

NLB95282

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: ELDEN L. BOH AND NANCY L. BOH

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: 511 28 1/4  
ROAD PARCEL NO. E103, E105, AND E107 NO. 2943-073-00-126  
ROAD EASEMENT

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1995

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

ELDEN L. BOH and NANCY L. BOH, Grantors, for and in consideration of the sum of Two Thousand Seven Hundred Seven and 03/100 Dollars (\$2,707.03), the receipt and sufficiency of which is hereby acknowledged, hereby grant and convey to the City of Grand Junction, a Colorado home rule municipality, Grantee, whose legal address is 250 North 5th Street, Grand Junction, Colorado 81501, its successors and assigns forever, the herein described Perpetual Easements No. E103, E105 and No. E107 of City of Grand Junction 28¼ Road Project for the installation, operation, maintenance, repair and conveyance of utilities, irrigation water and facilities, storm water runoff and facilities, and street trees, together with the right of ingress and ingress for workers and equipment, on, along, over under, through and across the following described Parcels situated in the East ½ of the SE¼ SW¼ SW¼ and in the NE¼SW¼SW¼ of Section 7, Township 1 South, Range 1 East of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, said Parcels being more particularly described by the following metes and bounds, to wit:

Easement No. E103: Commencing at a point on the East line of the SE¼ SW¼ SW¼ of Section 7 from whence the Mesa County Brass Cap for the Southeast Corner of the SE¼ SW¼ SW¼ of said Section 7 bears S 02°05'00" W a distance of 264.75 feet with all bearings contained herein being relative thereto; thence N 87°59'08" W a distance of 23.0 feet to the True Point of Beginning;

Thence N 02°05'00" E a distance of 394.17 feet to the North line of said SE¼ SW¼ SW¼;  
Thence N 87°59'08" W along the North line of said SE¼ SW¼ SW¼ a distance of 10.0 feet;  
Thence S 02°05'00" W a distance of 22.13 feet;  
Thence N 87°59'08" W a distance of 31.0 feet;  
Thence S 02°05'00" W a distance of 10.0 feet;  
Thence S 87°59'08" E a distance of 12.25 feet;  
Thence S 02°05'00" W a distance of 15.0 feet;  
Thence S 87°59'08" E a distance of 18.75 feet;  
Thence S 02°05'00" W a distance of 201.79 feet;  
Thence N 87°59'08" W a distance of 5.0 feet;  
Thence S 02°05'00" W a distance of 18.0 feet;  
Thence N 87°59'08" W a distance of 32.0 feet;  
Thence S 02°05'00" W a distance of 10.0 feet;  
Thence S 87°59'08" E a distance of 37.0 feet;  
Thence S 02°05'00" W a distance of 117.25 feet;  
Thence S 87°59'08" E a distance of 10.0 feet to the Point of Beginning;

The above described easement contains 4,992.95 square feet (0.115 +- acres) as described herein and depicted on the attached Exhibit "A".

**Easement No. E105:** Commencing at the Southeast Corner of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 7, and considering the East line of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 7 to bear N 02°05'00" E with all bearings contained herein being relative thereto; thence N 87°59'08" W a distance of 30.0 feet; thence N 02°05'00" E a distance of 27.50 feet to the intersection of the West right-of-way for 28 $\frac{1}{4}$  Road with the North right-of-way for Bunting Avenue and the True Point of Beginning;

Thence N 02°05'00" E along the West right-of-way for 28 $\frac{1}{4}$  Road a distance of 62.50 feet;  
 Thence leaving said right-of-way for 28 $\frac{1}{4}$  Road, N 87°59'08" W a distance of 3.70 feet;  
 Thence S 01°15'54" W a distance of 48.92 feet;  
 Thence S 02°05'00" W a distance of 13.58 feet to a point on the North right-of-way for Bunting Avenue;  
 Thence S 87°59'08" E along the North right-of-way for Bunting Avenue a distance of 3.0 feet to the True Point of Beginning.

The above described easement contains 204.66 square feet (0.005+- acres) as described herein and depicted on the attached Exhibit "B".

**Easement No. E107 :** Commencing at a point on the East line of the South  $\frac{1}{2}$  of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 7 from whence the Northeast Corner of the South  $\frac{1}{2}$  of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 7 bears N 02°05'00" E a distance of 155.0 feet with all bearings contained herein being relative thereto; thence N 87°59'08" W a distance of 24.91 feet to the True Point of Beginning;

Thence N 87°59'08" W a distance of 10.0 feet;  
 Thence S 01°15'54" W a distance of 85.01 feet;  
 Thence S 87°59'08" E a distance of 10.0 feet;  
 Thence N 01°15'54" E a distance of 85.01 feet to the True Point of Beginning;

The above described easement contains 850.03 square feet (0.019+- acres) as described herein and depicted on the attached Exhibit "B".

**TO HAVE AND TO HOLD** the premises herein granted unto the Grantee, its successors and assigns forever, subject to the following terms, covenants, conditions and restrictions:

1. Grantee, as a condition of this grant, agrees that entry to the easement areas for the purposes herein described shall be conducted so as to cause minimum interference to the Grantors, their heirs, successors and assigns. Grantee further agrees that it shall correct any damage(s), both material as well as aesthetic, which may be caused by its entry as described herein.
2. Grantors shall have the right to continue to use the real property burdened by these

Easements for any lawful purpose which will not interfere with Grantee's full use and enjoyment of the Grantee's rights herein granted; provided, however, Grantors hereby covenant with Grantee that the easement areas shall not be burdened or overburdened by the Grantors erecting or placing any improvements or structures thereon which might act to prevent reasonable ingress and egress on, along, over, under, through and across the easement areas.

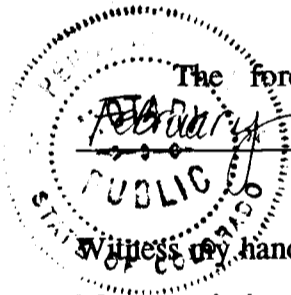
3. Grantors hereby covenant with Grantee that they have good title to the aforescribed premises; that they have good and lawful right to grant these Easements; that they will warrant and forever defend the title and quiet possession thereof against the lawful claims of all persons whomsoever.

Signed this 13<sup>th</sup> day of February, 1995.

Elden L. Boh  
Elden L. Boh

Nancy L. Boh  
Nancy L. Boh

State of Colorado )  
                                  )ss.  
County of Mesa     )



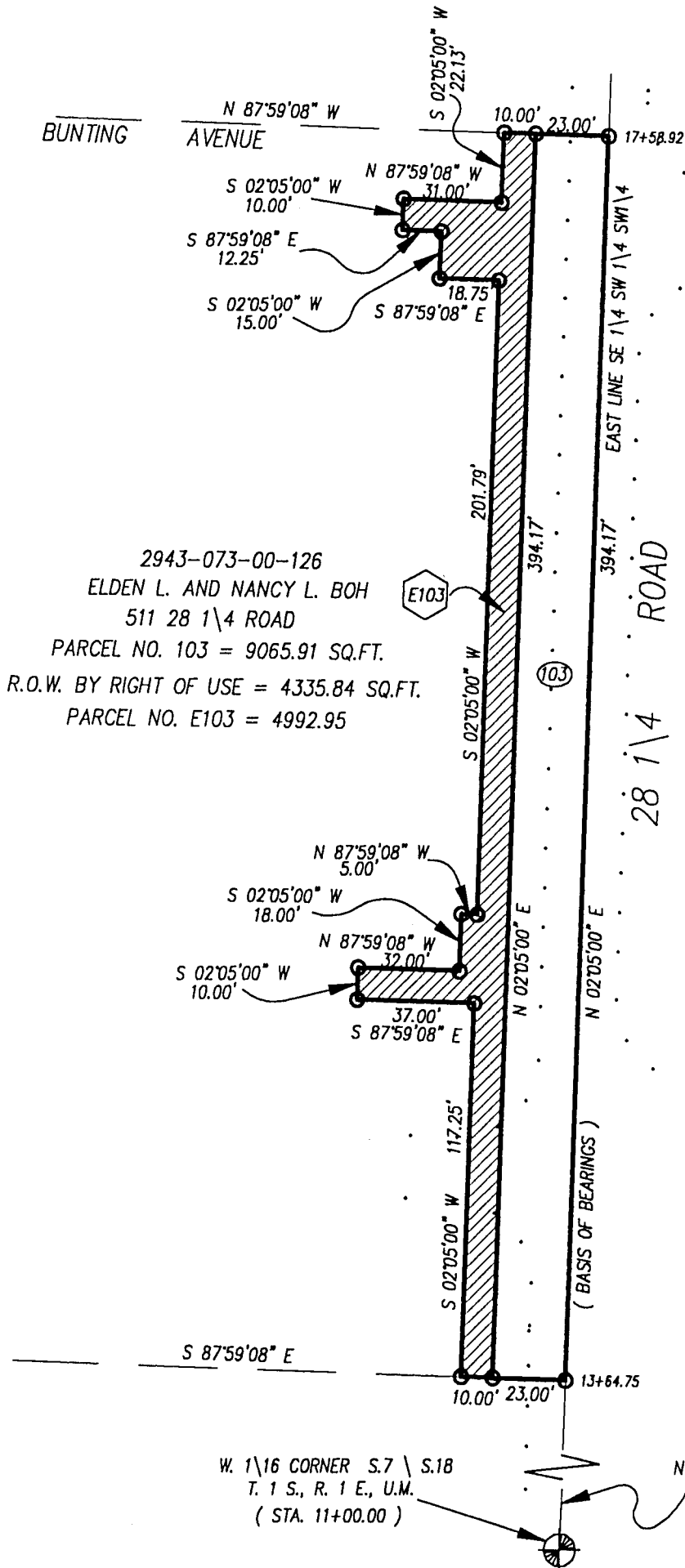
The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of February, 1995, by Elden L. Boh and Nancy L. Boh.

Witness my hand and official seal.  
My commission expires 3-3-97

[Signature]  
Notary Public

# EXHIBIT "A"

STA. 13+64.75 TO STA. 17+58.92

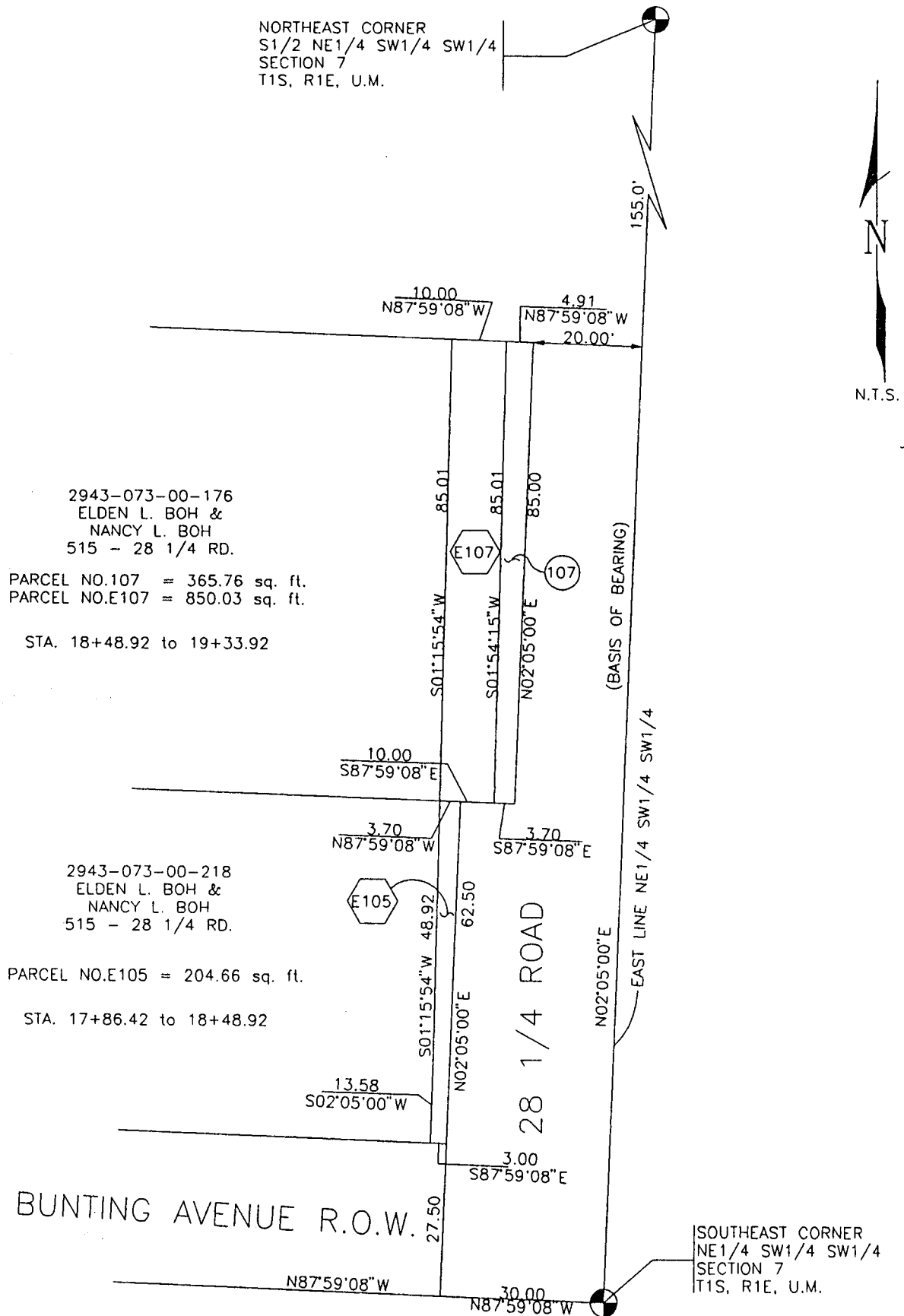


DRAWN BY: SRP  
 DATE: 01\18\95  
 SCALE: 1" = 50'  
 APPR. BY: \_\_\_\_\_  
 FILE NO: ROW103.DWG

**RIGHT-OF-WAY DESCRIPTION MAP**  
**28 1/4 ROAD - NORTH AVE. TO ORCHARD AVE**

**DEPARTMENT OF PUBLIC WORKS**  
**ENGINEERING DIVISION**  
**CITY OF GRAND JUNCTION**

EXHIBIT "B"



R.O.W. DESCRIPTION MAP  
 107 & E107  
 PARCEL NO. STA. 17+58.92 to 19+33.92 LT.  
 APPROVED \_\_\_\_\_  
 DATE \_\_\_\_\_ DRAWN BY C.L.M. 12/21/94

CITY OF GRAND JUNCTION ENGINEERING DEPARTMENT  
 28 1/4 ROAD - NORTH AVE. to ORCHARD AVE.