

GRANT OF MULTIPURPOSE EASEMENT

ECR LLC, a Colorado limited liability company whose address is PO Box 278 Grand Junction, CO 81502, Grantor, owner of a parcel of land located at 1903 Linden Avenue, Grand Junction, CO 81503, as recorded at Reception No. 3060253, Public records of Mesa County, 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, 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 Multipurpose Easement for the use and benefit of Grantee and for the use and benefit of the Public Utilities, as approved by Grantee, as a perpetual easement for City approved utilities including 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 and grade structures, on, along, over, under, through and across 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 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 unreasonably interfere with the full use and quiet enjoyment of the rights herein granted. Except as expressly permitted in a written agreement with the Grantee, 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. A planning clearance shall not suffice as a written agreement. In the event such obstacles are installed in the Easement, the Grantee 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 Grantee may remove such obstacles without any liability or obligation for repair and replacement thereof and charge the Grantor the Grantee's costs for such removal. If the Grantee chooses not to remove the obstacles, the Grantee will not be liable for any damage to the obstacles or any other property to which they are attached.

Grantor hereby covenants with Grantee that 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 26 day of July, 2024.

Grantor: [Signature] **ECR LLC, a Colorado limited liability company**

[Signature]
Robert J. Ras, Member

State of Colorado)
County of Mesa)ss

The foregoing instrument was acknowledged before me this 26 day of July 2024, by Robert J. Ras, as Member for ECR LLC, a Colorado limited liability company.

Witness my hand and official seal.

TRINIDY RYNAE BURKEPILE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20244022850
MY COMMISSION EXPIRES JUNE 17, 2028

[Signature]
Notary Public

RATIFICATION OF GRANT OF MULTIPURPOSE EASEMENT

Ratified, acknowledged, and consented to subordination of interest, by the following Deed of Trust Beneficiary:

The undersigned hereby certifies that it is a holder of a security interest upon the above described property and does hereby join in and consent to this grant of multipurpose easement by the owner thereof and agrees that its security interest as beneficiary of the security interest for T.L.T. Trust, which is evidenced by that Deed of Trust dated December 2, 2022, and recorded on 12/08/2022, in the office of the Mesa County Clerk and Recorder, Reception No. 3051172, shall be and is hereby subordinate to this grant of multipurpose easement to the City of Grand Junction.

T.L.T. Trust

By:

Print Name: Stacy Baxter

State of _____)
County of _____)ss
_____)

The foregoing instrument was ratified, acknowledged, and consented to subordination of interest, before me this ____ day of _____, 2024 by _____ as _____ for T.L.T. Trust with authority to do so.

Witness my hand and official seal.

Notary Public

See attached for Notary Certificate

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Diego

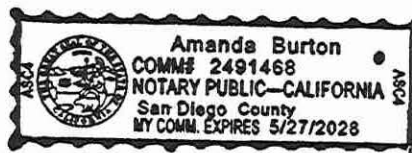
On 30 July 2024 before me, Amanda Burton, Notary Public
(insert name and title of the officer)

personally appeared Stacy Baxter,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)



HIGH DESERT SURVEYING, INC.
591 25 Road, Suite B1
Grand Junction, CO 81505
Tel: 970-254-8649 ♦ Fax: 970-241-0451

EXHIBIT A

14.00' Wide Multipurpose Easement

A 14.00' wide parcel for Multipurpose Easement situated in the Northwest Quarter of the Northeast Quarter (NW¼ NE¼) of Section 26, 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 Southeast Corner of the Northwest Quarter of the Northeast Quarter (NW¼ NE¼) of Section 26, Township 1 South, Range 1 West, Ute Meridian, whence the Northeast Corner of said NW¼ NE¼ bears N00°14'55"W, a distance of 1327.36 feet for a Basis of Bearings with all bearings shown hereon relative thereto; thence along the East line of said NW¼ NE¼, N00°14'55"W, a distance of 217.35 feet to the Northeast corner of a Right-of-Way parcel, Reception No. 766632; thence along the North line of said Right-of-Way parcel, S89°46'47"W, a distance of 26.00 feet to the POINT OF BEGINNING; thence S89°46'47"W, a distance of 14.00 feet; thence N00°14'55"W, a distance of 330.29 feet; thence S89°39'35"E, a distance of 14.00 feet; thence S00°14'55"E, a distance of 330.15 feet to the POINT OF BEGINNING.

City of Grand Junction, County of Mesa, State of Colorado.

Said parcel contains an area of 4623 square feet as herein described.



22-78 Linden MPE.doc
Prepared by:
J. Ben Elliott, PLS38146
High Desert Surveying, Inc.
591 25 Road, Suite B1
Grand Junction, Colorado, 81505

EXHIBIT B

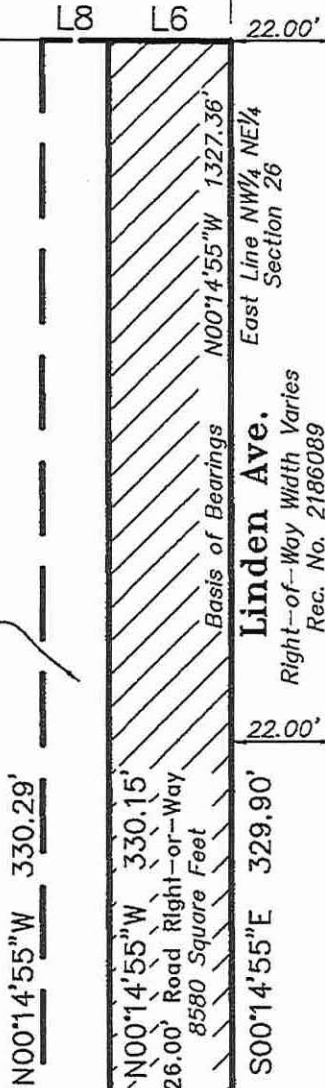
Richard T. Rhoades
2945-261-18-003
1931 Linden Ave.

Northeast Corner
NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 26
T1S, T1W, Ute Meridian
3.25" Brass Cap
MCSM # 135-1



14.00' Multipurpose
Easement
4623 Square Feet

ECR LLC
2945-261-24-001
1903 Linden Ave.



Linden Pointe Subdivision
Reception No. 2186089

Barcelona Way

LINE	BEARING	DISTANCE
L5	S89°46'47"W	26.00'
L6	S89°39'35"E	26.00'
L7	S89°46'47"W	14.00'
L8	S89°39'35"E	14.00'

POINT OF BEGINNING
Multipurpose Easement Parcel

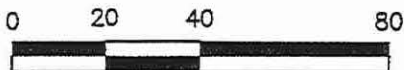
And Beyond Properties LLC
2945-261-11-001
2674 Highway 50
30.00' Deeded
Right-of-Way
Rec. No. 766632

POINT OF BEGINNING
Right-of-Way Parcel

POINT OF COMMENCEMENT
Southeast Corner
NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 26
T1S, T1W, Ute Meridian
2.5" ALC, Illegible



SCALE: 1" = 40'



High Desert Surveying, Inc.

591 25 Road, Suite B1

Grand Junction, Colorado 81505

Tele: 970-254-8649 Fax: 970-241-0451

PROJ. NO.	Surveyed	Drawn	APP'D	SHEET	OF
22-78	BO/SG	BE	-	1	1