


<p>DISTRICT COURT, MESA COUNTY, COLORADO</p> <p>Court Address: 125 North Spruce St. Grand Junction, CO 81501</p> <p>Telephone: (970) 257-3625</p>	
<p>In the Matter of the Petition of the CITY OF GRAND JUNCTION, a home rule city,</p> <p>For the exclusion of certain territory from the GRAND JUNCTION RURAL FIRE PROTECTION DISTRICT</p>	 <p>▲ COURT USE ONLY ▲</p>
<p>John P. Shaver, No. 16594 City Attorney 250 North 5th Street Grand Junction, CO 81501 (970) 244-1508</p>	<p>Case Number: 7097</p> <p>Division: 9</p>
<p style="text-align: center;"><b>ORDER FOR EXCLUSION OF LANDS</b></p>	

The Petition for the exclusion of lands from the Grand Junction Rural Fire Protection District having been called for hearing by the Court and the Court having been duly advised in the premises hereby finds that:

1. The Court has jurisdiction over the subject matter and the parties herein.
2. That the requirements of 32-1-502, C.R.S. has been met or will reasonably be met by the parties.
3. That the parties have provided for the necessary and orderly provision of fire and other emergency response to the excluded areas.

IT IS THEREFORE ADJUDGED, ORDERED AND DECREED BY THE COURT:

That the lands described in the Petition, all situate within Mesa County, Colorado are hereby excluded from the Grand Junction Rural Fire Protection District, and that the legal and common descriptions contained in said Petition are incorporated by this reference as if fully set forth. This Order relates back to the date of the filing of the petition in this case.

BY THE COURT THIS 30<sup>th</sup> DAY OF December, 2020.



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DISTRICT COURT JUDGE

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<p><b>VERIFIED PETITION</b></p>	

COMES NOW the City of Grand Junction, a home rule city, by and through the undersigned counsel and affords notice of the filing of a petition with the Court for a Hearing and Order on the exclusion of certain lands within the Grand Junction Rural Fire Protection District:

The City of Grand Junction petitions the Court for exclusion from the Grand Junction Rural Fire Protection District of Mesa County, Colorado, the following described land, to wit:

**The following 2020 annexations are located within the Grand Junction Rural Fire District boundary and Redland Sub Fire Protection District and are subject to exclusion from those districts:**

**MAGNUS COURT ANNEXATION**

A certain parcel of land lying in the North Half (N-1/2) of Government Lot 1 of Section 18, Township 1 South, Range 1 West of the Ute Principal Meridian and all of Government Lot 1 of Section 26, Township 11 South, Range 101 West of the 6<sup>th</sup> Principal Meridian, County of Mesa, State of Colorado and being more particularly described by metes and bounds as follows:

BEGINNING at the Northwest corner of said Government Lot 1 of Section 26 and assuming the North line of said Government Lot 1 of Section 26 bears N 89°47'19" E with all other bearings

contained herein being relative thereto; thence from said Point of Beginning, N 89°47'19" E, along the North line of said Government Lot 1, a distance of 1,435.80 feet to a point being the Northeast corner of said Government Lot 1; thence S 00°44'28" E, along the East line of said Government Lot 1, a distance of 119.82 feet, more or less, to a point being the Northwest corner of Government Lot 1 of said Section 18; thence S 00°19'18" E, along the West line of Government Lot 1 of said Section 18, a distance of 258.91 feet, more or less, to a point on the North right of way for Magnus Court, as same is recorded in Book 1378, Page 534, Public Records of Mesa County, Colorado; thence S 56°04'41" E, along the North right of way for said Magnus Court, a distance of 335.68 feet, more or less, to a point being the Northwest corner of Gummin Annexation, City of Grand Junction Ordinance No. 4034, as same is recorded in Book 4366, Page 382, Public Records of Mesa County, Colorado; thence S 19°22'30" W, along the West line of said Gummin Annexation, a distance of 51.66 feet; thence S 00°08'08" E, continuing along the West line of said Gummin Annexation, a distance of 163.40 feet to a point on the South line of the N-1/2 of said Government Lot 1 of Section 18; thence S 89°50'09" W, along said South line and the North line of the CR Nevada Annexation, City of Grand Junction Ordinance No. 3890, as same is recorded in Book 4160, Page 213, Public Records of Mesa County, Colorado, a distance of 259.55 feet to a point being on the East line of said Government Lot 1 of Section 26; thence S 00°19'18" E, along the East line of said Government Lot 1 of Section 26, a distance of 546.03 feet to a point being the Southeast corner of said Government Lot 1 of Section 26; thence S 89°47'00" W, along the South line of said Government Lot 1 of Section 26, a distance of 1,434.62 feet to a point being the Southwest corner of said Government Lot 1 of Section 26; thence N 00°24'33" W, along the West line of said Government Lot 1 of Section 26, a distance of 1,325.11 feet, more or less, to the Point of Beginning.

CONTAINING 45.543 Acres or 1,983,885 Square Feet, more or less, as described.

### **REDLANDS 360 ANNEXATION**

A tract of land located in portions of the South Half of the Northwest Quarter (S ½ NW ¼), the Northeast Quarter of the Northwest Quarter (NE ¼ NW ¼), the North Half of the Southeast Quarter (N ½ SE ¼), and the Northeast Quarter (NE ¼) of Section 18, Township 1 South, Range 1 West of the Ute Meridian, being more particularly described as follows;

BEGINNING at the East Quarter corner of Section 18, Township 1 South, Range 1 West of the Ute Meridian, whence the Southeast corner of the Northeast Quarter of the Southeast Quarter (NE ¼ SE ¼) of said Section 18 bears South 00°38'29" East, a distance of 1312.69 feet, for a basis of bearing with all bearings contained herein relative thereto; thence along the East line of the NE ¼ SE ¼ of said Section 18, South 00°38'29" East, a distance of 1312.69 feet to the Southeast corner of the said NE ¼ SE ¼ of said Section 18; thence along the South line of the said NE ¼ SE ¼ and the South line of the NW ¼ SE ¼ of Section 18, South 89°44'21" West, a distance of 2633.27 feet, to the SW corner of said NW ¼ SE ¼ of Section 18; thence along the West line of the said NW ¼ SE ¼, North 00°18'07" West, a distance of 1318.44 feet, to the Center Quarter Corner (C ¼) of said Section 18; thence along the South line of the SE ¼ NW ¼, South 89°52'29" West, a distance of 1131.96 feet, to the point on the centerline of the Redlands Water and Power Company Second Lift Canal, as recorded in Book 1175, Page 192; thence along the said centerline the following five (5) courses: 1) thence North 39°27'14" West, a distance of 133.57 feet; 2) thence North 09°06'14" West, a distance of 192.56 feet; 3) thence

North 01°57'46" East, a distance of 108.17 feet; 4) thence North 20°06'46" East, a distance of 228.20 feet; 5) thence North 31°31'14" West, a distance of 341.77 feet, to a point of intersection with the centerline of the Redlands Water and Power Company First Lift Canal, as recorded in Book 1175, Page 192; thence along the said centerline of the Redlands Water and Power Company First Lift Canal the following two (2) courses: 1) thence North 55°01'46" East, a distance of 403.97 feet; 2) thence North 65°29'46" East, a distance of 441.63 feet, to a point on the North line of the SE ¼ NW ¼ of Section 18; thence along the said North line of the SE ¼ NW ¼ of said Section 18, North 89°41'38" East, a distance of 598.71 feet, to the Northwest corner of the SW ¼ NE ¼ of said Section 18; thence North 22°24'45" West, a distance of 361.73 feet to a point on the centerline of said Redlands Water and Power Company First Lift Canal; thence along said centerline of Redlands Water and Power Company First Lift Canal the following two (2) courses: 1) thence North 48°35'51" East, a distance of 56.08 feet; 2) thence North 21°40'15" East, a distance of 54.16 feet to a point on the Southwesterly boundary of South Easter Hill Subdivision, as recorded in Plat Book 9, Page 61 of the Mesa County Records; thence along the said boundary of said South Easter Hill Subdivision the following eight (8) courses: 1) thence South 58°54'45" East, a distance of 248.17 feet; 2) thence South 32°20'45" East, a distance of 329.00 feet; 3) thence South 05°18'15" West, a distance of 68.10 feet; 4) thence South 06°48'15" West, a distance of 230.30 feet; 5) thence South 68°21'45" East, a distance of 165.00 feet; 6) thence South 74°39'45" East, a distance of 130.10 feet; 7) thence North 44°02'15" East, a distance of 866.20 feet; 8) thence North 40°26'15" East, a distance of 38.18 feet; thence South 07°39'15" West, a distance of 85.86 feet; thence South 23°04'45" East, a distance of 64.50 feet; thence South 67°03'45" East, a distance of 64.03 feet; thence North 72°43'15" East, a distance of 112.51 feet; thence North 85°45'15" East, a distance of 152.14 feet; thence North 21°21'15" East, a distance of 102.82 feet; thence North 40°26'15" East, a distance of 185.00 feet, to a point on the Southerly right-of-way line of South Broadway; thence along the said Southerly right-of-way line, South 49°33'45" East, a distance of 592.43, to a point of intersection with the North line of the SE ¼ NE ¼ of said Section 18; thence along the said North line of SE ¼ NE ¼, North 89°57'50" East, a distance of 511.84 feet, to the Northeast corner of the SE ¼ NE ¼ of said Section 18; thence along the East line of the Said SE ¼ NE ¼ Section 18, South 00°01'53" East, a distance of 236.65 feet, to a point of intersection on the South right-of-way line of South Broadway and the centerline of 23 Road, as described in Book 940, Page 197 of the Mesa County Records; thence along the Westerly right-of-way of said 23 Road the following five (5) courses: 1) thence North 80°35'30" West a distance of 25.34 feet; 2) thence South 00°01'53" East, a distance of 466.71 feet; 3) thence along the arc of a non-tangent curve to the left, having a delta angle of 120°00'00", with a radius of 50.00 feet, an arc length of 104.72 feet, a chord bearing of South 00°01'53" East, and a chord length of 86.60 feet; 4) thence South 00°01'53" East, a distance of 6.70 feet; 5) thence North 89°58'07" East, a distance of 25.00 feet, to a point on the East line of the said SE ¼ NE ¼ Section 18; thence along the said East line of the SE ¼ NE ¼ Section 18, South 00°01'53" East, a distance of 527.43 feet, to the E ¼ corner of said Section 18, the POINT OF BEGINNING, Mesa County, Colorado.

TOGETHER WITH, the NW ¼ SW ¼, of Section 17, Township 1 South, Range 1 West of the Ute Meridian, Mesa County Colorado.

**The following 2020 annexations are located within the Grand Junction Rural Fire District boundary and are subject to exclusion from the district:**

**BARNES ELECTRIC ANNEXATION**

A certain parcel of land lying in the of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 19, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northwest corner of the NW 1/4 NW 1/4 of said Section 19 and assuming the North line of the NW 1/4 NW 1/4 of said Section 19 bears S 89°39'11" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°39'11" E, along the North line of the NW 1/4 NW 1/4 of said Section 19, a distance of 342.71 feet; thence S 00°16'49" E, a distance of 30.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue S 00°16'49" E, a distance of 145.00 feet; thence S 89°39'06" E, a distance of 156.51 feet; thence N 00°16'49" W, a distance of 145.00 feet; thence N 89°39'11" W, a distance of 156.51 feet, more or less, to the Point of Beginning.

CONTAINING 22,693 Square Feet or 0.521 Acres, more or less, as described

**FAIRVIEW GLEN ANNEXATION**

A parcel of land being Lots 1 through 29 inclusive, the right-of-way of Cara Street, the right-of-way of Newport Lane, and the 40 foot drainage right-of-way, all within Birks Blue Estates subdivision (Reception Number 1263633), together with Parcel 2945-251-00-081, and a portion of the Unawep Ave. right-of-way, located in the of the NE ¼, of Section 25, Township 1 South, Range 1 West of the Ute Meridian, being more particularly described as follows;

BEGINNING at a point on the North line of said Section 25, whence the Northeast corner of said Section 25 bears South 89°55'23" East, a distance of 1471.87 feet, with all bearings being relative thereto, thence South 00°04'10" East, a distance of 1320.58 feet, along the westerly line of Lynwood Subdivision, to the northerly boundary of said Birks Blue Estates subdivision; thence along said northerly boundary, South 89°54'43" East, a distance of 149.37 feet, to the northeast corner of Said Birks Blue Estates subdivision, thence along the easterly line of Birks Blue Estates subdivision South 00°03'49" East, a distance of 1120.05 feet, to the northeast corner of Lot 30 of said subdivision; thence along the north line of said Lot 30 South 89°55'41" West, a distance of 185.35 feet, to the northwest corner of said Lot 30; thence along the arc of a non-tangent 79.36 foot radius curve to the left for a distance of 40.29 feet, with a chord which bears South 14°28'25" West, a distance of 39.86 feet, and a central angle of 29°05'29"; thence South 00°04'19" East, a distance of 91.08 feet; thence along the arc of a 20.00 foot radius curve to the left for a distance of 31.38 feet, with a chord which bears South 45°01'05" East, a distance of 28.26 feet, and a central angle of 89°53'31", to a point on the northerly right-of-way of B1/2 Road; thence along said right-of-way North 89°57'50" West, a distance of 154.96 feet, to the southwest corner of Lot 1 of said Birks Blue Estates subdivision; thence leaving said right-of-way along the westerly line of said subdivision North 00°04'19" West, a distance of 1270.35

feet, to the northwest corner of said subdivision; thence, leaving said westerly line, North 89°54'43" West, a distance of 150.74 feet; thence North 00°02'32" West, a distance of 1320.51 feet, to a point on the northerly line of said Section 25; thence South 89°55'23" East, a distance of 331.26 feet, to the Point of Beginning.

The above description contained hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This description does not constitute a legal boundary and is not intended to be used as a means for establishing or verifying property boundary lines.

### **AIRPORT NORTH BOUNDARY ANNEXATION**

The South 1/2 of the Northeast 1/4 of Section 23, Township 1 North, Range 1 West of the Ute Meridian, Mesa County, Colorado.

Lot 2 of Section 24, Township 1 North, Range 1 West of the Ute Meridian, Mesa County, Colorado

Lot 3 of Section 24, Township 1 North, Range 1 West of the Ute Meridian, Lot 6 of Section 19, and Lots 6 and 8 of Section 30, Township 1 North, Range 1 East of the Ute Meridian, Mesa County, Colorado

Lots 9 and 11 of Section 30, Township 1 North, Range 1 East of the Ute Meridian, Mesa County, Colorado

For the City's petition:

1. It is intended that the property to be excluded be that located within the perimeter descriptions above setout except as the property is itself described.
2. The Petitioner has represented to the Court that the property above described is and has been duly and lawfully annexed to the City of Grand Junction, Colorado.
3. The Petitioner has further represented to the Court that the conditions for exclusion as set out in §32-1-502, C.R.S. have been met or are inapplicable.
4. The City of Grand Junction provides fire protection service to properties within the Grand Junction Rural Fire Protection District by contract. Service of and to the properties in the District will continue uninterrupted and therefore the provisions for a service plan as required by §32-1-502(2), (4) and (6), C.R.S. are inapplicable.
5. By verification of the Petition by Grand Junction Fire Chief Kenneth R. Watkins, the Petitioner has represented to the Court that the quality of service will not be adversely affected by such exclusion. As a result, fire insurance premiums should not change by virtue of the exclusion.

6. The Court is statutorily empowered to set a hearing and to enter an Order of Exclusion if all statutory conditions are met.

Respectfully submitted this 16th day of November, 2020.

OFFICE OF THE CITY ATTORNEY

*[Handwritten Signature]*

John P. Shaver #16594  
City Attorney  
250 N. 5th Street  
Grand Junction, CO 81501  
(970) 244-1508

CERTIFICATE OF MAILING

I hereby certify that I mailed a copy of the attached document, postage prepaid, this 19th day of November, 2020, addressed to the Chairman of the Board of the Grand Junction Rural Fire Protection District.

**Emily J. Powell**  
Ireland Stapleton Pryor & Pascoe, PC  
717 17th Street, Suite 2800  
Denver, CO 80202  
EPowell@irelandstapleton.com

*[Handwritten Signature]*

VERIFICATION

I, Kenneth R. Watkins, Fire Chief in and for the City of Grand Junction, do hereby state under oath that the facts contained in paragraphs 4 and 5 are true and correct to the best of my knowledge and belief.

*[Handwritten Signature]*  
Kenneth R. Watkins

STATE OF COLORADO )  
COUNTY OF MESA )

Subscribed and sworn to before me by Kenneth R. Watkins this 18th day of November, 2020.

*[Handwritten Signature]*  
Notary Public

My commission expires: May 25, 2021

