

GRANT OF PUBLIC RIGHT OF WAY

THIS GRANT OF EASEMENT is made and entered into this 8TH day of JULY 2021, by and between MICHAEL ALAN KOEPKE and LAURA MORSE KOEPKE, whose address is 191 University Boulevard, #850, Denver Co 80206-4613 c/o Michael Alan Koepke, as joint tenants, hereinafter referred to as "Grantors", and the BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY, COLORADO, whose address is Summit County Courthouse, Post Office Box 68, Breckenridge, Colorado, 80424, hereinafter referred to as "Grantee".

WITNESSETH THAT: the undersigned Grantors for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, and in accordance with the dictates of the Government Lot 59 Planned Unit Designation, as set forth in the records of the Summit County Clerk and recorder at reception number 824851, has hereby bargained, conveyed, transferred, delivered and sold, and by these presents do bargain, convey, transfer, deliver and sell to Grantee, its successors, assigns, licensees and agents, a perpetual, non-exclusive right-of-way easement for the location of and the right to operate, inspect, maintain, alter and remove a portion of an existing public road (known as Montezuma Road SCR 5) over, under, upon, across, in and through the subject real property, which the Grantors own and is described as follows (the "Property"):

Government Lot 59, Township 5 South, Range 76 West of the 6th Principal Meridian, County of Summit, State of Colorado, with a common address of 0026 North Fork Road (SCR 251), Keystone, CO 80435, and an assessor schedule number of 6501690;

situated in the County of Summit, State of Colorado.

The non-exclusive right of way easement shall encumber the subject property in the area as described in detail in Exhibit A, attached hereto and incorporated herein; and further as depicted in the easement exhibit attached hereto as Exhibit B and incorporated herein as if referenced in full. Said easement is hereby granted together with the full right of ingress and egress and authority to use and occupy the Right-of-Way Area for any purpose not inconsistent with the Grantee's full and complete enjoyment of the rights hereby granted. However, no building, structure, sign or well shall be erected, placed or permitted to remain on, under or over the Right of Way Area which will or may be an interference with the Grantee's public road within the Right of Way Area or an interference with the exercise of any of the rights herein granted.

To the extent permitted by law, Grantee shall indemnify and hold Grantors, their employees and agents, harmless from all claims, demands, judgments and causes of action, including Grantors' reasonable attorney's fees, arising from Grantee's use of the Right of Way Area for a public road; provided, however, Grantee shall have no obligation under this paragraph to the extent any such claim, demand, judgment or cause of action arises through the negligence of Grantors, their employees and agents; and provided further, that Grantee's obligations under this paragraph shall in no event exceed the monetary limits established from time to time by the Colorado Governmental Immunity Act, §24-10-101, et seq., Colorado Revised Statutes. At all times during Grantee's use of the Right of Way Area, Grantee shall strictly adhere to all applicable federal, state,

and local laws, rules, and regulations that have been or may hereafter be established, and all work performed under this Grant of Public Right of Way shall comply with Federal, State, and local laws, rules and regulations. Nothing in this paragraph shall be construed as a waiver of any of Grantee's rights, immunities, and protections under the Colorado Governmental Immunity Act.

This grant shall run with the land and be binding upon Grantors and Grantors' successors, assigns, lessees, and legal representatives.

The attached Exhibits "A" and "B", and any and all interests in Property reflected therein, are hereby incorporated into this Grant of Public Right of Way by reference.

GRANTOR:

By: 
Michael Alan Koepke

GRANTOR:

By: 
Laura Morse Koepke

GRANTEE:
SUMMIT COUNTY, COLORADO
By and Through its
BOARD OF COUNTY COMMISSIONERS

By: _____
Elisabeth Lawrence, Chair

ATTEST:

Kathy Neel, Clerk and Recorder

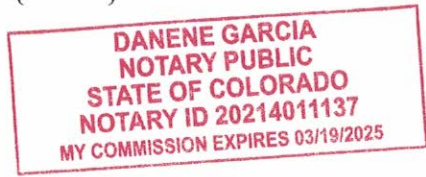
STATE OF COLORADO)
Jefferson) ss.
COUNTY OF ~~SUMMIT~~)

The foregoing instrument was acknowledged before me this 8th day of July, 2021,
by Michael Alan Koepke.

My commission expires: 3/19/2025

Witness my hand and official seal.

{SEAL}



Danene Garcia
Notary Public
Address: 7310 W. 52nd Ave
Ste A, Arvada Co 80002

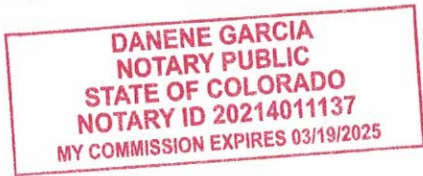
STATE OF COLORADO)
Jefferson) ss.
COUNTY OF ~~SUMMIT~~)

The foregoing instrument was acknowledged before me this 8th day of July, 2021,
by Laura Morse Koepke.

My commission expires: 3/19/2025

Witness my hand and official seal.

{SEAL}



Danene Garcia
Notary Public
Address: 7310 W. 52nd Ave
Ste A, Arvada Co 80002

EXHIBIT A
EASEMENT AREA LEGAL DESCRIPTION

EXHIBIT B
EASEMENT AREA DEPICTION