## ARE92MTH

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: BETHESDA FOUNDATION OF NEBRASKA, LYLE G. ARENT, VICE PRESIDENT; AND DANIEL C. VAGLE, SECRETARY

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: LOT 4 AND 66 OF MANETY HEIGHTS SUBDIVISION

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1992

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

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## GRANT OF EASEMENT BOOK 1916 PAGE 119

1610513 10:24 AM 08/05/92 MONIKA TODD CLKAREC MESA COUNTY CO

KNOW ALL MEN BY THESE PRESENTS, that BETHESDA FOUNDATION OF NEBRASKA, Grantor, for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has given and granted and by these presents does hereby give and grant unto the CITY OF GRAND JUNCTION, COLORADO, a Colorado home rule municipality, Grantee, its successors and assigns forever, a PERPETUAL EASEMENT for the installation, maintenance, operation and repair of an underground water pipeline, together with the right of ingress and egress, on, along, over, under, through and across that certain real property described on Exhibit A attached hereto and incorporated herein by reference.

Grantor reserves the right to use and occupy the easement area for any purpose not inconsistent with Grantee's full enjoyment of the rights hereby granted; Grantee shall conduct its activities in a reasonable and prudent manner so as to not limit the joint use of the easement area by Grantor and Grantee.

Grantor hereby covenants that the easement area shall not be burdened or overburdened by erecting or placing of any improvements thereon which might prevent reasonable access to and across the easement area.

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

| Signed this $28$ day of   | July , 1992.   |
|---|--|
| ATTEST:   | BETHESDA FOUNDATION OF NEBRASKA  |
| Canin C Vegle COLORADO  | _ Lyle S. Went V.P.  |
| STATE OF NEBRASKAXX )   | U  |
| County of El Paso )   |  |
| of July, 1  | was acknowledged before me this <u>28th</u> day 1992, by <u>Lyle G. Arent</u> as |
| Vice President Secretary  | and by <u>Daniel C. Vagle</u> as of Bethesda Foundation of Nebraska.             |
| Maria Company of the | <del>-</del>   |
| My commission expires hand and office   | October 7, 1993  |
| S PUDLIC S  | Roberta Landrus  |
| COLCUMNIAN  | Notary Public  |

The following decribed easement for the installation, maintenance, operation and repair of an underground water pipeline, together with the right of ingress and egress on, along, over, under, through and across the following described real property situate in the NW1/4 of the NW1/4 of Section 7, Township 1 South, Range 1 East of the Ute Meridian, City of Grand Junction, Mesa County, Colorado, to wit:

Commencing at the Northernmost corner of Lot 4 of Mantey Heights Subdivision in said Section 7, thence S 090 30' 01" W a distance of 6.20 feet to a point on the Northwesterly boundary line of said Lot 4 for the  $\overline{\text{POINT OF BEGINNING}}$ ;

Thence South a distance of 9.93 feet;

Thence S 33° 58' 39" E a distance of 25.24 feet; Thence S 40° 24' 46" E a distance of 49.56 feet;

Thence S 88° 34′ 24″ E a distance of 203.18 feet; Thence S 08° 39′ 00″ W a distance of 10.08 feet; Thence N 88° 34′ 24″ W a distance of 206.39 feet; Thence N 40° 24′ 46″ W a distance of 54.59 feet;

Thence N 330 58' 39" W a distance of 28.86 feet;

Thence North a distance of 2.17 feet to a point on the Northwesterly boundary line of said Lot 4; Thence along the Northwesterly boundary line of said Lot 4 the

following two (2) courses and distances:

- N  $64^{\circ}$  11' 00" E a distance of 0.71 feet to a point of 1. curvature;
- 14.44 feet along the arc of a curve to the left having a radius of 18.39 feet and a long chord which bears N 410 41' 46" E 14.07 feet to the POINT OF BEGINNING;

## AND ALSO

Commencing at the Northernmost Corner of Lot 66 of Manety Heights Subdivision in said Section 7, thence S  $08^{\rm O}$  39' 00" W along the Westerly boundary line of said Lot 66 a distance of

8.81 feet to the <u>POINT OF BEGINNING</u>;
Thence S 88° 34′ 24" E a distance of 58.84 feet;
Thence S 75° 02′ 41" E a distance of 42.75 feet;
Thence N 88° 34′ 24" W a distance of 101.67 feet;
Thence N 08° 39′ 00" E a distance of 10.08 feet to the Point of Beginning;

## AND ALSO

Subdivision in said Section 7, thence S  $75^{\circ}$  02' 41" E a distance of 182.79 feet, thence N  $89^{\circ}$  50' 00" E a distance of 57.44 feet to the <u>POINT OF BEGINNING</u>;

Thence N  $89^{\circ}$  50' 00" E a distance of 181.93 feet to the westerly right of way line of 28 1/4 Road as described in Book 1245 at Pages 841 & 842 in the office of the Mesa County Clerk and

Thence 3.14 feet along the arc of a curve to the right having a radius of 916.5 feet and a long chord which bears S 160 48' 44" W 3.14 feet;

Thence S 890 50' 00" W a distance of 169.91 feet;

Thence N 750 02' 41" W a distance of 11.50 feet to the POINT OF **BEGINNING**.