

DEED OF DEDICATION OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That the undersigned 5724 Bueno LLC (“Grantor”), being the owner of certain real property in Larimer County, Colorado legally described at Reception No. 20180076974 in the Larimer County Records, in consideration of Ten Dollars (\$10.00) in hand paid, receipt of which is hereby acknowledged, and other good and valuable consideration, does hereby dedicate, transfer, and convey to the City of Fort Collins, Colorado, a Municipal Corporation (“City”), whose mailing address for purposes of this deed is P.O. Box 580, Fort Collins, CO 80522, for public use forever a permanent easement for Utilities in the City of Fort Collins, County of Larimer, State of Colorado, more particularly described on Exhibits “A” and “B” attached hereto and by this reference made a part hereof (the “Easement”).

The City’s rights under the Easement include the right to install, operate, access, maintain, repair, reconstruct, remove and replace within the Easement public improvements consistent with the intended purpose of the Easement; the right to install, maintain and use gates in any fences that cross the Easement; the right to mark the location of the Easement with suitable markers; and the right to permit other public utilities to exercise these same rights. Grantor reserves the right to use the Easement for purposes that do not interfere with the full enjoyment of the rights hereby granted.

The City is responsible for maintenance of its own improvements and for repairing any damage caused by its activities in the Easement, but by acceptance of this dedication, the City does not accept the duty of maintenance of the Easement, or of improvements in the Easement that are not owned by the City. Grantor will maintain the surface of the Easement in a sanitary condition in compliance with any applicable weed, nuisance or other legal requirements.

Except as expressly permitted in an approved plan of development or other written agreement with the City, Grantor will not install on the Easement, or permit the installation on the Easement, of any building, structure, improvement, fence, retaining wall, sidewalk, tree or other landscaping (other than usual and customary grasses and other ground cover). In the event such obstacles are installed in the Easement, the City has the right to require the Grantor to remove such obstacles from the Easement. If Grantor does not remove such obstacles, the City may remove such obstacles without any liability or obligation for repair and replacement thereof and charge the Grantor the City’s costs for such removal. If the City chooses not to remove the obstacles, the City will not be liable for any damage to the obstacles or any other property to which they are attached.

The rights granted to the City by this Deed inure to the benefit of the City’s agents, licensees, permittees and assigns.

[SIGNATURES ON FOLLOWING PAGE]

ATTORNEY'S CERTIFICATION

I hereby certify that the foregoing Deed has been duly executed as required pursuant to Section 2.2.3 (C)(3)(a) through (e) inclusive of the Land Use Code of the City of Fort Collins and that all persons signing this Deed on behalf of a corporation or other entity are duly authorized signatories under the laws of the State of Colorado. This Certification is based upon an examination of the records of the Clerk and Recorder of Larimer County, Colorado as of the date of execution of the deed and other information discovered by me through reasonable inquiry and is limited as authorized by Section 2.2.3(C)(3)(f) of the Land Use Code.

Richard F. Furr

Attorney

Address

322 E. Oak St.
Ft. Collins CO 80524

Registration No. 3553

Date: 4/2/19

EXHIBIT "A"

Utility Easement Description:

That portion of Lot 13-A, AMENDED PLAT OF LOTS 13, 14, 15 AND 16, SOUTH 13 SUBDIVISION, situated in the Northwest 1/4 of Section 12, Township 6 North, Range 69 West of the Sixth P.M., City of Fort Collins, County of Larimer, State of Colorado, being more particularly described as follows;

The East 9.00 feet of the West 15.00 feet of Lot 13-A, AMENDED PLAT OF LOTS 13, 14, 15 AND 16, SOUTH 13 SUBDIVISION, public records of Larimer County, Colorado.

The above described parcel contains 1035 square feet, more or less, and is subject to any existing easements and/or rights of way of record.

PREPARED BY AND ON BEHALF OF:

PLS Corporation
532 West 66th Street
Loveland, Colorado 80538

M. Bryan Short, PLS
Colorado PLS 32444

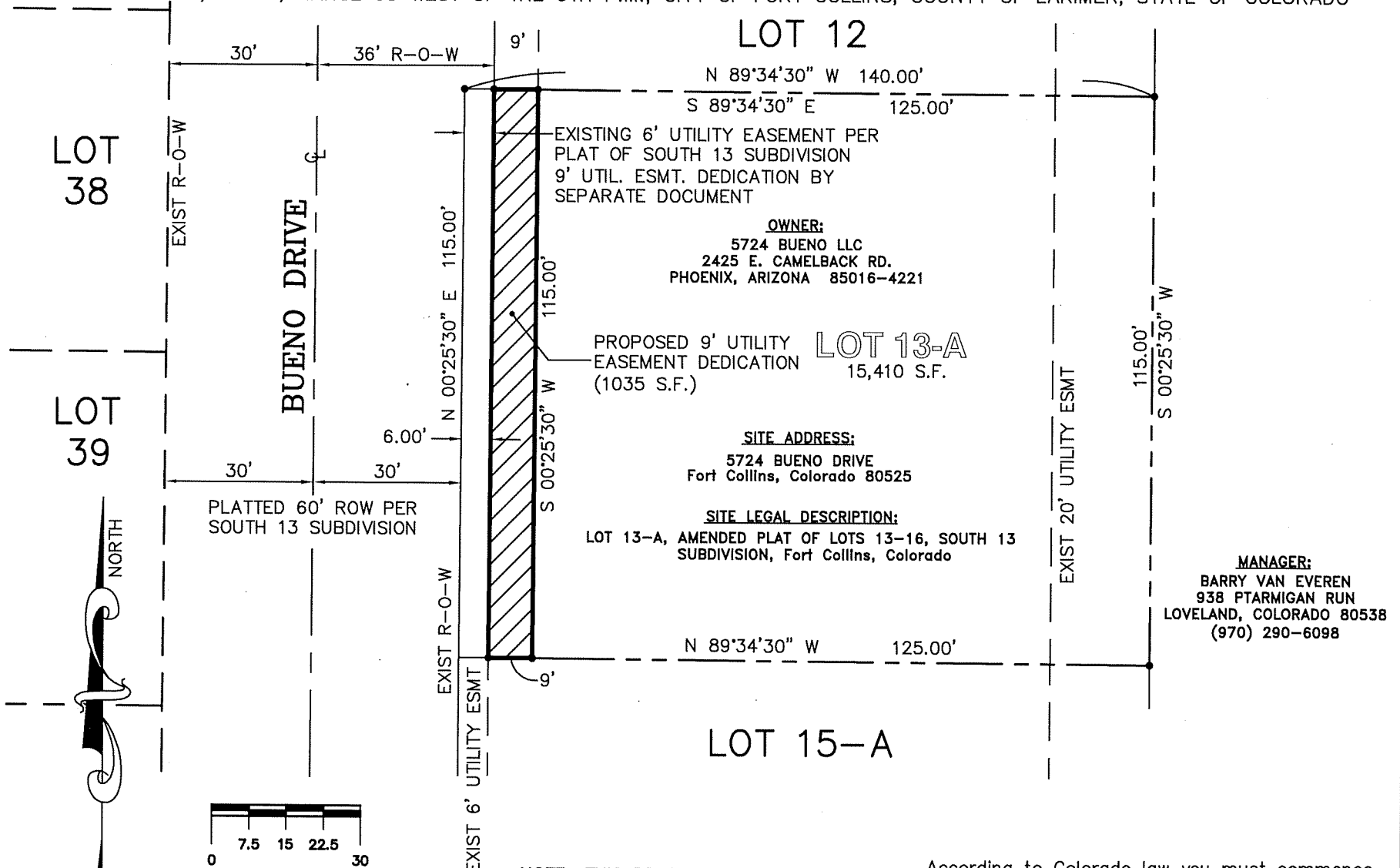


Mar 29, 2019 - 10:30am Z:\V-Clienta\Van Everen Barry\1757-03-18 Lt. 13-A South 13 Subdivision Ft. Collins\Documents\Easement dedication\Exhibit A-1.DWG MikeCole

EXHIBIT B

UTILITY EASEMENT DEDICATION EXHIBIT MAP

FOR A PORTION OF LOT 13-A, AMENDED PLAT OF LOTS 13, 14, 15 AND 16, SOUTH 13 SUBDIVISION SITUATE IN THE N.W. QUARTER OF SECTION 12, T 6 N, RANGE 69 WEST OF THE 6TH P.M., CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO



NOTE: THIS DRAWING DOES NOT REPRESENT MONUMENTED FIELD SURVEY OF THE SUBJECT PROPERTY. IT IS INTENDED TO DEPICT THE ATTACHED PROPERTY DESCRIPTION FOR THE SUBJECT PROPERTY.

According to Colorado law you must commence any legal action based on this survey within three years after you discover such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.