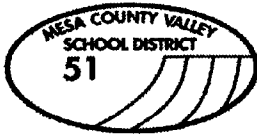


D5108PPS

TYPE OF RECORD:	PERMANENT
CATEGORY OF RECORD:	EASEMENT (INGRESS/EGRESS)
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

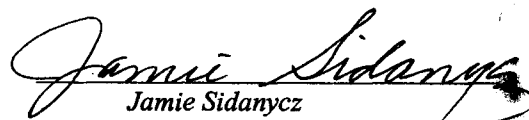
WHEREAS, the Developer and City are in need of non-exclusive easements, as described in the Grant of Ingress/Egress Easement and the Grant of the Grant of Storm Drainage Easement Agreement, as well as a Temporary Construction Easement, all three agreements being attached hereto, for the purpose of installing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

GRANT OF INGRESS/EGRESS EASEMENT

THIS GRANT OF INGRESS/EGRESS EASEMENT AGREEMENT is made and entered into this 7th of October, 2008, by and between **MESA COUNTY VALLEY SCHOOL DISTRICT NO. 51, a Colorado Public School District, Grantor**, whose address is 2115 Grand Avenue, Grand Junction, CO 81501, hereinafter referred to as "the District", and **THE CITY OF GRAND JUNCTION, a Colorado home rule municipality, Grantee**, whose address is 250 North 5th Street, Grand Junction, Colorado, 81501, hereinafter referred to as "the City", for the use and benefit of the City, a non-exclusive easement for vehicular and pedestrian ingress and egress purposes, on, along, over, through and across the Parcel as described on the attachments.

Recitals.

A. The District is the owner of certain real property commonly known as Dos Rios Elementary School located at 265 Linden Avenue in the City of Grand Junction, Mesa County, Colorado (hereinafter referred to as "the District Property").

B. The developers of Palmer Park Subdivision will be installing a storm drain line in a storm drain easement across the north side of the Dos Rios Elementary School site. Upon completion and acceptance of the line by the City, the City will assume ownership and maintenance responsibilities ("the Project") of said line. The most frequent maintenance tasks City crews will be performing are the inspection and cleaning of the line and these tasks will be performed from manholes along said line. The Ingress/Egress easement is being established to give the City legal access via the school's existing driveway to minimize the impact to the school's landscaping and surface improvements when accessing the manhole for maintenance.

C. The District desires to cooperate in and assist with the Project by conveying to the City an interest in the use of the District Property for the purposes stated above.

NOW THEREFORE, in consideration of the recitals, the mutual covenants and conditions contained herein, and other valuable consideration, the parties by authority of their respective bodies, agree as follows:

1. The District hereby grants and conveys to the City, its successors and assigns forever, a perpetual Ingress/Egress Easement on, along, over, through and across the District Property within the limits and for the purposes as described on **Exhibit "A"** and depicted on **Exhibit "B"** which is attached hereto and incorporated herein by reference, to have and to hold said easement unto the City, its successors and assigns forever, subject to the terms, covenants, conditions and restrictions stated herein.

2. The District reserves the right to use and occupy the District Property not encumbered by the perpetual easement for any lawful purpose which is not inconsistent with the rights herein granted. In the event of permanent abandonment of the Project or any of the related facilities and/or utilities by the City, its successors and assigns, all rights, privileges and interests herein granted shall automatically terminate. If the ingress/egress easement is abandoned, Grantor shall have the option to request release of the Easement, which release shall not be unreasonably withheld or delayed.

3. The District further reserves the right, at District Expense, to relocate the access easement (**Exhibit "B"**) to another reasonably accessible location should the future needs of the District or its successors in interests conflict with the location described in **Exhibit "B"**.

4. The City's utilization of the Easement shall be specifically limited to vehicular and pedestrian ingress and egress purposes. The easement rights herein granted do not include the right to alter or expand utilization of the Easement for any other purposes unless such uses are authorized by subsequent conveyance instrument(s).

5. The District hereby covenants with the City that it has good title to the aforescribed premises; that it has good and lawful right to grant this Easement; that it will warrant and forever defend the title and quiet possession thereof against the lawful claims and demands of all persons whomsoever, excepting all reservations, rights-of-way, restrictions, covenants and other encumbrances of record.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed as of the day and year first above written.

Attest:

Mesa County Valley School District No. 51


Jamie Sidanycz, Secretary

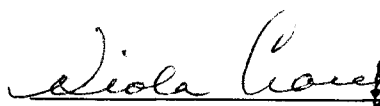
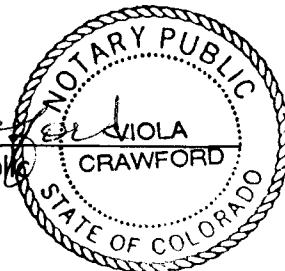

Leslie Kiesler, Board President

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.

My commission expires: 6/23/2011

Witness my hand and official seal.


Notary Public 



Attested by:

The City of Grand Junction,
a Colorado home rule municipality,

Stephanie Tuin
Stephanie Tuin, City Clerk

[Signature]
Laurie Kadrich, City Manager

State of Colorado)
) ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 7th day of October, 2008, by Rich Egglehart Acting as City Manager and attested to by Stephanie Tuin as City Clerk of the City of Grand Junction, a Colorado home rule municipality.

My commission expires: _____

Witness my hand and official seal.



Dana Dietz
Notary Public

Exhibit "A"

Ingress/Egress Easement

An ingress/egress easement situate in the SW1/4NE1/4 of Section 26 in Township One South, Range One West of the Ute Meridian in the City of Grand Junction, Mesa County, Colorado, described as follows:

That certain portion of Lot 1 in Miles Craig Minor Subdivision described by the following perimeter:

Commencing at the Northeast corner of said Lot 1, whence a PK Nail for the Northeast 1/16 Corner of said Section bears N03°07'51"E a distance of 528.92 feet; thence S00°05'41"E for a distance of 60.00 feet along the westerly right-of-way of Linden Avenue to the Point of Beginning; thence the following:

1. S00°05'41"E, for a distance of 35.00 feet along said westerly right-of-way;
2. Leaving said westerly right-of-way N89°52'24"W, for a distance of 283.95 feet, parallel to the northerly line of said Lot 1;
3. Along a curve to the left having a radius of 50.00 feet, an arc length 51.30 feet, a chord of 49.08 feet, and a chord bearing of S60°44'10"W;
4. Along a curve to the right having a radius of 50.00 feet, an arc length 176.90 feet, a chord of 98.04 feet, and a chord bearing of N47°18'01"W;
5. N40°55'15"W for a distance of 69.95 feet to a point on the north boundary line of said Lot 1;
6. S89°52'24"E, along said northerly boundary line, for a distance of 26.52 feet;
7. S40°55'15"E, departing said northerly boundary line, for a distance of 58.67 feet;
8. Along a non-tangent curve to the right with the radius point which bears S11°07'45"E, a radius of 50.00 feet, an arc length 44.56 feet, a chord of 43.10 feet, and a chord bearing of S76°15'49"E;
9. Along a curve to the left having a radius of 25.00 feet, an arc length 17.08 feet, a chord of 16.75 feet, and a chord bearing of S70°18'09"E;
10. S89°52'24"E, for a distance of 321.99 feet to the Point of Beginning.

(Containing approximately 20,634 square feet, more or less,) as described herein and depicted on "**Exhibit B**" attached hereto and incorporated herein by reference.

The foregoing legal description was prepared by Jodie Grein for Rolland Engineering, 405 Ridges Blvd., Grand Junction, CO.

EXHIBIT

LINE	BEARING	DISTANCE
L1	N 89°52'24" W	283.95'
L2	N 40°55'15" W	69.95'
L3	S 89°52'24" E	28.52'
L4	S 40°55'15" E	58.67'
L5	S 89°52'24" E	321.89'
L6	S 00°05'41" E	35.00'

NORTHEAST 1/16 CORNER
SECTION 28
FOUND PK NAIL

CARVILLE SIMPLE SUB.
LOT 1

CARVILLE SIMPLE SUB.
LOT 2

P.O.C.

1321.24' N 00°05'41" W
BASIS OF BEARINGS

CIMARRON MESA SUBDIVISION
LOT 7, BLOCK 5

NORTH LINE

INGRESS / EGRESS
EASEMENT
AREA = 20834 SQ. FT.

L3

C3

C4

L5

ROW

P.O.B.
30.00'

SUBJECT PROPERTY
2945-261-26-942
MESA COUNTY VALLEY SCHOOL DISTRICT # 51
265 LINDEN AVE
GRAND JUNCTION, CO 81501
PLAT BK 16 PG 38

TIE
N 02°33'15" W
698.81'

SOUTH LINE
CIMARRON MESA SUBDIVISION

CENTER-EAST 1/16 CORNER
SECTION 28
#5 REBAR IN RANGEBOX

0' 200' 400' 600'



SCALE 1"=200'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	50.00'	51.30'	49.08'	N 60°44'10" E	58°46'51"
C2	50.00'	176.90'	98.04'	N 47°18'01" W	202°42'30"
C3	50.00'	44.56'	43.10'	S 76°15'49" E	51°03'52"
C4	25.00'	17.08'	16.75'	S 70°18'09" E	39°08'32"

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.

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

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

NOTE: THIS MAP IS NOT A MONUMENTED SURVEY PLAT.



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

FEB 28, 2008
Date



ROLLAND ENGINEERING
4025 Highway 81
Grand Jct, CO 81503
(970) 843-4300

<p>File Name: C:\8081\8081EASESOUTH.DWG DOS RIOS ELEMENTARY INGRESS / EGRESS EASEMENT IN THE SW 1/4 NE 1/4 SECTION 28 T1S, R1W OF THE UTE MERIDIAN IN THE CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO.</p>			
Designed	Checked	Drawn	Sheet
JLG	JLG	JLG	8081
Date	Scale	Block	Sheet
2/28/08	1"=200'	8081	28 1