

AN ORDINANCE FOR THE ACQUISITION OF AN EASEMENT
FOR THE PURPOSE OF CONSTRUCTING, OPERATING AND MAINTAINING
A PIPELINE.

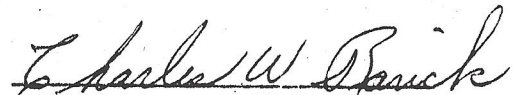
Be it Ordained By the Town Council of the Town of Arriba,
Colorado:

1. The Town of Arriba is hereby authorized to enter
into a perpetual easement with Theodore E. Black and Mary
Ruth Black for the acquisition of a right-of-way and
easement over and across the following described property,
to-wit:

A tract of land 20 feet in depth along the east side
of the Northeast Quarter of Section 12, Township 9 South,
Range 53 West of the 6th P.M. and bound on the north by the
south right-of-way line of College Avenue and bound on the
south by the north right-of-way line of Lincoln Avenue, and
said tract being exclusive of and bound on the east by the
west right-of-way line of the County road running along the
east boundary of said Section 12.

2. That the purpose of said Ordinance is for the
acquisition of an easement across lands to construct,
operate, and maintain a water pipeline as a part of the
municipal water- works.

Passed by the Town Council of the Town of Arriba
and signed by its Mayor this 7th day of October, 1968.


Mayor

ATTEST:

Town Clerk

PIPELINE EASEMENT

THIS INDENTURE, Made and entered into this 28 day
of October, 1968, by and between THE TOWN OF ARRIBA, a
municipal corporation, first party; and Theodore E. Black
and Mary Ruth Black, second party:

WITNESSETH: That for and in consideration of the
sum of One Dollar (\$ 1.00), cash in hand paid, the receipt
of which is hereby acknowledged, the parties of the second
part have this day bargained and sold by these presents do
bargain, sell, convey, transfer, and deliver unto the party
of the first part, a permanent easement and right-of-way,
including the perpetual right to enter upon the real estate
hereinafter described, at any time that it may see fit, and
construct, maintain, and repair underground pipelines and/or

mains for the purpose of conveying water over, across, through, and under the lands hereinafter described, together with the right to excavate and refill ditches and/or trenches for the location of said pipelines and/or mains, and the further right to remove trees, bushes, undergrowth, and other obstructions interfering with the location, construction, and maintenance of said pipelines and/or mains.

The land affected by the grant of this easement and right of way is located in the County of Lincoln, and State of Colorado, and is more particularly described as follows:

A tract of land 20 feet in depth along the east side of the Northeast Quarter Section 12, Township 9 South, Range 53 West of the 6th P.M. and bound on the north by the south right-of-way line of College Avenue and bound on the south by the north right-of-way line of Lincoln Avenue, and said tract being exclusive of and bound on the east by the west right-of-way line of the County road running along the east boundary of said Section 12.

To have and to hold said easement and right of way unto first party and unto its successors and assigns forever.

The parties of the second part do hereby covenant and agree with the first party that they are lawfully seised and possessed of the real estate above described, that they have a good and lawfull right to convey it, or any part thereof, that it is free from all encumbrances, and that they will forever warrant and defend the title thereto against the lawful claims of persons whomsoever.

As a part of the consideration for this grant, the parties of the second part do hereby release any and all claims for damages from whatsoever cause incidental to the exercise of the rights herein granted, except damages to growing crops.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and corporate seal the date and day first above written.

TOWN OF ARriba

Charles W. Black
Mayor

Attest:

Town Clerk

Theodore E. Black

Mary Ruth Black
Second Parties

Published in The Eastern Colorado Plainsman at Hugo, Colorado
October 31, 1968.