

GAR09NTH

TYPE OF RECORD:	PERMANENT
CATEGORY OF RECORD:	EASEMENT (MULTI-PURPOSE)
NAME OF PROPERTY OWNER OR GRANTOR:	JOSE DE JESUS GARCIA AND MARIA DE JESUS GARCIA DBA TEQUILA'S RESTAURANT (PATIO)
PURPOSE:	MULTI-PURPOSE EASEMENT
ADDRESS:	2560 NORTH AVENUE
FILE#;	MSP-2009-040
TAX PARCEL NO.:	2945-124-00-024
CITY DEPARTMENT:	PUBLIC WORKS AND PLANNING
YEAR:	2009
EXPIRATION DATE:	NONE
DESTRUCTION DATE:	NONE

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PAGE DOCUMENT

## GRANT OF MULTI-PURPOSE EASEMENT

**Jose De Jesus Garcia and Maria De Jesus Garcia, as Joint Tenants, Grantors**, whose legal address is 977-3 Wenatchee Heights Road, Winatchee, Washington, 98801, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, have granted and conveyed, and by these presents do 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, a Perpetual Multi-Purpose Easement for the use and benefit of Grantee and for the use and benefit of the Public Utilities, as approved by Grantee, as a perpetual easement 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, storm sewers and storm water drainage facilities, irrigation and 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 parcel of land, to wit:

A fourteen-foot wide multi-purpose easement as described in **Exhibit "A"** and depicted on **Exhibit "B"**, 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 to enter upon said premises with 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. The interest conveyed is an Easement for the limited purposes and uses and upon the terms stated herein. Grantors reserve 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 substantially interfere with the full use and quiet enjoyment of the rights herein granted; provided, however, that Grantors hereby covenant with Grantee that the Easement 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. Nothing in this section shall be interpreted to prevent Grantors from installing landscaping features or similar improvements typically located in Easement areas.

2. Grantee agrees that Grantee's utilization of the Easement and the rights herein conveyed shall be performed with due care using industries best accepted standards and techniques.

3. Grantors hereby covenant with Grantee they have good title to the herein described premises; that they have good and lawful right to grant this Easement; that they 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 1<sup>st</sup> day of June, 2009.

  
\_\_\_\_\_  
Jose De Jesus Garcia


  
\_\_\_\_\_  
Maria De Jesus Garcia

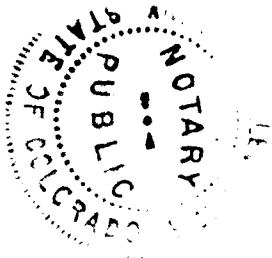
State of Colorado    )  
                                  )ss.  
County of Mesa        )

The foregoing instrument was acknowledged before me this 1<sup>st</sup> day of June, 2009 by Jose De Jesus Garcia and Maria De Jesus Garcia, as Joint Tenants.

My commission expires June 11, 2011.

Witness my hand and official seal.

  
\_\_\_\_\_  
Notary Public

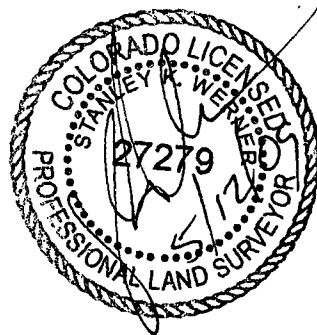


**EXHIBIT A**  
**14.00 Foot Wide Multipurpose Easement**

A parcel of land for a fourteen foot (14.00') wide multipurpose easement across that parcel described in Book 2582, Page 131, Mesa County records located in Section 12, Township 1 South, Range 1 West of the Ute Meridian, Grand Junction, Mesa County, Colorado:

Commencing at the Southeast corner of Section 12, Township 1 South, Range 1 West of the Ute Meridian, Grand Junction, Mesa County, Colorado, whence the Southwest corner of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  said Section 12 bears North 89 degrees 54 minutes 02 seconds West, a distance of 1325.22 feet, for a basis of bearings, with all bearings contained herein relative thereto; thence North 89 degrees 54 minutes 02 seconds West, a distance of 431.37 feet, along the South line of said SE $\frac{1}{4}$  SE $\frac{1}{4}$  said Section 12; thence North 00 degrees 00 minutes 02 seconds West, a distance of 50.00 feet to the POINT OF BEGINNING; thence North 00 degrees 00 minutes 02 seconds West, a distance of 14.00 feet; thence South 89 degrees 54 minutes 02 seconds East, a distance of 100.00 feet; thence South 00 degrees 00 minutes 02 seconds East, a distance of 14.00 feet; thence North 89 degrees 54 minutes 02 seconds West, a distance of 100.00 feet to the POINT OF BEGINNING.

Said parcel having an area of 0.032 Acres, as described.



Tequilas ROW and Easements.doc/rsk  
Prepared by:  
Stanley K. Werner, PLS 27279  
High Desert Surveying, LLC  
1673 Highway 50 Unit C  
Grand Junction, Colorado 81501

# EXHIBIT B

W $\frac{1}{2}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  SECTION 12  
T1S, R1E, UTE MERIDIAN  
GRAND JUNCTION, MESA COUNTY, COLORADO

L & B, Inc and  
William B. & Adelle B. Lloyd  
Book 4708, Page 654  
2945-124-00-030




S89°54'02"E 100.00'

#5 Rebar No Cap  
Remonumented

20' Access Easement  
Book 869, Page 524

2" Aluminum Cap  
PLS 16835

## LEGEND

-  ALIQUOT SURVEY MARKER, AS NOTED
-  FOUND REBAR, AS NOTED
-  SET ALUMINUM CAP ON No. 5 REBAR, PLS 27279

Robert D. Lovelace  
Book 2981, Page 849  
2945-124-00-032

10' Utility Easement  
Book 977, Page 522



Red Cliff Pointe, LL  
Book 3679, Page 965  
2945-124-00-022



Robert D. Lovelace  
& Janet K. Lovelace  
Book 1222, Page 581  
2945-124-00-034

Jose De Jesus and  
Maria De Jesus Garcia  
2560 North Avenue  
Book 2582, Page 131  
2945-124-00-024

N00°00'02"W  
14.00'  
POINT OF BEGINNING

14' Multipurpose Easement  
S89°54'02"E 100.00'

S00°00'02"E  
14.00'

50' Right-of-Way  
Book 915, Page 778

0.032 Acres  
1400.00 sf

2" Aluminum Cap  
PLS 20677

10' Additional Right-of-Way

N89°54'02"W 100.00'

10'

40' Right-of-Way  
Book 764, Page 288

40' Right-of-Way  
Book 764, Page 288

40' Right-of-Way  
Book 764, Page 290

SW Corner  
SE $\frac{1}{4}$  SE $\frac{1}{4}$

South Line of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 12  
N89°54'02"W 1325.22'  
Basis of Bearings

North Avenue

40' Right-of-Way  
Book 223, Page 51

SE Corner  
Section 12,  
T1S, R1W, UM  
3 $\frac{1}{2}$ " Alum. Cap  
PLS 18480

50' Right-of-Way Book 764, Page 286

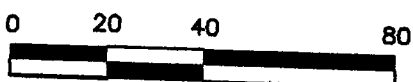
POINT OF COMMENCING

High Desert Surveying, LLC

1673 Highway 50 Unit C  
Grand Junction, Colorado 81503

Tele: 970-254-8649 Fax: 970-241-0451

SCALE: 1" = 40'



PROJ. NO. 09-01	SURVEYED	DRAWN	CHK'D	SHEET	OF
DATE: April, 2009	sg/tj	rsk	skw	1	1