

VET5823S

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: THE ADMINISTRATOR OF VETERANS
AFFAIRS; SUMNER G. WHITTIER

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: 23RD STREET
RIGHT-OF-WAY

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1958

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

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DEED OF EASEMENT

THE ADMINISTRATOR OF VETERANS AFFAIRS, acting for and in behalf of the UNITED STATES OF AMERICA, hereinafter referred to as the Government, under and by virtue of the authority vested in him by Act of Congress approved September 2, 1958, 72 Stat. 1254, he having deemed that it is advantageous to the Government, does hereby grant and convey, subject to the conditions hereinafter stated, without covenant or warranty of any kind, unto THE CITY OF GRAND JUNCTION, COLORADO, hereinafter referred to as the Grantee, its successors and assigns, an easement for public street purposes over, upon, and across a portion of the lands of the Veterans Administration Hospital reservation, Grand Junction, Colorado, more particularly described hereinafter:

Beginning at a point 50' South of the Northeast corner NW 1/4 NE 1/4 Section 13, Township 1S, Range 1W, Ute Meridian, Mesa County, Colorado, thence S 00°02'30" E 387.03', thence N 89°55'30" W 30', thence N 00°02'30" W 387.03', thence East 30' to point of beginning.

This Easement is granted subject to the following provisions and conditions:

AMT. OF THIS DEED
COLLECTED
EXCUSED
PROTESTED

1. That the Government reserves unto itself rights for all purposes across, over, or under the easement area hereinabove described, such rights, however, to be exercised in a manner which will not create undue interference with the use and enjoyment by the Grantee of said easement, provided that any construction by the Government in connection with the rights so reserved shall be at the expense of the Government.
2. That the road shall be installed, maintained, repaired and replaced by the Grantee within the easement area without cost or expense to the Government and the Grantee shall replace, repair, restore or relocate any property of the Government affected or damaged directly or indirectly by the installation, maintenance, repair and replacement of said road.
3. No mining operations shall be conducted on the premises described above. No mineral shall be removed therefrom except such as is reasonably necessary incident to the utilization of the described premises for the purposes for which this easement is granted.
4. That the Grantee will indemnify and save the Government harmless from any liability or responsibility of any nature whatsoever arising directly or indirectly from the privileges herein granted.
5. That all right, title, interest and estate hereby granted shall cease and determine without affirmative declaration or act by the Government immediately upon abandonment or the failure to use the easement area solely for the purposes hereinabove stated or upon the failure of the Grantee or any successor in interest to perform and fulfill the provisions and conditions of this grant, and upon the occurrence of any such event, all of said right, title, and estate shall be deemed to have reverted in the Government.

- 6. That upon termination or forfeiture of this grant, the Grantee shall within a reasonable time thereafter, if so requested by the Government, remove from the land hereinabove described all structures, installations and appurtenances thereto belonging to Grantee and restore the premises to the satisfaction of the Government.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Veterans Administration this 23rd day of MARCH, 1959.



Sumner G. Whittier
 SUMNER G. WHITTIER
 Administrator of Veterans Affairs

CITY OF WASHINGTON)
)
 DISTRICT OF COLUMBIA)

On this 23rd day of MARCH, 1959, before me a Notary Public in and for said District of Columbia, personally appeared Sumner G. Whittier, Administrator of Veterans Affairs, whose name is subscribed to the within instrument and acknowledged that he executed the same as a voluntary act and deed of the United States of America, within the scope of his lawful authority.

John P. Lester
 Notary Public
 District of Columbia

