

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement is entered into this 9th day of July, 1981, by and between the Grand Junction Drainage District, the City of Grand Junction and the County of Mesa;

WHEREAS, in the installation of a 54 inch line for the new sewerage facility at Persigo Wash, the City and the County have to make a crossing of Appleton Drain which is under the care and control of the Drainage District; and

WHEREAS, the District is concerned about possible difficulties arising as a result of this crossing installation;

NOW, THEREFORE, IT IS AGREED:

1. The District grants to the City and the County permission to cross Appleton Drain with the line to the wastewater treatment plant.

2. The City and the County, or whichever one of them is charged with the maintenance of the sewerage system, from time to time, agree to save and hold harmless the District from any and all claims and demands arising out of the crossing construction and use; and, further, the City and County agree to so maintain the crossing, through cleaning or other necessary action, that the use of the Appleton Drain is not interfered with. Should the City and County fail to so maintain the crossing, the District may perform the necessary work, billing the City and the County for the cost of that maintenance.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on the day and year first above written.

Attest:

H. K. Heint

GRAND JUNCTION DRAINAGE DISTRICT

By: Rev. C. Kammell

Attest:

Beva B. Lockhart, CMC
City Clerk

CITY OF GRAND JUNCTION

By: J. E. Patterson Jr

Attest:

[Signature]

COUNTY OF MESA

By: A. Curt Widen