

UPR05RPW

TYPE OF RECORD:	PERMANENT
CATEGORY OF RECORD:	EASEMENT
NAME OF PROPERTY OWNER OR GRANTOR OR GRANTEE:	UNION PACIFIC.RAILROAD
PURPOSE:	RIVERSIDE PARKWAY
ADDRESS:	SEE EXHIBIT A (WEST OF RIMROCK MARKETPLACE)
CITY DEPARTMENT:	PUBLIC WORKS AND PLANNING
YEAR:	2005
EXPIRATION DATE:	NONE
DESTRUCTION DATE:	NONE

2255892 BK 3905 PG 467-471
 05/26/2005 11:10 AM
 Janice Ward CLK&REC Mesa County, C
 RecFee \$25.00 SurChg \$1.00
 DocFee EXEMPT

RECORDING REQUESTED BY
 AND WHEN RECORDED MAIL TO

Union Pacific Railroad Company
 Attn: General Manager-Real Estate
 1400 Douglas Street, Mail Stop 1690
 Omaha, Nebraska 68179-1690

(Space Above for Recorder's Use Only)

EASEMENT DEED

THIS EASEMENT DEED is made this 18th day of May, 2005, by and between CITY OF GRAND JUNCTION, COLORADO, a municipal corporation of the State of Colorado ("Grantor"), and UNION PACIFIC RAILROAD COMPANY, a Delaware corporation ("Grantee"):

WITNESSETH, that Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, warrants, grants and conveys to Grantee, its successors and assigns, an EXCLUSIVE PERPETUAL EASEMENT ("Easement") over, along, under, upon and across the property situated in Mesa County, Colorado, described in Exhibit A, hereto attached and hereby made a part hereof (the "Property") for the construction, maintenance, operation, repair, renewal, replacement, upgrading, reconstruction and use of railroad trackage and appurtenances, together with the exclusive right and privilege to occupy and use the Property for any and all purposes incidental to or not inconsistent with railroad purposes, and the right of ingress and egress to and from the Property for the purpose of exercising the rights herein granted, and, if and when Grantee so elects, removing any railroad trackage and appurtenances on the Property.

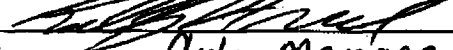
Grantee, for itself, its successors and assigns, agrees that Grantee, its successors and assigns, shall have the exclusive right to use and occupy the Property, and that no use or occupancy of the Property shall be made by Grantor, its successors and assigns.

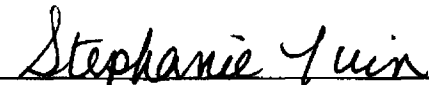
The easement rights herein granted shall terminate at such time as Grantee, its successors or assigns, permanently discontinues use of the Property in connection with its rail operations, and obtains approval from the Surface Transportation Board ("STB Approval"), if required, or permanently removes the railroad trackage and appurtenances from the Property, and ceases to use the Property for railroad or transportation purposes.

TO HAVE AND TO HOLD the Easement unto the Grantee, its successors and assigns, forever.

Grantor has duly executed this Easement Deed as of the date first herein written.

**CITY OF GRAND JUNCTION, COLORADO,
a municipal corporation of the State of Colorado**

By: 
Title: City Manager


CITY CLERK (Seal)



Carter-Burgess

October 28, 2004
071514.402.1.0025

707 17th Street, Suite 2300
Denver, Colorado 80202-3404
Phone: 303.820.5240
Fax: 303.820.2402
www.c-b.com

PARCEL UPRR #27 (CMA A-6B)

Property Description

A parcel of land lying in the Northeast Quarter of Section 9, Township 1 South, Range 1 West of the Ute Principal Meridian, Mesa County, Colorado being more particularly described as follows:

COMMENCING at the Northwest corner of the Southwest Quarter of the Southwest Quarter of Section 10, Township 1 South, Range 1 West of the Ute Principal Meridian (a found 2 1/2" Brass Cap "MESA COUNTY SURVEY MARKER LS illegible" in concrete), whence the witness monument to the Northeast corner of the Southwest Quarter of the Southwest Quarter of said Section 10 (found an Aluminium Cap "1/16 45.0 2003 LS17465") bears N89°56'54"E (Basis of Bearing-assumed) a distance of 1274.54 feet;

THENCE N57°14'05"W a distance of 2979.27 feet to the POINT OF BEGINNING;

THENCE along the arc of a curve to the left, having a radius of 533.91 feet, a distance of 91.84 feet (the chord of said arc bears N82°42'57"W a distance of 91.73 feet);

THENCE N56°34'33"W along the existing southerly right-of-way line of River Road as recorded in Book 42 at Page 437, Mesa County Clerk and Recorder's Office, non-tangent with the last described curve, a distance of 57.05 feet;

THENCE S88°20'56"E, tangent with the following described curve, a distance of 41.93 feet;

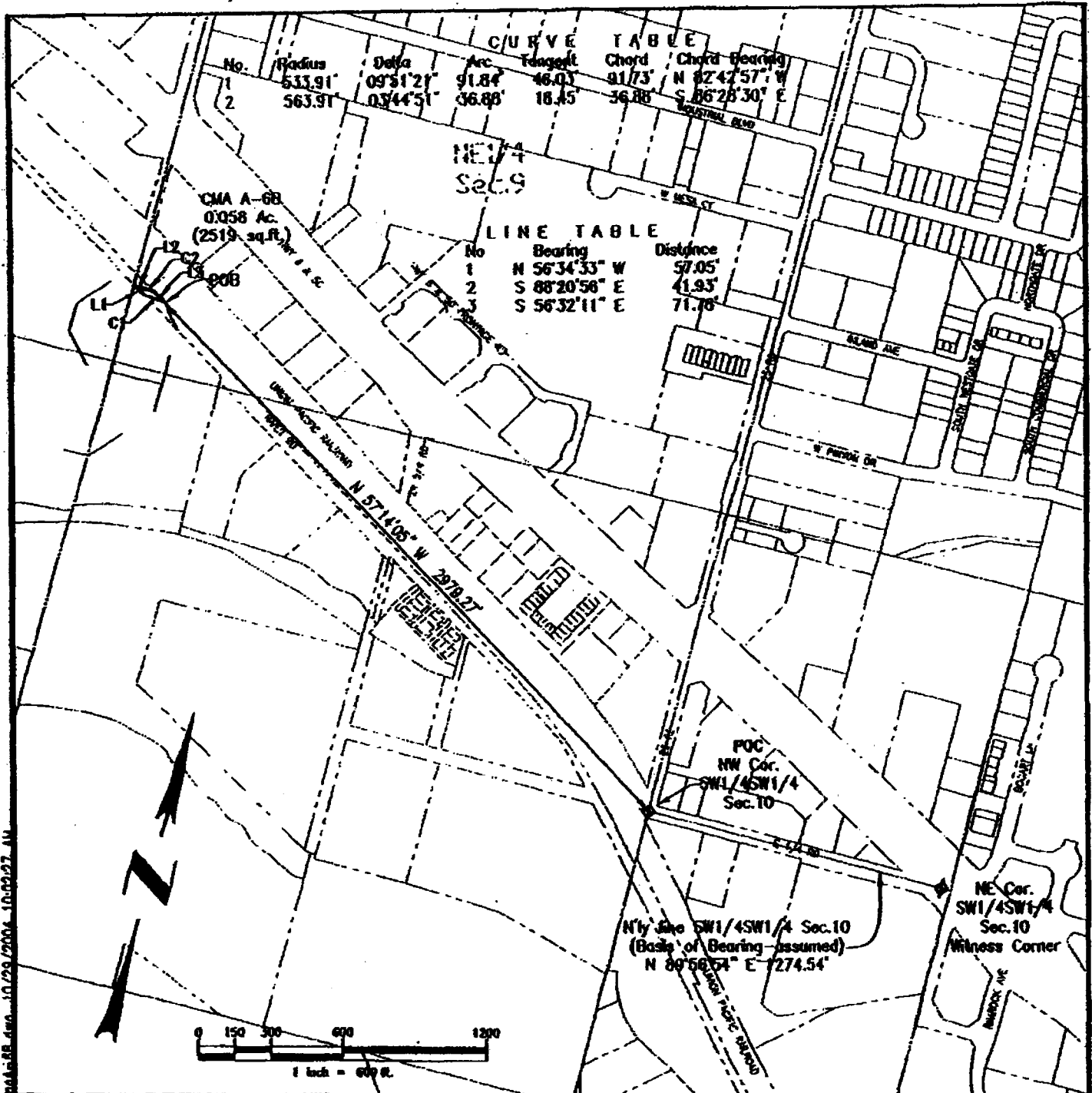
THENCE along the arc of a curve to the right, having a radius of 563.91 feet, a distance of 36.88 feet (the chord of said arc bears S86°28'30"E a distance of 36.88 feet);

THENCE S56°32'11"E, along the existing northerly right-of-way line of said River Road, non-tangent with the last described curve, a distance of 71.78 feet to the POINT OF BEGINNING.

Containing 2519 square feet (0.058 Acres), more or less.

RECORDER NOTE: POOR QUALITY DOCUMENT
PROVIDED FOR REPRODUCTION

Prepared by:
Date: 11-01-2004 14961
Marla Mellor McOmber, PLS 14961
For and on behalf of Carter & Burgess, Inc.



071514.dwg (C:\Users\jburgess\Documents\CMAA-68.dwg) 10/29/2004 10:09:27 AM

CARTER & BURGESS PROJECT NO.		071514	
CLIENT PROJECT NO.			
REVISION DESCRIPTION			
OWNER	DATE	SCALE	1"=600'
707 17th Street, Suite 2300, Denver CO 80202 (303) 733-4200			
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RIVERSIDE PARKWAY GRAND JUNCTION COLORADO		
EXHIBIT UPRR #27 (CMA A-68)		
REVISION:	DRAWING NO.	SHEET NO.
	CmaA-68.DWG	1 OF 1