

## REVOCABLE PERMIT

### Recitals.

1. Senergy Builders 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 Trinity Way, Wolcott Avenue and Emma Lane to wit:

#### Permit Area 1:

A parcel of land located in the Southwest Quarter of the Northeast Quarter of Section 4, Township 1 South Range 1 West of the Ute Meridian, Mesa County, Colorado and being more particularly described as follows:

Beginning at the Southeast Corner of Lot 7 Block 1 of Brookwillow Village Filing V as recorded in the Mesa County Records thence  $N0^{\circ}01'53''E$  along the West Right of Way for Trinity Way a distance of 6.69 feet;

thence  $S89^{\circ}59'43''E$  a distance of 49.81 feet to the East Right of Way line for Trinity Way; thence  $S44^{\circ}56'39''W$  along said East Right of Way a distance of 8.23 feet;

thence continuing along said East Right of Way  $S0^{\circ}01'53''W$  a distance of 4.16 feet; thence  $N89^{\circ}59'43''W$  a distance of 44.00 feet to the East Right of Way for Trinity Way;

thence  $N0^{\circ}01'53''E$  along said Right of Way a distance of 3.31 feet to the Point of Beginning.

Said parcel contains 457 square feet as described.

Permit Area 2:

A parcel of land located in the Southwest Quarter of the Northeast Quarter of Section 4, Township 1 South Range 1 West of the Ute Meridian, Commencing at the Center-West Sixteenth Corner of said Section 4 and considering the East line of the Southwest Quarter of the Northeast Quarter of said Section 4 to N0°02'03"E for a basis of bearings all bearings herein related thereto, thence N0°02'03"E along said East Line a distance of 509.20 feet; thence N90°00'00"W a distance of 39.21 feet to the Point of Beginning. thence N44°19'04"W a distance of 14.27 feet; thence N0°09'49"E a distance of 44.00 feet; thence N44°13'54"E a distance of 14.38 feet; thence S0°09'49"W a distance of 64.51 feet to the Point of Beginning.

Said parcel contains 543 square feet as described.

Permit Area 3:

A parcel of land located in the Southwest Quarter of the Northeast Quarter of Section 4, Township 1 South Range 1 West of the Ute Meridian, Commencing at the Center-West Sixteenth Corner of said Section 4 and considering the East line of the Southwest Quarter of the Northeast Quarter of said Section 4 to N0°02'03"E for a basis of bearings all bearings herein related thereto, thence N0°02'03"E along said East Line a distance of 505.24 feet; thence N90°00'00"W a distance of 135.99 feet to the Point of Beginning. thence S0°01'53"W a distance of 10.00 feet; thence S89°53'52"W a distance of 28.00 feet; thence N0°01'53"E a distance of 10.00 feet; thence N89°53'52"E a distance of 28.00 feet to the Point of Beginning.

Said parcel contains 280 square feet as described.

These descriptions were written by:

Patrick W. Click PLS  
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 11<sup>TH</sup> day of FEBRUARY, 2021.

Written and Recommended by:

The City of Grand Junction,  
a Colorado home rule municipality

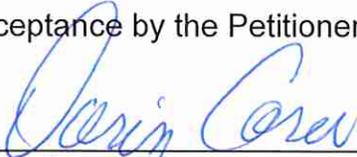


\_\_\_\_\_  
Scott D. Peterson  
Senior Planner



\_\_\_\_\_  
Tamra Allen  
Community Development Director

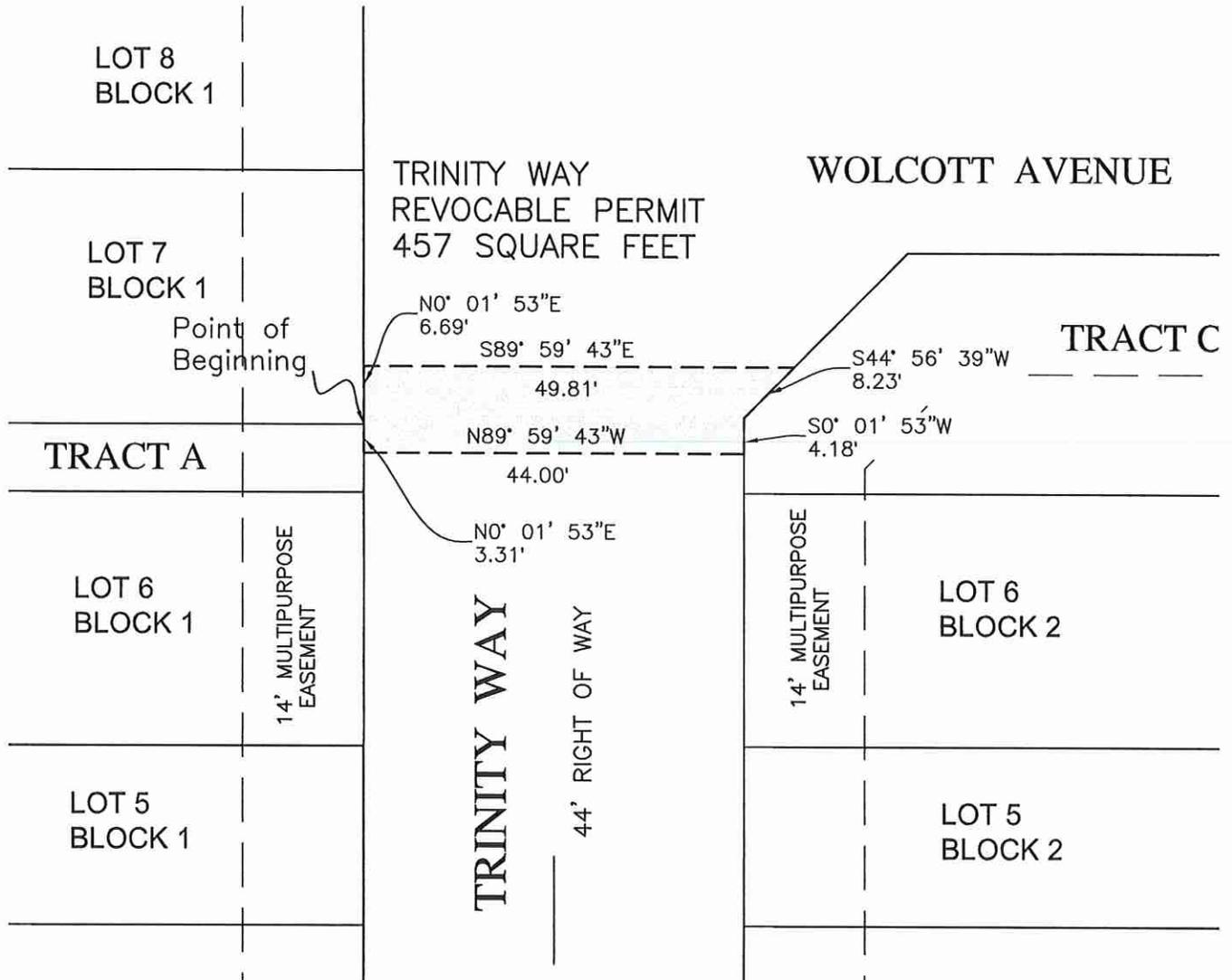
Acceptance by the Petitioners:



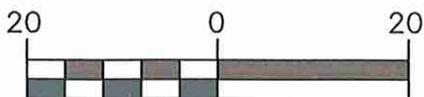
\_\_\_\_\_  
Darin Carei  
Title: Mgr  
Senergy Builders LLC



# PERMIT AREA 1



GRAPHIC SCALE:  
1" = 20'



LINEAR UNITS ARE U.S. SURVEY FEET

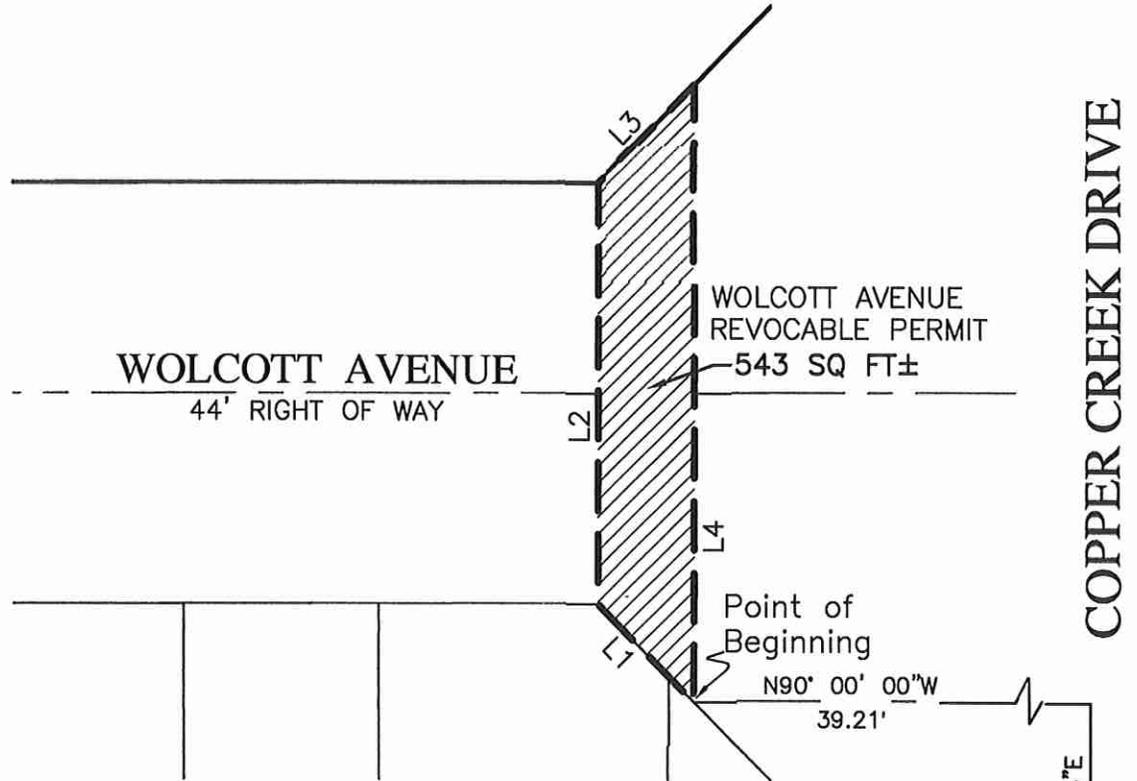


LEGAL DESCRIPTION SKETCH:  
 Brookwillow Village Filing V  
 Revocable Permit-Trinity Way

Situated in the SW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 4,  
 Township 1 South Range 1 West  
 of the Ute Meridian.  
 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



Line Table		
Line #	Direction	Length
L1	N44° 19' 04"W	14.27'
L2	N00° 09' 49"E	44.00'
L3	N44° 13' 54"E	14.38'
L4	S00° 09' 49"W	64.51'

**LEGAL DESCRIPTION SKETCH:**  
Halls Estate Filing IV  
Revocable Permit-Wolcott Avenue

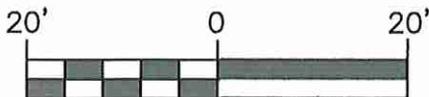
Situated in the SW¼ NE¼ Section 4,  
Township 1 South Range 1 West  
of the Ute Meridian.  
County of Mesa, State of Colorado

Point of  
Commencement  
SE COR SW¼ NE¼  
SECTION 4 T1S R1W OF  
THE UTE MERIDIAN-  
FOUND 3" BLM BRASS  
CAP-1988  
APPROX. 0.30 BELOW  
GRADE

N0° 02' 03"E  
509.20'  
EAST LINE SW¼ NE¼ SECTION 4



GRAPHIC SCALE:  
1"=20'

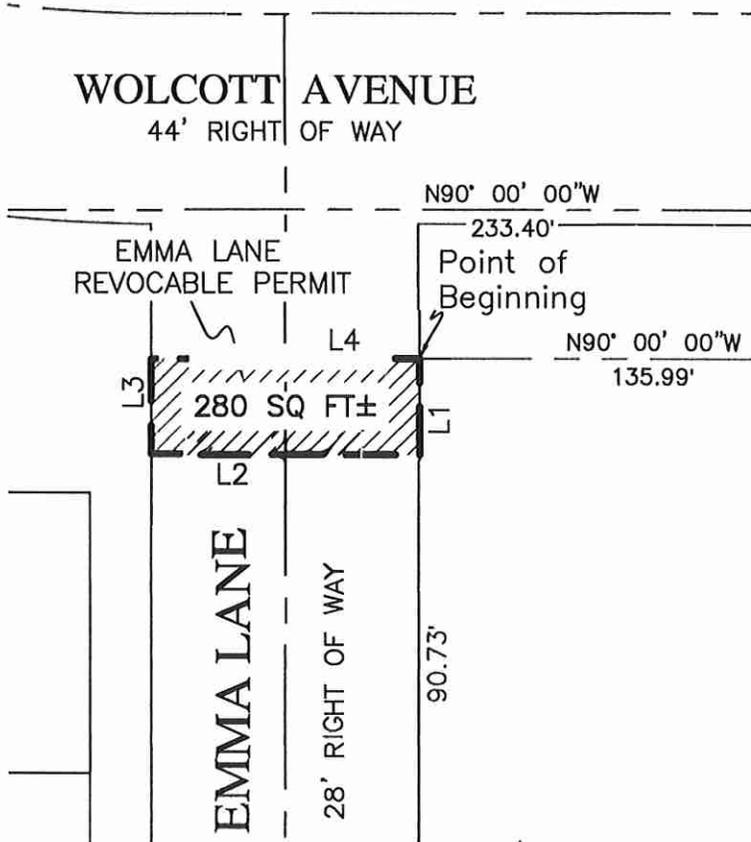


LINEAR UNITS ARE U.S. SURVEY FEET



**POLARIS SURVEYING**  
PATRICK W. CLICK P.L.S.  
3194 MESA AVE  
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PHONE (970)434-7038

# PERMIT AREA 3



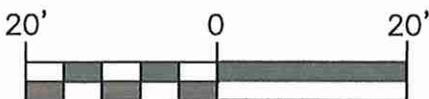
**LEGAL DESCRIPTION SKETCH:**  
Halls Estate Filing IV  
Revocable Permit—Emma Lane

Situated in the SW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 4,  
Township 1 South Range 1 West  
of the Ute Meridian.  
County of Mesa, State of Colorado

Line Table		
Line #	Direction	Length
L1	S00° 01' 53"W	10.00'
L2	S89° 53' 52"W	28.00'
L3	N00° 01' 53"E	10.00'
L4	N89° 53' 52"E	28.00'



GRAPHIC SCALE:  
1" = 20'



LINEAR UNITS ARE U.S. SURVEY FEET



Point of  
Commencement  
SE COR SW $\frac{1}{4}$  NE $\frac{1}{4}$   
SECTION 4 T1S R1W OF  
THE UTE MERIDIAN—  
FOUND 3" BLM BRASS  
CAP—1988  
APPROX. 0.30 BELOW  
GRADE

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