

## **PERMANENT DRAINAGE EASEMENT**

**KNOW ALL MEN BY THESE PRESENTS:**

**That City of Westminster, a Colorado municipal corporation, whose legal address is 4800 West 92<sup>nd</sup> Avenue, Westminster, CO 80030, 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 detention pond, all of the County's costs to maintain the detention pond 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 20<sup>th</sup> day of June, 2017.

City of Westminster,  
a Colorado municipal corporation

By: [Signature]  
Print Name: Donald M. Tripp  
Print Title: City Manager

STATE OF COLORADO)

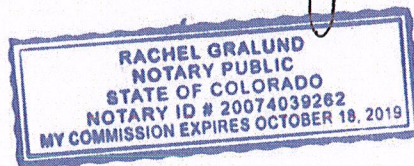
COUNTY OF Adams

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of June, 2017 by Donald M. Tripp, as City Manager of City of Westminster Colorado Municipal Corporation.

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

My commission expires: 10/18/19

[Signature]  
Notary Public



## EXHIBIT - PDE #4

Page 1 of 2

A PERMANENT DRAINAGE EASEMENT, being a portion of Outlot A as shown on the plat of Brannan's Subdivision Filing No. 2 as recorded in File 17, Map 243 of the records in the office of the Clerk and Recorder of Adams County, situated in the Northwest Quarter of Section 8, Township 3 South, Range 68 West of the 6th P.M., Adams County, Colorado, more particularly described as follows:

Commencing at the Southwest corner of said Northwest Quarter of Section 8;

Thence North  $00^{\circ}08'34''$  East along the West line of said Northwest Quarter, a distance of 154.63 feet;

Thence South  $89^{\circ}51'26''$  East, a distance of 30.00 feet to the existing Easterly Right-of-Way of Lowell Boulevard, being the Point of Beginning;

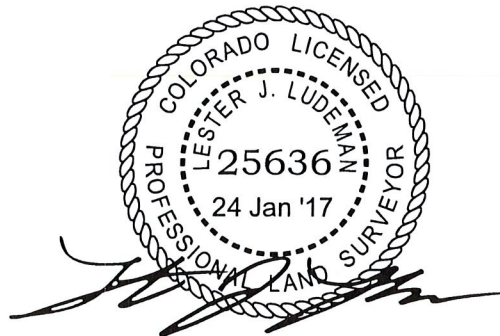
Thence South  $37^{\circ}21'53''$  East, a distance of 56.40 feet;

Thence South  $52^{\circ}38'07''$  West, a distance of 15.00 feet;

Thence North  $37^{\circ}21'53''$  West, a distance of 36.86 feet;

Thence North  $00^{\circ}08'34''$  East along said Easterly Right-of-Way of Lowell Boulevard, a distance of 24.64 feet to the Point of Beginning,

containing 700 square feet, or 0.0161 acre, more or less.



**FWS** FORESIGHT WEST  
SURVEYING INC.

4955 Iris Street, Wheat Ridge, CO 80033  
(303) 504-4440

This description is not the result of a monumented land survey.



## EXHIBIT - PDE #4

Page 2 of 2

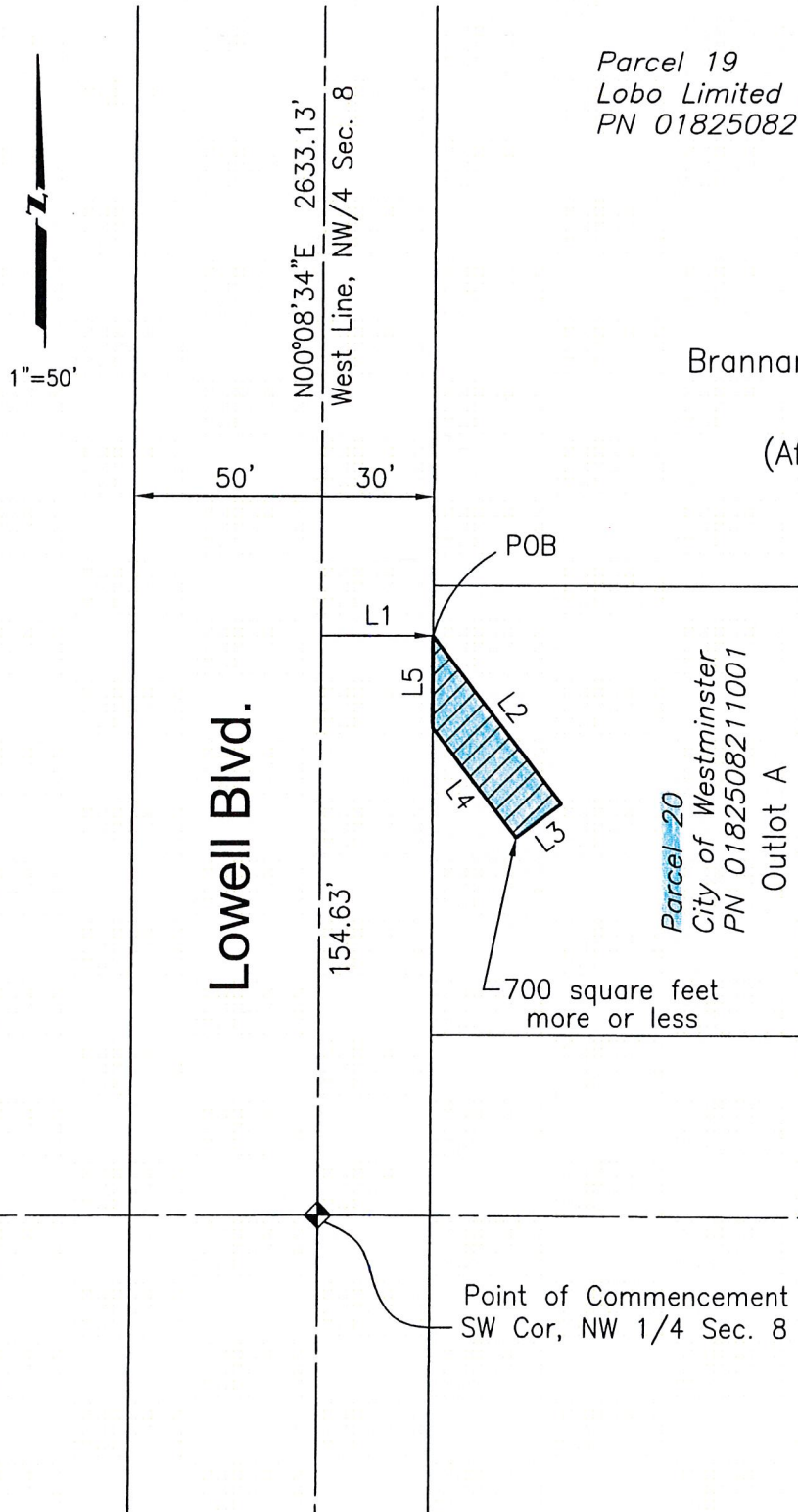
Parcel 19  
 Lobo Limited Liability Company  
 PN 0182508211002

NW 1/4 Sec. 8  
 T 3 S, R 68 W

Brannan's Subdivision Filing No. 2

Lot 1

(Affidavit of Correction at  
 Rec. No. C0046698)



| Line | Bearing     | Distance |
|------|-------------|----------|
| L1   | S89°51'26"E | 30.00'   |
| L2   | S37°21'53"E | 56.40'   |
| L3   | S52°38'07"W | 15.00'   |
| L4   | N37°21'53"W | 36.86'   |
| L5   | N00°08'34"E | 24.64'   |

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This illustration does not represent a monumented land survey  
 and is only intended to depict the accompanying description.

