

**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 Six Hundred Dollars (\$2,600.00), 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 Forty-Five Dollars (\$145.00) 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 )

COUNTY OF Jefferson ) ss.

The foregoing instrument was acknowledged before me this 20 day of

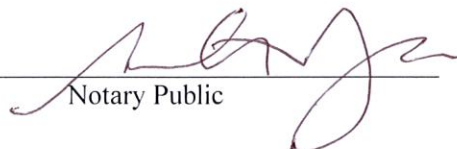
July, 2017, by Donald M. Tripp the  
City Manager of City of Westminster.  
(title) (name) (company)

Witness my hand and official seal.

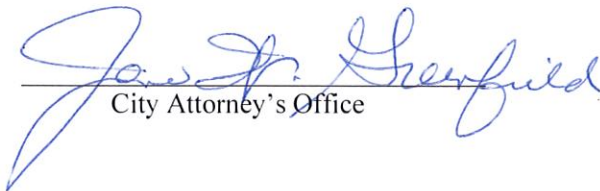
My commission expires: 1/20/2020

(SEAL)



  
Notary Public

APPROVED AS TO LEGAL FORM:

  
City Attorney's Office

## **Exhibit 1 – Temporary Easement**



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  
Adams County.docx  
Date: October 9, 2015

### **PROPERTY DESCRIPTION**

#### **Adams County- Temporary Construction Easement**

A parcel of land being a portion of Lot 11 Block 3 of North Federal Hills as recorded October 19, 1925 as Reception No. 117874, Book 3, Page 59 in the records of Adams County Clerk and Recorder and being in a portion of the Southeast Quarter of Section 5, Township 3 South, Range 68 West of the 6<sup>th</sup> Principal Meridian, City of Westminster, County of Adams, State of Colorado and being more particularly described as follows:

**COMMENCING** at the Northwest Corner of said Southeast Quarter of Section 5, whence the Northeast Corner of said Southeast Quarter of Section 5 bears N89°15'13"E a distance of 2,646.95 feet;

THENCE S83°07'06"E a distance of 150.67 feet to the **POINT OF BEGINNING**;

THENCE N89°15'13"E a distance of 47.98 feet;

THENCE S57°29'14"E a distance of 34.54 feet;

THENCE S00°44'47"E a distance of 11.96 feet;

THENCE S57°29'14"E a distance of 54.07 feet;

THENCE S89°55'32"E a distance of 55.93 feet;

THENCE S57°29'14"E a distance of 188.67 feet;

THENCE S74°11'07"E a distance of 69.05 feet;

THENCE S26°03'32"E a distance of 15.42 feet;

THENCE S89°33'50"W along the southerly line of said Lot 11 a distance of 183.29 feet;

THENCE N01°09'56"E along the easterly line of that parcel of land owned by the City of Westminster as per Reception No. CO218663, Book 4852 Page 12 dated October 4, 1996 a distance of 42.60 feet;

THENCE along the northerly line of said City of Westminster parcel the following three courses:

1. N88°50'04"W a distance of 179.10 feet;

2. N53°36'10"W a distance of 87.94 feet;

3. N00°43'23"E a distance of 25.86 feet;

THENCE along the easterly line of CDOT ROW the following two courses:

1. N19°45'24"E a distance of 61.22 feet;

2. N00°43'23"E a distance of 12.62 feet; to the **POINT OF BEGINNING**.

Containing 34,442 square feet (0.791 Acres), more or less.



Chad E. Pringle, PLS 38349  
Date: October 9, 2015  
Job No.: 68318490  
For and on behalf of  
Merrick & Company

# Exhibit 1

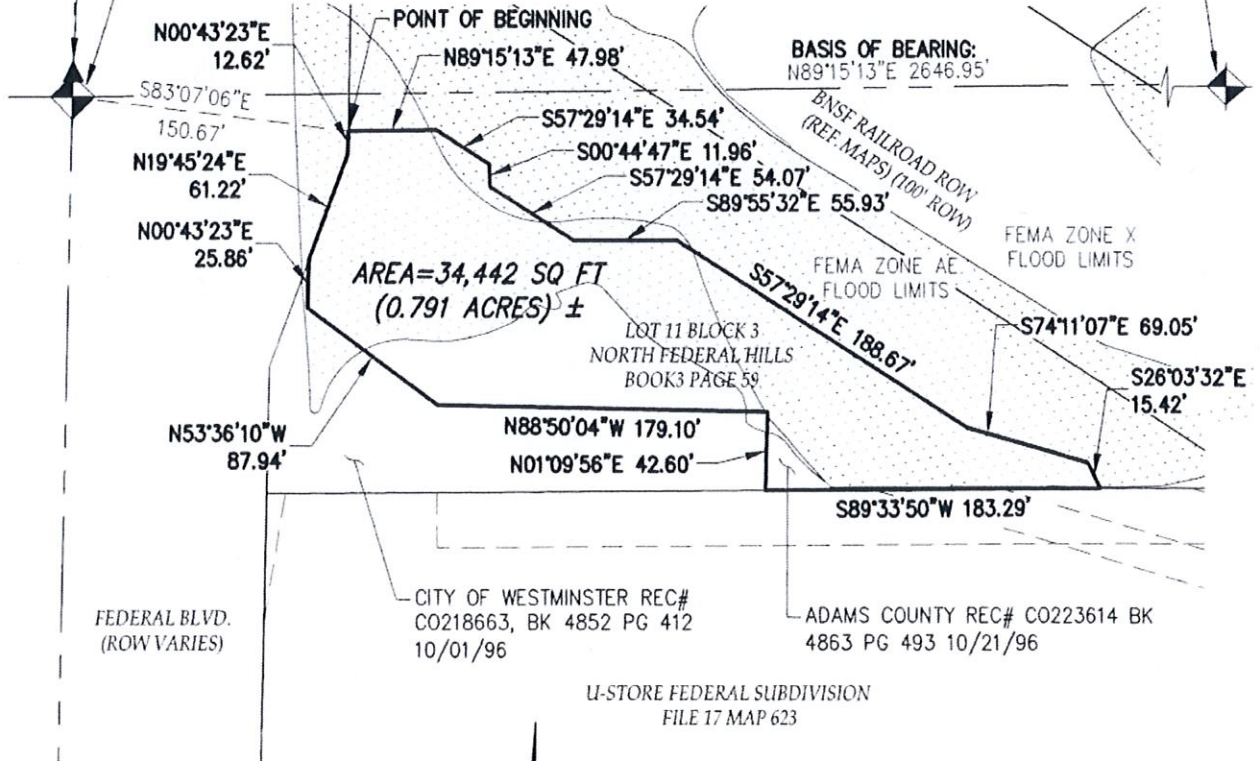


CONFLICTING MONUMENT  
FND. 3-1/4" ALUM. CAP STAMPED "COLO DEPT  
OF TRANSPORTATION PLS 28288," SET ON TOP  
OF JERSEY BARRIER (N00°59'17"E 12.41')

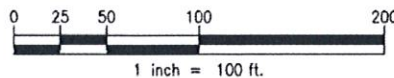
**POINT OF COMMENCEMENT**

NW COR. OF THE SE1/4 OF SEC. 5 T3S-R68W  
FND. 3-1/4" ALUM. CAP STAMPED "COLO DEPT  
OF TRANSPORTATION PLS 28288" SET ON TOP  
OF JERSEY BARRIER

NE COR. OF THE SE1/4 OF SEC. 5 T3S-R68W  
FND. 3-1/4" ALUM. CAP STAMPED  
"CHICAESTER LAND 1999 PLS 7735" 0.5'  
BELOW GROUND SURFACE



Chad E. Pringle, PLS No. 58349  
Date: October 9, 2015  
Job No. 65318490  
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 is described as areas of 0.2% annual chance flood; areas of 0.1% annual chance flood with average depths

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	JDW	DATE	10/09/15
SCALE		1" = 100'	
5970 Greenwood Plaza Blvd., Greenwood Village, CO 80111			

LITTLE DRY CREEK INTERCEPTOR SEWER Owner: ADAMS COUNTY		
TITLE: Part of Lot 11 Block 3 of North Federal Hills Part of SE1/4 Sec. 5, T3S, R68W		
REVISION:	DRAWING NO.	SHEET NO.
		Exhibit 1