

PEN97CRD

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: CESARIO B. PENA AND PETRA PENA

STREET ADDRESS/PARCEL NAME/SUBDIVISION: 2758 C ROAD, UNAWEEP UTILITY
EASEMENT, TEMPORARY CONSTRUCTION EASEMENT, PARCEL NO. 2945-244-00-152

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1997

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

GRANT OF EASEMENT

1827267 01/08/98 0352PM
MONIKA TODD CLK&REC MESA COUNTY CO
REC FEE \$15.00 SURCHG \$1.00
DOCUMENTARY FEE \$EXEMPT

Cesareo B. Pena and Petra Pena, Grantors, for and in consideration of the sum of One-Hundred Two and 13/100 Dollars (\$102.13), 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:

Parcel A:

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 follow:

Commencing at the South 1/4 corner of said Section 24; thence S 90°00'00" E along the south line of said Section 24 a distance of 396.73 feet to a point; thence leaving the south line of said Section 24 and along the west line of the W 1/2 E 2/5 SW 1/4 SW 1/4 SE 1/4 N 00°00'00" W a distance of 30.00 feet to a point; thence S 90°00'00" E a distance of 120.24 feet to the True Point of Beginning of the parcel described herein; thence N 00°00'00" E a distance of 4.00 feet to a point; thence S 90°00'00" E a distance of 7.00 feet to a point; thence N 00°00'00" E a distance of 117.00 feet to a point; thence N 90°00'00" E a distance of 5.00 feet to a point on the east line of said W 1/2 E 2/5 SW 1/4 SW 1/4 SE 1/4; thence S 00°00'00" E along the east line of said W 1/2 E 2/5 SW 1/4 SW 1/4 SE 1/4 a distance of 121.00 feet to a point; thence N 90°00'00" W a distance of 12.00 feet to the point of beginning, containing 633.00 square feet as described herein and depicted on "Exhibit A" attached hereto and incorporated herein.

Parcel B:

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 follow:

Commencing at the South 1/4 corner of said Section 24; thence S 90°00'00" E along the south line of said Section 24 a distance of 396.73 feet to a point; thence leaving the south line of said Section 24 and along the west line of the W 1/2 E 2/5 SW 1/4 SW 1/4 SE 1/4 N 00°00'00" W a distance of 30.00 feet to a point; thence S 90°00'00" E a distance of 27.50 feet to the True Point of Beginning of the parcel described herein; thence N 00°00'00" E a distance of 5.00 feet to a point; thence S 90°00'00" E a distance of 5.00 feet to a point; thence S 00°00'00" W a distance of 5.00 feet to a point; thence N 90°00'00" W a distance of 5.00 feet to the point of beginning, containing 25.00 square feet as described herein and depicted on "Exhibit A" attached hereto and incorporated herein.

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 aforescribed easements 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 areas.

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 aforescribed premises; that they have good and lawful right to grant the 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 14th day of December, 1997.

Cesareo B. Pena
Cesareo B. Pena

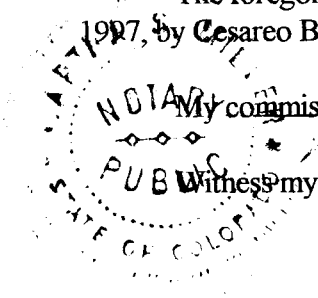
Petra Pena
Petra Pena

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 14th day of December 1997, by Cesareo B. Pena and Petra Pena.

My commission expires: 6-7-1999

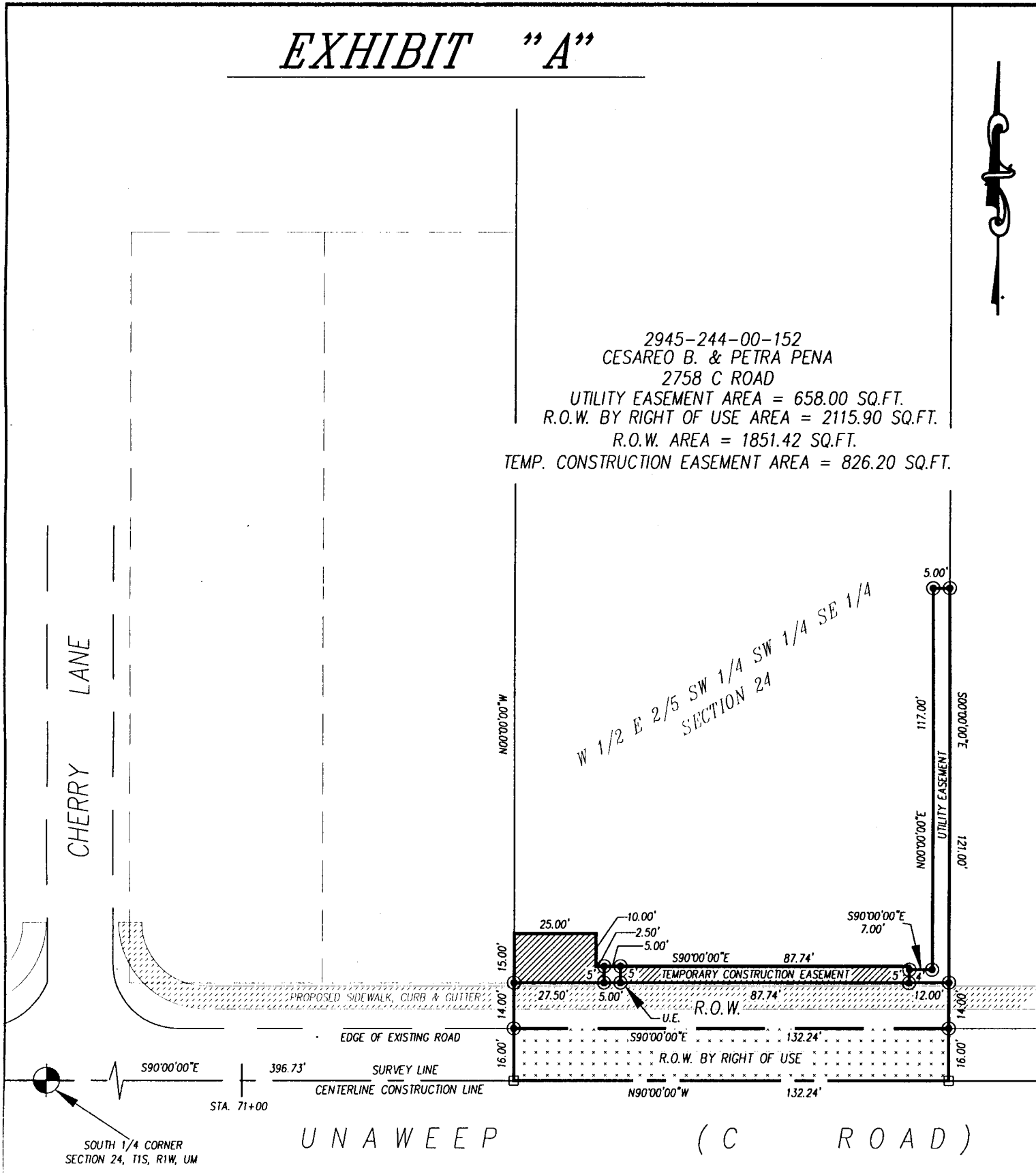
Witness my hand and official seal.



Matthew S. Muller
Notary Public

EXHIBIT "A"

2945-244-00-152
 CESAREO B. & PETRA PENA
 2758 C ROAD
 UTILITY EASEMENT AREA = 658.00 SQ.FT.
 R.O.W. BY RIGHT OF USE AREA = 2115.90 SQ.FT.
 R.O.W. AREA = 1851.42 SQ.FT.
 TEMP. CONSTRUCTION EASEMENT AREA = 826.20 SQ.FT.



DRAWN BY: SRP
 DATE: 12-17-97
 SCALE: 1" = 40'
 APPR. BY: IW
 FILE NO: WEEP97.DWG

EASEMENT DESCRIPTION MAP
 UNAWEEP (186)

DEPARTMENT OF PUBLIC WORKS
 ENGINEERING DIVISION
 CITY OF GRAND JUNCTION