

KIL8229R

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: **DEVELOPMENT IMPROVEMENTS AGREEMENT**

NAME OF APPLICANT OR DEVELOPER: JOHN F. KILPATRICK

PROJECT/SUBDIVISION: WOODSMOKE SUBDIVISION

LOCATION: EAST SIDE OF 29 ROAD, NORTH OF GRAND VALLEY CANAL, GRAND JUNCTION

PARCEL NO.: LOT 1 - 2943-071-18-001
 LOT 2 - 2943-071-18-002
 LOT 3 - 2943-071-18-003
 LOT 4 - 2943-071-18-004

FILE NO.: 79-81

CITY DEPARTMENT: COMMUNITY DEVELOPMENT

YEAR: 1982

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

In re: Woodsmoke East side of 29 Road, North of Grand Valley Canal
 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 _____ date _____ 19____, 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	N/A		
Street base	N/A		
Street paving	N/A		
Curbs and Gutters	N/A		
Sidewalks	N/A		
Storm Sewer facilities	N/A		
Sanitary sewers	1,840 L.F. @ \$10.00	\$18,400	Nov., 1984
Manholes	7 Ea. @ \$750.00	5,250	Nov., 1984
Laterals or house connections	In Sewer Cost		
On-site sewage treatment	N/A		
Water mains	2,960 L.F. @ \$12.00	35,520	Nov., 1984
Fire hydrants	7 Ea. @ \$1,200.00	8,400	Nov., 1984
On-site water supply	N/A		
Survey monuments	N/A		
Street lights	N/A		
Street name signs	N/A		
SUB TOTAL		\$67,570	

RECEIVED
 JAN 6 1983
 CITY OF GRAND JUNCTION
 PLANNING DEPARTMENT

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 MAY 04, 1983 E. SAWYER, CLK & REC MESA CITY, CO

Supervision of all installations (should normally not exceed 4% of subtotal)
 \$2,700.00

TOTAL ESTIMATED COST OF IMPROVEMENTS AND SUPERVISION \$ 70,270.00

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.

This improvements agreement may be released in parts corresponding to phasing of this project.

John F. Kelpatruif
 Signature of subdivider

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

Date: 1/4 1983

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.

Ronald P. Rich
 City Engineer

Date: Feb. 24 1983

Date: December 14, 1982

BOOK 1430 PAGE 999

Grand Junction City Council
559 White Avenue
Grand Junction, CO 81501

1325172 02:45 PM
MAY 04 1983 E. SAWYER, CLK&REC MESA CITY, CO

GUARANTEE OF PUBLIC IMPROVEMENTS for Woodsmoke

The undersigned hereby guarantees not to request building permits within said subdivision until such time as required public improvements as listed on the Subdivision Improvements Agreement are installed for each lot.

It is understood that this guarantee can be replaced with a guarantee from a lending institution acceptable to the Grand Junction City Council, and/or a Power-of-Attorney for 29 Road improvements.

John F. Kilpatrick

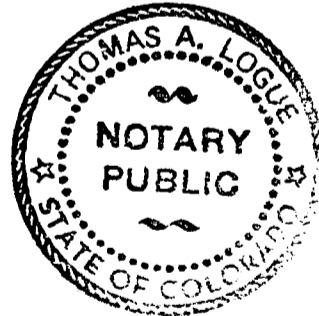
STATE OF COLORADO)
)
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 14th day of DECEMBER A.D., 1982 by John F. Kilpatrick.

Witness my hand and official seal.

My commission expires: Aug 23, 1985.

Thomas A. Logue
Notary Public
2784 Crossroads Blvd.
Grand Jct. CO.



79-81
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ATTACHMENT TO BUILDING PERMIT GUARANTEE

Re: Woodsmoke Subdivision - Open Space Fee

The total appraised value is \$312,000.00. The total (5%) open space fee of \$15,600.00 shall be paid when the building permits are applied for. This fee may be paid in phases, and a revised building permit guarantee filed at the time of a phased release. Partial payments shall be in increments of \$742.86 per 12 units, the minimum payment per phase being \$3,714.30 (for five buildings of twelve units each). The total payment shall not exceed \$15,600.00. The area being released in part shall be clearly and permanently shown on the plat for Woodsmoke Subdivision.



John F. Kilpatrick

January 14, 1983

RELEASE OF IMPROVEMENTS AGREEMENT & GUARANTEE
City of Grand Junction Community Development Department

Community Development Files: #79-81 and VE-1998-073

This memorandum relates to a certain Improvements Agreement and Guarantee recorded at Book 1430, Pages 998, 999 and 1000 in and of the land records of Mesa County, Colorado, by and between John L. Kilpatrick (Developer) and the City of Grand Junction (City) pertaining to 'Woodsmoke' subdivision (Project).

Woodsmoke subdivision is more particularly depicted and described in the recording found at Plat Book 13, Pages 150-152.

The Developer of the Project was required by law to install and construct certain public and private improvements which completion was guaranteed by an Improvements Agreement and Guarantee. The Project was never constructed and the property planned as the Project has been re-platted. The property is now known as the Graff Minor Subdivision. The zoning on the property is RSF-2 and RSF-4, which does not and would not allow the Woodsmoke planned development.

The City of Grand Junction by and through the signature of the undersigned City Engineer has determined that the improvements guaranteed by and through the Improvements Agreement and Guarantee are no longer required, necessary or viable because of the re-platting and zoning of the property.

NOW THEREFORE, officials of the City of Grand Junction possessing and representing by their signatures that they possess sufficient authority, do hereby relinquish any and all rights in the Improvements Agreement and release the Guarantee to the improvements as provided in Book 1430, Pages 998, 999 and 1000.

CITY OF GRAND JUNCTION:

By: [Signature] 1/6/98
City Engineer Date

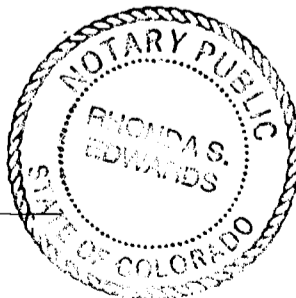
In accordance with the above, I hereby certify that the Improvements Agreement & Guarantee and the recording evidencing the agreement and guarantee, at Book 1430, Pages 998, 999 and 1000 of the Mesa County land records, are and have been released and any and all rights the City may claim under the same are relinquished as provided above.

[Signature] 7/8/98
Director of Community Development Date

The foregoing instrument was executed before me this 8th day of July, 1998 by E. Scott Harrington, Director of Community Development for the City of Grand Junction, Colorado.

Witness my hand & official seal.

[Signature]
Notary Public



My commission expires Sept. 20, 2001.