

GRANT OF EASEMENT

Mesa County Valley School District No. 51, Grantor, whose address is 2115 Grand Avenue, Grand Junction, Colorado 81501, is the owner of that certain real property in Mesa County, Colorado located at 552 West Main Street in Grand Junction, Colorado 81501 and described as a parcel of land in the NW 1/4 SE 1/4 of Section 15, Township 1 South, Range 1 West of the Ute Meridian, described as follows: Commencing at the Center East 1/16 corner of said Section 15 whence the East 1/4 corner of said Section bears N 89°42'17" E for a basis of bearings; thence S 45°21'01" W 1401.99 feet to the southwest corner of Block 2 of the Grand River Subdivision, the True Point of Beginning; thence N 0°05'28" E 121.48 feet along the West line of said Block 2 to the southerly right of way line of Highway 340; thence along the right of way line N 63°26'28" E 11.97 feet; and N 68°38'28" E 439.44 feet; and N 63°26'28" E 173.51 feet to the westerly right of way line of the Union Pacific Railroad; thence S 31°05'16" E 219.37 feet along said right of way line; thence N 89°54'32" W 231.66 feet; thence S 0°05'28" W 177.70 feet to the North line of Main Street; thence along said line N 89°54'32" W 456.69 feet to the True Point of Beginning. EXCEPT right of way taken per Book 3948, Page 336, Public Records of Mesa County, Colorado.

Grantor, for and in consideration of 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, for the benefit and on behalf of the public and for the benefit and use of the Persigo 201 Sewer System, its members, employees, agents, contractors and successors in interest, a **perpetual easement** for the installation, operation, maintenance, repair and replacement of sanitary sewer and appurtenant facilities and for the conveyance of sewer waste, along, over, under, through and across the above-described parcels of land. Said easement area is described in the attached **Exhibit A** and depicted in the attached **Exhibit B**, which exhibits are attached hereto and incorporated herein by this 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 but not limited to the trimming of trees and bushes as may be required.

The interest conveyed is an easement for the 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 area shall not be burdened or interfered with by the installation, construction or placement of any structures or any other item or fixture which might be detrimental to the facilities of Grantee or to the maintenance activities of the Grantee or which might act to prevent reasonable ingress and egress for Grantee and for the use of the easement area for the purposes stated herein.

Grantor hereby covenants and warrants that it has good title to the herein described premises; that it has good and lawful right to grant this Easement; and it warrants and will forever defend the title and quiet possession thereof against the lawful claims and demands of all persons whomsoever.

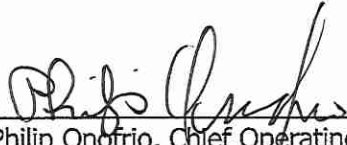
Grantor, its successors and assigns, shall not interfere with the surface use of the easement area granted to Grantee hereunder.

This agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Colorado. In the event of any litigation hereunder the prevailing party shall be entitled to recover its attorney's fees in addition to all other damages and remedies at law.

Executed and delivered this 18 day of July, 2018.

[signature on following page]

GRANTOR: MESA COUNTY VALLEY SCHOOL DISTRICT NO. 51

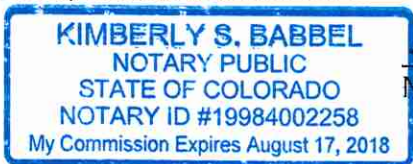

Philip Onofrio, Chief Operating Officer,
Mesa County Valley School District No. 51 Board of Education

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 18 day of July, 2018 by Philip Onofrio as Chief Operating Officer of the Mesa County Valley School District No. 51 Board of Education.

My commission expires 8/17/18.

Witness my hand and official seal.




Notary Public

EXHIBIT A

LEGAL DESCRIPTION OF EASEMENT AREA

A twenty foot (20.0') wide utility easement for sewer to be granted and being located in the Northwest Quarter of the Southeast Quarter (NW¼ SE¼) of Section 15, Township 1 South, Range 1 West of the Ute Meridian, the centerline of said easement to be granted being described as follows:

Commencing at the Center East 1/16 corner of said Section 15 whence the East 1/4 corner of said Section bears North 89°40'54" East, a distance of 1319.61 feet for a basis of bearings, with all bearings contained herein relative thereto; thence South 45°15'25" West, a distance of 1398.80 feet to the southwest corner of Lot 14, Block 2 of the Grand River Subdivision; thence North 00°05'28" East, a distance of 121.48 feet, to the South line of that right-of-way described as Colorado Department of Highways Project 19-A(1); thence along said Southerly right-of-way line the following two (2) courses: (1) North 63°26'28" East, a distance of 11.97 feet; (2) North 68°38'52" East, a distance of 35.63 feet; to the centerline of aforementioned easement; thence North 88°26'18" East, a distance of 29.51 feet, along said centerline of aforementioned easement; thence North 68°38'28" East, a distance of 29.54 feet, to a point on the North line of that 20.0 foot utility easement for sewer as described in Reception Number 2274318, also being a point 10.0 foot offset and parallel to the South line of said Colorado Department of Highways Project 19-A(1) to the POINT OF BEGINNING; thence North 68°38'28" East, a distance of 191.88 feet, along a line 10.0 foot offset and parallel to the South line of said Colorado Department of Highways Project 19-A(1); thence North 89°51'29" E, a distance of 54.26 feet, to a point on the Westerly line of the aforementioned 20.00 foot utility easement for sewer to the POINT OF TERMINUS, with the sidelines being lengthened or shortened, as necessary; thence North 89°51'29" East, a distance of 10.63 to the said centerline of the aforementioned 20.00 foot utility easement for sewer.

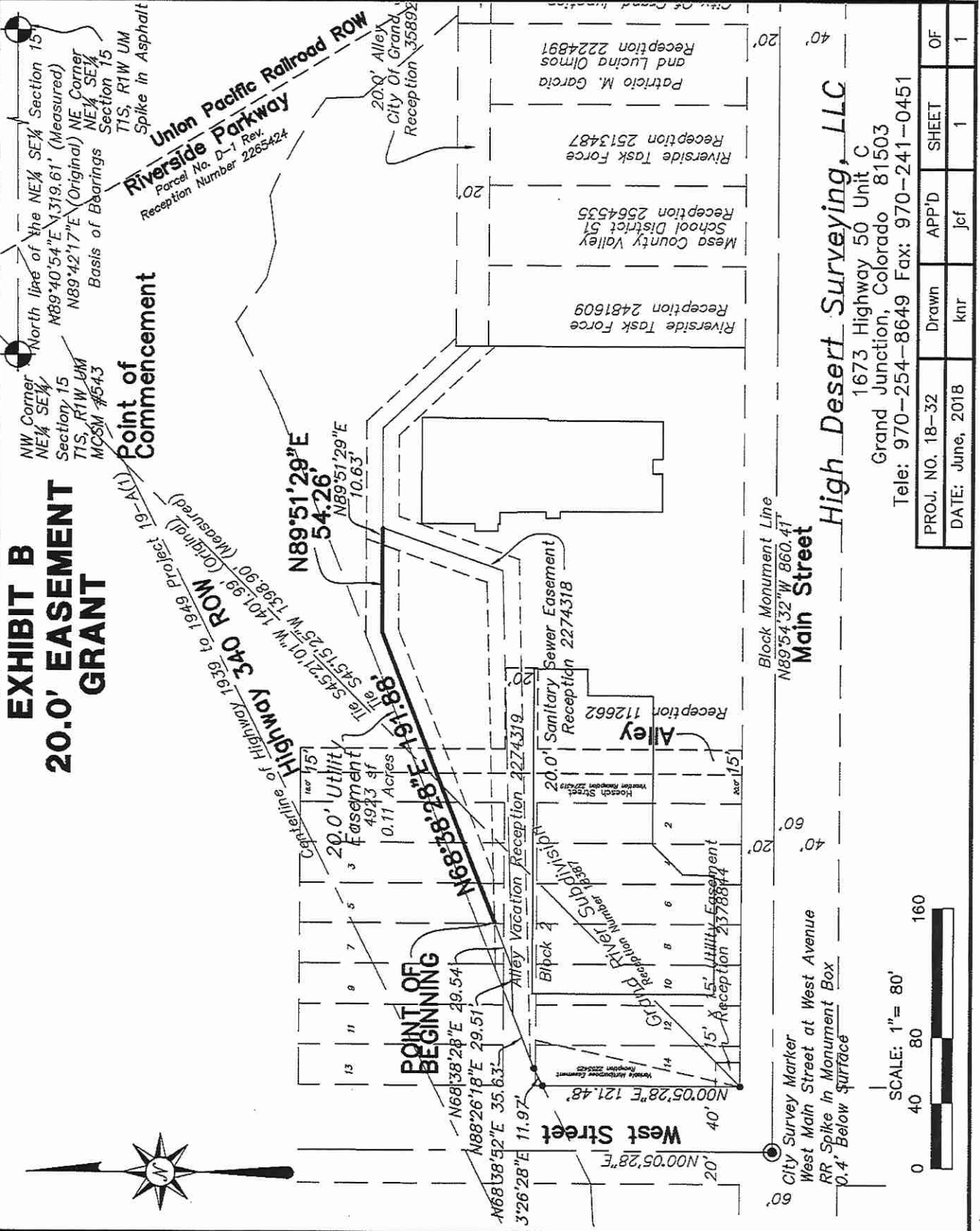
The sidelines at the Point of Beginning are to terminate on the North line of the existing 20 foot Sanitary Sewer Easement as recoded with Reception Number 2274318.

Said parcel containing 0.11 acres, as herein described.

18-32 20 foot Utility Easement Grant.doc/ knr
Prepared By:
Jeffrey C. Fletcher PLS 24953
High Desert Surveying, LLC
1673 Highway 50 Unit C
Grand Junction, Colorado 81505

EXHIBIT B

SKETCH OF EASEMENT AREA



High Desert Surveying, LLC
1673 Highway 50 Unit C
Grand Junction, Colorado 81503
Tele: 970-254-8649 Fax: 970-241-0451

PROJ. NO.	Drawn	APP'D	SHEET	OF
18-32	knr	jcf	1	1

