

**NON-EXCLUSIVE PERMANENT EASEMENT
PE-02**

THIS NON-EXCLUSIVE PERMANENT EASEMENT AGREEMENT ("AGREEMENT") is made this ____ day of _____, 20____, between Feathergrass Investments, LLC, whose mailing address is 4715 N. Chestnut Street, Colorado Springs, CO 80907, (hereinafter "Grantor(s)"), for and in consideration of the sum of TEN DOLLARS and No Cents (\$10.00), and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, in hand paid by Palmer Village Duplex Owners Association, Inc., whose address is 4350 S. Monaco Street, Suite 500, Denver, CO 80237 (hereinafter "Grantee"), (have/has) given and granted and by these presents (do/does) hereby give and grant unto the said Grantee, its heirs, successors or assigns a NON-EXCLUSIVE PERMANENT EASEMENT only along, over and across the following described premises:

See attached Exhibit A, Legal Description and Illustration

This non-exclusive permanent easement is for the following purposes, which include, but are not limited to: access, inspect, clean, repair, and maintain the emergency overflow of the drainage system area as identified in Exhibit A.

Grantor(s) shall not construct improvements in the easement area that would unreasonably interfere with the Grantee's use of the easement area.

That portion of the easement that pertains to drainage overflow is subject to the following conditions: at no time hereafter shall the Grantor(s), or anyone claiming by, through, or under the Grantor, perform any act or thing which is or may be detrimental to, or have any adverse effect upon the drainage overflow path for the detention pond in Tract J, Urban Collection at Palmer Village.

Grantor(s) hereby covenants with the Grantee that they have good title to the aforescribed premises, that they have good and lawful right to grant this easement, that they will warrant and defend the title and quiet possession thereof against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor (have/has) executed this Non-Exclusive Permanent Easement.

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Signature Page Follows

Project: Urban Collection at Palmer Village

NON-EXCLUSIVE PERMANENT EASEMENT
PE-02

GRANTEE:

PALMER VILLAGE DUPLEX OWNERS ASSOCIATION, INC.

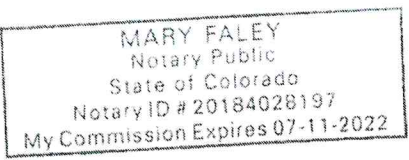
By: [Signature] Name & Title Jeff Kutzer, President By: _____ Name & Title

State of Colorado)
) ss
County of Denver)

The foregoing instrument was acknowledged before me this 16th day of July, 2021, by Jeff Kutzer as President of the Palmer Village Duplex Owners Association, Inc..

Witness my hand and official seal.

[Signature]
Notary Public



My Commission Expires: 7/11/22

GRANTOR:

FEATHERGRASS INVESTMENTS, LLC
Kenneth P. Driscoll

By: [Signature] Name & Title MANAGER By: _____ Name & Title

State of Colorado)
) ss
County of El Paso)

The foregoing instrument was acknowledged before me this 26 day of JULY, 2021, by Kenneth P. Driscoll as Manager of the Feathergrass Investments, LLC.

Witness my hand and official seal.

[Signature]
Notary Public



My Commission Expires: 12/10/23

EXHIBIT A
LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 14 SOUTH, RANGE 65 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST SIXTEENTH CORNER OF SAID SECTION 5, WHENCE THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5 BEARS SOUTH 89°09'25" WEST, A DISTANCE 1321.85 FEET, ALL BEARINGS HEREON ARE REFERENCED THERETO;

THENCE ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 5, SOUTH 00°27'24" EAST, A DISTANCE OF 121.34 FEET TO THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID WEST LINE, SOUTH 89°03'48" EAST, A DISTANCE OF 13.19 FEET;

THENCE SOUTH 46°53'48" EAST, A DISTANCE OF 58.36 FEET;

THENCE SOUTH 08°48'24" EAST, A DISTANCE OF 66.83 FEET;

THENCE SOUTH 11°09'50" EAST, A DISTANCE OF 109.11 FEET;

THENCE SOUTH 32°10'34" EAST, A DISTANCE OF 49.54 FEET;

THENCE SOUTH 28°45'09" EAST, A DISTANCE OF 78.09 FEET;

THENCE SOUTH 77°54'32" EAST, A DISTANCE OF 50.36 FEET;

THENCE SOUTH 12°05'28" WEST, A DISTANCE OF 30.00 FEET;

THENCE NORTH 77°54'32" WEST, A DISTANCE OF 64.08 FEET;

THENCE NORTH 28°45'09" WEST, A DISTANCE OF 90.92 FEET;

THENCE NORTH 32°10'34" WEST, A DISTANCE OF 54.20 FEET;

THENCE NORTH 11°09'50" WEST, A DISTANCE OF 115.29 FEET;

THENCE NORTH 08°48'24" WEST, A DISTANCE OF 57.09 FEET;

THENCE NORTH 46°53'48" WEST, A DISTANCE OF 36.43 FEET;

THENCE NORTH 89°03'48" WEST, A DISTANCE OF 0.89 FEET TO SAID WEST LINE;

THENCE ALONG SAID WEST LINE, NORTH 00°27'24" WEST, A DISTANCE OF 30.01 FEET TO THE POINT OF BEGINNING.

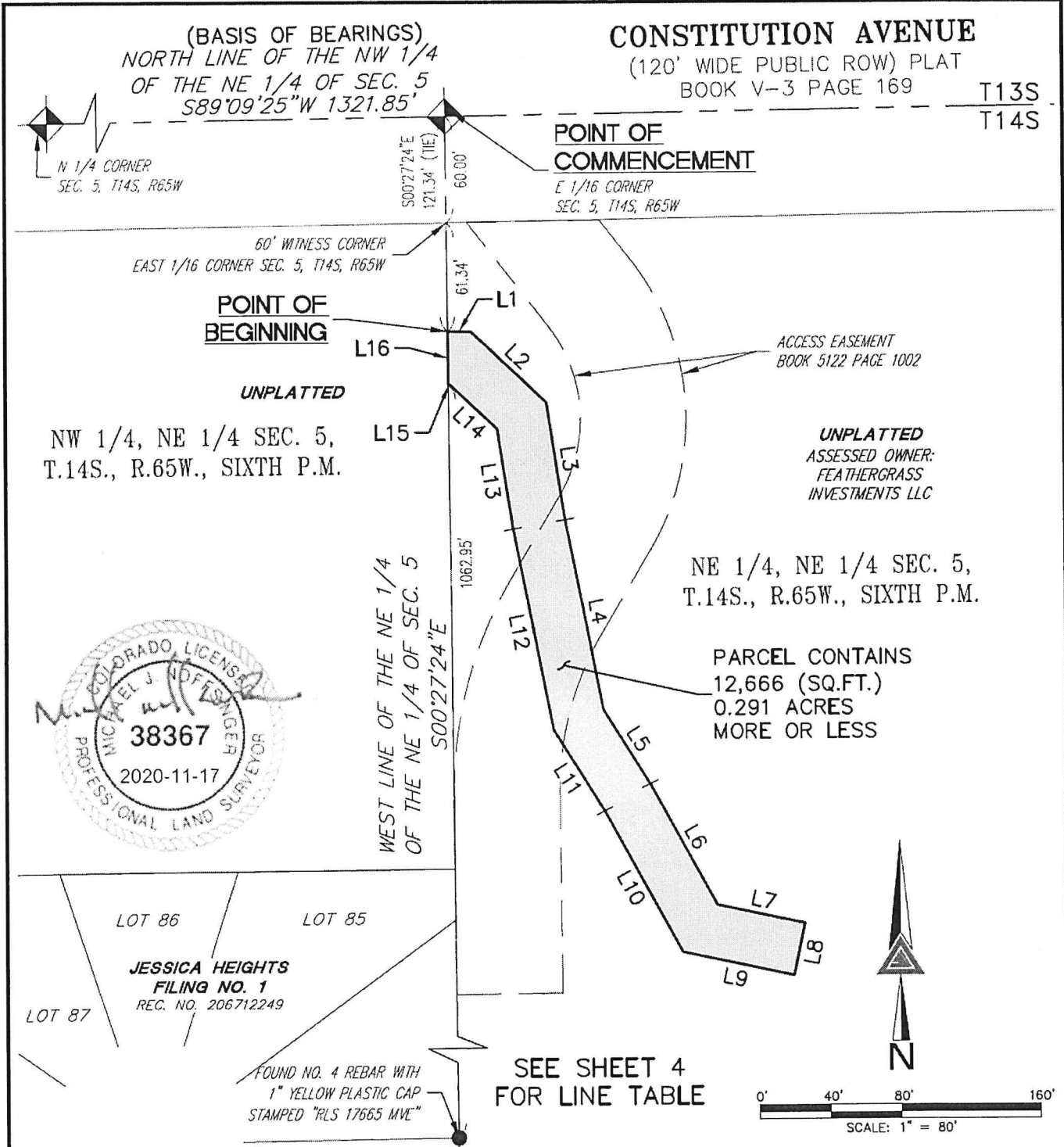
CONTAINING AN AREA OF 0.291 ACRES, (12,666 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.



MICHAEL J. NOFFSINGER, PLS 38367
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 EAST MINERAL AVE., SUITE 1, LITTLETON, CO 80122
303-713-1898

ILLUSTRATION TO EXHIBIT A



NOTE: THIS DRAWING DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

PATH: _____
 DWG NAME: DRAINAGE EASEMENT EAST.DWG
 DWG: MDW CHK: JRW
 DATE: 11/16/2020
 SCALE: 1" = 80'

AZTEC
 CONSULTANTS, INC.
 300 East Mineral Ave,
 Suite 1
 Littleton, Colorado 80122
 Phone: (303)713-1898
 Fax: (303)713-1897
 www.aztecconsultants.com

DRAINAGE EASEMENT
 NE 1/4, NE 1/4 SEC. 5, T.14S., R.65W., 6TH P.M.
 EL PASO COUNTY, COLORADO
 JOB NUMBER 21419-48 3 OF 4 SHEETS

Q:\21419-48 - Constitution & Hannon (aka Feathergrass) - Topo & Plat\DWG\EXHIBITS

ILLUSTRATION TO EXHIBIT A

LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°03'48"E	13.19'
L2	S46°53'48"E	58.36'
L3	S08°48'24"E	66.83'
L4	S11°09'50"E	109.11'
L5	S32°10'34"E	49.54'
L6	S28°45'09"E	78.09'
L7	S77°54'32"E	50.36'
L8	S12°05'28"W	30.00'
L9	N77°54'32"W	64.08'
L10	N28°45'09"W	90.92'
L11	N32°10'34"W	54.20'
L12	N11°09'50"W	115.29'
L13	N08°48'24"W	57.09'
L14	N46°53'48"W	36.43'
L15	N89°03'48"W	0.89'
L16	N00°27'24"W	30.01'



NOTE: THIS DRAWING DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

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DRAINAGE EASEMENT
 NE 1/4, NE 1/4 SEC. 5, T.14S., R.65W., 6TH P.M.
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4 OF 4 SHEETS