

GRANT OF MULTI-PURPOSE EASEMENT

James E. Sanville and Virginia Rusy, 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, public sidewalks and trails, 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.: 2945-044-00-043
Being a parcel of land described in Special Warranty Deed, Reception #2985710
as recorded in the Mesa County Colorado Clerk and Recorder's records

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.

Executed and delivered this 22nd day of February, 2024.



James E. Sanville



Virginia Rusy

State of Colorado)
) ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 22nd day of February, 2024, by James E. Sanville and Virginia Rusy.

Witness my hand and official seal.

My Commission Expires: 9-13-2025

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



Notary Public

Exhibit A

LEGAL DESCRIPTION

2945-044-00-043

RIGHT-OF-WAY PARCEL NO. MPE-23

A parcel of land being a portion of the land as described in Reception Number 2985710 lying in the NE1/4 SE1/4 of Section 4, 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 South 1/16 Corner of said Section 4, and assuming the East line of said NE1/4 SE1/4 bears N00°02'40"E, with all other bearings contained herein being relative thereto; thence N64°26'35"W, a distance of 71.47 feet to the Point of Beginning;

thence N00°02'40"E, a distance of 74.01 feet; thence N89°51'50"E, a distance of 10.00 feet; thence S00°02'40"W, a distance of 55.07 feet; thence along a 23.00 foot radius curve to the right, for a distance of 22.31 feet, having a chord which bears S27°50'09"W, a distance of 21.45 feet, and a central angle of 55°34'57", to the Point of Beginning.

Said Parcel of land CONTAINING 702 Square Feet or 0.02 Acres, more or less, as described.

Authored by: Jodie L. Grein, CO PLS #38075
 Rolland Consulting Engineers
 405 Ridges Blvd. Suite A
 Grand Junction, CO 81507



C:\Projects\2426 F.5 Rd City G\Parcel 23\CAD\Parcel 23 Acquisition Docs.dwg - PLOTTED 2022-12-05

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: CLB
 DATE: 07-2022
 REVIEWED BY: JLG
 APPROVED BY: BH
 SCALE: _____

Portion of 2945-044-00-043
 Located in a part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 4, T.1S, R.1W
 Ute Meridian, City of Grand Junction
 Mesa County, Colorado



**PUBLIC WORKS
 ENGINEERING DIVISION**
 PROJECT NO. 207-F210306

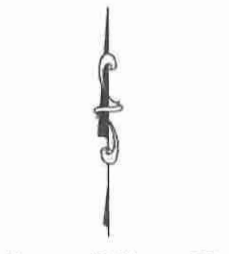
Exhibit B

2945-044-00-043

RIGHT-OF-WAY PARCEL NO. MPE-23



Jodie L. Grein, CO PLS #38075
405 Ridges Blvd. Suite A
Grand Junction, CO. 81507



SCALE: 1" = 25'
LINEAL UNITS = U.S. SURVEY FOOT

2945-044-82-112
HERITAGE
HEIGHTS
HOMEOWNERS
ASSOCIATION
INC
APEX AVE
(Rec. No. 2778803)

2945-044-82-090
BRADLEY N. &
STEPHANIE S. WHITE
2498 APEX AVE #B
(Rec. No. 2986636)

2945-044-82-111
HERITAGE
HEIGHTS
HOMEOWNERS
ASSOCIATION
INC
APEX AVE
(Rec. No. 2778803)

EAST 1/4
CORNER
SEC. 4,
T.1S, R.1W

EAST LINE NE 1/4 SE 1/4
SEC. 4, T.1S, R.1W
(BASIS OF BEARING)
N 00°02'40" E

NE 1/4 SE 1/4

2945-044-00-043
JAMES E. SANVILLE & VIRGINIA RUSY
625 25 RD
(Rec. No. 2985710)
PARCEL NO. MPE-23 = 702 Sq. Ft. / 0.02 Acres

2945-044-00-042
AL MURRY
2494 F 1/4 RD
(Rec. No. 2745523)

Rec. No. 1678380
(15' Sewer & Access Easement)

N 89°51'50" E 10.00'
N 89°51'50" E 54.50'

N 00°02'40" E 74.01'
S 00°02'40" W 55.07'

PROPOSED RIGHT-OF-WAY
RW-23B

PROPOSED RIGHT-OF-WAY
RW-23A

BASIS OF BEARINGS
N 00°02'40" E 1302.72'

25 ROAD

POINT OF BEGINNING

RAD=23.00'
Δ=55°34'57"
AL=22.31'
CHB = S 27°50'09" W
CHL = 21.45'

N 00°19'22" E 10.50'

PROPOSED RIGHT-OF-WAY
RW-23B

TIE
N 64°26'35" W 71.47'

13' RIGHT-OF-WAY
Rec. No. 1454241

RIGHT-OF-WAY
Rec. No. 1454241 & 1737394

Rec. No. 43123 (20' Roadway Easement)

Rec. No. 962466 (25' Right-of-Way)

F 1/4 ROAD

POINT OF COMMENCEMENT
SOUTH 1/16 CORNER
SEC. 4, T.1S, R.1W

ABBREVIATIONS

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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:	CLB
DATE:	12-2022
REVIEWED BY:	JLG
APPROVED BY:	BH
SCALE:	1" = 25'

Portion of 2945-044-00-043
Located in a part of the NE 1/4 SE 1/4
Section 4, T.1S, R.1W
Ute Meridian, City of Grand Junction
Mesa County, Colorado



PUBLIC WORKS
ENGINEERING DIVISION
PROJECT NO. 207-F210306

C:\Projects\2426 F.5 Rd City G.A\Parcel 23\CAD\Parcel 23 Acquisition Desc.dwg - PLOTTED 2022-12-05

Consent to Easement

Colorado Housing and Finance Authority ("CHFA"), with an address of 1981 Blake Street, Denver, CO 80202, as current holder and assignee of that certain Deed of Trust granted by James E. Sanville and Virginia Rusy to Mortgage Electronic Registration Systems, Inc. ("MERS"), as Beneficiary, as nominee for Academy Mortgage Corporation, its successors and assigns, dated June 9, 2021 and recorded June 15, 2021 with the office of the Clerk and Recorder, Mesa County, Colorado at Reception No. 2985711 which encumbers the property described in the Deed of Trust referenced above, does hereby consent to the Multi-Purpose Easement and agrees that said easement shall be superior to the lien secured by the above referenced Deed of Trust.

Signed this 17th day of December, 2024

Colorado Housing and Finance Authority

By: *Dolores Higgins*

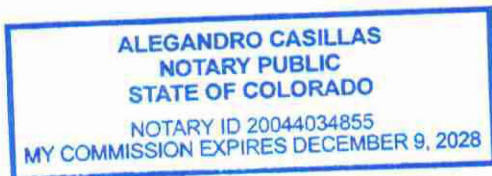
Print Name: *Dolores Higgins*
Manager, Servicing and Post Closing

Its: _____

The foregoing instrument was acknowledged before me this 17th day of December 2024, by *Dolores Higgins* as *Manager, Servicing & Post Clos* of Colorado Housing and Finance Authority.

Witness my hand and official seal.

My Commission Expires: *Dec. 9, 2028*



Alegandro Casillas
Notary Public

Consent to Easement

Colorado Housing and Finance Authority ("CHFA"), its successors and assigns, with an address, 1981 Blake Street, Denver, CO 80202, Beneficiary of a Deed of Trust executed by James E. Sanville and Virginia Rusy, dated June 9, 2021 and recorded June 15, 2021 with the office of the Clerk and Recorder, Mesa County, Colorado at Reception No. 2985712 which encumbers the property described in the Deed of Trust referenced above, does hereby consent to the Multi-Purpose Easement and agrees that said easement shall be superior to the lien of CHFA, Beneficiary.

Signed this 17th day of December, 2024

Colorado Housing and Finance Authority

By: Dolores Higgins

Print Name: Dolores Higgins

Manager, Servicing and Post Closing

Its: _____

State of Colorado)

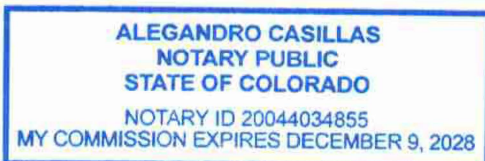
) ss.

County of Denver)

The foregoing instrument was acknowledged before me this 17th day of December 2024, by Dolores Higgins as Manager, Servicing & Post Closing of Colorado Housing and Finance Authority.

Witness my hand and official seal.

My Commission Expires: Dec. 9, 2028



Alegandro Casillas
Notary Public