

FHA0030R

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: **EASEMENT (MULTI-PURPOSE)**

PURPOSE: PUBLIC UTILITIES

NAME OF PROPERTY OWNER OR GRANTOR: FAIRCLOUD HOMEOWNER'S ASSOCIATION, A COLORADO NON-PROFIT CORPORATION

STREET ADDRESS/PARCEL NAME/SUBDIVISION (LOT AND BLOCK): NE CORNER OF FAIRCLOUD SUBDIVISION FILING NO. 1, 30 AND F ½ ROAD, GRAND JUNCTION

PARCEL NO.: #1 2943-042-00-035
#2 2943-042-58-004
#3 2943-042-58-005

CITY DEPARTMENT: COMMUNITY DEVELOPMENT

YEAR: 2000

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

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GRANT OF MULTI-PURPOSE EASEMENT

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THE FAIRCLOUD HOMEOWNER'S ASSOCIATION, a Colorado non-profit corporation, 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 perpetual easements for the installation, operation, maintenance, repair and replacement of utilities and appurtenances related thereto, including, but not limited to, electric lines, cable television lines, natural gas pipelines, sanitary sewer lines, water lines, telephone lines, storm drainage facilities, and also for the installation, operation, maintenance, repair and replacement of traffic control facilities, street lighting and grade structures, on, along, over, under, through and across the following described parcels of land, 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, subject to the terms and conditions contained herein.

1. Grantor shall have the right to use and occupy the real property burdened by these Easements 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 areas 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 public utilities and facilities situate therein, or which might act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement areas.

2. Grantor hereby covenants with Grantee that it has good title to the aforescribed 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 25th day of February, 2000.

Attest:

Faircloud Homeowner's Association,
a Colorado non-profit corporation

Bret D. Seligman
Secretary

Stanley L. Seligman
President

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 25th day of February, 2000, by Stanley L. Seligman as President and attested to by Bret D. Seligman as Secretary of Faircloud Homeowner's Association, a Colorado non-profit corporation.

My commission expires 2-23-2001.
Witness my hand and official seal.

Darlene Stetter
Notary Public

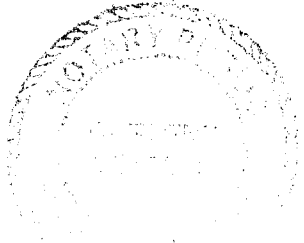


Exhibit "A"

Three (3) Perpetual Multi-Purpose Easements being a part of Faircloud Subdivision Filing No. 1, situate in the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 4, 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 16 at Pages 292 and 293 in the office of the Mesa County Clerk and Recorder, said Easements being more particularly described as follows, to wit:

Easement Parcel No. 1:

Beginning at the Northernmost corner of Tract A of said Faircloud Subdivision Filing No. 1; thence along the easterly boundary line of said Tract A, 19.86 feet along the arc of a curve concave to the Northeast, having a radius of 88.00 feet, a central angle of $12^{\circ}55'54''$, and a long chord bearing $S 46^{\circ}41'30'' E$ a distance of 19.82 feet to a point on the southeasterly boundary line of said Tract A; thence $S 41^{\circ}57'50'' W$ along the southeasterly boundary line of said Tract A a distance of 14.05 feet; thence leaving the southeasterly boundary line of said Tract A, 21.77 feet along the arc of a curve concave to the Northeast, having a radius of 102.00 feet, a central angle of $12^{\circ}13'43''$, and a long chord bearing $N 46^{\circ}20'21'' W$ a distance of 21.73 feet to a point on the northwesterly boundary line of said Tract A; thence $N 49^{\circ}46'34'' E$ along the northwesterly boundary line of said Tract A a distance of 14.00 feet to the Point of Beginning; and also

Easement Parcel No. 2:

Commencing at the Southeast Corner of Tract B of said Faircloud Subdivision Filing No. 1; thence $S 89^{\circ}58'00'' W$ along the south boundary line of said Tract B a distance of 177.25 feet to the Southwest Corner of said Tract B, said point being the True Point of Beginning; thence along the westerly boundary line of said Tract B, 28.19 feet along the arc of a curve concave to the Southwest, having a radius of 38.00 feet, a central angle of $42^{\circ}30'14''$, and a long chord bearing $N 24^{\circ}52'07'' W$ a distance of 27.55 feet to a point which is an angle point on the boundary line of said Tract B; thence $N 89^{\circ}58'00'' E$ along the boundary line of said Tract B a distance of 17.86 feet; thence leaving the boundary line of said Tract B, 26.45 feet along the arc of a curve concave to the Southwest, having a radius of 52.00 feet, a central angle of $29^{\circ}08'37''$, and a long chord bearing $S 17^{\circ}13'30'' E$ a distance of 26.17 feet to a point on the south boundary line of said Tract B; thence $S 89^{\circ}58'00'' W$ along the south boundary line of said Tract B a distance of 14.02 feet to the Point of Beginning;

Easement Parcel No. 3:

Beginning at a point on the southerly boundary line of Tract B of said Faircloud Subdivision Filing No. 1 from whence the Southwest Corner of Tract C of said Subdivision bears $N 00^{\circ}02'00'' W$ a distance of 73.71 feet; thence along the southerly boundary line of said Tract B, 10.12 feet along the arc of a curve concave to the Southwest, having a radius of 38.00 feet, a central angle of $15^{\circ}15'26''$, and a long chord bearing $N 82^{\circ}24'49'' W$ a distance of 10.09 feet to a point which is an angle point on the boundary line of said Tract B; thence $N 00^{\circ}02'00'' W$ along the boundary line of said Tract B a distance of 14.00 feet; thence leaving the boundary line of said Tract B, 10.06 feet along the arc of a curve concave to the Southwest, having a radius of 52.00 feet, a central angle of $11^{\circ}05'04''$, and a long chord bearing $S 84^{\circ}29'23'' E$ a distance of 10.05 feet to a point on the boundary line of said Tract B; thence $S 00^{\circ}02'00'' E$ along the boundary line of said Tract B a distance of 14.37 feet to the Point of Beginning.