

PMS09PNR

TYPE OF RECORD:	PERMANENT
CATEGORY OF RECORD:	TEMPORARY EASEMENT (INGRESS/EGRESS AND UTILITY)
NAME OF PROPERTY OWNER OR GRANTOR:	PIONEER MEADOWS, LLC.
PURPOSE:	PIONEER MEADOWS SIMPLE SUBDIVISION
ADDRESS:	3126 E ROAD 3134 E ROAD 3136 E ROAD
TAX PARCEL NO.:	2943-103-00-056 2943-103-00-109 2943-103-00-110
CITY DEPARTMENT:	PUBLIC WORKS AND PLANNING
YEAR:	2009
EXPIRATION DATE:	NONE
DESTRUCTION DATE:	NONE

**GRANT OF IRREVOCABLE POWER OF ATTORNEY
AND TERMINABLE EASEMENT**

THIS GRANT OF IRREVOCABLE POWER OF ATTORNEY AND TERMINABLE EASEMENT, made this 19th day of August, 2009, by and between **PIONEER MEADOWS LLC**, a Colorado limited liability company ("Pioneer Meadows"), as owner of Lot 3, PM Simple Subdivision, herein referred to as the "Servient Estate," according to that replat recorded in the records of the Mesa County Clerk and Recorder, August 19, 2009, at Reception No. 2502260 in Book 4906 at Page 133, and Pioneer Meadows, as owner of Lot 1 and Lot 2 in the PM Simple Subdivision, herein referred to as the "Dominant Estates," and their successors and assigns,

WITNESSETH:

A. Pioneer Meadows currently owns both the Dominant Estates and the Servient Estate.

B. Pioneer Meadows intends, upon recording the final plat for PM Simple Subdivision, to sell the Dominant Estates, and complete a final plat of the Servient Estate as a major subdivision ("Pioneer Meadows Subdivision") at a later date.

C. Pioneer Meadows intends, and the City of Grand Junction requires, that the Dominant Estates have legal access across that property described on Exhibit A hereto, until such time as the subdivision improvements for Pioneer Meadows Subdivision have been completed and accepted, upon which event such Easement is to terminate.

D. Pioneer Meadows intends, and the City of Grand Junction requires, that the Dominant Estates become lots in Pioneer Meadows Subdivision when it is eventually platted and be subject to all the rights and obligations accruing to lots in Pioneer Meadows Subdivision, including those established under the Declaration of Restrictive Covenants and Conditions to be recorded in connection with the Pioneer Meadows Subdivision, including membership in the Homeowners Association to be established thereunder.

NOW, THEREFORE, in witness of the foregoing, and in consideration thereof:

1. Pioneer Meadows, as owner of the Dominant Estates, intending itself and all future owners of the Dominant Estates to be bound thereby, hereby designates and appoints Pioneer Meadows, as owner of the Servient Estate, and its successors and assigns as owners of the Servient Estate, their lawful agent and attorney-in-fact to perform any and all acts necessary or convenient to the replatting of the Servient Estate and Dominant Estates as a single major subdivision, including execution of development applications, development improvement agreements, final plats and Declaration of Restrictive Covenants and Conditions. This designation and appointment shall be a covenant running with the land, and inure to the benefit and burden of both the Dominant Estates and the Servient Estate.

2. Pioneer Meadows, as owner of the Servient Estate, hereby grants and conveys for the benefit of the Dominant Estates a non-exclusive easement for access and utilities over and across the Servient Estate as described on Exhibit A hereto (the "Easement").

The Easement granted hereby shall be a covenant running with the land and shall inure to the benefit of the Dominant Estates.

PROVIDED, HOWEVER, that this Easement shall be subject to (a) all zoning and land use regulations, restrictions, rules, and ordinances and other laws now in effect or hereinafter adopted by any governmental authority having jurisdiction; and (b) reservations, easements, rights-of-way, declarations, covenants, conditions, restrictions, encroachments, liens, and encumbrances and all other matters of record or enforceable at law or in equity, and

PROVIDED FURTHER, that this Easement and all rights granted hereunder shall terminate automatically upon the recording by the City of Grand Junction of the "Release of Recording Memorandum" with respect to the Development Improvements Agreement established in connection with the platting of the Pioneer Meadows Subdivision.

Grantor shall have the right to use and occupy the Easement area for any purpose not inconsistent with the Grantees' full enjoyment of the rights hereby granted.

IN WITNESS WHEREOF, the parties have executed this Grant of Irrevocable Power of Attorney and Terminable Easement as of the date set forth above.

Pioneer Meadows LLC, a Colorado limited liability company (as owner of Lot 3, PM Simple Subdivision)

By 
Jay Kee Jacobson, **Manager**
Member

Pioneer Meadows LLC, a Colorado limited liability company (as owner of Lot 1 and Lot 2, PM Simple Subdivision)

By 
Jay Kee Jacobson, **Manager**
member

STATE OF COLORADO)
) ss.
COUNTY OF MESA)

Subscribed and sworn to before me this 10th day of August, 2009, by Jay Kee Jacobson as Manager of Pioneer Meadows LLC, a Colorado limited liability company, as owner of Lot 3, PM Simple Subdivision.

Witness my hand and official seal.
My commission expires:



Elizabeth R. Barela
Notary Public

STATE OF COLORADO)
My Commission Expires 10/04/2011
COUNTY OF MESA)

Subscribed and sworn to before me this 10th day of August, 2009, by Jay Kee Jacobson as Manager of Pioneer Meadows LLC, a Colorado limited liability company, as owner of Lot 1 and Lot 2, PM Simple Subdivision.

Witness my hand and official seal.
My commission expires:



My Commission Expires 10/01/2011

Elizabeth R. Barela
Notary Public

EXHIBIT A

INGRESS / EGRESS / UTILITY EASEMENT

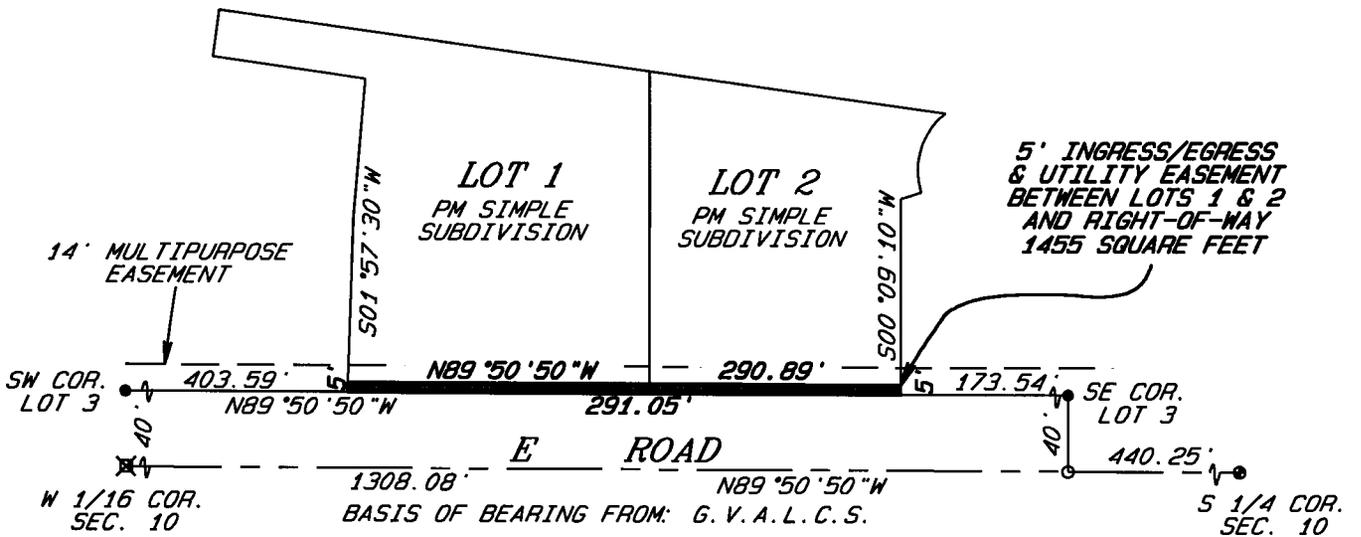
A parcel of land for an ingress / egress / utility easement, situate in the SE 1/4 SW 1/4, Section 10, Township 1 South, Range 1 East of the Ute Meridian and in Lot 3, P M Simple Subdivision, City of Grand Junction, Mesa County, Colorado, described as follows:

That part of said Lot 3 lying south of Lots 1 & 2 and north of the north right-of-way line for E Road.

This description was written by:
Michael W Drissel PLS
118 Ouray Ave.
Grand Junction, CO. 81501

EXHIBIT A

LOT 3
PM SIMPLE
SUBDIVISION



NOT TO SCALE
G. V. A. L. C. S. = GRAND VALLEY AREA
LOCAL COORDINATE SYSTEM

D H SURVEYS, INC.
970-245-8749
JOB #1127-08-01