

REVOCABLE PERMIT

Recitals.

1. Leonard Properties, LLC, hereinafter referred to as the Petitioners, have requested that the City of Grand Junction issue a Revocable Permit to allow the Petitioners to install, operate, maintain, repair and replace irrigation improvements, as approved by the City, within the limits of the following described public right-of-way of West Pinyon Avenue, to wit:

A Revocable Permit being a portion of the West Pinyon Avenue Right of Way, Reception No. 972981, in the Office of the Clerk and Recorder, Mesa County, Colorado, and situated in the Southeast 1/4 of the Northeast 1/4 of Section 10, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Grand Junction, Colorado, more particularly described as follows:

COMMENCING at the Center 1/4 Comer of Section 10, whence the North 1/16 Comer of Section 10 bears N 00°03'33 11 E, a distance of 1318.31 feet, the BASIS OF BEARINGS. Thence N 60°13'43 11 W a distance of 799.55 feet to a point on the southerly Right-of-Way of West Pinyon Avenue, said point being the POINT OF BEGINNING.

THENCE S 89°57'57 11 W, along said Right of Way, a distance of 10.00 feet;
THENCE N 00°01 '59 11 W, leaving said Right of Way, a distance of 60.00 feet to a point on the northerly line of said Right of Way;
THENCE N 89°57'57 11 E, along said northerly Right of Way line a distance of 10.00 feet;
THENCE S 00°01'59 11 E, leaving said Right of Way, a distance of 60.00 feet to the POINT OF BEGINNING;

CONTAINING 600 square feet or 0.01 acres, more or less.

Description Written By:
James A. McKew
PLS 38428
Rolland Consulting Engineers
405 Ridges Blvd.
Grand Junction, Colorado 81507
(970) 243-8300

2. Based on the authority of the Charter and §21.02.050(k) of the Grand Junction Zoning & Development Code applying the same, the City, by and through the Community Development Department, has determined that such action would not at this time be detrimental to the inhabitants of the City.

NOW, THEREFORE, IN ACCORDANCE WITH HER LAWFUL AUTHORITY, TAMRA ALLEN, AS COMMUNITY DEVELOPMENT DIRECTOR, DOES HEREBY ISSUE:

to the above-named Petitioners a Revocable Permit for the purposes of irrigation improvements within the limits of the public rights-of-way described; provided, however, that this Permit is conditioned upon the following:

1. The installation, operation, maintenance, repair and replacement of irrigation improvements by the Petitioners within the public rights-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 rights-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 rights-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 rights-of-way and the facilities authorized pursuant to this Permit in good condition and repair.

5. This Revocable Permit for irrigation improvements 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 rights-of-way and, at their own expense, remove any encroachment so as to make the described public rights-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.

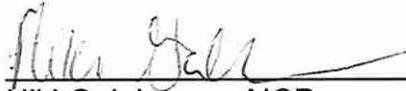
6. The Petitioners, for themselves and for their successors and assigns, agree that they shall be solely responsible for maintaining and repairing the condition of any and all plantings, improvements and/or facilities authorized pursuant to this Permit. The Petitioners shall not install any trees, vegetation 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 9th day of April, 2024.

Written and Recommended by:

The City of Grand Junction,
a Colorado home rule municipality

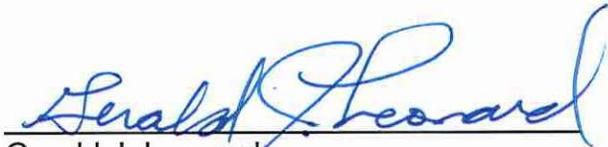


Niki Galehouse, AICP
Planning Supervisor



Tamra Allen
Community Development Director

Acceptance by the Petitioners:



Gerald J. Leonard
Title: Manager
Leonard Properties, LLC

AGREEMENT

Leonard Properties, 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 irrigation improvements. 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 rights-of-way to the City of Grand Junction and, at their sole cost and expense, remove any encroachment so as to make said public rights-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 10th day of April, 2024.

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.



Gerald J. Leonard
Title: Manager
Leonard Properties, LLC

State of Colorado)
)ss.
County of Mesa)

The foregoing Agreement was acknowledged before me this 10th day of April, 2024, by Gerald J. Leonard, Manager for Leonard Properties, LLC.

My Commission expires: 7-18-27
Witness my hand and official seal.



Notary Public

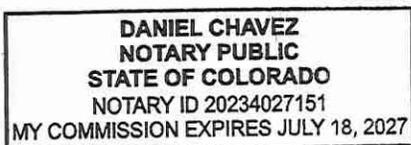
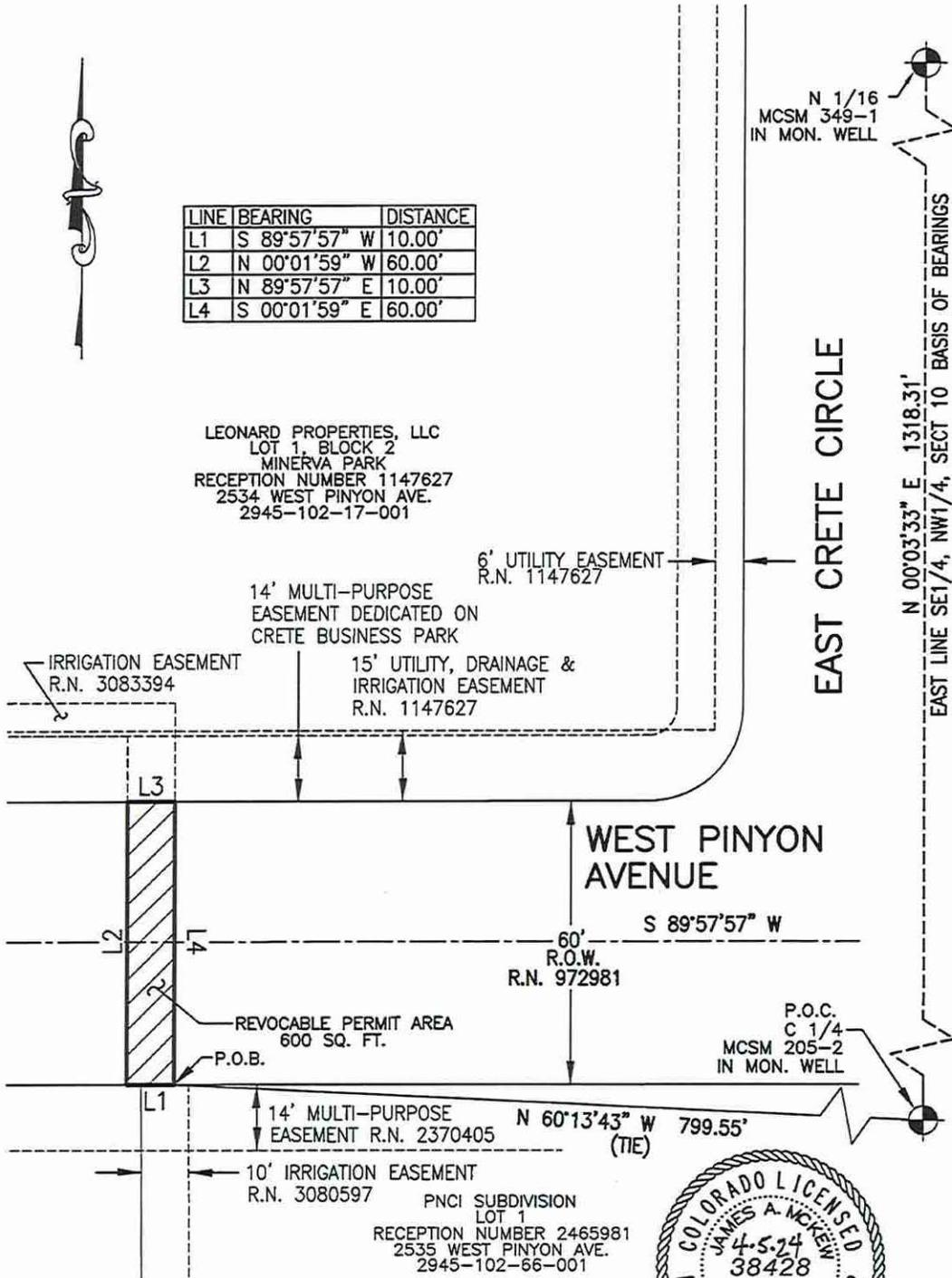


EXHIBIT B

LINE	BEARING	DISTANCE
L1	S 89°57'57" W	10.00'
L2	N 00°01'59" W	60.00'
L3	N 89°57'57" E	10.00'
L4	S 00°01'59" E	60.00'

LEONARD PROPERTIES, LLC
 LOT 1, BLOCK 2
 MINERVA PARK
 RECEPTION NUMBER 1147627
 2534 WEST PINYON AVE.
 2945-102-17-001



LEGEND

- R.O.W. RIGHT OF WAY
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT

The sketch and description shown hereon has been derived from subdivision plats and deed description as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



0' 30' 60' 90'

		REVOCABLE PERMIT EXHIBIT B	
405 Ridges Blvd Suite A Grand Junction, CO 81507 Voice: (970) 243-6300 Fax: (970) 241-1273 www.reland.com		SE 1/4, NE 1/4 SEC 10 T. 1N., R. 1W. UTE MERIDIAN MESA COUNTY, COLORADO	
Drawn: JAM	Checked: KS	Checked: JLG	Plot: C2401
File Name: C:\C2401\C2401-IRR-EXHIBIT.dwg	Date: 4/5/24	Sheet: 1	Of: 1