

RECORDED AT 3:30 o'clock P. M. October 5, 1984  
 RECEPTION NO. 383989 Joanne M. Reisinger Recorder  
 BY: *Joanne M. Reisinger* Deputy

## EASEMENT DEED

STATE DOCUMENTARY FEE  
 DATE 10/5/84  
 No Fee

Skyland Properties, a Colorado limited partnership, whose address is P.O. Box 8, Mt. Crested Butte, Colorado 81225, for the consideration of ten dollars and other valuable consideration in hand paid, hereby sells and quitclaims to East River Regional Sanitation District, a Colorado special district, whose legal address is in care of Russell, Angelo & Wright, P.C., P.O. Box 179, Gunnison, Colorado 81230, the following real property in the County of Gunnison, and State of Colorado, to wit:

A perpetual non-exclusive easement and right of way for the purpose of the installation, maintenance, and repair of a sewer interceptor pipeline over and across the real property described on Exhibit A attached hereto.

The grantor also grants to the grantee a temporary easement for the purpose of the construction, installation, and access to said sewer interceptor pipeline over and across the real property described on Exhibit B attached hereto.

The grantor also grants to the grantee a temporary easement for the purpose of the construction, installation, and access to the sewer interceptor pipeline over and across all of the improved portion of Gunnison County Road 738 (Brush Creek Road) which lies within the Northeast 1/4 of Section 12, Township 14 South, Range 96 West of the 6th Principal Meridian, and the Northwest 1/4 of Section 7, Township 14 South, Range 85 West of the Sixth Principal Meridian, including the roadway surface, shoulders, and ditches, and that area lying between said County Road and the perpetual easement above described.

This grant of easement is subject to the following terms and conditions:

1. Following any disturbance of the surface of the affected property, whether during initial installation and construction, or following any future maintenance and repair, the grantee will return the surface of the affected property to a condition which is at least as good as the condition thereof prior to such disturbance.

2. Said pipeline shall be installed to a sufficient depth as not to interfere with normal road maintenance and snow plowing operations.

3. The grantee shall provide to the grantor as-built drawings of the grantee's pipeline within the easement granted herein.

together with all appurtenances thereto.

Signed this 5th day of June, 1984.

SKYLAND PROPERTIES, a Colorado  
 limited partnership  
 by *Jack D. Blanton*  
 Jack D. Blanton, general partner

STATE OF COLORADO

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County of Gunnison

ss.

The foregoing instrument was acknowledged before me this 29th day of June, 1984 by Jack D. Blanton as general partner of Skyland Properties, a Colorado limited partnership.

Witness my hand and official seal.

My commission expires: 11/1/85

Donna Rosen  
Notary Public

Address of Notary Public:

P.O. Box 179

Gunnison, CO 81230



Prepared by Russell, Angelo & Wright, P.C.  
120 North Taylor - P.O. Box 179  
Gunnison, Colorado 81230

## EXHIBIT A

A tract of land located in the Northeast 1/4 of the Northwest 1/4 and the Northwest 1/4 of the Northeast 1/4 of Section 12, Township 14 South, Range 86 West, of the 6th Principal Meridian, Gunnison County, Colorado and described as being 20 feet in width, 10 feet on each side of the following described pipeline centerline:

Beginning at a point on the Northwest boundary line of the District's proposed Pump Station Site within the River Tract of SKYLAND, INITIAL FILING, a subdivision recorded with the Gunnison County Clerk and Recorder on November 17, 1981 at Reception No. 363852, from whence the North 1/4 corner of said Section 12 bears N 05°02'06" W, 1046.29 feet; thence proceeding along the centerline of the proposed pipeline N 22°10'00" W, 345.0 feet to proposed Manhole ERB1; thence N 29°00'00" W, 141.0 feet to proposed Manhole ERB2; thence N 40°10'00" W, 375.0 feet to proposed Manhole ERB3; thence N 09°20'00" E, 308.0 feet to proposed Manhole ERB4; thence N 12°00'00" E, 13.56 feet to a point on the North line of said Section 12 from whence the North 1/4 corner of said Section 12 bears S 89°09'47" E, 295.84 feet.

A tract of land located in the Northwest 1/4 of the Northeast 1/4 of Section 12, Township 14 South, Range 86 West of the 6th Principal Meridian, Gunnison County, Colorado, the boundary of which is more particularly described as follows:

Beginning at a point common to the River Tract and Open Space of SKYLAND, INITIAL FILING; from whence the North 1/4 Corner of said Section 12 bears N 09°19'34" W, 1219.57 feet; thence proceeding around the tract herein described S 47°10'18" E, 20.0 feet; thence N 42°49'42" E, 386.59 feet to a point on the Southwest right of way line of Slate River Drive; thence along a non-tangent curve to the right with a radius of 348.71 feet, a chord bearing of N 48°29'24" W, a chord distance of 20.01 feet; a central angle of 3°17'17", a distance of 20.01 feet to the point common to the River Tract, Open Space and the Southwest right of way line of Slate River Drive; thence along the property line common to the River Tract and Open Space S 42°49'42" W, 386.01 feet to the point of beginning, containing 7724.0 square feet or 0.18 acres.

A tract of land located in the Southwest 1/4 of the Northeast 1/4 of Section 12, Township 14 South, Range 86 West of the 6th Principal Meridian, Gunnison County, Colorado, the boundary of which is more particularly described as follows:

Beginning at a point on the Southeast boundary line of SKYLAND, INITIAL FILING, from whence the North 1/4 corner of said Section 12 bears N 34°33'41" W, 1945.37 feet; thence S 48°03'25" E, 25.0 feet; thence N 43°28'32" E, 314.53 feet to a point on the East line of the Southwest 1/4 of the Northeast 1/4 of said Section 12; thence N 00°00'42" E, along the East line of the Southwest 1/4 of the Northeast 1/4 of said Section 12 a distance of 50.0 feet to the Northeast corner of the Southwest 1/4 of the Northeast 1/4 of said Section 12; thence S 41°56'35" W, along the Southeast boundary line of SKYLAND, INITIAL FILING, 351.61 feet to the point of beginning, containing 9804.3 square feet or 0.23 acres.

A tract of land located in the Northeast 1/4 of the Northwest 1/4 and the Northwest 1/4 of the Northeast 1/4 of Section 12, Township 14 South, Range 86 West of the 6th Principal Meridian, Gunnison County, Colorado, being 50.0 feet in width, 25.0 feet on each side of the following described centerline:

Beginning at a point on the Northwest boundary line of the District's proposed Pump Station Site within the River Tract of SKYLAND, INITIAL FILING, a subdivision recorded with the Gunnison County Clerk and Recorder on November 17, 1981 at Reception No. 363852, from whence the North 1/4 corner of said Section 12 bears N 05°02'06" W, 1046.29 feet; thence proceeding along the centerline of the proposed pipeline N 22°10'00" W, 345.0 feet to proposed Manhole ERB1; thence N 29°00'00" W, 141.0 feet to proposed Manhole ERB2; thence N 40°10'00" W, 375.0 feet to proposed Manhole ERB3; thence N 09°20'00" E, 308.0 feet to proposed Manhole ERB4; thence N 12°00'00" E, 13.56 feet to a point on the North line of said Section 12 from whence the North 1/4 corner of said Section 12 bears S 89°09'47" E, 295.84 feet,

and

Beginning at a point common to the River Tract and Open Space of SKYLAND, INITIAL FILING, from whence the North 1/4 corner of said Section 12 bears N 09°19'34" W, 1219.57 feet; thence proceeding around the tract herein described S 89°42'59" W, along the property line common to the River Tract and Open Space, 19.02 feet; thence S 47°10'18" E, 48.88 feet; thence N 42°49'42" E, 400.77 feet to a point on the Southwest right of way line of Slate River Drive; thence along the Southwest right of way line of Slate River Drive, along a non-tangent curve to the right with a radius of 348.71 feet, a chord bearing of N 48°49'09" W, a chord distance of 50.02 feet, a central angle of 8°13'33", a distance of 50.06 feet; thence S 42°49'42" W, 336.34 feet; thence S 47°10'18" E, 15.0 feet to a point on the property line common to the River Tract and Open Space; thence along the property line common to the River Tract and Open Space S 42°49'42" W, 50.0 feet to the point of beginning, containing 15118.1 square feet or 0.44 acres.

That portion of Gunnison County Road 736 (the Brush Creek Road) lying within the Southwest 1/4 of the Northeast 1/4 of Section 12, Township 14 South, Range 86 West of the 6th Principal Meridian, Gunnison County, Colorado, including the roadway surface, shoulders, and ditches.