

RHG971ST

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: ROY GARNER AND HATTIE JUNE GARNER

STREET ADDRESS/PARCEL NAME/SUBDIVISION: 2428 NORTH 1ST STREET, DRAINAGE
EASEMENT, PARCEL NO. 2945-112-00-007

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1997

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

GRANT OF EASEMENT

Roy Garner and Hattie June Garner, Grantors, for and in consideration of the sum of One Thousand Three and 87/100 Dollars (\$1,003.87), 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, two (2) Perpetual Utilities Easement on, along, over, under, through and across the following described parcels of land, to wit:

Easement Parcel No. 1:

Commencing at the Northwest Corner of Section 11, 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 West line of the Northwest 1/4 (NW1/4) of said Section 11 to bear S 00°29'40" E with all bearings contained herein being relative thereto; thence S 00°29'40" E along the West line of the NW1/4 of said Section 11 a distance of 692.00 feet; thence N 83°54'20" E a distance of 33.15 feet to the **True Point of Beginning**;

thence N 83°54'20" E a distance of 6.03 feet;
 thence S 00°29'40" E a distance of 5.96 feet;
 thence S 88°54'16" E a distance of 88.49 feet;
 thence N 00°29'40" W a distance of 17.09 feet;
 thence N 83°54'20" E a distance of 5.02 feet;
 thence S 00°29'40" E a distance of 16.23 feet;
 thence N 74°22'59" E a distance of 55.72 feet;
 thence N 00°29'40" W a distance of 6.96 feet;
 thence N 83°54'20" E a distance of 6.03 feet;
 thence S 00°29'40" E a distance of 12.15 feet;
 thence S 74°22'59" W a distance of 66.38 feet;
 thence N 88°54'16" W a distance of 95.21 feet;
 thence N 00°29'40" W a distance of 11.21 feet to the Point of Beginning, containing 1,125.05 square feet as described herein and as depicted on **Exhibit "A"** attached hereto and incorporated herein by reference.

Easement Parcel No. 2:

Commencing at the Northwest Corner of Section 11, 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 West line of the Northwest 1/4 (NW1/4) of said Section 11 to bear S 00°29'40" E with all bearings contained herein being relative thereto; thence S 00°29'40" E along the West line of the NW1/4 of said Section 11 a distance of 692.00 feet; thence N 83°54'20" E a distance of 30.14 feet; thence S 00°29'40" E a distance of 100.73 feet to the **True Point of Beginning**;

thence N 89°05'20" E a distance of 155.00 feet;
 thence S 00°29'40" E a distance of 5.00 feet;
 thence S 89°05'20" W a distance of 155.00 feet;
 thence N 00°29'40" W a distance of 5.00 feet to the Point of Beginning, containing 775.0 square feet as described herein and as 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 to enter upon said premises, to survey, maintain, operate, repair, replace, control and use said Utilities 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. Grantors 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 Grantors hereby covenant with Grantee that the Easement areas 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 areas.

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.

3. Grantors hereby covenant with Grantee that they have good title to the aforescribed premises; that they have good and lawful right to grant these Easements; 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 6th day of June, 1997.

Roy Garner
Roy Garner

Hattie June Garner
Hattie June Garner

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 6th day of June, 1997, by Roy Garner and Hattie June Garner.

My commission expires: 3.3.01
Witness my hand and official seal.

Peggy
Notary Public


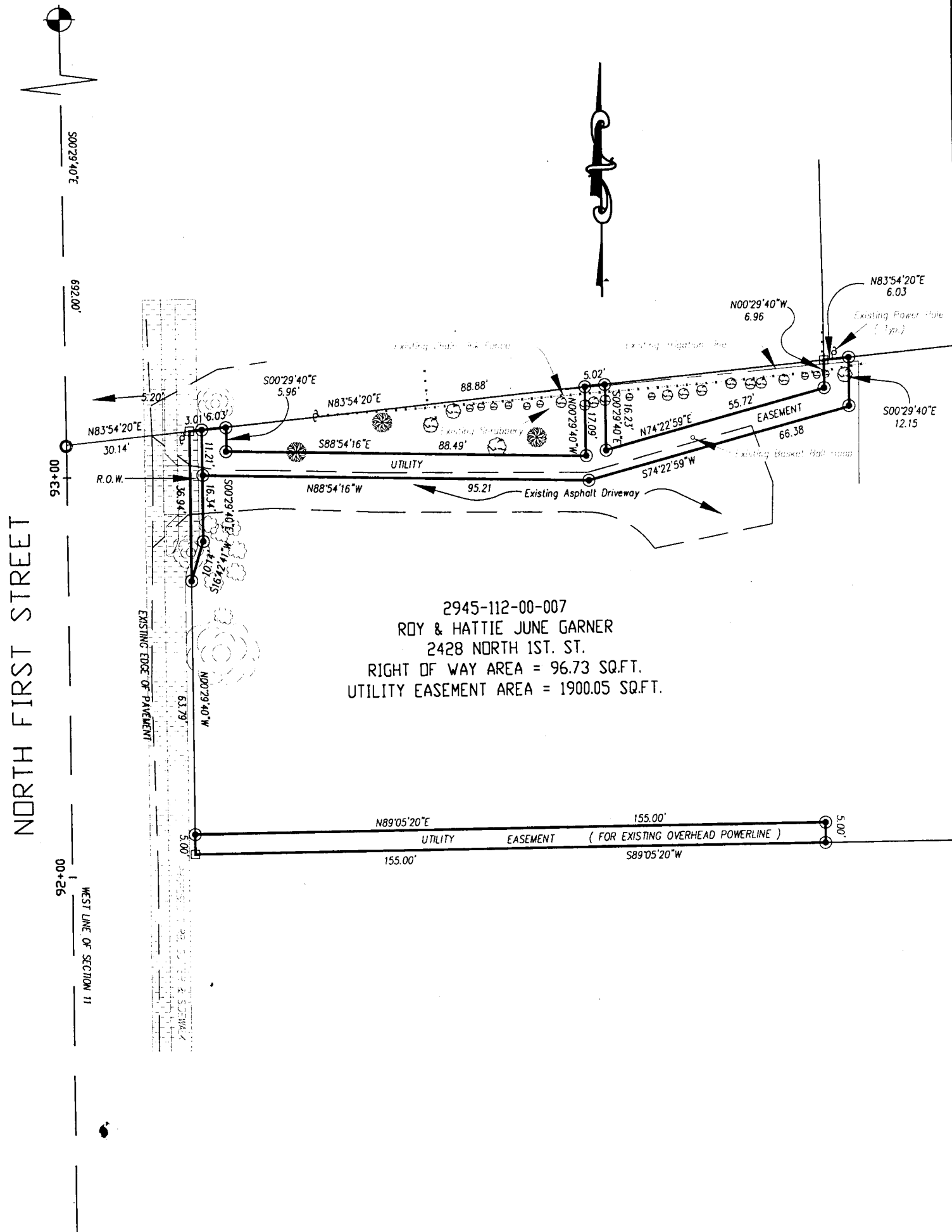
A circular notary seal for Peggy, Notary Public. The seal contains the text "NOTARY PUBLIC" and "PEGGY" in the center. There are stars around the perimeter of the seal.

EXHIBIT "A"

NW CORNER OF SECTION 11
T1S, R1W, U.M.



2945-112-00-007
 ROY & HATTIE JUNE GARNER
 2428 NORTH 1ST. ST.
 RIGHT OF WAY AREA = 96.73 SQ.FT.
 UTILITY EASEMENT AREA = 1900.05 SQ.FT.

NORTH FIRST STREET

DRAWN BY: SRP
 DATE: 6-02-97
 SCALE: 1" = 30'
 APPR. BY: IKH
 FILE NO: F126.DWG

RIGHT-OF-WAY DESCRIPTION MAP
 NORTH FIRST STREET - ORCHARD AVE. TO PATTERSON AVE
 (126)

DEPARTMENT OF PUBLIC WORKS
 ENGINEERING DIVISION
 CITY OF GRAND JUNCTION