

MCC03PCP

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: DEED (SPECIAL WARRANTY)

NAME OF PROPERTY OWNER OR GRANTOR: DANIEL E. McCABE, WEST TOCOI
DEVELOPMENT, LLC.

PURPOSE: INGRESS AND EGRESS, CITY APPROVED SERVICE,
SERVICE PROVIDERS AND PUBLIC UTILITIES FOR THE INSTALLATION OPERATION,
SANITARY SEWER LINES, STORM SEWERS, WATER LINES AND COMMUNICATION LINES.

PROPERTY: PRIMARY CARE PARTNERS'/HOSPICE CAMPUS

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 2003

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

2163075 12/02/03 0430PM
JANICE WARD CLK&REC MESA COUNTY CO
REC FEE \$5.00 SURCHG \$1.00
DOCUMENTARY FEE \$NO FEE

**SPECIAL WARRANTY DEED
(Easement)**

THIS DEED, made this 24 day of NOVEMBER, 2003, between WEST TOCOI DEVELOPMENT, LLC, a Colorado limited liability company, of the County of ARAPAHOE State of Colorado, grantor, and CITY OF GRAND JUNCTION, whose legal address is 250 N. 5th, Box 81501, grantee(s):

WITNESS, that the grantor, for and in consideration of the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the grantee(s), its heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Mesa, and State of Colorado, described as follows:

A nonexclusive easement for utilities in that area depicted as "E-2 and E-3" on the plat to Primary Care Partners' Services/Hospice Campus recorded in Plat Book 20 at Pages 65, 66, 67 Mesa County, Colorado, for the use of City approved service, service providers and public utilities for the installation operation, maintenance and repair of electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines and communication lines; together with reasonable ingress and egress thereto by the beneficiaries and service providers.

Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee(s), its heirs and assigns forever. And the grantor, for itself, its heirs and personal representatives does covenant and agree that it shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee(s), its heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor(s).

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

WEST TOCOI DEVELOPMENT, LLC, a Colorado limited liability company

By [Signature]
Name: Daniel E. McCole
Title: Ass't. Mgr.

STATE OF COLORADO)
) ss.
COUNTY OF Arapahoe)

The foregoing instrument was acknowledged before me this 24 day of November, 2003, by Daniel E. McCole, as Asst. Manager of West Tocol Development, LLC, a Colorado limited liability company.

Witness my hand and official seal.
My Commission Expires: August 1, 2004

[Signature]
Notary Public