

DISTRICT COURT, MESA COUNTY, COLORADO	
Court Address:	125 North Spruce St. Grand Junction, CO 81501
Telephone:	(970) 257-3625
In the Matter of the Petition of the CITY OF GRAND JUNCTION, a home rule city, For the exclusion of certain territory from the LOWER VALLEY FIRE PROTECTION DISTRICT	
▲ COURT USE ONLY ▲	
John P. Shaver, No. 16594 City Attorney 250 North 5th Street Grand Junction, CO 81501 (970) 244-1508	Case Number: 21760 Division: 9
ORDER FOR EXCLUSION OF LANDS	

The Petition for the exclusion of lands from the Lower Valley Fire Protection District, having been called for hearing by the Court and the Court having been duly advised in the premises hereby finds that:

1. The Court has jurisdiction over the subject matter and the parties herein.
2. That the requirements of 32-1-502, C.R.S. have been met or will reasonably be met by the parties.
3. That the parties have provided for the necessary and orderly provision of fire and other emergency response to the excluded areas.
4. The Lower Valley Fire Protection District has no debt. Accordingly, the exclusion of lands will not impair a debt obligation and 32-1-502(6) C.R.S. is found to be inapplicable and/or satisfied.

IT IS THEREFORE ADJUDGED, ORDERED AND DECREED BY THE COURT:

That the lands described in the Petition, all situate within Mesa County, Colorado are hereby excluded from the Lower Valley Fire Protection District, and that the legal and common descriptions contained in said Petition are incorporated by this reference as if fully set forth. This Order relates back to the date to the filing of the petition in this case.

BY THE COURT THIS 2nd DAY OF January 2025.



DISTRICT COURT JUDGE

<p>DISTRICT COURT, MESA COUNTY, COLORADO</p> <p>Court Address: 125 North Spruce St. Grand Junction, CO 81501</p> <p>Telephone: (970) 257-3625</p>	
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<p>John P. Shaver, No. 16594 City Attorney 250 North 5th Street Grand Junction, CO 81501 (970) 244-1508</p>	<p>Case Number: 21760</p> <p>Division: 9</p>
<p>VERIFIED PETITION</p>	

COMES NOW the City of Grand Junction, a home rule city, by and through the undersigned counsel and affords notice of the filing of a petition with the Court for a Hearing and Order on the exclusion of certain lands within the Lower Valley Fire Protection District:

The City of Grand Junction petitions the Court for exclusion from the Lower Valley Fire Protection District of Mesa County, Colorado, the following described land, to wit:

The following 2024 annexation is located within the Lower Valley Fire District boundary and is subject to exclusion from the district:

HARTMAN BROTHERS ANNEXATION

A parcel of land being Lot 2-B within 21 1/2 Road Energy Park subdivision (Reception Number 2871150), being more particularly described as follows;

Commencing at the Center South 1/16th corner of Section 25, T.1N., R.2W. of the Ute Meridian, whence the South 1/4 corner of said Section 25 bears S00°00'30"E, a distance of 1320.84 feet, with all bearings being relative thereto; Thence S89°59'34"W, a distance of 30.00'; thence S00°00'30"E, a distance of 207.53 feet, to a point on the westerly right of way of 21 1/2 Road and the westerly line of the Kelley Annexation No. 3 (Ordinance No. 3990), said point also being the Point of Beginning;

Thence along said Kelley Annexation No. 3, S00°00'30"E, a distance of 343.18 feet; thence N89°53'54"W, a distance of 332.28 feet; thence N00°00' 26"W, a distance of 393.88 feet; thence S89°55'12"E, a distance of 253.81 feet; thence S57°00'48"E, a distance of 93.55 feet to the Point of Beginning.

Said Parcel of land CONTAINING 128,904 Square Feet or 2.96 Acres, more or less.

1. It is intended that the property to be excluded be located within the perimeter descriptions above set out except as the property itself is described.
2. The Petitioner has represented to the Court that the property described above is and has been duly and lawfully annexed to the City of Grand Junction, Colorado.
3. The Petitioner has further represented to the Court that the conditions for exclusion as set out in §32-1-502, C.R.S. have been met or are inapplicable.
4. By verification of the Petition by Grand Junction Interim Fire Chief Gustave Hendricks, the Petitioner has represented to the Court that the quality of service will not be adversely affected by such exclusion because the annexed/to be excluded parcel is adjacent to the Grand Junction Fire Department service area, and the City is constructing a new Fire Station approximately two miles from the annexed/to be excluded parcel. As a result, fire insurance premiums should not change by virtue of the exclusion.
5. The Court is statutorily empowered to set a hearing and to enter an Order of Exclusion if all statutory conditions are met.

Respectfully submitted this 10th day of January, 2025.

OFFICE OF THE CITY ATTORNEY

By: 

John P. Shaver #16594

City Attorney

250 N. 5th Street

Grand Junction, CO 81501

(970) 244-1508

VERIFICATION

I, Gustave Hendricks, Interim Fire Chief in and for the City of Grand Junction, do hereby state under oath that the facts contained in paragraphs 4 and 5 are true and correct to the best of my knowledge and belief.

Gustave Hendricks, Interim Fire Chief

STATE OF COLORADO)
COUNTY OF MESA)

Subscribed and sworn to before me by Gustave Hendricks this 6 day of January, 2025

[Handwritten Signature]
Notary Public

My commission expires: 01/29/2028

JACOB RANDALL SAMUELS-LOGAN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20244003948
MY COMMISSION EXPIRES January 29, 2028

CERTIFICATE OF MAILING

I hereby certify that I mailed a copy of the attached document, postage prepaid, this 10th day of January, 2025, addressed to: THE CHAIRMAN OF THE BOARD OF THE LOWER VALLEY FIRE PROTECTION DISTRICT.

Linda M. Glesne
CEGR Law
44 Cook Street, Suite 620
Denver, CO 80206

[Handwritten Signature]