

LOV53WEA

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT [CORRECTION]

NAME OF AGENCY OR CONTRACTOR: CHARLES H. LOVE, JANET C. LOVE, KARL F. VON EHRENKROOK, MIRIAM R. VON EHRENKROOK, RICHARD E. COWGER, MARY L. COWGER, DONALD A. MCDONALD, WANDA ALICE MCDONALD, JOE A. BERTRAND AND ALLIE MAE BERTRAND

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: 15TH STREET AND PINYON WEAVER SUBDIVISION RIGHT-OF-WAY

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1953 (ORIGINAL WAS 1951)

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

Recorded at 2:55 o'clock P.M.  
 Reception No. 589421

Nov. 19, 1953  
 Annie M. Dunston, Recorder

RIGHT OF WAY

CORRECTION AGREEMENT

THIS AGREEMENT, made at Grand Junction, Colorado, on this 18<sup>th</sup> day of October, 1953, by and between CHARLES H. LOVE, JANEE G. LOVE, KARL P. VON EHRENKRÖCK, MIRIAM R. VON EHRENKRÖCK, RICHARD E. CONGER, MARY L. CONGER, DONALD A. McDONALD, WANDA ALICE McDONALD, JOE A. BERTRAND and ALLIE MAE BERTRAND, parties of the first part, and the CITY OF GRAND JUNCTION, a Municipal Corporation, party of the second part, WITNESSETH:

WHEREAS, on the 29th day of October, 1951, the first parties, or their predecessors in title, executed a Right of Way Agreement giving to the City of Grand Junction the right to lay, maintain, operate, repair and remove sewer and gas pipes, water lines, electrical transmission lines, telephone lines and other public utility transmission facilities, together with the right of ingress and egress to and from certain property therein described, said right of way agreement having been recorded on October 29, 1951, in Book 556 at Page 147 of the records of Mesa County, Colorado; and

WHEREAS, the description of the property over and upon which said right of way was granted was in error and the parties desire to correct said error;

NOW, THEREFORE, in consideration of the premises, it is agreed as follows:

1. The said Right of way agreement is hereby corrected by amending the description of the property over and upon which said right of way was granted so that said description reads as follows:

Beginning at a point 216.2 feet East of the SW Corner of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 12, Township 1 South, Range 1 West of the Ute Meridian,

thence North 154.17 feet, thence East 224 feet, thence North 20 feet, thence west 440.2 feet, thence South 20 feet, thence East 206.2 feet, thence South 154.17 feet, thence East 10 feet to point of beginning, in Mesa County, Colorado.

2. The parties agree that the effect of this amendment shall be the same as if the foregoing description was set forth in the original Right of Way Agreement, and the second party hereby disclaims any interest in and to any property described in the original Right of Way Agreement which is not embraced within the description set forth herein.

3. This Agreement shall be binding upon and inure to the benefit of the heirs, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the first parties have hereunto set their hands and seals and the second party has caused its corporate name to be hereunto subscribed by its City Manager, and its corporate seal to be hereunto affixed, attested by its City Clerk, the day and year first above written.

Donald A. McDonald  
Donald A. McDonald

Wanda Alice McDonald  
Wanda Alice McDonald

Charles H. Love  
Charles H. Love

Janet C. Love  
Janet C. Love

Karl F. Von Ehrenkrook  
Karl F. Von Ehrenkrook

Miriam R. Von Ehrenkrook  
Miriam R. Von Ehrenkrook

Richard E. Cowger  
Richard E. Cowger

Mary L. Cowger  
Mary L. Cowger

Joe A. Bertrand  
Joe A. Bertrand

Allie Mae Bertrand  
Allie Mae Bertrand

PARTIES OF THE FIRST PART

CITY OF GRAND JUNCTION

By W. D. Soy  
City Manager

PARTY OF THE SECOND PART

ATTEST:  
Helen C. Tomlinson  
City Clerk

STATE OF COLORADO )  
 ) SS.  
COUNTY OF MESA )

The foregoing instrument was acknowledged before me this 19th day of November, 1953, by Charles H. Love, Janet C. Love, Karl F. Von Ehrenkrook, Miriam R. Von Ehrenkrook, Richard E. Cowger, Mary L. Cowger, Joe A. Bertrand and Allie Mae Bertrand, Donald A. McDonald and Wanda Alice McDonald.

Witness my hand and official seal.

My Commission expires:

Helen C. Tomlinson  
Notary Public

STATE OF COLORADO )  
 ) SS.  
COUNTY OF MESA )

The foregoing instrument was acknowledged before me this 18th day of November, 1953, by Warren D. Toyne as City Manager and Helen C. Tomlinson as City Clerk of the City of Grand Junction, a Municipal Corporation.

Witness my hand and official seal.

My Commission expires:



Warren D. Toyne  
Notary Public

RIGHT-OF-WAY AGREEMENT

THIS AGREEMENT, made this 29<sup>th</sup> day of October, 1951, between Charles E. Love, Janet C. Love, Karl F. Von Ehrenkrook, Miriam R. Von Ehrenkrook, Joe A. Bertrand and Allie Mae Bertrand, of the County of Mesa and State of Colorado, first parties, and The City of Grand Junction, Colorado, second party, WITNESSETH:

THAT WHEREAS the first parties are the owners of the real estate hereinafter described;

AND WHEREAS the first parties desire to convey to the second party, and the second party desires to obtain from the first parties, a right-of-way across the following described tract for the construction, maintenance and operation of sewer, gas and water lines and other public utility transmission facilities;

NOW THEREFORE, in consideration of the sum of One Dollar paid to the first parties, the receipt whereof is hereby confessed and acknowledged, and other valuable considerations, the first parties do hereby give and grant to the second party the right to lay, maintain, operate, repair and remove sewer and gas pipes, water lines, electrical transmission lines, telephone lines, and other public utility transmission facilities, together with the right of ingress and egress to and from said right-of-way for all of the aforesaid purposes, through and over the following described land, to-wit:

Beginning at a point 210.2 feet East of the Southwest corner of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 12, Township 1 South, Range 1 West of the Ute Meridian, thence North 154.17 feet, thence East 224 feet, thence North 20 feet, thence West 440.2 feet, thence South 20 feet, thence East 206.2 feet, thence South 154.17 feet, thence East 10 feet to point of beginning, in Mesa County, Colorado.

IN WITNESS WHEREOF the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Miriam Von Ehrenkrook (SEAL)  
Karl F. Von Ehrenkrook (SEAL)  
Janet C. Love (SEAL)  
Charles H. Love (SEAL)  
Allie Mae Bertrand (SEAL)  
Joe A. Bertrand (SEAL)

STATE OF COLORADO )  
 ) ss  
 COUNTY OF MESA )

The foregoing instrument was acknowledged before me on this 29<sup>th</sup> day of October, 1951, by Charles H. Love, Janet C. Love, Karl F. Von Ehrenkrook, Miriam R. Von Ehrenkrook, Joe A. Bertrand and Allie Mae Bertrand.

Helen C. Tomlinson  
 Notary Public

My commission expires:  
 My Commission expires November 27, 1951

