

GRANT OF MULTIPURPOSE EASEMENT

Magerko Real Estate, LLC, a Pennsylvania Limited Liability Company, ("Grantor"), whose address is 1019 Route 519, Eighty Four, PA 15330, for and in consideration of the sum of Seven Thousand Six Hundred Eighty-four 00/100 Dollars (\$7,684.00) 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, a Perpetual Multipurpose Easement for the use and benefit of Grantee and for the use and benefit of the Public Utilities, as approved by Grantee, as a perpetual easement for City approved utilities including the installation, operation, maintenance and repair of said utilities and appurtenances which may include but are not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, traffic control facilities, street lighting, landscaping, trees and grade structures, on, along, over, under, through and across the following described parcel of land, to wit:

A certain parcel of land lying in the Northeast Quarter (NE 1/4) of Section 36, Township 1 North, Range 2 West of the Ute Principal Meridian, being a portion of Lot 1, Eighty-Four Lumber Simple Subdivision, as same is recorded in Plat Book 20, Page 34, Public Records of Mesa County, Colorado and being more particularly described as follows:

COMMENCING at the Southeast Corner of said Lot 1, Eighty-Four Lumber Simple Subdivision and assuming the South line of said Lot 1 bears N 66°06'50" W and all other bearings contained herein are relative thereto; thence from said Point of Commencement, N 66°06'50" W along the South line of said Lot 1 a distance of 248.89 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 66°06'50" W along the South line of said Lot 1, a distance of 28.63 feet to a point being the beginning of a 302.56 foot radius curve, concave South, whose long chord bears N 69°44'41" E a distance of 22.56 feet; thence Easterly along the arc of said curve through a central angle of 04°16'23" a distance of 22.56 feet to a point being the beginning of a 286.51 foot radius curve, concave South, whose long chord bears N 86°05'37" E a distance of 138.93 feet; thence Easterly along the arc of said curve, through a central angle of 28°03'48" a distance of 140.33 feet; thence S 79°57'36" E a distance of 33.23 feet to a point being the beginning of a 340.00 foot radius curve, concave Northeast, whose long chord bears S 81°32'14" E a distance of 18.72 feet; thence Southeasterly along the arc of said curve, through a central angle of 03°09'17" a distance of 18.72 feet to a point on the East line of said Lot 1; thence S 19°25'33" E along the East line of said Lot 1, a distance of 22.16 feet to a point being the beginning of a 360.00 foot radius curve, concave Northeasterly, whose long chord bears N 82°19'09" W a distance of 29.64 feet; thence Northwesterly along the arc of said curve, through a central angle of 04°43'06" a distance of 29.65 feet; thence N 79°57'36" W a distance of 33.23 feet to a point being the beginning of a 266.51 foot radius curve, concave South, whose long chord bears S 86°05'37" W a distance of 129.24 feet; thence Westerly along the arc of said curve, through a central angle of 28°03'48" a distance of 130.54 feet to a point being the beginning of a 282.56 foot radius curve, concave South, whose long chord bears S 71°45'10" W a distance of 1.27 feet; thence Westerly along the arc of said curve, through a central angle of 00°15'24" a distance of 1.27 feet, more or less, to the Point of Beginning.

Said strip of land contains 4,098 square feet or 0.09 Acres, more or less, as described herein and depicted on **Exhibit "A"** 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.

SHEET 1 OF 3

1. Grantor reserves the right to use and occupy the real property burdened by this Easement for any lawful purpose which is not inconsistent with and which will not substantially interfere with the full use and quiet enjoyment of the rights herein granted; provided, however, that 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 workers and equipment on, along, over, under, through and across the Easement.
2. 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 16th day of July, 2013.

Magerko Real Estate, LLC
a Pennsylvania Limited Liability Company

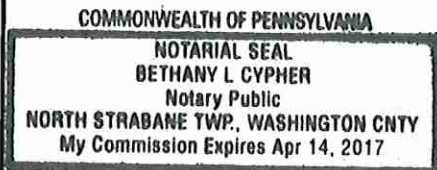
By: [Signature]
Cheri B. Bawar Print Name
Asst. Vice Pres. Title

State of Pennsylvania
County of Washington

The foregoing instrument was acknowledged before me this 16th day of July, 2013, by Cheri B. Bawar, as Asst. Vice Pres. for Magerko Real Estate, LLC, a Pennsylvania Limited Liability Company.

My commission expires April 14, 2017

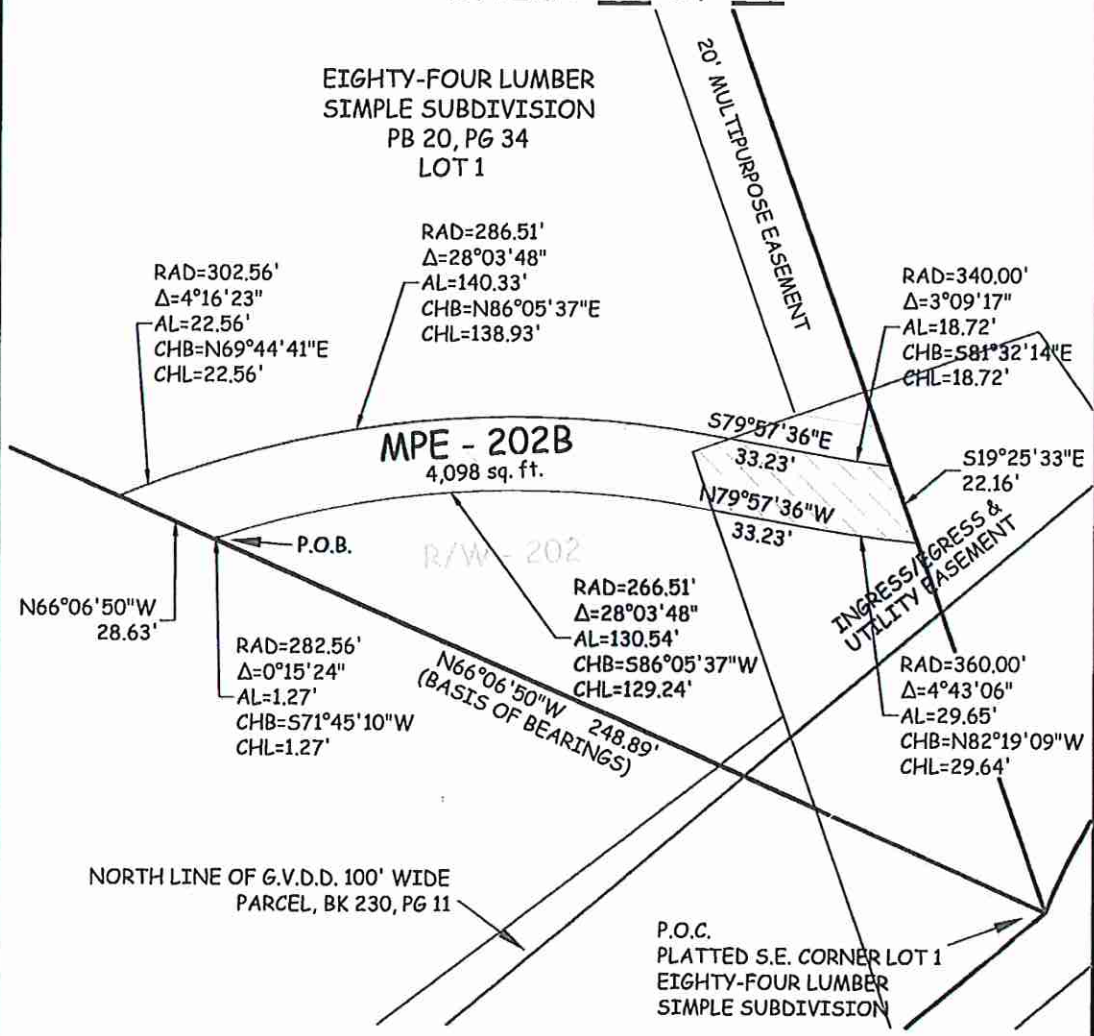
Witness my hand and official seal.



[Signature]
Notary Public

EXHIBIT "B"
SHEET 3 OF 3

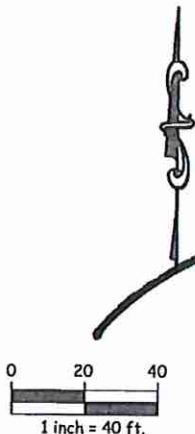
EIGHTY-FOUR LUMBER
SIMPLE SUBDIVISION
PB 20, PG 34
LOT 1



ABBREVIATIONS

R.O.W.	RIGHT OF WAY
SEC.	SECTION
TWP.	TOWNSHIP
RGE.	RANGE
U.M.	UTE MERIDIAN
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
SSMH	SANITARY SEWER MAN HOLE

The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



LINEAL UNITS = US SURVEY FOOT



DRAWN BY: PTK
DATE: 2-02-09
SCALE: 1" = 40'
APPR. BY: PTK

764 VALLEY COURT
MULTIPURPOSE EASEMENT

CITY OF
Grand Junction
COLORADO