

GEA96ELM

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: MICHAEL R. GEARY AND PHYLLIS

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: STREET
IMPROVEMENTS TO 880 ELM AVENUE LOT 12 ELM AVENUE
SUBDIVISION 2945-114-13-023

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1996

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

1760402 0242PM 06/12/96
MONIKA TICO CLK&REC MESA COUNTY CO
DOCUMENT FEE \$EXEMPT

GRANT OF EASEMENT

Michael R. Geary and Phyllis M. Geary, Grantors, for and in consideration of the installation, maintenance and repair of street improvements to Elm Avenue, the receipt and sufficiency of which is hereby acknowledged, hereby grant and convey to the City of Grand Junction, a Colorado home rule municipality, Grantee, whose legal address is 250 North 5th Street, Grand Junction, Colorado 81501, its successors and assigns forever, the herein described Perpetual Easements for the installation, operation, maintenance, repair and conveyance of two water meters and appurtenances, together with the right of ingress for workers and equipment, on, along, over, under, through and across the following described Parcel situated in the NW¹/₄ SE¹/₄ of Section 11, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, said Parcels being more particularly described by the following metes and bounds, to wit:

Beginning at the SW Corner of Lot 12, Elm Avenue Subdivision, thence N00°00'00"W a distance of 4.00 feet, thence S90°00'00"E a distance of 11.80 feet to the True Point of Beginning, thence N00°00'00"W a distance of 5.00 feet, thence S90°00'00"E a distance of 5.00 feet, thence S00°00'00"E a distance of 5.00 feet, thence N90°00'00"W a distance of 5.00 to the Point of Beginning.

And Also Beginning at the SW Corner of Lot 12, Elm Avenue Subdivision, thence N00°00'00"W a distance of 4.00 feet, thence S90°00'00"E a distance of 41.40 feet to the True Point of Beginning, thence N00°00'00"W a distance of 5.00 feet, thence S90°00'00"E a distance of 5.00 feet, thence S00°00'00"E a distance of 5.00 feet, thence N90°00'00"W a distance of 5.00 to the Point of Beginning.

The above described parcels of land each contain 25.00 square feet as described herein and depicted on the attached Exhibit "A".

TO HAVE AND TO HOLD the premises herein granted unto the Grantee, its successors and assigns forever, subject to the following terms, covenants, conditions and restrictions:

1. Grantee, as a condition of this grant, agrees that entry to the easement areas for the purposes herein described shall be conducted so as to cause minimum interference to the Grantors, their heirs, successors and assigns. Grantee further agrees that it shall correct any damage(s), both material as well as aesthetic, which may be caused by its entry as described herein.

2. Grantors shall have the right to continue to use the real property burdened by this Easement for any lawful purpose which will not interfere with Grantee's full use and enjoyment of the Grantee's rights herein granted; provided, however, Grantors hereby covenant with Grantee that the easement areas shall not be burdened or overburdened by the Grantors erecting or placing any improvements or structures thereon which might act to prevent reasonable ingress and egress on, along, over, under, through and across the easement area.

3. Grantors hereby covenant with Grantee that they have good title to the aforescribed 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 of all persons whomsoever.

Signed this 4th day of June, 1996.

Michael R. Geary
Michael R. Geary

Phyllis M. Geary
Phyllis M. Geary

State of Colorado)

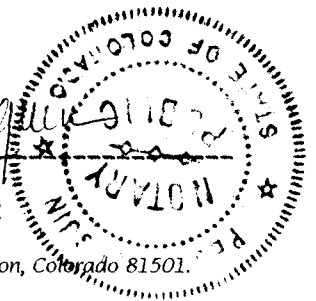
)ss.

County of Mesa)

The foregoing instrument was acknowledged before me this 4th day of June, 1996, by Michael R. Geary and Phyllis M. Geary.

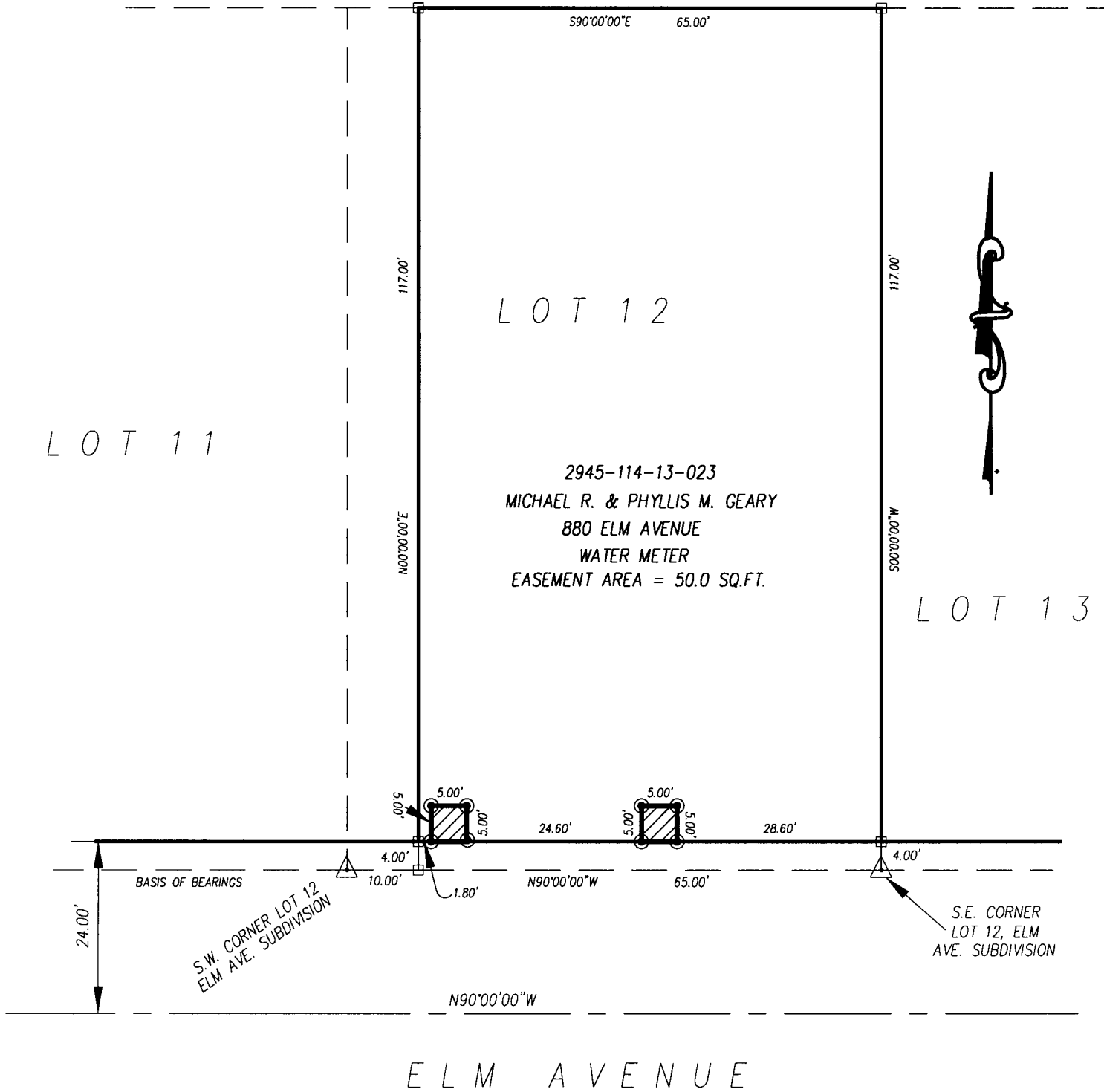
Witness my hand and official seal.

My commission expires 3-3-97

Peggy Holguin
Notary Public 

The foregoing legal description was prepared by P. Holguin, 250 North 5th Street, Grand Junction, Colorado 81501.

EXHIBIT "A"



DRAWN BY: SRP
DATE: 06-02-96
SCALE: 1" = 20'
APPR. BY:
FILE NO: ELM13023.DWG

EASEMENT DESCRIPTION MAP
ELM AVENUE - N. 7TH TO CANNELL

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
CITY OF GRAND JUNCTION