

## 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 Brass Boot Avenue, Gold Buckle Avenue and Snaffle Bit Street, 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, Ute Meridian, located in the City of Grand Junction, County of Mesa, State of Colorado, said parcel being more particularly described as follows:

Beginning at the southwest corner of Lot 58 of Silver Spur Subdivision Filing Two, a plat recorded at the Mesa County Clerk and Recorder's office;

THENCE South 89°58'01" East, 86.88 feet to the Point of Beginning;

THENCE South 89°58'01" East on the south line of Lot 58, a distance of 4.17 feet;

THENCE North 45°01'59" East on the southeast line of Lot 58, a distance 8.24 feet;

THENCE South 00°01'59" West, a distance of 55.65 feet to the north line of Lot 57;

THENCE North 44°58'01" West on the northeast line of Lot 57, a distance of 8.24 feet;

THENCE North 89°58'01" West on the north line of Lot 57, a distance of 4.17 feet;

THENCE North 00°01'59" East, a distance of 44.00 feet to the Point of Beginning.

Containing 474 Sq. feet more or less.

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

#### 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, City of Grand Junction, County of Mesa, State of Colorado, said parcel being more particularly described as follows:

Beginning at the southeast corner of Lot 31 of Silver Spur Subdivision Filing Two, a plat recorded at the Mesa County Clerk and Recorder's office;

THENCE South 00°03'05" East on the west line of the parcel at Reception Number 2757934, a distance of 44.00 feet to the northeast corner of Lot 68;

THENCE North 89°58'01" West on the north line of Lot 68, a distance 10.00 feet;

THENCE North 00°03'39" West, a distance of 44.00 feet to the south line of Lot 31;

THENCE South 89°58'01" East on the south line of Lot 31, a distance of 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 Two.

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, City of Grand Junction, County of Mesa, State of Colorado, said parcel being more particularly described as follows:

Beginning at the southwest corner of Lot 39 of Silver Spur Subdivision Filing Two, a plat recorded at the Mesa County Clerk and Recorder's office;

THENCE South 89°58'01" East on the south line of Lot 39, a distance of 10.02 feet;

THENCE South 03°50'29" East, a distance 44.10 feet to the north line of Lot 40;

THENCE North 89°58'01" West on the north line of Lot 40, a distance of 10.02 feet;

THENCE North 03°50'29" West a distance of 44.10 feet to the Point of Beginning.

Containing 441 Sq. feet, more or less.

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

Permit Area 4:

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, City of Grand Junction, County of Mesa, State of Colorado, said parcel being more particularly described as follows:

Beginning at the northwest corner of Lot 38 of Silver Spur Subdivision Filing Two, a plat recorded at the Mesa County Clerk and Recorder's office;

THENCE South 00°01'59" West on the west line of said Lot 38, a distance of 10.00 feet;

THENCE North 89°58'15" West, a distance of 44.00 feet to the east line of Lot 39;

THENCE North 00°01'59" East on the east line of Lot 39, a distance of 10.00 feet;

THENCE South 89°58'15" East, a distance of 44.00 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 Two.

Permit Area 5:

A 10.00' wide 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, City of Grand Junction, County of Mesa, State of Colorado, said parcel being 5.00' on each side of the following described centerline:

Beginning at the northeast corner of Lot 41 of Silver Spur Subdivision Filing Two, a plat recorded at the Mesa County Clerk and Recorder's office;

Thence North 71°16'24" East a distance of 46.46 feet to the northwest corner of Lot 62, said point being the Point of Termination;

The sidelines of said parcel shall be shortened or extended to close at all angle points and terminate at the intersecting property lines.

Containing 464.68 Sq. feet more or less.

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

Permit Area 6:

A 10.00' wide 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, City of Grand Junction, County of Mesa, State of Colorado, said parcel being 5.00' on each side of the following described centerline:

Beginning at the northeast corner of Lot 43 of Silver Spur Subdivision Filing Two, a plat recorded at the Mesa County Clerk and Recorder's office;

Thence North 89°58'01" East a distance of 44.00 feet to the northwest corner of Lot 52, said point being the Point of Termination;

The sidelines of said parcel shall be shortened or extended to close at all angle points and terminate at the intersecting property lines.

Containing 440.10 Sq. feet, more or less.

All bearings herein are relative to said recorded plat of Silver Spur Subdivision Filling Two.

These descriptions were written by:

Alec K. Thomas

Colorado P.L.S. 38274

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.

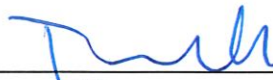
Dated this 9<sup>th</sup> day of December, 2021.

Written and Recommended by:



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

The City of Grand Junction,  
a Colorado home rule municipality



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

Acceptance by the Petitioners:

*Amanda Rush*

\_\_\_\_\_  
Amanda Rush, also known as (a/k/a) Mandy Rush,  
Managing Member of South Twenty, LLC

**AGREEMENT**

South Twenty, 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 9<sup>th</sup> day of December, 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.

*Amanda Rush*

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

State of Colorado )  
                                  )ss.  
County of Mesa     )

The foregoing Agreement was acknowledged before me this 9 day of December, 2021, by Amanda Rush, also known as (a/k/a) Mandy Rush, Managing Member of South Twenty, LLC.

My Commission expires: Jan. 26, 2025  
Witness my hand and official seal.

*Patricia J Dunlap*  
\_\_\_\_\_  
Notary Public



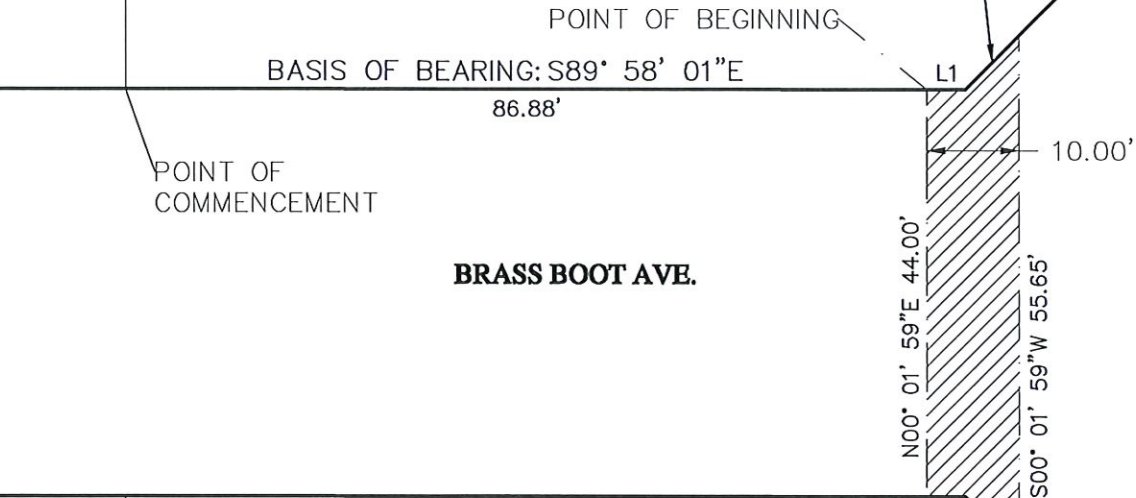
PERMIT AREA 1

**EXHIBIT**



LOT  
59  
8518 SF

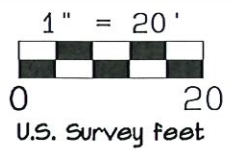
LOT  
58  
9736 SF



LOT  
56  
8416 SF

LOT  
57  
9618 SF

Line Table		
Line #	Length	Direction
L1	4.17'	S89° 58' 01"E
L2	8.24'	N45° 01' 59"E
L3	8.24'	N44° 58' 01"W
L4	4.17'	N89° 58' 01"W



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

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

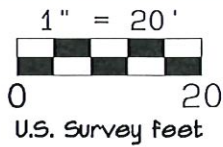
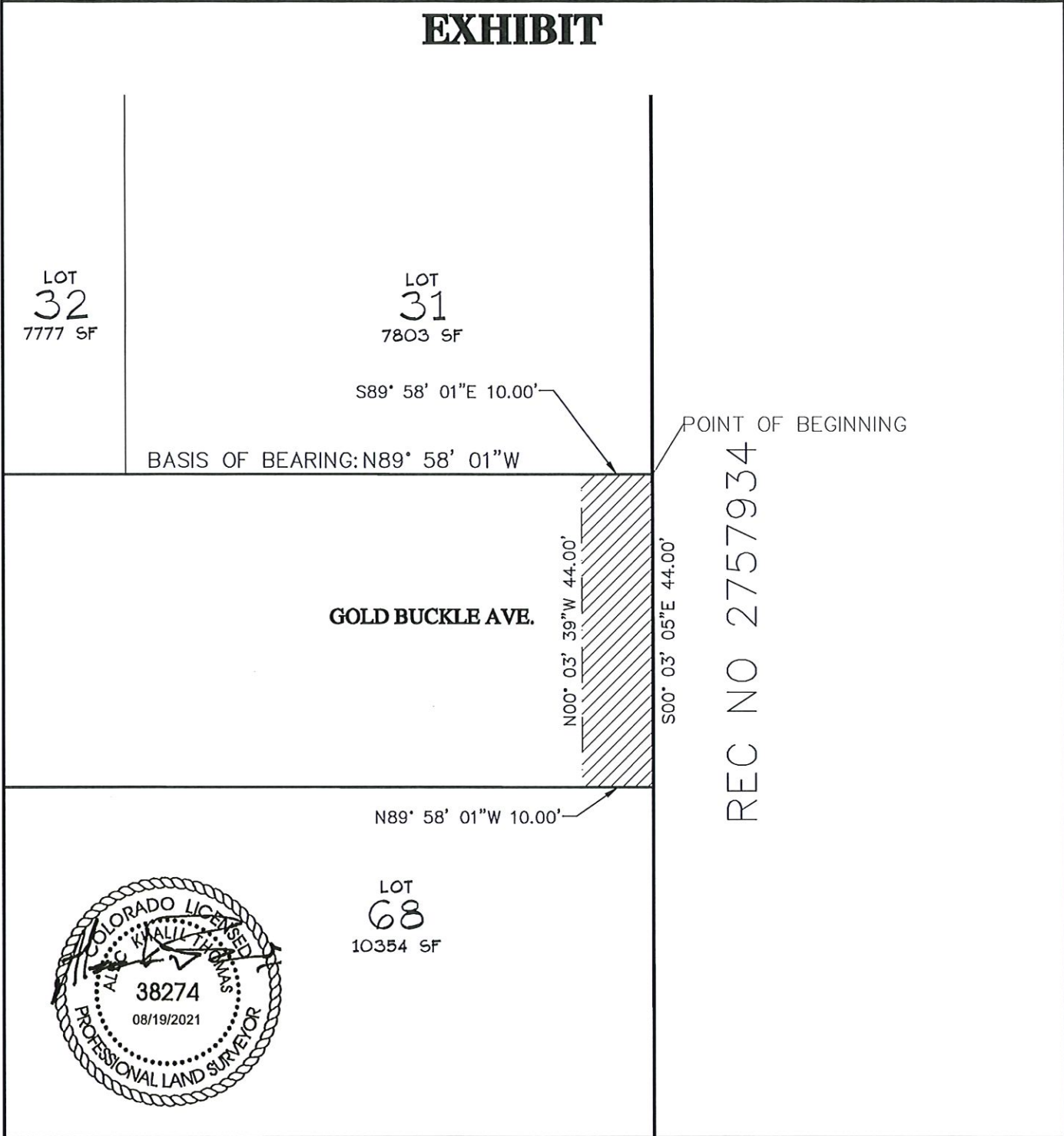
Drawn: BDM | Checked: AKT | 3/9/21 | Job No. 1819-002

5: PROJECTS\08 South Twenty, LLC - Mandy Rush\002 Silver Spur FZ\Survey\DN6



PERMIT AREA 2

**EXHIBIT**



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**RIVER CITY**  
CONSULTANTS

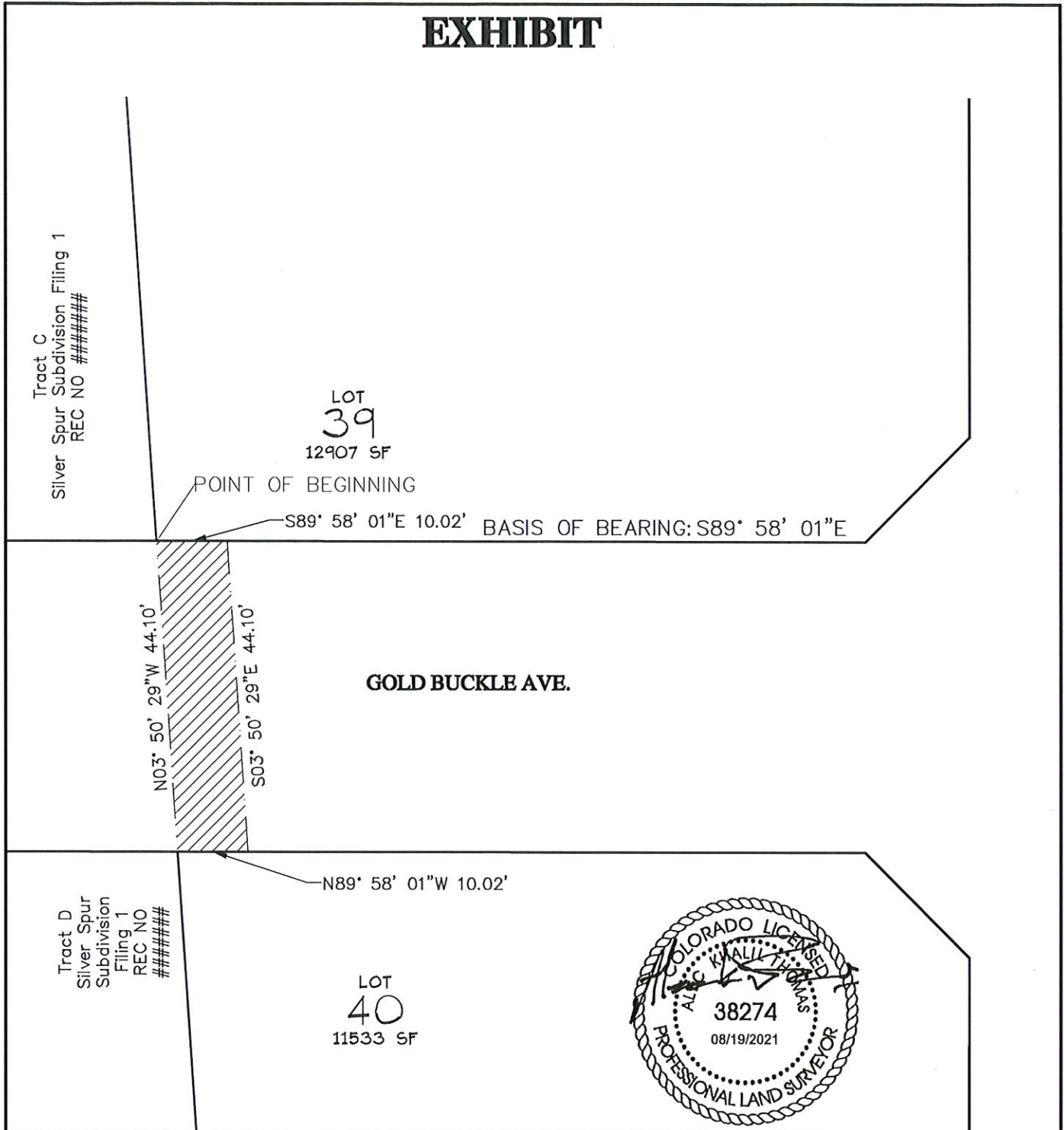
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# PERMIT AREA 3

## EXHIBIT



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# PERMIT AREA 4

## EXHIBIT

POINT OF BEGINNING

PARCEL 2  
MULLER SIMPLE LAND DIVISION  
REC NO 1933582

S89° 58' 15"E 44.00'

N00° 01' 59"E 10.00'

S00° 01' 59"W 10.00'

72.96'

N89° 58' 15"W 44.00'

LOT  
39  
12907 SF

LOT  
38  
7853 SF

SNAFFLE BIT ST.

BASIS OF BEARING: S00° 01' 59"W



1" = 20'  
0 20  
U.S. Survey feet



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PERMIT AREA 5

**EXHIBIT**

LOT  
40  
11533 SF

LOT  
63  
9618 SF

POINT OF BEGINNING

POINT OF TERMINATION

LOT  
41  
11197 SF

LOT  
62  
9736 SF

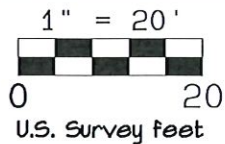
BASIS OF BEARING: S00° 01' 59" W

SNAFFLE BIT ST.



N71° 16' 34" E 46.46'

10.00'



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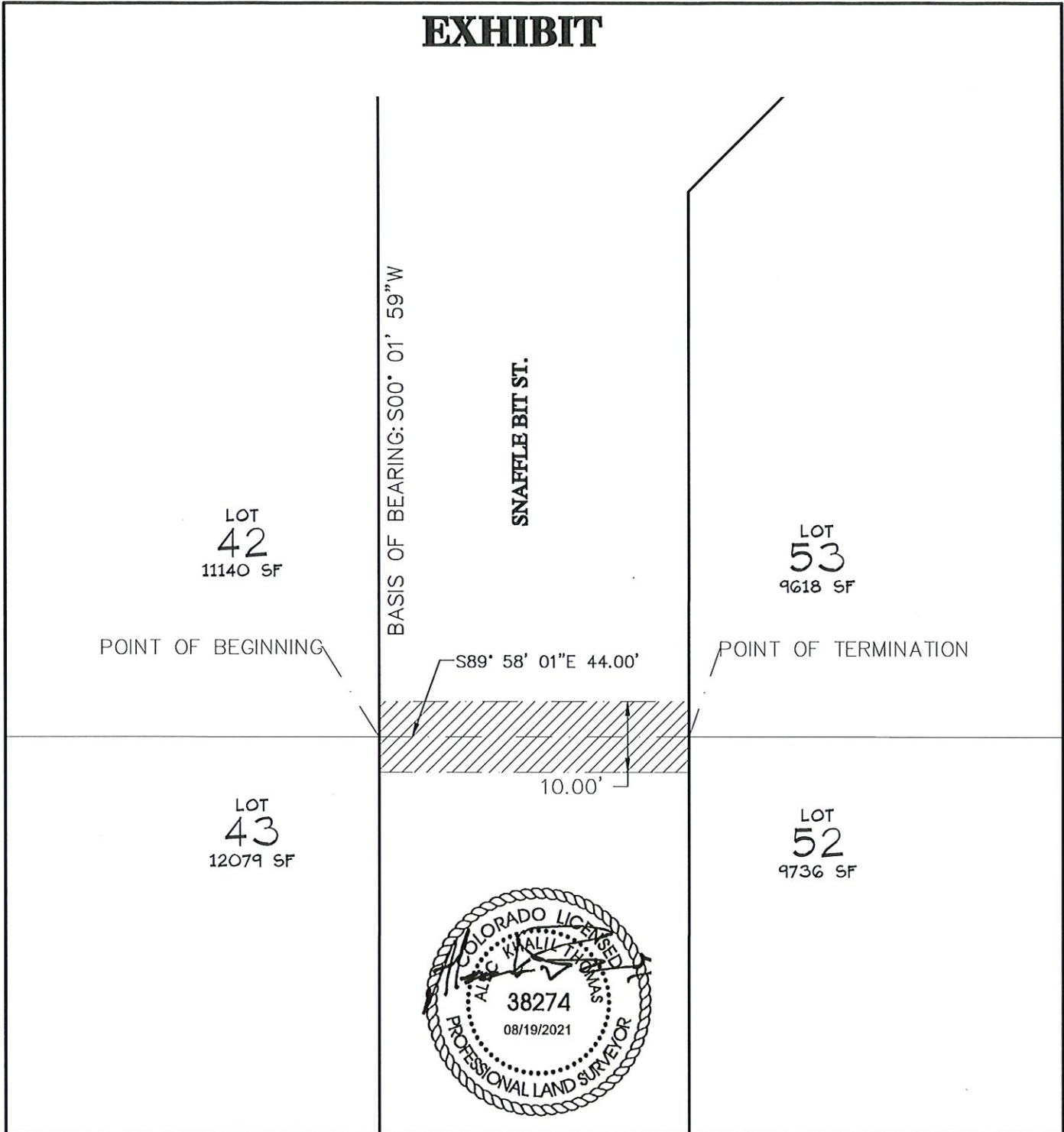
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# PERMIT AREA 6

## EXHIBIT



1" = 20'  
0 20  
U.S. Survey feet



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