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

WEDNESDAY, JANUARY 19, 2011, 7:00 P.M.

Call to Order

Pledge of Allegiance
Moment of Silence

Appointments

To the Visitor and Convention Bureau Board of Directors

Presentations

Gisella Flanigan, Chairperson of the Arts and Culture Commission, will be presenting the annual State of the Arts report

Council Comments

Citizen Comments

City Manager's Report

*** Indicates Changed Item*

**** Indicates New Item*

® Requires Roll Call Vote

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

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

Action: Approve the Minutes of the January 5, 2011 Regular Meeting

2. **Setting a Hearing on Amending the Optional Premises Ordinance for the Tiara Rado Golf Course** [Attach 2](#)

In 1999, the City Council adopted Ordinance No. 3112 which allowed for alcohol service on the Tiara Rado Golf Course. The ordinance was specific to the current concessionaire under contract, Pinon Grill, Inc. This ordinance will amend Ordinance No. 3112 and provide the authorization to the concessionaire as designated by the City Council.

Proposed Ordinance Amending Ordinance No. 3112 Which Provided Standards for an Optional Premises License for the Designated Concessionaire at Tiara Rado Golf Course

Action: Introduction of a Proposed Ordinance and Set a Hearing for January 31, 2011

Staff presentation: John Shaver, City Attorney

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

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

3. **7th Street Reverse Angle Parking** [Attach 3](#)

The Downtown Development Authority (DDA) and the City have received numerous requests for the DDA and the City to reconsider the reverse angle parking that was constructed in 2007. Council is requested to provide "direction" for parking along the 7th Street corridor.

Action: Consider the Removal of the Reverse Angle Parking and Replacing it with Conventional (Pull In) Angle Parking

Staff presentation: Laurie Kadrich, City Manager

4. **Public Hearing – GJ Regional Airport Annexation and Zoning, Located at 2828 Walker Field Drive** [File #ANX-2010-290] [Attach 4](#)

Request to annex and zone 614.3 acres, located at 2828 Walker Field Drive. The GJ Regional Airport Annexation consists of seven (7) parcels. There is no public right-of-way contained within this annexation area. The zoning ordinance amends Ordinance No. 3679, the existing planned Development Ordinance, for the Airport to add the additional property for future expansion.

a. Accepting Petition

Resolution No. 05-11—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the GJ Regional Airport Annexation, Located at 2828 Walker Field Drive is Eligible for Annexation

®Action: Adopt Resolution No. 05-11

b. Annexation Ordinance

Ordinance No. 4450—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, GJ Regional Airport Annexation, Approximately 614.3 Acres, Located at 2828 Walker Field Drive

c. Zoning Ordinance

Ordinance No. 4451—An Ordinance Amending Ordinance No. 3679 to Include Newly Annexed Lands and Zoning the GJ Regional Airport Annexation to PAD (Planned Airport Development), Located at 2828 Walker Field Drive

®Action: Adopt Resolution No. 05-11 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4450 and 4451

Staff presentation: Lori V. Bowers, Senior Planner

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

6. **Other Business**

7. **Adjournment**

**Attach 1
Minutes of Previous Meeting**

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

January 5, 2011

The City Council of the City of Grand Junction convened into regular session on the 5th day of January 2011 at 7:02 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Bruce Hill, Tom Kenyon, Gregg Palmer, Bill Pitts, Sam Susuras, and Council President Teresa Coons. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Coons called the meeting to order. Councilmember Hill led the Pledge of Allegiance followed by an invocation by Joseph Alaimo, Western Colorado Atheists and Free Thinkers.

Proclamations/Recognitions

Proclaiming January 17, 2011 as "Martin Luther King, Jr. Day" in the City of Grand Junction

Besides Mathias Mata being present to receive the proclamation on behalf of the Black Student Alliance of Mesa State College, Jacque Pipe with Foster Grandparents and Jean Brewer, of RSVP, were also present to announce their activities in observance of Martin Luther King, Jr. Day.

Certificates of Appointment

David Bailey was present to receive his Certificate of Appointment to the Historic Preservation Board.

Council Comments

There were none.

Citizen Comments

There were none.

CONSENT CALENDAR

Councilmember Kenyon read the Consent Calendar and then moved to approve the Consent Calendar Items #1 through #6. Councilmember Pitts seconded the motion. Motion carried by roll call vote.

1. **Minutes of Previous Meetings**

Action: Approve the Minutes of the December 13, 2010 and the December 15, 2010 Regular Meetings and the Minutes of the December 15, 2010 Special Session

2. **2011 Meeting Schedule and Posting of Notices**

State Law requires an annual designation of the City's official location for the posting of meeting notices. The City's Code of Ordinances, Sec. 2.04.010, requires the meeting schedule and the procedure for calling special meetings be determined annually by resolution.

Resolution No. 01-11—A Resolution of the City of Grand Junction Designating the Location for the Posting of the Notice of Meetings, Establishing the 2011 City Council Meeting Schedule, and Establishing the Procedure for Calling of Special Meetings for the City Council

Action: Adopt Resolution No. 01-11

3. **Setting a Hearing on Zoning the GJ Regional Airport Annexation, Located at 2828 Walker Field Drive** [File #ANX-2010-290]

Request to zone the 614.3 acre GJ Regional Airport Annexation, located at 2828 Walker Field Drive, to a PAD (Planned Airport Development) and amend Ordinance No. 3679, the existing Planned Development Ordinance, for the Airport to add the additional property for future expansion. The request is in compliance with the Grand Junction Municipal Code and the Comprehensive Plan.

Proposed Ordinance Amending Ordinance No. 3679 to Include Newly Annexed Lands and Zoning the GJ Regional Airport Annexation to PAD (Planned Airport Development), Located at 2828 Walker Field Drive

Action: Introduction of a Proposed Ordinance and Set a Hearing for January 19, 2011

4. **Setting a Hearing on the Housing Authority Annexation, Located at 2910 Bunting Avenue** [File #ANX-2010-364]

Request to annex 1.52 acres, located at 2910 Bunting Avenue. The Housing Authority Annexation consists of one (1) parcel. There is 0.18 acres of public right-of-way contained within this annexation area.

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

Resolution No. 02-11—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, Housing Authority Annexation, Located at 2910 Bunting Avenue and Includes a Portion of the 29 Road and Bunting Avenue Rights-of-Way

Action: Adopt Resolution No. 02-11

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Housing Authority Annexation, Approximately 1.52 Acres, Located at 2910 Bunting Avenue and Includes a Portion of the 29 Road and Bunting Avenue Rights-of-Way

Action: Introduction of a Proposed Ordinance and Set a Hearing for February 14, 2011

5. **Riverfront Trail Operations and Maintenance Agreement**

Mesa County is proposing to construct sections of trail in the next few years to ultimately connect Loma to Palisade. This intergovernmental agreement is intended to confirm that each of the local jurisdictions will take over operations and maintenance of their portion of the trail after construction is complete.

Resolution No. 03-11—A Resolution Authorizing the Mayor to Sign an Intergovernmental Agreement Between Mesa County and the City of Grand Junction Regarding Operations and Maintenance of Future Riverfront Trails Constructed Within City Jurisdiction

Action: Adopt Resolution No. 03-11

6. **Golf Car Purchase**

This request is for the purchase of 90 new golf cars for Tiara Rado and Lincoln Park Golf Courses.

Action: Authorize the Purchasing Division to Award a Contract to E-Z-GO Division of Textron, Inc. of Augusta, Georgia in the Amount of \$198,000 for Ninety (90) E-Z-GO Golf Cars

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Contract for Restaurant and Beverage Services for Tiara Rado and Lincoln Park Golf Courses

This request is for the contract award for the Restaurant and Beverage Services at Tiara Rado and Lincoln Park Golf Courses. The Contractor will have the exclusive right to provide food and beverage (alcoholic and non-alcoholic) banquet, catering, concession and vending sales and services at Tiara Rado and Lincoln Park Golf Courses.

City Manager Laurie Kadrich introduced this item. She stated that the primary scope for the proposal is to provide food and beverage to the golfers at the two golf courses. Over the years other groups have also been providing food and beverage.

Council President Coons announced that this item is not a public hearing but Assistant Financial Operations Manager Jay Valentine and Parks and Recreation Director Rob Schoeber are present to answer questions.

Councilmember Bruce Hill advised that the City Council has not had an opportunity to discuss their position on a City Department bidding on a contract. He said he has not heard any concerns about the services provided by the existing vendor. He asked the Council for their thoughts on contracting these services out. He gave the stadium as an example; it was contracted out but the contract went to the City because there were no bidders at the time.

Council President Coons announced the Council has received a number of emails and voicemails and they have reviewed those.

Councilmember Susuras asked what committee reviewed the proposals and would this be a conflict of interest for Staff to recommend a City Department as the vendor. City Attorney Shaver said it would not be a conflict of interest as the committee is only recommending, the Council makes the decision. The Staff looks for the best value and

the best quality of service in the procurement decision and that is how the recommendation comes forward.

Councilmember Susuras asked if financial statements of the companies were reviewed. City Attorney Shaver said he would defer to the Purchasing Department for that question.

Jay Valentine, Assistant Financial Operations Manager, said they do not require financial statements from the vendors. The procurement was done on behalf of the golf course, who is the customer, for the best value and best service. The current contractor provides the City financial information as required under the current contract. The other bidder is not a current business so there were no financial statements. Two Rivers financial statements are accessible to him.

Councilmember Susuras asked if Pinon Grill's financial statements were reviewed. Rob Schoeber, Parks and Recreation Director, said as part of the existing contract, he does receive financial statements. The last one received was in July and the statements did show a profit.

Councilmember Kenyon asked if this is awkward to be reviewing oneself as a bidder. Mr. Valentine said it may appear to be difficult, but he instructed the committee the purpose of the evaluation and to evaluate each entity on its own merits, advising the City Council will make the decision.

Councilmember Kenyon noted the fee to the City is the same. Mr. Valentine said yes, the fee to the City was not part of the bid process, it was uniform for all. Councilmember Kenyon asked if the employees will be City employees. Mr. Valentine said he is not sure of Two Rivers' strategy for staff in relation to the contract.

Councilmember Kenyon asked if there are outstanding complaints with the current vendor.

Mr. Schoeber said there have been some concerns since he has been here and some issues documented from the previous Director. Councilmember Kenyon asked if there have been some that have not been resolved and that are a violation of the contract. Mr. Schoeber said the financial reporting is not up to date. Other issues come from the golfing community where golfers are displaced for other events. He gave an example of golfers being asked to leave the patio because there was a function going on inside the restaurant. There have been other issues and comments made about the food quality and menu selections; these comments have been ongoing.

Councilmember Pitts asked for clarification on the employee situation. Mr. Schoeber said that was not part of the review process but all three said they are capable of providing the service.

Councilmember Pitts confirmed that the City still gets 5% of sales. Mr. Valentine clarified the 5% is on gross sales as opposed to profits. The entity can be unprofitable and the City will still get their 5% of gross sales.

Mr. Valentine said one comment from patrons received through an evaluation is that they want to see consistency in the staffing.

Councilmember Pitts asked about the magnitude of complaints and asked for specifics.

Mr. Schoeber said he was not sure how to quantify the complaints as they come and go. According to his Staff, the most common complaint comes from Lincoln Park. The grill is open infrequently and the contractor has asked to be relieved from that portion of the contract. Mr. Schoeber advised he does not have a journal of the complaints.

Council President Coons asked how the City pays itself a lease. Mr. Valentine said it is an accounting move. Similar occurrences happen between the water and sewer fund. Council President Coons noted that for a private entity the payment would actually be a cash payment.

City Manager Laurie Kadrach said in this case, the expectation would be the same.

Councilmember Palmer recalled a similar discussion that occurred for the Airport Authority. The Airport Authority was forced to open up its own restaurant to have food service at the Airport. The general feeling was they would do it only if they had to do it. He does not feel like the City should operate in free market operations and compete with private enterprise. It is not the proper role. He does not like seeing the City expand its operations into the private sector. It is not a legitimate government business. If a concessionaire cannot be found, then the City could fill in temporarily.

Councilmember Beckstein feels the City should be encouraging private business. She said Two Rivers is a convention center and is not a restaurant, it is a caterer, so it is two different industries. She is concerned about the process. The City has a contract with an entity. If the entity keeps violating the contract, isn't there a provision to break the contract if the vendor does not perform? She asked why the contract wasn't terminated.

City Manager Laurie Kadrach said she asked for a clear outline of what the contract required and a specific list was made as to what changes needed to be made and that was presented to the current contractor. Since the concessionaire did not comply with those requests, it resulted in the current bid process. Steps were taken to make sure the direction was clear to the existing vendor to see if it could be resolved. The issues were not resolved. That is at both locations, however, there is more compliance at Tiara Rado than at Lincoln Park.

Councilmember Susuras said he is concerned about staffing, the City should not be in the business of competing with private enterprise.

Councilmember Hill said he assumed this was at the end of the option but the extension was not brought to the Council. Is the existing contract for two years and then extended annually?

City Manager Kadrach said the contract in 2005 was extended five years and then had one year extensions, which brought it to 2010. She extended it for another year to attempt to resolve the issues.

Councilmember Beckstein asked why a company that had a poor performance was allowed to bid.

Mr. Valentine said they allow any and all companies to bid and then they are evaluated. The current concessionaire was not chosen as the top one or two. Prequalification only occurs for construction contracts.

Councilmember Hill suggested that if the current contractor defaults, Two Rivers could fill the gap until the matter can be put out to bid.

City Manager Kadrach advised that she appreciates the comments made by Councilmember Palmer regarding the difficulty in finding a vendor for this enterprise. She pointed to the stadium example. She noted that the City can certainly go the direction suggested and be the default in the case of a breach or if there are no vendors available.

Council President Coons suggested the concession piece is different than the golf course piece and she agrees with not competing with private enterprise for the concessions. She said she is uncomfortable with the process. She suggested the Council take action on the recommendation and then make a decision on how to go forward.

Councilmember Kenyon asked if they would consider the other two vendors or if the process would start over. Council President Coons said that can be discussed after the vote.

Councilmember Beckstein moved to authorize the Parks and Recreation Director to contract with Two Rivers Convention Center for the Restaurant and Beverage services at Tiara Rado and Lincoln Park Golf Courses. Councilmember Hill seconded the motion.

Discussion ensued.

Councilmember Hill said there is no doubt in his mind that Two Rivers can do this job and he is proud of how they do their job but he will be voting no.

Council President Coons said the vote is not a reflection on Two Rivers.

Councilmember Beckstein said it is more of a concern with process and policy.

Motion failed unanimously.

Council President Coons asked for direction on how the City should go forward.

Councilmember Kenyon suggested the process should start over. Any failures should be documented. If the contract is violated and canceled because of performance, so be it, but he doesn't feel that documentation has been collected.

Councilmember Hill agreed and said the expertise is within the City to enforce the contract. The City can fill the void until there is a new contractor.

Councilmember Beckstein said the issues should be rectified and if it can't be, then Two Rivers can step in and start the process to find a new vendor.

Councilmember Palmer said he thinks the direction to Staff has been made clear.

Councilmember Susuras said it appears there were three categories for the evaluation; a new category should be added: financial position of the bidder.

Council President Coons said the Council is not comfortable awarding the contract tonight. She asked if another motion is necessary or if the direction is clear. City Attorney Shaver said the direction is clear.

Council President Coons called a recess at 8:08 p.m.

The meeting reconvened at 8:11 p.m.

Public Hearing – Amending the Municipal Tax Code to Exempt Coins, Bullion, and Other Numismatic Collectibles from Sales Tax

It is proposed to amend the City's tax code to include an exemption from sales tax for the sale of coins, precious metal bullion, and other numismatic collectibles.

The public hearing was opened at 8:12 p.m.

John Shaver, City Attorney, presented this item. He explained the proposed ordinance and how the issue came forward. The ordinance will exempt forms of money from sales tax. The State of Colorado does currently exempt those items and the City has added other such collectible items. The definition drafting was assisted by the citizen who brought this forward, Mr. Martin.

Councilmember Pitts questioned the exemption since they are being traded for profit.

City Attorney Shaver explained the reasoning behind the exemption.

Councilmember Kenyon said not only is the budget impact nominal in the exemption but the economic impact will actually be to the City's benefit as the groups that trade these items will come to the City and use its facilities as they will be free from having to pay the sales tax. Such groups will positively impact the City's economy as visitors.

There were no public comments.

The public hearing was closed at 8:15 p.m.

Ordinance No. 4449—An Ordinance Amending Section 3.12.070 of Chapter 3 of the Grand Junction Municipal Code Concerning the Exemption from Sales Tax of Coins, Precious Metal Bullion, and Other Numismatic Collectibles

Councilmember Palmer moved to approve Ordinance No. 4449 and ordered it published in pamphlet form. Councilmember Kenyon seconded the motion.

Councilmember Hill thanked the City Attorney for bringing this forward and to the Legislative Committee for bringing a recommendation forward.

Motion carried by roll call vote.

Transportation Capacity Payment (TCP) for University Village

The applicant requests that they not be required to pay the Transportation Capacity Payment (TCP) which totals \$106,140 for the University Village project. University Village is a 60 unit apartment complex located at 17th Street and Bookcliff Avenue. The Economic and Community Development Committee recommends the total fee be paid by the City provided that a planning clearance is obtained on or before July 31, 2011 for construction of the project. The basis for the recommendation is due to the jobs that could be created with the construction of this project and the value of community reinvestment dollars associated with the construction.

Laurie Kadrach, City Manager, presented this item. The matter was brought before a Council Committee. The Committee members can speak to this. This is similar to requests the City has received in the past. The development is an infill project and will provide some additional housing types.

Councilmember Kenyon asked if this type of request is a case by case basis or is there a policy. City Manager Kadrach said the policy is that the City Council will look at it on a

case by case basis. All proposed criteria led the Council back to reviewing it on a case by case basis, first reviewed by the Council Committee.

Councilmember Hill described some of the different discussion on the policy development for an infill/redevelopment policy. It came back to each case is different.

Councilmember Palmer said the Committee recommendation was also split 50-50.

Councilmember Hill asked Public Works and Planning Director Tim Moore how this project would be assessed if it was on a major thoroughfare. Mr. Moore said the City would take care of the major roads but the developer would be responsible for improvements on the smaller inner roadways.

Councilmember Hill said it used to be that way regardless of location; the developer would have to build half street improvements. Then if there was an additional impact to a main thoroughfare, there may be an additional cost, like a traffic light. In this case, the developer would have to pay the half street improvement and pay the TCP whereas if it was on G Road the developer would only pay the TCP. So it discourages infill redevelopment on difficult properties. Councilmember Hill added that the project will also create jobs.

Councilmember Susuras asked who are the principals of the project? Tim Moore, Public Works and Planning Director, said it is Darren Davidson of Davidson Homes.

Councilmember Susuras asked if the Committee considered deferred fees.

Councilmember Hill said it was a two-two vote, all agreed on the deferral but whether the City should pay was the split vote. The recommendation is that it be time sensitive (only offered to a date certain).

Councilmember Palmer said he did not think it was a particularly difficult parcel to develop. The incentives are used to help projects comes to fruition, which this will anyway, or to create affordable housing, which this isn't, or if it is a difficult parcel to develop, which this isn't. There are no economic development funds but it will be the City paying it so it does take taxpayer money. There is no funding for this and it is only the first week of the year and this is a for-profit builder.

Council President Coons asked about the type of housing.

Councilmember Hill said it is apartment style housing at a higher density and is close to services. Regarding the taxpayer costs, there is a \$382,000 in sales tax for building the project and then there will be additional property tax. Plus the developer will have to construct the half-street improvements.

Councilmember Pitts said it is not a community benefit and the City does not have the money to pay for it.

Councilmember Beckstein said there is a return on the investment and it will offer housing for middle income and it is family-oriented. She asked if there is a time limit for construction. She was answered yes.

Councilmember Kenyon asked Council President Coons about the need for diverse housing and about the difficulty building this type of housing in this community.

Council President Coons agreed it is difficult and with the exception of some apartment complexes built by the Housing Authority, there has not been multi-family housing units. This also is close to services.

Councilmember Susuras asked if there are any other projects of this magnitude on the drawing board. Public Works and Planning Director Tim Moore said there is not.

Councilmember Pitts asked if it is affordable housing. It was not billed as that, is it housing for middle income families?

Councilmember Palmer said he had asked and was told that it was not specifically affordable housing.

Councilmember Palmer said all development will bring jobs and the City cannot subsidize every development. He does not feel it is the taxpayer's responsibility to cash fund a for-profit development.

Councilmember Hill moved to approve the request for the City to pay the Transportation Capacity payment for the University Village project in the amount of \$106,400. Councilmember Beckstein seconded the motion. Motion carried with Councilmembers Palmer and Pitts voting NO.

Setting a Ballot Title in Response to a Protest against Ordinance No. 4437, An Ordinance Prohibiting the Operation of Medical Marijuana Businesses in the City Limits and Amending the Grand Junction Municipal Code Prohibiting Certain Uses Relating to Marijuana

Ordinance No. 4437 was adopted by the City Council on October 4, 2010. The Ordinance prohibits the operation of medical marijuana businesses in the City limits and amends the Grand Junction Municipal Code by the addition of a new section prohibiting certain uses relating to marijuana. In November, a petition was circulated seeking repeal of Ordinance No. 4437. The petition was found to be sufficient by the City Clerk on November 15, 2010. No protest against the petition was filed as allowed by law so the petition was submitted to the City Council on December 15, 2010 for reconsideration.

The City Council directed Staff to draft a ballot question for its review and if approved, placement on the ballot.

John Shaver, City Attorney, presented this item. He explained that the resolution will set the ballot title for the April 5th election.

Councilmember Palmer noted that the Council wanted to make sure the question was clear. He felt the objective was achieved.

Resolution No. 04-11—A Resolution Setting a Ballot Title and Submitting to the Electorate on April 5, 2011 a Measure Regarding Medical Marijuana in the City of Grand Junction, Colorado

Councilmember Palmer moved to adopt Resolution No. 04-11. Councilmember Susuras seconded the motion. Motion carried by roll call vote.

Construction Contract for Persigo Wastewater Treatment Plant Ultra Violet Disinfection System

This request is for the contract award for the construction of an Ultra Violet Disinfection System at the Persigo Wastewater Treatment Plant (WWTP). Based on previous process improvement evaluation studies at the WWTP, Staff has identified the need to move from final treatment of the waste stream using chlorine gas to an ultraviolet disinfection system to improve operation safety at the treatment plant. This change will eliminate handling and storage of chlorine and sulfur dioxide gases and provide a system that is more reliable and will serve the treatment plant well into the future. The recommended award is to Stanek Constructors, Inc. in the amount of \$249,000.

Tim Moore, Public Works and Planning Director, presented this item. This is the third time a portion of the project has come before the City Council. This phase is to install the equipment. The equipment was purchased previously. The bid came in under budget. There are several merits to converting to this process, not the least of which is safety and future plant expansion.

Councilmember Susuras asked Mr. Moore how this improves the safety of the plant. Mr. Moore said the issue is the current use of chlorine gas. In the event of a disaster where the gas cylinders were compromised, it could be an issue. It is also hazardous to handle.

Councilmember Palmer said he is impressed by the state of the art of the Persigo Plant and he complimented the Staff, noting the Council understands the innovations the Staff brings forward.

Councilmember Kenyon moved to enter into a Contract with Stanek Constructors, Inc. for the Construction of the Persigo WWTP Ultra Violet Disinfection System in the amount of \$249,000. Councilmember Susuras seconded the motion. Motion carried.

Non-Scheduled Citizens & Visitors

Linda Howe, no address given, proposed having something for the non-golfers, neutral territory for hands-on community participation, the parents, the middle and low income that are strapped. They need something fun, they have talent, and they are gifted. She suggested a wealthy person who has a property that is not selling right away to provide a place to go for those who fall into this category to sit and to pursue their own interests, a think tank, and a free place to go.

Other Business

There was none.

Adjournment

The meeting was adjourned at 8:50 p.m.

Stephanie Tuin, MMC
City Clerk



Date: January 10, 2011
 Author: Stephanie Tuin
 Title/ Phone Ext: City Clerk, X1511
 Proposed Schedule: 1st reading January 19, 2011
 2nd Reading (if applicable): January 31, 2011

CITY COUNCIL AGENDA ITEM

Attach 2
Setting a Hearing on Amending the Optional Premises Ordinance for the Tiara Rado Golf Course

Subject: Amending the Optional Premises Ordinance for the Tiara Rado Golf Course
File # (if applicable):
Presenters Name & Title: John Shaver, City Attorney

Executive Summary:

In 1999, the City Council adopted Ordinance No. 3112 which allowed for alcohol service on the Tiara Rado Golf Course. The ordinance was specific to the current concessionaire under contract, Pinon Grill, Inc. This ordinance will amend Ordinance No. 3112 and provide the authorization to the concessionaire as designated by the City Council.

How this item relates to the Comprehensive Plan Goals and Policies:

Goal 12: *Being a regional provider of goods and services the City and County will sustain, develop and enhance a healthy, diverse economy.*

This amendment will add to the continued use and support of one of the City-owned golf courses by authorizing service on the golf course as determined by the contract with the concessionaire and continuing the City's reputation as a regional center of recreation and tourism for both the local community and outside visitors.

Action Requested/Recommendation:

Introduce the Proposed Ordinance and Set a Hearing for January 31, 2011.

Board or Committee Recommendation:

NA

Background, Analysis and Options:

In 1999, the City Council decided it would be beneficial to allow alcoholic beverage service on the golf course at Tiara Rado. The concessionaire at that time, Pinon Grill, Inc., held a hotel-restaurant liquor license. Under the provisions of the State liquor code, a local jurisdiction cannot authorize such dispensing of alcohol without first adopting by ordinance specific standards for the issuance of what is called an “optional premises” license.

The City Council adopted Ordinance No. 3112 which provided the specific standards but also specified the concessionaire, Pinon Grill, Inc. In order for the ordinance to be applicable to any subsequent concessionaire that the City designates, this ordinance is being recommended.

Financial Impact/Budget:

There is no financial impact for this amendment.

Legal issues:

Rather than amending the optional premises ordinance when the concessionaire changes, it is desirable that the optional premises standards be applied to the facility.

Other issues:

NA

Previously presented or discussed:

This has not been discussed previously.

Attachments:

Proposed Ordinance

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE AMENDING ORDINANCE NO. 3112
WHICH PROVIDED STANDARDS FOR AN OPTIONAL PREMISES
LICENSE FOR THE DESIGNATED CONCESSIONAIRE
AT TIARA RADO GOLF COURSE**

Recitals:

The City of Grand Junction owns Tiara Rado Golf course, an eighteen-hole golf course at 2057 S. Broadway.

The City desires that food and beverage (alcoholic and non-alcoholic) service be available both in the restaurant and on the golf course.

Having this service at Tiara Rado relates to the city's Comprehensive Plan Goals and Policies by continuing the City's reputation as a regional center of recreation and tourism for both the local community and outside visitors.

Section 12-47-310 C.R.S. permits a municipality to pass an ordinance to provide optional premises licenses for restaurants that serve liquor on their premises to include an adjacent recreational facility in their license.

Service of liquor, other than 3.2% beer on the Tiara Rado Golf Course would benefit the City as a continuous source of revenue.

This ordinance would permit the sale of liquor on Tiara Rado Golf Course, only, and not any other City-owned golf courses.

From time to time, the City enters into a contract with a concessionaire to provide food and beverage service to the restaurant and golf course at Tiara Rado and would like the ordinance to apply to any designee without the need to amend such ordinance.

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

Ordinance No. 3112, adopted on April 7, 1999 is hereby amended as follows (Additions are in all caps, deletions are shown as strike-throughs):

Section 1. Definitions. For the purposes of this ordinance, the following words or phrases shall have the meanings set forth.

- a. *Optional premises* means the same as that defined in the Colorado Liquor Code under § 12-47-103(22) and 12-47-310, C.R.S. The only type of license authorized in this ordinance, is a “restaurant with optional premises,” which may be referred to as “optional premises” unless otherwise stated.
- b. *Licensee*, for the purpose of this license, means ~~the Piñon Grill~~ THE CITY OR ITS DESIGNEE BY MEANS OF A CONCESSIONAIRE CONTRACT.

Section 2. Standards. The following standards are for the issuance of an optional premises license for the restaurant that holds a liquor license and has an outdoor sports and recreational facility, namely the Tiara Rado Golf Course, adjacent to its facility. The standards are adopted pursuant to the provisions of § 12-47-310 C.R.S. The standards adopted shall be considered in addition to all other standards applicable to the consideration of and/or issuance of licenses under the Colorado Liquor Code and any and all applicable local laws, rules and regulations.

Section 3. Form of Application. Application for the optional premises license shall be made to the City Clerk on forms, which shall contain the following information in addition to information, required by the State. The application shall be heard publicly by the local hearing officer.

- (1) A map or other drawing illustrating the optional premises boundaries and the location of the proposed optional premises license requested; and
- (2) Proposed location(s) for permanent, temporary or moveable structure(s) which are proposed to be used for the sale or service of alcohol beverages and a statement as to whether mobile carts will be used for the sale or service of alcohol beverages; and
- (3) A description of the method which shall be used to identify the boundaries of the optional premises license when it is in use and how the licensee will ensure alcohol beverages are not removed from such premises; and
- (4) Proof of the applicant’s right to possession of the optional premises including a legal description and supporting documentation to the satisfaction of the local licensing authority; and
- (5) A description of the provisions, including a description of facilities, which have been made for storing the alcohol beverages in a secured area on or off the optional premises and for future use on the optional premises if or when alcohol beverages are not served.

(6) A description of the provisions which will be implemented to control over service and prevent under age service of alcohol beverages.

Section 4. Eligibility. The licensee is a holder of a hotel-restaurant license which is located on or adjacent to an 18-hole golf course.

Section 5. Size of Premises. There is no minimum size, other than being a regulation 18-hole course, of the optional premises license or number of optional premises licenses for the licensee.

Section 6. Additional Conditions. Nothing contained in this ordinance shall preclude the Licensing Authority in its discretion, from imposing conditions, restrictions or limitations on any optional premises license in order to serve the public health, safety and welfare. Any such conditions may be imposed when the license is initially issued, issued for any specific event, or renewed. The Authority shall have the right to deny any request for an optional premises license or it may suspend or revoke the optional premises license in accordance with the procedures specified by law.

Section 7. Notice filed with Liquor Licensing Authority. It shall be unlawful for alcohol beverages to be served on the optional premises until the optional premises licensee has filed written notice with the State and the Authority stating the specific days and hours during which the optional premises will be used. Notice must be recorded with the Liquor Licensing Authority 48 hours prior to serving alcohol beverages on the optional premises. No notice shall specify any period of use in excess of 180 days nor shall it specify any date more than 180 days after the date of the original notice. The licensee may file with the Liquor Licensing Authority more than one such notice during a calendar year; however, should any special or unusual event be anticipated to occur during any extended period of time, no less than 48 hours' written notice should be given to the Liquor Licensing Authority, which shall have authority to impose any conditions reasonably related toward serving the public health, safety and welfare or it may deny the use after hearing.

Introduced on first reading this _____ day of _____, 2011 and order published in pamphlet form.

Passed and adopted on second reading this _____ day of _____, 2011 and ordered published in pamphlet form.

President of the Council

ATTEST:

City Clerk



CITY COUNCIL AGENDA ITEM

**Attach 3
7th Street Reverse Angle Parking**

Date: January 13, 2011
Author: Trent Prall
Title/ Phone Ext: Engineering
Manager, X4047
Proposed Schedule: January
19, 2011
2nd Reading (if applicable):

Subject: 7 th Street Reverse Angle Parking
File # (if applicable):
Presenters Name & Title: Laurie Kadrich, City Manager

Executive Summary:

The Downtown Development Authority (DDA) and the City have received numerous requests for the DDA and the City to reconsider the reverse angle parking that was constructed in 2007. Council is requested to provide “direction” for parking along the 7th Street corridor.

How this item relates to the Comprehensive Plan Goals and Policies:

Goal 8: Create attractive public spaces and enhance the visual appeal of the community through quality development.

The award-winning design of Main Street from the 1960’s has served the community well and garnered national attention for its vision. 7th Street and Colorado Avenue were modeled after that design when they were reconstructed in 2007-2009. Reverse angle parking was added to the design on 7th Street as it is believed to be safer than pull in angled parking, however adjacent business owners have requested it be removed based on complaints received from their customers. Reverse angle parking was originally contemplated on Colorado reconstruction however was removed just prior to construction again based on customer concerns.

Action Requested/Recommendation:

Consider the Removal of the Reverse Angle Parking and Replacing it with Conventional (Pull In) Angle Parking.

Board or Committee Recommendation:

The Downtown Development Authority board reviewed this item at their Thursday January 13, 2011 meeting. Their recommendation is to remove the reverse angle parking and replacing it with conventional (pull in) angle parking.

Background, Analysis and Options:

The 7th Street project was constructed in 2007-2008 with reverse angle parking.

There have not been any accidents of record pertaining to back-in parking since it opened in 2007.

Adjacent business owners continue to field complaints even three years after construction about the uniqueness of back-in parking.

If the decision was made to convert the reverse angle parking to conventional pull in angled parking, some of the curb, gutter and landscaping will need to be reconstructed in order to retain close to the same number of parking spaces. There will be a reduction of two parking spaces on Main Street due to proximity to the roundabout and the mid-block crossing. This cost is estimated at \$60,000 based on the current Downtown Uplift Phase II contract with Sorter Construction.

Financial Impact/Budget:

The estimated cost is \$60,000. The work is proposed to be incorporated into the current Downtown Phase II contract. The DDA would cover the expense.

Legal issues:

N/A

Other issues:

N/A

Previously presented or discussed:

This has not been discussed previously.

Attachments:

None



Date: Thur. Jan. 13, 2011
 Author: Lori V. Bowers
 Title/ Phone Ext: Sr. Planner/4033
 Proposed Schedule:
Resolution Referring
Petition Nov. 29, 2010
 2nd Reading
 (if applicable): January 19,

CITY COUNCIL AGENDA ITEM

**Attach 4
 Public Hearing—GJ Regional Airport Annexation
 and Zoning, Located at 2828 Walker Field Drive**

Subject: GJ Regional Airport Annexation and Zoning, Located at 2828 Walker Field Drive
File #: ANX-2010-290
Presenters Name & Title: Lori V. Bowers, Senior Planner

Executive Summary: Request to annex and zone 614.3 acres, located at 2828 Walker Field Drive. The GJ Regional Airport Annexation consists of seven (7) parcels. There is no public right-of-way contained within this annexation area. The zoning ordinance amends Ordinance No. 3679, the existing planned Development Ordinance, for the Airport to add the additional property for future expansion.

How this item relates to the Comprehensive Plan Goals and Policies:

Goal 9: Develop a well-balanced transportation system that supports automobile, local transit, pedestrian, bicycle, air, and freight movement while protecting air, water and natural resources.

Goal 12: Being a regional provider of goods and services the City and County will sustain, develop and enhance a healthy, diverse economy.

The proposed annexation meets goals 9 and 12 by allowing area for expansion of the airport, which in turn helps keep our economy diverse and allows our region to provide more access to goods, services and visitors to the area.

Action Requested/Recommendation: Hold a Public Hearing to Consider Final Passage and Final Publication of the Proposed Annexation and Zoning Ordinances.

Board or Committee Recommendation: Planning Commission forwarded a recommendation of approval of the PAD (Planned Airport Development) zoning on December 14, 2010.

Background, Analysis and Options: See attached Staff Report/Background Information

Financial Impact/Budget: N/A

Legal issues: There are none.

Other issues: The Airport has submitted for review an Institutional Civic Master Plan. The proposed annexations are necessary for the future expansion of the Airport as proposed in their Master Plan, providing consistency in that all lands owned by the Airport will be under the City's development policies and guidelines.

Previously presented or discussed: Referral of the Petition and First Reading of the Annexation Ordinance was on November 29, 2010. First reading of the Zoning Ordinance was January 5, 2011.

Attachments:

1. Staff report/Background information
2. Annexation / Site Location Map; Aerial Photo Map West End
3. Aerial Photo Map East End; Comprehensive Plan Map
4. Existing City and County Zoning Map
5. Resolution Accepting Petition
6. Annexation Ordinance
7. Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION			
Location:		2828 Walker Field Drive	
Applicants:		Grand Junction Regional Airport Authority	
Existing Land Use:		Vacant land	
Proposed Land Use:		Airport expansion	
Surrounding Land Use:	North	Vacant land	
	South	Airport operations	
	East	Vacant land	
	West	Vacant land	
Existing Zoning:		County AFT	
Proposed Zoning:		PAD (Planned Airport Development)	
Surrounding Zoning:	North	County AFT	
	South	R-4 (Residential – 4 units); PAD (Planned Airport Development)	
	East	County AFT	
	West	County AFT	
Future Land Use Designation:		Airport	
Zoning within density range?		X	Yes
			No

Staff Analysis:

ANNEXATION:

This annexation area consists of 614.3 acres of land and is comprised of seven (7) parcels. 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 GJ Regional Airport 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 owner's consent.

The following annexation and zoning schedule is being proposed.

<i>ANNEXATION SCHEDULE</i>	
Nov. 29, 2010	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
Dec. 14, 2010	Planning Commission considers Zone of Annexation
Jan. 5, 2011	Introduction Of A Proposed Ordinance on Zoning by City Council
Jan. 19, 2011	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
Feb. 19, 2011	Effective date of Annexation and Zoning

GJ REGIONAL AIRPORT ANNEXATION SUMMARY

File Number:		ANX-2010-290
Location:		2828 Walker Field Drive
Tax ID Numbers:		2705-294-00-944; 2701-234-00-949; 2705-321-00-941; 2705-321-00-940; 2705-322-00-948; 2701-242-00-942; 2705-293-00-943
# of Parcels:		7
Estimated Population:		0
# of Parcels (owner occupied):		0
# of Dwelling Units:		0
Acres land annexed:		614.3 acres
Developable Acres Remaining:		614.3 acres
Right-of-way in Annexation:		0
Previous County Zoning:		AFT
Proposed City Zoning:		PAD
Current Land Use:		Vacant land
Future Land Use:		Airport expansion
Values:	Assessed:	\$1,869,460.00
	Actual:	\$6,446,400.00
Address Ranges:		0
Special Districts:	Water:	Partially in Ute Water Conservancy District
	Sewer:	None
	Fire:	Lower Valley and Mesa County Fire Marshall
	Irrigation/ Drainage:	N/A
	School:	District #51
	Pest:	N/A

ZONE OF ANNEXATION:

1. Background:

On October 20, 2004, City Council approved the Master Plan for Walker Field Airport, now known as the Grand Junction Regional Airport. On the same date City Council approved the plan for the Planned Development zone, referred to as the Planned Airport Development zone.

The Grand Junction Regional Airport Authority (“Authority”) has applied to the City to update the Master Plan. Additional lands are included within the updated Master Plan and the Authority has requested that the City annex the additional lands and include the lands within the Planned Airport Development (“PAD”).

The 614.3 acre GJ Regional Airport Annexation consists of seven (7) parcels located adjacent to the existing airport, which is addressed as 2828 Walker Field Drive. The request to amend Ordinance No. 3679, the existing Planned Development Ordinance for the Airport to add the additional property for future expansion is in compliance with the Grand Junction Municipal Code and the Comprehensive Plan. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

Under the 1998 Persigo Agreement with Mesa County, the City shall zone newly annexed areas with a zone that is either identical to current County zoning or conforms to the City’s Comprehensive Plan Future Land Use Map. The proposed zoning of PAD (Planned Airport Development) conforms to the Future Land Use Map, which has designated the properties as Airport.

Pursuant to Section 21.02.150, the Director has reviewed the addition of these parcels of land into the development plan. The development plan terms have not changed and the lands can and will be required to develop in accordance with the plan. In reviewing the criteria for amending the development, the Director determined that the criteria have been met.

Amending the original Planned Development Ordinance No. 3679 to include the additional parcels is consistent with the Master Plan and the plan development.

2. Section 21.02.160 and Section 21.02.140 of the Grand Junction Municipal Code:

Section 21.02.160 of the Grand Junction Municipal Code, states that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth. The requested zone of annexation to the PAD (Planned Airport Development) zone district is consistent with the Comprehensive Plan designation of Airport.

Section 21.02.140 of the Grand Junction Municipal Code, states that to maintain internal consistency between the Code and the Zoning Map, amendments are only allowed if:

- (1) Subsequent events have invalidated the original premises and findings; and/or

Response: This is an annexation of land currently owned by Grand Junction Regional Airport but has not yet been annexed into the City. The Airport is expanding to meet increased regional demand for air services.

- (2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or

Response: The Grand Junction Regional Airport is in the process of expanding. It is in the City's best interest to annex the lands adjacent to and owned by the airport to allow for consistency in the review of the airport expansion.

(3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or

Response: All lands proposed to be annexed are located adjacent to the existing airport and within the City's 201 Boundary. Public facilities are available and can be extended into these areas that currently are vacant and undeveloped.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or

Response: Because the area to be annexed and zoned is adjacent to the airport, the land will accommodate the future expansion of the airport in a way that no other land in the City can.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

Response: The addition of land to the airport will provide continued growth for the area which in turn will bring more access, services and visitors to the area.

Alternatives: There are no other zones that are applicable to the airport designation supported by the City's Future Land Use Map of the Comprehensive Plan. The Grand Junction Municipal Code allows Airports as a Conditional Use in C-2 (General Commercial); CSR (Community Service Recreation); I-O (Industrial/Office Park); I-1 (Light Industrial) and I-2 (General Industrial) zoning districts.

PLANNING COMMISSION RECOMMENDATION:

After reviewing the GJ Regional Airport Annexation, ANX-2010-290, for a Zone of Annexation, the Planning Commission made the following findings of fact and conclusions:

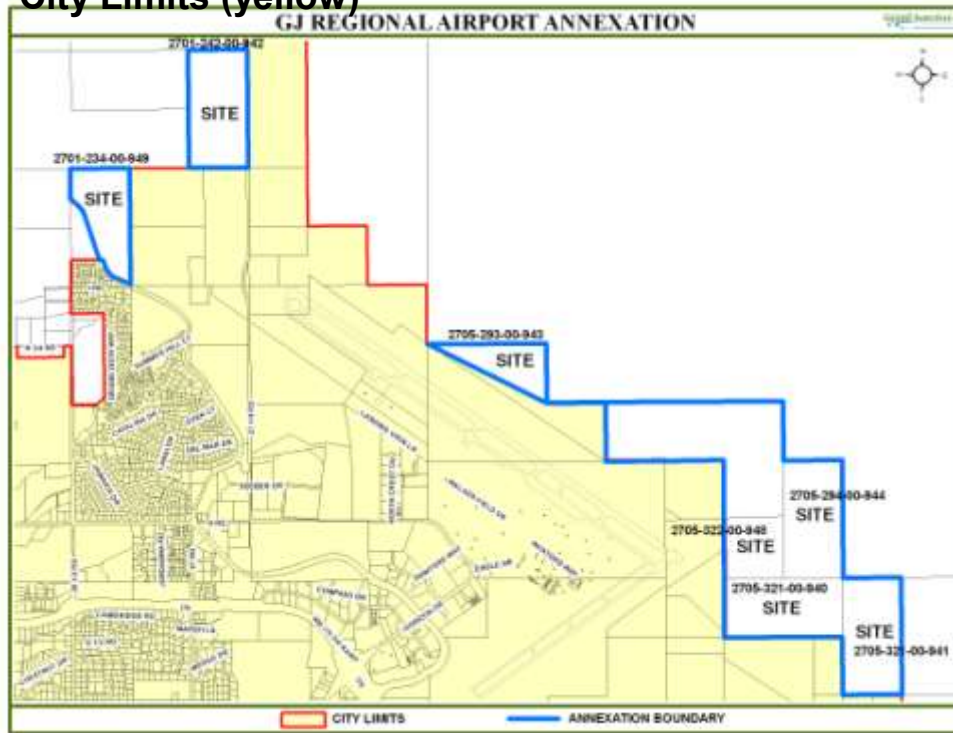
1. The requested zone is consistent with the goals and policies of the Comprehensive Plan.
2. The review criteria in Section 21.02.140 and Section 21.02.160 of the Grand Junction Municipal Code have been met.

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

Annexation / Site Location Map

Figure 1

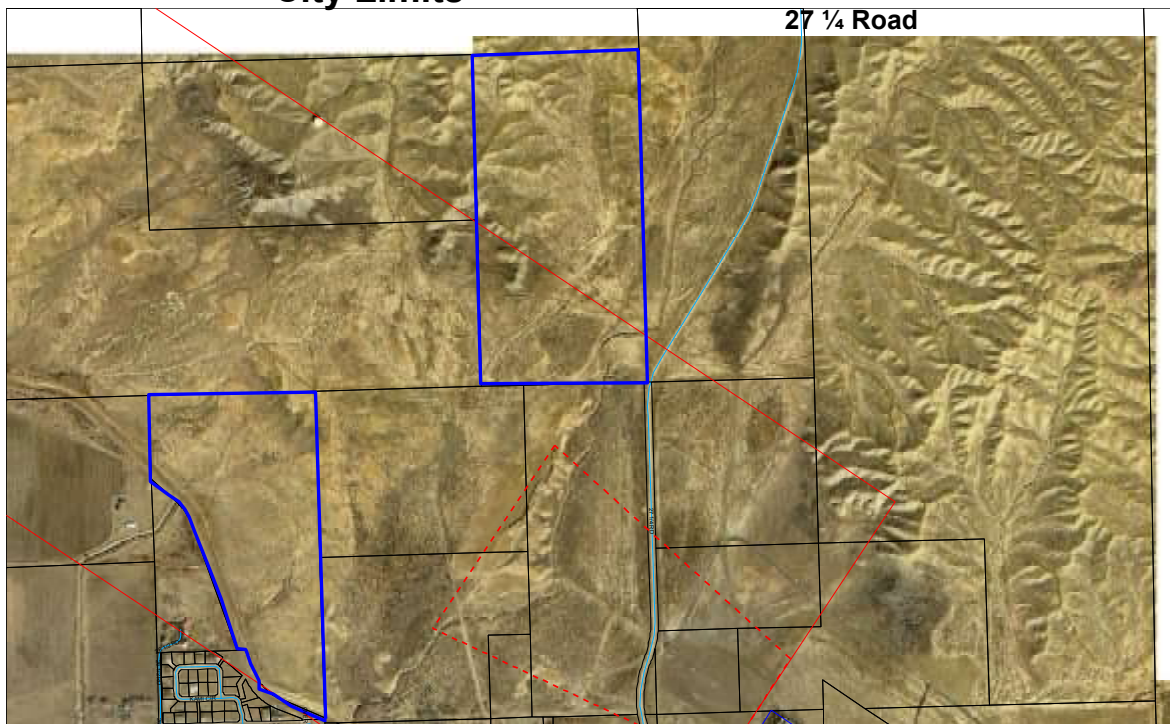
City Limits (yellow)



Aerial Photo Map West End

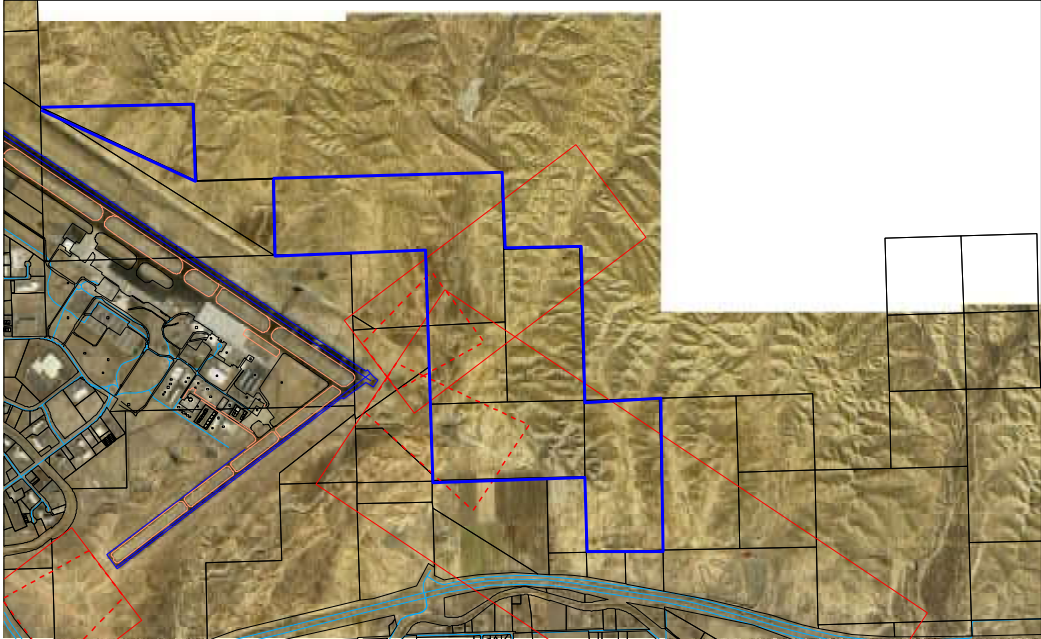
Figure 2

City Limits



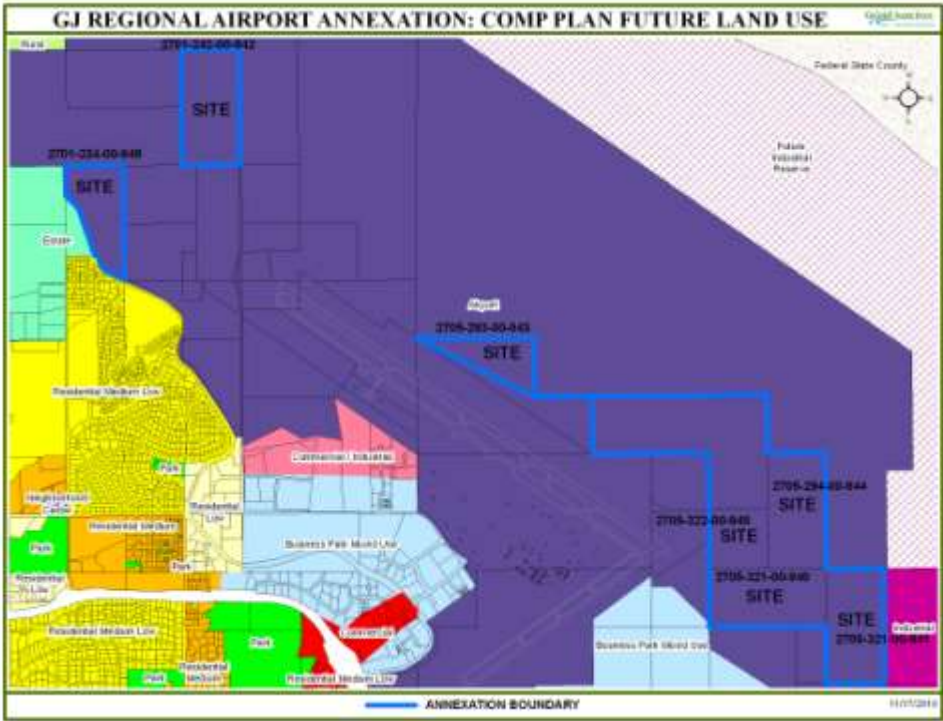
Aerial Photo Map East End

Figure 3



Comprehensive Plan Map

Figure 4



CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____-11

**A RESOLUTION ACCEPTING A
PETITION FOR THE ANNEXATION, MAKING CERTAIN
FINDINGS, DETERMINING THAT PROPERTY KNOWN AS THE
GJ REGIONAL AIRPORT ANNEXATION
LOCATED AT 2828 WALKER FIELD DRIVE
IS ELEGIBLE FOR ANNEXATION**

WHEREAS, on the 29th day of November, 2010, 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:

GJ REGIONAL AIRPORT ANNEXATION

A certain parcel of land lying in the West-half of the Southeast Quarter (W 1/2 of the SE 1/4) of Section 23, Township 1 North, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of the W 1/2 of the SE 1/4 of said Section 23 lying North and East of the centerline of the Highline Canal easement, as same is recorded in Book 2841, Page 804, Public Records of Mesa County, Colorado.

CONTAINING 52.35 Acres or 2,280,404 Square Feet, more or less, as described

-TOGETHER WITH-

A certain parcel of land lying in the West-half of the Northwest Quarter (W 1/2 of the NW 1/4) of Section 24, Township 1 North, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of the W 1/2 of the NW 1/4 of said Section 24.

CONTAINING 79.82 Acres or 3,476,929 Square Feet, more or less, as described

-TOGETHER WITH-

A certain parcel of land lying in the South-half (S 1/2) of Section 29, the Northwest Quarter (NW 1/4), Southwest Quarter (SW 1/4) and the Southeast Quarter (SE 1/4) of Section 30 and the East-three quarters (E 3/4) of Section 32, all in Township 1 North, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northwest corner of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 30 and assuming the North line of the South-half of the NW 1/4 of said Section 30 bears S 89°49'11" E with all other bearings

contained herein relative thereto; thence from said Point of Beginning, S 89°49'11" E along the North line of the South-half of the NW 1/4 of said Section 30, a distance of 2646.70 feet to a point being the Northeast corner of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 30; thence S 00°09'32" W along the East line of the SE 1/4 NW 1/4 of said Section 30, a distance of 1322.96 feet to a point being the Southeast corner of the SE 1/4 NW 1/4 of said Section 30; thence S 89°46'00" E along the North line of the Southeast Quarter (SE 1/4) of said Section 30, a distance of 2643.81 feet to a point being the Northeast corner of the SE 1/4 of said Section 30; thence N 89°34'41" E along the North line of the Southwest Quarter (SW 1/4) of said Section 29, a distance of 2643.14 feet to a point being the Northeast corner of the SW 1/4 of said Section 29; thence S 00°16'19" W along the East line of the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of said Section 29, a distance of 1317.67 feet to a point being the Northeast corner of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of said Section 29; thence N 89°37'46" E along the North line of the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of said Section 29, a distance of 1322.97 feet to a point being the Northeast corner of the SW 1/4 SE 1/4 of said Section 29; thence S 00°05'59" W along the East line of the SW 1/4 SE 1/4 of said Section 29, a distance of 1319.65 feet to a point being the Southeast corner of the SW 1/4 SE 1/4 of said Section 29; thence S 00°05'59" W along the West line of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of said Section 32, a distance of 1323.49 feet to a point being the Northwest corner of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 32; thence N 89°44'14" E along the North line of the SE 1/4 NE 1/4 of said Section 32, a distance of 1316.36 feet to a point being the Northeast corner of the SE 1/4 NE 1/4 of said Section 32; thence S 00°20'13" W along the East line of said Section 32, a distance of 1325.68 feet to a point being the Southeast corner of the SE 1/4 NE 1/4 of said Section 32; thence S 00°20'12" W along the East line of said Section 32, a distance of 1322.59 feet to a point being the Northeast corner of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of said Section 32; thence S 00°20'12" W along the East line of said Section 32, a distance of 20.00 feet; thence S 89°51'51" W along a line 20.00 feet South of and parallel with, the North line of the SE 1/4 SE 1/4 of said Section 32, a distance of 1321.31 feet to a point on the West line of the SE 1/4 SE 1/4 of said Section 32; thence N 90°00'00" W along a line 20.00 feet South of and parallel with the South line of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of said Section 32, a distance of 20.00 feet; thence N 00°18'53" E along a line 20.00 feet West of and parallel with the West line of the SE 1/4 SE 1/4 of said Section 32, a distance of 20.00 feet to a point on the South line of the NW 1/4 SE 1/4 of said Section 32; thence N 00°17'41" E along a line 20.00 feet West of and parallel with the West line of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of said Section 32, a distance of 1321.21 feet to a point on the South line of the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) of said Section 32; thence S 89°52'38" W along the South line of the SW 1/4 NE 1/4 of said Section 32, a distance of 1302.26 feet to a point being the Southwest corner of the SW 1/4 NE 1/4 of said Section 32; thence S 89°52'38" W along the South line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 32, a distance of 1302.26 feet to a point 20.00 feet East of the Southwest corner of the SE 1/4 NW 1/4 of said Section 32; thence N 00°14'23" E along a line 20.00 feet East of and parallel with the West line of the SE 1/4 NW 1/4 of said Section 32, a distance of 1317.64 feet to a point on the North line of the SE 1/4 NW 1/4 of said Section 32; thence N 00°14'23" E along a line 20.00 feet East of

and parallel with the West line of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 32, a distance of 1319.24 feet to a point on the North line of said Section 32; thence S 89°38'38" W along the North line of said Section 32, a distance of 20.00 feet to a point being the Southeast corner of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of said Section 29; thence N 00°07'41" E along the East line of the SW 1/4 SW 1/4 of said Section 29, a distance of 1318.98 feet to a point being the Northeast corner of the SW 1/4 SW 1/4 of said Section 29; thence S 89°37'46" W along the North line of the SW 1/4 SW 1/4 of said Section 29, a distance of 1300.00 feet to a point 20.00 feet East of the Northeast corner of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of said Section 30; thence N 00°23'44" E along a line 20.00 feet East of and parallel with the West line of said Section 29, a distance of 20.00 feet; thence S 89°37'46" W along a line 20.00 feet North of and parallel with the North line of the SW 1/4 SW 1/4 of said Section 29, a distance of 20.00 feet to a point on the East line of said Section 30; thence N 89°48'56" W along a line 20.00 feet North of and parallel with the North line of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of said Section 30, a distance of 1321.87 feet to a point on the East line of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of said Section 30; thence N 00°18'19" E along the East line of the NW 1/4 SE 1/4 of said Section 30, a distance of 1276.27 feet to a point 20.00 feet South of the North line of the Southeast Quarter (SE 1/4) of said Section 30; thence N 89°46'00" W along a line 20.00 feet South of and parallel with the North line of the SE 1/4 of said Section 30, a distance of 1321.87 feet to a point on the West line of the NW 1/4 SE 1/4 of said Section 30; thence N 89°45'03" W along a line 20.00 feet South of and parallel with the North line of the Southwest Quarter (SW 1/4) of said Section 30, a distance of 20.00 feet; thence N 62°44'42" W, a distance of 2950.52 feet, more or less, to the Point of Beginning.

CONTAINING 482.13 Acres or 21,001,385 Square Feet, more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 19th day of January 2011; 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 the _____ day of _____, 2011.

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**

GJ REGIONAL AIRPORT ANNEXATION

APPROXIMATELY 614.3 ACRES

LOCATED AT 2828 WALKER FIELD DRIVE

WHEREAS, on the 29th day of November, 2010, 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 19th day of January, 2011; 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:

GJ REIONAL AIRPORT ANNEXATION

A certain parcel of land lying in the West-half of the Southeast Quarter (W 1/2 of the SE 1/4) of Section 23, Township 1 North, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of the W 1/2 of the SE 1/4 of said Section 23 lying North and East of the centerline of the Highline Canal easement, as same is recorded in Book 2841, Page 804, Public Records of Mesa County, Colorado.

CONTAINING 52.35 Acres or 2,280,404 Square Feet, more or less, as described

-TOGETHER WITH-

A certain parcel of land lying in the West-half of the Northwest Quarter (W 1/2 of the NW 1/4) of Section 24, Township 1 North, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of the W 1/2 of the NW 1/4 of said Section 24.

CONTAINING 79.82 Acres or 3,476,929 Square Feet, more or less, as described

-TOGETHER WITH-

A certain parcel of land lying in the South-half (S 1/2) of Section 29, the Northwest Quarter (NW 1/4), Southwest Quarter (SW 1/4) and the Southeast Quarter (SE 1/4) of Section 30 and the East-three quarters (E 3/4) of Section 32, all in Township 1 North, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northwest corner of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 30 and assuming the North line of the South-half of the NW 1/4 of said Section 30 bears S 89°49'11" E with all other bearings contained herein relative thereto; thence from said Point of Beginning, S 89°49'11" E along the North line of the South-half of the NW 1/4 of said Section 30, a distance of 2646.70 feet to a point being the Northeast corner of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 30; thence S 00°09'32" W along the East line of the SE 1/4 NW 1/4 of said Section 30, a distance of 1322.96 feet to a point being the Southeast corner of the SE 1/4 NW 1/4 of said Section 30; thence S 89°46'00" E along the North line of the Southeast Quarter (SE 1/4) of said Section 30, a distance of 2643.81 feet to a point being the Northeast corner of the SE 1/4 of said Section 30; thence N 89°34'41" E along the North line of the Southwest Quarter (SW 1/4) of said Section 29, a distance of 2643.14 feet to a point being the Northeast corner of the SW 1/4 of said Section 29; thence S 00°16'19" W along the East line of the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of said Section 29, a distance of 1317.67 feet to a point being the Northeast corner of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of said Section 29; thence N 89°37'46" E along the North line of the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of said Section 29, a distance of 1322.97 feet to a point being the Northeast corner of the SW 1/4 SE 1/4 of said Section 29; thence S 00°05'59" W along the East line of the SW 1/4 SE 1/4 of said Section 29, a distance of 1319.65 feet to a point being the Southeast corner of the SW 1/4 SE 1/4 of said Section 29; thence S 00°05'59" W along the West line of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of said Section 32, a distance of 1323.49 feet to a point being the Northwest corner of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 32; thence N 89°44'14" E along the North line of the SE 1/4 NE 1/4 of said Section 32, a distance of 1316.36 feet to a point being the Northeast corner of the SE 1/4 NE 1/4 of said Section 32; thence S 00°20'13" W along the East line of said Section 32, a distance of 1325.68 feet to a point being the Southeast corner of the SE 1/4 NE 1/4 of said Section 32; thence S 00°20'12" W along the East line of said Section 32, a distance of 1322.59 feet to a point being the Northeast corner of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of said Section 32; thence S 00°20'12" W along the East line of said Section 32, a distance of 20.00 feet; thence S 89°51'51" W along a line 20.00 feet South of and parallel with, the North line of the SE 1/4 SE 1/4 of said Section 32, a distance of 1321.31 feet to a point on the West line of the SE 1/4 SE 1/4 of said Section 32; thence N 90°00'00" W along a line 20.00 feet South of and parallel with the South

line of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of said Section 32, a distance of 20.00 feet; thence N 00°18'53" E along a line 20.00 feet West of and parallel with the West line of the SE 1/4 SE 1/4 of said Section 32, a distance of 20.00 feet to a point on the South line of the NW 1/4 SE 1/4 of said Section 32; thence N 00°17'41" E along a line 20.00 feet West of and parallel with the West line of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of said Section 32, a distance of 1321.21 feet to a point on the South line of the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) of said Section 32; thence S 89°52'38" W along the South line of the SW 1/4 NE 1/4 of said Section 32, a distance of 1302.26 feet to a point being the Southwest corner of the SW 1/4 NE 1/4 of said Section 32; thence S 89°52'38" W along the South line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 32, a distance of 1302.26 feet to a point 20.00 feet East of the Southwest corner of the SE 1/4 NW 1/4 of said Section 32; thence N 00°14'23" E along a line 20.00 feet East of and parallel with the West line of the SE 1/4 NW 1/4 of said Section 32, a distance of 1317.64 feet to a point on the North line of the SE 1/4 NW 1/4 of said Section 32; thence N 00°14'23" E along a line 20.00 feet East of and parallel with the West line of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 32, a distance of 1319.24 feet to a point on the North line of said Section 32; thence S 89°38'38" W along the North line of said Section 32, a distance of 20.00 feet to a point being the Southeast corner of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of said Section 29; thence N 00°07'41" E along the East line of the SW 1/4 SW 1/4 of said Section 29, a distance of 1318.98 feet to a point being the Northeast corner of the SW 1/4 SW 1/4 of said Section 29; thence S 89°37'46" W along the North line of the SW 1/4 SW 1/4 of said Section 29, a distance of 1300.00 feet to a point 20.00 feet East of the Northeast corner of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of said Section 30; thence N 00°23'44" E along a line 20.00 feet East of and parallel with the West line of said Section 29, a distance of 20.00 feet; thence S 89°37'46" W along a line 20.00 feet North of and parallel with the North line of the SW 1/4 SW 1/4 of said Section 29, a distance of 20.00 feet to a point on the East line of said Section 30; thence N 89°48'56" W along a line 20.00 feet North of and parallel with the North line of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of said Section 30, a distance of 1321.87 feet to a point on the East line of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of said Section 30; thence N 00°18'19" E along the East line of the NW 1/4 SE 1/4 of said Section 30, a distance of 1276.27 feet to a point 20.00 feet South of the North line of the Southeast Quarter (SE 1/4) of said Section 30; thence N 89°46'00" W along a line 20.00 feet South of and parallel with the North line of the SE 1/4 of said Section 30, a distance of 1321.87 feet to a point on the West line of the NW 1/4 SE 1/4 of said Section 30; thence N 89°45'03" W along a line 20.00 feet South of and parallel with the North line of the Southwest Quarter (SW 1/4) of said Section 30, a distance of 20.00 feet; thence N 62°44'42" W, a distance of 2950.52 feet, more or less, to the Point of Beginning.

CONTAINING 482.13 Acres or 21,001,385 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 29th day of November, 2010 and ordered published.

ADOPTED on second reading the _____ day of _____, 2011 and ordered published in pamphlet form.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE AMENDING ORDINANCE NO. 3679 TO INCLUDE NEWLY
ANNEXED LANDS AND ZONING THE GJ REGIONAL AIRPORT ANNEXATION
TO PAD (PLANNED AIRPORT DEVELOPMENT)
LOCATED AT 2828 WALKER FIELD DRIVE**

Recitals:

The Grand Junction Regional Airport Authority (“Authority”) has requested the City of Grand Junction (“City”) to annex property into its limits and approve the land being included within the Planned Development zone previously approved by the City and known as the Planned Airport Development zone (“PAD”).

The Director of Public Works and Planning has determined in accordance with Section 21.02.150 of the Grand Junction Municipal Code (“Code”) that an amendment to the development plan for inclusion of the land being annexed into the City into the PAD is appropriate and consistent with the development plan adopted in Ordinance No. 3679.

After public notice and public hearing as required by the Code, the Grand Junction Planning Commission recommended approval of zoning the GJ Regional Airport Annexation to the PAD (Planned Airport Development) zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Comprehensive Plan and the Comprehensive 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 Sections 21.02.140 and Section 21.02.160 of the Grand Junction Municipal Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the PAD (Planned Airport Development) zone district is in conformance with the stated criteria of Sections 21.02.140 and Section 22.02.160 and Ordinance No. 3679 shall be amended to include the annexed lands and be zoned PAD.

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

That Ordinance No. 3679 is hereby amended to include the following property which is hereby zoned PAD (Planned Airport Development).

GJ AIRPORT ANNEXATION

A certain parcel of land lying in the West-half of the Southeast Quarter (W 1/2 of the SE 1/4) of Section 23, Township 1 North, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of the W 1/2 of the SE 1/4 of said Section 23 lying North and East of the centerline of the Highline Canal easement, as same is recorded in Book 2841, Page 804, Public Records of Mesa County, Colorado.

CONTAINING 52.35 Acres or 2,280,404 Square Feet, more or less, as described

-TOGETHER WITH-

A certain parcel of land lying in the West-half of the Northwest Quarter (W 1/2 of the NW 1/4) of Section 24, Township 1 North, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of the W 1/2 of the NW 1/4 of said Section 24.

CONTAINING 79.82 Acres or 3,476,929 Square Feet, more or less, as described

-TOGETHER WITH-

A certain parcel of land lying in the South-half (S 1/2) of Section 29, the Northwest Quarter (NW 1/4), Southwest Quarter (SW 1/4) and the Southeast Quarter (SE 1/4) of Section 30 and the East-three quarters (E 3/4) of Section 32, all in Township 1 North, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northwest corner of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 30 and assuming the North line of the South-half of the NW 1/4 of said Section 30 bears S 89°49'11" E with all other bearings contained herein relative thereto; thence from said Point of Beginning, S 89°49'11" E along the North line of the South-half of the NW 1/4 of said Section 30, a distance of 2646.70 feet to a point being the Northeast corner of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 30; thence S 00°09'32" W along the East line of the SE 1/4 NW 1/4 of said Section 30, a distance of 1322.96 feet to a point being the Southeast corner of the SE 1/4 NW 1/4 of said Section 30; thence S 89°46'00" E along the North line of the Southeast Quarter (SE 1/4) of said Section 30, a distance of 2643.81 feet to a point being the Northeast corner of the SE 1/4 of said Section 30; thence N 89°34'41" E along the North line of the Southwest Quarter (SW 1/4) of said Section 29, a distance of 2643.14 feet to a point being the Northeast corner of the SW 1/4 of said Section 29; thence S 00°16'19" W along the East line of the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of said Section 29, a distance of 1317.67 feet to a point being the Northeast corner of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of said Section 29; thence N 89°37'46" E along the North line of the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of said Section 29, a distance of 1322.97 feet to a point being the Northeast corner

of the SW 1/4 SE 1/4 of said Section 29; thence S 00°05'59" W along the East line of the SW 1/4 SE 1/4 of said Section 29, a distance of 1319.65 feet to a point being the Southeast corner of the SW 1/4 SE 1/4 of said Section 29; thence S 00°05'59" W along the West line of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of said Section 32, a distance of 1323.49 feet to a point being the Northwest corner of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 32; thence N 89°44'14" E along the North line of the SE 1/4 NE 1/4 of said Section 32, a distance of 1316.36 feet to a point being the Northeast corner of the SE 1/4 NE 1/4 of said Section 32; thence S 00°20'13" W along the East line of said Section 32, a distance of 1325.68 feet to a point being the Southeast corner of the SE 1/4 NE 1/4 of said Section 32; thence S 00°20'12" W along the East line of said Section 32, a distance of 1322.59 feet to a point being the Northeast corner of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of said Section 32; thence S 00°20'12" W along the East line of said Section 32, a distance of 20.00 feet; thence S 89°51'51" W along a line 20.00 feet South of and parallel with, the North line of the SE 1/4 SE 1/4 of said Section 32, a distance of 1321.31 feet to a point on the West line of the SE 1/4 SE 1/4 of said Section 32; thence N 90°00'00" W along a line 20.00 feet South of and parallel with the South line of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of said Section 32, a distance of 20.00 feet; thence N 00°18'53" E along a line 20.00 feet West of and parallel with the West line of the SE 1/4 SE 1/4 of said Section 32, a distance of 20.00 feet to a point on the South line of the NW 1/4 SE 1/4 of said Section 32; thence N 00°17'41" E along a line 20.00 feet West of and parallel with the West line of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of said Section 32, a distance of 1321.21 feet to a point on the South line of the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) of said Section 32; thence S 89°52'38" W along the South line of the SW 1/4 NE 1/4 of said Section 32, a distance of 1302.26 feet to a point being the Southwest corner of the SW 1/4 NE 1/4 of said Section 32; thence S 89°52'38" W along the South line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 32, a distance of 1302.26 feet to a point 20.00 feet East of the Southwest corner of the SE 1/4 NW 1/4 of said Section 32; thence N 00°14'23" E along a line 20.00 feet East of and parallel with the West line of the SE 1/4 NW 1/4 of said Section 32, a distance of 1317.64 feet to a point on the North line of the SE 1/4 NW 1/4 of said Section 32; thence N 00°14'23" E along a line 20.00 feet East of and parallel with the West line of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 32, a distance of 1319.24 feet to a point on the North line of said Section 32; thence S 89°38'38" W along the North line of said Section 32, a distance of 20.00 feet to a point being the Southeast corner of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of said Section 29; thence N 00°07'41" E along the East line of the SW 1/4 SW 1/4 of said Section 29, a distance of 1318.98 feet to a point being the Northeast corner of the SW 1/4 SW 1/4 of said Section 29; thence S 89°37'46" W along the North line of the SW 1/4 SW 1/4 of said Section 29, a distance of 1300.00 feet to a point 20.00 feet East of the Northeast corner of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of said Section 30; thence N 00°23'44" E along a line 20.00 feet East of and parallel with the West line of said Section 29, a distance of 20.00 feet; thence S 89°37'46" W along a line 20.00 feet North of and parallel with the North line of the SW 1/4 SW 1/4 of said Section 29, a distance of 20.00 feet to a point on the East line of said Section 30; thence N 89°48'56" W along a line 20.00 feet North of and parallel with the North line of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of said Section 30, a distance of

1321.87 feet to a point on the East line of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of said Section 30; thence N 00°18'19" E along the East line of the NW 1/4 SE 1/4 of said Section 30, a distance of 1276.27 feet to a point 20.00 feet South of the North line of the Southeast Quarter (SE 1/4) of said Section 30; thence N 89°46'00" W along a line 20.00 feet South of and parallel with the North line of the SE 1/4 of said Section 30, a distance of 1321.87 feet to a point on the West line of the NW 1/4 SE 1/4 of said Section 30; thence N 89°45'03" W along a line 20.00 feet South of and parallel with the North line of the Southwest Quarter (SW 1/4) of said Section 30, a distance of 20.00 feet; thence N 62°44'42" W, a distance of 2950.52 feet, more or less, to the Point of Beginning.

CONTAINING 482.13 Acres or 21,001,385 Square Feet, more or less, as described.

The property is to develop in accordance with the development plan in Ordinance No. 3679 and any amendments thereto.

INTRODUCED on first reading the 5th day of January, 2011 and ordered published in pamphlet form.

PASSED and ADOPTED on second reading the ____ day of _____, 2011 and ordered published in pamphlet form.

ATTEST:

President of the Council

City Clerk