

PHP98PHB

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: ROBERT L. BRAY

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: PARADISE HILLS  
PARTNERSHIP, PERMANENT SLOPE EASEMENT, PARCEL NO. 2701-261-00-438 AND PARCEL  
NO. 2701-261-00-022, PARADISE HILLS BLVD.

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1998

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

GRANT OF EASEMENT

1857886 07/31/98 0255PM  
MONIKA TODD CLK&REC MESA COUNTY CO  
REC FEE \$30.00 SURCHG \$1.00  
DOCUMENTARY FEE \$EXEMPT

Paradise Hills Partnership, a Sole Proprietorship, Grantor, of the County of Mesa, State of Colorado, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, hereby sells, grants and conveys to the City of Grand Junction, a Colorado home rule municipality, Grantee, whose legal address is 250 North 5th Street, Grand Junction, Colorado 81501, its successors and assigns forever, the herein described Perpetual Easements for the installation, operation, maintenance, repair, and replacement of materials providing slope stability for Paradise Hills Boulevard, together with the right of ingress and ingress for workers and equipment, on, along, over under, through and across the following described Parcels situated in the SW $\frac{1}{4}$  NE $\frac{1}{4}$  and the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 26, Township 1 North, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, said Easements being more particularly described by the following metes and bounds, to wit:

PARCEL ONE

A parcel of land situate in the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 26, Township 1 North, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Center 1/4 corner of said Section 26, whence the Center-East 1/16 corner of said Section 26 bears N 89°53'00" E a distance of 1319.78 feet, with all bearings contained herein being relative thereto;  
thence N 89°53'00" E along the south line of the SW 1/4 NE 1/4 of said Section 26 a distance of 558.00 feet to the True Point of Beginning of the parcel described herein;  
thence leaving the south line of said SW 1/4 NE 1/4 N 41°30'58" E a distance of 15.59 feet to a point;  
thence S 60°45'53" E a distance of 23.78 feet to a point on the south line of said SW 1/4 NE 1/4;  
thence S 89°53'00" W along said south line a distance of 31.08 feet to the point of beginning.

The above described parcel of land contains 181.12 square feet, as described herein and depicted on the attached Exhibit "A".

**North Portion:**

A parcel of land situate in the NW 1/4 SE 1/4 of Section 26, Township 1 North, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Center 1/4 corner of said Section 26, whence the Center-East 1/16 corner of said Section 26 bears N 89°53'00" E a distance of 1319.78 feet, with all bearings contained herein being relative thereto;

thence N 89° 53'00" E along the north line of the NW 1/4 SE 1/4 of said Section 26 a distance of 558.00 feet to the True Point of Beginning of the parcel described herein; thence continuing along the north line of said NW 1/4 SE 1/4 N 89°53'00" E a distance of 34.14 feet to a point;

thence leaving the north line of said NW 1/4 SE 1/4 S 32°58'21" E a distance of 72.49 feet to a point;

thence S 42°39'31" W a distance of 9.74 feet to a point;

thence 81.78 feet along the arc of a curve concave to the southwest, having a radius of 371.25 feet, a delta angle of 12°37'16" and a chord bearing N 55°11'44" W a distance of 81.61 feet to a point;

thence N 00°03'01" E a distance of 21.33 feet to the point of beginning, containing 2552.85 square feet as described herein and depicted on the attached Exhibit "B".

**South Portion:**

A parcel of land situate in the NW 1/4 SE 1/4 of Section 26, Township 1 North, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Center 1/4 corner of said Section 26, whence the Center-East 1/16 corner of said Section 26 bears N 89°53'00" E a distance of 1319.78 feet, with all bearings contained herein being relative thereto;

thence N 89° 53'00" E along the north line of the NW 1/4 SE 1/4 of said Section 26 a distance of 558.00 feet to a point;

thence S 00°03'01" W a distance of 77.17 feet to the True Point of Beginning of the parcel described herein;

thence 43.29 feet along the arc of a curve concave to the southwest, having a radius of 323.25 feet, a delta angle of 07°40'22" and a chord bearing S 52°57'02" E a distance of 43.25 feet to a point;

thence S 42°39'31" W a distance of 9.55 feet to a point;

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thence N 59° 14'47" W a distance of 32.65 feet to a point;

thence N 00°03'01" E a distance of 16.39 feet to the point of beginning. The above described parcel of land contains 1,650.94 square feet, as described herein and depicted on the attached Exhibit "B".

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 with workers and equipment, to survey, construct, maintain, operate, repair, replace, control and use said slope easement, together with facilities and appurtenances related thereto, and to remove objects interfering therewith, including the trimming of trees and bushes as may be required to permit the operation of maintenance equipment and workers, subject to the following terms, covenants, conditions and restrictions:

1. Grantee agrees that Grantee's use and occupancy of the easements shall be performed with due care, using commonly accepted standards and techniques.

2. Grantor shall have the right to continue to use the real property burdened by these Easements for any lawful purpose which will not interfere with Grantee's full use and enjoyment of the Grantee's rights herein granted; provided, however, that Grantor hereby covenants with Grantee that the easement areas shall not be burdened or overburdened by the installation, construction, or placement of any structures or any other item or fixture which might act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the easement areas.

3. Grantor hereby covenants with Grantee that it has good title to the aforescribed premises; that it has good and lawful right to grant this Easements; that it will warrant and forever defend the title and quiet possession thereof against the lawful claims of all persons whomsoever.

Signed this 1st day of July, 1998.

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PARADISE HILLS PARTNERSHIP, a Sole Proprietorship,

BY:

[Signature]  
Robert L. Bray

State of Colorado )

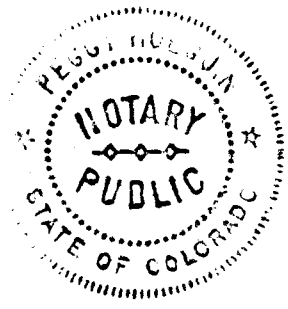
)ss.

County of Mesa )

The foregoing instrument was acknowledged before me this 1<sup>ST</sup> day of July, 1998, by Robert L. Bray, for PARADISE HILLS PARTNERSHIP, a Sole Proprietorship.

Witness my hand and official seal.

My commission expires 3.3.01



[Signature]  
Notary Public

# EXHIBIT "A"

N 1 / 4  
S. 26

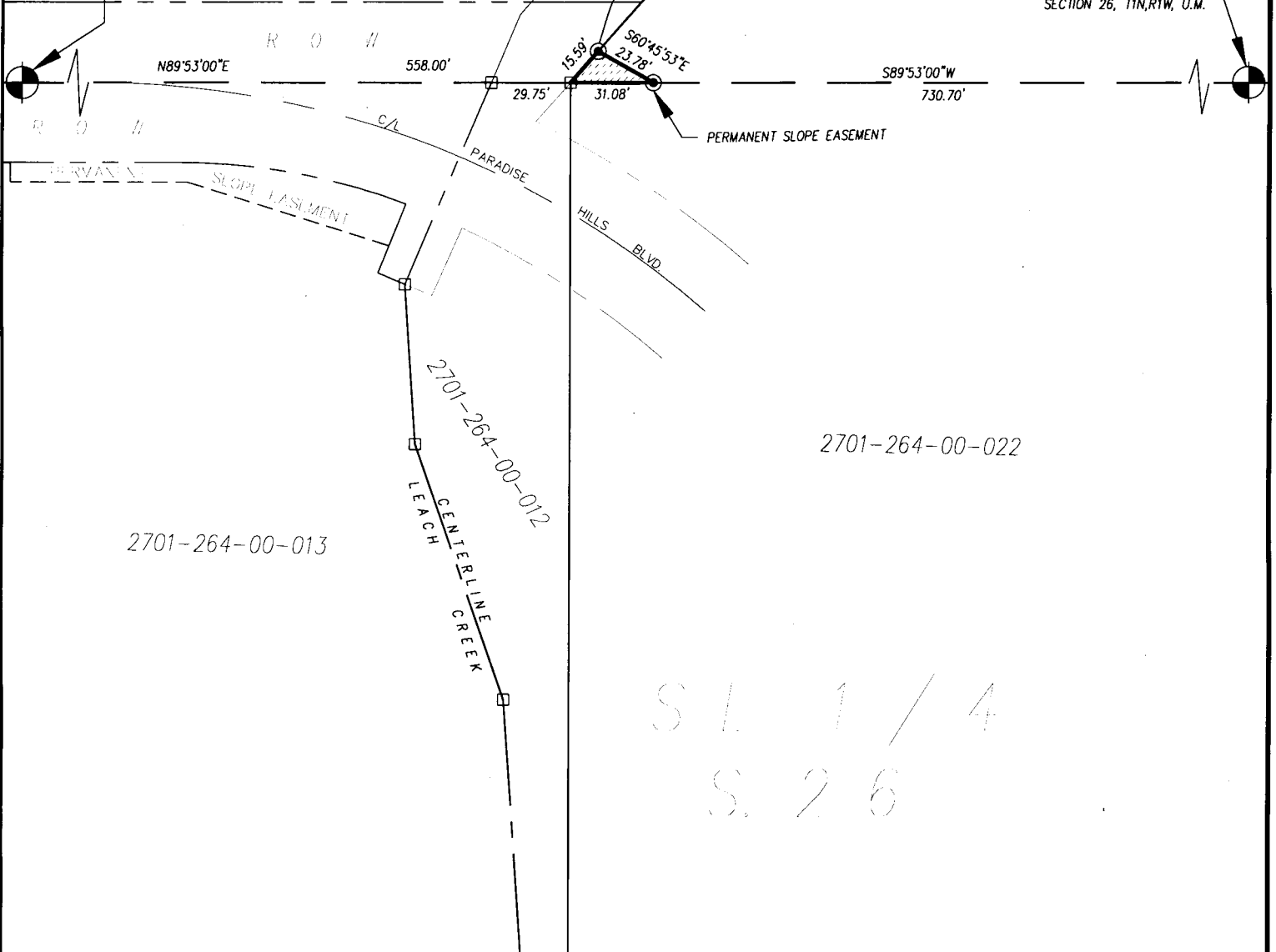


2701-261-00-438  
PARADISE HILLS PARTNERSHIP  
PERMANENT SLOPE EASEMENT AREA = 181.12 SQ.FT.

2701-261-00-504

C 1/4 CORNER  
SECTION 26, T1N, R1W, U.M.  
STA. 10+00.00

C-E 1/16 CORNER  
SECTION 26, T1N, R1W, U.M.



2701-264-00-013

2701-264-00-022

S L 1 / 4  
S. 26

DRAWN BY: SRP  
 DATE: 3-25-98  
 SCALE: 1" = 60'  
 APPR. BY: TW  
 FILE NO: PARADISE.dwg

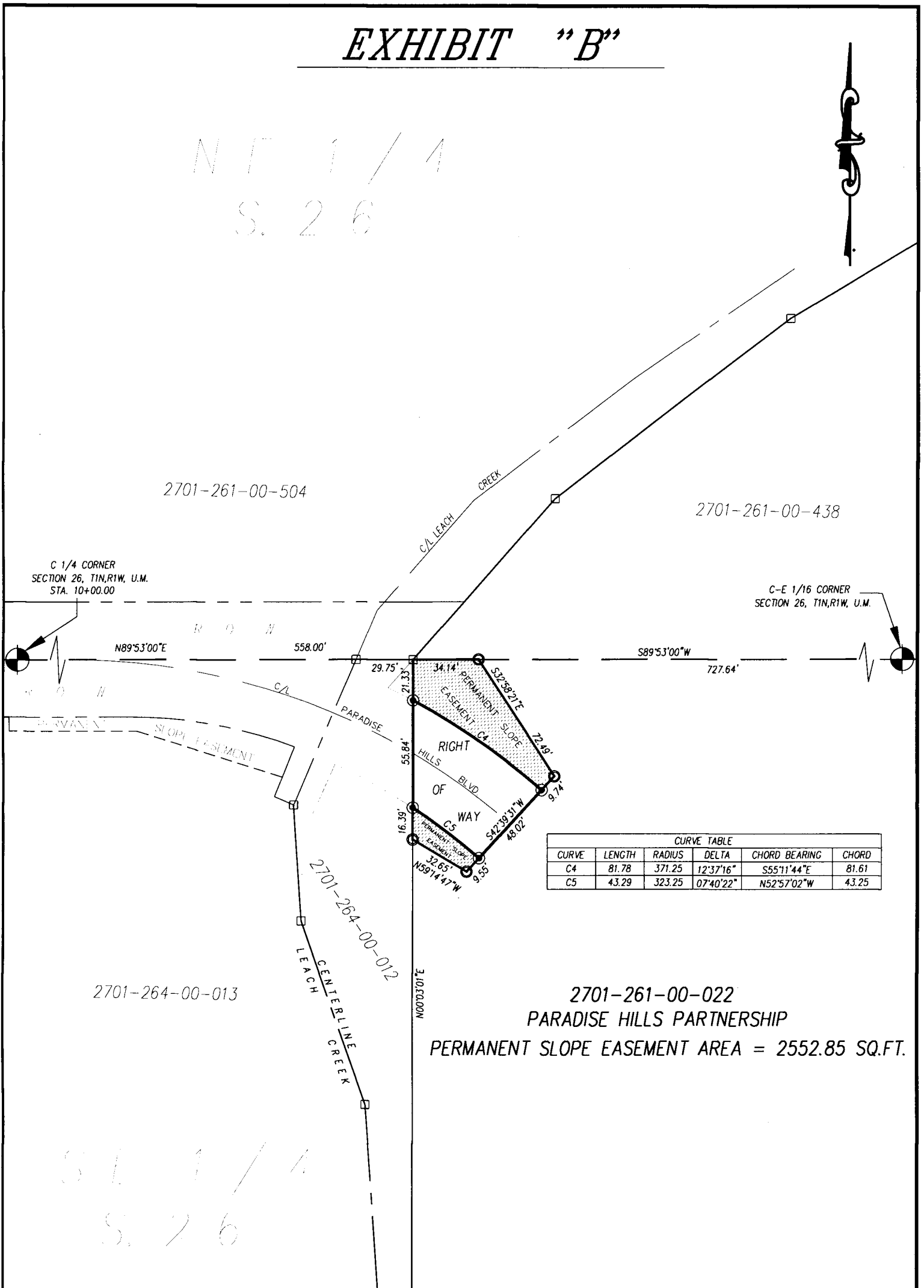
RIGHT-OF-WAY DESCRIPTION MAP

PARADISE HILLS BLVD.

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

# EXHIBIT "B"

NT 1 / 4  
S. 26



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C4	81.78	371.25	12°37'16"	S55°11'44"E	81.61
C5	43.29	323.25	07°40'22"	N52°57'02"W	43.25

2701-261-00-022  
PARADISE HILLS PARTNERSHIP  
PERMANENT SLOPE EASEMENT AREA = 2552.85 SQ.FT.

SL 1 / 4  
S. 26

DRAWN BY: SRP  
DATE: 3-25-98  
SCALE: 1" = 60'  
APPR. BY: TW  
FILE NO: PARADISEe2.DWG

RIGHT-OF-WAY DESCRIPTION MAP  
PARADISE HILLS BLVD.

DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION  
CITY OF GRAND JUNCTION