

BIO971ST

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: JOHN S. BIOCIC AND IRENE V. BIOCIC

STREET ADDRESS/PARCEL NAME/SUBDIVISION: 2323 NORTH 1ST STREET, UTILITY
EASEMENT, PARCEL NO. 2945-101-00-014

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1997

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

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GRANT OF EASEMENT

1804838 0308PM 07/07/97
 MONIKA TODD CLK&REC MESA COUNTY Co
 DOCUMENT FEE \$EXEMPT

John S. Biocic and Irene V. Biocic, Grantors, for and in consideration of the sum of Thirty-eight and 80/100 Dollars (\$38.80), the receipt and sufficiency of which is hereby acknowledged, have given and granted and by these presents do hereby give and grant unto the City of Grand Junction, a Colorado home rule municipality, Grantee, whose address is 250 North 5th Street, Grand Junction, Colorado 81501, for the use of Grantee and for the use of the Public Utilities, a Perpetual Utilities Easement on, along, over, under, through and across the following described parcel of land, to wit:

Easement Parcel No. 121(c):

Commencing at the Southeast Corner of the Northeast 1/4 of the Northeast 1/4 (NE1/4 NE1/4) of Section 10, Township 1 South, Range 1 West of the Ute Meridian in the City of Grand Junction, County of Mesa, State of Colorado, and considering the East line of the NE1/4 NE1/4 of said Section 10 to bear N 00°29'40" W with all bearings contained herein being relative thereto; thence N 00°29'40" W along the East line of said NE1/4 NE1/4 a distance of 240.40 feet; thence leaving the East line of said NE1/4 NE1/4, S 89°30'20" W a distance of 29.00 feet; thence S 00°29'41" E a distance of 7.09 feet to the **True Point of Beginning**; thence S 17°42'01" E a distance of 3.14 feet; thence S 89°30'20" W a distance of 6.93 feet; thence N 00°29'40" W a distance of 3.00; thence N 89°30'20" E a distance of 6.00 feet to the True Point of Beginning, containing 19.40 square feet as described herein and as depicted on **Exhibit "A"** attached hereto and incorporated herein by reference;

TO HAVE AND TO HOLD unto the said Grantee, together with the right to enter upon said premises, to survey, maintain, operate, repair, replace, control and use said Utilities Easement, subject to the terms and conditions contained herein.

1. Grantors reserve the right to use and occupy the aforescribed easement for any lawful purpose which is not inconsistent with the rights herein granted; provided, however, that Grantors hereby covenant with Grantee that the easement area shall not be burdened or overburdened by the Grantors erecting or placing any improvements or structures thereon which might act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the easement area.

2. Grantee agrees that the work and act of installing, maintaining and repairing utilities and related appurtenances and facilities shall be performed with due care using commonly accepted standards and techniques, taking precautions for the protection of persons and property; all damages to persons or property resulting from the failure to exercise due care, or other higher standard of care as may be applicable, shall be paid for and repaired at the expense of Grantee.

3. Grantors hereby covenant with Grantee that they have good title to the aforescribed 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.

Executed and delivered this 5TH day of May, 1997.

John S. Biocic
John S. Biocic

Irene V. Biocic
Irene V. Biocic

State of Colorado)
)ss.
County of Mesa)

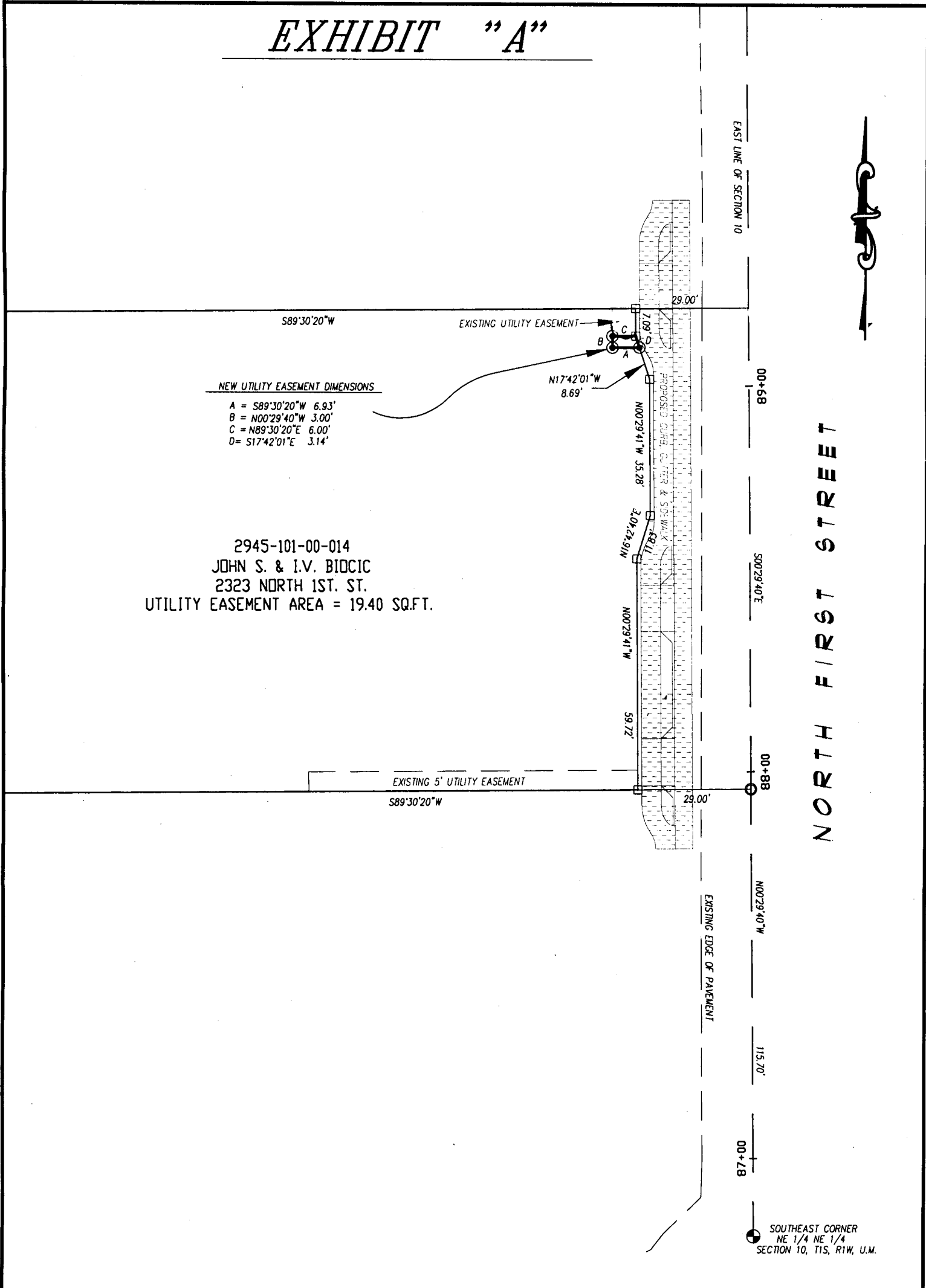
The foregoing instrument was acknowledged before me this 5TH day of May, 1997, by John S. Biocic and Irene V. Biocic.

My commission expires: 3.3.01

Witness my hand and official seal.

Peggy E. Gordon
Notary Public

EXHIBIT "A"



DRAWN BY: SRP
 DATE: 4-24-97
 SCALE: 1" = 30'
 APPR. BY: TKH
 FILE NO: F121B.DWG

RIGHT-OF-WAY DESCRIPTION MAP

NORTH FIRST STREET - ORCHARD AVE. TO PATTERSON AVE
 (121)

DEPARTMENT OF PUBLIC WORKS
 ENGINEERING DIVISION
CITY OF GRAND JUNCTION