

GRANT OF DRAINAGE EASEMENT

Havlik Blackout QOF LLC, a Colorado Limited Liability Company whose address is 2585 H Road, Grand Junction, CO 81505, GRANTOR, is the owner of that certain real property as evidenced by that certain General Warranty Deed recorded at Reception No. 2998616 (the Property) in the records of the Mesa County Clerk and Recorder 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, a Perpetual Drainage Easement for the use and benefit of Grantee and for the use and benefit of the Public, as approved by Grantee, as a perpetual drainage easement for drainage and the installation, operation, maintenance and repair of drainage facilities and appurtenances, on, along, over, under, through and across a parcel of land, in the City of Grand Junction, County of Mesa, State of Colorado, more particularly described in Exhibit A and depicted on Exhibit B, which exhibits are attached hereto and incorporated herein by this 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.

The interest conveyed is an easement for the purposes and uses and upon the terms stated herein. Grantor will not install on the Easement, or permit the installation on the Easement, of any building, structure, improvement, retaining wall, sidewalk, patio, tree, or other landscaping, other than the usual and customary grasses and other ground cover. In the event such obstacles are installed in the Easement, the City has the right to require the Grantor to remove such obstacles from the Easement at Grantor's cost. If Grantor does not remove such obstacles, the City may remove such obstacles without any liability or obligation for repair and replacement thereof and charge the Grantor the City's costs for such removal. If the City chooses not to remove the obstacles, the City will not be liable for any damage to the obstacles or any other property to which they are attached.

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 1st day of February, 2024.

GRANTOR: Havlik Blackout QOF LLC, a Colorado Limited Liability Company



Dean Havlik, Manager

State of Colorado)
) ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 1st day of February, 2024, by Dean Havlik, as Manager for Havlik Blackout QOF LLC, A Colorado Limited Liability Company.

My commission expires 7-22-2027.

Witness my hand and official seal.



Notary Public

LINDA WILSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20154028882
MY COMMISSION EXPIRES JULY 22, 2027

SHEET 1 OF 3

EXHIBIT A

Detention Pond Drainage Easement

A parcel of land located in the SE1/4 of the SW1/4 of Section 32, Township 1 North, Range 1 West, Ute Meridian, Grand Junction, Mesa County, Colorado, being described as:

Commencing at the southwest corner of the parcel of land described at Reception No. 2998616, whence the southeast corner of said parcel bears S89°57'33"E 659.68 feet; running thence along said south line S89°57'33"E 106.25 feet to the Point of Beginning.

Running thence N00°02'27"E 75.00 feet; thence S89°57'33"E 125.00 feet; thence S00°02'27"W 75.00 feet to the south line of said Reception No. 2998616; thence along said south line N89°57'33"W 125.00 feet to the Point of Beginning.

Parcel contains 9,375 square feet.

Boundary description prepared by:
Alexandre B. Lheritier
Kart Surveying, LLC
734 Main St.
Grand Junction, CO 81501



EXHIBIT B

