

PSS97UNA

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: PHILLIP L. SMITH AND SUSAN E. SMITH

STREET ADDRESS/PARCEL NAME/SUBDIVISION: 2743 UNAWEEP AVENUE, UTILITY  
EASEMENT, PARCEL NO. 2945-252-00-084

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1997

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

1795061 0423PM 04/15/97  
MONIKA TODD CLK&REG MESA COUNTY CO  
DOCUMENT FEE \$EXEMPT

**GRANT OF EASEMENT**

Phillip L. Smith and Susan E. Smith, Grantors, for and in consideration of the sum of One Hundred Fifty Six and 25/100 Dollars (\$156.25), the receipt and sufficiency of which is hereby acknowledged, have sold, granted and conveyed and by these presents do hereby sell, grant and convey 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 Perpetual Utilities Easement on, along, over, under, through and across the following described parcel of land, to wit:

Commencing at the North 1/4 Corner of Section 25, Township 1 South, Range 1 West of the Ute Meridian in the City of Grand Junction, County of Mesa, State of Colorado, and considering the North line of the NW1/4 of said Section 25 to bear N 90°00'00" W with all bearings contained herein being relative thereto; thence N 90°00'00" W along the North line of said NW1/4 a distance of 205.36 feet; thence S 00°00'00" E a distance of 30.00 feet to a point on the South right-of-way line for Unaweep Avenue; thence N 90°00'00" W along the South right-of-way line for Unaweep Avenue a distance of 110.98 feet to the True Point of Beginning;

thence leaving the South right-of-way line for Unaweep Avenue, S 00°08'00" E a distance of 50.00 feet;

thence, S 90°00'00" W a distance of 10.00 feet;

thence N 00°08'00" W a distance of 50.00 feet to a point on the South right-of-way line for Unaweep Avenue;

thence N 90°00'00" E along the South right-of-way line for Unaweep Avenue a distance of 10.00 feet to the True Point of Beginning,

containing 500.00 square feet as described herein and as depicted on the **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 aforescribed 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 aforescribed 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 this 14<sup>TH</sup> day of APRIL, 1997.

*Phillip L. Smith*  
Phillip L. Smith

*Susan E. Smith*  
Susan E. Smith

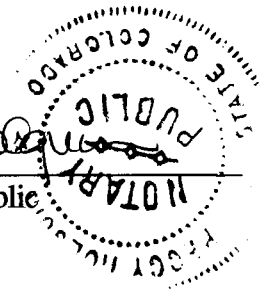
State of Colorado            )  
  )ss.  
County of Mesa                )

The foregoing instrument was acknowledged before me this 14<sup>TH</sup> day of APRIL, 1997, by Phillip L. Smith and Susan E. Smith.

My commission expires: 3-3-01

Witness my hand and official seal.

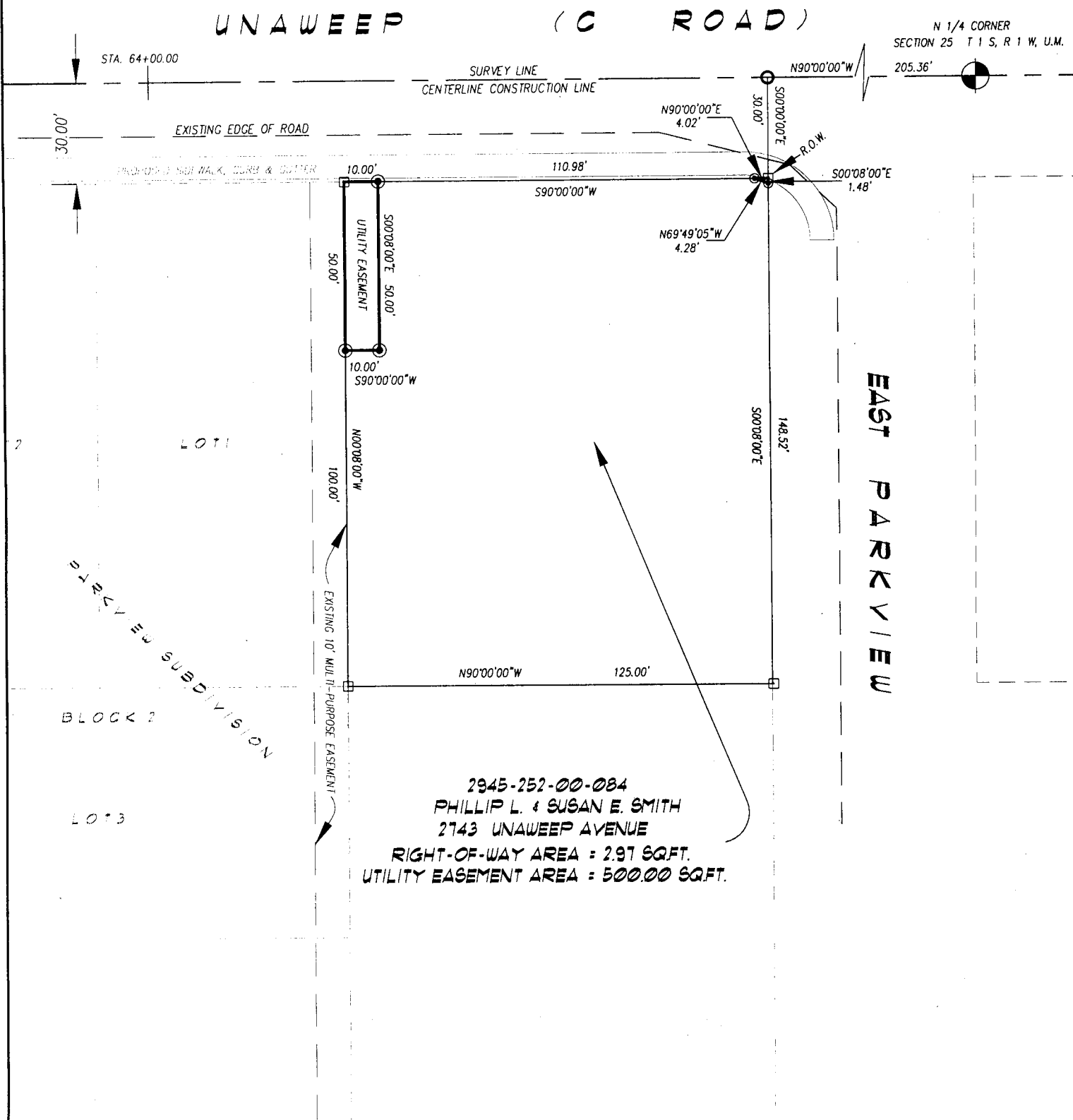
*Regina Vasquez*  
Notary Public



# EXHIBIT "A"



## UNAWEEP (C ROAD)



N 1/4 CORNER  
SECTION 25 T 1 S, R 1 W, U.M.  
205.36'

2945-252-00-084  
PHILLIP L. & SUSAN E. SMITH  
2743 UNAWEEP AVENUE  
RIGHT-OF-WAY AREA : 2.97 SQ.FT.  
UTILITY EASEMENT AREA : 500.00 SQ.FT.

DRAWN BY: SRP  
DATE: 4-03-97  
SCALE: 1" = 40'  
APPR. BY: TW  
FILE NO: WEEP80.DWG

EASEMENT DESCRIPTION MAP  
UNAWEEP ( 193 )

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