

SIE92HER

TYPE OF RECORD:	PERMANENT
CATEGORY OF RECORD:	CONTRACT
NAME OF CONTRACTOR:	JOHN A. SIEGFRIED
SUBJECT/PROJECT:	HERITAGE HOMES AT THE FALLS HERITAGE ELDER CARE
CITY DEPARTMENT:	PUBLIC WORKS AND PLANNING
YEAR:	1992
EXPIRATION DATE:	NONE
DESTRUCTION DATE:	NONE

CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT DEPARTMENT

1611787 02:29 PM 08/19/92
MONIKA TODD CLK&REC MESA COUNTY CO
DOC EXEMPT

SUBJECT: DENSITY TRANSFER - THE FALLS

I, JOHN A. SIEGFRIED, (transferor), represent and warrant that I am the sole and complete owner and developer of certain parcels and lots of THE FALLS. I hereby agree to transfer, for consideration received, the following densities to LOT ONE (1.93 acres), a part of THE FALLS, now owned by HERITAGE ELDER CARE. LOT ONE is now known as HERITAGE HOMES at THE FALLS.

The densities which are being transferred to HERITAGE HOMES at THE FALLS are:

Six units, as that term is defined herein and in accordance with the Zoning and Development Code for the City of Grand Junction, from LOTS 12 and 14, THE FALLS - FILING NO. THREE, as recorded in Plat Book 13 at Page 122 of the Mesa County Clerk and Records Office.

Nine units, as that term is defined herein and in accordance with the Zoning and Development Code for the City of Grand Junction, from PARCEL III, which is described as:

A tract of land in the NE 1/4 NW 1/4, Section 7, Township 1 South, Range 1 East, Ute Meridian, more particularly described as:

Commencing at the Southwest Corner of Lot 15, Block 2, THE FALLS - FILING NO. THREE, thence South 02°07'42" East along the Easterly right of way of 28 1/4 Road 56.98 feet to the True Point of Beginning, thence along the Southerly boundary of Grand Falls Drive the following 5 courses and distances:

- (1) North 72°44'46" East 56.89 feet,
- (2) along the arc of a curve to the right having a radius of 350.29 feet and a central angle of 17°05'14" a distance of 104.47 feet,
- (3) North 89°50'00" East 195.00 feet,
- (4) along the arc of a curve to the left having a radius of 127.50 feet and a central angle of 37°25'00" a distance of 83.26 feet,
- (5) North 52°25'00" East 146.05 feet to the Northwest Corner of TRACT K, THE FALLS - FILING NO. TWO,

thence South 23°49'36" East 150.90 feet, thence North 89°50'00" East 22.60 Feet, thence South 19°53'20" East 362.72 feet to the South line of the NE 1/4 NW 1/4 of Section 7, thence South 89°57'00" West along the South line of the NE 1/4 NW 1/4 of Section 7 a distance of 721.52 feet to a point on the Easterly right of way of 28 1/4 Road the

following 2 courses and distances:

- (1) North 01°15'14" West 28.62 feet,
- (2) along the arc of a curve to the left whose radius is 1184.50 feet and whose long chord bears North 06°49'56" West a distance of 230.33 feet to a point on the West line of the NE 1/4 NW 1/4 of Section 7,

thence along the West line of the NE 1/4 NW 1/4 of Section 7, North 02°07'42" West 73.75 feet more or less to the True Point of Beginning,

A unit means, and is understood by me to mean, a dwelling unit which is defined as "any structure or part thereof designed to be occupied as the living quarters of a single house-keeping unit" and as further defined in the Grand Junction Zoning and Development Code.

I, JOHN A. SIEGFRIED, shall indemnify and save and hold harmless the City of Grand Junction, its employees and its officers, from and against all claims, liabilities, causes of action or other legal proceedings by Heritage Elder Care, its successors in interest, or by third parties, for damages in any way arising out of, connected with, or resulting from the transfer and/or exercise of development density hereunder. Indemnity shall include transferor's obligation to defend any and all actions, claims or other legal proceedings and pay for all expenses including attorney fees incurred in connection therewith.

Signed:

[Handwritten Signature]

JOHN A. SIEGFRIED

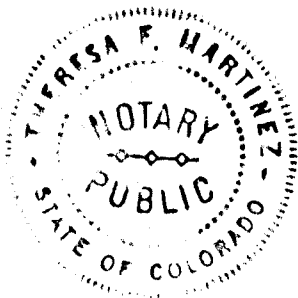
Date

July 15, 92

Subscribed and sworn to me this 15 day of July, 1992, by John A. Siegfried. Witness my hand and official seal.

Theresa F. Martinez
Notary

My commission expires: June 13 1995



* * * ITEMS NEEDING INDIVIDUAL CONSIDERATION * * *

MESA STATE COLLEGE CONTRACT WITH CITY FOR POLICE SERVICES

Police Chief Darold Sloan was present to explain the agreement between the City of Grand Junction and Mesa State College for a 9-month contract, providing one officer from August to May, 8 hours per day, 5 days per week (including weekends), approximately 7:00 p.m. to 3:00 a.m., to be on campus and provide foot patrol, bicycle patrol and necessary law enforcement services. The college has agreed to pay 75% (9 months) of the cost for the police officer as well as all equipment required to initiate the program. The first year's salary is approximately \$59,000 - (9 months is \$44,253). Start up costs include a portable radio, a vehicle, uniforms, training, overhead, administration total \$42,056 (9 months is \$31,545). The college has requested that its start up cost of \$31,545 be prorated over a three-year period.

Ms. Janine Kammerer, Vice President of Finance, Mesa State College, was present and stated that the college is willing to negotiate regarding payment of the start-up costs.

City Manager Mark Achen stated that this contract is an exceptional opportunity for a cooperative joint venture with the college. Typically, urban campuses and urban law enforcement agencies are at a point of tension. He felt a strong sense of community is one of the things that makes Grand Junction a great community.

Police Chief Sloan clarified that the total cost is \$101,056. Mesa State's cost (75%) for 9 months on the salary, training, overtime, workman's compensation, etc. is \$44,253. The start-up equipment is the vehicle, radio, uniforms, training, and amounts to \$42,056. Nine months of that figure is \$31,545. The College pays the City approximately \$10,000/year for three years.

Upon motion by Councilman Shepherd, seconded by Councilman Nelson and carried with Councilmen BENNETT and BAUGHMAN voting NO, the Mesa State College contract for police services was approved subject to the City Manager negotiating up-front funding for start up costs.

Mr. Achen stated that his intent in renegotiating the contract would be to look at the cash flow and assure that the City's cash flow is covered so that the payment of depreciation costs in the first year are not a cash flow item to the City, but would increase the City's cash flow.

HERITAGE ELDER CARE FACILITY - OUTLINE DEVELOPMENT PLAN AND FINAL PLAN

Heritage Elder Care, 2835 Patterson Road, is requesting a transfer of the "Design Density" of the Outline Development Plan (ODP) for the Falls Development located at 28-1/2 Road and Patterson Road. Fifteen (15) units need to be transferred from the Falls Planned Residential Development currently zoned PR-8 to the proposed Heritage Elder Care

Homes currently zoned 9.5 units per acre to increase the current residential density of its site to 17.1 units per acre. Planning Commission has approved several shifts and/or reductions of density since January 1, 1992, for portions of the Falls Outline Development Plan and are reflected in the ODP.

Dave Thornton, Community Development Department, reviewed this item. He stated that the petitioner has agreed to the above transfer of units. The total acreage for the Falls is approximately 35, with 190 units total.

Upon motion by Councilman Shepherd, seconded by Councilman Bennett and carried, the revised outline development plan and final plan for Heritage Elder Care Facility was approved.

HABITAT SUBDIVISION - REQUEST TO WAIVE OPEN SPACE FEES -
RE-SUBDIVISION OF KELLY SUBDIVISION IN RSF-8 ZONE

This is a request to waive open space fees for Habitat Subdivision which is dividing two existing lots in Kelly Subdivision into four lots at the southwest corner of Cheyenne Drive and Mountain View Street. David Jensen, representing Habitat for Humanity, is requesting a waiver of the \$900 open space fee which is required through the subdivision process. They are currently subdividing two lots into four lots. The Zoning and Development code requires that \$225 be paid per lot into the escrow fund for Parks/Open Space acquisition and/or development. The total fee required is \$900 (\$225 x 4 lots = \$900).

Dave Thornton, Community Development Department, reviewed this item. He stated that the Planning Commission recommended approval of the open space fee waiver since Habitat for Humanity is a non-profit organization. The Parks and Recreation Advisory Board recommended that only open space fees for the two new lots be required, and the fees not be collected for the two existing lots, reducing the fee from \$900 (4 lots) to \$450 (2 lots).

Ms. Joyce Grove, 2415 Brandy's Court, President of Local Habitat for Humanity, requested assistance from City Council by waiving fees for this development. She stated that Habitat for Humanity is a non-profit organization with a goal to provide low-income, hardworking citizens of Grand Junction with homes. Simple homes are built with volunteer labor and donated materials and cash. These homes have been sold to families selected on the basis of character, need, and ability to pay. Habitat administers the mortgages with no interest. The term of payments is in 20 to 30 years. Selected families are required to work at least 500 hours building their homes and homes for others.

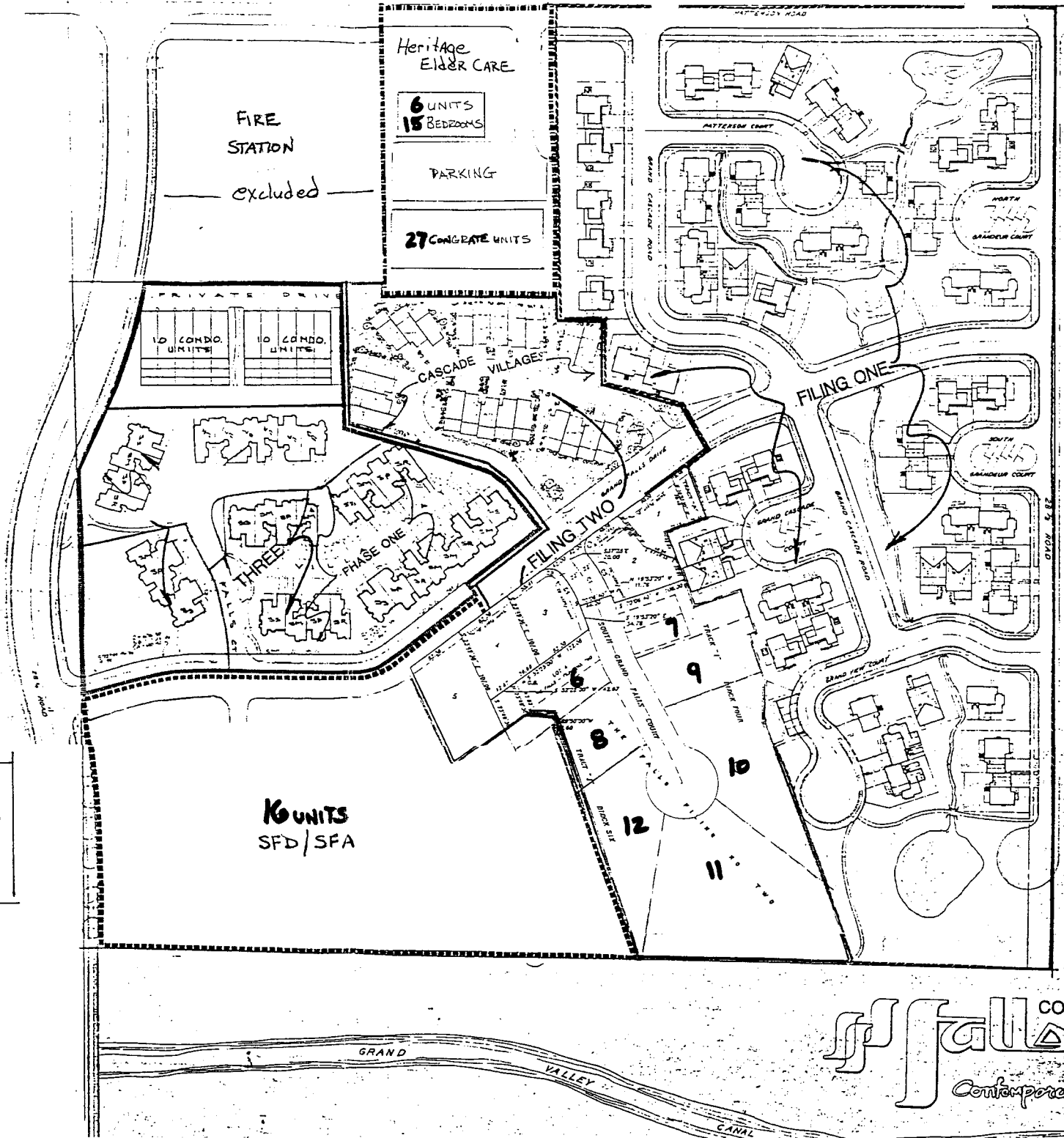
Mr. Joe Voytel, 3041 N. 15th Street, construction chairman, stated that there is a definite need for low-income housing. These homes are 960 square feet, energy efficient, modest 3-bedroom, 1-1/2 baths.

"The Falls"

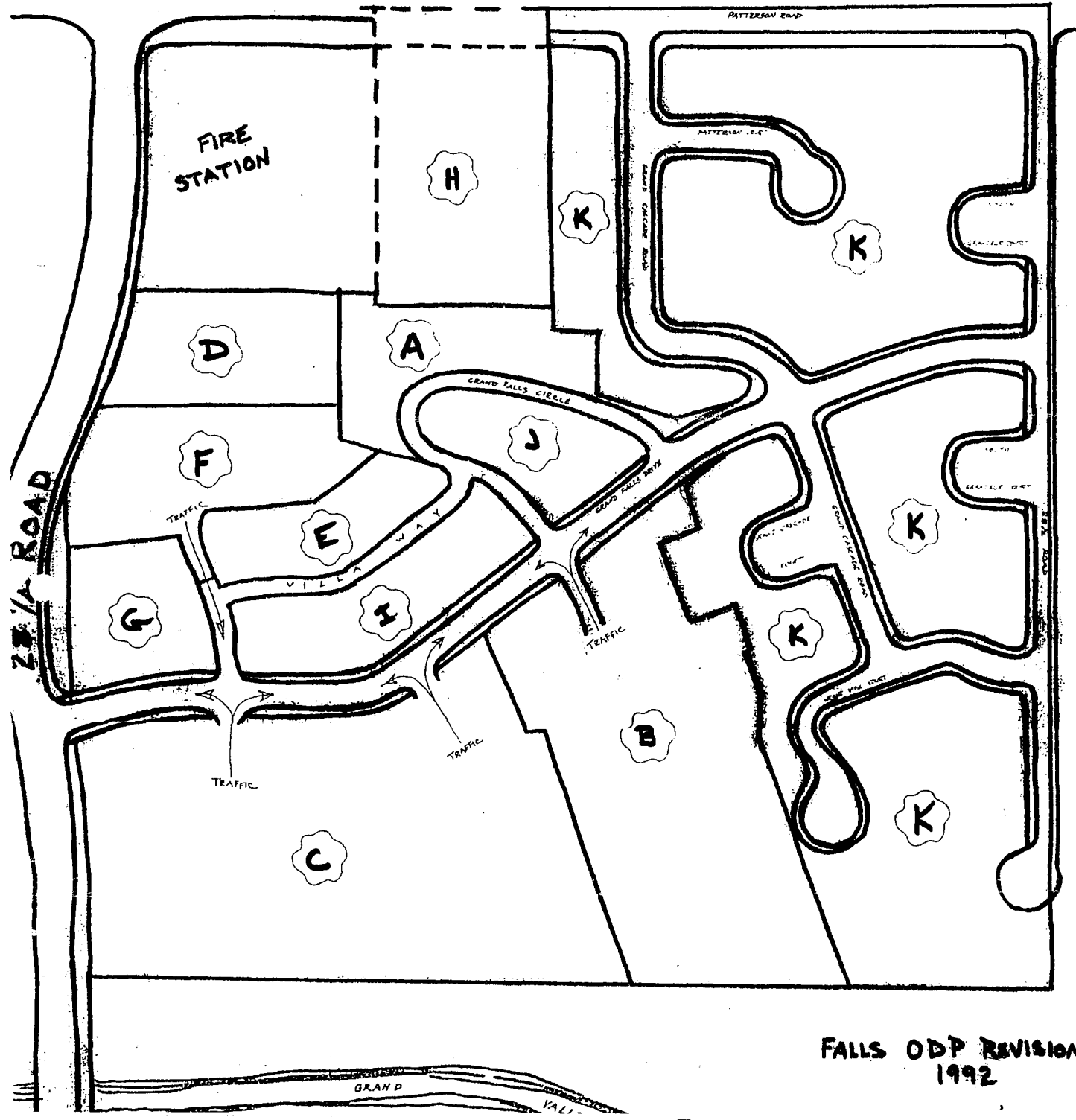
REVISED OUTLINE DEVELOPMENT PLAN

Approved By G.J. City
PLANNING COMMISSION
July 7, 1992

ODP for the Falls
July 1992



The Falls COMPOSITE PLAN
Contemporary Close to living



FALLS ODP REVISION 1992

THE FALLS ODP

AREA	FILING NO.	BLOCK	LOT	ACRES	ALLOWED BY ZONING & PRB	DENSITIES AT 1-1-92	ODP REVISIONS			NC=NO CHANGE DENSITIES AT 7-92 INCLUDING HERITAGE HOMES-THE FALLS
							REPLAT LOTS 12+14 FILING 3-2003 VACATION 3-3-92 #2-92	REPLAT PORTION FILING 2 FALLS ROUTE 4-7-92 #11-92	HERITAGE HOMES #23-92	
A	2	2	9	1.02	8	12	NC	NC	NC	12 SFA
B	2	4+6	-	5.28	42	19	-5 = 14	-2 = 12	NC	12 SFD
C	-	-	-	6.2	50	87	-62 = 25	NC	-9 = 16	16 SFD/A
D	3	-	13	1±	8	20	NC	NC	NC	20 SFA
E	3	-	11	0.758	6	8	NC	NC	NC	8 SFA
F	3	-	12+14	1.257	10	7	+9 = 16	NC	-6 = 10	10 SFA
G	3	-	15	0.696	6	4	NC	NC	NC	4 SFA
H	HERITAGE HOMES-THE FALLS	-	-	1.93	(PR 9.5) 18	18	NC	NC	+15 = 33	33 ELDERLY CARE
I	3	7	1	±1	8	12 BUILT	NC	NC	NC	12 SFA
J	2	-	-	0.692	6	8 BUILT	NC	NC	NC	8 SFA
K	1 AMENDED	1-5	-	15.477	124	55	NC	NC	NC	55 SFA/D
ODP TOTALS				35.31±	286	250	192	190	190	190