

BLU02IDP

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: **EASEMENT**

PURPOSE: RETAINING WALL

NAME OF PROPERTY OWNER OR GRANTOR: JAMES A. BLUNN AND ERMA M. BLUNN

STREET ADDRESS/PARCEL NAME/SUBDIVISION (LOT AND BLOCK): 441 INDEPENDENT AVENUE, GRAND JUNCTION

PARCEL NO.: 2945-104-18-001

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 2002

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

GRANT OF RETAINING WALL EASEMENT

James A. Blunn and Erma M. Blunn, Grantors, for and in consideration of the sum of Seven Hundred Twenty-Two and 03/100 Dollars (\$722.03), the receipt and sufficiency of which is hereby acknowledged, have sold, granted and conveyed, and by these presents do hereby sell, grant and convey unto the City of Grand Junction, a Colorado home rule municipality, Grantee, whose address is 250 North 5th Street, Grand Junction, Colorado 81501, a Perpetual Easement for the installation, operation, maintenance, repair and replacement of a retaining wall providing stability for public roadway improvements, on, along, over, under, through and across the following described parcel of land, to wit:

A certain Perpetual Easement lying in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 10, Township 1 South, Range 1 West of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Northwest corner of Lot 1, Arnold Subdivision, as same is recorded in Plat Book 11, Page 119, Public Records of Mesa County, Colorado, and considering the North line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 10 to bear S89°56'21"E with all bearings contained herein being relative thereto; thence from said Point of Beginning, S 89°56'21" E, along the North line of said Lot 1, a distance of 64.20 feet; thence leaving said North line, S 00°03'39" W a distance of 5.00 feet; thence N 89°56'21" W a distance of 64.16 feet, more or less, to a point on the West line of said Lot 1; thence N 00°23'21" W, along the West line of said Lot 1, a distance of 5.00 feet, more or less, to the Point of Beginning.

Containing 320.9 square feet (0.0074 Acres), more or less, as described and depicted on **Exhibit "A"** 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 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. Grantors shall have the right to use and occupy the real property burdened by this Easement for any lawful purpose which is not inconsistent with and which will not interfere with the full use and quiet enjoyment of the rights herein granted; provided, however, that Grantors hereby covenant with Grantee that the Easement area 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 area.
2. Grantee agrees that Grantee's utilization of the Easement and the rights herein conveyed shall be performed with due care using commonly accepted standards and techniques.
3. 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.

Executed and delivered this 19th day of March, 2002.

James A. Blunn
James A. Blunn

Erma M. Blunn
Erma M. Blunn

State of Colorado)
)ss.
County of JEFFERSON)

The foregoing instrument was acknowledged before me this 19th day of MARCH, 2002, by James A. Blunn and Erma M. Blunn.

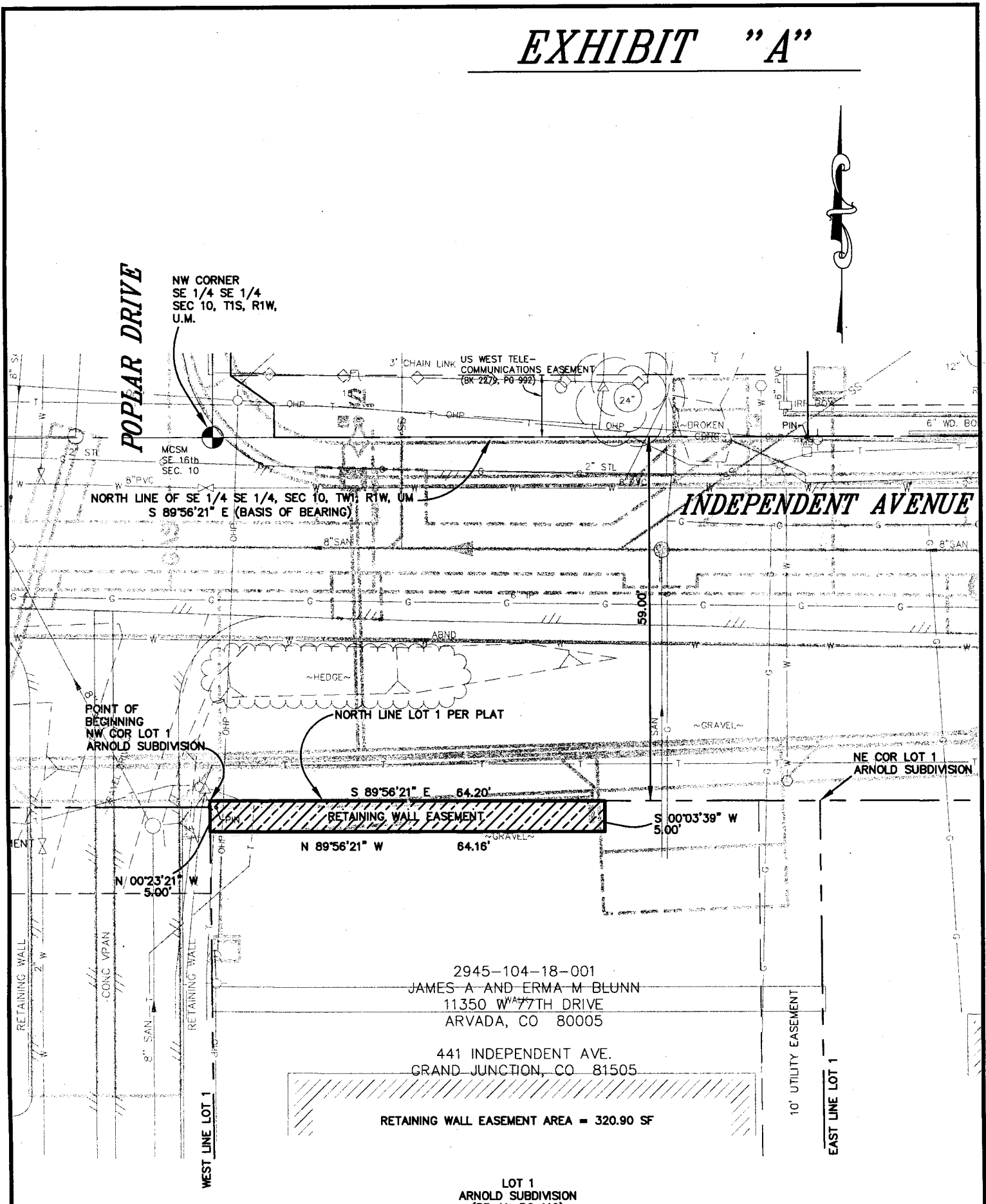
My commission expires May 18, 2004.

Witness my hand and official seal.

HOLLY J. TAPIA
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires May 18, 2004

Holly J. Tapia
Notary Public

EXHIBIT "A"



The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as means for establishing or verifying property boundary lines.

RECORDER NOTE: POOR QUALITY DOCUMENT
 PROVIDED FOR REPRODUCTION

DRAWN BY: JCS
 DATE: 10-10-2001
 SCALE: 1" = 20'
 APPR. BY: TW
 FILE NO. ROW.DWG

INDEPENDENT AVENUE
 RIGHT-OF-WAY DESCRIPTION MAP

DEPARTMENT OF PUBLIC WORKS
 ENGINEERING DIVISION
 CITY OF GRAND JUNCTION