

KIM79282

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: WARREN F. REAMS, RICHARD D. KIMBALL, MARY KAY KIMBALL, NORMAN E. EBBLEY, RALPH T. LANDING, LELAMARIE LANDING, AND BETHESDIA FOUNDATION.

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: 28 1/4 ROAD FROM ORCHARD AVE. TO PATTERSON RD, PHASE I

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1979

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

PERMANENT EASEMENT

Warren F. Reams, Richard D. Kimball, Mary Kay Kimball, Norman E. Ebbley, Ralph T. Landing, LeLamarie Landing, and Bethesda Foundation of Mesa County, State of Colorado, Grantors, for the consideration of ONE DOLLAR (\$1.00) AND OTHER GOOD AND VALUABLE CONSIDERATIONS, in hand paid by the CITY OF GRAND JUNCTION, COLORADO, a municipal corporation, Grantee, receipt of which is hereby acknowledged have given and granted and by these presents do hereby give and grant unto the said Grantee their heirs, successors, and assigns a PERPETUAL EASEMENT for roadway slope and borrow pit purposes over, under, along and across the following described land situated in the County of Mesa, to-wit:

A tract of land located in the Northwest One Quarter (NW 1/4) of Section 7, Township 1 South, Range 1 East of the Ute Meridian more particularly described as follows:

Commencing at the Northwest corner (NW Cor.) of the Northeast One Quarter (NE 1/4) of the Northwest One Quarter (NW 1/4) of Sec. 7, T. 1 S., R. 1 E., U.M.;

Thence South 2°07'42" East, a distance of 164.84 feet along the West boundary line of the Northeast One Quarter (NE 1/4) of the Northwest One Quarter (NW 1/4) of said Section 7, to the True Point of Beginning;

Thence continuing South 2°07'42" East along the said West boundary line, a distance of 238.81 feet;

Thence along the arc of a 916.50 foot radius curve to the right, a distance of 158.36 feet (the chord of which bears South 18°47'51" West, a distance of 158.17 feet);

Thence along the arc of a 611.50 foot radius curve to the left, a distance of 437.58 feet (the chord of which bears South 3°14'46" West, a distance of 428.30 feet);

Thence along the arc of a 1,107.50 foot radius curve to the right, a distance of 309.27 feet (the chord of which bears South 9°15'14" East, a distance of 308.27 feet);

Thence South 1°15'14" East, a distance of 162.50 feet;

Thence South 88°44'46" West, a distance of 38.50 feet;

Thence South 1°15'14" East, a distance of 41.00 feet;

Thence North 88°44'46" East, a distance of 38.50 feet;

Thence South 1°15'14" East, a distance of 84.64 feet to a point from which the East boundary line of the Southwest One Quarter (SW 1/4) of the Northwest One Quarter (NW 1/4) of said Sec. 7 bears North 88°44'46" East, a distance of 54.62 feet;

Thence South 88°44'46" West, a distance of 84.50 feet;

Thence North 1°15'14" West, a distance of 262.61 feet to the North boundary line of the Southwest One Quarter (SW 1/4) of the Northwest One Quarter (NW 1/4) of said Sec. 7;

Thence North 89°50'00" East along said North boundary line, a distance of 22.00 feet;

Thence North 1°15'14" West, a distance of 25.94 feet;

Thence along the arc of a 1,045.00 foot radius curve to the left, a distance of 145.91 feet (the chord of which bears North 5°15'15" West, a distance of 145.79 feet);

Thence South 88°44'48" West, a distance of 78.50 feet;

Thence along the arc of a 966.50 foot radius curve to the left, a distance of 134.96 feet (the chord of which bears North 13°25'56" West, a distance of 134.85 feet);

Thence along the arc of a 752.50 foot radius curve to the right, a distance of 151.00 feet (the chord of which bears North 11°30'22" West, a distance of 150.57 feet);

Thence North 84°14'37" East, a distance of 87.00 feet;

Thence along the arc of a 665.50 foot radius curve to the right, a distance of 342.68 feet (the chord of which bears North 8°59'42" East, a distance of 338.91 feet);

Thence South 66°15'14" East, a distance of 9.50 feet;

Thence along the arc of a 872.00 foot radius curve to the left, a distance of 380.48 feet (the chord of which bears North 11°14'47" East, a distance of 377.47 feet); Thence North 88°44'46" East, a distance of 8.59 feet to the True Point of Beginning.

It being understood that said easement is necessary to permit proper maintenance of the slopes to control erosion and prevent sloughing of the embankment; however, this type of use need not restrict the landowner within the guidelines of the government use should he want to build on or near portions of said easement. The primary restrictions to be applied would be that adequate drainage be provided as existing adjacent to the street in the borrow area, and that no construction activity or structure on said easement area contribute to the instability and/or sloughing of the roadway embankment.

Signed this 28th day of January, 1979.

Warren R. Reams

Norman E. Ebbley

Ralph T. Landing

LeLamarie Landing

Richard D. Kimball

Mary Kay Kimball

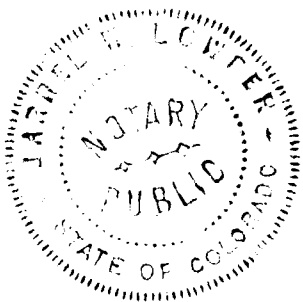
Bethesda Foundation

STATE OF COLORADO,)
County of Mesa) ss.

The foregoing instrument was acknowledged before me this 28th day of January, 1979, by Warren F. Reams, Richard D. Kimball, Mary Kay Kimball, Norman E. Ebbley, Ralph T. Landing, LeLamarie Landing, and Bethesda Foundation.

My commission expires January 21, 1984.

Witness my hand and official seal.



Notary Public

1217021

28 1/4 Road from Orchard Ave. to
Potterson Rd., Phase I

PERMANENT EASEMENT (WEST SIDE)

Kimball, Richard & Mary Kay
Ebbley, Norman E.
Landing, Ralph T. & LeLamarie
Bethesda Foundation

TO

The City of Grand Junction

STATE OF COLORADO } ss
County of MESA
I hereby certify that this instrument was
Filed for record

FEB 27 1980

at 1:30 o'clock P. M. and recorded
in Book 1245 Page 045
EARL SAWYER, County Clerk & Recorder
By Earl Sawyer

47
Earl Sawyer
2500 5th