

SAN ISABEL ELECTRIC ASSOCIATION, INC  
EASEMENT I

WO # 240412

KNOW ALL MEN BY THESE PRESENTS, that the undersigned (referred to in the plural whether one or more) for a good and valuable consideration, the receipt of which is hereby acknowledged, hereby grant unto SAN ISABEL ELECTRIC ASSOCIATION, INC., a cooperative corporation of the State of Colorado, (hereinafter called the "Cooperative") whose mailing address is 781 East Industrial Blvd., Pueblo West, CO 81007, and to its successors and assigned a perpetual right-of-way easement, for the power line designed as of or as constructed from that design and more particularly described as ten (10) feet either side of the centerline of the power line as built within: 128 KANSAS AVENUE, WALSENBURG

County of Huerfano County, State of Colorado

Book \_\_\_\_\_, Page \_\_\_\_\_, Section 9, Township 28, Range 66

For the cooperative to have and to hold for the purposes of constructing, re-constructing, altering, extending, operating, inspecting, repairing, maintaining, retiring, and extending from time to time over and across the above-described lands, either above or below the ground level, or both, an electric line or system for transmission, distribution, and/or for communication signals, and/or any other joint use, all as the Cooperative shall find necessary and deem advisable; and to cut and trim and to control by machinery or otherwise, the trees and shrubbery to the extent necessary to eliminate any interference with or threat to the said line or system and to permit access at all times to the line for all the purposes above enumerated, together with the right of ingress, and egress from, said above described tract of land from adjoining lands of owned by the grantor, same to be held and enjoyed by the grantee, its successors and assigns.

Upon the original construction of the line, the land to which this easement applies shall thereupon become certain as defined by the actual line together with 10 feet either side of the centerline, as constructed, at all points to permit access for all of the purposes above enumerated; provided, however, that if the original construction does not completely cross the above-described land, this easement shall also apply to the extension of the line completely across said property. The undersigned agrees to not place, within ten (10) feet either side of the centerline of said underground or overhead electric line or system, buildings, structures, piles of earth, rubbish, debris, trees, shrubbery, or other substances or materials.

The undersigned grants to Cooperative the right of access for ingress and egress over the lands above-described and the right to use the roads or trails, whether public, private, or dedicated, to install, maintain, and use gates and fences presently installed or as may be installed from time to time. And further agrees that all facilities installed by or for the Cooperative shall remain the property of the Cooperative, removable at the option of the Cooperative;

The undersigned agrees that the failure to enforce all or any portion of this easement by the Cooperative shall not be deemed acquiescence or waiver by the Cooperative of any of its hereby expressed rights.

The undersigned agrees that all poles, wires, and other facilities, including any main service entrance equipment, installed on the above-described lands at the Cooperative's expense shall remain the property of the Cooperative.

The undersigned warrants that (s)he is (they are) the owner(s) in fee of the above-described lands and will defend the title thereto against all claims, and that said lands are free and clear of encumbrances and liens of whatsoever character, except the following:

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

HUERFANO COUNTY

(Signature)

(Signature)

(Print Name)

(Print Name)

NOTARY USE ONLY

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. NOTARY

PUBLIC: \_\_\_\_\_

My Commission Expires \_\_\_\_\_

My address is \_\_\_\_\_

SEAL