

**CITY OF GRAND JUNCTION, COLORADO**

**RESOLUTION NO. 52-26**

**A RESOLUTION  
REPEALING RESOLUTION NO. 37-26 (A  
RESOLUTION REFERRING A PETITION TO THE  
CITY COUNCIL FOR THE ANNEXATION OF  
LANDS TO THE CITY OF GRAND JUNCTION,  
COLORADO, SETTING A HEARING ON SUCH  
ANNEXATION, AND EXERCISING LAND USE  
CONTROL) AND RENOUNCING LAND USE  
CONTROL**

**COLORADO INFILL LTD  
ANNEXATION**

**APPROXIMATELY 1.59 ACRES  
LOCATED AT 3009 D 5/8 ROAD**

WHEREAS, on the 6<sup>th</sup> day of May, 2026, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situated in Mesa County, Colorado, and described as follows:

**COLORADO INFILL LTD ANNEXATION**

**COLORADO INFILL LTD ANNEXATION NO. 1**

A portion of the Right of Way dedicated on Byars Subdivision same as recorded at Reception Number 764790 located in the South Half of the Southwest Quarter of the Northwest Quarter (S1/2SW1/4NW1/4) of Section 16, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the Southeast Corner of said S1/2SW1/4NW1/4 whence the Southwest Corner of said S1/2SW1/4NW1/4 bears S89°56'21"W with all other bearing herein relative thereto; thence S89°56'21"W a distance of 396.00 feet; thence N00°01'09"W a distance of 428.50 feet to a point on the west boundary of Shetland Meadows Annexation Ordinance 4030 also being a point of the east boundary of said Byars Subdivision Right of Way and being the Point of Beginning; thence the following three (3) courses along said Byars Subdivision Right of Way; 1) N00°01'09"W a distance of 50.00 feet along said Annexation boundary; 2) S89°56'21"W a distance of 16.72 feet; 3) 79.23 feet along the arc of a 50.00 foot radius non-tangent curve concave to the south with a chord that measures N75°27'30"W 71.20 feet and a central angle of 90°47'45"; thence S30°51'22"E a distance of 1.00 feet; thence the following three (3) courses along a line parallel with and 1.00 foot offset from said Byars Subdivision Right of Way; 1) 78.22 feet along the arc of a 49.00 foot radius non-tangent curve concave to the south with a chord that measures S75°07'20"E 70.18 feet and a central angle of 91°28'06"; 2) N89°56'21"E a distance of 16.30 feet; 3) S00°01'09"E a distance of 49.00 feet to a point on the south boundary of said Byars Subdivision Right of Way; thence N89°56'21"E a distance of 1.00

feet to the Point of Beginning.

The described parcel contains 145 Square Feet or 0.003 Acres more or less, as described.

### COLORADO INFILL LTD ANNEXATION NO. 2

A portion of the Right of Way dedicated on Byars Subdivision same as recorded at Reception Number 764790 located in the South Half of the Southwest Quarter of the Northwest Quarter (S1/2SW1/4NW1/4) of Section 16, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the Southeast Corner of said S1/2SW1/4NW1/4 whence the Southwest Corner of said S1/2SW1/4NW1/4 bears S89°56'21"W with all other bearing herein relative thereto; thence S89°56'21"W a distance of 396.00 feet; thence N00°01'09"W a distance of 428.50 feet to a point on the west boundary of Shetland Meadows Annexation Ordinance 4030 also being a point on the east boundary of said Byars Subdivision Right of Way line and being the Southeast corner of COLORADO INFILL LTD ANNEXATION NO. 1; thence S89°56'21"W a distance of 1.00 feet along said Right of Way line and the south line of said COLORADO INFILL LTD ANNEXATION NO. 1 to the Point of Beginning; thence the following four (4) courses along the boundary of said COLORADO INFILL LTD ANNEXATION NO. 1; 1) N00°01'09"W a distance of 49.00 feet; 2) S89°56'21"W a distance of 16.30 feet; 3) 78.22 feet along the arc of a 49.00 foot radius non-tangent curve concave to the south with a chord that measures N75°07'20"W 70.18 feet and a central angle of 91°28'06"; thence N30°51'22"W a distance of 1.00 feet to a point on said Byars Subdivision Right of Way line; thence the following two (2) courses along said Right of Way line; 1) 25.49 feet along the arc of a 50.00 foot radius non-tangent curve concave to the southeast with a chord that measures S44°32'26"W 25.21 feet and a central angle of 29°12'18"; 2) S89°56'21"W a distance of 260.00 feet; thence S00°00'00"E a distance of 1.00 feet; thence the following two (2) courses one foot offset and parallel to said Right of Way; 1) N89°56'21"E a distance of 260.58 feet; 2) 24.55 feet along the arc of a 49.00 foot radius non-tangent curve concave to the southeast with a chord that measures N43°37'13"E 24.30 feet and a central angle of 28°42'30"; thence the following four (4) courses one foot offset and parallel with said COLORADO INFILL LTD ANNEXATION NO. 1; 1) S32°01'32"E a distance of 1.00 feet; 2) along the arc of a 48.00 foot radius non-tangent curve concave to the south with a chord that measures S75°21'31"E 69.83 feet and a central angle of 93°20'02"; 3) N89°56'21"E a distance of 15.89 feet; 4) S00°01'09"E a distance of 48.00 feet to a point on said Right of Way line; thence N89°56'21"E a distance of 1.00 feet to the Point of Beginning.

The described parcel contains 429 Square Feet or 0.01 Acres more or less, as described.

### COLORADO INFILL LTD ANNEXATION NO. 3

A portion of the Right of Way dedicated on Byars Subdivision same as recorded at Reception Number 764790 and Lot 6 of said Byars Subdivision located in the South Half of the Southwest Quarter of the Northwest Quarter (S1/2SW1/4NW1/4) of Section 16, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the Southeast Corner of said S1/2SW1/4NW1/4 whence the Southwest Corner of said S1/2SW1/4NW1/4 bears S89°56'21"W with all other bearing herein relative thereto; thence S89°56'21"W a distance of 396.00 feet; thence N00°01'09"W a distance of 428.50 feet to a point on the west boundary of Shetland Meadows Annexation Ordinance 4030 also being a point on said Byars Subdivision Right of Way line and the Southeast Corner of COLORADO INFILL LTD ANNEXATION NO. 1; thence S89°56'21"W a distance of 2.00 feet to the Southwest Corner of COLORADO INFILL LTD ANNEXATION NO. 2 being the Point of Beginning; thence the following seven (7) courses along said COLORADO INFILL LTD ANNEXATION NO. 2 boundary; 1) N00°01'09"W a distance of 48.00 feet; 2) S89°56'21"W a distance of 15.89 feet; 3) 78.19 feet along the arc of a 48.00 foot radius non tangent curve concave to the south with a chord that measures N75°21'31"W 69.83 feet and a central angle of 93°20'02"; 4) N32°01'32"W a distance of 1.00 feet; 5) 24.55 feet along the arc of a 49.00 foot radius non-tangent curve concave to the southeast with a chord that measures S43°37'13"W 24.30 feet and a central angle of 28°42'30"; 6) S89°56'21"W a distance of 260.58 feet; 7) N00°00'00"E a distance of 1.00 feet to a point on said Right of Way line; thence S89°56'21"W a distance of 142.32' along said Right of Way line; thence S00°14'31"E a distance of 231.50 feet along the west line of said Lot 6 and the northerly extension of the west line of said Lot 6 to the Southwest Corner of said Lot; thence the following four (4) courses along the boundary of said Lot 6; 1) N89°56'21"E a distance of 108.72 feet; 2) S00°03'39"E a distance of 27.00 feet; 3) N89°56'21"E a distance of 102.00 feet; 4) N00°26'48"W a distance of 208.50 feet to a point on said Right of Way line; thence the following three (3) courses along said Right of Way line; 1) N89°56'21"E a distance of 192.27 feet; 2) 104.72 feet along the arc of a 50.00 foot radius non-tangent curve concave to the north with a chord that measures N89°56'21"E 86.60 feet and a central angle of 120°00'00"; 3) N89°56'21"E a distance of 14.68 feet to the Point of Beginning.

The described parcel contains 68,678 Square Feet or 1.58 Acres more or less, as described.

WHEREAS, the Council adopted Resolution No. 37-26 on the 6<sup>th</sup> of May, 2026 and thereby found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

WHEREAS, the Municipal Annexation Act requires that a hearing on a valid petition for annexation shall be held not less than thirty days nor more than sixty days after the effective date of the resolution setting the hearing;

WHEREAS, a hearing was scheduled to be held on the 17<sup>th</sup> of June, 2026;

WHEREAS, the petitioner withdrew the petition for annexation on the 7<sup>th</sup> of May, 2026;

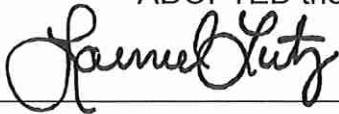
WHEREAS, the Council determines conclusively that the requirements of section 30 of article II of the state constitution requiring landowner consent are no longer met;

AND WHEREAS, the Municipal Annexation Act provides that the hearing on an annexation petition need not be held if such conclusive determination is made;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

1. Resolution No. 37-26 is hereby repealed. In so repealing that resolution, the City Council declares that:
2. The petition for annexation of lands to the City of Grand Junction, located at 3009 D 5/8 Road and the adjacent public right-of-way in D 5/8 Road, known as the Colorado Infill LTD Annexation, is determined to be withdrawn, along with all associated development applications;
3. The request for annexation is invalid, the proposed annexation no longer satisfies the conditions for landowner consent, and the hearing to determine whether or not the lands should be annexed to the City shall not be held; and
4. The City renounces its exercise of land use control over the subject property. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, not be accepted by the Community Development Department of the City.

ADOPTED the 1<sup>st</sup> day of July, 2026.



Laurel Lutz

President of the City Council



ATTEST:



City Clerk  
Selestina Sandoval