

DOW75BOA

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: STATE OF COLORADO FOR THE USE
AND BENEFIT OF THE DIVISION OF WILDLIFE COMMISSION, BY: JACK
R. GRUB (DIRECTOR) AND ROBERT D. STULL (EXECUTIVE DIRECTOR,
DEPT. OF NATURAL RESOURCES)

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: SEWAGE
EASEMENT RIGHT OF WAY AGMT. PHASE II, ROAD TO BOAT RAMP,
CITY SHOPS

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1975

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

Newa

EASEMENT

THIS CONTRACT AND GRANT OF EASEMENT, made and entered into this 21 day of May, 1975, by and between the City of Grand Junction, Colorado, Grantor, and the STATE OF COLORADO, for the use and benefit of the Division of Wildlife Commission, Grantee:

WITNESSETH:

The following grant and the following mutual covenants by and between the parties:

1. The Grantor hereby grants to the State of Colorado, Division of Wildlife Commission, its licensees, permittees, successors, and assigns, the right, privilege, and easement to construct, operate, maintain, use, replace, reconstruct and repair a boat ramp through, on, over and across the following described lands of the Grantor, situated in the County of Mesa, State of Colorado, TO-WIT:

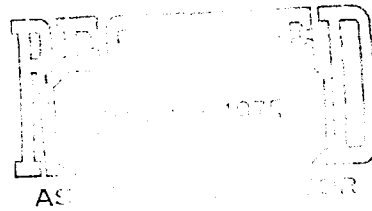
Beginning at a point from which the Center One-Quarter Corner, Section 15, Township 1 South, Range 1 West, Ute Meridian, bears N 52° 12' E a distance of 635.7 feet; thence South 37° 00' W a distance of 52 feet; thence N 40° 00' W a distance of 59.5 feet; thence N 69° 30' E a distance of 53 feet; thence S 41° 14' E a distance of 30.2 feet to point of beginning.

The centerline of the route of said boat ramp is to be surveyed and located by the Grantee at no expense to the Grantor.

The right, privilege and easement herein granted shall be confined to lands within thirty feet of either side of the boat ramp centerline, measured at right angles thereto.

2. The rights and privileges herein granted are for the full use as a boat ramp by the Grantee, its licensees and permittees.
3. In the event of permanent abandonment of said boat ramp, the title and interest therein granted shall end, cease and determine.
4. The Grantor reserves the right to use said boat ramp for any purpose consistent with the rights and privileges herein granted and which will not interfere with or obstruct the full use and enjoyment of said boat ramp by the State of Colorado, its licensees, permittees or assigns.
5. It is further mutually agreed that the use of said boat ramp will be subject to the following special conditions:

Parking will be signed and controlled by the Grantee so that there is no interference with operators of the Grantor; such parking shall be completely removed from the City's stockpile area and must be East of the West Corner of the City's building located on the premises; at all times access shall be provided for trucks or equipment of the Grantor to get to the stockpile area.



To have and to hold said easement hereunto granted unto said Grantee, its successors and assigns for a term of **five** years, commencing on the 1st day of July, 1975, and ending on the 30th day of June, 1980.

It is hereby agreed that at the expiration of the term hereof, and upon agreement between the Grantor and Grantee, this agreement may be renewed for an additional period of five years, and upon such agreement, annually thereafter.

IT IS EXPRESSLY UNDERSTOOD AND AGREED THAT all the covenants and agreements herein contained shall extend to and be binding upon the heirs, legal representatives, successors and assigns of the respective parties hereto.

These presents shall not be deemed valid until approved by the Controller of the State of Colorado, or such assistant as he may designate.

IN WITNESS WHEREOF, the parties hereto have executed these presents the day and the year first above written.

CITY OF GRAND JUNCTION, COLORADO

By: Lawrence S. Rogie
Mayor

ATTEST:

Walter H. Marshall
Deputy City Clerk

STATE OF COLORADO, Department of Natural Resources, Division of Wildlife, for the use and benefit of the Division of Wildlife Commission.

By: Jack L. Grib 7-7-75
Director Date
Division of Wildlife

APPROVED AS TO FORM:

Attorney General Date

Robert D. Strick
Executive Director Date
Department of Natural Resources.