

## PERMANENT ACCESS EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That Bere, a LLC, whose legal address is 80 Inverness Drive, Englewood, Colorado, 80112, 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 inspection and maintenance of a detention pond. Said access easement to be used solely in the event Grantor fails to maintain such detention pond 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 access.

In the event the County exercises its right to maintain the access all of the County's costs to maintain the 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 damage caused on said easement arising out of the reconstruction, maintenance and repair of said 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, the parties hereto have set their hand and seal this

20<sup>th</sup> day of December 2017.

Name, Bore, LLC

By: [Signature]

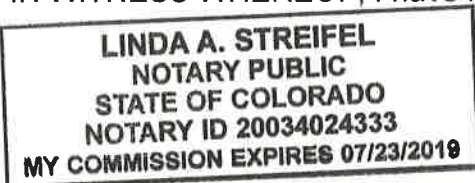
Print Name: Ron Kelly

Print Title: CEO

STATE OF COLORADO )  
 ) §  
COUNTY OF ADAMS )

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of DECEMBER,  
2017 by RONALD J KELLY, as CEO of  
BORE, a COLORADO LLC.

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



[Signature]  
Notary Public

My commission expires: 7/23/19

# MAINTENANCE ACCESS EASEMENT

## EXHIBIT "A"

PAGE 1 OF 2

A PARCEL OF LAND LOCATED IN SECTION 36, TOWNSHIP 3 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

### BASIS OF BEARINGS:

BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTH HALF OF SAID SECTION 36, BEING CONSIDERED TO BEAR NORTH 00°15'14" WEST, A DISTANCE OF 1674.15 FEET BETWEEN THE FOLLOWING DESCRIBED MONUMENTS:

-SOUTHWEST CORNER OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 65 WEST, FOUND 3.25" ALUMINUM CAP PLS 25618, MATCHES MONUMENT RECORDS ON FILE.

- WEST QUARTER CORNER OF SAID SECTION 36, FOUND 2.5" ALUMINUM CAP PLS 28285 MATCHES MONUMENT RECORDS ON FILE.

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 36;

THENCE ALONG SAID WEST LINE OF THE SOUTH HALF NORTH 00°15'14" WEST, A DISTANCE OF 282.80 FEET;

THENCE SOUTH 89°57'21" EAST, A DISTANCE OF 30.00 FEET;

THENCE NORTH 00°15'14" WEST, A DISTANCE OF 0.16 FEET;

THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 60.00 FEET, A CENTRAL ANGLE OF 45°39'07", WHOSE CHORD BEARS NORTH 66°55'12" EAST A DISTANCE OF 46.55 FEET, FOR AN ARC DISTANCE OF 47.81 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 60.00 FEET, A CENTRAL ANGLE OF 17°36'30", WHOSE CHORD BEARS NORTH 35°17'24" EAST A DISTANCE OF 18.37 FEET, FOR AN ARC DISTANCE OF 18.44 FEET;

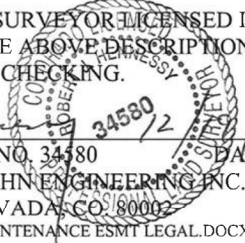
THENCE SOUTH 89°57'22" EAST, A DISTANCE OF 785.38 FEET;

THENCE SOUTH 00°13'05" EAST, A DISTANCE OF 15.00 FEET;

THENCE NORTH 89°57'21" WEST, A DISTANCE OF 796.05 FEET TO THE POINT OF BEGINNING.

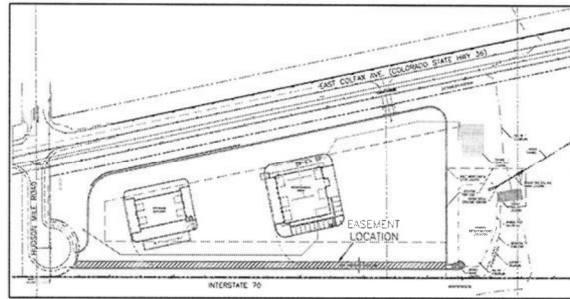
CONTAINING 11,852 SQUARE FEET OR 0.272 ACRES, MORE OR LESS.

I, ROBERT J. HENNESSY, A SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CHECKING.

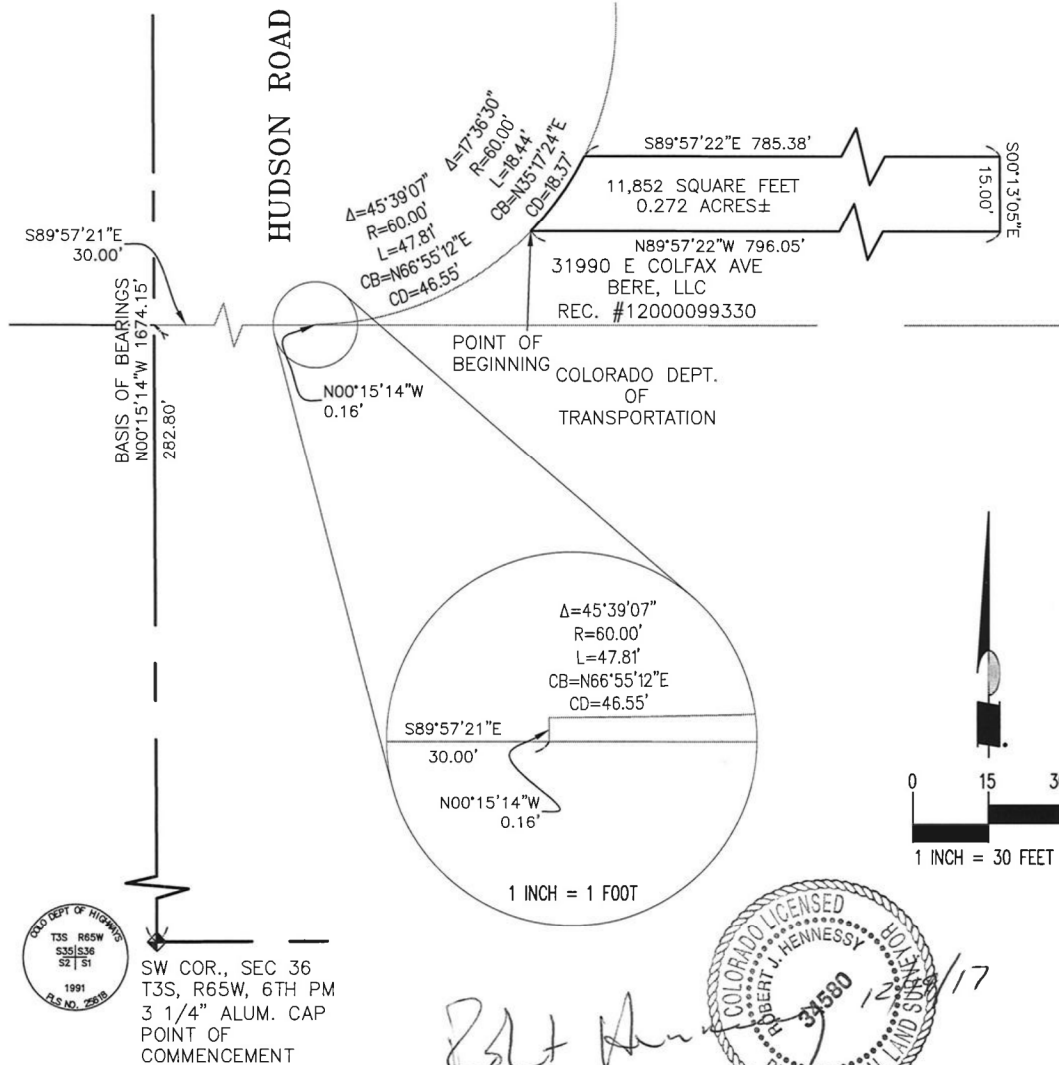
  
ROBERT J. HENNESSY, PLS NO. 34580 DATE  
FOR AND ON BEHALF OF JEHN ENGINEERING INC.  
5690 WEBSTER STREET, ARVADA CO 80002  
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# MAINTENANCE ACCESS EASEMENT EXHIBIT "A" PAGE 2 OF 2

W. 1/4 CORNER  
SECTION 36 2.5"  
ALUM. CAP



NOT TO SCALE



J:\2217\214-032\SURVEY\EXHIBITS\4032 ACC & DRN ESMT.DWG



**J.E.H.N.**  
**ENGINEERING**

5690 WEBSTER STREET  
ARVADA, CO 80002  
PH. (303) 423-6036 FAX (303) 467-9438

LOCATION: A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO

0.272 ACRES	TITLE: MAINTENANCE ACCESS EASEMENT
SCALE: 1"=30'	REVISED: 12.14.17
2217-214-032	ACC & DRN ESMT.DWG