

CST96ELM

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: CHRISTOPHER M. TEWS AND SCOTT TEWS

STREET ADDRESS/PARCEL NAME/SUBDIVISION: 850 ELM AVENUE, WATER METER  
EASEMENT, STREET LIGHT EASEMENT, PARCEL NO. 2945-114-13-025, LOT 11, ELM AVE.  
SUBDIVISION

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1996

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

1768329 0430PM 08/19/96  
MONIKA TODD CLK&REC MESA COUNTY CO  
DOCUMENT FEE \$EXEMPT

GRANT OF EASEMENT

Christopher M. Tews and Scott Tews, Grantors, for and in consideration of the installation, maintenance and repair of street improvements to Elm Avenue, the receipt and sufficiency of which is hereby acknowledged, hereby grant and convey to the City of Grand Junction, a Colorado home rule municipality, Grantee, whose legal address is 250 North 5th Street, Grand Junction, Colorado 81501, its successors and assigns forever, the herein described Perpetual Easement for the installation, operation, maintenance, repair and conveyance of a luminaire street light and associated appurtenances, together with the right of ingress for workers and equipment, on, along, over, under, through and across the following described Parcel situated in the NW 1/4 SE 1/4 of Section 11, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, said Parcels being more particularly described by the following metes and bounds, to wit:

Beginning at the SW Corner of Lot 11, Elm Avenue Subdivision, thence  $N00^{\circ}00'00''W$  a distance of 4.00 feet, thence  $S90^{\circ}00'00''E$  a distance of 22.50 feet to the True Point of Beginning, thence  $N00^{\circ}00'00''W$  a distance of 5.00 feet, thence  $S90^{\circ}00'00''E$  a distance of 5.00 feet, thence  $S00^{\circ}00'00''E$  a distance of 5.00 feet, thence  $N90^{\circ}00'00''W$  a distance of 5.00 to the True Point of Beginning.

The above described parcel of land contain 25.00 square feet as described herein and depicted on the attached Exhibit "A".

TO HAVE AND TO HOLD the premises herein granted unto the Grantee, its successors and assigns forever, subject to the following terms, covenants, conditions and restrictions:

1. Grantee, as a condition of this grant, agrees that entry to the easement area for the purposes herein described shall be conducted so as to cause minimum interference to the Grantors, their heirs, successors and assigns. Grantee further agrees that it shall correct any damage(s), both material as well as aesthetic, which may be caused by its entry as described herein.
2. Grantors shall have the right to continue to use the real property burdened by this Easement for any lawful purpose which will not interfere

with Grantee's full use and enjoyment of the Grantee's rights herein granted; provided, however, Grantors hereby covenant with Grantee that the easement area shall not be burdened or overburdened by the Grantors erecting or placing any improvements or structures thereon which might act to prevent reasonable ingress and egress on, along, over, under, through and across the easement area.

3. 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 of all persons whomsoever.

Signed this 1 day of August, 1996.

Christopher M. Tews  
Christopher M. Tews

State of Colorado)

)ss.

County of Mesa )

The foregoing instrument was acknowledged before me this 1st day of August, 1996, by Christopher M. Tews.

Witness my hand and official seal.

My commission expires 4-28-2000

Angela K. Quillen  
Notary Public



Signed this 14 day of August, 1996.

[Signature]

Scott Tews

State of Oregon

)ss.

County of Washington

The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of August, 1996, by Scott Tews.

Witness my hand and official seal.

My commission expires 4/28/98

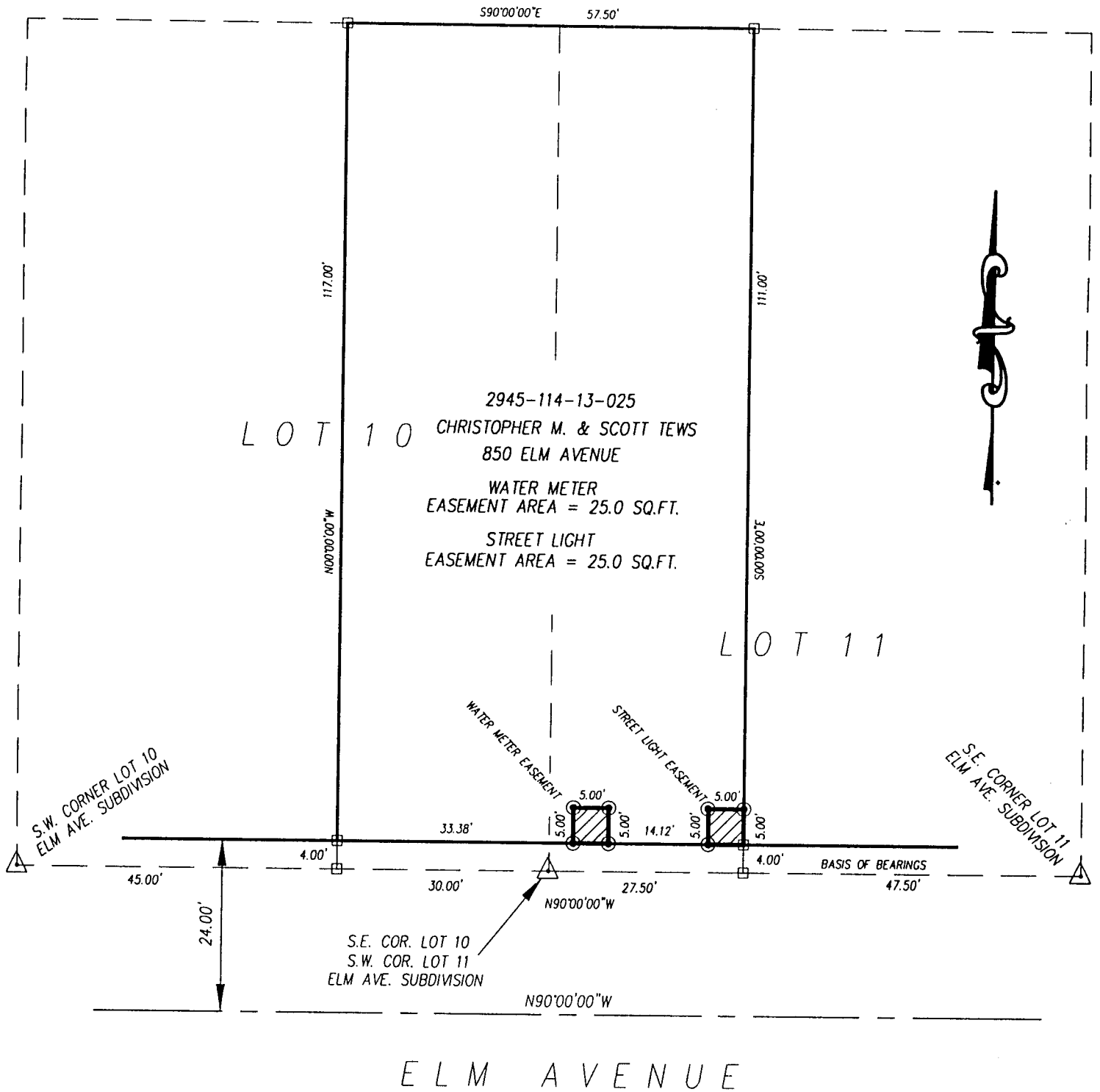
[Signature]

Notary Public



The foregoing legal description was prepared by P. Holguin, 250 North 5th Street, Grand Junction, Colorado 81501.

# EXHIBIT "A"



DRAWN BY: SRP  
 DATE: 05-28-96  
 SCALE: 1" = 20'  
 APPR. BY:  
 FILE NO: ELM13025.DWG

EASEMENT DESCRIPTION MAP  
 ELM AVENUE - N. 7TH TO CANNELL

DEPARTMENT OF PUBLIC WORKS  
 ENGINEERING DIVISION  
 CITY OF GRAND JUNCTION