

KUK02BKA

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: **EASEMENT**

PURPOSE: GRANT OF ELECTRIC AND TELECOMMUNICATION EASEMENT

NAME OF PROPERTY OWNER OR GRANTOR: THOMAS M. KUKULAN AND M.
ELAINE KUKULAN

STREET ADDRESS/PARCEL NAME/SUBDIVISION (LOT AND BLOCK): 1040
BOOKCLIFF AVENUE - 2945-111-00-020 - SOUTHEAST CORNER OF LOT
4 OF CAPITOL HILL SUBDIVISION

PARCEL NO.: 2945-111-00-020

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 2002

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

When recorded return to:
City of Grand Junction
Real Estate Division
250 North 5th Street
Grand Junction, CO 81501

2059448 06/04/02 0106PM
MONIKA TODD CLK&REC MESA COUNTY CO
REC FEE \$15.00
DOCUMENTARY FEE \$EXEMPT

GRANT OF ELECTRIC AND TELECOMMUNICATION EASEMENT

Thomas M. Kukulian and M. Elaine Kukulian, Grantors, for and in consideration of the sum of Fifty-Six and 25/100 Dollars (\$56.25), the receipt and sufficiency of which is hereby acknowledged, have sold, granted and conveyed, and by these presents do hereby sell, grant and convey to 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 and benefit of Grantee and for the use and benefit of the Public Utilities, a Perpetual Easement for the installation, operation, maintenance, repair and replacement of electric and telecommunications facilities on, along, over, under, through and across the following described parcel of land, to wit:

A certain perpetual easement lying in the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section 11, Township 1 South, Range 1 West of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Southeast corner of Lot 4, Capitol Hill Subdivision, as same is recorded in Plat Book 2, Page 19, Public Records of Mesa County, Colorado, and considering the South line of the NE 1/4 NE 1/4 of said Section 11 to bear N 89°57'58" W with all bearings contained herein being relative thereto (the Southeast corner of said Lot 4 lies N 89°57'58" W a distance of 30.00 feet from the Southeast corner of the NE 1/4 NE 1/4 of said Section 11); thence N 89°57'58" W along the South line of said Lot 4, also being the South line of the NE 1/4 NE 1/4 of said Section 11, a distance of 734.37 feet (733 feet per prior descriptions); thence N 00°03'20" E a distance of 15.00 feet to a point on the North right-of-way for Bookcliff Avenue, as same is shown in Plat Book 3, Page 35, Public Records of Mesa County, Colorado, and the TRUE POINT OF BEGINNING; thence continuing N 00°03'20" E a distance of 5.00 feet; thence S 89°57'58" E a distance of 2.50 feet; thence S 00°03'20" W a distance of 5.00 feet to a point on the North right-of-way for said Bookcliff Avenue; thence N 89°57'58" W a distance of 2.50 feet to the POINT OF BEGINNING.

Containing 12.50 square feet (0.0003 Acres), more or less, as described herein and depicted on **Exhibit "A"** attached hereto and incorporated herein by reference; and also,

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns forever, together with the right of ingress and egress for workers and equipment to survey, maintain, operate, repair, replace, control and use said 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 installation, construction or placement of any structure or any other item or fixture which may be detrimental to the facilities of Grantee or the Public Utilities, or which may act to impede or prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement area.
2. Grantee agrees that Grantees' utilization of the herein described Easement 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 the herein described 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 4 day of June, 2002.

Thomas M. Kukulan
Thomas M. Kukulan

M. Elaine Kukulan
M. Elaine Kukulan

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 4th day of June, 2002, by Thomas M. Kukulan and M. Elaine Kukulan.

My commission expires: 3-3-05

Witness my hand and official seal.

Peggy Holquin
Notary Public



