EPH03DRD

TYPE OF RECORD:	PERMANENT
CATEGORY OF RECORD:	EASEMENT (MULTI-PURPOSE)
NAME OF PROPERTY OWNER OR GRANTOR:	EPHEMERAL RESOURCES LLC
PURPOSE:	D ROAD GRAVEL PIT
ADDRESS:	2937 D ROAD
PARCEL NO:	2943-202-00-006
CITY DEPARTMENT:	PUBLIC WORKS
YEAR:	2003
EXPIRATION:	NONE
DESTRUCTION:	NONE

WHEN RECORDED RETURN TO: City of Grand Junction Real Estate Division 250 North 5th Street Grand Junction, CO 81501

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2115514 04/10/03 0247PM Janice Ward Clk&Rec Mesa County Co RecFee \$10.00 SurChg \$1.00 Documentary Fee \$Exempt

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GRANT OF MULTI-PURPOSE EASEMENTS

Ephemeral Resources, LLC, a Colorado limited liability company, Grantor, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, has granted and conveyed, and by these presents does hereby 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, three (3) Perpetual Multi-Purpose Easements for the use and benefit of Grantee and for the use and benefit of the Public Utilities, as approved by Grantee, as perpetual easements for the installation, operation, maintenance, repair and replacement of utilities and appurtenances related thereto, as approved by Grantee, including, but not limited to, electric lines, cable television lines, natural gas pipelines, sanitary sewer lines, storm sewers and storm water drainage facilities, water lines, telephone lines, and also for the installation, operation maintenance, repair and replacement of traffic control facilities, street lighting, landscaping, trees and grade structures, as approved by Grantee, on, along, over, under, through and across the following described premises, to wit:

See 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, the said Grantor hereby covenanting with Grantee that the Easement area shall not be burdened or overburdened by the installation, construction or placement of any structures or any other item or fixture which might be detrimental to the facilities of Grantee and/or the Public Utilities or which might act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement areas, the said Grantor hereby further covenanting with Grantee that it has good title to the aforedescribed premises; that it has good and lawful right to grant these Easements; that it 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 $\underline{1^{\mu}}$ day of \underline{Apri} , 2003.

Ephemeral Resources, LLC, a Colorado limited liability company, Grantor:

)ss.

)

Am ,

Mark A. Gardner, manager

State of Colorado)

Harold F. Elam, manager

County of Mesa

The foregoing instrument was acknowledged before me this $\frac{7^{\prime\prime}}{4}$ day of $\frac{4\rho c_{\prime}}{4}$, 2003, by Harold F. Elam and Mark A. Gardner, managers of Ephemeral Resources, LLC, a Colorado limited liability company.

9-6-04 My commission expires Witness my hand and official seal.

Weather

EXHIBIT "A" BOOK 3326 PAGE 660

<u>Easement No. 1</u>: A Perpetual Multi-Purpose Easement situate in the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ ("E¹/₂ NE¹/₄ NW¹/₄") of Section 20, Township 1 South, Range 1 East of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows, to wit:

Commencing at the Southeast corner of the $E^{1/2}$ NE^{1/4} NW^{1/4} of said Section 20, and considering the North line of the $E^{1/2}$ NE^{1/4} NW^{1/4} of said Section 20 to bear N 90°00'00" E with all bearings contained herein being relative thereto; thence S 89°53'36" W along the South line of the $E^{1/2}$ NE^{1/4} NW^{1/4} of said Section 20 a distance of 30.00 feet to the <u>True Point of Beginning</u>;

thence S 89°53'36" W along the South line of the $E\frac{1}{2}$ NE¹/₄ NW ¹/₄ of said Section 20 a distance of 14.00 feet;

thence leaving the South line of the E½ NE¼ NW ¼ of said Section 20, N $00^{\circ}01'52"$ E a distance of 1246.82 feet;

thence N 44°59'21" W a distance of 19.40 feet;

thence S 90°00'00" W a distance of 601.11 feet, more or less, to a point on the West line of the $E^{1/2}$ NE^{1/4} NW ^{1/4} of said Section 20;

thence N 00°04'35" E along the West line of the E^{1/2} NE^{1/4} NW ^{1/4} of said Section 20 a distance of 14.00 feet;

thence leaving the West line of the E^{$\frac{1}{2}$} NE^{$\frac{1}{4}$} NW ^{$\frac{1}{4}$} of said Section 20, N 90°00'00" E a distance of 606.89 feet;

thence S 44°59'21" E a distance of 31.00 feet;

thence S 00°01'52" W a distance of 1252.59 feet to the Point of Beginning.

The above described Easement contains 26,304.66 square feet, more or less.

AND ALSO

Easement No. 2: A Perpetual Multi-Purpose Easement situate in the East ½ of the Southeast ¼ of the Northwest ¼ ("E½ SE¼ NW¼") of Section 20, Township 1 South, Range 1 East of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows, to wit:

The West 14.0 feet of the East 44.0 feet of the of the East $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ ("E¹/₂ SE¹/₄ NW¹/₄") of Section 20, Township 1 South, Range 1 East of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado.

The above described Easement contains 18,556.93 square feet, more or less.

AND ALSO

Easement No. 3: A Perpetual Multi-Purpose Easement situate in the East ½ of the Northeast ¼ of the Southwest ¼ ("E½ NE¼ SW¼") of Section 20, Township 1 South, Range 1 East of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows, to wit:

Commencing at the Center ¹/₄ Corner of said Section 20, and considering the North line of the Northeast ¹/₄ of the Northwest ¹/₄ ("NE¹/₄ NW¹/₄") of said Section 20 to bear N 90°00'00" E with all bearings contained herein being relative thereto; thence N 89°59'19" W along the North line of the E¹/₂ NE¹/₄ SW¹/₄ of said Section 20 a distance of 30.00 feet to the <u>True Point of Beginning</u>;

thence leaving the North line of the $E_{2}^{1/2}$ NE^{1/4} SW^{1/4} of said Section 20 and along a line which is parallel with the East line of the $E_{2}^{1/2}$ NE^{1/4} SW^{1/4} of said Section 20, S 00°00'25" W a distance of 569.62 feet to a point;

thence S 89°57'49" W a distance of 14.00 feet;

thence N $00^{\circ}00'25''$ E a distance of 569.63 feet, more or less, to a point on the North line of the E¹/₂ NE¹/₄ SW¹/₄ of said Section 20;

thence S $89^{\circ}59'19''$ E along the North line of the E¹/₂ NE¹/₄ SW¹/₄ of said Section 20 a distance of 14.00 feet to the Point of Beginning.

The above described Easement contains 7,974.75 square feet, more or less.