PAGE DOCUMENT

2301991 BK 4095 PG 146-147 02/15/2006 03:20 PM Janice Ward CLK&REC Mesa County, CO RecFee \$10.00 SurChs \$1.00 DocFee EXEMPT

GRANT OF MULTI-PURPOSE EASEMENT

West White Avenue Partnership, L.L.P., a Colorado limited liability partnership, Grantor, for and in consideration of the sum of Three Thousand Four Hundred Thirty-Seven and 85/100 Dollars (\$3,437.85), the receipt and sufficiency of which is hereby acknowledged, has granted and conveyed, and by these presents does hereby grant and convey to **The City of Grand Junction**, a Colorado home rule **municipality**, Grantee, whose address is 250 North 5th Street, Grand Junction, Colorado 81501, a Perpetual Multi-Purpose Easement for the use and benefit of Grantee and for the use and benefit of the Public Utilities, as approved by Grantee, as a Perpetual Easement for the installation, operation, maintenance, repair and replacement of utilities and appurtenances related thereto, as approved by Grantee, including, but not limited to, electric lines, cable television lines, natural gas pipelines, sanitary sewer lines, storm sewers and storm water drainage facilities, water lines, telephone lines, and also for the installation, operation maintenance, repair and replacement of traffic control facilities, street lighting, landscaping, trees, grade structures and fill slopes, as approved by Grantee, on, along, over, under, through and across the following described premises, to wit:

See Exhibit "A" for Riverside Parkway Parcel No. PE C-16 dated February 25, 2005, attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns forever, together with the right of ingress and egress for workers and equipment to survey, maintain, operate, repair, replace, control and use said Easement, and to remove objects interfering therewith, including the trimming of trees and bushes as may be required to permit the operation of standard utility construction and repair machinery, the said Grantor hereby covenanting with Grantee that the Easement area shall not be burdened or overburdened by the installation, construction or placement of any structures or any other items or fixtures which might be detrimental to the facilities of Grantee and/or the Public Utilities or which might act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement area, the said Grantor hereby further covenanting with Grantee that it has good title to the aforedescribed 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 <u>15th</u> day of <u>february</u>, 2006.

West White Avenue Partnership, L.L.P., a Colorado limited liability partnership

actry By: vnn C. Cotton, General Partner

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Partner William L. Cotton, General Partner

STATE OF COLORADO)) ss.

COUNTY OF MESA

The foregoing instrument was acknowledged before me this <u>15</u>¹⁶ day of <u>4</u> day of <u>4</u> day of <u>5</u> day of <u>5</u>

My commission expires: 5/11/200CWitness my hand and official seal.

Notary Public



WHEN RECORDED RETURN TO: H.C. Peck & Associates, Inc. Attn: Michele Spencer P.O. Box 480306 Denver, CO 80248-0306 Riverside Parkway Parcel PE C-16

Carter=Burgess

February 20, 2005 071514.402.1.0025

EXHIBIT "A"

707 17th Street, Suite 2300 Denver, Colorado 80202-3404 Phone: 303,820.5240 Fax: 303,820.2402 www.c-b.com

PROPERTY DESCRIPTION Parcel PE C-16

A portion of Lot 13, Block 5, THE GRAND RIVER SUB-DIVISION, recorded at Reception Number 18387 in the Mesa County Clerk and Recorder's Office, lying in Section 15, Township 1 South, Range 1 West of the Ute Principal Meridian, being more particularly described as follows:

COMMENCING at the Center Quarter Corner of said Section 15, (a 2 1/2" aluminum cap stamped "MESA COUNTY SURVEY MARKER C1/4-S15-LS 32824-2003"), whence the Center East Sixteenth Corner of said Section 15, (a brass cap stamped "E 1/16-S15-543-2280") bears N.89°39'43"E., a distance of 1323.38;

THENCE S42°29'01"E a distance of 509.14 feet to the northerly line of said Lot 11, being the POINT OF BEGINNING;

THENCE N.89°39'43"E.along the northerly line of said Lot 13, a distance of 8.42 feet; THENCE S.44°11'00"W., a distance of 14.98 feet; THENCE S.00°20'17"E., a distance of 114.47 feet to the southerly line of said Lot 13; THENCE S.89°39'43"W. along said southerly line, a distance of 14.00 feet; THENCE N.00°20'17"W. along the westerly line of said Lot 13, a distance of 108.79 feet; THENCE N.44°11'00"E., a distance of 22.95 feet to the northerly line of said Lot 13, being the POINT OF BEGINNING.

The above described parcel contains 0.038 acres / 1677 square feet, more or less, for a Multipurpose Easement to the City of Grand Junction for the use of City approved utilities as perpetual easements for the installation, operation, maintenance and repair of utilities and appurtenances including, but not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, and also for the installation and maintenance of traffic control facilities, street lighting, landscaping, trees, grade structures, irrigation, road construction and maintenance.

Basis of Bearing: N89°58'01"E between Mesa County Local Coordinate System points Southwest Corner of Section 15 (2-1/2"Alumn.Cap in Monument Box Stamped: AES T1S R1W S16/S15/S21/S22 2002 PLS 24320) and the Southeast Corner of Section 15, (2-1/2"Brass Cap Stamped: COUNTY SURVEY MARKER 828-1 15/14/22/23), both in Township 1 South, Range 1 West Ute P.M.

Prepared by Date: Marla Mellor McOnto For and on behalf of Caref & Burgess, LAN

Carter & Burgess, Inc. Carter & Burgess Architects/Engineers, Inc. Carter & Burgess Consultants, Inc. C&B Architects/Engineers, Inc. C&B Architects/Engineers, P.C. C&B Nevada, Inc.

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