

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 5134

AN ORDINANCE AUTHORIZING AND CONFIRMING THE EXCHANGE OF REAL PROPERTY LOCATED AT 381 HIGH DESERT ROAD AND FOR PROPERTY LOCATED AT 409 HIGH DESERT ROAD IN THE CITY OF GRAND JUNCTION, COLORADO

RECITALS:

On December 15, 2022 the City received a Petition for Land Exchange ("Petition") from Robert M. Stubbs ("Petitioner") for an exchange of two parcels totaling 12,336 square feet of unimproved open space for 10,149 square feet of improved open space together with 5,795 square feet of constructed trail connections all located in the Ridges (collectively "Exchange" or "the Exchange"). The Petition is attached and incorporated as if fully set forth.

The Exchange proposed by the Petition would facilitate the construction of a residential subdivision known as Camelback Gardens ("Development"), which is pending City review and approval. The Petitioner asserts that the Exchange and the Development which would be facilitated by and with the City Council approving the Exchange will result in more beneficial public access and use of the Ridges open space. Together with the Development having more utility. The Petition and the Petitioner's testimony in support thereof is the principal evidence adduced in this matter.

While the Petitioner bears both the burden of going forward and the burden of persuasion with respect to the Petition, certain City Community Development and Parks and Recreation Staff on December 9, 2022 inspected the property contemplated for the Exchange and otherwise considered the proposed Exchange. Based on that review the City Staff has determined the Exchange will have no impact on the City's Open Space and accordingly formed an opinion that the Exchange has perceived benefits to park users and citizens of Grand Junction and the City Staff has recommended that the City Council favorably consider the Petition/the Exchange.

The City as the successor to the Ridges Metropolitan District owns the Ridges Open Space. While the Ridges Open Space has neither been used for governmental purposes, or is a developed park, it is used for recreational purposes. The City Charter provides that the City Council has the power to sell certain real estate by ordinance or resolution; however, if the real estate is used or held for park purposes before any sale thereof shall be made a question shall be submitted to and ratified by voters. While the Ridges open Space is not a park *per se* it is the City Attorney's opinion that if the property proposed to be exchanged were being sold that the Charter restriction would apply and prior voter approval for a sale or permanent disposal of the property would be necessary; however, given that the Petition seeks a trade not a sale of the real estate and the Exchange may reasonably be found to be equivalent or better based on the City

Staff review, the City Attorney has opined that it is within its discretion to City Council to entertain the Exchange without submitting a question to the electorate.

Since adoption in 1976 of a City Council Resolution it has been City policy to “to dispose of City owned real estate in exchange for real estate that better suits the City’s needs whenever possible”. The Proposed Exchange is consistent with long-established City policy.

With this Ordinance the City Council has determined that the real estate to be acquired in the Exchange, as described in the Petition and the exhibit attached hereto, will better serve the needs of the City in general and the users of the Ridges Open Space in particular.

Furthermore, with this Ordinance the City Council confirms the Exchange and settles certain matters related to the history of the property and ratifies that the Exchange as stated in the Petition, is approved with this Ordinance, and is found to be consistent with the City Charter.

With this Ordinance the City Council deems the Exchange proper as stated herein, and additionally allows that the form of conveyance executed, approved, and acknowledged by the proper process and officers of the City for the property shall be held as *prima facie* evidence of compliance with the Charter, the laws of the City and State and the acts hereby and herewith ordained.

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

1. The foregoing Recitals are incorporated and adopted, and in accordance with and pursuant to this Ordinance, the City Council of the City of Grand Junction hereby authorizes, confirms and ratifies the exchange of 7,125 square feet from Lot 3 to Lot 1 and 5,211 square feet from Lot 3 to Lot 2 as identified on Exhibit 9 and Exhibit 7 and on the terms stated in the Petition attached hereto, which terms include but are not limited to dedication and construction of public open space and public improvements and on-going HOA maintenance of said public open space and as fully provided in the Petition, together with any terms, understandings and conditions that are or may be applicable by, with and through the City review and approval of the Development.
2. All actions taken by the officers, employees and agents of the City relating to the Exchange described or referred to herein and which actions are consistent with the provisions hereof are hereby ratified, approved, and confirmed.
3. The officers, employees and agents of the City are hereby authorized and directed to take all actions necessary or appropriate to effectuate the provisions hereof, including, without limitation, the execution and delivery of such document(s) as may be necessary or required to affect the intent and purposes hereof.

INTRODUCED ON FIRST READING, PASSED for publication in pamphlet form and setting a hearing for the 1st day of March 2023.

HEARD, PASSED and ADOPTED ON SECOND READING and ordered published in pamphlet form this 15th day of March 2023.



Anna M. Stout
President of the City Council



Amy Phillips
City Clerk



CAMELBACK GARDENS BOUNDARY LINE ADJUSTMENT

SITUATED IN SECTION 17 AND 20
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN
BEING A REPLAT OF CAMELBACK GARDENS SUBDIVISION, RECEPTION NO. 2978317
AND A PORTION OF THE RIDGES FILING NO. SIX, RECEPTION NO. 1259706
CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO

Owners' Statement and Dedication:

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, Robert M. Stubbs and The City of Grand Junction, are the owners of that real property situate in Section 17 and Section 20, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado as evidenced by Outclaim Deeds, filed in the office of the Mesa County, Colorado, Clerk and Recorder, at Reception No. 2918174 and 1809906, known as:

Lots 1 and 2
CAMELBACK GARDENS SUBDIVISION as recorded at Reception No. 2978317
County of Mesa, State of Colorado

AND INCLUDING

A tract of land situate in Section 20, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, said tract of land being a part of The Ridges Filing No. 6 as shown at Reception No. 1259706 of the Mesa County Records, being more particularly described as follows:

Commencing at the North Quarter Corner of said Section 20, from whence the East Sixteenth Corner on the North line of Section 20 bears S89°46'15"E a distance of 1318.50 feet to a point on the Southern Right of Way for Rona Road as dedicated on record at Reception No. 1786624, Cobblestone Ridge Subdivision as recorded at Reception No. 1776367 and The Ridges Filing 6 as recorded at Reception No. 1259706 the following (2) courses and distances:

1. N27°44'43"E a distance of 247.00 feet to the Northeast Corner of said Camelback Gardens Subdivision; thence along the South and East Lines of Cobblestone Ridge Phase 2 Replat as recorded at Reception No. 1786624, Cobblestone Ridge Subdivision as recorded at Reception No. 1776367 and The Ridges Filing 6 as recorded at Reception No. 1259706 the following (3) courses and distances:

1. N27°44'43"E a distance of 72.63 feet; 2. N01°48'08"E a distance of 58.63 feet; 3. N89°54'12"E a distance of 250.05 feet; thence N17°53'29"E a distance of 99.83 feet to a point on the Southern Right of Way for Rona Road as dedicated on record at Reception No. 1786624, Cobblestone Ridge Subdivision as recorded at Reception No. 1776367 and The Ridges Filing 6 as recorded at Reception No. 1259706 the following (3) courses and distances:

1. N27°44'43"E a distance of 72.63 feet; 2. N01°48'08"E a distance of 58.63 feet; 3. N89°54'12"E a distance of 250.05 feet; thence N17°53'29"E a distance of 99.83 feet to a point on the Southern Right of Way for Rona Road as dedicated on record at Reception No. 1786624, Cobblestone Ridge Subdivision as recorded at Reception No. 1776367 and The Ridges Filing 6 as recorded at Reception No. 1259706 the following (4) courses and distances:

1. S23°58'58"W a distance of 110.00 feet; 2. S79°33'29"W a distance of 125.00 feet; 3. S27°12'21"E a distance of 303.75 feet; 4. S13°47'09"W a distance of 80.33 feet to a point on the Westery Line of Sand Cliff Court Subdivision as recorded at Reception No. 1786570; thence along said Westery Line and the Westery Line of Block 13 of The Ridges Filing No. 4 as recorded at Reception No. 1259706 the following (7) courses and distances:

1. S29°03'32"W a distance of 57.71; 2. S45°45'27"W a distance of 223.31 feet; 3. S13°00'32"W a distance of 202.99 feet; 4. S23°33'01"W a distance of 585.00 feet; 5. S21°27'09"W a distance of 137.08 feet; 6. S87°09'42"W a distance of 100.10 feet; 7. S21°15'58"W a distance of 99.83 feet to the Northernly line of the Right of Way for Hillview Drive as shown on the Plat of said The Ridges Filing No. 4, and the start of a curve to the right; thence along said Right of Way and curve to the right on an arc length of 25.82 feet with a radius of 20.00 feet and a central angle of 73°23'34" whose chord bears N48°17'39"W a distance of 23.90 feet to the start of a curve to the left; thence continuing along said Right of Way and curve to the left on an arc length of 31.34 feet with a radius of 30.00 feet and a central angle of 33°34'49" whose chord bears N29°33'07"W a distance of 30.53 feet to the Southeast Corner of Lot 1 of Correll Miner Subdivision as recorded at Reception No. 1799023; thence along said Correll Miner Subdivision the following eleven (11) courses and distances:

1. 123.48 feet along a non-tangent curve to the left with a radius of 200.00 feet and a central angle of 30°22'25" whose chord bears N53°10'37"W a distance of 121.53 feet to the start of a non-tangent curve to the right; 2. 81.82 feet along said non-tangent curve to the right with a radius of 310.00 feet and a central angle of 15°07'22" whose chord bears N15°22'27"W a distance of 81.58 feet; 3. S45°03'29"E a distance of 143.31 feet; 4. N79°30'11"E a distance of 89.15 feet; 5. N5°18'01"W a distance of 289.50 feet; 6. N45°25'59"E a distance of 326.17 feet; 7. N51°01'38"W a distance of 228.50 feet; 8. S23°41'28"W a distance of 184.09 feet; 9. S57°44'07"W a distance of 269.99 feet; 10. S17°30'28"W a distance of 84.97 feet; 11. S01°30'11"E a distance of 137.05 feet to the District open space of the Ridges Filing No. 5 as described at Reception No. 1809906;

thence S00°01'44"W along said open space a distance of 170.25 feet to the Northernly line of the Parcel described at Reception No. 2906188; thence N44°39'09"W along said Northernly line a distance of 120.16 feet; thence continuing along said Northernly line N82°12'03"W a distance of 59.27 feet to the Easternly line of the aforementioned Camelback Gardens Subdivision; thence along said Easternly line the following twenty two (22) courses and distances:

1. N02°42"E a distance of 111.78 feet; 2. N73°00'47"W a distance of 85.00 feet; 3. N18°39'13"E a distance of 150.00 feet; 4. N73°00'47"W a distance of 100.00 feet; 5. N18°39'13"E a distance of 15.00 feet; 6. S73°00'47"E a distance of 100.00 feet; 7. N30°09'31"E a distance of 135.53 feet; 8. S45°19'07"E a distance of 75.53 feet; 9. N75°43'23"E a distance of 100.88 feet; 10. N44°40'53"E a distance of 97.46 feet; 11. N13°30'23"E a distance of 100.68 feet; 12. N45°19'07"W a distance of 172.53 feet; 13. N44°40'53"E a distance of 10.00 feet; 14. S45°19'07"E a distance of 115.53 feet; 15. N13°30'23"E a distance of 34.78 feet; 16. N33°42'00"W a distance of 25.33 feet; 17. N04°53'57"E a distance of 116.78 feet; 18. N11°40'14"W a distance of 99.49 feet to the start of a non-tangent curve to the left; 19. 23.03 feet along said non-tangent curve to the right with a radius of 48.00 feet and a central angle of 27°22'22" whose chord bears N79°40'29"E a distance of 22.91 feet; 20. S48°13'12"E a distance of 103.73 feet; 21. N80°11'24"E a distance of 60.31 feet; 22. N50°03'E a distance of 176.95 feet to the Point of Beginning.

County of Mesa, State of Colorado

Said Parcel contains 20.36 Acres

Said Owners now by these presents laid out, platted and subdivided the above described real property, and designated the same as CAMELBACK GARDENS BOUNDARY LINE ADJUSTMENT, in the City of Grand Junction, County of Mesa, State of Colorado.

Owner states that there are no lienholders of record.

IN WITNESS WHEREOF, said owners, Robert M. Stubbs and The City of Grand Junction have caused their names to be hereunto subscribed this _____ day of _____ A. D. 20____

by: Robert M. Stubbs

For the City of Grand Junction

STATE OF _____) SS
COUNTY OF _____)

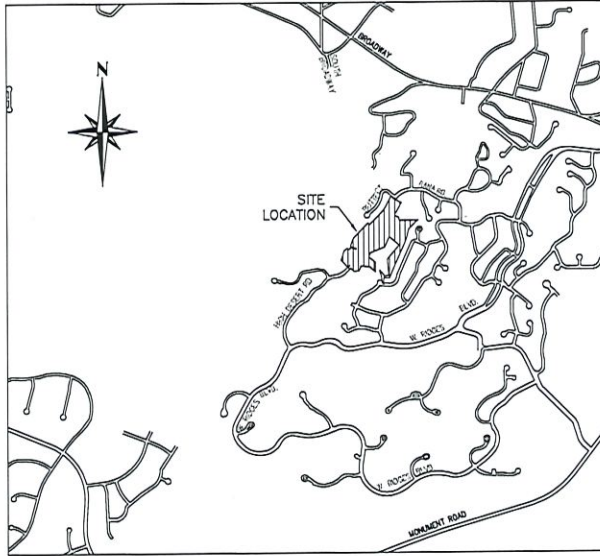
The foregoing instrument was acknowledged before me by: Robert M. Stubbs
this _____ day of _____ A. D. 20____

Witness my hand and official seal: _____
Notary Public
My commission expires _____

STATE OF _____) SS
COUNTY OF _____)

The foregoing instrument was acknowledged before me by: _____ For: The City of Grand Junction
this _____ day of _____ A. D. 20____

Witness my hand and official seal: _____
Notary Public
My commission expires _____



NOTES

- OWNERSHIP, RECORDED RIGHTS-OF-WAY, AND EASEMENT INFORMATION WAS DONE USING A CURRENT TITLE POLICY BY ADVANCED TITLE COMPANY ORDER NO. AT3-22-19426.
- BEARINGS ARE BASED ON THE NORTH LINE OF 1/4" X 1/4" SECTION 20, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN. THE VALUE USED S89°46'15"E WAS CALCULATED USING THE MESA COUNTY LOCAL COORDINATE SYSTEM. MESA COUNTY SURVEY MARKERS WERE FOUND AT THE EAST AND WEST ENDS OF SAID LINE AS SHOWN HEREON.
- ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- THIS PLAT IS BASED ON THE DEEDS AS RECORDED AT RECEPTION NUMBER 2918174 AND 1809906, OF THE MESA COUNTY RECORDS.

ABBREVIATIONS:

- N NORTH
- S SOUTH
- E EAST
- W WEST
- T TOWNSHIP
- R RANGE
- MCSM MESA COUNTY SURVEY MARKER
- ROW RIGHT OF WAY
- SMIS SURVEY INFORMATION MANAGEMENT SYSTEM
- PLS PROFESSIONAL LAND SURVEYOR
- No. NUMBER
- GPS GLOBAL POSITIONING SYSTEM
- ID IDENTIFICATION
- SQ SQUARE
- FT FEET
- AVL AVENUE
- ST. STREET
- CT. COURT
- LN. LANE
- DR. DRIVE
- U.S. UNITED STATES
- L.C.E. LIMITED COMMON ELEMENT
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- P.O.L. POINT ON LINE

PATRICK W. CLICK
COLORADO REGISTERED LAND SURVEYOR PLS #37904

LAND USE SUMMARY		
LOTS	20.36 ACRES	100%
ROW	0.00 ACRES	0%
TRACTS	0.00 ACRES	0%
TOTAL	20.36 ACRES	100%

CURVE LABEL ABBREVIATIONS:

- RAV RADII
- L ARC LENGTH
- CHORD LONG CHORD DISTANCE
- DRG LONG CHORD BEARING
- Δ CURVE CENTRAL ANGLE

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SITUATED IN SECTIONS 17 AND 20

TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN
CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO

JOB # 2022-043 FIELD WORK: KM DRAWN BY: PC CHECKED BY: PC
DATE: 2/14/2023 DRAWING NAME: 381 & 409 HIGH DESERT ROAD

POLARIS SURVEYING

PATRICK W. CLICK P.L.S.

3194 MESA AVE. #B
GRAND JUNCTION, CO 81504
PHONE (970)434-7038

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO :
COUNTY OF MESA : SS

This plat was accepted for filing in the office of the Clerk and Recorder of Mesa County, Colorado, at _____ o'clock _____ m., on this _____ day of _____ 20____ and was recorded at Reception No. _____ and Fees _____
Drawer No. _____, and Fees _____

Clerk and Recorder _____ Deputy _____

CITY APPROVAL

CAMELBACK GARDENS BOUNDARY LINE ADJUSTMENT, a subdivision of the City of Grand Junction, County of Mesa, State of Colorado, is hereby approved and dedications accepted this _____ day of _____ 2023.

City Manager _____ President of Council _____

CITY USE BLOCK

The below listed recording information for Associated Record Documents was not prepared under the professional land surveyor's responsible charge, Board Rule 6.2.1, State of Colorado

The recording information is to be completed by the City of Grand Junction personnel.

1. _____ as recorded at Reception Number _____

TITLE CERTIFICATION

STATE OF COLORADO)
COUNTY OF MESA)
I, PATRICK W. CLICK, a duly licensed land surveyor, as duly licensed in the State of Colorado, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND I HAVE EXAMINED THE TITLE TO THE HEREIN DESCRIBED PROPERTY, THAT I FIND THE TITLE TO THE PROPERTY VESTED TO ROBERT M. STUBBS AND THE CITY OF GRAND JUNCTION; THAT THE CURRENT TAXES HAVE BEEN PAID; THAT ALL MORTGAGES NOT SATISFIED OR RELEASED OR RECORD NOT OTHERWISE TERMINATED BY LAW ARE SHOWN HEREON AND THAT THERE ARE NO OTHER ENCUMBRANCES OF RECORD; THAT ALL EASEMENTS, RESERVATIONS AND RIGHTS OF WAY OF RECORD ARE SHOWN HEREON.

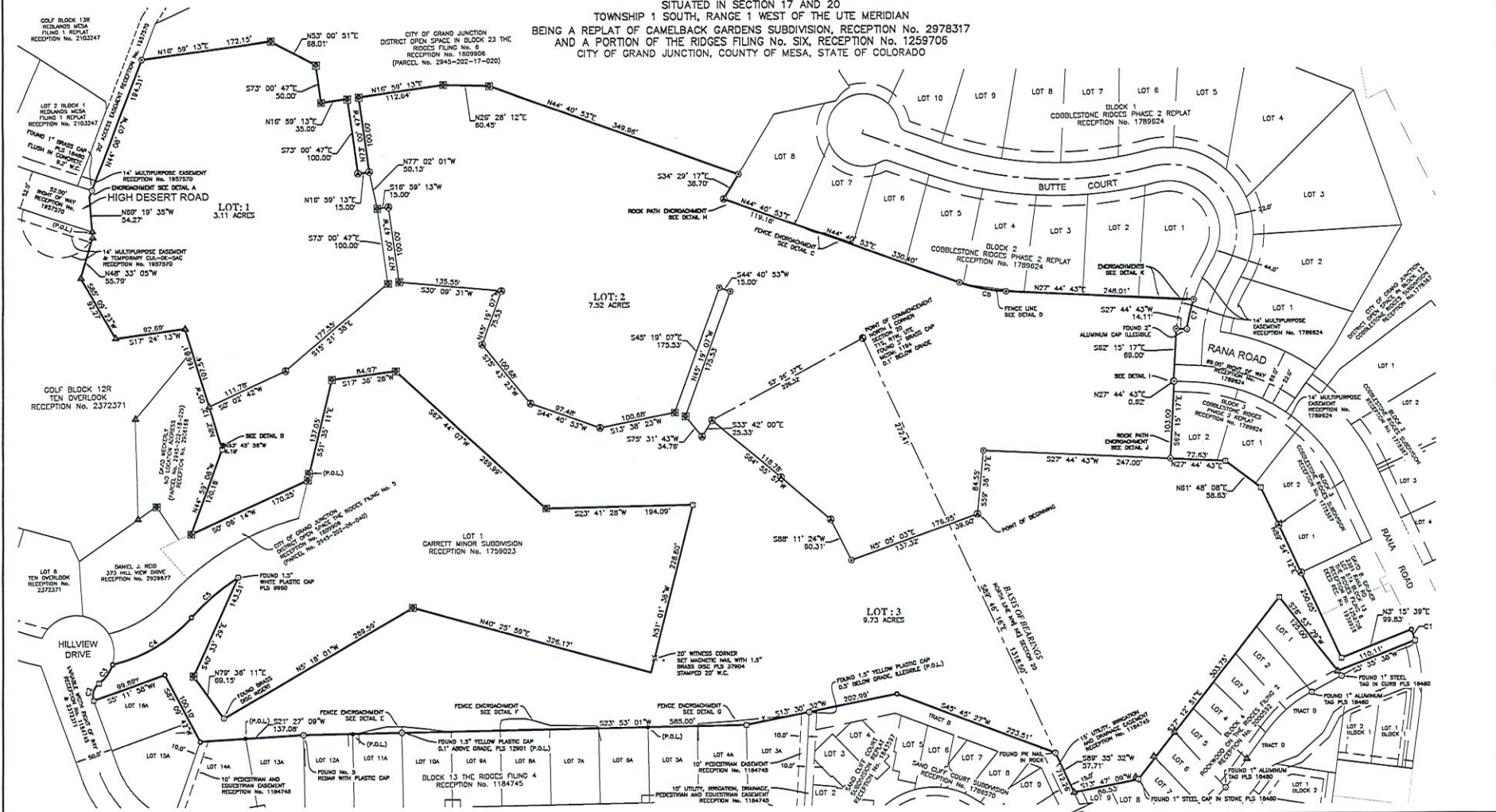
DATE: _____ BY: _____
NAME AND TITLE

SURVEYOR'S CERTIFICATION:

I, Patrick W. Click, do hereby certify that I am a registered land surveyor licensed under the laws of the State of Colorado, that this Plat is a true, correct and complete Final Plat of the CAMELBACK GARDENS BOUNDARY LINE ADJUSTMENT, as laid out, platted, dedicated and shown hereon, that such Final Plat was made from an accurate survey of said property by me and under my supervision, both conform to the standards of practice, statutes and laws of the State of Colorado to the best of my knowledge and belief. This statement is not a warranty or guarantee, either expressed or implied.

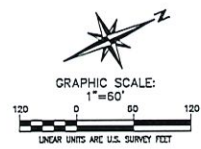
CAMELBACK GARDENS BOUNDARY LINE ADJUSTMENT

SITUATED IN SECTION 17 AND 20
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AND A PORTION OF THE RIDGES FILING No. SIX, RECEPTION No. 1259706
CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO



Curve #	Radius	Length	Delta	Chord Length	Chord Bearing
C1	200.00'	15.18'	004° 21' 02"	15.18'	S84° 33' 50"W
C2	20.00'	25.82'	073° 33' 54"	23.90'	N46° 17' 38"W
C3	80.00'	21.34'	039° 54' 48"	30.85'	N29° 23' 07"W
C4	200.00'	123.48'	039° 22' 25"	121.83'	N29° 31' 03"W
C5	310.00'	81.82'	019° 07' 22"	81.26'	N19° 21' 27"W
C6	213.00'	82.86'	018° 58' 08"	82.73'	N38° 12' 10"W
C7	222.00'	40.70'	010° 30' 12"	40.84'	S32° 08' 33"E

- LEGEND:**
- FOUND SURVEY MARKER AS DESCRIBED
 - △ FOUND CORNER AS DESCRIBED
 - ▲ FOUND 2 INCH ALUMINUM CAP PLS 18480
 - FOUND 2 INCH ALUMINUM CAP PLS 18478
 - ⊙ FOUND 2 INCH ALUMINUM CAP PLS 37049
 - ⊙ FOUND 1-1/2 INCH ALUMINUM CAP PLS 12770
 - ⊙ FOUND No. 3 REBAR WITH NO CAP
 - ⊙ FOUND No. 3 REBAR PLACED 2 INCH ALUMINUM CAP PLS 37904
 - ⊙ SET No. 5 REBAR WITH 2 INCH ALUMINUM CAP PLS 37904
 - ⊙ DIGGING FENCE LINE



CAMELBACK GARDENS BOUNDARY LINE ADJUSTMENT
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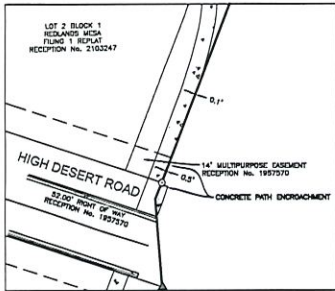
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DATE: 2/14/2023 DRAWING NAME: 381 & 409 HIGH DESERT ROAD

POLARIS SURVEYING
PATRICK W. CLICK P.L.S.

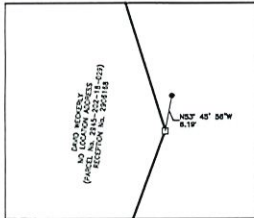
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CAMELBACK GARDENS BOUNDARY LINE ADJUSTMENT

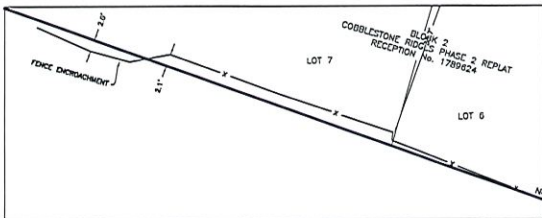
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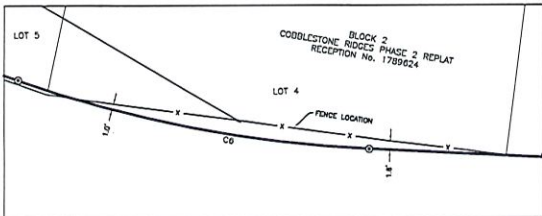
DETAIL A GRAPHIC SCALE 1"=30'



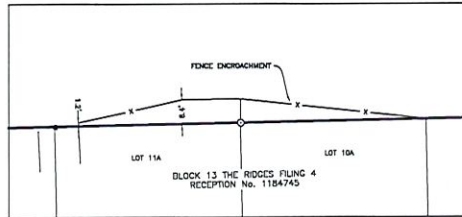
DETAIL B GRAPHIC SCALE 1"=10'



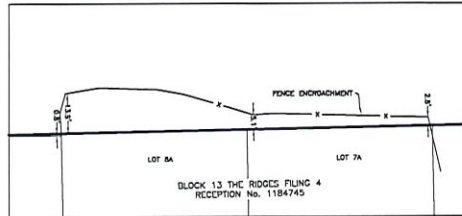
DETAIL C GRAPHIC SCALE 1"=10'



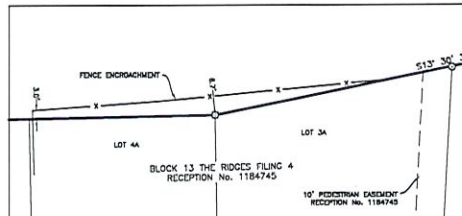
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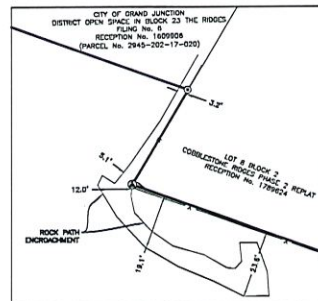
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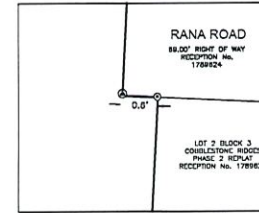
DETAIL F GRAPHIC SCALE 1"=20'



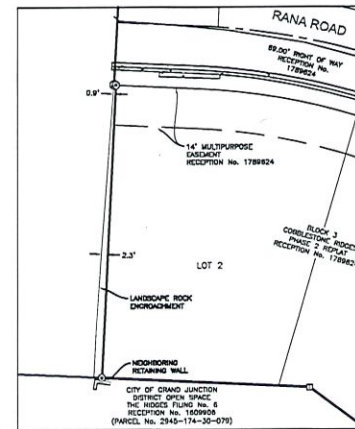
DETAIL G GRAPHIC SCALE 1"=20'



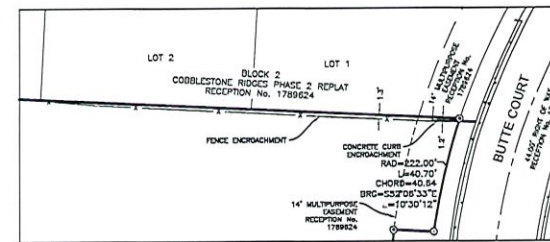
DETAIL H GRAPHIC SCALE 1"=20'



DETAIL I GRAPHIC SCALE 1"=1'



DETAIL J GRAPHIC SCALE 1"=20'



DETAIL K GRAPHIC SCALE 1"=20'



GRAPHIC SCALE VARIES AS SHOWN

LEGEND:

- FOUND SURVEY MARKER AS DESCRIBED
- FOUND CORNER AS DESCRIBED
- FOUND 2 INCH ALUMINUM CAP PLS 18480
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- FOUND 2 INCH ALUMINUM CAP PLS 37049
- FOUND 1-1/2 INCH ALUMINUM CAP PLS 12770
- FOUND No. 5 REBAR WITH NO CAP
- FOUND No. 3 REBAR PLACED 2 INCH ALUMINUM CAP PLS 37304
- SET No. 3 REBAR WITH 2 INCH ALUMINUM CAP PLS 37304
- EXISTING FENCE LINE
- EXISTING CONCRETE

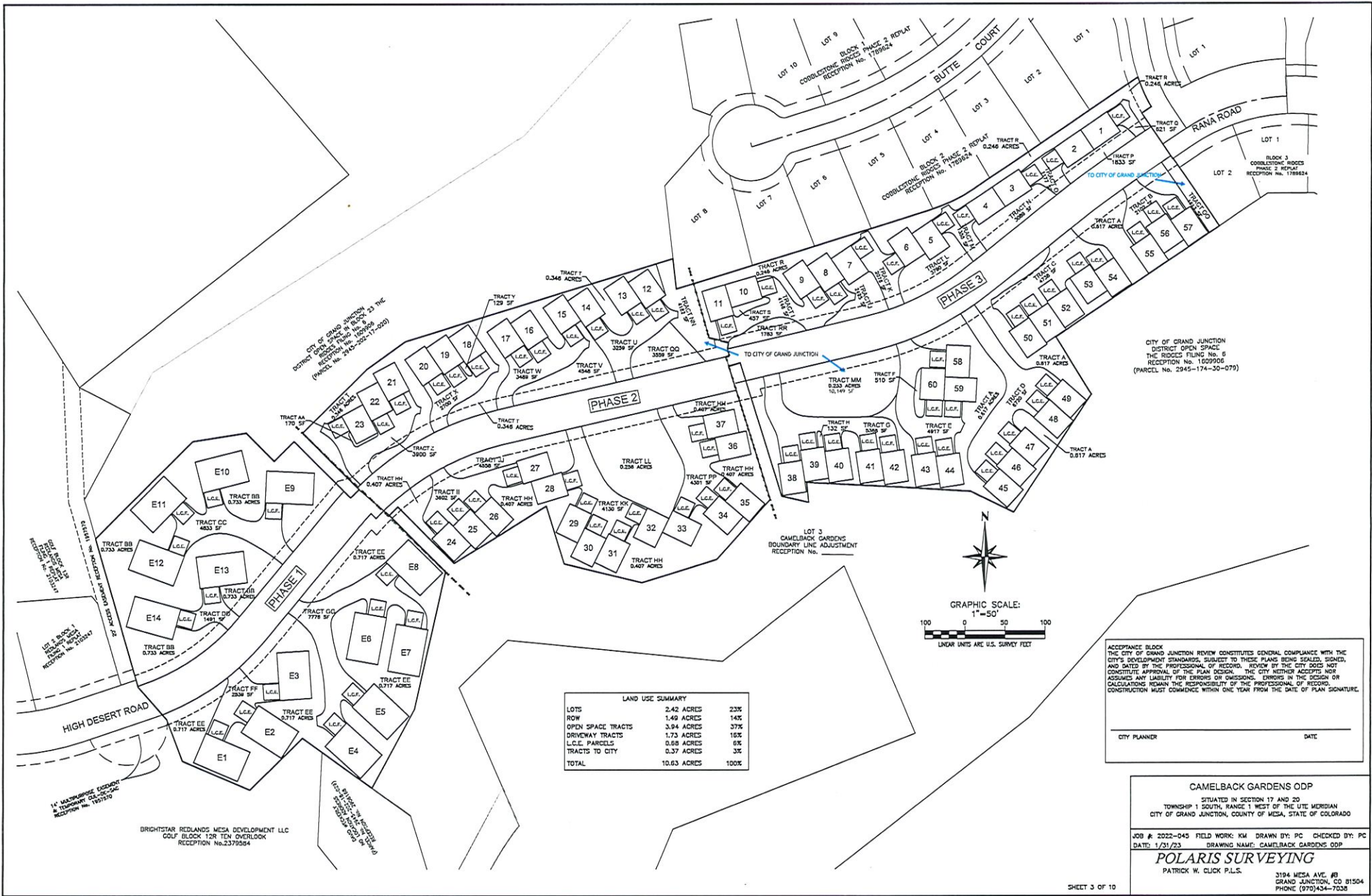
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POLARIS SURVEYING

PATRICK W. CLUCK P.L.S.

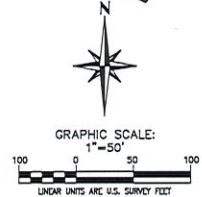
3194 MESA AVE. #B
 GRAND JUNCTION, CO 81504
 PHONE (970)434-7238



CITY OF GRAND JUNCTION
DISTRICT OPEN SPACE
THE RIDGES FILING No. 23 THE
RECEPTION No. 1609924
(PARCEL No. 2942-3002-000)

CITY OF GRAND JUNCTION
DISTRICT OPEN SPACE
THE RIDGES FILING No. 9
RECEPTION No. 1609906
(PARCEL No. 2945-174-30-079)

LOT 3
CAMELBACK GARDENS
BOUNDARY LINE ADJUSTMENT
RECEPTION No.



LAND USE SUMMARY		
LOTS	2.42 ACRES	23%
ROW	1.48 ACRES	14%
OPEN SPACE TRACTS	3.84 ACRES	37%
DRIVEWAY TRACTS	1.73 ACRES	16%
L.C.E. PARCELS	0.68 ACRES	6%
TRACTS TO CITY	0.37 ACRES	3%
TOTAL	10.63 ACRES	100%

ACCEPTANCE BLOCK
THE CITY OF GRAND JUNCTION REVIEW CONSTITUTES GENERAL COMPLIANCE WITH THE CITY'S DEVELOPMENT STANDARDS, SUBJECT TO THESE PLANS BEING SEALED, SIGNED, AND DATED BY THE PROFESSIONAL OF RECORD. REVIEW BY THE CITY DOES NOT CONSTITUTE APPROVAL OF THE PLAN DESIGN. THE CITY NEITHER ACCEPTS NOR ASSUMES ANY LIABILITY FOR ERRORS OR OMISSIONS. ERRORS IN THE DESIGN OR CALCULATIONS REMAIN THE RESPONSIBILITY OF THE PROFESSIONAL OF RECORD. CONSTRUCTION MUST COMMENCE WITHIN ONE YEAR FROM THE DATE OF PLAN SIGNATURE.

CITY PLANNER _____ DATE _____

CAMELBACK GARDENS ODP
SITUATED IN SECTION 17 AND 20
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTIC MERIDIAN
CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO

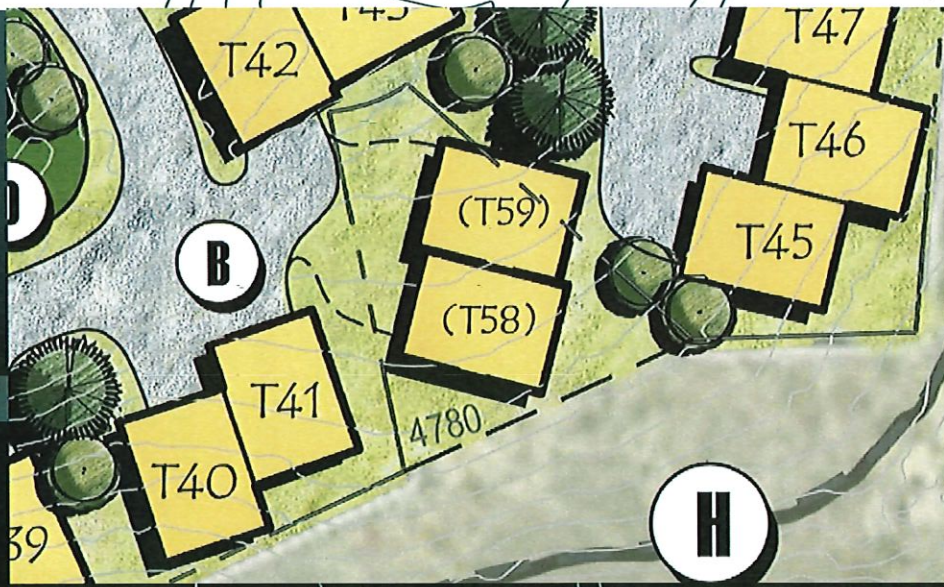
JOB #: 2022-045 FIELD WORK: KM DRAWN BY: PC CHECKED BY: PC
DATE: 1/31/23 DRAWING NAME: CAMELBACK GARDENS ODP

POLARIS SURVEYING
PATRICK W. CLICK P.L.S.

3184 MESA AVE. #B
GRAND JUNCTION, CO 81504
PHONE (970)434-7038

BRIGHTSTAR REDLANDS MESA DEVELOPMENT LLC
GOLF BLOCK 12R TEN OVERLOOK
RECEPTION No.2379584

Petition for Land Exchange



Executive Summary

Petition for Land Exchange Of Ridges Open Space

The City of Grand Junction is hereby petitioned to approve and execute an exchange of unimproved and unmaintained Ridges Open Space owned by the City for land owned by Robert M. Stubbs in the Camelback Gardens Subdivision (Camelback) to be designated as public park space improved by the developer and maintained by the Camelback Gardens Home Owners Association.

Mr. Stubbs is in the process of pursuing an ODP for the development of Camelback Gardens. The current boundaries of Camelback are very irregular and are the result of prior platting of the area and dedication of open space based on the original plat. The land was previously platted for residential lots from a parcel of approximately 25 acres. The original site plan and plat for the area utilized a number of cul-de-sacs. The dedication of approximately 15 acres of open space was the result of clustering of the residential lots. The original plat was vacated, however, the open space dedications remained in effect. Open Space access areas that were reserved under the prior plat will be maintained and improved. The Open Space areas proposed for exchange are those adjacent to prior cul-de-sacs and were not dedicated with the intent of providing access to or maintenance of open space but rather to keep the lot sizes uniform.

The planning concepts currently employed for developing the ODP for Camelback Gardens utilize a number of shared private drives with small lots/building envelopes and significant amounts of improved and maintained private open space. The small areas of Ridges open space proposed for this exchange provide for better planning and utilization of infrastructure. Please refer to the enclosed concept plan and project report for more detailed information.

This exchange would provide the City with an improved and maintained public park as well as facilitate other significant public improvements. The Camelback ODP will include development of a formalized and established trail network through existing open space in cooperation with the City. We feel the tangible benefits to the City as well as the intangible benefits of facilitating superior site planning easily justify the exchange proposed.

Introduction

This is a request for a land exchange between Robert M. Stubbs (Mike Stubbs), a developer, and the City of Grand Junction. The exchange is of private land(s) owned by the developer with lands within The Ridges open space. The open space area under consideration consists of 12,336 square feet. The open space land consists of property previously dedicated to The Ridges by the developer. The land Mr. Stubbs is proposing to exchange for the open space would be a newly developed park, shown and designated on the ODP as the 9,200 sf Public Area D, as well as 2 constructed trail connection corridors totaling 3,900 sf providing dedicated access to Ridges open space. This new park land and trail corridors would be located within the future Camelback Gardens development. This land exchange would create more public trails and open space access as well as a more predictable boundary between the public and private parcels. The approval of this request creates the potential for a more predictable boundary which would reduce user conflicts by creating a more fluid trail network. New trail connections would be more intuitive for users seeking to traverse the topography. The newly built trails would connect sensibly in locations which will enable users to continue on to preferred destinations around the Redlands.

Approval of this request would allow for the development of open space trail connectivity prior to starting construction of Camelback Gardens. Public access would then be continuous and uninterrupted. An approval of this land exchange would create a pattern of development which would be improved through a more predictable boundary, a more predictable and enjoyable trail network. Many users of the Ridges open space access it across private land, land which will in the future be under construction as it is developed with new streets, utilities and infrastructure. By creating a more fluid definition of the relationship between public open space and private lands user conflicts would be reduced.

Introduction

Approval of the exchange would create better connectivity in The Ridges trail network. There would be more constructed trails built and more connection points established with public access easements.

The adjacent open space area experiences moderate use even though no formal development plan for, or maintenance of, the area exists. The Camelback Gardens development will form a home owners association to manage all of it's common areas. Part of the proposal for the Camelback Gardens ODP will be to partner with the City Parks and Open Space department to formalize and develop the open space to a level which increases user satisfaction.

Adventure seekers are appreciative of the land that surrounds them. In areas around Camelback Gardens many braided trails exist which were apparently created by locals without any plan for sustainability in mind. Right now many of these trails lead down into private land, the future Camelback Gardens. By creating more predictability in the area trail users will likely increase their use of open space area on trails that connect to other areas, other trails thus, increasing the healthy lifestyle opportunities which exist in the Grand Valley. This also increases community engagement and satisfaction.

By making small exchanges the overall site will function better in relationship to The Ridges open space. This concept is noted as one of the benefits to consider in our future ODP application for the site. In the City's Code at *21.02.150 Planned development (PD)*. (1) *More efficient infrastructure;* (3) *More usable public and/or private open space.* We will be striving to meet this criteria. This land exchange will allow us to further develop these community benefits.

The land exchange will enable a more sustainable plan in the layout of the future development. The development could achieve the same density without the land exchange. However, the exchange opens the opportunity for a mutually beneficial design enabling new park areas and further connectivity to area trails.

Introduction

Any such park lands to be dedicated would be maintained by the Camelback Gardens HOA so that no further burden for maintenance would fall upon the City.

One of the purposes of this request is to encourage the preservation of environmentally sensitive areas for open spaces, while encouraging the ability to develop the most suitable lands at a density range supported by the Comprehensive Plan. Those densities which are consistent with the property's zoning designation will be proposed with the future ODP application.

Some of the open space land to be exchanged would become building envelopes, driveways, and sidewalks while nearly half of the land would be conveyed to, owned, and maintained by, the Camelback Gardens HOA as open space for the development. If approved it would also allow 2 buildings (up to 4 units) to be built on the exchanged lands.

The newly created open space of Camelback Gardens will abut or provide easy access to Ridges open space. The public will benefit in numerous ways as open space design and developer constructed improvements will:

- (1) Be linked to existing and planned public open spaces, constructed areas, and trails as much as possible while reducing user conflicts with landowners; and
- (2) Maximize access and use by residents of Camelback Gardens, city residents, as well as general trail users; and
- (3) Provide trails, paths and walkways to recreation areas, and other public facilities such as Pine Ridge Park and Mesa County open space; and
- (4) Provide a greater quality and quantity of public and private open space; and
- (5) This open space will be integrated with the subdivision and adjacent property to create attractive areas for active and passive use. This request will reduce peripheral strips of land and isolated corners, thus reducing user conflicts; and
- (6) The future ODP layout will interconnect streets, open spaces, and existing trails through the proposed pedestrian and bicycle trails. This land exchange will further enable the future development to create better continuity.

Site Analysis for Land Exchange

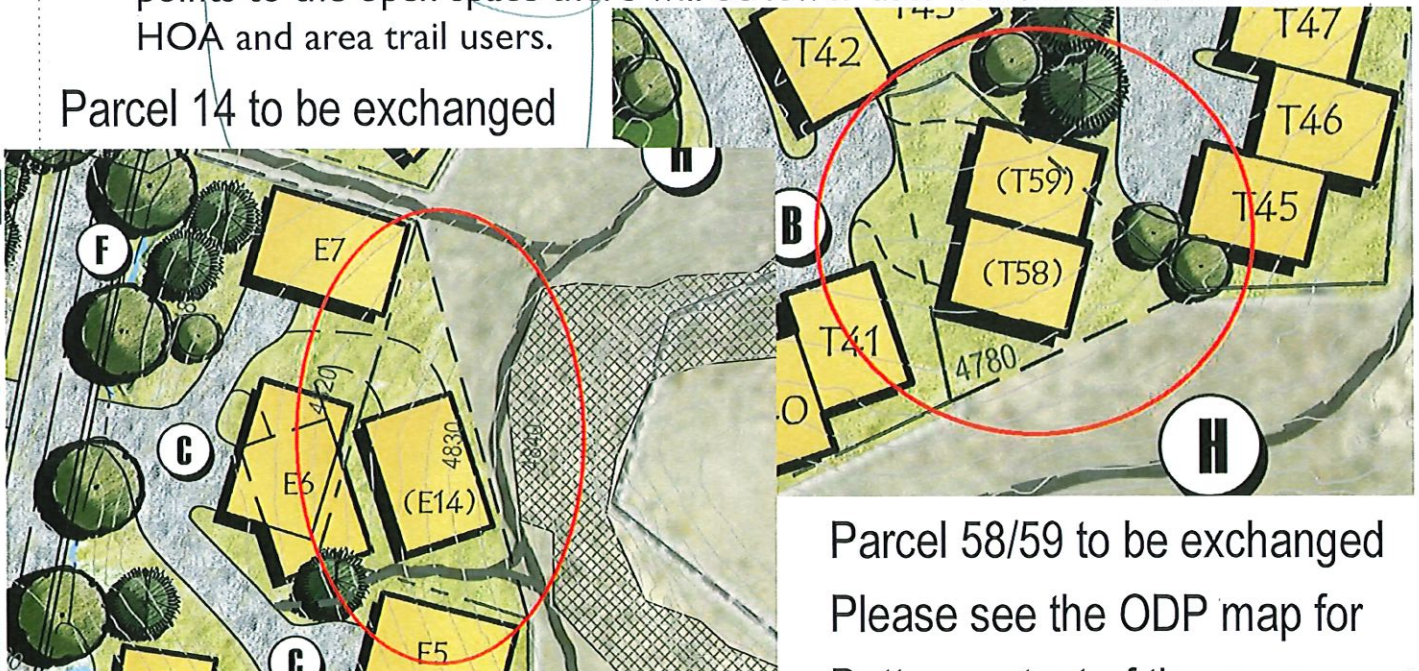
In identifying the physical and technical characteristics of the property for the Camelback Gardens land exchange in relationship to the surrounding area several factors were considered. Each areas assets and constraints were reviewed.

The private parcels are undeveloped vacant land. The Ridges open space parcel was previously held by the developer as private parcels. Current ground cover on all parcels is native plants with grasses, a few small trees, and numerous cactus. The open spaces surrounding the site has lots of topography with rock outcroppings with unconstructed T2 Wilderness trails (www.TrailTransect.com) running through it.

The sites under consideration consist of lands that are irregularly shaped with mild to moderate slopes similar to the adjacent land to be developed. In order to create a more natural shape to the project and increase the ultimate connectivity of utilities these two areas represent an opportunity to create a more rational property line while affording more opportunity for utility connections across the future Camelback Gardens HOA maintained open space.

By making the boundary more consistent and having natural connection points to the open space there will be fewer user conflicts between the HOA and area trail users.

Parcel 14 to be exchanged

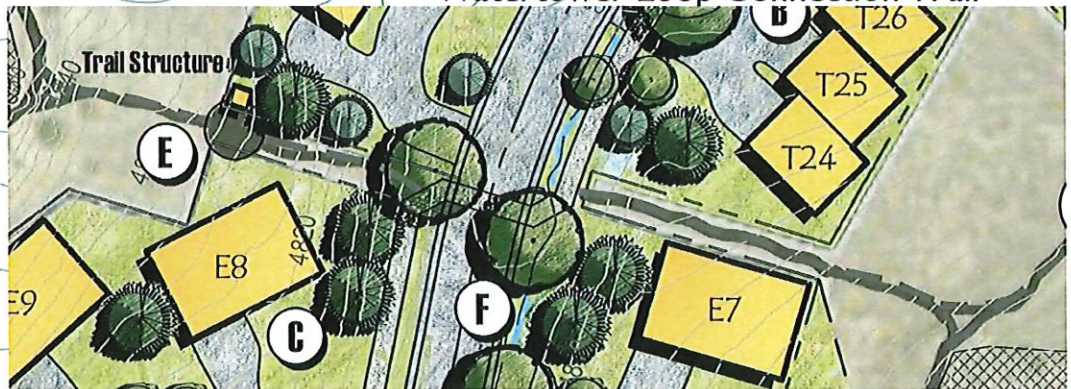


Parcel 58/59 to be exchanged
Please see the ODP map for
Better context of the area

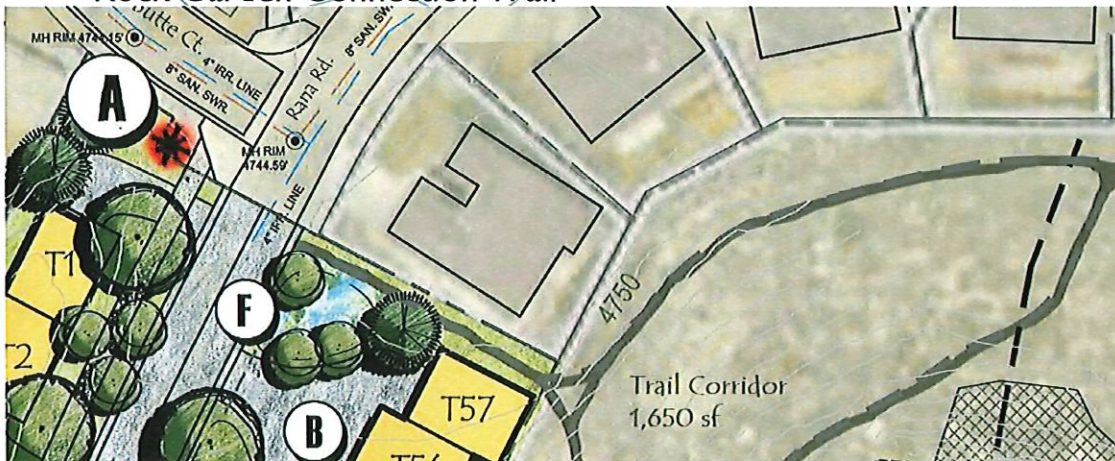
Private Lands for Land Exchange

The trail connection points shown here are currently undeveloped on vacant private land. This would be similar in character with the 'Lunch Loop' trails.

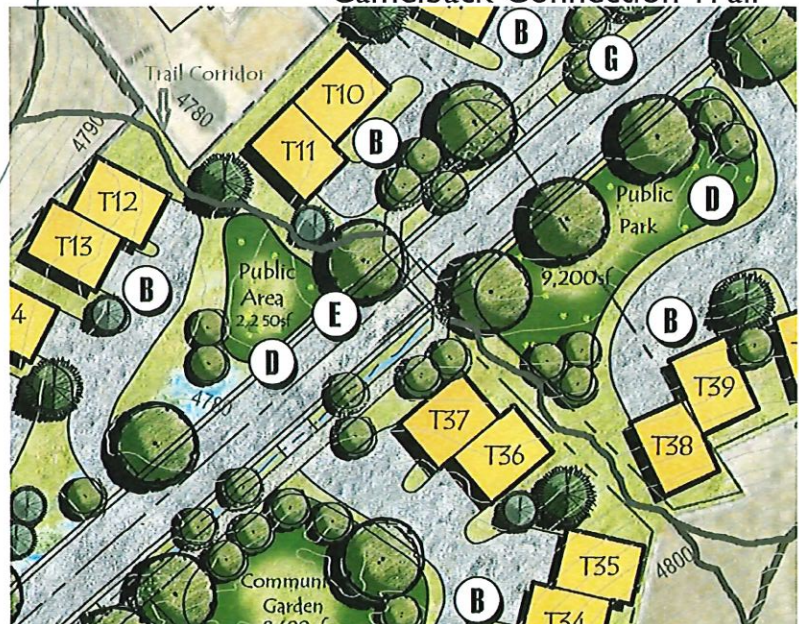
Watertower Loop Connection Trail



Rock Garden Connection Trail



Camelback Connection Trail



Private lands trail corridors to be considered in the exchange

Note: This ODP map is not yet finalized and is subject to change.

Trails to be realigned onto public lands or easements



Site Analysis

The two areas under consideration are uniquely shaped parcels which were formed by the previously platted subdivision boundary. The parcels were left undeveloped and left as open space due to the street layout of the previous plat. The two parcels are identified as T58/T59, consisting of 5211 square feet and E14, consisting of 7125 square feet.

Under the current ODP Camelback Gardens would create numerous connection points from the development into the open space. The proposed plan includes using the benefit of an approved Land Exchange to double the trail connections to at least 6 locations within The Ridges open space. These connections will allow connectivity through Camelback Gardens to and from popular recreational areas such as 'the watertower loop'. Currently all trail users are trespassing on this private land. This proposal creates a significant opportunity to at least double the existing connectivity to the trail system by funneling users to smart connection points as they travel in, out, and through the development via foot and bike.






As the project moves to the ODP phase an audit of the open space will be completed in order to make modifications to the site as needed to further improve upon human powered transportation in The Ridges and around Redlands Mesa, as well as the future Redlands 360 project. The development team has met with City Parks and Open Space staff a few times to walk the open space area around Camelback Gardens. General trail alignments have been discussed along with developing a general process for detailing the plan further. The open spaces surrounding the site has lots of topography with rock outcroppings with unconstructed T2 Wilderness trails running through it, a location which is more suitable for open space trails.

Approval of this request will have a net positive impact on the health of trail users. Through the creation of more trails, more interesting trails, users will have a more positive experience and this is more likely to reinforce their healthy behaviors.

Summary of Planning Concepts

In developing the concept plans for this project we have gone through numerous iterations in order to refine the plan and maximize the value for each of the future home sites. We have attached the townhome units on one or two sides in order to create some architectural distinction from the typical Grand Junction development. This makes the site more efficient as well. This creates some spacing between the multiple unit buildings that will be HOA open space. It is anticipated that future buyers will be outdoorsy people who will want to connect to the local trail system. Designing in more trail corridors and connection points will benefit the future development. It will also benefit all users of The Ridges open space as they will have more options, more trails to explore. It is possible to fit the same number of units without incorporating the proposed land exchange. In order to do that we have to move several units in order to maintain code separation. This closes the spacing which allows for several of the trail corridors. This is less desirable. We see a greater benefit to the future home owners as well as the public by spacing the units out and creating connection points to and from the existing trails in the area enabling adjacent homeowners to enjoy the interconnected trail system immediately outside their door, they will be able to 'Bike-In/Bike-Out'.TM

The ultimate public benefits are

-  New 9,200 square feet of developed park land
-  New 1,650 square foot Trail Corridor Easement
-  New 2,250 square foot Trail Corridor Easement
-  Partnership with City Parks and Open Space to construct Trails in Ridges Open Space
-  Increase recreational opportunities within the Redlands area

Camelback Gardens Proposed Land Exchange

This report is the property of Colorado Land Advisor, Ltd.,
it's successors, and assigns.



Colorado Land Advisor, Ltd.



Planning + Design + Land Advisor + Stormwater Management
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As an urban planner much experience and research has gone into compiling data for this report. Information was collected from various sources and every attempt has been made to acknowledge the contributing sources. Any errors or omissions are unintentional and should be brought to the attention of the author as soon as possible.

I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 5134 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 1st day of March 2023 and the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, in pamphlet form, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the 15th day of March 2023, at which Ordinance No. 5134 was read, considered, adopted and ordered published in pamphlet form by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 20th day of March 2023.



Deputy City Clerk

Published: March 03, 2023
Published: March 17, 2023
Effective: April 16, 2023

