

GRANT OF SANITARY SEWER EASEMENT

Bottling Group, LLC, a Delaware Limited Liability Company, Grantor, for and in consideration of the sum of Ten 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**, for the use and benefit of the Lake Road Lift Station, whose address is 250 N. 5th Street, Grand Junction, CO 81501, a Perpetual Easement for the installation, operation, maintenance and repair of sanitary sewer facilities, installation and maintenance of roadway for ingress and egress, and appurtenances related thereto, 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 Sanitary Sewer Easement that is the subject of this instrument.

Said Parcel being a part of Mesa County Assessor Parcel No. 2945-153-00-086

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. As a condition of accepting this grant of Easement, Grantee agrees, at the Grantee's sole cost and expense, to reasonably repair and restore those portions of the Grantor's premises affected or damaged by the Grantee's activities pursuant to this Easement, provided that Grantee shall have the right to remove, without restoration, obstacles as described below.

Grantor shall not perform any act or permit the performance of any act that could be detrimental to Grantee's installation, operation, maintenance and repair of Grantee's sanitary sewer facilities and related appurtenances.

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.

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 claiming the whole or any part thereof, by, through or under Grantor.

Executed and delivered this 28th day of February, 2024.

Owner:
Bottling Group, LLC, a Delaware Limited Liability Company

BY: 

NAME: Andrew Halturin

TITLE: Director of Real Estate

State of New York)
) ss.
County of Westchester)

The foregoing instrument was acknowledged before me this 28th day of February, 2024, by Andrew Halturin as Director of Real Estate of Bottling Group, LLC, a Delaware Limited Liability Company.

Witness my hand and official seal.

My commission expires: 4-24-26



Notary Public

DEBORAH MILL
NOTARY PUBLIC - STATE OF NEW YORK
NO. 01MI6144560
QUALIFIED IN DUTCHESS COUNTY
MY COMMISSION EXPIRES APRIL 24, 2026

LEGAL DESCRIPTION

2945-153-00-086

SEWER EASEMENT TO THE CITY OF GRAND JUNCTION, SE-9

An Easement being a portion of the Parcel of land as described in Reception Number 1948160 located in the Northwest Quarter of the Southwest Quarter of (NW1/4 SW1/4) of Section 15, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the West Quarter Corner of Section 15, whence the Southwest Corner of Section 15 bears S00°14'24"W a distance of 2655.39 feet using the Mesa County Local Coordinate System with all other bearings contained herein being relative thereto; thence from the said point of commencement S33°53'11"E a distance of 1313.85 feet to a point on the Southern boundary of said parcel of land as described in Reception Number 1948160 also being a point on the Northerly Right of Way line of Power Road, Reception Number 775208 and being the Point of Beginning; thence the following two (2) courses, 1) N59°28'53"E a distance of 53.91 feet, 2) S85°36'18"E a distance of 275.42 feet to a point on the East boundary line of said Reception Number 1948160; thence along said East boundary line S00°07'07"W a distance of 20.06 feet; thence N85°36'18"W a distance of 103.59 feet to a point on said Southern boundary line; thence along said Southern boundary line the following two (2) courses 1) N78°37'27"W a distance of 107.84 feet 2) S08°32'49"E a distance of 13.45; thence the following two (2) courses, 1) N85°36'18"W a distance of 63.01 feet, 2) S59°28'53"W a distance of 27.80 feet to a point on said Southern boundary line; thence along said Southerly boundary line N75°15'36"W a distance of 28.16 feet to the Point of Beginning.

Said Parcel of land CONTAINING 5,596 Square Feet or 0.13 Acres, more or less, as described.

Authored by: Renee B. Parent, CO PLS #38266
City Surveyor - City of Grand Junction
244 North 7th Street
Grand Junction, CO 81501



G:\Data\Landpro\902-F1704 (Lake Road Lift Station Project)\9550W Aquilation\Parcel 9\Lake Road Lift Station - Parcel 9\Site.dwg - PLOTTED 2023-05-04

ABBREVIATIONS

P.O.C.	Point of Commencement	Rec.	Reception
P.O.B.	Point of Beginning	No.	Number
R.O.W.	Right-of-Way	RW	Right-of-Way
R.	Section	MPE	Multi-Purpose Easement
S.	Township	TCE	Temporary Construction Easement
R.	Range	U.M.	Ute Meridian
r	Approximately	PSCO	Public Service Company Of Colorado

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

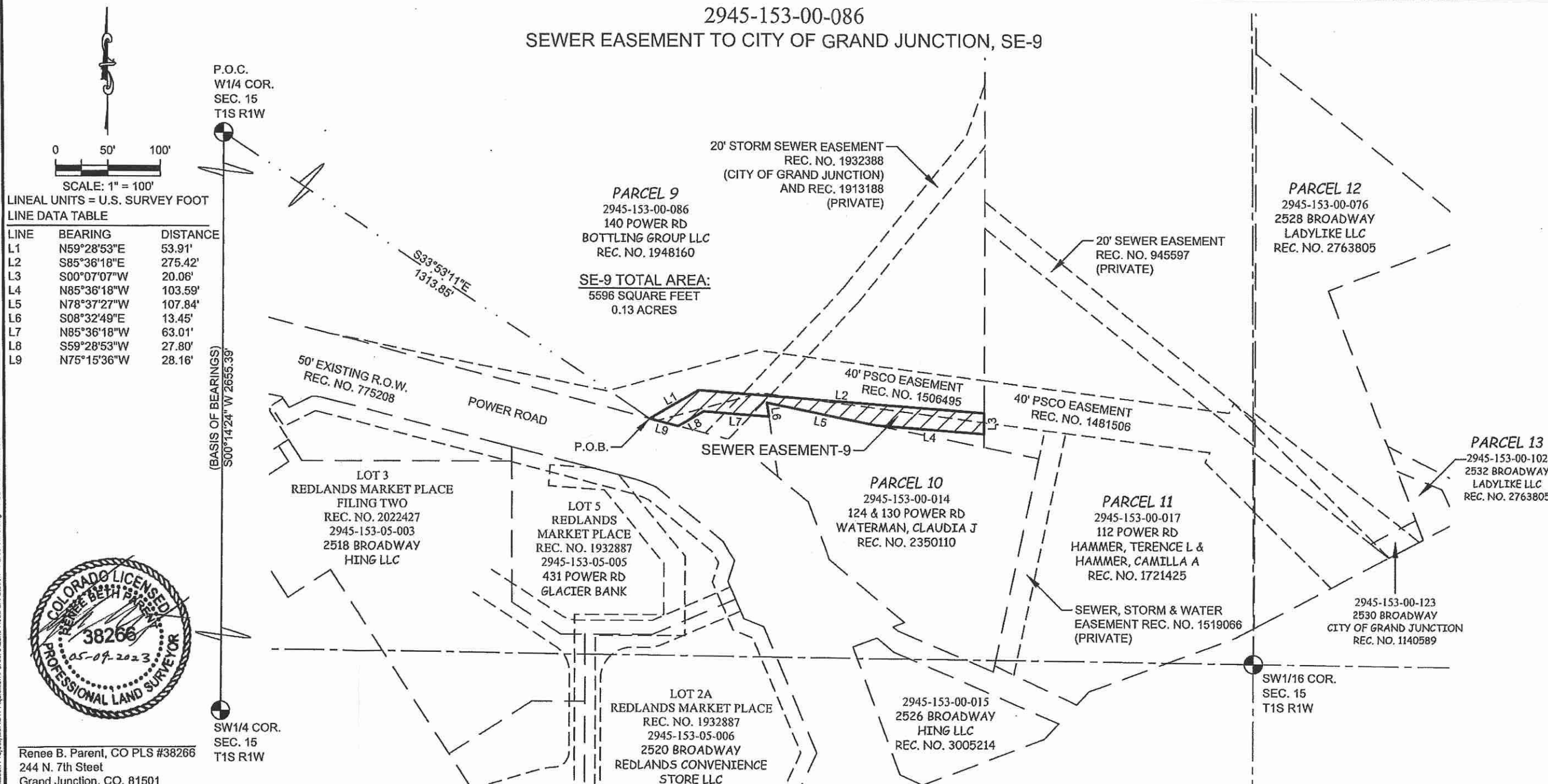
DRAWN BY: MJH
DATE: 04-25-2023
REVIEWED BY: RBP
APPROVED BY: LC
SCALE: N/A

LAKE ROAD LIFT STATION PROJECT
Located in part of the NW1/4 SW1/4,
Section 15, T.1S, R.1W
Ute Meridian, City of Grand Junction
Mesa County, Colorado



PUBLIC WORKS
ENGINEERING DIVISION
PROJECT NO. 902-F1704

2945-153-00-086
SEWER EASEMENT TO CITY OF GRAND JUNCTION, SE-9



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

ABBREVIATIONS

P.O.C.	Point of Commencement	Rec.	Reception
P.O.B.	Point of Beginning	No.	Number
R.O.W.	Right-of-Way	RW	Right-of-Way
R.	Section	MPE	Multi-Purpose Easement
S.	Township	TCE	Temporary Construction Easement
R.	Range	U.M.	Ute Meridian
-	Approximately	PSCO	Public Service Company Of Colorado

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

DRAWN BY: MJH
DATE: 04-25-2023
REVIEWED BY: RBP
APPROVED BY: LC
SCALE: 1" = 100'

LAKE ROAD LIFT STATION PROJECT
Located in part of the NW1/4 SW1/4,
Section 15, T.1S, R.1W
Ute Meridian, City of Grand Junction
Mesa County, Colorado



PUBLIC WORKS
ENGINEERING DIVISION
PROJECT NO. 902-1704F