

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. 31-95

**A RESOLUTION ACCEPTING PETITIONS FOR ANNEXATION, MAKING CERTAIN FINDINGS,
DETERMINING THAT PROPERTY KNOWN AS POMONA PARK ANNEXATION
IS ELIGIBLE FOR ANNEXATION AND EXERCISING LAND USE CONTROL AND JURISDICTION**

WHEREAS, on the 1st day of February, 1995, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

A parcel of land situate in Sections 26,32,33,34 and 35 Township 1 North, Range 1 West and in Section 3 Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado, being more particularly described as follows:

Beginning at the Center 1\4 corner of said Section 26, Township 1 North, Range 1 West, thence along the north-south centerline of said Section 26 (said centerline also being the centerline of 26 1\2 Road) S 00°07'50" W, 1591.77 feet; thence N 89°47'00" W, 30.00 feet to a point on the west Right-of-Way line of said 26 1\2 Road; thence along the south line of a parcel of land as described in Book 1829 at Page 788 of the records of the Mesa County Clerk and Recorder S 85°08'00" W, 586.56 feet; thence along the west line of said parcel of land N 00°05'00" E, 322.20 feet to a point on the north line of the SE 1\4 SW 1\4 of said Section 26; thence along the north line of said SE 1\4 SW 1\4 N 89°56'00" W, 6.74 feet to the centerline of Rice Wash; thence along the centerline of said Rice Wash the following 12 courses:

- 1) S 36°46'00" W, 227.60 feet;
- 2) S 87°50'00" W, 150.00 feet;
- 3) S 50°35'00" W, 219.87 feet;
- 4) S 31°45'00" W, 250.00 feet;
- 5) S 86°00'00" W, 410.00 feet;
- 6) S 40°07'00" W, 289.90 feet;
- 7) S 36°06'10" W, 152.56 feet;
- 8) S 40°07'00" W, 498.81 feet;
- 9) S 00°39'35" W, 59.69 feet;
- 10) S 24°22'00" W, 261.30 feet;
- 11) S 26°41'14" E, 258.09 feet;
- 12) S 52°09'00" W, 43.31 feet; thence leaving the centerline of said Rice Wash and along the easterly line of a parcel of land as described in Book 1876 at page 615 of the records of the Mesa County Clerk and Recorder S 14°31'00" E, 355.84 feet to a point on the northwesterly Right-of-Way line of Kelly Drive as shown on the Replat of Sunny Knoll Subdivision as recorded in Plat Book 9 at Page 8 of the Mesa County Clerk and Recorder; thence along the northwesterly Right-of-Way of said Kelly Drive the following 2 courses:

- 1) S 59°41'00" W, 114.39 feet;
- 2) S 53°53'00" W, 119.00 feet; thence crossing said Kelly Drive S 19°41'44" E, 53.85 feet to the northeast corner of Lot 2 of said Replat of Sunny Knoll Subdivision; thence along the northeasterly line of said Lot 2 S 46°53'23" E, 330.62 feet to the southeast corner of said Lot 2; thence S

00°00'00" W, 36.54 feet to a point on the north line of the SW 1\4 NW 1\4 of Section 35, Township 1 North, Range 1 West; thence along the north line of said SW 1\4 NW 1\4 N 88°14'45" W, 34.48 feet; thence along the southeasterly line of a parcel of land as described in Book 1869 at Page 663 of the records of the Mesa County Clerk and Recorder S 47°29'58" W, 603.31 feet to a point on the northerly Right-of-Way line of Interstate Highway 70; thence along said northerly Right-of-Way line the following 2 courses:

- 1) N 89°33'00" W, 80.00 feet;
- 2) S 10°44'00" W, 242.30 feet; thence crossing said Interstate Highway 70 S 04°09'39" W, 435.39 feet to a point on the southerly Right-of-Way line of said Interstate Highway 70; thence along said southerly Right-of-Way line S 05°22'00" E, 409.20 feet to a point on the northerly Right-of-Way line of G 1\2 Road; thence along the northerly Right-of-Way line of said G 1\2 Road the following 7 courses:

- 1) S 63°49'52" W, 67.07 feet;
- 2) S 74°01'57" W, 257.85 feet;
- 3) N 86°06'02" W, 122.96 feet;
- 4) N 51°46'49" W, 111.57 feet;
- 5) N 38°24'46" W, 235.17 feet;
- 6) N 46°51'15" W, 95.77 feet;
- 7) N 46°51'15" W, 176.10 feet to a point on the centerline of Leach Creek; thence along the centerline of said Leach Creek the following 2 courses:

- 1) N 55°42'53" E, 70.86 feet;
- 2) N 04°18'03" E, 104.14 feet to a point on the southerly Right-of-Way of said Interstate Highway 70; thence along said southerly Right-of-Way the following 14 courses:

- 1) along the arc of a curve concave to the south having a radius of 2765.00 feet and whose chord bears S 82°38'54" W, 396.83 feet;
- 2) S 76°31'30" W, 294.70 feet;
- 3) S 75°32'00" W, 175.00 feet;
- 4) S 76°32'30" W, 305.10 feet;
- 5) S 79°32'30" W, 103.71 feet'
- 6) along the arc of a curve concave to the north having a radius of 2965.00 feet and whose chord bears S 83°29'16" W, 305.00 feet;
- 7) S 88°25'30" W, 231.00 feet;
- 8) S 88°25'30" W, 74.10 feet;
- 9) S 89°26'00" W, 1245.50 feet;
- 10) N 57°26'27" W, 8.56 feet;
- 11) S 89°53'30" W, 752.49 feet;
- 12) S 00°06'30" E, 50.00 feet;
- 13) S 77°03'00" W, 221.90 feet;
- 14) S 68°28'30" W, 328.90 feet; thence leaving said southerly Right-of-Way and crossing 25 Road S 89°46'36" W, 68.31 feet to a point on a line 1.00 feet east of the west Right-of-Way line of 25 Road; thence along said line which is also 29.00 feet west of and parallel with the west line of Section 34, Township 1 North, Range 1 West S 00°13'24" E, 464.19 feet; thence crossing said 25 Road and along the north line of a parcel of land as described as Parcel "B" in Book 1532 at Page 418 of the records of the Mesa County Clerk and Recorder N 89°51'59" E, 297.65 feet; thence along the east line of said Parcel "B" and Parcel "A" also described in said Book 1532 at 418

S 00°13'24" E, 658.51 feet to a point on the north line of Lot 46, Pomona Park Subdivision as recorded in Plat Book 1 at Page 24 of the Mesa County Clerk and Recorder; thence along the north line of Lot 46 and Lot 45 of said Pomona Park Subdivision N 89°54'30" E, 1050.91 feet to the northeast corner of said Lot 45; thence along the east line of said Lot 45 S 00°07'49" E, 332.92 feet; thence along the south line of a parcel of land as described in Book 1332 at Page 78 of the records of the Mesa County Clerk and Recorder S 89°56'25" E, 523.36 feet; thence along the east line of said parcel of land N 00°01'20" E, 131.08 feet to the southwest corner of a parcel of land as described in Book 1240 at Page 925 of the records of the Mesa County Clerk and Recorder; thence along the south line of said parcel of land S 89°56'25" E, 417.42 feet to the southeast corner of said parcel of land; thence along the east line of said parcel of land N 00°01'20" E, 208.71 feet to a point on the north line of the NE 1\4 SE 1\4 SW 1\4 of said Section 34; thence along said north line N 89°38'30" E, 378.44 feet to the northeast corner of said NE 1\4 SE 1\4 SW 1\4; thence along the north-south centerline of said Section 34 (said centerline also being the centerline of 25 1\2 Road) S 00°03'12" E, 663.58 feet to the northeast corner of the SE 1\4 SE 1\4 SW 1\4 of said Section 34; thence crossing the west 1\2 of said 25 1\2 Road and along the north line of said SE 1\4 SE 1\4 SW 1\4 S 89°47'57" W, 660.00 feet to the northwest corner of said SE 1\4 SE 1\4 SW 1\4; thence along the west line of said SE 1\4 SE 1\4 SW 1\4, crossing G Road and extending to the centerline of Turpin Wash S 00°05'30" E, 830.92 feet; thence along the centerline of said Turpin Wash the following 5 courses:

- 1) N 67°00'00" E, 40.00 feet;
- 2) S 78°00'00" E, 120.00 feet;
- 3) S 63°00'00" E, 77.00 feet;
- 4) S 78°00'00" E, 50.00 feet;
- 5) S 69°35'56" E, 54.46 feet; thence leaving said centerline and along the west line of a parcel of land as described in Book 1167 at Page 658 of the records of the Mesa County Clerk and Recorder S 00°30'03" E, 314.68 feet to the northwest corner of Moonridge Falls Subdivision as recorded in Plat book 14 at Page 168; thence along the north line of said Moonridge Falls Subdivision N 89°43'05" E, 336.55 feet to a point on the centerline of 25 1\2 Road (said centerline also being the north-south centerline of Section 3, Township 1 South, Range 1 West); thence along the centerline of said 25 1\2 Road S 00°16'55" E, 762.88 feet; thence continuing along the centerline of said 25 1\2 Road S 00°00'00" E, 727.49 feet to a point on the southwesterly Right-of-Way of the Grand Valley Canal; thence along said southwesterly Right-of-Way the following 3 courses:

- 1) S 77°05'13" E, 840.64 feet;
- 2) S 70°15'39" E, 71.36 feet;
- 3) S 61°15'48" E, 491.14 feet; thence S 00°01'06" E, 116.47 feet to a point on the north Right-of-Way line of F 1\2 Road; thence along said north Right-of-Way line which is 30.00 feet north of and parallel with the east-west centerline of said Section 3 N 89°55'45" W, 659.57 feet; thence S 00°02'28" W, 30.00 feet to a point on the centerline of said F 1\2 Road; thence along the centerline of said F 1\2 Road N 89°55'45" W, 179.36 feet to the northeast corner of a parcel of land as described in Book 905 at Page 692 of the records of the Mesa County Clerk and Recorder; thence along the east line of said parcel of land SOUTH, 227.75 feet to the southeast corner of said parcel of land; thence along the south line of said parcel of land WEST, 148.50 feet to a point on the east line of a parcel of land as

described in Book 1082 at Page 390 of the records of the Mesa County Clerk and Recorder; thence along the east line of said parcel SOUTH, 1081.76 feet to a point on the centerline of F 1\4 Road; thence along the south line of said parcel and said centerline of said F 1\4 Road S 89°59'46" W, 329.66 feet to a point on the centerline of 25 1\2 Road; thence along the centerline of said 25 1\2 Road N 00°00'20" W, 524.20 feet; thence S 89°57'00" W, 30.00 feet to a point on the west Right-of-Way line of said 25 1\2 Road; thence along said west Right-of-Way line which is 30.00 feet west of and parallel with the north-south centerline of said Section 3 N 00°00'11" W, 1462.29 feet to a point on the northerly line of a parcel of land as described in Book 1305 at Page 141 of the records of the Mesa County Clerk and Recorder; thence along said northerly line the following 2 courses:

- 1) N 77°38'37" W, 802.48 feet;
- 2) N 69°02'21" W, 97.49 feet to a point on the east line of a parcel of land also described in said Book 1305 at Page 141; thence along the east line of said parcel of land SOUTH, 26.76 feet to a point on the northeasterly Right-of-Way line of said Grand Valley Canal; thence along said northeasterly Right-of-Way line, which is 25.00 feet northeasterly of and parallel with the centerline of said Grand Valley Canal (said centerline also being described in said Book 1305 at Page 141) the following 4 courses:

- 1) N 69°02'21" W, 94.09 feet;
- 2) N 60°45'20" W, 142.94 feet;
- 3) N 35°45'52" W, 133.95 feet;
- 4) N 14°00'04" W, 248.31 feet to a point on the north line of said parcel of land as described in said Book 1305 at Page 141; thence along said north line N 89°29'30" E, 325.19 feet to a point on the the former northeasterly Right-of-Way line of the Grand River Valley Railroad; thence along the northeasterly Right-of-Way line of said Grand River Valley Railroad the following 2 courses:

- 1) along a curve concave to the northeast having a radius of 464.56 feet and whose chord bears N 46°23'26" W, 537.41 feet;
- 2) N 14°10'45" W, 956.49 feet to a point on the south Right-of-Way line of G Road; thence along said south Right-of-Way which is 30.00 feet south of and parallel with the south line of said Section 34 S 89°56'38" W, 495.75 feet; thence crossing said G Road and along the east line of Powell Estates as recorded in Plat book 14 at Page 51 of the Mesa County Clerk and Recorder and extending to the centerline of G 1\8 Road N 01°15'27" E, 687.17 feet; thence along the centerline of said G 1\8 Road N 89°51'17" W, 579.96 feet to a point on the east Right-of-Way line of 25 Road; thence along said east Right-of-Way line which is 30.00 feet east of and parallel with the west line of said Section 34 N 00°13'24" W, 825.70 feet; thence crossing said 25 Road S 89°48'31" W, 60.00 feet to a point on the west Right-of-Way line of said 25 Road; thence along said west Right-of-Way line which is 30.00 feet west of and parallel to the west line of said Section 34 N 00°13'24" W, 1169.53 feet to a point on the southerly Right-of-Way line of said Interstate Highway 70; thence along said southerly Right-of-Way line the following 4 courses:

- 1) N 89°40'00" W, 235.13 feet;
- 2) NORTH, 1.00 feet;
- 3) N 89°53'30" W, 1381.50 feet;
- 4) N 89°40'00" W, 329.29 feet; thence leaving said southerly Right-of-Way

line and along the east line of Lot 26 of said Pomona Park Subdivision S 00°06'44" E, 683.42 feet to the northwest corner of Lot 36 of said Pomona Park Subdivision; thence along the north line of said Lot 36 S 89°57'18" E, 633.99 feet to a point on the west Right-of-Way line of 24 3/4 Road; thence along said west Right-of-Way, which is 25 feet west of and parallel with the east line of said Lot 36 S 00°08'54" E, 659.09 feet to a point on the south line of said Lot 36; thence along the south line of said Lot 36 and Lot 35 of said Pomona Park Subdivision N 89°58'18" W, 1293.81 feet to the southeast corner of Lot 34 of said Pomona Park Subdivision; thence along the south line of Lots 34 and 33 of said Pomona Park Subdivision N 89°57'54" W, 1319.74 feet to the southeast corner of Lot 32 of said Pomona Park Subdivision; thence along the south line of Lots 32 and 31 of said Pomona Park Subdivision N 89°58'30" W, 1319.47 feet to a point on the centerline of 24 Road; thence along the centerline of said 24 Road (said centerline also being the west line of Section 33, Township 1 North, Range 1 West) N 00°16'43" W, 547.67 feet; to a point on the southerly Right-of-Way of said Interstate Highway 70; thence along said southerly Right-of-Way the following 3 courses:

- 1) N 89°57'00" W, 41.70 feet;
- 2) N 03°54'30" W, 651.90 feet;
- 3) N 79°19'30" W, 669.93 feet to a point on the east-west centerline of Section 32, Township 1 North, Range 1 West; thence along the east-west centerline of said Section 32 WEST, 572.86 feet; thence leaving said east-west centerline and crossing said Interstate Highway 70 N 00°36'57" E, 276.61 feet to a point on the northerly Right-of-Way line of said Interstate Highway 70; thence leaving said northerly Right-of-Way line and along the west line of a parcel of land as described in Book 1888 at Page 89 of the records of the Mesa County Clerk and Recorder N 00°00'30" W, 1040.59 feet to the northwest corner of said parcel of land; thence along the north line of said parcel of land and extending to the centerline of said 24 Road N 89°58'00" E, 1318.13 feet; thence along the north line of Lots 12 and 11 of said Pomona Park Subdivision S 89°50'24" E, 1320.05 feet to the northeast corner of said Lot 11; thence along the east line of Lots 11 and 14 of said Pomona Park Subdivision and extending across said Interstate Highway 70 S 00°02'42" W, 1279.59 feet to a point on the southerly Right-of-Way line of said Interstate Highway 70; thence along said southerly Right-of-Way the following 5 courses:

- 1) S 89°40'00" E, 1226.70 feet;
- 2) S 03°53'30" E, 6.10 feet;
- 3) S 89°53'30" E, 189.68 feet;
- 4) N 00°08'00" E, 1.00 feet;
- 5) S 89°40'00" E, 558.21 feet; thence leaving said southerly Right-of-Way N 00°06'44" W, 1.00 feet; thence along a line 1.00 feet north of and parallel with the southerly Right-of-Way line of said Interstate Highway 70 the following 20 courses:

- 1) S 89°40'00" E, 330.29 feet;
- 2) S 89°53'30" E, 1382.50 feet;
- 3) SOUTH, 1.00 feet;
- 4) S 89°40'00" E, 235.13 feet;
- 5) S 00°13'24" E, 214.33 feet;
- 6) N 89°46'36" E, 68.12 feet;
- 7) N 68°28'30" E, 328.71 feet;

8) N 77°03'00" E, 221.10 feet;
9) N 00°06'30" W, 50.20 feet;
10) N 89°53'30" E, 753.79 feet;
11) S 57°26'27" E, 8.55 feet;
12) N 89°26'00" E, 1245.19 feet;
13) N 88°25'30" E, 74.09 feet;
14) N 88°25'30" E, 230.98 feet;
15) along the arc of a curve concave to the north having a radius of 2964.00 feet whose chord bears N 83°29'16" E, 304.87 feet;
16) N 79°32'30" E, 103.67 feet;
17) N 76°32'30" E, 305.07 feet;
18) N 75°32'00" E, 175.00 feet;
19) N 76°31'30" E, 294.73 feet;
20) along the arc of a curve concave to the south having a radius of 2766.00 feet whose chord bears N 82°38'54" E, 396.99 feet; thence crossing said Interstate Highway 70 N 03°18'56" W, 230.71 feet to a point where the centerline of Leach Creek intersects the northerly Right-of-Way line of said Interstate Highway 70; thence along the centerline of said Leach Creek the following 6 courses:

1) N 24°16'21" W, 195.00 feet;
2) N 69°40'04" E, 38.66 feet;
3) N 57°01'26" E, 116.39 feet;
4) N 57°01'26" E, 557.48 feet;
5) along the arc of a curve concave to the west having a radius of 80.00 feet whose chord bears N 06°00'16" E, 124.38 feet;
6) N 45°00'54" W, 115.04 feet to a point on the south line of a parcel of land as described in Book 1880 at Page 601 and 602 of the records of the Mesa County Clerk and Recorder; thence along the south line of said parcel of land N 89°59'06" E, 420.00 feet to a point on the centerline of 26 Road; thence along the centerline of said 26 Road (said centerline also being the west line of Section 35, Township 1 North, Range 1 West) N 00°12'36" W, 206.87 feet; thence N 89°47'24" E, 30.00 feet to a point on the east Right-of-Way line of said 26 Road; thence along said east Right-of-Way line which is 30.00 feet east of and parallel with the west line of said Section 35 N 00°11'01" W, 1104.23 feet; thence continuing along said east Right-of-Way line which is 30.00 feet east of and parallel with the west line of Section 26, Township 1 North, Range 1 West the following 2 courses:

1) N 00°01'24" W, 2638.53 feet;
2) N 00°03'06" W, 1291.61 feet to a point on the south Right-of-Way line of H 3/4 Road; thence along said south Right-of-Way line which is 30.00 feet south of and parallel with the south line of the NW 1/4 NW 1/4 of said Section 26 N 89°57'24" E, 1286.89 feet; thence continuing along said south Right-of-Way line S 00°01'10" W, 10.00 feet; thence along said south Right-of-Way line which is 40.00 feet south of and parallel with the south line of the NE 1/4 NW 1/4 of said Section 26 N 89°51'42" E, 85.60 feet to a point on the west line of a parcel of land as described in Book 1869 at Page 601 of the records of the Mesa County Clerk and Recorder; thence along the west line of said parcel of land SOUTH, 208.70 feet; thence along the south line of said parcel of land N 89°51'42" E, 1043.60 feet; thence along the east line of said parcel of land NORTH, 208.70 feet to a point on south Right-of-Way line of said H 3/4 Road; thence along said south Right-of-Way line which is 40.00 feet south of and parallel with the south line of the NE 1/4 NW 1/4

of said Section 26 N 89°51'42" E, 188.00 feet to a point on the centerline of 26 1\2 Road (said centerline also being the north-south centerline of said Section 26); thence along said centerline of said 26 1\2 Road S 00°02'32" W, 1280.32 feet to the Point of Beginning. Said parcel of land contains 550.43 acres more or less.

WHEREAS, a hearing on the petition was duly held after proper notice on the 15th day of March, 1995; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefor; that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

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

1. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.
2. The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

ADOPTED this 15th day of March, 1995.

Attest:
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/s/ R.T. Mantlo
President of the Council

/s/ Stephanie Nye
City Clerk