

MCS05ORC

TYPE OF RECORD:	PERMANENT
CATEGORY OF RECORD:	EASEMENT
NAME OF PROPERTY OWNER OR GRANTOR: NO. 51	MESA COUNTY VALLEY SCHOOL DISTRICT
PURPOSE:	A PARCEL OF LAND FOR A PERPETUAL MULTI-PURPOSE EASEMENT
ADDRESS:	2935 ORCHARD AVENUE
PARCEL NO:	2943-083-00-942
CITY DEPARTMENT:	PUBLIC WORKS
YEAR:	2005
EXPIRATION:	NONE
DESTRUCTION:	NONE

4

Mesa County Valley School District No. 51

Multi-Purpose Utility Easement
Bookcliff Middle School

Board of Education: 05/06-40

Adopted: October 18, 2005

WHEREAS, The City of Grand Junction is in need of a Perpetual Easement for the installation, operation, maintenance, repair and replacement of utilities and appurtenances related thereto, on, along, over, under, through and across property owned by Mesa County Valley School District No. 51 known as the Bookcliff Middle School Property; and

WHEREAS, such Easement is described as follows:

A certain parcel of land for a perpetual multi-purpose easement lying in the West half of the Northeast Quarter of the Southwest Quarter (W1/2 NE1/4 SW1/4) of Section 8, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

The East 20 feet of the West Half of the Northeast Quarter of the Southwest Quarter (W1/2 NE 1/4 SW 1/4) of said Section 8, except the North 30 feet thereof.

Subject to an Easement and Agreement between the Grand Junction Drainage District and Mesa County Valley School District No. 51, a Colorado Public School District, recorded at Book 2554 P568, Mesa County Clerk and Recorder.

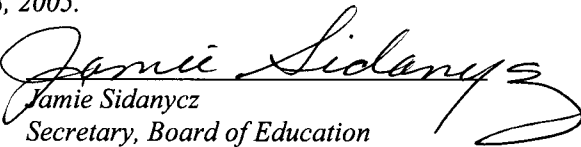
Containing 0.59 acres (25,800 square feet), more or less, as described.

and

WHEREAS, it appears that the interest to be conveyed will not interfere with the District's use or enjoyment of its property or the operation of the Bookcliff Middle School, that such interest is not needed for any purpose authorized by law and that conveyance thereof will work to the benefit of the District; and

NOW, THEREFORE, BE IT RESOLVED THAT the President and Secretary of the Board be and are hereby authorized, on the Board's behalf, to execute the attached Grant of Multi-Purpose Easement for the installation, operation, maintenance, repair and replacement of utilities, together with such other documents or instruments as may be required in order to carry out the purposes and intent of this Resolution.

I hereby certify that the information contained in the above resolution is accurate and was adopted by the Mesa County Valley School District No. 51 Board of Education on October 18, 2005.


Jamie Sidanycz
Secretary, Board of Education

2283137 BK 4025 P6 205-208
10/28/2005 02:48 PM
Janice Ward CLK/REC Mesa County, CO
Ref Fee \$20.00 SURCH \$1.00
Doc Fee EXEMPT

GRANT OF MULTI-PURPOSE EASEMENT

Mesa County Valley School District No. 51, whose address is 2115 Grand Avenue, Grand Junction, Colorado 81501, Grantor, 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, 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, a Perpetual Multi-Purpose Easement for the use and benefit of Grantee and for the use and benefit of the Public Utilities, as approved by Grantee, as a perpetual easement 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 and grade structures, as approved by Grantee, on, along, over, under, through and across the following described parcel of land, to wit:

A certain parcel of land for a perpetual multi-purpose easement lying in the West half of the Northeast Quarter of the Southwest Quarter (W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 8, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

The East 20 feet of the West Half of the Northeast Quarter of the Southwest Quarter (W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$) of said Section 8, except the North 30 feet thereof.

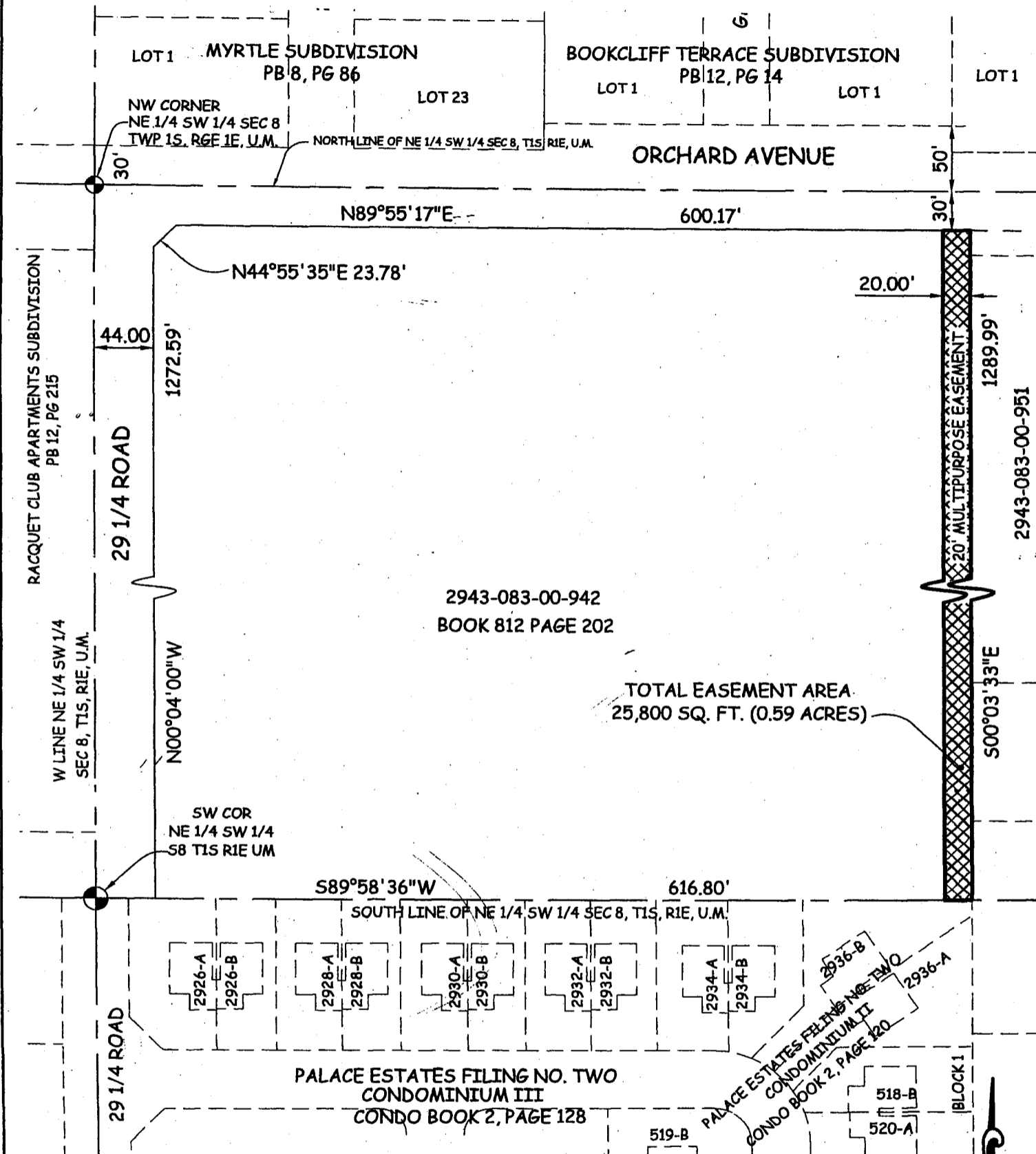
SUBJECT TO an Easement and Agreement between the Grand Junction Drainage District and Mesa County Valley School District No. 51, a Colorado Public School District, recorded at Book 2554 P568, Mesa County Clerk and Recorder.

CONTAINING 0.59 acres (25,800 square feet), more or less, as described.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns forever, together with the right to enter upon said premises with 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 construction and repair machinery, subject to the terms and conditions contained herein.

1. Grantor 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 Grantor hereby covenants with Grantee that the Easement area shall not be burdened or overburdened by the installation, construction or placement of any improvements, structures or fixtures thereon which may be detrimental to the facilities of Grantee or which may act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement area.
2. Grantee agrees that Grantee's utilization of the Easement and the rights herein conveyed shall be performed with due care using commonly accepted standards and techniques.
3. Grantor hereby covenants with Grantee he has good title to the herein described premises; he has good and lawful right to grant this Easement; that he will warrant and forever defend the title and quiet possession thereof against the lawful claims and demands of all persons whomsoever.

EXHIBIT "A"



2943-083-00-942
BOOK 812 PAGE 202

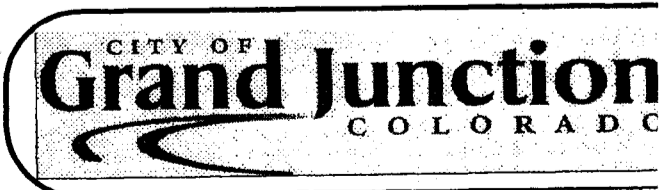
TOTAL EASEMENT AREA
25,800 SQ. FT. (0.59 ACRES)

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 a means for establishing or verifying property boundary lines.



DRAWN BY: T.L.P.
DATE: 7-15-05
SCALE: 1" = 100'
APPR. BY: P.T.K.

BOOKCLIFF MIDDLE SCHOOL
20' MULTI PURPOSE EASEMENT
2943-083-00-942



Executed and delivered this 18th day of October, 2005.

Mesa County Valley School District No. 51

Ron Rowley
Ron Rowley, President

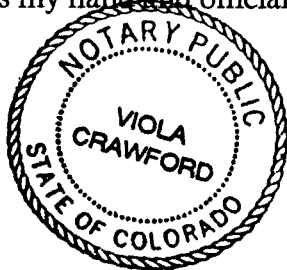
Jamie A. Sidanycz
Jamie Sidanycz, Secretary

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 18th day of October, 2005, by Ron Rowley as President and attested to by Jamie Sidanycz as Secretary of the Board of Education of Mesa County Valley School District No. 51.

My commission expires: 6/23/2007

Witness my hand and official seal.



Viola Crawford
Notary Public