

DWD02IDP

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: **EASEMENT**

PURPOSE: ELECTRONIC AND TELECOMMUNICATIONS FACILITIES

NAME OF PROPERTY OWNER OR GRANTOR: DWAYNE DODD

STREET ADDRESS/PARCEL NAME/SUBDIVISION (LOT AND BLOCK): 975 AND 930  
INDEPENDENT AVENUE, GRAND JUNCTION

PARCEL NO.: 2945-103-00-064

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 5<sup>th</sup> Street  
Grand Junction, CO 81501

Book 3035 PAGE 117  
2043987 03/05/02 0329PM  
MONIKA TODD CLERK MESA COUNTY CO  
REC FEE \$15.00  
DOCUMENTARY FEE \$EXEMPT

**GRANT OF ELECTRIC AND TELECOMMUNICATION EASEMENTS**

Dwayne Dodd, Grantor, for and in consideration of the sum of Seven Hundred Forty-Eight and 13/100 Dollars (\$748.13), the receipt and sufficiency of which is hereby acknowledged, has sold, granted and conveyed, and by these presents does 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, for the use and benefit of Grantee and for the use and benefit of the Public Utilities, two (2) Perpetual Easements for the installation, operation, maintenance, repair and replacement of electric and telecommunications facilities on, along, over, under, through and across the following described parcels of land, to wit:

**Easement Parcel No. 1:**

A certain Perpetual Easement lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) 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 Southwest Quarter (NE 1/4 SW 1/4) of said Section 10, and considering the South line of the NE 1/4 SW 1/4 of said Section 10 to bear S 89°58'53" W with all bearings contained herein being relative thereto; thence S 89°58'53" W, along the said South line of the NE 1/4 SW 1/4, a distance of 115.37 feet; thence leaving said South line N 00°01'07" W a distance of 28.50 feet to the TRUE POINT OF BEGINNING; thence S 89°58'53" W a distance of 15.00 feet; thence N 00°01'07" W a distance of 10.00 feet; thence N 89°58'53" E a distance of 15.00 feet; thence S 00°01'07" E a distance of 10.00 feet, more or less, to the POINT OF BEGINNING.

Containing 150.00 square feet (0.003 Acres), more or less, as described herein and depicted on **Exhibit "A"** attached hereto and incorporated herein by reference; and also,

**Easement Parcel No. 2:**

A certain Perpetual Easement lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) 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 Southwest Quarter (NE 1/4 SW 1/4) of said Section 10, and considering the South line of the NE 1/4 SW 1/4 of said Section 10 to bear S 89°58'53" W with all bearings contained herein being relative thereto; thence S 89°58'53" W, along the said South line of the NE 1/4 SW 1/4, a distance of 115.37 feet; thence N 00°01'07" W a distance of 28.50 feet; thence S 89°58'53" W a distance of 206.84 feet to the TRUE POINT OF BEGINNING; thence S 89°58'53" W a distance of 5.00 feet; thence N 00°03'27" E a distance of 5.00 feet; thence N 89°58'53" E a distance of 5.00 feet; thence S 00°03'27" W a distance of 5.00 feet, more or less, to the POINT OF BEGINNING.

Containing 25.00 square feet (0.0006 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 Easements, 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. Grantor shall have the right to use and occupy the real property burdened by these Easements 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 Grantor hereby covenants with Grantee that the Easement areas 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 the Public Utilities, 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 areas.

2. Grantee agrees that Grantees' utilization of the herein described Easements shall be performed with due care using commonly accepted standards and techniques.

3. Grantor hereby covenants with Grantee that he has good title to the aforescribed premises; that he has good and lawful right to grant the herein described Easements; that he 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 18<sup>th</sup> day of February, 2002.

Dwayne Dodd  
Dwayne Dodd

State of )  
                  )ss.  
County of )

The foregoing instrument was acknowledged before me this 18 day of February, 2002, by Dwayne Dodd.

My commission expires: \_\_\_\_\_

Witness my hand and official seal.

Angie Haar  
Notary Public



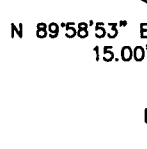
Expires 05/21/2003

25 1/2 ROAD

**EXHIBIT "A"**



ELECTRIC AND TELECOMMUNICATIONS EASEMENT (A)



2945-103-00-064  
 DWAYNE DODD  
 975 INDEPENDENT AVE  
 GRAND JUNCTION, CO 81505  
 930 INDEPENDENT AVE  
 GRAND JUNCTION, CO 81505

ELECTRIC AND TELECOMMUNICATIONS EASEMENT (A) AREA = 150 SF  
 ELECTRIC AND TELECOMMUNICATIONS EASEMENT (B) AREA = 25 SF

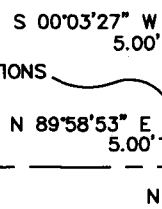
POINT OF BEGINNING

POINT OF COMMENCEMENT  
 SE CORNER  
 NE 1/4 SW 1/4  
 SEC 10, T1S, R1W,  
 U.M.

SOUTH LINE NE-1/4 SW-1/4  
 SEC 10, T1S, R1W, U.M.  
 S 89°58'53" W (BASIS OF BEARING)  
**INDEPENDENT AVE**

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.

ELECTRIC AND TELECOMMUNICATIONS EASEMENT (B)



POINT OF BEGINNING

DRAWN BY: JCS  
 DATE: 10-10-2001  
 SCALE: 1" = 30'  
 APPR. BY: TW  
 FILE NO. ROW.DWG

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

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