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TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: DENNIS STAHL, CHIEF EXECUTIVE OFFICE OF HILLTOP FOUNDATION, INC., A COLORADO NONPROFIT CORPORATION AND DALE HOLLINGSWORTH, PRESIDENT OF HILLTOP FOUNDATION

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: SANITARY SEWER EASEMENT TO SERVE THE ATRIUM DEVELOPMENT OF NORTH 12TH

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1993

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

1673527 02:42 PM 03/07/94
Monika Todd Clk&Rec Mesa County Co
DOC EXEMPT

GRANT OF EASEMENT

HILLTOP FOUNDATION, INC., a Colorado nonprofit corporation, Grantor, for and in consideration of the sum Ten and 00/100ths ($10.00) dollars, the receipt and sufficiency of which is hereby acknowledged, has given and granted and by these presents does hereby sell, convey and grant unto the City of Grand Junction, a Colorado home rule municipality, Grantee, its successors and assigns forever, a 25-foot wide perpetual easement for utilities installation, operation, maintenance and repair purpose, together with the right of ingress and egress for workers and equipment, on, along, over, under, through and across the following described real property situate in the SE1/4 of the NW1/4 of the SW1/4 of Section 1, Township 1 South, Range 1 West of the Ute Meridian, city of Grand Junction, Mesa County, Colorado, said easement being 12 1/2-feet on both sides of the following described center-line, to wit:

> Beginning at the Northwest corner of said SE1/4 NW1/4 SW1/4, and considering the West line of the NW1/4 NW1/4 SW1/4 of said Section 1 to bear N 00°05'20" E with all bearings contained herein being relative thereto; thence S 89°49'52" E along the North line of said SE1/4 NW1/4 SW1/4 a distance of 18.55 feet to the Point of Beginning; thence S 00°38'19" W a distance of 659.04 feet to the South line of said SE1/4 NW1/4 SW1/4 and the Point of Termination.

Grantor reserves the right to use and occupy the easement area for any purpose not inconsistent with the Grantee's full enjoyment of the rights hereby granted; Grantee shall conduct its activities in a reasonable and prudent manner that will not unreasonably limit the joint use of the easement area by Grantor and Grantee.

Grantor hereby covenants with Grantee that the easement area shall not be burdened or overburdened by the Grantor erecting or placing any improvements hereon which might prevent reasonable ingress and egress to and from the easement area.

Grantor further hereby covenants with Grantee that it has good title to the aforedescribed premises; that is has the good and lawful right to grant this Easement; that is will warrant and defend the title and quiet possession thereof against the lawful claims of all persons whomsoever.

Signed this 19th day of October, 1993.

Attest: Hilltop Foundation, Inc.

By:

STATE OF COLORADO)
) SS.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 19th day of October, 1993, by Dale Hollingsworth, President and by Dennis Stahl, as Chief Executive Officer of Hilltop Foundation, Inc., a Colorado nonprofit corporation.

My commission expires: 1/31/97
Witness my hand and official seal.

NOTARY PUBLIC
KATHERINE G. HUNT
STATE OF COLORADO

Notary Public