

FRC0129R

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: **EASEMENT**

PURPOSE: PUBLIC UTILITIES (STREET LIGHT)

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

STREET ADDRESS/PARCEL NAME/SUBDIVISION (LOT AND BLOCK): LOT 1, FLYNN SUBDIVISION, 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

GRANT OF EASEMENT

Fruitvale Corner Limited Liability Company, a Wyoming limited liability company, Grantor, for and in consideration of the sum of Two Hundred Twenty-Five and 00/100 Dollars (\$225.00), 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 Street Light, on, along, over, under, through and across the following described parcel of land, to wit:

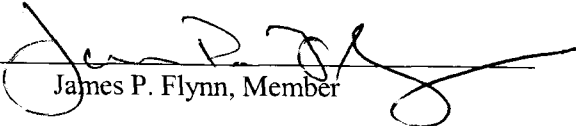
Commencing at the Southwest Corner of Lot 1 of Flynn Subdivision, situate in the Southwest ¼ of Section 8, Township 1 South, Range 1 East of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, as recorded in Plat Book 12 at Page 376 in the office of the Mesa County Clerk and 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 112.24 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 5.00 feet; thence leaving the west boundary line of said Lot 1, N 89°56'14" E a distance of 5.00 feet; thence S 00°03'46" E a distance of 5.00 feet; thence S 89°56'14" W a distance of 5.00 feet to the Point of Beginning, containing 25.00 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 6<sup>th</sup> day of June, 2001.

Fruitvale Corner Limited Liability Company,  
a Wyoming limited liability company

By:   
James P. Flynn, Member



**EXHIBIT "A"**

LOT 2

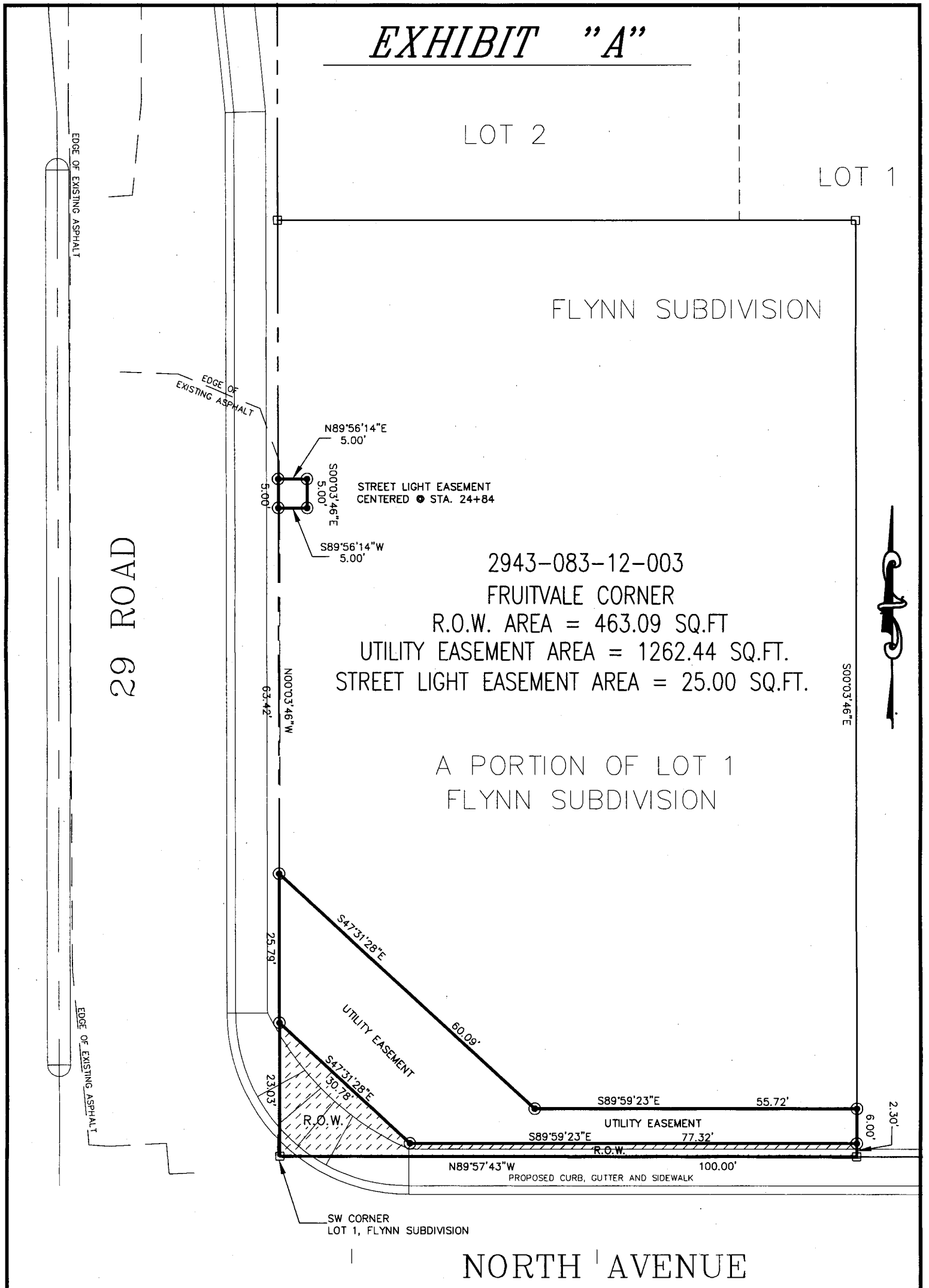
LOT 1

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**