

## REVOCABLE PERMIT

### Recitals.

1. Clearnetworkx, LLC, hereinafter referred to as the Petitioners, have requested that the City of Grand Junction issue a Revocable Permit to allow the placement of a network operations cabinet for fiber optic internet to be located in the western Right-of-Way of N. 26<sup>th</sup> Street and situated just outside of the eastern property line of parcel #2945-124-01-001, within the limits of the following described City owned property to wit:

#### Permit Area:

(See Attached Exhibit)

*A 10 foot by 8 foot area situated in Section 12, Township 1 South, Range 1 West, Ute Meridian, County of Mesa, State of Colorado being better described as beginning at a point S54°59'20"W 60.92 feet from the East 1/4 corner of said Section 12;  
Thence S00°46'01"E 10.00 feet;  
Thence S89°13'59"W 8.00 feet to the East line of Lot 1, Block 3, Melrose Subdivision;  
Thence along said East line N00°46'01"W 10.00 feet;  
Thence N89°13'59"E 8.00 feet to the Point of Beginning.  
Contains 80 Square Feet more or less as described.  
County of Mesa, State of Colorado*

#### BASIS OF BEARINGS:

*The bearing along the North line of the NE1/4SE1/4 between the found 3" brass cap in concrete at the East 1/4 corner of Section 12, Township 1 South, Range 1 West, Ute Meridian, County of Mesa, State of Colorado and the found 2 1/2" illegible aluminum cap at the CE1/16 corner of said Section 12 bears S89°56'35"W (Mesa County Local Coordinate System, Zone, Grand Valley Area)*

The above descriptions prepared by:

Fredrick Adam Bollard  
Del-Monte Consultants, Inc.  
125 Colorado Avenue  
Montrose, Colorado 81401

2. Based on the authority of the City Charter, 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 HIS LAWFUL AUTHORITY, TRENTON PRALL, AS ENGINEERING AND TRANSPORTATION DIRECTOR, DOES HEREBY ISSUE:

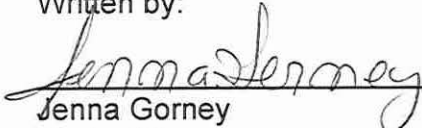
to the above-named Petitioner a Revocable Permit for the purposes of placement of a network operations cabinet for fiber optic internet to be located in the western Right-of-Way of N. 26<sup>th</sup> Street and situated just outside of the eastern property line of parcel #2945-124-01-001, within the limits of the described City owned property; provided, however, that this Permit is conditioned upon the following:

3. The installation, operation, maintenance, repair and replacement of the cabinet and any associated equipment by the Petitioners within the City right-of-way or on City property 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 or within City property.
4. 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.
5. 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 adjacent public improvements and/or facilities to be installed by the Petitioners within the limits of the public rights-of-way, or that which is placed on property owned by the City of Grand junction (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 open space and utility easement 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.
6. The Petitioners agree that they shall at all times keep the above-described public right-of-way and the facilities authorized pursuant to this Permit in good condition and repair.
7. This Revocable Permit for placement of a network operations cabinet for fiber optic internet 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 open space and utility easement and, at their own expense, remove any materials so as to make the described open space and utility easement 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.
8. The Petitioners, for themselves and for their successors and assigns, agree that they shall be solely responsible for maintaining and repairing the condition of conduit authorized pursuant to this Permit. The Petitioners shall not install any additional item that may create sight distance problems.
9. 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.

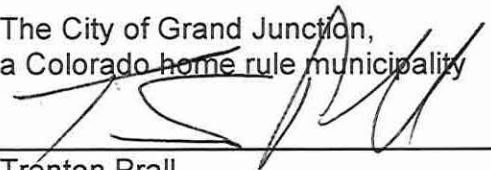


Dated this 3<sup>rd</sup> day of September, 2025.

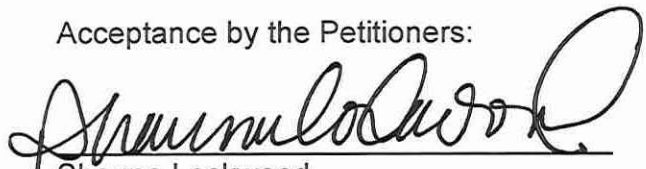
Written by:

  
Jenna Gorney  
Senior Planner

The City of Grand Junction,  
a Colorado home rule municipality

  
Trenton Prall  
Engineering and Transportation Director

Acceptance by the Petitioners:

  
Shauna Lockwood  
Title: Authorized Agent, Clearnetworkx, LLC

## AGREEMENT

Clearnetworx 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 placement of a network operations cabinet for fiber optic located in the western Right-of-Way of N. 26th Street and situated just outside of the eastern property line of parcel #2945-124-01-001. 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 right-of-way to the City of Grand Junction and, at their sole cost and expense, remove any encroachment so as to make said open space and utility easement 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 21<sup>st</sup> day of August, 2025.

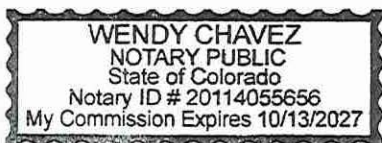
By signing, the Signatories represent that they have full authority to bind the Permittee to each and every term and condition hereof and/or in the Permit.

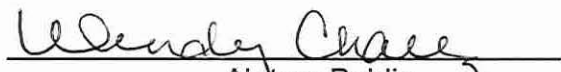
  
Shauna Lockwood, Authorized Agent  
Clearnetworx, LLC

State of Colorado    )  
                                  ) ss.  
County of Mesa        )

The foregoing Agreement was acknowledged before me this 21<sup>st</sup> day of August, 2025, by Shauna Lockwood, Authorized Agent, Clearnetworx, LLC.

My Commission expires: 10/13/2027  
Witness my hand and official seal.

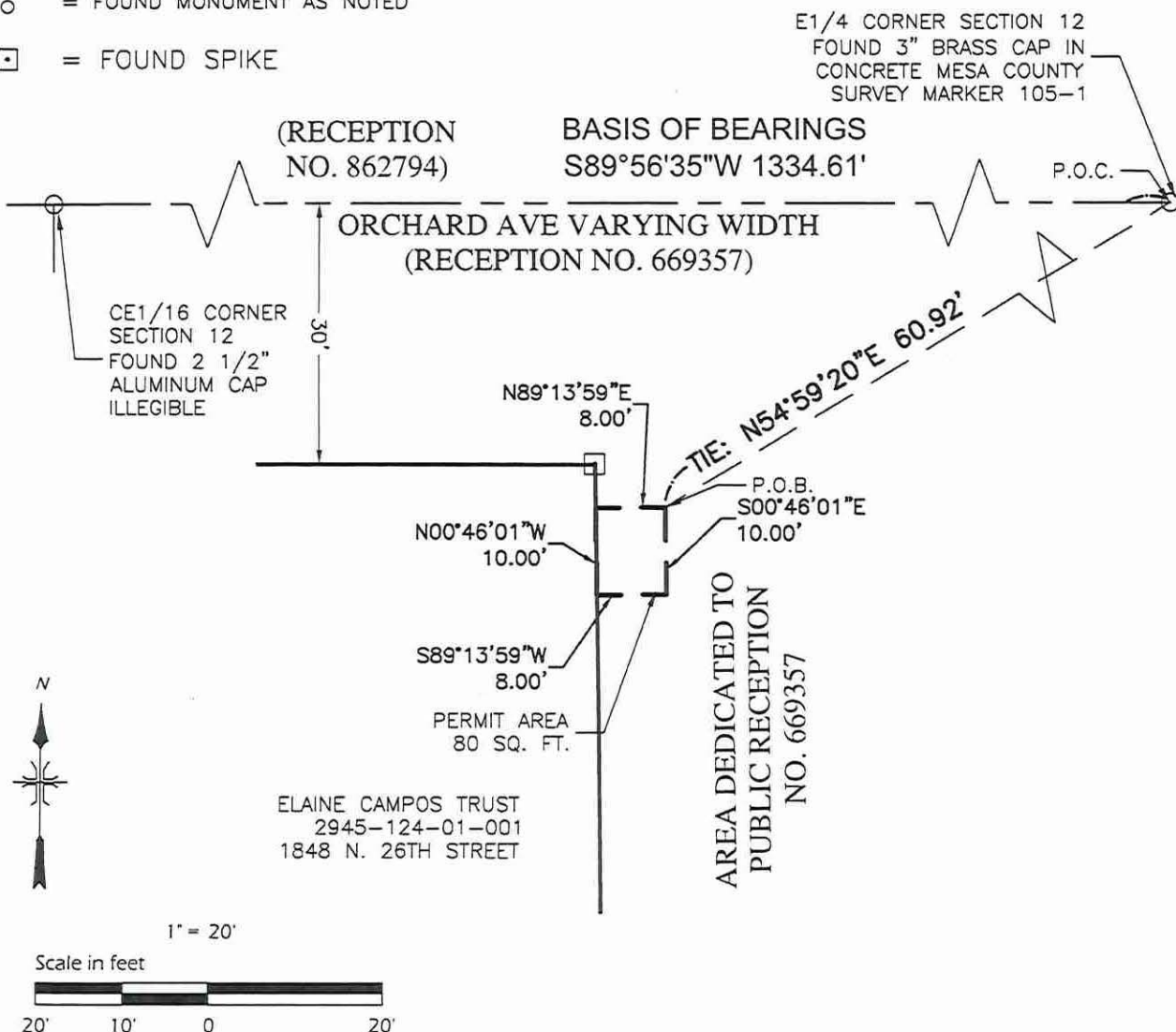


  
Wendy Chavez  
Notary Public

# LEGEND

○ = FOUND MONUMENT AS NOTED

◻ = FOUND SPIKE



E1/4 CORNER SECTION 12  
FOUND 3" BRASS CAP IN  
CONCRETE MESA COUNTY  
SURVEY MARKER 105-1

(RECEPTION  
NO. 862794)

BASIS OF BEARINGS  
S89°56'35"W 1334.61'

P.O.C.

ORCHARD AVE VARYING WIDTH  
(RECEPTION NO. 669357)

CE1/16 CORNER  
SECTION 12  
FOUND 2 1/2"  
ALUMINUM CAP  
ILLEGIBLE

N89°13'59"E  
8.00'

N00°46'01"W  
10.00'

S89°13'59"W  
8.00'

PERMIT AREA  
80 SQ. FT.

ELAINE CAMPOS TRUST  
2945-124-01-001  
1848 N. 26TH STREET

AREA DEDICATED TO  
PUBLIC RECEPTION  
NO. 669357

TIE: N54°59'20"E 60.92'

P.O.B.  
S00°46'01"E  
10.00'

1" = 20'

Scale in feet

20' 10' 0 20'



This exhibit is for the purposed of graphically  
representing a written description. It does not  
represent a monumented boundary survey.

Frederick Ballard, P.L.S. 37690



DEL-MONT CONSULTANTS, INC.  
ENGINEERING & SURVEYING  
125 Colorado Ave. • Montrose, CO 81401 • (970) 249-2251  
www.delmont.com • service@del-mont.com

PERMIT AREA C1

EXHIBIT

D.M. JOB NO.

24162

DATE ISSUED:

2025-07-31

SHEET:

1 of 1

DESIGNED BY:

DCC

SCALE:

AS NOTED

CHECKED BY:

FAB

FILE NAME:

24162-EXHIBIT-C1

GRAND JUNCTION, CO

CLEARNETWORKX/DEEPLY DIGITAL