

**RESOLUTION NO. 68-09**

**A RESOLUTION APPROVING THE SERVICE PLANS AND INTERGOVERNMENTAL AGREEMENTS FOR 29 AND D METROPOLITAN DISTRICT NO. 1 AND NO. 2**

**Recitals:**

On July 27, 2009, a service plan was filed with the City of Grand Junction with a request to approve a service plan for 29 and D Metropolitan District No. 1 ("District No. 1") and a service plan for 29 and D Metropolitan District No. 2 ("District No. 2").

Upon review of the service plans and after public hearing, it appears that each meets the requirements of the *Special District Act*, Part 2 of Article 1 of Title 32, of the Colorado Revised Statutes ("Act").

The service plans with the formation of the districts will provide for the financing of construction and installation of public improvements within the service plan areas (District No. 1 for residential uses and District No. 2 for commercial/industrial uses).

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

Upon consideration of the service plans for 29 and D Metropolitan District No. 1 ("District No. 1") and for 29 and D Metropolitan District No. 2 ("District No. 2"), the City Council finds:

- (a) That the terms of each service plan contains the information required pursuant to the Act;
- (b) That the City Council held a public hearing after proper notice was duly published and mailed in accordance with the Act;
- (c) That there is sufficient existing and projected need for organized service in the area to be serviced under the service plans;
- (d) The existing service in the area to be served is inadequate for present and projected needs;
- (e) The special districts are capable of providing economical and sufficient service to the area within its proposed boundaries;
- (f) The area included in the special districts has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis;
- (g) The Districts are wholly located within the boundaries of the City of Grand Junction and general descriptions of the boundaries of the areas are:

See the attached Exhibit "A" incorporated herein for District No. 1 and the attached Exhibit "B" incorporated herein for District No. 2.

The service plans and intergovernmental agreements for the District are hereby approved.

PASSED and ADOPTED this 17<sup>th</sup> day of August 2009.

Attest:

/s/ Bruce Hill  
President of the Council

/s/ Stephanie Tuin  
City Clerk

Exhibit A

**District No. 1  
Initial District Boundaries**

PART OF THE NW  $\frac{1}{4}$  OF THE SE  $\frac{1}{4}$  OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 1 EAST, UTE MERIDIAN, MESA COUNTY, COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE C  $\frac{1}{4}$  CORNER OF THE SAID SECTION 18;  
THENCE S00°25'42"E 423.13 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE N89°34'18"E 20.00 FEET; THENCE S00°25'42"E 20.00 FEET  
THENCE S89°34'18"W 20.00 FEET; THENCE N00°25'42"W 20.00 FEET  
TO THE POINT OF BEGINNING AND CONTAINING 400 SF MORE OR LESS.

### **Inclusion Area**

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN LYING SOUTH OF THE DENVER AND RIO GRANDE WESTERN RAILROAD HUMP YARD AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**PARCEL 1:**

Commencing at the Southeast corner of the SW $\frac{1}{4}$  of Section 18, Township 1 South, Range 1 East of the Ute Meridian;  
thence running East along the South line of said Section 18 a distance of 70 rods;  
thence North 80 rods, more or less, to the North line of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 18;  
thence West 70 rods to the East line of the SW $\frac{1}{4}$  of said Section 18;  
thence South 80 rods, more or less, to the place of beginning.

**PARCEL 2:**

Commencing on the South line of Section 18, Township 1 South, Range 1 East of the Ute Meridian, at a point 70 rods East of the Southwest corner of the SE $\frac{1}{4}$  of said Section;  
thence North 80 rods to the North line of the S $\frac{1}{2}$  SE $\frac{1}{4}$  of said Section 18;  
thence East along said North line to the East line of said Section 18;  
thence South along said East line to the Southeast corner of said Section 18;  
thence West 70 along the South line of said Section 18 to the point of beginning.

**PARCEL 3:**

The E $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 18, Township 1 South, Range 1 East of the Ute Meridian.

**PARCEL 4:**

That part of the E $\frac{1}{2}$  E $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 18; and the W $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 18, Township 1 South, Range 1 East of the Ute Meridian lying South of the right of way of the Denver and Rio Grande Junction Railroad.

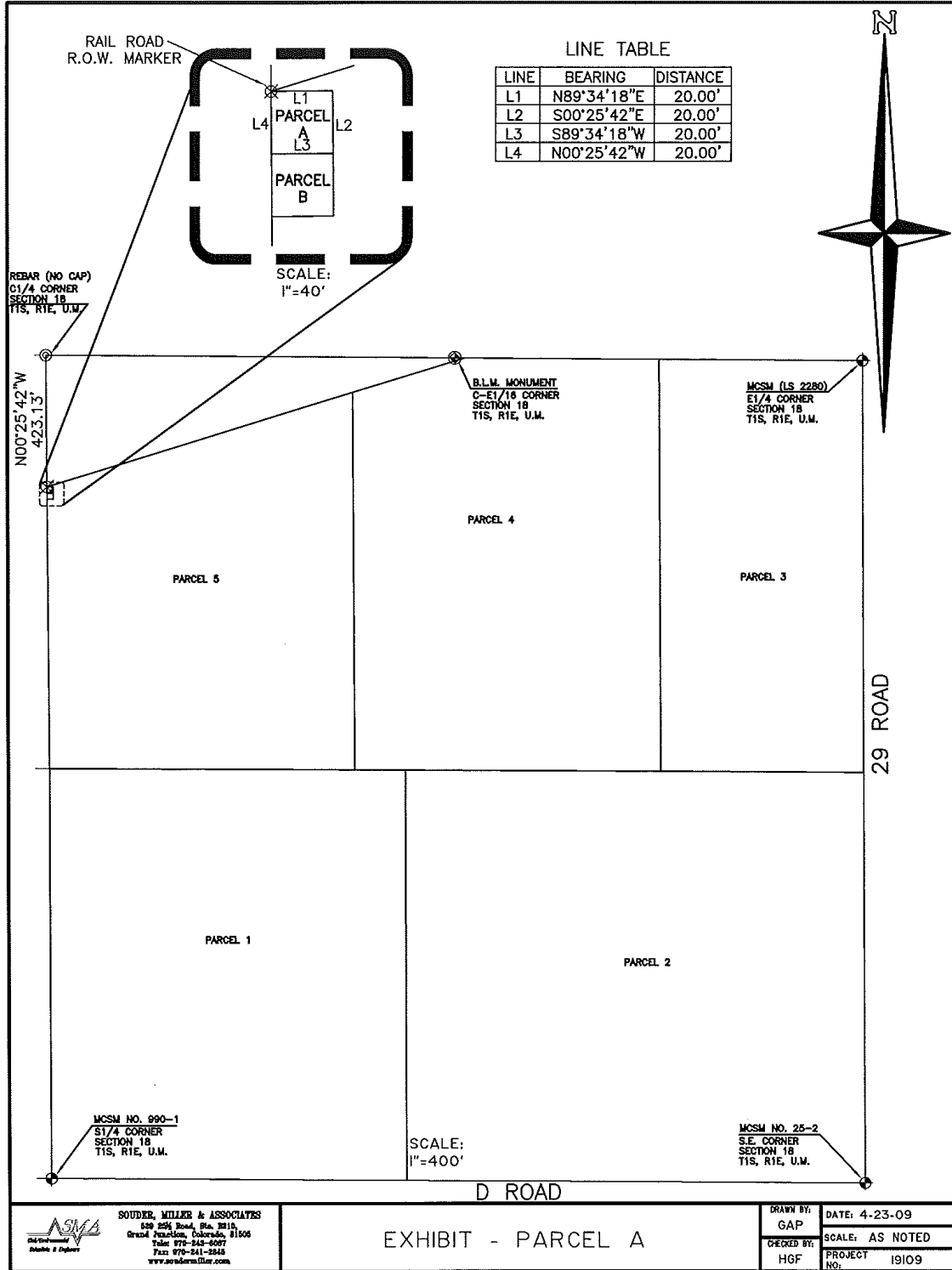
**PARCEL 5:**

That part of the W $\frac{1}{2}$  E $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 18; and the W $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 18, Township 1 South, Range 1 East of the Ute Meridian lying South of the right of way of the Denver and Rio Grande Junction Railroad.

Parcels 1 through 5 containing 151.82 acres, more or less.

All in Mesa County, Colorado.

# District No. 1 Initial District Boundary Map



**SOUDEK, MILLER & ASSOCIATES**  
 659 25th Road, Ste. 2010,  
 Grand Junction, Colorado, 81505  
 Tel: 970-243-0077  
 Fax: 970-241-2545  
 www.soudekml.com

**EXHIBIT - PARCEL A**

<b>DRAWN BY:</b> GAP	<b>DATE:</b> 4-23-09
<b>CHECKED BY:</b> HGF	<b>SCALE:</b> AS NOTED
	<b>PROJECT No:</b> 19109

EXHIBIT B

**District No. 2  
Initial District Boundaries**

PART OF THE NW ¼ OF THE SE ¼ OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 1 EAST, UTE MERIDIAN, MESA COUNTY, COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE C ¼ CORNER OF THE SAID SECTION 18;  
THENCE S00°25'42"E 443.13 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE N89°34'18"E 20.00 FEET; THENCE S00°25'42"E 20.00 FEET  
THENCE S89°34'18"W 20.00 FEET; THENCE N00°25'42"W 20.00 FEET  
TO THE POINT OF BEGINNING AND CONTAINING 400 SF MORE OR LESS.

### **Inclusion Area**

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN LYING SOUTH OF THE DENVER AND RIO GRANDE WESTERN RAILROAD HUMP YARD AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**PARCEL 1:**

Commencing at the Southeast corner of the SW $\frac{1}{4}$  of Section 18, Township 1 South, Range 1 East of the Ute Meridian;  
thence running East along the South line of said Section 18 a distance of 70 rods;  
thence North 80 rods, more or less, to the North line of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 18;  
thence West 70 rods to the East line of the SW $\frac{1}{4}$  of said Section 18;  
thence South 80 rods, more or less, to the place of beginning.

**PARCEL 2:**

Commencing on the South line of Section 18, Township 1 South, Range 1 East of the Ute Meridian, at a point 70 rods East of the Southwest corner of the SE $\frac{1}{4}$  of said Section;  
thence North 80 rods to the North line of the S $\frac{1}{2}$  SE $\frac{1}{4}$  of said Section 18;  
thence East along said North line to the East line of said Section 18;  
thence South along said East line to the Southeast corner of said Section 18;  
thence West 70 along the South line of said Section 18 to the point of beginning.

**PARCEL 3:**

The E $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 18, Township 1 South, Range 1 East of the Ute Meridian.

**PARCEL 4:**

That part of the E $\frac{1}{2}$  E $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 18; and the W $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 18, Township 1 South, Range 1 East of the Ute Meridian lying South of the right of way of the Denver and Rio Grande Junction Railroad.

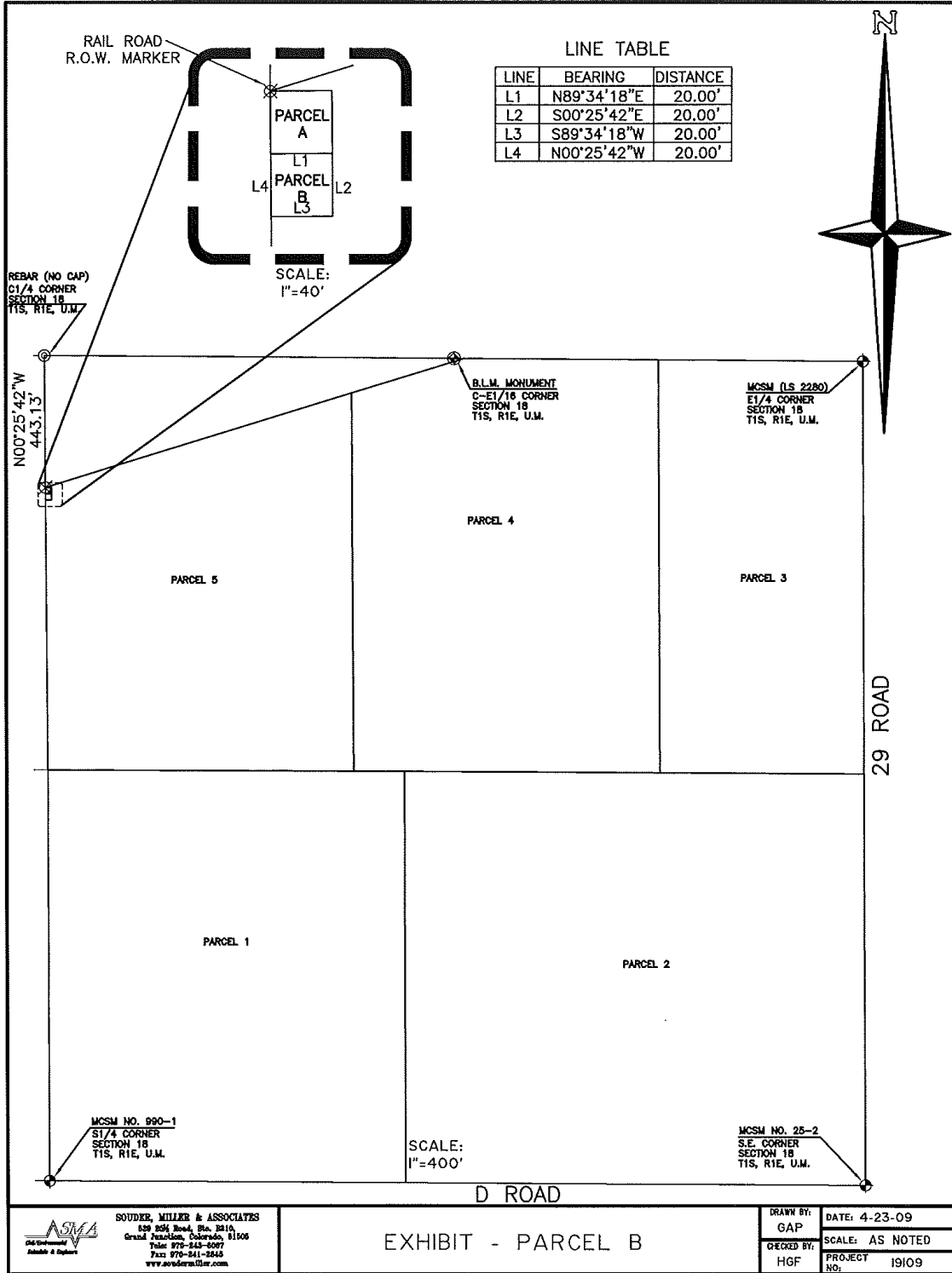
**PARCEL 5:**

That part of the W $\frac{1}{2}$  E $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 18; and the W $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 18, Township 1 South, Range 1 East of the Ute Meridian lying South of the right of way of the Denver and Rio Grande Junction Railroad.

Parcels 1 through 5 containing 151.82 acres, more or less.

All in Mesa County, Colorado.

# District No. 2 Initial District Boundary Map



**SM**  
Soudke, Miller & Associates  
639 25th Road, Ste. 2010  
Grand Junction, Colorado, 81505  
Phone: 970-243-0097  
Fax: 970-241-2845  
www.soudkemiller.com

EXHIBIT - PARCEL B

DRAWN BY:	DATE: 4-23-09
GAP	SCALE: AS NOTED
CHECKED BY:	PROJECT
HGF	No. 19109