

## UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENT:

That **74<sup>TH</sup> Avenue Limited Partnership**, whose address is 270 St. Paul Street, Suite 300, Denver, Colorado 80206 (hereinafter called "Grantor"), for and in consideration of 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, whose address is 4430 South Adams County Parkway, Brighton, Colorado, 80601, (hereinafter called "Grantee"), for the use of the public a non exclusive utility easement for the installation, operation, maintenance and replacement of either underground or above ground utilities lines and each and all of its appurtenances thereto, and may from time to time require on, over, under and across the following described strip of land which undersigned Grantor owns, said easements and rights to be utilized in a responsible and prudent manner on, over and across the following described land to wit:

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

together with the following rights: (a) of ingress and egress over and across the lands of the undersigned to and from the above-described parcel for the purpose of exercising the rights herein granted; (b) to place location markers on or beyond said strip; (c) to trim interfering trees and brush and remove objects interfering therewith; (d) to permit other public utilities to attach wires and fixtures to above-ground facilities or to use trenches jointly in the event of underground installation; and (e) to open and re-close any fences crossing said strip or, when agreed to by Grantor, install gates and stiles in such fences.

In further consideration of the granting of this easement, it is hereby agreed that all work performed by the public utilities, in connection with this easement shall be done with care, and 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 public utility.

The Grantor reserves the right to use and occupy the easement for any purpose not inconsistent with the rights and privileges above granted and which 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, the parties hereto have set their hand and seal this

12<sup>th</sup> day of October, 2018.

**74<sup>th</sup> Avenue Limited Partnership**

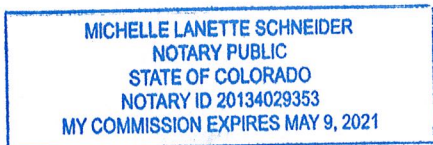
By: \_\_\_\_\_

Nick J. Zieser, CFO

STATE OF Colorado )  
COUNTY OF Denver ) §

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of October, 2018 by Nick J. Zieser, as CFO of 74<sup>th</sup> Avenue Limited Partnership.

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



Michelle L. Schneider

Notary Public

My commission expires: May 9, 2021

**EXHIBIT "A"**  
**PERMANENT UTILITY EASEMENT**  
**FROM 74<sup>TH</sup> AVENUE LIMITED PARTNERSHIP**  
**TO**  
**THE COUNTY OF ADAMS, STATE OF COLORADO**

Legal Description

(Parcel PE-16)

Being a portion of the parcel of land described in the Warranty Deed recorded on May 1, 1997 in Book 4996 at Page 568 of the records in the Office of the Clerk and Recorder of Adams County, Colorado, located in the Southwest Quarter of Section 36, Township 2 South, Range 68 West of the 6<sup>th</sup> Principal Meridian, being more particularly described as follows:

Commencing at the Southeast Corner of the York Street right of way (Parcel 16) as described in the Warranty Deed recorded on March 2, 2018 at Reception No. 2018000017802 in the Office of the Clerk and Recorder of said Adams County, thence North 00°06'45" West, along said Easterly right of way, a distance of 10.00 feet to the True Point of Beginning:

Thence continuing along said Easterly right of way, North 00°06'45" West, a distance of 30.00 feet;

Thence leaving said Easterly right of way, North 89°53'15" East, a distance of 20.00 feet;

Thence South 00°06'45" East, a distance of 30.00 feet;

Thence South 89°53'15" West, a distance of 20.00 feet to the True Point of Beginning.

Containing: 600 square feet, more or less.

Legal description prepared by:

Ian Cortez, PLS  
Colorado Professional  
Land Surveyor No. 32822  
For and on behalf of:  
Adams County, Colorado

Exhibit "B" attached and hereby made a part thereof.

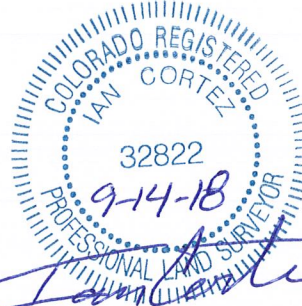


# EXHIBIT "B"

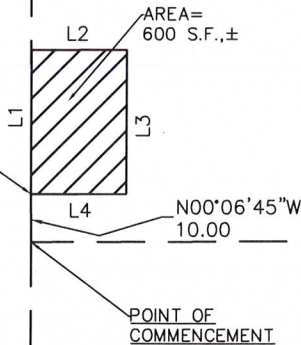
YORK STREET

16

74TH AVENUE  
LIMITED PARTNERSHIP  
0171936300055



TRUE POINT  
OF BEGINNING

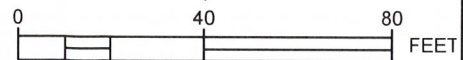


| Line Table |             |        |
|------------|-------------|--------|
| Line #     | Direction   | Length |
| L1         | N00°06'45"W | 30.00  |
| L2         | N89°53'15"E | 20.00  |
| L3         | S00°06'45"E | 30.00  |
| L4         | S89°53'15"W | 20.00  |



**ADAMS COUNTY**  
COLORADO

THIS EXHIBIT IS NOT A BOUNDARY SURVEY AND  
SHOULD NOT BE USED AS SUCH. IT IS INTENDED ONLY  
TO DEPICT THE ATTACHED LEGAL DESCRIPTION.



SCALE: 1" = 40'