

CITY OF GRAND JUNCTION, COLORADO MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL

August 15, 1988

In accordance with the Ordinances of the City of Grand Junction, Colorado, and special notice having been served on each member of Council, a special meeting was held August 15, 1988, at 7:00 p.m. at Two Rivers Plaza, 159 Main Street. Present were Council members LeRoy Kirkhart, R.T. Mantlo, Bill McCurry, Paul Nelson, Reford Theobald, and President of the Council John Bennett. Councilman O.F. Ragsdale was absent. Also present were City Attorney Dan Wilson and City Clerk Neva Lockhart.

The special meeting was called to give consideration to Resolution No. 31-88 granting a Revocable Permit to Coors of Grand Junction, Inc., a Colorado Corporation, to allow drinking of malt beverages on the public right-of-way in the VIP stands, 500 block of Rood Avenue, on Tuesday, August 16, 1988, from 9:00 a.m. to 6:00 p.m. during the Coors Bicycle Classic. The following Resolution was read:

RESOLUTION NO. 31-88

GRANTING A REVOCABLE PERMIT TO COORS OF GRAND JUNCTION, INC.

WHEREAS, Coors of Grand Junction, Inc., a Colorado Corporation, has petitioned the City Council of the City of Grand Junction, Colorado, for a Revocable Permit to utilize for a "V.I.P." tent in conjunction with the "Coors International Bicycle Classic" a portion of the Rood Avenue right-of-way described as follows:

Beginning at the northwest corner of Lot 4, Block 104 of the Original Plat of the City of Grand Junction;
thence North a distance of 20.0 feet;
thence East a distance of 125.0 feet;
thence South a distance of 20.0 feet to the northeast corner of Lot 12 of said Block 104;
thence West, along the north line of said Block 104, a distance of 125.0 feet to the Point of Beginning; and

WHEREAS, such action would not be detrimental to 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, is hereby directed to grant the attached Revocable Permit to the above-named petitioner for the purpose above described upon the execution by the petitioner of an agreement that petitioner will save and hold the City harmless from, and indemnify the City, it's officers, employees and agents, any claims, causes of action, destruction or devaluation of property, public or private, however

stated arising out of the encroachment or use granted, and that upon revocation of such permit, the petitioner will, within 24 hours of notice of revocation, remove any encroachments and, at its own expense, restore the right-of-way to its original condition.

PASSED and ADOPTED this 15th day of August, 1988.

/s/ John W. Bennett

President of the Council

Attest:

/s/ Neva B. Lockhart

City Clerk

REVOCABLE PERMIT

WHEREAS, Coors of Grand Junction, Inc., a Colorado Corporation, has petitioned the City Council of the City of Grand Junction, Colorado, for a Revocable Permit to utilize for a "V.I.P." tent in conjunction with the "Coors International Bicycle Classic" a portion of the Rood Avenue right-of-way described as follows:

Beginning at the northwest corner of Lot 4, Block 104 of the Original Plat of the City of Grand Junction;
thence North a distance of 20.0 feet;
thence East a distance of 125.0 feet;
thence South a distance of 20.0 feet to the northeast corner of Lot 12 of said Block 104;
thence West, along the north line of said Block 104, a distance of 125.0 feet to the Point of Beginning; and

WHEREAS, the City Council is of the opinion that such action would not be detrimental to the inhabitants thereof at this time and has directed the City Manager to issue a permit for such use;

NOW, THEREFORE, IN ACCORDANCE WITH THE ACTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

There is hereby granted to Coors of Grand Junction, Inc., a Revocable Permit to allow use of the property described above for the described purposes; provided, however, that said permit may be revoked by the City Council at its pleasure at any time; provided, further that the above-named petitioner by the use of the right-of-way as contemplated herein hereby agree to indemnify the City, its officers, agents and employees and to hold it, its officers, agents and employees harmless from any and all claims, damages, actions costs and expenses of every kind in any manner arising out of, or resulting from the permitted use in the right-of-way for Rood Avenue; and further provided that said petitioner hereby agrees that within 24 hours of notice of the revocation of such

permit, it will, at its sole expense, remove any encroachments and restore the right-of-way to its original condition.

DATED this _____ day of _____, 1988.

Mark K. Achen, City Manager

Attest:

Neva B. Lockhart, City Clerk

ACCEPTANCE:

Coors of Grand Junction, Inc., a Colorado Corporation

By:

Guy D. Cherp, President

Secretary

AGREEMENT

Coors of Grand Junction, Inc., a Colorado Corporation, for itself, its successors and assigns, does hereby agree that it will abide by each and every condition contained in the foregoing permit and that it will indemnify the City of Grand Junction, its officers, employees and agents and hold it, its officers, employees and agents harmless from all claims, causes of action, destruction or devaluation of property, public or private, as recited in said permit; and further, upon revocation of the permit, it agrees to within 24 hours notice of revocation, remove any encroachments and restore the right-of-way to its original condition, all at its own expense.

DATED at Grand Junction, Colorado, this _____ day of _____, 1988.

Coors of Grand Junction, Inc., a Colorado Corporation

By:

Guy D. Cherp, President

Secretary

STATE OF COLORADO)	
)	SS:
COUNTY OF MESA)	

The foregoing Agreement was acknowledged before me this _____ day of _____, 1988, by Guy D. Cherp, President, and _____, of Coors of Grand Junction, Inc., a Colorado Corporation.

Witness my hand and official seal.

My Commission expires: _____

Notary Public

It was moved by Councilman Nelson and seconded by Councilman McCurry that the Resolution be passed and adopted as read. Roll was called on the motion with the following result:

Councilmembers voting AYE: MANTLO, MCCURRY, NELSON, THEOBOLD

Councilmembers voting NO: KIRKHART, BENNETT

A majority having voted in favor of the motion, the President declared the motion carried.

Councilman Mantlo stated that the representative from Coors of Grand Junction, Inc., should plan next year to get his request before Council at a such earlier date; otherwise, he would very seriously consider voting to deny the request. Councilmembers McCurry, Kirkhart and Bennett concurred.

ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk