

ETR00275

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: CONTRACT

NAME OF AGENCY OR CONTRACTOR: JIMMIE L. ETTER AND EMMANUAL EPSTEIN

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: AGREEMENT FOR POSSESSION  
AND USE DATED FEBRUARY 28, 2000 - 27.5 ROAD FROM PATTERSON NORTH TO  
INTERSECTIONS OF G ROAD AND HORIZON DRIVE

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 2000

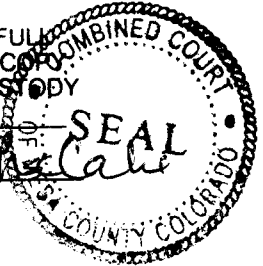
EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

DISTRICT COURT, MESA COUNTY, COLORADO 125 North Spruce Street Grand Junction, CO 81501 (970) 257-3625	<p style="text-align: center;"><b>FILED</b> IN DISTRICT COURT MESA COUNTY, COLORADO</p> <p style="text-align: center;">JUL 09 2001 <span style="float: right;">C</span></p> <p style="text-align: center;">BOOK 3149 PAGE 414</p>
CITY OF GRAND JUNCTION, a home rule city, Petitioner,  v.  EMANUEL EPSTEIN; THE ESTATE OF JIMMIE L. ETTER; GENA HARRISON, Public Trustee and Treasurer of the County of Mesa, Colorado, Respondents.	<p style="text-align: center;"><b>RECEIVED</b> JUL - 2 2001</p>
John P. Shaver, No. 16594 Assistant City Attorney 250 North 5 <sup>th</sup> Street, Grand Junction, CO 81501 (970) 244-1501 Fax: (970) 244-1456  Mark E. May, No. 12049 Weiner, Schiller and May, P.C. 6412 S. Quebec Street, Englewood, CO 80111 (303) 779-5200 Fax: (303) 779-0736	Case No. 00 CV 73   Div.: A Ctrm.:
<b>RULE AND ORDER IN CONDEMNATION</b>	

THIS MATTER came before this Court upon the Stipulation and joint motion for Entry of a Rule Order in condemnation submitted by Petitioner City of Grand Junction, a home rule city, by and through the Office of the City Attorney (Petitioner) and Respondents Emanuel Epstein and the Estate of Jimmie L. Etter, by and through their counsel, Weiner, Schiller and May, Mr. Mark E. May, (Respondents), with respect to the acquisition of property interests which are the subject matter of this action, said Stipulation being duly executed by the persons interested as owners and it appearing to the Court from said Stipulation and other pleadings herein that said persons are the record owners and that said persons have agreed with the City upon just compensation to be paid:

CERTIFIED TO BE A FULL  
 TRUE AND CORRECT COPY  
 OF ORIGINAL IN MY CUSTODY  
 Date 9-6-02  
 Sandra Casselberry  
 Clerk


  
**SEAL**  
 DISTRICT COURT  
 MESA COUNTY, COLORADO

The Court being advised in the premises FINDS and ORDERS as follows:

1. Venue for this proceeding is proper in Mesa County, Colorado, and this Court has subject matter jurisdiction.
2. Petitioner and Respondents are subject to the personal jurisdiction of this Court.
3. Respondents are the owners of real property in Mesa County, Colorado described in the Petition and Amended Petition in Condemnation.
4. Petitioner has the authority to exercise the power of eminent domain pursuant to § 38-1-101 *et seq.*, C.R.S and that this Rule and Order is entered pursuant to law.
5. That the parties have agreed that the total sum of \$208,000.00 represents the full and just compensation to be paid for the acquisitions that are the subject of this action and all damages and that the compensation shall be in full settlement and satisfaction of all claims for the condemnation, the effect of the condemnation, the conveyance of the remnant parcel, the Agreement for Possession and Use and any and all claims of damages, interest, costs and attorney fees.
6. The Petitioner and the Respondent shall bear their own costs, expenses and attorneys' fees.
7. The terms and conditions of the Stipulation shall remain in effect and the Court retains jurisdiction in order to enforce the terms of the Stipulation.

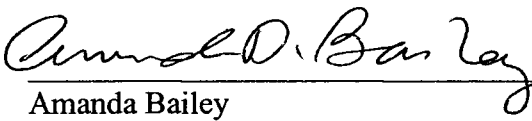
IT IS ORDERED, ADJUDGED AND DECREED

1. That the property interests described in the Petition and Amended Petition in Condemnation have been duly and lawfully taken by the City pursuant to the laws, Charter and Constitution of the City and the State of Colorado.
2. That the interests of the Respondents-Owners in said parcels have been acquired by the City and that title to the same, are hereby conveyed and vested in the City.
3. That the Clerk of the Court shall accept for deposit the sum of \$148,000.00 from the City.
4. That the sum of \$148,000.00 is to be disbursed by the Clerk of the Court to the Respondent-Owners pursuant to and in accordance with court order.

5. That the Respondents-Owners have received and acknowledge the receipt, sufficiency and adequacy of the prior payment of \$60,000.00 and upon receipt of \$148,000.00 from the Clerk of the Court that full and complete compensation shall have been made.
6. That a certified copy of this Rule and Order be recorded and indexed in the Office of the Clerk and Recorder-Mesa County Land Records, in like manner as if it were a deed of conveyance from the owners to the City.
7. That the Stipulation for Entry of Rule and Order is hereby adopted and accepted by this Order as the Order of the Court.

DATED this 9<sup>th</sup> day of July, 2001.

BY THE COURT:

  
\_\_\_\_\_  
Amanda Bailey  
District Court Judge

## AGREEMENT FOR POSSESSION AND USE

This Agreement for Possession and Use is made and entered into this 28<sup>th</sup> day of February, 2000, by and between the City of Grand Junction (the "City") and Jimmie L. Etter and Emmanuel Epstein (the "Landowner").

### Recitals.

1. The City is constructing 27.5 Road from Patterson north to, through, and near the intersections of G Road and Horizon Drive. Various components of public improvements (the "Improvements") are required.
2. The City is also improving Horizon Drive adjacent to the subject property as part of a separate public project ("Horizon Drive Improvements").
3. The City needs to acquire certain interests in that property owned by the Landowner for use in construction of the Improvements and Horizon Drive Improvements, consisting of those interests in real property more particularly described on attached Exhibits A and B (collectively "the Property").
4. The City is vested with the right of eminent domain. Construction of the Improvements and Horizon Drive Improvements will begin within the next few months, thus, the City needs possession of the Property to proceed.
5. So as not to delay construction of the Improvements, the City requests that the Landowner grant possession to the City of the Landowner's interest in and to the Property, so that the City may proceed with construction of the Improvements and Horizon Drive Improvements.

### NOW THEREFORE BE IT AGREED:

1. (a) Landowner hereby irrevocably grants to the City, its contractors, agents, and all others deemed necessary by the City, the right to take, possess and use the Property against the Landowners and their successors, assigns, heirs, devisees, and personal representatives, and each of them and all persons whomsoever claiming any right, title or interest in and to said Property by, through or under the Landowner. The City, and its contractors, agents, servants, employees and assigns, shall have the right to enter onto, take and retain possession of said Property together with the right to demolish any improvements located thereon, and make cuts, fills or, in any other manner, change the shape or configuration of the Property, and to take and use therefrom and add thereto any and all earth, stone, gravel and timber and any other materials for construction and maintenance purposes, and to build construct or otherwise improve said Property during the pendency of the Project and during the pendency of any eminent domain action that is filed to acquire the Property without interference from the Landowner, or any of them, or their successors, assigns, heirs, devisees, personal representatives, guests or invitees, or any other person or persons claiming by, through or under the Landowner, or any of them. Landowner acknowledges that acquisition of the

Property for the purposes set forth herein is in the public interest and for public purposes, and is being made in contemplation of condemnation.

(b) In consideration for this irrevocable grant of possession and the rights granted hereunder, the City will: (i) tender to the Landowner the sum of \$ 60,000 (the "Payment"); (ii) pay the appraisal fees of James Biber, MAI, for his work appraising the Property which the parties predict will be \$5,000 or less; (iii) pay up to, but not exceeding, \$8,000.00 for the fees of the landplanners Ciavonne and Associates as is required to complete the appraisal report of James Biber; and (iv) the City shall offer its expert witnesses for deposition by Landowner at the City's sole cost and expense, in the City limits if necessary during the pendency of an eminent domain proceeding, and (v) release and reconvey to Landowner those interests being acquired by the City as Perpetual Slopes Easements 9, 10, 11, 12, 13 and 14 upon the approval of a final site grading plan for the remaining property owned by Landowner that eliminates the City's need for permanent slope easements within the area described by Perpetual Slopes Easements 9, 10, 11, 12, 13 and 14 and (vi) realign that portion of 27 ½ Road as depicted on the attached Exhibit "B" and to revise its design and construction plans to provide for those access movements into Landowner's remainder as depicted on Exhibit "B". This shall include but not be limited to construction of median breaks at the referenced access points, curb returns at the referenced access points and access openings of sufficient width to meet City code, and (vii) vacate G Road adjacent to Landowner's property within a reasonable time with ½ of said vacated right-of-way conveyed to Landowner, and (viii) with respect to the Horizon Drive Improvements, the City shall not seek to recover any of the costs of said project from Landowner nor seek to exact, assess, or levy on the Landowner's property as a result of said project, except that if the City provides for development to reimburse the City for improvements pursuant to an ordinance which authorizes any reimbursements as a part of or condition of development approval the then owner or developer might be required to reimburse for its pro rata or similar portion of traffic to be generated from such future development. (xi) the City shall use its best efforts to ensure that any electric transmission, distribution or service line constructed, reconstructed or relocated as party of the City's 27 ½ Road or Horizon Drive project is undergrounded on or adjacent to Landowner's property at no cost or expense to Landowner.

(c) Landowner agrees to convey to City that parcel designated as parcel #9 on Exhibit "B" shall be dedicated by Landowner to City within a reasonable time after a legal description for said parcel is created by the City.

(d) The City shall take possession of the Property upon tender of the payment and shall tender payment on or before the 26th day of February, 2000.

2. Each Landowner hereby covenants and warrants that he or she has the lawful right to convey all of the Property. It is agreed that the Payment specified in paragraph 1 shall also be full payment to acquire possession of the Property. Each Landowner reserves his or her right to

contest issues related to the determination of just compensation in the eminent domain proceedings initiated against the Property.

3. It is further understood that in the event a settlement of all claims as to the compensation for the Property is not reached on or before June 15, 2000, such failure will be a confession by the Landowner that the negotiations to acquire the Property have proved futile. At this point, the City may proceed in eminent domain to condemn the Landowners' interest in the Property. The City shall not unreasonably delay the completion of proceedings under the eminent domain law once the time provided for in this paragraph has expired. The parties agree that if there is no settlement of all issues on or before June 1, 2000, that in the eminent domain action commenced by the City:
  - (a) each Landowner will not object to the taking of the Property; and
  - (b) the sole issue in such proceeding will be the just compensation owed to the Landowner(s) for the acquisition of his and/or her interest in the Property.
4. This Agreement shall continue in effect until either a settlement is reached and title to the Property is conveyed to the City or a Rule and Order is entered by the court as provided for in C.R.S. 38-1-105(3) or under Article 5 or 6 of Title 38.
5. It is agreed by the parties that the valuation date for determining the amount of just compensation shall be the date on which payment was tendered to the Landowner pursuant to paragraph one above.
6. The parties agree that this document shall be sequestered by the Court and shall not be considered as evidence in any hearing to determine just compensation.
7. Each Landowner individually covenants and agrees that no building, structure, or other above or below ground obstruction that may interfere with the purposes aforesaid will be placed, erected, installed or permitted upon the Property by or through such Landowner during the period of construction. Landowner further covenants and agrees that in the event the terms of this paragraph are violated by the Landowner, such violation will be corrected and eliminated within a reasonable time upon receipt of written notice of such violation from the City. The City shall have the right, following a reasonable period of time, and without further notice to the Landowner to correct or eliminate such violation and Landowner shall promptly pay to the City the actual costs thereof.
8. The purposes of this Agreement are to allow the City to proceed with its construction project without delay and to allow the Landowner to avoid litigation at this time.





STATE OF COLORADO )  
 ) ss.  
COUNTY OF MESA

The foregoing Agreement for Possession and Use was acknowledged before me this 23<sup>rd</sup> day of March, 2000, by David Varley, Assistant of the City of Grand Junction. City Manager

WITNESS MY HAND AND SEAL  
My Commission Expires: 10-10-02

Stephanie King  
Notary Public \_\_\_\_\_

By: Emmanuel Epstein  
Emmanuel Epstein

STATE OF NEW YORK )  
COLORADO )  
COUNTY OF KINGS ) ss.

The foregoing Agreement for Possession and Use was acknowledged before me this day of 2/6, 2000, by Emmanuel Epstein.

WITNESS MY HAND AND SEAL

My Commission Expires: 6-18-2000.

JAMES P. SAVAGE  
Notary Public, State of New York  
No. 01SA4963272  
Qualified in Kings County  
Commission Expires June 18, 1992000

James P. Savage  
Notary Public

**Real Estate Requirements for 27 ½ Road Realigned**

**Right-of-Way Parcel No. 1  
Legal Description**

A tract or parcel of land for Public Roadway and Utilities Right-of-Way purposes, situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the north line of the NE ¼ NW ¼ of said Section 1 to bear S 89°59'57" W with all bearings contained herein being relative thereto; thence S 89°59'57" W along the north line of the NE ¼ NW ¼ of said Section 1 a distance of 810.41 feet to a point; thence leaving the north line of the NE ¼ NW ¼ of said Section 1, S 00°00'03" E a distance of 49.00 feet to a point on the south right-of-way line for G Road as described by instrument recorded in Book 1426 at Page 244 in the office of the Mesa County Clerk and Recorder; thence N 89°59'57" E along the south right-of-way line for G Road as aforesaid a distance of 10.02 feet to the True Point of Beginning;

thence along the south right-of-way line for G Road as aforesaid the following three (3) courses:

1. N 89°59'57" E a distance of 123.71 feet;
2. 42.30 feet along the arc of a curve concave to the Southwest, having a radius of 107.50 feet, a central angle of 22°32'47", and a long chord bearing S 78°43'43" E a distance of 42.03 feet;
3. 24.63 feet along the arc of a curve concave to the Southwest, having a radius of 15.50 feet, a central angle of 91°02'55", and a long chord bearing S 21°55'50" E a distance of 22.12 feet to a point on the westerly right-of-way line for Horizon Drive as described by said instrument recorded in Book 1426 at Page 244 in the office of the Mesa County Clerk and Recorder;

thence along the westerly right-of-way line for Horizon Drive as aforesaid, 42.30 feet along the arc of a curve concave to the Northwest, having a radius of 107.50 feet, a central angle of 22°32'47", and a long chord bearing S 34°52'03" W a distance of 42.03 feet; thence continuing along the westerly right-of-way line for Horizon Drive, 13.16 feet along the arc of a curve concave to the Northwest, having a radius of 1,860.00 feet, a central angle of 00°24'20", and a long chord bearing S 46°20'50" W a distance of 13.16 feet; thence leaving the westerly right-of-way line for Horizon Drive, N 00°50'17" E a distance of 14.09 feet; thence N 30°55'37" W a distance of 8.56 feet; thence N 50°32'48" W a distance of 31.61 feet; thence N 59°15'46" W a distance of 31.61 feet; thence N 67°58'45" W a distance of 31.61 feet; thence N 81°09'16" W a distance of 15.02 feet; thence N 89°58'18" W a distance of 39.73 feet; thence N 00°01'42" E a distance of 0.45 feet to the Point of Beginning, containing 3,753.39 square feet as described.

# EXHIBIT "ETTER/EPSTEIN-CITY-A-1"



MCSM  
N 1/4 COR.  
SEC 1, T1S, R1W,  
U.M.

G ROAD

R.O.W. ( PLAT BOOK 2, PAGE 12 )

S89°59'57"W

S89°59'57"W 810.41'  
NORTH LINE OF THE NW 1/4 OF SEC. 1

R.O.W. ( BOOK 1426, PAGE 244-245 )

30.00'  
500.0003'E  
19.00'

P.O.B.

10.02'

N89°59'57"E

39.73'

N89°58'18"W

N81°09'16"W

15.02'

N67°58'45"W

31.61'

N59°15'46"W

31.61'

N50°32'48"W

31.61'

N30°55'37"W

8.56'

N00°50'17"E

14.09'

L=200.09'  
R=1860.00'

R=107.50  
L=42.30  
Tan=21.43  
Δ=22°32'47"

S78°43'43"E 42.03

R=15.50  
L=24.63  
Tan=15.79  
Δ=91°02'55"

S21°55'50"E 22.12

R=107.50  
L=42.30  
Tan=21.43  
Δ=22°32'47"

S34°52'03"W 42.03

R=1860.00  
L=13.16  
Tan=6.58  
Δ=0°24'20"

N46°20'50"E 13.16

R.O.W. PARCEL NO.1

2945-012-00-071 & 072  
JIMMIE L ETTER & EMANUEL EPSTEIN  
RIGHT OF WAY PARCEL NO.1 AREA = 3753.39 SQ.FT.

S52°42'52"W  
CENTERLINE HORIZON DRIVE ( BOOK 822, PAGE 480 )  
HORIZON DRIVE

DRAWN BY: SRP  
DATE: 10-04-99  
SCALE: 1" = 60'  
APPR. BY: IW  
FILE NO: EE5.DWG

RIGHT-OF-WAY DESCRIPTION MAP  
27 1/2 ROAD

DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION  
CITY OF GRAND JUNCTION

**Real Estate Requirements for 27 ½ Road Realigned**

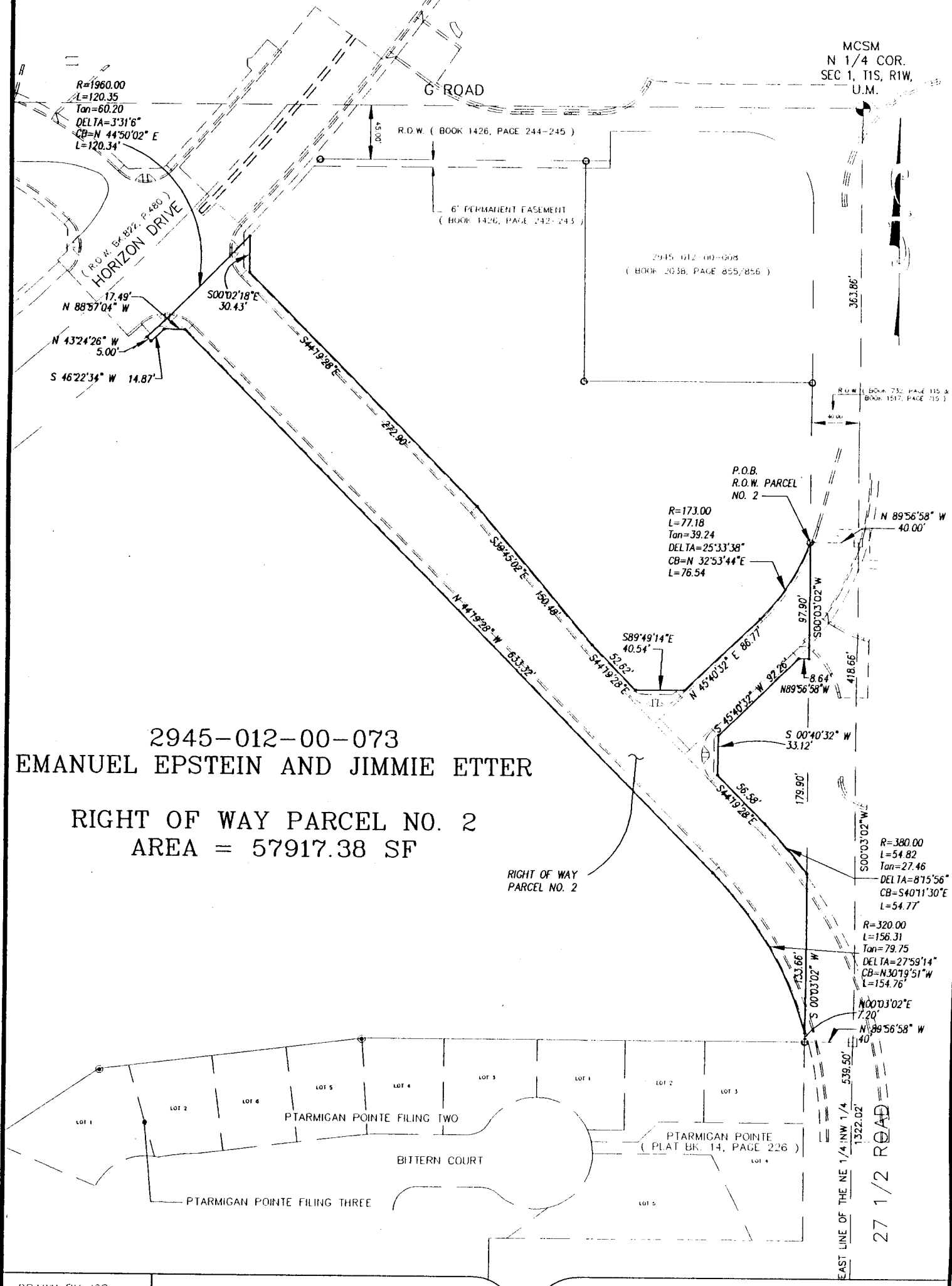
**Right-of-Way Parcel No. 2  
Legal Description**

A tract or parcel of land for Public Roadway and Utilities Right-of-Way purposes, situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 363.86 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west right-of-way line for 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder, said point being the True Point of Beginning;

thence S 00°03'02" W along the west right-of-way line for 27 ½ Road as aforesaid a distance of 97.90 feet;  
thence leaving the west right-of-way line for 27 ½ Road, N 89°56'58" W a distance of 8.64 feet;  
thence S 45°40'32" W a distance of 92.26 feet;  
thence S 00°40'32" W a distance of 33.12 feet;  
thence S 44°19'28" E a distance of 56.58 feet;  
thence 54.82 feet along the arc of a curve concave to the Southwest, having a radius of 380.00 feet, a central angle of 08°15'56", and a long chord bearing S 40°11'30" E a distance of 54.77 feet to a point on the west right-of-way line for 27 ½ Road as aforesaid;  
thence S 00°03'02" W along the west right-of-way line for 27 ½ Road a distance of 133.66 feet;  
thence leaving the west right-of-way line for 27 ½ Road, 156.31 feet along the arc of a curve concave to the Southwest, having a radius of 320.00 feet, a central angle of 27°59'14", and a long chord bearing N 30°19'51" W a distance of 154.76 feet;  
thence N 44°19'28" W a distance of 633.32 feet;  
thence N 88°57'04" W a distance of 17.49 feet;  
thence S 46°22'34" W a distance of 14.87 feet;  
thence N 43°24'26" W a distance of 5.00 feet to a point on the southerly right-of-way line for Horizon Drive as described by instrument recorded in Book 822 at Page 480 in the office of the Mesa County Clerk and Recorder;  
thence along the southerly right-of-way line for Horizon Drive as aforesaid, 120.35 feet along the arc of a curve concave to the Northwest, having a radius of 1,960.00 feet, a central angle of 03°31'06", and a long chord bearing N 44°50'02" E a distance of 120.34 feet;  
thence leaving the southerly right-of-way line for Horizon Drive, S 00°02'18" E a distance of 30.43 feet;  
thence S 44°19'28" E a distance of 272.90 feet;  
thence S 39°45'02" E a distance of 150.48 feet;  
thence S 44°19'28" E a distance of 52.62 feet;  
thence S 89°49'14" E a distance of 40.54 feet;  
thence N 45°40'32" E a distance of 86.77 feet;  
thence 77.18 feet along the arc of a curve concave to the Northwest, having a radius of 173.00 feet, a central angle of 25°33'38", and a long chord bearing N 32°53'44" E a distance of 76.54 feet to the Point of Beginning,  
containing 57,917.38 feet as described.

# EXHIBIT "ETTER/EPSTEIN-CITY-A-3"



2945-012-00-073  
EMANUEL EPSTEIN AND JIMMIE ETTER  
RIGHT OF WAY PARCEL NO. 2  
AREA = 57917.38 SF

RIGHT OF WAY  
PARCEL NO. 2

DRAWN BY: JCS  
DATE: 2-23-00  
SCALE: 1" = 100'  
APPR. BY: IW  
FILE NO: EEA3.DWG

**RIGHT-OF-WAY DESCRIPTION MAP**  
**27 1/2 ROAD**

**DEPARTMENT OF PUBLIC WORKS**  
**ENGINEERING DIVISION**  
**CITY OF GRAND JUNCTION**

**Real Estate Requirements for 27 ½ Road Realigned**

**Perpetual Slopes and Drainage Easement Parcel P.E. No. 1  
Legal Description**

A Perpetual Easement for Slope and Drainage purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the north line of the NE ¼ NW ¼ of said Section 1 to bear S 89°59'57" W with all bearings contained herein being relative thereto; thence S 89°59'57" W along the north line of the NE ¼ NW ¼ of said Section 1 a distance of 810.41 feet to a point; thence leaving the north line of the NE ¼ NW ¼ of said Section 1, S 00°00'03" E a distance of 49.00 feet to a point on the south right-of-way line for G Road as described by instrument recorded in Book 1426 at Page 244 in the office of the Mesa County Clerk and Recorder; thence N 89°59'57" E along the south right-of-way line for G Road as aforesaid a distance of 10.02 feet; thence leaving the south right-of-way line for G Road, S 00°01'42" W a distance of 0.45 feet; thence S 89°58'18" E a distance of 34.67 feet to the True Point of Beginning;

thence S 89°58'18" E a distance of 5.06 feet;  
thence S 81°09'16" E a distance of 15.02 feet;  
thence S 67°58'45" E a distance of 31.61 feet;  
thence S 59°15'46" E a distance of 31.61 feet;  
thence S 50°32'48" E a distance of 31.61 feet;  
thence S 30°55'37" E a distance of 8.56 feet;  
thence S 00°50'17" W a distance of 14.09 feet to a point on the westerly right-of-way line for Horizon Drive as described by instrument recorded in Book 822 at Page 480 in the office of the Mesa County Clerk and Recorder;  
thence along the westerly right-of-way line for Horizon Drive as aforesaid, 15.42 feet along the arc of a curve concave to the Northwest, having a radius of 1,860.00 feet, a central angle of 00°28'30", and a long chord bearing S 46°47'15" W a distance of 15.42 feet;  
thence leaving the westerly right-of-way line for Horizon Drive, N 62°24'13" W a distance of 27.76 feet;  
thence S 82°24'24" W a distance of 45.62 feet;  
S 72°47'43" W a distance of 24.05 feet;  
thence S 80°58'54" W a distance of 18.57 feet;  
thence N 33°52'57" W a distance of 9.87 feet;  
thence N 46°45'36" E a distance of 40.09 feet;  
thence N 27°31'56" E a distance of 33.64 feet;  
thence N 00°00'00" W a distance of 8.99 feet;  
thence N 63°02'52" W a distance of 24.52 feet to the Point of Beginning, containing 5,470.27 square feet as described.

# EXHIBIT "ETTER/EPSTEIN-CITY-A-2"



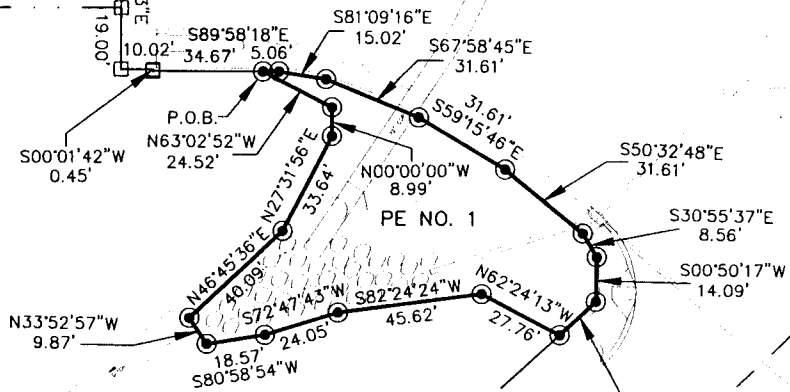
MCSM  
N 1/4 COR.  
SEC 1, T1S, R1W,  
U.M.

G ROAD

R.O.W. ( PLAT BOOK 2, PAGE 12 )

S89°59'57"W

S89°59'57"W 810.41'  
NORTH LINE OF THE NW 1/4 OF SEC. 1  
R.O.W. ( BOOK 1426, PAGE 244-245 )



2945-012-00-071 & 072

JIMMIE L ETTER & EMANUEL EPSTEIN

SLOPE & DRAINAGE EASEMENT ( PE NO.1 ) AREA = 5470.27 SQ.FT.

R=1860.00  
L=15.42  
Tan=7.71  
Δ=0°28'30"  
S46°47'15"W 15.42

S52°42'52"W

CENTERLINE HORIZON DRIVE ( BOOK 822, PAGE 480 )  
HORIZON DRIVE

DRAWN BY: SRP  
DATE: 9-21-99  
SCALE: 1" = 60'  
APPR. BY: IW  
FILE NO: EE6.DWG

RIGHT-OF-WAY DESCRIPTION MAP

27 1/2 ROAD

DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION  
CITY OF GRAND JUNCTION



**Real Estate Requirements for 27 ½ Road Realigned**

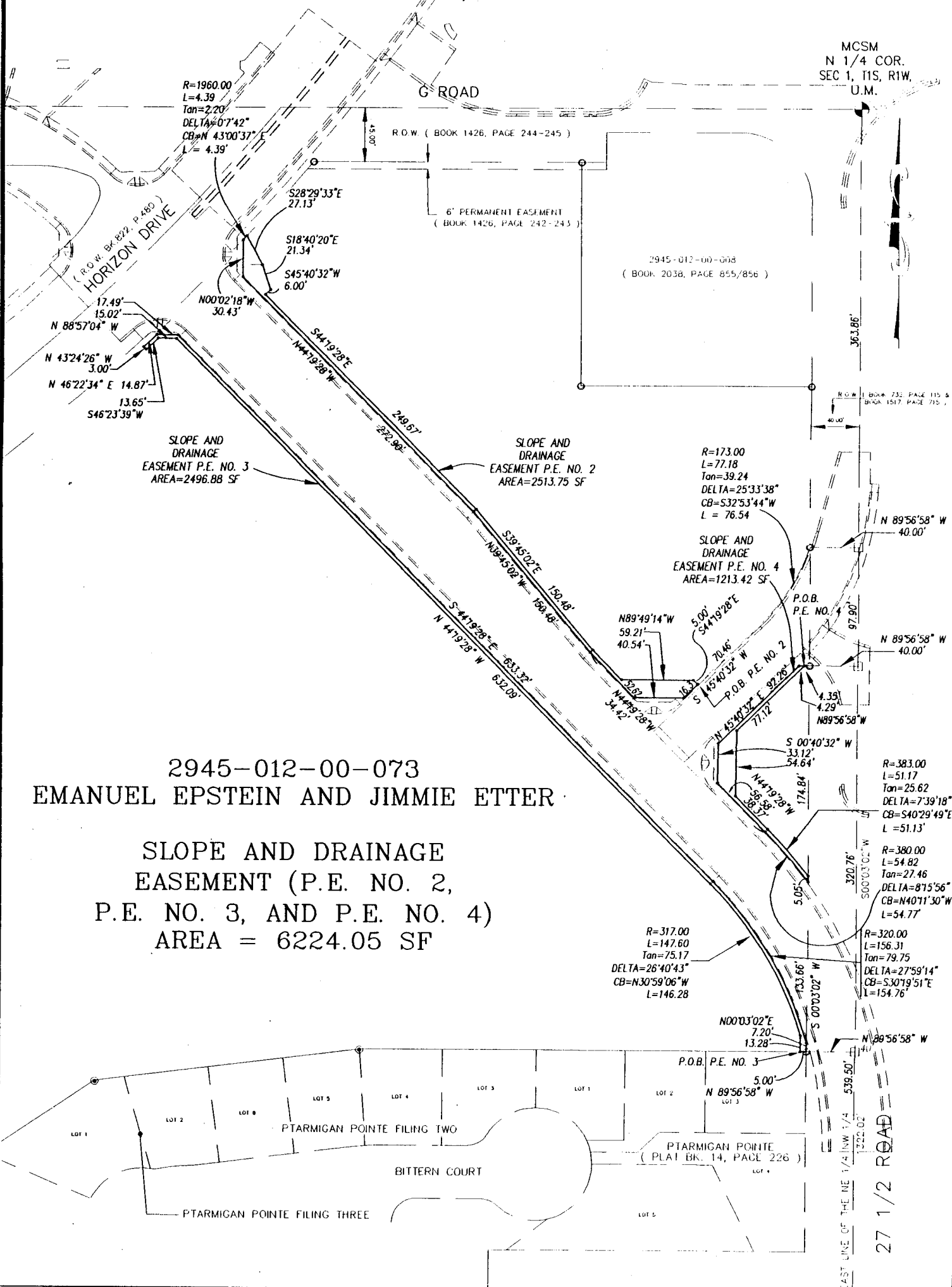
**Perpetual Slopes and Drainage Easement Parcel P.E. No. 2  
Legal Description**

A Perpetual Easement for Slope and Drainage purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 363.86 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west right-of-way line for 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder; thence leaving said right-of-way line, 77.18 feet along the arc of a curve concave to the Northwest, having a radius of 173.00 feet, a central angle of 25°33'38", and a long chord bearing S 32°53'44" W a distance of 76.54 feet; thence S 45°40'32" W a distance of 70.46 feet to the True Point of Beginning;

thence S 45°40'32" W a distance of 16.30 feet;  
thence N 89°49'14" W a distance of 40.54 feet;  
thence N 44°19'28" W a distance of 52.62 feet;  
thence N 39°45'02" W a distance of 150.48 feet;  
thence N 44°19'28" W a distance of 272.90 feet  
thence N 00°02'18" W a distance of 30.43 feet to a point on the southerly right-of-way line for Horizon Drive as described by instrument recorded in Book 822 at Page 480 in the office of the Mesa County Clerk and Recorder;  
thence along the southerly right-of-way line for Horizon Drive as aforesaid, 4.39 feet along the arc of a curve concave to the Northwest, having a radius of 1,960.00 feet, a central angle of 00°07'42", and a long chord bearing N 43°00'37" E a distance of 4.39 feet;  
thence leaving the southerly right-of-way line for Horizon Drive, S 28°29'33" E a distance of 27.13 feet;  
thence S 18°40'20" E a distance of 21.34 feet;  
thence S 45°40'32" W a distance of 6.00 feet;  
thence S 44°19'28" E a distance of 249.67 feet;  
thence S 39°45'02" E a distance of 150.48 feet;  
thence S 44°19'28" E a distance of 34.42 feet;  
thence S 89°49'14" E a distance of 59.21 feet;  
thence S 44°19'28" E a distance of 5.00 feet to the Point of Beginning,  
containing 2,513.75 square feet as described.

# EXHIBIT "ETTER/EPSTEIN-CITY-A-4"



2945-012-00-073  
 EMANUEL EPSTEIN AND JIMMIE ETTER

SLOPE AND DRAINAGE  
 EASEMENT (P.E. NO. 2,  
 P.E. NO. 3, AND P.E. NO. 4)  
 AREA = 6224.05 SF

DRAWN BY: SRP  
 DATE: 2-23-2000  
 SCALE: 1" = 100'  
 APPR. BY: IW  
 FILE NO: EEA4.DWG

RIGHT-OF-WAY DESCRIPTION MAP  
 27 1/2 ROAD

DEPARTMENT OF PUBLIC WORKS  
 ENGINEERING DIVISION  
 CITY OF GRAND JUNCTION

**Real Estate Requirements for 27 ½ Road Realigned**

**Perpetual Slopes and Drainage Easement Parcel P.E. No. 3  
Legal Description**

A Perpetual Easement for Slope and Drainage purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 782.52 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west right-of-way line for 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder, said point also being the Northeast Corner of Lot 3 of Ptarmigan Pointe as recorded in Plat Book 14 at Page 226 in the office of the Mesa County Clerk and Recorder, said point being the True Point of Beginning;

thence N 89°56'58" W along the north line of Lot 3 of Ptarmigan Pointe as aforesaid a distance of 5.00 feet;

thence leaving the north line of said Lot 3, N 00°03'02" E a distance of 13.28 feet;

thence 147.60 feet along the arc of a curve concave to the Southwest, having a radius of 317.00 feet, a central angle of 26°40'43", and a long chord bearing N 30°59'06" W a distance of 146.28 feet;

thence N 44°19'28" W a distance of 632.09 feet;

thence N 88°57'04" W a distance of 15.02 feet;

thence S 46°23'39" W a distance of 13.65 feet;

thence N 43°24'26" W a distance of 3.00 feet;

thence N 46°22'34" E a distance of 14.87 feet;

thence S 88°57'04" E a distance of 17.49 feet;

thence S 44°19'28" E a distance of 633.32 feet;

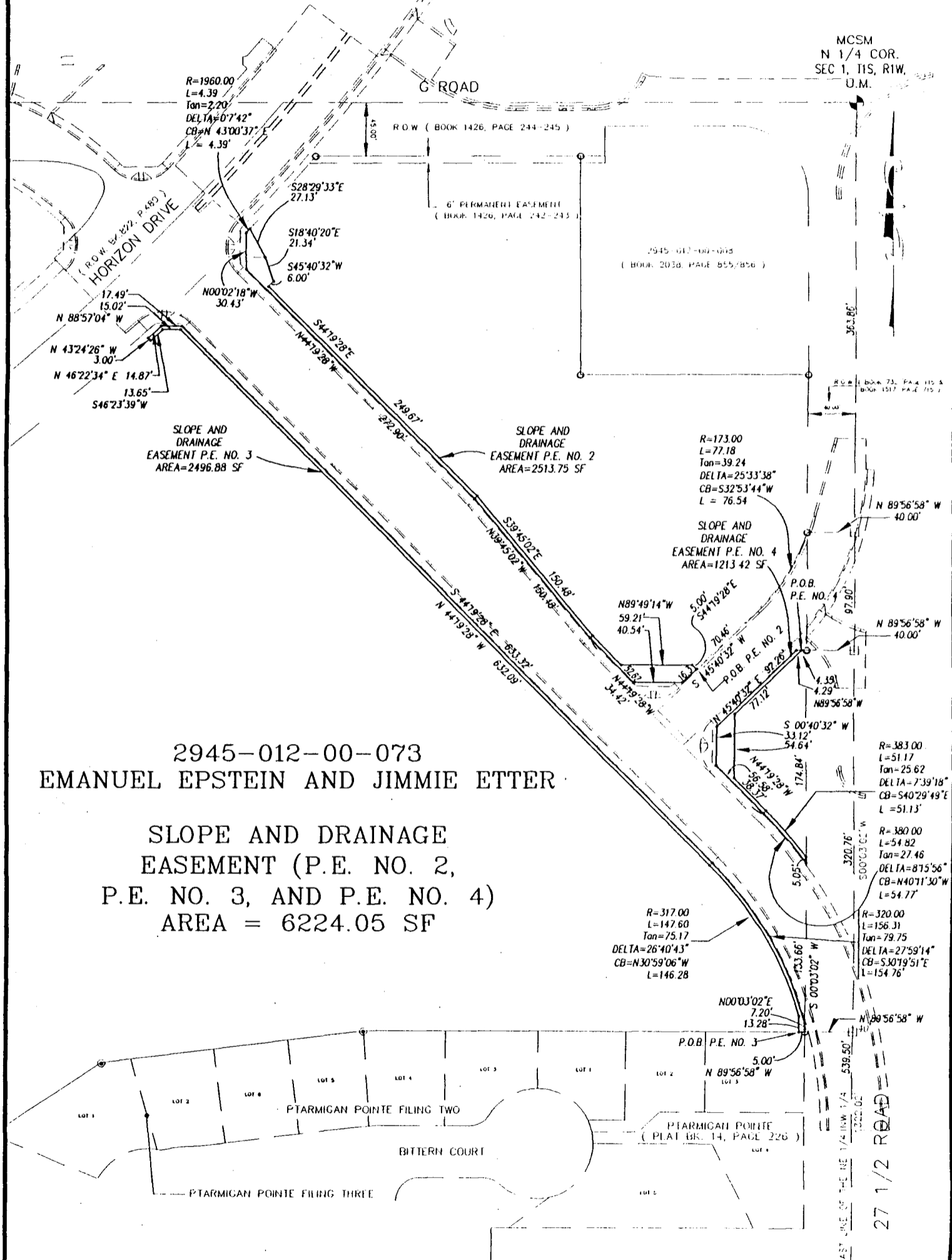
thence 156.31 feet along the arc of a curve concave to the Southwest, having a radius of 320.00 feet, a central angle of 27°59'14", and a long chord bearing S 30°19'51" E a distance of 154.76 feet to a point on the west right-of-way line for 27 ½ Road as aforesaid;

thence S 00°03'02" W along the west right-of-way line for 27 ½ Road a distance of 7.20 feet to the Point of Beginning,

containing 2,496.88 square feet as described.

# EXHIBIT "ETTER/EPSTEIN-CITY-A-4"

MCSM  
N 1/4 COR.  
SEC 1, T1S, R1W,  
U.M.



2945-012-00-073  
**EMANUEL EPSTEIN AND JIMMIE ETTER**  
 SLOPE AND DRAINAGE  
 EASEMENT (P.E. NO. 2,  
 P.E. NO. 3, AND P.E. NO. 4)  
 AREA = 6224.05 SF

DRAWN BY: SRP  
 DATE: 2-23-2000  
 SCALE: 1" = 100'  
 APPR. BY: IW  
 FILE NO: EEA4.DWG

RIGHT-OF-WAY DESCRIPTION MAP  
**27 1/2 ROAD**

DEPARTMENT OF PUBLIC WORKS  
 ENGINEERING DIVISION  
 CITY OF GRAND JUNCTION

**Real Estate Requirements for 27 ½ Road Realigned**

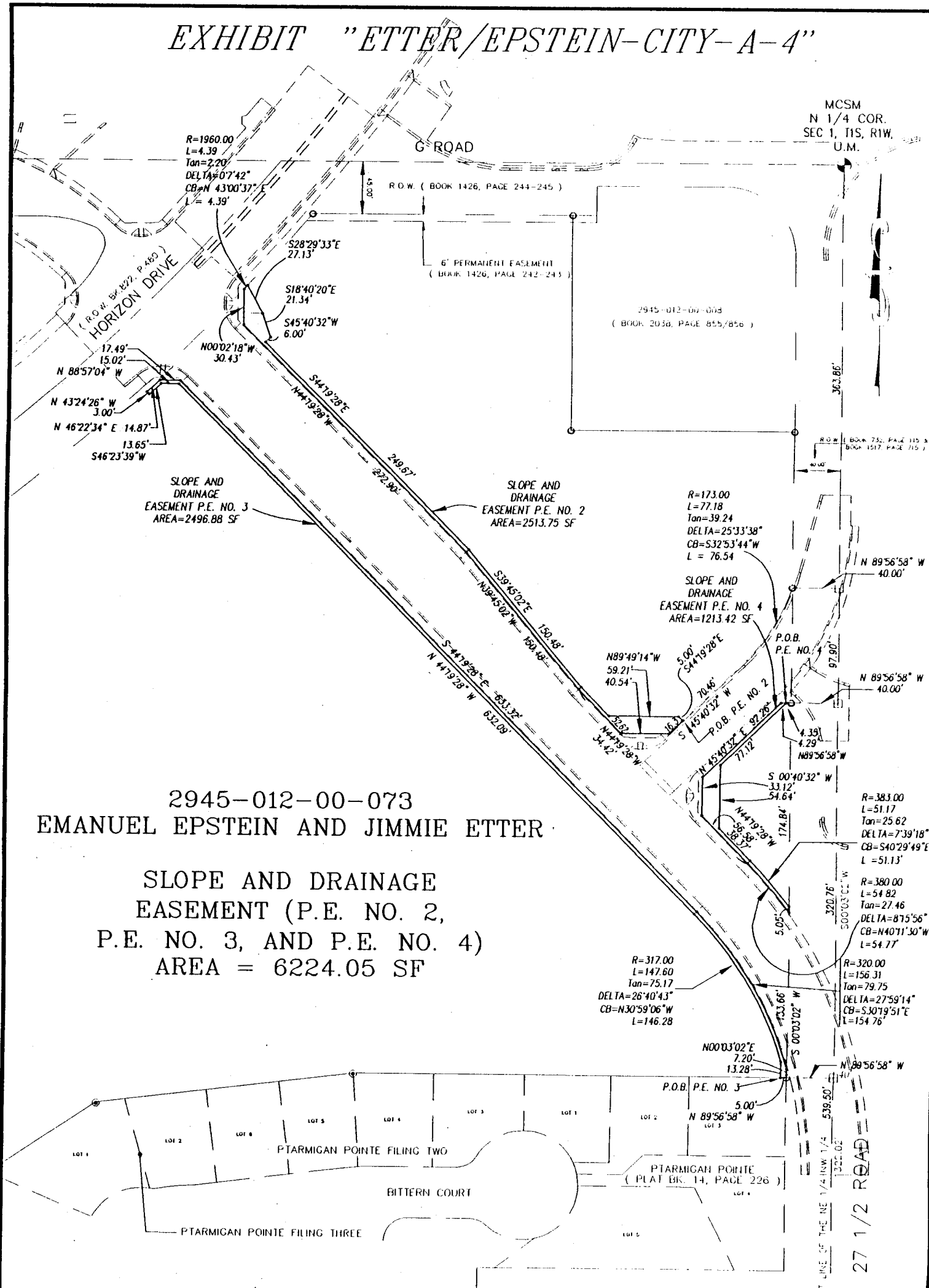
**Perpetual Slopes and Drainage Easement Parcel P.E. No. 4  
Legal Description**

A Perpetual Easement for Slope and Drainage purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 461.76 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west right-of-way line for 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder; thence leaving the west right-of-way line for 27 ½ Road as aforesaid, N 89°56'58" W a distance of 4.35 feet to the True Point of Beginning;

thence S 45°40'32" W a distance of 77.12 feet;  
thence S 00°40'32" W a distance of 54.64 feet;  
thence S 44°19'28" E a distance of 38.37 feet;  
thence 51.17 feet along the arc of a curve concave to the Southwest, having a radius of 383.00 feet, a central angle of 07°39'18", and a long chord bearing S 40°29'49" E a distance of 51.13 feet to a point on the west right-of-way line for 27 ½ Road as aforesaid;  
thence S 00°03'02" W along the west right-of-way line for 27 ½ Road a distance of 5.05 feet;  
thence 54.82 feet along the arc of a curve concave to the Southwest, having a radius of 380.00 feet, a central angle of 08°15'56", and a long chord bearing N 40°11'30" W a distance of 54.77 feet;  
thence N 44°19'28" W a distance of 56.58 feet;  
thence N 00°40'32" E a distance of 33.12 feet;  
thence N 45°40'32" E a distance of 92.26 feet;  
thence S 89°56'58" E a distance of 4.29 feet to the Point of Beginning,  
containing 1,213.42 square feet as described.

# EXHIBIT "ETTER/EPSTEIN-CITY-A-4"



DRAWN BY: SRP  
 DATE: 2-23-2000  
 SCALE: 1" = 100'  
 APPR. BY: JW  
 FILE NO: EEA4.DWG

**RIGHT-OF-WAY DESCRIPTION MAP**  
**27 1/2 ROAD**

**DEPARTMENT OF PUBLIC WORKS**  
**ENGINEERING DIVISION**  
**CITY OF GRAND JUNCTION**

**Real Estate Requirements for 27 ½ Road Realigned**

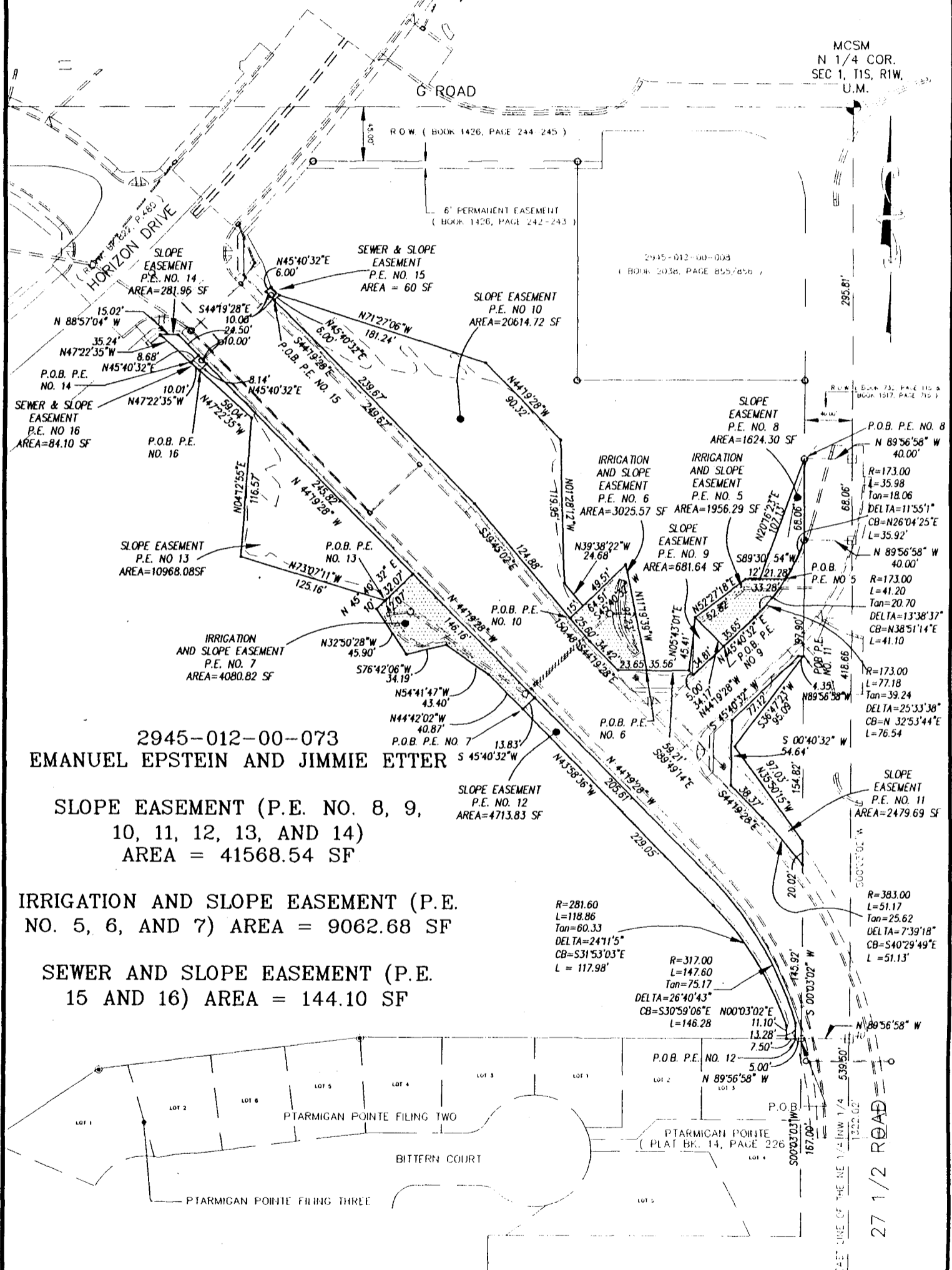
**Perpetual Slopes and Irrigation Easement Parcel P.E. No. 5  
Legal Description**

A Perpetual Easement for Slopes and Irrigation purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 363.86 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west boundary line of 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder; thence leaving the west right-of-way line for 27 ½ Road as aforesaid, 35.98 feet along the arc of a curve concave to the Northwest, having a radius of 173.00 feet, a central angle of 11°55'01", and a long chord bearing S 26°04'25" W a distance of 35.92 feet to the True Point of Beginning;

thence 41.20 feet along the arc of a curve concave to the Northwest, having a radius of 173.00 feet, a central angle of 13°38'37", and a long chord bearing S 38°51'14" W a distance of 41.10 feet;  
thence S 45°40'32" W a distance of 35.65 feet;  
thence N 44°19'28" W a distance of 34.17 feet;  
thence N 52°27'18" E a distance of 52.82 feet;  
thence N 89°30'54" E a distance of 33.28 feet to the Point of Beginning,  
containing 1,956.29 square feet as described.

# EXHIBIT "ETTER/EPSTEIN-CITY-A-5"



MCSM  
N 1/4 COR.  
SEC 1, T1S, R1W,  
U.M.

R.O.W. (BOOK 1426, PAGE 244-245)

6' PERMANENT EASEMENT  
(BOOK 1426, PAGE 242-243)

2945-012-00-003  
(BOOK 2036, PAGE 855, 856)

R.O.W. (BOOK 73, PAGE 115 &  
BOOK 1517, PAGE 710)

2945-012-00-073  
EMANUEL EPSTEIN AND JIMMIE ETTER

SLOPE EASEMENT (P.E. NO. 8, 9,  
10, 11, 12, 13, AND 14)  
AREA = 41568.54 SF

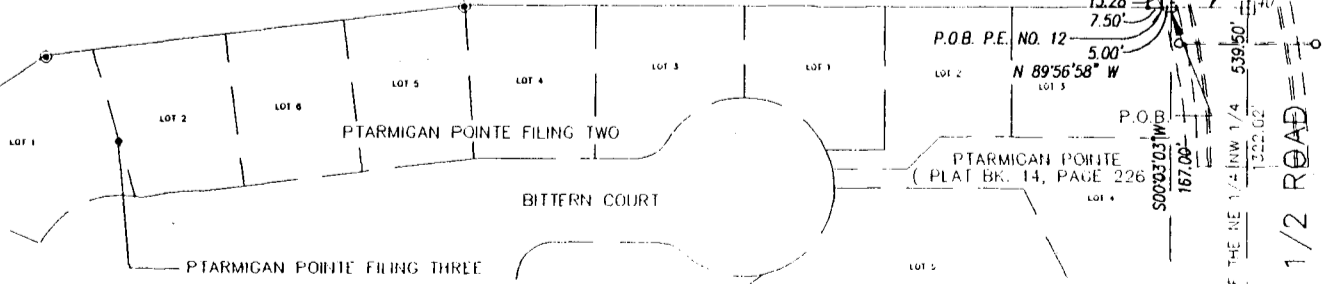
IRRIGATION AND SLOPE EASEMENT (P.E.  
NO. 5, 6, AND 7) AREA = 9062.68 SF

SEWER AND SLOPE EASEMENT (P.E.  
15 AND 16) AREA = 144.10 SF

R=281.60  
L=118.86  
Tan=60.33  
DELTA=24°11'5"  
CB=S31°53'03"E  
L=117.98'

R=317.00  
L=147.60  
Tan=75.17  
DELTA=26°40'43"  
CB=S30°59'06"E  
L=146.28

R=383.00  
L=51.17  
Tan=25.62  
DELTA=7°39'18"  
CB=S40°29'49"E  
L=51.13'



DRAWN BY: JCS  
DATE: 2-23-00  
SCALE: 1" = 100'  
APPR. BY: JW  
FILE NO: EE4.DWG

RIGHT-OF-WAY DESCRIPTION MAP  
27 1/2 ROAD  
7A

DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION  
CITY OF GRAND JUNCTION



**Real Estate Requirements for 27 ½ Road Realigned**

**Perpetual Slopes and Irrigation Easement Parcel P.E. No. 6  
Legal Description**

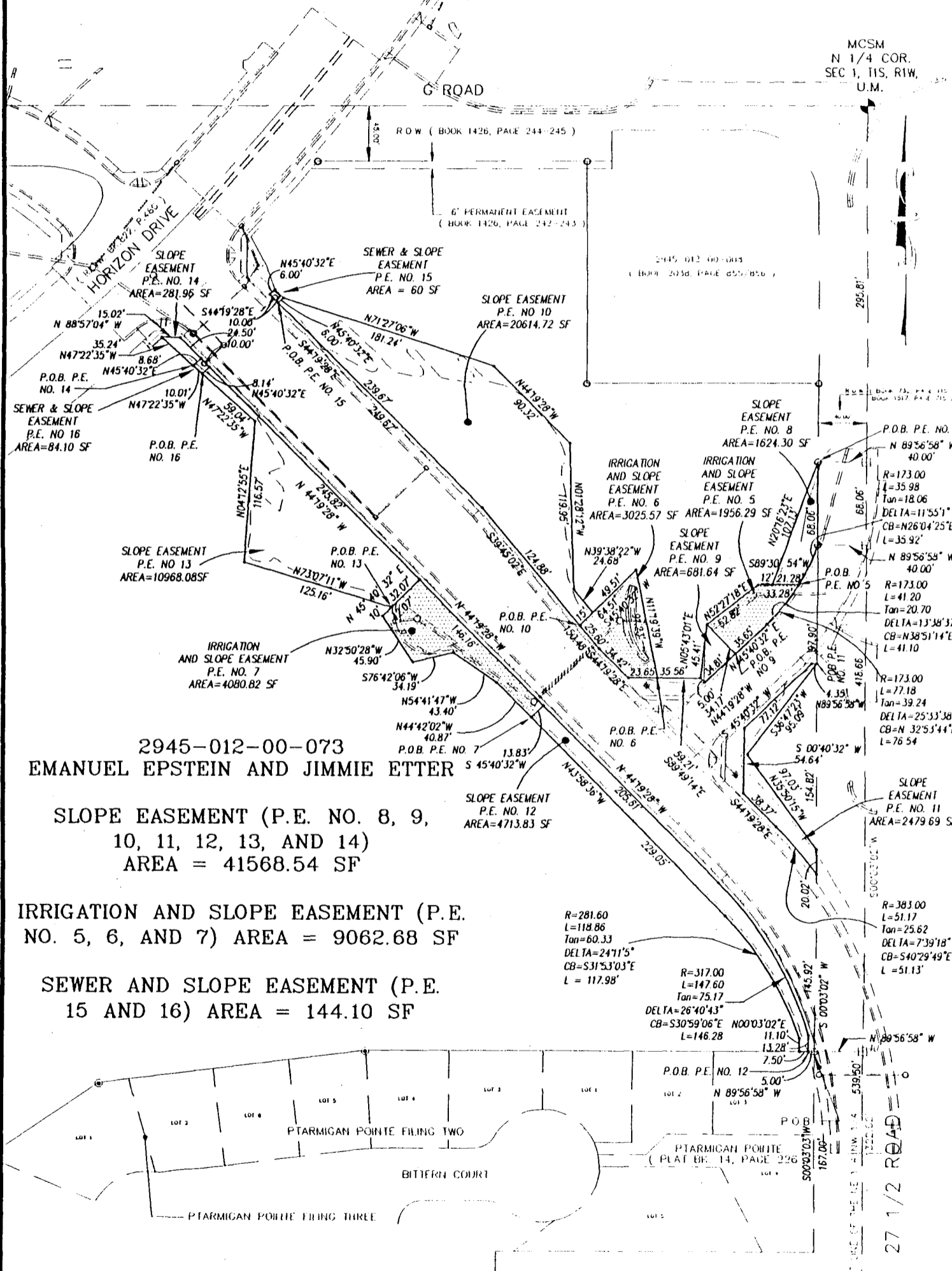
A Perpetual Easement for Slopes and Irrigation purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 363.86 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west boundary line of 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder; thence leaving the west right-of-way line for 27 ½ Road as aforesaid, 77.18 feet along the arc of a curve concave to the Northwest, having a radius of 173.00 feet, a central angle of 25°33'38", and a long chord bearing S 32°53'44" W a distance of 76.54 feet; thence S 45°40'32" W a distance of 70.46 feet; thence N 44°19'28" W a distance of 5.00 feet; thence N 89°49'14" W a distance of 35.56 feet to the True Point of Beginning;

thence N 89°49'14" W a distance of 23.65 feet;  
thence N 44°19'28" W a distance of 34.42 feet;  
thence N 39°45'02" W a distance of 25.60 feet;  
thence N 45°40'32" E a distance of 64.51 feet;  
thence S 11°19'39" E a distance of 91.23 feet to the Point of Beginning,  
containing 3,025.57 square feet as described.

# EXHIBIT "ETTER/EPSTEIN-CITY-A-5"

MCSM  
N 1/4 COR.  
SEC 1, T1S, R1W,  
U.M.



2945-012-00-073  
EMANUEL EPSTEIN AND JIMMIE ETTER

SLOPE EASEMENT (P.E. NO. 8, 9,  
10, 11, 12, 13, AND 14)  
AREA = 41568.54 SF

IRRIGATION AND SLOPE EASEMENT (P.E.  
NO. 5, 6, AND 7) AREA = 9062.68 SF

SEWER AND SLOPE EASEMENT (P.E.  
15 AND 16) AREA = 144.10 SF

DRAWN BY: JCS  
DATE: 2-23-00  
SCALE: 1" = 100'  
APPR. BY: IW  
FILE NO: EC4.DWG

RIGHT-OF-WAY DESCRIPTION MAP  
27 1/2 ROAD  
8A

DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION  
CITY OF GRAND JUNCTION

**Real Estate Requirements for 27 ½ Road Realigned**

**Perpetual Slopes and Irrigation Easement Parcel P.E. No. 7  
Legal Description**

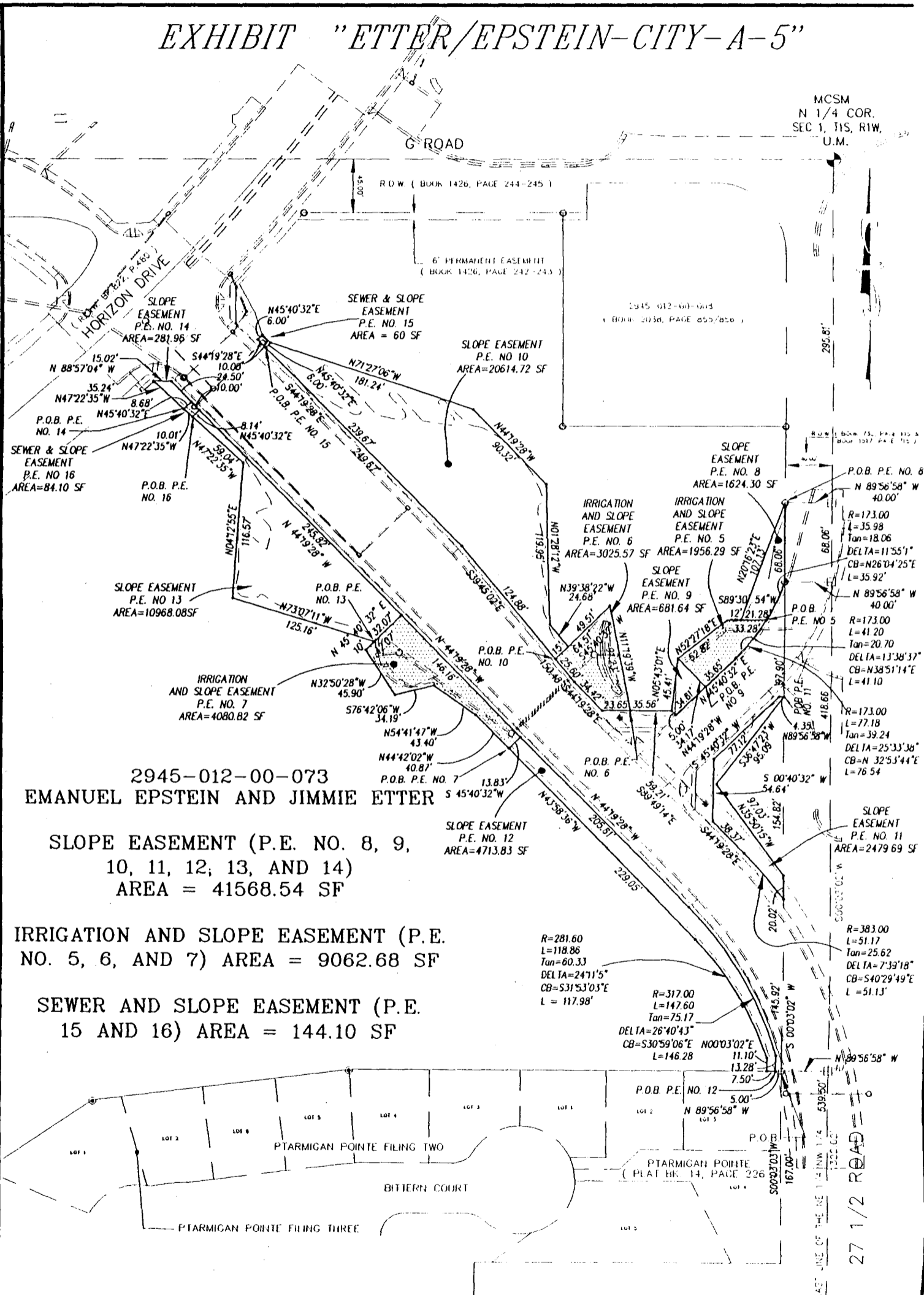
A Perpetual Easement for Slopes and Irrigation purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 782.52 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west right-of-way line for 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder, said point also being the Northeast Corner of Lot 3 of Ptarmigan Pointe as recorded in Plat Book 14 at Page 226 in the office of the Mesa County Clerk and Recorder; thence N 89°56'58" W along the north line of Lot 3 of Ptarmigan Pointe as aforesaid a distance of 12.50 feet; thence leaving the north line of said Lot 3, N 00°03'02" E a distance of 11.10 feet; thence 118.86 feet along the arc of a curve concave to the Southwest, having a radius of 281.60 feet, a central angle of 24°11'05", and a long chord bearing N 31°53'03" W a distance of 117.98 feet; thence N 43°58'36" W a distance of 229.05 feet to the True Point of Beginning;

thence N 44°42'02" W a distance of 40.87 feet;  
thence N 54°41'47" W a distance of 43.40 feet;  
thence S 76°42'06" W a distance of 34.19 feet;  
thence N 32°50'28" W a distance of 45.90 feet;  
thence N 45°40'32" E a distance of 42.07 feet;  
thence S 44°19'28" E a distance of 146.16 feet,  
containing 4,080.82 square feet as described.

# EXHIBIT "ETTER/EPSTEIN-CITY-A-5"

MCSM  
N 1/4 COR.  
SEC 1, 11S, R1W,  
U.M.



2945-012-00-073  
EMANUEL EPSTEIN AND JIMMIE ETTER

SLOPE EASEMENT (P.E. NO. 8, 9,  
10, 11, 12, 13, AND 14)  
AREA = 41568.54 SF

IRRIGATION AND SLOPE EASEMENT (P.E.  
NO. 5, 6, AND 7) AREA = 9062.68 SF

SEWER AND SLOPE EASEMENT (P.E.  
15 AND 16) AREA = 144.10 SF

DRAWN BY: JCS  
DATE: 2-23-00  
SCALE: 1" = 100'  
APPR. BY: IW  
FILE NO: EE4.DWG

RIGHT-OF-WAY DESCRIPTION MAP  
27 1/2 ROAD  
9A

DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION  
CITY OF GRAND JUNCTION

**Real Estate Requirements for 27 ½ Road Realigned**

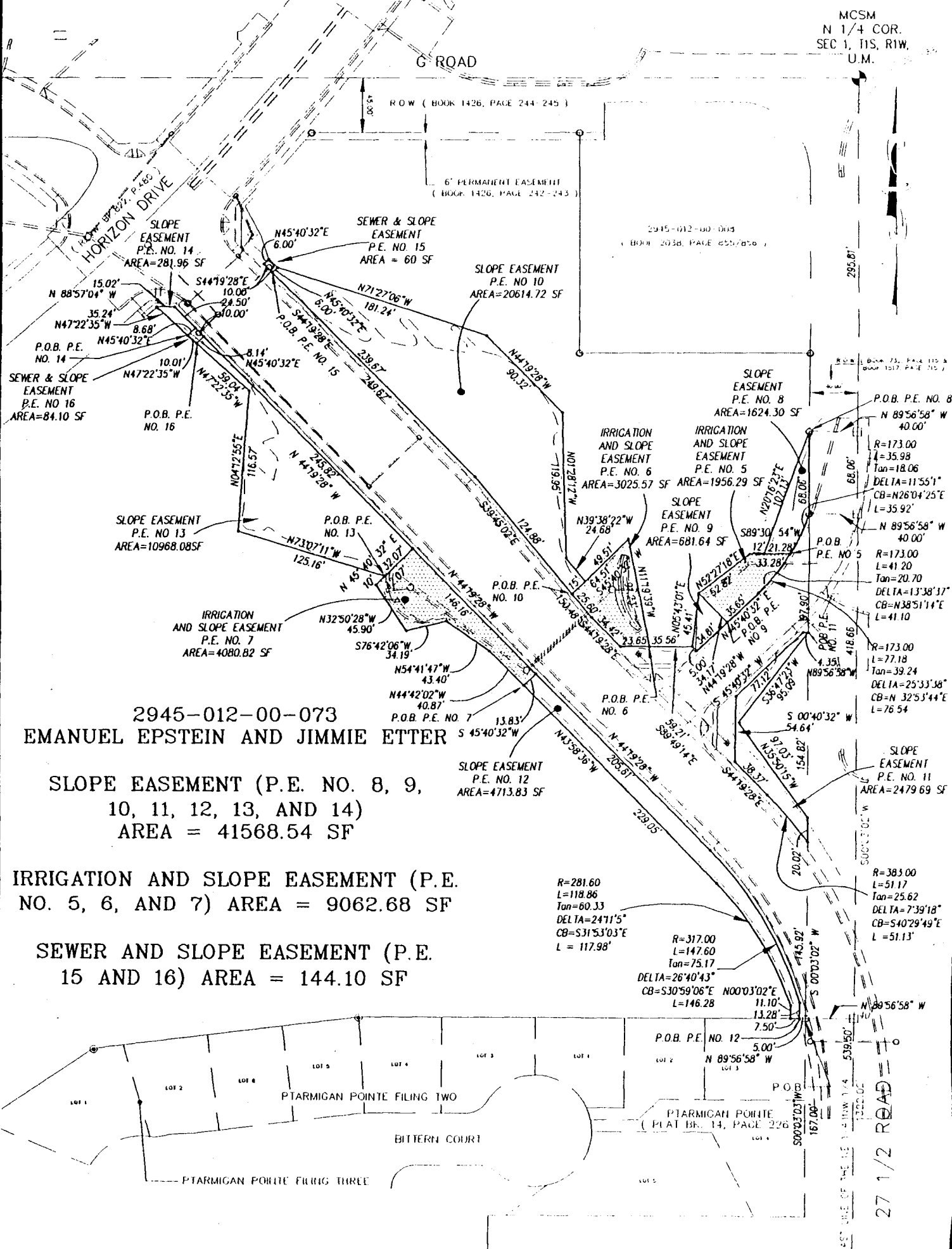
**Perpetual Slopes and Irrigation Easement Parcel P.E. No. 8  
Legal Description**

A Perpetual Easement for Slopes and Irrigation purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 295.81 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west boundary line of 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder, said point being the True Point of Beginning;

thence S 00°03'02" W along the west right-of-way line for 27 ½ Road as aforesaid a distance of 68.06 feet;  
thence leaving said right-of-way line, 35.98 feet along the arc of a curve concave to the Northwest, having a radius of 173.00 feet, a central angle of 11°55'01", and a long chord bearing S 26°04'25" W a distance of 35.92 feet;  
thence S 89°30'54" W a distance of 21.28 feet;  
thence N 20°16'23" E a distance of 107.13 feet to the Point of Beginning, containing 1,624.30 square feet as described.

# EXHIBIT "ETTER/EPSTEIN-CITY-A-5"



2945-012-00-073  
**EMANUEL EPSTEIN AND JIMMIE ETTER**

**SLOPE EASEMENT (P.E. NO. 8, 9,  
 10, 11, 12, 13, AND 14)  
 AREA = 41568.54 SF**

**IRRIGATION AND SLOPE EASEMENT (P.E.  
 NO. 5, 6, AND 7) AREA = 9062.68 SF**

**SEWER AND SLOPE EASEMENT (P.E.  
 15 AND 16) AREA = 144.10 SF**

R=281.60  
 L=118.86  
 Tan=60.33  
 DELTA=241'15"  
 CB=S31°53'03"E  
 L=117.98'  
  
 R=317.00  
 L=147.60  
 Tan=75.17  
 DELTA=26°40'43"  
 CB=S30°59'06"E  
 L=146.28  
  
 R=383.00  
 L=51.17  
 Tan=25.62  
 DELTA=7°39'18"  
 CB=S40°29'49"E  
 L=51.13'

DRAWN BY: JCS  
 DATE: 2-23-00  
 SCALE: 1" = 100'  
 APPR. BY: IW  
 FILE NO: EE4.DWG

RIGHT-OF-WAY DESCRIPTION MAP  
**27 1/2 ROAD**  
 10A

DEPARTMENT OF PUBLIC WORKS  
 ENGINEERING DIVISION  
 CITY OF GRAND JUNCTION

**Real Estate Requirements for 27 ½ Road Realigned**

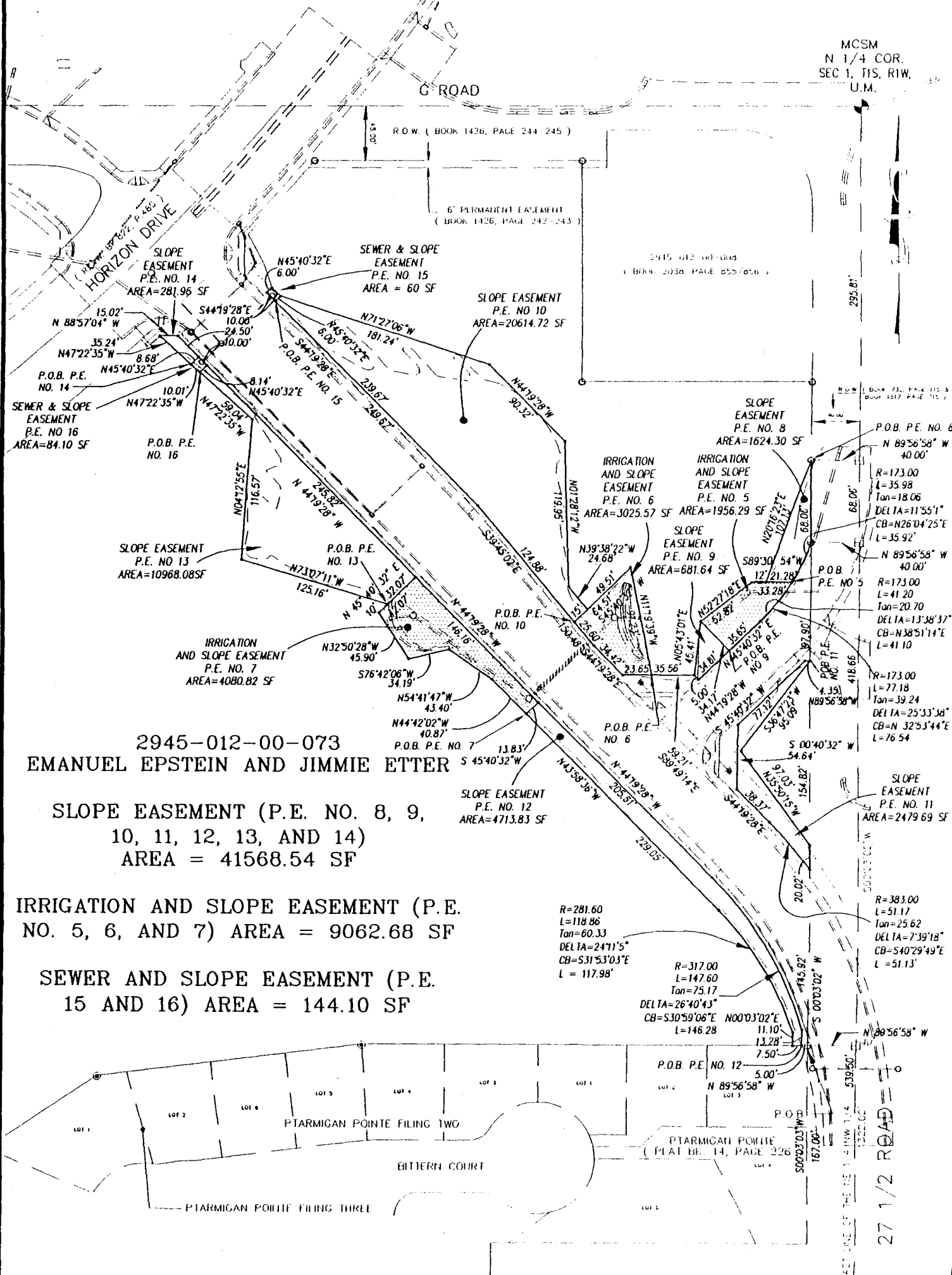
**Perpetual Slopes Easement Parcel P.E. No. 9  
Legal Description**

A Perpetual Easement for Slopes purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 363.86 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west boundary line of 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder; thence leaving the west right-of-way line for 27 ½ Road as aforesaid, 77.18 feet along the arc of a curve concave to the Northwest, having a radius of 173.00 feet, a central angle of 25°33'38", and a long chord bearing S 32°53'44" W a distance of 76.54 feet; thence S 45°40'32" W a distance of 35.65 feet to the True Point of Beginning;

thence S 45°40'32" W a distance of 34.81 feet;  
thence N 44°19'28" W a distance of 5.00 feet;  
thence N 05°43'01" E a distance of 45.41 feet;  
thence S 44°19'28" E a distance of 34.17 feet to the Point of Beginning,  
containing 681.64 square feet as described.

# EXHIBIT "ETTER/EPSTEIN-CITY-A-5"



MCSM  
 N 1/4 COR.  
 SEC 1, T1S, R1W,  
 U.M.

DRAWN BY: JCS  
 DATE: 2-23-00  
 SCALE: 1" = 100'  
 APPR. BY: JW  
 FILE NO: EE4.DWG

**RIGHT-OF-WAY DESCRIPTION MAP**  
**27 1/2 ROAD**

**DEPARTMENT OF PUBLIC WORKS**  
**ENGINEERING DIVISION**  
**CITY OF GRAND JUNCTION**



**Real Estate Requirements for 27 ½ Road Realigned**

**Perpetual Slopes Easement Parcel P.E. No. 10  
Legal Description**

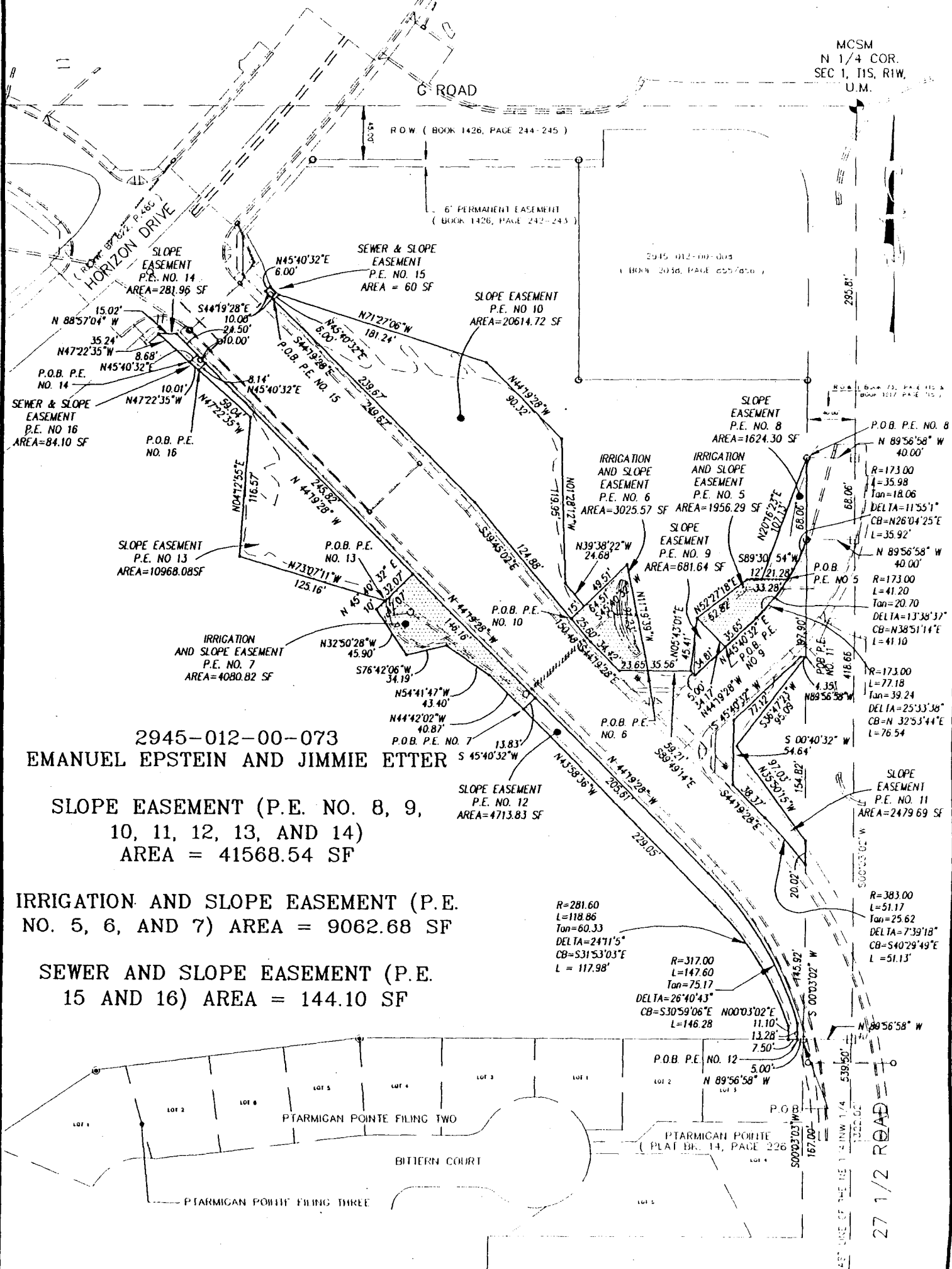
A Perpetual Easement for Slopes purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 363.86 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west boundary line of 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder; thence leaving the west right-of-way line for 27 ½ Road as aforesaid, 77.18 feet along the arc of a curve concave to the Northwest, having a radius of 173.00 feet, a central angle of 25°33'38", and a long chord bearing S 32°53'44" W a distance of 76.54 feet; thence S 45°40'32" W a distance of 70.46 feet; thence N 44°19'28" W a distance of 5.00 feet; thence N 89°49'14" W a distance of 59.21 feet; thence N 44°19'28" W a distance of 34.42 feet; thence N 39°45'02" W a distance of 25.60 feet to the True Point of Beginning;

thence N 39°45'02" W a distance of 124.88 feet;  
thence N 44°19'28" W a distance of 239.67 feet;  
thence N 45°40'32" E a distance of 6.00 feet;  
thence S 71°27'06" E a distance of 181.24 feet;  
thence S 44°19'28" E a distance of 90.32 feet;  
thence S 01°28'12" E a distance of 119.95 feet;  
thence S 39°38'22" E a distance of 24.68 feet;  
thence S 45°40'32" W a distance of 15.00 feet to the Point of Beginning,  
containing 20,614.72 square feet as described.

# EXHIBIT "ETTER/EPSTEIN-CITY-A-5"

MCSM  
N 1/4 COR.  
SEC 1, T1S, R1W,  
U.M.



2945-012-00-073  
EMANUEL EPSTEIN AND JIMMIE ETTER

SLOPE EASEMENT (P.E. NO. 8, 9,  
10, 11, 12, 13, AND 14)  
AREA = 41568.54 SF

IRRIGATION AND SLOPE EASEMENT (P.E.  
NO. 5, 6, AND 7) AREA = 9062.68 SF

SEWER AND SLOPE EASEMENT (P.E.  
15 AND 16) AREA = 144.10 SF

DRAWN BY: JCS  
DATE: 2-23-00  
SCALE: 1" = 100'  
APPR. BY: IW  
FILE NO: EF4.DWG

RIGHT-OF-WAY DESCRIPTION MAP

27 1/2 ROAD

12 A

DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION  
CITY OF GRAND JUNCTION

**Real Estate Requirements for 27 ½ Road Realigned**

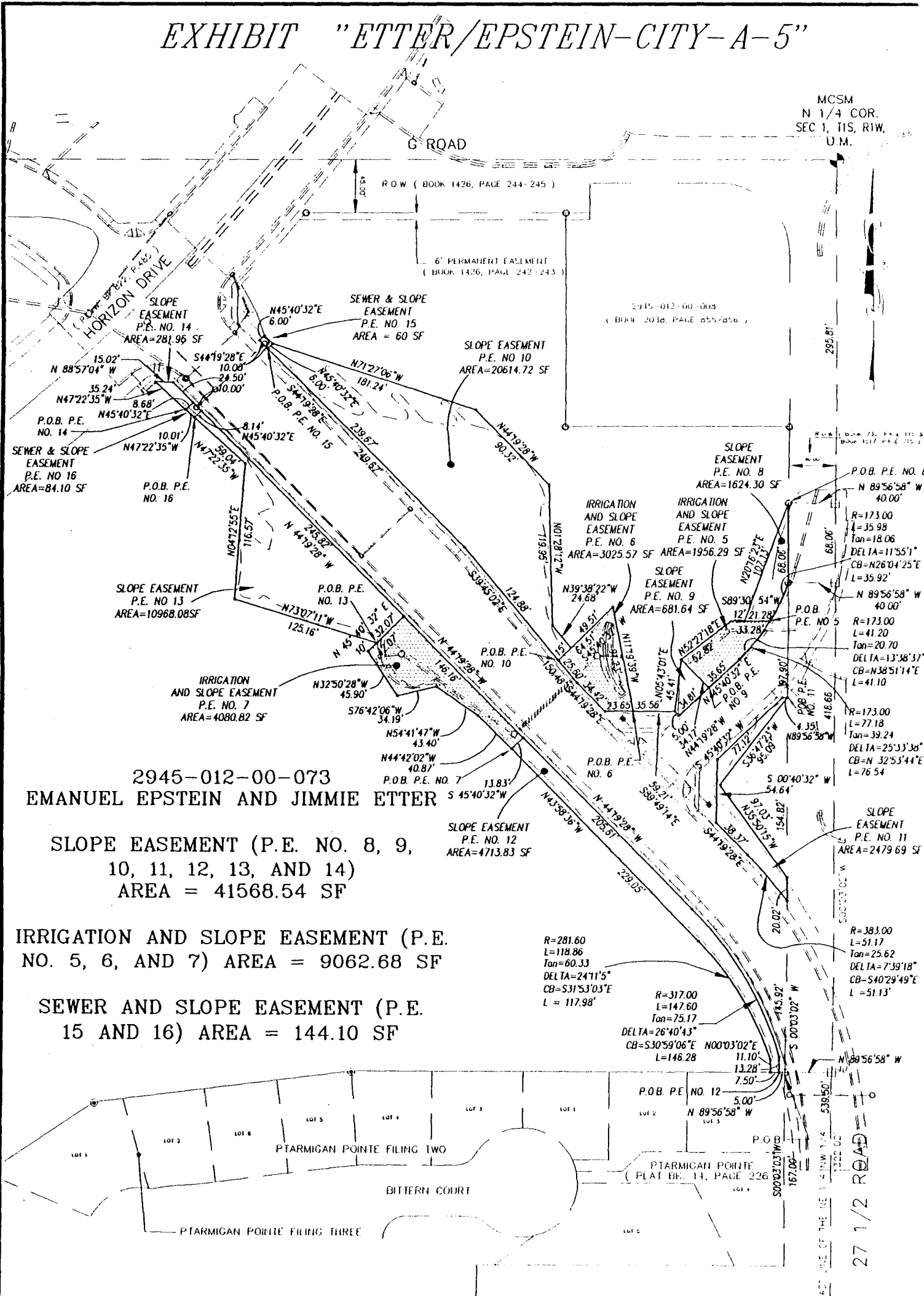
**Perpetual Slopes Easement Parcel P.E. No. 11  
Legal Description**

A Perpetual Easement for Slopes purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 461.77 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west boundary line of 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder, said point being the True Point of Beginning;

thence leaving the west right-of-way line for 27 ½ Road as aforesaid, S 36°47'23" W a distance of 95.09 feet;  
thence S 35°50'15" E a distance of 97.03 feet to a point on the west right-of-way line for 27 ½ Road as aforesaid;  
thence S 00°03'02" W along the west right-of-way line for 27 ½ Road a distance of 20.02 feet;  
thence leaving said right-of-way line, 51.17 feet along the arc of a non-tangent curve concave to the Southwest, having a radius of 383.00 feet, a central angle of 07°39'18", and a long chord bearing N 40°29'49" W a distance of 51.13 feet;  
thence N 44°19'28" W a distance of 38.37 feet;  
thence N 00°40'32" E a distance of 54.64 feet;  
thence N 45°40'32" E a distance of 77.12 feet;  
thence S 89°56'58" E a distance of 4.35 feet to the Point of Beginning,  
containing 2,479.69 square feet as described.

# EXHIBIT "ETTER/EPSTEIN-CITY-A-5"



MCSM  
N 1/4 COR.  
SEC 1, T1S, R1W,  
U.M.

2945-012-00-073  
EMANUEL EPSTEIN AND JIMMIE ETTER

SLOPE EASEMENT (P.E. NO. 8, 9,  
10, 11, 12, 13, AND 14)  
AREA = 41568.54 SF

IRRIGATION AND SLOPE EASEMENT (P.E.  
NO. 5, 6, AND 7) AREA = 9062.68 SF

SEWER AND SLOPE EASEMENT (P.E.  
15 AND 16) AREA = 144.10 SF

R=281.60  
L=118.86  
Tan=60.33  
DELTA=2411.5°  
CB=S31°53'03"E  
L=117.98'

R=317.00  
L=147.60  
Tan=75.17  
DELTA=26°40'43"  
CB=S30°59'06"E  
L=146.28

R=383.00  
L=51.17  
Tan=25.62  
DELTA=7°39'18"  
CB=S40°29'49"E  
L=51.13'

DRAWN BY: JCS  
DATE: 2-23-00  
SCALE: 1" = 100'  
APPR. BY: IW  
FILE NO: EE4.DWG

RIGHT-OF-WAY DESCRIPTION MAP  
27 1/2 ROAD  
13A

DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION  
CITY OF GRAND JUNCTION

**Real Estate Requirements for 27 ½ Road Realigned**

**Perpetual Slopes Easement Parcel P.E. No. 12  
Legal Description**

A Perpetual Easement for Slopes purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 782.52 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west right-of-way line for 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder, said point also being the Northeast Corner of Lot 3 of Ptarmigan Pointe as recorded in Plat Book 14 at Page 226 in the office of the Mesa County Clerk and Recorder; thence N 89°56'58" W along the north line of Lot 3 of Ptarmigan Pointe as aforesaid a distance of 5.00 feet to the True Point of Beginning;

thence N 89°56'58" W along the north line of Lot 3 of Ptarmigan Point as aforesaid a distance of 7.50 feet;

thence leaving the north line of said Lot 3, N 00°03'02" E a distance of 11.10 feet;

thence 118.86 feet along the arc of a curve concave to the Southwest, having a radius of 281.60 feet, a central angle of 24°11'05", and a long chord bearing N 31°53'03" W a distance of 117.98 feet;

thence N 43°58'36" W a distance of 229.05 feet;

thence N 45°40'32" E a distance of 13.83 feet;

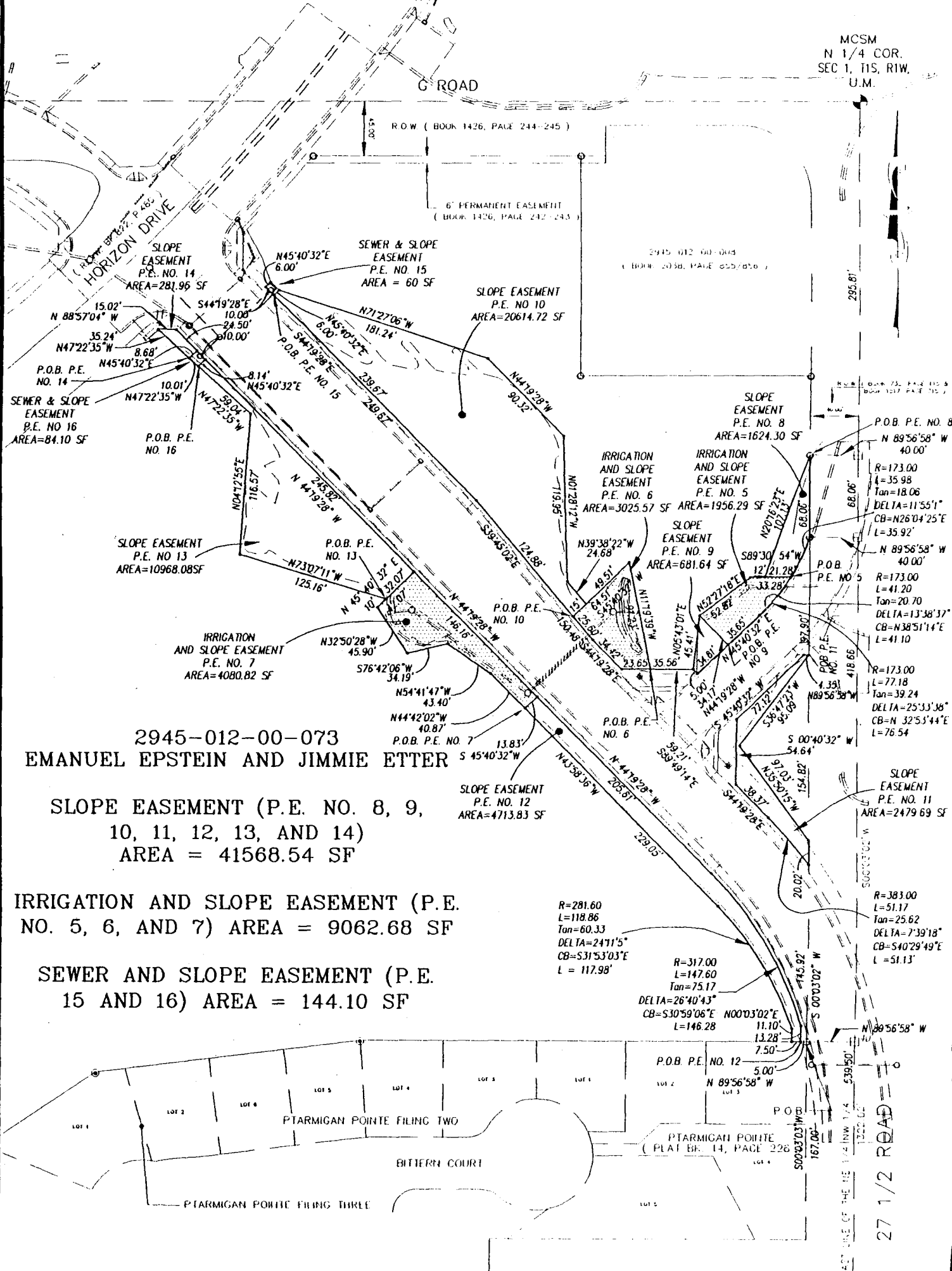
thence S 44°19'28" E a distance of 205.61 feet;

thence 147.60 feet along the arc of a curve concave to the Southwest, having a radius of 317.00 feet, a central angle of 26°40'43", and a long chord bearing S 30°59'06" E a distance of 146.28 feet;

thence S 00°03'02" W a distance of 13.28 feet to the Point of Beginning, containing 4,713.83 square feet as described.

# EXHIBIT "ETTER/EPSTEIN-CITY-A-5"

MCSM  
N 1/4 COR.  
SEC 1, T1S, R1W,  
U.M.



2945-012-00-073  
EMANUEL EPSTEIN AND JIMMIE ETTER

SLOPE EASEMENT (P.E. NO. 8, 9,  
10, 11, 12, 13, AND 14)  
AREA = 41568.54 SF

IRRIGATION AND SLOPE EASEMENT (P.E.  
NO. 5, 6, AND 7) AREA = 9062.68 SF

SEWER AND SLOPE EASEMENT (P.E.  
15 AND 16) AREA = 144.10 SF

R=281.60  
L=118.86  
Tan=60.33  
DELTA=24°11'5"  
CB=S31°53'03"E  
L=117.98'

R=317.00  
L=147.60  
Tan=75.17  
DELTA=26°40'43"  
CB=S30°59'08"E N00°03'02"E  
L=146.28

R=383.00  
L=51.17  
Tan=25.62  
DELTA=7°39'18"  
CB=S40°29'49"E  
L=51.13'

DRAWN BY: JCS  
DATE: 2-23-00  
SCALE: 1" = 100'  
APPR. BY: IW  
FILE NO: EE4.DWG

RIGHT-OF-WAY DESCRIPTION MAP  
27 1/2 ROAD  
14A

DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION  
CITY OF GRAND JUNCTION

**Real Estate Requirements for 27 ½ Road Realigned**

**Perpetual Slopes Easement Parcel P.E. No. 13  
Legal Description**

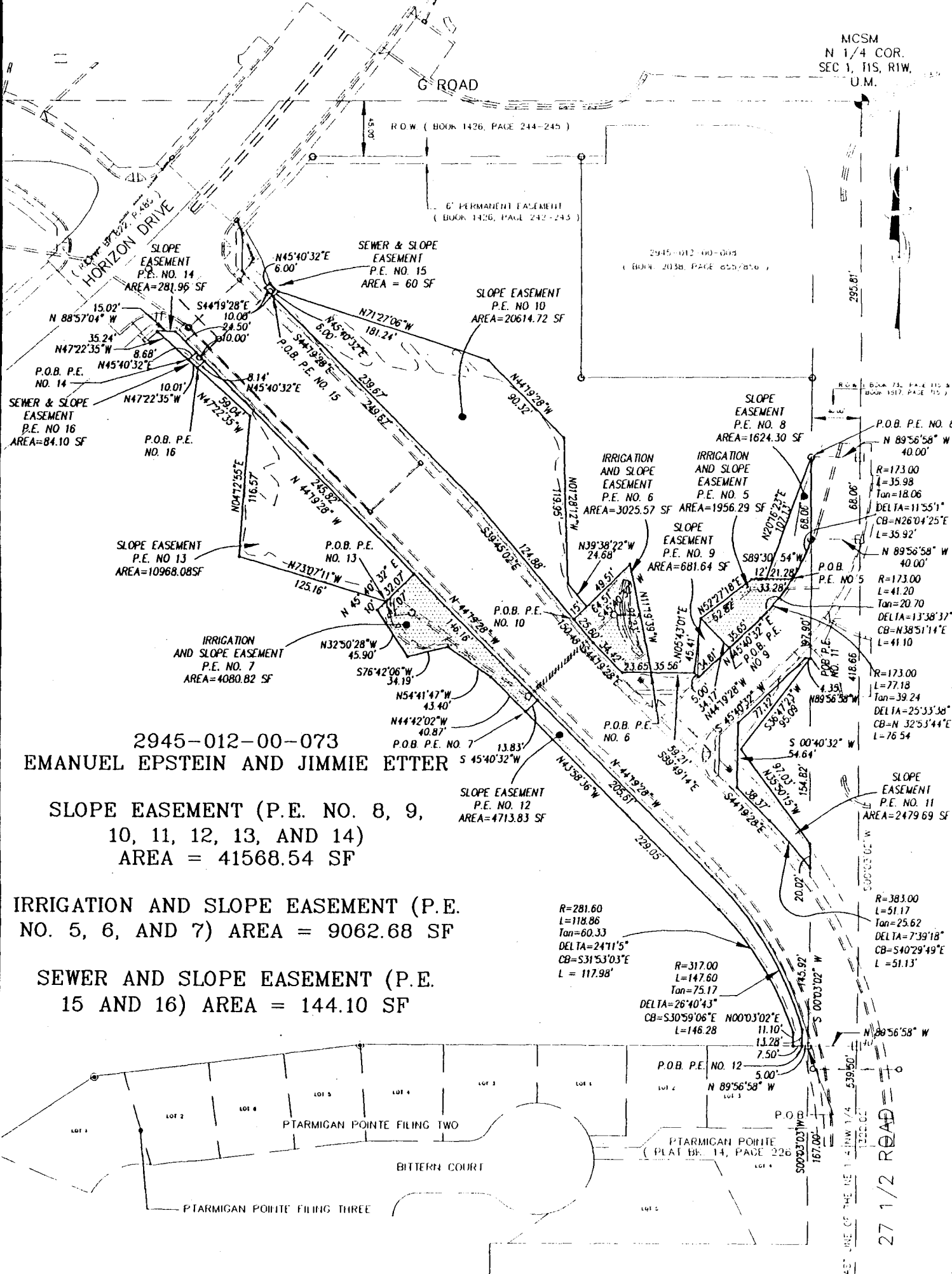
A Perpetual Easement for Slopes purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 782.52 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west right-of-way line for 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder, said point also being the Northeast Corner of Lot 3 of Ptarmigan Pointe as recorded in Plat Book 14 at Page 226 in the office of the Mesa County Clerk and Recorder; thence N 89°56'58" W along the north line of Lot 3 of Ptarmigan Pointe as aforesaid a distance of 12.50 feet; thence leaving the north line of said Lot 3, N 00°03'02" E a distance of 11.10 feet; thence 118.86 feet along the arc of a curve concave to the Southwest, having a radius of 281.60 feet, a central angle of 24°11'05", and a long chord bearing N 31°53'03" W a distance of 117.98 feet; thence N 43°58'36" W a distance of 229.05 feet; thence N 44°42'02" W a distance of 40.87 feet; thence N 54°41'47" W a distance of 43.40 feet; thence S 76°42'06" W a distance of 34.19 feet; thence N 32°50'28" W a distance of 45.90 feet; thence N 45°40'32" E a distance of 10.00 feet to the True Point of Beginning;

thence N 73°07'11" W a distance of 125.16 feet;  
thence N 04°12'55" E a distance of 116.57 feet;  
thence N 47°22'35" W a distance of 59.04 feet;  
thence N 45°40'32" E a distance of 8.14 feet;  
thence S 44°19'28" E a distance of 245.82 feet;  
thence S 45°40'32" W a distance of 32.07 feet to the Point of Beginning,  
containing 10,968.08 square feet as described.

# EXHIBIT "ETTER/EPSTEIN-CITY-A-5"

MCSM  
N 1/4 COR.  
SEC 1, T1S, R1W,  
U.M.



2945-012-00-073  
EMANUEL EPSTEIN AND JIMMIE ETTER

SLOPE EASEMENT (P.E. NO. 8, 9,  
10, 11, 12, 13, AND 14)  
AREA = 41568.54 SF

IRRIGATION AND SLOPE EASEMENT (P.E.  
NO. 5, 6, AND 7) AREA = 9062.68 SF

SEWER AND SLOPE EASEMENT (P.E.  
15 AND 16) AREA = 144.10 SF

DRAWN BY: JCS  
DATE: 2-23-00  
SCALE: 1" = 100'  
APPR. BY: TW  
FILE NO: EE4.DWG

RIGHT-OF-WAY DESCRIPTION MAP  
27 1/2 ROAD  
15A

DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION  
CITY OF GRAND JUNCTION



**Real Estate Requirements for 27 ½ Road Realigned**

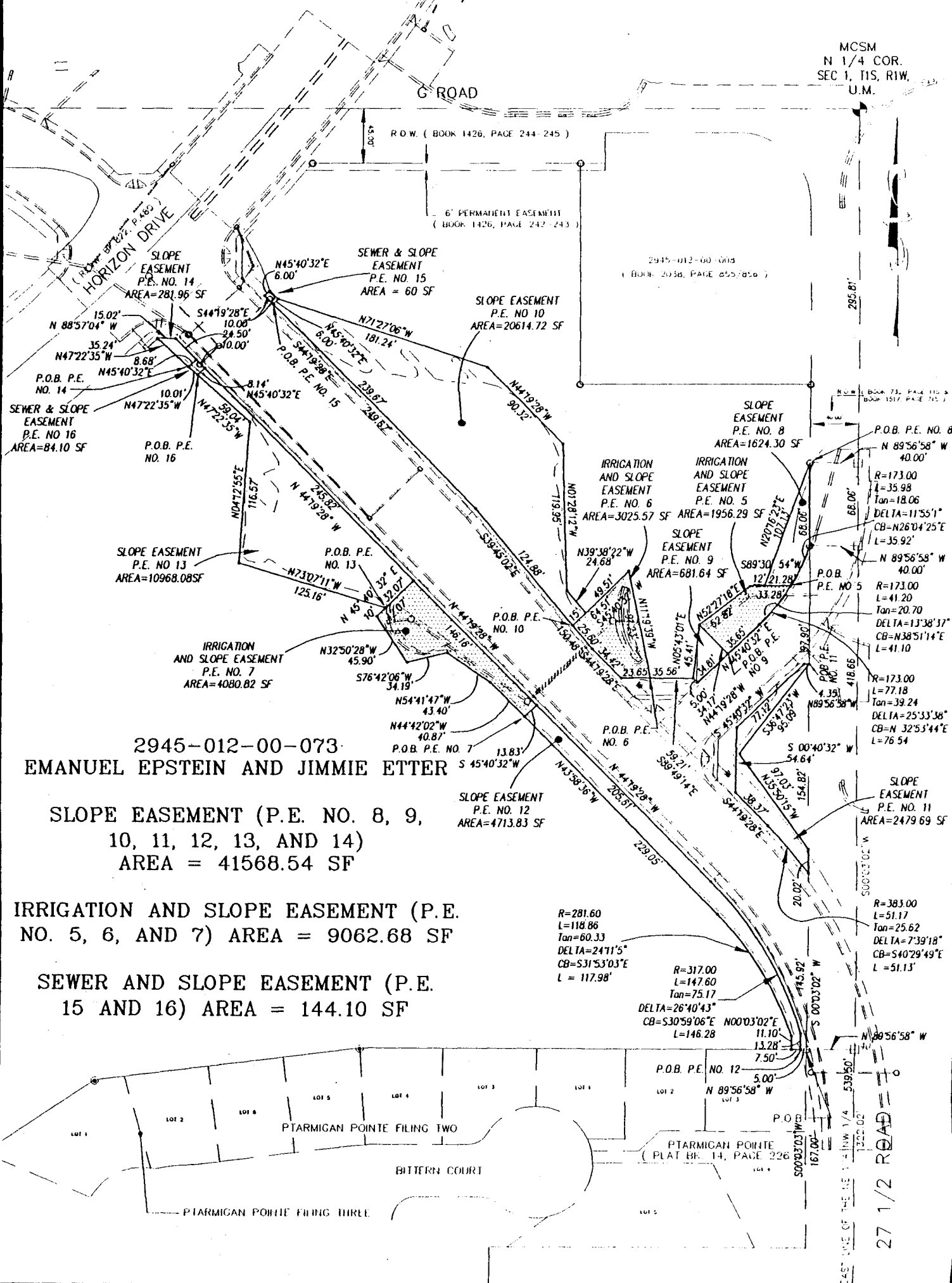
**Perpetual Slopes Easement Parcel P.E. No. 14  
Legal Description**

A Perpetual Easement for Slopes purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 782.52 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west right-of-way line for 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder, said point also being the Northeast Corner of Lot 3 of Ptarmigan Pointe as recorded in Plat Book 14 at Page 226 in the office of the Mesa County Clerk and Recorder; thence N 89°56'58" W along the north line of Lot 3 of Ptarmigan Pointe as aforesaid a distance of 12.50 feet; thence leaving the north line of said Lot 3, N 00°03'02" E a distance of 11.10 feet; thence 118.86 feet along the arc of a curve concave to the Southwest, having a radius of 281.60 feet, a central angle of 24°11'05", and a long chord bearing N 31°53'03" W a distance of 117.98 feet; thence N 43°58'36" W a distance of 229.05 feet; thence N 44°42'02" W a distance of 40.87 feet; thence N 54°41'47" W a distance of 43.40 feet; thence S 76°42'06" W a distance of 34.19 feet; thence N 32°50'28" W a distance of 45.90 feet; thence N 45°40'32" E a distance of 10.00 feet; thence N 73°07'11" W a distance of 125.16 feet; thence N 04°12'55" E a distance of 116.57 feet; thence N 47°22'35" W a distance of 69.05 feet to the True Point of Beginning;

thence N 47°22'35" W a distance of 35.24 feet;  
thence S 88°57'04" E a distance of 15.02 feet;  
thence S 44°19'28" E a distance of 24.50 feet;  
thence S 45°40'32" W a distance of 8.68 feet to the Point of Beginning,  
containing 281.96 square feet as described.

# EXHIBIT "ETTER/EPSTEIN-CITY-A-5"



MCSM  
N 1/4 COR.  
SEC 1, T1S, R1W,  
U.M.

2945-012-00-073  
EMANUEL EPSTEIN AND JIMMIE ETTER

SLOPE EASEMENT (P.E. NO. 8, 9,  
10, 11, 12, 13, AND 14)  
AREA = 41568.54 SF

IRRIGATION AND SLOPE EASEMENT (P.E.  
NO. 5, 6, AND 7) AREA = 9062.68 SF

SEWER AND SLOPE EASEMENT (P.E.  
15 AND 16) AREA = 144.10 SF

DRAWN BY: JCS  
DATE: 2-23-00  
SCALE: 1" = 100'  
APPR. BY: IW  
FILE NO: EE4.DWG

RIGHT-OF-WAY DESCRIPTION MAP  
27 1/2 ROAD  
16A

DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION  
CITY OF GRAND JUNCTION

**Real Estate Requirements for 27 ½ Road Realigned**

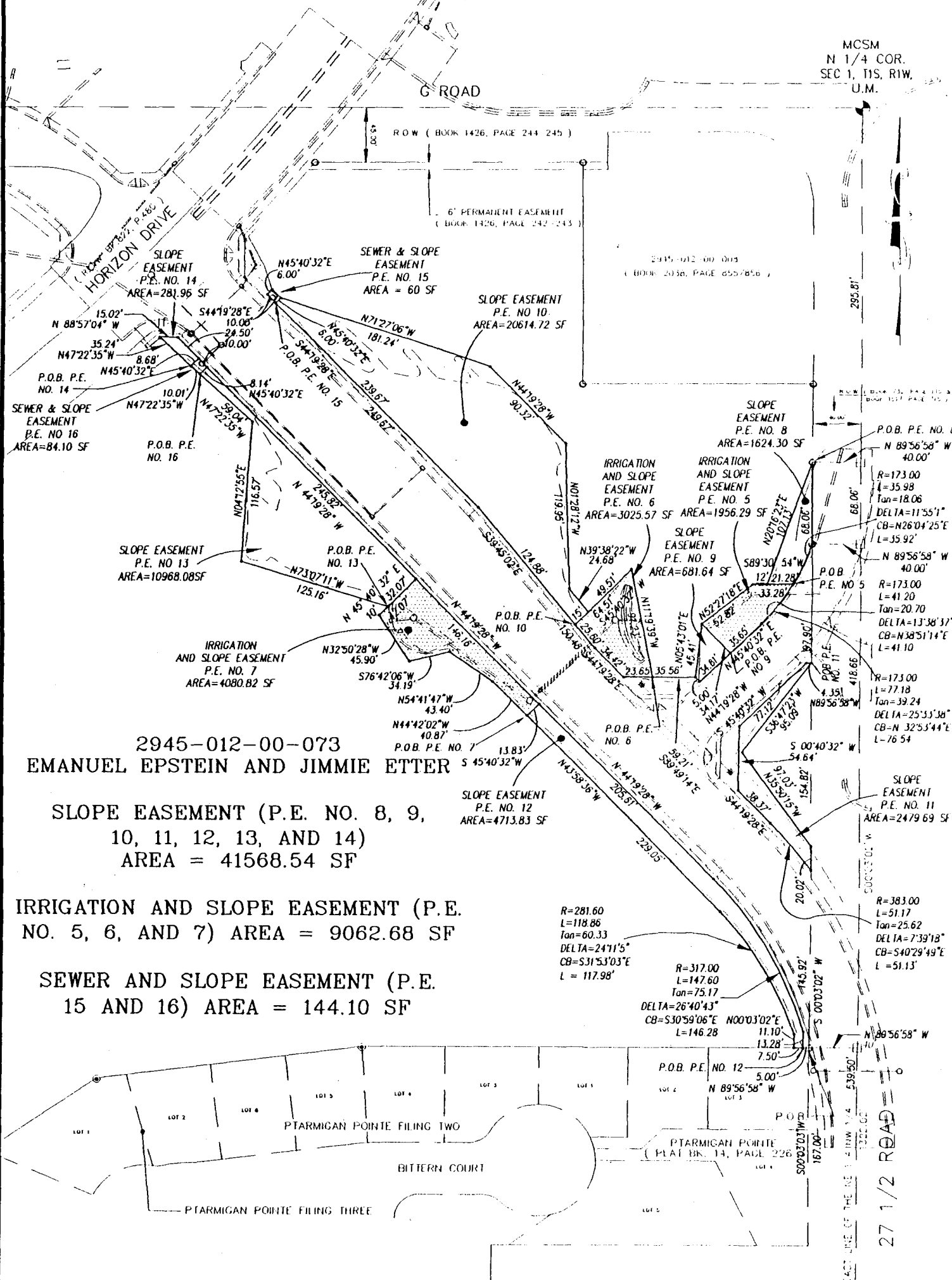
**Perpetual Slopes and Sanitary Sewer Easement Parcel P.E. No. 15  
Legal Description**

A Perpetual Easement for Slopes and Sanitary Sewer purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 363.86 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west boundary line of 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder; thence leaving the west right-of-way line for 27 ½ Road as aforesaid, 77.18 feet along the arc of a curve concave to the Northwest, having a radius of 173.00 feet, a central angle of 25°33'38", and a long chord bearing S 32°53'44" W a distance of 76.54 feet; thence S 45°40'32" W a distance of 70.46 feet; thence N 44°19'28" W a distance of 5.00 feet; thence N 89°49'14" W a distance of 59.21 feet; thence N 44°19'28" W a distance of 34.42 feet; thence N 39°45'02" W a distance of 150.48 feet; thence N 44°19'28" W a distance of 239.67 feet to the True Point of Beginning;

thence N 44°19'28" W a distance of 10.00 feet;  
thence N 45°40'32" E a distance of 6.00 feet;  
thence S 44°19'28" E a distance of 10.00 feet;  
thence S 45°40'32" W a distance of 6.00 feet to the Point of Beginning,  
containing 60.0 square feet as described.

# EXHIBIT "ETTER/EPSTEIN-CITY-A-5"



MCSM  
N 1/4 COR.  
SEC 1, T1S, R1W,  
U.M.

2945-012-00-073  
EMANUEL EPSTEIN AND JIMMIE ETTER

SLOPE EASEMENT (P.E. NO. 8, 9,  
10, 11, 12, 13, AND 14)  
AREA = 41568.54 SF

IRRIGATION AND SLOPE EASEMENT (P.E.  
NO. 5, 6, AND 7) AREA = 9062.68 SF

SEWER AND SLOPE EASEMENT (P.E.  
15 AND 16) AREA = 144.10 SF

DRAWN BY: JCS  
DATE: 2-23-00  
SCALE: 1" = 100'  
APPR. BY: IW  
FILE NO: EE4.DWG

RIGHT-OF-WAY DESCRIPTION MAP  
27 1/2 ROAD  
17A

DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION  
CITY OF GRAND JUNCTION

**Real Estate Requirements for 27 ½ Road Realigned**

**Perpetual Slopes and Sanitary Sewer Easement Parcel P.E. No. 16  
Legal Description**

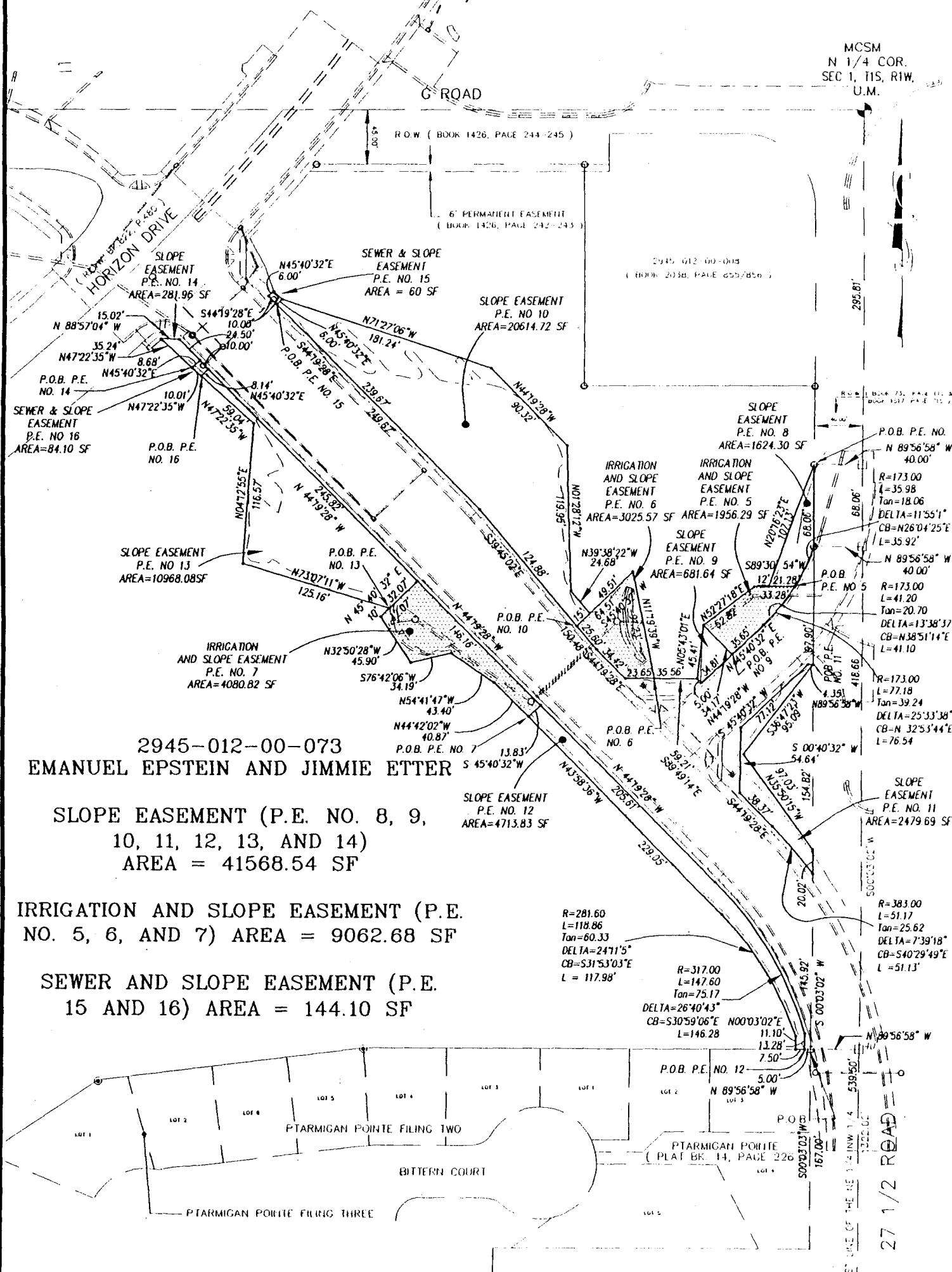
A Perpetual Easement for Slopes and Sanitary Sewer purposes situate in the Northeast ¼ of the Northwest ¼ (NE ¼ NW ¼) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows

: Commencing at the North ¼ Corner of said Section 1, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 782.52 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west right-of-way line for 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder, said point also being the Northeast Corner of Lot 3 of Ptarmigan Pointe as recorded in Plat Book 14 at Page 226 in the office of the Mesa County Clerk and Recorder; thence N 89°56'58" W along the north line of Lot 3 of Ptarmigan Pointe as aforesaid a distance of 12.50 feet; thence leaving the north line of said Lot 3, N 00°03'02" E a distance of 11.10 feet; thence 118.86 feet along the arc of a curve concave to the Southwest, having a radius of 281.60 feet, a central angle of 24°11'05", and a long chord bearing N 31°53'03" W a distance of 117.98 feet; thence N 43°58'36" W a distance of 229.05 feet; thence N 44°42'02" W a distance of 40.87 feet; thence N 54°41'47" W a distance of 43.40 feet; thence S 76°42'06" W a distance of 34.19 feet; thence N 32°50'28" W a distance of 45.90 feet; thence N 45°40'32" E a distance of 10.00 feet; thence N 73°07'11" W a distance of 125.16 feet; thence N 04°12'55" E a distance of 116.57 feet; thence N 47°22'35" W a distance of 59.04 feet to the True Point of Beginning;

thence N 47°22'35" W a distance of 10.01 feet;  
thence N 45°40'32" E a distance of 8.68 feet;  
thence S 44°19'28" E a distance of 10.00 feet;  
thence S 45°40'32" W a distance of 8.14 feet to the Point of Beginning,  
containing 84.10 square feet as described.

# EXHIBIT "ETTER/EPSTEIN-CITY-A-5"

MCSM  
N 1/4 COR.  
SEC 1, T1S, R1W,  
U.M.



2945-012-00-073  
EMANUEL EPSTEIN AND JIMMIE ETTER

SLOPE EASEMENT (P.E. NO. 8, 9,  
10, 11, 12, 13, AND 14)  
AREA = 41568.54 SF

IRRIGATION AND SLOPE EASEMENT (P.E.  
NO. 5, 6, AND 7) AREA = 9062.68 SF

SEWER AND SLOPE EASEMENT (P.E.  
15 AND 16) AREA = 144.10 SF

R=281.60  
L=118.86  
Tan=60.33  
DELTA=2471'5"  
CB=S31'53'03"E  
L=117.98'

R=317.00  
L=147.60  
Tan=75.17  
DELTA=26'40'43"  
CB=S30'59'06"E  
L=146.28

R=383.00  
L=51.17  
Tan=25.62  
DELTA=7'39'18"  
CB=S40'29'49"E  
L=51.13'

DRAWN BY: JCS  
DATE: 2-23-00  
SCALE: 1" = 100'  
APPR. BY: IW  
FILE NO: EE4.DWG

RIGHT-OF-WAY DESCRIPTION MAP  
27 1/2 ROAD  
18A

DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION  
CITY OF GRAND JUNCTION

**Real Estate Requirements for 27 ½ Road Realigned**

**Remnant Parcel  
Legal Description**

Commencing at the North ¼ Corner of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 461.76 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west right-of-way line for 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder, said point being the True Point of Beginning;

thence S 00°03'02" W along the west right-of-way line for 27 ½ Road as aforesaid a distance of 179.90 feet;

thence leaving said right-of-way line, 54.82 feet along the arc of a non-tangent curve concave to the Southwest, having a radius of 380.00 feet, a central angle of 08°15'56", and a long chord bearing N 40°11'30" W a distance of 54.77 feet;

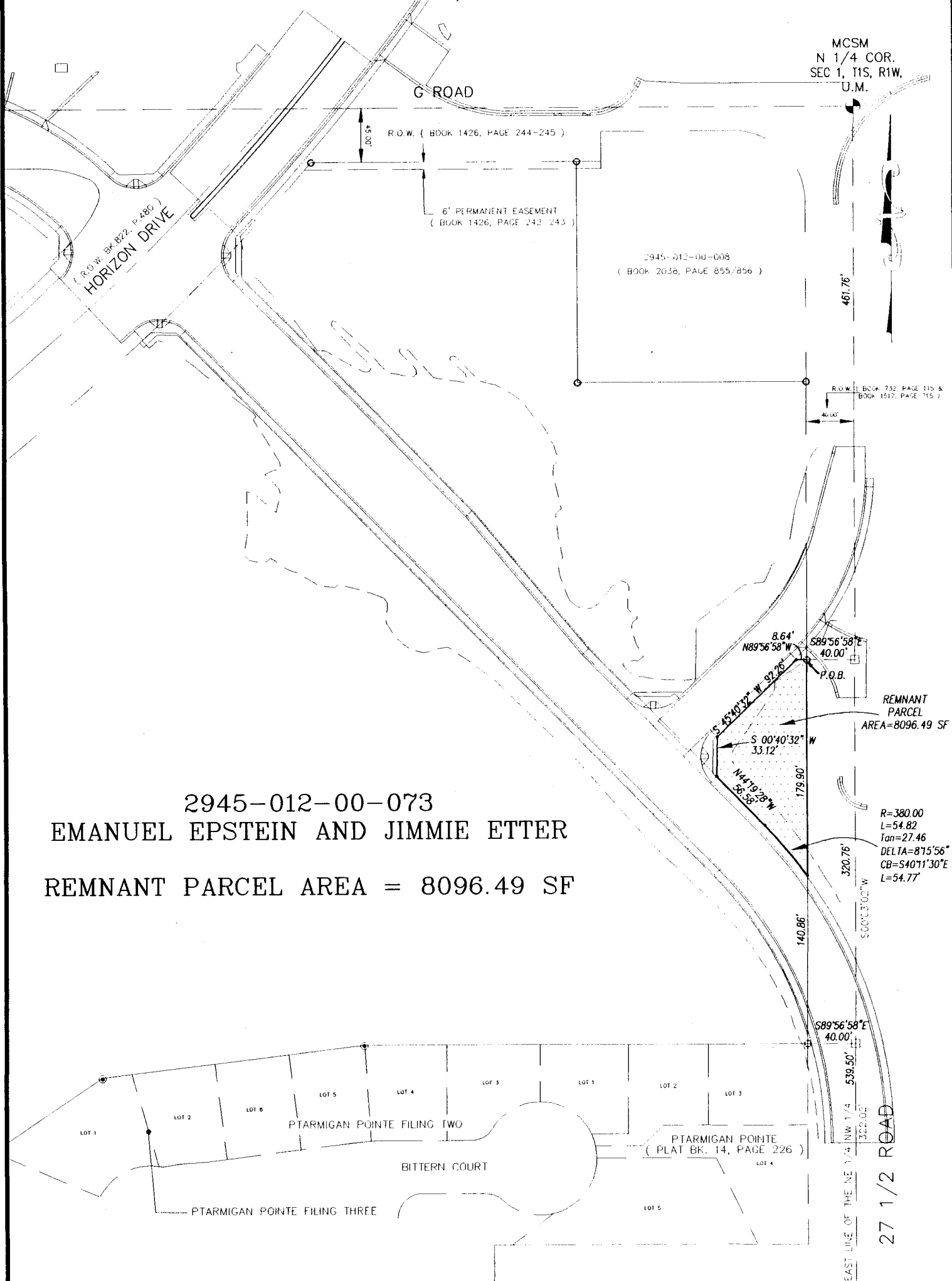
thence N 44°19'28" W a distance of 56.58 feet;

thence N 00°40'32" E a distance of 33.12 feet;

thence N 45°40'32" E a distance of 92.26 feet;

thence S 89°56'58" E a distance of 8.64 feet to the Point of Beginning, containing 8,096.49 square feet as described.

# EXHIBIT "ETTER/EPSTEIN-CITY-A-6"



2945-012-00-073  
 EMANUEL EPSTEIN AND JIMMIE ETTER  
 REMNANT PARCEL AREA = 8096.49 SF

DRAWN BY: JCS  
 DATE: 2-23-00  
 SCALE: 1" = 100'  
 APPR. BY: IW  
 FILE NO: EEA6.DWG

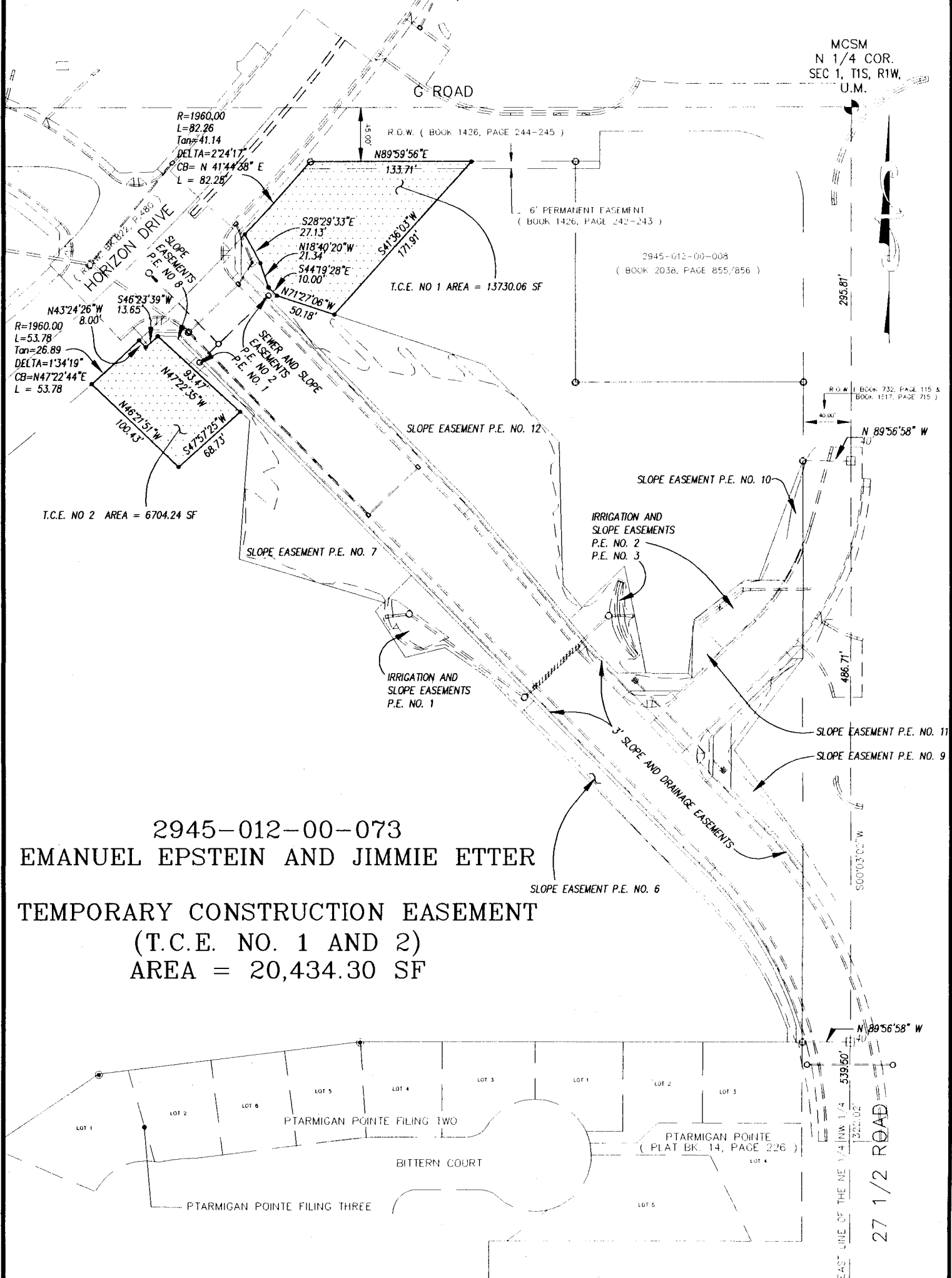
RIGHT-OF-WAY DESCRIPTION MAP  
 27 1/2 ROAD  
 19A

DEPARTMENT OF PUBLIC WORKS  
 ENGINEERING DIVISION  
 CITY OF GRAND JUNCTION



# EXHIBIT "ETTER/EPSTEIN-CITY-B"

MCSM  
N 1/4 COR.  
SEC 1, T1S, R1W,  
U.M.



2945-012-00-073  
EMANUEL EPSTEIN AND JIMMIE ETTER  
TEMPORARY CONSTRUCTION EASEMENT  
(T.C.E. NO. 1 AND 2)  
AREA = 20,434.30 SF

DRAWN BY: JCS  
DATE: 2-23-00  
SCALE: 1" = 100'  
APPR. BY: JW  
FILE NO: EEB.DWG

RIGHT-OF-WAY DESCRIPTION MAP  
27 1/2 ROAD

DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION  
CITY OF GRAND JUNCTION

**Bounds of Slope Easements  
Adjacent to Horizon Drive**

Slope Easement Parcel No. 1:

Commencing at the Southeast Corner of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  (NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the east line of the NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  of said Section 1 to bear N 00°02'52" E with all bearings contained herein being relative thereto; thence N 00°02'52" E along the east line of the NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  of said Section 1 a distance of 409.46 feet to the True Point of Beginning;

thence leaving the east line of the NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  of said Section 1, N 50°03'13" W a distance of 101.08 feet;  
thence S 49°48'23" W a distance of 52.29 feet;  
thence S 51°42'40" W a distance of 74.89 feet;  
thence S 53°27'00" W a distance of 71.60 feet;  
thence S 63°05'33" W a distance of 87.13 feet;  
thence S 04°01'03" E a distance of 27.99 feet;  
thence S 56°51'54" W a distance of 9.23 feet;  
thence S 88°41'04" W a distance of 25.24 feet;  
thence S 57°13'45" W a distance of 35.87 feet;  
thence S 43°42'58" W a distance of 62.95 feet;  
thence S 47°15'23" W a distance of 71.16 feet;  
thence S 53°19'06" W a distance of 60.93 feet;  
thence S 56°18'01" W a distance of 58.37 feet;  
thence S 42°32'32" W a distance of 54.62 feet;  
thence S 01°51'40" W a distance of 29.87 feet to a point on the north right-of-way line for Cliff Drive as described by instrument recorded in Book 663 at Page 75 in the office of the Mesa County Clerk and Recorder;  
thence N 89°51'30" W along the north right-of-way line for Cliff Drive a distance of 90.23 feet to a point on the southerly right-of-way line for Horizon Drive as described by instrument recorded in Book 822 at Page 245 in the office of the Mesa County Clerk and Recorder;  
thence N 52°42'52" E along the southerly right-of-way line for Horizon Drive a distance of 254.50 feet;  
thence leaving said right-of-way line, S 37°17'08" E a distance of 5.00 feet;  
thence N 52°42'52" E a distance of 5.00 feet;  
thence N 37°17'08" W a distance of 5.00 feet to a point on the southerly right-of-way line for Horizon Drive as aforesaid;  
thence N 52°42'52" E along the said southerly right-of-way line for Horizon Drive a distance of 368.00 feet;  
thence leaving said right-of-way line, S 37°17'08" E a distance of 5.00 feet;  
thence N 52°42'52" E a distance of 5.00 feet;  
thence N 37°17'08" W a distance of 5.00 feet to a point on the southerly right-of-way line for Horizon Drive as aforesaid;  
thence N 52°42'52" E along the said southerly right-of-way line for Horizon Drive a distance of 225.00 feet;  
thence leaving said right-of-way line, S 37°17'08" E a distance of 5.00 feet;  
thence N 52°42'52" E a distance of 5.00 feet;  
thence N 37°17'08" W a distance of 5.00 feet to a point on the southerly right-of-way line for Horizon Drive as aforesaid;  
thence N 52°42'52" E along the said southerly right-of-way line for Horizon Drive a distance of 9.84 feet to a point on the east line of the NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  of said Section 1;  
thence S 00°02'52" W along the east line of the NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  of said Section 1 a distance of 145.70 feet to the Point of Beginning,  
containing 22,563.74 square feet as described; and also

Slope Easement Parcel No. 2:

Commencing at the Southwest Corner of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  (NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ) of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the west line of the NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  of said Section 1 to bear N 00°02'52" E with all bearings contained herein being relative thereto; thence N 00°02'52" E along the west line of the NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  of said Section 1 a distance of 409.46 feet to the True Point of Beginning;

thence N 00°02'52" E along the west line of the NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  of said Section 1 a distance of 145.70 feet to a point on the southerly right-of-way line for Horizon Drive as described by instrument recorded in Book 822 at Page 480 in the office of the Mesa County Clerk and Recorder;  
thence N 52°42'52" E along the southerly right-of-way line for Horizon Drive a distance of 267.50 feet;

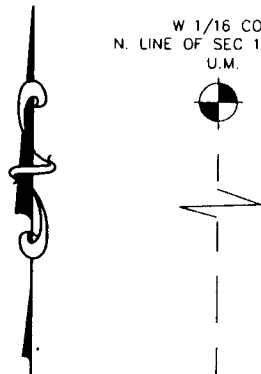
*continued on next page*

*horslopes.doc  
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4:57 PM*

thence leaving said right-of-way line, S 37°17'08" E a distance of 5.00 feet;  
thence N 52°42'52" E a distance of 5.00 feet;  
thence N 37°17'08" W a distance of 5.00 feet to a point on the southerly right-of-way line for Horizon Drive as aforesaid;  
thence N 52°42'52" E along the said southerly right-of-way line for Horizon Drive a distance of 361.00 feet;  
thence leaving said right-of-way line, S 37°17'08" E a distance of 5.00 feet;  
thence N 52°42'52" E a distance of 5.00 feet;  
thence N 37°17'08" W a distance of 5.00 feet to a point on the southerly right-of-way line for Horizon Drive as aforesaid;  
thence N 52°42'52" E along the said southerly right-of-way line for Horizon Drive a distance of 76.74 feet;  
thence leaving the southerly right-of-way line for Horizon Drive, S 76°27'22" E a distance of 11.11 feet;  
thence S 50°01'05" W a distance of 204.57 feet;  
thence S 36°30'09" W a distance of 28.46 feet;  
thence S 11°41'54" E a distance of 77.66 feet;  
thence S 33°59'50" W a distance of 48.50 feet;  
thence S 51°05'39" W a distance of 29.23 feet;  
thence S 61°04'04" W a distance of 46.98 feet;  
thence S 43°01'11" W a distance of 88.47 feet;  
thence S 53°32'16" W a distance of 336.60 feet to the Point of Beginning,  
containing 62,964.97 square feet as described.

# EXHIBIT "B-1"

W 1/16 COR.  
N. LINE OF SEC 1, T1S, R1W  
U.M.



PERMANENT SLOPE EASEMENT

CENTERLINE HORIZON DRIVE (BOOK 822, PAGE 245)  
**HORIZON DRIVE**

2945-012-00-075 & 076  
EMANUEL EPSTEIN & JIMMIE L. ETTER  
PERMANENT SLOPE EASEMENT AREA = 22638.74 SQ.FT

CLIFF DRIVE

N 1/16 COR.  
W. LINE OF SEC 1, T1S, R1W  
U.M.

O' NAN (SUBDIVISION)

EAST CLIFF DRIVE

NW 1/16 COR.  
SEC 1, T1S, R1W,  
U.M.

PTARMIGAN RIDGE FILING FOUR

PTARMIGAN RIDGE FILING SIX

DRAWN BY: SRP  
DATE: 1-31-2000  
SCALE: 1" = 100'  
APPR. BY: IW  
FILE NO: ETTER.DWG

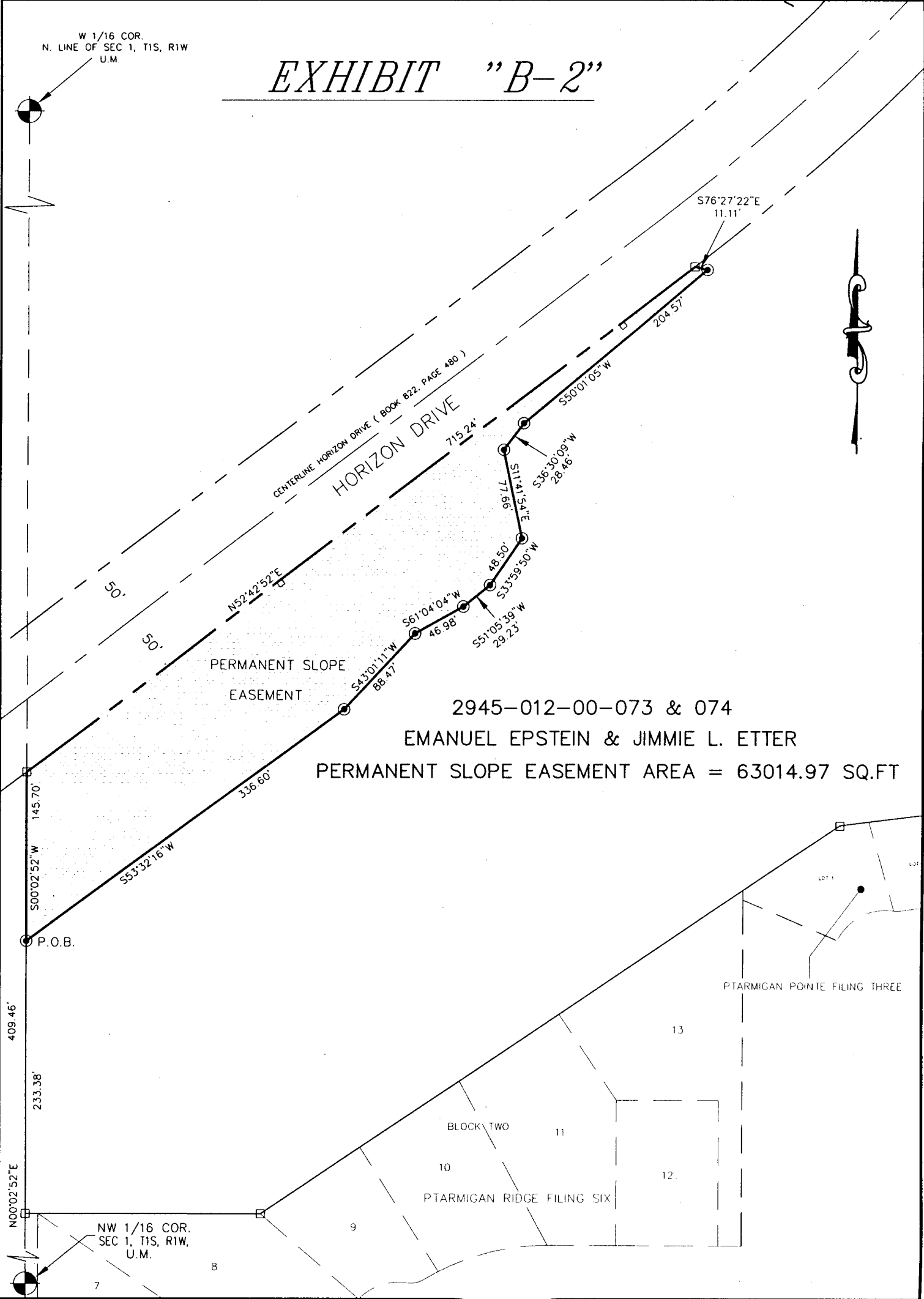
EASEMENT DESCRIPTION MAP

HORIZON DRIVE

DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION  
CITY OF GRAND JUNCTION

EXHIBIT "B-2"

W 1/16 COR.  
N. LINE OF SEC 1, T1S, R1W  
U.M.



PERMANENT SLOPE  
EASEMENT

2945-012-00-073 & 074  
EMANUEL EPSTEIN & JIMMIE L. ETTER  
PERMANENT SLOPE EASEMENT AREA = 63014.97 SQ.FT

NW 1/16 COR.  
SEC 1, T1S, R1W,  
U.M.

DRAWN BY: SRP  
DATE: 1-31-2000  
SCALE: 1" = 100'  
APPR. BY: TW  
FILE NO: ETTER2.DWG

EASEMENT DESCRIPTION MAP

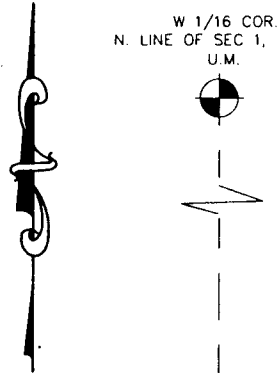
HORIZON DRIVE

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DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION  
CITY OF GRAND JUNCTION

# EXHIBIT "A-1"

W 1/16 COR.  
N. LINE OF SEC 1, T1S, R1W  
U.M.

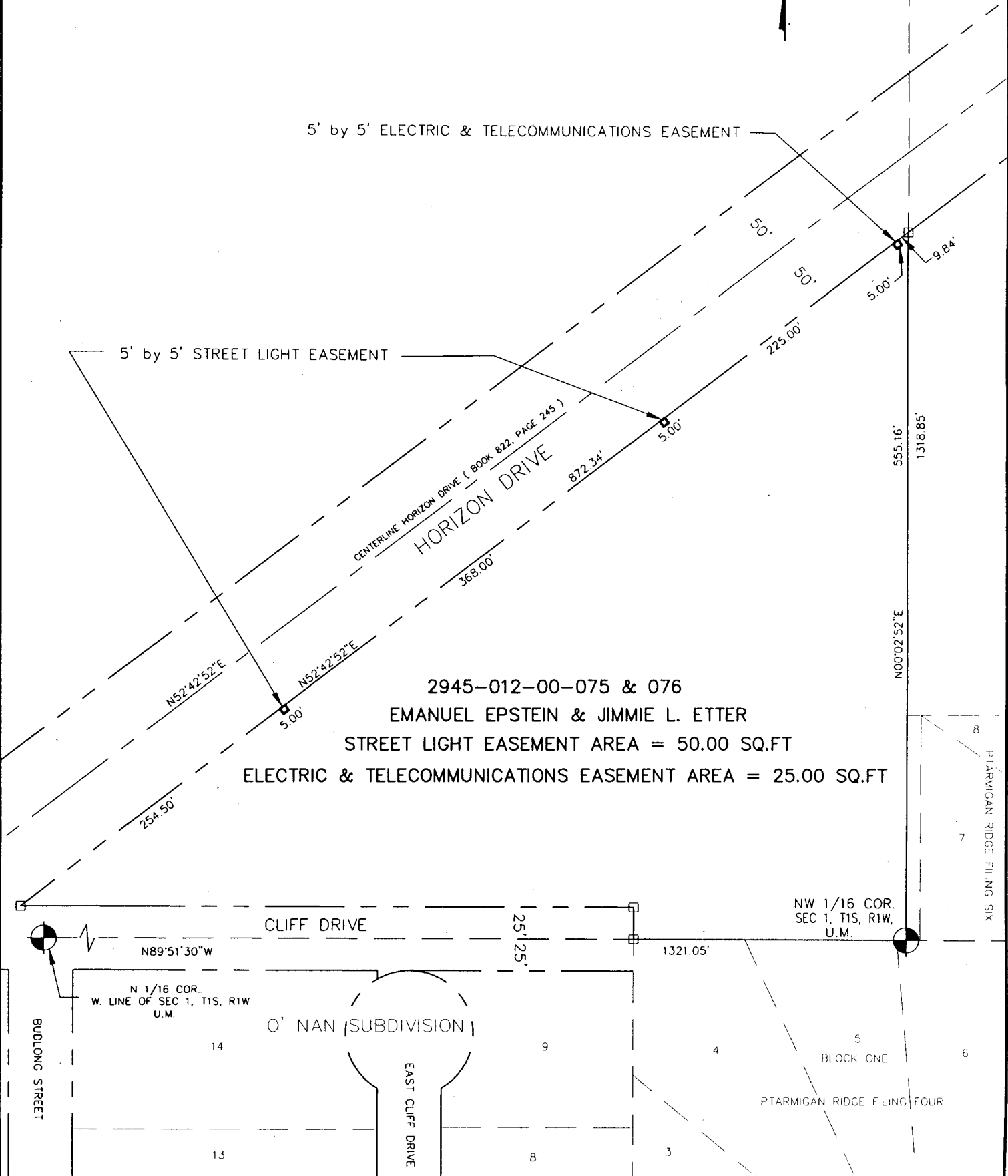


5' by 5' ELECTRIC & TELECOMMUNICATIONS EASEMENT

5' by 5' STREET LIGHT EASEMENT

CENTERLINE HORIZON DRIVE (BOOK 822, PAGE 245)  
HORIZON DRIVE

2945-012-00-075 & 076  
EMANUEL EPSTEIN & JIMMIE L. ETTER  
STREET LIGHT EASEMENT AREA = 50.00 SQ.FT  
ELECTRIC & TELECOMMUNICATIONS EASEMENT AREA = 25.00 SQ.FT



DRAWN BY: SRP  
DATE: 1-31-2000  
SCALE: 1" = 100'  
APPR. BY: IW  
FILE NO: ETTER\_E.DWG

EASEMENT DESCRIPTION MAP

HORIZON DRIVE

25

DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION  
CITY OF GRAND JUNCTION

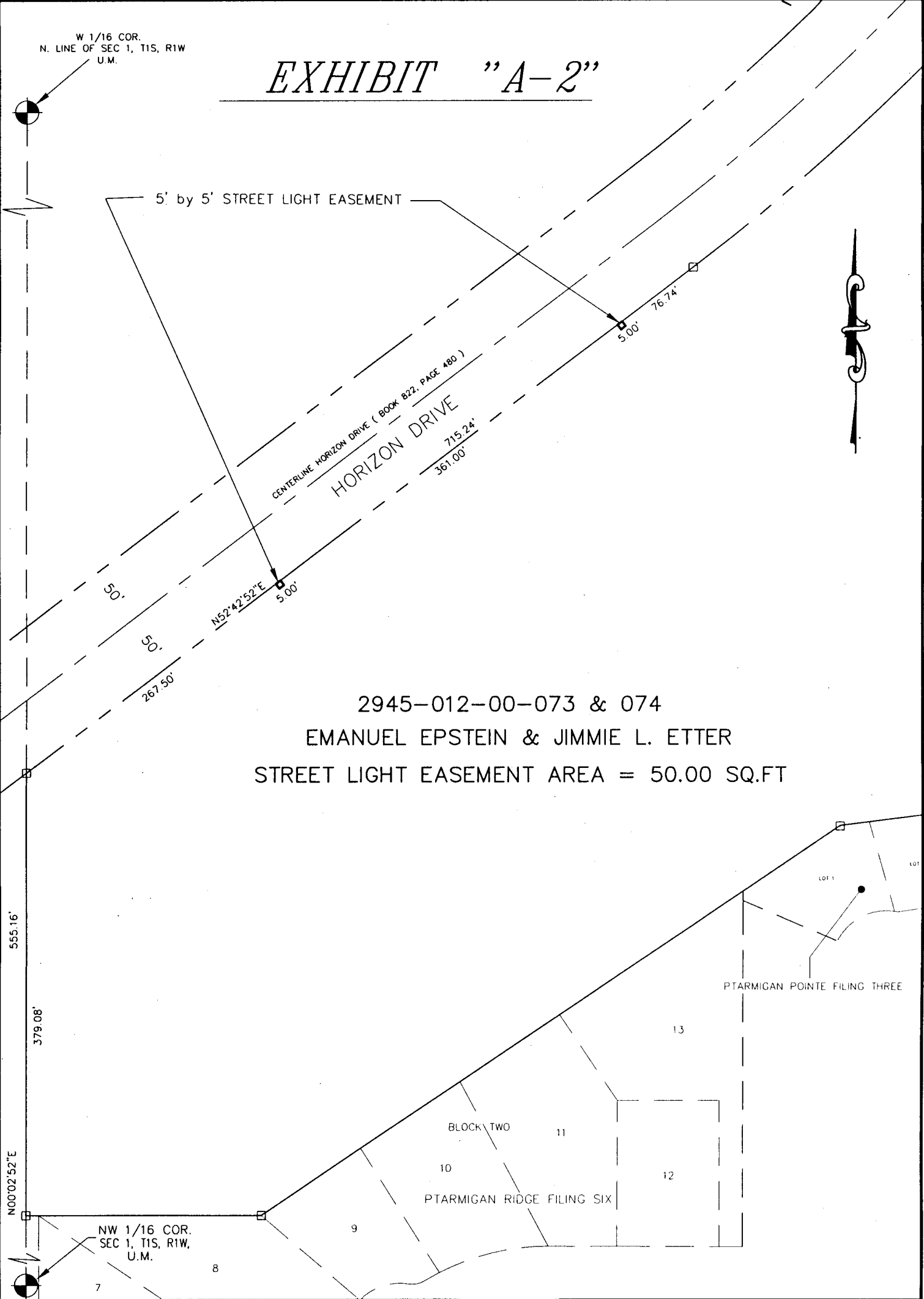
W 1/16 COR.  
N. LINE OF SEC 1, T1S, R1W  
U.M.

# EXHIBIT "A-2"

5' by 5' STREET LIGHT EASEMENT

CENTERLINE HORIZON DRIVE (BOOK 822, PAGE 480)  
HORIZON DRIVE

2945-012-00-073 & 074  
EMANUEL EPSTEIN & JIMMIE L. ETTER  
STREET LIGHT EASEMENT AREA = 50.00 SQ.FT



DRAWN BY: SRP  
DATE: 1-31-2000  
SCALE: 1" = 100'  
APPR. BY: TW  
FILE NO: ETTER2\_E.DWG

## EASEMENT DESCRIPTION MAP




HORIZON DRIVE

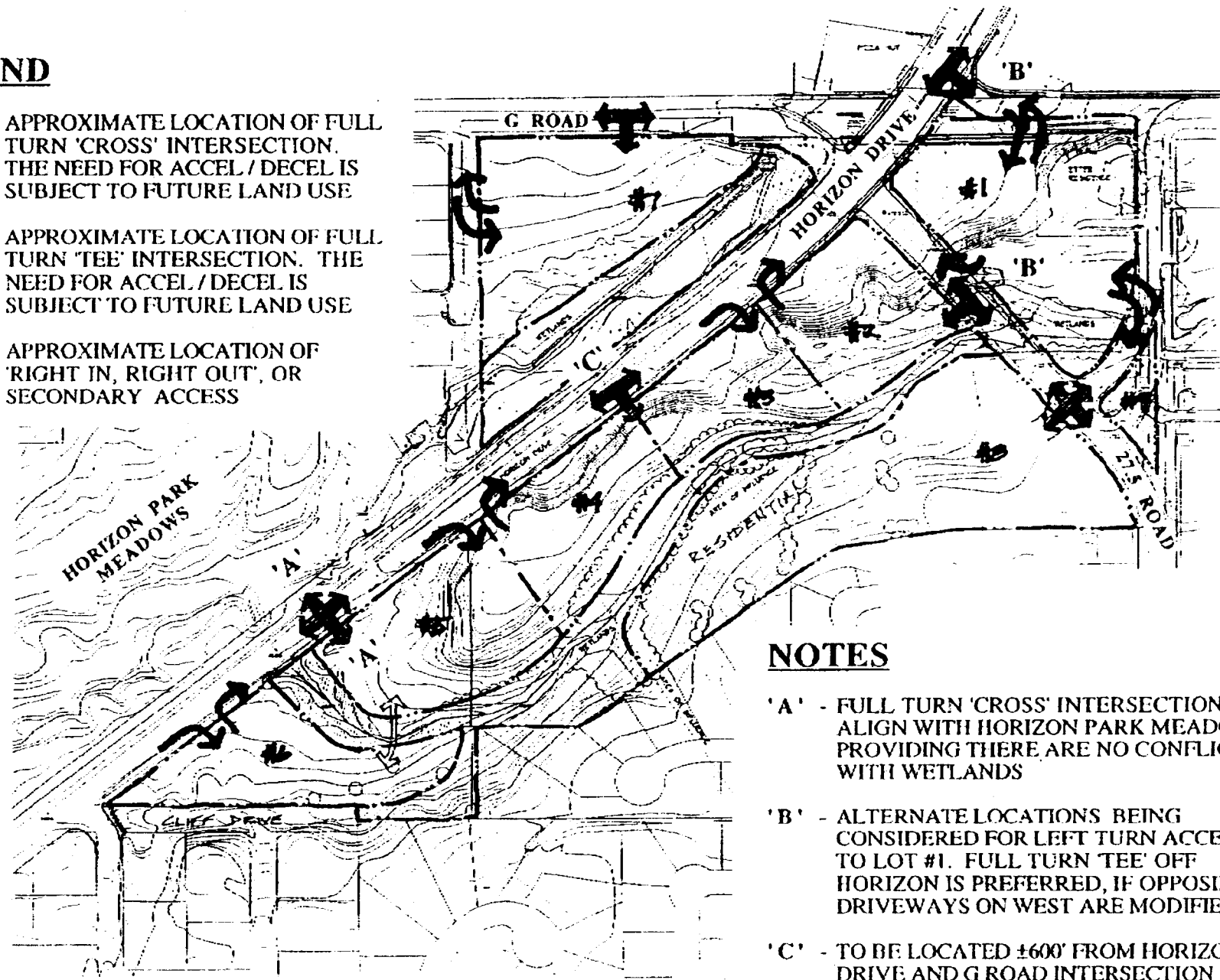
26

DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION  
CITY OF GRAND JUNCTION

# EXHIBIT 'B'

## LEGEND

-  - APPROXIMATE LOCATION OF FULL TURN 'CROSS' INTERSECTION. THE NEED FOR ACCEL / DECEL IS SUBJECT TO FUTURE LAND USE
-  - APPROXIMATE LOCATION OF FULL TURN 'TEE' INTERSECTION. THE NEED FOR ACCEL / DECEL IS SUBJECT TO FUTURE LAND USE
-  - APPROXIMATE LOCATION OF 'RIGHT IN, RIGHT OUT', OR SECONDARY ACCESS



## NOTES

- 'A' - FULL TURN 'CROSS' INTERSECTION TO ALIGN WITH HORIZON PARK MEADOWS PROVIDING THERE ARE NO CONFLICTS WITH WETLANDS
- 'B' - ALTERNATE LOCATIONS BEING CONSIDERED FOR LEFT TURN ACCESS TO LOT #1. FULL TURN 'TEE' OFF HORIZON IS PREFERRED, IF OPPOSING DRIVEWAYS ON WEST ARE MODIFIED
- 'C' - TO BE LOCATED ±600' FROM HORIZON DRIVE AND G ROAD INTERSECTION