

CITY OF GRAND JUNCTION DEPARTMENT OF PUBLIC WORKS MEMORANDUM OF AGREEMENT	Project No.: 24 Road and G Road Improvements Project
	Description: Multi-Modal Path Easement
	Owner(s): Usher NV, LLC, a Nevada Limited Liability Company
	Parcels: PE-1A, PE-1B, PE-1C, PE-2A and PE-2B

This Memorandum of Agreement (“Agreement”) is made and entered into this 11th day of September, 2024, by and between **Usher NV, LLC, a Nevada limited liability company**, 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 has completed construction of the 24 Road and G Road Improvement Projects (“Project”). These Projects included the installation of additional travel lanes, auxiliary lanes, facilities to accommodate pedestrian and bicycle mobility, storm drainage facilities, street lighting, and a roundabout at the intersection of 24 Road and G Road (“Project Improvements”). Upon completion of the projects, it has been determined that a portion of the electric service lines for the pedestrian path lighting along the 24 Road multi-modal path are outside of the existing easement.
- B. The Owner owns certain real property within the limits of the Project identified as Mesa County Tax Assessor Parcel Numbers 2945-042-00-018 and 2945-042-30-002 (660 24 Road) in the City of Grand Junction, County of Mesa, State of Colorado, 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. PE-1A: A Permanent Easement for the installation, operation, maintenance and repair of a multi-modal path, containing a total are of 1,348 square feet or 0.031 acres, more or less; and also

Parcel No. PE-1B: A Permanent Easement for the installation, operation, maintenance and repair of a multi-modal path, containing a total are of 750 square feet or 0.017 acres, more or less; and also

Parcel No. PE-1C: A Permanent Easement for the installation, operation, maintenance and repair of a multi-modal path, containing a total are of 32 square feet or 0.001 acres, more or less, and also;

Parcel No. PE-2A: A Permanent Easement for the installation, operation, maintenance and repair of a multi-modal path, containing a total are of 125 square feet or 0.003 acres, more or less; and also

Parcel No. PE-2B: A Permanent Easement for the installation, operation, maintenance and repair of a multi-modal path, containing a total are of 199 square feet or 0.005 acres, more or less.

The above referenced real property interests may be referred to collectively hereafter as the “Acquired Property”. The parcels are more fully described in the attached Multimodal Path Easement, attached hereto and incorporated herein by reference.

- D. 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. PE-1A:	1,348 sq.ft. @ \$6.75/sq.ft. x 50%	= \$ 4,549.50
Parcel No. PE-1B:	750 sq.ft. @ \$6.75/sq.ft. x 50%	= \$ 2,531.25
Parcel No. PE-1C:	32 sq.ft. @ \$6.75/sq.ft. x 50%	= \$ 108.00
Parcel No. PE-2A:	125 sq.ft. @ \$6.75/sq.ft. x 50%	= \$ 421.88
Parcel No. PE-2B:	199 sq.ft. @ \$6.75/sq.ft. x 50%	= \$ 671.63
Total Easements:		\$ 8,282.26
Administrative Settlement:		\$ 5,000.00
	Total Consideration (Rounded)	= \$ 13,283.00

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 Grant of Multi-Purpose Easement for Parcel Nos. PE-1A, PE-1B, PE-1C, PE-2A and, PE-2B in the form of the attached Multimodal Path Easement.
 - c. One (1) completed and executed Federal Form W-9.
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. As part of this agreement, the City will construct two sections of field fencing: 1) Along the east perimeter of the proposed easement along 24 Road (west perimeter of subject property) and 2) along the south perimeter of the existing right-of-way for G Road (North perimeter of subject property) to replace the existing smooth wire fence.
 - a. Along 24 Road the City will construct a "field fence" from the existing fence at the southwest corner of 620 24 Road connecting to the south end of the pedestrian bridge then from the north end of the pedestrian bridge to the property line as shown in Exhibit "A".

This fence shall consist of 2" vertical spaced wire and 4" horizontal spaced wire, 48" in height with 12.5-gauge, non-climb, woven wire livestock fencing and two strands of 12.5-gauge barbless wire along the top of the fence line.

The fence will be constructed with metal T-posts on twelve-foot centers with wood posts every 5th post. Fencing shall include wood corner braces, gate braces and end line bracing as may be necessary.

A 12-foot, "non-climb", tube gate will be placed for City of Grand Junction access and two (2) 16-foot, "non-climb", tube gates along the access at G Road as identified in Exhibit "A".
 - b. Along G Road, from the proposed 16-foot access gates east to the limits of the existing smooth wire fence as shown in Exhibit "A", the City will replace the existing fence with a field fence and set the new fence along the existing right-of-way line as grades may allow. This field fence specifications shall match the existing field fence along the south perimeter of the Usher NV, LLC property at 660 24 Road.

This fence will be constructed with metal T-posts on twelve-foot centers. This fence shall consist of 6" vertical spaced wire and 6" horizontal spaced wire, 48" in height with woven wire livestock fencing and two strands of 12.5-gauge barbed wire along the top of the fence line. Fencing shall include wood corner, gate braces and end line bracing as may be necessary. This fence will include one, 12' no-climb tube gate to be installed at the field approach curb cut along G Road.
6. The City will install an approximately three-foot by five-foot (3' x 5') section of rip rap at the head of the two culverts that are south of the 24 Road Trail pedestrian bridge. The location of these culverts is identified in Exhibit "A".
7. The Owner's will provide the City and its contractors temporary access to the property as may be necessary to construct the fencing identified in item 5a and 5b and install the rip rap identified in item 6.

8. This Memorandum of Agreement is intended to supplement and add to the terms of those certain prior Memorandum of Agreement concerning PE-1 and PE-2 dated effective August 4, 2022, and that certain Settlement Agreement and Stipulation as to Compensation to be Paid for the Conveyance of Certain Interests in Land signed by the Owner on June 26, 2022, and by the City on July 5, 2022, and the documents and ancillary materials referenced therein (the "Related Documents"). This Memorandum of Agreement and the Related Documents, taken together, embody all agreements between the parties hereto with respect to the subject matter hereof, and no other promises, terms, conditions, or obligations, oral or written, have been made which might serve to modify, and to or change the terms and conditions of this Agreement.
9. 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.
10. The City will be entitled to specific performance of this Agreement upon tender of the agreed consideration.
11. 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:



John A. Usher

Member

Usher NV, LLC, a Nevada Limited Liability Company

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



Andrea Phillips, Interim City Manager

Usher NV, LLC - Exhibit A

Approximate location - Two 16 foot, non-climb, field gates (Paragraph 5a of MOA).

Approximate location of 12 foot, non-climb, field gate at curb cut (Paragraph 5b of MOA).

Approximate terminus of north field fence per Paragraph 5b of MOA.

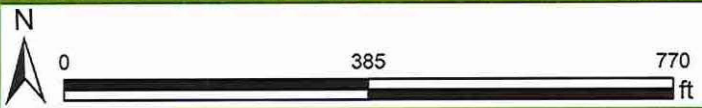
Approximate location - One, 12 foot, non-climb, field gate (Paragraph 5a of MOA).

City to replace existing fence with field fence along north perimeter of property per Paragraph 5b of MOA.

City to install "upgraded" field fence along west perimeter of property per Paragraph 5a of MOA.

Approximate location - City to install approximately 3' by 5' section of rip rap (Paragraph 6 of MOA).

Approximate location - City to install approximately 3' by 5' section of rip rap (Paragraph 6 of MOA).



Printed: 7/29/2024
1 inch equals 188 feet
Scale: 1:2,257

GRANT OF MULTIMODAL PATH EASEMENT

USHER NV, LLC, a Nevada limited liability company, Grantor, for and in consideration of the sum of Ten Dollars and other good and valuable consideration (\$10.00), 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-Modal Path Easement ("Easement") to be used by the general public for purposes including, but not limited to, constructing, installing, maintaining and repairing a multi-modal trail and pathway, together with all appurtenances and facilities necessarily related thereto, as determined by Grantee, to accommodate several different modes of travel, to include, but not be limited to, pedestrians, electric motorized and non-motorized two wheel and three-wheel bicycles, electric motorized and non-motorized wheelchairs, electric motorized and non-motorized scooters, and other forms of transportation for commuting and recreational purposes, on, along, over, under, through and across the following described parcel of land, to wit:

See Exhibits "A" through "I" attached hereto and incorporated herein by reference for the legal descriptions and graphic illustrations of the Multimodal Path Easement that is the subject of this instrument.

Being a part of Mesa County Assessor Parcel Nos. 2945-042-30-002 and 2945-042-00-018.

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 but limited to the trimming of trees and bushes as may be required to permit the operation of standard construction and repair machinery.

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, or other surface improvement or appurtenance 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. Additionally, Grantor shall not grant or convey any other license or easement right(s) on, along, over, under, through or across the Easement area without the prior written approval of Grantee.

The use of any portions of the Easement area by member(s) of the general public shall be at the user's own risk. Grantor shall not be held responsible or liable for property damage or personal injury resulting from use of the Easement by members of the general public that is not caused by or created by the gross negligence or willful misconduct of Grantor.

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 persons claiming by, through or under Grantor.

Executed and delivered this 10 day of September, 2024.

**Usher NV, LLC,
a Nevada Limited Liability Company**

By: John A Usher
John A. Usher
Manager

State of Colorado)
) ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 10 day of September, 2024, by John A. Usher as Manager of Usher NV, LLC, a Nevada Limited Liability Company.

Witness my hand and official seal.

My Commission Expires: July 23, 2028

[Handwritten Signature]

Notary Public

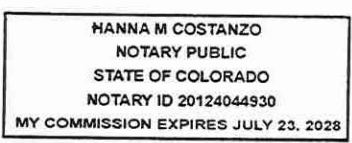


EXHIBIT A

PARCEL NO. 2945-042-00-018

PERMANENT EASEMENTS FOR MULTI-MODAL PATH PARCELS NO. PE-1A / PE-1B / PE-1C

Legal Description (Parcel PE-1A)

A parcel of land lying in the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section 4, (also known as Government Lot 4), Section 4, Township 1 South, Range 1 West, Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado and being more particularly described as follows:
Commencing at the NW corner of said Section 4, and assuming the West line of said NW1/4 NW1/4 of Section 4 bears N00°02'01"W with all other bearings contained herein being relative thereto;
thence from said Point of Commencement S19°54'15"E, a distance of 236.48 feet to a point on the East line of Right-of-Way PE-2 as described in Reception Number 3039990 being the Point of Beginning;
thence the following courses: N89°59'59"E, a distance of 2.27 feet; S01°58'52"W, a distance of 74.46 feet; S01°19'59"W, a distance of 220.00 feet; S00°44'02"W, a distance of 60.00 feet; S00°51'40"W, a distance of 90.00 feet; S00°33'12"W, a distance of 180.00 feet; S00°41'53"W, a distance of 45.00 feet; S01°49'37"E, a distance of 35.00 feet; S01°28'35"W, a distance of 100.15 feet; S25°16'12"E, a distance of 27.41 feet to a point on said East line of Right-of-Way PE-2; thence the following courses along said East line of Right-of-Way PE-2: N39°14'46"W, a distance of 20.56 feet; N00°27'57"E, a distance of 352.76 feet; N01°12'40"E, a distance of 460.65 feet to the Point of Beginning.

Said Parcel of land CONTAINING 1,348 Square Feet or 0.031 Acres, more or less, as described.

Legal Description (Parcel PE-1B)

A parcel of land lying in the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section 4, (also known as Government Lot 4), Section 4, Township 1 South, Range 1 West, Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado and being more particularly described as follows:
Commencing at the SW corner of said NW1/4 NW1/4 Section 4, and assuming the West line of said NW1/4 NW1/4 of Section 4 bears N00°02'01"W with all other bearings contained herein being relative thereto;
thence from said Point of Commencement N20°30'22"E, a distance of 265.19 feet to a point on the East line of Right-of-Way PE-2 as described in Reception Number 3039990 being the Point of Beginning;
thence the following courses: N74°16'12"E, a distance of 6.00 feet; S15°43'48"E, a distance of 74.52 feet; S10°37'22"W, a distance of 48.37 feet; S41°16'34"W, a distance of 55.10 feet; S00°00'00"W, a distance of 66.57 feet; S90°00'00"W, a distance of 1.25 feet to a point on said East line of Right-of-Way PE-2; thence the following courses along said East line of Right-of-Way PE-2: N00°00'00"W, a distance of 68.18 feet; N41°16'34"E, a distance of 54.17 feet; N10°37'22"E, a distance of 38.34 feet; N15°43'48"W, a distance of 82.12 feet to the Point of Beginning.

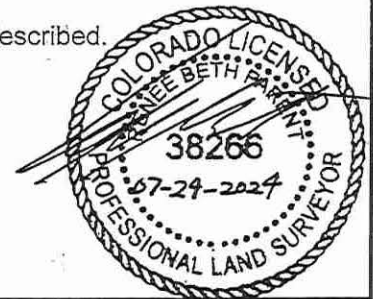
Said Parcel of land CONTAINING 750 Square Feet or 0.017 Acres, more or less, as described.

Legal Description (Parcel PE-1C)

A parcel of land lying in the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section 4, (also known as Government Lot 4), Section 4, Township 1 South, Range 1 West, Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado and being more particularly described as follows:
Commencing at the SW corner of said NW1/4 NW1/4 Section 4, and assuming the West line of said NW1/4 NW1/4 of Section 4 bears N00°02'01"W with all other bearings contained herein being relative thereto;
thence from said Point of Commencement N89°59'58"E, a distance of 70.00 feet along the South line of said NW1/4 NW1/4 of Section 4 to a point on the East line of Right-of-Way PE-2 as described in Reception Number 3039990 being the Point of Beginning; thence N00°00'00"W, a distance of 10.76 feet along said East line of Right-of-Way PE-2; thence S90°00'00"E, a distance of 3.01 feet; thence S00°00'00"W, a distance of 10.76 feet to a point on said South line of NW1/4 NW1/4 of Section 4; thence S89°59'58"W, a distance of 3.00 feet along said South line to the Point of Beginning.

Said Parcel of land CONTAINING 32 Square Feet or 0.001 Acres, more or less, as described.

Authored by: Renee B. Parent, CO PLS #38266
City Surveyor - City of Grand Junction
244 North 7th Street
Grand Junction, CO 81501



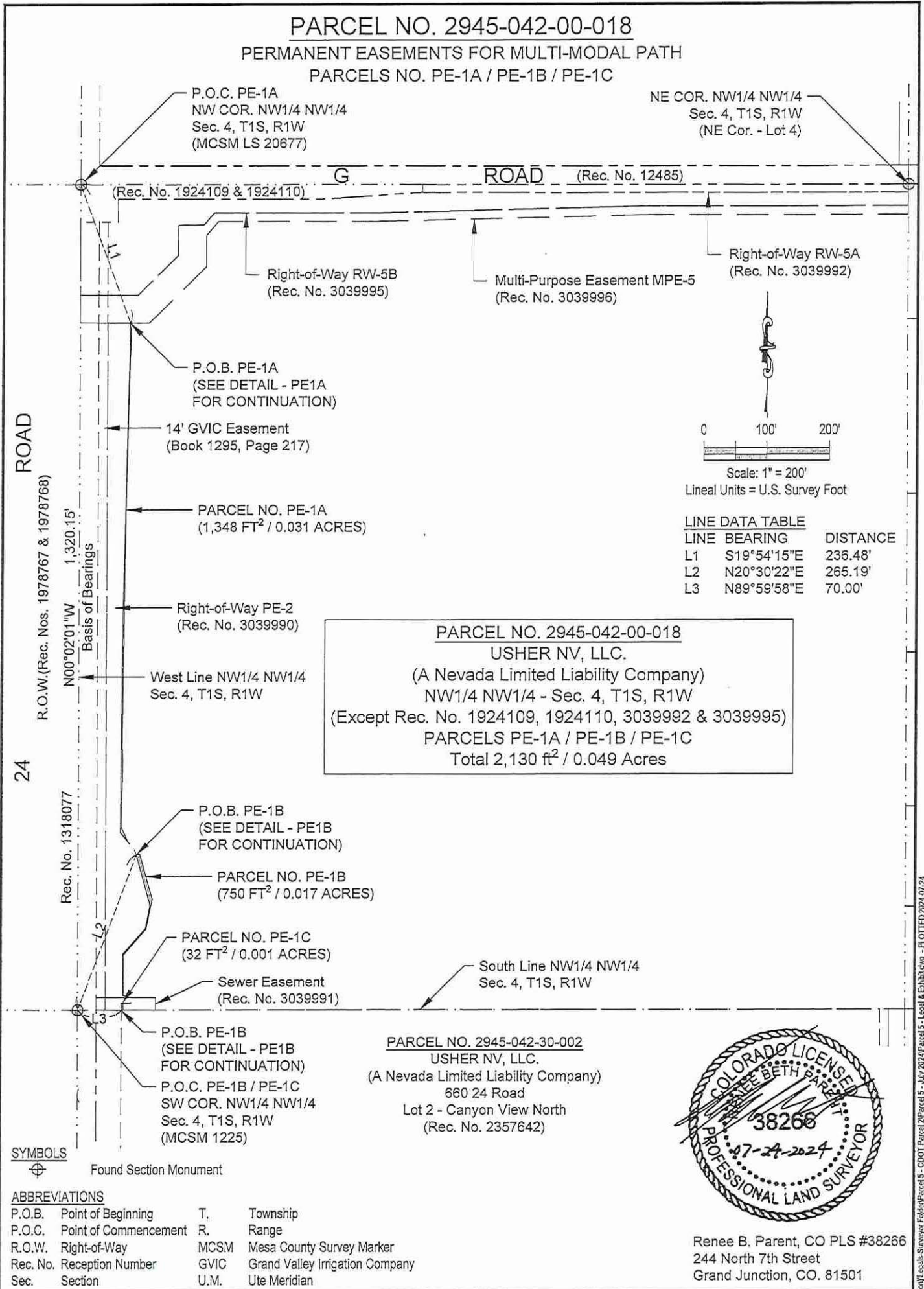
The sketch & description shown hereon have been derived from subdivision plats & deed descriptions as they appear in the office of the Mesa County Clerk & Recorder & monuments as shown. This sketch does not constitute a legal boundary survey, and is not intended to be used as a means for establishing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

24 Road & G Road Intersection
Project No. F210302
Portion of 2945-042-00-018
Located in the NW1/4 NW1/4
Section 4, T.1S, R.1W, Ute Meridian,
City of Grand Junction,
County of Mesa, State of Colorado

DRAWN BY: NCW
DATE: 07/23/24
REVIEWED BY: ABL
APPROVED BY: RBP
SCALE: N/A

CITY OF
Grand Junction
COLORADO
Engineering & Transportation
Department
244 North 7th Street - Grand Junction, Co. 81501

EXHIBIT B



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, and is not intended to be used as a means for establishing or verifying property boundary lines.

24 Road & G Road Intersection
 Project No. F210302
 Portion of 2945-042-00-018
 Located in the NW1/4 NW1/4
 Section 4, T.1S, R.1W, Ute Meridian,
 City of Grand Junction,
 County of Mesa, State of Colorado

DRAWN BY: NCW
 DATE: 07/23/24
 REVIEWED BY: ABL
 APPROVED BY: RBP
 SCALE: 1" = 200'

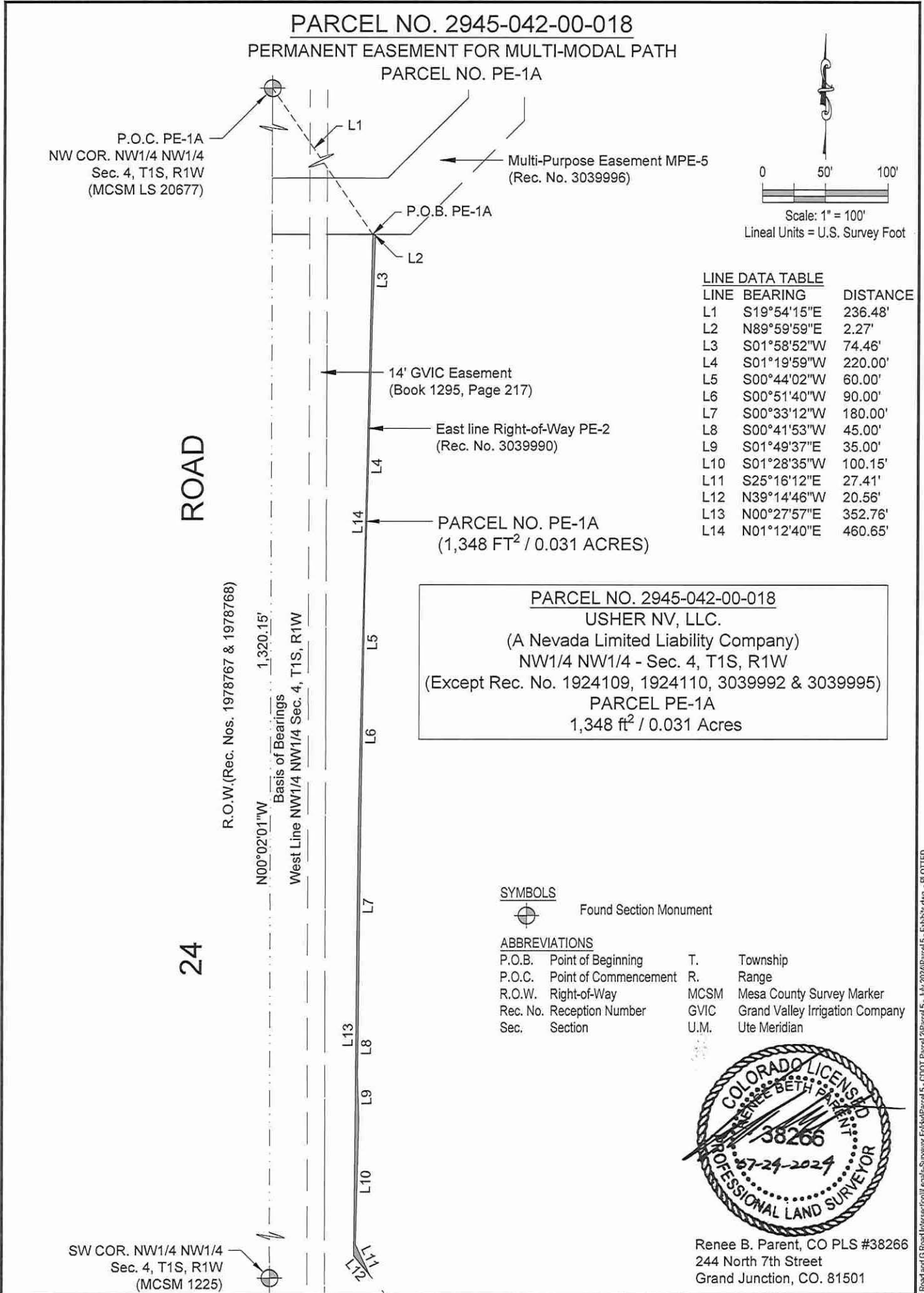
CITY OF
Grand Junction
 COLORADO

Engineering & Transportation
 Department

244 North 7th Street - Grand Junction, Co. 81501

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EXHIBIT C



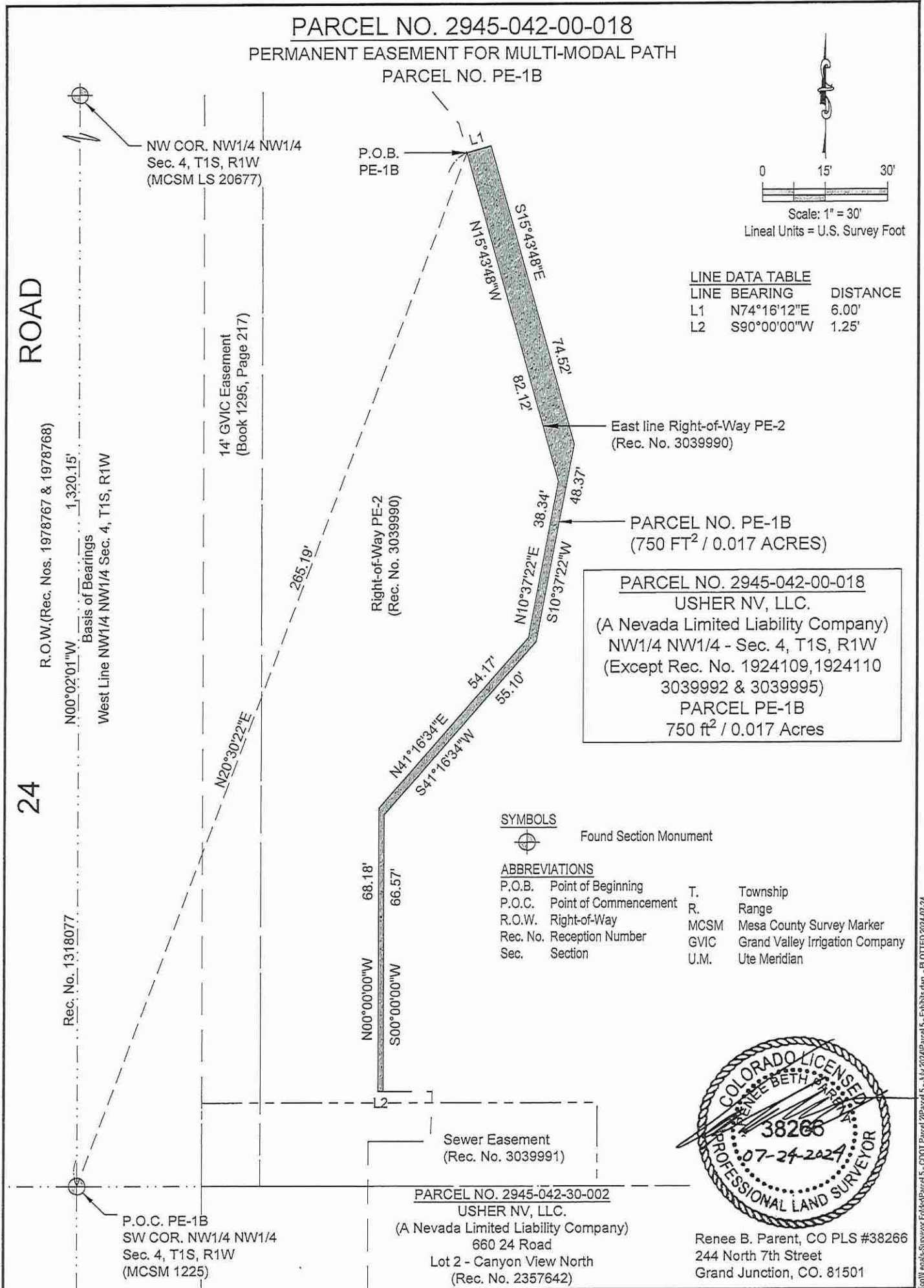
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24 Road & G Road Intersection
 Project No. F210302
 Portion of 2945-042-00-018
 Located in the NW1/4 NW1/4
 Section 4, T.1S, R.1W, Ute Meridian,
 City of Grand Junction,
 County of Mesa, State of Colorado

DRAWN BY: NCW
 DATE: 07/23/24
 REVIEWED BY: ABL
 APPROVED BY: RBP
 SCALE: 1" = 100'

CITY OF Grand Junction COLORADO
 Engineering & Transportation Department
 244 North 7th Street - Grand Junction, Co. 81501

EXHIBIT D



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, and is not intended to be used as a means for establishing or verifying property boundary lines.

24 Road & G Road Intersection
 Project No. F210302
 Portion of 2945-042-00-018
 Located in the NW1/4 NW1/4
 Section 4, T.1S, R.1W, Ute Meridian,
 City of Grand Junction,
 County of Mesa, State of Colorado

DRAWN BY: NCW
 DATE: 07/23/24
 REVIEWED BY: ABL
 APPROVED BY: RBP
 SCALE: 1" = 30'

CITY OF Grand Junction COLORADO
 Engineering & Transportation Department
 244 North 7th Street - Grand Junction, Co. 81501

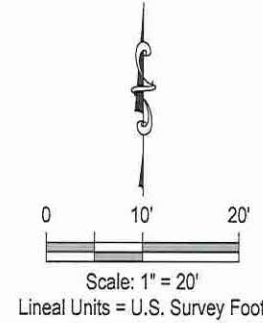
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EXHIBIT E

PARCEL NO. 2945-042-00-018
PERMANENT EASEMENT FOR MULTI-MODAL PATH
PARCEL NO. PE-1C

ROAD

24



LINE DATA TABLE		
LINE	BEARING	DISTANCE
L1	N00°00'00"W	10.76'
L2	S90°00'00"E	3.01
L3	S00°00'00"W	10.76'
L4	S89°59'58"W	3.00

PARCEL NO. 2945-042-00-018
USHER NV, LLC.
 (A Nevada Limited Liability Company)
 NW1/4 NW1/4 - Sec. 4, T1S, R1W
 (Except Rec. No. 1924109, 1924110
 3039992 & 3039995)
PARCEL PE-1C
 32 ft² / 0.001 Acres

PARCEL NO. PE-1C
 (32 FT² / 0.001 ACRES)
 East line Right-of-Way PE-2
 (Rec. No. 3039990)

PARCEL NO. 2945-042-30-002
USHER NV, LLC.
 (A Nevada Limited Liability Company)
 660 24 Road
 Lot 2 - Canyon View North
 (Rec. No. 2357642)

SYMBOLS
 Found Section Monument

ABBREVIATIONS

P.O.B.	Point of Beginning	T.	Township
P.O.C.	Point of Commencement	R.	Range
R.O.W.	Right-of-Way	MCSM	Mesa County Survey Marker
Rec. No.	Reception Number	GVIC	Grand Valley Irrigation Company
Sec.	Section	U.M.	Ute Meridian



Renee B. Parent, CO PLS #38266
 244 North 7th Street
 Grand Junction, CO. 81501

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, and is not intended to be used as a means for establishing or verifying property boundary lines.

24 Road & G Road Intersection
 Project No. F210302
 Portion of 2945-042-00-018
 Located in the NW1/4 NW1/4
 Section 4, T.1S, R.1W, Ute Meridian,
 City of Grand Junction,
 County of Mesa, State of Colorado

DRAWN BY: NCW
 DATE: 07/23/24
 REVIEWED BY: ABL
 APPROVED BY: RBP
 SCALE: 1" = 20'

CITY OF Grand Junction COLORADO
 Engineering & Transportation Department
 244 North 7th Street - Grand Junction, Co. 81501

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EXHIBIT F

PARCEL NO. 2945-042-30-002
PERMANENT EASEMENTS FOR MULTI-MODAL PATH
PARCELS NO. PE-2A / PE-2B

Legal Description (Parcel PE-2A)

A parcel of land located in Lot 2, Canyon View North Subdivision as recorded at Reception Number 2357642 located in the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section 4, Township 1 South, Range 1 West, Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the NW corner of said Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) Section 4, and assuming the West line of SW1/4 NW1/4 of said Section 4 bears S00°03'20"E with all other bearings contained herein being relative thereto;

thence from said Point of Commencement N89°59'58"E, a distance of 70.00 feet along the North line of said Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) Section 4 to a point on the East line of a 40 foot Multi-Purpose, Trail & Drainage Easement as recorded at Reception Number 2357642 being the Point of Beginning;

thence continuing along said North line N89°59'58"E, a distance of 3.00 feet; thence S02°00'23"W, a distance of 83.38 feet to a point on said East line of the 40 foot Multi-Purpose, Trail & Drainage Easement; thence N00°03'20"W, a distance of 83.33 feet along said East line to the Point of Beginning.

Said Parcel of land CONTAINING 124 Square Feet or 0.003 Acres, more or less, as described.

Legal Description (Parcel PE-2B)

A parcel of land located in Lot 2, Canyon View North Subdivision as recorded at Reception Number 2357642 located in the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section 4, Township 1 South, Range 1 West, Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the NW corner of said Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) Section 4, and assuming the West line of SW1/4 NW1/4 of said Section 4 bears S00°03'20"E with all other bearings contained herein being relative thereto;

thence from said Point of Commencement S12°45'02"E, a distance of 345.21 feet to a point on the Easterly line of Parcel No. PE-1 as recorded at Reception Number 3039990 being the Point of Beginning;

thence S03°58'46"W, a distance of 69.12 feet; thence S00°03'20"E, a distance of 40.35 feet; thence S89°59'16"W, a distance of 1.00 feet to a point lying on the East line of a 40 foot Multi-Purpose, Trail & Drainage Easement as recorded at Reception Number 2357642; thence N00°03'20"W, a distance of 82.57 feet along said East line; thence N12°18'58"E, distance of 27.37 feet along said Easterly line of Parcel No. PE-1 to the Point of Beginning.

Said Parcel of land CONTAINING 199 Square Feet or 0.005 Acres, more or less, as described.

Authored by: **Renee B. Parent, CO PLS #38266**
 City Surveyor - City of Grand Junction
 244 North 7th Street
 Grand Junction, CO 81501



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, and is not intended to be used as a means for establishing or verifying property boundary lines.

24 Road & G Road Intersection
 Project No. F210302
 Portion of 2945-042-30-002
 Part of Lot 2, Canyon View North Subdivision
 SW1/4 NW1/4 Section 4, T.1S, R.1W, U.M.,
 City of Grand Junction,
 County of Mesa, State of Colorado

DRAWN BY: NCW
 DATE: 07/23/24
 REVIEWED BY: ABL
 APPROVED BY: RBP
 SCALE: N/A

CITY OF
Grand Junction
 COLORADO

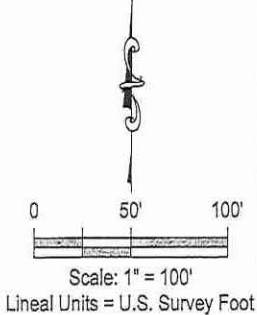
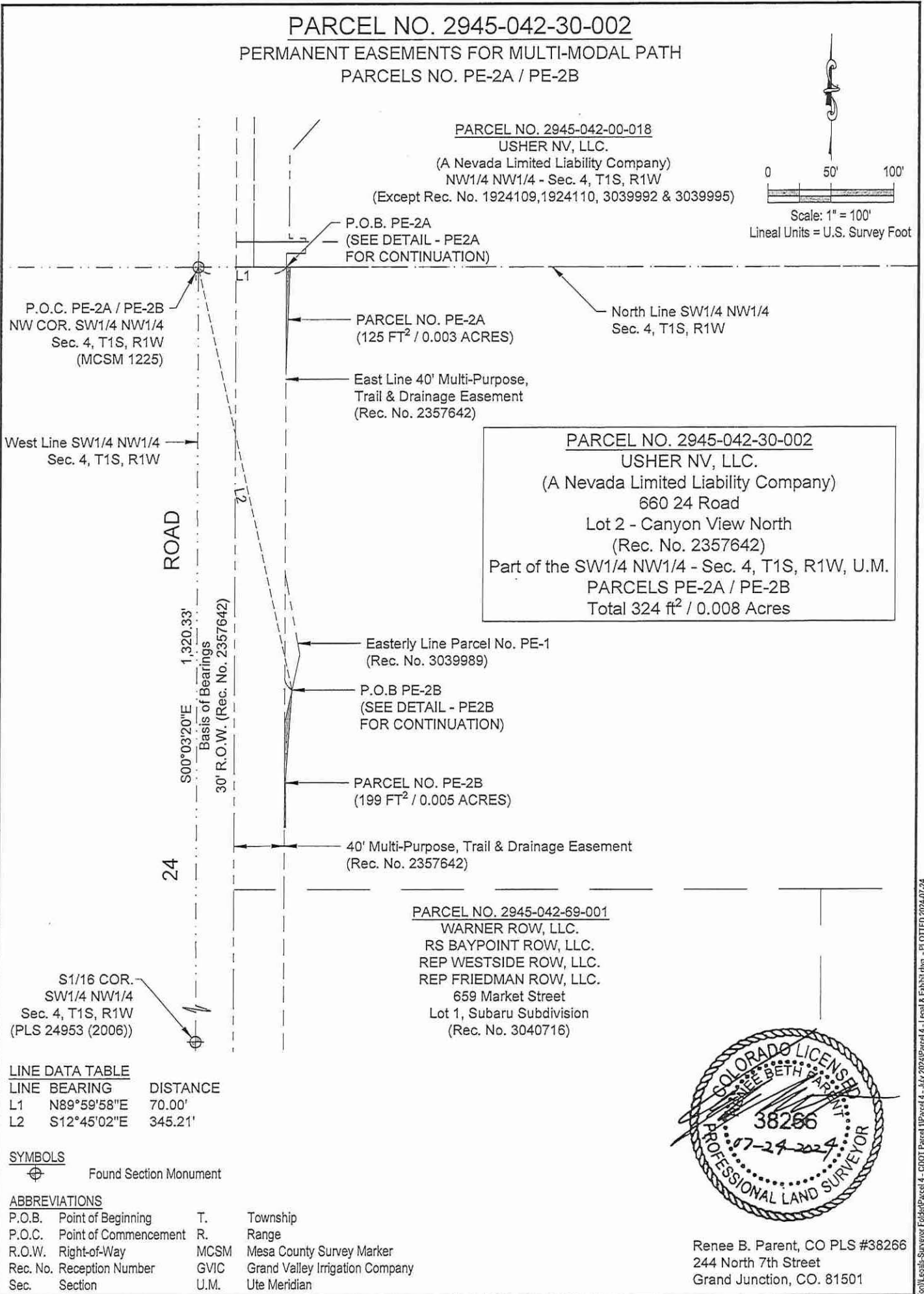
Engineering & Transportation
 Department

244 North 7th Street - Grand Junction, Co. 81501

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EXHIBIT G

PARCEL NO. 2945-042-30-002 PERMANENT EASEMENTS FOR MULTI-MODAL PATH PARCELS NO. PE-2A / PE-2B



PARCEL NO. 2945-042-30-002
USHER NV, LLC.
 (A Nevada Limited Liability Company)
 660 24 Road
 Lot 2 - Canyon View North
 (Rec. No. 2357642)
 Part of the SW1/4 NW1/4 - Sec. 4, T1S, R1W, U.M.
PARCELS PE-2A / PE-2B
 Total 324 ft² / 0.008 Acres

PARCEL NO. 2945-042-69-001
WARNER ROW, LLC.
 RS BAYPOINT ROW, LLC.
 REP WESTSIDE ROW, LLC.
 REP FRIEDMAN ROW, LLC.
 659 Market Street
 Lot 1, Subaru Subdivision
 (Rec. No. 3040716)



Renee B. Parent, CO PLS #38266
 244 North 7th Street
 Grand Junction, CO. 81501

LINE DATA TABLE

LINE	BEARING	DISTANCE
L1	N89°59'58"E	70.00'
L2	S12°45'02"E	345.21'

SYMBOLS

⊕ Found Section Monument

ABBREVIATIONS

P.O.B.	Point of Beginning	T.	Township
P.O.C.	Point of Commencement	R.	Range
R.O.W.	Right-of-Way	MCSM	Mesa County Survey Marker
Rec. No.	Reception Number	GVIC	Grand Valley Irrigation Company
Sec.	Section	U.M.	Ute Meridian

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24 Road & G Road Intersection
 Project No. F210302
 Portion of 2945-042-30-002
 Part of Lot 2, Canyon View North Subdivision
 SW1/4 NW1/4 Section 4, T.1S, R.1W, U.M.,
 City of Grand Junction,
 County of Mesa, State of Colorado

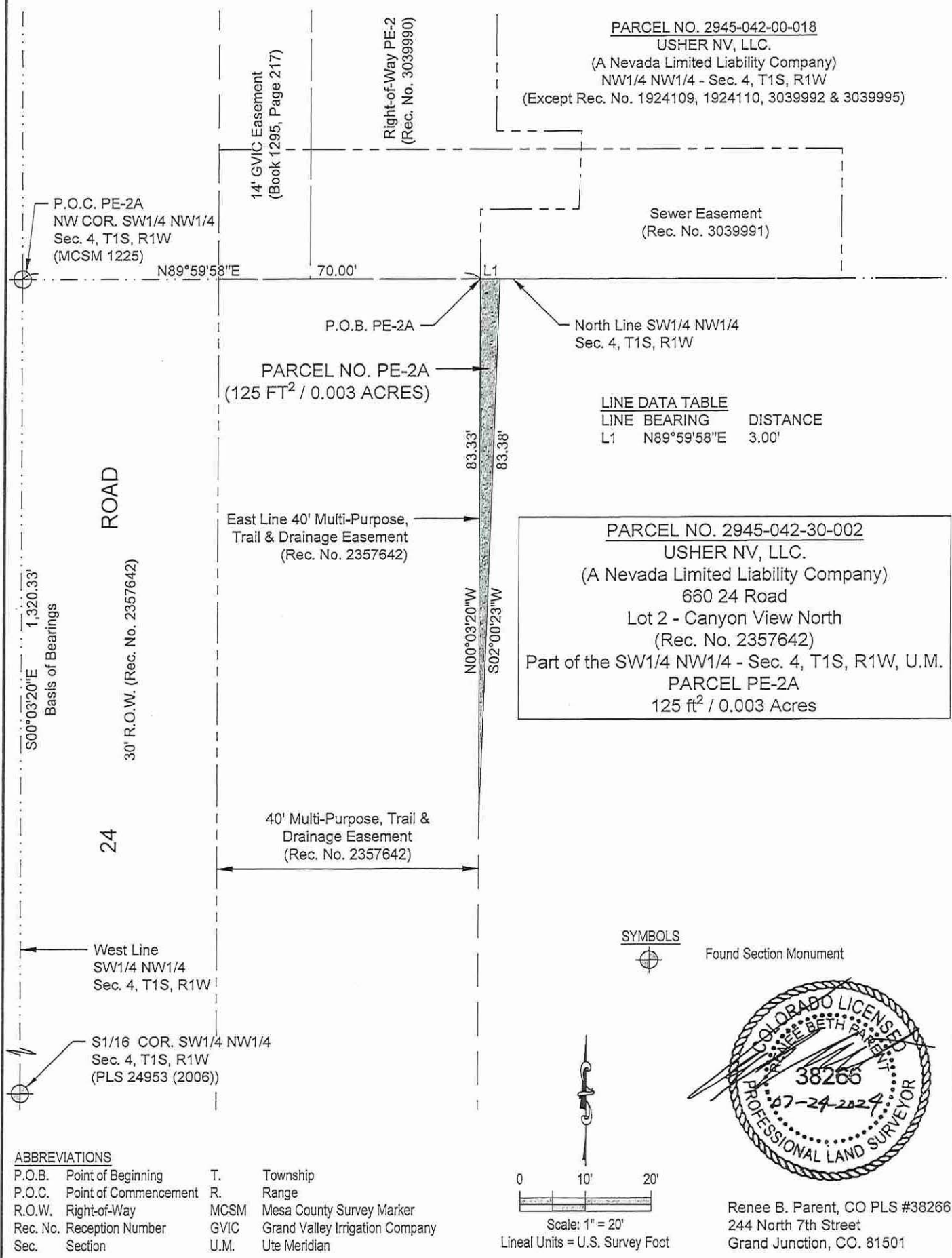
DRAWN BY: NCW
 DATE: 07/23/24
 REVIEWED BY: ABL
 APPROVED BY: RBP
 SCALE: 1" = 100'

CITY OF Grand Junction COLORADO
 Engineering & Transportation Department
 244 North 7th Street - Grand Junction, Co. 81501

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EXHIBIT H

PARCEL NO. 2945-042-00-018
PERMANENT EASEMENT FOR MULTI-MODAL PATH
PARCEL NO. PE-2A



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, and is not intended to be used as a means for establishing or verifying property boundary lines.

24 Road & G Road Intersection
 Project No. F210302
 Portion of 2945-042-30-002
 Part of Lot 2, Canyon View North Subdivision
 SW1/4 NW1/4 Section 4, T.1S, R.1W, U.M.,
 City of Grand Junction,
 County of Mesa, State of Colorado

DRAWN BY: NCW
 DATE: 07/23/24
 REVIEWED BY: ABL
 APPROVED BY: RBP
 SCALE: 1" = 20'

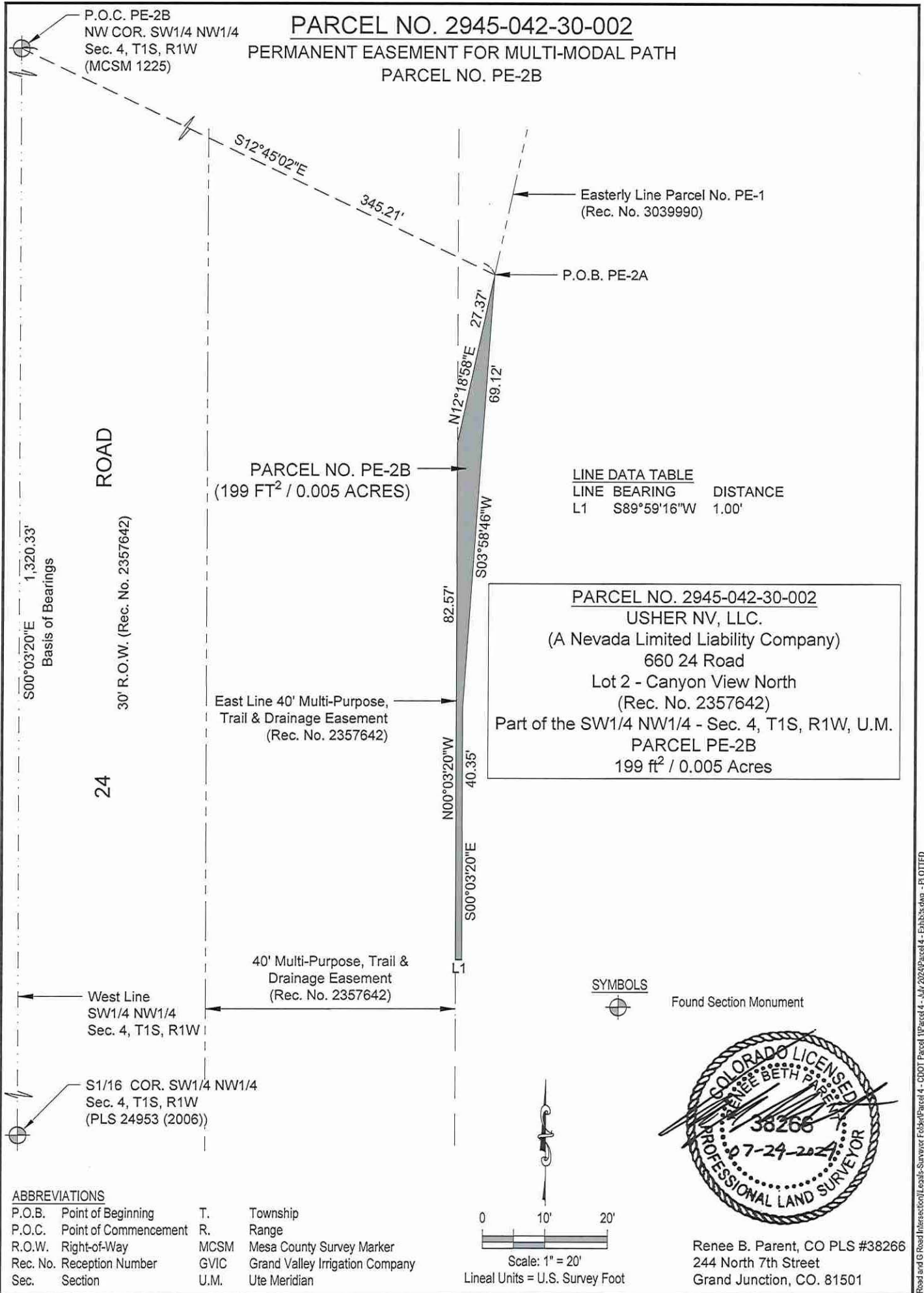
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Engineering & Transportation
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EXHIBIT I



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, and is not intended to be used as a means for establishing or verifying property boundary lines.

24 Road & G Road Intersection
Project No. F210302
Portion of 2945-042-30-002
Part of Lot 2, Canyon View North Subdivision
SW1/4 NW1/4 Section 4, T.1S, R.1W, U.M.,
City of Grand Junction,
County of Mesa, State of Colorado

DRAWN BY: NCW
DATE: 07/23/24
REVIEWED BY: ABL
APPROVED BY: RBP
SCALE: 1" = 20'

CITY OF Grand Junction
COLORADO
Engineering & Transportation
Department
244 North 7th Street - Grand Junction, Co. 81501

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