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

MONDAY, NOVEMBER 5, 2007, 7:00 P.M.

Call to Order

Pledge of Allegiance
Invocation—Pastor Galen Daly, Extended Arms Foursquare Church

Proclamations

Proclaiming November 11, 2007 as “A Salute to All Veterans 2007” in the City of Grand Junction

Appointments

To the Horizon Drive Association Business Improvement District Board

Council Comments

Citizen Comments

***** CONSENT CALENDAR ***®**

1. **Minutes of Previous Meetings** [Attach 1](#)

Action: Approve the Minutes of the October 15, 2007 and the October 17, 2007 Regular Meetings and the October 29, 2007 Special Meeting

2. **Setting a Hearing Zoning the Mesa Heights Annexation, Located at 2856 B ³/₄ Road** [File #ANX-2007-270] [Attach 2](#)

Request to zone 3.86 acres Mesa Heights Annexation, Located at 2856 B ³/₄ Road to R-4 (Residential 4 units per acre).

Proposed Ordinance Zoning the Mesa Heights Annexation to R-4 (Residential 4 Dwelling Units per Acre), Located at 2856 B ¾ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for November 19, 2007

Staff presentation: Greg Moberg, Planning Services Supervisor

3. **Setting a Hearing Zoning the Indian Wash Rentals Annexation, Located 378 27 ½ Road** [File #ANX-2007-278] [Attach 3](#)

Request to zone the 1.999 acre Indian Wash Rentals Annexation, located at 378 27 1/2 Road, to I-1 (Light Industrial).

Proposed Ordinance Zoning the Indian Wash Rentals Annexation to I-1, Located at 378 27 ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for November 19, 2007

Staff presentation: Senta L. Costello, Associate Planner

4. **Setting a Hearing on the Davis Annexation, Located at 488 23 Road** [File #ANX-2007-297] [Attach 4](#)

Request to annex 1.55 acres, located at 488 23 Road. The Davis Annexation consists of 1 parcel and includes a portion of the 23 Road right-of-way. The owners have requested annexation in order to subdivide the property.

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

Resolution No. 148-07—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, Davis Annexation, Located at 488 23 Road, Including a Portion of the 23 Road Right-of-Way

®Action: Adopt Resolution No. 148-07

b. **Setting a Hearing on Proposed Ordinance**

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Davis Annexation, Approximately 1.55 Acres, Located at 488 23 Road, Including a Portion of the 23 Road Right-of-Way

Action: Introduction of Proposed Ordinance and Set a Hearing for December 17, 2007

Staff presentation: Senta L. Costello, Associate Planner

5. **Revocable Permit for Mesa County Bike Rack, Building Sign, and Screening along the South Avenue Right-of-Way** [File #RVP-2007-182] [Attach 5](#)

Request for a Revocable Permit to allow a building sign, a portion of 4 bike racks, and screening within a portion of the South Avenue right-of-way.

Resolution No. 149-07—A Resolution Concerning the Issuance of a Revocable Permit to Mesa County Government

®Action: Adopt Resolution No. 149-07

Staff presentation: Senta L. Costello, Associate Planner

6. **Setting a Hearing on Proposed Amendments to the Zoning and Development Code** [File #TAC-2007-307] [Attach 6](#)

The City of Grand Junction requests approval to amend the Zoning and Development Code to consider amendments to the Growth Plan and/or Future Land Use Map more than twice a year, and to update or clarify certain provisions of the Code.

Proposed Ordinance Amending Section 2.5 of the Zoning and Development Code to Allow Amendments to the Growth Plan and/or the Future Land Use Map More than Twice Each Calendar Year

Proposed Ordinance Amending the Zoning and Development Code to Update and Clarify Certain Sections of the Code and to Make Minor Corrections

Action: Introduction of Proposed Ordinances and Set a Hearing for November 19, 2007

Staff presentation: Lisa E. Cox, Planning Manager

7. **Setting a Hearing to Vacate the Pear Street Right-of-Way, Located North of North Avenue and East of 28 ¾ Road** [File #VR-2007-088] [Attach 7](#)

The petitioner is requesting to vacate the Pear Street right-of-way located on the north side of North Avenue and on the east side of 28 ¾ Road at the old Fun Junction site. This request is conditioned upon the approval of a simple subdivision that will reconfigure seven existing parcels adjacent to Pear Street. The Planning Commission recommended approval of the proposed right-of-way vacation at their October 23, 2007 meeting.

Proposed Ordinance Vacating Right-of-Way for Pear Street Located North of North Avenue and East of 28 ¾ Road

Action: *Introduction of Proposed Ordinance and Set a Hearing for November 19, 2007*

Staff presentation: Faye Hall, Associate Planner

8. **Setting a Hearing for the Krummel Annexation, Located at 2953 Highway 50** [File #ANX-2007-294] [Attach 8](#)

Request to annex 1.74 acres, located at 2953 Highway 50. The Krummel Annexation consists of one parcel and is located on the south side of Highway 50 directly west of Buena Vista Drive on Orchard Mesa.

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

Resolution No. 150-07—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, Krummel Annexation, Located at 2953 Highway 50

®Action: *Adopt Resolution No. 150-07*

b. **Setting a Hearing on Proposed Ordinance**

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Krummel Annexation, Approximately 1.74 Acres, Located at 2953 Highway 50

Action: *Introduction of Proposed Ordinance and Set a Hearing for December 17, 2007*

Staff presentation: Faye Hall, Associate Planner

9. **Rename Glenwood Avenue between 5th Street and 7th Street to Tiger Avenue**
[File #MSC-2007-311] [Attach 9](#)

Resolution to rename Glenwood Avenue between 5th Street and 7th Street to Tiger Avenue. This portion of Glenwood Avenue is located on the south side of the Grand Junction High School campus.

Resolution No. 151-07—A Resolution Renaming Glenwood Avenue Between 5th Street and 7th Street to Tiger Avenue

®Action: *Adopt Resolution No. 151-07*

Staff presentation: Faye Hall, Associate Planner

10. **Setting a Hearing on the Cooper-Tucker Annexation, Located at 2825 D Road**
[ANX-2007-289] [Attach 10](#)

Request to annex 11.47 acres, located at 2825 D Road. The Cooper-Tucker Annexation consists of one parcel and includes a portion of the D Road right-of-way. This property is located on the south side of D Road, east of 28 Road in the Pear Park area.

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

Resolution No. 152-07—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, Cooper-Tucker Annexation, Located at 2825 D Road and Includes a Portion of the D Road Right-of-Way

®Action: *Adopt Resolution No. 152-07*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Cooper-Tucker Annexation, Approximately 11.47 Acres, Located at 2825 D Road and Includes a Portion of the D Road Right-of-Way

Action: *Introduction of Proposed Ordinance and Set a Hearing for December 17, 2007*

Staff presentation: Faye Hall, Associate Planner

11. **Purchase of Rugged Mobile Data Computers Systems** [Attach 11](#)

This purchase is for rugged mobile data computers that will be installed in the City's public safety vehicles. Eleven of these computers will be installed in Fire and EMS Vehicles and nine in the new Police Patrol vehicles. Patrol Vehicles, as they are replaced or added annually to the fleet, will also be equipped with mobile data computers. An additional spare system will be purchased by Police which will provide a 24/7 backup. The new computer systems consist of a lightweight, rugged, wireless PC notebook/PC tablet which will allow an EMT, Firefighter, or Police Officer the mobility to input data on-scene such as at a patient's side or in a residence. The computer systems will also consist of a Permanent Display Removable Computer (PDRC) to be installed in the front seat of the vehicles to allow public safety personnel access to their records management system and computer aided dispatch. The awarded supplier will provide installation assistance, staff training, system maintenance, and system support.

Action: Authorize the City Purchasing Division to Award the Purchase of Public Safety Rugged Mobile Data Computers to Portable Computer Systems (PCS), Golden Colorado, in the Amount of \$79,751 for Police and \$91,466 for Fire, for a Total Price of \$171,217

Staff presentation: Bob Russell, Police Commander
Ken Watkins, Fire Chief

12. **Downtown Grand Junction Business Improvement District Operating Plan and Budget** [Attach 12](#)

Every business improvement district is required to file an operating plan and budget with the City Clerk by September 30 each year. The City Council is then required to approve the plan and budget within thirty days and no later than December 5. Downtown Grand Junction Business Improvement District filed their 2008 Operating Plan and Budget. It has been reviewed by Staff and found to be reasonable.

Action: Approve Downtown Grand Junction Business Improvement District's 2008 Operating Plan and Budget

Staff presentation: Jodi Romero, Financial Operations Manager

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

* * * ITEMS NEEDING INDIVIDUAL CONSIDERATION * * *

13. **Contract Amendment to the Communication Center Remodel to Include Police Evidence and Facilities** [Attach 13](#)

This request for a contract amendment is based on an emergency sole source request to expand the scope of work of the previously approved Grand Junction Regional Communication Center construction contract. The amended scope of work will include the remodel of the former National Guard Armory Building, located at the City Shops Complex. This contract amendment is being sought to create a temporary Police Evidence Storage Facility, and permanent quarters for the Facilities Division.

Action: Authorize the City Purchasing Division to Enter into a Contract Amendment, in the Amount of \$343,000 with PNCI Construction, Inc., for the Completion of the Remodel for Police Evidence and Facilities Division Operations

Staff presentation: Troy Smith, Deputy Police Chief
Jay Valentine, Assistant Financial Operations Manager

14. **Public Hearing—Vacation of Public Rights-of-Way in the Indian Road Industrial Subdivision, Located Between C ½ Road and D Road at Indian Road** [File #SS-2005-290] [Attach 14](#)

A request to vacate portions of Public Rights-of-Way, portions of Utility Easements, Drainage Easements and Multipurpose Easements all as part of the Indian Road Industrial Subdivision Filing 2 application. The simple subdivision application includes creation of 1 new industrial lot, reconfiguration of the existing lots within the subdivision in order to make the lots more developable, and the vacation of rights-of-way and easements that are no longer necessary.

Resolution No. 153-07—A Resolution Vacating Portions of the 15' Utility Easements along the Frontage of all Lots and Portions of the Drainage Easements within the Indian Road Industrial Subdivision

Ordinance No. 4128—An Ordinance Vacating Excess Rights-of-Way, Located Along Indian Road, Lang Drive, and Winters Avenue in the Indian Road Industrial Subdivision

®Action: Adopt Resolution No. 153-07 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4128

Staff presentation: Senta L. Costello, Associate Planner

15. **Public Hearing—Rim View Estates Annexation and Zoning, Located at 595 21 1/8 Road** [File #ANX-2007-251] [Attach 15](#)

Request to annex and zone 4.70 acres, located at 595 21 1/8 Road to R-4 (Residential 4 Units/acre). The Rim View Estates Annexation consists of one parcel and includes a portion of the 21 1/8 Road and South Broadway rights-of-way. The property is located on the southwest corner of South Broadway and 21 1/8 Road in the Redlands.

a. Acceptance Petition

Resolution No. 154-07—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Rim View Estates Annexation, Located at 595 21 1/8 Road and also Includes a Portion of the South Broadway and 21 1/8 Road Rights-of-Way is Eligible for Annexation

®Action: *Adopt Resolution No. 154-07*

b. Annexation Ordinance

Ordinance No. 4129—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Rim View Estates Annexation, Approximately 4.70 Acres, Located at 595 21 1/8 Road and also Includes a Portion of the South Broadway and 21 1/8 Road Rights-of-Way

c. Zoning Ordinance

Ordinance No. 4130—An Ordinance Zoning the Rim View Estates Annexation to R-4 (Residential, 4 Units per Acre) Located at 595 21 1/8 Road

®Action: *Adopt Resolution No. 154-07 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4129 and 4130*

Staff presentation: Faye Hall, Associate Planner

16. **Public Hearing—Bookcliff Land and Building Annexation and Zoning,
Located at 564 29 Road** [File #ANX-2007-232] [Attach 16](#)

Request to annex and zone 2.93 acres, located at 564 29 Road to R-8 (Residential 8 Units/acre). The Bookcliff Land and Building Annexation consists of one parcel, includes a portion of the 29 Road right-of-way and to the centerline of the Grand Valley Canal. This property is located on the east side of 29 Road just south of Dawn Drive. This parcel is better known as the old Bookcliff Veterinary site.

a. Acceptance Petition

Resolution No. 155-07—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Bookcliff Land and Building Annexation, Located at 564 29 Road, Including a Portion of the 29 Road Right-of-Way and to the centerline of the Grand Valley Canal is Eligible for Annexation

®Action: Adopt Resolution No. 155-07

b. Annexation Ordinance

Ordinance No. 4131—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Bookcliff Land and Building Annexation, Approximately 2.93 Acres, Located at 564 29 Road, Including a Portion of the 29 Road Right-of-Way and Includes to the centerline of the Grand Valley Canal

c. Zoning Ordinance

Ordinance No. 4132—An Ordinance Zoning the Bookcliff Land and Building Annexation to R-8 (Residential, 8 Units Per Acre), Located at 564 29 Road

®Action: Adopt Resolution No. 155-07 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4131 and 4132

Staff presentation: Faye Hall, Associate Planner

17. **Non-Scheduled Citizens & Visitors**

18. **Other Business**

19. **Adjournment**

Attach 1
Minutes

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

October 15, 2007

The City Council of the City of Grand Junction convened into regular session on the 15th day of October 2007 at 7:02 p.m. in the City Auditorium. Those present were, Councilmembers Teresa Coons, Gregg Palmer, Doug Thomason, Linda Romer Todd, and Council President Pro Tem Bonnie Beckstein. Councilmember Bruce Hill and Council President Jim Doody were absent. Also present were City Manager Laurie Kadrach, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Pro Tem Beckstein called the meeting to order. Councilmember Coons led in the Pledge of Allegiance. The audience remained standing for the invocation by Pastor Mark Quist, New Life Church.

Council Comments

There were none.

Citizen Comments

There were none.

CONSENT CALENDAR

Councilmember Thomason read the items on the Consent Calendar and then moved to approve the Consent Calendar. It was seconded by Councilmember Todd, and carried by roll call vote to approve the Consent Items #1 through #8.

1. **Minutes of Previous Meetings**

Action: Approve the Minutes of the October 1, 2007 and the October 3, 2007 Regular Meetings

2. **Horizon Drive Association Business Improvement District Operating Plan and Budget**

Every business improvement district is required to file an operating plan and budget with the City Clerk by September 30 each year. The City Council is then required to approve the plan and budget within thirty days and no later than December 5. Horizon Drive Association Business Improvement District filed their

2008 Operating Plan and Budget. It has been reviewed by Staff and found to be reasonable.

Action: Approve Horizon Drive Association Business Improvement District's 2008 Operating Plan and Budget

3. **Setting a Hearing on the Sura Annexation, Located at 405 25 Road** [File #ANX-2007-276]

Request to annex 1.45 acres, located at 405 25 Road. The Sura Annexation consists of one parcel.

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

Resolution No. 140-07—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, Sura Annexation, Located at 405 25 Road and Including a Portion of the 25 Road and Hwy. 340 Rights-of-Way

Action: Adopt Resolution No. 140-07

b. **Setting a Hearing on Proposed Ordinance**

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sura Annexation, Approximately 1.45 Acres, Located at 405 25 Road and Includes a Portion of the 25 Road and Hwy. 340 Rights-of-Way

Action: Introduction of Proposed Ordinance and Set a Hearing for November 19, 2007

4. **Setting a Hearing on the Reigan/Patterson/TEK/Morario Annexation, Located at 824 22 Road, 2202 H Road, 2202 ½ H Road, and 2204 H Road** [File #ANX-2007-279]

Request to annex 26.443 acres, located at 824 22 Road, 2202 H Road, 2202 ½ H Road, and 2204 H Road. The Reigan/Patterson/TEK/Morario Annexation consists of four parcels and is a 2 part serial annexation.

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

Resolution No. 141-07— 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, Reigan/Patterson/TEK/Morario Annexation, Located at 824 22 Road, 2202 H Road, 2202 ½ H Road, 2204 H Road, Including a Portion of 22 Road and H Road Rights-of-Way

Action: *Adopt Resolution No. 141-07*

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Reigan/Patterson/TEK/Morario Annexation No. 1, Approximately 1.136 Acres, a Portion of the 22 Road and H Road Rights-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Reigan/Patterson/TEK/Morario Annexation No. 2, Approximately 25.307 Acres, Located at 2202 H Road, 2202 ½ H Road, 2204 H Road, 824 22 Road and Including a Portion of the H Road Right-of-Way

Action: *Introduction of Proposed Ordinance and Set a Hearing for November 19, 2007*

5. **Setting a Hearing on the Mesa Heights Annexation, Located at 2856 B ¾ Road** [File #ANX-2007-270]

Request to annex 3.86 acres, located at 2856 B ¾ Road. The Mesa Heights Annexation consists of 7 parcels and is located north of B ¾ Road and east of 28 ½ Road.

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

Resolution No. 142-07—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, Mesa Heights Annexation, Located at 2856 B ¾ Road

Action: *Adopt Resolution No. 142-07*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Mesa Heights Annexation, Approximately 3.86 Acres, Located at 2856 B ¾ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for November 19, 2007

6. **Setting a Hearing on the Indian Wash Rentals Annexation, Located at 378 27 ½ Road** [File #ANX-2007-278]

Request to annex 1.999 acres, located at 378 27 ½ Road. The Indian Wash Rentals Annexation consists of 1 parcel and includes a portion of the 27 ½ Road right-of-way. The property owners are requesting annexation due to a proposed development on a portion of the property.

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

Resolution No. 143-07—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, Indian Wash Rentals Annexation, Located at 378 27 ½ Road and Including a Portion of the 27 ½ Road Right-of-Way

Action: Adopt Resolution No. 143-07

b. **Setting a Hearing on Proposed Ordinance**

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Indian Wash Rentals Annexation, Approximately 1.999 Acres, Located at 378 27 ½ Road and Including a Portion of the 27 ½ Road Right-of-Way

Action: Introduction of Proposed Ordinance and Set a Hearing for November 19, 2007

7. **Setting a Hearing on the Ingle Annexation, Located at 436 Clear Creek Drive** [File #ANX-2007-269]

Request to annex 5.90 acres, located at 436 Clear Creek Drive. The Ingle Annexation consists of one parcel. The property is located to the east of 31 Road, south of D ½ Road on Clear Creek Drive.

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

Resolution No. 144-07—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, Ingle Annexation, Located at 436 Clear Creek Drive

Action: *Adopt Resolution No. 144-07*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Ingle Annexation, Approximately 5.90 Acres, Located at 436 Clear Creek Drive

Action: *Introduction of Proposed Ordinance and Set a Hearing for November 19, 2007*

8. **Setting a Hearing on the Vacation of Public Rights-of-Way in the Indian Road Simple Subdivision, Located Between C ½ Road and D Road at Indian Road**
[File #SS-2005-290]

Vacation of public rights-of-way as part of the Indian Road Simple Subdivision application.

Proposed Ordinance Vacating Excess Rights-of-Way, Located Along Indian Road, Lang Drive, and Winters Avenue in the Indian Road Simple Subdivision

Action: *Introduction of Proposed Ordinance and Set a Hearing for November 5, 2007*

ITEMS NEEDING INDIVIDUAL CONSIDERATION

There were none.

Non-Scheduled Citizens and Visitors

There were none.

Other Business

Public Works and Planning Director Tim Moore was asked to come forward and advise the viewing public of the scheduled Comprehensive Plan public forums. The meetings start at 6:00 p.m. He listed the dates and locations as Tuesday October 16, 2007 at Two Rivers Convention Center, 159 Main Street, Wednesday October 17, 2007 at Pear Park Elementary School Cafeteria, 432 30 ¼ Road, and Thursday October 18, 2007 at Canyon View Vineyard Church Chapel Reception Hall, 736 24 ½ Road. He encouraged the public to attend.

Council President Pro Tem Beckstein announced the reason for Council President Doody, and Councilmember Hill being absent is they traveled to San Diego to receive the National EPA Award that was awarded to the Persigo Wastewater Treatment Plant.

Council President Pro Tem Beckstein invited the viewing audience to attend the coffee at Java Junction with the Mayor Pro Tem, Councilmembers, and the City Manager the following morning (October 16, 2007) at 7:30 a.m.

Adjournment

The meeting adjourned at 7:11 p.m.

Stephanie Tuin, MMC
City Clerk

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

October 17, 2007

The City Council of the City of Grand Junction convened into regular session on the 17th day of October 2007 at 7:10 p.m. in the City Auditorium. Those present were, Council Members Bonnie Beckstein, Teresa Coons, Gregg Palmer, Doug Thomason, Linda Romer Todd, and Council President Jim Doody. Councilmember Bruce Hill was absent. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Jim Doody called the meeting to order. Councilmember Palmer led in the Pledge of Allegiance.

Citizen Comments

There were none.

Presentations

The City Youth Council presentation to introduce new members and update Council on their recent retreat will be rescheduled for a later date.

CONSENT CALENDAR

Councilmember Beckstein read the items on the Consent Calendar and then moved to approve the Consent Calendar. It was seconded by Councilmember Coons, and carried by roll call vote to approve the Consent Items #1 through #8.

1. **Three Community Development Block Grant (CDBG) Projects for St. Mary's Foundation** [File # CDBG 2007-04, 2007-05, and 2007-06]

The Subrecipient Contracts formalize the City's award of a total of \$40,500 to various non-profit organizations via the St. Mary's Foundation as allocated from the City's 2007 CDBG Program as previously approved by Council. The three being funded are the Gray Gourmet, Foster Grandparent, and Senior Companion programs.

Action: Authorize the City Manager to Sign the Three Subrecipient Contracts with the St. Mary's Foundation for the City's 2007 Program Year, Community Development Block Grant Program

2. **Setting a Hearing on Zoning the Brady South Annexation, Located at 347 and 348 27 ½ Road and 2757 C ½ Road** [File #GPA-2007-051]—Continued from October 3, 2007

SLB Enterprises, LLC, owners of the properties located at 347 and 348 27 ½ Road and 2757 C ½ Road are requesting zoning of the properties from County Heavy Industrial (I-2) to Light Industrial (I-1) and Industrial Office Park (I-O). Planning Commission heard the request at its September 11, 2007 meeting and recommended approval of the Industrial/Office Park (I-O) zoning for all three parcels.

Proposed Ordinance Zoning the Brady South Annexation to Industrial/Office Park (I-O) Zone District, Located at 347 and 348 27 ½ Road and 2757 C ½ Road

Action: Continue to November 7, 2007

3. **Setting a Hearing on Zoning the Page Annexation, Located at 2076 Ferree Drive and 2074 Broadway** [File #GPA-2007-061]

Request to zone the 17.52 acre Page Annexation located at 2076 Ferree Drive and 2074 Broadway, to R-4, Residential—4 units/acre Zone District. The Planning Commission recommended approval of the proposed zoning designation at their September 25, 2007 meeting.

Proposed Ordinance Zoning the Page Annexation to R-4, Residential—4 Units/Acre, Located at 2076 Ferree Drive and 2074 Broadway

Action: Introduction of Proposed Ordinance and Set a Hearing for November 7, 2007

4. **Setting a Hearing on Zoning the Bookcliff Land and Building Annexation, Located at 564 29 Road** [File #ANX-2007-232]

Request to zone the 2.93 acre Bookcliff Land and Building Annexation, located at 564 29 Road, to R-8 (Residential, 8 units per acre). This property is located on the east side of 29 Road just south of Dawn Drive. This parcel is better known as the old Bookcliff Veterinary site.

Proposed Ordinance Zoning the Bookcliff Land and Building Annexation to R-8 (Residential, 8 Units Per Acre), Located at 564 29 Road

Action: Introduction of Proposed Ordinance and Set a Hearing for November 5, 2007

5. **Setting a Hearing on Zoning the Crespin Annexation, Located at 2930 D ½ Road** [File #ANX-2007-234]

Request to zone the 5.37 acre Crespin Annexation, located at 2930 D ½ Road, to R-8 (Residential, 8 units per acre). This parcel is located on the north side of D ½ Road and south of the railroad tracks.

Proposed Ordinance Zoning the Crespin Annexation to R-8 (Residential, 8 Units per Acre) Located at 2930 D ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for November 7, 2007

6. **Setting a Hearing on Zoning the Krabacher Annexation, Located at 2946 B ½ Road**[File #ANX-2007-241]

Request to zone the 10 acre Krabacher Annexation, located at 2946 B ½ Road, to R-4 (Residential, 4 units per acre). This property is on the west side of 29 ½ Road directly north of B ½ Road on Orchard Mesa.

Proposed Ordinance Zoning the Krabacher Annexation to R-4 (Residential, 4 Units per Acre) Located at 2946 B ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for November 7, 2007

7. **Setting a Hearing on Zoning the Rim View Estates Annexation, Located at 595 21 ⅛ Road** [File #ANX-2007-251]

Request to zone the 4.70 acre Rim View Estates Annexation, located at 595 21 ⅛ Road, to R-4 (Residential, 4 units per acre). The property is located on the southwest corner of South Broadway and 21 ⅛ Road in the Redlands.

Proposed Ordinance Zoning the Rim View Estates Annexation to R-4 (Residential, 4 Units per Acre) Located at 595 21 ⅛ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for November 5, 2007

8. **Setting a Hearing on Zoning the Timberline Steel Annexation, Located at 2185 River Road** [File #ANX-2007-242]

Request to zone the 2 acre Timberline Steel Annexation, located at 2185 River Road, to I-1 (Light Industrial). The property is located on the southeast corner of River Road and Railhead Circle.

Proposed Ordinance Zoning the Timberline Steel Annexation to I-1 (Light Industrial) Located at 2185 River Road

Action: Introduction of Proposed Ordinance and Set a Hearing for November 7, 2007

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Safety Building Preliminary Design Services

Contract with the professional design and planning firm, Humphries Poli Architects, to conduct a Public Safety Building needs assessment and provide a preliminary design.

Jay Valentine, Assistant Financial Operations Manager, reviewed this item. He explained the process to select this firm, and how the task force selected qualified firms. The process was narrowed down to four finalists, and the partnerships the different companies would use in the process were reviewed. Humphries Poli was selected unanimously.

Councilmember Palmer asked if the selection was based on qualifications rather than by low bid. Mr. Valentine responded affirmatively.

Council President Doody clarified that once qualifications were reviewed, and the company was chosen, then the sealed bids were opened. Council President Doody noted the plan is to build the new building on the existing site.

Councilmember Coons asked if the site visits to other jurisdictions included any buildings designed by Humphries Poli. Mr. Valentine said each company had a building in the site review. Fire Chief Watkins, who went on the site visits, said that two of the buildings visited on the tour were designed by Humphries Poli.

Councilmember Todd moved to authorize the Purchasing Division to enter into a contract with Humphries Poli Architects to complete the Public Safety Building needs assessment and preliminary design services, for fees not to exceed \$174,000. Councilmember Coons seconded the motion. Motion carried.

Parks and Recreation Department Standardized Fees and Charges Policy

In the context of 2008 budgetary development, the Parks and Recreation Department was tasked with reviewing its existing fees and charges policy, with particular attention to the complexity of staff time utilized administering differing fees, focused on the current 20% discount afforded City of Grand Junction residents for most recreation programs, youth and adult sports, and golf course season passes. Current exceptions to the 20% discount (one fee for all participants) include separate activities at Orchard Mesa

Community Center Swimming Pool, all fees associated with City cemeteries, daily aquatic entrance fees, on-site registrations, special events, green fees at the golf courses, and shelter and sport field rental fees. Additionally, Two Rivers Convention Center and the Avalon Theatre have a standardized fee structure regardless of residency.

Joe Stevens, Parks and Recreation Director, reviewed this item. He said the primary change in the policy is to eliminate the differential pricing between the City residents, and residents living outside City limits. It is very difficult with sporting teams, as some team members live in the City limits, and some are living outside the City limits, making administering the program difficult. The fees being recommended are adjusted based on increased labor costs (minimum wage increase). Service clubs luncheons at the Convention Center are proposed to be raised 50 cents per meal.

Councilmember Palmer asked if the cost recovery of 70% is standard. Mr. Stevens said that is the overall goal, but that is not for each case. Golf fees, under an enterprise fund, recover 100% plus some set aside money.

Councilmember Palmer asked if there is higher technology that could help with residency verifications. Mr. Stevens indicated that not everyone provides their real address. Team sponsors also contend that if they are in the City limits, they are deserved of the residential rate. It happens in all the sports. Another issue is that neighbors can have different residency status.

Councilmember Coons asked if the elimination of the fee differential will encourage more participation. Mr. Stevens said that may happen, especially with golfers.

Councilmember Thomason asked if Mr. Stevens has any cost savings estimated to eliminate the differential. Mr. Stevens said no, but he knows it will allow the Staff to have time to concentrate on other matters. He added that the fee structure is non-differential at Orchard Mesa Pool, as that is a joint partnership with Mesa County and the School District.

Councilmember Thomason supported the meal increase at Two Rivers due to the great job Tim Seeberg and Staff are doing at the facility.

Councilmember Coons agreed and supported the change in policy, as the valley becomes more blended, and more of a valley-wide community.

Councilmember Beckstein also supported the change saying that verification is not a good use of time, and out-of-City residents shop and work in the City limits. This shows the businesses that the City appreciates their sponsorship.

Councilmember Palmer commended the Staff on the report, as it was a comprehensive discussion. He noted the Parks and Recreation Advisory approved it four to three. He agreed that the time is not worth the cost. He supported the change.

Council President Doody agreed with standardizing the fees, especially in light of recent discussions on daytime population which increases from 56,000 to 83,000. He supports the change.

Resolution No. 145-07—A Resolution Establishing the 2008 Fees and Charges Policy for the Grand Junction Parks and Recreation Department

Councilmember Thomason moved to adopt Resolution No. 145-07. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Public Hearing—Revising Section 38-49 (18) of the Code of Ordinances Regarding Mass Based Limit for Metals

A renewed National Pollutant Discharge Elimination System (NPDES) Permit was Issued to the Persigo Wastewater Treatment Plant effective November 1, 2006. Federal regulations require the revision of industrial pretreatment local limits within 270 days from the issuance of the new discharge permit. The industrial pretreatment local will be revised through this ordinance revision. There are no resulting impacts to local industries resulting from this change.

The public hearing opened at 7:40 p.m.

John Shaver, City Attorney, reviewed this item. He noted the renewal of the permit has been an extensive process. The permit requires amendments to the Code be made.

Dan Tonello, Wastewater Services Superintendent, was available for questions.

The City Council was provided an opinion letter from the City Attorney that the ordinance meets all Federal, State, and local requirements.

Councilmember Coons asked Mr. Tonello about the impacts of the changes. Mr. Tonello said the impact from the new permit identified the discharge point as Persigo Wash instead of the Colorado River. The new limits are more stringent, but it will not impact operations significantly.

Councilmember Palmer asked about the limits as they seemed high. Mr. Tonello said they are, but the plant has a lot of capacity left.

Council President Doody asked about the discharge point change. Mr. Tonello explained the change and how that changed the plant discharge capacity. The Persigo Wash also includes drainage from the irrigation system which is not treated. However, studies were done on the normal levels in the “Wash”. Scientists then reviewed those studies and provided the Plant with the discharge limits.

Councilmember Palmer asked about future restrictions with the change in the point of discharge. Mr. Tonello said the City has two years, under the new permit, to get data to loosen the requirements. There will be higher restrictions, but the plant does have two years to make adjustments.

City Attorney Shaver said the Persigo Wash is manmade, and is primarily an effluent stream, but they are continuing with the process to make adjustments.

There were no public comments.

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

Ordinance No. 4122—An Ordinance Amending Sections and/or Portions of Sections of Article II of Chapter 38, Utilities, of the Code of Ordinances

Councilmember Coons moved to adopt Ordinance No. 4122, and ordered it published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Public Hearing—Assessments Connected with Alley Improvement District No. ST-07

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

- East/West Alley from 3rd to 4th, between Ouray Avenue and Chipeta Avenue
- North/South and East/West Alleys from 7th to 8th, between Teller Avenue and Belford Avenue
- East/West Alley from 10th to 11th, between Ouray Avenue and Chipeta Avenue
- East/West Alley from 12th to 14th, between Elm Avenue and Texas Avenue
- North/South Alley from 17th to 18th, between Ouray Avenue and Chipeta Avenue
- North/South Alley from 22nd to 23rd, between Ouray Avenue and Gunnison Avenue

The public hearing opened at 7:55 p.m.

Tim Moore, Public Works and Planning Director, reviewed this item. He described the process on how the improvement district was formed, that the improvements were completed, and how the costs are to be assessed. The City paid 83% of the costs, since the cost per foot was higher than estimated.

There were no public comments.

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

Ordinance No. 4123—An Ordinance Approving the Assessable Cost of the Improvements Made in and for Alley Improvement District No. ST-07 in the City of Grand Junction, Colorado, Pursuant to Ordinance No. 178, Adopted and Approved the 11th Day of June,

1910, as Amended; Approving the Apportionment of said Cost to Each Lot or Tract of Land or Other Real Estate in Said Districts; Assessing the Share of Said Cost Against Each Lot or Tract of Land or Other Real Estate in Said Districts; Approving the Apportionment of Said Cost and Prescribing the Manner for the Collection and Payment of Said Assessment

Councilmember Palmer moved to adopt Ordinance No. 4123, and ordered it published. Councilmember Todd seconded the motion. Motion carried by roll call vote.

Public Hearing—Ute Water Annexation and Zoning, Located at 825 22 Road [File #ANX-2007-220]

Request to annex and zone 47.86 acres, located at 825 22 Road, to I-1 (Light Industrial). The Ute Water Annexation consists of one parcel, including a portion of 22 Road.

The public hearing was opened at 8:00 p.m.

Ronnie Edwards, Associate Planner, reviewed this item. She described the location, the request, and then asked that all of the reports and attachments be entered into the record. The request meets all requirements for annexation and zoning, and the Planning Commission did recommend approval. The applicant, Larry Cleaver with Ute Water, was present.

Councilmember Palmer asked about property across from the subject property. Ms. Edwards said those properties will be designated commercial/industrial, and the existing homes will become non-conforming.

There were no public comments.

The public hearing was closed at 8:01 p.m.

a. Accepting Petition

Resolution No. 146-07—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Ute Water Annexation, Located at 825 22 Road, Including a Portion of the 22 Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4124—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Ute Water Annexation, Approximately 47.86 Acres, Located at 825 22 Road, Including a Portion of the 22 Road Right-of-Way

c. Zoning Ordinance

Ordinance No. 4125—An Ordinance Zoning the Ute Water Annexation to I-1 (Light Industrial) Located at 825 22 Road

Councilmember Todd moved to adopt Resolution No. 146-07, and adopt Ordinance Nos. 4124 and 4125, and ordered them published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing—Gentry Annexation and Zoning, Located at 805 22 Road [File #ANX-2007-215]

Request to annex and zone 8.46 acres, located at 805 22 Road, to I-1 (Light Industrial). The Gentry Annexation consists of one parcel and a portion of the 22 Road Right-of-Way, and is located on the northwest corner of H Road and 22 Road.

The public hearing was opened at 8:03 p.m.

Ronnie Edwards, Associate Planner, reviewed this item. She described the location, the request, and then asked that all of the reports and attachments be entered into the record. The request meets all requirements for annexation and zoning, and the Planning Commission did recommend approval.

The applicant's representative, Jalyn VanConett, 794 25 ³/₄ Road, said the applicant wants the property annexed and zoned, so she can sell and move to a more rural area. There were no public comments.

The public hearing was closed at 8:05 p.m.

a. Accepting Petition

Resolution No. 147-07—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Gentry Annexation, Located at 805 22 Road Including a Portion of the 22 Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4126—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Gentry Annexation, Approximately 8.46 Acres, Located at 805 22 Road Including a Portion of the 22 Road Right-of-Way

c. Zoning Ordinance

Ordinance No. 4127—An Ordinance Zoning the Gentry Annexation to I-1 (Light Industrial)
Located at 805 22 Road

Councilmember Palmer moved to adopt Resolution No. 147-07, and adopt Ordinance Nos. 4126 and 4127, and ordered them published. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens and Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting adjourned at 8:07 p.m.

Stephanie Tuin, MMC
City Clerk

GRAND JUNCTION CITY COUNCIL

SPECIAL SESSION MINUTES

OCTOBER 29, 2007

The City Council of the City of Grand Junction, Colorado met in Special Session on Monday, October 29, 2007 at 3:30 p.m. at Two Rivers Convention Center, 159 Main Street. Those present were Councilmembers Teresa Coons, Gregg Palmer, Bruce Hill, Doug Thomason, Linda Romer Todd, and President of the Council Jim Doody. Councilmember Bonnie Beckstein entered the meeting at 4:13 p.m. Staff present was City Manager Laurie Kadrach and Interim Deputy City Manager Trent Prall.

Council President Doody called the meeting to order.

Councilmember Hill moved to go into executive session to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under section 402(4)(a) of the Open Meetings Law and the Council will not be returning to open session. Councilmember Palmer seconded the motion. The motion carried.

The City Council convened into executive session at 3:40 p.m.

Stephanie Tuin, MMC
City Clerk

Attach 2

Setting a Hearing Zoning the Mesa Heights Annexation, Located at 2856 B ¾ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Zoning for Mesa Heights Annexation, located at 2856 B 3/4 Road		
File #	ANX-2007-270		
Meeting Day, Date	Monday, November 5, 2007		
Placement on the Agenda	Consent	X	Individual
Date Prepared	October 26, 2007		
Author Name & Title	Greg Moberg – Planning Services Supervisor		
Presenter Name & Title	Greg Moberg – Planning Services Supervisor		

Summary: Request to zone 3.86 acres Mesa Heights Annexation, located at 2856 B 3/4 Road to R-4 (Residential 4 units per acre).

Budget: N/A

Action Requested/Recommendation: Introduce a proposed ordinance and set a public hearing for November 19, 2007.

Attachments:

1. Staff report/Background information
2. Annexation/Site Location Map / Aerial Photo Map
3. Future Land Use Map / Existing City and County Zoning Map
4. Acceptance Resolution
5. Annexation Ordinance

Background Information: See attached Staff Report/Background Information

STAFF REPORT/BACKGROUND INFORMATION			
Location:		2856 B 3/4 Road	
Applicants:		Owner: Ted Martin Representative: Janet Carter	
Existing Land Use:		Residential	
Proposed Land Use:		Residential	
Surrounding Land Use:	North	Agricultural	
	South	Residential	
	East	Residential	
	West	Residential	
Existing Zoning:		County RSF-4 (Residential Single Family - 4 du/ac)	
Proposed Zoning:		R-4 (Residential - 4 du/ac)	
Surrounding Zoning:	North	County RSF-4 (Residential Single Family - 4 du/ac) R-4 (Residential - 4 du/ac)	
	South	County RSF-4 (Residential Single Family - 4 du/ac)	
	East	R-4 (Residential - 4 du/ac)	
	West	County PUD (Planned Unit Development)	
Growth Plan Designation:		Residential Medium Low (2 - 4 du/ac)	
Zoning within density range?		X	Yes
			No

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the R-4 zone district is consistent with the Growth Plan designation of Residential Medium Low. The existing County zoning is RSF-4. 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 zoning 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.A.3 and 4 as follows:

- The proposed zone is compatible with the neighborhood, conforms to and furthers the goals and policies of the Growth Plan and other adopted plans and policies, the requirements of this Code, and other City regulations.

Response: The proposed zone district of R-4 is compatible with the neighborhood as the adjacent property to the north and east is zoned R-4.

Furthermore, the R-4 zone district conforms with the Growth Plan designation of Residential Medium Low (2-4 du/acre) and the Orchard Mesa Neighborhood Plan designation of Single Family (4 units per gross acre)

- Adequate public facilities and services are available or will be made available concurrent with the projected impacts of development allowed by the proposed zoning;

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

Alternatives: In addition to the zoning that the petitioner has requested, the following zone district would also be consistent with the Growth Plan designation for the subject property.

- a. R-2 (Residential 2 du/ac)

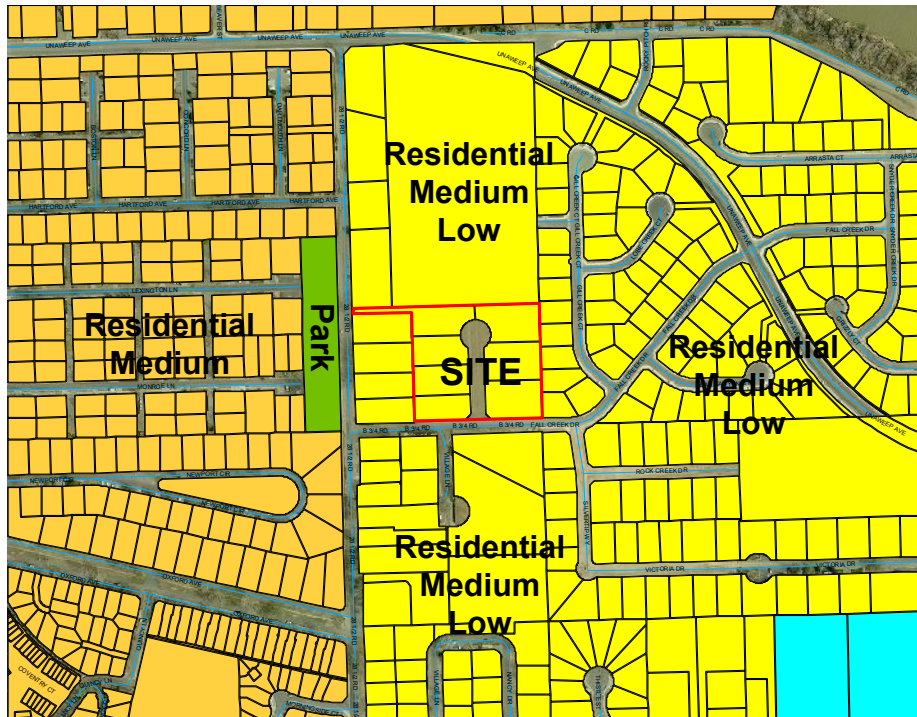
If the City Council chooses to recommend the alternative zone designation, specific alternative findings must be made.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the R-4 district to be consistent with the Growth Plan, the Orchard Mesa Neighborhood Plan, the existing County Zoning and Sections 2.6 and 2.14 of the Zoning and Development Code.



Future Land Use Map

Figure 3



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE MESA HEIGHTS ANNEXATION TO
R-4 (RESIDENTIAL 4 DWELLING UNITS PER ACRE)**

LOCATED AT 2856 B 3/4 ROAD

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Mesa Heights Annexation to the R-4 zone district finding that it conforms with 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 is generally compatible with 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 public notice and public hearing before the Grand Junction City Council, City Council finds that the R-4 zone district 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 be zoned R-4 (Residential 4 dwelling units per acre).

A certain parcel of land lying in the Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

All of that portion of Kirby Subdivision, as same is recorded in Plat Book 11, Page 28, Public Records of Mesa County, Colorado, lying North of the North right of way for B 3/4 Road as recorded in Plat Book 9, Page 23, Public Records of Mesa County, Colorado; TOGETHER WITH the following; Commencing at the Southwest corner of said NW1/4 NE1/4, and assuming the West line of said NW1/4 NE1/4 bears N00°03'05"E with all other bearings contained herein being relative thereto; thence N00°03'05"E along the said West line a distance of 391.14 feet to the Point of Beginning; thence N00°03'05"E, along said West line a distance of 20.00 feet; thence S89°57'10"E a distance of 20.00 feet to the Northwest corner said Kirby Subdivision; thence S00°03'05"W, along the most westerly line said Kirby Subdivision, a distance of 20.00 feet; thence N89°57'10"W a distance of 20.00 feet, more or less, to the Point of Beginning.

CONTAINING 3.86 Acres (168,141.60) more or less, as described.

INTRODUCED on first reading the ____ day of _____, 2007 and ordered published.

ADOPTED on second reading the ____ day of _____, 2007.

ATTEST:

President of the Council

City Clerk

Attach 3

Setting a Hearing zoning the Indian Wash Rentals Annexation, Located at 378 27 1/2 Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Zoning the Indian Wash Rentals Annexation - Located at 378 27 1/2 Road.		
File #	ANX-2007-278		
Meeting Day, Date	Monday, November 5, 2007		
Placement on the Agenda	Consent	X	Individual
Date Prepared	October 25, 2007		
Author Name & Title	Senta L. Costello		
Presenter Name & Title	Senta L. Costello		

Summary: Request to zone the 1.999 acre Indian Wash Rentals Annexation, located at 378 27 1/2 Road, to I-1 (Light Industrial).

Budget: N/A

Action Requested/Recommendation: Introduce a proposed Ordinance and set a public hearing for November 19, 2007.

Attachments:

1. Staff report/Background information
2. Annexation - Site Location Map / Aerial Photo Map
3. Future Land Use Map / Existing County and City Zoning Map
4. Zoning Ordinance

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION				
Location:		378 27 1/2 Road		
Applicants:		Indian Wash Rentals, LLC – Robert O. Branson		
Existing Land Use:		Residential/Industrial/Vacant		
Proposed Land Use:		Residential/Outdoor Storage Yard		
Surrounding Land Use:	North	Single Family Residential		
	South	Vacant Industrial		
	East	Vacant Industrial		
	West	Single Family Residential		
Existing Zoning:		County I-2 (Industrial)		
Proposed Zoning:		City I-1 (Light Industrial)		
Surrounding Zoning:	North	County I-2 (Industrial)		
	South	City I-1 (Light Industrial)		
	East	City I-1 (Light Industrial)		
	West	County I-2 (Industrial)		
Growth Plan Designation:		Industrial		
Zoning within density range?	X	Yes		No

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the I-1 district is consistent with the Growth Plan intensity of Industrial. The existing County zoning is I-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 zoning 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.A.3 and 4 as follows:

- The proposed zone is compatible with the neighborhood, conforms to and furthers the goals and policies of the Growth Plan and other adopted plans and policies, the requirements of this Code, and other City regulations.

Response: The proposal is compatible with the neighborhood. Much of the land to the east is developing with light industrial type uses. And although the property to the west is currently a mix of residential and industrial type uses, the area is designated Industrial on the Future Land Use Map.

- Adequate public facilities and services are available or will be made available concurrent with the projected impacts of development allowed by the proposed zoning;

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

Alternatives: In addition to the zoning that the petitioner has requested, the following zone districts would also be consistent with the Growth Plan designation for the subject property.

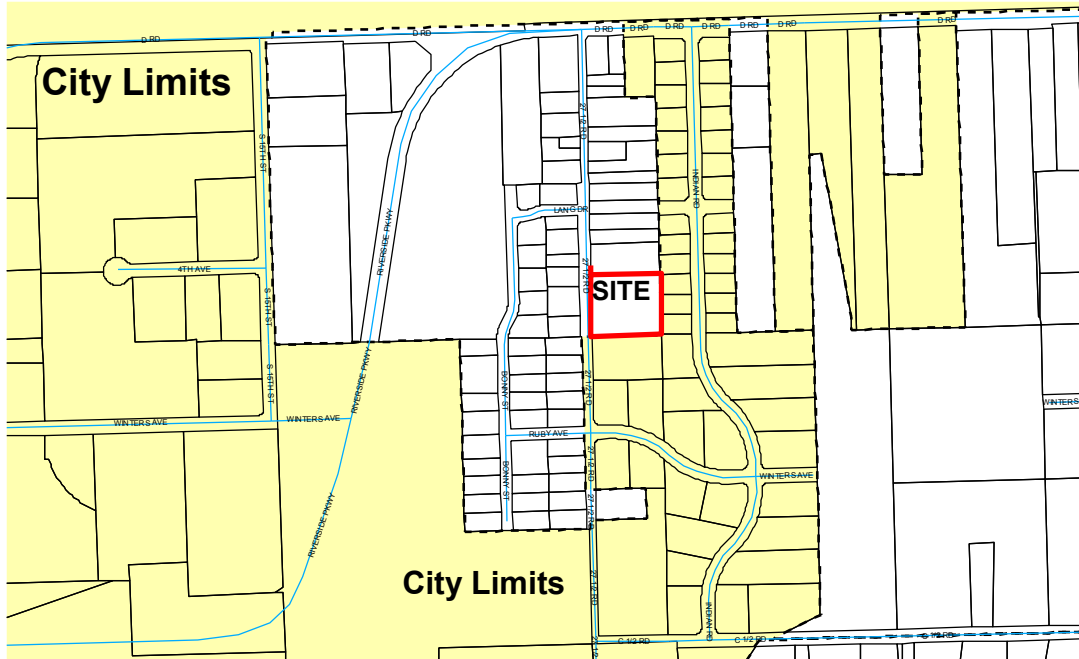
- b. I-O (Industrial-Office)
- c. I-2 (General Industrial)
- d. M-U (Mixed-Use)

If the City Council chooses to recommend an alternative zone designation, specific alternative findings must be made as to why.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the I-1 district to be consistent with the Growth Plan, and Sections 2.6 and 2.14 of the Zoning and Development Code.

Site Location Map

Figure 1



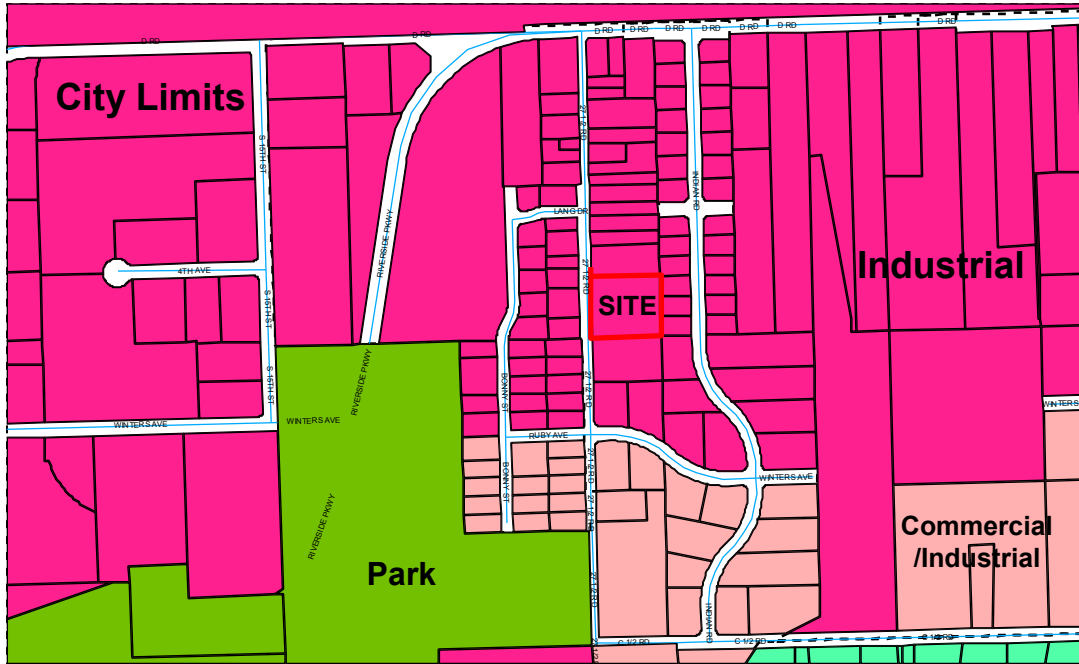
Aerial Photo Map

Figure 2



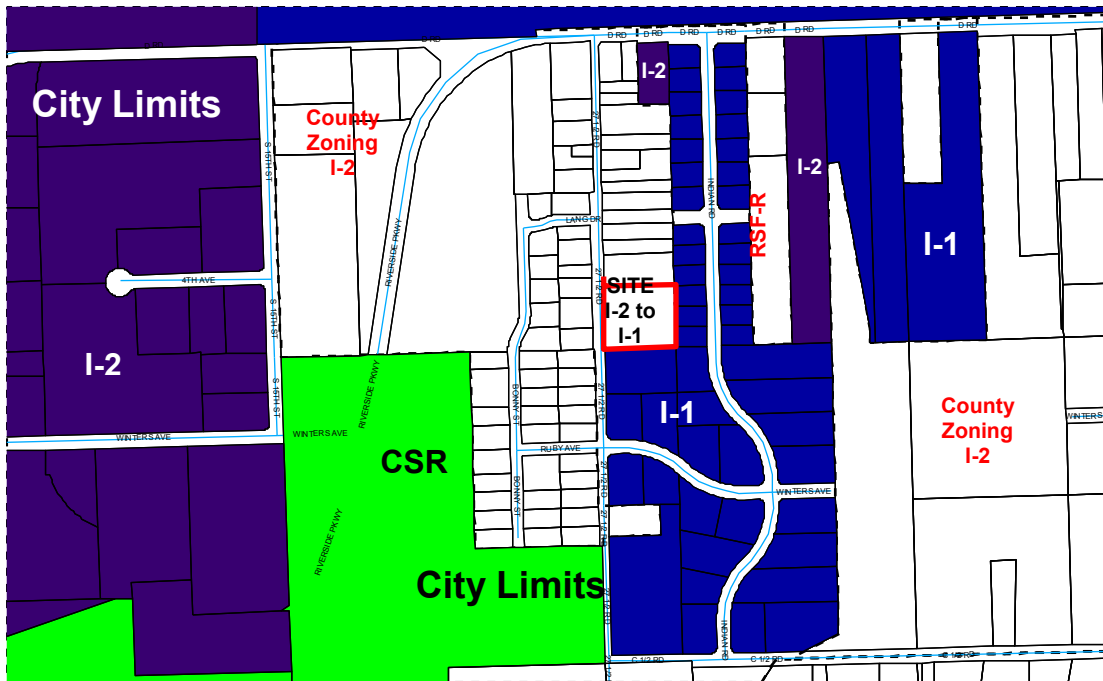
Future Land Use Map

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."

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE INDIAN WASH RENTALS ANNEXATION TO
I-1**

LOCATED AT 378 27 1/2 ROAD

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Indian Wash Rentals Annexation to the I-1 zone district finding that it conforms with 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 is generally compatible with 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 public notice and public hearing before the Grand Junction City Council, City Council finds that the I-1 zone district 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 be zoned I-1 (Light Industrial).

A certain parcel of land lying in the Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4) of Section 24, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Southwest corner of said NW1/4 NE1/4, and considering the West line of the said NW1/4 NE1/4 to bear N00°08'44"E with all bearings herein being relative thereto; thence N00°08'44"E, along said West line, a distance of 263.49 feet; thence S89°59'19"E a distance of 330.00 feet to a point on Indian Road Industrial Subdivision Annexation No. 2, City Ordinance No. 3677; thence along the said Indian Road Industrial Subdivision Annexation No. 2 the following two courses: 1) S00°08'44"W a distance of 264.15 feet to the South line of said NW1/4 NE1/4; 2) N89°52'24"W, along said South line a distance of 330.00 feet, more or less, to the Point of Beginning.

CONTAINING 1.999 Acres (87,076.44 Sq. Ft.), more or less, as described

INTRODUCED on first reading the ____ day of _____, 2007 and ordered published.

ADOPTED on second reading the ____ day of _____, 2007.

ATTEST:

President of the Council

City Clerk

Attach 4

Setting a Hearing on the Davis Annexation, Located at 488 23 Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Davis Annexation - Located at 488 23 Road		
File #	ANX-2007-297		
Meeting Day, Date	Monday, November 5, 2007		
Placement on the Agenda	Consent	X	Individual
Date Prepared	October 26, 2007		
Author Name & Title	Senta L. Costello		
Presenter Name & Title	Senta L. Costello		

Summary: Request to annex 1.55 acres, located at 488 23 Road. The Davis Annexation consists of 1 parcel and includes a portion of the 23 Road right-of-way. The owners have requested annexation in order to subdivide the property.

Budget: N/A

Action Requested/Recommendation: Adopt a Resolution referring the petition for the Davis Annexation and introduce the proposed Ordinance and set a hearing for December 17, 2007.

Attachments:

1. Staff report/Background information
2. Annexation / Site Location Map; Aerial Photo Map
3. Future Land Use Map; Existing County and City Zoning Map
4. Resolution Referring Petition
5. Annexation Ordinance

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION

Location:		488 23 Road		
Applicants:		Owner: Judy I. Davis		
Existing Land Use:		Vacant		
Proposed Land Use:		Residential Subdivision		
Surrounding Land Use:	North	Single Family Residential		
	South	Church		
	East	Single Family Residential		
	West	Single Family Residential		
Existing Zoning:		County RSF-4		
Proposed Zoning:		City R-2 (Residential – 2 du/ac)		
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:

ANNEXATION:

This annexation area consists of 1.55 acres of land and is comprised of 1 parcel. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires 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 Davis 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.

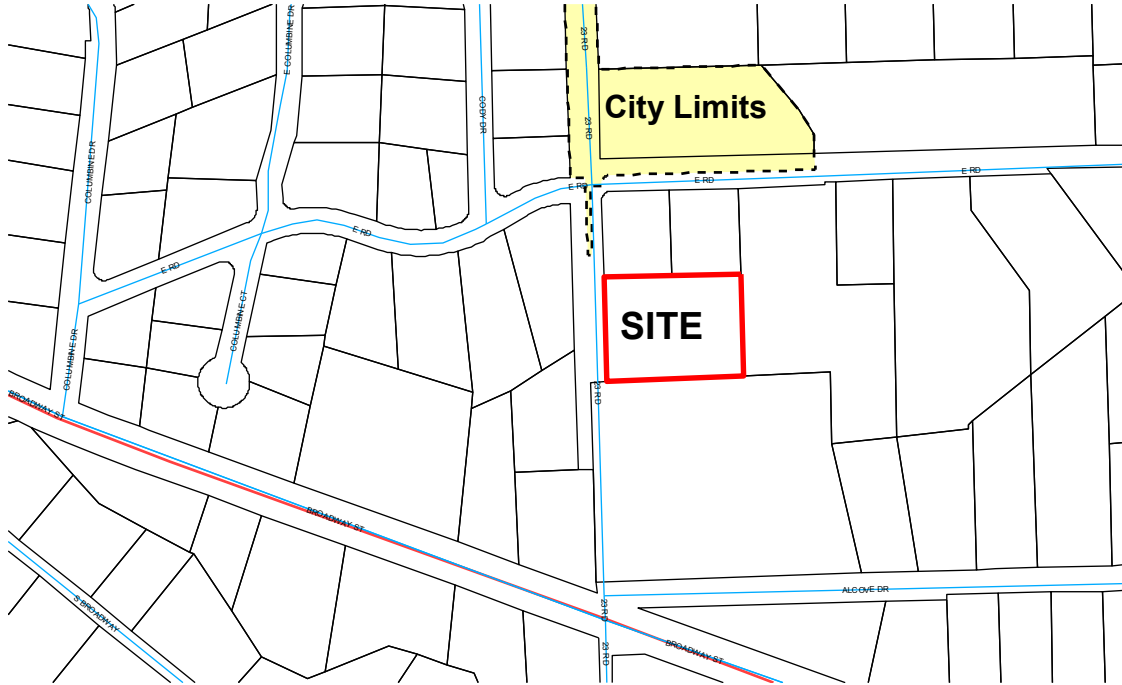
<u>ANNEXATION SCHEDULE</u>	
November 5, 2007	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
November 27, 2007	Planning Commission considers Zone of Annexation
December 3, 2007	Introduction of a proposed Ordinance on Zoning by City Council
December 17, 2007	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
January 18, 2008	Effective date of Annexation and Zoning

DAVIS ANNEXATION SUMMARY

File Number:	ANX-2007-297	
Location:	488 23 Road	
Tax ID Number:	2945-172-22-001	
Parcels:	1	
Estimated Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	1.55 acres	
Developable Acres Remaining:	1.21 acres	
Right-of-way in Annexation:	15,147 sq ft of the 23 Road right-of-way	
Previous County Zoning:	RSF-4	
Proposed City Zoning:	R-2	
Current Land Use:	Vacant Residential	
Future Land Use:	Residential Subdivision	
Values:	Assessed:	=\$ 21,750
	Actual:	=\$ 75,000
Address Ranges:	488-496 23 Road (even only)	
Special Districts:	Water:	Ute Water
	Sewer:	201
	Fire:	Grand Jct Rural
	Irrigation/ Drainage:	Redlands Water and Power
	School:	Mesa County School Dist #51
	Pest:	Grand River Mosquito Dist

Site Location Map

Figure 1



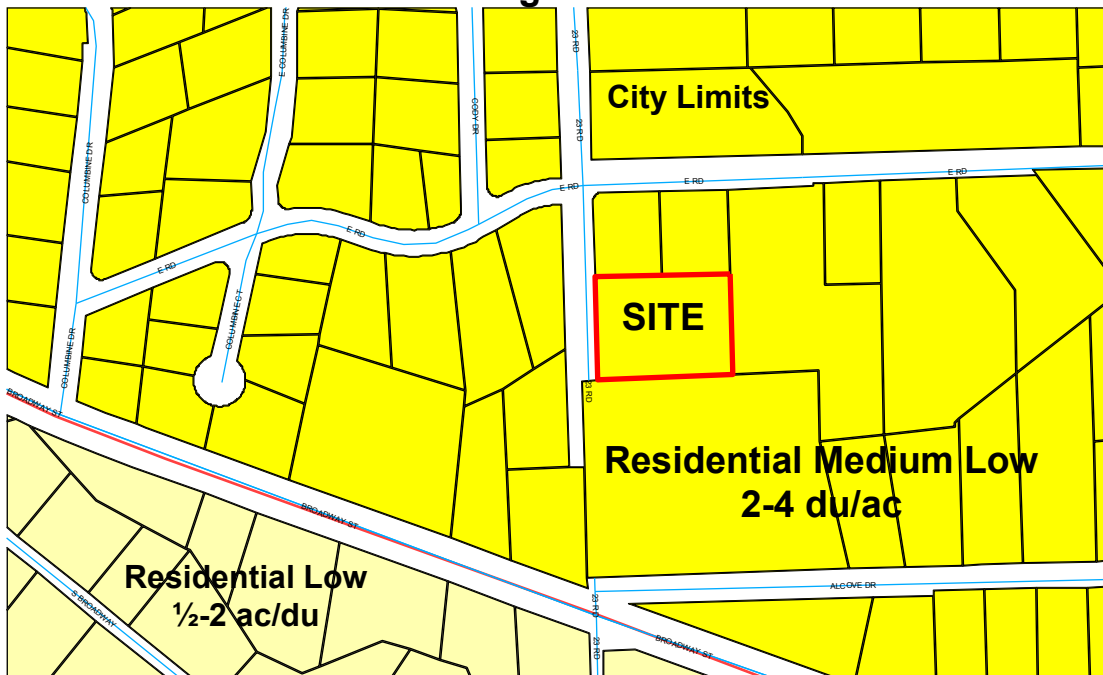
Aerial Photo Map

Figure 2



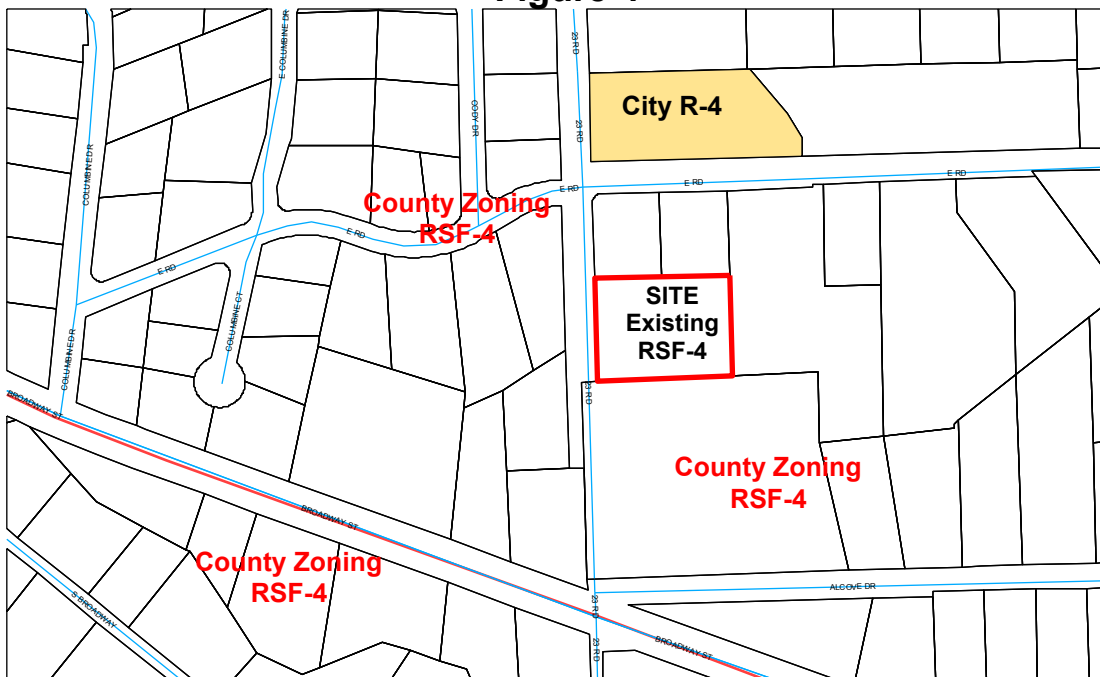
Future Land Use Map

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."

**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 5th of November, 2007, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

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

DAVIS ANNEXATION

**LOCATED AT 488 23 ROAD INCLUDING A PORTION OF THE 23 ROAD
RIGHT-OF-WAY**

WHEREAS, on the 5th day of November, 2007, 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:

DAVIS ANNEXATION

A certain parcel of land lying in the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 17 and the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section 18, all in Township 1 South, Range 1 West of the Ute principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northwest corner of said Section 17 and assuming the West line of the NW 1/4 NW 1/4 of said Section 17 bears S 00°03'13" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 00°03'13" E along the West line of the NW 1/4 NW 1/4 of said Section 17 a distance of 98.10 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue S 00°03'13" E along said West line, a distance of 150.00 feet; thence N 89°56'47" E a distance of 10.00 feet; thence N 00°03'13" W along the limits of the Senatore Annexation No. 1, City of Grand Junction Ordinance No. 4093, a distance of 133.04 feet; thence N 89°56'47" E a distance of 20.00 feet; thence S 00°03'13" E along the East right of way for 23 Road a distance of 179.45 feet, more or less, to a point being the Northwest corner of Lot One, Plat of Lamplite Subdivision, as same is recorded in Plat Book 11, Page 94, Public Records of Mesa County, Colorado; thence S 89°59'01" E along the North line of said Lot One a distance of 265.00 feet to a point being the Northeast corner of said Lot One; thence S 00°03'19" E along the East line of said Lot

One a distance of 196.49 feet to a point being the Southeast corner of said Lot One; thence S 89°19'58" W along the South line of said Lot One a distance of 295.05 feet to a point on the West line of the NW 1/4 NW 1/4 of said Section 17; thence N 00°03'13"W along said West line, a distance of 226.38 feet; thence S 89°56'47" W a distance of 30.00 feet to a point on the West right of way for 23 Road; thence N 00°03'13" W along said West right of way, a distance of 170.00 feet; thence N 89°56'47" E a distance of 30.00 feet, more or less, to the Point of Beginning.

CONTAINS 1.55 Acres or 67,641 Square Feet, more or less, as described.

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

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

1. That a hearing will be held on the 17th day of December, 2007, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 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 Public Works and Planning Department of the City.

ADOPTED the _____ day of _____, 2007.

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>
November 7, 2007
November 14, 2007
November 21, 2007
November 28, 2007

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

DAVIS ANNEXATION

APPROXIMATELY 1.55 ACRES

**LOCATED AT 488 23 ROAD INCLUDING A PORTION OF THE 23 ROAD
RIGHT-OF-WAY**

WHEREAS, on the 5th day of November, 2007, 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, 2007; 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:

DAVIS ANNEXATION

A certain parcel of land lying in the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 17 and the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section 18, all in Township 1 South, Range 1 West of the Ute principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northwest corner of said Section 17 and assuming the West line of the NW 1/4 NW 1/4 of said Section 17 bears S 00°03'13" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 00°03'13" E along the West line of the NW 1/4 NW 1/4 of said Section 17 a distance of

98.10 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue S 00°03'13" E along said West line, a distance of 150.00 feet; thence N 89°56'47" E a distance of 10.00 feet; thence N 00°03'13" W along the limits of the Senatore Annexation No. 1, City of Grand Junction Ordinance No. 4093, a distance of 133.04 feet; thence N 89°56'47" E a distance of 20.00 feet; thence S 00°03'13" E along the East right of way for 23 Road a distance of 179.45 feet, more or less, to a point being the Northwest corner of Lot One, Plat of Lamplite Subdivision, as same is recorded in Plat Book 11, Page 94, Public Records of Mesa County, Colorado; thence S 89°59'01" E along the North line of said Lot One a distance of 265.00 feet to a point being the Northeast corner of said Lot One; thence S 00°03'19" E along the East line of said Lot One a distance of 196.49 feet to a point being the Southeast corner of said Lot One; thence S 89°19'58" W along the South line of said Lot One a distance of 295.05 feet to a point on the West line of the NW 1/4 NW 1/4 of said Section 17; thence N 00°03'13"W along said West line, a distance of 226.38 feet; thence S 89°56'47" W a distance of 30.00 feet to a point on the West right of way for 23 Road; thence N 00°03'13" W along said West right of way, a distance of 170.00 feet; thence N 89°56'47" E a distance of 30.00 feet, more or less, to the Point of Beginning.

CONTAINS 1.55 Acres or 67,641 Square Feet, more or less, as described.

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

INTRODUCED on first reading on the ____ day of _____, 2007 and ordered published.

ADOPTED on second reading the ____ day of _____, 2007.

Attest:

President of the Council

City Clerk

Attach 5

Revocable Permit for Mesa County Bike Rack, Building Sign, and Screening along the South Avenue ROW

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Mesa County Bike Rack, Building Sign, and Screening Revocable Permit – Located within a portion of the South Avenue right-of-way		
File #	RVP-2007-182		
Meeting Day, Date	Monday, November 5, 2007		
Placement on the Agenda	Consent	X	Individual
Date Prepared	October 24, 2007		
Author Name & Title	Senta L. Costello		
Presenter Name & Title	Senta L. Costello		

Summary: Request for a Revocable Permit to allow a building sign, a portion of 4 bike racks, and screening within a portion of the South Avenue right-of-way.

Budget: N/A

Action Requested/Recommendation: Approval and acceptance of the Resolution issuing the Revocable Permit

Attachments:

1. Staff report/Background information
2. General Location Map/Aerial Photo
3. Future Land Use Map/Zoning Map
4. Resolution
5. Revocable Permit
6. Agreement
7. Exhibit A – Legal Description for Revocable Permit area
8. Exhibit B – Sketch of Revocable Permit area
9. Exhibit C – Site Plan of Revocable Permit Area

Background Information: Please see attached Staff report

BACKGROUND INFORMATION					
Location:		636 South Avenue			
Applicant:		Mesa County – Sue Gormley			
Existing Land Use:		Methamphetamine Treatment Facility			
Proposed Land Use:		Methamphetamine Treatment Facility			
Surrounding Land Use:	North	Parking lot			
	South	Lumberyard			
	East	Commercial/Retail/Community Services			
	West	Mesa County Administrative/Support Offices			
Existing Zoning:		C-1 (Light Commercial)/C-2 (General Commercial)			
Proposed Zoning:		C-1 (Light Commercial)/C-2 (General Commercial)			
Surrounding Zoning:	North	B-2 (Downtown Business)			
	South	C-2 (General Commercial)			
	East	C-1 (Light Commercial)/C-2 (General Commercial)			
	West	C-1 (Light Commercial)/C-2 (General Commercial)			
Growth Plan Designation:		Public			
Zoning within density range?		X	Yes		No

Staff Analysis:

1. Background

The existing facility was granted a Special Use Permit in 1998. The south half of the north/south alley was vacated at the same time. In March 2006, Mesa County

requested to vacate the north half of the north/south alley and a portion of the east/west alley. This request was approved in May 2006.

The applicant requested a Conditional Use Permit to construct approximately 25,000 additional square feet to the existing structure in order to expand the capability to provide additional treatment programs and housing. The Conditional Use Permit was approved at the July 25, 2006 Planning Commission hearing.

An additional parking lot was approved in March of 2007 at the northeast corner of 6th Street and South Avenue. It will be used to meet the parking requirements for the site.

The treatment facility located on the property has a large number of residents, patients, and employees who ride bicycles to and from the facility. The residents/patients are not allowed to drive to the facility. The applicant is requesting a Revocable Permit to install additional bike racks which would partially extend into the South Avenue right-of-way.

The proposed sign is a monument sign to be located in front of a fence like screen that will be in front of the bike racks to protect them from vandalism as well as screen the racks from pedestrians and neighboring properties.

2. Section 2.17.C of the Zoning and Development Code

Requests for a revocable permit must demonstrate compliance with all of the following criteria:

- a. There will be benefits derived by the community or area by granting the proposed revocable permit.
 - The revocable permit will allow the facility to meet the large demand for bicycle parking on the property which cannot be meet onsite.
- b. There is a community need for the private development use proposed for the City property.
 - The existing use is a needed facility in the Grand Valley. It provides for the treatment of citizens with drug addictions, primarily methamphetamine, which has been a documented and growing problem in the area.
- c. The City property is suitable for the proposed uses and no other uses or conflicting uses are anticipated for the property.
 - The proposed revocable permit area is behind the sidewalk and is out of the path of pedestrian traffic. There are no other potential uses or conflicting uses anticipated for the property.
- d. The proposed use shall be compatible with the adjacent land uses.

- The bike racks and screening will allow for orderly storage of the bicycles that the facility already typically has on the property. This will mitigate the impacts to the neighboring properties with the reduction of a cluttered and disorderly appearance.
- e. The proposed use shall not negatively impact access, traffic circulation, neighborhood stability or character, sensitive areas such as floodplains or natural hazard areas.
- The use does not negatively impact access, traffic circulation, neighborhood stability/character, or sensitive areas.
- f. The proposed use is in conformance with and in furtherance of the implementation of the goals, objectives and policies of the Growth Plan, other adopted plans and the policies, intents and requirements of this Code and other City policies.
- The request is in conformance with and implements the following goals, objectives, and policies:
 - Goal 5 – To ensure that urban growth and development make efficient use of investments in streets, utilities and other public facilities.
 - Policy 5.2: The City and County will encourage development that uses existing facilities and is compatible with existing development.
- g. The application complies with the submittal requirements as set forth in the Section 127 of the City Charter, this Chapter Two of the Zoning and Development Code and the SSID Manual.
- The application meets the submittal requirements of Section 127 of the City Charter, the Zoning and Development Code, and the SSID Manual.

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Mesa County application, RVP-2007-182 for the issuance of a revocable permit for a building sign, a portion of 4 bike racks, and screening, the following findings of fact and conclusions have been determined to be met:

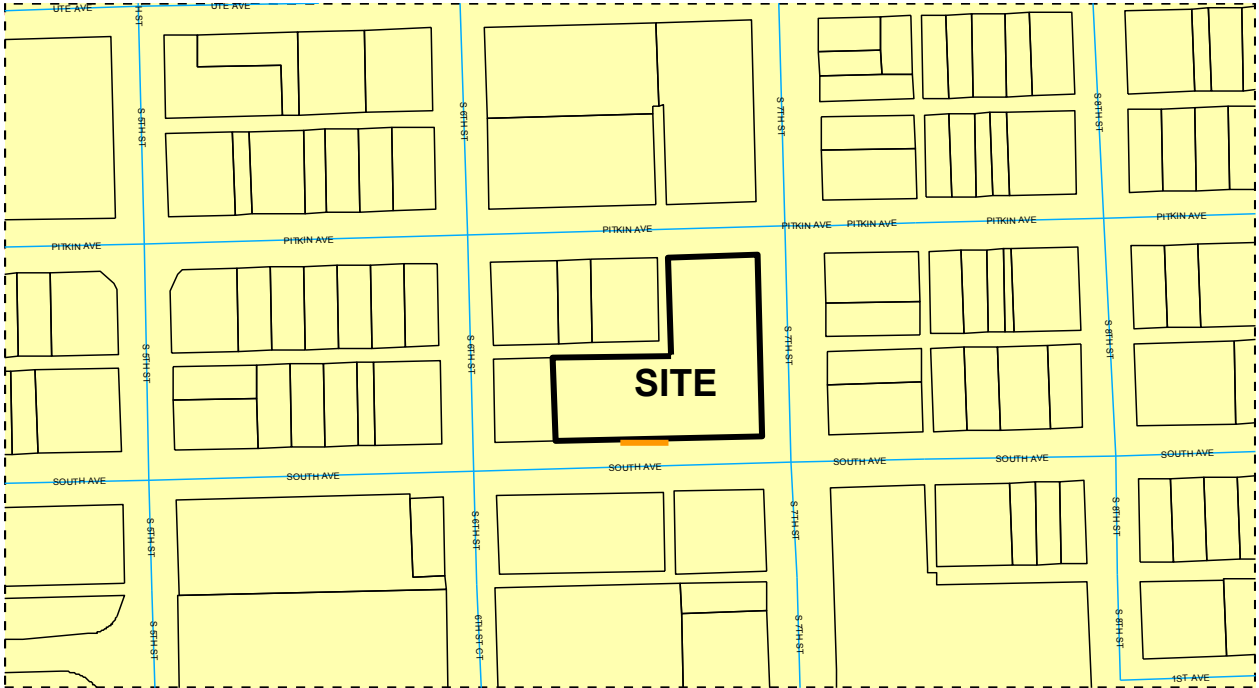
1. The review criteria in Section 2.17.C of the Zoning and Development Code have all been met.

RECOMMENDATION:

I recommend that the City Council approve the requested revocable permit for building sign, a portion of 4 bike racks, and screening within the South Avenue right-of-way, RVP-2007-182.

Site Location Map

Figure 1



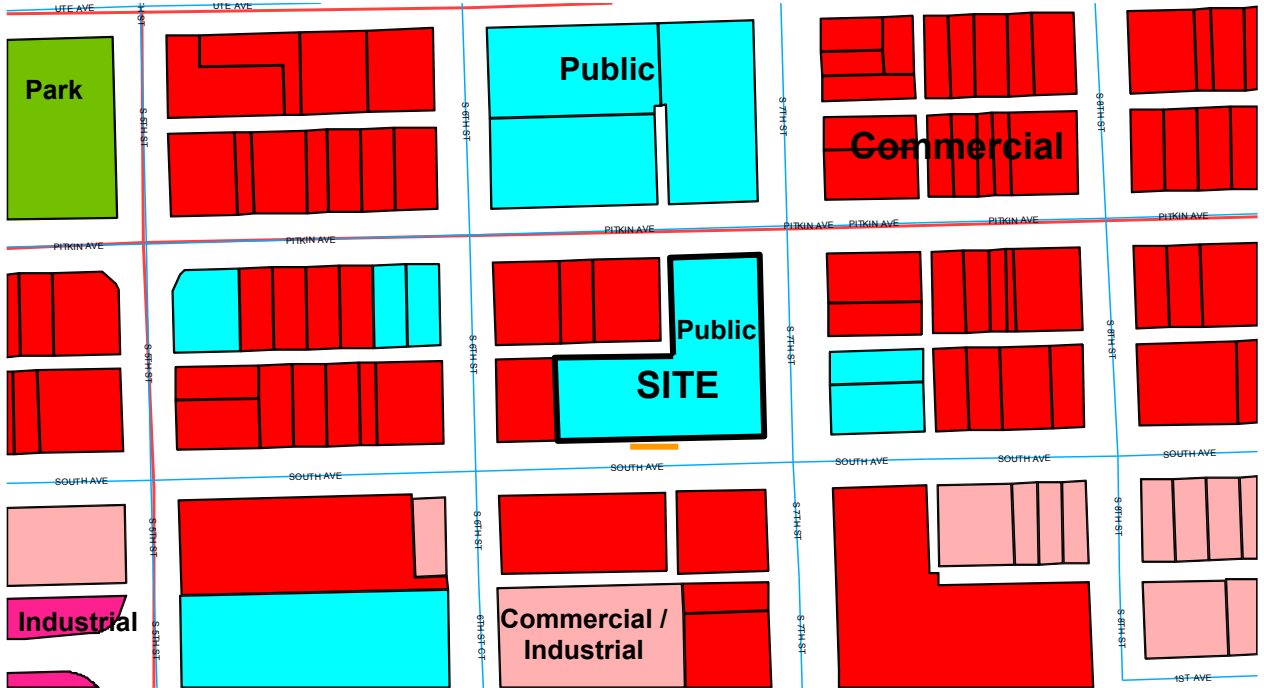
Aerial Photo Map

Figure 2



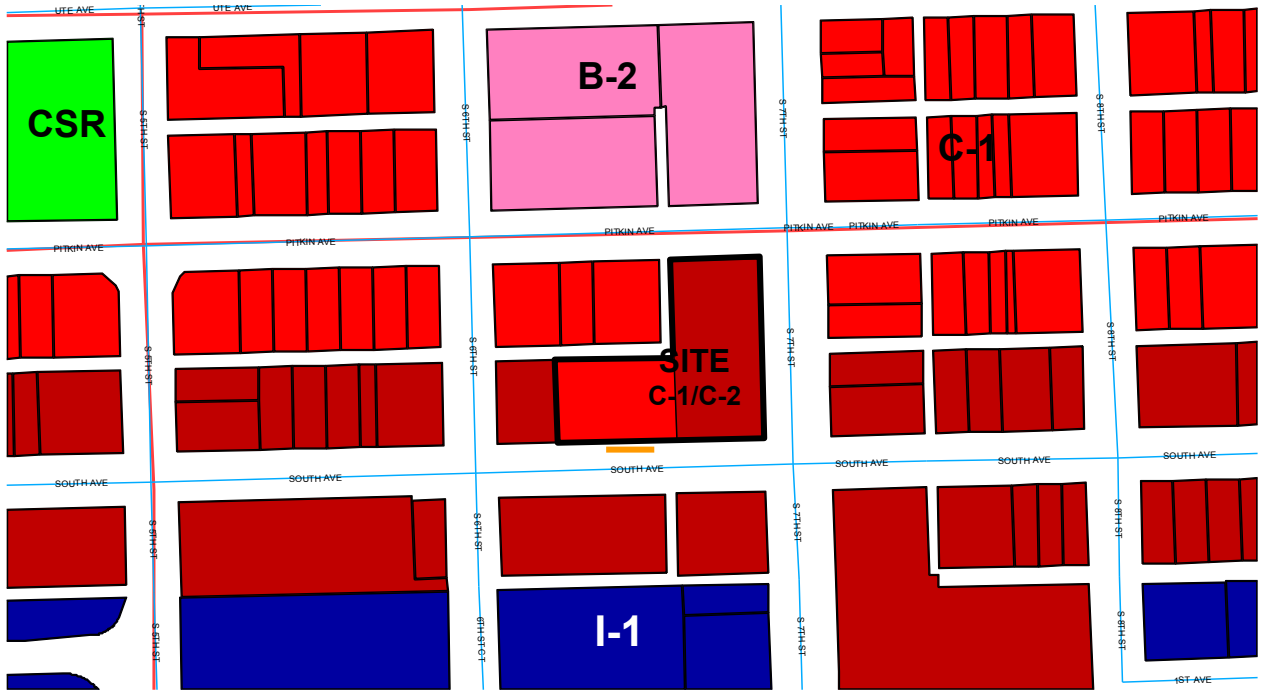
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____

**A RESOLUTION CONCERNING THE ISSUANCE OF A REVOCABLE PERMIT TO
MESA COUNTY GOVERNMENT**

Recitals

A. Mesa County - Sue A. Gormley hereinafter referred to as the Petitioner, represents it is the owner of the following described real property in the City of Grand Junction, County of Mesa, State of Colorado, to wit:

Lots 11 thru 26 incl & that ptn of Lot 27 lyg E of RR spur Blk 149 City of Grand Junction Sec 14 1S 1W inc vac n/s alley per B-2482 P-563 & inc vac alley on S & E as desc B-4294 P-139 Ord No 3960 Mesa Co Recds - 1.39a and identified by Mesa County Tax Schedule Number 2945-144-41-931.

B. The Petitioner has requested that the City Council of the City of Grand Junction issue a Revocable Permit to allow the Petitioner to maintain and repair the building sign, the 4 bike racks, and screening within the following described public right-of-way:

See attached Exhibits A and B

C. Relying on the information supplied by the Petitioner and contained in File No. RVP-2007-182 in the office of the City's Public Works & Planning Department, the City Council has determined that such action would not at this time be detrimental to the inhabitants of the City of Grand Junction.

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

1. That the City Manager is hereby authorized and directed to issue the attached Revocable Permit to the above-named Petitioner for the purpose aforescribed and within the limits of the public right-of-way aforescribed, subject to each and every term and condition contained in the attached Revocable Permit.

PASSED and ADOPTED this _____ day of _____, 2007.

Attest:

City Clerk

President of the City Council

REVOCABLE PERMIT

Recitals

A. Mesa County - Sue A. Gormley hereinafter referred to as the Petitioner, represents it is the owner of the following described real property in the City of Grand Junction, County of Mesa, State of Colorado, to wit:

Lots 11 thru 26 incl & that ptn of Lot 27 lyg E of RR spur Blk 149 City of Grand Junction Sec 14 1S 1W inc vac n/s alley per B-2482 P-563 & inc vac alley on S & E as desc B-4294 P-139 Ord No 3960 Mesa Co Recds - 1.39a and identified by Mesa County Tax Schedule Number 2945-144-41-931.

B. The Petitioner has requested that the City Council of the City of Grand Junction issue a Revocable Permit to allow the Petitioner to maintain and repair the building sign, the 4 bike racks, and screening within the following described public right-of-way:

See attached Exhibits A and B

C. Relying on the information supplied by the Petitioner and contained in File No. RVP-2007-182 in the office of the City's Public Works & Planning Department, the City Council has determined that such action would not at this time be detrimental to the inhabitants of the City of Grand Junction.

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

There is hereby issued to the above-named Petitioner a Revocable Permit for the purpose aforescribed and within the limits of the public right-of-way aforescribed; provided, however, that the issuance of this Revocable Permit shall be conditioned upon the following terms and conditions:

1. The Petitioner's use and occupancy of the public right-of-way as authorized pursuant to this Permit shall be performed with due care or any other higher standard of care as may be required to avoid creating hazardous or dangerous situations and to avoid damaging public improvements and public utilities or any other facilities presently existing or which may in the future exist in said right-of-way.
2. The City hereby reserves and retains a perpetual right to utilize all or any portion of the aforescribed public right-of-way for any purpose whatsoever. The City further reserves and retains the right to revoke this Permit at any time and for any reason.
3. The Petitioner, for itself and for its successors, assigns and for all persons claiming through the Petitioner, agrees that it shall defend all efforts and claims to hold, or attempt to hold, the City of Grand Junction, its officers, employees and agents, liable

for damages caused to any property of the Petitioner or any other party, as a result of the Petitioner's occupancy, possession or use of said public right-of-way or as a result of any City activity or use thereof or as a result of the installation, operation, maintenance, repair and replacement of public improvements.

4. The Petitioner agrees that it shall at all times keep the above described public right-of-way in good condition and repair.

5. This Revocable Permit shall be issued only upon the concurrent execution by the Petitioner of an agreement that the Petitioner and the Petitioner's successors and assigns shall save and hold the City of Grand Junction, its officers, employees and agents harmless from, and indemnify the City, its officers, employees and agents, with respect to any claim or cause of action however stated arising out of, or in any way related to, the encroachment or use permitted, and that upon revocation of this Permit by the City the Petitioner shall, at the sole cost and expense of the Petitioner, within thirty (30) days of notice of revocation (which may occur by mailing a first class letter to the last known address), peaceably surrender said public right-of-way and, at its own expense, remove any encroachment so as to make the aforescribed public right-of-way available for use by the City or the general public. The provisions concerning holding harmless and indemnity shall survive the expiration, revocation, termination or other ending of this Permit.

6. This Revocable Permit, the foregoing Resolution and the following Agreement shall be recorded by the Petitioner, at the Petitioner's expense, in the office of the Mesa County Clerk and Recorder.

Dated this _____ day of _____, 2007.

Attest:

The City of Grand Junction,
a Colorado home rule municipality

City Clerk

City Manager

Acceptance by the Petitioner:

Mesa County - Sue A. Gormley

AGREEMENT

Mesa County - Sue A. Gormley, for itself and for its successors and assigns, does hereby agree to:

(a) Abide by each and every term and condition contained in the foregoing Revocable Permit;

(b) Indemnify and hold harmless the City of Grand Junction, its officers, employees and agents with respect to all claims and causes of action, as provided for in the approving Resolution and Revocable Permit;

(c) Within thirty (30) days of revocation of said Permit by the City Council, peaceably surrender said public right-of-way to the City of Grand Junction;

(d) At the sole cost and expense of the Petitioner, remove any encroachment so as to make said public right-of-way fully available for use by the City of Grand Junction or the general public.

Dated this _____ day of _____, 2007.

Mesa County

By: _____
Sue A. Gormley

State of Colorado)
)ss.
County of Mesa)

The foregoing Agreement was acknowledged before me this _____ day of _____, 2007, by Sue A. Gormley – Mesa County.

My Commission expires: _____
Witness my hand and official seal.

Notary Public

EXHIBIT "A"

A parcel of land situated in the right-of-way of South Avenue adjoining Block 149, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at a point on the south line of said Block 149, whence the southeast corner of said Block 149 bears South 89°51'34" East, a distance of 142.56 feet;
Thence South 00°08'26" West, a distance of 4.00 feet;
Thence North 89°51'34" West, a distance of 55.00 feet;
Thence North 00°08'26" East, a distance of 4.00 feet to the south line of said Block 149;
Thence South 89°51'34" East, a distance of 55.00 feet to the Point of Beginning.

Containing 220 square feet, more or less.

EXHIBIT "B"

REVOCABLE PERMIT EXHIBIT

LOT 22
BLOCK 149
CITY OF
GRAND JUNCTION

LOT 21
BLOCK 149
CITY OF
GRAND JUNCTION

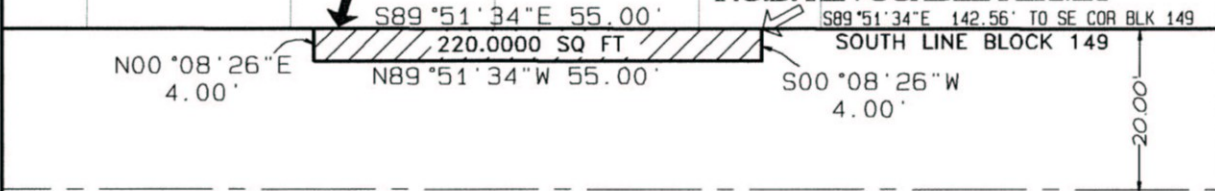
VACATED ALLEY
BLOCK 149

2945-144-41-931
BOARD OF COUNTY COMMISSIONERS
P.O. BOX 20000, GRAND
JUNCTION, CO 81502
STREET ADDRESS:
636 SOUTH AVENUE



REVOCABLE PERMIT PARCEL

P.O.B. REVOCABLE PERMIT



CITY BLOCK CONTROL LINE

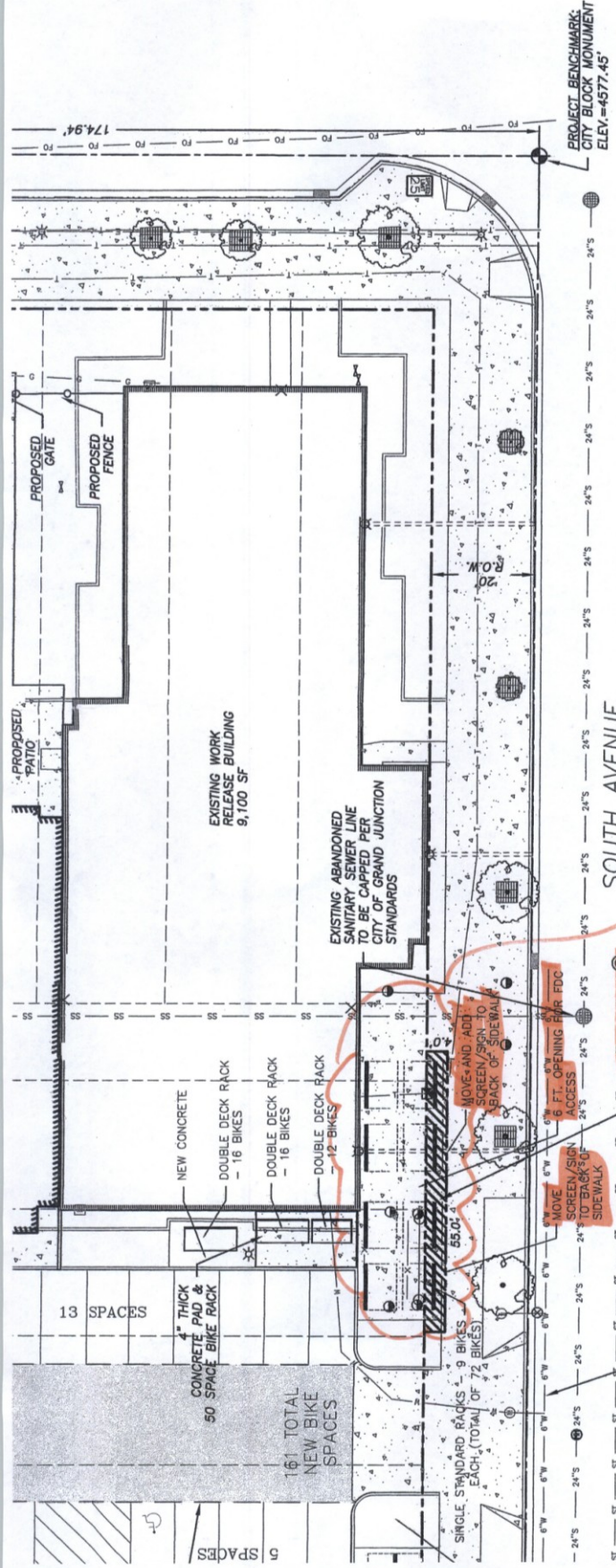
SOUTH AVENUE RIGHT-OF-WAY
(CITY OF GRAND JUNCTION
250 N 5th STREET, GRAND
JUNCTION, CO 81501)

(REVOCABLE PERMIT PARCEL CONTAINED ENTIRELY
WITHIN SOUTH AVENUE RIGHT-OF-WAY)
(NO PARCEL NUMBER FOR STREET RIGHT-OF-WAY)
(NO STREET ADDRESS FOR RIGHT-OF-WAY)



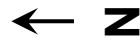
Bearings based in grid north of the
Mesa County Local Coordinate System

7th Street



ONLY THIS AREA IS
PART OF THIS APPLICATION

South Avenue



Attach 6

Setting a Hearing on Proposed Amendments to the Zoning and Development Code

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Proposed amendments to the Zoning and Development Code		
File #	TAC-2007-307		
Meeting Day, Date	Monday, November 5, 2007		
Placement on the Agenda	Consent	X	Individual
Date Prepared	October 25, 2007		
Author Name & Title	Lisa E. Cox, Planning Manager		
Presenter Name & Title	Lisa E. Cox, Planning Manager		

Summary: The City of Grand Junction requests approval to amend the Zoning and Development Code to consider amendments to the Growth Plan and/or Future Land Use Map more than twice a year, and to update or clarify certain provisions of the Code.

Budget: N/A

Action Requested/Recommendation: Introduce two proposed Ordinances and set a public hearing for November 19, 2007.

Attachments: Staff report and two proposed Ordinances.

Background Information: The City of Grand Junction considers proposed updates and changes to the Zoning and Development Code on a regular basis to ensure that the Code is addressing development issues in an efficient and effective manner. Certain updates and changes to the Code are desirable to maintain the Code's effectiveness and to ensure that the goals and policies of the Growth Plan and Future Land Use Map are being implemented.

Staff Analysis:

Several proposed amendments or updates to the Code are being proposed by City staff and are attached to this staff report in two Ordinances. The majority of the updates or amendments are minor in nature and intended to provide clarification of various Code provisions, to streamline the development review process, or to make minor corrections of typographical errors in the Code.

The first Ordinance attached to this report contains a proposed amendment to allow consideration of amendments to the Growth Plan and/or Future Land Use Map more than twice a year. The Code currently allows a request for a Growth Plan or Future Land Use Map amendment to be considered only twice a year. The professional development community has made numerous requests that this provision of the Code be amended to allow more frequent consideration of such requests.

City Council recently amended Section 2.5 of the Code to allow for the review of a Growth Plan amendment concurrently either with adoption of a zone of annexation of property, and/or concurrently with a request to rezone property to a Planned Development (PD). Council discussed the current limitation of the Code for consideration of Growth Plan and/or Future Land Use Map amendments. Some Council members were concerned that the requirement was unduly restrictive.

Because the nature of a master plan, such as the Growth Plan and the Future Land Use Map (known together as the "Growth Plan") should be reflective of the changing conditions in the community, and because the Grand Valley and City are experiencing significant growth pressure, the limitations on reviews of the Growth plan should be eliminated.

The attached Ordinance to allow amendments to the Growth Plan and/or Future Land Use Map more than twice a year contains a sunset provision that requires City Council to review the Ordinance twelve (12) months from its adoption. If the Ordinance is not readopted then the Ordinance shall be null, void and of no effect and Section 2.5(E) shall revert to the terms written prior to the Ordinance which amended it.

The second Ordinance attached to this report contains various proposed amendments to update or clarify certain provisions of the Code. The proposed amendments are minor in nature and intended to provide clarification of various Code provisions, to streamline the development review process, or to make minor corrections of typographical errors in the Code.

Both of the proposed Ordinances containing the various amendments to the Zoning and Development Code have been reviewed and endorsed by the focus group that staff has worked with for the past 18 months on development related issues. Staff will continue working with the focus group when proposing future amendments to the Code.

During its regular October 23, 2007 meeting the Planning Commission gave consideration to the two Ordinances and also made a recommendation of approval.

FINDINGS OF FACT/CONCLUSIONS:

In reviewing the proposed amendments contained in the two Ordinances attached to this report, the Planning Commission found that the requested Code amendments and updates furthered the intent of the Growth Plan by ensuring that the Zoning and Development Code is maintained in a manner that addresses development issues in an efficient and effective manner.

PLANNING COMMISSION RECOMMENDATION:

After discussion of the two proposed Ordinances, the Planning Commission forwarded a recommendation of approval for each of the two Ordinances to City Council of the proposed text amendments, TAC-2007-307, which include an amendment to consider amendments to the Growth Plan and/or Future Land Use Map more than twice a year and to amend various sections of the Zoning and Development Code to update or clarify certain provisions of the Code.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE AMENDING SECTION 2.5 OF THE ZONING
AND DEVELOPMENT CODE TO ALLOW AMENDMENTS TO THE
GROWTH PLAN AND/OR THE FUTURE LAND USE MAP MORE
THAN TWICE EACH CALENDAR YEAR**

Recitals

The City Council amended Section 2.5 of the Zoning and Development Code on March 21, 2007 (Ordinance 4055), to allow for the review of a Growth Plan Amendment concurrently either with adoption of a zone of annexation of property, and/or concurrently with a request to rezone property to Planned Development (PD).

During the Council's consideration of Ordinance 4055, discussion of the current requirements of Section 2.5 (E)(1)(a), which limits proposed amendments to twice each year, occurred. Some Council members were concerned that the requirement is unduly restrictive.

Because the nature of a master plan, such as the Growth Plan and the Future Land Use Map (together the "Growth Plan") should be reflective of the changing conditions in the community and because the Grand Valley, and the City in particular, are experiencing significant growth pressure, the limitations on reviews of the Growth Plan should be eliminated.

The Planning Commission, having heard and considered this proposed amendment to Section 2.5 of the Zoning and Development Code, has recommended approval of the proposed revision.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE ZONING AND DEVELOPMENT CODE BE ADMENDED AS FOLLOWS:

1. Repeal and reenact Section 2.5 (E) to read as follows:

"E. Application requirements and processing procedures in Table 2.1 and Section 2.3 B apply, except that changes to the Growth Plan, including map amendments and text amendments, shall be processed when they are received."

2. Sunset Clause. This Ordinance shall be reviewed by the City Council twelve (12) months from its adoption. If the Ordinance is not readopted then the Ordinance shall be null, void and of no effect and Section 2.5 (E) shall revert to the terms written prior to this Ordinance.

Introduced for first reading this ____ day of _____, 2007.

Passed and adopted this ____ day of _____, 2007.

James J. Doody
President of the Council

Attest:

Stephanie Tuin
City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE AMENDING THE ZONING AND DEVELOPMENT
CODE TO UPDATE AND CLARIFY CERTAIN SECTIONS OF THE
CODE AND TO MAKE MINOR CORRECTIONS**

Recitals

The City of Grand Junction considers proposed updates and changes to the Zoning and Development Code (Code) on a regular basis to ensure that the Code is addressing development issues in an efficient and effective manner. Certain updates and changes to the Code are desirable to maintain the Code's effectiveness and to ensure that the goals and policies of the Growth Plan are being implemented.

The City of Grand Junction wishes to amend and update various sections of the Code that clarify certain provisions, and to make minor corrections.

The City Council finds that the request to amend the Code is consistent with the goals and policies of the Growth Plan.

The Planning Commission, having heard and considered the request, found the proposed amendments further several goals and policies of the Growth Plan and recommended approval of the proposed revisions to the Zoning and Development Code.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE ZONING AND DEVELOPMENT CODE BE AMENDED AS FOLLOWS:

Amend Section 1.11.C as follows (beginning with item #8):

- 8. Fee in-lieu of land dedication waiver; ~~and~~
- 9. Sewer variances; and
- 10. Street name changes.

Amend Section 1.15 as follows (beginning with R):

- R. Development Improvement Agreement; and
- S. Landscaping and/or Irrigation Revocable Permits, including retaining walls that are 4' tall or less.

Amend Table 2.1 as follows:

Amend footnote #1 to read: Where required a General Meeting with City staff must occur before a development application will be accepted. For all other submittals the checklist will be provided through a Counter General Meeting. At the discretion of the Director, a Counter General Meeting may be substituted for a General Meeting. In addition, a Preapplication Conference with City staff is highly recommended for most subdivisions, multifamily, commercial and industrial projects, as the best way to ensure the success of a project.

Amend footnote #4 to read: A neighborhood meeting is required for a Growth Plan amendment or, rezoning or zone of annexation to a greater intensity/density.

Add footnote #4 to mandatory Neighborhood Meeting for the Zoning of Annexation section of the table.

Add footnote #10 to read: Meetings required for a stand alone Growth Plan Amendment, Zoning Map Amendment (Rezone) or Zoning of Annexation request may be held between 180 days and five (5) business days before the application can be submitted.

Add footnote #10 to mandatory Neighborhood Meeting for the Map Amendments and Zoning Map Amendments sections of the table.

Amend the CODE AMENDMENTS section of the table as follows: Zoning Map Amendments (Rezone)

Amend Section 2.2.B.1.a as follows (by adding the following to the end of the last sentence): Counter General Meeting. Submittal checklists for projects that do not require a General Meeting will be provided as a Counter General Meeting. The checklist and packet will be compiled and made available for the applicant. At the discretion of the Director, a Counter General Meeting may be substituted for a General Meeting.

Amend Section 2.3.B.4.e as follows: Meeting Time and Location. The applicant must provide a meeting room and must conduct the meeting. Meetings must be held on a weekday evening that is not a holiday beginning between 5:30 PM and 8:00 PM in a location that is accessible to the affected neighborhood. The Director may approve other times and locations. The meeting date, time and location must be approved by the Director. To qualify, a meeting must be held between 180 days and fourteen (14) days before the application can be submitted. Meetings required for a stand alone Growth Plan Amendment, Zoning Map Amendment (Rezone) or Zoning of Annexation request may be held between 180 days and five (5) business days before the application can be submitted.

Amend Section 3.3.G.3.b to read: Minimum lot size shall be 4,000 square feet for each single family detached and two family dwellings, and 6,000 square feet for a duplex and stacked dwelling; Two family dwellings require that each dwelling unit be located on a separate lot of a minimum of 4,000 square feet per lot.

Amend Section 3.4.A.5.c to read: Use of Front Yard. Front yards shall be reserved for landscaping, sidewalks, driveway access to parking areas and signage. Parking for nonresidential uses shall be located outside of the front yard setback area.

Amend Section 3.6.B.7.f as follows: If the minimum or maximum density requirements of the zone conflict with the minimum or maximum residential density requirements of the growth plan land use classification see Section 3.6.B.8 9.

Amend Section 4.1.J.2.b to read: Fences in excess of six feet (6') shall be considered a structure and shall comply with the ~~Uniform~~ International Building Code and all required setbacks.

Amend Section 5.4.F.1.a to read: Buildings can be safely designed and that the design is compatible with lesser setbacks. Compatibility shall be evaluated under the ~~Uniform~~ International Fire Code and any other applicable life, health or safety codes;

Amend Section 6.2.B.2.i to read: (1) Any person who applies for a building permit for an impact-generating development shall pay a Transportation ~~Impact Fee~~ Capacity Payment (TCP) in accordance with the most recent fee schedule prior to issuance of a building permit. If any credit is due pursuant to Section 6.2.B.2.i above, the amount of such credit shall be deducted from the amount of the fee to be paid.

Delete Table 6.2.A in its entirety.

Amend Table 6.2.B as follows: Table 6.2.B A.

Amend first sentence of Section 7.2.H.2.c to read: Native vegetation to screen and soften the visual impact of the structure; and/or

Amend Section 9.32, Terms Defined, Dwelling, Stacked to read: A dwelling containing two (2) single family dwellings on the same lot and separated ~~vertically~~ by a horizontal separation.

Introduced for first reading on this _____ day of _____, 2007.

PASSED and ADOPTED this _____ day of _____, 2007.

ATTEST:

James J. Doody
President of City Council

Stephanie Tuin
City Clerk

Attach 7

Setting a Hearing to Vacate the Pear Street ROW, Located North of North Avenue and East of 28 ¾ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Vacate the Pear Street right-of-way located north of North Avenue and east of 28 ¾ Road		
File #	VR-2007-088		
Meeting Day, Date	Monday, November 5, 2007		
Placement on the Agenda	Consent	X	Individual
Date Prepared	October 24, 2007		
Author Name & Title	Faye Hall, Associate Planner		
Presenter Name & Title	Faye Hall, Associate Planner		

Summary: The petitioner is requesting to vacate the Pear Street right-of-way located on the north side of North Avenue and on the east side of 28 ¾ Road at the old Fun Junction site. This request is conditioned upon the approval of a simple subdivision that will reconfigure seven existing parcels adjacent to Pear Street. The Planning Commission recommended approval of the proposed right-of-way vacation at their October 23, 2007 meeting.

Budget: N/A

Action Requested/Recommendation: First reading of the Ordinance and set a hearing for November 19, 2007.

Attachments:

1. Background Information/Staff Analysis
2. Site Location Map / Aerial Photo Map
3. Future Land Use Map / Existing City Zoning Map
4. Ordinance and Exhibit A & B

BACKGROUND INFORMATION					
Location:		Pear Street			
Applicants:		Owners: In and Out LLC – William Shuman, Scotty Investments – William Shuman, Sydney Pincock Representative: Tom Logue			
Existing Land Use:		Residential and Commercial retail			
Proposed Land Use:		Commercial retail			
Surrounding Land Use:	North	Recreational - Grand Mesa Little League ball field			
	South	Commercial – Walmart			
	East	Commercial – Retail, Car wash, Restaurant			
	West	Commercial – Texas Roadhouse			
Existing Zoning:		C-1 (Light Commercial)			
Proposed Zoning:		C-1 (Light Commercial)			
Surrounding Zoning:	North	CSR			
	South	C-2 (General Commercial) and C-1 (Light Commercial)			
	East	C-1 (Light Commercial)			
	West	C-1 (Light Commercial)			
Growth Plan Designation:		Commercial			
Zoning within density range?		X	Yes		No

Staff Analysis:

The Pear Street right-of-way proposed to be vacated is a local street that does not meet the current City Standards. Pavement width is approximately 12 feet which is potentially dangerous for emergency services and utility maintenance to the adjoining properties. There is no curb, gutter or sidewalk and the access that it currently provides is substandard. Current utilities located within Pear Street are a 6 inch water main (City of Grand Junction), 8 inch Sanitary Sewer line (Fruitvale Sanitation District), above ground electric (Xcel Energy to be abandoned), Natural Gas Main (Xcel Energy), Underground Communication line (Qwest Communication to be abandoned) and an irrigation ditch and pipeline (Fruitvale Lateral District to be abandoned). The applicant is requesting to vacate Pear Street along with a Simple Subdivision that will redevelop seven existing properties into a commercial retail center. New access will be

established from 28 ³/₄ Road. All utilities that are to remain in the vacated area will be placed in tracts; the utilities that are to be abandoned will be put underground and rerouted in other parts of the site and will be shown on the Simple Subdivision Plat, with associated easements.

Consistency with the Growth Plan:

This project is consistent with the following Goals and Policies of the Growth Plan:

Goal 5: To ensure that urban growth and development make efficient use of investments in streets, utilities and other public facilities.

Policy 5.2: The City and County will encourage development that uses existing facilities and is compatible with existing development.

Policy 5.3: The City and County may accommodate extensions of public facilities to serve development that is adjacent to existing facilities.

Development in areas which have adequate public facilities in place or which provide needed connections of facilities between urban development areas will be encouraged. Development that is separate from existing urban services (“leap-frog” development) will be discouraged.

Goal 10: To retain valued characteristics of different neighborhoods within the community.

Policy 10.1: The City and County should encourage public and private investments that contribute to stable residential areas and encourage redevelopment of transitional areas in accordance with the Future Land Use Map. Public facilities should be designed to support desired neighborhood character.

Policy 10.2: The City and County will encourage neighborhood designs which promote neighborhood stability and security.

Goal 12: To enhance the ability of neighborhood centers to compatibly serve the neighborhoods in which they are located.

Policy 12.1: The City and County will encourage the retention of small-scale neighborhood commercial centers that provide retail and service opportunities in a manner that is compatible with surrounding neighborhoods.

Goal 13: To enhance the aesthetic appeal and appearance of the community’s built environment.

Policy 13.2: The City and County will enhance the quality of development along key arterial street corridors. The Urban Area Plan will prevail when existing corridor plans, adopted prior to 1996, are inconsistent with this plan.

Goal 28: The City of Grand Junction is committed to taking an active role in the facilitation and promotion of infill and redevelopment within the urban growth area of the City.

Policy 28.2: The City shall identify specific geographic areas appropriate to implement the general goal of facilitating infill and redevelopment, while

enabling the City to prioritize its focus and target limited resources in as efficient a manner as possible.

Section 2.11.c of the Zoning and Development Code:

Requests 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.

Vacating .50 acres of Pear Street will not conflict with the Growth Plan as the goals and policies listed previously show that this vacation will be supportive. No other plans or policies conflict with this vacation request.

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

No parcel will be landlocked as the result of this vacation request, given that the Simple Subdivision Plat currently undergoing review provides access to all lots from 28 ¾ Road. This Simple Subdivision reconfigures the existing seven parcels so that access will be ensured to all. The approval of the vacation request and the recording of the vacation ordinance will be conditioned on the approval of a Simple Subdivision Plan providing all parcels access from a public street as required by the Zoning and Development Code. The parcel that abuts Pear Street on the northern end owned by the Grand Mesa Little League already receives direct access from 28 ¾ Road.

- 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.

The current Pear Street access to the affected parcels is substandard at this time. There is not adequate pavement width, curb, gutter or sidewalk. Due to this the current access is considered to be unreasonable and may affect the value of the adjoining properties. The vacation of Pear Street will allow for a more reasonable and safer access to all affected properties from 28 ¾ Road with the associated Simple Subdivision that will occur.

- 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).

The fact that Pear Street is substandard creates a potentially dangerous situation for emergency vehicles and utility providers to gain access which affects the health, safety and welfare of the properties along this street. The vacation would allow for future access improvements to occur for the adjoining properties to eliminate these problems.

- 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.

All utilities will be placed in the appropriate tracts with easements and the utilities that will be abandoned will be redirected through a different part of the site and put underground. All properties will have adequate public facilities and services provided.

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

The vacation of Pear Street will reduce maintenance of a substandard street, will allow for safety improvements at North Avenue and the current Pear Street location, upgrades to the existing domestic water main for increase fire protection, placement of overhead electric and communication lines underground, upgrades to the existing irrigation delivery and drainage system in the area and an increase in economic activity in the community.

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Plaza on North Avenue Pear Street Vacation application, VR-2007-088 for the vacation of a public right-of-way, staff makes the following findings of fact and conclusions:

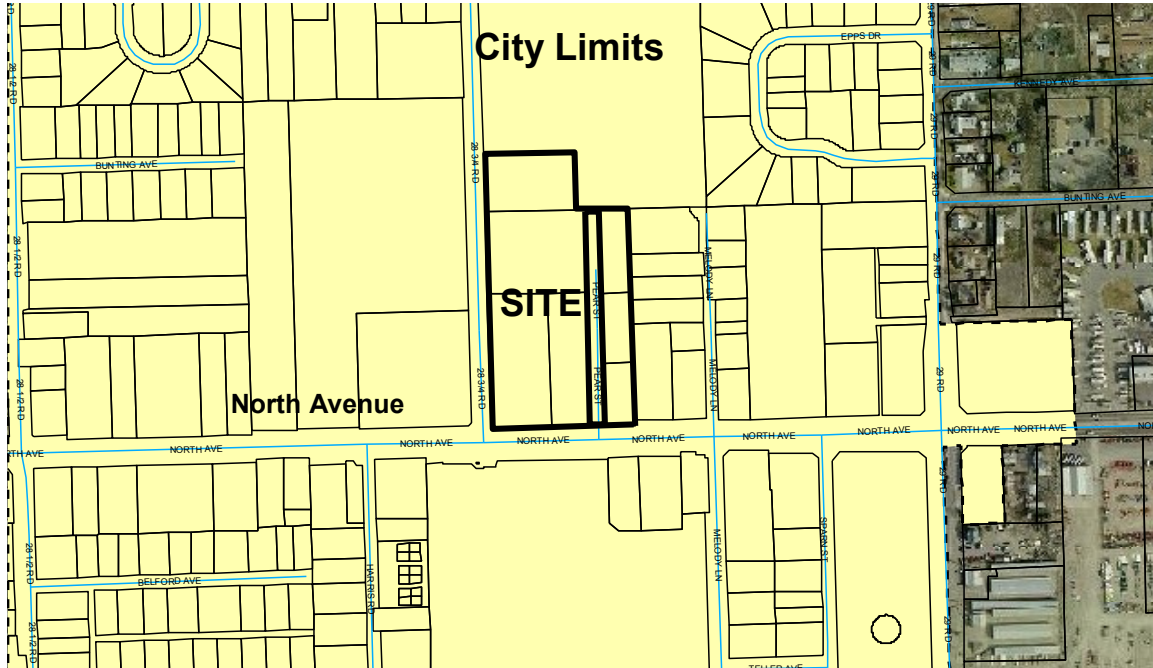
- 2. The requested right-of-way vacation is consistent with the Growth Plan.
- 3. The review criteria in Section 2.11.C of the Zoning and Development Code have all been met.
- 4. Approval and recording of the vacation ordinance shall be conditioned upon the following:
 - a. approval and recordation of a subdivision plat providing access to all lots in the subdivision currently served by Pear Street;
 - b. Provision of a tract for sanitary sewer and water facilities currently in Pear Street;
 - c. Relocation of other utilities in Pear Street with associated easements.

RECOMMENDED MOTION:

Recommend first reading of the Ordinance for the vacation of Pear Street finding the request consistent with the Growth Plan and Section 2.11 C. of the Zoning and Development Code.

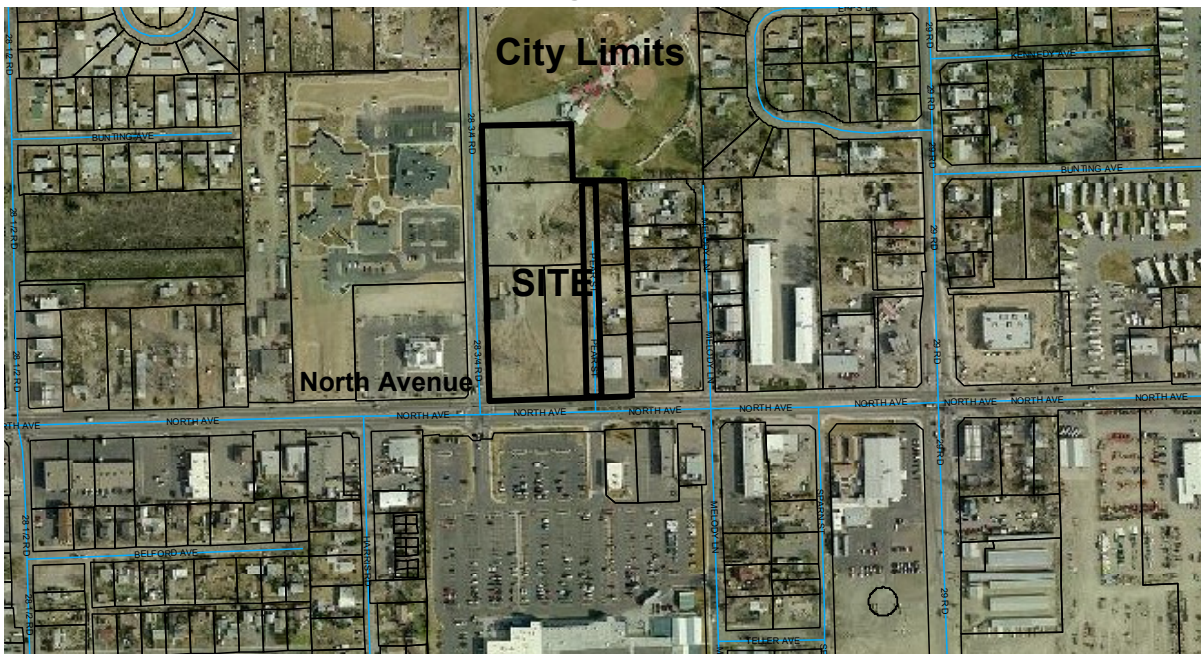
Site Location Map

Figure 1



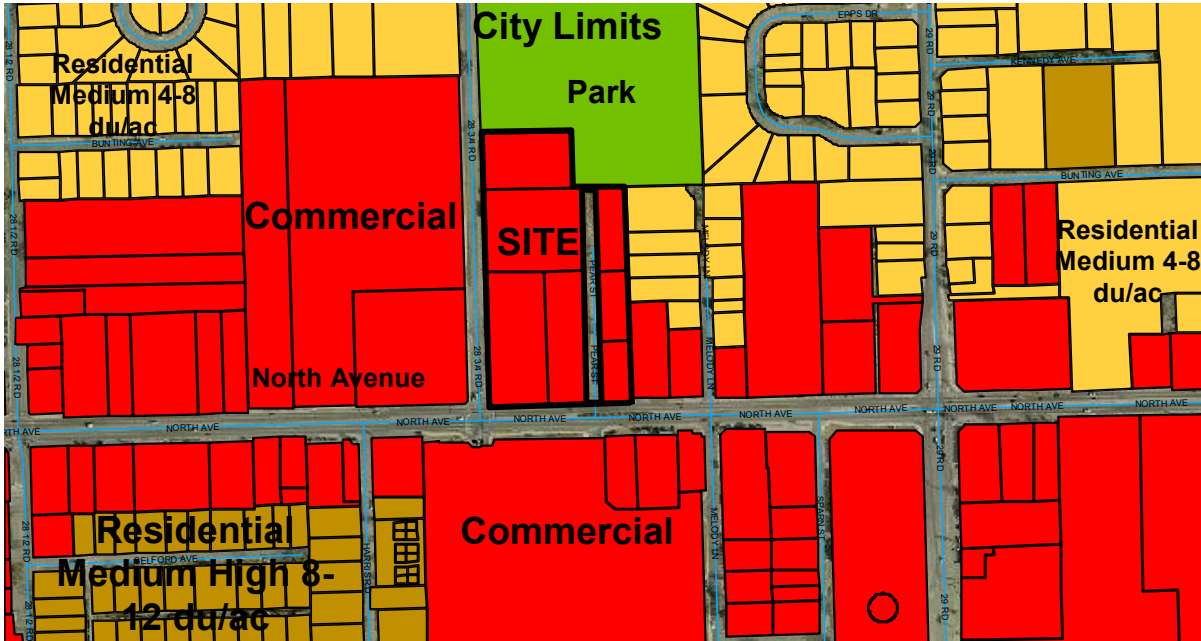
Aerial Photo Map

Figure 2



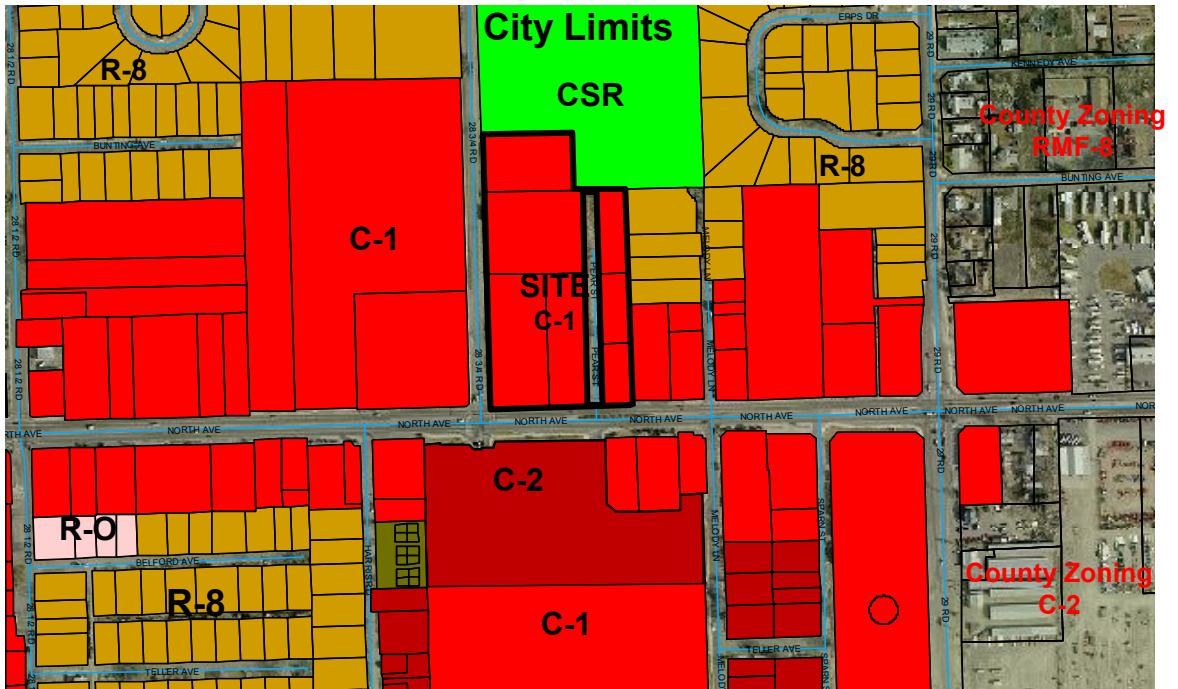
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE VACATING RIGHT-OF-WAY FOR PEAR STREET
LOCATED NORTH OF NORTH AVE AND EAST OF 28 ¾ ROAD**

Recitals

A vacation of the dedicated right-of-way for has been requested by the adjoining property owners.

The City Council finds that the request is consistent with the Growth Plan, the Grand Valley Circulation Plan and Section 2.11 of the Zoning and Development Code.

The Planning Commission, having heard and considered the request, found the criteria of the Code to have been met, and recommends that the vacation be approved, subject to recordation of a plat that provides access, easements and tracts as required by the Zoning and Development Code.

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

The following described dedicated right-of-way for is hereby vacated subject to the listed conditions:

1. Recordation of a plat that provides access, easements and tracts as required by the Zoning and Development Code.
2. Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.

The following right-of-way is shown on "Exhibit A and B" as part of this vacation of description.

A parcel or tract of land situate in the SE1/4 SE1/4 Section 7, Township 1 South, Range 1 East of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being the same parcel as the Pear Street right-of-way as conveyed to Mesa County, Colorado and/or the City of Grand Junction, Colorado as recorded in the following documents of the Mesa County, Colorado, Clerk & Recorder: Book 821, Page 305; Book 821, Page 427; Book 823, Page 90; Book 824, Page 41 and Book 2881, Page 509; and as may exist as an apparent easement as evidenced by Transnation Title Policy No. A52-0113971, ALTA Survey deposited with the Mesa County Surveyor as Deposit Numbers 3546-3548 of 2006 and by old assessor's plats for which no recording documents could be found; said parcel or tract being more particularly described as follows:

Commencing at the E 1/16 corner of the south line of Section 7, Township 1 South, Range 1 East of the Ute Meridian, monumented with MCSM No. 1218-1 in a monument box, whence the SE 1/16 corner of said Section 7, monumented with MCSM No. 640, bears N00°07'26"W, a distance of 1318.66 feet, with all other bearings contained herein being relative thereto; thence, S89°49'23"E along the south line of the SE1/4 SE1/4 of said Section 7, a distance of 329.29 feet to the SE corner of the W1/2 SW1/4 SE1/4 SE1/4 of said Section 7; thence, N00°06'35"W along the east line of said W1/2 SW1/4 SE1/4 SE1/4, a distance of 40.00 feet to the northerly right-of-way line of North Avenue; thence, N89°49'23"W along said northerly right-of-way line, a distance of 15.00 feet to the westerly right-of-way line of Pear Street and the POINT OF BEGINNING; thence, N00°06'35"W along the westerly right-of-way line of Pear Street being a line parallel with and 15.00 feet measured at right angles westerly of the east line of the W1/2 SW1/4 SE1/4 SE1/4 of said Section 7, a distance of 619.29 feet to the northerly line of the SW1/4 SE1/4 SE1/4 of said Section 7; thence, S89°48'56"E along the said northerly line a distance of 35.00 feet; thence, S00°06'35"E along the easterly right-of-way line of Pear Street being a line parallel with and 20.00 feet measured at right angles easterly of the west line of the E1/2 SW1/4 SE1/4 SE1/4 of said Section 7, a distance of 609.28 feet; thence, S44°57'59"E, a distance of 14.18 feet to the northerly right-of-way line of North Avenue; thence, N89°49'23"W along said northerly right-of-way line, a distance of 45.00 feet to the POINT OF BEGINNING; containing 0.50 acres by these measures.

Introduced for first reading on this _____ day of _____, 2007

PASSED and ADOPTED this _____ day of _____, 2007.

ATTEST:

President of City Council

City Clerk

Exhibit A
Pear Street ROW Vacation
Legal Description

A parcel or tract of land situate in the SE1/4 SE1/4 Section 7, Township 1 South, Range 1 East of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being the same parcel as the Pear Street right-of-way as conveyed to Mesa County, Colorado and/or the City of Grand Junction, Colorado as recorded in the following documents of the Mesa County, Colorado, Clerk & Recorder: Book 821, Page 305; Book 821, Page 427; Book 823, Page 90; Book 824, Page 41 and Book 2881, Page 509; and as may exist as an apparent easement as evidenced by Transnation Title Policy No. A52-0113971, ALTA Survey deposited with the Mesa County Surveyor as Deposit Numbers 3546-3548 of 2006 and by old assessor's plats for which no recording documents could be found; said parcel or tract being more particularly described as follows:

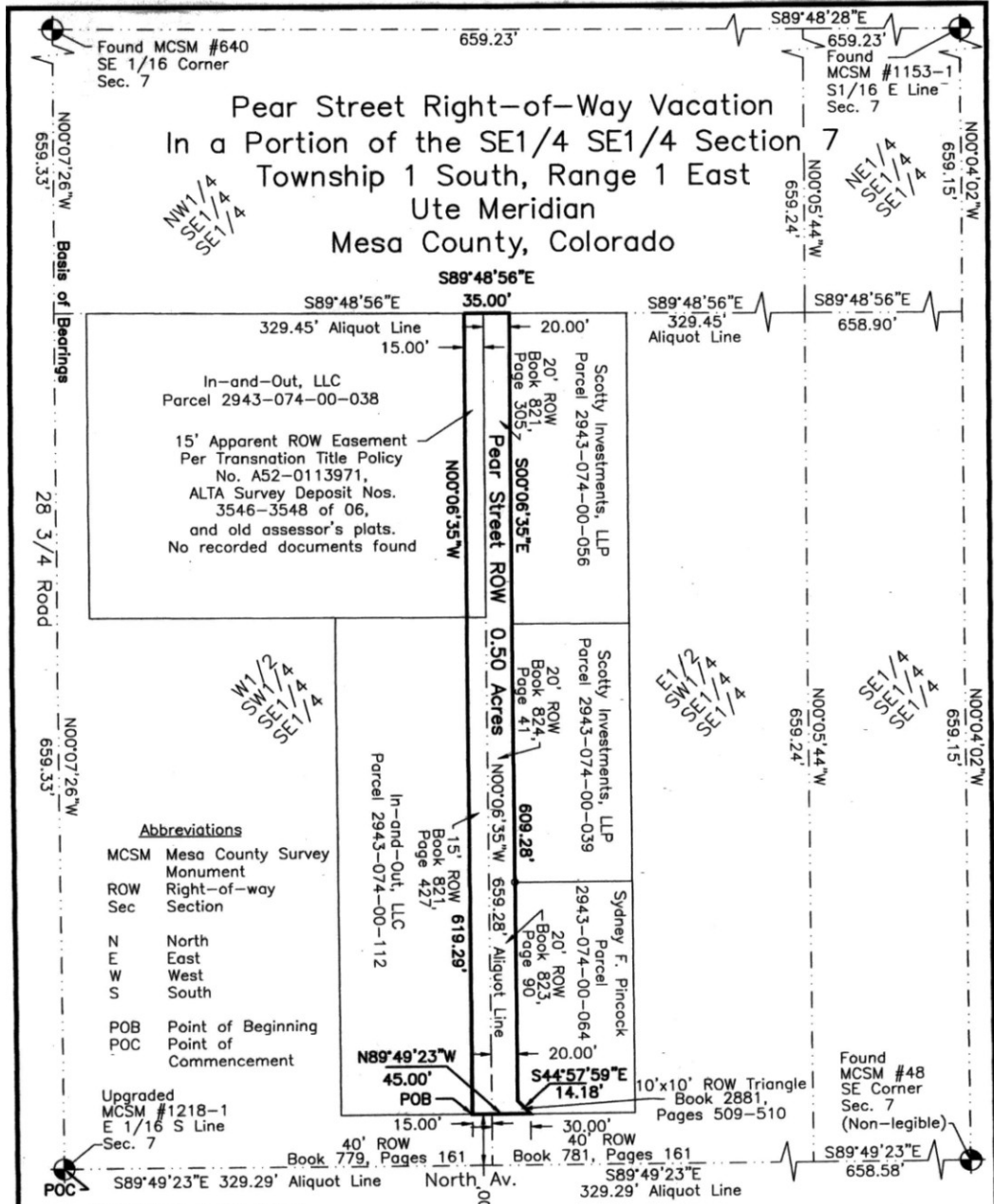
Commencing at the E 1/16 corner of the south line of Section 7, Township 1 South, Range 1 East of the Ute Meridian, monumented with MCSM No. 1218-1 in a monument box, whence the SE 1/16 corner of said Section 7, monumented with MCSM No. 640, bears N00°07'26"W, a distance of 1318.66 feet, with all other bearings contained herein being relative thereto;
thence, S89°49'23"E along the south line of the SE1/4 SE1/4 of said Section 7, a distance of 329.29 feet to the SE corner of the W1/2 SW1/4 SE1/4 of said Section 7;
thence, N00°06'35"W along the east line of said W1/2 SW1/4 SE1/4 SE1/4, a distance of 40.00 feet to the northerly right-of-way line of North Avenue;
thence, N89°49'23"W along said northerly right-of-way line, a distance of 15.00 feet to the westerly right-of-way line of Pear Street and the POINT OF BEGINNING;
thence, N00°06'35"W along the westerly right-of-way line of Pear Street being a line parallel with and 15.00 feet measured at right angles westerly of the east line of the W1/2 SW1/4 SE1/4 SE1/4 of said Section 7, a distance of 619.29 feet to the northerly line of the SW1/4 SE1/4 SE1/4 of said Section 7;
thence, S89°48'56"E along the said northerly line a distance of 35.00 feet;
thence, S00°06'35"E along the easterly right-of-way line of Pear Street being a line parallel with and 20.00 feet measured at right angles easterly of the west line of the E1/2 SW1/4 SE1/4 SE1/4 of said Section 7, a distance of 609.28 feet;
thence, S44°57'59"E, a distance of 14.18 feet to the northerly right-of-way line of North Avenue;
thence, N89°49'23"W along said northerly right-of-way line, a distance of 45.00 feet to the POINT OF BEGINNING;
containing 0.50 acres by these measures.

Legal description prepared by:

Merritt LS, L.L.C.
743 Horizon Dr. Suite 100B
Grand Junction, CO. 81506

Thomas W. Sylvester
P.E. 14249 &
P.L.S. 38005





**Pear Street Right-of-Way Vacation
In a Portion of the SE1/4 SE1/4 Section 7
Township 1 South, Range 1 East
Ute Meridian
Mesa County, Colorado**

In-and-Out, LLC
Parcel 2943-074-00-038

15' Apparent ROW Easement
Per Transation Title Policy
No. A52-0113971,
ALTA Survey Deposit Nos.
3546-3548 of 06,
and old assessor's plats.
No recorded documents found

Scotty Investments, LLP
Parcel 2943-074-00-056

20' ROW
Book 821,
Page 303

Scotty Investments, LLP
Parcel 2943-074-00-039

20' ROW
Book 824,
Page 41

Sydney F. Pincock
Parcel 2943-074-00-064

20' ROW
Book 823,
Page 90

- Abbreviations**
- MCSM Mesa County Survey Monument
 - ROW Right-of-way
 - Sec Section
 - N North
 - E East
 - W West
 - S South
 - POB Point of Beginning
 - POC Point of Commencement

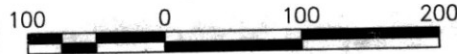
Upgraded MCSM #1218-1
E 1/16 S Line
Sec. 7

Found MCSM #48
SE Corner
Sec. 7
(Non-legible)

SURVEYORS CERTIFICATE
I hereby certify that I was in responsible charge of the survey represented by this plat and it was prepared from a field survey completed by me or under my direct supervision.

Thomas W. Sylvester,
PE 14249
PLS 38005

BASIS OF BEARING:
The bearing between MCSM #1218-1 at the E 1/16 corner of the south line of Section 7 and the MCSM #640 at the SE 1/16 corner Section 7, both of Township 1 South, Range 1 East of the Ute Meridian bears N00°07'26"W to correspond to the Mesa County local coordinate system.



Find Sec Mon

EXHIBIT B

Pear Street
Right-of-Way Vacation



Attach 8

Setting a Hearing for the Krummel Annexation, Located at 2953 Highway 50

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Krummel Annexation - Located at 2953 Highway 50		
File #	ANX-2007-294		
Meeting Day, Date	Monday, November 5, 2007		
Placement on the Agenda	Consent	X	Individual
Date Prepared	October 25, 2007		
Author Name & Title	Faye Hall, Associate Planner		
Presenter Name & Title	Faye Hall, Associate Planner		

Summary: Request to annex 1.74 acres, located at 2953 Highway 50. The Krummel Annexation consists of one parcel and is located on the south side of Highway 50 directly west of Buena Vista Drive on Orchard Mesa.

Budget: N/A

Action Requested/Recommendation: Adopt a Resolution referring the petition for the Krummel Annexation and introduce the proposed Ordinance and set a hearing for December 17, 2007.

Attachments:

1. Staff report/Background information
2. Annexation / Site Location Map; Aerial Photo Map
3. Future Land Use Map; Existing County and City Zoning Map
4. Resolution Referring Petition
5. Annexation Ordinance

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION					
Location:		2953 Highway 50			
Applicants:		Owner: Gemini Development LLC – Jaykee Jacobson Representative: Ciavonne Roberts and Associates – Keith Ehlers			
Existing Land Use:		Single Family Residential			
Proposed Land Use:		Single Family Residential			
Surrounding Land Use:	North	Single Family Residential			
	South	Single Family Residential			
	East	Single Family Residential			
	West	Church			
Existing Zoning:		County RSF-R			
Proposed Zoning:		R-4 (Residential, 4 units per acre)			
Surrounding Zoning:	North	County RSF-R			
	South	R-4 (Residential, 4 units per acre)			
	East	County RSF-R			
	West	County RSF-R			
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 1.74 acres of land and is comprised of one parcel. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires 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 Krummel Annexation is eligible to be annexed because of compliance with the following:

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

The following annexation and zoning schedule is being proposed.

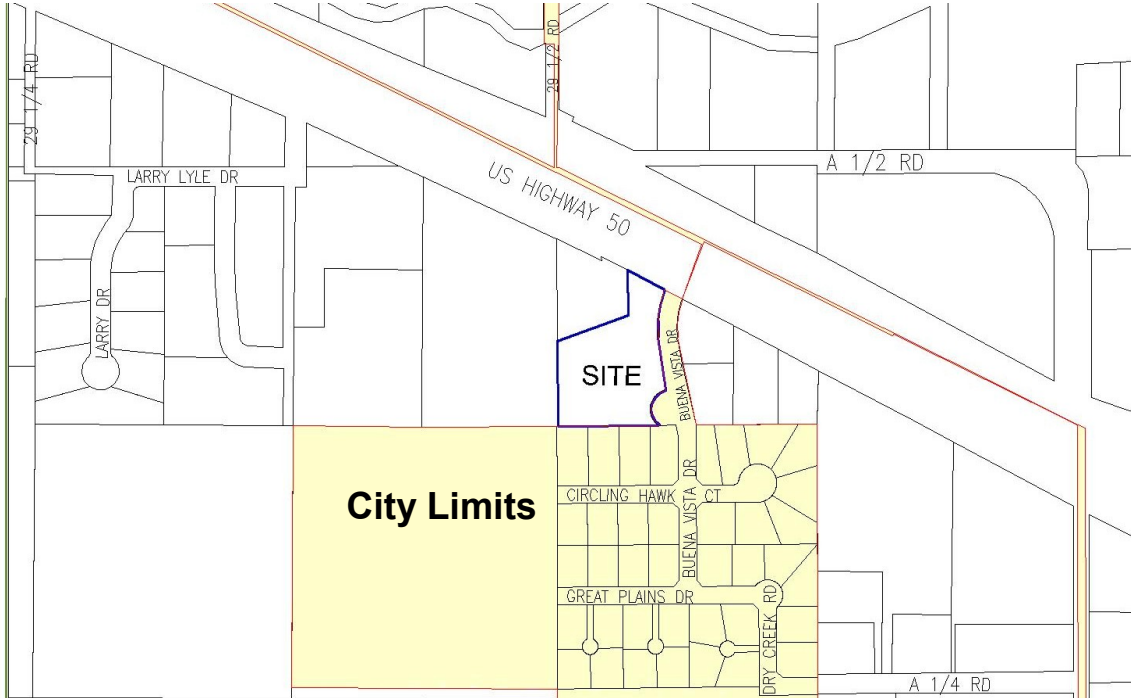
<i>ANNEXATION SCHEDULE</i>	
November 5, 2007	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
November 27, 2007	Planning Commission considers Zone of Annexation
December 3, 2007	Introduction of a proposed Ordinance on Zoning by City Council
December 17, 2007	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
January 18, 2007	Effective date of Annexation and Zoning

KRUMMEL ANNEXATION SUMMARY

File Number:	ANX-2007-294	
Location:	2953 Highway 50	
Tax ID Number:	2943-324-01-002	
Parcels:	1	
Estimated Population:	2	
# of Parcels (owner occupied):	1	
# of Dwelling Units:	1	
Acres land annexed:	1.74 acres	
Developable Acres Remaining:	1.74 acres	
Right-of-way in Annexation:	0	
Previous County Zoning:	RSF-R	
Proposed City Zoning:	R-4 (Residential, 4 units per acre)	
Current Land Use:	Single Family Residential	
Future Land Use:	Single Family Residential	
Values:	Assessed:	\$23,290
	Actual:	\$292,600
Address Ranges:	145 thru 149 Buena Vista Drive (odd only)	
Special Districts:	Water:	Ute Water
	Sewer:	Orchard Mesa Sanitation
	Fire:	Grand Junction Rural
	Irrigation/ Drainage:	Orchard Mesa Irrigation Orchard Mesa Drainage
	School:	District 51
	Pest:	Grand Valley Mosquito

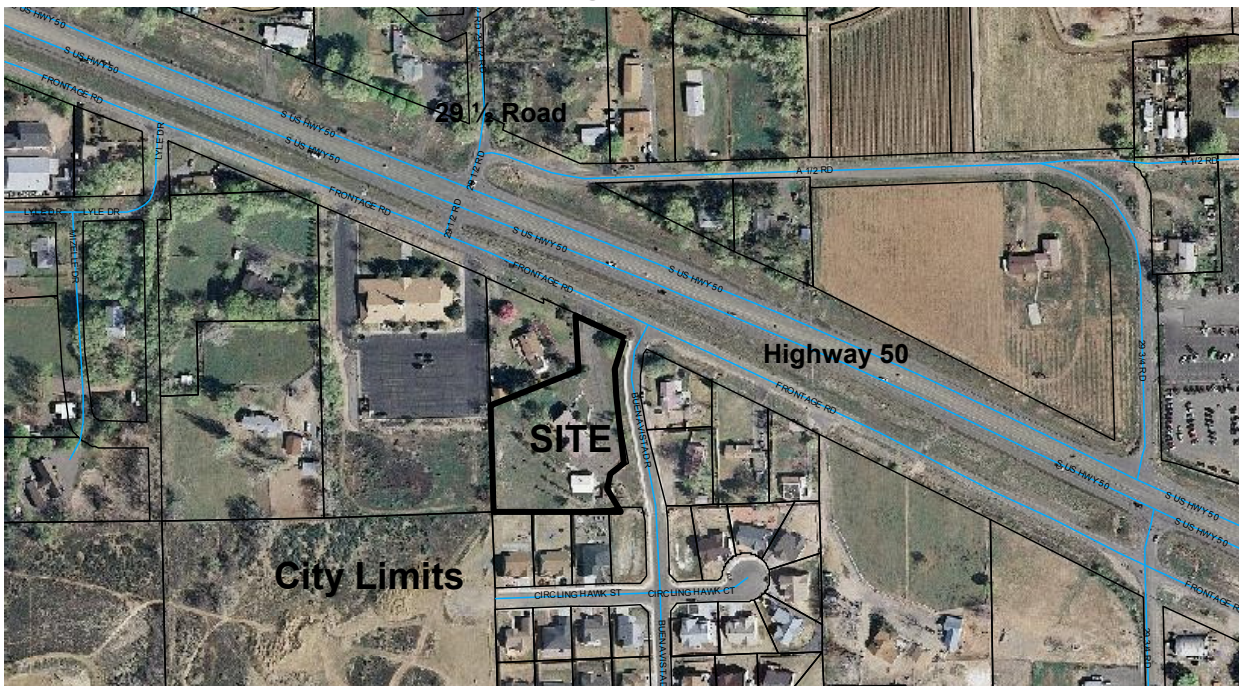
Annexation / Site Location Map

Figure 1



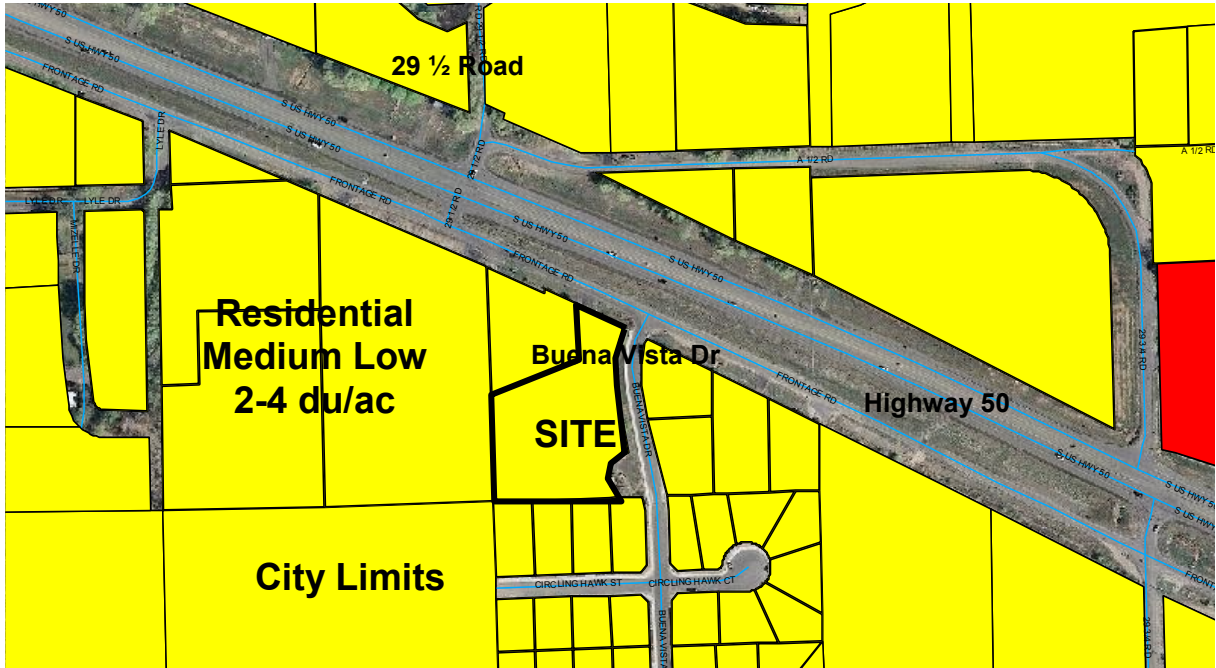
Aerial Photo Map

Figure 2



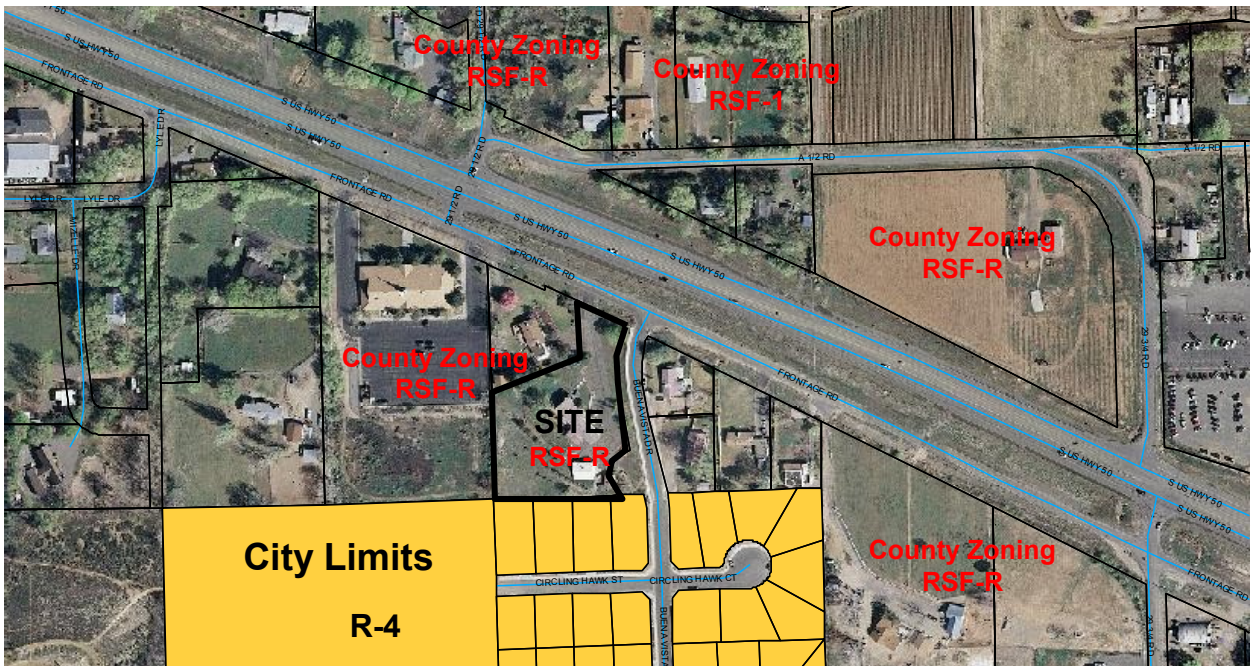
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



**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 5th of November, 2007, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

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

KRUMMEL ANNEXATION

LOCATED AT 2953 HIGHWAY 50.

WHEREAS, on the 5th day of November, 2007, 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:

KRUMMEL ANNEXATION

A certain parcel of land lying in the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 32, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of lot 3, Replat of Buena Vista Subdivision, as same is recorded in Plat Book 9, Page 167, Public Records of Mesa County, Colorado.

CONTAINS 1.74 Acres or 75,862 Square Feet, more or less, as described

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

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

1. That a hearing will be held on the 17th day of December, 2007, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 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 Public Works and Planning Department of the City.

ADOPTED the _____ day of _____, 2007.

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>
November 9, 2007
November 16, 2007
November 23, 2007
November 30, 2007

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

KRUMMEL ANNEXATION

APPROXIMATELY 1.74 ACRES

LOCATED AT 2953 HIGHWAY 50

WHEREAS, on the 5th day of November, 2007, 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, 2007; 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:

KRUMMEL ANNEXATION

A certain parcel of land lying in the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 32, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of lot 3, Replat of Buena Vista Subdivision, as same is recorded in Plat Book 9, Page 167, Public Records of Mesa County, Colorado.

CONTAINS 1.74 Acres or 75,862 Square Feet, more or less, as described

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

INTRODUCED on first reading on the ____ day of _____, 2007 and ordered published.

ADOPTED on second reading the ____ day of _____, 2007.

Attest:

President of the Council

City Clerk

Attach 9

Rename Glenwood Avenue between 5th Street and 7th Street to Tiger Avenue

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Rename Glenwood Avenue between 5 th Street and 7 th Street to Tiger Avenue		
File #	MSC-2007-311		
Meeting Day, Date	Monday, November 5, 2007		
Placement on the Agenda	Consent	X	Individual
Date Prepared	October 25, 2007		
Author Name & Title	Faye Hall, Associate Planner		
Presenter Name & Title	Faye Hall, Associate Planner		

Summary: Resolution to rename Glenwood Avenue between 5th Street and 7th Street to Tiger Avenue. This portion of Glenwood Avenue is located on the south side of the Grand Junction High School campus.

Budget: N/A

Action Requested/Recommendation: Consideration and approval of a Resolution renaming Glenwood Avenue between 5th Street and 7th Street to Tiger Avenue.

Background Information: Please see attached Staff report

Attachments:

- 10. Staff report/Background information
- 11. Site Location Map/Aerial Photo Map
- 12. Future Land Use Map/Existing City and County Zoning Map
- 13. Resolution

BACKGROUND INFORMATION				
Location:		Glenwood Avenue between 5 th Street and 7 th Street.		
Applicant:		Senior class of Grand Junction High School		
Existing Land Use:		GJ High School, Retail, Funeral Home		
Proposed Land Use:		No change		
Surrounding Land Use:	North	Grand Junction High School and Bank		
	South	Funeral Home, car wash, retail shopping center		
	East	Offices and restaurant		
	West	Residential and commercial		
Existing Zoning:		CSR, C-1 and B-1		
Proposed Zoning:		No change		
Surrounding Zoning:	North	CSR and B-1		
	South	C-1		
	East	C-1 and B-1		
	West	C-2 and B-1		
Growth Plan Designation:		Public and Commercial		
Zoning within density range?		N/A	Yes	No

Staff Analysis:

1. Background:

The request for this street name change comes from the Grand Junction High School Senior class. Known as the “Mighty Tigers” the mascot is the source of school pride and spirit. All business owners adjacent to this portion of Glenwood Avenue have signed a petition in favor of the street name change. This situation is unique in that there are no residences along this portion of Glenwood Avenue and no properties are addressed off this portion of Glenwood Avenue. Therefore, no address changes will be required. This may not be the situation in the future if other schools request to change the name of the street that they are

located on. Due to the fact that no addresses or residences come off this portion of Glenwood Avenue I am able to support the request. The name change will reflect how the students feel about their school and will show their source of pride.

The Grand Junction High School has been located at this property for 51 years and has no intention of vacating the property. Therefore, this would be a permanent name change that will help to better associate the location of Grand Junction High School.

Section 6.2.B.6 of the Zoning and Development Code states a street naming system shall be maintained to facilitate the provisions of necessary public services and provide more efficient movement of traffic. For consistency, this system shall be adhered to on all newly platted, dedicated, or named streets and roads. Existing streets and roads not conforming or inconsistent to the addressing system shall be made conforming as the opportunity occurs.

The proposed name changes will not impact adjacent land uses or neighborhood stability or character. In fact it will enhance the character of this area as it is well known and has been well established as the Grand Junction High School.

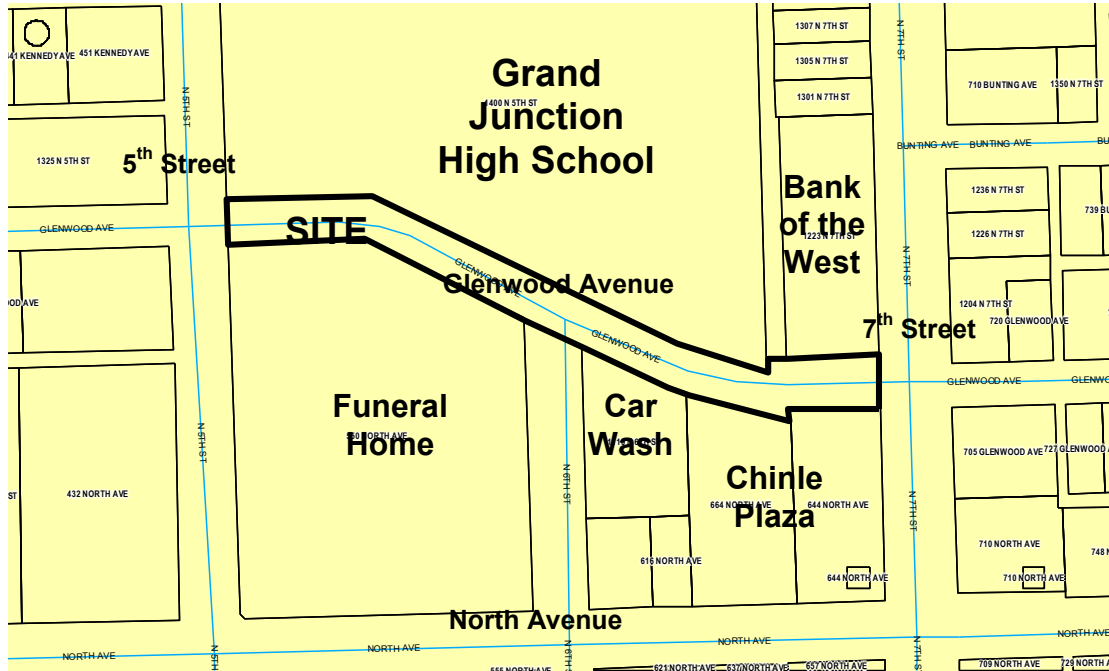
The proposal is in conformance with the goals and policies of the Growth Plan and requirements of the Zoning and Development Code.

STAFF RECOMMENDATION:

Staff recommends that the City Council approve the resolution renaming Glenwood Avenue between 5th Street and 7th Street to Tiger Avenue.

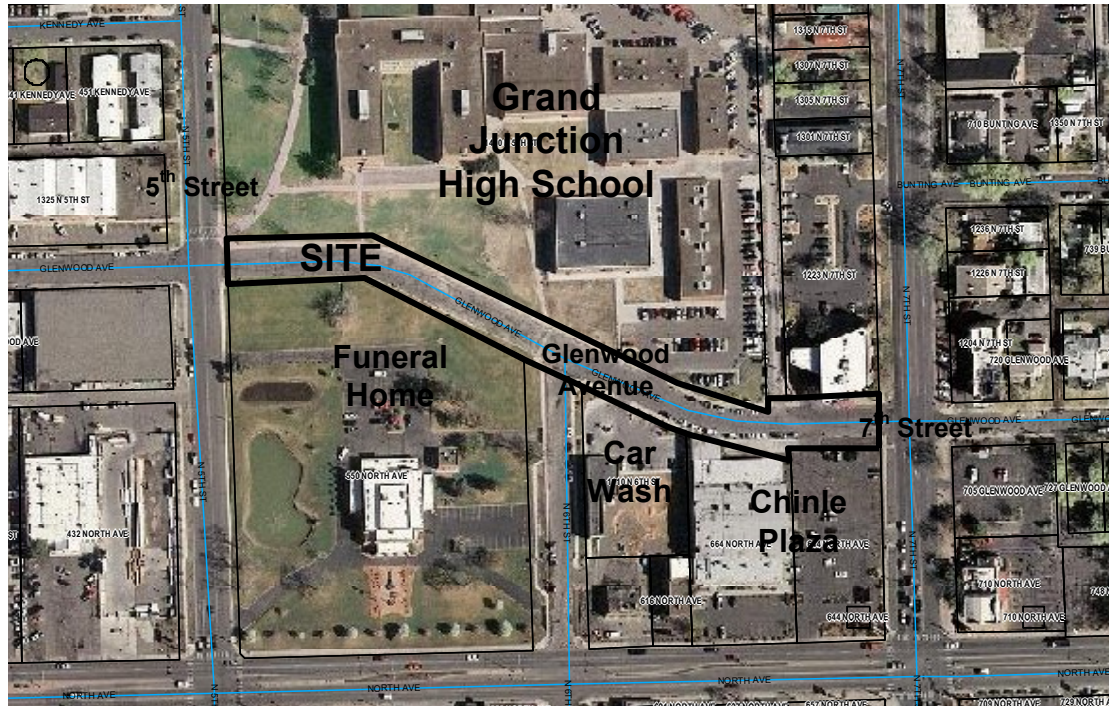
Site Location Map

Figure 1



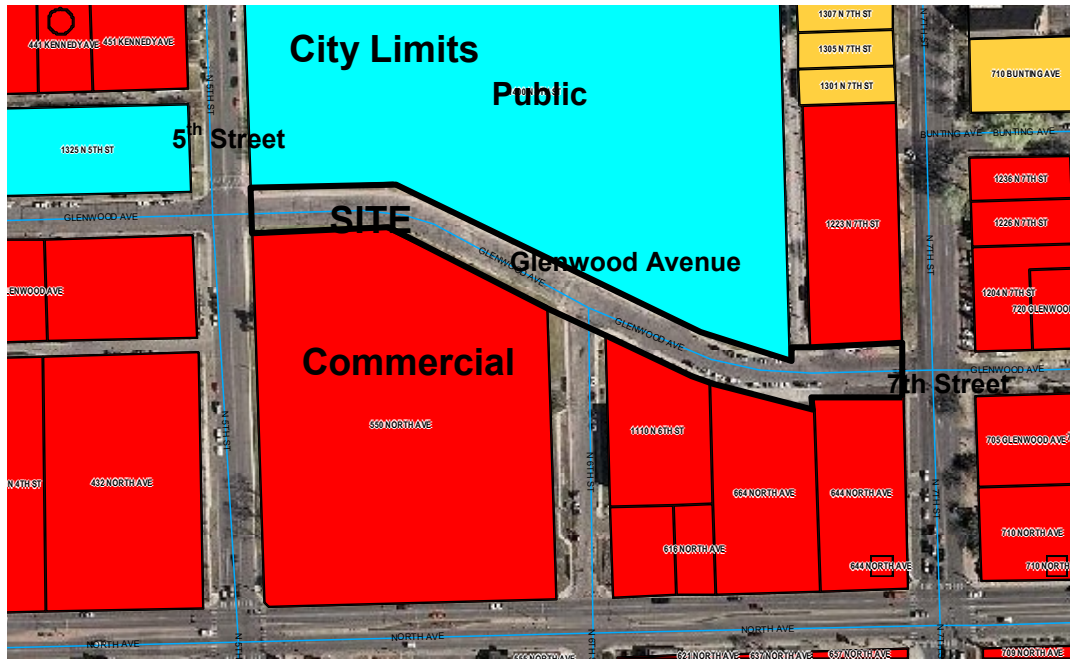
Aerial Photo Map

Figure 2



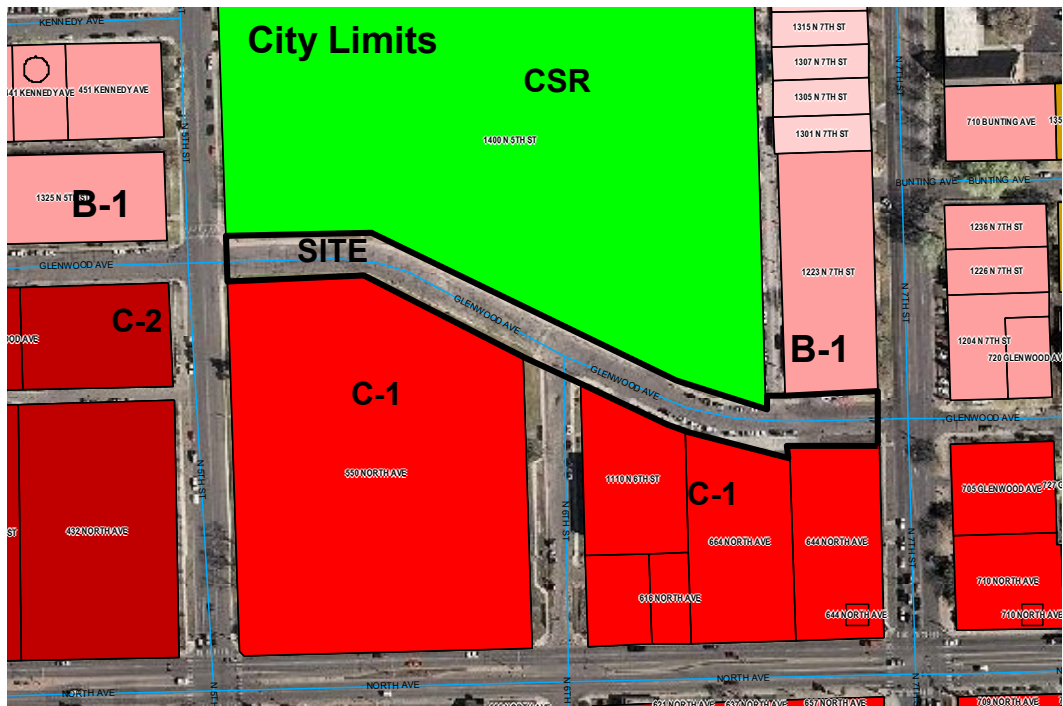
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



CITY OF GRAND JUNCTION

RESOLUTION NO. _____

A RESOLUTION RENAMING GLENWOOD AVENUE BETWEEN 5TH STREET AND 7TH STREET TO TIGER AVENUE

Recitals

The request for this street name change comes from the Grand Junction High School Senior class. Known as the "Mighty Tigers" the mascot is the source of school pride and spirit. All business owners adjacent to this portion of Glenwood Avenue have signed a petition in favor of the street name change. There are no residences along this portion of Glenwood Avenue. No properties are addressed off this portion of Glenwood

Avenue so no address changes will occur. The name change will reflect how the students feel about their school and will show their source of pride. The Grand Junction

High School has been located at this property for 51 years and has no intention of vacating the property. Therefore, this would be a permanent name change that will help

to better associate the location of Grand Junction High School.

Section 6.2.B.6 of the Zoning and Development Code states a street naming system shall be maintained to facilitate the provisions of necessary public services and provide more efficient movement of traffic. For consistency, this system shall be adhered to on all newly platted, dedicated, or named streets and roads. Existing streets and roads not conforming or inconsistent to the addressing system shall be made conforming as the opportunity occurs.

The proposed name changes will not impact adjacent land uses or neighborhood stability or character. In fact it will enhance the character of this area as it is well known and has been well established as the Grand Junction High School.

The proposal is in conformance with the goals and policies of the Growth Plan and requirements of the Zoning and Development Code.

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

That Glenwood Avenue between 5th Street and 7th Street, as described in this resolution is hereby changed to Tiger Avenue.

ADOPTED AND APPROVED THIS ____ day of _____. 2007.

ATTEST:

Stephanie Tuin
City Clerk

James J. Doody
President of City Council

Attach 10

Setting a Hearing on the Cooper-Tucker Annexation, Located at 2825 D Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Cooper-Tucker Annexation - Located at 2825 D Road		
File #	ANX-2007-289		
Meeting Day, Date	Monday, November 5, 2007		
Placement on the Agenda	Consent	X	Individual
Date Prepared	October 25, 2007		
Author Name & Title	Faye Hall, Associate Planner		
Presenter Name & Title	Faye Hall, Associate Planner		

Summary: Request to annex 11.47 acres, located at 2825 D Road. The Cooper-Tucker Annexation consists of one parcel and includes a portion of the D Road right-of-way. This property is located on the south side of D Road, east of 28 Road in the Pear Park area.

Budget: N/A

Action Requested/Recommendation: Adopt a Resolution referring the petition for the Cooper-Tucker Annexation and introduce the proposed Ordinance and set a hearing for December 17, 2007.

Attachments:

1. Staff report/Background information
2. Annexation / Site Location Map; Aerial Photo Map
3. Future Land Use Map; Existing County and City Zoning Map
4. Resolution Referring Petition
5. Annexation Ordinance

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION				
Location:		2825 D Road		
Applicants:		Owners: James Cooper and Gladys Tucker Representative: Bob Blanchard		
Existing Land Use:		Residential		
Proposed Land Use:		Industrial		
Surrounding Land Use:	North	State Land		
	South	Residential		
	East	Residential		
	West	Industrial		
Existing Zoning:		County RSF-R		
Proposed Zoning:		I-1 (Light Commercial)		
Surrounding Zoning:	North	County PUD		
	South	Woodring Annexation – Not zoned yet (requesting MU)		
	East	R-8 (Residential, 8 units per acre)		
	West	County PUD		
Growth Plan Designation:		Commercial / Industrial		
Zoning within density range?		X	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of 11.47 acres of land and is comprised of one parcel and includes a portion of the D Road right-of-way. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires 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

Cooper-Tucker 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.

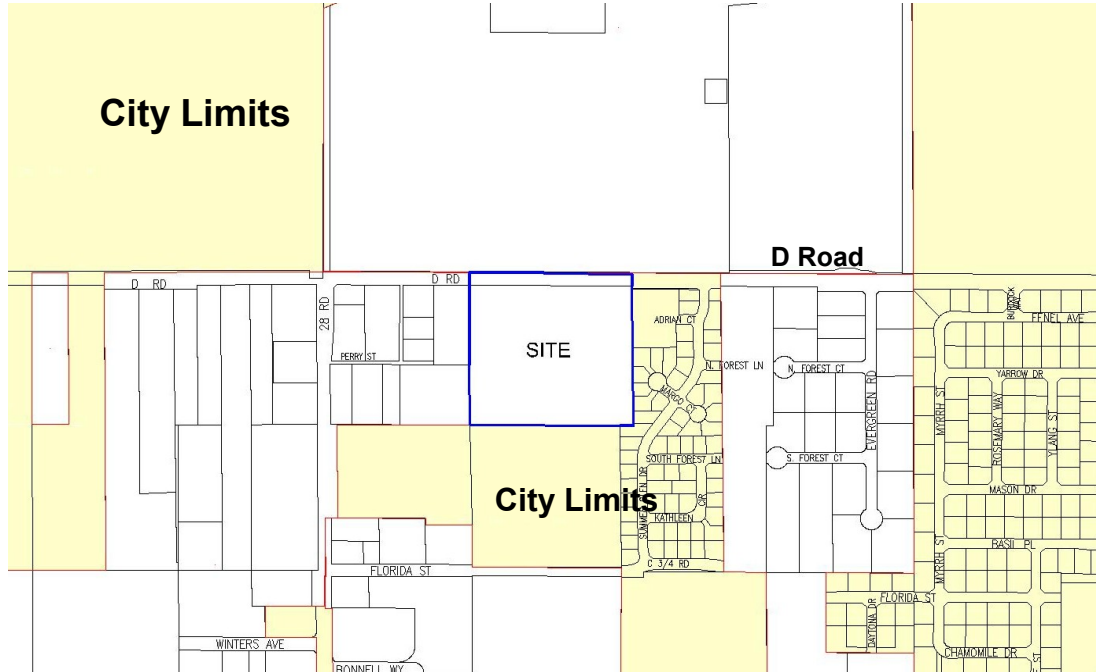
<u>ANNEXATION SCHEDULE</u>	
November 5, 2007	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
November 27, 2007	Planning Commission considers Zone of Annexation
December 3, 2007	Introduction Of A Proposed Ordinance on Zoning by City Council
December 17, 2007	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
January 18, 2008	Effective date of Annexation and Zoning

COOPER-TUCKER ANNEXATION SUMMARY

File Number:		ANX-2007-289
Location:		2825 D Road
Tax ID Number:		2943-192-00-014
Parcels:		1
Estimated Population:		2
# of Parcels (owner occupied):		1
# of Dwelling Units:		1
Acres land annexed:		11.47 acres
Developable Acres Remaining:		10.52 acres
Right-of-way in Annexation:		.95 acres (41,207 sq ft)
Previous County Zoning:		RSF-R
Proposed City Zoning:		I-1 (Light Industrial)
Current Land Use:		Residential
Future Land Use:		Industrial
Values:	Assessed:	\$4660
	Actual:	\$49,820
Address Ranges:		2815 thru 2833 D Road (Odd only)
Special Districts:	Water:	Ute Water
	Sewer:	Central Grand Valley
	Fire:	Grand Junction Rural
	Irrigation/ Drainage:	Grand Valley Irrigation Company Grand Junction Drainage District
	School:	District 51
	Pest:	Grand Valley Mosquito

Annexation / Site Location Map

Figure 1



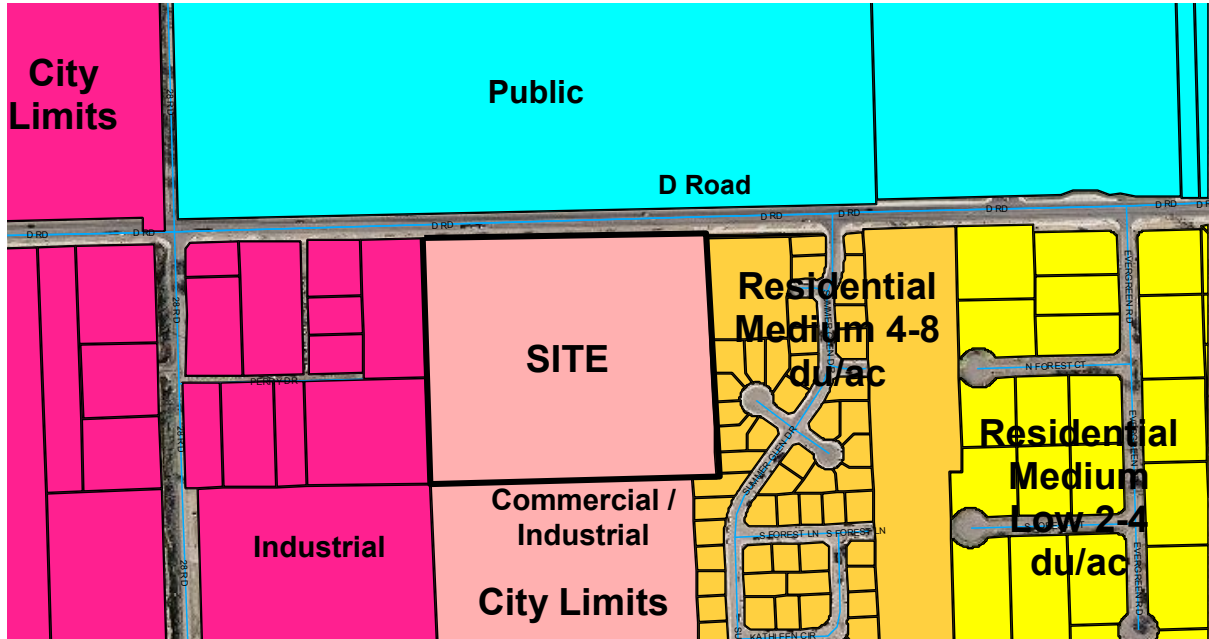
Aerial Photo Map

Figure 2



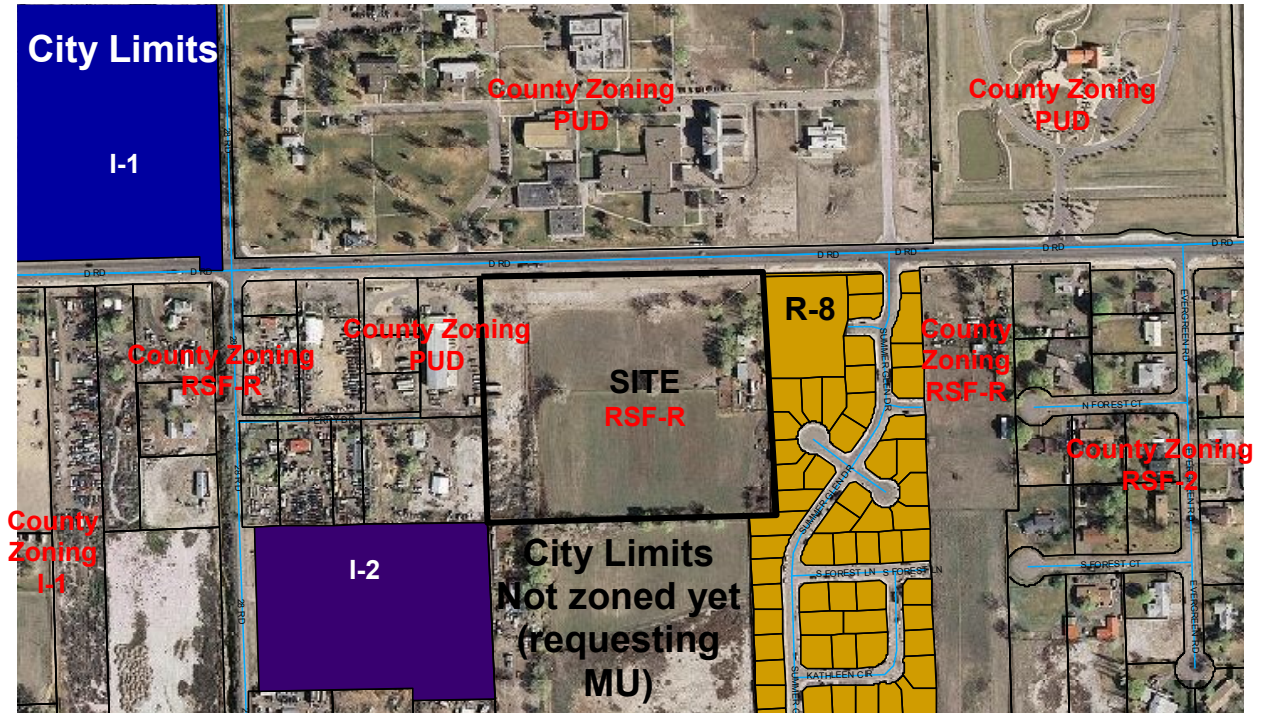
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



**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 5th of November, 2007, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

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

COOPER-TUCKER ANNEXATION

**LOCATED AT 2825 D ROAD AND INCLUDES A PORTION OF THE D ROAD RIGHT-
OF-WAY**

WHEREAS, on the 5th day of November, 2007, 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:

COOPER-TUCKER ANNEXATION

A certain parcel of land lying in the Southeast Quarter of the Southwest Quarter of the Southwest Quarter (SE 1/4 SW 1/4 SW 1/4) and the Southwest Quarter of the Southeast Quarter of the Southwest Quarter (SW 1/4 SE 1/4 SW 1/4) of Section 18 and the Northeast Quarter of the Northwest Quarter of the Northwest Quarter (NE 1/4 NW 1/4 NW 1/4) and the Northwest Quarter of the Northeast Quarter of the Northwest Quarter (NW 1/4 NE 1/4 NW 1/4) of Section 19, all in 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 Northeast corner of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/) of said Section 19 and assuming the North line of the NW 1/4 NW 1/4 of said Section 19 bears N 89°39'16" W with all other bearings being relative thereto; thence from said Point of Commencement, S 89°39'23" E along the North line of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 19, a distance of 60.61 feet to the POINT OF BEGINNING; thence from said Point of Beginning, S 00°35'03" E along the East line of the West 60.6 feet of the NW 1/4 NE 1/4 NW 1/4 of said Section 19, a portion of said line being the West line of the Summer Glen Subdivision, as same is recorded in Book 4055, Pages 547 and 548, Public Records of Mesa County, Colorado, a distance of 662.10 feet; thence N 89°38'16" W a distance of 60.61 feet to a point on the East line of the NE 1/4 NW 1/4 NW 1/4 of said

Section 19; thence N 89°40'25" W along the South line of the NE 1/4 NW 1/4 NW 1/4 of said Section 19 a distance of 665.65 feet to the Southwest corner of the NE 1/4 NW 1/4 NW 1/4 of said Section 19; thence N 00°24'25" W along the West line of the NE 1/4 NW 1/4 NW 1/4 of said Section 19 a distance of 662.24 feet to the Northwest corner of the NE 1/4 NW 1/4 NW 1/4 of said Section 19; thence N 00°24'25" W a distance of 28.00 feet to a point on the South line of the Darren Davidson Annexation, City of Grand Junction Ordinance No. 3205; thence S 89°39'16" E along the South line of said annexation, a distance of 324.49 feet; thence S 00°20'43" W along the Westerly limits of the Tomkins Annexation, City of Grand Junction Ordinance No. 3602; thence S 89°39'24" E along the South line of said annexation, a distance of 399.66 feet; thence S 00°35'03" E a distance of 26.00 feet, more or less, to the Point of Beginning.

CONTAINING 11.47 Acres or 499,662 Square Feet, more or less, as described.

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

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

1. That a hearing will be held on the 17th day of December, 2007, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 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 Public Works and Planning Department of the City.

ADOPTED the _____ day of _____, 2007.

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>
November 9, 2007
November 16, 2007
November 23, 2007
November 30, 2007

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

COOPER-TUCKER ANNEXATION

APPROXIMATELY 11.47 ACRES

**LOCATED AT 2825 D ROAD AND INCLUDES A PORTION OF THE D ROAD RIGHT-
OF-WAY**

WHEREAS, on the 5th day of November, 2007, 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, 2007; 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:

COOPER-TUCKER ANNEXATION

A certain parcel of land lying in the Southeast Quarter of the Southwest Quarter of the Southwest Quarter (SE 1/4 SW 1/4 SW 1/4) and the Southwest Quarter of the Southeast Quarter of the Southwest Quarter (SW 1/4 SE 1/4 SW 1/4) of Section 18 and the Northeast Quarter of the Northwest Quarter of the Northwest Quarter (NE 1/4 NW 1/4 NW 1/4) and the Northwest Quarter of the Northeast Quarter of the Northwest Quarter (NW 1/4 NE 1/4 NW 1/4) of Section 19, all in 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 Northeast corner of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/) of said Section 19 and assuming the North line of the NW 1/4 NW 1/4 of said Section 19 bears N 89°39'16" W with all other bearings being relative thereto; thence from said Point of Commencement, S 89°39'23" E along the North line of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 19, a distance of 60.61 feet to the POINT OF BEGINNING; thence from said Point of Beginning, S 00°35'03" E along the East line of the West 60.6 feet of the NW 1/4 NE 1/4 NW 1/4 of said Section 19, a portion of said line being the West line of the Summer Glen Subdivision, as same is recorded in Book 4055, Pages 547 and 548, Public Records of Mesa County, Colorado, a distance of 662.10 feet; thence N 89°38'16" W a distance of 60.61 feet to a point on the East line of the NE 1/4 NW 1/4 NW 1/4 of said Section 19; thence N 89°40'25" W along the South line of the NE 1/4 NW 1/4 NW 1/4 of said Section 19 a distance of 665.65 feet to the Southwest corner of the NE 1/4 NW 1/4 NW 1/4 of said Section 19; thence N 00°24'25" W along the West line of the NE 1/4 NW 1/4 NW 1/4 of said Section 19 a distance of 662.24 feet to the Northwest corner of the NE 1/4 NW 1/4 NW 1/4 of said Section 19; thence N 00°24'25" W a distance of 28.00 feet to a point on the South line of the Darren Davidson Annexation, City of Grand Junction Ordinance No. 3205; thence S 89°39'16" E along the South line of said annexation, a distance of 324.49 feet; thence S 00°20'43" W along the Westerly limits of the Tomkins Annexation, City of Grand Junction Ordinance No. 3602; thence S 89°39'24" E along the South line of said annexation, a distance of 399.66 feet; thence S 00°35'03" E a distance of 26.00 feet, more or less, to the Point of Beginning.

CONTAINING 11.47 Acres or 499,662 Square Feet, more or less, as described.

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

INTRODUCED on first reading on the ____ day of _____, 2007 and ordered published.

ADOPTED on second reading the ____ day of _____, 2007.

Attest:

President of the Council

City Clerk

Attach 11

Purchase of Rugged Mobile Data Computers Systems

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Rugged Mobile Data Computer Systems		
File #			
Meeting Day, Date	November 5, 2007		
Placement on the Agenda	Consent	X	Individual
Date Prepared	October 29, 2007		
Author Name & Title	Shirley Nilsen, Senior Buyer		
Presenter Name & Title	Bob Russell, Police Commander Ken Watkins, Fire Chief		

Summary: This purchase is for rugged mobile data computers that will be installed in the City's public safety vehicles. Eleven of these computers will be installed in Fire and EMS Vehicles and nine in the new Police Patrol vehicles. Patrol Vehicles, as they are replaced or added annually to the fleet, will also be equipped with mobile data computers. An additional spare system will be purchased by Police which will provide a 24/7 backup. The new computer systems consist of a lightweight, rugged, wireless PC notebook/PC tablet which will allow an EMT, Firefighter, or Police Officer the mobility to input data on-scene such as at a patient's side or in a residence. The computer systems will also consist of a Permanent Display Removable Computer (PDRC) to be installed in the front seat of the vehicles to allow public safety personnel access to their records management system and computer aided dispatch. The awarded supplier will provide installation assistance, staff training, system maintenance, and system support.

Budget: The Police Department is utilizing TacNet funding and \$137,500.00 is budgeted. The Fire Department has budgeted \$95,000.00 in the Emergency Operations Communication Fund.

Action Requested/Recommendation: Authorize the City Purchasing Division to award the purchase of Public Safety Rugged Mobile Data Computers to Portable Computer Systems (PCS), Golden, Colorado, in the amount of \$79,751.00 for Police and \$91,466.00 for Fire, for a total price of \$171,217.00.

Background Information: The Police Department has been utilizing TacNet Systems, and Fire has been utilizing Gateway laptops. Both systems have been problematic. Proven technology initiated the feasibility to solicit a different solution. The benefits from such a system will streamline critical data management and mobile computing

through full integration with High Plains Fire Manager, Computer Aided Dispatch and Vision Tek softwares; maximize the ability to access real-time information; offer automated field report writing; and provide standardization within Fire and Police which will incur significant savings as Fleet and Information Services will be required to learn, install and service a single system.

The solicitation was advertised in the Daily Sentinel and invitations were sent to 99 potential providers. Proposals were received from four suppliers:

Company	Price
Data911 Mobile Computer Systems Chesterfield, MO	\$166,806.00
DataLux Corp. Winchester Virginia	Non-responsive
Portable Computer Systems Golden, CO	\$171,217.00
QDS Communications, Inc. Centennial, CO	Non-Responsive

The rugged mobile data computer systems were selected through a competitive Request for Proposal process using the following evaluation criteria:

- Overall Quality of Product
 - Match with Functional Requirements
 - Technical Environment Compatibility
 - Ease of Use
- Company Capacity
 - Experience and Reputation
 - Support and Maintenance
 - Training Capacity
 - Reference by Similar Users
 - RFP Compliance
- Total Cost of System

Proposals were opened and evaluated by a team of representatives from Fire and Purchasing. The proposal from Datalux and QDS were deemed unresponsive because their proposed systems did not meet the minimum specification requirements. Data 911 Mobile Computer Systems and PCS were given an opportunity to present their mobile data computer's functionality with an on-site demonstration. Both of these computer systems are rugged and designed with high quality. The demonstrations assisted the evaluation committee; which consisted of personnel from Purchasing, Fire, Police and Information Services, all of whom contributed in determining which computer would best fulfill departmental and City needs.

PCS was chosen because of the following:

- Mobility, the system may be used as a tablet or notebook and taken out of the vehicle or motorcycle while working in the field
- Keyboard is water and dust-resistant
- Touch Screen is a 12.1 inch and functions at the touch while wearing any type of glove
- Wireless capability, integrates with Verizon Rev A

The evaluation team is recommending PCS for the project. The Information Systems Manager and Assistant Financial Operations Manger agree with this recommendation.

Attach 12

Downtown Grand Junction Business Improvement District Operating Plan and Budget

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Downtown Grand Junction Business Improvement District Operating Plan and Budget		
File #			
Meeting Day, Date	Monday, November 5, 2007		
Placement on the Agenda	Consent	X	Individual
Date Prepared	October 25, 2007		
Author Name & Title	Stephanie Tuin, City Clerk		
Presenter Name & Title	Jodi Romero, Financial Operations Manager		

Summary: Every business improvement district is required to file an operating plan and budget with the City Clerk by September 30 each year. The City Council is then required to approve the plan and budget within thirty days and no later than December 5. Downtown Grand Junction Business Improvement District filed their 2008 Operating Plan and Budget. It has been reviewed by Staff and found to be reasonable.

Budget: NA

Action Requested/Recommendation: Approve Downtown Grand Junction Business Improvement District's 2008 Operating Plan and Budget

Attachments:

Proposed 2008 Operating Plan and Budget for the Downtown GJBID

Background Information:

In 2005, the City Council created the Downtown Grand Junction Business Improvement District, approved their 2006 Operating Plan and Budget, conducted a mail ballot election to create a Special Assessment, and then turned over the board to the DDA. The State Statutes (31-25-1212 C.R.S.) require business improvement districts to annually submit an operating plan and budget for the next fiscal year by September 30. The municipality shall approve or disapprove the operating plan and budget within thirty days of receipt but no later than December 5 so the BID can file their Special Assessment with the County Treasurer by December 10.

Downtown Business Improvement District 2007 Annual Report

With the successful passage of the Downtown Business Improvement District in November, 2005, downtown Grand Junction was able to embark on an expanded program of advertising and promotion to its larger base of supporters.

The BID covers an area of nearly 50 square blocks and has over 600 owners of property and businesses. This group represents a mix of retail, restaurants, professional services and commercial activities. The BID was formed after conducting a number of public forums and interviews with downtown business and property owners with the intention of performing the following functions:

Downtown Marketing and Promotions

- Public relations to project a positive image
- Collaborative advertising
- Production and packaging of marketing materials including Downtown maps, directories and a web site
- Newsletter and other communications
- Market research and surveys

In 2006, the Bid has continued its expansive relationship with both the local media, as well as outlets throughout Western Colorado. Many thousands of column inches of coverage of downtown, its businesses and events have been received through the first 3 quarters of the year. The bulk of advertising is conducted in the fourth quarter of the year, and is now being designed. This effort emphasizes the holiday shopping season and will result in a total of over \$30,000 in paid advertising for the year.

The downtown web site, <http://downtowngj.org/> has been totally redesigned this year and has recently been released to the public. The BID utilized the efforts of several interns from Mesa State College to assist with gathering information on the hundreds of businesses that are not officially part of downtown. They are conveniently listed on the web site under categories reflecting the downtown identity of "Shop, Eat, Play, Stay". Attractions such as Cinema at the Avalon, Art on the Corner, the Museum of Western Colorado the Grand Junction Symphony, Botanic Gardens and the Western Colorado Center for the Arts are also featured. Additionally, the Visitor and Convention Bureau, and Two River Convention Center are prominently featured, along with a calendar of events at these facilities to conveniently inform downtown visitors and merchants of upcoming events, conferences and conventions.

The web site also provides information on the history of downtown, construction projects such as the new parking garage and 7th St. redevelopment and others. An "E-version" of the newsletter is now available, and businesses or individuals can subscribe directly from the site itself.

A “blast” email system has also been developed to allow for quick and convenient communication with the membership. Last minute information as well as plans for upcoming groups visiting downtown is communicated through this method.

This summer, surveys have been conducted of vendors participating in the Art & Jazz Festival and the American National Bank Farmer’s Market Festival, with generally positive results. Also, a comprehensive survey of all downtown business and property owners (nearly 500 were distributed) resulted in over 100 responses on issues regarding special events throughout the year, their impact on retail, restaurants and other business including comments and suggestions on how to improve both the events and their impact on downtown businesses. A full report has been made to the Downtown Association Board of Directors and this information will prove to be useful as plans and budgets are adopted for the future.

Special Events

- **Festivals and Street Fairs**

The Art & Jazz Festival was moved to early May this year to take advantage of cooler, more temperate weather. This resulted in a very successful event; however the change of date did create some confusion. It is expected that in future years the date of this event will become a fixture and the event will continue to grow into one of the premier events in the area. It currently is one of the classier events and for the first time attracted a significant amount of visitors from outside of the area. The quality of music and art has continued to improve and with the cooperation of the Convention and Visitors Bureau, the Art & Jazz Festival represents the very best downtown has to offer.

The American National Bank Farmer’s Market was a resounding success. It is estimated that well over 50,000 visitors attended the Market this summer over 17 weeks. The sponsorship by American National Bank and the support of the BID has allowed us to retain professional management for this event with Event Masters. The management of the event has greatly improved over previous years and has been noted by everyone involved.

Other events such as the Art Hop, Independence Day Parade, Car Show, Parade of Lights and other Holiday events have had mixed success. The Independence Day Parade is highly valued by the community, but not downtown businesses, as they are closed on the

Holiday. Additionally, the cost of this event was reduced this year and with the addition of a sponsor (COGA), the Parade actually broke even for the first time in many years. The Downtown Car Show was successful this year with a near record amount of participants and additional funding from Gateway Canyons. The event is very well received and is sound financially. Hospice provides significant volunteer support for the Car Show and a contribution is made to Hospice each year in appreciation. BID funding has allowed for enhancing the Holiday events. With the enthusiastic support of volunteers the Holiday events were able to show noticeable improvement during this important conclusion to the year.

Budget and Administration

The 2006 and 2007 budgets for the BID are attached in summary form. The 2006 budget included nearly \$125,000 in assessments that have been collected by the BID, as well as an additional \$10,600 from the City of Grand Junction and \$3,200 from Mesa County. This is consistent with the projections that were made for revenue prior to the adoption of the BID in 2005. Income from the DDA for staff support, and the DTA from contributions, resulted in a total of nearly \$162,000 from these sources. Sponsorships, vendor fees and other miscellaneous sources of income should total \$108,000, for a grand total of \$270,000 in income for 2006. Expenses are expected to be approximately \$246,000 resulting in an anticipated year-end surplus of \$24,737. A goal of 20% reserve for the BID has been established and this will require building a surplus of \$50-60,000 over the next several years. This year's anticipated surplus will provide nearly 50% of that goal, however resulting in a sound financial condition after the first year of operation.

With the BID being accepted within the administrative services of the City of Grand Junction after the 2006 budget cycle, a two year budget was not adopted. However, we now have presented this two year document. BID staff is now included in the City's payroll and is supported with appropriate benefits. The City of Grand Junction also provides purchasing, insurance, computer and telephony services to the BID.

The formalization of the BID has allowed the Downtown Partnership which includes the BID, DDA and DTA to work in a cohesive manner with solid funding, thus enabling for long range planning of the promotion and events promised through the BID.

	<u>2006 Budget</u>	<u>2006 Projected</u>	<u>2007 Budget</u>	<u>2007 Projected</u>	<u>2008 BUDGET</u>
Income					
Dues/Misc.	\$ 5,000.00	\$ 11,000.00	\$ 5,000.00	\$ 5,153.00	\$ 5,000.00
City	\$ 10,400.00	\$ 15,100.00	\$ 11,130.00	\$ 19,600.00	\$ 16,000.00
County	\$ 3,267.00	\$ 3,267.00	\$ 3,500.00	\$ 3,430.00	\$ 3,500.00
DDA	\$ 20,000.00	\$ 23,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00
BID	\$ 120,000.00	\$ 126,800.00	\$ 130,000.00	\$ 130,000.00	\$ 135,000.00
Sub-Total	\$ 158,667.00	\$ 179,167.00	\$ 169,630.00	\$ 178,183.00	\$ 179,500.00
Dinner	\$ 10,000.00	\$ 8,840.00	\$ 9,000.00	\$ 8,080.00	\$ -
Art Hop	\$ -	\$ 2,500.00	\$ -	\$ 1,850.00	\$ -
A & J	\$ 30,000.00	\$ 36,260.00	\$ 35,000.00	\$ 41,512.00	\$ 40,000.00
Car Show	\$ 10,000.00	\$ 7,510.00	\$ 8,000.00	\$ 9,720.00	\$ 10,000.00
FM	\$ 50,000.00	\$ 54,540.00	\$ 55,000.00	\$ 58,000.00	\$ 60,000.00
July 4th	\$ 1,500.00	\$ 600.00	\$ 1,500.00	\$ 2,775.00	\$ 2,500.00
Spk'tacular	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
Holiday's	\$ 7,000.00	\$ 8,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00
Sub-Total/Events	\$ 102,500.00	\$ 119,750.00	\$ 117,000.00	\$ 130,437.00	\$ 121,000.00
TOTAL INCOME	\$ 261,167.00	\$ 298,917.00	\$ 286,630.00	\$ 308,620.00	\$ 300,500.00
Expenses					
Adv/Promo	\$ 40,000.00	\$ 32,500.00	\$ 40,000.00	\$ 37,356.00	\$ 50,000.00
Office Expense	\$ 10,000.00	\$ 6,140.00	\$ 7,500.00	\$ 7,000.00	\$ 7,500.00
County Treasurer	\$ 2,500.00	\$ 2,800.00	\$ 2,500.00	\$ 2,700.00	\$ 2,500.00
Salary Expense w/ Benefits	\$ 75,000.00	\$ 80,300.00	\$ 81,800.00	\$ 52,000.00	\$ 43,000.00
Contract/PT	\$ -	\$ -	\$ -	\$ 25,000.00	\$ 36,000.00
Total Admin.	\$ 127,500.00	\$ 121,740.00	\$ 131,800.00	\$ 124,056.00	\$ 139,000.00
Dinner	\$ 8,000.00	\$ 7,527.00	\$ 7,500.00	\$ 4,183.00	\$ 5,000.00
A & J	\$ 40,200.00	\$ 40,880.00	\$ 42,300.00	\$ 41,787.00	\$ 50,000.00
Art Hop	\$ 5,000.00	\$ 3,610.00	\$ -	\$ -	\$ -
Car Show	\$ 7,500.00	\$ 8,400.00	\$ 8,000.00	\$ 8,621.00	\$ 10,000.00
FM	\$ 46,900.00	\$ 49,600.00	\$ 55,800.00	\$ 53,327.00	\$ 60,000.00
Holiday	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
July 4th	\$ 1,500.00	\$ 4,158.00	\$ 3,350.00	\$ 2,750.00	\$ 2,500.00
Spooktacular	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00
Insurance	\$ 2,400.00	\$ -	\$ 3,000.00	\$ -	\$ -
Total Events	\$ 130,000.00	\$ 132,675.00	\$ 138,450.00	\$ 129,168.00	\$ 146,000.00
TOTAL EXPENSE	\$ 257,500.00	\$ 254,415.00	\$ 270,250.00	\$ 253,224.00	\$ 285,000.00
TOTAL REVENUE	\$ 261,167.00	\$ 298,917.00	\$ 286,630.00	\$ 308,620.00	\$ 300,500.00
TOTAL EXPENSE	\$ 257,500.00	\$ 254,415.00	\$ 270,250.00	\$ 253,224.00	\$ 285,000.00
NET CHANGE IN FUND BALANCE	\$ 3,667.00	\$ 44,502.00	\$ 16,380.00	\$ 55,396.00	\$ 15,500.00
Year-End Balance	\$ 3,667.00	\$ 44,502.00	\$ 60,882.00	\$ 99,898.00	\$ 115,398.00

Attach 13

Contract Amendment to the Communication Center Remodel to Include Police Evidence and Facilities

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Contract Amendment to the Communication Center Remodel to include Police Evidence and Facilities		
File #			
Meeting Day, Date	Monday, November 5, 2007		
Placement on the Agenda	Consent	<input type="checkbox"/>	Individual <input checked="" type="checkbox"/>
Date Prepared	October 30, 2007		
Author Name & Title	Scott Hockins, Purchasing Supervisor		
Presenter Name & Title	Troy Smith, Deputy Police Chief Jay Valentine, Assistant Financial Operations Manager		

Summary: This request for a contract amendment is based on an emergency sole source request to expand the scope of work of the previously approved Grand Junction Regional Communication Center construction contract. The amended scope of work will include the remodel of the former National Guard Armory Building, located at the City Shops Complex. This contract amendment is being sought to create a temporary Police Evidence Storage Facility, and permanent quarters for the Facilities Division.

Budget: Authorized budgeted funds exist in the Facilities Capital Fund, for the purposes of completing this project.

Action Requested/Recommendation: Authorize the City Purchasing Division to enter into a contract amendment, in the amount of \$343,000 with PNCI Construction, Inc. for the completion of the remodel for Police Evidence and Facilities Division Operations.

Attachments: N/A

Background Information: The project consists of separating the building into three sections. The first section will provide a vehicle processing and evidence collection area. The second section will house the evidence storage, drug vault, and gun vault. The third section will serve as the permanent home of the Facilities Division. The remodel work includes increasing security, replacing windows, upgrading the ventilation and electrical systems, and creating office space in the Facilities Division portion of the building.

The Grand Junction Police Department currently houses property and evidence in three locations, one of which is an off-site storage facility (Quonset hut) in the 500 block of Ute Ave. The Quonset hut was identified by a 2004 facilities review committee as a priority to replace due to its age and the space needs identified for adequate storage space for police property and evidence. The National Guard Armory facility was purchased by the City during the Riverside Parkway project and is currently vacant. The 2004 committee had recommended this facility to be remolded for the purposes of temporarily housing police property and evidence.

While It is the intent of the Police Department to have property and evidence storage programmed into the new public safety facility, space needs and environmental issues have arisen that necessitate a more immediate need to relocate police property and evidence, in advance, to a temporary off-site storage facility, until the construction of a new public safety facility is completed.

Between 2003 and 2005 there were three burglaries at the Quonset hut, which included theft of items from the facility. Additionally, between July 9th and August 8th, 2007 the Grand Junction Police Department, in cooperation with the Colorado Bureau of Investigation (CBI), conducted the first phase of a quality system improvement project in our property/evidence section. This phase of the project consisted of an inventory of guns, money and drug related evidence, currently stored by the Grand Junction Police Department (GJPD). During this project the CBI noted their concern of rodent infestation/droppings and the development of mold within the Quonset hut, particularly the drug storage room. They were so concerned that they wore protective respirators during that portion of the inventory, fearing potential airborne bacteria typically associated with rodent droppings and mold in marijuana. Those airborne bacteria are **hantavirus** and **aspergillus**. They concluded that the GJPD should relocate property and evidence to another facility, as soon as possible, to address safety and health concerns and to increase the integrity of evidence storage.

Subsequent to this project, the GJPD contacted Dr. John Martyny who is an Associate Professor of the Division of Environmental and Occupational Health Services at National Jewish Medical and Research Center located in Denver, Colorado. On August 22nd, 2007, Dr. Martyny conducted testing and took samples within our evidence and property section, which included the Quonset hut. Dr. Martyny provided recommendations for our workers entering the Quonset hut and in particular the drug storage rooms located within the building; those include wearing an elastomeric respirator with an organic vapor and particulate cartridge (P-100 or N-100); wearing a Tyvek or similar suit and boot covers. Dr. Martyny concluded by stating "**At the earliest convenience, the Quonset Hut storage area should be abandoned or improved to provide good protection for the materials stored within and good ventilation for workers.**" These precautions have been put in place and police staff have received the appropriate training.

Finally, the current location of the Quonset hut is within the preferred building site of the new public safety facility. It will have to be removed in order for construction to begin within that corridor.

Attach 14

Public Hearing – Vacation of Public ROW in the Indian Road Industrial Subdivision, Located between C ½ Road and D Road at Indian Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Vacation of Public Rights-of-Way, portions of Utility Easements, Drainage Easements and Multipurpose Easements - All as part of the Indian Road Simple Subdivision application		
File #	SS-2005-290		
Meeting Day, Date	Monday, November 5, 2007		
Placement on the Agenda	Consent		Individual X
Date Prepared	October 4, 2007		
Author Name & Title	Senta L. Costello, Associate Planner		
Presenter Name & Title	Senta L. Costello, Associate Planner		

Summary: A request to vacate portions of Public Rights-of-Way, portions of Utility Easements, Drainage Easements and Multipurpose Easements all as part of the Indian Road Industrial Subdivision Filing 2 application. The simple subdivision application includes creation of 1 new industrial lot, reconfiguration of the existing lots within the subdivision in order to make the lots more developable, and the vacation of rights-of-way and easements that are no longer necessary.

Budget: N/A

Action Requested/Recommendation: Approval a proposed Right-of-Way Vacation Ordinance and an Easement Vacation Resolution.

Attachments:

1. Vicinity Map / Aerial Photo
2. Future Land Use Map / Existing Zoning Map
3. Exhibit A – Sketches of the Rights-of-Way Vacations
4. Exhibit B – Proposed plat for the Indian Road Industrial Subdivision Filing No. Two
5. Proposed Easement Vacation Resolution
6. Proposed Right-Of-Way Vacation Ordinance

Background Information: See attached Staff Report and Background Information.

BACKGROUND INFORMATION			
Location:	Between C ½ Road and D Road at Indian Road		
Applicants:	Owner: Darren Davidson Representative: Jeff Fleming		
Existing Land Use:	Industrial / Vacant		
Proposed Land Use:	Industrial		
Surrounding Land Use:	North	Industrial / Railroad	
	South	Single Family Residential/Rendering Plant/Colorado River	
	East	Single Family Residential/Commercial and Industrial uses	
	West	Single Family Residential/Commercial and Industrial uses	
Existing Zoning:	City I-1 (Light Industrial)		
Proposed Zoning:	City I-1 (Light Industrial)		
Surrounding Zoning:	North	City I-1 (Light Industrial)	
	South	County I-2 (Heavy Industrial) & RSF-R (Residential Single Family 1 du/5 ac)	
	East	County I-2 (Heavy Industrial), PI (Planned Industrial), and RSF-R (Residential Single Family 1 du/5 ac); City I-1 (Light Industrial)	
	West	County I-2 (Heavy Industrial) & RSF-R (Residential Single Family 1 du/5 ac); City CSR (Community Services and Recreation) and I-2 (General Industrial)	
Growth Plan Designation:	Commercial/Industrial and Industrial		
Zoning within density range?	X	Yes	No

PROJECT DESCRIPTION: Applicant requests vacation of the following: (1) 12' of excess rights-of-way along Indian Road, (2) Lang Avenue and Winters Avenue west of Indian Road, (3) all of Winters Avenue east of Indian Road, (4) portions of the 15' utility easements along the frontage of all lots, (5) portions of the drainage easements within the Indian Road Industrial Subdivision, and (6) portions of the 14' multipurpose easements located along all lots within Blocks 1-4 of the Indian Road Industrial Subdivision.

RECOMMENDATION: Conditional Approval.

Staff Analysis:

1. Background

The subdivision was annexed in November 2004. Three sites within the subdivision went through the Site Plan Review process and were approved for construction in May 2005. An application for a Simple Subdivision (SS-2005-290 Indian Road Subdivision Filing #2) was submitted concurrent to the vacation of rights-of-way and easement request in order to create one new lot and reconfigure the lots in the southern portion of the subdivision in an effort to create lots with more development potential.

Indian Road Industrial Subdivision was originally approved in the County in 1978. The project did not get built at that time. The applicant began to build the development before annexation, but with annexation the applicant was required to make changes to meet all City standards. The requirements for roads and easements in the City differ from those in the County in 1978. It has been determined that Indian Road needs to be only 48' wide rather than the dedicated 60'. In addition, the City now requires multipurpose easements rather than utility easements.

Multipurpose easements shall be maintained in the area where the right-of-way is being vacated so that the City will have the necessary 14' multipurpose easements along the remaining right-of-way. A multipurpose easement shall not be retained for all of that portion of Winters Avenue being vacated east of Indian Road, only enough will be reserved and retained for the 14' along and adjacent to the remaining right-of-way.

Some multipurpose easements were required to be dedicated with the three site plan approvals. The additional multipurpose easements will be dedicated with the recording of the replat of the Indian Road Industrial Subdivision to be known as the Indian Road Industrial Subdivision Filing No. 2.

Utility easements and Utility and Drainage easements located outside the required 14' multipurpose easements are recommended for vacation as they are more than the City needs.

Please review the right-of-way vacation descriptions included as Exhibit A and the easement vacation descriptions included as Exhibit B. Both Exhibit A and Exhibit B are incorporated herein. Exhibit C which is incorporated herein is three copies of the Indian Road Industrial Subdivision Plat. The copy marked 1 shows the location of the rights-of-way to be vacated. The copy marked 2 shows the location of the utility easements and utility and drainage easements to be vacated. The copy marked 3 shows the location of the multipurpose easements to be vacated. Exhibit D which will be presented at the hearing and is incorporated herein is the general depiction of the Indian Road Industrial Subdivision Filing No. Two including additional right-of-way and easements to be dedicated to the City and showing the retained easements. The final plat for Indian Road Industrial Subdivision Filing No. Two will need to be approved with the required additional right-of-way and easement dedications in accordance with City

Codes as a condition of the vacation of the right-of-ways and the easement vacation request.

The vacation request was originally scheduled for the June 26, 2007 Planning Commission agenda. Issues regarding the legal descriptions for the requested vacations were discovered and the application continued to the July 10, 2007 Planning Commission meeting.

2. Consistency with the Growth Plan

This project is consistent with the following Goals and Policies of the Growth Plan:

- Goal 5: To ensure that urban growth and development make efficient use of investments in streets, utilities and other public facilities.
 - o Policy 5.2: The City and County will encourage development that uses existing facilities and is compatible with existing development.
 - o Policy 5.3: The City and County may accommodate extensions of public facilities to serve development that is adjacent to existing facilities. Development in areas which have adequate public facilities in place or which provide needed connections of facilities between urban development areas will be encouraged. Development that is separate from existing urban services (“leap-frog” development) will be discouraged.
- Goal 6: To promote the cost-effective provision of services for businesses and residents by all service providers.
 - o Policy 6.4 – The City and County will encourage consolidations of services whenever such consolidations will result in improved service efficiencies while maintaining adopted level of service standards.
- Goal 10: To retain valued characteristics of different neighborhoods within the community.
 - o Policy 10.2: The City and County will consider the needs of the community at large and the needs of individual neighborhoods when making development decisions.

3. Section 2.11.c of the Zoning and Development Code

Requests to vacate any public rights-of-way or easements must conform to all of the following:

- g. The Growth Plan, major street plan and other adopted plans and policies of the City.
 - a. Vacating the excess rights-of-way, portions of the multipurpose easements, portions of the utility easements, and portions of the utility and drainage easements within the Indian Road Industrial Subdivision is not in conflict with the Growth Plan, major street plan and other adopted plans and policies of the City. The existing 60’ dedicated rights-of-way

exceeds the 48' width required for an industrial street section and most of the right-of-way and portions of easement areas will be retained for the 14' multipurpose easement required along the fronts of the lots.

- h. No parcel shall be landlocked as a result of the vacation.
 - a. No parcels will be landlocked as a result of the rights-of-way or easement vacations.
- i. 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 to parcels in the area will not be affected by the rights-of-way or easement vacation. Sufficient right-of-way remains in accordance with City standards for access to parcels. Sufficient easements will be in place with the remaining easements and the additional dedication of right-of-way and easements.
- j. 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 or the neighborhood because the remaining right-of-way is sufficient to provide the necessary access. Additional easements will be provided that meet present day standards. The general community and neighborhood will be in a better position after the conditions of the approval for vacation have been met.
- k. 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.
 - Adequate public facilities and services will not be inhibited by the rights-of-way or easement vacation. (See response to c above.)
- l. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.
 - The rights-of-way vacation will reduce maintenance requirements for public services.

FINDINGS OF FACT AND CONCLUSIONS

After reviewing the Indian Road Industrial Subdivision application, SS-2005-290 for the vacation of public rights-of-way, portions of utility easements, portions of multipurpose easements, and portions of utility and drainage easements staff makes the following findings of fact and conclusions:

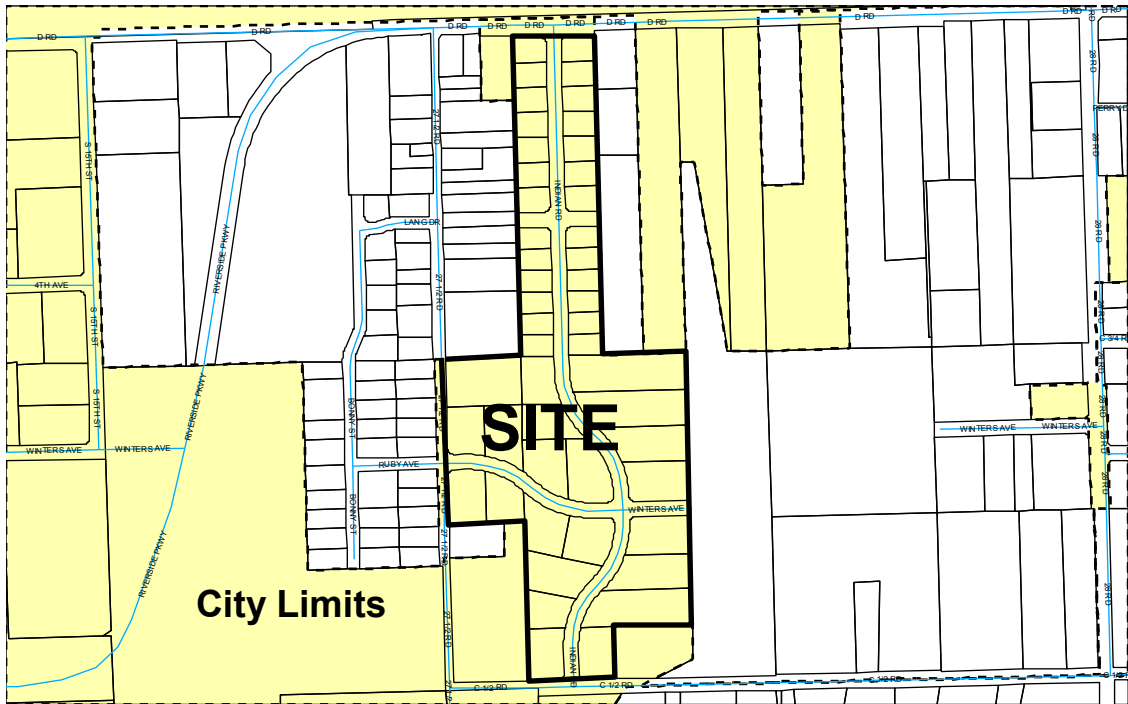
5. The requested rights-of-way and utility easements vacation is consistent with the Growth Plan.
6. The review criteria in Section 2.11.C of the Zoning and Development Code have all been met.
7. The vacation of rights-of-way and easements shall be conditioned upon the City reserving and retaining a multipurpose easement where the rights-of-way lie, except in that portion of Winters Avenue lying East of a line 14 feet East of and parallel with the East line of the 48 foot wide remnant of Indian Road. The right-of-way, multipurpose, utility, and utility and drainage easements indicated on the plat for Indian Road Industrial Subdivision Filing No. Two must be dedicated on the plat and the plat must be recorded. Recordation is conditioned upon the plat being approved by the City in accordance with the City's laws and standards.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission forwarded a recommendation of approval of the requested rights-of-way and easements vacations, SS-2005-290 to the City Council with the findings, conclusions, and conditions listed above.

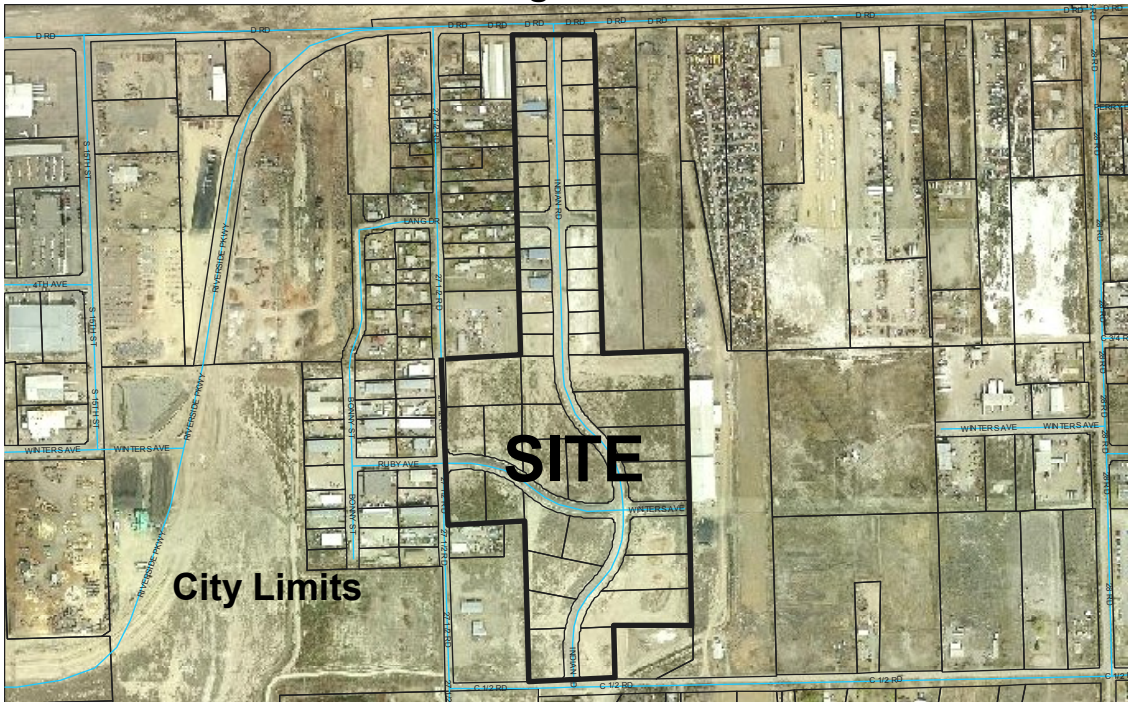
Site Location Map

Figure 1



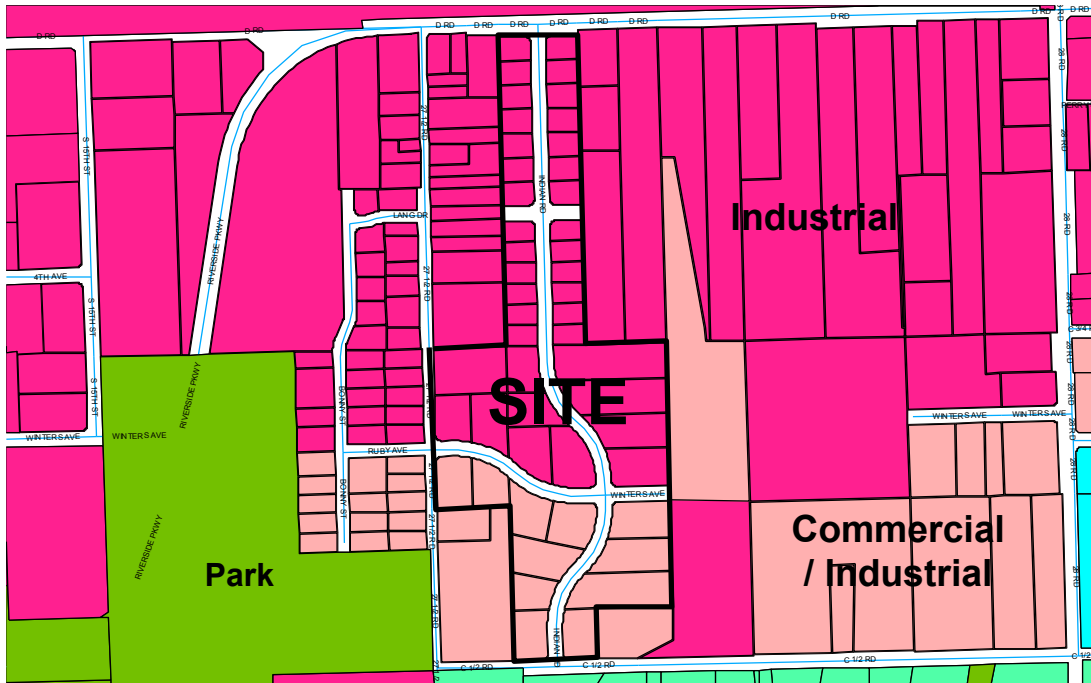
Aerial Photo Map

Figure 2



Future Land Use Map

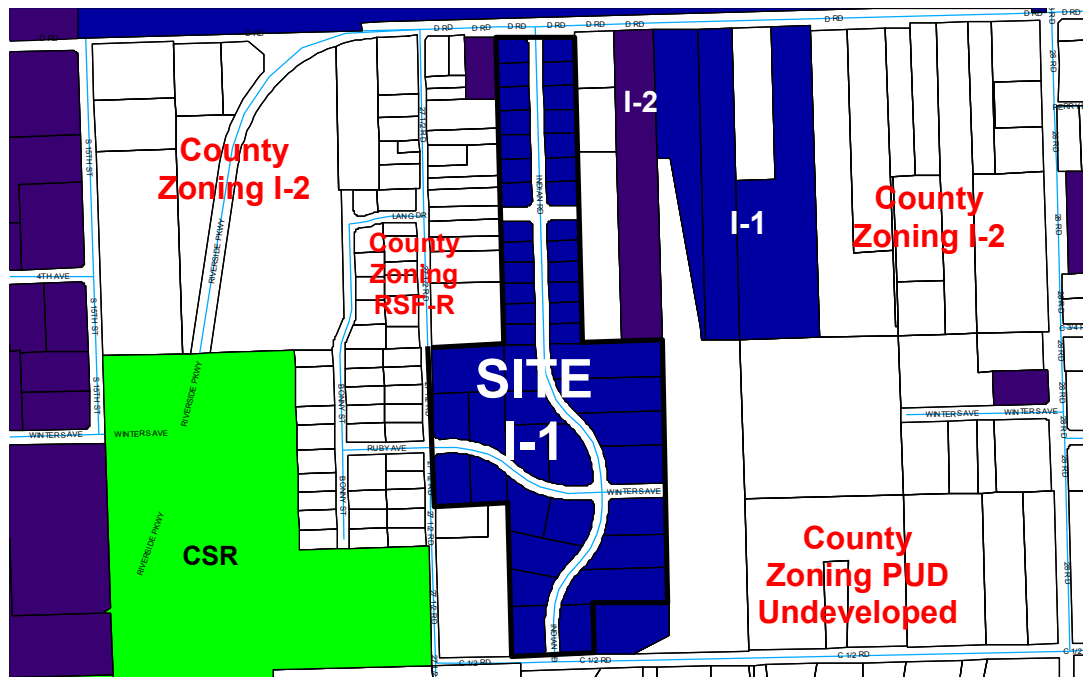
Figure 3



Existing City and County Zoning

City Limits

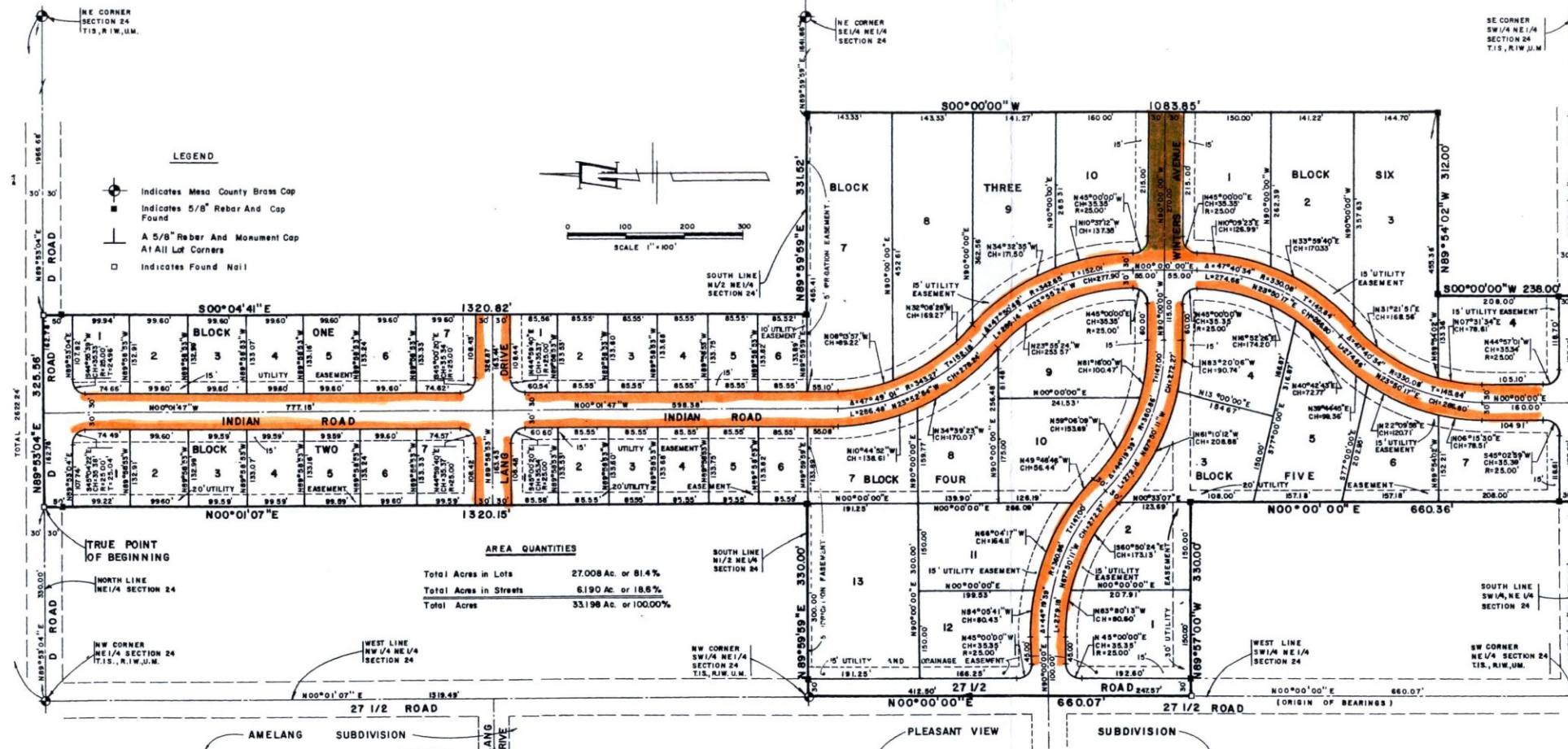
Figure 4



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."

EXHIBIT "A"
Page 1

INDIAN ROAD INDUSTRIAL SUBDIVISION



right-of-way to be vacated reserving a multipurpose easement

right-of-way to be vacated with no reservation of multipurpose easement

AREA QUANTITIES

Total Acres in Lots	27.008 Ac. or 81.4%
Total Acres in Streets	6.190 Ac. or 18.8%
Total Acres	33.198 Ac. or 100.00%

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned is the owner of that real property situated in the County of Mesa, State of Colorado and being a part of the West Half (W 1/2) Northeast Quarter (NE 1/4) of Section 24, T.15, R.1W, U.M. Meridian as shown on the accompanying plat thereof, said real property being more particularly described as follows:

Commencing at the Northwest Corner (NW cor.) of said Northeast Quarter (NE 1/4) of Section 24; Thence N. 89° 53' 04" E along the North Line of said Northeast Quarter (NE 1/4) of Section 24 a distance of 330.00 feet to the True Point of Beginning. Thence continuing N. 89° 53' 04" E along said North Line of the Northeast Quarter (NE 1/4) of Section 24 a distance of 325.56 feet; Thence S. 00° 04' 41" E 1320.82 feet to a point on the South Line of the North Half (N 1/2) of the Northeast Quarter (NE 1/4) of said Section 24; Thence N. 89° 59' 59" E along said South Line of the North Half (N 1/2) of the Northeast Quarter (NE 1/4) of said Section 24, a distance of 331.52 feet; Thence S. 00° 00' 00" W 1083.85 feet; Thence N. 89° 54' 02" W along said South Line of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of said Section 24; Thence N. 89° 54' 02" W along said South Line of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 24 a distance of 347.31 feet; Thence N. 00° 00' 00" E 660.36 feet; Thence N. 89° 57' 00" W 330.00 feet to a point on the West Line of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of said Section 24; Thence N. 00° 00' 00" E along said West Line of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 24 a distance of 660.27 feet to the Northwest Corner (NW cor.) of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of said Section 24; Thence N. 89° 50' 55" E along the South Line North Half (N 1/2) of the Northeast Quarter (NE 1/4) of said Section 24 a distance of 330.00 feet; Thence N. 00° 01' 07" E 1320.15 feet to the True Point of Beginning. Containing 33.198 Acres.

That said owner has caused the said real property to be laid out and surveyed as Indian Road Industrial Subdivision, a subdivision of a part of Mesa County, Colorado.

That said owners do hereby dedicate and set apart all of the streets, avenues and roads as shown on the accompanying plat to the use of the public forever and dedicate to the utility companies those portions of said real property which are labeled as utility easements for the installation and maintenance of such utilities as telephone, electric lines, poles and cables, storm and sanitary sewer mains, gas pipelines, with further right of ingress and egress to and from the above described utility easements and those portions of said real property which are labeled as irrigation easements for the installation and maintenance of irrigation ditches, flumes and conduits and those portions of said real property which are labeled as drainage easements for the installation and maintenance of drainage ditches, flumes and conduits.

That all expense for street paving or improvements shall be furnished by the seller or purchaser, not by the County of Mesa.

IN WITNESS WHEREOF said owner has caused his name to be hereunto subscribed this 4th day of DECEMBER, A.D., 1977.

INDIAN ROAD PROPRIETORS
William C. Bennett
William C. Bennett
General Partner

Bill Benson
Mesa County Road Department

Date: 4-11-78

STATE OF COLORADO)
COUNTY OF MESA) ss
The foregoing instrument was acknowledged before me this 4th day of DECEMBER, A.D., 1977, by William C. Bennett, General Partner of Indian Road Properties.

My Commission Expires: AUG 9th 1981
Witness My Hand and Official Seal:

Thomas A. Agate
Notary Public
NOTARY PUBLIC
STATE OF COLORADO

STATE OF COLORADO)
COUNTY OF MESA) ss
I hereby certify that this instrument was filed in my office at 3:00 o'clock P.M. this 22 day of June, A.D., 1978 and duly recorded in Plat Book No. 12, Page. 43.
Carl Sawyer
Clerk and Recorder

Approved this 29th day of JUNE, A.D., 1978, County Planning Commission of the County of Mesa, Colorado,
John S. ...
Chairman

Approved this 22nd day of APRIL, A.D., 1978, Board of County Commissioners of the County of Mesa, Colorado,
Paul ...
Chairman

I, James T. Patten Jr. do hereby certify that the accompanying plat of Indian Road Industrial Subdivision, a subdivision of a part of the County of Mesa, has been prepared under my direction and accurately represents a field survey of same.

JAMES T. PATTEN JR.
REGISTERED LAND SURVEYOR
STATE OF COLORADO
1960

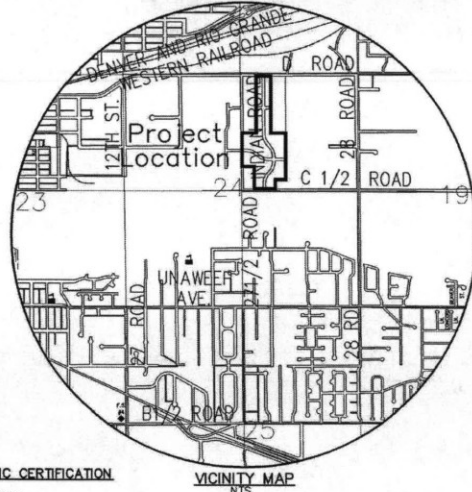
James T. Patten Jr.
James T. Patten Jr.
Registered Land Surveyor
Colorado Registration No. 0560

INDIAN ROAD INDUSTRIAL SUBDIVISION
ROBERT P. GERLOFS
Engineering Consultants 75 BOX 8475 800 JCT. COLO. HIGHWAY 24, DENVER, CO. 80202

EXHIBIT "B"
Page 1

INDIAN ROAD INDUSTRIAL SUBDIVISION
FILING NO. TWO

A REPLAT OF
INDIAN ROAD INDUSTRIAL SUBDIVISION
SW1/4 NE1/4 SECTION 24, T1S, R1W, UTE MERIDIAN
CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO



DEDICATION

KNOW ALL MEN BY THESE PRESENTS: That Marilyn J. and Tom English, Jr., 372 INDIAN Rd., LLC, & 370 INDIAN Rd., LLC, & 368 INDIAN Rd., LLC, & 366 INDIAN Rd., LLC, Robert H. and Judith R. Holzenbuehler, Indian Road Industrial Park, L.L.C., and the City of Grand Junction, are the owners of that real property located in part of the Southwest Quarter Northeast Quarter (SW NE 1/4) Section 24, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado, being more particularly described as follows: (Original Plat recorded in Plat Book 12, Page 43, Mesa County Records)

A replat of All of INDIAN ROAD INDUSTRIAL SUBDIVISION and that Parcel described as: BEGINNING 100 feet North of the Southeast corner of the West 30 Acres of the SW NE 1/4 Section 24, T1S, R1W, thence North, 138 feet; thence West, 312 feet; thence South, 208 feet; thence East to Drain; thence Northeasterly along Drain to POINT OF BEGINNING, and that portion of Indian Road, Long Drive, and Winters Avenue as vacated,

EXCEPT those portions of Indian Road, Long Drive, and Winters Avenue not vacated.

That said owners have by these presents laid out, platted, and subdivided the above described real property into lots, blocks, and tracts, as shown hereon, and designated the same as INDIAN ROAD INDUSTRIAL SUBDIVISION FILING NO. TWO, a subdivision in the City of Grand Junction, Colorado, and hereby offers the following dedications and grants:

All streets, roads and Rights-of-Way are dedicated to the City of Grand Junction for the use of the public forever.

All Utility Easements, including those previously created and/or otherwise appearing hereon, are dedicated to the City of Grand Junction for the use of City approved public utilities as perpetual easements for the installation, operation, maintenance and repair of utilities and appurtenances including, but not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, equivalent other public utility providers and appurtenant facilities.

All Multipurpose Easements, including those previously created and/or otherwise appearing hereon, are dedicated to the City of Grand Junction for the use of City approved utilities and public providers as perpetual easements for the installation, operation, maintenance and repair of utilities and appurtenances including, but not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, traffic control facilities, street lighting, landscaping, trees and grade structures.

All Irrigation and Drainage Easements are granted to the Indian Road Owners Association, Inc., hereby platted as undivided interests (not partitionable), as perpetual easements for the installation, operation, maintenance and repair of utilities, irrigation and drainage systems and to supply and drain irrigation water.

Tract A is granted to the Indian Road Owners Association, Inc., for the installation, operation, maintenance and repair of utilities and appurtenances, including but not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, equivalent other public utility providers and appurtenant facilities.

Tract B is granted to the Indian Road Owners Association, Inc., for the inspection, installation, operation, maintenance and repair of detention and drainage facilities and appurtenances thereto.

Tract B and All Drainage Easements are dedicated to the City of Grand Junction as perpetual easements for the inspection, installation, operation, maintenance and repair of detention and drainage facilities and appurtenances thereto. The City of Grand Junction is dedicated reasonable ingress/egress access to the drainage/detention easement areas. The owner(s) and/or the property owners' association, if one exists, is not relieved of its responsibility to inspect, install, operate, maintain, and repair the detention and drainage facilities.

All Tracts/Easements include the right of ingress and egress on, along, over, under, through and across by the beneficiaries, their successors, or assigns, together with the right to trim or remove interfering trees and brush, and in Drainage and Detention/Retention easements or tracts, the right to dredge; provided however, that the beneficiaries/owners shall utilize the same in a reasonable and prudent manner. Furthermore, the owners of said lots or tracts hereby platted shall not burden or overburden said easements by erecting or placing any improvements thereon which may impede the use of the easement and/or prevent the reasonable ingress and egress to and from the easement.

Owners hereby declare there are no lienholders of records to herein described real property.

IN WITNESS WHEREOF, said owners, 372 INDIAN Rd., LLC, & 370 INDIAN Rd., LLC, & 368 INDIAN Rd., LLC, & 366 INDIAN Rd., LLC, Robert H. and Judith R. Holzenbuehler, Marilyn J. and Tom English, Jr., and Indian Road Industrial Park, L.L.C., have caused their names to be hereto subscribed this _____ day of _____ A.D. 20____

for: Lot 7, Block Three, 372 INDIAN Rd., LLC (Book 4412, Page 48) Lot 8, Block Three, 370 INDIAN Rd., LLC (Book 4412, Page 50) Lot 9, Block Three, 368 INDIAN Rd., LLC (Book 4412, Page 51) Lot 10, Block Three, 366 INDIAN Rd., LLC (Book 4412, Page 52)

by: Trent Spendrup Its: Manager by: Leslie Spendrup Its: Manager
for: 372 INDIAN Rd, LLC for: 370 INDIAN Rd., LLC & 368 INDIAN Rd., LLC, & 366 INDIAN Rd., LLC

for: Lot 3, Block Four (Holzenbuehler - Book 3745, Page 423)

by: Robert H. Holzenbuehler by: Judith R. Holzenbuehler

for: Lots 1 through 7, Block One, Lots 1 & 2, and Lots 4 through 7, Block Two, Lots 1 through 6, Block Three, Lots 1 & 2 and Lots 4 through 13, Block Four, Lots 1 through 7, Block Five, and Lots 1 through 4, Block Six, and that Parcel described as: BEGINNING 100 feet North of the Southeast corner of the West 30 Acres of the SW NE 1/4 Section 24, T1S, R1W, thence North, 138 feet; thence West, 312 feet; thence South, 208 feet; thence East to Drain; thence Northeasterly along Drain to POINT OF BEGINNING, (Indian Road Industrial Park, L.L.C. - Book 3745, Page 422)

by: Darren Davidson Its: Manager
for: Indian Road Industrial Park, L.L.C.

for: Lot 3, Block Two (English - Book 4012, Page 878)

by: Tom English, Jr. by: Marilyn J. English

for: The City of Grand Junction (Rights-of-way and Easements)

by: _____ Its: _____ (title)

NOTARY PUBLIC CERTIFICATION

STATE OF COLORADO }
COUNTY OF MESA } ss

The foregoing instrument was acknowledged before me by Trent E. Spendrup, It's Manager for 372 INDIAN Rd., LLC, this _____ day of _____ A.D., 20____

Witness my hand and official seal:

Notary Public My Commission Expires _____

NOTARY PUBLIC CERTIFICATION

STATE OF COLORADO }
COUNTY OF MESA } ss

The foregoing instrument was acknowledged before me by Leslie D. Spendrup, Manager for 370 INDIAN Rd., LLC & 368 INDIAN Rd., LLC & 366 INDIAN Rd., LLC this _____ day of _____ A.D., 20____

Witness my hand and official seal:

Notary Public My Commission Expires _____

NOTARY PUBLIC'S CERTIFICATE

STATE OF COLORADO }
COUNTY OF MESA } ss

The foregoing instrument was acknowledged before me by Darren Davidson, for Indian Road Industrial Park, L.L.C., It's Manager this _____ day of _____ A.D., 20____

Witness my hand and official seal:

Notary Public My Commission Expires _____

NOTARY PUBLIC CERTIFICATION

STATE OF COLORADO }
COUNTY OF MESA } ss

The foregoing instrument was acknowledged before me by Robert H. Holzenbuehler, this _____ day of _____ A.D., 20____

Witness my hand and official seal:

Notary Public My Commission Expires _____

NOTARY PUBLIC CERTIFICATION

STATE OF COLORADO }
COUNTY OF MESA } ss

The foregoing instrument was acknowledged before me by Judith R. Holzenbuehler, this _____ day of _____ A.D., 20____

Witness my hand and official seal:

Notary Public My Commission Expires _____

NOTARY PUBLIC CERTIFICATION

STATE OF COLORADO }
COUNTY OF MESA } ss

The foregoing instrument was acknowledged before me by Tom English, Jr., this _____ day of _____ A.D., 20____

Witness my hand and official seal:

Notary Public My Commission Expires _____

NOTARY PUBLIC CERTIFICATION

STATE OF COLORADO }
COUNTY OF MESA } ss

The foregoing instrument was acknowledged before me by Marilyn J. English, this _____ day of _____ A.D., 20____

Witness my hand and official seal:

Notary Public My Commission Expires _____

NOTARY PUBLIC'S CERTIFICATE

STATE OF COLORADO }
COUNTY OF MESA } ss

The foregoing instrument was acknowledged before me by _____ for The City of Grand Junction, it's _____ (title) this _____ day of _____ A.D., 20____

Witness my hand and official seal:

Notary Public My Commission Expires _____

FOR CITY USE ONLY

Associated Recorded Documents

Book	Page	Type
---	---	Tracts A and B to the Indian Road Owners Association, Inc.
---	---	All Utility Irrigation and Drainage Easements to the Indian Road Owners Association, Inc.
---	---	Those vacated portions of Indian Road, Long Drive, and Winters Avenue by Ordinance
---	---	The Declaration of Covenants, Conditions, and Restrictions
---	---	Those vacated portions of all Easements by Resolution

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

GENERAL NOTES

Basis of bearings is from GPS observations using the Mesa County SMS LCS. The East line of the SW NE 1/4 of Section 24, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado bears N00°07'40"W, a distance of 1320.14 feet. Both monuments on this line are aliquot survey markers as shown on the face of this plat.

Easement and Title Information provided by Meridian Land Title Co., Policy No. 76503, dated August 5, 2005.

Note: Property corners located during this survey that were within 0.25± feet of the calculated point were accepted as being "in position".

TITLE CERTIFICATION

STATE OF COLORADO }
COUNTY OF MESA } ss

We, _____ a title insurance company, as duly licensed in the state of Colorado, hereby certify that we have examined the title to the hereon described property, that we find the title to the property is vested to Marilyn J. and Tom English, Jr.; that the current taxes have been paid; that all mortgages not satisfied or released of record nor otherwise terminated by law are shown hereon and that there are no other encumbrances of record; that all easements, reservations and rights of way of record are shown hereon.

Date: _____ by: _____ (Name And Title)

for: _____ (Name Of Title Company)

TITLE CERTIFICATION

STATE OF COLORADO }
COUNTY OF MESA } ss

We, _____ a title insurance company, as duly licensed in the state of Colorado, hereby certify that we have examined the title to the hereon described property, that we find the title to the property is vested to Robert H. and Judith R. Holzenbuehler; that the current taxes have been paid; that all mortgages not satisfied or released of record nor otherwise terminated by law are shown hereon and that there are no other encumbrances of record; that all easements, reservations and rights of way of record are shown hereon.

Date: _____ by: _____ (Name And Title)

for: _____ (Name Of Title Company)

TITLE CERTIFICATION

STATE OF COLORADO }
COUNTY OF MESA } ss

We, _____ a title insurance company, as duly licensed in the state of Colorado, hereby certify that we have examined the title to the hereon described property, that we find the title to the property is vested to 372 Indian Rd., LLC, a Colorado limited liability company; that the current taxes have been paid; that all mortgages not satisfied or released of record nor otherwise terminated by law are shown hereon and that there are no other encumbrances of record; that all easements, reservations and rights of way of record are shown hereon.

Date: _____ by: _____ (Name And Title)

for: _____ (Name Of Title Company)

TITLE CERTIFICATION

STATE OF COLORADO }
COUNTY OF MESA } ss

We, _____ a title insurance company, as duly licensed in the state of Colorado, hereby certify that we have examined the title to the hereon described property, that we find the title to the property is vested to 370 Indian Rd., LLC, 368 Indian Rd., LLC, and 370 Indian Rd., LLC, all Colorado limited liability companies; that the current taxes have been paid; that all mortgages not satisfied or released of record nor otherwise terminated by law are shown hereon and that there are no other encumbrances of record; that all easements, reservations and rights of way of record are shown hereon.

Date: _____ by: _____ (Name And Title)

for: _____ (Name Of Title Company)

TITLE CERTIFICATION

STATE OF COLORADO }
COUNTY OF MESA } ss

We, _____ a title insurance company, as duly licensed in the state of Colorado, hereby certify that we have examined the title to the hereon described property, that we find the title to the property is vested to Indian Road Industrial Park, L.L.C.; that the current taxes have been paid; that all mortgages not satisfied or released of record nor otherwise terminated by law are shown hereon and that there are no other encumbrances of record; that all easements, reservations and rights of way of record are shown hereon.

Date: _____ by: _____ (Name And Title)

for: _____ (Name Of Title Company)

CITY OF GRAND JUNCTION APPROVAL

This plat of INDIAN ROAD INDUSTRIAL SUBDIVISION FILING NO. TWO, a subdivision of a part of the City of Grand Junction, County of Mesa, State of Colorado, is approved and accepted this _____ day of _____ A.D., 20____

City Manager _____

Mayor _____

Mor _____

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO }
COUNTY OF MESA } ss

I hereby certify that this instrument was filed in my office at _____ o'clock _____ M., _____ A.D.,

20____ and was duly recorded in Book _____ Pages No. _____ Reception No. _____

Drawer No. _____ Fees: _____

Clerk and Recorder

By: _____

Deputy

SURVEYOR'S CERTIFICATION

I, JEFFREY C. FLETCHER, do hereby certify that the accompanying plat of INDIAN ROAD SUBDIVISION FILING NO. TWO, a subdivision of a part of the City of Grand Junction, Colorado, has been prepared under my direct supervision and represents a field survey of some. This plat conforms to the requirements for subdivision plats specified in the City of Grand Junction Ordinance code and the applicable laws of the State of Colorado.

Date certified _____

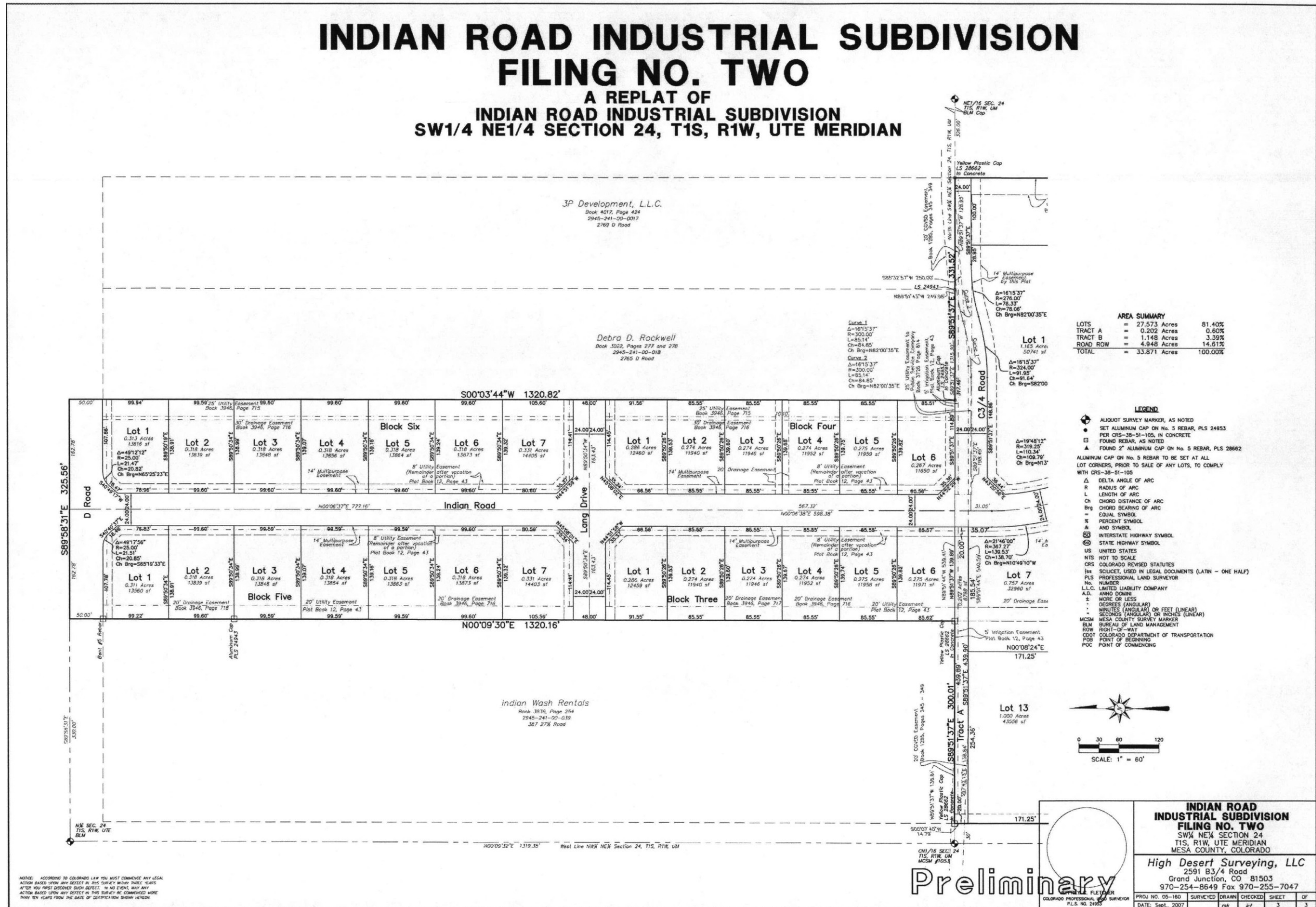


INDIAN ROAD INDUSTRIAL SUBDIVISION FILING NO. TWO SW 1/4 NE 1/4 SECTION 24 T1S, R1W, UTE MERIDIAN MESA COUNTY, COLORADO
High Desert Surveying, LLC
2591 B3/4 Road
Grand Junction, CO 81503
970-254-8649 Fax 970-255-7047
PROJ. NO. 05-160 SURVEYED [] DRAWN [] CHECKED [] SHEET [] OF []
DATE: Sept. 2007

EXHIBIT "B"
Page 2

INDIAN ROAD INDUSTRIAL SUBDIVISION FILING NO. TWO

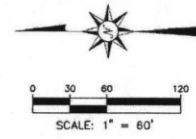
A REPLAT OF
INDIAN ROAD INDUSTRIAL SUBDIVISION
SW1/4 NE1/4 SECTION 24, T1S, R1W, UTE MERIDIAN



AREA SUMMARY

LOTS	= 27.573 Acres	81.40%
TRACT A	= 0.202 Acres	0.60%
TRACT B	= 1.148 Acres	3.39%
ROAD ROW	= 4.948 Acres	14.61%
TOTAL	= 33.871 Acres	100.00%

- LEGEND**
- ALUQUOT SURVEY MARKER, AS NOTED
 - SET ALUMINUM CAP ON No. 5 REBAR, PLS 24953
 - PER CRS-38-51-105, IN CONCRETE
 - FOUND REBAR, AS NOTED
 - FOUND 2" ALUMINUM CAP ON No. 5 REBAR, PLS 28662
 - ALUMINUM CAP ON No. 5 REBAR TO BE SET AT ALL LOT CORNERS, PRIOR TO SALE OF ANY LOTS, TO COMPLY WITH CRS-38-51-105
 - DELTA ANGLE OF ARC
 - RADIUS OF ARC
 - LENGTH OF ARC
 - CHORD DISTANCE OF ARC
 - CHORD BEARING OF ARC
 - EQUAL SYMBOL
 - PERCENT SYMBOL
 - AND SYMBOL
 - INTERSTATE HIGHWAY SYMBOL
 - STATE HIGHWAY SYMBOL
 - UNITED STATES
 - NOT TO SCALE
 - COLORADO REVISED STATUTES
 - SOLICIT, USED IN LEGAL DOCUMENTS (LATIN - ONE HALF)
 - PROFESSIONAL LAND SURVEYOR
 - No.
 - L.L.C. LIMITED LIABILITY COMPANY
 - AD.
 - ANN'D DOWN
 - MORE OR LESS
 - DEGREES (ANGULAR)
 - MINUTES (ANGULAR) OR FEET (LINEAR)
 - SECONDS (ANGULAR) OR RICHES (LINEAR)
 - MCSM MESA COUNTY SURVEY MARKER
 - BLM BUREAU OF LAND MANAGEMENT
 - ROW RIGHT-OF-WAY
 - CDOT COLORADO DEPARTMENT OF TRANSPORTATION
 - POB POINT OF BEGINNING
 - POC POINT OF COMMENCING



**INDIAN ROAD
INDUSTRIAL SUBDIVISION
FILING NO. TWO**
SW1/4 NE1/4 SECTION 24
T1S, R1W, UTE MERIDIAN
MESA COUNTY, COLORADO

High Desert Surveying, LLC
2591 B3/4 Road
Grand Junction, CO 81503
970-254-8649 Fax 970-255-7047

Preliminary

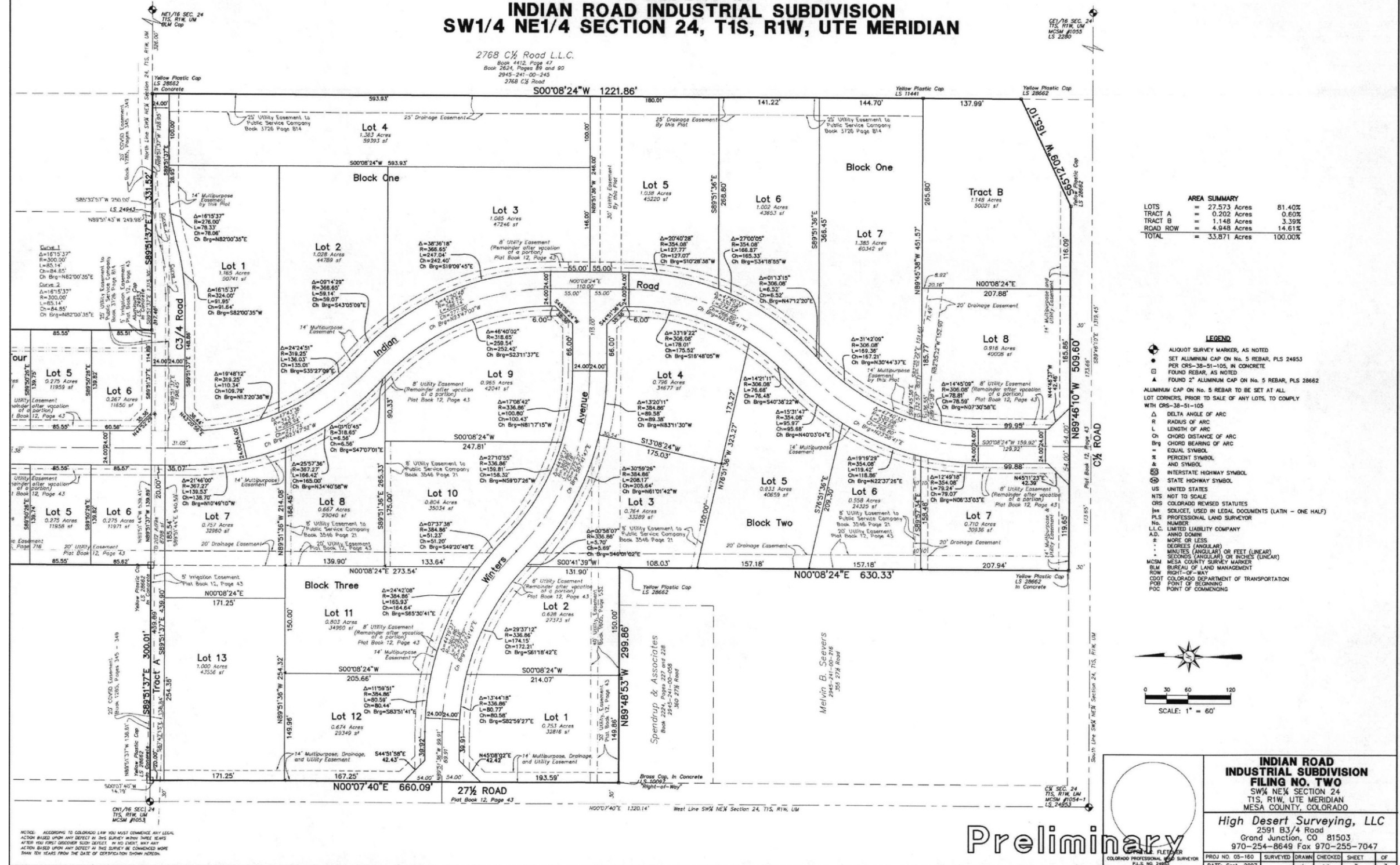
NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

PROJ. NO. 05-180	SURVEYED	DRAWN	CHECKED	SHEET	OF
DATE: Sept. 2007				3	3

INDIAN ROAD INDUSTRIAL SUBDIVISION FILING NO. TWO

A REPLAT OF INDIAN ROAD INDUSTRIAL SUBDIVISION SW1/4 NE1/4 SECTION 24, T1S, R1W, UTE MERIDIAN

2768 C₃ Road L.L.C.
Book 412, Page 47
Book 2624, Pages 89 and 90
2945-241-00-245
2768 C₃ Road



NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BE BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF DEPOSITION HEREON.

Preliminary

INDIAN ROAD INDUSTRIAL SUBDIVISION FILING NO. TWO
SW¹/₄ NE¹/₄ SECTION 24, T1S, R1W, UTE MERIDIAN, COLORADO

High Desert Surveying, LLC
2591 B3/4 Road
Grand Junction, CO 81503
970-254-8649 Fax 970-255-7047

PROJ NO. 05-160	SURVEYED	DRAWN	CHECKED	SHEET	OF
DATE: Sept., 2007		rbk	jet	2	3

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____

A RESOLUTION VACATING PORTIONS OF THE 15' UTILITY EASEMENTS ALONG THE FRONTAGE OF ALL LOTS AND PORTIONS OF THE DRAINAGE EASEMENTS WITHIN THE INDIAN ROAD INDUSTRIAL SUBDIVISION

Recitals

The applicant proposes to vacate portions of the 15' utility easements along the frontage of all lots and portions of the drainage easements within the Indian Road Industrial Subdivision.

At its July 10, 2007 hearing the Grand Junction Planning Commission found that the request satisfies the review criteria set forth in Section 2.11.C of the Zoning and Development Code and recommended approval.

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

The following described dedicated easements are hereby vacated subject to the listed conditions:

3. Applicants shall pay all recording/documentary fees for the Vacation Resolution and dedication documents.
4. The Indian Road Industrial Subdivision Filing No. 2 plat must be approved and recorded for this ordinance to be effective.

Dedicated easements to be vacated:

**Vacation of portions of 14' MPE's
within the Indian Road Industrial Subdivision**

The following described parcels of land lying in the Northeast Quarter (NE 1/4) of Section 24, Township 1 South, Range 1 West of the Ute Meridian lying entirely within and being portions of those certain 14.0 foot wide Multipurpose Easements as recorded in Book 3946, Pages 720 through 722, inclusive, Public Records of Mesa County, Colorado and within the plat of Indian Road Industrial Subdivision, as same is recorded in Plat Book 12, Page 43, Public Records of Mesa County, Colorado:

The Easterly 6.0 feet of that certain 14.0 foot wide Multipurpose Easement lying East of and adjacent with the East line of the 60.0 foot right of way for Indian Road, as said

easement is recorded in Book 3946, Page 719, Public Records of Mesa County, Colorado; together with..

The Northerly 6.0 feet of those certain 14.0 foot wide Multipurpose Easements lying North of and adjacent with the North line of the 60.0 foot right of way for Lang Drive, as said easements are recorded in Book 3946, Pages 719 and 720, Public Records of Mesa County, Colorado; together with..

The Southerly 6.0 feet of those certain 14.0 foot wide Multipurpose Easements lying South of and adjacent with the South line of the 60.0 foot right of way for Lang Drive, as said easements are recorded in Book 3946, Page 719 and Book 3946, Page 720, Public Records of Mesa County, Colorado; together with..

The Westerly 6.0 feet of those certain 14.0 foot wide Multipurpose Easements lying West of and adjacent with the West line of the 60.0 foot right of way for Indian Road, as said easements are recorded in Book s 3946, Pages 720 through 722, inclusive, Public Records of Mesa County, Colorado;

Whereby the City specifically retains an 8.0 foot wide multipurpose easement adjacent to and along each right-of-way included within the Indian Road Industrial Subdivision and as those easements are recorded in Book 3946, Page 719 – 722, Public Records of Mesa County, Colorado.

**Vacation of portions of easements
within the Indian Road Industrial Subdivision**

The following described parcels of land lying in the Northeast Quarter (NE 1/4) of Section 24, Township 1 South, Range 1 West of the Ute Meridian lying entirely within and being portions of those certain 15.0 foot wide Utility Easements and Utility and Drainage Easements within the plat of Indian Road Industrial Subdivision, as same is recorded in Plat Book 12, Page 43, Public Records of Mesa County, Colorado:

The Easterly 7.0 feet of that certain 15.0 foot wide Utility Easement lying East of and adjacent with the East line of the 60.0 foot right of way for Indian Road; together with..

The Westerly 7.0 feet of that certain 15.0 foot wide Utility Easement lying West of and adjacent with the West line of the 60.0 foot right of way for Indian Road; together with ..

The Northerly 7.0 feet of that certain 15.0 foot wide Utility Easement lying North of and adjacent with the North line of the 60.0 foot right of way for Lang Drive, not including however, any portion of said 15.0 foot Utility Easement lying within the 20.0 foot Utility Easement within Lot 7, Block Two; together with..

The Southerly 7.0 feet of that certain 15.0 foot wide Utility Easement lying South of and adjacent with the South line of the 60.0 foot right of way for Lang Drive, not including

however, any portion of said 15.0 foot Utility Easement lying within the 20.0 foot Utility Easement within Lot 1, Block Four; together with..

The Northerly 7.0 feet of that certain 15.0 foot wide Utility Easement lying North of and adjacent with the North line of the 60.0 foot right of way for Winters Avenue that lies West of Indian Road, not including however, any portion of said 15.0 foot Utility Easement lying within the 20.0 foot Utility Easement within Lot 10, Block Four and the 15.0 foot Utility and Drainage Easement within Lot 12, Block Four; together with..

The Southerly 7.0 feet of that certain 15.0 foot wide Utility Easement lying South of and adjacent with the South line of the 60.0 foot right of way for Winters Avenue that lies West of Indian Road, not including however, any portion of said 15.0 foot Utility Easement lying within the 30.0 foot Utility Easement within Lots 3 and 4, Block Five and the 15.0 foot Utility and Drainage Easement within Lot 1, Block Five, and any portion of said 15.0 foot Utility Easement lying within the 20.0 foot Utility Easement within Lot 3, Block Five; together with..

The Easterly 1.0 foot of that certain 15.0 foot wide Utility and Drainage Easement lying East of and adjacent with the East line of the 30.0 foot right of way for 27-1/2 Road; together with..

The Northerly 1.0 foot of that certain 15.0 foot wide Utility Easement lying North of and adjacent with the North line of the 30.0 foot right of way for C-1/2 Road, not including however, any portion of said 15.0 foot Utility Easement lying within the 20.0 foot Utility Easement within Lot 7, Block Five; together with ..

The 15.0 foot wide Utility Easement lying on both sides of that portion of Winters Avenue lying East of the East line of Indian Road except for 8.0 feet on each side of Winters Avenue lying adjacent to the east side of Indian Road;

Whereby the City specifically retains an 8.0 foot wide utility easement adjacent to and along each right-of-way included within the Indian Road Industrial Subdivision, except for that portion of Winters Avenue lying East of the East line of Indian Road.

PASSED and ADOPTED this _____ day of _____, 2007.

ATTEST:

City Clerk

President of City Council

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE VACATING EXCESS RIGHTS-OF-WAY
LOCATED ALONG INDIAN ROAD, LANG DRIVE, AND WINTERS AVENUE IN THE
INDIAN ROAD INDUSTRIAL SUBDIVISION**

Recitals

A vacation of the dedicated right-of-way for has been requested by the adjoining property owners.

The City Council finds that the request is consistent with the Growth Plan, the Grand Valley Circulation Plan and Section 2.11 of the Zoning and Development Code.

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

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

The following described dedicated right-of-way for is hereby vacated subject to the listed conditions:

5. Applicants shall pay all recording/documentary fees for the Vacation Ordinance and dedication documents.
6. The Indian Road Industrial Subdivision Filing No. 2 plat must be approved and recorded for this ordinance to be effective.

Dedicated right-of-way to be vacated:

Parcel 1

A Parcel of land located in Indian Road Industrial Subdivision, as recorded in Plat Book 12, Page 43, Mesa County records, and being more particularly described as follows:

COMMENCING at the Center Quarter (C¹/₄) corner of Section 24, Township 1 South, Range 1 West, Ute Meridian, whence the Center East Sixteenth (CE1/16th) corner of said Section 24 bears South 89 degrees 46 minutes 10 seconds East, a distance of 1319.45 feet, for a basis of bearings with all bearings contained herein relative thereto; thence South 89 degrees 46 minutes 10 seconds East, a distance of 448.28 feet, along the South line of the SW¹/₄ NE¹/₄ said Section 24; thence North 00 degrees 13 minutes 50 seconds East, a distance of 30.00 feet to the North right-of-way line of C¹/₂ Road, as

defined on plat of said Indian Road Industrial Subdivision, to the POINT OF BEGINNING; thence along the West right-of-way line of Indian Road, as defined on the plat of said Indian Road Industrial Subdivision, along a non-tangent curve to the left, having a delta angle of 02 degree 26 minutes 05 seconds, with a radius of 25.00 feet, an arc length of 1.06 feet, with a chord bearing of North 89 degrees 00 minutes 47 seconds East, with a chord length of 1.06 feet; thence South 45 degrees 11 minutes 07 seconds West, a distance of 0.03 feet; thence North 89 degrees 46 minutes 10 seconds West, a distance of 1.04 feet to the POINT OF BEGINNING.

Said parcel containing an area of 0.01 square feet, as described.

Parcel 2

A Parcel of land located in Indian Road Industrial Subdivision, as recorded in Plat Book 12, Page 43, Mesa County records, and being more particularly described as follows:

COMMENCING at the Center Quarter (C $\frac{1}{4}$) corner of Section 24, Township 1 South, Range 1 West, Ute Meridian, whence the Center East Sixteenth (CE1/16th) corner of said Section 24 bears South 89 degrees 46 minutes 10 seconds East, a distance of 1319.45 feet, for a basis of bearings with all bearings contained herein relative thereto; thence South 89 degrees 46 minutes 10 seconds East, a distance of 448.28 feet, along the South line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ said Section 24; thence North 00 degrees 13 minutes 50 seconds East, a distance of 30.00 feet to the North right-of-way line of C $\frac{1}{2}$ Road, as defined on plat of said Indian Road Industrial Subdivision; thence South 89 degrees 46 minutes 10 seconds East, a distance of 1.04 feet; thence North 45 degrees 11 minutes 07 seconds East, a distance of 33.88 feet to the POINT OF BEGINNING; thence, along the Westerly right of way of Indian Road, as shown on said plat of Indian Road Industrial Subdivision, the following four (4) courses: (1) along a non-tangent curve to the left, having a delta angle of 02 degrees 26 minutes 05 seconds, with a radius of 25.00 feet, an arc length of 1.06 feet, with a chord bearing of North 01 degrees 21 minutes 27 seconds East, with a chord length of 1.06 feet; (2) North 00 degrees 08 minutes 24 seconds East, a distance of 104.83 feet; (3) along a curve to the right, having a delta angle of 47 degrees 40 minutes 33 seconds, with a radius of 360.08 feet, an arc length of 299.62 feet, with a chord bearing of North 23 degrees 58 minutes 41 seconds East, with a chord length of 291.05 feet; (4) along a curve to the left, having a delta angle of 47 degrees 40 minutes 33 seconds, with a radius of 300.08 feet, an arc length of 249.70 feet, with a chord bearing of North 23 degrees 58 minutes 41 seconds East, with a chord length of 242.56 feet, to a point at the beginning of a curve at the intersection of the West right-of-way line of Indian Road and the South right-of-way line of Winters Avenue; thence along said curve at the intersection curve to the left, having a delta angle of 90 degrees 00 minutes 00 seconds, with a radius of 25.00 feet, an arc length of 39.27 feet, with a chord bearing of North 44 degrees 51 minutes 35 seconds West, with a chord length of 35.36 feet; thence, along the said South right-of-way line of Winters Avenue the following five (5) courses: (1) North 89 degrees 51 minutes 36 seconds West, a distance of 60.00 feet; (2) along a curve to the right, having a delta

angle of 44 degrees 19 minutes 37 seconds, with a radius of 390.86 feet, an arc length of 302.39 feet, with a chord bearing of North 67 degrees 41 minutes 47 seconds West, with a chord length of 294.90 feet; (3) along a curve to the left, having a delta angle of 44 degrees 19 minutes 37 seconds, with a radius of 330.86 feet, an arc length of 255.97 feet, with a chord bearing of North 67 degrees 41 minutes 47 seconds West, with a chord length of 249.63 feet; (4) North 89 degrees 51 minutes 36 seconds West, a distance of 44.90 feet; (5) along a curve to the left, having a delta angle of 02 degrees 21 minutes 11 seconds, with a radius of 25.00 feet, an arc length of 1.03 feet, with a chord bearing of South 88 degrees 57 minutes 48 seconds West, with a chord length of 1.03 feet; thence North 45 degrees 08 minutes 02 seconds East, a distance of 7.81 feet; thence South 89 degrees 51 minutes 36 seconds East, a distance of 39.91 feet; thence along a curve to the right, having a delta angle of 44 degrees 19 minutes 37 seconds, with a radius of 336.86 feet, an arc length of 260.61 feet, with a chord bearing of South 67 degrees 41 minutes 47 seconds East, with a chord length of 254.16 feet; thence along a curve to the left, having a delta angle of 44 degrees 19 minutes 37 seconds, with a radius of 384.86 feet, an arc length of 297.75 feet, with a chord bearing of South 67 degrees 41 minutes 47 seconds East, with a chord length of 290.38 feet; thence South 89 degrees 51 minutes 36 seconds East, a distance of 66.00 feet; thence South 44 degrees 51 minutes 36 seconds East, a distance of 35.36 feet; thence South 00 degrees 08 minutes 24 seconds West, a distance of 6.00 feet; thence along a curve to the right, having a delta angle of 47 degrees 40 minutes 33 seconds, with a radius of 306.08 feet, an arc length of 254.69 feet, with a chord bearing of South 23 degrees 58 minutes 41 seconds West, with a chord length of 247.41 feet; thence along a curve to the left, having a delta angle of 47 degrees 40 minutes 33 seconds, with a radius of 354.08 feet, an arc length of 294.63 feet, with a chord bearing of South 23 degrees 58 minutes 41 seconds West, with a chord length of 286.20 feet; thence South 00 degrees 08 minutes 24 seconds West, a distance of 99.88 feet; thence South 45 degrees 11 minutes 07 seconds West, a distance of 8.51 feet to the POINT OF BEGINNING.

Said parcel containing an area of 8038 square feet or 0.185 acres, as described.

Parcel 3

A Parcel of land located in Indian Road Industrial Subdivision, as recorded in Plat Book 12, Page 43, Mesa County records, and being more particularly described as follows:

COMMENCING at the Center Quarter (C $\frac{1}{4}$) corner of Section 24, Township 1 South, Range 1 West, Ute Meridian, whence the Center North Sixteenth (CN1/16th) corner of said Section 24 bears North 00 degrees 07 minutes 40 seconds East, a distance of 1320.14 feet, for a basis of bearings with all bearings contained herein relative thereto; thence North 00 degrees 07 minutes 40 seconds East, a distance of 852.64 feet, along the West line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ said Section 24; thence South 89 degrees 52 minutes 20 seconds East, a distance of 30.00 feet to the West right-of-way line of 27 $\frac{1}{2}$ Road, as defined on plat of said Indian Road Industrial Subdivision, to the POINT OF BEGINNING; thence along the South right-of-way line of Winters Avenue along a non-

tangent curve to the right, having a delta angle of 02 degrees 21 minutes 11 seconds, with a radius of 25.00 feet, an arc length of 1.03 feet, with a chord bearing of North 01 degrees 18 minutes 15 seconds East, and a chord length of 1.03 feet; thence South 45 degrees 08 minutes 02 seconds West, a distance of 0.03 feet; thence South 00 degrees 07 minutes 40 seconds West, a distance of 1.01 feet to the POINT OF BEGINNING.

Said parcel containing an area of 0.01 square feet, as described.

Parcel 4

A Parcel of land located in Indian Road Industrial Subdivision, as recorded in Plat Book 12, Page 43, Mesa County records, and being more particularly described as follows:

COMMENCING at the Center Quarter (C $\frac{1}{4}$) corner of Section 24, Township 1 South, Range 1 West, Ute Meridian, whence the Center East Sixteenth (CE1/16th) corner of said Section 24 bears South 89 degrees 46 minutes 10 seconds East, a distance of 1319.45 feet, for a basis of bearings with all bearings contained herein relative thereto; thence South 89 degrees 46 minutes 10 seconds East, a distance of 558.28 feet, along the South line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ said Section 24; thence North 00 degrees 13 minutes 50 seconds East, a distance of 30.00 feet to the North right-of-way line of C $\frac{1}{2}$ Road, as defined on plat of said Indian Road Industrial Subdivision, to the POINT OF BEGINNING; thence along the East right-of-way line of Indian Road, as defined on the plat of said Indian Road Industrial Subdivision, along a non-tangent curve to the right, having a delta angle of 02 degrees 14 minutes 46 seconds, with a radius of 25.00 feet, an arc length of 0.98 feet, with a chord bearing of North 88 degrees 38 minutes 47 seconds West, and a chord length of 0.98 feet; thence South 44 degrees 48 minutes 53 seconds East, a distance of 0.03 feet; thence South 89 degrees 46 minutes 10 seconds East, a distance of 0.96 feet to the POINT OF BEGINNING.

Said parcel containing an area of 0.01 square feet, as described.

Parcel 5

A Parcel of land located in Indian Road Industrial Subdivision, as recorded in Plat Book 12, Page 43, Mesa County records, and being more particularly described as follows:

COMMENCING at the Center Quarter (C $\frac{1}{4}$) corner of Section 24, Township 1 South, Range 1 West, Ute Meridian, whence the Center East Sixteenth (CE1/16th) corner of said Section 24 bears South 89 degrees 46 minutes 10 seconds East, a distance of 1319.45 feet, for a basis of bearings with all bearings contained herein relative thereto; thence South 89 degrees 46 minutes 10 seconds East, a distance of 558.28 feet, along the South line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ said Section 24; thence North 00 degrees 13 minutes 50 seconds East, a distance of 30.00 feet to the North right-of-way line of C $\frac{1}{2}$ Road, as defined on plat of said Indian Road Industrial Subdivision; thence along the East right-

of-way line of Indian Road, as defined on the plat of said Indian Road Industrial Subdivision, the following two (2) courses: (1) North 89 degrees 46 minutes 10 seconds West, a distance of 0.96 feet; (2) North 44 degrees 48 minutes 53 seconds West, a distance of 33.94 feet to the POINT OF BEGINNING; thence along the East right-of-way line of Indian Road, as defined on the plat of said Indian Road Industrial Subdivision, the following four (4) courses: (1) along a curve to the right, having a delta angle of 02 degrees 14 minutes 46 seconds, with a radius of 25.00 feet, an arc length of 0.98 feet, with a chord bearing of North 00 degrees 58 minutes 59 seconds West, with a chord length of 0.98 feet; (2) North 00 degrees 08 minutes 24 seconds East, a distance of 105.00 feet; (3) along a curve to the right, having a delta angle of 47 degrees 40 minutes 33 seconds, with a radius of 300.08 feet, an arc length of 249.70 feet, with a chord bearing of North 23 degrees 58 minutes 41 seconds East, with a chord length of 242.56 feet; (4) along a curve to the left, having a delta angle of 47 degrees 40 minutes 34 seconds, with a radius of 360.08 feet, an arc length of 299.62 feet, with a chord bearing of North 23 degrees 58 minutes 40 seconds East, with a chord length of 291.05 feet, to a point at the beginning of a curve at the intersection of the East right-of-way line of Indian Road and the South line of Winters Avenue; thence along a curve to the right, having a delta angle of 90 degrees 00 minutes 00 seconds, with a radius of 25.00 feet, an arc length of 39.27 feet, with a chord bearing of North 45 degrees 08 minutes 24 seconds East, with a chord length of 35.36 feet; thence South 89 degrees 51 minutes 36 seconds East, a distance of 215.00 feet, along said South right-of-way line of Winters Avenue, to a point on the East property line of said Indian Road Industrial Subdivision; thence North 00 degrees 08 minutes 24 seconds East, a distance of 60.00 feet, along said East property line of said Indian Road Industrial Subdivision; thence North 89 degrees 51 minutes 36 seconds West, a distance of 215.00 feet, along the North right-of-way line of said Winters Avenue, to a point at the beginning of a curve at the intersection of the East right-of-way line of Indian Road and the North line of Winters Avenue; thence along a curve to the right, having a delta angle of 90 degrees 00 minutes 00 seconds, with a radius of 25.00 feet, an arc length of 39.27 feet, with a chord bearing of North 44 degrees 51 minutes 36 seconds West, with a chord length of 35.36 feet; thence along the East right-of-way line of Indian Road, as defined on the plat of said Indian Road Industrial Subdivision, the following three (3) courses: (1) along a curve to the left, having a delta angle of 47 degrees 50 minutes 47 seconds, with a radius of 372.65 feet, an arc length of 311.19 feet, with a chord bearing of North 23 degrees 47 minutes 00 seconds West, with a chord length of 302.23 feet; (2) along a curve to the right, having a delta angle of 47 degrees 43 minutes 36 seconds, with a radius of 313.24 feet, an arc length of 260.93 feet, with a chord bearing of North 23 degrees 47 minutes 45 seconds West, with a chord length of 253.45 feet; (3) North 00 degrees 06 minutes 38 seconds East, a distance of 543.31 feet, to a point at the beginning of an arc at the intersection of the East right-of-way line of said Indian Road and the South right-of-way line of Lang Drive, as defined on the plat of said Indian Road Industrial Subdivision, to a point at the beginning of an arc at the intersection of the East right-of-way line of said Indian Road and the South right-of-way line of Lang Drive, as defined on the plat of said Indian Road Industrial Subdivision; thence along said curve to the right, having a delta angle of 90 degrees 02 minutes 48 seconds, with

a radius of 25.00 feet, an arc length of 39.29 feet, with a chord bearing of North 45 degrees 08 minutes 02 seconds East, and a chord length of 35.37 feet; thence South 89 degrees 50 minutes 34 seconds East, a distance of 108.44 feet, along the said South right-of-way line of Lang Drive; thence North 00 degrees 03 minutes 44 seconds East, a distance of 6.00 feet; thence North 89 degrees 50 minutes 34 seconds West, a distance of 114.45 feet; thence South 45 degrees 08 minutes 02 seconds West, a distance of 35.34 feet; thence South 00 degrees 06 minutes 38 seconds West, a distance of 549.34 feet; thence along a curve to the left, having a delta angle of 47 degrees 43 minutes 36 seconds, with a radius of 319.25 feet, an arc length of 265.93 feet, with a chord bearing of South 23 degrees 47 minutes 46 seconds East, with a chord length of 258.31 feet; thence along a curve to the right, having a delta angle of 47 degrees 50 minutes 48 seconds, with a radius of 366.65 feet, an arc length of 306.18 feet, with a chord bearing of South 23 degrees 47 minutes 00 seconds East, with a chord length of 297.36 feet; thence South 00 degrees 08 minutes 24 seconds West, a distance of 110.00 feet; thence along a curve to the right, having a delta angle of 47 degrees 40 minutes 33 seconds, with a radius of 354.08 feet, an arc length of 294.63 feet, with a chord bearing of South 23 degrees 58 minutes 41 seconds West, with a chord length of 286.20 feet; thence along a curve to the left, having a delta angle of 47 degrees 40 minutes 33 seconds, with a radius of 306.08 feet, an arc length of 254.69 feet, with a chord bearing of South 23 degrees 58 minutes 41 seconds West, with a chord length of 247.41 feet; thence South 00 degrees 08 minutes 24 seconds West, a distance of 99.95 feet; thence South 44 degrees 48 minutes 53 seconds East, a distance of 8.52 feet to the POINT OF BEGINNING.

Said parcel containing an area of 0.614 acres, as described.

Parcel 6

A Parcel of land located in Indian Road Industrial Subdivision, as recorded in Plat Book 12, Page 43, Mesa County records, and being more particularly described as follows:

COMMENCING at the Center Quarter (C $\frac{1}{4}$) corner of Section 24, Township 1 South, Range 1 West, Ute Meridian, whence the Center North Sixteenth (CN1/16th) corner of said Section 24 bears North 00 degrees 07 minutes 40 seconds East, a distance of 1320.14 feet, for a basis of bearings with all bearings contained herein relative thereto; thence North 00 degrees 07 minutes 40 seconds East, a distance of 962.63 feet, along the West line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ said Section 24; thence South 89 degrees 52 minutes 20 seconds East, a distance of 30.00 feet to the East right-of-way line of 27 $\frac{1}{2}$ Road, as defined on plat of said Indian Road Industrial Subdivision, to the POINT OF BEGINNING; thence along the North right-of-way line of Winters Avenue along a non-tangent curve to the left, having a delta angle of 02 degrees 19 minutes 39 seconds, with a radius of 25.00 feet, an arc length of 1.02 feet, with a chord bearing of South 01 degrees 02 minutes 10 seconds East, and a chord length of 1.02 feet; thence North 44 degrees 51 minutes 58 seconds West, a distance of 0.03 feet; thence North 00 degrees 07 minutes 40 seconds East, a distance of 1.00 feet to the POINT OF BEGINNING.

Said parcel containing an area of 0.01 square feet, as described.

Parcel 7

A Parcel of land located in Indian Road Industrial Subdivision, as recorded in Plat Book 12, Page 43, Mesa County records, and being more particularly described as follows:

COMMENCING at the Center Quarter (C¼) corner of Section 24, Township 1 South, Range 1 West, Ute Meridian, whence the Center North Sixteenth (CN1/16th) corner of said Section 24 bears North 00 degrees 07 minutes 40 seconds East, a distance of 1320.14 feet, for a basis of bearings with all bearings contained herein relative thereto; thence North 00 degrees 07 minutes 40 seconds East, a distance of 962.63 feet, along the West line of the SW¼ NE¼ said Section 24; thence South 89 degrees 52 minutes 20 seconds East, a distance of 30.00 feet to the East right-of-way line of 27½ Road, as defined on plat of said Indian Road Industrial Subdivision; thence South 00 degrees 07 minutes 40 seconds West, a distance of 1.00 feet; thence South 44 degrees 51 minutes 58 seconds East, a distance of 33.92 feet; to the POINT OF BEGINNING; thence along the North line of Winters Avenue, as defined on said plat of Indian Road Industrial Subdivision the following five (5) courses: (1) along a non-tangent curve to the left, having a delta angle of 02 degrees 19 minutes 39 seconds, with a radius of 25.00 feet, an arc length of 1.02 feet, with a chord bearing of South 88 degrees 41 minutes 47 seconds East, and a chord length of 1.02 feet; (2) South 89 degrees 51 minutes 36 seconds East, a distance of 44.92 feet; (3) along a curve to the right, having a delta angle of 44 degrees 19 minutes 37 seconds, with a radius of 390.86 feet, an arc length of 302.39 feet, with a chord bearing of South 67 degrees 41 minutes 47 seconds East, and a chord length of 294.90 feet; (4) along a curve to the left, having a delta angle of 44 degrees 19 minutes 37 seconds, with a radius of 330.86 feet, an arc length of 255.97 feet, with a chord bearing of South 67 degrees 41 minutes 47 seconds East, and a chord length of 249.63 feet; (5) South 89 degrees 51 minutes 36 seconds East, a distance of 60.00 feet, to the beginning of an arc at the intersection of the North line of said Winters Avenue and the West line of Indian Road, as defined on said plat of Indian Road Industrial Subdivision; thence along said curve bearing to the left, having a delta angle of 90 degrees 00 minutes 00 seconds, with a radius of 25.00 feet, an arc length of 39.27 feet, with a chord bearing of North 45 degrees 08 minutes 24 seconds East, and a chord length of 35.36 feet; thence along the West right-of-way line of said Indian Road the following three (3) courses: (1) along a curve to the left, having a delta angle of 47 degrees 50 minutes 48 seconds, with a radius of 312.65 feet, an arc length of 261.09 feet, with a chord bearing of North 23 degrees 47 minutes 00 seconds West, and a chord length of 253.57 feet; (2) along a curve to the right, having a delta angle of 47 degrees 43 minutes 36 seconds, with a radius of 373.30 feet, an arc length of 310.95 feet, with a chord bearing of North 23 degrees 47 minutes 59 seconds West, and a chord length of 302.04 feet; (3) North 00 degrees 06 minutes 38 seconds East, a distance of 543.44 feet, to a point at the beginning of an arc at the intersection of the West line of said Indian Road right-of-way and the South right-of-way line of Lang

Drive, as defined on said plat of Indian Road Industrial Subdivision; thence along said curve to the left, having a delta angle of 89 degrees 57 minutes 12 seconds, with a radius of 25.00 feet, an arc length of 39.25 feet, with a chord bearing of North 44 degrees 51 minutes 58 seconds West, and a chord length of 35.34 feet; thence North 89 degrees 50 minutes 34 seconds West, a distance of 108.48 feet, along said South right-of-way line of Lang Drive; thence North 00 degrees 09 minutes 30 seconds East, a distance of 6.00 feet; thence South 89 degrees 50 minutes 34 seconds East, a distance of 114.45 feet; thence South 44 degrees 51 minutes 58 seconds East, a distance of 35.34 feet; thence South 00 degrees 06 minutes 38 seconds West, a distance of 549.41 feet; thence along a curve to the left, having a delta angle of 47 degrees 43 minutes 36 seconds, with a radius of 367.29 feet, an arc length of 305.95 feet, with a chord bearing of South 23 degrees 47 minutes 58 seconds East, and a chord length of 297.18 feet; thence along a curve to the right, having a delta angle of 47 degrees 50 minutes 48 seconds, with a radius of 318.65 feet, an arc length of 266.10 feet, with a chord bearing of South 23 degrees 47 minutes 00 seconds East, and a chord length of 258.43 feet; thence South 00 degrees 08 minutes 24 seconds West, a distance of 6.00 feet; thence South 45 degrees 08 minutes 24 seconds West, a distance of 35.36 feet; thence North 89 degrees 51 minutes 36 seconds West, a distance of 66.00 feet; thence along a curve to the right, having a delta angle of 44 degrees 19 minutes 37 seconds, with a radius of 336.86 feet, an arc length of 260.61 feet, with a chord bearing of North 67 degrees 41 minutes 47 seconds West, and a chord length of 254.16 feet; thence along a curve to the left, having a delta angle of 44 degrees 19 minutes 37 seconds, with a radius of 384.86 feet, an arc length of 297.75 feet, with a chord bearing of North 67 degrees 41 minutes 47 seconds West, and a chord length of 290.38 feet; thence North 89 degrees 51 minutes 36 seconds West, a distance of 39.92 feet; thence North 44 degrees 51 minutes 58 seconds West, a distance of 8.52 feet to the POINT OF BEGINNING.

Said parcel containing an area of 11626 square feet or 0.267 acres, as described.

Parcel 8

A Parcel of land located in Indian Road Industrial Subdivision, as recorded in Plat Book 12, Page 43, Mesa County records, and being more particularly described as follows:

COMMENCING at the North Quarter (N $\frac{1}{4}$) corner of Section 24, Township 1 South, Range 1 West, Ute Meridian, whence the Center North Sixteenth (CN1/16th) corner of said Section 24 bears South 00 degrees 09 minutes 32 seconds West, a distance of 1319.35 feet, for a basis of bearings with all bearings contained herein relative thereto; thence South 89 degrees 58 minutes 31 seconds East, a distance of 330.00 feet, along the North line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ said Section 24, to the Northwest corner of said Indian Road Industrial Subdivision; thence South 89 degrees 58 minutes 31 seconds East, a distance of 162.78 feet, along the North line of said Indian Road Industrial Subdivision, to the centerline of Indian Road right-of-way, as defined on plat of said Indian Road Industrial Subdivision; thence South 00 degrees 06 minutes 37 seconds West, a

distance of 58.75 feet; thence North 89 degrees 53 minutes 23 seconds West, a distance of 36.07 feet, to a point on the West right-of-way line of Indian Road, the POINT OF BEGINNING; thence along said West right-of-way line of Indian Road the following two (2) courses: (1) along a non-tangent curve to the right, having a delta angle of 40 degrees 47 minutes 14 seconds, with a radius of 25.00 feet, an arc length of 17.80 feet, with a chord bearing of South 20 degrees 17 minutes 00 seconds East, and a chord length of 17.42 feet; (2) South 00 degrees 06 minutes 37 seconds West, a distance of 647.03 feet, to a point at the beginning of an arc at the intersection of said West right-of-way line of Indian Road and the North right-of-way line of Lang Drive, as defined on said plat of said Indian Road Industrial Subdivision; thence along said curve to the right, having a delta angle of 90 degrees 02 minutes 49 seconds, with a radius of 25.00 feet, an arc length of 39.29 feet, with a chord bearing of South 45 degrees 08 minutes 01 seconds West, and a chord length of 35.37 feet; thence North 89 degrees 50 minutes 34 seconds West, a distance of 108.39 feet, along said North right-of-way line of said Lang Drive, to the West boundary line of said Indian Road Industrial Subdivision; thence South 00 degrees 09 minutes 30 seconds West, a distance of 6.00 feet; thence South 89 degrees 50 minutes 34 seconds East, a distance of 114.41 feet; thence North 45 degrees 08 minutes 01 seconds East, a distance of 35.34 feet; thence North 00 degrees 06 minutes 37 seconds East, a distance of 655.40 feet; thence North 40 degrees 40 minutes 37 seconds West, a distance of 18.48 feet to the POINT OF BEGINNING.

Said parcel containing an area of 4735 square feet or 0.109 acres, as described.

Parcel 9

A Parcel of land located in Indian Road Industrial Subdivision, as recorded in Plat Book 12, Page 43, Mesa County records, and being more particularly described as follows:

COMMENCING at the North Quarter (N $\frac{1}{4}$) corner of Section 24, Township 1 South, Range 1 West, Ute Meridian, whence the Center North Sixteenth (CN1/16th) corner of said Section 24 bears South 00 degrees 09 minutes 32 seconds West, a distance of 1319.35 feet, for a basis of bearings with all bearings contained herein relative thereto; thence South 89 degrees 58 minutes 31 seconds East, a distance of 330.00 feet, along the North line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ said Section 24, to the Northwest corner of said Indian Road Industrial Subdivision; thence South 89 degrees 58 minutes 31 seconds East, a distance of 162.78 feet, along the North line of said Indian Road Industrial Subdivision, to the centerline of Indian Road right-of-way, as defined on plat of said Indian Road Industrial Subdivision; thence South 00 degrees 06 minutes 37 seconds West, a distance of 58.75 feet; thence North 89 degrees 53 minutes 20 seconds East, a distance of 36.05 feet, to a point on the East right-of-way line of Indian Road, the POINT OF BEGINNING; thence along said East right-of-way line of Indian Road the following two (2) courses: (1) along a curve to the left, having a delta angle of 40 degrees 42 minutes 40 seconds, with a radius of 25.00 feet, an arc length of 17.76 feet, with a chord bearing of South 20 degrees 27 minutes 57 seconds West, and a chord

length of 17.39 feet; (2) South 00 degrees 06 minutes 37 seconds West, a distance of 647.28 feet, to a point at the beginning of an arc at the intersection of said East right-of-way line of Indian Road and the North right-of-way line of Lang Drive, as defined on plat of said Indian Road Industrial Subdivision; thence along said curve to the left, having a delta angle of 89 degrees 57 minutes 11 seconds, with a radius of 25.00 feet, an arc length of 39.25 feet, with a chord bearing of South 44 degrees 51 minutes 59 seconds East, and a chord length of 35.34 feet, to the North right-of-way line of said Lang Drive; thence South 89 degrees 50 minutes 34 seconds East, a distance of 108.43 feet, along said North right-of-way line to a point on the East boundary line of said Indian Road Industrial Subdivision; thence South 00 degrees 03 minutes 44 seconds West, a distance of 6.00 feet; thence North 89 degrees 50 minutes 34 seconds West, a distance of 114.41 feet; thence North 44 degrees 51 minutes 59 seconds West, a distance of 35.37 feet; thence North 00 degrees 06 minutes 37 seconds East, a distance of 655.56 feet; thence North 40 degrees 49 minutes 17 seconds East, a distance of 18.48 feet to the POINT OF BEGINNING.

Said parcel containing an area of 4736 square feet or 0.109 acres, as described.

Introduced for first reading on this _____ day of _____, 2007

PASSED and ADOPTED this _____ day of _____, 2007.

ATTEST:

President of City Council

City Clerk

Attach 15

Public Hearing – Rim View Estates Annexation and Zoning, Located at 595 21 1/8 Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Rim View Estates Annexation and Zoning - Located at 595 21 1/8 Road		
File #	ANX-2007-251		
Meeting Day, Date	Monday, November 5, 2007		
Placement on the Agenda	Consent		Individual X
Date Prepared	October 24, 2007		
Author Name & Title	Faye Hall, Associate Planner		
Presenter Name & Title	Faye Hall, Associate Planner		

Summary: Request to annex and zone 4.70 acres, located at 595 21 1/8 Road, to R-4 (Residential, 4 units per acre). The Rim View Estates Annexation consists of one parcel and includes a portion of the 21 1/8 Road and South Broadway rights-of-way. The property is located on the Southwest corner of South Broadway and 21 1/8 Road in the Redlands.

Budget: N/A

Action Requested/Recommendation: Adopt Resolution accepting the petition for the Rim View Estates Annexation and hold a public hearing and consider final passage of the Annexation Ordinance and Zoning Ordinance.

Attachments:

1. Staff report/Background information
2. Annexation – Site Location Map / Aerial Photo Map
3. Future Land Use Map / Existing County and City Zoning Map
4. Existing lot sizes Map
5. Proposed Resolution
6. Annexation Ordinance
7. Zoning Ordinance

Background Information: See attached Staff Report/Background Information

STAFF REPORT/BACKGROUND INFORMATION			
Location:		595 21 1/8 Road	
Applicants:		Owners: Rim View Estates, LLC – Gary and Linda Ross Representative: River City Consultants, Inc. – Tracy Moore	
Existing Land Use:		Single Family Residential	
Proposed Land Use:		Single Family Residential	
Surrounding Land Use:	North	Single Family Residential	
	South	Single Family Residential	
	East	Single Family Residential	
	West	Single Family Residential	
Existing Zoning:		County RSF-4	
Proposed Zoning:		R-4 (Residential, 4 units per acre)	
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:

ANNEXATION:

This annexation area consists of 4.70 acres of land and is comprised of one parcel and includes a portion of the 21 1/8 Road and South Broadway rights-of-way. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

It is staff's professional opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Rim View Estates 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>	
September 19, 2007	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
September 25, 2007	Planning Commission considers Zone of Annexation
October 17, 2007	Introduction of a proposed Ordinance on Zoning by City Council
November 5, 2007	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
December 7, 2007	Effective date of Annexation and Zoning

RIM VIEW ESTATES ANNEXATION SUMMARY		
File Number:	ANX-2007-251	
Location:	595 21 1/8 Road	
Tax ID Number:	2947-232-00-011	
Parcels:	1	
Estimated Population:	2	
# of Parcels (owner occupied):	1	
# of Dwelling Units:	1	
Acres land annexed:	4.70 acres	
Developable Acres Remaining:	3.97 acres	
Right-of-way in Annexation:	31,922 sq ft (.73 ac)	
Previous County Zoning:	RSF-4	
Proposed City Zoning:	R-4 (Residential, 4 units per acre)	
Current Land Use:	Single Family Residential	
Future Land Use:	Single Family Residential	
Values:	Assessed:	\$56,230
	Actual:	\$706,460
Address Ranges:	591 thru 595 21 1/8 Road (odd only)	
Special Districts:	Water:	Ute Water
	Sewer:	Persigo
	Fire:	Grand Junction Rural
	Irrigation/Drainage:	Redlands Water and Power
	School:	District 51

Zone of Annexation: The requested zone of annexation to the R-4 district is consistent with the Growth Plan designation of Residential Medium Low 2-4 du/ac. The existing County zoning is RSF-4. 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 zoning 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.A.3 and 4 as follows:

- The proposed zone is compatible with the neighborhood, conforms to and furthers the goals and policies of the Growth Plan and other adopted plans and policies, the requirements of this Code, and other City regulations.

Response: The proposed zone district of R-4 is compatible with the neighborhood as the existing zoning on all sides of this property is zoned RSF-4 in the County. There is also a newly approved subdivision directly west of this site, called Retherford Estates that was approved in the County with an RSF-4 zone district. The subject property is currently zoned RSF-4 in the County and the Growth Plan designation of Residential Medium Low 2-4 du/ac supports the proposed zone of R-4.

- Adequate public facilities and services are available or will be made available concurrent with the projected impacts of development allowed by the proposed zoning;

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

Alternatives: In addition to the zoning that the petitioner has requested, the following zone districts would also be consistent with the Growth Plan designation for the subject property.

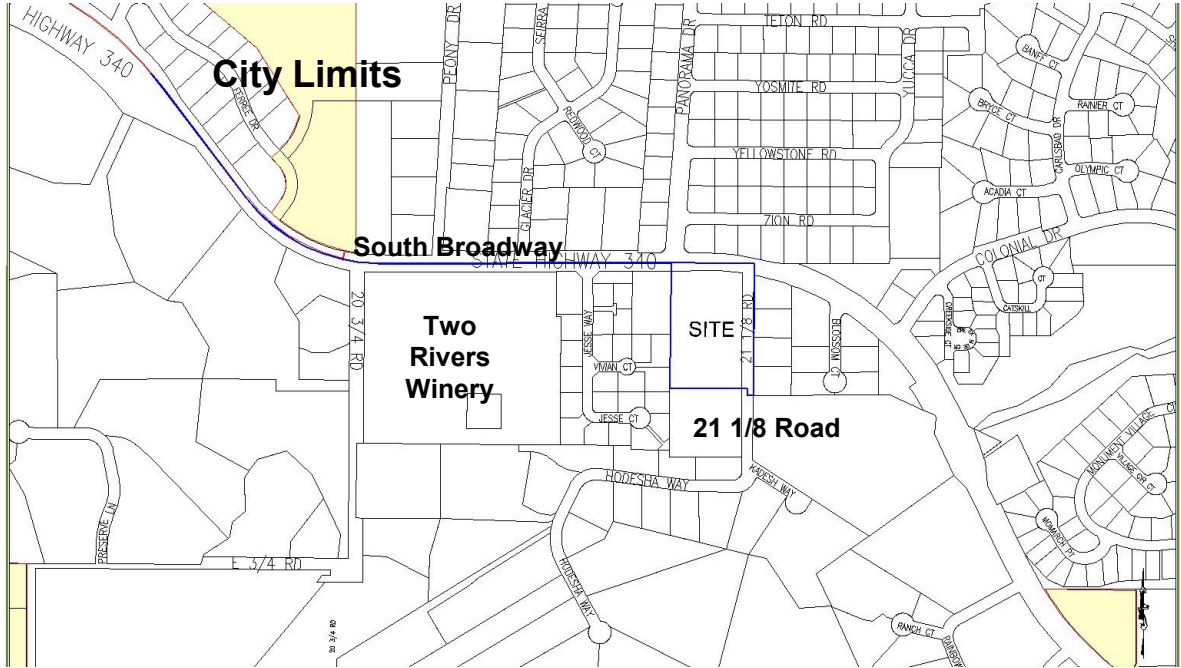
- e. R-2 (Residential, 2 units per acre)

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the R-4 district to be consistent with the Growth Plan, the existing County Zoning and Sections 2.6 and 2.14 of the Zoning and Development Code.

Annexation / Site Location Map

Figure 1



Aerial Photo Map

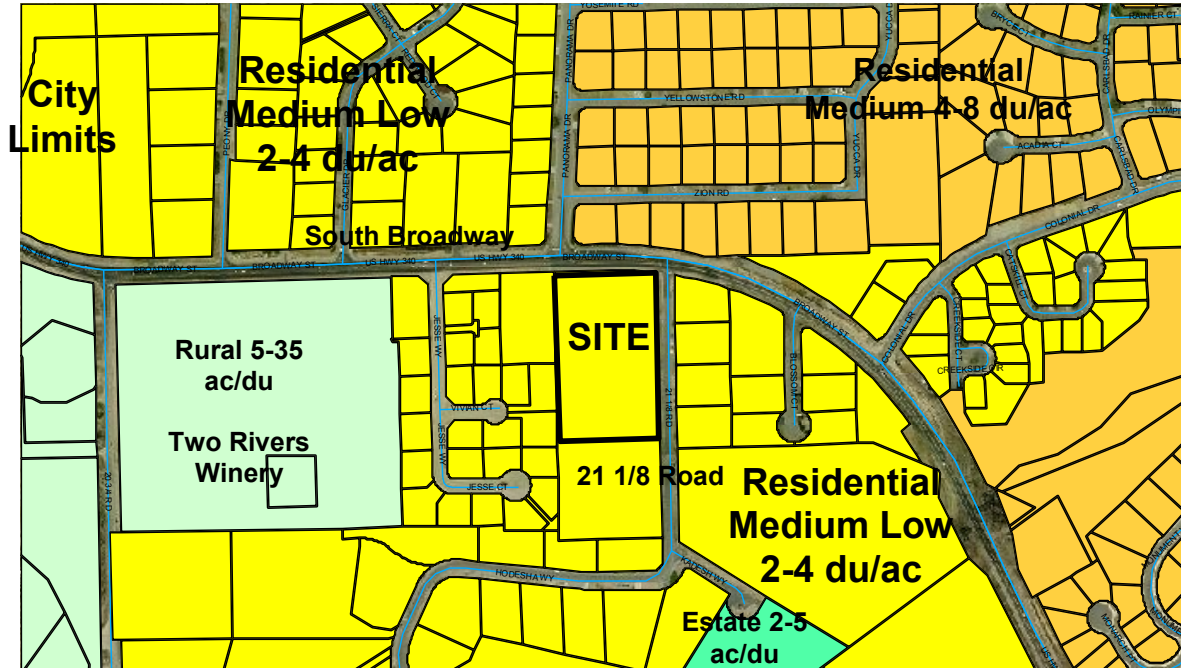
Figure 2

City Limits
Annexation
in process



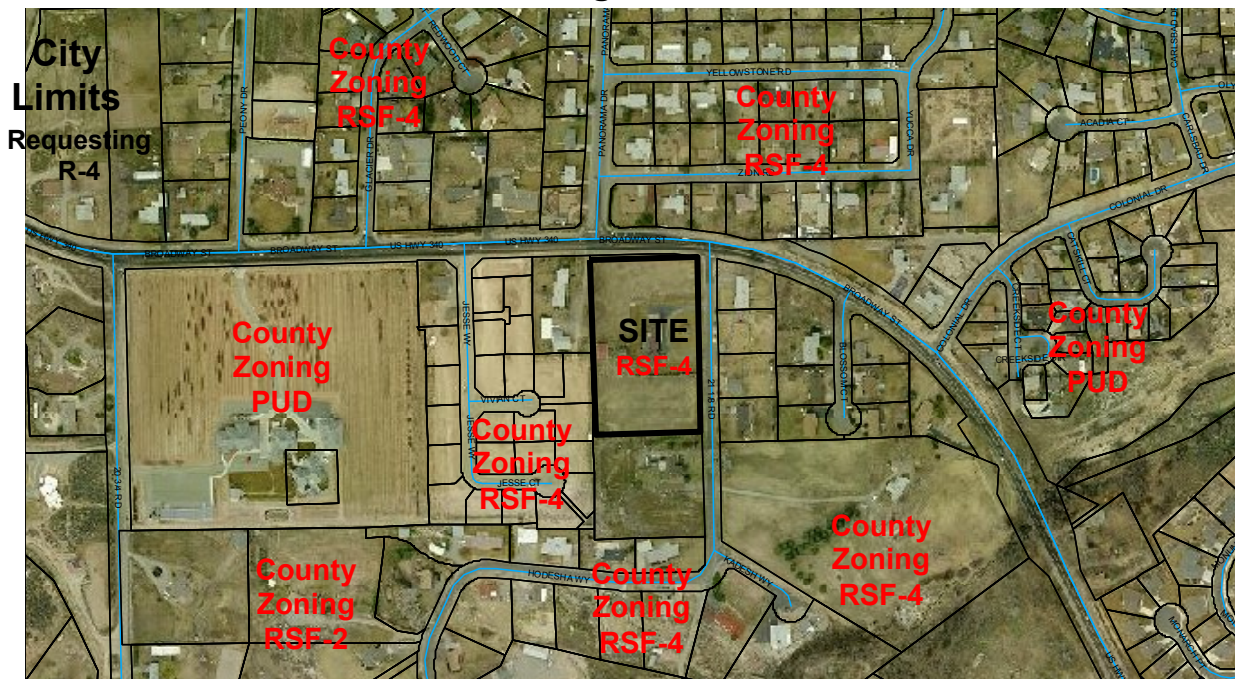
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4





R-2 - 17,000 Φ (.39) min lot size (.5 average)

R-4 - 8,000 Φ (.183ac) min lot size (.250 average)

SCALE 1 : 3.673



CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

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

RIM VIEW ESTATES ANNEXATION

**LOCATED AT 595 21 1/8 ROAD AND ALSO INCLUDES A PORTION OF THE SOUTH
BROADWAY AND 21 1/8 ROAD RIGHTS-OF-WAY**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 17th day of September, 2007, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

RIM VIEW ESTATES ANNEXATION

A certain parcel of land located in the South Half (S1/2) of Section 15 and The North Half (N 1/2) of Sections 22 and 23, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado, and being more particularly described as follows:

Beginning at the Northeast corner of said Section 22 and assuming the Northerly line of the Northeast Quarter (NE 1/4) of said Section 22 to bear S89°26'44"E with all bearings contained herein relative thereto; thence S89°34'19"E along the Northerly line of the Northwest Quarter (NW 1/4) of said Section 23 a distance of 509.28 feet; thence S00°32'41"W along the Westerly line of Blossom Hill Estates and its Northerly projection, recorded in Plat Book 11, Page 25 of the Mesa County, Colorado public records, a distance of 577.56 feet to the Southwest corner of Lot 4 of said Blossom Hill Estates; thence S89°52'41"W a distance of 25.00 feet; thence N00°32'41"E along the Westerly right of way of 21 1/8 Road as dedicated on said Blossom Hills Estates a distance of 31.20 feet; thence N89°50'19"W a distance of 338.93 feet to a point on the Easterly line of Retherford Estates, recorded in Book 3890, Page 578 of the Mesa County, Colorado public records; thence N00°42'55"E along the Easterly line of said Retherford Estates and the Northerly projection thereof, a distance of 546.18 feet; thence N89°34'19"W along a line being 2.00 feet South of and parallel with the Northerly line of the NW 1/4 of said Section 23 a distance of 146.99 feet; thence S89°47'50"W a distance of 1125.49 feet; thence 668.50 along the arc of a 722.00 foot radius curve concave Northeast, having a central angle of 53°03'02" and a chord bearing N63°35'05"W a distance of 644.88 feet; thence N37°06'43"W along a line being

2.00 feet South of and parallel with the Southerly line of Page Annexation No.3, Ordinance No. 4084, City of Grand Junction, a distance of 602.20 feet; thence continuing along said line 79.90 feet along the arc of a 1415.00 foot radius curve concave southwest, having a central angle of 03°14'07" and a chord bearing N38°09'20"W a distance of 79.89' feet; thence N50°13'36"E a distance of 2.00 feet to a point on the Northerly line of said Page Annexation No. 3; thence along the Northerly line of said Page Annexation No. 3, 80.00 feet along the arc of a 1417.00 foot radius curve concave Southwest, having a central angle of 03°14'06", and a chord bearing S38°09'21"E a distance of 79.99 feet; thence S37°06'43"E continuing along the Northerly line of said Page Annexation No. 3 a distance of 602.19 feet; thence 666.65 feet along the arc of a 720.00 foot radius curve, concave Northeast, having a central angle of 53°03'01" and a chord bearing S63°35'05"E a distance of 643.09 feet; thence N89°47'50"E a distance of 1125.50 feet to the Point of Beginning.

Said parcel contains 4.70 acres (204,759 square feet), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 5th day of November, 2007; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

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

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

ADOPTED this ____ day of _____, 2007.

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**

RIM VIEW ESTATES ANNEXATION

APPROXIMATELY 4.70 ACRES

**LOCATED AT 595 21 1/8 ROAD AND ALSO INCLUDES A PORTION OF THE SOUTH
BROADWAY AND 21 1/8 ROAD RIGHTS-OF-WAY**

WHEREAS, on the 17th day of September, 2007, 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 5th day of November, 2007; 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:

Rim View Estates Annexation

A certain parcel of land located in the South Half (S1/2) of Section 15 and The North Half (N 1/2) of Sections 22 and 23, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado, and being more particularly described as follows:

Beginning at the Northeast corner of said Section 22 and assuming the Northerly line of the Northeast Quarter (NE 1/4) of said Section 22 to bear S89°26'44"E with all bearings contained herein relative thereto; thence S89°34'19"E along the Northerly line of the Northwest Quarter (NW 1/4) of said Section 23 a distance of 509.28 feet; thence S00°32'41"W along the Westerly line of Blossom Hill Estates and its Northerly

projection, recorded in Plat Book 11, Page 25 of the Mesa County, Colorado public records, a distance of 577.56 feet to the Southwest corner of Lot 4 of said Blossom Hill Estates; thence S89°52'41"W a distance of 25.00 feet; thence N00°32'41"E along the Westerly right of way of 21 1/8 Road as dedicated on said Blossom Hills Estates a distance of 31.20 feet; thence N89°50'19"W a distance of 338.93 feet to a point on the Easterly line of Retherford Estates, recorded in Book 3890, Page 578 of the Mesa County, Colorado public records; thence N00°42'55"E along the Easterly line of said Retherford Estates and the Northerly projection thereof, a distance of 546.18 feet; thence N89°34'19"W along a line being 2.00 feet South of and parallel with the Northerly line of the NW 1/4 of said Section 23 a distance of 146.99 feet; thence S89°47'50"W a distance of 1125.49 feet; thence 668.50 along the arc of a 722.00 foot radius curve concave Northeast, having a central angle of 53°03'02" and a chord bearing N63°35'05"W a distance of 644.88 feet; thence N37°06'43"W along a line being 2.00 feet South of and parallel with the Southerly line of Page Annexation No.3, Ordinance No. 4084, City of Grand Junction, a distance of 602.20 feet; thence continuing along said line 79.90 feet along the arc of a 1415.00 foot radius curve concave southwest, having a central angle of 03°14'07" and a chord bearing N38°09'20"W a distance of 79.89' feet; thence N50°13'36"E a distance of 2.00 feet to a point on the Northerly line of said Page Annexation No. 3; thence along the Northerly line of said Page Annexation No. 3, 80.00 feet along the arc of a 1417.00 foot radius curve concave Southwest, having a central angle of 03°14'06", and a chord bearing S38°09'21"E a distance of 79.99 feet; thence S37°06'43"E continuing along the Northerly line of said Page Annexation No. 3 a distance of 602.19 feet; thence 666.65 feet along the arc of a 720.00 foot radius curve, concave Northeast, having a central angle of 53°03'01" and a chord bearing S63°35'05"E a distance of 643.09 feet; thence N89°47'50"E a distance of 1125.50 feet to the Point of Beginning.

Said parcel contains 4.70 acres (204,759 square feet), more or less, as described.

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

INTRODUCED on first reading on the 17th day of September, 2007 and ordered published.

ADOPTED this _____ day of _____, 2007.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE RIM VIEW ESTATES ANNEXATION TO
R-4 (RESIDENTIAL, 4 UNITS PER ACRE)**

LOCATED AT 595 21 1/8 ROAD

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Rim View Estates Annexation to the R-4 zone district finding that it conforms with 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 is generally compatible with 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 public notice and public hearing before the Grand Junction City Council, City Council finds that the R-4 zone district 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 be zoned R-4 (Residential, 4 units per acre)

RIM VIEW ESTATES ANNEXATION

A certain parcel of land located in the South Half (S1/2) of Section 15 and The North Half (N 1/2) of Sections 22 and 23, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado, and being more particularly described as follows:

Beginning at the Northeast corner of said Section 22 and assuming the Northerly line of the Northeast Quarter (NE 1/4) of said Section 22 to bear S89°26'44"E with all bearings contained herein relative thereto; thence S89°34'19"E along the Northerly line of the Northwest Quarter (NW 1/4) of said Section 23 a distance of 509.28 feet; thence S00°32'41"W along the Westerly line of Blossom Hill Estates and its Northerly projection, recorded in Plat Book 11, Page 25 of the Mesa County, Colorado public records, a distance of 577.56 feet to the Southwest corner of Lot 4 of said Blossom Hill Estates; thence S89°52'41"W a distance of 25.00 feet; thence N00°32'41"E along the Westerly right of way of 21 1/8 Road as dedicated on said Blossom Hills Estates a

distance of 31.20 feet; thence N89°50'19"W a distance of 338.93 feet to a point on the Easterly line of Retherford Estates, recorded in Book 3890, Page 578 of the Mesa County, Colorado public records; thence N00°42'55"E along the Easterly line of said Retherford Estates and the Northerly projection thereof, a distance of 546.18 feet; thence N89°34'19"W along a line being 2.00 feet South of and parallel with the Northerly line of the NW 1/4 of said Section 23 a distance of 146.99 feet; thence S89°47'50"W a distance of 1125.49 feet; thence 668.50 along the arc of a 722.00 foot radius curve concave Northeast, having a central angle of 53°03'02" and a chord bearing N63°35'05"W a distance of 644.88 feet; thence N37°06'43"W along a line being 2.00 feet South of and parallel with the Southerly line of Page Annexation No.3, Ordinance No. 4084, City of Grand Junction, a distance of 602.20 feet; thence continuing along said line 79.90 feet along the arc of a 1415.00 foot radius curve concave southwest, having a central angle of 03°14'07" and a chord bearing N38°09'20"W a distance of 79.89' feet; thence N50°13'36"E a distance of 2.00 feet to a point on the Northerly line of said Page Annexation No. 3; thence along the Northerly line of said Page Annexation No. 3, 80.00 feet along the arc of a 1417.00 foot radius curve concave Southwest, having a central angle of 03°14'06", and a chord bearing S38°09'21"E a distance of 79.99 feet; thence S37°06'43"E continuing along the Northerly line of said Page Annexation No. 3 a distance of 602.19 feet; thence 666.65 feet along the arc of a 720.00 foot radius curve, concave Northeast, having a central angle of 53°03'01" and a chord bearing S63°35'05"E a distance of 643.09 feet; thence N89°47'50"E a distance of 1125.50 feet to the Point of Beginning.

Said parcel contains 4.70 acres (204,759 square feet), more or less, as described.

Introduced on first reading this 17th day of October, 2007 and ordered published.

ADOPTED on second reading this ____ day of _____, 2007.

ATTEST:

President of the Council

City Clerk

Attach 16

Public Hearing – Bookcliff Land and Building Annexation and Zoning, Located at 564 29 Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Bookcliff Land and Building Annexation and Zoning - Located at 564 29 Road		
File #	ANX-2007-232		
Meeting Day, Date	Monday, November 5, 2007		
Placement on the Agenda	Consent		Individual X
Date Prepared	October 23, 2007		
Author Name & Title	Faye Hall, Associate Planner		
Presenter Name & Title	Faye Hall, Associate Planner		

Summary: Request to annex and zone 2.93 acres, located at 564 29 Road, to R-8 (Residential, 8 units per acre). The Bookcliff Land and Building Annexation consists of one parcel and includes a portion of the 29 Road right-of-way and to the centerline of the Grand Valley Canal. This property is located on the east side of 29 Road just south of Dawn Drive. This parcel is better known as the old Bookcliff Veterinary site.

Budget: N/A

Action Requested/Recommendation: Adopt Resolution accepting the petition for the Bookcliff Land and Building Annexation and hold a public hearing and consider final passage of the Annexation Ordinance and Zoning Ordinance.

Attachments:

1. Staff report/Background information
2. Annexation – Site Location Map / Aerial Photo Map
3. Future Land Use Map / Existing County and City Zoning Map
4. Proposed Resolution
5. Annexation Ordinance
6. Zoning Ordinance

Background Information: See attached Staff Report/Background Information

STAFF REPORT/BACKGROUND INFORMATION			
Location:		564 29 Road	
Applicants:		Owners: Bookcliff Land and Building, LLC – Nancy Hugenberg and Tom Melzer	
Existing Land Use:		Bookcliff Veterinary Clinic (unoccupied)	
Proposed Land Use:		Multi-family Residential	
Surrounding Land Use:	North	Multi-family Residential	
	South	Multi-family and Single Family Residential	
	East	Multi-family Residential	
	West	Single Family Residential	
Existing Zoning:		County RSF-4	
Proposed Zoning:		R-8 (Residential, 8 units per acre)	
Surrounding Zoning:	North	County RMF-8	
	South	County RMF-8	
	East	County RMF-8	
	West	County RSF-4	
Growth Plan Designation:		Residential Medium 4-8 du/ac	
Zoning within density range?		X	Yes
			No

Staff Analysis:

ANNEXATION:

This annexation area consists of 2.93 acres of land and is comprised of one parcel and includes a portion of the 29 Road right-of-way and to the centerline of the Grand Valley Canal. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

It is staff's professional opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Bookcliff Land and Building 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>	
September 19, 2007	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
September 25, 2007	Planning Commission considers Zone of Annexation
October 17, 2007	Introduction of a Proposed Ordinance on Zoning by City Council
November 5, 2007	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
December 7, 2007	Effective date of Annexation and Zoning

BOOKCLIFF LAND AND BUILDING ANNEXATION SUMMARY		
File Number:		ANX-2007-232
Location:		564 29 Road
Tax ID Number:		2943-082-00-037
Parcels:		1
Estimated Population:		0
# of Parcels (owner occupied):		0
# of Dwelling Units:		0
Acres land annexed:		2.93 acres
Developable Acres Remaining:		2.06 acres
Right-of-way in Annexation:		37,760 sq ft (.867 acres)
Previous County Zoning:		RSF-4
Proposed City Zoning:		R-8 (Residential, 8 units per acre)
Current Land Use:		Bookcliff Veterinary Clinic (unoccupied)
Future Land Use:		Multi-family Residential
Values:	Assessed:	\$156,240
	Actual:	\$538,760
Address Ranges:		560 thru 566 29 Road (even only)
Special Districts:	Water:	Ute Water
	Sewer:	Central Grand Valley
	Fire:	Grand Junction Rural
	Irrigation/Drainage:	Grand Valley Water Users Association Grand Junction Drainage District
	School:	District 51

Zone of Annexation: The requested zone of annexation to the R-8 district is consistent with the Growth Plan designation of Residential Medium 4-8 du/ac. The existing County zoning is RSF-4. 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 zoning 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.A.3 and 4 as follows:

- The proposed zone is compatible with the neighborhood, conforms to and furthers the goals and policies of the Growth Plan and other adopted plans and policies, the requirements of this Code, and other City regulations.

Response: The proposed zone district is compatible with the neighborhood as the area to the north, south and east is zoned RMF-8 in the County and has multi-family units existing. The Growth Plan designation of Residential Medium has a density of 4-8 du/ac which the R-8 zone district is in conformance with.

- Adequate public facilities and services are available or will be made available concurrent with the projected impacts of development allowed by the proposed zoning;

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

Alternatives: In addition to the zoning that the petitioner has requested, the following zone districts would also be consistent with the Growth Plan designation for the subject property.

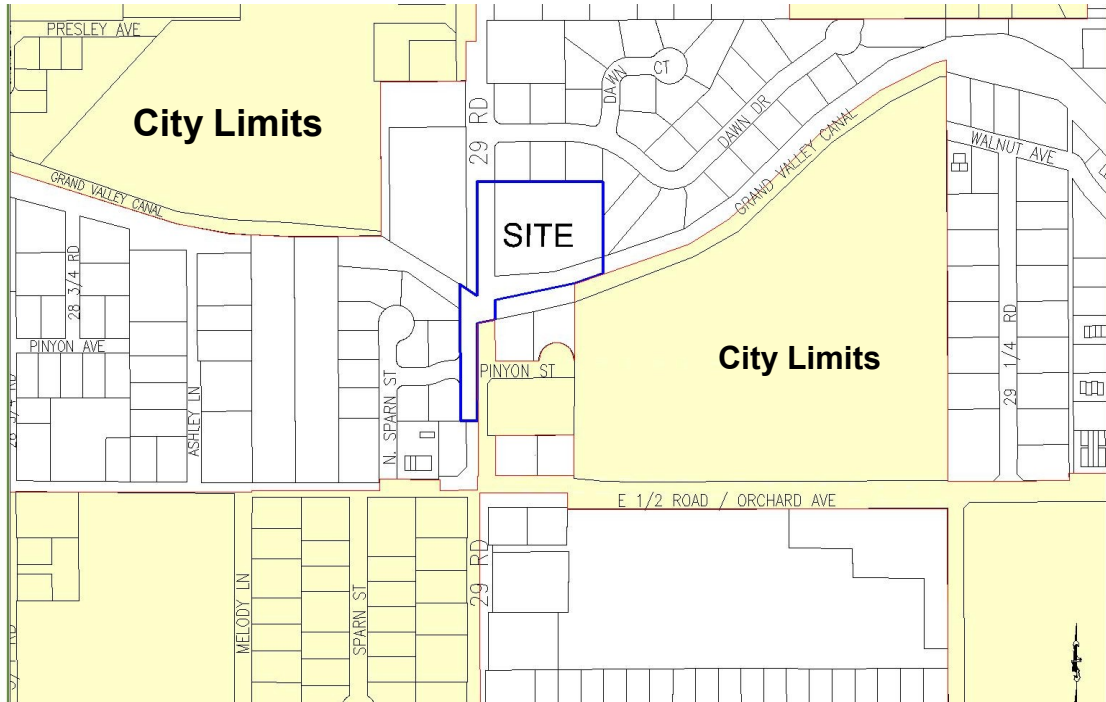
- f. R-4 (Residential, 4 units per acre)
- g. R-5 (Residential, 5 units per acre)

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the R-8 (Residential, 8 units per acre) district to be consistent with the Growth Plan, the existing County Zoning and Sections 2.6 and 2.14 of the Zoning and Development Code.

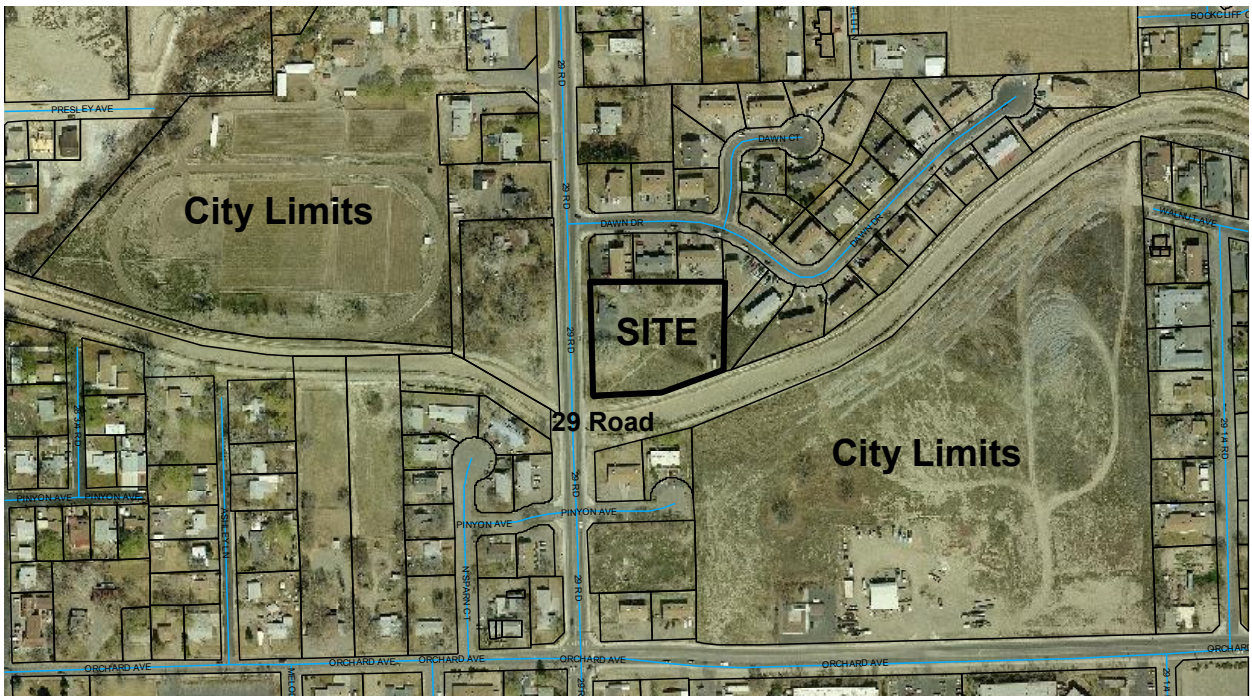
Annexation / Site Location Map

Figure 1



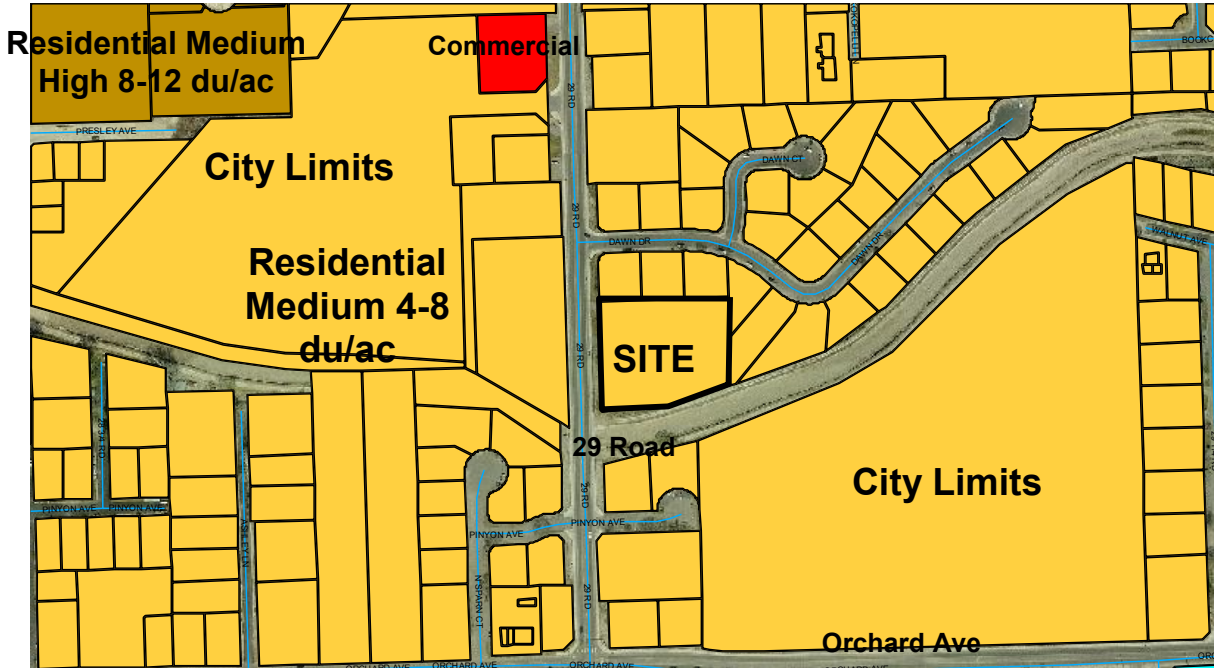
Aerial Photo Map

Figure 2



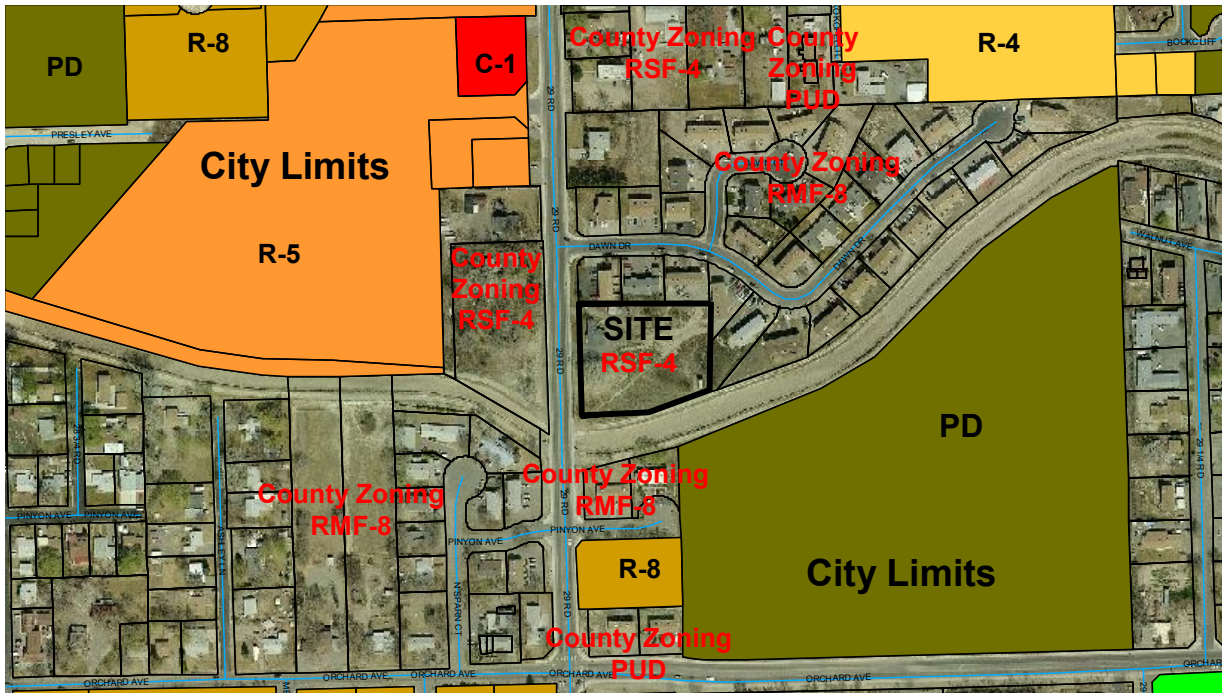
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

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

BOOKCLIFF LAND AND BUILDING ANNEXATION

**LOCATED AT 564 29 ROAD, INCLUDING A PORTION OF THE 29 ROAD RIGHT
OF WAY AND INCLUDES TO THE CENTERLINE OF THE GRAND VALLEY CANAL**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 19th day of September, 2007, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

BOOKCLIFF LAND AND BUILDING ANNEXATION

A parcel of land located in the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 7 and the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of Section 8, Township 1 South, Range 1 East, of the Ute Principal Meridian, County of Mesa State of Colorado, being more particularly described as follows:

Commencing at the Southwest corner of the SW 1/4 NW 1/4 of said Section 8, and assuming the West line of the SW 1/4 NW 1/4 of said Section 8 bears N00°04'18"W with all bearings contained herein relative thereto; thence N00°04'18"W along the West line of the SW 1/4 NW 1/4 of said Section 8 a distance of 200.08 feet to the Point of Beginning; thence N89°51'38"W a distance of 50.00 feet to the Southwest corner of Lot 2, Block 1 of Homestead Subdivision, as recorded in Plat Book 11, Page 172 Mesa County, Colorado records, also being a point on the West right of way of 29 Road; thence N00°04'18"W along said West right of way of 29 Road a distance of 381.72 feet; thence S58°15'00"E a distance of 58.84 feet to a point on the West line of the SW 1/4 NW 1/4 of said Section 8; thence N00°04'18"W along the West line of the SW 1/4 NW 1/4 of said Section 8 a distance of 316.77 feet; thence N89°54'29"E along the South line (and the Westerly projection of) the South line of Lots 1 through 3, Block 2, Plat of Sunrise Gardens Subdivision, as recorded in Plat Book 12, Page 135, Mesa County, Colorado records a distance of 353.00 feet to a point on the West line of Lot 4, Block 2 of said Sunrise Gardens Subdivision; thence S00°04'18"E along the West line (and the Southerly projection of) Lots 4 and 5, Block 2, of said Sunrise Gardens Subdivision a

distance of 256.57 feet to the North line of the Arbors Annexation, Ordinance No. 3700, City of Grand Junction; thence S71°01'08"W along the North line of said Arbors Annexation a distance of 85.62 feet to the Northwest corner of said Arbors Annexation also being a point on the centerline of the Grand Valley Canal; thence S78°26'11"W along the centerline of said Grand Valley Canal a distance of 226.54 feet to a point on the East right of way of said 29 Road; thence S00°04'18"E along the East right of way of said 29 Road a distance of 54.13 feet to the Northwest corner of Lot 1 Wood's Subdivision as recorded in Plat Book 12, Page 96 Mesa County, Colorado records; thence S77°47'42"W distance of 51.14 feet to the West line of the SW 1/4 NW 1/4 of said Section 8; thence S00°04'18"E along the West line of the SW 1/4 NW 1/4 of said Section 8 a distance of 273.44 feet to the Point of Beginning.

Said parcel contains 2.93 acres (127,776 square feet), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 5th day of November, 2007; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

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

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

ADOPTED this ____ day of _____, 2007.

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**

BOOKCLIFF LAND AND BUILDING ANNEXATION

APPROXIMATELY 2.93 ACRES

**LOCATED AT 564 29 ROAD, INCLUDING A PORTION OF THE 29 ROAD RIGHT OF
WAY AND INCLUDES TO THE CENTERLINE OF THE GRAND VALLEY CANAL**

WHEREAS, on the 17th day of September, 2007, 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 5th day of November, 2007; 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:

Bookcliff Land and Building Annexation

A parcel of land located in the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 7 and the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of Section 8, Township 1 South, Range 1 East, of the Ute Principal Meridian, County of Mesa State of Colorado, being more particularly described as follows:

Commencing at the Southwest corner of the SW 1/4 NW 1/4 of said Section 8, and assuming the West line of the SW 1/4 NW 1/4 of said Section 8 bears N00°04'18"W with all bearings contained herein relative thereto; thence N00°04'18"W along the West line of the SW 1/4 NW 1/4 of said Section 8 a distance of 200.08 feet to the Point of Beginning; thence N89°51'38"W a distance of 50.00 feet to the Southwest corner of Lot

2, Block 1 of Homestead Subdivision, as recorded in Plat Book 11, Page 172 Mesa County, Colorado records, also being a point on the West right of way of 29 Road; thence N00°04'18"W along said West right of way of 29 Road a distance of 381.72 feet; thence S58°15'00"E a distance of 58.84 feet to a point on the West line of the SW 1/4 NW 1/4 of said Section 8; thence N00°04'18"W along the West line of the SW 1/4 NW 1/4 of said Section 8 a distance of 316.77 feet; thence N89°54'29"E along the South line (and the Westerly projection of) the South line of Lots 1 through 3, Block 2, Plat of Sunrise Gardens Subdivision, as recorded in Plat Book 12, Page 135, Mesa County, Colorado records a distance of 353.00 feet to a point on the West line of Lot 4, Block 2 of said Sunrise Gardens Subdivision; thence S00°04'18"E along the West line (and the Southerly projection of) Lots 4 and 5, Block 2, of said Sunrise Gardens Subdivision a distance of 256.57 feet to the North line of the Arbors Annexation, Ordinance No. 3700, City of Grand Junction; thence S71°01'08"W along the North line of said Arbors Annexation a distance of 85.62 feet to the Northwest corner of said Arbors Annexation also being a point on the centerline of the Grand Valley Canal; thence S78°26'11"W along the centerline of said Grand Valley Canal a distance of 226.54 feet to a point on the East right of way of said 29 Road; thence S00°04'18"E along the East right of way of said 29 Road a distance of 54.13 feet to the Northwest corner of Lot 1 Wood's Subdivision as recorded in Plat Book 12, Page 96 Mesa County, Colorado records; thence S77°47'42"W distance of 51.14 feet to the West line of the SW 1/4 NW 1/4 of said Section 8; thence S00°04'18"E along the West line of the SW 1/4 NW 1/4 of said Section 8 a distance of 273.44 feet to the Point of Beginning.

Said parcel contains 2.93 acres (127,776 square feet), more or less, as described.

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

INTRODUCED on first reading on the 17th day of September, 2007 and ordered published.

ADOPTED this _____ day of _____, 2007.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE BOOKCLIFF LAND AND BUILDING ANNEXATION TO
R-8 (RESIDENTIAL, 8 UNITS PER ACRE)**

LOCATED AT 564 29 ROAD

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Bookcliff Land and Building Annexation to the R-8 zone district finding that it conforms with 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 is generally compatible with 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 public notice and public hearing before the Grand Junction City Council, City Council finds that the R-8 zone district 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 be zoned R-8 (Residential, 8 units per acre).

BOOKCLIFF LAND AND BUILDING ANNEXATION

A parcel of land located in the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 7 and the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of Section 8, Township 1 South, Range 1 East, of the Ute Principal Meridian, County of Mesa State of Colorado, being more particularly described as follows:

Commencing at the Southwest corner of the SW 1/4 NW 1/4 of said Section 8, and assuming the West line of the SW 1/4 NW 1/4 of said Section 8 bears N00°04'18"W with all bearings contained herein relative thereto; thence N00°04'18"W along the West line of the SW 1/4 NW 1/4 of said Section 8 a distance of 200.08 feet to the Point of Beginning; thence N89°51'38"W a distance of 50.00 feet to the Southwest corner of Lot 2, Block 1 of Homestead Subdivision, as recorded in Plat Book 11, Page 172 Mesa County, Colorado records, also being a point on the West right of way of 29 Road; thence N00°04'18"W along said West right of way of 29 Road a distance of 381.72 feet; thence S58°15'00"E a distance of 58.84 feet to a point on the West line of the SW 1/4

NW 1/4 of said Section 8; thence N00°04'18"W along the West line of the SW 1/4 NW 1/4 of said Section 8 a distance of 316.77 feet; thence N89°54'29"E along the South line (and the Westerly projection of) the South line of Lots 1 through 3, Block 2, Plat of Sunrise Gardens Subdivision, as recorded in Plat Book 12, Page 135, Mesa County, Colorado records a distance of 353.00 feet to a point on the West line of Lot 4, Block 2 of said Sunrise Gardens Subdivision; thence S00°04'18"E along the West line (and the Southerly projection of) Lots 4 and 5, Block 2, of said Sunrise Gardens Subdivision a distance of 256.57 feet to the North line of the Arbors Annexation, Ordinance No. 3700, City of Grand Junction; thence S71°01'08"W along the North line of said Arbors Annexation a distance of 85.62 feet to the Northwest corner of said Arbors Annexation also being a point on the centerline of the Grand Valley Canal; thence S78°26'11"W along the centerline of said Grand Valley Canal a distance of 226.54 feet to a point on the East right of way of said 29 Road; thence S00°04'18"E along the East right of way of said 29 Road a distance of 54.13 feet to the Northwest corner of Lot 1 Wood's Subdivision as recorded in Plat Book 12, Page 96 Mesa County, Colorado records; thence S77°47'42"W distance of 51.14 feet to the West line of the SW 1/4 NW 1/4 of said Section 8; thence S00°04'18"E along the West line of the SW 1/4 NW 1/4 of said Section 8 a distance of 273.44 feet to the Point of Beginning.

Said parcel contains 2.93 acres (127,776 square feet), more or less, as described.

Introduced on first reading this 17th day of October, 2007 and ordered published.

ADOPTED on second reading this ____ day of _____, 2007.

ATTEST:

President of the Council

City Clerk