

DAV04I70

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: **EASEMENT (GRANT OF STORM SEWER EASEMENT)**

NAME OF CONTRACTOR: MICHAEL H DAVIS AND DIANE E DAVIS

SUBJECT/PROJECT: LOCATED AT 1853 I-70 BUSINESS LOOP FOR
THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR AND
REPLACEMENT OF STORM WATER DRAINAGE FACILITIES.

TAX PARCEL #: 2945-134-00-040

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 2004

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

WHEN RECORDED RETURN TO:
City of Grand Junction
Real Estate Division
250 North 5th Street
Grand Junction, CO 81501

2203254 BK 3699 PG 991-993
07/21/2004 10:46 AM
Janice Ward CLK&REC Mesa County, CO
RecFee \$15.00 SurChg \$1.00
DocFee EXEMPT

GRANT OF STORM SEWER EASEMENT

Michael H. Davis and Diane E. Davis, Grantors, for and in consideration of the installation, operation, maintenance and repair of an underground storm sewer line by Grantee, the receipt and sufficiency of which is hereby acknowledged, have granted and conveyed, and by these presents do 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 storm water drainage facilities, on, along, over, under, through and across the following described parcel of land, to wit:

A perpetual easement in the Southeast Quarter (SE 1/4) of Section 13, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northeast corner of Lot 15, Pinyon Commercial Park, as same is recorded in Plat Book 11, Page 214, Public Records of Mesa County, Colorado, being the Northwest corner of that certain parcel of land described in Book 783, Page 440, Public Records of Mesa County, Colorado and assuming the East line of said Lot 15 Bears N 00°46'52" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 73°52'00" E along the South right of way for the I-70 Business Loop (U.S. Hwy 6 & 24) and the North line of that parcel of land described in said Book 783, Page 440, a distance of 10.37 feet; thence S 00°46'52" E along a line 10.00 feet East of and parallel with the East line of said Lot 15, a distance of 181.11 feet to a point on the North right of way for the Union Pacific Railroad, formerly known as the D & R.G.W. R.R.; thence S 72°52'00" W along the North line of said Railroad right of way, a distance of 10.42 feet to a point being the Southeast corner of said Lot 15 and the Southwest corner of said parcel described in Book 783, Page 440; thence N 00°46'52" W along the East line of said Lot 15 and the West line of said parcel described in Book 783, Page 440, a distance of 181.30 feet, more or less, to the Point of Beginning.

CONTAINING 1,812.0 Square Feet, more or less, 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, 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. Grantors 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 Grantors hereby covenant with Grantee that the Easement area 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 area.

2. Grantee's work and act of installing, operating, maintaining, repairing and replacing said storm water drainage facilities shall be performed with due care using commonly accepted standards and techniques.

3. Grantors hereby covenant with Grantee they have good title to the
aforedescribed premises and that they have good and lawful right to grant this
Easement.

Executed and delivered this 9TH day of July, 2004.

Michael H. Davis
Michael H. Davis

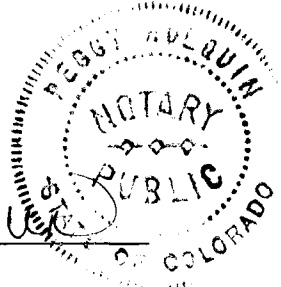
Diane E. Davis
Diane E. Davis

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 9th day of
July, 2004, by Michael H. Davis and Diane E. Davis.

My commission expires: 3.3.05.
Witness my hand and official seal.

Peggy Holquin
Notary Public

A circular notary seal for Peggy Holquin, Notary Public, State of Colorado. The seal contains the text "PEGGY HOLQUIN", "NOTARY PUBLIC", and "STATE OF COLORADO" around the perimeter.

The foregoing legal description was prepared by Peter T. Krick, 250 N. 5th Street, Grand Junction, CO 81501

EXHIBIT "A"

EAST 1/4 CORNER
SEC 13, TWP 15, RGE 1W
UTE MERIDIAN

NORTH LINE OF SE 1/4 SEC 13, TWP 15, RGE 1W, UTE MERIDIAN

I-70 BUSINESS LOOP
(U.S. HWY. 6 & 24)

LOT 9
PETERSON-IRWIN
SUBDIVISION
PB 11, PG 243

POINT OF BEGINNING
NE CORNER LOT 15
PINYON COMMERCIAL PARK
PB 11, PG 214

LOT 15
PINYON COMMERCIAL PARK
PB 11, PG 214

2945-134-00-040
1853 I-70 BUSINESS LOOP
EASEMENT AREA = 1,812.0 SQ. FT.

EAST LINE OF LOT 15, PINYON COMMERCIAL PARK

N00°46'52"W 181.30'

S00°46'52"E 181.11'

10' EASEMENT
10.00'

NORTH RIGHT OF WAY UNION PACIFIC RAILROAD
(FORMERLY D & R.G.W. R.R.)

S72°52'00"W
10.42'

SE CORNER LOT 15
PINYON COMMERCIAL PARK
PB 11, PG 214



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.

DRAWN BY: P.T.K.
DATE: 05-19-2004
SCALE: 1" = 30'
APPR. BY: T.W.

1853 I-70 BUSINESS LOOP
EASEMENT DESCRIPTION MAP

2945-134-00-040

CITY OF
grand junction
COLORADO

serving the community together