

FILED 101
Reception No. 319137

Marian A. Smith, Recorder

By: Jean Piloni
Sp. Deputy

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GRANT OF EASEMENT AND
RESTRICTIVE COVENANT AGREEMENT

THIS INDENTURE, made and entered into this 20th day of July, 1977, between JAKE R. KOICHEVAR, MATTHEW A. KOICHEVAR, and RUDOLPH J. KOICHEVAR, of the County of Pueblo and State of Colorado, "Grantors", and DONA K. BELZ, of the County of Gunnison and State of Colorado, "Grantee".

WHEREAS, the Grantee owns certain real property, hereinafter referred to as the "Dominant Estate", which real property is described as follows:

Beginning at a point from which the North One Quarter Corner of Section 28, Township 13 South, Range 86 West of the 6th P.M. bears North 58°10'42" West for a distance of 1586.05 feet, thence South 01°07' East 476.14 feet, thence North 73°00' West 275.06 feet, thence North 21°13' East 140.00 feet, thence North 11°41' East 104.90 feet, thence North 31°50' West 239.0 feet, thence South 82°30' East 310.61 feet to the point of beginning, and beginning at a point from which the North One Quarter Corner of Section 28, Township 13 South, Range 86 West of the 6th P.M. bears North 41°36'14" West for a distance of 1647.5 feet, thence North 21°13' East 140.0 feet, thence North 11°41' East 104.90 feet, thence North 31°50' West 239.0 feet, thence North 82°30' West 169.39 feet, thence South 80°50' West 119.34 feet, thence South 41°00' East 255.0 feet, thence South 25°00' East 250.0 feet, thence South 73°00' East 70.05 feet to the point of beginning, all in Gunnison County, Colorado, together with any and all water, water rights, ditch and ditch rights of way thereunto appertaining, subject to all easements and use restrictions of record.

WHEREAS, the Grantors own the East 1/2 of the Northeast 1/4, Section 28, Township 13 South, Range 86 West, 6th Principal Meridian, Gunnison County, Colorado, hereinafter referred to as the "Servient Estate", which is contiguous to the eastern boundary of the Dominant Estate;

NOW, THEREFORE, for and in consideration of the preambles, covenants and agreements contained herein, and for the further consideration of the sum of ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00), paid by the Grantee to the Grantors, the receipt and sufficiency of which are hereby acknowledged,

The Grantors, for themselves, their heirs, representatives and assigns, HEREBY GRANT AND CONVEY to the Grantee, her heirs, representatives and assigns:

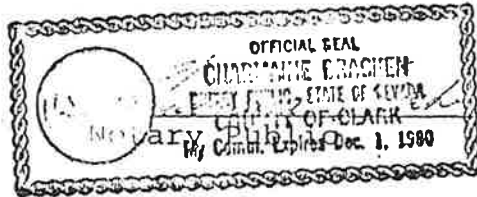
FILED FOR RECORD IN
COUNTY OF GUNNISON
NO. 300007
15
Sept. 77 11:05
Marian A. Smith
Recorder

County of Clark)
) SS.
State of Nevada)

The foregoing instrument was acknowledged before me this 20th day of July, 1977, by Dona K. Belz.

My commission expires December 1, 1980.

Witness my hand and official seal.



County of Gunnison)
) SS.
State of Colorado)

The foregoing instrument was acknowledged before me this 29th day of July, 1977, by Jake R. Kochevar and Rudolph J. Kochevar.

My commission expires September 14, 1980.

Witness my hand and official seal.



[Handwritten Signature]
Notary Public

County of Denver)
) SS.
State of Colorado)

The foregoing instrument was acknowledged before me this 14th day of August, 1977, by Matthew A. Kochevar.

My commission expires My Commission Expires Jan. 24, 1981.

Witness my hand and official seal.



[Handwritten Signature]
Notary Public

Full and free right and liberty for her and them, her and their, tenants, servants, visitors, and licensees, in common with all others having the like right, at all times hereafter, with or without vehicles of any description, for all purposes connected with the use and enjoyment of the said land of the Grantee, to pass and repass along the private road described on attached Exhibit A for the purpose of going from the Slate River County Road to the said Dominant Estate, or vice versa, together with the right to construct to Gunnison County road specifications and maintain said gravel road on a sixty foot wide right-of-way with a gravel surface not to exceed twenty-four (24) feet in width.


TO HAVE AND TO HOLD the easement or right-of-way hereby granted and conveyed unto the Grantee, her heirs, representatives and assigns as appurtenant to the said land of the Grantee.

The Grantee, for herself, her heirs, representatives and assigns HEREBY COVENANTS AND AGREES with the Grantors not to subdivide the Dominant Estate, nor to use said Dominant Estate for any purposes whatsoever other than one single-family residence.

This Indenture shall be appurtenant to and run with the Dominant and Servient Estates.

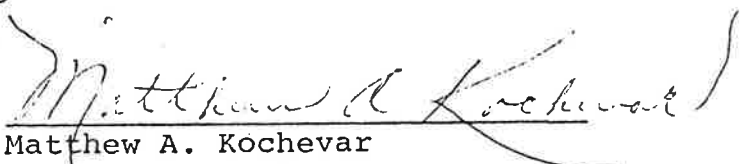
IN WITNESS WHEREOF, the parties have hereunto set their hands and seals.

GRANTEE


Dona K. Belz

GRANTORS


Jake R. Kochevar


Matthew A. Kochevar


Rudolph J. Kochevar

EXHIBIT "A"

A parcel of land located in the Northeast Quarter of Section 28, Township 13 South, Range 86 West, 6th Principal Meridian.

A strip of land lying 30 Feet on either side of the following described centerline:

Beginning at a point from whence the Northeast corner of the West One-Half of the Northeast Quarter of said Section 28 bears North $1^{\circ}07'$ West a distance of 1,078 Feet; thence North $76^{\circ}50'$ East a distance of 110 Feet, more or less, to a point on the West right-of-way line of the Slate River County Road.

The side boundaries of said strip of land are to be lengthened or shortened as necessary so as to begin on the East boundary of the Alpine Meadows Subdivision and terminate on the West right-of-way line of said Slate River County Road.

Bearings are based on the plat of the Alpine Meadows Subdivision as recorded in the office of the Gunnison County Clerk and Recorder.