

**GRAND JUNCTION CITY COUNCIL
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET
AGENDA**

WEDNESDAY, OCTOBER 16, 2002, 7:30 P.M.

CALL TO ORDER

Pledge of Allegiance
Invocation - Pastor Rob Storey, River of Life Alliance Church

PRESENTATION OF CERTIFICATE OF APPOINTMENT

TO THE URBAN TRAILS COMMITTEE MEMBER

TO PARKS AND RECREATION ADVISORY BOARD MEMBER

SCHEDULED CITIZEN COMMENTS

***** CONSENT CALENDAR *****

1. **Minutes of Previous Meetings**

[Attach 1](#)

Action: Approve the Summary of the September 30, 2002 Workshop, Minutes of the September 30, 2002 Special Meeting, Minutes of the October 2, 2002 Regular Meeting, and Minutes of the October 8, 2002 Special Meeting

2. **Setting a Hearing on 430 30 Road Annexations No. 1 and No. 2 Located at 430 30 Road** [File #ANX-2002-182]

[Attach 2](#)

The 430 30 Road Annexation area consists of one parcel of land, approximately 11.18 acres in size. A petition for annexation has been presented as part of a Preliminary Plan, in accordance with the 1998 Persigo Agreement with Mesa County. The physical address for the property is 430 30 Road. This is a serial annexation.

a. Referral of Petition, Setting a Hearing and Exercising Land Use Jurisdiction

Resolution No. 91- 02 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, the 430 30 Road Annexation, Located at 430 30 Road

*Action: *Adopt Resolution No. 91-02*

b. Set a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, 430 30 Road Annexation No. 1, Approximately 5.1706 Acres in Size, Located at 430 30 Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, 430 30 Road Annexation No. 2, Approximately 6.2599 Acres in Size, Located at 430 30 Road

Action: *Adopt Proposed Ordinances on First Reading and Set a Hearing for November 20, 2002*

Staff presentation: Lori V. Bowers, Senior Planner

3. **Setting a Hearing on Crista Lee Annexation Located at 2933 B ½ Road** [File #ANX-2002-180] [Attach 3](#)

The Crista Lee Annexation is an annexation comprised of one parcel of land located at 2933 B ½ Road, comprising a total of 6.1157 acres. The petitioner is seeking annexation as part of a request for Preliminary Plan approval pursuant to the 1998 Persigo Agreement with Mesa County.

a. Referral of Petition, Setting a Hearing and Exercising Land Use Jurisdiction

Resolution No. 92-02 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, the Crista Lee Annexation Located at 2933 B ½ Road

*Action: *Adopt Resolution No. 92-02*

b. Set a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Crista Lee Annexation, Approximately 6.1157 Acres, Located at 2933 B ½ Road

Action: *Adopt Proposed Ordinance on First Reading and Set a Hearing for November 20, 2002*

Staff presentation: Pat Cecil, Development Services Supervisor

4. **Setting a Hearing on Lucas Annexations No. 1 and No. 2 Located at 2220 Broadway** [File #ANX-2002-184] [Attach 4](#)

The Lucas Annexation is an annexation comprised of two parcels of land located at 2220 Broadway including a portion of the Broadway right-of-way, comprising a total of 3.9221 acres. The petitioner is seeking annexation as part of a request for Preliminary Plan approval pursuant to the 1998 Persigo Agreement with Mesa County.

a. Referral of Petition, Setting a Hearing and Exercising Land Use Jurisdiction

Resolution No. 93-02 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation and Exercising Land Use Control, Lucas Annexation No. 1 & 2, a Serial Annexation, Located at 2220 Broadway

**Action: Adopt Resolution No. 93-02*

b. Set a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Lucas Annexation No. 1, Approximately 0.0883 Acres in Size, Located at 2220 Broadway

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Lucas Annexation No. 2, Approximately 3.8338 Acres in Size, Located at 2220 Broadway

Action: Adopt Proposed Ordinances on First Reading and Set a Hearing for November 20, 2002

Staff Presentation: Pat Cecil, Development Services Supervisor

***** END OF CONSENT CALENDAR *****

***** ITEMS NEEDING INDIVIDUAL CONSIDERATION *****

5. **Public Hearing – DM South Annexations #1 & #2 Located at 511 30 Road** [File #ANX-2002-138] [Attach 5](#)

Resolution for Acceptance of Petition to Annex/Second Reading of the Annexation Ordinance. The 1.7327-acre DM South Annexation is a serial annexation consisting of two parcels of land and a portion of the 30 Road right-of-way.

a. Accepting Petition

Resolution No. 94-02 – A Resolution Accepting Petitions for Annexation, Making Certain Findings, Determining that Property Known as DM South Annexation, a Serial Annexation Comprising DM South Annexation #1 and DM South Annexation #2 is Eligible for Annexation Located at 511 30 Rd

**Action: Adopt Resolution No. 94-02*

b. Annexation Ordinances

Ordinance No. 3455 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado DM South Annexation #1 Approximately 0.0207 Acres Located near 511 30 Road within the 30 Road R.O.W.

Ordinance No. 3456 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, DM South Annexation #2 Approximately 1.712 Acres Located at 511 30 Road and Includes a Portion of 30 Road R.O.W.

**Action: Adopt Ordinance No. 3455 and Ordinance No. 3456 on Second Reading*

Staff presentation: Senta Costello, Associate Planner

6. **Public Hearing – Zoning DM South Annexation Located at 511 30 Road** [File #ANX-2002-138] [Attach 6](#)

Second Reading of the Zoning Ordinance for the DM South Annexations #1 & 2 located at 511 30 Rd. The 1.7327-acre DM South Annexation is a serial annexation consisting of one parcel of land and a portion of the 30 Road right-of-way. The Planning Commission reviewed the requested zoning on September 24, 2002 and recommended approval.

Ordinance No. 3457 – An Ordinance Zoning the DM South Annexation to B-1 (Neighborhood Business) Located at 511 30 Road

**Action: Adopt Ordinance No. 3457 on Second Reading*

Staff presentation: Senta Costello, Associate Planner

7. **Public Hearing – Summit View Meadows Annexations No. 1, No. 2 and No. 3 Located at 3146 D ½ Road** [File #ANX-2002-153] [Attach 7](#)

A Resolution for acceptance of petition to Annex/Second Reading of the Annexation Ordinance for the Summit View Meadows Annexation, Located at 3146 D ½ Road.

a. Accepting Petition

Resolution No. 95-02 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Summit View Meadows Annexation area is Eligible for Annexation, Located at 3146 D ½ Road

Action: Adopt Resolution No. 95-02

b. Annexation Ordinances

Ordinance No. 3458 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado Summit View Meadows Annexation No. 1 Approximately 0.1699 Acres Right-Of-Way Located along D ½ Road

Ordinance No. 3459 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado Summit View Meadows Annexation No. 2 Approximately 0.5770 Acres Right-Of-Way Located along D ½ Road

Ordinance No. 3460 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado Summit View Meadows Annexation No. 3 Approximately 11.8211 Acres Located at 3146 D ½ Road

Action: Adopt Ordinance No. 3458, Ordinance No. 3459 and Ordinance No. 3460 on Second Reading

Staff presentation: Lisa Gerstenberger, Senior Planner

8. **Public Hearing – Iles Annexation Located at 3080 D ½ Road** [File #ANX-2002-171] [Attach 8](#)

Resolution for Acceptance of Petition to Annex and Second Reading of the Annexation Ordinance for the Iles Annexation located at 3080 D ½ Road.

a. Accepting Petition

Resolution No. 96-02 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as Iles Annexation Area is Eligible for Annexation Located at 3080 D ½ Road

Action: Adopt Resolution No. 96-02

b. Annexation Ordinance

Ordinance No. 3461 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Iles Annexation Approximately 5.854 Acres Located at 3080 D ½ Road

**Action:* Adopt Ordinance No. 3461 on Second Reading

Staff presentation: Lisa Gerstenberger, Senior Planner

9. **Public Hearing – Zoning Iles Annexation Located at 3080 D ½ Road** [File #ANX-2002-171] [Attach 9](#)

Second Reading of the Zoning Ordinance to Zone the Iles Annexation Residential Multi-Family-5 (RMF-5), Located at 3080 D ½ Road.

Ordinance No. 3462 – An Ordinance Zoning the Iles Annexation to Residential Multi-Family-5 (RMF-5), Located at 3080 D 1/2 Road

**Action:* Adopt Ordinance No. 3462 on Second Reading

Staff presentation: Lisa Gerstenberger, Senior Planner

10. **Public Hearing – Assessments for Alley Improvement District 2002** [Attach 10](#)

Improvements to the following alleys have been completed as petitioned by a majority of the adjoining property owners:

- East/West Alley from 2nd to 3rd, between Hill Avenue and Gunnison Avenue
- East/West Alley from 3rd to 4th, between Hill Avenue and Teller Avenue
- East/West Alley from 4th to 5th, between Colorado Avenue and Ute Avenue
- East/West Alley from 11th to 12th, between Grand Avenue and Ouray Avenue
- East/West Alley from 12th to 13th, between Kennedy Avenue and Bunting Avenue
- East/West Alley from 15th to 16th, between Hall Avenue and Texas Avenue
- “T” shaped Alley from 7th to Cannell, between Kennedy Avenue and Bunting Avenue

Ordinance No. 3463 – An Ordinance Approving the Assessable Cost of the Improvements Made in and for Alley Improvement District No. ST-02 in the City of Grand Junction, Colorado, Pursuant to Ordinance No. 178, Adopted and Approved the 11th Day of June, 1910, as Amended; Approving the Apportionment of said Cost to Each Lot or Tract of Land or Other Real Estate in Said District; Assessing the Share of Said Cost Against Each Lot or Tract of Land or Other Real Estate in Said District; Approving the Apportionment of Said Cost and Prescribing the Manner for the Collection and Payment of said Assessment

**Action:* Adopt Ordinance No. 3463 on Second Reading

Staff presentation: Rick Marcus, Real Estate Technician

11. **Agreement between G.J. Rimrock General Improvement District and the Developer** [Attach 11](#)

This resolution authorizes an agreement between the City Council (acting as the Board of Directors for the Rimrock Marketplace General Improvement District) and THF Belleville, the owner and developer of Rimrock.

Resolution No. 97-02 – A Resolution Approving a Special Improvement District Agreement Between the City of Grand Junction Rimrock Marketplace General Improvement District and THF Belleville Development, L.P.; and Providing Other Details Relating Thereto

Action: Adopt Resolution No. 97-02

Staff presentation: Ron Lappi, Administrative Services Director

12. **Intergovernmental Agreement with Rural Fire Protection District** [Attach 12](#)

At an August work session, the City Council directed staff to pursue an Intergovernmental Agreement with the Rural Fire District for the purposes of defining how the relationship for providing fire/EMS services, including a new Fire Station #5, and funding for those services to the subdistrict area (unincorporated Redlands) will be allocated.

Resolution No. 98-02 – A Resolution Authorizing the Mayor to Sign an Intergovernmental Agreement between the City of Grand Junction and the Rural Fire Protection District Regarding the Redlands Subdistrict

Action: Adopt Resolution No. 98-02

Staff presentation: Kelly Arnold, City Manager
Dan Wilson, City Attorney

13. **NON-SCHEDULED CITIZENS & VISITORS**

14. **OTHER BUSINESS**

15. **ADJOURNMENT**

Attach 1

Minutes September 30th, Workshop and Special Meeting, October 2nd Regular Meeting and October 8th Special Meeting

**GRAND JUNCTION
CITY COUNCIL WORKSHOP**

September 30, 2002

The City Council of the City of Grand Junction, Colorado, met on Monday, September 30, 2002 at 5:07 p.m. in the City Hall Auditorium to discuss workshop items. Those present were Dennis Kirtland, Bill McCurry, Jim Spehar, Janet Terry, Harry Butler and President of the Council Cindy Enos-Martinez. Councilmember Reford Theobald arrived at 5:11 p.m.

Summaries and action on the following topics:

1. **INFILL/REDEVELOPMENT POLICY:** The consultants, Clarion Associates presented the final report on this study. Leslie Bethel and Tina Axelrod were present to go over the final draft.

The main points of the newest draft were 1) Definitions of the terms Infill and Redevelopment. (Framework Policy #2) Infill pertains to vacant parcels partially encircled by developed lands. Whether developed means platted or active was discussed. Active meaning by urban standards or used by non agricultural, or just in core areas. There were concerns that the use of the word urban may be confused with the definition of urban in the Persigo Agreement. Agricultural could also be confusing due to the sizes being referred to. Council preferred to leave it as just developed lands but mentioning agricultural as not being "developed" land. Redevelopment area would be defined as in transition, at least two acres and containing improvements that do not live up to its potential.

Next they addressed identifying Infill and Redevelopment Areas (Policy #3). Council wanted any reference to Enterprise Zones to be left out, those areas should not be targeted. Some of the priority areas may end up being in an Enterprise Zone but that is beside the point. Ms. Bechtel cautioned Council to have a plan in place when identifying areas for redevelopment so that those owners know what is planned or possible. "Consistent, flexibility" will be maintained in the policy.

Promotion of Infill and Redevelopment by means of dedicated staff and forming partnership with other agencies was discussed. The use of Economic Development Funds was suggested for use for implementation. Councilmember Theobald cautioned that past use of Grand Junction's economic development has been for the purpose of bringing in manufacturing jobs.

Next guidelines were discussed. Organizing the information and putting it out to the interested parties is key. Next Staff was asked to coordinate improvements with infill and redevelopment areas.

The hesitancy to change the Code at this time was discussed in the document but it left open the opportunity for changes as they become necessary.

Council reviewed the additional guidelines which included flexibility in building and subdivision standards so that there is flexibility when approached by a project, exploration of financial incentives, establishment of criteria and considering the City's participation on a case by case basis.

The consultants encouraged Council to adopt the policies and guidelines and follow through with implementation.

Ms. Axelrod gave the Council an overview of the diagnosis which reviewed all the information they had gathered. They had also read through the Code, made suggestions for changes and also confirmation of many things. The fee structure was one area that was pointed out as low in comparison to other communities.

Councilmember Kirtland asked that a bulleted list be provided to Council in order to prioritize their approach.

Community Development Director Bob Blanchard asked for clear direction on how to proceed. Councilmember Terry asked for a work plan. Mr. Blanchard said that will be the action items. Council was pleased with the document with the few changes.

The Council adjourned into special (formal) session at 6:46 p.m.

**GRAND JUNCTION
CITY COUNCIL SPECIAL MEETING**

September 30, 2002

The City Council of the City of Grand Junction, Colorado, met on Monday, September 30, 2002 at 6:46 p.m. in the City Hall Auditorium in a special session. Those present were Harry Butler, Dennis Kirtland, Bill McCurry, Jim Spehar, Janet Terry, Reford Theobald and President of the Council Cindy Enos-Martinez.

EXECUTIVE SESSION as Privileged Attorney-Client Conference to receive legal advice concerning a proposed Planned Development at 12th Street and Patterson Road under C.R.S. Section 24-6-402(4)(b).

Councilmember Spehar moved to go into executive session as Privileged Attorney-Client Conference to receive legal advice concerning a proposed Planned Development at 12th Street and Patterson Road under C.R.S. Section 24-6-402(4)(b). Councilmember Theobald seconded. The Council adjourned into executive session at 6:46 p.m.

Adjourned at 6:46 p.m.

Stephanie Tuin, CMC
City Clerk

**GRAND JUNCTION CITY COUNCIL
MINUTES OF THE REGULAR MEETING**

October 2, 2002

The City Council of the City of Grand Junction convened into regular session on the 2nd day of October 2002 at 7:32 p.m. in the City Auditorium. Those present were Councilmembers Harry Butler, Dennis Kirtland, Bill McCurry, Jim Spehar, Janet Terry, Reford Theobald and President of the Council Cindy Enos-Martinez. Also present were City Manager Kelly Arnold, City Attorney Dan Wilson and City Clerk Stephanie Tuin.

President of the Council Cindy Enos-Martinez called the meeting to order. Councilmember Jim Spehar led in the pledge of allegiance. The audience remained standing for the invocation by Arthur Trujillo of the Sonrise Church of God.

PROCLAMATIONS / RECOGNITIONS

PROCLAIMING OCTOBER 2002 AS NATIONAL HEADSTART AWARENESS MONTH

PROCLAIMING OCTOBER 5, 2002 AS OKTOBERFEST DAY

PROCLAIMING OCTOBER 1 THROUGH 31, 2002 AS KNIGHTS OF COLUMBUS DAYS FOR THE MENTALLY HANDICAPPED

PROCLAIMING OCTOBER 6 THROUGH 12, 2002 AS MENTAL ILLNESS AWARENESS WEEK

Council recognized Boy Scout Troop 383 in attendance.

APPOINTMENTS

TO PARKS AND RECREATION ADVISORY BOARD

Councilmember Spehar moved to appoint David Detwiler to the Parks & Recreation Advisory Board to fill an unexpired term until June, 2004. Councilmember Terry seconded the motion. Motion carried.

PRESENTATION OF CERTIFICATE OF APPOINTMENTS

TO URBAN TRAILS COMMITTEE MEMBERS

Walid Bou-Matar and Diana Cort were present to receive their certificates of appointment.

TO THE PLANNING COMMISSION BOARD OF APPEALS MEMBER AND 2ND ALTERNATE TO PLANNING COMMISSION

Travis Cox was present to accept his certificate of appointment.

SCHEDULED CITIZEN COMMENTS

There were none.

*** * * CONSENT CALENDAR * * ***

It was moved by Councilmember Kirtland, seconded by Councilmember Terry, and carried, to approve the Consent Calendar Items #1 through #6.

1. Minutes of Previous Meetings

Action: Approve the Summary of the September 16, 2002 Workshop and the Minutes of the September 18, 2002 Regular Meeting

2. Setting a Hearing for the Intent to Create an Alley Improvement District 2003

Successful petitions have been submitted requesting a Local Improvement District be created to reconstruct the following six alleys:

- “T” Shaped Alley from 2nd to 3rd, between E. Sherwood Avenue and North Avenue
- “Cross” Shaped Alley from 6th to 7th, between Rood Avenue and White Avenue
- East/West Alley from 11th to 12th, between Rood Avenue and White Avenue
- East/West Alley from 13th to 14th, between Main Street and Colorado Avenue
- East/West Alley from 13th to 14th, between Chipeta Avenue and Ouray Avenue
- East/West Alley from 13th to 14th, between Hall Avenue and Orchard Avenue

Resolution No. 90-02 – A Resolution Declaring the Intention of the City Council of the City of Grand Junction, Colorado, to Create Within Said City Alley Improvement District No. ST-03 and Authorizing the City Engineer to Prepare Details and Specifications for the Same

**Action: Adopt Resolution No. 90-02 and Set a Hearing for November 6, 2002*

3. Subrecipient Contract with Western Region Alternative to Placement for the City's 2002 Program Year Community Development Block Grant Program [File # CDBG-2002-2]

The Subrecipient Contract formalizes the City's award of \$10,000 to Western Region Alternative to Placement (WRAP) for client services under the WRAP program. These funds were allocated from the City's 2002 Community Development Block Grant (CDBG) Program.

Action: Authorize the City Manager to Sign the Subrecipient Contract with WRAP for the City's 2002 Program Year, Community Development Block Grant Program

4. **Subrecipient Contract with Grand Junction Housing Authority for the City's 2002 Program Year Community Development Block Grant Program** [File # CDBG-2002-5]

The Subrecipient Contract formalizes the City's award of \$41,720 to Grand Junction Housing authority (GJHA) for predevelopment costs for GJHA's Linden property located at 276 Linden Avenue. The funds were allocated from the City's 2002 Community Development Block Grant (CDBG) Program.

Action: Authorize the City Manager to Sign the Subrecipient Contract with GJHA for the City's 2002 Program Year, Community Development Block Grant Program

5. **Setting a Hearing on Zoning the Iles Annexation Located at 3080 D 1/2 Road** [File # ANX-2002-171]

First reading of the Zoning ordinance to zone the Iles Annexation Residential Multi-Family-5 (RMF-5), located at 3080 D 1/2 Road.

Proposed Ordinance Zoning the Iles Annexation to Residential Multi-Family-5 (RMF-5), Located at 3080 D 1/2 Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for October 16, 2002

6. **Setting a Hearing on Zoning the DM South Annexations #1 & 2 Located at 511 30 Road** [File #ANX-2002-138]

First reading of the Zoning Ordinance for the DM South Annexations #1 & 2 located at 511 30 Rd. The 1.7327-acre DM South Annexation is a serial annexation consisting of one parcel of land and a portion of the 30 Road right-of-way.

Proposed Ordinance Zoning the DM South Annexation to B-1 (Neighborhood Business) Located at 511 30 Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for October 16, 2002

***** ITEMS NEEDING INDIVIDUAL CONSIDERATION *****

7. **Grant Contract Accepting \$200,000 for W.C.B.D.C.**

The City has been awarded an Energy/Mineral Impact Assistance Grant to assist the Western Colorado Business Development Corporation with improvements to the technology center.

Ron Lappi, Administrative Services Director reviewed this item. Thea Chase, WCBDC, was present and thanked Council for their support.

Councilmember Terry moved to accept the grant for \$200,000 on behalf of W.C.B.D.C. and Authorize the Mayor to Sign the Agreement. Councilmember Spehar seconded. Motion carried.

8. **Public Hearing – Issuing \$1.6 Million in Private Activity Bonds**

TOT, LLC has requested the use of the City's Private Activity Bond allocation. The use will allow TOT, LLC to finance a portion of their construction of a manufacturing facility for Pyramid Printing through adjustable rate revenue bonds. This ordinance authorizes the issuance of \$1.6 million in PABs in 2002, and an additional \$1.6 million in 2003.

The public hearing was opened at 7:52 p.m.

Ron Lappi, Administrative Services Director, reviewed this item.

Councilmember Theobald pointed out an error on the Mayor Pro Tem in the ordinance.

There were no public comments.

The public hearing was closed at 7:55. p.m.

Ordinance No. 3454 - An Ordinance Authorizing the Issuance and Sale of City of Grand Junction, Colorado, Adjustable Rate Revenue Bonds (Pyramid Printing, Inc. Project), Series 2002, in the Aggregate Principal Amount Not to Exceed \$1,600,000 and Series 2003, in the Aggregate Principal Amount Not to Exceed \$1,600,000; Making Determinations as to Sufficiency of Revenues and as to Other Matters Related to the Project and Approving the Form and Authorizing the Execution of Certain Documents Relating Thereto

Councilmember Theobald moved to adopt Ordinance No. 3454 on second reading. Councilmember McCurry seconded. Motion carried.

9. **Agreement between G.J. Rimrock General Improvement District and the Developer**

This resolution authorizes an agreement between the City Council (acting as the Board of Directors for the Rimrock Marketplace General Improvement District) and THF Belleville, the owner and developer of Rimrock.

Ron Lappi, Administrative Services Director, stated that staff is not ready to go forward with this item and asked that it be continued to October 16, 2002.

Councilmember Kirtland moved to continue the agreement between G.J. Rimrock General Improvement District and the Developer to October 16, 2002. Councilmember Terry seconded. Motion carried.

10. **Public Hearing – Rezoning the Property at the Southeast Corner of Patterson Road and 12th Street for City Market** [File #RZ-2002-118]

City Market is requesting a rezoning of approximately 8.26 acres from the Neighborhood Business (B-1) district and the Residential Multiple Family – 8 (RMF-8) district to the Planned Development (PD) district. The Planning Commission, on August 27, 2002, recommended approval of the zoning to the City Council.

The public hearing was opened at 7:58 p.m.

Pat Cecil, Development Services Supervisor, reviewed this item.

Components of the proposed project he highlighted were the site plan, the fueling facility, two retail buildings, a residential component comprised of twelve residential units, a drainage detention area and an eight foot and a six foot high screen wall separating the commercial components from the residential components. He noted that he has received a petition in favor of the proposal as well as letters in opposition of the project.

He identified that there would need to be significant improvements at the intersection of 12th and Patterson such as double left turns at all four quadrants and dedicated right turn lanes. The pavement would be laid in order to allow re-striping later as needed.

Mark Relph, Public Works Director, stated that the plan is to build the width for double left turns on all four quadrants. The southbound lane may not be striped for the double left turn.

Upon questioning, it was determined that there would be seven lanes total at the intersection.

Mr. Cecil reviewed the residential part of the plan.

Mr. Cecil displayed the rezone criteria and the public benefits that arise from the project (for a Planned Development).

The Planning Commission has recommended that the project be found to be consistent with the Goals and Policies of the Growth Plan, that the rezone criteria has been met, that the review criteria has been met and that the proposed development does provide public benefits above and beyond those required to mitigate the impacts of the development.

Councilmember Theobald asked about access onto Wellington. Mr. Cecil said that only commercial (trucks) access is restricted. Shoppers would be allowed to use Wellington access. Councilmember Spehar asked about policing that restriction. Mr. Cecil said that it would be difficult and that they would have to rely on citizen's complaints.

Councilmember Butler asked about the traffic impact from that access onto Wellington.

Mark Relph, Public Works Director stated that from the traffic study report from reputable traffic engineers, showed that the access will generate about 50 trips per day onto Wellington. Currently, the site has about 450 trips per day. The access is designed to make it difficult for a truck to access because of the retaining wall.

Councilmember Terry asked about traffic counts from Patterson and 12th Street. Mark Relph deferred to the applicant for an answer on this issue.

Councilmember Theobald asked about Growth Plan consistency. Mr. Cecil said the previous proposals did not have a residential element. Councilmember Theobald asked about the process by which this proposal was determined to be consistent with the Growth Plan. Mr. Cecil stated that Growth Plan lines are interpretive, and as part of the rezoning of that property in 2000, it was considered to be implementing the Growth Plan at that time. Since, this project does incorporate a residential component; the Planning Commission feels it is consistent with the Growth Plan.

Kathy Portner, Community Development Department, explained that at the time of adoption of the zoning map, the Growth Plan was to retain residential along Wellington. In order to ensure consistency, the numbers of units allowed by the Growth Plan were included in the proposal.

Councilmember Theobald disagreed with it being consistent as the residential did not cover the entire length of Wellington.

Kathy Portner explained that the number of units was determined by a range based on the acreage. The proposal is at the low end of the range. Ms. Portner

clarified that they based their review of consistency on the number of units that the Growth Plan designation would allow rather than the total area.

Councilmember Theobald asked if the Council can examine the Growth Plan consistency as part of the deliberations. City Attorney Dan Wilson said that they can because the proposal is a Planned Zone. A Planned Zone is premised on consistency with the Growth Plan. Staff statements are only recommendations.

Councilmember Spehar asked how the process proceeds if Council does not agree with the Staff.

City Attorney Wilson said the Growth Plan consistency is part of the Council's consideration. It can be reason for denial or conditions can be placed on the approval.

Councilmember Spehar questioned that if the Council does not feel it is consistent, would they continue with the hearing? City Attorney Wilson recommended that they go forward with the hearing and make decision at the end.

Michael Foley, Executive Vice President of Goldberg Property Associates, reviewed City Market's history and the history of his own company in partnership with King Soopers.

He then reviewed the proposed project. It is on 8.26 acres at the intersection of 12th and Patterson and is a mixed use project which includes retail and residential development.

He acknowledged City Staff and thanked them for their time spent on this proposed project.

He introduced other City Market representatives in attendance including his project consultants with Rolland Engineering, Radix Engineering, Goldberg Properties and City Market employees.

Mr. Foley outlined the reasons for the rezone request. The development would include a 49,500 square foot City Market grocery store, two retail buildings, one being 4,800 and another being 5,000 square feet, a City Market fuel center and twelve multifamily residential units.

He detailed the design of the proposed residential would include the screening with eight, six and three foot masonry walls which would be surrounded by landscaping that would include 144 trees and 1200 shrubs.

There are four accesses and all are integral. The store is also aware of the improvements at the adjacent intersection that are needed. Dedicated right turn lanes northbound and eastbound and double left turn lanes at all four quadrants.

He asked David Hooks of Radix Engineering to present the more technical aspects of the transportation solution.

Councilmember Spehar asked Mr. Foley if City Market is prepared to go forward with the project without the City's contribution to the cost of the intersection improvement. Mr. Foley stated that he cannot speak to that directly but it is his feeling that without City participation, it would appear not to be economically viable.

Councilmember Spehar then asked if the applicant is prepared to acquire the necessary right-of-ways on the four corners to proceed with this project without the City's participation. Mr. Foley said that to the extent that they can privately negotiate for those right-of-ways, they are willing to make the attempt to do that.

Councilmember Theobald asked what will happen if they cannot acquire the right-of-way. Mr. Foley said that it is his understanding that some of the intersection improvements are already slated for construction. If the right-of-way cannot be obtained, then it would probably force a redesign of the project.

Councilmember Theobald asked Mr. Foley if it is clear that there is no expectation of the City's financial participation or efforts in getting the rights-of-way.

Mr. Foley stated that he is aware that tonight's discussion does not include a funding decision.

David Hook, Radix Engineering, performed the traffic study according to the guidelines established by the City of Grand Junction. The City Market development would generate approximately 7,750 trips ends per day. Most would be pass-by trips. The end result is the development would add an additional 4,160 trips to the system per day.

He noted that the intersection of 12th and Patterson is close to failing in the current condition and the addition of the City Market development will impact the intersection unless additional geometric improvements are constructed.

Critical lane capacity (actual capacity of an intersection) is 2,378 vehicles in the peak hour; the number of vehicles going through currently is 2,341.

He stated that with the proposed intersection improvements, the critical capacity would be increased to 3,697 vehicles per hour. The improvements would be far greater than the impact of the additional traffic from the City Market development.

Adequate pedestrian crossing times will always be provided by the City's engineering staff. The proposed City Market development will include pedestrian countdown timers to provide additional safety.

The traffic using the driveways would be 50% on Patterson entrances, 40% on 12th Street entrance, and 8% on Wellington.

Traffic standards indicate that 30% of shopping center traffic on the street would be pass-bys, and 55% of gas station traffic would be pass-bys.

Trip chaining (people planning a multi-task trip to a site like going to a supermarket and then getting gas) results in a 15% reduction of the remaining site trips.

Councilmember Terry asked about the cuing on the graph. Mr. Hook said it is only shown for the PM peak.

Councilmember Theobald questioned the stacking distance on the map for the left turn at Patterson.

Mark Relph replied that with the double left that are being shown on the drawing, the stacking length is about 290 feet.

There was an in depth discussion on which map was being looked at and the distance.

Councilmember Spehar questioned what additional retail uses are assumed to expect to generate 407 trips.

David Hook replied that the number is taken from standard that rates an out parcel at an ADT rate.

Public Works Director Relph clarified that the outbuildings are anticipated to be specialty retail and would generate that type of traffic.

Council continued to question the math of the traffic study.

Mr. Foley thanked the Council for the time they have taken to understand the traffic study.

Councilmember Theobald asked why there is a three foot wall by the detention pond instead of a six foot wall. Mr. Foley said the six foot wall is screening for headlights for the residential. The three foot wall is only to screen the detention area.

David Hook clarified that on table 5 the number is supposed to be 5,482 instead of 5,842.

In conclusion, Mr. Foley stated the benefits of the proposed project at this location and asked for approval of the requested rezoning.

The Mayor asked Council for questions for Staff.

Councilmember Spehar asked Staff to reiterate how the project meets PUD requirements and its consistency with chapter 5. He felt some other use would be on that parcel if this is turned down. He questioned whether the intersection improvements were truly a unique benefit.

Pat Cecil responded that any commercial development on that property would trigger improvements to the intersection.

Councilmember Spehar continued to question the need for the PUD.

Community Development Director Bob Blanchard stated that in the Staff report, they broke the out the points and benefits separately. There are three benefits that go above and beyond the Code, the mixed use design, public use of the detention area and proximity of neighborhood shopping. Mr. Cecil added that most people will generally drive if a store is more than a half mile away.

Councilmember Spehar questioned the oversized detention pond and what would normally be required for this size of a development.

Mr. Cecil stated he needed an engineer to answer that but didn't feel the over sizing is a matter of importance because the detention pond would not be used 24 hours a day 365 days a year. The detention pond is passive recreational use. The difference is that most detention ponds are not landscaped.

Councilmember Spehar questioned if the mixed use design could happen under the straight zone.

Pat Cecil stated that an additional factor is achieving density in the upper range of the Growth Plan which is 6.2 units per acre.

Councilmember Theobold questioned Public Works regarding when the street at 12th becomes wider, would it change to light cycle because pedestrian traffic would take longer to cross the street?

Mark Relph stated that different signal timing at that intersection would be looked at.

Councilmember Theobold asked if it would change progressions and synchronizations.

Mr. Relph stated that it would be managed differently. Councilmember Theobold inquired if the level of service is based on the current cycle, a longer cycle will change the level of service. Mr. Relph advised that even though the signal timing would change, the overall level of service would remain unchanged.

Councilmember Theobold asked what the impact on 15th Street and Wellington would be.

Mr. Relph replied that there is currently plenty of capacity left at these corridors, however, the level of service at 15th & Patterson will be a problem in 20 years.

Councilmember Theobold noted that neighborhood impacts are significant even when not at capacity.

Councilmember Spehar stated that more trips were proposed in the previous proposal, which included other uses. Other allowed uses are available for this parcel that would generate less trips.

Mr. Relph referred to the original table generated in 1999 which showed how other uses for a certain amount of acreage would generate more or less trips.

Councilmember Terry asked how Growth Plan compliance is assessed, particularly in relation to density.

Community Development Director Blanchard stated that when talking density, it is density in the context of residential and intensity in the context of non residential (commercial.) Density is calculated by how many units are provided per acre.

Councilmember Terry also questioned straight zone vs. planned zone and the ability the City has to require different type of fencing or screening.

Development Services Supervisor Cecil stated that it is required when a commercial project is adjacent to residential.

Councilmember Terry asked if the City could require an 8 foot masonry fence on the east and south boundary if this were a straight zone. Mr. Blanchard responded that the City can go above and beyond the Code requirement on a PD Zone.

There was more discussion between Staff and Council regarding the Code and requirements of walls and buffers.

Councilmember Terry commented that, if the project proceeds, the existing plantings in the area of the project should be looked at and recommended not preserving the plantings not worth saving.

Mr. Relph commented on the light signal progression on the rest of the corridor. The Patterson and 12th Street intersection would require the change of the existing signal along with 11 others on Patterson and three on 12th Street, so it would have a significant effect on the corridor but would be manageable.

Councilmember Butler expressed concern about the access from Wellington, and head injured patients from Hilltop walking along there.

Mr. Relph replied that the amount of traffic at Wellington would be minimal there but something for Council to consider.

Councilmember Terry stated that there is not a sidewalk there, and asked if a sidewalk improvement is planned. Mr. Relph replied that the City is asking for a five foot detached sidewalk.

Councilmember Spehar commented on the request for 49,500 square foot plus 600 additional feet of retail totaling over 50,000 square feet and asked if the City could require additional concessions under the big box standards.

City Attorney Wilson replied that it can be requested as an extra amenity as a condition of the Planned Zone.

Mr. Blanchard stated that they have done some things that are in the big box guidelines, for example, articulation of the roof. Some things they have not done are providing a public gathering place and designing all four facades on the building (articulation.)

Councilmember Theobald questioned why this development does not meet big box standards when the square footage is over 50,000 total.

Mr. Blanchard replied that big box standards are triggered for over 50,000 per individual structure or building (interior space).

There was discussion between Staff and Council regarding big box standards and seasonal sales.

City Attorney Dan Wilson stated that in a PUD process, big box standards could be applied and deem that to be one of the public amenities that would justify the planned development.

The Mayor asked for public comments.

Pat Verstraete, 1321 Wellington, distributed a packet to the Council and then read through a pink outline. She disagreed that the project met the criteria for a planned development and simple subdivision according to the development code. Nor does it meet the rezoning criteria. The proposed project is grossly out of compliance with the requirements of the Growth Plan. She said the math did not add up on the ingress from Wellington. They will need a variance and a special use permit for the gas station. She provided petitions to the Mayor with 1,239 with citizen signatures on it asking that City money not be used for the intersection improvements.

Bruce Verstraete, 1321 Wellington, stated that he felt that City staff is not supporting the project but if the store is going to be built then build the improvements, but without City participation.

Councilmember Spehar stated that there were a series of letters asking for City's participation but the City was declined to discuss that until after the land use decision is made.

Bruce Verstraete stated that during the last proposal of this project, it was mentioned that Patterson is the one of the only east-west boulevards in the City and should be kept clear. He is concerned with double left turn lanes, they should be avoided. He feels that the City would only get a one step improvement with the intersection improvements and it still will fail in 20 years. He feels that the proposed right turn lane at egress station B would be 90 feet short for a safe design.

Burl Barlow, 615 Jackson Street, representing Mesa National Bank, spoke regarding the expansion of 12th and Patterson and how it will bring the road closer to the bank. His concerns were: safety of employees and customers, noise pollution, restriction on the bank's business due to traffic stacking up. The bank has discussed with City Market a retaining wall being built, for safety and noise.

Ron Gibbs, 2258 Willow Wood Road, principal owner of the retail shopping in Village Square at the corner of 12th and Patterson, believes the improvements will benefit the citizens at that intersection and supports the project and believes it is compatible with the underlying zoning for the neighborhood.

Burke Swisher, 2510 N. 12th, supports the project except for a few things. The gas station is too close to his property line, however, City Market said they would move it. He asks that it be moved at least 150 feet. Wellington Street entrance will add 60 cars per day, (3 cars an hour) and feels that a street light would be needed at 12th and Wellington.

Bob Emrich, 1441 Patterson Road, Patterson Gardens Town Home Association Board of Directors, referred to plan proposed for City Market three years ago. There were several things the association did not like three years ago. This time City Market did everything possible to modify plans to address their concerns. The Board of Directors for Patterson Gardens Town Home Association now supports this project.

Ken Arnold, store manager for City Market, 1163 22 ½ Rd, spoke regarding that City Market pays good wages and he feels it is good that City Market gets to expand. He asked that the Council support the project.

Tom Bell, 516 Dove Court, works for City Market and supports what Mr. Ken Arnold commented on. Even though City Market has different owners it is still

local. City Market employees have a lot at stake with the project and respectfully ask for approval of this project.

Rick Bamford, 3626 Ridge Drive, works for City Market and supports the construction project.

Priscilla Mangnall, 1406 Cedar Ave., stated that even though City Market does a lot of wonderful things, a grocery store is not needed there.

Joel Williams, 1440 Hall Ave., is concerned about the traffic problem at that intersection and feels that different retail should go in there that would suit everyone better other than a grocery store.

Bill Trackler, 1418 Wellington Ave, is concerned about the traffic and the head injured people. He feels it should be built in somebody else's neighborhood.

Jim Olson, 510 Bookcliff Dr., feels that the development proposed at 12th and Patterson is a giant step toward turning this area of Grand Junction into a budding inner city area. He feels the Council should wait for a more community enhancing proposal.

The public hearing was closed at 11:10.

Councilmember Theobold asked Community Development Director Bob Blanchard to address the situation at Mesa National Bank.

Mr. Blanchard stated that the bank is currently on a non-conforming site and are therefore constrained from any future expansion on their lot which limits their ability to expand, including landscaping and site improvements, without bringing the site up to the City's current code specifications.

Councilmember Theobold asked if it is non-conforming because of the right of way the City required to widen Patterson.

Mr. Blanchard wasn't sure if it was that or because of the changes in the Zoning and Development Code over the years.

Public Works Director Mark Relph stated that he doesn't have a specific solution to the Mesa National Bank issue. There are several possibilities like retaining walls and landscaping.

Councilmember Theobold asked Mr. Relph to respond to Mr. Swisher's comment on the 10% going out onto Wellington and putting Wellington over its capacity.

Mr. Relph replied that this is best addressed by David Hook, Radix Engineering.

Mr. Hook went through the math equation again to state the number of trips.

Mr. Relph explained that the data is expressed in the peak hour and trying to relate to total volume per day is difficult.

Mr. Hook advised that the 550 number of trips is well below the 1000 capacity for Wellington.

Councilmember Terry asked the City Attorney if the sidewalk improvements to be done on Wellington is only the length of the property, and is there any legal guidelines which would allow the City to require a sidewalk the full length of Wellington.

City Attorney Wilson answered that it could be required if findings were made that there is an existing use because of kids and the injured patients. Council could require it in a PD zone.

The Mayor offered rebuttal for the Applicant.

Mike Shunk, City Market's real estate representative, stated that City Market is a good corporate citizen. There has not been a new store since 1990. Several other new supermarkets have entered the market place since. The supermarket at this location would be similar in size to the Orchard Mesa, smaller than other stores. City Market believes the need exists for this facility. A larger store was requested before. City Market has the capability to fund the improvements needed for this project. There is a speed table proposed at Wellington to slow down traffic. The property is a parcel of land that is capable of a use by right to be developed in commercial and residential use of occupancy. There are 8 to 16 residential units allowed on this parcel, and they are proposing 12 units of residential uses on this parcel. He thanked the participants for their questions, Staff and Council for their time and consideration of this project and asked for approval of this request.

Councilmember Theobald stated that he cannot see how this proposal complies with the Growth Plan and feels a Growth Plan amendment is needed. The residential issue along Wellington has not been solved with this proposal.

Councilmember Terry outlined issues that should not be considered: City Market as a corporate citizen, a grocery store is needed, and job creation or wages to be given to employees. What should be considered is land use on this site, and whether or not City Council will allow the land to be developed and whether or not this development meets the criteria that have been set out by citizens and staff. She believes this is in compliance with the Growth Plan and that there is valid reason to approve this development in terms of public benefits and road improvements. She would add a few conditions when they get to a final decision.

Councilmember Spehar spoke in respect to the organization and hopes they can get to a win-win situation with conditions, but feels that it is too big of development for the site. He is disappointed that this development didn't go through Growth Plan amendment process. He feels that City Market's need to be competitive for this area is their own problem. He believes there a lot of other uses that could go on this site. He is troubled by the survey of the community that was done in conjunction with the strategic plan that showed many want growth stopped due to traffic. He can't support this proposal.

Councilmember Theobold stated that as far as big picture, he likes the landscaping, trees and the residential component. There is only half of the residential buffer that the Growth Plan calls for. He is concerned with the traffic on Wellington; there is not a clear traffic picture. This proposal does not comply with the Growth Plan criteria or rezone criteria. He doesn't feel the future is there.

Councilmember Kirtland felt the Growth Plan has designated certain areas for intense development. A more intense location was said to be at 12th and Patterson, for this is the last intersection along Patterson that can handle this. He is confident that the intersection can be developed to manage the safety problems. This area needs an applicant who can bring together a project and deliver a concept that the City can be proud of. There are advantages of having one developer for this area. He feels that this project can look good and can work. City Market has taken the time and met with the majority of the neighbors and addressed concerns. He feels the City needs to trust the investors and people who have invested in this land and what their vision is for this community is and support this project.

Councilmember Butler thought the housing would be across Wellington with no access. The proposal impacts that street too much and he can't support the proposal.

Councilmember Terry moved to approve Ordinance No. 3455 which rezones from B-1 and RMF-8 that property to PD with these conditions:

- Based upon the plan submitted, the gas station be relocated, basically flip flopped with the parking with the access to the gas station pumps
- There be a sidewalk extended the length of Wellington on the north side all the way to 15th to provide safety and access for pedestrians along that entire road, and that is if the access continues to be in and out on Wellington both directions
- That the safety, the noise issues are mitigated that impact Mesa National Bank if this project does go through and if Patterson Road improvements are expanded and that mitigation is to the satisfaction of the property owner.

Councilmember Kirtland seconded. The motion failed with a roll call vote of 4 to 3. Councilmembers Theobold, Butler, McCurry and Spehar voted no. Councilmembers Kirtland, Terry and President of the Council Enos-Martinez voted yes.

Councilmember Spehar moved to cease the motion. Councilmember Theobold seconded. The motion failed with a roll call vote of 4 to 3. Councilmembers Kirtland, McCurry, Terry and President of the Council Enos-Martinez voted no. Councilmembers Spehar, Theobold and Butler voted yes.

Councilmember Terry moved to approve Ordinance No. 3455 rezoning from B-1 and RMF-8 to PD with the conditions:

- The gas station relocation would stay
- The sidewalk improvement on Wellington would also stay
- The requirements for mitigations to the property on Patterson Road known as Mesa National Bank would also stay
- An added condition for the entrance to Wellington Avenue be limited to left in, right out which means the only access for traffic would be going into off of 12th Street would not impact Wellington Avenue.

Councilmember Kirtland seconded. The motion passed with a roll call vote of 4 to 3. Councilmembers Kirtland, McCurry, Terry and President of the Council Enos-Martinez voted yes. Councilmembers Butler, Spehar and Theobold voted no.

The motion was re-polled for clarity. The motion was the same as the previous motion with the addition of restricting Wellington to left in, right out. The motion failed with a 4 to 3 vote. Councilmembers Kirtland, McCurry, Terry and Butler voted no. Councilmembers Spehar, Theobold and President of the Council Enos-Martinez voted yes.

NON-SCHEDULED CITIZENS & VISITORS

There was none.

OTHER BUSINESS

There was none.

ADJOURNMENT

The meeting was adjourned at 12:00 midnight.

**GRAND JUNCTION CITY COUNCIL
MINUTES OF THE SPECIAL MEETING**

October 8, 2002

The City Council of the City of Grand Junction convened into a special session the 8th day of October, 2002, at 5:30 p.m. in the Adobe Creek Room at Two Rivers Convention Center, 159 Main Street. Councilmembers present were Harry Butler, Dennis Kirtland, Bill McCurry, Jim Spehar, Janet Terry, Reford Theobald and President of the Council Cindy Enos-Martinez. City Staff present were City Manager Kelly Arnold, City Attorney Dan Wilson, Assistant City Manager Dave Varley, Public Works & Utilities Director Mark Relph, Administrative Services Director Ron Lappi, Community Development Director Bob Blanchard, Police Chief Greg Morrison and Fire Chief Rick Beaty.

It was moved by Councilmember Kirtland, seconded by Councilmember Terry and carried to go into executive session to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. Section 24-6-402(4)(a).

Council adjourned into executive session, stating they will not return to open session, at 5:35 p.m.

Stephanie Tuin, CMC
City Clerk

Attach 2
430 30 Road Annexation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA									
Subject		430 30 Road Annexation							
Meeting Date		October 16, 2002							
Date Prepared		October 2, 2002				File # ANX-2002-182			
Author		Lori V. Bowers			Senior Planner				
Presenter Name		Lori V. Bowers			Senior Planner				
Report results back to Council		<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When			
Citizen Presentation		<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name			
<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Formal Agenda			<input checked="" type="checkbox"/>	Consent	<input type="checkbox"/>	Individual Consideration

Summary: The 430 30 Road Annexation area consists of one parcel of land, approximately 11.18 acres in size. A petition for annexation has been presented as part of a Preliminary Plan, in accordance with the 1998 Persigo Agreement with Mesa County. The physical address for the property is 430 30 Road. This is a serial annexation.

Budget: N/A

Action Requested/Recommendation: Approval of the Resolution accepting the annexation petition, and first reading of the Annexation Ordinances.

Attachments:

- Staff Report
- Annexation Map
- Resolution
- Annexation Ordinances

Background Information: Please see attached Staff Report

STAFF REPORT / BACKGROUND INFORMATION				
Location:		<i>430 30 Road</i>		
Applicant:		Darren Davidson, Owner		
Existing Land Use:		<i>Vacant land</i>		
Proposed Land Use:		<i>Residential</i>		
Surrounding Land Use:	North	<i>Residential & vacant land</i>		
	South	Residential & vacant land		
	East	Residential & vacant land		
	West	Residential		
Existing Zoning:		Mesa County PUD		
Proposed Zoning:		RMF-8 (Residential Multi-Family, not to exceed 8 dwelling units per acre)		
Surrounding Zoning:	North	<i>PUD (Mesa County)</i>		
	South	PUD & AFT (Mesa County)		
	East	PUD (Mesa County)		
	West	PUD (Mesa County)		
Growth Plan Designation:		Residential Medium – 4 to 8 dwelling units per acre		
Zoning within density range?		X	Yes	No

RELATIONSHIP TO COMPREHENSIVE PLAN: The City of Grand Junction’s Growth Plan identifies the subject parcels as “residential medium”, 4 to 8 dwelling units per acre. The proposed future development will be compatible with adjacent land uses. There is no commercial development associated with this plan.

STAFF ANALYSIS

Annexation

It is staff's professional opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the 430 30 Road Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

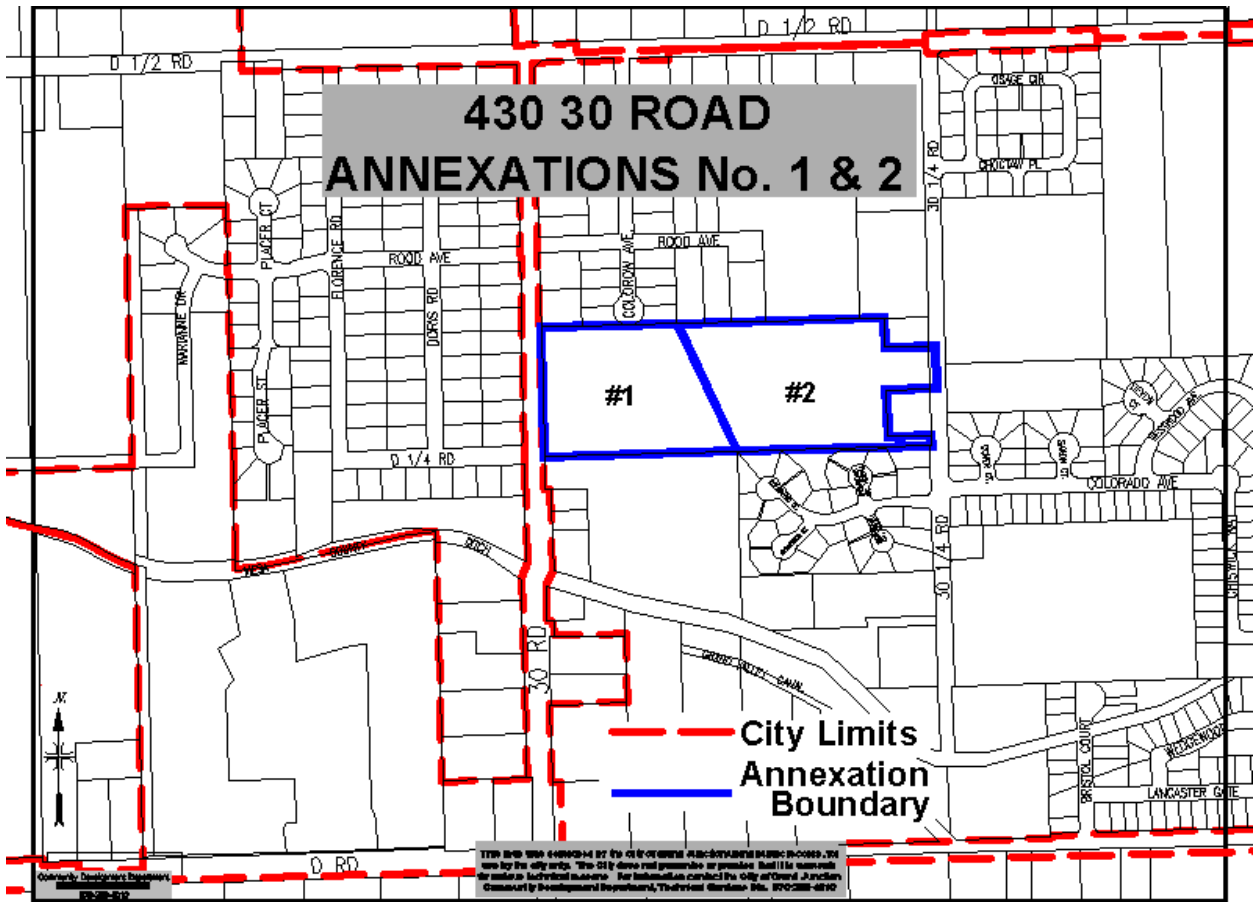
The following annexation and zoning schedule is being proposed.

<i>ANNEXATION SCHEDULE</i>	
Oct. 16th	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
Oct 22nd	Planning Commission considers Zone of Annexation
Nov 6th	First Reading on Zoning by City Council
Nov 20th	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
Dec. 22nd	Effective date of Annexation and Zoning

430 30 ROAD ANNEXATION

File Number:	ANX-2002-182	
Location:	430 30 Road	
Tax ID Number:	2943-163-00-073	
Parcels:	1	
Estimated Population:	54 single family lots proposed	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	11.18 acres for annexation area	
Developable Acres Remaining:	0 acres	
Right-of-way in Annexation:	140 feet and 20 feet along 30 ¼ Road	
Previous County Zoning:	County PUD	
Proposed City Zoning:	(RMF-8) Residential Multi-Family not to exceed 8 units per acre	
Current Land Use:	Vacant land	
Future Land Use:	Medium density residential	
Values:	Assessed:	= \$ 16,540
	Actual:	= \$ 57,050
Census Tract:	8	
Address Ranges:	3000 through 3025	
Special Districts:	Water:	Clifton Water
	Sewer:	Central Grand Valley Sanitation Dist.
	Fire:	Clifton Fire
	Drainage:	Grand Junction Drainage District
	School:	District 51
	Pest:	Upper Grand Valley Pest

430 30 ROAD ANNEXATIONS No. 1 & 2



City Limits
Annexation
Boundary

THIS AND THE CONTENTS OF THIS DOCUMENT ARE SUBJECT TO THE CITY'S GENERAL POLICY AND PROCEDURES. THE CITY DOES NOT GUARANTEE OR WARRANT THE ACCURACY OF THE INFORMATION PROVIDED HEREIN. FOR INFORMATION CONTACT THE CITY OF GRAND JUNCTION COMMUNITY DEVELOPMENT DEPARTMENT, THEFTON GARDENS BLDG., 870-288-4890

City of Grand Junction
Community Development Department
870-288-4890

**NOTICE OF HEARING
ON PROPOSED ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO**

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 16th day of October, 2002, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO.

**A RESOLUTION
REFERRING A PETITION TO THE CITY COUNCIL
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
SETTING A HEARING ON SUCH ANNEXATION,
AND EXERCISING LAND USE CONTROL**

AND EXERCISING LAND USE CONTROL

430 30 ROAD ANNEXATION

LOCATED AT 430 30 ROAD

WHEREAS, on the 16th day of October, 2002, a petition was referred 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:

(A serial annexation comprising 430 30 Road Annexation No. 1 and 430 30 Road Annexation No. 2)

PERIMETER BOUNDARY LEGAL DESCRIPTION

430 30 Road Annexation No. 1

A certain parcel of land lying in the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Southwest corner of the NW 1/4 SW 1/4 of said Section 16 and considering the West line of the NW 1/4 SW 1/4 of said Section 16 to bear N 00°01'23" E with all bearings mentioned herein relative thereto; thence from said Point of Commencement, N 89°55'08" E along the South line of the NW 1/4 SW 1/4 of said Section 16 a distance of 30.00 feet to a point on the East right of way line for 30 Road and the POINT OF BEGINNING; thence from said Point of Beginning, continue N 89°55'08" E along the South line of the NW 1/4 SW 1/4 of said Section 16 a distance of 630.65 feet to a point being the Northwest corner of the Plat of Ironwood, as same is recorded in Plat Book 12, Page 454, Public Records of Mesa County, Colorado; thence N 23°39'54" W a distance of 455.87 feet to a point being the Southeast corner of Farley-Swehla-Mead Amended Subdivision, as same is recorded in Plat Book 8, Page 60, Public Records of Mesa County, Colorado; thence S 89°55'20" W, along the South line of said Farley-Swehla-Mead Amended Subdivision, a distance of 447.50 feet to a

point being the Southwest corner of said Farley-Swehla-Mead Subdivision; thence S 00°01'23" W along the East right of way line of 30 Road, being a line 30.00 feet East of and parallel to the West line of the NW 1/4 SW 1/4 of said Section 16, a distance of 417.82 feet, more or less, to the Point of Beginning.

CONTAINING 5.1706 Acres, (225,230.12 sq. ft.) more or less, as described.

430 30 Road Annexation No. 2

A certain parcel of land lying in the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Southwest corner of the NW 1/4 SW 1/4 of said Section 16 and considering the West line of the NW 1/4 SW 1/4 of said Section 16 to bear N 00°01'23" E with all bearings mentioned herein relative thereto; thence from said Point of Commencement, N 89°55'08" E along the South line of the NW 1/4 SW 1/4 of said Section 16 a distance of 660.65 feet to a point being the Northwest corner of the Plat of Ironwood, as same is recorded in Plat Book 12, Page 454, Public Records of Mesa County, Colorado and the POINT OF BEGINNING; thence from said Point of Beginning,; thence N 23°39'54" W a distance of 455.87 feet to a point being the Southeast corner of Farley-Swehla-Mead Amended Subdivision, as same is recorded in Plat Book 8, Page 60, Public Records of Mesa County, Colorado; thence N 89°55'20" E along a line being the Easterly extension of the South line of said Farley-Swehla-Mead Subdivision, a distance of 678.53 feet; thence S 00°02'08" W along a line 165.00 feet West of and parallel to the East line of the NW 1/4 SW 1/4 of said Section 16, a distance of 99.00 feet; thence N 89°55'20" E a distance of 165.00 feet to a point on the East line of the NW 1/4 SW 1/4 of said Section 16; thence S 00°02'08" W, along the East line of the NW 1/4 SW 1/4 of said Section 16, a distance of 140.00 feet; thence S 89°55'20" W a distance of 165.00 feet; thence S 00°02'08" W along a line 165.00 feet West of and parallel to the East line of the NW 1/4 SW 1/4 of said Section 16, a distance of 148.50 feet; thence N 89°55'20" E a distance of 145.00 feet to a point on the West right of Way line for 30 1/4 Road, as same is described in Book 767, Page 175, Public Records of Mesa County, Colorado, said line lying 20.00 feet West of and parallel to the East line of the NW 1/4 SW 1/4 of said Section 16; thence S 00°02'08" W along said West Right of Way, a distance of 30.25 feet to a point on the South line of the NW 1/4 SW 1/4 of said Section 16; thence S 89°55'08" W along said South line, also being the North line of said Plat of Ironwood, a distance of 640.29 feet, more or less, to the Point of Beginning.

CONTAINING 6.2599 Acres, (272,682.44 sq. ft.) more or less, as described.

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:

1. That a hearing will be held on the 20th day of November, 2002, in the City Hall auditorium, located at 250 N 5th Street, City of Grand Junction, Colorado, at 7:30 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 without the consent of the landowner; 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.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED this ___ day of _____, 2002.

Attest:

President of the Council

City Clerk

NOTICE IS FURTHER GIVEN that a hearing will be held in accordance with the Resolution on the date and at the time and place set forth in the Resolution.

Clerk

City

Published:

October 18, 2002
October 25, 2002
November 1, 2002
November 8, 2002

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

**430 30 ROAD ANNEXATION NO. 1
APPROXIMATELY 5.1706 ACRES
LOCATED AT 430 30 ROAD**

WHEREAS, on the 16th day of October, 2002, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the ___ day of _____, 2002; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed.;

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

That the property situate in Mesa County, Colorado, and described to wit:

**Perimeter Boundary Legal Description
430 Road Annexation**

A serial annexation comprising 430 30 Road Annexation No. 1 and 430 30 Road Annexation No. 2

430 30 Road Annexation No. 1

A certain parcel of land lying in the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Southwest corner of the NW 1/4 SW 1/4 of said Section 16 and considering the West line of the NW 1/4 SW 1/4 of said Section 16 to bear N 00°01'23" E with all bearings mentioned herein relative thereto; thence from said Point of Commencement, N 89°55'08" E along the South line of the NW 1/4 SW 1/4 of said Section 16 a distance of 30.00 feet to a point on the East right of way line for 30 Road

and the POINT OF BEGINNING; thence from said Point of Beginning, continue N 89°55'08" E along the South line of the NW 1/4 SW 1/4 of said Section 16 a distance of 630.65 feet to a point being the Northwest corner of the Plat of Ironwood, as same is recorded in Plat Book 12, Page 454, Public Records of Mesa County, Colorado; thence N 23°39'54" W a distance of 455.87 feet to a point being the Southeast corner of Farley-Swehla-Mead Amended Subdivision, as same is recorded in Plat Book 8, Page 60, Public Records of Mesa County, Colorado; thence S 89°55'20" W, along the South line of said Farley-Swehla-Mead Amended Subdivision, a distance of 447.50 feet to a point being the Southwest corner of said Farley-Swehla-Mead Subdivision; thence S 00°01'23" W along the East right of way line of 30 Road, being a line 30.00 feet East of and parallel to the West line of the NW 1/4 SW 1/4 of said Section 16, a distance of 417.82 feet, more or less, to the Point of Beginning.

CONTAINING 5.1706 Acres, (225,230.12 sq. ft.) more or less, as described.

be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the ___ day of _____, 2002.

ADOPTED and ordered published this ___ day of _____, 2002.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

**430 30 ROAD ANNEXATION NO. 2
APPROXIMATELY 6.2599 ACRES
LOCATED AT 430 30 ROAD ANNEXATION**

WHEREAS, on the 16th day of October, 2002, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the ____ day of _____, 2002; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed.;

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

That the property situate in Mesa County, Colorado, and described to wit:

430 30 Road Annexation No. 2

A certain parcel of land lying in the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Southwest corner of the NW 1/4 SW 1/4 of said Section 16 and considering the West line of the NW 1/4 SW 1/4 of said Section 16 to bear N 00°01'23" E with all bearings mentioned herein relative thereto; thence from said Point of Commencement, N 89°55'08" E along the South line of the NW 1/4 SW 1/4 of said Section 16 a distance of 660.65 feet to a point being the Northwest corner of the Plat of Ironwood, as same is recorded in Plat Book 12, Page 454, Public Records of Mesa County, Colorado and the POINT OF BEGINNING; thence from said Point of Beginning,; thence N 23°39'54" W a distance of 455.87 feet to a point being the Southeast corner of Farley-Swehla-Mead Amended Subdivision, as same is recorded in Plat Book 8, Page 60, Public Records of Mesa County, Colorado; thence N 89°55'20" E along a line being the Easterly extension of the South line of said Farley-Swehla-Mead Subdivision, a distance of 678.53 feet; thence S 00°02'08" W along a line 165.00 feet

West of and parallel to the East line of the NW 1/4 SW 1/4 of said Section 16, a distance of 99.00 feet; thence N 89°55'20" E a distance of 165.00 feet to a point on the East line of the NW 1/4 SW 1/4 of said Section 16; thence S 00°02'08" W, along the East line of the NW 1/4 SW 1/4 of said Section 16, a distance of 140.00 feet; thence S 89°55'20" W a distance of 165.00 feet; thence S 00°02'08" W along a line 165.00 feet West of and parallel to the East line of the NW 1/4 SW 1/4 of said Section 16, a distance of 148.50 feet; thence N 89°55'20" E a distance of 145.00 feet to a point on the West right of Way line for 30 1/4 Road, as same is described in Book 767, Page 175, Public Records of Mesa County, Colorado, said line lying 20.00 feet West of and parallel to the East line of the NW 1/4 SW 1/4 of said Section 16; thence S 00°02'08" W along said West Right of Way, a distance of 30.25 feet to a point on the South line of the NW 1/4 SW 1/4 of said Section 16; thence S 89°55'08" W along said South line, also being the North line of said Plat of Ironwood, a distance of 640.29 feet, more or less, to the Point of Beginning.

CONTAINING 6.2599 Acres, (272,682.44 sq. ft.) more or less, as described.

be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the ___ day of _____, 2002.

ADOPTED and ordered published this ___ day of _____, 2002.

Attest:

President of the Council

City Clerk

Attach 3
Crista Lee Annexation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Crista Lee Annexation					
Meeting Date		October 16, 2002					
Date Prepared		October 9, 2002				File #ANX-2002-180	
Author		Pat Cecil		Development Services Supervisor			
Presenter Name		Pat Cecil		Development Services Supervisor			
Report results back to Council		<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When	
Citizen Presentation		<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name	
<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		<input checked="" type="checkbox"/>	Consent	Individual Consideration

Summary: The Crista Lee Annexation is an annexation comprised of 1 parcel of land located at 2933 B ½ Road, comprising a total of 6.1157 acres. The petitioner is seeking annexation as part of a request for Preliminary Plan approval pursuant to the 1998 Persigo Agreement with Mesa County.

Budget: N/A

Action Requested/Recommendation: Approval of the Resolution of Referral, first reading of the Annexation Ordinance, exercise land use immediately and set hearing for November 20, 2002.

Attachments:

1. Staff report/Background information
2. Aerial Photo
3. Annexation map
4. Resolution of Referral Petition
5. Annexation Ordinance

Background Information: See attached Staff Report/Background Information

Staff Report/ Background Information

<i>BACKGROUND INFORMATION</i>			
Location:	2933 B ½ Road		
Applicants:	Alan C. Helmick		
Existing Land Use:	<i>Undeveloped</i>		
Proposed Land Use:	<i>Residential development</i>		
Surrounding Land Use:	North	<i>Residential</i>	
	South	Residential	
	East	Residential	
	West	Residential	
Existing Zoning:	RSF-4 (County)		
Proposed Zoning:	RSF-4 (Residential Single Family -4 dwelling units per acre.		
Surrounding Zoning:	North	<i>RSF-R (County)</i>	
	South	RSF-4 (County)	
	East	RSF-R (County)	
	West	<i>RSF-4 (City)</i>	
Growth Plan Designation:	Residential Medium Low 2-4		
Zoning within density range?	X	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of annexing 6.1157 acres of land. The property owners have requested annexation into the City as the result of needing a rezone in the

County to subdivide. Under the 1998 Persigo Agreement all rezones require annexation and processing in the City.

It is staff's professional opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Larson Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

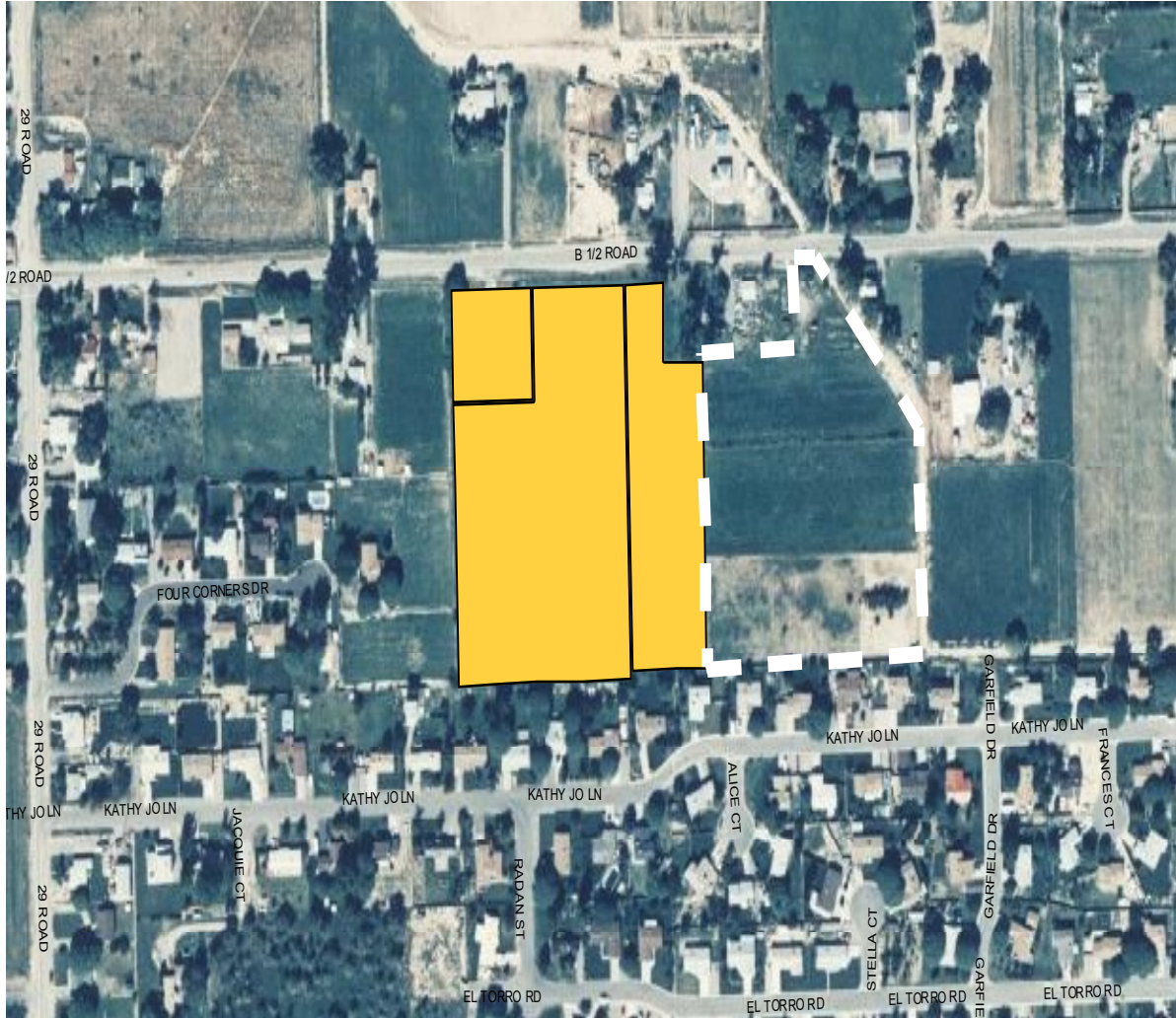
The following annexation and zoning schedule is being proposed.

<i>ANNEXATION SCHEDULE</i>	
10/16/02	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
10/22/02	Planning Commission considers Zone of Annexation
11/6/02	First Reading on Zoning by City Council
11/20/02	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
12/22/02	Effective date of Annexation and Zoning

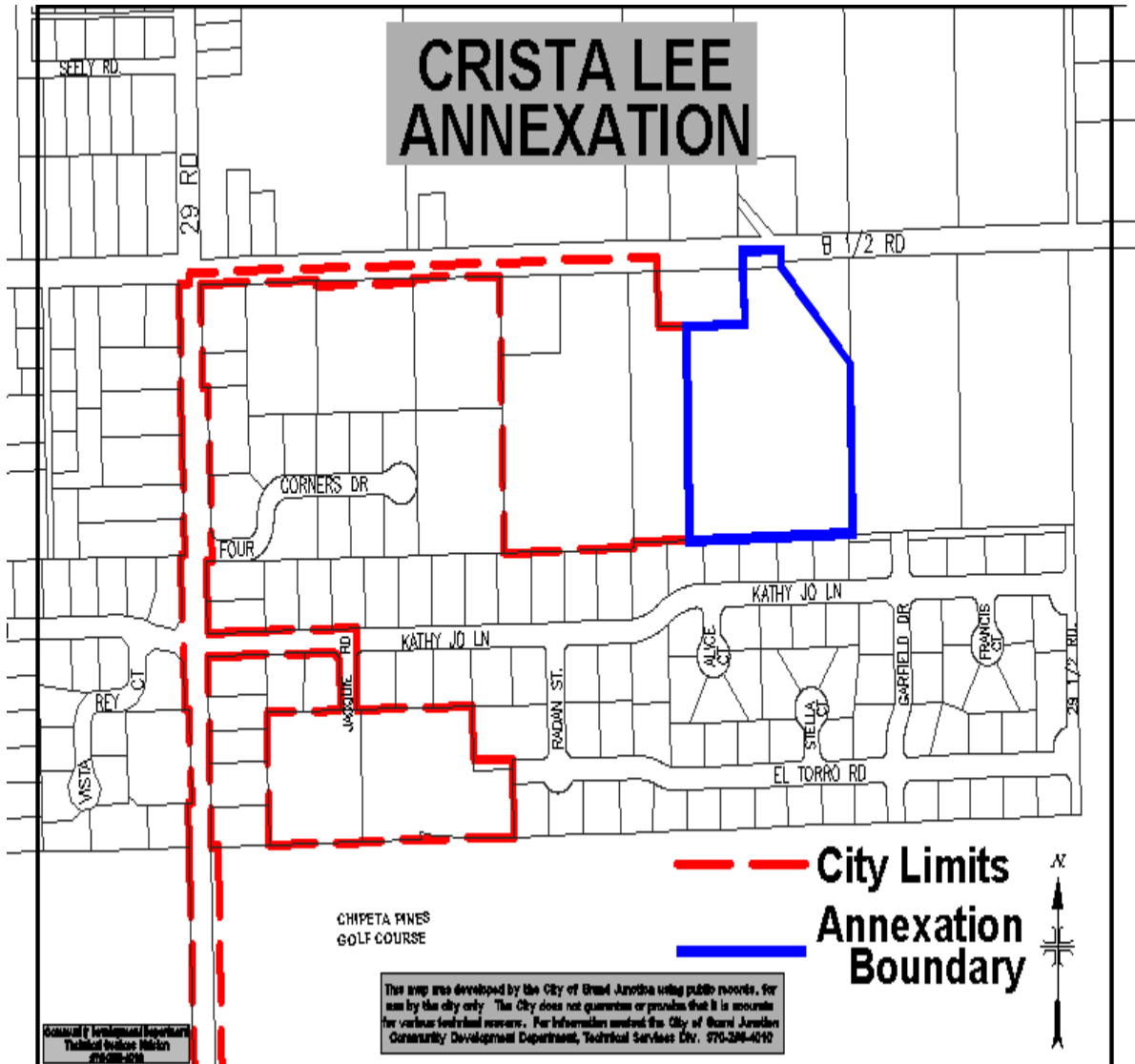
CRISTA LEE ANNEXATION SUMMARY

File Number:		ANX-2002-180
Location:		2933 B ½ Road
Tax ID Number:		2943-293-00-141
Parcels:		1
Estimated Population:		0
# of Parcels (owner occupied):		0
# of Dwelling Units:		0
Acres land annexed:		6.1157 acres
Developable Acres Remaining:		6.1157 acres
Right-of-way in Annexation:		0
Previous County Zoning:		RSF-R
Proposed City Zoning:		RSF-4
Current Land Use:		Undeveloped
Future Land Use:		Residential Medium Low 2-4
Values:	Assessed:	\$840
	Actual:	\$2890
Census Tract:		12
Address Ranges:		230-250 (North/South) 2930-2940 (East/West)
Special Districts:	Water:	Ute Water District
	Sewer:	Orchard Mesa
	Fire:	GJ Rural Fire District
	Drainage:	Orchard Mesa
	School:	District 51
	Pest:	N/A

CRISTA LEE ANNEXATION
ANX-2002-180



CRISTA LEE ANNEXATION



Community Development Department
Technical Services Division
375-294-4010

This map was developed by the City of Grand Junction using public records, for use by the city only. The City does not guarantee or provide that it is accurate for various technical reasons. For information contact the City of Grand Junction Community Development Department, Technical Services Div. 375-294-4010



**NOTICE OF HEARING
ON PROPOSED ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO**

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 16th day of October, 2002, the following Resolution was adopted:

RESOLUTION NO. ____

A RESOLUTION

*REFERRING A PETITION TO THE CITY COUNCIL
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
SETTING A HEARING ON SUCH ANNEXATION,
AND EXERCISING LAND USE CONTROL*

CRISTA LEE ANNEXATION

LOCATED at 2933 B ½ ROAD.

WHEREAS, on the 16th day of October, 2002, a petition was referred 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:

A certain parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 29, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Northwest Corner of the NE 1/4 SW 1/4 of said Section 29, and considering the North line of the NE 1/4 SW 1/4 of said Section 29 to bear N 90°00'00" E with all bearings contained herein being relative thereto; thence from said Point of Commencement, N 90°00'00" E along the North line of the NE 1/4 SW 1/4 of said Section 29, a distance of 348.08 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 90°00'00" E, along the North line of the NE 1/4 SW 1/4 of said Section 29, a distance of 114.19 feet; thence S 00°00'00" E a distance of 40.00 feet; thence S 43°15'05" E, along the Northeasterly bank of the Mesa Mutual Canal, a distance of 288.32 feet; thence S 00°01'19" W a distance of 408.68 feet, more or less, to a point on the North line of Loma Linda Subdivision First Addition, as same is recorded in Plat Book 11, Pages 322 and 323, Public Records of Mesa County, Colorado; thence S 89°57'43" W, along said North line, a distance of 493.21 feet; thence N 00°00'12" E a distance of 494.01 feet; thence 90°00'00" E a distance of 181.59 feet; thence N 00°00'00" E a distance of 165.00 feet, more or less, to the Point of Beginning.

CONTAINING 6.1157 Acres or 266,399.16 Square Feet, more or less, as described.

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:

1. That a hearing will be held on the 20th day of November, 2002, in the auditorium of the Grand Junction City Hall, located at 250 N. Fifth Street, Grand Junction, Colorado, at 7:30 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 without the consent of the landowner; 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.

2. **Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.**

ADOPTED this day of , 2002.

Attest:

President of the Council

City Clerk

NOTICE IS FURTHER GIVEN that a hearing will be held in accordance with the Resolution on the date and at the time and place set forth in the Resolution.

City Clerk

<i>PUBLISHED</i>
October 18, 2002
October 25, 2002
November 1, 2002
November 8, 2002

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO

CRISTA LEE ANNEXATION

APPROXIMATELY 6.1157 ACRES

LOCATED AT 2933 B ½ ROAD

WHEREAS, on the 16th day of October, 2002, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the day of November, 2002; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situated in Mesa County, Colorado, and described to wit:

A certain parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 29, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Northwest Corner of the NE 1/4 SW 1/4 of said Section 29, and considering the North line of the NE 1/4 SW 1/4 of said Section 29 to bear N 90°00'00" E with all bearings contained herein being relative thereto; thence from said Point of Commencement, N 90°00'00" E along the North line of the NE 1/4 SW 1/4 of said Section 29, a distance of 348.08 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 90°00'00" E, along the North line of the NE 1/4 SW 1/4 of said Section 29, a distance of 114.19 feet; thence S 00°00'00" E a distance of 40.00 feet; thence S 43°15'05"

E, along the Northeasterly bank of the Mesa Mutual Canal, a distance of 288.32 feet; thence S 00°01'19" W a distance of 408.68 feet, more or less, to a point on the North line of Loma Linda Subdivision First Addition, as same is recorded in Plat Book 11, Pages 322 and 323, Public Records of Mesa County, Colorado; thence S 89°57'43" W, along said North line, a distance of 493.21 feet; thence N 00°00'12" E a distance of 494.01 feet; thence 90°00'00" E a distance of 181.59 feet; thence N 00°00'00" E a distance of 165.00 feet, more or less, to the Point of Beginning.

CONTAINING 266,399.16 square feet or 6.1157 acres, more or less, as described be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 16th day of October, 2002.

ADOPTED and ordered published this ___ day of _____, 2002.

Attest:

President of the Council

City Clerk

Attach 4
Lucas Annexation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Lucas Annexation, 2220 Broadway					
Meeting Date		October 16, 2002					
Date Prepared		October 9, 2002				File #ANX-2002-184	
Author		Pat Cecil		Development Services Supervisor			
Presenter Name		Pat Cecil		Development Services Supervisor			
Report results back to Council		<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When	
Citizen Presentation		<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name	
<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		<input checked="" type="checkbox"/>	Consent	Individual Consideration

Summary: The Lucas Annexation is an annexation comprised of 2 parcels of land located at 2220 Broadway and including a portion of the Broadway right-of-way, comprising a total of 3.9221 acres. The petitioner is seeking annexation as part of a request for Preliminary Plan approval pursuant to the 1998 Persigo Agreement with Mesa County.

Budget: N/A

Action Requested/Recommendation: Approval of the Resolution of Referral, first reading of the Annexation Ordinance, exercise land use immediately and set hearing for November 20, 2002.

Attachments:

6. Staff report/Background information
7. Aerial Photo
8. Annexation map
9. Resolution of Referral Petition
10. Annexation Ordinance

Background Information: See attached Staff Report/Background Information

Staff Report/ Background Information

<i>BACKGROUND INFORMATION</i>			
Location:	2220 Broadway		
Applicants:	Dennis and Karen Lucas		
Existing Land Use:	<i>Existing residence and outbuildings (to be removed)</i>		
Proposed Land Use:	<i>Residential development</i>		
Surrounding Land Use:	North	<i>Residential</i>	
	South	Residential	
	East	Residential	
	West	Residential	
Existing Zoning:	RSF-4 (County)		
Proposed Zoning:	RSF-4 (Residential Single Family -4 dwelling units per acre.		
Surrounding Zoning:	North	<i>Planned Residential (County)</i>	
	South	R-2 (County)	
	East	R-2 (County)	
	West	<i>Planned Residential (County)</i>	
Growth Plan Designation:	Residential Medium Low 2-4		
Zoning within density range?	X	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of annexing 2 parcels of land totaling 3.9221 acres of land. The property owners have requested annexation into the City as the result of needing a rezone in the County to subdivide. Under the 1998 Persigo Agreement all rezones require annexation and processing in the City.

It is staff's professional opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Larson Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

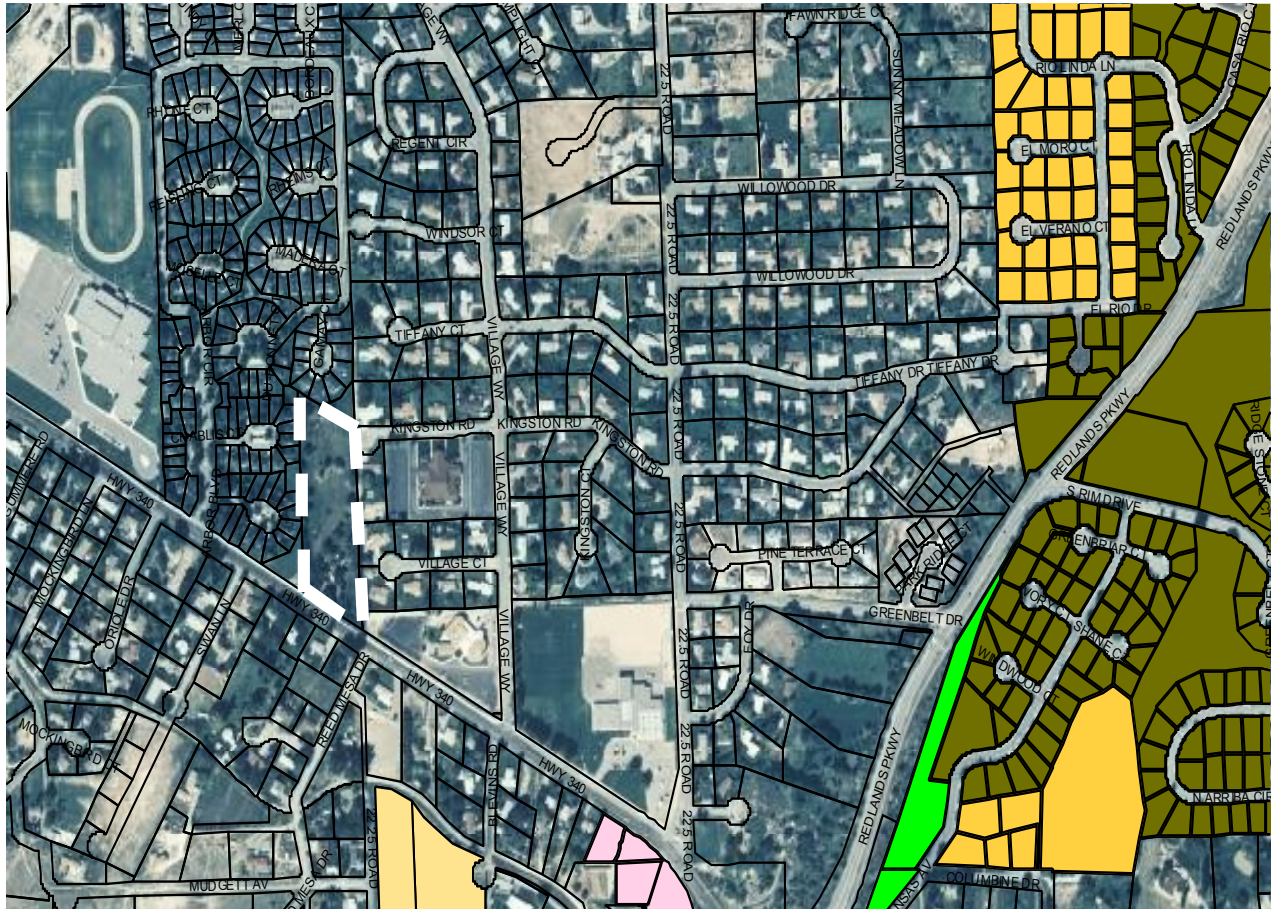
The following annexation and zoning schedule is being proposed.

<i>ANNEXATION SCHEDULE</i>	
10/16/02	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
10/22/02	Planning Commission considers Zone of Annexation
11/6/02	First Reading on Zoning by City Council
11/20/02	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
12/22/02	Effective date of Annexation and Zoning

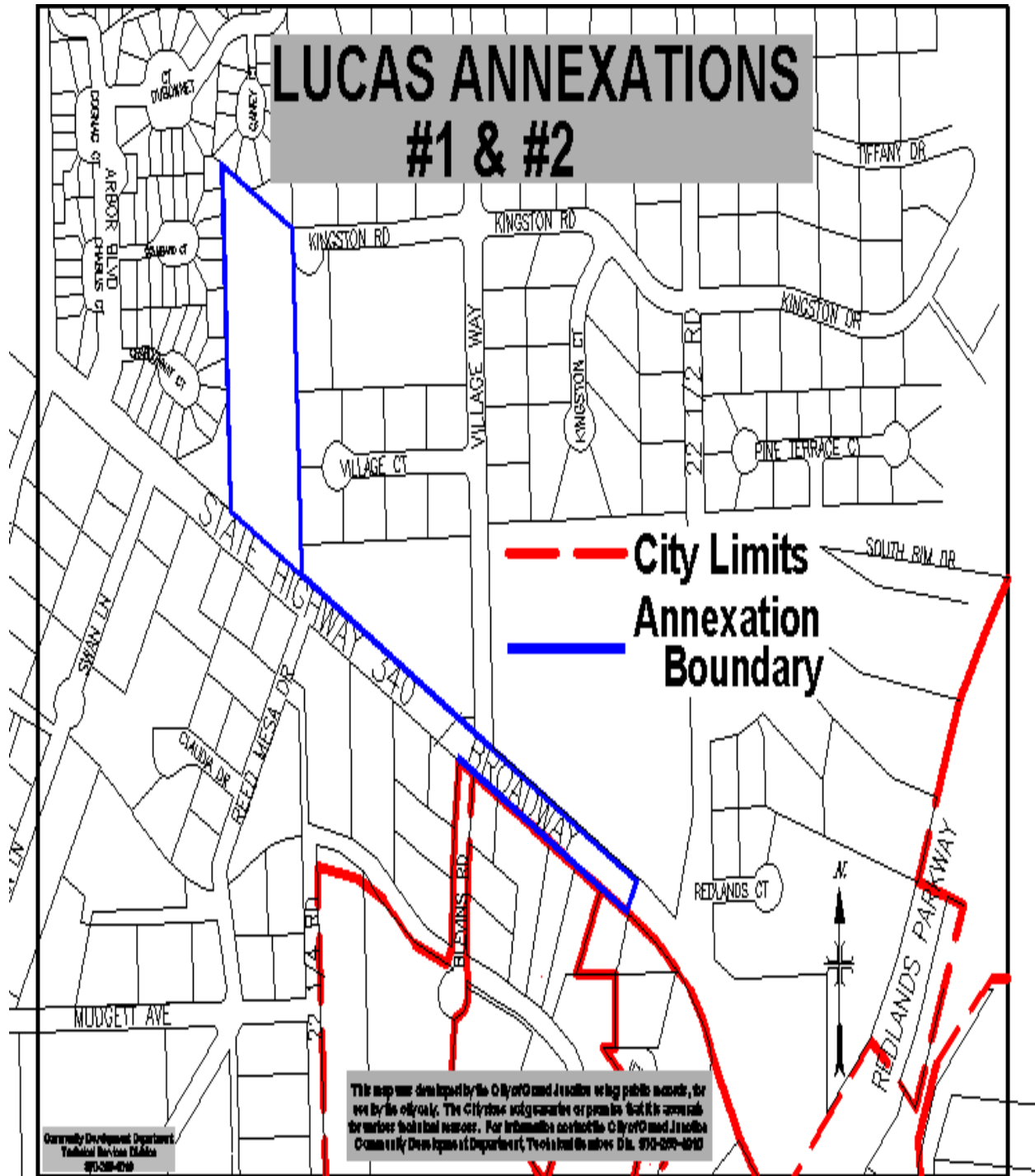
LUCAS ANNEXATION SUMMARY

File Number:		ANX-2002-184
Location:		2220 Broadway
Tax ID Number:		2945-073-00-002
Parcels:		2
Estimated Population:		2.1
# of Parcels (owner occupied):		1
# of Dwelling Units:		1
Acres land annexed:		3.9221 acres
Developable Acres Remaining:		3.83872 acres
Right-of-way in Annexation:		.0883 acres
Previous County Zoning:		RSF-4
Proposed City Zoning:		RSF-4
Current Land Use:		Residential (to be removed)
Future Land Use:		Residential Medium Low 2-4
Values:	Assessed:	\$11,370
	Actual:	\$124,210
Census Tract:		1401
Address Ranges:		533-545
Special Districts:	Water:	Ute Water District
	Sewer:	City
	Fire:	GJ Rural Fire District
	Drainage:	Redlands
	School:	District 51
	Pest:	N/A

LUCAS ANNEXATION GENERAL LOCATION ANX-2002-184



LUCAS ANNEXATIONS #1 & #2



--- City Limits
— Annexation Boundary

This map was developed by the City of Lucas and is not a legal document. It is for informational purposes only. The City does not guarantee or warrant the accuracy of the information shown on this map. For information contact the City of Lucas and the Community Development Department, Technical Services Division. 919-529-4210

Community Development Department
Technical Services Division
919-529-4210

**NOTICE OF HEARING
ON PROPOSED ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO**

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 16th day of October, 2002, the following Resolution was adopted:

RESOLUTION NO. _____

A RESOLUTION

*REFERRING A PETITION TO THE CITY COUNCIL
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
SETTING A HEARING ON SUCH ANNEXATION,
AND EXERCISING LAND USE CONTROL*

**LUCAS ANNEXATION 1 & 2
A SERIAL ANNEXATION**

LOCATED at 2220 Broadway.

WHEREAS, on the 16th day of October, 2002, a petition was referred 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:

LUCAS ANNEXATION NO. 1

A certain parcel of land lying in the Southwest Quarter (SW 1/4) of Section 7, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Northeast Corner of Lot 2, Block No. 3, Standifird Subdivision, as same is recorded in Plat Book 9, Page 113, Public Records of Mesa County, Colorado, and considering the East line of the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section 7, Township 1 South, Range 1 West of the Ute Meridian to bear N 00°48'00" W with all bearings mentioned herein relative thereto; thence from said Point of Commencement, N 08°37'56" E, along the Northerly projection of the West right of way for Blevins Road, a distance of 2.16 feet to the POINT OF BEGINNING; thence from said Point of Beginning, S 59°01'04" E along a line 2.00' North of and parallel to the South right of way for Colorado Highway 340 (Broadway), as same is depicted on plans by the Colorado State Highway Department, Federal and Secondary Project No. S 0143(1), a distance of 643.51 feet; thence N 30°58'56" E a distance of 78.00 feet to a point on the North right of way for said Colorado Highway 340 (Broadway); thence N 59°01'04" W along said North right of way a distance of 1206.25 feet; thence S 30°58'56" W a distance of 2.00 feet; thence S 59°01'04" E, along a line 2.00 feet South of and parallel to the North right of way for said Colorado Highway 340 (Broadway), a distance of 1204.25 feet; thence S 30°58'56" W a distance of 74.00 feet; thence N 59°01'04" W along a line 4.00

feet North of and parallel to the South right of way for said Colorado Highway 340 (Broadway) a distance of 642.33 feet; thence S 08°37'56" W a distance of 2.16 feet, more or less, to the Point of Beginning.

CONTAINING 0.0883 Acres (3,848.35 Square Feet), more or less, as described.

LUCAS ANNEXATION NO. 2

A certain parcel of land lying in the Southwest Quarter (SW 1/4) of Section 7, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Southeast Corner of The Vineyard Filing No. One, as same is recorded in Plat Book 12, Pages 440 and 441, Public Records of Mesa County, Colorado, and considering the East line of the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section 7, Township 1 South, Range 1 West of the Ute Meridian to bear N 00°48'00" W with all bearings mentioned herein being relative thereto; thence from said Point of Beginning, N 00°48'00" W along the East line of said Vineyard Filing No. One, a distance of 710.76 feet, more or less, to a point on the South line of The Vineyard Filing No. Two, as same is recorded in Plat Book 13, Pages 62 and 63, Public Records of Mesa County, Colorado; thence S 59°11'00" E, along said South line, a distance of 269.49 feet, more or less, to a point on the West line of The Redlands Village Filing No. 10, as same is recorded in Plat Book 11, Page 105, Public Records of Mesa County, Colorado; thence S 00°48'00" E, along said West line, said line being the East line of the NW 1/4 SW 1/4 of said Section 7, a distance of 711.67 feet, more or less, to a point on the North Right of Way for Colorado Highway 340 (Broadway), as same is depicted on plans by the Colorado State Highway Department, Federal and Secondary Project No. S 0143(1), said point being the Southwest corner of Lot 1, said Redlands Village Filing No. 10; thence S 59°01'04" E along the North Right of Way of said Colorado Highway 340 (Broadway), a distance of 75.00 feet; thence S 30°58'56" W a distance of 2.00 feet; thence S 59°01'04" E along a line 2.00 feet South of and parallel to the North Right of Way of said Colorado Highway 340 (Broadway), a distance of 1204.25 feet; thence S 30°58'56" W a distance of 2.00 feet; thence N 59°01'04" W along a line 4.00 feet South of and parallel to the North Right of Way for said Colorado Highway 340 (Broadway), a distance of 1546.75 feet; thence N 00°48'00" W along a line being the Southerly projection of the East line of said Vineyard Filing No. One, a distance of 4.71 feet, more or less, to the Point of Beginning.

CONTAINING 3.8338 Acres (167,000.65 Square Feet), more or less, as described.

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:

1. That a hearing will be held on the 20th day of November, 2002, in the auditorium of the Grand Junction City Hall, located at 250 N. Fifth Street, Grand Junction, Colorado, at 7:30 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 without the consent of the landowner; 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.

2. **Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.**

ADOPTED this day of , 2002.

Attest:

President of the Council

City Clerk

NOTICE IS FURTHER GIVEN that a hearing will be held in accordance with the Resolution on the date and at the time and place set forth in the Resolution.

City Clerk

<i>PUBLISHED</i>
October 18, 2002
October 25, 2002
November 1, 2002
November 8, 2002

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO

LUCAS ANNEXATION NO. 1

APPROXIMATELY 0.0883 ACRES

LOCATED AT 2220 BROADWAY

WHEREAS, on the 16th day of October, 2002, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the day of November, 2002; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situated in Mesa County, Colorado, and described to wit:

LUCAS ANNEXATION NO. 1

A certain parcel of land lying in the Southwest Quarter (SW 1/4) of Section 7, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Northeast Corner of Lot 2, Block No. 3, Standifird Subdivision, as same is recorded in Plat Book 9, Page 113, Public Records of Mesa County, Colorado, and considering the East line of the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section 7, Township 1 South, Range 1 West of the Ute Meridian to bear N 00°48'00" W with all bearings mentioned herein relative thereto; thence from said Point of Commencement, N 08°37'56" E, along the Northerly projection of the West right of way for Blevins Road, a distance of 2.16 feet to the

POINT OF BEGINNING; thence from said Point of Beginning, S 59°01'04" E along a line 2.00' North of and parallel to the South right of way for Colorado Highway 340 (Broadway), as same is depicted on plans by the Colorado State Highway Department, Federal and Secondary Project No. S 0143(1), a distance of 643.51 feet; thence N 30°58'56" E a distance of 78.00 feet to a point on the North right of way for said Colorado Highway 340 (Broadway); thence N 59°01'04" W along said North right of way a distance of 1206.25 feet; thence S 30°58'56" W a distance of 2.00 feet; thence S 59°01'04" E, along a line 2.00 feet South of and parallel to the North right of way for said Colorado Highway 340 (Broadway), a distance of 1204.25 feet; thence S 30°58'56" W a distance of 74.00 feet; thence N 59°01'04" W along a line 4.00 feet North of and parallel to the South right of way for said Colorado Highway 340 (Broadway) a distance of 642.33 feet; thence S 08°37'56" W a distance of 2.16 feet, more or less, to the Point of Beginning.

CONTAINING 3,848.35 square feet or 0.0883 acres, more or less, as described be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 16th day of October, 2002.

ADOPTED and ordered published this ___ day of _____, 2002.

Attest:

President of the Council

City Clerk

ORDINANCE NO.

*AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO*

LUCAS ANNEXATION NO. 2

APPROXIMATELY 3.8338 ACRES

LOCATED AT 2220 BROADWAY

WHEREAS, on the 16th day of October, 2002, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the day of November, 2002; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situated in Mesa County, Colorado, and described to wit:

LUCAS ANNEXATION NO. 2

A certain parcel of land lying in the Southwest Quarter (SW 1/4) of Section 7, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Southeast Corner of The Vineyard Filing No. One, as same is recorded in Plat Book 12, Pages 440 and 441, Public Records of Mesa County, Colorado, and considering the East line of the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section 7, Township 1 South, Range 1 West of the Ute Meridian to bear N 00°48'00" W with all bearings mentioned herein being relative thereto; thence from said Point of Beginning, N 00°48'00" W along the East line of said Vineyard Filing No. One, a distance of 710.76 feet,

more or less, to a point on the South line of The Vineyard Filing No. Two, as same is recorded in Plat Book 13, Pages 62 and 63, Public Records of Mesa County, Colorado; thence S 59°11'00" E, along said South line, a distance of 269.49 feet, more or less, to a point on the West line of The Redlands Village Filing No. 10, as same is recorded in Plat Book 11, Page 105, Public Records of Mesa County, Colorado; thence S 00°48'00" E, along said West line, said line being the East line of the NW 1/4 SW 1/4 of said Section 7, a distance of 711.67 feet, more or less, to a point on the North Right of Way for Colorado Highway 340 (Broadway), as same is depicted on plans by the Colorado State Highway Department, Federal and Secondary Project No. S 0143(1), said point being the Southwest corner of Lot 1, said Redlands Village Filing No. 10; thence S 59°01'04" E along the North Right of Way of said Colorado Highway 340 (Broadway), a distance of 75.00 feet; thence S 30°58'56" W a distance of 2.00 feet; thence S 59°01'04" E along a line 2.00 feet South of and parallel to the North Right of Way of said Colorado Highway 340 (Broadway), a distance of 1204.25 feet; thence S 30°58'56" W a distance of 2.00 feet; thence N 59°01'04" W along a line 4.00 feet South of and parallel to the North Right of Way for said Colorado Highway 340 (Broadway), a distance of 1546.75 feet; thence N 00°48'00" W along a line being the Southerly projection of the East line of said Vineyard Filing No. One, a distance of 4.71 feet, more or less, to the Point of Beginning.

CONTAINING 167,000.65 square feet or 3.8338 acres, more or less, as described be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 16TH day of October, 2002.

ADOPTED and ordered published this ____ day of _____, 2002.

Attest:

President of the Council

City Clerk

Attach 5
DM South Annexations #1 and #2

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA									
Subject		DM South Annexations #1 & #2, 511 30 Road							
Meeting Date		October 16, 2002							
Date Prepared		October 8, 2002					File #ANX-2002-138		
Author		Senta Costello			Associate Planner				
Presenter Name		Senta Costello			Associate Planner				
Report results back to Council		X	No		Yes	When			
Citizen Presentation			Yes	X	No	Name			
	Workshop	X	Formal Agenda				Consent	X	Individual Consideration

Summary: Resolution for Acceptance of Petition to Annex/Second reading of the annexation ordinance. The 1.7327-acre DM South Annexation is a serial annexation consisting of two parcels of land and a portion of the 30 Road right-of-way.

Budget: N/A

Action Requested/Recommendation: It is recommended that City Council approve the resolution accepting the petition to annex, second reading of the annexation ordinance for the DM South Annexations #1 & 2.

Attachments:

1. Staff Report
2. Annexation Map
3. Resolution of Acceptance of Petition
4. Annexation Ordinance

Background Information: See attached report.

BACKGROUND INFORMATION			
Location:		511 30 Rd	
Applicants:		Dennis and Monika South	
Existing Land Use:		Restaurant and Multi-family	
Proposed Land Use:		Restaurant and Multi-family	
Surrounding Land Use:	North	Single Family Residential	
	South	Commercial Strip Mall	
	East	Vacant Commercial	
	West	Single Family Residential	
Existing Zoning:		County B-1	
Proposed Zoning:		City B-1	
Surrounding Zoning:	North	B-1	
	South	B-1	
	East	B-1	
	West	RMF-8	
Growth Plan Designation:		Commercial	
Zoning within density range?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	X	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of annexing 1.7327 acres of land. Owners of the property have signed a petition for annexation as part of their request to split their property into two lots, pursuant to the 1998 Persigo agreement with Mesa County.

It is staff's professional opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the DM South Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;

- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

DM SOUTH ANNEXATION SUMMARY		
File Number:		ANX-2002-138
Location:		511 30 Rd
Tax ID Number:		2943-084-00-032
Parcels:		1
Estimated Population:		13.8
# of Parcels (owner occupied):		1
# of Dwelling Units:		6
Acres land annexed:		1.7327 acres for annexation area
Developable Acres Remaining:		Approximately 0.705 acres
Right-of-way in Annexation:		200' of entire width of 30 Road
Previous County Zoning:		B-1
Proposed City Zoning:		B-1
Current Land Use:		Restaurant and Multi-family
Future Land Use:		Restaurant and Multi-family
Values:	Assessed:	= \$28,250
	Actual:	= \$194,430
Census Tract:		11
Address Ranges:		511 30 Rd

Special Districts:	Water:	Ute Water
	Sewer:	Fruitvale Sanitation
	Fire:	Grand Junction Rural Fire District
	Drainage:	Grand Junction Drainage District
	School:	District 51

The following annexation and zoning schedule is being proposed.

<i>ANNEXATION SCHEDULE</i>	
September 4, 2002	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
September 24, 2002	Planning Commission considers Zone of Annexation
October 2, 2002	First Reading on Zoning by City Council
October 16, 2002	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
November 17, 2002	Effective date of Annexation and Zoning

Action Requested/Recommendation: It is recommended that City Council approve the DM South Annexation.

**NOTICE OF HEARING
ON PROPOSED ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO**

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 16th day of October, 2002, the following Resolution was adopted:

RESOLUTION NO. __-02

**A RESOLUTION ACCEPTING PETITIONS FOR ANNEXATION, MAKING CERTAIN
FINDINGS, DETERMINING THAT PROPERTY KNOWN AS**

**DM SOUTH ANNEXATION
A SERIAL ANNEXATION COMPRISING DM SOUTH ANNEXATION NO. 1 AND DM
SOUTH NO.2**

IS ELIGIBLE FOR ANNEXATION

LOCATED AT 511 30 RD

WHEREAS, on the 4th day of September, 2002, 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:

DM SOUTH ANNEXATION #1

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 9, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Northwest corner of said SW 1/4 SW 1/4 of Section 9, and considering the West line of the SW 1/4 SW 1/4 of said Section 9 to bear S 00°07'28" E with all bearings contained herein being relative thereto; thence from said Point of Commencement, N 89°58'02" E along the North line of the SW 1/4 SW 1/4 of said Section 9, a distance of 40.00 feet; thence S 00°07'28" E along a line 40.00 feet East of and parallel to, the West line of the SW 1/4 SW 1/4 of said Section 9, also being the existing East right of way for 30 Road as now in use, a distance of 141.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue S 00°07'28" E along said East right of way, a distance of 450.00 feet; thence S 89°52'32" W a distance of 2.00 feet; thence N 00°07'28" W, along a line 38.00 feet East of and parallel to, the West line of the SW 1/4 SW 1/4 of said Section 9, a distance of 450.00 feet; thence N 89°58'02" E a distance of 2.00 feet, more or less, to the Point of Beginning.

CONTAINING 0.0207 Acres (900.00 Square Feet) more or less, as described.

and,

DM SOUTH ANNEXATION #2

A certain parcel of land lying in the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 8 and the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 9, all lying in Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Northwest corner of said SW 1/4 SW 1/4 of Section 9, and considering the West line of the SW 1/4 SW 1/4 of said Section 9 to bear S 00°07'28" E with all bearings contained herein being relative thereto; thence from said Point of Commencement, N 89°58'02" E along the North line of the SW 1/4 SW 1/4 of said Section 9, a distance of 40.00 feet; thence S 00°07'28" E along a line 40.00 feet East of and parallel to, the West line of the SW 1/4 SW 1/4 of said Section 9, also being the existing East right of way for 30 Road as now in use, a distance of 141.00 feet; thence S 89°58'02" W a distance of 2.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, S 00°07'28" E along along a line 38.00 feet East of and parallel to the West line of the SW 1/4 SW 1/4 of said Section 9, a distance of 450.00 feet; thence N 89°52'32" E a distance of 2.00 feet; thence S 00°07'28" E, along said East right of way for 30 Road, a distance of 88.86 feet; thence S 89°52'32" W a distance of 370.62 feet, more or less, to a point on the East line of Ford Subdivision, as same is recorded in Plat Book 7, Page 50 of the Public Records of Mesa County, Colorado; thence N 00°06'27" W, along said East line, a distance of 200.00 feet; thence N 89°52'32" E a distance of 366.56 feet, more or less, to a point on a line 36.00 feet East of and parallel to the West line of the SW 1/4 SW 1/4 of said Section 9; thence N 00°07'28" W, along said parallel line, a distance of 338.87 feet; thence N 89°58'02" E a distance of 2.00 feet, more or less, to the Point of Beginning.

CONTAINING 1.7120 Acres (74,574.22 Square Feet) more or less, as described

WHEREAS, a hearing on the petition was duly held after proper notice on the 16th day of October, 2002; 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 identical ownership has been divided without the consent of the landowner; that no 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; and that no election is required under the Municipal Annexation Act of 1965.

ADOPTED this 16th day of October, 2002.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

***AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO***

DM SOUTH ANNEXATION #1

APPROXIMATELY 0.0207 ACRES

LOCATED NEAR 511 30 ROAD WITHIN THE 30 ROAD R.O.W.

WHEREAS, on the 4th day of September, 2002, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 16th day of October, 2002; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 9, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Northwest corner of said SW 1/4 SW 1/4 of Section 9, and considering the West line of the SW 1/4 SW 1/4 of said Section 9 to bear S 00°07'28" E with all bearings contained herein being relative thereto; thence from said Point of Commencement, N 89°58'02" E along the North line of the SW 1/4 SW 1/4 of said Section 9, a distance of 40.00 feet; thence S 00°07'28" E along a line 40.00 feet East of and parallel to, the West line of the SW 1/4 SW 1/4 of said Section 9, also being the existing East right of way for 30 Road as now in use, a distance of 141.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue S 00°07'28" E along said East right of way, a distance of 450.00 feet; thence S 89°52'32" W a distance of 2.00 feet; thence N 00°07'28" W, along a line 38.00 feet East of and parallel

to, the West line of the SW 1/4 SW 1/4 of said Section 9, a distance of 450.00 feet; thence N 89°58'02" E a distance of 2.00 feet, more or less, to the Point of Beginning.

CONTAINING 0.0207 Acres (900.00 Square Feet) more or less, as described

be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 4th day of September, 2002.

ADOPTED and ordered published this ____ day of _____, 2002.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO

DM SOUTH ANNEXATION #2

APPROXIMATELY 1.712 ACRES

LOCATED AT 511 30 ROAD AND INCLUDES A PORTION OF 30 ROAD R.O.W.

WHEREAS, on the 4th day of September, 2002, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 16th day of October, 2002; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

A certain parcel of land lying in the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 8 and the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 9, all lying in Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Northwest corner of said SW 1/4 SW 1/4 of Section 9, and considering the West line of the SW 1/4 SW 1/4 of said Section 9 to bear S 00°07'28" E with all bearings contained herein being relative thereto; thence from said Point of Commencement, N 89°58'02" E along the North line of the SW 1/4 SW 1/4 of said Section 9, a distance of 40.00 feet; thence S 00°07'28" E along a line 40.00 feet East of and parallel to, the West line of the SW 1/4 SW 1/4 of said Section 9, also being the existing East right of way for 30 Road as now in use, a distance of 141.00 feet; thence S 89°58'02" W a distance of 2.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, S 00°07'28" E along along a line 38.00 feet East of and parallel to

the West line of the SW 1/4 SW 1/4 of said Section 9, a distance of 450.00 feet; thence N 89°52'32" E a distance of 2.00 feet; thence S 00°07'28" E, along said East right of way for 30 Road, a distance of 88.86 feet; thence S 89°52'32" W a distance of 370.62 feet, more or less, to a point on the East line of Ford Subdivision, as same is recorded in Plat Book 7, Page 50 of the Public Records of Mesa County, Colorado; thence N 00°06'27" W, along said East line, a distance of 200.00 feet; thence N 89°52'32" E a distance of 366.56 feet, more or less, to a point on a line 36.00 feet East of and parallel to the West line of the SW 1/4 SW 1/4 of said Section 9; thence N 00°07'28" W, along said parallel line, a distance of 338.87 feet; thence N 89°58'02" E a distance of 2.00 feet, more or less, to the Point of Beginning.

CONTAINING 1.7120 Acres (74,574.22 Square Feet) more or less, as described

INTRODUCED on first reading on the 4th day of September, 2002.

ADOPTED and ordered published this ____ day of _____, 2002.

Attest:

President of the Council

City Clerk

Attach 6
Zoning DM South Annexation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		DM South Annexations #1 & #2, 511 30 Road					
Meeting Date		October 16, 2002					
Date Prepared		October 8, 2002			File #ANX-2002-138		
Author		Senta Costello		Associate Planner			
Presenter Name		Senta Costello		Associate Planner			
Report results back to Council		X	No		Yes	When	
Citizen Presentation			Yes	X	No	Name	
	Workshop	X	Formal Agenda			Consent	X Individual Consideration

Summary: Second reading of the Zoning Ordinance for the DM South Annexations #1 & 2 located at 511 30 Rd (#ANX-2002-138). The 1.7327-acre DM South Annexation is a serial annexation consisting of one parcel of land and a portion of the 30 Road right-of-way.

The Planning Commission reviewed the requested zoning on September 24, 2002 and recommended approval.

Budget: N/A

Action Requested/Recommendation: It is recommended that City Council approve the second reading of the zone of annexation ordinance for the DM South Annexations #1 & 2.

Attachments:

5. Staff Report
6. Annexation Map
7. Zone of Annexation Ordinance

Background Information: See attached report.

BACKGROUND INFORMATION							
Location:		511 30 Rd					
Applicants:		Dennis and Monika South					
Existing Land Use:		Restaurant and Multi-family					
Proposed Land Use:		Restaurant and Multi-family					
Surrounding Land Use:	North	Single Family Residential					
	South	Commercial Strip Mall					
	East	Vacant Commercial					
	West	Single Family Residential					
Existing Zoning:		County B-1					
Proposed Zoning:		City B-1					
Surrounding Zoning:	North	B-1					
	South	B-1					
	East	B-1					
	West	RMF-8					
Growth Plan Designation:		Commercial					
Zoning within density range?		<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/>	<input type="checkbox"/> No	<input checked="" type="checkbox"/> X	<input type="checkbox"/> N/A

Staff Analysis:

ANNEXATION:

This annexation area consists of annexing 1.7327 acres of land. Owners of the property have signed a petition for annexation as part of their request to split their property into two lots, pursuant to the 1998 Persigo agreement with Mesa County.

ZONE OF ANNEXATION:

Under the 1998 Persigo Agreement with Mesa County, the City is allowed to zone newly annexed areas with a zone that is either identical to current County zoning or conforms to the City's Growth Plan's Future Land Use Map. This proposed zoning of B-1 conforms to the City's Growth Plan's Future Land Use Map.

B-1 ZONE DISTRICT

- The B-1 (Limited Business) does conform to the recommended intensity found on the Growth Plans Future Land Use Map. The site is currently designated as Commercial.
- Zoning this annexation with the B-1 Zone district meets the criteria found in Sections 2.14.F and 2.6 of the Grand Junction Zoning and Development Code.
- The property is surrounded by other Limited Business uses such as a car wash and 2 small strip malls.

ZONING AND DEVELOPMENT CODE CRITERIA:

Section 2.14.F: “Land annexed to the City shall be zoned in accordance with Section 2.6 to a district that is consistent with the adopted Growth Plan or consistent with the existing County zoning.”

Section 2.6.A. Approval Criteria. In order to maintain internal consistency between this Code and the Zoning Maps, map amendments must only occur if:

- 1. The existing zoning was in error at the time of adoption;**
The existing zoning is B-1 in the County and the rezone to City B-1 supports the Future Land Use Map.
- 2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.;**
There has been no change of character in the neighborhood. The zone change is being required to give a City zoning designation to the subject property.
- 3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances;**
The proposed zoning is compatible with the neighborhood and will not create adverse impacts.
- 4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of this Code, and other City regulations and guidelines.**
The proposal conforms to the Growth Plan as it supports commercial uses in this particular area. The simple subdivision being created meets the requirements of the Zoning and Development Code.
- 5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development;**
Public facilities and services are available for the current commercial and residential uses.

6. *There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs; and*

Not applicable. This proposal is to allow a County commercial designation to be changed to a City commercial designation.

7. *The community or neighborhood will benefit from the proposed zone.*

The proposed zone will benefit the neighborhood as it is keeping in place an equivalent commercial zone district that is harmonious to the adjacent neighborhood.

FINDINGS AND CONCLUSIONS:

1. Consistent with the Future Land Use Growth Plan
2. Consistent with 2.6 and 2.14 of the Zoning and Development Code

Recommendation: The Planning Commission recommends that City Council find the proposed zoning for the DM South Annexation to be consistent with the Growth Plan and Sections 2.14 and 2.6 of the Zoning and Development Code.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**ZONING THE DM SOUTH ANNEXATION
TO B-1 (Neighborhood Business)**

LOCATED AT 511 30 Road

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of applying an B-1 zone district to this annexation.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the B-1 zone district be established for the following reasons:

- This zone district meets the criteria of Section 2.14.F of the Zoning and Development Code by being identical to or nearly identical to the former Mesa County zoning for each parcel and conforms to the adopted Growth Plan Future Land Use Map.
- This zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

The following property shall be zoned the B-1 (Light Industrial) zone district

Includes the following tax parcel 2943-084-00-032

Beginning at a point 640' North of the Southeast corner of Section 8, T1S, R1E of the Ute Meridian, thence North 200', thence West 330', thence South 200', thence East 330' to the point of beginning, EXCEPT the East 50' thereof for roadway.

Introduced on first reading this 2nd day of October, 2002.

PASSED and ADOPTED on second reading this ____ day of _____, 2002.

Attest:

President of the Council

City Clerk

Attach 7
Summit View Meadows Annexation No. 1, 2, 3

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA									
Subject		Summit View Meadows Annexation No. 1, No. 2, and No. 3, 3146 D ½ Road							
Meeting Date		October 16, 2002							
Date Prepared		October 9, 2002				File # ANX-2002-153			
Author		Lisa Gerstenberger			Senior Planner				
Presenter Name		Lisa Gerstenberger			Senior Planner				
Report results back to Council		X	No		Yes	When			
Citizen Presentation			Yes	X	No	Name			
	Workshop	X	Formal Agenda				Consent	X	Individual Consideration

Summary: Resolution for Acceptance of Petition to Annex and Second reading of the Annexation Ordinances for the Summit View Meadows located at 3146 D ½ Road.

Budget: N/A

Action Requested/Recommendation: Consider Resolution for Acceptance of Petition to Annex and Second reading of the Annexation Ordinances for the Summit View Meadows located at 3146 D ½ Road.

Attachments:

1. Staff report
2. Annexation Map
3. Resolution for Acceptance
4. Annexation Ordinances

Background Information: **See attached staff report**

CITY OF GRAND JUNCTION

MEETING DATE: October 16, 2002

CITY COUNCIL

STAFF PRESENTATION: L.Gerstenberger

AGENDA TOPIC: ANX-2002-153, Summit View Meadows

SUMMARY: Resolution for Acceptance of Petition to Annex and Second reading of the Annexation Ordinances for the Summit View Meadows located at 3146 D ½ Road.

STAFF REPORT / BACKGROUND INFORMATION		
Location:		<i>3146 D 1/2 Road</i>
Applicant:		Kenneth & Pauline Duffy, Owner Casa Tiara Develop., Owner
Existing Land Use:		<i>Single Family Residence</i>
Proposed Land Use:		<i>Residential</i>
Surrounding Land Use:	North	<i>Residential</i>
	South	Residential
	East	Residential
	West	Residential
Existing Zoning:		RSF-R (Mesa County)
Proposed Zoning:		RMF-8 (Residential Multi-Family, not to exceed 8 units/acre)
Surrounding Zoning:	North	<i>PUD (Mesa County)</i>
	South	RSF-R (Mesa County)
	East	RSF-R (Mesa County)
	West	RSF-R (Mesa County)
Growth Plan Designation:		Residential Medium, 4-8 units/acre

Zoning within density range?	X	Yes		No
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ANNEXATION:

The owner of the property has signed a petition for annexation pursuant to the 1998 Persigo Agreement.

It is staff's professional opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Summit View Meadows is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

SUMMARY	
File Number:	ANX-2002-153
Location:	3146 D ½ Road
Tax ID Number:	2943-152-00-173 and 174
Parcels:	2
Estimated Population:	2
# of Parcels (owner occupied):	1
# of Dwelling Units:	1
Acres land annexed:	9.71 acres for annexation area
Developable Acres Remaining:	0 acres
Right-of-way in Annexation:	2.858 acres

Previous County Zoning:		RSF-R (Mesa County)
Proposed City Zoning:		RMF-8, Residential Multi-Family not to exceed 8 units/acre
Current Land Use:		Single Family Residence
Future Land Use:		Residential
Values:	Assessed:	\$ 8,880
	Actual:	\$ 86,820
Census Tract:		8
Address Ranges:		Existing house – 3146
Special Districts:	Water:	Ute Water/Clifton Water
	Sewer:	Central Grand Valley Sanitation
	Fire:	Clifton Fire
	Drainage:	Grand Junction Drainage
	School:	District 51
	Pest:	Upper Grand Valley Pest

The following annexation and zoning schedule is proposed.

ANNEXATION SCHEDULE	
9-4-02	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
10-22-02	Planning Commission recommendation for City zone district
11-06-02	First Reading of Zoning Ordinance by City Council
10-16-02	Acceptance of Petition and Public hearing on Annexation
11-20-02	Second Reading of Zoning Ordinance by City Council
11-17-02	Effective date of Annexation
12-20-02	Effective date of City Zoning

Action Requested/Recommendation: It is recommended that City Council accept the petition for annexation for the Summit View Meadows and adopt the Annexation Ordinances.

Attachments:

- Annexation Map
- Resolution for Acceptance of Petition
- Annexation Ordinances

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. -02

A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION, MAKING CERTAIN FINDINGS, DETERMINING THAT PROPERTY KNOWN AS THE SUMMIT VIEW MEADOWS ANNEXATION AREA IS ELIGIBLE FOR ANNEXATION, LOCATED AT 3146 D 1/2 ROAD

WHEREAS, on the day of 4th day of September, 2002, 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:

**PERIMETER BOUDARY LEGAL DESCRIPTION
SUMMIT VIEW MEADOWS ANNEXATION**

A Serial Annexation Comprising Summit View Meadows Annexation No. 1, Summit View Meadows Annexation No. 2 and Summit View Meadows Annexation No. 3:

SUMMIT VIEW MEADOWS ANNEXATION NO. 1

A certain parcel of land lying in the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) and the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Southwest Corner of the SE 1/4 NE 1/4 of said Section 16, and considering the South line of said SE 1/4 NE 1/4 of said Section 16 to bear N 89°51'59" E with all bearings contained herein being relative thereto; thence, from said Point of Beginning, N 89°51'59" E along the South line of the SE 1/4 NE 1/4 of said Section 16 a distance of 190.00 feet to a point on the Southerly extension of the East line of Fruitvale Meadows Amended, as same is recorded in Plat Book 18, Page 132 of the Public Records of Mesa County, Colorado; thence N 00°22'49" E along said extended line, a distance of 30.00 feet to a point on the North right of way for D 1/2 Road, also being the Southeast corner of said Fruitvale Meadows Amended; thence N 89°51'59" E along a line 30.00 feet North of and parallel to the South line of the SE 1/4 NE 1/4 of said Section 16, a distance of 500.00 feet; thence S 00°00'00" E a distance of 10.00 feet; thence S 89°51'59" W along a line 20.00 feet North of and parallel to the South line of the SE 1/4 NE 1/4 of said Section 16 a distance of 490.07 feet; thence S 00°22'49" W along a line 10.00 feet East of and parallel to a line being the Southerly extension of the East line of the said Fruitvale Meadows Amended, a distance of 30.00 feet; thence S 89°51'59" W along a line 10.00 feet South of parallel to the South line of the SE 1/4 NE 1/4 of said Section 16, a distance of 189.91 feet; thence S 00°08'01" E along a line 10.00 feet East of and parallel to the West line of the NE 1/4 SE 1/4 of said Section 16, a distance of 20.00 feet; thence S 89°51'59" W along a line 30.00 feet South of and parallel to the South line of the SE 1/4 NE 1/4 of said Section 16, a

distance of 10.00 feet; thence N 00°08'01" W along the West line of the NE 1/4 SE 1/4 of said Section 16, a distance of 30.00 feet, more or less, to the POINT OF BEGINNING.

CONTAINING 0.1699 Acres (7,399.89 Square Feet) more or less, as described.

SUMMIT VIEW MEADOWS ANNEXATION NO. 2

A certain parcel of land lying in the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of Section 15 and the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) and the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of Section 16, all lying within Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Northwest corner of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of said Section 16, and considering the South line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16 to bear N 89°51'59" E with all bearings contained herein being relative thereto; thence from said Point of Commencement, S 00°08'01" E along the West line of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of said Section 16, a distance of 30.00 feet; thence N 89°51'59" E along a line 30.00 feet South of and parallel to the South line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16, a distance of 10.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 00°08'01" W along a line 10.00 feet East of and parallel to the West line of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of said Section 16, a distance of 20.00 feet; thence N 89°51'59" E along a line 10.00 feet South of and parallel to the South line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16, a distance of 189.91 feet; thence N 00°22'49" E a distance of 30.00 feet; thence N 89°51'59" E along a line 20.00 feet North of and parallel to the South line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16, a distance of 490.07 feet; thence N 00°00'00" W a distance of 10.00 feet; thence N 89°51'59" E along a line 30.00 feet North of and parallel to the South line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16, a distance of 10.18 feet; thence S 00°00'00" E a distance of 25.00 feet; thence N 89°51'59" E along a line 5.00 feet North of and parallel to the South line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16, a distance of 125.00 feet; thence N 00°00'00" E a distance of 25.00 feet to a point being the Southwest corner of Lot 3, Voegely Minor Subdivision as same is recorded in Plat Book 16, Page 161 of the Public Records of Mesa County, Colorado; thence N 89°51'59" E along the South line of said Voegely Minor Subdivision and the South line of Lot 3 of Tucee Subdivision, as same is recorded in Plat Book 12, Page 345 of the Public Records of Mesa County, Colorado, a distance of 495.00 feet to a point on the East line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16; thence N 00°00'00" E along said East line, a distance of 10.00 feet; thence S 89°57'40" E along a line 40.00 feet North of and parallel to the South line of the

Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 15, also being the South line of Palomino Acres, as same is recorded in Plat Book 10, Page 57 of the Public Records of Mesa County, Colorado, a distance of 228.03 feet; thence S 85°30'49" E a distance of 90.27 feet; thence S 89°57'40" E along a line 33.00 feet North of and parallel to the South line of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 15, also being the South line of Schaaf Subdivision, as same is recorded in Plat Book 13, Page 398 of the Public Records of Mesa County, Colorado, a distance of 162.00 feet to a point on the West line of Lot 1, Strawberry Acres Filing No. Two, as same is recorded in Plat Book 11, Page 204 of the Public Records of Mesa County, Colorado; thence S 00°02'20" W along said West line of Lot 1, a distance of 3.00 feet to a point being the Southwest corner of said Lot 1; thence S 89°57'40" E, along the South line of said Strawberry Acres Filing No. Two, a distance of 329.64 feet to a point being the Southeast Corner of Lot 3 of said Strawberry Acres Filing No. Two; thence S 00°02'20" W a distance of 5.00 feet; thence N 89°57'40" W along a line 25.00 feet North of and parallel to the South line of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 15, a distance of 809.66 feet to a point on the West line of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 15; thence S 89°51'59" W along a line 25.00 feet North of and parallel to the South line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16, a distance of 490.00 feet; thence S 00°00'00" E a distance of 25.00 feet to a point on the South line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16; thence S 89°51'59" W along said South line, a distance of 610.26 feet; thence S 00°08'01" E a distance of 30.00 feet; thence S 89°51'59" W along a line 30.00 feet South of and parallel to the South line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16, a distance of 210.12 feet, more or less, to the Point of Beginning.

CONTAINING 0.5770 Acres (25,136.69 Square Feet) more or less, as described.

SUMMIT VIEW MEADOWS ANNEXATION NO. 3

A certain parcel of land lying in the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4), the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) and the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 15 and the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 16, all lying within Township 1 South, Range 1 East of the Ute Meridian and being more particularly described as follows:

BEGINNING at the Southeast Corner of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16, and considering the South line of the SE 1/4 NE 1/4 of said Section 16 to bear N 89°51'59" E with all bearings contained herein being relative thereto; thence from said Point of Beginning, S 89°51'59" W, along the South line of said SE 1/4 NE 1/4 of said Section 16, a distance of 490.00 feet; thence N 00°00'00" W a distance of 25.00 feet; thence N 89°51'59" E along a line 25.00 feet North of and parallel to the South line of the SE 1/4 NE 1/4 of said Section 16, a

distance of 490.00 feet to a point on the East line of the SE 1/4 NE 1/4 of said Section 16; thence S 89°57'40" E along a line 25.00 feet North of and parallel to the South line of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 15, a distance of 809.66 feet; thence N 00°02'20" E a distance of 15.00 feet; thence S 89°57'40" E along the South line of Palomino Acres, as same is recorded in Plat Book 10, Page 57, Public Records of Mesa County, Colorado, a distance of 249.94 feet to a point on the West line of Lot 2, Blair Subdivision, as same is recorded in Plat Book 12, Page 272, Public Records of Mesa County, Colorado; thence S 00°02'48" E, along said West line, a distance of 10.00 feet to a point being the Southwest corner of said Lot 2; thence S 89°57'40" E along the South line of said Blair Subdivision, said line being 30.00 feet North of and parallel to the South line of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 15, a distance of 250.00 feet to a point on the East line of the SW 1/4 NW 1/4 of said Section 15; thence S 89°57'40" E along the South line of Countryside Subdivision Filing No. One, as same is recorded in Plat Book 11, Page 241, Public Records of Mesa County, Colorado, a distance of 327.45 feet to a point being the Southeast corner of Lot 1, Block One; thence S 00°02'46" E along the Southerly projection of the East line of said Countryside Subdivision Filing No. One, a distance of 25.00 feet; thence S 89°57'40" E along a line 5.00 feet North of and parallel to the South line of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 15, a distance of 655.14 feet to a point on the West line of that certain parcel of land surveyed and a copy of same deposited and recorded in the Public Records of Mesa County, Colorado, Deposit No. 2491-01; thence N 00°01'52" W along said West line, a distance of 1313.42 feet to a point being the Southeast corner of Lot 4, Block 4, Sundown Village No. 2, as same is recorded in Plat Book 15, Pages 35 and 36, Public Records of Mesa County, Colorado, said point lying on the North line of the SE 1/4 NW 1/4 of said Section 15; thence N 00°12'04" W along the East line of said Sundown Village No. 2, a distance of 127.12 feet; thence S 89°55'16" E along a line parallel to the North line of the SE 1/4 NW 1/4 of said Section 15, a distance of 327.23 feet to a point on the East line of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 15; thence S 00°12'40" E along said East line, a distance of 127.12 feet to a point being the Northeast corner of the SE 1/4 NW 1/4 of said Section 15; thence S 00°02'46" E, along the East line of the SE 1/4 NW 1/4 of said Section 15, a distance of 790.20 feet to a point lying 528.00 feet North of, as measured along the East line of SE 1/4 NW 1/4 of said Section 15, the Southeast corner of the Northwest Quarter (NW 1/4) of said Section 15; thence N 89°57'40" W a distance of 82.50 feet; thence S 00°02'46" E, parallel to the East line of the SE 1/4 NW 1/4 of said Section 15, a distance of 528.00 feet to a point on the South line of the SE 1/4 NW 1/4 of said Section 15, said point lying 82.50 feet West of, as measured along said South line, the Southeast corner of the NW 1/4 of said Section 15; thence N 89°57'40" W, along said South line, a distance of 82.42 feet; thence S 00°07'50" E along the Northerly extension of the East line of the Replat of Brookdale, as same is recorded in Plat Book 13, Pages 262 and 263, Public Records of Mesa County, Colorado, a distance of 33.00 feet; thence N 89°57'40" W along the North line of said Replat of Brookdale, said line being 33.00 feet South of and parallel to the South line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 15, a distance of 329.98 feet to a point on the West line of said

Replat of Brookdale; thence N 00°07'50" W, along the Northerly projection of said West line, a distance of 33.00 feet to a point on the South line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 15; thence N 89°57'40" W, along said South line, a distance of 332.99 feet; thence S 00°06'22" E, along the Northerly projection of the East line of Grove Creek Subdivision Filing No. 3, as same is recorded in Plat Book 16, Pages 303 and 304, Public Records of Mesa County, Colorado, a distance of 30.00 feet; thence N 89°57'40" W along the North line of said Grove Creek Subdivision Filing No. 3, said line being 30.00 feet South of and parallel to the South line of the SE 1/4 NW 1/4 of said Section 15, a distance of 362.31 feet to a point on the West line of said Grove Creek Subdivision Filing No. 3; thence N 00°04'06" W, along the Northerly projection of said East line, a distance of 30.00 feet to a point on the South line of the SE 1/4 NW 1/4 of said Section 15; thence N 89°57'40" W, along said South line, a distance of 120.00 feet to a point being the Southeast corner of the SW 1/4 NW 1/4 of said Section 15; thence N 89°57'40" W, along the South line of the SW 1/4 NW 1/4 of said Section 15, a distance of 1309.64 feet, more or less, to a point being the Southwest corner of the SW 1/4 NW 1/4 of said Section 15 and the Point of Beginning.

CONTAINING 11.8211 Acres (514,926.41 Square Feet) more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 16th day of October, 2002; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore; 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 identical ownership has been divided without the consent of the landowner; that no 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; 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:

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

ADOPTED this ____ day of _____, 2002.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

**SUMMIT VIEW MEADOWS ANNEXATION No. 1
APPROXIMATELY 0.1699 ACRES
RIGHT-OF-WAY LOCATED ALONG D ½ ROAD**

WHEREAS, on the 4th day of September, 2002, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 16th day of October, 2002; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed.;

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

That the property situate in Mesa County, Colorado, and described to wit:

SUMMIT VIEW MEADOWS ANNEXATION NO. 1

A certain parcel of land lying in the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) and the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Southwest Corner of the SE 1/4 NE 1/4 of said Section 16, and considering the South line of said SE 1/4 NE 1/4 of said Section 16 to bear N 89°51'59" E with all bearings contained herein being relative thereto; thence, from said Point of Beginning, N 89°51'59" E along the South line of the SE 1/4 NE 1/4 of said Section 16 a distance of 190.00 feet to a point on the Southerly extension of the East line of Fruitvale Meadows Amended, as same is recorded in Plat Book 18, Page 132 of the Public Records of Mesa County, Colorado; thence N 00°22'49" E along said extended line, a distance of 30.00 feet to a point on the North right of way for D 1/2 Road, also being the Southeast corner of said Fruitvale Meadows Amended; thence N 89°51'59" E along a line 30.00 feet North of and parallel to the South line of the SE 1/4 NE 1/4 of

said Section 16, a distance of 500.00 feet; thence S 00°00'00" E a distance of 10.00 feet; thence S 89°51'59" W along a line 20.00 feet North of and parallel to the South line of the SE 1/4 NE 1/4 of said Section 16 a distance of 490.07 feet; thence S 00°22'49" W along a line 10.00 feet East of and parallel to a line being the Southerly extension of the East line of the said Fruitvale Meadows Amended, a distance of 30.00 feet; thence S 89°51'59" W along a line 10.00 feet South of parallel to the South line of the SE 1/4 NE 1/4 of said Section 16, a distance of 189.91 feet; thence S 00°08'01" E along a line 10.00 feet East of and parallel to the West line of the NE 1/4 SE 1/4 of said Section 16, a distance of 20.00 feet; thence S 89°51'59" W along a line 30.00 feet South of and parallel to the South line of the SE 1/4 NE 1/4 of said Section 16, a distance of 10.00 feet; thence N 00°08'01" W along the West line of the NE 1/4 SE 1/4 of said Section 16, a distance of 30.00 feet, more or less, to the POINT OF BEGINNING.

CONTAINING 0.1699 Acres (7,399.89 Square Feet) more or less, as described.

be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 4th day of September, 2002.

ADOPTED and ordered published this ___ day of _____, 2002.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

**SUMMIT VIEW MEADOWS ANNEXATION No. 2
APPROXIMATELY 0.5770 ACRES
RIGHT-OF-WAY LOCATED ALONG D ½ ROAD**

WHEREAS, on the 4th day of September, 2002, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 16th day of October, 2002; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed.;

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

That the property situate in Mesa County, Colorado, and described to wit:

SUMMIT VIEW MEADOWS ANNEXATION NO. 2

A certain parcel of land lying in the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of Section 15 and the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) and the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of Section 16, all lying within Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Northwest corner of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of said Section 16, and considering the South line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16 to bear N 89°51'59" E with all bearings contained herein being relative thereto; thence from said Point of Commencement, S 00°08'01" E along the West line of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of said Section 16, a distance of 30.00 feet; thence N 89°51'59" E along a line 30.00 feet South of and parallel to the South line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16, a distance of 10.00 feet to the POINT OF BEGINNING; thence from said

Point of Beginning, N 00°08'01" W along a line 10.00 feet East of and parallel to the West line of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of said Section 16, a distance of 20.00 feet; thence N 89°51'59" E along a line 10.00 feet South of and parallel to the South line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16, a distance of 189.91 feet; thence N 00°22'49" E a distance of 30.00 feet; thence N 89°51'59" E along a line 20.00 feet North of and parallel to the South line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16, a distance of 490.07 feet; thence N 00°00'00" W a distance of 10.00 feet; thence N 89°51'59" E along a line 30.00 feet North of and parallel to the South line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16, a distance of 10.18 feet; thence S 00°00'00"E a distance of 25.00 feet; thence N 89°51'59" E along a line 5.00 feet North of and parallel to the South line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16, a distance of 125.00 feet; thence N 00°00'00" E a distance of 25.00 feet to a point being the Southwest corner of Lot 3, Voegely Minor Subdivision as same is recorded in Plat Book 16, Page 161 of the Public Records of Mesa County, Colorado; thence N 89°51'59" E along the South line of said Voegely Minor Subdivision and the South line of Lot 3 of Tucee Subdivision, as same is recorded in Plat Book 12, Page 345 of the Public Records of Mesa County, Colorado, a distance of 495.00 feet to a point on the East line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16; thence N 00°00'00" E along said East line, a distance of 10.00 feet; thence S 89°57'40" E along a line 40.00 feet North of and parallel to the South line of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 15, also being the South line of Palomino Acres, as same is recorded in Plat Book 10, Page 57 of the Public Records of Mesa County, Colorado, a distance of 228.03 feet; thence S 85°30'49" E a distance of 90.27 feet; thence S 89°57'40" E along a line 33.00 feet North of and parallel to the South line of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 15, also being the South line of Schaaf Subdivision, as same is recorded in Plat Book 13, Page 398 of the Public Records of Mesa County, Colorado, a distance of 162.00 feet to a point on the West line of Lot 1, Strawberry Acres Filing No. Two, as same is recorded in Plat Book 11, Page 204 of the Public Records of Mesa County, Colorado; thence S 00°02'20" W along said West line of Lot 1, a distance of 3.00 feet to a point being the Southwest corner of said Lot 1; thence S 89°57'40" E, along the South line of said Strawberry Acres Filing No. Two, a distance of 329.64 feet to a point being the Southeast Corner of Lot 3 of said Strawberry Acres Filing No. Two; thence S 00°02'20" W a distance of 5.00 feet; thence N 89°57'40" W along a line 25.00 feet North of and parallel to the South line of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 15, a distance of 809.66 feet to a point on the West line of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 15; thence S 89°51'59" W along a line 25.00 feet North of and parallel to the South line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16, a distance of 490.00 feet; thence S 00°00'00" E a distance of 25.00 feet to a point on the South line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16; thence S 89°51'59" W along said South line, a distance of 610.26 feet; thence S 00°08'01" E a distance of 30.00 feet; thence S 89°51'59" W along a line 30.00 feet South of and parallel to the South line of the

Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16, a distance of 210.12 feet, more or less, to the Point of Beginning.

CONTAINING 0.5770 Acres (25,136.69 Square Feet) more or less, as described.

be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 4th day of September, 2002.

ADOPTED and ordered published this ___ day of _____, 2002.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

**SUMMIT VIEW MEADOWS ANNEXATION No. 3
LOCATED AT 3146 D ½ ROAD
APPROXIMATELY 11.8211 ACRES**

LOCATED AT 3146 D ½ ROAD

WHEREAS, on the 4th day of September, 2002, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 16th day of October, 2002; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed.;

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

That the property situate in Mesa County, Colorado, and described to wit:

SUMMIT VIEW MEADOWS ANNEXATION NO. 3

A certain parcel of land lying in the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4), the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) and the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 15 and the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 16, all lying within Township 1 South, Range 1 East of the Ute Meridian and being more particularly described as follows:

BEGINNING at the Southeast Corner of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16, and considering the South line of the SE 1/4 NE 1/4 of said Section 16 to bear N 89°51'59" E with all bearings contained herein being relative thereto; thence from said Point of Beginning, S 89°51'59" W, along the South line of said SE 1/4 NE 1/4 of said Section 16, a distance of 490.00 feet; thence N 00°00'00" W a distance of 25.00 feet; thence N 89°51'59" E along a line 25.00 feet North of and parallel to the South line of the SE 1/4 NE 1/4 of said Section 16, a

distance of 490.00 feet to a point on the East line of the SE 1/4 NE 1/4 of said Section 16; thence S 89°57'40" E along a line 25.00 feet North of and parallel to the South line of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 15, a distance of 809.66 feet; thence N 00°02'20" E a distance of 15.00 feet; thence S 89°57'40" E along the South line of Palomino Acres, as same is recorded in Plat Book 10, Page 57, Public Records of Mesa County, Colorado, a distance of 249.94 feet to a point on the West line of Lot 2, Blair Subdivision, as same is recorded in Plat Book 12, Page 272, Public Records of Mesa County, Colorado; thence S 00°02'48" E, along said West line, a distance of 10.00 feet to a point being the Southwest corner of said Lot 2; thence S 89°57'40" E along the South line of said Blair Subdivision, said line being 30.00 feet North of and parallel to the South line of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 15, a distance of 250.00 feet to a point on the East line of the SW 1/4 NW 1/4 of said Section 15; thence S 89°57'40" E along the South line of Countryside Subdivision Filing No. One, as same is recorded in Plat Book 11, Page 241, Public Records of Mesa County, Colorado, a distance of 327.45 feet to a point being the Southeast corner of Lot 1, Block One; thence S 00°02'46" E along the Southerly projection of the East line of said Countryside Subdivision Filing No. One, a distance of 25.00 feet; thence S 89°57'40" E along a line 5.00 feet North of and parallel to the South line of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 15, a distance of 655.14 feet to a point on the West line of that certain parcel of land surveyed and a copy of same deposited and recorded in the Public Records of Mesa County, Colorado, Deposit No. 2491-01; thence N 00°01'52" W along said West line, a distance of 1313.42 feet to a point being the Southeast corner of Lot 4, Block 4, Sundown Village No. 2, as same is recorded in Plat Book 15, Pages 35 and 36, Public Records of Mesa County, Colorado, said point lying on the North line of the SE 1/4 NW 1/4 of said Section 15; thence N 00°12'04" W along the East line of said Sundown Village No. 2, a distance of 127.12 feet; thence S 89°55'16" E along a line parallel to the North line of the SE 1/4 NW 1/4 of said Section 15, a distance of 327.23 feet to a point on the East line of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 15; thence S 00°12'40" E along said East line, a distance of 127.12 feet to a point being the Northeast corner of the SE 1/4 NW 1/4 of said Section 15; thence S 00°02'46" E, along the East line of the SE 1/4 NW 1/4 of said Section 15, a distance of 790.20 feet to a point lying 528.00 feet North of, as measured along the East line of SE 1/4 NW 1/4 of said Section 15, the Southeast corner of the Northwest Quarter (NW 1/4) of said Section 15; thence N 89°57'40" W a distance of 82.50 feet; thence S 00°02'46" E, parallel to the East line of the SE 1/4 NW 1/4 of said Section 15, a distance of 528.00 feet to a point on the South line of the SE 1/4 NW 1/4 of said Section 15, said point lying 82.50 feet West of, as measured along said South line, the Southeast corner of the NW 1/4 of said Section 15; thence N 89°57'40" W, along said South line, a distance of 82.42 feet; thence S 00°07'50" E along the Northerly extension of the East line of the Replat of Brookdale, as same is recorded in Plat Book 13, Pages 262 and 263, Public Records of Mesa County, Colorado, a distance of 33.00 feet; thence N 89°57'40" W along the North line of said Replat of Brookdale, said line being 33.00 feet South of and parallel to the South line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 15, a distance of 329.98 feet to a point on the West line of said

Replat of Brookdale; thence N 00°07'50" W, along the Northerly projection of said West line, a distance of 33.00 feet to a point on the South line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 15; thence N 89°57'40" W, along said South line, a distance of 332.99 feet; thence S 00°06'22" E, along the Northerly projection of the East line of Grove Creek Subdivision Filing No. 3, as same is recorded in Plat Book 16, Pages 303 and 304, Public Records of Mesa County, Colorado, a distance of 30.00 feet; thence N 89°57'40" W along the North line of said Grove Creek Subdivision Filing No. 3, said line being 30.00 feet South of and parallel to the South line of the SE 1/4 NW 1/4 of said Section 15, a distance of 362.31 feet to a point on the West line of said Grove Creek Subdivision Filing No. 3; thence N 00°04'06" W, along the Northerly projection of said East line, a distance of 30.00 feet to a point on the South line of the SE 1/4 NW 1/4 of said Section 15; thence N 89°57'40" W, along said South line, a distance of 120.00 feet to a point being the Southeast corner of the SW 1/4 NW 1/4 of said Section 15; thence N 89°57'40" W, along the South line of the SW 1/4 NW 1/4 of said Section 15, a distance of 1309.64 feet, more or less, to a point being the Southwest corner of the SW 1/4 NW 1/4 of said Section 15 and the Point of Beginning.

CONTAINING 11.8211 Acres (514,926.41 Square Feet) more or less, as described.

be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 4th day of September, 2002.

ADOPTED and ordered published this ____ day of _____, 2002.

Attest:

President of the Council

City Clerk

Attach 8
Iles Annexation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA										
Subject		Iles Annexation, 3080 D ½ Road								
Meeting Date		October 16, 2002								
Date Prepared		October 9, 2002					File # ANX-2002-171			
Author		Lisa Gerstenberger			Senior Planner					
Presenter Name		Lisa Gerstenberger			Senior Planner					
Report results back to Council		<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When				
Citizen Presentation		<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name				
<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Formal Agenda			<input type="checkbox"/>	Consent	<input checked="" type="checkbox"/>	Individual Consideration	

Summary: Resolution for Acceptance of Petition to Annex and Second reading of the Annexation Ordinance for the Iles Annexation located at 3080 D ½ Road.

Budget: N/A

Action Requested/Recommendation: Consider Resolution for Acceptance of Petition to Annex and Second reading of the Annexation Ordinance for the Iles Annexation located at 3080 D ½ Road.

Attachments:

1. Staff report
2. Annexation Map
3. Resolution
4. Annexation Ordinance

Background Information: **See attached staff report**

AGENDA TOPIC: ANX-2002-171, Iles Annexation

SUMMARY: Resolution for Acceptance of Petition to Annex and Second reading of the Annexation Ordinance for the Iles Annexation located at 3080 D 1/2 Road.

STAFF REPORT / BACKGROUND INFORMATION					
Location:		<i>3080 D 1/2 Road</i>			
Applicant:		Katherine L. and John A. Iles, Owners			
Existing Land Use:		<i>Single Family Residence</i>			
Proposed Land Use:		<i>Residential</i>			
Surrounding Land Use:	North	<i>Residential</i>			
	South	Residential			
	East	Residential			
	West	Residential			
Existing Zoning:		RMF-5 (Mesa County)			
Proposed Zoning:		RMF-5 (Residential Multi-Family 5, not to exceed 5 units per acre)			
Surrounding Zoning:	North	<i>RSF-4 (Mesa County)</i>			
	South	PD (Mesa County)			
	East	RMF-5 (Mesa County)			
	West	RMF-5			
Growth Plan Designation:		Residential Medium, 4-8 units per acre			
Zoning within density range?		X	Yes		No

ANNEXATION:

The owner of the property has signed a petition for annexation pursuant to the 1998 Persigo Agreement.

It is staff's professional opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-

104, that the Iles Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

Summary	
File Number:	ANX-2002-171
Location:	3080 D ½ Road
Tax ID Number:	2943-161-00-171
Parcels:	1
Estimated Population:	2
# of Parcels (owner occupied):	1
# of Dwelling Units:	1
Acres land annexed:	5.854 acres for annexation area
Developable Acres Remaining:	0 acres
Right-of-way in Annexation:	0 acres
Previous County Zoning:	RMF-5 (Mesa County)
Proposed City Zoning:	RMF-5 (Residential Multi-Family 5, not to exceed 5 units per acre)
Current Land Use:	Single Family Residence
Future Land Use:	Same
Values:	Assessed: \$ 820

	Actual:	\$ 2830
Census Tract:		8
Address Ranges:		Existing house – 3080
Special Districts:	Water:	Clifton Water
	Sewer:	Central Grand Valley Sanitation
	Fire:	Clifton Fire
	Drainage:	Grand Junction Drainage District
	School:	District 51
	Pest:	Upper Grand Valley Pest

The following annexation and zoning schedule is proposed.

ANNEXATION SCHEDULE	
9-4-02	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
9-24-02	Planning Commission considers Zone of Annexation
10-02-02	First Reading on Zoning by City Council
10-16-02	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
11-17-02	Effective date of Annexation and Zoning

Action Requested/Recommendation: It is recommended that City Council accept the petition for annexation for the Iles Annexation and adopt the Annexation Ordinance.

Attachments:

- Annexation Map
- Resolution for Acceptance of Petition
- Annexation Ordinance

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. -02

**A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION,
MAKING CERTAIN FINDINGS, DETERMINING THAT
PROPERTY KNOWN AS THE ILES ANNEXATION AREA
IS ELIGIBLE FOR ANNEXATION
3080 D ½ ROAD**

WHEREAS, on the day of 4th day of September, 2002, 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:

**PERIMETER BOUDARY LEGAL DESCRIPTION
ILES ANNEXATION**

A certain parcel of land lying in the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest Corner of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16, and considering the South line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16 to bear N 89°51'59" E with all bearings contained herein being relative thereto; thence from said Point of Commencement, N 89°51'59" E along the South line of the SE 1/4 NE 1/4 of said Section 16, a distance of 190.00 feet; thence N 00°22'49" E a distance of 30.00 feet to a point being the Southeast Corner of Fruitvale Meadows Amended, as same is recorded in Plat Book 18, Page 132, Public Records of Mesa County, Colorado, and being the POINT OF BEGINNING; thence, from said Point of Beginning, continue N 00°22'49" E, along the East line of said Fruitvale Meadows Amended, a distance of 271.68 feet to a point being the Northeast corner of Lot 3, Block 1 of said Fruitvale Meadows Amended; thence S 89°27'11" E along a Southerly line of said Fruitvale Meadows Amended, a distance of 86.00 feet to a point being the Southeast corner of Lot 10, Block 1 of said Fruitvale Meadows Amended; thence N 00°14'02" E along the East line of said Fruitvale Meadows Amended and the East line of Fruitvale Meadows Filing No. 2, as same is recorded in Plat Book 18, Page 260, Public Records of Mesa County, Colorado, a distance of 1018.94 feet to a point being the Northeast corner of said Fruitvale Meadows Filing No. 2, said point lying on the North line of the SE 1/4 NE 1/4 of said Section 16; thence N 89°51'29" E, along said North line, a distance of 218.00 feet; thence S 00°10'50" W a distance of 902.61 feet; thence S 89°51'59" W a distance of 113.00 feet; thence S 00°10'50" W a distance of 209.00 feet; thence S 89°51'59" W a distance of 37.00 feet; thence S 00°10'50" W a distance of 178.00 feet; thence S 89°51'59" W along a line 30.00 feet North of and parallel to the South line of

the SE 1/4 NE 1/4 of said Section 16, a distance of 155.89 feet, more or less, to the Point of Beginning.

CONTAINING 5.8540 Acres (254,999.06 Square Feet) more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 16th day of October, 2002; 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 identical ownership has been divided without the consent of the landowner; that no 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; 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.

ADOPTED this ____ day of _____, 2002.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO**

**ILES ANNEXATION
APPROXIMATELY 5.854 ACRES**

LOCATED at 3080 D ½ ROAD

WHEREAS, on the 4th day of September, 2002, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 16th day of October, 2002; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

**PERIMETER BOUNDARY LEGAL DESCRIPTION
ILES ANNEXATION**

A certain parcel of land lying in the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest Corner of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16, and considering the South line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16 to bear N 89°51'59" E with all bearings contained herein being relative thereto; thence from said Point of Commencement, N 89°51'59" E along the South line of the SE 1/4 NE 1/4 of said Section 16, a distance of 190.00 feet; thence N 00°22'49" E a distance of 30.00 feet to a point being the Southeast Corner of Fruitvale Meadows Amended, as same is recorded in Plat Book 18, Page 132, Public Records of Mesa County, Colorado, and being the POINT OF BEGINNING; thence, from said Point of Beginning, continue N 00°22'49" E, along the East line of said Fruitvale Meadows Amended, a distance of

271.68 feet to a point being the Northeast corner of Lot 3, Block 1 of said Fruitvale Meadows Amended; thence S 89°27'11" E along a Southerly line of said Fruitvale Meadows Amended, a distance of 86.00 feet to a point being the Southeast corner of Lot 10, Block 1 of said Fruitvale Meadows Amended; thence N 00°14'02" E along the East line of said Fruitvale Meadows Amended and the East line of Fruitvale Meadows Filing No. 2, as same is recorded in Plat Book 18, Page 260, Public Records of Mesa County, Colorado, a distance of 1018.94 feet to a point being the Northeast corner of said Fruitvale Meadows Filing No. 2, said point lying on the North line of the SE 1/4 NE 1/4 of said Section 16; thence N 89°51'29" E, along said North line, a distance of 218.00 feet; thence S 00°10'50" W a distance of 902.61 feet; thence S 89°51'59" W a distance of 113.00 feet; thence S 00°10'50" W a distance of 209.00 feet; thence S 89°51'59" W a distance of 37.00 feet; thence S 00°10'50" W a distance of 178.00 feet; thence S 89°51'59" W along a line 30.00 feet North of and parallel to the South line of the SE 1/4 NE 1/4 of said Section 16, a distance of 155.89 feet, more or less, to the Point of Beginning.

CONTAINING 5.8540 Acres (254,999.06 Square Feet) more or less, as described

be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 4th day of September, 2002.

ADOPTED and ordered published this ____ day of _____, 2002.

Attest:

President of the Council

City Clerk

Attach 9
Zoning Iles Annexation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA									
Subject		Zoning the Iles Annexation, located at 3080 D ½ Road							
Meeting Date		October 16, 2002							
Date Prepared		October 9, 2002			File # ANX-2002-171				
Author		Lisa Gerstenberger		Senior Planner					
Presenter Name		As above			As above				
Report results back to Council		X	No		Yes	When			
Citizen Presentation			Yes	X	No	Name			
	Workshop	X	Formal Agenda				Consent	X	Individual Consideration

Summary: Second reading of the Zoning ordinance to zone the Iles Annexation Residential Multi-Family-5 (RMF-5), located at 3080 D ½ Road.

Budget: N/A

Action Requested/Recommendation: Approve second reading of the zoning ordinance.

Attachments:

1. Staff Report
2. Annexation Map
3. Zoning Ordinance

Background Information: See attached staff report

AGENDA TOPIC: Second reading of the Zoning ordinance for the Iles Annexation, ANX-2002-171.

SUMMARY: Second reading of the Zoning ordinance to zone the Iles Annexation Residential Multi-Family-5 (RMF-5), located at 3080 D ½ Road.

BACKGROUND INFORMATION					
Location:		3080 D ½ Road			
Applicant:		Katherine L. and John A. Iles, Owners			
Existing Land Use:		Single Family Residence			
Proposed Land Use:		Residential			
Surrounding Land Use:	North	Residential			
	South	Residential			
	East	Residential			
	West	Residential			
Existing Zoning:		RMF-5 (Mesa County)			
Proposed Zoning:		RMF-5 (Residential Multi-Family 5, not to exceed 5 units per acre)			
Surrounding Zoning:	North	RSF-4 (Mesa County)			
	South	PD (Mesa County)			
	East	RMF-5 (Mesa County)			
	West	RMF-5			
Growth Plan Designation:		Residential Medium, 4-8 units per acre			
Zoning within density range?		X	Yes		No

Action Requested/Recommendation: Recommend that City Council approve second reading of the Zoning ordinance.

Staff Analysis:

ZONING OF ANNEXATION:

The proposed zoning for the Iles Annexation is the Residential Multi-family, 5 units/acre (RMF-5) zone district. The proposed use of the site is to be residential, which is in keeping with the goals of the Growth Plan and the RMF-5 zone district. Section 2.14(F), Zoning of Annexed Properties, of the Zoning and Development Code, states

that land annexed into the City shall be zoned in accordance with Section 2.6 to a district that is consistent with the adopted Growth Plan or consistent with existing County zoning.

REZONING CRITERIA:

The annexed property or rezone must be evaluated using the criteria noted in Section 2.6(A) of the Zoning and Development Code. The criteria are as follows:

1. The existing zoning was in error at the time of adoption. This property is being annexed into the City and has not been previously considered for zoning, therefore, there has not been an error in zoning.

2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc. The property is located in an area with developing residential uses. The request for Residential Multi-family, 5 units/acre (RMF-5) zoning is in keeping with the Growth Plan and Section 2.14, Annexations, of the Zoning and Development Code.

3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances. The requested rezone to RMF-5 is within the allowable density range recommended by the Growth Plan. This criterion must be considered in conjunction with criterion 5 which requires that public facilities and services are available when the impacts of any proposed development are realized. Staff has determined that public infrastructure can address the impacts of any development consistent with the proposed zone district, therefore this criterion is met.

4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of the Code and other City regulations and guidelines. The proposal is in conformance with the Growth Plan, and the policies and requirements of the Zoning and Development Code and other City regulations and guidelines.

5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development. Adequate public facilities and services are available at this time or will be installed with development of the site.

6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs. An adequate supply of land is available in the community, however, it is located in the County and has not yet developed. This area is designated as Residential Medium, 4-8 units/acre on the Future Land Use Map of the Growth Plan. In

accordance with Section 2.14, Annexations, of the Zoning and Development Code, the Residential Multi-family, 5 units/acre (RMF-5) zone district is appropriate for this property when it develops.

7. The community or neighborhood will benefit from the proposed zone.
The surrounding neighborhood and community would benefit from the proposed rezone by providing a development which meets the goals and policies of the Growth Plan.

STAFF RECOMMENDATION

Staff recommends approval of the Residential Multi-Family, 5 dwelling units per acre (RMF-5) zone district, with the finding that the proposed zone district is consistent with the Growth Plan land use designation, and with Section 2.6(a) of the Zoning and Development Code.

PLANNING COMMISSION RECOMMENDATION

Approval of the Residential Multi-Family-5 (RMF-5) zone district for the following reasons:

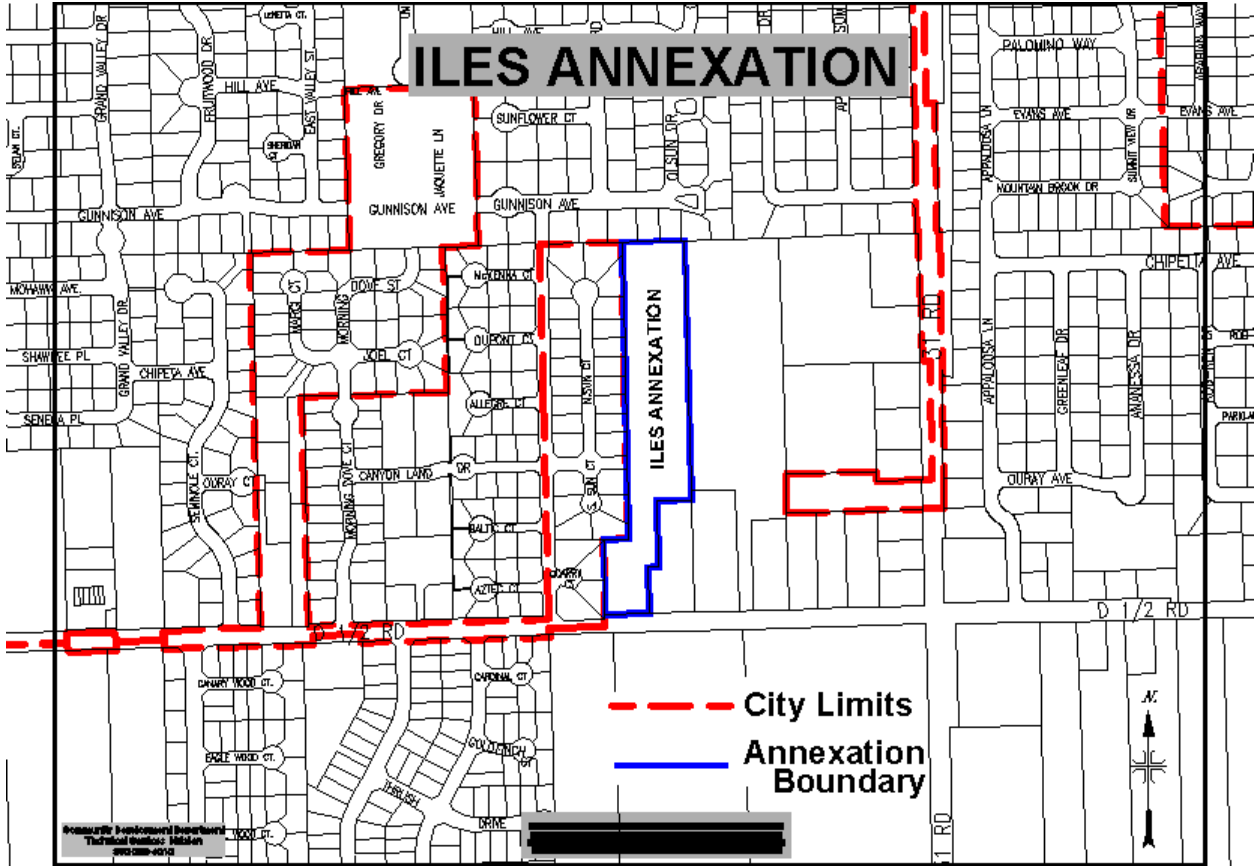
- RMF-5 zone district meets the recommended land use categories as shown through the Growth Plan, as well as the Growth Plan's goals and policies.
- RMF-5 zone district meets the criteria found in Section 2.6(A) of the Zoning and Development Code.

Attachments:

- Annexation Map
- Zoning Ordinance

H:Projects2002/ANX-2002-171/IllesCityZord2

ILES ANNEXATION



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE No. _____

**Ordinance Zoning the Iles Annexation to Residential Multi-Family-5 (RMF-5),
Located at 3080 D 1/2 Road**

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning the Iles Annexation to the **RMF-5** zone district for the following reasons:

The zone district meets the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and/or are generally compatible with appropriate lands uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the **RMF-5** zone district be established.

The Planning Commission and City Council find that the **RMF-5** zoning is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION
THAT:**

The following property shall be rezoned RMF-5, Residential Single Family with a density not to exceed 5 units per acre, zone district:

ILES ANNEXATION

A certain parcel of land lying in the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest Corner of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16, and considering the South line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16 to bear N 89°51'59" E with all bearings contained herein being relative thereto; thence from said Point of Commencement, N 89°51'59" E along the South line of the SE 1/4 NE 1/4 of said Section 16, a distance of 190.00 feet; thence N 00°22'49" E a distance of 30.00 feet to a point being the Southeast Corner of Fruitvale Meadows Amended, as same is recorded in Plat Book 18, Page 132, Public Records of Mesa County, Colorado, and

being the POINT OF BEGINNING; thence, from said Point of Beginning, continue N 00°22'49" E, along the East line of said Fruitvale Meadows Amended, a distance of 271.68 feet to a point being the Northeast corner of Lot 3, Block 1 of said Fruitvale Meadows Amended; thence S 89°27'11" E along a Southerly line of said Fruitvale Meadows Amended, a distance of 86.00 feet to a point being the Southeast corner of Lot 10, Block 1 of said Fruitvale Meadows Amended; thence N 00°14'02" E along the East line of said Fruitvale Meadows Amended and the East line of Fruitvale Meadows Filing No. 2, as same is recorded in Plat Book 18, Page 260, Public Records of Mesa County, Colorado, a distance of 1018.94 feet to a point being the Northeast corner of said Fruitvale Meadows Filing No. 2, said point lying on the North line of the SE 1/4 NE 1/4 of said Section 16; thence N 89°51'29" E, along said North line, a distance of 218.00 feet; thence S 00°10'50" W a distance of 902.61 feet; thence S 89°51'59" W a distance of 113.00 feet; thence S 00°10'50" W a distance of 209.00 feet; thence S 89°51'59" W a distance of 37.00 feet; thence S 00°10'50" W a distance of 178.00 feet; thence S 89°51'59" W along a line 30.00 feet North of and parallel to the South line of the SE 1/4 NE 1/4 of said Section 16, a distance of 155.89 feet, more or less, to the Point of Beginning.

CONTAINING 5.8540 Acres (254,999.06 Square Feet) more or less, as described.

Housing type, density and bulk standards shall be for the **RMF-5** zone district.

—

Introduced on first reading this 2nd day of October, 2002.

PASSED and ADOPTED on second reading this ____ day of October, 2002.

Mayor

ATTEST:

City Clerk

Attach 10
Assessments for Alley Improvement District 2002

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Hearing and 2nd Reading of a Proposed Assessing Ordinance for Alley Improvement District No. 2002					
Meeting Date	October 16th, 2002					
Date Prepared	October 4th, 2002				File #	
Author	Rick Marcus		Real Estate Technician			
Presenter Name	Rick Marcus		Real Estate Technician			
Report results back to Council	<input checked="" type="checkbox"/>	No		Yes	When	
Citizen Presentation	<input checked="" type="checkbox"/>	Yes		No	Name	Any Interested Citizen
	<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Formal Agenda	<input type="checkbox"/>	Consent
					<input checked="" type="checkbox"/>	Individual Consideration

Summary: Improvements to the following alleys have been completed as petitioned by a majority of the adjoining property owners:

- East/West Alley from 2nd to 3rd, between Hill Avenue and Gunnison Avenue
- East/West Alley from 3rd to 4th, between Hill Avenue and Teller Avenue
- East/West Alley from 4th to 5th, between Colorado Avenue and Ute Avenue
- East/West Alley from 11th to 12th, between Grand Avenue and Ouray Avenue
- East/West Alley from 12th to 13th, between Kennedy Avenue and Bunting Avenue
- East/West Alley from 15th to 16th, between Hall Avenue and Texas Avenue
- "T" shaped Alley from 7th to Cannell, between Kennedy Avenue and Bunting Avenue

Budget:

2002 Alley Budget	\$346,000
Carry in from 2001 Budget	\$ 65,000
Estimated Cost to construct 2002 Phase A Alleys	\$397,290
Estimated Balance	\$ 13,710

Action Requested/Recommendation: Review and adopt proposed Assessing Ordinance on second Reading for Alley Improvement District 2002.

Attachments: 1) Summary Sheets, 2) Maps, 3) Ordinance

Background Information: People's Ordinance No. 33 gives the City Council authority to create improvement districts and levy assessments when requested by a majority of the owners of the property to be assessed. These alleys were petitioned for reconstruction by more than 50% of the property owners. The proposed assessments are based on the rates stated in the petition, as follows: \$8 per abutting foot for residential single-family properties, \$15 per abutting foot for residential multi-family properties, and \$31.50 per abutting foot for non-residential uses.

The published assessable costs include a one-time charge of 6% for costs of collection and other incidentals. This fee will be deducted for assessments paid in full by November 18, 2002. Assessments not paid in full will be turned over to the Mesa County Treasurer for collection under a 10-year amortization schedule with simple interest at the rate of 8% accruing against the declining principal balance.

PROPOSED ALLEY IMPROVEMENT DISTRICT

**2ND STREET TO 3RD STREET
GUNNISON AVENUE TO HILL AVENUE**

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
MICHAEL & MARCELLA VASQUEZ	50.00	\$ 8.00	\$ 400.00
• JASON & KARALEE PARSONS	50.00	\$ 8.00	\$ 400.00
• ROBERT MCGEE	50.00	\$ 8.00	\$ 400.00
• DONALD & BONNIE DAVIS	50.00	\$ 8.00	\$ 400.00
• ROBERT & EDWARD SMITHSON	50.00	\$ 8.00	\$ 400.00
DAVID & WENDY JEFFERS	50.00	\$ 8.00	\$ 400.00
ELUID & THELMA ARCHULETA	100.00	\$ 8.00	\$ 800.00
• SEAN & TERRY LARVENZ	50.00	\$ 8.00	\$ 400.00
LARRY LOY	50.00	\$15.00	\$ 750.00
MARIA SERAFINO-NOBLE	50.00	\$15.00	\$ 750.00
• GEORGE & CLARA BLANKA	50.00	\$15.00	\$ 750.00
• ALFONSO & LAURA ALIVA	50.00	\$15.00	\$ 750.00
ADAM BUNIGER & AMIE BURNS	50.00	\$ 8.00	\$ 400.00
• AARON & KAREN DEROSE	50.00	\$ 8.00	\$ 400.00
• BOB FAITH	50.00	\$ 8.00	\$ 400.00
TOTAL			\$7,800.00
ASSESSABLE FOOTAGE	800.00		

Estimated Cost to Construct \$ 42,750.00

Absolute Cost to Owners \$ 7,800.00

Estimated Cost to City \$ 34,950.00

Assessments may be paid in full upon completion of project or may be paid over a ten-year period, in which event, a one-time charge of 6% will be added to the principal balance to which simple interest will accrue at the rate of 8% per annum on the declining balance.

Indicates Property Owners Signing Petition = 9/15 or 60% of Owners & 56% of Abutting Footage

- Indicates Property Owners Signing Petition = 10/15 or 67% of Owners & 69% of Abutting Footage

SUMMARY SHEET

PROPOSED ALLEY IMPROVEMENT DISTRICT

4TH STREET TO 5TH STREET

COLORADO AVENUE TO UTE AVENUE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
• DONNA & ROLLIN BITTING	24.46	\$31.50	\$ 770.49
• DONNA & ROLLIN BITTING	25.00	\$31.50	\$ 787.50
DALE & EVA PARK	50.00	\$31.50	\$1,575.00
• JOHN & MARIE WOHLFAHRT	25.00	\$31.50	\$ 787.50
BILLY & PATRICIA THOMPSON	75.00	\$31.50	\$2,362.50
JOANNE COSTANZO	25.00	\$31.50	\$ 787.50
WILLFRED SHEETZ	75.00	\$31.50	\$2,362.50
• DOWNTOWN DEVELOPMENT AUTHORITY	75.00	\$31.50	\$2,362.50
GEORGE & MONIKA TODD	25.54	\$31.50	\$ 804.51
• MUSEUM OF WESTERN COLORADO	200.00	\$31.50	\$6,300.00
• MUSEUM OF WESTERN COLORADO	200.00	\$31.50	<u>\$6,300.00</u>
TOTAL			\$25,200.00
ASSESSABLE FOOTAGE	800.00		

Estimated Cost to Construct	\$ 42,750.00
Absolute Cost to Owners	<u>\$ 25,200.00</u>
Estimated Cost to City	\$ 17,550.00

Assessments may be paid in full upon completion of project or may be paid over a ten-year period, in which event, a one-time charge of 6% will be added to the principal balance to which simple interest will accrue at the rate of 8% per annum on the declining balance.

- Indicates Property Owners Signing Petition = 6/11 or 55% of Owners & 69% of Abutting Footage

SUMMARY SHEET

PROPOSED ALLEY IMPROVEMENT DISTRICT 7TH STREET TO CANNELL AVENUE

BUNTING AVENUE TO KENNEDY AVENUE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
THEODORE & LINDA KOEMAN	130.27	\$15.00	\$1,954.05
KIMBERLY LYNCH	64.00	\$15.00	\$ 960.00
DOROTHY STORTZ	64.00	\$ 8.00	\$ 512.00
• BARBARA GALE	64.00	\$ 8.00	\$ 512.00
• NORVAL & D. LARSEN	64.00	\$ 8.00	\$ 512.00
SHARON KOCH	64.00	\$ 8.00	\$ 512.00
• CHARLES & V. WHITT	64.00	\$ 8.00	\$ 512.00
• CHARLES & E. HOWARD	64.00	\$ 8.00	\$ 512.00
• SIGRID CARLSON	64.00	\$ 8.00	\$ 512.00
• CHRISTOPHER & TAMARA KOCH	64.00	\$ 8.00	\$ 512.00
MICHAEL & NANCY DERMODY	64.00	\$ 8.00	\$ 512.00
MARIEL OBERLING	66.27	\$ 8.00	\$ 530.16
LESTER LANDRY, et.al.	66.67	\$ 8.00	\$ 533.36
LOUIE & PHYLLIS BARSLUND	64.00	\$ 8.00	\$ 512.00
• CHARLES & PATRICIA DOSS	64.00	\$ 8.00	\$ 512.00
DEL ADOLF, et. al.	64.00	\$ 8.00	\$ 512.00
• JANET MUYSKENS (Trustee)	64.00	\$ 8.00	\$ 512.00
• RICHARD BROADHEAD	64.00	\$ 8.00	\$ 512.00
• ADELE CUMMINGS	64.00	\$ 8.00	\$ 512.00
• MARJORY MOON	64.00	\$ 8.00	\$ 512.00
• BRIAN & JOHN HUFF	64.00	\$ 8.00	\$ 512.00
• ROXANA & JOHN WOLCOTT	64.00	\$ 8.00	\$ 512.00
• DOROTHY JACKSON & D. AUBREY (Trustees)	64.00	\$15.00	\$ 960.00
• WILMA RESS (Trustee)	64.00	\$ 8.00	\$ 512.00
CRISS OTTO & CARYN PENN	146.48	\$15.00	\$2,197.20
AMERICAN LUTHERN CHURCH	185.13	\$31.50	\$5,831.60
AMERICAN LUTHERN CHURCH	103.41	\$31.50	<u>\$3,257.42</u>
TOTAL			\$25,951.79
ASSESSABLE FOOTAGE	2,042.23		

Estimated Cost to Construct \$ 114,045.60

Absolute Cost to Owners \$ 25,951.79

Estimated Cost to City \$ 88,093.81

Assessments may be paid in full upon completion of project or may be paid over a ten-year period, in which event, a one-time charge of 6% will be added to the principal balance to which simple interest will accrue at the rate of 8% per annum on the declining balance.

- Indicates Property Owners Signing Petition = 15/27 or 56% of Owners & 47% of Abutting Footage

SUMMARY SHEET

PROPOSED ALLEY IMPROVEMENT DISTRICT

11TH STREET TO 12TH STREET

GRAND AVENUE TO OURAY AVENUE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
• PENNY HILLS	50.00	\$8.00	\$400.00
MICHAEL & JOAN MESARCH	50.00	\$8.00	\$400.00
• BRAD & PAM FERGUSON	50.00	\$8.00	\$400.00
JANET NEILSON & JOHN BALLANTYNE	50.00	\$8.00	\$400.00
• CHRISTINE GRAY	50.00	\$8.00	\$400.00
• PAM BOWKER	50.00	\$8.00	\$400.00
ANDRES ASIAN & ELIZABETH COLLINS	50.00	\$8.00	\$400.00
• CHRISTOPHER KRABACHER	50.00	\$8.00	\$400.00
• LORA & BURTON BURCKHALTER	50.15	\$8.00	\$400.00
LILLIAN HOUGH (TRUSTEE)	50.00	\$8.00	\$409.20
VERONICA MOSS	37.50	\$8.00	\$300.00
• VERLYN ROSS	37.50	\$8.00	\$300.00
• HAL & JULIE SANDBERG	50.00	\$8.00	\$400.00
LINCOLN HUNT	50.00	\$8.00	\$400.00
• SHAWN HART & JENNIFER DAVIS	50.00	\$8.00	\$400.00
• RALPH & BRIGITTE POWER	50.00	\$8.00	\$400.00
HARRY & ETHEL BUTLER	50.00	\$8.00	\$400.00
TERRY DOEKSEN	76.15	\$8.00	\$609.20
TOTAL			<u>\$7,218.40</u>
ASSESSABLE FOOTAGE	902.30		

Estimated Cost to Construct	\$ 47,595.00
Absolute Cost to Owners	\$ <u>7,218.40</u>
Estimated Cost to City	\$ 40,376.60

Assessments may be paid in full upon completion of project or may be paid over a ten-year period, in which event, a one-time charge of 6% will be added to the principal balance to which simple interest will accrue at the rate of 8% per annum on the declining balance.

- Indicates Property Owners Signing Petition = 9/14 or 64% of Owners & 62% of Abutting Footage



JAN MUYSKENS
844 BUNTING AVE
GRAND JCT., CO 81501
SEPT. 30, 2002

City Council

I am writing to register my dissatisfaction with the alley improvement project between 7th Street and Cannel Avenue. This so-called alley improvement project was much more like a demolition derby both inside and outside of my home at 844 Bunting Ave.

On two occasions in May my basement apartment was flooded with sewer water. I no sooner cleaned, sanitized and replaced carpeting in a hallway and bathroom when I was flooded again. This time, all of my basement was flooded causing the removal of carpeting throughout the entire apartment. It took four months before the homeowners affected by the sewer back up were finally reimbursed for their losses.

In late July, Xcel Energy replaced the gas lines to all homes bordering the alley. In my backyard, Xcel dug a trench from the alley to my fence to remove the old gas line. Xcel tore up a 12' X 28' area previously covered by 4" of road base gravel. What was once a firm, level parking area for campers, trailers, and vehicles is now an unlevel mess, and when it rains it is muddy and unusable. Xcel also demolished a euonymus bush by digging it out and then replanting it. No effort was made to preserve the roots, and the bush died in two weeks. As of this writing, this destruction has not been corrected by anyone nor has any reimbursement been made.

The sewer water backup created problems for a number of homeowners. Most homeowners had to wait for reimbursement before they could recarpet their basement, and a four month wait for reimbursement was entirely too long. Had it not been for the frequent phone calls made by a number of homeowners regarding the situation, it would probably still not be resolved.

For 25 years I have lived in my basement apartment from May through Sept. My apartment often smelled, and it remained a mess until carpeting could be replaced. The entire situation was extremely unpleasant, inconvenient and annoying on a daily basis for four months.

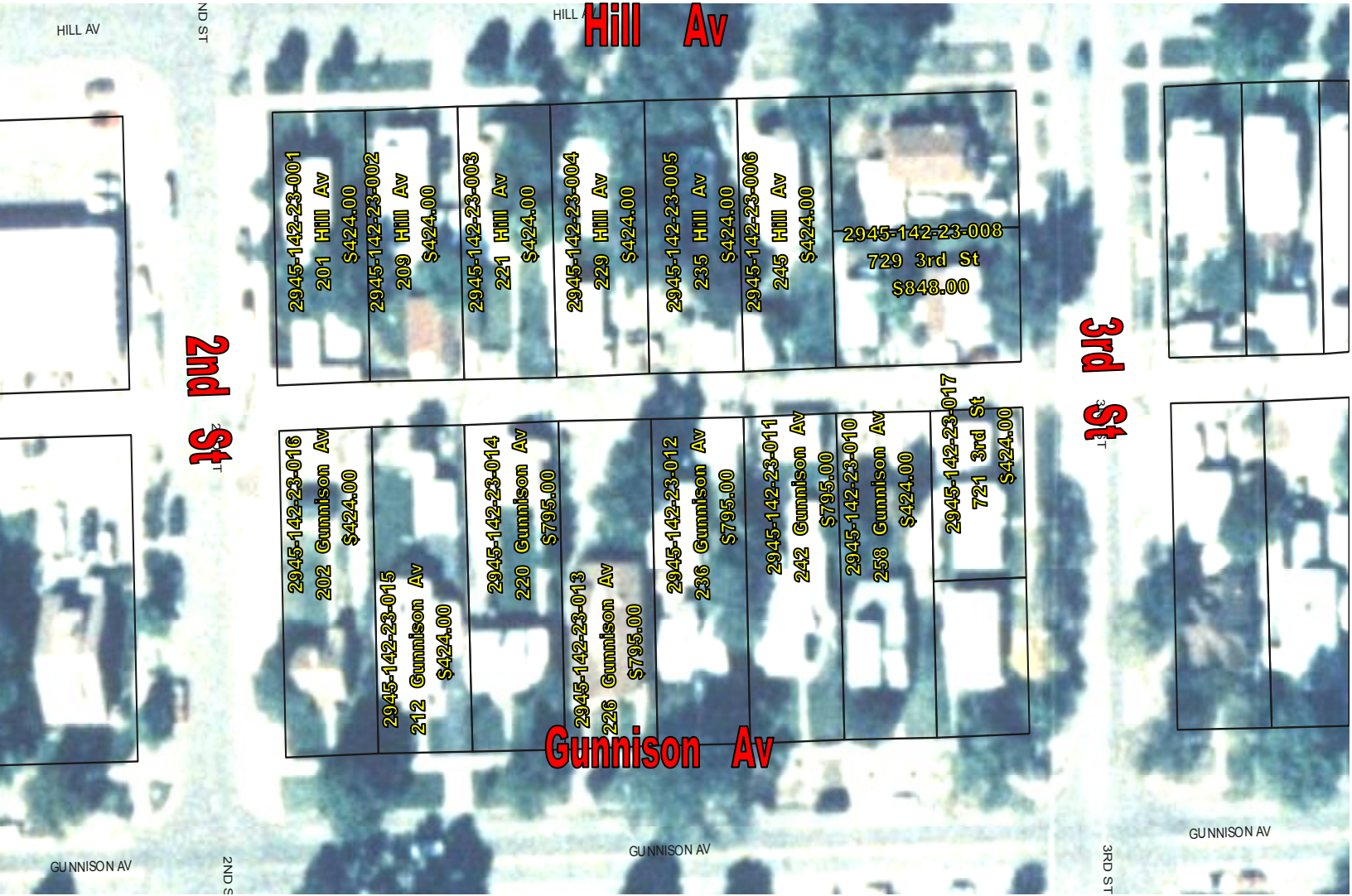
The alley project dragged on for months with frequent periods of time when absolutely no work of any kind was carried out. If one was unfortunate enough to have a carport or parking area in the alley, it was rendered unusable for at least six weeks. Even when one could access their carport or parking area, the alley was a mess and sometimes impossible to navigate--especially if it rained. With college students occupying every available parking spot on Bunting Ave., it made a difficult situation even worse. It was almost impossible for a homeowner to park anywhere on the main street.

In my thirty years of residing at 844 Bunting Ave., I've never had an unpleasant situation that even comes close to equaling the alley improvement mess. The amazing part of this whole situation is that now I'm getting the unpleasant opportunity of paying for all of the "improvements". After four months of destruction, inconvenience, aggravation, annoyance, frustration and countless hours spent correcting problems someone else created, I am now being assessed \$542.72. How lucky can one get ?? Basically, I just don't feel that I should have to pay anything since so much destruction and hardship occurred constantly from start to finish.

I definitely feel that a complaint about the many problems created during the project is in order. I also feel that I have legitimate cause to object to having to pay \$542.72. Never before have I been asked to pay money for damages and aggravation. I do expect a reply regarding this situation.

Jan Muyskens

2nd to 3rd, Hill Av to Gunnison Av



2nd St

3rd St

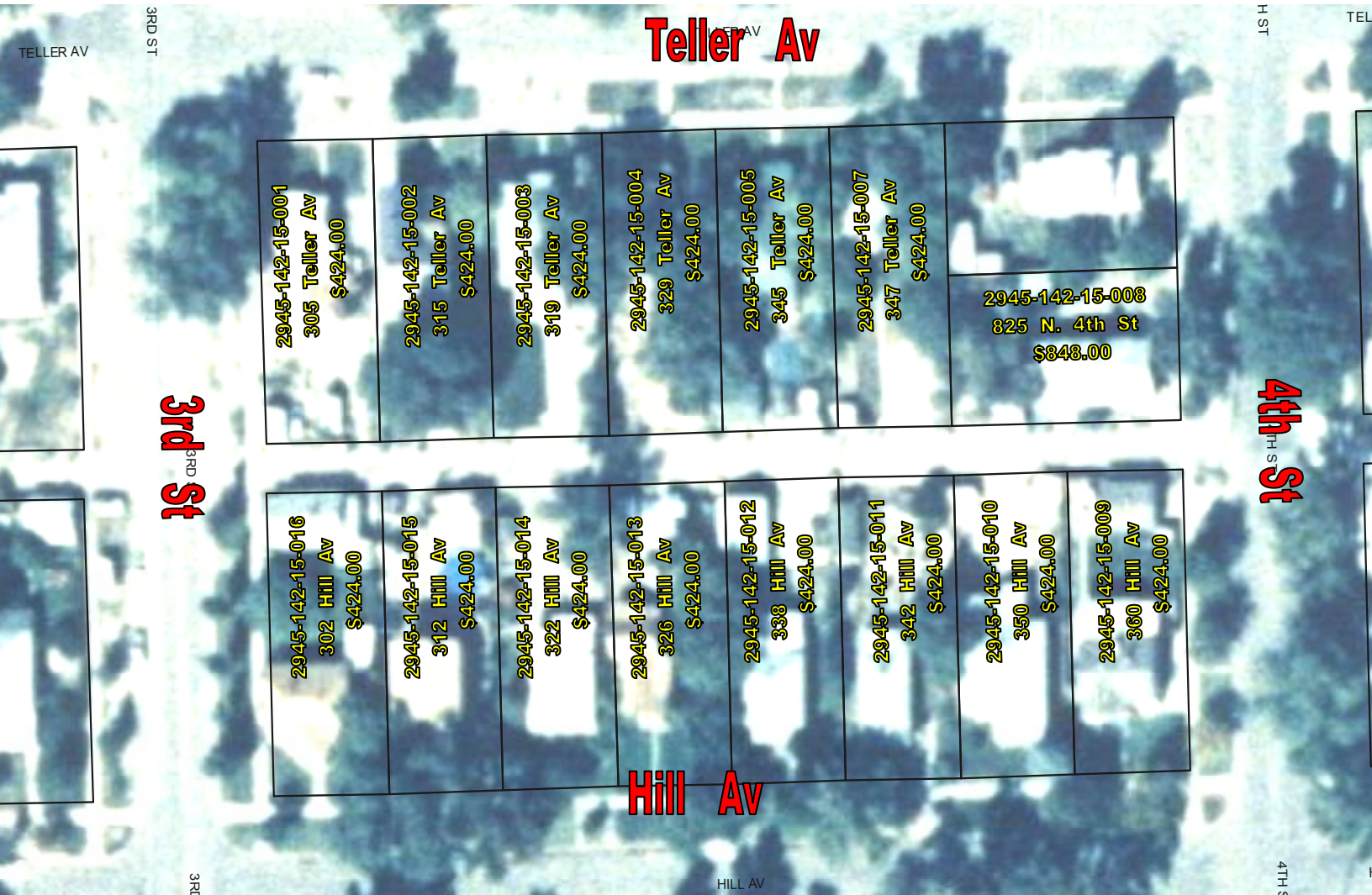
Gunnison Av

Hill Av

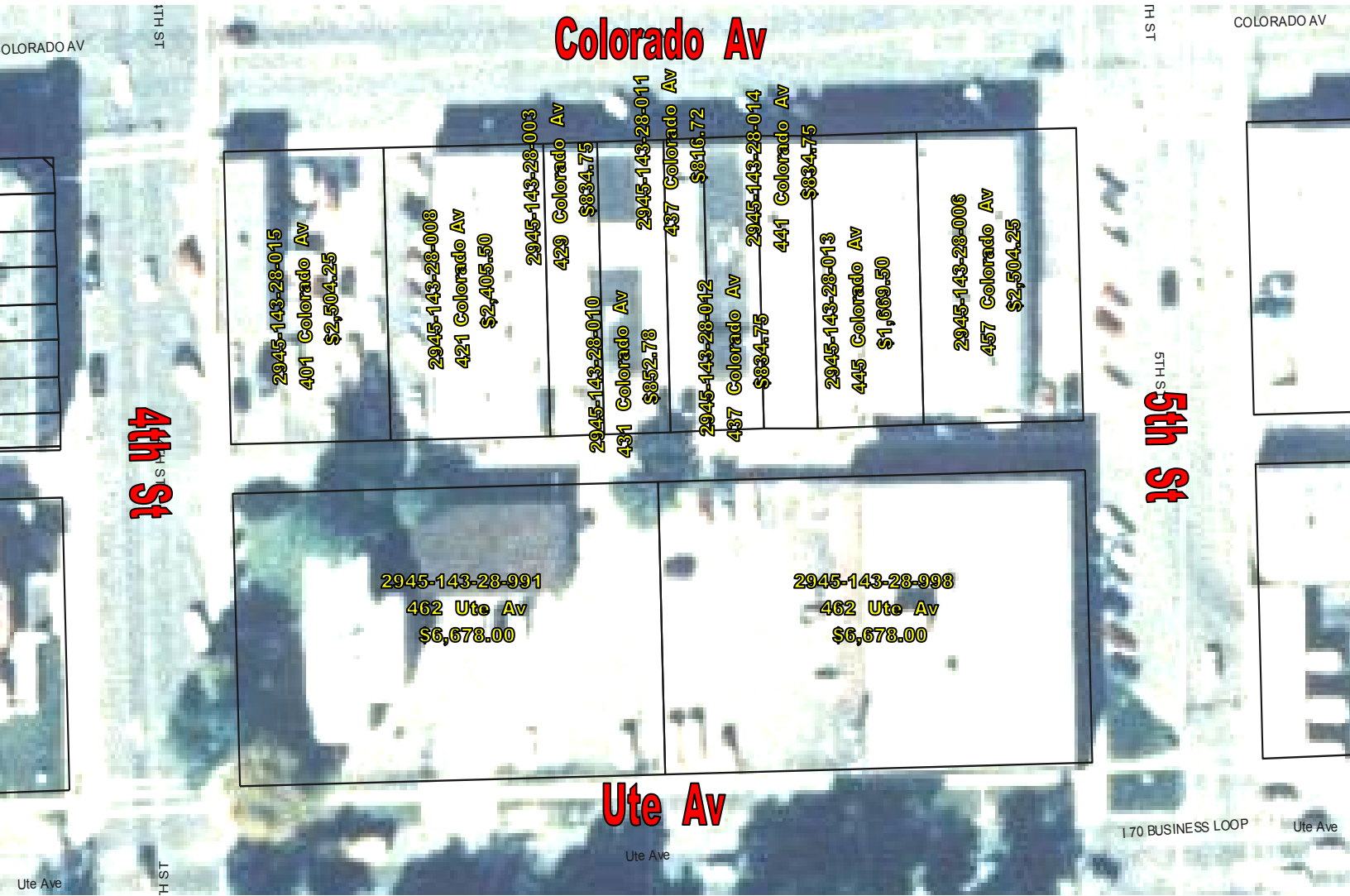
2945-142-23-001 201 Hill Av \$424.00	2945-142-23-002 209 Hill Av \$424.00	2945-142-23-003 221 Hill Av \$424.00	2945-142-23-004 229 Hill Av \$424.00	2945-142-23-005 235 Hill Av \$424.00	2945-142-23-006 245 Hill Av \$424.00	2945-142-23-008 729 3rd St \$848.00
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2945-142-23-016 202 Gunnison Av \$424.00	2945-142-23-015 212 Gunnison Av \$424.00	2945-142-23-014 220 Gunnison Av \$795.00	2945-142-23-013 226 Gunnison Av \$795.00	2945-142-23-012 236 Gunnison Av \$795.00	2945-142-23-011 242 Gunnison Av \$795.00	2945-142-23-010 258 Gunnison Av \$424.00	2945-142-23-017 721 3rd St \$424.00
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3rd to 4th, Hill Av to Teller Av



4th to 5th, Colorado to Ute



Colorado Av

4th St

5th St

Ute Av

2945-143-28-015
401 Colorado Av
\$2,504.25

2945-143-28-008
421 Colorado Av
\$2,405.50

2945-143-28-003
429 Colorado Av
\$834.75

2945-143-28-010
431 Colorado Av
\$852.78

2945-143-28-011
437 Colorado Av
\$816.72

2945-143-28-012
437 Colorado Av
\$834.75

2945-143-28-014
441 Colorado Av
\$834.75

2945-143-28-013
445 Colorado Av
\$1,669.50

2945-143-28-006
457 Colorado Av
\$2,504.25

2945-143-28-991
462 Ute Av
\$6,678.00

2945-143-28-998
462 Ute Av
\$6,678.00

7th to Cannell, Bunting to Kennedy



2945-114-15-951
1350 N. 7th St
\$6,181.50

2945-114-15-980
1350 N. 7th St
\$3,452.86

2945-114-15-026
740 Bunting Av
\$2,329.03

2945-114-15-025
750 Bunting Av
\$542.72

2945-114-15-024
760 Bunting Av
\$1,017.60

2945-114-15-023
768 Bunting Av
\$542.72

2945-114-15-022
804 Bunting Av
\$512.00

2945-114-15-021
814 Bunting Av
\$542.72

2945-114-15-020
824 Bunting Av
\$542.72

2945-114-15-019
834 Bunting Av
\$542.72

2945-114-15-018
844 Bunting Av
\$542.72

2945-114-15-017
854 Bunting Av
\$542.72

2945-114-15-016
864 Bunting Av
\$512.00

2945-114-15-015
874 Bunting Av
\$542.72

2945-114-15-014
1311 Cannell Av
\$565.36

2945-114-15-002
745 Kennedy Av
\$2,701.29

2945-114-15-003
771 Kennedy Av
\$1,017.60

2945-114-15-004
775 Kennedy Av
\$542.72

2945-114-15-005
805 Kennedy Av
\$542.72

2945-114-15-006
815 Kennedy Av
\$542.72

2945-114-15-007
825 Kennedy Av
\$542.72

2945-114-15-008
835 Kennedy Av
\$542.72

2945-144-15-009
845 Kennedy Av
\$542.72

2945-114-15-010
855 Kennedy Av
\$542.72

2945-114-15-011
865 Kennedy Av
\$542.72

2945-114-15-012
885 Kennedy Av
\$542.72

2945-114-15-013
1343 Cannell Av
\$561.97

Kennedy Av

Bunting Av

Cannell Av

11th to 12th, Grand to Ouray

Ouray Av

OURAY AV

11TH ST

OURAY AV

12TH ST

OURAY AV

11th St

- 2945-141-42-019
1102 Grand Av
\$424.00
- 2945-141-42-010
1114 Grand Av
\$318.00
- 2945-141-42-011
1120 Grand Av
\$318.00
- 2945-141-42-012
1126 Grand Av
\$424.00
- 2945-141-42-013
1134 Grand Av
\$424.00
- 2945-141-42-014
1140 Grand Av
\$424.00
- 2945-141-42-015
1144 Grand Av
\$424.00
- 2945-141-42-016
1148 Grand Av
\$424.00
- 2945-141-42-001
444 N. 11th St
\$424.00
- 2945-141-42-002
1111 Ouray Av
\$424.00
- 2945-141-42-003
1123 Ouray Av
\$424.00
- 2945-141-42-004
1127 Ouray Av
\$424.00
- 2945-141-42-005
1133 Ouray Av
\$424.00
- 2945-141-42-006
1147 Ouray Av
\$424.00
- 2945-141-42-007
1151 Ouray Av
\$424.00
- 2945-141-42-009
1157 Ouray Av
\$424.00
- 2945-141-42-008
1163 Ouray Av
\$433.75

2945-141-42-017
415 N. 12th St
\$645.75

Grand Av

12th to 13th, Kennedy to Bunting

Kennedy Av

2945-123-18-003 225 Kennedy Av 795.00	2945-123-18-004 231 Kennedy Av \$424.00	2945-123-18-005 235 Kennedy Av \$424.00	2945-123-18-006 241 Kennedy Av \$424.00	2945-123-18-008 245 Kennedy Av \$424.00	2945-123-18-007 1333 N. 12th St \$795.00
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12th St

12th St

2945-123-18-002
1322 N. 12th St
\$1,987.50

2945-123-18-009
1310 N. 12th St
\$1,590.00

2945-123-18-011
1224 Bunting Av
\$1,192.50

2945-123-18-012
1236 Bunting Av
\$795.00

2945-123-18-013
1240 Bunting Av
\$795.00

2945-123-18-014
1248 Bunting Av
\$795.00

2945-123-18-015
1254 Bunting Av
\$424.00

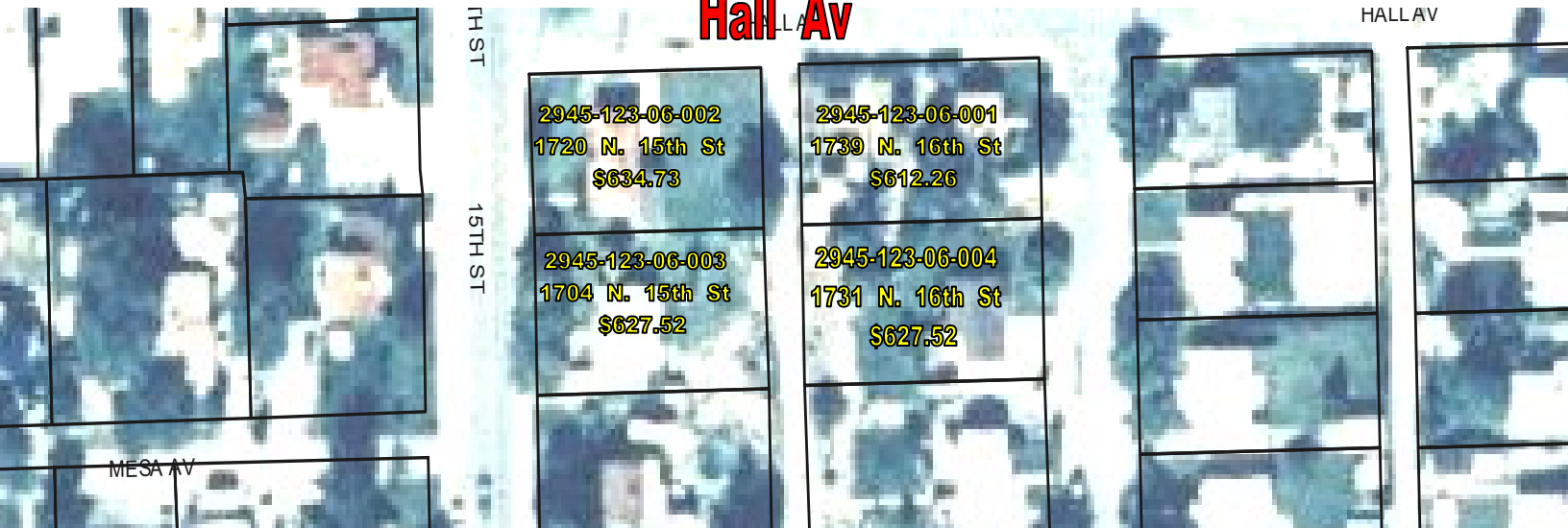
2945-123-18-016
1260 Bunting Av
\$424.00

13th St

Bunting Av

15th to 16th, Texas to Hall

Hall Av



15th St

15th St

2945-123-06-002
1720 N. 15th St
\$634.73

2945-123-06-003
1704 N. 15th St
\$627.52

2945-123-06-001
1739 N. 16th St
\$612.26

2945-123-06-004
1731 N. 16th St
\$627.52

HALL AV

MESA AV

15th St

**2945-123-06-006
1664 N. 15th St
\$551.20**

**2945-123-06-007
1654 N. 15th St
\$636.00**

**2945-123-06-009
1644 N. 15th St
\$551.20**

**2945-123-06-011
1634 N. 15th St
\$491.84**

**2945-123-06-013
1630 N. 15th St
\$440.96**

**2945-123-06-014
1616 N. 15th St
\$466.40**

**2945-123-06-022
1610 N. 15th St
\$795.00**

**2945-123-06-021
1602 N. 15th St
\$339.20**

**2945-123-06-005
1717 N. 16th St
\$551.20**

**2945-123-06-008
1703 N. 16th St
\$612.26**

**2945-123-06-010
1657 N. 16th St
\$551.20**

**2945-123-06-012
1647 N. 16th St
\$491.84**

**2945-123-06-020
1637 N. 16th St
\$440.96**

**2945-123-06-015
1627 N. 16th St
\$466.40**

**2945-123-06-017
1617 N. 16th St
\$381.60**

**2945-123-06-019
1611 N. 16th St
\$381.60**

16th St

Texas Av

ORDINANCE NO. ____

AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR ALLEY IMPROVEMENT DISTRICT NO. ST-02 IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS AMENDED; APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; APPROVING THE APPORTIONMENT OF SAID COST AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENT.

WHEREAS, the City Council and the Municipal Officers of the City of Grand Junction, in the State of Colorado, have complied with all the provisions of law relating to certain improvements in Alley Improvement District No. ST-02 in the City of Grand Junction, pursuant to Ordinance No.178 of said City, adopted and approved June 11, 1910, as amended, being Chapter 28 of the Code of Ordinances of the City of Grand Junction, Colorado, and pursuant to the various resolutions, orders and proceedings taken under said Ordinance; and

WHEREAS, the City Council has heretofore caused to be published the Notice of Completion of said local improvements in said Alley Improvement District No. ST-02 and the apportionment of the cost thereof to all persons interested and to the owners of real estate which is described therein, said real estate comprising the district of land known as Alley Improvement District No. ST-02 in the City of Grand Junction, Colorado, which said Notice was caused to be published in The Daily Sentinel, the official newspaper of the City of Grand Junction (the first publication thereof appearing on September 6th, 2002, and the last publication thereof appearing on September 8th, 2002); and

WHEREAS, said Notice recited the share to be apportioned to and upon each lot or tract of land within said District assessable for said improvements, and recited that complaints or objections might be made in writing to the Council and filed with the Clerk within thirty (30) days from the first publication of said Notice, and that such complaints would be heard and determined by the Council at its first regular meeting after the said thirty (30) days and before the passage of any ordinance assessing the cost of said improvements; and

WHEREAS, no written complaints or objections have been made or filed with the City Clerk as set forth in said Notice; and

WHEREAS, the City Council has fully confirmed the statement prepared by the City Engineer and certified by the President of the Council showing the assessable cost of said improvements and the apportionment thereof heretofore made as contained in that certain Notice to property owners in Alley Improvement District No. ST-02 duly published in the

Daily Sentinel, the official newspaper of the City, and has duly ordered that the cost of said improvements in said Alley Improvement District No. ST-02 be assessed and apportioned against all of the real estate in said District in the portions contained in the aforesaid Notice; and

WHEREAS, from the statement made and filed with the City Clerk by the City Engineer, it appears that the assessable cost of the said improvements is \$98,864.26; and

WHEREAS, from said statement it also appears the City Engineer has apportioned a share of the assessable cost to each lot or tract of land in said District in the following proportions and amounts, severally, to wit:

11TH TO 12TH, GRAND TO OURAY:

TAX SCHEDULE NO.: 2945-141-42-001 LEGAL DESCRIPTION: Lots 1 & 2, Block 67, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-141-42-002 LEGAL DESCRIPTION: Lots 3 & 4, Block 67, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-141-42-003 LEGAL DESCRIPTION: Lots 5 & 6, Block 67, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-141-42-004 LEGAL DESCRIPTION: Lots 7 & 8, Block 67, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-141-42-005 LEGAL DESCRIPTION: Lots 9 & 10, Block 67, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-141-42-006 LEGAL DESCRIPTION: Lots 11 & 12, Block 67, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-141-42-007 LEGAL DESCRIPTION: Lots 13 & 14, Block 67, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-141-42-009 LEGAL DESCRIPTION: Lots 15 & 16, Block 67, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-141-42-008 LEGAL DESCRIPTION: Lot 17, Block 67, City of Grand Junction.

ASSESSMENT..... \$ 433.75

TAX SCHEDULE NO.: 2945-141-42-019 LEGAL DESCRIPTION: Lots 33 & 34, Block 67, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-141-42-010 LEGAL DESCRIPTION: West ½ of Lot 31 & all of Lot 32, Block 67, City of Grand Junction.

ASSESSMENT..... \$ 318.00

TAX SCHEDULE NO.: 2945-141-42-011 LEGAL DESCRIPTION: Lot 30 & east ½ of Lot 31, Block 67, City of Grand Junction.

ASSESSMENT..... \$ 318.00

TAX SCHEDULE NO.: 2945-141-42-012 LEGAL DESCRIPTION: Lots 28 & 29, Block 67, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-141-42-013 LEGAL DESCRIPTION: Lots 26 & 27, Block 67, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-141-42-014 LEGAL DESCRIPTION: Lots 24 & 25, Block 67, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-141-42-015 LEGAL DESCRIPTION: Lots 22 & 23, Block 67, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-141-42-016 LEGAL DESCRIPTION: Lots 20 & 21, Block 67, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-141-42-017 LEGAL DESCRIPTION: North ½ of Lots 18 & 19, Block 67, City of Grand Junction.

ASSESSMENT..... \$ 645.75

12TH TO 13TH, BUNTING TO KENNEDY:

TAX SCHEDULE NO.: 2945-123-18-002 LEGAL DESCRIPTION: South ½ of Lots 1 through 5 inclusive, Block 3, Henderson Heights Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 1,987.50

TAX SCHEDULE NO.: 2945-123-18-003 LEGAL DESCRIPTION: Lots 6 & 7, Block 3, Henderson Heights Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 795.00

TAX SCHEDULE NO.: 2945-123-18-004 LEGAL DESCRIPTION: Lots 8 & 9, Block 3, Henderson Heights Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-123-18-005 LEGAL DESCRIPTION: Lots 10 & 11, Block 3, Henderson Heights Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-123-18-006 LEGAL DESCRIPTION: Lots 12 & 13, Block 3, Henderson Heights Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-123-18-007 LEGAL DESCRIPTION: Lots 16 & 17, Block 3, Henderson Heights Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 795.00

TAX SCHEDULE NO.: 2945-123-18-008 LEGAL DESCRIPTION: Lots 14 & 15, Block 3, Henderson Heights Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-123-18-009 LEGAL DESCRIPTION: North ½ of Lots 31 through 34, inclusive, Block 3, Henderson Heights Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 1,590.00

TAX SCHEDULE NO.: 2945-123-18-011 LEGAL DESCRIPTION: Lots 28, 29 & 30, Block 3, Henderson Heights Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 1,192.50

TAX SCHEDULE NO.: 2945-123-18-012 LEGAL DESCRIPTION: Lots 26 & 27, Block 3, Henderson Heights Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 795.00

TAX SCHEDULE NO.: 2945-123-18-013 LEGAL DESCRIPTION: Lots 24 & 25, Block 3, Henderson Heights Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 795.00

TAX SCHEDULE NO.: 2945-123-18-014 LEGAL DESCRIPTION: Lots 22 & 23, Block 3, Henderson Heights Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 795.00

TAX SCHEDULE NO.: 2945-123-18-015 LEGAL DESCRIPTION: Lots 20 & 21, Block 3, Henderson Heights Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-123-18-016 LEGAL DESCRIPTION: Lots 18 & 19, Block 3,
Henderson Heights Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 424.00

15TH TO 16TH, TEXAS TO HALL:

TAX SCHEDULE NO.: 2945-123-06-002 LEGAL DESCRIPTION: Lot 1, Block 2, Sunnyvale,
City of Grand Junction.
ASSESSMENT..... \$ 634.73

TAX SCHEDULE NO.: 2945-123-06-001 LEGAL DESCRIPTION: Lot 8, Block 2, Sunnyvale,
City of Grand Junction.
ASSESSMENT..... \$ 612.26

TAX SCHEDULE NO.: 2945-123-06-003 LEGAL DESCRIPTION: Lot 2, Block 2, Sunnyvale,
City of Grand Junction.
ASSESSMENT..... \$ 627.52

TAX SCHEDULE NO.: 2945-123-06-004 LEGAL DESCRIPTION: Lot 7, Block 2, Sunnyvale,
City of Grand Junction.
ASSESSMENT..... \$ 627.52

TAX SCHEDULE NO.: 2945-123-06-005 LEGAL DESCRIPTION: Lot 6, Block 2, Sunnyvale,
City of Grand Junction.
ASSESSMENT..... \$ 551.20

TAX SCHEDULE NO.: 2945-123-06-006 LEGAL DESCRIPTION: Lot 3, Block 2, Sunnyvale,
City of Grand Junction.
ASSESSMENT..... \$ 551.20

TAX SCHEDULE NO.: 2945-123-06-007 LEGAL DESCRIPTION: Lot 4, Block 2, Sunnyvale,
City of Grand Junction.
ASSESSMENT..... \$ 636.00

TAX SCHEDULE NO.: 2945-123-06-008 LEGAL DESCRIPTION: Lot 5, Block 2, Sunnyvale,
City of Grand Junction.
ASSESSMENT..... \$ 612.26

TAX SCHEDULE NO.: 2945-123-06-009 LEGAL DESCRIPTION: Lot 1, Avalon Gardens
Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 551.20

TAX SCHEDULE NO.: 2945-123-06-010 LEGAL DESCRIPTION: Lot 8, Avalon Gardens Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 551.20

TAX SCHEDULE NO.: 2945-123-06-011 LEGAL DESCRIPTION: Lot 2, Avalon Gardens Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 491.84

TAX SCHEDULE NO.: 2945-123-06-012 LEGAL DESCRIPTION: North 55 ft. of Lot 7, Avalon Gardens Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 491.84

TAX SCHEDULE NO.: 2945-123-06-013 LEGAL DESCRIPTION: Lot 3, Avalon Gardens Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 440.96

TAX SCHEDULE NO.: 2945-123-06-014 LEGAL DESCRIPTION: Lot 4, Avalon Gardens Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 466.40

TAX SCHEDULE NO.: 2945-123-06-015 LEGAL DESCRIPTION: Lot 5, Avalon Gardens Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 466.40

TAX SCHEDULE NO.: 2945-123-06-017 LEGAL DESCRIPTION: Lot 3, Belaire Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 381.60

TAX SCHEDULE NO.: 2945-123-06-019 LEGAL DESCRIPTION: Lot 4, Belaire Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 381.60

TAX SCHEDULE NO.: 2945-123-06-020 LEGAL DESCRIPTION: Lot 6 & the south 3 ft. of Lot 7, Avalon Gardens, City of Grand Junction.

ASSESSMENT..... \$ 440.96

TAX SCHEDULE NO.: 2945-123-06-022 LEGAL DESCRIPTION: North 49 ft. of Lot 1, Block 2, Belaire Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 795.00

TAX SCHEDULE NO.: 2945-123-06-021 LEGAL DESCRIPTION: Lot 2 & the south 1 ft. of Lot 1, Block 2, Belaire Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 339.20

2ND TO 3RD, GUNNISON TO HILL:

TAX SCHEDULE NO.: 2945-142-23-001 LEGAL DESCRIPTION: Lots 1 & 2, Block 35, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-23-002 LEGAL DESCRIPTION: Lots 3 & 4, Block 35, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-23-003 LEGAL DESCRIPTION: Lots 5 & 6, Block 35, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-23-004 LEGAL DESCRIPTION: Lots 7 & 8, Block 35, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-23-005 LEGAL DESCRIPTION: Lots 9 & 10, Block 35, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-23-006 LEGAL DESCRIPTION: Lots 11 & 12, Block 35, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-23-008 LEGAL DESCRIPTION: South ½ of Lots 13 through 16, inclusive, Block 35, City of Grand Junction.

ASSESSMENT..... \$ 848.00

TAX SCHEDULE NO.: 2945-142-23-010 LEGAL DESCRIPTION: Lots 19 & 20, Block 35, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-23-011 LEGAL DESCRIPTION: Lots 21 & 22, Block 35, City of Grand Junction.

ASSESSMENT..... \$ 795.00

TAX SCHEDULE NO.: 2945-142-23-012 LEGAL DESCRIPTION: Lots 23 & 24, Block 35, City of Grand Junction.

ASSESSMENT..... \$ 795.00

TAX SCHEDULE NO.: 2945-142-23-013 LEGAL DESCRIPTION: Lots 25 & 26, Block 35, City of Grand Junction.

ASSESSMENT..... \$ 795.00

TAX SCHEDULE NO.: 2945-142-23-014 LEGAL DESCRIPTION: Lots 27 & 28, Block 35, City of Grand Junction.

ASSESSMENT..... \$ 795.00

TAX SCHEDULE NO.: 2945-142-23-015 LEGAL DESCRIPTION: Lots 29 & 30, Block 35, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-23-016 LEGAL DESCRIPTION: Lots 31 & 32, Block 35, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-23-017 LEGAL DESCRIPTION: North 78.1 ft. of Lots 17 & 18, Block 35, City of Grand Junction.

ASSESSMENT..... \$ 424.00

3rd to 4th, HILL TO TELLER:

TAX SCHEDULE NO.: 2945-142-15-001 LEGAL DESCRIPTION: Lots 1 & 2, Block 31, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-15-002 LEGAL DESCRIPTION: Lots 3 & 4, Block 31, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-15-003 LEGAL DESCRIPTION: Lots 5 & 6, Block 31, City of Grand Junction.

ASSESSMENT..... \$ 424.24

TAX SCHEDULE NO.: 2945-142-15-004 LEGAL DESCRIPTION: Lots 7 & 8, Block 31, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-15-005 LEGAL DESCRIPTION: Lots 9 & 10, Block 31, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-15-007 LEGAL DESCRIPTION: Lots 11 & 12, Block 31, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-15-008 LEGAL DESCRIPTION: South ½ of Lots 13 through 16, Block 31, City of Grand Junction.

ASSESSMENT..... \$ 848.00

TAX SCHEDULE NO.: 2945-142-15-009 LEGAL DESCRIPTION: Lots 17 & 18, Block 31,
City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-15-010 LEGAL DESCRIPTION: Lots 19 & 20, Block 31,
City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-15-011 LEGAL DESCRIPTION: Lots 21 & 22, Block 31,
City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-15-012 LEGAL DESCRIPTION: Lots 23 & 24, Block 31,
City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-15-013 LEGAL DESCRIPTION: Lots 25 & 26, Block 31,
City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-15-014 LEGAL DESCRIPTION: Lots 27 & 28, Block 31,
City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-15-015 LEGAL DESCRIPTION: Lots 29 & 30, Block 31,
City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-15-016 LEGAL DESCRIPTION: Lots 31 & 32, Block 31,
City of Grand Junction.
ASSESSMENT..... \$ 424.00

4th to 5th, COLORADO TO UTE:

TAX SCHEDULE NO.: 2945-143-28-011 LEGAL DESCRIPTION: Lot 9 except the west 6.5
inches, Block 125, City of Grand Junction.
ASSESSMENT..... \$ 816.72

TAX SCHEDULE NO.: 2945-143-28-012 LEGAL DESCRIPTION: Lot 10, Block 125, City of
Grand Junction.
ASSESSMENT..... \$ 834.75

TAX SCHEDULE NO.: 2945-143-28-013 LEGAL DESCRIPTION: Lots 12 & 13, Block 125,
City of Grand Junction.

ASSESSMENT..... \$ 1,669.50

TAX SCHEDULE NO.: 2945-143-28-014 LEGAL DESCRIPTION: Lot 11, Block 125, City of Grand Junction.

ASSESSMENT..... \$ 834.75

TAX SCHEDULE NO.: 2945-143-28-015 LEGAL DESCRIPTION: Lots 1, 2 & 3 Block 125, City of Grand Junction.

ASSESSMENT..... \$ 2,504.25

TAX SCHEDULE NO.: 2945-143-28-003 LEGAL DESCRIPTION: Lot 7, Block 125, City of Grand Junction.

ASSESSMENT..... \$ 834.75

TAX SCHEDULE NO.: 2945-143-28-006 LEGAL DESCRIPTION: Lots 14, 15 & 16, Block 125, City of Grand Junction.

ASSESSMENT..... \$ 2,504.25

TAX SCHEDULE NO.: 2945-143-28-948 LEGAL DESCRIPTION: Lots 4, 5 & 6, Block 125, City of Grand Junction.

ASSESSMENT..... \$ 2,504.25

TAX SCHEDULE NO.: 2945-143-28-010 LEGAL DESCRIPTION: Lot 8 and the west 6.5 inches of Lot 9, Block 125, City of Grand Junction.

ASSESSMENT..... \$ 852.78

TAX SCHEDULE NO.: 2945-143-28-998 LEGAL DESCRIPTION: Lots 17 through 24, inclusive, Block 125, City of Grand Junction.

ASSESSMENT..... \$ 6,678.00

TAX SCHEDULE NO.: 2945-143-28-991 LEGAL DESCRIPTION: Lots 25 through 32, inclusive, Block 125, City of Grand Junction.

ASSESSMENT..... \$ 6,678.00

7TH to CANNELL, KENNEDY TO BUNTING:

TAX SCHEDULE NO.: 2945-114-15-002 LEGAL DESCRIPTION: Lots 5 & 6, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 2,071.29

TAX SCHEDULE NO.: 2945-114-15-003 LEGAL DESCRIPTION: Lot 7, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 1,017.60

TAX SCHEDULE NO.: 2945-114-15-004 LEGAL DESCRIPTION: Lot 8, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-005 LEGAL DESCRIPTION: Lot 9, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-006 LEGAL DESCRIPTION: Lot 10, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-007 LEGAL DESCRIPTION: Lot 11, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-008 LEGAL DESCRIPTION: Lot 12, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-009 LEGAL DESCRIPTION: Lot 13, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-010 LEGAL DESCRIPTION: Lot 14, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-011 LEGAL DESCRIPTION: Lot 15, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-012 LEGAL DESCRIPTION: Lot 16, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-013 LEGAL DESCRIPTION: Lot 17, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 561.97

TAX SCHEDULE NO.: 2945-114-15-014 LEGAL DESCRIPTION: Lot 18, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 565.36

TAX SCHEDULE NO.: 2945-114-15-015 LEGAL DESCRIPTION: Lot 19, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-016 LEGAL DESCRIPTION: Lot 20, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-017 LEGAL DESCRIPTION: Lot 21, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-018 LEGAL DESCRIPTION: Lot 22, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-019 LEGAL DESCRIPTION: Lot 23, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-020 LEGAL DESCRIPTION: Lot 24, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-021 LEGAL DESCRIPTION: Lot 25, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-022 LEGAL DESCRIPTION: Lot 26, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-023 LEGAL DESCRIPTION: Lot 27, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-024 LEGAL DESCRIPTION: Lot 28, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 1,017.60

TAX SCHEDULE NO.: 2945-114-15-025 LEGAL DESCRIPTION: Lot 29, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-026 LEGAL DESCRIPTION: Lot 30, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 2,329.03

TAX SCHEDULE NO.: 2945-114-15-951 LEGAL DESCRIPTION: Lots 1,2 & 3, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 6,181.50

TAX SCHEDULE NO.: 2945-114-15-980 LEGAL DESCRIPTION: East 53.6 ft. of Lot 4,
Block 2, Rose Park Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 3,452.86

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

Section 1. That the assessable cost and apportionment of the same, as hereinabove set forth, is hereby assessed against all the real estate in said District, and to and upon each lot or tract of land within said District, and against such persons in the portions and amounts which are severally hereinbefore set forth and described.

Section 2. That said assessments, together with all interests and penalties for default in payment thereof, and all cost of collecting the same, shall from the time of final publication of this Ordinance, constitute a perpetual lien against each lot of land herein described, on a parity with the tax lien for general, State, County, City and school taxes, and no sale of such property to enforce any general, State, County, City or school tax or other lien shall extinguish the perpetual lien of such assessment.

Section 3. That said assessment shall be due and payable within thirty (30) days after the final publication of this Ordinance without demand; provided that all such assessments may, at the election of the owner, be paid in installments with interest as hereinafter provided. Failure to pay the whole assessment within the said period of thirty days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in such installments. All persons so electing to pay in installments shall be conclusively considered and held as consenting to said improvements, and such election shall be conclusively considered and held as a waiver of any and all rights to question the power and jurisdiction of the City to construct the improvements, the quality of the work and the regularity or sufficiency of the proceedings, or the validity or correctness of the assessment.

Section 4. That in case of such election to pay in installments, the assessments shall be payable in ten (10) equal annual installments of the principal. The first of said installments of principal shall be payable at the time the next installment of general taxes, by the laws of the State of Colorado, is payable, and each annual installment shall be paid on or before the same date each year thereafter, along with simple interest which has accrued at the rate of 8 percent per annum on the unpaid principal, payable annually.

Section 5. That the failure to pay any installments, whether of principal or interest, as herein provided, when due, shall cause the whole unpaid principal to become due and payable immediately and the whole amount of the unpaid principal and accrued interest shall thereafter draw interest at the rate of 8 percent per annum until the day of sale, as by law provided; but at any time prior to the date of sale, the owner may pay the amount of such delinquent installment or installments, with interest at 8 percent per annum as aforesaid, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any piece of real estate not in default as to any installments may at any time pay the whole of the unpaid principal with interest accrued.

Section 6. That payment may be made to the City Finance Director at any time within thirty days after the final publication of this Ordinance, and an allowance of the six percent added for cost of collection and other incidentals shall be made on all payments made during said period of thirty days.

Section 7. That the monies remaining in the hands of the City Finance Director as the result of the operation and payments under Alley Improvement District No. ST-02 shall be retained by the Finance Director and shall be used thereafter for the purpose of further funding of past or subsequent improvement districts which may be or may become in default.

Section 8. That all provisions of Ordinance No. 178 of the City of Grand Junction, as amended, being Chapter 28 of the Code of Ordinances of the City of Grand Junction, Colorado, shall govern and be taken to be a part of this Ordinance with respect to the creation of said Alley Improvement District No. ST-02 the construction of the improvements therein, the apportionment and assessment of the cost thereof and the collection of such assessments.

Section 9. That this Ordinance, after its introduction and first reading shall be published once in full in the Daily Sentinel, the official newspaper of the City, at least ten days before its final passage, and after its final passage, it shall be numbered and recorded in the City ordinance record, and a certificate of such adoption and publication shall be authenticated by the certificate of the publisher and the signature of the President of the Council and the City Clerk, and shall be in full force and effect on and after the date of such final publication, except as otherwise provided by the Charter of the City of Grand Junction.

INTRODUCED and **ORDERED PUBLISHED** this 16th day of October, 2002.

Passed and Adopted on the _____ day of _____, 2002

Attest:

City Clerk

President of the Council

Attach 11

Agreement between GJ Rimrock General Improvement District and the Developer
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA										
Subject		A Resolution Authorizing an Agreement between G.J. Rimrock General Improvement District and the Developer								
Meeting Date		October 16, 2002								
Date Prepared		Sept. 24, 2002				File #				
Author		Ron Lappi		Administrative Services and Finance Director						
Presenter Name		Ron Lappi		Administrative Services and Finance Director						
Report results back to Council		<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When				
Citizen Presentation		<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name				
<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Formal Agenda			<input type="checkbox"/>	Consent	<input checked="" type="checkbox"/>	Individual Consideration	

Summary: This resolution authorizes an agreement between the City Council (acting as the Board of Directors for the Rimrock Marketplace General Improvement District) and THF Belleville, the owner and developer of Rimrock.

Budget: This agreement authorizes the developer to proceed with the project and the GID bonding up to a maximum of \$3,980,000.

Action Requested/Recommendation: Approve the Proposed Resolution on behalf of the City of Grand Junction Rimrock Marketplace General Improvement District.

Attachments: Authorizing Resolution and Agreement

Background Information: The Rimrock Marketplace General Improvement District was created by an election of the property owners in November, 2001. The district was created for the purpose of issuing bonds for the purpose of funding the public improvements portion of the project to be dedicated to the City and other local governments. This agreement creates a special Improvement District so that special assessments against the subject properties can be used to repay the bonds in lieu of property taxes.

**CITY OF GRAND JUNCTION
RESOLUTION NO.**

A RESOLUTION APPROVING A SPECIAL IMPROVEMENT DISTRICT AGREEMENT BETWEEN THE CITY OF GRAND JUNCTION RIMROCK MARKETPLACE GENERAL IMPROVEMENT DISTRICT AND THF BELLEVILLE DEVELOPMENT, L.P.; AND PROVIDING OTHER DETAILS RELATING THERETO.

WHEREAS, the City of Grand Junction Rimrock Marketplace General Improvement District (the "District"), located in the City of Grand Junction, Mesa County, Colorado, is a quasi-municipal corporation duly organized and existing under the Constitution and laws of the State of Colorado; and

WHEREAS, the members of the City Council of the City of Grand Junction (the "Council") have been duly elected and qualified and serve ex officio as the Board of Directors of the District (the "Board"); and

WHEREAS, the Board intends to form a special improvement district within the District (the "Assessment District") the boundaries of which will be coterminous with those of the District; and

WHEREAS, pursuant to Section 31-25-503(10), C.R.S., the Board may enter into a written agreement with the owners of all assessable property within the Assessment District waiving all the requirements for notice, publication and a hearing for the levy of the assessments in the Assessment District and the issuance of the bonds for financing improvements in the Assessment District ; and

WHEREAS, THF Belleville Development, L.P., a Missouri Limited Partnership, (the "Owner") has represented and warranted that it is the sole legal owner of all property to be assessed within the Assessment District; and

WHEREAS, the District and the Owner intend to enter into the Special Improvement District Agreement (the "Agreement") in substantially the form on file with the City Clerk as ex officio Secretary of the District.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, AS THE EX OFFICIO BOARD OF DIRECTORS OF THE CITY OF GRAND JUNCTION RIMROCK MARKETPLACE GENERAL IMPROVEMENT DISTRICT:

Section 1) All action heretofore taken (consistent with the provisions of this resolution) by the District and the officers thereof, directed toward the election and the objects and purposes herein stated is hereby ratified, approved and confirmed.

Section 2) The form, terms and provisions of the Agreement are approved, and the District shall enter into and perform its obligations under the Agreement in substantially the form of such document presented to the Board in this meeting, with only such changes therein as are required by the circumstances and are not inconsistent herewith; and the officers of the District are hereby authorized and directed to execute and deliver such document as required hereby.

Section 3) The officers of the District are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

Section 4) If any section, subsection, paragraph, clause, or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, subsection, paragraph, clause, or provision shall in no manner affect any remaining provisions of this resolution, the intent being that the same are severable.

Section 5) All orders, resolutions, bylaws, ordinances or regulations of the City, or parts thereof, inconsistent with this resolution are hereby repealed to the extent only of such inconsistency.

ADOPTED AND APPROVED this October ____, 2002.

Mayor ex officio
President of the District

(SEAL)

ATTESTED:

City Clerk ex officio
Secretary of the District

STATE OF COLORADO)
)
 COUNTY OF MESA)
) SS.
 CITY OF GRAND JUNCTION)
 RIMROCK MARKETPLACE)
 GENERAL IMPROVEMENT DISTRICT)

I, Stephanie Nye, City Clerk of the City of Grand Junction, Colorado, and ex officio as Secretary of the City of Grand Junction Rimrock Marketplace General Improvement District (the "District") do hereby certify that:

1) The foregoing is a true and correct copy of a resolution (the "Resolution") passed and adopted at the regular meeting of the City Council serving ex officio as the Board of Directors of the District (the "Board") on October __, 2002. A quorum of the Board was in attendance at the meeting.

2) The members of the Board voted on passage and adoption of the Resolution on October __, 2002, as follows:

Those Voting Aye:

Those Voting Nay:

Those Absent:

Those Abstaining:

3) The Resolution was approved and authenticated by the signature of the Mayor, ex officio President of the Board, sealed with the City seal, attested by the City Clerk, ex officio Secretary of the Board, and recorded in the minutes of the Board.

4) Attached hereto as Exhibit A is a copy of the notice of the meeting of October __, 2002, which was posted at Grand Junction City Hall not less than 24 hours in advance of the meeting.

IN WITNESS WHEREOF, I have hereto set my hand and the seal of the
City this ____ day of _____, 2002.

City Clerk ex officio
Secretary of the District

(SEAL)

EXHIBIT A

(Attach Notice of Meeting on October __, 2002)

Draft of 9/18/02

When Recorded, Return To:
Dee P. Wisor
Sherman & Howard L.L.C.
633 Seventeenth St., Suite 3000
Denver, CO 80202

SPECIAL IMPROVEMENT DISTRICT AGREEMENT

BETWEEN

CITY OF GRAND JUNCTION
RIMROCK MARKETPLACE GENERAL IMPROVEMENT DISTRICT

AND

THF BELLEVILLE DEVELOPMENT, L.P.
A MISSOURI LIMITED PARTNERSHIP

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Assessment RollF

This Special Improvement District Agreement (the "Agreement") for the of financing, construction, installation, completion, and acquisition of certain improvements in the City of Grand Junction Rimrock Marketplace General Improvement District (the "District") between the District, a political subdivision of the State of Colorado (the "State"), and THF Belleville Development, L.P., a Missouri Limited Partnership, as the owner of the property within the District (the "Owner") is made and entered into as of October __, 2002.

W I T N E S S E T H:

WHEREAS, the City of Grand Junction (the "City") has previously formed the District and the District has held an election on November 6, 2001 (the "Election") on the question of authorizing the issuance of bonds or other forms of indebtedness payable from property taxes or special assessments levied against the property in the District; and

WHEREAS, the Owner has indicated its preference that the indebtedness authorized at the Election be payable from special assessments; and

WHEREAS, pursuant to Section 31-25-611.5, Colorado Revised Statutes ("C.R.S."), the City Council of the City, acting as the ex-officio Board of Directors of the District (the "Board") may establish special improvement districts within the boundaries of the District and levy special assessments within said special improvement districts; and

WHEREAS, the Board intends to form a special improvement district within the District (the "Assessment District") the boundaries of which will be coterminous with those of the District; and

WHEREAS, pursuant to Section 31-25-503(10), C.R.S., the Board may enter into a written agreement with the owners of all assessable property within the Assessment District containing the provisions stated herein; and

WHEREAS, the Owner represents and warrants that it is the sole legal owner of all property to be assessed within the District, a legal description of the boundaries of which is attached hereto as Exhibit A which boundaries include both the

property to be assessed and property owned or to be owned by governmental entities which will not be assessed, and that there are no liens or encumbrances on such property except as shown on Exhibit B; and

WHEREAS, the Owner has requested that the Board waive all the requirements for notice, publication and a hearing for the levy of the assessments in the Assessment District and the issuance of the Bonds (defined below); and

WHEREAS, in reliance on this Agreement, the District intends to form the Assessment District, levy the assessments and issue the Bonds; and

WHEREAS, the Owner proposes to construct certain improvements within the District which the District shall acquire, a brief description of which improvements is attached hereto as Exhibit C, including a list of the plans and specifications therefor (such improvements are referred to herein as the "Project"); and

WHEREAS, the parties hereto propose to finance the Project by sale of bonds (the "Bonds") payable from the levy of special assessment pursuant to Title 31, Article 25, Parts 5 and 6, C.R.S. (collectively, the "Act").

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS AND CONDITIONS CONTAINED HEREIN, THE PARTIES HERETO AGREE AS FOLLOWS:

ARTICLE 1. CONSTRUCTION.

1.1. **Construction and Acquisition of Project.**

A. The Owner agrees to construct the Project in accordance with the full and detailed plans and specifications therefor, as approved by the City on October 3, 2002, and listed on Exhibit C hereto and are on file with the City Clerk of the City. The Owner has constructed certain portions of the Project and anticipates that it will construct the remainder of the Project within the eighteen months after the date hereof in phases as shown on Exhibit D hereto, which sets forth the estimated cost of the respective phases. The District shall not be required to accept or pay for any phase of the Project unless that phase is constructed in accordance with such full and detailed plans and specifications and any approved amendments and addenda thereto provided that the Owner shall deliver to the District "as built" plans and specifications prior to acceptance by the District. Within 10 days of the final inspection of and agreement to accept each phase of the Project by the District, the Owner shall transfer to the District or, if directed by the District, to another governmental entity (the "Applicable Government") fee title or an easement in a form reasonably acceptable to the District or the Applicable Government to that phase of the Project, except for phases of the Project which are located on real property which is owned in fee by the District or the Applicable Government.

B. Title. The Owner has provided the District with acceptable evidence of title for the property listed on Exhibit A. At the time of transfer of fee title or easement to any phase of the Project, the Owner will warrant that it has title thereto and that such phase of the Project is not subject to any mortgage, security interest, mechanics lien or any other encumbrances, except as shown on an updated title report specific to the phase in question which shall be delivered to the District or the Applicable Government for its review and approval at least 10 days prior to the transfer of fee title or easement to the District or the Applicable Government. In the event the District or the Applicable Government does not approve the title report, the District or the Applicable Government shall not be obligated to accept fee title or easement from the Owner and the District shall not be obligated to pay the Owner for such phase of the Project until the Owner has cured all reasonable objections to title to that phase of the Project to the satisfaction of the District or the Applicable Government. The District or the Applicable Government shall be entitled to disapprove the title report only if it reveals a matter which, in the reasonable judgment of the District or the Applicable Government, could materially affect the District's or the Applicable Government's use and enjoyment of any part of the phase of the Project covered by the preliminary title report. The District approves the title exceptions listed on Exhibit B. The District or the Applicable Government shall notify the Owner of any objections to the preliminary title report within 10 days of receipt thereof. At the time of transfer of fee title or easement, the Owner shall provide written lien releases from any contractor, subcontractor or materialman, or any other person who might have the right to file a mechanics lien on the property being transferred. The Owner agrees to defend the District's or the Applicable Government's fee title or easement to the property being transferred against any claim of encumbrance whatsoever arising by or through the Owner or its predecessors in title or which is caused or created by the Owner, including any mechanics liens asserted in connection with the construction of the Project or the Owner's development of its property in the District.

C. Warranty of Workmanship and Materials. The Owner at the time of transfer shall warrant that the improvements have been constructed in accordance with the plans and specifications therefor which are listed on Exhibit C hereof, and all amendments and addenda thereto which have been approved by the District or the Applicable Government and the Owner and the specifications described in Section 1.1.D. below. The Owner agrees to remedy any defects in any phase of the Project and pay for any damage to other work resulting therefrom, which shall appear within 1 year from the acceptance of that phase of the Project by the District or the Applicable Government.

D. Construction Specifications. The construction work performed pursuant to this Agreement is subject to the specifications shown on the plans listed on Exhibit C, as well as standard City permitting, oversight and acceptance processes

F. Cost Estimates. The Owner has furnished the District with current estimates of the cost of constructing each phase of the Project, in a form and substance satisfactory to the District. In addition, at the time any contract or change order is executed in connection with the construction of any phase of the Project, if as a result thereof, the estimate of the cost of the phase of the Project previously furnished increases, the Owner shall furnish the District with another updated estimate of such cost, in a form and with substance satisfactory to the District. If the updated estimated cost of that phase exceeds the smaller of (i) the price of that phase as shown on Exhibit D plus any allocation of Bond proceeds available therefor because of a cost underrun on another phase or (ii) the amount of the proceeds of the Bonds available to pay the cost of that phase of the Project, as reasonably determined by the District taking into account any allocation of such Bond proceeds to the Project and to other phases of the Project, the Owner shall furnish to the District a performance bond and payment bond, in a form acceptable to the District, in an amount equal to the amount of such excess at the time of commencement of construction on that phase of the Project. That bond shall remain in effect until acceptance of that phase of the Project by the District or the Applicable Government.

G. Payments for Project. At the time of transfer of title to that phase of the Project to the District or the Applicable Government , the District shall pay to the Owner the actual costs for each phase of the Project but not in excess of the greater of (i) the purchase price of that phase as listed in Exhibit D or (ii) such higher amount as may be available pursuant to the last sentence of this paragraph; provided that the District shall be obligated to pay such purchase price solely from the available proceeds of the Bonds to be hereafter issued by the District. The District agrees that the Finance Director of the City shall timely review each request for payment submitted by the Owner and shall within 7 days advise the Owner of any deficiency therein or approve the request for payment. Within 14 days following receipt of the approval of the payment request from the Finance Director of the City, the District shall make or direct to be made the full payment thereon to the Owner. At no time shall the aggregate amount paid by the District to the Owner pursuant to this Agreement exceed the reasonable actual costs to the Owner of the portions of the Project theretofore acquired and then being acquired, as reasonably determined by the District with reference to current market conditions and its prior experience with similar types of construction or otherwise. No payment shall be made for interest on construction loans which the Owner may incur. No payment shall be made for any phase of the Project which includes facilities to be transferred to an Applicable Government until those facilities are accepted by the Applicable Government. If the reasonable actual costs of a phase of the Project as reasonably approved by the District exceeds the price therefor as listed in Exhibit D, the District shall not be obligated to pay such difference unless and only to the extent that Bond proceeds are available to pay such excess because the aggregate District and Owner Incidental Expenses are less than the aggregate stated in Section 1.4, or the price paid for another phase of the Project that has already been completed and accepted by the District is less than the price listed for that phase of the Project as listed on Exhibit D or any combination of such factors.

E. Failure to Construct. In the event the Owner does not build a phase of the Project in accordance with the approved final construction drawings and

specifications and any amendments and addenda thereto mentioned in paragraph B above, or is late in completing a phase of the Project, the District may, at its option, proceed to build, complete, or rebuild as necessary that phase of the Project so that when completed that phase will be constructed in accordance with the approved final construction drawings and specifications and any amendments or addenda thereto. (If not then prepared, the District may proceed to prepare such final construction drawings and specifications in accordance with the plans and specifications listed on Exhibit C hereto.) The District shall deliver to the Owner notice of its intention to commence to build, complete or rebuild as necessary that phase of the Project. If the Owner does not commence to build, complete or rebuild as necessary that phase of the Project specified in the notice from the District within 30 days after receipt of the notice or if it commences such action within the 30 day period and thereafter ceases to prosecute such action to completion with all due diligence, then the District may, at its option, proceed to commence to build, complete or rebuild as necessary that phase of the Project. The District may apply the proceeds of the Bonds and amounts derived from any payment, performance or guarantee bond applicable to that phase of the Project to the costs of such building, completing or rebuilding (and of preparing construction drawings and specifications, if necessary). The price to be paid to the Owner as listed on Exhibit D for any phase of the Project which is built, completed or rebuilt, or for which construction drawings and specifications are prepared, under this subsection shall be reduced by the amount applied by the District to that phase of the Project pursuant to this subsection. If these amounts are insufficient, the District shall make demand on the Owner to pay the amount of the insufficiency and the Owner shall immediately pay the District the amount of the insufficiency. The Owner will be treated as being late in completing any phase of the Project if either (i) that phase of the Project has not been completed within the earlier of (a) eighteen months after title to a lot in the District is transferred to a person or (b) eighteen months (or such longer period to which the parties hereto agree in writing) after a final subdivision map is recorded for any property in the District which requires the installation of any of the improvements which

are contemplated to be installed in that phase of the Project, or (ii) that phase of the Project or any portion thereof has not been completed by the date on which completion thereof was required in any permit issued by any governmental agency (including the District) to the Owner or any other owner or Owner of property in the District. Notwithstanding the foregoing, the Owner shall not be deemed late in completing any phase of the Project to the extent that construction thereof is delayed as a result of occurrences beyond the reasonable control and without the fault or negligence of Owner, including without limitation, fire, earthquake, floods and other out of the ordinary actions of the elements, enemy invasion, war, insurrection, sabotage, laws or orders of governmental, civil or military authorities, governmental restrictions and moratoria, riot, civil commotion and reasonably unavoidable casualty. In the event the Owner is delayed by such occurrences, the time within which the Owner must complete such phase of the Project shall be extended by a reasonable period of time not less than the actual number of days that Owner was delayed as a result of such occurrences, provided that the Owner recommences the construction of such phase at the earliest possible date following the cessation of such occurrence and proceeds with due diligence toward the completion thereof.

F. Cost Overruns. The Owner is responsible for the payment of and agrees to pay all costs of construction which exceed the amount available for that purpose from the proceeds of Bonds.

1.2. Excess Bond Proceeds.

In the event all of the construction of the Project is complete, accepted and payment therefor has been made in full by the District pursuant to Section 1.1 hereof, and all of the District's and Owner's Incidental Costs have been paid pursuant to Section 1.3 hereof, and there remain unexpended proceeds of the Bonds (including interest earned on such proceeds) which are not needed for any purpose related to the Project, the assessments or the Bonds, as determined by the District, the District and the Owner may, by agreement, amend the Project to include any other subprojects eligible for financing under the Act, that benefit the property assessed in the District and

such unexpended Bond proceeds may be expended on such additional subprojects. If no such amendment is made or if after such an amendment, there still remains unexpended Bond proceeds, these unexpended proceeds shall be applied as soon as is reasonably possible to call bonds, and to the extent of proceeds remaining that are insufficient to call bonds, to pay debt service on the Bonds and to reduce, pro rata, the next assessment installment payments on each parcel of property in the District with an appropriate cash payment to the owner of any assessed parcel whose assessment has been paid in full.

1.3. **Incidental Expenses.**

The Owner and the District shall be entitled to be reimbursed for their incidental expenses ("Incidental Expense") as follows:

A. **Owner Incidental Expenses.** The Owner shall be entitled to be reimbursed from Bond proceeds for the actual costs of the following estimated Incidental Expenses incurred and paid by the Owner in connection with the District, up to an amount not exceeding \$775,000 (unless additional amounts are available from cost underruns on the Project or the District's Incidental Expenses): engineering, architect and survey expenses (estimated at \$310,000); legal expenses (estimated at \$40,000); right of way acquisition costs (estimated at \$415,000); other non-construction costs associated with the District (CDOT fee at \$10,000). The District will, upon presentation of evidence of payment of the foregoing expenses by the Owner and approval thereof by the District, pay to the Owner the cost incurred, but only from the available proceeds of the Bonds.

B. **District Incidental Expenses.** The District shall be entitled to pay the following Incidental Expenses directly from the proceeds of the Bonds and any other monies provided to the District by the Owner for that purpose: (1) the District's cost of issuing the Bonds, which is estimated to be \$168,500 and which includes the estimated fees and expenses of bond counsel (\$45,000), the estimated cost of official statement printing and mailing (\$2,500), the other costs listed in the purchase contract for the Bonds to be paid by the District including the estimated underwriter's discount

(\$30,000), the estimated costs of the letter of Credit (\$90,000), and the District's other estimated expenses in connection with the issuance of the Bonds (\$1,000); (2) the estimated cost of publications and notices (\$1,000); (3) the estimated amount of the District's other costs of creating the District and the Assessment District and administrating the acquisition and construction of the Project, including legal expenses (\$1000) and (4) the estimated amount of the District's administrative expenses related to the District and the Project (including without limitation the costs for consultants and District staff in connection with submittal reviews and approvals) for two years (\$2000). If the deposit made by the Owner for District costs and the available Bond proceeds are not sufficient to pay the District's Incidental Expenses, the Owner shall, at the request of the District, pay the amounts needed.

1.4 **Method of Payment.** Payments made to the Owner, whether for the cost of a phase of the project or for reimbursement of Incidental Expenses (as described in Section 1.3.A.), shall be made only on execution of a request for such payment signed by the Owner in the form attached as Exhibit E, by check or draft made out to the party designated in and mailed as provided in the form found at Exhibit E. The Owner agrees to not request a payment in an amount of less than \$100,000, except for the final payment.

1.5 **District Authorized to Pay.** The District is authorized to directly pay all expenses listed in Section 1.3.B., without further authorization from the Owner, and shall provide to the Owner, each quarter beginning three months after the date of issuance of the Bonds, with a copy of any invoice received with respect to those costs, or in the case of internal costs, other evidence of those costs.

ARTICLE 2. ASSESSMENTS.

2.1 **Procedure.** The Owner agrees that the District may proceed to order that the Project be acquired and improved, form the Assessment District, issue the Bonds and otherwise finance the cost of the Project and levy the assessments without complying with the notice and hearing provisions of the Act. The Owner agrees that the District may create the Assessment District, levy assessments, issue the Bonds

and for all other purposes relating to the District proceed pursuant to the provisions of the Act.

2.2 **Financing.** The District agrees to proceed with the financing of the Project by levying assessments against the property in the District and issuing the Bonds in the manner described herein.

2.3 **Assessed Property, Assessment Roll.** The District will levy assessments against that property in the District described on Exhibit F, as provided in the assessment ordinance to be adopted by the Board, and the amount of the assessments against each parcel of property in the District will not exceed that listed in the assessment roll attached hereto as Exhibit F. The final amount of the assessment against each parcel shall be determined in the sole discretion of the District based upon the information provided by the Owner.

2.4 **Assessment Installments.** Pursuant to Section 31-25-527 of the Act, the Owner hereby elects to pay the assessments in installments of principal and interest as may hereafter be fixed by the assessment ordinance. There will be not more than 15 substantially equal annual installments of principal and interest. The Owner hereby waives the right to pay the whole assessment within 30 days after final publication of the assessment ordinance. The assessments will bear interest at a rate not to exceed 1% above the highest interest rate on the Bonds.

2.5 **Waiver.** The Owner agrees: (i) that all of the property owned by it in the District is benefitted by the improvements proposed to be acquired and constructed in the District by an amount at least equal to the amount proposed to be assessed against those properties listed in the assessment roll attached as Exhibit F; and (ii) that the District may assess those properties in the amounts listed in the assessment roll. The Owner hereby waives: (a) any and all formalities required by the laws of the United States and the State of Colorado in order to impose such assessments, including, but not limited to, the notice and hearing provisions of Sections 31-25-520 and 521 of the Act; and (b) the Owner's right to bring a legal or equitable action challenging the creation or existence of the Assessment District or the District,

the assessments, the assessment ordinance, or the Bonds pursuant to Section 31-25-538 of the Act, or any other law. The Owner consents and agrees to the assessments listed in the assessment roll for the property and agrees that those assessments must be paid regardless of whether any or all of the improvements proposed to be constructed as described herein are in fact constructed and agrees that the District may proceed to collect and enforce the assessments in the manner described herein regardless of whether it completes the acquisition or construction of the improvements. The Owner waives all powers, privileges, immunities and rights as against the District arising from or following from irregularities or defects, if any, occurring in connection with or ensuing from the actions, proceedings, matters and things heretofore taken or hereafter to be taken had and done by the District, the Board and the officers of the District (including, without limitation, the proper description of all property which the Owner owns within the District and the giving of proper notice of the proceedings relating to the District) concerning the creation of the District and the Assessment District, the levying of special assessments to meet the cost and expenses of the Project, and the issuance of the Bonds. The Owner consents and agrees to be bound and consents and agrees that all property in the District owned by the Owner be bound and be subject to the assessment lien as thoroughly and effectively as if all actions, proceedings, notices, matters and things had been taken and done free from irregularities. The Owner also represents and warrants that the market value of each parcel owned by it in the District on the date of execution hereof and the date the assessments are levied exceeds the amount of the assessment proposed to be made against each such parcel.

ARTICLE 3. MISCELLANEOUS.

3.1 **Agreement of Owner to Provide Letter of Credit.** The Owner hereby agrees that it shall provide a letter of credit in form and substance satisfactory to the District (the "Letter of Credit"). The Letter of Credit shall: a) be executed in favor of the District; b) shall be dated on or before the date of delivery of the Bonds; c) allow draws by the District in an amount at least equal to the principal of the assessments described herein and 365 days of interest on said principal at a rate not to exceed 1.00% above the highest interest rate on the Bonds; d) allow for draws by the District if the assessments are not paid when due or when the Letter of Credit is not extended and set to expire according to its terms; e) be noncancellable prior to issuance of final Certificates of Occupation by the City to Lowe's and Wal-Mart (the expected anchor tenants of the property in the District); and f) be provided by LaSalle Bank or such other financial institution acceptable to the District.

3.2 **No Third-Party Beneficiaries.** None of the provisions of this Agreement is intended to make any person who is not a party to this Agreement, including, without limitation, the subsequent owners of property assessed, the general public or any member thereof, a third party beneficiary hereunder or to authorize anyone who is not a party to this Agreement to maintain any suit pursuant to this Agreement for any reason, including, without limitation, any suit for personal injuries or property damage.

3.3 **Continuing Disclosure.** The District and the Owner agree to execute a continuing disclosure agreement or certificate in a mutually acceptable form prior to the issuance of the Bonds obligating each party to make certain disclosures on an ongoing basis as required under Rule 15c2-12 of the United States Securities Exchange Commission. If the parties are unable to agree on a form of agreement or certificate, the Bonds will not be issued unless they qualify for an exemption from Rule 15c2-12.

3.4 **Successors; Assignments.** This Agreement shall be binding upon and inure to the benefit of the District, the Owner, and their respective successors

and assigns. No assignment of this Agreement or any right or obligation hereunder by the Owner shall be valid unless the District consents to such assignment in writing.

3.5 **Further Assurances.** The Owner and the District agree to do such further acts and things and to execute and deliver to the other such additional certificates, documents and instruments as the other may reasonably require or deem advisable to carry into effect the purposes of this Agreement or to better assure and confirm unto the other party its rights, powers, and remedies hereunder. The Owner shall execute all consents, certificates and other documents which the District or bond underwriter reasonably request in connection with the sale of the Bonds.

3.6 **Severability.** If any provision of this Agreement is deemed to be invalid or unenforceable, such invalidity or unenforceability shall not affect the remaining provisions hereof that can be given effect without the invalid or unenforceable provision and the District and Owner agree to replace such invalid or unenforceable provision with a valid provision which has, as nearly as possible, the same effect.

3.7 **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Colorado.

3.8 **No District Obligation.** Nothing herein obligates the District to expend any money other than funds derived from the sale of the Bonds, amounts received from the investment thereof, and receipts from the assessments made against the property in the District.

3.9 **Termination Date.** Except as otherwise provided herein, this Agreement shall be in effect from the date and year first mentioned above until the later of: (i) the date all of the Bonds and all bonds issued to refund any of the Bonds (including through a series of refundings) have been retired; or (ii) the date on which all of the assessments against property in the District have been paid in full. In addition the City may at its exclusive option terminate this Agreement if the Bonds are not issued by July 1, 2003.

3.10 **Counterparts.** This Agreement may be executed on one or more counterparts, each of which shall be regarded as an original and all of which shall constitute the same Agreement.

3.11 **Recordation.** After this Agreement is executed in full, the District shall, within ten working days, record this Agreement in the office the Clerk and Recorder of Mesa County, Colorado (the "Clerk"), after which this Agreement is a binding obligation on all subsequent owners of the Owner's property in the District pursuant to the terms hereof;

3.12 **Conveyance Restriction.** The Owner agrees not to convey any parcel, lot or real property interest in any land described in Exhibit A to any party until after this Agreement has been recorded in the office of the Clerk.

[Remainder of page left blank intentionally]

IN WITNESS WHEREOF the District and the Owner have caused this Agreement to be executed as of the day and year first mentioned above.

CITY OF GRAND JUNCTION,
COLORADO, RIMROCK MARKETPLACE
GENERAL IMPROVEMENT DISTRICT

(SEAL)

President

Secretary

Approved as to Form:

City Attorney

THF BELLEVILLE DEVELOPMENT, L.P.
A MISSOURI LIMITED PARTNERSHIP

By: THF Belleville Inc., a Missouri
Corporation, General Partner
By: Michael Staenberg
Title: President

STATE OF COLORADO)
) ss.
CITY OF GRAND JUNCTION)

This instrument was acknowledged before me on October __, 2002, by _____, as President of the City of Grand Junction Rimrock Marketplace General Improvement District.

Witness my hand and official seal.

Notary Public for the State of Colorado

(NOTARY SEAL)

STATE OF COLORADO)
) ss.
CITY OF GRAND JUNCTION)

This instrument was acknowledged before me on October __, 2002, by _____, as Secretary of the City of Grand Junction Rimrock Marketplace General Improvement District.

Witness my hand and official seal.

Notary Public for the State of Colorado

(NOTARY SEAL)

STATE OF COLORADO)
) ss.
CITY OF GRAND JUNCTION)

This instrument was acknowledged before me on October __, 2002 by Michael Staenberg as President of THF Belleville Inc., a Missouri Corporation, as General Partner of THF Belleville Development, L.P., a Missouri Limited Partnership.

Witness my hand and official seal.

the State of Colorado
(NOTARY SEAL)

Notary Public for

Exhibit A

Description of Property

LOT 1, RIMROCK MARKET PLACE
MESA COUNTY, COLORADO

Rimrock Marketplace
File #PP-2001-074

Project Description: Request for approval of a preliminary plan and a conditional use permit to develop a retail shopping center which will consist of 370,000sqft on a 54 acre site in a C-2 (Heavy Commercial) and C-1 (Light Commercial) zone districts.

Legal Description:

Parcel 1:

A parcel of land in the Northeast Quarter of Section 15, and the Southeast Quarter of the Southwest Quarter of Section 10, T1S, R1W of the UM, being more particularly desc'd as follows: Beg at the North Quarter Cor of Sec 15, T1S, R1W, UM, whence the CN 1/16 Cor of said Sec 15 bears S 00°06'33"E, a dis of 1325.14' for a basis of bearings with all bearings being relative thereto; Thence S 00°06'33"E, along the East line of the NE1/4 NW1/4 of said Sec 15, a dis of 691.14'; Thence S 89°53'27" W, a dis of 33.0' to the SE corner of Lot 1, Rimrock Marketplace Subdivision; Thence N 00°06'33" W, along the East Line of said Lot 1, a dis of 691.34'; Thence N 00°04'20"E, continuing along said E ln, a dis of 130.0'; Thence S 89°46'00"E, a distance of 33.0', to a pt on the E ln of SE1/4 SW1/4 of Sec 10; Thence S 00°04'20"W, along said E ln, a distance of 130.0' to the POB. The above described parcel contains 0.622 acres.

Parcel 2:

Lot 1 Rimrock Marketplace, as recorded in plat Bk 16, at Pg. 2 & 3, Mesa County records. Said lot contains 52.905 acres as measured.

Owners/Petitioners/Representatives listed on Development Application & Title work:

Owner/Petitioner	Realtor	Representative
THF Belleville, LLC		Wolverton & Associates, Inc
Michael Staenberg	John Rubenstein	Jay Wolverton
2127 Innerbelt Business Center Dr Ste 200	4350 Shawnee Mission Parkway Ste 159	5300 Oakbrook Pkwy Ste 150
St Louis, MO 63114	Shawnee Mission, KS 66205	Norcross, GA 30090
(314)429-0900	(913)362-1999	(770)447-8999

Owners listed in Mesa County Assessor's Records:

Parcel #1

THF LCTHF Belleville Development LP
 2127 Innerbelt Business Center
 Saint Louis, MO 63114-5721

Parcel #2

THF LCTHF Belleville Development LP
 2127 Innerbelt Bus Ctr Dr #20
 Saint Louis, MO 63114

SCHEDULE B
Section 2

Order Number: 01001920LC-2

EXCEPTIONS

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

1. Rights or claims of parties in possession, not shown by the public records.
2. Easements, or claims of easements, not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct survey and inspection of the premises would disclose and which are not shown by the public records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof, but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this commitment.
6. Unpatented mining claims; reservations or exceptions in patents, or an act authorizing the issuance thereof; water rights, claims or title to water.
7. All taxes and assessments now a lien or payable.
8. All easement(s) across herein described property as shown on the Plat of said subdivision, together with incidental purposes.
9. Reservation, as set forth in United States Patent recorded January 16, 1982 in Book 11 at Page 149 as follows: "Herein described property subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom should the same be found to intersect said premises."
10. Ligrani Drain across herein described property as shown on plat of said subdivision.
11. Notice of Election and Charge between Fire Protection Rules and Regulations between Ute Water Conservancy District and Fred Ligrani and Roxy Ligrani, dated April 25, 1995 and recorded May 5, 1995 in Book 2143 at Page 253.
12. Easement(s) for ditch across herein described property as evidenced by instrument recorded February 13, 1969 in Book 931 at Page 925 and instrument recorded December 20, 1982 in Book 1405 at Page 969 and instrument recorded December 7, 1949 in Book 514 at Page 458.
13. Easement(s) for waste water across herein described property as evidenced by instrument recorded February 13, 1969 in Book 931 at Page 925.
14. All rights, title and interests of THF L.C., a Kansas limited liability company by way of acknowledgment dated January 9, 1996 and recorded January 12, 1996 in Book 2199 at Page 893.
15. Easement and Agreement between THF Belleville Development, L. P., a Missouri

Continued on next page

Continuation of Schedule B - Section 2
Order Number: 01001920LC-2

limited partnership and THF Belleville Development, L. P., a Missouri limited partnership as shown by instrument recorded March 4, 1996 in Book 2212 at Page 990, together with incidental purposes, including the terms and conditions thereof.

16. Easement and Agreement between Grand Junction Drainage District and THF Belleville Development, LP, a Missouri Limited Partnership as shown by instrument recorded February 20, 1997 in Book 2302 at Page 518, together with incidental purposes, including the terms and conditions thereof.
17. Restrictions, which do not contain a forfeiture or reverter clause, as contained in instrument recorded August 17, 1998, in Book 2477 at Page 549, including the terms and conditions thereof.
18. Development Improvements Agreement (Surface Clearance, Fill and Grading) recorded April 10, 2002 in Book 3056 at Page 339.
19. Easement Agreement recorded July 12, 2002 in Book 3112 at Page 54.

SHEET INDEX

	Page Num.	Description	Issued	Latest Revision	Comment
1	C-0	COVER SHEET	11/06/2001	08/09/2002	
2-9		BOUNDARY & TOPOGRAPHIC SURVEY			BY OTHERS
10-13		RIMROCK SUBDIVISION PLAT			BY OTHERS
14	C-N	PLAN NOTES	05/08/2002	08/09/2002	AS PER CITY OF GRAND JUNCTION COMMENTS
15	C-4.1	MASTER DEMOLITION & INITIAL EROSION AND SEDIMENT CONTROL PLAN (1"=120')	11/06/2001	08/09/2002	"
16	C-4.1A	DEMOLITION & INITIAL EROSION CTL PLAN	11/06/2001	08/09/2002	"
17	C-4.1B	DEMOLITION & INITIAL EROSION CTL PLAN	11/06/2001	08/09/2002	"
18	C-4.1C	DEMOLITION & INITIAL EROSION CTL PLAN	11/06/2001	08/09/2002	"
19	C-4.1D	DEMOLITION & INITIAL EROSION CTL PLAN	11/06/2001	08/09/2002	"
20	C-4.1E	DEMOLITION & INITIAL EROSION CTL PLAN	11/06/2001	08/09/2002	"
21	M-1	MASTER SITE PLAN (1"=120')	11/06/2001	08/09/2002	"
22	C-1A	SITE PLAN "A"	11/06/2001	08/09/2002	"
23	C-1B	SITE PLAN "B"	11/06/2001	08/09/2002	"
24	C-1C	SITE PLAN "C"	11/06/2001	08/09/2002	"
25	C-1D	SITE PLAN "D"	11/06/2001	08/09/2002	"
26	C-1E	SITE PLAN "E"	11/06/2001	08/09/2002	"
27	C-1F	SITE PLAN "F"	11/06/2001	08/09/2002	"
28	M-2	MASTER GRADING PLAN (1"=120')	11/06/2001	08/09/2002	"
29	C-2A	GRADING PLAN "A"	11/06/2001	08/09/2002	"
30	C-2B	GRADING PLAN "B"	11/06/2001	08/09/2002	"
31	C-2C	GRADING PLAN "C"	11/06/2001	08/09/2002	"
32	C-2D	GRADING PLAN "D"	11/06/2001	08/09/2002	"
33	C-2E	GRADING PLAN "E"	11/06/2001	08/09/2002	"
34	C-2F	GRADING PLAN "F"	11/06/2001	08/09/2002	"
35	C-2G	DRAINAGE & SANITARY SCHEDULES	11/06/2001	08/09/2002	"
36	M-3	MASTER UTILITY PLAN (1"=120')	11/06/2001	08/09/2002	"
37	C-3A	UTILITY PLAN "A"	11/06/2001	08/09/2002	"
39	C-3B	UTILITY PLAN "B"	11/06/2001	08/09/2002	"
40	C-3C	UTILITY PLAN "C"	11/06/2001	08/09/2002	"
41	C-3D	UTILITY PLAN "D"	11/06/2001	08/09/2002	"
42	C-3E	UTILITY PLAN "E"	11/06/2001	08/09/2002	"
43	C-3F	UTILITY PLAN "F"	11/06/2001	08/09/2002	"
44		SITE LIGHTING PLAN	06/04/2002	-	BY OTHERS
45		PHOTOMETRIC PLAN	06/04/2002	-	

SHEET INDEX

	Page Num.	Description	Issued	Latest Revision	Comment
48	C-4.2B	FINAL EROSION & SEDIMENT CONTROL PLAN "B"	11/06/2001	08/09/2002	AS PER CITY OF GRAND JUNCTION COMMENTS
49	C-4.2C	FINAL EROSION & SEDIMENT CONTROL PLAN "C"	11/06/2001	08/09/2002	"
50	C-4.2D	FINAL EROSION & SEDIMENT CONTROL PLAN "D"	11/06/2001	08/09/2002	"
51	C-4.2E	FINAL EROSION & SEDIMENT CONTROL PLAN "E"	11/06/2001	08/09/2002	"
52	C-4.2F	FINAL EROSION & SEDIMENT CONTROL PLAN "F"	11/06/2001	08/09/2002	"
53	C-5	COMPREHENSIVE MONITORING PLAN	08/09/2002		"
54	ST-1	STORM DRAINAGE PLAN AND PROFILES	11/06/2001	08/09/2002	"
55	ST-2	STORM DRAINAGE PLAN AND PROFILES	11/06/2001	08/09/2002	"
56	ST-3	STORM DRAINAGE PLAN AND PROFILES	11/06/2001	08/09/2002	"
57	ST-4	STORM DRAINAGE PLAN AND PROFILES	11/06/2001	08/09/2002	"
58	SS-1	SANITARY SEWER PROFILES	11/06/2001	08/09/2002	"
59	SS-2	SANITARY SEWER PROFILES	11/06/2001	08/09/2002	"
60	SS-3	SANITARY SEWER PROFILES	11/06/2001	08/09/2002	"
61	SS-4	SANITARY SEWER PROFILES	11/06/2001	08/09/2002	"
62	C-6A	STAKING PLAN "A"	05/08/2002	08/09/2002	
63	C-6B	STAKING PLAN "B"	05/08/2002	08/09/2002	
64	C-6C	STAKING PLAN "C"	05/08/2002	08/09/2002	
65	C-6D	STAKING PLAN "D"	05/08/2002	08/09/2002	
66	C-6E	STAKING PLAN "E"	05/08/2002	08/09/2002	BY OTHERS
67-80	LANDSCAPE PLANS		05/07/2002	08/09/2002	AS PER CITY OF GRAND JUNCTION COMMENTS
81-92	DE-1 TO DE-12	STANDARD DETAILS	11/06/2001	08/09/2002	
		ROADWAY PLANS			
	R-01	COVER SHEET	01/15/2002	08/09/2002	AS PER CITY OF GRAND JUNCTION COMMENTS
	R-02	STANDARD LEGEND	01/15/2002	08/09/2002	"
	R-03	GENERAL NOTES	01/15/2002	08/09/2002	"
	R-04 TO R-09	TYPICAL SECTIONS	01/15/2002	08/09/2002	"
	R-10 TO R-19	ROADWAY PLAN AND PROFILE	01/15/2002	08/09/2002	"
	R-20 TO R-25	DRAINAGE PROFILES	01/15/2002	08/09/2002	"
	R-26	DRAINAGE SCHEDULE	01/15/2002	08/09/2002	"
	R-27 TO R-35	SIGNING AND MARKING PLANS	01/15/2002	08/09/2002	"
	R-36 TO R-44	UTILITY PLANS	01/15/2002	08/09/2002	"
	R-45 TO R-59	CROSS SECTIONS	01/15/2002	08/09/2002	"
	R-60 TO R-61	INTERSECTION PAVEMENT DETAILS	01/15/2002	08/09/2002	"
	R-62 TO R-79	FLOWLINE PLAN AND PROFILES	01/15/2002	08/09/2002	"
	R-80 TO R-81	BIKEPATH PLAN AND PROFILES	01/15/2002	08/09/2002	"
	R-82	TRAFFIC SIGNAL PLANS	01/15/2002	08/09/2002	

Exhibit D
Project Phases with Estimated Costs

Improvement	Estimated Draw Date	Estimated Draw
1. Grand Junction Drainage Ditch	Complete	\$ 450,000
2. Rimrock Avenue / 25-1/2 Road		
(a) Payment #1	15-Dec-02	\$ 612,850
(b) Payment #2	15-Jan-03	\$ 524,968
3. Highway 6 & 50		
(a) Payment #1	15-Apr-03	\$ 91,080
(b) Payment #2	15-May-03	\$ 141,915
(c) Payment #3	15-Jun-03	\$ 423,330
4. Signalization of Highway 6 & 50	15-May-03	\$ 275,000
5. Sam's Club ROW Construction *		
(a) Payment #1	15-Nov-02	\$ 46,785
(b) Payment #2	15-Dec-02	\$ 48,215
6. Roundabout		
(a) Payment #1	15-Apr-03	\$ 41,410
(b) Payment #2	15-Jun-03	\$ 55,105
(c) Payment #3	15-Jul-03	\$ 254,332
7. Golden Corral ROW Construction *		
	15-Jun-03	\$ 38,785
	15-Jul-03	\$ 26,215
8. Contingency, General Conditions & Fees Paid as incurred		\$ 112,500
<hr/>		
Total		\$3,142,490

* These estimated costs are in Section 1.3(A)

Exhibit E

Owner Payment Request Form

To: City of Grand Junction
Rimrock Marketplace General Improvement District
Attention: Mr. Ron Lappi
250 North 5th Street
Grand Junction, CO 81501-2668

Date: _____

Dear Mr. Lappi:

Attached please find documentation [including lien releases] evidencing a payment request in the total amount of \$ _____. The payment request is as contemplated by described in the Financing Agreement for the expenses and costs heretofore paid by the Owner and listed in the attached itemized statement, as contemplated by the Financing Agreement between us and the City of Grand Junction Rimrock Marketplace General Improvement District dated October __, 2002: (itemize and detail expenses or costs on an attached sheet (s))

Please remit payment to the following party and address:

Thank you.

By: _____
Title: _____

Approved for payment:

Ron Lappi, Finance Director
Date: _____

Exhibit F
Assessment Roll
Lot 1, Rimrock Market Place
Mesa County, Colorado

100%

This agenda is intended as a guideline for the City Council. Items on the agenda are subject to change as is the order of the agenda.

Revised December 16, 2011

**** Indicates New Item*

** Requires Roll Call Vote*

Attach 12
Intergovernmental Agreement with Rural Fire Protection District

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Resolution authorizing Mayor to sign an Intergovernmental Agreement with Rural Fire District regarding funding for the Redlands sub-district					
Meeting Date		October 16, 2002					
Date Prepared		October 10, 2002			File #		
Author		Kelly Arnold			City Manager		
Presenter Name		Kelly Arnold Dan Wilson			City Manager and City Attorney		
Report results back to Council		<input checked="" type="checkbox"/>	No		Yes	When	
Citizen Presentation			Yes	<input checked="" type="checkbox"/>	No	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda			Consent	<input checked="" type="checkbox"/> Individual Consideration

Summary: At an August work session, the City Council directed staff to pursue an Intergovernmental Agreement with the Rural Fire District for the purposes of defining how the relationship for providing fire/EMS services, including a new Fire Station #5, and funding for those services to the subdistrict area (unincorporated Redlands) will be allocated.

Budget: If a sub-district is formed as a result of the election in November, all proceeds from the mill levy in the subdistrict will be used towards the funding of operations at a new Fire Station #5.

Action Requested/Recommendation: It is recommended that the Council approve the resolution and authorize the Mayor to sign the agreement and send it to the Rural Fire District for their formal approval.

Attachments: Attached is the “Agreement Regarding Fire Services on the Redlands and Creation of a Subdistrict of the Grand Junction Rural Fire District”; a financial analysis of Fire Station #5 operations and construction costs; the August 20, 2002 memo from Fire Chief Rick Beaty to City Council providing further background.

Background Information: This agreement is the culmination of many months of work by a small group of representatives from the City of Grand Junction, Rural Fire District, Mesa County, and Department of Local Affairs. The concept has been discussed at one joint meeting of the governing bodies and at one Council work shop.

Key parts of the agreement include:

Rural Fire District Resolution Memo/Page 2

- A) The agreement only goes into effect if the November 5, 2002 ballot question is successful;
- B) It commits the City to build and operate a fire station in the Redlands area;
- C) It commits all of the Rural Fire District subdistrict and the Rural Fire District revenues in Redlands to the City of Grand Junction;
- D) The rest of the Rural Fire District revenues (outside of the Redlands) will still be based upon the current base contract and “calls for service”. The existing and future fund balance of the Rural Fire District will be used exclusively to fund the financial obligation to the City of Grand Junction fire services via the base contract;
- E) The term of the agreement is 10 years with the opportunity for it to continue until either party gives a two year notice of termination.

The Agreement will be provided to you on Monday.

GRAND JUNCTION FIRE DEPARTMENT FIRE STATION #5 ANALYSES

Demographic Information: 5th Station (Primary Service area = Redlands incorporated and unincorporated)

• Total Assessed Value Protected	\$ 84,250,120	100%
○ Unincorporated area (Proposed Subdistrict)	\$ 63,800,120	76%
○ Incorporated Area Served	\$ 20,450,000	24%
• Total Population Served	10,195	100%
○ Unincorporated area (Proposed Subdistrict)	8,132	80%
○ Incorporated Area Served	2,063	20%
• Total Estimated Annual Calls	636	100%
○ Unincorporated area (Proposed Subdistrict)	478	75%
○ Incorporated Area Served	158	25%

Funding Information:

• Estimated Cost of Construction Station #5	\$ 1,707,522	
○ Current City Budget	\$ 780,000	
○ County Pledge	\$ 300,000	
○ Remaining unbudgeted cost	<u>\$ 627,522</u>	
• Estimated Operating Cost of Station #5	\$ 1,053,705	100%
○ Net New City Revenue (combined districts)	<u>\$ 488,297</u>	46%

○ Remaining Operating Cost	<u>\$ 565,408</u>	54%
• Revenue Assessment (Combined Districts)		
○ Sub-district (\$63,800,120 x 12.5 mils)	\$ 781,552	
○ Sub-district (Specific Ownership Tax)	\$ 98,760	
○ District (13% of Calls – est.)	<u>\$ 825,396</u>	
○ Net Revenue	\$ 1,705,708	
○ Current Contract (19% of Calls)	<u>\$ 1,417,615</u>	
○ Net Gain	\$ 288,093	
○ Normal Share of 5 th Station (District)	<u>\$ 200,204</u>	
○ Net New City Revenue (combined districts)	<u>\$ 488,297</u>	
• Estimated District Cost (less sub-district)	\$ 825,396	
○ Adjusted District Revenue	<u>\$ 741,264</u>	
○ Net Difference	<u>\$ (84,132)</u>	

Construction Cost

Estimated Capital Cost of Proposed Fire Station #5 Small Station & Large Station - ATTACHMENT A
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	Land	Building	Equipment	Total
City Budget - Capital Cost	\$ 150,400	\$ 529,600	\$ 100,000	\$ 780,000
Capital Cost - Full Station				
Cost Estimates	\$ 150,400	\$ 1,357,122	\$ 200,000	\$ 1,707,522
City Budget (Current CIP)				780,000
County Pledge				<u>300,000</u>
Net Increased Capital Cost to the City				\$ 627,522

Note: Tim Sarmo, DOLA, indicated that this project might be eligible for an Emergency Impact grant of 500-600k.

RESOLUTION NO. -02

AUTHORIZING THE MAYOR TO SIGN AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF GRAND JUNCTION AND THE RURAL FIRE PROTECTION DISTRICT REGARDING THE REDLANDS SUBDISTRICT

Recitals. The Grand Junction City Council and the Board of Directors of the Grand Junction Rural Fire Protection District find it is for the mutual benefit of all parties, and in the interest of the public, to cooperate in the building and funding of a City fire station on the Redlands. Both bodies have worked with citizens, Mesa County and other interested persons over the past year or so, reaching consensus on how best to provide and fund and operate a new City fire station that will be located on the Redlands.

The Board of the Grand Junction Rural Fire Protection District placed on the November 5, 2002 ballot a question to impose a mill levy the proceeds of which will be paid to the City, to be used by the City to partially pay for the costs of providing fire services.

Both parties agree that an agreement that sets forth their agreement is in the best interests of all concerned.

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

That the Mayor be authorized to sign the attached Intergovernmental Agreement with the Rural Fire Protection District.

PASSED and ADOPTED this _____ day of _____, 2002.

ATTEST:

City Clerk

President of the Council

