

GRANT OF UTILITY EASEMENT

THE BISHOP OF PUEBLO, also known as The Bishop of Pueblo, A Corporation Sole, The Roman Catholic Diocese of Pueblo, Grantor, whose address is 101 N, Greenwood St., Pueblo, CO 81003, who is the owner of the following described real property in Mesa County, Colorado:

Lot 1 Holy Family Subdivision, Plat Book 16, Page 130, said parcel recorded with Reception Number 1841553, Public Records of Mesa County, Colorado, less the roadway and utilities right-of-way described in Book 2678, Page 760 in the Mesa County Clerk and Recorder's records.

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 present does hereby grant and convey to the City of Grand Junction, a Colorado home rule municipality, Grantee, whose address is 250 N. 5th Street, Grand Junction, CO 81501, a Utility Easement 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, equivalent other public utility providers and appurtenant facilities, on, along, over, under, through and across the following described parcel of land, to wit:

See the attached Exhibit A as described and Exhibit B for a depiction of the description all 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.

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 unreasonably interfere with the full use and quiet enjoyment of the rights herein granted. Grantor will not install on the Easement, or permit the installation on the Easement, of any building, structure, improvement, retaining wall, sidewalk, patio, tree or other landscaping, other than the usual and customary grasses and other ground cover. In the event such obstacles are installed in the Easement, the Grantee has the right to require the Grantor to remove such obstacles from the Easement at Grantor's cost. If Grantor does not remove such obstacles, the Grantee may remove such obstacles without any liability or obligation for repair and replacement thereof and charge the Grantor the Grantee's costs for such removal. If the Grantee chooses not to remove the obstacles, the Grantee will not be liable for any damage to the obstacles or any other property to which they are attached.

The Easement shall be for the use and benefit of Grantee, its members, employees, agents and contractors or any of its successors in title or interest, and City approved utilities.

Grantor hereby covenants with Grantee that 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.

Executed and delivered this 9th day of November, 2022, by The Bishop of Pueblo, a Corporation Sole, for the benefit of and in trust for the Immaculate Heart of Mary Parish, Grand Junction.

+ Stephen J. Berg, Bishop of Pueblo

State of Colorado } ss.  
County of Mesa }

The foregoing instrument was acknowledged before me this 9th day of November, 2022, by The Bishop of Pueblo, a Corporation Sole, for the benefit of and in trust for the Immaculate Heart of Mary Parish, Grand Junction.

+ Stephen J. Berg, Bishop of Pueblo

My commission expires 11-5-2024  
Witness my hand and official seal.  
NOTARY ID 19964016104  
MY COMMISSION EXPIRES NOV 5, 2024

Alice Ledoux  
Notary Public

**EXHIBIT A**

**LEGAL DESCRIPTION**

A tract of land for a 20-foot easement located, in the Northwest Quarter of the Northeast Quarter (NW¼ NE¼) of Section 35, Township 1 North, Range 1 West, of the Ute Meridian, City of Grand Junction, Mesa County, Colorado, being more particularly described as follows:

BEGINNING at the Southwest corner of Lot 1, Holy Family Subdivision as recorded at Reception Number 1841553 of the records of the Mesa County Clerk, whence the Northwest corner of said Lot 1 bears North 00°07'41" West, a distance of 935.47 feet, for a Basis of Bearings with all bearings hereon relative thereto; thence along the West line of said Lot 1, North 00°07'41" West, a distance of 20.00 feet; thence North 89°59'23" East, a distance of 190.04 feet; thence North 77°47'41" East, a distance of 437.96 feet to a point on the East line of said Lot 1, thence South 19°35'11" West, a distance of 23.53 feet to the Southeast corner of said Lot 1; thence along the South line of said Lot 1, South 77°47'41" West, a distance of 427.70 feet; thence continuing along said South line, South 89°59'23" West, a distance of 192.14 feet to the POINT OF BEGINNING.

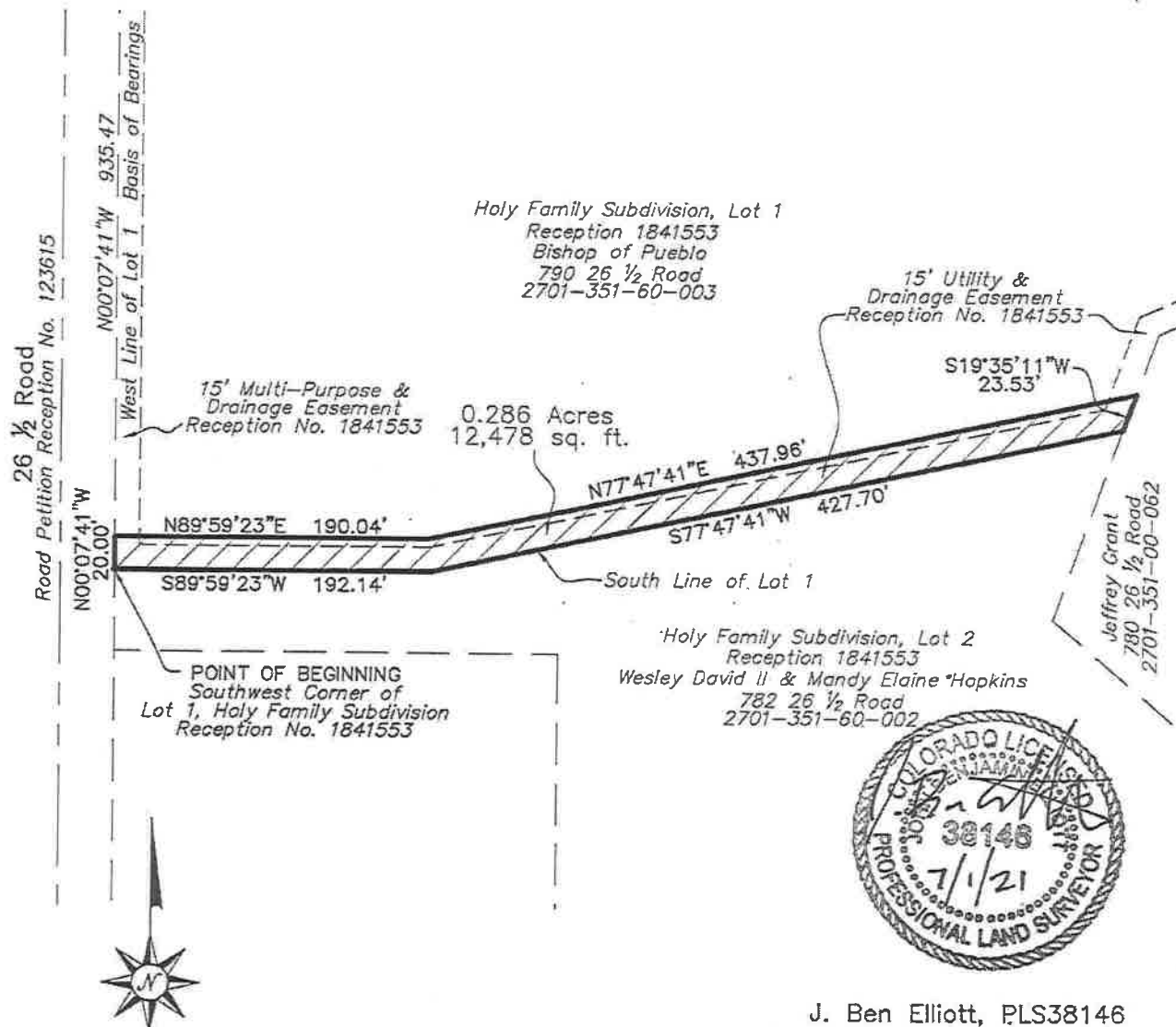
Said parcel containing an area of 0.286 acres (12,478 sq. ft.), as herein described.



Prepared by:  
J. Ben Elliott, PLS38146  
High Desert Surveying, LLC  
1673 Highway 50, Unit C  
Grand Junction, Colorado 81503

## EXHIBIT B

20' Easement Located in the  
NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 35  
T1N, R1W, Ute Meridian



**High Desert Surveying, LLC**

1673 Highway 50 Unit C  
Grand Junction, Colorado 81503

Tele: 970-254-8649 Fax: 970-241-0451

SCALE: 1" = 100'



PROJ. NO. 21-28	Surveyed	Drawn	APP'D	SHEET	OF
DATE: July, 2021	BO/SE	BE	BE	1	1