BEN82PAT

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: DEVELOPMENT IMPROVEMENTS AGREEMENT

NAME OF APPLICANT OR DEVELOPER: BENCHMARK HOMES, A GENERAL PARTNERSHIP

PROJECT/SUBDIVISION: PEPPERTREE SUBDIVISION FILING 3

SOUTH SIDE OF PATTERSON ROAD WEST OF 29 ROAD, GRAND JUNCTION LOCATION:

PARCEL NO.: 2943-071-13-001 2943-071-13-009 2943-071-12-003 2943-071-13-002 2943-071-13-010 2943-071-12-004 2943-071-13-003 2943-071-13-011 2943-071-12-005 2943-071-13-004 2943-071-13-012 2943-071-12-006 2943-071-13-005 2943-071-13-013 2943-071-12-007 2943-071-13-014 2943-071-12-008 2943-071-13-006

> 2943-071-12-001 2943-071-12-009 2943-071-13-007

> 2943-071-12-002 2943-071-13-008 2943-071-12-101

FILE NO.: 7-82

COMMUNITY DEVELOPMENT CITY DEPARTMENT:

YEAR: 1982

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

1302045

Peppertree Subdivision III

SEP 07,1982 E.SAWYER, CLKAREC MESA CTY, CO

Patterson Road

Name of subdivision or other improvement

location

03:17 PM 81390 P0355

Intending to be legally bound, the undersigned subdivider hereby agrees to provide throughout this subdivision and as shown on the subdivision plat of Peppertree III date $\$ July 22nd 19/82, the Peppertree III name of subdivision

following improvements to City of Grand Junction standards and to furnish an Improvements Guarantee in the form acceptable to the City for these improvements.

> Estimated Completion Quantity and Unit Costs Estimated Cost Improvements Date 1594CY @ 1.25 CY 4,255.75 Dec. 31, 1982 Street grading 1587 Tons@6.75 to 10,712.25 Street base 3357SQ.YD.@4.38SQ.*D. 14,709.00 Street paving 700L.F.@6.30 L.F. 13 4,410.00 Curbs and Gutters 546L.F.@6.60L.F. 3,603.60 Sidewalks Valley Dan 3,096.00 Storm Sewer facilities 11 Balance of Sewer work 6,301.70 Sanitary sewers 1149L.F.@3.60L.F. 4,136.40 Mains 21.95 ea. 1,382.85 Laterals or house 63 connections @/ connections N/A N/A On-site sewade treatment 750LF@8.60LF 6,450.00 Water mains 3 @ 1414.00 ea. 11 4,242.00 Fire hydrants On-site water supply 200.00 L.S. 200.00 Survey monuments 450.00 L.S. 450.00 Street lights 200.00 L.S. 200.00 ** Street name signs 64,149.55

Supervision of all installations (should normally not exceed 4% of subtotal) 1,924.50

TOTAL ESTIMATED COST OF IMPROVEMENTS AND SUPERVISION

s 66,074.45

The above improvements will be constructed in accordance with the specifications and requirements of the City or appropriate utility agency and in accordance with detailed construction plans based on the City Council approv plan and submitted to the City Engineer for review and approval prior to start of construction. The improvements will be constructed in reasonable conformance with the time schedule shown above. An Improvements Guarantee will be furnished to the City prior to recording of the subdivision plat.

BENCHMARK HOMES, a General Partnership

RECEIVED MESA COUNTY DEVELOPMENT DEPARTMENT JUL 22 1982

SUB TOTAL

XXXXXXXXXXX Signature

Managing Partner (If corporation, to be signed by Preside: and attested to by Secretary, together

with the corporate seal.)

Date:

1982

I have reviewed the estimated costs and time schedule shown above and based on the plan layouts submitted to date and the current costs of construction I take no exception to the above.

Date: Aug, 23

Grand Junction City Council Mesa County Court House Grand Junction, CO 81501

1302046 03:17 PM B1390 P0356 SEP 07:1982 E.SANYER, CLK&REC NESA CTY, CO

RE: GUARANTEE OF IMPROVEMENTS AS PER IMPROVEMENTS AGREEMENT as required for PEPPER TREE - FILING NO. THREE

The undersigned hereby guarantees not to request building permits within Pepper Tree - Filing No. Three until such time as improvements are complete and a release from Improvements Agreement and Improvements Guarantee has been obtained.

It is understood that a bank guarantee from a lending institution acceptable to the City of Grand Junction may be substituted for this guarantee at a future date, if desired.

Todd S. Deutsch

Benchmark Communities, Ltd.

STATE OF COLORADO) ss

COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 3rd day of March , 1982 by Todd S. Deutsch.

Witness my hand and official seal. My commission expires: 2/05/85

OF CO

AUGUST 21, 1987

AGREEMENT BETWEEN BENCHMARK COMMUNITIES, LTD.
A PARTNERSHIP OWNING PEPPER TREE SUBDIVISION,
FILINGS NO. 1, 2, AND 3, AND IBX, INC. A WASHINGTON CORPORATION,
THE PURCHASER OF PEPPER TREE SUBDIVISION, FILINGS NO. 1,2, AND 3,
AND THE GRAND JUNCTION PLANNING DEPARTMENT.

This agreement is to satisfy the City Development Department for requirements needed to release certificates of occupancy at Pepper Tree Subdivision. In order to satisfy the requirements of City Planning the following is agreed to by the parties:

- 1.) Benchmark Communities, Ltd. shall install a fence enclosing the trash dumpster on the South end of the property as agreed to in the meeting with Mr. Michael Sutherland of City Planning and Mr. Steve Benetti of City Sanitation in August. The enclosure shall be of cedar and shall be paid for and installed by Benchmark Communities, Ltd. prior to September 1, 1987.
- 2.) It is further agreed that any owner subsequent to Benchmark Communities, Ltd. shall be required to perform the following in order to consistently meet previous development commitments:
 - Either install pads and enclosures off the currently dedicated city street right of way for dumpsters, or
 - b.) make arrangements for individual collection of trash in front of each building. The individual collection shall be done by the City. It has been agreed that this would eliminate the need for additional dumpster enclosures.

The intention of this agreement is to defer the permanent location of the dumpsters, which may not be needed, onto private property. It was agreed by the parties that the long term solution to the location of the trash dumpsters may reside with the Homeowner's Association. Currently the Homeowner's Association is operated with the majority of the votes being held by the developer (Benchmark Communities, Ltd.). It was agreed between Benchmark and City Planning that the permanent location of dumpsters, if any, or the individual unit pick up of trash would be best decided in the future by the Homeowner's Association.

BENCHMARK COMMUNITIES, LTD., SELLER

By: Richard Scariano

IBX, INC., A WASHINGTON CORPORATION, PURCHASER

By: Gerry Tucker

CITY PLANNING DEPARTMENT

By: Michael Sutherland

CITY OF GRA JUNCTION IMPROVEMENTS A EEMENT				
In re: PEPPER TREE - FILING NO. THREE		Southside of Patterson, 990' W of 29 Road		
Name of subdivision or other improvement location				
Intending to be legally bound, the undersigned subdivider hereby agrees to provide throughout this subdivision and as shown on the subdivision plat of Pepper Tree - Filing No. Three date March 19 82, the name of subdivision following improvements to City of Grand Junction standards and to furnish an Improvements Guarantee in the form acceptable to the City for these improvements.				
			Estimated Completion	
Improvements	Quantity and Unit Costs	Estimated Cost	Date	
Street grading		a is garanteenide Magain and a scale to garantee is trans, is garanteed. They are a summary spage of a	- apidal hala yaka, sasuri kungai danggaran disang panara lian sas	
Street base			· · response common a contributional and management	
Street paving		20,981.00	Aug. 1984	
Curbs and Gutters			and the second s	
Sidewalks			and the second s	
Storm Sewer facilities				
Sanitary sewers				
Mains		10,740.00	Aug. 1984	
Laterals or house connections		4,800.00	Aug. 1984	
On-site sewage treatment				
Water mains		2,597.00	Aug. 1984	
Fire hydrants		1,400.00	Aug. 1984	
On-site water supply				
Survey monuments		200.00	Aug. 1984	
Street lights			general to appearing the state of the control of th	
Street name signs			a refer tour not our transporter dy registration in state	
SUB TOTAL		40,718.00		
Supervision of all installat	ions (should normal	ly not exce	eed 4% of subtotal	
Supervision of all installations (should normally not exceed 4% of subtotal 1628.72				
TOTAL ESTIMATED COST OF IMPROVEMENTS AND SUPERVISION \$ 42,346.72				
The above improvements will tions and requirements of th accordance with detailed con plan and submitted to the Ci start of construction. The conformance with the time sc	e City or appropria struction plans bas ty Engineer for rev improvements will b	tte utility sed on the C riew and app se construct	agency and in City Council appro- croval prior to Sed in reasonable	

Supervision of all 1628.72	l installations	(should normally not exceed 4% of subtotal
TOTAL ESTIMATED CO	OST OF IMPROVEMEN	NTS AND SUPERVISION \$ 42,346.72
tions and requirer accordance with de plan and submitted start of construc- conformance with	ments of the City etailed construct of to the City Englisher. The improvement the time schedule	nstructed in accordance with the specifically or appropriate utility agency and in tion plans based on the City Council appropriate for review and approval prior to wements will be constructed in reasonable a shown above. An Improvements Guarantee for to recording of the subdivision plat.
		Signature of subdivider
		(If corporation, to be signed by Presid and attested to by Secretary, together with the corporate seal.)
Date:	19	*
	ts submitted to d	ts and time schedule shown above and base late and the current costs of construction
		City Engineer
Date:	19	

make & sure plat is Changed to show me new Quarantee. It was Sheling

First National Bank

in Grand Junction
The Better Bankers.**

October 7th, 1982

City of Grand Junction Grand Junction, Colorado 81501 Attn: Bob Golden

Re: Benchmark Homes, Inc.

Dear Mr. Golden:

This letter is to verify that Benchmark Homes, Inc., has secured a loan for \$42,346.72 for the improvements of the Peppertree Apartment/Condominium project. The \$42,346.72 is to finance the construction of the improvements within the project which are required by the Mesa County Subdivision Regulations.

The \$42,346.72 is to be disbursed by the First National Bank in Grand Junction only for the above items upon receipt and approval of properly authorized bills.

If you have any further questions, please feel free to contact me.

Very truly yours,

Douglas A. Kent

DAK/dkg

for everything execpt tota 11-30 Here

RECEIVED MESA GOUNTY DEVELOPMENT DEPARTMENT

CUT 17 1982

CENTRAL BANCORPORATION, INC.