

KLF95282

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: KAREN L. FITZPATRICK AND
GERALD F. HINER

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: 543 28 1/4
ROAD PARCEL NO. E147 NO. 2943-073-00-005 ROAD EASEMENT

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1995

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

GRANT OF EASEMENT1714075 09:49 AM 04/12/95
MONIKA TODD CLK&REC MESA COUNTY CO
DOC EXEMPT

KAREN L. FITZPATRICK and GERALD F. HINER, Grantors, for and in consideration of the sum of One Hundred Seventeen and 00/100 Dollars (\$117.00), the receipt and sufficiency of which is hereby acknowledged, hereby grant and convey to the City of Grand Junction, a Colorado home rule municipality, Grantee, whose legal address is 250 North 5th Street, Grand Junction, Colorado 81501, its successors and assigns forever, the herein described Perpetual Easement No. E147 of City of Grand Junction 28¼ Road Project for the installation, operation, maintenance, repair and conveyance of utilities, irrigation water and facilities, storm water runoff and facilities, and tree planting purposes, together with the right of ingress and ingress for workers and equipment, on, along, over under, through and across the following described Parcel situated in the NE¼ NW¼ SW¼ of Section 7, Township 1 South, Range 1 East of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, said Easement being more particularly described by the following metes and bounds, to wit:

Commencing at a point on the East line of the NE¼ NW¼ SW¼ of said Section 7 from whence the Northeast Corner of the NE¼ NW¼ SW¼ of said Section 7 bears N 02°07'08" E a distance of 256.73 feet with all bearings contained herein being relative thereto; thence N 87°52'52" W a distance of 30.00 feet to a point on the West right-of-way line for 28¼ Road and the True Point of Beginning;

Thence N 87°52'52" W a distance of 6.00 feet;

Thence S 02°07'08" W a distance of 78.00 feet;

Thence S 87°52'52" E a distance of 6.00 feet to a point on the West right-of-way line for 28¼ Road;

Thence N 02°07'08" E along the West right-of-way for 28¼ Road a distance of 78.00 feet to the True Point of Beginning,

containing 468.00 square feet as described herein and depicted on the attached Exhibit "A".

TO HAVE AND TO HOLD the premises herein granted unto the Grantee, its successors and assigns forever, subject to the following terms, covenants, conditions and restrictions:

1. Grantee, as a condition of this grant, agrees that entry to the easement area for the purposes herein described shall be conducted so as to cause minimum interference to the Grantors and the Grantor's heirs, successors and assigns. Grantee further agrees that it shall correct any damage(s), both material as well as aesthetic, which may be caused by its entry as described herein.

2. Grantors shall have the right to continue to use the real property burdened by this Easement for any lawful purpose which will not interfere with Grantee's full use and enjoyment of the Grantee's rights herein granted; provided, however, 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 on, along, over, under, through and across the easement area.

3. Grantors hereby covenants 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 of all persons whomsoever.

Signed this 23 day of March, 1995.

Karen L. Fitzpatrick
Karen L. Fitzpatrick

Gerald F. Hiner
Gerald F. Hiner

State of California

County of Santa Cruz

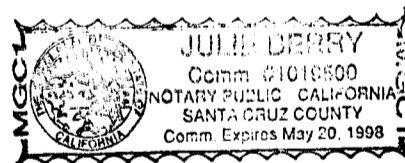
SS.

Title or Type of Document: Grant of Easement
Number of Pages _____ Date of Document _____
Signer(s) Other than named below _____

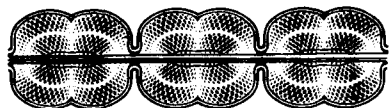
On 3-23-95 before me, Julie Berry
Notary Public, personally appeared Karen L. Fitzpatrick,
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

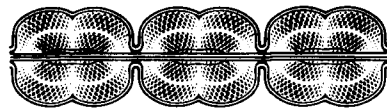
Signature Julie Berry (Seal)



CALIFORNIA



ALL-PURPOSE



ACKNOWLEDGEMENT

STATE OF CALIFORNIA)

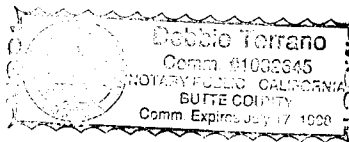
COUNTY OF Butte)

On 3/27/95 before me, Debbie Terrano, Notary Public
DATE NAME, TITLE OF OFFICER (E.G., "JANE DOE, NOTARY PUBLIC")

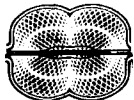
personally appeared, Gerald F. Hines

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

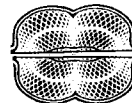
WITNESS my hand and official seal.



Debbie Terrano (SEAL)
NOTARY PUBLIC SIGNATURE



OPTIONAL INFORMATION



TITLE OR TYPE OF DOCUMENT _____

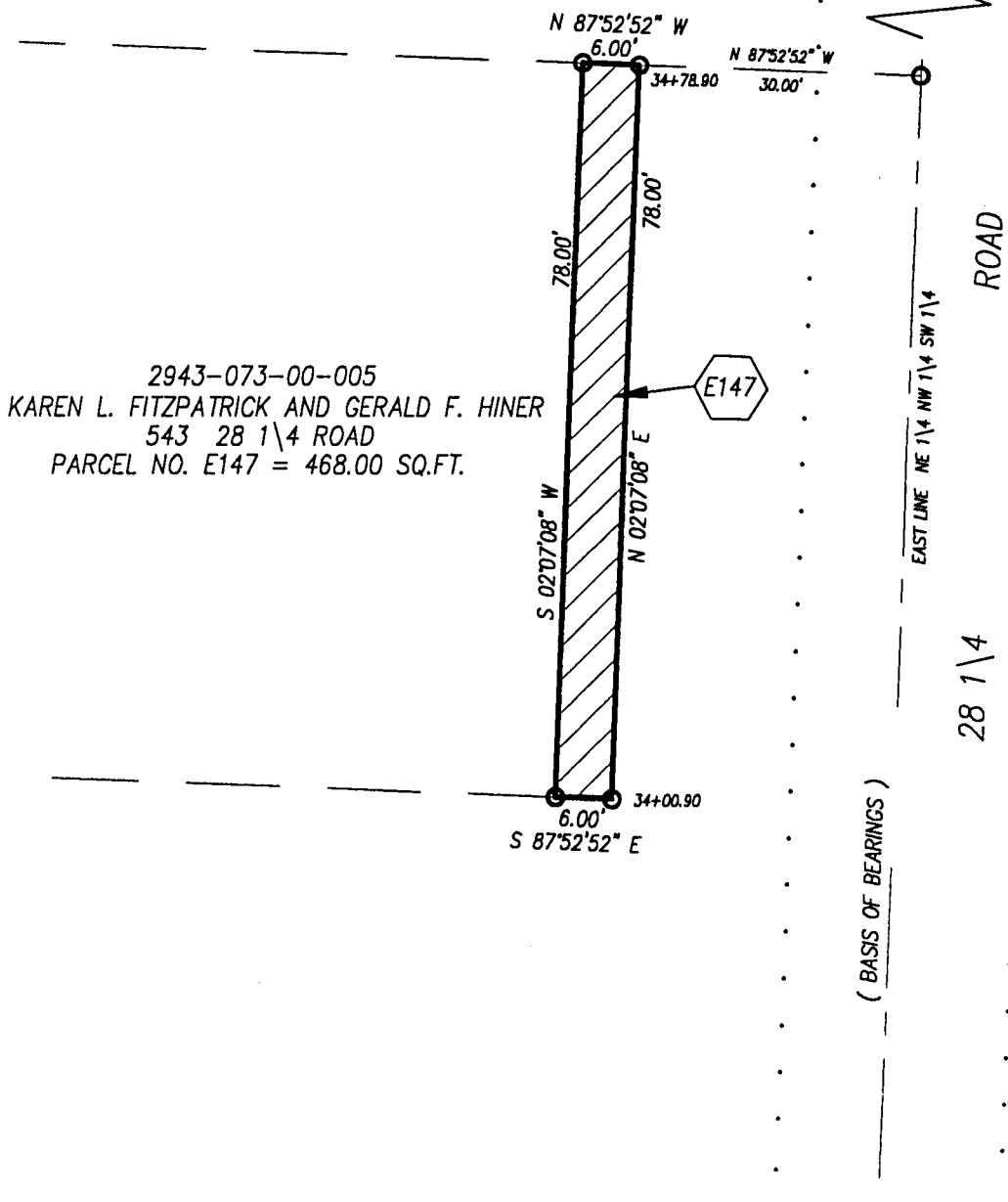
DATE OF DOCUMENT _____ NUMBER OF PAGES _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

EXHIBIT "A"

STA. 34+00.09 TO STA. 34+78.90

CW 1\16 CORNER
SECTION 7
T. 1 S., R. 1 E., U.M.
(STA. 37+35.60)



2943-073-00-005
KAREN L. FITZPATRICK AND GERALD F. HINER
543 28 1\4 ROAD
PARCEL NO. E147 = 468.00 SQ.FT.

E147

(BASIS OF BEARINGS)

28 1\4

ROAD

DRAWN BY: SRP
DATE: 01\20\95
SCALE: 1" = 20'
APPR. BY: Jim D.
FILE NO: ROW147.DWG

RIGHT-OF-WAY DESCRIPTION MAP
28 1\4 ROAD - NORTH AVE. TO ORCHARD AVE

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
CITY OF GRAND JUNCTION