

SIM04255

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: **EASEMENT**

NAME OF PROPERTY OWNER OR GRANTOR: NINA B. SIMPSON AND
ROBERT T. SIMPSON

PURPOSE: A PERPETUAL EASEMENT FOR THE
INSTALLATION, OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT
OF STREET LIGHTS TOGETHER WITH FACILITIES - FOR 25.5 ROAD
PROJECT

ADDRESS: 830 INDEPENDENT AVENUE - ALL BLK 5 WEST
LAKE PARK SUB + LOTS 1 TO 13 INC BLK 6 WEST LAKE PARK SUB +
TRD WESTLAKE PARK + OUT LOT 1 SHAW

PARCEL#: 2945-104-01-006

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 2004

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

GRANT OF STREET LIGHT EASEMENTS

Nina B. Simpson and Robert T. Simpson, Grantors, for and in consideration of the sum of One Hundred Eighty and 00/00 Dollars (\$180.00), the receipt and sufficiency of which is hereby acknowledged, have sold, granted and conveyed, and by these presents do hereby sell, 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, for the use of Grantee and for the use of the Public Utilities, two (2) Perpetual Easements for the installation, operation, maintenance, repair and replacement of street lights together with facilities appurtenant thereto, on, along, over, under, through and across the following described parcels of land, to wit:

Parcel No. 1:

A certain parcel of land for perpetual easement purposes lying in the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 10, Township 1 South, Range 1 West of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado and being a portion of the Plat of West Lake Park Subdivision, as same is recorded in Plat Book 7, Page 91 of the Public Records of Mesa County, Colorado and being more particularly described as follows:

COMMENCING at the Northwest corner of the NW 1/4 SE 1/4 of said Section 10 and assuming the West line of the NW 1/4 SE 1/4 of said Section 10 bears S 00°03'26" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 00°03'26" W along the West line of the NW 1/4 SE 1/4 of said Section 10, a distance of 228.15 feet; thence S 89°56'34" E, a distance of 30.00 feet to a point on the East right of way for 25-1/2 Road, as same is described in Book 696, Page 595, Public Records of Mesa County, Colorado and the POINT OF BEGINNING; thence from said Point of Beginning, S 89°56'34" E, a distance of 5.00 feet; thence S 00°03'26" W a distance of 5.00 feet; thence N 89°56'34" W a distance of 5.00 feet to a point on the East right of way for said 25-1/2 Road; thence N 00°03'26" E along said East right of way, a distance of 5.00 feet, more or less, to the Point of Beginning.

CONTAINING 25.0 Square Feet, more or less, as described, and also,

Parcel No. 2:

A certain parcel of land for perpetual easement purposes lying in the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 10, Township 1 South, Range 1 West of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado and being a portion of the Plat of West Lake Park Subdivision, as same is recorded in Plat Book 7, Page 91 of the Public Records of Mesa County, Colorado and being more particularly described as follows:

COMMENCING at the Northwest corner of the NW 1/4 SE 1/4 of said Section 10 and assuming the West line of the NW 1/4 SE 1/4 of said Section 10 bears S 00°03'26" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 00°03'26" W along the West line of the NW 1/4 SE 1/4 of said Section 10, a distance of 377.66 feet; thence S 89°56'34" E, a distance of 30.00 feet to a point on the East right of way for 25-1/2 Road, as same is described in Book 696, Page 595, Public Records of Mesa County, Colorado and the POINT OF BEGINNING; thence from said Point of Beginning, S 89°56'34" E, a distance of 5.00 feet; thence S 00°03'26" W a distance of 5.00 feet; thence N 89°56'34" W a distance of 5.00 feet to a point on the East right of way for said 25-1/2 Road; thence N 00°03'26" E along said East right of way, a distance of 5.00 feet, more or less, to the Point of Beginning.

CONTAINING 25.0 Square Feet, more or less,

each 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 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 considerations 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 installation, construction or placement of any structures or any other item or fixture which might be detrimental to the street light and appurtenant 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 areas.

2. Grantee agrees that Grantees' utilization of the herein described Easements 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 26th day of February, 2004.

Nina B Simpson
Nina B. Simpson

Robert T. Simpson
Robert T. Simpson

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 26th day of February, 2004, by Nina B. Simpson and Robert T. Simpson.

My commission expires: 3.3.05

Witness my hand and official seal.

Peggy Holquin
Notary Public

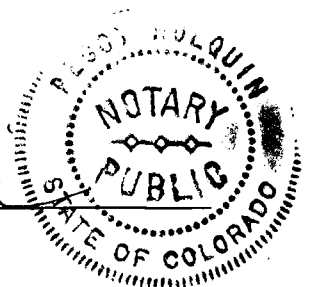
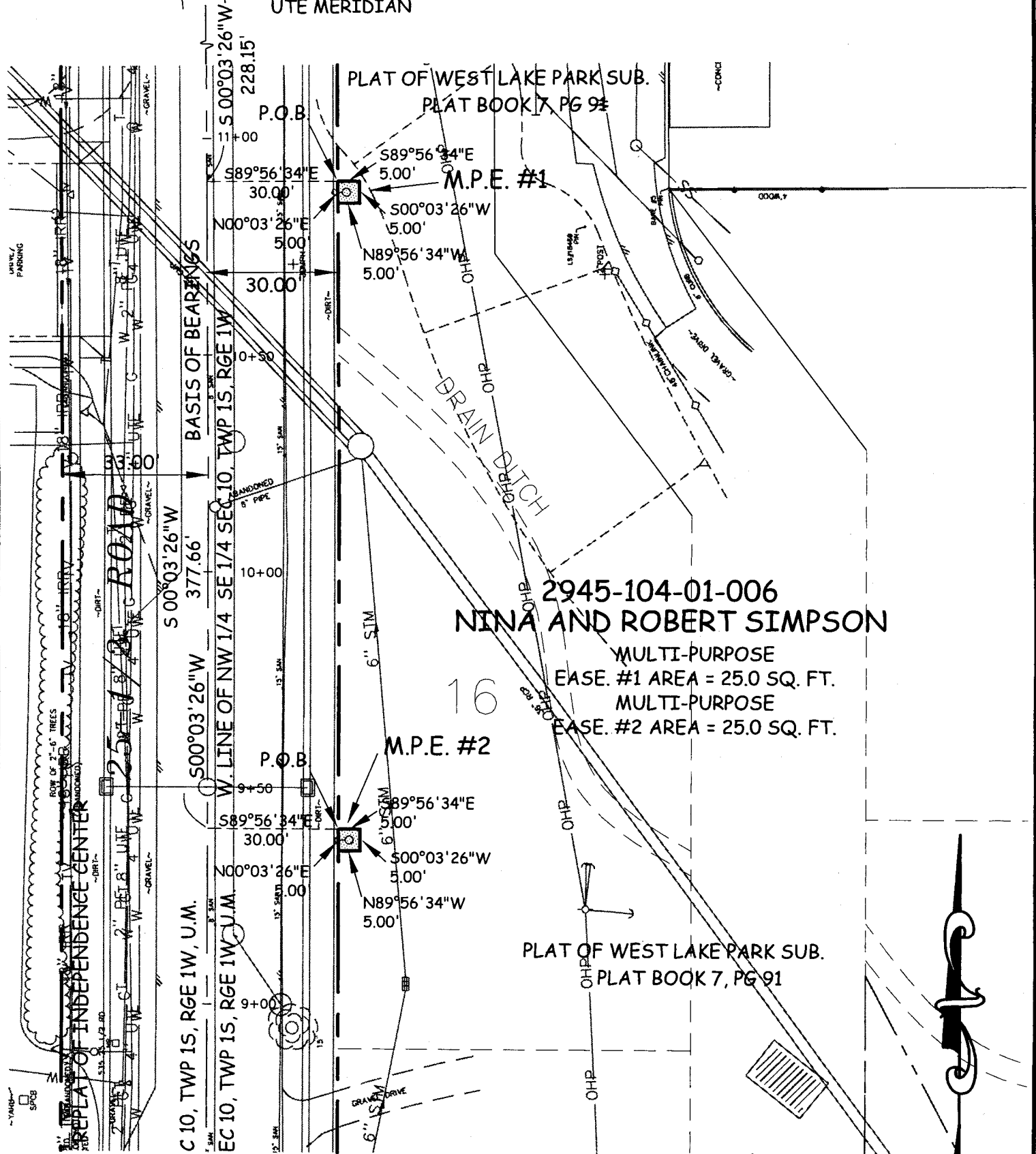


EXHIBIT "A"

POINT OF COMMENCEMENT
NORTHWEST CORNER
NW 1/4 NE SE 1/4
SEC 10, TWP 1S, RGE 1W
UTE MERIDIAN



2945-104-01-006
NINA AND ROBERT SIMPSON

MULTI-PURPOSE
EASE. #1 AREA = 25.0 SQ. FT.
MULTI-PURPOSE
EASE. #2 AREA = 25.0 SQ. FT.

M.P.E. #2

PLAT OF WEST LAKE PARK SUB.
PLAT BOOK 7, PG 91

The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

DRAWN BY: P.T.K.
DATE: 01-05-2004
SCALE: 1" = 30'
APPR. BY: TW

25.5 ROAD
ADDITIONAL RIGHT OF WAY
NINA B. SIMPSON AND
ROBERT T. SIMPSON
2945-104-01-006

CITY OF
grand junction
COLORADO
serving the community together