

**TOWN OF MEAD, COLORADO
RESOLUTION NO. 88-R-2020**

**A RESOLUTION OF THE TOWN OF MEAD, COLORADO,
ACCEPTING A SANITARY SEWER EASEMENT
FOR A PORTION OF PARCEL NO. 120715200005**

WHEREAS, the Town desires to accept a Grant of Easement (the "Easement") to allow for certain sanitary sewer and related improvements on a portion of Parcel No. 120715200005, as more particularly described in the Easement; and

WHEREAS, the Easement is located on property owned by Rocky Mountain Assets Investment, LLC, a Colorado limited liability company ("Owner"); and

WHEREAS, the Easement consists of approximately 69,393 square feet (1.593 acres, more or less); and

WHEREAS, the Easement is attached to this Resolution as **Exhibit 1** and is incorporated herein by reference; and

WHEREAS, the Board of Trustees desires to authorize the Mayor to accept the Easement on behalf of the Town and further desires to authorize the Town Clerk to record a copy of the Easement in the Weld County real property records.

THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Mead, Colorado as follows:

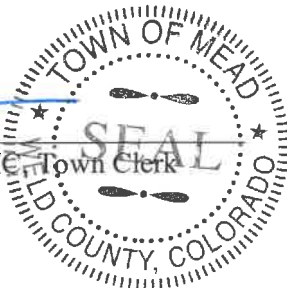
Section 1. The Easement is accepted in the form attached as **Exhibit 1**. The Board of Trustees authorizes the Mayor to proceed to execute the acceptance acknowledgement signature block set forth on the Easement on behalf of the Town. Following execution by the Mayor, the Town Clerk shall be authorized and is hereby instructed to record the fully executed Easement in the real property records of Weld County, Colorado. Recording fees shall be reimbursed to the Town by the developer of the Range View subdivision.

Section 2. Effective Date. This Resolution shall become effective immediately upon adoption.

INTRODUCED, READ, PASSED AND ADOPTED THIS 12th DAY OF OCTOBER, 2020.

ATTEST:

Mary E. Strutt, MMC



TOWN OF MEAD:

By:

Colleen G. Whitlow, Mayor

Attachments:

Exhibit 1 - Grant of Easement (sanitary sewer improvements, Parcel No. 120715200005)

**GRANT OF EASEMENT
TO
TOWN OF MEAD, COLORADO**

KNOW ALL MEN BY THESE PRESENTS, that Rocky Mountain Assets Investment, LLC (referred to in this Grant of Easement as “Grantor;” and collectively so, if more than one), for good and valuable consideration paid by the Town of Mead, Colorado (referred to in this Easement as “Grantee”), the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell, transfer, and convey to Grantee, its successors, agents and assigns, a non-exclusive, perpetual easement.

The purposes of the easement are to permit Grantee to access, construct, install, use, operate, inspect, repair, maintain, replace, and remove Sanitary Sewer and associated infrastructure (collectively, the “Improvements”), in and across the following-described real property owned by Grantor in Weld County, State of Colorado:

See attached **Exhibit A**

The easement hereby granted shall be generally 20 ft in width, which shall be located across the above-described real property as described on the attached **Exhibit A**, which is incorporated herein by reference for all purposes (“Property”).

Grantor reserves the right to use the Property in any manner provided such use does not interfere with Grantee’s rights hereunder.

Grantor shall not intentionally cause the original cover over said Improvements to be reduced below the minimum cover required at any time by any applicable utility standard or safety code and shall maintain the surface of the Easement in a sanitary condition in compliance with any applicable weed, nuisance or other legal requirements set forth in the Mead Municipal Code, as the same may be amended from time to time.

Grantor shall not construct or place anything over or so close to the Improvements as will be likely to interfere with Grantee’s surveillance of or access thereto by use of equipment or means customarily employed in the surveillance of or maintenance of said Improvements, or as will otherwise interfere with Grantee’s rights hereunder.

This Easement shall constitute a covenant running with the land for the benefit of the Grantee and its successors, agents and assigns and it shall be binding upon the Grantor and Grantor’s successors, agents, assigns, personal representatives, heirs and devisees.

The Grantor covenants that the Grantor is the sole owner of the Property and that the Grantor has the authority to grant this Easement. Grantor hereby warrants title in the easement area to the Town, its successors and assigns, against the claims and demands of any persons lawfully claiming the same.

IN WITNESS WHEREOF, Grantor has executed this Grant of Easement this 8th day of Sept., 2020

GRANTOR:

**ROCKY MOUNTAIN ASSETS
INVESTMENTS, LLC**

Jon Turner
Name:

ACCEPTED:

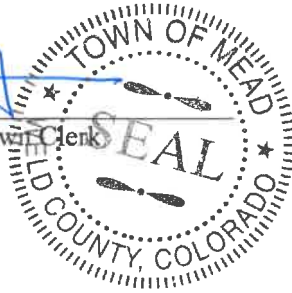
TOWN OF MEAD

By Colleen G. Whitlow
Colleen G. Whitlow, Mayor

ATTEST:

Name (if more than one Grantor)

Mary E. Strutt
Mary E. Strutt, CMC, Town Clerk



STATE OF COLORADO)
) ss.
COUNTY OF Larimer)

The foregoing Grant of Easement was acknowledged before me this 8th day of Sept., 2020 by Jon Turner.

Witness my hand and official seal.

My commission expires: 4/28/23

SEAL

Notary Public Sara Bebo

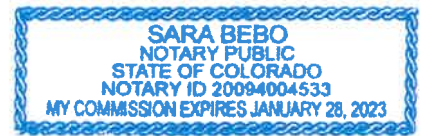


EXHIBIT A

Legal Description of Easement

EXHIBIT A
PARCEL DESCRIPTION

A parcel of land, 20.00 feet in width, situate in the Northwest Quarter (NW1/4), Section Fifteen (15), Township Three North (T.3N.), Range Sixty-eight West (R.68W.) of the Sixth Principal Meridian (6th P.M.), Town of Mead, County of Weld, State of Colorado, and being more particularly described as follows:

COMMENCING at the Northwest corner of said Section 15 and assuming the North line of said NW1/4 as bearing North 88°39'00" East, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 2636.56 feet. monumented by a #6 rebar surrounded by a 2.5" aluminum pipe with 3.25" aluminum cap stamped LS 38348 on the Northwest corner of Section 15 and a #6 rebar with 2.5" aluminum cap stamped LS 24667 at the North Quarter corner of Section 15 and with all other bearings contained herein relative thereto;

THENCE North 88°39'00" East along said North line a distance of 924.58 feet;
THENCE South 01°21'00" East a distance of 30.00 feet to the South Right of Way (ROW) line of Welker Avenue and to the POINT OF BEGINNING;
THENCE South 01°21'00" East a distance of 31.62 feet;
THENCE South 88°39'00" West a distance of 85.10 feet;
THENCE South 00°52'02" East a distance of 773.38 feet;
THENCE South 88°39'00" West a distance of 810.08 feet to the East ROW line of 3rd Street;
THENCE South 00°51'43" East along said East line a distance of 20.00 feet;
THENCE North 88°39'00" East a distance of 30.00 feet;
THENCE South 00°51'43" East a distance of 966.48 feet;
THENCE South 34°08'17" West a distance of 52.30 feet to the East ROW line of 3rd Street;
THENCE South 00°51'43" East along said East line a distance of 730.54 feet;
THENCE North 89°08'17" East a distance of 20.00 feet;
THENCE North 00°51'43" West a distance of 724.23 feet;
THENCE North 34°08'17" East a distance of 52.30 feet;
THENCE North 00°51'43" West a distance of 972.96 feet;
THENCE North 88°39'00" East a distance of 780.08 feet;
THENCE North 00°52'02" West a distance of 773.38 feet;
THENCE North 88°39'00" East a distance of 85.27 feet;
THENCE North 01°21'00" West a distance of 51.62 feet;
THENCE South 88°39'00" West a distance of 20.00 feet to the POINT OF BEGINNING.

Said described parcel of land contains 69,393 Square Feet or 1.593 Acres, more or less (±).

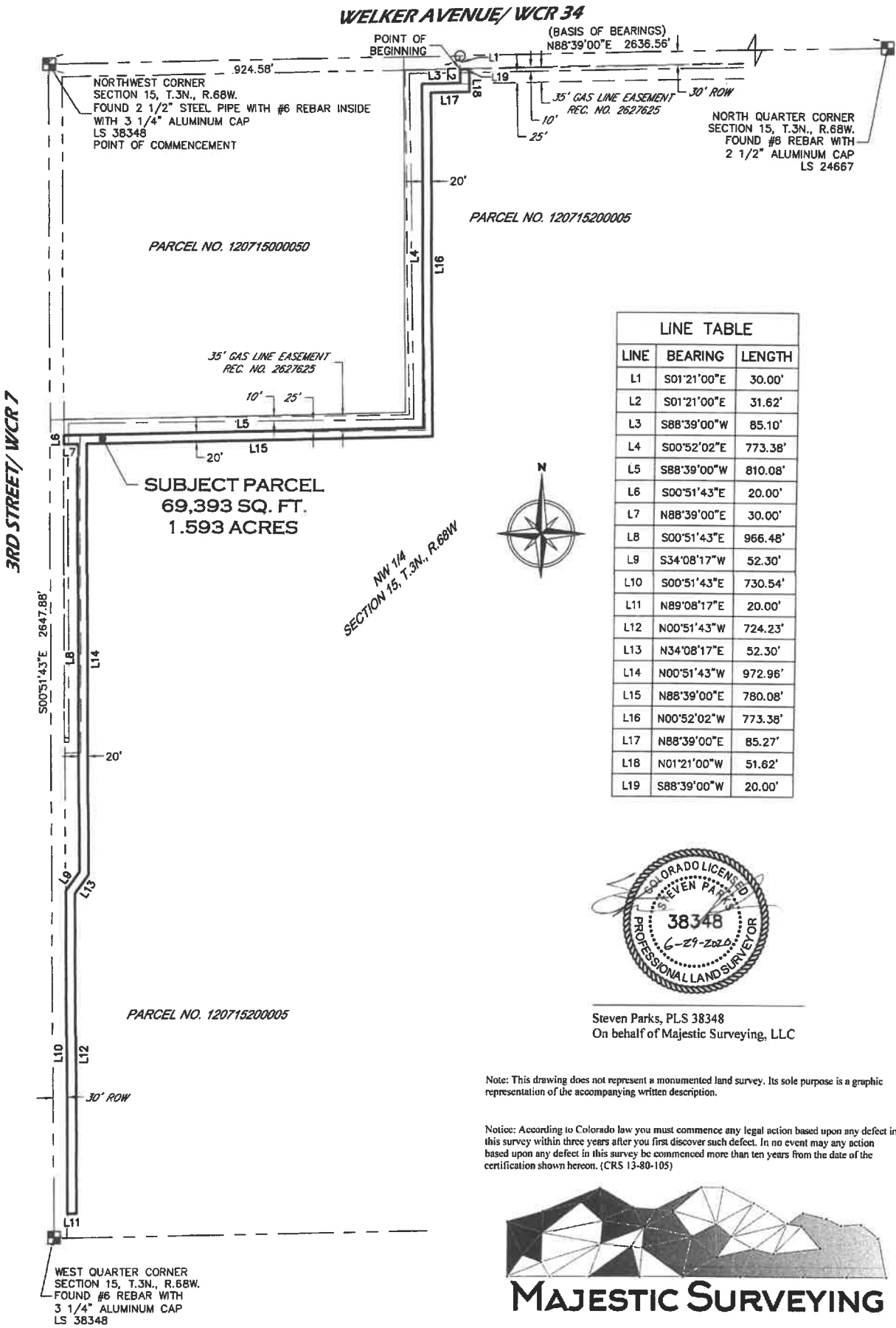
SURVEYORS STATEMENT

I, Steven Parks, a Colorado Licensed Professional Land Surveyor do hereby state that this Parcel Description was prepared under my personal supervision and checking, and that it is true and correct to the best of my knowledge and belief.



Steven Parks - on behalf of Majestic Surveying, LLC
Colorado Licensed Professional Land Surveyor #38348





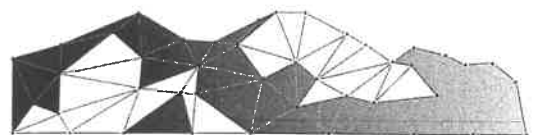
LINE TABLE		
LINE	BEARING	LENGTH
L1	S01°21'00"E	30.00'
L2	S01°21'00"E	31.62'
L3	S88°39'00"W	85.10'
L4	S00°52'02"E	773.38'
L5	S88°39'00"W	810.08'
L6	S00°51'43"E	20.00'
L7	N88°39'00"E	30.00'
L8	S00°51'43"E	966.48'
L9	S34°08'17"W	52.30'
L10	S00°51'43"E	730.54'
L11	N89°08'17"E	20.00'
L12	N00°51'43"W	724.23'
L13	N34°08'17"E	52.30'
L14	N00°51'43"W	972.96'
L15	N88°39'00"E	780.08'
L16	N00°52'02"W	773.38'
L17	N88°39'00"E	85.27'
L18	N01°21'00"W	51.62'
L19	S88°39'00"W	20.00'



Steven Parks, PLS 38348
 On behalf of Majestic Surveying, LLC

Note: This drawing does not represent a monumented land survey. Its sole purpose is a graphic representation of the accompanying written description.

Notice: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon. (CRS 13-80-105)



MAJESTIC SURVEYING

PROJECT NO: 2019101 CLIENT: HDS
 DATE: 6-29-2020 SCALE: 1"=200'