

MCM78PAR

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: DEED [QC]

NAME OF AGENCY OR CONTRACTOR: PARADISE HILL SUBDIVISION,
INC., HOWARD H. MCMULLIN, PRESIDENT, HAROLD E. DANIELS,
SECRETARY, ROBERT V. BRUCE, BEVERLY A. BRUCE, JAY A. FRANSEN
AND DANELLE S. FRANSEN

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: PARADISE
HILLS SUBDIVISION PARK RIGHT-OF-WAY SEWER INTERCEPTOR

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1978

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

Reception No. 1171823 Recorder. Earl Sawyer

PARADISE HILLS SUBDIVISION, INC., a Colorado corporation,
ROBERT V. BRUCE, BEVERLY A. BRUCE, JAY A. FRANSEN and
whose address is DANELLE S. FRANSEN

County of Mesa, and State of

Colorado, for the consideration of Ten Dollars and
other valuable considerations, ~~Dollars~~, in hand paid,

STATE DOCUMENTARY FEE

DATE SEP 22 '78

\$ Exempt

hereby sell(s) and quit claim(s) to CITY OF GRAND JUNCTION,
a municipal corporation,
whose address is


County of Mesa, and State of Colorado, the following ~~real~~
right-of-way ~~property~~, in the County of Mesa, and State of Colorado, to wit:

A right-of-way and easement to locate, place, construct, operate,
repair and maintain an underground sanitary sewer pipeline over, on,
across and under the following described lands located in Mesa County,
State of Colorado, to-wit: Tract No. 1. A 20 foot easement, 10 feet
on each side of the following described line: Beginning at a point 790.7
feet North of the SE corner of the SW $\frac{1}{4}$ of Section 26, Township 1 North, Range 1
West, U.M., thence South 70°59' West 595.2 feet, thence South 42°22' West 600 feet,
thence South 47°41' West 123.2 feet, thence South 76°38' West 34.0 feet, thence
South 88°51' West 349.9 feet, thence South 31°12' West 45.3 feet, thence South
74°52' West 56.1 feet, thence South 74°52' West 147.9 feet, thence South 70°31'
West 166.5 feet, thence South 64°46' West 55.7 feet, thence South 41°21' West
125.5 feet, thence South 08°51' West 127.1 feet, to a point which is South 62°54'
East a distance of 744.9 feet, from the Northwest corner of Section 35, Township 1
North, Range 1 West, U.M.

Tract No. 2. A 20 foot easement, 10 feet on each side of the following described
line: Beginning at a point which bears South 57°22'03" East 758.87 feet from the
Northwest Corner of Section 35, Township 1 North, Range 1 West of the Ute Meridian,
said point being the end manhole No. 49, Paradise Hills interceptor sewer, thence
North 22°18' East 66.46 feet to the East property line from whence said Northwest
Corner of Section 35 bears North 62°22'12" West 749.81 feet.

also known as street and number
with all its appurtenances.

Signed this 31 day of July, 19 78.

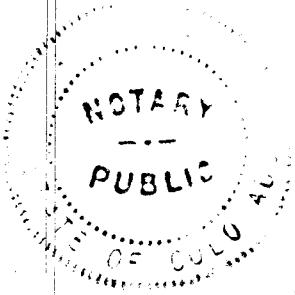
ATTEST:

Harold E. Daniels
Secretary
STATE OF COLORADO,
County of Mesa

PARADISE HILLS SUBDIVISION,
INC.
By Howard H. McMullin
President
Robert V. Bruce
Robert V. Bruce
Beverly A. Bruce
Beverly A. Bruce
Jay A. Fransen
Jay A. Fransen
} ss. Danelle S. Fransen
Danelle S. Fransen

The foregoing instrument was acknowledged before me this 31
day of July, 19 78, by Howard H. McMullin as President, and by
Harold E. Daniels as Secretary of Paradise Hills Subdivision, Inc., a
Colorado corporation, Robert V. Bruce, Beverly A. Bruce, Jay A. Fransen and Danelle
My commission expires April 6, 1982 S. Fransen.
Witness my hand and official seal

R. D. Rait

Notary Public.


NOTARY
PUBLIC
STATE OF COLORADO

Copy to Engineering 9-27-78

YOUNGE, HOCKENSMITH, GRIFFIN, ROBB & RIDER

THOMAS K. YOUNGE
FRANK M. HOCKENSMITH
DAN G. GRIFFIN
JAMES M. ROBB
KIRK E. RIDER
JAMES S. CASEBOLT

ATTORNEYS AT LAW
GRAND JUNCTION, COLORADO 81501

P. O. BOX 1768
537 ROOD AVENUE
AREA CODE 303
TEL. 242-2645

September 14, 1978

Mr. Gerald Ashby
City and County Attorney
250 North 5th Street
Grand Junction, Colorado 81501

Re: Paradise Hills - Agreement
with City dated May 21, 1975

Dear Jerry:

You will recall that in May of 1975, an agreement was entered into between the City of Grand Junction and the Paradise Hills Service Company wherein the City of Grand Junction began to operate and maintain the sewage treatment plant and the sewer lines that serviced Paradise Hills Subdivision and in return, monthly fees were assessed by the City to the residents of Paradise Hills.

The agreement provided that proper conveyance would be made to the City so that it could maintain the sewer lines. To the best of my knowledge, the City never received a right-of-way and easement so that it would have legal access to the property in the event it had to maintain any of the sewer lines. Of course, the sewer lines within the subdivision run within dedicated right-of-ways so the City should have no problem in gaining access to those lines. However, after the line leaves the dedicated subdivision, it crosses property to the north and west of the subdivision and runs diagonally toward 26 Road where it eventually ties in with the existing City sewer line which was constructed approximately a year ago.

After examining plats and checking with the people at Transamerica Title Insurance Company, I prepared a Quit Claim Deed which conveys

Mr. Gerald Ashby

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September 14, 1978

a right-of-way and easement to the City of Grand Junction so that it can continue to maintain and repair these sewer lines. As near as I can determine, this properly describes the easement originally obtained by Paradise Hills when it purchased property in that area sometime ago. So as to satisfy any possible discrepancy, I also had Mr. and Mrs. Bob Bruce and Mr. and Mrs. Jay Fransen execute the enclosed easement as it now crosses some of the property owned by them. I believe that you will find that this now ties in with the existing sewer line recently constructed by the City.

I assume that you will satisfy yourself that this description is proper prior to recording the document. You may also wish to review the old agreement of May 21, 1975, but it does state that the City will continue to operate and maintain the sewer lines and accordingly, it seems only appropriate that the City should have an easement so as to maintain the lines. If you have any questions, please feel free to contact me.

Very truly yours,

YOUNGE, HOCKENSMITH, GRIFFIN,
ROBB & RIDER

By 

DGG:ju

Enclosure