

SHW3612S

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: **EASEMENT**

NAME OF PROPERTY OWNER OR GRANTOR: STATE HIGHWAY DEPARTMENT
OF COLORADO

PURPOSE: ROADSIDE BEAUTIFICATION AND MAINTENANCE

STREET ADDRESS/PARCEL NAME/SUBDIVISION (LOT AND BLOCK): A
STRIP OF LINCOLN PARK ADJACENT TO AND IMMEDIATELY SOUTH OF
STATE HIGHWAY NO. 4 EXTENDING FROM THE EAST LINE OF TWELFTH
STREET

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1936

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

GRANT OF EASEMENT

Whereas, the State Highway Department of Colorado, hereinafter referred to as the State Highway Department, has proposed to the City of Grand Junction, Colorado, hereinafter referred to as the City, that, as one of its projects of roadside beautification, it will plant appropriate and ornamental trees, shrubs, plants and other herbage upon the property of the City hereinafter described, and will attend to and maintain such trees, shrubs, plants and other herbage, all at its expense, if the City will grant it an easement thereon for such purposes, as hereinafter provided; and

Whereas, the City desires to enable the State Highway Department to effect such project, and the City Council of said City has duly authorized the City Manager thereof to execute and deliver to the State Highway Department this Grant of Easement for the aforesaid purposes;

Therefore, in consideration of the premises and the public benefits to be derived by such project, the City has granted and does hereby grant to the State Highway Department, its successors and assigns, the free and uninterrupted right and privilege of planting, attending to and maintaining ornamental trees, shrubs, plants and other herbage, for the purpose of roadside beautification, at its expense, upon the following described property of and within said City, in Mesa County, Colorado:

A strip of Lincoln Park adjacent to and immediately south of State Highway No. 4, extending from the east line of Twelfth Street to a point approximately 3100 feet east thereof, and varying in width from 10 to 80 feet, as more particularly shown by a sketch of such strip which is hereto appended and made a part hereof, said property being in the northerly part of the NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 13, T. 1 S., R. 1 W., U. M.;

provided, however, that such easement is granted upon the condition that the State Highway Department shall use said property solely for the above stated purposes, and that all its rights hereunder shall terminate if it fails to so use such premises, or to maintain any trees, shrubs, plants or other herbage planted thereon for a continuous period of 1 year; and provided further that the easement and rights hereby granted shall be revokable by the City Council of said City at or at any time subsequent to the time of installation of the new council elected at the next general municipal election of said City, and shall not be deemed a contract extending beyond such time, but shall remain in effect unless and until so revoked, subject to the conditions hereincontained;

The City, in consideration of the benefits of beautification of its above described premises, agrees with the State Highway Department that it will not erect or grant permission for the erection of any bill boards or advertising signs upon said premises.

In Witness whereof said City has caused this instrument to be duly executed by its City Manager and attested by its City Clerk on this 4th day of April, 1936.

City of Grand Junction,

By J. P. Odertman
City Manager

Attest:

Helen C. Tomlinson

City Clerk.

ADDRESS ALL COMMUNICATIONS TO
STATE HIGHWAY DEPARTMENT
STATE OFFICE BUILDING



CHAS. D. VAIL
STATE HIGHWAY ENGINEER

STATE HIGHWAY DEPARTMENT

DENVER, COLORADO

June 29, 1936

Mr. J. P. Soderstrum
City Manager
Grand Junction, Colorado

Dear Sir:

Reference is made to grant of easement within the City of Grand Junction for use in Landscaping Project NRH 27 and 77, which was furnished this Department through Mr. J. J. Vandemoer, Division Engineer.

As you are aware, this is entirely a Federal Project and is being financed wholly from Federal funds. The easement was referred to the Bureau of Public Roads, and they advised that the terms of the easement are not satisfactory and it will be impossible for them to pay for this project until satisfactory easement is obtained. I am quoting their letter below:

"Reference is made to your letter of June 15, 1936, submitting three executed copies of an agreement with the city of Grand Junction in connection with landscape work on Colorado Projects NRH 27 and 77 (1935).

"In reviewing the agreement it has been noted that the term of the easement is revokable any time after the election of the next city council and that the easement shall not be deemed a contract extending beyond the next general municipal election.

"We will be unable to accept such an agreement and it is requested that your Department advise the city authorities accordingly and endeavor to secure a more satisfactory easement.


"As the final voucher on these projects cannot be paid until a satisfactory easement has been obtained, we would appreciate having you expedite action on the same."

You, of course, appreciate the fact that it would be impossible for the Bureau to expend Government funds for placing improvements on a right of way that could be nullified at any time, and you are therefore requested

to furnish an easement of a more permanent nature. Since this is so distinctly a project of permanent benefit to the City, we cannot understand why a right of way cannot be furnished that is not revokable.

Yours very truly,

CHAS. D. VAIL
State Highway Engineer

BY 
O. T. REEDY
Senior Asst. Highway Engineer

OTR:FM
ENC
cc to Mr. Vandmoer

P. S. I am returning copies of easement herewith.

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Whereas, the City desires to enable the State Highway Department to effect such project, and the City Council of said City has duly authorized the City Manager thereof to execute and deliver to the said State Highway Department this Grant of Easement for the aforesaid purposes;

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provided, however, that such easement is granted upon the condition that the State Highway Department shall use said property solely for the above stated purposes, and that all its rights hereunder shall terminate if it fails to so use such premises, or to maintain any trees, shrubs, plants or other herbage planted thereon for a continuous period of one (1) year.

The City, in consideration of the benefits of beautification of its above described premises, agrees with the State Highway Department that it will not erect or grant permission for the erection of any bill boards or advertising signs upon said premises.

In Witness whereof said City has caused this instrument to be duly executed by its City Manager and attested by its City Clerk on this 1st day of July, 1936.

CITY OF GRAND JUNCTION

By

J. P. Soderstrum
 J. P. Soderstrum
 City Manager.

Attest:

Helen C. Tomlinson
 Helen C. Tomlinson
 City Clerk.

PLAN	SURVEYED	BY	DATE
NOTE BOOK	PLOTTED		
NO.	ALIGNMENT CHECKED		
	RT. OF WAY CHECKED		

GRAND JUNCTION

SEC. 11.

SEC. 11.

12 TH STREET

NORTH AVE

Electric Ry.

T15-R1W

SEC. 13.

SEC. 12.

Lincoln Park Boundary

Athletic Field

Grass

Driveway

Curbed

Curbed

Driveway with Concrete Curbs

Curbed

Curbed



LINCOLN PARK



Sta 13+50 to 19+00 - Millions of light grasswood north of ditch on left.

Unpaved

CONVENTIONAL SIGNS

- Center Line of Survey
- Right of Way Line
- Barbed Wire Fence
- Woven Wire Fence
- Smooth Wire Fence with Iron Posts
- " " " " Wood Posts
- Telephone Poles
- Power Poles
- Ornamental & Shade Trees
- Flowers & Shrubs
- Culverts
- Driveways & Road Approaches
- Signs

Uncultivated

Cultivated

Grass

20

25

30

Lincoln Park Boundary

Cultivated

