

CLO00CDR

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: **EASEMENT**

PURPOSE: PERPETUAL EASEMENT FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT OF AN UNDERGROUND DRAINAGE PIPELINE AND RELATED FACILITIES

NAME OF PROPERTY OWNER OR GRANTOR: MARY L. CLOTWORTHY

STREET ADDRESS/PARCEL NAME/SUBDIVISION (LOT AND BLOCK): 1409 CEDAR AVENUE, GRAND JUNCTION, CO

PARCEL NO.: 2945-122-00-077

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 2000

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

1951439 05/30/00 0933AM
MONIKA TODD CLK&REC MESA COUNTY CO
REC FEE \$15.00
DOCUMENTARY FEE \$EXEMPT

GRANT OF EASEMENT

Mary L. Clotworthy, Grantor, for and in consideration of Three Thousand Nine Hundred Dollars and 00/100 (\$3,900.00), 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 Easement for the installation, operation, maintenance, repair and replacement of an underground storm drainage pipeline and related facilities, on, along, over, under, through and across the following described parcel of land, to wit:

Commencing at the NW Corner of Lot 20, Block 6, Fairmount Subdivision, in Section 12, Township 1 South, Range 1 West of the Ute Meridian in the City of Grand Junction, County of Mesa, State of Colorado, and considering the West line of said Lot 20 to bear S00°00'00"W and all bearings contained herein being relative thereto; thence;
thence S00°00'00"W along said West Lot line a distance of 30.00 feet to the south Right of Way Line for Cedar Avenue the Point of Beginning;
thence N 90°00'00" E a distance of 15.00 feet;
thence S 00°00'00" E a distance of 125.00 feet;
thence N 90°00'00" W a distance of 15.00 feet to the West Line of said Lot 20, thence;
North along said West line N 00°00'00" W a distance of 125.00 feet to the Point of Beginning;
containing 1,875.00 square feet as described herein and as 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 as may be required to permit the operation of standard utility construction and repair machinery, subject to the terms and conditions contained herein.

1. Grantor 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 Grantor hereby covenants with Grantee that the Easement area shall not be burdened or overburdened by Grantor erecting or placing any structures thereon which might act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement area.
2. Grantee's work and act of installing, operating, maintaining, repairing and replacing said storm drainage pipeline and related facilities shall be performed with due care using commonly accepted standards and techniques. Grantee shall, at Grantee's sole costs and expense, reasonably restore and repair the surface and condition of the Easement area and/or any other portion of Grantor's property affected by Grantee's exercise of the rights herein granted to a condition reasonably approximate to that which existed prior to Grantee's entry.
3. Grantor hereby covenants with Grantee that he has good title to the aforescribed premises; that he has good and lawful right to grant this Easement; that he 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 23 day of May, 2000.

Mary L. Clotworthy
Mary L. Clotworthy

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 23rd day of May, 2000, by Mary L. Clotworthy.

My commission expires: 3-3-01

Witness my hand and official seal.

Peggy Hale
Notary Public

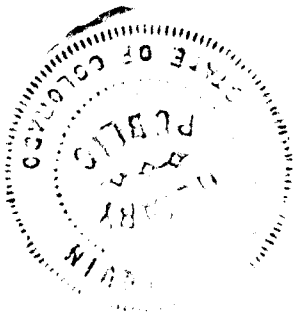
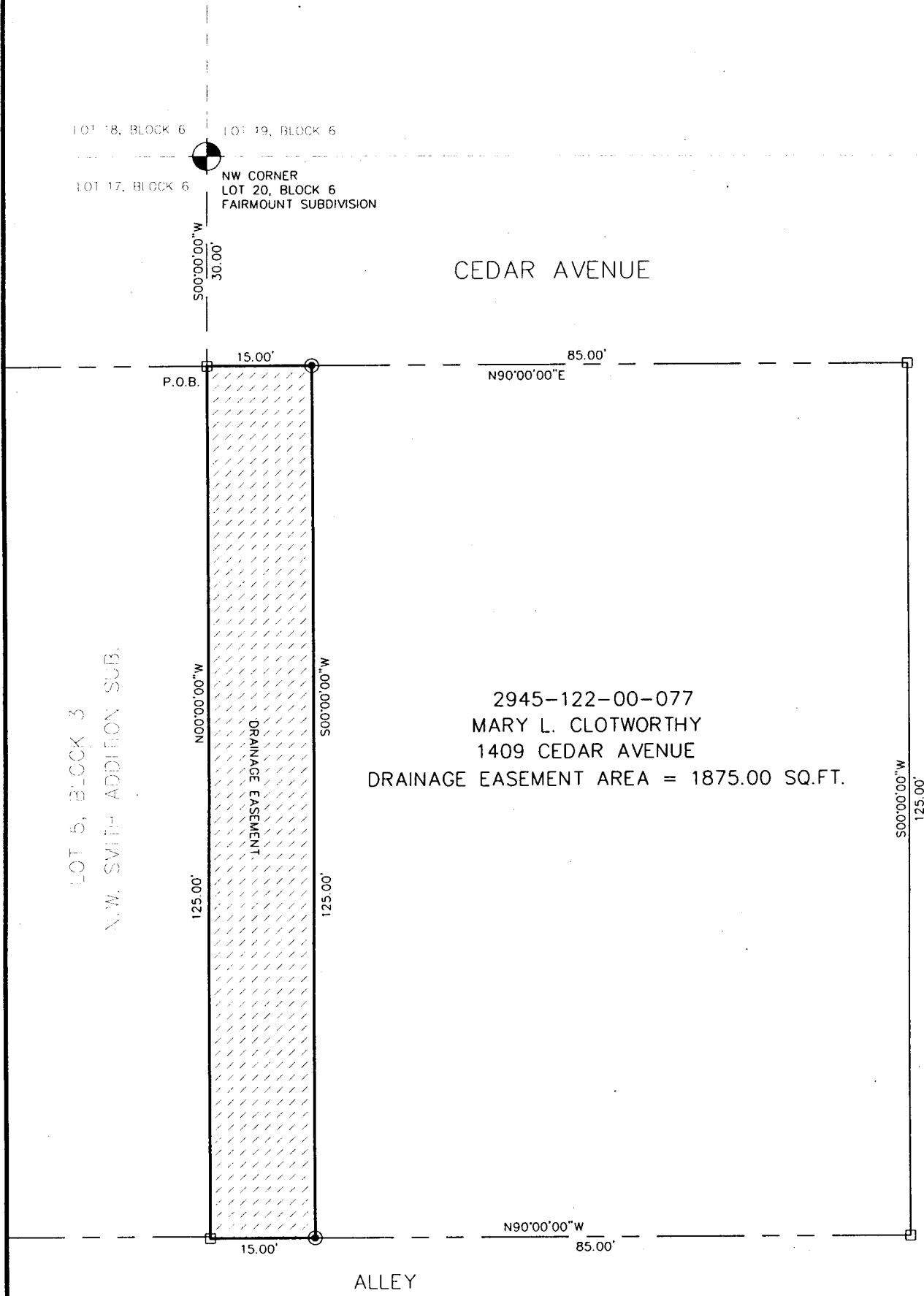


EXHIBIT "A"

(OPTION "B")



DRAWN BY: SRP
 DATE: 4-3-2000
 SCALE: 1" = 20'
 APPR. BY: IW
 FILE NO: CEDAR3.DWG

EASEMENT DESCRIPTION MAP

CEDAR AVENUE DRAINAGE IMPROVEMENTS

DEPARTMENT OF PUBLIC WORKS
 ENGINEERING DIVISION
 CITY OF GRAND JUNCTION