

EASEMENT DEED FOR WATER METER VAULT

KNOW ALL MEN BY THESE PRESENTS THAT Arapahoe County, by the Board of County Commissioners (the "Grantor"), a body politic of the State of Colorado, with a principal place of business at 5334 Prince Street, Littleton, Colorado, for consideration of the sum of ten dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby give, grant, bargain and convey to the Cherry Creek Valley Water and Sanitation District (the "District"), a special district and political subdivision of the State of Colorado, an easement for the purposes stated herein and upon the following premises, to-wit:

A PORTION OF THAT PARCEL OF LAND DESCRIBED IN THE WARRANTY DEED FROM NATHAN FELD TO FLD LIMITED LIABILITY CO. RECORDED OCTOBER 20, 2003 AT RECEPTION NUMBER B3229047, IN THE OFFICE OF THE ARAPAHOE COUNTY CLERK AND RECORDER, LOCATED IN THE NORTHEAST ONE-QUARTER OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 67 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 27 BEING A FOUND 3 ¼ INCH BRASS CAP IN A RANGE BOX STAMPED "COLO DEPT OF TRANSPORTATION 1994 PLS NO 26280", WHENCE THE EAST ONE-QUARTER CORNER OF SECTION 27 BEING A FOUND 3" BRASS CAP STAMPED CITY OF AURORA 1989 LS 16491", BEARS NORTH 89°48'06" EAST FOR A DISTANCE OF 2,620.53 FEET;

THENCE NORTH 87°30'43" EAST, 888.49 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF ILIFF AVENUE AND THE POINT OF BEGINNING;

THENCE DEPARTING SAID NORTH ROW LINE NORTH 01°46'21" EAST, 32.49 FEET;

THENCE SOUTH 88°13'39" EAST, 9.85 FEET;

THENCE SOUTH 01°35'34" WEST, 32.24 FEET TO SAID NORTH ROW LINE;

THENCE ALONG SAID NORTH ROW LINE NORTH 89°39'37" WEST, 9.95 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 320 SQUARE FEET OR 0.007 ACRES MORE OR LESS. BASIS OF BEARINGS: ALL BEARINGS SHOWN HEREIN ARE BASED ON A GRID BEARING OF NORTH 22°58'58" WEST FROM NGS STATION "JOG" BEING A FOUND 3 ½ INCH NGS BRASS CAP IN CONCRETE STAMPED "JOG 1977" TO NGS STATION "TRANSPORTATION" BEING A FOUND 9/16 INCH STAINLESS STEEL ROD IN A SLEEVE SET IN A 5 INCH CDOT WELL BOX STAMPED "TRANSPORTATION 1995".

The Grantor conveys to the District, an easement to enter upon said premises to install, repair, and maintain therein the water meters, also to turn off the water of any service or main, or to do any other thing that may be necessary or advisable in the judgment of said District, its successors or assigns, in order to maintain or operate said meter in accordance with the rules and regulations of the District now in force or that may hereafter be adopted.

The Grantor further, in consideration of the acceptance of the easement by the District, does hereby agree to pay the costs of maintaining the water meter and appurtenances within the above described easement, being maintained in accordance with the provisions, rules, regulations and requirements of the District, its successors or assigns. EXCEPT AS OTHERWISE HEREIN EXPRESSLY PROVIDED, THIS EASEMENT IS FOR ACCESS AND DOES NOT SIGNIFY THAT THE DISTRICT OWNS OR OTHERWISE HAS RESPONSIBILITY FOR THE METER OR ANY APPURTENANT FACILITIES. IT IS UNDERSTOOD AND AGREED THAT THE METER AND ALL APPURTENANCES ARE OWNED BY THE GRANTOR AND ARE THE GRANTOR'S RESPONSIBILITY. The meter shall be installed and located so that the radio frequency signal from the District's automatic meter reading device can be obtained from a publicly-accessible street or another location conveniently accessible to the District's meter-reading vehicles and equipment. Whenever the Grantor is notified by the District that the water meter or its appurtenances are in need of maintenance, said maintenance shall be performed by the Grantor. In the event the Grantor fails to perform said maintenance within a reasonable period of time as determined by the District, the District reserves the right to perform said maintenance and charge the expense thereof to the Grantor.

The Grantor hereby restricts said premises within the limits of the above described easement against the construction thereon of any structures or buildings of a temporary or permanent type, utility lighting poles, signs, walls, fences, woody shrubs and trees, excepting any sidewalks and/or landscaping pavements and surfaces.

The Grantor retains the right to the undisturbed use and occupancy of the surface area within the above described easement, insofar as such use and occupancy is consistent with and does not impair any grant herein contained; provided, however, that any vehicle or other item temporary or permanent located within the above described easement, whether or not affixed to the land, may be removed by the District without notice and without liability for damages or costs of any kind arising therefrom.

TO HAVE AND TO HOLD THE above described easement for the purpose above mentioned unto the District forever.

IN WITNESS WHEREOF, The Grantor(s) has caused this instrument to be executed on the _____ day of _____, 20__.

Arapahoe County

Leslie Summey, Chairperson

Board of County Commissioners

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, _____
by _____ as _____ of _____ a
Colorado [Corporation] [limited liability company].

Witness my hand and official seal.

My commission expires: _____

{ S E A L }

Notary Public

ACCEPTED BY:

CHERRY CREEK VALLEY WATER AND SANITATION DISTRICT

Manager

ATTEST:

Name, Title