

MAY06RIV

TYPE OF RECORD:	PERMANENT
CATEGORY OF RECORD:	EASEMENT (MULTIPURPOSE)
NAME OF PROPERTY OWNER OR GRANTOR:	CLIFTON L. MAYS, SR.
PURPOSE:	CLM RIVER ROAD I SUBDIVISION MULTIPURPOSE EASEMENT
ADDRESS:	2389 RIVERSIDE PARKWAY, 2395 RIVERSIDE PARKWAY, 2399 RIVERSIDE PARKWAY, RIVERSIDE PARKWAY PARCELS: PE A-12, PE A-13B, PE A-14 AND PE A-14B (AS DESCRIBED IN EXHIBIT, A, B, C, AND D)
PARCEL #:	2945-081-29-001 2945-081-29-002 2945-081-29-003
CITY DEPARTMENT:	PUBLIC WORKS AND PLANNING
YEAR:	2006
EXPIRATION DATE:	NONE
DESTRUCTION DATE:	NONE

2314360 BK 4145 PG 550-556  
05/01/2006 01:26 PM  
Janice Ward DLK&REC Mesa County, CO  
RecFee \$35.00 SurChg \$1.00  
DocFee EXEMPT

**GRANT OF MULTI-PURPOSE EASEMENT**

**Clifton L. Mays, Sr.**, Grantor, for and in consideration of the sum of Thirty One Thousand Six Hundred Sixty Six and 00/100 Dollars (\$31,666.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted and conveyed, and by these presents does hereby 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, four (4) Perpetual Multi-Purpose Easements for the use and benefit of Grantee and for the use and benefit of the Public Utilities, as approved by Grantee, as Perpetual Easements for the installation, operation, maintenance, repair and replacement of utilities and appurtenances related thereto, as approved by Grantee, including, but not limited to, electric lines, cable television lines, natural gas pipelines, sanitary sewer lines, storm sewers and storm water drainage facilities, water lines, telephone lines, and also for the installation, operation, maintenance, repair and replacement of traffic control facilities, street lighting, landscaping, trees, fill slopes and grade structures, as approved by Grantee, on, along, over, under, through and across the following described premises, to wit:

**Riverside Parkway Parcels PE A-12, PE A-13B, PE A-14 and PE A-14B as described in Exhibit "A", Exhibit "B", Exhibit "C", and Exhibit "D", which Exhibits are 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 Easements, 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, the said Grantor hereby covenanting with Grantee that the Easement areas shall not be burdened or overburdened by the installation, construction or placement of any structures or any other items or fixtures which might be detrimental to the facilities of Grantee and/or the Public Utilities or which might act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement areas, the said Grantor hereby further covenanting with Grantee that he has good title to the aforescribed premises; that he has good and lawful right to grant these Easements; that he will warrant and defend the title and quiet possession thereof against the lawful claims and demands of all persons lawfully claiming the whole or any part thereof by, through or under Grantor, SUBJECT to the Exceptions set forth in **Exhibit "E"** attached hereto and made a part hereof.

Executed and delivered this 28 day of April, 2006.

Clifton L. Mays, Sr.  
Clifton L. Mays, Sr.

State of Colorado )  
 )ss.  
County of Mesa )

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of April, 2006, by Clifton L. Mays, Sr..

My commission expires 5/11/2006.  
Witness my hand and official seal.

Tim Woodmansee  
Notary Public



**PROPERTY DESCRIPTION**  
Parcel PE A-12

A parcel of land being a portion of Lot 3, C. L. M. RIVER ROAD I SUBDIVISION, lying in the Northeast Quarter of Section 8, Township 1 South, Range 1 West of the Ute Principal Meridian, Mesa County, Colorado being more particularly described as follows:

COMMENCING at the Northwest corner of the Northeast Quarter of the Northeast Quarter of said Section 8 (a found 2-1/2" Aluminum Pipe with 3-1/4" Aluminum Cap "DH SURVEYS INC E1/16 S5 S8 2001 LS 24306"), whence the North Quarter corner of said Section 8 (a found unmarked 2-1/2" Brass Cap) bears N89°57'13"E a distance of 1328.22 feet; THENCE S63°41'16"E a distance of 1468.41 feet to the northeasterly line of said Lot 3, being the POINT OF BEGINNING:

THENCE N73°59'43"E a distance of 13.13 feet;  
THENCE S00°08'13"E along the easterly line of said Lot 3 a distance of 22.45 feet;  
THENCE N56°33'48"W a distance of 16.49 feet;  
THENCE S33°20'51"W a distance of 69.41 feet;  
THENCE S33°20'51"W a distance of 84.00 feet;  
THENCE S33°20'51"W tangent with the following described curve a distance of 163.07 feet;  
THENCE along the arc of a curve to the right, having a central angle of 56°42'09", a radius of 297.50 feet, a chord bearing of S61°41'56"W a distance of 282.55 feet, and an arc distance of 294.42 feet;  
THENCE N89°57'00"W tangent with the last and following described curves a distance of 209.28 feet;  
THENCE along the arc of a curve to the right, having a central angle of 42°37'05", a radius of 297.50 feet, a chord bearing of N68°38'27"W a distance of 216.22 feet, and an arc distance of 221.29 feet;  
THENCE N47°19'55"W tangent with the last described curve a distance of 198.36 feet;  
THENCE N00°17'12"W along the westerly line of said Lot 3 a distance of 5.57 feet;  
THENCE the following six (6) courses along the northwesterly, northerly and northeasterly lines of said Lot 3:

- 1) N47°33'06"E a distance of 17.00 feet;
- 2) THENCE S42°26'54"E tangent with the following described curve a distance of 180.95 feet;
- 3) THENCE along the arc of a curve to the left, having a central angle of 47°42'59", a radius of 282.99 feet, a chord bearing of S66°18'24"E a distance of 228.93 feet, and an arc distance of 235.68 feet;
- 4) THENCE N89°50'07"E tangent with the last and following described curves a distance of 218.63 feet;
- 5) THENCE along the arc of a curve to the left, having a central angle of 56°22'11", a radius of 283.00 feet, a chord bearing of N61°39'01"E a distance of 267.34 feet, and an arc distance of 278.43 feet;
- 6) THENCE N33°27'54"E tangent with the last described curve a distance of 330.35 feet

to the POINT OF BEGINNING

Carter & Burgess, Inc. Carter & Burgess Architects/Engineers, Inc. Carter & Burgess Consultants, Inc. C&B Architects/Engineers, Inc.

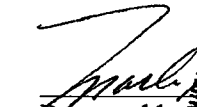
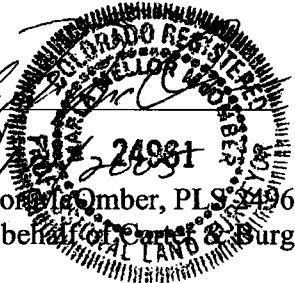
C&B Architects/Engineers, P.C. C&B Nevada, Inc. Nixon & Laird Architects/Engineers, P.C.

# Carter-Burgess

707 17th Street, Suite 2300  
Denver, Colorado 80202-3404  
Phone: 303.820.5240  
Fax: 303.820.2402  
www.cib.com

Containing 7571 square feet, (0.174 Acres), more or less for a Multipurpose Easement to the City of Grand Junction for the use of City approved utilities as perpetual easements for the installation, operation, maintenance and repair of utilities and appurtenances including, but not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, and also for the installation and maintenance of traffic control facilities, street lighting, landscaping, trees, grade structures, irrigation, road construction and maintenance.

Basis of Bearing: N89°58'01"E between Mesa County Local Coordinate System points Southwest Corner of Section 15 (2-1/2"Alumn.Cap in Monument Box Stamped: AES T1S R1W S16/S15/S21/S22 2002 PLS 24320) and the Southeast Corner of Section 15, (2-1/2"Brass Cap Stamped: COUNTY SURVEY MARKER 828-1 15/14/22/23), both in Township 1 South, Range 1 West Ute P.M.

  
Prepared by   
Date: 2/21/2009  
Marla Mellon, P.E., PLS 24081  
For and on behalf of Carter & Burgess, Inc.

Rev. October 7, 2004  
September 3, 2004  
071514.402.1.0025

EXHIBIT "B"

PROPERTY DESCRIPTION  
Parcel PE A-13B

A parcel of land being a portion of Lot 2, C. L. M. RIVER ROAD I SUBDIVISION, lying in the Northeast Quarter of Section 8, Township 1 South, Range 1 West of the Ute Principal Meridian, Mesa County, Colorado being more particularly described as follows:


COMMENCING at the Northwest corner of the Northeast Quarter of the Northeast Quarter of said Section 8 (a found 2-1/2" Aluminum Pipe with 3-1/4" Aluminum Cap "DH SURVEYS INC E1/16 S5 S8 2001 LS 24306"), whence the North Quarter corner of said Section 8 (a found unmarked 2-1/2" Brass Cap) bears N89°57'13"E (Basis of Bearing-assumed) a distance of 1328.22 feet; THENCE N27°56'17"W a distance of 874.44 feet to the westerly line of said Lot 2, being the POINT OF BEGINNING:

THENCE the following two (2) courses along the westerly line of said Lot 2:

- 1 S18°55'14"E a distance of 42.59 feet;
- 2 THENCE N42°26'54"W a distance of 39.05 feet;

THENCE N47°33'06"E a distance of 17.00 feet to the POINT OF BEGINNING.

Containing 332 square feet, (0. 008 Acres), more or less for a Multipurpose Easement to the City of Grand Junction for the use of City approved utilities as perpetual easements for the installation, operation, maintenance and repair of utilities and appurtenances including, but not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, and also for the installation and maintenance of traffic control facilities, street lighting, landscaping, trees, grade structures, irrigation, road construction and maintenance.

  
 Prepared by: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Marla McOmber, PLS 24961  
 For and on behalf of Carter & Burgess, Inc.

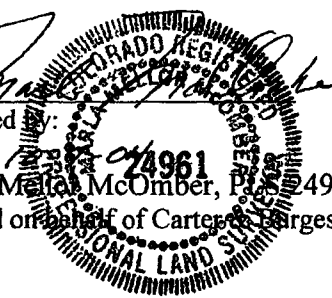


EXHIBIT "C"

PROPERTY DESCRIPTION

Parcel A-14PE

A parcel of land being a portion of Lot 1, C. L. M. RIVER ROAD I SUBDIVISION, lying in the Northeast Quarter of Section 8, Township 1 South, Range 1 West of the Ute Principal Meridian, Mesa County, Colorado being more particularly described as follows:

COMMENCING at the Northwest corner of the Northeast Quarter of the Northeast Quarter of said Section 8 (a found 2-1/2" Aluminum Pipe with 3-1/4" Aluminum Cap "DH SURVEYS INC E1/16 S5 S8 2001 LS 24306"), whence the North Quarter corner of said Section 8 (a found unmarked 2-1/2" Brass Cap) bears N89°57'13"E (Basis of Bearing-assumed) a distance of 1328.22 feet; THENCE S35°56'49"E a distance of 666.29 feet to the westerly line of said Lot 1 being the POINT OF BEGINNING:


THENCE S55°15'25"E a distance of 52.93 feet;  
THENCE N82°10'43"E a distance of 77.15 feet;  
THENCE N70°14'21"E a distance of 88.33 feet;  
THENCE N58°56'22"E a distance of 67.75 feet;  
THENCE N46°23'39"E a distance of 100.18 feet;  
THENCE N36°32'06"E a distance of 75.66 feet;  
THENCE the following six (6) courses along the southerly line of said Lot 1:

- 1) S29°23'14"W a distance of 28.41 feet;
- 2) THENCE S37°10'06"W a distance of 78.09 feet;
- 3) THENCE S48°58'39"W a distance of 80.10 feet;
- 4) THENCE S58°25'31"W a distance of 83.07 feet;
- 5) THENCE S72°17'13"W a distance of 85.30 feet;
- 6) THENCE S83°31'31"W a distance of 81.92 feet;

THENCE N55°15'25"W a distance of 20.44 feet;  
THENCE the following two (2) courses along the westerly line of said Lot 1:

- 1) N13°12'07"W a distance of 30.14 feet;
- 2) THENCE N00°17'12"W a distance of 2.21 feet to the POINT OF BEGINNING.

Containing 3944 square feet, (0.091 Acres), more or less for a Multipurpose Easement to the City of Grand Junction for the use of City approved utilities as perpetual easements for the installation, operation, maintenance and repair of utilities and appurtenances including, but not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, and also for the installation and maintenance of traffic control facilities, street lighting, landscaping, trees, grade structures, irrigation, road construction and maintenance.

  
 Prepared by:  
 Date: 10/24/04  
 Marla Meder McOmber, PLS 24961  
 For and on behalf of Carter & Burgess, Inc.  
 K:\071514-Riverside\071514-14PE-14PE.doc

# Carter=Burgess

February 10, 2005  
071514.402.1.0025

## EXHIBIT "D"

707 17th Street, Suite 2300  
Denver, Colorado 80202-3404  
Phone: 303.820.5240  
Fax: 303.820.2402  
www.c-b.com

### PROPERTY DESCRIPTION

#### Parcel PE A-14B


A parcel of land being a portion of Lot 1, C. L. M. RIVER ROAD I SUBDIVISION, lying in the Northeast Quarter of Section 8, Township 1 South, Range 1 West of the Ute Principal Meridian, Mesa County, Colorado being more particularly described as follows:

COMMENCING at the Northwest corner of the Northeast Quarter of the Northeast Quarter of said Section 8 (a found 2-1/2" Aluminum Pipe with 3-1/4" Aluminum Cap "DH SURVEYS INC E1/16 S5 S8 2001 LS 24306"), whence the North Quarter corner of said Section 8 (a found unmarked 2-1/2" Brass Cap) bears N89°57'13"E a distance of 1328.22 feet; THENCE S87°48'30"E a distance of 460.00 feet to the northwesterly line of said Lot 1 being the POINT OF BEGINNING:

THENCE N89°44'32"E a distance of 13.61 feet;  
THENCE S56°32'06"E a distance of 27.35 feet;  
THENCE N88°44'22"W a distance of 45.71 feet;  
THENCE N33°27'56"E along the northwesterly line of said Lot 1 a distance of 16.80 feet to the POINT OF BEGINNING.

Containing 428 square feet, (0.010 Acres), more or less, for a Multipurpose Easement to the City of Grand Junction for the use of City approved utilities as perpetual easements for the installation, operation, maintenance and repair of utilities and appurtenances including, but not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, and also for the installation and maintenance of traffic control facilities, street lighting, landscaping, trees, grade structures, irrigation, road construction and maintenance.

Basis of Bearing: N89°58'01"E between Mesa County Local Coordinate System points Southwest Corner of Section 15 (2-1/2"Alumn.Cap in Monument Box Stamped: AES T1S R1W S16/S15/S21/S22 2002 PLS 24320) and the Southeast Corner of Section 15, (2-1/2"Brass Cap Stamped: COUNTY SURVEY MARKER 828-1 15/14/22/23), both in Township 1 South, Range 1 West Ute P.M.

Prepared by:   
Date: 2/14/05  
Marla Mellor Member, PLS 24961  
For and on behalf of Carter & Burgess, Inc.



Carter & Burgess, Inc. Carter & Burgess Architects/Engineers, Inc. Carter & Burgess Consultants, Inc. C&B Architects/Engineers, Inc.  
C&B Architects/Engineers, P.C. C&B Nevada, Inc. Nixon & Laird Architects/Engineers, P.C.

## **EXHIBIT "E" - EXCEPTIONS**

1. Easements, or claims of easements, not shown by the public records.
2. Unpatented mining claims: reservations or exceptions in Patents or in Acts authorizing the issuance thereof.
3. Water rights, claims or title to water, whether or not shown by the public records.
4. Any existing leases and/or tenancies.
5. All oil, gas and other mineral interests, including limestone, that have been, are, or may be claimed by others.
6. Terms, Conditions, Provisions, Agreements and Obligations as specified in Public Right-of-Way between Clifton L. Mays and Mesa County dated December 10, 1990 and recorded May 15, 1991 in Book 1837 at Page 479.
7. Terms, Conditions, Provisions, Agreements and Obligations as specified in Development Permit dated June 8, 1988 and recorded July 13, 1988 in Book 1701 at Page 213.
8. Terms, Conditions, Provisions, Agreements and Obligations as specified in Easement between John F. & Lilly L. Foust and Mesa County dated January 19, 1983 and recorded January 31, 1983 in Book 1413 at Page 99.
9. Terms, Conditions, Provisions, Agreements and Obligations as specified in Easement between John F. & Lilly L. Foust and Mesa County dated January 19, 1983 and recorded January 31, 1983 in Book 1413 at Page 100.
10. Terms, Conditions, Provisions, Agreements and Obligations as specified in Deed of Trust executed by Clifton L. Mays, Sr., to the Public Trustee of the County of Mesa for the benefit of Trula A. Mays, dated February 1, 2005 and recorded March 1, 2005 in Book 3845 at Page 912.
11. All matters set forth in the plat of C.L.M. River Road I Subdivision recorded May 9, 2002 in (plat) Book 18 at Page 397.

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**END OF EXHIBIT "E"**