

REVOCABLE PERMIT

Recitals.

1. Senergy Builders, LLC, hereinafter referred to as the Petitioner, has requested that the City of Grand Junction issue a Revocable Permit to allow the Petitioner to install, operate, maintain, repair and replace landscape improvements, as approved by the City, within the limits of the following described public right-of-way for the following streets: Chaco Canyon Loop, Colca Canyon Loop, Kings Canyon Street, Kolob Canyon Street, Royal Canyon Street, Zions Canyon Avenue, to wit:

Permit Areas:

Permit Area 1 (Exhibit A)

A ten (10') foot wide parcel of land situated in the Southwest Quarter of the Southeast 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 lying 5 feet on each side of the following described centerline:

Commencing at the north corner common to Lots 15 and 16 of Canyonview Cottages Subdivision Filing One,

Thence North $53^{\circ}21'02''$ West, a distance of 79.88 feet to a point on the west line of Tract F of said Canyon View Cottages Subdivision Filing 1 and Point of Beginning 1;

Thence South $89^{\circ}58'15''$ West, a distance of 19.68 feet to a point on the east line of Lot 501 of said Canyon View Cottages Subdivision Filing One and Point of Termination 1,

Together with a ten (10') foot wide parcel of land situated in the Southwest Quarter of the Southeast Quarter of Section 32, Township 1 North, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, said parcel lying 5 feet on each side of the following described centerline:

Commencing at the north corner common to Lots 15 and 16 of Canyonview Cottages Subdivision Filing One,

Thence North $49^{\circ}48'41''$ East, a distance of 73.87 feet to a point on the east line of said Tract F and Point of Beginning 2;

Thence North $89^{\circ}58'15''$ East, a distance of 19.24 feet to a point on the west line of said Lot 501 and Point of Termination 2,

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

Containing 412 Sq. feet more or less.

All bearings herein are relative to said recorded plat of Canyonview Cottages Subdivision Filing One.

Permit Area 2 (Exhibit B)

A ten (10') foot wide parcel of land situated in the Southwest Quarter of the Southeast 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 lying 5 feet on each side of the following described centerline:

Commencing at the north corner common to Lots 25 and 24 of Canyonview Cottages Subdivision Filing One,
Thence North 30°33'13" West, a distance of 52.54 feet to a point on the south line of Lot 501 of said Canyon View Cottages Subdivision Filing One and Point of Beginning 1;
Thence North 89°58'15" East, a distance of 21.91 feet to a point on the west line of Tract G of said Canyonview Cottages Subdivision Filing One and Point of Termination 1,
Together with a ten (10') foot wide parcel of land situated in the Southwest Quarter of the Southeast Quarter of Section 32, Township 1 North, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, said parcel lying 5 feet on each side of the following described centerline:

Commencing at the north corner common to Lots 25 and 24 of Canyonview Cottages Subdivision Filing One,
Thence North 70°03'09" East, a distance of 124.23 feet to a point on the east line of said Tract G and Point of Beginning 2;
Thence North 89°58'15" East, a distance of 24.83 feet to a point on the west line of said Lot 501 and Point of Termination 2,
The sidelines of said parcels shall be shortened or extended to close at all angle points and terminate at the intersecting property lines.
Containing 473 Sq. feet more or less.
All bearings herein are relative to said recorded plat of Canyonview Cottages Subdivision Filing One.

Permit Area 3 (Exhibit C)

A ten (10') foot wide parcel of land situated in the Southwest Quarter of the Southeast 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 lying 5 feet on each side of the following described centerline:

Commencing at the west corner common to Lots 36 and 37 of Canyonview Cottages Subdivision Filing 1,
Thence South 00°01'45" East along the west line of said Lot 36, a distance of 42.59 feet to the Point of Beginning,
Thence South 89°58'15" West, a distance of 34.00 feet to a point on the east line of Lot 501 of said Canyon View Cottages Subdivision Filing 1 and the Point of Termination,
The sidelines of said parcels shall be shortened or extended to close at all angle points and terminate at the intersecting property lines.
Containing 344 Sq. feet more or less.
All bearings herein are relative to said recorded plat of Canyonview Cottages Subdivision Filing 1.

Permit Area 4 (Exhibit D)

A ten (10') foot wide parcel of land situated in the Southwest Quarter of the Southeast 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 lying 5 feet on each side of the following described centerline:

Commencing at the north corner common to Lots 7 and 8 of Canyonview Cottages

Subdivision Filing One,

Thence South $71^{\circ}32'55''$ East, a distance of 58.34 feet to a point on the east line of said Lot 8 of said Canyon View Cottages Subdivision Filing 1 and Point of Beginning 1;
Thence North $89^{\circ}58'15''$ East, a distance of 31.50 feet to a point on the west line of Lot 9 of said Canyonview Cottages Subdivision Filing One, and Point of Termination 1,
Together with a ten (10') foot wide parcel of land situated in the Southwest Quarter of the Southeast Quarter of Section 32, Township 1 North, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, said parcel lying 5 feet on each side of the following described centerline:

Commencing at the north corner common to Lots 7 and 8 of Canyonview Cottages Subdivision Filing One,

Thence North $46^{\circ}21'40''$ East, a distance of 72.62 feet to a point on the east line of Lot 500 and Point of Beginning 2;

Thence North $89^{\circ}58'15''$ East, a distance of 35.39 feet to a point on the west line of Tract E and Point of Termination 2,

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

Containing 682 Sq. feet more or less.

All bearings herein are relative to said recorded plat of Canyonview Cottages Subdivision Filing One.

Permit Area 5 (Exhibit E)

A twelve (12') foot wide parcel of land situated in the Southwest Quarter of the Southeast 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 lying 5 feet on each side of the following described centerline:

Commencing at the east corner common to Lots 39 and 40 of Canyonview Cottages Subdivision Filing 1,

Thence South $00^{\circ}01'45''$ East along the east line of said Lot 39, a distance of 37.84 feet to the Point of Beginning,

Thence North $89^{\circ}58'15''$ East, a distance of 34.00 feet to a point on the west line of Lot 500 of said Canyon View Cottages Subdivision Filing 1 and the Point of Termination,

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

Containing 416 Sq. feet more or less.

All bearings herein are relative to said recorded plat of Canyonview Cottages Subdivision Filing 1.

Permit Area 6 (Exhibit F)

A ten (10') foot wide parcel of land situated in the Southwest Quarter of the Southeast 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 lying 5 feet on each side of the following described centerline:

Commencing at the southeast corner of Lot 36 of Canyonview Cottages Subdivision Filing One,

Thence South 89°58'15" West along the south line of said Lot 36, a distance of 59.74 feet to the Point of Beginning,
Thence South 00°01'45" East, a distance of 31.50 feet to a point on the north line of Tract I and the Point of Termination,
The sidelines of said parcels shall be shortened or extended to close at all angle points and terminate at the intersecting property lines.
Containing 315 Sq. feet more or less.
All bearings herein are relative to said recorded plat of Canyonview Cottages Subdivision Filing One.

Permit Area 7 (Exhibit G)

A ten (10') foot wide parcel of land situated in the Southwest Quarter of the Southeast 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 lying 5 feet on each side of the following described centerline:

Commencing at the northwest corner of Lot 1 of Canyonview Cottages Subdivision Filing One,

Thence South 89°58'15" West along the north line of Tract A of said Canyon View Cottages Subdivision Filing 1, a distance of 34.45 feet the Point of Beginning,

Thence North 00°01'45" West, a distance of 35.50 feet to a point on the south line of Lot 39 of said Canyonview Cottages Subdivision Filing One and the Point of Termination,

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

Containing 355 Sq. feet more or less.

All bearings herein are relative to said recorded plat of Canyonview Cottages Subdivision Filing One.

2. Based on the authority of the Charter and § 21.02.180 of the Grand Junction Zoning and Development Code applying the same, the City, by and through the Community Development Division, has determined that such action would not at this time be detrimental to the inhabitants of the City.

NOW, THEREFORE, IN ACCORDANCE WITH HIS LAWFUL AUTHORITY, KATHY PORTNER FOR TAMRA ALLEN, AS COMMUNITY DEVELOPMENT DIRECTOR, DOES HEREBY ISSUE:

to the above-named Petitioner a Revocable Permit for the purposes of landscaping and irrigation 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 landscape improvements by the Petitioners within the public right-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 right-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 right-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 right-of-way and the facilities authorized pursuant to this Permit in good condition and repair.

5. This Revocable Permit for landscaping and irrigation 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 right-of-way and, at their own expense, remove any encroachment so as to make the described public right-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 20th day of July, 2022.

Written and Recommended by:

The City of Grand Junction,
a Colorado home rule municipality



Principal Planner



Planning Supervisor

Acceptance by the Petitioners:



Darin Carei, Managing Member Senegy Builders, LLC

AGREEMENT

Senergy Builders, 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 landscaping and irrigation. 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 right-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 8th day of July, 2022.

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.

Darin Carei

Darin Carei, Managing Member Senergy Builders, LLC

State of Colorado)
)ss.
County of Mesa)

The foregoing Agreement was acknowledged before me this 8 day of July, 2022, by Darin Carei, Managing Member Senergy Builders, LLC.

My Commission expires: May 20, 2025
Witness my hand and official seal.

Candace Horton

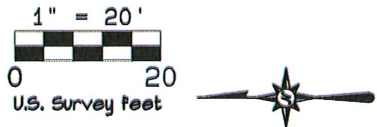
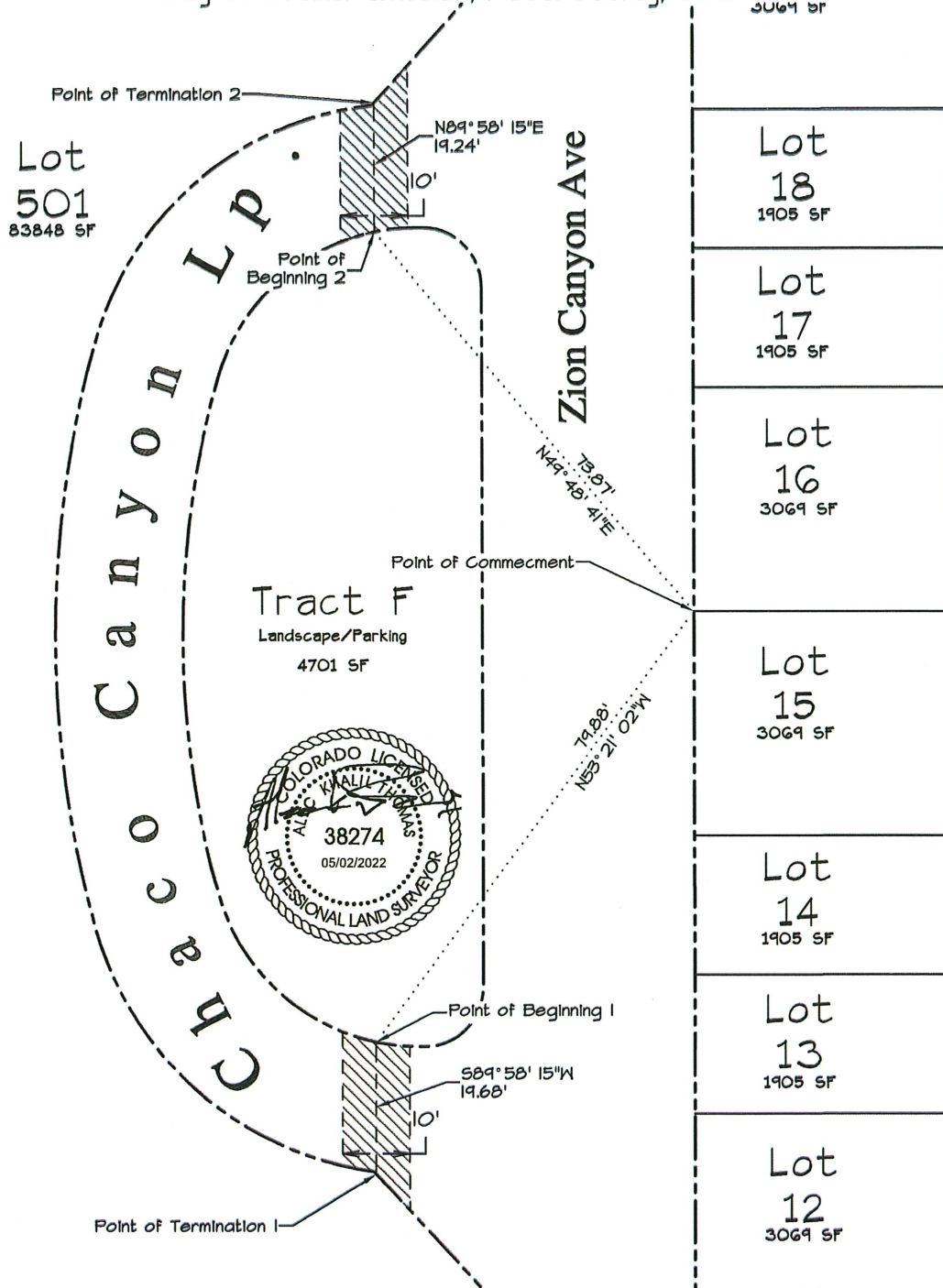
Notary Public



EXHIBIT A

CANYONVIEW COTTAGES SUBDIVISION FILING ONE

Southwest Quarter of the Southeast Quarter of
 Section 32, T.1N., R.1W., Ute Meridian.
 City of Grand Junction, Mesa County, Colorado



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

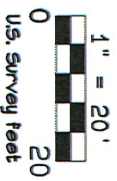
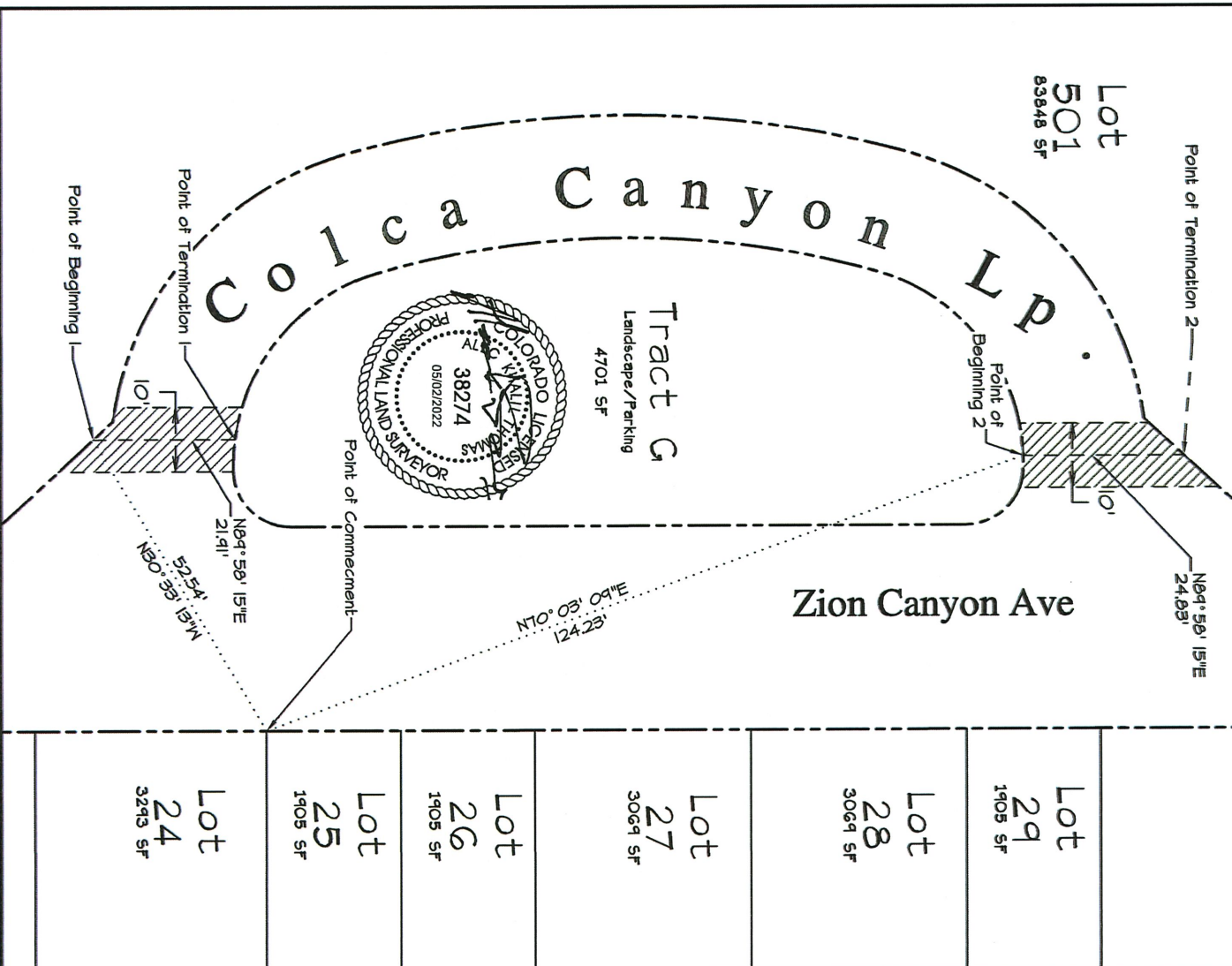
RIVER CITY CONSULTANTS
 215 Pitkin Avenue, Unit 201
 Grand Junction, CO 81501
 Phone: 970.241.4722
 Fax: 970.241.8841
 www.rcwest.com

Drawn: AKT | Checked: BDM | 8/13/21 | Job No. 1878-010
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EXHIBIT B

CANYONVIEW COTTAGES SUBDIVISION FILING ONE

Southwest Quarter of the Southeast Quarter of
 Section 32, T.1N., R.11W., Ute Meridian,
 City of Grand Junction, Mesa County, Colorado



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RTM RIVER CITY CONSULTANTS

215 PINK AVENUE, UNIT 201
 GRAND JUNCTION, CO 81501
 Phone: 970.241.4722
 Fax: 970.241.8841
 www.rcwsl.com

Drawn: AKT Checked: BDM 8/19/21 Job No. 187B-010
 Survey: ECT/STB Survey: W/O Survey: W/O Canyon View Cottages/View/Driveway/wooded permitting

EXHIBIT C

CANYON VIEW COTTAGES SUBDIVISION FILING I

Southwest Quarter of the Southeast Quarter of
Section 32, T.1N., R.1W., Ute Meridian.
City of Grand Junction, Mesa County, Colorado

CANYON VIEW COTTAGES
SUBDIVISION FILING I



Point of Commecment

Kings Canyon St.

Lot
37
1990 SF

Lot
36
6039 SF

Point of Termination

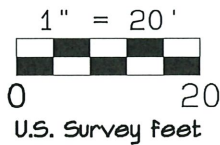
Lot 501
80348 SF

Point of Beginning

10.00'

500° 01' 45" E 42.59'

589° 58' 15" W
34.00'



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CONSULTANTS

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EXHIBIT D

CANYONVIEW COTTAGES SUBDIVISION FILING ONE

Southwest Quarter of the Southeast Quarter of
Section 32, T.1N., R.1W., Ute Meridian.
City of Grand Junction, Mesa County, Colorado



Lot
500
15516 SF

Kolob Canyon St.

Point of Termination 2
Tract E

6479 SF

Point of Beginning 2

10'
N89°58'15"E
35.39'

Zion Canyon Ave

N46°21'40"E
72.62'

Point of Commencement

Point of Termination 1

Lot
7
1905 SF

Lot
8
4988 SF

Lot
9
5370 SF

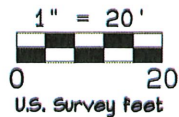
571°32'55"E
58.34'

N89°58'15"E
31.50'

Point of Beginning 1

10'

Kolob Canyon St.



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EXHIBIT E

Tract D

7177 SF



CANYON VIEW COTTAGES
SUBDIVISION FILING I

Lot
41
3015 SF

Lot
40
1873 SF

Point of Commencement

Royal Canyon St.

500° 01' 45" E 37.84'

Point of Beginning

Lot
39
5167 SF

N89° 58' 15" E
34.00'

Point of Termination

Lot
500
15516 SF

CANYON VIEW COTTAGES SUBDIVISION FILING I

Southwest Quarter of the Southeast Quarter of
Section 32, T.1N., R.1W., Ute Meridian.
City of Grand Junction, Mesa County, Colorado

Zion Canyon Ave



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8/13/21

Job No. 1378-010

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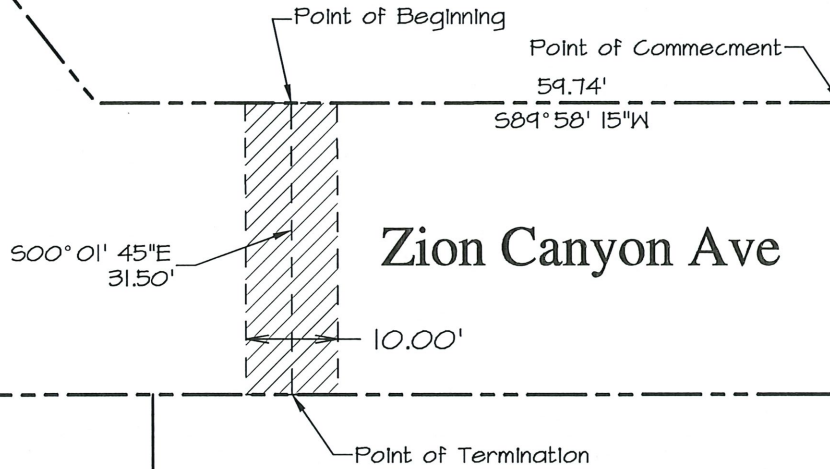
EXHIBIT F

CANYONVIEW COTTAGES SUBDIVISION FILING ONE

Lot
38
6039 SF



Kings Canyon St.



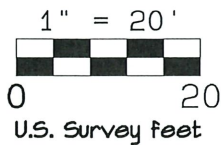
30' RIGHT-OF-WAY
CANYON WEST
SUBDIVISION

Lot
37
3069 SF

Tract 1
6879 SF

CANYONVIEW COTTAGES SUBDIVISION FILING ONE

Southwest Quarter of the Southeast Quarter of
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City of Grand Junction, Mesa County, Colorado



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EXHIBIT G

CANYONVIEW COTTAGES SUBDIVISION FILING ONE



Lot
41
5167 SF

Royal Canyon St.

517

Point of Termination

$N00^{\circ}01'45''W$
35.50'

Zion Canyon Ave

10.00'

$S89^{\circ}58'15''W$
34.45'

Point of Beginning

Point of Commencement

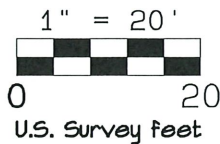
CANYONVIEW COTTAGES SUBDIVISION FILING ONE

Southwest Quarter of the Southeast Quarter of
Section 32, T.1N., R.1W., Ute Meridian.
City of Grand Junction, Mesa County, Colorado

Tract A

Drainage Easement
11404 SF

Lot
1
3648 SF



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