

ALC09265

TYPE OF RECORD:	PERMANENT
CATEGORY OF RECORD:	EASEMENT (STORM SEWER)
NAME OF PROPERTY OWNER OR GRANTOR:	AMERICAN LUTHERAN CHURCH
PURPOSE:	STORM SEWER EASEMENT
ADDRESS:	631 26 ½ ROAD
PARCEL NO.:	2945-023-00-951
CITY DEPARTMENT:	PUBLIC WORKS AND PLANNING
YEAR:	2009
EXPIRATION DATE:	NONE
DESTRUCTION DATE:	NONE

GRANT OF STORM SEWER EASEMENT

American Lutheran Church, a non-profit corporation, Grantor, whose address is 631 26 1/2 Road, Grand Junction, CO 81506, for and in consideration of the sum of Ten and no 00/100 Dollars (\$10.00) the receipt and sufficiency of which is hereby acknowledged, has sold, granted and conveyed, and by these presents does hereby sell, grant and convey to **The City of Grand Junction, a Colorado home rule municipality, Grantee**, whose address is 250 North 5th Street, Grand Junction, Colorado 81501, a Perpetual Easement for the installation, operation, maintenance, repair and replacement of stormwater and irrigation pipeline and stormwater drainage facilities, on, along, over, under, through and across the following described parcel of land, to wit:

Said parcel contains 11,324.00 square feet (0.260 Acres), more or less, as described on **Exhibit "A"** and depicted on **Exhibit "B"**, attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns forever, together with the right of ingress and egress for 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.

1. 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; provided, however, that Grantor hereby covenants with Grantee that the Easement shall not be burdened or overburdened by the installation, construction or placement of any improvements, structures or fixtures thereon which may be detrimental to the facilities of Grantee or which may act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement. Nothing in this section shall be interpreted to prevent Grantor from installing landscaping features or similar improvements typically located in Easements.

2. Grantee's work and act of installing, operating, maintaining, repairing and replacing said storm water facilities shall be performed with due care using commonly accepted standards and techniques without cost to Grantor.

3. Grantor hereby covenants with Grantee it has good title to the herein described premises; that it has good and lawful right to grant this Easement; that it will warrant and forever defend the title and quiet possession thereof against the lawful claims and demands of all persons whomsoever.

Executed and delivered this 13 day of August, 2009.

American Lutheran Church,
a nonprofit corporation
By *Douglas E. Aden*
Douglas E. Aden, Council President

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 13 day of August, 2009, by Douglas E. Aden, Council President for American Lutheran Church, a non-profit corporation.

My commission expires: 3/15 - 2010
Witness my hand and official seal.


Serraine Jensen
Notary Public


EXHIBIT "A"

Legal Description

A parcel of land located in the Southwest Quarter (SW1/4) of Section 2, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, State of Colorado, being more particularly described as follows:

Commencing at a point where the East line of that parcel of land as described in Book 3571, Page 630, and recorded in the office of the Mesa County Clerk and Recorder, intersects the South line of right of way as described in Book 537, Page 338, and recorded in said office, and considering the South line of said right of way to bear N61°33'39"W, with all bearings herein being relative thereto; thence N61°33'39"W, along the South line of said right of way, a distance of 501.78 feet to the POINT OF BEGINNING; thence S28°50'30"W a distance of 34.01 feet; thence S28°46'25"E a distance of 179.15 feet; thence S16°19'26"W a distance of 88.90 feet; thence S00°04'09"E a distance of 97.76 feet; thence S64°54'55"W a distance of 178.28 feet to the East line of an existing drainage easement as described in Book 4211, Page 310 and recorded in said office; thence N00°01'17"E, along the East line of said drainage easement, a distance of 22.09 feet; thence N64°54'55"E a distance of 156.17 feet; thence N00°04'09"W a distance of 87.90 feet; thence N16°19'26"E a distance of 83.48 feet; thence N28°46'25"W a distance of 181.85 feet; thence N28°50'30"E a distance of 44.87 feet to the South line of said right of way; thence S61°33'39"E, along the South line of said right of way, a distance of 20.00 feet, more or less, to the point of beginning.

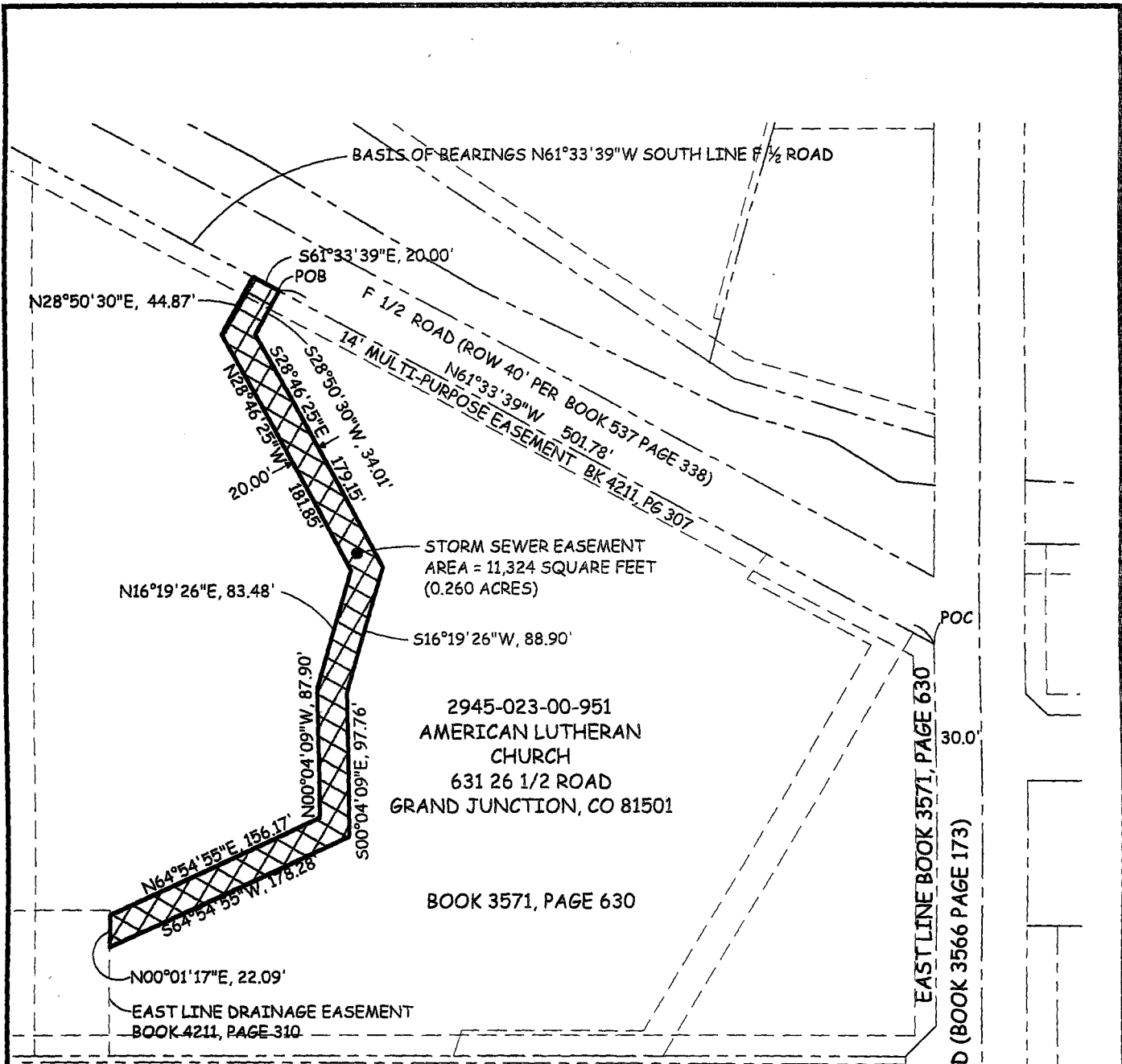
Containing 11,324 square feet or 0.260 acres, more or less, as described.

Prepared by: Michael Grizenko

Real Estate Technician

Date: August 7, 2009

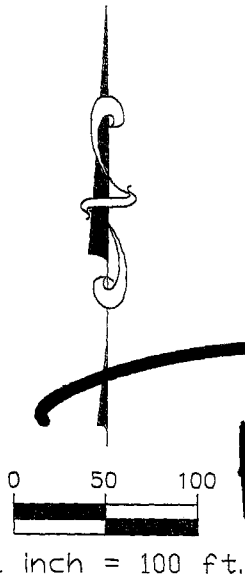
EXHIBIT "B"



ABBREVIATIONS

- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- R.O.W. RIGHT OF WAY
- SEC. SECTION
- TWP. TOWNSHIP
- RGE. RANGE
- U.M. UTE MERIDIAN

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



DRAWN BY: MG
 DATE: 08-05-2009
 SCALE: 1" = 100'
 APPR. BY: PTK

AMERICAN LUTHERAN CHURCH
 STORM SEWER EASEMENT
 2945-023-00-951

