

RECEIPTION NO. 395324 JEAN D. GRAFF, RECORDER MONTICELLO CO. COLO.

HIGHWAY EASEMENT DEED

STATE DOCUMENTARY FEE
DATE JUL 20 1987
\$ 12.00
TOTAL CONSIDERATION

DEPARTMENT OF INTERIOR - BUREAU OF LAND MANAGEMENT

THIS DEED, made this 11TH day of JUNE, 1987, by and between the UNITED STATES OF AMERICA, acting by and through the DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION, hereinafter referred to as the DEPARTMENT, and the STATE DEPARTMENT OF HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO, hereinafter referred to as the GRANTEE:

WITNESSETH

WHEREAS, the GRANTEE has filed application under the provisions of the Act of Congress of August 27, 1958, as amended (23 U.S.C. Section 317), for the right of way of a highway over certain Federal land under the jurisdiction of the Department of the Interior - Bureau of Land Management in the State of Colorado, which land has been appropriated by the Department, and

WHEREAS, the Federal Highway Administrator, pursuant to delegation of authority from the Secretary of Transportation, has determined that an easement over the land covered by the application is reasonably necessary for a right-of-way for:

Project Number: S 0153(1) and S 0156(2)

Designation: S.H. 184, ANASAZI Heritage Center

Parcel Numbers: 3A

and,

WHEREAS, the Department of the Interior, acting by and through the Bureau of Land Management, in its consent to the appropriation of the Federal land, has agreed to the transfer by the Department of an easement over the land to the Grantee;

NOW THEREFORE, the Department, as authorized by law, and in compliance with all requirements imposed by or pursuant to Title 49 CFR, Department of Transportation, Subtitle A, Office of Secretary, Part 21, nondiscrimination in federally-assisted programs of the Department of Transportation (49 CFR 21.2 - 21.23) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4), does hereby grant to the Grantee an easement for a right-of-way for the construction, operation, and maintenance of a highway and use of the space above and

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The Department of Highways of the State of Colorado
Highway Office Building
4201 East Arkansas Avenue
Denver, Colorado 80222

3024 602 1078 5-5-61

below the established grade line of the highway pavement for highway purposes on, over, across, in, and upon the following described Federal land within the County of Montezuma, State of Colorado:

Township 37 North, Range 15 West, New Mexico Principal Meridian

SECTION

SUBDIVISION

7

S 1/2

as shown on the following plats:

Project No. S 0153(1) and S 0156(2) Dated December 1948 Number of Sheets-4

Marked Exhibits "A" attached hereto and made parts hereof, subject, however, to the following terms and conditions:

- (1) Outstanding valid claims, if any, existing on the date of this grant, and the Grantee shall obtain such permission as may be necessary on account of any such claims.
- (2) Construction of the highway facility is to be undertaken by the Grantee in compliance with the Act entitled "An Act for the Preservation of American Antiquities" approved June 8, 1906 (34 Stat. 225, 16 U.S.C. 432-433), and state laws where applicable.
- (3) The easement herein granted shall terminate ten (10) years from the date of the execution of this deed by the United States of America in the event construction of a highway on the right-of-way is not started during such period.
- (4) The easement herein granted is limited to use of the described right-of-way and the space above and below the established grade line of the highway pavement for the purpose of construction, operation, and maintenance of a highway in accordance with the approved plans described in the following condition numbered (5) and does not include the grant of any rights for non-highway purposes or facilities: Provided, that the right of the Bureau of Land Management to use or authorize the use of any portion of the right-of-way for non-highway purposes shall not be exercised when such use would be inconsistent with the provisions of Title 23 of the United States Code and of the Federal Highway Administration regulations issued pursuant

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Denver, Colorado 80222

thereto or would interfere with the free flow of traffic or impair the full use and safety of the highway, and in any case the Federal Highway Administration shall be consulted prior to the exercise of such rights: and provided further that nothing herein shall preclude the Bureau of Land Management from locating Department of the Interior information signs on the portions of the right-of-way outside of construction clearing limits.

- (5) The design and construction of highway projects situated on this right-of-way will be in accord with the provisions of Title 23, U.S.C. Code-Highways, and amendments; the provisions of the Federal-Aid Highway Program Manual issued by the Federal Highway Administration; the construction specifications of the State Highway Department as approved by the Federal Highway Administration for use on Federal-aid projects; and the following terms and conditions specified by the Bureau of Land Management:

- a. The State shall immediately bring to the attention of the Federal Highway Administration any and all antiquities or other objects of historic or prehistoric ruins or artifacts discovered as a result of operations. The State shall immediately suspend all activities in the area of the object and shall leave such discoveries intact until told to proceed by the Federal Highway Administration. Approval to proceed will be based upon evaluation of the cultural significance of the object. Evaluation shall be by a qualified professional from a Federal agency insofar as practicable. When not practicable, the State shall bear the cost of the service of a non-Federal professional. The State shall follow the mitigation requirements set forth by the Federal Highway Administration concerning protection, preservation or disposition of any sites or material discovered. In those situations where the Federal Highway Administration determines the data recovery and/or

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salvage excavations are necessary, the State shall bear the cost of such data recovery and/or salvage operations.

- b. The State shall notify the San Juan Resource Area Manager, Federal Building, 701 Camino del Rio, Durango, Colorado 81301 (303) 247-4082 five (5) days prior to commencement of any construction activities to arrange a joint inspection of the right-of-way. The inspection will be held to agree on an acceptable rehabilitation plan. The plan may include recontouring, replacement of top soil, seeding, mulching, etc.

(6) Consistent with highway safety standards, the Grantee shall:

- a. Protect and preserve soil and vegetative cover and scenic and esthetic values on the right-of-way outside of construction limits.
- b. Provide for the prevention and control of soil erosion within the right-of-way adjacent lands that might be affected by the construction, operation, or maintenance of the highway, and shall vegetate and keep vegetated with suitable species, as specified in No. (5) above, all earth cut or fill slopes feasible for revegetation or other areas on which ground cover is destroyed. The Grantee shall maintain all terracing, water-bars, lead-off ditches, or other preventive works that may be required to accomplish this objective. This provision shall also apply to slopes that are reshaped following slides which occur during or after construction.

(7) The Grantee shall:

Establish no borrow, sand, or gravel pits, stone quarry, or permanent storage areas, sites for highway operation maintenance facilities, camps, supply depot or disposal areas within the right-of-way unless shown on approved construction plans without first obtaining approval.

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- (8) The Grantee shall maintain the right-of-way and highway facilities to acceptable standards of repair, orderliness, neatness, sanitation, and safety.
- (9) The Grantee shall maintain the right-of-way clearing by means of chemicals only after specific written approval has been given by the Department after consultation with the Bureau of Land Management. Application for such approval must be in writing and specify the time, methods, chemicals, and the exact portion of the right-of-way to be chemically treated.
- (10) When need for the easement herein granted shall no longer exist and the area has been reasonably rehabilitated to protect the public and environment, the Grantee shall give notice of that fact to the Secretary of Transportation and the rights herein granted shall terminate and land shall immediately revert to the full control of the Secretary of the Department of the Interior or his assigns.

The Grantee, in consideration of the conveyance of said land, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns that (a) no person shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such land hereby conveyed, (b) that the Grantee shall use said land so conveyed in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in federally-assisted programs of the Department of Transportation, in effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

In the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have the right to re-enter said land and facilities on said land, and the above-described land and facilities shall thereupon revert to and vest in and become the absolute property of the Department of Transportation and its assigns, as such interest existed prior to this instrument. (Reverter clause to be used only when it is determined

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The Department of Highways & Transportation of Colorado
Highway Office Building
4201 East Arkansas Avenue
Denver, Colorado 80222

ATTENTION: Right of Way Section

that such clause is necessary to effectuate the purpose of Title VI of the Civil Rights Act of 1964.)

IN WITNESS WHEREOF, I, RICHARD O. JONES
Regional Counsel, pursuant to delegations of authority from the Secretary of Transportation, the Federal Highway Administration, and ANTHONY J. McMAHON Chief Counsel, by virtue of authority in me vested by law, have hereunto subscribed my name as of the day and year first above written.

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

In Presence of:

[Signature]

By Richard O. Jones
Regional Counsel

[Signature]

STATE OF COLORADO)
COUNTY OF JEFFERSON)

I, Jeanette K. Vohs, a Notary Public in and for the State of Colorado, do hereby certify that on this the 11th day of June, 19 87, before me personally appeared Richard O. Jones, Regional Counsel, Federal Highway Administration, and acknowledged that the foregoing instrument bearing date of June 11, 19 87, was executed by him in his offical capacity and by authority in him vested by law, for the purposes and intents in said instrument described and set forth, and acknowledged the same to be his free act and deed as Regional Counsel, Federal Highway Administration.

Witness my hand and seal this 11th day of June, 19 87.

Jeanette K. Vohs
(Notary Public)

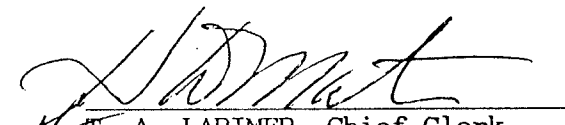
Commission Expires My Commission Expires November 21, 1989

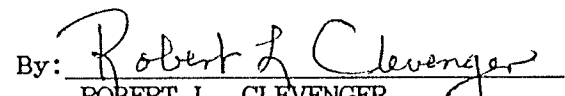
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The Department of Highways of the State of Colorado
Highway Office Building
4201 East Arkansas Avenue
Denver, Colorado 80222
ATTENTION: Right of Way Section

In compliance with the conditions set forth in the foregoing deed, the State Department of Highways, State of Colorado, certifies, and by the acceptance of this deed, accepts the right-of-way over certain land herein described and agrees for itself, its successors and assigns forever to abide by the conditions set forth in said deed.

ATTEST:

STATE DEPARTMENT OF HIGHWAYS
DIVISION OF HIGHWAYS
STATE OF COLORADO

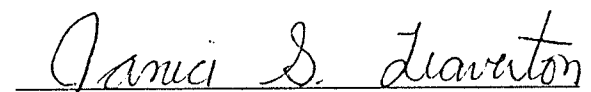

T. A. LARIMER, Chief Clerk

By: 
ROBERT L. CLEVINGER,
Chief Engineer

STATE OF COLORADO)
CITY &)
COUNTY OF DENVER)

I, JANICE S. LEAVERTON, a Notary Public in and for said
City & of Denver
County and State, hereby certify that ROBERT L. CLEVINGER
Chief Engineer and H. D. MARTIN, for the Chief Clerk, for the
State Department of Highways, Division of Highways, State of Colorado
are signed to the foregoing conveyance and are known to me,
acknowledged before me on this day that, being informed of the
contents of the conveyance, they in their capacity as much, have
executed the same voluntarily on this day.

Given under my hand and seal of office this 29th day of May,
19 87.


Notary Public
4201 E. Arkansas
Denver, Colorado

(SEAL)

My Commission Expires March 13, 1990.

AFTER RECORDING PLEASE MAIL TO:
The Department of Highways of the State of Colorado
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Denver, Colorado 80222
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The Department of Highways of the State of Colorado
Highway Office Building
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Denver, Colorado 80222

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- SHEET NO. 1 TITLE SHEET
- 2 TABULATION OF PROPERTIES
- 3-12 PLAN AND PROFILE SHEETS SHOWING RIGHT OF WAY
- 13-14 OWNERSHIP MAP

EXHIBIT "A"

COLORADO
STATE HIGHWAY DEPARTMENT

PLAN AND PROFILE OF PROPOSED
COMB. FED. AID SECONDARY PROJ. NO. S0153(1) & S 0156(2)
STATE HIGHWAY NO. 145 & 147
MONTEZUMA COUNTY

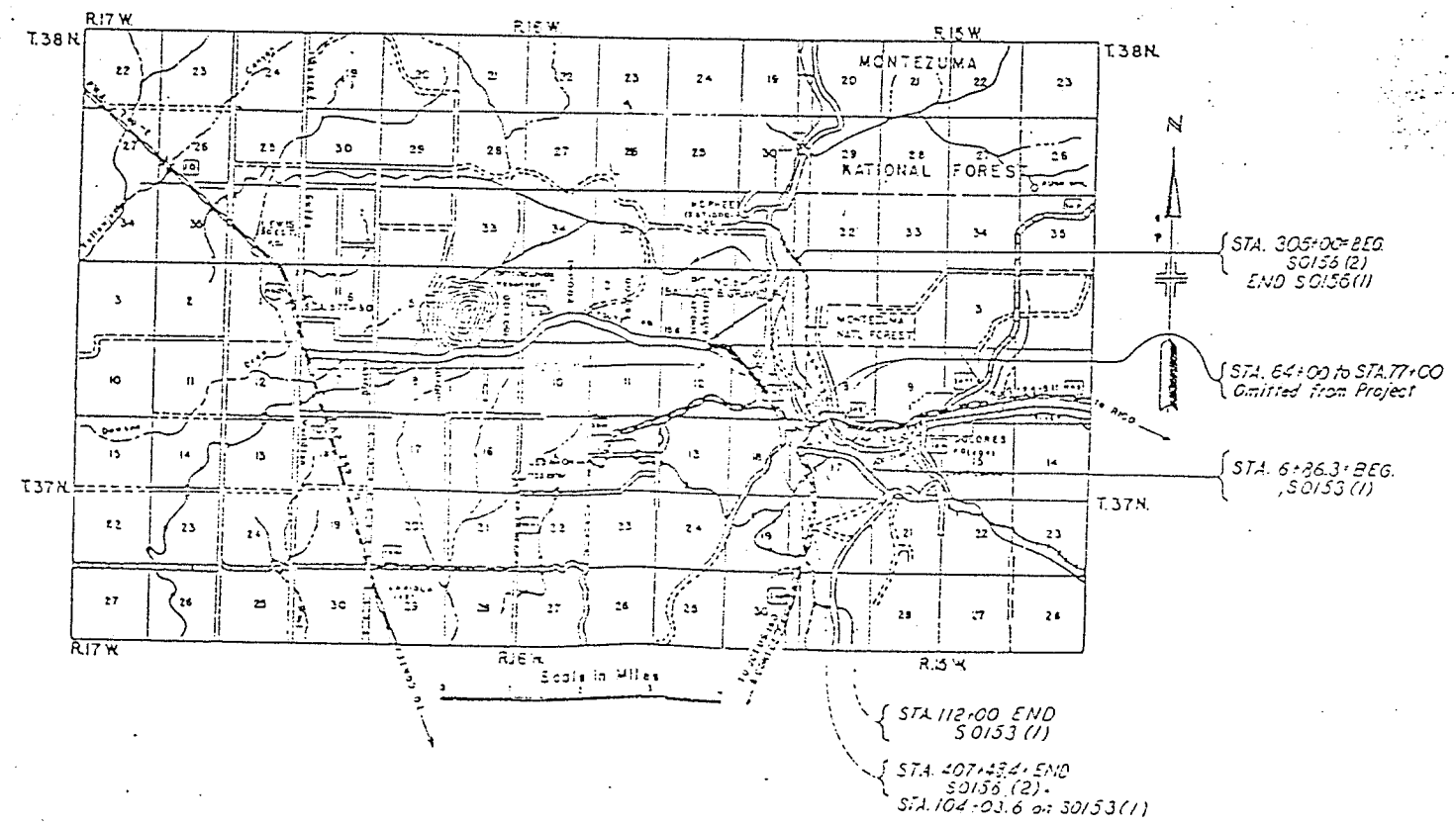
SCALES
ON PLAN: 1 IN. = 100 FT.
ON PROFILE: 1 IN. = 100 FT. HORIZONTAL
1 IN. = 10 FT. VERTICAL
GRADE LINE ON PROFILE IS SHOWN AS GRADE OF FINISHED ROAD
GROSS LENGTH OF PROJECT
NET LENGTH OF PROJECT

EXHIBIT "A"

STATE	COLO.	COM. NO.	SHEET NO.	TOTAL SHEETS
3	COLO.	S0153(1) & S0156(2)	1	1

- CONVENTIONAL SIGNS
- CENTER LINE OF SURVEY
 - RIGHT OF WAY LINES
 - COUNTY LINE
 - TOWNSHIP LINES
 - SECTION LINES
 - ONE QUARTER SECTION LINES
 - BARBED WIRE FENCE
 - COMBINATION WIRE FENCE
 - CHICKEN WIRE FENCE
 - TELEPHONE LINE
 - POWER LINE

RIGHT OF WAY

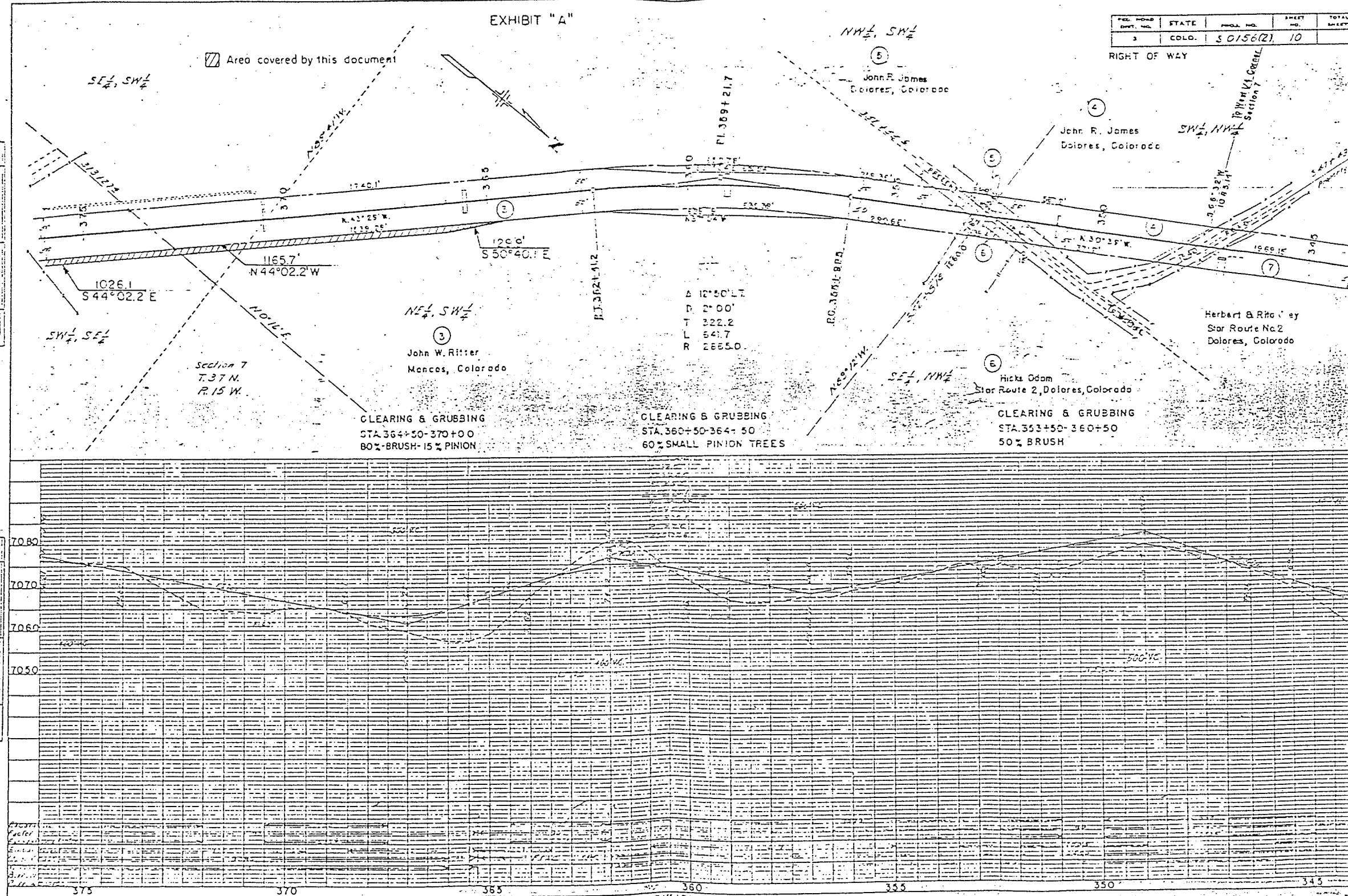


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ATTENTION: Right of Way Section

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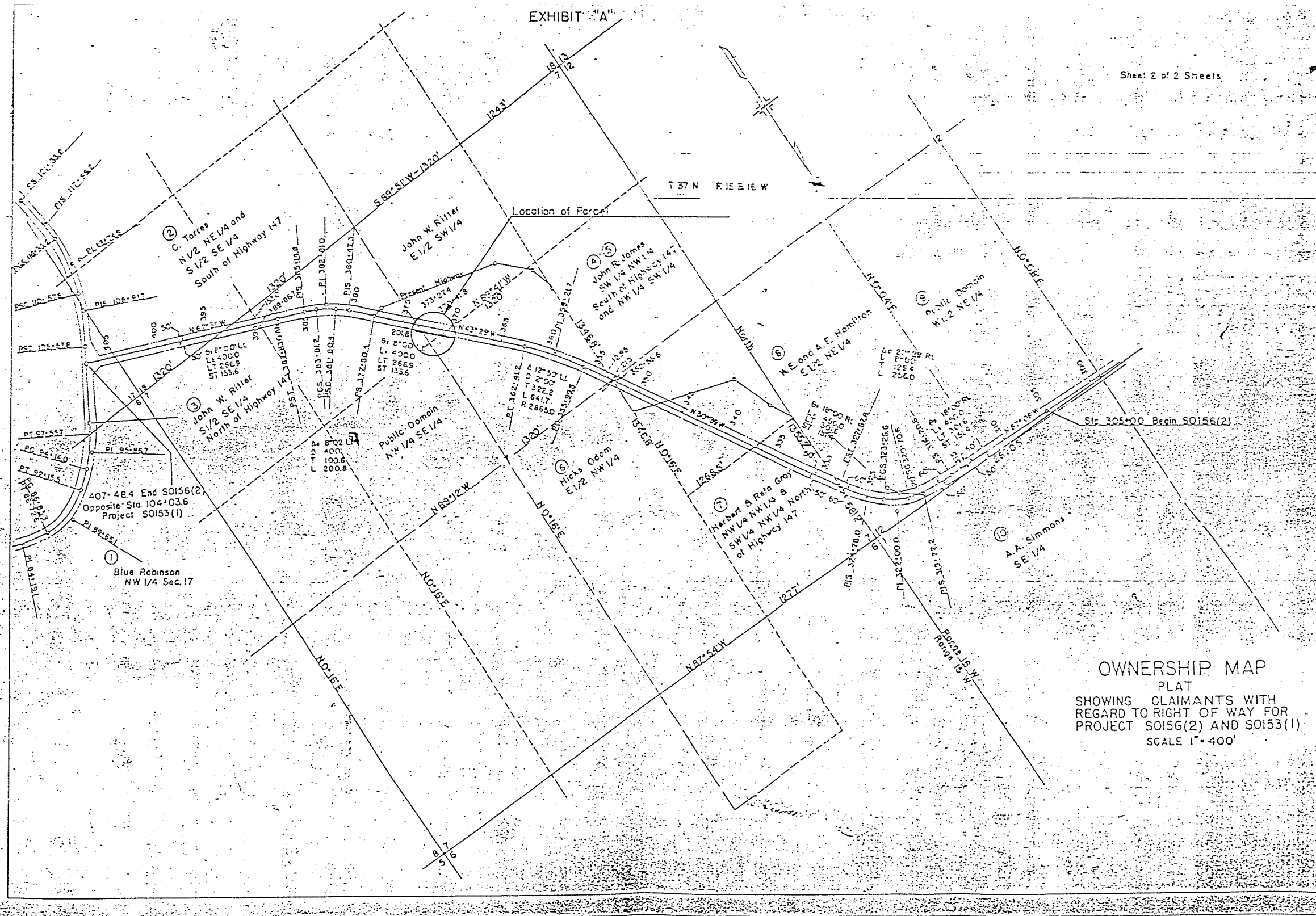
362
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ATTENTION: Right of Way Section

MICROFILMED

EXHIBIT "A"

Sheet: 2 of 2 Sheets



OWNERSHIP MAP
PLAT
SHOWING CLAIMANTS WITH
REGARD TO RIGHT OF WAY FOR
PROJECT SO156(2) AND SO153(1)
SCALE 1"=400'

FED. ROAD DIST. NO.	STATE	COMB. PROJ. NO.	SHEET NO.	TOTAL SHEETS
3	COLO.	SO153 (1) & SO156 (2)	1	

RIGHT OF WAY

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COLORADO STATE HIGHWAY DEPARTMENT

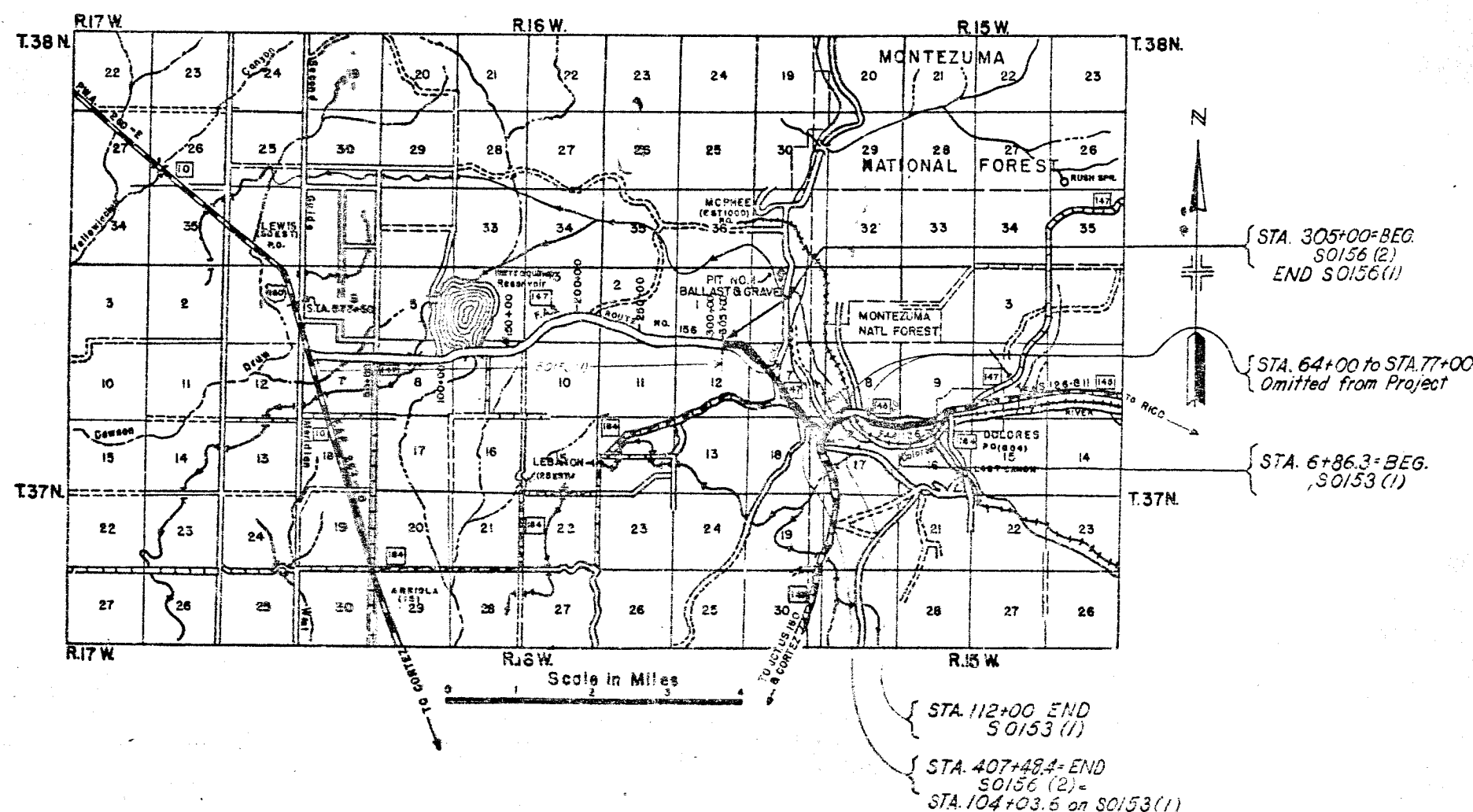
PLAN AND PROFILE OF PROPOSED COMB. FED. AID SECONDARY PROJ. NO. SO153 (1) & S O156 (2) STATE HIGHWAY NO. 145 & 147 MONTEZUMA COUNTY

SCALES
 ON PLAN, 1 IN. = 100 FT.
 ON PROFILE 1 IN. = 100 FT. HORIZONTAL
 1 IN. = 10 FT. VERTICAL
 GRADE LINE ON PROFILE IS SHOWN AS GRADE OF FINISHED ROAD
 GROSS LENGTH OF PROJECT
 NET LENGTH OF PROJECT

CONVENTIONAL SIGNS

CENTER LINE OF SURVEY ————+———
 RIGHT OF WAY LINES ————+———
 COUNTY LINE ————+———
 TOWNSHIP LINES ————+———
 SECTION LINES ————+———
 ONE QUARTER SECTION LINES ————+———
 BARBED WIRE FENCE ————x———
 COMBINATION WIRE FENCE ————x———
 CHICKEN WIRE FENCE ————x———
 TELEPHONE LINE ○ ○ ○
 POWER LINE ● ● ●

RIGHT OF WAY



RECEIVED
DIST. 5-DURANGO
MAR 20 1986

RECEIVED
DIST. 5-DURANGO
MAR 20 1986

S.H. No.

145 COMB.
8
147 PROJ.

S 0153 (1)
&
S 0156 (2)

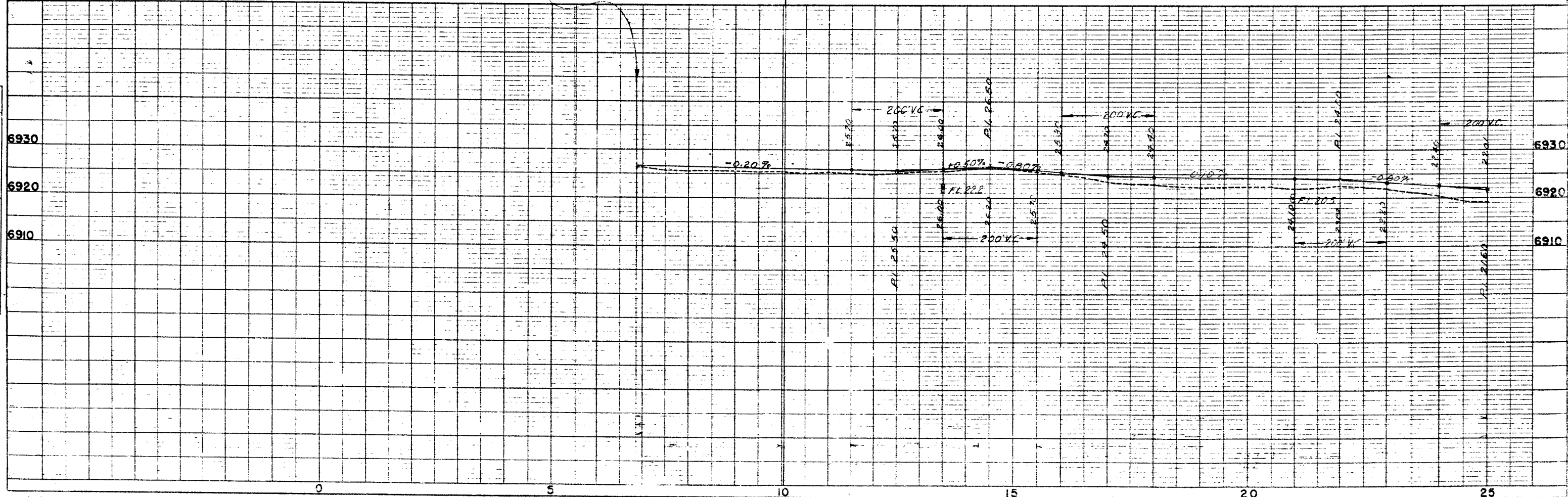
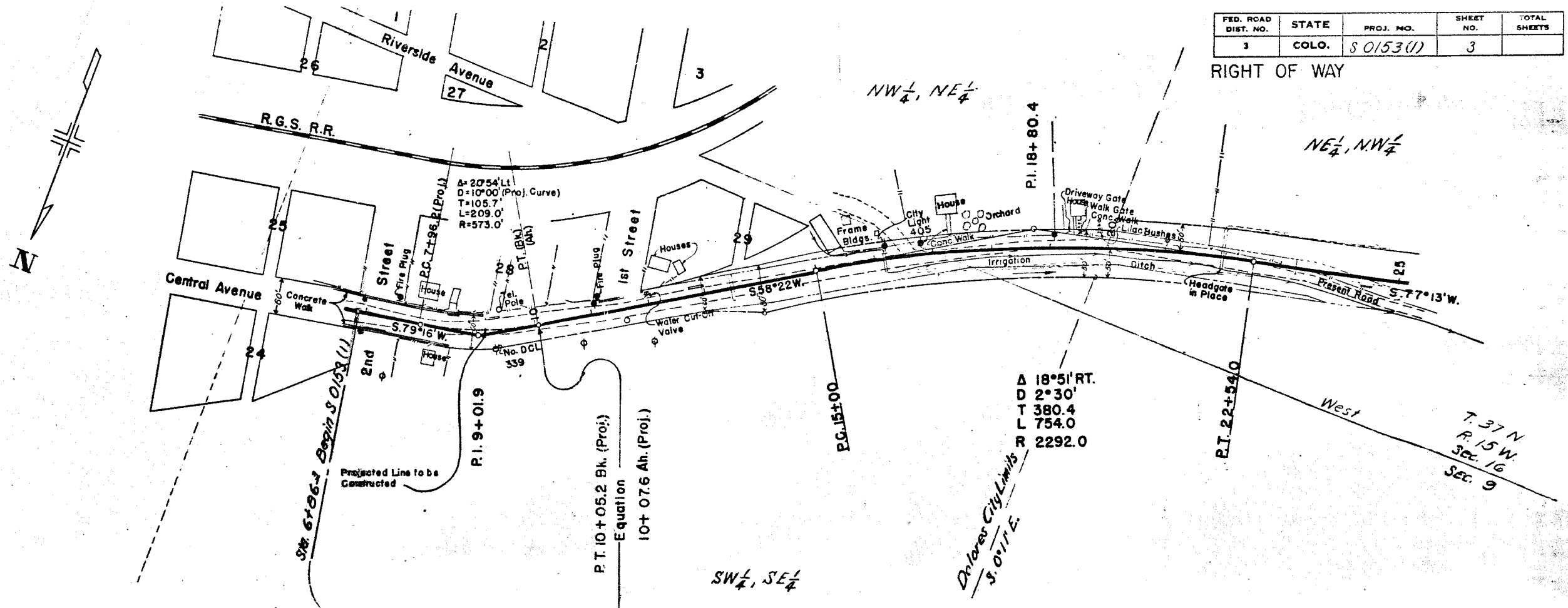
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3	COLO.	50153 (1) & 50156 (2)	2	

RIGHT OF WAY

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FED. ROAD DIST. NO.	STATE	PROJ. NO.	SHEET NO.	TOTAL SHEETS
3	COLO.	80153(1)	3	

RIGHT OF WAY



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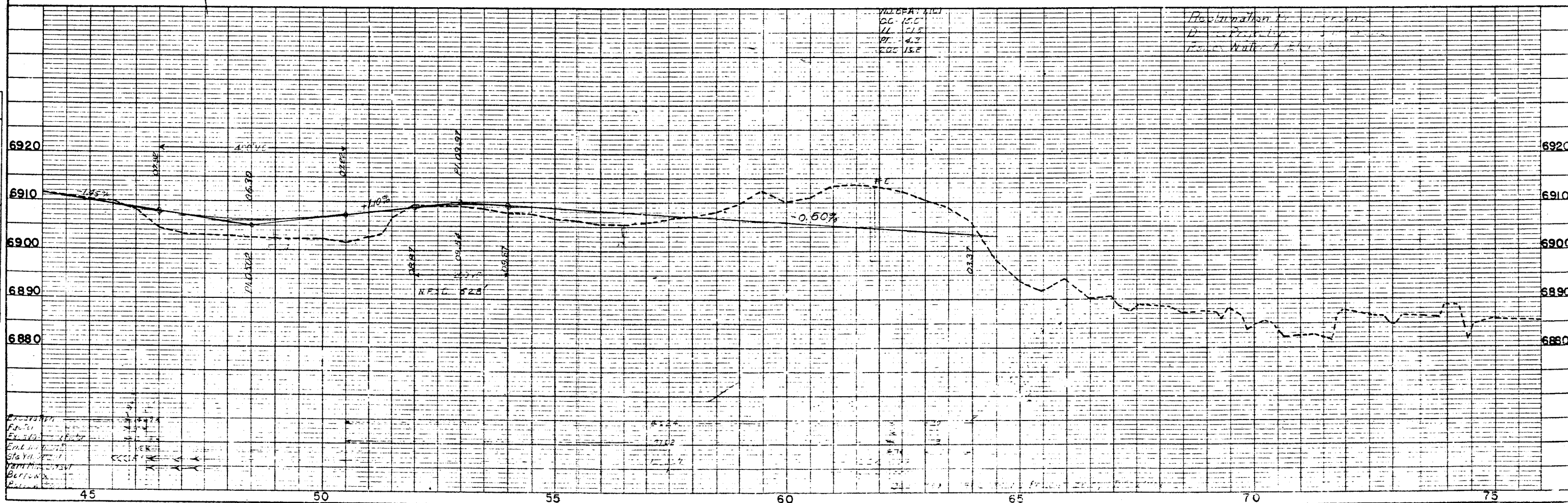
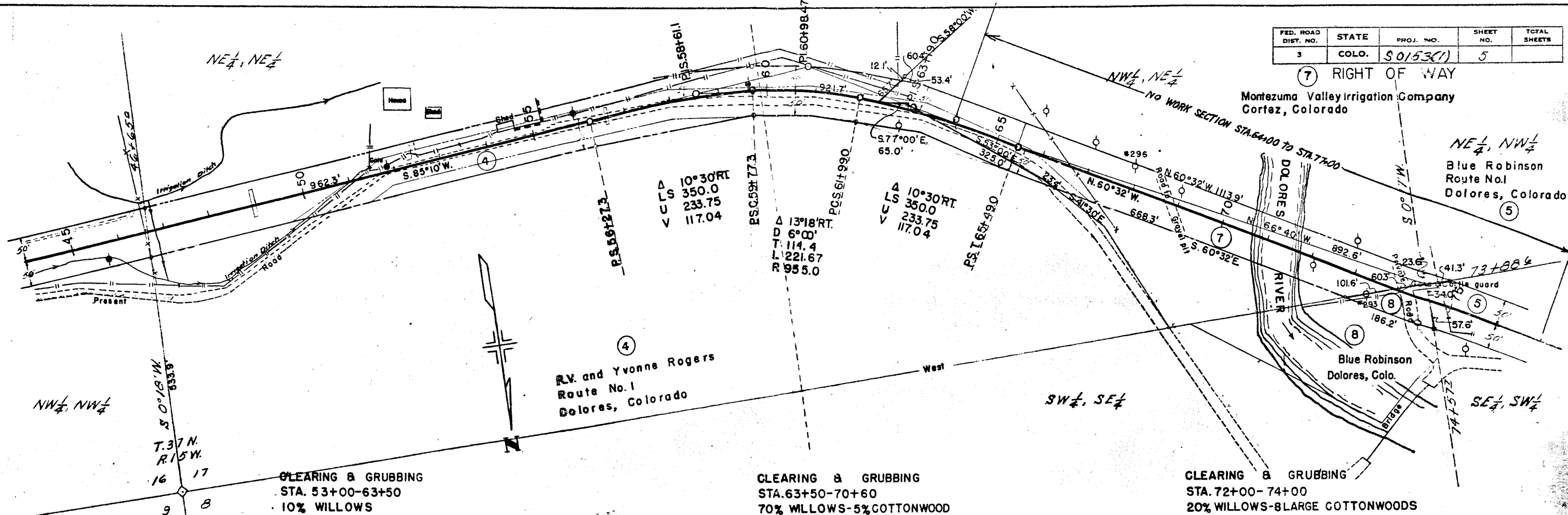
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3	COLO.	50153(1)	5	

⑦ RIGHT OF WAY

Montezuma Valley Irrigation Company
Cortez, Colorado

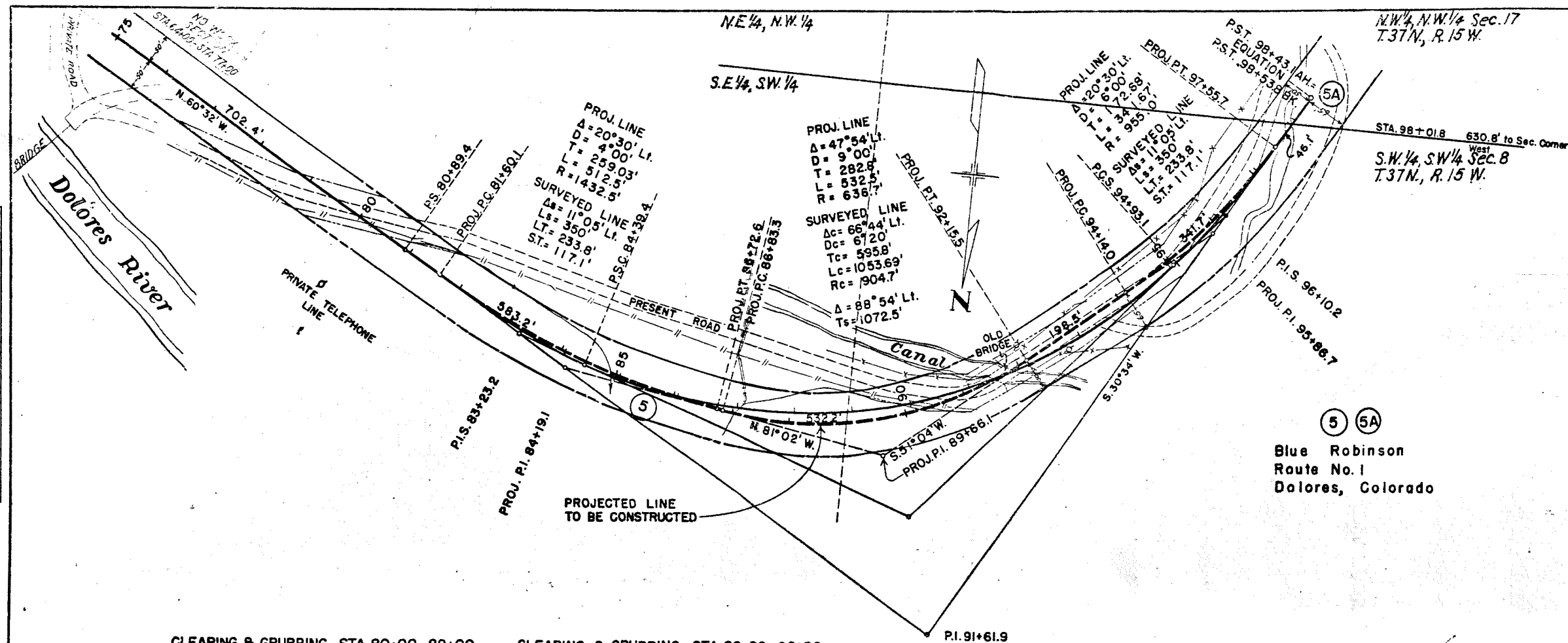
NE 1/4, NW 1/4
Blue Robinson
Route No. 1
Dolores, Colorado

Blue Robinson
Dolores, Colo.



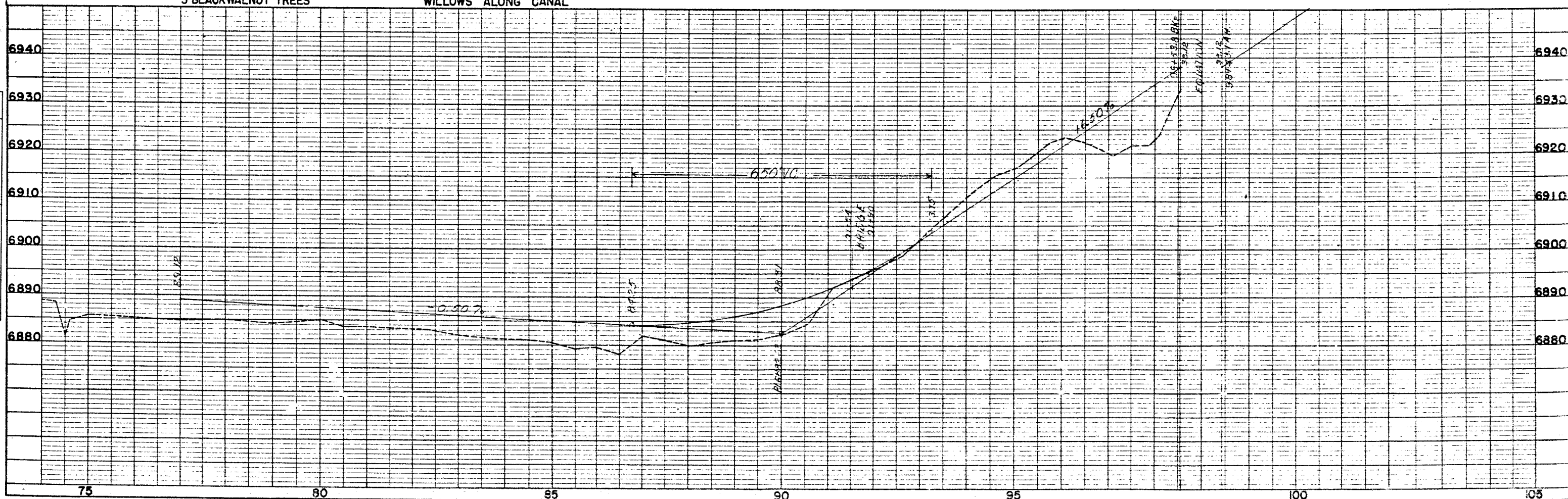
FED. ROAD DIST. NO.	STATE	PROJ. NO.	SHEET NO.	TOTAL SHEETS
3	COLO.	SO15301	6	

RIGHT OF WAY



CLEARING & GRUBBING STA. 80+00-82+00
5 BLACKWALNUT TREES

CLEARING & GRUBBING STA. 89+00-90+00
WILLOWS ALONG CANAL



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3	COLO.	50753(1) 50756(2)	8	

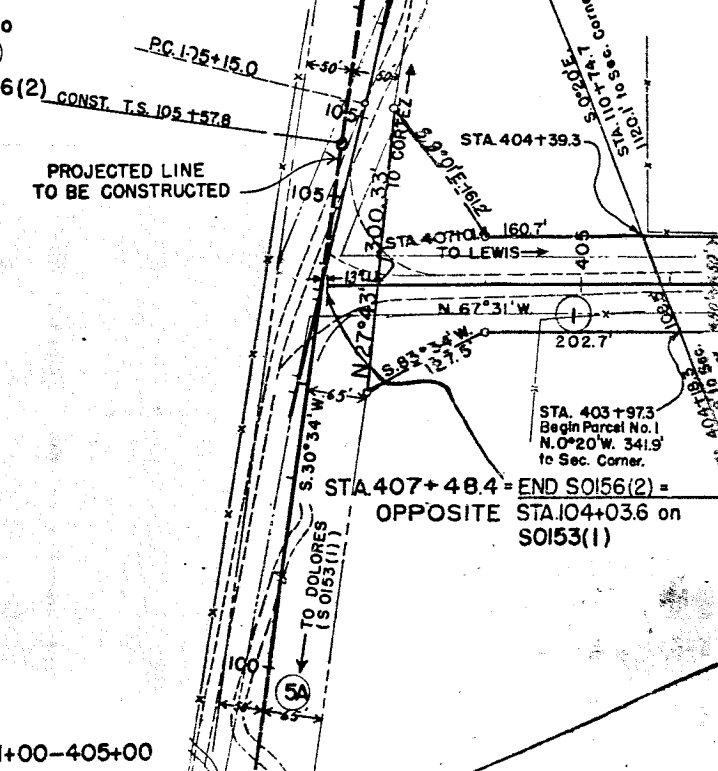
N.W. 1/4, N.W. 1/4 Sec. 17,
T. 37N, R. 15W.

Blue Robinson
Route No. 1
Dolores, Colorado

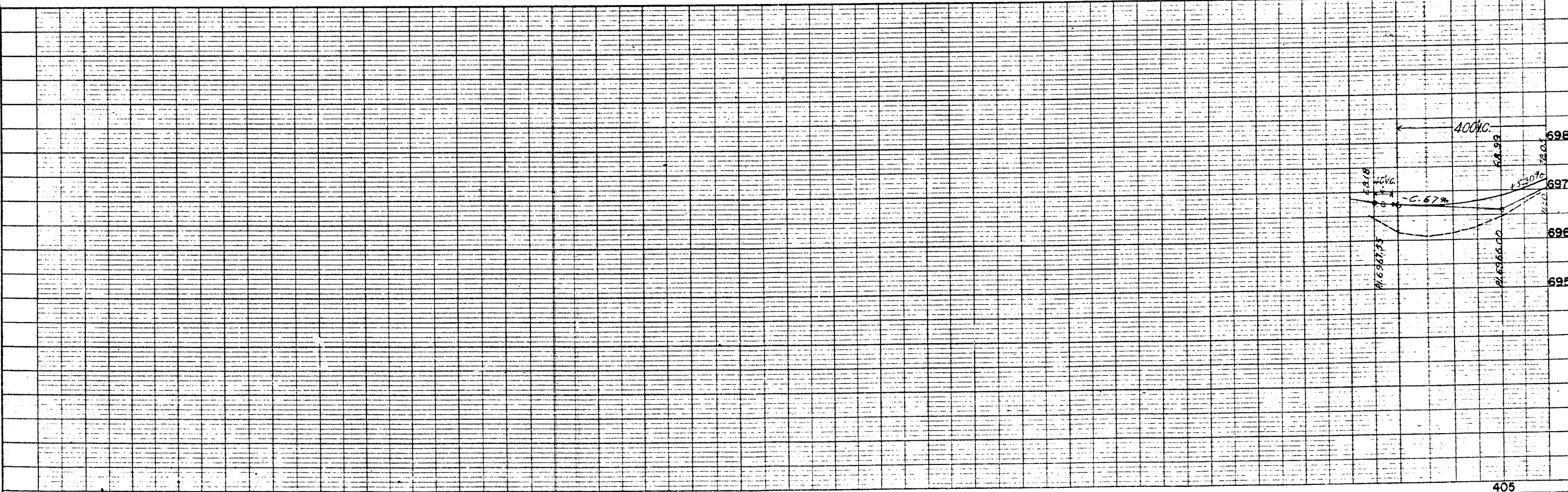
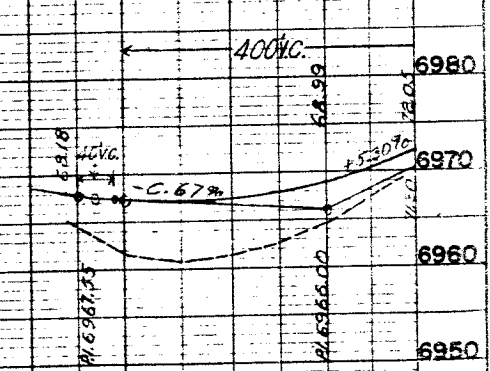
SO153(1)

SO156(2)

RIGHT OF WAY



CLEARING & GRUBBING STA. 101+00-405+00
20% SAGE BRUSH

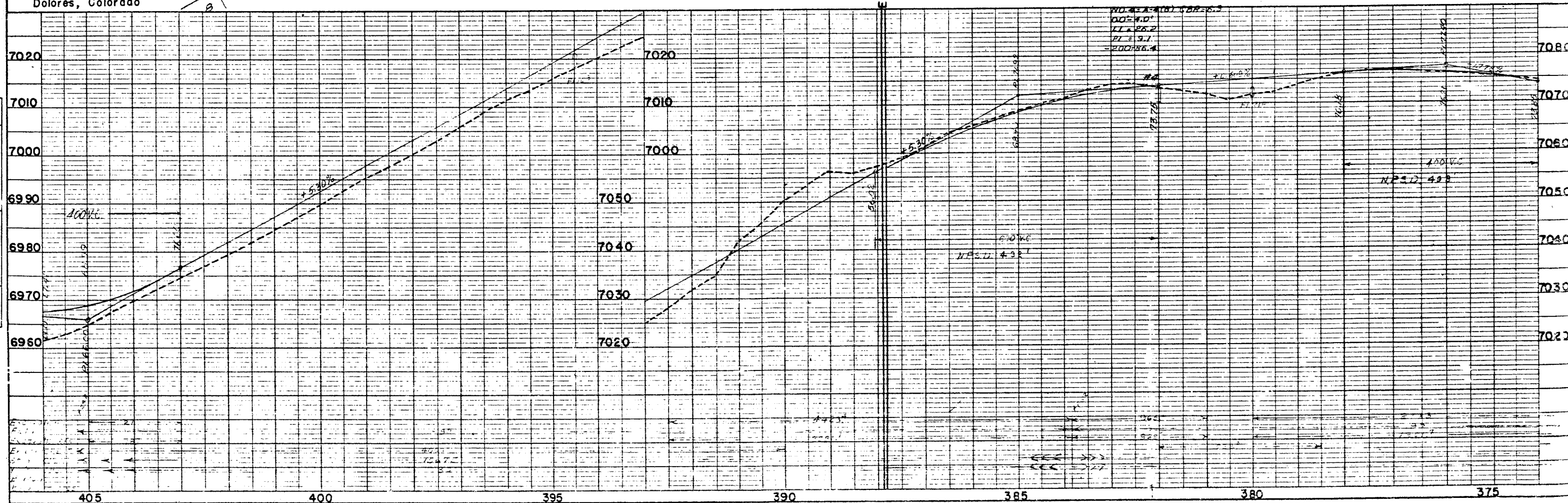
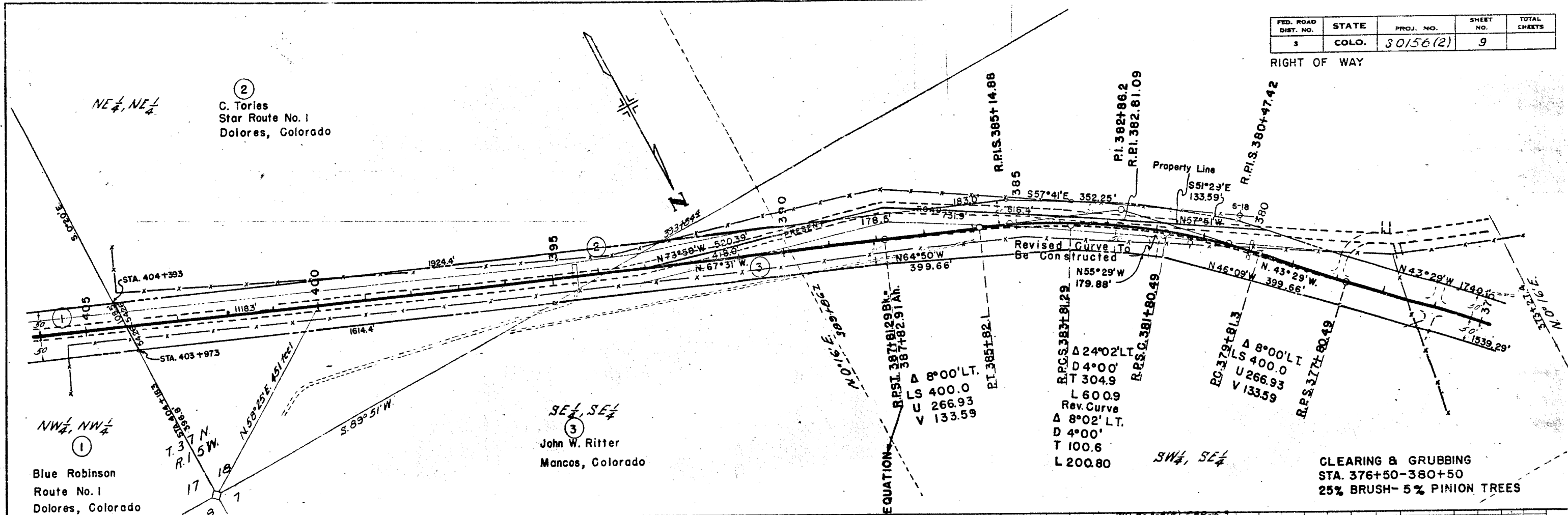


DATE	BY	REVIEWED	DATE
PLAN		NOTE BOOK	
NO.		NO.	

DATE	BY	REVIEWED	DATE
PROFILE		NOTE BOOK	
NO.		NO.	

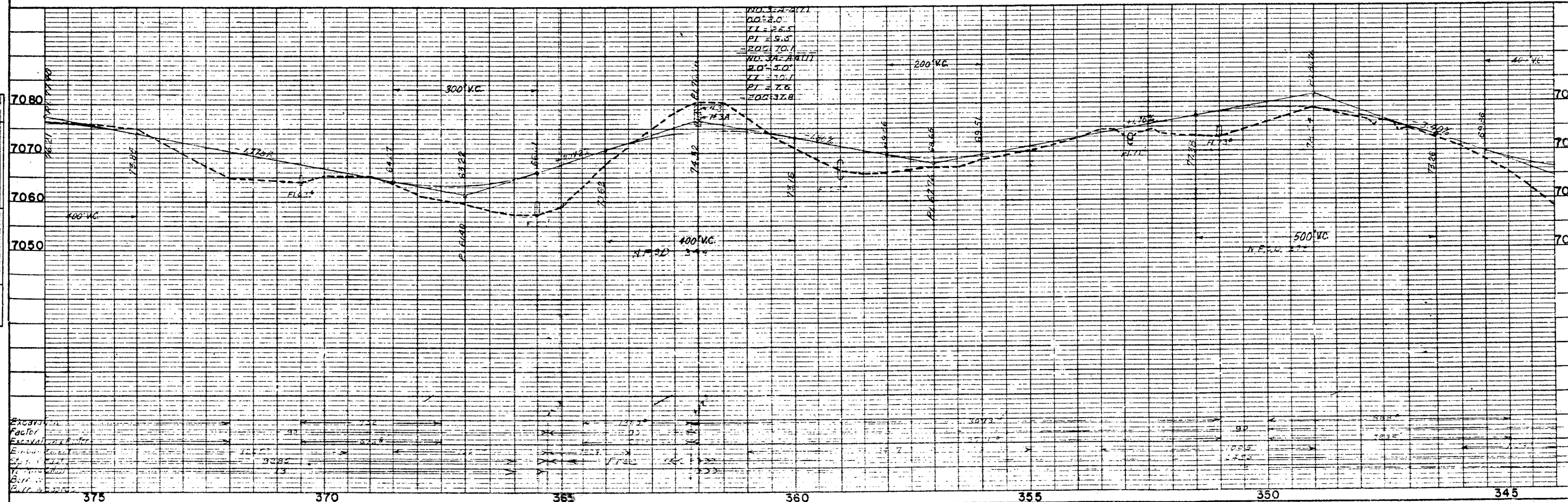
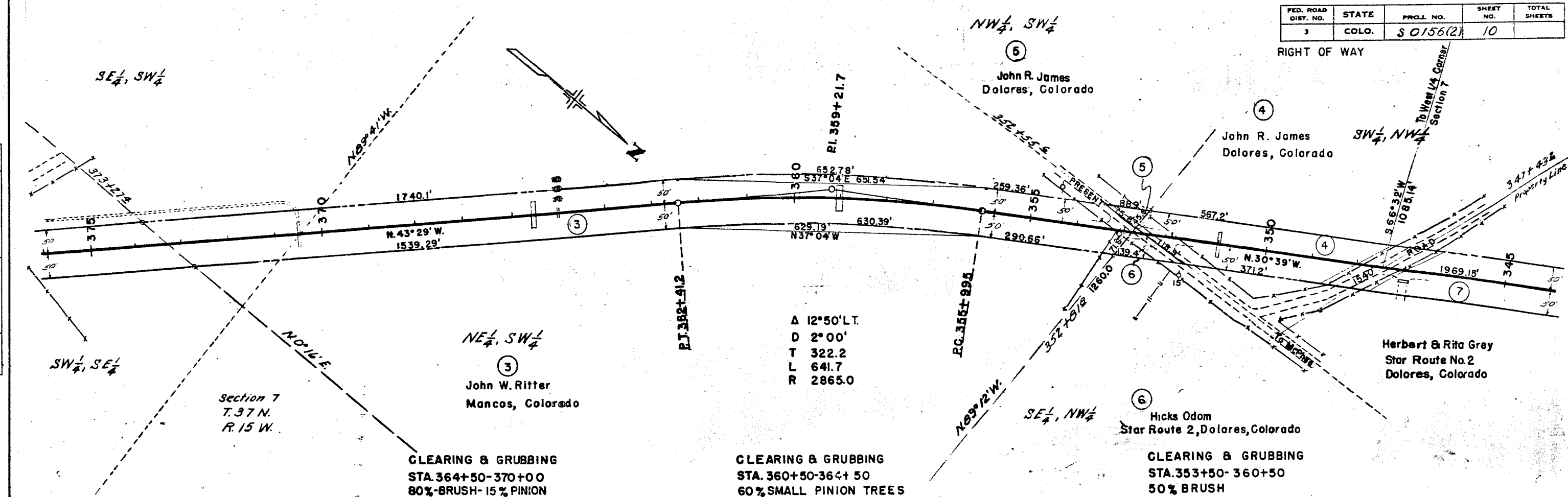
FED. ROAD DIST. NO.	STATE	PROJ. NO.	SHEET NO.	TOTAL SHEETS
3	COLO.	30156(2)	9	

RIGHT OF WAY



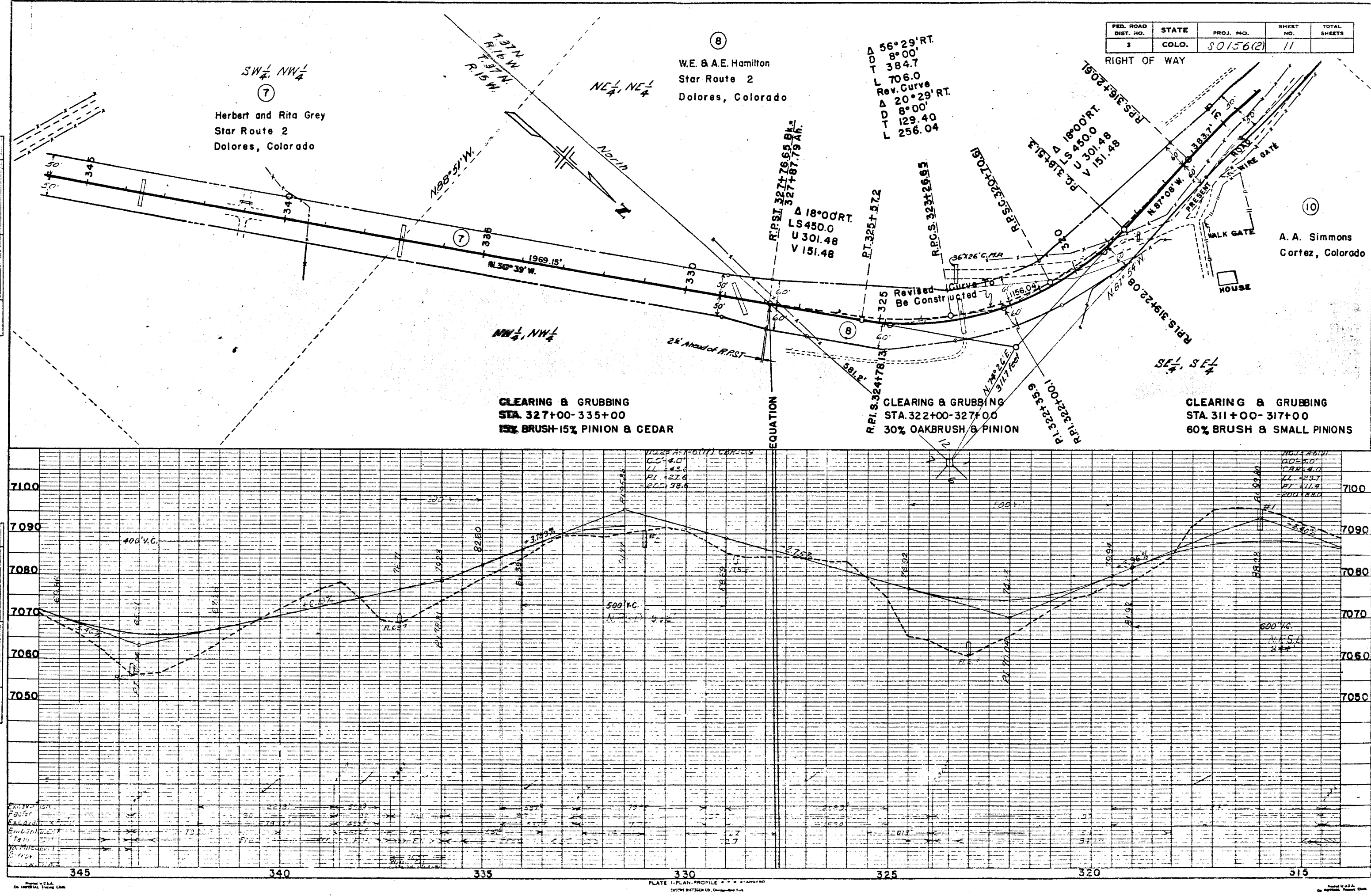
FED. ROAD DIST. NO.	STATE	PROJ. NO.	SHEET NO.	TOTAL SHEETS
3	COLO.	30155(2)	10	

RIGHT OF WAY



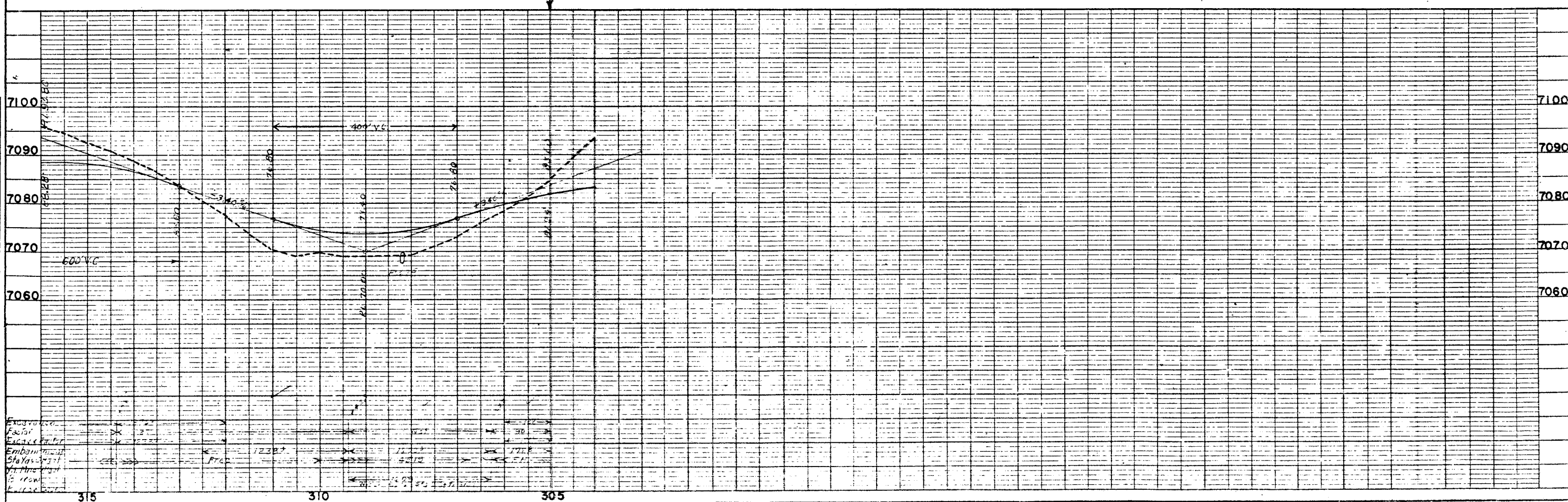
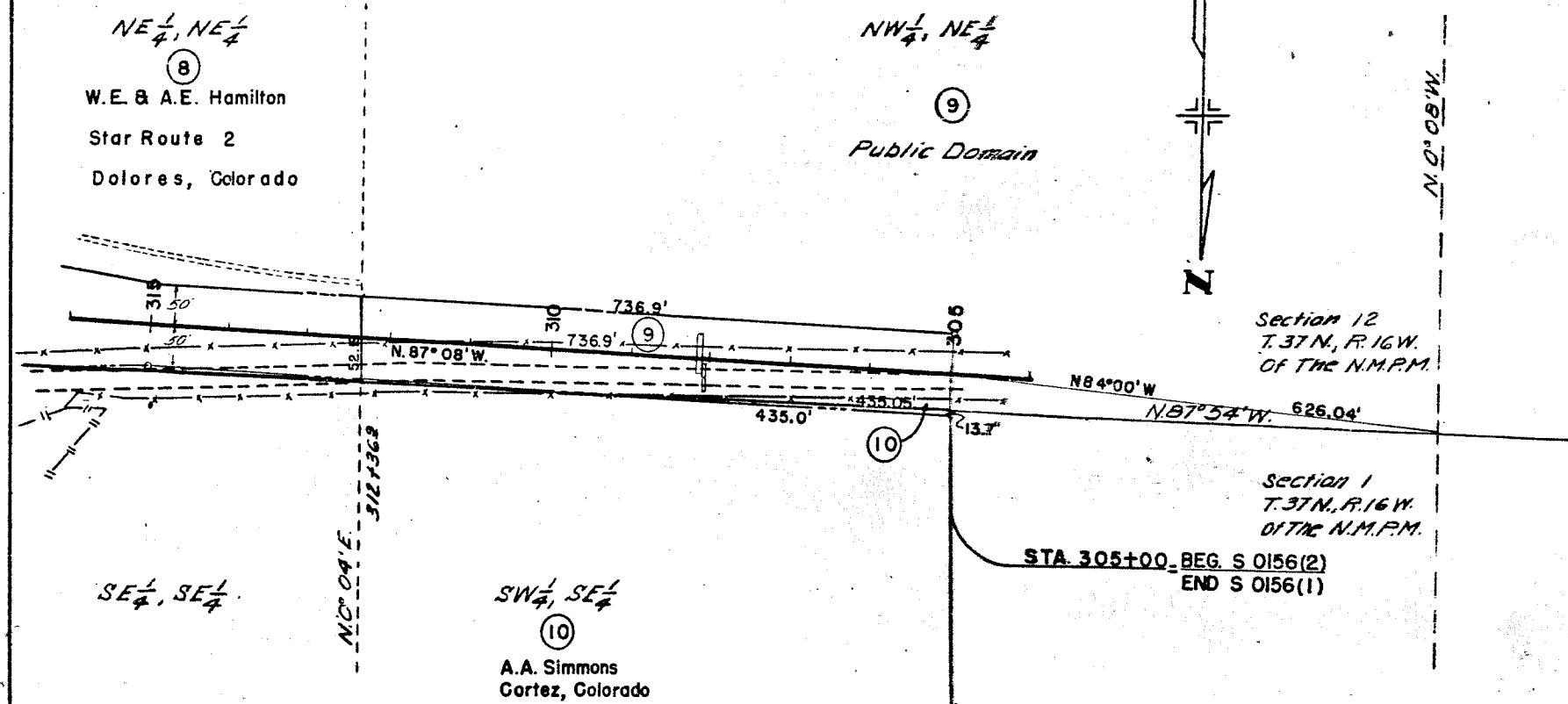
PLAN	SURVEYED PLOTTED ALIGNMENT CHECKED BT. OF WAY CHECKED	BT	DATE
NOTE BOOK			
CH			

PROFILE	DATE
WATER	
PLASTER	
CHASSIS CHASSIS	
A.B. 4. NOTED	
STRUCTURE NOTAT 14. CH 10	



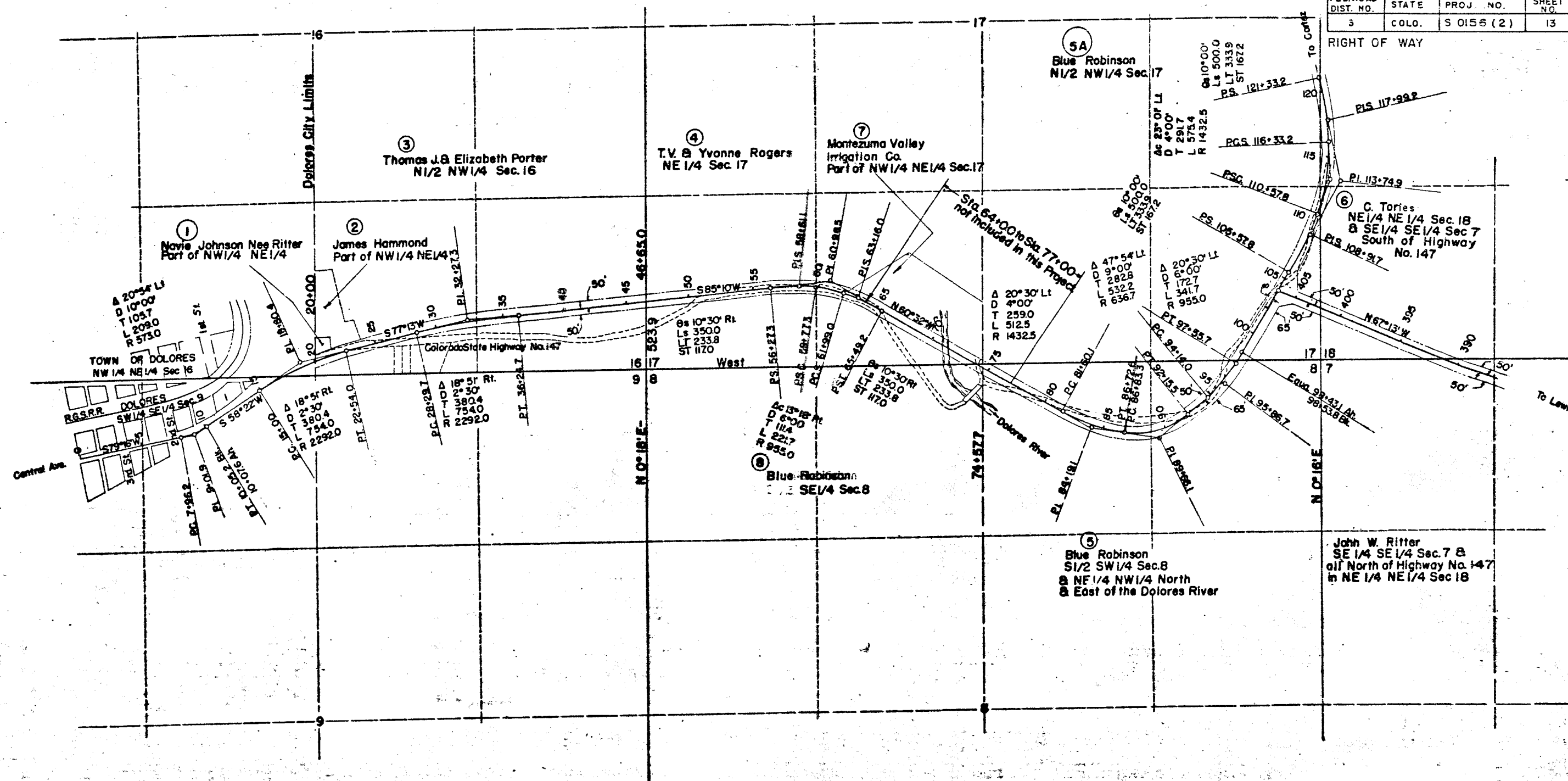
FED. ROAD DIST. NO.	STATE	PROJ. NO.	SHEET NO.	TOTAL SHEETS
3	COLO.	S0156(2)	12	

RIGHT OF WAY



MICROFILMED

FED. ROAD DIST. NO.	STATE	PROJ. NO.	SHEET NO.	TOTAL SHEETS
3	COLO.	S 0155 (2)	13	

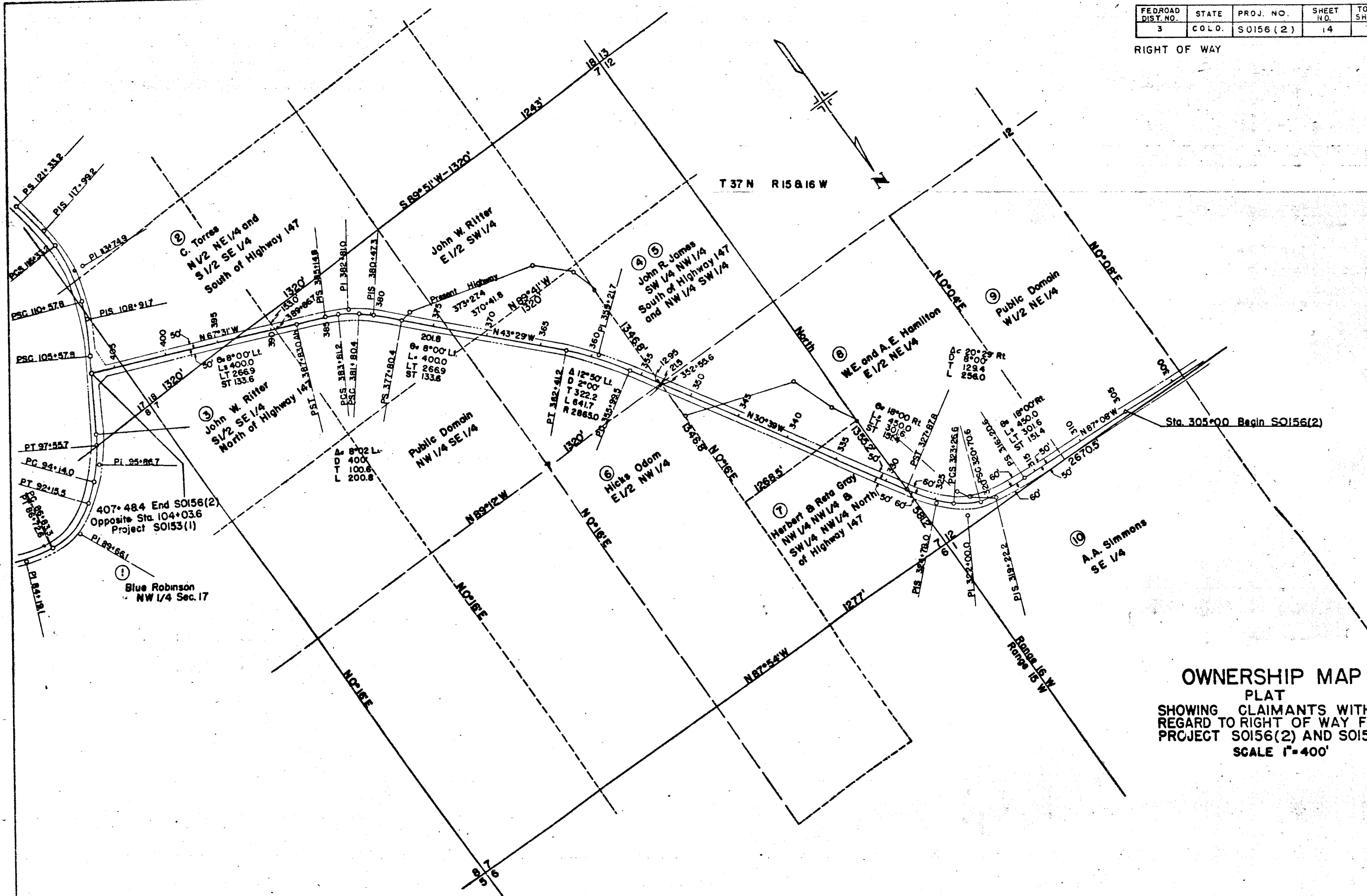


OWNERSHIP MAP
PLAT
SHOWING CLAIMANTS WITH REGARD
TO RIGHT OF WAY FOR PROJECT S0153(1)
SCALE 1"=400'

MICROFILMED

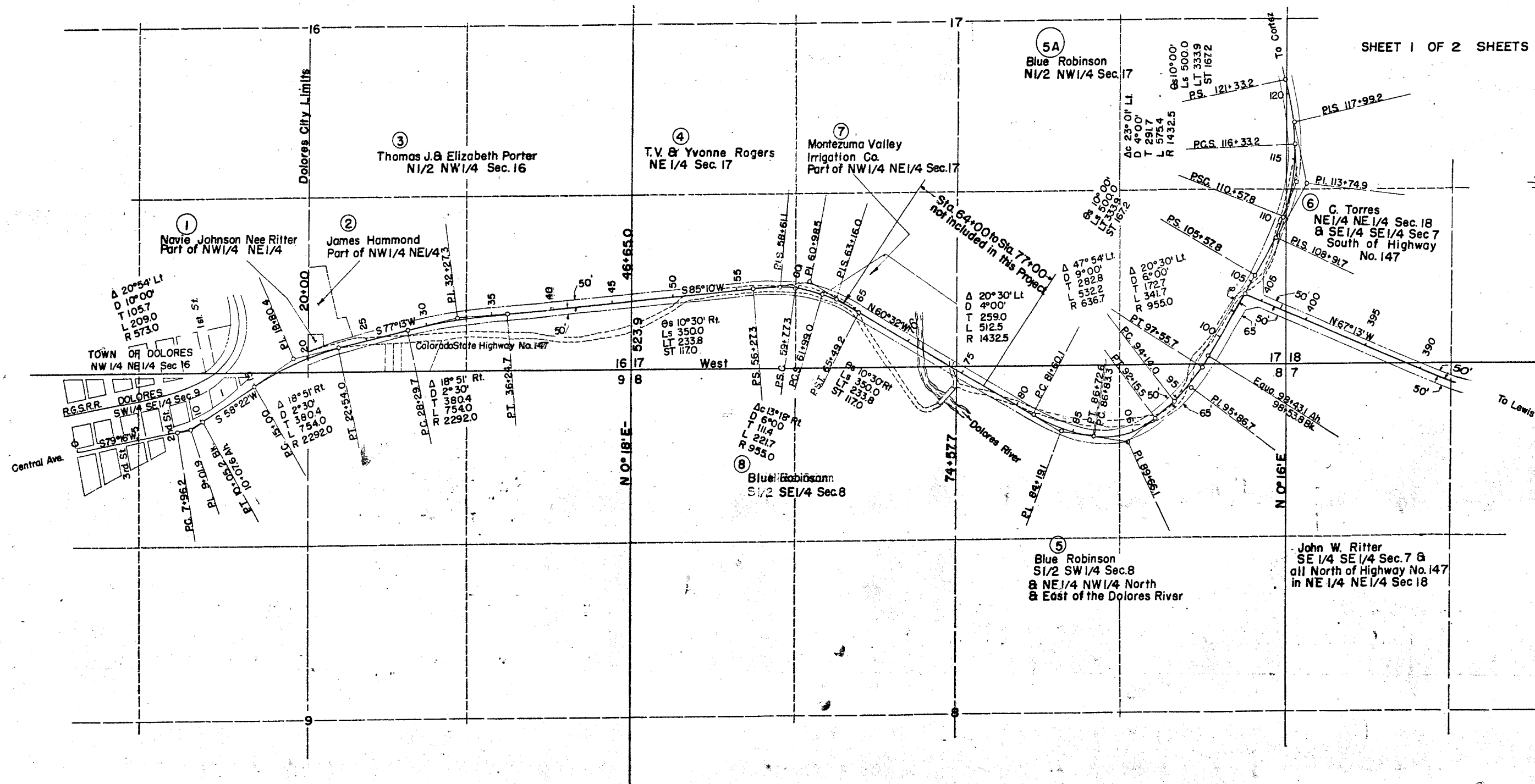
FED. ROAD DIST. NO.	STATE	PROJ. NO.	SHEET NO.	TOTAL SHEETS
3	COLO.	SO156(2)	14	

RIGHT OF WAY



OWNERSHIP MAP
PLAT
SHOWING CLAIMANTS WITH
REGARD TO RIGHT OF WAY FOR
PROJECT SO156(2) AND SO153(1)
SCALE 1"=400'

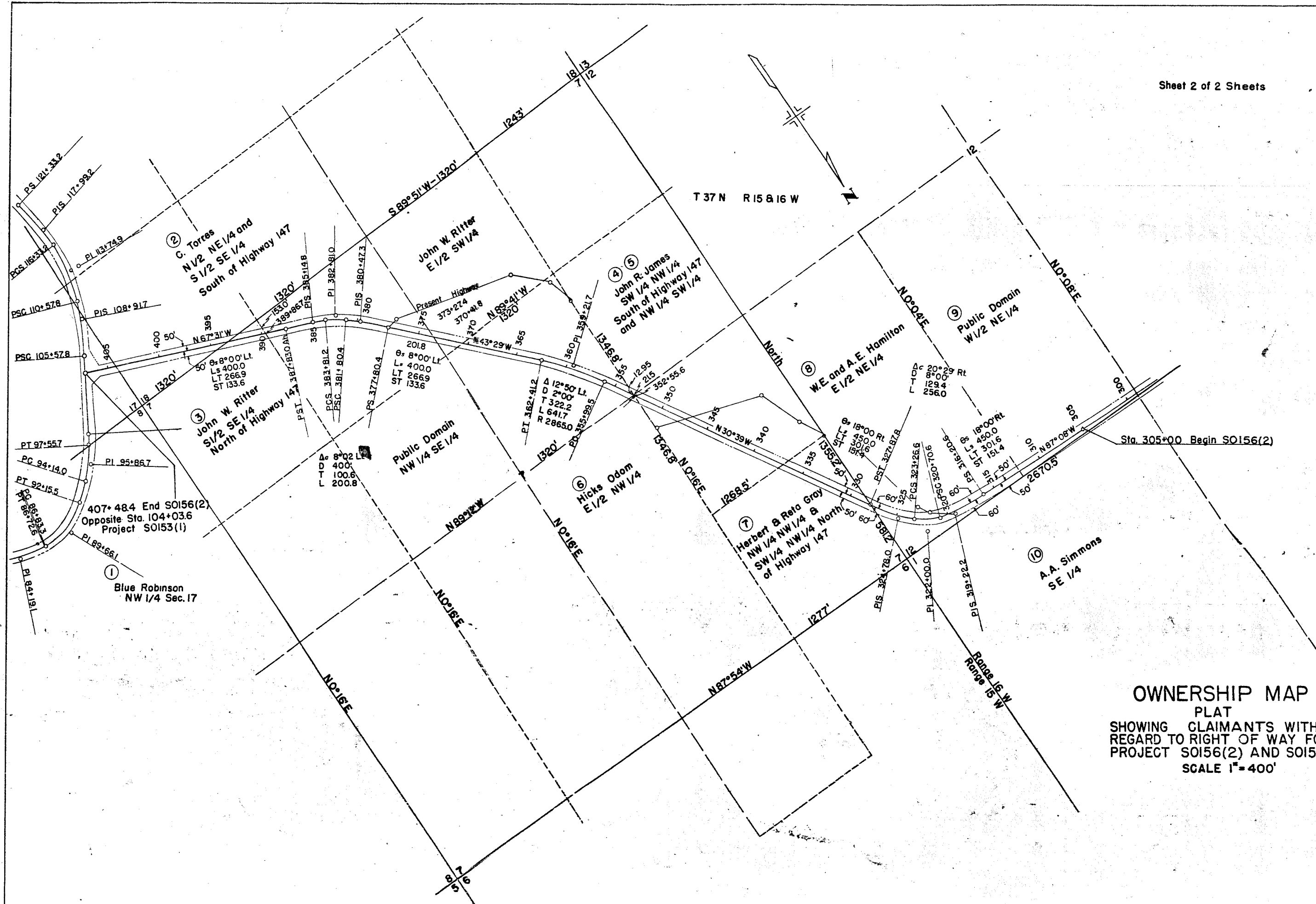
MICROFILMED



OWNERSHIP MAP
PLAT
SHOWING CLAIMANTS WITH REGARD
TO RIGHT OF WAY FOR PROJECT SO153(I)
SCALE 1"=400'

MICROFILMED

Sheet 2 of 2 Sheets



OWNERSHIP MAP
PLAT
SHOWING CLAIMANTS WITH
REGARD TO RIGHT OF WAY FOR
PROJECT SO156(2) AND SO153(1)
SCALE 1"=400'