

DEA08PED

TYPE OF RECORD:	PERMANENT
CATEGORY OF RECORD:	EASEMENT
NAME OF PROPERTY OWNER OR GRANTOR:	GLEN R. DEAN DBA ORAL HEALTH PARTNERS CLINIC
PURPOSE:	SANITARY SEWER
ADDRESS:	2552 F ROAD
FILE#:	SPR-2008-173
TAX PARCEL NO.:	2945-034-17-001
CITY DEPARTMENT:	PUBLIC WORKS AND PLANNING
YEAR:	2008
EXPIRATION DATE:	NONE
DESTRUCTION DATE:	NONE

**GRANT OF PEDESTRIAN EASEMENT**

**Glen R. Dean, Grantor**, whose address is 2655 G 1/2 Road, Grand Junction, CO 81506, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), 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 Pedestrian Easement for the use and benefit of Grantee and for the use and benefit of the Public, as approved by Grantee, as a perpetual easement for the ingress and egress access use by the public forever for constructing, installing, maintaining and repairing a trail and for purposes of walking, running, wheelchairs (motorized and non-motorized), bicycling, and other non-motorized forms of transportation for commuting and recreational purposes with or without pets accompanying them, as approved by Grantee, on, along, over, under, through and across the following described parcel of land, to wit:

A certain strip of land for easement purposes as described in Exhibit "A" and depicted on Exhibit "B" 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.

2. Grantor hereby covenants with Grantee he has good title to the herein described premises; that he has good and lawful right to grant this Easement; that he will warrant and forever defend the title and quiet possession thereof against the lawful claims and demands of all persons whomsoever.

3. If the pedestrian improvements contemplated to be built within the Easement are not constructed or are abandoned, Grantor shall have the option to request release of the Easement, which release shall not be unreasonably withheld or delayed.

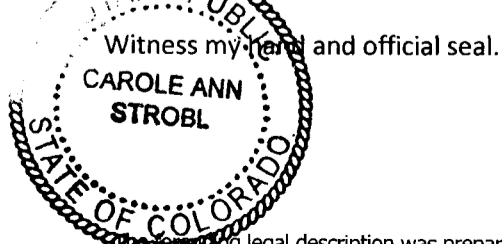
Executed and delivered this 09 day of October, 2008.

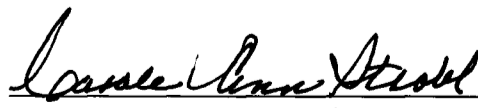
  
Glen R. Dean

State of Colorado )  
  )ss.  
County of Mesa     )

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of October, 2008, by Glen R. Dean.

My commission expires Feb. 26, 2009.



  
Notary Public

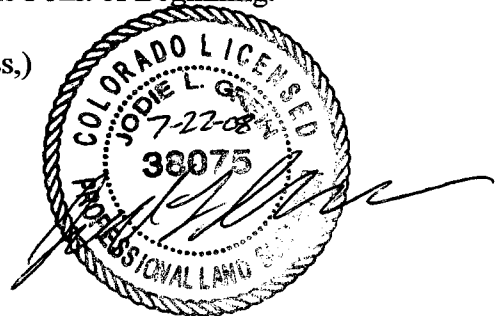
## EXHIBIT A

A Pedestrian Easement in Lot 1 of Miller Subdivision, Plat Book 13 Page 404, situate in the SW1/4 SE1/4 of section 3 in Township One South, Range One West of the Ute Meridian in the City of Grand Junction, Mesa County, Colorado, said portion being more particularly described as follows:

Commencing at a Mesa County Survey Marker for the South 1/4 Corner of said Section 3; whence a Mesa County Survey Marker for the Southeast corner of said section bears S89°55'03"E a distance of 2638.09 feet; thence S89°55'03"E along the south line of said section, for a distance of 217.75 feet; thence N00°04'57"E a distance of 40.28 feet to a point on the northerly right-of-way line of Patterson, said point being the southeast corner of said Lot 1, and the Point of Beginning; thence the following:

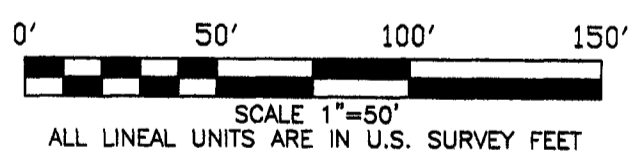
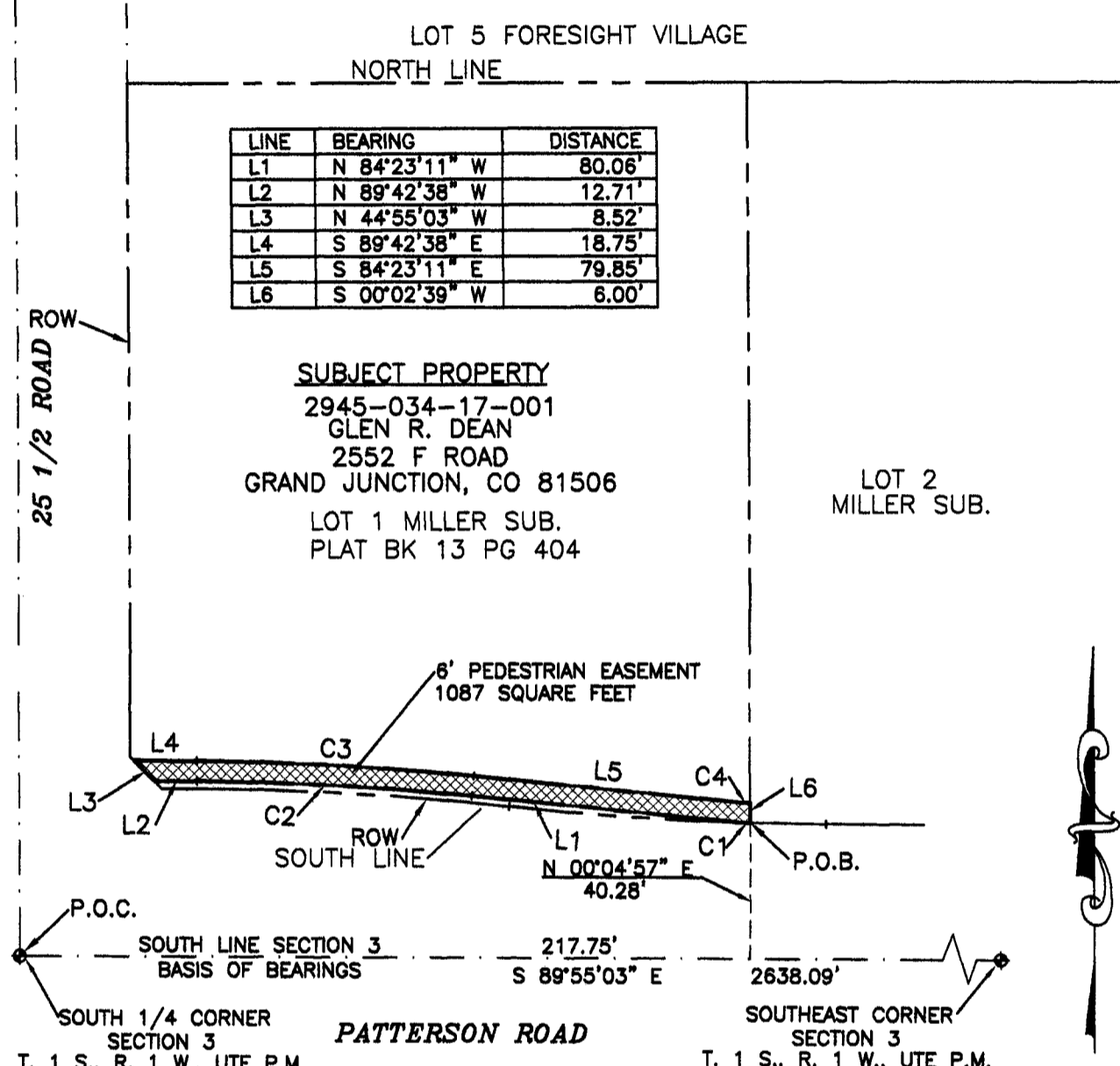
1. Westerly along said right-of-way 3.35 feet on the arc of a non-tangent 899.50-foot radius curve to the right subtended by a central angle of 00°12'49" and having a chord which bears N88°22'32"W a distance of 3.35 feet
2. Departing said right-of-way, N84°23'11"W for a distance of 80.06 feet;
3. Along a curve to the left 82.10 feet on the arc of a 883.50-foot radius curve subtended by a central angle of 05°19'28" and having a chord which bears N87°02'54"W a distance of 82.07 feet;
4. N89°42'38"W for a distance of 12.71 feet, to a point on the northerly right-of-way of Patterson Road;
5. Northwesterly along said right-of-way N44°55'03"W for a distance of 8.52 feet;
6. Departing said right-of-way, S89°42'38"E for a distance of 18.75 feet;
7. Along a curve to the right 82.66 feet on the arc of a 889.50-foot radius curve subtended by a central angle of 05°19'28" and having a chord which bears S87°02'54"E a distance of 82.63 feet;
8. S84°23'11"E for a distance of 79.85 feet;
9. Along a curve to the left 2.97 feet on the arc of a 893.50-foot radius curve subtended by a central angle of 00°11'26" and having a chord which bears S88°22'37"E a distance of 2.97 feet;
10. S00°02'39"W for a distance of 6.00 feet to the Point of Beginning.

(Containing approximately 1087 square feet, more or less.)



# EXHIBIT B

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	899.50'	3.35'	3.35'	N 88°22'32" W	00°12'49"
C2	883.50'	82.10'	82.07'	N 87°02'54" W	05°19'28"
C3	889.50'	82.66'	82.63'	S 87°02'54" E	05°19'28"
C4	893.50'	2.97'	2.97'	S 88°22'37" E	00°11'26"



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 MILLER SUBDIVISION  
PER PLAT BOOK-13 PAGE-404  
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

 ROLLAND ENGINEERING 405 Ridge Blvd Grand Jct, CO 81503 (970) 243-8300	File Name: C:\A8209\A8209MEASE.DWG <b>EXHIBIT</b> <b>6' PEDESTRIAN EASEMENT FOR ORAL HEALTH PARTNERS</b> IN THE SW1/4 SE1/4 SECTION 3 T1S, R1W OF THE UTE MERIDIAN IN THE CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO.		
	Designed: JLG Drawn: JLG	Checked: JLG Date: 5/16/08	Plot: 6051 Pn: