

JAM971ST

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: JAMES L. MCEVOY AND ANDREE MCEVOY

STREET ADDRESS/PARCEL NAME/SUBDIVISION: 2112 NORTH 1ST STREET, UTILITY
EASEMENT, PARCEL NO. 2945-112-15-014

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1997

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

GRANT OF EASEMENT

1804840 0308PM 07/07/97
MONIKA TODD CLK&REC MESA COUNTY CO
DOCUMENT FEE \$EXEMPT

James L. McEvoy and Andree McEvoy, Grantors, for and in consideration of the sum of Forty Nine and 95/100 Dollars (\$49.95), the receipt and sufficiency of which is hereby acknowledged, have sold, granted and conveyed and by these presents do hereby sell, grant and convey 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 Easement on, along, over, under, through and across the following described parcels of land, to wit:

Commencing at the Northwest Corner of Lot 2 of Hillcrest Manor, a subdivision situate in the Northwest 1/4 of Section 11, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, as recorded in Plat Book 5 at Page 20 in the office of the Mesa County Clerk and Recorder;

thence S 90°00'00" E along the North boundary line of said Lot 2 a distance of 3.00 feet to the **True Point of Beginning**;

thence S 90°00'00" E along the North boundary line of said Lot 2 a distance of 5.00 feet;

thence leaving said North boundary line, S 00°00'00" E a distance of 5.00 feet;

thence N 90°00'00" W a distance of 5.00 feet to a point on the West boundary line of said Lot 2;

thence N 00°00'00" W along the West boundary line of said Lot 2 a distance of 5.00 feet to the Point of Beginning, containing 25.00 square feet as described herein and as 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, to survey, maintain, operate, repair, replace, control and use said Utilities Easement, 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 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 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 2nd day of June, 1997.

James L. McEvoy
James L. McEvoy

Andree McEvoy
Andree McEvoy

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 2nd day of June, 1997, by James L. McEvoy and Andree McEvoy.

My commission expires: 3.3.01
Witness my hand and official seal.

[Signature]
Notary Public

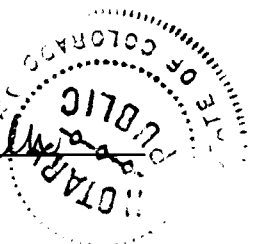
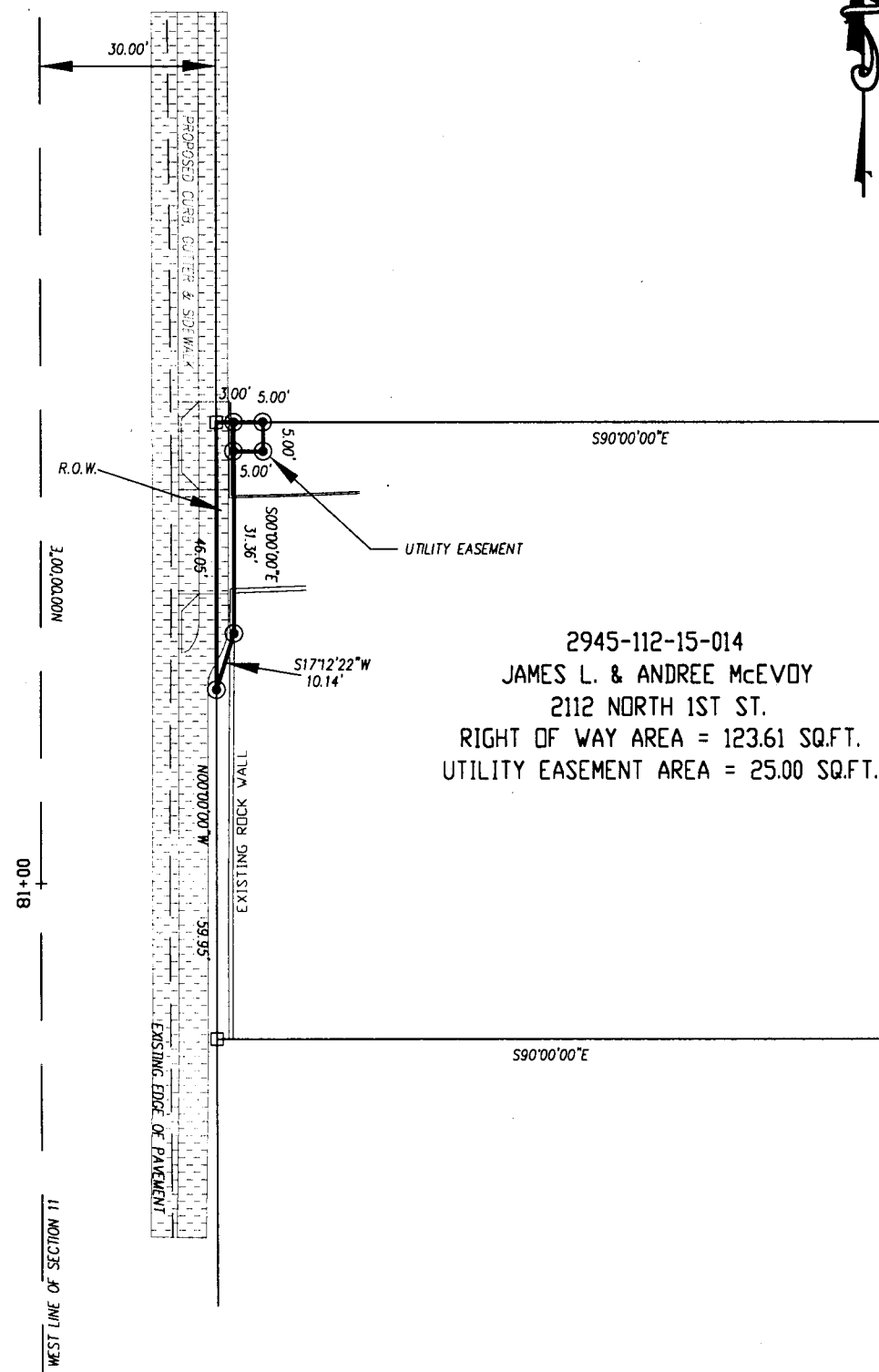


EXHIBIT "A"



NORTH FIRST STREET



2945-112-15-014
 JAMES L. & ANDREE McEVROY
 2112 NORTH 1ST ST.
 RIGHT OF WAY AREA = 123.61 SQ.FT.
 UTILITY EASEMENT AREA = 25.00 SQ.FT.

DRAWN BY: SRP
 DATE: 4-11-97
 SCALE: 1" = 30'
 APPR. BY: TKH
 FILE NO: F104.DWG

RIGHT-OF-WAY DESCRIPTION MAP
 NORTH FIRST STREET - ORCHARD AVE. TO PATTERSON AVE
 (104)

DEPARTMENT OF PUBLIC WORKS
 ENGINEERING DIVISION
CITY OF GRAND JUNCTION