

DNN02IDP

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: **EASEMENT**

PURPOSE: IRRIGATION FACILITIES

NAME OF PROPERTY OWNER OR GRANTOR: WANDA E. DAVIS, HARRY LEE DUNNING AND
WILLIAM H. DUNNING

STREET ADDRESS/PARCEL NAME/SUBDIVISION (LOT AND BLOCK): 434 INDEPENDENT
AVENUE, GRAND JUNCTION

PARCEL NO.: 2945-104-00-079

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 2002

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

Book 3024 Page 48
2041228 02/15/02 0430PM
MONIKA TODD CLK&REC MESA COUNTY CO
REC FEE \$20.00
DOCUMENTARY FEE \$EXEMPT

GRANT OF IRRIGATION EASEMENT

Wanda E. Davis, Harry Lee Dunning and William H. Dunning, Grantors, for and in consideration of the sum of Sixty-Two and 50/100 Dollars (\$62.50), 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 Irrigation Easement for the installation, operation, maintenance, repair and replacement of irrigation facilities and appurtenances related thereto, on, along, over, under, through and across the following described parcel of land, to wit:

A certain perpetual easement lying in the Northeast Quarter of the Southeast Quarter (NE ¼ SE ¼) of Section 10, Township 1 South, Range 1 West of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Southeast Corner of the Northeast Quarter of the Southeast Quarter (NE ¼ SE ¼) of said Section 10, and considering the South line of the NE ¼ SE ¼ of said Section 10 to bear N 89°56'21" W with all bearings contained herein being relative thereto; thence N 89°56'21" W, along the said South line of the NE ¼ SE ¼, a distance of 1223.00 feet to the TRUE POINT OF BEGINNING; thence continuing along said South line, N 89°56'21" W a distance of 10.00 feet; thence leaving said South line, N 00°03'39" E a distance of 10.00 feet; thence S 89°56'21" E a distance of 10.00 feet; thence S 00°03'39" W a distance of 10.00 feet, more or less, to the POINT OF BEGINNING.

Containing 100.00 square feet (0.0023 Acres), 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 utility 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 structure or any other item or fixture which may be detrimental to the facilities of Grantee or which may act to impede or prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement area.
2. Grantee agrees that Grantee's utilization of the Easement and the rights herein conveyed shall be performed with due care using commonly accepted standards and techniques.
3. Grantors hereby covenant with Grantee that they have good title to the aforescribed premises; that they have good and lawful right to grant this Easement; that they will warrant and forever defend the title and quiet possession thereof against the lawful claims and demands of all persons whomsoever.

Executed and delivered this 14th day of February, 2002.

Wanda E. Davis

Harry Lee Dunning
Harry Lee Dunning

William H. Dunning
William H. Dunning

State of Arizona)
)ss.
County of _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2002, by Wanda E. Davis.

My commission expires _____.

Witness my hand and official seal.

Notary Public

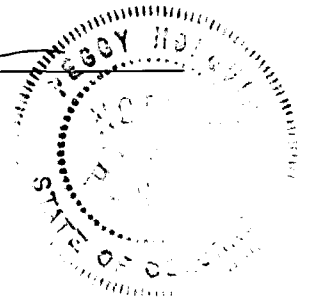
State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 14th day of February, 2002, by Harry Lee Dunning and William H. Dunning,

My commission expires 3.3.05.

Witness my hand and official seal.

Peggy Holger
Notary Public



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

Executed and delivered this 14 day of FEB, 2002.

Wanda E. Davis
Wanda E. Davis

Harry Lee Dunning

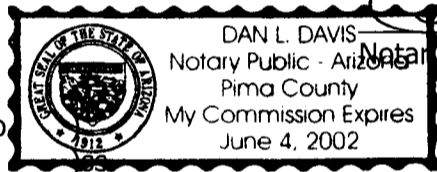
William H. Dunning

State of Arizona)
)ss.
County of Pima)

The foregoing instrument was acknowledged before me this 14 day of FEB, 2002, by Wanda E. Davis.

My commission expires 6-4-2002.

Witness my hand and official seal.



Dan L. Davis

Notary Public

State of Colorado)
County of Mesa)

The foregoing instrument was acknowledged before me this _____ day of _____, 2002, by Harry Lee Dunning and William H. Dunning,

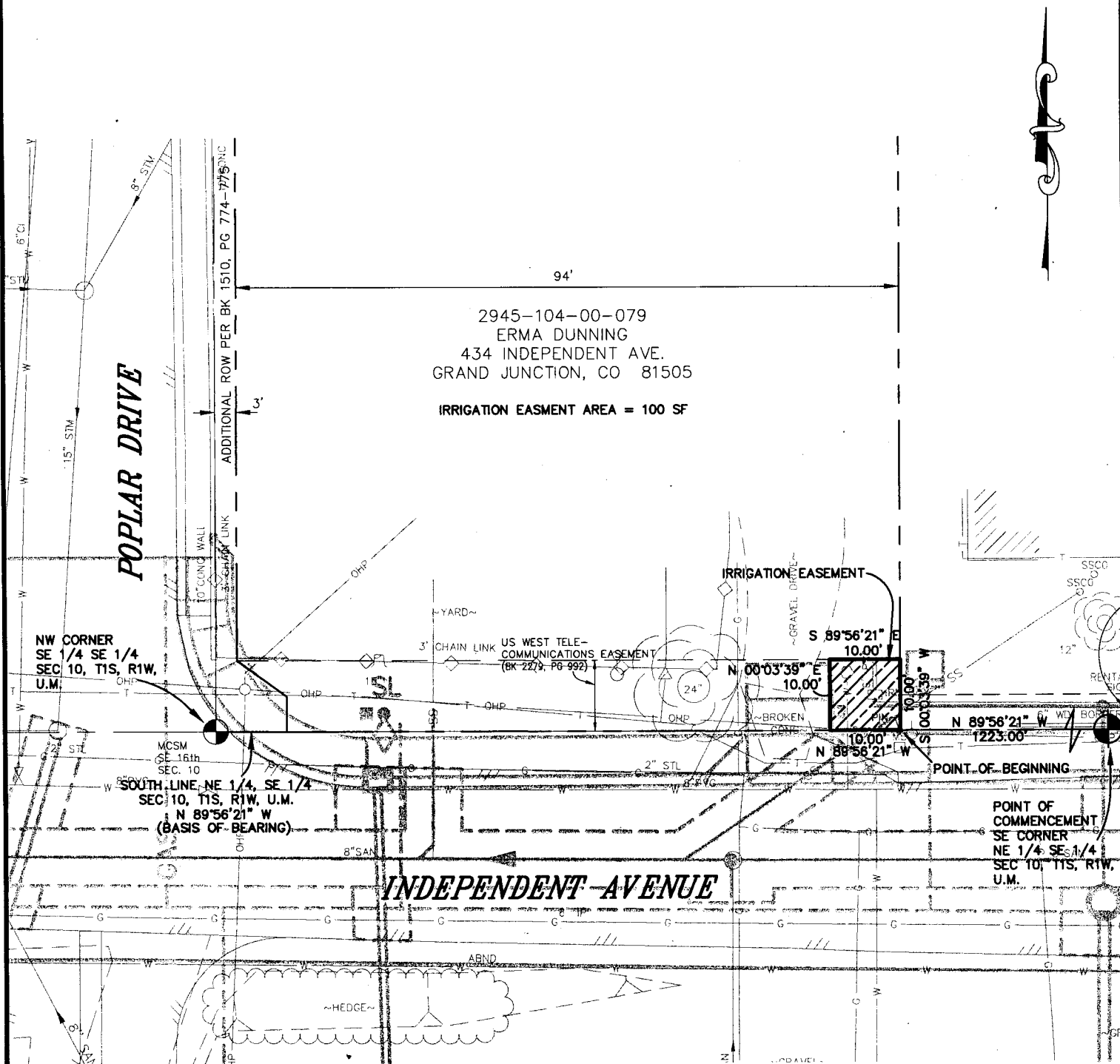
My commission expires _____.

Witness my hand and official seal.

Notary Public

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

EXHIBIT "A"



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 means for establishing or verifying property boundary lines.

DRAWN BY: JCS
DATE: 10-10-2001
SCALE: 1" = 20'
APPR. BY: TW
FILE NO. ROW.DWG

**INDEPENDENT AVENUE
RIGHT-OF-WAY DESCRIPTION MAP**

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