

CAV46STR

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: ALBERT E. CAVANAH

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: EASEMENT FOR GRAVEL PIT
AT 859 STRUTHERS AVENUE

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1946

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

A G R E E M E N T

THIS AGREEMENT, made and entered into this 11th day of February, 1946, between Albert Cavanah, first party, and the City of Grand Junction, Colorado, second party, WITNESSETH:

THAT WHEREAS, the first party is the owner of the property known as 859 Struthers Avenue in the County of Mesa, State of Colorado;

AND WHEREAS, the second party desires a right of way to its gravel pit through the premises of the first party;

AND WHEREAS, the parties desire to enter into an agreement for their mutual protection in the use of this right of way;

NOW, THEREFORE, in consideration of these presents, and the mutual agreements herein contained, the parties agree as follows:

1. The second party shall have the right to use the access road through the property of the first party for the hauling of gravel from their gravel pit at any time they desire;
2. The second party shall pay to the first party the sum of Twelve Dollars (\$12.00) a year for the use of said right of way;
3. The second party further agrees to maintain and keep in graded condition the roadway crossing the first party's land;
4. This agreement may be terminated by the second party at any time they decide to abandon their gravel pit;
5. This agreement shall be binding upon the heirs, successors, administrators, and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties have hereunto signed their names on the day and year first above written.

Albert E. Cavanah
First Party

CITY OF GRAND JUNCTION, COLORADO

Herbert J. Jolly
City Manager
Second Party

ATTEST:

Helen C. Conloman
City Clerk