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TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: **EASEMENT**

PURPOSE: ELECTRIC AND TELECOMMUNICATIONS

NAME OF PROPERTY OWNER OR GRANTOR: COLORADO WEST SENIOR  
CITIZENS, INC., A COLORADO NON-PROFIT CORPORATION, GRANTOR

STREET ADDRESS/PARCEL NAME/SUBDIVISION (LOT AND BLOCK): 999  
BOOKCLIFF AVENUE - BLOCK 1 OF MONTEREY PARK SUBDIVSIION

PARCEL NO.: 2945-111-14-978

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 2002

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

**GRANT OF ELECTRIC AND TELECOMMUNICATIONS EASEMENT**

Colorado West Senior Citizens, Inc., a Colorado Non-Profit Corporation, Grantor, for and in consideration of the sum of Four Hundred Ninety and 50/100 Dollars (\$490.50), 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 5<sup>th</sup> Street, Grand Junction, Colorado 81501, for the use and benefit of Grantee and for the use and benefit of the Public Utilities, to the herein described Perpetual Easement 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 "A"**

A certain perpetual easement lying in the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section 11, Township 1 South, Range 1 West of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northwest corner of Block 1, Plat of North Monterey Park, as same is recorded in Plat Book 9, Page 91, Public Records of Mesa County, Colorado, and considering the North line of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section 11, Township 1 South, Range 1 West, Ute Meridian, to bear N 89°57'58" W with all bearings contained herein being relative thereto; thence S 89°57'58" E along the North line of said Block 1, a distance of 96.72 feet to the TRUE POINT OF BEGINNING; thence from said Point of Beginning, continue S 89°57'58" E along the North line of said Block 1, a distance of 5.00 feet; thence S 00°02'02" W a distance of 7.00 feet; thence N 89°57'58" W a distance of 5.00 feet; thence N 00°02'02" E a distance of 7.00 feet, more or less, to the Point of Beginning.

Containing 35.0 square feet (0.0008 Acres), more or less, as described herein and depicted on **Exhibit "A"** attached hereto and incorporated herein by reference.

**PARCEL "B"**

A certain perpetual easement lying in the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section 11, Township 1 South, Range 1 West of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northwest corner of Block 1, Plat of North Monterey Park, as same is recorded in Plat Book 9, Page 91, Public Records of Mesa County, Colorado, and considering the North line of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section 11, Township 1 South, Range 1 West, Ute Meridian, to bear N 89°57'58" W with all bearings contained herein being relative thereto; thence S 89°57'58" E along the North line of said Block 1, a distance of 199.11 feet to the TRUE POINT OF BEGINNING; thence from said Point of Beginning, continue S 89°57'58" E along the North line of said Block 1, a distance of 7.00 feet; thence S 00°02'02" W a distance of 7.00 feet; thence N 89°57'58" W a distance of 7.00 feet; thence N 00°02'02" E a distance of 7.00 feet, more or less, to the Point of Beginning.

Containing 49.0 square feet (0.0011 Acres), more or less, as described herein and depicted on **Exhibit "A"** attached hereto and incorporated herein by reference.

**PARCEL "C"**

A certain perpetual easement lying in the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section 11, Township 1 South, Range 1 West of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northwest corner of Block 1, Plat of North Monterey Park, as same is recorded in Plat Book 9, Page 91, Public Records of Mesa County, Colorado, and considering the North line of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section 11, Township 1 South, Range 1 West, Ute Meridian, to bear N 89°57'58" W with all bearings contained herein being relative thereto; thence S 89°57'58" E along the North line of said Block 1, a distance of 247.21 feet to the TRUE POINT OF BEGINNING; thence from said Point of Beginning, continue S 89°57'58" E along the North line of said Block 1, a distance of 5.00 feet; thence S 00°02'02" W a distance of 7.00 feet; thence N 89°57'58" W a distance of 5.00 feet; thence N 00°02'02" E a distance of 7.00 feet, more or less, to the Point of Beginning.

Containing 35.0 square feet (0.0008 Acres), 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 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. 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 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 area.

2. Grantee agrees that Grantees' utilization of the herein described Easement shall be performed with due care using commonly accepted standards and techniques.

3. Grantor hereby covenants with Grantee that it has good title to the aforescribed premises; that it has good and lawful right to grant the herein described 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 30<sup>th</sup> day of May, 2002.

Colorado West Senior Citizens, Inc.,  
a Colorado Non-Profit Corporation

By:

[Signature]  
President

Attest:

[Signature]  
Vice President

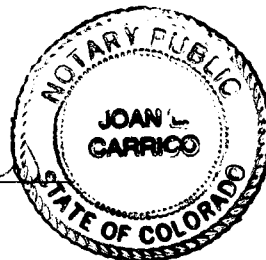
State of Colorado )  
 )ss.  
County of Mesa )

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of May, 2002, by Richard Livingston, President, and attested to by Robert C. Reese, Vice President, of Colorado West Senior Citizens, Inc., a Colorado Non-Profit Corporation.

My commission expires: \_\_\_\_\_

Witness my hand and official seal.

[Signature]  
Notary Public



My Commission Expires  
October 24, 2002

