

EBE05RDM

TYPE OF RECORD:	PERMANENT
CATEGORY OF RECORD:	EASEMENT
NAME OF PROPERTY OWNER OR GRANTOR:	MERL AND SHERRYN EBERLY
PURPOSE:	REEDER MESA AREA WATERLINE EASEMENT
ADDRESS:	7630 REEDER MESA ROAD
PARCEL #:	2969-231-00-141
CITY DEPARTMENT:	PUBLIC WORKS AND PLANNING
YEAR:	2005
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

2232938 BK 3815 PG 316-318  
01/10/2005 02:05 PM  
Janice Ward CLERK Mesa County, CO  
RecFee 415.00 SurChg \$1.00  
DocFee EXEMPT

**GRANT OF EASEMENT**

Merl Ray Eberly and Sherryn S. Eberly, Grantors, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, have granted and conveyed, and by these presents do hereby grant and convey unto the City of Grand Junction, a Colorado home rule municipality, whose address is 250 North 5th Street, Grand Junction, Colorado 81501, Grantee, a Perpetual Easement for the installation, operation, maintenance, repair and replacement of water pipeline and related facilities, on, along, over, under, through and across the following described parcel of land, to wit:

A certain easement for water line purposes being a portion of that certain property lying in Section 23, Township 2 South, Range 2 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

The West Twenty (20) Feet of the Southeast Quarter of the Northeast Quarter of Section 23, Township 2 South, Range 2 East of the Ute Principal Meridian, County of Mesa, State of Colorado;

CONTAINS 0.60 Acres (26,299.0 Sq. Ft.), more or less, as described herein and as depicted on Exhibit "A" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD said Perpetual Easement unto the said Grantee, its successors and assigns forever, together with the right of ingress and egress for workers and equipment to enter upon said premises, to survey, maintain, operate, install, repair, replace, control and use said Easement and the water pipeline and appurtenances and facilities related thereto, 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 the rights herein granted and which will not interfere with the full use and quiet enjoyment of Grantee's rights herein granted; provided, however, that Grantors hereby covenant with Grantee that the easement area shall not be burdened or overburdened by the installation or placement of any improvements, structures, items or fixtures which may be detrimental to the facilities of Grantee or which may act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the easement area.
2. Grantee's utilization of the above conveyed premises shall be conducted in a reasonable and prudent manner. The work and act by Grantee of installing, maintaining, repairing and replacing said water pipelines and related facilities shall be performed with due care using commonly accepted standards and techniques.
3. Grantors hereby covenant with Grantee that they will warrant and forever defend the above conveyed premises in the quiet and peaceful possession of Grantee, its successors and assigns, against the lawful claims and demands of all persons whomsoever.

Executed and delivered this 10<sup>th</sup> day of January, 2005.

Merl Ray Eberly  
Merl Ray Eberly

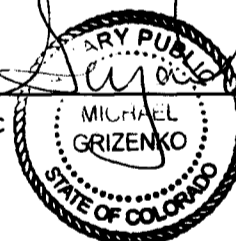
Sherryn S. Eberly  
Sherryn S. Eberly

State of Colorado )  
                                  )ss.  
County of Mesa     )

The foregoing instrument was acknowledged before me this 10th day of January, 2005, by Merl Ray Eberly and Sherryn S. Eberly.

My commission expires: 10/09/2007  
Witness my hand and official seal.

Michael Grizenko  
Notary Public



**My Commission Expires 10/09/2007**

# EXHIBIT "A"

NW COR  
SE1/4NE1/4

NORTH LN SE1/4NE1/4

NE COR  
SE1/4NE1/4

2969-231-00-141  
MERL RAY & SHERRY S EBERLY  
7630 REEDER MESA ROAD  
WHITEWATER, CO 81527

WEST LN SE1/4NE1/4

SE1/4NE1/4 S 23  
T2S R2E UTE MERIDIAN

BOOK 3516 PG 935

20.00'

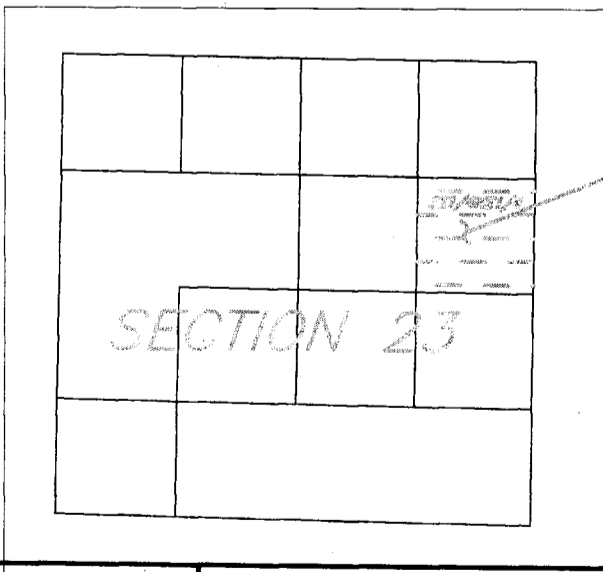
WATERLINE EASEMENT  
AREA = 26,299 +/- SQ FT\*

\*area calculated from a boundary survey  
may vary with area shown hereon

SOUTH LN SE1/4NE1/4

SW COR  
SE1/4NE1/4

SE COR  
SE1/4NE1/4



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 a means for establishing or verifying property boundary lines.

DRAWN BY: MG  
DATE: 11-16-2004  
SCALE: NTS  
APPR. BY: PK

REEDER MESA AREA  
WATERLINE EASEMENT  
2969-231-00-141

CITY OF  
**Grand Junction**  
COLORADO