

HAL94SRS

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: JESS PAUL HALLER AND GEORGIA
LEE HALLER

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: WATER LINE
EASEMENT, 859 STRUTHERS AVE NO. 2945-234-00-010, 9TH AND
STRUTHERS AVE.

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1994

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

GRANT OF EASEMENT

WITNESSETH:

1694674 03:25 PM 09/08/94
MONIKA TODD CLK&REC MESA COUNTY CO

DOC EXEMPT

WHEREAS, the City plans to install an underground water line, for the health, safety and welfare of the inhabitants of the City of Grand Junction, hereinafter referred to as the "Project"; and

WHEREAS, in order to proceed with the Project, the City needs to obtain from Jess Paul Haller and Georgia L. Haller, a Perpetual Easement for the installation, operation, repair and maintenance of the Project;

NOW THEREFORE, Jess Paul Haller and Georgia L. Haller, Grantors, for and in consideration of the sum of \$3,300.00 (Three thousand three hundred dollars and 00/100ths), the receipt and sufficiency of which is hereby acknowledged, have given and granted and by these presents do hereby give and grant unto the City of Grand Junction, a Colorado home rule municipality, Grantee, its successors and assigns forever, the herein described parcel of land as a PERPETUAL EASEMENT for the installation, operation, maintenance and repair of an underground water line, together with the right of ingress and egress for workers and equipment, on, along, over, under, through and across that certain real property situate in the NW ¼ of the SE ¼ of Section 23, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, said easement being described as follows:

Beginning at the NW Corner of the SE ¼ of Section 23, Township 1 South, Range 1 West of the Ute Meridian; thence East along the North line of said SE ¼ a distance of 874.70 feet to the Northwest corner of a parcel of land described in Book 1768 Page 402 Mesa County Records; thence East along the North line of said parcel a distance of 410.99 feet to the True Point of Beginning;

Thence East along the North line of said SE ¼ a distance of 29.03 feet;
Thence S 42° 13' 12" W a distance of 251.49 feet;
Thence S 00° 48' 45" W a distance of 177.87 feet,
Thence S 89° 59' 50" W a distance of 14.00 feet,
Thence N 00° 48' 45" E a distance of 183.36 feet,
Thence N 42° 13' 12" E a distance of 211.11 feet;
Thence N 47° 46' 48" W a distance of 7.50 feet;
Thence N 42° 13' 12" E a distance of 26.15 feet to the True Point of Beginning.

Containing 6,219.38 sq. ft.

Exhibit "A" is attached hereto and made a part hereof.

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. Grantors reserve the right to use and occupy the easement area for any purpose not inconsistent with the Grantee's full enjoyment of the rights hereby granted; Grantee shall conduct its activities in a reasonable and prudent manner that will not unreasonably limit the joint use of the easement area by Grantors and Grantee.
2. Grantors hereby covenant with Grantee that the easement area shall not be burdened or overburdened by the Grantors erecting or placing any improvements thereon which might prevent reasonable ingress and egress to and from the easement area.

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3. Grantors further 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 defend the title and quiet possession thereof against the lawful claims of all persons whomsoever.

4. Grantee shall insure that all land surfaces within this easement which are disturbed from installation of said underground water line shall be returned as nearly as practicable to their original condition or better.

5. Facsimile signatures by both parties shall be binding as if original signatures.

Signed this 25th day of August, 1994.

Jess Paul Haller Georgia L. Haller
Jess Paul Haller Georgia L. Haller

STATE OF COLORADO)
)ss.
COUNTY OF Adams)

The foregoing instrument was acknowledged before me this 25th day of August, 1994, by Jess Paul Haller.

My commission expires 11/3/96
Witness my hand and official seal.

Edmund A. Bunn
Notary Public

STATE OF COLORADO)
)ss.
COUNTY OF ADAMS)

The foregoing instrument was acknowledged before me this 25th day of August, 1994, by Georgia L. Haller.

My commission expires 11/3/96
Witness my hand and official seal.

Edmund A. Bunn
Notary Public

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EXHIBIT "A"

NW COR.
SE1/4 SEC. 23
T.1S. R.1W.
UTE P.M.

EAST
874.70'

NW PROPERTY CORNER

POINT OF BEGINNING

EAST 29.03'

EAST
410.99

N42°13'12"E
26.15'

N47°46'48"W
7.50'

N42°13'12"E
211.11'

N00°48'45"E
183.36'

S42°13'12"W
251.49'

S00°48'45"W
177.87'

S89°59'50"W
14.00'

21.50'

14.00'

2945-234-00-010
859 STRUTHERS AVE.

JESS PAUL AND
GEORGIA L. HALLER
9700 EAST 160th. AVE.
BRIGHTON, COLORADO 80601
B-1768 P-402

AREA = 6,219.38 SQ. FT.

SCALE: 1"= 100'

HALLER.DWG

CITY OF GRAND JUNCTION ENGINEERING DEPARTMENT

PARCEL DESCRIPTION MAP
PARCEL NO. 2945-234-00-010

APPROVED _____
DATE _____

HALLER PROPERTY

8-3-94