

STM99275

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: ST. MATTHEWS PARISH, A COLORADO NON-PROFIT CORPORATION

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: GRANT OF STREET LIGHT EASEMENTS DATED FEBRUARY 24, 1999, FOR 27 ½ ROAD RECONSTRUCTION BETWEEN PATTERSON ROAD AND G ROAD - PARCEL NO. 2945-011-88-001 - LOT 1, BLOCK 4, KNOLLS SUBDIVISION, FILING 1

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1999

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

GRANT OF STREET LIGHT EASEMENTS

St. Matthews Parish, a Colorado non-profit corporation, Grantor, for and in consideration of the sum of One Hundred Eleven and 39/100 Dollars (\$111.39), the receipt and sufficiency of which is hereby acknowledged, has sold, granted and conveyed, and by these presents does 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, three (3) 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:

Street Light Easement A:

Commencing at the Southwest Corner of Lot 1, Block 4 of The Knolls Subdivision, Filing 1, situate in the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, as recorded in Plat Book 15 at Pages 243 and 244 in the office of the Mesa County Clerk and Recorder, and considering the West line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 1 to bear N 00°02'13" E with all bearings contained herein being relative thereto; thence N 00°02'13" E along a line which is common with the West boundary line of said Lot 1 and the East right-of-way line for 27 $\frac{1}{2}$ Road a distance of 64.00 feet to the True Point of Beginning;

thence N 00°02'13" E along said common line a distance of 5.00 feet;
thence leaving said common line, S 89°57'47" E a distance of 5.00 feet;
thence S 00°02'13" W a distance of 5.00 feet;
thence N 89°57'47" W a distance of 5.00 feet to the Point of Beginning,
containing 25.00 square feet as described herein and as depicted on **Exhibit "A"** attached hereto and incorporated herein by reference; and also

Street Light Easement B:

Commencing at the Southwest Corner of Lot 1, Block 4 of The Knolls Subdivision, Filing 1, situate in the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, as recorded in Plat Book 15 at Pages 243 and 244 in the office of the Mesa County Clerk and Recorder, and considering the West line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 1 to bear N 00°02'13" E with all bearings contained herein being relative thereto; thence N 00°02'13" E along a line which is common with the West boundary line of said Lot 1 and the East right-of-way line for 27 $\frac{1}{2}$ Road a distance of 276.00 feet to the True Point of Beginning;

thence N 00°02'13" E along said common line a distance of 5.00 feet;
thence leaving said common line, S 89°57'47" E a distance of 5.00 feet;
thence S 00°02'13" W a distance of 5.00 feet;
thence N 89°57'47" W a distance of 5.00 feet to the Point of Beginning,
containing 25.00 square feet as described herein and as depicted on **Exhibit "A"** attached hereto and incorporated herein by reference; and also

Street Light Easement C:

Commencing at the Northwest Corner of Lot 1, Block 4 of The Knolls Subdivision, Filing 1, situate in the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, as recorded in Plat Book 15 at Pages 243 and 244 in the office of the Mesa County Clerk and Recorder, and considering the West line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 1 to bear N 00°02'13" E with all bearings contained herein being relative thereto; thence S 89°55'57" E along a line which is common with the North boundary line of said Lot 1 and the South right-of-way for Cortland Avenue a distance of 17.87 feet to the True Point of Beginning;

thence S 89°55'57" E along said common line a distance of 5.00 feet;
thence leaving said common line, S 00°02'13" W a distance of 5.00 feet;
thence N 89°55'57" W a distance of 5.00 feet;
thence N 00°02'13" E a distance of 5.00 feet to the Point of Beginning,
containing 25.0 square feet 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. Grantor shall have the right to use and occupy the real property burdened by this Easement 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 Grantor hereby covenants with Grantee that the Easement area 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 area.


2. Grantee agrees that Grantees' utilization of the Easements shall be performed with due care using commonly accepted standards and techniques.

3. Grantee's use of the easements shall be specifically limited to the installation, operation, maintenance and repair of street lights. The easement rights herein granted do not include the right to expand utilization of the easements for any other purposes, including, but not limited to, the installation of broadcast towers and telecommunications antennae, unless such uses are authorized by subsequent conveyance instruments.

4. Grantor hereby covenants with Grantee that it has good title to the aforescribed premises; that it has good and lawful right to grant these Easements; that it will warrant and forever defend the title and quiet possession thereof against the lawful claims and demands of all persons claiming under or through Grantor.

Executed and delivered this 24th day of February, 1999.

St. Matthews Parish,
a Colorado non-profit corporation

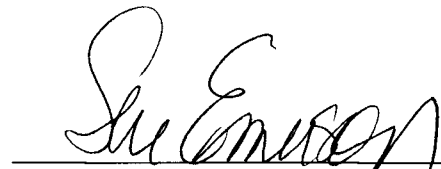

by: Reverend E.S. Wright, Rector

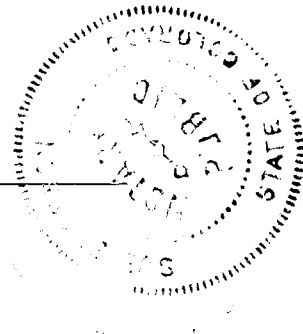
State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 24th day of February, 1999, by Reverend E.S. Wright as Rector of St. Matthews Parish, a Colorado non-profit corporation.

My commission expires 01-20-2002.

Witness my hand and official seal.


Notary Public



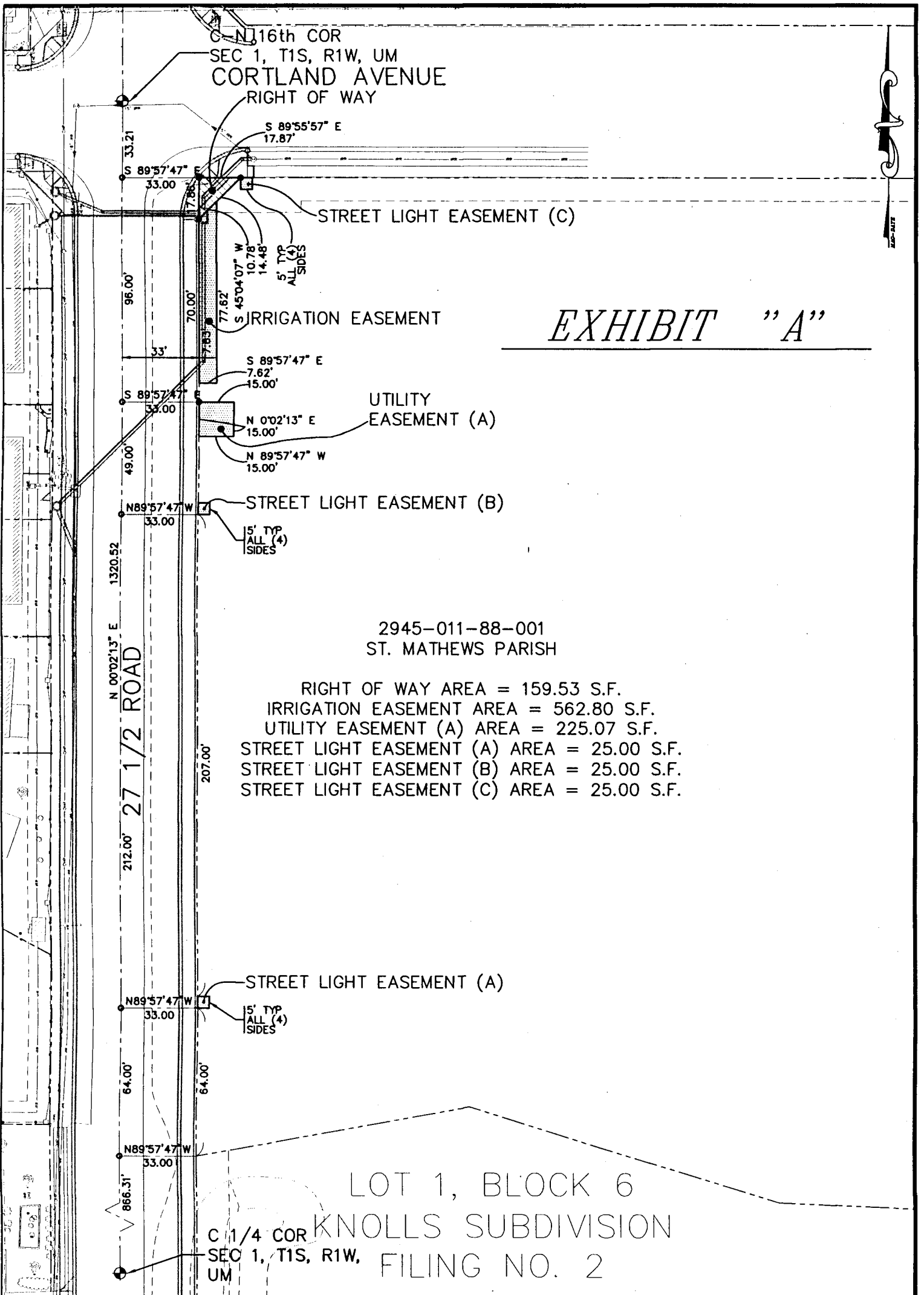


EXHIBIT "A"

2945-011-88-001
ST. MATHEWS PARISH

RIGHT OF WAY AREA = 159.53 S.F.
 IRRIGATION EASEMENT AREA = 562.80 S.F.
 UTILITY EASEMENT (A) AREA = 225.07 S.F.
 STREET LIGHT EASEMENT (A) AREA = 25.00 S.F.
 STREET LIGHT EASEMENT (B) AREA = 25.00 S.F.
 STREET LIGHT EASEMENT (C) AREA = 25.00 S.F.

LOT 1, BLOCK 6
 KNOLLS SUBDIVISION
 SEC 1, T1S, R1W, FILING NO. 2

DRAWN BY: JCS
 DATE: 2-22-99
 SCALE: 1" = 50'
 APPR. BY: TW
 FILE NO: 01188001.DWG

RIGHT-OF-WAY DESCRIPTION MAP
 27 1/2 ROAD - PATTERSON ROAD TO C ROAD

DEPARTMENT OF PUBLIC WORKS
 ENGINEERING DIVISION
 CITY OF GRAND JUNCTION

11188001.dwg 2-22-99 10:23 pm JCS