

EASEMENT AGREEMENT

This Easement Agreement (Agreement) is dated this 21 day of Dec, 2010, and is between the City of Grand Junction, a Colorado Municipality, hereinafter "City of Grand Junction" and the Grand Valley Irrigation Company, a non-profit corporation, hereinafter "GVIC".

RECITALS

A. City of Grand Junction participated in certain improvements to the intersection of D $\frac{1}{2}$ and 29 Road in Mesa County, Colorado, as part of the 29 Road and I-70 B Project, hereinafter "Project".

B. City of Grand Junction acquired certain easements and further acquired or maintained ownership of certain parcels of real property in connection with the Project.

C. GVIC has consented to certain alterations in and to the Mesa County Ditch in connection with the Project. GVIC desires to acquire formal written easements so as to preserve its ingress and egress to and from the Mesa County Ditch to operate, maintain and repair the same.

NOW THEREFORE, in consideration of the recitals and mutual promises set forth herein, the parties agree as follows:

1. Grant of Easement. City of Grand Junction does hereby grant and convey to GVIC a nonexclusive easement over and across the following parcel identified in the Right-Of-Way Exhibit, 29 Road, D Road to North Avenue, prepared by Jacobs Carter Burgess, dated May 27, 2010, identified as Parcel H-75PE. The foregoing parcel is described on Exhibit A attached hereto and incorporated herein by this reference.

2. Scope of Easement. The purpose of the easement granted hereunder is to provide GVIC non-exclusive ingress and egress by its personnel and equipment to operate, maintain, and repair the Mesa County Ditch and all activities reasonably related thereto.

3. General Provisions.

a. This Agreement shall be binding upon and enure to the benefit of the parties and their successors in interest to the real property described herein.

b. The parties acknowledge and agree that interference with the easement rights granted herein to GVIC would cause irreparable injury to GVIC for which there is no adequate remedy at law. Accordingly, this Agreement may be enforced by equitable proceedings, including but not limited to specific performance and injunctive relief.

Dated the year and date first above written.

CITY OF GRAND JUNCTION

By *Laurie Kadrach*
Laurie Kadrach, City Manager

GRAND VALLEY IRRIGATION COMPANY,
a Colorado Non-Profit Corporation

By *Robert Raymond*
Robert Raymond, President

State of Colorado)
) ss.
County of Mesa)

The foregoing instrument was acknowledge before me this 21st day of December, 2010, by Laurie Kadrach, City Manager, City of Grand Junction.

My Commission expires: 3/13/2013

Witness my hand and official seal.



Debra M. Kemp
Notary Public

State of Colorado)
) ss.
County of Mesa)

The foregoing instrument was acknowledge before me this 21 day of Dec., 2010, by Robert Raymond, President, Grand Valley Irrigation Company, a Colorado Non-Profit Organization.

My Commission expires: 04/09/2011

Witness my hand and official seal.



Judy Lopez
Notary Public

My Commission Expires 04/09/2011

707 17th Street
Denver, Colorado 80202 U.S.A
1 303.820.5240 Fax 1 303.820.2402**PROPERTY DESCRIPTION**

Parcel H-75PE

A parcel of land being a portion of the tract of land described in Book 1683 at Page 753 recorded on March 10, 1988 in the Mesa County Clerk and Recorder's Office lying in the Southeast Quarter of Section 18, Township 1 South, Range 1 East of the Ute Principal Meridian, Mesa County, Colorado being more particularly described as follows:

COMMENCING at the Northeast Corner of the Southeast Quarter of said Section 18 (a MCSM brass cap set in concrete, LS 2280 1/4 S18 S17 No.26-1) whence the Southeast Corner of said Section 18 (a 3 1/4" MCSM aluminum cap in a range box, 2006, LS 24331) bears S00°13'33"E a distance of 2642.09 feet;

THENCE S79°12'01"W a distance of 56.97 feet to the POINT OF BEGINNING;

THENCE S00°13'33"E along a line 56.00 feet westerly of and parallel with the easterly line of said Southeast Quarter a distance of 379.49 feet;

THENCE S44°46'56"W a distance of 68.58 feet;

THENCE S00°12'35"E a distance of 56.56 feet;

THENCE S44°43'34"E a distance of 84.01 feet;

THENCE S00°45'27"W a distance of 196.20 feet;

THENCE S00°13'33"E along a line 49.00 feet westerly of and parallel with the easterly line of said Southeast Quarter, tangent with the following described curve, a distance of 988.35 feet;

THENCE along the arc of a curve to the left, having a central angle of 2°18'22", a radius of 2037.00 feet, a chord bearing S01°22'44"E, a distance of 81.98 feet, and an arc distance of 81.99 feet;

THENCE S02°31'55"E, tangent with the last and following described curves, a distance of 217.70 feet;

THENCE along the arc of a curve to the right, having a central angle of 1°17'03", a radius of 1963.00 feet, a chord bearing S01°53'24"E, a distance of 43.99 feet, and an arc distance of 43.99 feet;

THENCE S15°40'03"W, non-tangent with the last described curve, a distance of 49.98 feet;

THENCE N00°13'33"W along a line 51.00 feet westerly of and parallel with the easterly line of said Southeast Quarter, tangent with the following described curve, a distance of 13.06 feet;

THENCE along the arc of a curve to the left, having a central angle of 2°18'22", a radius of 1949.00 feet, a chord bearing N01°22'44"W, a distance of 78.44 feet, and an arc distance of 78.45 feet;

THENCE N02°31'55"W, tangent with the last and following described curves, a distance of 217.70 feet;

THENCE along the arc of a curve to the right, having a central angle of 2°18'22", a radius of 2051.00 feet, a chord bearing N01°22'44"W, a distance of 82.55 feet, and an arc distance of 82.55 feet;

THENCE N00°13'33"W along a line 63.00 feet westerly of and parallel with the easterly line of said Southeast Quarter, tangent with the last described curve, a distance of 1181.80 feet;

THENCE N48°38'27"W, a distance of 93.15 feet;

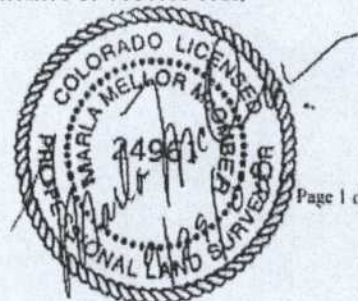
THENCE N00°00'00"W, a distance of 84.24 feet;

THENCE N16°50'37"E, a distance of 146.31 feet;

THENCE N00°00'00"E, a distance of 126.62 feet;

THENCE N44°46'03"W, a distance of 139.18 feet;

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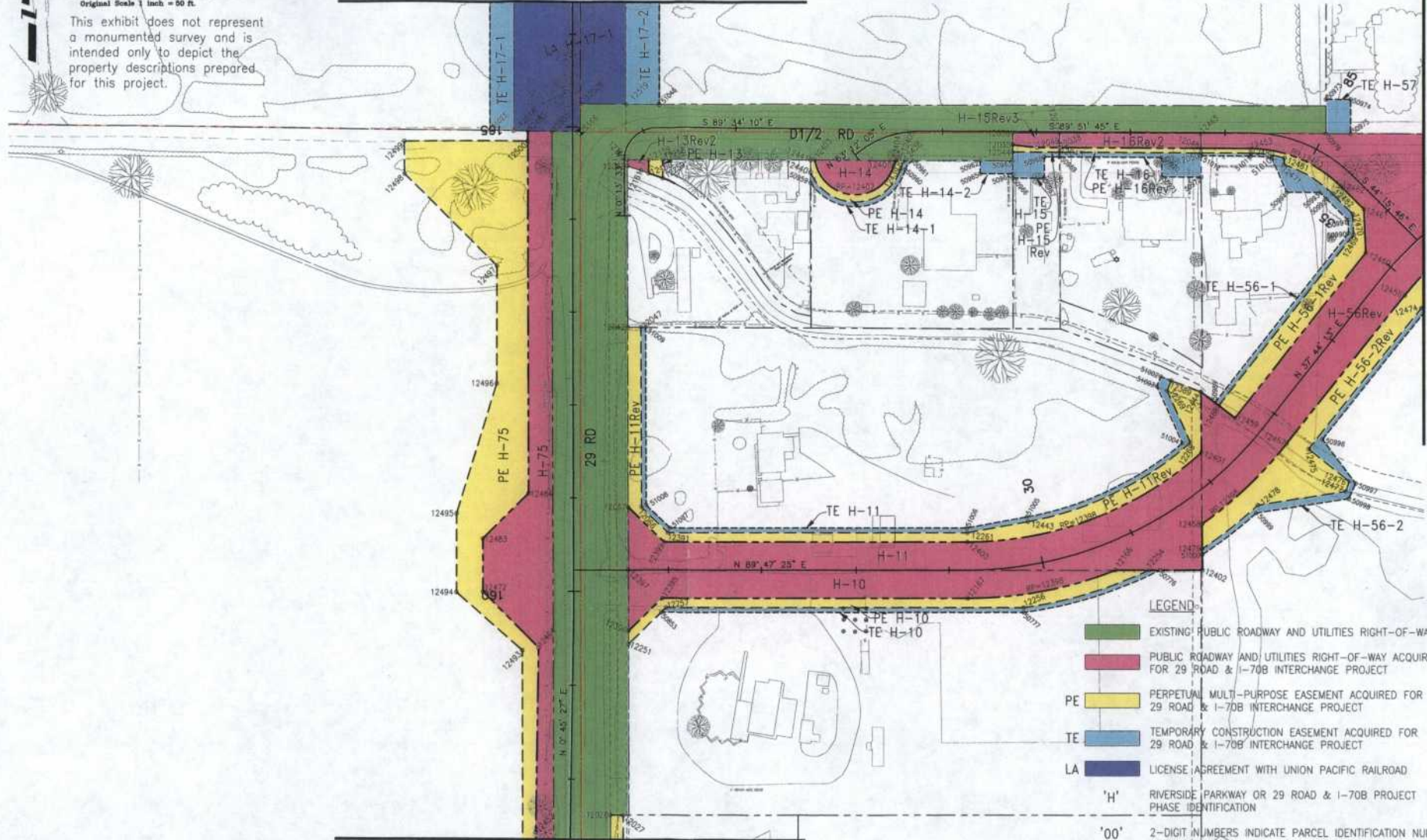


This exhibit does not represent a monumented survey and is intended only to depict the property descriptions prepared for this project.

NE1/4 SEC.18

MATCH LINE SEE SHEET 08

NW1/4 SEC.17



MATCH LINE SEE SHEET 07A

LEGEND

- EXISTING PUBLIC ROADWAY AND UTILITIES RIGHT-OF-WAY
- PUBLIC ROADWAY AND UTILITIES RIGHT-OF-WAY ACQUIRED FOR 29 ROAD & I-70B INTERCHANGE PROJECT
- PE PERPETUAL MULTI-PURPOSE EASEMENT ACQUIRED FOR 29 ROAD & I-70B INTERCHANGE PROJECT
- TE TEMPORARY CONSTRUCTION EASEMENT ACQUIRED FOR 29 ROAD & I-70B INTERCHANGE PROJECT
- LA LICENSE AGREEMENT WITH UNION PACIFIC RAILROAD
- 'H' RIVERSIDE PARKWAY OR 29 ROAD & I-70B PROJECT PHASE IDENTIFICATION
- '00' 2-DIGIT NUMBERS INDICATE PARCEL IDENTIFICATION NUMBER USED FOR 29 ROAD & I-70B INTERCHANGE PROJECT
- 'Rev' IDENTIFIES A PARCEL THAT WAS REVISED

▲ revised H-15	03/09
▲ add LA 17-1	03/09
▲ remove H-12, H-12PE	05/08
▲ add H-75, PE H-75	09/08

SE1/4 SEC.18

MATCH LINE SEE SHEET 06

SW1/4 SEC.17

REVISION	DESCRIPTION	DATE
REVISION A	add H-15, H-11, H-11 Rev, H-15 PE, H-15, H-18, PE, H-18, H-18 Rev	07/09
REVISION B	add PE H-10, TE H-10, PE H-14, TE H-14, H-14, H-14 Rev	07/08
REVISION C	add PE H-11, add TE H-11, PE H-11, H-11, H-11 Rev, H-11, H-11 Rev	08/08

DRAWN BY	jm
DESIGNED BY	jm
CHECKED BY	mm
DATE	12/8/08
APPROVED BY	
DATE	9/27/10

ORIGINAL SCALE

PLANS PROFILE

HORIZ. HORIZ.

VERT.

Grand Junction

JACOBS
Carter Burgess

29 Road and I-70B Interchange Phase

RIGHT OF WAY EXHIBIT

29 ROAD

D ROAD TO NORTH AVE

07

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