

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

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.
4. The Grand Junction Rural Fire Protection District has no debt. Accordingly, the exclusion of lands will not impair a debt obligation and 32-1-502(6) C.R.S. is found to be inapplicable and/or satisfied.

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 28th DAY OF May, 2022.



DISTRICT COURT JUDGE

<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 style="text-align: center;">▲ COURT USE ONLY ▲</p>
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<p>VERIFIED PETITION</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 2021 annexations are located within the Grand Junction Rural Fire District boundary and are subject to exclusion from the district:

REED ANNEXATION

A parcel of land located in the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of Section 25, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado and being a parcel of land described at Reception Number 2954603 and being more particularly described as follows:

Commencing at the Southwest corner of said Southeast Quarter of the Southwest Quarter, and assuming the West Line of said Southeast Quarter of the Southwest Quarter bears N0°06'39"W with all other bearings contained herein being relative thereto; thence N0°06'39"W along said

West line a distance of 659.29 feet to the Southwest corner said parcel described at Reception Number 2954603 being the Point of Beginning; thence along the boundary said Reception Number 2954603 for the following four (4) courses: N0°06'39"W a distance of 102.00 feet to the Southwest corner of Anson Annexation Number 4; N89°56'36"E a distance of 310.00 feet to the West line of Adams Annexation; S0°06'39"E a distance of 102.00 feet to the North line of Harris Annexation Number 2; S89°56'36"W a distance of 310.00 feet to the Point of Beginning,

Containing 31620 square feet or 0.73 acres more or less as described.

STINKER C-STORE ANNEXATION

A parcel of land being the West Half of the Southeast Quarter of the Southeast Quarter of the Northwest Quarter (W 1/2 SE1/4 SE1/4 NW 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Center 1/4 Corner of said Section 16 and assuming the South line of the SE 1/4 NW 1/4 said Section 16 bears S89°54'18"W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S89°54'18"W along said south line SE 1/4 NW 1/4 a distance of 330.30 feet to the Southeast Corner of said W 1/2 SE1/4 SE1/4 NW 1/4 being a point on the boundary of FRUITVALE MEADOWS ANNEXATION NO. 2 and being the Point of Beginning; thence continuing S89°54'18"W along the boundary of said FRUITVALE MEADOWS ANNEXATION NO. 2 a distance of 330.30 feet; thence N0°01'38"W a distance of 659.84 feet; thence N89°54'05"E a distance of 330.28 feet; thence S0°01'42"E a distance of 659.86 feet to the Point of Beginning.

Containing 217939 Square Feet, or 5.00 Acres, more or less, as described.

WESTLAND MEADOWS ANNEXATION

A parcel located in the Northwest Quarter of the Southeast Quarter (NW¼ SE¼) of in the Northwest Quarter of the Southeast Quarter (NW¼ SE¼) of Section 17, Township 1 South, Range 1 East of the Ute Meridian, being more particularly described as follows:

(Deed Reception 1848411, Reception 1855530 and (Deed Reception 1848411, Reception 1855530 and Reception 2316875, EXCEPT those parcels described for Rights-of-Way described in Reception 2048396 and Reception 2048398). Parcel 1 Traver Property Line Adjustment Reception 2918335. COMMENCING at the Northeast corner of the NW¼ SE¼ of said Section 17, Township 1 South, Range 1 East of the Ute Meridian, whence the Northwest corner of said Northwest Quarter of the Southeast Quarter (NW¼ SE¼) of Section 17, bears North 89°59'03" West, a distance of 1319.69 feet, for a basis of bearings, with all bearings contained herein relative thereto; thence South 00°00'14" West, a distance of 30.00 feet, along the East line of said NW¼ SE¼ of said Section 17 to the POINT OF BEGINNING; thence South 00°00'14" West, a distance of 1246.05 feet, along the East line of said NW¼ SE¼ of said Section 17, to the North line of that 44.00 foot wide right-of-way for D½ Road, as described in Reception 2048396, Mesa County records; thence South 89°58'09" West, a distance of 329.73 feet, along said right-of-way to the West line of the East Half of the East Half (E½ E½) of said NW¼ SE¼ of said Section 17,

and the beginning of the North line of that 44.00 foot wide right-of-way for D¹/₄ Road, as described in Reception 2048398, Mesa County records; thence South 89°58'09" West, a distance of 494.60 feet, along said North right-of-way line to the West line of the East Half of the East Half of the West Half (E¹/₂ E¹/₂ W¹/₂) of said NW¹/₄ SE¹/₄ of said Section 17; thence North 00°01'03" West, a distance of 990.72 feet, along said West line of said E¹/₂ E¹/₂ W¹/₂ NW¹/₄ SE¹/₄ of said Section 17; thence South 89°59'03" East, a distance of 258.64 feet; thence South 00°00'57" West, a distance of 97.19 feet; thence South 89°47'14" East, a distance of 327.38 feet; thence North 00°00'17" West, a distance of 354.31 feet; thence South 89°59'03" East, a distance of 238.76 feet to the POINT OF BEGINNING.

CONTAINING an area of 19.41 Acres or 845,500 Square Feet, as herein described, and is hereby annexed into the City of Grand Junction, Colorado.

PHOENIX HAUS ANNEXATION

A Serial Annexation Comprising Phoenix Haus Annexation No.1 and Phoenix Haus Annexation No. 2

Phoenix Haus Annexation No. 1

A parcel of land lying in the Southwest Quarter of the Southeast Quarter (SW¹/₄ SE¹/₄) of Section 25, Township 1 North, Range 2 West of the Ute Meridian, County of Mesa, State of Colorado, being a portion Lot 8, RIVERVIEW COMMERCIAL SUBDIVISION filed under Reception Number 1286773 and being more particularly described as follows:

COMMENCING at the Northwest corner of said SW¹/₄SE¹/₄ of Section 25 and assuming the West line of said SW¹/₄SE¹/₄ bears S0°00'30"E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S26°44'48"E a distance of 88.90 feet to the Northwest Corner of said Lot 8 being a point on the east line of KELLEY ANNEXATION NO. 2 and being the Point of Beginning; thence S89°54'19"E along the north line said Lot 8 a distance of 310.00 feet; thence S0°00'30"E a distance of 192.85 feet to a point on the south line said Lot 8; thence N89°54'19"W a distance of 310.00 feet to the Southwest corner said Lot 8 also being a point on the east line said KELLEY ANNEXATION NO. 2; thence N0°00'30"W a distance of 192.85 feet to the Point of Beginning,

Containing 59783 Square Feet, or 1.37 Acres, more or less, as described.

Phoenix Haus Annexation No. 2

A parcel of land lying in the Southwest Quarter of the Southeast Quarter (SW¹/₄ SE¹/₄) of Section 25, Township 1 North, Range 2 West of the Ute Meridian, County of Mesa, State of Colorado, being a portion Lot 8, RIVERVIEW COMMERCIAL SUBDIVISION filed under Reception Number 1286773, the 25 foot DRAIN ROW, said RIVERVIEW COMMERCIAL SUBDIVISION and the area east of the east line of the 25 foot DRAIN ROW and west of the centerline of Pritchard Wash, lying north of the south line of lot 9, said RIVERVIEW COMMERCIAL SUBDIVISION extended easterly, south of the north line said Lot 8 and west of the East Line W 1/2 said SW 1/4 SE 1/4 and being more particularly described as follows:

COMMENCING at the Northwest corner of said SW1/4SE1/4 of Section 25 and assuming the West line of said SW1/4SE1/4 bears S0°00'30"E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S26°44'48"E a distance of 88.90 feet to the Northwest Corner of said Lot 8; thence S89°54'19"E along the north line said Lot 8 a distance of 310.00 feet the Northeast corner of PHOENIX HAUS ANNEXATION NO. 1 being the Point of Beginning; thence continuing S89°54'19"E along said north line Lot 8 a distance of 310.49 feet to the Northeast corner said Lot 8 being a point on said east line of the West 1/2 SW 1/4 SE 1/4 and a point on the west line of YOUNGER ANNEXATION; thence S0°00'34"W along said east line of the West 1/2 SW 1/4 SE 1/4 and said west line of YOUNGER ANNEXATION a distance of 182.50 feet to the intersection with said centerline of Pritchard Wash; thence S21°52'35"W along said centerline a distance of 219.19 feet to the intersection with said south line of lot 9, said RIVERVIEW COMMERCIAL SUBDIVISION extended easterly; thence N89°52'05"W along said south line extended a distance of 53.83 feet to the southeast corner of said Lot 9; thence N21°52'35"E along the east line said Lot 9 a distance of 208.01 feet to the easterly corner common to said Lots 8 and 9; thence N89°54'19"W a distance of 252.44 feet to the Southeast Corner of said PHOENIX HAUS ANNEXATION NO. 1; thence N0°00'30"W along the east line said PHOENIX HAUS ANNEXATION NO. 1 a distance of 192.85 feet to the Point of Beginning.

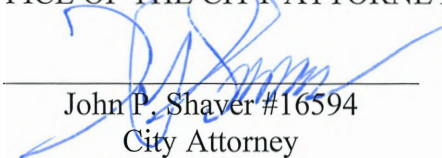
Containing 70251 Square Feet, or 1.61 Acres, more or less, as described.

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 23 day of November, 2021.

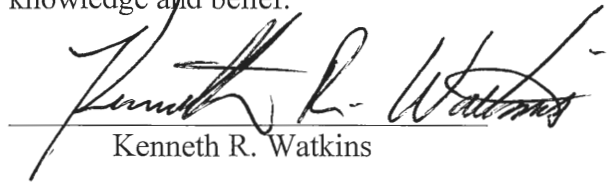
OFFICE OF THE CITY ATTORNEY



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

VERIFICATION

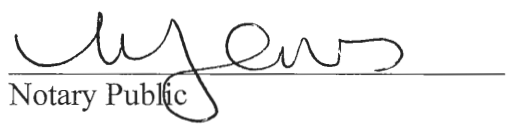
I, Kenneth R. Watkins, Fire Chief in and for the City of Grand Junction, do hereby state under oath that the facts contained in paragraphs 4 and 5 are true and correct to the best of my knowledge and belief.


Kenneth R. Watkins

Maranda Jones
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID# 20154029477
MY COMMISSION EXPIRES 07/28/2023

STATE OF COLORADO)
COUNTY OF MESA)

Subscribed and sworn to before me by Kenneth R. Watkins this 17th day of November, 2021.


Notary Public

My commission expires: July 28, 2023

CERTIFICATE OF MAILING

I hereby certify that I mailed a copy of the attached document, postage prepaid, this _____ day of _____, 20____, addressed to the Chairman of the Board of the Grand Junction Rural Fire Protection District.

Emily J. Powell
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