

PERMANENT SANITARY SEWER EASEMENT

SOUTHBRIDGE TERRACES HOMEOWNERS ASSOCIATION, INC., Grantor, for and in consideration of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the Grantor, does, for itself and on behalf of its heirs, successors and assigns, hereby grants and conveys to the CITY OF LITTLETON, a municipal corporation of the State of Colorado, the Grantee, its successors and assigns, a right of entry and permanent non-exclusive sanitary sewer easement on that property described and depicted in Exhibit "A" (consisting of two pages), which is attached hereto and incorporated herein by this reference (hereinafter the "Easement Premises"), upon which to construct, reconstruct, operate, remove, repair and maintain sanitary sewer facilities across, on, under and through the Easement Premises, said Easement Premises lying and being in the City of Littleton, County of Arapahoe, State of Colorado.

Grantor warrants that it has full right and lawful authority to make the grant herein contained, and promises and agrees to defend Grantee in the exercise of its rights hereunder against any defect in Grantor's title to the land involved or Grantor's right to make the grant herein contained, subject to easements, rights-of-way, restrictions and reservations of record and in particular that certain Easement Agreement dated November 1, 2016 and recorded upon the public records of Arapahoe County, Colorado on November 1, 2016 at Reception No. D6125861 ("Water Line Easement") and that certain Utility Easement Agreement ("UEA") dated November 3, 2015 and recorded upon the public records of Arapahoe County, Colorado on December 14, 2015 at Reception No. D5142379, both conveyed by Grantor for the benefit of certain adjacent property owned by the South Suburban Park and Recreation District as described on Exhibit B, which is attached hereto and incorporated herein by this reference (hereinafter the "Benefited Property").

Subject to and limited by the terms and provisions of the Water Line Easement and the UEA, Grantor covenants to and with Grantee that the Grantee's officers, agents or employees may at any or all times when necessary or convenient to do so, go over and upon said Easement Premises, and do and perform any and all acts necessary and convenient to the carrying into effect of the purposes for which this grant is made.

Grantor hereby reserves the right to use and enjoy the Easement Premises for any purposes which are not inconsistent with, and do not interfere with, the easement and rights herein granted to Grantee, such reservation includes Grantor's right to install, in accordance with all applicable codes, landscaping and other improvements in the future and the right to maintain, repair and replace the retaining wall and other improvements and landscaping currently located within the Easement Premises. Grantee agrees to restore the Easement Premises to the condition it was in immediately prior to any maintenance, construction, use, installation, improvement, or other activities undertaken herein by Grantee.

By way of explanation and without in any way limiting any of Grantor's rights and remedies hereunder, nothing herein contained shall abridge or be deemed to modify the obligations under the UEA of the owner of the Benefited Property, including the obligation that any damage to the Easement Premises caused by or occurring during construction, use, improvement and/or maintenance of the sanitary sewer facilities within the Easement Premises, or arising from any leakage from such facilities be repaired and restored to its previous condition by the owner of the Benefited Property, as more particularly set forth in the UEA.

[SIGNATURE PAGE FOLLOWS]

EXHIBIT A

LEGAL DESCRIPTION

A parcel of land in the Northwest One-Quarter of Section 34, Township 5 South, Range 68 West of the 6th Principal Meridian, City of Littleton, County of Arapahoe, State of Colorado, being a part of Block 2 Common Area, First Replat of Southbridge Filing No. 8 (recorded under Reception No. 94-068994), said parcel being more particularly described as follows:

Basis of Bearings: Bearings are based upon the East Line of the Northwest One-Quarter of Section 34, said to bear North 00°00'27" East, a distance of 2645.23 Feet between the monuments listed below:

Center Corner of Section 34 - monumented by a 0.75-Inch diameter metal axle, 0.5 Foot down in a range box with an asphalt covered lid at the intersection of South Broadway and Mineral Avenue;

North One-Quarter Corner of Section 34 - monumented by a 3.25-Inch aluminum cap, 0.7 Foot down in a range box with "WATER" on the lid at the intersection of South Broadway and Dry Creek Road, stamped "JF SATO ASSOC, __ R68W, 1/4. S27, -*-, S34, 200_, __ 35585";

Commencing at said Center Corner of Section 34;

Thence North 21°55'16" West, a distance of 1499.91 Feet to a corner of said First Replat of Southbridge Filing No. 8, also being the Northeast Corner of a parcel of land described by Deed recorded in Book 4273 at Page 272, also being the **Point of Beginning**;

Thence South 89°50'03" West along the South line of said First Replat of Southbridge Filing No. 8, also being the North line of said parcel of land recorded in Book 4273 at Page 272, a distance of 26.61 Feet;

Thence North 19°50'15" East, a distance of 22.40 Feet to the Southerly Right-of-Way line of West Jamison Circle;

Thence South 70°09'45" East along said Southerly Right-of-Way line of West Jamison Circle, a distance of 25.00 Feet;

Thence South 19°50'15" West, a distance of 13.30 Feet to the **Point of Beginning**;

The above described parcel description contains 446 Square Feet (0.010 Acres) more or less.

I hereby certify that the above parcel description was prepared under my direct supervision.



Eric D. Carson, PLS

Prepared For and on Behalf of
CWC Consulting Group Inc.
210 Front Street
Castle Rock, Colorado 80104
Phone: (303) 980-9104

NORTH ONE-QUARTER CORNER OF SECTION 34
 3.25" ALUMINUM CAP, 0.7' DOWN IN A RANGE
 BOX WITH "WATER" ON THE LID, STAMPED "JF
 SATO ASSOC, __ R68W, 1/4. S27,
 -*-, S34, 200_, __ 35585"

WEST JAMISON CIRCLE
 (50' PUBLIC R.O.W.)

SOUTHERLY RIGHT-OF-WAY
 LINE OF WEST JAMISON CIRCLE

BLOCK 2 COMMON AREA
 FIRST REPLAT OF
 SOUTHBRIDGE FILING NO. 8
 (RECP. NO. 94-68994)

SOUTH LINE OF
 FIRST REPLAT OF
 SOUTHBRIDGE FILING NO. 8

NORTH LINE OF
 BOOK 4273, PAGE 272

**NE 1/4
 SECTION 34**

POINT OF BEGINNING
 NORTHEAST CORNER
 BOOK 4273, PAGE 272

BOOK 4273, PAGE 272

S70°09'45"E 25.00'

N19°50'15"E 22.40'

S19°50'15"W 13.30'

S89°50'03"W 26.61'

N21°55'16"W 1499.91' (TIE)

EAST LINE OF THE NORTHWEST
 ONE-QUARTER OF SECTION 34
 N00°00'27"E 2645.23'

BASIS OF BEARINGS

POINT OF COMMENCEMENT
 CENTER CORNER OF SECTION 34

0.75" ϕ METAL AXLE, 0.5' DOWN IN A
 RANGE BOX WITH ASPHALT COVERED LID



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CWC CONSULTING GROUP
 CIVIL ENGINEERING · LAND SURVEYING · CONSTRUCTION SERVICES

**Exhibit A
 25' LITTLETON UTILITY
 EASEMENT**

NOTE: THIS EXHIBIT DOES NOT REPRESENT A
 MONUMENTED SURVEY. IT IS INTENDED ONLY TO
 DEPICT THE ATTACHED DESCRIPTION.

DRAFTED: SLG3

CHECKED: EDC

DATE: 10/20/2016

JOB NO. CWC#120-00088

PAGE: 2 OF 2

SCALE: 1"=10'

PREPARED FOR:

**WESTSIDE INVESTMENT
 PARTNERS, INC.**

EXHIBIT B
LEGAL DESCRIPTION OF BENEFITED PROPERTY

101 West Jamison Avenue in the City of Littleton, Colorado legally described as follows:

A parcel of land situated in the NW $\frac{1}{4}$ of Section 34, Township 5 South, Range 68 West of the 6th P.M., Arapahoe County, Colorado, being more particularly described as follows:

Commencing at the southeast corner of said quarter section; thence north 1030.9 feet along the east line of said quarter section; thence west 560.0 feet parallel to the south line of said quarter section to the point of beginning; thence continuing west 361.5 feet parallel to the south line of said quarter section; thence north 361.5 feet parallel to the east line of said quarter section; thence east 361.5 feet parallel to the south line of said quarter section; thence south 361.5 feet parallel to the east line of said quarter section to the point of beginning.

Also known as Parcel No. 2077-34-2-00-002, and 101 West Jamison Avenue, Littleton, Colorado.