

OVA99275

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: LEROY D. OVIATT AND JUDY L. OVIATT

STREET ADDRESS/ PARCEL NAME/SUBDIVISION/PROJECT: IRRIGATION EASEMENT FOR 27
½ ROAD - 609 27 ½ ROAD, PARCEL NO. 2945-013-00-019

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1999

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

3 PAISE

GRANT OF EASEMENT

BOOK 2615 PAGE 877

Leroy D. Oviatt and Judy L. Oviatt, whose address is 609 27 1/2 Road, Grand Junction, Colorado 81505, Grantor, for and in consideration of Irrigation Facilities Improvements, the receipt and sufficiency of which is hereby acknowledged, have granted and conveyed and by these presents do hereby grant and convey unto the City of Grand Junction, a Colorado home rule municipality, whose address is 250 North 5th Street, Grand Junction, Colorado 81501, Grantee, for the use and benefit of present and future owners of real property and irrigation facilities located upstream and downstream of the premises herein described, a perpetual easement for the installation, operation, maintenance and repair of irrigation facilities, together with the right of ingress and ingress for workers and equipment, on, along, over, under, through and across the following described real property in the County of Mesa, State of Colorado, to wit:

Commencing at the South 1/4 Corner of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the East line of the SE 1/4 SW 1/4 of said Section 1 to bear N 00°02'19" E with all bearings contained herein being relative thereto; thence N 00°02'19" E along the East line of the SE 1/4 SW 1/4 of said Section 1 a distance of 429.98 feet; thence leaving the East line of the SE 1/4 SW 1/4 of said Section 1, N 89°47'35" W a distance of 30.00 feet to a point on the West right-of-way line for 27 1/2 Road, said point being the True Point of Beginning;
thence leaving said West right-of-way line, N 89°47'35" W a distance of 5.00 feet;
thence N 00°02'19" E a distance of 75.00 feet;
thence S 89°47'35" E a distance of 5.00 feet;
thence S 00°02'19" W a distance of 75.00 feet to the Point of Beginning;

containing 375.00 square feet as described herein and depicted on **Exhibit "B"** attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the premises herein granted unto the Grantee, its successors and assigns forever, together with the right to enter upon said premises, to survey, construct, maintain, operate, repair, replace, control and use said irrigation facilities, 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 following terms, covenants, conditions and restrictions:

1. Grantee, as a condition of this grant, agrees that entry to the easement area for the purposes herein described shall be conducted so as to cause minimum interference to Grantors and to the Grantors' heirs, successors and assigns.

2. Grantors shall have the right to continue to use the real property burdened by this easement for any lawful purpose which will not interfere with the full use and quiet enjoyment of Grantee's rights herein granted; provided, however, Grantors hereby covenant with Grantee that the easement area 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 area.

3. Grantors hereby covenants with Grantee that they 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 whomsoever.

Executed this 30 day of June, 1999.

Leroy D. Oviatt
Leroy D. Oviatt

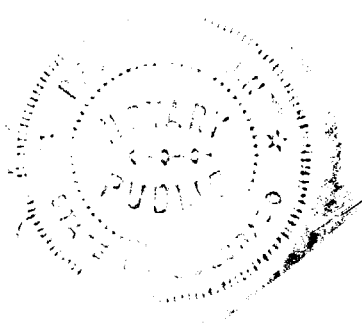
Judy L. Oviatt
Judy L. Oviatt

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 30TH day of June, 1999, by Leroy D. Oviatt and Judy L. Oviatt.

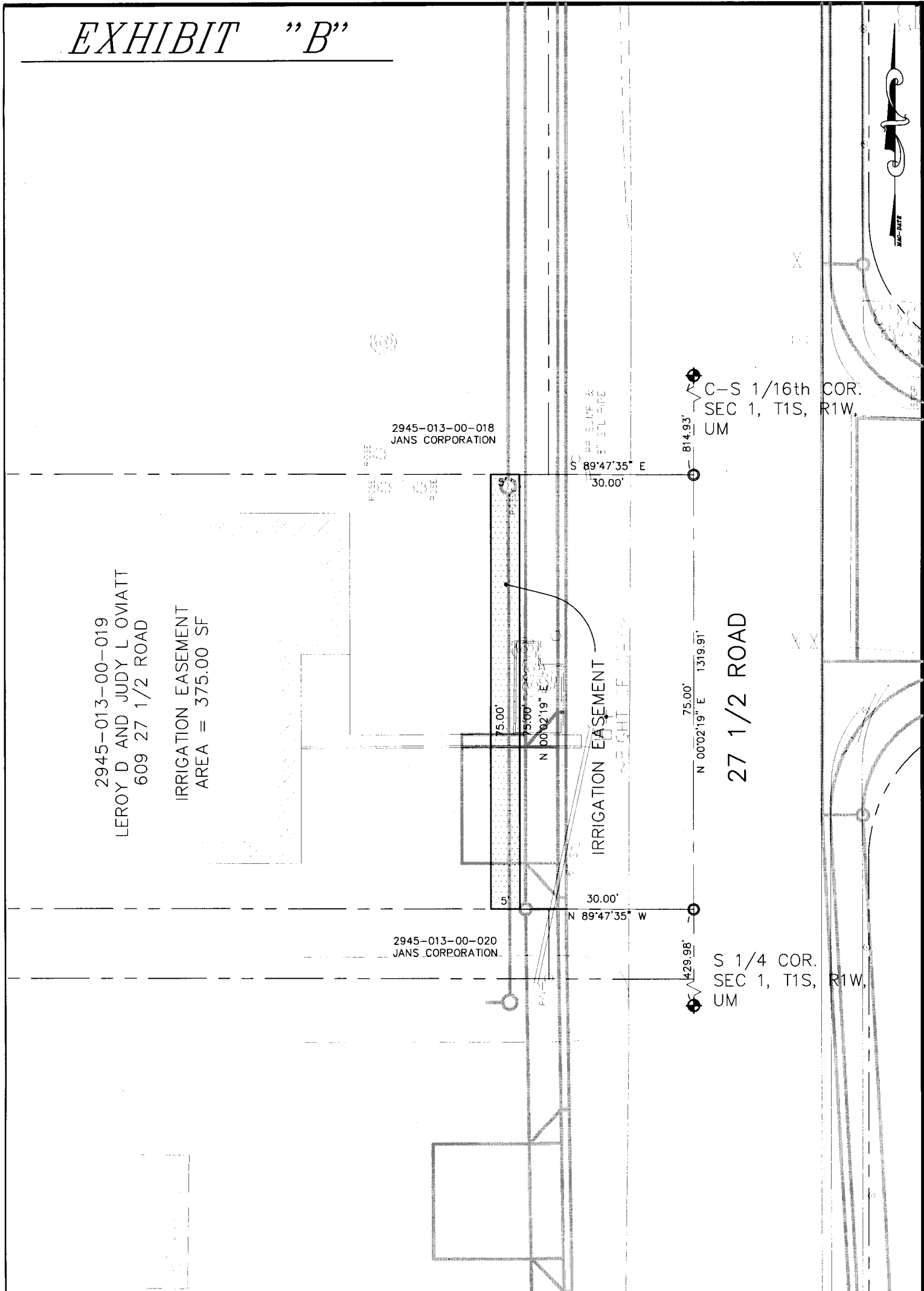
My commission expires: 3.3.01

Witness my hand and official seal.



Robert Qui
Notary Public

EXHIBIT "B"



DRAWN BY: JCS
DATE: 1-21-99
SCALE: 1" = 20'
APPR. BY: TW
FILE NO: 01300019.DWG

RIGHT-OF-WAY DESCRIPTION MAP

27 1/2 ROAD - PATTERSON ROAD TO C ROAD

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
CITY OF GRAND JUNCTION