

REVOCABLE PERMIT

Recitals.

1. GJ Ute 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 Indian Jade Lane, Topaz Lane, Moss Agate Lane, Fire Quartz Lane, Emerald Ridge Lane, Tiger Eye Lane and Country Lane, to wit:

Permit Area 1:

Beginning at the southeast corner of Lot 1, Block 3;
thence south across Indian Jade Lane to the northeast corner of Lot 8, Block 2;
thence running parallel and west of this line 10.00 feet.

Permit Area 2:

Beginning at the southwest corner of Lot 14, Block 3;
thence south across Indian Jade Lane to the south right-of-way line;
thence running parallel and east of this line 10.00 feet.

Permit Area 3:

Beginning at the southeast corner Lot 2, Block 4;
Thence south across Topaz Lane to the northeast corner Lot 10, Block 5;
thence running parallel and east of this line 10.00 feet.

Permit Area 4:

Beginning at the southwest corner of Lot 1, Block 10;
thence southeast across Moss Agate Lane to the northwest corner of Lot 2, Block 6;
thence running parallel and easterly of this line 10.00 feet.

Permit Area 5:

Beginning at the southeast corner of Lot 2, Block 6;
thence southeast across Fire Quartz Lane to the northwest corner of Lot 2, Block 5;
thence running parallel and northeast of this line 10.00 feet.

Permit Area 6:

Beginning at the southeast corner of Lot 2, Block 5;
thence southwest across Emerald Ridge Lane to the northeast corner of Lot 4, Block 7;
thence running parallel and northeast of this line 10.00 feet.

Permit Area 7:

Beginning at the southeast corner of Lot 1, Block 2;
thence south across Emerald Ridge Lane to the northeast corner of Lot 10, Block 1;
thence running parallel and west of this line 10.00 feet.

Permit Area 8:

Beginning at the southeast corner of Lot 2, Block 7;
thence southeast across Tiger Eye Lane to the east line of Lot 9, Block 1, 10.00 feet
south of the southwest corner of Lot 10, Block 1;
thence running parallel and northeast of this line 10.00 feet.

Permit Area 9:

Beginning at the southeast corner of Lot 11, Block 6;
thence southeast across Emerald Ridge Lane to the northwest line of Lot 14, Block 7,
10.00 feet southwest of the northeast corner of Lot 14, Block 7;
thence running parallel and northeast of this line 10.00 feet.

Permit Area 10:

Beginning at the northeast corner of Lot 1, Block 9;
thence northeast across Country Lane to the northwest corner of Lot 19, Block 6;
thence running parallel and northerly of this line 10.00 feet.

Permit Area 11:

Beginning at the southwest corner of Lot 1, Block 9;
thence south across Emerald Ridge Lane, on a radial line, to the south right-of-way line;
thence running parallel and east of this line 10.00 feet.

Permit Area 12:

Beginning at the southwest corner of Lot 25, Block 7;
thence south across Tiger Eye Lane, on a radial line, to the south right-of-way line;
thence running parallel and east of this line 10.00 feet.

Permit Area 13:

Beginning at the south east corner of Lot 1, Block 8;
thence S53°34'41"E, 54.85 feet across Country Lane to the east right-of-way line;
thence running parallel and northeast of this line 10.00 feet.

Permit Area 14:

Beginning at the southeast corner of Lot 5, Block 7;
thence across Tiger Eye Lane to the northeast corner of Lot 5, Block 1;
thence running parallel and northeast of this line 10.00 feet and running parallel and southwest of this line 10.00 feet.

The above descriptions are 10.00 feet wide and cross public right-of-way, except for #14 which is 20.00 feet wide located within the recorded subdivision plat of Emerald Ridge Estates, Filing 1, City of Grand Junction, Mesa County, Colorado.

These descriptions were written by:
Michael W. Drissel PLS
118 Ouray Ave.
Grand Junction, CO. 81501

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.

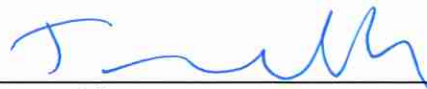
Dated this 29TH day of SEPTEMBER, 2020.

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:



Alan Parkerson
Manager
GJ Ute LLC

AGREEMENT

GJ Ute 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 29 day of September, 2020.

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.

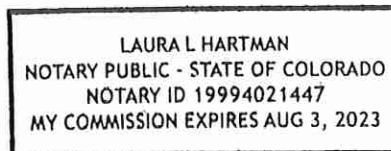
Alan Parkerson
Alan Parkerson
Manager
GJ Ute LLC

State of Colorado)
)ss.
County of Mesa)

The foregoing Agreement was acknowledged before me this 29 day of September, 2020, by Alan Parkerson, Manager for GJ Ute LLC.

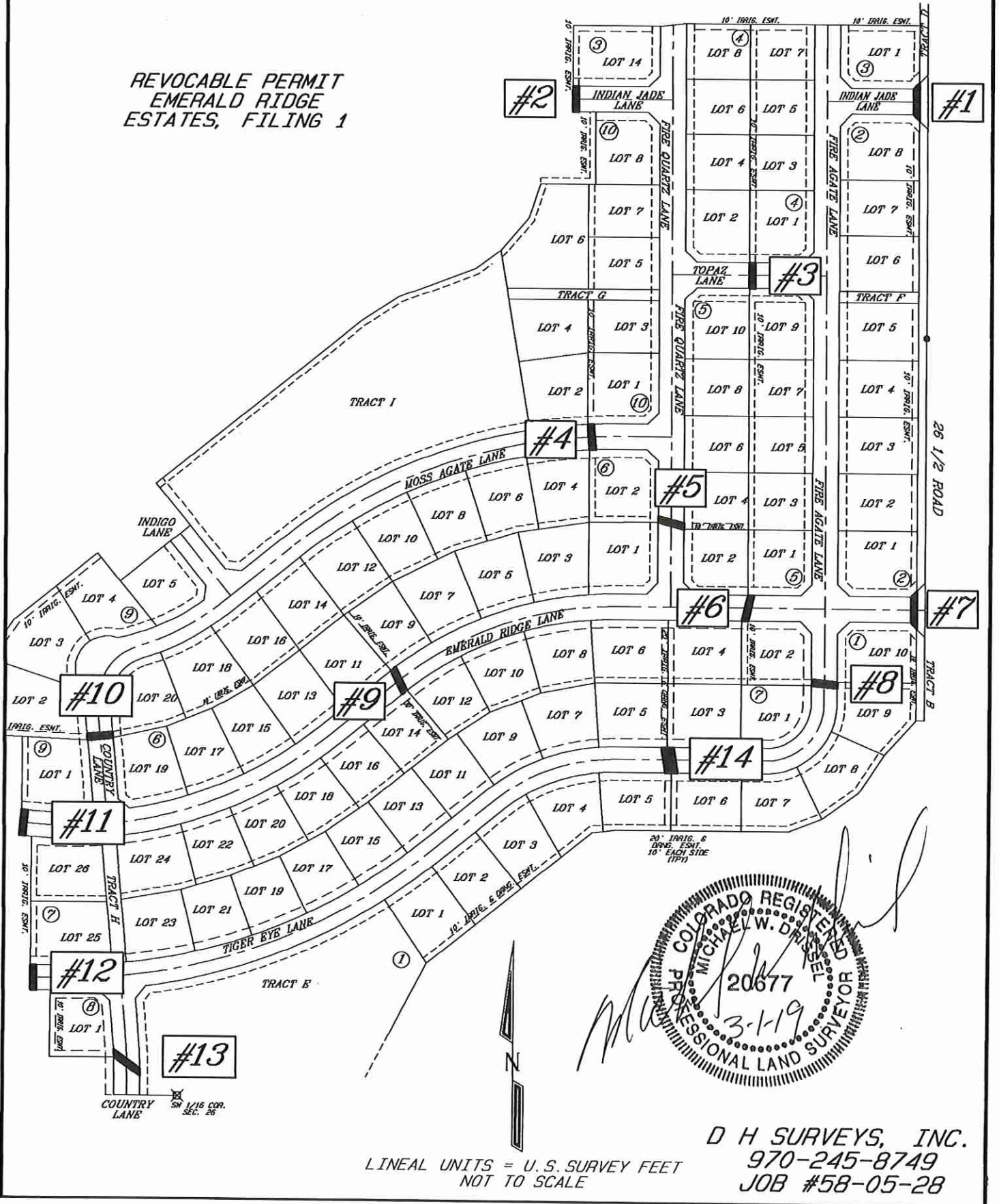
My Commission expires: 8-3-23
Witness my hand and official seal.

Laura L Hartman
Notary Public



PERMIT AREAS

REVOCABLE PERMIT
EMERALD RIDGE
ESTATES, FILING 1



LINEAL UNITS = U.S. SURVEY FEET
NOT TO SCALE

D H SURVEYS, INC.
970-245-8749
JOB #58-05-28