



Development Concepts, Inc.
Planning and Development Services

2764 Compass Drive
Suite 201
Grand Junction, CO 81506

MARCHUN ANNEXATION

Office - 970-255-1131
Fax - 970-255-1159
e-mail - yobubba@gjct.net

January 2, 2003

TO: Dave Thornton
City of Grand Junction Community Development Department

FROM: Mike Joyce, AICP
Development Concepts, Inc.

SUBJECT: Annexation Petition for 2925 F 1/2 Road, Grand Junction, CO 81504

RECEIVED
JAN 02 2003
COMMUNITY DEVELOPMENT
DEPT.

Dear Dave,

Attached is a copy of the Title Commitment for the Marchun property, location map, and the Mesa County Assessor's Property Search Results for property located at located at 2925 F 1/2 Road. I have also included all deeds noted on Mesa County Assessor's Property Search Results for your convenience. The property will be developed by Maxwell Sneddon, and in December 2002, we completed a General Meeting with Lisa for the Annexation, Zone of Annexation to RSF-5, and a Preliminary Plat for the subject property

Please note in the Title Commitment that there are several Marchun family members that hold an ownership interest in the subject property. They are as follows:

John M. Marchun, as to an undivided one-sixth interest
Carl D. Marchun & Zetta H. Marchun, as joint tenants, as to an one-sixth interest
Joseph W. Marchun, as to an undivided one-sixth interest
Herman E. Marchun, as to an undivided one-half interest

Also, as I understand the ownership, Joseph W. Marchun, has died, with Carl D. Marchun being the executor of the estate. We are in process of securing a Death Certificate and a copy of the Joseph Marchun's will noting Carl Marchun as executor. This will be forwarded on to you with the owners signatures on the Annexation Petition. Maxwell Sneddon will be designated as the Circulator of the Annexation Petition.

Hopefully this has not been too confusing. If you have any questions, please feel free to contact me at 255-1131. Thank you, in advance, for your assistance on this project.

cc: Maxwell Sneddon
Mark Young, PE
Lisa Gerstenberger

2943-053-00 - 039

MARCHUN ANNEXATION
PETITION FOR ANNEXATION

WE THE UNDERSIGNED do hereby petition the City Council of the City of Grand Junction, State of Colorado, to annex the following described parcels to the said City:

GENERAL LOCATION: 2925 F 1/2 Road

Tax Parcel #'s 2943-053-00-039

SEE ATTACHED EXHIBIT A

This foregoing description describes the parcel; the perimeter boundary descriptions, for purposes of the Annexation Act, is shown on the attached "Perimeter Boundary Legal Description, Marchun Annexation."

As grounds therefore, the petitioner respectfully state that annexation to the City of Grand Junction, Colorado is both necessary and desirable and that the said territory is eligible for annexation in that the provisions of the Municipal Annexation Act of 1965, Sections 31-12-104 and 31-12-105 CRS 1973 have been met.

This petition is accompanied by four copies of a map or plat of the said territory, showing its boundary and its relation to established city limit lines, and said map is prepared upon a material suitable for filing.

Your petitioners further state that they are the owners of more than fifty percent of the area of such territory to be annexed, exclusive of streets and alleys; that the mailing address of the signer and the date of signature are set forth hereafter opposite the name of the signer, and that the legal description of the property owned by the signer of said petition is attached hereto.

WHEREFORE, these petitioners pray that this petition be accepted and that the said annexation be approved and accepted by ordinance. These petitioners by his/her/their signature(s) acknowledge, understand and agree that if any development application concerning the property which is the subject hereof is denied, discontinued or disapproved, in whole or in part, that the annexation of the property to the City of Grand Junction shall proceed.

John M. Marchun

Deceased

Estate of John M. Marchun

ADDRESS

By Carl D. Marchun P.R.

JAN-15-03

SIGNATURE

DATE

By Carl D. Marchun, Executor of John M. Marchun Estate

Carl D. Marchun & Zetta H. Marchun

1777 M Road, Fruita CO 81521

ADDRESS

Carl D. Marchun & Zetta H. Marchun

DATE

JAN-15-03

SIGNATURES

Joseph W. Marchun

4730 Ricara Dr., Boulder, CO 80303

ADDRESS

Joseph W. Marchun

DATE

JAN 18, 2003

SIGNATURE

Herman E. Marchun

2925 F 1/2 Road, Grand Junction CO 81504

ADDRESS

Herman E. Marchun

DATE

JAN-15-03

SIGNATURE

EXHIBIT A

W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of
Section 5, Township 1 South, Range 1 East of the Ute Meridian,
EXCEPTING THEREFROM that portion thereof conveyed to the County of Mesa, State of Colorado by instrument recorded
May 16, 1961 in Book 803 at Page 262,
Mesa County, Colorado.

**PEIMETER BOUNDARY LEGAL DESCRIPTION
MARCHUN ANNEXATION**

A Serial Annexation comprising Marchun Annexation No. 1 and Marchun Annexation No. 2

MARCHUN ANNEXATION NO. 1

A certain parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 5, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Southwest corner of the NE 1/4 SW 1/4 of said Section 5, the same point being the Southeast corner of Karen Lee Subdivision, as same is recorded in Plat Book 11, Page 97, Public Records of Mesa County, Colorado, and assuming the West line of the West half (W 1/2) of the NE 1/4 SW 1/4 of said Section 5 bears N 00°03'21" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 00°03'21" E along the West line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 and the East line of said Karen Lee Subdivision, a distance of 1,000.00 feet; thence S 89°48'24" E a distance of 659.67 feet to a point on the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5; thence S 00°01'41" W along the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 a distance of 1,000.00 feet to a point being the Southeast corner of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5, the same point being the Northeast corner of Del-Mar Subdivision Filing No. 3, as same is recorded in Plat Book 15, Pages 379 and 380, Public Records of Mesa County, Colorado; thence N 89°48'24" W along the South line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 a distance of 660.16 feet, more or less, to the Point of Beginning.

CONTAINING 15.1496 Acres (659,915.06 Sq. Ft.) more or less, as described.

MARCHUN ANNEXATION NO. 2

A certain parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) and the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 5, 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 NE 1/4 SW 1/4 of said Section 5, the same point being the Southeast corner of Karen Lee Subdivision, as same is recorded in Plat Book 11, Page 97, Public Records of Mesa County, Colorado, and assuming the West line of the West half (W 1/2) of the NE 1/4 SW 1/4 of said Section 5 bears N 00°03'21" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°03'21" E along

the West line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 and the East line of said Karen Lee Subdivision, a distance of 1000.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°03'21" E a distance of 319.74 feet to a point being the Northwest corner of the NE 1/4 SW 1/4 of said Section 5; thence continue N 00°03'21" E a distance of 30.00 feet to a point on the North right of way for F-1/2 Road, said right of way being recorded in Book 803, Page 262, Public Records of Mesa County, Colorado; thence S 89° 47'43" E along said North right of way, being a line 30.00 feet North of and parallel to, the North line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5, a distance of 456.60 feet, more or less, to a point intersecting the Southerly extension of the West line of the Replat of Willow Glen, as same is recorded in Plat Book 13, Page 518, Public Records of Mesa County, Colorado; thence N 00°12'17" E a distance of 3.00 feet to a point being the Southwest corner of said Replat of Willow Glen; thence S 89°47'43" E along the South line of said Replat of Willow Glen, a distance of 202.90 feet, more or less, to a point on the Northerly extension of the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5; thence S 00°01'41" W along said line, a distance of 33.00 feet to a point being the Northeast corner of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5; thence S 00°01'41" W along the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5, a distance of 319.61 feet; thence N 89°48'24" W a distance of 659.67 feet, more or less, to the Point of Beginning.

CONTAINING 5.3088 Acres (231,250.27 Sq. Ft.) more or less, as described.

TO: **ANNEXATION IMPACT REPORT TEAM MEMBERS**

Dan Wilson, City Attorney
Tim Moore, Public Works Manager
Tim Woodmansee, Property Agent
Peter Krick, Senior Real Estate Technician
Greg Trainor, Utility Manager
Terry Brown, Technical Service Supervisor
Rob Laurin, Solid Waste Supervisor
Mike McDill, City Engineer
Doug Cline, Streets Superintendent
Jody Kliska, Traffic Engineer
Gordon Gram, Public Works
Michael Grizenko, Public Works
Edward Wacker, Public Works
Don Hobbs, Parks Manager
Shawn Cooper, Parks Planner
Rick Beaty, Fire Chief
Jim Bright, Fire Department
Harry Long, Police Department
Lanny Paulson, Budget Coordinator
Jodi Romero, Customer Service Manager
Stephanie Tuin, City Clerk
Debbie Kovalik, Director of VCB
Ivy Williams, Code Enforcement Supervisor
Kathy Portner, Planning Manager
Steve Smith, GIS Technician II
Jeff Wood, Communications 911
Linda Dannenberger, Mesa County Planning
Ed Tolen, Ute Water Conservancy

FROM: **Dave Thornton**, Community Development Department

RE: **Marchun Annexation**

DATE: June 17, 2003



Monday, June 16th, City Council approved the resolution of referral of petition to annex and exercise land use immediately for the Marchun Annexation. The entire annexation area consists of one parcel of land located at 2925 F ½ Road and a portion of the F ½ Road ROW. The annexation area is 20.4584 acres in size. Please see the attached map and annexation summary information. If you need any additional information, please contact either Lisa Cox at 256-4039 or me at 244-1450.

The following annexation and zoning schedule is being proposed.

| <u>ANNEXATION SCHEDULE</u> | |
|-----------------------------------|--|
| June 16th | Referral of Petition (30 Day Notice), First Reading, Exercising Land Use |
| June 24th | Planning Commission considers Zone of Annexation |
| July 16th | First Reading on Zoning by City Council |
| Aug 6th | Acceptance of Petition and Public hearing on Annexation and Zoning by City Council |
| Sept 7th | Effective date of Annexation and Zoning |

(ateammem.doc)

SUMMARY

| | |
|---------------------------------------|---|
| File Number: | ANX-2003-093 |
| Location: | 2925 F 1/2 Road |
| Tax ID Number: | 2943-053-00-039 |
| Parcels: | 1 |
| Estimated Population: | 2 |
| # of Parcels (owner occupied): | 1 |
| # of Dwelling Units: | 1 |
| Acres land annexed: | 20.4584 acres for annexation area |
| Developable Acres Remaining: | 0 acres |
| Right-of-way in Annexation: | 0 acres |
| Previous County Zoning: | RSF-4 (Mesa County) |
| Proposed City Zoning: | RMF-5, Residential Multi-Family not to exceed 5 units/acre |
| Current Land Use: | Single Family Residence/ Agricultural |
| Future Land Use: | Residential |
| Values: | Assessed: \$ 8,720 |
| | Actual: \$ 85,230 |
| Census Tract: | n/a |
| Address Ranges: | West to East: 2925 to 2974 North to South: 625 to 649 |
| Special Districts: | Water: Ute Water |
| | Sewer: Central Grand Valley Sanitation |
| | Fire: Grand Junction Rural Fire |
| | Drainage: Grand Junction Drainage |
| | School: District 51 |
| | Pest: n/a |

DESCRIPTION OF
MARCHUN ANNEXATION NO. 1

A certain parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 5, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

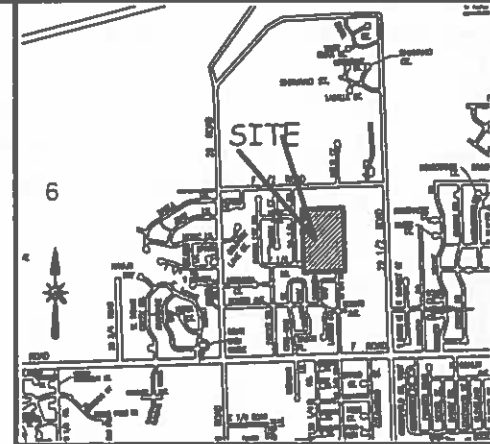
BEGINNING at the Southwest corner of the NE 1/4 SW 1/4 of said Section 5, the same point being the Southeast corner of Karen Lee Subdivision, as same is recorded in Plat Book 11, Page 97, Public Records of Mesa County, Colorado, and assuming the West line of the West half (W 1/2) of the NE 1/4 SW 1/4 of said Section 5 bears N 00°03'21" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 00°03'21" E along the West line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 and the East line of said Karen Lee Subdivision, a distance of 1,000.00 feet; thence S 89°48'24" E a distance of 659.67 feet to a point on the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5; thence S 00°01'41" W along the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 a distance of 1,000.00 feet to a point being the Southeast corner of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5, the same point being the Northeast corner of Del-Mar Subdivision Filing No. 3, as same is recorded in Plat Book 15, Pages 379 and 380, Public Records of Mesa County, Colorado; thence N 89°48'24" W along the South line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 a distance of 660.16 feet, more or less, to the Point of Beginning.

CONTAINING 15.1496 Acres (659,915.06 Sq. Ft.) more or less, as described.

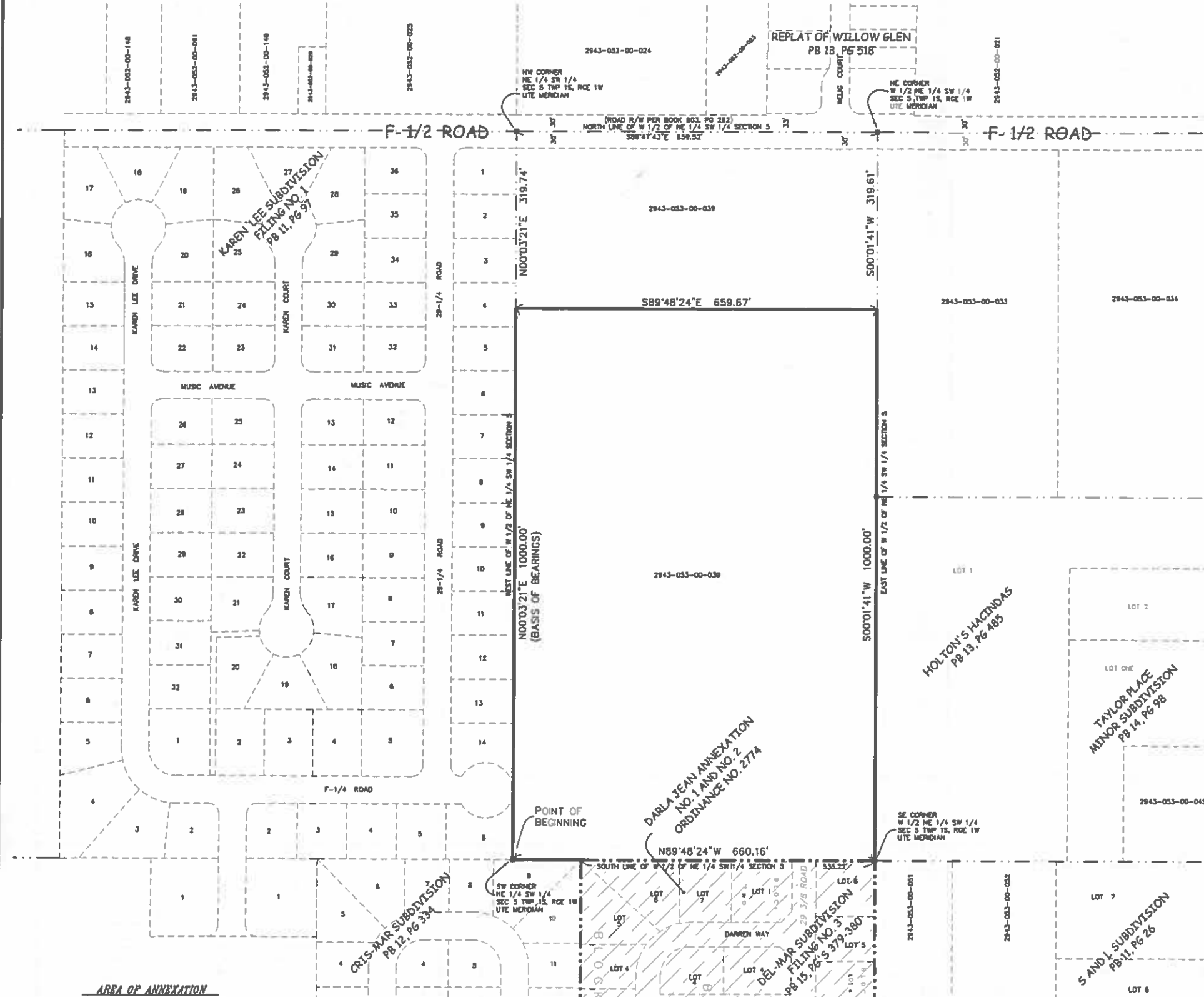


MARCHUN ANNEXATION NO. 1

SITUATE IN THE NE 1/4 OF THE SW 1/4 OF SECTION 5, T1S, R1E, U.M.
COUNTY OF MESA, STATE OF COLORADO



LOCATION MAP: NOT-TO-SCALE

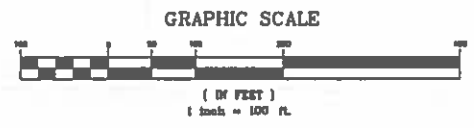


LEGAL DESCRIPTION

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CONTAINING 15.1496 Acres (659,915.06 Sq. Ft.) more or less, as described.



The Description(s) contained herein have been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This plat does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

PETER T. KRIGER, PLS No. 32824
Professional Land Surveyor for the
City of Grand Junction
DATE: 8/11/03

| AREA OF ANNEXATION | |
|----------------------|-------------|
| ANNEXATION PERIMETER | 3,319.83 FT |
| CONTIGUOUS PERIMETER | 535.22 FT |
| AREA IN SQUARE FEET | 659,915.06 |
| AREA IN ACRES | 15.1496 |

| LEGEND | |
|----------------------|-------|
| ANNEXATION BOUNDARY | ————— |
| EXISTING CITY LIMITS | ————— |

ORDINANCE NO. ???
EFFECTIVE DATE ???

THIS IS NOT A BOUNDARY SURVEY
DEPARTMENT OF PUBLIC WORKS AND UTILITIES
REAL ESTATE DIVISION
CITY OF GRAND JUNCTION, COLORADO

MARCHUN ANNEXATION NO. 1

C:\drawing\Peter\annex\Marchun Annexation.dwg Marchun Annexation Drawing.dwg 05/12/2003 09:08:01 PM MDT

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 the certification shown herein.

DRAWN BY P.T.K. DATE 05-09-2003
DESIGNED BY DATE
CHECKED BY T.W. DATE
APPROVED BY DATE

SCALE
1" = 100'

DESCRIPTION OF
MARCHUN ANNEXATION NO. 2

A certain parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) and the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 5, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

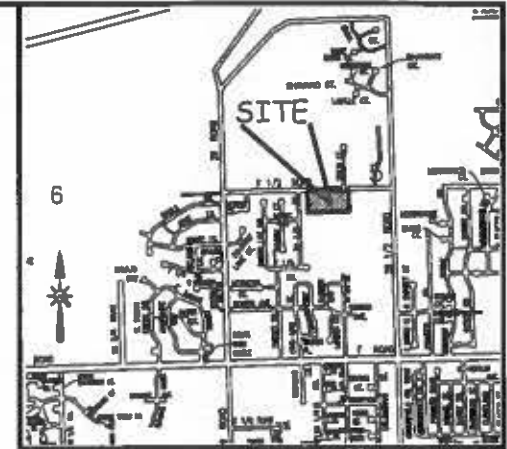
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CONTAINING 5.3088 Acres (231,250.27 Sq. Ft.) more or less, as described.



MARCHUN ANNEXATION NO. 2

SITUATE IN THE NE 1/4 OF THE SW 1/4 AND THE SE 1/4 OF THE NW 1/4 SECTION 5, T1S, R1E, U.M.
COUNTY OF MESA, STATE OF COLORADO



LOCATION MAP: NOT-TO-SCALE

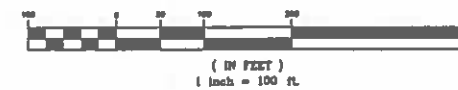
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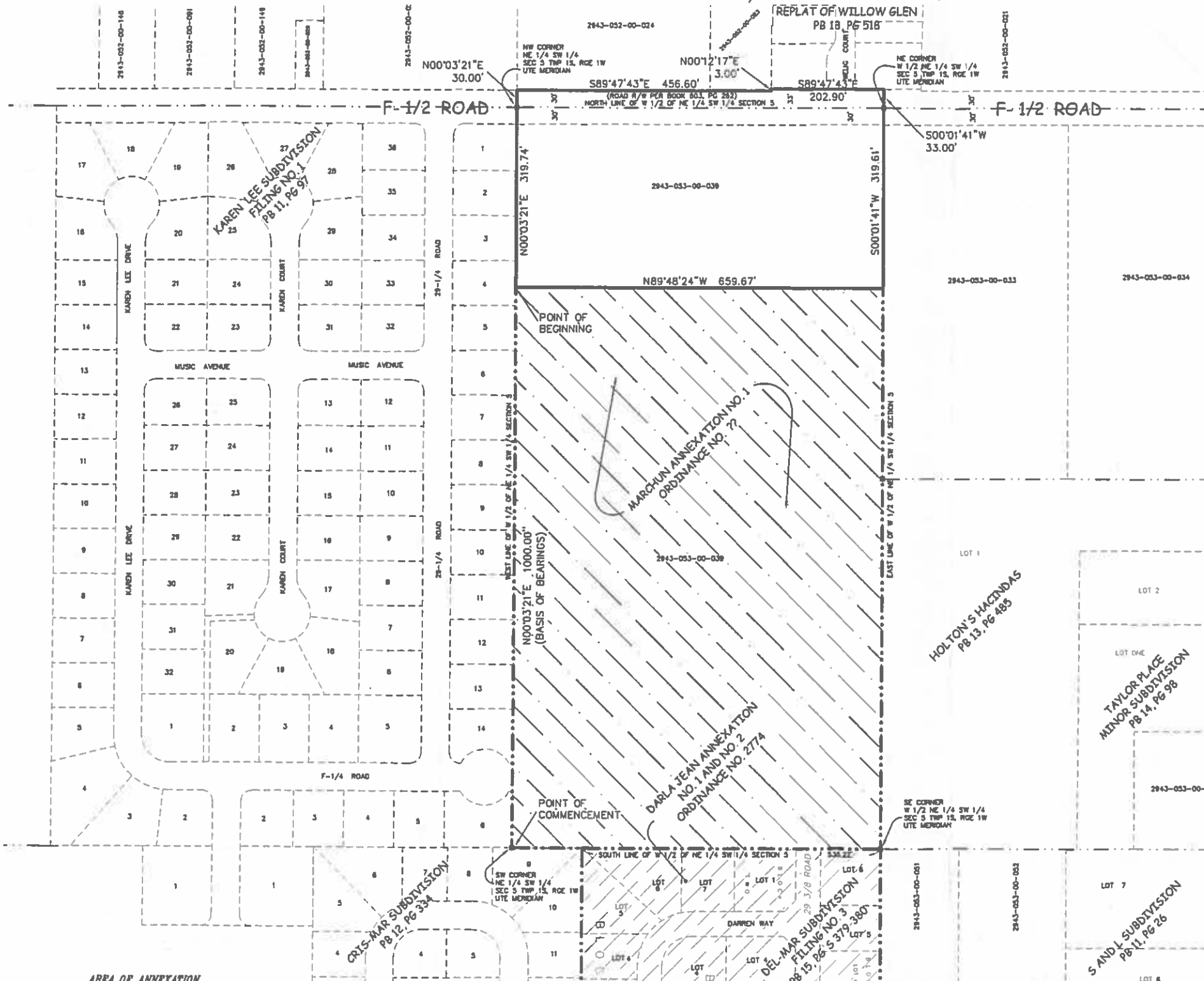
CONTAINING 5.3088 Acres (231,250.27 Sq. Ft.) more or less, as described.

GRAPHIC SCALE



The Description(s) contained herein have been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This plat does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

PETER T. KRICK PLS No. 32824
Professional Land Surveyor for the
City of Grand Junction
DATE: 05-09-2003



| AREA OF ANNEXATION | |
|----------------------|-------------|
| ANNEXATION PERIMETER | 2,024.52 FT |
| CONTIGUOUS PERIMETER | 859.67 FT |
| AREA IN SQUARE FEET | 231,250.27 |
| AREA IN ACRES | 5.3088 |

| LEGEND | |
|----------------------|-------|
| ANNEXATION BOUNDARY | ————— |
| EXISTING CITY LIMITS | ————— |

ORDINANCE NO. ???
EFFECTIVE DATE ???

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 the certification shown herein.

DRAWN BY P.T.K. DATE 05-09-2003
DESIGNED BY DATE
CHECKED BY T.W. DATE
APPROVED BY DATE

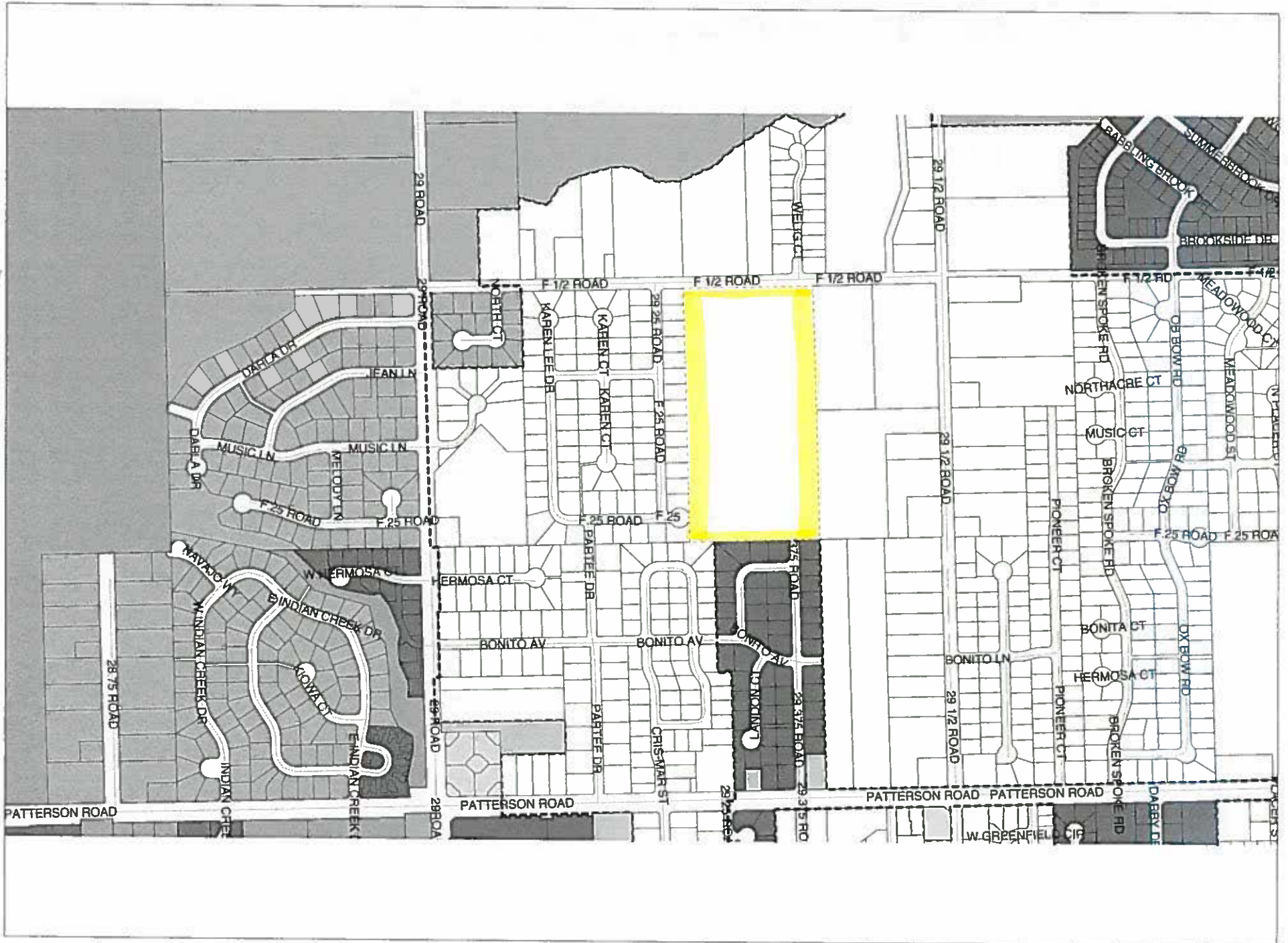
SCALE
1" = 100'

THIS IS NOT A BOUNDARY SURVEY
DEPARTMENT OF PUBLIC WORKS AND UTILITIES
REAL ESTATE DIVISION
CITY OF GRAND JUNCTION, COLORADO

MARCHUN ANNEXATION NO. 2
1 OF 1

C:\drawing\Peter\annex\Marchun Annexation Drawing.dwg 05/12/2003 03:08:01 PH HDT

Zoning Map



2920 F/L Road

COMMITMENT FOR TITLE INSURANCE

RECEIVED NOV 20 2002
02-715

SECURITY UNION TITLE INSURANCE COMPANY

a California corporation, herein called the Company, for a valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedules A and B and to the Conditions and Stipulations hereof.

This Commitment shall be effective only when the identity of the proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A hereof by the Company, either at the time of the issuance of this Commitment or by subsequent endorsement.

This Commitment is preliminary to the issuance of such policy or policies of title insurance and all liability and obligations hereunder shall cease and terminate six months after the effective date hereof or when the policy or policies committed for shall issue, whichever occurs first, provided that the failure to issue such policy or policies is not the fault of the Company.

Issued by:
MERIDIAN LAND TITLE, LLC
2454 Patterson, Suite 100
Grand Junction, CO 81505
Phone (970) 245-0550 Fax (970) 241-1593

[Handwritten Signature]

Authorized Signature



SECURITY UNION TITLE INSURANCE COMPANY

By

[Handwritten Signature]

President

ATTEST

[Handwritten Signature]

Secretary

**COMMITMENT FOR TITLE INSURANCE
SCHEDULE A**

FILE NUMBER: 59549

1. **Effective date:** October 11, 2002 at 8:00 AM

| 2. Policy or Policies to be issued: | Amount of Insurance |
|--|----------------------------|
| A. ALTA Owner's Policy | \$31,000.00 |
| Proposed Insured: | |
| MAXWELL SNEDDON AND CAROLE M. SNEDDON | |
| B. ALTA Loan Policy | \$0.00 |
| Proposed Insured: | |
| NONE | |
| C. Not Applicable | \$0.00 |
| Proposed Insured: | |
| NONE | |

3. **The estate or interest in the land described or referred to in this Commitment and covered herein is:**

 Fee Simple

4. **Title to the above described estate or interest in said land is at the effective date hereof vested in:**

 JOHN M. MARCHUN, as to an undivided one-sixth interest;
 CARL D. MARCHUN AND ZETTA H. MARCHUN, as Joint Tenants, as to an undivided one-sixth interest;
 JOSEPH W. MARCHUN, as to an undivided one-sixth interest; and
 HERMAN E. MARCHUN, as to an undivided one-half interest

5. **The land referred to in this Commitment is described as follows:**

 W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of
 Section 5, Township 1 South, Range 1 East of the Ute Meridian,
 EXCEPTING THEREFROM that portion thereof conveyed to the County of Mesa, State of Colorado by instrument recorded
 May 16, 1961 in Book 803 at Page 262,
 Mesa County, Colorado.

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B - Section 1

Requirements

FILE NUMBER: 59549

The following are the requirements to be complied with:

A. Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.

B. Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record, to wit:

1. Deed sufficient to convey the fee simple estate or interest in the land described herein, to the proposed insured, Schedule A, Item 2(A).

NOTE: Colorado Law requires that a Real Property Transfer Declaration accompany document conveying title to real property when such documents are presented for recording. Failure to provide such Declaration may result in monetary penalties being added to property taxes.

- * 2. Release of Deed of Trust executed by Herman E. Marchun, to the Public Trustee of Mesa County in favor of Anton L. Marchun and Nadine F. Marchun, as Joint Tenants, to secure \$30,000.00 and any other obligations secured thereby, dated October 3, 1994, and recorded October 6, 1994 in Book 2103 at Page 383.

* Item(s) may require special attention.

C. Payment of all taxes, charges, assessments, levied and assessed against the subject premises which are due and payable.

COMMITMENT FOR TITLE INSURANCE
SCHEDULE B - Section 2
Exceptions

FILE NUMBER: 59549

The policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

A. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records, or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires of record for value the estate or interest or mortgage thereon covered by this commitment.

B. General Exceptions:

1. Rights or claims of parties in possession not shown by the public records.
2. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
3. Easements, or claims of easements, not shown shown by the public records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. (a.) Unpatented mining claims; (b.) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c.) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

Paragraphs 1, 2, 3, 4, 5 and 6 above will not appear as printed exceptions on extended coverage policies, except as to such parts thereof which may be shown as a Special Exception in Schedule B-Section 2.

C. Special Exceptions:

7. Any and all unpaid taxes, assessments and unredeemed tax sales, if any.
8. Right of way for ditches or canals constructed by the Authority of the United States together with the right of proprietor of a vein or lode to extract and remove his ore therefrom should the same be found to intersect said premises as reserved in United States Patent recorded April 7, 1892 in Book 11 at Page 184.
9. Terms, conditions, stipulations, obligations and provisions of Agreement And Grant Of Easement, in favor of Palisade Irrigation District, recorded September 15, 1992 in Book 1923 at Page 851.
10. Terms, conditions, stipulations, obligations and provisions of Agreement And Grant Of Easement, in favor of Palisade Irrigation District, recorded September 15, 1992 in Book 1923 at Page 875.
11. Terms, conditions, stipulations, obligations and provisions of Agreement And Grant Of Easement, in favor of Palisade Irrigation District, recorded September 15, 1992 in Book 1923 at Page 893. Location Map and Survey Description was recorded June 10, 1999 in Book 2597 at Page 1.
12. Terms, conditions, stipulations, obligations and provisions of Agreement And Grant Of Easement, in favor of Palisade Irrigation District, recorded October 21, 1992 in Book 1931 at Page 661.
13. Terms, conditions, stipulations, obligations and provisions of Agreement And Grant Of Easement, in favor of Palisade Irrigation District, recorded November 13, 1992 in Book 1937 at Page 868.

MERIDIAN LAND TITLE, LLC

DISCLOSURE STATEMENT

Note: pursuant to CRS 10-11-122, notice is hereby given that:

- A) The subject real property may be located in a special taxing district.
- B) A Certificate of Taxes Due listing each taxing jurisdiction may be obtained from the County Treasurer's authorized agent.
- C) The information regarding special districts and the boundaries of such districts may be obtained from the Board of County Commissioners, the County Clerk and Recorder, or the County Assessor.

Note: Effective September 1, 1997, CRS 30-10-406 requires that all documents received for recording or filing in the clerk and recorder's office shall contain a top margin of at least one inch and a left, right and bottom margin of at least one half of an inch. The clerk and recorder may refuse to record or file any document that does not conform, except that, the requirement for the top margin shall not apply to documents using forms on which space is provided for recording or filing information at the top margin of the document.

Note: Colorado Division of Insurance Regulations 3-5-1, paragraph C of Article VII requires that "Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed". Provided that Meridian Land Title, LLC conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 5 will not appear on the Owner's Title Policy and the Lenders Policy when issued.

Note: Affirmative mechanic's lien protection for the Owner may be available (typically be deletion of Exception no. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

- A) The land described in Schedule A of this commitment must be a single-family residence, which includes a condominium or townhouse unit.
- B) No labor or materials have been furnished by mechanics or material-men for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.
- C) The Company must receive an appropriate affidavit indemnifying the Company against un-filed mechanic's and material-men's liens.
- D) The Company must receive payment of the appropriate premium.
- E) If there has been construction, improvements or major repairs undertaken on the property to be purchased within six months prior to the Date of the Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and or the contractor; payment of the appropriate premium; fully executed Indemnity Agreements satisfactory to the company, and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

Note: Pursuant to CRS 10-11-123, notice is hereby given:

- A) That there is recorded evidence that a mineral estate has been severed, leased, or otherwise conveyed from the surface estate and that there is a substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal That energy in the property; and
- B) That such mineral estate may include the right to enter and use the property without the surface owner's permission.

This notice applies to owner's policy commitments containing a mineral severance instrument exception or exceptions, in Schedule B, Section 2.

Nothing herein contained will be deemed to obligate the company to provide any of the coverages referred to herein unless the above conditions are fully satisfied.

JOINT NOTICE OF PRIVACY POLICY

Fidelity National Financial Group of Companies/Security Union Title Insurance Company and Meridian Land Title, LLC

We recognize and respect the privacy expectations of today's consumers and the requirements of applicable federal and state privacy laws. We believe that making you aware of how we use your non-public personal information ("Personal Information"), and to whom it is disclosed, will form the basis for a relationship of trust between us and the public that we serve. This Privacy Statement provides that explanation. We reserve the right to change this Privacy Statement from time to time consistent with applicable privacy laws.

In the course of our business, we may collect Personal Information about you from the following sources:

- ❖ From applications or other forms we receive from you or your authorized representative;
- ❖ From your transactions with, or from the services being performed by us, our affiliates, or others;
- ❖ From our internet web sites;
- ❖ From the public records maintained by governmental entities that we either obtain directly from those entities, or from our affiliates or others; and
- ❖ From consumer or other reporting agencies.

Our Policies Regarding the Protection of the Confidentiality and Security of Your Personal Information

We maintain physical, electronic and procedural safeguards to protect your Personal Information from unauthorized access or intrusion. We limit access to the Personal Information only to those employees who need such access in connection with providing products or services to you or for other legitimate business purposes.

Our Policies and Practices Regarding the Sharing of Your Personal Information

We may share your Personal Information with our affiliates, such as insurance companies, agents, and other real estate settlement service providers. We also may disclose your Personal Information:

- ❖ To agents, brokers or representatives to provide you with services you have requested;
- ❖ To third-party contractors or service providers who provide services or perform marketing or other functions on our behalf; and
- ❖ To others with whom we enter into joint marketing agreements for products or services that we believe you may find of interest.

In addition, we will disclose your Personal Information when you direct or give us permission, when we are required by law to do so, or when we suspect fraudulent or criminal activities. We also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce our rights arising out of any agreement, transaction or relationship with you.

One of the important responsibilities of some of our affiliated companies is to record documents in the public domain. Such documents may contain your Personal Information.

Right to Access your Personal Information and Ability to Correct Errors Or Request Changes Or Deletion

Certain states afford you the right to access your Personal Information and, under certain circumstances, to find out to whom your Personal Information has been disclosed. Also, certain states afford you the right to request correction, amendment or deletion of your Personal Information. We reserve the right, where permitted by law, to charge a reasonable fee to cover costs incurred in responding to such requests.

All requests submitted to the Fidelity National Financial Group of Companies/Security Union Title Insurance Company shall be in writing, and delivered to the following address:

Privacy Compliance Officer
Fidelity National Financial, Inc.
4050 Calle Real, Suite 220
Santa Barbara, CA 93110

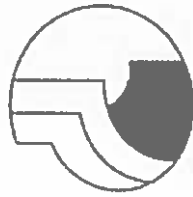
Multiple Products or Services

If we provide you with more than one financial product or service, you may receive more than one privacy notice from us. We apologize for any inconvenience this may cause you.

COMMITMENT
FOR
TITLE
INSURANCE

 **SECURITY UNION**
Title Insurance Company

P.O. Box 2233
Los Angeles, CA 90051



Mesa County

Property Search Results *(Continued)*

The Mesa County Assessor's Office makes every effort to collect and maintain accurate data. However, the Mesa County Assessor's Office is unable to warrant any of the information contained herein.

| | |
|---------------------------|--|
| Owner's Name: | MARCHUN, HERMAN E and ETAL |
| Mailing Address: | 2925 F 1/2 RD GRAND JUNCTION, CO 81504-5255 |
| Parcel Identifier: | 2943-053-00-039 |
| Associated Par: | |
| Legal Description: | W2NE4SW4 SEC 5 1S 1E EXC N 30FT FOR RD |
| Property Address: | 2925 F 1/2 RD |
| NeighborHood: | Econ 30 M+B Nbhd 9 |
| Land Unit 1: | |
| Schedule Type: | |
| Units: | 15.0 |
| Unit Type: | |
| Land Unit 2: | |
| Schedule Type: | |
| Units: | 3.3 |
| Unit Type: | |
| Land Unit 3: | |

| | |
|-----------------------|--|
| Schedule Type: | |
| Units: | 1.0 |
| Unit Type: | |
| | Building Characteristics (Including Drawings and Information) |

Tax Information

| | Tac 16612 | Improvements | Land | Total |
|------|-------------------------------|--------------|---------|------------|
| 2002 | Actual | \$76,510 | \$8,720 | \$85,230 |
| | Assessed | \$7,550 | \$2,540 | \$10,090 |
| | Mill Levy | | | 0.071593 |
| | Special Asmt | | | \$347.40 |
| | Property Taxes + Special Asmt | | | \$1,069.77 |
| | | | | |
| | Tac 16612 | Improvements | Land | Total |
| 2001 | Actual | \$76,510 | \$8,720 | \$85,230 |
| | Assessed | \$7,550 | \$2,540 | \$10,090 |
| | Mill Levy | | | 0.071593 |
| | Special Asmt | | | \$347.40 |
| | Property Taxes + Special Asmt | | | \$1,069.77 |
| | | | | |

| | | | | |
|------|-------------------------------|--------------|---------|-------------|
| 2000 | Tac 16612 | Improvements | Land | |
| | Actual | \$86,030 | \$9,730 | \$95,760 |
| | Assessed | \$8,910 | \$2,830 | \$11,740 |
| | Mill Levy | | | 7.999501E-2 |
| | Special Asmt | | | \$308.80 |
| | Property Taxes + Special Asmt | | | \$1,247.94 |

Sales Activity (if any)

| Date | Amount | Book | Page | Instrument Type |
|------------|----------|------|---------|-----------------|
| 10/03/1994 | \$50,000 | 2103 | 379/380 | WD |
| 10/03/1994 | \$50,000 | 2103 | 381/382 | WD |
| 09/14/1999 | \$0 | 2632 | 676 | QCDJT |



[MC Home Page](#)



[Assessor Main Page](#)



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Mesa County

Property Search Results *(Continued)*

The Mesa County Assessor's Office makes every effort to collect and maintain accurate data. However, the Mesa County Assessor's Office is unable to warrant any of the information contained herein.

| | |
|---------------------------|--|
| Owner's Name: | MARCHUN, HERMAN E and ETAL |
| Mailing Address: | 2925 F 1/2 RD GRAND JUNCTION, CO 81504-5255 |
| Parcel Identifier: | 2943-053-00-039 |
| Associated Par: | |
| Legal Description: | W2NE4SW4 SEC 5 1S 1E EXC N 30FT FOR RD |
| Property Address: | 2925 F 1/2 RD |
| NeighborHood: | Econ 30 M+B Nbhd 9 |
| Land Unit 1: | |
| Schedule Type: | IRRIGATED LAND |
| Units: | 15.0 |
| Unit Type: | Acres |
| Land Unit 2: | |
| Schedule Type: | IRRIGATED LAND |
| Units: | 3.3 |
| Unit Type: | Acres |
| Land Unit 3: | |
| Schedule Type: | GRAZING LAND |
| Units: | 1.0 |
| Unit Type: | Acre |

| |
|--|
| Building Characteristics (Including Drawings and Information) |
|--|

Tax Information

| | | | | |
|------|-------------------------------|--------------|---------|-------------|
| 2002 | Tac 16612 | Improvements | Land | Total |
| | Actual | \$76,510 | \$8,720 | \$85,230 |
| | Assessed | \$7,550 | \$2,540 | \$10,090 |
| | Mill Levy | | | 0.071593 |
| | Special Asmt | | | \$347.40 |
| | Property Taxes + Special Asmt | | | \$1,069.77 |
| 2001 | Tac 16612 | Improvements | Land | Total |
| | Actual | \$76,510 | \$8,720 | \$85,230 |
| | Assessed | \$7,550 | \$2,540 | \$10,090 |
| | Mill Levy | | | 0.071593 |
| | Special Asmt | | | \$347.40 |
| | Property Taxes + Special Asmt | | | \$1,069.77 |
| 2000 | Tac 16612 | Improvements | Land | Total |
| | Actual | \$86,030 | \$9,730 | \$95,760 |
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| | Special Asmt | | | \$308.80 |
| | Property Taxes + Special Asmt | | | \$1,247.94 |

Sales Activity (if any)

| Date | Amount | Book | Page | Instrument Type |
|------------|----------|------|---------|-----------------|
| 10/03/1994 | \$50,000 | 2103 | 379/380 | WD |
| 10/03/1994 | \$50,000 | 2103 | 381/382 | WD |
| 09/14/1999 | \$0 | 2632 | 676 | QCDJT |

Your title here



- Legend**
- Highlighted Feature
 - Adams County Boundary
 - Hospitals
 - Police Stations
 - Fire Stations
 - Schools
 - State Highways
 - Roads
 - Lakes
 - Canals
 - Townships & Area
 - Section Lines
 - Airports
 - Rivers
 - Parcel Lines
 - City of Grand Junction
 - City of Fruita
 - Town of Paradise
 - Town of Collins
 - Town of Coalinga
 - Colorado National Government
 - U.S. Lands
 - National Forest Lands



Mass County Road Map

0 150

WARRANTY DEED

The below-named GRANTOR hereby sells and conveys to the below-named GRANTEE the real property described below with all its appurtenances.

The specific terms of this conveyance are:

GRANTOR: Anton L. Marchun
1414 Grove Creek Road
Collbran, CO 81624

BOOK 2103 PAGE 379

1697291 09:12 AM 10/06/94
MONIKA TODD CLK&REC MESA COUNTY CO
DOC \$ 5.00

GRANTEE: Herman E. Marchun
2925 F 1/2 Road
Grand Junction, CO 81504

TAX SCHEDULE NUMBER: 2943-053-00-039

PROPERTY DESCRIPTION:

An undivided one-sixth interest in the property described as:

The W1/2 NE1/4 SW1/4 in Section 5, Township 1 South, Range 1 East, Ute Meridian.

Together with all water and water rights, ditches and ditch rights appertaining, and all improvements thereon.

All in Mesa County, Colorado.

PROPERTY ADDRESS: 2925 F-1/2 Road, Grand Junction, Colorado.

RESERVATIONS-RESTRICTIONS: NONE

CONSIDERATION: Fifty Thousand & No/100 Dollars (\$50,000.00)

WARRANTY EXCEPTIONS: GRANTOR warrants the title to the property, except for (1) the lien of the general property taxes for the year of this deed, which the GRANTEE will pay (2) any easements and rights-of-way shown of record (3) any patent reservations and exceptions (4) any outstanding mineral interests shown of record and (5) any protective covenants and restrictions shown of record.

Executed on 3 Oct., 1994.

GRANTOR:

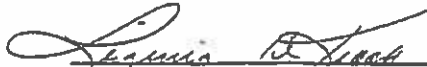
Anton L. Marchun
Anton L. Marchun

94-9-48

STATE OF COLORADO)
) ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 3rd day of October, 1994 by Anton L. Marchun.

WITNESS my hand and official seal
My commission expires: 11-10-97



Notary Public



WARRANTY DEED

1697292 09:12 AM 10/06/94
MONIKA TODD CLK&REC MESA COUNTY CO
DOC \$ 5.00

The below-named GRANTOR hereby sells and conveys to the below-named GRANTEE the real property described below with all its appurtenances.

The specific terms of this conveyance are:

GRANTOR: Raymond R. Marchun
849 McQueen Boulevard
St. Albans, WV 25177

GRANTEE: Herman E. Marchun
2925 F 1/2 Road
Grand Junction, CO 81504

TAX SCHEDULE NUMBER: 2943-053-00-039

PROPERTY DESCRIPTION:

An undivided one-sixth interest in the property described as:

The W1/2 NE1/4 SW1/4 in Section 5, Township 1 South, Range 1 East, Ute Meridian.

Together with all water and water rights, ditches and ditch rights appertaining, and all improvements thereon.

All in Mesa County, Colorado.

PROPERTY ADDRESS: 2925 F-1/2 Road, Grand Junction, Colorado.

RESERVATIONS-RESTRICTIONS: NONE

CONSIDERATION: Fifty Thousand & No/100 Dollars (\$50,000.00)

WARRANTY EXCEPTIONS: GRANTOR warrants the title to the property, except for (1) the lien of the general property taxes for the year of this deed, which the GRANTEE will pay (2) any easements and rights-of-way shown of record (3) any patent reservations and exceptions (4) any outstanding mineral interests shown of record and (5) any protective covenants and restrictions shown of record.

Executed on 3 Oct, 1994.

94-9-48

GRANTOR:

BOOK 2103 PAGE 382

Raymond R. Marchun
Raymond R Marchun

By Anton L. Marchun AIF
Anton L. Marchun, Attorney-in-Fact



STATE OF COLORADO)
) ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 3rd day of October, 1994 by Anton L. Marchun, Attorney-in-Fact for Raymond R. Marchun.

WITNESS my hand and official seal
My commission expires: 11-10-97

Legna D. Klock
Notary Public

QUITCLAIM DEED

Grantor(s) CARL D. MARCHUN, also known as CARL DONALD MARCHUN, also known as
CARL MARCHUN
whose address is

County of Mesa , and State of Colorado , for the consideration of

Ten Dollars and other good and valuable consideration (no actual consideration)-- Dollars,

in hand paid, hereby sell(s) and quitclaim(s) to

CARL D. MARCHUN and ZETTA H. MARCHUN, as joint tenants,

whose address is 1777 M Road, Fruita, Colorado 81521

County of Mesa , and State of Colorado , the following

real property, in the County of Mesa and State of Colorado, to wit:

An undivided one-sixth interest in:

The W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ in Section 5, Township 1 South, Range 1 East, Ute Meridian,
together with all water and water rights, ditch and ditch rights appertaining, and all
improvements thereon;

also known as street and number: 2925 F $\frac{1}{2}$ Road, Grand Junction, Colorado 81504

assessor's schedule or parcel number: 2943-053-00-039
with all its appurtenances

Signed this 14th day of September , 1999.

Carl D. Marchun

Carl D. Marchun, also known as
Carl Donald Marchun, also known
as Carl Marchun

STATE OF COLORADO)
) ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 14th day of September 19 99,
by Carl D. Marchun, also known as Carl Donald Marchun, also known as Carl Marchun.

Witness my hand and official seal.
My commission expires: 12/14/99



Karen F. West

Notary Public

MARCHUN ANNEXATION

A Serial Annexation Comprising Marchun Annexation No. 1 and Marchun Annexation No. 2

It is my professional belief; based on my review of the petition, pursuant to C.R.S. 31-12-104, that the Marchun Annexation is eligible to be annexed.

It complies with the following:

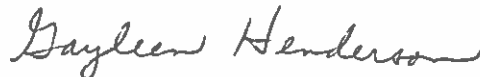
- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and 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 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.


David L. Thornton, AICP

May 13, 2003
Date

STATE OF COLORADO
SS:
COUNTY OF MESA)

Subscribed and sworn to before me this 13th of May 2003, by David L. Thornton. Witness my hand and official seal.

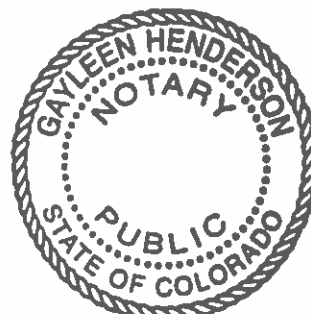


My Commission expires:

10/29/2005

Notary Public

(eligible)



My Commission Expires 10/29/2005

STATE OF COLORADO
SS
COUNTY OF MESA

AFFIDAVIT

Maxwell Sneddon, of lawful age, being first duly sworn, upon oath, deposes and says:

That he is the circulator of the forgoing petition:

That each signature on the said petition is the signature of the person whose name it purports to be.



Maxwell Sneddon

Subscribed and sworn to before me this 27th day of January, 2003.

Witness my hand and official seal.

Jane P. ...
Notary Public

3077 Huntington Ave.
Address

My commission expires: 8/21/2004

MARCHUN ANNEXATION
PETITION FOR ANNEXATION

WE THE UNDERSIGNED do hereby petition the City Council of the City of Grand Junction, State of Colorado, to annex the following described parcels to the said City:

GENERAL LOCATION: 2925 F 1/2 Road

Tax Parcel #'s 2943-053-00-039

SEE ATTACHED EXHIBIT A

This foregoing description describes the parcel; the perimeter boundary descriptions, for purposes of the Annexation Act, is shown on the attached "Perimeter Boundary Legal Description, Marchun Annexation."

As grounds therefore, the petitioner respectfully state that annexation to the City of Grand Junction, Colorado is both necessary and desirable and that the said territory is eligible for annexation in that the provisions of the Municipal Annexation Act of 1965, Sections 31-12-104 and 31-12-105 CRS 1973 have been met.

This petition is accompanied by four copies of a map or plat of the said territory, showing its boundary and its relation to established city limit lines, and said map is prepared upon a material suitable for filing.

Your petitioners further state that they are the owners of more than fifty percent of the area of such territory to be annexed, exclusive of streets and alleys; that the mailing address of the signer and the date of signature are set forth hereafter opposite the name of the signer, and that the legal description of the property owned by the signer of said petition is attached hereto.

WHEREFORE, these petitioners pray that this petition be accepted and that the said annexation be approved and accepted by ordinance. These petitioners by his/her/their signature(s) acknowledge, understand and agree that if any development application concerning the property which is the subject hereof is denied, discontinued or disapproved, in whole or in part, that the annexation of the property to the City of Grand Junction shall proceed.

John M. Marchun

Deceased

Estate of John M. Marchun

ADDRESS

By Carl D. Marchun P.R.

JAN-15-03

SIGNATURE

DATE

By Carl D. Marchun, Executor of John M. Marchun Estate

Carl D. Marchun & Zetta H. Marchun

1777 M Road, Fruita CO 81521

ADDRESS

Carl D. Marchun & Zetta H. Marchun

JAN-15-03

SIGNATURES

DATE

Joseph W. Marchun

4730 Ricara Dr., Boulder, CO 80303

ADDRESS

Joseph W. Marchun

JAN 15, 2003

SIGNATURE

DATE

Herman E. Marchun

2925 F 1/2 Road, Grand Junction CO 81504

ADDRESS

Herman E. Marchun

JAN-15-03

SIGNATURE

DATE

EXHIBIT A

W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of
Section 5, Township 1 South, Range 1 East of the Ute Meridian,
EXCEPTING THEREFROM that portion thereof conveyed to the County of Mesa, State of Colorado by instrument recorded
May 16, 1961 in Book 803 at Page 262,
Mesa County, Colorado.

**PEIMETER BOUNDARY LEGAL DESCRIPTION
MARCHUN ANNEXATION**

A Serial Annexation comprising Marchun Annexation No. 1 and Marchun Annexation No. 2

MARCHUN ANNEXATION NO. 1

A certain parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 5, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Southwest corner of the NE 1/4 SW 1/4 of said Section 5, the same point being the Southeast corner of Karen Lee Subdivision, as same is recorded in Plat Book 11, Page 97, Public Records of Mesa County, Colorado, and assuming the West line of the West half (W 1/2) of the NE 1/4 SW 1/4 of said Section 5 bears N 00°03'21" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 00°03'21" E along the West line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 and the East line of said Karen Lee Subdivision, a distance of 1,000.00 feet; thence S 89°48'24" E a distance of 659.67 feet to a point on the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5; thence S 00°01'41" W along the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 a distance of 1,000.00 feet to a point being the Southeast corner of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5, the same point being the Northeast corner of Del-Mar Subdivision Filing No. 3, as same is recorded in Plat Book 15, Pages 379 and 380, Public Records of Mesa County, Colorado; thence N 89°48'24" W along the South line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 a distance of 660.16 feet, more or less, to the Point of Beginning.

CONTAINING 15.1496 Acres (659,915.06 Sq. Ft.) more or less, as described.

MARCHUN ANNEXATION NO. 2

A certain parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) and the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 5, 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 NE 1/4 SW 1/4 of said Section 5, the same point being the Southeast corner of Karen Lee Subdivision, as same is recorded in Plat Book 11, Page 97, Public Records of Mesa County, Colorado, and assuming the West line of the West half (W 1/2) of the NE 1/4 SW 1/4 of said Section 5 bears N 00°03'21" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°03'21" E along

the West line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 and the East line of said Karen Lee Subdivision, a distance of 1000.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°03'21" E a distance of 319.74 feet to a point being the Northwest corner of the NE 1/4 SW 1/4 of said Section 5; thence continue N 00°03'21" E a distance of 30.00 feet to a point on the North right of way for F-1/2 Road, said right of way being recorded in Book 803, Page 262, Public Records of Mesa County, Colorado; thence S 89° 47'43" E along said North right of way, being a line 30.00 feet North of and parallel to, the North line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5, a distance of 456.60 feet, more or less, to a point intersecting the Southerly extension of the West line of the Replat of Willow Glen, as same is recorded in Plat Book 13, Page 518, Public Records of Mesa County, Colorado; thence N 00°12'17" E a distance of 3.00 feet to a point being the Southwest corner of said Replat of Willow Glen; thence S 89°47'43" E along the South line of said Replat of Willow Glen, a distance of 202.90 feet, more or less, to a point on the Northerly extension of the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5; thence S 00°01'41" W along said line, a distance of 33.00 feet to a point being the Northeast corner of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5; thence S 00°01'41" W along the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5, a distance of 319.61 feet; thence N 89°48'24" W a distance of 659.67 feet, more or less, to the Point of Beginning.

CONTAINING 5.3088 Acres (231,250.27 Sq. Ft.) more or less, as described.

Subject: Marchun Annexation No. 1 and No. 2

Lisa,

As we discussed, Marchun Annexation at 2925 F 1/2 Road is requesting to begin their annexation process even though they don't plan on submitting until the end of May. They also want RMF-5 zoning. Peter has done the legal (Attached) and with your personal schedule we will begin the annexation with the Referral on June 16th.

Pat,

If you want someone other than Lisa on this project (she did the general meeting) please let Lisa and I know and we can get this info to them.

Thanks!

Dave

CC: Cecil, Pat; Spurr, Wendy

W½ NE¼ SW¼ of

Section 5, Township 1 South, Range 1 East of the Ute Meridian,

EXCEPTING THEREFROM that portion thereof conveyed to the County of Mesa, State of Colorado by instrument recorded

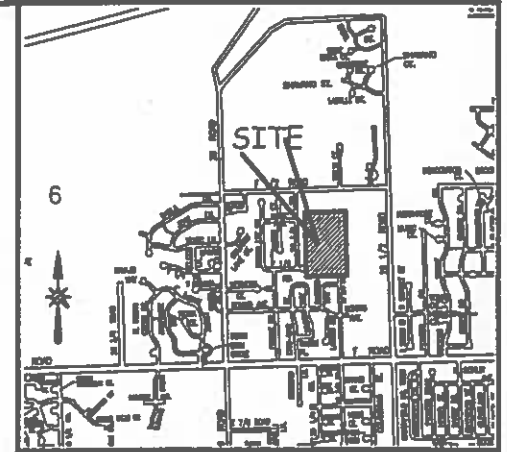
May 16, 1961 in Book 803 at Page 262,

Mesa County, Colorado.

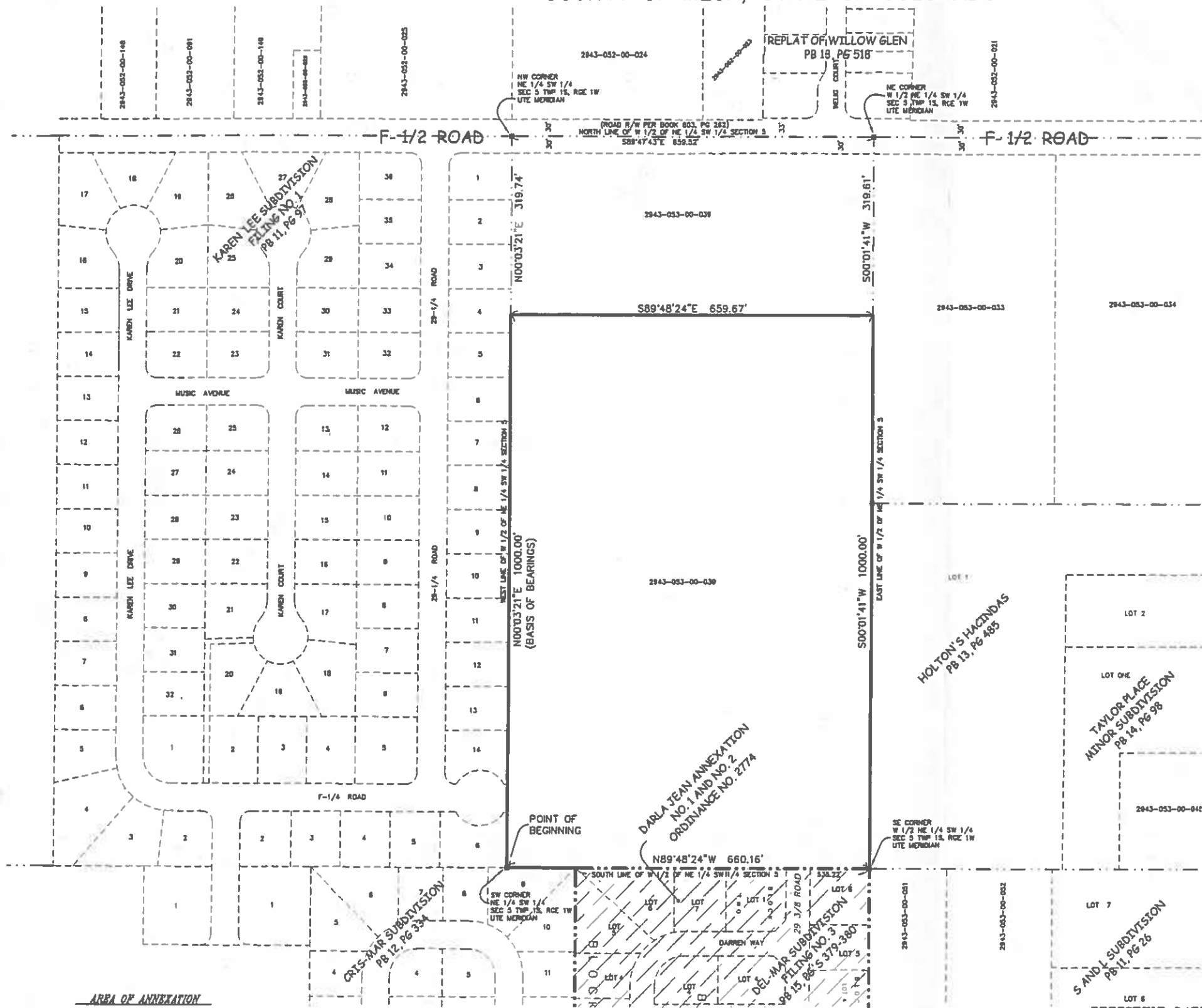


MARCHUN ANNEXATION NO. 1

SITUATE IN THE NE 1/4 OF THE SW 1/4 OF SECTION 5, T1S, R1E, U.M.
COUNTY OF MESA, STATE OF COLORADO



LOCATION MAP: NOT-TO-SCALE

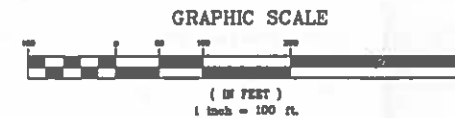


LEGAL DESCRIPTION

A certain parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 5, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Southwest corner of the NE 1/4 SW 1/4 of said Section 5, the same point being the Southeast corner of Karen Lee Subdivision, as same is recorded in Plat Book 11, Page 97, Public Records of Mesa County, Colorado, and assuming the West line of the West half (W 1/2) of the NE 1/4 SW 1/4 of said Section 5 bears N 00°03'21" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 00°03'21" E along the West line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 and the East line of said Karen Lee Subdivision, a distance of 1,000.00 feet; thence S 89°48'24" E a distance of 659.67 feet to a point on the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5; thence S 00°01'41" W along the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 a distance of 1,000.00 feet to a point being the Southeast corner of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5, the same point being the Northeast corner of Del-Mar Subdivision File No. 3, as same is recorded in Plat Book 15, Pages 379 and 380, Public Records of Mesa County, Colorado; thence N 89°48'24" W along the South line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 a distance of 660.16 feet, more or less, to the Point of Beginning.

CONTAINING 15.1496 Acres (659,915.06 Sq. Ft.) more or less, as described.



The Description(s) contained herein have been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This plat does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

PETER T. KRICK, PLS No. 32824
Professional Land Surveyor for the City of Grand Junction
DATE: 05-09-2003

| AREA OF ANNEXATION | |
|----------------------|-------------|
| ANNEXATION PERIMETER | 3,318.83 FT |
| CONTIGUOUS PERIMETER | 535.22 FT |
| AREA IN SQUARE FEET | 659,915.06 |
| AREA IN ACRES | 15.1496 |

| LEGEND | |
|----------------------|-------|
| ANNEXATION BOUNDARY | ————— |
| EXISTING CITY LIMITS | ————— |

ORDINANCE NO. ???

EFFECTIVE DATE ???

THIS IS NOT A BOUNDARY SURVEY
DEPARTMENT OF PUBLIC WORKS AND UTILITIES
REAL ESTATE DIVISION
CITY OF GRAND JUNCTION, COLORADO

MARCHUN ANNEXATION NO. 1

C:\drawing\Peter\annex\Marchun Annexation Drawing.dwg 05/12/2003 03:09:01 PM MDT

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 the certification shown herein.

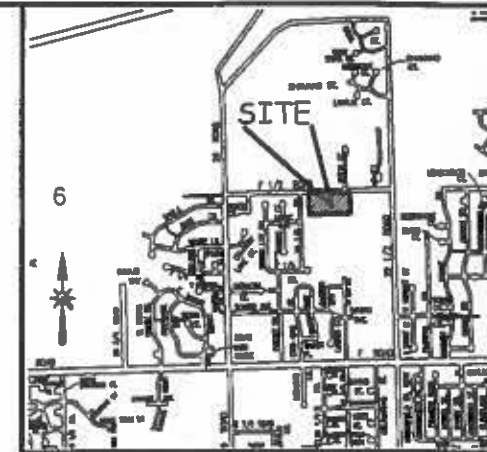
DRAWN BY P.T.K. DATE 05-09-2003
DESIGNED BY DATE
CHECKED BY T.W. DATE
APPROVED BY DATE

SCALE
1" = 100'



MARCHUN ANNEXATION NO. 2

SITUATE IN THE NE 1/4 OF THE SW 1/4 AND THE SE 1/4 OF THE NW 1/4 SECTION 5, T1S, R1E, U.M.
COUNTY OF MESA, STATE OF COLORADO



LOCATION MAP: NOT-TO-SCALE

LEGAL DESCRIPTION

A certain parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) and the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 5, 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 NE 1/4 SW 1/4 of said Section 5, the same point being the Southeast corner of Karen Lee Subdivision, as same is recorded in Plat Book 11, Page 97, Public Records of Mesa County, Colorado, and assuming the West line of the West half (W 1/2) of the NE 1/4 SW 1/4 of said Section 5 bears N 00°03'21" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°03'21" E along the West line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 and the East line of said Karen Lee Subdivision, a distance of 1000.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°03'21" E a distance of 319.74 feet to a point being the Northwest corner of the NE 1/4 SW 1/4 of said Section 5; thence continue N 00°03'21" E a distance of 30.00 feet to a point on the North right of way for F-1/2 Road, said right of way being recorded in Book 803, Page 262, Public Records of Mesa County, Colorado; thence S 89° 47'43" E along said North right of way, being a line 30.00 feet North of and parallel to, the North line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5, a distance of 456.60 feet, more or less, to a point intersecting the Southerly extension of the West line of the Replat of Willow Glen, as same is recorded in Plat Book 13, Page 518, Public Records of Mesa County, Colorado; thence N 00°12'17" E a distance of 3.00 feet to a point being the Southwest corner of said Replat of Willow Glen; thence S 89°47'43" E along the South line of said Replat of Willow Glen, a distance of 202.90 feet, more or less, to a point on the Northerly extension of the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5; thence S 00°01'41" W along said line, a distance of 33.00 feet to a point being the Northeast corner of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5; thence S 00°01'41" W along the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5, a distance of 319.61 feet; thence N 89°48'24" W a distance of 659.67 feet, more or less, to the Point of Beginning.

CONTAINING 5.3088 Acres (231,250.27 Sq. Ft.) more or less, as described.

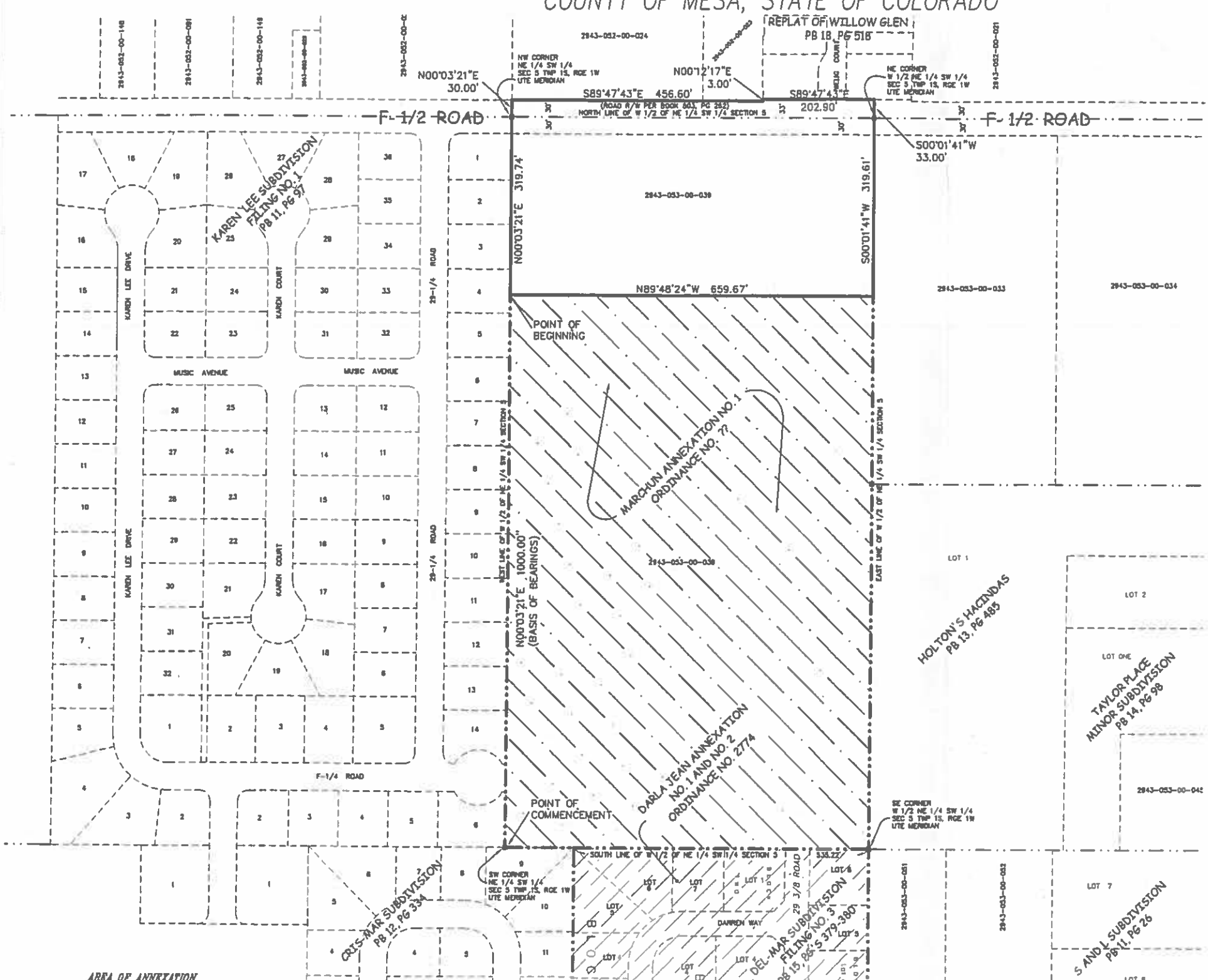
GRAPHIC SCALE



The Description(s) contained herein have been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This plat does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

PETER T. KRICK, PLS No. 32824
Professional Land Surveyor for the
City of Grand Junction

DATE: 5/11/03



| AREA OF ANNEXATION | |
|----------------------|-------------|
| ANNEXATION PERIMETER | 2,024.53 FT |
| CONTIGUOUS PERIMETER | 658.67 FT. |
| AREA IN SQUARE FEET | 231,250.27 |
| AREA IN ACRES | 5.3088 |

| LEGEND | |
|----------------------|-------|
| ANNEXATION BOUNDARY | ————— |
| EXISTING CITY LIMITS | ————— |

ORDINANCE NO. ???
EFFECTIVE DATE ???

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 the certification shown hereon.

DRAWN BY P.T.K. DATE 05-09-2003
DESIGNED BY _____ DATE _____
CHECKED BY T.W. DATE _____
APPROVED BY _____ DATE _____

SCALE
1" = 100'

THIS IS NOT A BOUNDARY SURVEY
DEPARTMENT OF PUBLIC WORKS AND UTILITIES
REAL ESTATE DIVISION
CITY OF GRAND JUNCTION, COLORADO

MARCHUN ANNEXATION NO. 2

C:\drawing\Peter\annex\Marchun Annexation Drawing.dwg 05/12/2003 03:08:01 PM MDT



City of Grand Junction, Colorado
Office of the City Clerk
250 North Fifth Street
81501-2668
(970) 244-1509
FAX: (970) 244-1599

June 17, 2003

Board of County Commissioners
P.O. Box 20,000-5010
Grand Junction, Colorado 81502

Commissioners:

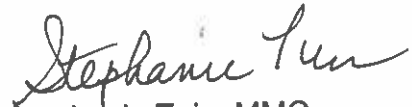
Subject: **Marchun Annexation No. 1 and No. 2** – Notice of Hearing, Resolution No. 55-03, and Petition

In compliance with Title 31, Article 12, C.R.S., Part 1, entitled "Municipal Annexation Act of 1965", Section 31-12-108(2), I have enclosed a copy of the petition as filed and Resolution No. 55-03 adopted by the City Council of the City of Grand Junction, Colorado, at its regular meeting June 16, 2003, giving notice of hearing on the proposed Marchun Annexation No. 1 and No. 2 on August 6, 2003.

By this resolution the City of Grand Junction has assumed jurisdiction of all land use proceedings within the area to be annexed. Accordingly, the processing of all development reviews, including but not necessarily limited to, planning clearances for building permits, fence permits, sign permits, subdivisions, planned developments, rezonings, conditional use permits, right-of-way vacations, and similar applications or proceedings, by the County, for lands within this annexation should be discontinued. Applicants, their agents or representatives, should be referred to the City Community Development Department. Please compile forthwith all documents, maps, plans, plats and files relating to current or pending applications, reviews or approvals in the annexation area. A Community Development Department representative will be in to pick up these items one week from the date of this letter.

If you have questions or need additional information on development issues, please contact Bob Blanchard, Director of the Community Development Department, at 244-1430.

Sincerely,



Stephanie Tuin, MMC
City Clerk

ST:jsp

Enclosures

c: Mr. Lyle Dechant, County Attorney
Mesa County Building Inspection Division
Mesa County Planning Division
Dan Wilson, City Attorney
Bob Blanchard, Community Development Director
School District #51
Ute Water
Central Grand Valley Sanitation
Grand Junction Rural Fire
Grand Junction Drainage

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. 55-03

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

MARCHUN ANNEXATIONS #1 and #2

LOCATED AT 2925 F 1/2 Road and including a portion of the F 1/2 Road ROW

WHEREAS, on the 16th day of June, 2003, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

A Serial Annexation comprising Marchun Annexations #1 and #2

MARCHUN ANNEXATION NO. 1

A certain parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 5, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Southwest corner of the NE 1/4 SW 1/4 of said Section 5, the same point being the Southeast corner of Karen Lee Subdivision, as same is recorded in Plat Book 11, Page 97, Public Records of Mesa County, Colorado, and assuming the West line of the West half (W 1/2) of the NE 1/4 SW 1/4 of said Section 5 bears N 00°03'21" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 00°03'21" E along the West line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 and the East line of said Karen Lee Subdivision, a distance of 1,000.00 feet; thence S 89°48'24" E a distance of 659.67 feet to a point on the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5; thence S 00°01'41" W along the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 a distance of 1,000.00 feet to a point being the Southeast corner of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5, the same point being the Northeast corner of Del-Mar Subdivision Filing No. 3, as same is recorded in Plat Book 15, Pages 379 and 380, Public Records of Mesa County, Colorado; thence N 89°48'24" W along the South line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 a distance of 660.16 feet, more or less, to the Point of Beginning.


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

1. That a hearing will be held on the 6th day of August, 2003, in the City Hall auditorium, located at 250 N 5th Street, City of Grand Junction, Colorado, at 7:30 p.m. to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.

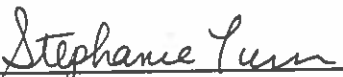
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community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

ADOPTED this 16th day of June, 2003.

Attest:



President of the Council



City Clerk



CITY OF GRAND JUNCTION

Community Development Dept. • 250 N. 5th Street • Grand Junction, CO 81501

Date: June 9, 2003

Applicant: Maxwell Sneddon
Representative: Development Concepts Inc– Mike Joyce

The following item (**Marchun Annexation– ANX-2003-093**) has been scheduled for Planning Commission on June 24, 2003.

A sign(s) advertising the Public Hearing will be required to be posted no later than this Friday, 6/13/03. The signs are available at the Community Development Department. A \$50.00 deposit is required for a Public Hearing sign. The deposit will be refunded, in full, if the sign(s) is/are returned within 5 working days after the final meeting. A sign is required to be placed facing each road(s) that abuts the project site.

The Staff Report for the project will be available for pick-up after 4 P.M. on Thursday, June 13, 2003.

Please contact the project planner, Lisa Cox, at (256-4039, lisac@ci.grandjct.co.us) if you have any questions relating to this notice.

cc: ANX-2003-093

7000 1670 0010 0684 6882

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

| | | |
|---|----|------------------|
| Postage | \$ | Postmark Here |
| Certified Fee | | |
| Return Receipt Fee (Endorsement Required) | | |
| Restricted Delivery Fee (Endorsement Required) | | |
| Total Postage & Fees | \$ | |

Sent to: *Development Concepts, Mike Joyce*
 Street, Apt. No. or PO Box No.: *2764 Compass NW #207-1*
 City, State, ZIP+4: *Grand Junction, CO 81506*

PS Form 3800, May 2000 See Reverse for Instructions

CITY OF GRAND JUNCTION

| CITY COUNCIL AGENDA | | | | | | |
|---------------------------------------|--|-----|----------------------|----------------|----------------------------|---------------------------------|
| Subject | Referring Petition to Annex, First reading of Annexation Ordinance, Exercising land use jurisdiction, and Setting a Hearing for the Marchun Annexation #1 and #2, located at 2925 F 1/2 Road | | | | | |
| Meeting Date | June 16, 2003 | | | | | |
| Date Prepared | June 10, 2003 | | | | File # ANX-2003-093 | |
| Author | Lisa E. Cox, AICP | | | Senior Planner | | |
| Presenter Name | As above | | | As above | | |
| Report results back to Council | X | No | | Yes | When | |
| Citizen Presentation | | Yes | X | No | Name | |
| | Workshop | X | Formal Agenda | X | Consent | Individual Consideration |

Summary: The 20.4584 acre Marchun Annexation #1 and #2 is a serial annexation located at 2925 F ½ Road. The applicant is requesting annexation into the City and a zone district of RMF-5, Residential Multi-family not to exceed 5 units per acre.

Budget: N/A

Action Requested/Recommendation: Approve the Resolution of Referral, first reading of the annexation ordinance, exercise land use jurisdiction immediately and set a hearing for August 6, 2003.

Background Information: See attached staff report

Attachments:

1. Staff Report
2. Site Location Map (Figure 1)
3. Aerial Photo Map (Figure 2)
4. Future Land Use Map (Figure 3)
5. Existing City and County Zoning Map (Figure 4)
6. Annexation Map (Figure 5)
7. Resolution of Referral
8. Annexation Ordinance

| STAFF REPORT / BACKGROUND INFORMATION | | | |
|--|--------------|--|------------------------------|
| Location: | | 2925 F 1/2 Road | |
| Applicants: | | Estate of John Marchun by Carl Marchun, Executor of the Estate Carl D. and Zetta H. Marchun Joseph W. Marchun Herman E. Marchun | |
| Existing Land Use: | | Single Family Residence/Agricultural | |
| Proposed Land Use: | | Residential | |
| Surrounding Land Use: | North | Residential/Agricultural | |
| | South | Residential | |
| | East | Agricultural | |
| | West | Residential | |
| Existing Zoning: | | RSF-4 (Mesa County) | |
| Proposed Zoning: | | RMF-5 (Residential Multi-Family, not to exceed 5 units/acre) | |
| Surrounding Zoning: | North | RSF-R and PD approx. 4 du/ac (Mesa County) | |
| | South | RSF-4 (Mesa County) | |
| | East | RSF-4 (Mesa County) | |
| | West | RSF-4 (Mesa County) | |
| Growth Plan Designation: | | Residential Medium, 4-8 units/acre | |
| Zoning within density range? | | <input checked="" type="checkbox"/> X | <input type="checkbox"/> Yes |
| | | | <input type="checkbox"/> No |

STAFF ANALYSIS

Annexation

It is staff's professional opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the subject property 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.

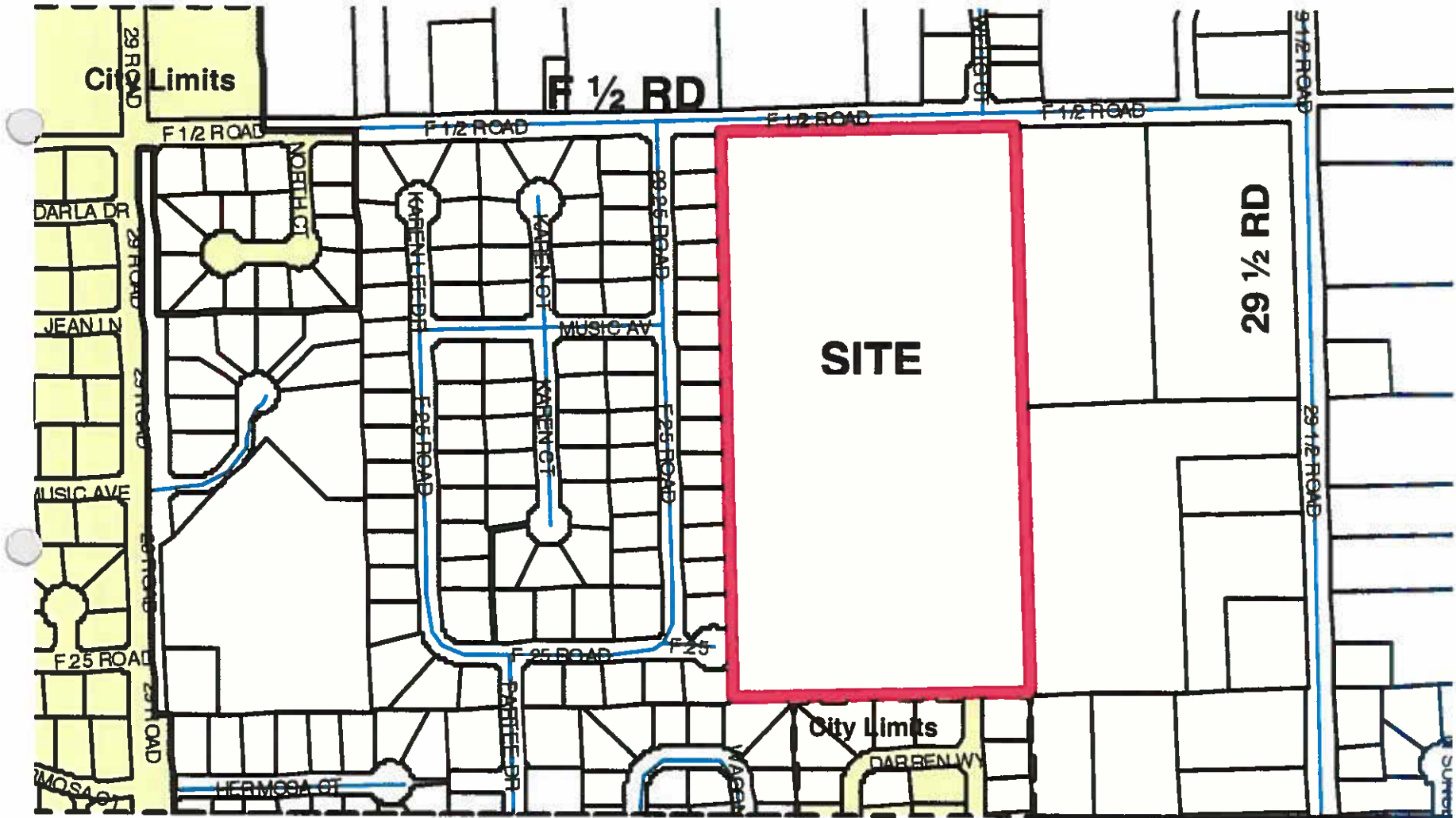
The following annexation and zoning schedule is being proposed.

| ANNEXATION SCHEDULE | |
|----------------------------|--|
| 6-16-03 | Referral of Petition (30 Day Notice), First Reading, Exercising Land Use |
| 6-24-03 | Planning Commission recommendation for City zone district |
| 7-16-03 | First Reading of Zoning Ordinance by City Council |
| 8-06-03 | Acceptance of Petition and Public hearing on Annexation and Second Reading of Zoning Ordinance by City Council |
| 9-05-03 | Effective date of Annexation and City Zoning |

| SUMMARY | | |
|---------------------------------------|---|--|
| File Number: | ANX-2003-093 | |
| Location: | 2925 F 1/2 Road | |
| Tax ID Number: | 2943-053-00-039 | |
| Parcels: | 1 | |
| Estimated Population: | 2 | |
| # of Parcels (owner occupied): | 1 | |
| # of Dwelling Units: | 1 | |
| Acres land annexed: | 20.4584 acres for annexation area | |
| Developable Acres Remaining: | 0 acres | |
| Right-of-way in Annexation: | 0 acres | |
| Previous County Zoning: | RSF-4 (Mesa County) | |
| Proposed City Zoning: | RMF-5, Residential Multi-Family not to exceed 5 units/acre | |
| Current Land Use: | Single Family Residence/ Agricultural | |
| Future Land Use: | Residential | |
| Values: | Assessed: | \$ 8,720 |
| | Actual: | \$ 85,230 |
| Census Tract: | n/a | |
| Address Ranges: | West to East: 2925 to 2974 North to South: 625 to 649 | |
| Special Districts: | Water: | Ute Water |
| | Sewer: | Central Grand Valley Sanitation |
| | Fire: | Grand Junction Rural Fire |
| | Drainage: | Grand Junction Drainage |
| | School: | District 51 |
| | Pest: | n/a |

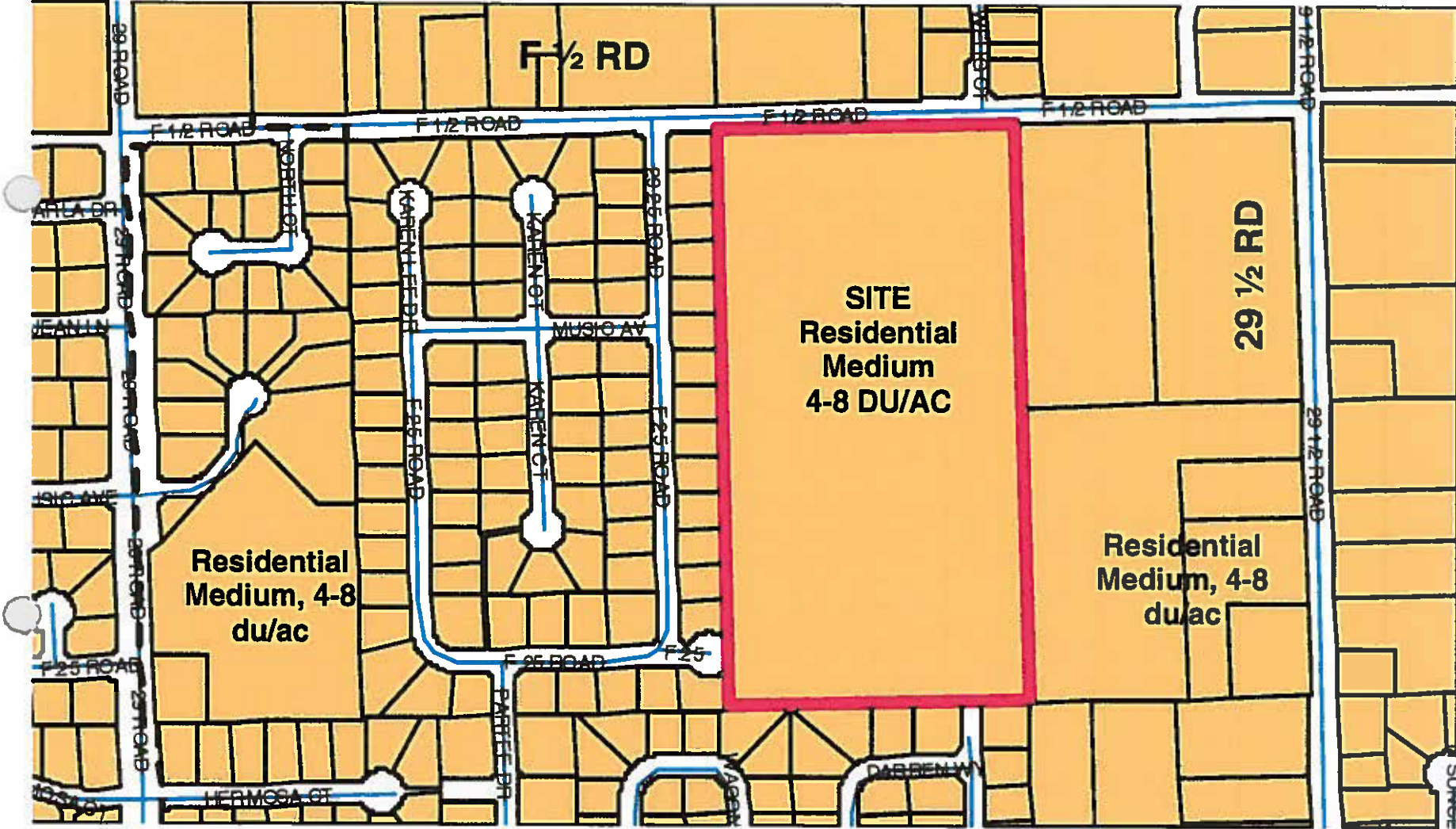
Site Location Map

Figure 1



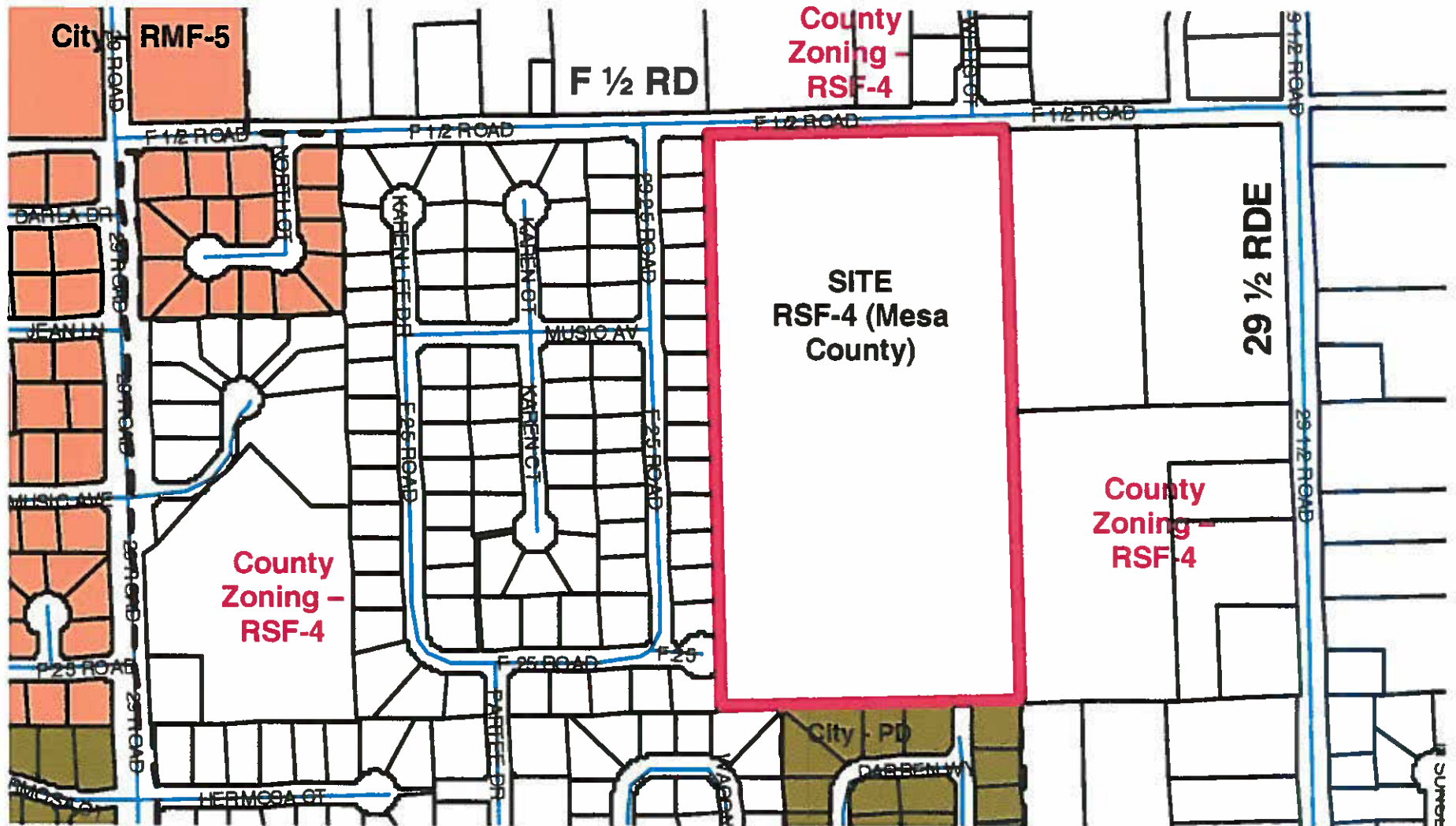
Future Land Use Map

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 16th day of June, 2003, 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**

MARCHUN ANNEXATIONS #1 and #2

LOCATED AT 2925 F 1/2 Road

WHEREAS, on the 16th day of June, 2003, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

A Serial Annexation comprising Marchun Annexations #1 and #2

MARCHUN ANNEXATION NO. 1

A certain parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 5, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Southwest corner of the NE 1/4 SW 1/4 of said Section 5, the same point being the Southeast corner of Karen Lee Subdivision, as same is recorded in Plat Book 11, Page 97, Public Records of Mesa County, Colorado, and assuming the West line of the West half (W 1/2) of the NE 1/4 SW 1/4 of said Section 5 bears N 00°03'21" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 00°03'21" E along the West line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 and the East line of said Karen Lee Subdivision, a distance of 1,000.00 feet; thence S 89°48'24" E a distance of 659.67 feet to a point on the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5; thence S 00°01'41" W along the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 a distance of 1,000.00 feet to a point being the Southeast corner of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5, the same point being the Northeast corner of Del-Mar Subdivision Filing No. 3, as same is recorded in Plat Book 15, Pages 379 and 380, Public Records of Mesa County, Colorado; thence N 89°48'24" W along the South line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 a distance of 660.16 feet, more or less, to the Point of Beginning.

CONTAINING 15.1496 Acres (659,915.06 Sq. Ft.) more or less, as described.

MARCHUN ANNEXATION NO. 2

A certain parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) and the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 5, 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 NE 1/4 SW 1/4 of said Section 5, the same point being the Southeast corner of Karen Lee Subdivision, as same is recorded in Plat Book 11, Page 97, Public Records of Mesa County, Colorado, and assuming the West line of the West half (W 1/2) of the NE 1/4 SW 1/4 of said Section 5 bears N 00°03'21" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°03'21" E along the West line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 and the East line of said Karen Lee Subdivision, a distance of 1000.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°03'21" E a distance of 319.74 feet to a point being the Northwest corner of the NE 1/4 SW 1/4 of said Section 5; thence continue N 00°03'21" E a distance of 30.00 feet to a point on the North right of way for F-1/2 Road, said right of way being recorded in Book 803, Page 262, Public Records of Mesa County, Colorado; thence S 89° 47'43" E along said North right of way, being a line 30.00 feet North of and parallel to, the North line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5, a distance of 456.60 feet, more or less, to a point intersecting the Southerly extension of the West line of the Replat of Willow Glen, as same is recorded in Plat Book 13, Page 518, Public Records of Mesa County, Colorado; thence N 00°12'17" E a distance of 3.00 feet to a point being the Southwest corner of said Replat of Willow Glen; thence S 89°47'43" E along the South line of said Replat of Willow Glen, a distance of 202.90 feet, more or less, to a point on the Northerly extension of the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5; thence S 00°01'41" W along said line, a distance of 33.00 feet to a point being the Northeast corner of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5; thence S 00°01'41" W along the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5, a distance of 319.61 feet; thence N 89°48'24" W a distance of 659.67 feet, more or less, to the Point of Beginning.

CONTAINING 5.3088 Acres (231,250.27 Sq. Ft.) more or less, as described.

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

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

1. That a hearing will be held on the 6th day of August, 2003, in the City Hall auditorium, located at 250 N 5th Street, City of Grand Junction, Colorado, at 7:30 p.m. to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.

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

ADOPTED this day of _____, 2003.

Attest:

President of the Council

City Clerk

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

City Clerk

Published:

June 20, 2003

June 27, 2003

July 4, 2003

July 11, 2003

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

MARCHUN ANNEXATION #1

APPROXIMATELY 15.1496 ACRES

LOCATED AT 2925 F 1/2 Road

WHEREAS, on the 16th day of June, 2003, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 6th day of August, 2003; and

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

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

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

MARCHUN ANNEXATION NO. 1

A certain parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 5, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Southwest corner of the NE 1/4 SW 1/4 of said Section 5, the same point being the Southeast corner of Karen Lee Subdivision, as same is recorded in Plat Book 11, Page 97, Public Records of Mesa County, Colorado, and assuming the West line of the West half (W 1/2) of the NE 1/4 SW 1/4 of said Section 5 bears N 00°03'21" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 00°03'21" E along the West line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 and the East line of said Karen Lee Subdivision, a distance of 1,000.00 feet; thence S 89°48'24" E a distance of 659.67

feet to a point on the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5; thence S 00°01'41" W along the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 a distance of 1,000.00 feet to a point being the Southeast corner of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5, the same point being the Northeast corner of Del-Mar Subdivision Filing No. 3, as same is recorded in Plat Book 15, Pages 379 and 380, Public Records of Mesa County, Colorado; thence N 89°48'24" W along the South line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 a distance of 660.16 feet, more or less, to the Point of Beginning.

CONTAINING 15.1496 Acres (659,915.06 Sq. Ft.) more or less, as described.

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

INTRODUCED on first reading on the 16th day of June, 2003.

ADOPTED and ordered published this ___ day of _____, 2003.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

MARCHUN ANNEXATION #2

APPROXIMATELY 5.3088 ACRES

**LOCATED AT 2925 F 1/2 Road
and including a portion of the F 1/2 Road ROW**

WHEREAS, on the 16th day of June, 2003, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 6th day of August, 2003; and

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

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

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

MARCHUN ANNEXATION NO. 2

A certain parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) and the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 5, 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 NE 1/4 SW 1/4 of said Section 5, the same point being the Southeast corner of Karen Lee Subdivision, as same is recorded in Plat Book 11, Page 97, Public Records of Mesa County, Colorado, and assuming the West line of the West half (W 1/2) of the NE 1/4 SW 1/4 of said Section 5 bears N 00°03'21" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°03'21" E along the West line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 and the East line of said Karen Lee

Subdivision, a distance of 1000.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°03'21" E a distance of 319.74 feet to a point being the Northwest corner of the NE 1/4 SW 1/4 of said Section 5; thence continue N 00°03'21" E a distance of 30.00 feet to a point on the North right of way for F-1/2 Road, said right of way being recorded in Book 803, Page 262, Public Records of Mesa County, Colorado; thence S 89° 47'43" E along said North right of way, being a line 30.00 feet North of and parallel to, the North line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5, a distance of 456.60 feet, more or less, to a point intersecting the Southerly extension of the West line of the Replat of Willow Glen, as same is recorded in Plat Book 13, Page 518, Public Records of Mesa County, Colorado; thence N 00°12'17" E a distance of 3.00 feet to a point being the Southwest corner of said Replat of Willow Glen; thence S 89°47'43" E along the South line of said Replat of Willow Glen, a distance of 202.90 feet, more or less, to a point on the Northerly extension of the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5; thence S 00°01'41" W along said line, a distance of 33.00 feet to a point being the Northeast corner of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5; thence S 00°01'41" W along the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5, a distance of 319.61 feet; thence N 89°48'24" W a distance of 659.67 feet, more or less, to the Point of Beginning.

CONTAINING 5.3088 Acres (231,250.27 Sq. Ft.) more or less, as described.

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

INTRODUCED on first reading on the 16th day of June, 2003.

ADOPTED and ordered published this ___ day of _____, 2003.

Attest:

President of the Council

City Clerk

**Action: Adopt Resolution No. 53-03*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Carville Annexation, Approximately 19.93 Acres Located at 2675 Hwy 50

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 6, 2003

8. Setting a Hearing – Westgate Free Will Baptist Church Annexation No. 1 and 2 Located at 2155 Broadway [File # ANX-2003-114]

Item was moved to Items Needing Individual Consideration.

9. Setting a Hearing – Marchun Annexations No. 1 and No. 2 Located at 2925 F ½ Road [File #ANX-2003-093]

The 20.4584 acre Marchun Annexation #1 and #2 is a serial annexation located at 2925 F ½ Road. The applicant is requesting annexation into the City and a zone district of RMF-5, Residential Multi-family not to exceed 5 units per acre.

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

Resolution No. 55-03 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, Marchun Annexations No. 1 and No. 2 Located at 2925 F ½ Road and Including a Portion of the F ½ Road Right-of-way

**Action: Adopt Resolution No. 55-03*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado Marchun Annexation No. 1, Approximately 15.1496 Acres Located at 2925 F ½ Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado Marchun Annexation No. 2, Approximately 5.3088 Acres Located at 2925 F ½ Road and Including a Portion of the F ½ Road ROW

Action: Adopt Proposed Ordinances on First Reading and Set a Hearing for August 6, 2003

10. Mesa State College Police Services Contract

This request is for Council to approve the annual contract with Mesa State College for police services that are provided by the Grand Junction Police Department. The request is essentially a renewal process of the City's annual agreement with Mesa State College.

Action: Authorize the City Manager to Sign the Contract with Mesa State College for Police Services for 2003-2004.

11. Memorandum of Understanding with CDOT for Video Equipment

Approval and signing of a Memorandum of Understanding between CDOT and the City of Grand Junction for provision of a Panasonic video switcher to the City as part of the State's traveler information system.

Action: Authorize the Mayor to Sign the Memorandum of Understanding with CDOT

12. Asphaltic Road Material (Road Oil or Emulsions)

The purchase of asphaltic road material, (road oil or emulsions), required for the City chip seal projects for the year 2003. It is estimated that 568 tons of HFMS-2P, 4 tons of AE-P, and 199,374 tons of SS-1 50% dilute road oil or emulsion materials will be required.

Action: Authorize the Purchase of Asphaltic Road Materials on an As Needed Basis Not to Exceed the Budgeted Amount of \$134,000.00 for the Year 2003 Utilizing the State of Colorado CDOT Contract.

13. Work Order/Infrastructure Management System

The Public Works and Utilities Department is in need of a work order and asset management system. RFPs were recently received and reviewed by the Public Works and Utilities Committee. The Committee's recommendation is to purchase the GBA Master Series, Inc. system for \$313,040.00.

Lisa

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. 55-03

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

MARCHUN ANNEXATIONS #1 and #2

LOCATED AT 2925 F 1/2 Road and including a portion of the F 1/2 Road ROW

WHEREAS, on the 16th day of June, 2003, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

A Serial Annexation comprising Marchun Annexations #1 and #2

MARCHUN ANNEXATION NO. 1

A certain parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 5, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Southwest corner of the NE 1/4 SW 1/4 of said Section 5, the same point being the Southeast corner of Karen Lee Subdivision, as same is recorded in Plat Book 11, Page 97, Public Records of Mesa County, Colorado, and assuming the West line of the West half (W 1/2) of the NE 1/4 SW 1/4 of said Section 5 bears N 00°03'21" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 00°03'21" E along the West line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 and the East line of said Karen Lee Subdivision, a distance of 1,000.00 feet; thence S 89°48'24" E a distance of 659.67 feet to a point on the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5; thence S 00°01'41" W along the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 a distance of 1,000.00 feet to a point being the Southeast corner of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5, the same point being the Northeast corner of Del-Mar Subdivision Filing No. 3, as same is recorded in Plat Book 15, Pages 379 and 380, Public Records of Mesa County, Colorado; thence N 89°48'24" W along the South line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 a distance of 660.16 feet, more or less, to the Point of Beginning.

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

1. That a hearing will be held on the 6th day of August, 2003, in the City Hall auditorium, located at 250 N 5th Street, City of Grand Junction, Colorado, at 7:30 p.m. to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.

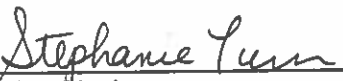
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community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

ADOPTED this 16th day of June, 2003.

Attest:



President of the Council



City Clerk

AGENDA TOPIC: ANX-2003-093, Marchun Annexations #1 and #2.

ACTION REQUESTED: Request to establish a zone district of RMF-5 (Residential Multi-Family 5 du/ac) for property being annexed into the City located at 2925 F ½.

| STAFF REPORT / BACKGROUND INFORMATION | | | | | |
|---------------------------------------|-------|---|-----|--|----|
| Location: | | 2925 F 1/2 Road | | | |
| Applicants: | | Estate of John Marchun by Carl Marchun, Executor of the Estate Carl D. and Zetta H. Marchun Joseph W. Marchun Herman E. Marchun | | | |
| Existing Land Use: | | Single Family Residence/Agricultural | | | |
| Proposed Land Use: | | Residential | | | |
| Surrounding Land Use: | North | Residential/Agricultural | | | |
| | South | Residential | | | |
| | East | Agricultural | | | |
| | West | Residential | | | |
| Existing Zoning: | | RSF-4 (Mesa County) | | | |
| Proposed Zoning: | | RMF-5 (Residential Multi-Family, not to exceed 5 units/acre) | | | |
| Surrounding Zoning: | North | RSF-R and PD approx. 4 du/ac (Mesa County) | | | |
| | South | RSF-4 (Mesa County) | | | |
| | East | RSF-4 (Mesa County) | | | |
| | West | RSF-4 (Mesa County) | | | |
| Growth Plan Designation: | | Residential Medium, 4-8 units/acre | | | |
| Zoning within density range? | | X | Yes | | No |

PROJECT DESCRIPTION: The 20.4584 acre Marchun Annexations #1 and #2 is a serial annexation located at 2925 F ½ Road. The applicant is requesting annexation into the City and a zone district of RMF-5, Residential Multi-family not to exceed 5 units per acre.

RECOMMENDATION: Recommend approval of requested zone district.

ANALYSIS:

1. Background

The property is currently in the process of being annexed into the City. The anticipated date of annexation is August 6, 2003.

2. Consistency with the Growth Plan

The Future Land Use Map classifies this property as Residential Medium, 4-8 units per acre. There is no current proposal for subdivision of the property at this time; however, it is anticipated that an application will be submitted in the near future. The RMF-5 zone district supports the land use classification of Residential Medium, and is consistent with the goals and policies of the Growth Plan and the Future Land Use Map.

3. Section 2.6.A of the Zoning and Development Code

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

1. The existing zoning was in error at the time of adoption. *The property is in the process of being annexed into the City, therefore there has not been an error in zoning.*
2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transition, etc. *Property in the area has been developing in a residential manner consistent with the Growth Plan and Future Land Use Map. Public facilities, infrastructure and utilities have been installed as a part of the development process.*
3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances. *The proposed rezone to RMF-5 is within the allowable density range recommended by the Growth Plan. This criterion must be considered in conjunction with criterion 5 which requires that public facilities and services are available when the impacts of any proposed development are realized. Staff has determined that public infrastructure can address the impacts of any development consistent with the RMF-5 zone district, therefore this criterion is met.*
4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the

requirements of this Code and other City regulations and guidelines. *The proposed zone district supports the land use classification of Residential Medium and is consistent with the goals and policies of the Growth Plan and Future Land Use Map.*

5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development. *Adequate public facilities are currently available and address the impacts of development consistent with the RMF-5 zone district.*
6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs. *An adequate supply of land exists in the neighborhood and surrounding area, however, it is located in the unincorporated area of the County and must be annexed into the City for purposes of development.*
7. The community or neighborhood will benefit from the proposed zone. *The proposed development is consistent with the goals and policies of the Growth Plan and Future Land Use Map and will afford benefit to the community when the property is developed in accordance with those goals and policies.*

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Marchun Annexations #1 and #2 application, ANX-2003-093, to establish a zone district of RMF-5, staff makes the following findings of fact and conclusions:

1. The requested rezone is consistent with the goals and policies of the Growth Plan and Future Land Use Map.
2. The review criteria in Section 2.6.A of the Zoning and Development Code have all been met.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission forward a recommendation of approval of the requested rezone, to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on item ANX-2003-093, Marchun Annexations #1 and #2, I move that we forward a recommendation of approval to City Council, with the finding

that the request is consistent with the goals and policies of the Growth Plan and all applicable sections of the Zoning and Development Code.

Attachments:

Figure 1: Site Location Map

Figure 2: Aerial Photo Map

Figure 3: Future Land Use Map

Figure 4: Existing City and County Zoning Map

Figure 5: Annexation Map

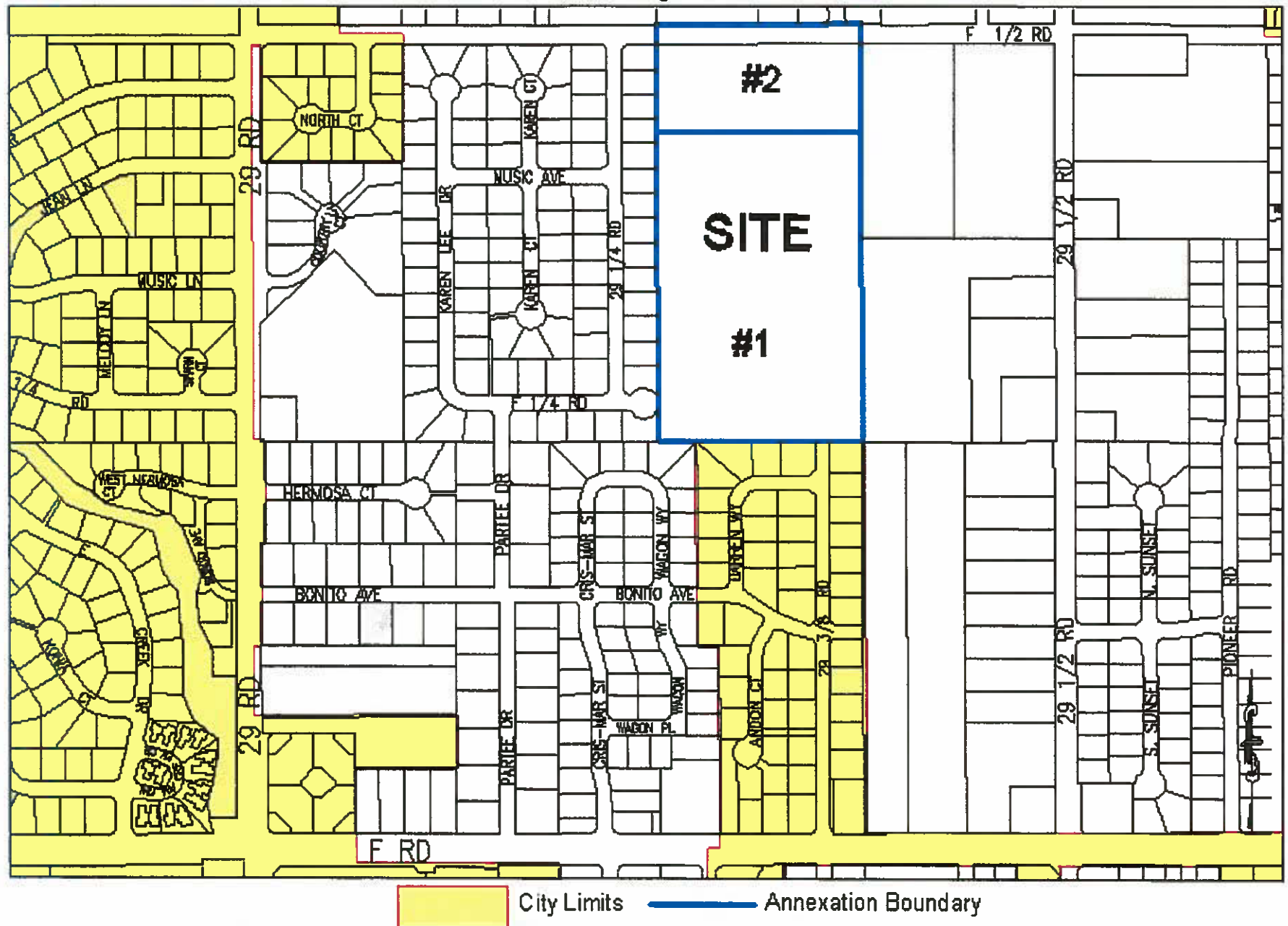
Aerial Photo Map

Figure 2



Marchun Annexations #1 and #2

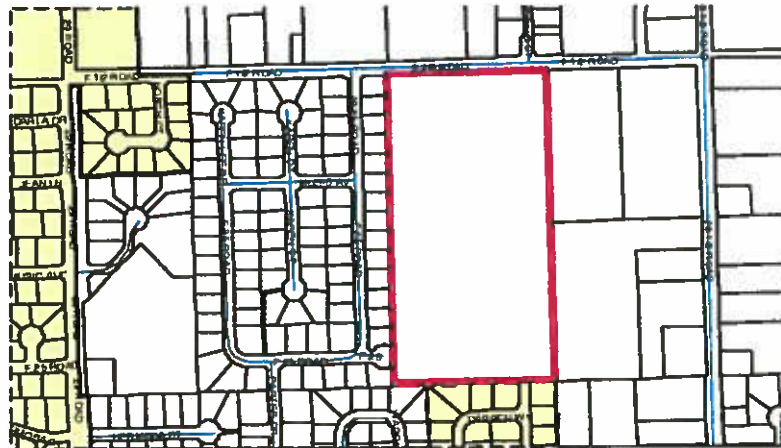
Figure 5



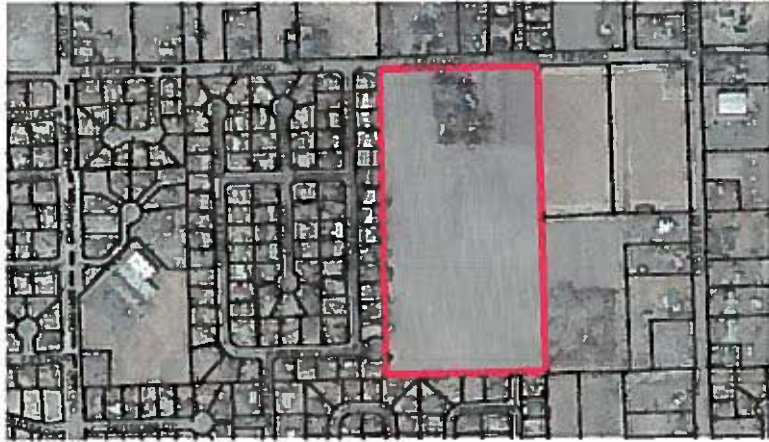
Marchun Annexations #1 and #2 ANX-2003-093

Lisa E. Cox, AICP
Community Development Dept.
June 24, 2003

Site Location Map



Aerial Photo Map

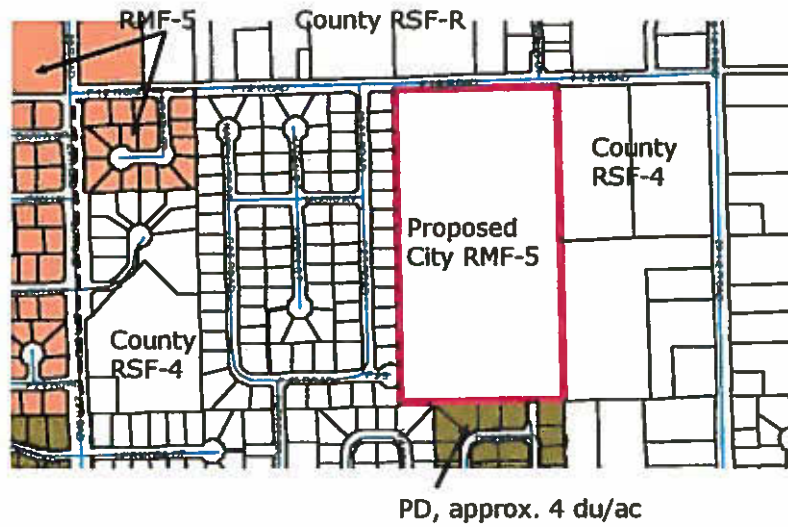


Future Land Use Map

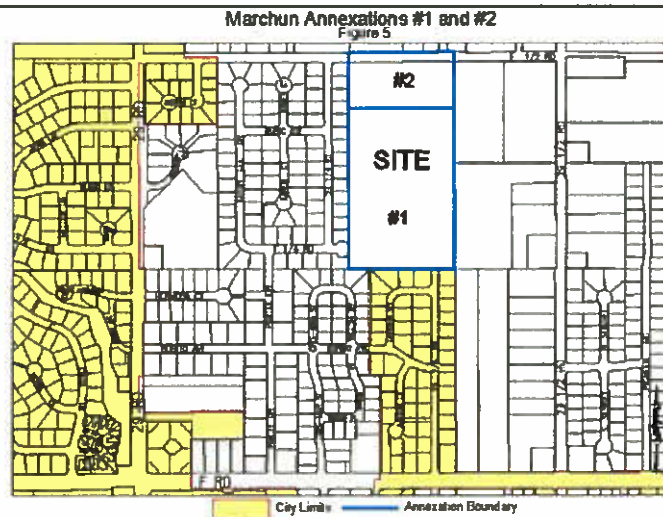


Residential Medium, 4-8 du/ac

Existing City and County Zoning



Annexation Map





Background

- Location: 2925 F ½ Road
- Approx. 20.4584 acres
- Request RMF-5 City zone district
- No Preliminary Plan at this time

GRAND JUNCTION PLANNING COMMISSION
JUNE 24, 2003 MINUTES
7:00 P.M. to 10:05 P.M.

The regularly scheduled Planning Commission hearing was called to order at 7:00 P.M. by Chairman Paul Dibble. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Dr. Paul Dibble (Chairman), Roland Cole, John Evans, John Redifer, Richard Blosser, William Putnam and Travis Cox. Bill Pitts was absent.

In attendance, representing the City's Community Development Department, were Bob Blanchard (Community Development Director), Pat Cecil (Development Services Supervisor) and Lisa Cox (Senior Planner).

Also present were John Shaver (Assistant City Attorney), and Rick Dorris and Eric Hahn (Development Engineers).

Terri Troutner was present to record the minutes.

There were approximately 33 interested citizens present during the course of the hearing.

I. APPROVAL OF MINUTES

No minutes were available for consideration.

II. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or visitors.

III. CONSENT AGENDA

Offered for placement on the Consent Agenda were items PFP-2003-092 (Preliminary/Final Plan--Grand Mesa Center Revised Plan), **ANX-2003-093** (Zone of Annexation--Marchun Annexation), and FPF-2003-076 (Preliminary/Final Plat--Rimrock Marketplace 3 Subdivision).

Rick Dorris asked that item PFP-2003-092 be pulled from Consent and placed on the next regularly scheduled public hearing agenda (July 8, 2003). No objections were received on the remaining two items.

MOTION: (Commissioner Cole) "Mr. Chairman, I would move that the Consent Agenda be approved as presented with the exception of the Final Plan for the Grand Mesa Center, Revised Plan, and include that it be continued to the July 8 meeting."

Commissioner Evans seconded the motion. A vote was called and the motion passed unanimously by a vote of 6-0, with Commissioner Cox abstaining.

IV. FULL HEARING

RZ-2003-028 REZONE & PRELIMINARY PLAN--FUOCO ESTATES

A request for approval to rezone 13.57 acres from Residential Single-Family Rural (RSF-R) to Planned Development (PD); and to approve a Preliminary Plan for 58 patio home lots on 9.83 acres and the dedication of 3.74 acres to the City for a park.

Petitioner: Fuoco Grandchildren's Trust--Robert Fuoco

Location: East of Dewey Place

City of Grand Junction

Community Development Department
Planning • Zoning • Code Enforcement
250 North 5th Street
Grand Junction, CO 81501-2668

Phone: (970) 244-1430
FAX: (970) 256-4031



July 9, 2003

Mike Joyce
Development Concepts, Inc.
2764 Compass Drive, Ste. 201
Grand Junction, CO 81506

Re: Marchun Annexation

Dear Mike:

At its June 24, 2003 meeting the Grand Junction Planning Commission considered a request to recommend approval for the RMF-5 zone district to City Council for the Marchun Annexation property, located at 2925 F ½ Road.

After discussion of the request, the Commission voted to recommend approval to City Council. The following table will provide you with the anticipated annexation schedule should you wish to attend any of the meetings.

| ANNEXATION SCHEDULE | |
|---------------------|--|
| 6-16-03 | Referral of Petition (30 Day Notice), First Reading, Exercising Land Use |
| 6-24-03 | Planning Commission recommendation for City zone district |
| 7-16-03 | First Reading of Zoning Ordinance by City Council |
| 8-06-03 | Acceptance of Petition and Public hearing on Annexation and Second Reading of Zoning Ordinance by City Council |
| 9-05-03 | Effective date of Annexation and City Zoning |

Please do not hesitate to contact me should you have any questions concerning this matter. I can be reached at 256-4039 or emailed at lisac@ci.grandjct.co.us.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lisa".

Lisa E. Cox, AICP
Senior Planner



July 10, 2003

To File # ANX-2003-093

The Impact Report as required by State Statute 31-12-108.5 has been deposited with the Grand Junction City Clerk for the **Marchun Annexation**. A second copy will be filed by the City Clerk with the Board of Mesa County Commissioners.

Respectfully,

A handwritten signature in black ink, appearing to read "David Thornton", with a long horizontal flourish extending to the right.

David Thornton, AICP
Principal Planner

City of Grand Junction

Community Development Department
Planning • Zoning • Code Enforcement
250 North 5th Street
Grand Junction, CO 81501-2668

Phone: (970) 244-1430
FAX: (970) 256-4031



June 10, 2003

Mesa County Board of Commissioners
PO Box 20,000
544 Rood Avenue
Grand Junction, CO 81501

RE: Annexation Impact Report

Dear Commissioners:

Enclosed is a copy of the Annexation Impact Report for the Marchun Annexation. This report is required by CRS 31-12-108.5 for proposed annexations in excess of 10 acres. If you have any questions regarding this material, please contact Dave Thornton (244-1450) of this department.

Sincerely,

A handwritten signature in black ink that reads "Robert E. Blanchard". The signature is written in a cursive style.

Robert E. Blanchard, AICP
Community Development Director



Marchun Annexation Impact Report
File #ANX-2003-093

The City Clerk's copy of the Impact Report for the Marchun Annexation does not include a copy of the annexation petition. The Impact Report filed with Mesa County does have a copy of the petition. To review the petition, please refer to the Marchun Annexation Petition that has been deposited with the City Clerk. In an effort to conserve space and not be repetitive, the City Clerk's copy of the impact report will be kept with the annexation petition allowing a person to review both at the same time and as a complete file.

MARCHUN ANNEXATION IMPACT REPORT

Section 31-12-108.5, C.R.S. provides:

The municipality shall prepare an impact report concerning the proposed annexation at least twenty-five days before the date of the hearing established pursuant to section 31-12-108 and shall file one copy with the board of county commissioners governing the area proposed to be annexed within five days thereafter. Such report shall not be required for annexations of ten acres or less in total area or when the municipality and the board of county commissioners governing the area proposed to be annexed agree that the report may be waived. Such report shall include, as a minimum:

(a) a map or maps of the municipality and adjacent territory to show the following information:

(I) The present and proposed boundaries of the municipality in the vicinity of the proposed annexation;

(II) the present streets, major trunk water mains, sewer interceptors and outfalls, other utility lines and ditches, and the proposed extension of such streets and utility lines in the vicinity of the proposed annexation; and

(III) The existing and proposed land use pattern in the area to be annexed;

See enclosed map titled - Marchun Annexation

(b) A copy of any draft or final pre-annexation agreement, if available;

No annexation agreements are contemplated for this annexation.

(c) A statement setting forth the plans of the municipality for extending to or otherwise providing for, within the area to be annexed, municipal services performed by or on behalf of the municipality at the time of annexation;

Electric, gas, telephone, and cable television are provided by public utility companies and not the City of Grand Junction. Either Public Service Company of Colorado or Grand Valley Rural Power Company will provide electric service to areas within the annexation. The utility has represented to the City that they have adequate capacity to serve the area proposed to be annexed. New developments in annexed areas are reviewed by the City to ensure that adequate utilities, water, sewer, drainage, and street access are provided to the development and that the provision of these services does not adversely affect existing uses.

Sewer service will continue to be provided by existing sewer service providers. Special districts shall provide sewer service pursuant to contract and legal relationship with the City. In the future, some areas currently served by these districts may be converted to the City system in accordance with such policies and/or contracts as may be established.

In the annexed area potable water is and will continue to be provided by either the Ute Water Conservancy District or Clifton Water depending upon location of annexation area. Other municipal services provided to the annexed area include City Police (patrol, investigation, and response). They also include Fire and Emergency Medical

Service when annexations occur within the Grand Junction Rural Fire District. Such services begin following the effective date of the annexation.

(d) A statement setting forth the method under which the municipality plans to finance the extension of the municipal services into the area to be annexed;

Methods of financing extension of municipal services may vary with developed and undeveloped tracts. For undeveloped tracts, the developer will pay to extend services. Other financing mechanisms maybe available. For developed areas, sewer service extension will normally be paid by a combination of the benefiting property owners, the City, and/or the Sewer Fund. If water lines are deficient in already developed areas, the water provider is responsible for upgrading the system. Ute Water requires the property owner to pay one-third of the costs of upgrading (the City volunteers one-third of such costs as well).

(e) A statement identifying existing districts within the area to be annexed; and

The following districts are within the area to be annexed:

1. **School District 51**
2. **Ute Water**
3. **Grand Junction Rural Fire**
4. **Central Grand Valley Sanitation**
5. **Grand Junction Drainage**

(f) A statement on the effect of annexation upon local-public school district systems, including the estimated number of students generated and the capital construction required to educate such students.

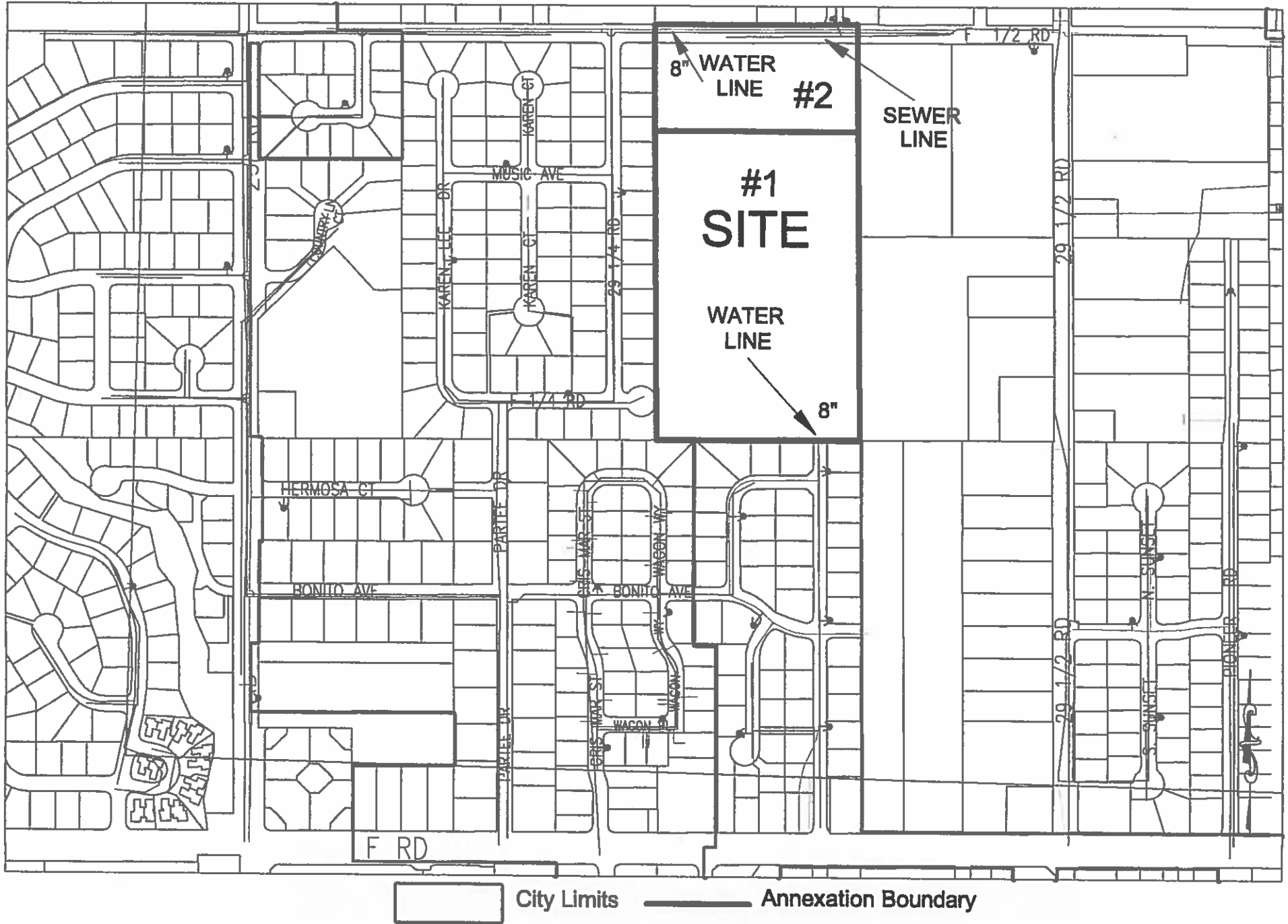
School District 51 serves both incorporated and unincorporated areas in the Grand Valley. Annexation of any area in the Grand Valley will have no effect on the numbers or distribution of children attending School District 51 facilities. Current and historical development patterns have shown that housing density is not affected by whether a residential development occurs in the County or City.

SUMMARY

| | |
|---------------------------------------|---|
| File Number: | ANX-2003-093 |
| Location: | 2925 F 1/2 Road |
| Tax ID Number: | 2943-053-00-039 |
| Parcels: | 1 |
| Estimated Population: | 2 |
| # of Parcels (owner occupied): | 1 |
| # of Dwelling Units: | 1 |
| Acres land annexed: | 20.4584 acres for annexation area |
| Developable Acres Remaining: | 0 acres |
| Right-of-way in Annexation: | 0 acres |
| Previous County Zoning: | RSF-4 (Mesa County) |
| Proposed City Zoning: | RMF-5, Residential Multi-Family not to exceed 5 units/acre |
| Current Land Use: | Single Family Residence/ Agricultural |
| Future Land Use: | Residential |
| Values: | Assessed: \$ 8,720 |
| | Actual: \$ 85,230 |
| Census Tract: | n/a |
| Address Ranges: | West to East: 2925 to 2974 North to South: 625 to 649 |
| Special Districts: | Water: Ute Water |
| | Sewer: Central Grand Valley Sanitation |
| | Fire: Grand Junction Rural Fire |
| | Drainage: Grand Junction Drainage |
| | School: District 51 |
| | Pest: n/a |

Marchun Annexations #1 and #2

Figure 6



CITY OF GRAND JUNCTION

| CITY COUNCIL AGENDA | | | | | | |
|---------------------------------------|---|-----|----------------------|-----|--------------------|---------------------------------|
| Subject | Zoning the Marchun Annexation No. 1 and No. 2, located at 2925 F 1/2 Road | | | | | |
| Meeting Date | July 16, 2003 | | | | | |
| Date Prepared | July 9, 2003 | | | | File #ANX-2003-093 | |
| Author | Lisa E. Cox | | Senior Planner | | | |
| Presenter Name | As above | | As above | | | |
| Report results back to Council | X | No | | Yes | When | |
| Citizen Presentation | | Yes | X | No | Name | |
| | Workshop | X | Formal Agenda | X | Consent | Individual Consideration |

Summary: Introduction of a proposed ordinance to zone the Marchun Annexation No. 1 and No. 2, Residential Multi-Family-5 (RMF-5), located at 2925 F 1/2 Road.

Budget: N/A

Action Requested/Recommendation: Approve first reading of the zoning ordinance and setting a public hearing for August 6, 2003.

Background Information: See attached staff report

Attachments:

1. Staff Report
2. Site Location Map (Figure 1)
3. Aerial Photo Map (Figure 2)
4. Future Land Use Map (Figure 3)
5. Existing City and County Zoning Map (Figure 4)
6. Annexation No. 1 and No. 2 Map (Figure 5)
7. Zoning Ordinance

Apparently moved to August 6, 2003 City Council Meeting

| STAFF REPORT / BACKGROUND INFORMATION | | | | | |
|---------------------------------------|-------|---|-----|--|----|
| Location: | | 2925 F 1/2 Road | | | |
| Applicants: | | Estate of John Marchun by Carl Marchun, Executor of the Estate Carl D. and Zetta H. Marchun Joseph W. Marchun Herman E. Marchun | | | |
| Existing Land Use: | | Single Family Residence/Agricultural | | | |
| Proposed Land Use: | | Residential | | | |
| Surrounding Land Use: | North | Residential/Agricultural | | | |
| | South | Residential | | | |
| | East | Agricultural | | | |
| | West | Residential | | | |
| Existing Zoning: | | RSF-4 (Mesa County) | | | |
| Proposed Zoning: | | RMF-5 (Residential Multi-Family, not to exceed 5 units/acre) | | | |
| Surrounding Zoning: | North | RSF-R and PD approx. 4 du/ac (Mesa County) | | | |
| | South | RSF-4 (Mesa County) | | | |
| | East | RSF-4 (Mesa County) | | | |
| | West | RSF-4 (Mesa County) | | | |
| Growth Plan Designation: | | Residential Medium, 4-8 units/acre | | | |
| Zoning within density range? | | X | Yes | | No |

Staff Analysis:

ZONING OF ANNEXATION:

The proposed zoning for the Marchun Annexation No. 1 and No. 2 is the Residential Multi-family, 5 units/acre (RMF-5) zone district. The proposed use of the site is to be residential, which is in keeping with the goals of the Growth Plan and the RMF-5 zone district. Section 2.14(F), Zoning of Annexed Properties, of the Zoning and Development Code, states that land annexed into the City shall be zoned in accordance with Section 2.6 to a district that is consistent with the adopted Growth Plan or consistent with existing County zoning.

REZONING CRITERIA:

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

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

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

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

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

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

6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs. An adequate supply of land is available in the community, however, it is located in the County and has not yet developed. This area is designated as Residential Medium, 4-8 units/acre on the Future Land Use Map of the Growth Plan. In accordance with Section 2.14, Annexations, of the Zoning and Development Code, the Residential Multi-family, 5 units/acre (RMF-5) zone district is appropriate for this property when it develops.

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

STAFF RECOMMENDATION

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

PLANNING COMMISSION RECOMMENDATION

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

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

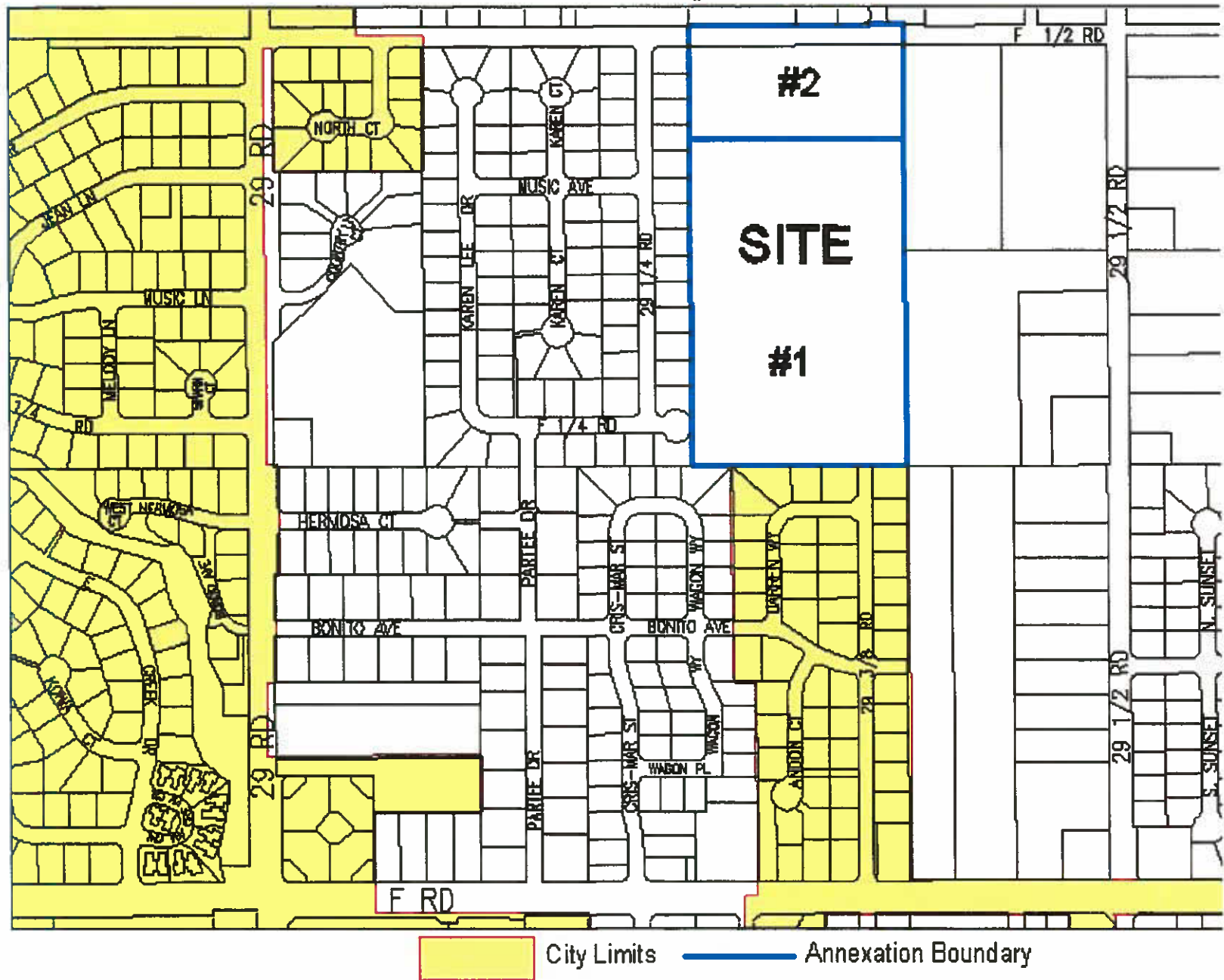
Attachments:

1. Site Location Map (Figure 1)
2. Aerial Photo Map (Figure 2)
3. Future Land Use Map (Figure 3)
4. Existing City and County Zoning Map (Figure 4)
5. Annexation No. 1 and No. 2 Map (Figure 5)
6. Zoning Ordinance

H:Projects2003/ANX-2003-093/MarchunCityZord1

Marchun Annexations #1 and #2

Figure 5



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE No. ____

**An Ordinance Zoning the Marchun Annexation No. 1 and No. 2 to
Residential Multi-Family-5 (RMF-5),
Located at 2925 F 1/2 Road**

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning the Marchun Annexation No. 1 and No. 2 to the RMF-5 zone district for the following reasons:

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

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

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

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

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

W1/2NE1/4SW1/4of Section 5, Township 1 South, Range 1 East of the Ute Meridian,
EXCEPTING THEREFROM that portion thereof conveyed to the County of Mesa, State of Colorado by instrument recorded May 16, 1961 in Book 803 at Page 262, Mesa County, Colorado.

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

Introduced on first reading this 16th day of July, 2003

PASSED and ADOPTED on second reading this ____ day of August, 2003.

Mayor

ATTEST:

City Clerk

CITY OF GRAND JUNCTION

| CITY COUNCIL AGENDA | | | | | | |
|---------------------------------------|---|-----|----------------------|----------------|--------------------|---------------------------------|
| Subject | Zoning the Marchun Annexation No. 1 and No. 2, located at 2925 F 1/2 Road | | | | | |
| Meeting Date | August 6, 2003 | | | | | |
| Date Prepared | July 31, 2003 | | | | File #ANX-2003-093 | |
| Author | Lisa E. Cox | | | Senior Planner | | |
| Presenter Name | As above | | | As above | | |
| Report results back to Council | X | No | | Yes | When | |
| Citizen Presentation | | Yes | X | No | Name | |
| | Workshop | X | Formal Agenda | X | Consent | Individual Consideration |

Summary: Introduction of a proposed ordinance to zone the Marchun Annexation No. 1 and No. 2, Residential Multi-Family-5 (RMF-5), located at 2925 F 1/2 Road.

Budget: N/A

Action Requested/Recommendation: Approve first reading of the zoning ordinance and setting a public hearing for August 20, 2003.

Background Information: See attached staff report

Attachments:

1. Staff Report
2. Site Location Map (Figure 1)
3. Aerial Photo Map (Figure 2)
4. Future Land Use Map (Figure 3)
5. Existing City and County Zoning Map (Figure 4)
6. Annexation No. 1 and No. 2 Map (Figure 5)
7. Zoning Ordinance

| STAFF REPORT / BACKGROUND INFORMATION | | | | | |
|---------------------------------------|-------|---|-----|--|----|
| Location: | | 2925 F 1/2 Road | | | |
| Applicants: | | Estate of John Marchun by Carl Marchun, Executor of the Estate Carl D. and Zetta H. Marchun Joseph W. Marchun Herman E. Marchun | | | |
| Existing Land Use: | | Single Family Residence/Agricultural | | | |
| Proposed Land Use: | | Residential | | | |
| Surrounding Land Use: | North | Residential/Agricultural | | | |
| | South | Residential | | | |
| | East | Agricultural | | | |
| | West | Residential | | | |
| Existing Zoning: | | RSF-4 (Mesa County) | | | |
| Proposed Zoning: | | RMF-5 (Residential Multi-Family, not to exceed 5 units/acre) | | | |
| Surrounding Zoning: | North | RSF-R and PD approx. 4 du/ac (Mesa County) | | | |
| | South | RSF-4 (Mesa County) | | | |
| | East | RSF-4 (Mesa County) | | | |
| | West | RSF-4 (Mesa County) | | | |
| Growth Plan Designation: | | Residential Medium, 4-8 units/acre | | | |
| Zoning within density range? | | X | Yes | | No |

Staff Analysis:

ZONING OF ANNEXATION:

The proposed zoning for the Marchun Annexation No. 1 and No. 2 is the Residential Multi-family, 5 units/acre (RMF-5) zone district. The proposed use of the site is to be residential, which is in keeping with the goals of the Growth Plan and the RMF-5 zone district. Section 2.14(F), Zoning of Annexed Properties, of the Zoning and Development Code, states that land annexed into the City shall be zoned in accordance with Section 2.6 to a district that is consistent with the adopted Growth Plan or consistent with existing County zoning.

REZONING CRITERIA:

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

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

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

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

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

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

6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs. An adequate supply of land is available in the community, however, it is located in the County and has not yet developed. This area is designated as Residential Medium, 4-8 units/acre on the Future Land Use Map of the Growth Plan. In accordance with Section 2.14, Annexations, of the Zoning and Development Code, the Residential Multi-family, 5 units/acre (RMF-5) zone district is appropriate for this property when it develops.

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

STAFF RECOMMENDATION

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

PLANNING COMMISSION RECOMMENDATION

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

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

Attachments:

1. Site Location Map (Figure 1)
2. Aerial Photo Map (Figure 2)
3. Future Land Use Map (Figure 3)
4. Existing City and County Zoning Map (Figure 4)
5. Annexation No. 1 and No. 2 Map (Figure 5)
6. Zoning Ordinance

H:\Projects2003\ANX-2003-093\MarchunCityZord1-1

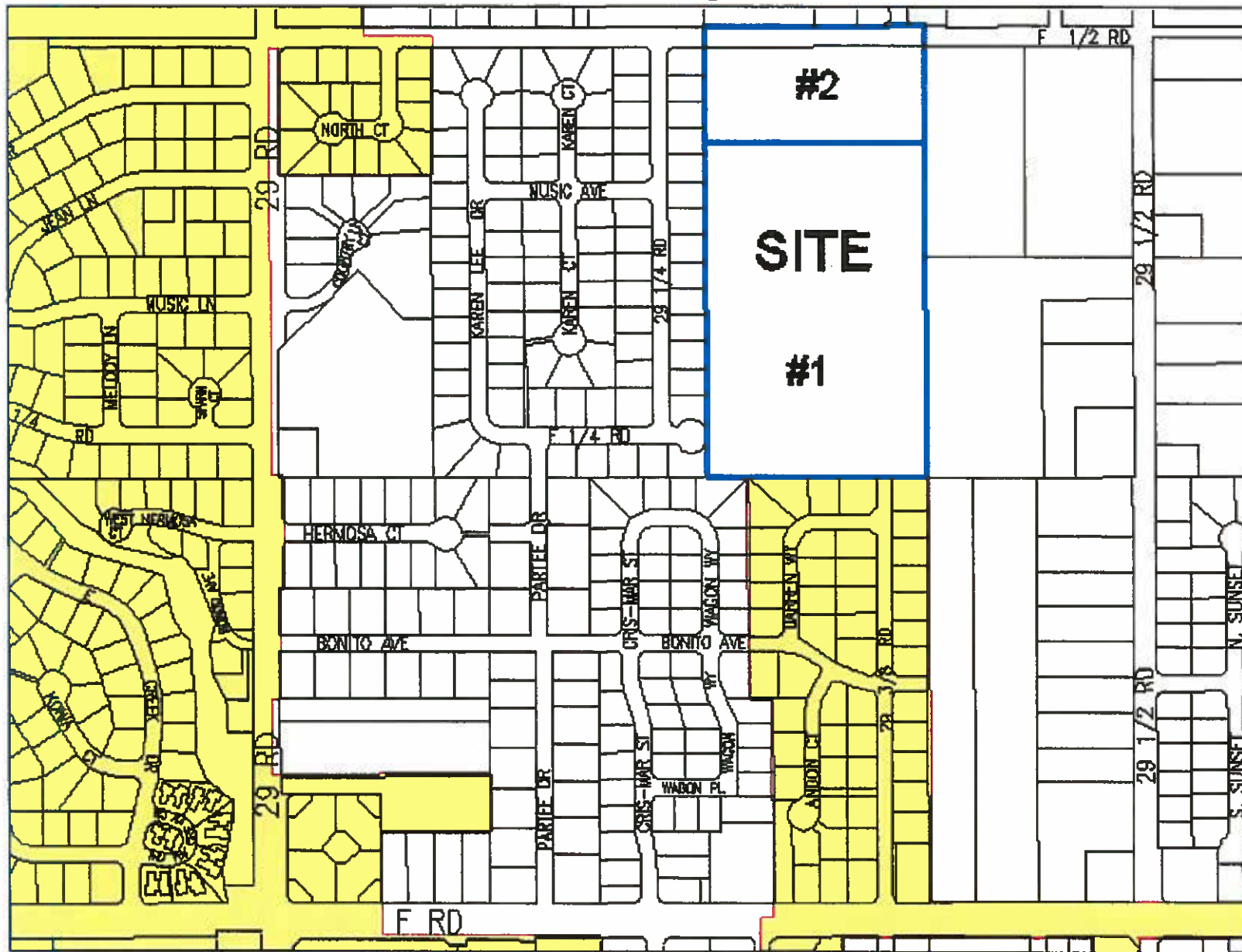
Aerial Photo Map

Figure 2



Marchun Annexations #1 and #2

Figure 5



 City Limits  Annexation Boundary

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE No. ____

**An Ordinance Zoning the Marchun Annexation No. 1 and No. 2 to
Residential Multi-Family-5 (RMF-5),
Located at 2925 F 1/2 Road**

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning the Marchun Annexation No. 1 and No. 2 to the RMF-5 zone district for the following reasons:

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

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

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

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

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

W1/2NE1/4SW1/4of Section 5, Township 1 South, Range 1 East of the Ute Meridian,
EXCEPTING THEREFROM that portion thereof conveyed to the County of Mesa, State of Colorado by instrument recorded May 16, 1961 in Book 803 at Page 262, Mesa County, Colorado.

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

Introduced on first reading this 6th day of August, 2003

PASSED and ADOPTED on second reading this ____ day of August, 2003.

Mayor

ATTEST:

City Clerk

Councilmember Kirtland noted that the County has also participated and have followed up on this issue, which also is a widespread community effort. He said he is disappointed in the Rural Fire District.

Councilmember Hill asked what would happen if the City accepts the grant and then not build the fire station.

Ms. Kreiling explained that if there are no expenditure, then the City would not receive the grant, or if the City decides not to build, the City then would return the funds.

Councilmember Hill moved to authorize the Mayor to sign the contract accepting the grant from the State of Colorado Energy/Mineral Impact Assistance Program. Councilmember Enos-Martinez seconded the motion. Motion carried.

Public Hearing – Marchun Annexations No. 1 and No. 2 Located at 2925 F ½ Road
[File #ANX-2003-093]

Hold a public hearing and consider final passage of a Resolution for Acceptance of Petition to Annex and Annexation Ordinances for the Marchun Annexation No. 1 and No. 2, located at 2925 F 1/2 Road.

The public hearing was opened at 8:18 p.m.

Lisa E. Cox, Senior Planner, reviewed this item. She discussed the surrounding zoning and the reason for it being a serial annexation. She described the parcel and advised Council that the zoning request would be considered at the next meeting. She stated the annexation criteria had been met and approval is recommended.

A representative, Mike Joyce with Development Concepts was present, but had nothing to add.

There were no public comments.

The public hearing was closed at 8:21 p.m.

a. Accepting Petition

Resolution No. 76-03 - A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Marchun Annexations No. 1 and No. 2, Area is Eligible for Annexation Located at 2925 F ½ Road

b. Annexation Ordinances

Ordinance No. 3556 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Marchun Annexation No. 1, Approximately 15.1496 Acres Located at 2925 F ½ Road

Ordinance No. 3557 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Marchun Annexation No. 2, Approximately 5.3088 Acres Located at 2925 F ½ Road and Including a Portion of the F ½ Road ROW

Councilmember Kirtland moved to adopt Resolution No. 76-03, Ordinances No. 3556 and No. 3557 on Second Reading and ordered them published. Councilmember McCurry seconded the motion. Motion carried by a roll call vote.

Public Hearing – Vacation of a 15' North/South Alley Right-of-Way Located Northeast of the Intersection of N. 7th Street and Rood Avenue at 202 N. 7th Street [File #VR-2003-098]

The petitioners, 4SC Partnership, wish to vacate an existing 15' north/south alley right-of-way located northeast of the intersection of N. 7th Street and Rood Avenue in anticipation of future commercial development. The only utilities that are located in the alley right-of-way are a sanitary sewer line and gas line. The existing seven (7) lots owned by the petitioners will be consolidated into one (1) 0.51 acre lot through a Simple Subdivision Plat upon the approval of the alley vacation with the existing 15' alley right-of-way being converted to a 15' utility & drainage easement. The Planning Commission recommended approval at its July 8th, 2003 meeting. The petitioners request approval of the Vacation Ordinance.

The public hearing was opened at 8:23 p.m.

Lisa E. Cox, Senior Planner, reviewed this item. She explained she was filling in for the assigned planner. She described the petitioner's request and his plan to combine the seven lots into a single parcel. She said the vacation of the right-of-way should be contingent on the combination of the lots and the dedication of an easement.

Councilmember Kirtland asked why there are scattered north-south alleys. Ms. Cox said these easements are unusual and she is not sure how they came to be platted this way. She then deferred the question to Mark Relph, the Public Works and Utilities Director. Mr. Relph did not know the rationale behind the north-south alleys.

There were no public comments.

CITY OF GRAND JUNCTION

| CITY COUNCIL AGENDA | | | | | | |
|---------------------------------------|---|-----|----------------------|----------------|--------------------|-----------------------------------|
| Subject | Zoning the Marchun Annexation No. 1 and No. 2, located at 2925 F 1/2 Road | | | | | |
| Meeting Date | August 20, 2003 | | | | | |
| Date Prepared | August 13, 2003 | | | | File #ANX-2003-093 | |
| Author | Lisa E. Cox | | | Senior Planner | | |
| Presenter Name | As above | | | As above | | |
| Report results back to Council | X | No | | Yes | When | |
| Citizen Presentation | | Yes | X | No | Name | |
| | Workshop | X | Formal Agenda | | Consent | X Individual Consideration |

Summary: Hold a public hearing and consider final passage of a proposed ordinance to zone the Marchun Annexations No. 1 and No. 2 to Residential Multi-Family-5 (RMF-5), located at 2925 F 1/2 Road.

Budget: N/A

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

Background Information: See attached staff report

Attachments:

1. Staff Report
2. Site Location Map (Figure 1)
3. Aerial Photo Map (Figure 2)
4. Future Land Use Map (Figure 3)
5. Existing City and County Zoning Map (Figure 4)
6. Annexation No. 1 and No. 2 Map (Figure 5)
7. Zoning Ordinance

August 20 City Council meeting.

| STAFF REPORT / BACKGROUND INFORMATION | | | | | |
|---------------------------------------|-------|---|-----|--|----|
| Location: | | 2925 F 1/2 Road | | | |
| Applicants: | | Estate of John Marchun by Carl Marchun, Executor of the Estate Carl D. and Zetta H. Marchun Joseph W. Marchun Herman E. Marchun | | | |
| Existing Land Use: | | Single Family Residence/Agricultural | | | |
| Proposed Land Use: | | Residential | | | |
| Surrounding Land Use: | North | Residential/Agricultural | | | |
| | South | Residential | | | |
| | East | Agricultural | | | |
| | West | Residential | | | |
| Existing Zoning: | | RSF-4 (Mesa County) | | | |
| Proposed Zoning: | | RMF-5 (Residential Multi-Family, not to exceed 5 units/acre) | | | |
| Surrounding Zoning: | North | RSF-R and PD approx. 4 du/ac (Mesa County) | | | |
| | South | RSF-4 (Mesa County) | | | |
| | East | RSF-4 (Mesa County) | | | |
| | West | RSF-4 (Mesa County) | | | |
| Growth Plan Designation: | | Residential Medium, 4-8 units/acre | | | |
| Zoning within density range? | | X | Yes | | No |

Staff Analysis:

ZONING OF ANNEXATION:

The proposed zoning for the Marchun Annexations No. 1 and No. 2 is the Residential Multi-family, 5 units/acre (RMF-5) zone district. The proposed use of the site is to be residential, which is in keeping with the goals of the Growth Plan and the RMF-5 zone district. Section 2.14(F), Zoning of Annexed Properties, of the Zoning and Development Code, states that land annexed into the City shall be zoned in accordance with Section 2.6 to a district that is consistent with the adopted Growth Plan or consistent with existing County zoning.

REZONING CRITERIA:

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

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

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

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

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

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

6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs. An adequate supply of land is available in the community, however, it is located in the County and has not yet developed. This area is designated as Residential Medium, 4-8 units/acre on the Future Land Use Map of the Growth Plan. In accordance with Section 2.14, Annexations, of the Zoning and Development Code, the Residential Multi-family, 5 units/acre (RMF-5) zone district is appropriate for this property when it develops.

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

STAFF RECOMMENDATION

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

PLANNING COMMISSION RECOMMENDATION

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

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

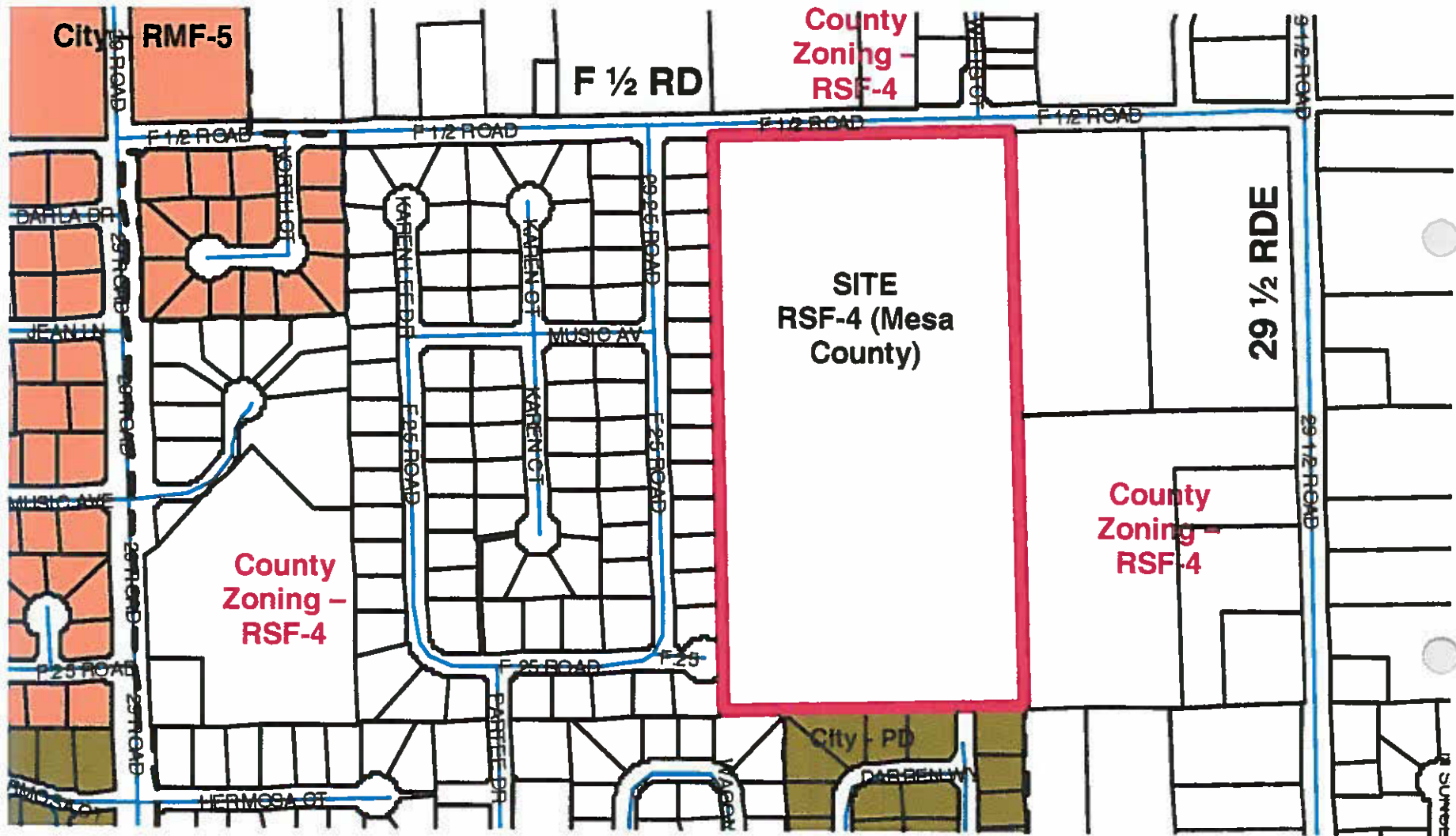
Attachments:

1. Site Location Map (Figure 1)
2. Aerial Photo Map (Figure 2)
3. Future Land Use Map (Figure 3)
4. Existing City and County Zoning Map (Figure 4)
5. Annexation No. 1 and No. 2 Map (Figure 5)
6. Zoning Ordinance

H:Projects2003/ANX-2003-093/MarchunCityZord2

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 Marchun Annexations No. 1 and No. 2 to
Residential Multi-Family-5 (RMF-5),
Located at 2925 F 1/2 Road**

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning the Marchun Annexation No. 1 and No. 2 to the RMF-5 zone district for the following reasons:

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

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

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

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

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

W1/2NE1/4SW1/4of Section 5, Township 1 South, Range 1 East of the Ute Meridian,
EXCEPTING THEREFROM that portion thereof conveyed to the County of Mesa, State of Colorado by instrument recorded May 16, 1961 in Book 803 at Page 262, Mesa County, Colorado.

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

Introduced on first reading this 6th day of August, 2003

PASSED and ADOPTED on second reading this ____ day of August, 2003.

Mayor

ATTEST:

City Clerk

Councilmember Kirtland moved to approve Ordinance No. 3564 on Second Reading and ordered it published. Councilmember Palmer seconded the motion. Motion carried by a roll call vote. (No amendments were made to the ordinance.)

Councilmember Hill requested a short recess.

Mayor Pro Tem Butler granted the request at 8:56 p.m.

The meeting was back in session at 9:03 p.m.

Public Hearing – Zoning the Marchun Annexation No. 1 and No. 2, Located at 2925 F 1/2 Road [File #ANX-2003-093]

Hold a public hearing and consider final passage of a proposed ordinance to zone the Marchun Annexations No. 1 and No. 2 to Residential Multi-Family-5 (RMF-5), located at 2925 F 1/2 Road.

The public hearing was opened at 9:03 p.m.

Lisa Cox, Senior Planner, reviewed this item explaining the petitioner's request for zoning to four to eight units per acre. She displayed various maps identifying the surrounding properties and the zoning of RSF-4. She said Staff recommends approval of the Residential Multi-Family, RMF-5 (five dwelling units per acre) zoning request, with the finding that the proposed zoning was consistent with the Growth Plan land use designation, and with Section 2.6(a) of the Zoning and Development Code.

Councilmember Palmer asked about access to the property and if access would be from F ½ Road and F ¼ Road. Councilmember Hill asked if the property was also accessible from the east. Ms. Cox said that it would require stub streets to interconnect the property to surrounding areas.

Mike Joyce, Development Concepts, representing the applicant said the biggest concern was irrigation water, and that the surrounding neighborhoods weren't concerned about access.

There were no public comments.

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

Ordinance No. 3565 – An Ordinance Zoning the Marchun Annexations No. 1 and No. 2 to Residential Multi-Family-5 (RMF-5), Located at 2925 F 1/2 Road

Councilmember Kirtland moved to approve Ordinance No. 3565 on Second Reading and ordered it published. Councilmember Hill seconded the motion. Motion carried by a roll call vote.

Public Hearing – Disconnecting the Files Property Located on Monument Road from the City and Ridges Metropolitan District [File #MSC-2003-154]

A request to de-annex the Files property from the City of Grand Junction and remove the property from the Ridges Metropolitan District. The 38.9-acre Files property consists of one parcel bisected by Monument Road, with .5 acres on the north side of Monument Road and the remainder on the south side of Monument Road.

Hold a public hearing and consider final passage of a proposed ordinance disconnecting the Files property, located along Monument Road.

The Files property has been a part of the District since its creation and has always been assessed a property tax to assist the payment of outstanding debt and operation of the district prior to 1992. With the removal of the parcel from the City it is staff's recommendation to also remove the parcel from the District.

The public hearing was opened at 9:09 p.m.

Kathy Portner, Planning Manager, reviewed this item. She gave a history of the property. She said the property was annexed to the City with the Ridges development and was a part of the original Ridges development property, but did not have a defined plan approved for it. Ms. Portner said the parcel was currently zoned PD (Planned Development) and is approved for a single family home within a defined building envelope on the hill. She explained that approval of the disconnection would allow the home to be served by septic and a well. Ms. Portner said the portion of the Files' property south of Monument Road was outside the sewer service area and that the property's felt the property should not be in a sewer service area. Ms. Portner said the City talked to the owner about either annexing the adjoining thirty-eight acres into the City limits or to de-annex the 38.9 acres since it was not feasible to meet the City's requirements. She said Staff recommends de-annexation from the Ridges Metro District and recommends approval of the ordinance and resolution.

Mayor Pro Tem Butler asked if the owner offered to dedicate property to the City for easements. Ms. Portner stated that the City is not likely to entertain a request for easements.

There were no public comments.

The public hearing was closed at 9:16 p.m.

~~Planning Tech~~
Lisa

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. 76-03

**A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION, MAKING
CERTAIN FINDINGS, DETERMINING THAT PROPERTY KNOWN AS THE
MARCHUN ANNEXATIONS NO. 1 AND NO. 2 AREA IS ELIGIBLE FOR
ANNEXATION
LOCATED AT 2925 F ½ ROAD**

WHEREAS, on the day of 16th day of June, 2003, 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:

MARCHUN ANNEXATION

A Serial Annexation comprising Marchun Annexation No. 1 and No. 2

MARCHUN ANNEXATION NO. 1

A certain parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 5, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Southwest corner of the NE 1/4 SW 1/4 of said Section 5, the same point being the Southeast corner of Karen Lee Subdivision, as same is recorded in Plat Book 11, Page 97, Public Records of Mesa County, Colorado, and assuming the West line of the West half (W 1/2) of the NE 1/4 SW 1/4 of said Section 5 bears N 00°03'21" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 00°03'21" E along the West line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 and the East line of said Karen Lee Subdivision, a distance of 1,000.00 feet; thence S 89°48'24" E a distance of 659.67 feet to a point on the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5; thence S 00°01'41" W along the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 a distance of 1,000.00 feet to a point being the Southeast corner of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5, the same point being the Northeast corner of Del-Mar Subdivision Filing No. 3, as same is recorded in Plat Book 15, Pages 379 and 380, Public Records of Mesa County, Colorado; thence N 89°48'24" W along the South line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 a distance of 660.16 feet, more or less, to the Point of Beginning.

CONTAINING 15.1496 Acres (659,915.06 Sq. Ft.) more or less, as described.

MARCHUN ANNEXATION NO. 2

A certain parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) and the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 5, 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 NE 1/4 SW 1/4 of said Section 5, the same point being the Southeast corner of Karen Lee Subdivision, as same is recorded in Plat Book 11, Page 97, Public Records of Mesa County, Colorado, and assuming the West line of the West half (W 1/2) of the NE 1/4 SW 1/4 of said Section 5 bears N 00°03'21" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 00°03'21" E along the West line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5 and the East line of said Karen Lee Subdivision, a distance of 1000.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 00°03'21" E a distance of 319.74 feet to a point being the Northwest corner of the NE 1/4 SW 1/4 of said Section 5; thence continue N 00°03'21" E a distance of 30.00 feet to a point on the North right of way for F-1/2 Road, said right of way being recorded in Book 803, Page 262, Public Records of Mesa County, Colorado; thence S 89°47'43" E along said North right of way, being a line 30.00 feet North of and parallel to, the North line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5, a distance of 456.60 feet, more or less, to a point intersecting the Southerly extension of the West line of the Replat of Willow Glen, as same is recorded in Plat Book 13, Page 518, Public Records of Mesa County, Colorado; thence N 00°12'17" E a distance of 3.00 feet to a point being the Southwest corner of said Replat of Willow Glen; thence S 89°47'43" E along the South line of said Replat of Willow Glen, a distance of 202.90 feet, more or less, to a point on the Northerly extension of the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5; thence S 00°01'41" W along said line, a distance of 33.00 feet to a point being the Northeast corner of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5; thence S 00°01'41" W along the East line of the W 1/2 of the NE 1/4 SW 1/4 of said Section 5, a distance of 319.61 feet; thence N 89°48'24" W a distance of 659.67 feet, more or less, to the Point of Beginning.

CONTAINING 5.3088 Acres (231,250.27 Sq. Ft.) more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 6th day of August, 2003; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefor; that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will

be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

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

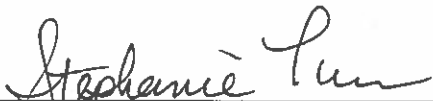
The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

ADOPTED this 6th day of August, 2003.

Attest:



President of the Council



City Clerk

| <u># Annexation Name</u> | <u>Address</u> | <u>Planner</u> | <u>Schedule</u> | <u>Status</u> | <u>Land Use</u> |
|--|------------------------------------|-----------------|---|---------------|-----------------|
| 15. O'Connor 16. Rold | 531 31 Road 524 30 Road | Ronnie Senta | Ref/1 st Read/LU – May 21 st PC Zone - May 27 th or June 10 th CC Zone 1 st - June 16 th CC Acpt/2 nd Read – July 2 nd Effective August 3, 2003 | | C-1 RSF-4 |
| 17. Sonrise Acres 18. UnawEEP Heights | 3068 F Road 2857 UnawEEP Avenue | Lori Lori | Ref/1 st Read/LU – June 4 th PC Zone - June 10 th or June 24 th CC Zone 1 st - July 2 nd CC Acpt/2 nd Read – July 16 th Effective August 17, 2003 | | |
| Impact Report due ?????? for UnawEEP Heights & ?????????????? Annexation | | | | | |
| 19. Marchun | 2925 F ½ Road | Lisa | Ref/1 st Read/LU – June 16 th PC Zone - June 24 th or July 8 th CC Zone 1 st - July 16 th CC Acpt/2 nd Read – August 6 th Effective September 7, 2003 | | RMF-5 A |
| Impact Report due ?????? for Marchun Anenxation | | | | | |

City of Grand Junction

Community Development Department
Planning • Zoning • Code Enforcement
250 North 5th Street
Grand Junction, CO 81501-2668

Phone: (970) 244-1430
FAX: (970) 256-4031



RECORD OF DECISION

DATE: September 17, 2003
FILE: ANX-2003-093, Marchun Annexation
LOCATION: 2925 F ½ Road

PETITIONER: John Marchun Estate c/o Carl Marchun
2925 F ½ Road
Grand Junction, CO 81504

REPRESENTATIVE: Mike Joyce
Development Concepts, Inc.
2764 Compass Drive, Ste. 201
Grand Junction, CO 81506

PLANNER: Lisa E. Cox, AICP

REQUEST: 1) Acceptance of annexation petition
2) Rezone request from County Residential Single Family-4 (RSF-4) to City Residential Multi-Family 5 (RMF-5)

DECISION: **APPROVAL**

At its August 20, 2003 meeting, the Grand Junction City Council considered a request to annex 20.4584 acres, located at 2925 F 1/2 Road, into the City. After discussion of the request to annex, Council accepted the annexation petition and adopted an ordinance annexing the property. The effective date of the annexation is September 7, 2003.

The City Council also considered a request to rezone the same property from County Residential Single Family-4 (RSF-4) to the City Residential Multi-Family 5 (RMF-5) zone district. After discussion of the rezone request, the City adopted an ordinance to rezone the property to RMF-5 with the findings that the request was in keeping with the goals and policies of the Growth Plan and Future Land Use Map and the applicable criteria of Section 2.6 of the Zoning and Development Code.

If you have any questions, or if I may be of further assistance, please call me at 256-4039.

Sincerely,

A handwritten signature in cursive script that reads "Lisa E. Cox".

Lisa E. Cox, AICP
Senior Planner

H:Projects2003/ANX-2003-093/MarchunRecordofDecision



| <u>#</u> | <u>Annexation Name</u> | <u>Address</u> | <u>Planner</u> | <u>Schedule</u> | <u>Status</u> | <u>Land Use</u> |
|--|------------------------|---------------------|----------------|---|---------------|-----------------|
| 15. | O'Connor | 531 31 Road | Ronnie | Ref/1 st Read/LU – May 21 st | | C-1 |
| 16. | Rold | 524 30 Road | Senta | PC Zone - May 27 th or June 10 th CC Zone 1 st - June 16 th CC Acpt/2 nd Read – July 2 nd Effective August 3, 2003 | | RSF-4 |
| 17. | Sonrise Acres | 3068 F Road | Lori | Ref/1 st Read/LU – June 4 th | | |
| 18. | UnawEEP Heights | 2857 UnawEEP Avenue | Lori | PC Zone - June 10 th or June 24 th CC Zone 1 st - July 2 nd CC Acpt/2 nd Read – July 16 th Effective August 17, 2003 | | |
| Impact Report due ?????? for UnawEEP Heights & ?????????????? Annexation | | | | | | |
| 19. | Marchun | 2925 F 1/2 Road | Lisa | Ref/1 st Read/LU – June 16 th PC Zone - June 24 th or July 8 th CC Zone 1 st - July 16 th CC Acpt/2 nd Read – August 6 th Effective September 7, 2003 | | RMF-5 |

Impact Report due ?????? for Marchun Anenxation

PLANNING COMMISSION NOTICE OF PUBLIC HEARING

DATE: JUN 24 7:00 p.m.

TIME: 7:00 p.m.

PLACE: City Hall Auditorium, 250 North 5th Street

A petition for the following request has been received and tentatively scheduled for a public hearing on the date indicated above.

If you have any questions regarding this request or to confirm the hearing date, please contact the Grand Junction Community Development Department at (970) 244-1430 or stop in our office at 250 North 5th Street.

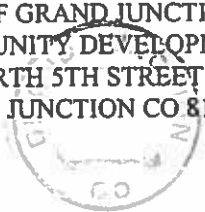
**ANX-2003-093 – MARCHUN ANNEXATION – 2925
F½ Road**
Request to establish a zoning of RMF-5 (Residential Multi-Family-5 units/acre) for a 5.3088 acre annexation.
Planner Lisa Cox

| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY |
|--|---|
| <ul style="list-style-type: none"> ■ Complete items 1, 2, and 4. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. | <p>A. Signature <input checked="" type="checkbox"/> <i>L. E. Miller</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery 6/17/03</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> |
| <p>1. Article Addressed to:</p> <p style="font-family: cursive; font-size: 1.2em;">Development Concepts Mike Joyce 2764 Compass NW #2074 Grand Junction, CO 81505</p> | <p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> |
| <p>2. Article Number <i>7000-1070-0010-0684-6882</i> (Transfer from service label)</p> | <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> |
| <p>PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-154</p> | |



CITY OF GRAND JUNCTION
 COMMUNITY DEVELOPMENT DEPARTMENT
 250 NORTH 5TH STREET
 GRAND JUNCTION CO 81501

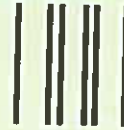
POSTAGE WILL BE PAID BY ADDRESSEE



00222
 H METER 704822

CITY OF GRAND JUNCTION
 COMMUNITY DEVELOP
 250 NORTH 5TH STREET
 GRAND JUNCTION, CO 81501

UNITED STATES POSTAL SERVICE



Lisa

First-Class Mail
 Postage & Fees Paid
 USPS
 Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Community Development Dept.
 250 North 5th Street
 Grand Junction, CO 81501

SCHEDULE

Referral - June 16

PC Zone ~~1st~~ - July 8 ^{OR} June 24th

CC Zone 1st - July 16

CC 2nd Road - August 6th

SPECIAL DISTRICTS

- ✓ Ute Water
- ✓ Grand Junction Drainage
GJ Rural Fire
- ✓ Central Grand Valley Sanitation
- ✓ School DISTRICT 51

NOTICE OF DEVELOPMENT APPLICATION

An application for the development proposal described below, located near property you own, has been received by the Grand Junction Community Development Department. The Department encourages public review of proposed development prior to public hearings. The application, including plans, reports and supporting documentation, is available for review during normal business hours (7:30 A.M. - 5:30 P.M. Monday-Thursday and 7:30 A.M. - 5:00 P.M. on Friday) at City Hall, 250 North 5th Street. City Planning staff is also available to answer questions and explain the development review process.

ANX-2003-093-MARCHUN ANNEXATION- 2925 F $\frac{1}{2}$ Rd
Request approval to annex 5.3088 acres to be zoned RMF-5
(Residential Multi-Family-5 units/acre.
Planner Lisa Cox

Courtesy notification cards will be mailed to adjoining property owners prior to a public hearing on this item. However, we encourage you to also verify scheduling in one of the following ways:

- ◆ call the Community Development Department at (970) 244-1430
- ◆ look for a display ad in the Daily Sentinel one day prior to the public hearing (held on the second and sometimes the third Tuesday of each month)
- ◆ You may receive a FAX copy of the Planning Commission agendas by calling CITY DIAL at (970) 244-1500 ext. 211.
- ◆ Agendas for Planning Commission, City Council, and Board of Appeals items are available prior to the hearing at City Hall, 250 North 5th Street.

Please do not hesitate to contact the Community Development Department at (970) 244-1430 if you have any questions.



CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT DEPARTMENT
250 N 5TH STREET
GRAND JUNCTION, CO 81501



CITY OF GRAND JUNCTION
COMMUNITY DEVELOP
250 NORTH 5TH STREET
GRAND JUNCTION, CO 81501

NOTICE OF DEVELOPMENT APPLICATION

81501X7540 CODE

