

Grand Junction, Colorado

March 16, 1978

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular adjourned session on Wednesday, March 16, 1978, at 7:30 p.m. in Council Chambers at City Hall. Council members present: Larry Brown, Robert Holmes, Karl Johnson, Bill O'Dwyer, Jane Quimby, and President of the Council Lawrence Kozisek. Councilman Elvin Tufly was absent. Also present were City Attorney Gerald Ashby, City Manager Jim Wysocki, and City Clerk Neva Lockhart.

HEARING - CONDITIONAL USE - DRIVE-IN RESTAURANT, BURGER KING, SW CORNER OF FIRST STREET AND WHITE AVE

Senior Planner Del Beaver reviewed the proposal. The Planning Commission recommended approval subject to:

- (1) Widening driveway;
- (2) Power of attorney to pave the rest of the alley;
- (3) Parks & Recreation Department to assist with the landscaping;
- (4) Remove first to parking spaces; have parking spaces for the handicapped;
- (5) Protective covering for the lighting to protect neighbors.

Mr. Rick Welch, manager of Burger King, was present.

A hearing was held after proper notice. There was no one in the audience who indicated a desire to speak, and there were no letters filed.

A Resolution of Findings and Decision is scheduled on the April 5 City Council Agenda.

HEARING - CONDITIONAL USE, CHURCH PARKING, NORTHEAST CHRISTIAN CHURCH, 22ND STREET, WEST OF NORTHEAST CHRISTIAN CHURCH

Mr. Beaver outlined the area in question. The Planning Commission approved subject to the following conditions:

- (1) Screened fence erected to the north perimeter;
- (2) Parking to have set-back 15 feet from 22nd Street;
- (3) Graded and graveled at this time to drain toward the cul-de-sac;
- (4) Paving and striping to be done when they acquire the property;

(5) Chains when it is not used on 22nd Street, also chain the alley, and channelize the traffic.

Ed Chase, Northeast Christian Church, appeared before Council and stated they will lease it for a parking lot, and then ultimately they hope to purchase the lot if they are the successful bidder after an election of the people releasing the land for sale in April of 1979.

A hearing was held after proper notice. Mr. Chuck Wiman and Mr. Bill Buttolph, owners of the 23rd Street property to the south of this location, appeared and opposed the granting of the conditional use. Mr. Wiman stated that they were not in town when the Planning Commission held the hearing on this item. Mr. Buttolph stated he was required to deed 20 feet of his property to allow access into the alley by the trash trucks. He stated that the building on his property was so close to the lot line that no one can get up the stairways to the second story. He stated that he gave up the footage for the alley as he was told the adjoining lot had to remain as a City park. He requested the City return to him the 20 feet and the City use a portion of the Park land for access to the alley.

After discussion, it was moved by Councilman Brown and seconded by Councilman Johnson that this item be tabled until Staff has met with all parties to resolve the situation, and until such time as the lease agreement with Northeast Christian Church has been worked out. Motion carried with Councilman HOLMES voting NO.

HEARING - RESOLUTION - REVOCABLE PERMIT - ALLEY ENCROACHMENT FOR FIRE ESCAPE, FIRST BAPTIST CHURCH, 7TH STREET AND GRAND AVENUE

Mr. Beaver advised that this request is to give a secondary fire escape to the First Baptist Church. It will protrude into the alley 7 inches.

Mr. Clifford Britain, representative of the church, was present. A hearing was held after proper notice. There was no one in the audience who indicated a desire to speak, and no letters were filed.

The following Resolution was presented and read:

RESOLUTION

WHEREAS, The First Baptist Church has petitioned the City Council of the City of Grand Junction, Colorado, for a Revocable Permit to allow an encroachment of seven (7) inches into the right of way for purposes of an alternate fire escape; and

WHEREAS, such action has been heretofore approved by the City Planning Commission and City Engineer and would not be detrimental to the interest of the inhabitants of the City;

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 be, and he is hereby, authorized to grant such Revocable Permit to the above-named petitioner for the purpose above described upon the execution by the petitioner of any agreement to save and hold the City harmless from any claims arising out of the encroachment and use granted, and execution by the petitioner of an agreement that upon the revocation of such Permit, the petitioner will remove said encroachment at its own expense, restoring the right of way to its original condition.

PASSED and ADOPTED this 16th day of March, 1978.

President of the Council

Attest:

City Clerk

It was moved by Councilman Johnson and seconded by Councilman Brown that the Resolution be passed and adopted as read. Upon roll call all Council members present voted AYE. The President declared the motion carried and the Resolution duly passed and adopted.

HEARING - CONDITIONAL USE, NURSERY SCHOOL IN R-1-C ZONE, 2880 ELM AVENUE

Mr. Del Beaver outlined the area in question and stated that the Planning Commission approved subject to:

(1) Full power of attorney for full half-street improvements on Elm.

Mrs. Pat Knight, the petitioner, was present.

A hearing was held after proper notice. A letter from Becky Aalfs and Cheryl Lynn, Nisley Parent Safety Committee, was read in which they requested the traffic situation be considered. Mrs. Gene Ray, 1306 N. 23rd Street, owner of a day care center, appeared and discussed the traffic situation to and from Nisley School.

There were no others in the audience who indicated a desire to speak, and there were no letters filed.

It was moved by Councilman Brown and seconded by Councilman O'Dwyer that the conditional use for a nursery school at 2880 Elm Avenue be approved subject to the conditions of the Planning

Commission. Motion carried.

HEARING - FINAL DEVELOPMENT PLAN, PLANNED DEVELOPMENT BUSINESS, LA COQUILLE RESTAURANT, 1320 NORTH AVENUE, AND 1309 GLENWOOD

Mr. Beaver outlined the area in question. He stated that City Engineering would like to pull the building back 5 feet from the alley and extend the site lines, and they would like larger drive. They wanted to make sure that sidewalks on Glenwood are included and the trees changed.

Trash trucks should be made accessible to a front-end loading truck. The Planning Commission approves subject to the stipulations of the Staff with the exception of the site lines.

Mr. Fred Ramsey was present for the hearing.

A hearing was held after proper notice. There was no one in the audience who indicated a desire to speak, and no letters were filed.

It was moved by Councilman Johnson and seconded by Councilwoman Quimby that the Final Development Plan, Planned Development Business for La Coquille Restaurant, 1320 North Avenue and 1309 Glenwood Avenue, be approved subject to the conditions of the Planning Commission. Motion carried.

HEARING - REVISION TO PD-B PLAN, OFFICE COMPLEX, NW CORNER OF 10TH STREET AND BELFORD

Mr. Beaver reviewed the area in question. The revised PD-B is still for an office building. The building has been shifted slightly to provide for the building of a vault underneath the building. Planning Commission approves subject to:

- (1) Grass landscaping with trees on the Belford side;
- (2) Employee parking to the alley side;
- (3) Angled trash pickup.

Mr. Jerry Fossenier, representative of CBW Builders, was present and stated that, if the Council would permit, desert landscaping would be preferable to the owner of the complex. Councilman Brown stated that he supports desert landscaping that is well done, but not when three-quarters of a block is already in grass.

Mr. Fossenier said that it is not a big issue, however, it was incumbent upon the contractor as representative of the owner who wanted that statement made.

A hearing was held after proper notice. There was no one in the audience who indicated a desire to speak, and no letters were filed.

Mr. Beaver stated one other stipulation made by the Planning Commission was a five-foot sidewalk on 10th Street.

It was moved by Councilman Brown and seconded by Councilman O'Dwyer that the revision to PD-B for the office complex on the northwest corner of 19th Street and Belford Avenue be approved subject to the conditions of the Planning Commission and the Planning Staff. Motion carried.

HEARING 0 SIGN CODE AMENDMENT (SERVICE CLUB SIGNS), AN AMENDMENT TO SECTION 4, CHAPTER 32 OF THE GRAND JUNCTION CODE OF ORDINANCES BY ADDING PARAGRAPH 4.3.11 (EXEMPTIONS) - PROPOSED ORDINANCE

A hearing was held after proper notice. There was not one in the audience who indicated a desire to speak, and no letters were filed.

The following entitled proposed ordinance was introduced and read: AN ORDINANCE AMENDING THE SIGN CODE TO PERMIT CLUB SIGNS. It was moved by Councilman Johnson and seconded by Councilman Brown that the proposed ordinance be passed for publication. Motion carried.

HEARING - PRELIMINARY PLAN, REDWING SUB, R-2 TRANSITIONAL, 990 FEET EAST OF 29 ROAD ON F ROAD

Mr. Beaver outlined the area in question. The Planning Commission recommended approval subject to a cul-de-sac and a stub.

A hearing was held after proper notice. There was no one in the audience who indicated a desire to speak and no letters were filed.

It was moved by Councilman O'Dwyer and seconded by Councilman Brown that the Preliminary Plan for Redwing Subdivision be approved subject to the conditions of the Planning Commission. Motion carried.

HEARING - FINAL PLAT FRUITWOOD SUBDIVISION FILING NO. 8, R-2 TRANSITIONAL, NE OF 30 ROAD & D3/4 ROAD

Mr. Beaver reviewed the area in question. He stated there will be 16 lots in the subdivision. The Planning Commission recommended approval.

A hearing was held after proper notice. There was no one in the audience who indicated a desire to speak and no letters were filed.

It was moved by Councilman Johnson and seconded by Councilman Brown that the Final Plat for Fruitwood Subdivision Filing No. 8 be approved. Motion carried.

ORDINANCE NO. 1728 - REZONING FROM R-3 TO PD-B, 1309 GLENWOOD

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE AMENDING THE ZONING MAP, A PART OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, BY CHANGING THE ZONING ON CERTAIN LANDS WITHIN THE CITY. It was moved by Councilman Brown and seconded by Councilman Johnson that the Proof of Publication be accepted for filing. Motion carried.

It was moved by Councilman Brown and seconded by Councilwoman Quimby that the proposed ordinance be called up for final passage and read. Motion carried.

The Ordinance was read. There being no comments, it was moved by Councilman Brown and seconded by Councilman O'Dwyer that the Ordinance be passed, adopted, numbered 1728, and ordered published. Upon roll call all Council members present voted AYE. The President declared the motion carried.

ORDINANCE NO. 1729 - REZONING FROM R-3 TO PD-B, NE CORNER OF 11TH STREET AND BELFORD AVENUE

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE AMENDING THE ZONING MAP, A PART OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, BY CHANGING THE ZONING ON CERTAIN LANDS WITHIN THE CITY. It was moved by Councilman Johnson and seconded by Councilman Brown that the Proof of Publication be accepted for filing. Motion carried.

It was moved by Councilwoman Quimby and seconded by Councilman Brown that the proposed ordinance be called up for final passage and read. Motion carried.

The Ordinance was read. There being no comments, it was moved by Councilman O'Dwyer and seconded by Councilman Brown that the Ordinance be passed, adopted, numbered 1729, and ordered published. Upon roll call all Council members present voted AYE. The President declared the motion carried.

ORDINANCE NO. 1730 - REZONING FROM R-3 TO P, TRACT W OF 1250 PINYON

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE AMENDING THE ZONING MAP, A PART OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, BY CHANGING THE ZONING ON CERTAIN LANDS WITHIN THE CITY. It was moved by Councilman Brown and seconded by Councilman Johnson that the Proof of Publication be accepted for filing. Motion carried.

It was moved by Councilman O'Dwyer and seconded by Councilman Johnson that the proposed ordinance be called up for final passage and read. Motion carried.

The Ordinance was read. There being no comments, it was moved by Councilman Johnson and seconded by Councilwoman Quimby that the ordinance be passed, adopted, numbered 1730, and ordered published. Upon roll call all Council members present voted AYE. The President declared the motion carried.

ORDINANCE NO. 1731 - ZONING TEXT CHANGE ADDING 4.4 USE AS AN ALLOWED USE IN I-1 AND I-2

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE ADDING RETAIL BUSINESS USES WITHIN THE INDUSTRIALLY ZONED AREAS OF THE CITY. It was moved by Councilman Brown and seconded by Councilwoman Quimby that the Proof of Publication be accepted for filing. Motion carried.

It was moved by Councilman O'Dwyer and seconded by Councilman Brown that the proposed ordinance be called up for final passage and read. Motion carried.

The Ordinance was read. There being no comments, it was moved by Councilwoman Quimby and seconded by Councilman Brown that the Ordinance be passed, adopted, numbered 1731, and ordered published. Upon roll call all Council members present voted AYE. The President declared the motion carried.

PETITION FOR ANNEXATION - FALLS ANNEXATION, S SIDE OF PATTERSON ROAD, E OF MANTEY HEIGHTS WATER TANK - RESOLUTION OF INTENT TO ANNEX - PROPOSED ORDINANCE

The following Petition with 100% signatures was submitted for consideration:

PETITION FOR ANNEXATION

WE THE UNDERSIGNED do hereby petition the City Council of the City of Grand Junction, State of Colorado, to annex the following described property to the said City:

The Northeast Quarter of the Northwest Quarter of Section 7, Township 1 South, Range 1 East of the Ute Meridian except beginning 30 feet South of the Northwest Corner of said Northeast Quarter of the Northwest Quarter; thence South 350 feet; thence East 420 feet; thence North 350 feet; thence West to beginning, AND EXCEPT beginning 420 feet East and 30 feet South of the Northwest Corner of said Northeast Quarter of the Northwest Quarter; thence East 240 feet; thence South 370 feet; thence West 240 feet; thence North to beginning.

AND EXCEPT the North 30 feet of said Northeast quarter; Northwest quarter of Section 7.

As ground therefor, the petitioners respectfully state that annexation to the City of Grand Junction, Colorado, is both

necessary and desirable and that the said territory is eligible for annexation in that the provisions of the Municipal Annexation Act of 1965, Sections 3 and 4 have been met.

This petition is accompanied by four copies of a map or plat of the said territory, showing its boundary and its relation to established city limit lines, and said map is prepared upon a material suitable for filing.

Your petitioners further state that they are the owners of one hundred per cent of the area of such territory to be annexed, exclusive of streets and alleys; that the mailing address of each signer and the date of signature are set forth hereafter opposite the name of each signer, and that the legal description of the property owned by each signer of said petition is attached thereto.

WHEREFORE, these petitioners pray that this petition be accepted and that the said annexation be approved and accepted by ordinance.

<u>DATE</u> <u>SIGNATURE</u> <u>ADDRESS</u> <u>PROPERTY</u> <u>DESCRIPTION</u>			
2-15-78 Robert P. Gerlofs P. O. Box 2872 Grand Junction The Northeast Quarter of the Northwest Quarter of Section 7, Township 1 South, Range 1 East of the Ute Meridian except beginning 30 feet South of the Northwest Corner of said Northeast			

<p>Quarter of the Northwest Quarter; thence South 350 feet; thence East 420 feet; thence North 350 feet; thence West to beginning; AND EXCEPT beginning 420 feet East and 30 feet South of the Northwest Corner of said Northeast Quarter of the Northwest Quarter; thence East 240 feet; thence South 370 feet; thence West 240 feet; thence North to beginning.</p>			
<p>Except the North 30 feet of said Northeast quarter; Northwest quarter of Section 7.</p>			

STATE OF COLORADO)		
--------------------	--	--

)ss		
COUNTY OF MESA)		

AFFIDAVIT

Don Warner, of lawful age, being first duly sworn, upon oath, deposes and says:

That he is the circulator of the foregoing petition;

That each signature on the said petition is the signature of the person whose name it purports to be.

/s/ Don Warner

Subscribed and sworn to before me this 15th day of February, 1978.

Witness my hand and official seal.

/s/ Theresa F. Martinez

Notary Public

My Commission expires: June 13, 1979

The petition was accepted for filing. The following Resolution was presented and read:

RESOLUTION

WHEREAS, on the 16th day of March, 1978, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property, to wit:

The Northeast Quarter of the Northwest Quarter of Section 7, Township 1 South, Range 1 East of the Ute Meridian except beginning 30 feet South of the Northwest Corner of said Northeast Quarter of the Northwest Quarter; thence South 350 feet; thence East 420 feet; thence North 350 feet; thence West to beginning; AND EXCEPT beginning 420 feet East and 30 feet South of the Northwest Corner of said Northeast Quarter of the Northwest Quarter; thence East 240 feet; thence South 370 feet; thence West 240 feet; thence North to beginning; AND EXCEPT the North 30 feet of said Northeast Quarter; Northwest Quarter of Section 7, Mesa County, Colorado,

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, and that no election is required under the Municipal Annexation Act of 1965 as the owner of one hundred percent of the property has petitioned for annexation;

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

That the said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

PASSED and ADOPTED this 16th day of March, 1978.

President of the Council

Attest:

City Clerk

It was moved by Councilman Brown and seconded by Councilwoman Quimby that the Resolution be passed and adopted as read. Upon roll call all Council members present voted AYE. The President declared the motion carried and the Resolution duly passed and adopted.

The following entitled proposed ordinance was introduced and read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO. It was moved by Councilman Brown and seconded by Councilman Johnson that the proposed ordinance be passed for publication. Motion carried.

PETITION FOR ANNEXATION - AMERICAN FAMILY ANNEXATION, W SIDE OF HORIZON DRIVE BETWEEN G ROAD AND I-70 - RESOLUTION OF INTENT TO ANNEX AND GIVING NOTICE OF HEARING

Submitted for consideration was the petition to annex the American Family Annexation, west side of Horizon Drive between G Road and I-70. The petition was accepted for filing:

PETITION FOR ANNEXATION

WE THE UNDERSIGNED do hereby petition the City Council of the City of Grand Junction, State of Colorado, to annex the following

described property to the said City:

Beginning at the Southwest corner of Lot 1, Northside Park in Section 36, Township 1 North, Range 1 West of the Ute Meridian, thence Northeasterly along Westerly line said subdivision to the Northwest corner Lot 4 said subdivision thence North 15° 36' East 215.01 feet, thence North 53° 04' East 245.04 feet, thence North 32° 45' East 178.59 feet, thence North 32° 40' East to the Southwest corner of the Northwest one quarter of the Southeast one quarter of Section 36, Township 1 North, Range 1 West, thence North 26° 36' 07" East 737.69 feet, thence South 71.16 feet, thence South 62° 40' East 244.1 feet, thence South 27° 20' West 432 feet, thence Southwesterly along Northwesterly right of way line Horizon Drive to the Southeast corner of Lot 1, Northside Park, thence West along South line said Lot 1 to point of beginning.

Also Horizon Drive right of way on the East and G Road right of way on the South.

As ground therefor, the petitioners respectfully state that annexation to the City of Grand Junction, Colorado, is both necessary and desirable and that the said territory is eligible for annexation in that the provisions of the Municipal Annexation Act of 1965, Sections 3 and 4, have been met.

This petition is accompanied by four copies of a map or plat of the said territory, showing its boundary and its relation to established city limit lines, and said map is prepared upon a material suitable for filing.

Your petitioners further state that they are the owners of more than fifty per cent of the area of such territory to be annexed, exclusive of street and alleys' that the mailing address of each signer and the date of signature are set forth hereafter opposite the name of each signer, and that the legal description of the property owner by each signer of said petition is attached hereto.

WHEREFORE these petitioners pray that this petition be accepted and that the said annexation be approved and accepted by ordinance.

<u>DATE</u> <u>SIGNATURE</u> <u>ADDRESS</u> <u>PROPERTY</u> <u>DESCRIPTION</u>			

<p>3-1-78George Demos /s/ Neva B. Lockhart City Clerk Attorney In Fact250 N. 5th Grand JunctionLots 1 thru 4 Northside Subdivision.</p>			
<p>A.L. Partee and L. J. Partee c/o Chevron Oil Co.Beginning North 89° 57' 30" West 274 feet and north 0° 02' 30" East 389.3 feet from South one quarter corner Section 36, Township 1 North, Range 1 West, Ute Meridian, thence North 31° 32' 30" East 175 feet, thence North 58° 27' 30" West 344.95 feet, thence South 15° 36' West 189.18 feet, thence South 58° 27' 30" East to beginning. (2701-363-00- 092)</p>			
<p>2-5-78/s/ Harry Mahleres</p>			

<p>Horizon's Corplex725 Birdie Dr.Beginning North 89° 57' 30" West 275 feet and North 0° 02' 30" West 275 feet and North 0° 02' 30" East 389.3 feet and North 31° 32' 30" East 175 feet from the South one quarter corner Section 36, Township 1 North, Range 1 West Ute Meridian, thence North 31° 32' 30" East 431.33 feet, thence North 58° 27' 30" West 258.32 feet, thence South 32° 45' 48" West 178.59 feet, thence South 53° 04' West 245.04 feet, thence South 15° 36' West 25.82 feet, thence South 58° 27' 30" East 344.95 feet to beginning. (2701-363-00- 093)</p>			
<p>2-25-78/s/ ? Gillin's721 Horizon Dr.Beginning</p>			

<p>North 831.9 feet and North 31° 32' 30" East 80 feet from South one quarter corner Section 35, Township 1 North, Range 1 West, Ute Meridian, thence North 58° 27' 30" West 261.93 feet, thence North 32° 40' East 227.44 feet, thence South 58° 27' 30" East 257.47 feet, thence South 31° 32' 30" West 227.4 feet to beginning. (2701-364-00-087)</p>			
<p>A.L. Partee and L.J. Partee c/o Phillips Petroleum Co.Beginning at the Northwest corner Southwest one quarter Southeast one quarter Section 36, Township 1 North, Range 1 West Ute Meridian, thence North 89° 48' 30" East 293.1</p>			

<p>feet, thence South 31° 32' 30" West 259.99 feet, thence North 57° 27' 30" West 257.47 feet, thence North 32° 40' East to beginning. (2701-364-00- 095)</p>			
<p>A.L. Partee and L.J. ParteeBeginnin g at the Northwest corner Southwest one quarter Southeast one quarter Section 36, Township 1 North, Range 1 West, Ute Meridian, thence North 26° 36' 07" East 737.69 feet, thence South 0° 02' 30" West to Northwesterly right of way line Horizon Drive to a point which is North 89° 48' 30" East 293.1 feet from the point of beginning, thence South 89° 48' 30" West 293.1 feet to beginning.</p>			

(2701-364-00-096)			
T. and F. Investments and Village Land Company			
2-6-78/s/ Louise Forester737 Horizon Dr.			
2-8-78/s/ David A. Edwards737 Horizon Dr.Beginning North 31° 22' 30" East 70.6 feet and North 89° 48' 30" East 293.1 feet from the Northwest corner Southwest one quarter Southeast one quarter Section 36, Township 1 North, Range 1 West, Ute Meridian, thence North 0° 02' 30" East 133.5 feet, thence South 62° 40' East 63.7 feet, thence South 27° 20' West 82 feet, thence South 31° 22' 30" West 36.7			

feet to beginning. (2701-364-00- 080)			
2-6-78/s/ Louise Forester737 Horizon Dr.			
2-8-78/s/ David A. Edwards737 Horizon Dr.			
Old Homestead RealtyFrom Northwest corner Southwest one quarter Southeast one quarter, Section 36, Township 1 North, Range 1 West, Ute Meridian, thence North 27° 22' East 82 feet, thence North 31° 22' East 107.3 feet, thence North 89° 48' East 203.1???? feet for point of beginning, thence North 27° 20' East along highway 200 feet, thence North 62° 40' West at right angle to highway 166.8 feet to point			

<p>on East line of West one half Southwest one quarter Northwest one quarter Southeast one quarter Section 36, thence South 224.8 feet along said East line to a point which is North 62° 40' West of beginning, thence South 62° 40' East 73.7 feet to beginning. (2701-364-00- 032)</p>			
<p>Socony Mobil Oil Co., Inc.From Northwest corner Southwest one quarter Southeast one quarter Section 36, Township 1 North, Range 1 West, Ute Meridian, thence North 27° 20' East 282 feet, thence North 31° 22' East 107.3 feet, thence North 89° 48' East 293.1 feet for point of beginning, thence North</p>			

27° 20' East along highway 150 feet, thence North 62° 40' West at right angle to highway 244.1 feet to point on East line West one half Southwest one quarter Northwest one quarter Southeast one quarter Section 36, thence South along said East line 168.8 feet, thence South 62° 40' East 166.7 feet to beginning. (2701-364-00- 054)			
---	--	--	--

STATE OF COLORADO)		
) ss		
COUNTY OF MESA)		

AFFIDAVIT

Don Warner, of lawful age, being first duly sworn, upon oath,
deposes and says:

That he is the circulator of the foregoing petition;

That each signature on the said petition is the signature of the person whose name it purports to be.

/s/ Don Warner

Subscribed and sworn to before me this 9th day of March, 1978.

Witness my hand and official seal.

/s/ Theresa F. Martinez

Notary Public

My Commission expires: June 13, 1979

The Resolution of Intent to Annex and the Notice of Hearing was presented and read:

RESOLUTION

WHEREAS, a petition to annex to the City of Grand Junction certain lands, situate in Mesa County, Colorado, and described as follows:

Beginning at the Southwest Corner of Lot 1, Northside Park in Section 36, Township 1 North, Range 1 West of the Ute Meridian, thence northeasterly along the westerly line of said subdivision to the Northwest Corner of Lot 4 of said subdivision, thence North 15° 36' East 215.01 feet, thence North 53° 04' East 245.04 feet, thence North 32° 45' East 178.59 feet, thence North 32° 40' East to the Southwest Corner of the Northwest Quarter of the Southeast Quarter of Section 36, Township 1 North, Range 1 West, thence North 26° 36' 07" East 737.69 feet, thence South 71.16 feet, thence South 62° 40' East 244.1 feet, thence South 27° 20' West 432 feet, thence Southwesterly along Northwesterly right of way line of Horizon Drive to the Southeast Corner of Lot 1, Northside Park, thence West along the South line of said Lot 1 to the point of beginning; ALSO the Horizon Drive right of way on the East and the G Road right of way on the South,

has been submitted to the City Council of the City of Grand Junction; and

WHEREAS, said petition substantially complies with the requirements of 31-8-107, Colorado Revised Statutes, 1973, as amended;

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

That a hearing to determine whether or not the proposed annexation

complies with the provisions of Sections 104 and 105 of said 31-8 of the Colorado Revised Statutes, 1973, will be held on April 19, 1978, in the City Council Chambers at City Hall at 7:30 o'clock p.m. and that Notice of such hearing be given as required by law.

PASSED and ADOPTED this 16th day of March, 1978.

President of the Council

Attest:

City Clerk

NOTICE

NOTICE IS HEREBY GIVEN that at a regular adjourned meeting of the City Council of the City of Grand Junction, held on March 16, 1978, the following Resolution was adopted by the Council:

RESOLUTION

WHEREAS, a petition to annex to the City of Grand Junction certain lands, situate in Mesa County, Colorado, and described as follows:

Beginning at the Southwest Corner of Lot 1, Northside Park in Section 36, Township 1 North, Range 1 West of the Ute Meridian, thence northeasterly along the westerly line of said subdivision to the Northwest Corner of Lot 4 of said subdivision, thence North 15° 36' East 215.01 feet, thence North 53° 04' East 245.04 feet, thence North 32° 45' East 178.59 feet, thence North 32° 40' East to the Southwest Corner of the Northwest Quarter of the Southeast Quarter of Section 36, Township 1 North, Range 1 West, thence North 26° 36' 07" East 737.69 feet, thence South 71.16 feet, thence South 62° 40' East 244.1 feet, thence South 27° 20' West 432 feet, thence Southwesterly along Northwesterly right of way line of Horizon Drive to the Southeast Corner of Lot 1, Northside Park, thence West along the South line of said Lot 1 to the point of beginning; ALSO the Horizon Drive right of way on the East and the G Road right of way on the South,

has been submitted to the City Council of the City of Grand Junction; and

WHEREAS, said petition substantially complies with the requirements of 31-8-107, Colorado Revised Statutes, 1973, as amended;

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

That a hearing to determine whether or not the proposed annexation complies with the provisions of Sections 104 and 105 of said 31-8 of the Colorado Revised Statutes, 1973, will be held on April 19, 1978, in the City Council Chambers at City Hall at 7:30 o'clock p.m. and that Notice of such hearing be given as required by law.

NOTICE IS FURTHER GIVEN that, pursuant to said Resolution, a hearing will be held on said proposed annexation in the City Council Chambers of the City of Grand Junction at 7:30 o'clock p.m. on the 19th day of April, 1978, to determine that not less than 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 proposed to be annexed and the City; that the territory to be annexed is urban or will be urbanized in the near future; that the territory proposed to be annexed is integrated or is capable of being integrated with the City; whether land held in identical ownership has been divided without the consent of the owner; whether any land held in identical ownership exceeding twenty (20) acres where the land and buildings thereon exceeds an assessed value of two hundred thousand dollars (\$200,000.00) is included without the written consent of the owners; and whether the land is included within a petition for annexation to any other municipality.

City Clerk

It was moved by Councilman Johnson and seconded by Councilwoman Quimby that the Resolution be passed and adopted as read. Upon roll call all Council members present voted AYE. The President declared the motion carried and the Resolution duly passed and adopted.

RESOLUTION APPROVING A CONTRACT WITH THE STATE DEPARTMENT OF HIGHWAYS ON MAINTENANCE OF TRAFFIC CONTROL DEVICES

The following Resolution was presented and read:

RESOLUTION

APPROVING A CONTRACT FOR MAINTENANCE OF STATE OF COLORADO TRAFFIC CONTROL DEVICES.

WHEREAS, there has been presented to the City Council a "Contract for Operation and Maintenance of Traffic Control Devices: in which it is proposed that the City undertake maintenance of certain traffic control devices for the State of Colorado; and

WHEREAS, it is necessary to have Council approval of the agreement and that authorization be given for executing the agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF

GRAND JUNCTION:

That the "Contract for Operation and Maintenance of Traffic Control Devices" is hereby approved and the President of the Council is authorized to execute the same.

PASSED and ADOPTED this 16th day of March, 1978.

President of the Council

Attest:

City Clerk

It was moved by Councilman Johnson and seconded by Councilman O'Dwyer that the Resolution be passed and adopted as read. Upon roll call all Council members present voted AYE. The President declared the motion carried and the Resolution duly passed and adopted.

APPOINTMENT OF DONALD BRIAN MASSEY AS ASSISTANT MUNICIPAL JUDGE

Grand Junction Municipal Court Judge K. K. Summers submitted the name of Donald Brian Massey to be appointed as the Assistant Municipal Judge. It was moved by Councilwoman Quimby and seconded by Councilman Johnson that Donald Brian Massey be appointed Assistant Municipal Judge. Motion carried.

STATE HIGHWAY CONTRACT - TRAFFIC CONTROL DEVICE

City Manager Jim Wysocki discussed the present Contract with the State Highway Department regarding traffic control devices. He stated this Contract will be discussed prior to July 1 when we will enter into a new Budget year with the State Highway Department.

EXPAND CHARGE TO THE TASK FORCE COMMITTEE

Councilman Brown requested that Council give its blessing to the expanded charge of the Task Force Committee.

Councilman Holmes submitted the Committee has not accomplished that which it was originally charged to do, and he could see no point in condoning them to go beyond the charge.

Councilman Brown stated that initially this Task Force Committee was charged with blending City and County regulations together wherever possible to make one simple manual for all interested parties without any real thought to changing the guts. The Task Force Committee suggested that they be permitted to develop better

tools dealing with the process. The Planning Committee thought it was a good idea and approved it. Councilwoman Quimby elaborated on what the Task Force Committee felt it could accomplish.

Councilman Holmes submitted that not all on the Task Force Committee was in agreement to doing this.

Councilman Brown said that to his knowledge seven people on the Task Force Committee were unanimously in favor of this. He further stated that the Planning Committee voted five to one for this expanded charge, so from the twelve members of the two committees involved, eleven favored the expanded charge.

Councilman Holmes stated that of the seven members on the Task Force Committee, he does not believe there is the oneness of the concept as indicated.

Councilman Brown and Councilwoman Quimby both stated they were in attendance at the combined meeting and there was only one member of the Planning Committee who voted against the concept.

Councilman Holmes stated again that he has had input from one member of the Task Force Committee that he is not in agreement with the charge as indicated tonight.

It was moved by Councilman Brown and seconded by Councilman Johnson that the Council give its blessing to this expanded research effort by the Task Force Committee which will in turn come back to the Planning Commissions for hearings and to the County Commissioners and the City Council for hearings. Motion carried with Councilman HOLMES voting NO.

INDECENT EXPOSURE

Councilman Brown suggested an ordinance regarding indecent exposure that could be brought up at the next meeting of Council.

ADJOURNMENT

After 9 1/2 hours spent by the City Council to attend to the business of this Agenda on Wednesday evening and Thursday evening, it was moved by Councilman Brown and seconded by Councilman O'Dwyer that the meeting be adjourned. Motion carried.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk