

DISTRICT COURT, MESA COUNTY, COLORADO	
Court Address:	125 North Spruce St. Grand Junction, CO 81501
Telephone:	(970) 257-3625
In the Matter of the Petition of the CITY OF GRAND JUNCTION, a home rule city, For the exclusion of certain territory from the GRAND JUNCTION RURAL FIRE PROTECTION DISTRICT	
▲ COURT USE ONLY ▲	
John P. Shaver, No. 16594 City Attorney 250 North 5th Street Grand Junction, CO 81501 (970) 244-1508	Case Number: 7097 Division: 9
ORDER FOR EXCLUSION OF LANDS	

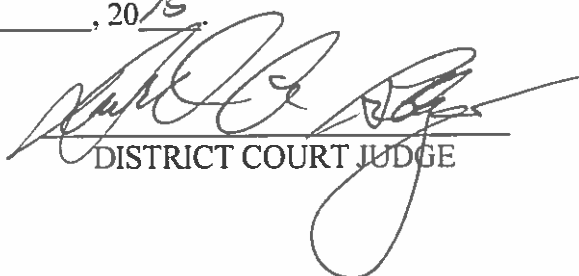
The Petition for the exclusion of lands from the Grand Junction Rural Fire Protection District having been called for hearing by the Court and the Court having been duly advised in the premises hereby finds that:

1. The Court has jurisdiction over the subject matter and the parties herein.
2. That the requirements of 32-1-502, C.R.S. has been met or will reasonably be met by the parties.
3. That the parties have provided for the necessary and orderly provision of fire and other emergency response to the excluded areas.

IT IS THEREFORE ADJUDGED, ORDERED AND DECREED BY THE COURT:

That the lands described in the Petition, all situate within Mesa County, Colorado are hereby excluded from the Grand Junction Rural Fire Protection District, and that the legal and common descriptions contained in said Petition are incorporated by this reference as if fully set forth. This Order relates back to the date of the filing of the petition in this case.

BY THE COURT THIS 2nd DAY OF FEB, 2015.



DISTRICT COURT JUDGE

<p>DISTRICT COURT, MESA COUNTY, COLORADO</p> <p>Court Address: 125 North Spruce St. Grand Junction, CO 81501</p> <p>Telephone: (970) 257-3625</p>	<p>ORIGINAL FILED IN MESA CITY COMBINED COURT</p> <p>2014 DEC 30 PM 1:00</p> <p>▲ COURT USE ONLY ▲</p>
<p>In the Matter of the Petition of the CITY OF GRAND JUNCTION, a home rule city,</p> <p>For the exclusion of certain territory from the GRAND JUNCTION RURAL FIRE PROTECTION DISTRICT</p>	
<p>John P. Shaver, No. 16594 City Attorney 250 North 5th Street Grand Junction, CO 81501 (970) 244-1508</p>	<p>Case Number 7097</p> <p>Division: 9</p>
<p>VERIFIED PETITION</p>	

COMES NOW the City of Grand Junction, a home rule city, by and through the undersigned counsel and affords notice of the filing of a petition with the Court for a Hearing and Order on the exclusion of certain lands within the Grand Junction Rural Fire Protection District:

The City of Grand Junction petitions the Court for exclusion from the Grand Junction Rural Fire Protection District of Mesa County, Colorado, the following described land, to wit:

PROIETTI ANNEXATION

A certain parcel of land lying in the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 33, Township 1 North, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being a portion of Lot 5, Pomona Park, as same is recorded in Plat Book 1, Page 24, Public Records of Mesa County, Colorado and being more particularly described as follows:

COMMENCING at the Southwest corner of the NW 1/4 NW 1/4 of said Section 33 and assuming the West line of the NW 1/4 NW 1/4 of said Section 33 bears N 00°03'00" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°50'33" E, along the South line of the NW 1/4 NW 1/4 of said Section 33, a distance of

50.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 00°03'00" E along the East right of way for 24 Road, as same is described in Book 1041, Page 325, Public Records of Mesa County, Colorado, a distance of 580.39 feet; thence S 89°48'31" E, along the South line of that certain parcel of land described in Book 3462, Page 933, Public Records of Mesa County, Colorado, a distance of 155.12 feet; thence N 00°07'49" E, along the East line of said parcel of land, a distance of 80.03 feet to a point on the North line of said Lot 5, Pomona Park; thence S 89°49'34" E, along the North line of said Lot 5, a distance of 453.17 feet to a point being the Northeast corner of Lot 5, Pomona Park; thence S 00°01'23" W, along the East line of Lot 5, Pomona Park, a distance of 660.20 feet to a point being the Southeast corner of said Lot 5, Pomona Park; thence N 89°50'33" W, along the South line of Lot 5, Pomona Park, a distance of 608.71 feet, more or less, to the Point of Beginning.

CONTAINING 389,405 Sq. Ft. or 8.939 Acres, more or less, as described hereon.

FIRE STATION NO. 4 ANNEXATION

A certain parcel of land lying in the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) and the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being a portion of Lot 15 of The Grand Junction Orchard Mesa Land Company's Orchard Subdivision, as same is recorded in Plat Book 1, Page 26, Public Records of Mesa County, Colorado and being more particularly described as follows:

COMMENCING at the East Quarter (E 1/4) Corner of said Section 30 and assuming the South line of the SE 1/4 NE 1/4 of said Section 30 bears S 89°56'51" W with all other bearings shown herein being relative thereto; thence from said Point of Commencement, S 89°56'51" W, along the South line of the SE 1/4 NE 1/4 of said Section 30, a distance of 58.60 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue S 89°56'51" W, along the South line of the SE 1/4 NE 1/4 of said Section 30, also being a line of the Rohner Annexation, Ordinance No. 4555, as same is recorded in Book 5376, Page 464, Public Records of Mesa County, Colorado, a distance of 810.11 feet; thence S 00°03'13" E, along a line of said Rohner Annexation, a distance of 40.00 feet to a point being the Northeast corner of Rio Grande Subdivision, as same is recorded in Plat Book 12, Page 94, Public Records of Mesa County, Colorado; thence S 89°56'51" W, along the North line of said Rio Grande Subdivision, being a line 40.00 feet South of and parallel with, the South line of the SE 1/4 NE 1/4 of said Section 30, a distance of 450.88 feet to a point on the West line of the NE 1/4 SE 1/4 of said Section 30; thence N 00°16'21" W, along the West line of the NE 1/4 SE 1/4 of said Section 30, a distance of 40.00 feet to a point being the Southwest corner of the SE 1/4 NE 1/4 of said Section 30; thence N 89°56'51" E, along the South line of the SE 1/4 NE 1/4 of said Section 30, a distance of 101.86 feet; thence N 00°07'22" E, along the East line of that certain parcel of land described in Book 5002, Page 712 and the West line of that certain parcel of land described in Book 793, Page 208, all in the Public Records of Mesa County, Colorado, a distance of 663.38 feet, more or less, to the South line of Church Subdivision No. 2, as same is recorded in Plat Book 11, Page 9, Public Records of Mesa County, Colorado; thence N 89°56'51" E, along the South line of said Church Subdivision No. 2 and the South line of Church Subdivision, as same is recorded in Plat

Book 9, Page 144, Public Records of Mesa County, Colorado, a distance of 244.00 feet; thence S 00°07'22" E, along the East line of that certain parcel of land described in Book 793, Page 208, a distance of 633.38 feet, more or less, to a point on the North right of way of B-1/2 Road; thence N 89°56'51" E, along said North right of way, being a line 30.00 feet North of and parallel with, the South line of the SE 1/4 NE 1/4 of said Section 30, a distance of 915.32 feet; thence S 00°03'09" E, along a line of said Rohner Annexation, a distance of 30.00 feet, more or less, to the Point of Beginning.

CONTAINING 207,362 Square Feet or 4.760 Acres, more or less, as described hereon.

For the City's petition:

1. It is intended that the property to be excluded be that located within the perimeter descriptions above setout except as the property is itself described.
2. The Petitioner has represented to the Court that the property above described is and has been duly and lawfully annexed to the City of Grand Junction, Colorado.
3. The Petitioner has further represented to the Court that the conditions for exclusion as set out in §32-1-502, C.R.S. have been met or are inapplicable.
4. The City of Grand Junction provides fire protection service to properties within the Grand Junction Rural Fire Protection District by contract. Service of and to the properties in the District will continue uninterrupted and therefore the provisions for a service plan as required by §32-1-502(2), (4) and (6), C.R.S. are inapplicable.
5. By verification of the Petition by Grand Junction Fire Chief Kenneth R. Watkins, the Petitioner has represented to the Court that the quality of service will not be adversely affected by such exclusion. As a result, fire insurance premiums should not change by virtue of the exclusion.
6. The Court is statutorily empowered to set a hearing and to enter an Order of Exclusion if all statutory conditions are met.

Respectfully submitted this 3rd day of December, 2014.

OFFICE OF THE CITY ATTORNEY

By: _____

John W. Shavel #16594

City Attorney

250 N. 5th Street

Grand Junction, CO 81501

(970) 244-1508

CERTIFICATE OF MAILING

I hereby certify that I mailed a copy of the attached document, postage prepaid, this 30th day of December, 2014, addressed to the Chairman of the Board of the Grand Junction Rural Fire Protection District.

Kirsten Kurath
Williams, Turner & Holmes, PC
PO Box 338
Grand Junction, CO 81502

Belinda White

VERIFICATION

I, Kenneth R. Watkins, Fire Chief in and for the City of Grand Junction, do hereby state under oath that the facts contained in paragraphs 4 and 5 are true and correct to the best of my knowledge and belief.

Kenneth R. Watkins
Kenneth R. Watkins

STATE OF COLORADO)
COUNTY OF MESA)

Subscribed and sworn to before me by Kenneth R. Watkins this 30th day of December, 2014.

Deana Pietro
Notary Public

My commission expires: 7/7/2016



My Commission Expires 07/07/2016