

CITY OF GRAND JUNCTION DEPARTMENT OF PUBLIC WORKS MEMORANDUM OF AGREEMENT	Project No.: 207-F1903
	Description: F ½ Road Parkway Improvement Project
	Owner(s): Royce J. Carville
	Parcels: RW-9, MPE-9, & TCE-9

This Memorandum of Agreement (“Agreement”) is made and entered into this ____ day of _____, 2023, by and between **Royce J. Carville** hereinafter referred to as “the Owner”, and the City of Grand Junction, a Colorado home rule municipality, hereinafter referred to as “the City”.

RECITALS:

- A. The City is proceeding with implementation of the F ½ Road Parkway Improvement Project (“Project”). The Project will create a fully developed street section from 24 Road on the west to 25 Road on the east. The project will also add street improvements to 25 Road from Patterson Road on the south to Waite Avenue on the north. Improvements include additional travel lanes, auxiliary lanes, facilities to accommodate pedestrian and bicycle mobility, storm drainage facilities, street lighting, landscaped medians and parkways, and a new roundabout at the intersection of F ½ Road Parkway and 24 ½ Road (“Project Improvements”). The City Council of the City has determined that the Project is necessary for the health, safety and welfare of the inhabitants of the City of Grand Junction. All costs associated with installation of the Project Improvements will be borne by the City.
- B. The Owner owns certain real property within the limits of the Project located at 640 24 ½ Road in the City of Grand Junction, County of Mesa, State of Colorado, as identified by Mesa County Assessor Parcel Number 2945-044-00-189, hereinafter referred to as “the Owner’s Property”.
- C. The installation, operation, maintenance, repair and replacement of the Project Improvements requires the acquisition of the following described real property interests from the Owner:

Parcel No. RW-9: A parcel of land in fee simple to be used as public right of way for F 1/2 Road, containing a total area of 32,690 square feet (0.75 acres), more or less, as more particularly described in the accompanying legal description labeled Exhibit “A” and depicted on the accompanying graphic illustration labeled Exhibit “B”; and also

Parcel No. MPE-9: A Multi-Purpose Easement for the installation, operation, maintenance and repair of public utilities, traffic control facilities, street lighting, landscaping, trees, grade structures, public sidewalks and trails, containing a total area of 12,099 square feet (0.28 acres), more or less, as more particularly described in the accompanying legal description labeled Exhibit “C” and depicted on the accompanying graphic illustration labeled Exhibit “D”; and also

Parcel No. TCE-9: A Temporary Construction Easement to facilitate prudent, proper, safe and efficient installation of the Project Improvements, containing a total area of 4,210 square feet (0.10 acres), more or less, as more particularly depicted on the accompanying graphic illustration labeled Exhibit “E”. The City’s required duration of use for Parcel No. TCE-9 is 24 months.

The above referenced real property interests may be referred to collectively hereafter as the “Acquired Property”.

- D. The City has obtained and reviewed an appraisal prepared by a Colorado Certified General Appraiser to estimate the fair market value and just compensation to be offered for the Acquired Property. In consideration of the foregoing, the City and the Owner agree to the following sum of money as just compensation for the Acquired Property and any improvements, damages or costs to cure itemized below:

Parcel No. RW-9:	32,690 sq.ft. @ \$6.75/sq.ft.	= \$220,658
Parcel No. MPE-9:	12,099 sq.ft. @ \$6.75/sq.ft. x 50%	= \$40,834
Parcel No. TCE-9:	4,210 sq.ft. @ \$6.75/sq.ft. x 7% /year x 2 years	= \$3,978
	Total Land & Easement Value	= \$265,470
	Improvements:	
	• Metal Gate	= \$127
	• Fencing	= \$896
	Total Improvements Contributory Value	= \$1,023
	Administrative settlement	= \$48,507
	Total Consideration	= \$315,000

NOW, THEREFORE, based on the recitals above and in consideration of their mutual promises and other valuable consideration, the receipt and adequacy of which are acknowledged, the parties hereto agree as follows:

1. The Owner hereby accepts the Total Consideration stated above from the City as just compensation, and the City hereby agrees to pay the Total Consideration to the Owner subject to the promises, terms, covenants and conditions of this Agreement.
2. Subject to the City's typical payment processing period, the Total Consideration shall be remitted, at the City's sole discretion, to the Owner by either (1) the City directly in the form of a City check, or (2) a title company selected by the City, to which the City has deposited the Total Consideration pending upon the execution and delivery by the Owner to the City of:
 - a. One (1) fully executed original of this Memorandum of Agreement.
 - b. One (1) good and sufficient General Warranty Deed for Parcel No. RW-9.
 - c. One (1) good and sufficient Grant of Multi-Purpose Easement for Parcel No. MPE-9.
 - d. One (1) good and sufficient Temporary Construction Easement for Parcel No. TCE-9.
 - e. One (1) completed and executed Federal Form W-9.
 - f. Satisfaction(s) or release(s) of any and all outstanding items referenced in Paragraph 3 below.
3. The Total Consideration shall fully compensate the Owner for the Owner's interests in and to the Acquired Property, either present or future, and the interests of all lienors and lessees of the Owner and any and all interests, legal or equitable, which are or may be outstanding, including, but not limited to: ad valorem property taxes due for prior years; current year ad valorem property taxes prorated to the date of closing (applicable to any fee simple parcel included in the Acquired Property), and satisfaction, subordination or release of all liens, judgments and financial encumbrances to deliver financially unencumbered title to the City. The Owner agrees to sell, convey and discharge all such interests in and to the Acquired Property by executing in writing any and all necessary deeds, documents and/or conveyances, including but not limited to, requests for releases, whether full or partial as applicable, or subordinations of deeds of trust.
4. The City shall be entitled to take irrevocable possession of the Acquired Property when the City, at its sole discretion, remits the total consideration to either: (1) the Owner directly by City Check; or, (2) deposits the consideration set forth above into an escrow account for the benefit of the Owner with the City's selected title company. Transfer of title to the Acquired Property shall occur upon performance of any and all terms under this Agreement, and release of the Total Consideration due to the Owner.
5. This Memorandum of Agreement embodies all agreements between the parties hereto and no other promises, terms, conditions or obligations, oral or written, have been made which might serve to modify, add to or change the terms and conditions of this Agreement.
6. This Memorandum of Agreement shall be deemed a contract extending to and binding upon the parties hereto and upon their respective heirs, successors and assigns.
7. The City will be entitled to specific performance of this Agreement upon tender of the agreed consideration.
8. This Agreement is a legal instrument. The City recommends the Owner seek the advice of the Owner's own legal and/or tax counsel before signing this Agreement.

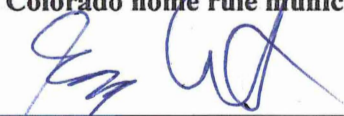
Dated the day and year first above written.

Owner:



Royce J. Carville

**The City of Grand Junction,
a Colorado home rule municipality:**



Greg Caton, City Manager

EXHIBIT A

LEGAL DESCRIPTION
2945-044-00-189
RIGHT-OF-WAY PARCEL NO. RW-9

A parcel of land being a portion of the land as described in Reception Number 2353373 lying in the NW1/4 SE1/4 of Section 4, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Center 1/4 Corner of said Section 4, and assuming the North line of said NW1/4 SE1/4 bears S89°50'03"E with all other bearings contained herein being relative thereto; thence from said point of commencement, S89°50'03"E along said North line, a distance of 30.00 feet to the Point of Beginning;

thence continuing along said North line S89°50'03"E, a distance of 299.90 feet to the Northeast corner of the land as described in Reception Number 2353373; thence S00°01'45"W, a distance of 97.00 feet along the boundary of said parcel of land; thence N89°50'02"W, a distance of 1.84 feet; thence Northwesterly along the arc of a 177.00 foot radius curve concave Northwesterly, a distance of 58.69 feet thru a central angle of 18°59'54" whose chord bears N80°20'05"W, a distance of 58.42 feet; thence continuing Northwesterly along the arc of a 140.00 foot radius curve concave Southwesterly, a distance of 54.27 feet thru a central angle of 22°12'34" whose chord bears N81°56'24"W, a distance of 53.93 feet; thence S86°57'18"W, a distance of 32.08 feet; thence Southwesterly along the arc of a 479.00 foot radius curve concave Southerly, a distance of 113.87 feet thru a central angle of 13°37'15" whose chord bears S80°08'41"W, a distance of 113.60 feet; thence continuing Southwesterly along the arc of a 29.00 foot radius curve concave Southeasterly, a distance of 14.30 feet thru a central angle of 28°14'53" whose chord bears S59°12'37"W, a distance of 14.15 feet; thence S45°05'10"W, a distance of 13.04 feet; thence continuing Southwesterly along the arc of a 59.00 foot radius curve concave Southwesterly, a distance of 46.43 feet thru a central angle of 45°05'10" whose chord bears S22°32'35"W, a distance of 45.24 feet; thence S00°00'00"W, a distance of 70.68 feet; thence S06°55'14"E, a distance of 12.09 feet; thence continuing Southerly along the arc of a 558.00 foot radius curve concave Southwesterly, a distance of 67.66 feet thru a central angle of 06°56'51" whose chord bears S03°26'30"E, a distance of 67.62 feet; thence S00°01'45"W, a distance of 390.29 feet, to the southerly line of said parcel; thence S89°51'18"W, a distance of 10.00 feet, along said southerly line to the southwest corner of said parcel and, a point on the East Right-of-Way line of 24 1/2 Road (Reception Number 843255); thence N00°01'45"E along said East Right-of-Way line a distance of 700.37 feet to the Point of Beginning.

Said Parcel of land CONTAINING 32,690 Square Feet or 0.75 Acres, more or less, as described.

Authored by: Jodie L Grein, CO PLS #38075
Rolland Consulting Engineers
405 Ridges Blvd. Suite A
Grand Junction, CO 81507



ABBREVIATIONS

P.O.C.	Point of Commencement	Rec.	Reception
P.O.B.	Point of Beginning	No.	Number
R.O.W.	Right-of-Way	RW	RIGHT-OF-WAY
SEC.	Section	MPE	Multi-Purpose Easement
T.	Township	TCE	Temporary Construction Easement
R.	Range	U.M.	Ute Meridian
-	Approximately		

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

DRAWN BY: NCW
DATE: 01-2022
REVIEWED BY: JLG
APPROVED BY: BH
SCALE: _____

Portion of 2945-044-00-189
Located in a part of the NW¼ SE¼
Section 4, T.1S, R.1W
Ute Meridian, City of Grand Junction
Mesa County, Colorado

CITY OF
Grand Junction
COLORADO

PUBLIC WORKS
ENGINEERING DIVISION
PROJECT NO. 207 F210306

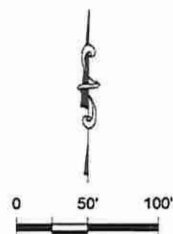
EXHIBIT B

2945-044-00-189
RIGHT-OF-WAY PARCEL NO. RW-9

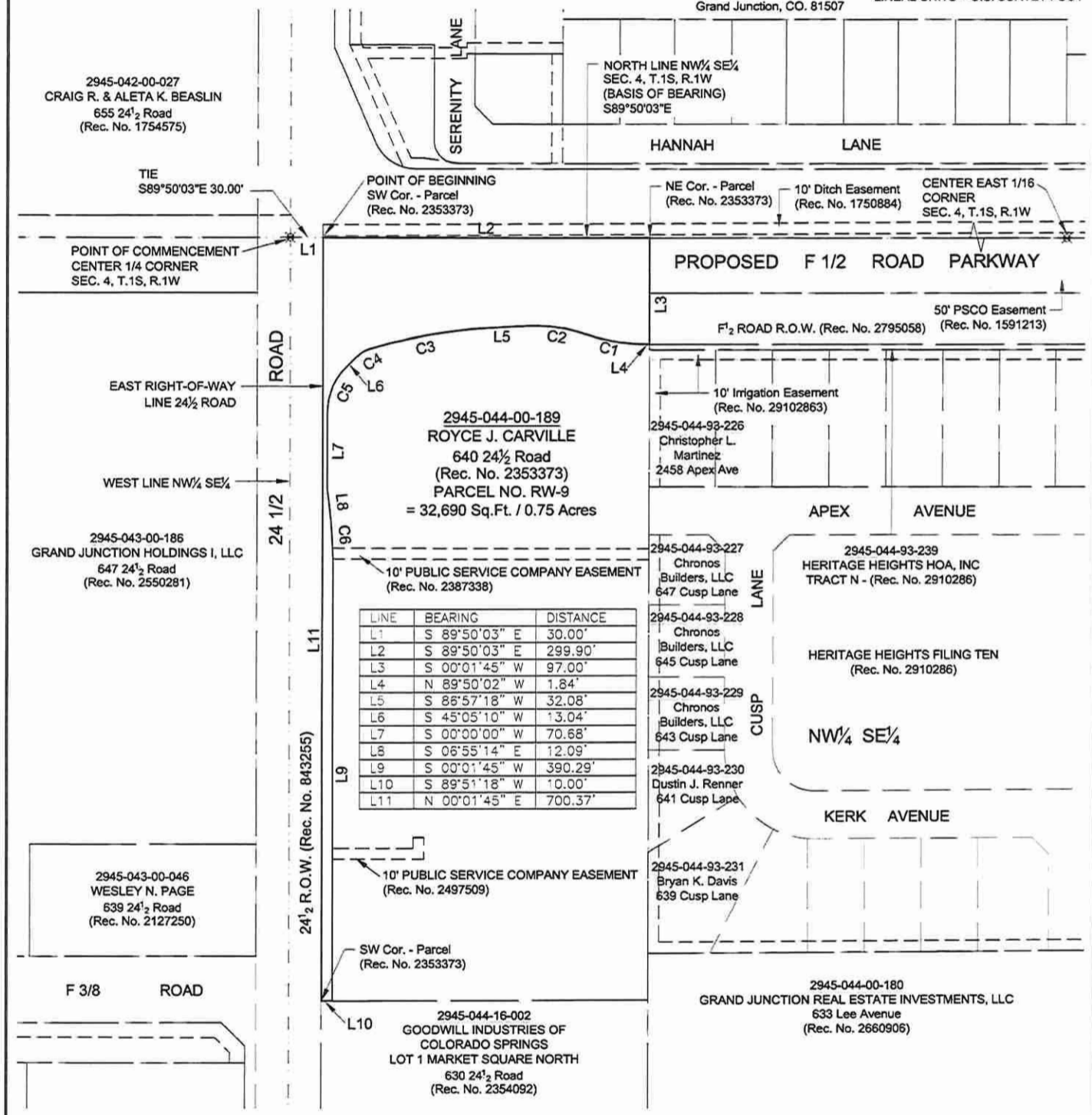
CURVE	ARC LEN	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LEN
C1	58.69'	177.00'	18°59'54"	N 80°20'05" W	58.42'
C2	54.27'	140.00'	22°12'34"	N 81°56'24" W	53.93'
C3	113.87'	479.00'	13°37'15"	S 80°08'41" W	113.60'
C4	14.30'	29.00'	28°14'53"	S 59°12'37" W	14.15'
C5	46.43'	59.00'	45°05'10"	S 22°32'35" W	45.24'
C6	67.66'	558.00'	6°56'51"	S 03°26'30" E	67.62'



Jodie L. Grein, CO PLS #38075
405 Ridges Blvd. Suite A
Grand Junction, CO. 81507



SCALE: 1" = 100'
LINEAL UNITS = U.S. SURVEY FOOT



ABBREVIATIONS

P.O.C.	Point of Commencement	Rec.	Reception
P.O.B.	Point of Beginning	No.	Number
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SEC.	Section	MPE	Multi-Purpose Easement
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DRAWN BY: NCW
DATE: 05-2022
REVIEWED BY: JLG
APPROVED BY: BH
SCALE: 1" = 50'

Portion of 2945-044-00-189
Located in a part of the NW 1/4 SE 1/4
Section 4, T.1S, R.1W
Ute Meridian, City of Grand Junction
Mesa County, Colorado



PUBLIC WORKS
ENGINEERING DIVISION
PROJECT NO. 207-F210306

EHXIBIT C

LEGAL DESCRIPTION 2945-044-00-189

MULTI-PURPOSE EASEMENT PARCEL NO. MPE-9

A parcel of land being a portion of the land as described in Reception Number 2353373 lying in the NW1/4 SE1/4 of Section 4, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Center 1/4 Corner of said Section 4, and assuming the North line of said NW1/4 SE1/4 bears S89°50'03"E with all other bearings contained herein being relative thereto; thence from said point of commencement, S89°50'03"E along said North line, a distance of 329.90; thence S00°01'45"W, a distance of 97.00 feet to the Point of Beginning;

thence along the easterly line of the land as described in Reception Number 2353373, S00°01'45"W, a distance of 14.00 feet along the boundary of said parcel of land; thence N89°50'02"W, a distance of 1.87 feet; thence Northwesterly along the arc of a 191.00 foot radius curve concave Northwesterly, a distance of 63.33 feet thru a central angle of 18°59'54" whose chord bears N80°20'05"W, a distance of 63.04 feet; thence continuing Northwesterly along the arc of a 126.00 foot radius curve concave Southwesterly, a distance of 48.84 feet thru a central angle of 22°12'34" whose chord bears N81°56'24"W, a distance of 48.54 feet; thence S86°57'18"W, a distance of 32.08 feet; thence Southwesterly along the arc of a 465.00 foot radius curve concave Southerly, a distance of 110.54 feet thru a central angle of 13°37'15" whose chord bears S80°08'41"W, a distance of 110.28 feet; thence continuing Southwesterly along the arc of a 15.00 foot radius non-tangent curve concave Southeasterly, a distance of 7.40 feet thru a central angle of 28°14'53" whose chord bears S59°12'37"W, a distance of 7.32 feet; thence S45°05'10"W, a distance of 13.04 feet; thence continuing Southwesterly along the arc of a 45.00 foot radius curve concave Southwesterly, a distance of 35.41 feet thru a central angle of 45°05'10" whose chord bears S22°32'35"W, a distance of 34.50 feet; thence S00°00'00"W, a distance of 69.83 feet; thence S06°55'14"E, a distance of 11.25 feet; thence continuing Southerly along the arc of a 572.00 foot radius curve concave Southwesterly, a distance of 69.36 feet thru a central angle of 06°56'51" whose chord bears S03°26'30"E, a distance of 69.32 feet; thence S00°01'45"W, a distance of 390.25 feet, to the southerly line of said parcel; thence S89°51'18"W, a distance of 14.00 feet, along said southerly line of said parcel, to a point on the East Right-of-Way line of 24 1/2 Road; thence N00°01'45"E along said East Right-of-Way line a distance of 390.29 feet; thence along the arc of a non-tangent 558.00 foot radius curve concave Northwesterly, a distance of 67.66 feet thru a central angle of 06°56'51" whose chord bears N03°26'30"W, a distance of 67.62 feet; thence N06°55'14"W, a distance of 12.09 feet; thence N00°00'00"E, a distance of 70.68 feet; thence continuing Northwesterly along the arc of a 59.00 foot radius curve concave Northeasterly, a distance of 46.43 feet thru a central angle of 45°05'10" whose chord bears N22°32'35"E, a distance of 45.24 feet; thence N45°05'10"E, a distance of 13.04 feet; thence continuing Northeasterly along the arc of a 29.00 foot radius curve concave Northeasterly, a distance of 14.30 feet thru a central angle of 28°14'53" whose chord bears N59°12'37"E, a distance of 14.15 feet; thence Northeasterly along the arc of a 479.00 foot radius non-tangent curve concave Easterly, a distance of 113.87 feet thru a central angle of 13°37'15" whose chord bears N80°08'41"E, a distance of 113.60 feet; thence N86°57'18"E, a distance of 32.08 feet; thence continuing Southeasterly along the arc of a 140.00 foot radius curve concave Southeasterly, a distance of 54.27 feet thru a central angle of 22°12'34" whose chord bears S81°56'24"E, a distance of 53.93 feet; thence Southeasterly along the arc of a 177.00 foot radius curve concave Northeasterly, a distance of 58.69 feet thru a central angle of 18°59'54" whose chord bears S80°20'05"E, a distance of 58.42 feet; thence S89°50'02"E, a distance of 1.84 feet, to the Point of Beginning.

Said Parcel of land CONTAINING 12,099 Square Feet or 0.28 Acres, more or less, as described.

Authored by: Jodie L Grein, CO PLS #38075
Rolland Consulting Engineers
405 Ridges Blvd. Suite A
Grand Junction, CO 81507



ABBREVIATIONS

P.O.C.	Point of Commencement	Rec.	Reception
P.O.B.	Point of Beginning	No.	Number
R.O.W.	Right-of-Way	RW	RIGHT-OF-WAY
SEC.	Section	MPE	Multi-Purpose Easement
T.	Township	TCE	Temporary Construction Easement
R.	Range	U.M.	Ute Meridian
-	Approximately		

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DRAWN BY: JLG
DATE: 01-2022
REVIEWED BY: JAM
APPROVED BY: BH
SCALE: 1" = 100'

Portion of 2945-044-00-189
Located in a part of the NW1/4 SE1/4
Section 4, T.1S, R.1W
Ute Meridian, City of Grand Junction
Mesa County, Colorado

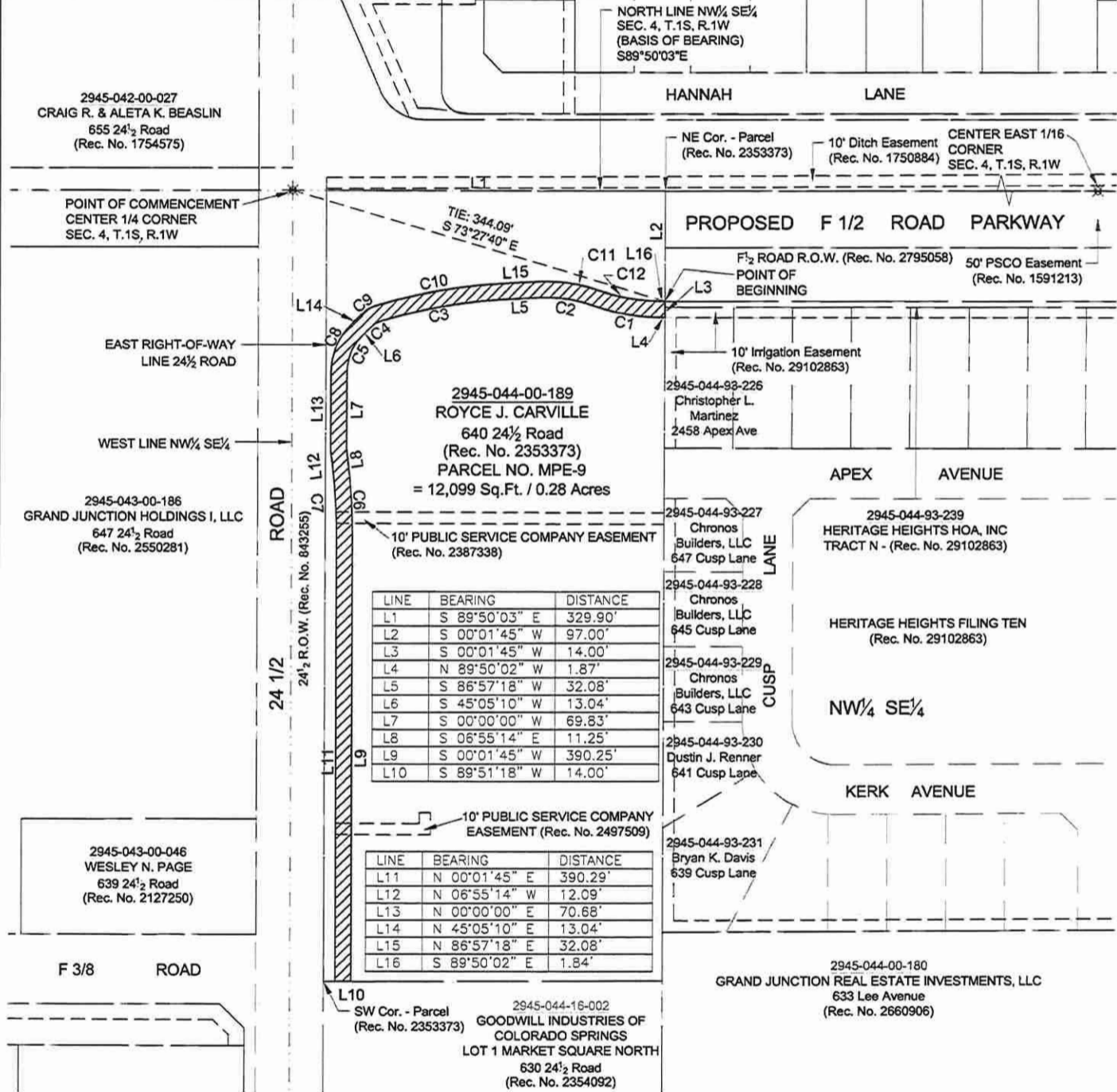
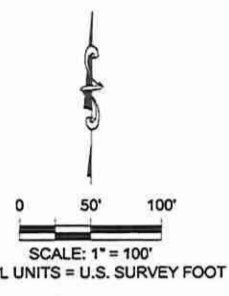
CITY OF
Grand Junction
COLORADO

PUBLIC WORKS
ENGINEERING DIVISION
PROJECT NO. 207--F210306

EXHIBIT D

2945-044-00-189 MULTI-PURPOSE EASEMENT PARCEL NO. MPE-9

CURVE	ARC LEN	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LEN
C1	63.33'	191.00'	18°59'54"	N 80°20'05" W	63.04'
C2	48.84'	126.00'	22°12'34"	N 81°56'24" W	48.54'
C3	110.54'	465.00'	13°37'15"	S 80°08'41" W	110.28'
C4	7.40'	15.00'	28°14'53"	S 59°12'37" W	7.32'
C5	35.41'	45.00'	45°05'10"	S 22°32'35" W	34.50'
C6	69.36'	572.00'	6°56'51"	S 03°26'30" E	69.32'
C7	67.66'	558.00'	6°56'51"	N 03°26'30" W	67.62'
C8	46.43'	59.00'	45°05'10"	N 22°32'35" E	45.24'
C9	14.30'	29.00'	28°14'53"	N 59°12'37" E	14.15'
C10	113.87'	479.00'	13°37'15"	N 80°08'41" E	113.60'
C11	54.27'	140.00'	22°12'34"	S 81°56'24" E	53.93'
C12	58.69'	177.00'	18°59'54"	S 80°20'05" E	58.42'



LINE	BEARING	DISTANCE
L1	S 89°50'03" E	329.90'
L2	S 00°01'45" W	97.00'
L3	S 00°01'45" W	14.00'
L4	N 89°50'02" W	1.87'
L5	S 86°57'18" W	32.08'
L6	S 45°05'10" W	13.04'
L7	S 00°00'00" W	69.83'
L8	S 06°55'14" E	11.25'
L9	S 00°01'45" W	390.25'
L10	S 89°51'18" W	14.00'

LINE	BEARING	DISTANCE
L11	N 00°01'45" E	390.29'
L12	N 06°55'14" W	12.09'
L13	N 00°00'00" E	70.68'
L14	N 45°05'10" E	13.04'
L15	N 86°57'18" E	32.08'
L16	S 89°50'02" E	1.84'

ABBREVIATIONS		
P.O.C.	Point of Commencement	Rec. Reception
P.O.B.	Point of Beginning	No. Number
R.O.W.	Right-of-Way	RW RIGHT-OF-WAY
SEC.	Section	MPE Multi-Purpose Easement
T.	Township	TCE Temporary Construction Easement
R.	Range	U.M. Ute Meridian
-	Approximately	

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DRAWN BY: NCW
 DATE: 05-2022
 REVIEWED BY: JLG
 APPROVED BY: BH
 SCALE: 1" = 100'

Portion of 2945-044-00-189
 Located in a part of the NW¼ SE¼
 Section 4, T.1S, R.1W
 Ute Meridian, City of Grand Junction
 Mesa County, Colorado

CITY OF Grand Junction COLORADO

PUBLIC WORKS ENGINEERING DIVISION

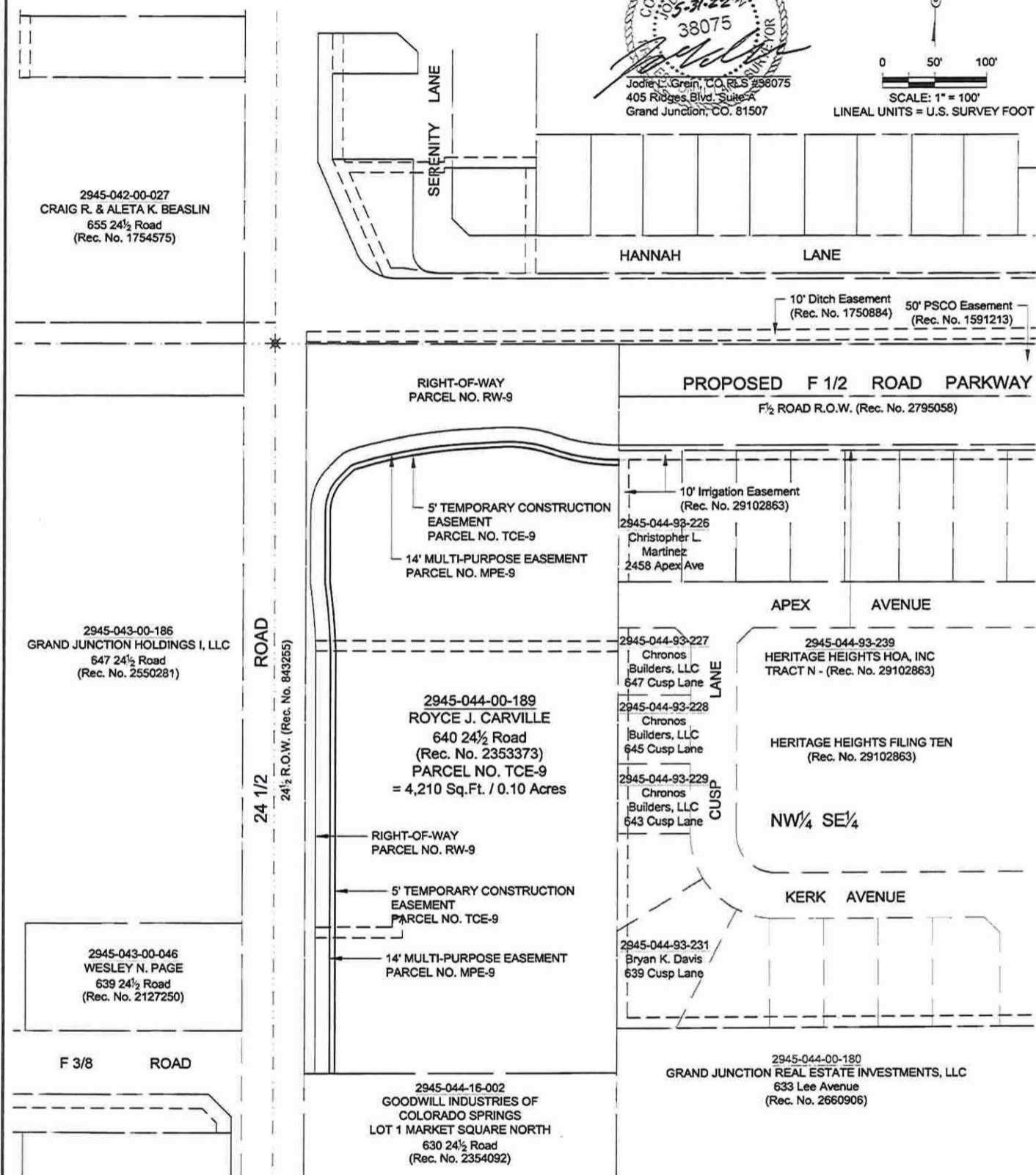
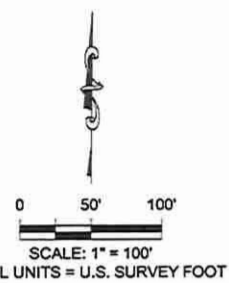
PROJECT NO. 207-F210306

EXHIBIT E

2945-044-00-189
 TEMPORARY CONSTRUCTION EASEMENT PARCEL NO. TCE-9



Jodie L. Grein, CO. RLS #38075
 405 Ridges Blvd, Suite A
 Grand Junction, CO. 81507



ABBREVIATIONS	
P.O.C.	Point of Commencement
P.O.B.	Point of Beginning
R.O.W.	Right-of-Way
SEC.	Section
T.	Township
R.	Range
-	Approximately
Rec.	Reception
No.	Number
RW	RIGHT-OF-WAY
MPE	Multi-Purpose Easement
TCE	Temporary Construction Easement
U.M.	Ute Meridian

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DRAWN BY: NCW
 DATE: 01-2022
 REVIEWED BY: JLG
 APPROVED BY: BH
 SCALE: 1" = 100'

Portion of 2945-044-00-189
 Located in a part of the NW¹/₄ SE¹/₄
 Section 4, T.1S, R.1W
 Ute Meridian, City of Grand Junction
 Mesa County, Colorado

CITY OF
Grand Junction
 COLORADO

PUBLIC WORKS
ENGINEERING DIVISION
 PROJECT NO. 207-F210306

WARRANTY DEED

This Warranty Deed made this 5th day of April, 2023 by and between **Royce J. Carville, Grantor**, who is the owner of a parcel of land located at 640 24 1/2 Road, Grand Junction, CO 81507 as recorded at Reception No. 2353373, in the Mesa County Clerk and Recorder's records, Colorado, for and in consideration of Ten and 00/100 Dollars, (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, have sold, granted and conveyed, and by these presents do hereby sell, 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, its successors and assigns forever all right, title and interest in fee simple the following described parcel of land for Public Road and Utilities Right-of-Way purposes, to wit:

See **Exhibit "A"** and **Exhibit "B"** attached hereto and incorporated herein by reference for the legal description and graphic illustration of the parcel of land that is the subject of this instrument.

Said Parcel being a part of Mesa County Assessor Parcel No. 2945-044-00-189

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereunto belonging or in anywise appertaining, unto the said Grantee and unto its successors and assigns forever, the said Grantors hereby covenanting that Grantors will warrant and defend the title to said premises unto the said Grantee and unto its successors and assigns forever, against the lawful claims and demands of all persons whomsoever.

Executed and delivered this 5th day of April, 2023.

Royce J. Carville

By: Royce J. Carville
Royce J. Carville

State of Colorado)
)ss
County of Mesa)

The foregoing instrument was acknowledged before me this 5th day of April, 2023 by Royce J. Carville.

My commission expires November 6, 2023.
Witness my hand and official seal.

Shaylynn Dawn Berkley
Notary Public

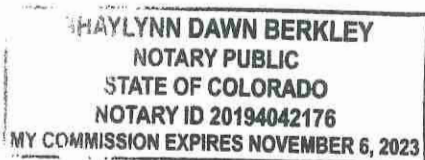


EXHIBIT A

LEGAL DESCRIPTION

2945-044-00-189

RIGHT-OF-WAY PARCEL NO. RW-9

A parcel of land being a portion of the land as described in Reception Number 2353373 lying in the NW1/4 SE1/4 of Section 4, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Center 1/4 Corner of said Section 4, and assuming the North line of said NW1/4 SE1/4 bears S89°50'03"E with all other bearings contained herein being relative thereto; thence from said point of commencement, S89°50'03"E along said North line, a distance of 30.00 feet to the Point of Beginning;

thence continuing along said North line S89°50'03"E, a distance of 299.90 feet to the Northeast corner of the land as described in Reception Number 2353373; thence S00°01'45"W, a distance of 97.00 feet along the boundary of said parcel of land; thence N89°50'02"W, a distance of 1.84 feet; thence Northwesterly along the arc of a 177.00 foot radius curve concave Northwesterly, a distance of 58.69 feet thru a central angle of 18°59'54" whose chord bears N80°20'05"W, a distance of 58.42 feet; thence continuing Northwesterly along the arc of a 140.00 foot radius curve concave Southwesterly, a distance of 54.27 feet thru a central angle of 22°12'34" whose chord bears N81°56'24"W, a distance of 53.93 feet; thence S86°57'18"W, a distance of 32.08 feet; thence Southwesterly along the arc of a 479.00 foot radius curve concave Southerly, a distance of 113.87 feet thru a central angle of 13°37'15" whose chord bears S80°08'41"W, a distance of 113.60 feet; thence continuing Southwesterly along the arc of a 29.00 foot radius curve concave Southeasterly, a distance of 14.30 feet thru a central angle of 28°14'53" whose chord bears S59°12'37"W, a distance of 14.15 feet; thence S45°05'10"W, a distance of 13.04 feet; thence continuing Southwesterly along the arc of a 59.00 foot radius curve concave Southwesterly, a distance of 46.43 feet thru a central angle of 45°05'10" whose chord bears S22°32'35"W, a distance of 45.24 feet; thence S00°00'00"W, a distance of 70.68 feet; thence S06°55'14"E, a distance of 12.09 feet; thence continuing Southerly along the arc of a 558.00 foot radius curve concave Southwesterly, a distance of 67.66 feet thru a central angle of 06°56'51" whose chord bears S03°26'30"E, a distance of 67.62 feet; thence S00°01'45"W, a distance of 390.29 feet, to the southerly line of said parcel; thence S89°51'18"W, a distance of 10.00 feet, along said southerly line to the southwest corner of said parcel and, a point on the East Right-of-Way line of 24 1/2 Road (Reception Number 843255); thence N00°01'45"E along said East Right-of-Way line a distance of 700.37 feet to the Point of Beginning.

Said Parcel of land CONTAINING **32,690** Square Feet or **0.75** Acres, more or less, as described.

Authored by: Jodie L Grein, CO PLS #38075
Rolland Consulting Engineers
405 Ridges Blvd. Suite A
Grand Junction, CO 81507



ABBREVIATIONS

P.O.C.	Point of Commencement	Rec.	Reception
P.O.B.	Point of Beginning	No.	Number
R.O.W.	Right-of-Way	RW	RIGHT-OF-WAY
SEC.	Section	MPE	Multi-Purpose Easement
T.	Township	TCE	Temporary Construction Easement
R.	Range	U.M.	Ute Meridian
-	Approximately		

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

DRAWN BY: NCW
DATE: 01-2022
REVIEWED BY: JLG
APPROVED BY: BH
SCALE:

Portion of 2945-044-00-189
Located in a part of the NW¹/₄ SE¹/₄
Section 4, T.1S, R.1W
Ute Meridian, City of Grand Junction
Mesa County, Colorado

CITY OF
Grand Junction
COLORADO

PUBLIC WORKS
ENGINEERING DIVISION
PROJECT NO. 207 F210306

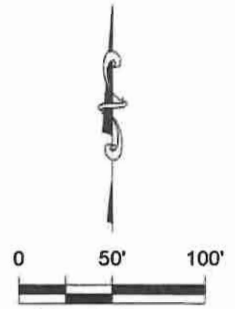
EXHIBIT B

2945-044-00-189 RIGHT-OF-WAY PARCEL NO. RW-9

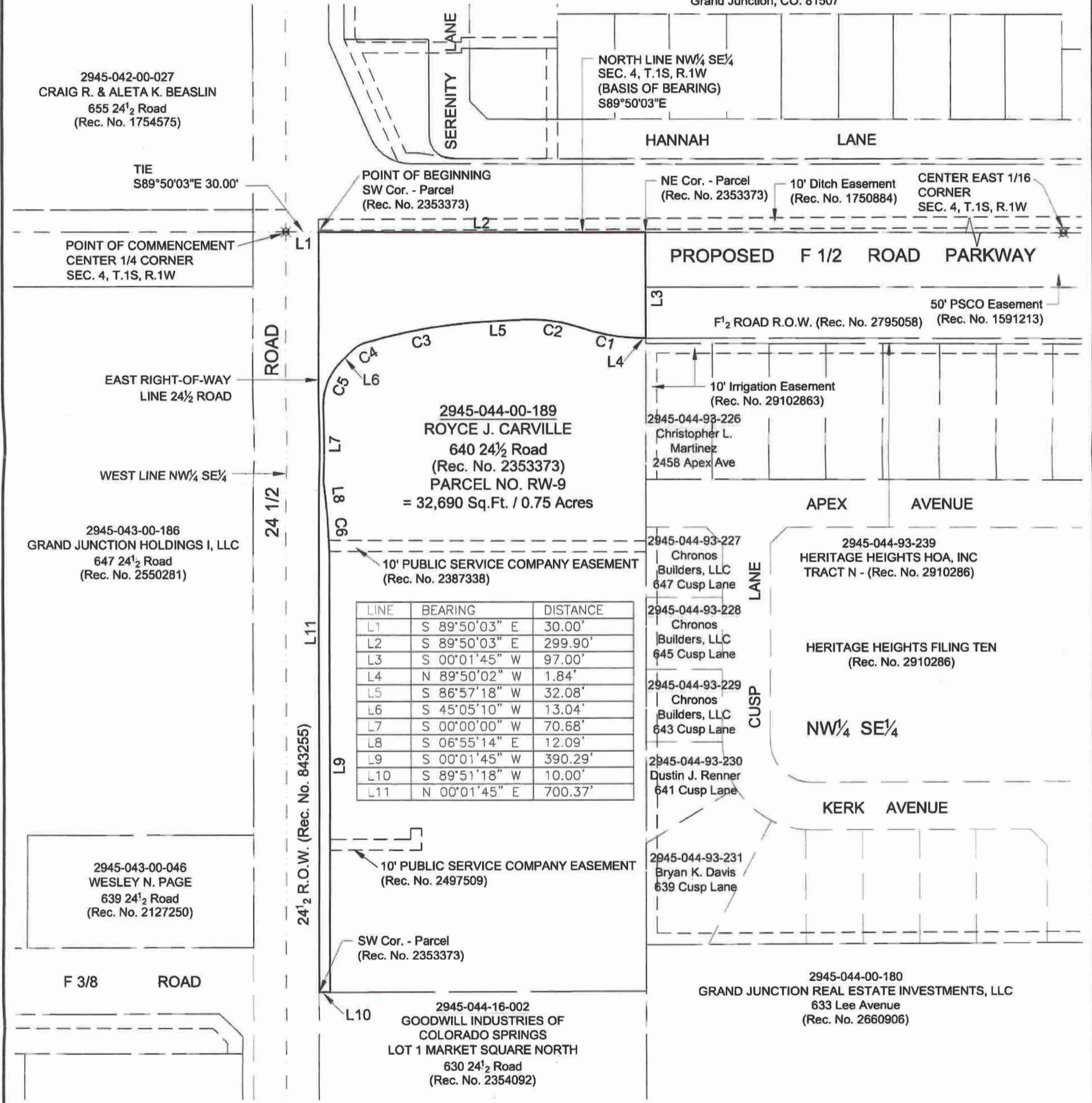
CURVE	ARC LEN	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LEN
C1	58.69'	177.00'	18°59'54"	N 80°20'05" W	58.42'
C2	54.27'	140.00'	22°12'34"	N 81°56'24" W	53.93'
C3	113.87'	479.00'	13°37'15"	S 80°08'41" W	113.60'
C4	14.30'	29.00'	28°14'53"	S 59°12'37" W	14.15'
C5	46.43'	59.00'	45°05'10"	S 22°32'35" W	45.24'
C6	67.66'	558.00'	6°56'51"	S 03°26'30" E	67.62'



Jodie L. Grein, CO PLS #38075
405 Ridges Blvd. Suite A
Grand Junction, CO. 81507



SCALE: 1" = 100'
LINEAL UNITS = U.S. SURVEY FOOT



LINE	BEARING	DISTANCE
L1	S 89°50'03" E	30.00'
L2	S 89°50'03" E	299.90'
L3	S 00°01'45" W	97.00'
L4	N 89°50'02" W	1.84'
L5	S 86°57'18" W	32.08'
L6	S 45°05'10" W	13.04'
L7	S 00°00'00" W	70.68'
L8	S 06°55'14" E	12.09'
L9	S 00°01'45" W	390.29'
L10	S 89°51'18" W	10.00'
L11	N 00°01'45" E	700.37'

ABBREVIATIONS		
P.O.C.	Point of Commencement	Rec. Reception
P.O.B.	Point of Beginning	No. Number
R.O.W.	Right-of-Way	RW RIGHT-OF-WAY
SEC.	Section	MPE Multi-Purpose Easement
T.	Township	TCE Temporary Construction Easement
R.	Range	U.M. Ute Meridian
-	Approximately	

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DRAWN BY: NCW
DATE: 05-2022
REVIEWED BY: JLG
APPROVED BY: BH
SCALE: 1" = 50'

Portion of 2945-044-00-189
Located in a part of the NW¹/₄ SE¹/₄
Section 4, T.1S, R.1W
Ute Meridian, City of Grand Junction
Mesa County, Colorado

CITY OF
Grand Junction
COLORADO

PUBLIC WORKS
ENGINEERING DIVISION
PROJECT NO. 207-F210306

GRANT OF MULTI-PURPOSE EASEMENT

Royce J. Carville, Grantor, for and in consideration of the sum of Ten 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, a Perpetual Multi-Purpose Easement ("Easement") for the use and benefit of Grantee and for the use and benefit of public utilities permitted therein by Grantee, to include 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, grade structures, public sidewalks and trails, on, along, over, under, through and across the following described parcel of land, to wit:

See Exhibit "A" and Exhibit "B" attached hereto and incorporated herein by reference for the legal description and graphic illustration of the Multi-Purpose Easement that is the subject of this instrument.

Being a part of Mesa County Assessor Parcel No.: 2945-044-00-189

TO HAVE AND TO HOLD unto the said Grantee, its successors, assigns and permittees 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.

The interest conveyed is an Easement for the limited purposes and uses and upon the terms stated herein. 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. Grantor shall not install within the Easement, or permit the installation within the Easement, of any building, structure, improvement, retaining wall, sidewalk, patio, tree or other landscaping, other than the usual and customary grasses and other groundcover, without the prior written consent of Grantee. In the event such obstacles are installed in the Easement, Grantee has the right to require Grantor to remove such obstacles from the Easement. If Grantor does not remove such obstacles within thirty (30) calendar days from the date written notice is given by Grantee to Grantor, Grantee may remove such obstacles without any liability or obligation for repair or replacement thereof, and charge Grantor for Grantee's costs for such removal. If Grantee chooses not to remove the obstacles, Grantee shall not be liable for any damage to the obstacles or any other property to which they are attached.

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

Executed and delivered this 5th day of April, 2023.

Grantor:
Royce J. Carville

Royce J. Carville
Royce J. Carville

State of Colorado)
) ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 5th day of April, 2023, by Royce J. Carville.

Witness my hand and official seal.

My Commission Expires: November 6, 2023

SHAYLYNN DAWN BERKLEY
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20194042176
MY COMMISSION EXPIRES NOVEMBER 6, 2023

Shaylynn Berkley
Notary Public

EXHIBIT A

LEGAL DESCRIPTION

2945-044-00-189

MULTI-PURPOSE EASEMENT PARCEL NO. MPE-9

A parcel of land being a portion of the land as described in Reception Number 2353373 lying in the NW1/4 SE1/4 of Section 4, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Center 1/4 Corner of said Section 4, and assuming the North line of said NW1/4 SE1/4 bears S89°50'03"E with all other bearings contained herein being relative thereto; thence from said point of commencement, S89°50'03"E along said North line, a distance of 329.90; thence S00°01'45"W, a distance of 97.00 feet to the Point of Beginning;

thence along the easterly line of the land as described in Reception Number 2353373, S00°01'45"W, a distance of 14.00 feet along the boundary of said parcel of land; thence N89°50'02"W, a distance of 1.87 feet; thence Northwesterly along the arc of a 191.00 foot radius curve concave Northwesterly, a distance of 63.33 feet thru a central angle of 18°59'54" whose chord bears N80°20'05"W, a distance of 63.04 feet; thence continuing Northwesterly along the arc of a 126.00 foot radius curve concave Southwesterly, a distance of 48.84 feet thru a central angle of 22°12'34" whose chord bears N81°56'24"W, a distance of 48.54 feet; thence S86°57'18"W, a distance of 32.08 feet; thence Southwesterly along the arc of a 465.00 foot radius curve concave Southerly, a distance of 110.54 feet thru a central angle of 13°37'15" whose chord bears S80°08'41"W, a distance of 110.28 feet; thence continuing Southwesterly along the arc of a 15.00 foot radius non-tangent curve concave Southeasterly, a distance of 7.40 feet thru a central angle of 28°14'53" whose chord bears S59°12'37"W, a distance of 7.32 feet; thence S45°05'10"W, a distance of 13.04 feet; thence continuing Southwesterly along the arc of a 45.00 foot radius curve concave Southwesterly, a distance of 35.41 feet thru a central angle of 45°05'10" whose chord bears S22°32'35"W, a distance of 34.50 feet; thence S00°00'00"W, a distance of 69.83 feet; thence S06°55'14"E, a distance of 11.25 feet; thence continuing Southerly along the arc of a 572.00 foot radius curve concave Southwesterly, a distance of 69.36 feet thru a central angle of 06°56'51" whose chord bears S03°26'30"E, a distance of 69.32 feet; thence S00°01'45"W, a distance of 390.25 feet, to the southerly line of said parcel; thence S89°51'18"W, a distance of 14.00 feet, along said southerly line of said parcel, to a point on the East Right-of-Way line of 24 1/2 Road; thence N00°01'45"E along said East Right-of-Way line a distance of 390.29 feet; thence along the arc of a non-tangent 558.00 foot radius curve concave Northwesterly, a distance of 67.66 feet thru a central angle of 06°56'51" whose chord bears N03°26'30"W, a distance of 67.62 feet; thence N06°55'14"W, a distance of 12.09 feet; thence N00°00'00"E, a distance of 70.68 feet; thence continuing Northwesterly along the arc of a 59.00 foot radius curve concave Northeasterly, a distance of 46.43 feet thru a central angle of 45°05'10" whose chord bears N22°32'35"E, a distance of 45.24 feet; thence N45°05'10"E, a distance of 13.04 feet; thence continuing Northeasterly along the arc of a 29.00 foot radius curve concave Northeasterly, a distance of 14.30 feet thru a central angle of 28°14'53" whose chord bears N59°12'37"E, a distance of 14.15 feet; thence Northeasterly along the arc of a 479.00 foot radius non-tangent curve concave Easterly, a distance of 113.87 feet thru a central angle of 13°37'15" whose chord bears N80°08'41"E, a distance of 113.60 feet; thence N86°57'18"E, a distance of 32.08 feet; thence continuing Southeasterly along the arc of a 140.00 foot radius curve concave Southeasterly, a distance of 54.27 feet thru a central angle of 22°12'34" whose chord bears S81°56'24"E, a distance of 53.93 feet; thence Southeasterly along the arc of a 177.00 foot radius curve concave Northeasterly, a distance of 58.69 feet thru a central angle of 18°59'54" whose chord bears S80°20'05"E, a distance of 58.42 feet; thence S89°50'02"E, a distance of 1.84 feet, to the Point of Beginning.

Said Parcel of land CONTAINING 12,099 Square Feet or 0.28 Acres, more or less, as described.

Authored by: Jodie L Grein, CO PLS #38075
Rolland Consulting Engineers
405 Ridges Blvd. Suite A
Grand Junction, CO 81507



ABBREVIATIONS

P.O.C.	Point of Commencement	Rec.	Reception
P.O.B.	Point of Beginning	No.	Number
R.O.W.	Right-of-Way	RW	RIGHT-OF-WAY
SEC.	Section	MPE	Multi-Purpose Easement
T.	Township	TCE	Temporary Construction Easement
R.	Range	U.M.	Ute Meridian
~	Approximately		

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DRAWN BY: JLG
DATE: 01-2022
REVIEWED BY: JAM
APPROVED BY: BH
SCALE: 1" = 100'

Portion of 2945-044-00-189
Located in a part of the NW¹/₄ SE¹/₄
Section 4, T.1S, R.1W
Ute Meridian, City of Grand Junction
Mesa County, Colorado

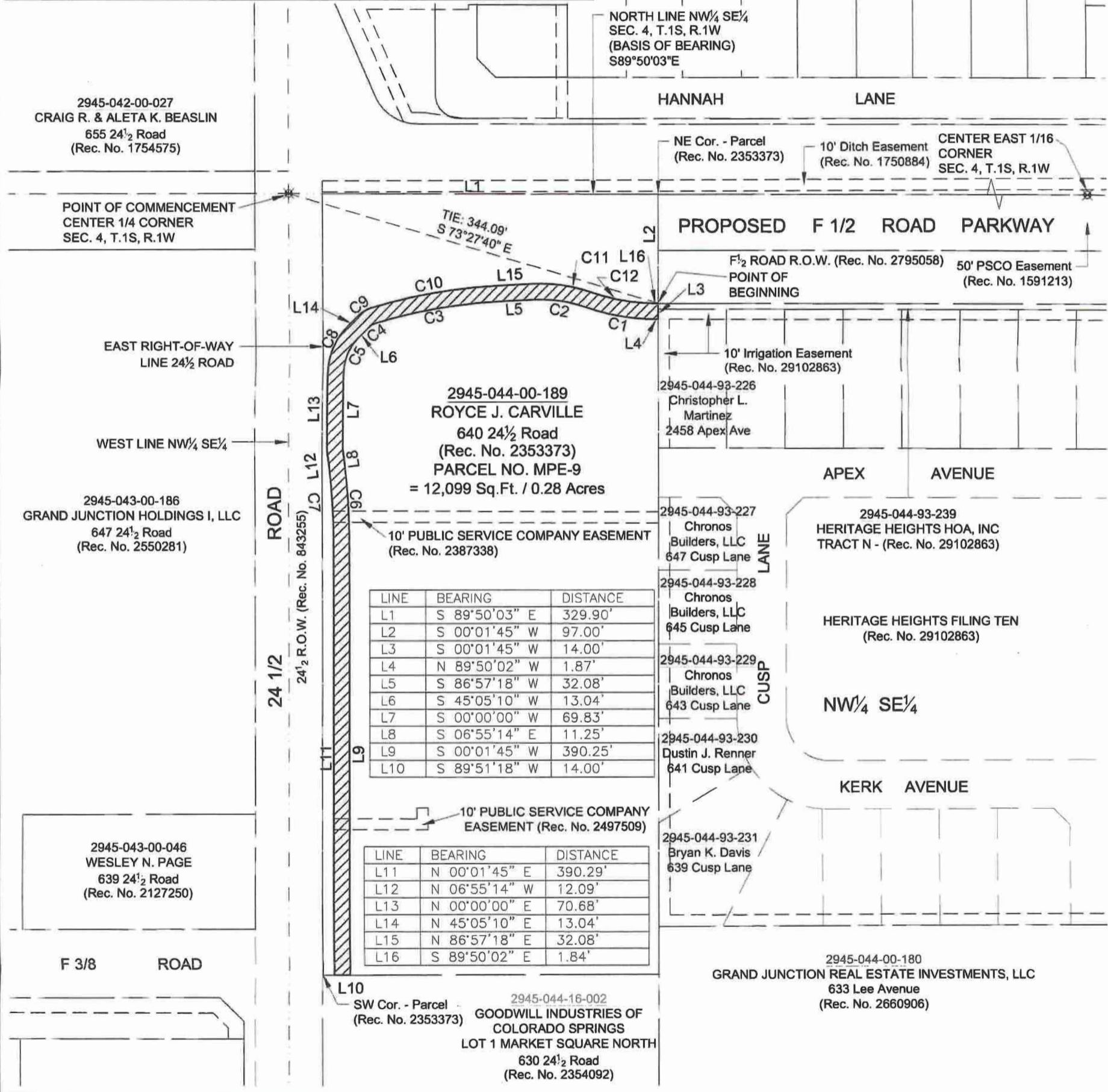
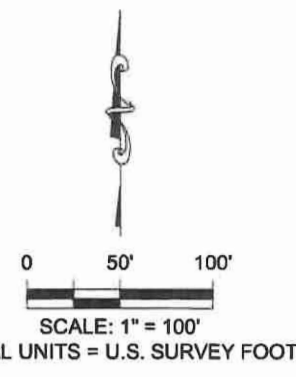
CITY OF
Grand Junction
COLORADO

PUBLIC WORKS
ENGINEERING DIVISION
PROJECT NO. 207-F210306

EXHIBIT B

2945-044-00-189 MULTI-PURPOSE EASEMENT PARCEL NO. MPE-9

CURVE	ARC LEN	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LEN
C1	63.33'	191.00'	18°59'54"	N 80°20'05" W	63.04'
C2	48.84'	126.00'	22°12'34"	N 81°56'24" W	48.54'
C3	110.54'	465.00'	13°37'15"	S 80°08'41" W	110.28'
C4	7.40'	15.00'	28°14'53"	S 59°12'37" W	7.32'
C5	35.41'	45.00'	45°05'10"	S 22°32'35" W	34.50'
C6	69.36'	572.00'	6°56'51"	S 03°26'30" E	69.32'
C7	67.66'	558.00'	6°56'51"	N 03°26'30" W	67.62'
C8	46.43'	59.00'	45°05'10"	N 22°32'35" E	45.24'
C9	11.30'	29.00'	18°59'54"	N 59°12'37" E	11.60'
C10	113.87'	479.00'	13°37'15"	N 80°08'41" E	113.60'
C11	54.27'	140.00'	22°12'34"	S 81°56'24" E	53.93'
C12	58.69'	177.00'	18°59'54"	S 80°20'05" E	58.42'



LINE	BEARING	DISTANCE
L1	S 89°50'03" E	329.90'
L2	S 00°01'45" W	97.00'
L3	S 00°01'45" W	14.00'
L4	N 89°50'02" W	1.87'
L5	S 86°57'18" W	32.08'
L6	S 45°05'10" W	13.04'
L7	S 00°00'00" E	69.83'
L8	S 06°55'14" W	11.25'
L9	S 00°01'45" W	390.25'
L10	S 89°51'18" W	14.00'

LINE	BEARING	DISTANCE
L11	N 00°01'45" E	390.29'
L12	N 06°55'14" W	12.09'
L13	N 00°00'00" E	70.68'
L14	N 45°05'10" E	13.04'
L15	N 86°57'18" E	32.08'
L16	S 89°50'02" E	1.84'

ABBREVIATIONS			
P.O.C.	Point of Commencement	Rec.	Reception
P.O.B.	Point of Beginning	No.	Number
R.O.W.	Right-of-Way	RW	RIGHT-OF-WAY
SEC.	Section	MPE	Multi-Purpose Easement
T.	Township	TCE	Temporary Construction Easement
R.	Range	U.M.	Ute Meridian
-	Approximately		

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DRAWN BY: NCW
 DATE: 05-2022
 REVIEWED BY: JLG
 APPROVED BY: BH
 SCALE: 1" = 100'

Portion of 2945-044-00-189
 Located in a part of the NW¹/₄ SE¹/₄
 Section 4, T.1S, R.1W
 Ute Meridian, City of Grand Junction
 Mesa County, Colorado



CITY OF Grand Junction COLORADO

PUBLIC WORKS ENGINEERING DIVISION

PROJECT NO. 207 -F210306

TEMPORARY CONSTRUCTION EASEMENT AGREEMENT

640 24 ½ Road, Grand Junction, CO 81507

This Temporary Construction Easement Agreement ("Agreement") is made and entered into this _____ day of April 5th 2023 by and between **Royce J. Carville** hereinafter referred to as "Owner" whose address is 1875 Deer Park Circle South, Grand Junction, CO 81507, and the **City of Grand Junction, a Colorado home rule municipality**, hereinafter referred to as "City," whose address is 250 N. 5th Street, Grand Junction, CO 81501, hereinafter referred to as "City".

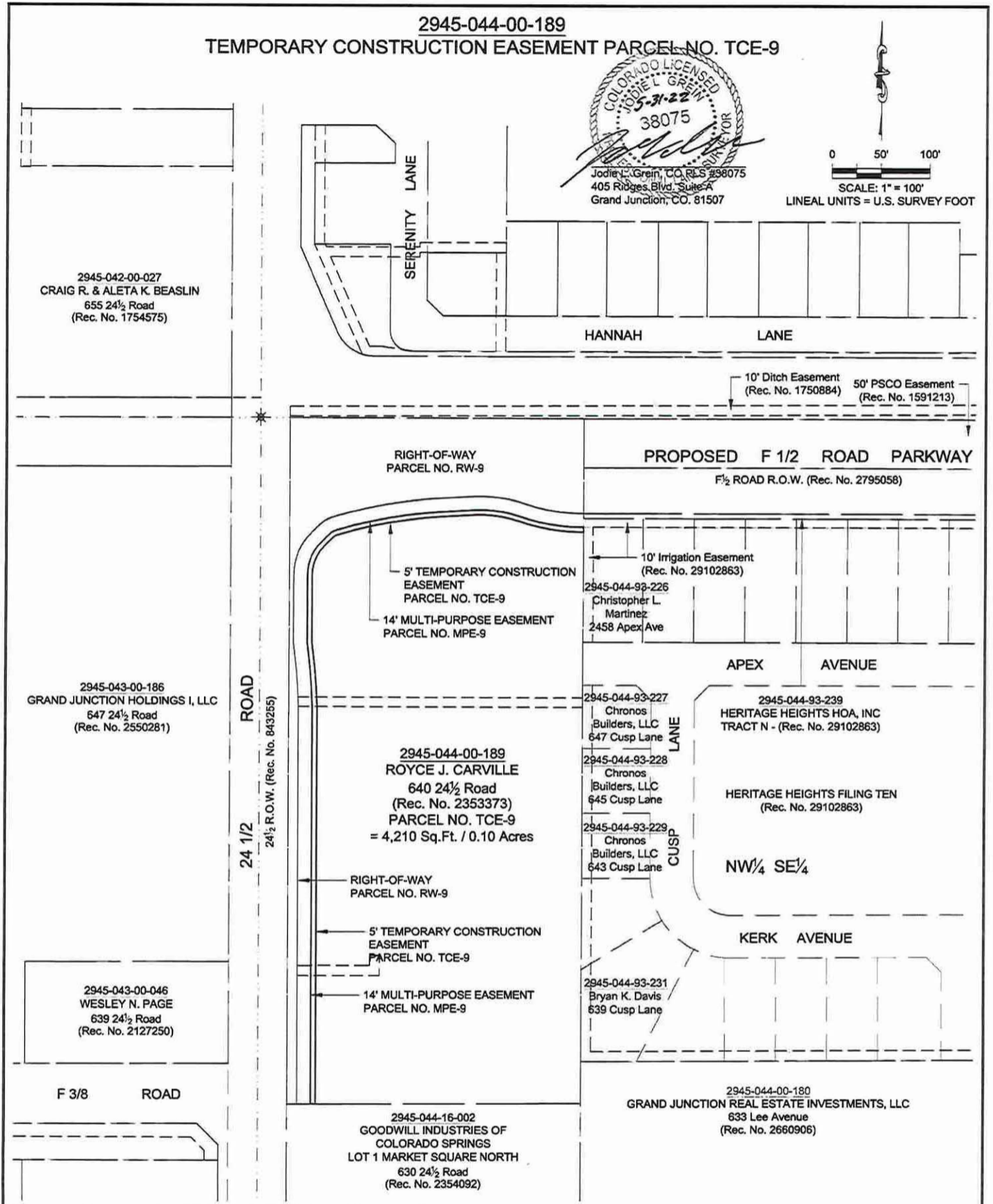
RECITALS:

- A. The City Council of the City has determined that constructing improvements for the F ½ Road Parkway, a principal arterial roadway which includes the installation, replacement, repair and upgrade of roadway improvements including but not limited to the construction and installation of asphalt, concrete curb and gutters, driveways and sidewalks and public utilities including but not limited to, electric power, irrigation, potable water, storm sewer and sanitary sewer (collectively, the "Project") is necessary for the health, safety and welfare of the inhabitants of the City.
- B. Owner is the owner of the parcel of land with an address 640 24 ½ Road, Grand Junction, CO 81507 as identified in the document recorded with Reception Number 2353373, in the Mesa County Clerk and Recorder's records ("Owner's Property"). The Project shall include the installation of some of the improvements on or adjacent to Owner's Property.
- C. To facilitate prudent and proper completion of the Project improvements, the City needs the Owner's permission to temporarily access and traverse the Owner's Property with workers and equipment in accordance with the terms and conditions of this Agreement and within the limits of the Owner's Property.

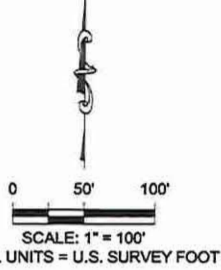
NOW, THEREFORE, based on the recitals above and in consideration of their mutual promises and other valuable consideration as herein stated, the receipt and adequacy of which are hereby acknowledged, the parties hereto agree as follows:

1. The Owner hereby grants and conveys to the City one (1) Temporary Construction Easement within the limits of the Owner's Property as depicted on the attached **Exhibit "A"** which is incorporated herein ("Easement Area"), to allow access for workers and equipment to facilitate installation, repair, and replacement of improvements associated with the Project during the term specified in paragraph 2.
2. The term of the City's use of the Temporary Construction Easements herein granted is nonexclusive, except that the Owner agrees that Owner or its successors, heirs, or assigns, shall not erect or construct any building or other permanent structure within the Easement Areas or interfere with City's access, use or operation within the Easements without first obtaining written consent of the City's Manager or City's Public Works Director. The Temporary Construction Easements shall commence with written notice presented at least 48 hours prior to the commencement to Owner at Owner's address above by ordinary US mail (presentation complete upon mailing) or in person and shall expire at midnight 24 months from the date of presentation of the written notice to Owner.
3. This Agreement is temporary in nature and is not intended to affect the title of the Owner's Property. The City agrees that this Agreement shall not be recorded nor otherwise entered into the permanent record of any land office. Owner shall be responsible for informing any successor, heir, or assignee of this Agreement.
4. As a condition of accepting this grant of Temporary Construction Easement, the City agrees, at the City's sole cost and expense, to reasonably repair and restore those portions of the Owner's Property affected or damaged by the City's construction activities and to return said affected areas to the Owner in a condition reasonably approximate to that which existed prior to entry by the City, except the City shall have no obligation to repair or replace any improvements, vegetation, trees or surface cover that were acquired by City as consideration for this Easement

EXHIBIT A



Jodie L. Grein, CO. P.E.S. #38075
 405 Ridges Blvd, Suite A
 Grand Junction, CO. 81507



ABBREVIATIONS

P.O.C.	Point of Commencement	Rec.	Reception
P.O.B.	Point of Beginning	No.	Number
R.O.W.	Right-of-Way	RW	RIGHT-OF-WAY
SEC.	Section	MPE	Multi-Purpose Easement
T.	Township	TCE	Temporary Construction Easement
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DRAWN BY: NCW
 DATE: 01-2022
 REVIEWED BY: JLG
 APPROVED BY: BH
 SCALE: 1" = 100'

Portion of 2945-044-00-189
 Located in a part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 4, T.1S, R.1W
 Ute Meridian, City of Grand Junction
 Mesa County, Colorado



PUBLIC WORKS
ENGINEERING DIVISION
 PROJECT NO. 207-F210306