

RESOLUTION NO. 72-26

**A RESOLUTION CONCERNING
THE ISSUANCE OF A REVOCABLE PERMIT TO 251-259 COLORADO LLC TO
ALLOW FOR THE ENCROACHMENT OF AN EXISTING HISTORIC BUILDING
WITHIN THE PUBLIC RIGHT OF WAY ADJACENT TO 251 COLORADO AVENUE,
GRAND JUNCTION, COLORADO**

Recitals.

251-259 LLC ("Petitioner") represents it is the owner of the following described real property in the City of Grand Junction:

Tax Parcel No. 2945-143-26-006, commonly known as 251 Colorado Avenue, Grand Junction, Colorado.

The Petitioner has requested that the City issue a Revocable Permit to allow for an existing historic building encroachment, subject to the terms of the permit, within the limits of the following described public right of way for Colorado Avenue and depicted on Exhibit B to this Resolution, which Exhibit is incorporated herein by reference:

A strip of land across Colorado Avenue right of way per map of First Division, Resurvey, Town of Grand Junction, Col., as recorded at Reception 3206, situated in the southwest quarter of the southwest quarter of Section 14, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, said strip being more particularly describe as follows:

The south one-half (0.5') foot of Colorado Avenue right of way exclusive to that portion adjoining Lot 12, and Lot 13 of Block 123 of said Map of First Division, Resurvey, Town of Grand Junction, Col.

South line of said strip is coincident with the north line of said Lot 12 and Lot 13,

Except the west (12') feet thereof,

Containing 19.1 Square feet, more or less.

Relying on the information supplied by the Petitioner and contained in File No. RVP-2026-317 in the office of the City's Community Development Department, the City Council has determined that such action would not at this time be detrimental to the inhabitants of the City.

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

In consideration and adoption of the Recitals the City Manager is hereby authorized and directed to issue the attached Revocable Permit to the above-named Petitioner for the purposes described and within the limits of the public right-of-way described and depicted subject to each and every term and condition of the Revocable Permit.

PASSED and ADOPTED this 19th day of August 2026.

Attest:


Selestina Sandoval
City Clerk




Laurel Lutz
President of the City Council

REVOCABLE PERMIT

Recitals.

A. 251-259 Colorado LLC, hereinafter referred to as the Petitioner, represents it is the owner of the following described real property in the City of Grand Junction, County Mesa, State of Colorado, to wit:

Tax Parcel No. 2945-143-26-006, commonly known as 251 Colorado Avenue, Grand Junction, Colorado.

B. The Petitioner has requested that the City of Grand Junction issue a Revocable Permit to allow for existing building, subject to the terms of the permit, within the limits of the following described public right-of-way for Colorado Avenue (refer to Exhibit B for graphical representation):

A strip of land across Colorado Avenue right of way per map of First Division, Resurvey, Town of Grand Junction, Col., as recorded at Reception 3206, situated in the southwest quarter of the southwest quarter of Section 14, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, said strip being more particularly describe as follows:

The south one-half (0.5') foot of Colorado Avenue right of way exclusive to that portion adjoining Lot 12, and Lot 13 of Block 123 of said Map of First Division, Resurvey, Town of Grand Junction, Col.

South line of said strip is coincident with the north line of said Lot 12 and Lot 13,

Except the west (12') feet thereof,

Containing 19.1 Square feet, more or less.

C. Relying on the information supplied by the Petitioner and contained in File No. RVP-2026-317 in the office of the City's Community Development Department, the City Council has determined that such action would not at this time be detrimental to the inhabitants of the City of Grand Junction.

NOW, THEREFORE, IN ACCORDANCE WITH THE ACTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

1. The Petitioner's use and occupancy of the public right-of-way as authorized pursuant to this Permit and the Charter and Ordinances of the City shall be performed with due care or any other higher standard of care as may be required to avoid creating hazardous or dangerous situations and to avoid damaging public improvements and public utilities or any other facilities presently existing or which may in the future exist in said right-of-way.

or any other facilities presently existing or which may in the future exist in said right-of-way.

2. The City 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 Petitioner, for himself and for his 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.

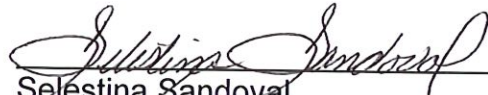
4. The Petitioner agrees that he shall at all times keep the above-described public right-of-way and the facilities authorized pursuant to this Permit in good condition and repair.

5. This Revocable Permit for the existing historic building encroachment into the Colorado Avenue public right of way shall be issued only upon concurrent execution by the Petitioner of an agreement that the Petitioner and the Petitioner's 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 the Permit by the City the Petitioner shall, at the sole expense and cost of the Petitioner, within thirty (30) days of notice of revocation (which may occur by mailing a first class letter to the Petitioner's last known address), peaceably surrender said public right of way available for use by the City, the County of Mesa, the State of Colorado, 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. This Revocable Permit, the foregoing Resolution and the following Agreement shall be recorded by the Petitioner, at the Petitioner's expense, in the office of the Mesa County Clerk and Recorder.

Dated this 19th day of August, 2026.

City of Grand Junction, a Colorado home rule municipality

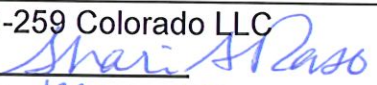
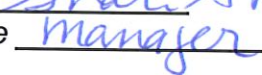


Celestina Sandoval
City Clerk



Michael P. Bennett
City Manager

Acceptance by the Petitioner:

251-259 Colorado LLC
By 
Title 

AGREEMENT

251-259 Colorado LLC, for itself and its successors and assigns, does hereby agree to:

- (a) Abide by each and every term and condition contained in the foregoing Revocable Permit;
- (b) Indemnify and hold harmless the City of Grand Junction, its officers, employees and agents with respect to all claims and causes of action, as provided for in the approved Resolution and Revocable Permit;
- (c) Within thirty (30) days of revocation of said Permit by the City Council, peaceably surrender said public right-of-way fully available for use by the City of Grand Junction or the general public; and
- (d) At the sole cost and expense of the petitioner, remove any encroachment so as to make said public right-of-way fully available for use by the City of Grand Junction or the general public.

Dated this 24 day of August, 2026.

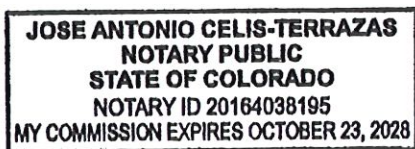
Shari Prado, Manager

251-259 Colorado LLC

State of Colorado)
)ss.
County of Mesa)

The foregoing Agreement was acknowledged before me this 24 day of August, 2026, by 251-259 Colorado LLC.

My Commission expires: October 23, 2028
Witness my hand and official seal.



[Signature]
Notary Public