

KAT98UAI

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT (CONSTRUCTION)

NAME OF AGENCY OR CONTRACTOR: KARL ANTUNES

STREET ADDRESS/PARCEL NAME/SUBDIVISION: UNAWEEP AVENUE
IMPROVEMENT PROJECT, PARCEL NO, 2945-261-00-015

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1998

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

CONSTRUCTION EASEMENT AGREEMENT

Unawep Avenue Improvement Project

BOOK 2409 PAGE 879

This Agreement is made and entered into this 26 day of February, 1998, by and between Karl Antunes, hereinafter referred to as "the Owner," and the City of Grand Junction, a Colorado home rule municipality, hereinafter referred to as "the City."

RECITALS:

A. The City of Grand Junction has reconstructed Unawep Avenue (hereinafter "the Project"). The Project included construction of a new street section with curbing, gutter, sidewalk, underground storm sewer, street lights, conversion of overhead utilities to underground, and the installation of new irrigation water facilities and fire hydrants (hereinafter "the Project Improvements"). Costs to install and construct the Project Improvements have been borne by the City.

B. The Owner owns a tract or parcel of land adjacent to the Project located at 2699 Unawep Avenue in the City of Grand Junction (hereinafter referred to as "the Owner's Property").

C. To facilitate installation of the Project Improvements and removal of improvements from the right of way, the City temporarily accessed the Owner's Property with workers and equipment in accordance with the terms and conditions of this Agreement and within the limits of the Owner's Property as depicted on Exhibit "B" attached hereto and incorporated herein by reference.

NOW, THEREFORE, based on the recitals above and in consideration of their mutual promises and other valuable consideration as herein stated, the receipt and adequacy of which are hereby acknowledged, the parties hereto agree as follows:

1. For and in consideration of the sum of One Hundred and 00/100 Dollars (\$100.00), the receipt and sufficiency of which is hereby acknowledged, the Owner hereby conveys to the City the Temporary Construction Easement as depicted on Exhibit "B" to allow access for workers and equipment for the installation of the Project Improvements and for the purpose of removing improvements (sign pole and base) located within the right of way parcel. The term of this Temporary Construction Easement shall commence on the day and year first above written and shall expire and terminate on May 1, 1998.

2. This Agreement is temporary in nature and is not intended to affect the title of the Owner's Property. The City agrees that this Agreement shall not be recorded nor otherwise entered into the permanent record of any land office. The City shall complete its construction, access to and removal of the sign by May 1, 1998.

3. As a condition of accepting this grant of Temporary Construction Easement, the City agrees to, at the City's sole cost and expense, substantially restore the surface and condition of the Temporary Construction Easement area and to return said area to the Owner in a condition reasonable approximate to that which existed prior to entry by the City. The City shall cap and render safe in accordance with reasonable and prudent electrical industry standards, the electric line serving, if any serving, the sign pole.

4. This Temporary Construction Easement Agreement embodies the complete agreement between the parties hereto and cannot be changed or modified except by a written instrument subsequently executed by both parties. This Agreement and the terms and conditions hereof apply to and are binding upon the heirs, successors and authorized assigns of both parties.

Dated the day and year first above written.

Owner:

For the City of Grand Junction:


Karl Antunes

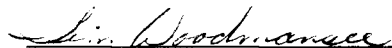
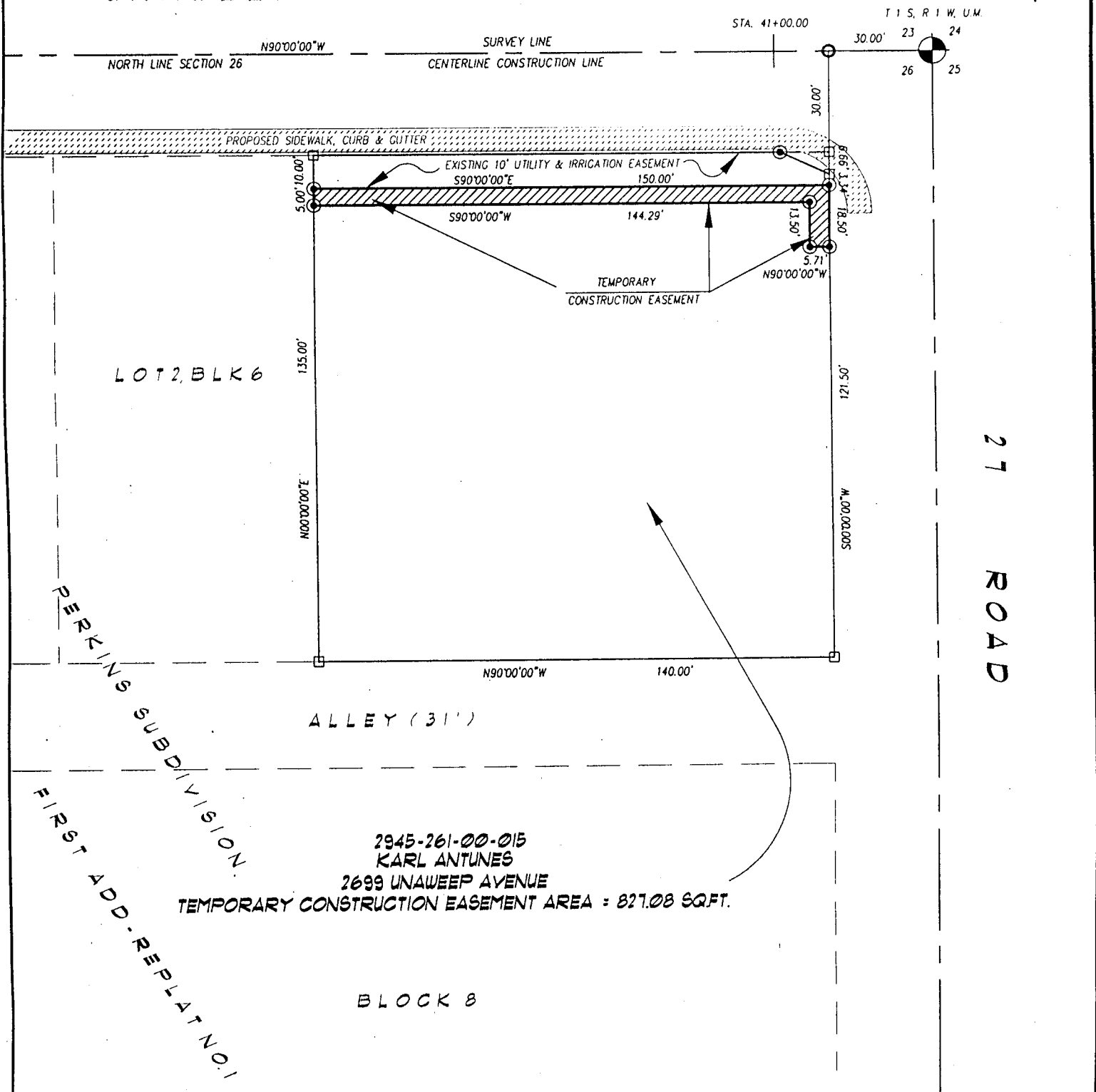

Tim Woodmansee, City Property Agent

EXHIBIT "B"

UNAWEEP (C ROAD)



LOT 2, BLK 6

PERKINS SUBDIVISION
FIRST ADD-PLAT NO. 1

2945-261-00-015
KARL ANTUNES
2699 UNAWEEP AVENUE
TEMPORARY CONSTRUCTION EASEMENT AREA : 827.08 SQ.FT.

BLOCK 8

27 ROAD

DRAWN BY: SRP
DATE: 1-13-97
SCALE: 1" = 40'
APPR. BY: JW
FILE NO: WEEP26A.DWG

EASEMENT DESCRIPTION MAP
UNAWEEP (153A)

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
CITY OF GRAND JUNCTION