

TRO0725R

TYPE OF RECORD:	PERMANENT
CATEGORY OF RECORD:	EASEMENT (ACCESS)
NAME OF PROPERTY OWNER OR GRANTOR:	TROLLEY PARK OWNERS ASSOCIATION
PURPOSE:	VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS AND TROLLEY PARK OFFICE/WAREHOUSE
ADDRESS:	552 25 ROAD
TAX PARCEL NO.:	2945-102-33-002
CITY DEPARTMENT:	PUBLIC WORKS AND PLANNING
YEAR:	2007
EXPIRATION DATE:	NONE
DESTRUCTION DATE:	NONE

WHEN RECORDED RETURN TO: 3
City of Grand Junction
Real Estate Division
250 North 5th Street
Grand Junction, CO 81501

RECEPTION #: 2402814, BK 4518 PG 997 09/20/2007 at
02:39:12 PM, 1 OF 3, R \$15.00 S \$1.00 EXEMPT Doc
Code: EASEMENT
Janice Rich, Mesa County, CO CLERK AND RECORDER

GRANT OF ACCESS EASEMENT

Trolley Park Owners Association, a Colorado nonprofit corporation, Grantor, whose address is 1555 Independent Avenue, Grand Junction, CO 81505, for and in consideration of the sum of Ten and 00/100 (\$10.00) and other good and valuable consideration; the receipt and sufficiency of which is 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, for the use and benefit of Grantee, two (2) non-exclusive easements for vehicular and pedestrian ingress and egress purposes, on, along, over, through and across the following described Parcel of land, to wit:

PARCEL ONE:

A tract of land situated in the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 10, Township 1 South, Range 1 West, of the Ute Meridian, Mesa County, Colorado, being more particularly described as follows:

Commencing at the Southwest corner of Lot 2 Trolley Park Subdivision as recorded in Plat Book 14 at Page 281 of the Mesa County Clerk and Recorder's Office from whence the West Quarter Corner of said Section 10 bears N86°34'09"W a distance of 226.68 feet; thence S86°04'52"E a distance of 107.68 feet to the POINT OF BEGINNING; thence along a non-tangent curve to the right with a radius of 47.00 feet and an arc length of 21.28 feet whose chord bears S18°35'33"E a distance of 21.10 feet; thence S89°58'05"W a distance of 296.66 feet to the East line of a City of Grand Junction road right of way as described in Book 3910 at Page 342 of the Mesa County Clerk and Recorder's Office; thence along said right of way N04°08'23"W a distance of 20.06 feet; thence N89°58'05"E a distance of 291.38 feet to the POINT OF BEGINNING.

Said tract of land contains 5,898.5 square feet as described,

and also;

PARCEL TWO:

A tract of land situated in the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 10, Township 1 South, Range 1 West, of the Ute Meridian, Mesa County, Colorado, being more particularly described as follows:

Commencing at the Southwest corner of Lot 2 Trolley Park Subdivision as recorded in Plat Book 14 at Page 281 of the Mesa County Clerk and Recorder's Office from whence the West Quarter Corner of said Section 10 bears N86°34'09"W a distance of 226.68 feet; thence S78°21'33"E a distance of 160.64 feet to the POINT OF BEGINNING; thence N89°58'05"E a distance of 26.71 feet; thence S00°00'00"W a distance of 44.96 feet; thence N90°00'00"W a distance of 20.00 feet; thence N00°00'00"E a distance of 30.00 feet to the start of a curve to the left; thence along said curve to the left with a radius of 20.00 feet and an arc length of 16.88 feet whose chord bears N24°10'53"W a distance of 16.39 feet to the POINT OF BEGINNING.

Said tract of land contains 930.0 square feet as described.

Both tracts having a combined total of 6828.5 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, subject to the terms and conditions contained herein.

1. Grantor reserves the right to use and occupy the real property burdened by these Easements for any lawful purpose which is not inconsistent with and which will not substantially interfere with the full use and quiet enjoyment of the rights herein granted; provided, however, that Grantor hereby covenants with Grantee that the Easements 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 impede or prevent reasonable ingress and egress for workers and equipment on, along, over, through and across the Easements.

2. Grantee's utilization of the Easements and the rights herein conveyed shall be performed with due care using commonly accepted standards and techniques. Grantee shall repair, replace and restore, within a reasonable time and at Grantee's sole cost and expense, any and all damages to the Easements which may be caused by Grantee's utilization of the Easements and the rights herein conveyed.

3. Grantee's utilization of the Easements shall be specifically limited to vehicular and pedestrian ingress and egress purposes. The easement rights herein granted do not include the right to alter or expand utilization of the Easements for any other purposes unless such uses are authorized by subsequent conveyance instrument(s).

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 whomsoever, excepting all reservations, rights-of-way, restrictions, covenants and other encumbrances of record.

5. If the ingress/egress easements are abandoned, Grantor shall have the option to request release of the Easements, which release shall not be unreasonably withheld or delayed.

Executed and delivered this 28 day of AUGUST, 2007.

Trolley Park Owners Association,
a Colorado nonprofit corporation


Marty R. Secrest, President

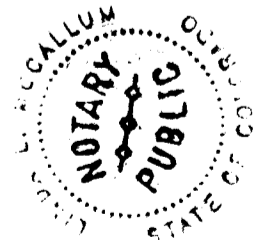

Stephen McCallum, Secretary

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 28 day of AUGUST, 2007, by Marty R. Secrest, President and Stephen McCallum, Secretary, Trolley Park Owners Association, a Colorado nonprofit corporation.

My commission expires: 11-16-08

Witness my hand and official seal.




Notary Public

