

FER05RDM

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: **EASEMENT (WATERLINE EASEMENT)**

NAME OF CONTRACTOR: ROBERT J AND DANELLA D FERGUSON

PURPOSE: A PERPETUAL EASEMENT FOR THE
INSTALLATION, OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT
OF WATER PIPELINE.

SUBJECT/PROJECT: 7386 REEDER MESA ROAD

TAX PARCEL #: 2969-231-00-174

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 2005

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

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

2236693 BK 3829 PG 306-308
02/02/2005 03:12 PM
Janice Ward CLK&REC Mesa County, CO
RecFee \$15.00 SurChs \$1.00
DocFee EXEMPT

GRANT OF EASEMENT

Robert J. Ferguson and Danella D. Ferguson, 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 parcel of land lying in the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of 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:

COMMENCING at the Southeast corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 23, and assuming the East line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 23 bears N 00° 42' 41" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00° 42' 41" E along the East line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 23, a distance of 10.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 88° 46' 05" W, a distance of 1318.77 feet to a point on the West line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 23, thence N 00° 44' 58" E along the West line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 23, a distance of 20.00 feet; thence S 88° 46' 05" E a distance of 1318.76 feet to a point on the East line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 23; thence S 00° 42' 41" W along the East line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 23, a distance of 20.00 feet, more or less, to the Point of Beginning.

CONTAINS 0.61 Acres (26,375.0 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 25th day of January, 2005.

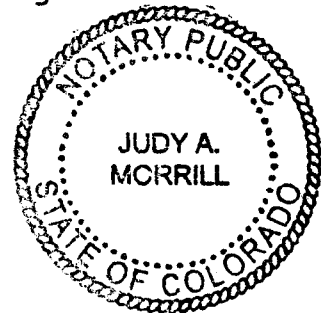
Robert J. Ferguson
Robert J. Ferguson

Danella D. Ferguson
Danella D. Ferguson

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 25 day of January, 2005, by Robert J. Ferguson and Danella D. Ferguson.

My commission expires: 8-16-2006
Witness my hand and official seal.



Judy A. Morrill
Notary Public

NW COR
NW1/4NE1/4

EXHIBIT "A"

NE COR
NW1/4NE1/4

2969-231-00-174
ROBERT J & DANELLA D FERGUSON
7386 REEDER MESA ROAD
WHITEWATER, CO 81527

NW1/4NE1/4 S 23
T2S R2E UTE MERIDIAN

BOOK 2423 PG 506

WATERLINE EASEMENT
AREA = 26,375 +/- SQ FT*

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

WEST LN NW1/4NE1/4

BASIS OF BEARINGS N00°42'41"E
EAST LN NW1/4NE1/4

N00°42'41"E, 10.0'

L1

20.0'

L2

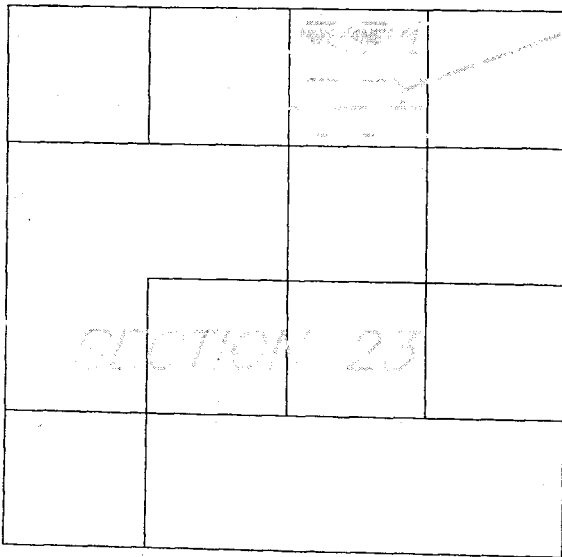
L3

POB

SOUTH LN NW1/4NE1/4

SW COR
NW1/4NE1/4

POC
SE COR
NW1/4NE1/4



LINE TABLE		
LINE	LENGTH	BEARING
L1	20.00	N00°44'58"E
L2	1318.76	S88°46'05"E
L3	20.00	S00°42'41"W
L4	1318.77	N88°46'05"W

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: 11/17/2004
SCALE: NTS
APPR. BY: PK

REEDER MESA AREA
WATERLINE EASEMENT
2969-231-00-174

Grand Junction
COLORADO