

HUT8412S

TYPE OF RECORD: ACTIVE PERMANENT

CATEGORY OF RECORD: **CONTRACT (MEMORANDUM OF AGREEMENT)**

NAME OF APPLICANT: DON AND LOURDES HUTCHISON

SUBJECT/PROJECT: PUBLIC WORKS CAPITAL IMPROVEMENT PROJECT

LOCATION: 12TH STREET RECONSTRUCTION, BONITA AVENUE TO HORIZON DRIVE

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1984

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

MEMORANDUM OF AGREEMENT

ROAD RIGHT OF WAY **BOOK 1554 PAGE 686**
Horizon Drive/12th Street - CITY OF GRAND JUNCTION

Agreement has been reached this 15th day of Nov., A.D., 1984, between the owner or owners of the above designated parcel or parcels, herein collectively called the VENDOR and THE CITY OF GRAND JUNCTION for the purchase of said parcel or parcels.

The amount of money and/or other considerations have been established as just compensation and were determined by appraisals and/or negotiation. These amounts and considerations, as stated below, are to be given in full consideration of this agreement.

For Land and Permanent Easements described in the attached exhibits, containing 5545.28 acres/sq.ft. NET as follows:

Permanent R.O.W.: 3603.08 s.f. @ \$2.40/s.f. = \$8,647.39 \$ 11,445.00 (rd)
Permanent Easements: 1942.20 s.f. @ \$2.40/s.f. x 60% = \$2,796.77

Damages None

\$ -0-

Gross Total \$ 11,445.00
Less Credit For \$ -0-
Net Total \$ 11,445.00

OTHER CONDITIONS: The taking areas involve portions of eight parcels described by lot and block in the Onan Subdivision. These are held in common ownership. Therefore, a single document is appropriate. Attached Right-of-Way description plats represent intent of this agreement.

THE PARTIES HERETO FURTHER AGREE AS FOLLOWS:

1. The Vendor agrees to pay all taxes and special assessments due at the time of closing, including pro-rated taxes for the current year.
2. The compensation herein provided includes full compensation for his interest, either present or future, and the interest of lienors and lessees of the seller and any and all interest, legal or equitable, which are or may be outstanding and the Vendor agrees to discharge the same.
3. This Memorandum embodies all agreements between the parties hereto and there are no promises, terms, conditions, or obligations referring to the subject matter whereof other than as herein contained.
4. This agreement shall be deemed a contract extending to and binding upon the parties hereto, and upon their respective heirs, devisees, executors, administrators, legal representatives, successors and assigns, but only when the same shall have been approved by the City of Grand Junction.
5. The signing of this agreement by all parties hereby grants possession of the property to the City of Grand Junction, which shall be an irrevocable license to use the property until completion of the transaction.

Compensation hereinabove agreed upon shall be paid upon the execution and delivery of a good and sufficient deed as indicated below.

[Signature]
(Right of Way Agent)

[Signature]
[Signature]

APPROVED BY:
[Signature] 11-15-84

(Seller)



FINANCE DIRECTOR
CITY OF GRAND JUNCTION

82-40
1021

No. 10019900

No.

THIS WARRANT MUST BE PRESENTED FOR PAYMENT WITHIN 90 DAYS FROM THE DATE OF ITS MAKING AND, UNLESS SO PRESENTED, WILL BE CANCELLED WITHOUT NOTICE TO THE PAYEE OR HOLDER THEREOF.

VENDOR
008402

WARRANT DATE
11-29-84

PAYABLE THROUGH
INTRAWEST BANK OF GRAND JUNCTION
GRAND JUNCTION, COLORADO 81502

AMOUNT
*****11,445.00

*****ELEVEN THOUSAND FOUR HUNDRED FORTY-FIVE DOLLARS AND 00 CENTS*****

PAY TO THE ORDER OF DON H. AND LOURDES HUTCHISON
2709 MIDWAY
GRAND JUNCTION, CO
81501

Mark K. Aehm
City Manager

John D. Jackson
Finance Director

⑈019900⑈ ⑆102100400⑆ 999 999 6⑈ ⑆000144500⑆

*Don H. Hutchison
Lourdes Hutchison*

52-190
PAYMENT BANK, P.M.
FIRST NATIONAL BANK
GRAND JUNCTION, COLORADO
52-190

8409046***** 105298040200 4933040

For: City of Grand Junction, Public Works Capital Improvement Project
 No.: 201-034098-901168-84089
 12th Street Reconstruction, Bonita Ave. to Horizon Drive
 Parcel. Nos.: R/W-#105, 106, 107, 108, 109, 110, 111

From: Don Hutchinson
 2709 Midway Ave.
 Grand Junction, Co. 81501
 (2945-012-01-001), (2945-012-01-003) thru (2945-012-01-006)
 (2945-012-01-010) thru (2945-012-01-011)

R/W Description

The following described parcels of land for Road and Utility right of way purposes being portions of the SW1/4NW1/4 of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and are contained in the Second Addition of Onan Subdivision of said Section 1, owned by the undersigned as described in Book 1476, pages 33 & 34, and recorded in the office of the Mesa County Clerk and Recorder, and platted in Plat Book 9, page 99 and recorded in said office, and considering the Westerly boundary line of the NW1/4 of said Section 1 to bear N 00°00'00" E, with all bearings herein being relative between found Mesa County Survey Marker #113 set for the SW corner of the NW1/4 of said Section 1 and found Mesa County Survey Marker #202 set for the SW corner of the NW1/4NW1/4, as the basis of bearings, more particularly described as follows:

R/W-#105 (2945-012-01-001)

Beginning at the Southwest corner of Lot Number 1 of Block Number 1 of said Subdivision;
 Thence along the Southerly boundary line of said Lot Number 1, said line also being the Northerly right of way line of the present Midway Ave., N 89°49' E, 6.0 feet;
 Thence N 00°00' E, 1.0 feet to the intersection of a curve;
 Thence Northwesterly, 6.15 feet along the arc of said curve deflecting to the right through a central angle of 22°01'33", having a radius of 16.0 feet, and a chord that bears N 78°59'19" W, 6.11 feet to the intersection of the Westerly boundary line of said Lot 1;
 Thence along the Westerly boundary line of said Lot 1, said line also being the Easterly right of way line of the present 12th Street, S 00°00' W, 2.19 feet to the Point of Beginning;

The above described parcel of land contains 8.36 sq. ft., more or less.

R/W-#106 (2945-012-01-003)

Commencing at the Southwest corner of Lot Number 3 of Block Number 1 of said Subdivision;

Thence along the Westerly boundary line of said Lot Number 3, said line also being the Easterly right of way line of the present 12th Street, N 00°00' E, 20.0 feet to the Point of Beginning;

Thence N 11°18'10" E, 10.2 feet;

Thence N 00°00' E, 70.0 feet to the intersection of the Northerly boundary line of said Lot Number 3;

Thence along the Northerly boundary line of said Lot Number 3 S 89°29' W, 2.0 feet to the Northwest corner of said Lot Number 3;

Thence along the Westerly boundary line of said Lot Number 3, said line also being the Easterly right of way line of the present 12th Street, S 00°00' W, 80.0 feet to the Point of Beginning.

The above described parcel of land contains 150 sq. ft., more or less.

R/W-#107 (2945-012-01-004)

Beginning at the Southwest corner of Lot Number 4 of Block Number 1 of said Subdivision;

Thence along the Southerly boundary line of said Lot Number 4 N 89°49' E, 2.0 feet;

Thence N 00°00' E, 59.8 feet to the intersection of a curve;

Thence Northeasterly, 33.38 feet along the arc of said curve deflecting to the right through a central angle of 10°00'43", having a radius of 191.0 feet, and a chord that bears N 05°00'22" E, 33.33 feet to the intersection of the Northerly boundary line of said Lot Number 4;

Thence along the Northerly boundary line of said Lot Number 4 S 89°49' W, 4.91 feet to the Northwest corner of said Lot Number 4;

Thence along the Westerly boundary line of said Lot Number 4, said line also being the Easterly right of way line of the present 12th Street, S 00°00' W, 93.0 feet to the Point of Beginning.

The above described parcel of land contains 218 sq. ft., more or less.

R/W-#108 (2945-012-01-005)

Beginning at the Southwest corner of Lot Number 5 of Block Number 1 of said Subdivision;

Thence along the Southerly boundary line of said Lot Number 5 N 89°49' E, 4.91 feet to the intersection of a curve;

Thence Northeasterly, 104.69 feet along the arc of said curve deflecting to the right through a central angle of 31°24'13", having a radius of 191.0 feet, and a chord that bears N 25°42'49" E, 103.38 feet to the intersection of the Northerly boundary line of said Lot Number 5;

Thence along the Northerly boundary line of said Lot Number 5 S 89°49' W, 16.87 feet to the Northwest corner of said Lot Number 5 as described in Book 825, page 79 and recorded in the office of the

Mesa County Clerk and Recorder;

Thence along the Northwesterly boundary line of said Lot Number 5, said line also being the Southeasterly right of way line of the present Horizon Drive as described in Book 825, page 79 and recorded in said office S $52^{\circ}40'$ W, 41.36 feet;

Thence along the Westerly boundary line of said Lot Number 5, said line also being the Easterly right of way line of the present 12th Street, S $00^{\circ}00'$ W, 68.02 feet to the Point of Beginning.

The above described parcel of land contains 1638 sq. ft., more or less.

R/W-#109 (2945-012-01-006)

Beginning at the Southwest corner of Lot Number 6 of Block Number 1 of said Subdivision;

Thence along the Southerly boundary line of said Lot Number 6 N $89^{\circ}49'$ E, 16.87 feet to the intersection of a curve;

Thence Northeasterly, 37.51 feet along the arc of said curve deflecting to the right through a central angle of $11^{\circ}15'04''$, having a radius of 191.0 feet, and a chord that bears N $47^{\circ}02'27''$ E, 37.45 feet;

Thence N $52^{\circ}40'$ E, 79.02 feet to the intersection of the Easterly boundary line of said Lot Number 6;

Thence along the Easterly boundary line of Lot Number 6 N $00^{\circ}00'$ E, 8.2 feet to the Northeast corner of said Lot Number 6;

Thence along the Westerly boundary line of said Lot Number 6, said line also being the Easterly right of way line of the present Horizon Drive, S $52^{\circ}40'$ W, 134.71 feet to the Point of Beginning.

The above described parcel of land contains 888 sq. ft., more or less.

R/W-#110 (2945-012-01-011)

Beginning at the Northwesterly corner on the West boundary line of Lot Number 11 of Block Number 1 of said Subdivision;

Thence along the West boundary line of said Lot Number 11 S $00^{\circ}00'$ W, 8.2 feet;

Thence N $52^{\circ}40'$ E, 42.17 feet to the intersection of the North boundary line of said Lot Number 11;

Thence along the North boundary line of said Lot Number 11 S $89^{\circ}49'$ W, 10.79 feet to the Northwest corner of said Lot Number 11;

Thence along the Northwesterly boundary line of said Lot Number 11, said line also being the Southeasterly right of way line of the present Horizon Drive, S $52^{\circ}40'$ W, 28.6 feet to the Point of Beginning.

The above described parcel of land contains 231 sq. ft., more or less.

R/W-#111 (2945-012-01-010)

Beginning at the Southwest corner of Lot Number 10 of Block Number 1 of said Subdivision;
Thence along the Southerly boundary line of said Lot Number 10 N $89^{\circ}49'$ E, 10.79 feet;
Thence N $52^{\circ}40'$ E, 11.97 feet to the intersection of a curve;
Thence Northeasterly, 55.92 feet along the arc of said curve deflecting to the left through a central angle of $06^{\circ}13'33''$, having a radius of 514.66 feet, and a chord that bears N $49^{\circ}33'26''$ E, 55.9 feet;
Thence N $46^{\circ}26'39''$ E, 32.17 feet to the intersection of the Northwest boundary line of said Lot Number 10;
Thence along the Northwesterly boundary line of said tract of land, said line also being the Southeasterly right of way line of the present Horizon Drive, S $52^{\circ}40'$ W, 108.37 feet to the Point of Beginning.

The above described parcel of land contains 469 sq. ft., more or less.

For: City of Grand Junction, Public Works Capital Improvement Project
 No.: 201-034098-901168-84089
 12th Street Reconstruction, Bonita Ave. to Horizon Drive
 Parcel. Nos.: PE-#205, 206, 207, 208, 209

From: Don Hutchinson
 2709 Midway Ave.
 Grand Junction, Co. 81501
 (2945-012-01-002) thru (2945-012-01-006)

PE Description

The following described Permanent Easements for Roadway Slope, Utility and Irrigation purposes being portions of the SW1/4NW1/4 of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and are contained in the Second Addition of Onan Subdivision of said Section 1, owned by the undersigned as described in Book 1476, pages 33 & 34, and recorded in the office of the Mesa County Clerk and Recorder, and platted in Plat Book 9, page 99 and recorded in said office, and considering the Westerly boundary line of the NW1/4 of said Section 1 to bear N 00°00'00" E, with all bearings herein being relative between found Mesa County Survey Marker #113 set for the SW corner of the NW1/4 of said Section 1 and found Mesa County Survey Marker #202 set for the SW corner of the NW1/4NW1/4, as the basis of bearings, more particularly described as follows:

PE-#205 (2945-012-01-002)

Commencing at the Southwest corner of Lot Number 2 of Block Number 1 of said Subdivision;
 Thence along the Westerly boundary line of said Lot Number 2, said line also being the Easterly right of way line of the present 12th Street, N 00°00' E, 67.75 feet to the Point of Beginning;
 Thence N 04°09'31" E, 41.37 feet to the intersection of the Northerly boundary line of said Lot Number 2;
 Thence along the Northerly boundary of said Lot Number 2 S 89°49' W, 3.0 feet to the Northwest corner of said Lot Number 2;
 Thence along the Westerly boundary line of said Lot Number 2, said line also being the Easterly right of way line of the present 12th Street, S 00°00' W, 41.25 feet to the Point of Beginning;

The above described Permanent Easement contains 62 sq. ft., more or less.

PE-#206 (2945-012-01-003)

Beginning at the Southwest corner of Lot Number 3 of Block Number 1 of said Subdivision;
 Thence along the Southerly boundary line of said Lot Number 3, N 89°49' E, 3.0 feet;
 Thence N 04°09'31" E, 55.16 feet;
 Thence N 00°00' E, 45.0 feet to the intersection of the Northerly boundary line of said Lot Number 3;
 Thence along the Northerly boundary line of said Lot Number 3 S 89°49' W, 5.0 feet;
 Thence S 00°00' W, 70.0 feet;
 Thence S 11°18'10" W, 10.2 feet to the intersection of the Westerly boundary line of said Lot Number 3;
 Thence along the Westerly boundary line of said Lot Number 3, said line also being the Easterly right of way line of the present 12th Street, S 00°00' W, 20.0 feet to the Point of Beginning.

The above described Permanent Easement contains 440 sq. ft., more or less.

PE-#207 (2945-012-01-004)

Commencing at the Southwest corner of Lot Number 4 of Block Number 1 of said Subdivision;
 Thence along the Southerly boundary line of said Lot Number 4 N 89°49' E, 2.0 feet to the Point of Beginning;
 Thence continuing along the Southerly boundary line of said Lot Number 4 S 89°49' E, 5.0 feet;
 Thence N 00°00' E, 59.79 feet to the intersection of a curve;
 Thence Northeasterly, 33.40 feet along the arc of said curve deflecting to the right through a central angle of 10°17'20", having a radius of 186.0 feet, and a chord that bears N 05°08'40" E, 33.36 feet to the intersection of the Northerly boundary line of said Lot Number 4;
 Thence along the Northerly boundary line of said Lot Number 4 S 89°49' W, 5.08 feet to the intersection of a curve;
 Thence Southwesterly, 33.38 feet along the arc of said curve deflecting to the left through a central angle of 10°00'43", having a radius of 191 feet, and a chord that bears S 05°00'22" W, 33.33 feet;
 Thence S 00°00' W, 59.8 feet to the Point of Beginning.

The above described Permanent Easement contains 466 sq. ft., more or less.

PE-#208 (2945-012-01-005)

Commencing at the Southwest corner of Lot Number 5 of Block Number 1 of said Subdivision;
 Thence along the Southerly boundary line of said Lot Number 5 N 89°49' E, 4.91 feet to the Point of Beginning;

Thence continuing along the Southerly boundary line of said Lot Number 5 N $89^{\circ}49''$ E, 5.08 feet to the intersection of a curve; Thence Northeasterly, 105.53 feet along the arc of said curve deflecting to the right through a central angle of $32^{\circ}30'32''$, having a radius of 186.0 feet, and a chord that bears N $26^{\circ}32'36''$ E, 104.12 feet to the intersection of the Northerly boundary line of said Lot Number 5;

Thence along the Northerly boundary line of said Lot Number 5 S $89^{\circ}49'$ W, 6.76 feet to the intersection of a curve;

Thence Southwesterly along the arc of said curve deflecting to the left through a central angle of $31^{\circ}24'13''$, having a radius of 191 feet, and a chord that bears S $25^{\circ}42'49''$ W, 103.38 feet to the Point of Beginning.

The above described Permanent Easement contains 525 sq. ft., more or less.

PW-#209 (2945-012-01-006)

Commencing at the Southwest corner of Lot Number 6 of Block Number 1 of said Subdivision;

Thence along the Southerly boundary line of said Lot Number 6 N $89^{\circ}49'$ E, 16.87 feet to the Point of Beginning;

Thence continuing along the Southerly boundary line of said Lot Number 6 N $89^{\circ}49'$ E, 6.76 feet to the intersection of a curve; Thence Northeasterly, 32.04 feet along the arc of said curve deflecting to the right through a central angle of $09^{\circ}52'08''$, having a radius of 186.0 feet, and a chord that bears N $47^{\circ}43'56''$ E, 32.0 feet;

Thence N $52^{\circ}40'$ E, 55.0 feet;

Thence N $37^{\circ}20'$ W, 5.0 feet;

Thence S $52^{\circ}40'$ W, 55.0 feet to the intersection of a curve;

Thence Southwesterly, 37.51 feet along the arc of said curve deflecting to the left through a central angle of $11^{\circ}15'04''$, having a radius of 191 feet, and a chord that bears S $47^{\circ}02'27''$ W, 37.45 feet to the Point of Beginning.

The above described Permanent Easement contains 449 sq. ft., more or less.