

GRANT OF MULTI-PURPOSE EASEMENT

BESS Investments, Inc., a Colorado corporation, Grantor, for and in consideration of the sum of Eleven Thousand Two Hundred Seventy Three and 00/100 Dollars (\$11,273.00), the receipt and sufficiency of which is hereby acknowledged, has 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, a Perpetual Multi-Purpose 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 installation, operation, maintenance, repair and replacement of utilities and appurtenances related thereto, as approved by Grantee, including, but not limited to, electric lines, cable television lines, natural gas pipelines, sanitary sewer lines, storm sewers and storm water drainage facilities, water lines, telephone lines, and also for the installation, operation maintenance, repair and replacement of traffic control facilities, street lighting, landscaping, trees, fill slopes and grade structures, as approved by Grantee, on, along, over, under, through and across the following described premises, to wit:

See Exhibit "B" for Riverside Parkway Parcel No. PE E-75, dated February 25, 2005, 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 utility construction and repair machinery, the said Grantor hereby covenanting with Grantee that the Easement area shall not be burdened or overburdened by the installation, construction or placement of any structures or any other items or fixtures which might be detrimental to the facilities of Grantee and/or the Public Utilities or which might act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement area, the said Grantor hereby further covenanting with Grantee that it has good title to the aforescribed premises; that it has 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.

Executed and delivered this 29 day of June, 2005.

Attest:

BESS Investments, Inc., a Colorado corporation

By: Dean Sharpe VICE PRES

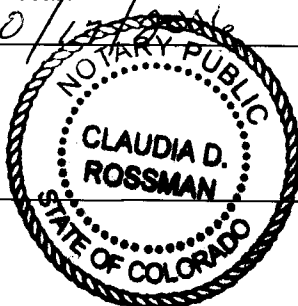
By: John Bonella PRES

STATE OF COLORADO)
)ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 29 day of June, 2005, by John Bonella as President and attested to by Dean Sharpe as Vice President of BESS Investments, Inc., a Colorado corporation.

Witness my hand and official seal.

My commission expires: 10/17/2006



Claudia D. Rossman
Notary Public

February 25, 2005
071514.402.1.0025

EXHIBIT "B"

PROPERTY DESCRIPTION

Parcel No. PE E-75

A parcel of land being a portion of a tract of land described in Book 1700, Page 748, recorded on July 8, 1988 at Mesa County Clerk and Recorder's Office, lying in the Northeast Quarter of Section 23, Township 1 South, Range 1 West of the Ute Principal Meridian, Mesa County, Colorado being more particularly described as follows:

COMMENCING at the East Quarter Corner of said Section 23 (a 3 1/2" Aluminum Cap stamped "D H Surveys Inc S23 | S24 1/4, T1S, R1W LS24306 1996") whence the Center Quarter Corner of said Section 23 (a 3" Brass Cap stamped "MESA COUNTY SURVEY MARKER-C 1/4 S23-NO1280), bears N89°36'03"W a distance of 2638.76 feet;
THENCE N22°10'03"E a distance of 179.52 feet to the POINT OF BEGINNING;

THENCE S89°26'45"W non-tangent with the following described curve, a distance of 1143.77 feet;

THENCE along the southerly line of said Book 1700, Page 748, being the arc of a curve to the right, having a central angle of 2°16'16", a radius of 369.93 feet, a chord bearing of N66°23'51"W a distance of 14.66 feet, and an arc distance of 14.66 feet;

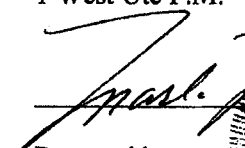
THENCE N89°26'45"E non-tangent with the last described curve a distance of 1163.63 feet;

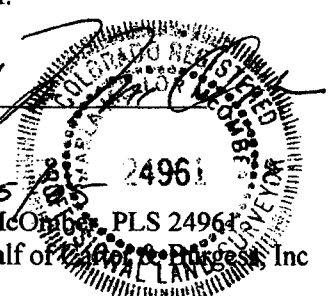
THENCE S00°16'54"E along the westerly line of Mesa County road right-of-way described in Book 1040, Page 594, recorded on July 1, 1975 at Mesa County Clerk & Recorder's Office, being non-tangent with the following described curve, a distance of 4.36 feet;

THENCE along the southerly line of said Book 1700, Page 748, being the arc of a curve to the right, having a central angle of 0°19'48", a radius of 1156.28 feet, a chord bearing of S75°08'48"W a distance of 6.66 feet, and an arc distance of 6.66 feet to the POINT OF BEGINNING.

Containing 6,937 square feet, (0.159 Acres), more or less, for a Multipurpose Easement to the City of Grand Junction for the use of City approved utilities as perpetual easements for the installation, operation, maintenance and repair of utilities and appurtenances including, but not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, and also for the installation and maintenance of traffic control facilities, street lighting, landscaping, trees, grade structures, irrigation, road construction and maintenance.

Basis of Bearing: N89°58'01"E between Mesa County Local Coordinate System points Southwest Corner of Section 15 (2-1/2" Alumn. Cap in Monument Box Stamped: AES T1S R1W S16/S15/S21/S22 2002 PLS 24320) and the Southeast Corner of Section 15, (2-1/2" Brass Cap Stamped: COUNTY SURVEY MARKER 828-1 15/14/22/23), both in Township 1 South, Range 1 West Ute P.M.

Prepared by: 
Date: 2/25/05
Maria Mellor McOrin, PLS 24961
For and on behalf of Carter & Burgess, Inc



Carter & Burgess, Inc. Carter & Burgess Architects/Engineers, Inc. Carter & Burgess Consultants, Inc. C&B Architects/Engineers, Inc.
C&B Architects/Engineers, P.C. C&B Nevada, Inc. Nixon & Laird Architects/Engineers, P.C.