

RESOLUTION NO. 09-00

**A RESOLUTION DETERMINING THE NECESSITY OF
AND AUTHORIZING THE ACQUISITION OF CERTAIN PROPERTY
BY CONDEMNATION FOR IMPROVEMENTS TO AND NEW PORTIONS OF
27.5 ROAD AND ITS INTERSECTION WITH HORIZON DRIVE AND G ROAD
AND OTHER MUNICIPAL PUBLIC FACILITIES**

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

Section 1. It is hereby determined that it is necessary to the public health, safety and welfare that the property described below ("Property") be acquired for right-of-way, street, sidewalk, utility, drainage and other public improvement purposes. The Property is to be acquired by negotiation and purchase if possible; provided, however, the condemnation of the Property is hereby specifically approved and authorized. The property sought to be acquired is to be used for municipal public purposes.

Section 2. The City Attorney is hereby specifically authorized and directed to take all necessary legal measures, including condemnation, to acquire the Property which is hereby determined to be necessary to be acquired to be used for right-of-way, street, sidewalk, utility, drainage and other public improvement purposes. The City Attorney is further authorized to request immediate possession of the Property.

Section 3. Interest to be acquired: fee simple.

Owners of record: Emanuel Epstein, as to an undivided one-half (1/2) interest, and Jimmie L. Etter, as to an undivided one-half (1/2) interest.

Legal Description:

Right-of-Way Parcel No. 1:

Commencing at the North $\frac{1}{4}$ Corner of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the north line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 1 to bear S 89°59'57" W with all bearings contained herein being relative thereto; thence S 89°59'57" W along the north line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 1 a distance of 810.41 feet to a point; thence leaving the north line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 1, S 00°00'03" E a distance of 49.00 feet to a point on the south right-of-way line for G Road as described by instrument recorded in Book 1426 at Page 244 in the office of the Mesa County Clerk and Recorder; thence N 89°59'57" E along the south right-of-way line for G Road as aforesaid a distance of 10.02 feet to the True Point of Beginning;

thence along the south right-of-way line for G Road as aforesaid the following three (3) courses:

1. N 89°59'57" E a distance of 123.71 feet;
2. 42.30 feet along the arc of a curve concave to the Southwest, having a radius of 107.50 feet, a central angle of 22°32'47", and a long chord bearing S 78°43'43" E a distance of 42.03 feet;
3. 24.63 feet along the arc of a curve concave to the Southwest, having a radius of 15.50 feet, a central angle of 91°02'55", and a long chord bearing S 21°55'50" E a distance of 22.12 feet to a point on the westerly right-of-way line for Horizon Drive as described by said instrument recorded in Book 1426 at Page 244 in the office of the Mesa County Clerk and Recorder;

thence along the westerly right-of-way line for Horizon Drive as aforesaid, 42.30 feet along the arc of a curve concave to the Northwest, having a radius of 107.50 feet, a central angle of 22°32'47", and a long chord bearing S 34°52'03" W a distance of 42.03 feet;
thence continuing along the westerly right-of-way line for Horizon Drive, 13.16 feet along the arc of a curve concave to the Northwest, having a radius of 1,860.00 feet, a central angle of 00°24'20", and a long chord bearing S 46°20'50" W a distance of 13.16 feet;
thence leaving the westerly right-of-way line for Horizon Drive, N 00°50'17" E a distance of 14.09 feet;
thence N 30°55'37" W a distance of 8.56 feet;
thence N 50°32'48" W a distance of 31.61 feet;
thence N 59°15'46" W a distance of 31.61 feet;
thence N 67°58'45" W a distance of 31.61 feet;
thence N 81°09'16" W a distance of 15.02 feet;
thence N 89°58'18" W a distance of 39.73 feet;
thence N 00°01'42" E a distance of 0.45 feet to the Point of Beginning,
containing 3,753.39 square feet as described,

and also

Right-of-Way Parcel No. 2:

Commencing at the North ¼ Corner of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 480.35 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west right-of-way line for 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder, said point being the True Point of Beginning;
thence S 00°03'02" W along the west right-of-way line for 27 ½ Road as aforesaid a distance of 294.97 feet;
thence leaving the west right-of-way line for 27 ½ Road, 156.31 feet along the arc of a curve concave to the Southwest, having a radius of 320.00 feet, a central angle of 27°59'14", and a long chord bearing N 30°19'51" W a distance of 154.76 feet;
thence N 44°19'28" W a distance of 625.74 feet;
thence N 88°36'37" W a distance of 35.17 feet to a point on the easterly right-of-way line for Horizon Drive as described by instrument recorded in Book 822 at Page 480 in the office of the Mesa County Clerk and Recorder;
thence along the easterly right-of-way line for Horizon Drive as aforesaid, 112.00 feet along the arc of a curve concave to the Northwest, having a radius of 1,960.00 feet, a central angle of 03°16'26", and a long chord bearing N 44°52'52" E a distance of 111.98 feet;
thence leaving the easterly right-of-way line for Horizon Drive, S 04°34'31" E a distance of 24.12 feet;
thence S 44°19'28" E a distance of 275.90 feet;
thence S 39°45'02" E a distance of 150.48 feet;
thence S 44°32'18" E a distance of 155.98 feet;
thence N 86°44'45" E a distance of 27.62 feet;
thence N 42°37'59" E a distance of 22.60 feet;

thence N 29°51'57" E a distance of 26.33 feet;
thence N 20°44'41" E a distance of 43.63 feet to the Point of Beginning,
containing 54,126.78 feet as described.

Interest to be acquired: Perpetual Slopes & Drainage Easements.

Legal Description:

P.E. No. 1:

Commencing at the North ¼ Corner of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the north line of the NE ¼ NW ¼ of said Section 1 to bear S 89°59'57" W with all bearings contained herein being relative thereto; thence S 89°59'57" W along the north line of the NE ¼ NW ¼ of said Section 1 a distance of 810.41 feet to a point; thence leaving the north line of the NE ¼ NW ¼ of said Section 1, S 00°00'03" E a distance of 49.00 feet to a point on the south right-of-way line for G Road as described by instrument recorded in Book 1426 at Page 244 in the office of the Mesa County Clerk and Recorder; thence N 89°59'57" E along the south right-of-way line for G Road as aforesaid a distance of 10.02 feet; thence leaving the south right-of-way line for G Road,

S 00°01'42" W a distance of 0.45 feet; thence S 89°58'18" E a distance of 34.67 feet to the True Point of Beginning;

thence S 89°58'18" E a distance of 5.06 feet;

thence S 81°09'16" E a distance of 15.02 feet;

thence S 67°58'45" E a distance of 31.61 feet;

thence S 59°15'46" E a distance of 31.61 feet;

thence S 50°32'48" E a distance of 31.61 feet;

thence S 30°55'37" E a distance of 8.56 feet;

thence S 00°50'17" W a distance of 14.09 feet to a point on the westerly right-of-way line for Horizon Drive as described by instrument recorded in Book 822 at Page 480 in the office of the Mesa County Clerk and Recorder;

thence along the westerly right-of-way line for Horizon Drive as aforesaid, 15.42 feet along the arc of a curve concave to the Northwest, having a radius of 1,860.00 feet, a central angle of 00°28'30", and a long chord bearing S 46°47'15" W a distance of 15.42 feet;

thence leaving the westerly right-of-way line for Horizon Drive, N 62°24'13" W a distance of 27.76 feet;

thence S 82°24'24" W a distance of 45.62 feet;

S 72°47'43" W a distance of 24.05 feet;

thence S 80°58'54" W a distance of 18.57 feet;

thence N 33°52'57" W a distance of 9.87 feet;

thence N 46°45'36" E a distance of 40.09 feet;

thence N 27°31'56" E a distance of 33.64 feet;

thence N 00°00'00" W a distance of 8.99 feet;

thence N 63°02'52" W a distance of 24.52 feet to the Point of Beginning,
containing 5,470.27 square feet as described,

and also

P.E. No. 2:

Commencing at the North $\frac{1}{4}$ Corner of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the east line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 1 a distance of 480.35 feet to a point; thence leaving the east line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 1, N 89°56'58" W a distance of 40.00 feet to the True Point of Beginning; thence S 20°44'41" W a distance of 43.63 feet; thence S 29°51'57" W a distance of 26.33 feet; thence S 42°37'59" W a distance of 22.60 feet; thence S 86°44'45" W a distance of 27.62 feet; thence N 44°32'18" W a distance of 155.98 feet; thence N 39°45'02" W a distance of 150.48 feet; thence N 44°19'28" W a distance of 275.90 feet; thence N 04°34'31" W a distance of 24.12 feet to a point on the easterly right-of-way line for Horizon Drive as described by instrument recorded in Book 822 at Page 480 in the office of the Mesa County Clerk and Recorder; thence along the easterly right-of-way line for Horizon Drive as aforesaid, 4.05 feet along the arc of a curve concave to the Northwest, having a radius of 1,960.00 feet, a central angle of 00°07'06", and a long chord bearing N 43°11'11" E a distance of 4.05 feet; thence leaving the easterly right-of-way line for Horizon Drive, S 04°34'31" E a distance of 25.76 feet; thence S 44°19'28" E a distance of 274.93 feet; thence S 39°45'02" E a distance of 150.47 feet; thence S 44°32'18" E a distance of 154.50 feet; thence N 86°44'45" E a distance of 25.04 feet; thence N 42°37'59" E a distance of 21.05 feet; thence N 29°51'57" E a distance of 25.76 feet; thence N 20°44'41" E a distance of 42.84 feet; thence N 00°03'02" E a distance of 106.40 feet; thence N 21°36'57" E a distance of 8.16 feet to a point on the west right-of-way line for 27 $\frac{1}{2}$ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder; thence S 00°03'02" W along the west right-of-way line for 27 $\frac{1}{2}$ Road as aforesaid a distance of 114.54 feet to the Point of Beginning, containing 2,501.91 square feet as described,

and also

P.E. No. 3:

Commencing at the North $\frac{1}{4}$ Corner of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the east line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 1 a distance of 782.52 feet to a point; thence leaving the east line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west right-of-way line for 27 $\frac{1}{2}$ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder, said point also being the

Northeast Corner of Lot 3 of Ptarmigan Pointe as recorded in Plat Book 14 at Page 226 in the office of the Mesa County Clerk and Recorder, said point being the True Point of Beginning; thence N 89°56'57" W along the north line of Lot 3 of Ptarmigan Pointe as aforesaid a distance of 1.09 feet;
thence leaving the north line of said Lot 3, 161.43 feet along the arc of a curve concave to the Southwest, having a radius of 317.00 feet, a central angle of 29°10'41", and a long chord bearing N 29°44'07" W a distance of 159.69 feet;
thence N 44°19'28" W a distance of 624.51 feet;
thence N 88°36'37" W a distance of 36.97 feet to a point on the easterly right-of-way line for Horizon Drive as described by instrument recorded in Book 822 at Page 480 in the office of the Mesa County Clerk and Recorder;
thence along the easterly right-of-way line for Horizon Drive as aforesaid, 4.26 feet along the arc of a curve concave to the Northwest, having a radius of 1,960.00 feet, a central angle of 00°07'28", and a long chord bearing N 46°34'54" E a distance of 4.26 feet;
thence leaving the easterly right-of-way line for Horizon Drive, S 88°36'37" E a distance of 35.17 feet;
thence S 44°19'28" E a distance of 625.74 feet;
thence 156.31 feet along the arc of a curve concave to the Southwest, having a radius of 320.00 feet, a central angle of 27°59'14", and a long chord bearing S 30°19'51" E a distance of 154.76 feet to a point on the west right-of-way line for 27 ½ Road as aforesaid;
thence S 00°03'02" W along the west right-of-way line for 27 ½ Road a distance of 7.20 feet to the Point of Beginning,
containing 2,460.32 square feet as described.

Interest to be acquired: Perpetual Slopes & Irrigation Drainage Easements.

Legal Description:

P.E. No. 4:

Commencing at the North ¼ Corner of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 782.51 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west boundary line of 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder, said point also being the Northeast Corner of Lot 3 of Ptarmigan Pointe as recorded in Plat Book 14 at Page 226 in the office of the Mesa County Clerk and Recorder; thence N 89°56'57" W along the north line of Lot 3 of Ptarmigan Pointe as aforesaid a distance of 2.13 feet; thence leaving the north line of said Lot 3, N 28°52'58" W a distance of 62.33 feet to a point; thence N 35°58'48" W a distance of 67.55 feet to a point; thence N 45°33'03" W a distance of 81.89 feet to a point; thence N 43°25'16" W a distance of 166.51 feet to the True Point of Beginning;
thence N 43°25'16" W a distance of 29.90 feet;
thence N 57°35'02" W a distance of 60.44 feet;
thence N 74°45'15" W a distance of 23.81 feet;
thence N 53°48'36" W a distance of 13.52 feet;
thence N 22°41'57" W a distance of 22.25 feet;
thence N 88°03'31" E a distance of 45.99 feet;

thence S 44°19'28" E a distance of 111.84 feet;
thence S 43°56'54" W a distance of 14.49 feet to the Point of Beginning,
containing 3,159.70 square feet as described,

and also

P.E. No. 5:

Commencing at the North ¼ Corner of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 365.81 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point; thence S 21°36'57" W a distance of 8.16 feet to a point; thence S 00°03'02" W a distance of 106.40 feet to a point; thence S 20°44'41" W a distance of 42.84 feet to a point; thence S 29°51'57" W a distance of 25.76 feet to a point; thence S 42°37'59" W a distance of 21.05 feet to a point; thence S 86°44'45" W a distance of 25.04 feet to a point; thence N 44°32'18" W a distance of 129.50 feet to the True

Point of Beginning;

thence N 44°32'18" W a distance of 25.00 feet;
thence N 39°45'02" W a distance of 52.30 feet;
thence N 50°14'58" E a distance of 26.26 feet;
thence S 75°33'06" E a distance of 18.69 feet;
thence S 43°41'59" E a distance of 35.09 feet;
thence S 42°25'38" W a distance of 15.61 feet;
thence S 08°30'21" W a distance of 15.77 feet;
thence S 20°46'12" E a distance of 14.76 feet;
thence S 45°27'42" W a distance of 5.51 feet to the Point of Beginning,
containing 2,200.39 square feet as described.

Interest to be acquired: Perpetual Slopes Easements.

Legal Description:

P.E. No. 6:

Commencing at the North ¼ Corner of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 782.51 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west boundary line of 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder, said point also being the Northeast Corner of Lot 3 of Ptarmigan Pointe as recorded in Plat Book 14 at Page 226 in the office of the Mesa County Clerk and Recorder, said point being the True Point of Beginning;

thence N 89°56'57" W along the north line of Lot 3 of Ptarmigan Pointe as aforesaid a distance of 2.13 feet;

thence leaving the north line of said Lot 3, N 28°52'58" W a distance of 62.33 feet;

thence N 35°58'48" W a distance of 67.55 feet;

thence N 45°33'03" W a distance of 81.89 feet;
thence N 43°25'16" W a distance of 166.51 feet;
thence N 43°56'54" E a distance of 14.49 feet;
thence S 44°19'28" E a distance of 222.64 feet;
thence 161.43 feet along the arc of a curve concave to the Southwest, having a radius of 317.00 feet, a central angle of 29°10'41", and a long chord bearing S 29°44'07" E a distance of 159.69 feet to the Point of Beginning,
containing 5,370.58 square feet as described,

and also

P.E. No. 7:

Commencing at the North ¼ Corner of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the east line of the NE ¼ NW ¼ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE ¼ NW ¼ of said Section 1 a distance of 782.51 feet to a point; thence leaving the east line of the NE ¼ NW ¼ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point on the west boundary line of 27 ½ Road as described by instruments recorded in Book 732 at Page 115 and Book 1517 at Page 715 in the office of the Mesa County Clerk and Recorder, said point also being the Northeast Corner of Lot 3 of Ptarmigan Pointe as recorded in Plat Book 14 at Page 226 in the office of the Mesa County Clerk and Recorder; thence N 89°56'57" W along the north line of Lot 3 of Ptarmigan Pointe as aforesaid a distance of 2.13 feet; thence leaving the north line of said Lot 3, N 28°52'58" W a distance of 62.33 feet to a point; thence N 35°58'48" W a distance of 67.55 feet to a point; thence N 45°33'03" W a distance of 81.89 feet to a point; thence N 43°25'16" W a distance of 196.41 feet to a point; thence N 57°35'02" W a distance of 60.44 feet to a point; thence N 74°45'15" W a distance of 23.81 feet to a point; thence N 53°48'36" W a distance of 13.52 feet to a point; thence N 22°41'57" W a distance of 22.25 feet to the True Point of Beginning;

thence N 73°50'00" W a distance of 36.99 feet;
thence N 69°42'31" W a distance of 68.20 feet;
thence N 28°56'30" E a distance of 52.23 feet;
thence N 08°46'44" W a distance of 30.47 feet;
thence N 32°31'49" W a distance of 40.13 feet;
thence N 46°21'51" W a distance of 88.61 feet;
thence S 82°47'05" W a distance of 40.33 feet to a point on the easterly right-of-way line for Horizon Drive as described by instrument recorded in Book 822 at Page 480 in the office of the Mesa County Clerk and Recorder;
thence along the easterly right-of-way line for Horizon Drive as aforesaid, 15.00 feet along the arc of a curve concave to the Northwest, having a radius of 1,960.00 feet, a central angle of 00°26'18", and a long chord bearing N 46°51'47" E a distance of 15.00 feet;
thence leaving the easterly right-of-way line for Horizon Drive, S 88°36'37" E a distance of 36.97 feet;
thence S 44°19'28" E a distance of 290.03 feet;
thence S 88°03'31" W a distance of 45.99 feet to the Point of Beginning,
containing 8,689.72 square feet as described,

and also

P.E. No. 8:

Commencing at the North $\frac{1}{4}$ Corner of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the east line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 1 a distance of 365.81 feet to a point; thence leaving the east line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point; thence S 21°36'57" W a distance of 8.16 feet to the True Point of Beginning:

thence S 00°03'02" W a distance of 106.40 feet;
thence S 20°44'41" W a distance of 42.84 feet;
thence S 29°51'57" W a distance of 25.76 feet;
thence S 42°37'59" W a distance of 21.05 feet;
thence S 86°44'45" W a distance of 25.04 feet;
thence N 44°32'18" W a distance of 129.50 feet;
thence N 45°27'42" E a distance of 5.51 feet;
thence S 61°26'06" E a distance of 12.09 feet;
thence S 47°52'29" E a distance of 110.48 feet;
thence S 74°08'10" E a distance of 20.98 feet;
thence N 41°59'57" E a distance of 30.03 feet;
thence N 17°21'01" E a distance of 40.23 feet;
thence N 02°09'28" W a distance of 62.06 feet;
thence N 14°39'28" W a distance of 11.99 feet;
thence N 19°54'38" E a distance of 43.42 feet to the Point of Beginning,
containing 3,233.74 square feet as described,

and also

P.E. No. 9:

Commencing at the North $\frac{1}{4}$ Corner of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, and considering the east line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 1 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along the east line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 1 a distance of 365.81 feet to a point; thence leaving the east line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 1, N 89°56'58" W a distance of 40.00 feet to a point; thence S 21°36'57" W a distance of 8.16 feet to a point; thence S 00°03'02" W a distance of 106.40 feet to a point; thence S 20°44'41" W a distance of 42.84 feet to a point; thence S 29°51'57" W a distance of 25.76 feet to a point; thence S 42°37'59" W a distance of 21.05 feet to a point; thence S 86°44'45" W a distance of 25.04 feet to a point; thence N 44°32'18" W a distance of 154.50 feet to a point; thence N 39°45'02" W a distance of 52.30 feet to the True Point of Beginning;

thence N 39°45'02" W a distance of 98.17 feet;
thence N 44°19'28" W a distance of 274.93 feet;
thence N 04°34'31" W a distance of 25.76 feet to a point on the easterly right-of-way line for Horizon Drive as recorded in Book 822 at Page 480 in the office of the Mesa County Clerk and Recorder;
thence along the easterly right-of-way line for Horizon Drive as aforesaid, 15.98 feet along the arc of a curve concave to the Northwest, having a radius of 1,960.00 feet, a central angle of 00°28'01", and a long chord bearing N 42°53'37" E a distance of 15.98 feet;

thence leaving the easterly right-of-way line for Horizon Drive, S 25°36'44" W a distance of 8.52 feet;
thence S 53°45'22" E a distance of 21.43 feet;
thence S 06°55'43" E a distance of 13.10 feet;
thence S 15°47'30" W a distance of 14.33 feet;
thence S 43°00'26" E a distance of 77.84 feet;
thence S 62°19'12" E a distance of 33.57 feet;
thence S 81°17'07" E a distance of 104.25 feet;
thence S 66°01'10" E a distance of 10.70 feet;
thence S 35°45'40" E a distance of 63.92 feet;
thence S 09°33'17" W a distance of 17.48 feet;
thence S 14°13'19" E a distance of 29.82 feet;
thence S 08°01'49" E a distance of 45.63 feet;
thence S 48°54'34" E a distance of 14.83 feet;
thence S 50°14'58" W a distance of 26.26 feet to the Point of Beginning,
containing 15,133.73 square feet as described.

Interest to be acquired: Temporary Construction Easements.

Legal Description:

T.E. No. 1:

Beginning at a point on the easterly right-of-way line for Horizon Drive from whence the North ¼ corner of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, bears N 80°18'14" E a distance of 490.25 feet;
thence along the easterly right-of-way line for Horizon Drive, 72.47 feet along the arc of a curve concave to the Northwest having a radius of 1960.0 feet to a point on the south right-of-way line for G Road;
thence N 89°59'56" E along the south right-of-way line for G Road a distance of 133.71 feet;
thence leaving the south right-of-way line for G Road, S 41°36'03" W a distance of 194.70 feet;
thence N 43°00'26" W a distance of 60.51 feet;
thence N 15°47'30" E a distance of 14.33 feet;
thence N 06°55'43" W a distance of 13.10 feet;
thence N 53°45'22" W a distance of 21.43 feet;
thence N 25°36'44" E a distance of 8.52 feet to the Point of Beginning,
containing 13,911.30 square feet as described,

and also

T.E. No. 2:

Beginning at a point on the easterly right-of-way line for Horizon Drive from whence the North ¼ corner of Section 1, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, bears N 69°48'40" E a distance of 683.22 feet;
thence along the easterly right-of-way line for Horizon Drive, 68.93 feet along the arc of a curve concave to the Northwest having a radius of 1960.0 feet;

thence leaving the easterly right-of-way line for Horizon Drive, N 82°47'05" E a distance of 40.33 feet;
thence S 46°21'51" E a distance of 77.17 feet;
thence S 47°57'25" W a distance of 100.29 feet;
thence N 46°21'51" W a distance of 100.43 feet to the Point of Beginning,
containing 9,657.65 square feet as described.

Section 4. That parcels designated for acquisition as temporary construction easements are for the construction of the street, sidewalk and utility facilities and the City Engineer is hereby authorized to determine the commencement date and necessary duration of such easements to be acquired on the basis of the anticipated construction schedule as it exists at the time of acquisition.

Section 5. The City Engineer is hereby authorized to amend the legal descriptions of the parcels to be acquired and the nature of the interests to be acquired, if necessary in the course of construction.

Section 6. The City Council hereby finds and resolves, in the event that acquisition by condemnation of any parcel described in this resolution is commenced, that immediate possession is necessary for the public health, safety and welfare, due to bidding and construction deadlines.

Section 7. The Charter authorizes this resolution and the actions described. The resolution shall be effective upon an affirmative vote of a majority of the City Council considering it.

ADOPTED this 5th day of January 2000.

/s/ Gene Kinsey
Gene Kinsey, Mayor

ATTEST:

/s/ Stephanie Nye
City Clerk