

GRANT OF UTILITIES EASEMENT

Dolores G. LaVigne, hereinafter referred to as "Grantor", for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby grants and conveys to Moon Ridge Property Owners Association, Inc., a Colorado non-profit corporation, a permanent easement and right of way 28 feet in width located 14 feet on both sides of the centerline described on attached Exhibit A, to install, construct, reconstruct, replace, remove, maintain and use a sanitary sewer line, and all necessary and property appurtenances connected therewith, hereinafter collectively referred to as the "Utilities", together with the right of ingress and egress over and across the land described on attached Exhibit A as may be necessary for the installation, use and maintenance of said Utilities.

Said easement and right of way shall be subject to the following terms and conditions:

1. Grantor shall have the right to use the Servient Estate for any purposes not inconsistent with the full use and enjoyment of the rights herein granted to Grantee, which purposes shall include, without limitation, the right to use the Utilities installed by Grantee to serve the Servient Estate.

2. Grantee shall not disturb, destroy or remove any improvements that the Grantor may now or in the future have on the Servient Estate without Grantor's approval.

3. Immediately upon completion of the installation or maintenance of the Utilities Grantee shall restore the property disturbed or damaged by such installation or maintenance to a condition as near as reasonably possible as it was prior to the installation or maintenance of the Utilities or otherwise restore the area of such installation or maintenance to a level and clean condition.

4. Grantee shall repair any damage that it shall do to the Grantor's property and shall further indemnify and hold harmless Grantor against any and all costs, expense, claim or damage of any kind, including reasonable attorneys' fees, which shall be caused by the exercise of the privileges granted pursuant to this Grant of Utilities Easement.

This easement shall be appurtenant to and run with the Servient Estate described on attached Exhibit A owned by Grantor and shall be binding upon the heirs, representatives, successors and assigns of the parties hereto.

(05/04/95)\1\lav-moon.gue

This is a grant of easement
across Sissy's property (not the subdivision)
and encumbering Sissy's property
to allow for the maintenance etc
of the sewer line

IN WITNESS WHEREOF, Grantor has executed this Grant of Utilities Easement the 10 day of July, 1995.

Dolores G. LaVigne
Dolores G. LaVigne

STATE OF COLORADO)
) ss.
COUNTY OF GUNNISON)

The foregoing Grant of Utilities Easement was acknowledged before me this 10th day of July, 1995, by Dolores G. Lavigne.

Witness my hand and official seal.

My commission expires: 9/13/96.



David Leinsdorf
Notary Public

LEGAL DESCRIPTIONEXHIBIT A BK PG
776 686

An Easement for the purpose of a sanitary sewer, being 28 feet in width, the centerline being described by metes and bounds as follows:

Beginning at a point on the North Line of the Southeast Quarter of Section 35, T13S R86W of the Sixth Principal Meridian, Gunnison County, Colorado from whence the East Quarter Corner of said Section 35 bears N89°53'01"E a distance of 542.1 feet;

THENCE generally paralleling the easterly and southeasterly boundaries of MOON RIDGE, a subdivision of Gunnison County, S 3°52'E a distance of 188.0 feet;

THENCE S13°55'E a distance of 77.0 feet;

THENCE S 8°08'E a distance of 108.0 feet;

THENCE S30°19'E a distance of 111.0 feet;

THENCE S 1°08'E a distance of 60.0 feet;

THENCE S40°02'W a distance of 103.0 feet;

THENCE S54°40'W a distance of 261.0 feet;

THENCE S38°34'W a distance of 193.0 feet;

THENCE leaving the boundary of MOON RIDGE, S84°20'W a distance of 254.0 feet;

THENCE N55°53'W a distance of 172.0 feet;

THENCE N61°40'W a distance of 88.0 feet;

THENCE N33 48'W a distance of 116.0 feet;

THENCE S89°47'W a distance of 165.0 feet to a point close to the southernmost angle point on Lot 8, MOON RIDGE;

THENCE generally paralleling the southerly boundary of MOON RIDGE, N64°00'W a distance of 93.0 feet;

THENCE S62°58'W a distance of 114.0 feet;

THENCE N55°30'W a distance of 168.0 feet;

THENCE S63°52'W a distance of 30.8 feet;

THENCE S 6°15'E a distance of 238.0 feet;

THENCE N85°49'W a distance of 73.0 feet;

THENCE N37°33'W a distance of 145.0 feet;

THENCE N47°02'W a distance of 260.0 feet;

THENCE leaving the boundary of MOON RIDGE, N89°42'E a distance of 372 feet, more or less, to the N-S Quarter Line of said Section 35, the end point.

Basis for bearings is the monumented North-South Quarter Line of said Section 35, being N 0°18'00"E, a figure derived from the official BLM plat of record for this township.