

REVOCABLE PERMIT

Recitals.

1. South Twenty, 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 Spur Cross Way and Silver Cross Avenue, to wit:

Permit Area 1:

A parcel of land situated in the northeast quarter of the northwest quarter of Section 32 Township 1 North, Range 1 West, of the Ute Meridian, County of Mesa, State of Colorado, said parcel being more particularly described as follows:

Beginning at the northwest corner of Lot 1, coincident with the southwest corner of Tract B of Silver Spur Subdivision Filing One, a plat recorded at the Mesa County Clerk and Recorder's office;

THENCE South 42°16'45" West along the west line of said Lot 1, 4.78 feet;

THENCE South 0°01'59" West along the west line of said Lot 1, 1.46 feet;

THENCE North 89°46'41" West, 50.17 feet to the east line of Lot 6 of said Silver Spur Subdivision Filing One;

THENCE North 0°01'59" East along said east line, 1.30 feet;

THENCE North 42°12'47" West along the east line of said Lot 6, 5.00 feet;

THENCE South 89°48'17" East, 56.75 feet to the Point of Beginning,

Containing 263 Sq. feet more or less.

All bearings herein are relative to said recorded plat of Silver Spur Subdivision Filing One.

Permit Area 2:

A parcel of land situated in the northeast quarter of the northwest quarter of Section 32 Township 1 North, Range 1 West, of the Ute Meridian, County of Mesa, State of Colorado, said parcel being more particularly described as follows:

Beginning at the southeast corner of Lot 5 of Silver Spur Subdivision Filing One, a plat recorded at the Mesa County Clerk and Recorder's office, being on the Northerly right-of-way line of Silver Cross Avenue;

THENCE South 0°03'05" East, 44.00 feet;

THENCE North 89°58'01" West, 10.00 feet;

THENCE North 0°03'05" West, 44.00 feet;

THENCE South 89°58'01" East, 10.00 feet to the Point of Beginning,

Containing 440 Sq. feet more or less.

All bearings herein are relative to said recorded plat of Silver Spur Subdivision Filing One.

Permit Area 3:

A parcel of land situated in the northeast quarter of the northwest quarter of Section 32 Township 1 North, Range 1 West, of the Ute Meridian, County of Mesa, State of Colorado, said parcel being more particularly described as follows:

Beginning at the southwest corner of Lot 10 of Silver Spur Subdivision Filing One, a plat recorded at the Mesa County Clerk and Recorder's office, being on the Northerly right-of-way line of Silver Cross Avenue;

THENCE South 89°58'01" East along the south line of said Lot 10 a distance of 5.00 feet;

THENCE South 00°00'00" East, 44.00 feet to the north line of Lot 26 of said Silver Spur Subdivision Filing One;

THENCE North 89°58'01" West, 10.00 feet;

THENCE North 00°00'00" West, 44.00 feet to the south line of Lot 11 of said Silver Spur Subdivision Filing One;

THENCE South 89°58'01" East, 5.00 feet to the Point of Beginning,

Containing 440 Sq. feet more or less.

All bearings herein are relative to said recorded plat of Silver Spur Subdivision Filing One.

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 rights-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 rights-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 rights-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 14th day of JULY, 2021.

Written and Recommended by:

The City of Grand Junction,
a Colorado home rule municipality



Scott D. Peterson
Senior Planner



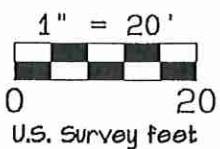
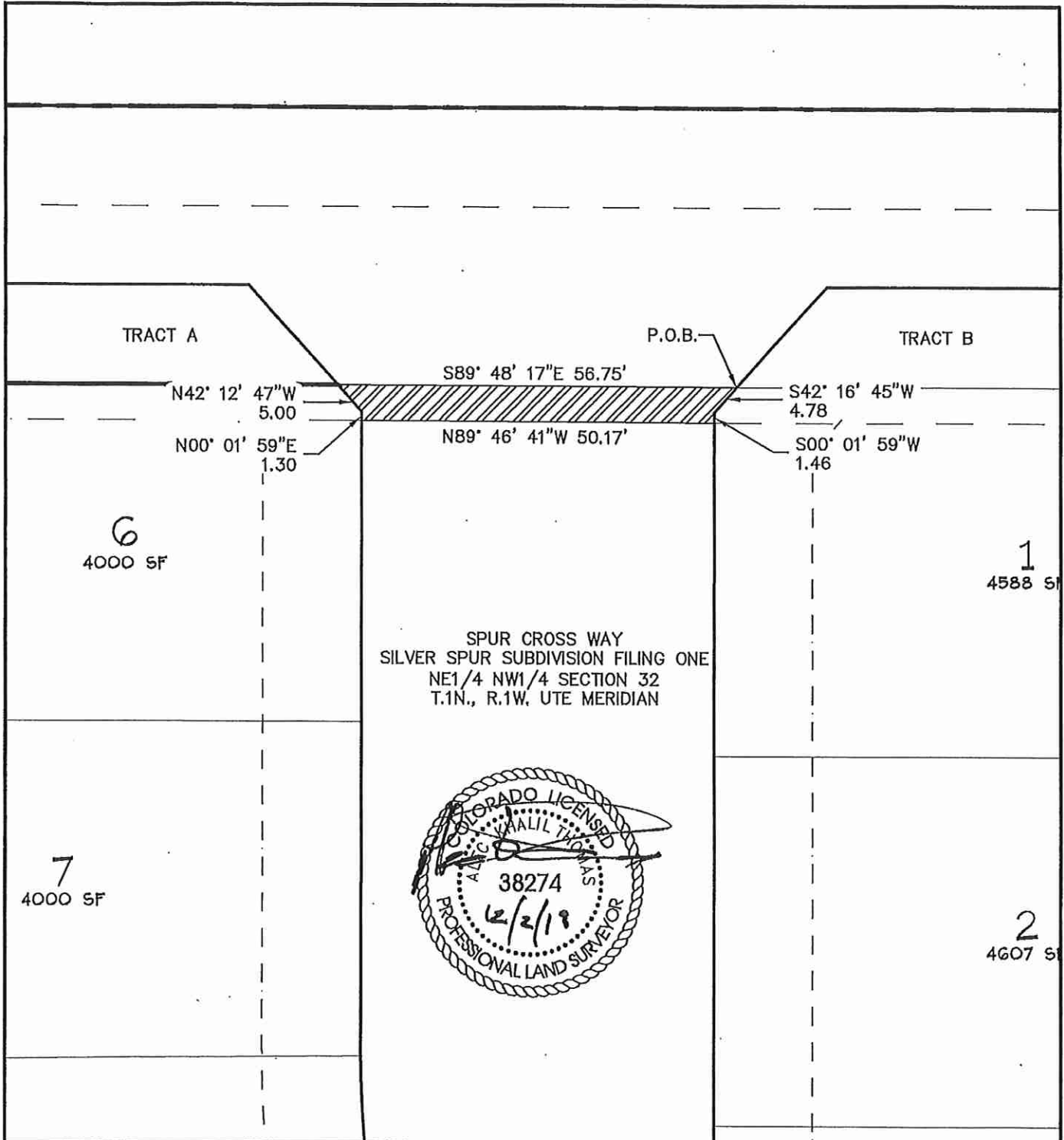
Tamra Allen
Community Development Director

Acceptance by the Petitioners:



Amanda Rush, also known as (a/k/a) Mandy Rush
Title: Managing Member
South Twenty, LLC

PERMIT AREA 1



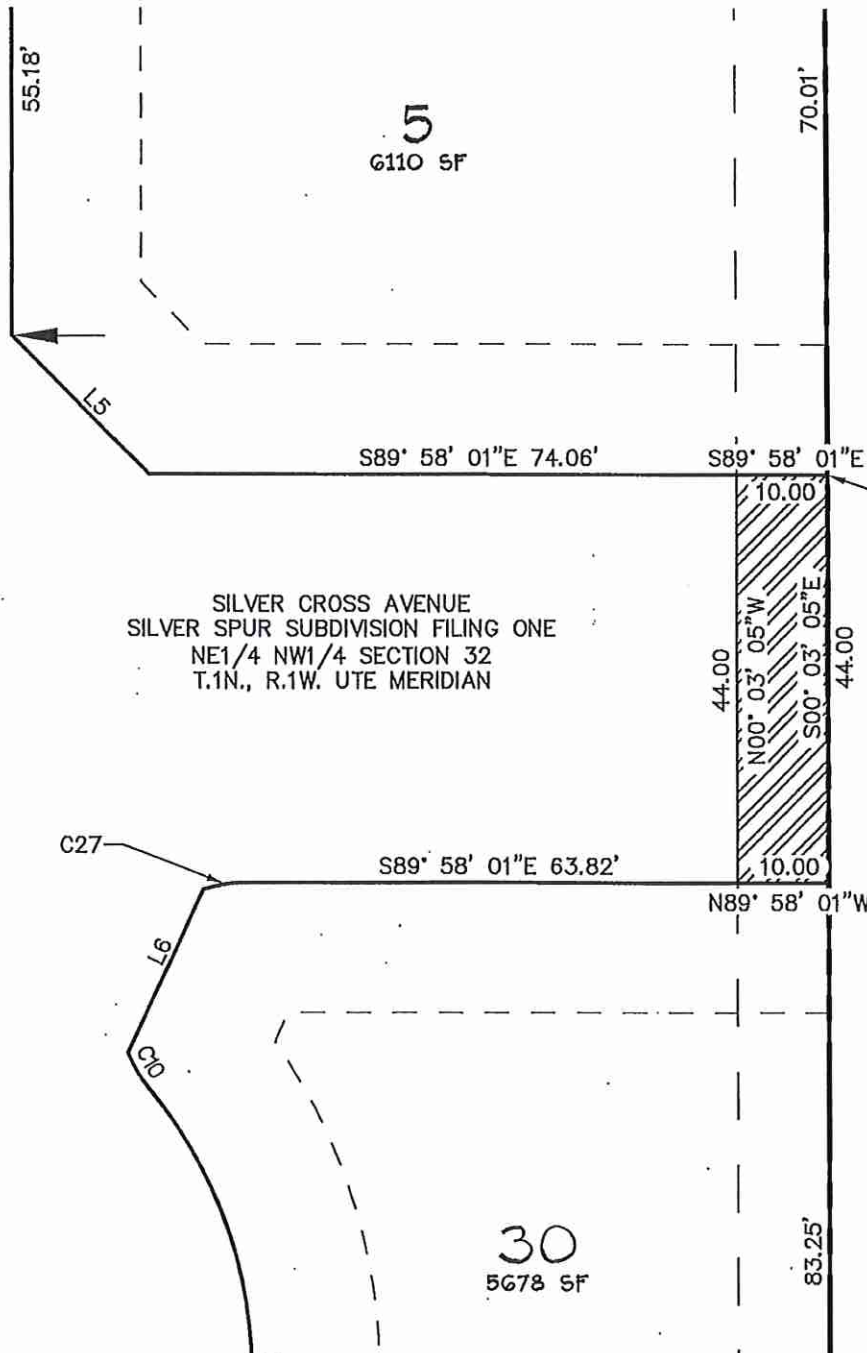
THIS EXHIBIT IS FOR THE PURPOSE OF GRAPHICALLY REPRESENTING A WRITTEN DESCRIPTION - IT DOES NOT REPRESENT A MONUMENTED BOUNDARY SURVEY

RIVER CITY
CONSULTANTS

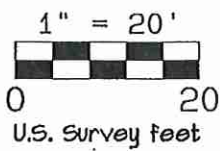
744 Horizon Court, Suite 110
Grand Junction, CO 81506
Phone: 970.241.4722
Fax: 970.241.8841
www.rccwest.com

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| Drawn: AKT | Checked: TPJ | 8/28/19 | Job No. 1819-001 |
| S:\PROJECTS\0614 South Twenty, LLC - Mandy Rush\001 South Twenty\Survey\0614-001 SILVER SPUR.dwg | | | |

PERMIT AREA 2



SILVER CROSS AVENUE
SILVER SPUR SUBDIVISION FILING ONE
NE1/4 NW1/4 SECTION 32
T.1N., R.1W. UTE MERIDIAN



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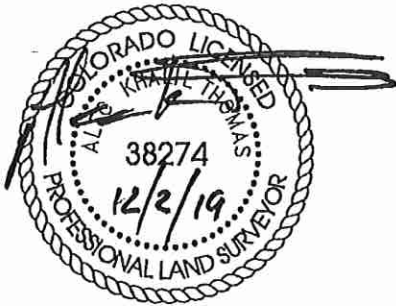
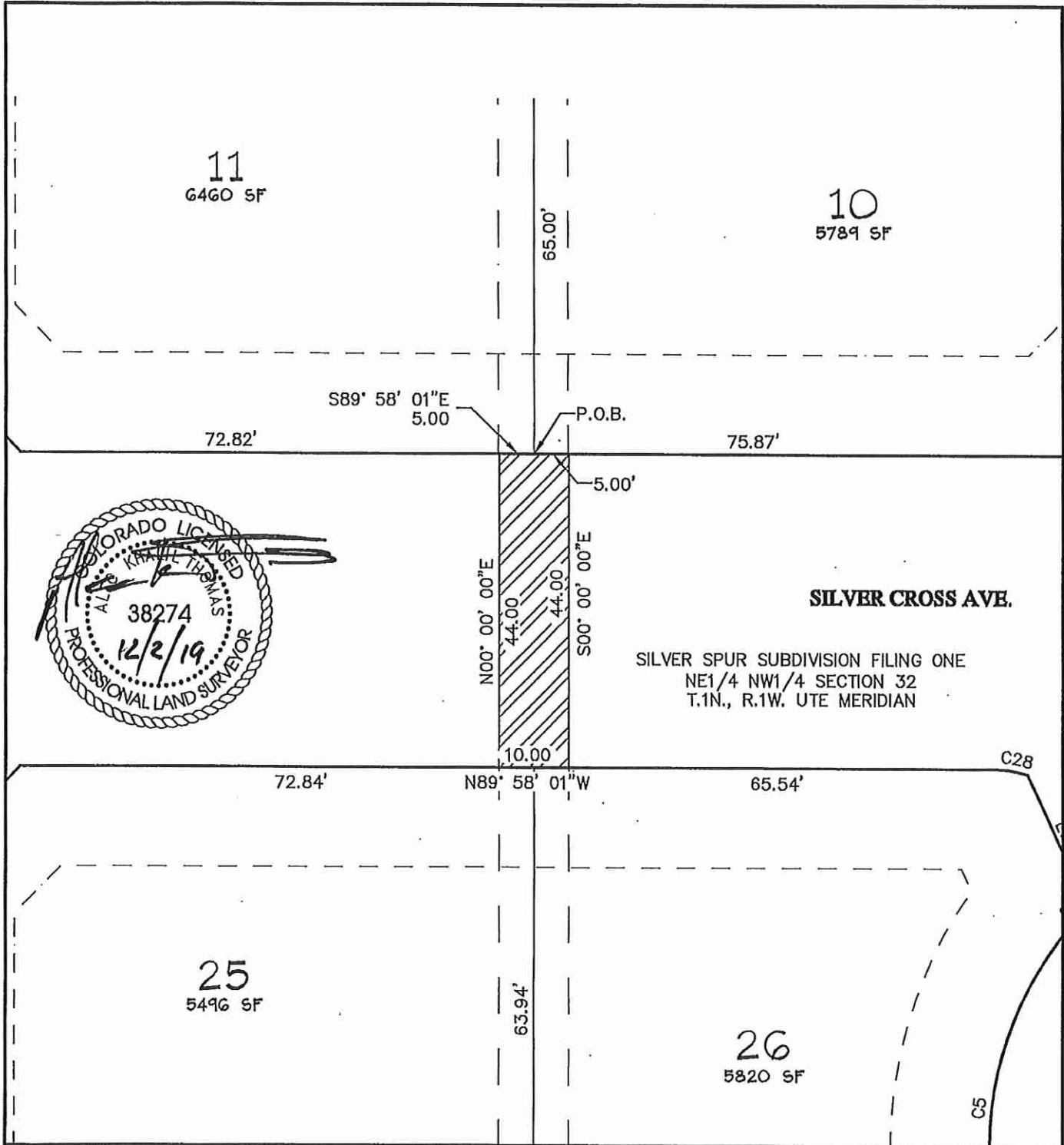


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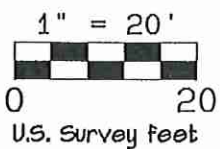
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PERMIT AREA 3



SILVER CROSS AVE.
 SILVER SPUR SUBDIVISION FILING ONE
 NE1/4 NW1/4 SECTION 32
 T.1N., R.1W. UTE MERIDIAN



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