

## GRANT OF EASEMENT FOR DRAINAGE AND AGREEMENT

**THE CITY OF GRAND JUNCTION**, a Colorado home rule municipality, whose address is 250 N. 5<sup>th</sup> Street, Grand Junction, Colorado 81501 (“Grantor”) owns the following described real property:

DISTRICT OPEN SPACE LYG BET BLK 16 & 17 THE RIDGES FIL NO 3 SEC 20 & 21 1S 1W EXC BEG N 26DEG04' W 211.36FT FR E4 COR SD SEC 20 N 32DEG10'54SEC E 150.86FT S 0DEG 13'43SEC W 88.56FT S 63DEG56'18SEC W 89.05FT TO BEG

also known by Parcel Number 2945-201-09-061 and as Ridges Metropolitan District Open Space (Burdened Property). **PINNACLE RIDGE HOME OWNERS ASSOCIATION**, a Colorado nonprofit corporation (“Grantee”), owns adjacent property described as Tract A, Pinnacle Ridge Subdivision Filing 1, (Benefitting Property). Grantor, for good and valuable consideration the receipt of which the parties acknowledge, grants and conveys to Grantee a perpetual, non-exclusive easement for installation, use and maintenance of a stormwater drainage pipe and related facilities on, over, under, through and across the Burdened Property in the specific location depicted on Exhibit A and described in Exhibit B attached hereto and made part hereof by this reference (Easement Area).

This easement shall be appurtenant to and shall run with the land and shall benefit the Benefitted Property and burden the Burdened Property in perpetuity. The use of the Easement Area by Grantee shall be limited to activities necessary for the construction, installation, use, maintenance, repair, removal, replacement, and/or improvement of a drainage pipe conveying stormwater and runoff from the drainage pond in Tract A. The easement includes the right of reasonable access to and from the Easement Area from the public street and/or from Tract A and the right to cut, remove, trim or otherwise control trees, brush, and other growth in the Easement Area that unreasonably interferes Grantee’s use of the easement and rights under this Grant and Agreement.


Grantee shall be responsible for constructing, installing, maintaining, repairing and improving the drainage facilities in the Easement Area at its sole expense. Grantee shall not overburden the easement by increasing runoff beyond that associated with the development and use in accordance with the approved Pinnacle Ridge Subdivision Preliminary Plan. Grantee shall install, maintain and repair the drainage pipe/facilities so as not to cause damage to or interfere with the sewer line located in the Easement Area. Grantor may make use of the Burdened Property in any manner so long as such use does not unreasonably interfere with the easement for drainage granted hereby.

The grant described in this instrument is without warranty of title and is subject to all prior encumbrances, easements, restrictions, reservations and rights-of-way, if any, affecting the Burdened Property. Grantor covenants that it is seized of the Burdened Property and has the right and authority to grant the easement and rights described herein. Grantee shall indemnify and hold harmless the Grantor for legal actions, losses, damages and suits arising from Grantee’s use of the Easement Area.

DATED: MARCH 8<sup>TH</sup>, 2018.

**GRANTOR:** City of Grand Junction, a Colorado home rule municipality

**GRANTEE:** Pinnacle Ridge Home Owners Association, a Colorado non-profit corporation

By:   
Greg Caton, City Manager

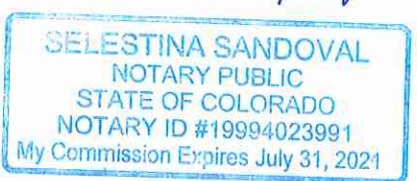
By:   
Robert W. Jones, II, Declarant


STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MESA        )

Subscribed and sworn to before me the 8<sup>th</sup> day of March, 2018, by Greg Caton, as City Manager of the City of Grand Junction, a Colorado home rule municipality.

Witness my hand and official seal.

My commission expires: July 31, 2021



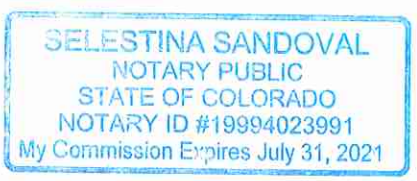
  
Notary Public

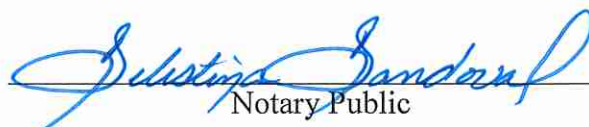
STATE OF COLORADO     )  
  ) ss.  
COUNTY OF MESA        )

Subscribed and sworn to before me this 8<sup>th</sup> day of March, 2018 by Robert W. Jones II as Declarant for Pinnacle Ridge Home Owners Association, a Colorado non-profit corporation.

Witness my hand and official seal.

My commission expires: July 31, 2021



  
Notary Public

## EXHIBIT A

### UTILITY EASEMENT DESCRIPTION

A parcel of land for a utility easement, situate in the SE 1/4 NE 1/4 of Section 20, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado, being more particularly described as follows:

Commencing at the N 1/16 corner of said Section 20;  
thence S00°16'04"W a distance of 175.86 feet along the east line of said SE 1/4 NE 1/4 to the point of beginning;  
thence S00°16'04"W a distance of 53.96 feet along said east line;  
thence N70°34'18"W a distance of 15.91 feet to the right-of-way of Ridgeway Court;  
thence along the arc of a non-tangent curve to the left 2.78 feet, having a central angle of 03°11'25" and a radius of 50.00 feet, the chord of which bears N15°19'09"W a distance of 2.78 feet along said right-of-way;  
thence N80°54'55"E a distance of 26.91 feet to the point of beginning.  
Said parcel contains 917 square feet more or less.

This description was prepared by:  
Michael W. Drissel PLS  
118 Ouray Ave.  
Grand Junction, CO. 81501



# EXHIBIT B

UTILITY EASEMENT  
917 SQUARE FEET

DISTRICT OPEN SPACE  
CITY OF GRAND JUNCTION

N 1/16 COR.  
SEC. 20  
M. C. S. M. #1210

TRACT A  
PINNACLE RIDGE SUBDIVISION, FILING 1

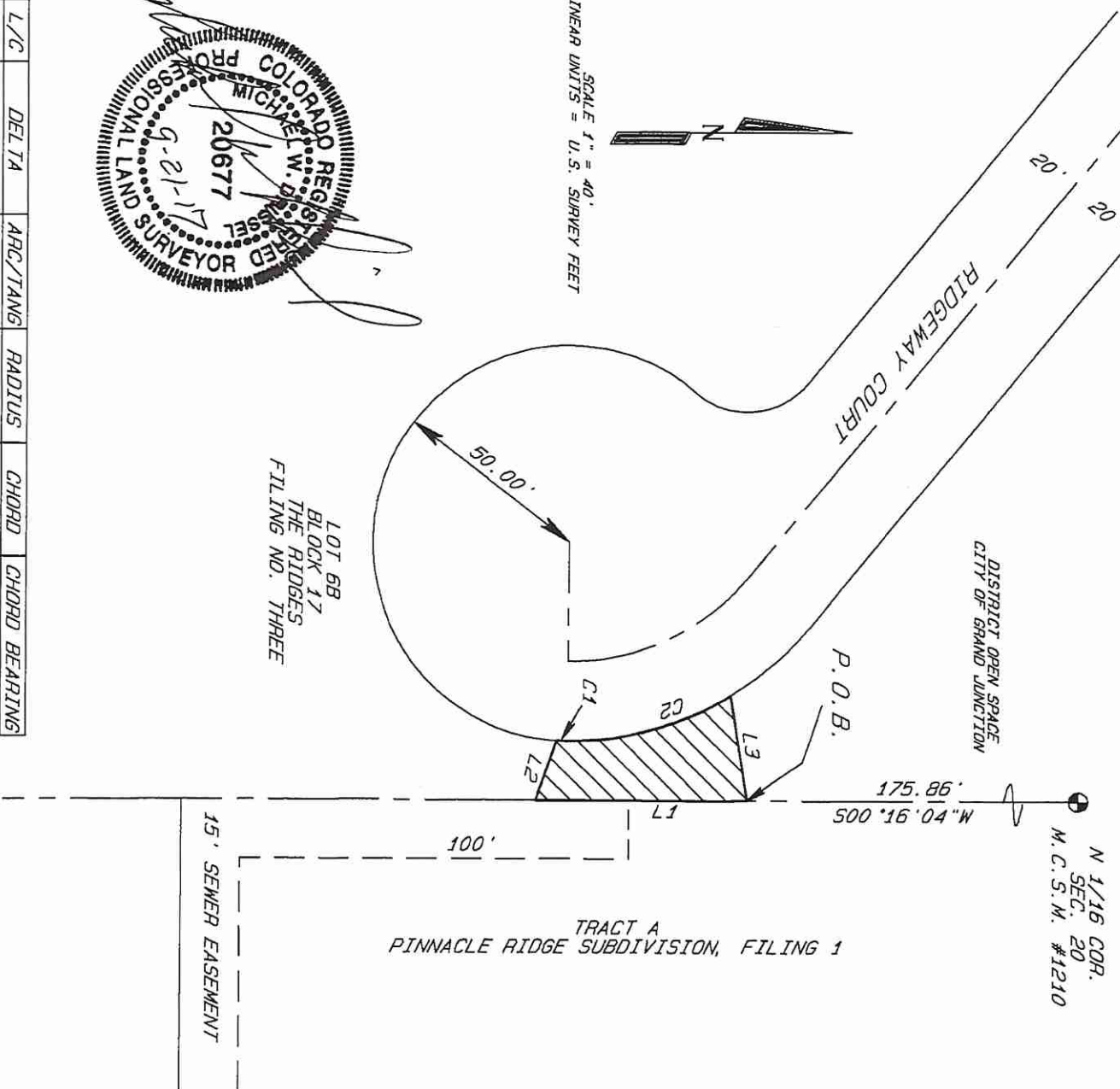
15' SEWER EASEMENT

LOT 6B  
BLOCK 17  
THE RIDGES  
FILING NO. THREE

SCALE 1" = 40'  
LINEAR UNITS = U.S. SURVEY FEET



L/C	DELTA	ARC/TANG	RADIUS	CHORD	CHORD BEARING
L1		53.96'			500°16'04"W
L2		15.91'			N70°34'18"W
C1	03°11'25"	2.78'	50.00'	2.78'	N01°51'48"E
C2	31°10'28"	43.71'	80.33'	43.17'	N15°19'09"W
L3		26.91'			N80°54'55"E



D H SURVEYS, INC.  
970-245-8749  
JOB #129-04-03