

DEC06MAL

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF PROPERTY OWNER OR GRANTOR: KIM R. DECOURSEY, CYNTHIA J. GWIN, DANIEL J. MALDONADO, AARON D. MALDONADO AND SABRINA L. MALDONADO

PURPOSE: STORM SEWER EASEMENT FOR STORMWATER AND IRRIGATION PIPELINE AND STORMWATER DRAINAGE FACILITIES FOR THE EL POSO STREET IMPROVEMENT DISTRICT

ADDRESS: 451 MALDONADO STREET

PARCEL NO: 2945-151-09-002

CITY DEPARTMENT: PUBLIC WORKS AND PLANNING

YEAR: 2006

EXPIRATION: NONE

DESTRUCTION: NONE

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

2317088 BK 4157 PG 147-149
05/15/2006 03:07 PM
Janice Ward CLK&REC Mesa County, CO
RecFee \$15.00 SurChg \$1.00
DocFee EXEMPT

GRANT OF STORM SEWER EASEMENT

Kim R. DeCoursey, Cynthia J. Gwin, Daniel J. Maldonado, Aaron D. Maldonado and Sabrina L. Maldonado, Grantors, for and in consideration of the sum of One Thousand Eight Hundred Sixty-Eight and 00/100 Dollars (\$1,868.00) the receipt and sufficiency of which is hereby acknowledged, have sold, granted and conveyed, and by these presents do hereby sell, 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 stormwater and irrigation pipeline and stormwater drainage facilities, on, along, over, under, through and across the following described parcel of land, to wit:

A certain parcel of land for a storm sewer easement located in the Southwest Quarter of the Northeast Quarter (SW1/4NE1/4) of Section 15, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, State of Colorado, being a portion of Lot 2, Maldonado Subdivision, as same is recorded in Plat Book 12, Page 48 in the office of the Mesa County Clerk and Recorder, being more particularly described as follows:

Beginning at the Northeast corner of said Lot 2, and considering the west line of Maldonado Street to bear S00°18'11"E, with all other bearings herein related thereto; thence S00°18'11"E, along the west line of Maldonado Street, a distance of 17.84 feet; thence S88°05'03"W a distance of 112.54 feet, more or less, to the west line of said Lot 2; thence N00°18'11"W, along the west line of said Lot 2, a distance of 21.01 feet to the northwest corner of said Lot 2; thence N89°41'49"E, along the north line of said Lot 2, a distance of 112.50 feet, more or less, to the point of beginning; EXCEPT however, the area of that certain utility easement, 15.00' in width, as described in said plat of Maldonado Subdivision, which runs east/west across said Lot 2, and which contains 1,687.50 square feet, more or less.

Containing 497.99 square feet, more or less, 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 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.

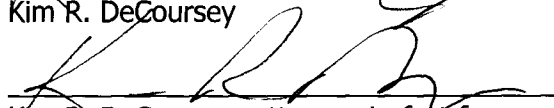
3. Grantors hereby covenant with Grantee they have good title to the aforescribed premises; that they have good and lawful right to grant this Easement; they will warrant and forever defend the title and quiet possession thereof against the lawful claims and demands of all persons whomsoever.

The foregoing legal description was prepared by M. Grizenko, 250 North 5th Street, Grand Junction, Colorado 81501

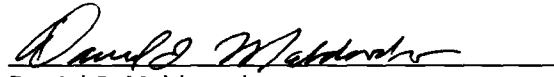
Executed and delivered this 3 day of May, 2006.



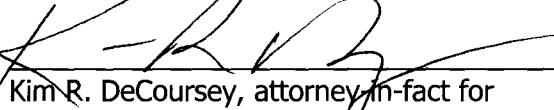
Kim R. DeCoursey




Kim R. DeCoursey, attorney-in-fact for
Cynthia J. Gwin, aka Cindy J. Maldonado, aka
Cindy J. Krey



Daniel J. Maldonado



Kim R. DeCoursey, attorney-in-fact for
Aaron D. Maldonado



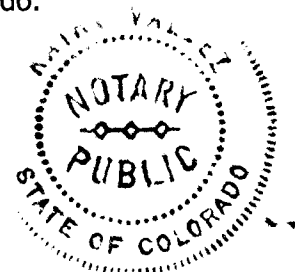
Sabrina L. Maldonado

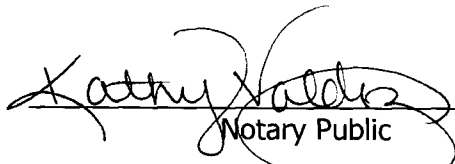
State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 3 day of May, 2006 by Kim R. DeCoursey, Kim R. DeCoursey, attorney-in-fact for Cynthia J. Gwin, aka Cindy J. Maldonado, aka Cindy J. Krey, Daniel J. Maldonado, Kim R. DeCoursey, attorney-in-fact for Aaron D. Maldonado and Sabrina L. Maldonado.

My commission expires 11-17-08.

Witness my hand and official seal.

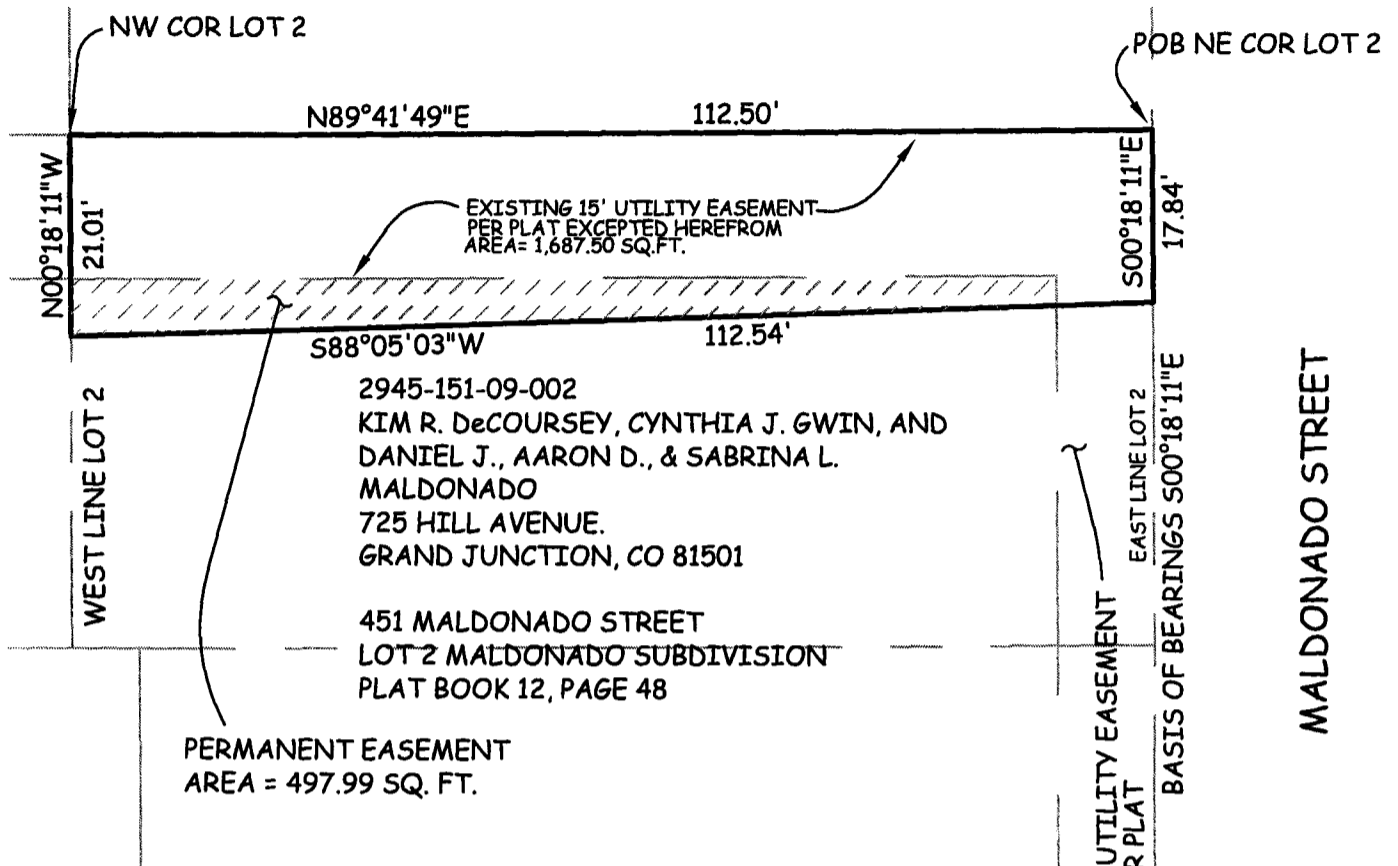




Notary Public

EXHIBIT "A"

LOT 1



PERMANENT EASEMENT
AREA = 497.99 SQ. FT.

LOT 3

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: MG
DATE: 01-12-2006
SCALE: 1" = 20'
APPR. BY: PTK

EL POSO STREET IMPROVEMENT DISTRICT
STORM SEWER EASEMENT
2945-151-09-002

