever, all of their joint tenancy interests in and to that certain real property situate, lying, and being in the County of Routt, State of Colorado, more particularly described on Exhibit A attached to this Deed (the "**Property**").

TOGETHER WITH all and singular the hereditaments and appurtenances thereunto belonging, or in any way 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 Grantor, either in law or equity, of, in, and to the Property;

SUBJECT TO the "**Permitted Exceptions**," which shall mean:

1. Real property taxes and assessments for the year 2024 and subsequent years;
2. Building, zoning, and other applicable ordinances and regulations of the City;
3. Any matter that would be reflected upon an accurate survey of the Property; and
4. The covenants, conditions, reservations, and restrictions of record.

TO HAVE AND TO HOLD the Property with the appurtenances, unto Grantee, their successors and assigns forever.

AND Grantor, for themselves, their successors, and assigns, covenant and agree to and with Grantee, their successors and assigns, to warrant and defend the quiet and peaceable possession of the Property by Grantee, their successors and assigns, against every person who lawfully claims the Property or any part thereof by, through, or under Grantor, subject to the Permitted Exceptions.

THIS DEED grants a full ownership interest in and to the Property in Grantee who previously held the Property in common with the Grantor.

[SIGNATURES FOLLOW ON NEXT PAGE]



30032060

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed as of the day and year first above written.

GRANTOR:

Aden L. Yutzy, Jr.
Aden L. Yutzy, Jr.

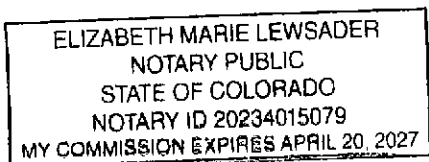
Edna M. Yutzy
Edna M. Yutzy

STATE OF COLORADO)
COUNTY OF Custer) ss.

This instrument was acknowledged before me this 21 day of May, 2024, by Aden L. Yutzy, Jr. and Edna M. Yutzy.

Witness my hand and official seal.

My commission expires: April 20 2027




[Signature]
Notary Public

(SEAL)

Signature Page to Special Warranty Deed

GRANTOR:


Christy J. Borntrager


Elsie L. Borntrager

STATE OF COLORADO)

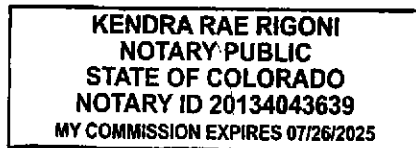
COUNTY OF Routt)


ss.

This instrument was acknowledged before me this 21st day of May, 2024, by Christy J. Borntrager and Elsie L. Borntrager.

Witness my hand and official seal.

My commission expires: 7.26.2025




Notary Public

(SEAL)

EXHIBIT A
TO
SPECIAL WARRANTY DEED

Legal Description

A TRACT OF LAND LOCATED IN THE S1/2S1/2 OF SECTION 16, T1N, R84W, 6TH P.M., ROUTT COUNTY, COLORADO, OR MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SE SECTION CORNER OF SAID SECTION 16, A FOUND 2-1/2" ALUMINUM CAP IN PLACE, LS 24318;
THENCE N00°56'45"E ALONG THE EAST LINE OF SAID SECTION 16 1297.66 FEET TO THE NE CORNER OF SAID S1/2S1/2;
THENCE N89°48'18"W ALONG THE NORTH LINE OF SAID S1/2S1/2, 1657.30 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY(ROW) OF COUNTY ROAD NO. 5;
THENCE S83°39'05"W ALONG SAID SOUTHERLY ROW, 425.64 FEET;
THENCE S00°39'41"W ON A LINE PARALLEL TO THE WEST LINE OF SAID SECTION 16, 1258.84 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID SECTION 16;
THENCE N89°55'32"E ALONG SAID SOUTH SECTION LINE 2073.43 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 16, THE POINT OF BEGINNING.

BASIS OF BEARING: ASSUMED N00°39'41"E ALONG THE WEST LINE OF SECTION 16, BETWEEN THE SW SECTION CORNER AND THE W1/4 CORNER, BOTH FOUND EMSI ALUMINUM CAPS, LS 16394.