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**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 10 feet in width located 5 feet on both sides of the centerline described on attached Exhibit A, to install, construct, reconstruct, replace, remove, maintain and use an underground water 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.

IN WITNESS WHEREOF, Grantor has executed this Grant of Utilities Easement the 6 day of Oct, 1997.

Dolores G. LaVigne

LOUISIANA  
STATE OF ~~COLORADO~~ )  
Parish of CADDO ) ss.  
~~COUNTY OF GUNNISON~~)

The foregoing Grant of Utilities Easement was acknowledged before me this 6 day of October, 1997, by Dolores G. Lavigne.

Witness my hand and official seal. My commission expires:

BRENDA W. THOMAS, Notary Public  
Caddo Parish, Louisiana  
My Commission Expires 12/19/97

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EXHIBIT A  
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#### LEGAL DESCRIPTION

**An Easement for the purpose of a sprinkler utility being 10 feet in width, 5 feet either side of a centerline described as follows:**

**Beginning at the corner of a barn located on property adjacent to Moon Ridge Subdivision, Gunnison County, Colorado, (Reception No. 465167 of the records of the Gunnison County Clerk and Recorder), from whence the Center Quarter Corner of Section 35, T13S R86W of the Sixth Principal Meridian, bears N67°53'24"W a distance of 1,534.74 feet and the Westerly Corner of Lot 6, Moon Ridge Subdivision bears S79°29'23"E a distance of 300.01 feet;**

**THENCE N 4°48'E a distance of 74.3 feet, more or less, to the Southwesterly right-of-way line of Moon Ridge Lane, a point on the boundary of said Moon Ridge Subdivision:**

**This tract contains 742.9 square feet of land area or 0.017 Acres.**

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

