

USH04GRD

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: **EASEMENTS (DRAINAGE EASEMENT)**

NAME OF CONTRACTOR: JOHN A USHER

SUBJECT/PROJECT: 24 ½ ROAD AND G ROAD, LAND FOR DRAINAGE  
EASEMENT PURPOSE, 2449 G ROAD

CITY DEPARTMENT: PUBLIC WORKS

TAX PARCEL: 2945-042-00-076

YEAR: 2004

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

When recorded return to:  
City of Grand Junction  
Real Estate Division  
250 North 5<sup>th</sup> Street  
Grand Junction, CO 81501

3  
**PAGE DOCUMENT**

2197742 BK 3678 PG 589-591  
06/18/2004 12:48 PM  
Janice Ward CLK&REC Mesa County, CO  
RecFee \$15.00 SurChg \$1.00  
DocFee EXEMPT

**GRANT OF DRAINAGE EASEMENT**

J.U.  
\$4983.49

FOUR

J.U.  
NINE hundred eighty  
THREE  
+ 49  
100

John A. Usher, Grantor, for and in consideration of the sum of ~~Three Thousand Five hundred and 00/100~~ Dollars (~~\$3,015.00~~), the receipt and sufficiency of which is hereby acknowledged, has sold, granted and conveyed, and by these presents does 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 Drainage Easement for the installation, operation, maintenance, repair and replacement of storm water drainage facilities, on, along, over, under, through and across the following described parcel of land, to wit:

A certain parcel of land for Drainage Easement purposes lying in the Northwest Quarter (NW 1/4) of Section 4, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Northeast corner of the NW 1/4 of said Section 4, and assuming the North line of the NW 1/4 of said Section 4 bears N 89°56'34" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 89°56'34" W, along the North line of the NW 1/4 of said Section 4, a distance of 30.00 feet to a point on the West right of way for 24-1/2 Road, as described in Book 849, Page 494, Public Records of Mesa County, Colorado; thence S 00°01'48" W, along the West right of way for said 24-1/2 Road, being a line 30.00 feet West of and parallel to, the East line of the NW 1/4 of said Section 4, a distance of 75.20 feet; thence N 89°58'12" W, a distance of 10.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 89°56'34" W, a distance of 20.00 feet; thence N 84°37'08" W, a distance of 100.47 feet; thence N 00°03'26" E, a distance of 50.51 feet; thence S 82°31'25" E, a distance of 75.85 feet; thence S 47°17'26" E, a distance of 60.94 feet; thence S 00°01'48" W, a distance of 8.75 feet, more or less, to the Point of Beginning.

CONTAINING 4,983.49 Square Feet, more or less, 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. Grantor shall have the right to use and occupy the real property burdened by this Easement for any lawful purpose 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 Grantor hereby covenants 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 work and act of installing, operating, maintaining, repairing and replacing said storm water drainage facilities shall be performed with due care using commonly accepted standards and techniques.
3. Grantor hereby covenants with Grantee that he has good title to the aforescribed premises; that he has good and lawful right to grant this Easement; that he 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 9<sup>th</sup> day of June, 2004.

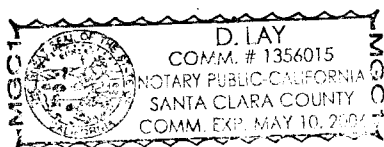
  
John A. Usher

State of California  
County of Santa Clara<sup>ss.</sup>

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of June,  
2004, by and John A. Usher.

My commission expires 5/10/06  
Witness my hand and official seal.

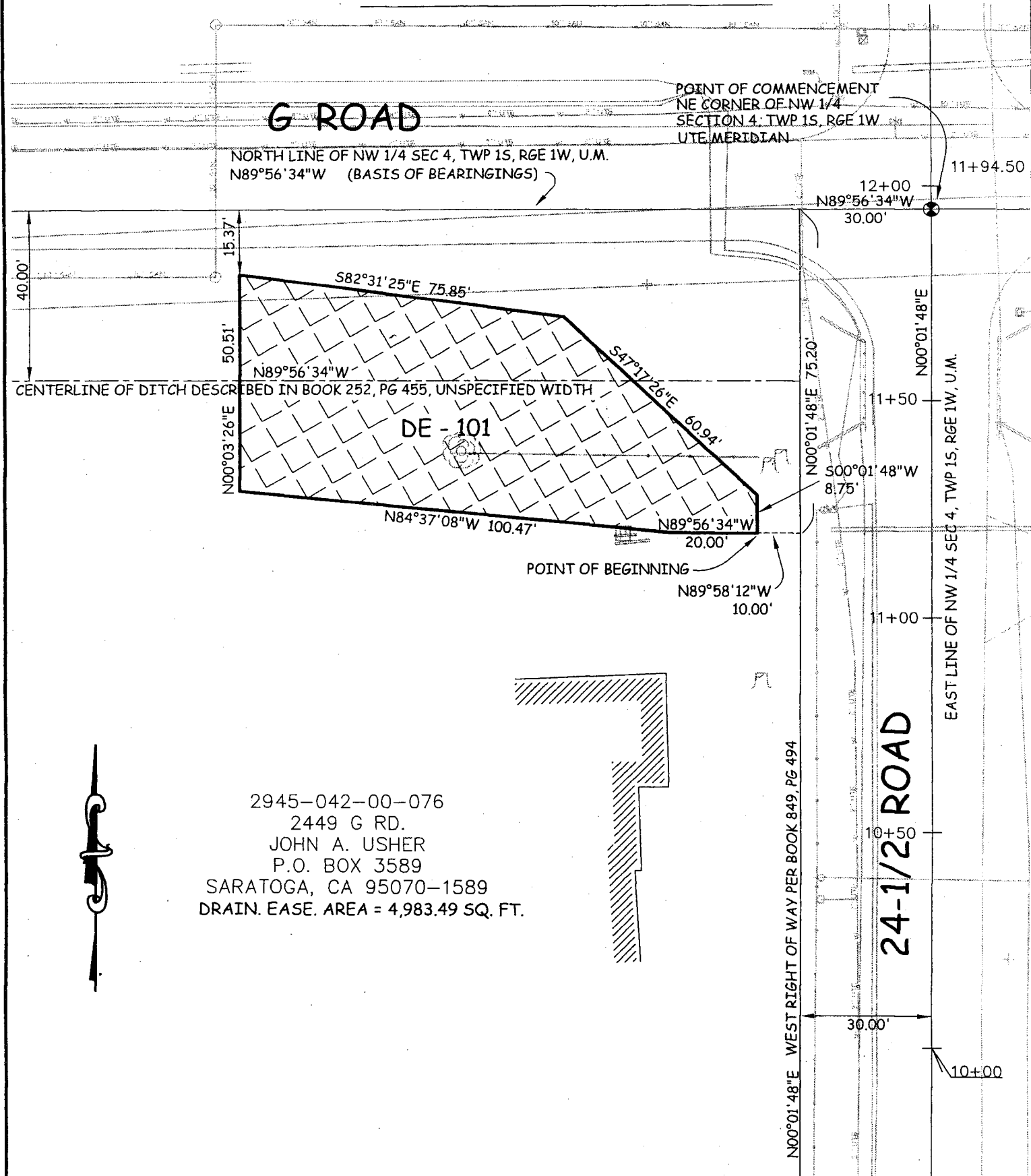
D. Lay  
Notary Public



Legal Description prepared by Peter T. Krick, 250 N. 5<sup>th</sup> Street, Grand Junction, CO 81501  
Project No. SHO-M555-020/Project Code 14407

12:03 PM  
5/20/2004  
H:\ROW\24\_5GRoundabout\24 1\_2G\_newfiles\UsherDE2.doc

# EXHIBIT "A"



2945-042-00-076  
2449 G RD.  
JOHN A. USHER  
P.O. BOX 3589  
SARATOGA, CA 95070-1589  
DRAIN. EASE. AREA = 4,983.49 SQ. FT.



The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

DRAWN BY: P.T.K.  
DATE: 11-10-2003  
SCALE: 1" = 30'  
APPR. BY: TW

*24-1/2 RD AND G ROAD  
RIGHT-OF-WAY DESCRIPTION MAP*

2945-042-00-076

**DEPARTMENT OF PUBLIC WORKS**  
REAL ESTATE DIVISION  
**CITY OF GRAND JUNCTION**