

GBG02IDP

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: **EASEMENT**

PURPOSE: IRRIGATION FACILITIES

NAME OF PROPERTY OWNER OR GRANTOR: GARY J. GOTHBERG

STREET ADDRESS/PARCEL NAME/SUBDIVISION (LOT AND BLOCK): 244 INDEPENDENT
AVENUE, GRAND JUNCTION

PARCEL NO.: 2945-104-00-062

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 2002

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

Book 3038 Page 429

2044845 03/11/02 0854AM
MONIKA TODD CLK&REC MESA COUNTY CO
REC FEE \$10.00
DOCUMENTARY FEE \$EXEMPT

GRANT OF IRRIGATION EASEMENT

Gary J. Gothberg, Grantor, for and in consideration of the sum of One Hundred Seventy-One and 25/100 Dollars (\$171.25), 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 Irrigation Easement for the installation, operation, maintenance, repair and replacement of irrigation facilities and appurtenances related thereto, on, along, over, under, through and across the following described parcel of land, to wit:

A certain Perpetual Easement lying in the Northeast Quarter of the Southeast Quarter (NE¹/₄ SE¹/₄) of Section 10, Township 1 South, Range 1 West of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Southeast Corner of the Northeast Quarter of the Southeast Quarter (NE¹/₄ SE¹/₄) of said Section 10, and considering the South line of the NE¹/₄ SE¹/₄ of said Section 10 to bear N 89°56'21" W with all bearings contained herein being relative thereto; thence N89°56'21"W, along the said South line of the NE¹/₄ SE¹/₄, a distance of 544.00 feet; thence N 00°03'39" E a distance of 1.00 foot to the TRUE POINT OF BEGINNING; thence N89°56'21"W a distance of 68.50 feet; thence N 00°03'39" E a distance of 4.00 feet; thence S 89°56'21" E a distance of 68.50 feet; thence S 00°03'39" W a distance of 4.00 feet, more or less, to the POINT OF BEGINNING.

Containing 274.00 square feet (0.0063 Acres), more or less, as described herein and depicted on Exhibit "A" attached hereto and incorporated 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 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 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 structure or any other item or fixture which may be detrimental to the facilities of Grantee or which may act to impede or prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement area.
2. Grantee agrees that Grantee's utilization of the Easement and the rights herein conveyed shall be performed with due care using commonly accepted standards and techniques.
3. Grantor hereby covenants with Grantee that he has good title to the aforescribed premises; that he has good and lawful right to grant this Easement; that he 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 5 day of March, 2002.

Gary J. Gothberg

Gary J. Gothberg

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before this 5 March, 2002, by Gary J. Gothberg.

My commission expires: 4-21-04
Witness my hand and official seal.

Kathy Valdez

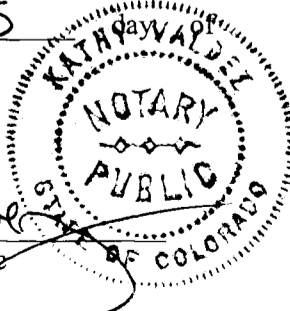
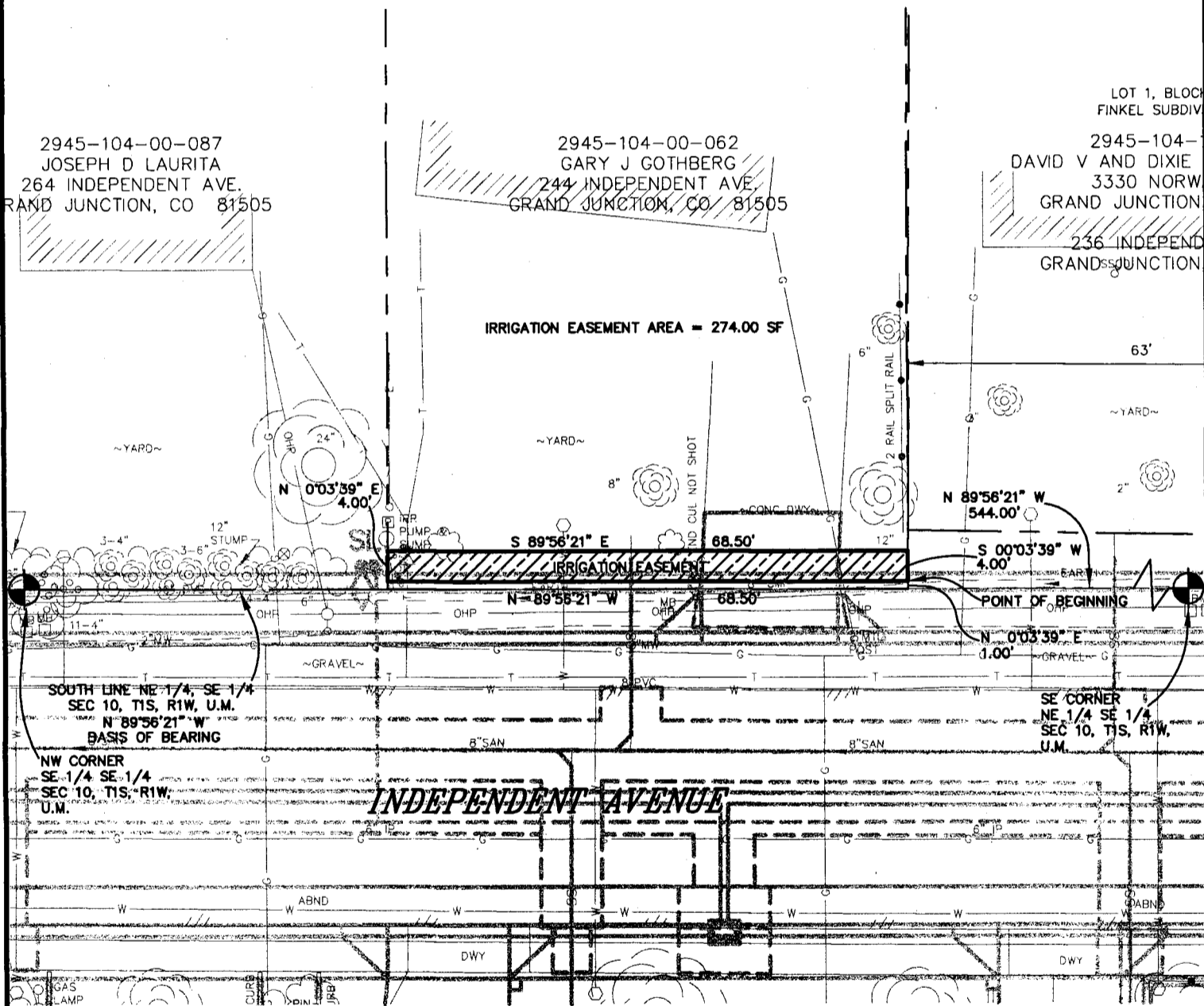
Notary Public


EXHIBIT "A"



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 means for establishing or verifying property boundary lines.

RECORDER NOTE: POOR QUALITY DOCUMENT PROVIDED FOR REPRODUCTION

DRAWN BY: JCS
 DATE: 10-10-2001
 SCALE: 1" = 20'
 APPR. BY: IW
 FILE NO. ROW.DWG

**INDEPENDENT AVENUE
 RIGHT-OF-WAY DESCRIPTION MAP**

**DEPARTMENT OF PUBLIC WORKS
 ENGINEERING DIVISION
 CITY OF GRAND JUNCTION**