

OVT99275

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: PUBLIC UTILITIES EASEMENT  
FOR WEST SIDE OF 27 1/2 ROAD BETWEEN PATTERSON ROAD AND G ROAD - 609 27 1/2  
ROAD - PARCEL NO. 2945-013-00-019

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1999

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

1899263 04/23/99 0151PM  
MONIKA TODD CLK&REC MESA COUNTY CO  
BOOK FEE \$10.00 SURCHG \$1.00  
DOCUMENTARY FEE \$No FEE

GRANT OF PUBLIC UTILITIES EASEMENT

LeRoy D. Oviatt and Judy L. Oviatt, Grantors, for and in consideration of the sum of Three Hundred Sixty and 00/100 Dollars (\$360.00), the receipt and sufficiency of which is hereby acknowledged, have sold, granted and conveyed, and by these presents do hereby sell, 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, for the use and benefit of Grantee and for the use and benefit of the Public Utilities, a Perpetual Easement for the installation, operation, maintenance, repair and replacement of electric and telecommunications facilities, on, along, over, under, through and across the following described parcel of land, 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 504.98 feet; thence leaving the East line of said SE 1/4 SW 1/4, N 89°47'35" W a distance of 30.00 feet to the True Point of Beginning; thence N 89°47'35" W a distance of 10.00 feet; thence S 00°02'19" W a distance of 10.00 feet; thence S 89°47'35" E a distance of 10.00 feet; thence N 00°02'19" E a distance of 10.00 feet to the Point of Beginning, containing 100.00 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 Easement, 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 terms and conditions contained herein.

- Grantors 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 Grantors hereby covenant with Grantee that the Easement area shall not be burdened or overburdened by the installation, construction or placement of any structure or any other item or fixture which may be detrimental to the facilities of Grantee or the Public Utilities, or which may act to impede or prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement area.
- Grantee agrees that Grantees' utilization of the Easement shall be performed with due care using commonly accepted standards and techniques.
- 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.

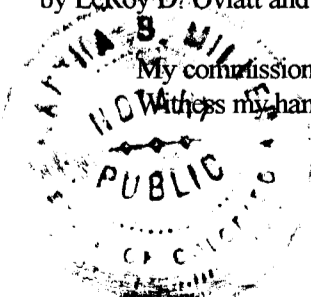
Executed and delivered this 10<sup>th</sup> day of April, 1999.

LeRoy D. Oviatt  
LeRoy D. Oviatt

Judy L. Oviatt  
Judy L. Oviatt

State of Colorado )  
)ss.  
County of Mesa )

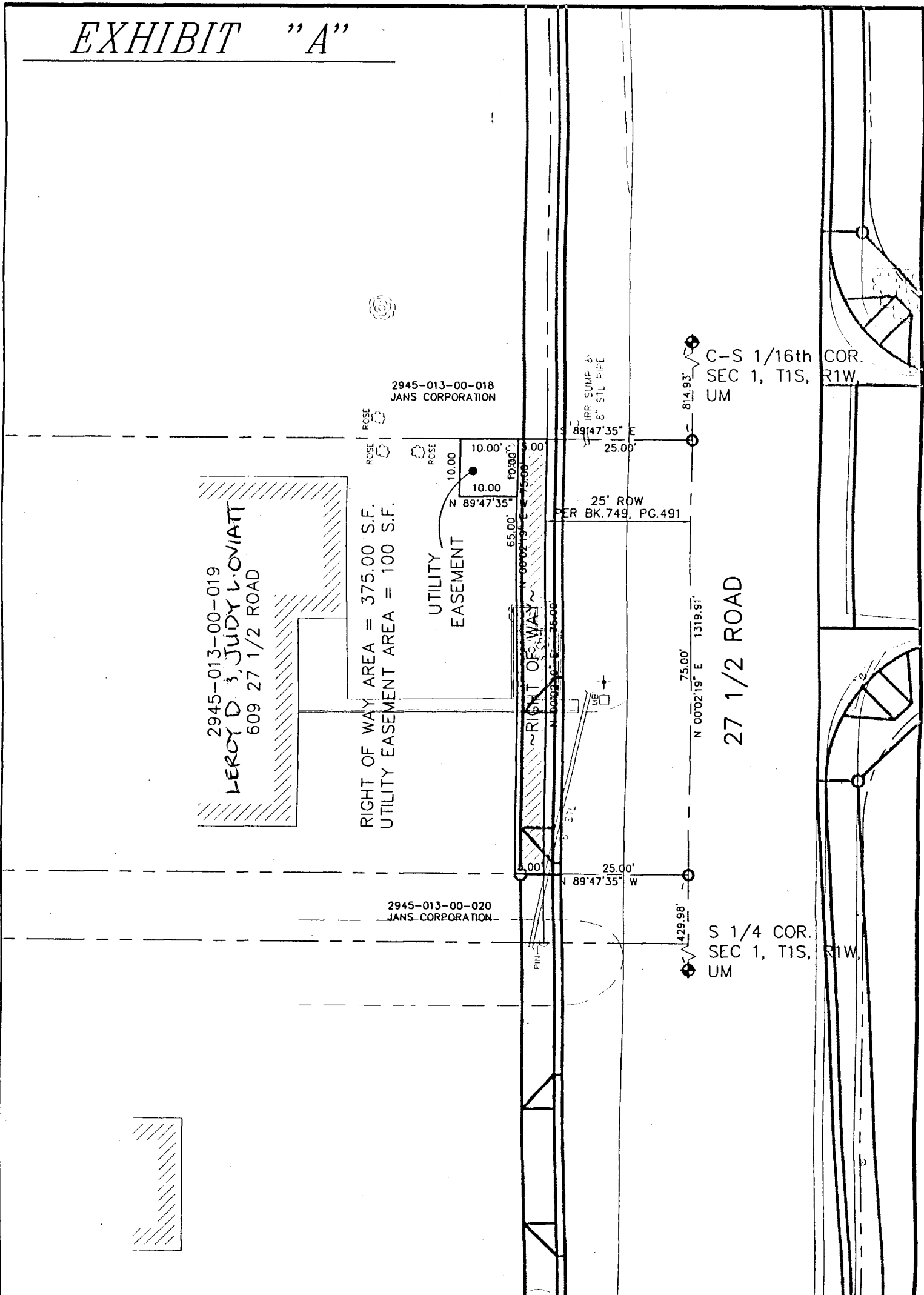
The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of April, 1999, by LeRoy D. Oviatt and Judy L. Oviatt.



My commission expires: 6-7-1999  
Witness my hand and official seal.

Matthew S. Mullen  
Notary Public

EXHIBIT "A"



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