

DLR97JAM

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: DWAIN L. RUSSELL

STREET ADDRESS/PARCEL NAME/SUBDIVISION: 550 JAMES STREET, SLOPE EASEMENT,  
LOT 6 LOT 5 AND LOT 4, PARCEL NO. 2945-262-01-004 AND PARCEL NO. 2945-262-01-  
002 BLOCK 1 AND PARCEL NO. 2945-262-01-003

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1997

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

6 PAGE DOCUMENT

GRANT OF EASEMENT

1804834 0308PM 07/07/97  
MONIKA TODD CLK&REC MESA COUNTY CO  
DOCUMENT FEE \$EXEMPT

Dwaine L. Russell, Grantor, for and in consideration of the sum of One thousand one hundred forty-eight dollars and 04/100 Dollars (\$1,148.04), the receipt and sufficiency of which is hereby acknowledged, hereby grant and convey to the City of Grand Junction, a Colorado home rule municipality, Grantee, whose legal address is 250 North 5th Street, Grand Junction, Colorado 81501, its successors and assigns forever, the herein described Perpetual Easements No. 103, No. 105, No.107 of City of Grand Junction Unaweep Avenue Reconstruction Project for the installation, operation, maintenance, repair of materials providing slope stability and drainage for Unaweep Avenue, together with the right of ingress and ingress for workers and equipment, on, along, over under, through and across the following described Parcel of land in Lots 4, 5, and 6, Block 1 of Fairley Addition in the NW¼ NE¼ NW¼ of Section 26, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, said Parcels being more particularly described by the following metes and bounds, to wit:

Parcel No. PE103:

Beginning at the Northwest corner of Lot 6, Block 1 of said Fairley Addition, thence N 89°43'19"E along the North line of said Lot 6, Block 1 a distance of 31.25 feet ;  
thence leaving said North line S00° 16' 41"E a distance of 13.00 feet ;  
thence S 38° 02'17" W a distance of 18.23 feet;  
thence S 49° 19'42" W a distance of 14.97 feet;  
thence N 67° 51'36" W a distance of 22.14 feet to a point on the westerly line of said Lot 6, Block 1;  
thence N 22°22'19" E along said westerly line a distance of 30.94 feet to the Point of Beginning.

The above described parcel of land contains 1,094.86 square feet as described herein and depicted on the attached Exhibit "A".

~~Parcel No. PE105:~~

Parcel No. PE105:

Beginning at the Northeast corner of Lot 5, Block 1 of said Fairley Addition,  
thence S 89°43'19"W along the East line of said Lot 5, Block 1 a distance of 23.06 feet ;  
thence leaving said East line N00° 16' 41"W a distance of 15.00 feet ;  
thence S89° 43' 19"W a distance of 36.00 feet;  
thence N00° 16' 41"W a distance of 5.00 feet ;  
thence N89° 43'19" E a distance of 48.20 feet to the Point of Beginning.

The above described parcel of land contains 309.26 square feet as described herein and depicted on the attached Exhibit "A".

Parcel No. PE107:

Beginning at the Northwest corner of Lot 4, Block 1 of said Fairley Addition,  
thence S00°16'41"E a distance of 20.00 feet ;  
thence S89° 43' 19"W a distance of 11.48 feet ;  
thence N29° 34' 19"E a distance of 23.06 feet to the Point of Beginning.

The above described parcel of land contains 114.77 square feet as described herein and depicted on the attached Exhibit "A".

**TO HAVE AND TO HOLD** the premises herein granted unto the Grantee, its successors and assigns forever, together with the right to enter upon said premises, to survey, construct, maintain, operate, repair, replace, control and use said slope and drainage easements, and to remove objects interfering therewith, including the trimming of trees and bushes as may be required, subject to the following terms, covenants, conditions and restrictions:

1. Grantee, as a condition of this grant, agrees that entry to the easement areas for the purposes herein described shall be conducted so as to cause minimum interference to the Grantors, their successors and assigns. Grantee further agrees that it shall correct any damage(s), both material as well as aesthetic, which may be caused by its entry as described herein.

2. Grantor shall have the right to continue to use the real property burdened by this Easement for any lawful purpose which will not interfere with Grantee's full use and enjoyment of the Grantee's rights herein granted; provided, however, Grantor hereby covenants with Grantee that the easement areas shall not be burdened or overburdened by the Grantor erecting or placing any improvements or structures thereon which might act to prevent reasonable ingress and egress on, along, over, under, through and across the easement areas.

3. Grantor hereby covenants with Grantee that he has good title to the aforescribed 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 of all persons whomsoever.

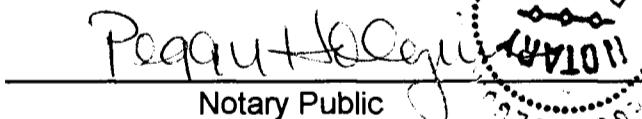
Signed this 15<sup>TH</sup> day of May, 1997.

  
Dwaine L. Russell

State of Colorado )  
  )ss.  
County of Mesa     )

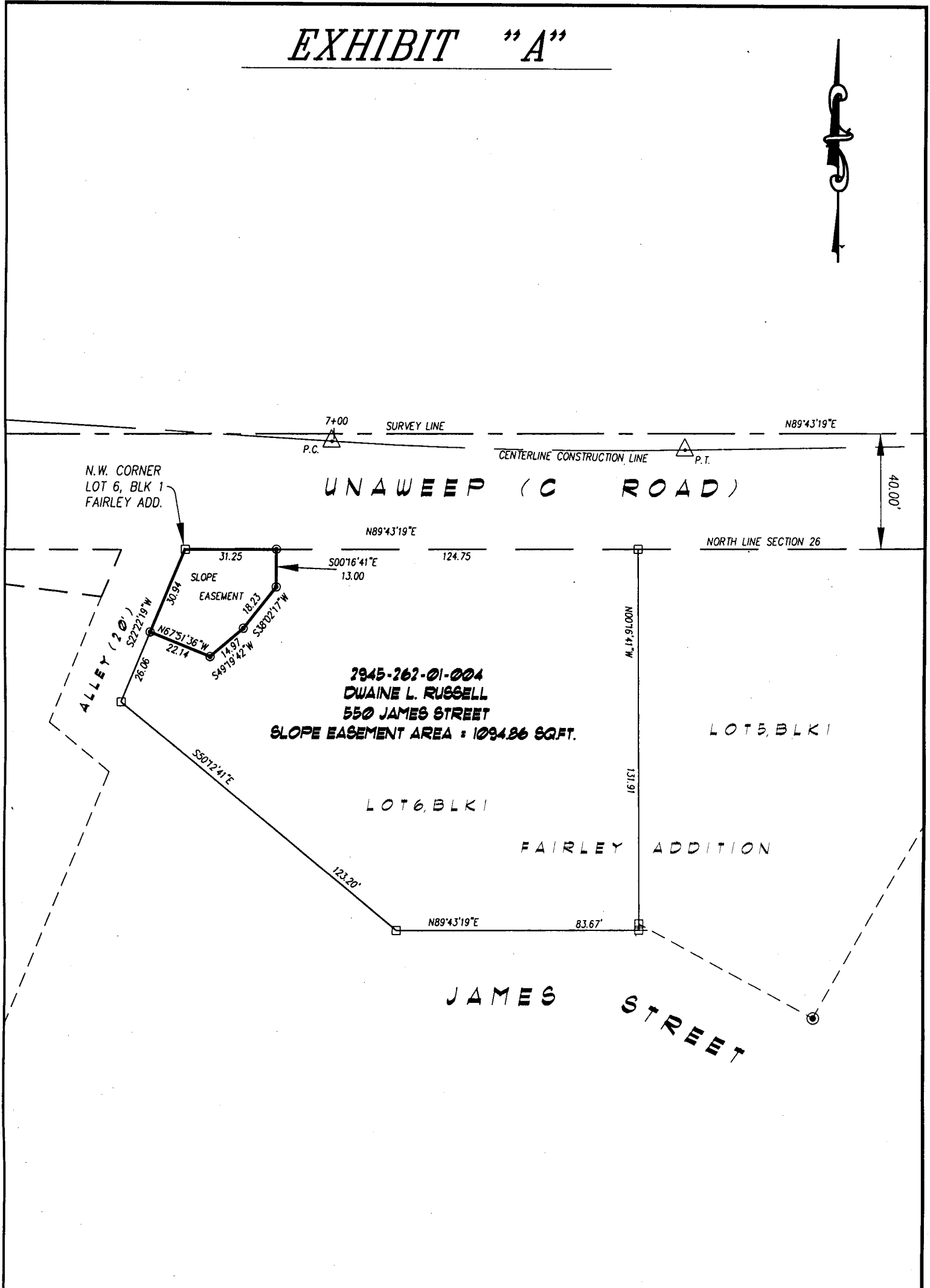
The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of May, 1997, by Dwaine L. Russell.

Witness my hand and official seal.  
My commission expires 3.301

  
Notary Public



# EXHIBIT "A"



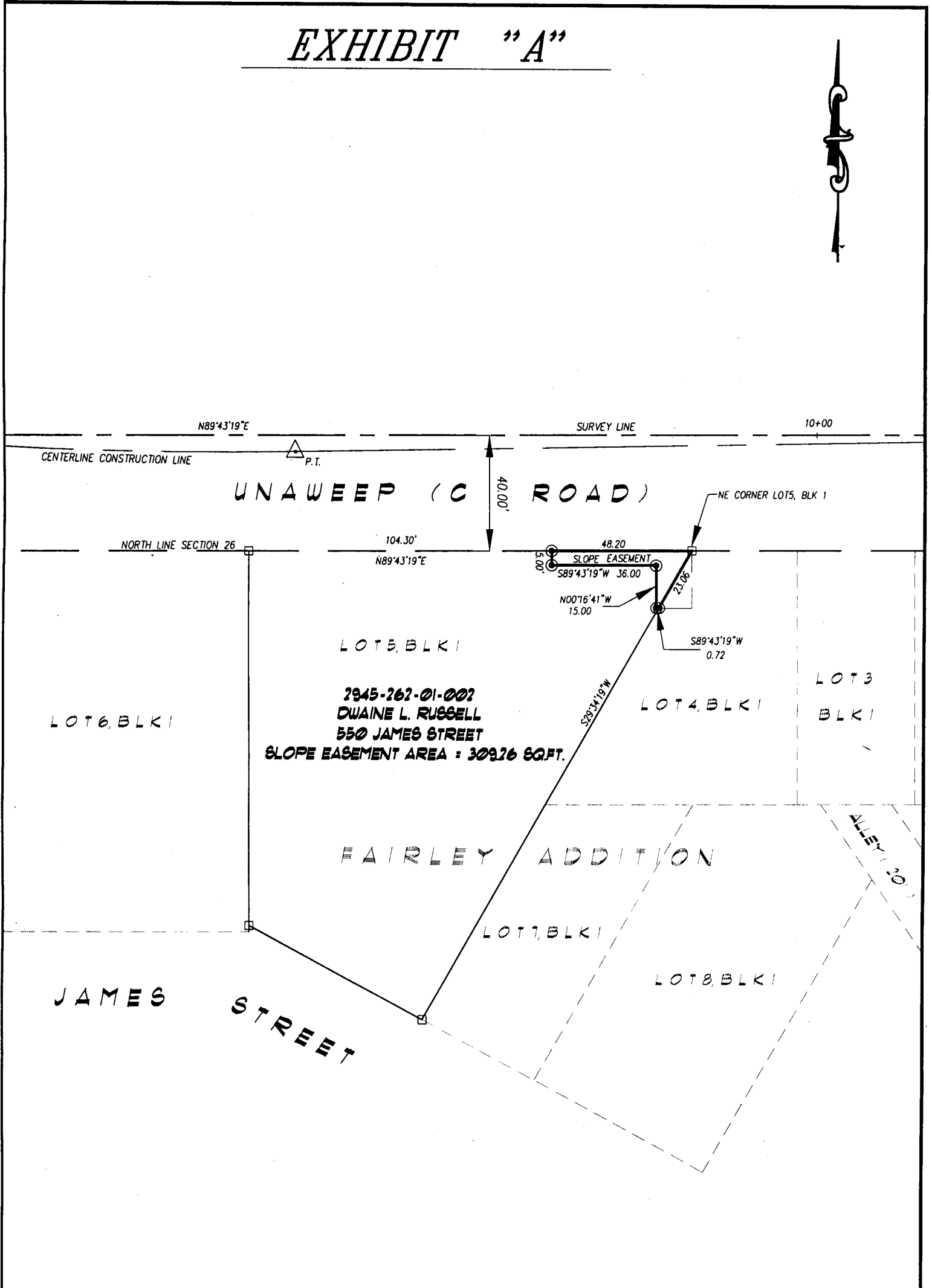
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 DATE: 5-15-97  
 SCALE: 1" = 40'  
 APPR. BY: TW  
 FILE NO: WEEP2.DWG

EASEMENT DESCRIPTION MAP

UNAWEEP ( 103 )

DEPARTMENT OF PUBLIC WORKS  
 ENGINEERING DIVISION  
 CITY OF GRAND JUNCTION

# EXHIBIT "A"



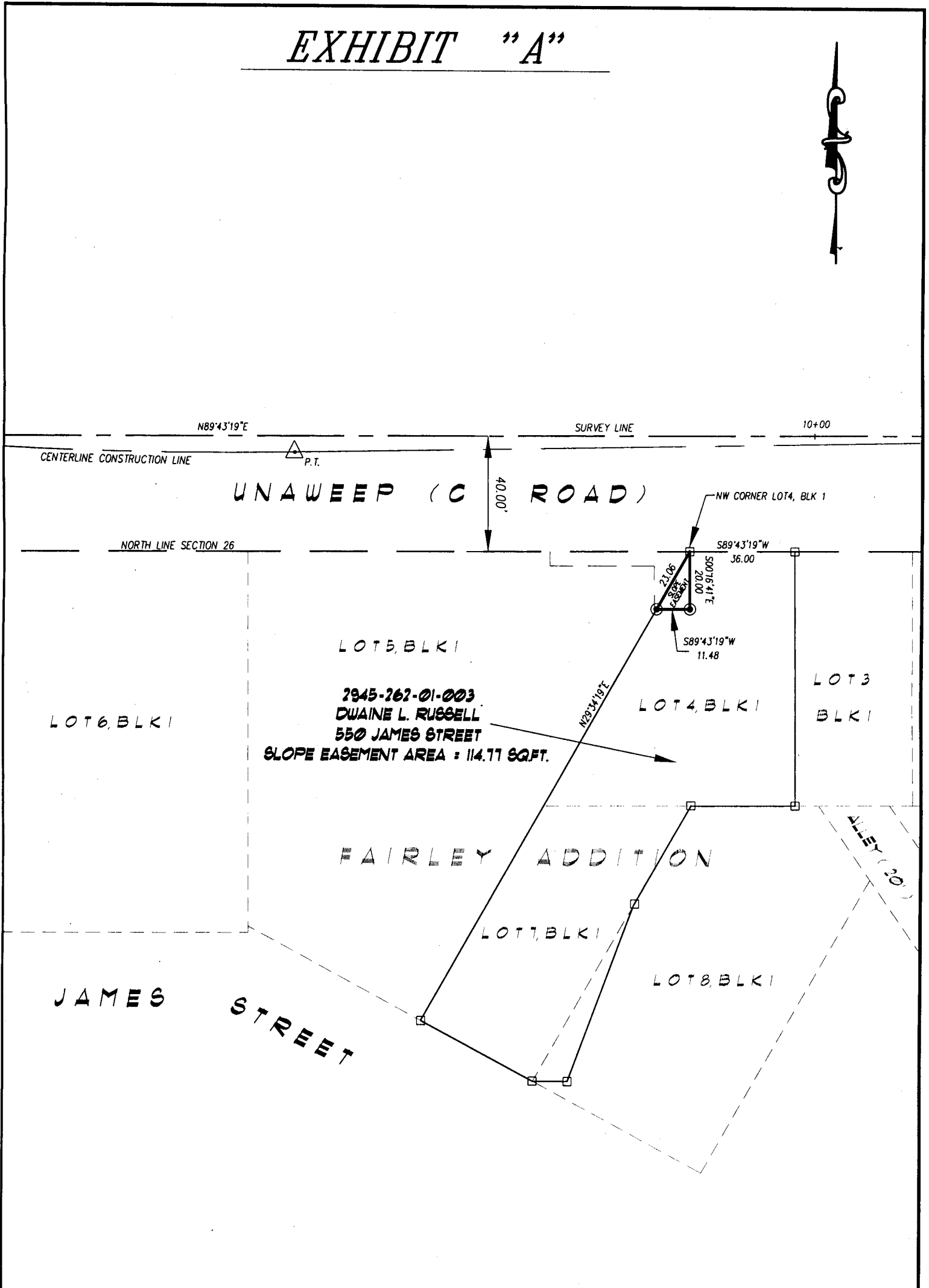
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 SCALE: 1" = 40'  
 APPR. BY: IW  
 FILE NO: WEEP3.DWG

### EASEMENT DESCRIPTION MAP

UNAWEEP ( 105 )

**DEPARTMENT OF PUBLIC WORKS**  
 ENGINEERING DIVISION  
 CITY OF GRAND JUNCTION

# EXHIBIT "A"



DRAWN BY: SRP  
 DATE: 5-07-97  
 SCALE: 1" = 40'  
 APPR. BY: JW  
 FILE NO: WEEP3\_A.DWG

### EASEMENT DESCRIPTION MAP

UNAWEEP ( 107 )

**DEPARTMENT OF PUBLIC WORKS**  
 ENGINEERING DIVISION  
 CITY OF GRAND JUNCTION