

PAT96RMS

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: PATIO HOMES VENTURE, JERRY E.  
ELLIOTT, GENERAL PARTNER

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: LOT 9,  
SEASONS AT TIARA RADO FILING. TIARA RADO INTERCEPTOR SEWER,  
RIGHT-OF-WAY PARCEL NO. 2947-271-06-049

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1996

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

## GRANT OF EASEMENT

1763746 1138AM 07/10/96  
 MONIKA TODD CLK&REC MESA COUNTY CO  
 DOCUMENT FEE \$EXEMPT

Patio Homes Venture, a Colorado general partnership, Grantor, for and in consideration of the sum of Ten (\$10.00) Dollars, the receipt and sufficiency of which is hereby acknowledged, has given and granted and by these presents does hereby give and grant unto the City of Grand Junction, a Colorado home rule municipality, whose address is 250 North 5th Street, Grand Junction, Colorado 80201, Grantee, the herein described non-exclusive easement for the installation, operation, maintenance, repair and replacement of a buried electric cable, together with the right of ingress and egress for workers and equipment, on, along, over, under, through and across the herein described real property being a part of Lot 9 of The Seasons At Tiara Rado Filing No. 3, as recorded in Plat Book 14 at Page 84 in the office of the Mesa County Clerk, said real property lying, being and situate in the NE1/4 of Section 27, Township 11 South, Range 101 West of the Sixth Principal Meridian in the City of Grand Junction, County of Mesa, State of Colorado, the boundary lines of said easement being more particularly described by the following metes and bounds, to wit:

Beginning at the Southeast Corner of Lot 9 of The Seasons At Tiara Rado Filing No. 3; thence N 90°00'00" W along the South line of Lot 9 a distance of 126.76 feet to the Southwest Corner of said Lot 9;  
 thence N 00°57'52" W along the West line of Lot 9 a distance of 3.04 feet;  
 thence S 89°00'12" E a distance of 21.45 feet;  
 thence N 89°07'52" E a distance of 24.18 feet;  
 thence S 89°59'29" E a distance of 39.42 feet;  
 thence N 86°50'53" E a distance of 37.47 feet;  
 thence N 02°12'54" W a distance of 59.26 feet;  
 thence N 00°38'19" E a distance of 28.58 feet;  
 thence N 39°21'54" E a distance of 7.31 feet to a point on the East line of Lot 9 from whence the Northeast Corner of said Lot 9 bears N 00°58'49" W a distance of 5.61 feet;  
 thence S 00°58'49" E along the East line of Lot 9 a distance of 98.55 feet to the Point of Beginning,  
 containing 873.91 square feet as herein described and as depicted on Exhibit "A" attached hereto and incorporated herein by reference.

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. Grantor reserves the right to use and occupy the easement for any purpose consistent with the rights and privileges above granted and which will not unreasonably interfere with any of the Grantee's facilities therein or the use thereof.
2. In the event of permanent abandonment of the easement by Grantee, all rights, privileges and interests herein granted shall automatically terminate. Permanent abandonment shall have occurred if Grantee shall fail to use the easement for any twelve (12) consecutive months.

3. The work and act of installing, maintaining and repairing said buried electric cable shall be performed with due care; the surface along the easement shall be restored substantially to its original level, condition and integrity immediately upon the completion of installation, maintenance and repair work.

Signed this 21st day of June, 1996.

Patio Homes Venture, a Colorado  
general partnership

By: Jerry E. Elliott  
Jerry E. Elliott, General Partner

State of Colorado            )  
  )ss.  
County of Mesa                )

The foregoing instrument was acknowledged before me this 21 day of June, 1996, by Jerry E. Elliott as General Partner of Patio Homes Venture, a Colorado general partnership.

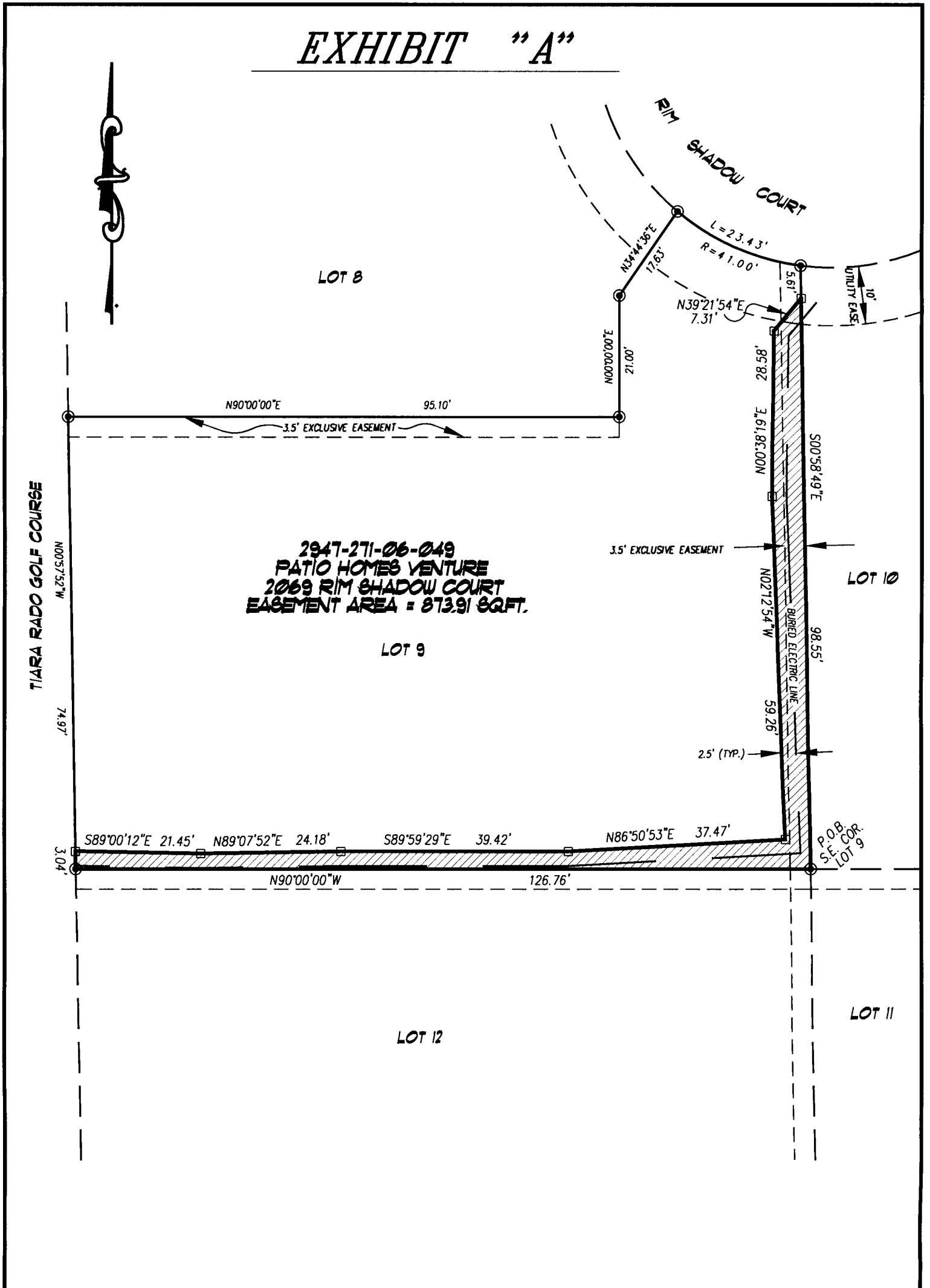
Witness my hand and official seal.

My commission expires: 2-2-98

Christine English  
Notary Public



# EXHIBIT "A"



DRAWN BY: SRP  
 DATE: 06/13/96  
 SCALE: 1" = 20'  
 APPR. BY: TW  
 FILE NO: SEASON.DWG

**EASEMENT DESCRIPTION MAP**  
 LOT 9, THE SEASONS AT TIARA RADO FILING NO.3

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