

EASEMENT DEED

THIS EASEMENT DEED is made this 12<sup>th</sup> day of May, 1995, between 4TH STREET CORPORATION, a Colorado corporation (hereinafter "Grantor") and the TOWN OF CARBONDALE, Colorado, a municipal corporation (hereinafter "Grantee"), whose address is 76 South Second Street, Carbondale, Colorado 81623;

WITNESSETH:

That the Grantor, for and in consideration of Ten Dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has remised, released, sold, conveyed and quit claimed, and by these presents does remise, release, sell, convey and quit claim unto the Grantee, his successors and assigns, forever, all the right, title, interest, claim and demand which the Grantor has in and to the real property, together with improvements, if any, situate, lying and being in the County of Garfield, and State of Colorado, described as follows:

An exclusive and perpetual easement situate in Section 34, Township 7 South, Range 88 West of the 6th P.M., being more particularly described as follows:

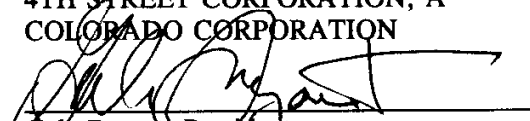
Beginning at the southeast corner of Outlot 1, Block 20, Town of Carbondale, County of Garfield, State of Colorado, whence the intersection of the centerlines of Main Street and Fourth Street in said Town of Carbondale bears S. 52°14'02" E. 237.03 feet; thence N. 89°57'00" W. 75.00 feet to the TRUE POINT OF BEGINNING; thence N. 89°57'00" W. 160.00 feet; thence N. 00°03'00" E. 5.00 feet; thence S. 89°57'00" E. 160.00; thence S 00°03'00" W. 5.00 feet to the TRUE POINT OF BEGINNING, containing 800 square-feet, more or less; for the maintenance, operation, repair and replacement of an underground pipe used to carry water as part of the Grantee's raw water irrigation and ditch system.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of the Grantor, either in law or equity, to the only proper use, benefit and behoof of the Grantee, his successors and assigns forever.

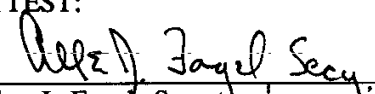
IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth above.

4TH STREET CORPORATION, A  
COLORADO CORPORATION

By

  
Gale Bryant, President

ATTEST:

  
Allen J. Fagel, Secretary

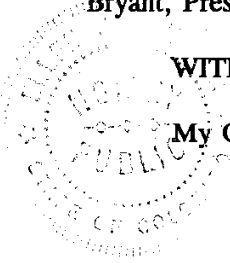
LEAVENWORTH & CALOIA, P.C.  
P.O. Drawer 2030  
1011 Grand Avenue  
Glenwood Springs, CO 81602

STATE OF COLORADO )  
 ) ss.  
COUNTY OF GARFIELD )

Acknowledged, subscribed, and sworn to before me this 8th day of May, 1995, by Gale Bryant, President, 4th Street Corporation.

WITNESS my hand and official seal.

My Commission expires: 11/8/96.



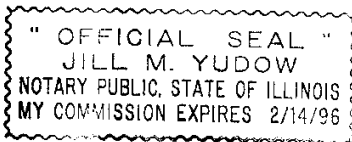
Gale Bryant  
Notary Public

STATE OF Illinois )  
 ) ss.  
COUNTY OF Cook )

Acknowledged, subscribed, and sworn to before me this 12th day of May, 1995, by Allen J. Fagel, Secretary, 4th Street Corporation.

WITNESS my hand and official seal.

My Commission expires: 2-14-96.



Jill M. Yudow  
Notary Public

Person creating legal description, as required by C.R.S. §38-35-106.5: Kenneth R. Wilson, PLS No. 15710, of Schmueser Gordon Meyer, Inc., 118 West 6th Street, Suite 200, Glenwood Springs, Colorado 81601.