

PERMANENT DRAINAGE EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That Holly Investment Company, a Colorado corporation, hereinafter called "Grantor", for 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, a body politic, whose address is 4430 South Adams County Parkway, Brighton, Colorado 80601 hereinafter "County", its successors and assigns, a permanent storm water drainage easement for the purpose of maintenance of all drainage facilities including inlets, pipes, culverts, channels, ditches, hydraulic structures, detention basins, catch grates, maintenance roads, etc., said easement to be used solely in the event Grantor fails to maintain such drainage facilities, together with lateral and subjacent support thereto as may from time to time be required on, over, across, and through the following described land to wit:

Legal description as set forth in Exhibit "A" attached hereto and incorporated by this reference.

Together with the right to ingress and egress over and across the land of Grantor 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 Grantor.

In further consideration hereof, Grantor covenants and agrees that no permanent buildings or structures will be placed, erected, installed or permitted upon said easement that will cause any obstructions to prevent the proper maintenance and use of said drainage facility.

In the event the County exercises its right to maintain the detention pond, all of the County's costs to maintain the detention pond shall be reimbursed by Grantor within thirty days of receiving the County's invoice, including any collection costs and attorney fees.

In further consideration of the granting of this easement, it is hereby agreed that all work performed by the County, 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 original condition, or as close thereto as possible, except as necessarily modified to accommodate the facilities and appurtenances installed and any damages caused on said easement arising out of the reconstruction, maintenance and repair of said drainage facilities and appurtenances in the exercise of the rights hereby provided shall be restored reasonably similar to its original condition following completion of the work performed.

That certain **PERMANENT DRAINAGE EASEMENT** recorded on December 8, 2016 in the public records of Adams County, Colorado, at Reception No. 201600010663 is hereby terminated.

IN WITNESS WHEREOF, Grantor has hereto set his hand on this 24th day of March, 2017.

Holly Investment Company,
a Colorado corporation

By: L. Losh

Print Name: Loren L Losh

Print Title: President

STATE OF COLORADO)

COUNTY OF Adams)

The foregoing instrument was acknowledged before me this 24 day of MARCH, 2017 by LOREN L LOSH, as PRESIDENT of Holly Investment Company, a Colorado corporation.

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

My commission expires: 3/13/2018

Linda J Huffman
Notary Public

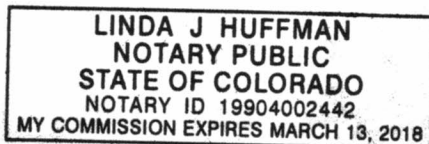


EXHIBIT A

LEGAL DESCRIPTION: DRAINAGE AND DETENTION POND EASEMENT

THAT PART OF THE SOUTHEAST ONE-QUARTER OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST ONE-QUARTER OF SECTION 33; THENCE SOUTH 89°46'56" WEST ALONG THE SOUTH LINE OF SAID SOUTHEAST ONE-QUARTER, A DISTANCE OF 70.00 FEET; THENCE NORTH 00°05'51" EAST AND PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST ONE-QUARTER, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°46'56" WEST AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST ONE-QUARTER, A DISTANCE OF 193.92 FEET; THENCE NORTH 37°22'39" WEST A DISTANCE OF 180.44 FEET; THENCE NORTH 65°30'26" EAST A DISTANCE OF 297.53 FEET; THENCE NORTH 59°07'18" WEST A DISTANCE OF 609.92 FEET TO THE PROPOSED EASTERLY RIGHT-OF-WAY LINE OF WOODCHEST STREET, SAID PROPOSED EASTERLY RIGHT-OF-WAY LINE BEING ON A CURVE TO THE LEFT, THE RADIUS OF SAID CURVE IS 250.00 FEET, THE DELTA OF SAID CURVE IS 06°53'32", THE CHORD OF SAID CURVE BEARS NORTH 34°19'28" EAST, 30.05 FEET; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG SAID CURVE, A DISTANCE OF 30.07 FEET TO THE PROPOSED SOUTHWEST CORNER OF LOT 5, BLOCK 1, GRASSLANDS AT COMANCHE - FIRST FILING; THENCE SOUTH 59°07'18" EAST A DISTANCE OF 628.83 FEET TO THE PROPOSED SOUTHEAST CORNER OF LOT 5, BLOCK 1, GRASSLANDS AT COMANCHE - FIRST FILING; THENCE SOUTH 00°05'51" WEST PARALLEL WITH AND 70.00 FEET WEST OF THE EAST LINE OF SAID SOUTHEAST ONE-QUARTER, DISTANCE OF 281.11 FEET TO THE POINT OF BEGINNING. CONTAINS 75,200 SQUARE FEET OR 1.726 ACRES MORE OR LESS.

BASIS FOR BEARINGS:

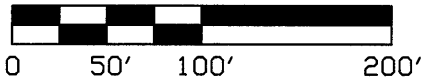
THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER (THE SOUTH $\frac{1}{4}$ CORNER IS A 2" ALUMINUM CAP, P.L.S. 18475 AND THE SOUTHEAST CORNER IS A 3-1/4" ALUMINUM CAP, L.S. 23519, IN RANGE BOX) OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 62 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, IS ASSUMED TO BEAR SOUTH 89°46'56" WEST. ALL BEARINGS DESCRIBED HEREIN ARE RELATIVE THERETO.



Prepared By:

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Date Prepared: MARCH 23, 2017

EXHIBIT A



SCALE: 1"=100'

