

PJS98UNA

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: PHILLIP J. SCHULLER

STREET ADDRESS/PARCEL NAME/SUBDIVISION: 2746 UNAWEEP AVENUE, UTILITY  
EASEMENT, TEMPORARY CONSTRUCTION EASEMENT, PARCEL NO. 2945-243-10-030

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1998

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

2 PAGE DOCUMENT

GRANT OF EASEMENT

1827273 01/08/98 0352PM  
MONIKA TODD CLK&REC MESA COUNTY CO  
REC FEE \$10.00 SURCHG \$1.00  
DOCUMENTARY FEE \$EXEMPT

Phillip J. Schuller, Grantor, for and in consideration of the sum of Twenty-Six and 25/100 Dollars (\$26.25), 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, 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 SE 1/4 SW 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 northeast corner of Lot 8, Dave W. Olson Subdivision; thence N 90°00'00" W along the north line of said Lot 8 a distance of 105.00 feet to a point; thence leaving said north line S 00°00'00" E a distance of 170.00 feet to a point on the south line of said Lot 8 and the True Point of Beginning of the Parcel described herein; thence along the south line of said Lot 8 N 90°00'00" W a distance of 2.50 feet to a point; thence leaving said south line N 00°00'00" W a distance of 7.00 feet to a point; thence N 90°00'00" E a distance of 2.50 feet to a point; thence S 00°00'00" E a distance of 7.00 feet to the point of beginning, containing 17.50 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. Grantor reserves 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 Grantor hereby covenants with Grantee that the easement area shall not be burdened or overburdened by the Grantor 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. Grantor hereby covenants with Grantee he has good title to the aforescribed premises; that he has good and lawful right to grant the Easement; that he 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 2 day of Jan, 1998.

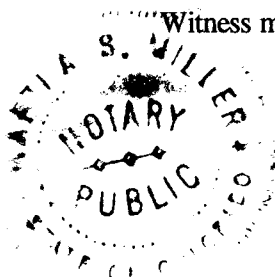
[Signature]  
Phillip J. Schuller

State of Colorado )  
  )ss.  
County of Mesa        )

The foregoing instrument was acknowledged before me this 2<sup>nd</sup> day of January, 1998 by Phillip J. Schuller.

My commission expires: 6-7-1999

Witness my hand and official seal.



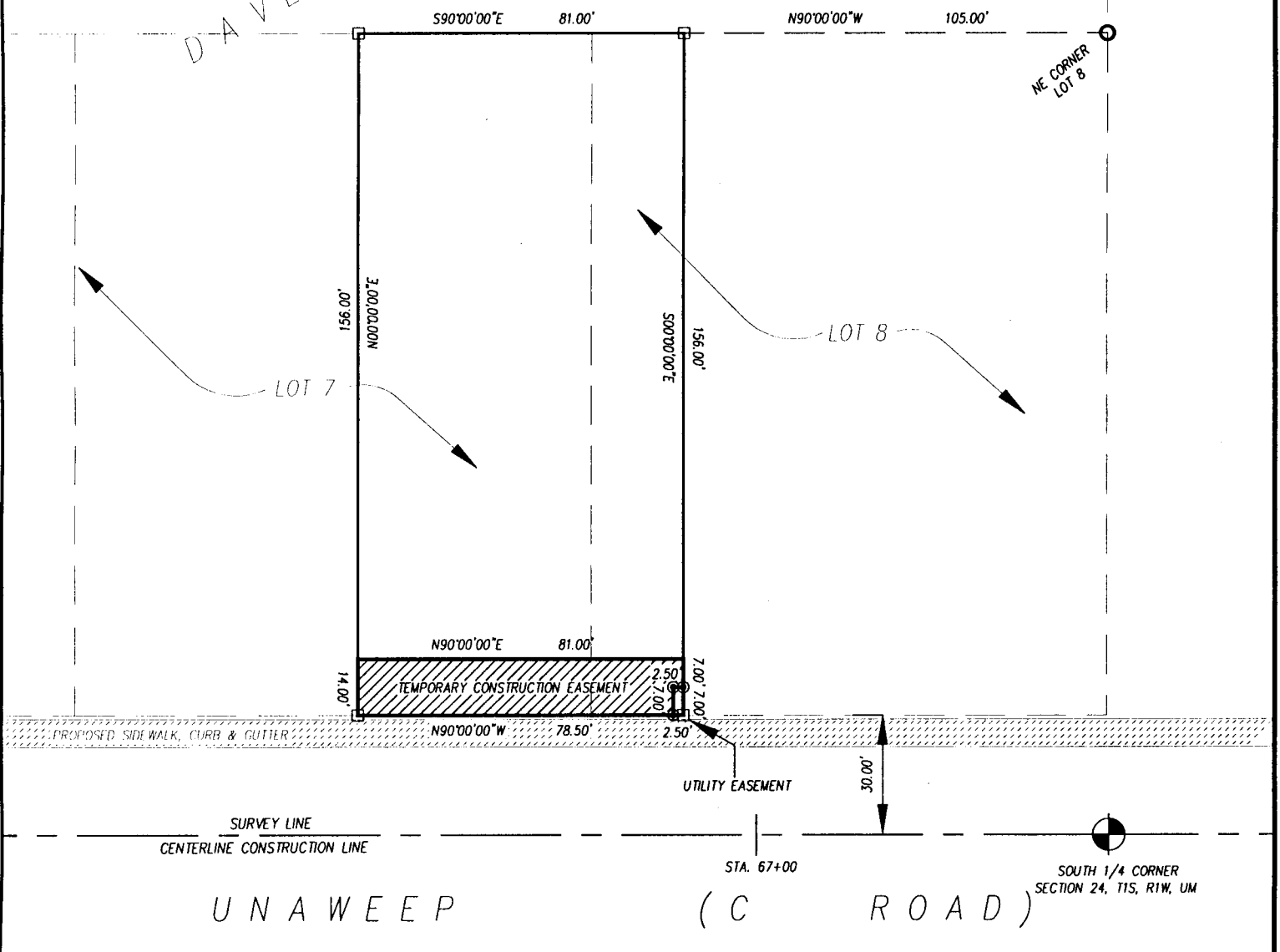
[Signature]  
Notary Public

# EXHIBIT "A"

DAVE W. OLSON SUBDIVISION

LOT 6

2945-243-10-030  
 PHILIP J. SCHULLER  
 2746 UNAWEEP AVENUE  
 UTILITY EASEMENT AREA = 17.50 SQ.FT.  
 TEMP. CONSTRUCTION EASEMENT AREA = 1116.50 SQ.FT.



DRAWN BY: SRP  
 DATE: 12-19-97  
 SCALE: 1" = 40'  
 APPR. BY: IW  
 FILE NO: WEEP86.DWG

EASEMENT DESCRIPTION MAP  
 UNAWEEP ( 174 )

DEPARTMENT OF PUBLIC WORKS  
 ENGINEERING DIVISION  
 CITY OF GRAND JUNCTION