

WHA05WES

TYPE OF RECORD:	PERMANENT
CATEGORY OF RECORD:	EASEMENT
NAME OF CONTRACTOR:	MERLE J WHALEY AND GLEN D WHALEY
SUBJECT / PROJECT:	UTILITIES / MULTI-PURPOSE
ADDRESS:	2521 WESLO AVENUE, WESLO WARE HOUSE
PARCEL:	2945-102-14-024
CITY DEPARTMENT:	PUBLIC WORKS
YEAR:	2005
EXPIRATION DATE:	NONE
DESTRUCTION DATE:	NONE

GRANT OF EASEMENT

Merle J. Whaley & Glen D. Whaley, Grantor, for and in consideration of , the receipt and sufficiency of which is hereby acknowledged, by these presents does hereby sell, grant and convey unto 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 of Grantee and for the use of the Public Utilities, a Perpetual Multi-purpose Easement on, along, over, under, through and across the following described parcel of land, to wit:

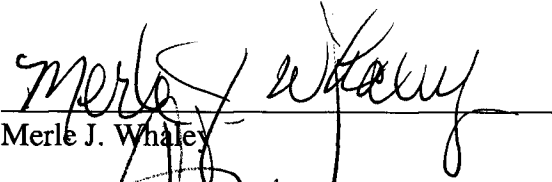
SEE ATTACHED EXHIBIT A

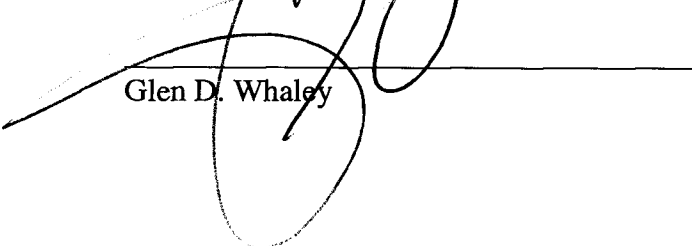
2245605 BK 3864 PG 159-162
03/29/2005 03:42 PM
Janice Ward CLK&REC Mesa County, CO
RecFee \$20.00 SurChg \$1.00
DocFee EXEMPT

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns forever, together with the right to enter upon said premises, to survey, maintain, operate, repair, replace, control and use said Multi-purpose Easement, 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 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 Grantor erecting or placing any improvements or structures thereon which might act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the easement area.
2. Grantee agrees that the work and act of installing, maintaining and repairing utilities and related appurtenances and facilities shall be preformed with due care using commonly accepted standards and techniques.
3. Grantor hereby covenants with Grantee that he has good title to the herein described 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 26 day of Jan, 2005

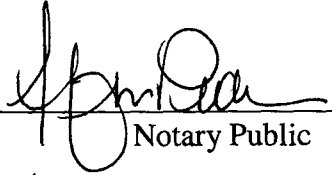

Merle J. Whaley


Glen D. Whaley

State of Colorado)
)ss
County of Mesa)

The foregoing instrument was acknowledged before me this 26th day of January, 2005, by Merle J Whaley and Gus D Whaley

Witness my hand and official seal



Notary Public

My commission expires: 9/19/05

JENNIFER M. PEDERSEN
NOTARY PUBLIC
STATE OF COLORADO

My Commission Expires 09/19/2005

EXHIBIT A

MULTI-PURPOSE EASEMENT DESCRIPTION

A fourteen-foot easement across Lot 23, Block 3 of Westgate Park, in the City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the northerly corner of said Lot 23, on the Southerly right-of-way line of North Commercial Drive;

Thence along the northerly line of said Lot 23, South 45°29'21" East, a distance of 14.00 feet;

Thence fourteen feet easterly of and parallel with the Southerly right-of-way line of North Commercial Drive, 44.06 feet along the arc of a 94.00 foot radius non-tangent curve to the right, through a central angle of 26°51'16", with a chord bearing South 57°43'09" West, a distance of 43.66 feet to the westerly line of said Lot 23;

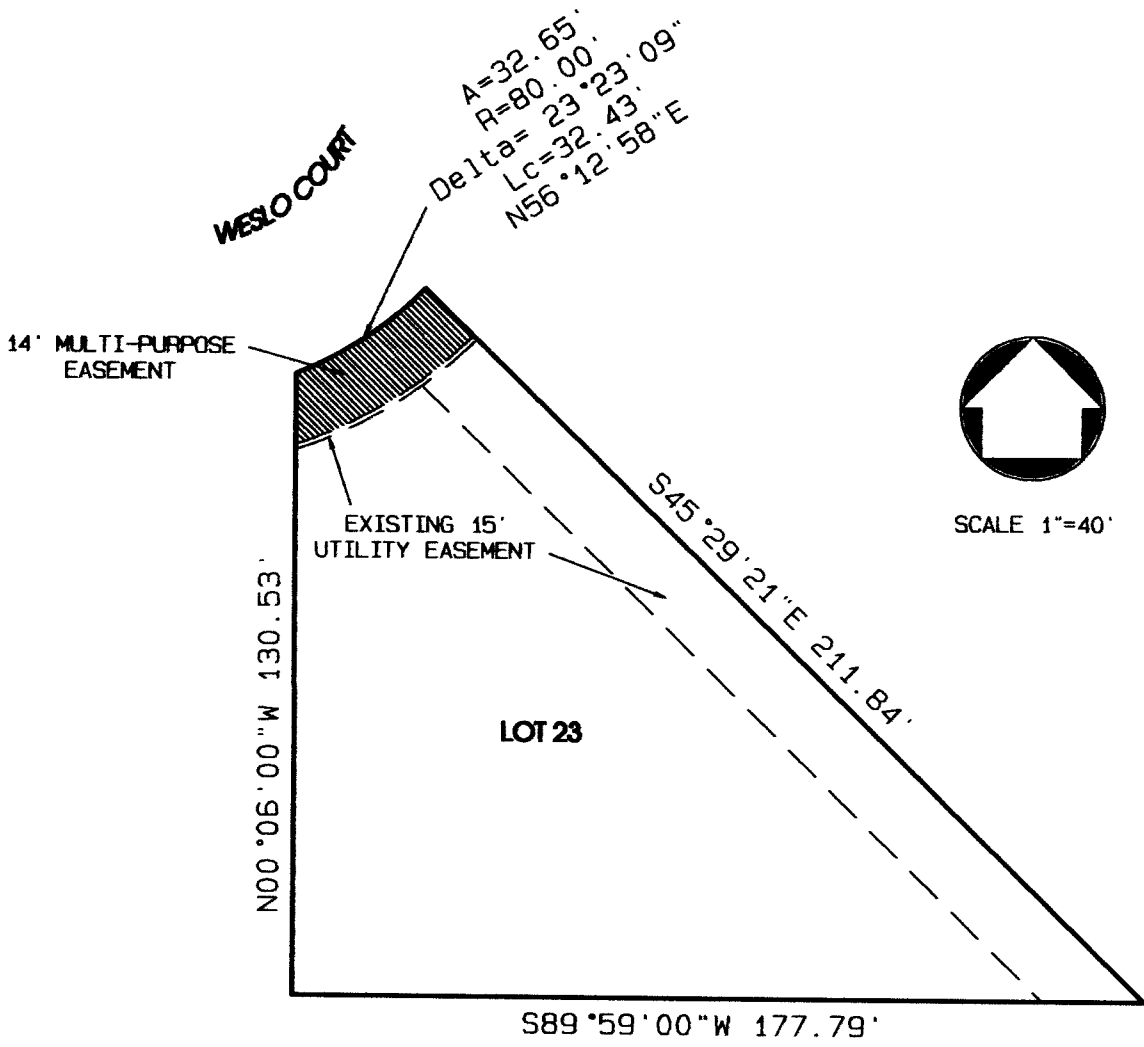
Thence North 00°06'00" West, a distance of 15.10 feet to the westerly corner of said Lot 23 on the Southerly right-of-way line of North Commercial Drive;

Thence along said right-of way line, 32.65 feet along the arc of an 80.00 foot radius non-tangent curve to the left, through a central angle of 23°23'09", with a chord bearing North 56°12'58" East, a distance of 32.43 feet to the Point of Beginning.

Containing 0.012 acres, more or less.

EXHIBIT B

LOT 23, BLOCK 3, WESTGATE PARK, CITY OF GRAND JUNCTION



THOMPSON-LANGFORD CORP.
 529 25 1/2 ROAD - B-210
 Grand Junction CO 81505

EXHIBIT B LOT 23

S:\Survey\0728 Whaley\exhibit 23.pro

Date: Jan 21, 2005

Drawn: bkb

Checked: drs

Job No. 0728-001