

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. 95-22

**A RESOLUTION AUTHORIZING AN EASEMENT ON CITY-OWNED PROPERTY TO
PUBLIC SERVICE COMPANY OF COLORADO**

Recitals:

The City of Grand Junction is the owner of the following described real property ("Property") in the City of Grand Junction, County of Mesa, State of Colorado, to wit:

A parcel of land as recorded at Reception Number 999403 at the Mesa County Clerk and Recorder, situated in the Northeast Quarter of the Southwest Quarter of Section 7, Township 1 South, Range 1 East, of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, said easement being more particularly described as follows;

Commencing at the center one-quarter corner of said Section 7, whence the west quarter corner of said Section 7 bears North 89°51'31" West with all bearings herein relative thereto;

Thence South 88°28'44" West a distance of 1257.63 feet to a point on the south line of a Public Service Company easement as recorded at Reception Number 2013154 and the Point of Beginning;

thence South a distance of 61.07 feet;
thence South 89°47'11" East, a distance of 20.28 feet;
thence North 00°12'49" East, a distance of 5.00 feet;
thence South 89°47'11" East, a distance of 10.00 feet;
thence South 00°12'49" West, a distance of 30.00 feet;
thence North 89°47'11" West, a distance of 40.19 feet;
thence North, a distance of 85.97 feet to the south line of said easement;
thence North 89°37'50" East, a distance of 10.00 feet to the Point of Beginning,

Said easement containing 1666 square feet or 0.04 acres more or less.

The City has negotiated an agreement with the Public Service Company of Colorado for a utility easement on and across the Property for the purpose of providing electricity to a concealed cellular tower on site. The tower is subject to a Conditional Use Permit (CUP-2022-266) granted to SBA Services, LLC by the Grand Junction Planning Commission on May 24, 2022. The cell tower is sited pursuant to Resolutions 63-17, 61-18 and the City's Wireless Master Plan adopted by Ordinance No. 4703.

The City Council having been advised in the premises deems it appropriate that the City grant the easement for the purposes stated in the easement and this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:


The City Manager is hereby authorized and directed to sign the attached "Public Service Company of Colorado Easement" (Utility Easement Agreement) granting an easement for the purposes established and provided in the Easement Agreement, this Resolution and the actions taken in support thereof.

PASSED and ADOPTED this 21st day of December 2022.



Anna M. Stout
President of the City Council

Attest:


Janet Harrell
Deputy City Clerk

S-T-R: SEC 7-T1S-R1E UM	Grantor: CITY OF GRAND JUNCTION	Doc No: 534726
County: MESA	Address: 546 28 ¼ RD	ROW Agent: KEITH OWENS
City/Town: GRAND JUNCTION	DIST: WESTERN	Descript/Author: ALEC THOMAS
L&L: 39°05'04"N 108°31'44"W		Reception No.:

PUBLIC SERVICE COMPANY OF COLORADO EASEMENT

The undersigned Grantor hereby acknowledges receipt of good and valuable consideration from PUBLIC SERVICE COMPANY OF COLORADO (Company), 1800 Larimer Street, Suite 1100, Street, Denver, Colorado, 80202, in consideration of which Grantor(s) hereby grants unto said Company, its successors and assigns, a non-exclusive easement to construct, operate, maintain, repair, and replace utility lines and all fixtures and devices, used or useful in the operation of said lines, through, over, under, across, and along a course as said lines may be hereafter situated in the northeast quarter of the southwest quarter of Section 7, Township 1 South, Range 1 East of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, the easement being described as follows:

SEE EXHIBIT A FOR EASEMENT DESCRIPTION AND EXHIBIT B FOR EASEMENT SKETCH, BOTH ATTACHED HERETO AND MADE A PART HEREOF.

The easement is varies in width. The side boundary lines of the easement shall be lengthened and shortened as necessary to encompass a continuous strip of not less than the above width at all points on Grantor's property crossed by the above described easement and extending to the boundaries of adjacent properties.

Together with the right to enter upon said premises, to survey, construct, maintain, operate, repair, replace, control, and use said utility lines and related fixtures and devices, and to remove objects interfering therewith, including the trimming or felling of trees and bushes, and together with the right to use so much of the adjoining premises of Grantor during surveying, construction, maintenance, repair, removal, or replacement of said utility lines and related fixtures and devices as may be required to permit the operation of standard utility construction or repair machinery. The Grantor reserves the right to use and occupy the easement for any purpose consistent with the rights and privileges above granted and which will not interfere with or endanger any of the said Company's facilities therein or use thereof. Such reservations by Grantor shall in no event include the right to erect or cause to be erected any buildings or structures upon the easement granted or to locate any mobile home or trailer units thereon. In case of the permanent abandonment of the easement, all right, privilege, and interest granted shall terminate.

The work of installing and maintaining said lines and fixtures shall be done with care; the surface along the easement shall be restored substantially to its original level and condition.

Signed this 22 day of December, 2022.

Attached to a Public Service of Colorado Easement dated December 22, 2022.

GRANTOR:

The City of Grand Junction, a Colorado home rule municipality

Attest

By: Janet Harrell
Name: Amy Phillips
Title: City Clerk

By: Greg Caton
Name: Greg Caton
Title: City Manager

STATE OF COLORADO)
COUNTY OF MESA) ss.

The foregoing instrument was acknowledged before me this 22nd day of December, 2022 by Greg Caton, City Manager and Amy Phillips as City Clerk for the City of Grand Junction, a Colorado home rule municipality.

Witness my hand and official seal.

Kerry Graves
Notary Public
My Commission expires:

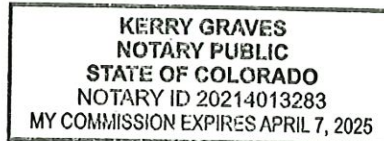


EXHIBIT A

An easement across a parcel of land as recorded at Reception Number 999403 at the Mesa County Clerk and Recorder, situated in the Northeast Quarter of the Southwest Quarter of Section 7, Township 1 South, Range 1 East, of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, said easement being more particularly described as follows;

Commencing at the center one-quarter corner of said Section 7, whence the west quarter corner of said Section 7 bears North 89°51'31" West with all bearings herein relative thereto;

Thence South 88°28'44" West a distance of 1257.63 feet to a point on the south line of a Public Service Company easement as recorded at Reception Number 2013154 and the Point of Beginning;

thence South, a distance of 61.07 feet;

thence South 89°47'11" East, a distance of 20.28 feet;

thence North 00°12'49" East, a distance of 5.00 feet;

thence South 89°47'11" East, a distance of 10.00 feet;

thence South 00°12'49" West, a distance of 30.00 feet;

thence North 89°47'11" West, a distance of 40.19 feet;

thence North, a distance of 85.97 feet to the south line of said easement;

thence North 89°37'50" East, a distance of 10.00 feet to the Point of Beginning,

Said easement containing 1666 square feet or 0.04 acres more or less.

This description was prepared by:
Alec K. Thomas
Colorado P.L.S. 38274
215 Pitkin Ave, Unit 201
Grand Junction, CO 81506



NOTICE: Any rewriting or retyping of this description must NOT include this preparation information. Lack of an original seal indicates this document is not the original.

EXHIBIT B



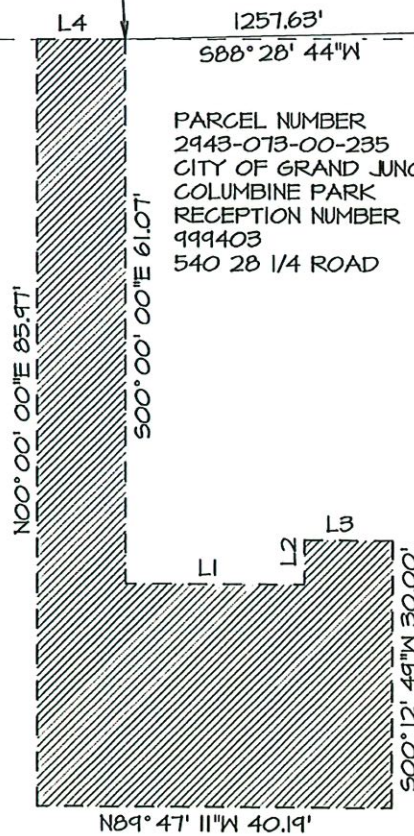
PSCO
EASEMENT
REC. NO.
1966073

PSCO
EASEMENT
REC. NO.
2013154

WEST 1/4
SECTION 7
BASIS
OF BEARING:
N89°51'31"W
POINT OF
COMMENCEMENT
CENTER 1/4
SECTION 7

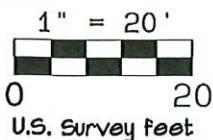
POINT OF BEGINNING

28 1/4 ROAD



PARCEL NUMBER
2943-073-00-235
CITY OF GRAND JUNCTION
COLUMBINE PARK
RECEPTION NUMBER
999403
540 28 1/4 ROAD

Line #	Length	Direction
L1	20.28'	S89°47'11"E
L2	5.00'	N00°12'49"E
L3	10.00'	S89°47'11"E
L4	10.00'	N89°37'50"E



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

215 Pitkin Avenue, Unit 201
Grand Junction, CO 81501
Phone: 970.241.4722
Fax: 970.241.8841
www.rccwest.com

Drawn: AKT Checked: NA 11/14/22 Job No. 0026-1443

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