

GKM98265

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: GLENN A. MCCLELLAND AND KAREN L. MCCLELLAND

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: PARCEL NO.  
2701-264-00-012, SLOPE STABILITY FOR PARADISE HILLS BOULEVARD 838  
26 1/2 ROAD

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1998

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

**GRANT OF EASEMENT**

1850506 06/12/98 0325PM  
 MONIKA TODD CLK&REC MESA COUNTY CO  
 REC FEE \$20.00 SURCHG \$1.00  
 DOCUMENTARY FEE \$EXEMPT

Glenn A. McClelland and Karen L. McClelland, Grantors, for and in consideration of the sum of Two Hundred Thirty-Three and 95/100 Dollars (\$233.95), the receipt and sufficiency of which is hereby acknowledged, hereby sell, 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 Easement for the installation, operation, maintenance, repair, and replacement of materials providing slope stability for Paradise Hills Boulevard, together with the right of ingress and ingress for workers and equipment, on, along, over under, through and across the following described Parcel situated in the NW¼ SE¼ of Section 26, Township 1 North, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, said Easement being more particularly described by the following metes and bounds, to wit:

Commencing at the Center 1/4 corner of said Section 26, whence the Center-East 1/16 corner of said Section 26 bears N 89° 53'00" E a distance of 1319.78 feet, with all bearings contained herein being relative thereto;  
 thence N 89 ° 53'00" E along the north line of the NW 1/4 SE 1/4 of said Section 26 a distance of 558.00 feet to a point;  
 thence S 00° 03'01" W a distance of 77.17 feet to the True Point of Beginning of the parcel described herein;  
 thence S 00° 03'01" W a distance of 15.76 feet to a point;  
 thence N 59° 14'47" W a distance of 52.95 feet to a point;  
 thence N 24° 06'17" E a distance of 12.30 feet to a point;  
 thence 46.39 feet along the arc of a curve concave to the southwest, having a radius of 323.25 feet, a delta angle of 08° 13'19" and a chord bearing S 60 ° 53'53" E a distance of 46.35 feet to the point of beginning.

The above described parcel of land contains 668.43 square feet as described herein and depicted on the attached Exhibit "B".

**TO HAVE AND TO HOLD** the premises herein granted unto the Grantee, its successors and assigns forever, together with the right to enter upon said premises with workers and equipment, to survey, construct, maintain, operate, repair, replace, control and use said slope easement, together with facilities and appurtenances related thereto, and to remove objects interfering therewith, including the trimming of trees and bushes as may be required to permit the operation of maintenance equipment and workers, subject to the following terms, covenants, conditions and restrictions:

1. Grantee agrees that Grantee's use and occupancy of the easement shall be performed with due care, using commonly accepted standards and techniques.


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, that Grantors hereby covenants with Grantee that the easement area shall not be burdened or overburdened by the installation, construction, or placement of any structures or any other item or fixture which might act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the easement area.

3. Grantors hereby covenants 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 12<sup>th</sup> day of June, 1998.



Glenn A. McClelland



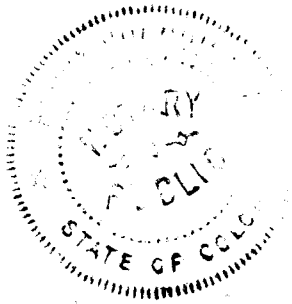
Karen L. McClelland

State of Colorado )  
 )ss.  
County of Mesa )

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of June, 1998, by Glenn A. McClelland and Karen L. McClelland.

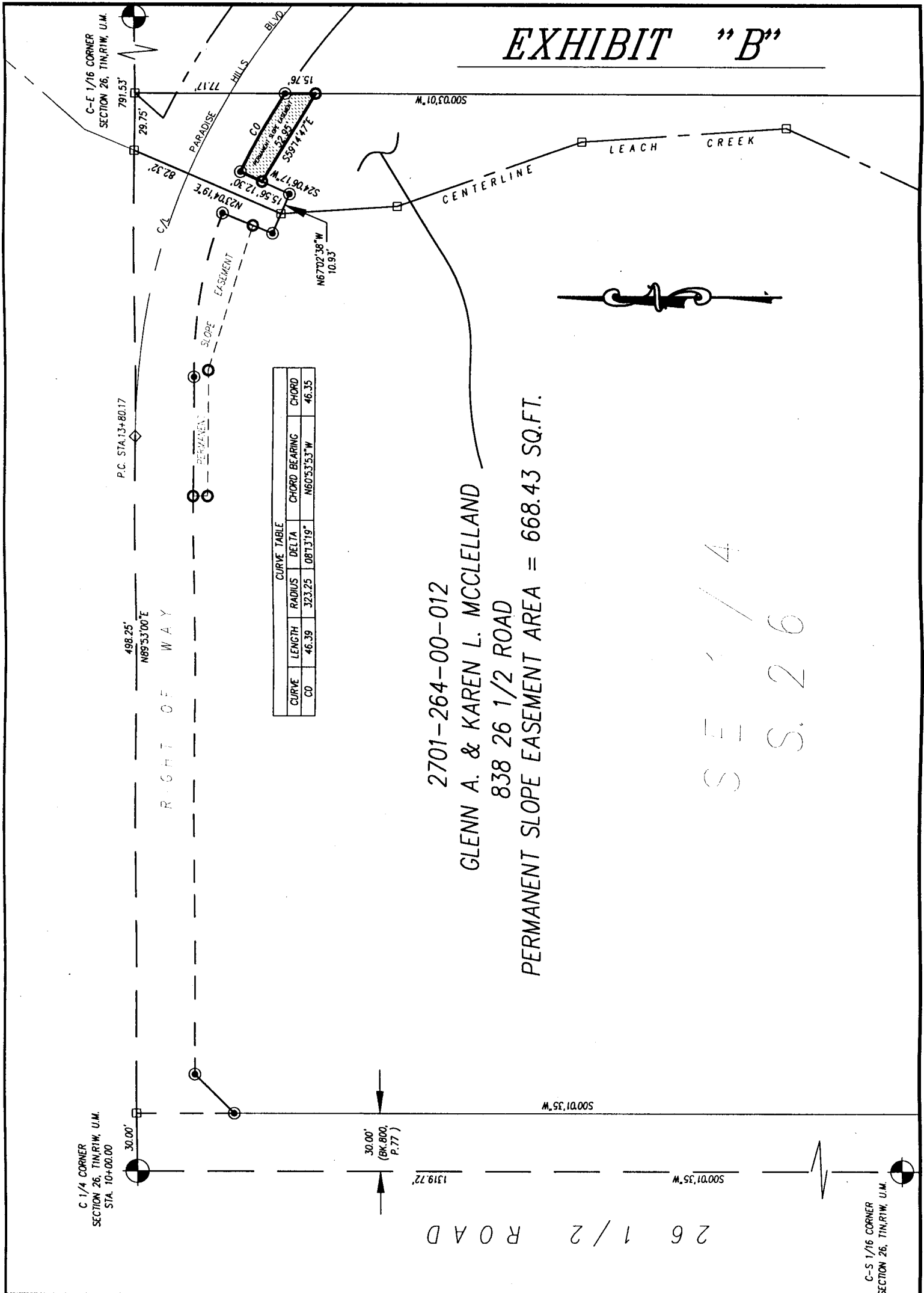
Witness my hand and official seal.

My commission expires 3 3 01



Joseph H. Rain  
Notary Public

# EXHIBIT "B"



S E 1 / 4  
S. 26

26 1 / 2 ROAD

DRAWN BY: SRP  
 DATE: 3-25-98  
 SCALE: 1" = 60'  
 APPR. BY: TW  
 FILE NO: PARADISEb2.DWG

**RIGHT-OF-WAY DESCRIPTION MAP**  
 PARADISE HILLS BLVD.

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