

PUC0125R

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: **EASEMENT (DRAINAGE)**

PURPOSE: DRAINAGE FACILITIES AND APPURTENANCES RELATED THERETO

NAME OF PROPERTY OWNER OR GRANTOR: PUBLIC SERVICE COMPANY OF COLORADO, A COLORADO CORPORATION, XCEL ENERGY

STREET ADDRESS/PARCEL NAME/SUBDIVISION (LOT AND BLOCK): S.E. CORNER 25 ROAD AND G ROAD, GRAND JUNCTION, 698 25 ROAD

PARCEL NO.: 2945-032-00-107

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 2001

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

GRANT OF DRAINAGE EASEMENT

Public Service Company of Colorado, a Colorado corporation, Grantor, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, has granted and conveyed, and by these presents does hereby grant and convey to the City of Grand Junction, a Colorado home rule municipality, Grantee, whose address is 250 North 5th Street, Grand Junction, Colorado 81501, a Perpetual Easement for the installation, operation, maintenance, repair and replacement of drainage facilities and appurtenances related thereto, on, along, over, under, through and across the following described parcel of land, to wit:

Commencing at the Northwest corner Section 3, Township 1 South, Range 1 West, of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the North line of the Northwest 1/4 of said Section 3, to bear N 89°58'43" E with all bearings contained herein being relative thereto; thence N 89°58'43" E along the North line of the Northeast 1/4 of said Section 3 a distance of 70.00 feet; thence leaving the North line of said Section 3, S 00°02'02" W a distance of 20.00 to the **True Point of Beginning**:

thence S 00°02'02" W a distance of 70.04 feet;
thence N 89°56'52" W a distance of 30.00 feet;
thence S 00°02'02" W a distance of 30.00 feet;
thence N 89°56'52" W a distance of 10.00 feet;
thence N 00°02'02" E a distance of 65.33 feet;
thence N 45°01'01" E a distance of 49.05 feet;
thence N 89°58'43" E a distance of 5.33 feet to the Point of Beginning,
containing 2,499.79 square feet as described herein and depicted on **Exhibit "B"** attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns forever, together with the right of ingress and egress for workers and equipment to survey, maintain, operate, repair, replace, control and use said Easement, and to remove objects interfering therewith, including the trimming of trees and bushes as may be required to permit the operation of standard utility construction and repair machinery, subject to the terms and conditions contained herein.

- Grantor shall have the right to use and occupy the real property burdened by this Easement for any lawful purpose which is not inconsistent with and which will not interfere with the full use and quiet enjoyment of the rights herein granted; provided, however, that Grantor hereby covenants with Grantee that the Easement area shall not be burdened or overburdened by the installation, construction or placement of any structure or any other item or fixture which may be detrimental to the facilities of Grantee or which may act to impede or prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement area.
- Grantee agrees that Grantee's utilization of the Easement and the rights herein conveyed shall be performed with due care using commonly accepted standards and techniques.

Executed and delivered this 4TH day of DECEMBER, 2001.

Attest:

Public Service Company of Colorado,
a Colorado corporation

By: _____

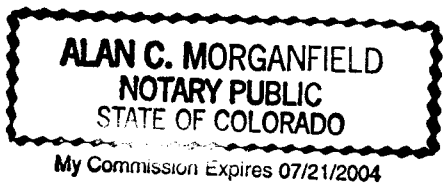
By: Nicholas B. Faes

State of Colorado)
) ss.
City and County of Denver)

Nicholas B. Faes, Manager,
Siting and Land Rights,
Xcel Energy Services, Inc.,
Agent for Public Service Company of Colorado

The foregoing instrument was acknowledged before this 4TH day of DECEMBER, 2001, by NICHOLAS B. FAES as MANAGER, SITING & LAND RIGHTS and attested to by _____ as _____ of Public Service Company of Colorado, a Colorado corporation.

My commission expires: _____
Witness my hand and official seal.



Alan C. Morganfield
Notary Public

ATTACH TO THE NO. 2173

