

HOW72275

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: MARION L. HOWARD AND EUNETA F.
HOWARD

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: 601 27 1/2
ROAD SS 28-27

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1972

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

RIGHT-OF-WAY AGREEMENT

THAT MARION L. HOWARD and EUNETA F. HOWARD of the County of Mesa, State of Colorado, herein called Grantor, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant and convey to the City of Grand Junction, a municipal corporation existing under and by virtue of the laws of the State of Colorado, herein called Grantee, a right-of-way to locate, place, construct, operate, repair and maintain an underground sanitary sewer pipe line over, on across and under the following described lands, to wit:

A fifteen foot (15') wide easement five feet (5') on the North and ten feet (10') on the South of the following described centerline, said easement being located in the Southwest Quarter (SW1/4) of Section 1, Township 1 South, Range 1 West, U.M.;

Beginning at a point 396 feet West and 315 feet North of the South Quarter Corner (S1/4Cor.) of said Section 1; Thence South 89°11'00" East, 191 feet; Thence South 00°00'00" East, 175 feet to a point on the West right-of-way line of 27 1/2 Road, said point being the termination point of said easement. ALSO an additional ten foot (10') temporary construction easement on each side of the above described lands.

Said pipe line shall be placed underground and upon completion, the surface of the ground shall be returned as nearly as practicable to its original level. Grantor shall have the right to make any use of the above described property Grantor deems desirable so long as it in no way interferes with the construction, operation, repair and maintenance of said pipe line.

IN WITNESS WHEREOF the owner(s) has (have) hereunto set their hand seal this 10th day of March A.D., ~~1971~~ 1972

Marion L. Howard
Euneta F Howard

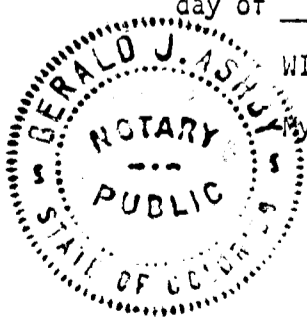
STATE OF COLORADO)
 : ss
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 10th day of March A.D., ~~1971~~ 1972

WITNESS my hand and official seal.

My commission expires: August 9, 1975

Gerald J. Ashby
Notary Public



December 20, 1971

3.2287

Mr. Gerald Ashby
City Attorney
City Hall
Grand Junction, Colorado 81501

Dear Mr. Ashby:

In accordance with your request I have examined the sewer line easement through the property of Marion L. Howard located at 601 27 1/2 Road. The purpose of the appraisal is to establish a fair value of the easement.

Description of the Easement:

Beginning at the SE corner of the SW 1/4 of Section 1, T 15 R 1W of the Ute Meridian, thence North 330 feet to point of beginning, thence West 396 feet thence South 15 feet, thence East 396 feet, thence North 15 feet, also an additional 10 feet construction easement on each side of the above described permanent easement.

In acquiring such an easement there is reserved to the owner of the fee land any and all rights to the use of the right of way that are not inconsistent with the construction, operation, maintenance and access to and from the property within the easement. There is not permitted any structure to be built on the right of way, nor can the condemnor make any unreasonable use of the right of way.

An easement being of lesser value than that of fee simple, it follows that the value of the easement must of necessity be less than the fee value.

In investigating sales of vacant land in the area, it is found that vacant lots are averaging from 10¢ to 12¢ per square foot; vacant land of 5 to 20 acres tracts are selling for an average of \$2,500 per acre or about 6¢ per square foot.

It is therefore my conclusion that the subject land should be valued at 8¢ per square foot.

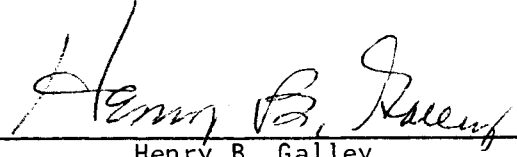
Permanent Easement:

5940 sq. ft. @ 8¢	\$475.00	
75% of Fee Value		\$356.00

Temporary Easement

7920 sq. ft. @ 8¢	633.00	
30% of fee value		<u>190.00</u>

Value of the Easements		\$546.00
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Henry B. Galley