

REVOCABLE PERMIT

Recitals.

1. Sietan LLC – Charlie Gechter, 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 line improvements, as approved by the City, within the limits of the following described public rights-of-way, to wit:

Permit Area:

See attached Exhibits

2. Based on the authority of the Charter and § 21.02.180 of the Grand Junction Zoning and Development Code applying the same, the City, by and through the Community Development Division, 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, FELIX LANDRY, AS PLANNING SUPERVISOR, DOES HEREBY ISSUE:

to the above-named Petitioners a Revocable Permit for the purposes of irrigation 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 landscape improvements by the Petitioners within 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 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 right-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 right-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 right-of-way and the facilities authorized pursuant to this Permit in good condition and repair.

5. This Revocable Permit for landscaping and irrigation 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 right-of-way and, at their own expense, remove any encroachment so as to make the described public right-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 12th day of November, 2021.

Written and Recommended by:

The City of Grand Junction,
a Colorado home rule municipality


Planner

 6 Dec 2021
Community Development Director

Acceptance by the Petitioners:


Sietan LLC – Charlie Gechter

AGREEMENT

Sietan LLC – Charlie Gechter, 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. 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 public right-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.

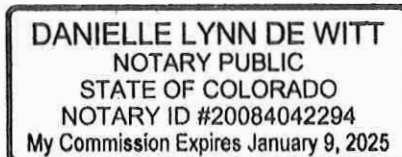
Dated this 12th day of November, 2021.

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.



Sietan LLC – Charlie Gechter

State of Colorado)
)ss.
County of Mesa)



The foregoing Agreement was acknowledged before me this 12th day of November, 2021, by Sietan LLC – Charlie Gechter.

My Commission expires: January 9, 2025
Witness my hand and official seal.



Notary Public

EXHIBIT A

A parcel of land situated in the Southeast Quarter of the Southwest Quarter of Section 25, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, said parcel being more particularly described as follows;

Beginning at the northwest corner of Lot 63 of Shadow Mesa Filing One
Thence South 45°45'59" West along the northwest line of said Lot 63, a distance of 7.18 feet;
Thence South 89°55'07" West, a distance of 54.15 feet to the northeast line of Lot 1 of said Shadow Mesa Filing One;
Thence North 45°55'46" West along said northeast line, a distance of 7.18 feet;
Thence North 89°55'07" East, a distance of 64.45 feet to the Point of Beginning,

Said parcel containing 297 Square feet more or less.

All bearings herein are relative to said recorded plat of Shadow Mesa Filing One.

This description was prepared by:
Alec K. Thomas
Colorado P.L.S. 38274
215 Pitkin Avenue, Unit 201
Grand Junction, CO 81506

NOTICE: Any rewriting or retyping of this description must NOT include this preparation information. Lack of an original seal indicates this document is not the original.

EXHIBIT B

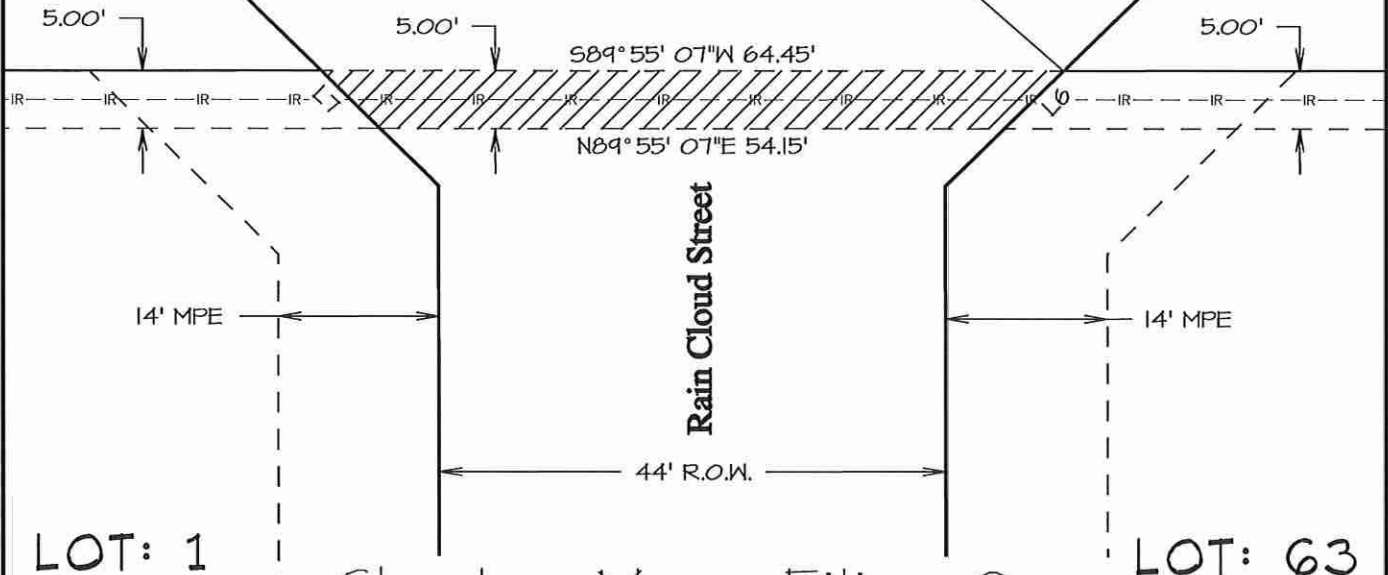
Line Table		
Line #	Length	Direction
L6	7.18'	N45° 45' 59"E
L7	7.18'	S45° 55' 46"E

B 1/4 ROAD
40' RIGHT OF WAY

POINT OF BEGINNING

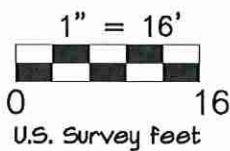
TRACT A

TRACT B



Shadow Mesa Filing One

Southeast Quarter of
the Southwest Quarter Section 25, T.1S.,
R.1W., Ute Meridian. City of Grand Junction,
Mesa County, Colorado



THIS EXHIBIT IS FOR THE PURPOSE OF GRAPHICALLY
REPRESENTING A WRITTEN DESCRIPTION - IT DOES NOT
REPRESENT A MONUMENTED BOUNDARY SURVEY



RIVER CITY
CONSULTANTS

215 Pitkin Avenue, Unit 201
Grand Junction, CO 81501
Phone: 970.241.4722
Fax: 970.241.8841
www.rccwest.com

Drawn: BLC Checked: BDM 8/24/21 Job No. 1718-007
S:\PROJECTS\1718 BOA Builders\001 2135 B.25 Road\Survey\DWG\1718-007 REVOCABLE.dwg

EXHIBIT A

A parcel of land being the south ten (10') feet of Rain Cloud Street Right-of-Way of Shadow Mesa Filing One, a subdivision situated in the Southeast Quarter of the Southwest Quarter of Section 25, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado,

Said parcel containing 441 Sq. feet more or less.

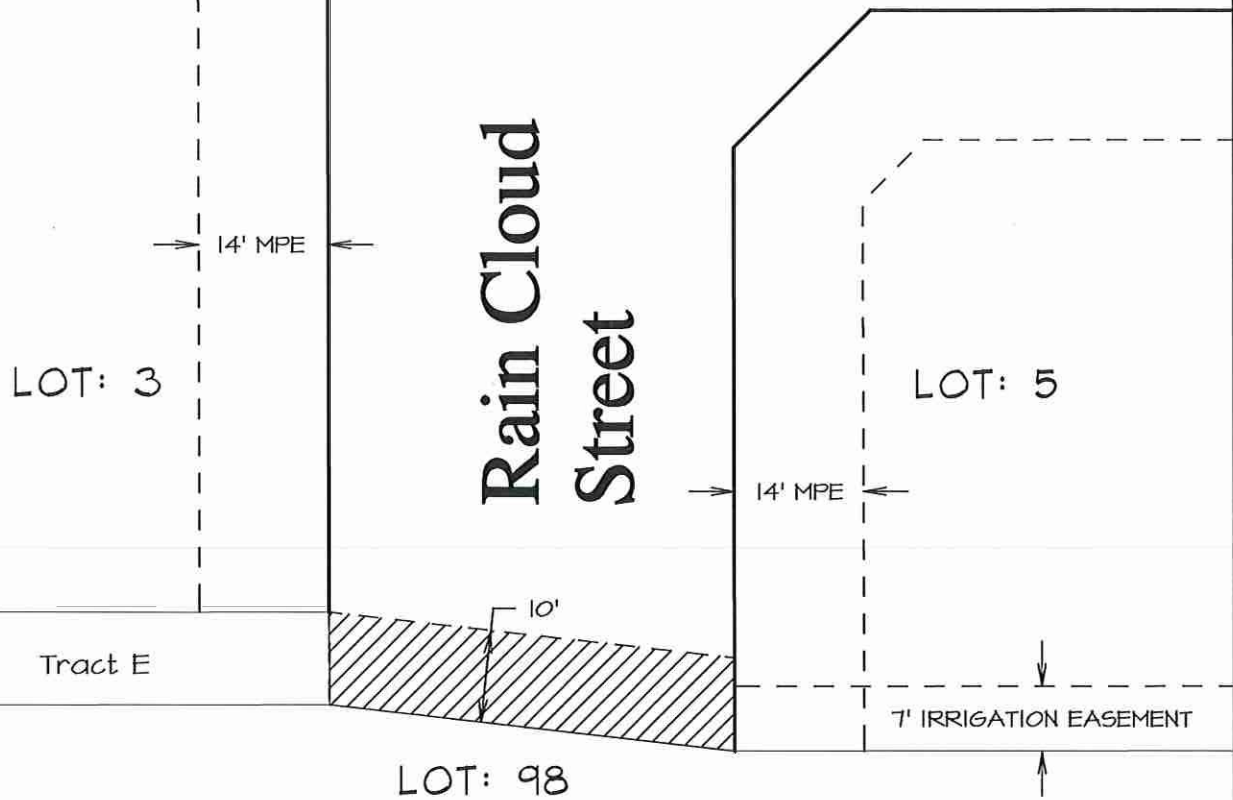
All bearings herein are relative to said recorded plat of Shadow Mesa Filing One.

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EXHIBIT B

Shadow Mesa Filing One



Shadow Mesa Filing One
Southeast Quarter of
the Southwest Quarter Section 25, T.1S.,
R.1W., Ute Meridian. City of Grand Junction,
Mesa County, Colorado

1" = 20'
0 20
U.S. Survey feet



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www.rccwest.com

Drawn: BLC	Checked: BDM	7/19/16	Job No. 1718-0014
S:\PROJECTS\110 BOA Builders\001 2135 B.25 Road Survey\110-001 REVOCABLE.dwg			

EXHIBIT A

A parcel of land situated in the Southeast Quarter of the Southwest Quarter of Section 25, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, said parcel being more particularly described as follows;

Beginning at the northwest corner of Tract D of Shadow Mesa Filing One
Thence South $45^{\circ}45'59''$ West along the northwest line of said Tract D, a distance of 7.18 feet;
Thence South $89^{\circ}55'07''$ West, a distance of 54.15 feet to the northeast line of Lot 73 of said Shadow Mesa Filing One;
Thence North $45^{\circ}55'46''$ West along said northeast line, a distance of 7.18 feet;
Thence North $89^{\circ}55'07''$ East, a distance of 64.45 feet to the Point of Beginning,

Said parcel containing 299 square feet

All bearings herein are relative to said recorded plat of Shadow Mesa Filing One.

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EXHIBIT B

Line Table		
Line #	Length	Direction
L8	7.18'	S45°45'59"W
L9	7.18'	N45°55'46"W

B 1/4 ROAD
40' RIGHT OF WAY

POINT OF BEGINNING

TRACT B

TRACT C

LOT: 73

TRACT D

14' MPE

44' R.O.W.

Shadow Mesa Street

14' MPE

Shadow Mesa Filing One

Southeast Quarter of
the Southwest Quarter Section 25, T.1S.,
R.1W., Ute Meridian. City of Grand Junction,
Mesa County, Colorado



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Drawn: BLC Checked: BDM 8/24/21 Job No. 1718-007
S:\PROJECTS\1718 BOA Builders\001 2735 B.25 Road Survey\DWG\1718-007 REVOCABLE.dwg

EXHIBIT A

A parcel of land being the south seven (7') feet of Shadow Mesa Street Right-of-Way of Shadow Mesa Filing One, a subdivision situated in the Southeast Quarter of the Southwest Quarter of Section 25, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado;

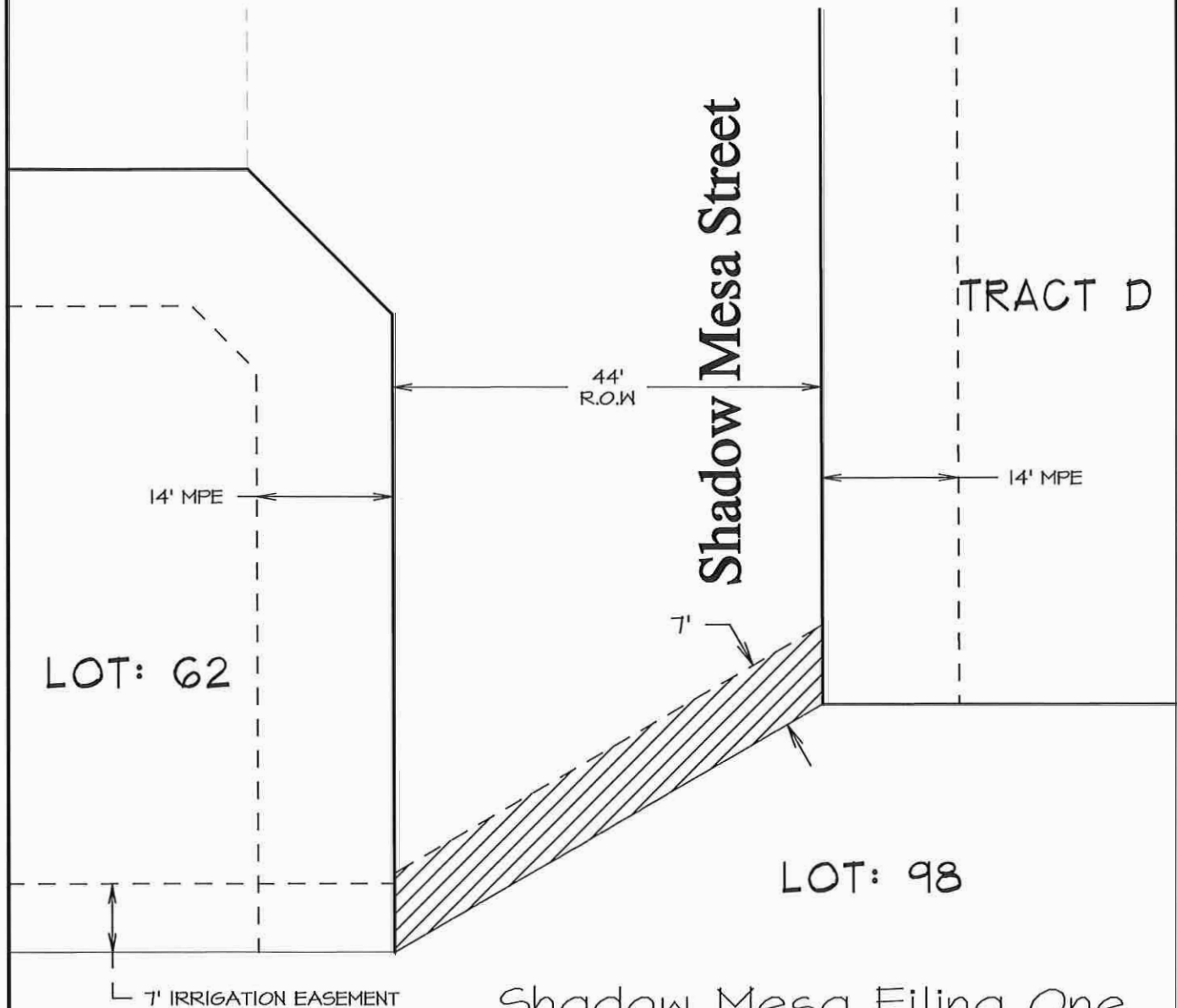
Said parcel containing 355 square feet more or less,

All bearings herein are relative to said recorded plat of Shadow Mesa Filing One.

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EXHIBIT B



Shadow Mesa Filing One
Southeast Quarter of
the Southwest Quarter Section 25, T.1S.,
R.1W., Ute Meridian. City of Grand Junction,
Mesa County, Colorado

1" = 16'
0 16
U.S. Survey feet



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