

WMSOONTH

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: **EASEMENT**

PURPOSE: MULTI-PURPOSE

NAME OF PROPERTY OWNER OR GRANTOR: WAL-MART STORES, INC., A DELAWARE CORPORATION

STREET ADDRESS/PARCEL NAME/SUBDIVISION (LOT AND BLOCK): WAL-MART TWO SUBDIVISION

PARCEL NO.: 2943-181-15-001

CITY DEPARTMENT: COMMUNITY DEVELOPMENT

YEAR: 2000

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

GRANT OF MULTI-PURPOSE EASEMENT
BOOK 2758 PAGE 555

WAL-MART STORES, INC., a Delaware corporation, successor in interest to WAL-MART PROPERTIES, INC., also known as Grantor, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, has granted and conveyed, and by these presents does hereby 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 Multi-Purpose Easement for the use and benefit of Grantee and for the use and benefit of the Public Utilities, as a perpetual easement for the installation, operation, maintenance, repair and replacement of utilities and appurtenances related thereto, including, but not limited to, electric lines, cable television lines, natural gas pipelines, sanitary sewer lines, storm water drainage facilities, water lines, telephone lines, and also for the installation, operation maintenance, repair and replacement of traffic control facilities, street lighting and grade structures, on, along, over, under, through and across the following described parcel of land, to wit:

See 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 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 installation, construction or placement of any structures or any other item or fixture which might be detrimental to the facilities of Grantee and/or the Public Utilities, or which might act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement area.

2. Grantor hereby covenants with Grantee that it has good title to the aforescribed premises; that it has good and lawful right to grant this Easement; that it 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 18th day of SEPTEMBER, 2000.

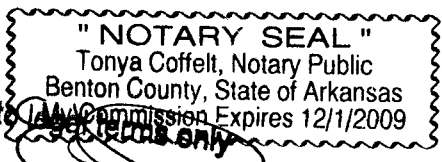
Attest: WAL-MART STORES, INC.,
a Delaware corporation

By Kristi Phillips
Kristi Phillips
Assistant Secretary
State of ARKANSAS
County of Benton ss.

By Robert M. Bedard
Robert M. Bedard
Assistant Vice President

The foregoing instrument was acknowledged before me this 18th day of September 2000, by Robert M. Bedard as ASST. VICE PRESIDENT and attested to by Kristi Phillips as ASSISTANT SECRETARY of WAL-MART STORES, INC., a Delaware corporation.

My commission expires 12-1-2009
Witness my hand and official seal.



Tonya Coffelt
Notary Public

Approved as to WAL-MART LEGAL TEAM
Date SEPT. 18 2000

EXHIBIT "A"

Legal Description of Multi-Purpose Easement

Commencing at the Northwest Corner of Lot One (1) of WAL-MART TWO SUBDIVISION, situate in the Northeast ¼ of Section 18, Township 1 South, Range 1 East of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, as recorded in Plat Book 14 at Page 235 in the office of the Mesa County Clerk and Recorder, with all bearings contained herein being relative to the recorded plat of said Subdivision; thence S 00°09'24" E along the west boundary line of said Lot One a distance of 5.00 feet to the True Point of Beginning;

thence leaving the west boundary line of said Lot One, N 89°59'22" E a distance of 50.87 feet;

thence S 00°00'33" E a distance of 4.00 feet;

thence N 89°59'22" E a distance of 92.59 feet;

thence N 00°00'33" W a distance of 4.00 feet;

thence N 89°59'22" E a distance of 21.82 feet;

thence N 90°00'00" E a distance of 356.41 feet to a point on the east boundary line of said Lot One;

thence S 00°16'12" E along the east boundary line of said Lot One a distance of 14.00 feet;

thence leaving the east boundary line of said Lot One, N 90°00'00" W a distance of 356.48 feet;

thence S 89°59'22" W a distance of 12.02 feet;

thence S 00°00'33" E a distance of 4.00 feet;

thence S 89°59'22" W a distance of 112.19 feet;

thence N 00°00'33" W a distance of 4.00 feet;

thence S 89°59'22" W a distance of 41.03 feet to a point on the west boundary line of said Lot One;

thence N 00°09'24" W along the west boundary line of said Lot One a distance of 14.00 feet to the Point of Beginning,

containing 7,382.22 square feet as described.