

OCC980RC

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: ORCHARD COMMUNITY CHURCH BY JOHN B. RHODES

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: 2430 ORCHARD AVENUE STORM DRAINAGE EASEMENT

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1998

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

1850497 06/12/98 0325PM
MONIKA TODD CLK&REC MESA COUNTY CO
REG FEE \$15.00 SURCHG \$1.00
DOCUMENTARY FEE \$EXEMPT

GRANT OF EASEMENT

Orchard Community Church, a Colorado non-profit corporation, Grantor, for and in consideration of the installation, operation, maintenance, repair and replacement of underground storm drainage pipelines and related facilities, the receipt and sufficiency of which is hereby acknowledged, has given, granted and conveyed, and by these presents does hereby give, 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, two (2) Perpetual Easements for the installation, operation, maintenance, repair and replacement of underground storm drainage pipelines and related facilities, on, along, over, under, through and across the following described parcels of land, to wit:

Easement Parcel No. 1:

Commencing at the Southeast Corner of the West 1/2 of the Southeast 1/4 of the Northeast 1/4 (W1/2 SE1/4 NE1/4) of Section 12, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the South line of the W1/2 SE1/4 NE1/4 of said Section 12 to bear N 89°56'00" E with all bearings contained herein being relative thereto; thence N 00°04'00" W along the east line of said W1/2 SE1/4 NE1/4 a distance of 30.00 feet to a point on the north right-of-way line for Orchard Avenue and the True Point of Beginning; thence S 89°56'00" W along the north right-of-way line for Orchard Avenue a distance of 20.00 feet; thence leaving said right-of-way line, N 00°04'00" W a distance of 281.00 feet to a point on the south boundary line of Block 3, Arbor Village Subdivision; thence N 89°56'00" E along the south boundary line of said Block 3 a distance of 20.00 feet to the southeast corner of Lot 4, Block 3 of Arbor Village Subdivision; thence leaving the south boundary line of said Block 3, S 00°04'00" E a distance of 281.00 feet to the Point of Beginning, containing 5,620.0 square feet as described herein and depicted on **Exhibit "A"** attached hereto and incorporated herein by reference; and also

Easement Parcel No. 2:

Commencing at the Southeast Corner of the West 1/2 of the Southeast 1/4 of the Northeast 1/4 (W1/2 SE1/4 NE1/4) of Section 12, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the South line of the W1/2 SE1/4 NE1/4 of said Section 12 to bear N 89°56'00" E with all bearings contained herein being relative thereto; thence N 00°04'00" W along the east line of said W1/2 SE1/4 NE1/4 a distance of 30.00 feet to a point on the north right-of-way line for Orchard Avenue; thence S 89°56'00" W along the north right-of-way line for Orchard Avenue a distance of 270.00 feet to the True Point of Beginning; thence S 89°56'00" W along the north right-of-way line for Orchard Avenue a distance of 18.50 feet to a point which is the intersection of the north right-of-way line for Orchard Avenue with the east right-of-way line for 24th Street; thence N 31°01'50" W along said intersecting right-of-way line a distance of 2.91 feet to a point on the east right-of-way line for 24th Street; thence N 00°04'00" W along the east right-of-way line for 24th Street a distance of 278.50 feet to a point on the south boundary line of Block 3, Arbor Village Subdivision; thence N 89°56'00" E along the south boundary line of said Block 3 a distance of 20.00 feet; thence leaving the south boundary line of said Block 3, S 00°04'00" E a distance of 281.00 feet to the Point of Beginning, containing 5,618.13 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 Easements as may be required to permit the operation of standard utility 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 these Easements 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 Easements hereby created shall not be burdened or overburdened by installation, construction or placement of any structures, items or fixtures which might act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement areas.

2. Grantee's work and act of installing, operating, maintaining, repairing and replacing said storm drainage pipelines and related facilities shall be performed with due care using commonly accepted standards and techniques.

3. Grantor hereby covenants with Grantee that it has good title to the aforescribed premises; that it has 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 and demands of all persons whomsoever.

Executed and delivered this 9 day of June, 1998.

Orchard Community Church,
a Colorado non-profit corporation

John B Rhodes
John Rhodes, President

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 9 day of June, 1998, by John Rhodes as President of Orchard Community Church, a Colorado non-profit corporation.

My commission expires: 11.21.98

Witness my hand and official seal.

Constance Mae Robbins
Notary Public

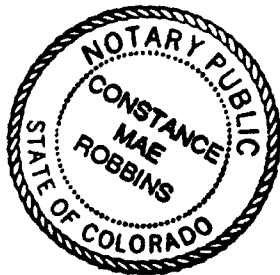


EXHIBIT "A"



PINYON AVENUE

ARBOR VILLAGE SUBDIVISION

BLOCK NO. 3

15' UTILITY EASEMENT

N89°56'00"E

BLOCK NO. 1

15' UTILITY EASEMENT

McCLURE PARK SUBDIVISION

24TH STREET

2945-121-00-959
 ORCHARD COMMUNITY CHURCH
 2430 ORCHARD AVENUE
 DRAINAGE EASEMENT AREA = 11238.13 SQ.FT.

DRAINAGE EASEMENT
 5818.13 SQ.FT.

DRAINAGE EASEMENT
 5420.00 SQ.FT.

N31°01'50"W
 2.91'

SE CORNER
 W 1/4 SE 1/4 NE 1/4
 SEC. 12, T1S, R1W, U.M.

290.00'
 N89°56'00"E
 BASIS OF BEARINGS

SE CORNER
 W 1/2 SE 1/4 NE 1/4
 SEC. 12, T1S, R1W, U.M.

ORCHARD AVENUE

DRAWN BY: SRP
 DATE: 4-30-98
 SCALE: 1" = 60'
 APPR. BY: TW
 FILE NO: CHURCH.DWG

EASEMENT DESCRIPTION MAP

STORM DRAINAGE EASEMENT

DEPARTMENT OF PUBLIC WORKS
 ENGINEERING DIVISION
 CITY OF GRAND JUNCTION