

CAL9924R

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: HARRY S. CALDWELL AND PATRICIA CALDWELL,
GRANTORS

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: GRANT OF EASEMENT FOR
DRAINAGE AND UTILITIES AT 24 ROAD AND PATTERSON ROAD NORTH OF CANYON VIEW
PARK, PARCEL NO. 2945-054-00-089

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1999

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

1926437 11/03/99 1112AM
MONIKA TODD CLK® MESA COUNTY CO
REC FEE \$15.00
DOCUMENTARY FEE \$EXEMPT

GRANT OF EASEMENT

Harry S. Caldwell and Patricia Caldwell, Grantors, for and in consideration of the sum of Three Thousand Nine Hundred Fifty and 63/100 Dollars (\$3,950.63), 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, whose address is 250 North 5th Street, Grand Junction, Colorado 81501, for the use and benefit of Grantee and for the use and benefit of the Public Utilities, an undivided one-half interest in and to the herein described Perpetual Easement for the installation, operation, maintenance, repair and replacement of electric and telecommunications facilities (Easement Parcel No. 1), and an undivided one-half interest in and to the herein described Perpetual Easement for the installation, operation, maintenance, repair and replacement of electric, telecommunications, storm water runoff and drainage facilities on, along, over, under, through and across the following described parcels of land, to wit:

Easement Parcel No. 1:

Commencing at the Southeast Corner of Section 5, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the east line of the Southeast ¼ of the Southeast ¼ (SE ¼ SE ¼) of said Section 5 to bear N 00°03'05" W with all bearings contained herein being relative thereto; thence N 00°03'05" W along the east line of the SE ¼ SE ¼ of said Section 5 a distance of 854.12 feet; thence leaving the east line of the SE ¼ SE ¼ of said Section 5, N 89°59'32" W a distance of 77.50 feet to a point on the westerly right-of-way line for 24 Road; thence leaving the westerly right-of-way line for 24 Road, N 89°59'32" W a distance of 10.00 feet; thence N 00°03'05" W a distance of 29.72 feet to the True Point of Beginning; thence 62.35 feet along the arc of a curve concave to the Southwest, having a radius of 84.32 feet, a central angle of 42°21'49", and a long chord bearing N 21°13'58" W a distance of 60.93 feet; thence S 89°56'55" W a distance of 18.99 feet; thence N 00°03'05" W a distance of 15.53 feet; thence 46.04 feet along the arc of a curve concave to the Southwest, having a radius of 84.32 feet, a central angle of 31°17'08", and a long chord bearing N 74°46'57" W a distance of 45.47 feet; thence S 89°34'29" W a distance of 211.37 feet; thence N 00°03'05" W a distance of 10.00 feet to a point on the southerly right-of-way line for Patterson Road; thence N 89°34'29" E along the southerly right-of-way line for Patterson Road a distance of 211.30 feet; thence continuing along the southerly right-of-way line for Patterson Road, 104.95 feet along the arc of a curve concave to the Southwest, having a radius of 94.32 feet, a central angle of 63°45'05", and a long chord bearing S 58°32'59" E a distance of 99.62 feet; thence leaving the southerly right-of-way line for Patterson Road, S 00°03'05" E a distance of 42.27 feet to the Point of Beginning, containing 3,399.01 square feet as described herein and depicted on Exhibit "A" attached hereto and incorporated herein by reference.; AND ALSO

Easement Parcel No. 2:

Commencing at the Southeast Corner of Section 5, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the east line of the Southeast ¼ of the Southeast ¼ (SE ¼ SE ¼) of said Section 5 to bear N 00°03'05" W with all bearings contained herein being relative thereto; thence N 00°03'05" W along the east line of the SE ¼ SE ¼ of said Section 5 a distance of 854.12 feet; thence leaving the east line of the SE ¼ SE ¼ of said Section 5, N 89°59'32" W a distance of 77.50 feet to a point on the westerly right-of-way line for 24 Road, said point being the True Point of Beginning; thence N 00°03'05" W along the westerly right-of-way line for 24 Road a distance of 29.73 feet; thence continuing along the westerly right-of-way line for 24 Road, 43.83 feet along the arc of a curve concave to the Southwest, having a radius of 94.32 feet, a central angle of 26°37'21", and a long chord bearing N 13°21'45" W a distance of 43.43 feet; thence leaving the westerly right-of-way line for 24 Road, S 00°03'05" E a distance of 71.99 feet; thence S 89°59'32" E a distance of 10.00 feet to the Point of Beginning, containing 582.14 square feet 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 Easements, 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 these Easements 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 areas 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 the Public Utilities, 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 areas.

2. Grantee agrees that Grantees' utilization of the herein described Easements shall be performed with due care using commonly accepted standards and techniques.

3. Grantors hereby covenant with Grantee that they has good title to the aforescribed premises; that they have good and lawful right to grant the herein described Easements; 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 1st day of November, 1999.


Harry S. Caldwell

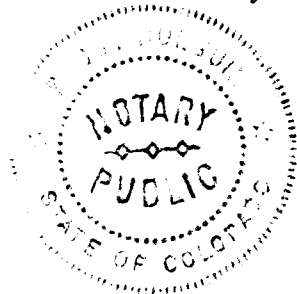

Patricia Caldwell

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 1st day of November, 1999, by Harry S. Caldwell and Patricia Caldwell.

My commission expires: 3.3.01

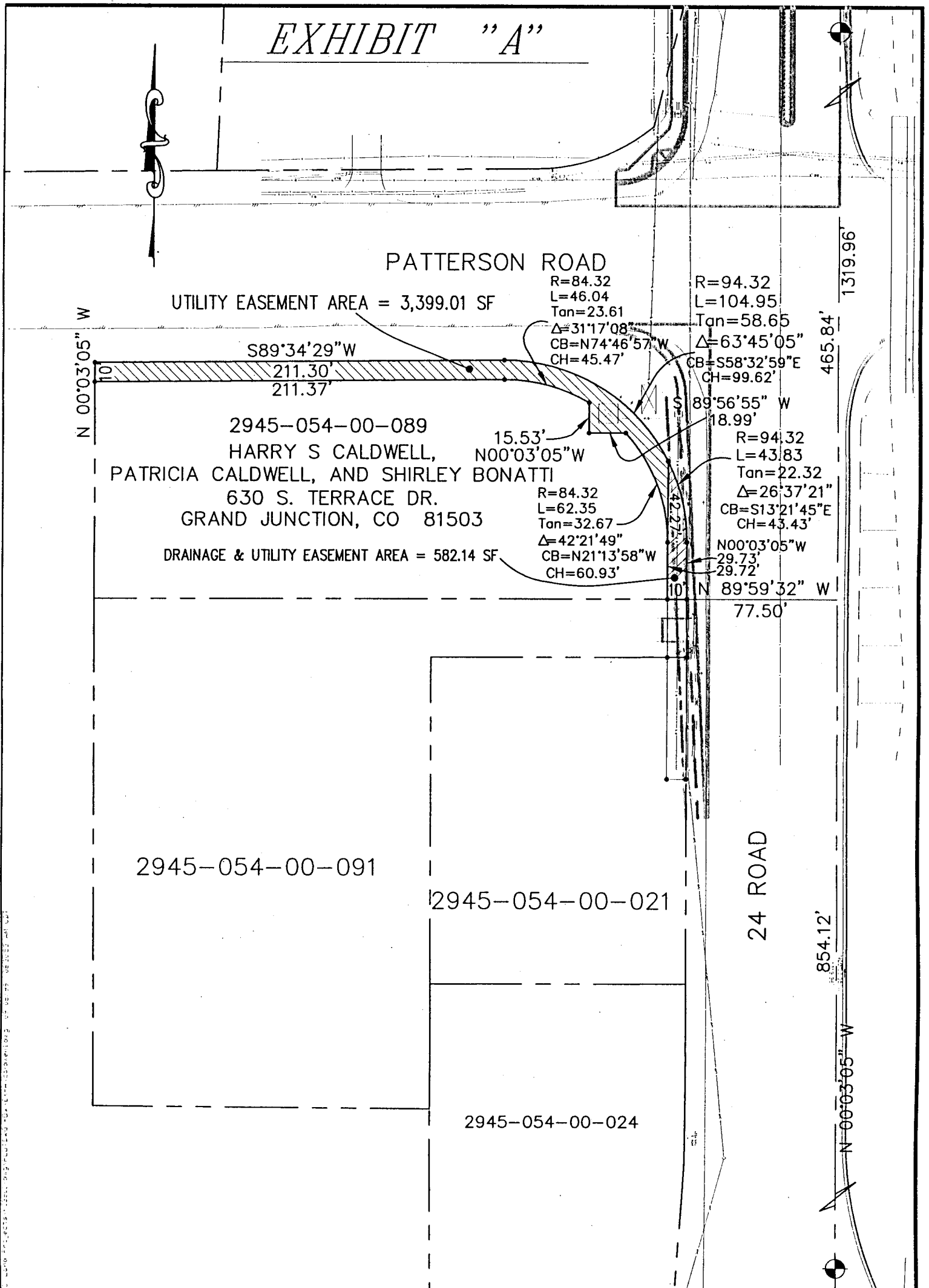
Witness my hand and official seal.





Notary Public

EXHIBIT "A"



DRAWN BY: JCS
 DATE: 9-08-99
 SCALE: 1" = 60'
 APPR. BY: TW
 FILE NO: CALDWELL1.DWG

RIGHT-OF-WAY DESCRIPTION MAP
 24 ROAD PATTERSON ROAD NORTH TO CANYON VIEW PARK

DEPARTMENT OF PUBLIC WORKS
 ENGINEERING DIVISION
 CITY OF GRAND JUNCTION