

TMI01NTH

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: **EASEMENT**

PURPOSE: PUBLIC UTILITIES AND IRRIGATION FACILITIES

NAME OF PROPERTY OWNER OR GRANTOR: THOMAS M. MINGUS AND JOANNE MINGUS

STREET ADDRESS/PARCEL NAME/SUBDIVISION (LOT AND BLOCK): 2896 NORTH AVENUE,  
GRAND JUNCTION, 29 ROAD, 170B TO BUNTING AVENUE

PARCEL NO.: 2943-074-15-011

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 2001

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

3

GRANT OF EASEMENT

1996512 05/16/01 0412PM  
MONIKA TODD CLK&REC MESA COUNTY CO  
REG FEE \$15.00  
DOCUMENTARY FEE \$EXEMPT

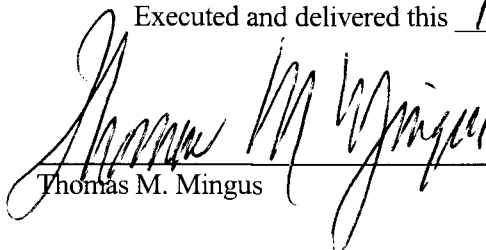
Thomas M. Mingus and Joanne Mingus, Grantors, for and in consideration of the sum of One Thousand One Hundred Eighty-Six and 18/100 Dollars (\$1,186.18), the receipt and sufficiency of which is hereby acknowledged, have sold, granted and conveyed, and by these presents do hereby sell, grant and convey to the City of Grand Junction, a Colorado home rule municipality, Grantee, whose address is 250 North 5th Street, Grand Junction, Colorado 81501, a Perpetual Easement for the installation, operation, maintenance, repair and replacement of Public Utilities and Irrigation Facilities, on, along, over, under, through and across the following described parcel of land, to wit:

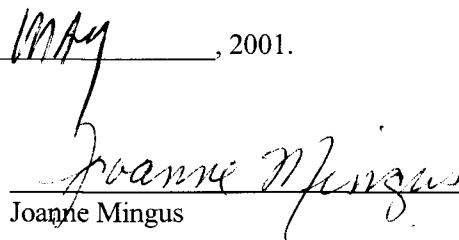
Commencing at the Southeast corner of Section 7, Township 1 South, Range 1 East of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the east line of the Southeast ¼ (SE ¼) of said Section 7 to bear N 00°03'46" W with all bearings contained herein being relative thereto; thence N 00°03'46" W along the east line of the SE ¼ of said Section 7 a distance of 50.00 feet to a point; thence leaving the east line of the SE ¼ of said Section 7, N 89°48'55" W a distance of 50.00 feet to a point on the west right-of-way line for 29 Road described by instrument recorded in Book 1492 at Page 172 in the office of the Mesa County Clerk and Recorder; thence N 00°03'46" W along the west right-of-way line for 29 Road as aforesaid a distance of 179.25 feet to a point on the south boundary line of Lot 5 of Roscoe R. Giffin Subdivision as recorded in Plat Book 7 at Page 7 in the office of the Mesa County Clerk and Recorder,  
thence N 07°46'53" E a distance of 73.27 feet to the Point of Beginning;  
thence N 89°48'55" W a distance of 40.00 feet;  
thence S 40°06'51" W a distance of 15.00 feet;  
thence N 45°53'14" W a distance of 20.00 feet;  
thence N 00°11'05" E a distance of 5.00 feet to a point on the north boundary line of the South 30 feet of said Lot 6;  
thence S 89°48'55" E along the north boundary line of the South 30 feet of said Lot 6 a distance of 64.00 feet;  
thence leaving the south boundary line of said Lot 6, N 00°03'46" W a distance of 7.37 feet to the Point of Beginning,  
containing 593.09 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 Easement, and to remove objects interfering therewith, including the trimming of trees and bushes as may be required to permit the operation of standard construction and repair machinery, subject to the terms and conditions contained herein.

1. Grantors shall have the right to use and occupy the real property burdened by this Easement for any lawful purpose in connection with the installation of public roadway improvements to 29 Road from the I-70 Business Loop through North Avenue ("the Project"), for the construction, operation, maintenance and repair of the Project, 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 Grantors hereby covenant with Grantee that the Easement area shall not be burdened or overburdened by the installation, construction or placement of any improvements, structures or fixtures thereon which may be detrimental to the facilities of Grantee or which may act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement area.
2. Grantee's utilization of the easement herein granted shall be performed with due care using commonly accepted standards and techniques.
3. Grantors hereby covenant 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 and demands of all persons whomsoever.

Executed and delivered this 16 day of MAY, 2001.

  
Thomas M. Mingus

  
Joanne Mingus

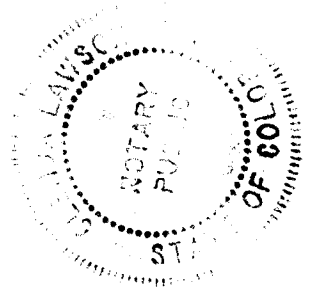
State of Colorado        )  
                                  )ss.  
County of Mesa         )

The foregoing instrument was acknowledged before me this 16 day of May, 2001,  
by Thomas M. Mingus and Joanne Mingus.

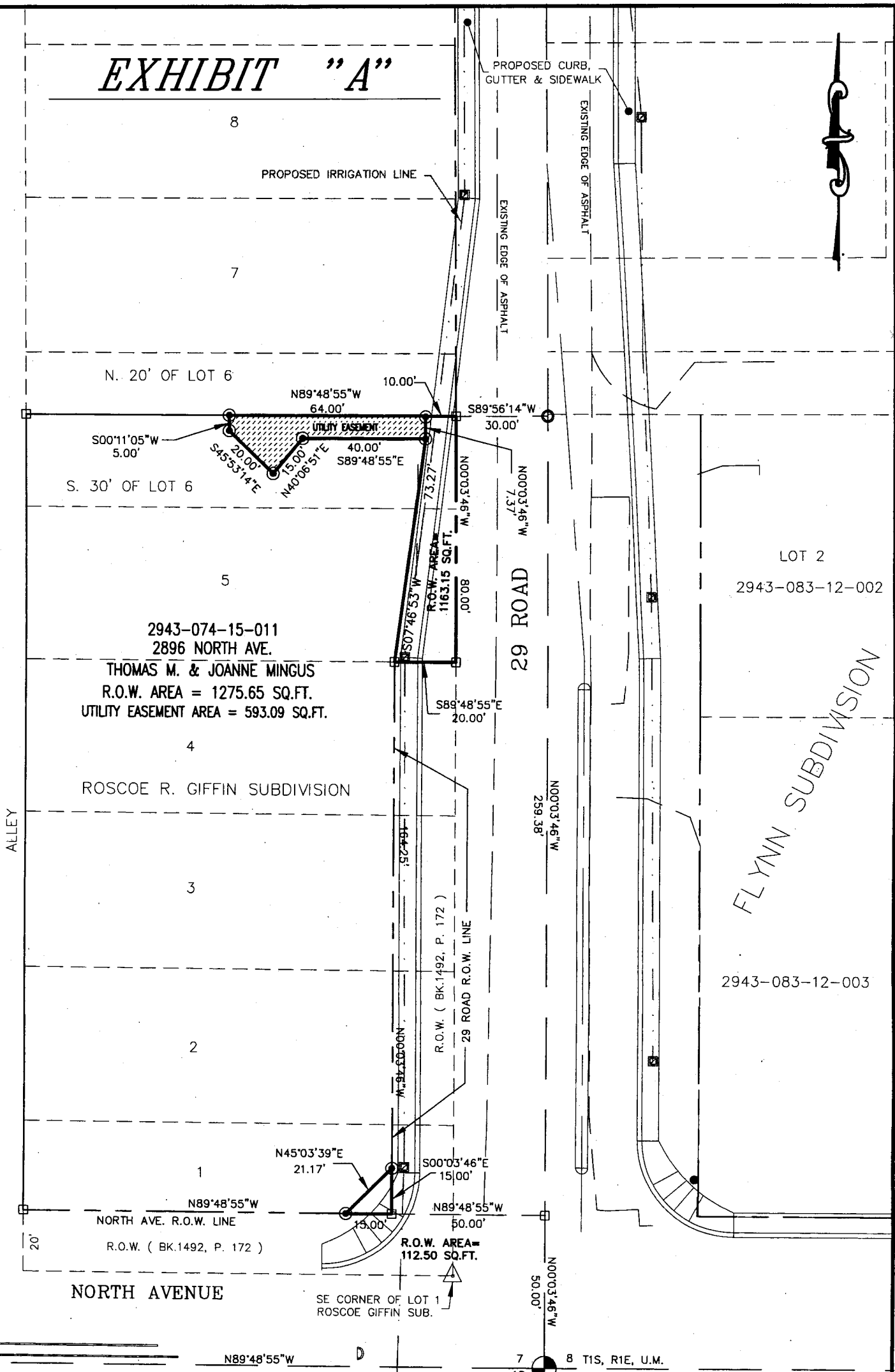
My commission expires: 3-26-2005

Witness my hand and official seal.

Blenda Lawson  
Notary Public



# EXHIBIT "A"



DRAWN BY: SRP  
 DATE: 2-26-2001  
 SCALE: 1" = 40'  
 APPR. BY: TW  
 FILE NO: 29ROAD5.DWG

**RIGHT-OF-WAY DESCRIPTION MAP**

29 ROAD - 170B TO BUNTING AVENUE

**DEPARTMENT OF PUBLIC WORKS**  
 ENGINEERING DIVISION  
 CITY OF GRAND JUNCTION