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TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: 1480 WELTON, INC., N.J. TEMPLE  
AND BOOKCLIFF SOD FARMS, INC. AUGUST E. SEARCY

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: PARADISE  
HILLS INTERCEPTOR SEWER; RIGHT-OF-WAY

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1977

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

STATE OF COLORADO, COUNTY OF MESA  
 RECORDED AT 4:17 O'CLOCK P. M. FEB 24 1977  
 RECEPTION NO. 1126709 EARL SAWYER, RECORDER

RIGHT-OF-WAY AGREEMENT

THIS AGREEMENT, made and entered into this 22 day of February, 1977, by and between 1480 WELTON, INC., Owner, and BOOKCLIFF SOD FARMS, INC., Lessee, both as Grantors, and the CITY OF GRAND JUNCTION, a municipal corporation, Grantee, WITNESSETH:

WHEREAS, Grantors desire to convey a temporary construction easement to Grantee for the construction of a sewer line; said construction easement to terminate June 1, 1977, upon the following terms and conditions:

1) Grantors hereby grant and convey to Grantee a temporary construction easement on the following described real property located in Mesa County, Colorado:

The East 100 feet of the SW $\frac{1}{4}$  of Section 3, Township 1 South, Range 1 West of the U.M.

2) The temporary construction easement shall terminate on June 1, 1977.

3) Upon completion of Paradise Hills Interceptor Sewer Line to be constructed within the above-described tract of real property, the CITY OF GRAND JUNCTION, as Grantee, shall:

- a) Restore the surface of the land as nearly as practicable to its original level;
- b) Restore all irrigation ditches and irrigation systems to their original condition;
- c) Pay to BOOKCLIFF SOD FARMS, INC., Lessee of the above-described real property, compensation for sod for any damages resulting from the construction of the sewer line at a rate to be agreed upon between the CITY OF GRAND JUNCTION and BOOKCLIFF SOD FARMS, INC.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

CITY OF GRAND JUNCTION

By James E. Wysocki

"Grantee"

1480 WELTON, INC.

By [Signature]

"Owner"

BOOKCLIFF SOD FARMS, INC.

By August E. Searcy Pres.

"Lessee"

"Grantors"

STATE OF COLORADO)  
  :SS  
COUNTY OF MESA            )

The foregoing instrument was acknowledged before me  
this 22 day of February A.D., 1977.

WITNESS my hand and official seal.

My commission expires: January 21, 1980

Harrel W. Fowler  
Notary Public



Within a 100 ft. temporary construction easement granted and conveyed by 1480 Welton, Inc. to the City of Grand Junction for the construction of Paradise Hills Interceptor sewer line, compensation of 10¢ per square foot for sod will be paid to the Bookcliff Sod Farms, Inc., by the City of Grand Junction for any damages to the sod created by the construction of said sewer line.

Approved and agreed by:

*August E. Seary - Pres.*  
Bookcliff Sod Farms, Inc.

CITY OF GRAND JUNCTION

By *Darrel W. Lound*  
Right of way Agent

STATE OF COLORADO)

:SS

COUNTY OF MESA )

The foregoing instrument was acknowledged before me this 22 day of February A. D., 1977.

WITNESS my hand and official seal.

My commission expires: June 13, 1979

*Theresa J. Martinez*  
Notary Public

