

JAC99PAR

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: JANS CORPORATION

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: 27 1/2 ROAD PATTERSON ROAD
TO G ROAD, PARCEL NO. 2945-013-00-016, PARCEL NO. 2945-013-00-018, PARCEL NO.
2945-013-00-020 RIGHT OF WAY, PUBLIC UTILITIES EASEMENT

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1999

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

GRANT OF PUBLIC UTILITIES EASEMENTS

Jans Corp., a Colorado corporation, Grantor, for and in consideration of the sum of Two Hundred Forty Eight and 63/100 Dollars (\$248.63), 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, for the use and benefit of Grantee and for the use and benefit of the Public Utilities, two (2) Perpetual Easements for the installation, operation, maintenance, repair and replacement of electric and telecommunications facilities, on, along, over, under, through and across the following described parcels of land, to wit:

Easement No. 1:

Commencing at the Northeast Corner of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ (SE $\frac{1}{4}$ SW $\frac{1}{4}$) 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 East line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 1 to bear N 00°02'19" E with all bearings contained herein being relative thereto; thence S 00°02'19" W along the East line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 1 a distance of 320.99 feet; thence leaving the East line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, N 89°57'41" W a distance of 30.00 feet to a point on the West right-of-way line for 27 $\frac{1}{2}$ Road, said point being the True Point of Beginning; thence S 00°02'19" W along the West right-of-way line for 27 $\frac{1}{2}$ Road a distance of 10.00 feet; thence leaving said right-of-way line, N 89°57'41" W a distance of 10.00 feet; thence N 00°02'19" E a distance of 10.00 feet; thence S 89°57'41" E a distance of 10.00 feet to the Point of Beginning, containing 100.00 square feet as described herein and depicted on **Exhibit "A"** attached hereto and incorporated herein by reference; and also

Easement No. 2:

Commencing at the Northeast Corner of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ (SE $\frac{1}{4}$ SW $\frac{1}{4}$) 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 East line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 1 to bear N 00°02'19" E with all bearings contained herein being relative thereto; thence N 89°48'27" W along the North line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 1 a distance of 30.00 feet to a point on the West right-of-way line for 27 $\frac{1}{2}$ Road, said point being the True Point of Beginning; thence S 00°02'19" W along the West right-of-way line for 27 $\frac{1}{2}$ Road a distance of 15.00 feet; thence leaving said right-of-way line, N 89°48'27" W a distance of 15.00 feet; thence N 00°02'19" E a distance of 15.00 feet to a point on the North line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 1; thence S 89°48'27" E along the North line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 1 a distance of 15.00 feet to the Point of Beginning, containing 225.00 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 of ingress and egress for workers and equipment to survey, maintain, operate, repair, replace, control and use said 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. Grantor shall have the right to use and occupy the real property burdened by these Easements 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 Grantor hereby covenants with Grantee that the Easement areas 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 the Public Utilities, 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 areas.
2. Grantee agrees that Grantees' utilization of the Easements shall be performed with due care using commonly accepted standards and techniques.
3. Grantor hereby covenants with Grantee that it has good title to the aforescribed premises; that it has good and lawful right to grant these Easements; that it 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 16th day of March, 1999.

Attest:

Jans Corp., a Colorado corporation

by: _____

Gerry Spomer
by: Gerry Spomer, President

State of Colorado)
)ss.
County of Mesa)



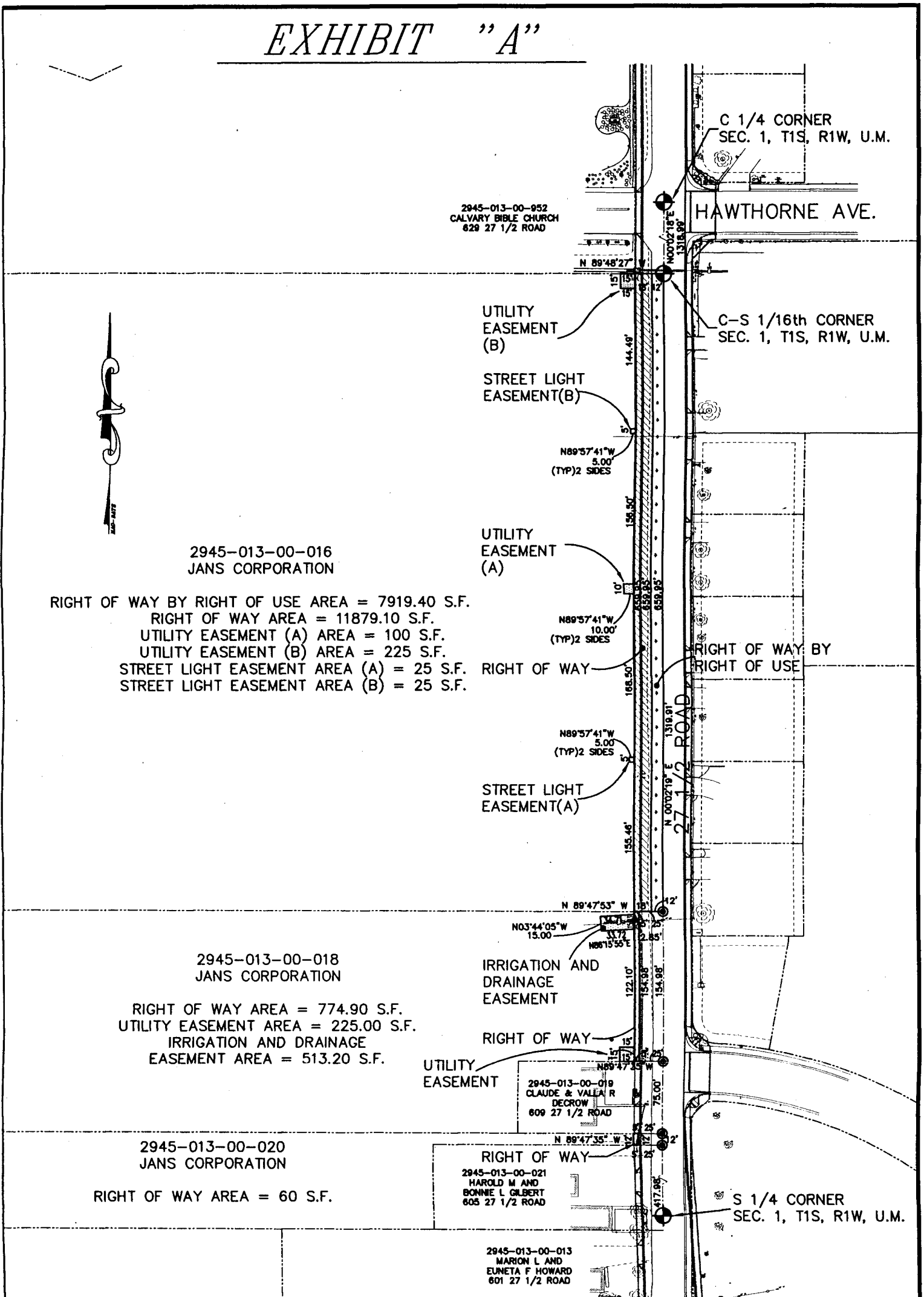
The foregoing instrument was acknowledged before me this 16 day of March, 1999, by Gerry Spomer as President and attested to by _____ as _____ of Jans Corp., a Colorado corporation.

My commission expires 8/21/2000.

Witness my hand and official seal.

Jenda Rusciolli
Notary Public

EXHIBIT "A"



2945-013-00-016
 JANS CORPORATION

RIGHT OF WAY BY RIGHT OF USE AREA = 7919.40 S.F.
 RIGHT OF WAY AREA = 11879.10 S.F.
 UTILITY EASEMENT (A) AREA = 100 S.F.
 UTILITY EASEMENT (B) AREA = 225 S.F.
 STREET LIGHT EASEMENT AREA (A) = 25 S.F.
 STREET LIGHT EASEMENT AREA (B) = 25 S.F.

2945-013-00-018
 JANS CORPORATION

RIGHT OF WAY AREA = 774.90 S.F.
 UTILITY EASEMENT AREA = 225.00 S.F.
 IRRIGATION AND DRAINAGE
 EASEMENT AREA = 513.20 S.F.

2945-013-00-020
 JANS CORPORATION

RIGHT OF WAY AREA = 60 S.F.

DRAWN BY: JCS
 DATE: 2-2-99
 SCALE: 1" = 120'
 APPR. BY: IW
 FILE NO: 01300018.DWG

RIGHT-OF-WAY DESCRIPTION MAP
 27 1/2 ROAD - PATTERSON ROAD TO G ROAD

DEPARTMENT OF PUBLIC WORKS
 ENGINEERING DIVISION
 CITY OF GRAND JUNCTION