

CITY OF GRAND JUNCTION DEPARTMENT OF PUBLIC WORKS MEMORANDUM OF AGREEMENT	Project No.: F210305
	Description: D ½ Road Improvement Project
	Owner(s): Edward & Shirley Casto Family Trust
	Parcels: RW-21A, RW-21B, & MPE-21

This Memorandum of Agreement (“Agreement”) is made and entered into this 9TH day of January, 2025, by and between **The Edward and Shirley Casto Family Trust dated July 24, 2013** 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 2968 D ½ Road in the City of Grand Junction, County of Mesa, State of Colorado, as identified by Mesa County Assessor Parcel Number 2943-171-00-261, 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-21A: 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 2,711 square feet (0.06 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 “D”; and also

Parcel No. RW-21B: 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 2,205 square feet (0.05 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 “D”; and also

Parcel No. MPE-21: 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 2,294 square feet (0.05 acres), more or less, as more particularly described in the accompanying legal description labeled Exhibit “C” and depicted on the accompanying graphic illustration labeled Exhibit “D”.

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

- D. The City has obtained and reviewed an appraisal prepared by a Colorado Certified General Appraiser 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-21A:	2,711 sq.ft. @ \$4.00/sq.ft. x 5%	= \$542.20
Parcel No. RW-21B:	2,205 sq.ft. @ \$4.00/sq.ft.	= \$8,820.00
Parcel No. MPE-21:	2,294 sq.ft. @ \$4.00/sq.ft. x 50%	= \$4,588.00
Total Land & Easement Value		= \$13,950.20
Improvements:		
• 2,205 sq. ft. Gravel + Gravel Driveway	\$ 924.40	
• 8 Iris Plants	\$ 527.60	
• 1 Lilac Bush	\$ 38.95	
Total Improvements Contributory Value		= \$1,490.95
Administrative Settlement		= \$2,558.85
Total Consideration		= \$18,000(rounded)

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-21A & RW-21B.
 - c. One (1) good and sufficient Grant of Multi-Purpose Easement Agreement for Parcel No. MPE-21.
 - 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, requests for 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. The Grantee agrees to replace the current fence in kind utilizing new materials which include but not limited to 3-Hole Concrete Posts and new 2" x 6" lumber for railing
6. 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.
7. 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.
8. The City will be entitled to specific performance of this Agreement upon tender of the agreed consideration.
9. 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.

Dated the day and year first above written.

Owner:
The Edward and Shirley Casto Family Trust
Dated July 24, 2013



Edward L. Casto, Trustee of The
Edward & Shirley Casto Family Trust
Dated July 24, 2013



Trina L. Casto, Trustee of The
Edward & Shirley Casto Family Trust
Dated July 24, 2013

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



Michael P. Bennett, City Manager

EXHIBIT A

LEGAL DESCRIPTION

RIGHT-OF-WAY PARCEL NO. RW-21A

A parcel of land located in the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) 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-E 1/16 corner of said Section 17, and assuming the south line of said SW1/4 NE1/4 bears N.89°58'57"W. with all other bearings contained herein being relative thereto; thence along the south line of said SW1/4 NE1/4 N.89°58'57"W. a distance of 329.81 feet to the Point of Beginning.

Thence continuing along said south line, N.89°58'57"W. a distance of 163.87 feet; thence N.00°06'15"W. a distance of 16.84 feet to a point in the north edge of the open, used and historic Right-of Way of D ½ Road; thence along said north edge, S.89°46'19"E. a distance of 163.87 feet; thence S.00°06'15"E. a distance of 16.24 feet to the Point of Beginning.

Said parcel of land CONTAINING 2,711 square feet or 0.06 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

RIGHT-OF-WAY PARCEL NO. RW-21B

A parcel of land located in the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) 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-E 1/16 corner of said Section 17, and assuming the south line of said SW1/4 NE1/4 bears N.89°58'57"W. with all other bearings contained herein being relative thereto; thence along the south line of said SW1/4 NE1/4 N.89°58'57"W. a distance of 329.81 feet; thence N.00°06'15"W. a distance of 16.24 feet to a point in the north edge of the open, used and historic Right-of Way of D ½ Road and the Point of Beginning.

Thence along said north edge, N.89°46'19"W. a distance of 163.87 feet; thence N.00°06'15"W. a distance of 13.16 feet to the southwest corner of an Existing Right-of-Way Parcel described in Reception Number 2272901; thence along the south line of said Existing Right-of-Way Parcel, S.89°58'57"E. a distance of 163.87 feet to the southeast corner of said Existing Right-of-Way Parcel; thence S.00°06'15"E. a distance of 13.76 feet to the Point of Beginning.

Said parcel of land CONTAINING 2,205 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

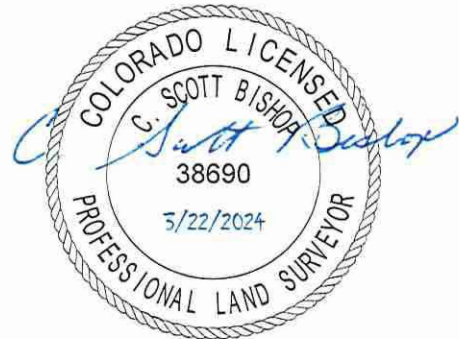


EXHIBIT C

LEGAL DESCRIPTION

2943-171-00-261

MULTI-PURPOSE EASEMENT PARCEL NO. MPE-21

A fourteen foot (14') wide parcel of land being a portion of an entire tract of land as described in Reception Number 2675367 located in the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) 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-E 1/16 corner of said Section 17, and assuming the south line of said SW1/4 NE1/4 bears N.89°58'57"W. with all other bearings contained herein being relative thereto; thence along the south line of said SW1/4 NE1/4 N.89°58'57"W. a distance of 329.81 feet; thence N.00°06'15"W. a distance of 40.00 feet to the southeast corner of said entire tract and the Point of Beginning.

Thence along the south line of said entire tract, N.89°58'57"W. a distance of 163.87 feet to the southwest corner of said entire tract; thence along the west line of said entire tract, N.00°06'15"W. a distance of 14.00 feet; thence S.89°58'57"E. 163.87 feet to a point in the east line of said entire tract; thence along said east line of said entire tract, S.00°06'15"E. a distance of 14.00 feet to the Point of Beginning.

Said Parcel of Land CONTAINING 2,294 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 D

Portion of 2943-171-00-261
 Located in a part of the
 SW1/4 NE1/4
 Section 17, T.1S, R.1E
 Ute Meridian, Mesa County, Colorado

2943-171-00-205
 MODESTO & ANDREW S GALVAN
 2970 D 1/2 RD

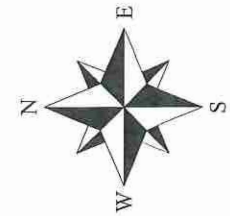
EAST LINE - PARCEL
 REC. NO. 2675367

P.O.C. RW-21
 (C-E 1/16 CORNER
 SEC. 17, T.1S, R.1E)

P.O.B.
 RW-21A

P.O.B.MPE-21
 (SE CORNER PARCEL)
 (Rec. No. 2675367)

P.O.B.
 RW-21B



SOUTH LINE NE 1/4
 SEC. 17, T.1S, R.1E
 (BASIS OF BEARING)
 N89°58'57"W

2943-171-00-264
 CALFRAC WELL SERVICES CORP

Line Table		
LINE	BEARING	DISTANCE
L1	S00° 06' 15"E	16.24'
L2	N00° 06' 15"W	16.84'
L3	S00° 06' 15"E	13.76'
L4	N00° 06' 15"W	13.16'
L5	S00° 06' 15"E	10.00'
L6	N00° 06' 15"W	10.00'
L7	S00° 06' 15"E	14.00'
L8	N00° 06' 15"W	14.00'

2943-171-00-261
 EDWARD & SHIRLEY CASTO FAMILY TRUST
 DATED JULY 24 2013
 2968 D 1/2 RD
 (Rec. No. 2675367)
 PARCEL NO. RW-21A=2,711 Sq.Ft./0.06 Acres
 PARCEL NO. RW-21B=2,205 Sq.Ft./0.05 Acres
 PARCEL NO. MPE-21=2,294 Sq.Ft./0.05 Acres

MULTI-PURPOSE EASEMENT
 PARCEL NO. MPE-21

EXISTING RIGHT-OF-WAY
 (Rec. No. 2272901)

S89° 58' 57"E 163.87'

N89° 58' 57"W 163.87'

S89° 58' 57"E 163.87'

S89° 46' 19"E 163.87'

N89° 58' 57"W 163.87'

D 1/2 Road

EXISTING 30' ROW
 (Rec. No. 2918337)

WEST LINE - PARCEL
 REC. NO. 2675367

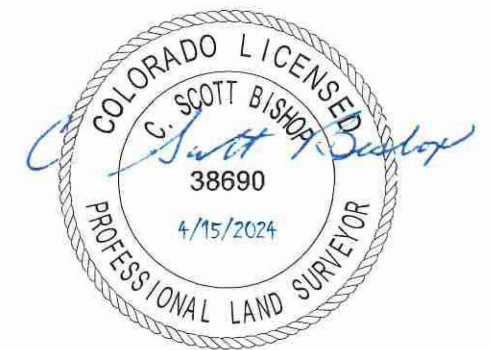
2943-171-00-071
 REMIJIO M & ERLINDA E GALVAN
 2964 D 1/2 RD

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"=30'

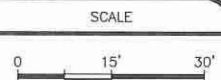
EXISTING 60' ROAD BOOK PETITION
 (ROAD BK. 2 PG. 17)
 (COMMISSIONERS BK. 2 PG. 139)

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



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



ENGINEERING &
 TRANSPORTATION
 PROJECT NO. P210305

D 1/2 RD, 29 TO 30 RD
 EXHIBIT PARCEL 21

WARRANTY DEED

This Warranty Deed made this 8 day of January, 2025 by and between **The Edward and Shirley Casto Family Trust dated July 24, 2013, Grantor**, who is the owner of a parcel of land located at 2968 D 1/2 Road, Grand Junction, CO 81504 as recorded at Reception No. 2675367, 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:

RW-21A – Containing 2,711 square feet (0.06 acres) and more particularly described on **Exhibit "A"** and **Exhibit "C"** attached hereto and incorporated herein by reference for the legal description and graphic illustration of the parcel of land that is the subject of this instrument.

RW-21B – Containing 2,205 square feet (0.05 acres) and more particularly described on **Exhibit "B"** and **Exhibit "C"** attached hereto and incorporated herein by reference for the legal description and graphic illustration of the parcel of land that is the subject of this instrument.

Said Parcel being a part of Mesa County Assessor Parcel No. 2943-171-00-261

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.

Executed and delivered this 8 day of January, 2025.

The Edward and Shirley Casto Family Trust dated July 24, 2013

Edward L. Casto

Edward L. Casto, Trustee of The Edward & Shirley Casto Family Trust Dated July 24, 2013

Trina L. Casto

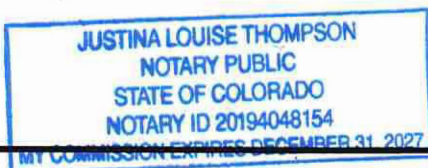
Trina L. Casto, Trustee of The Edward & Shirley Casto Family Trust Dated July 24, 2013

STATE OF Colorado)
)ss.
COUNTY OF Mesa)

The forgoing instrument was acknowledged before me this 8 day of January, 2025, by Edward Casto and Trina Casto as Trustees of The Edward and Shirley Casto Family Trust dated July 24, 2013.

Witness my hand and official seal.

My commission expires: 12-31-2027



Justina Louise Thompson
Notary Public

EXHIBIT A

LEGAL DESCRIPTION

RIGHT-OF-WAY PARCEL NO. RW-21A

A parcel of land located in the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) 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-E 1/16 corner of said Section 17, and assuming the south line of said SW1/4 NE1/4 bears N.89°58'57"W. with all other bearings contained herein being relative thereto; thence along the south line of said SW1/4 NE1/4 N.89°58'57"W. a distance of 329.81 feet to the Point of Beginning.

Thence continuing along said south line, N.89°58'57"W. a distance of 163.87 feet; thence N.00°06'15"W. a distance of 16.84 feet to a point in the north edge of the open, used and historic Right-of-Way of D ½ Road; thence along said north edge, S.89°46'19"E. a distance of 163.87 feet; thence S.00°06'15"E. a distance of 16.24 feet to the Point of Beginning.

Said parcel of land CONTAINING 2,711 square feet or 0.06 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

RIGHT-OF-WAY PARCEL NO. RW-21B

A parcel of land located in the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) 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-E 1/16 corner of said Section 17, and assuming the south line of said SW1/4 NE1/4 bears N.89°58'57"W. with all other bearings contained herein being relative thereto; thence along the south line of said SW1/4 NE1/4 N.89°58'57"W. a distance of 329.81 feet; thence N.00°06'15"W. a distance of 16.24 feet to a point in the north edge of the open, used and historic Right-of Way of D ½ Road and the Point of Beginning.

Thence along said north edge, N.89°46'19"W. a distance of 163.87 feet; thence N.00°06'15"W. a distance of 13.16 feet to the southwest corner of an Existing Right-of-Way Parcel described in Reception Number 2272901; thence along the south line of said Existing Right-of-Way Parcel, S.89°58'57"E. a distance of 163.87 feet to the southeast corner of said Existing Right-of-Way Parcel; thence S.00°06'15"E. a distance of 13.76 feet to the Point of Beginning.

Said parcel of land CONTAINING 2,205 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 C

Portion of 2943-171-00-261
 Located in a part of the
 SW1/4 NE1/4
 Section 17, T.1S, R.1E
 Ute Meridian, Mesa County, Colorado

2943-171-00-205
 MODESTO & ANDREW S GALVAN
 2970 D 1/2 RD

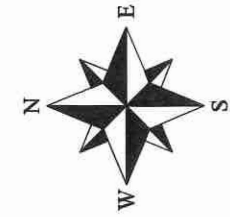
EAST LINE - PARCEL
 REC. NO. 2675367

P.O.C. RW-21
 (C-E 1/16 CORNER
 SEC. 17, T.1S, R.1E)

P.O.B.
 RW-21A

P.O.B.MPE-21
 (SE CORNER PARCEL)
 (Rec. No. 2675367)

P.O.B.
 RW-21B



SOUTH LINE NE 1/4
 SEC. 17, T.1S, R.1E
 (BASIS OF BEARING)
 N89°58'57"W

2943-171-00-264
 CALFRAC WELL SERVICES CORP

Line Table		
LINE	BEARING	DISTANCE
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L5	S00° 06' 15"E	10.00'
L6	N00° 06' 15"W	10.00'
L7	S00° 06' 15"E	14.00'
L8	N00° 06' 15"W	14.00'

2943-171-00-261
 EDWARD & SHIRLEY CASTO FAMILY TRUST
 DATED JULY 24 2013
 2968 D 1/2 RD
 (Rec. No. 2675367)
 PARCEL NO. RW-21A=2,711 Sq.Ft./0.06 Acres
 PARCEL NO. RW-21B=2,205 Sq.Ft./0.05 Acres
 PARCEL NO. MPE-21=2,294 Sq.Ft./0.05 Acres

RIGHT-OF-WAY
 PARCEL NO. RW-21A

RIGHT-OF-WAY
 PARCEL NO. RW-21B

S89° 58' 57"E 163.87'

N89° 58' 57"W 163.87'

S89° 58' 57"E 163.87'

S89° 46' 19"E 163.87'

N89° 58' 57"W 163.87'

D 1/2 Road
 EXISTING 30' ROW
 (Rec. No. 2918337)

MULTI-PURPOSE EASEMENT
 PARCEL NO. MPE-21

EXISTING RIGHT-OF-WAY
 (Rec. No. 2272901)

WEST LINE - PARCEL
 REC. NO. 2675367

2943-171-00-071
 REMIJIO M & ERLINDA E GALVAN
 2964 D 1/2 RD

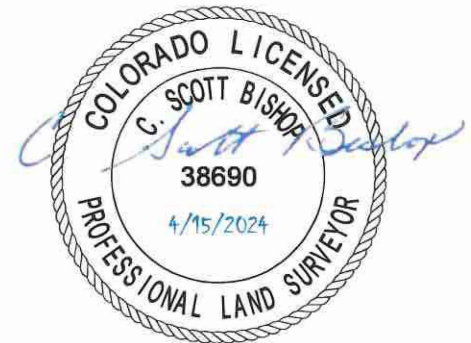
ABBREVIATIONS

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

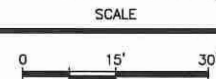
The sketch & description shown hereon have been derived from subdivision plats & deed descriptions as they appear in the office of the Mesa County Clerk & Recorder & monuments as shown. This sketch does not constitute a legal boundary survey, & is not intended to be used as a means for establishing or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

DRAWN BY: SMB
 DATE: 04-11-2024
 REVIEWED BY: BTL
 APPROVED BY: CSB
 SCALE: 1"=30'

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



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



ENGINEERING &
 TRANSPORTATION
 PROJECT NO. F210305

D 1/2 RD, 29 TO 30 RD
 EXHIBIT PARCEL 21

STATEMENT OF AUTHORITY
(§38-30-172, C.R.S.)

1. This Statement of Authority relates to an entity¹ named The Edward and Shirley Casto Family Trust dated July 24, 2013

2. The entity is a:

- | | |
|--|---|
| <input type="checkbox"/> Corporation | <input type="checkbox"/> Limited Liability Company |
| <input type="checkbox"/> Non-Profit Corporation | <input type="checkbox"/> General Partnership |
| <input checked="" type="checkbox"/> Trust | <input type="checkbox"/> Limited Partnership |
| <input type="checkbox"/> Business Trust | <input type="checkbox"/> Registered Limited Liability Partnership |
| <input type="checkbox"/> Governmental Subdivision or Agency | <input type="checkbox"/> Registered Limited Liability Limited Partnership |
| <input type="checkbox"/> Unincorporated Non-Profit Association | <input type="checkbox"/> Limited Partnership Association |
| <input type="checkbox"/> Other please explain: _____ | |

3. The entity was formed under the laws of the State of Colorado.

4. The mailing address for the entity is 2968 D 1/2 Road, Grand Junction, CO 81504

5. The name(s) and position(s) of each person authorized to execute instruments conveying, encumbering or otherwise affecting title to real property on behalf of the entity is (*All Signatures are Required*)

- Edward Casto Trustee
Name Title
- Trina Casto Trustee
Name Title

6. *OPTIONAL*³ The authority of the foregoing person(s) to bind the entity is limited is not limited as follows: _____

7. *OPTIONAL* Other matters concerning the manner in which the entity deals with its interest(s) in real property: _____

8. This Statement of Authority is executed on behalf of the entity pursuant to the provisions of §38-30-172, C.R.S.³

9. The Statement of Authority amends and supersedes in all respects any and all prior dated Statements of Authority executed on behalf of the entity.

Executed this 8 day of January, 2025.

Entity: The Edward and Shirley Casto Family Trust dated July 24, 2013

Edward L. Casto
Edward L. Casto, Trustee of The
Edward & Shirley Casto Family Trust
Dated July 24, 2013

Trina L. Casto
Trina L. Casto, Trustee of The
Edward & Shirley Casto Family Trust
Dated July 24, 2013

STATE OF Colorado)
)ss.
COUNTY OF Mesa)

The foregoing instrument was acknowledged before me this 8 day of January, 2025, by Edward Casto and Trina Casto as Trustees of The Edward and Shirley Casto Family Trust dated July 24, 2013.

Witness my hand and official seal.

JUSTINA LOUISE THOMPSON
My commission expires: 12-31-2027
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20194048154
MY COMMISSION EXPIRES DECEMBER 31, 2027

Justina Louise Thompson
Notary Public

GRANT OF MULTI-PURPOSE EASEMENT

The Edward and Shirley Casto Family Trust dated July 24, 2013, 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. 5th 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.: 2943-171-00-261

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.

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.

EXHIBIT A

LEGAL DESCRIPTION

2943-171-00-261

MULTI-PURPOSE EASEMENT PARCEL NO. MPE-21

A fourteen foot (14') wide parcel of land being a portion of an entire tract of land as described in Reception Number 2675367 located in the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) 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-E 1/16 corner of said Section 17, and assuming the south line of said SW1/4 NE1/4 bears N.89°58'57"W. with all other bearings contained herein being relative thereto; thence along the south line of said SW1/4 NE1/4 N.89°58'57"W. a distance of 329.81 feet; thence N.00°06'15"W. a distance of 40.00 feet to the southeast corner of said entire tract and the Point of Beginning.

Thence along the south line of said entire tract, N.89°58'57"W. a distance of 163.87 feet to the southwest corner of said entire tract; thence along the west line of said entire tract, N.00°06'15"W. a distance of 14.00 feet; thence S.89°58'57"E. 163.87 feet to a point in the east line of said entire tract; thence along said east line of said entire tract, S.00°06'15"E. a distance of 14.00 feet to the Point of Beginning.

Said Parcel of Land CONTAINING 2,294 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



#1 ex C

EXHIBIT B

Portion of 2943-171-00-261
 Located in a part of the
 SW1/4 NE1/4
 Section 17, T.1S, R.1E
 Ute Meridian, Mesa County, Colorado

2943-171-00-205
 MODESTO & ANDREW S GALVAN
 2970 D 1/2 RD

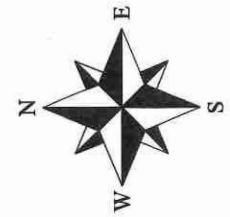
EAST LINE - PARCEL
 REC. NO. 2675367

P.O.C. RW-21
 (C-E 1/16 CORNER
 SEC. 17, T.1S, R.1E)

P.O.B.
 RW-21A

P.O.B.MPE-21
 (SE CORNER PARCEL)
 (Rec. No. 2675367)

P.O.B.
 RW-21B



SOUTH LINE NE 1/4
 SEC. 17, T.1S, R.1E
 (BASIS OF BEARING)
 N89°58'57"W

Line Table		
LINE	BEARING	DISTANCE
L1	S00° 06' 15"E	16.24'
L2	N00° 06' 15"W	16.84'
L3	S00° 06' 15"E	13.76'
L4	N00° 06' 15"W	13.16'
L5	S00° 06' 15"E	10.00'
L6	N00° 06' 15"W	10.00'
L7	S00° 06' 15"E	14.00'
L8	N00° 06' 15"W	14.00'

2943-171-00-261
 EDWARD & SHIRLEY CASTO FAMILY TRUST
 DATED JULY 24 2013
 2968 D 1/2 RD
 (Rec. No. 2675367)
 PARCEL NO. RW-21A=2,711 Sq.Ft./0.06 Acres
 PARCEL NO. RW-21B=2,205 Sq.Ft./0.05 Acres
 PARCEL NO. MPE-21=2,294 Sq.Ft./0.05 Acres

RIGHT-OF-WAY
 PARCEL NO. RW-21A

RIGHT-OF-WAY
 PARCEL NO. RW-21B

D 1/2 Road
 EXISTING 30' ROW
 (Rec. No. 2918337)

MULTI-PURPOSE EASEMENT
 PARCEL NO. MPE-21

EXISTING RIGHT-OF-WAY
 (Rec. No. 2272901)

S89° 58' 57"E 163.87'

N89° 58' 57"W 163.87'

S89° 58' 57"E 163.87'

S89° 46' 19"E 163.87'

N89° 58' 57"W 163.87'

WEST LINE - PARCEL
 REC. NO. 2675367

2943-171-00-071
 REMIJO M & ERLINDA E GALVAN
 2964 D 1/2 RD

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

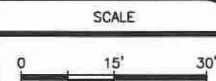
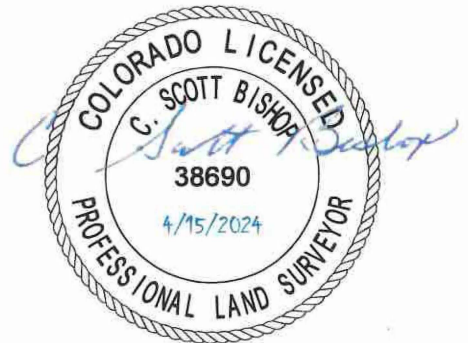
C 1/4 CORNER
 SEC. 17, T.1S, R.1E

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"=30'



**ENGINEERING &
 TRANSPORTATION**
 PROJECT NO. F210305

D 1/2 RD, 29 TO 30 RD
 EXHIBIT PARCEL 21