

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

FEBRUARY 19, 1992

The City Council of the City of Grand Junction, Colorado, convened in regular session the 19th day of February, 1992, at 7:30 p.m. in the City/County Auditorium at City Hall. Those present were Jim Baughman, John Bennett, Bill McCurry, Paul Nelson, Reford Theobald, and President of the Council Conner Shepherd. Councilman Bill Bessinger was absent. Also present were City Manager Mark Achen, City Attorney Dan Wilson, and City Clerk Neva Lockhart.

Council President Shepherd called the meeting to order and Councilman Nelson led in the Pledge of Allegiance. The audience remained standing during the invocation by Pastor Andrew Gebbie, St. Mary's Hospice Chaplain.

PROCLAMATIONS/RECOGNITIONS

PRESENTATION OF APPRECIATION PLAQUE TO ROLLIN K. WILSON FOR HIS MORE THAN TWO YEARS OF SERVICE ON THE CONTRACTORS' LICENSING BOARD

PROCLAMATION DECLARING SUNDAY, MARCH 1, 1992, AS "NATIONAL WEATHER SERVICE DAY" IN THE CITY OF GRAND JUNCTION

CITIZEN PARTICIPATION - MR. JOHN HART DISCUSSES CITY'S PURCHASING PRACTICES

Mr. John Hart, 1321 and 1305 N. 4th Street, co-owner of ACS Computer in Grand Junction, and the sole proprietor of Print Masters, another Grand Junction store, was concerned about the City's purchasing practices. He stated the City's Print Shop is in direct competition with local area printers, and subsidizing outlying counties with printed matter at below cost, below commercial cost and below the City's actual cost, thereby forcing the City of Grand Junction taxpayer to actually subsidize counties such as Delta for printed matter which is easily available through any local print shop. Mr. Hart felt that Purchasing in the City of Grand Junction is either totally incompetent, or totally arrogant and prejudicial in their practices.

Mr. Hart also stated that the recently purchased lap-top computers for the City Council members were not bid out to local vendors at all. They were arbitrarily purchased by whoever did the purchasing from whomever they thought they ought to buy them from. All local computer dealers are taxpayers in the City. The least they ought to be afforded is the opportunity to bid on their own tax dollars being spent.

Mr. Hart stated that the Fire Department purchases on its own. It recently purchased a Novel Network, had it installed, did not send the bid out to any local vendor to bid the job. The local Fire Department, again, just installed a Computer File Server. No local

vendors, to Mr. Hart's knowledge, were ever invited to bid. All the various departments just go out on their own and do their own purchasing. He felt the City does not need a purchasing department.

He insisted that the Purchasing Department make all purchases, bids, proposals for purchases, and send them out to all the local vendors. He felt that no company not chartered in the State of Colorado, should even be allowed to bid. He noted that it is legal. Wyoming and many other states follow such procedure. He also stated that it precludes mail order companies who do not pay local taxes, yet they take our tax dollars and do not turn it over locally. He felt local vendors are cheaper and they offer local support.

John Hart, the younger, stated that the Fire Department recently purchased systems for each of the Fire Stations. They were purchased through Gateway 2000, which is in Iowa. He did not receive an opportunity to bid, neither did other local computer companies.

Mr. Hart stated that he has tried many times to talk with the City's Purchasing Agent to get on the City's bid list, to no avail.

As the City Purchasing Agent was not present at this meeting, City Manager Mark Achen stated that he believed that most of the City's computer equipment is purchased from State Bid which means all the firms in Colorado and out of State have authority to bid on a State Contract. The state contract allows the City to purchase from that Contract without having to go through an additional bidding process. Mr. Hart rebutted by stating that the City is spending his tax dollars and does not give him an allowance to bid on it just because there is a State Contract. Mr. Achen stated that the rationale is that local vendors have the opportunity to bid on the State Contract. Mr. Hart felt that is illegal, immoral, and poor business practice. He only asks for an opportunity to bid. He stated that if his price is too high, by all means go out of State for a bid. The City should be spending tax dollars wherever it can get the best deal, not just because it is convenient to go down a list on a State contract. He felt that every local vendor should have that opportunity.

Mr. Hart was recently told that the City Purchasing Department sent out 20 jobs to bid to justify its existence. Mr. Hart has tried three times to get on the City's bid list for printing. He has personally visited the Purchasing Department and filled out the appropriate papers twice, and most recently sent a letter directly to Mark Smith, Purchasing Agent. Six months has lapsed and he still has not received a bid. He stated that the Grand Junction Print Shop, which is supported by Grand Junction taxpayers, is out soliciting and providing work to outlying counties at prices below cost. That means every taxpayer in the City of Grand Junction is subsidizing the County of Delta for

their business cards. Delta purchases business cards from the City of Grand Junction for \$3.00/K. Mr. Hart has been in the printing business for a number of years and assured Council that the paper nor the ink can be purchased for \$3.00, much less a plate, or any of the labor that is involved. Mr. Hart stated that if, in fact, a print shop is needed in the City of Grand Junction, then it is questionable why it would be out soliciting work from outlying counties. And if so, it ought to be doing it with a profit in mind, or at least turning a small profit for the taxpayers that support it.

Mr. Hart expected that the City Council and the Purchasing Department will work on both items that he has mentioned, and as the individual departments continue to do their own purchasing, then he felt the City does not need a Purchasing Department, just authorize every department to do its own purchasing, and Council can set the ground rules. He would hope that they would be fair and equitable for the local vendors.

Mr. Hart requested that City Council direct the City Manager to investigate these allegations. He would appreciate a response within two weeks.

CITIZEN PARTICIPATION - MILDRED WILKENS ON DISCUSSES ANNEXATIONS

Mrs. Mildred Wilkenson, 236 Red Mesa Heights, stated that she would like to know ahead of time if her area is going to be annexed. Councilman Theobald assured Mrs. Wilkenson that all property owners are notified prior to hearings regarding annexations to the City. Mrs. Wilkenson believed that the people should know about a prospective annexation before it gets on the drawing board.

* * * CONSENT CALENDER * * *

Upon motion by Councilman Theobald, seconded by Councilman McCurry and carried, the following consent items 1 through 3 were approved subject to:

1. The minutes of the Regular Meeting February 5, 1992, were corrected as follows: Councilman Baughman amended the minutes to reflect the following: Under ORDINANCE NO. 2562 - AMENDING CHAPTER 14, ARTICLE II, CODE OF ORDINANCES, JUNK, RUBBISH AND WEEDS, the portion that Mr. Baughman had proposed to add as a section F to Section 14-25, the words "AT LEAST" should be deleted from his addition to read . . . "TWO PROPERTY OWNERS IF AT LEAST ONE OF THE TWO IS AN ADJACENT PROPERTY OWNER, . . . "
2. Award Contract for two (2) 3/4-ton, 4WD extended cab utility trucks - Hellman Motors, Delta, \$41,378.00
3. Approval by Council of an expenditure of \$37,000 from the Water Fund. The expenditure would provide funding to replace the 24" steel water transmission line across the Haller property located

south of 9th Street between the Colorado River and Struthers Avenue.

NORTH MEADOW ANNEXATION - RESOLUTION NO. 16-92 - PROPOSED ORDINANCE

North Meadow is a 16-lot, single-family subdivision located at the southeast corner of 29 and F-1/2 Roads. Twelve of the 16 lot owners have signed a petition for annexation. North Meadow Subdivision is located between Darla Jean and Karen Lee Subdivisions, both of which have existing powers of attorney for annexation. Total size of the proposed annexation is approximately 4.3 acres.

City Planner Karl Metzner reviewed this item. The petition has been signed by more than 50% of the property described, and by more than 50% of the owners in the area described. The area as shown on the map has at least one-sixth contiguity with existing city limits. This is not a serial annexation. A community of interest exists between the area to be annexed and the City of Grand Junction since the Central Grand Valley is essentially a single demographic and economic unit and the occupants of the area can be expected to use the streets, parks and other urban facilities. The area is urban or will be urbanized in the near future. The area is capable of being integrated with the City of Grand Junction since the City has the facilities and resources necessary to provide urban services. No land held in identical ownership is being divided without written consent, unless subdivision is by a dedicated road. No land in identical ownership comprising 20 acres or more with a valuation of \$200,000 or more is included without the owner's consent.

Mr. Dan Rosenthal, 2906 North Court, Secretary/Treasurer of the North Meadows Homeowners Association, was present and spoke in favor of the annexation.

Mr. Todd Thrower, 2901 F-1/2 Road, spoke in opposition to the annexation as he saw no advantage in being part of the City. Council stated situations and advantages to being annexed.

There were no other opponents, letters or counterpetitions.

Upon motion by Councilman Nelson, seconded by Councilman McCurry and carried by roll call vote, Resolution No. 16-92 (see next page) was passed and adopted, and the proposed ordinance was passed for publication.

RESOLUTION NO. 16-92

WHEREAS, on the 8th day of January, 1992, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

Beginning at the SE Corner Section 6 T1S R1E, thence North to the NW Corner SW 1/4 Section 5 T1S R1E, thence East to the East Line extended of North Meadow Subdivision, thence west to southwesterly corner Lot 9 North Meadows Subdivision, thence North to a point 30 ft South of the North line of the SW 1/4 Section 5 T1S R1E, thence West to a point 1 ft East of the West line said section 5, thence South to the South line said Section 5, thence West to the point of beginning.

WHEREAS, a hearing on the petition was duly held after proper notice on the 19th day of February, 1992; and

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; that no land held in single ownership comprising more than twenty acres, which has an assessed value in excess of two hundred thousand dollars, is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

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

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 19th day of February, 1992.

Attest:

President of the Council

City Clerk

PROPOSED ORDINANCE - VACATION OF A PORTION OF FAITH STREET AS A PART OF THE REPLAT OF INDEPENDENCE CENTER SUBDIVISION (SITE OF THE SAM'S CLUB STORE)

This right-of-way vacation is requested as a part of the replat of Independence Center Subdivision and will include the portion of Faith Street that extended in an easterly direction off of the cul-de-sac at the north end of Faith Street.

City Planner Karl Metzner reviewed this item.

Mr. Richard Mason with Western Engineers, was present representing the applicant. There were no opponents, letters or counterpetitions.

Upon motion by Councilman Baughman, seconded by Councilman Nelson and carried, the proposed ordinance was passed for publication.

RESOLUTION NO. 17-92 ACCEPTING PETITION FOR THE ANNEXATION OF LANDS TO THE CITY, AND SETTING A HEARING ON SUCH ANNEXATION (RIDGES MAJORITY ANNEXATION)

The Ridges Majority Annexation encompasses the Ridges Metro District and 15 other properties extending generally south and west of the Ridges to a point southeast of the Tiara Rado golf course. The total area proposed for annexation is approximately three square miles. a small portion of the area comprising four parcels, extends northeast from the Ridges and connects to the existing City limits at the Brach's Market area.

City Planner Karl Metzner reviewed this item. The petition has been signed by owners of more than 50% of the property described, and by more than 50% of the owners in the area described. The area as shown on the map has at least one-sixth contiguity with existing City limits and this contiguity is established serially. A community of interest exists between the area to be annexed and the City of Grand Junction since the Central Grand Valley is essentially a single demographic and economic unit, and occupants or future occupants of the area can be expected to use City streets, parks, and other urban facilities. The area is urban or will be urbanized in the future. A portion of it is currently at urban densities. The rest of it is expected to become urbanized. The area is capable of being integrated with the City of Grand Junction since the City has the facilities and resources necessary to provide urban services to the area. No land held in identical ownership is being divided without written consent, unless the division is by a dedicated roadway. No land in identical ownership comprising 20 acres or more with a valuation of \$200,000 or more is included without the owner's consent.

Upon motion by Councilman Theobold, seconded by Councilman McCurry and carried by roll call vote with Councilman BAUGHMAN voting NO, Resolution No. 17-92 (see next page) accepting the petition of annexation was passed and adopted.

RESOLUTION NO. 20-92 AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE PLAN AND AGREEMENT WITH THE RIDGES METROPOLITAN DISTRICT

City Attorney Dan Wilson stated that said amendment modifies the Plan and Agreement with the Ridges Metropolitan District only by correcting the legal description.

Upon motion by Councilman Theobold, seconded by Councilman McCurry

and carried by roll call vote, Resolution No. 20-92 (see next page) was passed and adopted.

CITY-WIDE CURBSIDE RECYCLING PROGRAM TO BE IMPLEMENTED OVER TWO YEARS-PROPOSED ORDINANCE - REFERRED TO AN UPCOMING COUNCIL WORKSHOP FOR FURTHER CONSIDERATION

In order to implement a City-wide curbside recycling program (previously discussed with the City Council on February 3, 1992), Chapter 14 of the Code of Ordinances' needs to be amended to allow for recycling activities to establish authority for same, and to set the rate of \$1.50 per household per month for this activity. Changes are, recycling would be performed by the City or its independent contractor. Also, to allow the Sanitation Superintendent to establish requirements for recycling containers.

City Utilities Director Greg Trainor, representing the Public Works Department, discussed this item. A public forum was held on February 13, 1992, with approximately 100 people in attendance. He felt that approximately one half of the citizens were concerned about the fee, how it was going to be charged, how it was going to be paid for. Some people didn't feel they should be charged at all. Others felt they could not afford to pay the \$1.50 even though they might want to pay. He stated that the Sanitation Department received 53 phone calls prior to the forum. Twenty-five of those calls were in favor, while 26 were against the City's proposed recycling program. Of those calls opposing the program, 17 were senior citizens presently on the current Senior Citizen discount for trash and water. Nine letters were received, seven opposing, two in favor, plus several walk-ins.

Mr. Steve Foss, 104 Canary Court, initiator of the pilot recycling program, felt there is a general support for the program, but with the misconception that the money from recyclables makes for lots of dollars, and that whatever is done in recycling should be funded from the dollars received from turning the recyclables in. That is a misconception. The present proposal involves having every one in Grand Junction help with the process of taking certain responsibility for not only the disposal of the City's trash, but with the proper disposal of trash.

RESOLUTION NO. 17-92

ACCEPTING A PETITION FOR THE ANNEXATION OF LANDS TO THE CITY OF GRAND JUNCTION, COLORADO AND SETTING A HEARING ON SUCH ANNEXATION RIDGES ANNEXATION, WHICH SHALL BE ACCOMPLISHED IN A SERIES APPROXIMATELY THREE SQUARE MILES LOCATED SOUTH AND WEST OF THE RIDGES TO A POINT SOUTHEAST OF TIARA RADO GOLF COURSE, NORTHEAST FROM THE RIDGES TO EXISTING CITY LIMITS AT BRACH'S MARKET AREA

WHEREAS, on the 19th day of February, 1992, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

RIDGES #1

A TRACT OF LAND BEGINNING AT THE EAST 1/4 CORNER OF SECTION 20, T1S, R1W OF THE UTE MERIDIAN; THENCE WEST ALONG THE NORTH LINE OF THE SE 1/4 OF SAID SECTION 20 A DISTANCE OF 1.0 FT. TO A POINT; THENCE SOUTH PARALLEL WITH THE EAST LINE OF THE SE 1/4 OF SAID SECTION 20 A DISTANCE OF 2400.0 FT. TO A POINT; THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 20 A DISTANCE OF 4599.0 FT. TO A POINT; THENCE SOUTH PARALLEL WITH THE WEST LINE OF THE SW 1/4 OF SAID SECTION 20 A DISTANCE OF 1.00 FT. TO A POINT; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 20 A DISTANCE OF 4599.0 FT. TO A POINT; THENCE SOUTH PARALLEL WITH THE EAST LINE OF THE SE 1/4 OF SAID SECTION 20 A DISTANCE OF 184.42 FT. TO A POINT ON THE SOUTH LINE OF THE SE 1/4 OF SAID SECTION 20; THENCE EAST ALONG THE SOUTH LINE OF THE SE 1/4 OF SAID SECTION 20 A DISTANCE OF 1.00 FT. TO THE SE CORNER OF SAID SECTION 20; THENCE NORTH ALONG THE EAST LINE OF THE SE 1/4 OF SAID SECTION 20 A DISTANCE OF 2585.42 FT. TO THE POINT OF BEGINNING.

TOTAL PERIMETER 14,370.85 FEET
CONTIGUOUS PERIMETER 2,585.42 FEET
AREA IN SQ./FT. 7,184.42
AREA IN ACRES 0.165

RIDGES #2

A TRACT OF LAND BEGINNING AT THE EAST 1/4 CORNER OF SECTION 20, T1S, R1W OF THE UTE MERIDIAN; THENCE WEST ALONG THE NORTH LINE OF THE SE 1/4 OF SAID SECTION 20 A DISTANCE OF 1.0 FT. TO THE TRUE POINT OF BEGINNING; THENCE WEST ALONG THE NORTH LINE OF THE SE 1/4 OF THE SAID SECTION 20 A DISTANCE OF 1.0 FT. TO A POINT; THENCE SOUTH PARALLEL WITH THE EAST LINE OF THE SE 1/4 OF SAID SECTION 20 A DISTANCE OF 2399.0 FT. TO A POINT; THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 20 A DISTANCE OF 4797.0 FT. TO A POINT; THENCE NORTH PARALLEL WITH THE WEST LINE OF THE SW 1/4 OF SAID SECTION 20 A DISTANCE OF 1998.0 FT. TO A POINT; THENCE EAST PARALLEL WITH THE NORTH LINE OF THE SOUTH 1/2 OF SAID SECTION 20 A DISTANCE OF 4399.0 FT. TO A POINT; THENCE NORTH PARALLEL WITH THE EAST LINE OF THE SE 1/4 OF SAID SECTION 20 A DISTANCE OF 1.0 FT. TO A POINT; THENCE WEST PARALLEL WITH THE NORTH LINE OF THE SOUTH 1/2 OF SAID SECTION 20 A DISTANCE OF 4400.0 FT. TO A POINT; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SW 1/4 OF SAID SECTION 20 A DISTANCE OF 2000.0 FT. TO A POINT; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 20 A DISTANCE OF 4799.0 FT. TO A POINT; THENCE NORTH PARALLEL WITH THE EAST LINE OF THE SE 1/4 OF SAID SECTION 20 A DISTANCE OF 2400 FT. TO THE TRUE POINT OF BEGINNING; AND, ALSO . . .

A TRACT OF LAND COMMENCING AT THE SE CORNER OF SECTION 20, T1S, R1W OF THE UTE MERIDIAN; THENCE WEST ALONG THE SOUTH LINE OF THE SE 1/4 OF SAID SECTION 20 A DISTANCE OF 1.0 FT. TO THE TRUE POINT OF BEGINNING; THENCE NORTH PARALLEL WITH THE EAST LINE OF THE SE 1/4 OF SAID SECTION 20 A DISTANCE OF 184.42 FT. TO A POINT; THENCE

WEST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 20 A DISTANCE OF 4599.0 FT. TO A POINT; THENCE NORTH PARALLEL WITH THE WEST LINE OF THE SW 1/4 OF SAID SECTION 20 A DISTANCE OF 1.0 FT. TO A POINT; THENCE WEST PARALLEL WITH THE SOUTH LINE OF THE SW 1/4 OF SAID SECTION 20 A DISTANCE OF 1.0 FT; THENCE SOUTH PARALLEL WITH WEST LINE OF THE SW 1/4 OF SAID SECTION 20 A DISTANCE OF 1.0 FT; THENCE WEST PARALLEL WITH THE SOUTH LINE OF THE SW 1/4 OF SAID SECTION 20 A DISTANCE OF 398.0 FT. TO A POINT; THENCE NORTH PARALLEL WITH THE WEST LINE OF THE SW 1/4 OF SAID SECTION 20 A DISTANCE OF 2098.0 FT. TO A POINT; THENCE EAST PARALLEL WITH THE NORTH LINE OF THE SOUTH 1/2 OF SAID SECTION 20 A DISTANCE OF 4799.0 FT. TO A POINT; THENCE NORTH PARALLEL WITH THE EAST LINE OF THE SE 1/4 OF SAID SECTION 20 A DISTANCE OF 1.0 FT. TO A POINT; THENCE WEST PARALLEL WITH THE NORTH LINE OF THE SOUTH 1/2 OF SAID SECTION 20 A DISTANCE OF 4800.0 FT. TO A POINT; THENCE SOUTH PARALLEL WITH THE WEST LINE OF THE SW 1/4 OF SAID SECTION 20 A DISTANCE OF 2100.0 FT. TO A POINT; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 20 A DISTANCE OF 4998.0 FT. TO A POINT; THENCE SOUTH PARALLEL WITH THE EAST LINE OF THE SE 1/4 OF SAID SECTION 20 A DISTANCE OF 183.42 FT. TO A POINT ON THE SOUTH LINE OF SAID SECTION 20; THENCE EAST ALONG THE SOUTH LINE OF SAID SECTION 20 A DISTANCE OF 1.0 FT. TO THE TRUE POINT OF BEGINNING.

TOTAL PERIMETER 51,356.85 FEET
CONTIGUOUS PERIMETER 11,783.43 FEET
AREA IN SQ.FT. 25,677.43
AREA IN ACRES 0.59

RIDGES #3

A TRACT OF LAND IN SECTIONS 16,17,18,19,20,21,29 AND 30, T1S, R1W, OF THE UTE MERIDIAN AND SECTIONS 26,34 AND 35 T11S, R101W, OF THE 6TH PRINCIPAL MERIDIAN BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE E 1/4 CORNER OF SECTION 20, T1S, R1W OF THE UTE MERIDIAN; THENCE WEST ALONG THE NORTH LINE OF THE SE 1/4 OF SAID SECTION 20 A DISTANCE OF 2.0 FT. TO A POINT; THENCE SOUTH PARALLEL WITH THE EAST LINE OF THE SE 1/4 OF SAID SECTION 20 A DISTANCE OF 2399.0 FT. TO A POINT; THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 20 A DISTANCE OF 4797.0 FT. TO A POINT; THENCE NORTH PARALLEL WITH THE WEST LINE OF THE SW 1/4 OF SAID SECTION 20 DISTANCE OF 1998.0 FT. TO A POINT; THENCE EAST PARALLEL WITH THE NORTH LINE OF THE SOUTH 1/2 OF SAID SECTION 20 A DISTANCE OF 4399.0 FT. TO A POINT; THENCE NORTH PARALLEL WITH THE EAST LINE OF THE SE 1/4 OF SAID SECTION 20 A DISTANCE OF 1.0 FT. TO A POINT; THENCE WEST PARALLEL WITH THE NORTH LINE OF THE SOUTH 1/2 OF SAID SECTION 20 A DISTANCE OF 4400.00 FT. TO A POINT; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SW 1/4 OF SAID SECTION 20 A DISTANCE OF 2000.0 FT. TO A POINT; THENCE EAST PARALLEL WITH THE SOUTH LINE OF THE SW 1/4 OF SAID SECTION 20 A DISTANCE OF 199.0 FT. TO A POINT; THENCE SOUTH PARALLEL WITH THE WEST LINE OF THE SW 1/4 OF SAID SECTION 20 A DISTANCE OF 1.0 FT. TO A POINT; THENCE WEST PARALLEL WITH THE SOUTH LINE OF THE SW 1/4 OF SAID SECTION 20 A DISTANCE OF 398.0 FT. TO A POINT; THENCE NORTH PARALLEL WITH THE

WEST LINE OF THE SW 1/4 OF SAID SECTION 20 A DISTANCE OF 2098.0 FT. TO A POINT; THENCE EAST PARALLEL WITH THE NORTH LINE OF THE SOUTH 1/2 OF SAID SECTION 20 A DISTANCE OF 4799.0 FT. TO A POINT; THENCE NORTH PARALLEL WITH THE EAST LINE OF THE SE 1/4 OF SAID SECTION 20 A DISTANCE OF 1.00 FT. TO A POINT; THENCE WEST PARALLEL WITH THE NORTH LINE OF THE SOUTH 1/2 OF SAID SECTION 20 A DISTANCE OF 4800.0 FT. TO A POINT; THENCE SOUTH PARALLEL WITH THE WEST LINE OF THE SW 1/4 OF SAID SECTION 20 A DISTANCE OF 2100.0 FT. TO A POINT; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 20 A DISTANCE OF 4998.0 FT. TO A POINT; THENCE SOUTH PARALLEL WITH THE EAST LINE OF THE SE 1/4 OF SAID SECTION 20 A DISTANCE OF 183.42 FT. TO A POINT ON THE SOUTH LINE OF THE SE 1/4 OF SAID SECTION 20; THENCE EAST ALONG THE SOUTH LINE OF THE SE 1/4 OF SAID SECTION 20 A DISTANCE OF 2.0 FT. TO THE SE CORNER OF SAID SECTION 20; THENCE S 89 DEG. 47 MIN. 09 SEC. E ALONG THE NORTH LINE OF THE NE 1/4 NE 1/4 OF SECTION 29 T1S R1W OF THE UTE MERIDIAN A DISTANCE OF 97.94 FT. TO THE NORTHEAST CORNER OF SAID SECTION 29; THENCE S 00 DEG. 05 MIN. 35 SEC. E ALONG THE EAST LINE OF THE NE 1/4 NE 1/4 OF SAID SECTION 29 A DISTANCE OF 1306.72 FT. TO THE SE CORNER OF THE NE 1/4 NE 1/4 OF SAID SECTION 29; THENCE N 89 DEG. 44 MIN. 13 SEC. W ALONG THE SOUTH LINE OF THE NE 1/4 NE 1/4 OF SAID SECTION 29 A DISTANCE OF 1321.65 FT. TO THE SW CORNER OF THE NE 1/4 NE 1/4 OF SAID SECTION 29; THENCE N 00 DEG. 07 MIN. 02 SEC. W ALONG THE WEST LINE OF THE NE 1/4 NE 1/4 OF SAID SECTION 29 A DISTANCE OF 1306.81 FT. TO THE NW CORNER OF THE NE 1/4 NE 1/4 OF SAID SECTION 29; THENCE N 89 DEG. 43 MIN. 33 SEC. W ALONG THE NORTH LINE OF THE NW 1/4 NE 1/4 OF SAID SECTION 29 A DISTANCE OF 1414.76 FT. TO THE NW CORNER OF THE NE 1/4 OF SAID SECTION 29; THENCE N 89 DEG. 43 MIN. 33 SEC. W ALONG THE NORTH LINE OF THE NE 1/4 NW 1/4 OF SECTION 29 A DISTANCE OF 1320.94 FT. TO THE NW CORNER OF THE NE 1/4 NW 1/4 OF SAID SECTION 29; THENCE N 89 DEG. 46 MIN. 02 SEC. W ALONG THE NORTH LINE OF THE NW 1/4 NW 1/4 OF SAID SECTION 29 A DISTANCE OF 240.32 FT. TO A POINT; THENCE S 00 DEG. 59 MIN. 37 SEC. W A DISTANCE OF 1337.21 FT. TO A POINT ON THE SOUTH LINE OF THE NW 1/4 NW 1/4 OF SAID SECTION 29; THENCE N 89 DEG. 42 MIN. 00 SEC. W ALONG THE SOUTH LINE OF THE NW 1/4 NW 1/4 OF SAID SECTION 29 A DISTANCE OF 218.72 FT. TO A POINT; THENCE S 34 DEG. 36 MIN. 00 SEC. W A DISTANCE OF 722.69 FT. TO A POINT; THENCE S 48 DEG. 32 MIN. 30 SEC. W A DISTANCE OF 79.92 FT. TO A POINT, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF SOUTH CAMP ROAD; THENCE NORTHWESTERLY ALONG THE NORTHERLY AND EASTERLY RIGHT-OF-WAY OF SOUTH CAMP ROAD THE FOLLOWING 14 COURSES:

(1) N 45 DEG. 57 MIN. 29 SEC. W A DISTANCE OF 65.40 FT. TO A POINT; (2) ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF N 45 DEG. 57 MIN. 29 SEC. W AND A RADIUS OF 766.20 FT. A DISTANCE OF 427.37 FT. TO A POINT; (3) N 77 DEG. 55 MIN. 00 SEC. W A DISTANCE OF 1429.89 FT. (4) ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF N 77 DEG. 55 MIN. 00 SEC. W AND A RADIUS OF 904.93 FT. A DISTANCE OF 596.75 FT. TO A POINT; (5) N 40 DEG. 08 MIN. 00 SEC. W A DISTANCE OF 457.15 FT. TO A POINT; (6) ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF N 40 DEG. 08 MIN. 00 SEC. W AND A RADIUS OF 904.93 FT. A DISTANCE OF 686.60 FT. TO A POINT; (7) N 03 DEG. 20 MIN. 20 SEC. E A DISTANCE

OF 429.95 FT. TO A POINT; (8) ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF N 03 DEG. 20 MIN. 20 SEC. E AND A RADIUS OF 1004.94 FT. A DISTANCE OF 633.56 FT. TO A POINT; (9) N 32 DEG. 47 MIN. 00 SEC. W A DISTANCE OF 45.59 FT. TO A POINT; (10) ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF N 32 DEG. 47 MIN. 00 SEC. W AND A RADIUS OF 1004.93 FT. A DISTANCE OF 615.34 FT. TO A POINT; (11) N 67 DEG. 52 MIN. 00 SEC. W A DISTANCE OF 1200.25 FT. TO A POINT; (12) ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF N 67 DEG. 52 MIN. 00 SEC. W AND A RADIUS OF 904.95 FT. A DISTANCE OF 226.82 FT. TO A POINT; (13) N 53 DEG. 30 MIN. 20 SEC. W A DISTANCE OF 573.66 FT.; (14) ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF N 53 DEG. 30 MIN. 20 SEC. W AND A RADIUS OF 666.14 FT. A DISTANCE OF 481.41 FT. TO A POINT; THENCE S 89 DEG. 48 MIN. 47 SEC. W A DISTANCE OF 35.55 FT. TO A POINT ON THE NORTH LINE OF THE SW 1/4 OF SECTION 19, T1S R1W OF THE UTE MERIDIAN, SAID POINT LYING 30 FT. EAST OF THE NW CORNER OF THE SW 1/4 OF SAID SECTION 19; THENCE N 00 DEG. 01 MIN. 57 SEC. E PARALLEL WITH THE WEST LINE OF THE NW 1/4 OF SAID SECTION 19 A DISTANCE OF 2572.25 FT. TO A POINT; THENCE N 00 DEG. 22 MIN. 00 SEC. W A DISTANCE OF 169.68 FT. TO A POINT; THENCE N 89 DEG. 38 MIN. 00 SEC. E A DISTANCE OF 10.0 FT. TO A POINT; THENCE N 00 DEG. 22 MIN. 00 SEC. E A DISTANCE OF 149.68 FT. TO A POINT; THENCE S 89 DEG. 38 MIN. 00 SEC. W A DISTANCE OF 40.00 FT.; THENCE N 88 DEG. 22 MIN. 41 SEC. W A DISTANCE OF 123.38 FT. TO A POINT; THENCE WESTERLY ALONG THE SOUTH BANK OF THE REDLANDS WATER AND POWER 2ND LIFT CANAL IN SECTION 26, T11S R101W 6TH PRINCIPAL MERIDIAN THE FOLLOWING 12 COURSES:

(1) ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF N 88 DEG. 22 MIN. 41 SEC. W AND A RADIUS OF 357.01 FT. A DISTANCE OF 153.19 FT. TO A POINT, (2) S 64 DEG. 50 MIN. 38 SEC. W A DISTANCE OF 32.33 FT. TO A POINT; (3) S 60 DEG. 26 MIN. 55 SEC. W A DISTANCE OF 80.02 FT. TO A POINT; (4) ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF S 60 DEG. 26 MIN. 55 SEC. W AND A RADIUS OF 420.06 FT. A DISTANCE OF 221.84 FT. TO A POINT; (5) N 85 DEG. 29 MIN. 50 SEC. W A DISTANCE OF 37.81 FT. TO A POINT; (6) ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF N 85 DEG. 29 MIN. 50 SEC. W AND A RADIUS OF 365.55 FT. A DISTANCE OF 88.96 FT. TO A POINT OF COMPOUND CURVATURE; (7) ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF S 80 DEG. 33 MIN. 34 SEC. W AND A RADIUS OF 495.17 FT. A DISTANCE OF 321.33 FT. TO A POINT; (8) N 69 DEG. 30 MIN. 00 SEC. W A DISTANCE OF 679.56 FT. TO A POINT; (9) ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF N 69 DEG. 30 MIN. 00 SEC. W AND A RADIUS OF 365.55 FT. A DISTANCE OF 276.63 FT. TO A POINT; (10) N 36 DEG. 59 MIN. 58 SEC. W A DISTANCE OF 20.00 FT. TO A POINT; (11) S 30 DEG. 11 MIN. 00 SEC. W A DISTANCE OF 34.57 FT. TO A POINT; (12) S 36 DEG. 14 MIN. 00 SEC. W A DISTANCE OF 192.00 FT. TO A POINT; THENCE S 01 DEG. 26 MIN. 11 SEC. W A DISTANCE OF 125.00 FT. TO A POINT, SAID POINT BEING ON THE NORTH LINE OF SECTION 35, T11S R101W OF THE 6TH PRINCIPAL MERIDIAN; THENCE S 89 DEG. 35 MIN. 54 SEC. E ALONG THE NORTH LINE OF SAID SECTION 35 A DISTANCE OF 665.60 FT. TO THE NW CORNER OF LOT 1 OF SAID SECTION 35; THENCE S 00 DEG. 04 MIN. 05 SEC. W ALONG THE WEST LINE OF LOT 1 OF SAID

SECTION 35 A DISTANCE OF 1312.03 FT. TO THE SW CORNER OF SAID LOT 1; THENCE S 00 DEG. 10 MIN. 07 SEC. E ALONG THE WEST LINE OF LOT 2 OF SAID SECTION 35 A DISTANCE OF 1318.14 FT. TO THE SW CORNER OF SAID LOT 2; THENCE S 89 DEG. 52 MIN. 15 SEC. W ALONG THE SOUTH LINE OF THE NW 1/4 OF SAID SECTION 35 A DISTANCE OF 877.27 FT. TO A POINT; THENCE N 11 DEG. 10 MIN. 03 SEC. A DISTANCE OF 352.67 FT. TO A POINT; THENCE S 89 DEG. 52 MIN. 51 SEC. W A DISTANCE OF 573.07 FT. TO A POINT; THENCE S 48 DEG. 55 MIN. 47 SEC. W A DISTANCE OF 524.31 FT. TO A POINT, SAID POINT BEING ON THE SOUTH LINE OF THE NW 1/4 OF SAID SECTION 35; THENCE N 89 DEG. 33 MIN. 15 SEC. W A DISTANCE OF 523.55 FT. TO THE SW CORNER OF THE NW 1/4 OF SAID SECTION 35; THENCE WEST ALONG THE SOUTH LINE OF THE NE 1/4 OF SECTION 34, T11S, R101W OF THE 6TH PRINCIPAL MERIDIAN A DISTANCE OF 349.80 FT. TO A POINT; THENCE N 00 DEG. 03 MIN. 25 SEC. E A DISTANCE OF 1323.30 FT; THENCE N 00 DEG. 02 MIN. 56 SEC. E A DISTANCE OF 772.96 FT. TO A POINT; THENCE N 00 DEG. 02 MIN. 37 SEC. E A DISTANCE OF 546.92 FT. TO A POINT, SAID POINT BEING THE SW CORNER OF SECTION 26, T11S R101W OF THE 6TH PRINCIPAL MERIDIAN; THENCE N 00 DEG. 05 MIN. 31 SEC. E A DISTANCE OF 1314.73 FT. TO THE NW CORNER OF THE SW 1/4 SW 1/4 OF SAID SECTION 26; THENCE S 89 DEG. 51 MIN. 00 SEC. E ALONG THE NORTH LINE OF THE SW 1/4 SW 1/4 OF SAID SECTION 26 A DISTANCE OF 558.85 FT. TO A POINT; THENCE S 00 DEG. 09 MIN. 00 SEC. W A DISTANCE OF 91.55 FT. TO A POINT; THENCE N 88 DEG. 23 MIN. 39 SEC. E A DISTANCE OF 1.95 FT. TO A POINT; THENCE S 00 DEG. 00 MIN. 00 SEC. E A DISTANCE OF 49.99 FT. TO A POINT; THENCE S 01 DEG. 36 MIN. 40 SEC. E A DISTANCE OF 208.70 FT. TO A POINT; THENCE N 88 DEG. 23 MIN. 20 SEC. E A DISTANCE OF 206.94 FT. TO A POINT; THENCE N 01 DEG. 36 MIN. 40 SEC. W A DISTANCE OF 208.70 FT. TO A POINT; THENCE N 88 DEG. 23 MIN. 20 SEC. E A DISTANCE OF 116.89 FT. TO A POINT; THENCE ALONG A CURVE TO THE LEFT HAVING A INITIAL TANGENT BEARING OF S 32 DEG. 48 MIN. 58 SEC. E AND A RADIUS OF 50.00 FT. A DISTANCE OF 156.03 FT. TO A POINT; THENCE N 32 DEG. 49 MIN. 20 SEC. W A DISTANCE OF 92.97 FT. TO A POINT, SAID POINT BEING THE NORTH LINE OF THE SW 1/4 SW 1/4 OF SAID SECTION 26; THENCE S 89 DEG. 56 MIN. 00 SEC. E ALONG THE NORTH LINE OF THE SW 1/4 SW 1/4 OF SAID SECTION 26 A DISTANCE OF 491.33 FT. TO THE NE CORNER OF THE SW 1/4 SW 1/4 OF SAID SECTION 26; THENCE S 89 DEG. 31 MIN. 03 SEC. E ALONG THE NORTH LINE OF THE SE 1/4 SW 1/4 OF SAID SECTION 26 A DISTANCE OF 601.56 FT. TO A POINT; THENCE S 89 DEG. 54 MIN. 12 SEC. E ALONG THE NORTH LINE OF THE SE 1/4 SW 1/4 OF SAID SECTION 26 A DISTANCE OF 611.894 FT. TO THE NE CORNER OF THE SE 1/4 SW 1/4 OF SAID SECTION 26; THENCE S 89 DEG. 55 MIN. 12 SEC. E ALONG THE NORTH LINE OF LOT 4 OF SAID SECTION 26 A DISTANCE OF 531.10 FT. TO A POINT; THENCE N 89 DEG. 57 MIN. 48 SEC. E ALONG THE NORTH LINE OF LOT 4 OF SAID SECTION 26 A DISTANCE OF 896.00 FT. TO THE NE CORNER OF SAID LOT 4; THENCE S 00 DEG. 22 MIN. 00 SEC. E A DISTANCE OF 36.02 FT. TO A POINT ON THE WEST LINE SECTION 18 T1S R1W; THENCE S 82 DEG. 35 MIN. 00 SEC. E A DISTANCE OF 325.90 FT. TO A POINT; THENCE N 00 DEG. 22 MIN. 00 SEC. W A DISTANCE OF 317.08 FT. TO A POINT; THENCE S 84 DEG. 57 MIN. 12 SEC. W A DISTANCE OF 323.98 FT. TO A POINT, SAID POINT BEING ON THE EAST LINE OF SAID SECTION 26; THENCE N 00 DEG. 22 MIN. 00 SEC. W ALONG THE EAST LINE OF SAID SECTION 26 A DISTANCE OF 1111.76 FT. TO THE EAST 1/4 CORNER OF SAID SECTION 26;

THENCE N 00 DEG. 24 MIN. 00 SEC. W ALONG THE EAST LINE OF SAID SECTION 26 A DISTANCE OF 799.88 FT. TO A POINT, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF SOUTH BROADWAY; THENCE EASTERLY ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SOUTH BROADWAY, THE FOLLOWING 11 COURSES:

(1) S 87 DEG. 11 MIN. 00 SEC. E A DISTANCE OF 573.09 FT. TO A POINT; (2) N 61 DEG. 38 MIN. 00 SEC. E A DISTANCE OF 404.87 FT. TO A POINT; (3) N 74 DEG. 56 MIN. 00 SEC. E A DISTANCE OF 193.61 FT. TO A POINT; (4) N 49 DEG. 43 MIN. 00 SEC. E A DISTANCE OF 16.05 FT. TO A POINT; (5) S 23 DEG. 07 MIN. 59 SEC. E A DISTANCE OF 26.74 FT. TO A POINT; (6) N 64 DEG. 30 MIN. 34 SEC. E A DISTANCE OF 95.29 FT. TO A POINT; (7) N 22 DEG. 56 MIN. 59 SEC. W A DISTANCE OF 25.00 FT. TO A POINT; (8) ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF N 67 DEG. 03 MIN. 01 SEC. E AND A RADIUS OF 3266.00 FT. A DISTANCE OF 95.00 FT. TO A POINT; (9) N 65 DEG. 23 MIN. 01 SEC. E A DISTANCE OF 76.04 FT. TO A POINT; (10) N 64 DEG. 08 MIN. 01 SEC. E A DISTANCE OF 124.96 FT. TO A POINT; (11) ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF N 64 DEG. 08 MIN. 01 SEC. E AND A RADIUS OF 1004.93 FT. A DISTANCE OF 75.71 FT. TO A POINT, SAID POINT BEING ON THE NORTH LINE OF THE SE 1/4 NW 1/4 OF SECTION 18, T1S R1W OF THE UTE MERIDIAN; THENCE N 89 DEG. 57 MIN. 03 SEC. E ALONG THE NORTH LINE OF THE SE 1/4 NW 1/4 OF SAID SECTION 18 A DISTANCE OF 151.21 FT. TO A POINT; THENCE S 00 DEG. 01 MIN. 59 SEC. E A DISTANCE OF 90.02 FT. TO A POINT; THENCE N 74 DEG. 47 MIN. 01 SEC. E A DISTANCE OF 150.00 FT. TO A POINT; THENCE N 65 DEG. 24 MIN. 46 SEC. E A DISTANCE OF 122.27 FT. TO A POINT, SAID POINT BEING ON THE NORTH LINE OF THE SE 1/4 NW 1/4 OF SAID SECTION 18; THENCE N 89 DEG. 57 MIN. 03 SEC. E ALONG THE NORTH LINE OF THE SE 1/4 NW 1/4 OF SAID SECTION 18 A DISTANCE OF 674.80 FT. TO A POINT; THENCE N 22 DEG. 25 MIN. 01 SEC. W A DISTANCE OF 361.43 FT. TO A POINT; THENCE N 48 DEG. 35 MIN. 59 SEC. E A DISTANCE OF 56.08 FT. TO A POINT; THENCE N 21 DEG. 39 MIN. 59 SEC. E A DISTANCE OF 53.96 TO A POINT, SAID POINT BEING ON THE SOUTHWESTERLY LINE OF LOT 25, SOUTH EASTER HILL SUBDIVISION; THENCE S 58 DEG. 55 MIN. 01 SEC. E ALONG THE SOUTHWESTERLY LINE OF SAID LOT 25 A DISTANCE OF 246.83 FT. TO AN ANGLE POINT ON THE SOUTH LINE LOT 11, SOUTH EASTER HILL SUBDIVISION; THENCE S 32 DEG. 21 MIN. 01 SEC. E ALONG THE SOUTHWESTERLY LINE OF SAID LOT 11 A DISTANCE OF 329.00 FT. TO THE SE CORNER OF SAID LOT 11; THENCE S 05 DEG. 17 MIN. 59 SEC. W ALONG THE WEST RIGHT-OF-WAY LINE OF EASTER HILL DRIVE A DISTANCE OF 68.10 FT. TO A POINT; THENCE S 06 DEG. 47 MIN. 59 SEC. W ALONG THE WEST RIGHT-OF-WAY LINE OF EASTER HILL DRIVE A DISTANCE OF 153.34 FT. TO A POINT; THENCE ALONG THE RIGHT-OF-WAY FOR EASTER HILL DRIVE A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF S 06 DEG. 47 MIN. 59 SEC. W AND A RADIUS OF 100.00 ST. A DISTANCE OF 131.19 FT. TO A POINT; THENCE S 68 DEG. 22 MIN. 01 SEC. E ALONG THE SOUTH RIGHT-OF-WAY LINE OF EASTER HILL DRIVE A DISTANCE OF 88.04 FT. TO A POINT; THENCE S 74 DEG. 40 MIN. 01 SEC. E ALONG THE SOUTH RIGHT-OF-WAY LINE OF EASTER HILL DRIVE A DISTANCE OF 70.84 FT. TO A POINT; THENCE ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF S 74 DEG. 40 MIN. 01 SEC. E AND A RADIUS OF 100.00 FT. A DISTANCE OF 106.99 FT. TO A POINT; THENCE N 44 DEG. 01 MIN. 59 SEC. E ALONG THE EAST RIGHT-OF-WAY LINE OF EASTER HILL

DRIVE A DISTANCE OF 465.97 FT. TO A POINT, SAID POINT BEING ON THE NORTH LINE OF THE S 1/2 OF THE NE 1/4 OF SAID SECTION 18; THENCE N 89 DEG. 53 MIN. 03 SEC. E ALONG THE NORTH LINE OF THE S 1/2 OF THE NE 1/4 OF SAID SECTION 18 A DISTANCE OF 1202.76 FT. TO A POINT; THENCE N 89 DEG. 56 MIN. 59 SEC. E ALONG THE NORTH LINE OF THE SE 1/4 NE 1/4 OF SAID SECTION 18 A DISTANCE OF 512.32 FT. TO THE NE CORNER OF THE SE 1/4 NE 1/4 OF SAID SECTION 18, THENCE S 00 DEG. 03 MIN. 01 SEC. E ALONG THE EAST LINE OF THE SE 1/4 NE 1/4 OF SAID SECTION 18 A DISTANCE OF 1320.19 FT. TO A POINT, SAID POINT BEING THE SE CORNER OF THE SE 1/4 NE 1/4 OF SAID SECTION 18; THENCE S 00 DEG. 39 MIN. 01 SEC. E ALONG THE EAST LINE OF THE NE 1/4 SE 1/4 OF SAID SECTION 18 A DISTANCE OF 1311.40 FT. TO THE SE CORNER OF THE NE 1/4 SE 1/4 OF SAID SECTION 18; THENCE S 89 DEG. 44 MIN. 59 SEC. E ALONG THE NORTH LINE OF THE SW 1/4 SW 1/4 OF SECTION 17, T1S R1W OF THE UTE MERIDIAN A DISTANCE OF 1315.58 FT. TO THE NE CORNER OF THE SW 1/4 SW 1/4 OF SAID SECTION 17; THENCE S 89 DEG. 42 MIN. 56 SEC. E ALONG THE NORTH LINE OF THE SE 1/4 SW 1/4 OF SAID SECTION 17 A DISTANCE OF 709.51 FT. TO A POINT; THENCE S 00 DEG. 23 MIN. 00 SEC. W A DISTANCE OF 9.15 FT. TO A POINT; THENCE S 79 DEG. 28 MIN. 00 SEC. E A DISTANCE OF 147.50 FT. TO A POINT; THENCE S 00 DEG. 20 MIN. 00 SEC. E A DISTANCE OF 140.0 FT. TO A POINT; THENCE S 66 DEG. 03 MIN. 00 SEC. E A DISTANCE OF 300.60 FT. TO A POINT; THENCE S 16 DEG. 12 MIN. 00 SEC. E A DISTANCE OF 22.60 FT. TO A POINT, SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF RIO VISTA ROAD; THENCE ALONG A CURVE TO THE RIGHT HAVING A CHORD BEARING OF S 04 DEG. 58 MIN. 00 SEC. W, CHORD LENGTH OF 75.19 FT. AND A RADIUS OF 104.12 FT. A DISTANCE OF 76.93 FT. TO A POINT; THENCE S 26 DEG. 08 MIN. 00 SEC. W OF A DISTANCE OF 3.90 FT. TO A POINT; THENCE ALONG A CURVE TO THE RIGHT HAVING A CHORD BEARING OF S 35 DEG. 56 MIN. 27 SEC. W, CHORD LENGTH OF 134.85 FT. AND A RADIUS OF 395.84 FT. A DISTANCE OF 135.51 FT. TO A POINT; THENCE N 70 DEG. 40 MIN. 00 SEC. W A DISTANCE OF 804.16 FT. TO A POINT; THENCE S 10 DEG. 27 MIN. 59 SEC. W A DISTANCE OF 510.00 FT. TO A POINT; THENCE S 78 DEG. 59 MIN. 02 SEC. E A DISTANCE OF 472.50 FT. TO A POINT; THENCE N 54 DEG. 02 MIN. 01 SEC. E A DISTANCE OF 73.07 FT. TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE RIO VISTA DRIVE CUL-DE-SAC; THENCE ALONG A CURVE TO THE RIGHT HAVING A CHORD BEARING OF N 68 DEG. 27 MIN. 00 SEC. E, A CHORD LENGTH OF 96.85 FT. AND A RADIUS OF 50.00 FT. A DISTANCE OF 131.91 FT. TO A POINT; THENCE N 52 DEG. 52 MIN. 00 SEC. E ALONG THE EAST RIGHT-OF-WAY LINE OF RIO VISTA DRIVE A DISTANCE OF 290.20 FT. TO A POINT; THENCE CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF RIO VISTA DRIVE ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF N 52 DEG. 52 MIN. 00 SEC. E AND A RADIUS OF 445.84 FT. A DISTANCE OF 82.83 FT. TO A POINT; THENCE S 75 DEG. 55 MIN. 01 SEC. E A DISTANCE OF 225.66 FT. TO A POINT ON THE EAST LINE OF THE SE 1/4 SW 1/4 OF SAID SECTION 17; THENCE N 00 DEG. 17 MIN. 01 SEC. W ALONG THE EAST LINE OF THE SE 1/4 SW 1/4 OF SAID SECTION 17 A DISTANCE OF 27.43 FT. TO A POINT; THENCE N 89 DEG. 42 MIN. 59 SEC. E A DISTANCE OF 300.00 FT. TO A POINT; THENCE N 00 DEG 17 MIN. 01 SEC. W A DISTANCE OF 350.00 FT. TO A POINT; THENCE S 89 DEG. 42 MIN. 59 SEC. W A DISTANCE OF 275.00 FT. TO A POINT; THENCE N 00 DEG. 17 MIN. 01 SEC. W A DISTANCE OF 197.897 FT. TO A POINT ON THE NORTH LINE OF THE SW 1/4 SE 1/4 OF SAID SECTION 17; THENCE S 89 DEG. 59 MIN. 12 SEC. E

ALONG THE NORTH LINE OF THE SW 1/4 SE 1/4 OF SAID SECTION 17 A DISTANCE OF 861.93 FT. TO A POINT; THENCE N 03 DEG. 30 MIN. 14 SEC. E A DISTANCE OF 199.40 FT. TO A POINT; THENCE N 83 DEG. 54 MIN. 44 SEC. E A DISTANCE OF 343.35 FT. TO A POINT; THENCE S 60 DEG. 13 MIN. 49 SEC. E A DISTANCE OF 371.13 FT. TO A POINT; THENCE N 20 DEG. 00 MIN. 48 SEC. E A DISTANCE OF 4451.00 FT. TO A POINT; THENCE N 52 DEG. 19 MIN. 12 SEC. W A DISTANCE OF 111.43 FT. TO A POINT; THENCE N 01 DEG. 52 MIN. 48 SEC. E A DISTANCE OF 88.78 FT. TO A POINT; THENCE S 52 DEG. 19 MIN. 12 SEC. E A DISTANCE OF 88.78 FT. TO A POINT; THENCE S 37 DEG. 40 MIN. 48 SEC. W A DISTANCE OF 8.14 FT. TO A POINT; THENCE S 51 DEG. 16 MIN. 12 SEC. E A DISTANCE OF 635.71 FT. TO A POINT; THENCE S 69 DEG. 41 MIN. 12 SEC. E A DISTANCE OF 187.25 FT. TO A POINT; THENCE S 50 DEG. 03 MIN. 15 SEC. E A DISTANCE OF 259.01 FT. TO A POINT; THENCE N 44 DEG. 52 MIN. 00 SEC. E A DISTANCE OF 81.50 FT. TO THE NW CORNER OF THE SW 1/4 SW 1/4 OF SECTION 16, T1S R1W OF THE UTE MERIDIAN; THENCE N 44 DEG. 52 MIN. 00 SEC. E A DISTANCE OF 280.70 FT. TO A POINT; THENCE N 15 DEG. 28 MIN. 00 SEC. E A DISTANCE OF 355.59 FT. TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY 340; THENCE S 74 DEG. 37 MIN. 00 SEC. E ALONG THE SOUTH RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY 340 A DISTANCE OF 324.10 FT. TO A POINT; THENCE CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE AND ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF S 74 DEG. 37 MIN. 00 SEC. E AND A RADIUS OF 2825.0 FT. A DISTANCE OF 137.87 FT. TO A POINT; THENCE S 16 DEG. 11 MIN. 49 SEC. W A DISTANCE OF 174.56 FT. TO A POINT; THENCE S 02 DEG. 56 MIN. 26 SEC. E A DISTANCE OF 146.96 FT. TO A POINT; THENCE S 75 DEG. 29 MIN. 32 SEC. E A DISTANCE OF 409.92 FT. TO A POINT; THENCE S 89 DEG. 52 MIN. 33 SEC. E A DISTANCE OF 67.84 FT. TO A POINT; THENCE S 75 DEG. 23 MIN. 00 SEC. E A DISTANCE OF 43.49 FT. TO A POINT; THENCE N 89 DEG. 57 MIN. 00 SEC. E A DISTANCE OF 104.00 FT. TO A POINT ON THE WEST LINE OF THE SE 1/4 SW 1/4 OF SAID SECTION 16 THENCE N 00 DEG. 09 MIN. 26 SEC. E ALONG THE WEST LINE OF THE SE 1/4 SW 1/4 OF SAID SECTION 16 A DISTANCE OF 10.57 FT. TO THE NW CORNER OF THE SE 1/4 SW 1/4 OF SAID SECTION 16; THENCE N 89 DEG. 30 MIN. 06 SEC. E ALONG THE NORTH LINE OF THE SE 1/4 SW 1/4 OF SAID SECTION 16 A DISTANCE OF 208.00 FT. TO A POINT; THENCE N 16 DEG. 45 MIN. 00 SEC. E A DISTANCE OF 13.63 FT. TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY 340; THENCE N 17 DEG. 39 MIN. 52 SEC. E A DISTANCE OF 199.88 FT. TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY 340; THENCE N 59 DEG. 22 MIN. 00 SEC. W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 110.00 FT. TO A POINT; THENCE N 68 DEG. 36 MIN. 00 SEC. E A DISTANCE OF 490.40 FT. TO A POINT; THENCE S 62 DEG. 42 MIN. 00 SEC. E A DISTANCE OF 262.84 FT. TO A POINT; THENCE N 42 DEG. 17 MIN. 00 SEC. E A DISTANCE OF 333.30 FT. TO A POINT; THENCE N 55 DEG. 58 MIN. 00 SEC. E A DISTANCE OF 248.92 FT. TO A POINT; THENCE N 00 DEG. 00 MIN. 00 SEC. E A DISTANCE OF 487.19 FT. TO A POINT; THENCE S 50 DEG. 40 MIN. 00 SEC. E A DISTANCE OF 32.46 FT. TO A POINT ON THE WEST LINE OF NW 1/4 SE 1/4 OF SAID SECTION 16; THENCE S 00 DEG. 10 MIN. 52 SEC. W ALONG SAID WEST LINE OF SECTION 16 A DISTANCE OF 86.89 FT. TO A POINT; THENCE S 65 DEG. 57 MIN. 12 SEC. E A DISTANCE OF 76.36 FT. TO A POINT; THENCE S 68 DEG. 48 MIN. 37 SEC. E A DISTANCE OF 112.27 FT. TO A

POINT; THENCE S 86 DEG. 40 MIN. 51 SEC. E A DISTANCE OF 140.76 FT. TO A POINT; THENCE S 67 DEG. 42 MIN. 24 SEC. E A DISTANCE OF 159.06 FT. TO A POINT; THENCE S 70 DEG. 55 MIN. 45 SEC. E A DISTANCE OF 116.77 FT. TO A POINT; THENCE S 67 DEG. 47 MIN. 24 SEC. E A DISTANCE OF 118.65 FT. TO A POINT; THENCE S 63 DEG. 13 MIN. 06 SEC. E A DISTANCE OF 119.79 FT. TO A POINT; THENCE S 69 DEG. 34 MIN. 48 SEC. E A DISTANCE OF 262.54 FT. TO A POINT; THENCE S 84 DEG. 11 MIN. 17 SEC. E A DISTANCE OF 173.94 FT. TO A POINT; THENCE S 64 DEG. 12 MIN. 09 SEC. E A DISTANCE OF 108.47 FT. TO A POINT; THENCE S 62 DEG. 31 MIN. 23 SEC. E A DISTANCE OF 361.84 FT. TO A POINT; THENCE N 17 DEG. 03 MIN. 47 SEC. E A DISTANCE OF 82.34 FT. TO A POINT; THENCE S 22 DEG. 30 MIN. 00 SEC. E A DISTANCE OF 134.00 FT. TO A POINT; THENCE S 74 DEG. 15 MIN. 00 SEC. E A DISTANCE OF 71.00 FT. TO A POINT; THENCE S 79 DEG. 10 MIN. 00 SEC. E A DISTANCE OF 185.00 FT. TO A POINT; THENCE S 00 DEG. 26 MIN. 57 SEC. E A DISTANCE OF 251.00 FT. TO A POINT; THENCE S 55 DEG. 33 MIN. 00 SEC. E A DISTANCE OF 210.00 FT. TO A POINT; THENCE S 00 DEG. 26 MIN. 57 SEC. E A DISTANCE OF 34.00 FT. TO A POINT; THENCE S 89 DEG. 53 MIN. 53 SEC. E A DISTANCE OF 91.00 FT. TO A POINT; THENCE S 00 DEG. 38 MIN. 09 SEC. E A DISTANCE OF 24.50 FT. TO A POINT; THENCE S 58 DEG. 50 MIN. 00 SEC. E A DISTANCE OF 474.62 FT. TO A POINT ON THE EAST LINE OF SE 1/4 OF SAID SECTION 16; THENCE S 00 DEG. 17 MIN. 23 SEC. W ALONG SAID EAST LINE A DISTANCE OF 138.14 FT. TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY 340; THENCE S 69 DEG. 13 MIN. 00 SEC. W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 41.12 FT. TO A POINT; THENCE N 57 DEG. 00 MIN. 00 SEC. W A DISTANCE OF 741.22 FT. TO THE NE CORNER OF LOT 16, BLOCK 1, MAYS SUBDIVISION; THENCE N 54 DEG. 30 MIN. 00 SEC. W ALONG THE NORTHEASTERLY LINE OF LOT 15, BLOCK 1 MAYS SUBDIVISION, A DISTANCE OF 189.92 FT. TO THE NE CORNER OF LOT 14, BLOCK 1, MAYS SUBDIVISION; THENCE N 75 DEG. 15 MIN. 00 SEC. W ALONG THE NORTHERLY LINE OF SAID LOT 14 A DISTANCE OF 120.00 FT. TO THE NORTHERLY MOST CORNER OF SAID LOT 14; THENCE S 68 DEG. 03 MIN. 00 SEC. W ALONG THE NORTHWESTERLY LINES OF LOTS 12, 13, AND 14, BLOCK 1, MAYS SUBDIVISION, A DISTANCE OF 345.65 FT. TO THE NW CORNER OF LOT 12, BLOCK 1, MAYS SUBDIVISION; THENCE S 10 DEG. 47 MIN. 00 SEC. W ALONG THE WEST LINES OF LOTS 10 AND 11, BLOCK 1, MAYS SUBDIVISION A DISTANCE OF 192.26 FT. TO THE WESTERN MOST CORNER OF SAID LOT 10; THENCE S 79 DEG. 13 MIN. 00 SEC. E A DISTANCE OF 23.60 FT.; THENCE S 27 DEG. 45 MIN. 00 SEC. E A DISTANCE OF 109.50 FT. TO THE NW CORNER OF LOT 9, BLOCK 1, MAYS SUBDIVISION; THENCE S 10 DEG. 47 MIN. 00 SEC. W A DISTANCE OF 224.6 FT. TO THE SW CORNER OF SAID LOT 9; THENCE N 79 DEG. 13 MIN. 00 SEC. W A DISTANCE OF 91.50 FT. TO A POINT; THENCE S 10 DEG. 47 MIN. 00 SEC. W A DISTANCE OF 324.76 FT. TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY 340; THENCE N 87 DEG. 25 MIN. 13 SEC. W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 36.42 FT. TO A POINT; THENCE N 09 DEG. 52 MIN. 00 SEC. E A DISTANCE OF 853.00 FT. TO A POINT; THENCE NORTH A DISTANCE OF 236.80 FT. TO A POINT; THENCE N 66 DEG. 27 MIN. 00 SEC. W A DISTANCE OF 303.50 FT. TO A POINT; THENCE N 50 DEG. 45 MIN. 00 SEC. W A DISTANCE OF 240.50 FT. TO A POINT; THENCE N 74 DEG. 15 MIN. 00 SEC. W A DISTANCE OF 209.00 FT. TO A POINT; THENCE SOUTH A DISTANCE OF 164.60 FT. TO A POINT; THENCE S 66 DEG. 50

MIN. 00 SEC. W A DISTANCE OF 241.00 FT. TO A POINT; THENCE S 78 DEG. 15 MIN. 00 SEC. W A DISTANCE OF 300.00 FT. TO A POINT; THENCE S 08 DEG. 05 MIN. 00 SEC. W A DISTANCE OF 252.50 FT. TO A POINT ON THE NORTH LINE OF THE SW 1/4 SE 1/4 OF SAID SECTION 16; THENCE WEST ALONG SAID NORTH LINE A DISTANCE OF 115.60 FT. TO THE NW CORNER OF THE SW 1/4 SE 1/4 OF SAID SECTION 16; THENCE WEST ALONG THE NORTH LINE OF THE SE 1/4 SW 1/4 OF SAID SECTION 16 A DISTANCE OF 152.46 FT. TO A POINT; THENCE S 72 DEG. 57 MIN. 15 SEC. W A DISTANCE OF 251.40 FT. TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY 340; THENCE N 65 DEG. 32 MIN. 41 SEC. W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 178.01 FT. TO A POINT ON THE NORTH LINE OF THE SE 1/4 SW 1/4 OF SAID SECTION 16; THENCE N 89 DEG. 46 MIN. 20 SEC. W ALONG SAID NORTH LINE A DISTANCE OF 525.13 FT. TO A POINT ON THE NORTH LINE OF LOT 7, POLAND HEIGHTS SUBDIVISION REPLAT, SAID POINT IS ALSO LOCATED ON THE SOUTHERLY RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY 340; THENCE S 65 DEG. 33 MIN. 00 SEC. E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 211.94 FT; THENCE S 24 DEG. 17 MIN. 56 SEC. W 117.83 FT. TO A BOLT TAGGED LS5837 FOR THE SE CORNER OF LOT 7 OF POLAND HEIGHTS SUBDIVISION; THENCE ALONG THE ARC OF A 50.00 FT. RADIUS NON-TANGENT CURVE TO THE LEFT, WHICH ARC SUBTENDS A CHORD BEARING S 55 DEG. 22 MIN. 18 SEC. W 85.68 FT. TO A REBAR TAGGED LS5837 FOR THE SOUTHERN MOST CORNER OF SAID LOT 7; THENCE N 33 DEG. 24 MIN. 28 SEC. W A DISTANCE OF 159.41 FT. TO A REBAR FOR AN ANGLE POINT ON THE SOUTHERLY LINE OF SAID LOT 7; THENCE S 62 DEG. 28 MIN. 48 SEC. W A DISTANCE OF 125.53 FT. TO A REBAR FOR A POINT ON LINE BETWEEN LOTS 5 AND 6 OF SAID SUBDIVISIONS; THENCE S 62 DEG. 28 MIN. 17 SEC. W A DISTANCE OF 98.46 FT. TO A REBAR FOR A POINT ON LINE ON THE WESTERLY LINE OF SAID LOT 5; THENCE S 00 DEG. 09 MIN. 26 SEC. W ALONG THE WEST LINE OF THE SE 1/4 SW 1/4 OF SAID SECTION 16 A DISTANCE OF 1100.69 FT. TO THE SW CORNER OF THE SE 1/4 SW 1/4 OF SAID SECTION 16; THENCE S 89 DEG. 31 MIN. 30 SEC. E ALONG THE SOUTH LINE OF THE SE 1/4 SW 1/4 OF SAID SECTION 16 A DISTANCE OF 1067.62 FT. TO A POINT, SAID POINT BEING THE NW CORNER OF LOT 3, BLOCK 4, COUNTRY CLUB PARK SUBDIVISION; THENCE S 19 DEG. 56 MIN. 37 SEC. W ALONG THE WESTERLY LINE OF SAID COUNTRY CLUB PARK, A DISTANCE OF 1260.62 FT. TO A POINT; THENCE S 52 DEG. 20 MIN. 01 SEC. W A DISTANCE OF 230.25 FT. TO THE SE CORNER OF THE NE 1/4 NW 1/4 OF SECTION 21, T1S R1W OF THE UTE MERIDIAN; THENCE S 09 DEG. 11 MIN. 10 SEC. E A DISTANCE OF 161.77 FT. TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF BELLA PAGO DRIVE; THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF BELLA PAGO DRIVE THE FOLLOWING 9 COURSES:

(1) S 32 DEG. 58 MIN. 56 SEC. W A DISTANCE OF 149.88 FT. TO A POINT; (2) ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF S 32 DEG. 58 MIN. 56 SEC. W AND A RADIUS OF 332.96 FT. A DISTANCE OF 137.54 FT. TO A POINT; (3) S 56 DEG. 38 MIN. 55 SEC. W A DISTANCE OF 249.81 FT.; (4) ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF S 56 DEG. 38 MIN. 55 SEC. W AND A RADIUS OF 591.00 FT. A DISTANCE OF 143.21 FT. TO A POINT; (5) S 70 DEG. 31 MIN. 55 SEC. W A DISTANCE OF 209.82 FT. TO A POINT; (6) ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF S 70 DEG. 31 MIN. 55 SEC. W AND A RADIUS OF 135.84 FT. A DISTANCE OF

118.55 FT. TO A POINT; (7) N 59 DEG. 28 MIN. 05 SEC. W A DISTANCE OF 149.92 FT. TO A POINT; (8) ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF N 59 DEG. 28 MIN. 05 SEC. W AND A RADIUS OF 128.77 FT. A DISTANCE OF 116.87 FT. TO A POINT; (9) ALONG A CURVE TO THE LEFT HAVING A CHORD BEARING OF N 22 DEG. 12 MIN. 42 SEC. W, A CHORD LENGTH OF 98.23 FT. AND A RADIUS OF 50.00 FT. A DISTANCE OF 138.24 FT. TO A POINT; THENCE N 66 DEG. 03 MIN. 54 SEC. W A DISTANCE OF 328.35 FT. TO A POINT ON THE WEST LINE OF THE SE 1/4 NW 1/4 OF SAID SECTION 21; THENCE N 00 DEG. 30 MIN. 35 SEC. E ALONG SAID WEST LINE A DISTANCE OF 243.34 FT. TO THE NW CORNER OF THE SE 1/4 NW 1/4 OF SAID SECTION 21; THENCE N 00 DEG. 30 MIN. 35 SEC. W ALONG THE WEST LINE OF THE NE 1/4 NW 1/4 OF SAID SECTION 21 A DISTANCE OF 335.05 FT. TO A POINT; THENCE N 89 DEG. 48 MIN. 21 SEC. W A DISTANCE OF 1300.72 FT. TO A POINT ON THE WEST LINE OF THE NW 1/4 OF SAID SECTION 21; THENCE S 00 DEG. 13 MIN. 43 SEC. W ALONG SAID WEST LINE A DISTANCE OF 1652.68 FT. TO THE POINT OF BEGINNING, EXCEPT THE SW 1/4 NE 1/4 OF SECTION 19, T1S R1W OF THE UTE MERIDIAN.

TOTAL PERIMETER 87,361.80 FEET
CONTIGUOUS PERIMETER 39,573.42 FEET
AREA IN SQ. FT. 101,182,393.35
AREA IN ACRES 2,322,83
AREA IN SQ. MILES 3.63

WHEREAS. the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

That a hearing will be held on the 1st day of April, 1992, in the City-County Auditorium in City Hall of the City of Grand Junction, Colorado, at 7:30 o'clock p.m. to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.

PASSED and ADOPTED this 19th day of February, 1992.

Attest:

NAME

President of the Council

Neva B. Lockhart, CMC

City Clerk

RESOLUTION 20-92

AUTHORIZING THE CITY MANAGER TO EXECUTE A THIRD AMENDMENT TO THE PLAN AND AGREEMENT WITH THE RIDGES METROPOLITAN DISTRICT, WHICH THIRD AMENDMENT MODIFIES THE PLAN AND AGREEMENT BY CORRECTING THE LEGAL DESCRIPTION.

A copy of the third amendment is attached.

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

The City Manager be authorized to execute a third amendment to the Plan and Agreement with the Ridges Metropolitan District, which amendment corrects the legal description.

PASSED AND ADOPTED this 19th day of February, 1992.

NAME

President of the Council

ATTEST:

Neva B. Lockhart, CMC

City Clerk

THIRD AMENDMENT TO PLAN AND AGREEMENT

This Third Amendment to Plan and Agreement is entered into effective upon execution by and between the Ridges Metropolitan District and the City of Grand Junction.

The Plan and Agreement entered into and adopted by the City Council of the City of Grand Junction, on behalf of the City of Grand Junction, Colorado ("City"), and the Board of Directors of the Ridges Metropolitan District, on behalf of the Ridges Metropolitan District ("District"), was amended effective January 8, 1992, was further amended effective _____, and is further amended as set forth below.

The purpose of this third amendment to the Plan and Agreement is to correct the legal description as follows:

Except as modified in this Third Amendment to Plan and Agreement,

the Plan and Agreement, as modified by the First Amendment to Plan and Agreement and the Second Amendment to Plan and Agreement, shall continue in full force and effect according to the terms contained therein.

Approved this _____ day of _____, 1992 by the Board of Directors of the Ridges Metropolitan District.

by:

President of the Board

Approved this _____ day of _____, 1992 by the City Council of the City of Grand Junction.

by:

Mark K. Achen, City Manager

Darren Starr, Superintendent of the Sanitation Department, summarized the amendments to the current City ordinance to incorporate a recycling program. The amendment would allow the City to collect recyclables or use a sub-contractor to collect refuse or recyclables within the City. One amendment would address the type of container used for recyclables. The third amendment would impose a \$1.50 collection fee for recyclables.

Mr. Al Davidson, 2724 Highway 50, BFI Recycling, stated that currently the commercial recycling that BFI is conducting inside the City limits is somewhat limited. A number of businesses have two dumpsters. One is for cardboard (collected once a week), the other is for all other trash. They also pick up glass, office paper, aluminum, news print, etc. (collected once a week). Dean Craig, United Waste Recycling, 2948 I-70 Business Loop, stated that recyclables are being brought to his compound and they are recycling over one million pounds per month.

Utilities Director Greg Trainor noted that volume-based charging does not necessarily mean that the fee for the base cost is going to plummet to \$2, \$3, or \$4 per household. What it may mean is that as fees and charges at the landfill increase, those customers with the minimum, might find their rates are not going to be skyrocketing as high as they would if this program were not in place. City Manager Mark Achen asked if as the volume that goes to the landfill decreases, the price might increase? Mr. Trainor stated yes. The fixed cost of regular trash collection, he determines how much is recycled, how much is eliminated from the regular trash collection, what that fixed cost is. As you have people reducing their volumes you have fewer people paying larger percentages of the fixed cost of regular trash collection. For some of those customers, it may increase if they don't go to recycling.

Councilman Bennett suggested that this item be studied in depth.

He felt that there are other ways of handling the public's concerns regarding a recycling program.

Mr. Haven S. Skogen, 3152 Primrose Court, Spring Valley, referred to articles published in the January 17, 1992, issue of the Wall Street Journal regarding the oversupply of recyclable materials. He felt that the citizens of Grand Junction can expect an increase in costs of from \$150,000 to \$343,000 per year in tax dollars to recycle. In order for a recycle contractor to survive, there must be a charge of \$2.50 to \$3.00 per month per household. A detailed well-organized business plan with more specific expenses, markets, storage areas, and selling prices is essential before jumping into such a venture.

Lisa Mullen, 393 N. Dale Court, General Manager for United Waste Systems, commented on the City's claim that in order to adopt a volume-based trash program in Grand Junction, it must first offer its citizens alternatives and opportunities for recycling. As the largest recycle center between Denver and Salt Lake City, United Waste Systems is one of those alternatives. There are two recycle centers for aluminum cans, two scrap dealers which are open 5-6 days a week that will pay for the aluminum. There are six City Market stores open 24 hours a day also willing to buy aluminum. If money is not the issue, BFI offers drop-off recycle containers at Fruita City Market and Wal-Mart. Those same recycling facilities will accept or pay for glass. The same City Markets accept glass jars and bottles, and BFI drop-offs are also there for convenience. There are numerous other drop-off sites that benefit non-profit organizations. Paper, cardboard, magazines, ledger paper, computer paper, waste oil, carpet padding, and plastic are recyclable. All these services are being offered and have been available for quite some time at no cost. In many instances, recyclables will be purchased from the customer. United Waste has paid out over \$800,000 for recycled products. Recycle options are available. Ms. Mullen felt that the City needs to begin supporting local businesses instead of competing with the local businesses.

TEN-MINUTE RECESS

The President of the Council declared a ten-minute recess. Upon reconvening, all Council members listed above were present.

CURB-SIDE RECYCLING PROGRAM CONTINUED

Ms. Zita Lynn, Grand Junction Energy Office, encouraged Council to adopt a recycling ordinance. A survey was conducted for the pilot project with 62.8% wanting to recycle as a general concern for the environment in conservation of national resources. The second concern was reducing the future waste problem to be faced by our children. She felt that as leaders of this community it needs to be addressed by Council, and not put off forever. Recycling increased greatly after the curb-side pilot program was implemented. She noted that newspaper does not always have to be de-inked. It can be made into cereal boxes without the messy

process. Commercial trash rates are already volume-based, the larger the container, the more they pay. She felt that the incentive to recycle for commercial business is already in place. She also asked that composting be considered, stating that over 20% of the material that goes to the landfill is yard waste.

Dan Mohr, 3008 Ladore Street, encouraged Council to adopt a recycling program as soon as possible. He felt it is only the first step in the process of getting the City's waste management systems under control. The awareness that such a program could create for the public is going to increase the previous numbers that have been given.

Ms. Diane Rissell, 3520 Ponderosa Way, Spring Valley, felt recycling is a step that needs to be taken by Council.

Mr. Al Davidson, 2724 Highway 50, requested an opportunity to bid on the City's recycling project which would generate approximately 8200 accounts. Such a program will take well-trained people and good equipment.

Kent Baughman, 2145 Olympic Court, encouraged all citizens to recycle, although he did not feel the City of Grand Junction should be in the business of recycling. He felt recycling should be a voluntary issue and not mandated by any form of government.

There were no other comments.

Consensus of Council was that this item be given further consideration and that it be scheduled for an upcoming Council workshop.

Upon motion by Councilman Bennett, seconded by Councilman Baughman and carried with Councilman SHEPHERD voting NO, this item was referred to a Council workshop for further consideration.

RESOLUTION NO. 18-92 STATING THE CITY'S INTENT TO CONSTRUCT MODIFICATIONS TO THE INTERSECTION AT 12TH STREET AND NORTH AVENUE

The Resolution will also authorize the acquisition of right-of-way from the State of Colorado (Mesa State College) in conformity with State Statutes for the Conveyance of State lands. City Property Agent Tim Woodmansee reviewed this item.

Upon motion by Councilman Theobald, seconded by Councilman McCurry and carried by roll call vote, Resolution No. 18-92 (see next page) was passed and adopted.

RESOLUTION NO. 19-92 ACCEPTING PETITION FOR ANNEXATION OF LANDS TO THE CITY, AND SETTING A HEARING ON SUCH ANNEXATION (WILSON RANCH ANNEXATIONS NO. 1, 2, AND 3)

This annexation would encompass 25.4 acres located at 25-1/2 Road and G-3/8 Road. Community Development Director Bennett

Boeschstein reviewed this item. He stated that the legal description on this petition has been revised. The petition has been signed by the owners of more than 50% of the property described and more than 50% of the owners in the area described. The area has at least one-sixth contiguity with existing City limits. The contiguity is established serially. A community of interest exists between the area to be annexed and the City of Grand Junction since Central Grand Valley is essentially a single demographic and economic unit, and occupants of the area can be expected to use City streets, parks, and other urban facilities. The area is urban or will be urbanized in the near future. The area is capable of being integrated with the City of Grand Junction since the City has the facilities and resources necessary to provide urban services. No land held in identical ownership is being divided without written consent unless the division is by a dedicated road. No land in identical ownership comprising 20 acres, or more, with a valuation of \$200,000, or more, is included without the owner's consent.

Upon motion by Councilman McCurry, seconded by Councilman Bennett and carried by roll call vote with Councilman BAUGHMAN voting NO, Resolution No. 19-92 (see next page) accepting the petition for annexation was passed and adopted.

DISCUSSION OF CROSS BAR CROSS LAWSUIT (JOHN WHITING)

City Attorney Dan Wilson stated that the plaintiff proposed a stipulation that would dismiss all pending claims on both sides. He stated the City could accept the stipulation and take its chances on attorneys' fees, or dismiss and agree not to pursue attorneys' fees and costs, or take its best shot at trial, win, lose, or draw. He advised that the City is in strong position because there has been no evidence that will support the contract claim. He asked for direction by Council.

Councilman Bennett felt that since the lawsuit has been filed, the City should pursue it; also pursue all attorneys' fees. Councilman Nelson concurred with Mr. Bennett.

Mr. Wilson Stated that he will request a trial date be set for the final phase.

ADJOURN TO EXECUTIVE SESSION

President of the Council Shepherd adjourned the meeting to executive session to discuss the Wilson Ranch Notice of Claim and the Police and Fire Pension Lawsuit.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk

RESOLUTION NO. 18-92

WHEREAS, the intersection of North Twelfth Street and North Avenue in the City of Grand Junction generated the second highest amount of vehicular accidents in the City of Grand Junction in 1991; and

WHEREAS, the City of Grand Junction has determined that the amount of vehicular accidents and overall traffic volume at the intersection of North Twelfth Street and North Avenue warrant the installation of roadway and traffic signal improvements at said intersection; and

WHEREAS, the State of Colorado Highway Department has acknowledged the need to install roadway and traffic signal improvements at said intersection and has agreed to fund a portion of the associated costs with "Hazard Elimination Funds"; and

WHEREAS, the proper placement of the required improvements requires additional road right-of-way for North Twelfth Street to be obtained from land owned by the State of Colorado which is being utilized as part of the Mesa State College campus; and

WHEREAS, legislative approval is required prior to the transfer of State lands; and

WHEREAS, the contemplated Hazard Elimination Project is necessary to serve the public health, safety and welfare of the citizens of the City of Grand Junction, County of Mesa and State of Colorado.

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 exercise the powers granted to the City of Grand Junction by virtue of the Home Rule Charter of the City and the appropriate State Statutes, to employ whatever measures which are deemed fair and reasonable to secure said right-of-way.

PASSED and ADOPTED this 19th day of February, 1992.

Attest:

NAME

President of the Council

Neva B. Lockhart, CMC

City Clerk

RESOLUTION NO. 19-92

ACCEPTING A PETITION FOR THE ANNEXATION OF LANDS TO THE CITY OF GRAND JUNCTION, COLORADO, AND SETTING A HEARING ON SUCH ANNEXATION

WILSON RANCH ANNEXATIONS NO. 1, 2, AND 3, WHICH SHALL BE ACCOMPLISHED IN A SERIES APPROXIMATELY 25.4 ACRES LOCATED AT 25 1/2 ROAD AND G 3/8 ROAD

WHEREAS, on the 19th day of February, 1992, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following described property situate in Mesa County, Colorado, and described as follows:

WILSON RANCH #1

A TRACT OF LANE IN THE SW 1/4 AND SE 1/4 OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN, MESA COUNTY, COLORADO, DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 34, AND CONSIDERING THE SOUTH LINE OF SAID SECTION 34 TO BEAR DUE WEST AS A BASIS OF BEARINGS; THENCE NORTH A DISTANCE OF 30.0 FEET; THENCE WEST A DISTANCE OF 20.0 FEET TO THE POINT OF BEGINNING; THENCE WEST A DISTANCE OF 440.0 FEET; THENCE NORTH A DISTANCE OF 340.0 FEET; THENCE EAST A DISTANCE OF 440.0 FEET TO THE WEST RIGHT-OF-WAY LINE FOR 25 1/2 ROAD; THENCE NORTH ALONG THE WEST RIGHT-OF-WAY LINE FOR 25 1/2 ROAD A DISTANCE OF 290.0 FEET TO THE NORTH LINE OF THE SE 1/4 SE 1/4 SW 1/4 OF SAID SECTION 34; THENCE EAST A DISTANCE OF 20.0 FEET TO THE WEST LINE OF THE SE 1/4 OF SAID SECTION 34; THENCE NORTH ALONG THE WEST LINE OF SAID SE 1/4, SAID LINE BEING COMMON WITH THE WEST RIGHT-OF-WAY LINE FOR 25 1/2 ROAD, A DISTANCE OF 270.0 FEET; THENCE EAST A DISTANCE OF 1.0 FEET; THENCE SOUTH A DISTANCE OF 900.0 FEET; THENCE WEST A DISTANCE OF 21.0 FEET TO THE POINT OF BEGINNING.

TOTAL PERIMETER = 2722.00 FEET
CONTIGUOUS PERIMETER = 461.00 FEET
AREA IN SQUARE FEET = 163,100.00
AREA IN ACRES = 3.74

WILSON RANCH #2

A TRACT OF LAND IN THE SE 1/4 OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN, MESA COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SE 1/4 OF SAID SECTION 34, AND CONSIDERING THE WEST LINE OF THE SW 1/4 SE 1/4 OF SAID SECTION 34 TO BEAR DUE NORTH AS A BASIS OF BEARINGS; THENCE NORTH ALONG THE WEST LINE OF THE SW 1/4 SE 1/4 OF SAID SECTION 34 A DISTANCE OF 30.0 FEET; THENCE EAST A DISTANCE OF 1.0 FEET TO THE POINT OF BEGINNING; THENCE NORTH A DISTANCE OF 900.0 FEET; THENCE WEST A DISTANCE OF 1.0 FEET TO THE WEST LINE OF THE SW 1/4 SE 1/4 OF SAID SECTION 34, SAID LINE BEING COMMON WITH THE WEST RIGHT-OF-WAY LINE FOR 25 1/2 ROAD; THENCE ALONG THE WEST RIGHT-OF-WAY LINE FOR 25 1/2 ROAD THE FOLLOWING TWO COURSES AND DISTANCES:

1) NORTH A CALCULATED DISTANCE OF 396.52 FEET TO THE NORTHWEST CORNER OF THE SW 1/4 SE 1/4 OF SAID SECTION 34;

2) N 00 DEG. 06 MIN. 00 SEC. E A DISTANCE OF 677.58 FEET TO THE NORTH RIGHT-OF-WAY LINE FOR G 3/8 ROAD AS DESCRIBED ON THE SUBDIVISION PLAT FOR WILSON RANCH FILING NO. ONE AND RECORDED IN PLAT BOOK 13 AT PAGES 282 & 283 IN THE OFFICE OF THE MESA COUNTY CLERK AND RECORDER;

THENCE S 89 DEG. 54 MIN. 00 SEC. E ALONG THE NORTH RIGHT-OF-WAY LINE FOR G 3/8 ROAD A DISTANCE OF 25.0 FEET; THENCE S 00 DEG. 06 MIN. 00 SEC. W A DISTANCE OF 70.0 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE FOR 25 1/2 ROAD, SAID POINT BEING COMMON WITH THE NORTHWEST CORNER OF LOT 1, BLOCK 2, WILSON RANCH FILING NO. ONE; THENCE ALONG THE EAST RIGHT-OF-WAY LINE FOR 25 1/2 ROAD THE FOLLOWING THREE COURSES AND DISTANCES:

1) S 00 DEG. 06 MIN. 00 SEC. W A DISTANCE OF 607.58 FEET TO THE SOUTHWEST CORNER OF LOT 15, BLOCK 2, WILSON RANCH FILING NO. ONE;

2) SOUTH A DISTANCE OF 6.63 FEET TO A POINT ON THE NORTH LINE OF THE SW 1/4 SE 1/4 OF SAID SECTION 34;

3) SOUTH A DISTANCE OF 1289.85 FEET;

THENCE WEST A DISTANCE OF 24.0 FEET TO THE POINT OF BEGINNING.

TOTAL PERIMETER = 3998.16 FEET
CONTIGUOUS PERIMETER = 925.00 FEET
AREA IN SQUARE FEET = 49,351.54
AREA IN ACRES = 1.13

WILSON RANCH #3

A TRACT OF LAND IN THE SE 1/4 OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN, MESA COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

ALL OF WILSON RANCH FILING NO. ONE AS RECORDED IN PLAT BOOK 13 AT PAGES 282 & 283 IN THE OFFICE OF THE MESA COUNTY CLERK AND RECORDER;

AND ALSO

COMMENCING AT THE SOUTHWEST CORNER OF THE SE 1/4 OF SAID SECTION 34, AND CONSIDERING THE WEST LINE OF THE SE 1/4 OF SAID SECTION 34 TO BEAR DUE NORTH AS A BASIS OF BEARINGS; THENCE NORTH A DISTANCE OF 1326.48 FEET; THENCE N 89 DEG. 20 MIN. 11 SEC. E A DISTANCE OF 25.0 FEET TO THE EAST RIGHT-OF-WAY LINE FOR 25 1/2 ROAD FOR A POINT OF BEGINNING; THENCE N 89 DEG. 20 MIN. 11 SEC. E A DISTANCE OF 1271.58 FEET; THENCE SOUTH A DISTANCE OF 20.7 FEET TO A POINT ON THE EAST BANK OF THE DRAIN SITUATED ON THE NORTH LINE OF THE SW 1/4 SE 1/4 OF SAID SECTION 34; THENCE ALONG THE EAST BANK OF THE DRAIN THE FOLLOWING FOUR COURSES AND DISTANCES:

- 1) S 37 DEG. 29 MIN. 00 SEC. W A DISTANCE OF 370.07 FEET;
- 2) S 47 DEG. 25 MIN. 00 SEC. W A DISTANCE OF 271.65 FEET;
- 3) S 73 DEG. 38 MIN. 00 SEC. W A DISTANCE OF 174.67 FEET;
- 4) S 23 DEG. 01 MIN. 00 SEC. W A DISTANCE OF 88.18 FEET;

THENCE S 88 DEG. 01 MIN. 10 SEC. W A DISTANCE OF 596.93 FEET;
THENCE S 74 DEG. 10 MIN. 00 SEC. W A DISTANCE OF 49.50 FEET TO THE
EAST RIGHT-OF-WAY LINE FOR 25 1/2 ROAD; THENCE NORTH ALONG THE
EAST RIGHT-OF-WAY LINE FOR 25 1/2 ROAD A DISTANCE OF 647.96 FEET
TO THE POINT OF BEGINNING.

TOTAL PERIMETER = 6976.83 FEET
CONTIGUOUS PERIMETER = 1350.54 FEET
AREA IN SQUARE FEET = 1,236,550.19
AREA IN ACRES = 28.39

WHEREAS, the Council has found and determined that the petition
complies substantially with the provisions of the Municipal
Annexation Act and a hearing should be held to determine whether
or not the lands should be annexed to the City by Ordinance;

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

That a hearing will be held on the 1st day of April, 1992, in the
City-County Auditorium in City Hall of the City of Grand Junction,
Colorado, at 7:30 o'clock p.m. to determine whether one-sixth of
the perimeter of the area proposed to be annexed is contiguous
with the City; whether a community of interest exists between the
territory and the City; whether the territory proposed to be
annexed is urban or will be urbanized in the near future; whether
the territory is integrated or is capable of being integrated with
said City; whether any land in single ownership has been divided
by the proposed annexation; whether any land held in identical
ownership comprising more than twenty acres which, together with
the buildings and improvements thereon, has an assessed valuation
in excess of two hundred thousand dollars is included without the
landowners's consent; whether any of the land is now subject to
other annexation proceedings; and whether an election is required
under the Municipal Annexation Act of 1965.

PASSED and ADOPTED this 19th day of February, 1992.

President of the Council

Attest:

City Clerk