

TEMPORARY CONSTRUCTION EASEMENT AGREEMENT

757 S Highway 50, Grand Junction, CO 81503

This Temporary Construction Easement Agreement ("Agreement") is made and entered into this 5TH day of March 2025 by and between **Rafael Rendon**, hereinafter referred to as "Owner" whose address is 1183 County Road 22, Montrose, CO 81403, and the **City of Grand Junction, a Colorado home rule municipality**, hereinafter referred to as "City," whose address is 250 N. 5th Street, Grand Junction, CO 81501, hereinafter referred to as "City".

RECITALS:

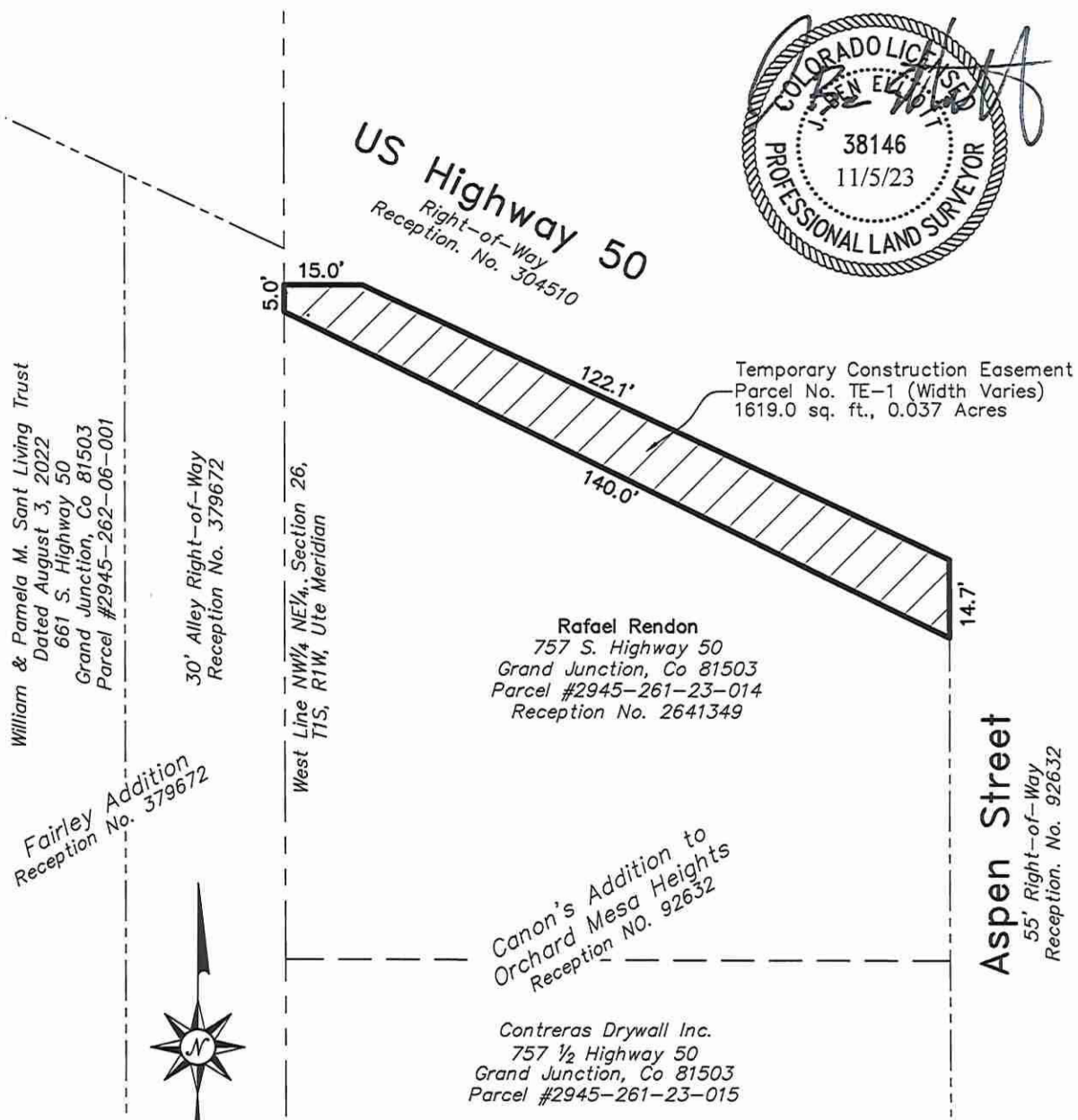
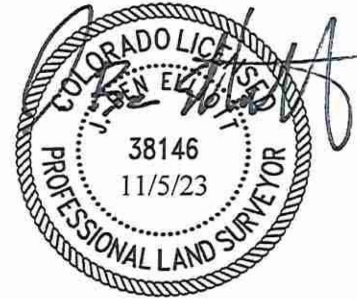
- A. The City has determined that constructing improvements for Highway 50 at Palmer Street, which includes the installation, replacement, repair and upgrade of roadway improvements including but not limited to the construction and installation of a signalized intersection with turn lanes, crosswalks, median modifications, changes to the B $\frac{3}{4}$ Road access and public utilities including but not limited to, electric power, irrigation, potable water, storm sewer and sanitary sewer (collectively, the "Project") is necessary for the health, safety and welfare of the inhabitants of the City.
- B. Owner is the owner of the parcel of land with an address of 757 S Highway 50, Grand Junction, CO 81503 as identified in the document recorded with Reception Number 2641349, in the Mesa County Clerk and Recorder's records ("Owner's Property"). The Project shall include the installation of some of the improvements on or adjacent to Owner's Property.
- C. To facilitate prudent and proper completion of the Project improvements, the City needs the Owner's permission to temporarily access and traverse the Owner's Property with workers and equipment in accordance with the terms and conditions of this Agreement and within the limits of the Owner's Property.

NOW, THEREFORE, based on the recitals above and in consideration of their mutual promises and other valuable consideration as herein stated, the receipt and adequacy of which are hereby acknowledged, the parties hereto agree as follows:

- 1. The Owner hereby grants and conveys to the City one (1) Temporary Construction Easement within the limits of the Owner's Property as depicted on the attached **Exhibit "A"** which is incorporated herein ("Easement Area"), to allow access for workers and equipment to facilitate installation, repair, and replacement of improvements associated with the Project during the term specified in paragraph 2.
- 2. The term of the City's use of the Temporary Construction Easements herein granted is nonexclusive, except that the Owner agrees that Owner or its successors, heirs, or assigns, shall not erect or construct any building or other permanent structure within the Easement Areas or interfere with City's access, use or operation within the Easements without first obtaining written consent of the City's Manager or City's Public Works Director. The Temporary Construction Easements shall commence with written notice presented at least 48 hours prior to the commencement to Owner at Owner's address above by ordinary US mail (presentation complete upon mailing) or in person and shall expire at midnight 24 months from the date of presentation of the written notice to Owner.
- 3. This Agreement is temporary in nature and is not intended to affect the title of the Owner's Property. Owner shall be responsible for informing any successor, heir, or assignee of this Agreement.

EXHIBIT A

Temporary Construction Easement Parcel No. TE-1
2945-261-23-014



Temporary Construction Easement
Parcel No. TE-1 (Width Varies)
1619.0 sq. ft., 0.037 Acres

Rafael Rendon
757 S. Highway 50
Grand Junction, Co 81503
Parcel #2945-261-23-014
Reception No. 2641349

Canon's Addition to
Orchard Mesa Heights
Reception NO. 92632

Contreras Drywall Inc.
757 1/2 Highway 50
Grand Junction, Co 81503
Parcel #2945-261-23-015

William & Pamela M. Sant Living Trust
Dated August 3, 2022
661 S. Highway 50
Grand Junction, Co 81503
Parcel #2945-262-06-001

Fairley Addition
Reception No. 379672

30' Alley Right-of-Way
Reception No. 379672

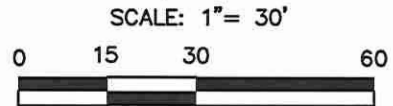
West Line NW1/4, NE1/4, Section 26,
T1S, R1W, Ute Meridian

Aspen Street
55' Right-of-Way
Reception No. 92632

High Desert Surveying, Inc.

591 25 Road, Suite B1
Grand Junction, Colorado 81505

Tele: 970-254-8649 Fax: 970-241-0451



PROJ. NO. 23-21	Surveyed	Drawn	APP'D	SHEET	OF
DATE: 11/5/2023	BO/SG	BE		1	1