

BRC99AUD

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT (TRAILS)

NAME OF AGENCY OR CONTRACTOR: BRACH'S CORNER, LLC, 250 NORTH 5TH STREET

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: RECREATIONAL AND TRAILS
EASEMENT FOR AUDUBON TRAIL

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1999

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

1908378 06/23/99 0353PM
MONIKA TODD CLK&REC MESA COUNTY CO
REC FEE \$10.00 SURCHG \$1.00
DOCUMENTARY FEE \$EXEMPT

GRANT OF RECREATIONAL AND TRAILS EASEMENT

Brach's Corner, L.L.C., a Colorado limited liability company, Grantor, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, has granted and conveyed, and by these presents does 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 Recreational and Trails Easement, for the use and benefit of Grantee and for the use and benefit of the General Public, on, along, over, under, through and across the following described parcel of land, to wit:

See 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 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, subject to the terms and conditions contained herein.

1. The easement herein granted shall include the right to enter upon the premises to construct, install, operate, maintain and repair recreational and trails facilities, including, but not limited to, asphalt, concrete or other permanent surface improvements, together with signs, markers, fences, barricades and other appurtenances, and shall include the right to enter said premises with workers and equipment to properly maintain the same.

2. Grantor hereby covenants with Grantee that the Easement area shall not be burdened or overburdened by the installation, construction or placement of any structures or any other item or fixture which might be detrimental to the use and maintenance of the Easement by Grantee and the General Public, or which might act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement area.

3. Grantor hereby covenants with Grantee that it has good title to the aforescribed premises; that it has good and lawful right to grant this Easement; that it 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 18 day of June, 1999.

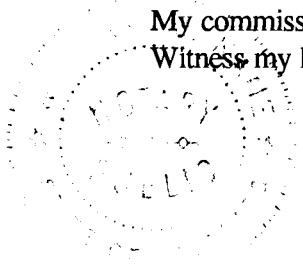
Brach's Corner, L.L.C.
a Colorado limited Liability Company

By: Louis R. Brach
Louis R. Brach, General Partner

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 18th day of June, 1999, by Louis R. Brach, General Partner of Brach's Corner, L.L.C., a Colorado limited liability company.

My commission expires 5/28/2000.
Witness my hand and official seal.



William M. Kane
Notary Public

Mc... address...

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EXHIBIT "A"

RECREATIONAL & TRAILS EASEMENT

A 12-foot wide easement situate in and being a part of Sections 15 and 16, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, said easement extending 6-feet on each side of the following described centerline, to wit:

Commencing at the Northwest corner of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 15, whence the Southwest corner of said Section 15 bears S $00^{\circ}08'26''$ E a distance of 1,346.76 feet with all bearings contained herein being relative thereto; thence S $33^{\circ}33'55''$ E a distance of 415.00 feet to a point on the Northeasterly right-of-way line for Highway 340 and the True Point of Beginning;

thence N $83^{\circ}54'43''$ W a distance of 17.47 feet;

thence S $75^{\circ}00'35''$ W a distance of 17.34 feet;

thence S $69^{\circ}50'04''$ W a distance of 44.84 feet;

thence 38.63 feet along the arc of a curve to the right having a radius of 50.00 feet, a central angle of $44^{\circ}16'14''$, and a long chord bearing N $88^{\circ}01'49''$ W a distance of 37.68 feet;

thence N $65^{\circ}53'42''$ W a distance of 28.29 feet;

thence N $56^{\circ}25'56''$ W a distance of 61.20 feet;

thence N $55^{\circ}47'53''$ W a distance of 396.74 feet;

thence N $54^{\circ}22'28''$ W a distance of 141.33 feet;

thence N $61^{\circ}49'27''$ W a distance of 57.54 feet;

thence N $56^{\circ}05'23''$ W a distance of 34.63 feet;

thence N $37^{\circ}58'30''$ W a distance of 36.61 feet;

thence N $28^{\circ}33'55''$ W a distance of 44.85 feet;

thence N $31^{\circ}48'09''$ W a distance of 21.31 feet;

thence N $36^{\circ}07'10''$ W a distance of 94.23 feet;

thence N $22^{\circ}50'30''$ W a distance of 22.17 feet;

thence N $15^{\circ}46'03''$ W a distance of 38.51 feet;

thence N $22^{\circ}08'49''$ W a distance of 30.41 feet;

thence N $40^{\circ}47'46''$ W a distance of 34.89 feet;

thence N $55^{\circ}35'25''$ W a distance of 29.09 feet to the POINT OF TERMINUS, from whence the Northwest Corner of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 15 bears S $64^{\circ}08'26''$ E a distance of 746.52 feet.

The side lines of said easement to be extended or shortened to intersect with the existing Boundary lines of the Grantors' real property.