

FCO01NTH

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: **EASEMENT**

PURPOSE: PUBLIC UTILITIES

NAME OF PROPERTY OWNER OR GRANTOR: FRUITVALE CORNER LIMITED LIABILITY COMPANY, A WYOMING LIMITED LIABILITY COMPANY

STREET ADDRESS/PARCEL NAME/SUBDIVISION (LOT AND BLOCK): FLYNN SUBDIVISION, LOT 1, FRUITVALE CORNER, 29 ROAD I70 TO BUNTING AVENUE

PARCEL NO.: 2943-083-12-003

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 2001

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

Fruitvale Corner Limited Liability Company, a Wyoming limited liability company, Grantor, for and in consideration of the sum of Nine Thousand One Hundred Eighty-Eight and 88/100 Dollars (\$9,188.88), 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, a Perpetual Easement for the installation, operation, maintenance, repair and replacement of Public Utilities, on, along, over, under, through and across the following described parcel of land, to wit:

Commencing at the Southwest Corner of Lot 1 of Flynn Subdivision, situate in the Southwest ¼ of Section 8, Township 1 South, Range 1 East of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, as recorded in Plat Book 12 at Page 376 in the office of the Mesa County Clerk and Recorder, and considering the south line of the Southwest ¼ of said Section 8 to bear N 89°57'43" W with all bearings contained herein being relative thereto; thence N 00°03'46" W along the west boundary line of said Lot 1 a distance of 23.03 feet to the True Point of Beginning; thence N 00°03'46" W along the west boundary line of Lot 1 of said Flynn Subdivision a distance of 25.79 feet; thence leaving the west boundary line of said Lot 1, S 47°31'28" E a distance of 60.09 feet; thence S 89°59'23" E a distance of 55.72 feet to a point on the east boundary line of that certain tract of land described by instrument recorded in Book 2144 at Page 339 in the office of the Mesa County Clerk and Recorder, said tract of land being a portion of Lot 1 of said Flynn Subdivision; thence S 00°03'46" E along the east boundary line of said tract of land a distance of 6.00 feet; thence leaving the east boundary line of said tract of land, N 89°59'23" W a distance of 77.32 feet; thence N 47°31'28" W a distance of 30.78 feet to the Point of Beginning, containing 1,262.44 square feet as described herein and depicted on **Exhibit "A"** attached hereto and incorporated herein by reference.

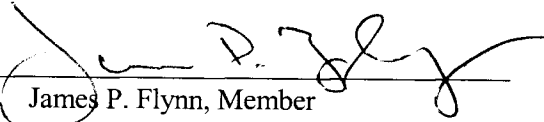
TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns forever, together with the right of ingress and egress for workers and equipment to survey, maintain, operate, repair, replace, control and use said Easement, and to remove objects interfering therewith, including the trimming of trees and bushes as may be required to permit the operation of standard 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 installation, construction or placement of any improvements, structures or fixtures thereon 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 easement herein granted shall be performed with due care using commonly accepted standards and techniques.
3. Grantor hereby covenants with Grantee that it has good title to the aforescribed premises; that it has good and lawful right to grant this Easement; 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 6th day of June, 2001.

Fruitvale Corner Limited Liability Company,
a Wyoming limited liability company

By:

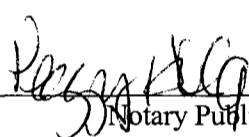

James P. Flynn, Member

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 6TH day of June, 2001,
by James P. Flynn, Member of Fruitvale Corner Limited Liability Company, a Wyoming limited liability
company.

My commission expires: 3.3.05

Witness my hand and official seal.



Notary Public

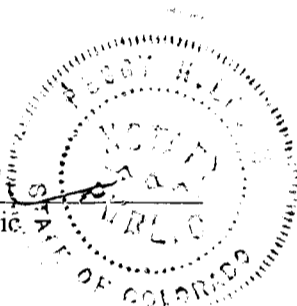


EXHIBIT "A"

LOT 2

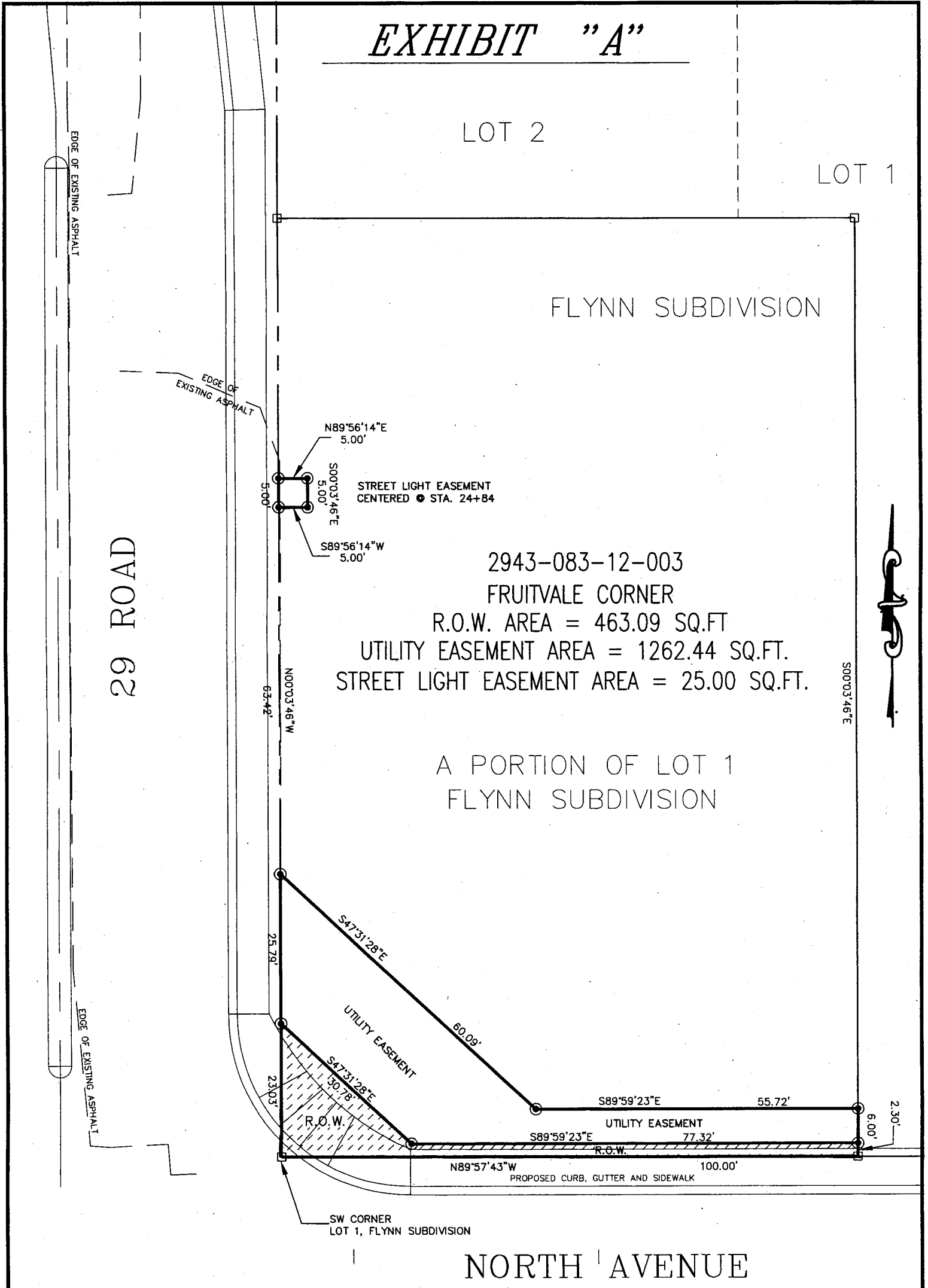
LOT 1

FLYNN SUBDIVISION

29 ROAD

2943-083-12-003
 FRUITVALE CORNER
 R.O.W. AREA = 463.09 SQ.FT
 UTILITY EASEMENT AREA = 1262.44 SQ.FT.
 STREET LIGHT EASEMENT AREA = 25.00 SQ.FT.

A PORTION OF LOT 1
 FLYNN SUBDIVISION



NORTH AVENUE

DRAWN BY: SRP
 DATE: 2-6-2001
 SCALE: 1" = 20'
 APPR. BY: TW
 FILE NO: 29ROAD9.DWG

RIGHT-OF-WAY DESCRIPTION MAP

29 ROAD - 170B TO BUNTING AVENUE

DEPARTMENT OF PUBLIC WORKS
 ENGINEERING DIVISION
CITY OF GRAND JUNCTION