

CUL09SML

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| TYPE OF RECORD: | PERMANENT |
| CATEGORY OF RECORD: | EASEMENT (MULTIPURPOSE) |
| NAME OF PROPERTY OWNER OR GRANTOR: | CULPEPPER LAND AND CATTLE COMPANY |
| PURPOSE: | SMILES 4 KIDS DENTISTRY |
| ADDRESS: | 459 NORTH AVENUE |
| TAX PARCEL NO.: | 2945-142-04-008 |
| CITY DEPARTMENT: | PUBLIC WORKS AND PLANNING |
| YEAR: | 2009 |
| EXPIRATION DATE: | NONE |
| DESTRUCTION DATE: | NONE |

GRANT OF MULTI-PURPOSE EASEMENT

Culpepper Land and Cattle Company, A Colorado General Partnership, Grantor, whose mailing address is P.O. Box 12288, Aspen, Colorado 81612, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, 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 Multi-Purpose Easement for the use and benefit of Grantee and for the use and benefit of the Public Utilities, as approved by Grantee, as a perpetual easement for the installation, operation, maintenance, repair and replacement of utilities and appurtenances related thereto, including, but not limited to, electric lines, cable television lines, natural gas pipelines, sanitary sewer lines, storm sewers and storm water drainage facilities, irrigation and drainage facilities, water lines, telephone lines, and also for the installation, operation maintenance, repair and replacement of traffic control facilities, street lighting, landscaping, trees and grade structures, as approved by Grantee, on, along, over, under, through and across the following described parcel of land, to wit:

A tract of land situated in the Northwest Quarter of Section 14, Township 1 South, Range 1 West, of the Ute Meridian, Mesa County, Colorado and being more particularly described as follows:

Commencing at the City block corner offset monument at the Northeast Corner of Block 8 of the City of Grand Junction from whence the City block corner offset monument at the Northeast Corner of Block 9 bears N89°56'43"W a distance of 481.28 feet; thence N89°56'43"W a distance of 19.87 feet; thence S0°03'17"W a distance of 50.00 feet to the POINT OF BEGINNING; thence S0°04'58"E a distance of 87.00 feet; thence N89°56'43"W a distance of 14.00 feet; thence N0°04'58"W a distance of 73.00 feet; thence N89°56'43"W a distance of 111.40 feet; thence N0°05'21"W a distance of 14.00 feet; thence S89°56'43"E a distance of 125.40 feet to the POINT OF BEGINNING. Being the North 14.00 feet and the East 14.00 feet of that certain parcel of land described in Book 3946 at Page 583 of the public records of Mesa County, Colorado.

Said tract of land contains 2,778 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 to enter upon said premises with 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 construction and repair machinery, subject to the terms and conditions contained herein.

1. The interest conveyed is an Easement for the limited purposes and uses and upon the terms stated herein. Grantor reserves 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 substantially interfere with the full use and quiet enjoyment of the rights herein granted; provided, however, that Grantor hereby covenants with Grantee that the Easement shall not be burdened or overburdened by the installation, construction or placement of any improvements, structures or fixtures thereon which may be detrimental to the facilities of Grantee or which may act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement. Nothing in this section shall be interpreted to prevent Grantor from installing landscaping features or similar improvements typically located in Easement areas.





2. Grantee agrees that Grantee's utilization of the Easement and the rights herein conveyed shall be performed with due care using industries best accepted standards and techniques.

EXHIBIT A

POINT OF COMMENCEMENT

N89°56'43"W 19.87'

LEGEND:

-  FOUND CITY BLOCK MONUMENT
-  FOUND No. 5 REBAR
-  FOUND No. 6 REBAR
-  RECOVERED NAIL AND DISC LS 37904

N89°56'43"W 481.28'

NORTH AVENUE
VARIABLE WIDTH ROW

S0°03'17"W 50.00'

10' EXCEPTION BOOK 1300 AT PAGE 171
S89°56'43"E 125.40'

N0°05'21"W 14.00'

POINT OF BEGINNING

N89°56'43"W 111.40'

87.00'

441 NORTH AVENUE
TAX#2945-142-04-007
GAMBLE ENTERPRISES INC
BOOK 1802 PAGE 256

N0°05'21"W 87.00'

459 NORTH AVENUE
TAX#2945-142-04-008
CULPEPPER LAND AND
CATTLE COMPANY
BOOK 3946 PAGE 583

N0°04'58"W 73.00'

87.00'

S0°04'58"E 87.00'

S0°04'58"E 87.00'

5TH STREET
80' ROW

14.00' MULTI-PURPOSE
EASEMENT 2,778 SQUARE FEET
HATCHED AREA

N89°56'43"W 125.39'

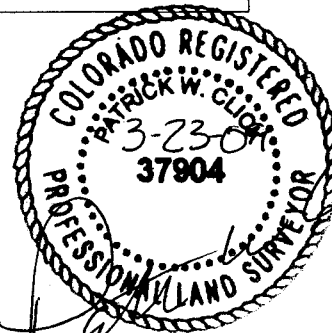
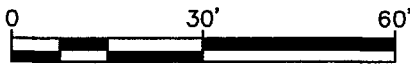
N89°56'43"W 14.00'

1025 NORTH 5TH STREET
TAX#2945-241-00-007
SHASTA PALMER
BOOK 4095 PAGE 341

20' ALLEY



GRAPHIC SCALE:
1"=30'



LEGAL DESCRIPTION SKETCH

SITUATED IN THE NW¼ OF SECTION 14, T1S, R1W, UTE PM
GRAND JUNCTION, MESA COUNTY, COLORADO

459 NORTH AVENUE

POLARIS SURVEYING

PATRICK W. CLICK P.L.S. No. 37904
695 36 ROAD
PALISADE, CO 81526
PHONE (970)986-0522

TAX# 2945-142-04-008 OWNER: CULPEPPER LAND AND CATTLE CO.

CLIENT: cdc JOB #: 2005035 FIELD WORK: JT
DATE: 2/6/09 DRAWING NAME: 035LEGAL DRAWN BY: PWC