

## **PERMANENT DRAINAGE EASEMENT**

**KNOW ALL MEN BY THESE PRESENT:**

That CDC Investments, LLC, whose address is 3400 E. 156th Ave. Brighton, CO 80602, hereinafter called "Grantor", for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, and convey to the County of Adams, State of Colorado, whose address is 4430 S. Adams County Parkway, Brighton, Colorado, 80601-8218, hereinafter "Grantee", its successors and assigns, a permanent storm drainage easement for the purpose of providing a drainage system for the property described on the plat of Mapleton Addition recorded in the Office of the Adams County Clerk and Recorder on 11/28/1916 under Book 1 Page 48, being more particularly described as:

The South 104 feet fo that part of Block 53 lying East of the United Water Company's ditch, Mapleton Addition, except that portion conveyed to the County of Adams by Warranty Deed recorded July 11, 2011, at reception number 2011000043622, County of Adams, State of Colorado.

hereinafter referred to as the "Property", with the right to construct, operate, maintain, replace, enlarge, reconstruct, improve, inspect, repair, and remove such drainage facilities and appurtenances thereto as shown on the approved drainage plan on file at the Adams County Community and Economic Development Department and as may from time to time be modified, with County approval, or as required on, over, across, and through the following described land to wit:

See attached Exhibit A

Together with a non-exclusive right to ingress and egress from said Easement over and across the surface of the lands of the Property by means of roads and lanes thereon if such there be; otherwise by such route as shall cause the least practical damage and inconvenience to the Property.

It is the intent of this easement to provide drainage facilities for the Property and the maintenance responsibility shall lie with the Grantor, his successors and assigns. The Grantor, its successors and assigns, shall be responsible for the operation, maintenance and repair of all drainage facilities including but not limited to inlets, pipes, culverts, channels, ditches, hydraulic structures, detention basins and retention basins located on the Property. Maintenance and repair shall include but not be limited to the periodic removal of debris and sediment from channels, storm sewer pipes, trash racks,

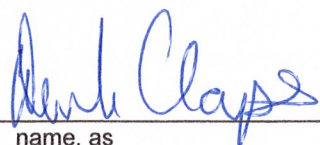
inlets and basins. In addition channel banks, basins, crushed pipe inlets and outlets, and general deterioration of the storm water and drainage facilities shall be maintained and repaired to avoid reduced conveyance capability, unhealthy and unsightly conditions and ultimate failure of the drainage system.

Should the Grantor, its successors and assigns, fail to adequately maintain said facilities, then the Grantee, its successors and assigns shall have the right to enter said easement for the purpose of maintaining and repairing said facilities. All costs related to the maintenance and repair of said facilities shall be assessed to the Property Owner. The Grantee, its successors and assigns shall give the Grantor, its successors and assigns, a 30 day written notice to commence routine maintenance and repair which must be completed in a reasonable amount of time. Emergency repairs that could endanger off site properties and/or be a threat to the health, safety and general welfare of the public, if not repaired immediately, shall be repaired by the Grantor, its successors and assigns, immediately upon notice and if not, by the Grantee, its successors and assigns with the cost again assessed to the Property Owner.

In further consideration hereof, Grantor, its successors and assigns, covenants and agrees that no buildings, structures or objects will be placed, erected, installed or permitted on, over, across or through the Easement, and it is further agreed that the Grantor, its successors and assigns, shall not grant any additional easements, leases, or licenses on, over, across, and through the Easement without first obtaining the written consent of Adams County, which shall not withhold such consent unless Adams County determines, in its sole discretion, that such additional easements, leases, or license will interfere with or impede the proper maintenance and use of said facility.

In further consideration of the granting of this easement, it is hereby agreed that all work performed by the Grantor, its successors and assigns, or the Grantee, its successors and assigns, in connection with this easement shall be done with care, and the surface of the property shall be restored to its designed condition, or as close thereto as possible, except for any necessary approved modifications to accommodate the facilities and appurtenances installed.

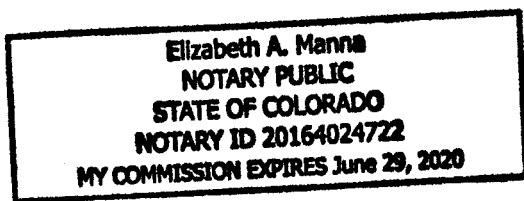
IN WITNESS WHEREOF, the Grantor has executed this easement this 6th day of September, 2016.

By:   
name, as  
Don L. Claps  
Manager

STATE OF Colorado )  
COUNTY OF Adams ) ss

The foregoing instrument was acknowledged before me this 6 day of September,  
2016 by Elizabeth Manna, Teller II, of Vecta Bank.  
Name Title Company or Organization

IN WITNESS WHEREOF, I have hereto set my hand and official seal.



Elizabeth A. Manna  
Notary Public

My commission expires: 6-29-2020

NOTE: THIS MAP IS NOT  
INTENDED TO REPRESENT A  
BOUNDARY SURVEY, LAND  
SURVEY PLAT, OR  
IMPROVEMENT SURVEY PLAT.  
THIS MAP IS ONLY  
INTENDED TO DEPICT THE  
LEGAL DESCRIPTION.



SCALE: 1"=40'

## EXHIBIT A

N. E. COR. S. E. 1/4 N. E. 1/4  
SEC. 10, T. 3S., R. 68W.  
(FOUND 3-1/4" ALUMINUM CAP,  
P. L. S. 25869, 1999, IN RANGE BOX)

20' TO ADAMS COUNTY IN  
RECEPTION NO. 2011000043622,  
ADAMS COUNTY RECORDS

WEST RIGHT-OF-WAY LINE  
NORTH WASHINGTON STREET

BLOCK 53, MAPLETON ADDITION

S89°48'14"E 406.40'

NORTH LINE SPECIAL  
WARRANTY DEED, RECEPTION  
NO. 2015000036242, ADAMS  
COUNTY RECORDS

SPECIAL WARRANTY DEED,  
RECEPTION NO. 2015000036242,  
ADAMS COUNTY RECORDS

APPARENT CENTERLINE OF A  
20' WIDE ACCESS EASEMENT

N88°33'09"W 341.07'

N89°48'11"W 405.61'

25' PERPETUAL EASEMENT FOR ROADWAY AND UNDERGROUND TILES OR  
PIPELINES IN BOOK 2964 AT PAGE 90, ADAMS COUNTY RECORDS

LOT 1, BLOCK 1, BLANDING SUBDIVISION FILING NO. 1  
(FILE 17, MAP 930, ADAMS COUNTY RECORDS)

N. E. CORNER LOT 1, BLOCK 1 AND S. E.  
CORNER RECEPTION NO. 2011000043622  
POINT OF COMMENCEMENT

Prepared By:

R. W. BAYER & ASSOCIATES, INC.  
2090 EAST 104TH AVENUE, SUITE 200  
THORNTON, COLORADO 80233-4316  
(303) 452-4433 [rwbsurveying@hotmail.com](mailto:rwbsurveying@hotmail.com)  
CAD FILE: B16145/B16145EASE.dwg

Date Prepared: AUGUST 23, 2016  
SHEET 2 OF 2

S. E. COR. S. E. 1/4 N. E. 1/4  
SEC. 10, T. 3S., R. 68W.  
(FOUND 3-1/4" ALUMINUM CAP,  
P. L. S. 16406, 2010, IN RANGE BOX)

S89°48'14"E 88.27'

DRAINAGE EASEMENT  
CONTAINS 3,743 SQUARE FEET  
OR 0.086 ACRES MORE OR LESS

N00°11'49"E  
12.29'

N89°48'11"W 67.79'

N89°48'11"W 20.66'  
POINT OF BEGINNING

20' TO ADAMS COUNTY IN  
RECEPTION NO. 2011000043622,  
ADAMS COUNTY RECORDS

12.77'

51.79'  
S00°00'00"W

52.21'  
S00°00'00"W

N89°48'11"W  
50.00'

50' RIGHT-OF-WAY PER PLAT OF  
BLANDING SUBDIVISION FILING NO. 1

EAST LINE S. E. 1/4 N. E. 1/4 SEC. 10  
(BASIS FOR BEARINGS)

786.02'

NORTH WASHINGTON STREET

30' RIGHT-OF-WAY PER PLAT OF MAPLETON ADDITION

1311.26'

N00°00'00"E

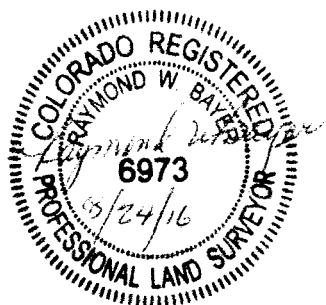
# EXHIBIT A

## LEGAL DESCRIPTION: DRAINAGE EASEMENT

THAT PART OF A PARCEL OF LAND DESCRIBED IN SPECIAL WARRANTY DEED RECORDED IN RECEPTION NO. 2015000036242, ADAMS COUNTY RECORDS, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 1, BLANDING SUBDIVISION FILING NO. 1, RECORDED IN FILE 17 AT MAP 930, ADAMS COUNTY RECORDS; THENCE NORTH 00°00'00" EAST ALONG THE WEST RIGHT-OF-WAY LINE OF NORTH WASHINGTON STREET AS DESCRIBED IN RECEPTION NO. 2011000043622, ADAMS COUNTY RECORDS, A DISTANCE OF 52.21 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°48'11" WEST A DISTANCE OF 20.66 FEET; THENCE NORTH 00°11'49" EAST A DISTANCE OF 12.29 FEET; THENCE NORTH 89°48'11" WEST A DISTANCE OF 67.79 FEET; THENCE NORTH 00°11'49" EAST A DISTANCE OF 39.50 FEET TO THE NORTH LINE OF SAID PARCEL OF LAND DESCRIBED IN SPECIAL WARRANTY DEED RECORDED IN RECEPTION NO. 2015000036242; THENCE SOUTH 89°48'14" EAST ALONG SAID NORTH LINE A DISTANCE OF 88.27 FEET TO THE WEST LINE OF SAID NORTH WASHINGTON STREET AS DESCRIBED IN RECEPTION NO. 2011000043622; THENCE SOUTH 00°00'00" WEST ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 51.79 FEET TO THE POINT OF BEGINNING. CONTAINS 3,743 SQUARE FEET OR 0.086 ACRES MORE OR LESS.

## BASIS FOR BEARINGS:

THE EAST LINE OF SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER (THE NORTHEAST CORNER IS A 3-1/4" ALUMINUM CAP, P.L.S. 25869, 1999, IN RANGE BOX AND THE SOUTHEAST CORNER IS A 3-1/4" ALUMINUM CAP, P.L.S. 16406, 2010, IN RANGE BOX) OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, BEARS N00°00'00"E, TAKEN FROM THE PLAT OF BLANDING SUBDIVISION FILING NO. RECORDED IN FILE 17 AT MAP 930, ADAMS COUNTY RECORDS. ALL BEARINGS ARE RELATIVE THERETO. ALL MONUMENTS EXIST AS SHOWN HEREON.



Prepared By:

R. W. BAYER & ASSOCIATES, INC.  
2090 EAST 104TH AVENUE, SUITE 200  
THORNTON, COLORADO 80233-4316  
(303) 452-4433 [rwbsurveying@hotmail.com](mailto:rwbsurveying@hotmail.com)  
CAD FILE: B16045/B16045EASE.dwg

Date Prepared: AUGUST 23, 2016  
SHEET 1 OF 2