

BOARD OF ADJUSTMENT
MEETING

Friday, April 4, 1958
2:30 PM

Present: Chairman Ray Hume, Claud Smith, H. S. Day, Norman Hotchkiss, Secretary R. E. Cheever, and Attorney James K. Groves.

Absent: Laird Smith

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This meeting was called in order that the Board might consider the application of Prinster Bros., as presented by their Attorney, James K. Groves, for variance from the requirements of Sec 8 (e2) to permit erection of an addition to their North Avenue City Market which is constructed upon Lots 14, 15, and 16 of Block 4 of the City of Grand Junction. They propose to construct an addition on the west side of this building on Lots 12 and 13 in Block 4, extending 40 ft. west, and request permission to extend this addition to the alley on the south.

In the event that the above requested permission is granted, Prinster Bros. are willing to enter into the following agreement with the City of Grand Junction:

AGREEMENT

WHEREAS, Prinster Brothers, Inc., a Colorado corporation, is desirous of constructing an addition to its retail grocery store and market on Lots 12 and 13 in Block 4 in the City of Grand Junction, Mesa County, Colorado, with access at the rear thereof for the delivery of merchandise to such building from the alley;

NOW, THEREFORE, in the event that the City of Grand Junction shall permit the construction of such building according to plans and specifications filed with it, and for other valuable considerations, the receipt of which is hereby acknowledged by Prinster Brothers, Inc., Prinster Brothers, Inc. agrees to and with the City of Grand Junction, Colorado, as follows:

1. Operations conducted by it, or any person or firm acting by, through or under it, will be so conducted that, with the use of the northerly portions of Lots 17 to 22, inclusive, in said Block 4, vehicular traffic will be able to proceed at all times through the alley of said Block 4.
2. In the event that the City Council of the City of Grand Junction, Colorado shall determine that this agreement is insufficient to protect the public in the use of such alley or that Prinster Brothers, Inc. have not complied with the provisions of this agreement, and the City Council shall so request, Prinster Brothers, Inc. will dedicate to public use an alley twenty (20) feet in width, proceeding north and south at such location in Lots 17 to 22, inclusive, of said Block 4 as said City Council shall designate, together with appropriate access thereto from said alley which runs east and west through said Block 4.
3. The provisions of this agreement shall be binding upon the successors and assigns of Prinster Brothers, Inc., and upon all persons, firms and corporations acting by, through or under Prinster Brothers, Inc.
4. This agreement may be terminated upon the further agreement of the City Council of the City of Grand Junction, Colorado, and Prinster Brothers, Inc. or its successors and assigns.

DATED this 4th day of April, 1958.

PRINSTER BROTHERS, INC.

BY /s/ Teo Prinster, Pres.

ATTEST:

Andrew T. Prinster,
Secretary

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After discussion, motion was made by Claud Smith, that this request for variance be granted so that Prinster Brothers, Inc. may build their addition to the North Avenue Market to the alley line so that it will match the present building, and that the Agreement as tendered be accepted.

Motion seconded by Norman Hotchkiss, and carried.

Meeting adjourned.

R. E. Cheever, Secretary