

## PERMANENT SIDEWALK EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That HM Rental 1 LLC HM Capital Group, a Colorado limited liability company, whose legal address is 4045 Pecos St #200, Denver, CO, 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 non-exclusive easement for the purposes of constructing a public sidewalk and appurtenances thereto, in, under, through and across the property, over and across the following described land to wit:

Legal description as set forth in Exhibit "A" attached hereto and incorporated by this reference.

In further consideration hereof, Grantor covenants and agrees that:

1. No permanent buildings or structures will be placed, erected, installed or permitted upon said easement.
2. The Grantor will not construct any obstructions that would prevent the proper maintenance and use of said sidewalk improvements.
3. The Grantor acknowledges and agrees to abide by all existing and future approved County regulations pertaining to sidewalk upkeep and maintenance as if the sidewalk was in the public street right-of-way

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 protect the facilities and appurtenances installed by the County.

The Grantor reserves the right to use and occupy the easement for any purpose not inconsistent with the rights and privileges above granted and that will not interfere with or endanger any of the utility facility and appurtenances therein. Grantor agrees not to erect or construct any building or structure within the easement.

IN WITNESS WHEREOF, Grantor has hereto set his hand on this 4<sup>th</sup> day of December, 2018.

HM Rental 1 LLC HM Capital Group,

By: 

Print Name: HM Capital Group LLC as Manager  
by Ben Maxwell, it's Manager

Print Title: \_\_\_\_\_

STATE OF COLORADO)

COUNTY OF Denver ) §  
\_\_\_\_\_)

The foregoing instrument was acknowledged before me this 4<sup>th</sup> day of December, 2018 by Ben Maxwell, as Manager of HM Rental 1 LLC HM Capital Group, a Colorado limited liability company.

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

  
Notary Public

My commission expires: May 10, 2020

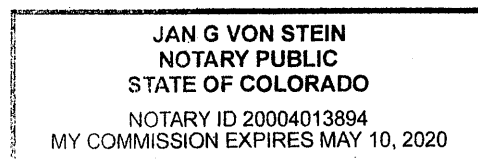


EXHIBIT A  
ACCESS EASEMENT FROM HM CAPITAL  
TO  
THE COUNTY OF ADAMS, STATE OF COLORADO

**LEGAL DESCRIPTION**

A PARCEL OF LAND LOCATED IN NORTH LOWELL HEIGHTS ADDITION, AS RECORDED IN MAP BOOK 3 PAGE 58, RECEPTION NO. 115228, DATED JUNE 25, 1925, IN THE ADAMS COUNTY CLERK AND RECORDER'S OFFICE, LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO;  
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE ASSUMPTION THAT THE SOUTH LINE OF TRACT 18, BEARS NORTH 89°00'21" EAST, NORTH LOWELL HEIGHTS ADDITION.

**COMMENCING** AT THE SOUTHEAST CORNER OF THE RIGHT-OF-WAY PARCEL DESCRIBED IN THE WARRANTY DEED RECORDED ON FEBRUARY 24, 2011 AT RECEPTION NO. 2011000012596 OF THE RECORDS IN THE OFFICE OF THE CLERK AND RECORDER OF SAID ADAMS COUNTY; THENCE NORTH 00°33'55" WEST, ALONG THE WESTERLY LINE OF SAID RIGHT-OF-WAY PARCEL, A DISTANCE OF 152.19 FEET TO THE **POINT OF BEGINNING**.

THENCE SOUTH 89°26'05" WEST, A DISTANCE OF 15.00 FEET;  
THENCE NORTH 00°33'55" WEST, A DISTANCE OF 50.00 FEET;  
THENCE NORTH 89°26'05" EAST, TO A POINT ON THE WESTERLY LINE OF SAID RIGHT-OF-WAY PARCEL, A DISTANCE OF 15.00 FEET;  
THENCE SOUTH 00°33'55" EAST, ALONG THE WESTERLY LINE OF SAID RIGHT-OF-WAY PARCEL, A DISTANCE OF 50.00 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIBED PARCEL CONTAINS 750 SQUARE FEET, OR 0.02 ACRES MORE OR LESS.

THE DISTANCES ON THIS EXHIBIT ARE EXPRESSED IN U.S. SURVEY FEET AND DECIMALS THEREOF. A U.S. SURVEY FOOT IS DEFINED AS EXACTLY 1200/3937 METERS.

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



JONATHAN R. LANGE, P.L.S. 37908  
FOR AND ON BEHALF OF LANGE LAND SURVEYS, LLC.  
5511 WEST 56TH AVENUE, SUITE 240  
ARVADA, CO 80002



5511 WEST 56TH AVENUE, SUITE 240  
ARVADA, CO 80002  
P: (720) 242-9732 F: (720) 242-9654

ACCESS EASEMENT  
6501 IRVING STREET

HM CAPITAL

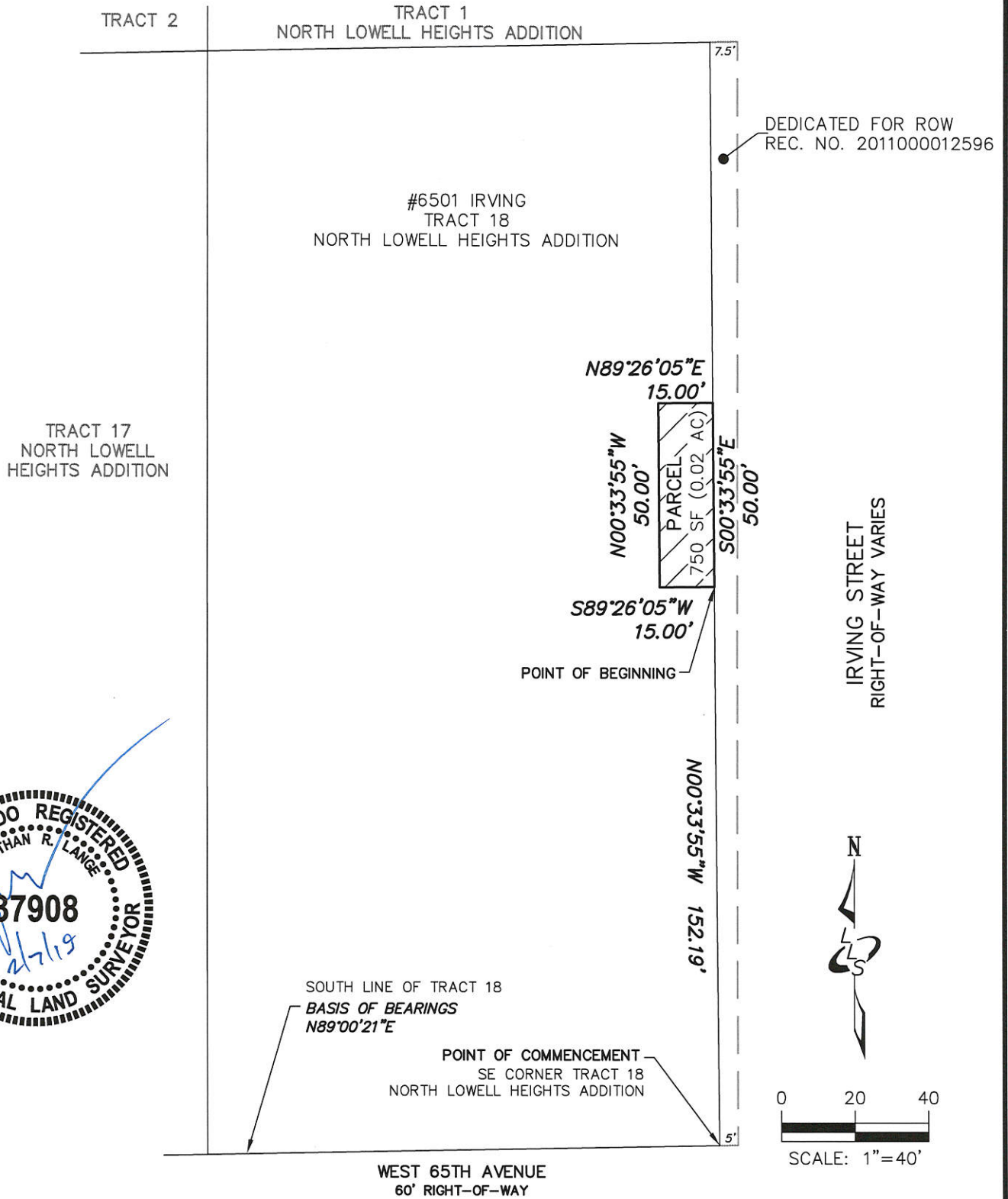
DRAWN BY: ASU

DATE: 02/06/19

JOB NUMBER: 1052-1142

SHEET: 1 OF 2

# ILLUSTRATION FOR EXHIBIT A



This illustration does not represent a monumented survey. it is intended only to depict the attached legal description



5511 WEST 56TH AVENUE, SUITE 240  
ARVADA, CO 80002  
P: (720) 242-9732 F: (720) 242-9654

## ACCESS EASEMENT 6501 IRVING STREET

HM CAPITAL

DRAWN BY: ASU

DATE: 02/06/19

JOB NUMBER: 1052-1142

SHEET: 2 OF 2