

<b>CITY OF GRAND JUNCTION DEPARTMENT OF PUBLIC WORKS</b>  <b>MEMORANDUM OF AGREEMENT</b>	<b>Project No.: F210305</b>
	<b>Description: D ½ Road Improvement Project</b>
	<b>Owner(s): John T. Moir, IV</b>
	<b>Parcels: RW-04, &amp; MPE-04</b>

This Memorandum of Agreement ("Agreement") is made and entered into this 13<sup>th</sup> day of December, 2024, by and between **John T. Moir, IV** hereinafter referred to as "the Owner", and the City of Grand Junction, a Colorado home rule municipality, hereinafter referred to as "the City".

RECITALS:

- A. The City of Grand Junction, a Colorado home rule municipality ("City"), is proceeding with implementation of the D ½ Road Improvement Project ("Project"). The Project will widen and add street improvements to D ½ Road from 29 Road on the west to 30 Road on the east. Improvements include a center turn lane, bike lanes, curb gutter and streetlights to accommodate pedestrian and bicycle mobility, and storm drainage facilities ("Project Improvements"). Construction of the Project is anticipated to begin in 2024 with Ballot Initiative No. 2A funds approved by a majority of the City electorate in November of 2019.
- B. The Owner owns certain real property within the limits of the Project located at 2930 D ½ Road in the City of Grand Junction, County of Mesa, State of Colorado, as identified by Mesa County Assessor Parcel Number 2943-172-00-221, hereinafter referred to as "the Owner's Property".
- C. The installation, operation, maintenance, repair and replacement of the Project Improvements requires the acquisition of the following described real property interests from the Owner:

**Parcel No. RW-04:** A parcel of land in fee simple to be used as public right of way for D 1/2 Road, containing a total area of 2,378 square feet (0.05 acres), more or less, as more particularly described in the accompanying legal description labeled Exhibit "A" and depicted on the accompanying graphic illustration labeled Exhibit "C"; and also

**Parcel No. MPE-04:** A Multi-Purpose Easement for the installation, operation, maintenance and repair of public utilities, traffic control facilities, street lighting, landscaping, trees, grade structures, public sidewalks and trails, containing a total area of 3,330 square feet (0.08 acres), more or less, as more particularly described in the accompanying legal description labeled Exhibit "B" and depicted on the accompanying graphic illustration labeled Exhibit "C".

The above referenced real property interests may be referred to collectively hereafter as the "Acquired Property".

- D. The City approved a value finding, prepared by TRS and based upon available real estate market data to estimate the fair market value and just compensation to be offered for the Acquired Property. In consideration of the foregoing, the City and the Owner agree to the following sum of money as just compensation for the Acquired Property and any improvements, damages or costs to cure itemized below:

Parcel No. RW-04:	2,378 sq.ft. @ \$3.70/sq.ft. x100%	= \$8,798.60
Parcel No. MPE-04:	3,330 sq.ft. @ \$3.70/sq.ft. x 50%	= \$6,160.50

**Total Land & Easement Value = \$14,959.10**

Improvements:

- *None*

**Total Consideration (rounded) = \$15,000.00**

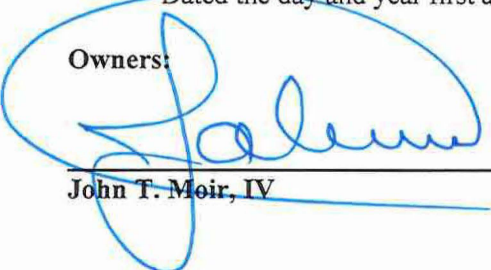
NOW, THEREFORE, based on the recitals above and in consideration of their mutual promises and other valuable consideration, the receipt and adequacy of which are acknowledged, the parties hereto agree as follows:

- 1. The Owner hereby accepts the Total Consideration stated above from the City as just compensation, and the City hereby agrees to pay the Total Consideration to the Owner subject to the promises, terms, covenants and conditions of this Agreement.
- 2. Subject to the City's typical payment processing period, the Total Consideration shall be remitted, at the City's sole discretion, to the Owner by either (1) the City directly in the form of a City check, or (2) a title company selected by the City, to which the City has deposited the Total Consideration pending upon the execution and delivery by the Owner to the City of:
  - a. One (1) fully executed original of this Memorandum of Agreement.


- b. One (1) good and sufficient General Warranty Deed for Parcels No. RW-04.
  - c. One (1) good and sufficient Grant of Multi-Purpose Easement Agreement for Parcel No. MPE-04.
  - d. One (1) completed and executed Federal Form W-9.
  - e. Satisfaction(s) or release(s) of any and all outstanding items referenced in Paragraph 3 below.
3. The Total Consideration shall fully compensate the Owner for the Owner's interests in and to the Acquired Property, either present or future, and the interests of all lienors and lessees of the Owner and any and all interests, legal or equitable, which are or may be outstanding, including, but not limited to: ad valorem property taxes due for prior years; current year ad valorem property taxes prorated to the date of closing (applicable to any fee simple parcel included in the Acquired Property), and satisfaction, subordination or release of all liens, judgments and financial encumbrances to deliver financially unencumbered title to the City. The Owner agrees to sell, convey and discharge all such interests in and to the Acquired Property by executing in writing any and all necessary deeds, documents and/or conveyances, including but not limited to, releases, whether full or partial as applicable, or subordinations of deeds of trust.
4. The City shall be entitled to take irrevocable possession of the Acquired Property when the City, at its sole discretion, remits the total consideration to either: (1) the Owner directly by City Check; or, (2) deposits the consideration set forth above into an escrow account for the benefit of the Owner with the City's selected title company. Transfer of title to the Acquired Property shall occur upon performance of any and all terms under this Agreement, and release of the Total Consideration due to the Owner.
5. This Memorandum of Agreement embodies all agreements between the parties hereto and no other promises, terms, conditions or obligations, oral or written, have been made which might serve to modify, add to or change the terms and conditions of this Agreement.
6. This Memorandum of Agreement shall be deemed a contract extending to and binding upon the parties hereto and upon their respective heirs, successors and assigns.
7. The City will be entitled to specific performance of this Agreement upon tender of the agreed consideration.
8. This Agreement is a legal instrument. The City recommends the Owner seek the advice of the Owner's own legal and/or tax counsel before signing this Agreement.
9. This Agreement may be executed in several counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same agreement.

Dated the day and year first above written.

Owners:

  
\_\_\_\_\_  
John T. Moir, IV

**The City of Grand Junction,  
a Colorado home rule municipality:**

  
\_\_\_\_\_  
Michael Bennett, City Manager

# EXHIBIT A

## LEGAL DESCRIPTION

2943-172-00-221

RIGHT-OF-WAY PARCEL NO. RW-04

A parcel of land being a portion of an entire tract as described in Reception Number 2731683 located in the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of Section 17, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the C-W 1/16 corner of said Section 17, and assuming the south line of said SE1/4 NW1/4 bears N.89°59'39"E. with all other bearings contained herein being relative thereto; thence along the south line of said SE1/4 NW1/4, N.89°59'39"E. a distance of 92.50 feet; thence N.00°00'49"W. a distance of 30.00 feet to the southwest corner of said entire tract and the Point of Beginning.

Thence along the west line of said entire tract, N.00°00'49"W. a distance of 10.00 feet; thence N.89°59'39"E. a distance of 237.87 feet to a point in the east line of said entire tract; thence along the east line of said entire tract, S.00°00'15"E. a distance of 10.00 feet to the southeast corner of said entire tract; thence along the south line of said entire tract, S.89°59'39"W. a distance of 237.87 feet to the POINT OF BEGINNING.

Said parcel of land CONTAINING 2,378 square feet or 0.05 acres, more or less, as described.

Authored by: C. Scott Bishop, PLS #38690  
Survey Manager, Horrocks  
2161 W. Grove Parkway Suite #100  
Pleasant Grove, UT 84062



# EXHIBIT B

## LEGAL DESCRIPTION

2943-172-00-221

### MULTI-PURPOSE EASEMENT PARCEL NO. MPE-04

A fourteen foot (14') wide parcel of land being a portion of an entire tract of land as described in Reception Number 2731683 located in the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of Section 17, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the C-W 1/16 corner of said Section 17, and assuming the south line of said SE1/4 NW1/4 bears N.89°59'39"E. with all other bearings contained herein being relative thereto; thence along the south line of said SE1/4 NW1/4, N.89°59'39"E. a distance of 92.50 feet; thence N.00°00'49"W. a distance of 40.00 feet to the northwest corner of Right-of-Way Parcel RW-04 and the Point of Beginning.

Thence N.00°00'49"W. along the west line said entire tract, a distance of 14.00 feet; thence N.89°59'39"E. a distance of 237.87 feet to a point in the east line of said entire tract; thence along east line of said entire tract, S.00°00'15"E. a distance of 14.00 feet to the northeast corner of said Parcel RW-04; thence along the north line of said Parcel RW-04, S.89°59'39"W. a distance of 237.87 feet to the POINT OF BEGINNING.

Said parcel of land CONTAINING 3330 square feet or 0.08 acres, more or less, as described.

Authored by: C. Scott Bishop, PLS #38690  
Survey Manager, Horrocks  
2161 W. Grove Parkway Suite #100  
Pleasant Grove, UT 84062



# EXHIBIT C

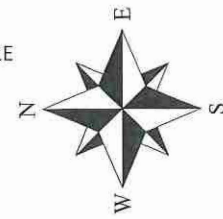
Portion of 2943-172-00-221  
 Located in a part of the  
 SE1/4 NW1/4  
 Section 17, T.1N, R.1E  
 Ute Meridian, City of Grand Junction  
 Mesa County, Colorado

2943-172-50-006  
 SUNSHINE DEVELOPMENT COMPANY  
 2934 D 1/2 RD

EXISTING 60' ROAD BOOK PETITION  
 (ROAD BK. 2 PG. 17)  
 (COMMISSIONERS BK. 2 PG. 139)

2943-172-50-001  
 L&J BEAGLEY FAMILY TRUST  
 2932 D 1/2 RD

C 1/4 CORNER  
 SEC. 17, T.1S, R.1E



SOUTH LINE NW 1/4  
 SEC. 17, T.1S, R.1E  
 (BASIS OF BEARING)  
 N89°59'13"E

2943-172-00-220  
 JOHN T MOIR IV

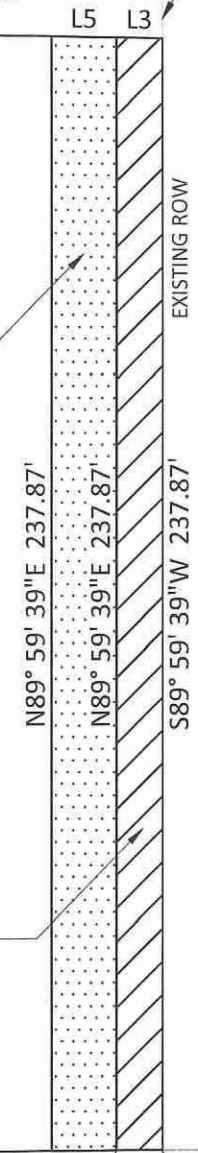
2943-172-00-221  
 JOHN T MOIR IV  
 2930 D 1/2 RD  
 (Rec. No. 2731683)  
 PARCEL NO. RW-04=2,378 Sq.Ft./0.05 Acres  
 PARCEL NO. MPE-04=3,330 Sq.Ft./0.08 Acres

EAST LINE - PARCEL  
 Rec. No. 2731683

MULTI-PURPOSE EASEMENT  
 PARCEL NO. MPE-04

RIGHT-OF-WAY  
 PARCEL NO. RW-04

WEST LINE - PARCEL  
 REC. NO. 2731683



D 1/2 Road

L1

L4 L2

2943-172-00-258

OWEN & BETTY CLOWARD TRUST  
 2926 D 1/2 Rd  
 (Rec. No. 2146912)

P.O.B.  
 MPE-04

P.O.B. RW-04  
 (SW CORNER PARCEL)  
 (Rec. No. 2731683)

1228.94'

92.50'

P.O.C RW-04.  
 (C-W 1/16 CORNER  
 SEC. 17, T.1S, R.1E)

Line Table		
LINE	BEARING	DISTANCE
L1	N00° 00' 49"W	30.00'
L2	N00° 00' 49"W	10.00'
L3	S00° 00' 15"E	10.00'
L4	N00° 00' 49"W	14.00'
L5	S00° 00' 15"E	14.00'

**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
SEC.	Section	MPE	Multi-Purpose Easement
T.	Township	TCE	Temporary Construction Easement
R.	Range	U.M.	Ute Meridian
~	Approximately	Sq.Ft.	Square Feet

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:

SMB

DATE:

04-11-2024

REVIEWED BY:

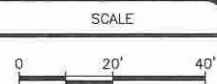
BTL

APPROVED BY:

CSB

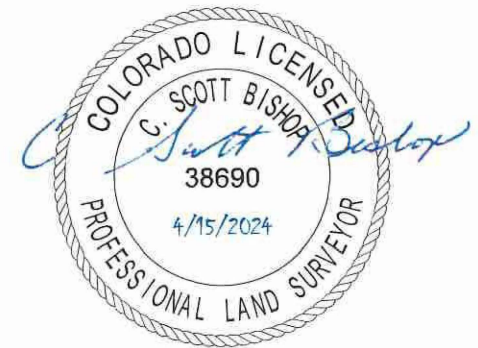
SCALE:

1"=40'



**ENGINEERING &  
 TRANSPORTATION**  
 PROJECT NO. F210305

D 1/2 RD, 29 TO 30 RD  
 EXHIBIT PARCEL 4



# EXHIBIT B

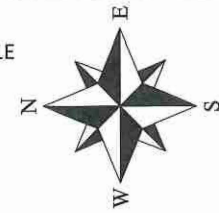
Portion of 2943-172-00-221  
 Located in a part of the  
 SE1/4 NW1/4  
 Section 17, T.1N, R.1E  
 Ute Meridian, City of Grand Junction  
 Mesa County, Colorado

2943-172-50-006  
 SUNSHINE DEVELOPMENT COMPANY  
 2934 D 1/2 RD

EXISTING 60' ROAD BOOK PETITION  
 (ROAD BK. 2 PG. 17)  
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2943-172-50-001  
 L&J BEAGLEY FAMILY TRUST  
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C 1/4 CORNER  
 SEC. 17, T.1S, R.1E



SOUTH LINE NW 1/4  
 SEC. 17, T.1S, R.1E  
 (BASIS OF BEARING)  
 N89°59'13"E

2943-172-00-220  
 JOHN T MOIR IV

2943-172-00-221  
 JOHN T MOIR IV  
 2930 D 1/2 RD  
 (Rec. No. 2731683)  
 PARCEL NO. RW-04=2,378 Sq.Ft./0.05 Acres  
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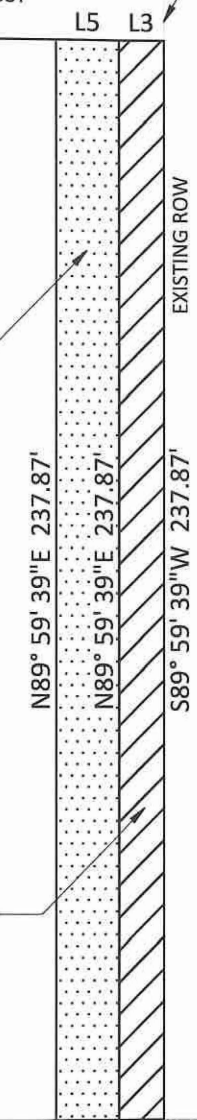
EAST LINE - PARCEL  
 REC. NO. 2731683

MULTI-PURPOSE EASEMENT  
 PARCEL NO. MPE-04

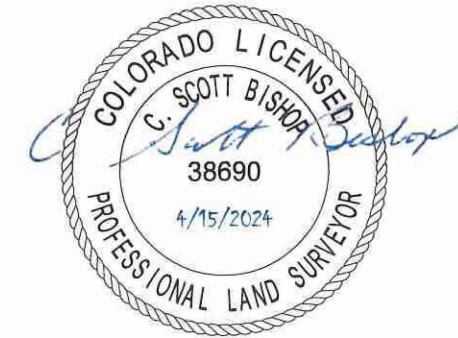
RIGHT-OF-WAY  
 PARCEL NO. RW-04

WEST LINE - PARCEL  
 REC. NO. 2731683

Line Table		
LINE	BEARING	DISTANCE
L1	N00° 00' 49"W	30.00'
L2	N00° 00' 49"W	10.00'
L3	S00° 00' 15"E	10.00'
L4	N00° 00' 49"W	14.00'
L5	S00° 00' 15"E	14.00'



1228.94'  
 92.50'  
 D 1/2 Road  
 EXISTING ROW (Rec. No. 1284338)



**ABBREVIATIONS**

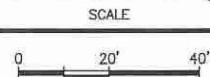
P.O.C.	Point Of Commencement	Rec.	Reception
P.O.B.	Point Of Beginning	No.	Number
R.O.W.	Right-of-Way	RW	Right-of-Way
SEC.	Section	MPE	Multi-Purpose Easement
T.	Township	TCE	Temporary Construction Easement
R.	Range	U.M.	Ute Meridian
~	Approximately	Sq.Ft.	Square Feet

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DRAWN BY: SMB  
 DATE: 04-11-2024  
 REVIEWED BY: BTL  
 APPROVED BY: CSB  
 SCALE: 1"=40'

P.O.B. MPE-04  
 P.O.B. RW-04 (SW CORNER PARCEL)  
 (Rec. No. 2731683)

P.O.C RW-04.  
 (C-W 1/16 CORNER  
 SEC. 17, T.1S, R.1E)



ENGINEERING &  
 TRANSPORTATION  
 PROJECT NO. F210305

D 1/2 RD, 29 TO 30 RD  
 EXHIBIT PARCEL 4

## WARRANTY DEED

This Warranty Deed made this 13<sup>th</sup> day of December, 2024 by and between **John T. Moir, IV, Grantor**, who are the owners of a parcel of land located at 2929 D½ Road, Grand Junction, CO 81504 as recorded at Reception No. 1664161, in the Mesa County Clerk and Recorder's records, Colorado, for and in consideration of Ten Dollars and 00/100, (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, have sold, granted and conveyed, and by these presents do hereby sell, 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, its successors and assigns forever all right, title and interest in fee simple the following described parcel of land for Public Road and Utilities Right-of-Way purposes, to wit:

See **Exhibit "A" and Exhibit "B"** attached hereto and incorporated herein by reference for the legal descriptions and graphic illustrations of the parcels of land that are the subject of this instrument.

Said Parcel being a part of Mesa County Assessor Parcel No. 2943-172-00-221

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereunto belonging or in anywise appertaining, unto the said Grantee and unto its successors and assigns forever, the said Grantors hereby covenanting that Grantors will warrant and defend the title to said premises unto the said Grantee and unto its successors and assigns forever, against the lawful claims and demands of all persons whomsoever.

The Grantors agree that this deed may be executed in several counterparts, each of which shall be deemed an original, and all of which together shall constitute one warranty deed for all the interests of the Grantors in the property described above.

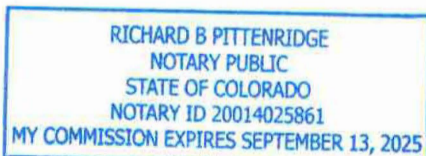
Executed and delivered this 13<sup>th</sup> day of December, 2024.


  
\_\_\_\_\_  
John T. Moir IV

State of COLORADO        )  
  ) ss.  
County of MESA            )

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of December, 2024, by **John T. Moir, IV**.

Witness my hand and official seal.



  
\_\_\_\_\_  
Notary Public

# EXHIBIT A

## LEGAL DESCRIPTION

2943-172-00-221

RIGHT-OF-WAY PARCEL NO. RW-04

A parcel of land being a portion of an entire tract as described in Reception Number 2731683 located in the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of Section 17, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the C-W 1/16 corner of said Section 17, and assuming the south line of said SE1/4 NW1/4 bears N.89°59'39"E. with all other bearings contained herein being relative thereto; thence along the south line of said SE1/4 NW1/4, N.89°59'39"E. a distance of 92.50 feet; thence N.00°00'49"W. a distance of 30.00 feet to the southwest corner of said entire tract and the Point of Beginning.

Thence along the west line of said entire tract, N.00°00'49"W. a distance of 10.00 feet; thence N.89°59'39"E. a distance of 237.87 feet to a point in the east line of said entire tract; thence along the east line of said entire tract, S.00°00'15"E. a distance of 10.00 feet to the southeast corner of said entire tract; thence along the south line of said entire tract, S.89°59'39"W. a distance of 237.87 feet to the POINT OF BEGINNING.

Said parcel of land CONTAINING 2,378 square feet or 0.05 acres, more or less, as described.

Authored by: C. Scott Bishop, PLS #38690  
Survey Manager, Horrocks  
2161 W. Grove Parkway Suite #100  
Pleasant Grove, UT 84062



# EXHIBIT B

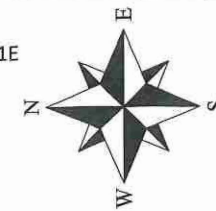
Portion of 2943-172-00-221  
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 Mesa County, Colorado

2943-172-50-006  
 SUNSHINE DEVELOPMENT COMPANY  
 2934 D 1/2 RD

EXISTING 60' ROAD BOOK PETITION  
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2943-172-50-001  
 L&J BEAGLEY FAMILY TRUST  
 2932 D 1/2 RD

C 1/4 CORNER  
 SEC. 17, T.1S, R.1E



SOUTH LINE NW 1/4  
 SEC. 17, T.1S, R.1E  
 (BASIS OF BEARING)  
 N89°59'13"E

2943-172-00-220  
 JOHN T MOIR IV

2943-172-00-221  
 JOHN T MOIR IV  
 2930 D 1/2 RD  
 (Rec. No. 2731683)  
 PARCEL NO. RW-04=2,378 Sq.Ft./0.05 Acres  
 PARCEL NO. MPE-04=3,330 Sq.Ft./0.08 Acres

EAST LINE - PARCEL  
 REC. NO. 2731683

MULTI-PURPOSE EASEMENT  
 PARCEL NO. MPE-04

N89° 59' 39"E 237.87'

N89° 59' 39"E 237.87'

S89° 59' 39"W 237.87'

EXISTING ROW  
 (Rec. No. 1284338)

D 1/2 Road

L1

92.50'

P.O.C RW-04.  
 (C-W 1/16 CORNER  
 SEC. 17, T.1S, R.1E)



Line Table

LINE	BEARING	DISTANCE
L1	N00° 00' 49"W	30.00'
L2	N00° 00' 49"W	10.00'
L3	S00° 00' 15"E	10.00'
L4	N00° 00' 49"W	14.00'
L5	S00° 00' 15"E	14.00'

WEST LINE - PARCEL  
 REC. NO. 2731683

2943-172-00-258  
 OWEN & BETTY CLOWARD TRUST  
 2926 D 1/2 Rd  
 (Rec. No. 2146912)

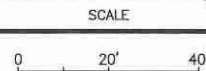
P.O.B.  
 MPE-04  
 P.O.B.RW-04  
 (SW CORNER PARCEL)  
 (Rec. No. 2731683)

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
SEC.	Section	MPE	Multi-Purpose Easement
T.	Township	TCE	Temporary Construction Easement
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DRAWN BY: SMB  
 DATE: 04-11-2024  
 REVIEWED BY: BTL  
 APPROVED BY: CSB  
 SCALE: 1"=40'



ENGINEERING &  
 TRANSPORTATION  
 PROJECT NO. F210305

D 1/2 RD, 29 TO 30 RD  
 EXHIBIT PARCEL 4

## GRANT OF MULTI-PURPOSE EASEMENT

**John T. Moir, IV, 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**, whose address is 250 N. 5<sup>th</sup> Street, Grand Junction, CO 81501, a Perpetual Multi-Purpose Easement ("Easement") for the use and benefit of Grantee and for the use and benefit of public utilities permitted therein by Grantee, to include 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, grade structures, , 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 Multi-Purpose Easement that is the subject of this instrument.

Being a part of Mesa County Assessor Parcel No.: 2943-172-00-221

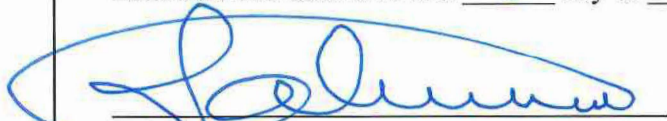
TO HAVE AND TO HOLD unto the said Grantee, its successors, assigns and permittees forever, together with the right to enter upon said premises with workers and equipment to survey, maintain, operate, repair, replace, control and use said Easement, and to remove objects interfering therewith, including 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. Grantors reserves the right to use and occupy the real property burdened by this Easement for any lawful purpose which will not unreasonably interfere with the full use and quiet enjoyment of the rights herein granted. Grantors 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 Grantors to remove such obstacles from the Easement. If Grantors do not remove such obstacles, Grantee may remove such obstacles without any liability or obligation for repair or replacement thereof, and charge Grantors 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.

Grantors hereby covenants with Grantee that Grantors have good title to the herein described premises; that Grantors have 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.

The Grantors agree that this Grant of Multi-purpose Easement may be executed in several counterparts, each of which shall be deemed an original, and all of which together shall constitute one grant of the Easement.

Executed and delivered this 13<sup>th</sup> day of December, 2024.

  
\_\_\_\_\_  
John T. Moir, IV

State of COLORADO        )  
  ) ss.  
County of MESA            )

The foregoing instrument was acknowledged before me this 13 day of December, 2024, by **John T. Moir, IV**.

Witness my hand and official seal.

  
\_\_\_\_\_  
Notary Public

RICHARD B PITTENRIDGE  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20014025861  
MY COMMISSION EXPIRES SEPTEMBER 13, 2025

# EXHIBIT A

## LEGAL DESCRIPTION

2943-172-00-221

### MULTI-PURPOSE EASEMENT PARCEL NO. MPE-04

A fourteen foot (14') wide parcel of land being a portion of an entire tract of land as described in Reception Number 2731683 located in the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of Section 17, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the C-W 1/16 corner of said Section 17, and assuming the south line of said SE1/4 NW1/4 bears N.89°59'39"E. with all other bearings contained herein being relative thereto; thence along the south line of said SE1/4 NW1/4, N.89°59'39"E. a distance of 92.50 feet; thence N.00°00'49"W. a distance of 40.00 feet to the northwest corner of Right-of-Way Parcel RW-04 and the Point of Beginning.

Thence N.00°00'49"W. along the west line said entire tract, a distance of 14.00 feet; thence N.89°59'39"E. a distance of 237.87 feet to a point in the east line of said entire tract; thence along east line of said entire tract, S.00°00'15"E. a distance of 14.00 feet to the northeast corner of said Parcel RW-04; thence along the north line of said Parcel RW-04, S.89°59'39"W. a distance of 237.87 feet to the POINT OF BEGINNING.

Said parcel of land CONTAINING 3330 square feet or 0.08 acres, more or less, as described.

Authored by: C. Scott Bishop, PLS #38690  
Survey Manager, Horrocks  
2161 W. Grove Parkway Suite #100  
Pleasant Grove, UT 84062

