

## GRANT OF MULTI-PURPOSE EASEMENT

**Dillon Real Estate Co., Inc., a Kansas Corporation, Grantor,** 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,** whose address is 250 North 5th Street, Grand Junction, Colorado 81501, two (2) Perpetual Multi-Purpose Easements for the use and benefit of Grantee and for the use and benefit of the Public Utilities, as approved by Grantee, as perpetual easements for the installation, operation, maintenance, repair and replacement of utilities and appurtenances related thereto, including, but not limited to, electric lines, cable television lines, natural gas pipelines, sanitary sewer lines, storm sewers and storm water drainage facilities, irrigation and drainage facilities, water lines, telephone lines, and also for the installation, operation maintenance, repair and replacement of 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:

**Parcel A:**

A 14' MULTI-PURPOSE EASEMENT SITUATED IN THE SW ¼ OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 1 WEST, UTE MERIDIAN, BEING A PART OF LOT 2A, REPLAT OF MESA VILLAGE SUBDIVISION AS RECORDED FEBRUARY 16, 1996 AT RECEPTION NO. 1746811, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF SAID LOT 2A, WHENCE THE SW CORNER OF THE NW ¼ OF THE SW ¼ OF SAID SECTION 4 BEARS S33°29'41"W A DISTANCE OF 791.32 FEET, SAID POINT LYING ON THE WESTERLY R.O.W. LINE OF MARKET STREET; THENCE S00°06'21"W ALONG THE EASTERLY LINE OF SAID LOT 2A AND ALONG SAID WESTERLY R.O.W. LINE A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING; THENCE ALONG SAID EASTERLY LINE AND SAID WESTERLY R.O.W. LINE THE FOLLOWING THIRTEEN (13) COURSES; 1) THENCE CONTINUING S00°06'21"W A DISTANCE OF 25.46 FEET; 2) THENCE S56°44'43"E A DISTANCE OF 26.22 FEET; 3) THENCE S00°06'21"W A DISTANCE OF 59.21 FEET; 4) THENCE S19°23'46"W A DISTANCE OF 31.78 FEET; 5) THENCE S00°06'21"W A DISTANCE OF 62.21 FEET; 6) THENCE S19°11'03"E A DISTANCE OF 31.78 FEET; 7) THENCE S00°06'21"W A DISTANCE OF 46.68 FEET; 8) THENCE S45°06'21"W A DISTANCE OF 33.23 FEET; 9) THENCE S00°06'15"W A DISTANCE OF 39.45 FEET; 10) THENCE S44°53'39"E A DISTANCE OF 33.23 FEET; 11) THENCE S00°06'21"W A DISTANCE OF 142.32 FEET TO A POINT OF CURVE; 12) THENCE ALONG A CURVE TO THE LEFT WHOSE CHORD BEARS S11°33'45"E A DISTANCE OF 63.30 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 23°20'13", A RADIUS OF 156.50 FEET, AN ARC LENGTH OF 63.74 FEET; 13) THENCE S00°06'21"W NON-TANGENT TO THE LAST DESCRIBED CURVE A DISTANCE OF 29.77 FEET TO A POINT OF CURVE; THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT WHOSE CHORD BEARS N16°10'33"W A DISTANCE OF 95.60 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 32°33'48", A RADIUS OF 170.50 FEET, AN ARC LENGTH OF 96.90 FEET TO A POINT OF TANGENT; THENCE N00°06'21"E ALONG SAID TANGENT A DISTANCE OF 136.52 FEET; THENCE N44°53'39"W A DISTANCE OF 33.23 FEET; THENCE N00°06'15"E A DISTANCE OF 51.05 FEET; THENCE N45°06'21"E A DISTANCE OF 33.23 FEET; THENCE N00°06'21"E A DISTANCE OF 38.50 FEET; THENCE N19°11'03"W A DISTANCE OF 31.78 FEET; THENCE N00°06'21"E A DISTANCE OF 66.97 FEET; THENCE N19°23'46"E A DISTANCE OF 31.78 FEET; THENCE N00°06'21"E A DISTANCE OF 49.26 FEET; THENCE N56°44'43"W A DISTANCE OF 26.22 FEET; THENCE N00°06'21"E A DISTANCE OF 33.02 FEET; THENCE S89°59'06"E A DISTANCE OF 14.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS (8,576 SQUARE FEET) 0.1969 ACRES.

BEARINGS ARE BASED ON THE WEST LINE OF THE NW ¼ OF THE SW ¼ OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 1 WEST, OF THE UTE MERIDIAN BEARING N00°06'21"E AS REFERENCED AND BOUNDED BY A 3.25" MESA COUNTY ALUMINUM CAP L.S. NO. 677 IN A RANGE BOX AT THE SW CORNER OF THE NW ¼ OF THE SW ¼ OF SAID SECTION 4 AND A 3.25" HIGH DESERT SURVEYING ALUMINUM CAP L.S. NO. 24953 IN A RANGE BOX AT THE NW CORNER OF THE NW ¼ OF THE SW ¼ OF SECTION 4.

**AND ALSO;**



**Parcel B:**

A 14' MULTI-PURPOSE EASEMENT SITUATED IN THE SW ¼ OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 1 WEST, UTE MERIDIAN, BEING A PART OF LOT 2A, REPLAT OF MESA VILLAGE SUBDIVISION AS RECORDED FEBRUARY 16, 1996 AT RECEPTION NO. 1746811, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SE CORNER OF SAID LOT 2A WHENCE, THE SW CORNER OF THE NW ¼ OF THE SW ¼ OF SAID SECTION 4 BEARS N83°22'06"W A DISTANCE OF 586.58 FEET, SAID POINT LYING ON THE WESTERLY R.O.W. LINE OF MARKET STREET; THENCE S89°58'29"W ALONG THE SOUTHERLY LINE OF SAID LOT 2A A DISTANCE OF 15.51 FEET; THENCE N31°15'03"W A DISTANCE OF 2.97 FEET; THENCE N77°28'00"W A DISTANCE OF 20.58 FEET; THENCE S63°11'37"W A DISTANCE OF 15.56 FEET TO A POINT LYING ON SAID SOUTHERLY LINE; THENCE S89°58'29"W ALONG SAID SOUTHERLY LINE A DISTANCE OF 1.65 FEET; THENCE N33°17'54"W A DISTANCE OF 15.06 FEET; THENCE N56°29'30"W A DISTANCE OF 32.62 FEET; THENCE N34°46'52"W A DISTANCE OF 21.27 FEET; THENCE N48°19'29"E A DISTANCE OF 16.72 FEET; THENCE N04°40'03"E A DISTANCE OF 5.82 FEET TO A POINT LYING ON THE SOUTHEASTERLY LINE OF SAID LOT 2A AND SAID WESTERLY R.O.W. LINE; THENCE ALONG SAID SOUTHEASTERLY LINE AND SAID WESTERLY R.O.W. LINE THE FOLLOWING NINE (9) COURSES; 1) THENCE N89°58'29"E A DISTANCE OF 14.05 FEET; 2) THENCE S04°40'03"W A DISTANCE OF 12.58 FEET; 3) THENCE S48°19'29"W A DISTANCE OF 9.92 FEET; 4) THENCE S34°46'52"E A DISTANCE OF 6.18 FEET; 5) THENCE S56°29'30"E A DISTANCE OF 32.81 FEET; 6) THENCE S33°17'54"E A DISTANCE OF 6.18 FEET; 7) THENCE N63°11'37"E A DISTANCE OF 9.46 FEET; 8) THENCE S77°28'00"E A DISTANCE OF 30.86 FEET TO A POINT OF NON-TANGENT CURVE; 9) THENCE ALONG A CURVE TO THE RIGHT WHOSE CHORD BEARS S30°29'11"E A DISTANCE OF 17.47 FEET; SAID CURVE HAVING A CENTRAL ANGLE OF 16°44'17", A RADIUS OF 60.00 FEET, AN ARC LENGTH OF 17.53 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS (1,808 SQUARE FEET) 0.0415 ACRES.

BEARINGS ARE BASED ON THE WEST LINE OF THE NW ¼ OF THE SW ¼ OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 1 WEST, OF THE UTE MERIDIAN BEARING N00°06'21"E AS REFERENCED AND BOUNDED BY A 3.25" MESA COUNTY ALUMINUM CAP L.S. NO. \_\_\_677 IN A RANGE BOX AT THE SW CORNER OF THE NW ¼ OF THE SW ¼ OF SAID SECTION 4 AND A 3.25" HIGH DESERT SURVEYING ALUMINUM CAP L.S. NO. 24953 IN A RANGE BOX AT THE NW CORNER OF THE NW ¼ OF THE SW ¼ OF SECTION 4.

As described herein and depicted on **Exhibit "A" and Exhibit "B"** 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 Easements, 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 are Easements 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 these Easements 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 Easements 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 Easements. Nothing in this section shall be interpreted to prevent Grantor from installing landscaping features or similar improvements typically located in Easement areas.

2. Grantee agrees that Grantee's utilization of the Easements and the rights herein conveyed shall be performed with due care using industries best accepted standards and techniques.

3. Grantor hereby covenants with Grantee it has good title to the herein described premises; that it has good and lawful right to grant these Easements; 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 8<sup>th</sup> day of February, 2010.

Dillon Real Estate Co., Inc.,  
a Kansas Corporation

By: *Paul W. Heldman*  
Paul W. Heldman, Vice President and Secretary



State of Ohio )  
                          )ss.  
County of Hamilton )

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of February, 2010, by Paul W. Heldman, Vice President and Secretary, Dillon Real Estate Co., Inc., a Kansas Corporation.

My commission expires \_\_\_\_\_.

Witness my hand and official seal.

*Jennifer K. Gothard*  
Notary Public



JENNIFER K. GOTHARD  
Attorney at Law  
Notary Public, State of Ohio  
My Commission Has No Expiration  
Date. Section 147.03 O.R.C.

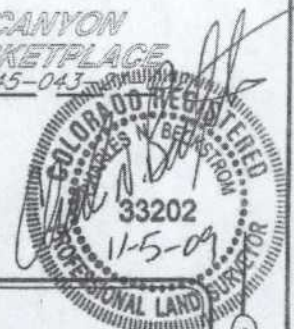
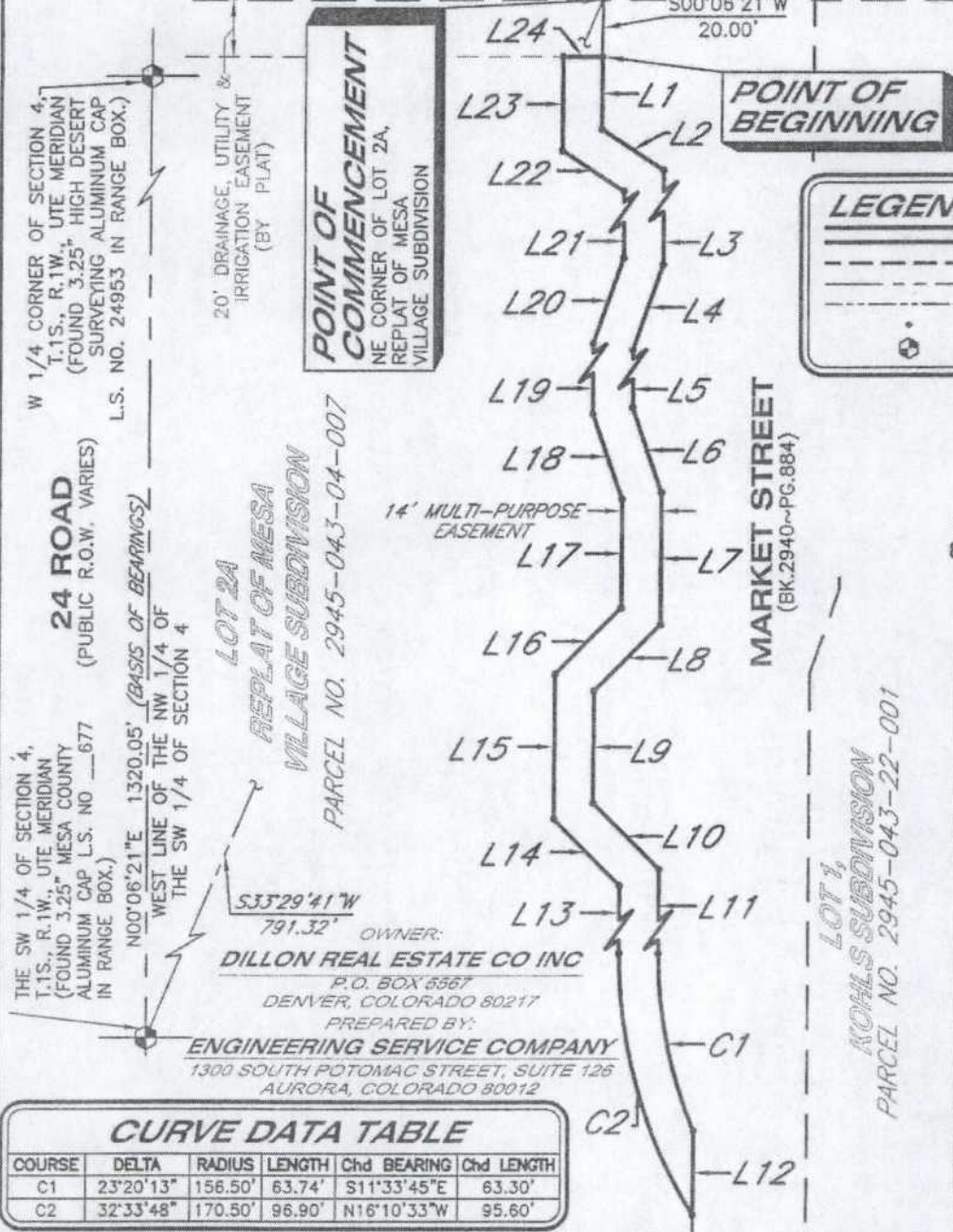
*This instrument prepared by K. Valdez, City of Grand Junction, 250 N. 5<sup>th</sup> Street, Grand Junction, CO 81501*



# EXHIBIT "A"

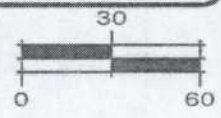
LOT 1, CANYON  
VIEW MARKETPLACE  
PARCEL NO. 2945-043-21-001

LOT 2, CANYON  
VIEW MARKETPLACE  
PARCEL NO. 2945-043-22-001



**LEGEND**

- DEDICATION LINE
- - - ADJACENT PROPERTY
- - - SECTION LINE
- - - TIE LINE
- ANGLE POINT
- ALIQUOT CORNER



Scale: 1" = 60'  
PARCEL CONTAINS  
8,576 SQUARE FEET  
0.1969 ACRES

**LINE DATA TABLE**

COURSE	BEARING	LENGTH
L1	S00°06'21"W	25.46'
L2	S56°44'43"E	26.22'
L3	S00°06'21"W	59.21'
L4	S19°23'46"W	31.78'
L5	S00°06'21"W	62.21'
L6	S19°11'03"E	31.78'
L7	S00°06'21"W	46.68'
L8	S45°06'21"W	33.23'
L9	S00°06'15"W	39.45'
L10	S44°53'39"E	33.23'
L11	S00°06'21"W	142.32'
L12	S00°06'21"W	29.77'
L13	N00°06'21"E	136.52'
L14	N44°53'39"W	33.23'
L15	N00°06'15"E	51.05'
L16	N45°06'21"E	33.23'
L17	N00°06'21"E	38.50'
L18	N19°11'03"W	31.78'
L19	N00°06'21"E	66.97'
L20	N19°23'46"E	31.78'
L21	N00°06'21"E	49.26'
L22	N56°44'43"W	26.22'
L23	N00°06'21"E	33.02'
L24	S89°59'06"E	14.00'

**CURVE DATA TABLE**

COURSE	DELTA	RADIUS	LENGTH	Chd BEARING	Chd LENGTH
C1	23°20'13"	156.50'	63.74'	S11°33'45"E	63.30'
C2	32°33'48"	170.50'	96.90'	N16°10'33"W	95.60'

OWNER:  
**DILLON REAL ESTATE CO INC**  
P.O. BOX 5567  
DENVER, COLORADO 80217  
PREPARED BY:  
**ENGINEERING SERVICE COMPANY**  
1300 SOUTH POTOMAC STREET, SUITE 126  
AURORA, COLORADO 80012

**CITY OF GRAND JUNCTION**

NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.

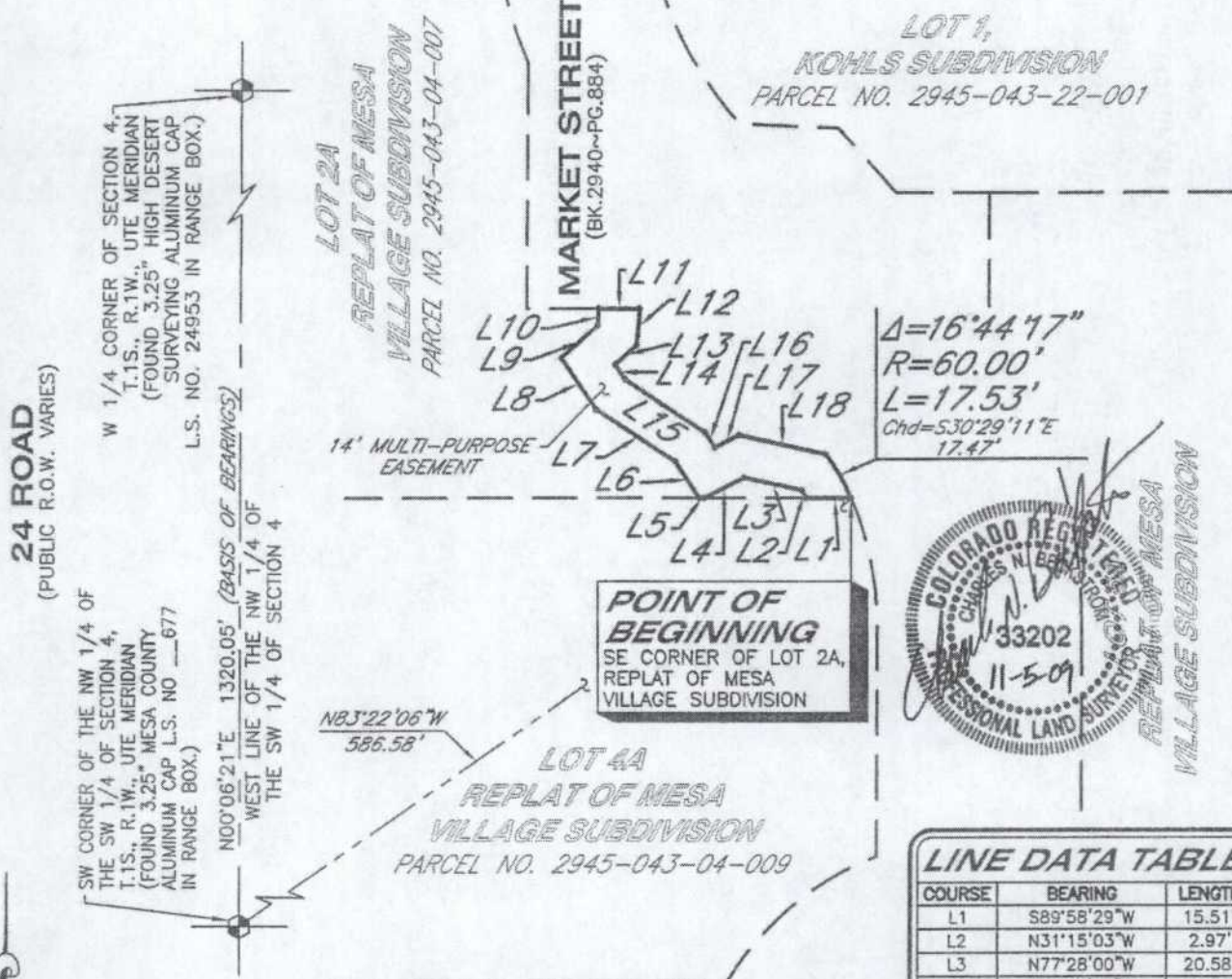
DRAWN BY: SAM	SCALE: 1"=60'	R.O.W. FILE#
CHECKED BY: CNB	DATE: 11/05/09	

**14' MULTI PURPOSE EASEMENT**

A PART OF LOT 2A, REPLAT OF MESA VILLAGE SUBDIVISION SITUATED IN THE SW 1/4 OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 1 WEST, UTE MERIDIAN CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO



# EXHIBIT "B"



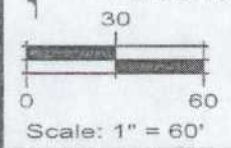
$\Delta = 16^{\circ}44'17''$   
 $R = 60.00'$   
 $L = 17.53'$   
 $Chd = S30^{\circ}29'11''E$   
 $17.47'$

**POINT OF BEGINNING**  
 SE CORNER OF LOT 2A,  
 REPLAT OF MESA  
 VILLAGE SUBDIVISION



COURSE	BEARING	LENGTH
L1	S89°58'29"W	15.51'
L2	N31°15'03"W	2.97'
L3	N77°28'00"W	20.58'
L4	S63°11'37"W	15.56'
L5	S89°58'29"W	1.65'
L6	N33°17'54"W	15.06'
L7	N56°29'30"W	32.62'
L8	N34°46'52"W	21.27'
L9	N48°19'29"E	16.72'
L10	N04°40'03"E	5.82'
L11	N89°58'29"E	14.05'
L12	S04°40'03"W	12.58'
L13	S48°19'29"W	9.92'
L14	S34°46'52"E	6.18'
L15	S56°29'30"E	32.81'
L16	S33°17'54"E	6.18'
L17	N63°11'37"E	9.46'
L18	S77°28'00"E	30.86'

OWNER:  
**DILLON REAL ESTATE CO INC**  
 P.O. BOX 5567  
 DENVER, COLORADO 80217  
 PREPARED BY:  
**ENGINEERING SERVICE COMPANY**  
 1300 SOUTH POTOMAC STREET, SUITE 126  
 AURORA, COLORADO 80012



PARCEL CONTAINS  
**1,808 SQUARE FEET**  
**0.0415 ACRES**

**LEGEND**

- DEDICATION LINE
- ADJACENT PROPERTY
- SECTION LINE
- TIE LINE
- ANGLE POINT
- ALIQUOT CORNER

<b>CITY OF GRAND JUNCTION</b>		
NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.		
DRAWN BY: SAM	SCALE: 1"=60'	R.O.W. FILE#
CHECKED BY: CNB	DATE: 11/05/09	

## 14' MULTI PURPOSE EASEMENT

A PART OF LOT 2A, REPLAT OF MESA VILLAGE SUBDIVISION  
 SITUATED IN THE SW 1/4 OF SECTION 4,  
 TOWNSHIP 1 SOUTH, RANGE 1 WEST, UTE MERIDIAN  
 CITY OF GRAND JUNCTION, COUNTY OF MESA,  
 STATE OF COLORADO