

## **PERMANENT ACCESS EASEMENT**

KNOW ALL MEN BY THESE PRESENTS:

That Trustile Properties, LLC, whose legal address is 1585 East 66<sup>th</sup> Avenue, Denver, CO, 80229, 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 maintaining a detention pond. Access will be from East 71<sup>st</sup> Avenue, across a paved driveway, to the east end of Lot 1 of the North Side Gardens Trustile Amendment (Rec# 2019000020001). Said easement to be used solely in the event Grantor fails to maintain such permanent drainage easement 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

4<sup>th</sup> day of June 2019.

Name,

By: [Signature]  
Print Name: Scott A. Schmiel  
Print Title: Chief Executive Officer

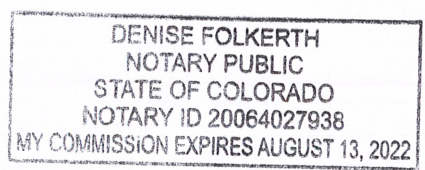
STATE OF CO Colorado )  
COUNTY OF AD Denver Adams )§

The foregoing instrument was acknowledged before me this 4 day of June,  
2019 by Scott Schmiel, as CEO of  
Trustile Deors, an LLC.

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

[Signature]  
Notary Public

My commission expires: 8.13.22



# EXHIBIT A

## LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN LOT 1, NORTH SIDE GARDENS, TRUSTILE AMENDMENT, RECORDED AT RECEPTION NUMBER 2019000020001 IN THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER OFFICE, LOCATED IN THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1 AND CONSIDERING THE SOUTH LINE OF SAID LOT 1 TO BEAR SOUTH 89°32'26" WEST, BETWEEN MONUMENTION AS SHOWN HEREON, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE SOUTH 89°32'26" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 609.32 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 89°32'26" WEST, CONTINUING ALONG SAID SOUTH LINE, A DISTANCE OF 27.00 FEET;  
THENCE NORTH 00°27'34" WEST, DEPARTING SAID SOUTH LINE, A DISTANCE OF 46.00 FEET TO A POINT ON A LINE, 46.00 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE;  
THENCE NORTH 89°32'26" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 489.00 FEET;  
THENCE SOUTH 00°27'34" EAST, A DISTANCE OF 26.00 FEET TO A POINT ON A LINE, 20.00 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE;  
THENCE SOUTH 89°32'26" WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 452.00 FEET TO A CURVE TO THE LEFT;

THENCE ALONG SAID CURVE, HAVING A CENTRAL ANGLE OF 90°00'00", A RADIUS OF 10.00 FEET, AN ARC LENGTH OF 15.71 FEET AND A CHORD THAT BEARS SOUTH 44°32'26" WEST, A DISTANCE OF 14.14 FEET;

THENCE SOUTH 00°27'34" EAST, A DISTANCE OF 10.00 FEET TO SAID SOUTH LINE AND THE **POINT OF BEGINNING**;

SAID PARCEL CONTAINS AN AREA OF 13,275 SQUARE FEET, OR 0.305 ACRES, MORE OR LESS.

THE LINEAL DISTANCE UNIT USED IN THE PREPARATION OF THIS LEGAL DESCRIPTION IS THE UNITED STATES SURVEY FOOT. THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY DEFINES THE UNITED STATES SURVEY FOOT AS 1200/3937 METERS.

I, JUSTIN C. SCHEITLER, A SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CHECKING, IS BASED ON MY KNOWLEDGE, INFORMATION AND BELIEF, AND IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE.

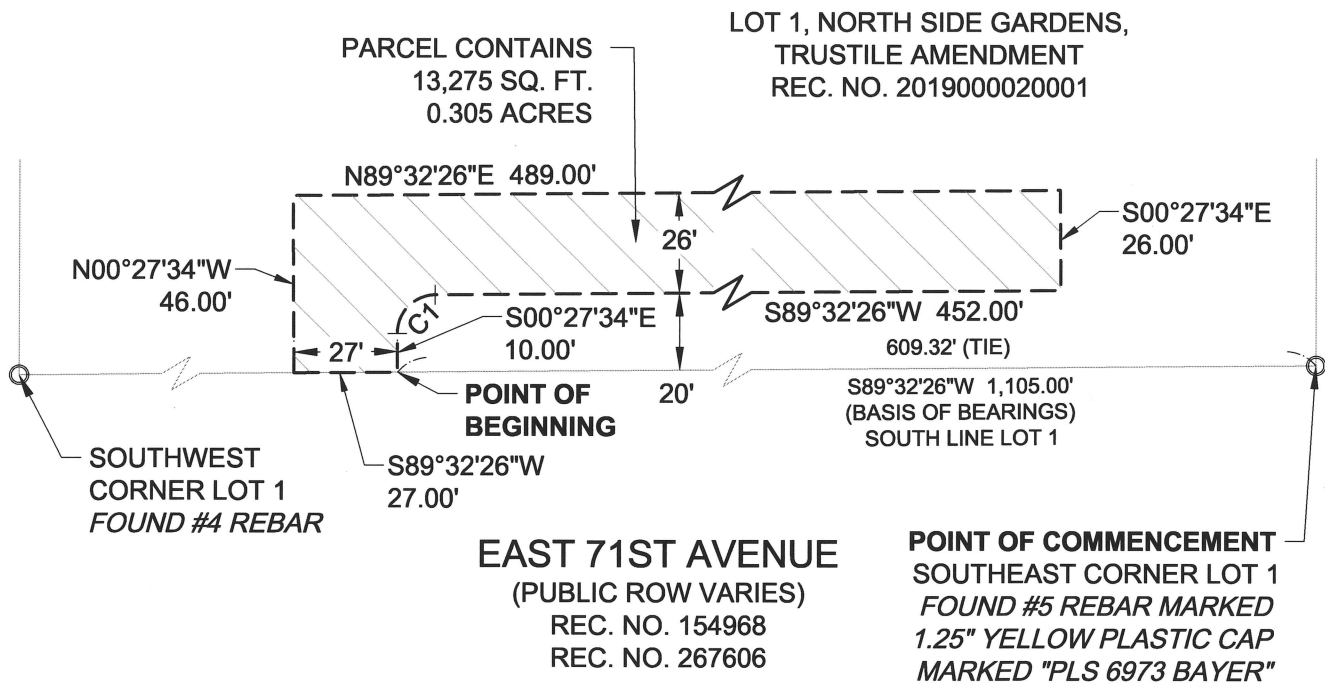
JUSTIN C. SCHEITLER, P.L.S. 38430  
FOR AND ON BEHALF OF  
WARE MALCOMB  
990 SOUTH BROADWAY  
SUITE 230  
DENVER, COLORADO 80209  
P 303.561.3333



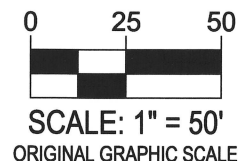
990 south broadway suite 230 denver, co 80209 p 303.561.3333 waremalcomb.com <b>WM</b> WARE MALCOMB CIVIL ENGINEERING & SURVEYING	PROJECT NAME: TRUSTILE			SHEET  1 OF 2
	JOB NO.: DEN18-0112		DATE : 04/25/2019	
	DRAWN: KEB	PA/PM: JCS	SCALE: N/A	


# EXHIBIT A

CURVE TABLE					
CURVE #	DELTA	RADIUS	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	90°00'00"	10.00'	15.71'	S44°32'26"W	14.14'



**NOTE:**  
THIS EXHIBIT DOES NOT REPRESENT A  
MONUMENTED SURVEY, IT IS INTENDED ONLY  
TO DEPICT THE ATTACHED DESCRIPTION.



990 south broadway suite 230 denver, co 80209 p 303.561.3333 waremalcomb.com  CIVIL ENGINEERING & SURVEYING	 <b>WARE MALCOMB</b>	PROJECT NAME: TRUSTILE			SHEET  2 OF 2
		JOB NO.: DEN18-0112		DATE : 04/25/2019	
		DRAWN: KEB	PA/PM: JCS	SCALE: 1" = 50'	