

GRANT OF UTILITY EASEMENT

John O. Spendrup, LLC, a Colorado limited liability company, Grantor, whose address is 409 West Main Street, Grand Junction, Colorado, 81506, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, 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 Utility Easement for the use and benefit of Grantee and for the use and benefit of the Public Utilities, as approved by Grantee, as a perpetual easement for the installation, operation, maintenance, repair and replacement of said utilities and appurtenances which may include but are not limited to electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, equivalent other public utility providers and appurtenant facilities, on, along, over, under, through and across the following described parcel of land, to wit:

A parcel of land for easement purposes, located in Lot 5 of Second Amended Plat D & R G W Railroad Subdivision Filing Six, recorded January 22, 1992 as Reception No. 1591255 of the Records of Mesa County, situate within the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of Section Twenty-three (23), Township One South (T.1S.), Range One West (R.1W.), Ute Meridian, Mesa County, Colorado, more particularly described as follows:

COMMENCING at the Southwest corner of Lot 5, Second Amended Plat D & R G W Railroad Subdivision Filing Six, and assuming the West line of Lot 5 as bearing North 00°28'28" East, being a grid distance of 371.98 feet with all bearings contained herein relative thereto.

THENCE North 00°28'28" East along the West line of said Lot 5 a distance of 33.11 feet to the **POINT OF BEGINNING;**

THENCE North 00°28'28" East along the West line of said Lot 5 a distance of 20.04 feet;
THENCE South 86°01'37" East a distance of 100.26 feet to the Northerly line of an existing 25.00 foot utility easement as labeled on the Second Amended Plat D & R G W Railroad Subdivision Filing Six;
THENCE South 71°37'51" West along said Northerly line of an existing 25.00 foot utility easement a distance of 6.79 feet to an angle point;
THENCE South 78°49'32" West along the Northerly line of an existing 25.00 foot utility easement a distance of 66.66 feet;
THENCE North 86°01'37" West a distance of 28.42 feet to the West line of Lot 5 and to the **POINT OF BEGINNING.**

Said easement contains 1,315 square feet or 0.030 Acres, more or less, as described herein and depicted on "**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 to enter upon said premises with 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 construction and repair machinery, subject to the terms and conditions contained herein.

1. The interest conveyed is an Easement for the limited purposes and uses and upon the terms stated herein. Grantor reserves 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 substantially interfere with the full use and quiet enjoyment of the rights herein granted; provided, however, that Grantor hereby covenants with Grantee that the Easement shall not be burdened or overburdened by the installation, construction or placement of any improvements, structures or fixtures thereon which may be detrimental to the facilities of Grantee or which may act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement.

SHEET 1 OF 3

2. Grantor hereby covenants with Grantee it has good title to the herein described 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 5th day of January, 2012.

John O. Spendrup, LLC
a Colorado limited liability company

By: *John O. Spendrup*
John O. Spendrup, Manager

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 5th day of January, 2012, by John O. Spendrup, Manager for John O. Spendrup, LLC, a Colorado limited liability company.

My commission expires 10/29/2013.

Witness my hand and official seal.



Gayleen Henderson
Notary Public

20' UTILITY EASEMENT

EXHIBIT "A"

SECTION 23, T.1S. R.1W.

LOT 6

S89°31'32"E 156.59'

S00°00'00"E 63.47'

PUBLIC SERVICE EASEMENT

LOT 5

LOT 4

**SECOND AMENDED PLAT
D & R G W RAILROAD SUB.
FILING SIX**

EXISTING 10' EASEMENT
BOOK 1835, PAGE 513

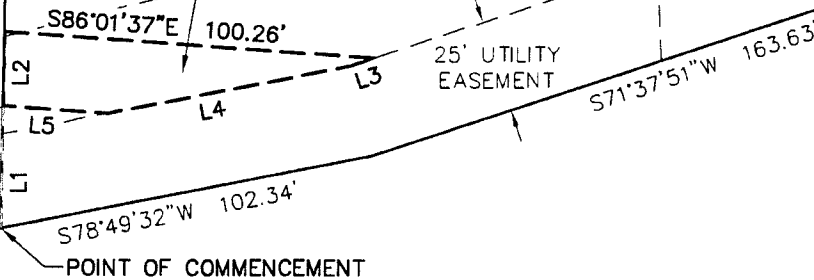
20' UTILITY EASEMENT
1,315 sq. ft. / 0.030 acres

25' UTILITY EASEMENT

BASIS OF BEARINGS
N00°28'28"E 371.98'

S22°09'30"E 254.60'

POINT OF BEGINNING

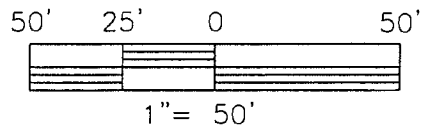


POINT OF COMMENCEMENT

LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°28'28"E	33.11'
L2	N00°28'28"E	20.04'
L3	S71°37'51"W	6.79'
L4	S78°49'32"W	66.66'
L5	N86°01'37"W	28.42'

NOTE: This exhibit drawing is not intended to be a monumented land survey. It's sole purpose is as a graphic representation to aid in the visualization of the written property description which it accompanies. The written property description supersedes the exhibit drawing.

Paul B. Groves
2/11/11
(2 of 3)



Paul B. Groves - On Behalf Of King Surveyors, Inc.
Colorado Registered Professional
Land Surveyor #38209

SHEET 3 OF 3



KING SURVEYORS, INC.

650 E. Garden Drive | Windsor, Colorado 80550
phone: (970) 686-5011 | fax: (970) 686-5821

www.kingsurveyors.com

PROJECT NO: 2011222

DATE: 08/11/11

CLIENT: Aperio Property Consultants

DWG: 2011222EXH_01

DRAWN: PG CHECKED: PG