

## REVOCABLE PERMIT

### Recitals.

1. Sneddon Built 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 of Arran Way and Strathearn Drive, to wit:

#### Permit Area 1:

A tract of land situated in Section 5, Township 1 South, Range 1 East of the Ute Meridian, City of Grand Junction, County of Mesa, Colorado being more particularly described as follows:

The North 10.00 feet of the Arran Way Right of Way located in Arran Estates Subdivision Filling 2.

Said parcel contains 440 square feet.

#### Permit Area 2:

A tract of land situated in Section 5, Township 1 South, Range 1 East of the Ute Meridian, City of Grand Junction, County of Mesa, Colorado being more particularly described as follows:

The North 10.00 feet of the Strathearn Drive Right of Way located in Arran Estates Subdivision Filling 2.

Said parcel contains 440 square feet.

Legal descriptions written by:

Patrick W. Click

Colorado licensed surveyor number 37904

3194 Mesa Ave #B

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 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 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 3<sup>RD</sup> day of MAY, 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:

  
\_\_\_\_\_  
Maxwell Forrest Sneddon, also known as Maxwell F. Sneddon  
Title: Member  
Sneddon Built LLC



**AGREEMENT**

Sneddon Built 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 rights-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 3<sup>rd</sup> day of May, 2021.

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.


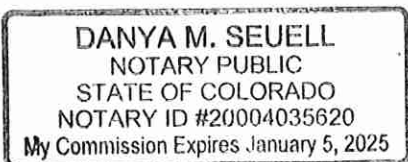


Maxwell Forrest Sneddon, also known as Maxwell F. Sneddon  
Title: Member  
Sneddon Built LLC

State of Colorado )  
  )ss.  
County of Mesa     )

The foregoing Agreement was acknowledged before me this 3<sup>rd</sup> day of May, 2021, by Maxwell Forrest Sneddon, also known as Maxwell F. Sneddon, Member for Sneddon Built LLC.

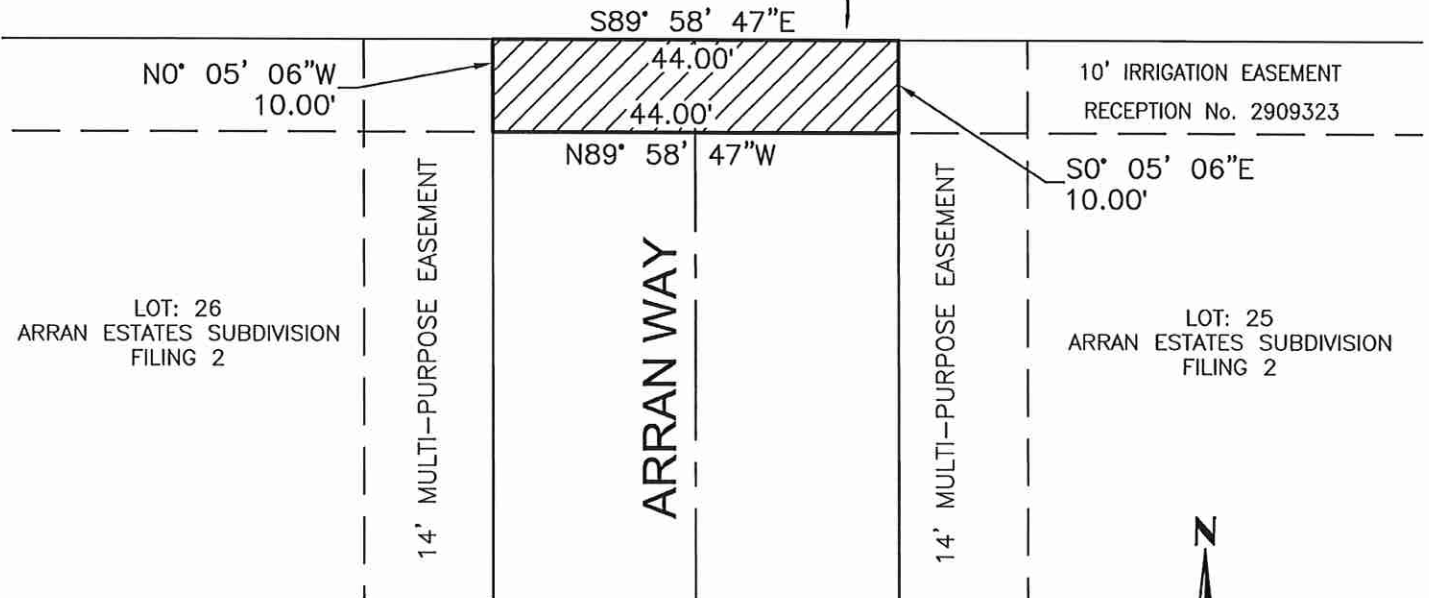
My Commission expires: 01/05/2025  
Witness my hand and official seal.

  
\_\_\_\_\_  
Notary Public

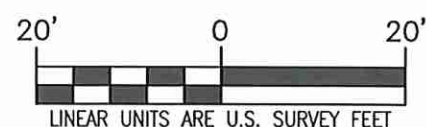
PERMIT AREA 1:

LOT 1  
 MARCHUN FARMS SIMPLE SUBDIVISION  
 RECEPTION No. 2414495  
 PARCEL No. 2943-052-93-001  
 2921 G ROAD  
 SNEDDON BUILT LLC

REVOCABLE PERMIT  
 AT END OF ARRAN WAY  
 440 SQUARE FEET



GRAPHIC SCALE:  
 1"=20'



LEGAL DESCRIPTION  
 SKETCH

ARRAN ESTATES SUBDIVISION FILING 2  
 REVOCABLE PERMIT  
 ARRAN WAY  
 NE 1/4 NW 1/4 OF SECTION 5  
 T1S, R1E, U.M.  
 CITY OF GRAND JUNCTION  
 MESA COUNTY, COLORADO

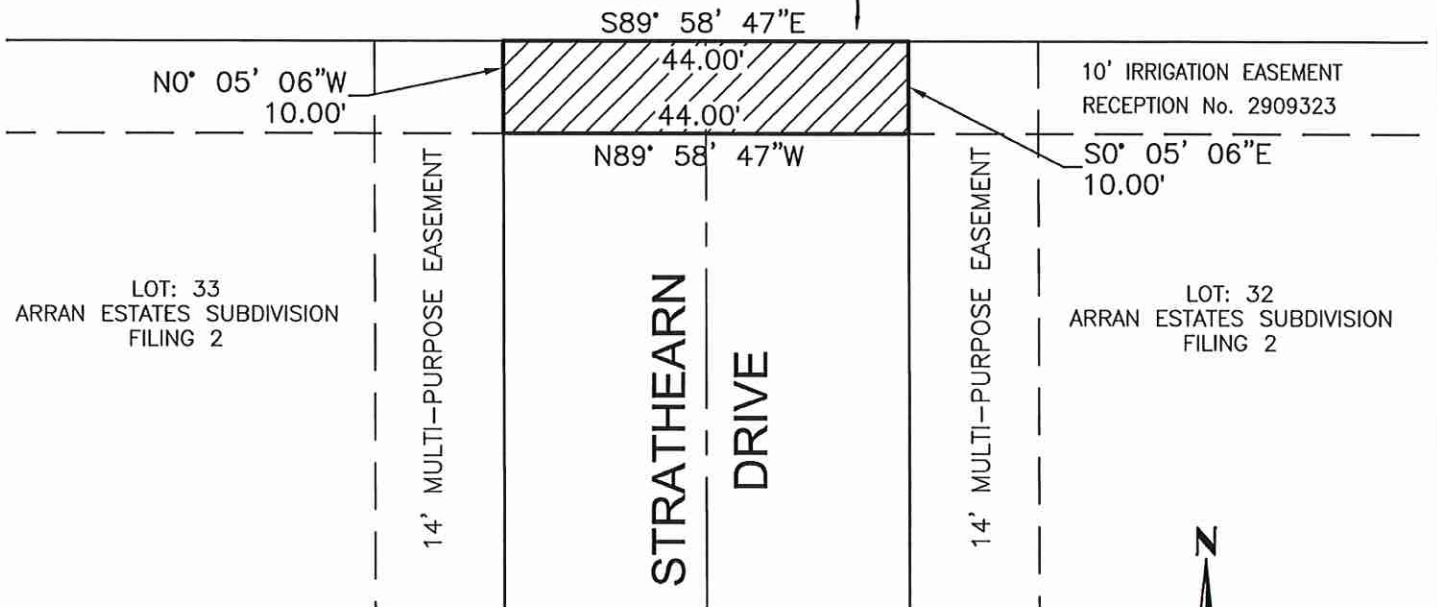


POLARIS SURVEYING  
 PATRICK W. CLICK P.L.S.  
 3194 MESA AVE  
 GRAND JUNCTION, CO 81504  
 PHONE (970)434-7038

# PERMIT AREA 2:

LOT 1  
 MARCHUN FARMS SIMPLE SUBDIVISION  
 RECEPTION No. 2414495  
 PARCEL No. 2943-052-93-001  
 2921 G ROAD  
 SNEDDON BUILT LLC

REVOCABLE PERMIT  
 AT END OF STRATHEARN DRIVE  
 440 SQUARE FEET

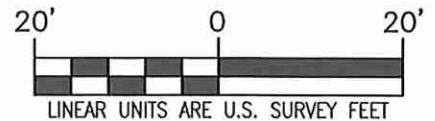


## LEGAL DESCRIPTION SKETCH

ARRAN ESTATES SUBDIVISION FILING 2  
 REVOCABLE PERMIT  
 STRATHEARN DRIVE  
 NE 1/4 NW 1/4 OF SECTION 5  
 T1S, R1E, U.M.  
 CITY OF GRAND JUNCTION  
 MESA COUNTY, COLORADO



GRAPHIC SCALE:  
 1"=20'



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