

For IREA Use Only		
Township: 7	Range: 66	Section: 9
W/O #: ELD2097		
Legal: TRACT BB TRAILS AT CROWFOOT 1		
Engineer: AKEARNEY		

**INTERMOUNTAIN RURAL ELECTRIC ASSOCIATION**  
**5496 North U.S. Highway 85, P.O. Drawer A**  
**Sedalia, Colorado 80135**  
**303-688-3100**

**UTILITY UNDERGROUND ACCESS EASEMENT**

KNOW ALL MEN BY THESE PRESENTS that HR935 LLC, ("Grantor"), for a good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant unto THE INTERMOUNTAIN RURAL ELECTRIC ASSOCIATION, a Colorado non-profit corporation and electric cooperative association ("the Association") and to its successors or assigns, a perpetual non-exclusive easement 10 feet in width ("the Easement") for the construction and continued operation, maintenance, inspection, repair, alteration, and replacement of electric transmission, electric distribution, and communication facilities attached to poles or other supports, together with guy-wires, overhead and underground cables, wires, conduits, transformers, manholes, splicing boxes, testing terminals, devices, attachments, and other incidental equipment (collectively "the Facilities") located upon, over, under, and across the following real property belonging to Grantor situated in the County of Douglas, State of Colorado, and more particularly described as follows:

**SEE EXHIBIT(S) ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE**

Together with all rights of ingress and egress necessary for the full and complete use, occupation, and enjoyment of the Easement and all rights and privileges of the Easement, including for the installation and maintenance of the Facilities; the right to cut, trim, and remove trees, brush, overhanging branches, shrubbery, and other obstructions within or outside of the Easement that may interfere with or threaten to endanger the operation, maintenance, and repair of the Facilities; to place location markers upon or beyond the Easement to identify any underground Facilities; to license, permit, or otherwise agree to the joint use or occupancy of the Facilities, whether overhead or underground, by any other person, association, or corporation for electrification or communication purposes; to open and close any fences crossing the Easement or, when agreed to by Grantor, to install gates and stiles in such fences; and to use that portion of Grantor's adjoining property to survey, construct, maintain, repair, remove, or replace the Facilities as may be required to permit the operation of standard construction and repair machinery. The Association shall install and maintain the Facilities with the industry standard of care and restore the surface of the Easement substantially to its original level and condition.

The undersigned agrees that all Facilities installed upon, over, under, and across the Easement by the Association shall remain the property of and may be removed at the option of the Association.

Grantor(s) for themselves, their heirs, executors, administrators, successors, and assigns, while reserving the right to use the Easement for all purposes not inconsistent with the rights herein granted to the Association, hereby covenants that no structures shall be erected upon, over, under, or across the Easement, no combustible material or infrastructure shall be permitted upon, over, under, or across the Easement, and that the Easement shall not otherwise be used in any manner that interferes with the maintenance, repair, and replacement of the Facilities or damages the Facilities in any way.

The undersigned Grantor(s) warrant that they are the owner of the Easement property and that the property is free and clear of encumbrances and liens of whatsoever character except the following:

\_\_\_\_\_

\_\_\_\_\_

IN WITNESS WHEREOF, the undersigned have set their hands and seals this 15<sup>th</sup> day of December, 2020.

In the presence of:

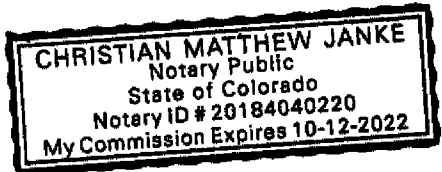
[Handwritten Signature]

HR935 LLC  
Grantor  
[Handwritten Signature]  
Signature Manager

STATE OF COLORADO )  
County of Arapahoe ) ss.

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of December, 2020  
by Christopher Elliott

Witness my hand and official seal.



My Commission expires: 10/12/2022  
[Handwritten Signature]  
Notary Public

### EXHIBIT A

#### LEGAL DESCRIPTION

AN EASEMENT FOR ELECTRIC PURPOSES LYING OVER, UNDER, AND ACROSS A PORTION OF TRACT BB, TRAILS AT CROWFOOT FILING NO. 1, AS RECORDED AT RECEPTION NO. 2018065116 OF THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER, SITUATED IN THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 7 SOUTH, RANGE 66 WEST, SIXTH PRINCIPAL MERIDIAN, TOWN OF PARKER, DOUGLAS COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHEAST CORNER OF SAID SECTION 9, BEING MONUMENTED AS SHOWN ON THE ATTACHED EXHIBIT, AND CONSIDERING THE EAST LINE OF THE NORTHEAST QUARTER SAID SECTION, TO BEAR SOUTH 00°15'06" EAST, 2648.70 FEET WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE SOUTH 47°29'42" WEST, A DISTANCE OF 3761.07 FEET TO A POINT ON THE SOUTH LINE OF AN EXISTING FIVE FOOT UTILITY EASEMENT, AND THE **POINT OF BEGINNING**;

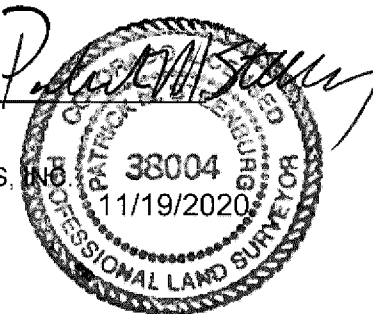
THENCE THE FOLLOWING FOUR (4) COURSES;

1. SOUTH 22°04'47" EAST A DISTANCE OF 21.54 FEET TO A POINT ON THE NORTHERLY LINE OF AN EXISTING 5 FOOT UTILITY EASEMENT;
2. SOUTH 89°43'18" WEST ALONG SAID NORTH LINE A DISTANCE OF 10.77 FEET;
3. NORTH 22°04'47" WEST A DISTANCE OF 21.54 FEET TO A POINT ON THE SOUTH LINE OF AN EXISTING FIVE FOOT UTILITY EASEMENT;
4. NORTH 89°43'18" EAST ALONG SAID SOUTH LINE A DISTANCE OF 10.77 FEET TO THE **POINT OF BEGINNING**.

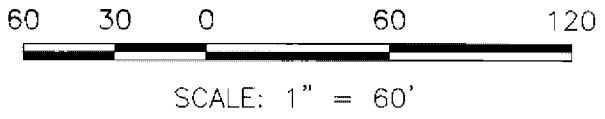
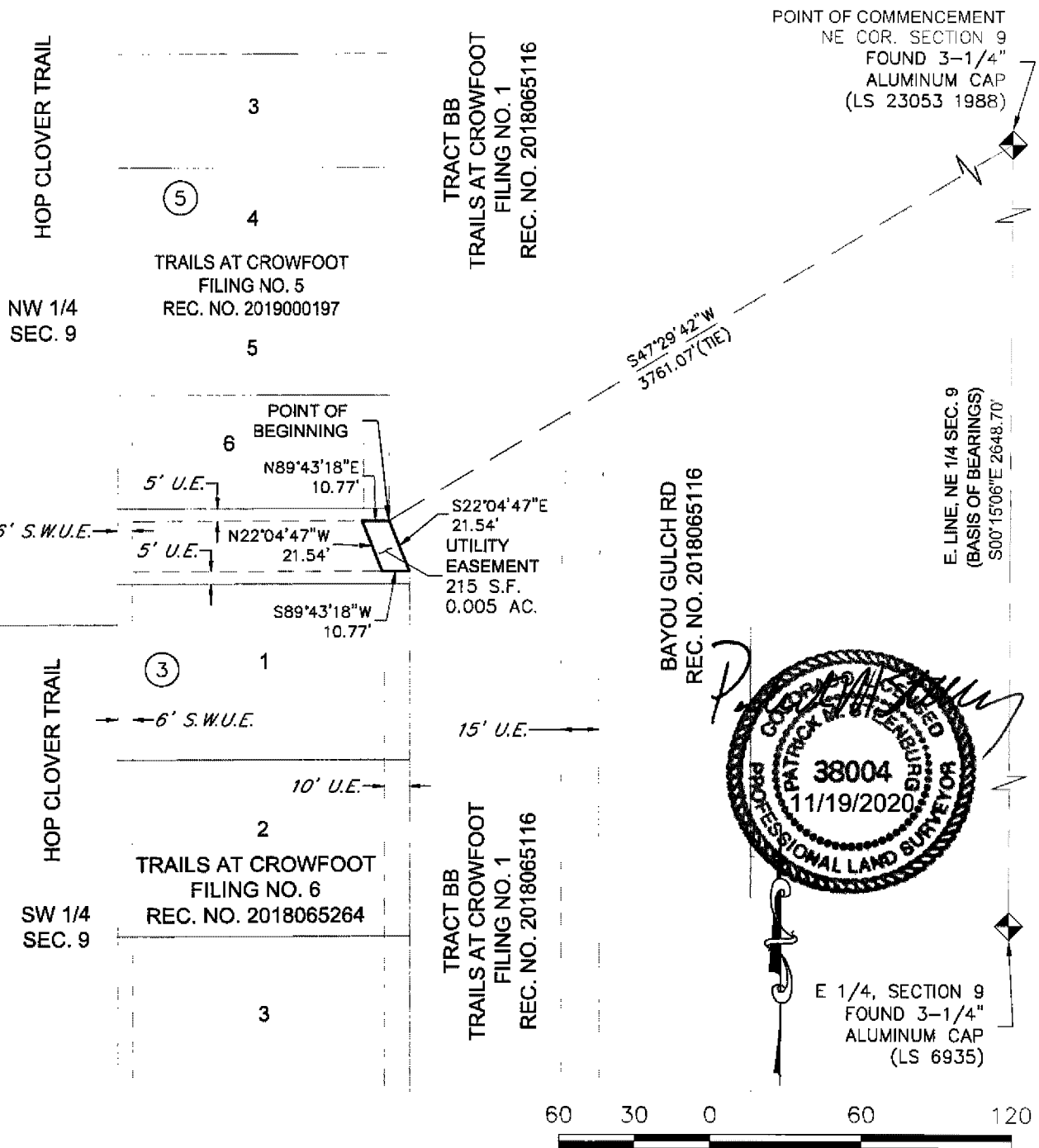
SAID EASEMENT CONTAINING A CALCULATED AREA OF 215 SQUARE FEET OR 0.005 ACRES, MORE OR LESS AND BEING SUBJECT TO ANY EXISTING EASEMENTS AND OR RIGHTS OF WAY OF WHATSOEVER NATURE. THE LINEAL UNIT USED IN THE PREPARATION OF THIS LEGAL DESCRIPTION IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.

I, PATRICK M. STEENBURG, A SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CHECKING.

PATRICK M. STEENBURG P.L.S. 38004  
FOR AND ON BEHALF OF  
WESTWOOD PROFESSIONAL SERVICES, INC.  
10333 E. DRY CREEK ROAD, SUITE 240  
ENGLEWOOD, CO 80112



# EXHIBIT A



THE ABOVE DESCRIBED EASEMENT CONTAINS 215 SQUARE FEET OR (0.005 ACRES) MORE OR LESS.  
 This illustration does not represent a monumented survey. It is intended only to depict the attached legal description.

**10' UTILITY EASEMENT**  
**TRACT BB, TRAILS AT CROWFOOT FILING NO. 1**  
**NW 1/4 SECTION 9,**  
**T7S, R66W, 6TH P.M.**

**DOUGLAS COUNTY, COLORADO**



10333 E. Dry Creek Rd.  
 Suite 240  
 Englewood, CO 80112  
 Tel: 720.482.952  
 www.cvlinc.net  
 westwoodps.com

N:\PROJECTS\HESS FRANCHISE SURVEY\LEGAL\FILING\611-9-2020\TRAILS FIL 6 - 10' UE (TRACT BB FIL 1) - A.DWG. MJPARK. 11/10/20