

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

WEDNESDAY, DECEMBER 17, 2003, 7:30 P.M.

CALL TO ORDER

Pledge of Allegiance
Invocation – Pastor Jim Hale, Spirit of Life Christian
Fellowship

PRESENTATION OF CERTIFICATE OF APPOINTMENT

TO FORESTRY BOARD MEMBER

PROCLAMATIONS / RECOGNITIONS

PROCLAIMING JANUARY AS “VOLUNTEER BLOOD DONOR MONTH”

APPOINTMENTS

TO VISITOR AND CONVENTION BUREAU BOARD OF DIRECTORS

SCHEDULED CITIZEN COMMENTS

BERNIE BUESCHER – UPDATE ON THE D. O. E. LABORATORY CLOSURE

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

1. **Minutes of Previous Meetings**

[Attach 1](#)

Action: Approve the Summary of the December 1, 2003 Workshop and the Minutes of the December 3, 2003 Regular Meeting

2. **Advertising Services Contract Renewal**

[Attach 2](#)

This is the annual renewal of a contract with Hill & Company Integrated Marketing and Advertising to provide advertising services to the Visitor and Convention Bureau.

Action: Authorize the City Manager to Sign a Contract with Hill & Company Integrated Marketing and Advertising in the Amount of \$375,000.00.

Staff presentation: Debbie Kovalik, VCB Executive Director

3. **Special Event Funding Recommendations** [Attach 3](#)

Fourteen applications for funding were received. After review and discussion, the Visitor and Convention Bureau Board recommends funding the following events:

\$ 2,500	Colorado Mountain Winefest
\$ 2,650	Downtown Car Show
\$ 2,000	Wells Fargo Art & Jazz Festival
\$ 5,000	Grand Valley Arts Festival
\$ 600	Rim Rock Run
\$ 1,500	2nd Annual Spring Barrel Tasting
\$ 1,500	Holiday Wine & Food Pairing
\$ 1,000	Tour of the Vineyards
\$ 3,000	Grand River Indian Artists Gathering
\$ 500	Kokopelli Adventure Race
\$ 1,800	Fruita Fat Tire Festival
\$ 400	Rose Hill Rally
\$22,450	

Action: Approve Funding Awards as Recommended

Staff presentation: Debbie Kovalik, VCB Executive Director

4. **Setting a Hearing for the Tomkins Annexation Located at 2835 & 2837 D Road** [File #ANX-2003-235] [Attach 4](#)

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 13.360 acre Tomkins Annexation consists of 2 parcels of land. A petition for annexation has been presented as part of a Preliminary Plan, in accordance with the 1998 Persigo Agreement with Mesa County.

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

Resolution No. 119 -03 – 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, Tomkins Annexation Located at 2835 and 2837 D Road

®Action: *Adopt Resolution No. 119-03*

b. Setting a Hearing of Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Tomkins Annexation, Approximately 13.360 Acres, Located at 2836 and 2837 D Road

Action: *Introduction of Proposed Ordinance and Set a Hearing for February 4, 2004*

Staff presentation: Lori V. Bowers, Senior Planner

5. **Setting a Hearing on Rezoning Blue Heron Meadows, Located at 2587 G ½ Road** [File #RZ-2003-212] [Attach 5](#)

A request for approval to rezone 18 acres of land from RSF-2 (Residential single-family, not to exceed 2 units per acre) to RSF-4 (Residential single-family, not to exceed 4 dwelling units per acre) and set the Public Hearing for January 7, 2004.

Proposed Ordinance Zoning Blue Heron Meadows, 18 Acres of Land Located at 2587 G ½ Road

Action: *Introduction of Proposed Ordinance and Set a Hearing for January 7, 2004*

Staff presentation: Lori V. Bowers, Senior Planner

6. **Setting a Hearing for the Bogart Annexation Located at 563 22 ½ Road** [File #ANX-2003-254] [Attach 7](#)

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 4.791 acre Bogart Annexation consists of 1.409 acres parcel and 3.382 acres within the right-of-way. The Bogart Annexation is a part of a development proposal to split the property into 2 lots.

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

Resolution No. 120-03 – 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, Bogart

Annexation, Located at 563 22 ½ Road and Including a Portion of the 22 ½ Road and Highway 340 Rights-of-Way

®Action: *Adopt Resolution No. 120-03*

b. Setting a Hearing of Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Bogart Annexation, Approximately 4.791 Acres, Located at 563 22 ½ Road and Including a Portion of the 22 ½ Road and Highway 340 Rights-of-Way

Action: *Introduction of Proposed Ordinance and Set a Hearing for February 4, 2004*

Staff presentation: Senta Costello, Associate Planner

7. **Setting a Hearing on Vacating Right-of-Way on the Files Property Located at 631 26 ½ Road** [File #VR-2003-227] [Attach 8](#)

The petitioners, City of Grand Junction and the current property owners, Shirley Howard, Donald Files & Robert Files, wish to vacate an existing 30' right-of-way located west of 26 ½ Road, between the platted right-of-ways of F ½ Road and North Acres Road that was originally dedicated in 1969 but due to a legal description error, was incorrectly conveyed. The only utility that is located in this right-of-way is a sanitary sewer line that will be covered by the recording of a 20' Public Utilities Easement. The proposed vacation has never been utilized or constructed as a road right-of-way. The Planning Commission recommended approval at its December 16th, 2003 meeting.

Proposed Ordinance Vacating a 30' Wide Right-of-Way Located West of 26 ½ Road and South of the Grand Valley Canal and Reserving a 20' Public Utilities Easement Known As: 631 26 ½ Road

Action: *Introduction of Proposed Ordinance and Set a Hearing for January 7, 2004*

Staff presentation: Scott D. Peterson, Associate Planner

8. **Designate the Hetland House to the City Register of Historic Sites, Structures and Districts** [File #HBD-2003-02.02] [Attach 9](#)

Hospice and Palliative Care of Western Colorado, owner of the Lawrence and Amelia Miller residence located at 3090 North 12th Street, is requesting that the building be designated as historic in the City Register of Historic Sites, Structures and Districts.

Resolution No. 121-03 – A Resolution Designating the Lawrence and Amelia Miller Residence Located at 3090 North 12th Street in the City Register of Historic Sites, Structures and Districts

®Action: *Adopt Resolution No. 121-03*

Staff presentation: Kristen Ashbeck, Senior Planner

9. **Sewer Plant Investment Fees** [Attach 10](#)

Effective January 1, 2004, the Wastewater Treatment Plant Investment (PIF) shall be increased by \$250 to \$1,250 for a single family equivalent.

Resolution No. 122-03 – A Resolution Adopting a Wastewater Plant Investment Fee Effective January 1, 2004

®Action: *Adopt Resolution No. 122-03*

Staff presentation: Greg Trainor, Utility Manager

10. **Alley Improvement District 2003** [Attach 11](#)

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

- “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

A Public Hearing is scheduled for February 4, 2004

Resolution No. 123-03 – A Resolution Approving and Accepting the Improvements Connected with Alley Improvement District No. ST-03

®Action: *Adopt Resolution No. 123-03*

Staff presentation: Mark Relph, Public Works and Utilities Director

*** END OF CONSENT CALENDAR ***

*** ITEMS NEEDING INDIVIDUAL CONSIDERATION ***

11. **CDOT Enhancement Grant Project** [Attach 13](#)

Approval of application for enhancement funds for 7th Street Pedestrian and Landscaping Project from Grand Avenue to Ute Avenue, Main Street from 7th to 8th Street. Colorado Department of Transportation is requesting applications for local government enhancement projects for state fiscal years 2006, 2007, 2008. Applications are due to CDOT by December 26, 2003. Staff has prepared an application and resolution for Council consideration.

Resolution No. 124 -03 – A Resolution Supporting the Application for Enhancement Funds for 7th Street Streetscaping/Medians – Grand Avenue to Ute Avenue

®Action: *Adopt Resolution No. 124-03*

Staff presentation: Mark Relph, Public Works and Utilities Director

12. **Public Hearing- Washington Annexation Located at 287 Coulson Drive** [File #ANX-2003-200] [Attach 14](#)

Hold a public hearing and consider final passage of a Resolution for Acceptance of the Petition to Annex and Annexation Ordinance for the Washington Annexation located at 287 Coulson Drive and including a portion of the UnawEEP Avenue, Coulson Drive and Capitol Lane rights-of-way. The petitioner is seeking annexation in conjunction with a proposed residential simple subdivision, pursuant to the 1998 Persigo Agreement with Mesa County.

a. Accepting Petition

Resolution No. 125-03 - A Resolution Accepting a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Washington Annexation, Located at 287 Coulson Drive and Including a Portion of UnawEEP Avenue, Coulson Drive and Capitol Lane Rights-of-Way

®Action: *Adopt Resolution No. 125-03*

b. Annexation Ordinance

Ordinance No. 3590 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Washington Annexation, Located at 287 Coulson Drive and Including a Portion of Unawep Avenue, Coulson Drive and Capitol Lane Rights-of-Way, Approximately 1.317 Acres

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3590

Staff presentation: Ronnie Edwards, Associate Planner

13. **Public Hearing – Zoning the Washington Annexation Located at 287 Coulson Drive** [File #ANX-2003-200] [Attach 15](#)

The Washington Annexation is comprised of one parcel of land of 1.317 acres and includes Unawep Avenue, Coulson Drive and Capitol Lane rights-of-way. The petitioner is requesting a zone of Residential Single Family with a density not to exceed four units per acre (RSF-4), which conforms to the Growth Plan Future Land Use Map. Planning Commission recommended approval at its November 25, 2003 meeting.

Ordinance No. 3591- An Ordinance Zoning the Washington Annexation to Residential Single Family with a Density not to Exceed Four Units Per Acres (RSF-4) Located at 287 Coulson Drive

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3591

Staff presentation: Ronnie Edwards, Associate Planner

14. *** **Public Hearing – An Emergency Ordinance Amending the Amount of the Downtown Tax Increment Revenue Bonds** [Attach 16](#)

An ordinance amending the TIF Ordinance #3585 to reduce the total amount of the bonds from \$3 million to \$2,995,000.

Ordinance No. 3592 – An Ordinance Amending Certain Provisions of the City's Ordinance No. 3585; Authorizing the Issuance of the City of Grand Junction, Colorado, Downtown Development Authority Tax Increment Revenue Bonds, Series 2003; and Declaring an Emergency

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3592

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

16. **OTHER BUSINESS**

17. **ADJOURNMENT**

Attach 1

Summary and Minutes December 1, 2003 and December 3, 2003

GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY AND SPECIAL MEETING MINUTES

December 1, 2003

The City Council of the City of Grand Junction, Colorado met on Monday, December 1, 2003 at 7:04 p.m. in the City Hall Auditorium to discuss workshop items. Those present were Harry Butler, Cindy Enos-Martinez, Bruce Hill, Dennis Kirtland, Bill McCurry, Gregg Palmer and President of the Council Jim Spehar.

Summaries and action on the following topics:

1. **TRANSPORTATION IMPACT FEE:** Public Works and Utilities Director Mark Relph asked for City Council direction on updating the Transportation Capacity Payment to align the TCP with the proposed valley-wide Transportation Impact Fee (TIF). Raising the municipal fee to \$1500 is being proposed. There are three approaches being suggested: 1 – Hold in reserve a portion of the fee where the City could cost share in improvements to address existing deficiencies, 2 – Accumulate funds over time to provide a more systematic approach to improve a specific corridor, and 3 – Use a portion of the fee for “regional projects”. The Mayor noted that many cooperative efforts are already occurring. He questioned the need for a regional fee when the current system is working. City Manager Arnold responded that a regional fee would allow the smaller municipalities to participate; and the City and the County would have more resources to participate in regional projects. Councilmember Kirtland noted that it is a more regional approach in planning projects and funding them. It is probably a good idea to have the fee be the same amount valley-wide accepted by all the developers. Regarding commercial fees, the development fee of \$1500 is generally been accepted by the development community, the commercial fee is based on a standard formula that is used nationwide. Mr. Relph said that further work will be done with the affected interests and staff will return to Council with a proposal the 1st quarter of 2004. City Manager Arnold suggested that the proposal be linked to the Strategic Plan solution regarding Transportation. Mr. Relph displayed a comparison chart of the various transportation fees around the State and Grand Junction and Mesa County were the lowest. Councilmember Kirtland suggested that the fees be adjusted regularly on an index, such as the CPI.

City Manager Arnold concluded by saying the real benefit yet challenge will be the first approach listed where the City can react to deficiencies being affected by development in a timely fashion. Councilmember Palmer inquired if the goal is to divide the fee three ways between the three approaches. Mr. Relph said that has not been decided although the Manager stated that would be his goal.

Action summary: The Council approved of the Public Works staff going forward on this project.

2. **STRATEGIC PLAN UPDATE:** City Manager Arnold updated the Council on the Action Step 4B regarding City participation in a county-wide emergency service feasibility study. The first draft of the report has been received by the Fire Chief. Comments will be made on the draft and hopefully by the end of the month a more final document will be ready for review.

Action summary: Council accepted the Strategic Plan update.

CONVENE INTO SPECIAL SESSION

Councilmember Kirtland moved to go into Executive session for discussion of personnel matters under C.R.S. 24-6-402(4)(f)(I) relative to City Council employees and will not be returning to open session. Councilmember Enos-Martinez seconded. Motion carried.

The City Council adjourned to executive session in the Administration Conference Room at 8:00 p.m.

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

DECEMBER 3, 2003

The City Council of the City of Grand Junction convened into regular session on the 3rd day of December 2003, at 7:30 p.m. in the City Auditorium. Those present were Councilmembers Harry Butler, Cindy Enos-Martinez, Bruce Hill, Dennis Kirtland, Bill McCurry, Gregg Palmer, and President of the Council Jim Spehar. Also present were City Manager Kelly Arnold, Assistant City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Jim Spehar called the meeting to order. Councilmember McCurry led in the pledge of allegiance. The audience remained standing for the invocation by Pastor Zeke Leija, Zion Assembly of God Church.

PRESENTATION OF CERTIFICATES OF APPOINTMENT

FORESTRY BOARD

Mike Heinz was present and received his certificate.

PROCLAMATIONS

PROCLAIMING DECEMBER 15 AS "BILL OF RIGHTS DAY" IN THE CITY OF GRAND JUNCTION

The Mayor announced that the City would be commemorating the Bill of Rights Day with a ceremony in the City Auditorium on Monday, December 15th, starting at 5:00 p.m. He listed the groups that will be involved in the ceremony and he invited the public to attend.

SCHEDULED CITIZENS COMMENTS

Shandie Case, 640 Bean Ranch Road in Whitewater; addressed Council for the need of a traffic signal at the intersection of 24 and G Roads. Public Works and Utilities Director Mark Relph detailed the process for determining the need for a traffic signal. He believed this intersection does meet the volume warrants for a signal. He explained the reason for postponing the installation of the signal. He said the cost of signalization is approximately \$150,000. He explained that the traffic signal was included in the ten-year plan but is not included in the next two-year budget cycle. He said it might be included when the whole 24 Road Corridor is widened and improved and the City will be trying to coordinate improvements at the intersection with CDOT. Ms. Case asked if a temporary signal could be installed until a permanent improvement can be made. Mayor Spehar replied that the intersection is a concern and the City will continue to monitor the intersection.

Evan Gluckman, owner of the Main Street Café, 504 Main Street, addressed Council regarding the downtown holiday parking issue. He read a statement about his idea for businesses to sponsor the short-term meters between 4th and 6th Streets from Main Street to Colorado Avenue.

Harold Staf, DDA Director, felt the initiative of the business owners was to be commended and he agreed that the message for downtown is positive. He noted that last year a lot of complaints were received by the DDA, including complaints from professional offices, that no parking was available to clients because of the free holiday parking. He stated all the spots were filled by 9:00 a.m. He said he did not want to be an obstruction to any goodwill, but he said the DDA has not received very many complaints regarding the cancellation of this year's free parking.

Council asked various questions but in general felt that bagging some meters would lead to confusion and felt it was not a good idea for Council to get in the middle of three downtown organizations disagreeing about the subject. Council President Spehar said Council would like to hear a united voice from downtown. However, the majority of Council saw no problem with allowing merchants to purchase meters and to bag them. Council gave direction to Staff to make it happen.

FINAL ELECTION RESULTS

PRESENTATION OF FINAL CERTIFICATE OF VOTES CAST FOR NOVEMBER, 2003 ELECTION

City Clerk Stephanie Tuin presented a final certificate of votes cast to the City Council regarding the special election held in conjunction with Mesa County on November 4, 2003. The results of the election authorize the issuance of \$80 million in bonds for funding the Riverside Parkway.

CONSENT CALENDAR

It was moved by Councilmember Enos-Martinez, seconded by Councilmember Palmer, and carried, to approve Consent Calendar Items #1 through #4.

1. Minutes of Previous Meetings

Action: Approve the Summary of the November 17, 2003 Noon Workshop, November 17, 2003 Workshop, and the Minutes of the November 19, 2003 Regular Meeting

2. Setting a Hearing on Zoning the Washington Annexation Located at 287 Coulson Drive [File # ANX-2003-200]

The Washington Annexation is comprised of one parcel of land of 1.317 acres and includes Unawep Avenue, Coulson Drive and Capitol Lane rights-of-way. The petitioner is requesting a zone of Residential Single Family with a density not to exceed four units per acre (RSF-4), which conforms to the Growth Plan Future Land Use Map. Planning Commission recommended approval at its November 25, 2003 meeting.

Proposed Ordinance Zoning the Washington Annexation to Residential Single Family with a Density not to Exceed Four Units Per Acres (RSF-4) Located at 287 Coulson Drive

Action: Introduction of Proposed Ordinance and Set a Hearing for December 17, 2003

3. Vacation of a Portion of a 7' Utility Easement Located 2110 Barberry Avenue [File # VE-2002-248]

The petitioner wishes to vacate a portion of a 7' Utility Easement (3' x 15.5' or 46.5 sq. ft.) located along the east property line of Lot 10, Block 4, Spring Valley, Filing Two, in order to accommodate the relocation of a detached patio cover in the back and side yard. The Planning Commission recommended approval at its November 25, 2003 meeting.

Resolution No. 110-03 - A Resolution Vacating a Portion of a 7' Wide Utility Easement Lying Along the East Property Line of Lot 10, Block 4, Spring Valley, Filing Two Known As: 2110 Barberry Avenue

Action: Adopt Resolution No. 110-03

4. Sole Source Purchase of Rain Bird Maxicom Controllers for Irrigation Systems

Sole Source purchase of Rain Bird Maxicom Controllers for 2004. The Parks Department currently has several parks with individual automated site based irrigation systems. These systems will be converted to the centralized Maxicom software program that is currently in operation at the Lincoln Park central irrigation control system. The Rain Bird Maxicom brand is the only compatible controller and Grand Junction Pipe and Supply is the only authorized Rain Bird distributor for this area.

Action: Authorize the Purchasing Department Senior Buyer to Issue Purchase Orders to Grand Junction Pipe and Supply in the Estimated Amounts of

*\$47,800.00 Contingent on Final 04 Budget Approval for Rain Bird Maxicom
Controllers*

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

Utility Rate Changes for 2004

Proposal to change utility rates for Wastewater and Water Services effective January 1, 2004. 68 percent of City water customers will see a decrease in their water rates and sewer rates are increasing by 5 percent. Irrigation charges for the Ridges will not change for 2004 and trash rates will not change for 2004.

Mark Relph, Public Works and Utilities Director, reviewed this item. He explained the rate adjustment would actually decrease water rates for 68 percent of the City's customers, but the customers that use more than 20,000 gallons of water in a billing period would be paying a higher rate. He stated the total revenue would stay neutral and the senior discount would be eliminated. He said the reason for requesting changes to the utility rates is to encourage water conservation.

Mr. Relph said the 5 percent proposed increase to the sewer rate would amount to an increase of about 63 cents per month on a residential account. He said the increase would pay for a portion of the CSEP project.

Mr. Relph noted that no changes are proposed for irrigation in the Ridges or to the trash service.

John Bonner, citizen, felt that when 68 percent of the users are using less than 3,000 gallons of water a month there was no incentive to conserve. He asked why the City was spending money to educate the minority of users. He felt there should be an incentive for the 68 percent of the water users. He also encouraged Council to raise the trash rates to discourage volumes of trash.

Councilmember Kirtland thanked Mr. Bonner for making a great point. Councilmember Hill applauded the utility department for their operation and being able to hold rates flat. Mayor Spehar noted that Council directed Staff to make these changes for water conservation purposes only, not to increase revenues.

Resolution No. 111-03 – A Resolution to Adopt Utility Rates for Wastewater and Water Services Effective January 1, 2004

Councilmember Hill moved to adopt Resolution No. 111-03. Councilmember Palmer seconded the motion. Motion carried by a roll call vote.

2004 – 2005 Fees & Charges Policy for the Parks and Recreation Department

The Parks & Recreation Advisory Board is recommending that the City Council pass a resolution adopting the 2004 & 2005 Parks & Recreation Fees & Charges Policy. Additionally, it is also recommended that the City Council adopt the 2004-2005 Fees & Charges Policy for Two Rivers Convention Center and the Avalon Theatre.

Joe Stevens, Parks and Recreation Director, reviewed this item. He noted that a different green fee was proposed for the Tiara Rado Golf Course than for the Lincoln Park Golf Course. He said the requested increase in the user fee for the ball fields was because of higher utility costs.

Mr. Stevens told Council a 3.5 percent increase in cemetery fees is proposed for 2004 and 2005.

Mr. Stevens said regarding resident and non-resident fees, the fees are set on a cost recovery basis and then a resident gets a discount from that. He pointed out there were no discounts on cemetery fees, facility use, or on walk up golf fees. He said discounts were only available for recreation programs. He said regarding revenue, the differentiation was about 20 percent.

Councilmember Hill said he was somewhat uncomfortable by providing a discount for City residents when in his mind all the people living in the valley were residents. He felt that if no discounts were made the rates overall could be reduced. He suggested a study and to provide some other direct benefit to residents that relate to property ownership. Mr. Stevens acknowledged that his point was well taken and said that some current issues are that the surrounding communities have bigger recreation programs than they did have in the past. He said additionally having to deny a resident discount to people that claim Grand Junction as their address could be a public relations issue.

Mr. Stevens said the Parks and Recreation Advisory Board reviews all rates except the rates for the Two Rivers Convention Center and the Avalon Theater.

Councilmember Hill asked if the management at Two Rivers had the ability to adjust fees, specifically on food items so the rate would be compatible with the market. Mr. Stevens replied that while private facilities do have that ability, the only available flexibility to the Two Rivers management were fees regarding the room rents, type of the group, and if there was repeat business.

Resolution No. 112-03 – A Resolution Establishing the 2004 – 2005 Fees and Charges Policy for the Grand Junction Parks and Recreation Department

Councilmember Enos-Martinez moved to adopt Resolution No. 112-03.
Councilmember McCurry seconded the motion. Motion carried by a roll call vote.

Levying Property Taxes for the Year 2003 for Collection in the Year 2004

The resolutions set the mill levies of the City of Grand Junction (City), Ridges Metropolitan District #1, Grand Junction West Water and Sanitation District (GJWWSD), and the Downtown Development Authority (DDA). The City and DDA mill levies are for operations, the others are for debt service only. The City is also establishing a temporary credit mill levy for the General Fund for the purpose of refunding revenue collected in 2002 in excess of the limitations set forth in the Tabor Amendment, Article X, Section 20 of the Colorado Constitution. The temporary credit is pursuant to CRS 39-5-121- (SB 93-255). The City will levy a temporary credit of 0.630 mills for the purpose of refunding \$320,273.

Ron Lappi, Administrative Services and Finance Director, reviewed this item. Specifically he identified the mill levy for each taxing authority, noting the enormous reduction that has occurred over the years in the Ridges since the City took over. He pointed out the amount of refund under TABOR would only be a very small amount on the property tax bill.

- a. Resolution No. 113-03 – A Resolution Levying Taxes for the Year 2003 in the City of Grand Junction, Colorado
- b. Resolution No. 114-03 – A Resolution Levying Temporary Credit Taxes for the Year 2003 in the City of Grand Junction, Colorado
- c. Resolution No. 115-03 – A Resolution Levying Taxes for the Year 2003 in the City of Grand Junction, Colorado, Downtown Development Authority
- d. Resolution No. 116-03 – A Resolution Levying Taxes for the Year 2003 in the Ridges Metropolitan District a Part of the City of Grand Junction, Colorado
- e. Resolution No. 117-03 – A Resolution Levying Taxes for the Year 2003 the Grand Junction West Water and Sanitation District a Part of the City of Grand Junction, Colorado

Councilmember Kirtland moved to adopt Resolutions No. 113-03, 114-03, 115-03, 116-03, and 117-03. Councilmember Palmer seconded the motion. Motion carried by a roll call vote.

Public Hearing - 2004 Annual Appropriation

The total appropriation for all thirty-four accounting funds budgeted by the City of Grand Junction (including the Ridges Metropolitan District, Grand Junction West Water and Sanitation District, and the Downtown Development Authority) for the fiscal year beginning January 1, 2004 is \$115,484,715. Although not a planned expenditure, an additional \$2,500,000 is appropriated as an emergency reserve in the General Fund pursuant to Article X, Section 20 of the Colorado Constitution.

The public hearing was opened at 8:58 p.m.

Ron Lappi, Administrative Services and Finance Director, reviewed these items. He explained that one of the items was the annual appropriation ordinance and the second item was the resolution adopting the two-year budget.

There were no public comments.

The public hearing was closed at 8:59 p.m.

a. Appropriation Ordinance

Ordinance No. 3587 - An Ordinance Appropriating Certain Sums of Money to Defray the Necessary Expenses and Liabilities of the City of Grand Junction, Colorado, the Ridges Metropolitan District, and the Grand Junction West Water and Sanitation District for the Year Beginning January 1, 2004 and Ending December 31, 2004

b. Budget Resolution

Resolution No. 118-03 - A Resolution Adopting the Budget for the Purpose of Defraying the Expenses and Liabilities for the Fiscal Years Ending December 31, 2004 and 2005

Councilmember Enos-Martinez moved to adopt Ordinance No. 3587 on Second Reading and ordered it published and to adopt Resolution No. 118-03. Councilmember Kirtland seconded the motion. Motion carried by roll call vote.

Designating Property Tax Revenue for Neighborhood Improvements

A resolution for the City Council consideration that declares the Council's intent to annually commit the growth in property taxes to support neighborhood capital improvements and operating costs of neighborhoods beginning in 2006.

Ron Lappi, Administrative Services and Finance Director, reviewed this item. He explained the proposal was a result of a discussion that took place at the budget presentation in October. He said the designation specifically identified in this resolution would begin in 2006. He pointed out that the current two-year budget already had substantial funding for neighborhoods in the next cycle.

Mayor Spehar suggested the resolution needed to be discussed further as the proposed \$300,000 identified for 2006 was smaller than he had envisioned.

City Manager Kelly Arnold said that resolution was only a proposal and if more discussion was needed a workshop discussion could be scheduled.

Councilmember Kirtland stated that this could be considered a seed for those projects and more could certainly be added. Mayor Spehar still felt it premature. Councilmember Kirtland suggested it be discussed at the Strategic Plan Update meeting.

No action was taken and the proposed resolution was deferred to a workshop meeting.

Public Hearing - Bond Ordinance for Community Hospital

This is an ordinance authorizing the issuance of \$3,420,000 of hospital revenue refunding bonds on behalf of Community Hospital.

The public hearing was opened at 9:08 p.m.

Ron Lappi, Administrative Services and Finance Director, reviewed this item. He explained the issue of the bonds for Community Hospital would pay off the current bonds and reissue the bonds at a lower interest rate. He said although the City's name would be on the bonds, the City would not be obligated in any way.

Don Callahan, Chief Financial Officer of Community Hospital, thanked Council for its assistance in helping the hospital lower their cost of repaying the bonds

There were no public comments.

The public hearing was closed at 9:10 p.m.

Ordinance No. 3588 - An Ordinance Authorizing the Issuance and Sale of \$3,420,000 Hospital Revenue Refunding Bond (Community Hospital Project) Series 2004 of the City of Grand Junction, Colorado for the Purpose of Refunding all of the Outstanding City of Grand Junction, Colorado Hospital Revenue Refunding and Improvement Bonds (Community Hospital Corporation Project) Series 1993; Approving and Authorizing Execution of a Financing Agreement and Escrow Agreement with Respect to the Bond; Making Findings and Determinations with Respect to the Refunding Project and the Bond; Authorizing the Execution and Delivery of Related Documents; and Repealing all Action Heretofore Taken in Conflict Herewith

Councilmember Butler moved to adopt Ordinance No. 3588 on Second Reading and ordered it published. Councilmember McCurry seconded the motion. Motion carried by a roll call vote.

Public Hearing – Amending the Barking Dog Ordinance

Changes are made to the elements for the prosecution of an owner who has failed to prevent a dog from disturbing the peace of another, warning requirements have been

eliminated, and penalties have been increased for a first and second offense for violating any section of Article III of Chapter 6 of the Code of Ordinances.

The public hearing was opened at 9:11 p.m.

John Shaver, Assistant City Attorney, reviewed this item. He explained that the proposed ordinance changes: a) the number of complainants required for prosecution of a violation, b) raises the fines, and c) would bring the City Ordinance and the County Ordinance in alignment for consistent enforcement.

John Bonner, citizen, asked how the ordinance would work with one person's word against another's. He said his experience was and he was told he needed two complainants to authenticate the disturbance, and he asked why couldn't the dispatched animal control officer be one of the witnesses. He was told the dog owner could use as a defense that the presence of the officer caused the dog to bark.

Mr. Shaver said the complainants do have some responsibility to make it a substantive complaint and it is a personal claim and it is the complainant's peace being disturbed. He said there always was the ability of the responsible dog owner working out the problem in pre-trial or in a plea bargain agreement. He said usually the irresponsible dog owner is the problem and in that case both parties appear in front a judge and the judge then makes a decision.

The public hearing was closed at 9:21 p.m.

Ordinance No. 3589 - An Ordinance Repealing and Reenacting Section 6-61 of the Code of Ordinances ("Code") Concerning an Owner's Failure to Prevent a Dog From Disturbing the Peace and Quiet of Another, Repealing and Reenacting Section 6-68 of the Code Establishing the Penalties for Violating any Article of Section 6 of Chapter 6 of the Code, and Repealing Certain Ordinances in Conflict with the Amendments

Councilmember Palmer moved to adopt Ordinance No. 3589 on Second Reading and ordered it published. Councilmember Enos-Martinez seconded the motion. Motion carried by a roll call vote.

NON-SCHEDULED CITIZENS & VISITORS

There were none.

OTHER BUSINESS

There was none.

EXECUTIVE SESSION

It was moved by Councilmember Enos-Martinez, seconded by Councilmember Kirtland, and carried to go into executive session for discussion of personnel matters under Section 402(4)(f)(i) of the Open Meeting Law relative to City Council employees, and to confer with and receive legal advice from the City Attorney regarding strategies about and our positions relative to the storm water master plan under section 402 (4)(b) of the Open Meetings Law and will not be returning to open session.

ADJOURNMENT

City Council adjourned at 9:22 p.m. to the Administration Conference Room for executive session.

Stephanie Tuin, MMC
City Clerk

Attach 2

Advertising Services Contract Renewal

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Advertising Services Contract Renewal					
Meeting Date	December 17, 2003					
Date Prepared	December 10, 2003				File #	
Author	Debbie Kovalik			Executive Director		
Presenter Name	Debbie Kovalik			Executive 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	
	Workshop	<input type="checkbox"/>	Formal Agenda	<input checked="" type="checkbox"/>	Consent	Individual Consideration

Summary: This is the annual renewal of a contract with Hill & Company Integrated Marketing and Advertising to provide advertising services to the VCB.

Budget: \$375,000 is budgeted in 2004

Action Requested/Recommendation: Authorize the City Manager to sign a contract with Hill & Company Integrated Marketing and Advertising in the amount of \$375,000.00.

Attachments: Agreement for advertising services

Background Information: A Request for Proposal for advertising services was issued in 2000, and three advertising agencies were invited to make formal presentations to the VCB Board and City staff. At the conclusion of that process, Hill & Company Integrated Marketing and Advertising was awarded an annually renewable contract for a period not to exceed 5 years.

AGREEMENT BETWEEN THE CITY OF GRAND JUNCTION AND
HILL & COMPANY, INC.
INTEGRATED MARKETING AND ADVERTISING

This agreement is made and entered into by and between Hill & Company, Inc. Integrated Marketing and Advertising, a Colorado corporation, herein-after sometimes referred to as "Agency," and the City of Grand Junction, hereinafter sometimes referred to as "Client" or "City."

Client hereby appoints Agency as agency of record, and Agency hereby agrees to serve as advertising agency of record for Client, in accordance with and subject to the following terms and conditions:

For purposes of this Agreement, the City's representative will be the Executive Director of the Visitor & Convention Bureau who will provide the Agency, as appropriate, with required approvals and/or modifications to the Marketing Plan.

The parties agree as follows:

1. Contract:

This Agreement incorporates the Request for Proposal and Agency's 2004 Marketing Plan by this reference. The Marketing Plan provides the scope of work to be performed by the Agency and for formation of a contract between the Parties. The Parties expressly agree that this Agreement and the resulting contract may be modified by the City at any time during its term without penalty. The total contract sum for 2004 shall be \$375,000.00. The Parties further agree that the client may modify, amend or limit the Marketing Plan and its expenditures thereunder, within the above limits, as it may determine in its sole and absolute discretion, without penalty or recourse and subject to the terms of the balance of the Agreement, including, without limitation, paragraphs 11 & 13.

2. Governing Law:

This agreement will be governed by the laws of the State of Colorado. Venue for any action arising out of or occurring under this Agreement or the performance thereof, will be in Mesa County.

3. Contract Period:

The time period of this contract is from January 1, 2004, through December 31, 2004. A new Request for Proposal will be issued by the City in 2005. Agency is and shall be allowed to respond to that request for proposal.

4. Method of Compensation:

For its services the Agency shall charge monthly for all Agency time spent on services for the Client.

Invoices shall reflect the cost for each designated project. Cost estimates shall be approved by Client prior to Agency proceeding to production. Any Client modifications or unforeseen changes in the cost of the project over and above the cost estimate shall be communicated to Client and approved accordingly before being invoiced.

Out-of-pocket expenses (for typography, photography, illustration, broadcast production, printing and the like) shall be estimated in advance and with approval from the City, will be billed at the Agency's cost without markup. Any and all fees for services rendered by a subcontractor to the Agency, as well as their attendant expenses, will be billed through to the Agency, and the Agency will be paid by the City at cost to the Agency without markup.

Media will be billed at net cost to the City.

5. Prime Contractor Responsibilities:

The Agency will assume all responsibility for the performance of all required services, whether or not subcontractors are involved. The City will consider the Agency to be the sole and prime point of contact with regard to all matters and will not maintain contracts with any subcontractor of the Agency without Agency approval. The Agency will specify for the City the sub-contractors they intend to use and what their functions will be. The City shall retain the right to inspect any phase of the Agency's efforts in fulfillment of the contract whether on a continuing or a spot-check basis, including visits to the Agency's contractors or subcontractors.

6. Non-discrimination:

The Agency shall comply with all applicable City, State and Federal laws, rules and regulations including but not limited to those involving non-discrimination on the basis of race, color, religion, national origin, age, sex or handicap.

7. Assignment:

The Agency is prohibited from assigning, transferring, conveying, subletting or otherwise alienating this contract, or its rights, title or interest therein, or its power to execute such agreement to any other person, company, corporation or entity without the previous written approval of the City.

8. Benefit:

This agreement is for the benefit of the Agency and the City and not for the benefit of any third party or person.

9. Compliance with the Law:

The Agency agrees to comply with all applicable Federal, State and local laws, rules and regulations in its performance hereunder.

10. Covenant against Contingent Fees:

The Agency warrants that it has not employed or retained any company or person (other than a bona fide employee working solely for the Agency) to solicit or secure this contract and that it has not paid or agreed to pay any person or entity (other than a bona fide employee working solely for the Agency) any fee, commission, percentage, brokerage fee, gift or other consideration on a basis that is contingent upon the award of this contract. For a breach or violation of this warranty, the City shall have the right to annul the contract without liability or, in its discretion, to deduct from the contract price, the full amount of such commission, percentage, brokerage or contingent fee.

11. Termination of Contract for Convenience of the City:

The City retains the option to terminate, at its convenience, this contract as to any services it has not yet ordered. If the City, at its convenience, terminates an order for services it has already ordered, the Agency shall be entitled to compensation, upon limitation, for binding commitments made in connection with the production of advertising or marketing materials or services not otherwise usable by the Agency. In such event, at the request of the City, the Agency shall furnish copies of all proposals, specifications, procedures, systems or other materials related to its performance hereunder, whether finished or in preparation, at the time of termination. Any materials for which the Agency is reimbursed hereunder shall become the property of the City.

12. Patents and Copyrights:

The Agency shall indemnify the City and hold it harmless from any and all claims that the method of advertising and communications for the City and/or the preparation thereof infringe upon rights under any existing, valid United States patent or any valid copyright and/or trademark currently registered as such under the laws of the United States.

13. Termination:

The City reserves the right to terminate without penalty this contract provided written notice has been delivered to the Agency at least thirty (30) days prior to such termination date.

The City reserves the right to immediately terminate this contract by providing written notice to the Agency of the occurrence of any of the following:

- a. If the Agency furnished any statement, representation, warranty or certification in connection with the Request for Proposal or the resultant contract which is materially false, deceptive, incorrect or incomplete;
- b. If the Agency fails to perform to the City's satisfaction any material requirement of the contract or is in violation of any specific contractual provision;
- c. If the City determines satisfactory performance of the contract is substantially endangered or can reasonably anticipate such an occurrence of default;
- d. If the City shall enact a statute, ordinance, law, rule or regulation which removes its authority or ability to engage in such activities, or if funds are not available from the lodging tax for this purpose;

The City shall reimburse the Agency for its actual costs or contract debts resulting from the Agency's scope of services to date, if termination results from the causes in (a), (b), (c) or (d) above.

In the event of a termination for the causes in (a), (b), or (c) above, the City reserves the right to reassign the contract to another Agency without rebidding.

14. Contract Amendments:

This contract may not be modified, amended, extended or augmented except by a writing executed by the parties hereto, and any breach or default by a party shall not be waived or released other than in writing signed by the other party.

15. Accounting Records:

The Agency shall be required to maintain financial and accounting records and any evidence pertaining to the contract and expenditures thereunder and/or performance thereof in accordance

with generally accepted accounting principles and other procedures specified by the City. These records must be made available at all reasonable times to the City, and its designees, including but not limited to, the City Auditor and/or the Executive Director of the Visitor & Convention Bureau during the contract period and any extension thereof and for three (3) years from the date of final payment on the contract or any extension thereof.

16. Compensation for Agency Services:

- a. All production will be billed to client as work in process.
- b. Out-of-pocket expenses, including, but not limited to, shipping, postage, long distance telephone and travel expenses (excluding travel for account servicing to Grand Junction) incurred on the Client's behalf, will be billed for reimbursement.
- c. A retainer of \$3,300.00 per month will be paid to cover account service time for the Agency's service.
- d. The budget shall not exceed \$375,000.00. All amounts incurred or expended by the Agency in excess of that sum will be deemed outside of this agreement and the City shall have no liability therefore.
- e. Payment for invoices are due thirty (30) days from invoice date, except in such instances when specific outside suppliers require cash advances to reserve time or materials, in which case Client will be responsible for advancing the Agency funds to meet such supplier needs. Interest of 1½% per month will be charged on all overdue balances.

17. Cost Estimates:

Written cost estimates of anticipated costs for any and all expenditures over \$300.00 shall be approved by the Client. Schedules and estimates shall be approved or denied by Client without unreasonable delay. Authorization of an expenditure or estimate shall be considered Client's authorization to the Agency to incur liabilities contemplated thereby. If Client fails to approve an estimate or expenditure the Agency may not proceed or otherwise incur further liability on Client's behalf.

18. Other Services Not Covered:

Should the Agency be called upon to perform any services not listed above and on which it is not allowed a commission, both parties will negotiate in advance the service charge or fee to be charged.

19. Client shall be responsible for the accuracy, completeness, propriety and truth of all information it furnishes or causes to be furnished to the Agency in connection with Agency's performance under this agreement. Unless the damage or injury is due to the negligent or purposeful act or failure to act by the Agency, Client shall indemnify and hold the Agency harmless from all claims, costs, loss or liability, including reasonable attorney's fees, resulting from client's failure to fulfill its obligations under this agreement.

20. All original advertising material or specific rights to material created or negotiated for, on behalf of Client, such as copy, photography, illustration, artists' layouts or design sketches and storyboards are the property of the Agency until paid for, and then become the property of the City of Grand Junction.

21. This agreement may be executed by separate counterpart and when fully executed and taken together shall constitute a contract.

Agreed By:

CITY OF GRAND JUNCTION

HILL & COMPANY, INC.
INTEGRATED MARKETING AND ADVERTISING

By: _____
Kelly Arnold, City Manager

By: _____
Linda Hill, President

Date

Date

Attest:

Stephanie Tuin, City Clerk

Date

Attach 3
Special Event Funding Recommendation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA								
Subject	Special Event Funding Recommendations							
Meeting Date	December 17, 2003							
Date Prepared	December 10, 2003				File #			
Author	Debbie Kovalik			Executive Director				
Presenter Name	Debbie Kovalik			Executive 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			
	Workshop	<input type="checkbox"/>	Formal Agenda		<input checked="" type="checkbox"/>	Consent	<input type="checkbox"/>	Individual Consideration

Summary: Fourteen applications for funding were received. After review and discussion, the VCB Board recommends funding the following events:

\$ 2,500	Colorado Mountain Winefest
\$ 2,650	Downtown Car Show
\$ 2,000	Wells Fargo Art & Jazz Festival
\$ 5,000	Grand Valley Arts Festival
\$ 600	Rim Rock Run
\$ 1,500	2 nd Annual Spring Barrel Tasting
\$ 1,500	Holiday Wine & Food Pairing
\$ 1,000	Tour of the Vineyards
\$ 3,000	Grand River Indian Artists Gathering
\$ 500	Kokopelli Adventure Race
\$ 1,800	Fruita Fat Tire Festival
\$ 400	Rose Hill Rally
\$22,450	

Budget: \$25,000 is budgeted in 2004

Action Requested/Recommendation: Approve funding awards as recommended

Attachments: None

Background Information: Applications were reviewed at a Board workshop December 4, with discussions continuing at the regular monthly meeting December 9. The Board voted unanimously to award funds as listed above.

Attach 4

Setting a Hearing for the Tomkins Annexation Located at 2835 & 2837 D Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Setting a hearing for the Tomkins Annexation located at 2835 and 2837 D Road						
Meeting Date	December 17, 2003						
Date Prepared	December 9, 2003			File #ANX-2003-235			
Author	Lori V. Bowers		Senior Planner				
Presenter Name	Lori V. Bowers		Senior Planner				
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: Resolution referring a petition for annexation and introduction of a proposed ordinance. The 13.360 acre Tomkins Annexation consists of 2 parcels of land. A petition for annexation has been presented as part of a Preliminary Plan, in accordance with the 1998 Persigo Agreement with Mesa County.

Budget: N/A

Action Requested/Recommendation: Approval of the Resolution of Referral, accepting the Tomkins Annexation petition and introduce the proposed Tomkins Annexation Ordinance, exercise land use jurisdiction immediately and set a hearing for February 4, 2004.

Background Information: See attached Staff Report/Background Information

Attachments:

1. Staff report/Background information
2. General Location Map
3. Aerial Photo
4. Growth Plan Map
5. Zoning Map
6. Annexation map
7. Resolution Referring Petition
8. Annexation Ordinance

STAFF REPORT / BACKGROUND INFORMATION

Location:		2835 & 2837 D Road		
Applicants:		Kathleen Dee Tomkins, owner		
Existing Land Use:		2 single family residences and vacant land		
Proposed Land Use:		Residential subdivision		
Surrounding Land Use:	North	Department of Institutions		
	South	Large lot residential		
	East	Large lot residential		
	West	Commercial		
Existing Zoning:		RSF-R (County)		
Proposed Zoning:		RMF-8		
Surrounding Zoning:	North	Public (Mesa County)		
	South	RSF-R (Mesa County)		
	East	RSF-R (Mesa County)		
	West	Commercial (Mesa County)		
Growth Plan Designation:		Residential medium 4 to 8 dwelling units per acre		
Zoning within density range?		X	Yes	No

Staff Analysis:

ANNEXATION:

The annexation area consists of 13.360 acres of land and is comprised of 2 parcels. The property owner has requested annexation into the City as the result of a request to create a residential subdivision. Under the 1998 Persigo Agreement all requests for a major subdivision require annexation and processing in the City.

It is staff's 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 Tomkins 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.

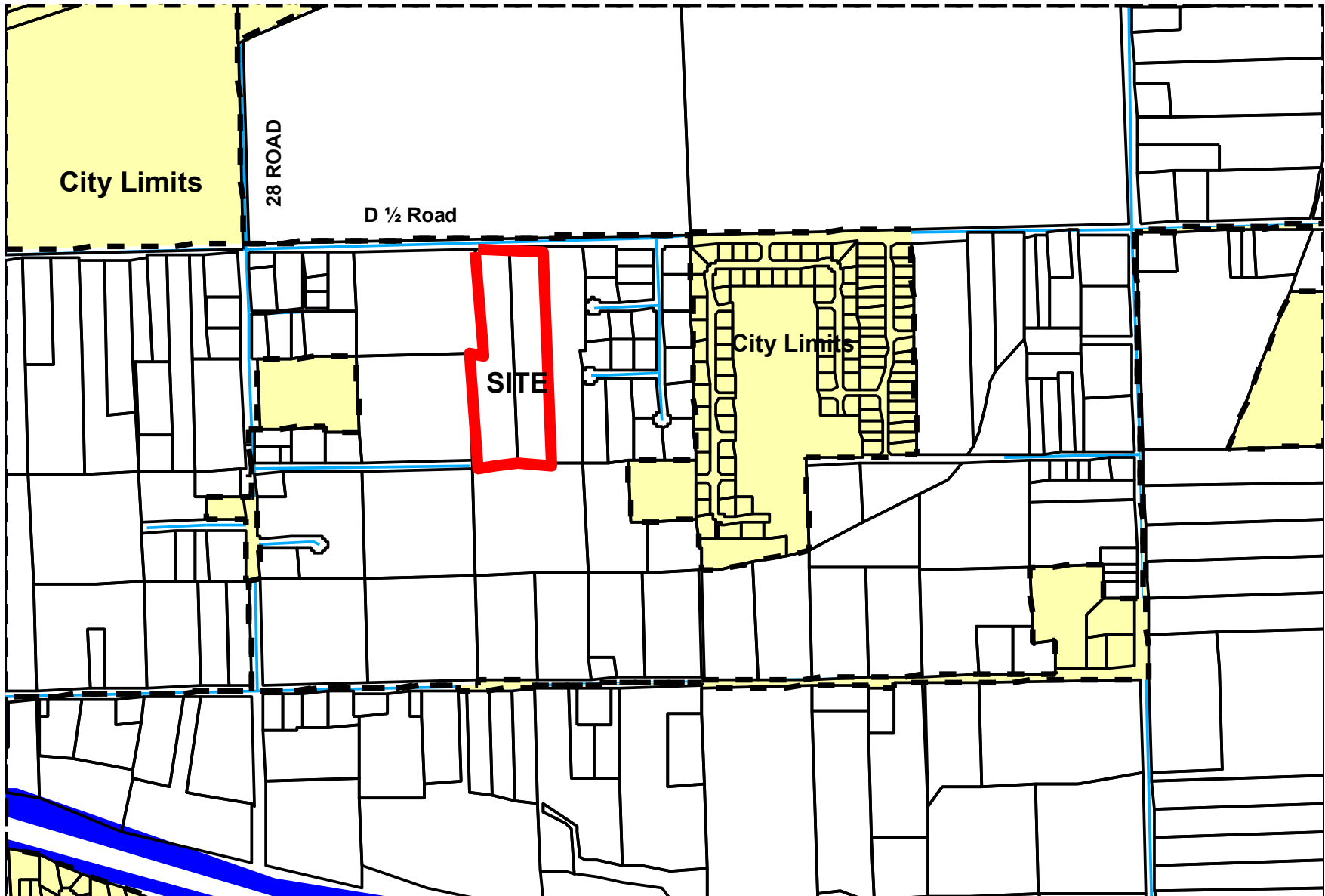
<i><u>ANNEXATION SCHEDULE</u></i>	
12-17-03	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
01-13-04	Planning Commission considers Zone of Annexation
01-21-04	Introduction Of A Proposed Ordinance on Zoning by City Council
02-04-04	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
03-07-04	Effective date of Annexation and Zoning

TOMKINS ANNEXATION SUMMARY

File Number:		ANX-2003-235
Location:		2835 & 2837 D Road
Tax ID Number:		2943-192-00-163 & 2943-192-00-164
Parcels:		2
Estimated Population:		
# of Parcels (owner occupied):		0
# of Dwelling Units:		2
Acres land annexed:		13.360 acres
Developable Acres Remaining:		13.360 acres
Right-of-way in Annexation:		Existing D Road right-of-way
Previous County Zoning:		RSF-R
Proposed City Zoning:		RMF-8
Current Land Use:		Vacant land, 2 single family residences
Future Land Use:		Residential subdivision
Values:	Assessed:	\$1,380
	Actual:	\$4,760
Census Tract:		
Address Ranges:		
Special Districts:	Water:	Ute
	Sewer:	Central Grand Valley Sanitation
	Fire:	Grand Junction Rural Fire
	Irrigation/ Drainage:	Grand Junction Drainage
	School:	District 51
	Pest:	none

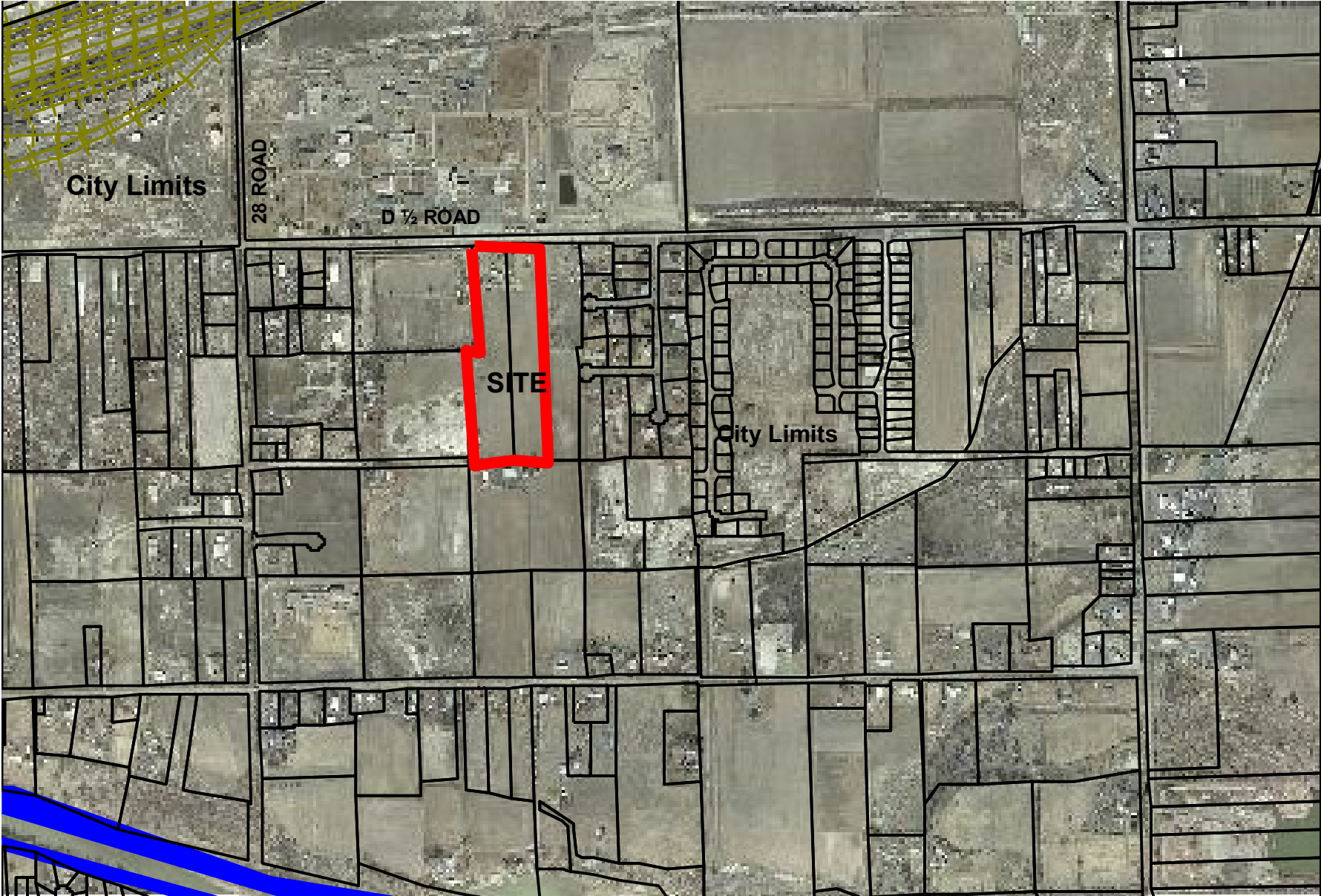
Site Location Map

Figure 1



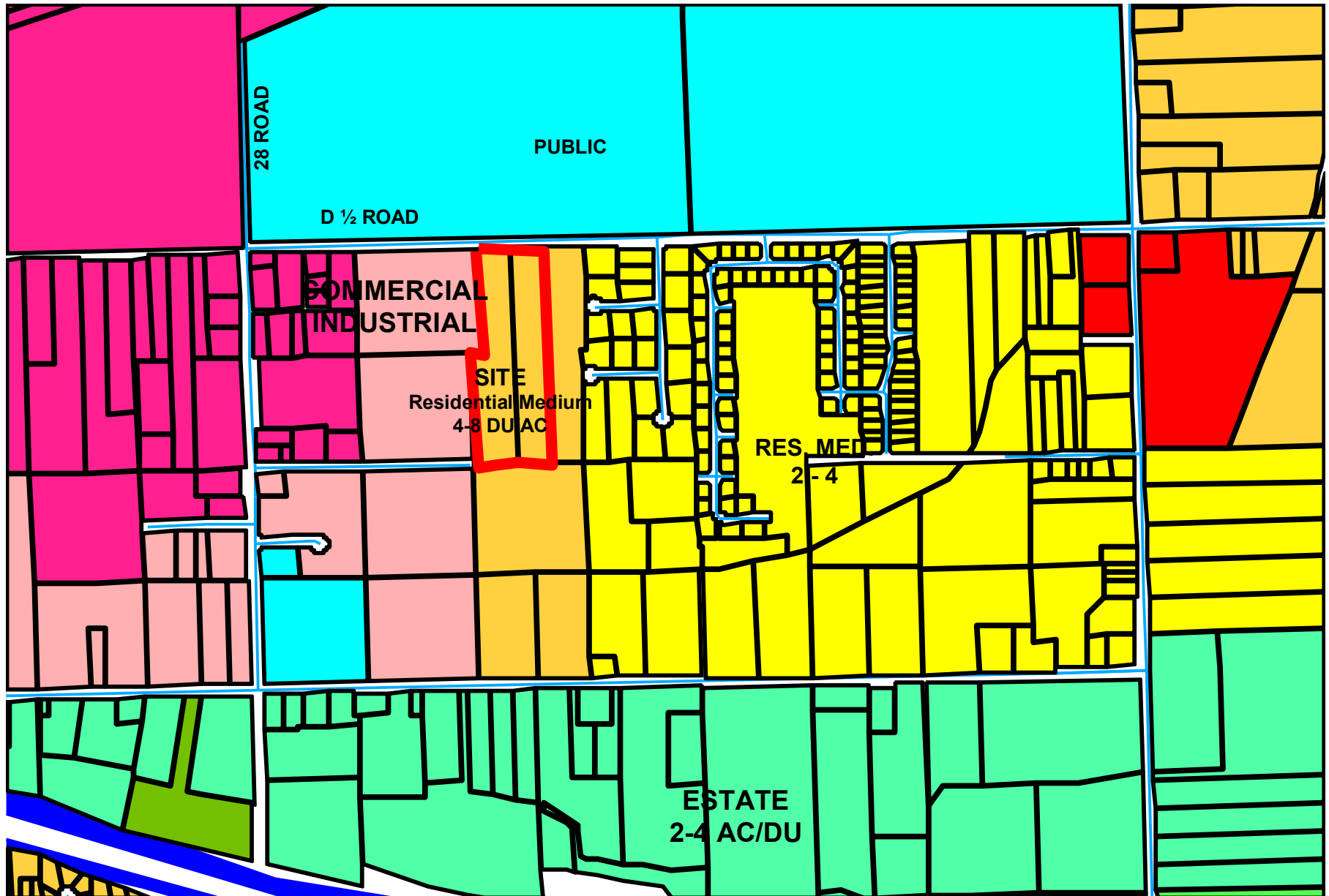
Aerial Photo Map

Figure 2



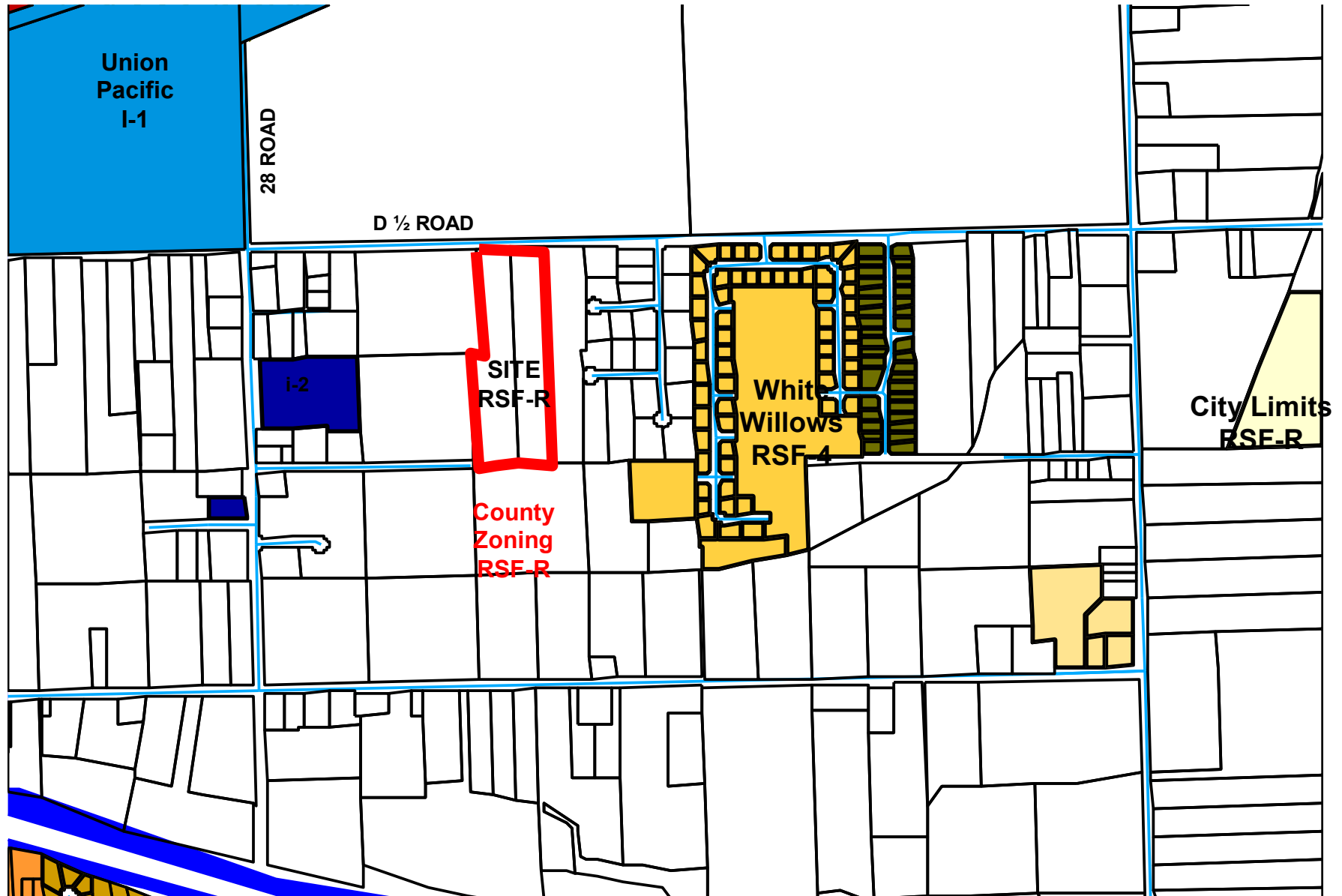
Future Land Use Map

Figure 3



Existing City and County Zoning

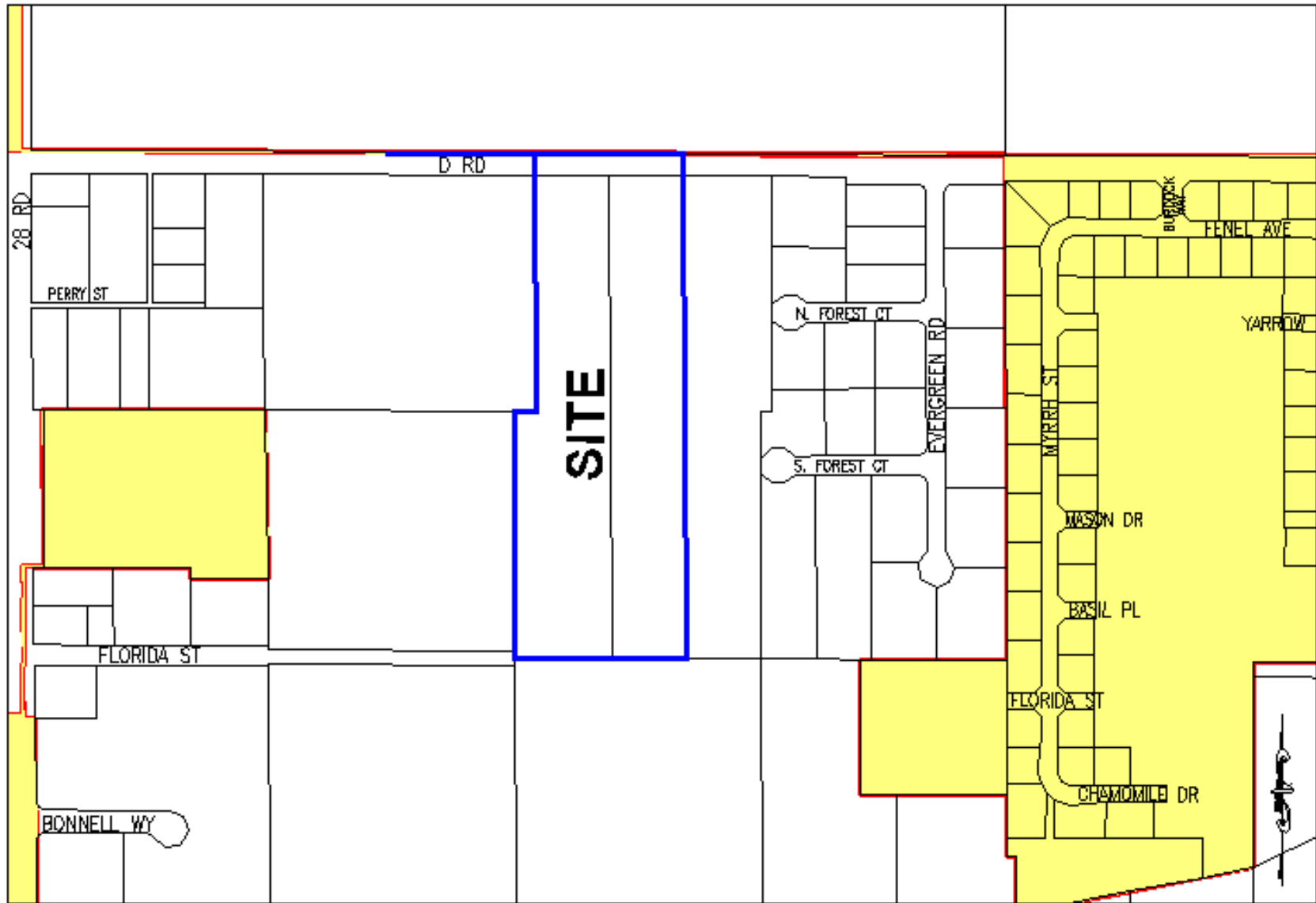
Figure 4



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

Tomkins Annexation

Figure 5



City Limits



Annexation Boundary

**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 17th of December, 2003, 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**

TOMKINS ANNEXATION

LOCATED at 2835 and 2837 D ROAD.

WHEREAS, on the 17th day of December, 2003, 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:

**TOMKINS ANNEXATION
PERIMETER BOUNDARY LEGAL DESCRIPTION**

A certain parcel of land lying in the Northwest Quarter (NW 1/4) of Section 19, Township 1 South, Range 1 East and the Southwest Quarter (SW 1/4) of Section 18, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the North Quarter (N 1/4) corner of said Section 19, and assuming the North line of the NW 1/4 of said Section 19 bears N 89°39'17" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 89°39'17" W along the North line of the NW 1/4 of said Section 19, a distance of 866.64 feet to the POINT OF BEGINNING; thence from said Point of Beginning, S 00°06'43" W a distance of 1324.51 feet, more or less, to a point on the South line of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 19; thence N 89° 39'45" W along said South line, a distance of 460.60 feet, more or less, to a point being the Southwest corner of the NE 1/4 NW 1/4 of said Section 19; thence N 00°06'43" E along the West line of the NE 1/4 NW 1/4 of said Section 19, a distance of 662.39 feet; thence S 89°33'30" E a distance of 60.60 feet; thence N 00°06'43" E along a line 60.60 feet East of and parallel to, the West line of the NE 1/4 NW 1/4 of said Section 19, a distance of 688.28 feet, more or less, to a point on a line 26.00 feet North of and parallel to, the North line of the NW 1/4 of said Section 19; thence N 89°39'17" W along said line, a distance of 400.01 feet; thence N 00°20'43" E a distance of 2.0 feet; thence S 89°39'17" E along a line 28.00 feet North of and parallel to, the North line of the NE 1/4 NW 1/4 of said Section 19, a distance of 800.00 feet; thence S 00°06'43" W a distance of 28.00 feet, more or less, to the Point of Beginning.

CONTAINING 13.360 Acres (581,951 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 7th day of January, 2004, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:30 PM 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 17th day of December, 2003.

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>DATES PUBLISHED</i>
December 19, 2003
December 26, 2003
January 2, 2004
January 9, 2004

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

TOMKINS ANNEXATION

APPROXIMATELY 13.360 ACRES

LOCATED AT 2835 AND 2837 D ROAD

WHEREAS, on the 17th day of December, 2003, 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 4th day of February, 2004; 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:

**TOMKINS ANNEXATION
PERIMETER BOUNDARY LEGAL DESCRIPTION**

A certain parcel of land lying in the Northwest Quarter (NW 1/4) of Section 19, Township 1 South, Range 1 East and the Southwest Quarter (SW 1/4) of Section 18, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the North Quarter (N 1/4) corner of said Section 19, and assuming the North line of the NW 1/4 of said Section 19 bears N 89°39'17" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 89°39'17" W along the North line of the NW 1/4 of said Section 19, a distance of 866.64 feet to the POINT OF BEGINNING; thence from said Point of Beginning, S 00°06'43" W a distance of 1324.51 feet, more or less, to a point on the South line of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 19; thence N 89° 39'45" W along said South line, a distance of 460.60 feet, more or less, to a point being the Southwest

corner of the NE 1/4 NW 1/4 of said Section 19; thence N 00°06'43" E along the West line of the NE 1/4 NW 1/4 of said Section 19, a distance of 662.39 feet; thence S 89°33'30" E a distance of 60.60 feet; thence N 00°06'43" E along a line 60.60 feet East of and parallel to, the West line of the NE 1/4 NW 1/4 of said Section 19, a distance of 688.28 feet, more or less, to a point on a line 26.00 feet North of and parallel to, the North line of the NW 1/4 of said Section 19; thence N 89°39'17" W along said line, a distance of 400.01 feet; thence N 00°20'43" E a distance of 2.0 feet; thence S 89°39'17" E along a line 28.00 feet North of and parallel to, the North line of the NE 1/4 NW 1/4 of said Section 19, a distance of 800.00 feet; thence S 00°06'43" W a distance of 28.00 feet, more of less, to the Point of Beginning.

CONTAINING 13.360 Acres (581,951 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 December, 2003 and ordered published.

ADOPTED on second reading this _____ day of _____, 2004.

Attest:

President of the Council

City Clerk

Attach 5

Setting a Hearing on Rezoning Blue Heron Meadows Located at 2587 G 1/2 Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Blue Heron Meadow Rezone, file # RZ-2003-212						
Meeting Date	December 17, 2003						
Date Prepared	December 3, 2003				File # RZ-2003-212		
Author	Lori V. Bowers			Senior Planner			
Presenter Name	Lori V. Bowers			Senior Planner			
Report results back to Council	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	When	
Citizen Presentation		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No	Name
	<input checked="" type="checkbox"/>	Workshop	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Formal Agenda	<input checked="" type="checkbox"/>
							<input type="checkbox"/>
							Consent
							<input type="checkbox"/>
							Individual Consideration

Summary: A request for approval to rezone 18 acres of land from RSF-2 (Residential single-family, not to exceed 2 units per acre) to RSF-4 (Residential single-family, not to exceed 4 dwelling units per acre) and set the Public Hearing for January 7, 2004.

Budget: N/A

Action Requested/Recommendation: Hold a public hearing and consider final passage of the re-zoning ordinance.

Background Information: See attached Staff Report/Background Information

Attachments:

- 9. Staff report/Background information
- 10. General Location Map
- 11. Aerial Photo
- 12. Growth Plan Map
- 13. Zoning Map
- 14. Zoning Ordinance

BACKGROUND INFORMATION					
Location:		2587 G ½ Road			
Applicants:		Ebe Eslami, owner & developer for Dinosaur Enterprises, Inc. Rolland Engineering, representative			
Existing Land Use:		Single family residence, vacant land, one non-conforming modular unit.			
Proposed Land Use:		Residential subdivision			
Surrounding Land Use:	North	Bookcliff Gardens, vacant land, G ½ Road			
	South	The Estates Subdivision			
	East	Sunpointe North Subdivision			
	West	Wilson Ranch Subdivision			
Existing Zoning:		RSF-2			
Proposed Zoning:		RSF-4			
Surrounding Zoning:	North	B-1			
	South	RSF-2			
	East	RSF-2			
	West	PD 4.4			
Growth Plan Designation:		Residential medium, 4 to 8 du/ac			
Zoning within density range?		X	Yes		No

STAFF ANALYSIS:

1. Background: The property located at 2587 G ½ Road is bounded by The Estates Subdivision on the south; Wilson Ranch Subdivision on the west; G 1/2 Road and Bookcliff Gardens on the north; and the Grand Valley Canal and 8 acres of undeveloped land on the east, known as the Sunpointe North Subdivision. The property was annexed into the City in 2000, as part of the G Road North Annexation. This annexation area consisted of annexing 274 acres of land. The G Road North Enclave had been enclaved since May 7, 1995. Under the 1998 Persigo Agreement with Mesa County, the City is to annex all enclave areas within 5 years.

2. Consistency with the Growth Plan: To be consistent with the Growth Plan, the applicant must request a rezone for their property. The Growth Plan suggests that this property develop within the “Residential Medium” category, which is 4 to 8 dwelling units per acre. The current zoning is RSF-2, (residential single-family, not to exceed 2 dwelling units per acre). The request to rezone to RSF-4, (residential single-family, not to exceed 4 dwelling units per acre), is consistent with the Growth Plan.

3. Consistency with Section 2.6 of the Zoning and Development Code

Rezone requests must meet all of the following criteria for approval:

- a. The existing zoning was in error at the time of adoption.

State law requires the City to zone newly annexed areas within 90 days of the annexation. Since this was such a large area for annexation the area property owners requested that the proposed City zoning be identical with existing Mesa County zoning for enclaves. Therefore the zoning was not in error at the time of adoption. At that time it was noted that the proposed RSF-R and some of the proposed RSF-2 zone districts did not conform to the Growth Plan's Future Land Use Map recommended densities. It was determined at that time that any future development on these properties may include rezoning to higher densities supported by the Growth Plan Future Land Use map. (ANX-2000-114).

- b. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transition, etc.

The character of the neighborhood is changing due to the construction of The Estates Subdivision on the south. Other zone changes are proposed with the further development associated with property near Wilson Ranch. Current growth trends within the City remain constant.

- c. 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 rezone to RSF-4 is within the allowable density range recommended by the Growth Plan. This criterion must be considered in conjunction with criterion “e” 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 RSF-4 zone district, therefore this criterion is met.

- d. 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 does conform with the goals and policies of the Growth Plan and the requirements of the Zoning and Development Code.

- e. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development

Adequate public facilities are currently available and can address the impacts of development consistent with the RSF-4 zone district.

The Paradise Hills interceptor sewer line runs through the site. An eight inch water line can be looped through the site from the existing stubs from the northwest in Wilson Ranch to the south in The Estates Subdivision. Storm water from the site all drains to Leach Creek, which runs along the western boundary of the property. Irrigation water is available from the Grand Valley Irrigation Company. Road improvements to G ½ Road as well as 26 Road have been discussed regarding future impact from additional traffic.

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

The re-zoning request is to accommodate the Growth Plan/Future Land Use Map. It was always the intent to re-zone the property upon future development, not based on the availability of other land supplies.

- g. The community or neighborhood will benefit from the proposed zone.

The proposed zoning change will allow the property to be developed at a density that will support its infrastructure needs and the natural geographic constraints of the property. The property is situated only 3 miles directly north of the core of the City, and

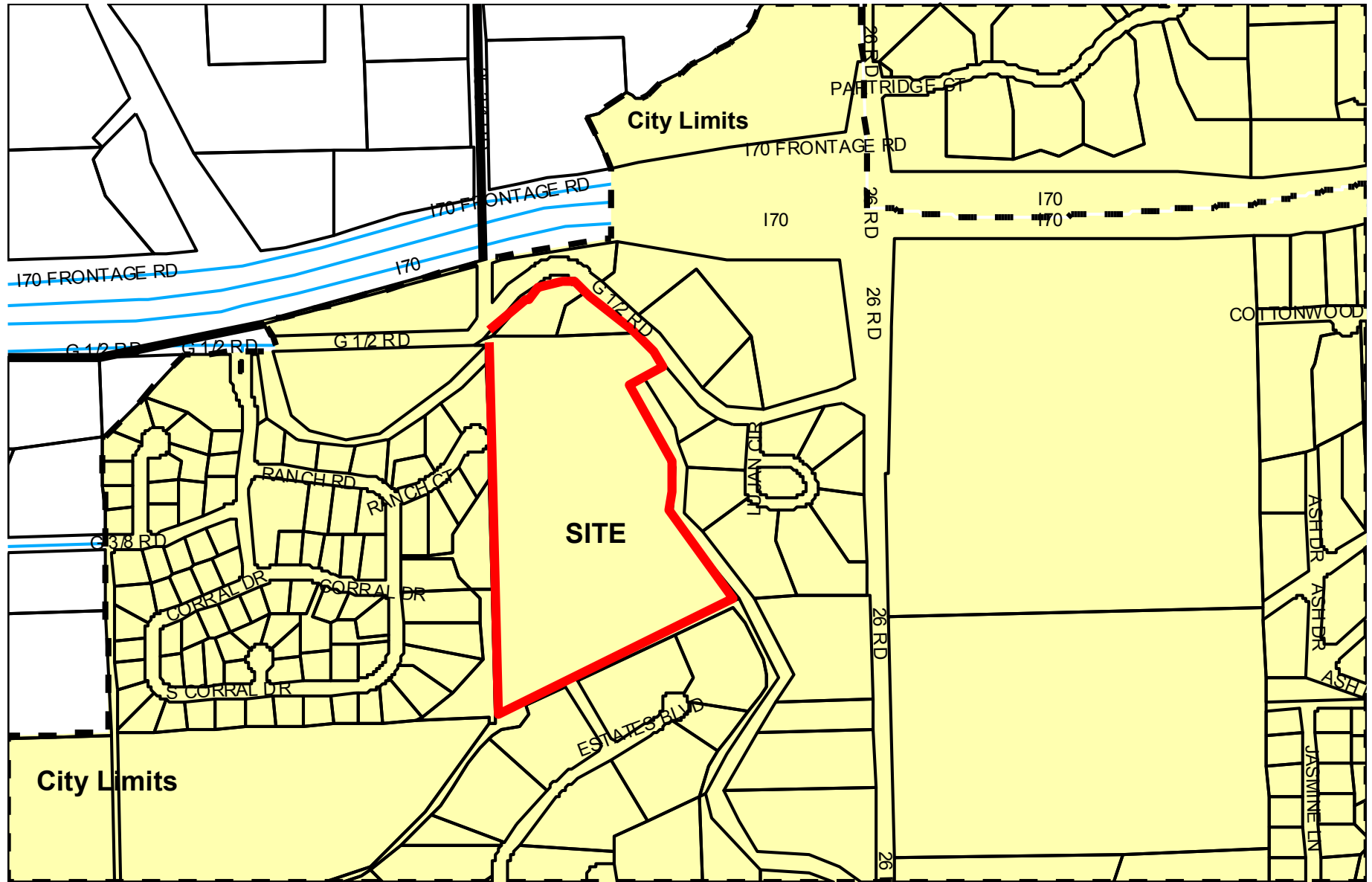
promotes the desire for compact and fiscally responsible development patterns.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission at their regularly scheduled meeting of November 25th, 2003, recommended to City Council the zoning designation of RSF-4, finding it consistent with the Growth Plan, the Persigo Agreement and Sections 2.14 and 2.6 of the Zoning and Development Code.

Site Location Map

Figure 1



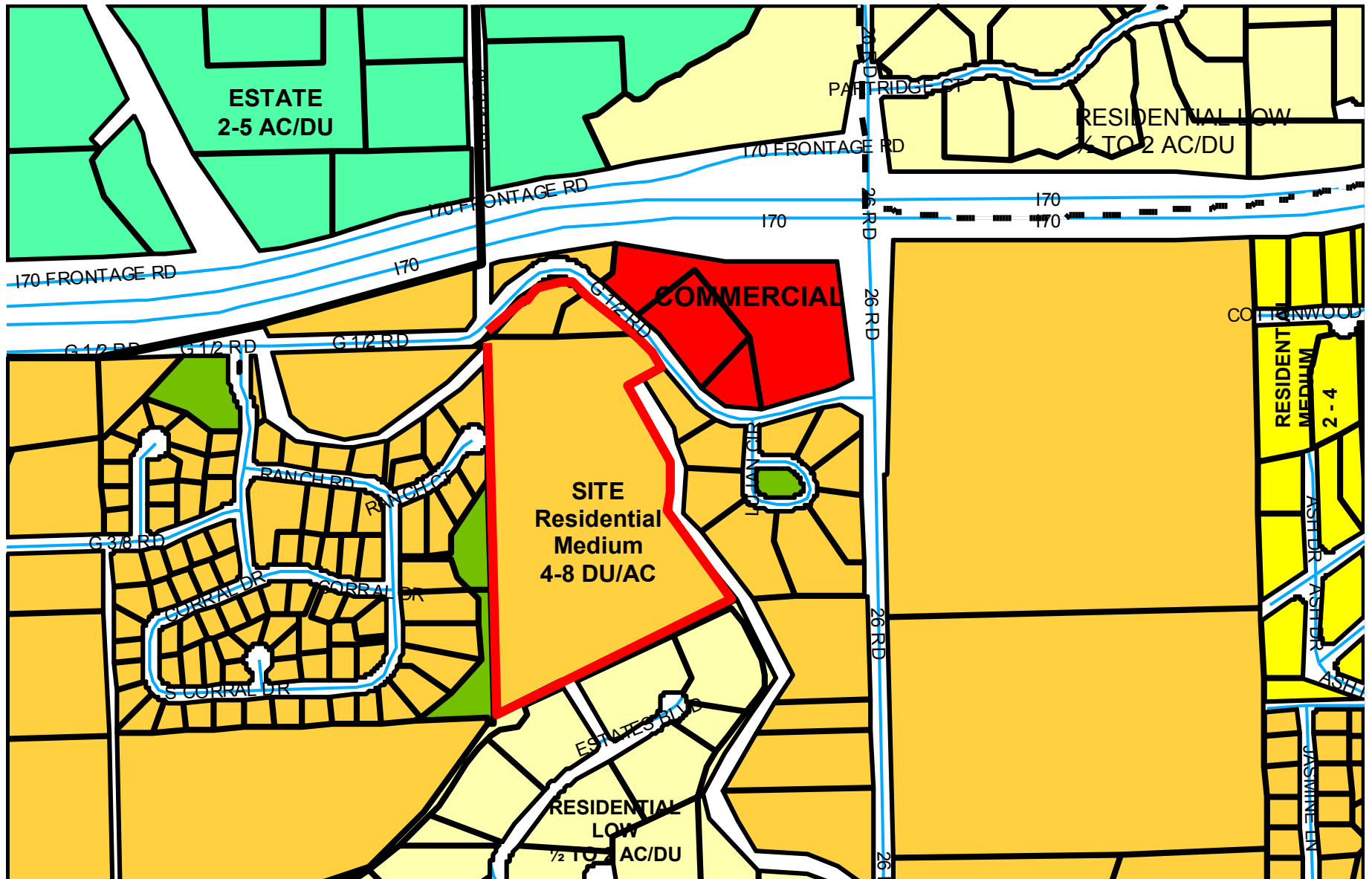
Aerial Photo Map

Figure 2



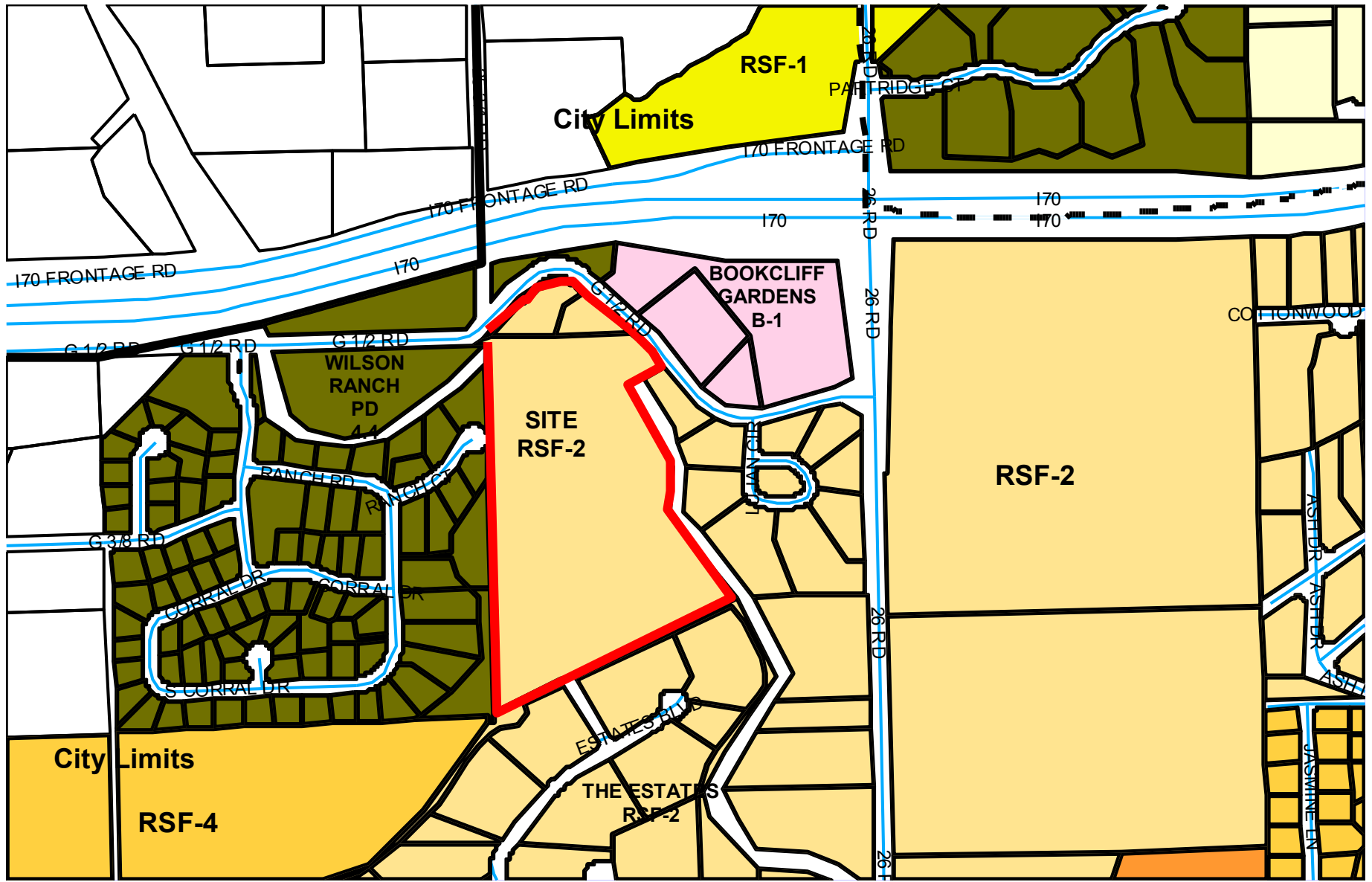
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



CITY OF GRAND JUNCTION, COLORADO
Ordinance No. _____
AN ORDINANCE ZONING BLUE HERON MEADOWS,
18 ACRES OF LAND LOCATED AT 2587 G ½ ROAD

Recitals.

A rezone from the Residential Single Family - 2 (RSF-2) district to the Residential Single Family - 4 (RSF-4) district has been requested for the properties located at 2587 G ½ Road for purposes of developing a residential subdivision. The City Council finds that the request meets the goals and policies and future land use set forth by the *Growth Plan* (Residential medium, 4 to 8 dwelling units per acre). City Council also finds that the requirements for a rezone as set forth in Section 2.6 of the Zoning and Development Code have been satisfied.

The Grand Junction Planning Commission, at its November 25th, 2003 hearing, recommended approval of the rezone request from the RSF-2 district to the RSF-4 district.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE PARCEL(S) DESCRIBED BELOW IS HEREBY ZONED TO THE RESIDENTIAL SINGLE FAMILY, NOT TO EXCEED 4 DWELLING UNITS PER ACRE (RSF-4) DISTRICT:

Beginning at a point on the North line of the NE1/4 SE1/4 of Section 34, Township 1 North, Range 1 West of the Ute Meridian, 940.3 feet West of the Northeast corner thereof, thence South 29° 40 minutes East 373 feet;
thence South 18 ° 45' East 175 feet;
thence South 10°20' West 165 feet;
thence South 39°00' East 182 feet;
thence South 48°30' East 167 feet;
thence South 66°30' West 916 feet to the West line of said Section 34;
thence North 0°21' West 1219 feet;
thence North 45°00' East 70 feet to the North line of the NE1/4 SE1/4 of said Section 34;
thence East along the North line of the NE1/4 SE1/4 to the Point of Beginning.

Also, beginning at a point on the North line of the NE1/4 SE1/4 Section 34, Township 1 North, Range 1 West, Ute Meridian, 886.3 feet West of the Northeast corner thereof; thence Southeasterly along the Easterly right-of-way line of the Grand Valley Canal 182.7 feet;
thence North 67°10' East 123 feet;
thence North 34°45' West 115 feet;
thence North 48°54' West to the North line of the NE1/4 SE1/4 of said Section 34; thence West along the North line of said NE1/4 SE1/4 121 feet to the Point of beginning.

And all that part of the following described property lying South of the centerline of the Grand Valley Irrigation Canal (Highline Canal):

A parcel of land situated in the SE1/4 NE1/4 of Section 34, Township 1 North Range 1 West of the Ute Meridian, more particularly described as follows:

Beginning at the Southwest corner of said SE1/4 NE1/4 Section 34;
thence North 90°00' East 239.50 feet to the centerline of Leach Creek;
thence North 20°30'04" East along said centerline 103.94 feet;
thence North 55°42'53" East along said centerline 206.18 feet;
thence North 04°18'03" East along said centerline 104.14 feet to the intersection point of said centerline and the Southerly right-of-way of U.S. Interstate 70:
thence along the arc of a curve to the left 394.14 feet (the chord of which bears South 82°45'20" West 393.78 feet);
thence South 76°39'49" West 64.93 feet to a point on the West line of said SE1/4 NE1/4 Section 34;
thence leaving said Southerly right-of-way line South 00°33'31" West 252.74 feet to the Point of Beginning.

AND all that part of the SE1/4 NE1/4 of Section 34, Township 1 North, Range 1 West of the Ute Meridian, lying South of the County Road and East of the Wash.

TOGETHER WITH an ingress/egress easement over and across Lot 7 in Block 2 of WILSON RANCH FILING NO. FOUR as shown on the recorded Plat of said Subdivision, and as further set forth in Correction recorded October 28, 1997 in Book 2371 at Page 99.

Uses Permitted:

Those associated with the RSF-4 zoning district.

INTRODUCED for FIRST READING and PUBLICATION this 17th day of December, 2003.
PASSED on SECOND READING this _____ day of _____, 200*.

ATTEST:

City Clerk

President of Council

Attach 6

Setting a Hearing Zoning Gowhari Annexation Located at 563 20 1/2 Road, 573 20 1/2 Road and 2026 S. Broadway

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Zoning the Gowhari Annexation, located at 563 20 1/2 Rd, 573 20 1/2 Rd; 2026 S. Broadway.						
Meeting Date	December 17, 2003						
Date Prepared	December 10, 2003			File #GPA-2003-183			
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		X	Consent	Individual Consideration

Summary: Introduction of a proposed zoning ordinance to zone the Gowhari Annexation consisting of 25.103 acres and 3 parcels, located at 563 20 1/2 Rd, 573 20 1/2 Rd; 2026 S. Broadway.

Budget: N/A

Action Requested/Recommendation: Introduce a proposed zoning ordinance and set a public hearing for January 7, 2003.

Background Information: See attached Staff Report/Background Information

Attachments:

- 15. Staff report/Background information
- 16. General Location Map
- 17. Aerial Photo
- 18. Growth Plan Map
- 19. Zoning Map
- 20. Annexation map
- 21. Zoning Ordinance

STAFF REPORT/BACKGROUND INFORMATION			
Location:		563 20 ½ Rd; 573 20 ½ Rd; 2026 S. Broadway	
Applicants:		Owner: Elizabeth Gowhari; Representative: Thompson-Langford – Doug Thies	
Existing Land Use:		Irrigated pasture and Single Family Homes	
Proposed Land Use:		Future residential uses	
Surrounding Land Use:	North	Single Family Residential average 5 acre lots	
	South	Single Family Residential .25 to 1 acre lots	
	East	Single Family Residential .25 to 1+ acre lots	
	West	New church site and residential	
Existing Zoning:		RSF-2: 2 du/ac (Mesa County)	
Proposed Zoning:		RSF-2	
Surrounding Zoning:	North	RSF-2 (Mesa County)	
	South	PD/RSF-4 (Mesa County)	
	East	RSF-2 (Mesa County)	
	West	RSF-R (City) & RSF-2 (Mesa County)	
Growth Plan Designation:		Residential Low ½ -2 ac/du	
Zoning within density range?		X	Yes
			No

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the RSF-2 district is consistent with the Growth Plan density of Residential Low ½ -2 ac/du. The existing County zoning is RSF-2. Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

In order for the rezoning to occur, the following questions must be answered and a finding of consistency with the Zoning and Development Code must be made per Section 2.6 as follows:

1. The existing zoning was in error at the time of adoption;

Response: The requested zoning is to place the property into an appropriate City zoning designation due to the annexation request. Therefore, this criteria is not applicable.

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.;

Response: The zoning request is in conjunction with an annexation request. Therefore this criteria is not applicable.

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 nuisances;

Response: The zoning request is compatible with the neighborhood and adjacent zoning. Future improvements to facilities will occur as part of any approved future development.

4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and policies, the requirements of this Code, and other City regulations and guidelines;

Response: The proposed zoning is consistent with the Goals and policies of the Growth Plan, the 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;

Response: Adequate public facilities are available or will be supplied at the time of further development of the property.

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

Response: The zoning request is in conjunction with an annexation request. Therefore this criteria is not applicable.

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

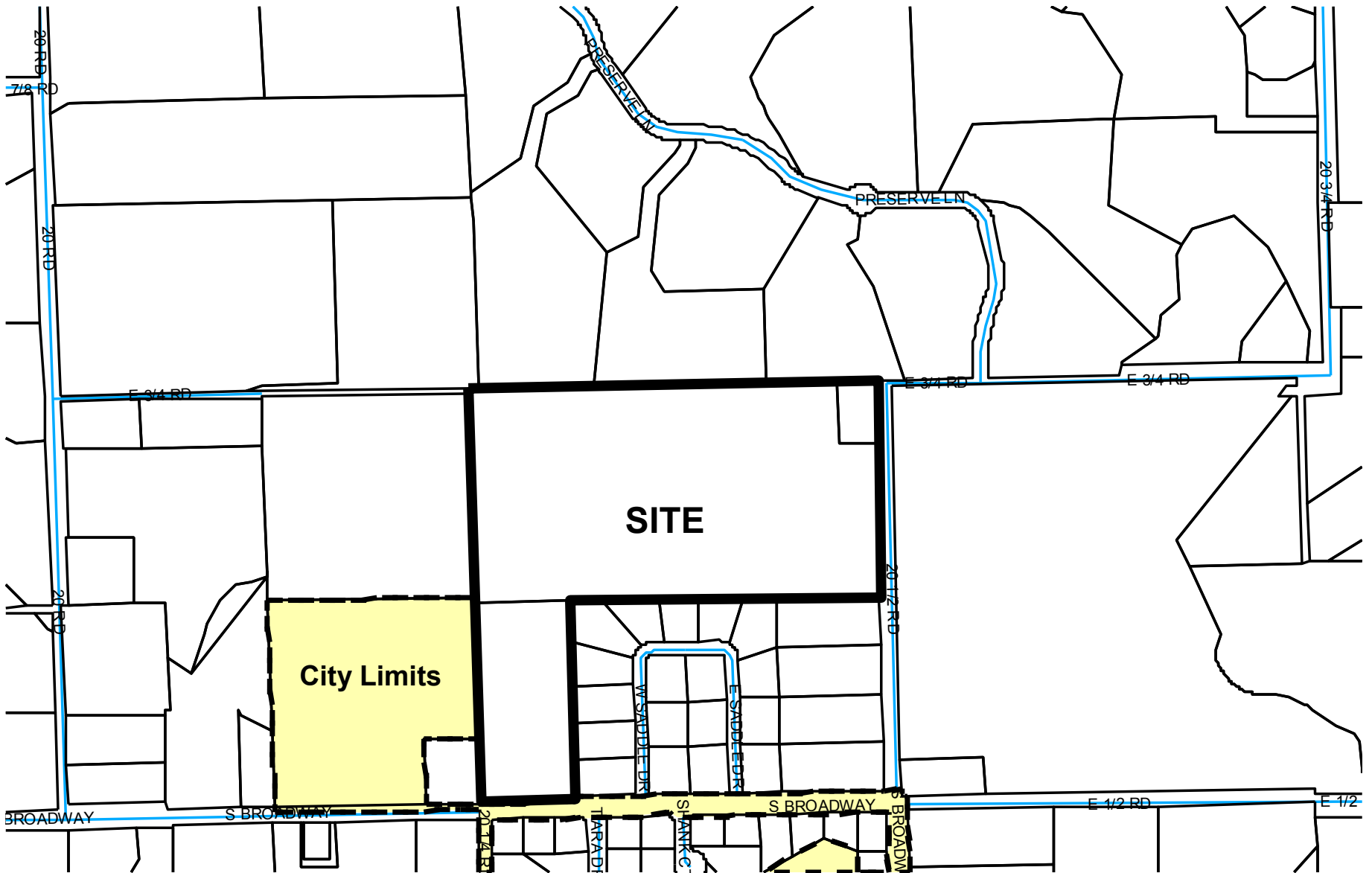
Response: The zoning request is in conjunction with an annexation request. Therefore this criteria is not applicable.

STAFF RECOMMENDATION

Staff recommends approval of the RSF-2 zone district, with the finding that the proposed zone district is consistent with the Growth Plan and with Sections 2.6 and 2.14 of the Zoning and Development Code.

Site Location Map

Figure 1



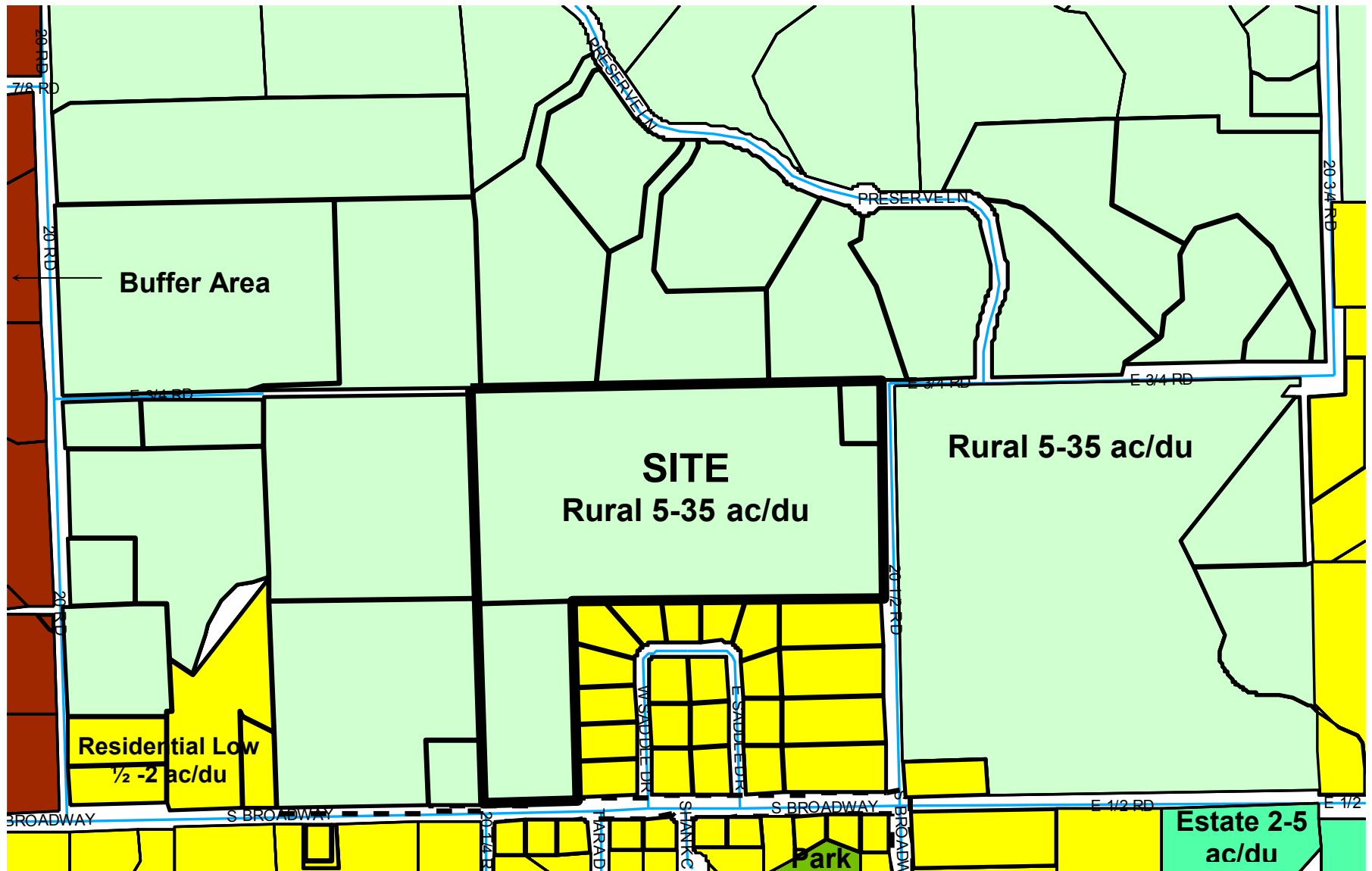
Aerial Photo Map

Figure 2



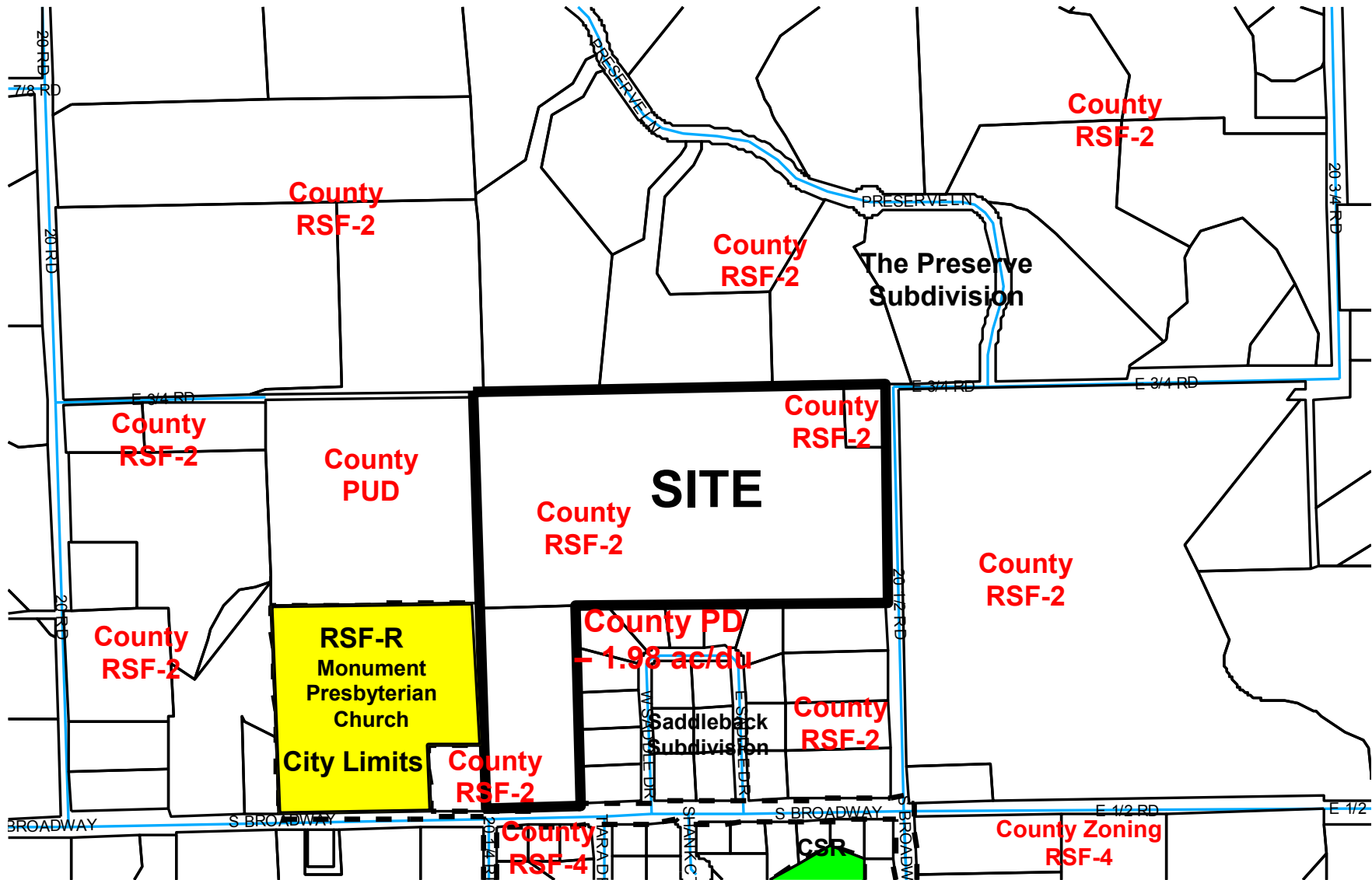
Future Land Use Map

Figure 3



Existing City and County Zoning

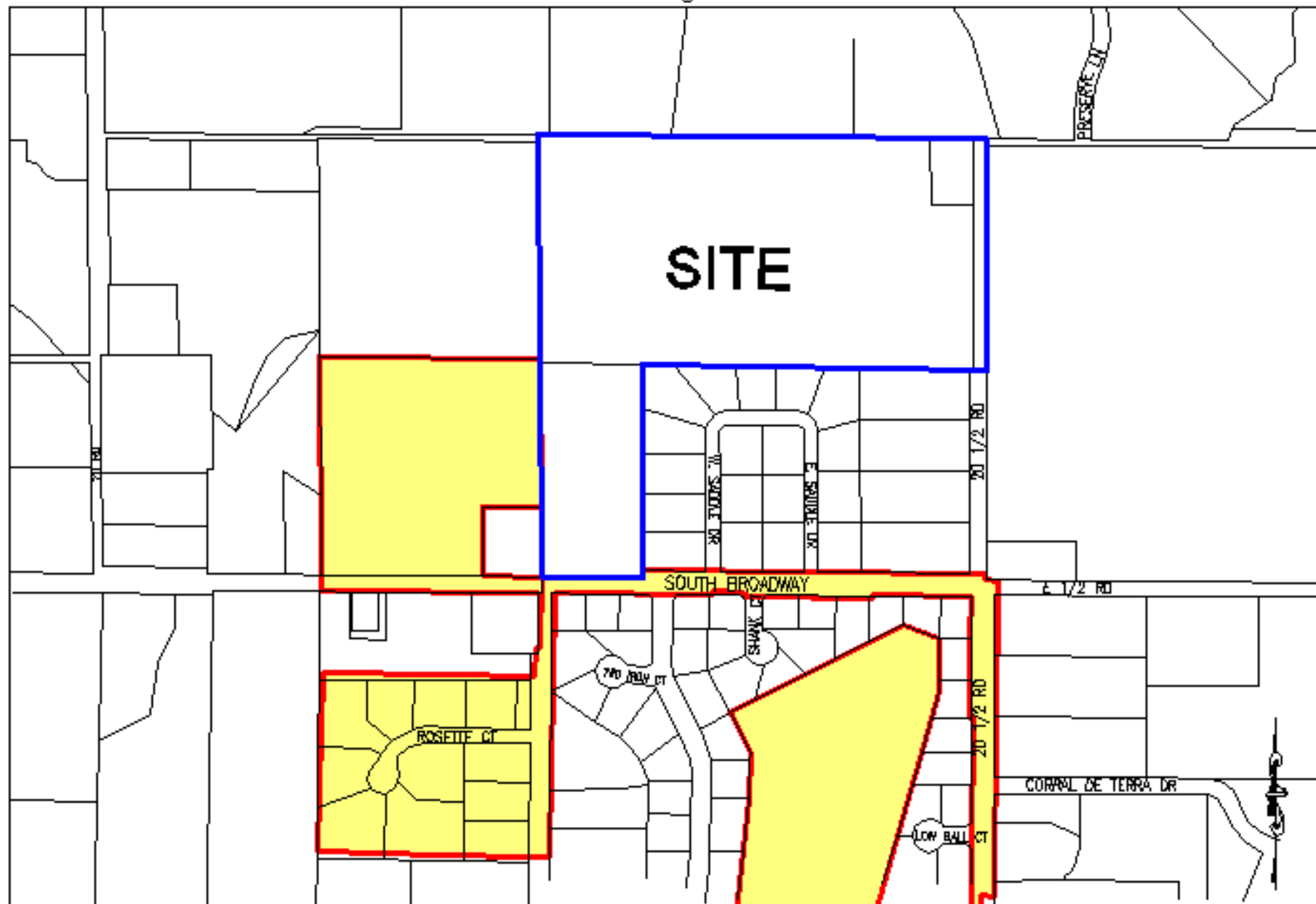
Figure 4



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

Gowhari Annexation

Figure 5



 City Limits  Annexation Boundary

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE GOWHARI ANNEXATION TO
RSF-2**

LOCATED AT 563 20 ½ Rd; 573 20 ½ Rd; 2026 S. Broadway

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 Gowhari Annexation to the RSF-2 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 land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-2 zone district be established.

The Planning Commission and City Council find that the RSF-2 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 RSF-2 with a density not to exceed 2 units per acre.

GOWHARI ANNEXATION

A certain parcel of land lying in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) and the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) of Section 22, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Southwest corner of the SE 1/4 NW 1/4 of said Section 22, and assuming the South line of the SE 1/4 NW 1/4 of said Section 22 bears N 89°40'40" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°56'27" W along the West line of the SE 1/4 NW 1/4 of said Section 22 a distance of 20.00 feet to a point on the North right of way for South Broadway and the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°56'27" W along the West line of the SE 1/4 NW 1/4 of said Section 22, a distance of 1310.96 feet, more or less, to a point being the Northwest corner of the SE 1/4 NW 1/4 of said Section 22 and being the Northwest corner of Gowhari Minor Subdivision, as same is recorded in Plat Book 18, Page 129 of the Public Records of Mesa County, Colorado; thence N 89°35'06" E along the North line of the SE 1/4 NW 1/4 of said Section 22, and the North line of said

Gowhari Minor Subdivision, a distance of 1306.37 feet, more or less, to a point being the Northeast corner of the SE 1/4 NW 1/4 of said Section 22; thence N 89°35'28" E along the North line of the SW 1/4 NE 1/4 of said Section 22, a distance of 20.00 feet; thence S 00°53'16" E along a line 20.00 feet East of and parallel to the West line of the SW 1/4 NE 1/4 of said Section 22, being the East right of way for 20-1/2 Road, a distance of 686.71 feet, more or less, to a point on the Easterly extension of the North line of Saddleback Subdivision, as same is recorded in Plat Book 14, Page 140, Public Records of Mesa County, Colorado; thence S 89°59'40" W along the North line of said Saddleback Subdivision, a distance of 1026.57 feet, more or less, to a point being the Northwest corner of said Saddleback Subdivision; thence S 00°53'16" E along the West line of said Saddleback Subdivision, a distance of 632.08 feet, more or less, to a point on the North right of way for South Broadway; thence S 89°40'40" W along the said North right of way, being a line 20.00 feet North of and parallel to, the South line of the SE 1/4 NW 1/4 of said Section 22, a distance of 298.67 feet, more or less, to the Point of Beginning.

CONTAINS 25.103 Acres (1,093,505 Sq. Ft.) more or less, as described.

Introduced on first reading this 17th day of December, 2003 and ordered published.

Adopted on second reading this _____ day of _____, 2003.

Mayor

ATTEST:

City Clerk

Attach 7

Setting a Hearing for the Bogart Annexation Located at 563 22 ½ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Setting a hearing for the Bogart Annexation located at 563 22 ½ Road						
Meeting Date	December 17, 2003						
Date Prepared	December 8, 2003				File #ANX-2003-254		
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		X	Consent	Individual Consideration

Summary: Resolution referring a petition for annexation and introduction of a proposed ordinance. The 4.791 acre Bogart Annexation consists of a 1.409 acre parcel and 3.382 acres within the right-of way. The Bogart Annexation is a part of a development proposal to split the property into 2 lots.

Budget: N/A

Action Requested/Recommendation: Approval of the Resolution of Referral, accepting the Bogart Annexation petition and introduce the proposed Bogart Annexation Ordinance, exercise land use jurisdiction immediately and set a hearing for February 4, 2004.

Background Information: See attached Staff Report/Background Information

Attachments:

- 22. Staff report/Background information
- 23. General Location Map
- 24. Aerial Photo
- 25. Growth Plan Map
- 26. Zoning Map
- 27. Annexation map
- 28. Resolution Referring Petition
- 29. Annexation Ordinance

STAFF REPORT / BACKGROUND INFORMATION				
Location:		563 22 ½ Rd		
Applicants:		Jack Bogart		
Existing Land Use:		1 single family house		
Proposed Land Use:		Simple subdivision to build 1 additional house		
Surrounding Land Use:	North	Single Family Residential 1 du/1.33 ac avg. +/-		
	South	2 single family homes on 2 lots totaling 4.75 ac +/-		
	East	Single Family Residential 1 du/1.25 ac avg. +/-		
	West	Single Family Residential ½ ac lots avg. +/-		
Existing Zoning:		RSF-4 (Mesa County)		
Proposed Zoning:		RSF-4 (City)		
Surrounding Zoning:	North	RSF-4 (Mesa County)		
	South	RSF-4 (Mesa County)		
	East	RSF-4 (Mesa County)		
	West	RSF-4 (Mesa County)		
Growth Plan Designation:		Residential Medium Low 2-4 du/ac		
Zoning within density range?		X	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of 4.791 acres and is comprised of a 1.409 acre parcel and 3.382 acres within right-of way. The property owners have requested annexation into the City as the result of wanting to subdivide the property into 2 lots. Under the 1998 Persigo Agreement all subdivisions require annexation and processing in the City.

It is staff's 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 Bogart 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.

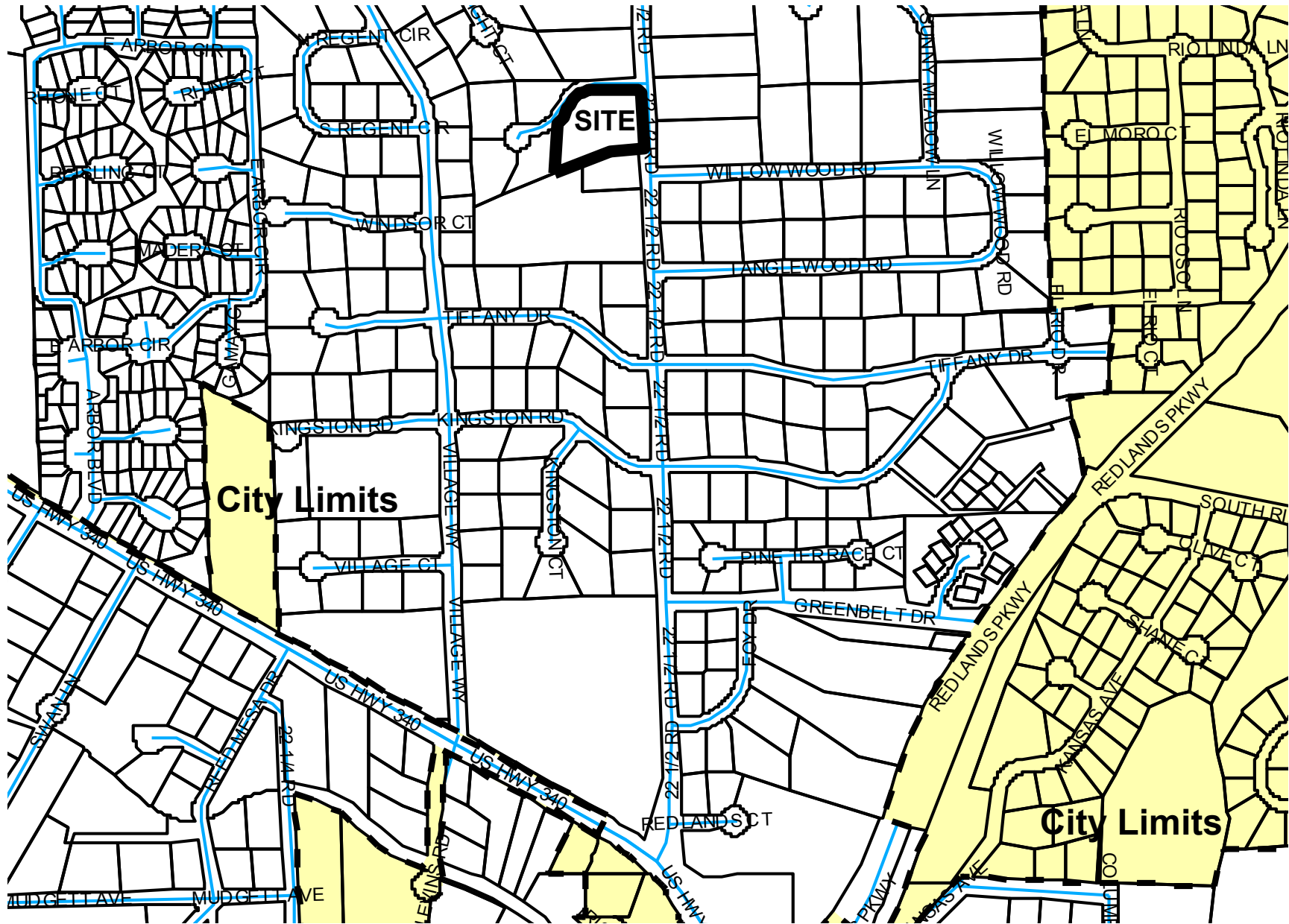
<u>ANNEXATION SCHEDULE</u>	
December 17, 2003	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
January 13, 2004	Planning Commission considers Zone of Annexation
January 21, 2004	Introduction Of A Proposed Ordinance on Zoning by City Council
February 4, 2004	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
March 7, 2004	Effective date of Annexation and Zoning

<NAME> ANNEXATION SUMMARY

File Number:	ANX-2003-254	
Location:	563 22 ½ Rd	
Tax ID Number:	2945-072-20-011	
Parcels:	1	
Estimated Population:	2	
# of Parcels (owner occupied):	1	
# of Dwelling Units:	1	
Acres land annexed:	1.409	
Developable Acres Remaining:	1 acres +/-	
Right-of-way in Annexation:	3.382 acres	
Previous County Zoning:	RSF-4	
Proposed City Zoning:	RSF-4	
Current Land Use:	1 single family house	
Future Land Use:	Residential Medium Low 2-4 du/ac	
Values:	Assessed:	= \$22,290
	Actual:	= \$280,110
Address Ranges:	563 22 ½ Rd	
Special Districts:	Water:	Ute Water
	Sewer:	City of Grand Junction
	Fire:	Grand Junction Rural Fire District
	Irrigation/Drainage:	Redlands Water & Power
	School:	Mesa County School District #51
	Pest:	Redlands Mosquito Control District

Site Location Map

Figure 1



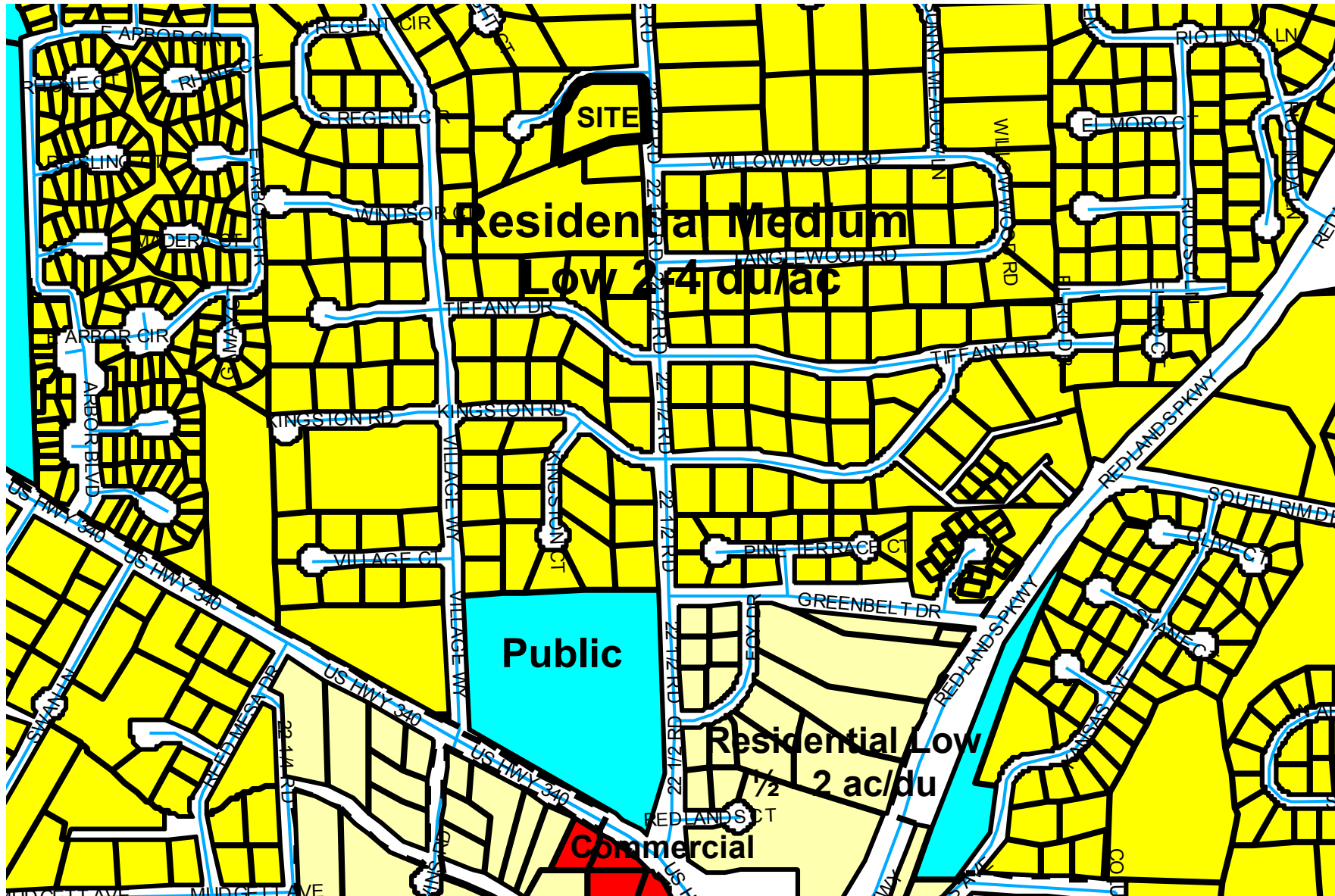
Aerial Photo Map

Figure 2



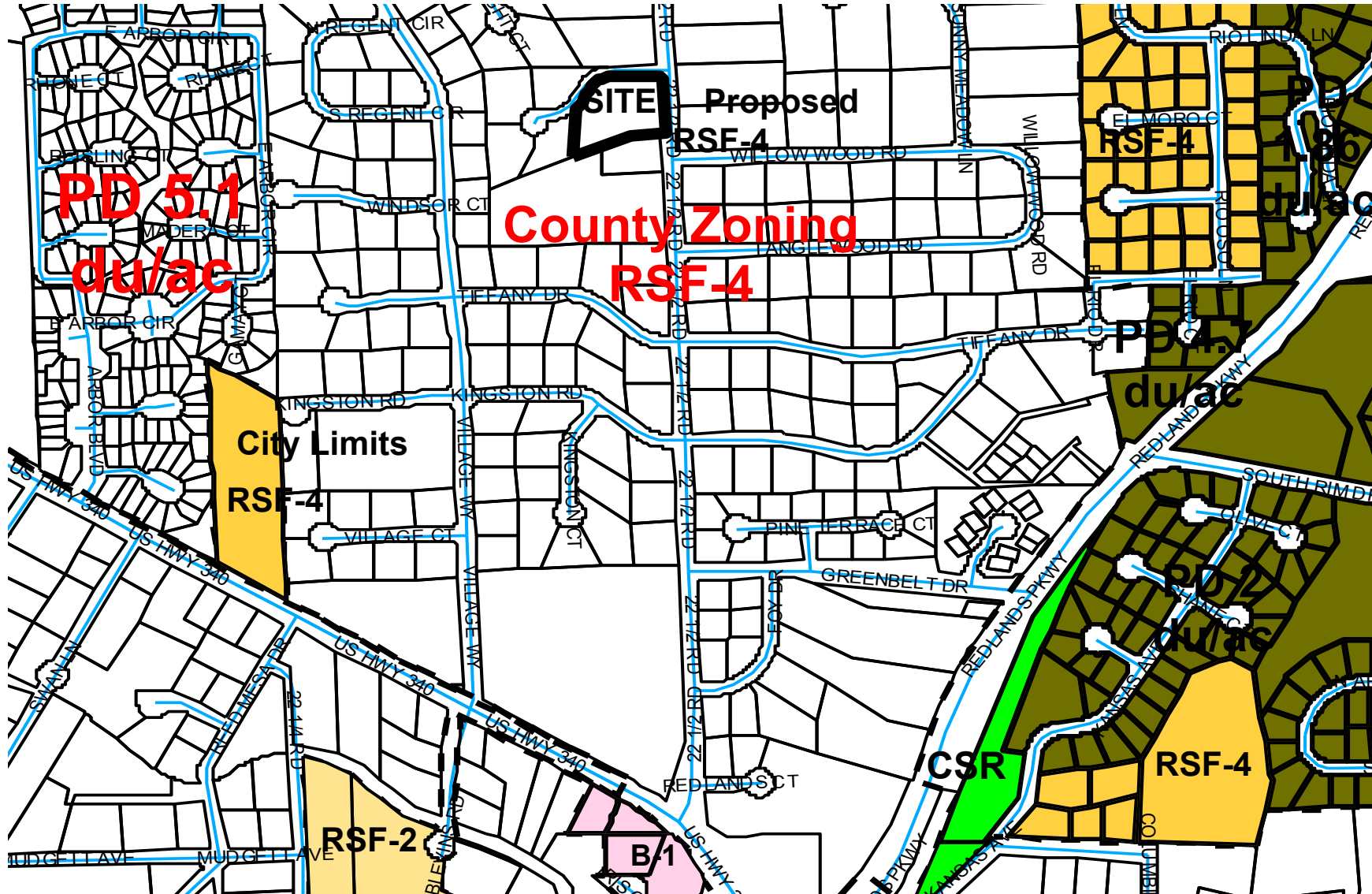
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

Bogart Annexation Figure 5



 City Limits  Annexation Boundary

**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 17th of December, 2003, 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**

BOGART ANNEXATION

**LOCATED AT 563 22 ½ ROAD AND INCLUDING A PORTION OF THE 22 ½ ROAD AND
HWY 340 RIGHTS-OF-WAY**

WHEREAS, on the 17th day of December, 2003, 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:

BOGART ANNEXATION

A certain parcel of land lying in 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 Southwest corner of Lot 2, Block 5, Plat 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 assuming the East line of the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of said Section 7 bears N 00°48'00" W with all other bearings contained herein being referenced thereto; thence from said Point of Commencement, S 00°43'52" E along a line being the Southerly extension of the West line of said Vineyard Filing No. One, a distance of 9.40 feet to the POINT OF BEGINNING; thence from said Point of Beginning, S 59°01'04" E along a line 8.00 feet South of and parallel to, the Northerly 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 2207.87 feet; thence N 30°58'56" E, a distance of 8.00 feet to a point on the Northerly right of way for said Highway 340 (Broadway), being the beginning of a 820.65 foot radius curve, concave Southwest, whose long chord bears S 54°54'34" E with a long chord length of 153.73 feet; thence Southeasterly 153.96 feet along the arc of said curve, through a central angle of 10°44'56"; thence N 16°41'00" E along the West right of way for 22-1/2 Road, a distance of 220.95 feet; thence N 00°28'40" W along a line 50.00 feet West of and parallel to, the East line of the Southwest Quarter (SW 1/4) of said Section 7, being the West right of way for said 22 1/2 Road, a distance of 1757.35 feet, more or less, to a point being the Northeast corner of Lot 2, Block 3, Redlands Village Filing No. 1, as same is recorded in Plat Book 9, Page 205, Public Records of Mesa County, Colorado; thence N 89°59'00" E, a distance of 50.00 feet to a point on the East line of the Northwest Quarter (NW 1/4) of said Section 7; thence N 00°28'40" W along said East line, a distance of

383.00 feet to a point on the Easterly extension of the South line of Lot 5, Plat of Mountain Acres, as same is recorded in Plat Book 13, Page 22, Public Records of Mesa County, Colorado; thence S 89°59'00" W along the South line of said Lot 5, a distance of 140.00 feet; thence S 69°35'00" W along said South line, a distance of 210.64 feet, more or less, to a point being the Southwest corner of said Lot 5; thence N 06°00'00" E along the West line of said Lot 5, a distance of 171.55 feet to a point on the South right of way for Perona Court, being the beginning of a 120.00 foot radius curve, concave Northwest, whose long chord bears N 37°00'16" E with a long chord length of 27.62 feet; thence Northeasterly 27.68 feet along the arc of said curve, through a central angle of 13°12'57"; thence N 30°23'47" E along said South right of way, a distance of 52.00 feet to a point being the beginning of a 80.00 foot radius curve, concave Southeast, whose long chord bears N 60°23'47" E with a long chord length of 80.00 feet; thence Northeasterly 83.78 feet along the arc of said curve, through a central angle of 60°00'00"; thence S 89°36'13" E along the North line of said Lot 5, being the South right of way for said Perona Court, a distance of 215.31 feet to a point on the East right of way for said 22-1/2 Road; thence S 00°28'40" E, along the East right of way for said 22-1/2 Road, being a line 10.00 feet East of and parallel to, the East line of the NW 1/4 and SW 1/4 of said Section 7, a distance of 2630.60 feet to a point on the Northerly right of way for said Colorado Highway 340 (Broadway), as same is described in Book 2548, Page 562, Public Records of Mesa County, Colorado; thence N 59°27'15" W, a distance of 147.62 feet to a point being the beginning of a 818.65 foot radius curve, concave Southwest, whose long chord bears N 54°50'28" W with a long chord length of 151.41 feet; thence Northwesterly 151.63 feet along the arc of said curve, through a central angle of 10°36'43"; thence S 30°58'56" W, a distance of 8.04 feet; thence N 59°01'04" W, along a line 10.00 feet South of and parallel to, the Northerly right of way for said Colorado Highway 340 (Broadway), a distance of 2208.64 feet; thence N 00°43'52" W, a distance of 2.35 feet, more or less, to the Point of Beginning.

CONTAINING 4.791 Acres (208,715 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:

3. That a hearing will be held on the 4th day of February, 2004, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:30 PM 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.

4. 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 17th day of December, 2003.

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>DATES PUBLISHED</i>
December 19, 2003
December 26, 2003
January 2, 2004
January 9, 2004

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

BOGART ANNEXATION

APPROXIMATELY 4.791 ACRES

**LOCATED AT 563 22 ½ ROAD AND INCLUDING A PORTION OF THE 22 ½ ROAD AND
HWY 340 RIGHTS-OF-WAY**

WHEREAS, on the 17th day of December, 2003, 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 4th day of February, 2004; 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:

BOGART ANNEXATION

A certain parcel of land lying in 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 Southwest corner of Lot 2, Block 5, Plat 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 assuming the East line of the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of said Section 7 bears N 00°48'00" W with all other bearings contained herein being referenced thereto; thence from said Point of Commencement, S 00°43'52" E along a line being the Southerly extension of the West line of said Vineyard Filing No. One, a distance of 9.40 feet to the POINT OF BEGINNING; thence from said Point of Beginning, S 59°01'04" E along a line 8.00 feet South of and parallel to, the Northerly 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 2207.87 feet; thence N 30°58'56" E, a distance of 8.00 feet to a point on the Northerly right of way for said Highway 340 (Broadway), being the beginning of a 820.65 foot radius curve, concave Southwest, whose long chord bears S 54°54'34" E with a long chord length of 153.73 feet; thence Southeasterly 153.96 feet along the arc of said curve, through a central angle of 10°44'56"; thence N 16°41'00" E along the West right of way for 22-1/2 Road, a distance of 220.95 feet; thence N 00°28'40" W along a line 50.00 feet West of and parallel to, the East line of the Southwest Quarter (SW 1/4) of said Section 7, being the West right of way for said 22 1/2 Road, a distance of 1757.35 feet, more or less, to a point being the Northeast corner of Lot 2, Block 3, Redlands Village Filing No. 1, as same is recorded in Plat Book 9, Page 205, Public Records of Mesa County, Colorado; thence N 89°59'00" E, a distance of 50.00 feet to a point on the East line of the Northwest Quarter (NW 1/4) of said Section 7; thence N 00°28'40" W along said East line, a distance of 383.00 feet to a point on the Easterly extension of the South line of Lot 5, Plat of Mountain Acres, as same is recorded in Plat Book 13, Page 22, Public Records of Mesa County, Colorado; thence S 89°59'00" W along the South line of said Lot 5, a distance of 140.00 feet; thence S 69°35'00" W along said South line, a distance of 210.64 feet, more or less, to a point being the Southwest corner of said Lot 5; thence N 06°00'00" E along the West line of said Lot 5, a distance of 171.55 feet to a point on the South right of way for Perona Court, being the beginning of a 120.00 foot radius curve, concave Northwest, whose long chord bears N 37°00'16" E with a long chord length of 27.62 feet; thence Northeasterly 27.68 feet along the arc of said curve, through a central angle of 13°12'57"; thence N 30°23'47" E along said South right of way, a distance of 52.00 feet to a point being the beginning of a 80.00 foot radius curve, concave Southeast, whose long chord bears N 60°23'47" E with a long chord length of 80.00 feet; thence Northeasterly 83.78 feet along the arc of said curve, through a central angle of 60°00'00"; thence S 89°36'13" E along the North line of said Lot 5, being the South right of way for said Perona Court, a distance of 215.31 feet to a point on the East right of way for said 22-1/2 Road; thence S 00°28'40" E, along the East right of way for said 22-1/2 Road, being a line 10.00 feet East of and parallel to, the East line of the NW 1/4 and SW 1/4 of said Section 7, a distance of 2630.60 feet to a point on the Northerly right of way for said Colorado Highway 340 (Broadway), as same is described in Book 2548, Page 562, Public Records of Mesa County, Colorado; thence N 59°27'15" W, a distance of 147.62 feet to a point being the beginning of a 818.65 foot radius curve, concave Southwest, whose long chord bears N 54°50'28" W with a long chord length of 151.41 feet; thence Northwesterly 151.63 feet along the arc of said curve, through a central angle of 10°36'43"; thence S 30°58'56" W, a distance of 8.04 feet; thence N 59°01'04" W, along a line 10.00 feet South of and parallel to, the Northerly right of way for said Colorado Highway 340 (Broadway), a distance of 2208.64 feet; thence N 00°43'52" W, a distance of 2.35 feet, more or less, to the Point of Beginning.

CONTAINING 4.791 Acres (208,715 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 17th day of December, 2003 and ordered published.

ADOPTED on second reading this 4th day of February, 2004.

Attest:

President of the Council

City Clerk

Attach 8

Setting a Hearing on Vacating ROW on the Files Property Located at 631 26 1/2 Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA								
Subject		Setting a Hearing for the Vacation of a 30' right-of-way located west of 26 1/2 Road – 631 26 1/2 Road						
Meeting Date		December 17, 2003						
Date Prepared		December 11, 2003			File # VR-2003-227			
Author		Scott D. Peterson		Associate Planner				
Presenter Name		Scott D. Peterson		Associate Planner				
Report results back to Council		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	When	
Citizen Presentation		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Yes	No	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	
Workshop		<input checked="" type="checkbox"/>	Formal Agenda			<input checked="" type="checkbox"/>	Consent	Individual Consideration

Summary: The petitioners, City of Grand Junction and the current property owners, Shirley Howard, Donald Files & Robert Files, wish to vacate an existing 30' right-of-way located west of 26 1/2 Road, between the platted right-of-ways of F 1/2 Road and North Acres Road that was originally dedicated in 1969 but due to a legal description error, was incorrectly conveyed. The only utility that is located in this right-of-way is a sanitary sewer line that will be covered by the recording of a 20' Public Utilities Easement. The proposed vacation has never been utilized or constructed as a road right-of-way. The Planning Commission recommended approval at its December 16th, 2003 meeting.

Budget: N/A

Action Requested/Recommendation: First reading of the ordinance and set hearing for January 7, 2004.

Attachments:

- 30. Staff Report/Background Information
- 31. Site Location Map
- 32. Aerial Photo
- 33. Growth Plan Map
- 34. Existing Zoning Map
- 35. Ordinance & Exhibit A

STAFF REPORT/BACKGROUND INFORMATION			
Location:		631 26 ½ Road	
Applicant:		City of Grand Junction	
Existing Land Use:		Single Family Residential	
Proposed Land Use:		N/A	
Surrounding Land Use:	North	Single Family Residential	
	South	Single Family Residential	
	East	Single Family Residential	
	West	Single Family Residential	
Existing Zoning:		Residential Single Family – 1 (RSF-1)	
Proposed Zoning:		N/A	
Surrounding Zoning:	North	Residential Single Family – 1 (RSF-1) & Residential Single Family – 2 (RSF-2)	
	South	Residential Single Family – 2 (RSF-2)	
	East	Residential Single Family – 1 (RSF-1)	
	West	Residential Single Family – 2 (RSF-2)	
Growth Plan Designation:		Residential Low (1/2 – 2 Ac./DU)	
Zoning within density range?		N/A	No

Staff Analysis:

In 1969, this property was located in Mesa County jurisdiction. At that time, the County acquired right-of-way on both the east and west sides of the 26 ½ Road corridor for the benefit of the public. When the deed was filed at the courthouse to dedicate the land area as right-of-way, an error was made in the legal description that conveyed this strip of right-of-way on the applicant’s portion of land area. The deed was recorded as the “west” 30’ feet when it should have been recorded as the “east” 30’ feet of the parcel. The City is working with the property owners, Shirley Howard, Donald Files and Robert Files, to finally clarify this situation in anticipation of a future land sale. In exchange for this right-of-way vacation, the property owners will officially dedicate the “east” 30’ feet of right-of-way to the City for 26 ½ Road as was the original intention back in 1969. The existing sanitary sewer line that is located in the 30’ right-of-way to be vacated will be covered by a 20’ Public Utilities Easement that will be dedicated.

Consistency with the Growth Plan:

The site is currently zoned Residential Single Family – 1 (RSF-1) with the Growth Plan Future Land Use Map showing this area as Residential Low (1/2 – 2 DU/Ac.).

3. Section 2.11 C. of the Zoning and Development Code:

Requests to vacate any public right-of-way or easement must conform to all of the following:

- a. The Growth Plan, major street plan and other adopted plans and policies of the City.

Granting the request to vacate the existing 30' right-of-way does not conflict with the Growth Plan, major street plan and other adopted plans and policies of the City of Grand Junction.

- b. No parcel shall be landlocked as a result of the vacation.

No parcel will be landlocked as a result of this right-of-way vacation.

- c. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive or reduces or devalues any property affected by the proposed vacation.

Access will not be restricted.

- d. There shall be no adverse impacts on the health, safety, and/or welfare of the general community and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g. police/fire protection and utility services).

There will be no adverse impacts to the general community and the quality of public facilities and services provided will not be reduced due to the vacation request.

- e. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter Six of the Zoning and Development Code.

The provision of adequate public facilities and services will not be inhibited to any property as required in Chapter Six of the Zoning & Development Code as the 30' right-of-way vacation will be converted to a 20' Public Utilities Easement for the benefit of the existing sanitary sewer line. No adverse comments were received from the utility review agencies during the staff review process.

- f. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.

Maintenance requirements to the City will not change as a result of the proposed vacation, as a new 20' Public Utilities Easement will be dedicated for the existing sanitary sewer line.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the right-of-way application located at 631 26 ½ Road, VR-2003-227 for the vacation of a 30' public right-of-way, the Planning Commission at their December 16th, 2003 meeting made the following findings of fact and conclusions:

1. The requested 30' right-of-way vacation is consistent with the Growth Plan.
2. The review criteria in Section 2.11 C. of the Zoning and Development Code have all been met.
3. That an adequate 20' Public Utilities Easement be granted to the City for the existing sanitary sewer line.

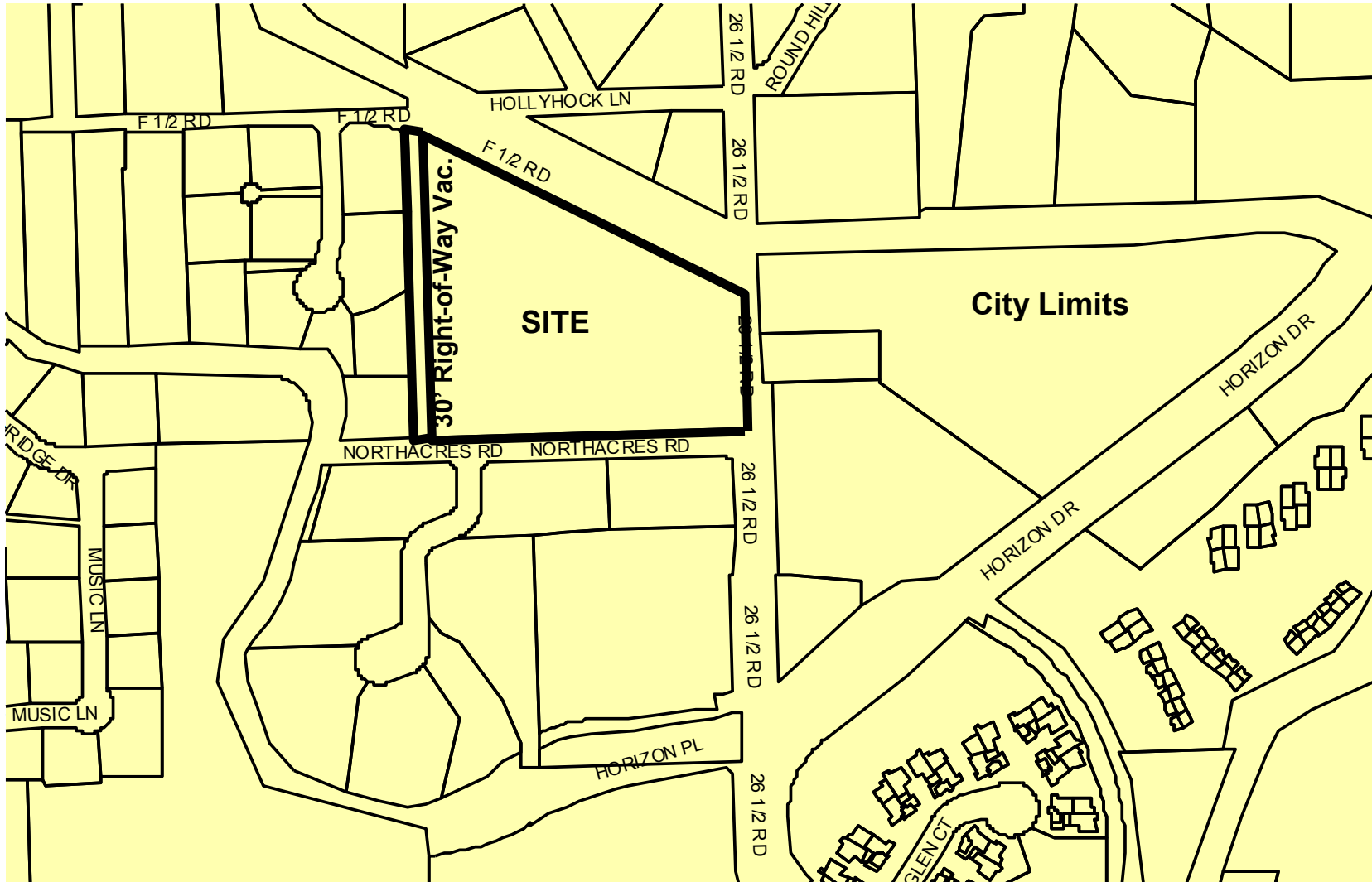
Action Requested/Recommendation: Recommend First Reading of the Ordinance for the vacation of a 30' public right-of-way located west of 26 ½ Road – 631 26 ½ Road, finding the request consistent with the Growth Plan and Section 2.11 C. of the Zoning & Development Code.

Attachments:

1. Site Location Map
2. Aerial Photo
3. Growth Plan Map
4. Existing Zoning Map
5. Ordinance & Exhibit A

Site Location Map – 30' Right-of-Way Vacation

Figure 1



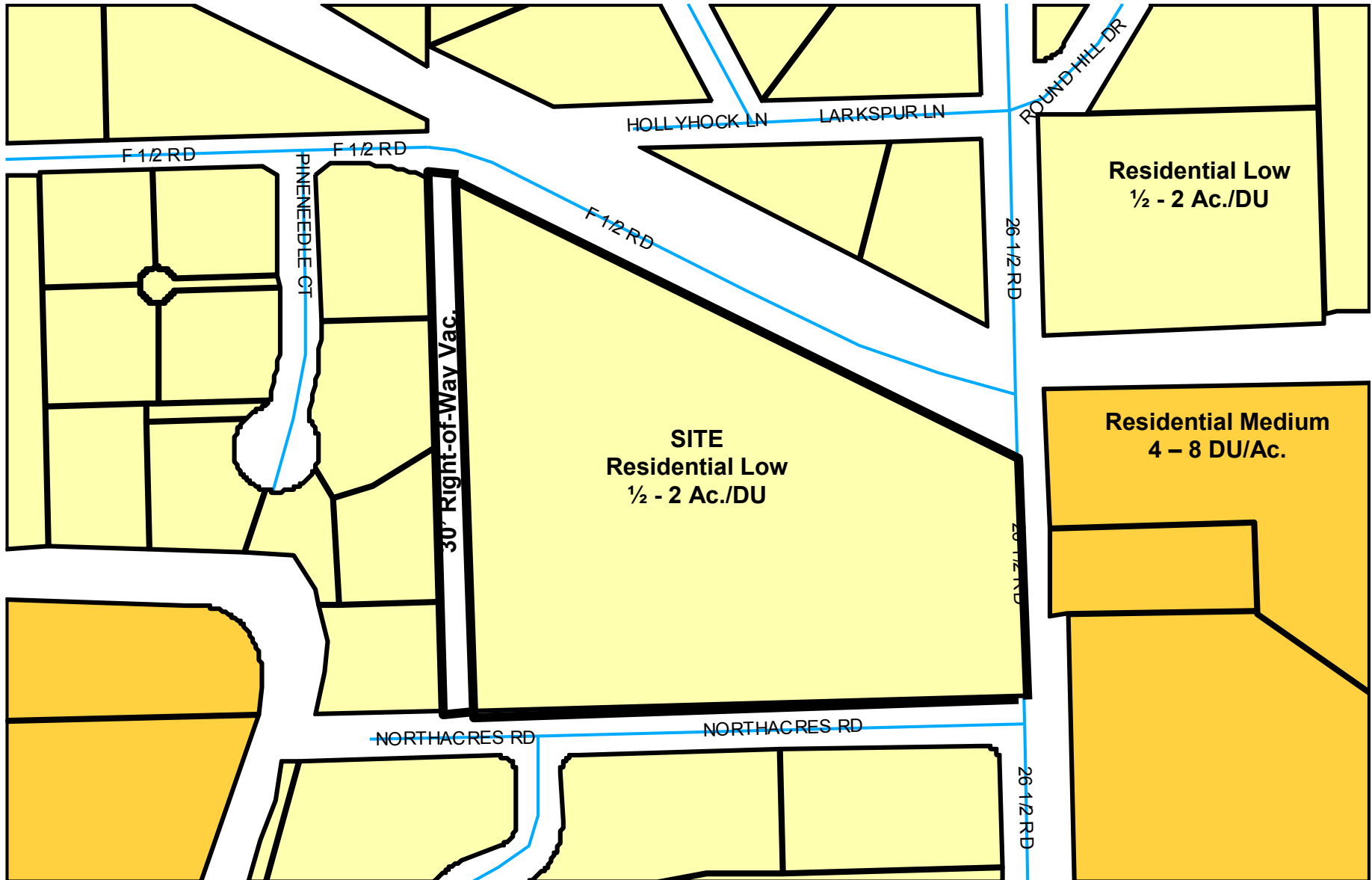
Aerial Photo Map – 30' Right-of-Way Vacation

Figure 2



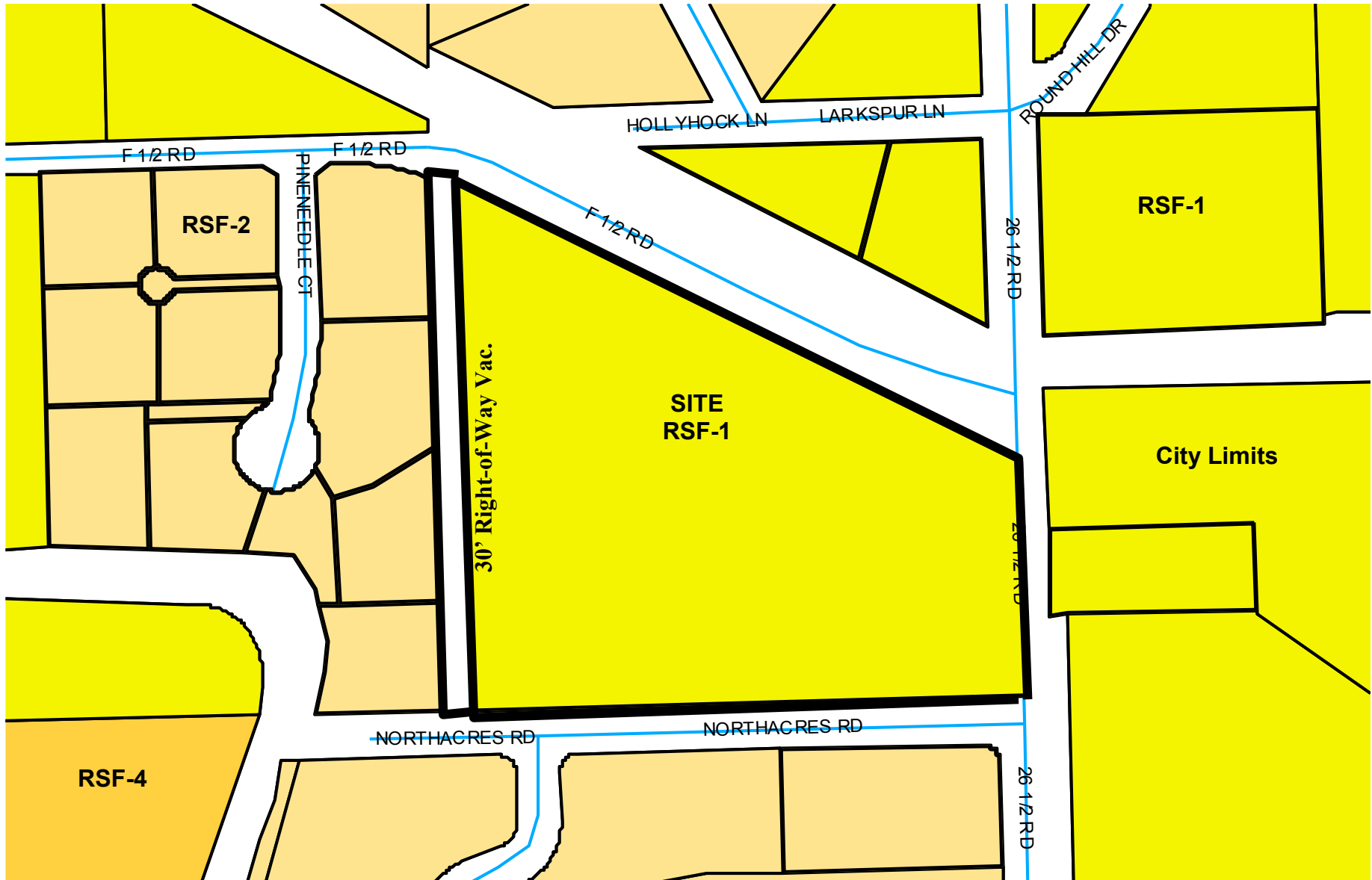
Future Land Use Map – 30' Right-of-Way Vacation

Figure 3



Existing City Zoning – 30' Right-of-Way Vacation

Figure 4



CITY OF GRAND JUNCTION

ORDINANCE NO. _____

**AN ORDINANCE VACATING A 30' WIDE RIGHT-OF-WAY LOCATED WEST OF
26 ½ ROAD AND SOUTH OF THE GRAND VALLEY CANAL AND RESERVING
A 20' PUBLIC UTILITIES EASEMENT
KNOWN AS: 631 26 ½ Road**

RECITALS:

In order to correct a recorded legal description error, the applicant proposes to vacate a 30' wide deeded right-of-way located west of 26 ½ Road and south of the Grand Valley Canal and also reserve unto the City a 20' Public Utilities Easement for the use and benefit of the City and for the use and benefit of the Public Utilities, as approved by the City, as a perpetual easement for the installation, operation, maintenance, repair and replacement of public utilities and appurtenances related thereto, located at 631 26 ½ Road.

The Planning Commission, having heard and considered the request and found the criteria of the Code to have been met, recommend that the vacation be approved.

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

1. The following described 30' right-of-way is hereby conditionally vacated:

A tract of land for road purposes located in the Southwest Quarter of Section Two, Township 1 South, Range 1 West of the Ute Meridian, more particularly described as follows:

The West 30.00 feet of the Northeast Quarter of the Northeast Quarter of the Southwest Quarter of said Section Two, lying South of the Grand Valley Canal. Said tract of land contains .22 acres; reserving an easement on, along, over, under, through and across the West 20.00 thereof.

This 30' right-of-way vacation is conditioned and contingent upon the simultaneous dedication of the East 30' of the petitioner's property to the City to officially obtain the road right-of-way for 26 ½ Road.

INTRODUCED on First Reading on the 17th day of December, 2003 and ordered published.

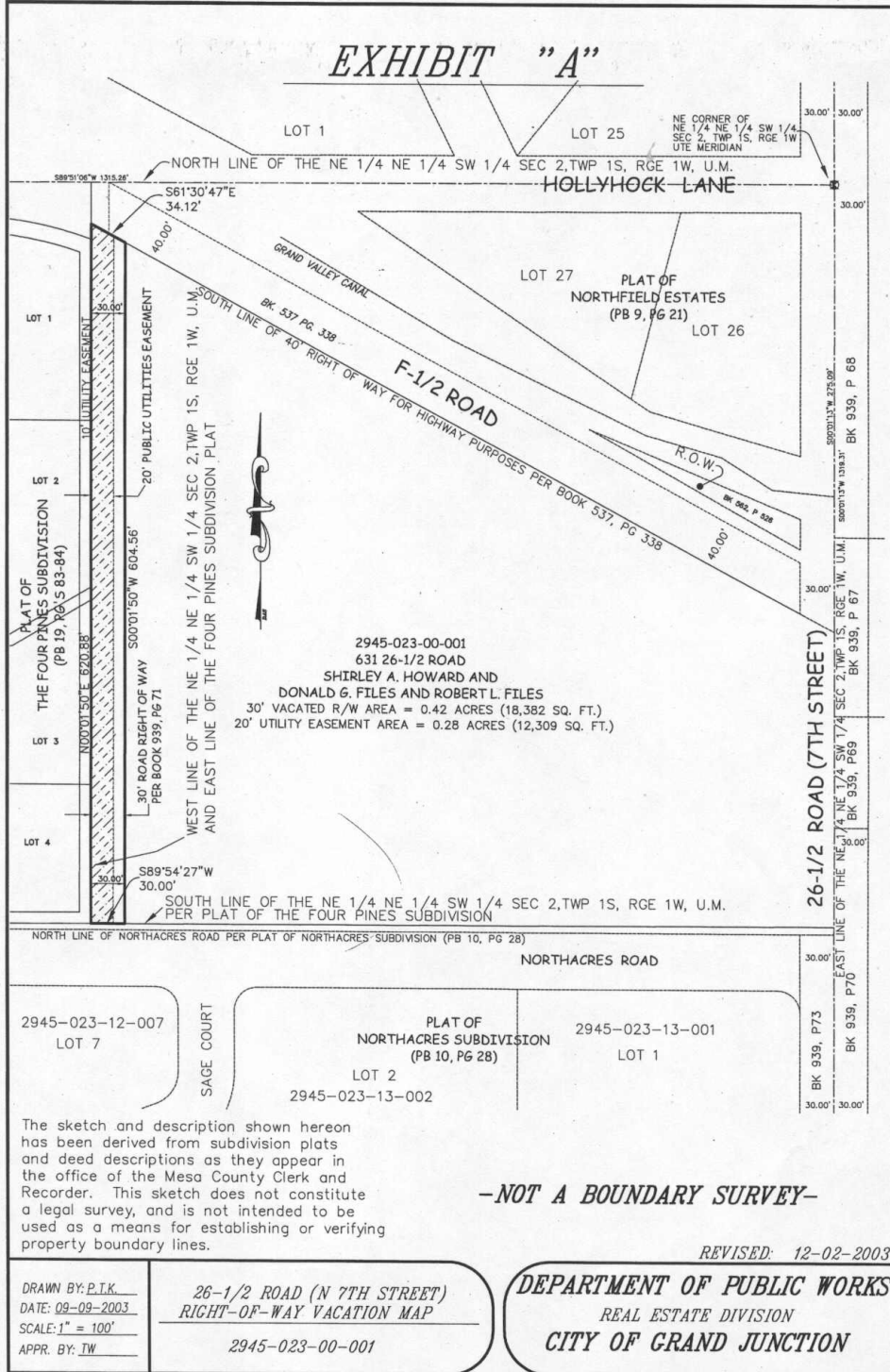
ADOPTED on Second Reading this _____ day of _____, 2004.

ATTEST:

City Clerk

President of City Council

EXHIBIT "A"



2945-023-00-001
 631 26-1/2 ROAD
 SHIRLEY A. HOWARD AND
 DONALD G. FILES AND ROBERT L. FILES
 30' VACATED R/W AREA = 0.42 ACRES (18,382 SQ. FT.)
 20' UTILITY EASEMENT AREA = 0.28 ACRES (12,309 SQ. FT.)

The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

-NOT A BOUNDARY SURVEY-

REVISED: 12-02-2003

DRAWN BY: P.I.K.
 DATE: 09-09-2003
 SCALE: 1" = 100'
 APPR. BY: TW

26-1/2 ROAD (N 7TH STREET)
 RIGHT-OF-WAY VACATION MAP
 2945-023-00-001

DEPARTMENT OF PUBLIC WORKS
 REAL ESTATE DIVISION
 CITY OF GRAND JUNCTION

Attach 9

Designate the Hetland House to the City Register of Historic Sites

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Designation of Historic Structure					
Meeting Date	December 17, 2003					
Date Prepared	December 10, 2003				File # HBD-2003-02.02	
Author	Kristen Ashbeck		Senior Planner			
Presenter Name	Kristen Ashbeck		Senior Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda	X	Consent	Individual Consideration

Summary: Hospice and Palliative Care of Western Colorado, owner of the Lawrence and Amelia Miller residence located at 3090 North 12th Street, is requesting that the building be designated as historic in the City Register of Historic Sites, Structures and Districts.

Background Information: City Council adopted Section 7.4, Historic Preservation, in the Zoning and Development Code in 1994 which established a City Register of Historic Sites, Structures and Districts, to which eligible historic resources may be designated. The criteria by which the Historic Preservation Board and Council shall review a proposed designation are specified in the ordinance.

The following pages describe the characteristics of the Lawrence and Amelia Miller residence that justify its designation and detail the particular features of the building that should be preserved. Given this description, the Historic Preservation Board finds that the building meets the following designation criteria outlined in section 7.4.F.1.a. and b. of the Zoning and Development Code:

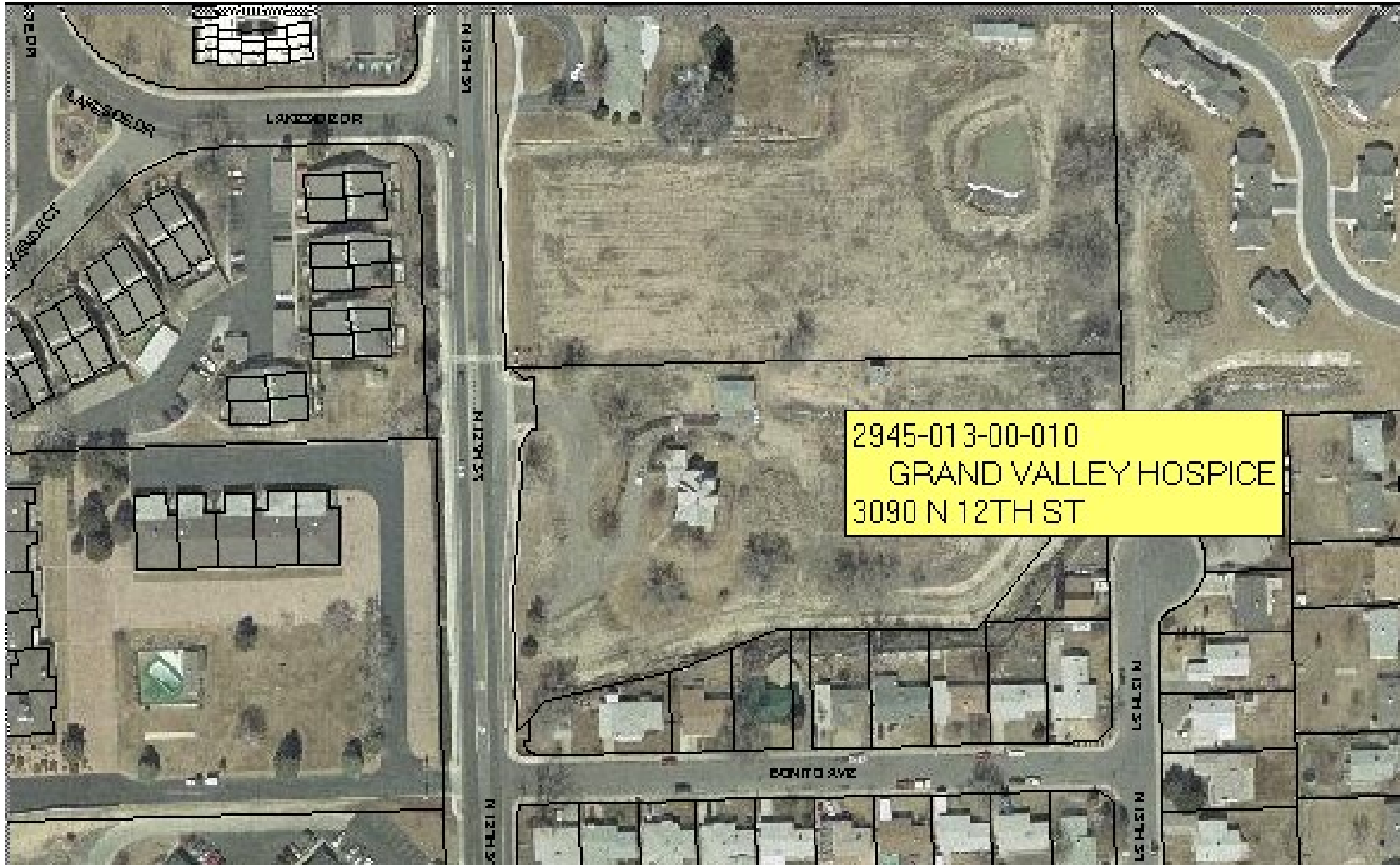
- Structure is at least 50 years old
- Exemplifies specific elements of an architectural style or period
- Is an established and familiar visual feature of the City
- Enhances the sense of identity of the City
- Is associated with a notable person(s) in the community

Budget: N/A

Action Requested/Recommendation: It is recommended that City Council approve the resolution designating the Lawrence and Amelia Miller residence as historic in the City Register of Historic Sites, Structures and Districts.

ATTACHMENTS

- A.** Location Map
- B.** Letter from Property Owner
- C.** Building History – Information Provided by Applicant
- D.** Current Photographs of Building
- E.** Proposed Resolution





HOSPICE & PALLIATIVE CARE
OF WESTERN COLORADO

"It's About Courage, Caring, Hope & Healing."

October 30, 2003

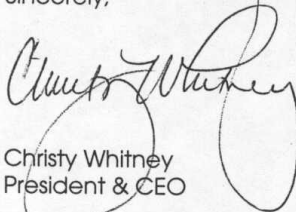
Community Development Department
City of Grand Junction
250 N. 5th Street
Grand Junction, Colorado 81501

To Whom It May Concern:

This letter is in response to the requirement contained in the Submittal Check List for Historic Designation. As the authorized representative of Hospice & Palliative Care of Western Colorado, owner of property located at 3050 North 12th Street, Grand Junction, Colorado, I consent to and support the submission of this application for historic designation.

Plans for future use of the home located on this property are contained the attachments the Development Application for your review. I will be happy to provide any additional information you find necessary.

Sincerely,



Christy Whitney
President & CEO

Administrative Offices/Grand Valley
P. O. Box 60307, Grand Junction, CO 81506
2754 Compass Dr., Ste. 377, Grand Junction, CO 81506
970/241-2212 Fax: 970/257-2400

Plateau Valley / DeBeque
P. O. Box 294, Collbran, CO 81624
58128 Hwy 30, Collbran, CO 81624
970/487-3061 Fax: 970/487-0214

Delta County
P. O. Box 24, Delta, CO 81416
711 Main St., Delta, CO 81416
970/874-6823 Fax: 970/874-6903

Montrose/Ouray Counties
P. O. Box 1804, Montrose, CO 81402
645 S. 5th St., Montrose, CO 81401
970/240-7734 Fax: 970/240-7263

www.gvhospice.com

PROPERTY INFORMATION FORM

County: Mesa County
City: Grand Junction
Street Address: 3090 North 12th Street

Historic Building Name(s):

Miller Homestead
Hillcrest – 1889
Knowles Knoll – 1951-1963
Hetland House – 1968-1998

Current Building Name: Will become Center for Hope & Healing

Owner Name and Address: Hospice & Palliative Care of Western Colorado
2754 Compass Drive, Suite 377
Grand Junction, CO 81506

Original Owner: Lawrence and Amelia Miller

Historic Use(s): Homesteading, farming, raising cattle, agriculture, fruit farming, residence.

Present Use: Currently a rental residence – will be used for counseling and education facility. The entire campus will be available to the community for walking, art viewing, and reflection.

Architectural Description: The project consists of a 2,650 square foot Victorian style home on approximately 1+ acre. It is two-story with two porches, one south facing and one west facing. The exterior walls are brick. It has north and south brick chimneys. The roof is both asphalt and wood shingles. Main foundation is constructed of sandstone. Originally there were gingerbread features and a roof cap with finials.

Construction History: Originally completed in 1889, the major house, complete with two stories and two porches, was finished at that time. Porches have wood steps and flooring which is now weathered and aged. The basement stairway has concrete walls; the basement flooring is dirt. There is also an attic. Interior walls are plaster with some covered with wallpaper. A covered patio and laundry room were added at some point in time.

Historic Background: The building was the 1889 residence of Lawrence and Amelia Miller. Mr. Miller is described as “one of Mesa County’s most valued pioneers”. He moved to the area in 1885 to begin farming and ranching. The Miller’s Home was called “Hillcrest”. Town population totaled 2000. Mr. Miller had an active civic life as a Mason and one term

as Mayor. Mrs. Miller was known for her horse riding and flower gardens, even giving a bouquet to President Taft. They were married for 50 years with one son, Mac. Mac raised angora goats and allowed the mansion to fall into disrepair. In 1951 the Knowles purchased the home and Mrs. Knowles restored it to much of its original beauty. The Hetlands purchased it in 1968 and lived there for over 30 years.

Information Sources:

Inspection Report Commercial Property #720I by Inspection Facilitators
Phase I Environmental Site Assessment by STTI Environmental & Engineering
Consultants
Center for Hope & Healing Project Proposal by Blythe Design, 2003
Hospice-Miller Homestead Estimate by Francis Construction Management
Copies from Amelia Miller's scrapbook, 4/82, from Museum of Western Colorado
Western Slope Living, Grand Junction paper, May 1963
Photocopies from Museum of Western Colorado

Architectural Significance: Represents a type, period, or method of construction

Historical Significance: Associated with significant person(s)

Statement of Significance:

This structure represents innovation at the time of its construction by using brick for the exterior and incorporating gingerbread trim. It is Victorian and a symbol of an old homestead by earlier settlers. It was a significant historical remodel in 1960. It is a familiar, visual feature of the city and sits on one of the higher pieces of property. The original owners were known as civic leaders and participants.

Information Completed By: Terra Anderson, RN, MA
Hospice & Palliative Care of Western Colorado
2754 Compass Drive, Suite 377
Grand Junction, CO 81506
970.257.2410

**Hospice and Palliative Care of Western Colorado
Residence
3050 N. 12th St**

Partial History of Families who lived there

1889 Lawrence and Emelia (or Amelia) Miller
Mr. Miller was described by the Grand Junction paper of the day as “one of Mesa county’s most valued pioneers”. He moved to the area in 1885 with his wife to begin farming, raising cattle, and fruit growing. Their home, called Hillcrest, was built in 1889. At that time the population totaled approximately 2000. Mr. Miller was active in civic life as a Mason and held a brief term as mayor. The Millers celebrated their 50th wedding anniversary in 1912 and Mr. Miller died one year later.

Mrs. Miller was regarded as “one of the best known pioneer women of the valley”. “Wherever Amelia Miller lived flowers grew-her love for them made them responsive to her attention”. Her roses were cut for bridal bouquets and other important events. The Millers had one son, Mack, who inherited the property upon his mother’s death in 1921.

1921 Mack Miller raised Angora goats on the property and reportedly did not take too much after either of his parents. He married Marie Barth in 1906 and they had 5 children. The newspaper reports that “the once stately mansion degenerated to the status of a sharecropper’s shack”.

1951 George and Ester Knowles purchased the home and began repairs. Ester took on the restoration project and wanted

the structure to be as grand as it

once had been. When

they sold “Knowles Knoll” in 1963, the house and the land totaled 4 acres, which was all that remained of the original ranch.

1962 Jack and Marjory Rice

1968 Donald and Jeanette Hetland

1995 Donald Hetland

1998 Donald Hetland

1998
1998
2002

Hetland Family Trust
3090 12th Street LLC
C B & G Partnership



Center for Hope and Healing

A project of Hospice & Palliative Care of Western Colorado

A place for grieving children and adults to find support and information,
a place of renewal and community gatherings . . .

PROJECT HISTORY: In 2001, the Gene Taylor family donated the historic Miller Homestead and surrounding grounds to Hospice and Palliative Care of Western Colorado. The two-story "queen anne" style victorian home, built in the 1890's, will house the organization's "Center for Hope and Healing". The adjacent property was secured through a "restricted" donation for development of a hospice inpatient facility and clinical/administrative office building.

PROJECT OVERVIEW: The home is a local historic treasure to be maintained and shared by the community. The project will renovate and restore the home into counseling rooms and meeting space for the Child/Teen and Adult Grief Programs, a guest room for housing out of town hospice staff, and a conference room /reception area. An updated kitchen will allow the home to be utilized for volunteer meetings, potlucks and receptions. The space will be designed to periodically host music, art and massage therapy sessions for caregivers and clients. The furnishings and floor plan will accommodate multiple uses. Surrounding gardens and a gazebo will provide a place for respite, reflection and relaxation for clients, volunteers and staff.

PROJECT TIMELINE:

Planning Period: June 2003 – May 2004
Renovation Construction: June 2004 – August 2005
Completion and Opening: Fall 2005

SUPPORT TO DATE:

- Donation of the home and surrounding property by the Taylor Family
- Commitment by the Downtown Rotary Club for Centennial Project
- Commitment by the Horizon Rotary Club for Centennial Project

PROGRESS TO DATE:

- Property Inspection completed
- Architectural Space Plan Completed
- Currently analyzing "pros and cons" of historic designation and grants
- Pursuing an Historic Evaluation Grant

PROJECT TEAM:

Dan Cummings – Project Director
Christy Whitney – President and CEO, Hospice & Palliative Care
Terra Anderson – Director, Institute for Palliative Care
Roy and Pamela Blythe – Architects, Blythe Design





CITY OF GRAND JUNCTION, COLORADO

Resolution No. ____-03

A RESOLUTION DESIGNATING THE LAWRENCE AND AMELIA MILLER RESIDENCE
LOCATED AT 3090 NORTH 12th STREET
IN THE CITY REGISTER OF HISTORIC SITES, STRUCTURES AND DISTRICTS

WHEREAS, the City Council has established by Ordinance 2765 a City Register of Historic Sites, Structures and Districts in order to officially recognize historic resources of local significance; and

WHEREAS, the property owner of the Lawrence and Amelia Miller Residence located at 3090 North 12th Street is aware of and consents to the designation of this property as a local historic resource; and

WHEREAS, the Historic Preservation Board has reviewed the Lawrence and Amelia Miller Residence located at 3090 North 12th Street for conformance to the adopted criteria for designating historic resources and finds that the building meets the following criteria: structure is at least 50 years old; exemplifies specific elements of an architectural style or period; is an established and familiar visual feature of the City; enhances the sense of identity of the City; and is associated with a notable person(s) in the community.

WHEREAS, the Historic Preservation Board recommended approval of the designation of the Lawrence and Amelia Miller Residence located at 3090 North 12th Street at its December 2, 2003 meeting.

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

That the Lawrence and Amelia Miller Residence located at 3090 North 12th Street is hereby designated a historic building in the City Register of Historic Sites, Structures and Districts.

PASSED and APPROVED this 17th day of December, 2003.

ATTEST:

City Clerk

President of Council

Attach 10
Sewer Plant Investment Fees

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Wastewater Treatment Plant Investment Fee						
Meeting Date	December 17, 2003						
Date Prepared	December 10, 2003				File #		
Author	Greg Trainor			Utility Manager			
Presenter Name	Greg Trainor			Utility Manager			
Report results back to Council	X	No		Yes	When		
Citizen Presentation	X	Yes		No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary:

Effective January 1, 2004, the Wastewater Treatment Plant Investment (PIF) shall be increased by \$250 to \$1,250 for a single family equivalent.

Budget:

Scheduled 2004 increase for the PIF per previous actions taken by the City Council and County Commissioners.

Action Requested/Recommendation:

Adopt attached Resolution implementing Plant Investment Fee increase, effective January 1, 2004.

Attachments:

Proposed Resolution.

Background Information:

The sewer bond covenants and the Persigo Agreement, between the City and Mesa County, require that a rate study be conducted every five years. In 2001, the City retained Black and Veatch to complete the required rate study, concentrating on the plant

investment fees. The fee in 2001 was \$750 per single family equivalent unit and had not changed since 1982.

Black and Veatch employed a "System Buy-In Method" calculation whereby each new property connecting to the sewer system would "buy in" to the capacity of the sewer system--capacity that other users before them paid to construct--and, thus, making everyone's share equal.

Black and Veatch recommended a plant investment fee rate of \$1,630 per single family equivalent unit (EQU) in 2001 to be raised to \$1,700 per EQU in 2002, increasing each year by a certain amount until \$2,250 per EQU was reached in the year 2010.

The City Council and the County Commissioners agreed in December 2001, that the rate should be increased, given the length of time that the rate had stayed at \$750 per EQU; however, they agreed to increase the rate at a slower pace than recommended by Black and Veatch. Thus, the rate increased from \$750 to \$1,000 per EQU in 2002, remained at \$1,000 for 2003, increased \$250 to \$1,250 in 2004 and then will increase \$250 each year until it reaches \$2,250 in 2010.

The "System Buy-In Method" is a calculation of the total of the sewer system replacement cost in any given year and major capital improvements, less the unpaid principal on outstanding debt, divided by the number of EQUs in the sewer system. The result is the recommended plant investment fee.

RESOLUTION NO. _____

**A RESOLUTION ADOPTING A WASTEWATER PLANT INVESTMENT FEE
EFFECTIVE JANUARY 1, 2004**

Recitals:

WHEREAS, the sewer bond covenants and the Persigo Agreement, between the City and Mesa County require that a rate study be conducted every five years; and,

WHEREAS, in 2001, the City retained Black and Veatch to complete the required rate study, concentrating on the plant investment fees; and,

WHEREAS, Black and Veatch employed a "System Buy-In Method" calculation whereby each new property connecting to the sewer system would "buy in" to the capacity of the sewer system; and,

WHEREAS, The City Council and the County Commissioners agreed in December 2001 that the rate should be gradually increased, given the length of time that the rate had stayed at \$750 per single family equivalent unit (EQU). In January 2002 the rate was increased from \$750 to \$1,000 per EQU and in accordance with that plan, the rate is proposed to increase again.

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

Effective January 1, 2004, the Plant Investment Fee shall be increased from \$1,000 per EQU to \$1,250 per EQU.

PASSED and ADOPTED this _____ day of December, 2003.

President of the City Council

Attest:

City Clerk

Attach 11
Alley Improvement District 2003

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Accepting the Improvements connected with Alley Improvement District 2003, and giving notice of a Hearing					
Meeting Date	December 17, 2003					
Date Prepared	December 10, 2003			File #		
Author	Michael Grizenko		Real Estate Technician			
Presenter Name	Mark Relph		Public Works and Utilities Director			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda	X	Consent	Individual Consideration

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

- “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

A public hearing is scheduled for February 4th, 2004.

Budget:

2003 Alley Budget	\$384,560
Adjustments from 2002 Budget	(\$27,057)
Total Available	\$357,503
Actual Cost to construct 2003 Alleys	<u>\$298,988</u>
Estimated Balance	\$ 58,515

Action Requested/Recommendation: Review and adopt proposed Resolution.

Attachments: 1) Summary Sheets, 2) Maps, 3) Resolution) 4) Notice of Hearing

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 property owners 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 first reading of the proposed Assessing Ordinance is scheduled for the January 21st, 2004 Council meeting. The second reading and public hearing is scheduled for the February 4th, 2004 Council meeting. 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 March 8th, 2004. 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 balance.

SUMMARY SHEET

**PROPOSED ALLEY IMPROVEMENT DISTRICT
2nd STREET TO 3rd STREET
E. SHERWOOD AVENUE TO NORTH AVENUE**

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
• TWAG, LLP (Baird Brown)	190.50	\$ 31.50	\$ 6,000.75
Bevill Family, LLP	61.80	\$ 15.00	\$ 927.00
Bevill Family, LLP	52.60	\$ 15.00	\$ 789.00
• North Third Venture, LLP	90.00	\$ 31.50	\$ 2,835.00
• Michael Wiarda & Laura Bond	114.00	\$ 15.00	\$ 1,710.00
• Linda Moran	30.90	\$ 31.50	\$ 973.35
• Michael & Loretta Klaich	30.90	\$ 31.50	\$ 973.35
• Jane & James Jenkins	75.00	\$ 31.50	\$ 2,362.50
John & Betty Dunning	190.40	\$ 31.50	\$ 5,997.60
• Janet Pomrenke	71.10	\$ 31.50	\$ 2,239.65
Harbert Investment Co.	310.00	\$ 31.50	\$ 9,765.00
Noah White, et al	50.00	\$ 31.50	\$ 1,575.00
Noah White, et al	50.00	\$ 31.50	\$ 1,575.00
TOTAL			\$37,723.20
ASSESSABLE FOOTAGE	1,317.20		

Estimated Cost to Construct	\$ 97,593.00
Absolute Cost to Owners	<u>\$ 37,723.20</u>
Estimated Cost to City	\$ 59,869.80

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 = 7/13 or 54% of Owners & 46% of Abutting Footage

SUMMARY SHEET

PROPOSED ALLEY IMPROVEMENT DISTRICT 6th STREET TO 7th STREET ROOD AVENUE TO WHITE AVENUE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
• Mesa County	75.00	\$ 31.50	\$ 2,362.50
• Anthony Williams, et al	50.00	\$ 31.50	\$ 1,575.00
• James Golden	25.00	\$ 31.50	\$ 787.50
• James Golden	25.00	\$ 31.50	\$ 787.50
• Courthouse Place Associates	25.00	\$ 31.50	\$ 787.50
• Ken Rabideau, et al	50.00	\$ 31.50	\$ 1,575.00
• Roy & Pamela Blythe	50.00	\$ 31.50	\$ 1,575.00
David & Collen Hawks	75.00	\$ 31.50	\$ 2,362.50
• Harry Williams	125.00	\$ 31.50	\$ 3,937.50
• Dale Cole	185.00	\$ 31.50	\$ 5,827.50
• Carroll Multz	135.00	\$ 31.50	\$ 4,252.50
• Courthouse Place Associates- 6 Units	50.00	\$ 31.50	\$ 1,575.00
	TOTAL		\$27,405.00
ASSESSABLE FOOTAGE	870.00		

Estimated Cost to Construct \$ 71,725.00

Absolute Cost to Owners \$ 27,405.00

Estimated Cost to City \$ 44,320.00

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 = 11/12 or 92% of Owners & 90% of Abutting Footage

SUMMARY SHEET

PROPOSED ALLEY IMPROVEMENT DISTRICT 11th STREET TO 12th STREET ROOD AVENUE TO WHITE AVENUE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
Hazel Kirkendall & John Worsham	50.00	\$ 8.00	\$ 400.00
• Marilyn Anderson	37.50	\$ 8.00	\$ 300.00
• Andrew R & Kimberley J Skwara	37.50	\$ 8.00	\$ 300.00
• Eileen Bird	50.00	\$ 8.00	\$ 400.00
Dwain Partee, et al	50.00	\$ 8.00	\$ 400.00
James Fuchs	50.00	\$ 8.00	\$ 400.00
• Gary Kunz & Melanie Porter	75.00	\$ 8.00	\$ 600.00
Cynthia McRobbie	50.00	\$ 8.00	\$ 400.00
• David & Terri Klements	50.00	\$ 8.00	\$ 400.00
Laura B. Hamilton	50.00	\$ 8.00	\$ 400.00
• Rodney Johnson	50.00	\$15.00	\$ 750.00
• Dennis Haberkorn	50.00	\$ 8.00	\$ 400.00
Lori Rattan	50.00	\$ 8.00	\$ 400.00
Charles & Roberta McIntyre	50.00	\$15.00	\$ 750.00
• Linda Villa	50.00	\$ 8.00	\$ 400.00
• William Mertz	50.00	\$ 8.00	\$ 400.00
• Neola Miller	50.00	\$ 8.00	\$ 400.00
• Giles W & Eric T Poulson	50.00	\$ 8.00	<u>\$ 400.00</u>
TOTAL			\$7,900.00
ASSESSABLE FOOTAGE	900.00		

Estimated Cost to Construct \$ 47,500.00

Absolute Cost to Owners \$ 7,900.00

Estimated Cost to City \$ 39,600.00

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 = 11/18 or 61% of Owners & 61% of Abutting Footage

SUMMARY SHEET

PROPOSED ALLEY IMPROVEMENT DISTRICT 13th STREET TO 14th STREET CHIPETA AVENUE TO OURAY AVENUE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
• Amy M. Golden & Robert D. Goodson	50.00	\$ 8.00	\$ 400.00
• Tracy & Michael Lefebre	62.50	\$ 8.00	\$ 500.00
• Charles Buss	62.50	\$ 8.00	\$ 500.00
• Harry Tiemann	62.50	\$ 8.00	\$ 500.00
• Janet Breckenridge & William McNulty	62.50	\$ 8.00	\$ 500.00
Dylan & Susan Netter	50.00	\$ 8.00	\$ 400.00
• Scott & Mandie Mercier	50.00	\$ 8.00	\$ 400.00
• William McCracken & Robin Dearing	50.00	\$ 8.00	\$ 400.00
• Conrad Gulden & Marsha Bradford	50.00	\$ 8.00	\$ 400.00
• Harry Tiemann	50.00	\$ 8.00	\$ 400.00
Kellie Clark	50.00	\$ 8.00	\$ 400.00
• David & Joni Davis	50.00	\$ 8.00	\$ 400.00
Bruce Binkley	50.00	\$ 8.00	\$ 400.00
• Ruth Price & Douglas Stark	50.00	\$ 8.00	\$ 400.00
Vicki Winger	50.00	\$ 8.00	\$ 400.00
TOTAL			\$6,400.00
ASSESSABLE FOOTAGE	800.00		

Estimated Cost to Construct \$ 42,750.00

Absolute Cost to Owners \$ 6,400.00

Estimated Cost to City \$ 36,350.00

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 = 11/15 or 73% of Owners & 75% of Abutting Footage

SUMMARY SHEET

PROPOSED ALLEY IMPROVEMENT DISTRICT 13th STREET TO 14th STREET HALL AVENUE TO ORCHARD AVENUE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
Brian & John H Grassby	77.07	\$ 8.00	\$ 616.56
Clover Properties, LLC	77.06	\$ 8.00	\$ 616.48
Dennis Svaldi	77.07	\$ 8.00	\$ 616.56
• Robert & Evelyn Marquiss Trust	76.00	\$ 8.00	\$ 608.00
• Roland & Frances Gearhart	77.07	\$ 8.00	\$ 616.56
• Charles Theisen	77.06	\$ 8.00	\$ 616.48
• Bill Ashcraft	77.07	\$ 8.00	\$ <u>616.56</u>
TOTAL			\$4,307.20
ASSESSABLE FOOTAGE	538.40		

Estimated Cost to Construct \$ 33,934.00

Absolute Cost to Owners \$ 4,307.20

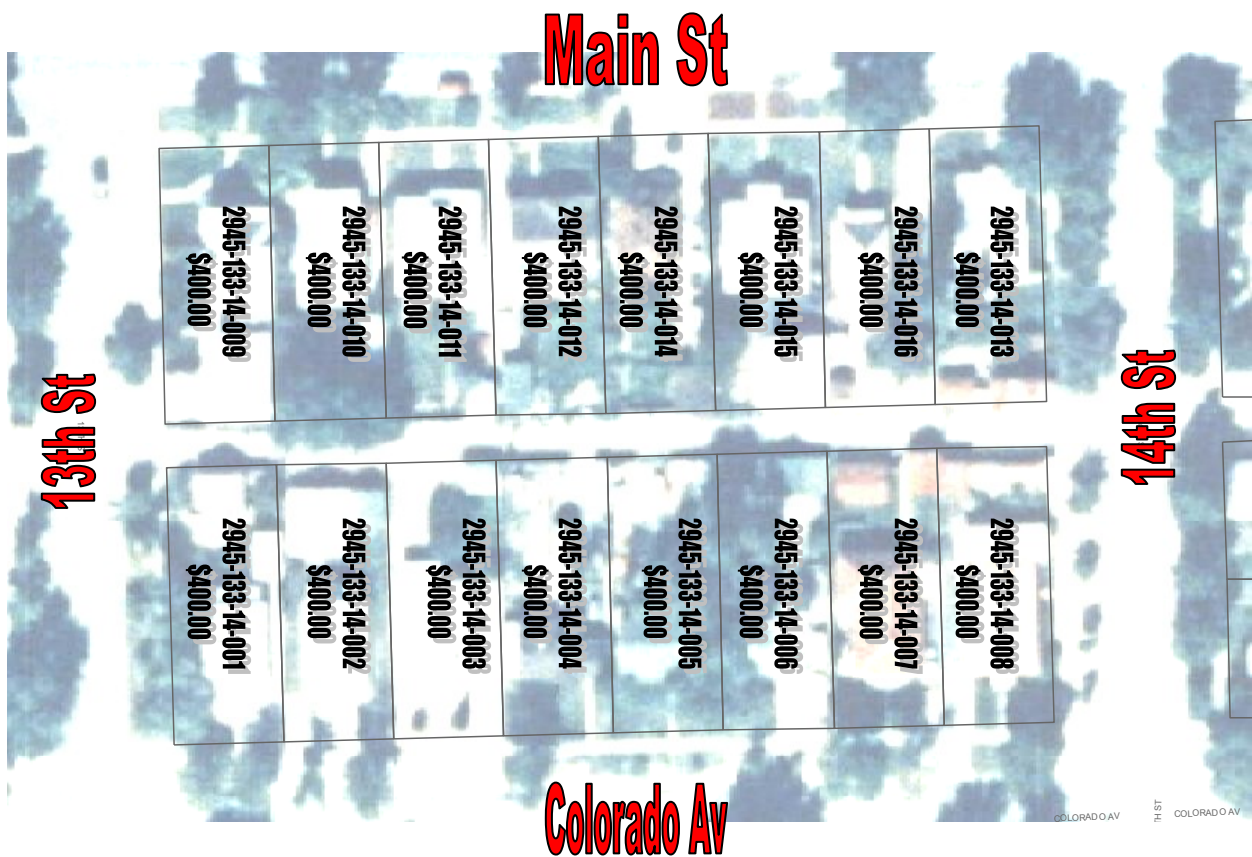
Estimated Cost to City \$ 29,626.80

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 = 4/7 or 57% of Owners & 57% of Abutting Footage

- Indicates Property Owners Signing Petition = 13/16 or 81% of Owners & 81% of Abutting Footage

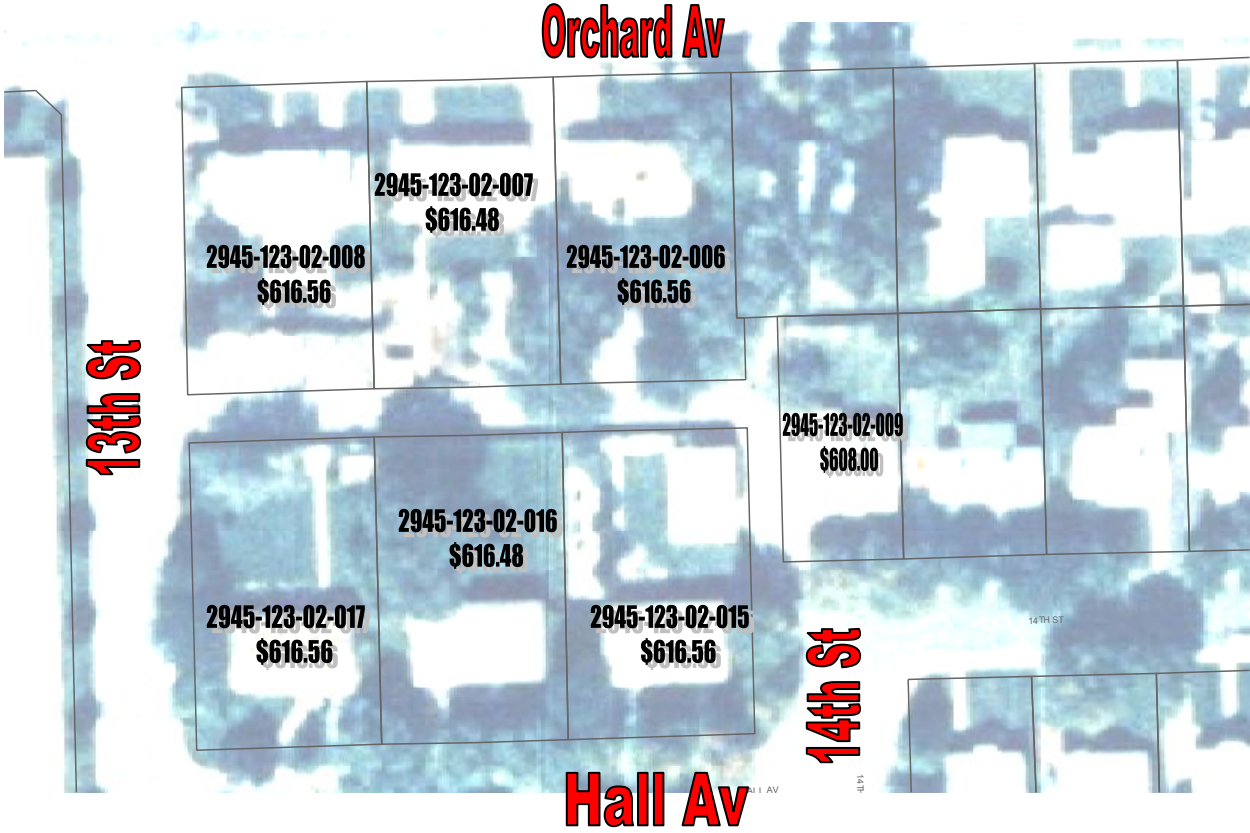
13th to 14th, Main to Colorado



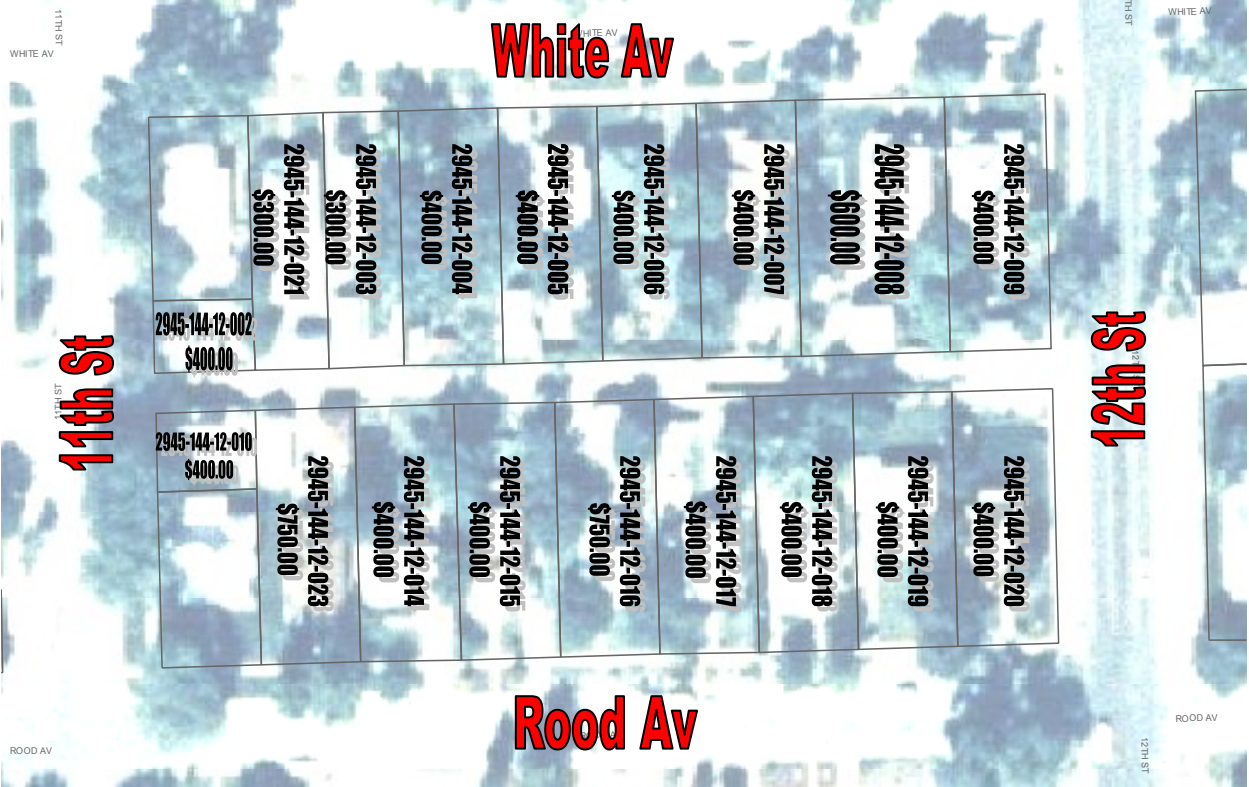
13th to 14th, Chipeta to Ouray

Address	Price
2945-132-10-016	\$400.00
2945-132-10-006	\$400.00
2945-132-10-005	\$500.00
2945-132-10-004	\$500.00
2945-132-10-003	\$500.00
2945-132-10-002	\$500.00
2945-132-10-001	\$400.00
2945-132-10-015	\$400.00
2945-132-10-014	\$400.00
2945-132-10-013	\$400.00
2945-132-10-012	\$400.00
2945-132-10-011	\$400.00
2945-132-10-010	\$400.00
2945-132-10-009	\$400.00
2945-132-10-008	\$400.00

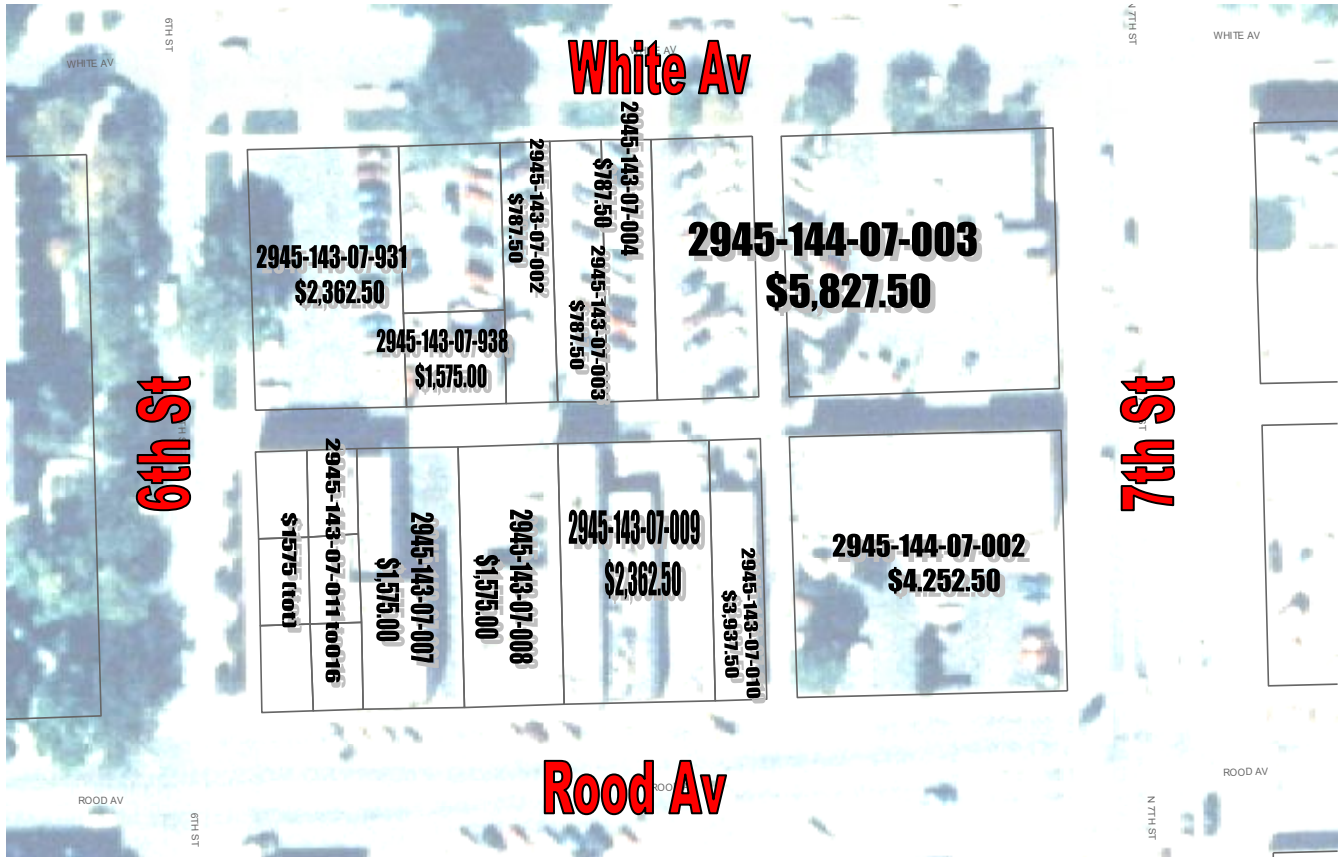
13th to 14th, Hall to Orchard



11th to 12th, Road to White



6th to 7th, Rood to White



White Av

2945-143-07-004
\$787.50
2945-143-07-003
\$787.50

2945-144-07-003
\$5,827.50

2945-143-07-931
\$2,362.50

2945-143-07-938
\$1,575.00

2945-143-07-002
\$787.50

6th St

7th St

Rood Av

2945-143-07-010
\$3,937.50

2945-144-07-002
\$4,252.50

2945-143-07-009
\$2,362.50

2945-143-07-008
\$1,575.00

2945-143-07-007
\$1,575.00

2945-143-07-011
\$1,575 (front)

WHITE AV

6TH ST

7TH ST

WHITE AV

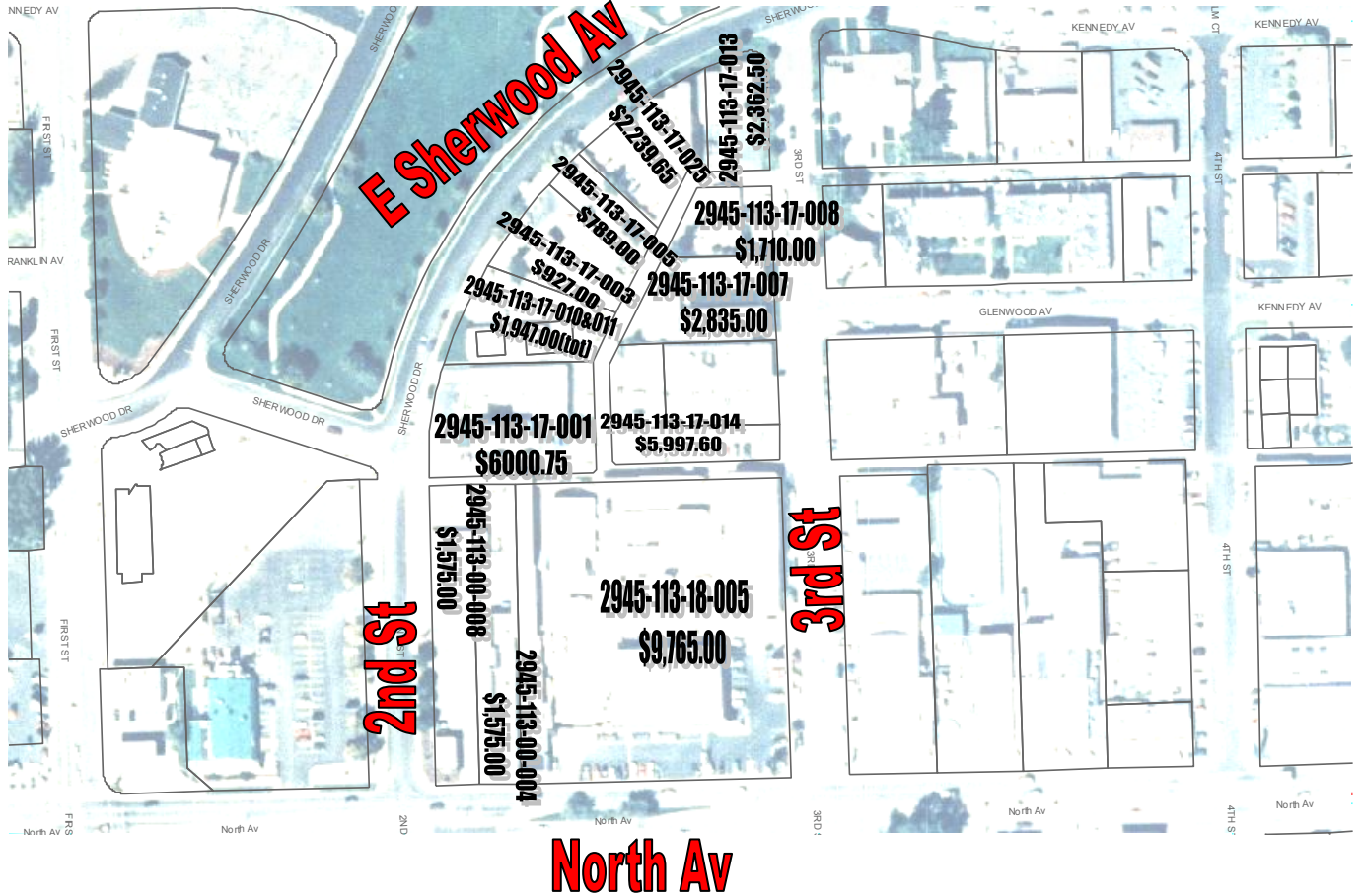
ROOD AV

6TH ST

7TH ST

ROOD AV

2nd to 3rd, E Sherwood to North



RESOLUTION NO. _____

**A RESOLUTION APPROVING AND ACCEPTING THE IMPROVEMENTS
CONNECTED WITH ALLEY IMPROVEMENT DISTRICT
NO. ST-03**

WHEREAS, the City Council of the City of Grand Junction, Colorado, has reported the completion of Alley Improvement District No. ST-03; and

WHEREAS, the City Council has caused to be prepared a statement showing the assessable cost of the improvements of Alley Improvement District No. ST-03, and apportioning the same upon each lot or tract of land to be assessed for the same; and

WHEREAS, a parcel of land, which by successful petition was to be included in Alley Improvement District ST-03 and for which improvements were completed, was inadvertently omitted from the legal description of land included in the district at creation of Alley Improvement District ST-03, and is hereby included in the Alley Improvement District ST-03, as follows:

Lots 1 through 3, inclusive, Block 94, City of Grand Junction;
AND ALSO; Lots 6 through 28, inclusive, Block 94, City of Grand Junction;
AND ALSO; South 45 ft of Lots 4 and 5, inclusive, Block 94, City of Grand Junction;
AND ALSO; Unit 1 through Unit 6, inclusive, Courthouse Place Building Condominium, City of Grand Junction; and

WHEREAS, a parcel of land, which was inadvertently included in Alley Improvement District ST-03, is hereby excluded from assessments associated with the completion of Alley Improvement District ST-03, is more particularly described as follows:

Lots 1 through 32, inclusive, Block "Q", Keith's Addition, City of Grand Junction.

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

1. That the improvements connected therewith in said District be, and the same are hereby approved and accepted; that said statement be, and the same is hereby approved and accepted as the statement of the assessable cost of the improvements of said Alley Improvement District No. ST-03;
2. That the same be apportioned on each lot or tract of land to be assessed for the same;
3. That the City Clerk shall immediately advertise for three (3) days in the Daily Sentinel, a newspaper of general circulation published in said City, a Notice to the owners of the real estate to be assessed, and all persons interested generally without naming such owner or owners, which Notice shall be in substantially the form set forth in the attached

"NOTICE", that said improvements have been completed and accepted, specifying the assessable cost of the improvements and the share so apportioned to each lot or tract of land; that any complaints or objections that may be made in writing by such owners or persons shall be made to the Council and filed with the City Clerk within thirty (30) days from the first publication of said Notice; that any objections may be heard and determined by the City Council at its first regular meeting after said thirty (30) days and before the passage of the ordinance assessing the cost of the improvements, all being in accordance with the terms and provisions of Chapter 28 of the Code of Ordinances of the City of Grand Junction, Colorado, being Ordinance No. 178, as amended.

PASSED and ADOPTED this ____ day of December, 2003.

President of the Council

Attest:

City Clerk

NOTICE

NOTICE IS HEREBY GIVEN that a hearing is scheduled for February 4th, 2004, at 7:30 p.m., to hear complaints or objections of the owners of the real estate hereinafter described, said real estate comprising the District of lands known as Alley Improvement District No. ST-03, and all persons interested therein as follows:

LOT 1 BLK 13 SHERWOOD ADD; and also,
ALL THAT PT LOT 2 BLK 13 SHERWOOD ADD N OF A LI EXTENDING FR
MIDPOINT ON WLY BDRY TO MIDPOINT OF ELYBDRY LOT; and also,
BEG INTERS OF SWLY LI LOT 3 BLK 13 SHERWOOD ADD WISELY ROW OF
EAST SHERWOOD DR NELY ALG DR 50FT S43DEG36MIN E 126.24FT TO ALY
S28DEG W ALG ALY 52.65FT TO SWLY LI LOT 3 N 43DEG36MIN W ALG LI
143.35FT TO BEG; and also,
N 80FT OF LOT 5 BLK 13 SHERWOOD ADD; and also,
S 100FT OF LOT 5 BLK 13 SHERWOOD ADD; and also,
UNIT 1 + AN UNDIVIDED 1/2 OF THE COMMON ELEMENTS SHERWOOD PARK
CONDOMINIUM AS RECD RECEPTION NO 1014611; and also,
UNIT 2 + AN UNDIVIDED 1/2 OF THE COMMON ELEMENTS SHERWOOD PARK
CONDOMINIUM AS RECD RECEPTION NO 1014611; and also,
A PORTION OF LOT 4 SHERWOOD ADD SEC 11 1S 1W DESC AS FOLLOWS
BEG SE COR SD LOT 4 N 89DEG42' W 75FT N 0DEG13' W 119.05FT ALG CVE
TO RIGHT 51.5FT RAD 583.3FT CHORDBEAR S 68DEG39'08SEC E 51.48FT
ALG CVE TO RIGHT 38.68FT RAD 20FT CHORD BEARS S 55DEG24'13SEC E
32.86FTS 0DEG13' E 119.53FT TO BEG; and also,
BEG S 0DEG13' E 97FT FR NE COR LOT 6 BLK 13 SHERWOOD ADD SEC 11 1S
1W S0DEG13' E 43FT N 89DEG36'30SEC W 190.53FT N 44DEG54'45SEC W
7.11FT N0DEG13' W 112.16FT N 28DEG08' E 25.81FT S 89DEG36'30SEC E
51.78FT S 0DEG13' E 97FT S 89DEG36'30SEC E 131.50FT TO BEG; and also,
UNITS 101 THRU 105 INC & UNITS 201-202-204 & 205 SHERWOOD PARK
PLAZA RECPT NO1274960 DECL RECD B-1343 P-570 THRU P-600 MESA CO
RECDS & COMMON ELEMENTS; and also,
LOTS 1-2-3 BLK 4 SHAFROTH RODGERS ADDITION SEC 11 1S 1W & BEG
520FT E OF SWCOR SD SEC 11 N 400FT E 50FT S 400FT W TO BEG & THAT PT
OF W 10FT OF VAC ROW OF 3RD ST ADJ ON E PER CITY ORD DESC IN B-1704
P-668 EXC N 10FT FOR ALLEY AS DESC IN B-1020 P-965 MESA CO RECORDS;
and also,
BEG 470FT E OF SW COR SEC 11 1S 1W N 390FT E 50FT S 390FT W TO
BEG EXC S 50FT FOR RD AS PER B-1451 P-530 MESA CO RECORDS; and also,
BEG 420FT E OF SW COR SEC 11 1S 1W N 390FT E 50FT S 390FT W TO
BEG EXC S 50FT FOR RD AS PER B-1451 P-530 MESA CO RECORDS;
AND ALSO, Lots 1 through 34, inclusive, Block 89, Grand Junction;
AND ALSO, Lots 1 through 32, inclusive, Block 2, Dundee Place;
AND ALSO, Lots 1 through 4, inclusive; and Lots 16 through 20, inclusive, Block 1,
Eastholme-in-Grandview Subdivision;
AND ALSO; Lots 1 through 32, inclusive, Block K, Keiths Addition;

AND ALSO; Lots 1 through 3, inclusive, Block 94, City of Grand Junction;
AND ALSO; Lots 6 through 28, inclusive, Block 94, City of Grand Junction;
AND ALSO; South 45 ft of Lots 4 and 5, inclusive, Block 94, City of Grand Junction;
AND ALSO; Unit 1 through Unit 6, inclusive, Courthouse Place Building
Condominium, City of Grand Junction.
All in the City of Grand Junction, and Mesa County, Colorado.

That the improvements in and for said District ST-03, which are authorized by and in accordance with the terms and provisions of Resolution No. 90-02 passed and adopted on the 2nd day of October, 2002, declaring the intention of the City Council of the City of Grand Junction, Colorado, to create a local Alley improvement District to be known as Improvement District No. ST-03, with the terms and provisions of Resolution No. 102-02 passed and adopted on the 6th day of November, 2002, creating and establishing said District, all being in accordance with the terms and provisions of Chapter 28 of the Code of Ordinances of the City of Grand Junction, Colorado, being Ordinance No. 178, as amended, have been completed and have been accepted by the City Council of the City of Grand Junction, Colorado;

The City has inspected and accepted the condition of the improvements installed. The amount to be assessed from those properties benefiting from the improvements is \$95,543.52. Said amount including six percent (6%) for cost of collection and other incidentals; that the part apportioned to and upon each lot or tract of land within said District and assessable for said improvements is hereinafter set forth; that payment may be made to the Finance Director of the City of Grand Junction at any time within thirty (30) days after the final publication of the assessing ordinance assessing the real estate in said District for the cost of said improvements, and that the owner(s) so paying should be entitled to an allowance of six percent (6%) for cost of collection and other incidentals;

That any complaints or objections that may be made in writing by the said owner or owners of land within the said District and assessable for said improvements, or by any person interested, may be made to the City Council and filed in the office of the City Clerk of said City within thirty (30) days from the first publication of this Notice will be heard and determined by the said City Council at a public hearing on Wednesday, February 4th, 2004, at 7:30 p.m. in the City/County Auditorium, 520 Rood Avenue, Grand Junction, Colorado, before the passage of any ordinance assessing the cost of said improvements against the real estate in said District, and against said owners respectively as by law provided;

That the sum of \$95,543.52 for improvements is to be apportioned against the real estate in said District and against the owners respectively as by law provided in the following proportions and amounts severally as follows, to wit:

6TH STREET TO 7TH STREET, ROOD AVE TO WHITE AVE

TAX SCHEDULE NO.: 2945-143-07-002 LEGAL DESCRIPTION: LOT 6, BLOCK 94,
CITY OF GRAND JUNCTION
ASSESSMENT.....\$834.75

TAX SCHEDULE NO.: 2945-143-07-003 LEGAL DESCRIPTION: LOT 7, BLOCK 94,
CITY OF GRAND JUNCTION
ASSESSMENT.....\$834.75

TAX SCHEDULE NO.: 2945-143-07-004 LEGAL DESCRIPTION: LOT 8, BLOCK 94,
CITY OF GRAND JUNCTION
ASSESSMENT.....\$834.75

TAX SCHEDULE NO.: 2945-143-07-007 LEGAL DESCRIPTION: LOTS 27 & 28, BLOCK
94, CITY OF GRAND JUNCTION
ASSESSMENT.....\$1669.50

TAX SCHEDULE NO.: 2945-143-07-008 LEGAL DESCRIPTION: LOTS 25 & 26, BLOCK
94, CITY OF GRAND JUNCTION
ASSESSMENT.....\$1669.50

TAX SCHEDULE NO.: 2945-143-07-009 LEGAL DESCRIPTION: LOTS 22, 23, AND 24,
INCLUSIVE, BLOCK 94, CITY OF GRAND JUNCTION
ASSESSMENT.....\$2504.25

TAX SCHEDULE NO.: 2945-143-07-010 LEGAL DESCRIPTION: LOT 21, BLOCK 94,
CITY OF GRAND JUNCTION
ASSESSMENT.....\$4173.75

TAX SCHEDULE NO.: 2945-143-07-931 LEGAL DESCRIPTION: LOTS 1 TO 3
INCLUSIVE, BLOCK 94, CITY OF GRAND JUNCTION
ASSESSMENT.....\$2504.25

TAX SCHEDULE NO.: 2945-143-07-938 LEGAL DESCRIPTION: S 45FT OF LOTS 4 &
5, BLOCK 94, CITY OF GRAND JUNCTION S 14 1S 1W
ASSESSMENT.....\$1669.50

TAX SCHEDULE NO.: 2945-144-07-002 LEGAL DESCRIPTION: LOTS 16 THROUGH
20, INCLUSIVE, CITY OF GRAND JUNCTION
ASSESSMENT.....\$4507.65

TAX SCHEDULE NO.: 2945-144-07-003 LEGAL DESCRIPTION: LOTS 9 THROUGH
15, INCLUSIVE, BLOCK 94, CITY OF GRAND JUNCTION
ASSESSMENT.....\$6177.15

TAX SCHEDULE NO.: 2945-143-07-011 LEGAL DESCRIPTION: UNIT 1
COURTHOUSE PLACE BUILDING CONDOMINIUM & 1/6 INTEREST IN COMMON
ELEMENTS

ASSESSMENT.....\$278.25

TAX SCHEDULE NO.: 2945-143-07-012 LEGAL DESCRIPTION: UNIT 2
COURTHOUSE PLACE BUILDING CONDOMINIUM & 1/6 INTEREST IN COMMON
ELEMENTS

ASSESSMENT.....\$278.25

TAX SCHEDULE NO.: 2945-143-07-013 LEGAL DESCRIPTION: UNIT 3
COURTHOUSE PLACE BUILDING CONDOMINIUM & 1/6 INTEREST IN COMMON
ELEMENTS

ASSESSMENT.....\$278.25

TAX SCHEDULE NO.: 2945-143-07-014 LEGAL DESCRIPTION: UNIT 4
COURTHOUSE PLACE BUILDING CONDOMINIUM & 1/6 INTEREST IN COMMON
ELEMENTS

ASSESSMENT.....\$278.25

TAX SCHEDULE NO.: 2945-143-07-015 LEGAL DESCRIPTION: UNIT 5
COURTHOUSE PLACE BUILDING CONDOMINIUM & 1/6 INTEREST IN COMMON
ELEMENTS

ASSESSMENT.....\$278.25

TAX SCHEDULE NO.: 2945-143-07-016 LEGAL DESCRIPTION: UNIT 6
COURTHOUSE PLACE BUILDING CONDOMINIUM & 1/6 INTEREST IN COMMON
ELEMENTS

ASSESSMENT.....\$278.25

2ND STREET TO 3RD STREET, NORTH AVENUE TO E. SHERWOOD DRIVE

TAX SCHEDULE NO.: 2945-113-00-004 LEGAL DESCRIPTION: BEG 470 FT E OF SW COR S11 1S 1W; N 390 FT; E 50 FT; S 390 FT; W TO BEG; EXC S 50 FT FOR RD PER B-1451 P530 MESA COUNTY RECORDS
ASSESSMENT.....\$1,669.50

TAX SCHEDULE NO.: 2945-113-00-008 LEGAL DESCRIPTION: BEG 420 FT E OF SW COR S11 1S 1W; N 390 FT; E 50 FT; S 390 FT; W TO BEG; EXC S 50 FT FOR RD PER B-1451 P-530 MESA COUNTY RECORDS
ASSESSMENT.....\$1,669.50

TAX SCHEDULE NO.: 2945-113-17-001 LEGAL DESCRIPTION: LOT 1, BLOCK 13, SHERWOOD ADDITION, AMENDED PLAT OF BLOCKS 8, 9, 11, 12 &13, CITY OF GRAND JUNCTION
ASSESSMENT.....\$6,360.80

TAX SCHEDULE NO.: 2945-113-17-003 LEGAL DESCRIPTION: ALL THAT PART OF LOT 2, BLOCK 13, SHERWOOD ADDITION, AMENDED PLAT OF BLOCKS 8, 9, 11, 12 &13, N OF A LINE EXTENDING FROM MIDPOINT ON WESTERLY BOUNDARY TO MIDPOINT OF EASTERLY BOUNDARY OF LOT, CITY OF GRAND JUNCTION
ASSESSMENT.....\$982.62

TAX SCHEDULE NO.: 2945-113-17-005 LEGAL DESCRIPTION: BEG AT INTERSECTION OF SOUTHWESTERLY LINE OF LOT 3, BLOCK 13, SHERWOOD ADDITION, AMENDED PLAT OF BLOCKS 8, 9, 11, 12 &13, WITH SOUTHEASTERLY ROW OF E SHERWOOD DR.; NELY ALONG E. SHERWOOD DR. 50 FT; S43DEG 36MIN E 126.24 FT TO ALLEY; S 28DEG W ALONG ALLEY 52.65 FT TO SWLY LINE LOT 3; N 43DEG 36MIN W ALONG SOUTHWESTERLY LINE LOT 3 143.35 TO BEG, CITY OF GRAND JUNCTION
ASSESSMENT.....\$836.34

TAX SCHEDULE NO.: 2945-113-17-007 LEGAL DESCRIPTION: N 80 FT OF LOT 5, BLOCK 13, SHERWOOD ADDITION, AMENDED PLAT OF BLOCKS 8, 9, 11, 12 &13, CITY OF GRAND JUNCTION
ASSESSMENT.....\$3,005.10

TAX SCHEDULE NO.: 2945-113-17-008 LEGAL DESCRIPTION: S 100 FT OF LOT 5, BLOCK 13, SHERWOOD ADDITION, AMENDED PLAT OF BLOCKS 8, 9, 11, 12 & 13, CITY OF GRAND JUNCTION
ASSESSMENT.....\$1,812.60

TAX SCHEDULE NO.: 2945-113-17-010 LEGAL DESCRIPTION: UNIT 1 + AN UNDIVIDED 1/2 OF THE COMMON ELEMENTS, SHERWOOD PARK CONDOMINIUM, AS RECORDED RECEPTION NO. 1014611, CITY OF GRAND JUNCTION ASSESSMENT.....\$1,031.75

TAX SCHEDULE NO.: 2945-113-17-011 LEGAL DESCRIPTION: UNIT 2 + AN UNDIVIDED 1/2 OF THE COMMON ELEMENTS, SHERWOOD PARK CONDOMINIUM, AS RECORDED RECEPTION NO. 1014611, CITY OF GRAND JUNCTION ASSESSMENT.....\$1,031.75

TAX SCHEDULE NO.: 2945-113-17-013 LEGAL DESCRIPTION: A PORTION OF LOT 4, SHERWOOD ADDITION, AMENDED PLAT OF BLOCKS 8, 9, 11, 12 & 13, SEC 11 1S 1W, DESC. AS FOLLOWS; BEG AT SE COR SAID LOT 4; N 89DEG 42MIN W 75 FT; N 0DEG 13MIN W 119.05 FT; ALONG A CURVE TO THE RIGHT 51.5 FT, WHOSE RAD IS 583.3 FT AND CHORD BEARS N 68DEG 39MIN 08SEC E 51.48FT; ALONG A CURVE TO THE RIGHT 38.68 FT, WHOSE RAD IS 20 FT AND CHORD BEARS S 55DEG 24MIN 13SEC E 32.86 FT; S 0DEG 13MIN E 119.53 FT TO BEG, CITY OF GRAND JUNCTION ASSESSMENT.....\$2,504.25

TAX SCHEDULE NO.: 2945-113-17-014 LEGAL DESCRIPTION: BEG S 0DEG 13MIN E 97 FT FROM NE COR LOT 6, BLOCK 13, SHERWOOD ADDITION, AMENDED PLAT OF BLOCKS 8, 9, 11, 12 & 13, SEC 11 1S 1W; S 0DEG 13MIN E 43 FT; N 89DEG 36MIN 30SEC W 190.53 FT; N 44DEG 54MIN 45SEC W 7.11 FT; N 0DEG 13MIN W 112.16 FT; N 28DEG 08MIN E 25.81 FT; S 89DEG 36MIN 30SEC E 51.78 FT; S 0DEG 13MIN E 97 FT; S 89DEG 36MIN 30SEC E 131.5 FT TO BEG, CITY OF GRAND JUNCTION. ASSESSMENT.....\$6,357.46

TAX SCHEDULE NO.: 2945-113-17-025 LEGAL DESCRIPTION: UNITS 101 THROUGH 105 INCLUSIVE & UNITS 201-202-204 & 205 SHERWOOD PARK PLAZA, RECEPTION NO. 1274960 DECL RECD B-1343 P-570 THRU P-600 MESA CO. RECORDS & COMMON ELEMENTS, CITY OF GRAND JUNCTION ASSESSMENT.....\$2,374.03

TAX SCHEDULE NO.: 2945-113-18-005 LEGAL DESCRIPTION: LOTS 1,2&3, BLOCK 4 SHAFROTH RODGERS ADDITION SEC 11 1S 1W & BEG 520FT E OF SW COR SAID SEC 11; N 400FT; E 50FT; S 400FT; W TO BEG, & THAT PT OF W 10FT OF VAC ROW OF 3RD ST ADJACENT ON E PER CITY ORD. DESC IN B-1704 P-668, EXC N 10FT FOR ALLEY AS DESC IN B-1020 P-965 MESA CO. RECORDS, CITY OF GRAND JUNCTION ASSESSMENT.....\$10,350.90

11TH STREET TO 12TH STREET, ROOD AVENUE TO WHITE AVENUE

TAX SCHEDULE NO.: 2945-144-12-002 LEGAL DESCRIPTION: SOUTH 39.45 FT OF LOTS 1 & 2, BLOCK 89, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-144-12-021 LEGAL DESCRIPTION: LOT 3 AND THE WEST HALF OF LOT 4, BLOCK 89, CITY OF GRAND JUNCTION
ASSESSMENT.....\$318.00

TAX SCHEDULE NO.: 2945-144-12-003 LEGAL DESCRIPTION: EAST HALF OF LOT 4 AND ALL OF LOT 5, BLOCK 89, CITY OF GRAND JUNCTION
ASSESSMENT.....\$318.00

TAX SCHEDULE NO.: 2945-144-12-004 LEGAL DESCRIPTION: LOTS 6 & 7, BLOCK 89, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-144-12-005 LEGAL DESCRIPTION: LOTS 8 & 9, BLOCK 89, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-144-12-006 LEGAL DESCRIPTION: LOTS 10 & 11, BLOCK 89, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-144-12-007 LEGAL DESCRIPTION: LOTS 12 & 13, BLOCK 89, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-144-12-008 LEGAL DESCRIPTION: LOTS 14, 15 & 16, BLOCK 89, CITY OF GRAND JUNCTION
ASSESSMENT.....\$636.00

TAX SCHEDULE NO.: 2945-144-12-009 LEGAL DESCRIPTION: LOT 17, BLOCK 89, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-144-12-010 LEGAL DESCRIPTION: NORTH 39 FT OF LOTS 33 & 34, BLOCK 89, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-144-12-023 LEGAL DESCRIPTION: LOTS 31 & 32, BLOCK 89, CITY OF GRAND JUNCTION
ASSESSMENT.....\$795.00

TAX SCHEDULE NO.: 2945-144-12-014 LEGAL DESCRIPTION: LOTS 29 & 30, BLOCK 89, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-144-12-015 LEGAL DESCRIPTION: LOTS 27 & 28,
BLOCK 89, CITY OF GRAND JUNCTION
ASSESSMENT.....\$795.00

TAX SCHEDULE NO.: 2945-144-12-016 LEGAL DESCRIPTION: LOTS 25 & 26,
BLOCK 89, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-144-12-017 LEGAL DESCRIPTION: LOTS 23 & 24,
BLOCK 89, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-144-12-018 LEGAL DESCRIPTION: LOTS 21 & 22,
BLOCK 89, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-144-12-019 LEGAL DESCRIPTION: LOTS 19 & 20,
BLOCK 89, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-144-12-020 LEGAL DESCRIPTION: LOT 18, BLOCK
89, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

13TH ST TO 14TH STREET, COLORADO AVENUE TO MAIN AVENUE

TAX SCHEDULE NO.: 2945-133-14-001 LEGAL DESCRIPTION: LOTS 31 & 32,
BLOCK "K", KEITH'S ADDITION, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-133-14-002 LEGAL DESCRIPTION: LOTS 29 & 30,
BLOCK "K", KEITH'S ADDITION, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-133-14-003 LEGAL DESCRIPTION: LOTS 27 & 28,
BLOCK "K", KEITH'S ADDITION, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-133-14-004 LEGAL DESCRIPTION: LOTS 25 & 26,
BLOCK "K", KEITH'S ADDITION, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-133-14-005 LEGAL DESCRIPTION: LOTS 23 & 24,
BLOCK "K", KEITH'S ADDITION, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-133-14-006 LEGAL DESCRIPTION: LOTS 21 & 22,
BLOCK "K", KEITH'S ADDITION, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-133-14-007 LEGAL DESCRIPTION: LOTS 19 & 20,
BLOCK "K", KEITH'S ADDITION, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-133-14-008 LEGAL DESCRIPTION: LOTS 17 & 18,
BLOCK "K", KEITH'S ADDITION, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-133-14-009 LEGAL DESCRIPTION: LOTS 1 & 2,
BLOCK "K", KEITH'S ADDITION, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-133-14-010 LEGAL DESCRIPTION: LOTS 3 & 4,
BLOCK "K", KEITH'S ADDITION, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-133-14-011 LEGAL DESCRIPTION: LOTS 5 & 6,
BLOCK "K", KEITH'S ADDITION, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-133-14-012 LEGAL DESCRIPTION: LOTS 7 & 8,
BLOCK "K", KEITH'S ADDITION, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-133-14-013 LEGAL DESCRIPTION: LOTS 15 & 16,
BLOCK "K", KEITH'S ADDITION, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-133-14-014 LEGAL DESCRIPTION: LOTS 9 & 10,
BLOCK "K", KEITH'S ADDITION, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-133-14-015 LEGAL DESCRIPTION: LOTS 11 & 12,
BLOCK "K", KEITH'S ADDITION, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-133-14-016 LEGAL DESCRIPTION: LOTS 13 & 14,
BLOCK "K", KEITH'S ADDITION, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

13TH STREET TO 14TH STREET, HALL AVENUE TO ORCHARD AVENUE

TAX SCHEDULE NO.: 2945-123-02-008 LEGAL DESCRIPTION: LOT 1 & THE WEST 19.27 FT OF LOT 2, BLOCK 1, EASTHOLME-IN-GRANDVIEW SUB, CITY OF GRAND JUNCTION
ASSESSMENT.....\$653.55

TAX SCHEDULE NO.: 2945-123-02-007 LEGAL DESCRIPTION: EAST 38.53 FT OF LOT 2 & THE WEST 38.53 FT OF LOT 3, BLOCK 1, EASTHOLME-IN-GRANDVIEW SUB, CITY OF GRAND JUNCTION
ASSESSMENT.....\$653.47

TAX SCHEDULE NO.: 2945-123-02-006 LEGAL DESCRIPTION: EAST 19.27 FT OF LOT 3 & ALL OF LOT 4, BLOCK 1, EASTHOLME-IN-GRANDVIEW SUB, EXCEPT THE EAST 3 FT OF THE NORTH 101.5 FT OF LOT 4, CITY OF GRAND JUNCTION
ASSESSMENT.....\$653.55

TAX SCHEDULE NO.: 2945-123-02-009 LEGAL DESCRIPTION: LOT 16, BLOCK 1, EASTHOLME-IN-GRANDVIEW SUB, CITY OF GRAND JUNCTION
ASSESSMENT.....\$644.48

TAX SCHEDULE NO.: 2945-123-02-015 LEGAL DESCRIPTION: LOT 17 & THE EAST 19.27 FT OF LOT 18, BLOCK 1, EASTHOLME-IN-GRANDVIEW SUB, CITY OF GRAND JUNCTION
ASSESSMENT.....\$653.55

TAX SCHEDULE NO.: 2945-123-02-016 LEGAL DESCRIPTION: WEST 38.53 FT OF LOT 18 & THE EAST 38.53 FT OF LOT 19, BLOCK 1, EASTHOLME-IN-GRANDVIEW SUB, CITY OF GRAND JUNCTION
ASSESSMENT.....\$653.47

TAX SCHEDULE NO.: 2945-123-02-017 LEGAL DESCRIPTION: WEST 19.27 FT OF LOT 19 & ALL OF LOT 20, BLOCK 1, EASTHOLME-IN-GRANDVIEW SUB, CITY OF GRAND JUNCTION
ASSESSMENT.....\$653.55

13TH STREET TO 14TH STREET, CHIPETA AVENUE TO OURAY AVENUE

TAX SCHEDULE NO.: 2945-132-10-001 LEGAL DESCRIPTION: LOTS 1 & 2, BLOCK 2, DUNDEE PLACE, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-132-10-002 LEGAL DESCRIPTION: LOTS 3 & 4 AND THE WEST HALF OF LOT 5, BLOCK 2, DUNDEE PLACE, CITY OF GRAND JUNCTION
ASSESSMENT.....\$530.00

TAX SCHEDULE NO.: 2945-132-10-003 LEGAL DESCRIPTION: EAST HALF OF LOT 5 AND ALL OF LOTS 6 & 7, BLOCK 2, DUNDEE PLACE, CITY OF GRAND JUNCTION
ASSESSMENT.....\$530.00

TAX SCHEDULE NO.: 2945-132-10-004 LEGAL DESCRIPTION: LOTS 8 & 9 AND THE WEST HALF OF LOT 10, BLOCK 2, DUNDEE PLACE, CITY OF GRAND JUNCTION
ASSESSMENT.....\$530.00

TAX SCHEDULE NO.: 2945-132-10-005 LEGAL DESCRIPTION: EAST HALF OF LOT 10 AND ALL OF LOTS 11 & 12, BLOCK 2, DUNDEE PLACE, CITY OF GRAND JUNCTION
ASSESSMENT.....\$530.00

TAX SCHEDULE NO.: 2945-132-10-006 LEGAL DESCRIPTION: LOTS 13 & 14, BLOCK 2, DUNDEE PLACE, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-132-10-008 LEGAL DESCRIPTION: LOTS 31 & 32, BLOCK 2, DUNDEE PLACE, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-132-10-009 LEGAL DESCRIPTION: LOTS 29 & 30, BLOCK 2, DUNDEE PLACE, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-132-10-010 LEGAL DESCRIPTION: LOTS 27 & 28, BLOCK 2, DUNDEE PLACE, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-132-10-011 LEGAL DESCRIPTION: LOTS 25 & 26, BLOCK 2, DUNDEE PLACE, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-132-10-012 LEGAL DESCRIPTION: LOTS 23 & 24, BLOCK 2, DUNDEE PLACE, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-132-10-013 LEGAL DESCRIPTION: LOTS 21 & 22,
BLOCK 2, DUNDEE PLACE, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-132-10-014 LEGAL DESCRIPTION: LOTS 19 & 20,
BLOCK 2, DUNDEE PLACE, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-132-10-015 LEGAL DESCRIPTION: LOTS 17 & 18,
BLOCK 2, DUNDEE PLACE, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-132-10-016 LEGAL DESCRIPTION: LOTS 15 & 16,
BLOCK 2, DUNDEE PLACE, CITY OF GRAND JUNCTION
ASSESSMENT.....\$424.00

Attach 13

CDOT Enhancement Grant Project

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Enhancement Fund Project Application						
Meeting Date	December 17, 2003						
Date Prepared	December 10, 2003				File #		
Author	Jody Kliska			Transportation Engineer			
Presenter Name	Mark Relph			Public Works and Utilities Director			
Report results back to Council		No	X	Yes	When	After results of CDOT review	
Citizen Presentation		Yes	X	No	Name		
	Additional Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: Approval of application for enhancement funds for 7th Street Pedestrian and Landscaping Project from Grand Avenue to Ute Avenue, Main Street from 7th to 8th Street. Colorado Department of Transportation is requesting applications for local government enhancement projects for state fiscal years 2006, 2007, 2008. Applications are due to CDOT by December 26, 2003. Staff has prepared an application and resolution for Council consideration.

Budget: A minimum 20% local match is required. The draft budget for the \$1.4 million project is as follows:

DDA	\$700,000
City of Grand Junction	\$350,000
Enhancement Funds	<u>\$350,000</u>
Total:	\$1,400,000

Project budget is likely to require further discussion after status of grant request is determined.

Action Requested/Recommendation: Council approval of a resolution for the 7th Street Streetscaping/Median project.

Attachments: Resolution.

Background Information: Historically, approximately \$350,000 has been available annually for the Transportation Planning Region, which covers all of Mesa County. Once CDOT has determined the eligibility of the proposed projects, the list is sent to the Regional Transportation Planning Office for prioritization by the Grand Valley Regional Transportation

Commission. The City of Grand Junction competes with Mesa County, Fruita, Palisade, DeBeque and Collbran for project funding.

There are four project categories for which projects are eligible for enhancement funding. These include:

- Pedestrian and Bicycle Facilities
- Historic Preservation
- Transportation Aesthetics
- Environmental Mitigation

At its November 17, 2003 workshop, Council considered a list of potential projects for application and directed staff to pursue the downtown pedestrian and streetscape project on 7th Street in coordination with the Downtown Development Authority.

The Downtown Development Authority is proposing the following projects for downtown streets:

- 7th Street medians and streetscape from Grand Avenue to Ute Avenue. Estimated cost \$1.2 million.
- Main Street from 7th Street to 8th Street. Estimated cost \$200,000.

The cost estimate is based on \$200,000 per block of improvement. The DDA has indicated they will budget 50% of the cost of the 7th Street project, or \$700,000.

City staff has confirmed with County staff that the County intends to submit an enhancement grant request for Monument Road at a total project cost of \$890,000. The intent of the project is to widen the road section to allow for paved shoulders, thereby increasing bicycle pedestrian safety. The public hearing is anticipated prior to the deadline for grand submittal.

RESOLUTION NO. _____

A RESOLUTION SUPPORTING THE APPLICATION FOR ENHANCEMENT FUNDS FOR
7TH STREET STREETSAPING/MEDIANS – GRAND AVENUE TO UTE AVENUE

RECITALS:

WHEREAS, the City of Grand Junction Public Works Department, Transportation Engineering Division, has compiled a list of eligible projects for application for enhancement funds.

WHEREAS, the proposed projects were compiled from suggestions from other departments and entities and include partnerships for joint application for funds.

WHEREAS, City Council at its November 17, 2003 workshop directed staff to prepare the application for the 7th Street Streetscape/Median project from Grand Avenue to Ute Avenue, in partnership with the Downtown Development Authority.

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

The 7th Street Streetscape/Median project is approved for application for enhancement funds.

PASSED and ADOPTED this _____ Day of December, 2003.

President of the Council

ATTEST:

City Clerk

Attach 14

Public Hearing – Washington Annexation Located at 287 Coulson Drive

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Washington Annexation located at 287 Coulson Drive					
Meeting Date	December 17, 2003					
Date Prepared	November 5, 2003			File #ANX-2003-200		
Author	Ronnie Edwards		Associate Planner			
Presenter Name	Ronnie Edwards		Associate Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes		No	Name	
	Workshop	X	Formal Agenda			Consent X Individual Consideration

Summary: Hold a public hearing and consider final passage of a Resolution for Acceptance of the Petition to Annex and Annexation Ordinance for the Washington Annexation located at 287 Coulson Drive and including a portion of the Unawep Avenue, Coulson Drive and Capitol Lane rights-of-way.

The petitioner is seeking annexation in conjunction with a proposed residential simple subdivision, pursuant to the 1998 Persigo Agreement with Mesa County.

Budget: N/A

Action Requested/Recommendation: Approve the resolution for the acceptance of petition to annex and second reading of the annexation ordinance.

Attachments:

36. Vicinity Map
37. Aerial Photo
38. Growth Plan Map
39. Zoning Map
40. Annexation map
41. Resolution of Acceptance of Petition
42. Annexation Ordinance

Background Information: See attached Staff Report

STAFF REPORT / BACKGROUND INFORMATION			
Location:		287 Coulson Drive	
Applicants:		Yvonne Washington	
Existing Land Use:		Vacant	
Proposed Land Use:		Residential Single Family	
Surrounding Land Use:	North	Residential Single Family	
	South	Residential Single Family	
	East	Residential Single Family	
	West	Residential Single Family	
Existing Zoning:		County RSF-4	
Proposed Zoning:		City RSF-4	
Surrounding Zoning:	North	County RSF-4	
	South	County RSF-4	
	East	County RSF-4	
	West	County RSF-4	
Growth Plan Designation:		Residential Medium Low (2-4 du/ac)	
Zoning within density range?		Yes	No

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 Washington 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.

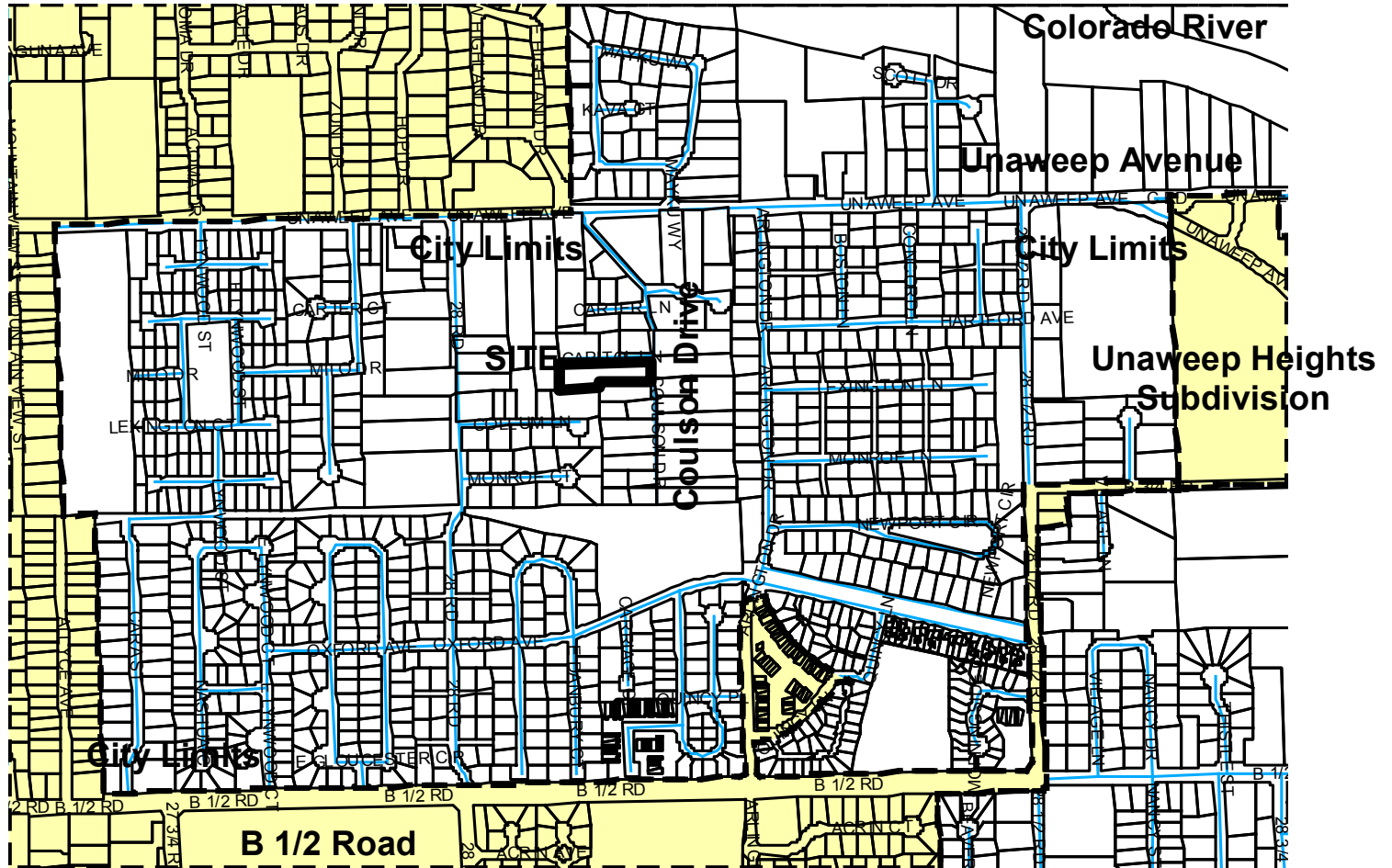
WASHINGTON ANNEXATION SUMMARY		
File Number:	ANX-2003-200	
Location:	287 Coulson Drive	
Tax ID Number:	2943-302-00-237	
Parcels:	One	
Estimated Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	1.317 acres for annexation area	
Developable Acres Remaining:	0.91 acres	
Right-of-way in Annexation:	121.73' strip of UnawEEP Avenue, 848.52' of Coulson Drive and 427.28' of Capitol Lane (See Map)	
Previous County Zoning:	RSF-4	
Proposed City Zoning:	RSF-4	
Current Land Use:	Vacant	
Future Land Use:	Residential Single Family	
Values:	Assessed:	\$ 2,390
	Actual:	\$ 30,000
Address Ranges:	2811 to 2815 Capitol Lane(odd only)	
Special Districts:	Water:	Ute Water District
	Sewer:	Orchard Mesa Sanitation District
	Fire:	Grand Junction Rural Fire District
	Irrigation/ Drainage:	Orchard Mesa Irrigation & Drainage
	School:	District 51
	Pest:	N/A

The following annexation and zoning schedule is being proposed.

<i><u>ANNEXATION SCHEDULE</u></i>	
November 5, 2003	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
November 25, 2003	Planning Commission considers Zone of Annexation
December 3, 2003	Introduction Of A Proposed Ordinance on Zoning by City Council
December 17, 2003	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
January 18, 2004	Effective date of Annexation and Zoning

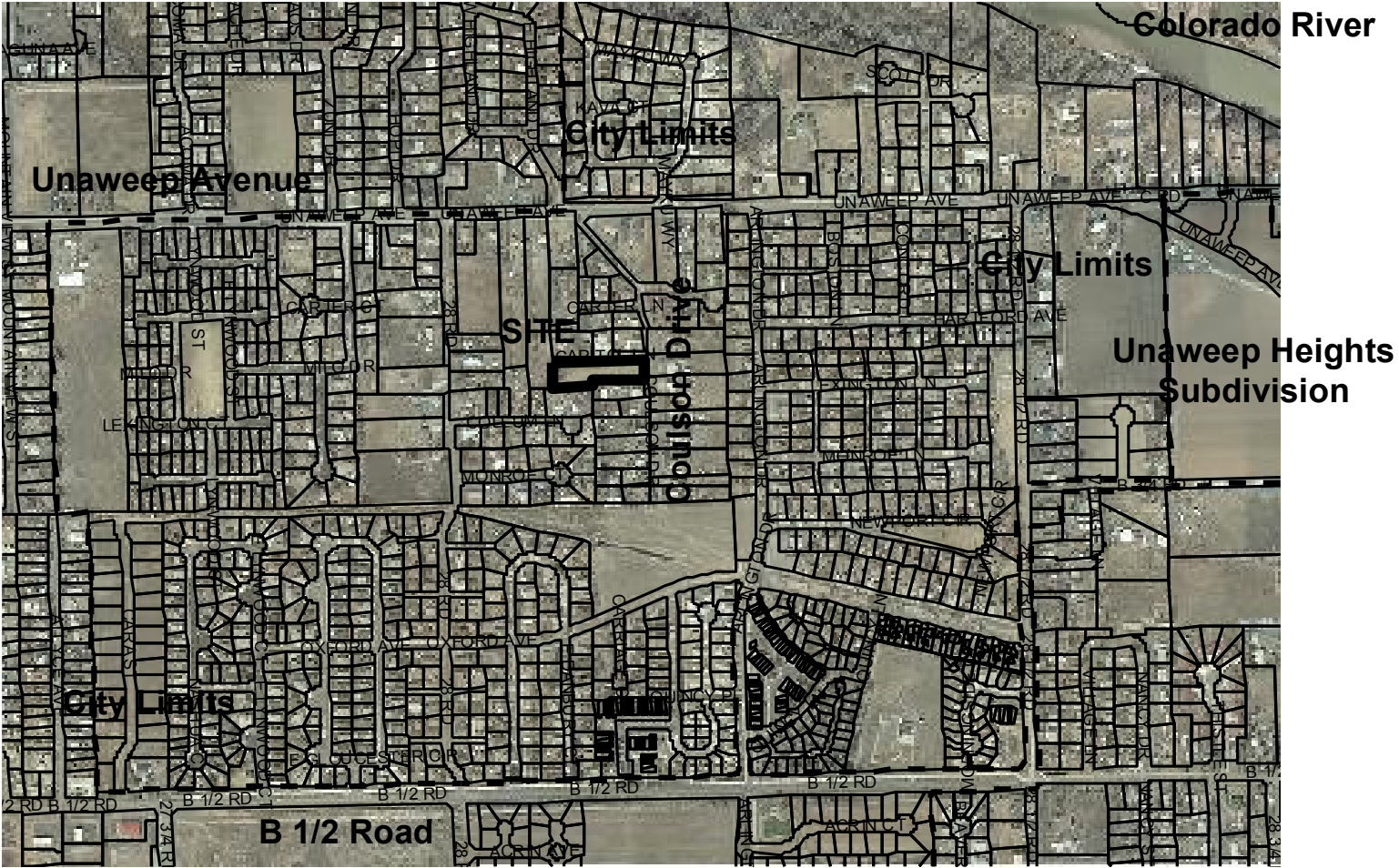
Site Location Map

Figure 1



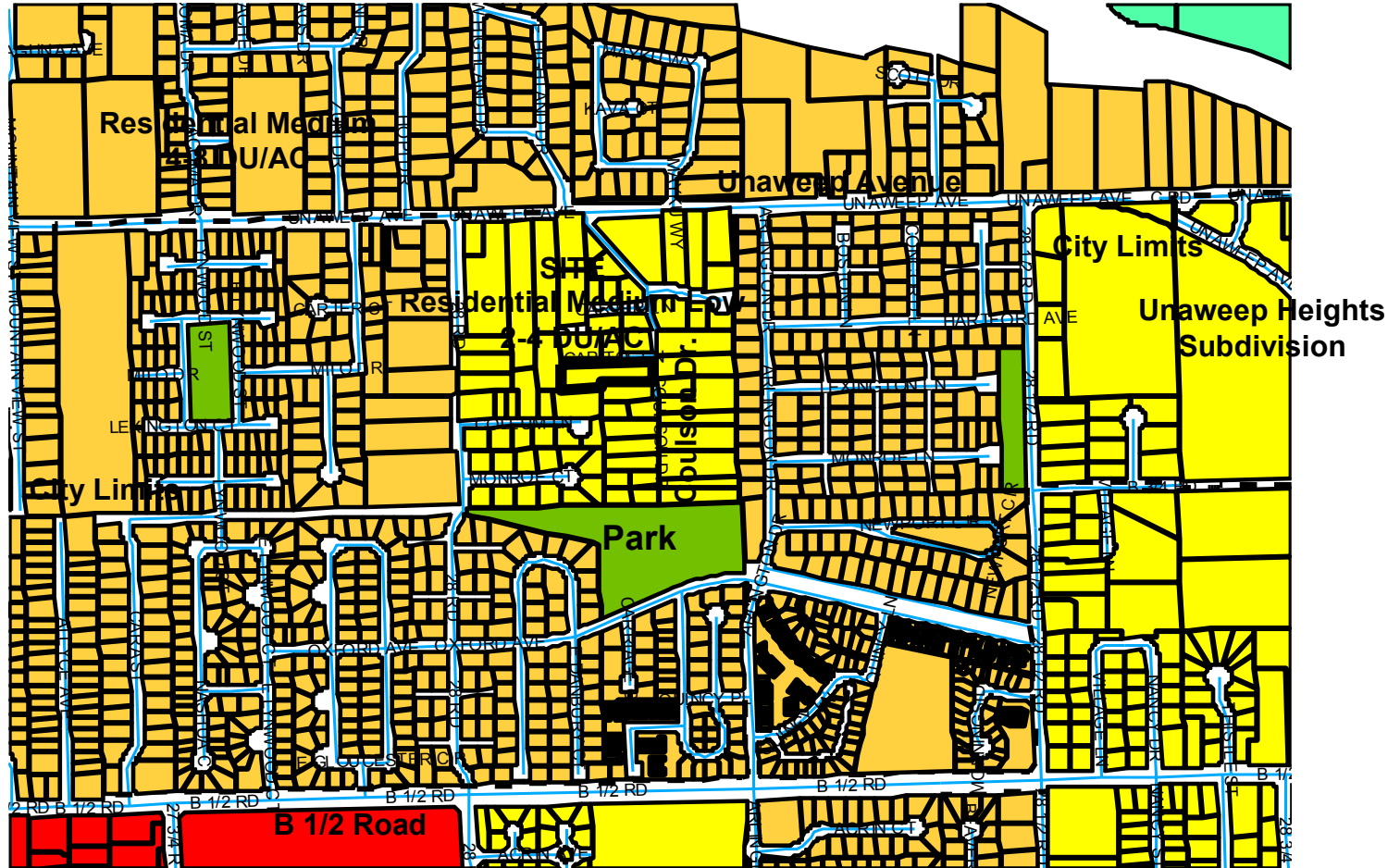
Aerial Photo Map

Figure 2



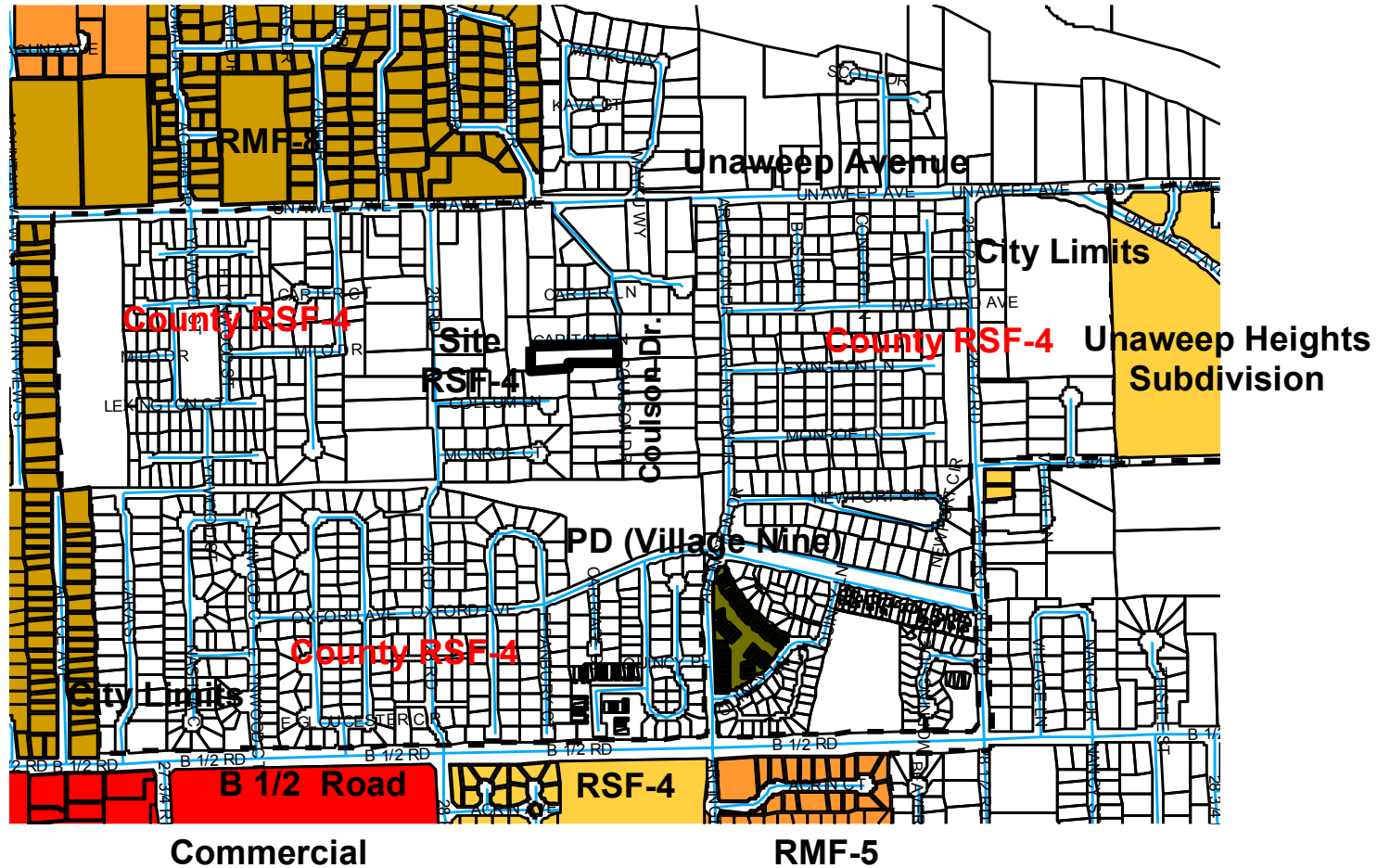
Future Land Use Map

Figure 3



Existing City and County Zoning

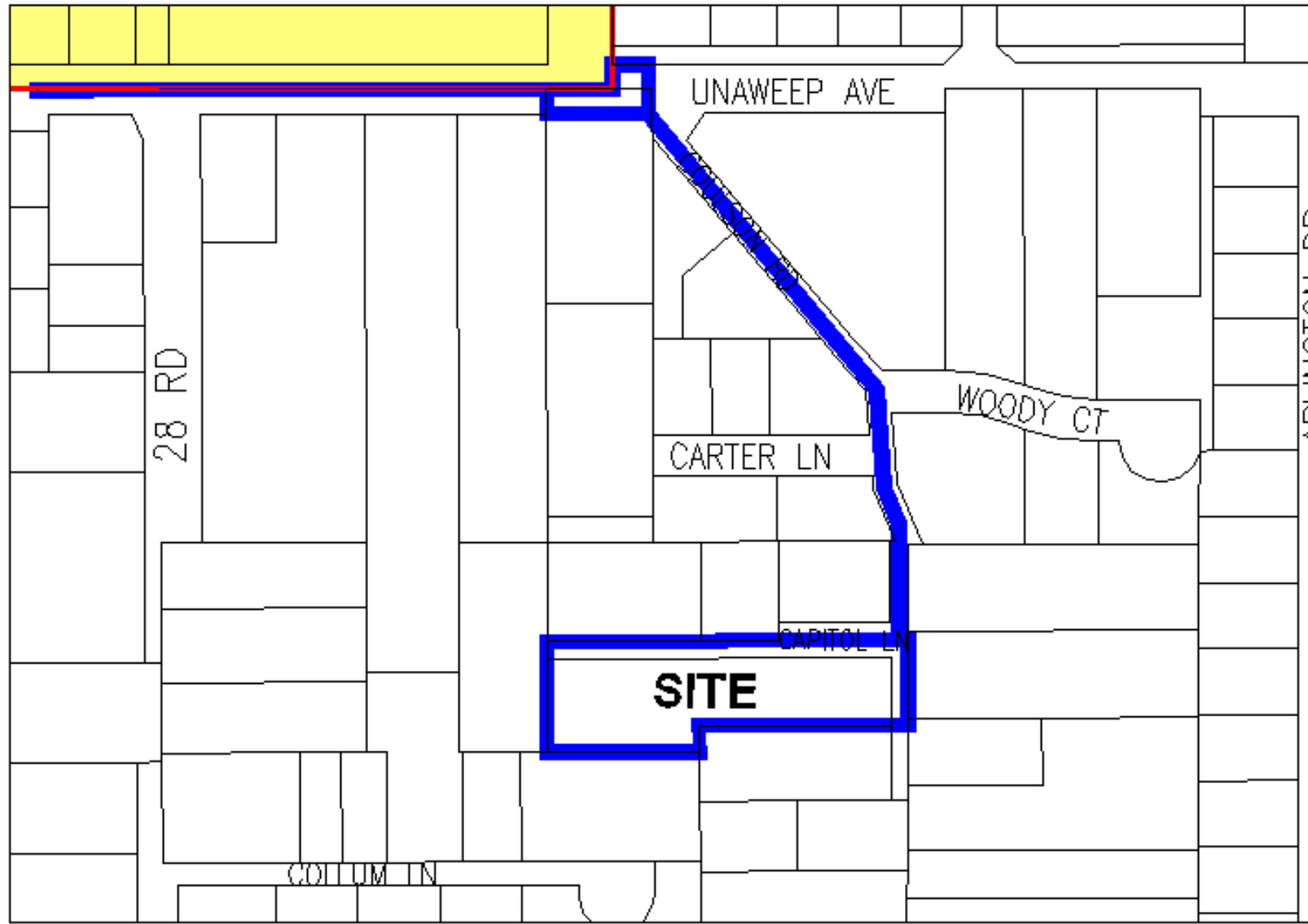
Figure 4



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

Washington Annexation

Figure 5



 City Limits  Annexation Boundary

RESOLUTION NO. _____

**A RESOLUTION
ACCEPTING A PETITION TO THE CITY COUNCIL
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO.**

WASHINGTON ANNEXATION

**LOCATED AT 287 COULSON DRIVE AND INCLUDING A PORTION OF
UNAWEEP AVENUE, COULSON DRIVE AND CAPITOL LANE RIGHTS-OF-WAY**

WHEREAS, on the 5th day of November, 2003, 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:

WASHINGTON ANNEXATION

A certain parcel of land lying in the Northwest Quarter (NW 1/4) of Section 30 and the Southwest Quarter (SW 1/4) of Section 19, Township 1 South, Range 1 East, and the Northeast Quarter (NE 1/4) of Section 25 and the Southeast Quarter (SE 1/4) of Section 24, Township 1 South, Range 1 West, all lying in the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Northwest corner of the NW 1/4 of said Section 30, and assuming the North line of the NW 1/4 of said Section 30 bears S 89°58'27" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S 89°58'27" E along the North line of the NW 1/4 of said Section 30, a distance of 549.96 feet, more or less, to a point on a Easterly line of the Central Orchard Mesa Annexation, City of Grand Junction Ordinance Number 1481; thence N 00°27'05" E along said East line, a distance of 30.00 feet to a point on the North right of way for "C" Road (Unawep Avenue) and being the Southwest corner of Cottonwood Bluffs, as same is recorded in Plat Book 17, Page 70, Public Records of Mesa County, Colorado; thence S 89°58'27" E along said North right of way, a distance of 43.04 feet; thence S 00°01'33" W a distance of 60.00 feet; thence S 39°56'27" E a distance of 434.56 feet; thence S 04°09'27" E a distance of 120.64 feet; thence S 21°39'27" E a distance of 47.47 feet; thence S 00°10'00" E a distance of 142.95 feet; thence N 89°50'00" E a distance of 11.00 feet to a point on the East line of Coulson Drive, as same is recorded in Book 2257, Page 148, Public Records of Mesa County, Colorado; thence S 00°09'58" E along said East line, a distance of 102.46 feet; thence N 89°50'17" W a distance of 255.03 feet; thence S 00°21'35" W a distance of 32.55 feet; thence N 89°56'55" W a distance of 184.20 feet; thence N 00°03'30" W a distance of 135.31

feet; thence S 89°50'10" E a distance of 427.28 feet; thence N 00°10'00" W a distance of 142.75 feet; thence N 21°39'27" W a distance of 47.43 feet; thence N 04°09'27" W a distance of 120.47 feet; thence N 39°56'27" W a distance of 435.08 feet; thence N 89°58'27" W along the South right of way for "C" Road (Unawep Avenue), a distance of 121.73 feet to a point being the Northwest corner of Shawn Lea Subdivision, as same is recorded in Plat Book 9, Page 169, Public Records of Mesa County, Colorado; thence N 00°02'25" W, a distance of 29.00 feet; thence N 89°58'27" W along a line 1.00 foot South of and parallel to, the North line of the NW 1/4 of said Section 30, a distance of 470.15 feet to a point on the West line of the NW 1/4 of said Section 30; thence S 89°57'35" W along a line 1.00 foot South of and parallel to, the North line of the NE 1/4 of said Section 25, a distance of 150.00 feet; thence N 00°02'25" W a distance of 1.00 foot; thence N 89°57'35" E along the North line of the NE 1/4 of said Section 25, a distance of 150.00 feet, more or less, to the Point of Beginning.

CONTAINING 1.317 Acres (57,376 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:

5. That a hearing will be held on the 17th day of December, 2003, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:30 PM 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.
6. 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 17th day of December, 2003.

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**

WASHINGTON ANNEXATION

**LOCATED AT 287 COULSON DRIVE AND INCLUDING A PORTION OF
UNAWEEP AVENUE, COULSON DRIVE AND CAPITOL LANE RIGHTS-OF-WAY**

APPROXIMATELY 1.317 ACRES

WHEREAS, on the 5th day of November, 2003, 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 17th day of December, 2003; 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 Northwest Quarter (NW 1/4) of Section 30 and the Southwest Quarter (SW 1/4) of Section 19, Township 1 South, Range 1 East, and the Northeast Quarter (NE 1/4) of Section 25 and the Southeast Quarter (SE 1/4) of Section 24, Township 1 South, Range 1

West, all lying in the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Northwest corner of the NW 1/4 of said Section 30, and assuming the North line of the NW 1/4 of said Section 30 bears S 89°58'27" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S 89°58'27" E along the North line of the NW 1/4 of said Section 30, a distance of 549.96 feet, more or less, to a point on a Easterly line of the Central Orchard Mesa Annexation, City of Grand Junction Ordinance Number 1481; thence N 00°27'05" E along said East line, a distance of 30.00 feet to a point on the North right of way for "C" Road (Unawep Avenue) and being the Southwest corner of Cottonwood Bluffs, as same is recorded in Plat Book 17, Page 70, Public Records of Mesa County, Colorado; thence S 89°58'27" E along said North right of way, a distance of 43.04 feet; thence S 00°01'33" W a distance of 60.00 feet; thence S 39°56'27" E a distance of 434.56 feet; thence S 04°09'27" E a distance of 120.64 feet; thence S 21°39'27" E a distance of 47.47 feet; thence S 00°10'00" E a distance of 142.95 feet; thence N 89°50'00" E a distance of 11.00 feet to a point on the East line of Coulson Drive, as same is recorded in Book 2257, Page 148, Public Records of Mesa County, Colorado; thence S 00°09'58" E along said East line, a distance of 102.46 feet; thence N 89°50'17" W a distance of 255.03 feet; thence S 00°21'35" W a distance of 32.55 feet; thence N 89°56'55" W a distance of 184.20 feet; thence N 00°03'30" W a distance of 135.31 feet; thence S 89°50'10" E a distance of 427.28 feet; thence N 00°10'00" W a distance of 142.75 feet; thence N 21°39'27" W a distance of 47.43 feet; thence N 04°09'27" W a distance of 120.47 feet; thence N 39°56'27" W a distance of 435.08 feet; thence N 89°58'27" W along the South right of way for "C" Road (Unawep Avenue), a distance of 121.73 feet to a point being the Northwest corner of Shawn Lea Subdivision, as same is recorded in Plat Book 9, Page 169, Public Records of Mesa County, Colorado; thence N 00°02'25" W, a distance of 29.00 feet; thence N 89°58'27" W along a line 1.00 foot South of and parallel to, the North line of the NW 1/4 of said Section 30, a distance of 470.15 feet to a point on the West line of the NW 1/4 of said Section 30; thence S 89°57'35" W along a line 1.00 foot South of and parallel to, the North line of the NE 1/4 of said Section 25, a distance of 150.00 feet; thence N 00°02'25" W a distance of 1.00 foot; thence N 89°57'35" E along the North line of the NE 1/4 of said Section 25, a distance of 150.00 feet, more or less, to the Point of Beginning.

CONTAINING 1.317 Acres (57,376 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 5th day of November, 2003 and ordered published.

ADOPTED on second reading this _____ day of _____, 2003.

Attest:

President of the Council

City Clerk

Attach 15

Public Hearing Zoning the Washington Annexation Located at 287 Coulson Drive

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Zoning the Washington Annexation located at 287 Coulson Drive					
Meeting Date	December 17, 2003					
Date Prepared	November 5, 2003				File #ANX-2003-200	
Author	Ronnie Edwards			Associate Planner		
Presenter Name	Ronnie Edwards			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: The Washington Annexation is comprised of one parcel of land of 1.317 acres and includes Unawep Avenue, Coulson Drive and Capitol Lane rights-of-way. The petitioner is requesting a zone of Residential Single Family with a density not to exceed four units per acre (RSF-4), which conforms to the Growth Plan Future Land Use Map. Planning Commission recommended approval at its November 25, 2003 meeting.

Budget: N/A

Action Requested/Recommendation: Approve the ordinance zoning the Washington Annexation.

Attachments:

1. Vicinity Map
2. Aerial Map
3. Growth Plan Map
4. Zoning Map
5. Annexation Map
6. Zoning Ordinance

BACKGROUND INFORMATION			
Location:		287 Coulson Drive	
Applicants:		Yvonne Washington	
Existing Land Use:		Vacant	
Proposed Land Use:		Residential Single Family	
Surrounding Land Use:	North	Residential Single Family	
	South	Residential Single Family	
	East	Residential Single Family	
	West	Residential Single Family	
Existing Zoning:		County RSF-4	
Proposed Zoning:		City RSF-4	
Surrounding Zoning:	North	County RSF-4	
	South	County RSF-4	
	East	County RSF-4	
	West	County RSF-4	
Growth Plan Designation:		Residential Medium Low (2-4 du/ac)	
Zoning within density range?		X	Yes
			No

Staff Analysis:

ZONE OF ANNEXATION:

Under the 1998 Persigo Agreement with Mesa County, the City shall zone newly annexed areas with a zone that is either identical to current County zoning or conforms to the City's Growth Plan Future Land Use Map. The proposed zoning of RSF-4 identical to current County zoning and conforms to the Future Land Use Map.

RSF-R ZONE DISTRICT

- The RSF-4 does conform to the recommended future land use on the Growth Plan Future Land Use Map, which is currently designated as Residential Medium Low (2-4 du/ac).
- Zoning this annexation with the RSF-4 zone district meets the criteria found in Sections 2.14.F and 2.6 of the Grand Junction Zoning and Development Code.
- The subject property is surrounded by existing residential single family zoning and uses, with platted subdivisions zoned RSF-4 and RMF-8.

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 and rezones must demonstrate conformance with all of the following criteria:

- a. The existing zoning was in error at the time of adoption

This change of zoning is the result of an annexation. Therefore, this criteria does not apply.

- b. 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.

This change of zoning is the result of an annexation. Therefore, this criteria does not apply.

- c. 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 rezone to RSF-4 is density range recommended by the Growth Plan. This criterion must be considered in conjunction with criteria e, 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 RSF-4 zone district, therefore this criterion is met.

- d. 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 proposed RSF-4 zone conforms with the Growth Plan and Orchard Mesa Neighborhood Plan.

- e. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development

Adequate public facilities are currently available and can address the impacts of development consistent with the RSF-4 zone district.

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

This change of zoning is the result of annexation. Therefore, this criteria does not apply.

- g. The community or neighborhood will benefit from the proposed zone.

This change of zoning is the result of annexation. Therefore, this criteria does not apply.

<i>WASHINGTON ANNEXATION SUMMARY</i>		
File Number:	ANX-2003-200	
Location:	287 Coulson Drive	
Tax ID Number:	2943-302-00-237	
Parcels:	1	
Estimated Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	1.317 acres for annexation area	
Developable Acres Remaining:	0.91 acres	
Right-of-way in Annexation:	121.73' strip of Unaweeep Avenue, 848.52' of Coulson Drive and 427.28' of Capitol Lane (See Map)	
Previous County Zoning:	RSF-4	
Proposed City Zoning:	RSF-4	
Current Land Use:	Vacant	
Future Land Use:	Residential Single Family	
Values:	Assessed:	= \$ 2,390
	Actual:	= \$ 30,000
Address Ranges:	2811 to 2815 Capitol Lane (odd only)	
Special Districts:	Water:	Ute Water District
	Sewer:	Orchard Mesa Sanitation District

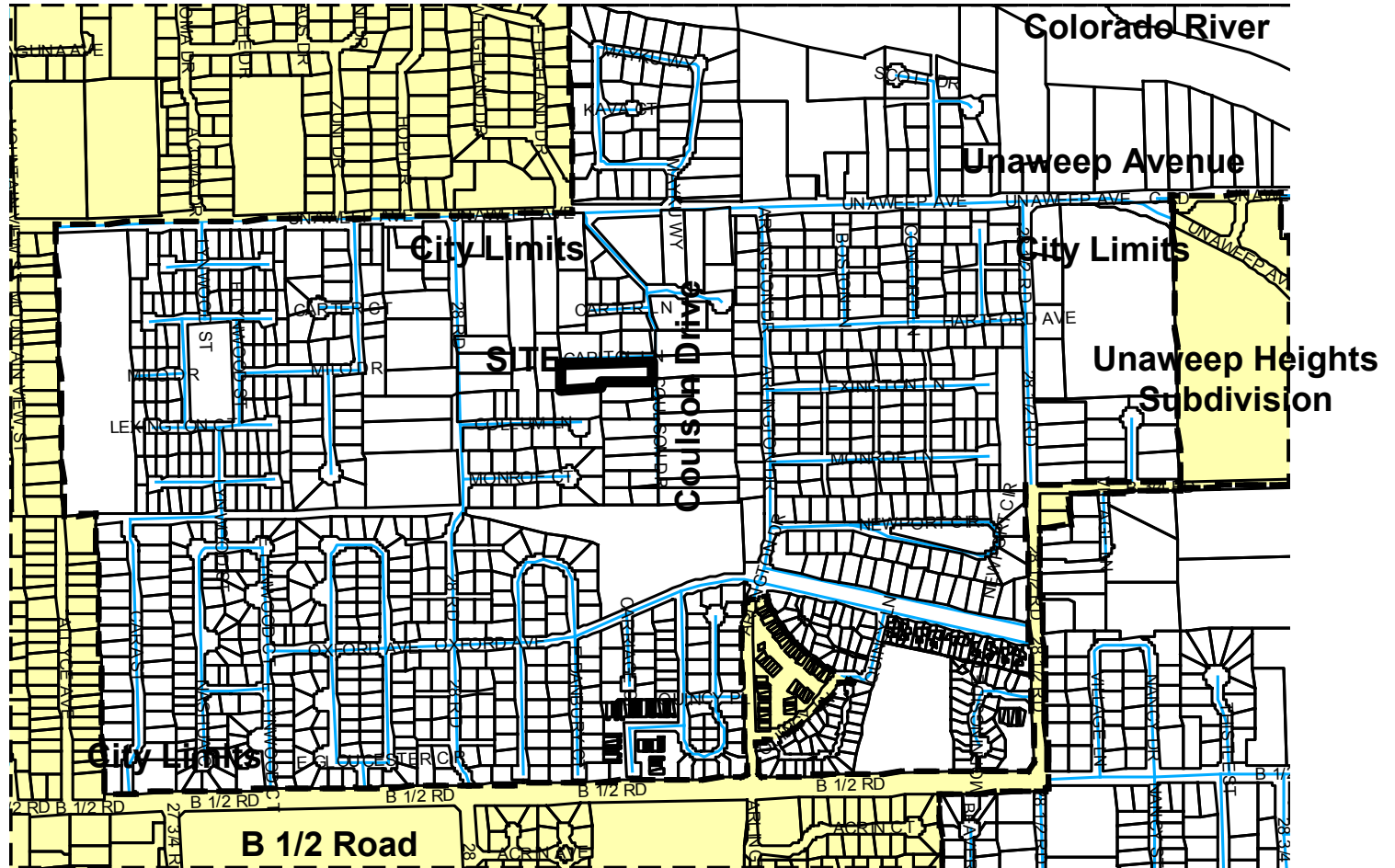
	Fire:	Grand Junction Rural Fire District
	Drainage/Irrigation:	Orchard Mesa Irrigation & Drainage
	School:	District 51
	Pest:	N/A

The following annexation and zoning schedule is being proposed.

<u>ANNEXATION SCHEDULE</u>	
November 5, 2003	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
November 25, 2003	Planning Commission considers Zone of Annexation
December 3, 2003	First Reading on Zoning by City Council
December 17, 2003	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
January 18, 2004	Effective date of Annexation and Zoning

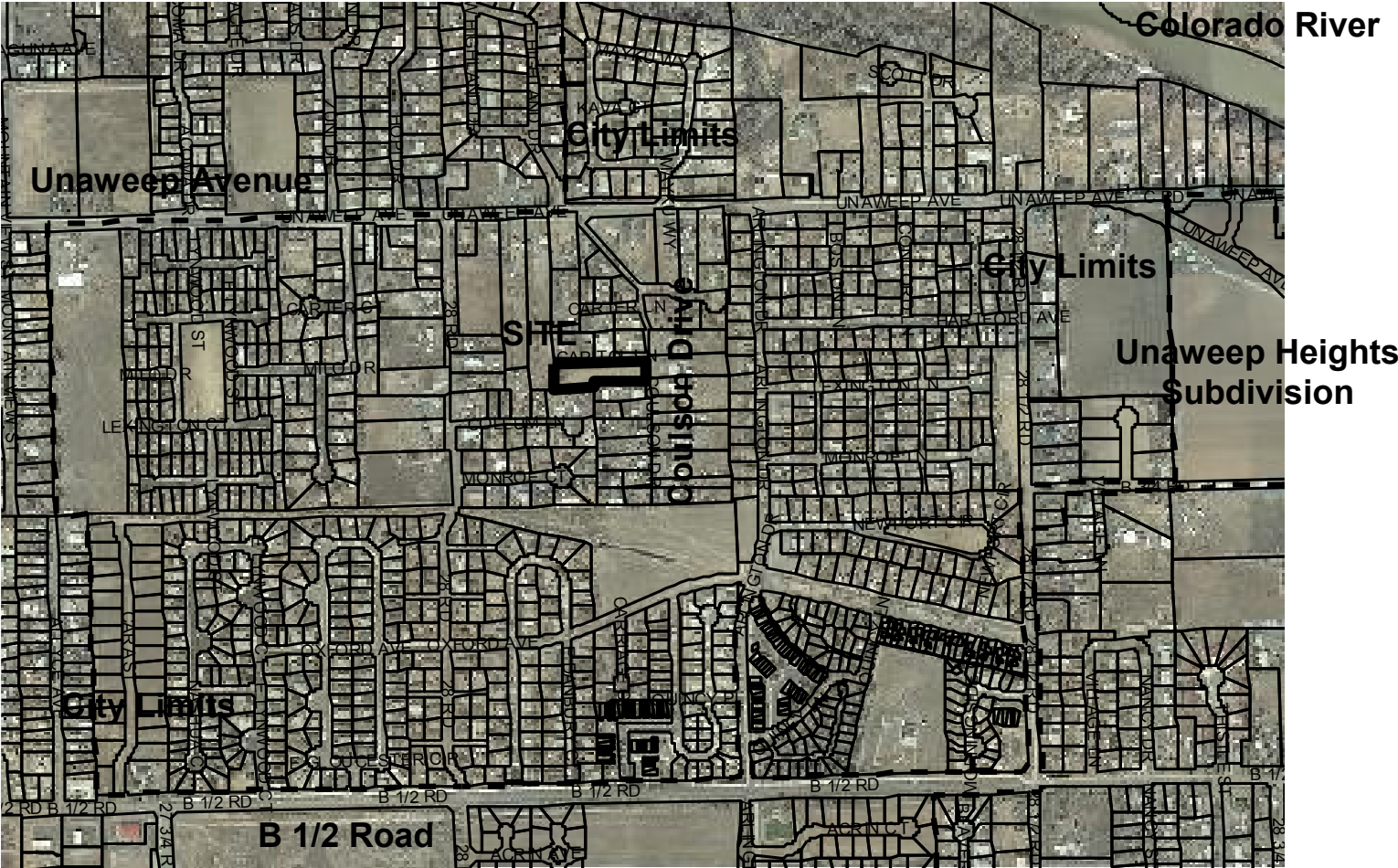
Site Location Map

Figure 1



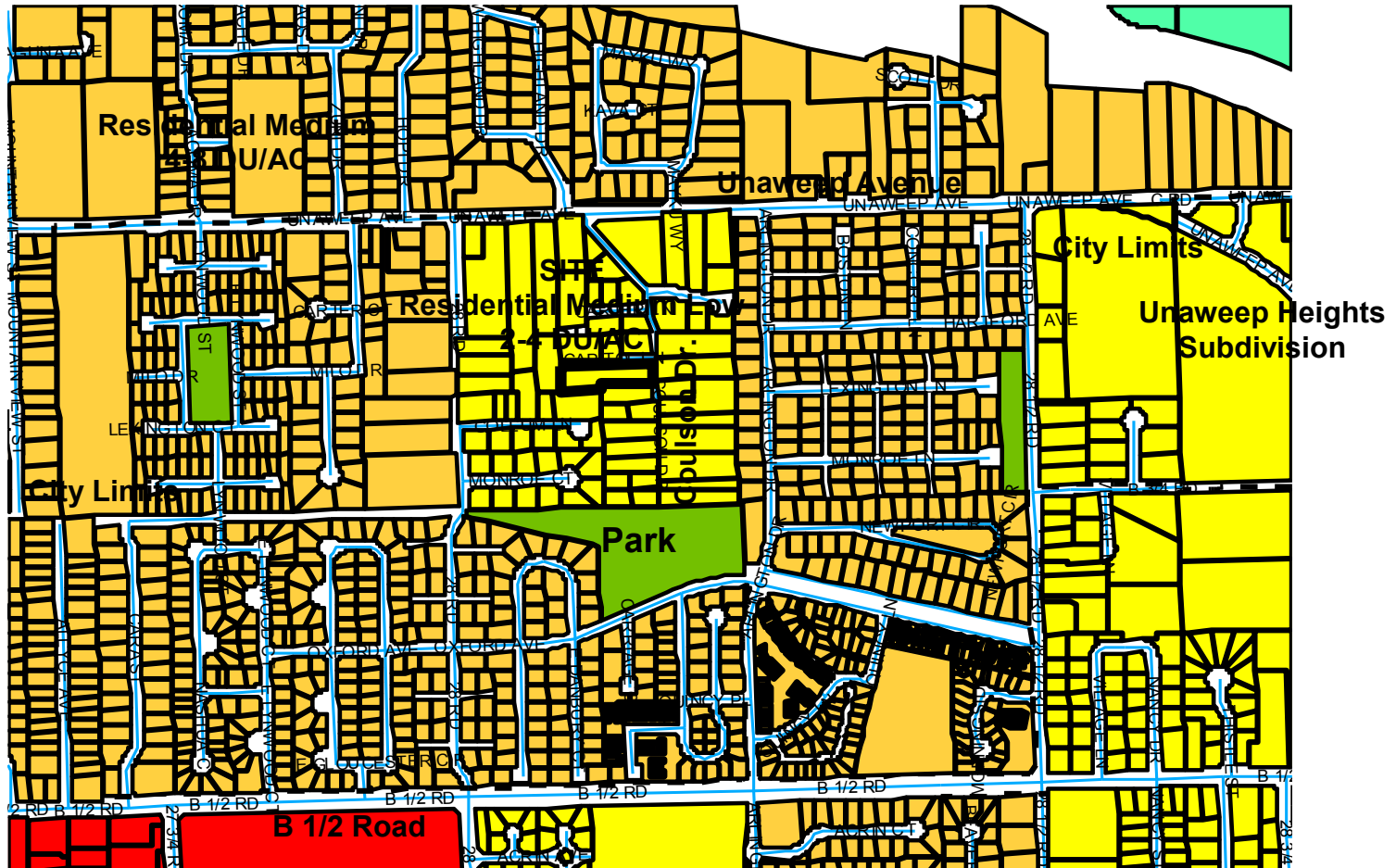
Aerial Photo Map

Figure 2



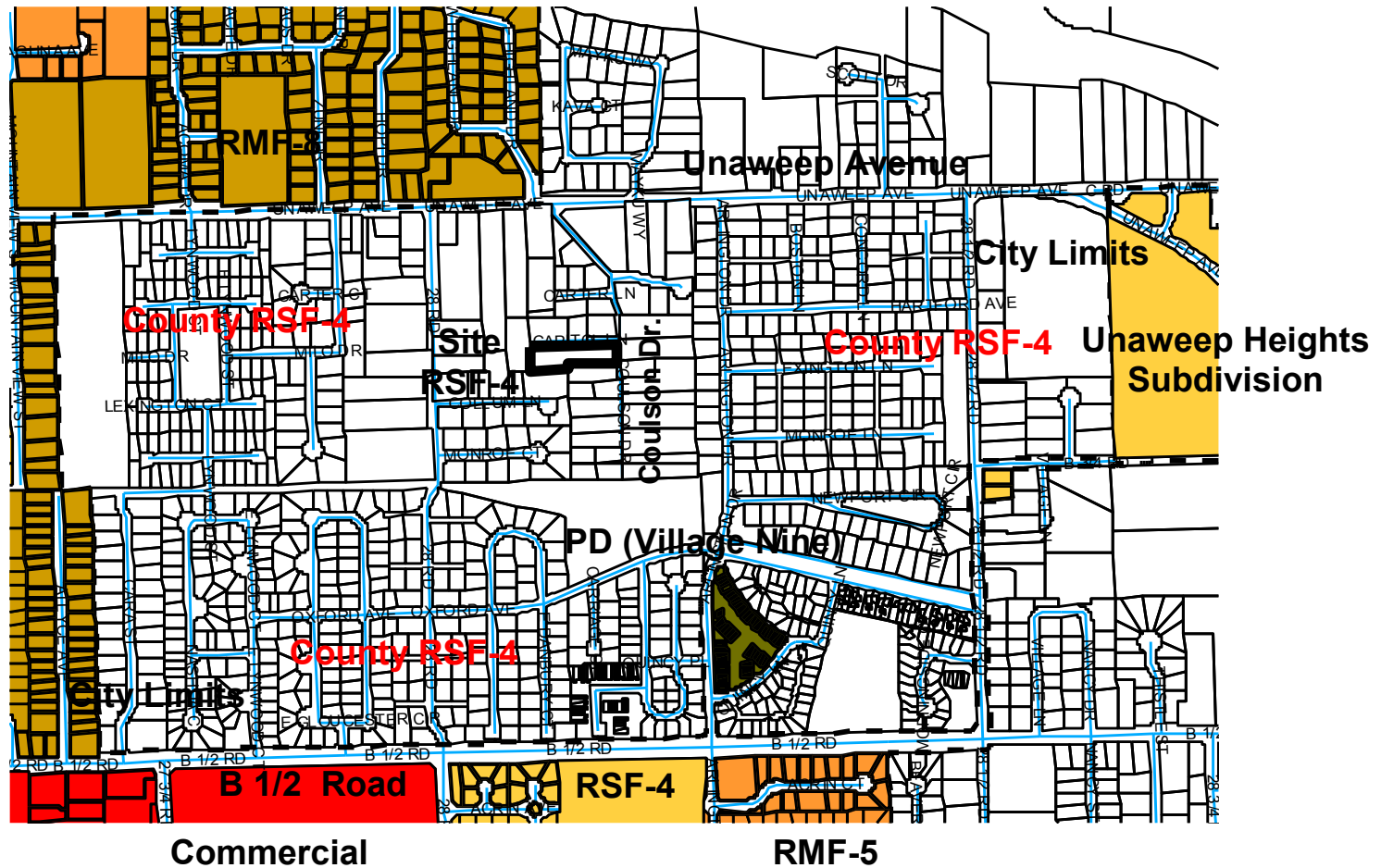
Future Land Use Map

Figure 3



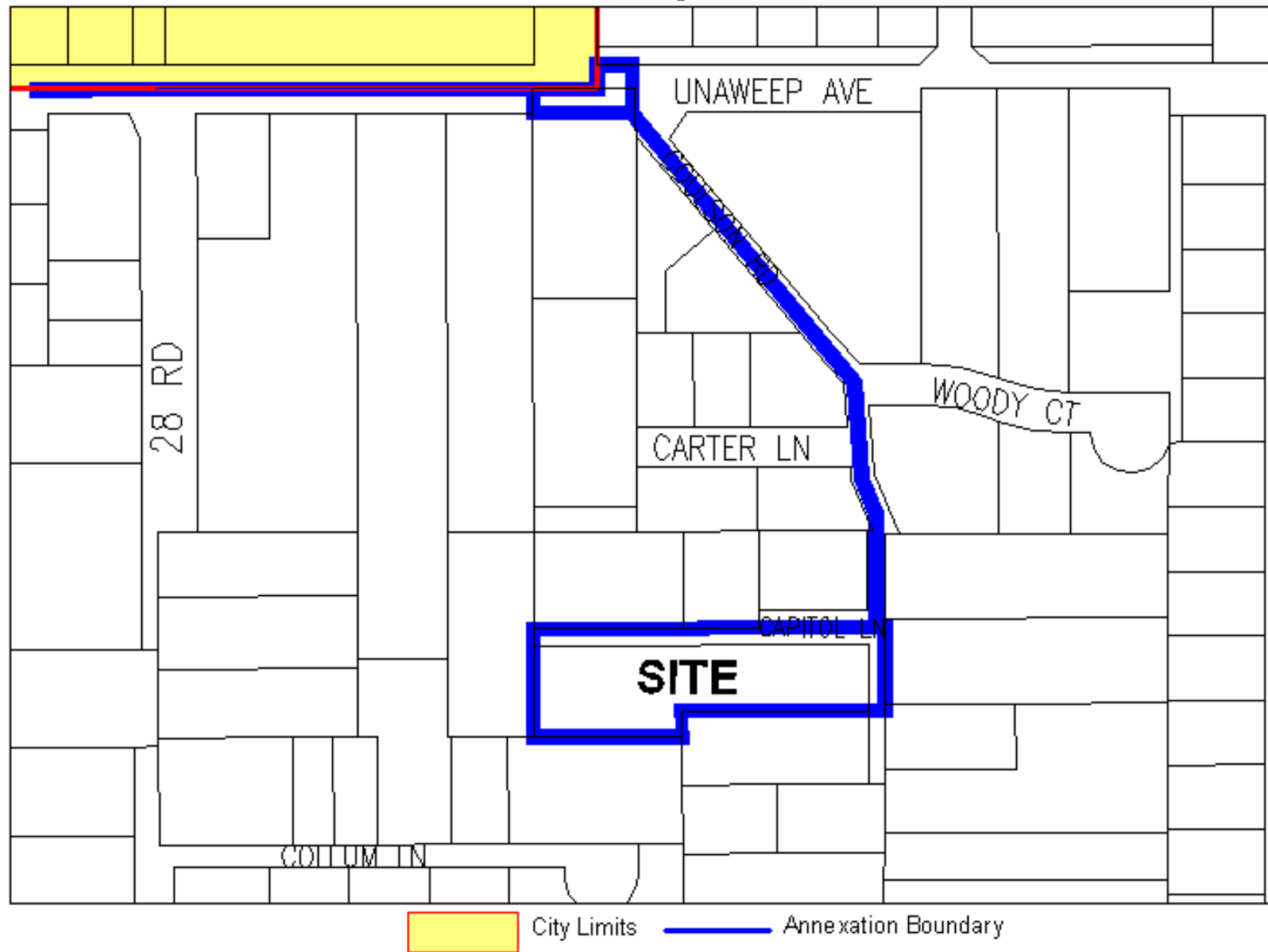
Existing City and County Zoning

Figure 4



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

Washington Annexation
Figure 5



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE WASHINGTON ANNEXATION TO
RESIDENTIAL SINGLE FAMILY WITH A DENSITY
NOT TO EXCEED FOUR UNITS PER ACRE (RSF-4)**

LOCATED AT 287 COULSON DRIVE

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 RSF-4 zone district to this annexation.

After public notice and public hearing before the Grand Junction City Council, City Council finds that RSF-4 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 Residential Single Family with a density not to exceed four units per acre (RSF-4) zone district

Includes the following tax parcel: 2943-302-00-237

WASHINGTON ANNEXATION

A certain parcel of land lying in the Northwest Quarter (NW 1/4) of Section 30 and the Southwest Quarter (SW 1/4) of Section 19, Township 1 South, Range 1 East, and the Northeast Quarter (NE 1/4) of Section 25 and the Southeast Quarter (SE 1/4) of Section 24, Township 1 South, Range 1 West, all lying in the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Northwest corner of the NW 1/4 of said Section 30, and assuming the North line of the NW 1/4 of said Section 30 bears S 89°58'27" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S 89°58'27" E along the North line of the NW 1/4 of said Section 30, a distance of 549.96 feet, more or less, to a point on a Easterly line of the Central Orchard Mesa Annexation, City of Grand Junction

Ordinance Number 1481; thence N 00°27'05" E along said East line, a distance of 30.00 feet to a point on the North right of way for "C" Road (Unawep Avenue) and being the Southwest corner of Cottonwood Bluffs, as same is recorded in Plat Book 17, Page 70, Public Records of Mesa County, Colorado; thence S 89°58'27" E along said North right of way, a distance of 43.04 feet; thence S 00°01'33" W a distance of 60.00 feet; thence S 39°56'27" E a distance of 434.56 feet; thence S 04°09'27" E a distance of 120.64 feet; thence S 21°39'27" E a distance of 47.47 feet; thence S 00°10'00" E a distance of 142.95 feet; thence N 89°50'00" E a distance of 11.00 feet to a point on the East line of Coulson Drive, as same is recorded in Book 2257, Page 148, Public Records of Mesa County, Colorado; thence S 00°09'58" E along said East line, a distance of 102.46 feet; thence N 89°50'17" W a distance of 255.03 feet; thence S 00°21'35" W a distance of 32.55 feet; thence N 89°56'55" W a distance of 184.20 feet; thence N 00°03'30" W a distance of 135.31 feet; thence S 89°50'10" E a distance of 427.28 feet; thence N 00°10'00" W a distance of 142.75 feet; thence N 21°39'27" W a distance of 47.43 feet; thence N 04°09'27" W a distance of 120.47 feet; thence N 39°56'27" W a distance of 435.08 feet; thence N 89°58'27" W along the South right of way for "C" Road (Unawep Avenue), a distance of 121.73 feet to a point being the Northwest corner of Shawn Lea Subdivision, as same is recorded in Plat Book 9, Page 169, Public Records of Mesa County, Colorado; thence N 00°02'25" W, a distance of 29.00 feet; thence N 89°58'27" W along a line 1.00 foot South of and parallel to, the North line of the NW 1/4 of said Section 30, a distance of 470.15 feet to a point on the West line of the NW 1/4 of said Section 30; thence S 89°57'35" W along a line 1.00 foot South of and parallel to, the North line of the NE 1/4 of said Section 25, a distance of 150.00 feet; thence N 00°02'25" W a distance of 1.00 foot; thence N 89°57'35" E along the North line of the NE 1/4 of said Section 25, a distance of 150.00 feet, more or less, to the Point of Beginning.

CONTAINING 1.317 Acres (57,376 Sq. Ft.), more or less, as described.

Introduced on first reading on the 3rd day of December, 2003

PASSES and ADOPTED on second reading this _____ day of _____, 2003.

Attest:

City Clerk

President of the Council

Attach 16

Public Hearing – An Emergency Ordinance Amending the Amount of the Downtown Tax Increment Revenue Bonds

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA									
Subject		An Ordinance Amending the TIF Ordinance							
Meeting Date		12/17/03							
Date Prepared		12/16/03				File #			
Author		Ron Lappi			Administrative Services Director				
Presenter Name		Ron Lappi			Administrative Services Director				
Report results back to Council		X	No		Yes	When			
Citizen Presentation			Yes	X	No	Name			
	Workshop	X	Formal Agenda				Consent	X	Individual Consideration

Summary: An ordinance amending the TIF Ordinance #3585 to reduce the total amount of the bonds from \$3 million to \$2,995,000.

Budget: None material, slightly reduces the bond issue size.

Action Requested/Recommendation: Unanimously approve this ordinance so that it will become effective immediately, so that we can sell the TIF bonds in 2003.

Attachments: Ordinance

Background Information: The reduction in the original authorization will keep all the bonds bank qualified. Since we issued such a variety of bonds on behalf of various entities this past year, it was difficult to calculate which ones counted toward the annual \$10 million bank qualified limit. On final review of all documents this glitch was caught by Dee Wisor of Sherman & Howard.

ORDINANCE NO. 3592

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE CITY'S ORDINANCE NO.3585; AUTHORIZING THE ISSUANCE OF THE CITY OF GRAND JUNCTION, COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY TAX INCREMENT REVENUE BONDS, SERIES 2003; AND DECLARING AN EMERGENCY.

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

Definitions. Except as specifically modified herein, terms used in this Ordinance shall have the meanings specified in Ordinance 3585 adopted by the City Council on November 19, 2003 ("Ordinance 3585") for all purposes of this Ordinance.

Recitals.

The City has previously adopted Ordinance 3585 which authorized the issuance of the City's Downtown Development Authority Tax Increment Revenue Bonds, Series 2003.

The City now wishes to amend certain provisions of Ordinance 3585 to: (i) reduce the aggregate principal amount of the 2003 Bonds and (ii) reduce the principal amount of the 2003 Bonds coming due on the December 22, 2007 maturity date.

The City has previously utilized \$4,824,500 of the existing authorization, leaving authorization of \$5,175,500 before issuance of the 2003 Bonds. Following the issuance of the 2003 Bonds, as hereby amended, the remaining authorization will be \$2,180,500.

Authorization of 2003 Bonds; Reduction of Aggregate Principal Amount of 2003 Bonds. In accordance with the Constitution of the State, the Election, the Act, the Supplemental Act and all other laws of the State thereunto enabling, the City Council authorizes to be issued the 2003 Bonds. The aggregate principal amount of the 2003 Bonds shall be reduced from \$3,000,000 to \$2,995,000, and all references in Ordinance 3585 to \$3,000,000 in principal amount shall be revised to refer to \$2,995,000 in principal amount.

Reduction in Principal Amount of 2007 Maturity. The 2003 Bonds shall mature on December 22 in the following years and in the following amounts:

<u>Maturity (December 22)</u>	<u>Principal Amount</u>
2004	\$690,000

2005	730,000
2006	770,000
2007	805,000

Ratification. All actions heretofore taken (not inconsistent with the provisions of this Ordinance) by the City Council and other officers of the City in the creation of the Tax Increment Fund, the pledging of the Tax Increments (to the extent described herein) the implementation of the Project, and selling and issuing the 2003 Bonds for those purposes are ratified, approved and confirmed.

Applicability of Supplemental Act. Section 11-57-204 of the Supplemental Public Securities Act, constituting Title 11, Article 57, part 2, Colorado Revised Statutes (the “Supplemental Act”), provides that a public entity, including the City, may elect in an act of issuance to apply all or any of the provisions of the Supplemental Act. The City Council hereby elects to apply portions of the Supplemental Act to the 2003 Bonds.

Repealer. All bylaws, orders, resolutions and ordinances, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revise any bylaw, order, resolution or ordinance, or part thereof, heretofore repealed. Except as specifically amended herein, all the provisions of Ordinance 3585 shall be and remain in full force and effect.

Ordinance Irrepealable. After any of the 2003 Bonds authorized by Ordinance 3585 as hereby amended are issued, this Ordinance and Ordinance 3585, taken together, shall constitute a contract between the City and the Owners of the 2003 Bonds, and this Ordinance and Ordinance 3585 shall be and remain irrepealable until the 2003 Bonds and interest thereon shall be fully paid, canceled and discharged as in Ordinance 3585 provided.

Disposition of Ordinance. This Ordinance, as adopted by the City Council, shall be numbered and recorded by the City Clerk in the official records of the City. The adoption and publication shall be authenticated by the signatures of the President of the City Council and City Clerk, and by the certificate of publication.

Declaration of Emergency; Effective Date. In order to deliver the 2003 Bonds to the Purchaser prior to the close of the current fiscal year and upon the favorable rates and terms set forth

in the Purchaser's winning bid for the 2003 Bonds, the City Council hereby declares that an emergency exists and that this Ordinance shall be in full force and effect immediately upon passage.

INTRODUCED, FINALLY PASSED AND ORDERED PUBLISHED IN FULL this _____ day of December, 2003.

CITY OF GRAND JUNCTION, COLORADO

President of the City Council

Attest:

City Clerk

