

VAN965ST

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: DEAN H. VANGUNDY AND ELDON K.  
VANGUNDY

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: 5TH STREET  
BRIDGE [SOUTH] LOT 15,16 OF BLOCK 1 1018 SOUTH 5TH STREET  
PARCEL NO. 2945-232-02-036

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1996

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

GRANT OF EASEMENT

DEAN H. VANGUNDY and ELDON K. VANGUNDY, Grantors, for and in consideration of the sum of One Thousand One Hundred Twenty and 59/100 Dollars (\$1,120.59) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, have given, sold, granted and conveyed and by these presents do hereby give, sell, grant and convey unto THE CITY OF GRAND JUNCTION, a Colorado home rule municipality, whose address is 250 North 5th Street, Grand Junction, Colorado 81501, Grantee, its successors and assigns forever, the herein described Perpetual Easement for the installation, operation, maintenance and repair of a sanitary sewer pipeline and related appurtenances and facilities, together with the right of ingress and ingress for workers and equipment, on, along, over, under, through and across the following described real property situate in the City of Grand Junction, County of Mesa, State of Colorado, to wit:

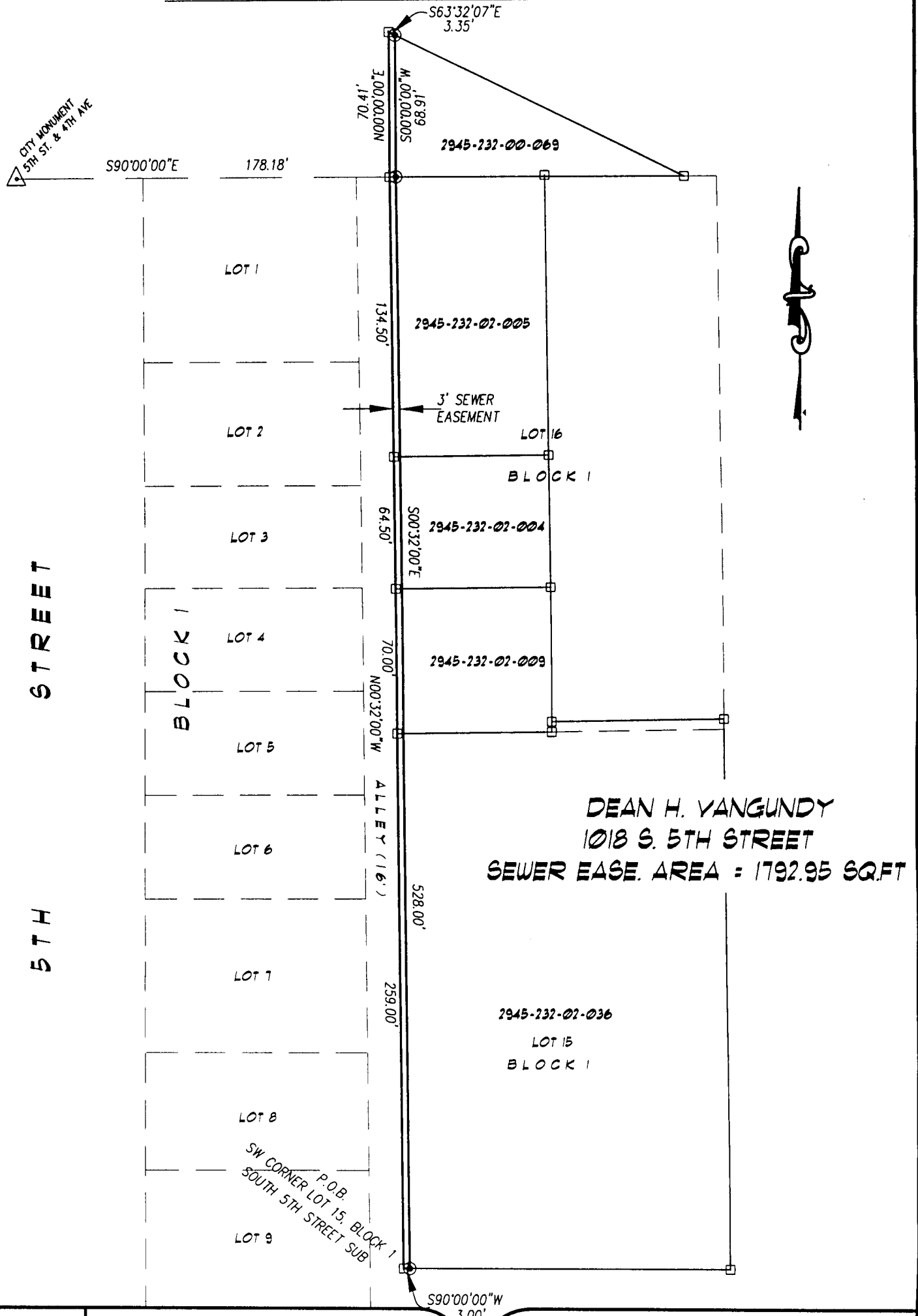
Beginning at the Southwest Corner of Lot 15, Block 1 of South Fifth Street Addition to the City of Grand Junction situate in the NW 1/4 of Section 23, Township 1 South, Range 1 West of the Ute Meridian;  
thence N 00E32'00" W a distance of 528.00 feet to the Northwest Corner of Lot 16, Block 1 of South Fifth Street Addition to the City of Grand Junction;  
thence N 00E00'00" E a distance of 70.41 feet to a point on the Southerly right-of-way for Crawford Avenue, also known as 4th Avenue;  
S 63E32'07" E along said right-of-way distance of 3.35 feet;  
thence S 00E00'00" W a distance of 68.91 feet to a point on the North boundary line of said Lot 16;  
thence S 00E32'00" E a distance of 528.00 feet to a point on the South boundary line of Lot 15, Block 1 of said South Fifth Street Addition;  
thence S 90E00'00" W along the South boundary line of said Lot 15 a distance of 3.00 feet to the True Point of Beginning, containing 1,792.95 square feet as described herein and as depicted on the attached **Exhibit "A"**.

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, to survey, construct, maintain, operate, repair, replace, control and use said sanitary sewer pipeline and appurtenances and facilities related thereto, and to remove objects interfering therewith, including the trimming of trees and bushes as may be required to permit the operation of standard utility construction and repair machinery, subject to the following terms, covenants, conditions and restrictions:

1. Grantee, as a condition of this grant, agrees that entry to the easement area for the purposes herein described shall be conducted so as to cause minimum interference to Grantors and to Grantor's heirs, successors and assigns.
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 the full use and quiet enjoyment of Grantee's rights herein granted; provided, however, Grantors hereby covenant with Grantee that the easement area shall not be burdened or overburdened by the Grantors erecting or placing any improvements or structures thereon which might act to prevent reasonable ingress and egress 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 and demands of all persons whomsoever.



# EXHIBIT "A"



DEAN H. YANGUNDY  
 1018 S. 5TH STREET  
 SEWER EASE. AREA = 1792.95 SQ.FT

EASEMENT DESCRIPTION MAP  
 YANGUNDY SEWER EASEMENT

DEPARTMENT OF PUBLIC WORKS  
 ENGINEERING DIVISION  
 CITY OF GRAND JUNCTION

DRAWN BY: SRP  
 DATE: 11-13-96  
 SCALE: 1" = 60'  
 APPR. BY: TW  
 FILE NO: YANGUN3.DWG