

HDM98UNA

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: HARRY L. MAIGATTER AND DONNA R. MAIGATTER

STREET ADDRESS/PARCEL NAME/SUBDIVISION: 2753 UNAWEEP AVENUE, UTILITY
EASEMENT, PARCEL NO. 2945-251-00-002

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1998

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

1831436 02/05/98 0429PM
MONIKA TODD CLK&REC MESA COUNTY CO
REC FEE \$15.00 SURCHG \$1.00
Doc Fee \$ Exempt

GRANT OF EASEMENT

Harry L. Maigatter and Donna R. Maigatter, Grantors, for and in consideration of the sum of Fifty and 00/100 Dollars (\$50.00), 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, whose address is 250 North 5th Street, Grand Junction, Colorado 81501, for the use of Grantee and for the use of the Public Utilities, a Public Utilities Easement on, along, over, under, through and across the following described parcel of land, to wit:

A parcel of land situate in the NW 1/4 NE 1/4 of Section 25, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North 1/4 corner of said Section 25; thence N 90°00'00" E along the north line of said Section 25 a distance of 231.00 feet to a point; thence leaving the north line of said Section 25 S 00°00'00" E a distance of 30.00 feet to the True Point of Beginning of the parcel described herein; thence S 00°00'00" E a distance of 10.00 feet to a point; thence S 90°00'00" W a distance of 5.00 feet to a point; thence N 00°00'00" W a distance of 10.00 feet to a point; thence N 90°00'00" E a distance of 5.00 feet to the point of beginning, containing 50.0 square feet as described herein and depicted on **Exhibit "A"** attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD unto the said Grantee, together with the right to enter upon said premises, to survey, maintain, operate, repair, replace, control and use said Utilities Easement, subject to the terms and conditions contained herein.

1. Grantors reserve the right to use and occupy the aforescribed easements for any lawful purpose which is not inconsistent with the rights herein granted; provided, however, that Grantors hereby covenant with Grantee that the easement area 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 for workers and equipment on, along, over, under, through and across the easement areas.
2. Grantee agrees that the work and act of installing, maintaining and repairing utilities and related appurtenances and facilities shall be performed with due care using commonly accepted standards and techniques, taking precautions for the protection of persons and property; all damages to persons or property resulting from the failure to exercise due care, or other higher standard of care as may be applicable, shall be paid for and repaired at the expense of Grantee.

3. Grantors hereby covenant with Grantee that they have good title to the aforescribed premises; that they have good and lawful right to grant the 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 23 day of January, 1998.

Harry L. Maigatter
Harry L. Maigatter

Donna R. Maigatter
Donna R. Maigatter

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 23 day of January, 1998, by Harry L. Maigatter and Donna R. Maigatter.

My commission expires: 6-7-1999
Witness my hand and official seal.

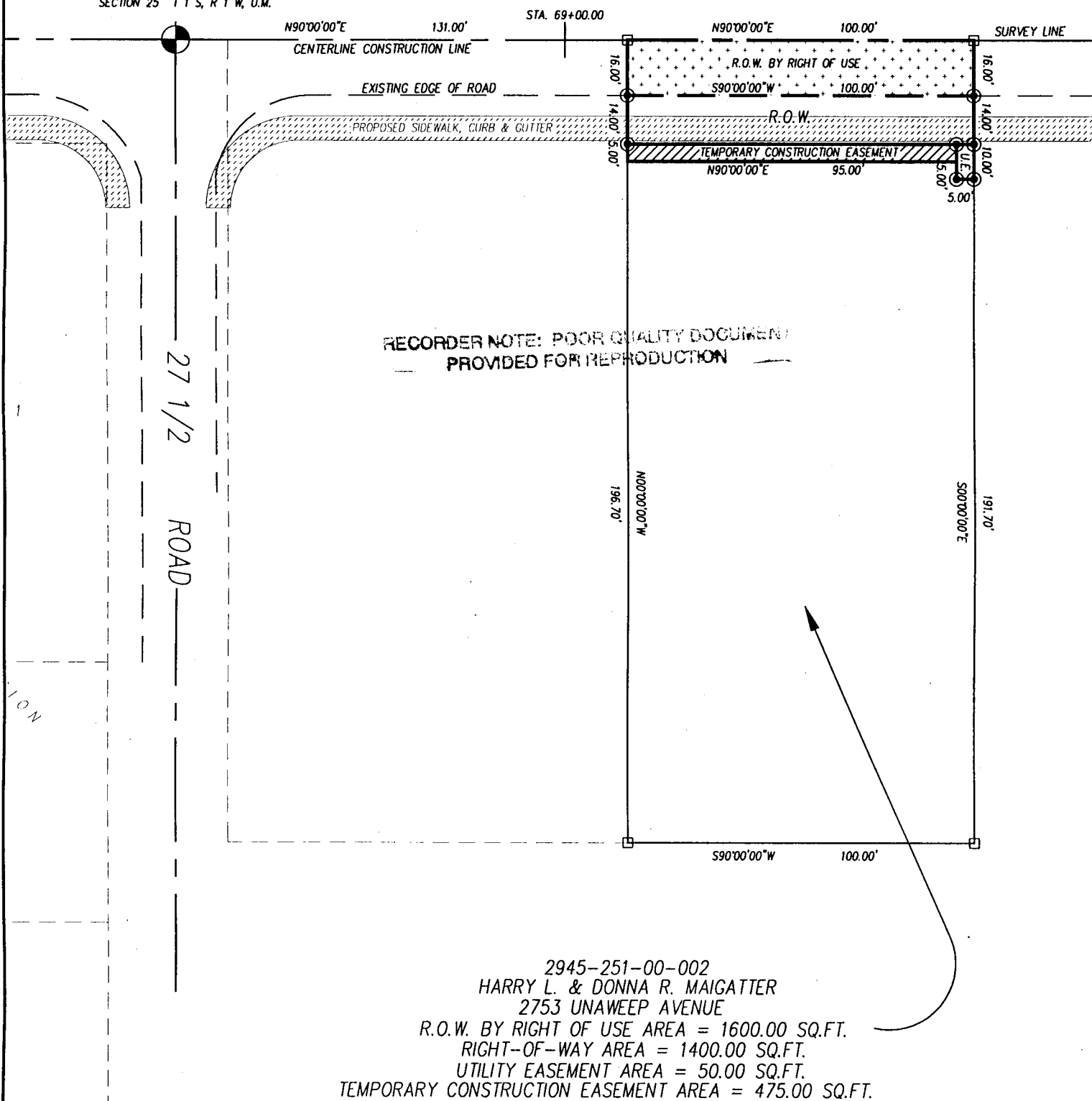
Matthew S. Miller
Notary Public

EXHIBIT "A"



UNAWEEP (C ROAD)

N 1/4 CORNER
SECTION 25 T 1 S, R 1 W, U.M.



RECORDER NOTE: POOR QUALITY DOCUMENT
PROVIDED FOR REPRODUCTION

2945-251-00-002
 HARRY L. & DONNA R. MAIGATTER
 2753 UNAWEEP AVENUE
 R.O.W. BY RIGHT OF USE AREA = 1600.00 SQ.FT.
 RIGHT-OF-WAY AREA = 1400.00 SQ.FT.
 UTILITY EASEMENT AREA = 50.00 SQ.FT.
 TEMPORARY CONSTRUCTION EASEMENT AREA = 475.00 SQ.FT.

DRAWN BY: SRP
 DATE: 01-21-98
 SCALE: 1" = 40'
 APPR. BY: IW
 FILE NO: WEEP89.DWG

EASEMENT DESCRIPTION MAP

UNAWEEP (201)

DEPARTMENT OF PUBLIC WORKS
 ENGINEERING DIVISION
 CITY OF GRAND JUNCTION