

REVOCABLE PERMIT

Recitals.

1. Paradise Hills Properties 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 line improvements, as approved by the City, within the limits of the following described public rights-of-way for Meadowcrest Court, to wit:

Permit Area #1:

A parcel of land situated in the northeast quarter of the northeast quarter of Section 26 Township 1 North, Range 1 West, of the Ute Meridian, County of Mesa, State of Colorado, said easement more particularly described as follows:

Beginning at the south common point of Lot 21 and Lot 22 of Summer Hill Filing 8b, a plat recorded at the Mesa County Clerk and Recorder's office, being on the north right-of-way line of Meadowcrest Court;

thence along a curve to the LEFT, having a radius of 280.00 feet, a delta angle of $01^{\circ} 01' 25''$, and whose long chord bears $S 73^{\circ} 10' 00'' E$ a distance of 5.00 feet;
thence bearing South $14^{\circ} 53' 47''$ West a distance of 40.01 feet to the north line of Lot 35;
thence along a curve to the RIGHT, having a radius of 320.00 feet, a delta angle of $00^{\circ} 53' 44''$, and whose long chord bears $N 73^{\circ} 24' 31'' W$ a distance of 5.00 feet ;
thence bearing North $14^{\circ} 53' 47''$ East a distance of 40.03 feet to the point of beginning,

Containing 200 Sq. feet more or less.

All bearings herein are relative to said recorded plat of Summer Hill Filing 8b.

Permit Area #2:

A parcel of land situated in the northeast quarter of the northeast quarter of Section 26 Township 1 North, Range 1 West, of the Ute Meridian, County of Mesa, State of Colorado, said easement more particularly described as follows:

Commencing at the northeasterly common point of Lot 32 and Lot 33 of Summer Hill Filing 8b, a plat recorded at the Mesa County Clerk and Recorder's office, being on the southwesterly right-of-way line of Meadowcrest Court;

thence along a curve to the RIGHT, having a radius of 53.00 feet, a delta angle of 39° 13' 51", and whose long chord bears N 06° 43' 5" E a distance of 35.58 feet to the Point of Beginning;

thence along a curve to the RIGHT, having a radius of 53.00 feet, a delta angle of 02° 42' 13", and whose long chord bears N 27° 41' 8" E a distance of 2.50 feet ;

thence along a curve to the LEFT, having a radius of 20.00 feet, a delta angle of 07° 10' 51", and whose long chord bears N 25° 26' 49" E a distance of 2.50 feet ;

thence bearing South 60° 57' 46" East a distance of 31.30 feet to the northwesterly line of Tract 8-5;

thence along a curve to the LEFT, having a radius of 22.00 feet, a delta angle of 13° 03' 00", and whose long chord bears S 29° 2' 14" W a distance of 5.00 feet ;

thence bearing North 60° 57' 46" West a distance of 31.08 feet to the Point of Beginning.

Containing 155 Sq. feet more or less.

All bearings herein are relative to said recorded plat of Summer Hill Filing 8b.

2. Based on the authority of the Charter and § 21.02.180 of the Grand Junction Zoning and 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 line improvements within the limits of the public rights-of-way described; provided, however, that this Permit is conditioned upon the following:

1. The installation, operation, maintenance, repair and replacement of irrigation line improvements by the Petitioners within the public right-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 right-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 right-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 right-of-way and the facilities authorized pursuant to this Permit in good condition and repair.

5. This Revocable Permit for irrigation line 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 right-of-way and, at their own expense, remove any encroachment so as to make the described public right-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 11TH day of AUGUST, 20²⁰19.

Written and Recommended by:

The City of Grand Junction,
a Colorado home rule municipality



Landon Hawes Scott Peterson
Senior Planner



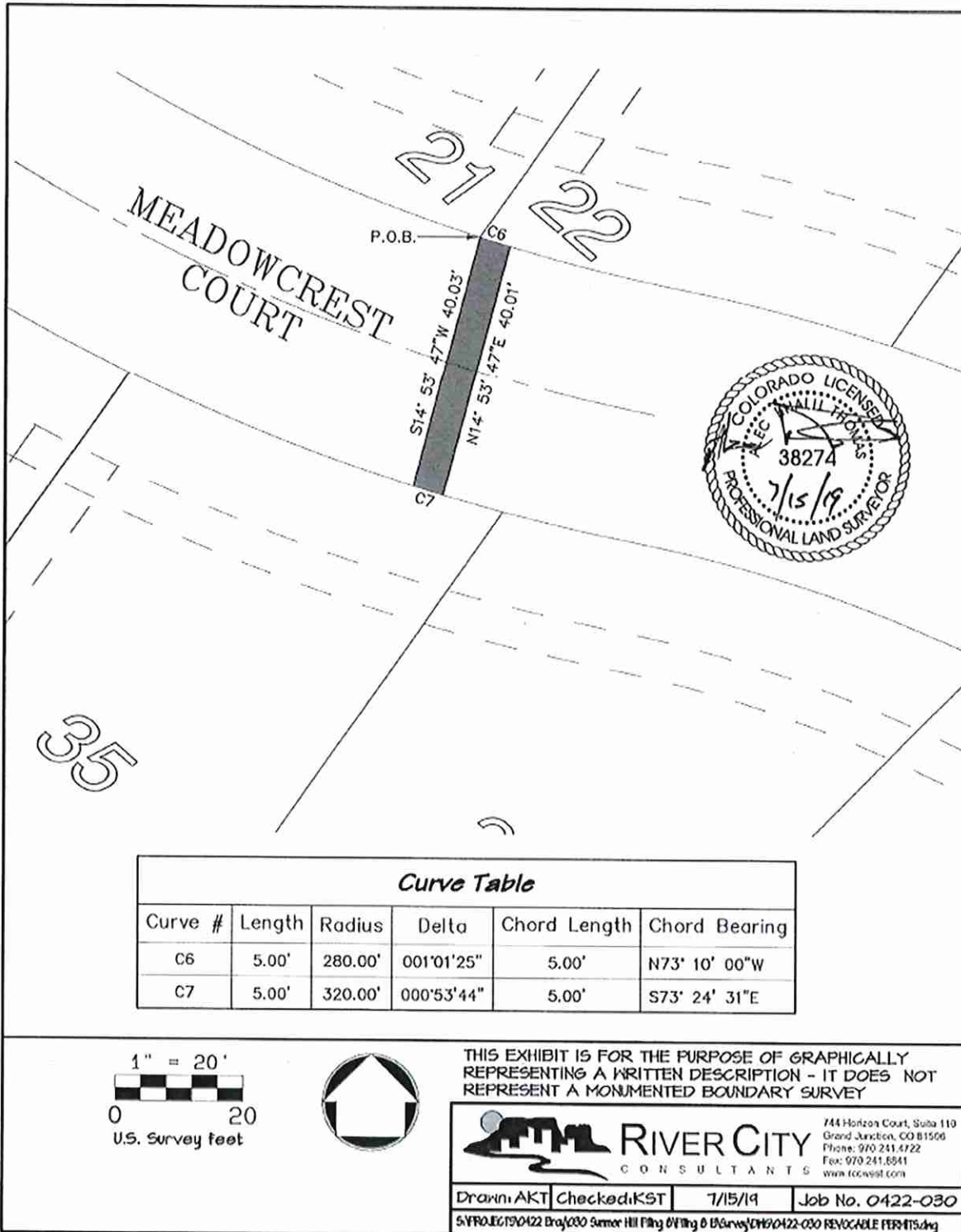
Tamra Allen
Community Development Director,
Community Development Department

Acceptance by the Petitioners:



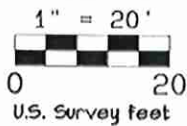
Kevin L. Bray, Manager
Paradise Hills Properties, LLC

PERMIT AREA #1



Curve Table

Curve #	Length	Radius	Delta	Chord Length	Chord Bearing
C6	5.00'	280.00'	001°01'25"	5.00'	N73° 10' 00"W
C7	5.00'	320.00'	000°53'44"	5.00'	S73° 24' 31"E



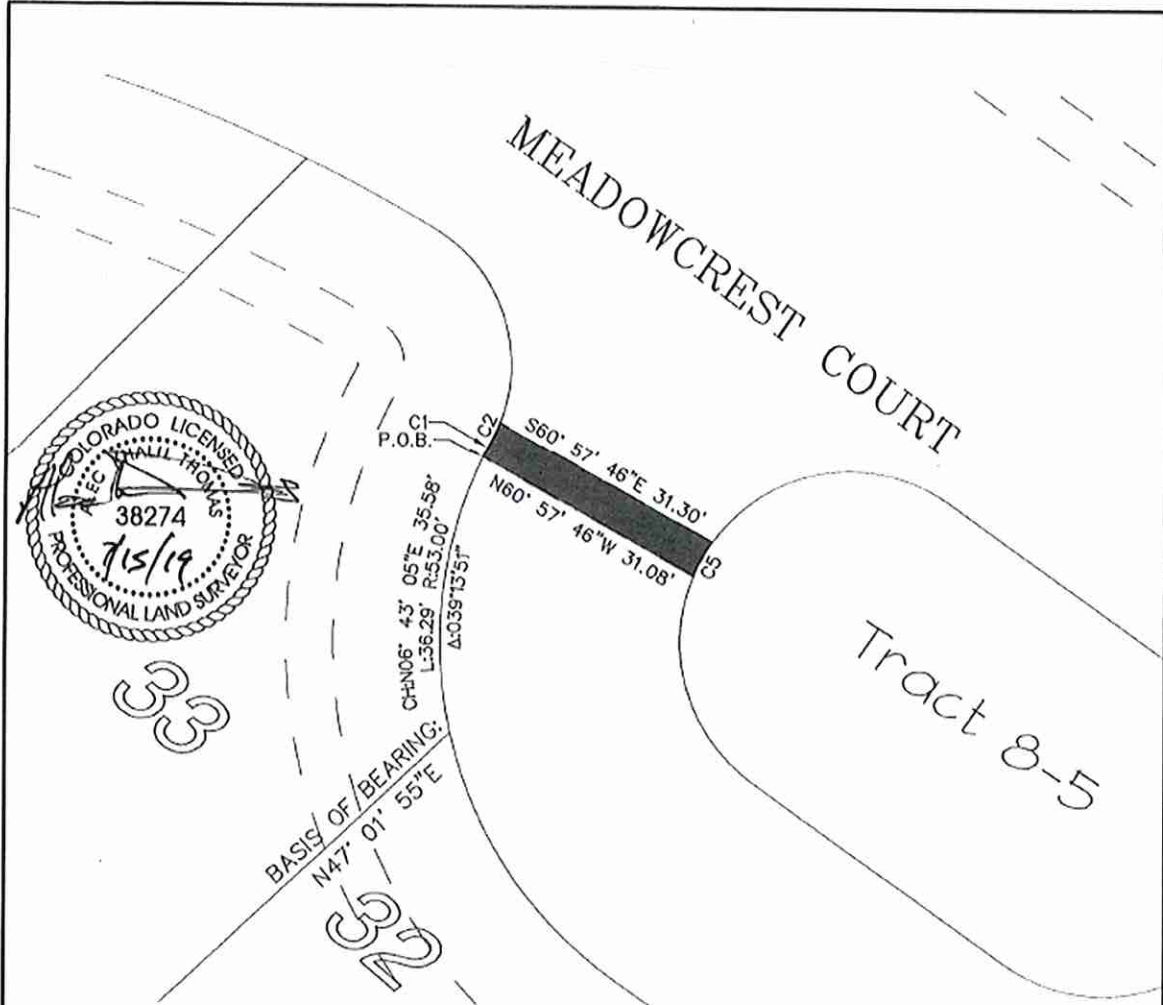
THIS EXHIBIT IS FOR THE PURPOSE OF GRAPHICALLY REPRESENTING A WRITTEN DESCRIPTION - IT DOES NOT REPRESENT A MONUMENTED BOUNDARY SURVEY

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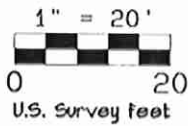
Drawn: AKT Checked: KST 7/15/19 Job No. 0422-030

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PERMIT AREA #2



Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Bearing
C1	2.50'	53.00'	002°42'13"	2.50'	N27° 41' 08"E
C2	2.51'	20.00'	007°10'51"	2.50'	N25° 26' 49"E
C5	5.01'	22.00'	013°03'00"	5.00'	S29° 02' 14"W



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