PDH98CRD

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: PAUL HOLLAND, III AND MARIE HOLLAND

STREET ADDRESS/PARCEL NAME/SUBDIVISION: 2762 C ROAD, UNAWEEP UTILITY

EASEMENT, PARCEL NO. 2945-251-00-004

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1998

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

## **GRANT OF EASEMENT**

BOOK2393 PAGE160

1827275 01/08/98 0356PM
MONIKA TODD CLK&REC MESA COUNTY CO
RECFEE \$10.00 SURCHG \$1.00
DOCUMENTARY FEE \$EXEMPT

Paul Holland, III and Diana Marie Holland, Grantors, for and in consideration of the sum of One-Hundred Twelve and 49/100 Dollars (\$112.49), the receipt and sufficiency of which is hereby acknowledged, have given and granted and by these presents do hereby give and grant unto 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 of Grantee and for the use of the Public Utilities, a Public Utilities Easement on, along, over, under, through and across the following described parcel of land, to wit:

A parcel of land situate in the SW 1/4 SE 1/4 of Section 24, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the Southwest corner of the E 1/2 E 2/5 SW 1/4 SW 1/4 SE 1/4 of said Section 24; thence N 00°00'00" E a distance of 132.00 feet to the True Point of Beginning of the parcel described herein; thence N 00°00'00" E a distance of 15.00 feet to a point; thence N 90°00'00" E a distance of 5.00 feet to a point; thence S 00°00'00" W a distance of 15.00 feet to a point; thence S 90°00'00" W a distance of 5.00 feet to the point of beginning, containing 75.0 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, together with the right to enter upon said premises, to survey, maintain, operate, repair, replace, control and use said Utilities Easement, subject to the terms and conditions contained herein.

- 1. Grantors reserve the right to use and occupy the aforedescribed easement for any lawful purpose which is not inconsistent with the rights herein granted; provided, however, that 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 for workers and equipment on, along, over, under, through and across the easement area.
- 2. Grantee agrees that the work and act of installing, maintaining and repairing utilities and related appurtenances and facilities shall be performed with due care using commonly accepted standards and techniques, taking precautions for the protection of persons and property; all damages to persons or property resulting from the failure to exercise due care, or other higher standard of care as may be applicable, shall be paid for and repaired at the expense of Grantee.
- 3. Grantors hereby covenant with Grantee that they have good title to the aforedescribed 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	ed this $2$ <sub><math>n</math></sub> $d$ day of _	January	, 19 <b>%</b> .
Paul Holland, III	15	Duna M Diana Marie Holla	ario Holland
State of Colorado	) )ss.		
County of Mesa	)		
		1 6 41 55 3 1	C - 1000

The foregoing instrument was acknowledged before me this And day of January 1998, by Paul Holland, III and Diana Marie Holland.

My commission expires: 6-7-1999

OTAR Witness my hand and official seal.

Martle S. Miller Notary Public

