

## GRANT OF MULTI-PURPOSE EASEMENT

**Charles R. Peacock & Florence E. Peacock, 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, 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.: 2945-041-00-143

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 30<sup>th</sup> day of January, 2023.

**GRANTORS:**

Charles R. Peacock  
Charles R. Peacock

Florence E. Peacock  
Florence E. Peacock

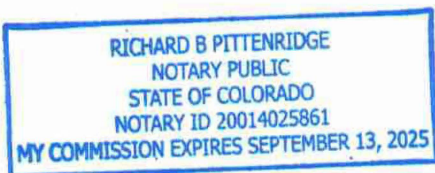
State of Colorado )  
County of Mesa ) ss.

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of January, 2024, by Charles R. Peacock & Florence E. Peacock.

Witness my hand and official seal.

My commission expires: 9-13-2025

Richard B. Pittenridge  
Notary Public





# EXHIBIT A

## LEGAL DESCRIPTION

2945-041-00-143

### MULTI-PURPOSE EASEMENT PARCEL NO. MPE-41

A Parcel of land being a portion of land described in Reception Number 2451020 located in the Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4) 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 East Quarter Corner of said Section 4, Whence the North Sixteenth Corner of said Section 4 and 3 bears N00°03'04"E a distance of 1320.76 feet with all other bearings contained herein being relative thereto; thence from said point of commencement, N00°03'04"E, a distance of 396.13 feet to the Southeast Corner of said Parcel of land as described in Reception Number 2451020; thence S89°58'39"W along the South line of said Parcel, a distance of 32.38 feet to the Point of Beginning; thence continuing along said South line S89°58'39"W, a distance of 14.07 feet; thence the following two (2) courses, 1) Northeasterly along the arc of a 456.00 foot radius curve concave Northwesterly, a distance of 47.08 feet thru a central angle of 05°54'54" whose chord bears N03°00'12"E, a distance of 47.06 feet, 2) N00°03'04"E a distance of 58.09 feet to a point on the North line of said Parcel of land as described in Reception Number 2451020; thence along said North line S89°56'52"E a distance of 14.00 feet to the Northwestern corner of Right of Way Parcel RW-41A; thence along the Western Boundary of said Parcel the following two (2) courses, 1) S00°03'04"W a distance of 58.09 feet, 2) Southwesterly along the arc of a 470.00 foot radius curve concave Northwesterly, a distance of 47.05 feet thru a central angle of 05°44'11" whose chord bears S02°54'50"W, a distance of 47.04 feet to the Point of Beginning.

Said Parcel of land CONTAINING **1,472** Square Feet or **0.03** 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  
970-256-4003



#### 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                         | F#   | Filing Number                   |
| PSCO   | Public Service Company of 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.

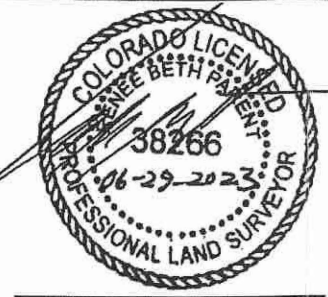
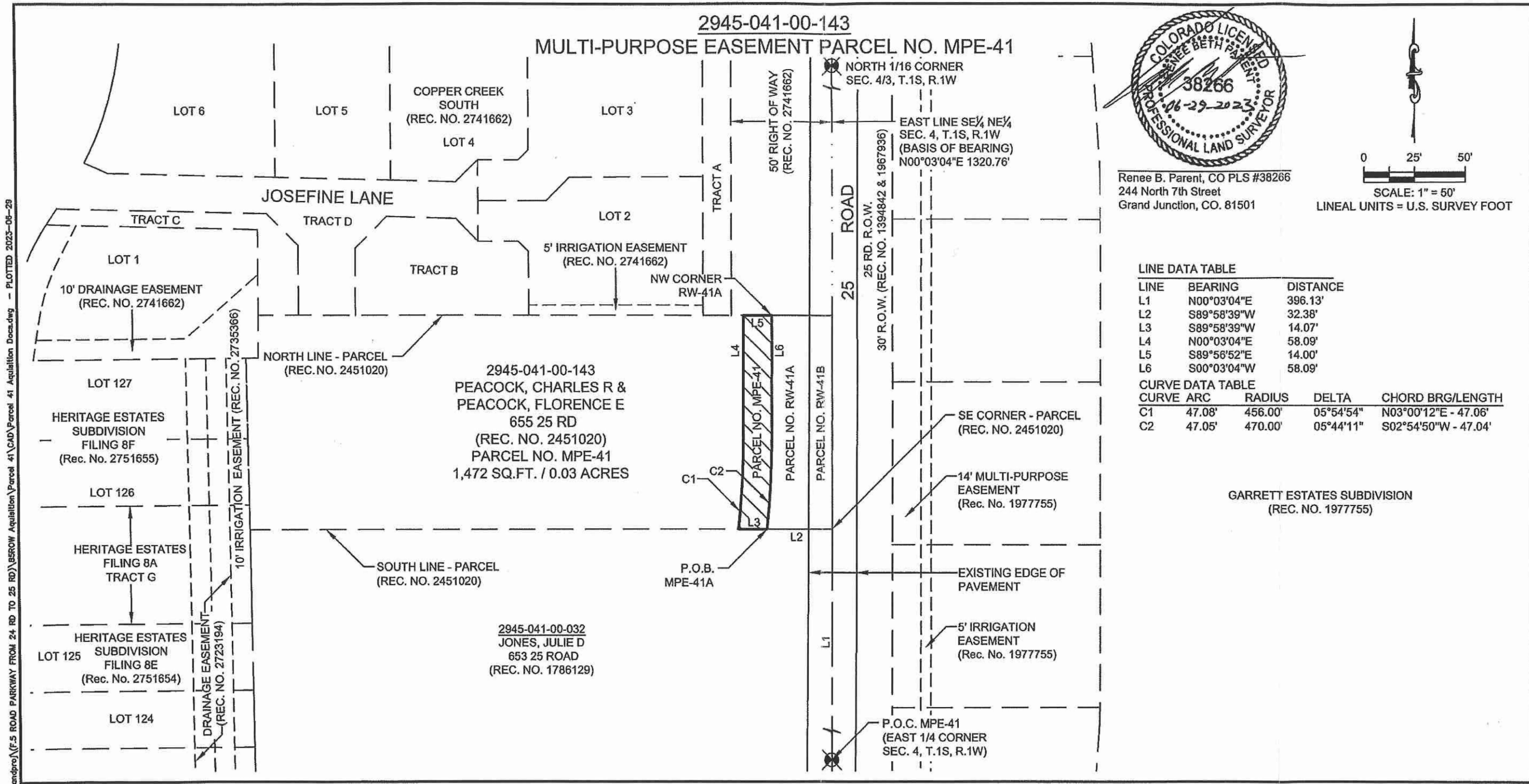
DRAWN BY: MJH  
DATE: 6-23-2023  
REVIEWED BY: RBP  
APPROVED BY: BH  
SCALE: N/A

Portion of 2945-041-00-143  
Located in a part of the SE1/4 NE1/4  
Section 4, T.1S, R.1W  
Ute Meridian, City of Grand Junction  
Mesa County, Colorado

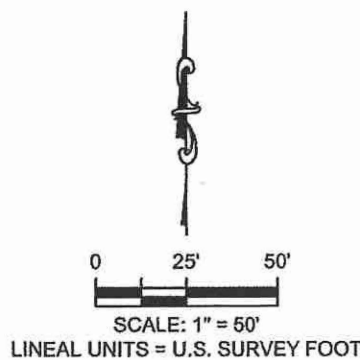
CITY OF  
**Grand Junction**  
COLORADO

PUBLIC WORKS  
ENGINEERING DIVISION  
PROJECT NO. 207-F210306

EXHIBIT B



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



LINE DATA TABLE

| LINE | BEARING     | DISTANCE |
|------|-------------|----------|
| L1   | N00°03'04"E | 396.13'  |
| L2   | S89°58'39"W | 32.38'   |
| L3   | S89°58'39"W | 14.07'   |
| L4   | N00°03'04"E | 58.09'   |
| L5   | S89°56'52"E | 14.00'   |
| L6   | S00°03'04"W | 58.09'   |

CURVE DATA TABLE

| CURVE | ARC    | RADIUS  | DELTA     | CHORD BRG/LENGTH     |
|-------|--------|---------|-----------|----------------------|
| C1    | 47.08' | 456.00' | 05°54'54" | N03°00'12"E - 47.06' |
| C2    | 47.05' | 470.00' | 05°44'11" | S02°54'50"W - 47.04' |

GARRETT ESTATES SUBDIVISION  
(REC. NO. 1977755)

| 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                         | F#   | Filing Number                   |
| PSCO          | Public Service Company of Of Colorado |      |                                 |

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DRAWN BY: MJH  
DATE: 6-27-2023  
REVIEWED BY: RBP  
APPROVED BY: BH  
SCALE: 1" = 50'

Portion of 2945-041-00-143  
Located in a part of the SE 1/4 NE 1/4  
Section 4, T.1S, R.1W  
Ute Meridian, City of Grand Junction  
Mesa County, Colorado

CITY OF  
**Grand Junction**  
COLORADO

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



**MIN: 1003924 1120439601 7**  
**MERS Phone: 1-888-679-6377**  
**Loan # 0044746410**

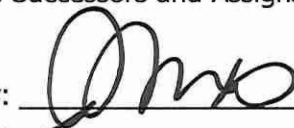
**Consent to Easement**

Mortgage Electronic Registration Systems, Inc. ("MERS"), MERS is a separate corporation that is acting solely as a nominee for Lender and Lender's successors and assigns. MERS is the beneficiary under this Security Instrument, as nominee for Fairway Independent Mortgage Corporation, its successors and assigns, P.O. Box 2026, Flint Michigan 48501-2026 and telephone (888) 679-MERS, of a Deed of Trust executed by CHARLES R. PEACOCK AND FLORENCE E. PEACOCK, Dated July 10, 2019 and recorded July 16, 2019 with the office of the Clerk And Recorder, Mesa County, Colorado at reception no. 2887492 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 MERS, Beneficiary.

Borrower understands and agrees that MERS holds only legal title to the interests granted by Borrower in this Security Instrument, but, if necessary to comply with law or custom, MERS (as nominee for Lender and Lender's successors and assigns) has the right: to exercise any or all of those interests, including but not limited to, the right to foreclose and sell the Property; and to take any action required of Lender including, but not limited to, releasing and canceling this Security Instrument.

Signed this 26th day of April, 2024

Mortgage Electronic Registration Systems, Inc. as Nominee for Lakeview Loan Servicing, LLC,  
Its Successors and Assigns.

By: 

Print Name: Priscilla Woods

Its: Assistant Secretary

STATE OF Florida

COUNTY OF Duval

On April 26 2024 before me appeared Priscilla Woods  
to me personally known, who did say that s/he/they is (are) Assistant Secretary  
of *Mortgage Electronic Registration Systems, Inc., as Beneficiary*, and that the instrument was  
signed on behalf of the corporation (or association), by authority from its board of directors, and  
that s/he/they acknowledged the instrument to be the free act and deed of the corporation (or  
association).



David E. Norris, NOTARY PUBLIC

(SEAL)

NOTARY ID: HH 318807

