

DOW80282

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: LAWRENCE B. DOWD, RICHARD D. KIMBALL, ROBERT P. GERLOFS, SHARON M. GERLOFS, DEE A. BRINEGAR, EVELYN PATRICIA BRINEGAR, AND THE CITY OF GRAND JUNCTION.

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: 28 1/4 ROAD FROM ORCHARD AVE. TO PATTERSON RD, PHASE I

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1980

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

FEB 27 1980

STATE OF COLORADO, COUNTY OF MESA  
 RECORDED AT 132 O'CLOCK P M.  
 RECEPTION NO 1217020 EARL SAWYER, RECORDER

BOOK 1245 PAGE 843

PERMANENT EASEMENT

Lawrence B. Dowd, Robert P. Gerlofs, Sharon M. Gerlofs, Dee A. Brinegar, Evelyn Patricia Brinegar, and the City of Grand Junction, a municipal corporation, of Mesa County, State of Colorado, Grantors, for the consideration of ONE DOLLAR (\$1.00) AND OTHER GOOD AND VALUABLE CONSIDERATIONS, in hand paid by the CITY OF GRAND JUNCTION, COLORADO, a municipal corporation, Grantee, receipt of which is hereby acknowledged, have given and granted and by these presents do hereby give and grant unto the said Grantee, their heirs, successors, and assigns a PERPETUAL EASEMENT for roadway slope and borrow pit purposes over, under, along and across the following described land situated in the County of Mesa, to-wit:

A tract of land located in the Northwest One Quarter (NW 1/4) of Section 7, Township 1 South, Range 1 East of the Ute Meridian more particularly described as follows:

Commencing at the Northwest Corner (NW Cor.) of the Northeast One Quarter (NE 1/4) of the Northwest One Quarter (NW 1/4) of Section 7, T. 1 S., R. 1 E., U.M.;

Thence North 89°50'00" East, along the North boundary line of the Northeast One Quarter (NE 1/4) of the Northwest One Quarter (NW 1/4) of said Section 7, a distance of 119.58 feet to the True Point of Beginning;

Thence South 01°15'14" East, a distance of 162.57 feet;

Thence along the arc of a 998.00 foot radius curve to the right, a distance of 195.13 feet ( the chord of which bears South 04°20'52" West, a distance of 194.84 feet);

Thence North 80°03'01" West, a distance of 4.50 feet;

Thence along the arc of a 993.50 foot radius curve to the right, a distance of 239.22 feet ( the chord of which bears South 16°50'55" West, a distance of 238.64 feet);

Thence along the arc of a 534.50 foot radius curve to the left, a distance of 31.90 feet ( the chord of which bears South 22°01'56" West, a distance of 31.90 feet) to a point on the West boundary line of the Northeast One Quarter (NE 1/4) of the Northwest One Quarter (NW 1/4) of said Section 7;

Thence South 02°07'42" East along said West boundary line, a distance of 441.22 feet;

Thence along the arc of a 1,184.50 foot radius curve to the right, a distance of 230.69 feet (the chord of which bears South 06°49'56" East, a distance of 230.33 feet);

Thence South 01°15'14" East, a distance of 162.50 feet;

Thence North 88°44'46" East, a distance of 31.50 feet;

Thence South 01°15'14" East, a distance of 41.00 feet;

Thence South 88°44'46" West, a distance of 31.50 feet;

Thence South 01°15'14" East, a distance of 55.94 feet to a point from which the West boundary line of the Southeast One Quarter (SE 1/4) of the Northwest One Quarter (NW 1/4) of said Sec. 7 bears South 88°25'34" East, a distance of 20.20 feet;

Thence South 88°25'34" West, a distance of 76.00 feet;

Thence North 01°15'14" West, a distance of 228.79 feet;

Thence South 89°56'58" West, a distance of 3.00 feet;

Thence North 01°15'14" West, a distance of 30.16 feet;

Thence along the arc of a 1,257.50 foot radius curve to the left, a distance of 257.86 feet ( the chord of which bears North 07°07'45" West, a distance of 257.41 feet);

Thence North 76°59'49" East, a distance of 14.5 feet;

Thence along the arc of a 1,243.00 foot radius curve to the left, a distance of 93.88 feet ( the chord of which bears North 24°00'19" West, a distance of 93.86 feet);

Thence along the arc of a 476.00 foot radius curve to the right, a distance of 340.61 feet ( the chord of which bears North 03°14'46" East, a distance of 333.40 feet);

Thence along the arc of a 1,052.00 foot radius curve to the left, a distance of 143.14 feet ( the chord of which bears North 19°50'46" East, a distance of 143.03 feet);

Thence North 74°02'59" West, a distance of 12.00 feet;  
 Thence along the arc of a 1,040.00 foot radius curve to the left, a distance of 312.27 feet ( the chord of which bears North 07°20'52" East, a distance of 311.10 feet);  
 Thence North 01°15'14" West, a distance of 161.76 feet to the North boundary line of the Northeast One Quarter (NE 1/4) of the Northwest One Quarter (NW 1/4) of said Section 7;  
 Thence South 89°50'00" West along said North boundary line a distance of 42.01 feet to the True Point of Beginning.

It being understood that said easement is necessary to permit proper maintenance of the slopes to control erosion and prevent sloughing of the embankment; however, this type of use need not restrict the land-owner within the guidelines of the government use should he want to build on or near portions of said easement. The primary restrictions to be applied would be that adequate drainage be provided as existing adjacent to the street in the borrow area, and that no construction activity or structure on said easement area contribute to the instability and/or sloughing of the roadway embankment.

Signed this 27th day of February, <sup>1980</sup> 1979.

Lawrence B. Dowd  
 Lawrence B. Dowd

Robert P. Gerlofs  
 Robert P. Gerlofs

Dee A. Brinegar  
 Dee A. Brinegar

Sharon M. Gerlofs  
 Sharon M. Gerlofs

Evelyn Patricia Brinegar  
 Evelyn Patricia Brinegar

CITY OF GRAND JUNCTION:  
James E. Wysocki  
 James E. Wysocki, City Manager

ATTEST:  
Neva B. Lockhart City Clerk

STATE OF COLORADO, )  
 ) ss.  
 County of Mesa )

The foregoing instrument was acknowledged before me this 27th day of February, 1980, by Lawrence B. Dowd, Robert P. Gerlofs, Sharon M. Gerlofs, Dee A. Brinegar, Evelyn Patricia Brinegar, and James E. Wysocki as City Manager and Neva B. Lockhart as City Clerk of the City of Grand Junction, Colorado, a municipal corporation.

My commission expires Jan. 31, 1984.

Witness my hand and official seal.

David W. Dowd  
 Notary Public



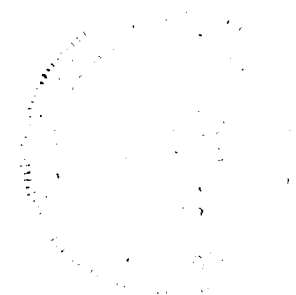
1217020

28 1/4 Ed. from Orchard Ave. to  
Patterson Rd., Phase I

PERMANENT EASEMENT (EASTSIDE)  
The City of Grand Junction  
Dowd, Lawrence B.

Gerlofs, Robert P. & Sharon M.  
Brinegar, Dee A. & Evelyn Patricia  
To

The City of Grand Junction



STATE OF COLORADO } ss  
County of MESA }  
I hereby certify that this instrument was  
Filed for record

FEB 27 1980

at 1:32 o'clock P.M. and recorded  
in Book 124 Page 843  
EARL SAWYER, County Clerk & Recorder  
By

2/10/80  
Darell Linder  
250 N 5th