

## **PERMANENT ACCESS 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 access easement for the purpose of maintenance of an emergency access from East 72<sup>nd</sup> Ave. to Van Sickle Street of the Grasslands at Comanche Subdivision, Filing 1. Said easement to be used solely in the event Grantor fails to maintain such emergency access 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 emergency access.

In the event the County exercises its right to maintain the emergency access all of the County's costs to maintain the emergency access 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 emergency access 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.  
IN WITNESS WHEREOF, Grantor has hereto set his hand on this 24th day of February, 2017.

Holly Investment Company,  
a Colorado corporation

By: [Signature]

Print Name: Loren L Losh

Print Title: President

STATE OF COLORADO)

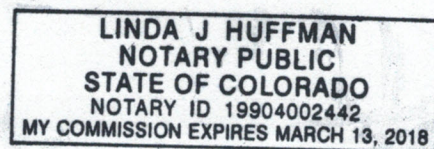
COUNTY OF ADAMS)

The foregoing instrument was acknowledged before me this 24 day of FEBRUARY, 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

[Signature]  
Notary Public



# EXHIBIT A

## LEGAL DESCRIPTION: ACCESS 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, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 33; THENCE SOUTH 89°46'56" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 33, A DISTANCE OF 1159.88 FEET; THENCE NORTH 00°13'04" WEST A DISTANCE OF 30.00 FEET TO THE NORTH RIGHT OF WAY LINE OF EAST 72ND AVENUE AND THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°13'04" WEST A DISTANCE OF 480.00 FEET; THENCE SOUTH 89°46'56" WEST A DISTANCE OF 239.90 FEET TO THE BEGINNING A OF CURVE TO THE RIGHT, THE DELTA OF SAID CURVE IS 42°50'02", THE RADIUS OF SAID CURVE IS 265.00 FEET, THE CHORD OF SAID CURVE BEARS NORTH 68°48'03" WEST, 193.53 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 198.11 FEET; THENCE NORTH 42°36'58" EAST A DISTANCE OF 30.00 FEET TO A CURVE TO THE LEFT, THE DELTA OF SAID CURVE IS 42°50'02", THE RADIUS OF SAID CURVE IS 235.00 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 68°48'03" EAST, 171.62 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 175.68 FEET TO THE END OF SAID CURVE; THENCE NORTH 89°46'56" EAST A DISTANCE OF 579.00 FEET TO THE BEGINNING OF A CURVE TO THE LEFT, THE DELTA OF SAID CURVE IS 51°34'11", THE RADIUS OF SAID CURVE IS 235.00 FEET, THE CHORD OF SAID CURVE BEARS NORTH 63°59'51" EAST, 204.45 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 211.51 FEET; THENCE SOUTH 59°07'18" EAST A DISTANCE OF 30.22 FEET TO A CURVE TO RIGHT, THE DELTA OF SAID CURVE IS 52°24'13", THE RADIUS OF SAID CURVE IS 265.00 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 63°34'49" WEST, 234.01 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 242.37 FEET TO THE END OF SAID CURVE; THENCE SOUTH 89°46'56" WEST A DISTANCE OF 309.10 FEET; THENCE SOUTH 00°13'04" EAST A DISTANCE OF 480.00 FEET TO THE NORTH RIGH-OF-WAY LINE OF SAID EAST 72ND AVENUE; THENCE SOUTH 89°46'56" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING. CONTAINS 44,185 SQUARE FEET OR 1.014 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.

RAYMOND W. BAYER  
REG. P. L. S. NO. 6973

Prepared By:

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Date Prepared: MARCH 03, 2017

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