

HRB9812T

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: HEMAN R. BULL AND U.S. BANK NATIONAL ASSOCIATION

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: 3150 N. 12<sup>TH</sup> STREET BONITA  
AND HORIZON PARCEL NO. 2945-013-00-008

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1998

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

1882694 01/07/99 1227PM  
MONIKA TODD CLK&REC MESA COUNTY CO  
REC FEE \$15.00 SURCHG \$1.00  
DOCUMENTARY FEE \$EXEMPT

GRANT OF EASEMENT

Heman R. Bull and U.S. Bank National Association (surviving entity to Colorado National Bank, successor by merger to Central Bank Grand Junction, N. A.) Trustee, Grantors, for and in consideration of the sum of Three Hundred Six and 25/100 Dollars (\$306.25), the receipt and sufficiency of which is hereby acknowledged, have sold, conveyed and granted and by these presents do hereby sell, convey 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 Perpetual Utilities Easements on, along, over, under, through and across the following described parcel of land, to wit:

Commencing at the Southwest Corner of the Southwest 1/4 of the Northwest 1/4 of the Southwest 1/4 (SW1/4 NW1/4 SW1/4) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the West line of the SW1/4 NW1/4 SW1/4 of said Section 1 to bear N 00°04'41" E with all bearings contained herein being relative thereto; thence N 00°04'41" E along the West line of said SW1/4 NW1/4 SW1/4 a distance of 65.92 feet; thence leaving the West line of said SW1/4 NW1/4 SW1/4, S 89°50'24" E a distance of 37.00 feet to the True Point of Beginning;

thence N 00°04'41" E a distance of 20.0 feet;

thence S 89°50'24" E a distance of 10.0 feet;

thence S 00°04'41" W a distance of 10.0 feet;

thence S 89°50'24" E a distance of 15.0 feet;

thence S 00°04'41" W a distance of 10.0 feet;

thence N 89°50'24" W a distance of 25.0 feet to the Point of Beginning,

containing 350.0 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, its successors and assigns forever, together with the right to enter upon said premises with workers and equipment, to survey, maintain, operate, repair, replace, control and use said Utilities Easements, 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 Grantors hereby covenant with Grantee that the easement areas shall not be burdened or overburdened by the Grantors erecting or placing any improvements, fixtures 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 area.

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.

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 30<sup>th</sup> day of DECEMBER, 1998.

[Signature]  
For U.S. Bank National Association (surviving entity to Colorado National Bank, successor by merger to Central Bank Grand Junction, N. A.) Trustee.

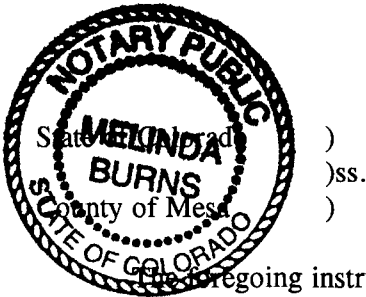
[Signature: Heman R. Bull]  
Heman R. Bull

State of Colorado )  
                  Denver )ss.  
County of ~~Mesa~~ )

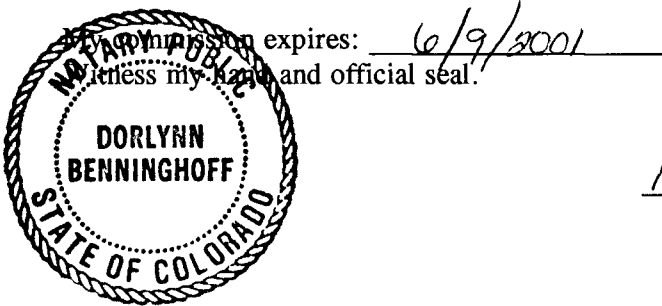
The foregoing instrument was acknowledged before me this 29<sup>th</sup> day of December, 1998, by Bradley J. Halrough as Assistant Vice President of U.S. Bank National Association (surviving entity to Colorado National Bank, successor by merger to Central Bank Grand Junction, N. A.) Trustee.

My commission expires: January 4, 2001  
Witness my hand and official seal.

[Signature: Melinda Burns]  
Notary Public



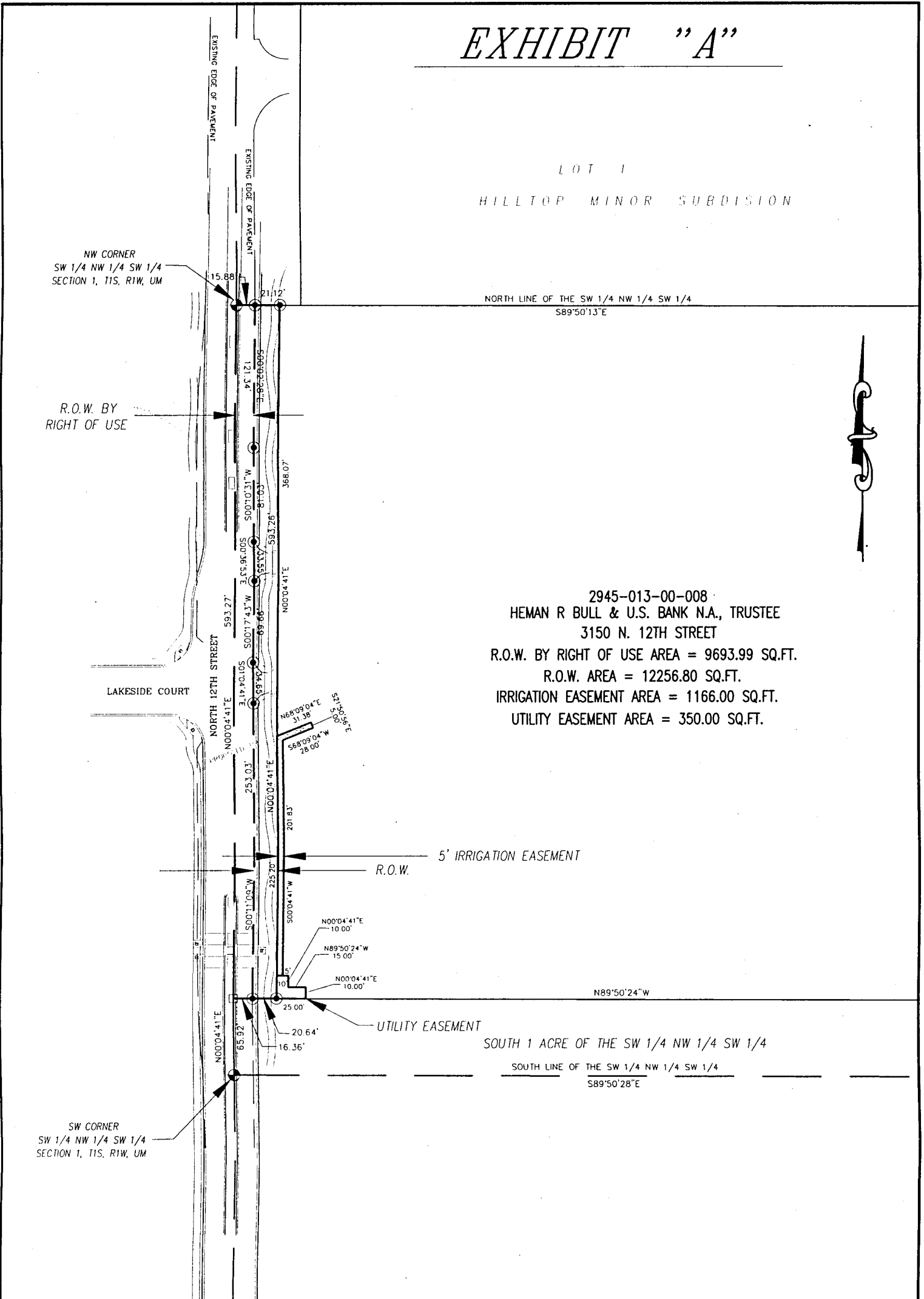
The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of December, 1998, by Heman R. Bull.



[Signature: Dorlynn Benninghoff]  
Notary Public

# EXHIBIT "A"

LOT 1  
HILLTOP MINOR SUBDIVISION



2945-013-00-008  
HEMAN R BULL & U.S. BANK N.A., TRUSTEE  
3150 N. 12TH STREET  
R.O.W. BY RIGHT OF USE AREA = 9693.99 SQ.FT.  
R.O.W. AREA = 12256.80 SQ.FT.  
IRRIGATION EASEMENT AREA = 1166.00 SQ.FT.  
UTILITY EASEMENT AREA = 350.00 SQ.FT.

DRAWN BY: SRP  
DATE: 12-16-98  
SCALE: 1" = 100'  
APPR. BY: TW  
FILE NO: 12TH12.DWG

RIGHT-OF-WAY DESCRIPTION MAP

12TH STREET - BONITA TO HORIZON

DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION  
CITY OF GRAND JUNCTION

