

PROJECT NO. NH 0701-214  
 LOCATION I-70 Exit 26, Diverging Diamond  
 PERMANENT EASEMENT NO. PE-100  
 PROJECT CODE: 18771

**PERMANENT EASEMENT**

KNOW ALL MEN BY THESE PRESENTS, that the CITY OF GRAND JUNCTION, a Colorado home rule municipality, ("City") of Mesa County, State of Colorado, Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00), and other valuable consideration, in hand paid by DEPARTMENT OF TRANSPORTATION, STATE OF COLORADO, Grantee, receipt of which is hereby acknowledged, has given and granted and by these presents does hereby give and grant unto the said Grantee, its heirs, successors, and assigns a PERPETUAL, NON-EXCLUSIVE EASEMENT for the purpose of a "Multipurpose Easement" (as the same is defined herein) for the use and benefit of Grantee, the public, and for the use and benefit of the Public Utilities, as approved by Grantee, for the installation, operation, maintenance, repair and replacement of utilities and appurtenances related thereto, including, but not limited to, electric lines, cable television lines, natural gas pipelines, sanitary sewer lines, storm sewers and storm water drainage facilities, irrigation and drainage facilities and structures, water lines, telephone lines, and also for the installation, operation, maintenance, repair and replacement of traffic control facilities, street lighting, landscaping, trees, all grade structures including slopes, irrigation, dewatering, pond grading and road construction and maintenance as approved by Grantee, on, along, over, under, through and across the following described parcel of land, to wit:

See Attached Exhibit "A" dated September 24, 2012 and Exhibit "A-1" for:

Project Number: NH 0701-214  
 Permanent Easement No. PE-100  
 Project Code: 18771

This Multipurpose Easement was granted to the City, Book 5455 Page 758 of the Mesa County Clerk and Recorder's records, from the landowner, Pilot Travel Centers LLC ("PTC") as a requirement of its development approval with the City and PTC understands and agreed in its grant of easement to the City that it shall place no improvements within the easement area without written consent of Grantee prior to installation.

Signed this 16<sup>th</sup> day of April, 2013.

ATTEST:

THE CITY OF GRAND JUNCTION,  
 a Colorado home rule municipality

By Debra M. Kemp  
 Its: Debra M. Kemp, Deputy City Clerk

By [Signature]  
 Rich Englehart, City Manager

STATE OF COLORADO )  
 ) ss.  
 COUNTY OF MESA )

The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of April, 2013, by Rich Englehart as City Manager, and attested to by Debra M. Kemp as Deputy City Clerk, of The City of Grand Junction, a Colorado home rule municipality.

Witness my hand and official seal.  
 My Commission Expires 10-10-2013

Juanita Peterson  
 Notary Public



**EXHIBIT "A"**

**PROJECT NUMBER: NH 0701-214**  
**PERMANENT EASEMENT NUMBER: PE-100**  
**Project Code: 18771**  
**Date: September 24, 2012**

A permanent easement No. PE-100 of the Department of Transportation, State of Colorado, Project No. NH 0701-214 containing 9,598 Square Feet or 0.220 Acres, more or less, located in the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of Section 36, Township 1 North, Range 2 West of the Ute Principal Meridian, County of Mesa, State of Colorado, said permanent easement being more particularly described as follows:

Commencing at the East Quarter (E 1/4) corner of said Section 36 (a 3" Brass Mesa County Cap on a 2.5" Steel Pipe No. 1115), thence S 25°05'09" W, a distance of 453.40 feet, said point being on the Westerly right of way line for Interstate Highway 70, Project No. I 70-1(3), said point also being the POINT OF BEGINNING;

1. Thence N 43°54'37" W, a distance of 10.00 feet;
2. Thence N 46°05'23" E, a distance of 90.75 feet;
3. Thence N 06°35'38" W, a distance of 20.04 feet;
4. Thence N 49°41'54" W, a distance of 11.07 feet;
5. Thence N 89°58'26" W, a distance of 34.01 feet;
6. Thence N 14°01'23" W, a distance of 36.16 feet;
7. Thence N 69°18'35" W, a distance of 19.08 feet;
8. Thence N 82°42'28" W, a distance of 111.74 feet;
9. Thence N 77°40'40" W, a distance of 43.79 feet;
10. Thence N 00°18'06" W, a distance of 14.65 feet;
11. Thence S 89°41'54" W, a distance of 65.39 feet;
12. Thence N 77°40'40" W; a distance of 19.04 feet;
13. Thence N 74°07'17" W, a distance of 24.65 feet, to a point on the South right of way line for Highway 6 & 50;
14. Thence N 89°41'54" E, along said South right of way line, a distance of 157.30 feet;
15. Thence S 71°03'49" E, continuing along said South right of way line, a distance of 201.02 feet;
16. Thence S 20°51'00" E, a distance of 41.42 feet, to a point on the said Westerly right of way line of Interstate Highway 70;
17. Thence S 46°05'23" W, along said Westerly right of way line, a distance of 121.95 feet, more or less, to the POINT OF BEGINNING.

The above described permanent easement contains 9,598 Sq. Ft. (0.220 acres), more or less.

The purpose of the above described permanent nonexclusive Multipurpose Easement for the use and benefit of Grantee, the public, and for the use and benefit of the Public Utilities, as approved by Grantee, for the installation, operation, maintenance, repair and replacement of utilities and

appurtenances related thereto, including, but not limited to, electric lines, cable television lines, natural gas pipelines, sanitary sewer lines, storm sewers and storm water drainage facilities, irrigation and drainage facilities and structures, water lines, telephone lines, and also for the installation, operation, maintenance, repair and replacement of traffic control facilities, street lighting, landscaping, trees, all grade structures including slopes, irrigation, dewatering, pond grading and road construction and maintenance as approved by Grantee, on, along, over, under, through and across the above described parcel of land.

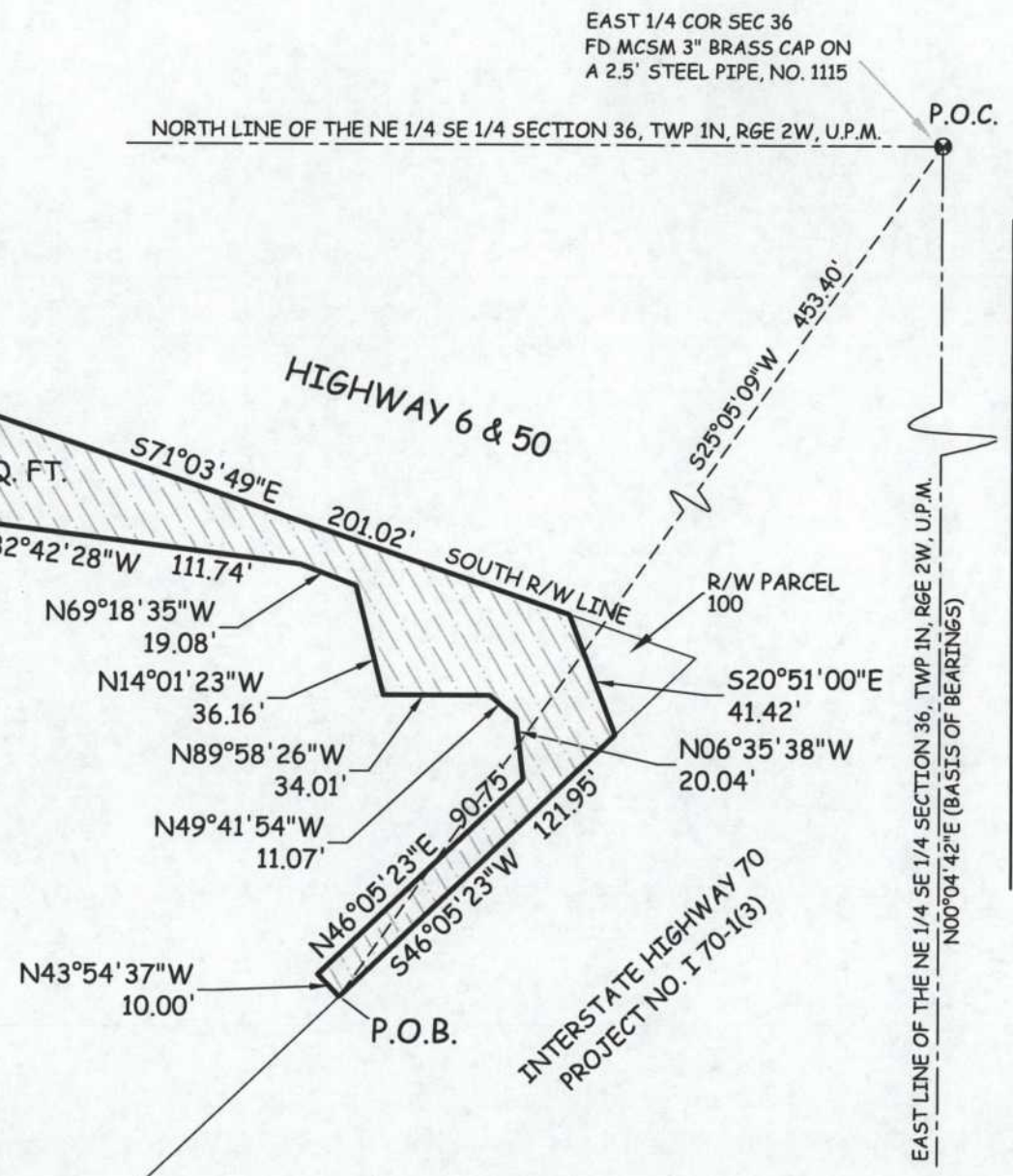
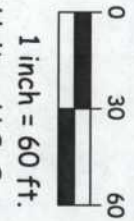
Basis of Bearings: Bearings are based on the East line of the NE 1/4 SE 1/4 of Section 36, Township 1 North, Range 2 West of the Ute Principal Meridian, bearing N 00°04'42" E, the East 1/4 corner of said Section 36 being a 3" Brass Mesa County Cap on a 2.5" Steel Pipe, No. 1115 and the S 1/16 corner of said Section 36 being a 3" Brass Mesa County Cap on a 2.5" Steel Pipe, No. 1116.

Prepared for and on behalf of the  
Colorado Department of Transportation  
Peter T. Krick, PLS No. 32824  
City of Grand Junction  
250 N. 5<sup>th</sup> Street  
Grand Junction, Co 81501

# EXHIBIT "A-1"

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.

Lineal Units = U.S. Survey Foot



PILOT TRAVEL CENTERS, LLC  
 2195 HWY 6 & 50  
 LOT 1  
 PTC SUBDIVISION  
 (BK 5455, PG 753)

DRAWN BY: P.T.K.  
 DATE: 01-11-2013  
 SCALE: 1" = 60'  
 APPR. BY: PTK

PILOT TRAVEL CENTERS, LLC  
 PERMANENT EASEMENT NO. PE-100  
 2697-364-00-084

CITY OF  
**Grand Junction**  
 COLORADO