

RESOLUTION NO. 4-93

CONCERNING THE ISSUANCE OF A REVOCABLE PERMIT
TO EDWARD G. ROZMAN

WHEREAS, Edward G. Rozman represents that he is the owner of the following described real property situated in Block 1 of DeVoe Subdivision in Section 12, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado:

Parcel No. 1: The West 11.1 feet of Lot 28 and all of Lots 29 and 30;

Parcel No. 2: Lots 7, 8, 9 and 10,

and has petitioned the City Council of the City of Grand Junction for a Revocable Permit to allow the use of the following described public right-of-way for private parking purposes:

The 20-foot wide North-South alley located adjacent to the East of Lots 7, 8, 9 and 10 in Block 1 of DeVoe Subdivision; and

WHEREAS, the City Council of the City of Grand Junction has determined that such action would not at this time be detrimental to the inhabitants of the City of Grand Junction.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

That the City Manager, on behalf of the City and as the act of the City, is hereby authorized and directed to grant the attached Revocable Permit to the above named Petitioner for the purpose aforescribed and within the public right-of-way aforescribed, subject to each and every term and condition contained in the attached Revocable Permit.

PASSED and ADOPTED this 6th day of January, 1993.

Attest:

City Clerk

President of the Council

REVOCABLE PERMIT

WHEREAS, Edward G. Rozman represents that he is the owner of the following described real property situated in Block 1 of DeVoe Subdivision in Section 12, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado:

Parcel No. 1: The West 11.1 feet of Lot 28 and all of Lots 29 and 30;

Parcel No. 2: Lots 7, 8, 9 and 10,

and has petitioned the City Council of the City of Grand Junction for a Revocable Permit to allow the use of the following described public right-of-way for private parking purposes:

The 20-foot wide North-South alley located adjacent to the East of Lots 7, 8, 9 and 10 in Block 1 of DeVoe Subdivision; and

WHEREAS, the City Council of the City of Grand Junction has determined that such action would not at this time be detrimental to the inhabitants of the City of Grand Junction.

NOW, THEREFORE, IN ACCORDANCE WITH THE ACTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

There is hereby granted to Edward G. Rozman a Revocable Permit for the purpose aforescribed and within the public right-of-way aforescribed; provided, however, that the issuance of this Revocable Permit shall be conditioned upon the following terms and conditions:

1. The City, on behalf of itself and all other Public Utilities, hereby reserves and retains the right to utilize the aforementioned public right-of-way for the installation, operation, maintenance and repair of existing and future utilities, including the right of ingress and egress over, under, through and across said right-of-way. The Petitioner, for himself and for his heirs, successors and assigns, agrees that he will not hold, nor attempt to hold, the City or any other Public Utility liable for any damages caused to improvements installed by the Petitioner, or any other property of the Petitioner or any other person, as a result of the City or any other Public Utility's installation, operation, maintenance and repair of existing and future utilities situated within the aforescribed right-of-way.

2. This Revocable Permit shall be issued only upon the concurrent execution by the Petitioner of an agreement that the Petitioner will save and hold the City, its officers, employees and agents harmless from, and indemnify the City, its officers, employees and agents, any claim or cause of action however stated arising out of the encroachment and use granted, and that upon

revocation of this Permit by the City the Petitioner will, within thirty (30) days of notice of revocation, peaceably surrender said right-of-way to the City and, at his own expense, remove any encroachment so as to restore the right-of-way to its original condition, or better.

3. The Petitioner, for himself and for his heirs, successors and assigns, agrees that he shall be solely responsible for repairing the condition of the aforescribed right-of-way, including any improvements installed by the Petitioner, should the same become damaged or destroyed as a result of the installation, operation, maintenance and repair of existing and future utilities situated within said right-of-way.

4. This Revocable Permit, the foregoing Resolution, and the following Agreement shall be recorded by the Petitioner in the office of the Mesa County Clerk and Recorder.

Dated this ____ day of _____, 1993.

Attest

City Clerk

City Manager

Acceptance:

Edward G. Rozman

