

## GRANT OF MULTI-PURPOSE AND PEDESTRIAN EASEMENT

**The County of Mesa, a political subdivision of the State of Colorado, Grantor,** whose address is PO Box 20000, Grand Junction, Co, 81502, 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 Pedestrian Easement for the use of the Grantee as a perpetual easement for ingress and egress access use by the public forever for constructing, installing, maintaining and repairing a trail and for purposes of walking, running, wheelchairs (motorized and nonmotorized), bicycling, and other nonmotorized forms of transportation for commuting and recreational purposes with or without pets accompanying them, and 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 certain parcel of land lying in the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of Section 4, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado, lying entirely within that certain parcel of land described in Book 5189, Page 442, Public Records of Mesa County, Colorado and being more particularly described as follows:

COMMENCING at the Southwest corner of Block 3, The Homestead in Grand Junction and assuming the West line of the SW 1/4 SE 1/4 of said Section 4 bears S00°01'18" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 89°50'26" E along the South line of said Block 3 and the North line of that said certain parcel of land described in Book 5189, Page 442, a distance of 339.36 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 89°50'26" E, a distance of 48.14 feet to a point being the Northeast corner of that said certain parcel of land described in Book 5189, Page 442; thence S 00°01'18" W along the East line of that said certain parcel of land described in Book 5189, Page 442, a distance of 30.00 feet; thence S 89°50'26" W along a line 30.00 feet South of and parallel with the North line of that said certain parcel of land described in Book 5189, Page 442, a distance of 346.05 feet; thence S 45°40'14" W, a distance of 16.01 feet; thence S 00°01'18" W along a line 60.00 feet East of and parallel with the West line of the SW 1/4 SE 1/4 of said Section 4, a distance of 373.00 feet to a point on the South line of that said certain parcel of land described in Book 5189, Page 442, said line also being the North line of Twenty Four Fifty-Two, LLC Subdivision, as same is recorded in Plat Book 18, Page 348, Public Records of Mesa County, Colorado; thence N 89°51'19" E along the South line of that said certain parcel of land described in Book 5189, Page 442, a distance of 20.00 feet; thence N 00°01'18" E along a line 40.00 feet East of and parallel with the West line of the SW 1/4 SE 1/4 of said Section 4, a distance of 381.48 feet; thence N 45°40'14" E, a distance of 32.54 feet; thence N 89°50'26" E along a line 10.00 feet South of and parallel with the North line of that said certain parcel of land described in Book 5189, Page 442, a distance of 184.92 feet; thence N 85°07'26" E, a distance of 121.61 feet, more or less, to the Point of Beginning.

Said strip of land contains 16,120 square feet or 0.37 Acres, more or less, 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.

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; provided, however, that Grantor hereby covenants with Grantee that the Easement shall not be burdened or overburdened by the installation, construction or placement of any improvements, structures or fixtures thereon which may be detrimental to the facilities of Grantee or which may act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement.
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.

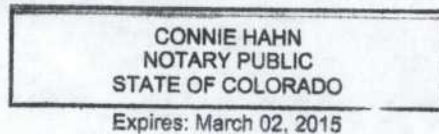
Executed and delivered this 26 day of December, 2012.

By: Stacey Mascarenas  
 Stacey Mascarenas, Commissioner to Convey  
 Real Estate, appointed by Resolution No. MCM 95-160  
 and MCM 2001-20

State of Colorado )  
 )ss.  
 County of Mesa )

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of December, 2012, by Stacey Mascarenas as Commissioner to Convey Real Estate for the County of Mesa, a political subdivision of the State of Colorado.

My commission expires 3/21/15.



Witness my hand and official seal.

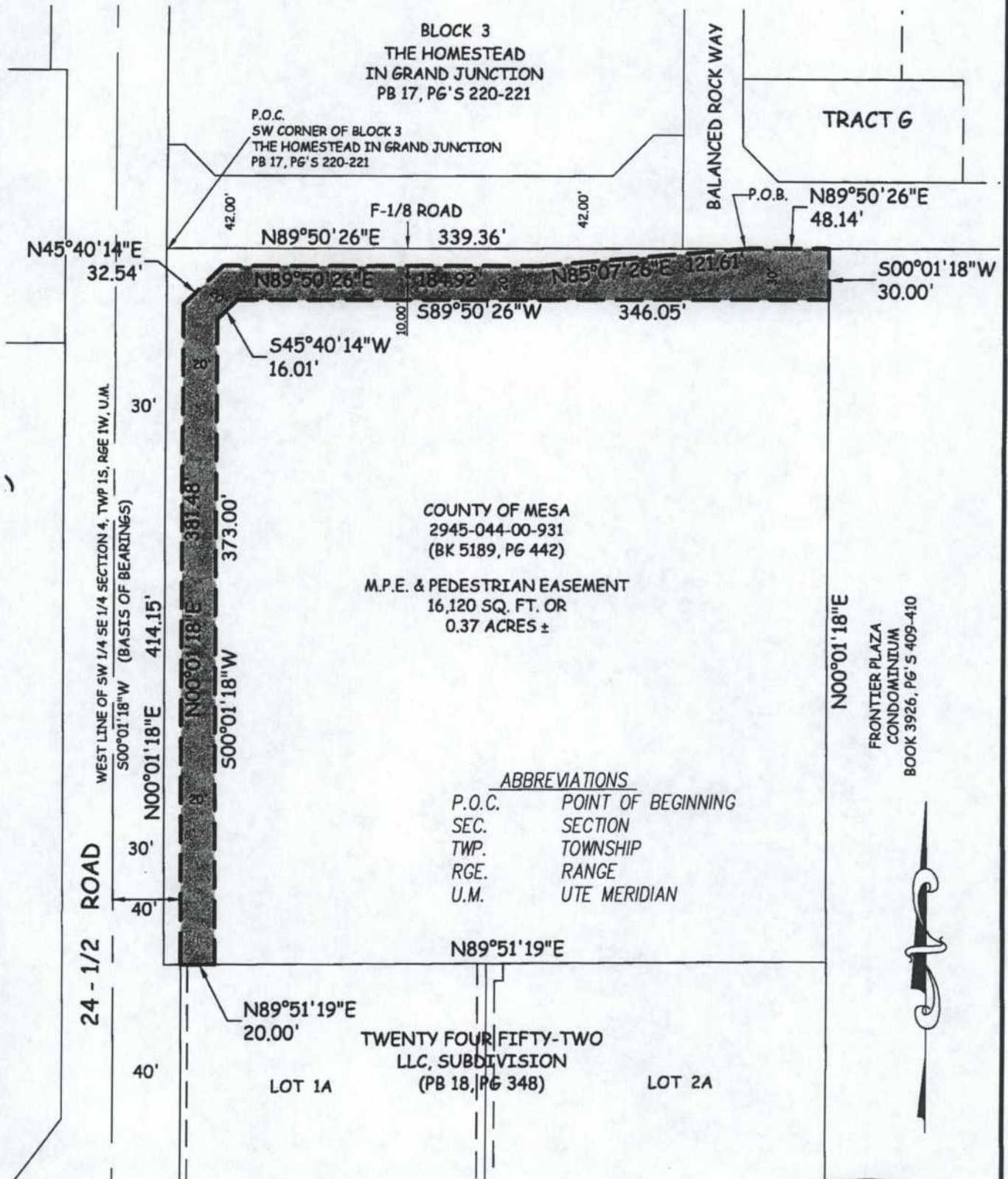
Connie Hahn

Notary Public

**SHEET 2 OF 3**

# EXHIBIT "A"

## SHEET 3 OF 3



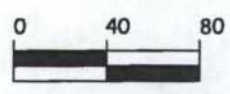
COUNTY OF MESA  
2945-044-00-931  
(BK 5189, PG 442)

M.P.E. & PEDESTRIAN EASEMENT  
16,120 SQ. FT. OR  
0.37 ACRES ±

ABBREVIATIONS

P.O.C.	POINT OF BEGINNING
SEC.	SECTION
TWP.	TOWNSHIP
RGE.	RANGE
U.M.	UTE MERIDIAN

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



1 inch = 80 ft.  
Lineal Units = U.S. Survey Foot



DRAWN BY: P.T.K.  
DATE: 11-02-12  
SCALE: 1" = 80'  
APPR. BY: PTK

*20' M.P.E. AND PEDESTRIAN EASEMENT*  
2945-044-00-931

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MESA COUNTY C.V.T. SITE

