

KEL971ST

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: STEPHEN S. KELLY AND CONNIE K. KELLY

STREET ADDRESS/PARCEL NAME/SUBDIVISION: 2117 NORTH 1ST STREET, UTILITY
EASEMENT, PARCEL NO. 2945-101-00-026

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1997

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

1815236 0312PM 10/01/97
MONIKA TODD CLK&REC MESA COUNTY CO
DOCUMENT FEE \$EXEMPT

GRANT OF EASEMENT

Stephen Samuel Kelly and Connie Kay Kelly, Grantors, for and in consideration of the sum of One Hundred Ninety-Nine and 36/100 Dollars (\$199.36), 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 parcel of land, to wit:

Commencing at the Northeast Corner of the South 3/4 of the Southeast 1/4 of the Northeast 1/4 (S3/4 SE1/4 NE1/4) of Section 10, Township 1 South, Range 1 West of the Ute Meridian in the City of Grand Junction, County of Mesa, State of Colorado, and considering the East line of the SE1/4 NE1/4 of said Section 10 to bear S 00°00'00" W with all bearings contained herein being relative thereto; thence S 00°00'00" W along the East line of the SE1/4 NE1/4 of said Section 10 a distance of 175.36 feet; thence leaving the East line of said SE1/4 NE1/4, N 90°00'00" W a distance of 28.24 feet to the **True Point of Beginning**; thence N 90°00'00" W a distance of 6.00 feet; thence N 00°00'00" W a distance of 3.00 feet; thence S 90°00'00" E a distance of 5.23 feet; thence S 00°00'00" E a distance of 0.52 feet; thence S 17°12'17" E a distance of 2.59 feet to the Point of Beginning, containing 99.78 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 25 day of July, 1997.

SK Kelly
Stephen Samuel Kelly

Connie Kay Kelly
Connie Kay Kelly

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 25TH day of JULY, 1997, by Stephen Samuel Kelly and Connie Kay Kelly.

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

Peggy H. G...
Notary Public

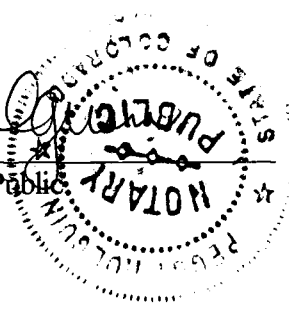


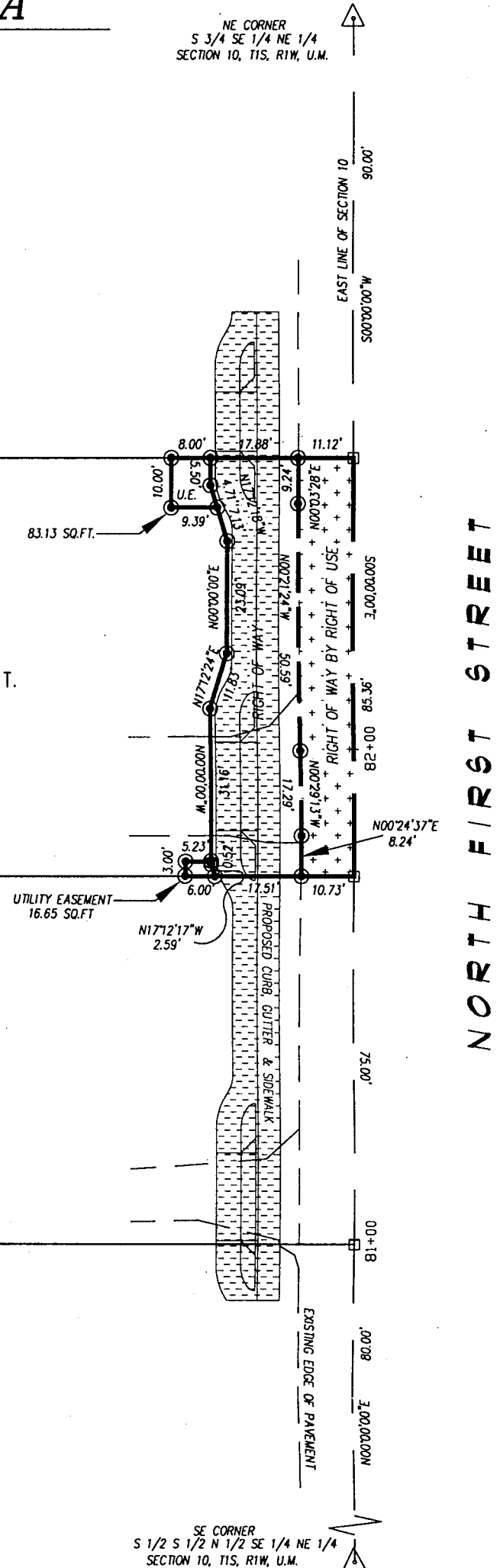
EXHIBIT "A"



NE CORNER
S 3/4 SE 1/4 NE 1/4
SECTION 10, T1S, R1W, U.M.

2945-101-00-025
2119 NORTH 1ST. ST.
STEPHEN S. & CONNIE K. KELLY
RIGHT OF WAY BY RIGHT OF USE AREA = 931.62 SQ.FT.
RIGHT OF WAY AREA = 1422.45 SQ.FT.
UTILITY EASEMENT AREA = 99.78 SQ.FT.

2945-101-00-026
2117 NORTH 1ST. ST.



SE CORNER
S 1/2 S 1/2 N 1/2 SE 1/4 NE 1/4
SECTION 10, T1S, R1W, U.M.

DRAWN BY: SRP
DATE: 7-17-97
SCALE: 1" = 30'
APPR. BY: TKH
FILE NO: F111.DWG

RIGHT-OF-WAY DESCRIPTION MAP
NORTH FIRST STREET - ORCHARD AVE. TO PATTERSON AVE
(111)

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
CITY OF GRAND JUNCTION