

REG02RIM

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: **EASEMENT**

PURPOSE: RIGHT OF WAY AND RECREATIONAL

NAME OF PROPERTY OWNER OR GRANTOR: REGENCY REALTY GROUP, INC., A FLORIDA CORPORATION

STREET ADDRESS/PARCEL NAME/SUBDIVISION (LOT AND BLOCK): 2500 BROADWAY - REDLANDS MARKETPLACE SUBDIVISION, LOT 1

PARCEL NO.: 2945-153-05-001

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 2002

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

WHEN RECORDED PLEASE RETURN TO:

City of Grand Junction
Real Estate Division
250 North 5th Street
Grand Junction, CO 81501

BOOK 3043 PAGE 632

2046424 03/19/02 0258PM
MONIKA TODD CLK&REC MESA COUNTY CO
REC FEE \$15.00
DOCUMENTARY FEE \$EXEMPT

GRANT OF PUBLIC RIGHT-OF-WAY AND RECREATIONAL EASEMENT

REGENCY REALTY GROUP, INC., a Florida 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 Public Right-of-Way and Recreational Easement, for the use and benefit of Grantee and for the use and benefit of the General Public, as a non-exclusive Perpetual Easement for ingress and egress access use for public pedestrian, walking, bicycling and other non-motorized access, on, along, over, under, through and across the following described parcel of land, to wit:

See 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 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.

1. The easement herein granted shall include the right to enter upon the premises to construct, install, operate, maintain and repair recreational and trails facilities, including, but not limited to, asphalt, concrete or other permanent surface improvements, together with signs, markers, fences, barricades and other appurtenances, and shall include the right to enter said premises with workers and equipment to properly maintain the same.
2. The City of Grand Junction and other emergency services shall be authorized to utilize said easement for motorized emergency and maintenance vehicles and equipment for the purposes of providing emergency services (fire, police and ambulance) and for maintaining improvements installed on, along, over, under, through and across said easement.
3. Grantor hereby covenants with Grantee that the Easement area shall not be burdened or overburdened by the installation, construction or placement of any structures or any other item or fixture which might be detrimental to the use and maintenance of the Easement by Grantee and the General Public, or which might act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement area.
4. Grantor hereby covenants with Grantee that it has good title to the aforescribed premises; that it has good and lawful right to grant this Easement; that it 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 15 day of March, ~~2001~~ 2002

Grantor:
REGENCY REALTY GROUP, INC.,
a Florida corporation

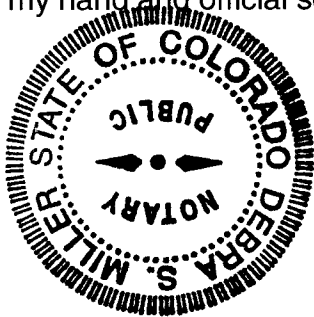
By: Deborah Froels
Name: Deborah Froels
Title: VP

State of Colorado)
)ss.
County of Denver)

The foregoing instrument was acknowledged before me this 15th day of March ~~2001~~²⁰⁰², by Deborah Froeb as Vice President of REGENCY REALTY GROUP, INC., a Florida corporation.

My commission expires 5-8-04.

Witness my hand and official seal.



Debra S. Miller
Notary Public

EXHIBIT "A"

PUBLIC RIGHT-OF-WAY AND RECREATIONAL EASEMENT

Legal Description

A 12-foot wide Public Right-of-Way and Recreational Easement located in and being a part of Lot 1 of Redlands Marketplace Subdivision, situate in the Southwest $\frac{1}{4}$ of Section 15, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, as recorded in Plat Book 17 at Pages 232 and 233 in the office of the Mesa County Clerk and Recorder, the limits of said easement being more particularly described as follows, to wit:

Commencing at the Southeast corner of Lot 1 of said Redlands Marketplace Subdivision, and considering the East line of said Lot 1 to bear N 00°00'00" E with all bearings contained herein being relative thereto; thence N 00°00'00" E along the East line of said Lot 1 (the East line of said Lot 1 being common with the West line of Lot 2 of Redlands Marketplace Subdivision Filing No. Two as recorded in Plat Book 18 at Pages 263 and 264 in the office of the Mesa County Clerk and Recorder), a distance of 7.53 feet to the TRUE POINT OF BEGINNING;

thence leaving the East line of said Lot 1, S 73°47'30" W a distance of 42.71 feet;

thence N 64°02'40" W a distance of 71.45 feet;

thence N 54°48'13" W a distance of 59.48 feet;

thence N 49°08'05" W a distance of 17.16 feet to a point on the West line of said Lot 1, said point lying N 00°08'26" E a distance of 7.95 feet from the Southwest corner of said Lot 1;

thence N 00°08'26" E, along the West line of said Lot 1 a distance of 15.83 feet;

thence leaving the West line of said Lot 1, S 49°08'05" E a distance of 2.49 feet;

thence N 65°08'01" E a distance of 31.55 feet to a point lying on the Southwesterly line of an existing 25-foot wide Ingress/Egress Access and Utility Easement as shown on said Plat of Redlands Marketplace Subdivision;

thence along the Southwesterly line of said existing Easement, 12.03 feet along the arc of a non-tangent curve concave to the Northeast, having a radius of 55.00 feet, a central angle of 12°31'38", and a long chord bearing S 25°45'24" E a distance of 12.00 feet;

thence leaving the line of said existing Easement, S 65°08'01" W a distance of 17.88 feet;

thence S 00°14'53" W a distance of 10.15 feet;

thence S 54°48'13" E a distance of 57.92 feet;

thence S 64°02'40" E a distance of 48.01 feet;

thence N 66°52'08" E a distance of 2.34 feet;

thence N 00°00'00" W a distance of 41.13 feet to a point on the South line of the aforementioned existing 25-foot wide Ingress/Egress Access and Utility Easement;

thence N 90°00'00" E along the South line of said existing Easement a distance of 12.00 feet;

thence leaving the South line of said existing Easement, S 00°00'00" E a distance of 42.76 feet;

thence S 47°51'16" E a distance of 8.63 feet;

thence N 73°47'30" E a distance of 36.87 feet to a point on the East line of said Lot 1;

thence S 00°00'00" E along the East line of said Lot 1 a distance of 12.50 feet to the POINT OF BEGINNING.