

TAR03HW6

TYPE OF RECORD:	PERMANENT
CATEGORY OF RECORD:	<b>EASEMENT (MULTI-PURPOSE)</b>
NAME OF PROPERTY OWNER OR GRANTOR:	TARGET CORPORATION (FORMERLY KNOWN AS DAYTON HUDSON CORPORATION)
PURPOSE: PUBLIC UTILITIES	INGRESS AND EGRESS FOR THE USE OF
ADDRESS:	2422 HIGHWAY 6 & 50 UNIT C, LOT 5 MESA MALL SUBDIVISION
PARCEL NO:	2945-043-03-006
CITY DEPARTMENT:	PUBLIC WORKS
YEAR:	2003
EXPIRATION:	NONE
DESTRUCTION:	NONE

## WHEN RECORDED RETURN TO:

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

2171094 BK 3565 PG 310-312  
 01/07/2004 04:22 PM  
 Janice Ward CLK/REC Mesa County, CO  
 RecFee \$15.00 SurChg \$1.00  
 DocFee EXEMPT

## GRANT OF MULTI-PURPOSE EASEMENT

**TARGET CORPORATION**, a Minnesota corporation (formerly known as Dayton Hudson Corporation), "**Grantor**", for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), the receipt and sufficiency of which are hereby acknowledged, has granted and conveyed, and by these presents does hereby 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, a Perpetual Multi-Purpose Easement for the use and benefit of Grantee and for the use and benefit of the Public Utilities, as approved by Grantee, as a perpetual easement for the installation, operation, maintenance, repair and replacement of utilities and appurtenances related thereto, as approved by Grantee, including, but not limited to, electric lines, cable television lines, natural gas pipelines, sanitary sewer lines, storm sewers and storm water drainage facilities, water lines, telephone lines, and also for the installation, operation maintenance, repair and replacement of traffic control facilities, street lighting, landscaping, trees and grade structures, as approved by Grantee, on, along, over, under, through and across the following described premises, to wit:

An Easement within Lot 5 of Mesa Mall Subdivision, situate in the Southwest  $\frac{1}{4}$  of Section 4, 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 12 at Page 233 in the office of the Mesa County Clerk and Recorder, said Easement being more particularly described as follows, to wit:

Beginning at an angle point on the boundary of said Lot 5 located on the Westerly right-of-way line for F Road (a.k.a. Patterson Road), from whence the South  $\frac{1}{4}$  Corner of said Section 4 bears S 27°59'26" E a distance of 668.15 feet;  
 thence along the boundary line of said Lot 5, S 81°59'40" W a distance of 15.00 feet;  
 thence leaving the boundary line of said Lot 5, 330.42 feet along the arc of a non-tangent curve concave to the Southwest, having a radius of 435.00 feet, a central angle of 43°31'17", and a long chord bearing N 29°45'58" W a distance of 322.54 feet to a point of compound curvature;  
 thence 169.33 feet along the arc of a non-tangent curve concave to the Southwest, having a radius of 605.00 feet, a central angle of 16°02'09", and a long chord bearing N 57°28'21" W a distance of 168.77 feet to a point on a line which is common with the Easterly boundary line of said Lot 5 and the Westerly right-of-way line of said F Road;  
 thence along said common line, 513.84 feet along the arc of a non-tangent curve concave to the Southwest, having a radius of 450.00 feet, a central angle of 65°25'27", and a long chord bearing S 40°43'04" E a distance of 486.38 feet to the Point of Beginning

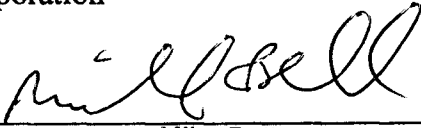
The above described Easement contains 6,571 square feet, more or less, as described herein and depicted on the **Exhibit** attached hereto.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns forever, together with the right of ingress and egress over and upon the Easement area for workers and equipment to survey, maintain, operate, repair, replace, control and use said Easement, 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, the said Grantor hereby covenanting 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 facilities of Grantee and/or the Public Utilities or which might act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement area, the said Grantor hereby further covenanting with Grantee that it has good title to the aforescribed premises; that it has good and lawful right to grant this Easement; that it will warrant and forever defend the title and quiet possession thereof against the lawful claims and demands of all persons whomsoever. This Easement shall be binding on Grantor and its successors and assigns as owner of the Easement area, but Grantor and any successor owner shall only be liable hereunder for matters that arise during their respective periods of ownership.

EXECUTED TO BE EFFECTIVE AS OF THE 17<sup>TH</sup> DAY OF December, 2003

IN WITNESS WHEREOF, the said Grantor has caused its duly authorized representative to execute this Grant of Sanitary Sewer Easement as of the date first above written.


TARGET CORPORATION,  
a Minnesota corporation

By:   
Mike Bell  
Vice President  
Target Stores

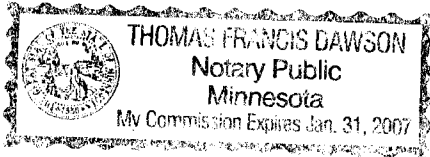
State of Minnesota )  
                                  )ss.  
County of Hennepin )

On December 17, 2003, before me, Thomas Francis Dawson, a Notary Public in and for said State, personally appeared Mike Bell, V.P. of Target Corp, known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed this instrument.

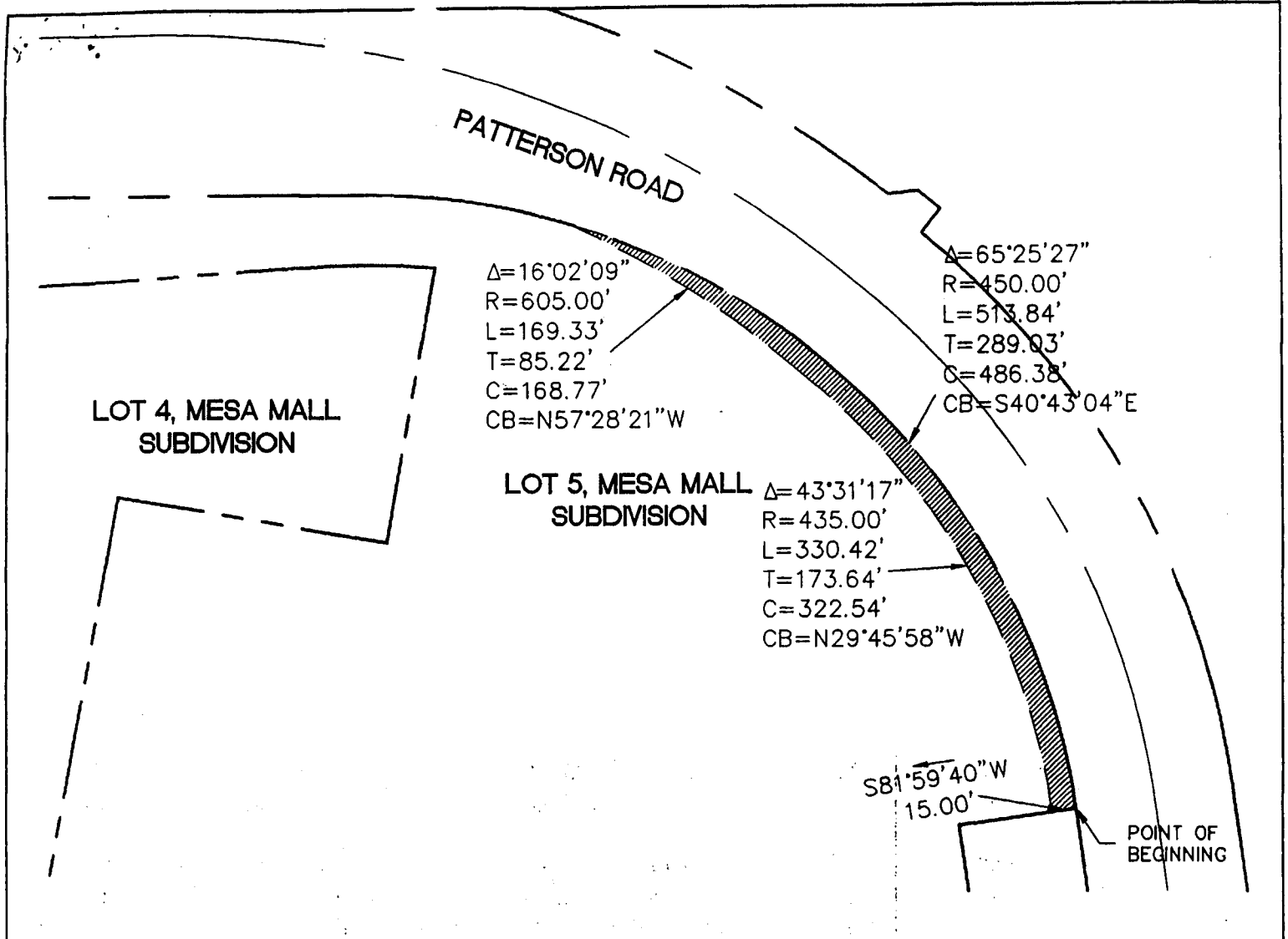
My commission expires: 1/31/07  
Witness my hand and official seal.


  
Notary Public

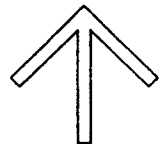
MI:1044369.02



**EXHIBIT**



 EASEMENT TO BE DEDICATED




NORTH  
GRAPHIC SCALE



( IN FEET )  
1 inch = 100 ft.

THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY BY OLSSON ASSOCIATES. IT IS INTENDED ONLY TO DEPICT THE LEGAL DESCRIPTION HERETO.

 <b>OLSSON ASSOCIATES</b> ENGINEERS - PLANNERS - SCIENTISTS - SURVEYORS 143 UNION BLVD., SUITE 700 - LONGWOOD, COLORADO, 80501 PHONE 720-222-8072 - FAX 720-222-8000 <small>LITTLETON    DENVER    GRAND BLVD    HIGHLAND    BOULDER CITY    FORT COLLINS    DENVER</small>	MULTI-PURPOSE EASEMENT DEDICATION		drawn by: WCB checked by: GL approved by: GL project no.: 2001-0601 dwg name: date: 02/08/03
	TARGET STORE T-0093		SHEET <b>EASE1</b>
	GRAND JUNCTION, CO		1 OF 1 SHEETS