

GRANT OF MULTI-PURPOSE EASEMENT

WenDee Homes, LLC, a Colorado Limited Liability Company, Grantor, whose mailing address is P.O. Box 139, Clarkston, Utah, 84305, owner of that certain parcel of land in Mesa County, Colorado, described in Book 4112, Page 192, Public Records of Mesa County, Colorado, 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 North 5th Street, Grand Junction, Colorado 81501, a Perpetual Multi-Purpose 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 the following described parcel of land, to wit:

A tract of land situated in the Northeast Quarter of the Northeast Quarter of Section 32, Township 1 North, Range 1 West of the Ute Principal Meridian, Mesa County, Colorado and being more particularly described as follows:

Commencing at the Northeast corner of said Section 32 from whence the North Sixteenth corner on the East line of said Section 32 bears $S0^{\circ}02'59''W$; thence $S0^{\circ}02'59''W$ along said East line a distance of 320.50 feet; thence $N89^{\circ}58'52''W$ a distance of 55.00 feet to the Point of Beginning; thence $N89^{\circ}58'52''W$ along the South line of that property as described in Book 5436 at Page 407, Reception Number 2645627 of the Mesa County Clerk's Office a distance of 14.00 feet; thence $N0^{\circ}02'59''E$ a distance of 239.71 feet; thence $N44^{\circ}57'59''W$ a distance of 16.67 feet; thence $N89^{\circ}58'57''W$ a distance of 222.81 feet to the West line of said property; thence along said West line $N1^{\circ}49'29''E$ a distance of 14.01 feet; thence $S89^{\circ}58'57''E$ a distance of 228.17 feet; thence $S44^{\circ}57'59''E$ a distance of 28.28 feet; thence $S0^{\circ}02'59''W$ a distance of 245.50 feet to the Point of Beginning.

Said parcel of land containing 6,868 square feet or 0.158 Acres, as described herein and depicted on **Exhibit "A"** attached hereto and incorporated herein by 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.

SHEET 1 OF 3

1. 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. Except as expressly permitted in an approved plan or other written agreement with the City, Grantor will not install on the Easements, or permit the installation on the Easements, 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 Easements, the City has the right to require the Grantor to remove such obstacles from the Easements. 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 Owner 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.
2. 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 16TH day of SEPTEMBER, 2013.

WenDee Homes, LLC
a Colorado Limited Liability Company

By: 
Wendell Gates, Member

State of COLORADO)
)ss.
County of MESA)

The foregoing instrument was acknowledged before me this 16th day of September, 2013, by Wendell Gates, Member, WenDee Homes, LLC, a Colorado Limited Liability Company

My commission expires August 25, 2017.




Notary Public

EXHIBIT "A"

MESA COUNTY TAX No.
2701-294-00-031
RECEPTION No. 2518445

POINT OF COMMENCEMENT
MCSM No.297-1
GPS ID. NO. P100
NE CORNER SECTION 32
T1N, R1W, UTE

H ROAD

BOOK 714 PAGE 521

NORTH LINE NE $\frac{1}{4}$ NE $\frac{1}{4}$ SECTION 32

30' RIGHT OF WAY
PLAT BOOK 13
PAGE 464

N1°49'29"E
14.01'

55.0'

S89° 58' 57"E 228.17'

N89° 58' 57"W 222.81'

N44°57'59"W
16.67'

14' MULTI-PURPOSE EASEMENT
6,868 SQUARE FEET (HATCHED AREA)

S44°57'59"E
28.28'

25.0'

LOT 4 BLOCK ONE
APPLETON RANCHETTES
PLAT BOOK 13 PAGE 464

799 24 ROAD
WENDEE HOMES, LLC
MESA COUNTY TAX No.
2701-321-00-087
RECEPTION No. 2645627

LOT 4 BLOCK ONE
APPLETON RANCHETTES
PLAT BOOK 13 PAGE 464

N0° 02' 59"E 239.71'

245.50'

S0° 02' 59"W

320.50'

BOOK 714 PAGE 521

24 ROAD

POINT OF BEGINNING

S0°02'59"W

1320.90'

EAST LINE NE $\frac{1}{4}$ NE $\frac{1}{4}$ SECTION 32

N89°58'52"W
14.00'

55.00'

N89° 58' 52"W



SCALE: 1"=50'



SHEET 3 OF 3

LEGAL DESCRIPTION SKETCH

SITUATED IN THE NE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 32, T1N, R1W, UTE
GRAND JUNCTION, MESA COUNTY, COLORADO

14 FOOT MULTI-PURPOSE EASEMENT

TAX# 2701-321-00-087 OWNER: WENDEE HOMES, LLC

JOB #: 2012047
DRAWING NAME: 799 24 RD LEGAL

FIELD WORK: PWC
DRAWN BY: PWC

POLARIS SURVEYING

PATRICK W. CLICK P.L.S. No. 37904
3194 MESA AVENUE #B
GRAND JUNCTION, CO 81504
PHONE (970)434-7038