

**RESOLUTION NO. 52-06**

**A RESOLUTION CONCERNING THE ISSUANCE OF A REVOCABLE PERMIT TO  
REDLANDS MESA HOME OWNERS ASSOCIATION, INC. TO ALLOW AN  
ENTRANCE SIGN**

**Recitals.**

1. Redlands Mesa Home Owners Association, Inc., a Colorado nonprofit corporation, has requested that the City Council of the City of Grand Junction issue a Revocable Permit to allow the Petitioner to install and maintain a subdivision identification sign within the limits of the following described City-owned property, to wit:

**EXHIBIT A**

A parcel of land situated in the northwest quarter of the southwest quarter of Section 21, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at an aluminum cap marked "PLS 18480" on a 2" steel pipe for the quarter corner common to said Section 21 and Section 20 whence Mesa County Survey Marker #1209, a brass cap for the south sixteenth corner common to Section 21 and Section 20, bears South 1°14'38" West, with all bearings herein relative thereto;  
Thence South 5°05'26" East, a distance of 258.86 feet to the Point of Beginning;  
Thence North 63°33'30" East, a distance of 22.50 feet;  
Thence South 26°26'30" East, a distance of 16.50 feet;  
Thence South 63°33'30" West, a distance of 22.50 feet;  
Thence North 26°26'30" West, a distance of 16.50 feet to the Point of Beginning.

Containing 0.009 acres, more or less.

2. Based on the foregoing, 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 issue the attached Revocable Permit to the above-named Petitioner for the purposes aforescribed and within the limits of the City-owned property aforescribed, subject to each and every term and condition contained in the attached Revocable Permit.

PASSED and ADOPTED this 7<sup>th</sup> day of June, 2006.

Attest:

/s/ James J. Doody  
President of the City Council

/s/ Stephanie Tuin  
City Clerk

# REVOCABLE PERMIT

## Recitals

Redlands Mesa Home Owners Association, Inc., a Colorado nonprofit corporation, has requested that the City Council of the City of Grand Junction issue a Revocable Permit to allow the Petitioner to install and maintain a subdivision identification sign within the limits of the following described City-owned property, to wit:

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Thence South 63°33'30" West, a distance of 22.50 feet;  
Thence North 26°26'30" West, a distance of 16.50 feet to the Point of Beginning.

Containing 0.009 acres, more or less.

1. Based on the foregoing, 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, IN ACCORDANCE WITH THE ACTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

There is hereby issued to the above-named Petitioner a Revocable Permit for the purposes aforescribed and within the limits of the City-owned property aforescribed; provided, however, that the issuance of this Revocable Permit shall be conditioned upon the following terms and conditions:

1. The Petitioner's use and occupancy of the City-owned property as authorized pursuant to this Permit shall be performed with due care or any other higher standard of care as may be required to avoid creating hazardous or

dangerous situations and to avoid damaging public roadways, sidewalks, utilities, or any other facilities presently existing or which may in the future exist in said property.

2. The City hereby reserves and retains a perpetual right to utilize all or any portion of the aforescribed City-owned property for any purpose whatsoever. The City further reserves and retains the right to revoke this Permit at any time and for any reason.
3. The Petitioner, for itself and for its successors and assigns, agrees that it shall not hold nor attempt to hold the City of Grand Junction, its officers, employees and agents, liable for damages caused to any property of the Petitioner or any other party, as a result of the Petitioner's occupancy, possession or use of said City-owned property or as a result of any City activity or use thereof or as a result of the installation, operation, maintenance, repair and replacement of public improvements.
4. The Petitioner agrees that it shall at all times keep the above described City-owned property in good condition and repair.
5. This Revocable Permit shall be issued only upon concurrent execution by the Petitioner of an agreement that the Petitioner and the Petitioner's successors and assigns shall save and hold the City of Grand Junction, its officers, employees and agents harmless from, and indemnify the City, its officers, employees and agents, with respect to any claim or cause of action however stated arising out of, or in any way related to, the encroachment or use permitted, and that upon revocation of this Permit by the City the Petitioner shall, at the sole expense and cost of the Petitioner, within thirty (30) days of notice of revocation (which may occur by mailing a first class letter to the last known address), peaceably surrender said City-owned property and, at its own expense, remove any encroachment so as to make the aforescribed City-owned property available for use by the City or the general public. The provisions concerning holding harmless and indemnity shall survive the expiration, revocation, termination or other ending of this Permit.
6. This Revocable Permit, the foregoing Resolution and the following Agreement shall be recorded by the Petitioner, at the Petitioner's expense, in the office of the Mesa County Clerk and Recorder.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

Attest:

The City of Grand Junction  
a Colorado home rule municipality

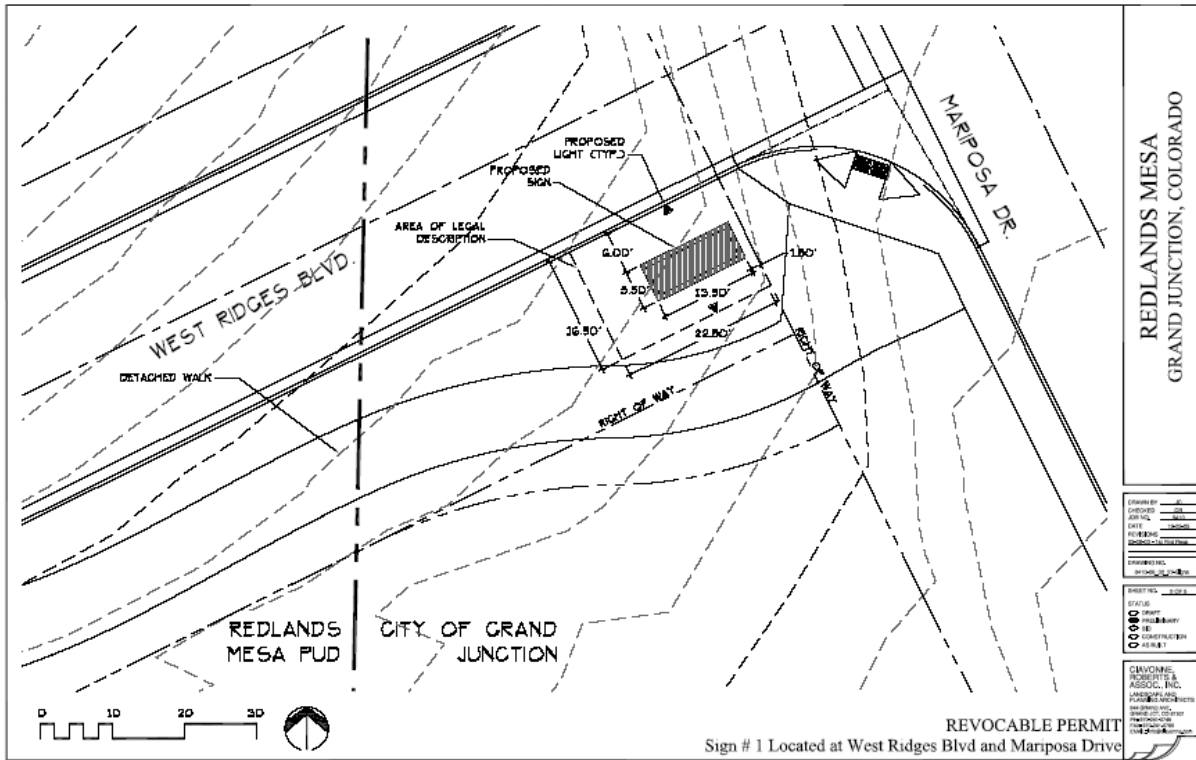
\_\_\_\_\_  
City Clerk

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

Acceptance by the Petitioner:

By: \_\_\_\_\_

Exhibit A



## AGREEMENT

Redlands Mesa Home Owners Association, Inc., a Colorado nonprofit corporation, for itself and for its successors and assigns, does hereby agree to: Abide by each and every term and condition contained in the foregoing Revocable Permit; As set forth, indemnify the City of Grand Junction, its officers, employees and agents and hold the City of Grand Junction, its officers, employees and agents harmless from all claims and causes of action as recited in said Permit; Within thirty (30) days of revocation of said Permit, peaceably surrender said City-owned property to the City of Grand Junction and, at its sole cost and expense, remove any encroachment so as to make said public right-of-way fully available for use by the City of Grand Junction or the general public.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

Redlands Mesa Home Owners Association,  
a Colorado nonprofit corporation

Attest:

By:

State of Colorado    )  
                                  )ss.  
County of Mesa        )

The foregoing Agreement was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2006, by Connie Whalen as President of Redlands Mesa Home Owners Association, Inc., a Colorado nonprofit corporation.

My Commission expires: \_\_\_\_\_  
Witness my hand and official seal.

Notary Public