

1/5/1953 Deed of Easement; Book 7233,
Page 117 and 2/24/1972 Permit

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JAN -5 1953

DEED OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

Radant Heating Co. Inc.
That T. Paul Jones

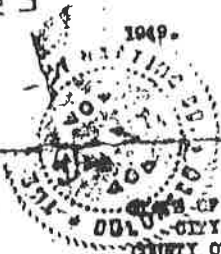
of the City and County of Denver, State of Colorado, for and in consideration of One (\$1.00) Dollar and other good and valuable considerations, in hand paid, do hereby grant and convey to the City and County of Denver, a municipal corporation duly organized and existing under and by virtue of the Constitution of the State of Colorado, an easement and right-of-way for a sewer over, upon, across, in, through and under the following described real property situate in the City and County of Denver, State of Colorado, to-wit:

The east seven and one-half feet (7½') of Lots 21, 22, 23 and 24, and the west seven and one half feet (7½') of Lots 25, 26, 27 and 28, all in Block One (1) Vanderbilt Park, City and County of Denver.

Reserving, however, to the undersigned, his heirs and assigns, the right to utilize and enjoy the above described premises providing the same shall not interfere with the construction, maintenance, repairing, inspection, and operation of said sewer, and providing further that the grantor shall not erect or place any building or tree on the above described right-of-way and the City shall not be liable for their removal if they are so placed.

Signed and delivered this 20 day of Feb 1953, A.D.

Radant Heating Co. Inc.
T. Paul Jones Gen. Mgr.



The foregoing instrument was acknowledged before me this 20th day of FEBRUARY, A.D. 1953 by T. Paul Jones as General Manager



MA C. BOTHERS, JR.
NOTARY PUBLIC
CITY & COUNTY OF DENVER, COLORADO

As to Form

APPROVED FOR RECORDING
LAND OFFICE

CITY AND COUNTY OF DENVER

86363

P E R M I T

THIS PERMIT, made and executed this 24th day of February, A.D., 1972, by the CITY AND COUNTY OF DENVER, a municipal corporation duly organized and existing under and by virtue of the Constitution of the State of Colorado, hereinafter referred to as the "CITY," and granted to THE RADIANT HEATING COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Colorado, hereinafter referred to as the "PERMITTEE":

W I T N E S S E I H

WHEREAS, the Permittee is the owner of the following described property situate in the City and County of Denver, State of Colorado, to-wit:

Lots 21 to 23 Inclusive, Block 1, Vanderbilt Park, City and County of Denver, State of Colorado

WHEREAS, by Deed of Easement recorded January 5, 1953 in Book 7233 Page 117, T. Paul Jones as General Manager for The Radiant Heating Company granted to the City and County of Denver an easement and right-of-way for a sewer over, upon, across, in, through and under the following described real property situate in the City and County of Denver, State of Colorado, to-wit:

The east seven and one-half feet (7 1/2') of Lots 21, 22, 23 and 24, and the east seven and one-half feet (7 1/2') of Lots 25, 26, 27 and 28, all in Block One (1) Vanderbilt Park, City and County of Denver, and

WHEREAS, the City and County of Denver, State of Colorado, do hereby grant to the Permittee, THE RADIANT HEATING COMPANY, an easement and right-of-way for a sewer over, upon, across, in, through and under the following described real property situate in the City and County of Denver, State of Colorado, to-wit:

THE PERMITTEE, THE RADIANT HEATING COMPANY, desires to install and maintain a structure upon the above property, as hereinafter more fully appearing, and will be held harmless in any event by the City and County of Denver, State of Colorado, and

the City and County of Denver, State of Colorado, do hereby grant to the Permittee, THE RADIANT HEATING COMPANY, an easement and right-of-way for a sewer over, upon, across, in, through and under the following described real property situate in the City and County of Denver, State of Colorado, to-wit:

and the City and County of Denver, State of Colorado, do hereby grant to the Permittee, THE RADIANT HEATING COMPANY, an easement and right-of-way for a sewer over, upon, across, in, through and under the following described real property situate in the City and County of Denver, State of Colorado, to-wit:

and maintain the said structure as heretofore approved by the Wastewater Control Services Division over, above, across and around the said sanitary sewer line. The City, however, reserves the right to do all things reasonably necessary or proper for the inspection, operation, maintenance, repair, replacement and relocation of the sanitary sewer line in said easement.

(A) The Permittee hereby agrees to save the City harmless and to repair or pay for the repair of any and all damages to the said sanitary sewer line which may be caused by or in any way result from the construction or the maintenance thereafter of said structure over, above, across or around said sanitary sewer line. The Permittee further agrees to pay all cost and expense for the relocation of the said sanitary sewer line, should such relocation become necessary.

(B) The Permittee agrees to indemnify and save harmless the City of and from all liability for damages or injuries to any person or property resulting from or caused by or in any way connected with the construction, operation, above, across or around said sanitary sewer line.

The Permittee shall be responsible for the design, construction, operation, maintenance, repair, replacement and relocation of the said sanitary sewer line and shall be responsible for the cost thereof. The Permittee shall also be responsible for the cost of any relocation of the said sanitary sewer line.

The Permittee shall also be responsible for the cost of any relocation of the said sanitary sewer line.

CITY AND COUNTY OF DENVER

By [Signature]
Mayor

ATTEST:

F. J. Serafini, Clerk and Recorder,
Ex-Officio Clerk of the City and
County of Denver.

RECOMMENDED AND APPROVED:

By [Signature]
Clerk and Recorder

By [Signature]
Manager of Public Works

APPROVED:

Max P. Zall, Attorney for the
City and County of Denver

By [Signature]
Deputy Manager of Public Works-Engineering

By [Signature]
Deputy City Attorney

By [Signature]
Director of Wastewater Control Services

REGISTERED AND COUNTERSIGNED:

By [Signature]
Auditor

RADIANT HEATING COMPANY

By [Signature]
T. Paul Jones, President

ATTEST:

[Signature] (SEAL)
John F. Hess, Jr., Secretary

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STATE RECORDS
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