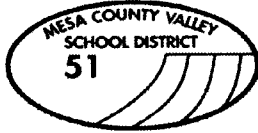


D5108PPK

TYPE OF RECORD:	PERMANENT
CATEGORY OF RECORD:	EASEMENT (TEMPORARY DRAINAGE)
NAME OF PROPERTY OWNER OR GRANTOR:	MESA COUNTY VALLEY SCHOOL DISTRICT NO. 51 – DOS RIOS ELEMENTARY SCHOOL
PURPOSE:	PALMER PARK SUBDIVISION
ADDRESS:	265 LINDEN AVENUE
TAX PARCEL NO.:	2945-261-26-942
CITY DEPARTMENT:	PUBLIC WORKS AND PLANNING
YEAR:	2008
EXPIRATION DATE:	NONE
DESTRUCTION DATE:	NONE



Mesa County Valley School District No. 51

**Temporary Ingress/Egress and Drainage Easements
Dos Rios Elementary School**

Board of Education Resolution: 08-09: 20

Adopted: September 24, 2008

WHEREAS, Alpine Bank (herein "Developer") owns certain property bordering on the District's property known as Dos Rios Elementary School (herein "School"); and

WHEREAS, Developer is seeking subdivision approval for Palmer Park Subdivision; and

WHEREAS, as a condition for subdivision approval the City of Grand Junction (herein "City") requires that Developer provide acceptable storm drainage for the Palmer Park Subdivision; and

WHEREAS, Developer proposes to install an underground drainage pipeline (herein the "drain line") located on District property at a location which historically has served as an open drainage channel for the land located north of the District Property; and

WHEREAS, Developer will install the drain line in accordance with the City's specification and upon completion and acceptance of said drain line, the City will assume ownership and maintain responsibilities of the drain line; and

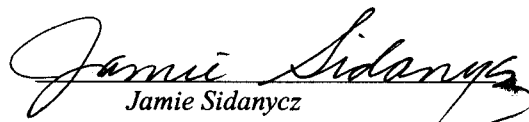
WHEREAS, the Developer and City are in need of non-exclusive easements, as described in the Grant of Ingress/Egress Easement and the Grant of the Grant of Storm Drainage Easement Agreement, as well as a Temporary Construction Easement, all three agreements being attached hereto, for the purpose of installing and maintaining the drainage line; and

WHEREAS, it appears that the interests to be conveyed will not materially interfere with the District's present or future use or enjoyment of its property or the operation of the School, that the easement will provide a public record of a right that is not presently recorded, and that conveyance thereof will work to the benefit of the District.

NOW, THEREFORE, BE IT RESOLVED that the Board of Education hereby approves the attached Temporary Construction Easement, Grant of Ingress/Egress Easement and Grant of Storm Drainage Easement and Agreement; and

FURTHER RESOLVED President and Secretary of the Board are hereby authorized to execute, on behalf of the Board, the attached Agreements.

I hereby certify that the information contained in the above resolution is accurate and was adopted by the Mesa County Valley School District No. 51 Board of Education on September 24, 2008.


Jamie Sidanycz
Secretary, Board of Education

TEMPORARY DRAINAGE LINE INSTALLATION AND ACCESS AGREEMENT

THIS AGREEMENT, made and entered into this 7th day of ~~September~~ ^{October}, 2008, by and between MESA COUNTY VALLEY SCHOOL DISTRICT NO. 51, a Colorado Public School District, whose address is 2115 Grand Avenue, Grand Junction, CO 81501, herein the "District," and The Alpine Bank whose address is 225 N. 5th Street, Grand Junction, CO 81501, herein the "Developer."

WITNESSETH

Whereas, the District owns the following tract of land (herein "District Property") located within the boundary of the City of Grand Junction, herein "City", in Mesa County, Colorado, to wit:

Lot 1 of Miles Craig Minor Subdivision,

Generally known and described as Dos Rios Elementary School, 265 Linden Avenue, Grand Junction, CO 81503 and

WHEREAS, Developer owns real property located immediately north of the District Property and wishes to subdivide (herein "Palmer Park Subdivision"); and

WHEREAS, Developer is seeking subdivision approval for Palmer Park Subdivision; and

WHEREAS, as a condition for such approval the City requires that Developer provide acceptable storm drainage for the Palmer Park Subdivision; and

WHEREAS, Developer proposes to install an underground drainage line located on District property which historically served as an open drainage channel for the land located north of the District Property, herein "drain line"; and

WHEREAS, the Developer is in need of a temporary non-exclusive easement, as described on the attached Exhibit A, herein called the "Easement," for the limited purpose of installing the drain line that will then be transferred to the City, which will own and maintain the same under a separate Grants of Storm Drainage and Ingress/Egress Easements with the District; and

WHEREAS, the District is willing to grant the temporary easement provided that the Developer agrees to make use of the same in a manner consistent with the purpose stated herein.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants contained herein, the sufficiency of which is hereby acknowledged, the parties agree that in order to accomplish the installation of the drain line as a permanent underground structure, and to facilitate its future maintenance and upkeep by the City, the District hereby grants unto the Developer a temporary construction easement as described on the attached Exhibit A, for the purpose of installing the drain line used for distributing water runoff from the Palmer Park Subdivision, together with the right to bring the necessary equipment upon the easement to accomplish same.

DATED as of the day and year first written above.

DISTRICT:

MESA COUNTY VALLEY
SCHOOL DISTRICT NO. 51

Attest

By *Leslie Kiesler*
Leslie Kiesler, Board President

Jamie Sidanycz
Jamie Sidanycz, Secretary

THE ALPINE BANK

N. Franke
NORM FRANKE, PRES.

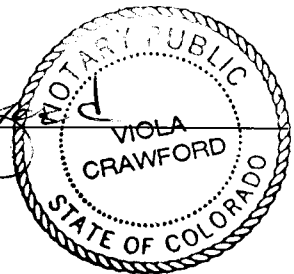
STATE OF COLORADO)
 : ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 24th day of September, 2008, by Leslie Kiesler, Board President and attested to by Jamie Sidanycz, Secretary of the Board of Education of Mesa County Valley School District No. 51.

Witness my hand and official seal.

My commission expires: 6/23/2011

Viola Crawford
Notary Public



EXHIBIT

LINE	BEARING	DISTANCE
L1	N 89°52'24" W	391.95'
L2	S 40°55'15" E	18.89'
L3	S 66°07'45" W	20.92'
L4	N 40°55'15" W	30.17'
L5	N 89°52'24" W	620.95'
L6	N 00°05'41" W	30.00'
L7	S 89°52'24" E	1039.43'
L8	S 00°05'41" E	30.00'

NORTHEAST 1/16 CORNER SECTION 26

P.O.C.

CARVILLE SIMPLE SUB. LOT 1

CIMARRON MESA SUBDIVISION LOT 7, BLOCK 5

CARVILLE SIMPLE SUB. LOT 2

L7 NORTH LINE

TEMPORARY CONSTRUCTION EASEMENT AREA = 31673 SQ. FT.

P.O.B.

ROW

SUBJECT PROPERTY
 2945-281-26-942
 MESA COUNTY VALLEY SCHOOL DISTRICT # 51
 265 LINDEN AVE
 GRAND JUNCTION, CO 81501
 PLAT BK 16 PG 38

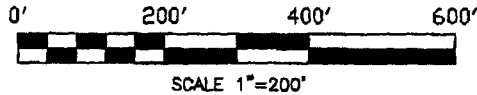
TIE
 N 02°20'42" W
 763.75'

SOUTH LINE
 CIMARRON MESA SUBDIVISION

CENTER-EAST 1/16 CORNER SECTION 26

SUBJECT PROPERTY
 LOT 1 MILES CRAIG MINOR SUBDIVISION
 PER PLAT BOOK-16 PAGE-38 MESA CO RECORDS

The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



LIST OF ABBREVIATIONS:

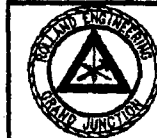
- ROW RIGHT OF WAY
- N NORTH
- BK BOOK
- PG PAGE
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING



Jodie L. Grein
 Professional Land Surveyor
 P.L.S. No. 38075

FEB 28, 2008
 Date

NOTE: THIS MAP IS NOT A MONUMENTED SURVEY PLAT.



ROLLAND ENGINEERING
 405 Wilson Blvd
 Grand Jct. CO 81503
 (970) 243-8300

File Name: G:\0051\0081\EASESOUTH.DWG	
DOS RIOS ELEMENTARY TEMPORARY CONSTRUCTION EASEMENT	
IN THE SW 1/4 NE 1/4 SECTION 26 715, R1W OF THE 11E MERIDIAN IN THE CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO.	
Project:	JLG
Sheet:	6081
Drawn:	JLG
Date:	2/28/08
Scale:	1" = 200'