

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 CLIFTON 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: 07 CV 114 Division: 9
ORDER FOR EXCLUSION OF LANDS	

The Petition for the exclusion of lands from the Clifton 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. has 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. Clifton Fire Protection District has no debt. Accordingly, the exclusion of lands will not impair a debt obligation and 31-1-502(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 Clifton 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 of the filing of the petition in this case.

BY THE COURT THIS 29th DAY OF January, 2025,



DISTRICT COURT JUDGE

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<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 Clifton Fire Protection District (“CFPD” or “District”):

The following 2024 annexation(s) are located within the CFPD boundary and are subject to exclusion from the District:

GUTIERREZ ANNEXATION

A parcel of land located in the West Half of the Southeast Quarter (W1/2 SE1/4) of Section 9, Township 1 South, Range 1 East, Ute Meridian, County of Mesa, State of Colorado being the parcel of land described in Reception Number 3078878 and portions of Right-of-Way parcels described in Reception Numbers 719537, 654059 and 655910 and more particularly described as follows:

Commencing at the Center East Sixteenth Corner (CE 1/16) of said Section 9, whence the Center 1/4 Corner of said Section 9 bears N89°57'12”W, a distance of 1,321.19 feet using the Mesa County Local Coordinate System with all other bearings contained herein being relative thereto;

thence from said Point of Commencement S14°00'13"W, a distance of 926.39 feet to the Southwest Corner of Lot 1, Solar Horizons Village as recorded at Reception Number 1342791 being the Point of Beginning;

thence S00°09'37"E, a distance of 745.61 feet along the West line of the Gamble-Sage Annexation (Ordinance No. 3347) to a point on the Northerly line of the Wells Annexation (Ordinance 3092), said line being 1 foot northerly and parallel to the Southerly Right-of-Way line of I-70 Business Loop as recorded at Reception Numbers 654059 & 655910; thence S72°50'50"W, a distance of 392.63 feet along said Northerly line to a point on the extended East line of Parcel 2 as recorded at Reception Number 2291624; thence N00°08'31"W, a distance of 747.94 feet along said extended East line and the East line of said Parcel 2 to the Southeast Corner of Lot 6, Block 3, Claussen Subdivision 1st Addition as recorded at Reception Number 957080 being a point on the Northerly Right-of-Way of E1/4 Road as recorded at Reception Number 719537; thence N73°08'54"E, a distance of 391.72 feet along said Northerly Right-of-Way line to the Point of Beginning.

Said Parcel of land CONTAINING 280,279 Square Feet or 6.43 Acres, more or less.

For the City's petition:

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 Fire Department ("GJFD") Gustave Hendricks ("Interim Fire Chief"), the Petitioner represents to the Court that the quality of service will not be adversely affected by exclusion because the GJFD and the CFPD have had and will continue to have an automatic response plan ("Plan" or "the Plan") that is implemented by both agencies. Due to the regularity of service delivery the Petitioner has no reason to believe that the insurance costs for the improvements within the excluded areas will be adversely affected by exclusion. The Plan is outlined in the attached *Operational Directive* and the Petitioner submits that the provisions for a service plan as required by §32-1-502(2) and (4) C.R.S. are inapplicable.
5. By verification of the Petition by the Interim Fire Chief, the Petitioner does represent to the Court on his knowledge and belief that CFPD has no debt, and furthermore, that it may have debt on equipment such is not serviced by bonded indebtedness. Therefore, the provisions for a service plan as required by §32-1-502(2) and (4) C.R.S. are inapplicable and/or that the foregoing representation concerning debt is in accord with subsection (6).
6. By and with and in consideration of the verification of the Petition by the Interim Fire Chief, the Petitioner represents to the Court that the quality of service will not be adversely

affected by exclusion and fire insurance premiums should not change by virtue of the exclusion, and therefore the Court is statutorily empowered to set a hearing and to enter an Order of Exclusion if all statutory conditions are met to the Court's satisfaction.

Respectfully submitted this 10th day of January, 2025.

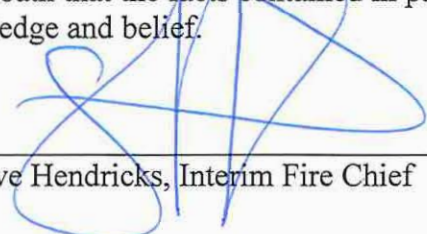
OFFICE OF THE CITY ATTORNEY



John P. Shaver #16594
City Attorney
250 North 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, 5 and 6 are true and correct to the best of my knowledge and belief.



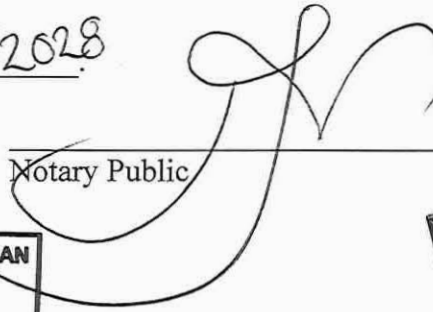
Gustave Hendricks, Interim Fire Chief

STATE OF COLORADO)
)SS
COUNTY OF MESA)

Subscribed and sworn to before me on this the day 6 of January, 2025
by Gustave Hendricks as Interim Fire Chief for the City of Grand Junction.

Witness my hand and seal.

My commission expires 01/29/2028



Notary Public

JACOB RANDALL SAMUELS-LOGAN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20244003948
MY COMMISSION EXPIRES January 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 true and correct copy of the attached VERIFIED PETITION to the Attorney for the Board of the Clifton Fire Protection District on this 10th day of January, 2025.

Berinda White

**Michael Luedtke
Hoskin, Farina, & Kampf
200 Grand Avenue, Suite 400
Grand Junction, CO 81501**