

**RESOLUTION NO. 67-23**

**A RESOLUTION CONCERNING  
THE ISSUANCE OF A REVOCABLE PERMIT FOR CERTAIN PROPERTY AT OR  
NEAR 2045 N. 15<sup>TH</sup> STREET, GRAND JUNCTION, COLORADO**

**Recitals.**

Bradley Dunevitz, "Petitioner", represents that he is the owner of the following described real property in Grand Junction, Colorado, to wit:

Lot 2, A C NELMS SUBDIVISION  
County of Mesa, State of Colorado  
Also known by street address as: 2045 North 15<sup>th</sup> Street, Grand Junction, CO  
81501 and identified by Mesa County Tax Schedule Number 2945-122-03-010

The Petitioner has requested that the Grand Junction City Council issue a Revocable Permit to the Petitioner to allow the installation, maintenance, and repair of an existing 4-foot chain link fence within the following described public right-of-way:

A parcel of land in the N 15th Street right-of-way located in the SW1/4NW1/4 of Section 12, Township 1 South, Range 1

West, Ute Meridian, Grand Junction, Mesa County, Colorado, described as:  
Beginning at the NE corner of GJ 2045 Subdivision, whence the NW corner of GJ 2045 Subdivision bears N89°53'57"W, running thence S89°53'57"E 3.00 feet; thence S00°21'23"W 45.74 feet; thence N89°53'57"W 3.00 feet to the east line of Lot 1, GJ 2045 Subdivision; thence N00°21'23"E 45.74 feet to the NE corner of GJ 2045 Subdivision and the Point of Beginning.

With said parcel being comprised of 137 square feet as described.

The Petitioner has requested that the Grand Junction City Council issue a Revocable Permit to the Petitioner to allow the installation, maintenance and repair an existing 6-foot wood fence within the following described public right-of-way:

A parcel of land in the alley right-of-way located in the SW1/4NW1/4 of Section 12, Township 1 South, Range 1 West, Ute Meridian, Grand Junction, Mesa County, Colorado, described as:

Commencing at the NE corner of GJ 2045 Subdivision, whence the NW corner of GJ 2045 Subdivision bears N89°53'57"W, running thence N89°53'57"W 101.92 feet; thence S00°23'03"W 62.07 to the SW corner of Lot 1, GJ 2045 Subdivision and the Point of Beginning. Running thence S89°52'45"E 65.74 feet; thence S00°23'03"W 1.00 feet; thence N89°52'45"W 65.74 feet; thence N00°23'03"E 1.00 feet to the SW corner of said Lot 1 and the Point of Beginning.

With said parcel being comprised of 66 square feet as described.

Relying on the information supplied by the Petitioner and contained in File No. RVP-2023-481 in the City's Community Development Department, the City Council has determined that the issuance of such Revocable Permits as provided by Article XIV, section 127 of the City Charter and the Grand Junction Municipal Code (GJMC), 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:

That the City Manager is hereby authorized and directed to issue the attached Revocable Permit to the Petitioner for the purposes 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, the Charter and the GJMC.

PASSED and ADOPTED this 16<sup>th</sup> day of August, 2023.

Attest:



\_\_\_\_\_  
Anna M. Stout  
President of the City Council



\_\_\_\_\_  
Amy Phillips  
City Clerk



## REVOCABLE PERMIT

### Recitals.

A. *Bradley Dunevitz*, 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 2, A C NELMS SUBDIVISION  
County of Mesa, State of Colorado  
Also known by street address as: 2045 North 15<sup>th</sup> Street, Grand Junction, CO  
81501

and identified by Mesa County Tax Schedule Number 2945-122-03-010

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 existing 4-foot chain link fence within the following described public right-of-way:

Beginning at the NE corner of GJ 2045 Subdivision, whence the NW corner of GJ 2045 Subdivision bears N89°53'57"W, running thence S89°53'57"E 3.00 feet; thence S00°21'23"W 45.74 feet; thence N89°53'57"W 3.00 feet to the east line of Lot 1, GJ 2045 Subdivision; thence N00°21'23"E 45.74 feet to the NE corner of GJ 2045 Subdivision and the Point of Beginning.

containing 137 square feet as described.

C. 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 existing 6-foot wood fence within the following described public right-of-way:

A parcel of land in the alley right-of-way located in the SW1/4NW1/4 of Section 12, Township 1 South, Range 1 West, Ute Meridian, Grand Junction, Mesa County, Colorado, described as:

Commencing at the NE corner of GJ 2045 Subdivision, whence the NW corner of GJ 2045 Subdivision bears N89°53'57"W, running thence N89°53'57"W 101.92 feet; thence S00°23'03"W 62.07 to the SW corner of Lot 1, GJ 2045 Subdivision and the Point of Beginning. Running thence S89°52'45"E 65.74 feet; thence S00°23'03"W 1.00 feet; thence N89°52'45"W 65.74 feet; thence N00°23'03"E 1.00 feet to the SW corner of said Lot 1 and the Point of Beginning.

containing 66 square feet as described.

D. Relying on the information supplied by the Petitioner and contained in File No. RVP-2023-481 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 aforescribed and within the limits of the public right-of-way aforescribed; 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 aforescribed 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 aforescribed 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 15 day of September, 2023.

The City of Grand Junction,  
a Colorado home rule municipality

Attest:



Amy Phillips  
City Clerk



Greg Caton  
City Manager

Acceptance by the Petitioner:



Bradley Dunevitz