

LIP02IDP

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: **EASEMENT**

PURPOSE: ELECTRONIC, TELECOMMUNICATIONS AND STREET LIGHT EASEMENT

NAME OF PROPERTY OWNER OR GRANTOR: EDWARD M. AND NADINE L. LIPPOTH

STREET ADDRESS/PARCEL NAME/SUBDIVISION (LOT AND BLOCK): 640 INDEPENDENT AVENUE, LOT 14, BLOCK 4 OF WEST LAKE PARK SUBDIVISION, GRAND JUNCTION

PARCEL NO.: 2945-104-05-015

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 2002

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

GRANT OF ELECTRONIC, TELECOMMUNICATIONS AND STREET LIGHT EASEMENT

Edward M. Lippoth and Nadine L. Lippoth, Trustees, for The Edward M. Lippoth Revocable Trust and The Nadine L. Lippoth Revocable Trust, Grantors, for and in consideration of the sum of Four Hundred Fifty and 00/100 Dollars (\$450.00), 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, Telecommunications and Street Light, together with facilities appurtenant thereto, on, along, over, under, through and across the following described parcel of land, to wit:

A certain Perpetual Easement lying in the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 10, 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:

BEGINNING at the Southeast corner of Lot 14, Block 4, Plat of West Lake Park Subdivision, as same is recorded in Plat Book 7, Page 91, Public Records of Mesa County, Colorado, and considering the South line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 10 to bear S 89°58'48" E with all bearings contained herein being relative thereto; thence from said Point of Beginning, N89°58'48"W along the South line of said Lot 14, Block 4, a distance of 5.00 feet; thence leaving said South line, N00°01'12"E a distance of 20.00 feet; thence S 89°58'48" E a distance of 5.00 feet, more or less, to a point on the East line of said Lot 14, Block 4; thence S00°01'12"W, along the East line of said Lot 14, Block 4, a distance of 20.00 feet, more or less, to the Point of Beginning.

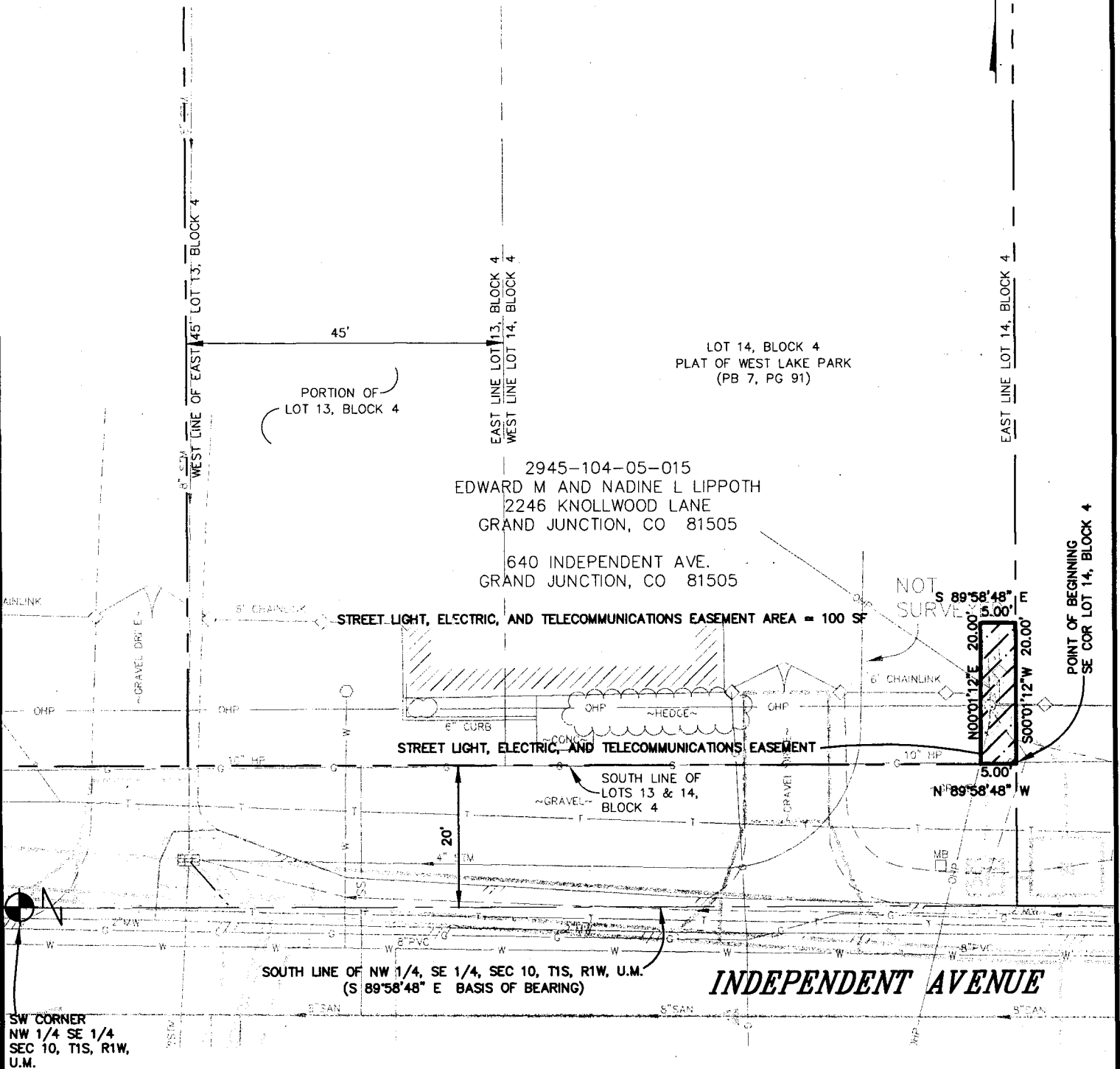
Containing 100.00 square feet (0.0023 Acres), more or less, as described herein and depicted on **Exhibit "A"** attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns forever, together with the right 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 12th day of March, 2002.

EXHIBIT "A"



The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as means for establishing or verifying property boundary lines.

RECORDER NOTE: POOR QUALITY DOCUMENT
 PROVIDED FOR REPRODUCTION

DRAWN BY: JCS
 DATE: 10-10-2001
 SCALE: 1" = 20'
 APPR. BY: TW
 FILE NO. ROW.DWG

**INDEPENDENT AVENUE
 RIGHT-OF-WAY DESCRIPTION MAP**

**DEPARTMENT OF PUBLIC WORKS
 ENGINEERING DIVISION
 CITY OF GRAND JUNCTION**