

BAU08UTI

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT (UTILITY)

NAME OF PROPERTY
OWNER OR GRANTOR: FRANCES L., JAMES R., AND MICHAEL B.
BAUGHMAN

PURPOSE: UTILITY EASEMENT (TO UNDERGROUND
UTILITIES IN CONJUNCTION WITH
RANCHMANS DITCH AND
CORNERSQUARE DEVELOPMENT)

ADDRESS: 2579 F ROAD

PARCEL #: 2945-101-00-156

CITY DEPARTMENT: PUBLIC WORKS AND PLANNING

YEAR: 2008

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

GRANT OF UTILITY EASEMENT

Frances L. Baughman, James R. Baughman, and Michael B. Baughman, Grantors, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, have granted and conveyed, and by these presents do hereby 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, this Perpetual Utility Easement for the use and benefit of Grantee and for the use and benefit of the Public Utilities, as approved by Grantee, as a perpetual easement for the below ground installation, operation, maintenance, repair and replacement of utilities and appurtenances related thereto, including, but not limited to, electric lines, cable television lines, natural gas pipelines, telephone lines, and for above ground use by Public Service Company of Colorado only for pole stabilization structures purposes, and also for the below surface installation, operation maintenance, repair and replacement of traffic control facilities, as approved by Grantee, on, along, over, under, through and across the following described parcel of land as shown on the attached Exhibit A, to wit:

A certain strip of land for easement purposes located in the Northeast Quarter (NE 1/4) of Section 10, Township 1 South, Range 1 West, of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado and being more particularly described as shown on the attached document prepared by Souder, Miller and Associates, under date of April 23, 2008 in the area identified as "18' Utility Easement" and lying west of the Boundary Agreement recorded in Book 4557, Page 649 and lying East of the Easterly line of Colony Park Filing No. 1, recorded in Plat Book 13, Page 58 both of the Mesa County, Colorado public records.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns forever, together with the right to enter upon said premises with 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. Grantors reserve the right to use and occupy the real property burdened by this Easement for any lawful purpose, specifically including farming, 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 Grantors hereby covenant 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 and that all persons or entities exercising any rights hereunder shall restore all disturbed surface to a condition equal to or better than it was before the disturbance.

2. Grantors hereby covenant with Grantee they have good title to the herein described premises; that they have good and lawful right to grant this Easement; that they will warrant and forever defend the title and quiet possession thereof against the lawful claims and demands of all persons whomsoever.

3. If the specified improvements contemplated to be built within the Easement are not constructed or are abandoned, Grantors shall have the option to request release of the Easement, which release shall not be unreasonably withheld or delayed.

Executed and delivered this 25th day of April, 2008.

Frances L. Baughman
Frances L. Baughman

James R. Baughman
James R. Baughman

Michael B. Baughman
Michael B. Baughman

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 20th day of April, 2008, by Frances L. Baughman, James R. Baughman, and Michael B. Baughman.

My commission expires 10/11/2009.
Witness my hand and official seal.

Ashley K. [Signature]
Notary Public
STATE OF COLORADO
NOTARY PUBLIC
ASHLEY K. [Signature]

2945-034-00-162

2945-034-00-160

2945-034-00-161

2945-034-00-200

EXHIBIT "A"

SIDEWALK

NORTH LINE SECTION 10

NE CORNER
NW 1/4 NE 1/4
SECTION 10
T1S, R1W, U1M

PATTERSON ROAD

48.91'
ROW BY USE

48.91'
ROW BY USE

SIDEWALK

278.56'

18' UTILITY
EASEMENT
AREA = 5133.03 SF

1.09'

7.14'

COLONY PARK
FILING NO. 3
(PB 14, PG'S 93-94)


VACATED CIDER MILL
ROAD RIGHT OF WAY
PER BK 1857, PG 333

2945-101-00-156
ROBERT I. BAUGHMAN
2579 F ROAD

EAST LINE NW 1/4 NE 1/4 SEC 10

EAST PROPERTY LINE

- LOT 19
- LOT 18
- LOT 17
- LOT 16

DATE: 04/23/08	DRAWN BY: LMB	 SOUDER, MILLER & ASSOCIATES 529 25th Road, Ste. B210, Grand Junction, Colorado, 81506 Tel: 970-243-8067 Fax: 970-241-5845 www.soudermiller.com	<h3>18' UTILITY EASEMENT</h3>	REVISION	DATE	DESCRIPTION	BY	CYS
SCALE: 1"=50'	CHECKED BY: JEL							
Project No: 187-040								
SHEET NO: 1 OF 1								