

GRANT OF PERMANENT PUBLIC IMPROVEMENT EASEMENT

Michael Lobue as to an undivided 29.17% interest, whose legal address is 264 Chase Run, Lynch Station, Virginia and Antoinette Watters as to an undivided 70.83% interest, whose legal address is P.O. Box 7441, Colorado Springs, CO 80933 ("Grantor") being the owner(s) of the hereinafter described real property located in the County of El Paso and State of Colorado, for and in consideration of Eight Thousand One Hundred Ninety dollars and 00/100 cents (\$8,190.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby confessed and acknowledged, does hereby grant and convey unto **The City of Colorado Springs, Colorado, a home rule city and Colorado municipal corporation, ("City")** and City's successors, assigns and representatives, a **permanent public Improvement easement ("Easement")** over and across a portion of Grantor's real property in El Paso County, Colorado at: 4815 Platinum Drive, also known by TSN # 63234-02-011, Colorado Springs, Colorado.

The exact location of the Easement is more particularly described on Exhibit A and depicted on Exhibit B, attached hereto and by this reference incorporated herein and made a part hereof.

Public improvements include, but are not limited to, streets, sidewalks, facilities for the transmission and/or distribution of water, gas, electricity, and wastewater, storm drainage improvements, and street lighting.

Together with rights of ingress and egress for the installation, maintenance, repair and replacement of facilities and improvements located within said easement; and as may be necessary to exercise the rights granted to the City herein for the construction, maintenance, or operation of the Easement.

The Grantor shall not erect or construct any building or other permanent structure within the above-described property. The Grantor shall not block said access. Grantor covenants and agrees that no act shall be permitted or committed within this Easement which is inconsistent with the rights herein granted, and that the grade or ground level of this Easement shall not be changed by the Grantor by excavation or filling by more than one foot, without the written consent of the City; and Grantor shall refrain from all acts within the Easement which might reduce the safety of or cause a hazard to or which might increase the cost of, maintenance, operation, repair, removal, or replacement of the City's facilities and improvements.

All rights, title and privileges herein granted or reserved, including all benefits and burdens shall run with the land and shall be binding upon and inure to the benefit of Grantor and the City, their respective heirs, executors, administrators, successors, assigns, and legal representatives.

This Easement grant is without warranty of title and is subject to all prior liens, encumbrances, easements, restrictions, reservations and rights of way affecting Grantor's property.

212104521

RES File # 17745
Segment 3-Parcel 22
WPM 04/29/09

55039254



Grantor Int: AW City Ints: OK WRR

Date: 8/29/12 9/9/12 Date: 7/24/12 7/25/12

IN WITNESS WHEREOF, Grantor and City and have executed this Grant of Permanent Public Improvement Easement as of this 29th day of AUGUST, 2012.

Signed this 29th day of AUGUST, 2012.

By: Michael Lobue
Michael Lobue

State of VIRGINIA)
County of Campbell) ss.



The foregoing instrument was acknowledged before me this 29th day of AUG., 2012, by Michael Lobue.

Witness my hand and official seal.

My Commission expires: 9-30-2012

Robert Walker
Notary Public

Signed this 7th day of September, 2012.

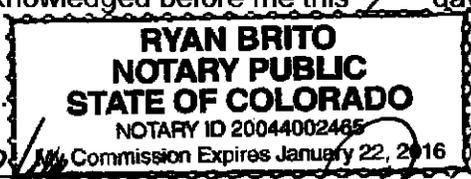
By: Antoinette Watters
Antoinette Watters

State of Colorado)
County of El Paso) ss.

The foregoing instrument was acknowledged before me this 7th day of Sept., 2012, by Antoinette Watters.

Witness my hand and official seal.

My Commission expires: 1/22/16



Ryan Brito
Notary Public

City of Colorado Springs:

By: Ingrid Richter
Ingrid Richter, Manager, Real Estate Services

7/24/2012
Date

By: Mike Chaves
Mike Chaves, Acting Roadway Manager

7/25/12
Date

Approved as to form:

Wynetta Massey
Wynetta Massey, Deputy City Attorney-Municipal

7.20.2012
Date



2435 Research Parkway, Suite 300
Colorado Springs, Colorado 80920
Phone: 719-575-0100
www.matrixdesigngroup.com

AUSTIN BLUFFS PARKWAY 09.069.024

**EXHIBIT "A"
(SEGMENT 3 PE 22)**

A PARCEL OF LAND BEING A PART OF LOT 14, BLOCK 15 PARK VISTA ESTATES ADDITION AS RECORDED IN PLAT BOOK Y, AT PAGE 60 OF THE EL PASO COUNTY CLERK AND RECORDER'S RECORDS, LOCATED IN THE EAST HALF OF SECTION 23, TOWNSHIP 13 SOUTH, RANGE 66 WEST OF THE 6TH P.M., IN THE CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHERLY MOST CORNER OF SAID LOT 14; THENCE NORTH 47°13'41" WEST, ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF PLATINUM DRIVE, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 47°13'41" WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 34.53 FEET;

THENCE NORTH 42°48'12" EAST, A DISTANCE OF 42.33 FEET;

THENCE SOUTH 47°13'48" EAST, A DISTANCE OF 34.54 FEET;

THENCE SOUTH 42°48'19" WEST, A DISTANCE OF 42.33 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS A CALCULATED AREA OF 1,462 SQUARE FEET OR 0.0335 ACRE MORE OR LESS.

BASIS OF BEARINGS: THE BEARINGS USED IN THIS DESCRIPTION ARE BASED ON THE NORTHEASTERLY LINE OF LOT 1, BLOCK 1 BARBARA WAGGMAN SUBDIVISION, CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO, BEING MONUMENTED AT THE SOUTH END BY A 1.25 INCH BRASS TAG (ILLEGIBLE) AND AT THE NORTH END BY A 1.5 INCH ALUMINUM SURVEYORS CAP (ILLEGIBLE) AND IS ASSUMED TO BEAR NORTH 42°46'19" EAST.



ROBERT L. MEADOWS JR., PLS 34977
FOR AND ON BEHALF OF MATRIX DESIGN GROUP, INC.



LOT 14, BLOCK 15

PARK VISTA ESTATES ADDITION
 PLAT BOOK Y, PAGE 60
 12/07/1956

PLATINUM DRIVE

AUSTIN BLUFFS PARKWAY



POINT OF BEGINNING

POINT OF COMMENCEMENT

N47°13'41"W
20.00'

AREA = 1462 SQ. FT. (0.0335 ACRES)



2435 Research Parkway, Suite 300
 Colorado Springs, CO 80920
 Phone 719-575-0100
 Fax 719-575-0208

AUSTIN BLUFFS SEGMENT 3
 PE22

EXHIBIT B

R:\09.069.024 Austin-Bluffs\DWG\SURVEY\ABS3 PE22.dwg

DRAWN BY:	CAB	DATE:	06/15/12	SHEET
CHECKED BY:	RLM	JN:	09.069.024	2 of 2