

**CITY OF GRAND JUNCTION, COLORADO**

**RESOLUTION NO. 04-23**

**A RESOLUTION ISSUING A REVOCABLE PERMIT TO ALLOW PRIVATE  
STORMWATER DRAINAGE PIPE FOR THE PROPOSED QUICK N CLEAN CAR  
WASH LOCATED AT 691 24 ROAD WITHIN THE 24 ROAD RIGHT-OF-WAY**

**Recitals.**

A. Quick N Clean Car Wash CO-02, LLC, hereinafter referred to as the Petitioner, represent it is the owner of the following described real property in the City of Grand Junction, County of Mesa, State of Colorado, to wit:

LOT 1 GG GRAND JUNCTION SUBDIVISION FILING 2 PER RN 3034472  
RECORDED 6-14-22 MESA CO RECDS SEC 5 1 S 1W UM - 2.06 ACRES. TAX  
SCHEDULE 2945-051-20-001

B. The Petitioner has requested that the City Council of the City of Grand Junction issue a Revocable Permit to allow the Petitioner to install, maintain and repair an underground stormwater sewer line to be in right-of-way within the following described public right-of-way as depicted on Exhibit A attached hereto:

**A 20' STRIP OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO, DESCRIBED AS FOLLOWS:**

**COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 5; THENCE S00°02'43"E ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 5 (SAID LINE BEING THE BASIS OF BEARINGS FOR ALL BEARINGS STATED HEREIN) , A DISTANCE 566.60 FEET TO THE TRUE POINT OF BEGINNING;**

**THENCE S89°57'50"W, A DISTANCE OF 107.00 FEET TO THE EASTERLY LINE OF LOT 1, GG GRAND JUNCTION SUBDIVISION FILING NO. 1;**

**THENCE S00°02'43"E ALONG SAID EASTERLY LINE, A DISTANCE OF 20.00 FEET TO A POINT FROM WHICH THE SOUTHEAST CORNER OF SAID LOT 1 BEARS S00°02'43"E, 16.23 FEET;**

**THENCE N89°57'50"E, A DISTANCE OF 107.00 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 5;**

**THENCE N00°02'43"W ALONG SAID EAST LINE, A DISTANCE OF 20.00 FEET TO THE TRUE POINT OF BEGINNING.**

containing 2,140 square feet as described.

C. Relying on the information supplied by the Petitioner and contained in File No. RVP-2022-1879 in the office of the City's Community Development Department, the City

Council has determined that such action would not at this time be detrimental to the inhabitants of the City of Grand Junction.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

1. That the City Manager is hereby authorized and directed to issue the attached Revocable Permit to the above-named Petitioner for the purpose aforescribed and within the limits of the public right-of-way aforescribed, subject to each and every term and condition contained in the attached Revocable Permit.

PASSED and ADOPTED this 4<sup>th</sup> day of January 2023.

Attest:

  
City Clerk

  
\_\_\_\_\_  
President of City Council







## REVOCABLE PERMIT

### Recitals.

A. Quick N Clean Car Wash CO-02, LLC, hereinafter referred to as the Petitioner, represent it is the owner of the following described real property in the City of Grand Junction, County of Mesa, State of Colorado, to wit:

LOT 1 GG GRAND JUNCTION SUBDIVISION FILING 2 PER RN 3034472 RECORDED 6-14-22 MESA CO RECDS SEC 5 1 S 1W UM - 2.06 ACRES. TAX SCHEDULE 2945-051-20-001

B. The Petitioner has requested that the City Council of the City of Grand Junction issue a Revocable Permit to allow the Petitioner to install, maintain and repair an underground stormwater sewer line within the following described public right-of-way:

A 20' STRIP OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 5; THENCE S00°02'43"E ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 5 (SAID LINE BEING THE BASIS OF BEARINGS FOR ALL BEARINGS STATED HEREIN) , A DISTANCE 566.60 FEET TO THE TRUE POINT OF BEGINNING;

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THENCE N00°02'43"W ALONG SAID EAST LINE, A DISTANCE OF 20.00 FEET TO THE TRUE POINT OF BEGINNING.

containing 2,140 square feet as described.

C. Relying on the information supplied by the Petitioner and contained in File No. RVP-2022-1879 in the office of the City's Community Development Department, the City Council has determined that such action would not at this time be detrimental to the inhabitants of the City of Grand Junction.

NOW, THEREFORE, IN ACCORDANCE WITH THE ACTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

There is hereby issued to the above-named Petitioner a Revocable Permit for the purpose aforedescribed and within the limits of the public right-of-way aforedescribed; provided, however, that the issuance of this Revocable Permit shall be conditioned upon the following terms and conditions:

1. The Petitioner's use and occupancy of 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 to avoid creating hazardous or dangerous situations and to avoid damaging public improvements and public utilities or any other facilities presently existing or which may in the future exist in said right-of-way.
2. The City hereby reserves and retains a perpetual right to utilize all or any portion of the aforedescribed 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 reason.
3. The Petitioner, for itself and for its successors, assigns and for all persons claiming through the Petitioner, agrees that it shall defend all efforts and claims to hold, or attempt to hold, the City of Grand Junction, its officers, employees and agents, liable for damages caused to any property of the Petitioner or any other party, as a result of the Petitioner's occupancy, possession or use of said public right-of-way or as a result of any City activity or use thereof or as a result of the installation, operation, maintenance, repair and replacement of public improvements.
4. The Petitioner agrees that it shall at all times keep the above-described public right-of-way in good condition and repair.
5. This Revocable Permit shall be issued only upon the concurrent execution by the Petitioner of an agreement that the Petitioner and the Petitioner's 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 Petitioner shall, at the sole cost and expense of the Petitioner, within thirty (30) days of notice of revocation (which may occur by mailing a first class letter to the last known address), peaceably surrender said public right-of-way and, at its own expense, remove any encroachment so as to make the aforedescribed public right-of-way available for use by the City or the general public. The provisions concerning holding harmless and indemnity shall survive the expiration, revocation, termination or other ending of this Permit.
6. This Revocable Permit, the foregoing Resolution and the following Agreement shall be recorded by the Petitioner, at the Petitioner's expense, in the office of the Mesa County Clerk and Recorder.

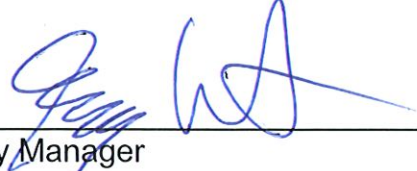
Dated this 5<sup>th</sup> day of JANUARY, 2023.

The City of Grand Junction,  
a Colorado home rule municipality



Attest:

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
City Manager

Acceptance by the Petitioner:

  
\_\_\_\_\_  
Quick N Clean Car Wash CO-02, LLC

**AGREEMENT**

Quick N Clean Car Wash CO-02, LLC, for itself and for its successors and assigns, does hereby agree to:

(a) Abide by each and every term and condition contained in the foregoing Revocable Permit;

(b) Indemnify and hold harmless the City of Grand Junction, its officers, employees and agents with respect to all claims and causes of action, as provided for in the approving Resolution and Revocable Permit;

(c) Within thirty (30) days of revocation of said Permit by the City Council, peaceably surrender said public right-of-way to the City of Grand Junction;

(d) At the sole cost and expense of the Petitioner, remove any encroachment so as to make said public right-of-way fully available for use by the City of Grand Junction or the general public.

Dated this 5<sup>th</sup> day of JANUARY, 2023.

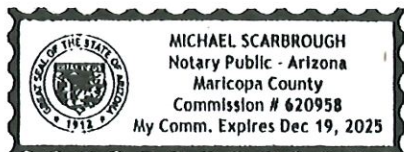
Quick N Clean Car Wash CO-02, LLC

By: [Signature]  
Richard Karle, Manager

ARIZONA  
State of Colorado )  
                          )ss.  
County of Mesa     )  
                          MARICOPA

The foregoing Agreement was acknowledged before me this 5<sup>th</sup> day of JANUARY, 2023, by Richard Karle, Manager of Quick N Clean Car Wash CO-02, LLC.

My Commission expires: 12.19.2025  
Witness my hand and official seal.



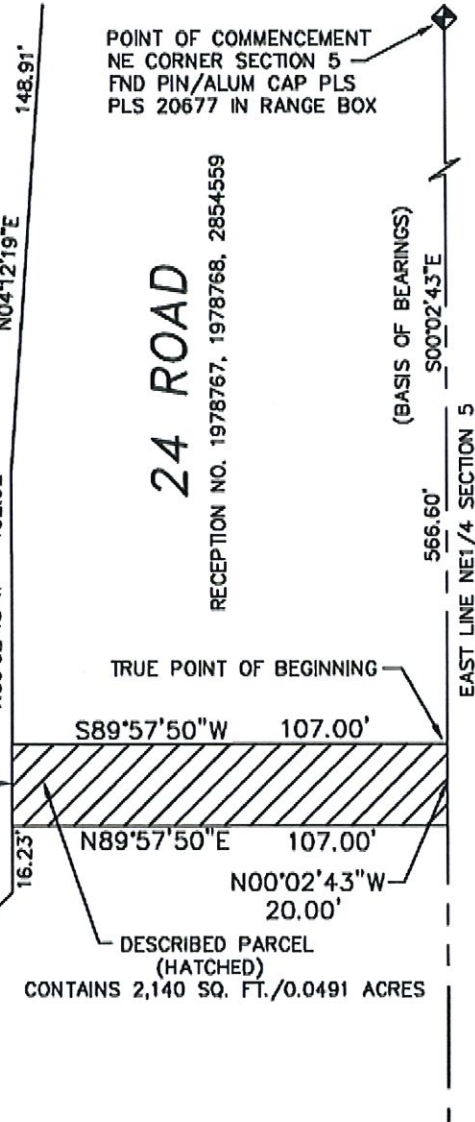
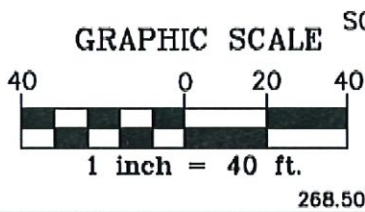
[Signature]  
Notary Public



ILLUSTRATION FOR  
**EXHIBIT A**  
 (SHEET 1 OF 1)

ADDRESS: 2388 MOJO STREET  
 OWNER: QUICK N CLEAN CO- LLC  
 APN: 2945-051-20-001

LOT 1  
 GG GRAND JUNCTION SUBDIVISION FILING NO. 2  
 RECEPTION NO. 3034472



MOJO STREET

BEARINGS ARE BASED ON THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 5 ASSUMED TO BEAR S00°02'43"E.  
 THE ABOVE DESCRIBED PARCEL CONTAINS 2,140 SQUARE FEET (0.0491 ACRES) MORE OR LESS.  
 This drawing does not represent a monumented survey. It is intended only to depict the attached legal description.

GRAND JUNCTION, COLORADO

STORM SEWER EASEMENT

LOCATED IN LOT 1 OF SECTION 5, T1S, R1W OF THE  
 UTE MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF  
 MESA, STATE OF COLORADO

DRAWN BY: MC	SCALE: 1"=40'	R.O.W. FILE NUMBER
CHECKED BY: BR	DATE: 10/01/2022	JOB NUMBER: