

NON-EXCLUSIVE PERMANENT EASEMENT PE-1

THIS NON-EXCLUSIVE PERMANENT EASEMENT AGREEMENT ("AGREEMENT") is made this ____ day of _____, 201___. KNOW ALL MEN BY THESE PRESENTS, that **SILVERADO RANCH, INC.**, whose mailing address is 18911 CHERRY SPRINGS RANCH DRIVE, MONUMENT, CO 80132, (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 EL PASO COUNTY BY AND THROUGH THE BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO, whose address is 200 S. Cascade Avenue, Colorado Springs, CO 80903 (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 situate in the County of El Paso, State of Colorado:

See attached Exhibit A, Land Description & Sketch

This non-exclusive permanent easement is for the following purposes, which include, but are not limited to: construction, drainage, sediment and debris control, slope, maintenance, repair, replacement, operation, ingress and egress.

Grantor(s) shall not construct improvements in the easement area that would unreasonably interfere with the Grantee's use of the easement area. No trees or shrubs that will impair the structural integrity of the drainage facility shall be planted or allowed to grow in this area and may be removed by the Grantee. Any existing fencing, including flood-damaged fencing, which is moved or disturbed as part of the above-referenced construction will be restored, replaced, or rebuilt with new fencing by Grantee. All new fencing shall be of like kind (generally described as three-rail white vinyl), location, design, configuration, height, color, and quantity, and of quality equal to or higher than the existing fencing as of the date of this agreement unless otherwise agreed to by Grantee and Grantor in writing.

That portion of the easement that pertains to slope control 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 stability of said excavated slopes or embankment, or which shall interfere with the flow of drainage.

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(s) (have/has) executed this Non-Exclusive Permanent Easement this _____ day of _____, 201__.

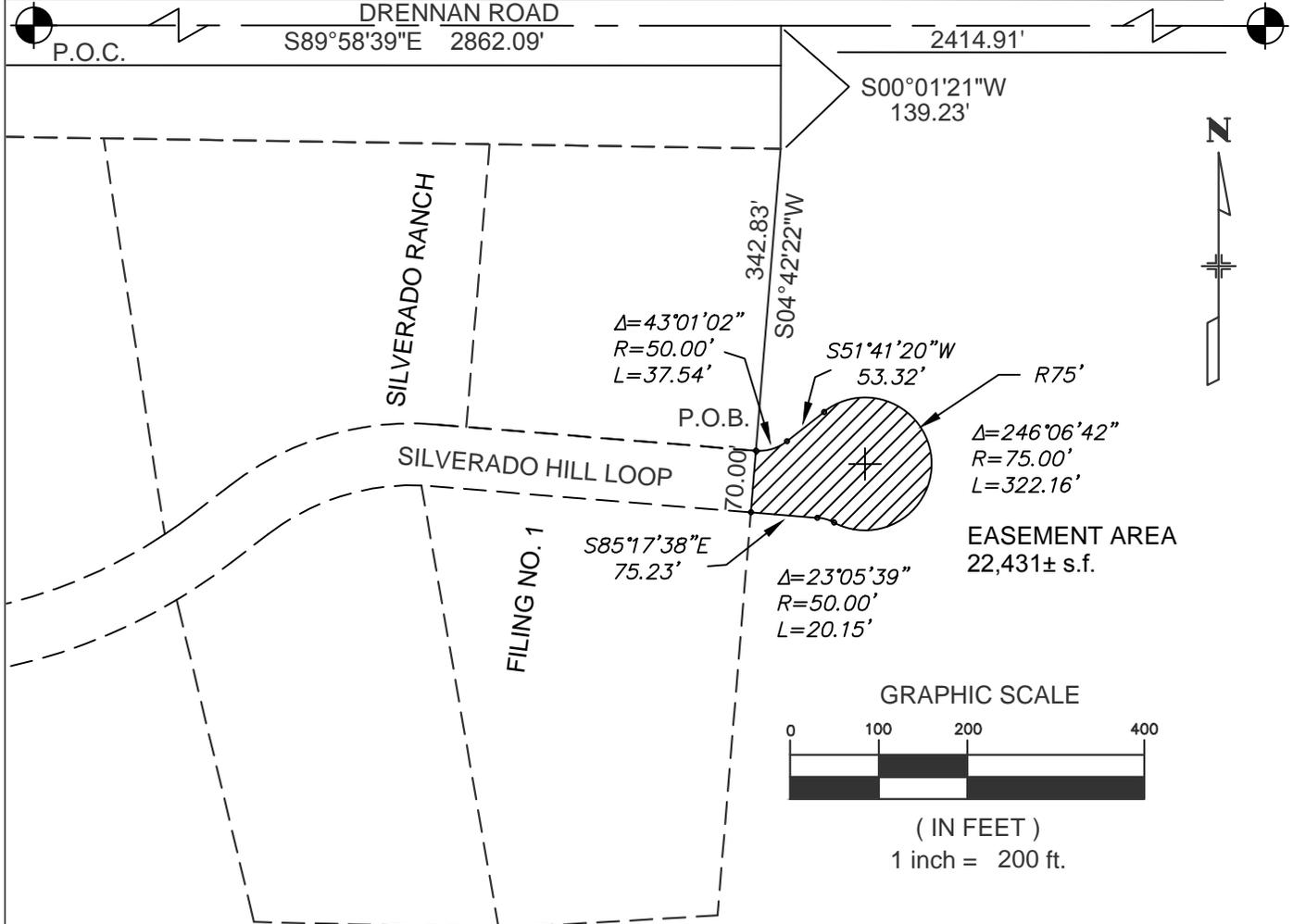
T15S R63W
S 8 S 9
+
S 17 S 16
1998
PLS 27210

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE NORTH LINE OF SECTION 16, S89°58'39"E 5277.00'. THE DIRECTION IS BASED ON THE PRELIMINARY PLAT FOR THIS SUBDIVISION PREPARED BY UNITED PLANNING AND ENGINEERING. THE LINE IS MONUMENTED AS SHOWN.

T15S R63W
S 9 S 10
+
S 16 S 15
1998
PLS 27210

UNITS OF MEASURE ARE U.S. SURVEY FEET.

SECTION LINE - 5277.00' BASIS OF BEARINGS 2-1/2" DIA. ALUM CAP (TYP.)



A PORTION OF THE NORTH HALF OF SECTION 16, TOWNSHIP 15 SOUTH, RANGE 63 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 16;
 THENCE S89°58'39"E ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 16 A DISTANCE OF 2862.09 FEET;
 THENCE S00°01'21"W A DISTANCE OF 139.23 FEET;
 THENCE S04°42'22"W A DISTANCE OF 342.83 FEET TO THE POINT OF BEGINNING OF THE TRACT DESCRIBED HEREIN;
 THENCE CONTINUE S04°42'22"W A DISTANCE OF 70.00 FEET;
 THENCE S85°17'38"E A DISTANCE OF 75.23 FEET TO A POINT OF CURVATURE;
 THENCE ON THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET, THROUGH A CENTRAL ANGLE OF 23°05'39" AN ARC DISTANCE OF 20.15 FEET TO A POINT OF REVERSE CURVATURE;
 THENCE ON THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 75.00 FEET, THROUGH A CENTRAL ANGLE OF 246°06'42" AN ARC DISTANCE OF 322.16 FEET;
 THENCE S51°41'20"W ON THE FORWARD TANGENT OF THE PRECEEDING ARC A DISTANCE OF 53.32 FEET TO A POINT OF CURVATURE;
 THENCE ON THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET, THROUGH A CENTRAL ANGLE OF 43°01'02" AN ARC DISTANCE OF 37.54 FEET TO THE POINT OF BEGINNING.
 THE DESCRIBED TRACT CONTAINS 22,431 SQUARE FEET, BEING 0.515 ACRES, MORE OR LESS.

EXHIBIT A
SILVERADO RANCH
CUL-DE-SAC EASEMENT
SILVERADO HILL LOOP

DWG: SILVERADO
SCALE: 1"=30'
DATE: 7/20/17
DRAWN: KMO
CHECKED: THK
PROJECT: 16093

LWA LAND SURVEYING, INC.
953 E. FILLMORE STREET
COLORADO SPRINGS, CO 80907
TELEPHONE (719) 636-5179 FAX (719) 636-5199

REVISIONS: