GRANT OF EASEMENT AND AGREEMENT

William C. Stover, Grantor, hereinafter referred to as "Stover", grants unto the City of Fort Collins, Colorado, a municipal corporation, Grantee, hereinafter referred to as "City", an easement for ingress and egress over and across a parcel of land immediately adjoining and abutting on the West boundary of a proposed detention pond, which detention pond is located in the Northeast corner of land described in the approved Preliminary Site Plan of Williamsburg PUD. The Northeasterly point of said easement is located 663.25 feet North, more or less, and 172.0 feet West, more or less, from the Southeast corner of Section 27, Township 7 North, Range 69 West of the 6th P.M. Said access easement shall be fourteen (14) feet in width east to west and shall be a non-exclusive easement for the use and benefit of the owners of land lying immediately North of said Williamsburg PUD for access between their land and Jane Street.

The Grantor, for himself, his heirs, successors and assigns, further agrees to grant unto the City of Fort Collins at the time of final approval of Williamsburg PUD a permanent access easement forty (40) feet in width, the East side of which shall abut said proposed detention pond and which shall also embrace the fourteen (14) foot, non-exclusive easement and shall extend from the adjoining land North of Williamsburg PUD and extend to the proposed Richmond Drive on the South.

In consideration for the above grants by Stover the City agrees as follows:
1. When the street above referred to is constructed the East curb line of any street or roadway shall be located on the East line of said easement. No sidewalk shall be built on the East side of said easement unless additional land or easement is acquired for said sidewalk from another party or parties.

2. Said street shall not exceed twenty-eight (28) feet in width, flow line to flow line.

3. If a curb and gutter is installed it shall abut the West side of the flow line of the street and shall be a 6" vertical curb and gutter system and any sidewalk built on the West part of the easement shall abut the curb.

4. A curb cut shall be installed on the West side of the street at a place to be selected by Stover, his heirs, successors or assigns, not closer than twenty (20) feet from the property line as it abuts Richmond Drive in the proposed Williamsburg PUD.

5. The City, its successors and assigns, shall take such steps as necessary to minimize dust or other problems created by the use of the presently created easement.

All of the above grants and agreements by Stover are especially predicated on the City's assurances to Stover that such grants of themselves will not prejudice the approval of an amended PUD request for Williamsburg and will involve no expenditures by Stover, his heirs, successors or assigns, in the development or use of said fourteen (14) foot driveway or eventual construction of a street with its attendant curbs, gutters, pans, lights or other required construction, and Stover, his heirs, successors and assigns, shall always be guaranteed full access to and from the presently constructed duplexes and the land thereunder lying to the West from said grants.
In clarification it is the intent of the parties hereto that any street constructed shall be a standard street and sidewalk to be constructed adjoining the Westerly flow line of said street and any utilities shall be placed underground, either under the street or in the Westerly part of the easement.

This grant of easement and agreement shall extend to and be binding upon the heirs, successors and assigns of the respective parties hereto.

WILLIAM C. STOVER

Owner

CITY OF FORT COLLINS, Colorado, a Municipal Corporation

By  City Manager

ATTEST:

City Clerk

Approved As To Form:

Assistant City Attorney