

PVP04255

TYPE OF RECORD:	PERMANENT
CATEGORY OF RECORD:	<b>EASEMENT</b>
NAME OF CONTRACTOR:	PARADISE VALLEY PARK, LLC
SUBJECT / PROJECT:	25 ½ ROAD IMPROVEMENT PROJECT. ELECTRIC AND TELECOMMUNICATION FACILITIES
ADDRESS:	585 25 ½ ROAD
PARCEL:	2945-102-00-100
CITY DEPARTMENT:	PUBLIC WORKS
YEAR:	2004
EXPIRATION DATE:	NONE
DESTRUCTION DATE:	NONE

WHEN RECORDED RETURN TO:  
 City of Grand Junction  
 Real Estate Division  
 250 North 5<sup>th</sup> Street  
 Grand Junction, CO 81501

2181652 BK 3606 PG 494-496  
 03/12/2004 03:44 PM  
 Janice Ward CLK&REC Mesa County, CO  
 RecFee \$15.00 SurChg \$1.00  
 DocFee EXEMPT

## GRANT OF ELECTRIC AND TELECOMMUNICATIONS EASEMENT

Paradise Valley Park, LLC, a Colorado Limited Liability Company, Grantor, for and in consideration of the sum Forty-Five and 00/100 Dollars (\$45.00), the receipt and sufficiency of which is hereby acknowledged, has sold, granted and conveyed, and by these presents does hereby sell, 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, for the use and benefit of Grantee and for the use and benefit of the Public Utilities, the herein described Perpetual Easements for the installation, operation, maintenance, repair and replacement of Electric and Telecommunications facilities on, along, over, under, through and across the following described parcels of land, to wit:

### Parcel No. 1

A certain parcel of land for perpetual easement purposes lying in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 10, Township 1 South, Range 1 West of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the North Quarter (N 1/4) corner of said Section 10, and assuming the North line of the NE 1/4 NW 1/4 of said Section 10 bears N 89°59'38" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 89°59'38" W along the North line of the NE 1/4 NW 1/4 of said Section 10, a distance of 30.00 feet to a point on the West right of way for 25-1/2 Road, as same is described in Book 685, Page 149, Public Records of Mesa County; thence S00°03'04" W along the West right of way for said 25-1/2 Road, being a line 30.00 feet West of and parallel with the East line of the NE 1/4 NW 1/4 of said Section 10, a distance of 98.98 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue S 00°03'04" W along said West right of way, a distance of 5.00 feet; thence N 89°56'56" W a distance of 5.00 feet; thence N 00°03'04" E along a line 5.00 feet West of and parallel with the West right of way for said 25-1/2 Road, a distance of 5.00 feet; thence S 89°56'56" E a distance of 5.00 feet, more or less, to the Point of Beginning.

CONTAINING 25.0 Square Feet, more or less, as described herein and depicted on **Exhibit "A"** attached hereto and incorporated herein by reference.

### Parcel No. 2

A certain parcel of land for perpetual easement purposes lying in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 10, Township 1 South, Range 1 West of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the North Quarter (N 1/4) corner of said Section 10, and assuming the North line of the NE 1/4 NW 1/4 of said Section 10 bears N 89°59'38" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 89°59'38" W along the North line of the NE 1/4 NW 1/4 of said Section 10, a distance of 30.00 feet to a point on the West right of way for 25-1/2 Road, as same is described in Book 685, Page 149, Public Records of Mesa County; thence S00°03'04" W along the West right of way for said 25-1/2 Road, being a line 30.00 feet West of and parallel with the East line of the NE 1/4 NW 1/4 of said Section 10, a distance of 166.96 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue S 00°03'04" W along said West right of way, a distance of 5.00 feet; thence N 89°56'56" W a distance of 5.00 feet; thence N 00°03'04" E along a line 5.00 feet West of and parallel with the West right of way for said 25-1/2 Road, a distance of 5.00 feet; thence S 89°56'56" E a distance of 5.00 feet, more or less, to the Point of Beginning.

CONTAINING 25.0 Square Feet, more or less, as described herein and depicted on **Exhibit "A"** attached hereto and incorporated herein by reference.

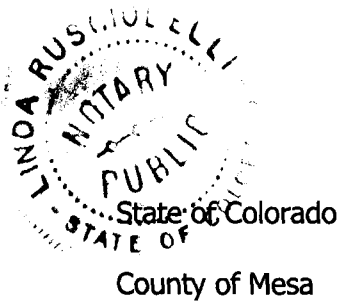
TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns forever, together with the right of ingress and egress for workers and equipment to survey, maintain, operate, repair, replace, control and use said Easements, and to remove objects interfering therewith, including the trimming of 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.

1. Grantor shall have the right to use and occupy the real property burdened by these Easements 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 areas 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 the Public Utilities, 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 areas.
2. Grantee agrees that Grantees' utilization of the herein described Easements shall be performed with due care using commonly accepted standards and techniques.

Executed and delivered this 12<sup>th</sup> day of March, 2004.

Paradise Valley Park LLC,  
a Colorado Limited Liability Company

  
R. Kelley Burford, Managing Member



The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of March, 2004, by R. Kelley Burford, as Manager for Paradise Valley Park LLC, a Colorado Limited Liability Company.

My commission expires 8/21/2004.  
Witness my hand and official seal.

  
Notary Public

