

TGT98265

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: THOMAS G. TOWNER, M.D. AND LORI M. TOWNER

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: 840 26 1/2 ROAD,  
PERMANENT SLOPE EASEMENT, PARCEL NO. 2701-264-00-013, PARADISE HILLS BLVD

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1998

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

4 PART DOCUMENT

GRANT OF EASEMENT

1857888 07/31/98 0255PM  
MONIKA TODD CLK&REG MESA COUNTY CO  
REG FEE \$20.00 SURCHG \$1.00  
DOCUMENTARY FEE \$EXEMPT

BOOK 2471 PAGE 144

Thomas G. Towner, M.D. and Lori M. Towner, Grantors, for and in consideration of the sum of One Hundred Eighty-One and 60/100 Dollars (\$181.60), the receipt and sufficiency of which is hereby acknowledged, hereby sell, grant and convey to the City of Grand Junction, a Colorado home rule municipality, Grantee, whose legal address is 250 North 5th Street, Grand Junction, Colorado 81501, its successors and assigns forever, the herein described Perpetual Easement for the installation, operation, maintenance, repair, and replacement of materials providing slope stability for Paradise Hills Boulevard, together with the right of ingress and ingress for workers and equipment, on, along, over under, through and across the following described Parcel situated in the NW¼ SE¼ of Section 26, Township 1 North, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, said Easement being more particularly described by the following metes and bounds, to wit:

Commencing at the Center 1/4 corner of said Section 26, whence the Center-East 1/16 corner of said Section 26 bears N 89° 53'00" E a distance of 1319.78 feet, with all bearings contained herein being relative thereto;

thence N 89° 53'00" E along the north line of the NW 1/4 SE 1/4 of said Section 26 a distance of 528.25 feet to a point on the centerline of Leach Creek;

thence S 23° 04'19" W along the centerline of said Leach Creek a distance of 82.32 feet to a point; thence leaving said centerline of said Leach Creek, N 67° 02'38" W a distance of 10.91 feet to a point;

thence N 21° 47'56" E a distance of 10.91 feet to the True Point of Beginning of the parcel described herein;

thence N 72° 31'02" W a distance of 78.97 feet to a point;

thence S 89° 53'00" W a distance of 65.38 feet to a point;

thence N 00° 07'00" W a distance of 7.39 feet to a point;

thence N 89° 53'00" E a distance of 61.89 feet to a point;

thence 86.97 feet along the arc of a curve concave to the south, having a radius of 240.45 feet, a delta angle of 20° 43'26", and a long chord bearing S 79° 45'16" E a distance of 86.50 feet to a point;

thence S 21° 47'56" W a distance of 16.94 feet to the point of beginning.

The above described parcel of land contains 1,650.94 square feet as described herein and depicted on the attached Exhibit "B".


**TO HAVE AND TO HOLD** the premises herein granted unto the Grantee, its successors and assigns forever, together with the right to enter upon said premises with workers and equipment, to survey, construct, maintain, operate, repair, replace, control and use said slope easement, together with facilities and appurtenances related thereto, and to remove objects interfering therewith, including the trimming of trees and bushes as may be required to permit the operation of maintenance equipment and workers, subject to the following terms, covenants, conditions and restrictions:

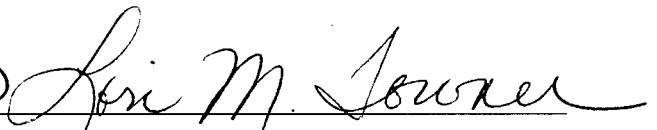
1. Grantee agrees that Grantee's use and occupancy of the easement shall be performed with due care, using commonly accepted standards and techniques.

2. Grantors shall have the right to continue to use the real property burdened by this Easement for any lawful purpose which will not interfere with Grantee's full use and enjoyment of the Grantee's rights herein granted; provided, however, that Grantors 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 act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the easement area.

3. Grantors hereby covenants with Grantee that they have good title to the aforescribed premises; that they have good and lawful right to grant this Easement; that they will warrant and forever defend the title and quiet possession thereof against the lawful claims of all persons whomsoever.

Signed this 7 day of July, 1998.

  
Thomas G. Towner, M.D.

  
Lori M. Towner

State of Colorado )

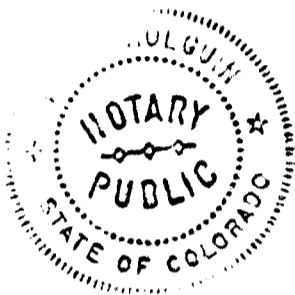
)ss.

County of Mesa )

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of July, 1998, by Thomas G. Towner, M.D. and Lori M. Towner.

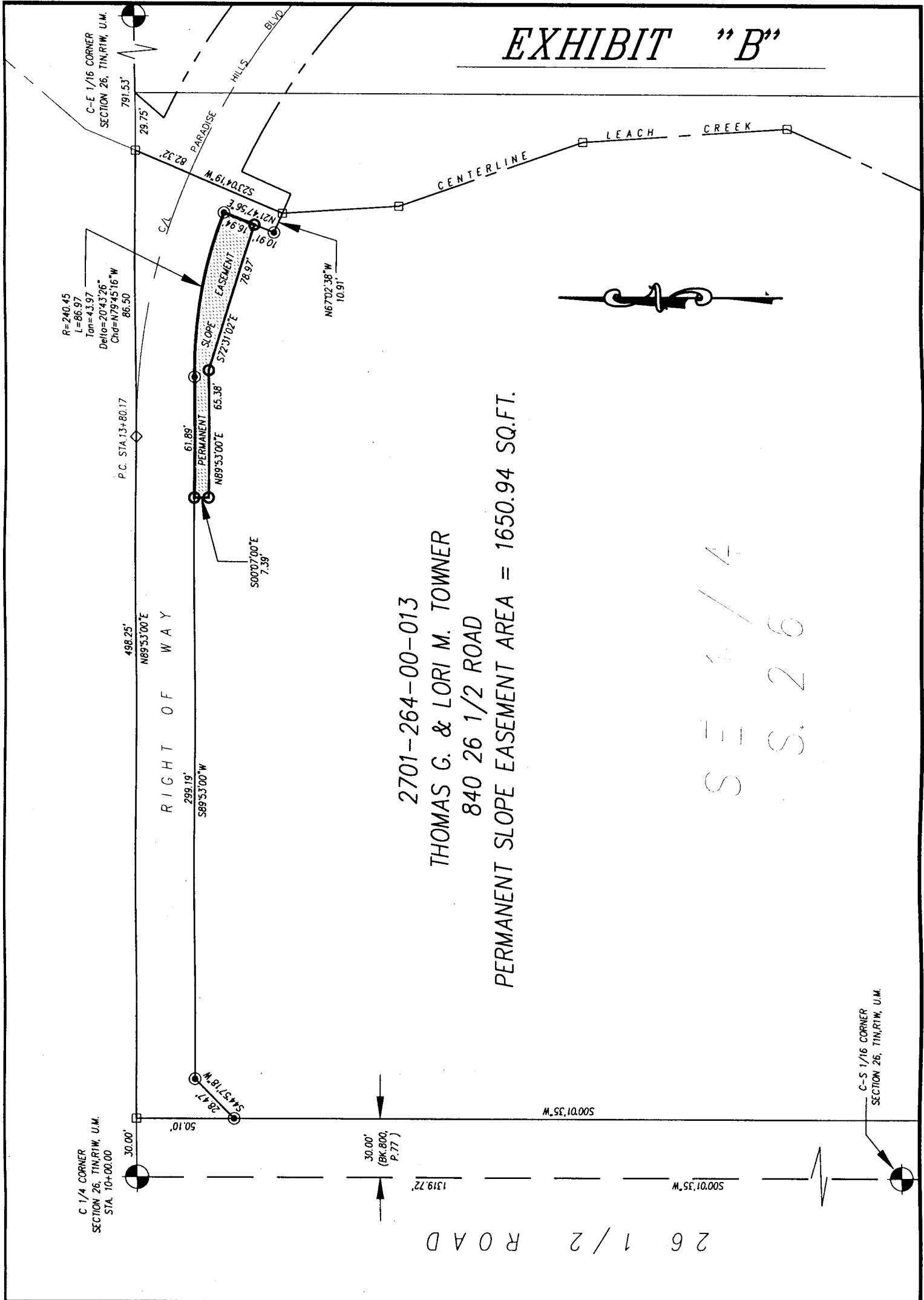
Witness my hand and official seal.

My commission expires 3.3.01



Requith Blain  
Notary Public

# EXHIBIT "B"



2701-264-00-013  
 THOMAS G. & LORI M. TOWNER  
 840 26 1/2 ROAD  
 PERMANENT SLOPE EASEMENT AREA = 1650.94 SQ.FT.

S E 4 / 4  
 S. 26

DRAWN BY: SRP  
 DATE: 3-25-98  
 SCALE: 1" = 60'  
 APPR. BY: TW  
 FILE NO: PARADISEa2.DWG

RIGHT-OF-WAY DESCRIPTION MAP  
 PARADISE HILLS BLVD.

DEPARTMENT OF PUBLIC WORKS  
 ENGINEERING DIVISION  
 CITY OF GRAND JUNCTION