

BUR0226R

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: **EASEMENT**

PURPOSE: SANITARY SEWER FACILITIES

NAME OF PROPERTY OWNER OR GRANTOR: R. KELLEY BURFORD AND NANCY E. BURFORD

STREET ADDRESS/PARCEL NAME/SUBDIVISION (LOT AND BLOCK): 714 26 ROAD., GRAND  
JUNCTION

PARCEL NO.: 2701-353-00-021

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 2002

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

## WHEN RECORDED RETURN TO:

City of Grand Junction  
 Real Estate Division  
 250 North 5<sup>th</sup> Street  
 Grand Junction, CO 81501

Book 3021 Page 367

2040601 02/12/02 0400PM  
 MONIKA TODD CLERK Mesa County Co  
 REC FEE \$15.00  
 DOCUMENTARY FEE \$EXEMPT

## GRANT OF SANITARY SEWER EASEMENT AGREEMENT

R. Kelley Burford and Nancy E. Burford, Grantors, for and in consideration of the sum of Four Thousand Six Hundred and 00/100 Dollars (\$4,600.00), the receipt and sufficiency of which is hereby acknowledged, have sold, granted and conveyed, and by these presents do hereby sell, grant and convey to the City of Grand Junction, a Colorado home rule municipality, Grantee, for the benefit of the Persigo 201 Sewer System, whose address is 250 North 5th Street, Grand Junction, Colorado 81501, a Perpetual Easement for the installation, operation, maintenance, repair and replacement of sanitary sewer facilities and appurtenances related thereto, on, along, over, under, through and across the following described parcel of land, to wit:

Commencing at the Southwest Corner of Section 35, Township 1 North, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the South line of the Southwest Quarter ("SW ¼") of said Section 35 to bear S 89°55'57" E with all bearings contained herein being relative thereto; thence S 89°55'57" E along the South line of the SW ¼ of said Section 35 a distance of 7.31 feet to the TRUE POINT OF BEGINNING;

thence leaving said South line, N 37°00'39" E a distance of 312.30 feet;

thence N 69°55'32" E a distance of 105.58 feet;

thence N 68°05'24" E a distance of 56.87 feet, more or less, to a point on the West right-of-way for the Grand Valley Main Line Canal;

thence S 08°17'26" E along said West right-of-way a distance of 20.58 feet;

thence leaving said West right-of-way, S 68°05'24" W a distance of 52.02 feet;

thence S 69°55'32" W a distance of 99.67 feet;

thence S 37°00'39" W a distance of 291.35 feet to a point on the South line of the SW ¼ of said Section 35;

thence N 89°55'57" W along the South line of the SW ¼ of said Section 35 a distance of 25.02 feet, more or less, to the POINT OF BEGINNING,

containing 9,171.4 square feet (0.21 acres), more or less, as described herein 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 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. 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 structure or any other item or fixture which may be detrimental to the facilities of Grantee or which may act to impede or prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement area.

2. Grantee's utilization of the Easement and the rights herein conveyed shall be performed with due care using commonly accepted standards and techniques. Grantee shall repair, replace and restore, within a reasonable time and at Grantee's sole cost and expense, any and all damages to the Easement area or to Grantor's adjoining property which may be caused by Grantee's utilization of the Easement and the rights herein conveyed. All facilities authorized pursuant to this conveyance shall be located below the surface of the ground, excepting manholes which shall be installed flush with the surface of the ground.

3. In the event of permanent abandonment of the Easement by Grantee, all rights, privileges and interests herein granted shall automatically terminate. Permanent abandonment shall have occurred if Grantee fails to use the Easement for any consecutive twelve (12) month period.

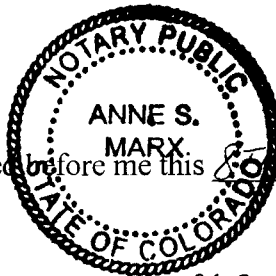
4. Grantors hereby covenant with Grantee that they have good title to the aforescribed premises; that they have good and lawful right to grant this Easement; that they will warrant and forever defend the title and quiet possession thereof against the lawful claims and demands of all persons whomsoever.

Executed and delivered this 8<sup>TH</sup> day of FEBRUARY, 2002

R. Kelley Burford  
R. Kelley Burford

Nancy E. Burford  
Nancy E. Burford

State of Colorado )  
                          )ss.  
County of Mesa    )



The foregoing instrument was acknowledged before me this 8<sup>TH</sup> day of FEBRUARY, 2002, by R. Kelley Burford and Nancy E. Burford.

My commission expires: 7-30-05      My Commission Expires 7-30-05  
Witness my hand and official seal.

Anne S. Marx  
Notary Public

# EXHIBIT "A"



WEST LINE OF SOUTHWEST QUARTER SECTION 35, TOWNSHIP 1 NORTH,  
RANGE 1 WEST, UTE MERIDIAN

**G ROAD**

2701-353-00-021  
R. KELLEY AND NANCY E. BURFORD  
714 26 ROAD  
GRAND JUNCTION, CO 81506

2701-353-00-021  
R. KELLEY AND NANCY E. BURFORD  
714 26 ROAD  
GRAND JUNCTION, CO 81506

S08°17'26"E  
120.58'

N68°05'24"E  
56.87'

N69°55'32"E 105.58'

S69°55'32"W 99.67'

S68°05'24"W  
52.02'

9,171.4 sq. ft.  
0.21 acres

APPROXIMATE WEST R/W  
GRAND VALLEY MAIN LINE CANAL

N00°12'05"E

S89°55'57"E  
7.31'

N89°55'57"W  
25.02'

S89°55'57"E (BASIS OF BEARINGS USED HEREON)

**26 ROAD**

SOUTH LINE OF SOUTHWEST QUARTER SECTION 35, TOWNSHIP 1 NORTH,  
RANGE 1 WEST, UTE MERIDIAN

POINT OF BEGINNING

POINT OF COMMENCEMENT  
SW COR SEC 35, TWP 1N  
RGE 1W, UTE MERIDIAN

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 a means for establishing or verifying property boundary lines.

DRAWN BY: P.I.K.  
DATE: 12-04-2001  
SCALE: 1" = 60'  
APPR. BY: IW  
FILE NO: 1049DWG

SKETCH OF EASEMENT

THROUGH LANDS OF R. KELLEY AND NANCY E. BURFORD  
2701-353-00-021

**DEPARTMENT OF PUBLIC WORKS**  
ENGINEERING DIVISION  
**CITY OF GRAND JUNCTION**