

# RECEIPT OF APPLICATION

DATE BROUGHT IN: 4/29/03

CHECK #: 4110 AMOUNT: 140 00

DATE TO BE CHECKED IN BY: 5/2/03

PROJECT/LOCATION: 1235 Kennedy

Items to be checked for on application form at time of submittal:

- Application type(s)
- Acreage
- Zoning
- Location
- Tax #(s)
- Project description
- Property owner w/ contact person, address & phone #
- Developer w/ contact person, address & phone #
- Representative w/ contact person, address & phone #
- Signatures of property owner(s) & person completing application



# DEVELOPMENT APPLICATION

Community Development Dept  
250 North 5th Street  
Grand Junction CO 81501  
(970) 244-1430

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado, as described herein do hereby petition this:

**Petition for (check all appropriate boxes):**

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Subdivision Plat/Plan - Simple            | <input checked="" type="checkbox"/> Site Plan Review - Major | <input type="checkbox"/> Concept Plan          |
| <input type="checkbox"/> Subdivision Plat/Plan - Major Preliminary | <input type="checkbox"/> Site Plan Review - Minor            | <input type="checkbox"/> Minor Change          |
| <input type="checkbox"/> Subdivision Plat/Plan - Major Final       | <input type="checkbox"/> Conditional Use Permit              | <input type="checkbox"/> Change of Use         |
| <input type="checkbox"/> Planned Development - ODP                 | <input type="checkbox"/> Vacation, Right-of-Way              | <input type="checkbox"/> Revocable Permit      |
| <input type="checkbox"/> Planned Development - Preliminary         | <input type="checkbox"/> Vacation, Easement                  | <input type="checkbox"/> Variance              |
| <input type="checkbox"/> Planned Development - Final               | <input type="checkbox"/> Extension of Time                   |  |
| <input type="checkbox"/> Annexation/Zone of Annexation             | <input type="checkbox"/> Rezone                              | <input type="checkbox"/> Growth Plan Amendment |

From: \_\_\_\_\_

From: \_\_\_\_\_

From: \_\_\_\_\_

To: \_\_\_\_\_

To: \_\_\_\_\_

To: \_\_\_\_\_

**Site Location:**

1235 Kennedy Ave

**Site Tax No.(s):**

2945-123-18-005

**Site Acreage/Square footage:**

.143 ac

**Site Zoning:**

RMF-16

**Project Description:**

Turn existing home into duplex

ANDRIES + GERDA MARAIS

SAME

ANDREW MARAIS

Property Owner Name

Developer Name

Representative Name

140 S. Peach SE

Address

same

Address

Address

Fruita CO 81521

City/State/Zip

City/State/Zip

City/State/Zip

250-5236

Business Phone No.

Business Phone No.

Business Phone No.

marais@acsol.net

E-Mail

E-Mail

E-Mail

858-3968

Fax Number

Fax Number

Fax Number

ANDREW MARAIS

Contact Person

Contact Person

Contact Person

250-5236 or 858 3968

Contact Phone No.

Contact Phone No.

Contact Phone No.

Note Legal property owner is owner of record on date of submittal.

We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application and the review comments. We recognize that we or our representative(s) must be present at all required hearings. In the event that the petitioner is not represented, the item may be dropped from the agenda and an additional fee charged to cover rescheduling expenses before it can again be placed on the agenda.

Signature of Person Completing Application

4/29/03

Date

4/29/03

Required Signature of Legal Property Owner(s) - attach additional sheets if necessary

Date

**General Meeting Notes – 1235 Kennedy.**

3-6-2003 Turn existing home into Duplex.

Planner: Faye G. Engineer: Rick Dorris

Water: fire flow form  
Sewer: Existing  
Drainage: Pay drainage fee.  
Flood plain: --  
Wetlands: --  
Access:  
Site circulation:  
TCP: yes  
CDOT permit: --  
Street class: Residential  
Street improvements: See notes below  
Construction Activity Permit:  
Underground Power Utilities:  
Other:

1396 (.95-.40) =

396 (.68-.40)

,009 (.28)

,032 (-.55)

,010

,049

**Miscellaneous:**

**Streets/Traffic/Site Circulation notes:**

- Must provide adequate parking. See the TEDS manual for allowable parking that backs into the driveway.
- Any existing sidewalk or curb and gutter in front of the property on Kennedy must be replaced according to current City standards.
- The applicant is required to sign a power of attorney stating they will participate in an alley improvement district in one is formed in the future.
- 14' Multi-purpose easements must be dedicated along Kennedy.

**Drainage notes:**

- Can pay a drainage fee in lieu of detention. Will be on the order of \$400 to \$800 depending on how much of the site becomes impervious.

**Utility notes:**

- Must provide a Fire Flow Form filled out by the water supplier.

# APPLICATION COMPLETENESS REVIEW

Use "N/A" for items which are not applicable

Date: 5/1/03

Project Name: \_\_\_\_\_ (if applicable)

Project Location : 1235 Kennedy (address or cross-streets)

Check-In Staff      Community Development: PC      initials of check-in  
Development Engineer: \_\_\_\_\_      staff members

APPLICATION TYPE(S): \_\_\_\_\_

(e.g. Site Plan Review)

FEE PAID: Application: 140<sup>00</sup>

Acreage: \_\_\_\_\_

Public Works: \_\_\_\_\_

BALANCE DUE:

Yes amount \$ \_\_\_\_\_

No

## COMPLETENESS REVIEW:

Originals of all forms received w/signatures?  Yes  No, list is missing items below

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Missing drawings, reports, other materials:  No  Yes, list missing items below

Note: use SSID checklist

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Incomplete drawings, reports, other materials?  No  Yes, list missing items below

Note: Attach SSID checklist(s) w/incomplete information identified

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Professional stamp/seal missing from drawings/reports?

No       Yes, list missing items below

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Other: Please list below

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**PROJECT ASSIGNMENT AND PROCESSING**

Project Manager: \_\_\_\_\_ *Senta*

Special Processing Instructions:

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City of Grand Junction  
Community Development Department  
250 North 5<sup>th</sup> Street  
Grand Junction CO 81501

Telephone: (970) 244-1430  
Fax: (970) 256-4031  
Email: CommDev@ci.grandjct.co.us



## Review Agency Comment Sheet

*(Petitioner: Please fill in blanks in this section only unless otherwise indicated)*

Date: 4/29/03 To Review Agency: City Community Development

File No: SPR-2003-088 Staff Planner: Senta Costello  
*(To be filled in by City Staff)* *(To be filled in by City Staff)*

Project Name: 1235 Kennedy Duplex

Location: 1235 Kennedy St Grand Junction

Development Review Meeting Date: 5/27/03  
*(To be filled in by City Staff)*

### **COMMENTS**

*(For Review Agency Use)*

**Outside Review Agencies:** Please email comments to: [CommDev@ci.grandjct.co.us](mailto:CommDev@ci.grandjct.co.us), FAX comments to (970) 256-4031 or mail written comments to the above address. **NOTE:** If this form is not returned, additional review information will not be provided.

**City Review Agencies:** Please type your comments in Impact AP.

**All comments must be returned to the  
Community Development Department no later than**

*(To be filled in by City Staff)* 5/23/07

**NOTE:** Please identify your review comments on plan sets by printing the date, your name and company/agency for future reference.

Reviewed By \_\_\_\_\_ Date \_\_\_\_\_

Email Address \_\_\_\_\_ Telephone \_\_\_\_\_

**General Meeting/Pre-application Conference Checklist**

Date 3/17/03

Applicant Andrew Marais Phone 250-52310 Tax Parcel # 2945-123-18-005

Location 1235 Kennedy Ave Proposal SPR for a duplex

Meeting Attendees Faye

While all factors in a development proposal require careful thought, preparation and design, the following circled items are brought to the petitioner's attention as needing special attention or consideration. Other items of special concern may be identified during the review process. General meetings and pre-application conference notes/standards are valid for only six months following the meeting/conference date shown above. Incomplete submittals will not be accepted. Submittals with insufficient information identified during the review process, which have not been addressed by the applicant will not be scheduled for a public hearing. Failure to meet any deadlines for the review process may result in the project not being scheduled for hearing or being pulled from the agenda. Any changes to the approved plan will require re-review and approval prior to those changes being accepted.

**ZONING & LAND USE**

- a. Zoning:
- b. Future Land Use Designation:
- c. Growth Plan, Corridor & Area Plans Applicability:

**OFF-SITE IMPACTS**

- a. access/right-of-way required
- b. traffic impact
- c. street improvements
- d. drainage/stormwater management
- e. availability of utilities

**SITE DEVELOPMENT**

- a. bulk requirements
- b. traffic circulation
- c. parking (off-street: handicap, bicycle, lighting)
- d. landscaping (street frontages, parking areas)
- e. screening & buffering
- f. lighting & noise
- g. signage

**MISCELLANEOUS**

- a. revocable permit
- b. State Highway Access Permit
- c. floodplain, wetlands, geologic hazard, soils
- d. proximity to airport (clear or critical zone)

**OTHER**

- a. related files \_\_\_\_\_
- b. neighborhood meeting \_\_\_\_\_

**FEES**

- a. application fee: \$140.00 (~~100.00~~ ~~40.00~~)  
Due at submittal. Checks payable to City of GJ
- b. Transportation Capacity Payment (TCP):
- c. Drainage fee:
- d. Parks Impact Fee:
- e. Open Space Fee or Dedication:
- f. School Impact Fee:
- g. Recording Fee:
- h. Plant Investment Fee (PIF) (Sewer Impact):

**PROCESSING REQUIREMENTS**

- a. Documents -- ZDC, SSID, TEDS, SWMM
- b. Submittal Requirements/Review Process
- c. Annexation (Persigo Agreement)

**PLANNER'S NOTES**

RMF-16  
 Res md high (8-12/du/ae)  
 4 on site parking spaces required  
 Landscape requirements for whole property based on 6230 sq ft  
 3 trees  
 21 shrubs (25% of shrubs may be converted to turf based on one 5gal shrub per 50 sq ft of turf)  
 SPR inspection fee  
 Setbacks  
 Front - 20' max coverage  
 side - 5' is 75%  
 Rear - 10'  
 Front 15' in landscaping

**General Meeting Notes – 1235 Kennedy.**

3-6-2003 Turn existing home into Duplex.

Planner: Faye G.

Engineer: Rick Dorris 256-4034

- Water: fire flow form
- Sewer: Existing
- Drainage: Pay drainage fee. → ? 400 - 800.
- Flood plain: --
- Wetlands: --
- Access:
- Site circulation:
- TCP: yes 500
- CDOT permit: --
- Street class: Residential
- Street improvements: See notes below
- Construction Activity Permit:
- Underground Power Utilities:
- Other:

**Miscellaneous:**

**Streets/Traffic/Site Circulation notes:**

- Must provide adequate parking. See the TEDS manual for allowable parking that backs into the driveway.
- Any existing sidewalk or curb and gutter in front of the property on Kennedy must be replaced according to current City standards.
- The applicant is required to sign a power of attorney stating they will participate in an alley improvement district in one is formed in the future.
- 14' Multi-purpose easements must be dedicated along Kennedy.

**Drainage notes:**

- Can pay a drainage fee in lieu of detention. Will be on the order of \$400 to \$800 depending on how much of the site becomes impervious.

**Utility notes:**

- Must provide a Fire Flow Form filled out by the water supplier.

Resid/Office Distr. KO  
 \$1095  
 7 additional  
 Restriction



Planner's Name: Faye

# SUBMITTAL CHECKLIST

## MAJOR SITE PLAN REVIEW

Date: 3/17/03  
 Expiration-6 months from above date

Location: 1235 Kennedy Ave

Project Name: 1235 Kennedy Duplex

ITEMS	DISTRIBUTION																																				
DESCRIPTION	SSID Reference	<input checked="" type="checkbox"/> City Community Development	<input checked="" type="checkbox"/> City Development Engineer	<input checked="" type="checkbox"/> City Utility Engineer	<input type="checkbox"/> City Real Estate Manager	<input type="checkbox"/> City Parks/Recreation	<input type="checkbox"/> City Attorney	<input type="checkbox"/> City Sanitation	<input type="checkbox"/> City Fire Dept / <del>City Fire Dept</del>	<input type="checkbox"/> City Transportation Engineer	<input type="checkbox"/> City Addressing	<input type="checkbox"/> City Code Enforcement	<input type="checkbox"/> City Downtown Dev. Authority	<input type="checkbox"/> County Planning	<input type="checkbox"/> Building Department	<input type="checkbox"/> Persigo WWT	<input type="checkbox"/> Walker Field Airport	<input type="checkbox"/> School District #51	<input type="checkbox"/> Qwest	<input type="checkbox"/> Excel	<input type="checkbox"/> GVRP	<input type="checkbox"/> Water District	<input type="checkbox"/> Sewer District	<input checked="" type="checkbox"/> Drainage District	<input checked="" type="checkbox"/> Irrigation District	<input type="checkbox"/> CDOT	<input type="checkbox"/> RTPO	<input type="checkbox"/> Corps of Engineers	<input type="checkbox"/> Urban Trails	<input type="checkbox"/> Mesa County Health Department	<input type="checkbox"/> State Environmental Health	<input type="checkbox"/> Other	Total Required				
		Application Fee \$ <u>140.00</u>	VII-1	1																																	
<input checked="" type="checkbox"/> Development Application Form*	VII-1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
<input checked="" type="checkbox"/> Submittal Checklist*	VII-4	1																																			
<input checked="" type="checkbox"/> Review Agency Cover Sheet*	VII-3	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
<input checked="" type="checkbox"/> Location Map	VII-3	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
<input checked="" type="checkbox"/> Planning Clearance*	VII-3	1																																			
<input type="checkbox"/> Names & Addresses* Fee\$	VII-3																																				
<input checked="" type="checkbox"/> General Project Report	X-08	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
<input checked="" type="checkbox"/> Site Plan	IX-31	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
<input type="checkbox"/> 11"x17" Reduction of Site Plan	IX-31	1																																			
<input checked="" type="checkbox"/> Evidence of Title/Lease Agreement	VII-2	1		1		1																															
<input type="checkbox"/> Legal Description*	VII-3	1		1																																	
<input checked="" type="checkbox"/> Deeds, ROW and Easements	VII-2,3	1		1		1			1																	1	1										
<input type="checkbox"/> Avigation Easement	VII-1	1		1		1											1																				
<input type="checkbox"/> DIA/Guarantee*	VII-2	1	1	1		1																															
<input type="checkbox"/> CDOT Access Permit	VII-4	1	1																						1	1											
<input type="checkbox"/> Building Elevations	IX-10	1	1												1																						
<input type="checkbox"/> Road Cross-Sections	IX-28	1	2																																		
<input type="checkbox"/> Roadway Plan and Profile	IX-29	1	2																																		
<input type="checkbox"/> Traffic Impact Study	X-15	1							1														1			1											
<input type="checkbox"/> Water & Sewer Plan and Profile	IX-35	1	2	1				1										1	1	1	1	1															
<input type="checkbox"/> Industrial Pretreatment Sign-off*	VII-4	1		1											1																						
<input type="checkbox"/> Drainage & Irrigation Checksheet*	XI-02	1																					1	1													
<input type="checkbox"/> Final Drainage Report	X-5,8	1	2																				1	1													
<input type="checkbox"/> Grading and Drainage Plan	IX-13	1	1																				1														
<input type="checkbox"/> Storm Drainage Plan-Drawing/Report	IX-32	1	2															1	1	1			1														
<input type="checkbox"/> Stormwater Management Plan	X-14	1	2																				1														
<input type="checkbox"/> Transaction Screen Process/Phase II Environmental	X10,16	1	1																																		
<input type="checkbox"/> Final Geotechnical Report	X-07	1	1																																		
<input type="checkbox"/> Detail Sheet	IX-09	1	2																																		
<input checked="" type="checkbox"/> Landscape Plan	IX-19	2	1	1																																	
<input type="checkbox"/> Lighting Plan	IX-20	1	1																																		
<input checked="" type="checkbox"/> Fire Flow Form*	XI-03	1						1																													
<input type="checkbox"/> Boundary Survey	na	1	1	1																																	

Notes: \* An asterisk in the item description column indicates that a form is supplied by the City.



# CITY OF GRAND JUNCTION

Community Development Dept. • 250 N. 5<sup>th</sup> Street • Grand Junction, CO 81501

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May 8, 2003

## **ACCEPTANCE LETTER**

A submittal for the Kennedy Avenue Duplex (SPR-2003-088) has been accepted for review.

If you have any questions regarding the status of this project review, please contact Senta Costello, the project planner, at 244-1442 or [sentac@ci.grandjct.co.us](mailto:sentac@ci.grandjct.co.us).

Review comments for the project will be available on 5/20/03 after 4:00 P.M., approximately 3 weeks from the application submittal date.

If this project requires a public hearing, a sign must be posted on the property a minimum of ten (10) days in advanced of the hearing. There will be a \$50.00 refundable deposit required at the time the sign is picked up from Community Development.

cc: SPR-2003-088

*Sent 9*

**From:** "Bob Lee" <BLee@co.mesa.co.us>  
**To:** <CommDev@ci.grandjct.co.us>  
**Date:** Thu, May 8, 2003 2:32 PM  
**Subject:** Agency Review

*AP  
5/9/03*

SPR-2003-088 No objections to the application. A building permit is required. The contractor for the project must be licensed by the City of Grand Junction.

COU-2003-089 Project must meet the building code requirements for the new use. A building permit is required. Plans must be sealed by a licensed architect. All contractors on the project must be licensed by the City of Grand Junction.

*Senta*

*AP  
5/22/03*

**From:** "Basford, John A" <John.Basford@XCELENERGY.COM>  
**To:** "review agency" <CommDev@ci.grandjct.co.us>  
**Date:** Wed, May 21, 2003 10:04 AM  
**Subject:** SPR-2003-088 1235 Kennedy Duplex

Existing facilities to be rerouted as developers expense. Only 1 point of service for both the gas & electric, easement may be required.

John A. Basford  
Planner Design Group  
2538 Blichmann Ave.  
Grand Junction Co. 81505  
Ph.(970)244-2630  
Fax (970)244-2661  
john.basford@xcelenergy.com

1/2

2107480 03/04/03 1052AM  
JANICE WARD CLK&REC MESA COUNTY Co  
REC FEE \$5.00 SURCHG \$1.00  
DOCUMENTARY FEE \$9.50

WARRANTY DEED

Grantors(s):

G. Albino Gonzales

whose address is 1925 N. 9th Street, Grand Junction, Colorado 81501

\*County of Mesa, and State of

Colorado, for the consideration of

NINETY FIVE THOUSAND AND NO/100-----

-----dollars, in hand paid, hereby sell(s)

and convey(s) to:

Andries S. Marais and Gerda M. Marais as Joint Tenants

whose address is 140 S. Peach, 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:

TAX SCHEDULE NUMBER: 2945-123-18-005

Lots 10 and 11 in Block 3 of Henderson Heights Amended, Mesa County, Colorado.

also known by the street and number as 1235 Kennedy Ave., Grand Junction, Colorado 81501

with all its appurtenances, and warrant(s) the title to the same, subject to

current year real property taxes; and easements, reservations, restrictions, covenants and rights of way of record, if any; and distribution utility easements; and matters not shown by the Public Records but of which Grantee has actual knowledge; and inclusion of the Property within any special taxing district; and the benefits and burdens of any declaration and party wall agreements, if any.

Signed this 24 th day of February 2003

G. Albino Gonzales

STATE OF COLORADO

County of MESA } ss.

The foregoing instrument was acknowledged before me this 24 th day of February 2003

BY: G. Albino Gonzales

My Commission expires 6/23/2006



Witness my hand and official seal.

K. Vanderhoofven

Notary Public

\*If in Denver, insert "City and"

Meridian Land Title, LLO 61519

4.80

DESCRIPTION(S) BELOW, USING ADDITIONAL SHEETS AS NECESSARY. USE  
SLIPSPACING WITH A ONE INCH MARGIN ON EACH SIDE.

\*\*\*\*\*

Lots 10 and 11 in Block 3 of  
HENDERSON HEIGHTS AMENDED  
Mesa County, Colorado.



Date: April 15, 2003

ANDRIES S. MARAIS AND GERDA M. MARAIS  
140 S. PEACH  
FRUITA, CO 81521

Re: Our File #: 61519                      Policy #:                      600 2881                      Policy Date: March 04, 2003 at 10:52 AM  
1235 Kennedy Ave.

Dear Customer:

Enclosed please find your Owner's Policy of Title Insurance which should be kept with your permanent records.

The premium for this policy was paid for at the time of closing.

We have opened and will maintain a personal file on your property which will enable us to give you fast and accurate service in the future. You may be eligible for a discounted title premium if you decide to sell or refinance your property within the next five years.

Please feel free to contact our office if you should have any questions in connection with this policy or the actual transaction. Do not hesitate to let us know if we may be of further service. Thank you!

Sincerely,

MERIDIAN LAND TITLE, LLC

By: *Karen Crespin*  
enc.

Agent for SECURITY UNION TITLE INSURANCE COMPANY and LAND TITLE INSURANCE CORPORATION

2454 Patterson, Suite 100, Grand Junction, CO 81505 Phone: (970)245-0550 Fax: (970)241-1593 Cel: (970)260-3064

**Your Title Insurance Policy**  
**ALTA Residential Form, Rev 1987** No. **0897-600-2881**

One-To-Four Family Residences Only



**OWNER'S INFORMATION SHEET**

Your Title Insurance Policy is a legal contract between you and Land Title Insurance Corporation.

It applies only to a one-to-four family residential lot or a condominium unit. If your land is not either of these, contact us immediately.

The Policy insures you against certain risks to your land. These risks are listed on page two of the Policy.

**The Policy is limited by:**

- Exclusions on page 2.
- Exceptions on Schedule B.
- Conditions on pages 3 and 4.

**You should keep the Policy even if you transfer the title to your land.**

If you want to make a claim, see Item 3 under Conditions on page 3.

You do not owe any more premiums for the Policy.

This sheet is not your Insurance Policy. It is only a brief outline of some of the important Policy features. The Policy explains in detail your rights and obligations and our rights and obligations. Since the Policy—and not this sheet—is the legal document,

**YOU SHOULD READ THE POLICY VERY CAREFULLY.**

If you have any questions about the Policy, contact the issuing office.

*Issued through the Office of:*

**MERIDIAN LAND TITLE**  
551 Grand Ave., Suite B  
Grand Junction, CO 81501  
(970) 245-0550

**LAND TITLE INSURANCE CORPORATION**

P.O. Box 5645  
Denver, CO 80217  
(303) 331-6296

\_\_\_\_\_  
Authorized Signatory

By President

Attest Secretary



**OWNER'S EXTENDED COVERAGE POLICY OF TITLE INSURANCE  
SCHEDULE A**

**FILE NUMBER:** 61519

**AGENT NUMBER:** 0897

**POLICY NUMBER:** 600 2881

**Amount of Insurance:** \$95,000.00

*The Policy Amount will automatically increase by 10 percent of the amount shown above  
on each of the first five anniversaries of the Policy Date.*

**Date of Policy:** March 04, 2003 at 10:52 AM

**At Reception Number:** 2107481

**1. Name of Insured:**

ANDRIES S. MARAIS AND GERDA M. MARAIS

**2. Your interest in the land covered by this Policy is:**

Fee Simple

**3. The land referred to in this Policy is described as follows:**

Lots 10 and 11 in Block 3 of  
HENDERSON HEIGHTS AMENDED,  
Mesa County, Colorado.

**OWNER'S EXTENDED COVERAGE POLICY OF TITLE INSURANCE  
SCHEDULE B**

**FILE NUMBER:** 61519

**POLICY NUMBER:** 600 2881

**In addition to the Exclusions, you are not insured against loss, costs, Attorneys' fees, and expenses resulting from:**

1. Taxes for the year 2002 lien not yet due or payable.
2. Any lease not of record but in existence, and any and all assignments of interest therein.
3. Deed of Trust executed by ANDRIES S. MARAIS AND GERDA M. MARAIS, to the Public Trustee of Mesa County, in favor of BANK OF GRAND JUNCTION, to secure \$67,232.00 and any other obligations secured thereby, dated February 21, 2002, and recorded March 4, 2003 in Book 3291 at Page 579.

**CONDITIONS**

**1. Definitions**

- a. **Easement**—the right of someone else to use your land for a special purpose.
- b. **Land**—the land or condominium unit described in Schedule A and any improvements on the land which are real property.
- c. **Mortgage**—a mortgage, deed of trust, trust deed or other security instrument.
- d. **Public Records**—title records that give constructive notice of matters affecting your title—according to the state statutes where your land is located.
- e. **Title**—the ownership of your interest in the land, as shown in Schedule A.

**2. Continuation of Coverage**

**This Policy protects you as long as you:**

- own your title, or
- own a mortgage from anyone who buys your land, or

- are liable for any title warranties you make

This Policy protects anyone who receives your title because of your death.

**3. How to Make a Claim**

**a. You Must Give The Company Notice Of Your Claim**

If anyone claims a right against your insured title, you must notify us promptly in writing. Send the notice to:

Land Title Insurance Corporation  
 P.O. Box 5645  
 Denver, Colorado 80217  
 (303) 331-5296

Please include the Policy number shown in Schedule A, and the county and state where the land is located.

Our obligation to you could be reduced if:

- you fail to give prompt notice and
- your failure affects our ability to dispose of or to defend you against the claim

**b. Proof Of Your Loss Must Be Given To The Company**

You must give us a written statement to prove your claim of loss. This statement must be given to us not later than 90 days after you know the facts which will let you establish the amount of your loss.

The statement must have the following facts:

- the Covered Title Risks which resulted in your loss
- the dollar amount of your loss
- the method you used to compute the amount of your loss

You may want to provide us with an appraisal of your loss by a professional appraiser as a part of your statement of loss.

We may require you to show us your records, checks, letters, contracts, and other papers which relate to your claim of loss. We may make copies of these papers.

We may require you to answer questions under oath.

Our obligation to you could be reduced if you fail or refuse to:

- provide a statement of loss  
or
- answer our questions under oath  
or
- show us the papers we request  
or
- your failure or refusal affects our ability to dispose of or to defend you against the claim.

**4. Our Choices When You Notify Us of a Claim**

After we receive your claim notice or in any other way learn of a matter for which we are liable, we can do one or more of the following:

- a. Pay the claim against your title.
- b. Negotiate a settlement.
- c. Prosecute or defend a court case related to the claim.
- d. Pay you the amount required by this Policy.

e. Take other action which will protect you.

f. Cancel this policy by paying the Policy Amount, then in force, and only those costs, attorneys' fees and expenses incurred up to that time which we are obligated to pay.

**5. Handling a Claim or Court Case**

You must cooperate with us in handling any claim or court case and give us all relevant information.

We are required to repay you only for those settlement costs, attorney's fees and expenses that we approve in advance.

When we defend your title, we have a right to choose the attorney. We can appeal any decision to the highest court. We do not have to pay your claim until your case is finally decided.

## GENERAL PROJECT REPORT: 1235 Kennedy Duplex

### A. Project Description:

1. Location: 1235 Kennedy Avenue, Grand Junction.
2. Acreage is .143 acres.
3. Proposed use: Applicants wish to add a residence to an existing single family dwelling turning it into a duplex.

### B. Public Benefit:

1. Adding a dwelling will benefit the community in that it will provide additional accommodation in an area where accommodation is in high demand.

### C. Neighborhood Meeting:

None

### D. Project Compliance, Compatibility and Impact.

1. Adopted Plans and Policies: The proposed duplex comply with all current plans and policies.
2. Surrounding land use: The proposed duplex is in keeping with surrounding land use. On the west side of the property is a duplex and a fiveplex. To the west is one single family residence, one lot with two detached homes and a 10 apartment unit.
3. Site access and traffic: The addition of the duplex will not affect the existing site access and traffic. The current home has three parking spaces in the front and as well as parking in the rear off the alley. We propose to keep this parking unaltered.
4. Availability of utilities: All utilities are readily available. See site plan. We are undertaking to underground all utilities including the current overhead utilities to the existing home. For fire hydrant, see attachment to Fire Flow form.
5. Special demands on utilities. None.
6. Effects on public facilities: We are only adding one residence and anticipate the impact will be negligible.
7. Site soils: There is no problem apparent with the site soil.
8. Geological impact: The proposed duplex should not impact the surrounding site or create any geological hazards.
9. Hours of operation: Hours of operation shall be the same as for surrounding residential facilities.
10. Number of employees: Not applicable.
11. Signage plans: Not applicable.

### E. Development Schedule:

The additional dwelling will be added as soon as the City has approved the Site Plan.

City of Grand Junction  
Fire Department  
New Development Fire Flow

Instructions: To process the application, the developer/applicant's engineer should first fill out all items in Section A, and then deliver/mail this form to the appropriate water purveyor.<sup>1</sup> Once the water supplier has signed and given the required information, deliver/mail the completed and fully signed form to the City or County Planning Department.<sup>2</sup>

SECTION A

Date: 4/23/03  
Project Name: 1235 Kennedy Duplex  
Project street address: 1235 Kennedy Ave  
Assessor's Tax Parcel Number: 2945-123-18-005  
Property Owner name: ANDRIE + GERDA MARAIS  
City's project file #: \_\_\_\_\_  
Name of Water Purveyor: City of Grand Junction

1. If the project includes one or more one or two-family dwelling(s):
  - a. The maximum fire area<sup>1</sup> for each one or two family dwelling will be 2,415 square feet.
  - b. All dwelling units will , will not  include an approved automatic sprinkler system.

Comments: existing dwelling no frame w cedar siding. Added dwelling will be frame w stucco
2. If the project includes a building other than one and two-family dwelling(s):
  - a. List the fire area and type of construction for all buildings used to determine the minimum fire flow requirements: N/a
  - b. List each building that will be provided with an approved fire sprinkler system: N/a
3. List the minimum fire flow required for this project (based on Appendix B and C): \_\_\_\_\_

Comments: \_\_\_\_\_

Note: Fire Flow Rule: The City's Fire Code<sup>3</sup> sets minimum fire flows for all structures and new development. In general, for single family dwellings, at least 1000 g.p.m at 20 p.s.i. residual pressure must be continuously available at each structure. Duplex, other residential and all non-residential uses must have more fire flows in order to fight fires. Inadequate fire flows are normally due to water supply pipes that are too small or too little water pressure, or a combination of both.

Note for the Applicant/Project engineer: Refer to Appendix B and C, IFC 2000, to determine the minimum fire flow required for this project, based on the Water Purveyor's information (i.e., location, looping and size of water lines; water pressure at the site, etc.) and the type, density and location of all structures. Base your professional judgment on the City approved utility plans and Water Provider information shown on this Form. Each time the utility plans/other information relating to treated water changes, resubmit this form just as you did the first time.

[End of Section A. Section B continues on the reverse side of this page]

<sup>1</sup> Fire area is defined on page 357 of the IFC.

City of Grand Junction  
Fire Flow Form

SECTION B

[To be completed by the Water Supplier]

1. Circle the name of the water supplier: Ute      Clifton      Grand Junction
2. List the approximate location, type and size of supply lines for this project, or attach a map with the same information:
3. List the g.p.m. at 20 p.s.i. residual pressure at the point that the development/project will be connected to the existing water system: 1621.
3. Attach fire flow test data for the fire hydrants nearest to the development/project that must be used to determine available fire flow: \_\_\_\_\_  
[Or: 1. attach a map or diagram with the same information, or 2. attach a map/diagram with flow modeling information.]
4. If new lines are needed (or if existing lines must be looped) to supply the required fire flows, or if more information is needed to state the available minimum gpm @ 20 psi residual pressure, please list what the applicant/developer must do or obtain:

Print Name and Title of Water Supplier Employee completing this Form:

Ron Key      Water Service Supervisor      Date 4-24-03

\*\*\*\*\*  
Note: Based on the facts and circumstances, the Fire Chief may require the applicant/developer to engage an engineer<sup>4</sup> to verify/certify that the proposed water system improvements, as reflected in the approved utility plans submitted in support of the application/development, will provide the minimum fire flows to all structures in this project. If so, the engineer's signature below means that the City's Fire Flow requirements will be met by this development, if constructed as approved.

Print Name and License No. of P.E.:

Signature of P.E.:

Dated: \_\_\_\_\_

<sup>1</sup> There are three drinking water suppliers: Ute Water, Clifton Water, and City water.

<sup>2</sup> Address: City- 250 North 5th St., Grand Junction, CO 81501; County-P.O. Box 20000, Grand Junction, CO 81502

<sup>3</sup> International Fire Code, 2000 Edition

<sup>4</sup> City Code defines engineer as one who is licensed as a P.E. by the state of Colorado.

City of Grand Junction  
Fire Hydrant Flow Summary

Hydrant Number	Route Number	Number	Street	Type & Year	Main Size	Color	Average Maximum Flow	1997-	1997-	2002 Max Flow	2002 Flow at 20 psi	2001 Max Flow	2001 Flow at 20 psi	2000 Max Flow	2000 Flow at 20 psi	1999 Max Flow	1999 Flow at 20 psi	1998 Max Flow	1998 Flow at 20 psi
								2002 Average Flow @	2002 Max Flow										
E2-262-017	5175	1140	ELM	M97	8"PVC	B	799	1990	2283		No Test		No Test	672	2201	751	2263	950	1640
E2-262-015	5180	1550	COLLEGE	M96	8"PVC	G	751	1976	1978		No Test		No Test			751	1976		
E2-262-016	5182	1560	College	C87	6"CI	G	822	2083	2148		No Test		No Test	751	2148	672	2025	1008	2090
E2-262-008	5182	1042	Texas Ave	C			822	2493	2740		No Test		No Test	672	2740		No Test	1008	2430
E2-262-014	5185	1020	Elm	M89	6"PVC	B	544	550	563		No Test		No Test		No Test		No Test	531	537
E2-262-010	5190	818	Elm	M96	8"PVC	B	670	1618	2785		No Test	751	1876	751	2148	712	2785	531	561
E1-262-007	5195	899	Elm	M96	8"PVC	B	738	1708	3000	751	3000		No Test		No Test		No Test	751	1003
E1-262-008	5200	898	Bunling	C86	6"CI	G	675	1427	2378		No Test	672	1328	712	2378		No Test	605	880
E1-262-010	5205	1035	COLLEGE PL	C85	8"AC	B	680	1965	2597		No Test		No Test	672	2245	581	2597	787	1053
E1-262-009	5215	1098	Bunling	M74	6"CI	O	735	1511	1803	712	1604		No Test	672	1803	581	1358	889	1214
E1-262-004	5220	760	Glenwood	C83	6"CI	O	716	1793	3165	531	695	531	712	672	2025	751	1829	920	2378
E1-262-005	5225	768	Bunling	C85	6"CI	O	745	1796	2866		No Test	475	608	629	1357	581	1698	1089	2378
	5228	755	Kennedy	C98			528	873	723		No Test		No Test	475	622	581	723		No Test
E1-262-006	5230	800	Kennedy	M53	8"PVC		806	2405	2779	787	2578	751	2604	629	1532		No Test	1008	2531
E2-262-009	5250	898	Texas	C88	6"CI	G	657	1417	2475	629	1330	629	1355	629	2019	920	2475	531	531
E2-262-004	5255	788	Mesa	C82	6"CI	B	821	2406	2795		No Test	672	1736	629	2513		No Test	1062	2795
E2-262-007	5260	875	Hall	C87	12"CI	B	718	2203	2845	712	1874	712	1805	629	2513		No Test	751	1976
E2-262-011	5285	902	Hall	M60	6"CI	B	858	2429	2866		No Test		No Test	629	1764		No Test	1089	2866
F1-262-003	5270	610	View Point	M72	6"AC	O	840	2712	3409		No Test		No Test	672	2201		No Test	1062	3409
F1-262-004	5275	620	View Point	M72	6"AC	O	691	1789	3213	475	880	411	808	672				1008	2196
F1-262-005	5280	2673	Capra Way	M72	6"AC	O	709	1801	2351		No Test	377	770	531				1008	2351
F1-262-009	5285	603	Rico Way	M72	6"AC	O	630	1238	2025		No Test		No Test	411	506	581	698	857	2025
F1-262-008	5290	602	Rico Way	M72	6"AC	O	679	1214	1354		No Test		No Test	531				857	1354
F1-262-007	5295	935	Northern Way	M70	6"AC	G	432	463	640		No Test		No Test	338	368	377	404	605	640
F1-262-008	5300	959	Northern Way	AD75	20"ST	B	566	1421	2548		No Test	531	1739	444	488	475	543	751	1791
E1-272-014	6000	2650	North Ave	C81	8"AC	B	613	1090	1672		No Test	629	1672	556				712	820
E1-272-010	6010	2402	North Ave	C81	8"AC	B	633	1096	1609		No Test		No Test	531	720	531	825	889	1609
E1-272-008	6015	2260	North Ave	C80	8"AC	B	659	1666	2685		No Test	672	2685	475	860	556	861	920	2421
E1-272-004	6020	2098	North Ave	M69	6"CI	O	689	1582	2817		No Test	475	626	556	847	556	1006	1036	2817
E1-272-002	6025	1940	North Ave	C82	8"AC	B	665	1094	1571		No Test		No Test	556	757	531	772	823	1275
E1-271-017	6030	1750	North Ave	M92	8"PVC	B	611	1171	2685		No Test	672	2685	531	772	556	765	693	807
E1-271-015	6035	1702	North Ave	M92	8"PVC	B	531	#DIV/0!	0		No Test		No Test	531					No Test
E1-271-012	6040	1602	North Ave	C84	6"PVC	B	802	2166	2513		No Test	629	2513		No Test		No Test	920	1850
E1-271-010	6045	1502	North Ave	M92	8"PVC	B	702	2213	3093		No Test		No Test	605	2315	751	3093	751	1
E1-271-007	6050	1420	North Ave	M58	14"ST	G	622	1074	1819		No Test	629	1819	672				581	614
	6053	1200	N 12th St	M64			749	2255	3149		No Test		No Test	712				787	2578
E1-271-005	6055	1302	Glenwood	M66	6"CI	G	794	2321	3143		No Test	629	1746	672	1846	712	1892	1008	2977
E1-271-009	6060	1498	Glenwood	M68	12"AC	B	789	2354	3570		No Test	872	2157	629	1728	805	1519	1062	2795
E1-271-006	6065	1425	Bunling	M74	6"AC	B	670	1678	2597		No Test	605	1901	581	1063	556	1058	787	1773
E1-271-001	6070	1202	Kennedy	AD90	6"PVC	O	661	1234	1849		No Test		No Test	629	1218	672	1649	712	914
E1-271-004	6075	1260	Kennedy	C85	6"PVC	O	647	1821	2410		No Test	475	1250	751	2410	504	1488	857	1335
New	6077	1360	Kennedy	M98			747	1703	1703		No Test		No Test	605				889	1703
E1-271-008	6079	1460	Kennedy	M98			753	2242	2656	751	2410	629	1955	693	2651	605	1901	950	2656
E2-271-009	6080	1450	Elm	C94	8"PVC	B	716	1947	2575		No Test		No Test	531	1584	581	1680	1036	2575
E2-271-006	6085	1362	Elm	C94	8"PVC	B	770	2029	2724		No Test		No Test	712	2724	629	1692	950	1916
E1-271-002	6090	1201	Elm	C94	8"PVC	B	760	1867	2089		No Test		No Test	672	2089	629	1571	976	1942
E1-271-003	6095	1257	Elm	C94	8"PVC	B	747	1589	2027		No Test		No Test	629	1467	629	1394	978	2027
E2-271-012	6100	1546	Elm	AD?	6"PVC	B	740	2303	3190		No Test	712	2139	531	1669	531	1349	1008	3167
E1-271-011	6105	1259	N. 16th	C88	6"PVC	B	747	1623	2398		No Test		No Test	556	931	531	898	950	2266
New	6107	1225	N 16th	M98			394	422	442		No Test		No Test	411	442	377	402		No Test
	6109	1859	Glenwood	C77			795	2170	2824		No Test	605	1050	605				1114	2824
E1-271-014	6110	1622	17 TH	M93	6"CI	O	734	1648	2390	531	631		No Test	650	1749	650	1455	920	2005
E1-271-020	6111	1659	Elm	M97			357	420	574		No Test		No Test		No Test	475	574		No Test

62 E2-271

54 E1-262

56 E1-272

48 D4-271



**LEGEND**  
 CITY WATER LINE 4" AND UNDER  
 CITY WATER LINE 6" TO 10"  
 CITY WATER LINE 12" AND ABOVE  
 UTE WATER LINE  
 ABANDONED WATER LINE

WATER VALVE  
 FIRE HYDRANT  
 SAMPLE STATION

**SCALE**  
 1" = 200'  
 REVISED  
 May 01 2000

**CITY OF GRAND JUNCTION  
 WATER SYSTEM MAP**



E2-262	E2-271	E2-272
E1-262	E1-271	E1-272
D4-262	D4-271	D4-272

**SHEET NUMBER**  
 55  
 E1-271



# REVIEW COMMENTS

Page 1 of  
June 3, 2003

FILE #SPR-2003-088

TITLE HEADING: Kennedy Avenue Duplex

LOCATION: 1235 Kennedy Avenue

PETITIONER: Andries Marais

PETITIONER'S ADDRESS/TELEPHONE: 140 South Peach Street  
Fruita, CO 81521  
250-5236

STAFF REPRESENTATIVE: Senta Costello

**NOTE: THE PETITIONER IS REQUIRED TO SUBMIT AND LABEL A RESPONSE TO COMMENT FOR EACH AGENCY OR INDIVIDUAL WHO HAS REQUESTED ADDITIONAL INFORMATION OR REVISED PLANS, INCLUDING THE CITY, ON OR BEFORE 5:00 P.M., SEPTEMBER 3, 2003.**

**CITY COMMUNITY DEVELOPMENT**

5/27/03

Senta Costello

244-1442

No comment.

**CITY DEVELOPMENT ENGINEER**

5/9/03

Laura Lamberty

256-4155

1. Driveway widths must meet TEDS requirements - 10' min and 30' maximum and 5' from property line.
2. TCP=\$500
3. Dedicate 14' multipurpose easement along Kennedy. City can prepare easement form upon request.
4. Drainage fee : \$590

**CITY CODE ENFORCEMENT**

5/12/03

Ron Sommerhause

256-4124

Code Enforcement comments are based upon the most frequently addressed code violations for new construction/uses as they may apply to this project:

Any outdoor storage areas must be screened as required at: Res. 4.1.I.1.

Dust control measures must be taken during construction Muni. 16-126.

All outside light sources shall conform to the standards set forth at ZD 7.2.F., Nighttime Light Pollution

Fences require a permit. ZD 4.1.J.

**CITY FIRE DEPARTMENT**

5/23/03

**Norm Noble**

244-14

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1. No objections to the proposal.
2. Fire flow and fire hydrant locations are acceptable.

**CITY TRANSPORTATION ENGINEER**

5/27/03

**George Miller**

256-4123

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Proposal is to expand an existing residence into a duplex. Proposal would provide parking that would enter onto Kennedy (from a driveway) and onto the adjacent alleyway. Proposed use and resulting parking access patterns are not out of character with the surrounding medium density residential development.

There are no concerns about this proposal.

**MESA COUNTY BUILDING DEPT**

5/9/03

**Bob Lee**

244-1656

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No objections to the application. A building permit is required. The contractor for the project must be licensed by the City of Grand Junction.

**XCEL**

5/22/03

**John Basford**

244-2630

---

Existing facilities to be rerouted as developers expense. Only 1 point of service for both the gas & electric, easement may be required.

Comments not available as of 6/3/03:

City Attorney

City Utility Engineer

Grand Junction Drainage District

Grand Valley Irrigation

Qwest

## Memorandum

**DATE:** June 25, 2003

**TO:** *Laura L.*  
~~Eric Hahn~~, Community Development Engineer

**FROM:** Senta Costello, Associate Planner

**SUBJECT:** Response to Comments – Kennedy Avenue  
Duplex (SPR-2003-088).

Attached are the revised comments for this project. Please review and return any further comments you have to me by Wednesday, July 2, 2003.

If you have any questions please contact me at:

Phone #: 244-1442

Fax #: 256-4038

E-mail: [sentac@ci.grandjct.co.us](mailto:sentac@ci.grandjct.co.us)

**Response to Review Comments**

*Senta Costello*

June 25, 2003

**File #SPR-2003-088**

**Title Heading: Kennedy Avenue Duplex**

Location: 1235 Kennedy Avenue

Petitioner: Andries Marais

Petitioner's Address, Telephone number: 140 South Peach Street  
Fruita, CO 81521  
250-2536

Staff Representative: Senta Costello

---

**City Community Development:**

No Comments

**City Development Engineer:**

Comment 1: Noted.

Comments 2 and 4: \$1,090 will be paid upon receipt of final approval.

Comment 3: Could the City please prepare the easement form?

**City Code Enforcement:**

All comments noted.

**City Fire Department**

Comment noted.

**City Transportation Engineer:**

Comment noted.

**Mesa County Building Department:**

Comments noted.

**ECEL:**

Comments noted.

**RECEIVED**  
JUN 25 2003  
COMMUNITY DEVELOPMENT  
DEPT

**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



**CITY OF GRAND JUNCTION  
MAJOR SITE PLAN REVIEW**

**FOR** )

Andries & Gerda Marais )  
140 S Peach St )  
Fruita, CO 81521 )  
)

**ADMINISTRATIVE DECISION  
APPROVING**

**File #SPR-2003-088**

An application submitted by Andries & Gerda Marais requesting a Major Site Plan Review to convert an existing single family home into a duplex in RMF-16 zone district, located at 1235 Kennedy Ave, was considered administratively by the City of Grand Junction on July 1 2003. After considering all pertinent data, the Administrator **APPROVES** with conditions the Site Plan upon finding that the proposal complies with all applicable sections of the Grand Junction Zoning and Development Code.

All uses that are subject to a Major Site Plan Review must commence construction within six months of the date of approval. If a building permit is obtained within 6 months, the approval shall be valid for as long as the building permit remains valid. Failure to develop or establish such use accordingly shall constitute sufficient basis to revoke this approval.

  
Senta L. Costello  
Associate Planner

Cc: Laura Lamberty – City Development Engineer

H:\Planner\Current Planning\Admin items\2003\Decision Letter - Kennedy duplex.doc

WHEN RECORDED RETURN TO:  
City of Grand Junction  
Real Estate Division  
250 North 5<sup>th</sup> Street  
Grand Junction, CO 81501

BOOK 3404 PAGE 704  
2131162 07/02/03 0145PM  
JANICE WARD CLK&REC MESA COUNTY CO  
REC FEE \$5.00 SURCHG \$1.00  
DOCUMENTARY FEE \$EXEMPT

**GRANT OF MULTI-PURPOSE EASEMENT**

Andries S. Marais and Gerda M. Marais Grantors, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, has granted and conveyed, and by these presents does hereby grant and convey to the City of Grand Junction, a Colorado home rule municipality, Grantee, whose address is 250 North 5th Street, Grand Junction, Colorado 81501, a Perpetual Multi-Purpose Easement for the use and benefit of Grantee and for the use and benefit of the Public Utilities, as approved by Grantee, as a perpetual easement for the installation, operation, maintenance, repair and replacement of utilities and appurtenances related thereto, as approved by Grantee, including, but not limited to, electric lines, cable television lines, natural gas pipelines, sanitary sewer lines, storm sewers and storm water drainage facilities, water lines, telephone lines, and also for the installation, operation maintenance, repair and replacement of traffic control facilities, street lighting, landscaping, trees and grade structures, as approved by Grantee, on, along, over, under, through and across the following described parcel of land, to wit:

The North Fourteen (14.00) feet of Lots 10 and 11 in Block 3 of Henderson Heights Amended, situate in the SW ¼ of Section 12, Township 1 South, Range 1 West, Ute Meridian, as recorded in Plat Book 5 at Page 19 in the office of the Mesa County Clerk and Recorder;

containing 700.00 square feet, more or less, as described herein and depicted on Exhibit "A" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns forever, together with the right of ingress and egress for workers and equipment to survey, maintain, operate, repair, replace, control and use said Easement, and to remove objects interfering therewith, including the trimming of trees and bushes as may be required to permit the operation of standard utility construction and repair machinery, the said Grantors hereby covenanting with Grantee that the Easement area shall not be burdened or overburdened by the installation, construction or placement of any structures or any other item or fixture which might be detrimental to the facilities of Grantee and/or the Public Utilities or which might act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement area, the said Grantors hereby further covenanting with Grantee that they have good title to the aforescribed premises; that they have good and lawful right to grant this Easement; that they will warrant and forever defend the title and quiet possession thereof against the lawful claims and demands of all persons whomsoever.

Executed and delivered this 1st day of JULY, 2003.

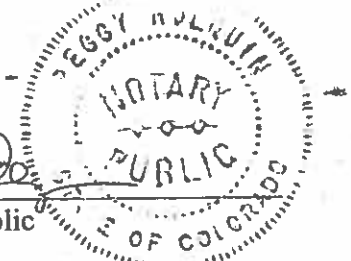
[Signature]  
Andries S. Marais

[Signature]  
Gerda M. Marais

State of Colorado )  
                                  )ss.  
County of Mesa     )

The foregoing instrument was acknowledged before me this 1st day of July, 2003, by Andries S. Marais and Gerda M. Marais.

My commission expires 3.3.05.  
Witness my hand and official seal.

[Signature]  
Notary Public  


Planning \$ <u>PR</u>	Drainag <u>590<sup>00</sup></u>
TCP \$ <u>500<sup>00</sup></u>	School Impact \$ <u>292<sup>00</sup></u>

G PERMIT NO. <u>90335</u>
FILE # <u>SPR-2003-088</u>

## PLANNING CLEARANCE

(site plan review, multi-family development, non-residential development)  
Grand Junction Community Development Department

THIS SECTION TO BE COMPLETED BY APPLICANT

BUILDING ADDRESS 1235 Kennedy Ave  
 SUBDIVISION Henderson Heights Amended  
 FILING \_\_\_\_\_ BLK 3 LOTS 10+11  
 OWNER ANDRIES + GERDA MARALS  
 ADDRESS 140 S. Peach Fuenta CO  
 TELEPHONE 250-5236 or 8583968  
 APPLICANT SAME AS OWNER  
 ADDRESS \_\_\_\_\_  
 TELEPHONE \_\_\_\_\_

TAX SCHEDULE NO. 2945-123-18-005  
 SQ. FT. OF PROPOSED BLDG(S)/ADDITION 1315  
 SQ. FT OF EXISTING BLDG(S) ± 1,100  
 NO. OF DWELLING UNITS: BEFORE 1 AFTER 2  
 CONSTRUCTION  
 NO. OF BLDGS ON PARCEL: BEFORE 1 AFTER 2  
 CONSTRUCTION  
 USE OF ALL EXISTING BLDGS Residence  
 DESCRIPTION OF WORK & INTENDED USE:  
Build "duplex" addition to  
existing residence

✓ Submittal requirements are outlined in the SSID (Submittal Standards for Improvements and Development) document.

THIS SECTION TO BE COMPLETED BY COMMUNITY DEVELOPMENT DEPARTMENT STAFF

ZONE RMF-16  
 SETBACKS: FRONT: 20' from Property Line (PL) or  
 \_\_\_\_\_ from center of ROW, whichever is greater  
 SIDE: 5' from PL REAR: 10' from PL  
 MAXIMUM HEIGHT 35'  
 MAXIMUM COVERAGE OF LOT BY STRUCTURES 70%

LANDSCAPING/SCREENING REQUIRED: YES  NO \_\_\_\_\_  
 PARKING REQUIREMENT: 4-2/unit  
 SPECIAL CONDITIONS: \_\_\_\_\_  
 CENSUS TRACT \_\_\_\_\_ TRAFFIC ZONE \_\_\_\_\_ ANNEX \_\_\_\_\_

Modifications to this Planning Clearance must be approved, in writing, by the Community Development Department Director. The structure authorized by this application cannot be occupied until a final inspection has been completed and a Certificate of Occupancy has been issued by the Building Department (Section 307, Uniform Building Code). Required improvements in the public right-of-way must be guaranteed prior to issuance of a Planning Clearance. All other required site improvements must be completed or guaranteed prior to issuance of a Certificate of Occupancy. Any landscaping required by this permit shall be maintained in an acceptable and healthy condition. The replacement of any vegetation materials that die or are in an unhealthy condition is required by the Grand Junction Zoning and Development Code.

Four (4) sets of final construction drawings must be submitted and stamped by City Engineering prior to issuing the Planning Clearance. One stamped set must be available on the job site at all times.

I hereby acknowledge that I have read this application and the information is correct; I agree to comply with any and all codes, ordinances, laws, regulations, or restrictions which apply to the project. I understand that failure to comply shall result in legal action, which may include but not necessarily be limited to non-use of the building(s).

Applicant's Signature [Signature]  
 Department Approval [Signature]

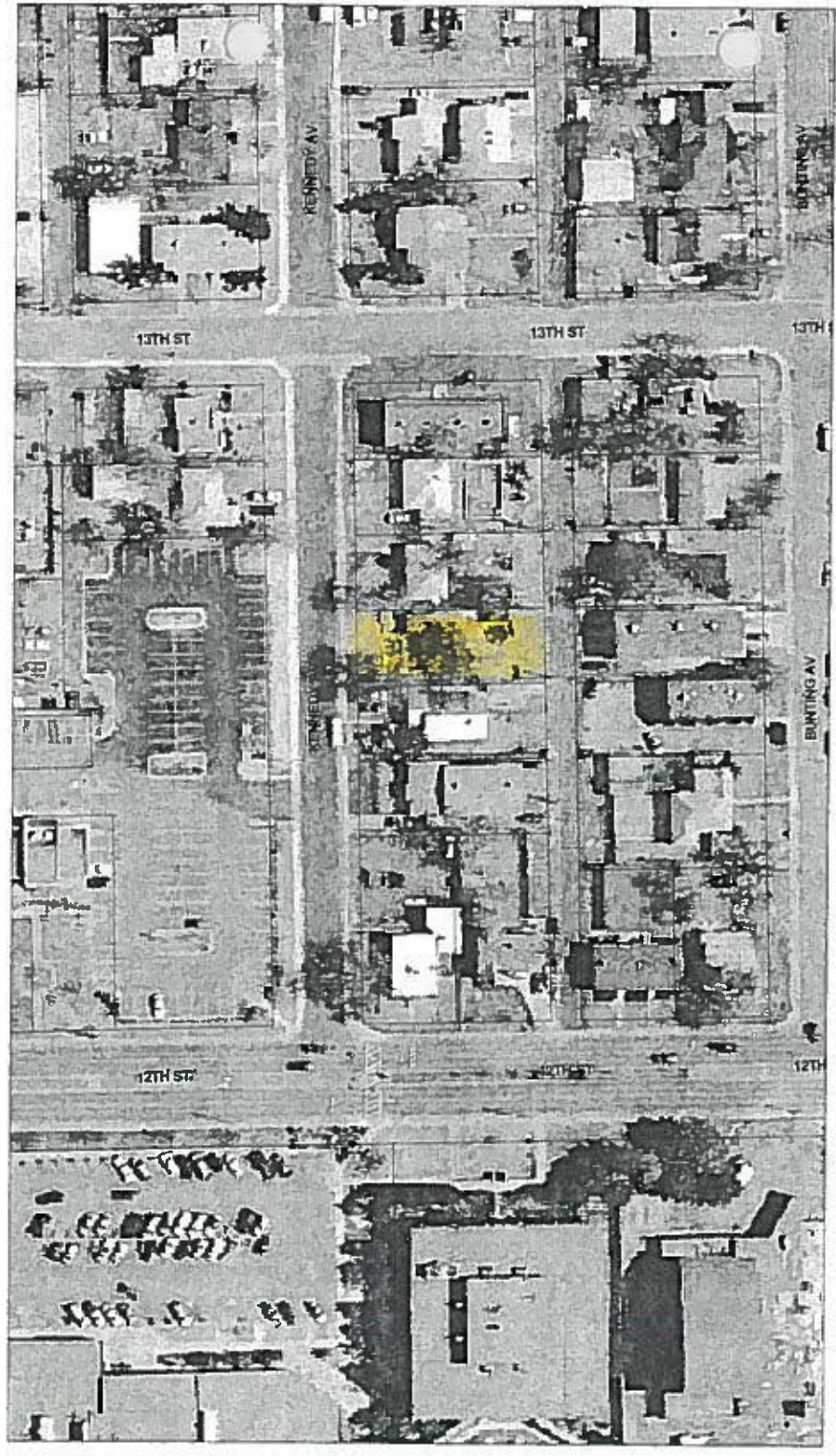
Date 4/29/03  
 Date 7/1/03

Additional water and/or sewer tap fee(s) are required: YES <input checked="" type="checkbox"/> NO _____	W/O No. <u>16262</u>
Utility Accounting <u>[Signature]</u>	Date <u>7/1/03</u>

VALID FOR SIX MONTHS FROM DATE OF ISSUANCE (Section 2.2.C.1 Grand Junction Zoning and Development Code)

(White: Planning)      (Yellow: Customer)      (Pink: Building Department)      (Goldenrod: Utility Accounting)

# City of Grand Junction GIS Zoning Map



<b>Airport Zones</b>	
—	AIRPORT ROAD
- -	CLEAR ZONE
—	CRITICAL ZONE
—	RUNWAY 22
—	RUNWAY 29
—	TAXI WAY
<b>Flood Plain Information</b>	
■	Floodway
■	100-Year Floodplain
■	500-Year Floodplain
■	Outside 500-Year Flo...
■	Between 100 & 500-y...
■	Minimal flooding
■	Deleted
<b>ZOOM IN FOR ZONI...</b>	
<b>Air Photos</b>	
■	2002 Photos
—	Highways
—	Streets 2

SCALE 1 : 1,425







Date: April 15, 2003

ANDRIES S. MARAIS AND GERDA M. MARAIS  
140 S. PEACH  
FRUITA, CO 81521

Re: Our File #: 61519 Policy #: 6002881 Policy Date: March 04, 2003 at 10:52 AM  
1235 Kennedy Ave.

Dear Customer:

Enclosed please find your Owner's Policy of Title Insurance which should be kept with your permanent records.

The premium for this policy was paid for at the time of closing.

We have opened and will maintain a personal file on your property which will enable us to give you fast and accurate service in the future. You may be eligible for a discounted title premium if you decide to sell or refinance your property within the next five years.

Please feel free to contact our office if you should have any questions in connection with this policy or the actual transaction. Do not hesitate to let us know if we may be of further service. Thank you!

Sincerely,

MERIDIAN LAND TITLE, LLC

By: *Karen Crespin*  
enc.

Agent for SECURITY UNION TITLE INSURANCE COMPANY and LAND TITLE INSURANCE CORPORATION

2454 Patterson, Suite 100, Grand Junction, CO 81505 Phone: (970)245-0550 Fax: (970)241-1593 Cel: (970)260-3064

**Your Title Insurance Policy**

**ALTA Residential Form, Rev 1987**

No. **0897-600-2881**

**One-To-Four Family Residences Only**



**OWNER'S INFORMATION SHEET**

Your Title Insurance Policy is a legal contract between you and Land Title Insurance Corporation.

It applies only to a one-to-four family residential lot or a condominium unit. If your land is not either of these, contact us immediately.

The Policy insures you against certain risks to your land. These risks are listed on page two of the Policy.

**The Policy is limited by:**

- Exclusions on page 2.
- Exceptions on Schedule B.
- Conditions on pages 3 and 4.

**You should keep the Policy even if you transfer the title to your land.**

If you want to make a claim, see Item 3 under Conditions on page 3. You do not owe any more premiums for the Policy.

This sheet is not your Insurance Policy. It is only a brief outline of some of the important Policy features. The Policy explains in detail your rights and obligations and our rights and obligations. Since the Policy—and not this sheet—is the legal document,

**YOU SHOULD READ THE POLICY VERY CAREFULLY.**

If you have any questions about the Policy, contact the issuing office.

*Issued through the Office of:*

**MERIDIAN LAND TITLE**  
551 Grand Ave., Suite B  
Grand Junction, CO 81501  
(970) 245-0550

**LAND TITLE INSURANCE CORPORATION**  
P.O. Box 5645  
Denver, CO 80217  
(303) 331-6296

*Corey DeKornfeldt*  
Authorized Signatory

By *John S. Fryer* President  
Attest *[Signature]* Secretary

PAGE	PAGE		
OWNER'S COVERAGE STATEMENT.....	2	CONDITIONS.....	3
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COMPANY'S DUTY TO DEFEND AGAINST COURT CASES.....	2	2. Continuation of Coverage.....	3
SCHEDULE A.....	INSERT	3. How to Make a Claim.....	3
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1. Name of Insured		5. Handling a Claim or Court Case.....	3
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**OWNER'S COVERAGE STATEMENT**

This policy insures your title to the land described in Schedule A—if that land is a one-to-four family residential lot or condominium unit. Your insurance, as described in this Coverage Statement, is effective on the Policy Date shown in Schedule A.

Your insurance is limited by the following:

- EXCLUSIONS below.

- EXCEPTIONS in Schedule B.
- CONDITIONS pages 3 and 4.

We insure you against actual loss resulting from:

- any title risks covered by this Policy—up to the Policy Amount, and
- any costs, attorneys' fees and expenses we have to pay under this Policy.

**COVERED TITLE RISKS**

This Policy covers the following title risks, if they affect your title on the Policy Date.

1. Someone else owns an interest in your title.
2. A document is not properly signed, sealed, acknowledged, or delivered.
3. Forgery, fraud, duress, incompetency, incapacity or impersonation.
4. Defective recording of any document.
5. You do not have any legal right to access to and from the land.
6. There are restrictive covenants limiting your use of the land.
7. There is a lien on your title because of:
  - a mortgage or deed of trust
  - a judgment, tax or special assessment
  - a charge by a homeowner's or condominium association
8. There are liens on your title, arising now or later, for labor and material furnished before the Policy Date—unless you agreed to pay for the labor and material.

9. Others have rights arising out of leases, contracts, or options.
10. Someone else has an easement on your land.
11. Your title is unmarketable, which allows another person to refuse to perform a contract to purchase, to lease or to make a mortgage loan.
12. You are forced to remove your existing structure—other than a boundary wall or fence—because:
  - it extends on to adjoining land or on to any easement
  - it violates a restriction shown in Schedule B
  - it violates an existing zoning law
13. You cannot use the land because use as a single-family residence violated a restriction shown in Schedule B or an existing zoning law.
14. Other defects, liens, or encumbrances.

**COMPANY'S DUTY TO DEFEND AGAINST COURT CASES**

We will defend your title in any court case as to that part of the case that is based on a Covered Title Risk insured against by this Policy. We will pay the costs, attorney's fees, and expenses we incur in that defense.

We can end this duty to defend your title by exercising any of our options listed in Item 4 of the Conditions.

**EXCLUSIONS**

In addition to the Exceptions in Schedule B, you are not insured against loss, costs, attorneys' fees and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or government regulation. This includes building and zoning ordinances and also laws and regulations concerning:
  - land use
  - improvements on the land
  - land division
  - environmental protection

This exclusion does not apply to violations or the enforcement of these matters which appear in the public records at Policy Date. This exclusion does not limit the zoning coverage described in Items 12 and 13 of Covered Title Risks.

2. The right to take the land by condemning it, unless:
  - a notice of exercising the right appears in the public records on the Policy Date
  - the taking happened prior to the Policy Date and is binding on you if you bought the land without knowing of the taking

3. Title Risks:
  - that are created, allowed or agreed to by you
  - that are known to you, but not to us, on the Policy Date—unless they appeared in the public records
  - that result in no loss to you
  - that first affect your title after the Policy Date—this does not limit the labor and material lien coverage in Item 8 of covered Title Risks
4. Failure to pay value for your title
5. Lack of a right:
  - to any land outside the area specifically described and referred to in Item 3 of Schedule A, or
  - in streets, alleys, or waterways that touch your land

This exclusion does not limit the access coverage in Item 5 of Covered Title Risks.

**OWNER'S EXTENDED COVERAGE POLICY OF TITLE INSURANCE  
SCHEDULE A**

**FILE NUMBER:** 61519

**AGENT NUMBER:** 0897

**POLICY NUMBER:** 600 2881

**Amount of Insurance:** \$95,000.00

*The Policy Amount will automatically increase by 10 percent of the amount shown above  
on each of the first five anniversaries of the Policy Date.*

**Date of Policy:** March 04, 2003 at 10:52 AM

**At Reception Number:** 2107481

**1. Name of Insured:**

ANDRIES S. MARAIS AND GERDA M. MARAIS

**2. Your interest in the land covered by this Policy is:**

Fee Simple

**3. The land referred to in this Policy is described as follows:**

Lots 10 and 11 in Block 3 of  
HENDERSON HEIGHTS AMENDED,  
Mesa County, Colorado.

**OWNER'S EXTENDED COVERAGE POLICY OF TITLE INSURANCE  
SCHEDULE B**

**FILE NUMBER:** 61519

**POLICY NUMBER:** 600 2881

**In addition to the Exclusions, you are not insured against loss, costs, Attorneys' fees, and expenses resulting from:**

1. Taxes for the year 2002 lien not yet due or payable.
2. Any lease not of record but in existence, and any and all assignments of interest therein.
3. Deed of Trust executed by ANDRIES S. MARAIS AND GERDA M. MARAIS, to the Public Trustee of Mesa County, in favor of BANK OF GRAND JUNCTION, to secure \$67,232.00 and any other obligations secured thereby, dated February 21, 2002, and recorded March 4, 2003 in Book 3291 at Page 579.

### CONDITIONS

#### 1. Definitions

- a. **Easement**—the right of someone else to use your land for a special purpose.
- b. **Land**—the land or condominium unit described in Schedule A and any improvements on the land which are real property.
- c. **Mortgage**—a mortgage, deed of trust, trust deed or other security instrument.
- d. **Public Records**—title records that give constructive notice of matters affecting your title—according to the state statutes where your land is located.
- e. **Title**—the ownership of your interest in the land, as shown in Schedule A.

#### 2. Continuation of Coverage

This Policy protects you as long as you:

- own your title, or
- own a mortgage from anyone who buys your land, or

- are liable for any title warranties you make
- This Policy protects anyone who receives your title because of your death.

#### 3. How to Make a Claim

##### a. You Must Give The Company Notice Of Your Claim

If anyone claims a right against your insured title, you must notify us promptly in writing. Send the notice to:

Land Title Insurance Corporation  
 P.O. Box 5645  
 Denver, Colorado 80217  
 (303) 331-6296

Please include the Policy number shown in Schedule A, and the county and state where the land is located.

Our obligation to you could be reduced if:

- you fail to give prompt notice and
- your failure affects our ability to dispose of or to defend you against the claim

##### b. Proof Of Your Loss Must Be Given To The Company

You must give us a written statement to prove your claim of loss. This statement must be given to us not later than 90 days after you know the facts which will let you establish the amount of your loss.

The statement must have the following facts:

- the Covered Title Risks which resulted in your loss
  - the dollar amount of your loss
  - the method you used to compute the amount of your loss
- You may want to provide us with an appraisal of your loss by a professional appraiser as a part of your statement of loss. We may require you to show us your records, checks, letters, contracts, and other papers which relate to your claim of loss. We may make copies of these papers. We may require you to answer questions under oath. Our obligation to you could be reduced if you fail or refuse to:
- provide a statement of loss  
or
  - answer our questions under oath  
or
  - show us the papers we request  
or
  - your failure or refusal affects our ability to dispose of or to defend you against the claim.

#### 4. Our Choices When You Notify Us of a Claim

After we receive your claim notice or in any other way learn of a matter for which we are liable, we can do one or more of the following:

- a. Pay the claim against your title.
- b. Negotiate a settlement.
- c. Prosecute or defend a court case related to the claim.
- d. Pay you the amount required by this Policy.
- e. Take other action which will protect you.
- f. Cancel this policy by paying the Policy Amount, then in force, and only those costs, attorneys' fees and expenses incurred up to that time which we are obligated to pay.

#### 5. Handling a Claim or Court Case

You must cooperate with us in handling any claim or court case and give us all relevant information. We are required to repay you only for those settlement costs, attorney's fees and expenses that we approve in advance.

When we defend your title, we have a right to choose the attorney. We can appeal any decision to the highest court. We do not have to pay your claim until your case is finally decided.

**6. Limitation of The Company's Liability**

- a. We will pay up to your actual loss or the Policy Amount in force when the claim is made—whichever is less.
- b. If we remove the claim against your title within a reasonable time after receiving notice of it, we will have no further liability for it. If you cannot use any of your land because of a claim against your title, and you rent reasonable substitute land or facilities, we will repay you for your actual rent until:
  - the cause of the claim is removed, or
  - we settle your claim
- c. The Policy Amount will be reduced by all payments made under this Policy—except for costs, attorneys' fees and expenses.
- d. The Policy Amount will be reduced by any amount we pay to our insured holder of any mortgage shown in this Policy or a later mortgage given by you.
- e. If you do anything to affect any right of recovery you may have, we can subtract from our liability the amount by which you reduced the value of that right.

**7. Transfer of Your Rights**

When we settle a claim, we have all the rights you had against any person or property related to the claim. You must transfer these rights to us when we ask, and you must not do anything to affect these rights. You must let us use your name in enforcing these rights.

We will not be liable to you if we do not pursue these rights or if we do not recover any amount that might be recoverable. With the money we recover from enforcing these rights, we will pay whatever part of your loss we have not paid. We have a right to keep what is left.

**8. Arbitration**

If it is permitted in your state, you or the Company may demand arbitration.

The arbitration shall be binding on both you and the Company. The arbitration shall decide any matter in dispute between you and the Company.

The arbitration award may:

- include attorneys' fees if allowed by state law
- be entered as a judgment in the proper court

The arbitration shall be under the Title Insurance Arbitration rules of the American Arbitration Association. You may choose current Rules or Rules in existence on Policy Date.

The law used in the arbitration is the law of the place where the property is located.

You can get a copy of the Rules from the Company.

**9. Our Liability is Limited to this Policy**

This Policy, plus any endorsements, is the entire contract between you and the Company.

Any claim you make against us must be made under this Policy and is subject to its terms.


Applies to policies in excess of \$250,000.

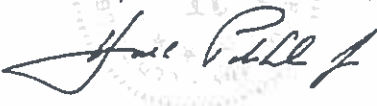
This Certificate is attached to and constitutes a part of The Title Insurance Policy of Land Title Insurance Corporation.

In consideration of the premium paid under this policy, it is hereby understood and agreed that OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY assumes liability under this policy for all loss in excess of \$250,000.00. In the event of any valid claim under this policy by reason of loss or damage insured against in excess of \$250,000.00, such excess loss shall be assumed and paid by OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY in the same manner and to the same extent as if such excess loss had been insured by a policy of OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY.

IN WITNESS WHEREOF the OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY has caused this certificate to be executed by its duly authorized officers.

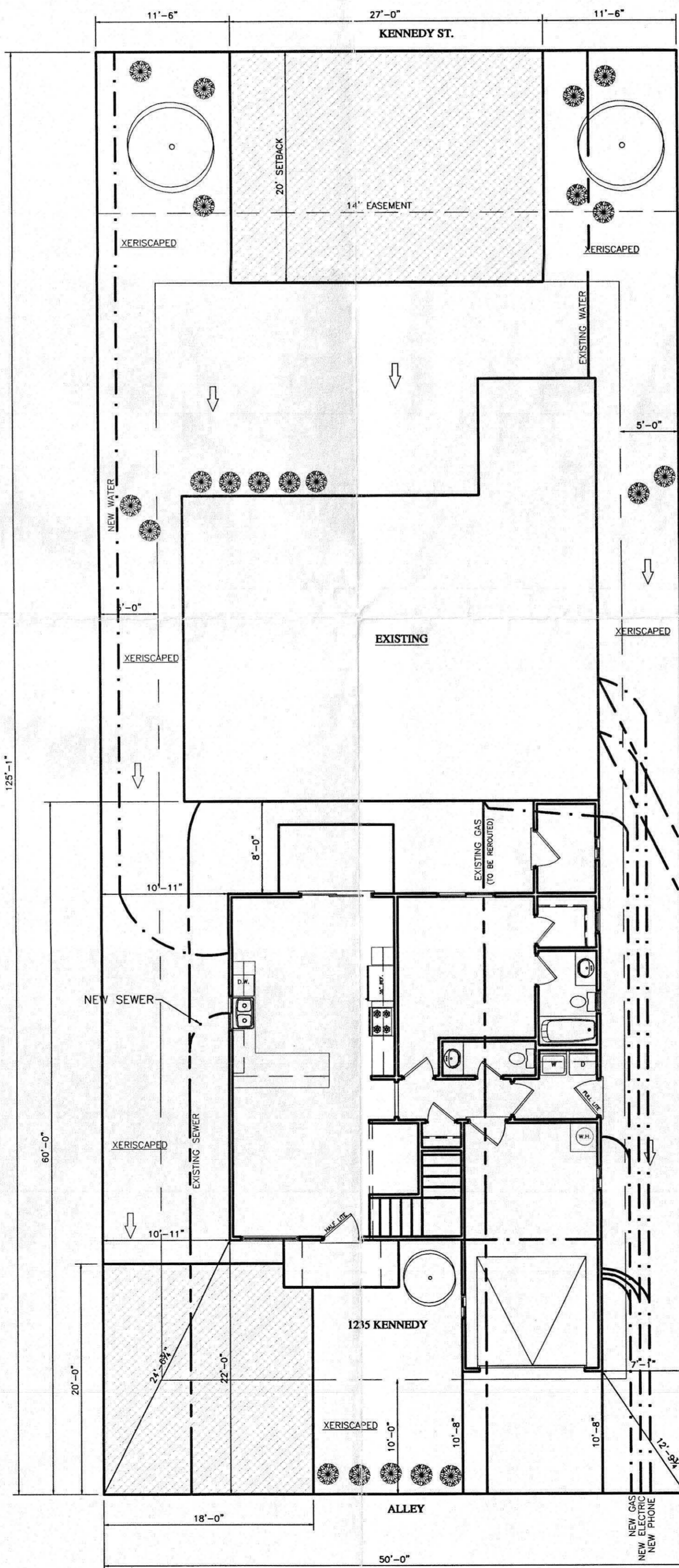
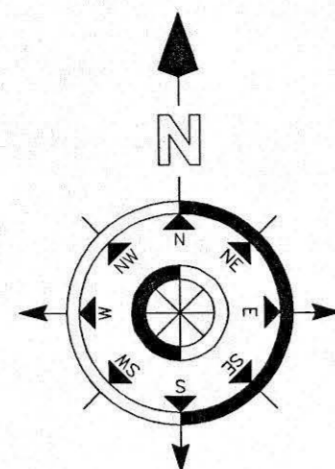
**OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY**  
 A Stock Company  
 400 Second Avenue South, Minneapolis, Minnesota 55401  
 (612) 371-1111

By  President

Attest  Secretary

NOTICE:

1. IT IS THE RESPONSIBILITY OF THE BUILDER OR OWNER TO VERIFY ALL DETAILS AND DIMENSIONS PRIOR TO CONSTRUCTION.
2. USE OF THIS PLAN CONSTITUTES BUILDER AND OR HOME OWNERS ACCEPTANCE OF THESE TERMS.
3. ALL DIMENSIONS ARE TO FACE OF STUD UNLESS OTHER WISE NOTED.
4. WALLS ARE DRAWN AS 3-1/2" THICK FOR 2x4 WALLS AND 5-1/2" FOR 2x6 WALLS
5. THIS PLAN HAS NOT BEEN ENGINEERED BY AUTODRAFT. SEE SEPARATE DRAWINGS BY OTHERS FOR ENGINEERING DATA.



LEGEND

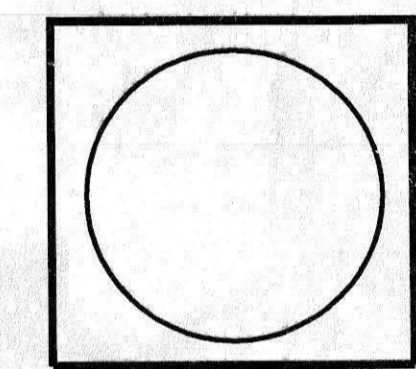
- ↓ = DRAINAGE
- = SHRUBS PER OWNER
- = TREES PER OWNER
- ▨ = GRAVEL PARKING

SERVICE BREAKDOWN	
SERVICE	PROVIDER
WATER	CITY OF GRAND JUNCTION
IRRIGATION	GRAND VALLEY
GAS AND ELECTRIC	EXCEL ENERGY
TELEPHONE	QWEST
CABLE	AT&T

NOTE:  
UNDERGROUND PRESSURIZED IRRIGATION SYSTEM TO BE PROVIDED.

REVISIONS	
A	
B	
C	
D	
E	
F	
G	
H	

**AUTODRAFT**  
COMPUTER AIDED DRAFTING  
GRAND JUNCTION, CO (970) 241-6782



1235 KENNEDY  
PLOT PLAN

APPROVED FOR CONSTRUCTION  
FOR ONE YEAR FROM THE DATE  
*Laura C. Lamberty* 7-1-03  
Community Development Department Date  
Public Works

Minor Site Plan Approval  
in accordance with Section 2.2(D)(4)(c)(2) or Section 2.2(D)(6)(d)(1),  
this approval shall expire on and be null and void on June 1, 2004.

Executed by:  
*Laura C. Lamberty*  
Name and Title  
Community Development Department  
City of Grand Junction, Colorado  
Date

DRAWN BY	AUTODRAFT
FILE NAME	
DATE	2-21-03
SCALE	1/8" = 1'-0"
SHEET	SHEET 4

03-088

03-088