

HAY08PAL

TYPE OF RECORD:	PERMANENT
CATEGORY OF RECORD:	EASEMENT
NAME OF PROPERTY OWNER OR GRANTOR:	JOSEPHINE AND GARY HAYDEN
PURPOSE:	DRAINAGE AND IRRIGATION EASEMENT
ADDRESS:	1935 PALISADE STREET
PARCEL #:	2945-261-16-004
CITY DEPARTMENT:	PUBLIC WORKS AND PLANNING
YEAR:	2008
EXPIRATION DATE:	NONE
DESTRUCTION DATE:	NONE

**GRANT OF DRAINAGE AND IRRIGATION EASEMENT**

**Josephine V. Hayden and Gary W. Hayden, Grantors**, for Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, 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 Easement for the installation, operation, maintenance, repair and replacement of drainage and irrigation facilities and appurtenances related thereto, on, along, over, under, through and across the following described parcel of land, to wit:

A certain strip of land for easement purposes located in the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section 26, Township One South, Range One West of the Ute Principal Meridian, County of Mesa, State of Colorado lying 10.00 feet on each side of the following described centerline:

Commencing at the Southeast corner of Lot 10 Block 21 of Orchard Mesa Heights Subdivision as same is recorded in Plat Book 1, Page 16, public records of Mesa County, Colorado with the East line of Block 21 of said Orchard Mesa Heights Subdivision assumed to bear N00°31'23"W with all other bearings contained herein being relative thereto; thence N89°28'37"E along the Easterly perjection of South line of said Lot 10, a distance of 15.00 feet to a point on the West Right of Way of Palisade Street, Per Book 503, Page 70 public records, Mesa County, Colorado; thence N00°31'23"W a distance of 65.28 feet along the said West Right of Way to the Point of Beginning; thence N54°25'45"W a distance of 14.25 feet; thence N48°38'28"W a distance of 39.44 feet to a point on the North line of Lot 7 Block 21 of said Orchard Mesa Heights Subdivision and the point of terminus.

The side lines of said strip to be shortened or lengthened to terminate at the North line of said Lot 7 and the West Right of Way of Palisade Street.


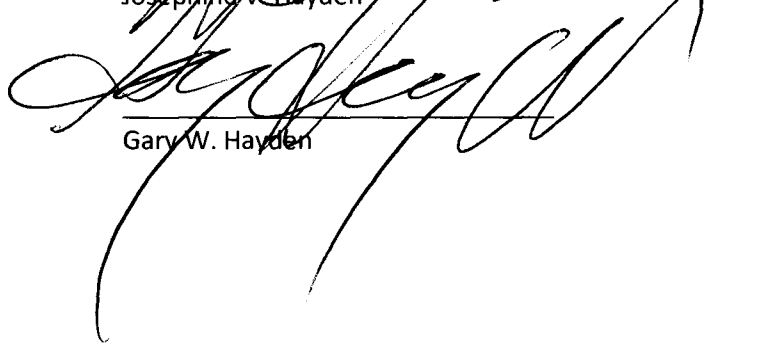
As described herein and depicted on **Exhibit "A"** attached hereto and incorporated herein by reference.

Said parcel contains 1,073.68 sq. ft., more or less, as described.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns forever, together with the right of perpetual ingress and egress for workers and equipment to survey, improve, 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. Grantors 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 the Grantors hereby covenant 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's utilization of the Easement and the rights herein conveyed shall be performed with due care using commonly accepted standards and techniques. Grantee shall repair, replace and restore, within a reasonable time and at Grantee's sole cost and expense, any and all damages to the Easement area or to Grantor's adjoining property which may be caused by Grantee's utilization of the Easement and the rights herein conveyed.
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 and demands of all persons whomsoever.

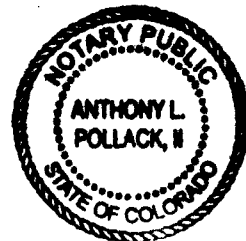
Executed and delivered this 26 day of March, 2008.

  
Josephine V. Hayden  
  
Gary W. Hayden

State of Colorado )  
                                  )ss.  
County of Mesa     )

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of March, 2008, by Josephine V. Hayden and Gary W. Hayden

My commission expires: 3-04-2012  
Witness my hand and official seal.



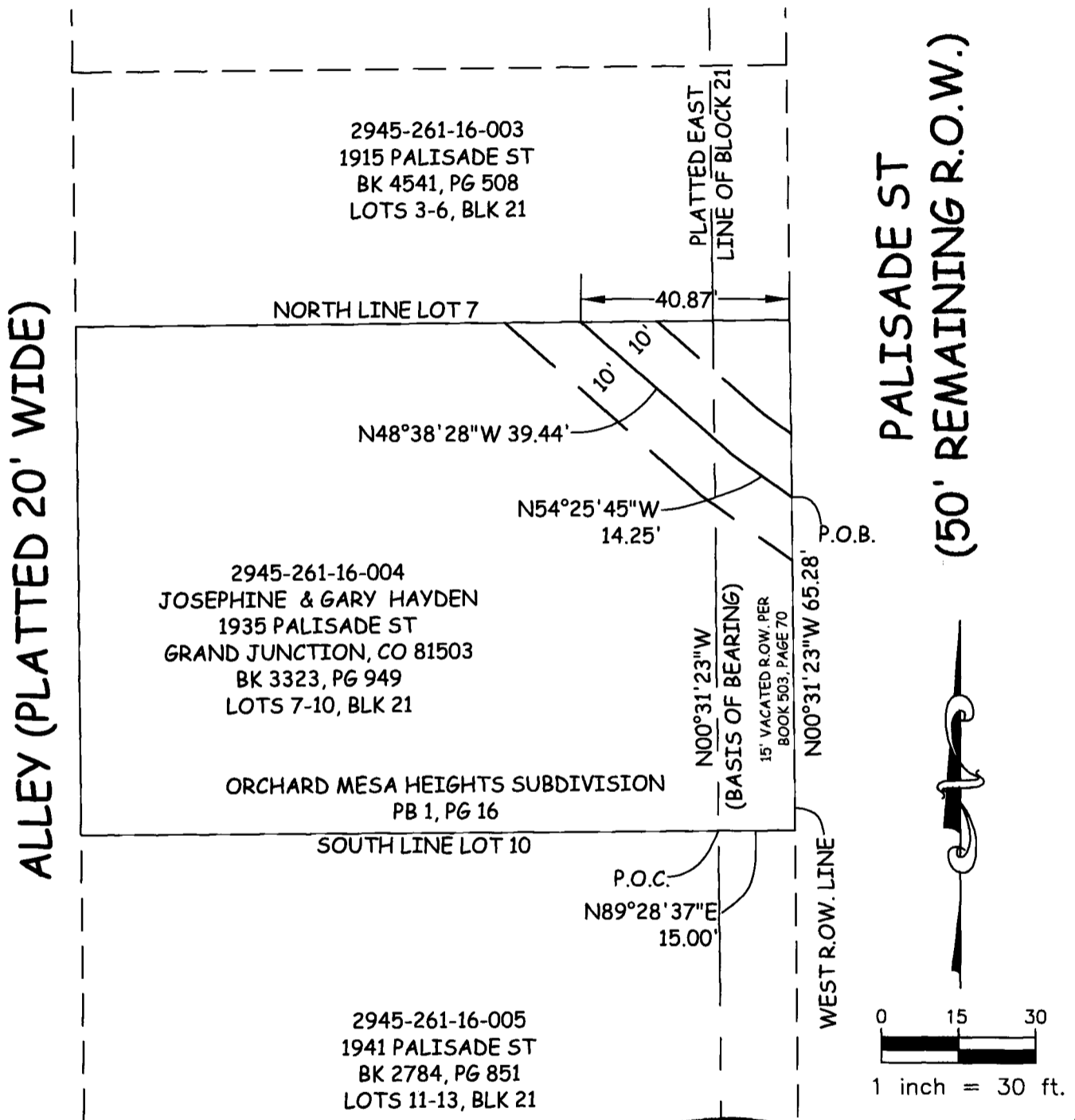
My Commission Expires 03/04/2012

  
Notary Public

# EXHIBIT "A"

## ABBREVIATIONS

P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT OF WAY
SEC.	SECTION
TWP.	TOWNSHIP
RGE.	RANGE
U.M.	UTE MERIDIAN



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 a means for establishing or verifying property boundary lines.

DRAWN BY: JKT  
 DATE: 03-25-08  
 SCALE: 1" = 30'  
 APPR. BY: PTK

JOSEPHINE & GARY HAYDEN

2945-261-16-004

CITY OF  
**Grand Junction**  
 COLORADO

