SFP98CRS

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: SHADOWFAX PROPERTIES INCORPORATED

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: PARCEL NO. 2945-032-00-

114-199, FILE NO. RZP-1998-183, COUNTRY CROSSING SUBDIVISION

CITY DEPARTMENT:

PUBLIC WORKS

YEAR: 1998

EXPIRATION DATE:

NONE

DESTRUCTION DATE: NONE

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PAGE DOCUMENT

1881678 12/31/98 1033AM
MONIKA TODD CLK&REC MESA COUNTY CO
RECFEE \$10.00 SURCHG \$1.00
DOCUMENTARY FEE \$EXEMPT

GRANT OF EASEMENT

Shadowfax Properties, Inc., a Delaware corporation, Grantor, for and in consideration of the installation, operation, maintenance, repair and replacement of a sanitary sewer main line and associated appurtenances, the receipt and sufficiency of which is hereby acknowledged, hereby grants and conveys 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 a sanitary sewer pipeline and related facilities, 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.

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 structures or any other item or fixture which might act to damage the sanitary sewer pipeline and related facilities situate therein, or which might act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement area.

Grantor hereby covenants with Grantee that it has good title to the aforedescribed 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 18 day of December, 1998.

Shadowfax Properties, Inc., a Delaware corporation

State of California

ss.

County of Los Angeles)

I, the undersigned, a Notary Public in and for the aforesaid jurisdiction, do hereby certify that on <u>December 18</u>, 1998, personally appeared before me Julie A. Gilbert, attorney in fact for Shadowfax Properties, Inc., a Delaware corporation.

My commission expires: March 20, 2002

Witness my hand and official seal.

ROSMEN A. PAGUIO
Commission # 1176092
Notary Public - California
Los Angeles County
My Comm. Expires Mar 20, 2002

Romen a Paquio Notary Public 9

RECORDER NOTE: POOR QUALITY BOOUMENT PROVIDED FOR REPRODUCTION

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EXHIBIT "A" . Legal Description of Sanitary Sewer Easement

An easement situate in the Northwest ¼ of the Northwest ¼ (NW¼ NW¼) of Section 3, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, the limits of said easement being more particularly described as follows:

Commencing at a Mesa County Survey Marker set in place for the Southeast Corner of the NW¼ NW¾ of said Section 3, from whence a Mesa County Survey Marker set in place for the Northeast Corner of the NW¼ NW¼ of said Section 3 bears N 00°02'09" W with all bearings contained herein being relative thereto;

thence N 89°30'34" W a distance of 38.69 feet;

thence N 14°46'11" W a distance of 553.57 feet;

thence S 75°13'49" W a distance of 35.00 feet;

thence N 14°46'11" W a distance of 63.41 feet to the True Point of Beginning;

thence N 14°46'11" W a distance of 20.00 feet;

thence N 62°10'25" E a distance of 175.59 feet to a point on the westerly boundary line of Moonridge Falls, Filing No. Four, as recorded in Plat Book 16 at Pages 184 and 185 in the office of the Mesa County Clerk and Recorder;

thence S 13°59'29" E along the westerly boundary line of said Moonridge Falls, Filing No. Four, a distance of 20.07 feet;

thence leaving said westerly boundary line, S 62°10'25" W a distance of 175.31 feet to the Point of Beginning,

containing 3,419.12 square feet as described.