

GRANT OF DRAINAGE AND SLOPE EASEMENT

ON THE HORIZON, LLC, a Colorado 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 Slope and Drainage Easement ("Easement") for the use and benefit of Grantee and benefit of the Public, as approved by Grantee, as a perpetual slope and drainage easement on, along, over under, through and across the following described parcel of land to wit:

See Exhibit "A" and Exhibit "B" attached hereto and incorporated herein by reference for the legal description and graphic illustration of the Drainage Easement that is the subject of this instrument.

Containing 9,937 square feet or 0.228 acres, more or less.

Being part of Mesa County Assessor Parcel No.: 2945-012-00-090.

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 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 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, 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.

The easement shall be for the use and benefit of Grantee, its members, employees, agents and contractors or any of its successors in title or interest, and the public.

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 demands of all persons whomsoever.

(INTENTIONALLY LEFT BLANK – SIGNATURE PAGE TO FOLLOW)

Executed and delivered this 19th day of August, 2024.

**ON THE HORIZON, LLC,
a Colorado Limited Liability Company**

By: [Signature]
Darin Carei, Managing Member

State of Colorado)
County of Mesa) ss.

The foregoing instrument was acknowledged before me this 19th day of August, 2024, by Darin Carei as Managing Member of On the Horizon, LLC, a Colorado Limited Liability Company

Witness my hand and official seal.

My Commission Expires: 12-17-2025

[Signature]
Notary Public

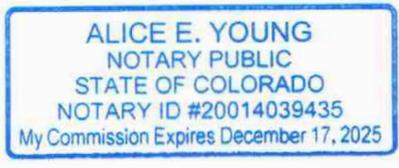


EXHIBIT A

2945-012-00-090
DRAINAGE EASEMENT PARCEL NO. DE-1
LEGAL DESCRIPTION

A Parcel of land being a portion of Reception Number 2954101, located in Lot 3 (aka the Northeast Quarter of the Northwest Quarter (NE1/4 NW1/4)), Section 1, Township 1 South, Range 1 West, Ute Meridian, City of Grand Junction, Mesa County Colorado being more particularly described as follows:

Commencing at the West Sixteenth Corner of Said Section 1 / Section 36, whence the North Quarter Corner of said Section 1 bears N89°59'29"E, a distance of 1,321.07 feet using the Mesa County Local Coordinate System with all other bearings contained herein being relative thereto; thence from said point of commencement S67°54'02"E, a distance of 494.97 feet to the Point of Beginning;

thence the following five (5) courses,

- 1) N51°11'15"E, a distance of 94.81 feet, 2) S33°52'57"E, a distance of 9.87 feet,
- 3) N80°58'54"E, a distance of 18.57 feet, 4) N72°47'43"E, a distance of 24.05 feet
- 5) N82°24'24"E, a distance of 42.03 feet to a point on the Westerly boundary line of Parcel Number MPE-1; thence along said boundary line the following two (2) courses,
 - 1) Southwesterly along the Arc of a 229.50 foot radius non-tangent curve concave Northwesterly, a distance of 93.32 feet thru a central angle of 23°17'48" whose chord bears S34°18'31"W, a distance of 92.67 feet;
 - 2) Southwesterly along the Arc of a 1,855.00 foot radius non-tangent curve concave Northwesterly, a distance of 81.74 feet thru a central angle of 02°32'41" whose chord bears S51°27'15"W, a distance of 81.73 feet; thence N37°17'02"W, a distance of 76.26 feet to the Point of Beginning.

The purpose of the above described Parcel of land is for a Drainage Easement for Horizon Drive and G Road Roundabout at the 27 1/2 Road project.

Said Parcel of land containing 9,937 Square Feet or 0.228 Acres more or less.

Authored by: Renee B. Parent, CO LS38266, City Surveyor, City of Grand Junction
244 N. 7th Street, Grand Junction, Colorado, 81501, 970-256-4003



PUBLIC WORKS
ENGINEERING DIVISION

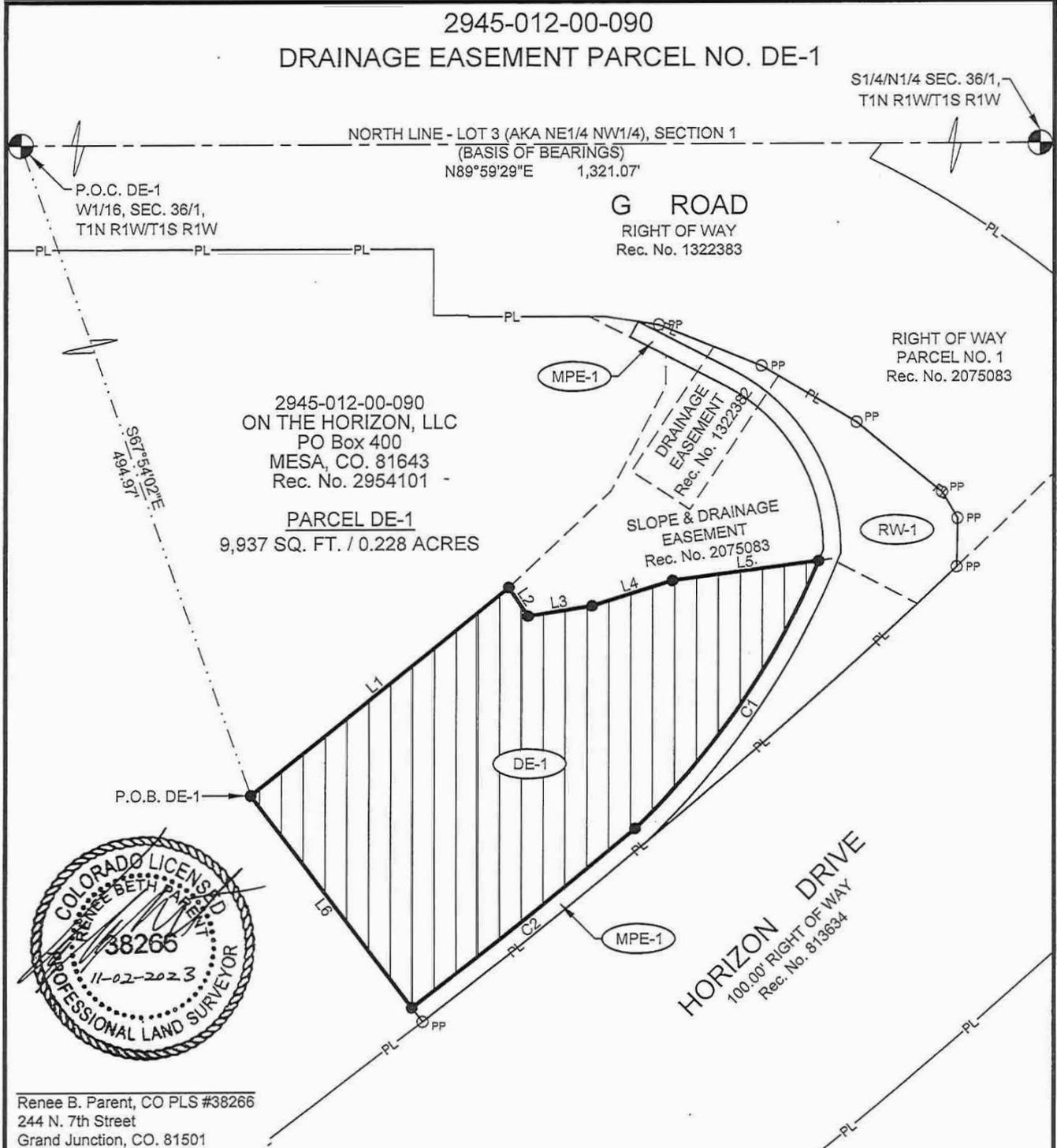
DRAWN BY: NCW
DATE: 11/02/2023
SCALE: N/A
APPR. BY: RBP

LOCATED IN
LOT 3 (AKA NE1/4 NW1/4), SECTION 1,
TOWNSHIP 1 SOUTH, RANGE 1 WEST,
UTE MERIDIAN,
CITY OF GRAND JUNCTION,
COUNTY OF MESA,
STATE OF COLORADO



EXHIBIT B

2945-012-00-090
 DRAINAGE EASEMENT PARCEL NO. DE-1

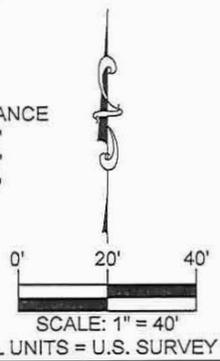


Renee B. Parent, CO PLS #38266
 244 N. 7th Street
 Grand Junction, CO. 81501

- ABBREVIATIONS / LEGEND**
- P.O.C. Point of Commencement
 - P.O.B. Point of Beginning
 - SEC. Section
 - T. Township
 - R. Range
 - U.M. Ute Meridian
 - Rec. Reception
 - No. Number
 - AKA Also Known As
 - NT Non-Tangent Curve
 - MPE Multi-Purpose Easement
 - RW Right-of-Way
 - DE Drainage Easement
 - TCE Temporary Construction Easement
 - PSCO Public Service Company of Colorado
 - PP Found Property Evidence - 1.5" Pin KOHL PLS 37067
 - Point of Intersection
 - ⊙ Found Monument

CURVE DATA TABLE		DE-1			
CURVE	ARC	RADIUS	DELTA	CHORD BRG / LENGTH	
C1 (NT)	93.32'	229.50'	23°17'48"	S34°18'31"W / 92.67'	
C2 (NT)	81.74'	1,855.00'	02°32'41"	S51°27'15"W / 81.73'	

LINE DATA TABLE		DE-1			
LINE	BEARING	DISTANCE	LINE BEARING	DISTANCE	
L1	N51°11'15"E	94.81'	L4	N72°47'43"E	24.05'
L2	S33°52'57"E	9.87'	L5	N82°24'24"E	42.03'
L3	N80°58'54"E	18.57'	L6	N37°17'02"W	76.26'



**PUBLIC WORKS
 ENGINEERING DIVISION**

DRAWN BY: NCW
 DATE: 11/02/2023
 SCALE: 1"=40'
 APPR. BY: RBP

LOCATED IN
 LOT 3 (AKA NE1/4 NW1/4), SECTION 1,
 TOWNSHIP 1 SOUTH, RANGE 1 WEST,
 UTE MERIDIAN,
 CITY OF GRAND JUNCTION,
 COUNTY OF MESA,
 STATE OF COLORADO

