

SMP02IDP

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: **EASEMENT**

PURPOSE: ELECTRIC AND TELECOMMUNICATIONS FACILITIES

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

STREET ADDRESS/PARCEL NAME/SUBDIVISION (LOT AND BLOCK): 830 INDEPENDENT AVENUE, GRAND JUNCTION

PARCEL NO.: 2945-104-01-006

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 2002

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

WHEN RECORDED RETURN TO:

City of Grand Junction  
 Real Estate Division  
 250 North 5<sup>th</sup> Street  
 Grand Junction, CO 81501

BOOK 3038 PAGE 433  
 2044847 03/11/02 0856AM  
 MONIKA TODD CLK&REC MESA COUNTY CO  
 REC FEE \$15.00  
 DOCUMENTARY FEE \$EXEMPT

### GRANT OF ELECTRIC AND TELECOMMUNICATIONS EASEMENT

Nina B. Simpson and Robert T. Simpson, Grantors, for and in consideration of the sum of Four Hundred Ninety-Five and 00/100 Dollars (\$495.00), 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 and benefit of Grantee and for the use and benefit of the Public Utilities, the herein described Perpetual Easements for the installation, operation, maintenance, repair and replacement of Electric and Telecommunications facilities (Easement Parcels 'A' 'B' and 'C'), on, along, over, under, through and across the following described parcels of land, to wit:

#### Easement Parcel 'A'

A certain Perpetual Easement lying in the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 10, Township 1 South, Range 1 West of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Southeast Corner of Block 6, Plat of West Lake Park Subdivision, as same is recorded in Plat Book 7, Page 91, Public Records of Mesa County, Colorado, and considering the South line of said Block 6 to bear N 89°58'48" W with all bearings contained herein being relative thereto; thence N 89°58'48" W along said South line, a distance of 234.45 feet to the TRUE POINT OF BEGINNING; thence, from said Point of Beginning, continuing N 89°48'58" W along the South line of said Block 6, a distance of 10.00 feet; thence N 00°01'12" E a distance of 10.00 feet; thence S 89°58'48" E a distance of 10.00 feet; thence S 00°01'12" W a distance of 10.00 feet, more or less, to the POINT OF BEGINNING.

Containing 100.00 square feet (0.0023 Acres), more or less, as described herein and depicted on **Exhibit "A"** attached hereto and incorporated herein by reference; AND ALSO

#### Easement Parcel 'B'

A certain Perpetual Easement lying in the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 10, Township 1 South, Range 1 West of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Southeast Corner of Block 6, Plat of West Lake Park Subdivision, as same is recorded in Plat Book 7, Page 91, Public Records of Mesa County, Colorado, and considering the South line of said Block 6 to bear N 89°58'48" W with all bearings contained herein being relative thereto; thence N 89°58'48" W along said South line, a distance of 98.75 feet to the TRUE POINT OF BEGINNING; thence from said Point of Beginning, continuing N 89°58'48" W along the South line of said Block 6, a distance of 5.00 feet; thence N 00°01'12" E a distance of 10.00 feet; thence S 89°58'48" E a distance of 5.00 feet; thence S 00°01'12" W a distance of 10.00 feet, more or less, to the POINT OF BEGINNING.

Containing 50.00 square feet (0.0011 Acres), more or less, as described herein and depicted on **Exhibit "A"** attached hereto and incorporated herein by reference; AND ALSO

#### Easement Parcel 'C'

A certain Perpetual Easement lying in the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 10, Township 1 South, Range 1 West of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Southeast Corner of Block 6, Plat of West Lake Park Subdivision, as same is recorded in Plat Book 7, Page 91, Public Records of Mesa County, Colorado, and considering the South line of said Block 6 to bear N 89°58'48" W with all bearings contained herein being relative thereto; thence N 89°58'48" W along the South line of said Block 6, a distance of 5.00 feet to the TRUE POINT OF BEGINNING; thence from said Point of Beginning, continuing N 89°58'48" W along

the South line of said Block 6, a distance of 5.00 feet; thence leaving said South line, N00°01'12"E a distance of 10.00 feet; thence S 89°58'48" E a distance of 5.00 feet; thence S 00°01'12" W a distance of 10.00 feet, more or less, to the POINT OF BEGINNING.

Containing 50.00 square feet (0.0011 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 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 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 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 the herein described 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 5<sup>th</sup> day of March, 2002.

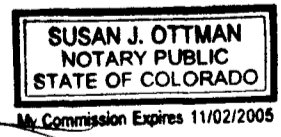
Nina B. Simpson  
 Nina B. Simpson

Robert T. Simpson  
 Robert T. Simpson

State of Colorado )  
 )ss.  
 County of Mesa )

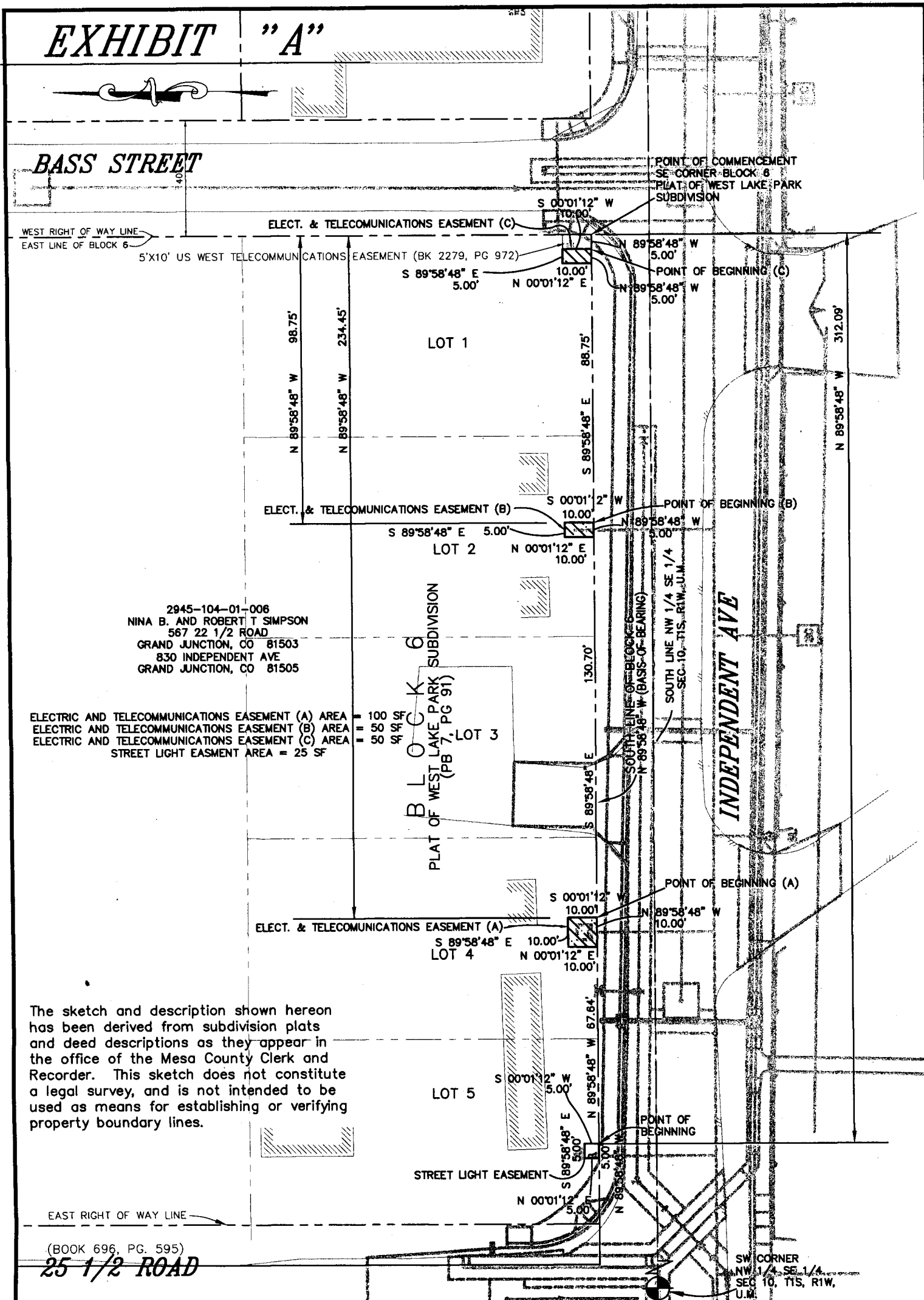
The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of March, 2002, by Nina B. Simpson and Robert T. Simpson.

My commission expires: 11/2/05  
 Witness my hand and official seal.



Susan J. Ottman  
 Notary Public

**EXHIBIT "A"**



2945-104-01-008  
 NINA B. AND ROBERT T SIMPSON  
 567 22 1/2 ROAD  
 GRAND JUNCTION, CO 81503  
 830 INDEPENDENT AVE  
 GRAND JUNCTION, CO 81505

ELECTRIC AND TELECOMMUNICATIONS EASEMENT (A) AREA = 100 SF  
 ELECTRIC AND TELECOMMUNICATIONS EASEMENT (B) AREA = 50 SF  
 ELECTRIC AND TELECOMMUNICATIONS EASEMENT (C) AREA = 50 SF  
 STREET LIGHT EASEMENT AREA = 25 SF

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 means for establishing or verifying property boundary lines.

(BOOK 696, PG. 595)

**25 1/2 ROAD**

DRAWN BY: JCS  
 DATE: 10-10-2001  
 SCALE: 1" = 40'  
 APPR. BY: IW  
 FILE NO. ROW.DWG

**INDEPENDENT AVENUE  
 RIGHT-OF-WAY DESCRIPTION MAP**

**DEPARTMENT OF PUBLIC WORKS  
 ENGINEERING DIVISION  
 CITY OF GRAND JUNCTION**