

HLR94STR

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: JESS PAUL HALLER AND GEORGIA L.
HALLER

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: PERPETUAL
STORM SEWER EASEMENT AND WATER LINE EASEMENT 859 STRUTHERS
AVENUE 2945-234-00-010

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1994

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

WITNESSETH:

1694673 03:25 PM 09/08/94
MONIKA TODD CLK&REC MESA COUNTY CO
DOC EXEMPT

WHEREAS, the City plans to install an underground storm sewer 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 Storm Sewer 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 \$3,155.00 (Three thousand one hundred fifty-five 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 storm sewer 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 $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 23, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, said easement being 7.00 feet on each side of the following described centerline:

Beginning at the NW Corner of the SE $\frac{1}{4}$ of Section 23, Township 1 South, Range 1 West of the Ute Meridian; thence East a distance of 874.70 feet along the North line of said SE $\frac{1}{4}$ 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 415.39 feet to the True Point of Beginning;

Thence S 42° 13' 12" W a distance of 235.42 feet;

Thence S 00° 48' 45"W a distance of 189.87 to the South boundary of said parcel and Point of Terminus; the side lines of said strip to be shortened or lengthened to terminate at the South property line of the above-mentioned parcel.

Containing 5,952.74 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 storm sewer shall be returned as nearly as practicable to their original condition or better.

5. Facsimilie 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 1/13/96
Witness my hand and official seal.

Edward A. B...
Notary Public

STATE OF COLORADO)
)ss.
COUNTY OF ADAMS)

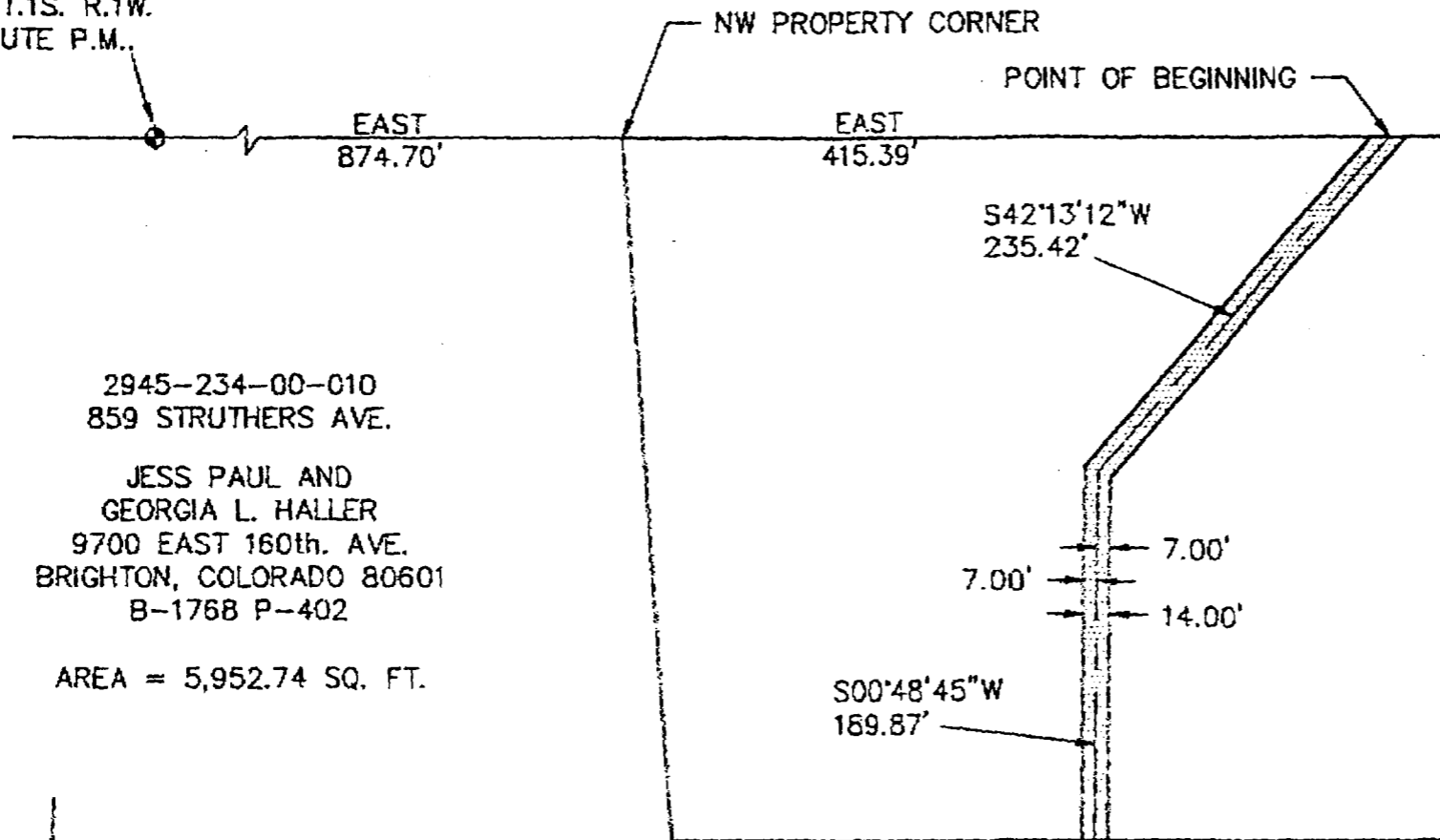
The foregoing instrument was acknowledged before me this 25th day of August, 1994, by Georgia L. Haller.

My commission expires 1/13/96
Witness my hand and official seal.

Edward A. B...
Notary Public

EXHIBIT "A"

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



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 = 5,952.74 SQ. FT.

SCALE: 1" = 100'

HALLER.DWG

PARCEL DESCRIPTION MAP
PARCEL NO. 2945-234-00-010
APPROVED _____
DATE 6-3-04

CITY OF GRAND JUNCTION ENGINEERING DEPARTMENT

HALLER PROPERTY

