

RESOLUTION NO. 79-93

CONCERNING THE ISSUANCE OF A REVOCABLE PERMIT TO  
BRUCE K. GULLIKSON & MARGARET L. GULLIKSON

WHEREAS, Bruce K. Gullikson and Margaret L. Gullikson represent that they are the owners of the real property described as Lot 7 of Block 5, Sellars Subdivision Replat No. 1 in Section 31, Township 1 North, Range 1 West of the Ute Meridian, also known as 2224 Sanford Drive, Grand Junction, Colorado, and have petitioned the City Council of the City of Grand Junction for a Revocable Permit to allow the installation and maintenance of landscape improvements in the following described public right-of-way for Sanford Drive:

Beginning at the Southwest Corner of Lot 7 of Block 5, Sellars Subdivision Replat No. 1 in Section 31, Township 1 North, Range 1 West of the Ute Meridian; thence 155.38 feet along the arc of a curve to the right having a radius of 450.0 feet, a central angle of 19°46'52", and a long chord which bears N 68°26'43" E a distance of 154.59 feet to the Southeast Corner of said Lot 7; thence S 15°31'00" E a distance of 4.0 feet to the Northerly edge of an existing concrete valley pan; thence Westerly along the Northerly edge of said concrete valley pan to a point which is S 33°52'00" E a distance of 5.0 feet from the Southwest Corner of said Lot 7; thence N 33°52'00" W a distance of 5.0 feet to the Point of Beginning; and

WHEREAS, the City Council 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 Petitioners 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 17th day of November, 1993.

Attest:

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City Clerk

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President of the Council

## REVOCABLE PERMIT

WHEREAS, Bruce K. Gullikson and Margaret L. Gullikson represent that they are the owners of the real property described as Lot 7 of Block 5, Sellars Subdivision Replat No. 1 in Section 31, Township 1 North, Range 1 West of the Ute Meridian, also known as 2224 Sanford Drive, Grand Junction, Colorado, and have petitioned the City Council of the City of Grand Junction for a Revocable Permit to allow the installation and maintenance of landscape improvements in the following described public right-of-way for Sanford Drive:

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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 Bruce K. Gullikson and Margaret L. Gullikson 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 a perpetual right to utilize the aforescribed public right-of-way for the installation, operation, maintenance and repair of existing and future street improvements and utilities, including the right of ingress and egress on, along, over, under, through and across said right-of-way. The Petitioner, for themselves and for their heirs and assigns, agree that they will not hold, nor attempt to hold, the City of Grand Junction, its officers, employees and agents or any other public utility liable for damages caused to the improvements situated within said right-of-way, or any other property of the Petitioners or any other party, as a result of the Petitioner's occupancy and use of said right-of-way or the operation, maintenance and repair of street improvements and utilities by the City of Grand Junction or any other public utility.

2. This Revocable Permit shall be issued only upon the concurrent execution by the Petitioners of an agreement that the Petitioners will save and hold the City of Grand Junction, 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 Petitioners will, within thirty (30) days of notice of revocation, peaceably surrender said right-of-way and, at their own expense, remove any encroachment so as to make the right-of-way available for use by the City of Grand Junction or any other public utility.

3. The Petitioners, for themselves and for their heirs and assigns, agrees that they will properly maintain the landscape improvements and shall at all times keep the same in good repair; further, the Petitioners agrees that, in the event said landscape improvements shall become damaged, for whatever cause or reason, that they shall, at their sole cost and expense, diligently pursue to completion the full repair and restoration of said landscape improvements.

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

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1993.

Attest:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Manager

Acceptance:

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Bruce K. Gullikson

\_\_\_\_\_  
Margaret L. Gullikson

