

CITY OF WESTMINSTER

TEMPORARY CONSTRUCTION EASEMENT AGREEMENT

THIS AGREEMENT ("Agreement") is made and entered into this _____ day of _____, 20____, by and between County of Adams, State of Colorado ("Grantor"), whose legal address is 4430 South Adams County Parkway, Brighton, CO 80601, and the City of Westminster, Colorado ("City"), whose legal address is 4800 West 92nd Avenue, Westminster, CO 80031.

I. CONVEYANCES OF REAL PROPERTY

For and in consideration of the sum of **TWO THOUSAND TWO DOLLARS (\$2,002.00)**, the receipt and adequacy of which is hereby acknowledged, Grantor, subject to the Terms and Conditions set forth below, hereby grants and conveys to the City, its successors and assigns, the following real property interest:

A. Term and Rental. A temporary construction easement on the property described in Exhibit 1, attached hereto and incorporated herein by this reference (the "Easement"). Said Easement is for the purposes of replacement and installation of an existing sanitary sewer pipeline, including all underground and surface appurtenances thereto. The Easement shall be for an original term of eighteen consecutive months and shall begin thirty (30) days after the City gives written notice to the Grantor that the Easement is needed for construction purposes. The Grantor also grants to the City the option to extend the Easement for a period not to exceed one year after the initial term. If the Temporary Construction Easement is so extended, the City shall pay the Grantor the sum of One Hundred Twelve Dollars (\$112.00) for each month that the City or its contractor occupies the Easement beyond the original term stated herein. The City shall provide notice in writing to the Owner prior to expiration of each extension period. At the end of the term and any extension thereto, all rights granted under this Temporary Construction Easement and Right-of Entry are released and the Property shall be considered free and clear of this Temporary Construction Easement and Right-of Entry.

B. In further consideration of the granting of this easement, it is hereby agreed that all work performed by the City, its successors and assigns, in connection with this easement shall be done with care. Following completion of the work performed the surface of the property disturbed during construction shall be restored reasonably similar to its original condition, or as close thereto as possible, except as necessarily modified to accommodate the sewer improvements being installed.

Executed and delivered this _____ day of _____ 201____

ATTEST:
STAN MARTIN,
CLERK AND RECORDER

BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, COLORADO

BY:

Chair

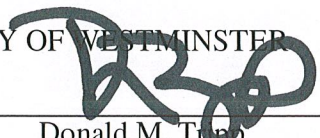
APPROVED AS TO FORM:

Adams County Attorney's Office

Accepted by the

CITY OF WESTMINSTER

By


Donald M. Tripp
City Manager

STATE OF COLORADO)

) ss.

COUNTY OF ADAMS)

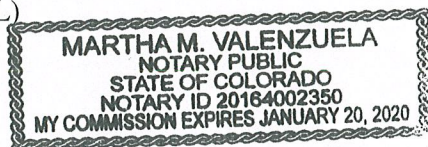
The foregoing instrument was acknowledged before me this 20 day of

July, 20 , by Donald M. Tripp the
City Manager of City (name) of Westminster (title)
(company)

Witness my hand and official seal.

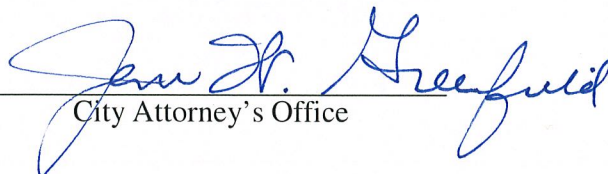
My commission expires: 1/20/2020

(S E A L)




Notary Public

APPROVED AS TO LEGAL FORM:


City Attorney's Office



Merrick & Company
5970 Greenwood Plaza Blvd., Greenwood Village, CO 80111
303-751-0741 / Fax 303-751-2581

Job No.: 68318490

File: Y:\Survey\65318490-HDR-Westminster Sewer Survey\Property Descriptions
PATTERSON CENTRE TRACT A TEMP EASEMENT 2.docx

Date: October 6, 2015

PROPERTY DESCRIPTION

Adams County Parcel A-Temporary Easement

A parcel of land being a portion of Tract A, Patterson Centre as recorded May 25, 1999 as File 18 Page 56, and Reception No. C0546835 in the records of the Adams County Clerk and Recorder and being part of the Southwest Quarter of Section 4, Township 3 South, Range 68 West of the 6th Principal Meridian, City of Westminster, Adams County, State of Colorado and being more particularly described as follows:

COMMENCING at the Northwest Corner of said Tract A being the Northwest corner of the Southwest Quarter of the Southwest Quarter of said Section 4, Township 3 South, Range 68 West of the 6th Principal Meridian, whence the Southwest corner of said Section 4 bears S00°26'16"W a distance of 1,334.07 feet;

THENCE S00°26'16"W along the westerly line of said Tract A, also being the westerly line of said South Half of the Southwest Quarter of Section 4 a distance of 20.00 feet; to the **POINT OF**

BEGINNING;

THENCE S89°55'25"E a distance of 196.90 feet;

THENCE S41°28'52"E a distance of 217.82 feet;

THENCE S09°41'14"E a distance of 182.33 feet;

THENCE S28°29'00"E a distance of 108.83 feet;

THENCE N86°46'51"W along the southerly line of said Tract A a distance of 32.85 feet;

THENCE N49°39'24"W a distance of 75.56 feet;

THENCE N02°41'33"W a distance of 168.26 feet;

THENCE N09°41'14"W a distance of 55.47 feet;

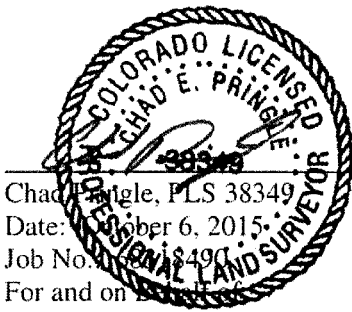
THENCE N41°28'52"W a distance of 193.64 feet;

THENCE N89°55'25"W a distance of 188.03 feet;

THENCE N00°26'16"E along the westerly line of said Tract A, also being the westerly line of said South Half of the Southwest Quarter of Section 4 a distance of 20.00 feet; to the **POINT OF**

BEGINNING.

Containing 18,103 square feet (0.416 Acres), more or less.



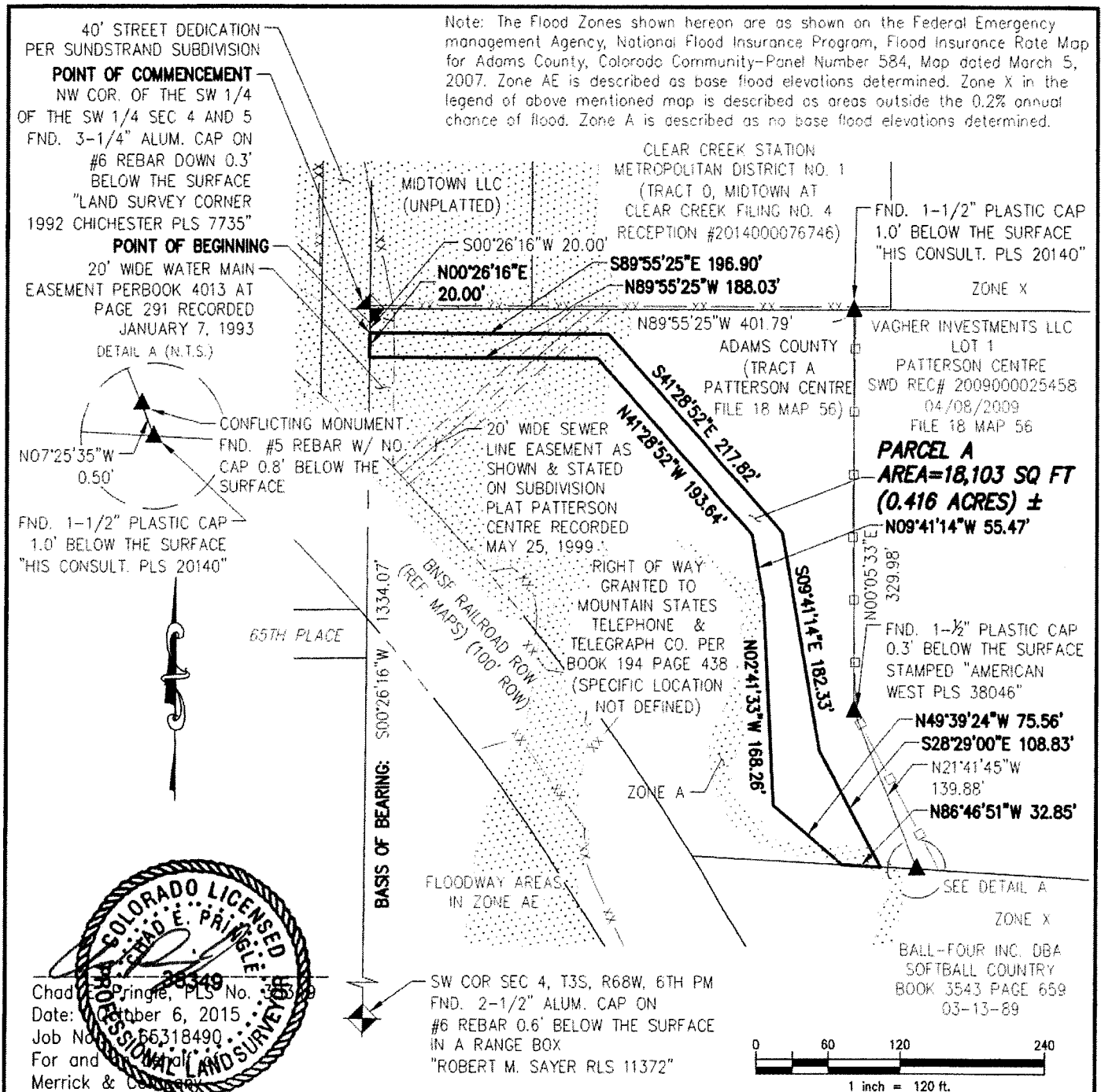
Chad E. Pringle, PLS 38349

Date: October 6, 2015


Job No.: 68318490

For and on behalf of
Merrick & Company

Exhibit 1



NOTE: This exhibit does not represent a monumented survey. It is intended only to depict the attached description.

MERRICK PROJECT NO.	65318490
CLIENT PROJECT NO.	
REVISION DESCRIPTION	
DRAWN	GPM
DATE	10/06/15
SCALE	1" = 120'
 MERRICK® & COMPANY	
5970 Greenwood Plaza Blvd., Greenwood Village, CO 80111	

LITTLE DRY CREEK INTERCEPTOR SEWER Owner: ADAMS COUNTY		
TITLE: Part of TRACT A PATTERSON CENTRE SUBDIVISION Part of SW 1/4 Sec. 4, T3S, R68W		
REVISION:	DRAWING NO.	SHEET NO.
		Exhibit 1



Merrick & Company
5970 Greenwood Plaza Blvd., Greenwood Village, CO 80111
303-751-0741 / Fax 303-751-2581

Job No.: 68318490

File: Y:\Survey\65318490-HDR-Westminster Sewer Survey\Property Descriptions
PATTERSON CENTRE TRACT A TEMP EASEMENT 1.docx

Date: October 7, 2015

PROPERTY DESCRIPTION

Adams County- Parcel B- Temporary Easement

A parcel of land being a portion of Tract A, Patterson Centre as recorded May 25, 1999 as File 18 Map 56, and Reception No. C0546835 in the records in the Adams County Clerk and Recorder and being in a portion of the Southwest Quarter of the Southwest Quarter of Section 4, Township 3 South, Range 68 West of the 6th Principal Meridian, City of Westminster, Adams County, State of Colorado and being more particularly described as follows:

COMMENCING at the Northwest Corner of said Tract A being the Northwest corner of the Southwest Quarter of the Southwest Quarter of said Section 4, Township 3 South, Range 68 West of the 6th Principal Meridian, whence the Southwest corner of said Section 4 bears S00°26'16"W a distance of 1,334.07 feet;

THENCE S89°55'25"E along the North line of said Tract A a distance of 219.13 feet to the **POINT OF BEGINNING**;

THENCE continuing S89°55'25"E along said North line of Tract A a distance of 40.09 feet;

THENCE S41°28'52"E a distance of 183.20 feet;

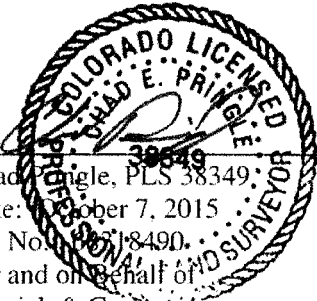
THENCE S02°41'33"E a distance of 219.20 feet;

THENCE N09°41'14"W a distance of 203.70 feet;

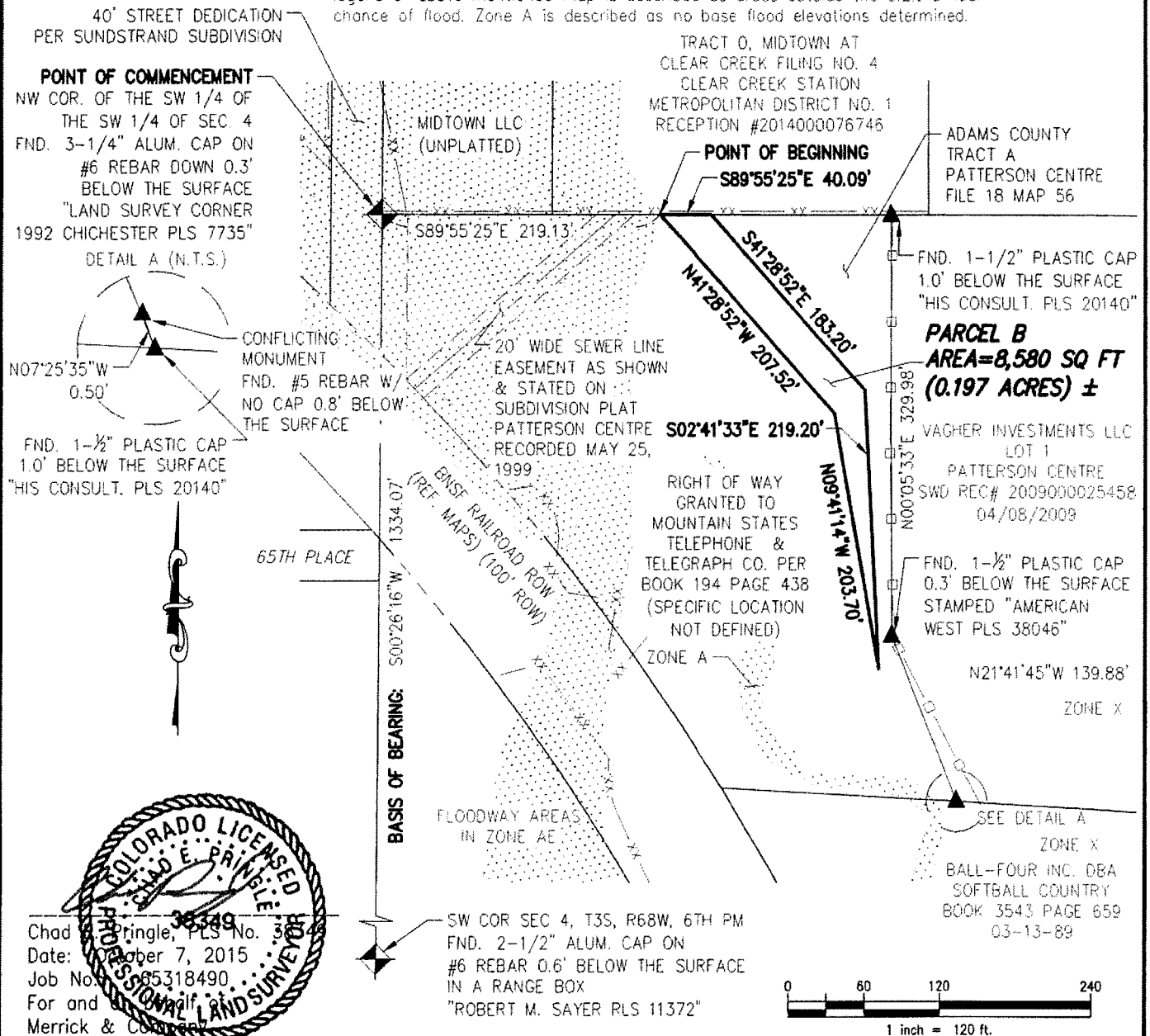
THENCE N41°28'52"W a distance of 207.52 feet; to the **POINT OF BEGINNING**.

Containing 8,580 square feet (0.197 Acres), more or less.


Chad E. Pringle, PLS 38349
Date: October 7, 2015
Job No. 68318490
For and on behalf of
Merrick & Company



Note: The Flood Zones shown hereon are as shown on the Federal Emergency management Agency, National Flood Insurance Program, Flood Insurance Rate Map for Adams County, Colorado Community-Panel Number 584, Map dated March 5, 2007. Zone AE is described as base flood elevations determined. Zone X in the legend of above mentioned map is described as areas outside the 0.2% annual chance of flood. Zone A is described as no base flood elevations determined.



NOTE: This exhibit does not represent a monumented survey. It is intended only to depict the attached description.

MERRICK PROJECT NO.	65318490
CLIENT PROJECT NO.	
REVISION DESCRIPTION	
DRAWN	GPM DATE 10/07/15 SCALE 1" = 120'
 MERRICK® & COMPANY	
5970 Greenwood Plaza Blvd., Greenwood Village, CO 80111	

LITTLE DRY CREEK INTERCEPTOR SEWER Owner: ADAMS COUNTY		
TITLE: Part of TRACT A PATTERSON CENTRE SUBDIVISION Part of SW 1/4 Sec. 4, T3S, R68W		
REVISION:	DRAWING NO.	SHEET NO. Exhibit 1