

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. 26-23

A RESOLUTION REVOKING THE REVOCABLE PERMIT ISSUED PURSUANT TO RESOLUTION #44-14 DATED DECEMBER 3, 2014, TO RRB HOLDINGS, INC.

Recitals.

A. A revocable permit was issued to Ron Bubar on behalf of RRB Holdings, Inc. and its successors and assigns as authorized by City Council with Resolution No. 44-14 dated December 3, 2014. The resolution directed the City Manager to grant a revocable permit for the following described portion of real property located in the West Half of the Northwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$), Section 4, Township 1 South, Range 1 West, Ute Meridian, City of Grand Junction, Mesa County, Colorado:

COMMENCING at the West Quarter corner (W $\frac{1}{4}$ corner) of Section 4, Township 1 South, Range 1 West of the Ute Meridian, in the City of Grand Junction, Mesa County, Colorado whence the North sixteenth (N1/16th) corner on the West line of said Section 4 bears North 00°03'16" West, a distance of 1320.35 feet, for a basis of bearings with all bearings contained herein relative thereto; thence North 00°03'16" West, a distance of 123.91 feet, along the West line of said Section 4 to the North right-of-way line of F1/2 Road, as described in Book 4330, Page 133, Mesa County records; thence along said North right-of-way line North 89°54'55" East, a distance of 90.03 feet to the POINT OF BEGINNING; thence North 89°54'55" East, a distance of 612.29 feet, continuing along the North line of said right-of-way; thence South 00°07'29" East, a distance of 71.92 feet; thence South 89°54'59" West, a distance of 612.29 feet; thence North 00°07'29" West, a distance of 71.91 feet to the POINT OF BEGINNING.

Said area having 1.011 Acres.

B. The right-of-way area described above is necessary for the construction of the F 1/2 Parkway project. This is one of the projects included in the Transportation Capacity funding approved by voters in 2019 by ballot measure 2A. Relying on this information, the City Council has determined that such action is for the benefit of the inhabitants of the City of Grand Junction.

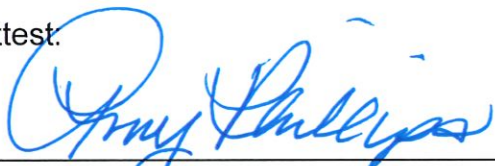
C. SRE Colorado 6, LLC and SRE Colorado 7, LLC ("SRE") are the successors to RRB Holdings, Inc. SRE Colorado 6, LLC and SRE Colorado 7, LLC shall have 30 days to surrender the property in accordance with the terms of the permit. SRE shall not add any other property to the permit area during the 30 day surrender period, but may remove property such as the lights. Any property remaining on the property on the 31st day shall be the City's property. The City has agreed that SRE is not responsible for otherwise removing the encumbrances constructed on the property. The City has agreed that any encumbrances that need to be removed as a part of the F $\frac{1}{2}$ Parkway project will be removed and/or modified by the City at the City's cost.

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

1. That the Revocable permit issued to Rob Bubar on behalf of RRB Holdings, Inc. is hereby revoked.
2. The City Manager is hereby directed to provide a 30-day surrender notice to the successor of RRB Holdings, Inc., SRE Colorado 6, LLC and SRE Colorado 7, LLC, informing them to peaceably surrender the property on or before 30 days from the date of mailing said notice.
3. City Council ratifies the negotiations that SRE Colorado 6, LLC and SRE Colorado 7, LLC are entitled to remove improvements, such as the lights, but anything left after the 30 days shall be the property of the City and the removal and or modifications of encumbrances on the property for the F ½ Road Parkway project shall be the responsibility of the City.

PASSED and ADOPTED this 15th day of March 2023.

Attest.



Amy Phillips, City Clerk



Anna Stout, President of the City Council

