

REVOCABLE PERMIT

Recitals.

1. Sneddon Built LLC, hereinafter referred to as the Petitioners, have requested that the City of Grand Junction issue a Revocable Permit to allow the Petitioners to install, operate, maintain, repair and replace irrigation improvements, as approved by the City, within the limits of the following described public rights-of-way for Lamlash Way and Shavano Street, to wit:

Permit Area 1:

A parcel of land located in the Northwest Quarter of Section 5, Township 1 South Range 1 East of the Ute Meridian, Commencing at the Northwest Sixteenth Corner of said Section 5 from whence the Center-North Sixteenth Corner of said Section 5 bears S89°58'47"E a distance of 1319.40 feet, thence S89°58'47"E along the South Line of the Northeast Quarter of the Northwest Quarter of said Section 5 a distance of 338.05 feet; thence N00°09'05"W a distance of 119.41 feet to the Point of Beginning.
thence N00°09'05"W a distance of 44.00 feet;
thence N89°54'54"E a distance of 20.00 feet;
thence S00°09'05"E a distance of 44.00 feet;
thence S89°54'54"W a distance of 20.00 feet to the Point of Beginning.

Said parcel contains 880 square feet as described.

Permit Area 2:

A parcel of land located in the Northwest Quarter of Section 5, Township 1 South Range 1 East of the Ute Meridian, Commencing at the West Sixteenth Corner of said Section 5 from whence the North Quarter Corner of said Section 5 bears N89°58'06"E a distance of 1319.60 feet, thence N89°58'06"E along the North Line of the Northeast Quarter of the Northwest Quarter of said Section 5 a distance of 627.37 feet; thence S00°01'54"E a distance of 943.44 feet to the Point of Beginning.
thence N89°54'54"E a distance of 10.24 feet to the start of a curve to the right;
thence along said curve to the right with a radius of 172.00 feet, an arc length of 10.56 feet and a central angle of 03°31'08" whose chord bears S88°19'32"E a distance of 10.56 feet;
thence S00°17'43"W a distance of 44.13 feet;
thence along a curve to the left with a radius of 128.00 feet, an arc length of 10.73 feet and a central angle of 04°48'13" whose chord bears N87°41'00"W a distance of 10.73 feet;
thence S89°54'54"W a distance of 9.28 feet;
thence N00°17'43"W a distance of 44.00 feet to the Point of Beginning.

Said parcel contains 880 square feet as described.

These descriptions were written by:

Patrick W. Click, P. L. S.

Polaris Surveying

3194 Mesa Avenue

Grand Junction, CO. 81504

2. Based on the authority of the Charter and § 21.02.180 of the Grand Junction Zoning & Development Code applying the same, the City, by and through the Community Development Department, has determined that such action would not at this time be detrimental to the inhabitants of the City.

NOW, THEREFORE, IN ACCORDANCE WITH HER LAWFUL AUTHORITY, TAMRA ALLEN, AS COMMUNITY DEVELOPMENT DIRECTOR, DOES HEREBY ISSUE:

to the above-named Petitioners a Revocable Permit for the purposes of irrigation improvements within the limits of the public right-of-way described; provided, however, that this Permit is conditioned upon the following:

1. The installation, operation, maintenance, repair and replacement of irrigation improvements by the Petitioners within the public rights-of-way as authorized pursuant to this Permit shall be performed with due care or any other higher standard of care as may be required by the City to avoid creating hazardous or dangerous situations and to avoid damaging public roadways, sidewalks, utilities, or any other facilities presently existing or which may in the future exist in said right-of-way.

2. The City, on its behalf and on behalf of the County of Mesa, the State of Colorado and the Public Utilities, hereby reserves and retains a perpetual right to utilize all or any portion of the public right-of-way for any purpose whatsoever. The City further reserves and retains the right to revoke this Permit at any time and for any or no reason.

3. The Petitioners, for themselves and for their successors and assigns, agree that they shall not hold, nor attempt to hold, the City of Grand Junction, its officers, employees and agents, liable for damages caused to any improvements and/or facilities to be installed by the Petitioners within the limits of the public rights-of-way (including the removal thereof), or any other property of the Petitioners or any other party, as a result of the Petitioners' occupancy, possession or use of said public rights-of-way or as a result of any City, County, State or Public Utility activity or use thereof or as a result of the installation, operation, maintenance, repair and replacement of public improvements.

4. The Petitioners agree that they shall at all times keep the above described public rights-of-way and the facilities authorized pursuant to this Permit in good condition and repair.

5. This Revocable Permit for irrigation improvements shall be issued only upon concurrent execution by the Petitioners of an agreement that the Petitioners and the

Petitioners' successors and assigns shall save and hold the City of Grand Junction, its officers, employees and agents harmless from, and indemnify the City, its officers, employees and agents, with respect to any claim or cause of action however stated arising out of, or in any way related to, the encroachment or use permitted, and that upon revocation of this Permit by the City the Petitioners shall, at the sole expense and cost of the Petitioners, within thirty (30) days of notice of revocation (which may occur by mailing a first class letter to Petitioners' last known address), peaceably surrender said public rights-of-way and, at their own expense, remove any encroachment so as to make the described public rights-of-way available for use by the City, the County of Mesa, the State of Colorado, the Public Utilities or the general public. The provisions concerning holding harmless and indemnity shall survive the expiration, revocation, termination or other ending of this Permit.


6. The Petitioners, for themselves and for their successors and assigns, agree that they shall be solely responsible for maintaining and repairing the condition of any and all plantings, improvements and/or facilities authorized pursuant to this Permit. The Petitioners shall not install any trees, vegetation or other improvements that create sight distance problems.

7. This Revocable Permit and the following Agreement shall be recorded by the Petitioners, at the Petitioner's expense, in the office of the Mesa County Clerk and Recorder.

Dated this 8 day of JANUARY, 2019²⁰ 

Written and Recommended by:

The City of Grand Junction,
a Colorado home rule municipality



Scott D. Peterson
Senior Planner



Tamra Allen
Community Development Director

Acceptance by the Petitioners:



Max F. Sneddon
Sneddon Built LLC

AGREEMENT

Sneddon Built LLC, for themselves and for their successors and assigns, do hereby agree to abide by each and every term and condition contained in the foregoing Revocable Permit for irrigation improvements. Furthermore, they shall indemnify the City of Grand Junction, its officers, employees and agents and hold the City of Grand Junction, its officers, employees and agents harmless from all claims and causes of action as recited in said Permit.

Within thirty (30) days of revocation of said Permit, peaceably surrender said public right-of-way to the City of Grand Junction and, at their sole cost and expense, remove any encroachment so as to make said public rights-of-way fully available for use by the City of Grand Junction, the County of Mesa, the State of Colorado, the Public Utilities or the general public.

The Permittee acknowledges the existence of good and sufficient consideration for this Agreement.

Dated this 8 day of JANUARY, 201⁹20.

By signing, the Signatories represent that they have full authority to bind the Permittee to each and every term and condition hereof and/or in the Permit.

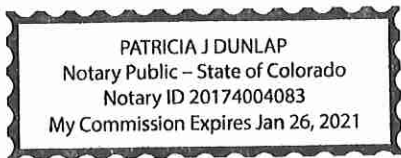

Max F. Sneddon
Sneddon Built LLC

State of Colorado)
)ss.
County of Mesa)

The foregoing Agreement was acknowledged before me this 8 day of January, 201⁹20, by Max F. Sneddon, for Sneddon Built LLC.

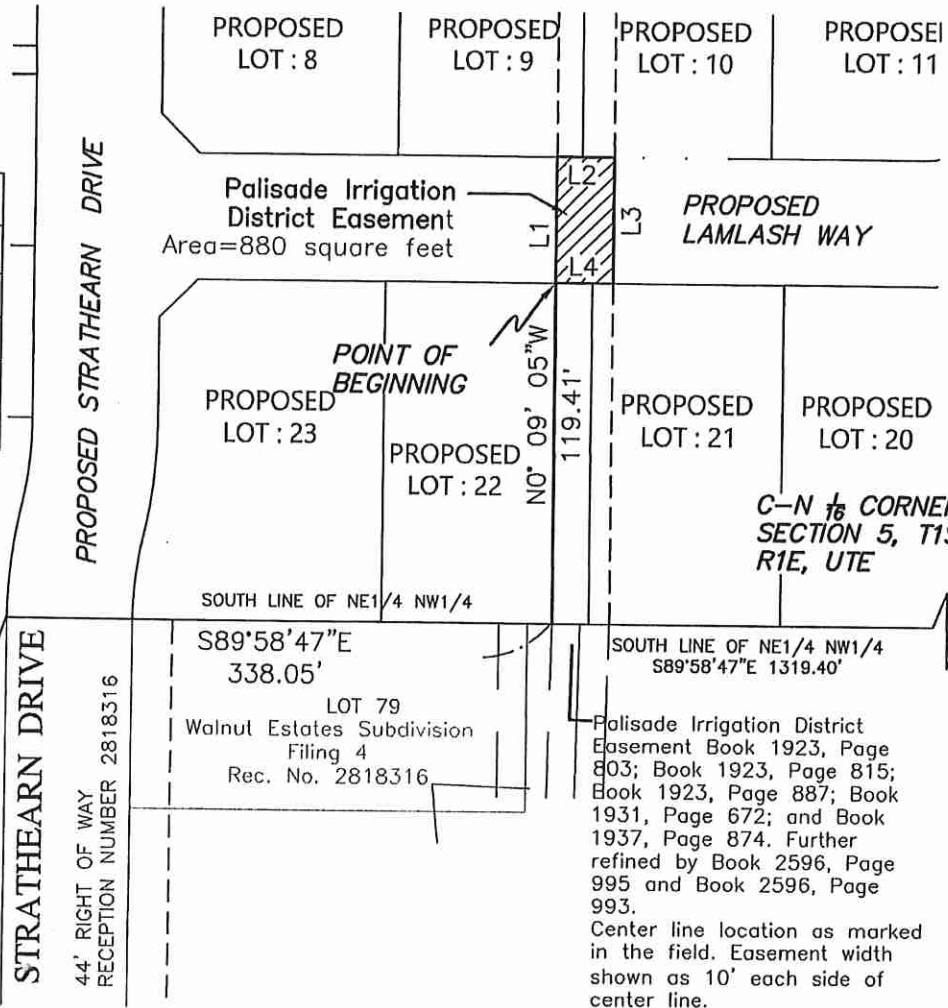
My Commission expires: 1/26/2021
Witness my hand and official seal.


Notary Public



PERMIT AREA 1:

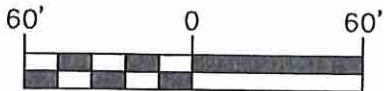
Line Table		
Line #	Direction	Length
L1	N00° 09' 05"W	44.00'
L2	N89° 54' 54"E	20.00'
L3	S00° 09' 05"E	44.00'
L4	S89° 54' 54"W	20.00'



POINT OF COMMENCEMENT
NW 1/8 CORNER
SECTION 5, T1S,
R1E, UTE



GRAPHIC SCALE:
1"=60'



LINEAR UNITS ARE U.S. SURVEY FEET



Legal Description Sketch

Arron Estates Subdivision
Revocable Permit – Lamlash Way
In the Northwest Quarter Section 5,
Township 1 South, Range 1 East of
the Ute Meridian,
City of Grand Junction, County of
Mesa, State of Colorado

POLARIS SURVEYING

PATRICK W. CLICK P.L.S.
3194 MESA AVE
GRAND JUNCTION, CO 81504
PHONE (970)434-7038

PERMIT AREA 2:

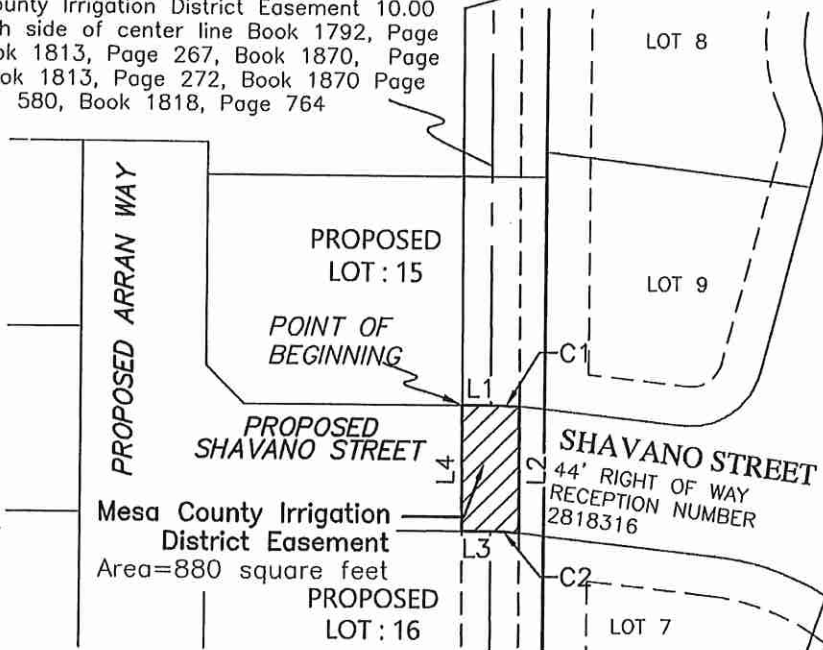
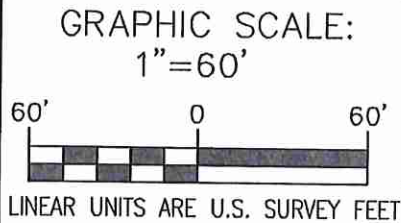
N89°58'06"E 1319.60'
NORTH LINE OF NE¼ NW¼ SECTION 5

POINT OF COMMENCEMENT
WEST 1/8 CORNER
NORTH LINE SECTIONS
T1S, R1E, UTE
MCSM No. 1427

Line Table		
Line #	Direction	Length
L1	N89° 54' 54"E	9.44'
L2	S00° 17' 43"E	44.13'
L3	S89° 54' 54"W	9.28'
L4	N00° 17' 43"W	44.00'



Mesa County Irrigation District Easement 10.00 feet each side of center line Book 1792, Page 869, Book 1813, Page 267, Book 1870, Page 577 Book 1813, Page 272, Book 1870 Page 580, Book 1818, Page 764



Curve Table					
Curve #	Radius	Length	Delta	CHORD LENGTH	CHORD BEARING
C1	172.00'	10.56'	003° 31' 08"	10.56'	S88° 19' 32"E
C2	128.00'	10.73'	004° 48' 13"	10.73'	N87° 41' 00"W

Legal Description Sketch
Arron Estates Subdivision
Revocable Permit - Shavano Street

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GRAND JUNCTION, CO 81504
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In the Northwest Quarter Section 5,
Township 1 South, Range 1 East of the Ute Meridian,
City of Grand Junction, County of Mesa, State of Colorado