

## GRANT OF PEDESTRIAN EASEMENT

**Crystal Brooke Homeowner's Association, Inc., a Colorado nonprofit corporation ("Grantor"),** whose address is 1380 North Avenue, Grand Junction, CO 81501, who is the owner of the following described real property in Mesa County, Colorado:

Tract A, as depicted on the plat of Crystal Brooke Subdivision Filing No. One, Mesa County, Colorado

for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted and conveyed, and by these presents does hereby grant and convey to the **City of Grand Junction, a Colorado home rule municipality, ("Grantee")** whose address is 250 N. 5th Street, Grand Junction, CO 81501, for a Perpetual Pedestrian Easement for ingress and egress access use by the public forever for constructing, installing, maintaining and repairing a trail and for purposes of walking, running, wheelchairs (motorized and non-motorized), bicycling, and other non-motorized forms of transportation for commuting and recreational purposes with or without pets accompanying them, on, along, over, under, through and across the following described parcel of land, to wit:

Beginning at a point from whence the SE corner of Tract A of Crystal Brooke Subdivision Filing No. One (Reception NO. 2483665) bears N89°50'14"E 102.03 feet and considering the South line of said Tract A of Crystal Brooke Subdivision Filing No. One (Reception NO. 2483665) to bear N89°50'14"E with all other bearings contained herein to be relative thereto: thence along said South line N89°50'14"E 22.00 feet; thence N00°09'46"W 14.00 feet to the North line of said Tract A of Crystal Brooke Subdivision Filing No. One (Reception NO. 2483665); thence along said North line N89°50'14"E 22.00 feet; thence S00°09'46"E 14.00 feet to the Point of Beginning, in Mesa County, Colorado.

Said easement contains 0.02 Acres, more or less, as described herein and depicted on **"Exhibit B"**, attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns forever, together with the right to enter upon said premises with workers and equipment, to survey, maintain, operate, repair, replace, control and use said Easement, and to remove objects interfering therewith, including the trimming of trees and bushes as may be required to permit the operation of standard construction and repair machinery, subject to the terms and conditions contained herein.

Grantor hereby covenants with Grantee that the Easement shall not be burdened or overburdened by the installation, construction or placement of any improvements, structures or fixtures thereon which may be detrimental to the facilities of Grantee or which may act to prevent reasonable ingress and egress for the public, workers and equipment on, along, over, under, through and across the Easement area.

The easement shall be for the use and benefit of Grantee, its members, employees, agents and contractors or any of its successors in title or interest, and the public.

Grantor hereby covenants with Grantee it has good title to the herein described premises; that it has good and lawful right to grant this Easement; that it will warrant and forever defend the title and quiet possession thereof against the lawful claims and demands of all persons whomsoever.

Executed and delivered this 19 day of March, 2020.

Crystal Brooke Homeowner's Association, Inc.

By: Lawrence Balerio  
Lawrence Balerio as Director of the Board of  
Crystal Brooke Homeowner's Association, Inc.

State of Colorado     )  
                                      )ss.  
County of Mesa        )

The foregoing instrument was acknowledged before me this 19 day of March, 2020, by Lawrence Balerio, as Director of the Board of Crystal Brooke Homeowner's Association, Inc.

My commission expires Jan. 26, 2021.  
Witness my hand and official seal.

Patricia J Dunlap  
Notary Public

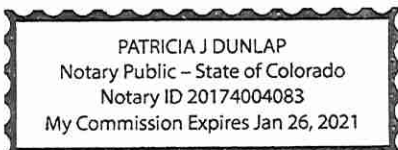
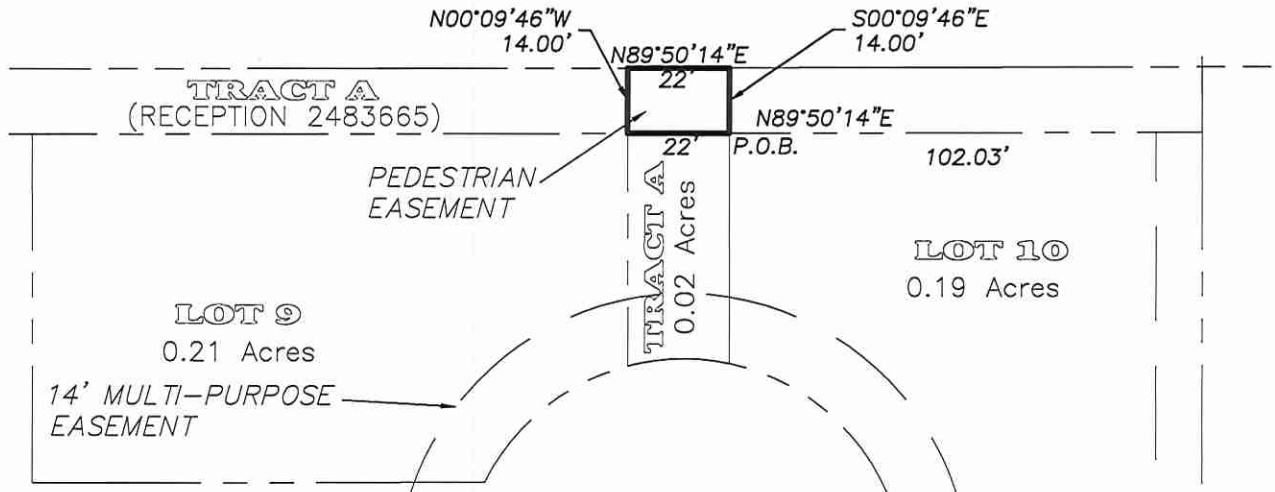


EXHIBIT "B"

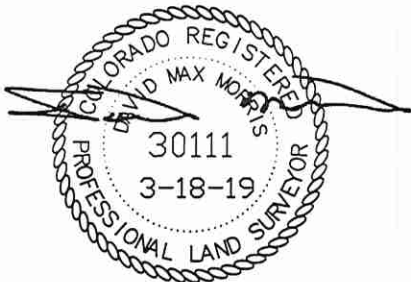


A Pedestrian Easement over and across Tract A Crystal Brooke Subdivision Filing No. One being described as follows:  
 Beginning at a point from whence the SE corner of Tract A of Crystal Brooke Subdivision Filing No. One (Reception NO. 2483665) bears N89°50'14"E 102.03 feet and considering the South line of said Tract A of Crystal Brooke Subdivision Filing No. One (Reception NO. 2483665) to bear N89°50'14"E with all other bearings contained herein to be relative thereto:  
 thence along said South line N89°50'14"E 22.00 feet;  
 thence N00°09'46"W 14.00 feet to the North line of said Tract A of Crystal Brooke Subdivision Filing No. One (Reception NO. 2483665);  
 thence along said North line N89°50'14"E 22.00 feet;  
 thence S00°09'46"E 14.00 feet to the Point of Beginning.

Mesa County, Colorado

NOTES:

1.) THIS EXHIBIT IS FOR THE PURPOSE OF GRAPHICALLY REPRESENTING A WRITTEN DESCRIPTION- IT DOES NOT REPRESENT A MONUMENTED BOUNDARY SURVEY



Per Colorado Statute number 38-51-106(1) all Lineal Units used on this plat are U.S. Survey feet.

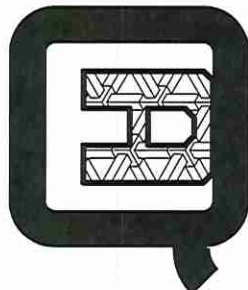
Pedestrian Easement

SITUATED IN THE N1/2 SW1/4 Section 29, TOWNSHIP 1 SOUTH, RANGE 1 EAST, UTE MERIDIAN

FOR: CRYSTAL BROOKE LLC

SCALE:  
1" = 30'

DATE: 3/19/19



Q.E.D.  
SURVEYING  
SYSTEMS Inc.  
2718 Sierra Vista  
GRAND JUNCTION  
COLORADO 81503  
(970) 241-2370  
464-7568

SURVEYED BY: MSM

DRAWN BY: DMM

ACAD ID: Crystal Brooke 2

SHEET NO. **2 OF 2**

FILE: 2018-248