

After recording please return to:

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Prepared by:
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RECORDING INFORMATION ABOVE

EASEMENT AGREEMENT

The undersigned (“Grantor”) for good and valuable consideration, the receipt and sufficiency of which are acknowledged, hereby grants and conveys to Qwest Corporation, d/b/a CenturyLink QC, a Colorado corporation, its successors, assigns, lessees, licensees, agents and affiliates (“Grantee”), having an address of 100 CenturyLink Drive, Monroe, Louisiana 71203, Attn: Construction Service, a perpetual, non-exclusive easement (“Easement”) to construct, operate, maintain, repair, expand, replace and remove a communication system that Grantee from time to time may require, consisting of but not limited to, cables, wires, conduits, manholes, drains, splicing boxes, vaults, surface location markers, equipment cabinets and associated wooden or concrete pads, aerial lines, poles and cables, and other facilities and structures, including utility service if required to operate such system, facilities and structures (collectively, the “Facilities”), over, under and across the following property located in the County of Adams, State of Colorado, which Grantor owns (“Easement Tract”):

SEE THE DESCRIPTION SET FORTH ON **EXHIBIT A** ATTACHED TO, AND BY THIS REFERENCE MADE A PART OF, THIS AGREEMENT

RW# CO092017NM01 Job # N.231089.C.08
Exchange _____ County Adams
¼ Section SE¼ Section 5 Township 1S Range 66 W 6th P.M.

Grantor further grants and conveys to Grantee the following incidental rights:

- (1) A temporary right of way adjacent to the Easement Tract to be used during all periods of construction, reconstruction, upgrade, reinforcement, repair and removal of the Facilities upon a strip of land 10' feet wide measured from the exterior boundaries of the Easement Tract;
- (2) The right of ingress and egress over and across Grantor's lands to and from the Easement Tract; and
- (3) The right to clear all trees, roots, brush and other obstructions that interfere with Grantee's use and enjoyment of the Easement Tract.

Grantor reserves the right to use and enjoy the Easement Tract so long as Grantor's use does not materially interfere with the rights granted in this Easement Agreement. Grantor will not erect any structure or plant trees or other vegetation within the Easement Tract and will not alter the surface or subsurface of the Easement Tract or the ground immediately adjacent to the Easement Tract by grading or otherwise excavating, without Grantee's written consent.

Grantor warrants that Grantor is the owner of the Easement Tract and will defend title to the Easement Tract against all claims. Grantee will have no responsibility for environmental contamination unless caused by Grantee.

The rights, conditions and provisions of this Easement Agreement will run with the land and will inure to the benefit of and be binding upon Grantor and Grantee and their respective successors and assigns.

GRANTOR:

Board of County Commissioners,
County of Adams, State of Colorado

Attest:
Stan Martin, Clerk

By: _____
Eva J. Henry, Chair

By: _____
Deputy Clerk

Approved as to form: _____
County Attorney's Office

EXHIBIT A

September 18, 2017

LEGAL DESCRIPTION
FIVE FOOT UTILITY EASEMENT
CenturyLink Job No. N.231089

A tract of land, being a portion of that parcel conveyed by Deed recorded July 29, 1960 at Reception No. 613362, records of Adams County, Colorado, and located in the SE1/4 of Section 5, Township 1 South, Range 66 West of the 6th P.M., being more particularly described as follows:

A five foot tract of land, being two and a half feet on either side of the following described centerline:

COMMENCING at the S1/4 Corner of said Section 5, being marked on the ground by a 3 1/4" aluminum cap in range box, PLS 11434, found in place; thence along the west line of said SE1/4, N00°03'01"E (Bearings based on the west line of the SE1/4 of Section 5, Township 1 South, Range 66 West of the 6th P.M., as measured between the S1/4 Corner of said Section 5, being marked on the ground by a 3 1/4" aluminum cap in range box, PLS 11434, found in place, and the C1/4 Corner of said Section 5, being marked on the ground by a 3 1/4" aluminum cap in range box, PLS 23519, found in place, and assumed to bear N00°03'01"E), a distance of 485.26 feet; thence leaving said west line, at a right angle, S89°56'59"E, a distance of 38.00 feet, to the east right-of-way line of N. 19th Ave., and the **POINT OF BEGINNING**; thence leaving said east line, N89°54'26"E, a distance of 563.29 feet; thence N18°31'34"E, a distance of 110.10 feet, more or less, to a point on the south line of that parcel conveyed by Deed recorded December 31, 2009 at Reception No. 2009000096833, records of Adams County, Colorado, and the **POINT OF TERMINUS**.

The sidelines of said tract are to extend or shorten as necessary to intersect the lines that the **POINT OF BEGINNING** and the **POINT OF TERMINUS** as part of.

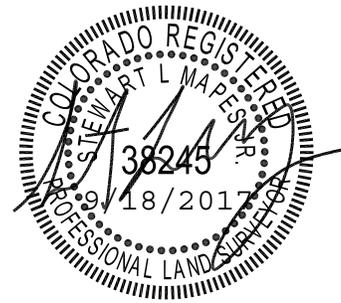
Said parcel contains 3,367 square feet or 0.077 acre, more or less.



Stewart L. Mapes, Jr.
Colorado Professional Land Surveyor No. 38245
For and on behalf of Clark Land Surveying, Inc.

EXHIBIT A CONTINUED

SKETCH DRAWING OF EASEMENT TRACT



C1/4 COR. SEC. 5
T1S, R66W, 6TH P.M.
FOUND, 3 1/4"
ALUMINUM CAP IN
RANGE BOX
"PLS 23519"

LOT 1
BLOCK 1
ADCO PLAZA

LOT 1
ADCO PLAZA
FILING NO. 2

REC. NO. 2009000096833
OWNER: STATE OF COLORADO
COLORADO DEPARTMENT
OF HUMAN SERVICES

N. 19TH AVE.
(PUBLIC R.O.W VARIES)
BASIS OF BEARINGS
N00°03'01"E 2630.23'

S89°56'59"E
38.00' (TIE)

N89°54'26"E 563.29'

POT

N18°31'34"E
110.10'

POB

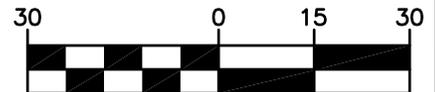
5' CENTURYLINK
EASEMENT
3,367 SQ.FT.
0.077 ACRE±

485.26' (TIE)

REC. NO. 613362
OWNER: ADAMS COUNTY



GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

S1/4 COR. SEC. 5
T1S, R66W, 6TH P.M.
FOUND, 3 1/4"
ALUMINUM CAP IN
RANGE BOX
"PLS 11434"

POC

E. BRIDGE ST.
(PUBLIC R.O.W VARIES)

CLSI PROJECT: 170758

Project No: N.231089	Drawn: SLM Check: ZAR	Date: 8/18/2017 Sheet 4 of 4
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-Clark-

Land Surveying, Inc

www.clarkls.com

177 S. Tiffany Dr., Unit 1 • Pueblo West, CO 81007 • 719.582.1270