

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

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

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
	2943-071-13-006	2943-071-13-014	2943-071-12-008
	2943-071-13-007	2943-071-12-001	2943-071-12-009
	2943-071-13-008	2943-071-12-002	2943-071-12-101

FILE NO.: 7-82

CITY DEPARTMENT: COMMUNITY DEVELOPMENT

YEAR: 1982

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE



March 1, 1982

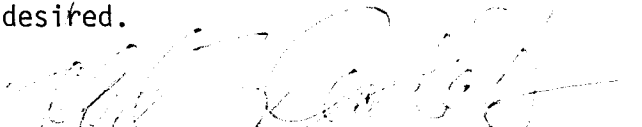
Grand Junction City Council  
Mesa County Court House  
Grand Junction, CO 81501

1302046 03:17 PM 81390 P0356  
SEP 07 1982 E.SAWYER,CLK&REC MESA 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.

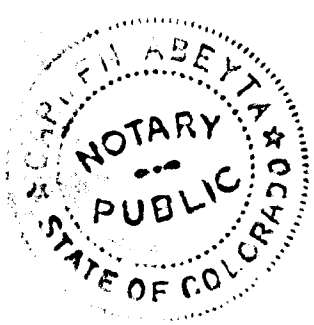
  
\_\_\_\_\_  
Todd S. Deutsch  
Benchmark Communities, Ltd.

STATE OF COLORADO )  
                          ) ss  
COUNTY OF MESA    )

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

Witness my hand and official seal.  
My commission expires: 3/05/85

  
\_\_\_\_\_  
Notary Public



AUGUST 21, 1987

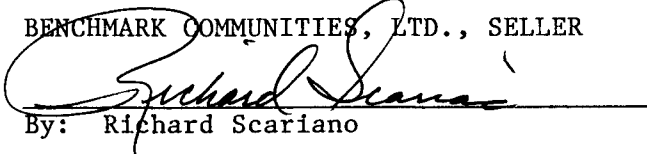
AGREEMENT BETWEEN BENCHMARK COMMUNITIES, LTD.  
A PARTNERSHIP OWNING PEPPER TREE SUBDIVISION,  
FILINGS NO. 1, 2, AND 3, AND IBX, INC. A WASHINGTON CORPORATION,  
THE PURCHASER OF PEPPER TREE SUBDIVISION, FILINGS NO. 1,2, AND 3,  
AND THE GRAND JUNCTION PLANNING DEPARTMENT.

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:

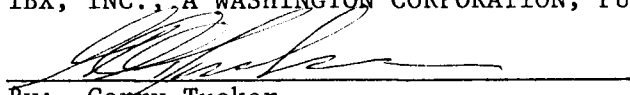
- 1.) Benchmark Communities, Ltd. shall install a fence enclosing the trash dumpster on the South end of the property as agreed to in the meeting with Mr. Michael Sutherland of City Planning and Mr. Steve Benetti of City Sanitation in August. The enclosure shall be of cedar and shall be paid for and 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:
  - a.) 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.

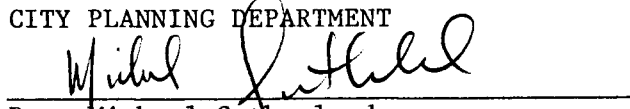
BENCHMARK COMMUNITIES, LTD., SELLER

  
By: Richard Scariano

IBX, INC., A WASHINGTON CORPORATION, PURCHASER

  
By: Gerry Tucker

CITY PLANNING DEPARTMENT

  
By: Michael Sutherland

CITY OF GRAND JUNCTION IMPROVEMENTS AGREEMENT

In re: PEPPER TREE - FILING NO. THREE Southside of Patterson,  
990' W of 29 Road  
 Name of subdivision or other improvement location

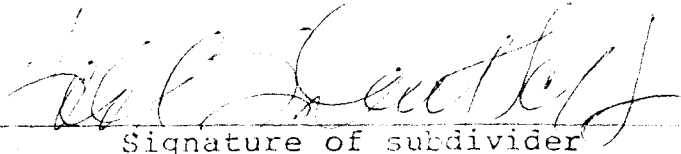
Intending to be legally bound, the undersigned subdivider hereby agrees to provide throughout this subdivision and as shown on the subdivision plat of Pepper Tree - Filing No. Three date March 19 82, the name of subdivision following improvements to City of Grand Junction standards and to furnish an Improvements Guarantee in the form acceptable to the City for these improvements.

Improvements	Quantity and Unit Costs	Estimated Cost	Estimated Completion Date
Street grading			
Street base			
Street paving		20,981.00	Aug. 1984
Curbs and Gutters			
Sidewalks			
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			
Street name signs			
SUB TOTAL		40,718.00	

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 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 approval 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.

  
 Signature of subdivider

(If corporation, to be signed by President and attested to by Secretary, together with the corporate seal.)

Date: \_\_\_\_\_ 19 \_\_\_\_

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.

\_\_\_\_\_  
 City Engineer

Date: \_\_\_\_\_ 19 \_\_\_\_

*Make sure plat is  
changed to show ~~the~~ new  
guarantee.*

*it was Shelly*

# 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.

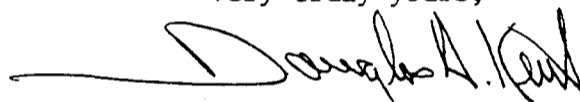
Dear Mr. Golden:

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  
except lots 11-30  
Gene*

