

GRANT OF MULTI-PURPOSE EASEMENT

Fruitvale III, LLC, a Colorado Limited Liability Company, Grantor, whose address is 734 Centauri Court, Grand Junction, Co, 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 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 City approved utilities including the installation, operation, maintenance and repair 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, traffic control facilities, street lighting, landscaping, trees and grade structures, on, along, over, under, through and across the following described parcel of land, to wit:

A parcel of land, situate in the SW 1/4 SW 1/4 of Section 9, Township 1 South, Range 1 East of the Ute Meridian, Mesa County, Colorado being located in that property as described in Book 3305, Pages 17 and 18 of the deed records of Mesa County, Colorado, and being more particularly described as follows:

Commencing at the found Mesa County survey marker for the S 1/16 corner of the West side of said Section 9, and considering the west line of the SW 1/4 SW 1/4 of said Section 9 to bear S00°07'38" W with all other bearings contained herein relative thereto;

thence S 00°07'38" E a distance of 673.00 feet;

thence N 89°50'04" E a distance of 59.44 feet to the Point of Beginning;

thence N 89°50'04" E a distance of 14.00 feet;

thence S 00°00'00" E a distance of 9.57 feet;

thence S 46°35'37"W a distance of 45.91 feet;

thence N 00°07'38" W a distance of 19.23 feet;

thence N 46°35'37" E a distance of 26.69 feet;

thence N 00°00'00" E a distance of 3.50 feet to the point of beginning.

Said strip of land contains 600 square feet or 0.0138 Acres, 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.
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.

SHEET 1 OF 3

Executed and delivered this 28th day of June, 2011.

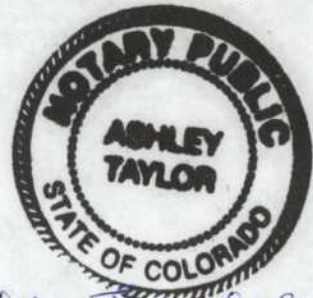
By: *James M. Flynn*
James M. Flynn, Manager
Fruitvale III, LLC, a Colorado Limited Liability Company

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 28th day of June, 2011, by James M. Flynn, Manager of Fruitvale III, LLC, a Colorado Limited Liability Company.

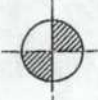
My commission expires May 4, 2015.

Witness my hand and official seal.



Ashley Taylor

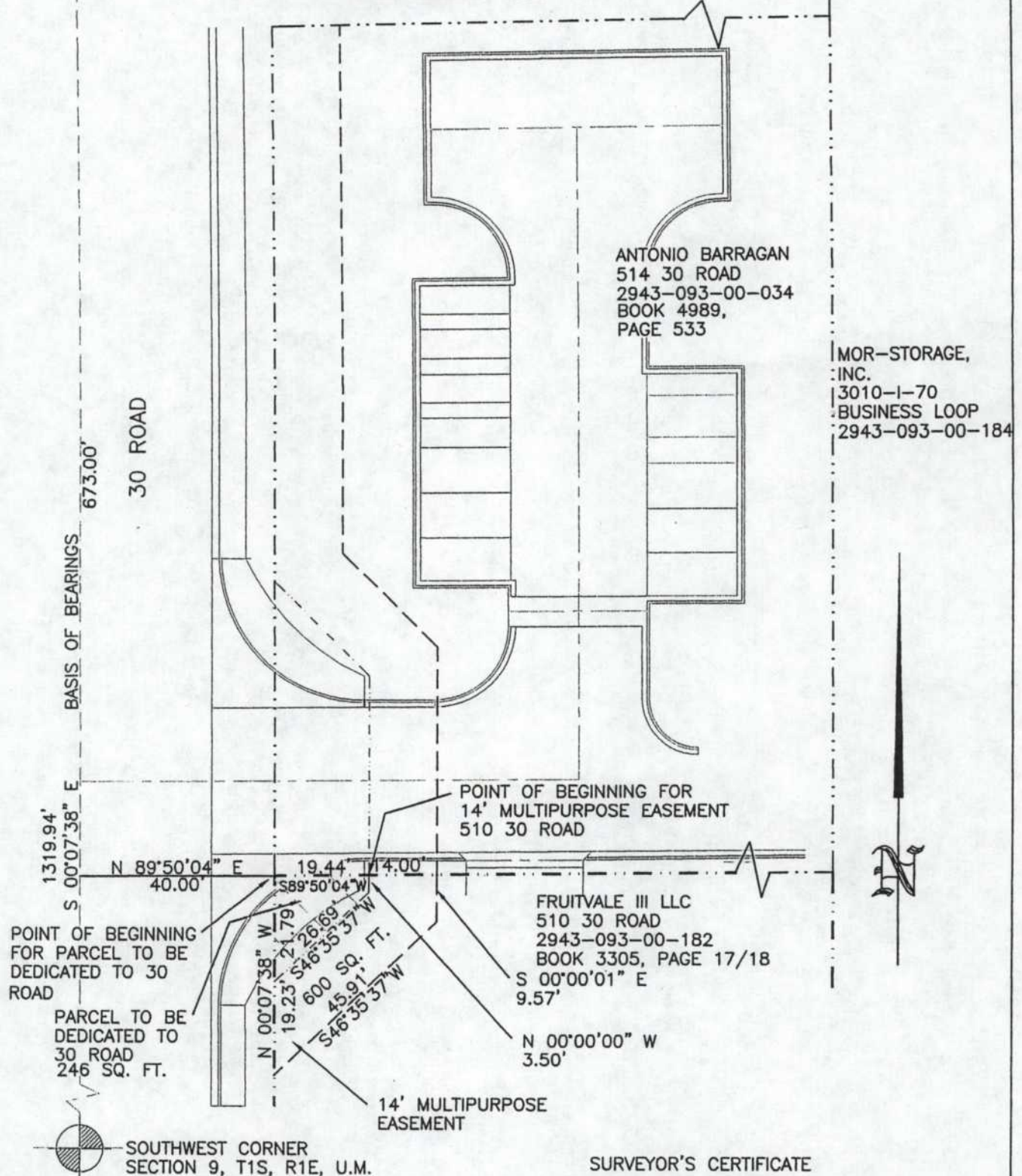
Notary Public



SOUTH 1/16 CORNER
WEST SIDE
SECTION 9, T1S, R1E, U.M.

JOHN E. AND MARY K.
BAUGHMAN
516 30 ROAD
2943-093-00-033

EXHIBIT "A"



POINT OF BEGINNING FOR PARCEL TO BE DEDICATED TO 30 ROAD
PARCEL TO BE DEDICATED TO 30 ROAD
246 SQ. FT.

POINT OF BEGINNING FOR 14' MULTIPURPOSE EASEMENT 510 30 ROAD

FRUITVALE III LLC
510 30 ROAD
2943-093-00-182
BOOK 3305, PAGE 17/18

MOR-STORAGE, INC.
3010-I-70
BUSINESS LOOP
2943-093-00-184



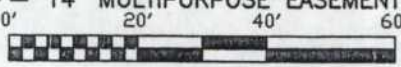
SOUTHWEST CORNER
SECTION 9, T1S, R1E, U.M.

SURVEYOR'S CERTIFICATE

I, Wayne H. Lizer, a registered Professional Land Surveyor in the State of Colorado, hereby certify that this map was prepared from notes taken in the field by me during April, 2010, and from information from an Improvement Location Survey on 514 30 Road by D H Surveys, Inc., Job No. 1182-09-01, dated November, 2009.

Wayne H. Lizer
Wayne H. Lizer P.E., P.L.S. 14113

- LEGEND
- ORIGINAL PROPERTY LINE
 - - - NEW DEDICATION RIGHT-OF-WAY LINE
 - ADJACENT PROPERTY LINE
 - - - 14' MULTIPURPOSE EASEMENT LINE



SCALE: 1" = 30'
LINEAR UNITS OF MEASUREMENTS ARE U.S. SURVEY FOOT.



SHEET 3 OF 3

STREET DEDICATION AND UTILITY EASEMENT PLAN
FOR 510 30 ROAD
FRUITVALE III LLC
GRAND JUNCTION, COLORADO

W.H. LIZER AND ASSOCIATES
ENGINEERING CONSULTING AND LAND SURVEYING
576 25 ROAD-UNIT 8
GRAND JUNCTION, COLORADO

DATE: 5/26/11	PROJ. NO. 094291-9	SCALE: 1" = 30'	FILE NAME: 514ESMT3	DRAWN BY: WHL	CHECKED BY: W.H.L.
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