

MCC08RIV

TYPE OF RECORD:	PERMANENT
CATEGORY OF RECORD:	EASEMENT
NAME OF PROPERTY OWNER OR GRANTOR:	MCCALLIN REAL ESTATE, LLC.
PURPOSE:	SANITARY SEWER EASEMENT AT TIMERLINE STEEL STORAGE YARD
ADDRESS:	2185 RIVER RD
PARCEL #:	0697-364-10-006
CITY DEPARTMENT:	PUBLIC WORKS AND PLANNING
YEAR:	2008
EXPIRATION DATE:	NONE
DESTRUCTION DATE:	NONE

GRANT OF SANITARY SEWER EASEMENT

McCallin Real Estate, LLC, a Colorado Limited Liability Company, Grantor, whose address is 6301 Dexter Street, Commerce City, Colorado 80022, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), and other good and valuable consideration; the receipt and sufficiency of which is hereby acknowledged, have granted and conveyed, and by these presents do 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, a perpetual Sanitary Sewer Easement ("Easement") for the installation, operation, maintenance, repair and replacement of sanitary sewer facilities and appurtenances related thereto, on, along, over, under, through and across the following described parcel of land, to wit:

A tract of land situated in the Southeast Quarter of Section 36, Township 1 North, Range 2 West, of the Ute Meridian, Mesa County, Colorado and being more particularly described as follows:

Commencing at the South Sixteenth Corner on the East line of Section 36 Township 1 North, Range 2 West, of the Ute Meridian from whence the South Quarter Corner of said Section 31 bears S 63°27'38" E a distance of 2947.76 feet; thence S 3°11'12" W a distance of 178.68 feet to a point on the Southerly right of way for River Road; thence along said Southerly right of way N56°21'21"W a distance of 496.60 feet; thence leaving said right of way S33°38'39"W a distance of 20.00 feet to the Point of Beginning; S 33°38'39" W a distance of 60.81 feet; thence N 56°21'21" W a distance of 46.95 feet; thence N63°20'12"E a distance of 22.46 feet; thence S 59°19'29" E a distance of 20.08; thence N 30°37'51" E a distance of 31.27 feet; thence N 63°19'04" E a distance of 10.39 feet; thence S 56°21'21" E a distance of 12.27 feet to the Point of Beginning.

Said tract of land contains 1,486 square feet 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 structures or any other item or fixture which might be detrimental to the facilities of Grantee or which might act to prevent or impede reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement area. Nothing in this section shall be interpreted to prevent Grantor from installing landscaping features or similar improvements typically located in easement areas.

2. Grantee's utilization of the Easement and the rights herein conveyed shall be performed with due care using commonly accepted standards and techniques. Grantee shall repair, replace and restore, within a reasonable time and at Grantee's sole cost and expense, any and all damages to the Easement area or to Grantors' adjoining property which may be caused by Grantee's utilization of the Easement and the rights conveyed herein, except that Grantee shall not be responsible for any damage caused by the removal of any burden within the Easement area which interferes with Grantee's reasonable ingress or egress on, along, over, under, through and across the Easement area and Grantee's use of the Easement area.

3. Grantors hereby further covenant with Grantee that Grantors 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 and demands of all persons claiming an interest by, through, or under the Grantors.

4. If the irrigation and drainage improvements contemplated to be built within the Easement are not constructed or are abandoned, Grantor shall have the option, to request release of the Easement, which release shall not be unreasonably withheld or delayed.

Executed and delivered this 17 day of April, 2008.

McCallin Real Estate, LLC
a Colorado Limited Liability Company

By Brian E. McCallin
Brian E. McCallin, Managing Director

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 17th day of April, 2008, by Brian E. McCallin, Managing Director, McCallin Real Estate, LLC, a Colorado Limited Liability Company.

My commission expires: 12-28-2011

Witness my hand and official seal.

Bonnie P. Semple
Notary Public

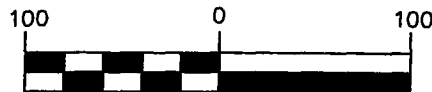
BONNIE P. SEMPLE
NOTARY PUBLIC
STATE OF COLORADO

My Commission Expires 12/28/2011

EXHIBIT "A"



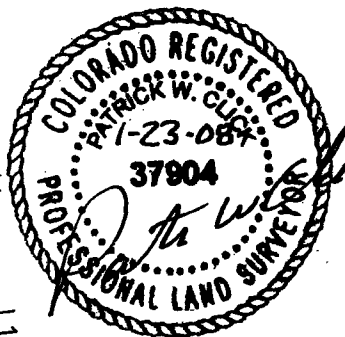
GRAPHIC SCALE:
1"=100'



LEGEND:

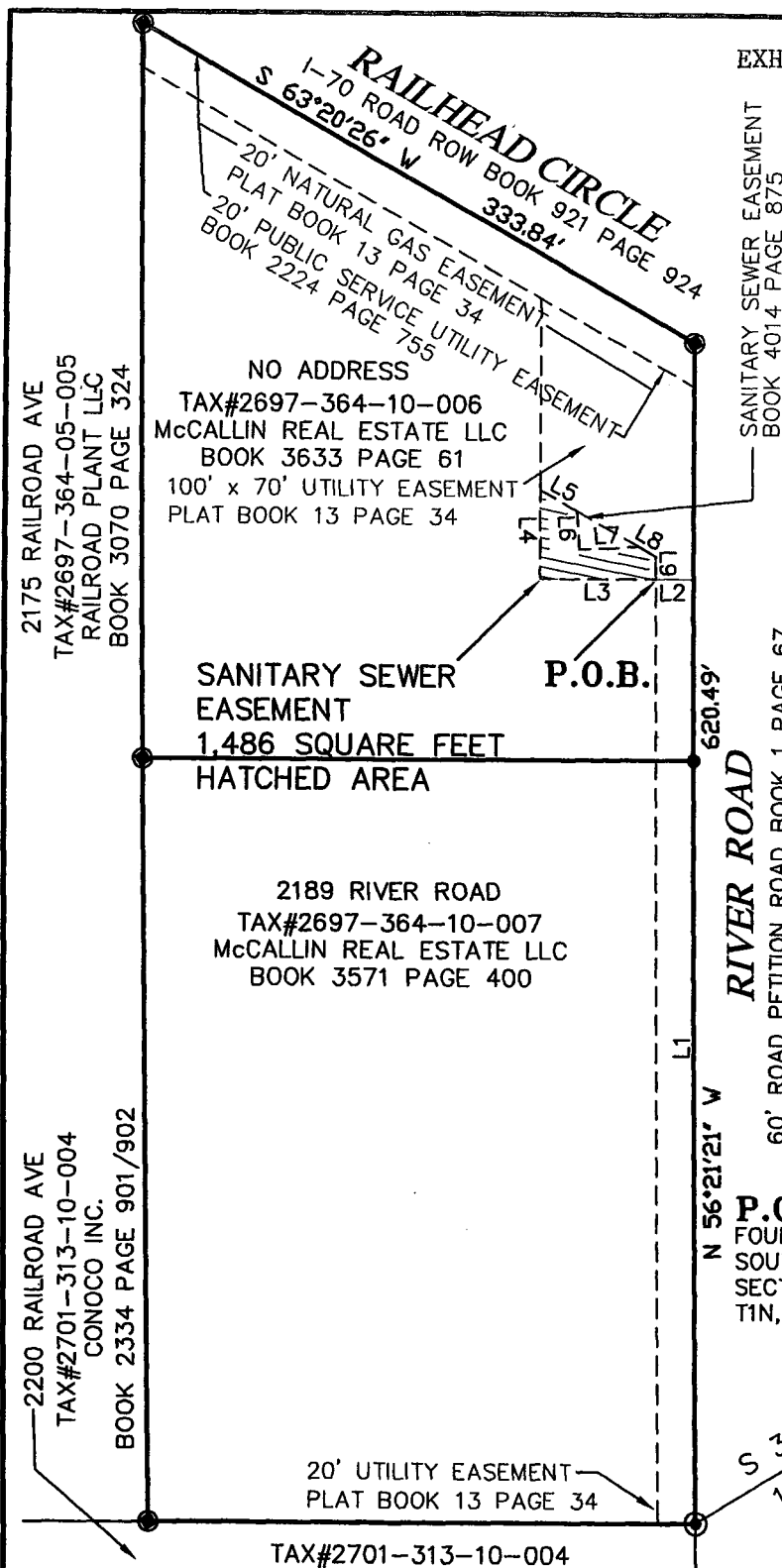
- FOUND MESA COUNTY SURVEY MONUMENT
- FOUND No. 5 REBAR PLS 38026
- FOUND No. 5 REBAR PLS 18469
- RECOVERED No. 5 REBAR PLS 37904

LINE TABLE		
LINE	LENGTH	BEARING
L1	496.60'	N56°21'21"W
L2	20.00'	S33°38'39"W
L3	60.81'	S33°38'39"W
L4	46.95'	N56°21'21"W
L5	22.46'	N63°20'12"E
L6	20.08'	S59°19'29"E
L7	31.27'	N30°37'51"E
L8	10.39'	N63°19'04"E
L9	12.27'	S56°21'21"E
L10	2947.76'	S63°27'38"E



P.O.C.
FOUND MCSM No. 1116
SOUTH 1/16 EAST LINE
SECTION 36
T1N, R2W, UTE PM

FOUND MCSM
No. 292-1
SOUTH 1/4
SECTION 31
T1N, R2W, UTE PM



LEGAL DESCRIPTION SKETCH

SITUATED IN THE SE 1/4 SECTION 36, T1N, R2W, UTE PM
GRAND JUNCTION, MESA COUNTY, COLORADO

2189 RIVER ROAD

TAX#S 2697-364-10-006&007 | OWNER: McCALLIN REAL ESTATE LLC

CLIENT: Vortex
DATE: 11/13/07

JOB #: 2007056
DRAWING NAME: 056BASE

FIELD WORK: JT
DRAWN BY: PWC

POLARIS SURVEYING

PATRICK W. CLICK P.L.S. No. 37904
695 36 ROAD
PALISADE, CO 81526
PHONE (970)986-0522