

AXL00MRP

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: **EASEMENT**

PURPOSE: USE OF A PORTION OF THE RIGHT-OF-WAY
KNOWN AS HILL TOP COURT AND MARIPOSA DRIVE, ADJACENT TO 2399
MARIPOSA DRIVE

NAME OF PROPERTY OWNER OR GRANTOR: OSTEN AXELSSON AND ANITA
AXELSSON

STREET ADDRESS/PARCEL NAME/SUBDIVISION (LOT AND BLOCK): 2399
MARIPOSA - LOT 8 - BLOCK 19 - THE RIDGES SUBDIVISION -
FILING #3

PARCEL NO.: 2945-201-11-008

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 2000

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

Agreement for Use of a Portion of the Right-of-Way Known as Hill Top Court and Mariposa Drive, Adjacent to 2399 Mariposa Drive

Osten and Anita Axelsson
388 Dry Fork Way
Grand Junction, Colorado

1967076 10/02/00 0220PM
MONIKA TODD CLK&REC MESA COUNTY CO
REC FEE \$10.00

Regarding: 2399 Mariposa, Parcel #2945-201-11-008

By signing below, you will be agreeing to the following terms:

-The Petitioner's use of the right-of-way is non-exclusive. The City of Grand Junction, on its behalf and on behalf of the Public Utilities, reserves and retains the right to utilize all or any portion of the right-of-way at any time and for any purpose, even if such use results in the damage, destruction or removal of any improvements installed by the Petitioners;

-The City of Grand Junction shall not be held liable for any loss, damage, destruction or removal of any improvements installed by the Petitioners or any other property of the Petitioners or any other party, as a result of the Petitioner's occupancy, possession or use of the right-of-way or as a result of any City activity, including the removal of any improvements installed by the Petitioners;

-The City of Grand Junction, its officers, employees and agents, shall not be held liable with respect to any claim or cause of action, however stated, arising out of or in any way related to the Petitioner's use of the right-of-way.

-The Petitioner agrees to improve that portion of the right-of-way to the City of Grand Junction's minimal standards as specified by the attachment "A".

Osten Axelsson *Anita Axelsson*
Osten Axelsson Anita Axelsson

9/29/00
Date

Christine English
Notary My commission expires 2/2/06

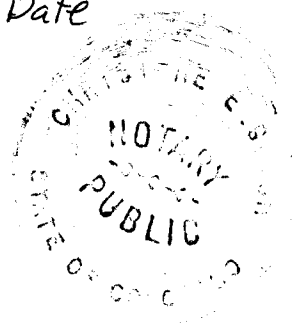


Exhibit A

- 1) Partial ½ street improvements along both the Mariposa Drive and Hilltop Court frontages must be completed before a Planning Clearance will be issued for home construction. ½ street improvements shall include 20' of Class 6 Aggregate Base Course and a roadside swale to collect and convey runoff (the base course shall be a minimum 6" in depth and shall be graded to provide a minimum 2% cross slope). ½ street improvements shall extend from the existing edge of asphalt within Mariposa Drive, southeast to the E.C.R. in the southwest corner of the Mariposa Drive / Hilltop Court intersection, and then continue southwest to the southern property line adjacent to Hilltop Court.