

GRANT OF EASEMENT

City of Brighton, GRANTOR (whether one or more), whose address is 500 S. 4th Avenue, Brighton, CO 80601, in consideration of Ten and 00/100 Dollars (\$10.00) and other valuable consideration, receipt of which is hereby acknowledged, grants and conveys unto UNITED POWER, INC., GRANTEE, whose address is 500 Cooperative Way, Brighton, Colorado 80603, its successors and assigns, a non-exclusive easement and the right to construct, operate, maintain, replace, enlarge, reconstruct, improve, inspect, repair and remove utility, electrical and communications facilities and all fixtures and devices appurtenant thereto, as may from time to time be useful to, or required by Grantee, on, over, under, and across the following described property in the County of Adams, State of Colorado to-wit:

Easement description as set forth in Exhibit "A" attached hereto and incorporated herein by reference.

Those facilities may be underground and/or at grade and may include, but shall not be limited to, cables, conduits, wire, conductors, transformers, manholes and supports of whatever materials, including braces, guides, and other fixtures or devices used or useful in connection therewith.

Grantee shall have the right of ingress and egress 24 hours a day, 7 days a week, over and across the lands of the Grantor to and from the easement described in Exhibit "A" to survey, construct, operate, maintain, replace, enlarge, reconstruct, improve, inspect, repair and remove utility, electrical and communications facilities and all fixtures and devices appurtenant thereto, and the right to remove any objects interfering therewith, including but not limited to, the trimming of trees and bushes as may be necessary. Grantee shall have the right to use additional lands of Grantor for temporary workspace during construction, maintenance, replacement, enlargement, reconstruction, improvement, inspection, repairs and removal as may be required to permit the operation of standard utility construction or repair machinery or the operation of any other equipment within the boundaries of this easement.

Grantor reserves the right to occupy, use, and landscape said easement for all purposes not inconsistent with the rights granted to Grantee so long as said use does not damage or interfere with the Grantee's facilities or the construction, operation, maintenance, replacement, enlargement, reconstruction, improvement, inspection, repair and removal thereof. Grantor shall not plant any tree or bush within 5.0 feet of any existing Grantee facilities or within 10.0 feet of the opening side of any transformer or cabinet without the prior written approval of Grantee. Grantor shall not install, or permit the installation of, any buildings or permanent structures or facilities of any kind on, over, under, or across said easement without the prior written approval of Grantee.

Upon completion of construction, Grantee shall restore the surface of Grantor's property to substantially the same level and condition as existed prior to construction.

Each and every one of the benefits and burdens of this Grant of Easement shall run with the land and shall inure to and be binding upon the respective legal representatives, heirs, executors, administrators, successors and assigns of the parties hereto. The rights of Grantee hereunder may be exercised by its employees, licensees, contractors and permittees.

Grantee shall defend, indemnify and hold harmless Grantor, its affiliates and the officers, directors, employees and agents of both, from any and all claims for personal injury to Grantor's personnel or damage to Grantor's property or to the property of Grantor's personnel, occurring as a result of Grantee's activities described herein, howsoever caused.

The venue for any dispute arising from this Grant of Easement shall be in the courts of Adams County, Colorado.

Unless special provisions are listed below and/or attached, the above constitutes the entire agreement between the parties and no additional or different oral representation; promise or agreement shall be binding on any of the parties with respect to the subject matter of this Grant of Easement.

SIGNED AND SEALED BY GRANTOR this ____ day of _____, 2023.

**GRANTOR:
CITY OF BRIGHTON**

BY: _____

ITS: _____

STATE OF COLORADO)
)
COUNTY OF _____)

ACKNOWLEDGMENT

This record was acknowledged before me on _____, 2023

by _____ as _____ of

City of Brighton.

(Notary's official signature)

(Commission Expiration)

APPROVED AS TO FORM:

Yasmina Shaush, Deputy City Attorney

[Acknowledgements continue on following page.]

“Exhibit A”

EASEMENT DESCRIPTION

SITUATED IN THE NE1/4 OF SECTION 20, T1S, R66W, 6TH P.M.
COUNTY OF ADAMS, STATE OF COLORADO

A 10 FOOT WIDE EASEMENT LOCATED IN THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, ALSO BEING A PORTION OF THAT TRACT OF LAND DESCRIBED AT RECEPTION NO. 2014000060719, ADAMS COUNTY RECORDS, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, MONUMENTED AT THE NORTH QUARTER CORNER OF SAID SECTION 20 BY A 2-1/2" ALUMINUM CAP IN RANGE BOX STAMPED "2018 ROCK CREEK PLS 28283" AND AT THE NORTHEAST CORNER OF SAID SECTION 20 BY A 3-1/4" ALUMINUM CAP STAMPED "JR ENG 2017 PLS 30099". SAID NORTH LINE BEARS NORTH 89°39'47" EAST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 20;

THENCE ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 20 SOUTH 00°15'11" WEST 55.00 FEET TO A POINT ON THE WEST LINE OF SAID TRACT OF LAND RECORDED AT RECEPTION NO. 2014000060719, ALSO BEING THE EAST LINE OF FARMLORE NORTH FILING NO. 1, RECORDED AT RECEPTION NO. 2022000042662, ADAMS COUNTY RECORDS, AND THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID WEST AND EAST LINES ALONG A LINE 55.00 FEET SOUTH FROM AND PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 20 NORTH 89°39'47" EAST 451.06 FEET TO THE EAST LINE OF SAID TRACT OF LAND RECORDED AT RECEPTION NO. 2014000060719;

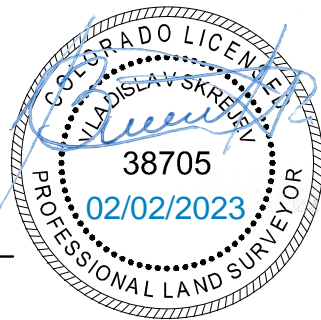
THENCE ALONG SAID EAST LINE SOUTH 00°11'13" EAST 10.00 FEET;

THENCE DEPARTING SAID EAST LINE AND ALONG A LINE 65.00 FEET SOUTH FROM AND PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 20 SOUTH 89°39'47" WEST 451.14 FEET TO THE WEST LINE OF SAID TRACT OF LAND RECORDED AT RECEPTION NO. 2014000060719, ALSO BEING THE EAST LINE OF FARMLORE NORTH FILING NO. 1, RECORDED AT RECEPTION NO. 202200004266;

THENCE ALONG SAID WEST AND EAST LINES NORTH 00°15'11" EAST 10.00 FEET TO THE **POINT OF BEGINNING**;

SAID EASEMENT CONTAINS 4,511 SQUARE FEET, OR 0.10 ACRES, MORE OR LESS.

I, VLADISLAV SKREJEV, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND THE SURVEY UPON WHICH IT WAS BASED, WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND ACCURATE, TO THE BEST OF MY KNOWLEDGE.



VLADISLAV SKREJEV, PLS
COLORADO REG. NO. 38705
FOR AND ON BEHALF OF ATWELL, LLC

NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE (3) YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN (10) YEARS FROM THE DATE OF THE CERTIFICATE SHOWN HEREON.

EASEMENT EXHIBIT

NE1/4 SEC. 20
T1S, R66W, 6TH P.M.
ADAMS COUNTY,
COLORADO

DATE: 10/18/2022
DRAWN: TWK
CHECKED: VS
JOB NO.: 22002630

SHT.
1
OF
2



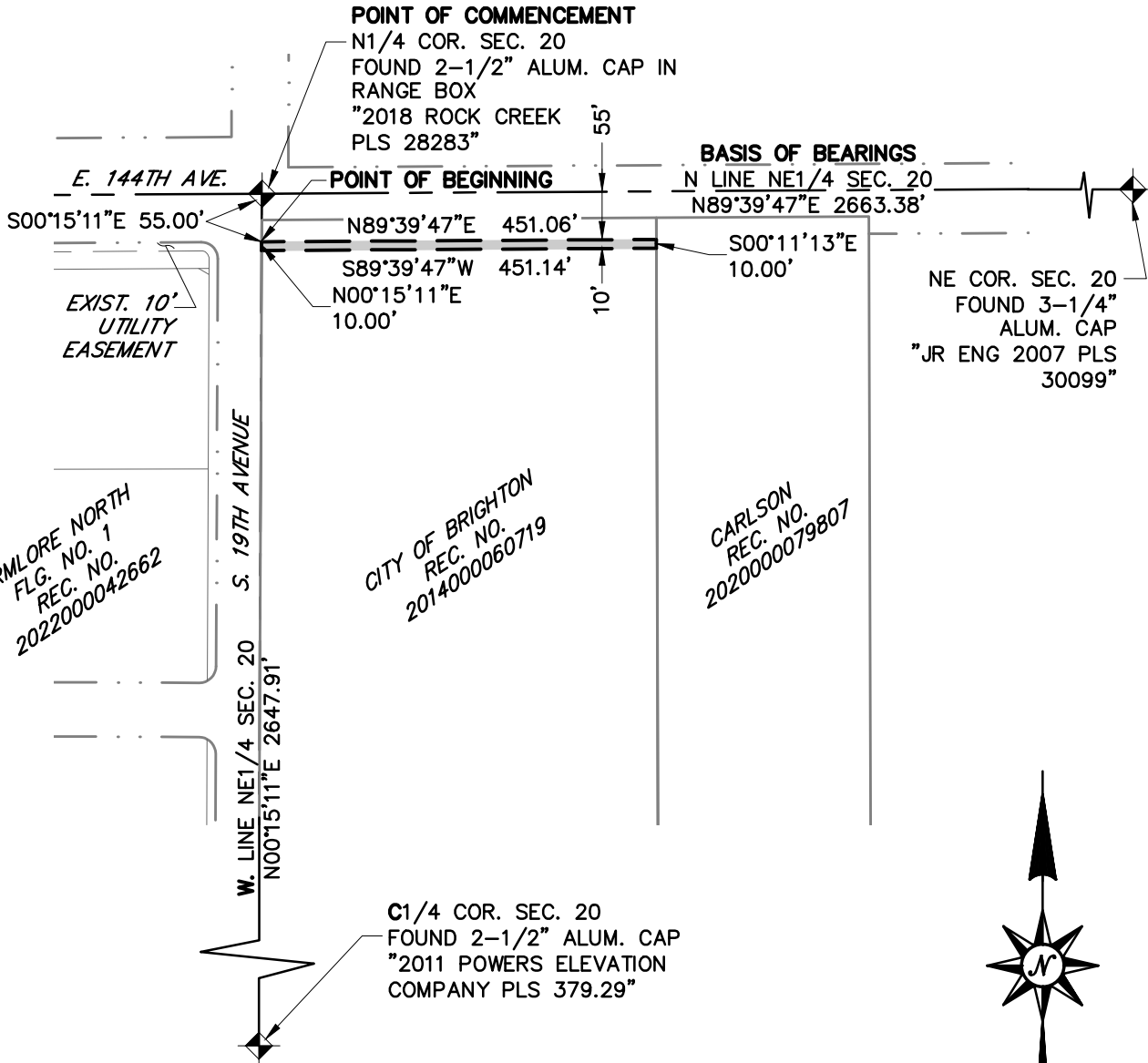
ATWELL

866.850.4200 www.atwell-group.com

143 UNION BOULEVARD, SUITE 700
LAKEWOOD, CO 80228
303.462.1100

EXHIBIT TO ACCOMPANY EASEMENT DESCRIPTION

SITUATED IN THE NE1/4 OF SECTION 20, T1S, R66W, 6TH P.M.
 COUNTY OF ADAMS, STATE OF COLORADO



SCALE: 1"=200'

NOTE
 THIS EXHIBIT IS MEANT TO DEPICT THE ATTACHED EASEMENT DESCRIPTION AND IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.

PARCEL CONTAINS 4,511 SQ. FT. OR 0.10 ACRES

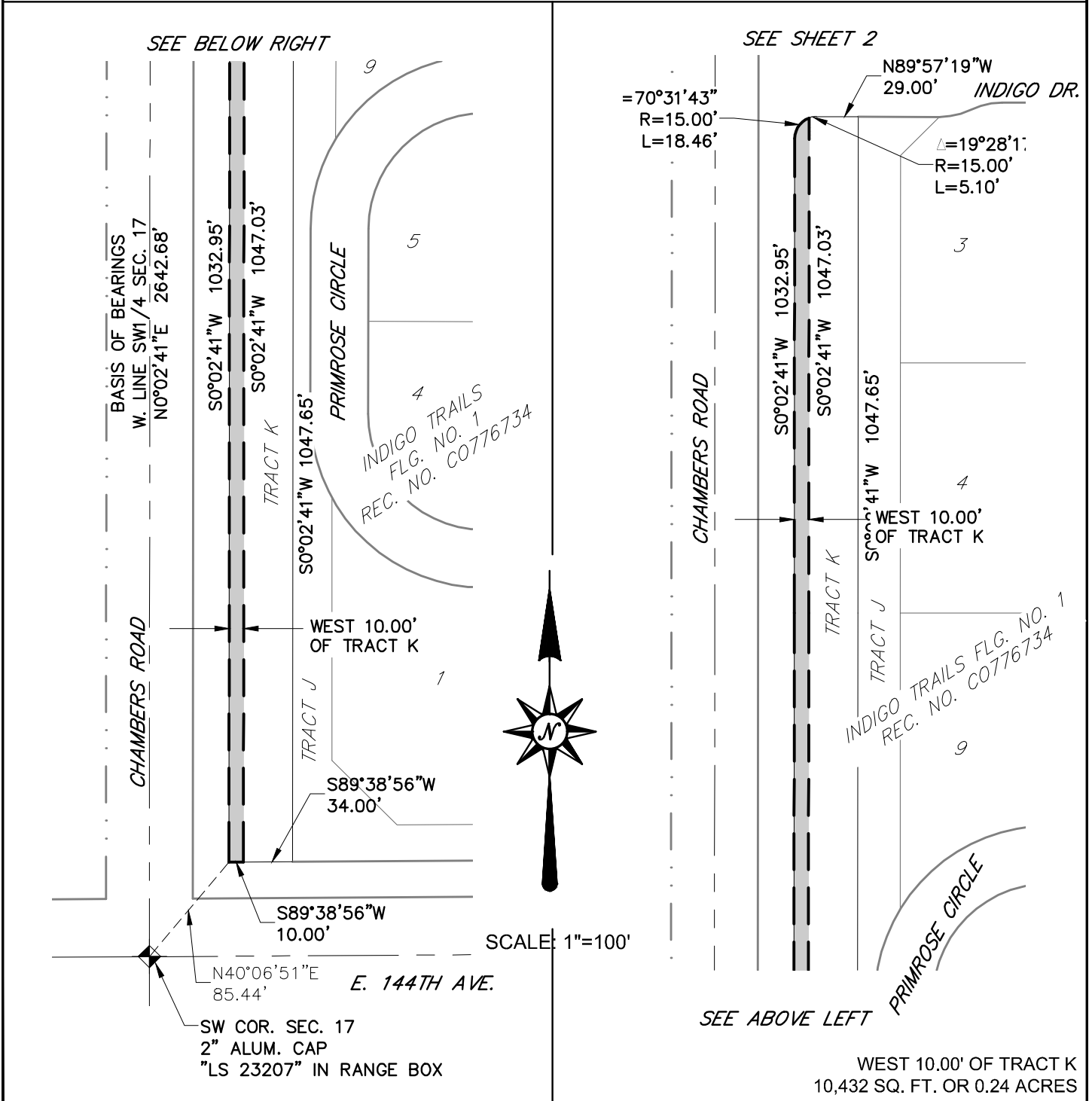
EASEMENT EXHIBIT		
NE1/4 SEC. 20 T1S, R66W, 6TH P.M. ADAMS COUNTY, COLORADO	DATE:	10/18/2022
	DRAWN:	TWK
	CHECKED:	VS
	JOB NO.:	22002630
	SHT.	2
	OF	2

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 366.850.4200 www.atwell-group.com
 143 UNION BOULEVARD, SUITE 700
 LAKEWOOD, CO 80228
 303.462.1100

K:\19004226\DWG(Survey)\19004226_OFESITE UNITED POWER ESMTS.dwg, COB, 10/19/2022 9:49:45 AM

EASEMENT EXHIBIT

TRACTS G AND K, INDIGO TRAILS FILING NO. 1
 SITUATED IN THE SW1/4 OF SECTION 17, T1S, R66W, 6TH P.M.
 CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO



UNITED POWER EASEMENT EXHIBIT

SW1/4 SEC. 20
 T1S, R66W, 6TH P.M.
 ADAMS COUNTY,
 COLORADO

DATE: 10/18/2022
 DRAWN: TWK
 CHECKED: VS
 JOB NO.: 22002630

SHT.
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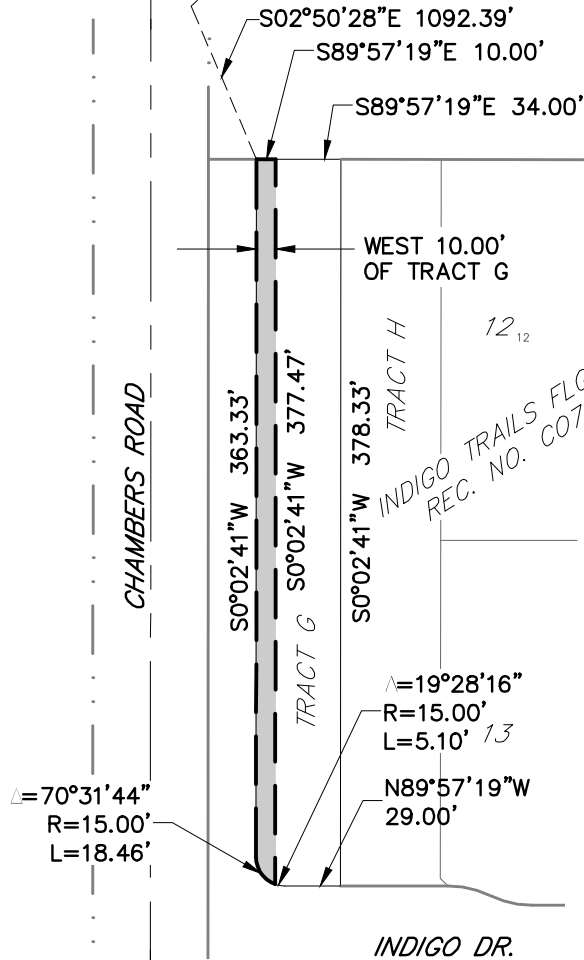
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EASEMENT EXHIBIT

TRACTS G AND K, INDIGO TRAILS FILING NO. 1
 SITUATED IN THE SW1/4 OF SECTION 17, T1S, R66W, 6TH P.M.
 CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO

W1/4 COR. SEC. 17
 3-1/4" ALUM. CAP
 "PLS 29039" IN RANGE BOX

THE ROCKY MOUNTAIN
 DISTRICT COUNCIL OF THE
 ASSEMBLIES OF GOD



SCALE: 1"=100'

INDIGO TRAILS FLG. NO. 1
 REC. NO. C0776734

$\Delta=70^{\circ}31'44''$
 R=15.00'
 L=18.46'

$\Delta=19^{\circ}28'16''$
 R=15.00'
 L=5.10' ¹³

N89°57'19"W
 29.00'

SW COR. SEC. 17
 2" ALUM. CAP
 "LS 23207" IN RANGE BOX

WEST 10.00' OF PARCEL G
 3,736 SQ. FT. OR 0.09 ACRES

UNITED POWER EASEMENT EXHIBIT

SW1/4 SEC. 20
 T1S, R66W, 6TH P.M.
 ADAMS COUNTY,
 COLORADO

DATE:	10/18/2022
DRAWN:	TWK
CHECKED:	VS
JOB NO.:	22002630

SHT.
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143 UNION BOULEVARD, SUITE 700
 LAKEWOOD, CO 80228
 303.462.1100

LEGAL DESCRIPTION – UNITED POWER EASEMENT – TRACT G

THE WEST 10.00 FEET OF TRACT G, INDIGO TRAILS FILING NO. 1, AS RECORDED AT RECEPTION NO. C0776734, RECORDS OF THE COUNTY OF ADAMS, STATE OF COLORADO.

LEGAL DESCRIPTION – UNITED POWER EASEMENT – TRACT K

THE WEST 10.00 FEET OF TRACT K, INDIGO TRAILS FILING NO. 1, AS RECORDED AT RECEPTION NO. C0776734, RECORDS OF THE COUNTY OF ADAMS, STATE OF COLORADO.