

MSC91PAT

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: MESA COUNTY SCHOOL DISTRICT  
NO. 51 BY: W. TAFT, MOORE (PRESIDENT) AND MARY K. KALEMIAN  
(SECRETARY)

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: PATTERSON  
AND 25 ROAD, THE HORIZON DRIVE SEWER INTERCEPTOR, ACROSS  
FROM POMONA SCHOOL PROPERTY (URANIUM MILL TAILINGS REMEDIAL  
ACTION PROGRAM - REMOVED SEWER LINE)

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1991

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

GRANT OF SEWER EASEMENT

THIS GRANT OF SEWER EASEMENT is made this 19th day of November, 1991, between MESA COUNTY VALLEY SCHOOL DISTRICT NO. 51, Grantor, and THE CITY OF GRAND JUNCTION, COLORADO, a municipal corporation, whose legal address is 250 North 5th Street, Grand Junction, Colorado 81501-2668, Grantee.

WHEREAS, in 1966, Grantee installed and constructed a sanitary sewer line, commonly known as the "Horizon Drive Sewer Interceptor", through, under and across a tract of land owned by Grantor and known as the "Pomona School Property"; and

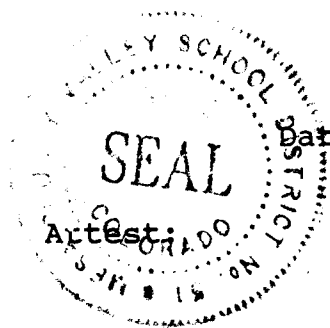
WHEREAS, in 1989, and in conjunction with the Uranium Mill Tailings Remedial Action Program, the original sewer line was removed and replaced with a new sewer line across the Pomona School Property, the alignment of which deviates from that of the original 1966 alignment; and

WHEREAS, no documented permission to allow the original 1966 installation by Grantee can be found; and

WHEREAS, Grantee is desirous of obtaining a SEWER EASEMENT for the operation, repair, replacement and maintenance of the Horizon Drive Sewer Interceptor as it presently exists.

NOW, THEREFORE, based on the recitals above and for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, and having determined that the sewer easement described herein will not interfere with present or future school purposes, Grantor hereby grants and conveys to Grantee, its successors and assigns, an easement for the operation, repair, replacement and maintenance of the existing Horizon Drive Sewer Interceptor located upon, under, over, through and across those portions of land owned by Grantor and known as the Pomona School Property, which easement is more particularly described in the attached Exhibit "A".

The easement shall be restricted for the operation, repair, replacement and maintenance of the existing Horizon Drive Sewer Interceptor only. Grantee, as a condition of this grant, agrees that entry to the property for the purpose of installation, repair, replacement and maintenance to the sewer line will be conducted so as to cause a minimum of interference with use of the Pomona School property. Further, Grantee agrees that it shall correct any damage, both material as well as aesthetic, caused by its entry as described herein.



Dated the year and day first above written.

MESA COUNTY VALLEY SCHOOL  
DISTRICT NO. 51

Mary K. Kalenian  
Secretary

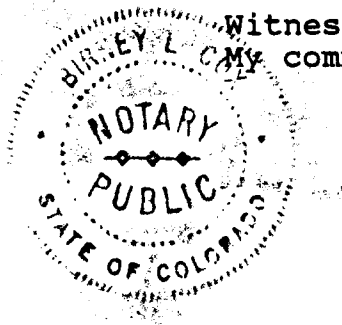
W. Jeff Moore  
President of the  
Board of Education

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MESA         )

The foregoing instrument was acknowledged before me this \_\_\_  
day of 11 December, 1991 by W. Jeff Moore  
as President, and attested to by Mary Kalenian as  
Secretary, of the Board of Education of Mesa County Valley School  
District No. 51.

Witness my hand and official seal.

My commission expires: 12-293.



Birney L. C.  
Notary Public

EXHIBIT "A"

A twenty (20.0) foot wide parcel of land located in the West One-Half (W1/2) of the North One-Half (N1/2) of the Northeast Quarter (NE1/4) of Section 10, Township 1 South, Range 1 West of the Ute Meridian, being 10 feet on either side of the following described center line, to wit:

Beginning at a point from whence the N1/4 Corner of said Section 10 bears N 85°32'25" W a distance of 643.03 feet; thence along the center line of an existing sewer line the following seven (7) courses:

1. S 00°00'00" E a distance of 37.12 feet;
2. S 40°30'51" E a distance of 22.31 feet;
3. S 00°22'27" W a distance of 387.00 feet;
4. S 00°01'55" W a distance of 441.04 feet;
5. S 54°33'40" W a distance of 656.42 feet;
6. N 85°01'08" W a distance of 21.20 feet;
7. S 53°18'24" W a distance of 94.98 feet to an existing manhole from whence the Center Corner of said Section 10 bears S 00°56'05" W a distance of 1269.57 feet.

Note: The actual width and limits of the foregoing legal description may extend beyond the eastern line of the W1/2 N1/2 NE1/4 of Section 10. Where this occurs, the eastern limits of the easement shall be narrowed to intersect and follow the eastern boundary of said W1/2 N1/2 NE1/4.