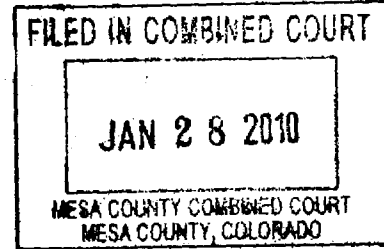


DISTRICT COURT, MESA COUNTY, COLORADO	
Court Address:	125 North Spruce St. Grand Junction, CO 81501
Telephone:	(970) 257-3625
In the Matter of the Petition of the CITY OF GRAND JUNCTION , a home rule city, For the exclusion of certain territory from the GRAND JUNCTION RURAL FIRE PROTECTION DISTRICT	
John P. Shaver, No. 16594 City Attorney 250 North 5th Street, Grand Junction, CO 81501 (970) 244-1503	Case Number: 7097 Division: 9
ORDER FOR EXCLUSION OF LANDS	



▲ COURT USE ONLY ▲

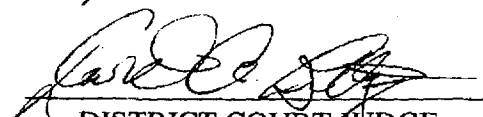
The Petition for the exclusion of lands from the Grand Junction Rural Fire Protection District having been called for hearing by the Court and the Court having been duly advised in the premises hereby finds that:

1. The Court has jurisdiction over the subject matter and the parties herein.
2. That the requirements of 32-1-502, C.R.S. have been met or will reasonably be met by the parties.
3. That the parties have provided for the necessary and orderly provision of fire and other emergency response to the excluded areas.

IT IS THEREFORE ADJUDGED, ORDERED AND DECREED BY THE COURT:

That the lands described in the Petition, all situate within Mesa County, Colorado are hereby excluded from the Grand Junction Rural Fire Protection District, and that the legal and common descriptions contained in said Petition are incorporated by this reference as if fully set forth. This Order relates back to the date of the filing of the petition in this case.

BY THE COURT THIS 28th DAY OF JAN, 2010.


DISTRICT COURT JUDGE

<p>DISTRICT COURT, MESA COUNTY, COLORADO</p> <p>Court Address: 125 North Spruce St. Grand Junction, CO 81501</p> <p>Telephone: (970) 257-3625</p>	
<p>In the Matter of the Petition of the CITY OF GRAND JUNCTION, a home rule city,</p> <p>For the exclusion of certain territory from the GRAND JUNCTION RURAL FIRE PROTECTION DISTRICT</p>	<p>▲ COURT USE ONLY ▲</p>
<p>John P. Shaver, No. 16594 City Attorney 250 North 5th Street, Grand Junction, CO 81501 (970) 244-1503</p>	<p>Case Number 7097</p> <p>Division: 9</p>
<p>VERIFIED PETITION</p>	

COMES NOW the City of Grand Junction, a home rule city, by and through the undersigned counsel and affords notice of the filing of a petition with the Court for a Hearing and Order on the exclusion of certain lands within the Grand Junction Rural Fire Protection District:

The City of Grand Junction petitions the Court for exclusion from the Grand Junction Rural Fire Protection District of Mesa County, Colorado, the following described land, to wit:

Colorado Army National Guard Campus Annexation

A certain parcel of land located in the Southwest Quarter (SW 1/4) of Section 18, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Commencing at the Southeast corner of the SE 1/4 SW 1/4 of said Section 18 and assuming the East line of the SE 1/4 SW 1/4 of said Section 18 to bear S00°06'42"E with all bearings contained herein relative thereto; thence N00°06'42"W a distance of 35.00 feet along the East line of the SE 1/4 SW 1/4 of said Section 18 to the Northeast corner of Riverside Parkway

Annexation No. 5, said point also being the Point of Beginning; thence along the Northerly line of said Riverside Parkway Annexation No. 5 the following seven (7) courses: (1) N89°39'17"W a distance of 166.49 feet; (2) N78°20'43"W a distance of 40.79 feet; (3) N89°39'17"W a distance of 27.38 feet; (4) N70°21'54"W a distance of 31.78 feet; (5) N89°39'17"W a distance of 63.23 feet; (6) S71°00'15"E a distance of 31.70 feet; (7) N89°39'17"W a distance of 602.50 feet; thence N00°03'11"E a distance of 1026.59 feet; thence N44°39'53"W a distance of 62.57 feet; thence N89°39'53"W a distance of 898.98 feet; thence N00°20'07"E a distance of 420.99 feet to a point on the Southerly line of Southern Pacific Railroad Annexation No. 1, Ordinance No. 3158, City of Grand Junction; thence N67°38'39"E a distance of 1010.16 feet along the Southerly line of said Southern Pacific Railroad Annexation No. 1; thence N73°01'18"E a distance of 999.11 feet along the Southerly line of said Southern Pacific Railroad Annexation No. 1 to a point on the West line of Mesa State Annexation, Ordinance No. 4081, City of Grand Junction, said point also being on the East line of the NE 1/4 SW 1/4 of said Section 18; thence S00°25'24"E a distance of 903.46 feet along the West line of said Mesa State Annexation, said line also being the East line of the NE 1/4 SW 1/4 of said Section 18 to the Northeast corner of the SE 1/4 SW 1/4 of said Section 18; thence S00°06'42"E a distance of 1283.65 feet along the West line of said Mesa State Annexation, said line also being the East line of the SE 1/4 SW 1/4 of said Section 18 to the Point of Beginning.

Said parcel contains 57.95 acres (2,524,320.23 square feet), more or less, as described.

Ajarian Annexation

A certain parcel of land located in the Northwest Quarter (NW 1/4) and the Northeast Quarter (NE 1/4) of Section 17, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Northwest corner of the NW 1/4 SE 1/4 of said Section 17, and assuming the North line of the NE 1/4 SW 1/4 of said Section 17 to bear S89°59'37"W with all bearings contained herein relative thereto; thence S89°59'37"W a distance of 330.34 feet along the North line of the NE 1/4 SW 1/4 of said Section 17, said line also being the North line of Wexford Annexation, Ordinance No. 4042, City of Grand Junction; thence N00°11'14"W a distance of 1206.34 feet to a point on the Southerly line of Southern Pacific Railroad Annexation No. 1, Ordinance No. 3158, City of Grand Junction; thence along the Southerly line of said Southern Pacific Railroad Annexation No. 1 the following four (4) courses: (1) N71°54'35"E a distance of 347.15 feet to a point on the West line of the SW 1/4 NE 1/4 of said Section 17; (2) N00°11'14"W a distance of 4.23 feet along the West line of the SW 1/4 NE 1/4 of said Section 17 to the Northwest corner of the SW 1/4 NE 1/4 of said Section 17; (3) N00°09'11"W a distance of 81.61 feet; (4) N64°33'03"E a distance of 365.02 feet; thence S00°10'35"E a distance of 1556.90 feet to a point on the North line of the NW 1/4 SE 1/4 of said Section 17; thence N89°58'50"W a distance of 329.87 feet along the North line of the NW 1/4 SE 1/4 of said Section 17 to the Point of Beginning, LESS HOWEVER the following described parcel of land; Commencing at the Northwest corner of the NW 1/4 SE 1/4 of said Section 17; thence N00°11'14"W a distance of 30.00 feet along the West line of the SW 1/4 NE 1/4 of said Section 17 to the Point of Beginning; thence N00°11'14"W a distance of 840.43 feet along the West line

of the SW 1/4 NE 1/4 of said Section 17; thence N88°44'25"E a distance of 149.41 feet; thence S00°49'03"E a distance of 843.85 feet; thence N89°58'50"W a distance of 158.67 feet along a line being 30.00 feet North of and parallel with the North line of the NW 1/4 SE 1/4 of said Section 17 to the Point of Beginning.

Said parcel contains 17.78 acres (774,470.45 sq. ft.), more or less, as described.

Reimer Annexation

A certain parcel of land located in the Northwest Quarter (NW 1/4) and the Northeast Quarter (NE 1/4) of Section 24, Township One South, Range One West of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Northwest corner of the NW 1/4 NE 1/4 of said Section 24 and assuming the West line of the NW 1/4 NE 1/4 of said Section 24 to bear S00°08'44"W with all bearings contained herein relative thereto; thence S00°08'44"W a distance of 30.00 feet along the West line of the NW 1/4 NE 1/4 of said Section 24 to the Point of Beginning; thence S89°59'19"E a distance of 131.99 feet along a line being 30.00 feet South of and parallel with the North line of the NW 1/4 NE 1/4 of said Section 24, said line also being the Southerly line of Riverside Parkway Annexation No. 1, Ordinance No. 4319, City of Grand Junction; thence S00°00'41"W a distance of 168.00 feet; thence N89°58'41"W a distance of 165.39 feet; thence N00°08'44"E a distance of 167.97 feet along a line being 33.00 feet West of and parallel with the West line of the NW 1/4 NE 1/4 of said Section 24 to a point on the Southerly line of said Riverside Parkway Annexation No. 1; thence S89°59'19"E a distance of 33.00 feet along a line being 30.00 feet South of and parallel with the North line of the NE 1/4 NW 1/4 of said Section 24, said line also being the Southerly line of said Riverside Parkway Annexation No. 1 to the Point of Beginning.

Said parcel contains 0.64 acres (27,749.34 sq. ft.), more or less, as described.

Parkway Complex Annexation: A Serial Annexation Comprising

Parkway Complex Annexation No. 1 and Parkway Complex Annexation No. 2

Parkway Complex Annexation No. 1

A certain parcel of land located in the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section 24, Township One South, Range One West of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Northeast corner of the NE 1/4 NE 1/4 of said Section 24 and assuming the North line of the NE 1/4 NE 1/4 of said Section 24 to bear N89°59'19"W with all bearings contained herein relative thereto; thence N89°59'19"W a distance of 582.39 feet along the North line of the NE 1/4 NE 1/4 of said Section 24; thence S00°08'19"E a distance of 50.00 feet to a point on the Southerly line of Carter-Page Annexation, Ordinance No. 4215, City of Grand Junction, said point also being the Point of Beginning; thence S00°08'19"E a distance of 25.00

feet; thence N89°59'19"W a distance of 67.06 feet; thence S00°33'39"E a distance of 159.49 feet; thence N90°00'00"W a distance of 25.00 feet; thence N00°33'39"W a distance of 184.50 feet to a point on the Southerly line of said Carter-Page Annexation; thence S89°59'19"E a distance of 92.25 feet along a line being 50.00 feet South of and parallel with the North line of the NE 1/4 NE 1/4 of said Section 24, said line also being the Southerly line of said Carter-Page Annexation to the Point of Beginning.

Said parcel contains 0.14 acres (6,291.32 sq. ft.), more or less, as described.

Parkway Complex Annexation No. 2

A certain parcel of land located in the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section 24, Township One South, Range One West of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Northeast corner of the NE 1/4 NE 1/4 of said Section 24 and assuming the North line of the NE 1/4 NE 1/4 of said Section 24 to bear N89°59'19"W with all bearings contained herein relative thereto; thence N89°59'19"W a distance of 582.39 feet along the North line of the NE 1/4 NE 1/4 of said Section 24; thence S00°08'19"E a distance of 75.00 feet the Point of Beginning; thence S00°08'19"E a distance of 586.80 feet; thence N89°59'19"W a distance of 87.74 feet; thence N00°33'39"W a distance of 427.33 feet to the Southwest corner of Parkway Complex Annexation No. 1, City of Grand Junction; thence S90°00'00"E a distance of 25.00 feet along said Parkway Complex Annexation No. 1; thence N00°33'39"W a distance of 159.49 feet along the Southerly line of said Parkway Complex Annexation No. 1; thence S89°59'19"E a distance of 67.06 feet along the Southerly line of said Parkway Complex Annexation No. 1 to the Point of Beginning.

Said parcel contains 1.12 acres (48,766.93 sq. ft.), more or less, as described.

Lang Industrial Park Annexation

A certain parcel of land located in the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section 24, Township One South, Range One West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Northeast corner of the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of said Section 24 and assuming the North line of the NW 1/4 NE 1/4 of said Section 24 to bear N89°59'19"W with all bearings contained herein relative thereto; thence N89°59'19"W a distance of 491.69 feet along the North line of the NW 1/4 NE 1/4 of said Section 24 to a point on the East line of Riverside Parkway Annexation No. 2, Ordinance No. 4319, City of Grand Junction; thence S00°01'58"W a distance of 30.00 feet along the East line of said Riverside Parkway Annexation No. 2 to the Point of Beginning; thence S00°01'58"W a distance of 1291.39 feet along the West line of Pine Industrial No. 1 Annexation No. 2, Ordinance No. 3943, City of Grand Junction to a point on the South line of the NW 1/4 NE 1/4 of said Section 24, said point also being on the Northerly line of Indian Road Industrial Subdivision, as same is recorded

in Plat Book 12, Page 43, public records of Mesa County, Colorado; thence along Indian Road Industrial Subdivision Annexation, Ordinance No. 3677, City of Grand Junction the following two (2) courses: (1) N89°52'25"W a distance of 164.28 feet along said South line of the NW 1/4 NE 1/4 of said Section 24, said line also being the Northerly line of said Indian Road Industrial Subdivision; (2) N00°02'56"E a distance of 1291.06 feet along the Easterly line of said Indian Road Industrial Subdivision to the Southwest corner of said Riverside Parkway Annexation No. 2; thence S89°59'19"E a distance of 163.92 feet along a line being 30.00 feet South of and parallel with the North line of the NW 1/4 NE 1/4 of said Section 24, said line also being the South line of said Riverside Parkway Annexation No. 2 to the Point of Beginning.

Said parcel contains 4.86 acres (211,887.79 sq. ft.), more or less, as described.

1. It is intended that the property to be excluded be that located within the perimeter descriptions above setout except as the property is itself described.
2. The Petitioner has represented to the Court that the property above described is and has been duly and lawfully annexed to the City of Grand Junction, Colorado.
3. The Petitioner has further represented to the Court that the conditions for exclusion as set out in §32-1-502, C.R.S. have been met or are inapplicable.
4. The City of Grand Junction provides fire protection service to properties within the Grand Junction Rural Fire Protection District by contract. Service of and to the properties in the District will continue uninterrupted and therefore the provisions for a service plan as required by §32-1-502(2), (4) and (6), C.R.S. are inapplicable.
5. By verification of the Petition by Grand Junction Fire Chief Kenneth R. Watkins, the Petitioner has represented to the Court that the quality of service will not be adversely affected by such exclusion. As a result, fire insurance premiums should not change by virtue of the exclusion.
6. The Court is statutorily empowered to set a hearing and to enter an Order of Exclusion if all statutory conditions are met.

Respectfully submitted this 20th day of November, 2009.

OFFICE OF THE CITY ATTORNEY

By: 

John P. Shaver #16594

City Attorney

250 N. 5th Street

Grand Junction, CO 81501

(970) 244-1508

CERTIFICATE OF MAILING

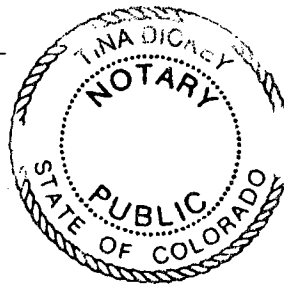
I hereby certify that I mailed a copy of the attached document, postage prepaid, this 20th day of November, 2009, addressed to the Chairman of the Board of the Grand Junction Rural Fire Protection District.

Mary Lynn Bacus

VERIFICATION

I, Kenneth R. Watkins, Fire Chief in and for the City of Grand Junction, do hereby state under oath that the facts contained in paragraphs 4 and 5 are true and correct to the best of my knowledge and belief.

Kenneth R. Watkins
Kenneth R. Watkins



STATE OF COLORADO)
COUNTY OF MESA)

Subscribed and sworn to before me by Kenneth R. Watkins this 18th day of November, 2009.

Tina Dickey
Notary Public

My commission expires: 06-27-13