

3 PAGE DOCUMENT

AMENDMENT TO EASEMENT AND AGREEMENT

WHEREAS, the **GRAND VALLEY DRAINAGE DISTRICT**, ("District"), whose address for the purpose of this Amendment is 722 23 Road, Grand Junction, Colorado and the **CITY OF GRAND JUNCTION**, ("Owner"), whose mailing address for the purpose of this Amendment is 250 N. 5<sup>th</sup> Street, Grand Junction, Colorado 81501, are Parties to this Amendment. The address of the property that is the subject of the Amendment is **2351 H ROAD, GRAND JUNCTION, CO 81505** ("Property"). Collectively the District and the Owner may be referred to as "Parties" or "the Parties."

WHEREAS, the purpose of this Amendment is to clarify an existing easement by reducing the width and boundaries to meet current District operation and maintenance standards, and to amend the document recorded at **Reception No. 143325** in the Mesa County land title records, to which reference is hereby made; and,

WHEREAS, it is to the mutual benefit of the Parties above be achieved.; and,

WHEREAS, the Parties acknowledge and agree that there is adequate consideration for the making and enforcement of this Amendment;

NOW THEREFORE, the Owner desires to acknowledge the easement as it pertains to the existing drain ditch known as the **APPLETON DRAIN** on the Property as more particularly described as follows:

An Easement, which includes a twenty (20) foot maintenance roadway on the northwesterly side of the drain ditch channel as well as a portion of the drain ditch channel over and across a part of the NW1/4 NE1/4 of Section 32, Township 1 North, Range 1 West, of the Ute Meridian, County of Mesa, State of Colorado, the sidelines of said easement being more particularly described as follows, and as depicted on the attached drawing dated 03/12/2024

Commencing at the NW Corner of the NW1/4 NE1/4 of said Section 32;  
Thence S00°05'07"W along the west line of the NW1/4 NE1/4 of said Section 32 a distance of 692.26 feet to the **TRUE POINT OF BEGINNING**;  
Thence N50°08'15"E 180.11 feet;  
Thence N47°12'08"E 170.49 feet;  
Thence S00°05'07"W 43.67 feet;  
Thence S47°12'08"W 141.59 feet;  
Thence S50°08'15"W 207.73 feet to a point on the west line of the NW1/4 NE1/4 of said Section 32;  
Thence N00°05'07"E along said west line a distance of 41.74 feet to the **TRUE POINT OF BEGINNING**.

IT IS FURTHER AGREED that all of the other terms and conditions of the said original Easement and Agreement document recorded at **Reception No. 143325** shall apply to this Amendment.

THIS AMENDMENT TO EASEMENT AND AGREEMENT shall be binding upon and inure to the benefit of the successors and assigns of the respective Parties.

IN WITNESS WHEREOF, the Parties have executed this Amendment to Easement and Agreement this 3<sup>rd</sup> day of July, 2024

OWNER

Andrea Phillips  
Interim City Manager

Selastina Sandoval  
Attest: City Clerk

State of Colorado )  
                                  )ss  
County of Mesa )

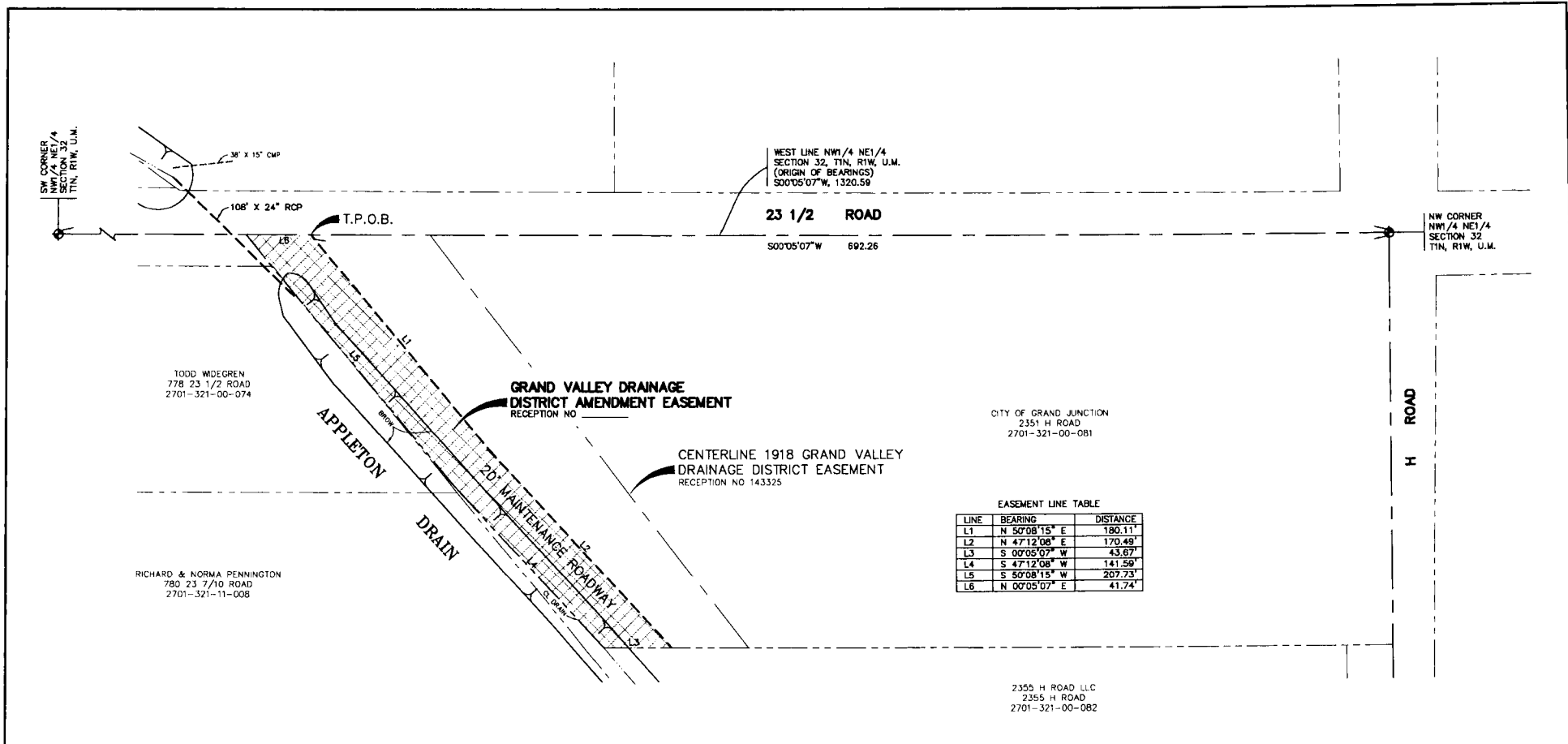
The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of July, 2024 by Andrea Phillips & Selastina Sandoval

My Commission Expires: 4/7/2025 Kerry Graves  
Notary Public

**KERRY GRAVES**  
**NOTARY PUBLIC**  
**STATE OF COLORADO**  
NOTARY ID 20214013283  
MY COMMISSION EXPIRES APRIL 7, 2025

ACCEPTED BY GRAND VALLEY DRAINAGE DISTRICT Tim Ry  
District Manager

ATTEST: Dannalee Krump 7-9-24  
District Clerk Date



EASEMENT LINE TABLE

| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| L1   | N 50°08'15" E | 180.11'  |
| L2   | N 47°12'08" E | 170.49'  |
| L3   | S 00°05'07" W | 43.67'   |
| L4   | S 47°12'08" W | 141.59'  |
| L5   | S 50°08'15" W | 207.73'  |
| L6   | N 00°05'07" E | 41.74'   |

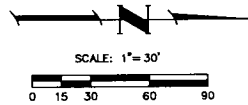
City of Grand Junction:  
Appleton Drain:

An Easement, which includes a twenty (20) foot maintenance roadway on the northwesterly side of the drain ditch channel as well as a portion of the drain ditch channel over and across a part of the NW1/4 NE1/4 of Section 32, Township 1 North, Range 1 West, of the Ute Meridian, County of Mesa, State of Colorado, the sidelines of said easement being more particularly described as follows;

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 Thence S47°12'08"W 141.59 feet;  
 Thence S50°08'15"W 207.73 feet to a point on the west line of the NW1/4 NE1/4 of said Section 32;  
 Thence N00°05'07"E along said west line a distance of 41.74 feet to the TRUE POINT OF BEGINNING.

LEGEND

- MESA COUNTY SURVEY MONUMENT
- GVDD EASEMENT LINE
- SECTION LINE
- PROPERTY LINE
- MESA COUNTY PARCEL LINE



**APPLETON DRAINAGE**  
**APPLETON DRAIN**  
 NE1/4 SECTION 32, T1N, R1W, Ute Meridian  
 MESA COUNTY, COLORADO  
**CITY OF GRAND JUNCTION**  
 3-12-24

GRAND VALLEY DRAINAGE DISTRICT  
 722 - 23 Road P.O. Box 999  
 Grand Junction, CO. 81508  
 (970) 848-4544