

## **PERMANENT DRAINAGE EASEMENT**

KNOW ALL MEN BY THESE PRESENTS:

That Taylor R Carlson, et als, whose legal address is 12460 1<sup>st</sup> Street, Eastlake, Colorado, 80614, 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 storm water drainage easement for the purpose of maintenance of all drainage facilities including inlets, pipes, culverts, channels, ditches, hydraulic structures, detention basins, catch grates, maintenance roads, etc., said easement to be used solely in the event Grantor fails to maintain such drainage facilities, 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 drainage facility.

In the event the County exercises its right to maintain the drainage facilities, all of the County's costs to maintain the drainage facilities 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 damages caused on said easement arising out of the reconstruction, maintenance and repair of said drainage facilities 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, Grantor has hereto set his hand on this 5<sup>th</sup> day of August, 2019.

Name, \_\_\_\_\_

By: Taylor R Carlson

Print Name: Taylor R Carlson

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

STATE OF COLORADO)

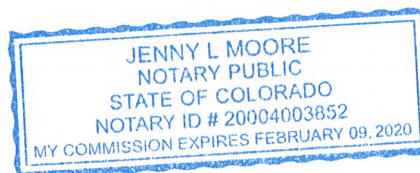
COUNTY OF Adams) §

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of August, 2019 by Taylor R Carlson, as Owner of \_\_\_\_\_, a \_\_\_\_\_.

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

My commission expires: 02/09/2020

Jenny L. Moore  
Notary Public



DESCRIPTION – RIGHT OF WAY LANDS

A PORTION OF THAT PARCEL DESCRIBED AS PARCEL 4 IN SPECIAL WARRANTY DEED TO TAYLOR R. CARLSON, ET AL, FILED FOR RECORD IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER AT RECEPTION NO. 2018000054845, SAID PARCEL LOCATED IN THE WEST ONE-HALF OF SECTION 2 AND THE EAST ONE-HALF OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE WEST ONE-QUARTER CORNER OF SAID SECTION 2, SAME BEING THE EAST ONE-QUARTER CORNER OF SAID SECTION 3, BEING A 3.25 INCH ALUMINUM CAP MARKED PLS 18475;

THENCE SOUTH 00°43'40" EAST, ALONG THE EAST LINE OF SAID PARCEL, THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 2 AND THE EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 3 A DISTANCE OF 10.00 FEET;

THENCE SOUTH 88°26'24" WEST, DEPARTING SAID LINE, A DISTANCE OF 631.41 FEET;

THENCE SOUTH 00°41'44" EAST, 30.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID PARCEL, A DISTANCE OF 312.65 FEET;

THENCE SOUTH 89°18'16" WEST A DISTANCE OF 30.00 FEET, MORE OR LESS, TO THE WEST LINE OF SAID PARCEL;

THENCE NORTH 00°41'44" WEST, ALONG THE WEST LINE OF SAID PARCEL, A DISTANCE OF 342.20 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF THAT 30.00 FOOT WIDE MEMORANDUM OF RIGHT OF WAY AGREEMENT TO ROCKY MOUNTAIN MIDSTREAM, LLC, FILED FOR RECORD IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER AT RECEPTION NO. 2019000046586;

THENCE NORTH 88°26'24" EAST, ALONG SAID LINE, A DISTANCE OF 1133.73 FEET, MORE OR LESS, TO THE NORTHWEST RIGHT OF WAY LINE OF HAVANA STREET / E. 164<sup>TH</sup> AVENUE AS DEDICATED TO ADAMS COUNTY BY BASELINE LAKES SUBDIVISION – FILING NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF FILED FOR RECORD IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER AT RECEPTION NO. 2006000991342;

THENCE ALONG SAID RIGHT OF WAY LINE AND ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 640.00 FEET, AN ARC LENGTH OF 67.05 FEET, A CENTRAL ANGLE OF 06°00'08", AND A CHORD BEARING AND DISTANCE OF SOUTH 71°04'36" WEST, 67.02 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 2 AND TO THE WESTERNMOST CORNER OF OUTLOT H, BARTLEY SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF FILED FOR RECORD IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER AT RECEPTION NO.20060126000092280;

THENCE SOUTH 88°26'24" WEST, ALONG A SOUTH LINE OF SAID PARCEL, THE SOUTH LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 2 AND THE NORTH LINE OF SAID OUTLOT H, A DISTANCE OF 408.66 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.872 ACRES(37986 SQUARE FEET) OF LAND, MORE OR LESS.

NOTES:

- 1. SEE THE ATTACHED EXHIBIT BY WHICH THIS REFERENCE IS MADE PART HEREOF.
- 2. THIS DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT, THEREFORE ACKLAM, INC. HAS NOT RESEARCHED OR SHOWN ANY OTHER EASEMENTS, RIGHTS OF WAY, VARIANCES AND OR AGREEMENTS OF RECORD EXCEPT AS SHOWN HEREON.
- 3. BEARINGS SHOWN HEREON ARE BASED ON GPS OBSERVATIONS AND/OR THE ONLINE POSITIONING USER SERVICE OFFERED BY THE N.G.S. AND PROJECTED TO "COLORADO COORDINATE SYSTEM OF 1983 NORTH ZONE" (C.R.S. 38-52-105 & 106).
- 4. DISTANCES SHOWN HEREON ARE IN US SURVEY FEET GROUND. THE COMBINED FACTOR USED TO OBTAIN THE GRID DISTANCES IS 0.999725885.
- 5. THE BASIS OF BEARINGS FOR THIS SURVEY IS THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 2, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH P.M., SAID LINE BEING MONUMENTED ON THE NORTH BY THE WEST ONE-QUARTER CORNER OF SAID SECTION 2, BEING A 3.25 INCH ALUMINUM CAP MARKED PLS 18475 AND ON THE SOUTH BY THE SOUTHWEST CORNER OF SAID SECTION 2, BEING A 2 INCH ALUMINUM CAP MARKED PLS 25937 1996 AND BEARS SOUTH 00°43'40" EAST.

REVISIONS

NO.	DATE	BY	DESCRIPTION

PROJ. NO. 199041  
PREPARED BY: DOUGLAS W. CHINN  
DATE PREPARED: 07/17/19  
FOR AND ON BEHALF OF ACKLAM, INC.  
133 S. 27<sup>TH</sup> AVENUE, BRIGHTON, CO 80601  
303.659.6267  
WATER EASEMENT.docx  
PRINTED: 7/17/2019 3:26:00 PM Doug Chinn

