

DWK971ST

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: DAVID W. KLEMENTS

STREET ADDRESS/PARCEL NAME/SUBDIVISION: 2204 NORTH 1ST STREET, UTILITY  
EASEMENT, PARCEL NO. 2945-112-15-009, LOT 5, HILLCREST MANOR SUBDIVISION

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1997

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

**GRANT OF EASEMENT**

1804859 0339PM 07/07/97  
 MONIKA TODD CLK&REC MESA COUNTY CO  
 DOCUMENT FEE \$~~NO~~-FEE  
 \$ EXEMPT

David W. Klements, Grantor, for and in consideration of the sum of Forty Nine and 95/100 Dollars (\$49.95), the receipt and sufficiency of which is hereby acknowledged, has sold, granted and conveyed and by these presents does hereby sell, grant and convey unto 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 of Grantee and for the use of the Public Utilities, a Perpetual Utilities Easement on, along, over, under, through and across the following described parcel of land, to wit:

Beginning at the Southwest Corner of Lot 5 of Hillcrest Manor, a subdivision situate in the Northwest 1/4 of Section 11, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, as recorded in Plat Book 5 at Page 20 in the office of the Mesa County Clerk and Recorder;  
 thence N 00°00'00" W along the West boundary line of said Lot 5 a distance of 10.00 feet;  
 thence leaving said West boundary line, S 90°00'00" E a distance of 2.00 feet;  
 thence S 00°00'00" E a distance of 10.00 feet to a point on the South boundary line of said Lot 5;  
 thence N 90°00'00" W along the West boundary line of said Lot 5 a distance of 2.00 feet to the Point of Beginning, containing 20.00 square feet as described herein and as 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 to enter upon said premises, to survey, maintain, operate, repair, replace, control and use said Utilities 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. Grantor 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 Grantor hereby covenants with Grantee that the easement area 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 for workers and equipment on, along, over, under, through and across the easement area.
2. Grantee agrees that the work and act of installing, maintaining and repairing utilities and related appurtenances and facilities 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 this Easement; 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 6<sup>th</sup> day of June, 1997.

David W. Klements  
David W. Klements

State of Colorado )  
  )ss.  
County of Mesa        )

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of June, 1997, by David W. Klements.

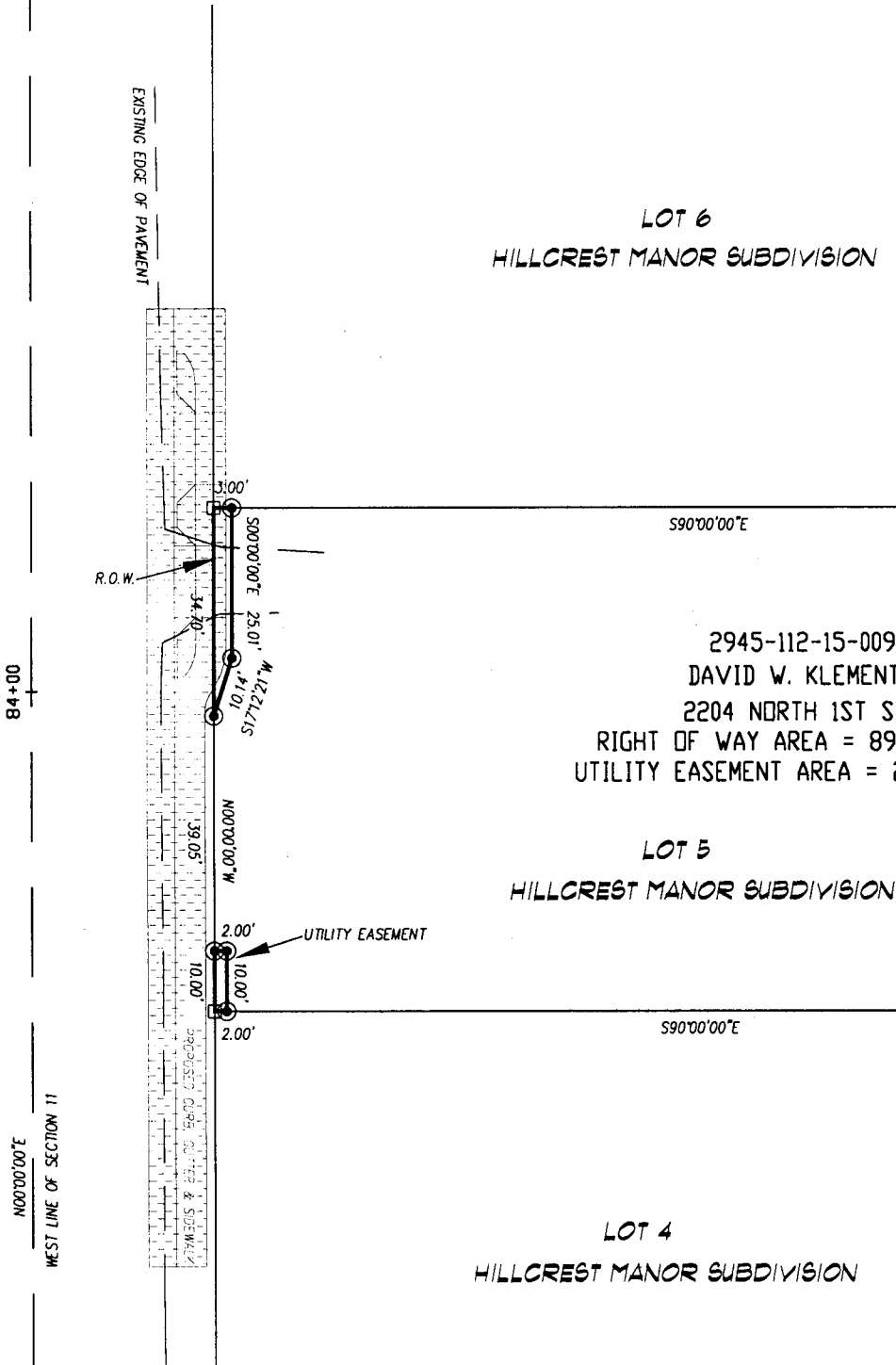
My commission expires: 3.3.01  
Witness my hand and official seal.

Robert Belgrave  
Notary Public  


# EXHIBIT "A"



NORTH FIRST STREET



DRAWN BY: SRP  
DATE: 4-11-97  
SCALE: 1" = 30'  
APPR. BY: TKH  
FILE NO: F110.DWG

RIGHT-OF-WAY DESCRIPTION MAP  
NORTH FIRST STREET - ORCHARD AVE. TO PATTERSON AVE  
( 110 )

DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION  
CITY OF GRAND JUNCTION