

**GRANT OF EASEMENT
STORM DRAINAGE**

THIS GRANT OF EASEMENT ("Grant") is given this 17 day of July, 2024 by Malone Sedalia He ("Grantor"), whose address is 5422 Manhart St., Sedalia, CO, to THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, STATE OF COLORADO ("Grantee"), whose address is 100 Third Street, Castle Rock, Colorado, 80104.

The parties hereby covenant and agree as follows:

1. Easement Property. The "Easement Property" shall mean the real property owned by Grantor and located in the County of Douglas, State of Colorado, more particularly described on **Exhibit A**, attached hereto and incorporated herein, and substantially as depicted on **Exhibit B**, attached hereto and incorporated herein.

2. Consideration. Grantor makes this Grant as a gift without consideration other than the keeping by Grantee of the covenants and agreements herein contained.

3. Grant of Easement. Grantor hereby grants to Grantee, its successors and assigns, a non-exclusive easement ("Easement") on, over, under, through and across the Easement Property for the purpose of accessing, maintaining, and repairing storm water management improvements, including, but not limited to, inlets, pipes, culverts, channels, ditches, hydraulic structures, riprap, detention basins, forebays, micro-pools, and water quality facilities (collectively, the "Facilities") in the event Grantor fails to satisfactorily maintain or repair said Facilities.

4. Maintenance and Repair. The maintenance and repair of the Facilities located on the Easement Property shall be the responsibility of Grantor. In the event such maintenance and repair are not performed by Grantor to the satisfaction of Grantee, then Grantee shall have the right, but not the obligation, to enter said Easement Property after ten (10) days prior written notice to Grantor, unless there is an emergency, in which case Grantee shall give notice as soon as practicable, to perform all necessary work, the cost of which shall be paid by Grantor upon billing. In the event Grantor fails to reimburse Grantee within thirty (30) days after submission of the bill for the costs incurred, Grantee shall have the right to enforce such obligation by appropriate legal action. It is Grantor's responsibility to construct, maintain and repair the Facilities in a manner consistent with all applicable plans approved or accepted by Grantee.

5. Retained Rights of Grantor. Grantor reserves the right of ownership, use and occupancy of the Easement Property insofar as said ownership, use and occupancy does not impair the rights granted to Grantee in this Grant. Grantee's rights hereunder are non-exclusive, and Grantor shall have the full right and authority to grant other easements or rights to use the Easement Property. It is also understood by Grantee that Grantor may in the future desire to modify and/or eliminate the Facilities. Such a modification and/or elimination shall not be realized until written approval is obtained for said modifications and/or elimination from Grantee. Upon such approval, both the Grantee and Grantor agree to vacate this Easement.

6. Binding Effect. This Grant shall extend to and be binding upon the successors and assigns of the respective parties hereto. The terms, covenants, agreements and conditions in this Grant shall be construed as covenants running with the land.

IN WITNESS WHEREOF, the parties hereto have executed this Grant the day and year first above written.

GRANTOR:

Suzanne Niemi

Attest:

By: _____

By: _____

Name: Suzanne Niemi

Name: _____

Title: owner

Title: _____

STATE OF COLORADO)
) *Arapahoe*) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 17 day of July, 2024, by Suzanne Niemi as owner of Malone Sedalia LLC.

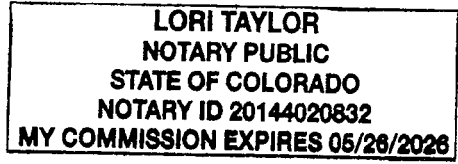
My commission expires: 5/26/2026.

Witness my hand and official seal.

Lori Taylor
Notary Public

GRANTEE:

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS,
STATE OF COLORADO



BY: _____
Chair

STATE OF COLORADO)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this ____ day of _____, 20__ by the Chair of the Board of County Commissioners of the County of Douglas, State of Colorado.

My commission expires: _____

Witness my hand and official seal.

Notary Public



DAVID E. ARCHER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS & ENGINEERS

105 Wilcox Street * Castle Rock, CO 80104
PHONE (303) 688-4642 * FAX (303) 688-4675 * karcher@davidearcher.com

Job No. 22-0633
June 12, 2024

EXHIBIT "A"
DRAINAGE EASEMENT DESCRIPTION

A DRAINAGE EASEMENT BEING A PORTION OF THAT PARCEL OF LAND, DESCRIBED IN THE TOWN OF SEDALIA RECORDED SEPTEMBER 28, 1875 IN THE OFFICE OF THE CLERK AND RECORDER OF DOUGLAS COUNTY, COLORADO, SITUATED IN THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 7 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 3, BLOCK 18, TOWN OF SEDALIA;
THENCE NORTHEASTERLY ALONG THE EAST PROPERTY LINE 39.37 FEET,
THENCE 90° TO THE LEFT PARALLEL TO THE SOUTH PROPERTY LINE A DISTANCE OF 28.66 FEET;
THENCE 90° TO THE RIGHT PARRALEL TO THE EAST PROPERTY LINE A DISTANCE OF 105.63 FEET TO AN INTERSECT WITH THE NORTH PROPERTY LINE;
THENCE 90° TO THE LEFT ALONG THE NORTH PROPERTY LINE A DISTANCE OF 15.00 FEET;
THENCE 90° TO THE LEFT PARALLEL WITH THE EAST PROPERTY LINE A DISTANCE OF 105.63 FEET;
THENCE 90° TO THE RIGHT PARALLEL WITH THE SOUTH PROPERTY LINE A DISTANCE OF 21.21 FEET;
THENCE 90° TO THE LEFT PARALLEL WITH THE EAST PROPERTY LINE A DISTANCE OF 39.37 FEET TO AN INTERSECT WITH THE SOUTH PROPERTY LINE;
THENCE 90° TO THE LEFT ALONG THE SOUTH PROPERTY LINE A DISTANCE OF 64.87 FEET TO THE POINT OF BEGINNING.

CONTAINING 4,138.38 SQUARE FEET (0.095 ACRES), MORE OR LESS

THIS DESCRIPTION WAS PREPARED UNDER THE DIRECT SUPERVISION OF DARRELL E. ROBERTS, PLS36057, FOR AND ON BEHALF OF DAVID E. ARCHER AND ASSOCIATES, INC.

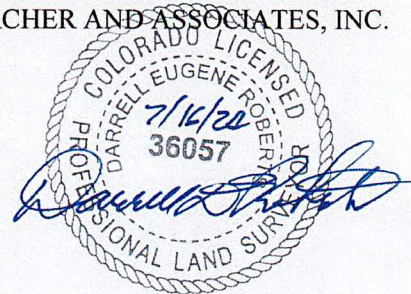
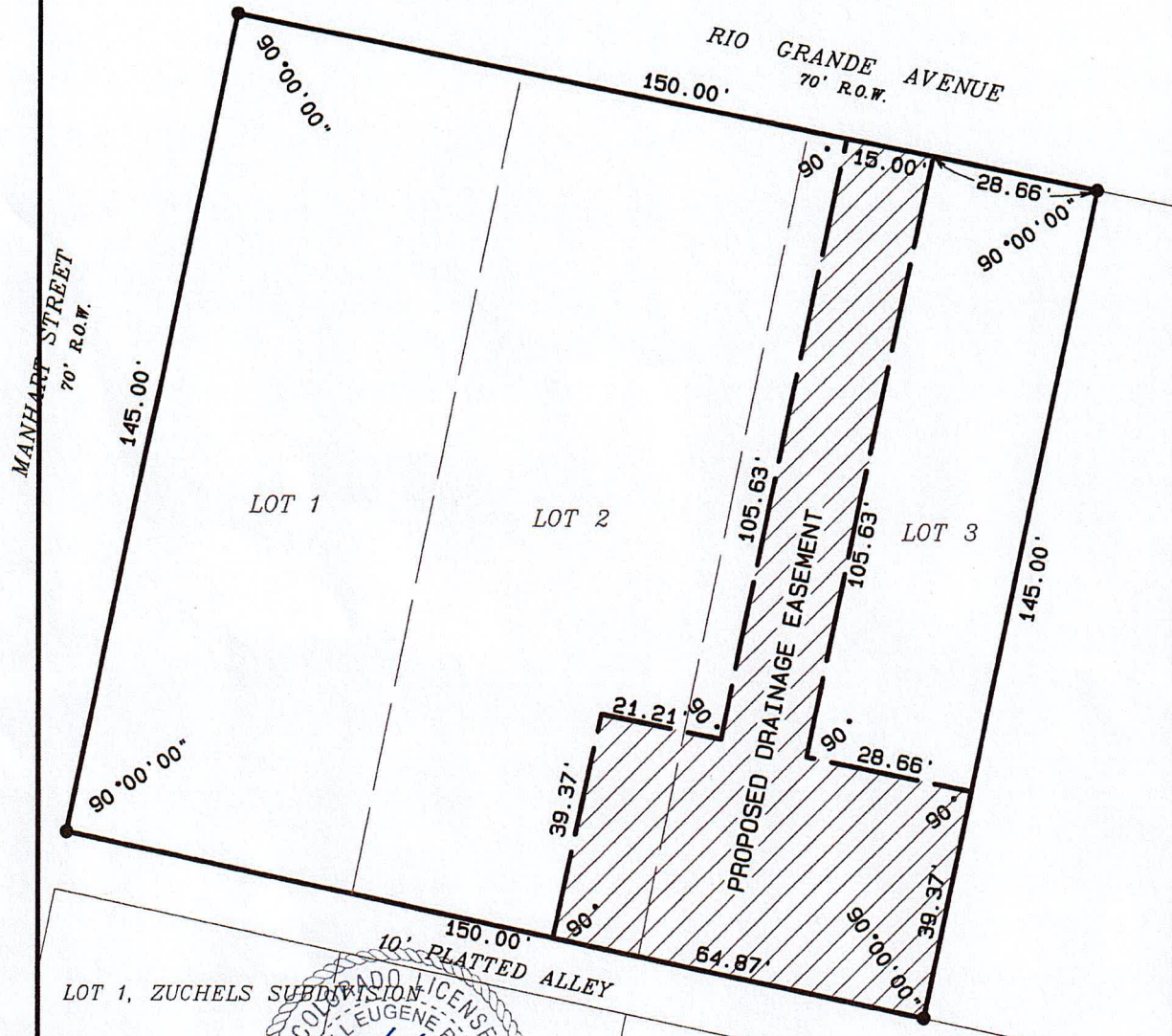


EXHIBIT "B"

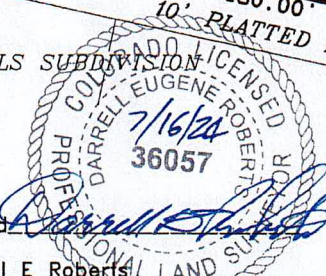
DRAINAGE EASEMENT EXHIBIT EXHIBIT IN LOTS 2 & 3, BLOCK 18, TOWN OF SEDALIA In Section 14, Township 7 South, Range 68 West, 6th P.M., Douglas County, Colorado



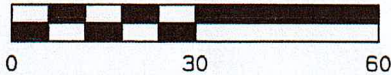
LOT 1, ZUCHELS SUBDIVISION

Signed

Darrell E Roberts
for and on behalf of
David E. Archer & Assoc., Inc.



GRAPHIC SCALE 1"=30'



*ALL DIMENSIONS ARE MEASURED

SCALE: 1"=30'

DATE: 6-12-24

REVISIONS

