

TREASURER'S CERTIFICATE OF TAXES DUE

Date: 04/01/2005

Certificate No: 13745

STATE OF COLORADO  
COUNTY OF MESA

I, the undersigned do hereby certify that the entire amount of taxes and assessments due upon the real estate or personal property described below, and all sales of the same for unpaid taxes or assessments shown by the books in my office, from which the same may still be redeemed, with the amount required for redemption, are as noted herein:

Title Co : INDIVIDUAL REQUEST	Order #:
Seller :	Buyer :
Lender :	Ordered: CITY OF GJ
Tax Year : 2004	User ID:
Schedule #: 2945-233-15-002	

Description:

LOTS 4-5 + THAT PT OF LOTS 6 + 7 BLK 36 MOON + DAY ADD LYING E OF A LI  
DESC AS FOLL BEG 10FT W + 42.5FT N OF A STAKE NE COR OF D + R G RESERVOIR  
TR N 100FT M-L TO N LI OF LOT 7 SD SUB

Amounts Due as of Certificate Date

Current Taxes		Base	Penalty
05 OM01	\$	112.50	
04 REAL		297.38	
Total Due	\$	409.88	
		=====	

\*\*BEFORE PAYING TOTAL DUE, PLEASE CALL FOR UPDATED FIGURES\*\*  
\*\*IF PENALTY IS DUE OR IF THERE ARE OUTSTANDING TAX SALES\*\*

-- Continued --



2945-233-15-002

Tax Charges Distribution for Taxing Year '04:

Description	Rate	Amount	Description	Rate	Amount
COLO RIVER*	0.2520	0.97			
MESA COUNTY	21.7090	83.37			
GRAND JCT*	8.0000	30.72			
SCH DST 51	32.0140	122.93			
LIBRARY	3.0000	11.52			
UTE WATER	1.5000	5.76			
SCH D51BOND	9.5000	36.48			
GR MOSQUITO	2.1080	8.09			
GJ TMLR*	-0.6400	-2.46			
OM Irr		112.50			
			Totals ----->	77.4430	409.88

MONIKA TODD  
Mesa County Treasurer

By: 



CERTIFIED DATE

April 1, 2005

TREASURER'S CERTIFICATE OF TAXES DUE

Date: 04/01/2005

Certificate No: 13746

STATE OF COLORADO  
COUNTY OF MESA

I, the undersigned do hereby certify that the entire amount of taxes and assessments due upon the real estate or personal property described below, and all sales of the same for unpaid taxes or assessments shown by the books in my office, from which the same may still be redeemed, with the amount required for redemption, are as noted herein:

Title Co	: INDIVIDUAL REQUEST	Order #:	
Seller	:	Buyer	:
Lender	:	Ordered:	CITY OF GJ
Tax Year	: 2004	User ID:	
Schedule #:	2945-233-15-003		

Description:

BEG A PT ON N LI LOT 3 BLK 36 MOON + DAY ADD WHICH IS N 36DEG39MIN E 467.7FT FR NW COR BLK 33 ADD ALG ARC OF CVE THE CHORD OF WHICH BEARS S 24DEG15MIN W 70.8FT S 14DEG18MIN W 100.9FT TO WLY LI BLK 36 N 7DEG08MIN ALG LI 156FT N 84DEG11MIN E 73.8FT TO BEG

Amounts Due as of Certificate Date

Current Taxes		Base	Penalty
05 OM01	\$	112.50	
04 REAL		350.05	
Total Due	\$	462.55	

\*\*\*\*\*  
\*\*BEFORE PAYING TOTAL DUE, PLEASE CALL FOR UPDATED FIGURES\*\*  
\*\*IF PENALTY IS DUE OR IF THERE ARE OUTSTANDING TAX SALES\*\*

-- Continued --



2945-233-15-003

Tax Charges Distribution for Taxing Year '04:

Description	Rate	Amount	Description	Rate	Amount
COLO RIVER*	0.2520	1.14			
MESA COUNTY	21.7090	98.13			
GRAND JCT*	8.0000	36.16			
SCH DST 51	32.0140	144.70			
LIBRARY	3.0000	13.56			
UTE WATER	1.5000	6.78			
SCH D51BOND	9.5000	42.94			
GR MOSQUITO	2.1080	9.53			
GJ TMLR*	-0.6400	-2.89			
OM Irr		112.50			
			Totals ----->	77.4430	462.55

MONIKA TODD  
Mesa County Treasurer

BY: 



CERTIFIED DATE

April 1, 2005

TREASURER'S CERTIFICATE OF TAXES DUE

Date: 04/01/2005

Certificate No: 13747

STATE OF COLORADO  
COUNTY OF MESA

I, the undersigned do hereby certify that the entire amount of taxes and assessments due upon the real estate or personal property described below, and all sales of the same for unpaid taxes or assessments shown by the books in my office, from which the same may still be redeemed, with the amount required for redemption, are as noted herein:

---

Title Co	: INDIVIDUAL REQUEST	Order #:	
Seller	:	Buyer	:
Lender	:	Ordered:	CITY OF GJ
Tax Year	: 2004	User ID:	
Schedule #:	2945-233-15-004		

---

Description:

BEG INTERS OF E LI OF RR ROW + S LI HIGH ST BLK 36 MOON + DAY ADD TO ORCHARD MESA HEIGHTS N 82DEG8MIN E 109.8FT S 56DEG32MIN E 117FT S 6DEG47MIN E 271FT SLY PARA WI TR 114.5FT S 17DEG41MIN W 55.8FT S 88DEG44MIN W 184FT TO ELY RR ROW LI NLY ALG E LI RR ROW TO BEG EXC HWY

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Amounts Due as of Certificate Date

Current Taxes		Base	Penalty
04 REAL	\$	260.99	
Total Due	\$	260.99	

\*\*\*\*\*  
\*\*BEFORE PAYING TOTAL DUE, PLEASE CALL FOR UPDATED FIGURES\*\*  
\*\*IF PENALTY IS DUE OR IF THERE ARE OUTSTANDING TAX SALES\*\*

-- Continued --



2945-233-15-004

Tax Charges Distribution for Taxing Year `04:

Description	Rate	Amount	Description	Rate	Amount
COLO RIVER*	0.2520	0.85			
MESA COUNTY	21.7090	73.16			
GRAND JCT*	8.0000	26.96			
SCH DST 51	32.0140	107.89			
LIBRARY	3.0000	10.11			
UTE WATER	1.5000	5.06			
SCH D51BOND	9.5000	32.02			
GR MOSQUITO	2.1080	7.10			
GJ TMLR*	-0.6400	-2.16			
			Totals ----->	77.4430	260.99

MONIKA TODD  
Mesa County Treasurer

By: 



CERTIFIED DATE

April 1, 2005

KATHY

THIS PLAT FINALLY LOOKS  
OKAY. I APPROVE IT  
FOR MYLAR BUT YOU  
NEED TO SEND APPROVAL  
TO CLIENT.

THANKS  
PETER

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	206.00'	165.35'	160.95'	S31°51'49"W	45°59'22"
C2	176.00'	135.85'	132.50'	N32°44'45"E	44°13'27"
C3	171.00'	185.06'	176.16'	S23°51'15"W	61°58'59"
C4	211.00'	105.08'	104.00'	N40°35'15"E	28°32'04"

LINE	BEARING	DISTANCE
L1	S 88°47'45" W	14.18'
L2	N 88°47'45" E	20.00'
L3	N 88°47'45" E	2.57'
L4	N 67°53'15" E	22.20'
L5	S 41°49'15" W	22.20'

**AREA SUMMARY**

LOTS	= 3.56 Acres	59.63%
RIGHT-OF-WAY	= 0.25 Acres	4.19%
TRACT A	= 2± Acres	36.2±%
<b>TOTAL</b>	<b>= 5.97± Acres</b>	<b>100.00%</b>

# VAN GUNDY SUBDIVISION

## A REPLAT OF LOTS 1-9, BLOCK 36, MOON AND DAY ADDITION TO THE CITY OF ORCHARD MESA HEIGHTS, AND A PORTION OF VACATED HIGH STREET LOT 7, SECTION 23 TOWNSHIP 1 SOUTH, RANGE 1 WEST, UTE MERIDIAN GRAND JUNCTION, MESA COUNTY, COLORADO

### DEDICATION

KNOW ALL MEN BY THESE PRESENTS: That Randy Dean Van Gundy is the owner of that real property located in part of Lot 7 of Section 23 Township 1 South, Range 1 West of the Ute Meridian Mesa County, Colorado, as demonstrated at Book 1778, Page 92 being more particularly described as follows:

BEGINNING at the Northwest corner of Block 33 of the Moon and Day's Addition to the Orchard Mesa Heights Subdivision, whence the Southwest corner of said Section 23 bears South 32°05'36" West, a distance of 1812.53 feet; thence along the Easterly Railroad Right-of-Way line on a curve to the left with a radius of 1532.70 feet and a central angle of 05°30'23" for 147.30 feet, the chord bears North 03°42'47" West, a distance of 147.24 feet; thence North 06°43'05" West, a distance of 252.30 feet; thence along a curve to the right with a radius of 616.80 feet and a central angle of 29°07'00" for 313.45 feet, the chord bears North 07°50'25" East, a distance of 310.08 feet to a point on the South bank of the Colorado river; thence approximately North 39°39'15" East, an approximate distance of 263 feet to a line established by digitizing the approximate center of the Colorado River on aerial photography, being neither the thalweg nor a surveyed line; thence continuing along said digitized line the following three (3) courses: (1) South 48°17'25" East, an approximate distance of 205 feet; (2) South 53°26'07" East, an approximate distance of 81 feet; (3) South 62°08'20" East, an approximate distance of 61 feet; thence approximately South 27°17'21" West, an approximate distance of 260 feet to a point on the South bank of the Colorado river; thence South 27°17'21" West, a distance of 21.50 feet; thence along a curve to the left with a radius of 2381.80 feet and a central angle of 03°35'49" for 149.52 feet, the chord bears South 25°32'09" West, a distance of 149.50 feet; thence South 14°35'51" West, a distance of 203.43 feet; thence along a non tangent curve to the right with a radius of 1738.70 feet and a central angle of 01°49'33" for 55.40 feet; the chord bears South 01°58'26" East, a distance of 53.40 feet; thence South 17°41'00" West, a distance of 55.80 feet to the North line of said Block 33; thence South 88°47'45" West, a distance of 184.00 feet to the POINT OF BEGINNING.

Said parcel containing approximately 5.97± acres, as described.

SUBJECT to that Colorado State Department of Highways Right-of-Way as described in Book 705, Page 80, Mesa County records.

That said owners have by these presents laid out, platted, and subdivided the above described real property into lots, blocks, and tracts, as shown hereon, and designated the same as VAN GUNDY SUBDIVISION, a subdivision in the City of Grand Junction, Colorado, and hereby offers the following dedications and grants:

All Multipurpose Easements are dedicated to the City of Grand Junction as perpetual easements for City approved utilities including the installation, operation, maintenance and repair of said utilities and appurtenances which may include but are not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, traffic control facilities, street lighting, landscaping, trees and grade structures.

All Easements include the right of ingress and egress on, along, over, under, through and across by the beneficiaries, their successors, or assigns, together with the right to trim or remove interfering trees and brush, and in Drainage and Detention/Retention easements or tracts, the right to dredge; provided however, that the beneficiaries/owners shall utilize the same in a reasonable and prudent manner. Furthermore, the owners of said lots or tracts hereby platted shall not burden or overburden said easements by erecting or placing any improvements thereon which may impede the use of the easement and/or prevent the reasonable ingress and egress to and from the easement.

Owners hereby declare all lienholders of record to herein described real property are shown hereon.

IN WITNESS WHEREOF, said owner, Randy Dean Van Gundy, has caused his name to be hereunto subscribed this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_

by \_\_\_\_\_  
Randy Dean Van Gundy

### NOTARY PUBLIC'S CERTIFICATE

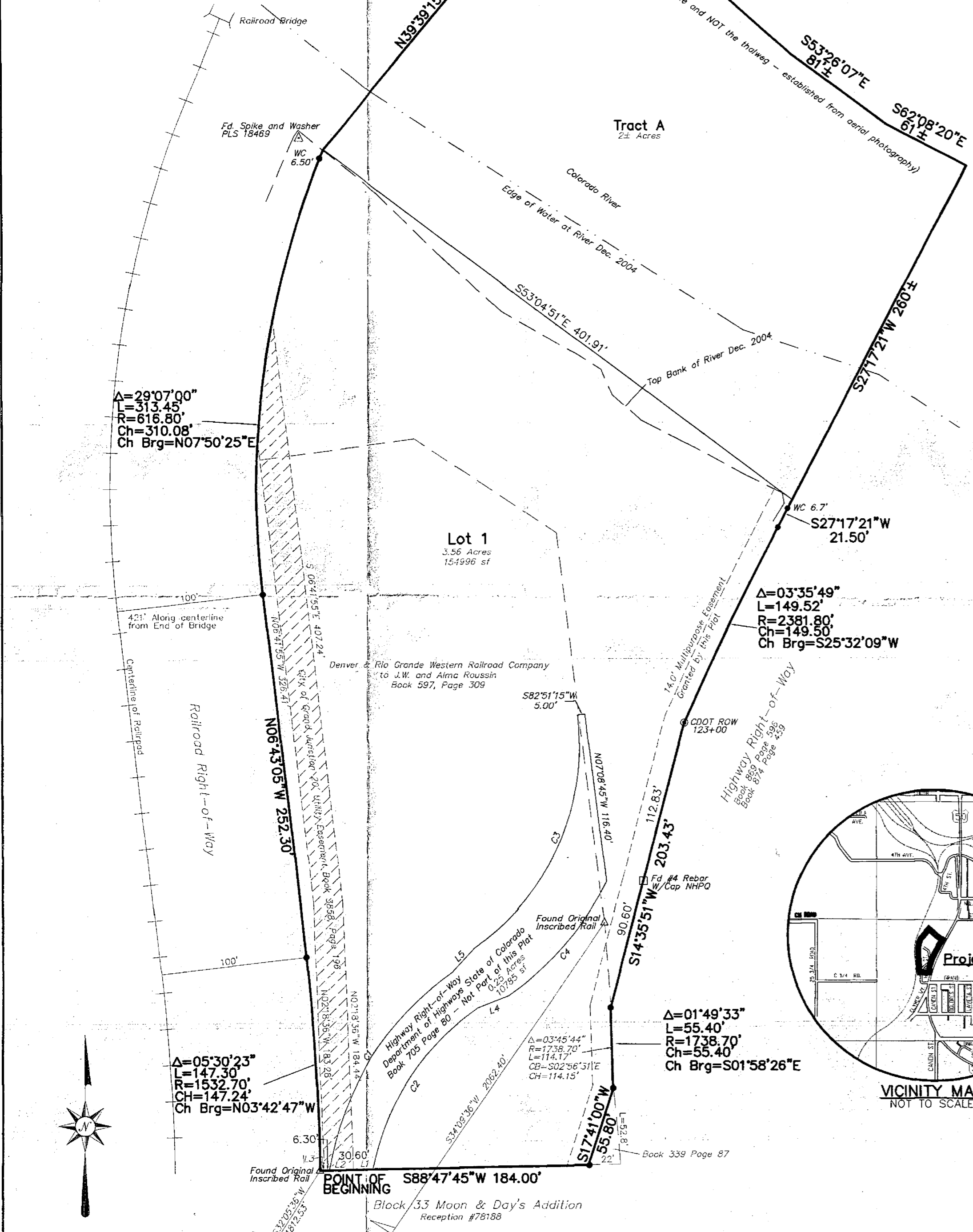
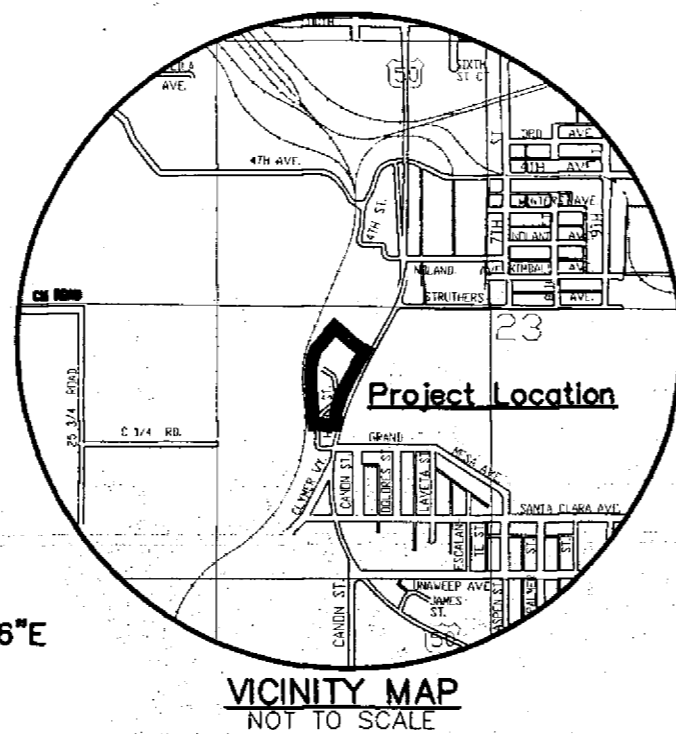
STATE OF COLORADO } ss  
COUNTY OF MESA

The foregoing instrument was acknowledged before me by Randy Dean Van Gundy this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_

Witness my hand and official seal:

Notary Public

My Commission Expires \_\_\_\_\_



**SCALE: 1"=50'**  
0 25 50 100

**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 CERTIFICATION SHOWN HEREON.

**LEGEND**

- ALQUOT SURVEY MARKER, AS NOTED
- SET ALUMINUM CAP ON NO. 5 REBAR, PLS 24953
- PER CRS-38-51-105, IN CONCRETE
- FOUND REBAR, AS NOTED
- PK NAIL, SET IN PAVING
- FOUND CDOT ROW MONUMENT
- FOUND ORIGINAL INSCRIBED RAIL
- DURABLE CAP ON NO. 5 REBAR TO BE SET AT ALL LOT CORNERS, PRIOR TO SALE OF ANY LOTS, TO COMPLY WITH CRS-38-51-105
- DELTA ANGLE OF ARC
- RADIUS OF ARC
- LENGTH OF ARC
- CHORD DISTANCE OF ARC
- CHORD BEARING OF ARC
- EQUAL SYMBOL
- PERCENT SYMBOL
- AND SYMBOL
- INTERSTATE HIGHWAY SYMBOL
- STATE HIGHWAY SYMBOL
- UNITED STATES
- NOT TO SCALE
- CRS COLORADO REVISED STATUTES
- §ss SILECET, USED IN LEGAL DOCUMENTS (LATIN - ONE HALF)
- PLS PROFESSIONAL LAND SURVEYOR
- No. NUMBER
- L.L.C. LIMITED LIABILITY COMPANY
- A.D. ANNO DOMINI
- ± MORE OR LESS
- DEGREES (ANGULAR)
- MINUTES (ANGULAR) OR FEET (LINEAR)
- SECONDS (ANGULAR) OR INCHES (LINEAR)
- MCSM MESA COUNTY SURVEY MARKER
- BLM BUREAU OF LAND MANAGEMENT
- ROW RIGHT-OF-WAY
- CDOT COLORADO DEPARTMENT OF TRANSPORTATION

### LIENHOLDERS RATIFICATION OF PLAT

THE UNDERSIGNED, hereby certifies that it is a holder of a security interest upon the property described hereon described and does hereby join in and consent to the dedication of the land described in said dedication by the owners thereof, and agree that its security interest, as shown in document recorded at Book \_\_\_\_\_, Pages \_\_\_\_\_ through \_\_\_\_\_, public records of Mesa County, Colorado, shall be subordinated to the dedications shown hereon.

IN WITNESS WHEREOF, the said corporation has caused these presents to be signed by its \_\_\_\_\_ with the authority of its Board of Directors, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

By: \_\_\_\_\_ (title) \_\_\_\_\_

### NOTARY PUBLIC CERTIFICATION

STATE OF COLORADO } ss  
COUNTY OF MESA

The foregoing instrument was acknowledged before me by \_\_\_\_\_ (title) \_\_\_\_\_ for \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_

Witness my hand and official seal:

Notary Public

My Commission Expires \_\_\_\_\_

### TITLE CERTIFICATION

STATE OF COLORADO } ss  
COUNTY OF MESA

We, \_\_\_\_\_, a title insurance company, as duly licensed in the state of Colorado, hereby certify that we have examined the title to the hereon described property, that we find the title to the property is vested to \_\_\_\_\_ that the current taxes have been paid; that all mortgages not satisfied or released of record nor otherwise terminated by law are shown hereon and that there are no other encumbrances of record; that all easements, reservations and rights of way of record are shown hereon.

Date: \_\_\_\_\_ by: \_\_\_\_\_ Name And Title

for: \_\_\_\_\_ Name Of Title Company

### GENERAL NOTES

Basis of bearings is the surveyed line of the bearing from the Northwest corner of Block 33 of the Moon and Days Addition to the Orchard Mesa Heights (a 2" Aluminum Cap stamped "PLS 24953) to the Southwest corner of Section 23 (a Mesa County Survey Marker, MCSM #1379) which bears South 32°06'48" West, a distance of 1812.74 feet, established by observation of the MCGPS control network, which is based on the NAD 83 datum for Horizontal and NAVD 88 datum for Vertical Information.

All lineal units shown hereon in U.S. Survey feet.

Note: Property corners located during this survey that were within 0.25± feet of the calculated point were accepted as being "in position".

Easement and Title Information provided by Abstract and Title Co. of Mesa County, Inc., Policy No. 00914107 C, dated August 12, 2014.

### FOR CITY USE ONLY

Associated Recorded Documents  
Book Page Type

RIGHT-OF-WAY VACATION

### CITY OF GRAND JUNCTION APPROVAL

This plat of Van Gundy Subdivision, a subdivision of a part of the City of Grand Junction, County of Mesa, State of Colorado, is approved and accepted this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_

City Manager \_\_\_\_\_

Mayor \_\_\_\_\_

### CLERK AND RECORDER'S CERTIFICATE

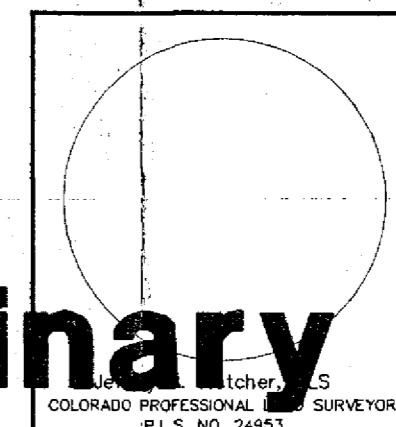
STATE OF COLORADO } ss  
COUNTY OF MESA

I hereby certify that this instrument was filed in my office at \_\_\_\_\_ o'clock \_\_\_\_\_ M., \_\_\_\_\_ A.D., 20\_\_\_\_ and was duly recorded in Book \_\_\_\_\_ Page(s) No. \_\_\_\_\_

Reception No. \_\_\_\_\_ Drawer No. \_\_\_\_\_ Fees: \_\_\_\_\_

Clerk and Recorder

By: \_\_\_\_\_  
Deputy



**VAN GUNDY SUBDIVISION**  
LOT 7, SECTION 23  
TOWNSHIP 1 SOUTH, RANGE 1 WEST  
UTE MERIDIAN  
GRAND JUNCTION, MESA COUNTY, COLORADO

High Desert Surveying, LLC  
1673 Highway 50 Unit C  
Grand Junction, Colorado 81503  
Telephone: 970-254-8649 Fax 970-241-0451

PROJ. NO.	DATE	SURVEYED	DRAWN	CHK'D	SHEET	OF
04-113	September, 2014	BE/df	JF/rsk	JCF/ta	1	1

### SURVEYOR'S CERTIFICATION

I, Jeffrey C. Fletcher, do hereby certify that the accompanying plat of VAN GUNDY SUBDIVISION, a subdivision of a part of the City of Grand Junction, Colorado, was prepared under my direct supervision and represents the true and correct survey that conforms to the requirements for subdivision plats as specified in the City of Grand Junction Development code and the applicable laws of the State of Colorado.

**Preliminary**





## **VACATION OF: EASEMENT, ROW, PLAT**

FEE: \$360 (Easement) / \$450 (ROW) + \$50 (Names & Addresses): payable at time of application

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### **2.11 VACATIONS OF PUBLIC RIGHTS-OF-WAY OR EASEMENTS**

- A. Purpose.** The purpose of this section is to permit the vacation of surplus rights-of-way and/or Easements.
- B. Applicability.** Applications for vacation of any street, alley, easement or other public reservation may be made by the City or by any owner of property on which the street, alley or public reservation lies or adjoins.
- C. Approval Criteria.** The vacation of the right-of-way or easement shall conform to the following:
1. The Growth Plan, major street plan and other adopted plans and policies of the City;
  2. No parcel shall be landlocked as a result of the vacation;
  3. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive, or reduces or devalues any property affected by the proposed vacation;
  4. There shall be no adverse impacts on the health, safety, and/or welfare of the general community, and the quality of public facilities and services provided to any parcel of land shall not be reduced (*e.g.* police/fire protection and utility services);
  5. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter Six of this Code; and
  6. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, *etc.*
- D. Decision-Maker.** The Director and Planning Commission shall make recommendations and the City Council shall approve, conditionally approve or deny all applications for a vacation of a right-of-way or easement.
- E. Application and Review Procedures.** Application requirements and processing procedures are described in Table 2.1 and Section 2.3.B, with the following modifications:
1. **Recording.** All vacations shall be recorded with the Mesa County Clerk and Recorder.

### High Street Description

Beginning at a found original inscribed rail whence the SW corner of Section 23, T 1 S, R 1 W of the Ute Meridian bears S 34°16'46" W a distance of 2065.32 feet for a basis of bearings; thence N 06°43'05" W a distance of 271.00 feet; thence N 56°28'05" W a distance of 117.00 feet; thence N 17°59'43" E a distance of 31.14 feet; thence S 56°28'05" E a distance of 139.25 feet; thence S 06°43'05" E a distance of 259.19 feet; thence S 14°35'51" W a distance of 84.77 feet to a point on a non-tangent curve to the left having a radius of 1738.70 feet, a central angle of 45°19'00" and a chord that bears N 05°50'26" W a distance of 53.27 feet to the Point of Beginning.

The vacation of High Street for Van Gundy was approved at City Council on 9/7/05. One condition of approval was that the ordinance vacating High Street had to be recorded concurrently with the Subdivision plat of this area. At this time, I am told they have the plat, but refuse to sign so we can record the plat and the ordinance that is still sitting in the City Clerk's office. Technically, by the Zoning and Development Code, this project has expired. Staff has decided to give the applicants until February 1, 2007 to submit the signed mylar to the City so recordation of all documents can occur. If the timeline is not met, then the file will be classified as "Withdrawn by Petitioner".

Ronnie Edwards  
256-4038  
rhondae@gjcity.org

# RECEIPT OF APPLICATION

DATE BROUGHT IN: 4/4/05  
CHECK #: \_\_\_\_\_ AMOUNT: cash for Paul Jagim  
DATE TO BE CHECKED IN BY: 4/7/05  
PROJECT/LOCATION: 1559 + 1561 Hugh St.

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
- Box checked for person responsible for payment

**County Treasurer's Tax Certificate: VanGundy Subdivision  
Simple Subdivision and ROW Vacation  
April 4, 2005**

APPLICATION COMPLETENESS REVIEW

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

Date: 4/6/05

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

Project Location : 1559 & 1561 High St. (address or cross-streets)

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

APPLICATION TYPE(S): Vac. of R/W & SS  
(e.g. Site Plan Review) \_\_\_\_\_

FEE PAID: Application: 450<sup>00</sup> BALANCE DUE:  
Acreage: \_\_\_\_\_  Yes amount \$ \_\_\_\_\_  
Public Works: \_\_\_\_\_  No Public Works Toward entry?

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: \_\_\_\_\_ *Ronnie* \_\_\_\_\_

Special Processing Instructions:

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April 19, 2005

### **ACCEPTANCE LETTER**

A submittal for Van Gundy Simple Subdivision (VR-2005-079) was accepted for review on April 7, 2005.

If you have any questions regarding the status of this project review, please contact Ronnie Edwards, project planner, at 256-4038 or by email at [rhondae@gjcity.org](mailto:rhondae@gjcity.org).

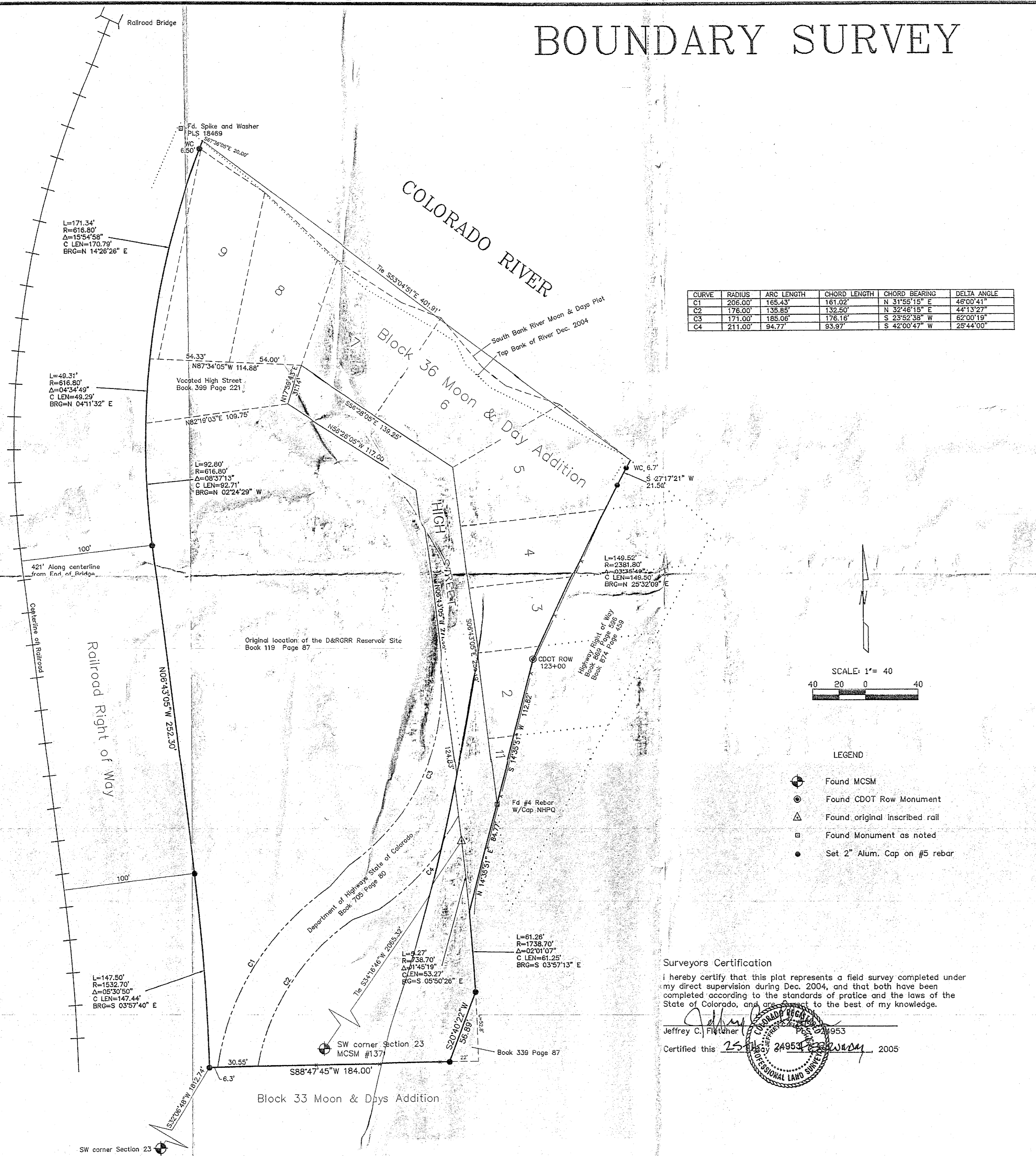
Review comments for the project will be available on 5/10/05 after 4:00 P.M., approximately 5 weeks from the application submittal date.

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 fee required at the time the sign is picked up from Community Development.

cc: VR-2005-079



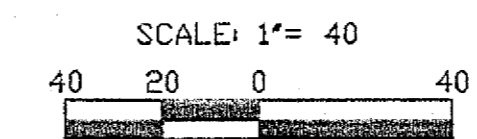
# BOUNDARY SURVEY



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	206.00'	165.43'	161.02'	N 31°55'16" E	46°00'41"
C2	176.00'	135.85'	132.50'	N 32°46'15" E	44°13'27"
C3	171.00'	185.96'	176.16'	S 23°52'38" W	62°00'19"
C4	211.00'	94.77'	93.97'	S 42°00'47" W	25°44'00"

### PROPERTY DESCRIPTION

A parcel of land in Lot 7 of Section 23, Township 1 South, Range 1 West of the Ute Meridian commencing at the NW corner of Block 33 of the Moon and Days Addition to the Orchard Mesa Heights Subdivision whence the SW corner of said Section 23 bears S 32°06'48" W 1812.74 feet; thence along the easterly right of way line of the railroad on a curve to the left with a radius of 1532.70 feet and a central angle of 5°30'50" for 147.50 feet, the chord bears N3°57'40" W 147.44 feet; thence N 6°43'05" W 252.30 feet; thence along a curve to the right with a radius of 616.80 feet and a central angle of 29°07'00" for 313.45 feet, the chord bears N 7°50'25" E 310.08 feet to the South bank of the Colorado river; thence along the said South bank to a point that bears S 53°04'51" E 401.91 feet; thence S 27°17'21" W 21.50 feet; thence along a curve to the left with a radius of 2381.80 feet and a central angle of 3°35'49" for 149.52 feet, the chord bears S25°32'09" W 149.50 feet; thence S14°35'51" W 197.60 feet; thence along a non-tangent curve to the right with a radius of 1738.70 feet and a central angle of 2°01'07" for 61.26 feet; the chord bears S 3°57'13" E 61.25 feet; thence S 20°40'22" W 56.89 feet to the North line of said Block 33; thence S 88°47'45" W 184.00 feet to the point of beginning.



### LEGEND

- ⊕ Found MCSM
- Found CDOT Row Monument
- △ Found original inscribed rail
- Found Monument as noted
- Set 2" Alum. Cap on #5 rebar

### NOTES

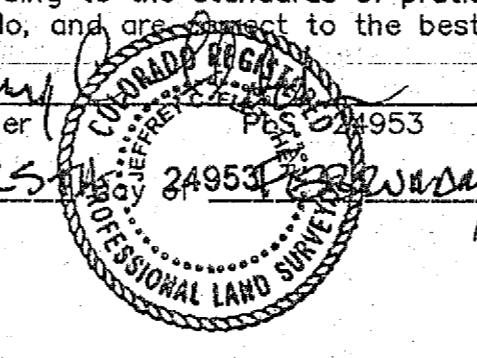
- Bearings are based upon GPS observations using the Mesa County SMS Local Coordinate System. The bearing from the NW corner of Block 33 of the Moon and Days Addition to the Orchard Mesa Heights Subdivision, a 2" aluminum cap PLS 24953, to the SW corner of Section 23, a MCSM #1379, bears S32°06'48" W a distance of 1812.74 feet.
- Title Policy No. 00914107 C provided by Abstract and Title Co. of Mesa County, Inc. and additional highway right-of-way deeds were used in preparing this survey.

*Real Property Survey*

### Surveyors Certification

I hereby certify that this plot represents a field survey completed under my direct supervision during Dec. 2004, and that both have been completed according to the standards of practice and the laws of the State of Colorado, and are true to the best of my knowledge.

Jeffrey C. Fikther  
 Certified this 25th day of December, 2005



**NOTICE:**  
 According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discovered 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.

LAND SURVEY DEPOSIT  
 MESA COUNTY  
 DATE \_\_\_\_\_  
 BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
 DEPOSIT No. \_\_\_\_\_

**BOUNDARY SURVEY**  
**Randy D. Van Gundy Property**  
**Lot 7, Section 23**  
**T. 1 S., R. 1 W. Ute Meridian**  
**HIGH DESERT SURVEYING, LLC**  
 2591 B3/4 Road, Grand Junction, CO 81503  
 Tel. 970-254-8649, Fax 970-255-7047

Survey by JF/BE	Drawn By MPD
Job Number 04-103	Sheet 1 of 1
Date: December 2004	

**ADJACENT PROPERTY OWNER  
LABEL ORDER FORM**

TAX PARCEL #: 2945 - 233 - 15 - 001 through 004

PROPERTY ADDRESS: 1531 High Street

PROPERTY OWNER: RANDY D. VANGUNDY

CONTACT PERSON: RANDY VANGUNDY

MAILING ADDRESS: 1018 S. 5<sup>th</sup> STREET  
GRAND JUNCTION CO 81501

APPLICANT: D. PAUL JAGIM, CITY OF GRAND JUNCTION

CONTACT PERSON: PAUL JAGIM

MAILING ADDRESS: PUBLIC WORKS ? UTIL 250 N. 5<sup>th</sup> STREET  
GRAND JUNCTION

PROJECT REPRESENTATIVE: D. PAUL JAGIM

CONTACT PERSON: PAUL JAGIM

MAILING ADDRESS: 250 N. 5<sup>th</sup> STREET  
GRAND JUNCTION, CO 81501

PHONE NUMBER: 970 - 256 - 4023

**\*REQUEST FOR LABELS MUST BE SUBMITTED A MINIMUM OF 2 WEEKS  
PRIOR TO SUBMITTAL OF PROJECT.**

FEE: \$50.00

DATE PAID: 1/7/05 RECEIPT #: 22810

The adjacent property mailing list is created by pulling all property owners within 500 feet and all Homeowners Associations or citizens groups within 1000 feet of all properties involved in the project. The property owner information is put together using the information in the Mesa County Assessor's records and the HOA's and citizens groups on record with the City of Grand Junction Community Development Department.

CITY OF GRAND JUNCTION  
WENDY - COMM DEV  
250 NORTH 5th STREET  
GRAND JUNCTION, CO 81501

CITY OF GRAND JUNCTION  
PAUL JAGIM  
250 NORTH 5th STREET  
GRAND JUNCTION, CO 81501

USA  
BUREAU OF RECLAMATION  
125 S STATE ST  
SALT LAKE CITY, UT 84138-1102

CITY OF GRAND JUNCTION  
COMMUNITY DEVELOPMENT  
250 N 5TH ST  
GRAND JUNCTION, CO 81501-2628

LESLIE M SPAYSKY  
1609 DOLORES ST  
GRAND JUNCTION, CO 81503-1805

LEROY WORKMAN  
MAY DELL  
2817 C 1/2 RD  
GRAND JUNCTION, CO 81501-4713

EAGLES AERIE #595 FOE  
1674 HIGHWAY 50  
GRAND JUNCTION, CO 81503-1795

BROCK N LYNCH  
706 25 RD  
GRAND JUNCTION, CO 81505-9512

HOLLIS T WHITROCK  
HATTIE M WHITROCK  
3018 N RONLIN PL  
GRAND JUNCTION, CO 81504-4262

DAIRY FARMERS OF AMERICA INC  
PO BOX 26427  
SALT LAKE CITY, UT 84126-0427

MARTHA B MONTOYA, ETAL  
1533 HIGH ST  
GRAND JUNCTION, CO 81503-1937

DENNIS L GUSTAFSON  
MARY  
1561 HIGHWAY 50  
GRAND JUNCTION, CO 81503-1762

DANIEL J LAWRIE  
MARY A LAWRIE  
1563 HIGHWAY 50  
GRAND JUNCTION, CO 81503-1762

GUY A ROWE  
474 E SCENIC DR  
GRAND JUNCTION, CO 81503-1588

AGGIE R STEPHENS  
MARY A  
360 GRAND MESA AVE  
GRAND JUNCTION, CO 81503-1828

T & B INC  
444 GRAND MESA AVE  
GRAND JUNCTION, CO 81503-1868

MARY ANN STEPHENS  
360 GRAND MESA AVE  
GRAND JUNCTION, CO 81503-1828

HIGHLAND PROPERTIES 3203 LLC  
717 FIFTH AVE  
LONGMONT, CO 80501

RANDY D VANGUNDY  
C/O DEAN H VANGUNDY  
PO BOX 4233  
GRAND JUNCTION, CO 81502-4233

DWAYNE K TUCKER  
NOVA LEIGH TUCKER  
1610 CANON AVE  
GRAND JUNCTION, CO 81503-1806

NEIL FREEMAN  
1620 CANON AVE  
GRAND JUNCTION, CO 81503-1806

ROBERT IAN GEBBIE  
BRANDY NEAL GEBBIE  
425 GRAND MESA AVE  
GRAND JUNCTION, CO 81503-1867

# VAN GUNDY SUBDIVISION

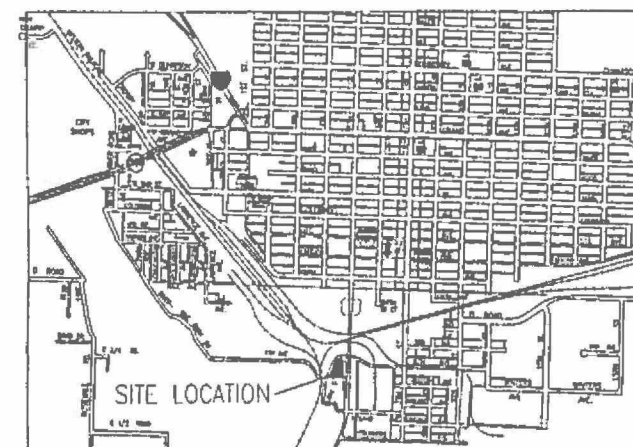
A REPLAT OF LOTS 1-9, BLOCK 36, MOON AND DAYS ADDITION TO THE CITY OF GRAND JUNCTION, AND OTHER PARCELS IN LOT 7 OF SECTION 23, T.1S., R.1W. Ute M.

## TITLE CERTIFICATION

STATE OF COLORADO  
COUNTY OF MESA

We, Meridian Land Title Company, a title insurance company, as duly licensed in the State of Colorado, do hereby certify that we have examined the title to the hereon described property, that we find the title to the property is vested to Traver/Westland Development, LLC; that the current taxes have been paid; that all mortgages not satisfied or released of record nor otherwise terminated by law are shown hereon and that there are no other encumbrances of record; that all easements, reservations and rights of way of record are shown hereon.

Date: \_\_\_\_\_ By: \_\_\_\_\_  
Name and Title  
Meridian Land Title Company



MICINITY MAP

## LEGEND

- ⊕ Found MCSM
- ⊙ Found CDDT ROW Monument
- △ Found original inscribed rail
- ⊠ Found Monument as noted
- Set 2" Alum. Cap on #5 rebar
- Fence



## CITY OF GRAND JUNCTION APPROVAL

This plat of VAN GUNDY SUBDIVISION, a subdivision of a part of the City of Grand Junction, County of Mesa, State of Colorado, is approved and accepted this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2005.

City Manager \_\_\_\_\_ President of City Council \_\_\_\_\_

## CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO )  
COUNTY OF MESA )  
I hereby certify that this instrument was filed in my office at \_\_\_\_\_ o'clock \_\_\_\_\_ M., A.D., 2005, and was duly recorded in Book No. \_\_\_\_\_ Page No. \_\_\_\_\_, Reception No. \_\_\_\_\_, Drawer No. \_\_\_\_\_.

Clerk and Recorder \_\_\_\_\_

DATE	NOTE
<b>VAN GUNDY SUBDIVISION</b> Lot 7, Section 23, T1S, R1W, UTE MERIDIAN MESA COUNTY, COLORADO  <b>HIGH DESERT SURVEYING, LLC</b> 2561 B 3/4 Road Grand Junction, Colorado Tel: 970-234-0549, Fax: 970-234-7047	
PROJECT NO. 04-103	SUR. BY: [DRAWN] [CHECKED] [SHEET] [OF]
DATE: MAR. 2005	BE/JF JF CW 1 1

## DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That Randy Dean Van Gundy and Dean H. Van Gundy are the owners of that real property located in Lot 7 of Section 23, Township 1 South, Range 1 West of the Ute Meridian Mesa County, Colorado, being more particularly described as follows (Warranty Deed Book 1778, Page 92.)

A parcel of land in Lot 7 of Section 23, Township 1 South, Range 1 West of the Ute Meridian commencing at the NW corner of Block 33 of the Moon and Days Addition to the Orchard Mesa Heights Subdivision whence the SW corner of said Section 23 bears S 32°08'48" W 1812.74 feet; thence along the easterly right of way line of the railroad on a curve to the left with a radius of 1532.70 feet and a central angle of 5°30'50" for 147.50 feet, the chord bears N3°57'40" W 147.44 feet; thence N 8°43'05" W 252.30 feet; thence along a curve to the right with a radius of 816.80 feet and a central angle of 29°07'00" for 313.45 feet, the chord bears N 7°50'25" E 310.08 feet to the South bank of the Colorado river; thence along the said South bank to a point that bears S 53°04'51" E 401.81 feet; thence S 27°17'21" W 21.50 feet; thence along a curve to the left with a radius of 2381.80 feet and a central angle of 3°35'49" for 149.52 feet, the chord bears S25°32'09" W 149.50 feet; thence S14°35'51" W 197.60 feet; thence along a non tangent curve to the right with a radius of 1736.70 feet and a central angle of 2°01'07" for 81.26 feet; the chord bears S 3°57'13" E 81.25 feet; thence S 29°40'22" W 56.89 feet to the North line of said Block 33; thence S 88°47'45" W 184.00 feet to the point of beginning.

That said owners have caused the real property to be laid out and platted as VAN GUNDY SUBDIVISION, a subdivision of a part of the City of Grand Junction, Colorado, that said owners do hereby dedicate and set apart real property as shown and labeled on the accompanying plat of VAN GUNDY SUBDIVISION as follows:

All Utility Easements to the City of Grand Junction for the use of public utilities as perpetual easements for the installation, operation, maintenance and repair of utilities and appurtenances thereto including, but not limited to electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, water lines, and telephone lines.

All easements include the right of ingress and egress on, along, over, under, and through and across by the beneficiaries, their successors, or assigns, together with the right to trim or remove interfering trees and brush. Provided, however, that the beneficiaries of said easements shall utilize the same in a reasonable and prudent manner. Furthermore, the owners of lots or tracts hereby platted shall not burden nor overburden said easements by erecting or placing any improvements thereon which may prevent reasonable ingress and egress to and from the easement.

IN WITNESS WHEREOF, said owners, Randy Dean Van Gundy and Dean H. Van Gundy, have caused their names to be hereunto subscribed this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2005.

by: Randy Dean Van Gundy \_\_\_\_\_ Dean H. Van Gundy \_\_\_\_\_

## NOTARY PUBLIC CERTIFICATION

STATE OF COLORADO )  
COUNTY OF MESA )  
The foregoing instrument was acknowledged before me by Randy Dean Van Gundy & Dean H. Van Gundy this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2005.  
Witness my hand and official seal:

Notary Public \_\_\_\_\_

My Commission Expires \_\_\_\_\_

## LIENHOLDER STATEMENT

There are no lienholders by the owners of Record

## ABBREVIATIONS

- Δ = Delta or Central angle of curve (Arc)
- R = Radius of Curve
- L = Arc Length of Curve
- C LEN = Chord Length of Curve
- BRG = Bearing of Chord
- WC = Witness Corner
- ROW = Right of Way

## FOR CITY OF GRAND JUNCTION USE ONLY

Associated Recorded Documents

Book	Page	Type

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discovered 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.

## AREA SUMMARY

Lots 1 through 9	1.14 Acres
Vacant Land	2.15 Acres
High Street Vacation	0.29 Acres
Colo. Hwy Dept. Vacation	0.23 Acres
Total	3.81 Acres

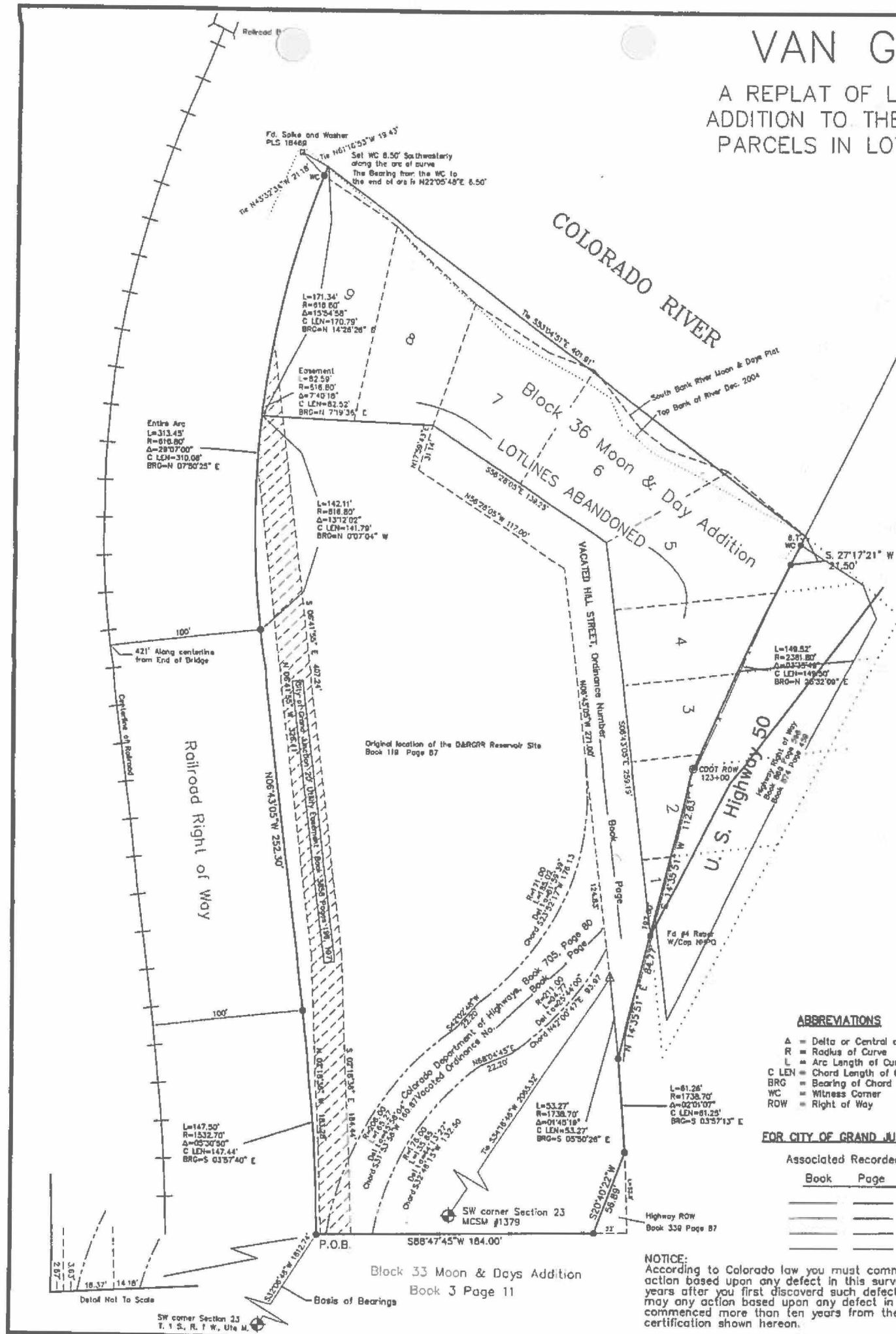
## NOTES AND BASIS OF BEARINGS

- Bearings are based upon GPS observations using the Mesa County SMS Local Coordinate System. The bearing from the NW corner of Block 33 of the Moon and Days Addition to the Orchard Mesa Heights Subdivision, a 2" aluminum cap PLS 24953, to the SW corner of Section 23, a MCSM #1379, bears S32°08'48" W a distance of 1812.74 feet.
- Title Policy No. 00914107 C2 provided by Abstract and Title Co. of Mesa County, Inc. and additional highway right-of-way deeds were used in preparing this survey.

## SURVEYOR'S CERTIFICATION

I, Jeffrey C. Fletcher, do hereby certify that the accompanying plat of VAN GUNDY SUBDIVISION, a subdivision of a part of the City of Grand Junction, Colorado, has been prepared under my direct supervision and represents a field survey of same. This plat conforms to the requirements for subdivision plats specified in the City of Grand Junction Development code and the applicable laws of the State of Colorado.

Date certified \_\_\_\_\_





# VAN GUNDY SUBDIVISION

A REPLAT OF LOTS 1-9, BLOCK 36, MOON AND DAYS ADDITION TO THE CITY OF GRAND JUNCTION, AND OTHER PARCELS IN LOT 7 OF SECTION 23, T.1S., R.1W. Ute M.

### DEDICATION

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IN WITNESS WHEREOF, said owners, Randy Dean Van Gundy and Dean H. Van Gundy, have caused their names to be hereunto subscribed this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 2005.

by: Randy Dean Van Gundy \_\_\_\_\_ Dean H. Van Gundy \_\_\_\_\_

### NOTARY PUBLIC CERTIFICATION

STATE OF COLORADO, ss  
COUNTY OF MESA

The foregoing instrument was acknowledged before me by Randy Dean Van Gundy & Dean H. Van Gundy this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2005.

Witness my hand and official seal:

Notary Public

My Commission Expires \_\_\_\_\_

### LIENHOLDER STATEMENT

There are no lienholders by the owners of Record

### ABBREVIATIONS

- Δ = Delta or Central angle of curve (Arc)
- R = Radius of Curve
- L = Arc Length of Curve
- C LEN = Chord Length of Curve
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### FOR CITY OF GRAND JUNCTION USE ONLY

Associated Recorded Documents

Book	Page	Type

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1. Bearings are based upon GPS observations using the Mesa County SMS Local Coordinate System. The bearing from the NW corner of Block 33 of the Moon and Days Addition to the Orchard Mesa Heights Subdivision, a 2" aluminum cap PLS 24993, to the SW corner of Section 23, a MCSM #1379, bears S32°06'48"W a distance of 1812.74 feet.

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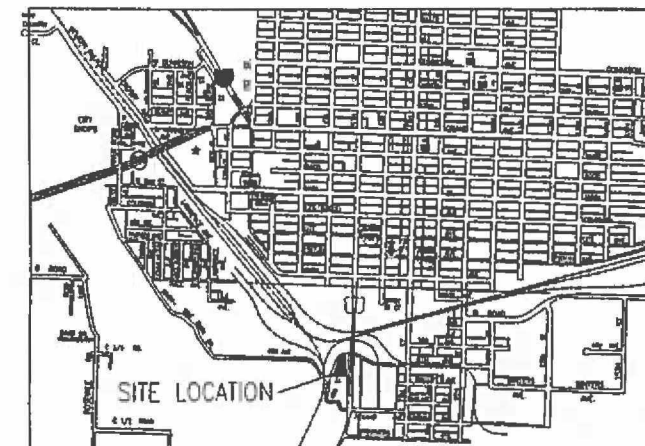
Date certified \_\_\_\_\_

### TITLE CERTIFICATION

STATE OF COLORADO  
COUNTY OF MESA

We, Meridian Land Title Company, a title insurance company, as duly licensed in the State of Colorado, do hereby certify that we have examined the title to the herein described property, that we find the title to the property to be vested in Traver/Westland Development, LLC; that the current taxes have been paid; that all mortgages not satisfied or released of record nor otherwise terminated by law are shown hereon and that there are no other encumbrances of record; that all easements, reservations and rights of way of record are shown hereon.

Date: \_\_\_\_\_ By: \_\_\_\_\_  
Name and Title  
Meridian Land Title Company



VICINITY MAP

### LEGEND

- ⊕ Found MCSM
- ⊙ Found CDOT ROW Monument
- △ Found original inscribed rail
- Found Monument as noted
- Set 2" Alum. Cap or #5 rebar
- Fence

SCALE 1" = 40'  
40 20 0 40

### CITY OF GRAND JUNCTION APPROVAL

This plat of VAN GUNDY SUBDIVISION, a subdivision of a part of the City of Grand Junction, County of Mesa, State of Colorado, is approved and accepted this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2005.

City Manager \_\_\_\_\_

President of City Council \_\_\_\_\_

### CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO, ss  
COUNTY OF MESA

I hereby certify that this instrument was filed in my office at \_\_\_\_\_ o'clock \_\_\_\_\_ M., \_\_\_\_\_ A.D., 2005, and was duly recorded in Book No. \_\_\_\_\_ Page No. \_\_\_\_\_ Reception No. \_\_\_\_\_ Drawer No. \_\_\_\_\_

Clerk and Recorder

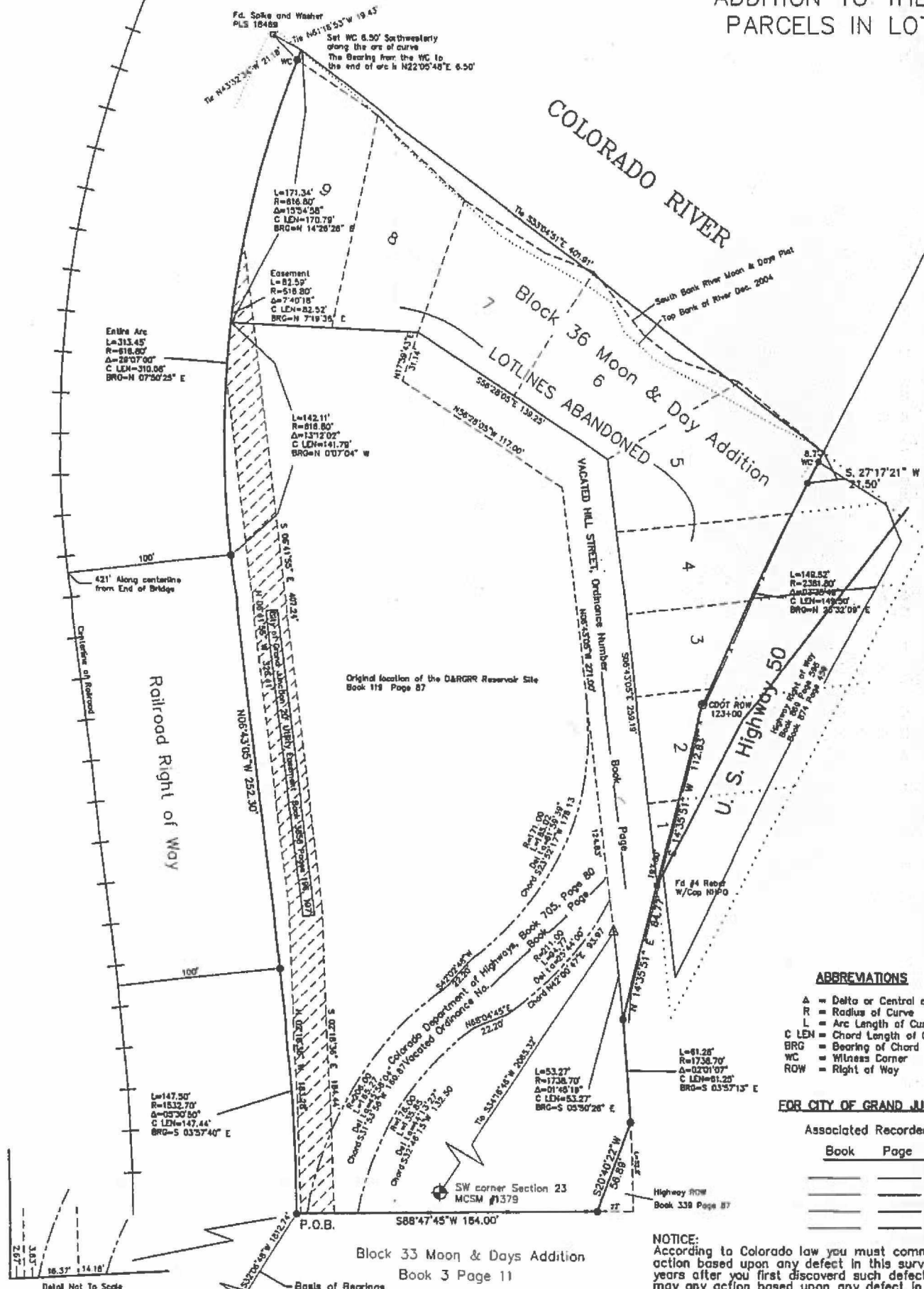
### REVISIONS

DATE	NOTE

**VAN GUNDY SUBDIVISION**  
Lot 7, Section 23,  
T1S, R1W, UTE MERIDIAN  
MESA COUNTY, COLORADO

**HIGH DESERT SURVEYING, LLC**  
2501 B 3/4 Road  
Grand Junction, Colorado  
Tel: 870-254-0848, Fax: 870-255-7047

PROJECT NO. 04-103 SUR. BY: [DRAWN] [CHECKED] SHEET 1 OF 1  
DATE: MAR. 2005 BE/JF JF CW



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SW corner Section 23  
T.1S., R.1W., Ute M.

# VAN GUNDY SUBDIVISION

## A REPLAT OF LOTS 1-9, BLOCK 36, MOON AND DAYS ADDITION TO THE CITY OF GRAND JUNCTION, AND OTHER PARCELS IN LOT 7 OF SECTION 23, T.1S., R.1W. Ute M.

### DEDICATION

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IN WITNESS WHEREOF, said owners, Randy Dean Van Gundy and Dean H. Van Gundy, have caused their names to be hereunto subscribed this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2005.

by: Randy Dean Van Gundy \_\_\_\_\_ Dean H. Van Gundy \_\_\_\_\_

### NOTARY PUBLIC CERTIFICATION

STATE OF COLORADO } ss  
COUNTY OF MESA

The foregoing instrument was acknowledged before me by Randy Dean Van Gundy & Dean H. Van Gundy this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2005.

Witness my hand and official seal:

Notary Public

My Commission Expires \_\_\_\_\_

### LIENHOLDER STATEMENT

There are no lienholders by the owners of Record

### ABBREVIATIONS

- Δ = Delta or Central angle of curve (Arc)
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- WC = Witness Corner
- ROW = Right of Way

### FOR CITY OF GRAND JUNCTION USE ONLY

Associated Recorded Documents

Book	Page	Type

**NOTICE:**  
According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discovered 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.

### AREA SUMMARY

Lots 1 Through 9	1.14 Acres
Vacant Land	2.15 Acres
High Street Vacation	0.29 Acres
Colo. Hwy Dept. Vacation	0.23 Acres
Total	3.81 Acres

### NOTES AND BASIS OF BEARINGS

1. Bearings are based upon GPS observations using the Mesa County SIMS Local Coordinate System. The bearing from the NW corner of Block 33 of the Moon and Days Addition to the Orchard Mesa Heights Subdivision, a 2" aluminum cap PLS 24953, to the SW corner of Section 23, a MCSM #1379, bears S32°06'48" W a distance of 1812.74 feet.

2. Title Policy No. 00914107 C2 provided by Abstract and Title Co. of Mesa County, Inc. and additional highway right-of-way deeds were used in preparing this survey.

### SURVEYOR'S CERTIFICATION

I, Jeffrey C. Fletcher, do hereby certify that the accompanying plat of VAN GUNDY SUBDIVISION, a subdivision of a part of the City of Grand Junction, Colorado, has been prepared under my direct supervision and represents a field survey of some. This plat conforms to the requirements for subdivision plats specified in the City of Grand Junction Development code and the applicable laws of the State of Colorado.

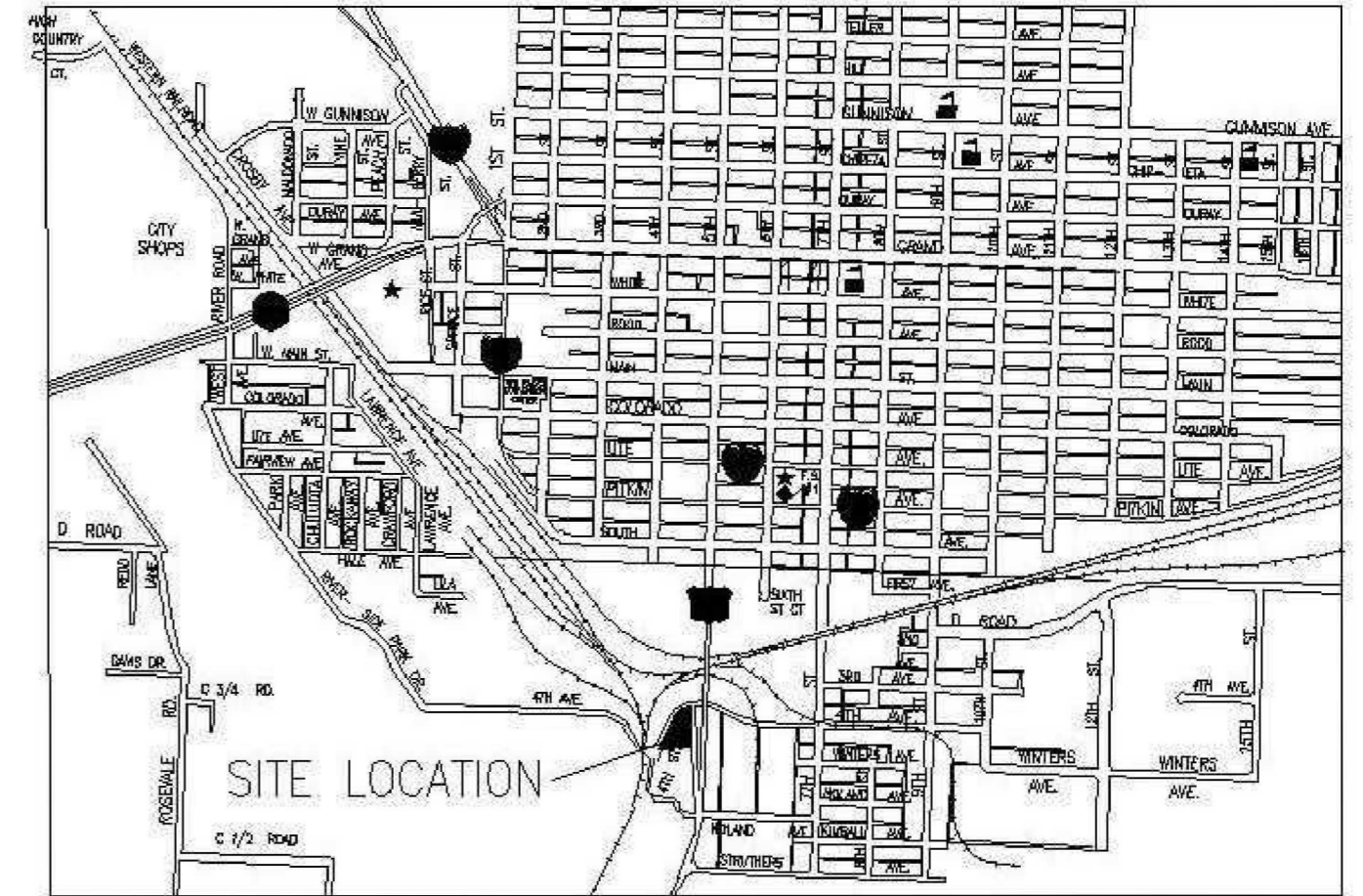
Date certified \_\_\_\_\_

### TITLE CERTIFICATION

STATE OF COLORADO  
COUNTY OF MESA

We, Meridian Land Title Company, a title insurance company, as duly licensed in the State of Colorado, do hereby certify that we have examined the title to the hereon described property, that we find the title to the property is vested to Traver/Westland Development, LLC; that the current taxes have been paid; that all mortgages not satisfied or released of record nor otherwise terminated by law are shown hereon and that there are no other encumbrances of record; that all easements, reservations and rights of way of record are shown hereon.

Date: \_\_\_\_\_ By: \_\_\_\_\_  
Name and Title  
Meridian Land Title Company



VICINITY MAP

### LEGEND

- Found MCSM
- Found CDOT ROW Monument
- △ Found original inscribed rail
- Found Monument as noted
- Set 2" Alum. Cap on #5 rebar
- X- Fence

SCALE: 1" = 40'  
40 20 0 40

### CITY OF GRAND JUNCTION APPROVAL

This plat of VAN GUNDY SUBDIVISION, a subdivision of a part of the City of Grand Junction, County of Mesa, State of Colorado, is approved and accepted this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2005.

City Manager \_\_\_\_\_ President of City Council \_\_\_\_\_

### CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO } ss  
COUNTY OF MESA

I hereby certify that this instrument was filed in my office at \_\_\_\_\_ o'clock in \_\_\_\_\_, M., \_\_\_\_\_

A.D., 2005, and was duly recorded in Book No. \_\_\_\_\_ Page \_\_\_\_\_

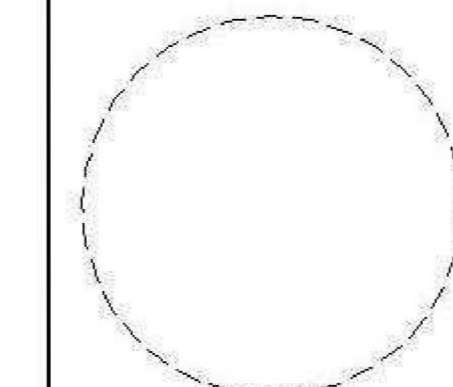
No. \_\_\_\_\_, Reception No. \_\_\_\_\_, Drawer No. \_\_\_\_\_

Clerk and Recorder

### REVISIONS

DATE	NOTE:

DATE	NOTE:



Jeffrey C. Fletcher, PLS  
COLORADO PROFESSIONAL LAND SURVEYOR  
PLS NO. 24953

VAN GUNDY SUBDIVISION  
Lot 7, Section 23,  
T1S, R1W, UTE MERIDIAN  
MESA COUNTY, COLORADO

HIGH DESERT SURVEYING, LLC

2591 B 3/4 Road  
Grand Junction, Colorado  
Tel: 970-254-8649, Fax: 970-254-7047

PROJECT NO.	SUR. BY:	DRAWN	CHECKED	SHEET	OF
NO.04-103	BE/JF	JF	CW	1	1

DATE: MAR. 2005

# REVIEW COMMENTS

FILE # VR-2005-079

TITLE HEADING: Van Gundy Simple Subdivision

LOCATION: 1531 High St

PETITIONER:

PETITIONER'S ADDRESS/TELEPHONE:

PETITIONER'S REPRESENTATIVE: - Randy VanGundy  
1018 South 5th Street  
Grand Junction, CO 81501  
242-9500

PETITIONER'S REPRESENTATIVE: City of Grand Junction - Paul Jagim

STAFF REPRESENTATIVE: **Ronnie Edwards** 250 North 5th Street **256-4008**  
Grand Junction, CO 81501

---

**NOTE: THE PETITIONER IS REQUIRED TO SUBMIT FOUR (4) COPIES OF WRITTEN RESPONSE AND REVISED DRAWINGS ADDRESSING ALL REVIEW COMMENTS ON OR BEFORE 3:00 P.M., MAY 03, 2005.**

---

CITY SURVEYOR

04/27/05

Peter Krick

Email: peterk@ci.grandjct.co.us

256-4003

---

## REVIEW COMMENTS

1. Plat must have a 2" margin on the left side.
2. Include space for revisions for review purposes only. This can be removed prior to filing the final plat.
3. Include list of abbreviations used (including those for curve information).
4. The notice at bottom of plat must have 1/8" minimum letter size.
5. Include a vicinity map on plat.
6. Check with Community Development on whether a 14' multipurpose easement will be required along the highway frontage. If required also include the proper dedication of said easement in the dedication language.
7. Remove the language "to be vacated by Colorado Department of Transportation". The City of Grand Junction



will initiate the vacation process for all rights-of-way in the subdivision and then the vacated portion will be transferred prior to plat recordation. Instead, leave room to fill in ordinance number and book and page of the vacation and a place for transferal of ownership to Mr. Van Gundy.

8. Referring to note 7 above, similar language applies to High Street as labeled. Remove the word "vacated" and replace with wording as above noted.
9. Darken the line representing the indeterminate North boundary of the subdivision.
10. At the Northwest corner of the subdivision, clean up the tie from the found pin to the subdivision corner by moving the description to the other side of the found point and moving the bearing/distance call to the left.
11. The witness corner on the curvilinear line references the subdivision corner by arc length only. Change this to a bearing and distance call.
12. It is unclear whether the northernmost curve information on the plat is tying the easement to the subdivision corner or the witness corner. Also, is it tying the centerline of the easement or the northerly edge? Please clarify. The character depicting the delta angle is also missing.
13. Check the tie to the easement from the westerly subdivision boundary PC south of the easement for accuracy.
14. Label the parcel created by the subdivision and give an area of said parcel. Also include an area summary.
15. Label the line that serves as the basis of bearings as such.
16. Label US Highway 50 adjacent to and easterly of the subdivision.
17. At the southeasterly subdivision corner label what was conveyed (i.e. highway right-of-way?) per Book 339 Pg 87.
18. An updated title commitment shall be required (less than 90 days old).
19. Include a statement on plat that there are no lienholders by the owner(s) of record.
20. Include Plat Book and Page for Moon and Day Addition south of the subdivision.
21. Submit legal descriptions for the rights-of-way to be vacated for review.
22. Include a title certification on plat.
23. A field inspection will be performed immediately prior to recordation of the plat to verify that exterior boundary monumentation is in place and as noted. Note this especially since the subdivision boundary has changed from the original. Exterior boundary corners shall be set and permanently embedded (i.e. in concrete) before the plat will be recorded.
24. Immediately prior to recordation of the Plat, an electronic version of the Plat must be transmitted/delivered to Mr. Steve Smith in the Community Development Department. Mr. Smith's e-mail address is:  
Stevesm@GJCity.org

**CITY FIRE DEPARTMENT**

04/25/05

**Hank Masterson**

Email: hankm@ci.grandjct.co.us

244-1414

---

No objections to the vacation request.

**CITY CODE ENFORCEMENT**

04/29/05

**Randy Keller**

Email: randyk@ci.grandjct.co.us

256-4102

---

1. No comments.

**CITY COMMUNITY DEVELOPMENT**

04/15/05

**Ronnie Edwards**

Email: ronniee@ci.grandjct.co.us

256-4008

---

1. Please provide an accurate boundary survey, which depicts all existing structures, etc. Checklist is attached.
2. A new title commitment will be required before final approval.
3. Mesa County Clerk's Certificate has incorrect date, please revise.

**CITY ADDRESSING**

05/02/05

**Faye Hall**

Email: fayeh@ci.grandjct.co.us

244-4043

---

Address will remain 1559 High Street.

**XCEL ENERGY**

05/02/05

**John Basford**

Email:

---

No objections. Any relocation of existing Xcel Utilities will be at owners expense.

**MESA COUNTY BUILDING DEPT**

**04/13/05**

**Bob Lee**

**Email :**

---

No comments

**MESA COUNTY PLANNING**

**04/20/05**

**Christie Barton**

**Email :**

---

The Development Review Team consists of representatives from the Mesa County Planning Department, Mesa County Public Works Engineering Department and the Regional Transportation Planning Office (RTPO).

The Riverfront/Urban Trails Committee should be allowed to make comments if the proposal has not been sent to them.

**ORCHARD MESA IRRIGATION**

**04/13/05**

**Rita Crumpton**

**Email :**

---

None.

**URBAN TRAILS COMMITTEE**

**04/27/05**

**Robert Traylor**

**Email :**

---

We have no comment.

Comments NOT received as of: 5/2/2005 1

City Development Engineer  
City Attorney  
City Police Department  
Qwest  
Bresnan Communication  
Orchard Mesa Sanitation  
CO Dept. of Transportation  
RTPO (Reg Trans Planning Org)  
Corps of Engineers  
US Postal Service

# Review Agency Comment Sheet

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

Date: APRIL 1, 2005 To Review Agency: CITY COMMUNITY DEVELOPMENT

File No: VR-2005-079 Staff Planner: Ronnie Edwards

*(To be filled in by City Staff)*

*(To be filled in by City Staff)*

Project Name: Van Gundy Subdivision

Location: 1559 and 1561 High Street

A development review meeting has been scheduled for the following date: 5/3/05

*(To be filled in by City Staff)*

## **COMMENTS**

*(For Review Agency Use)*

**Outside Review Agencies:** Please email comments to: CommDev@ci.grandjct.co.us, FAX comments to (970) 256-4031 or mail written comments to the above address. **NOTE:** If your review agency does not comment, additional review information will not be provided. (Please attach additional sheets if needed.)

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

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

5/2/05

*(To be filled in by City Staff)*

**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

## Review Agency Comment Sheet

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

Date: APRIL 1, 2005 To Review Agency: CITY DEVELOPMENT ENGINEER  
File No: VR-2005-079 Staff Planner: Roxie Edwards  
(To be filled in by City Staff) (To be filled in by City Staff)  
Project Name: Van Gundy Subdivision  
Location: 1559 and 1561 High Street  
A development review meeting has been scheduled for the following date: 5/3/05  
(To be filled in by City Staff)

### COMMENTS

(For Review Agency Use)

**Outside Review Agencies:** Please email comments to: CommDev@ci.grandjct.co.us, FAX comments to (970) 256-4031 or mail written comments to the above address. **NOTE:** If your review agency does not comment, additional review information will not be provided. (Please attach additional sheets if needed.)

No comments

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

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

5/2/05

(To be filled in by City Staff)

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

Reviewed By

ERIC HAIN OR LAURA LAMBERTY

Date

5/6/05

Email Address

Telephone

RECEIVED  
APR 12 2005  
COMMUNITY DEVELOPMENT  
DEPT.

AP  
4/13/05

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: APRIL 1, 2005

To Review Agency: ORCHARD MESA IRRIGATION DISTRICT

File No: VR-2005-079

Staff Planner: Roxie Edwards

(To be filled in by City Staff)

(To be filled in by City Staff)

Project Name: Van Gundy Subdivision

Location: 1559 and 1561 High Street

A development review meeting has been scheduled for the following date: 5/13/05

(To be filled in by City Staff)

### COMMENTS

(For Review Agency Use)

received  
4-11-5

Outside Review Agencies: Please email comments to: CommDev@ci.grandjct.co.us, FAX comments to (970) 256-4031 or mail written comments to the above address. NOTE: If your review agency does not comment, additional review information will not be provided. (Please attach additional sheets if needed.)

None

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

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

5/24/05

(To be filled in by City Staff)

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

Rita Crumpton  
Reviewed By

4-12-05  
Date

Email Address

Telephone

Revised August 2002

*RE*

*AP  
4/13/05*

**From:** "Bob Lee" <BLee@co.mesa.co.us>  
**To:** <CommDev@ci.grandjct.co.us>  
**Date:** Tue, Apr 12, 2005 9:14 AM  
**Subject:** Agency Review

VR-2005-079 No comments

SPR-2005-080 No objections to the application.



RE

**From:** "Christie Barton" <CBarton@co.mesa.co.us>  
**To:** <CommDev@ci.grandjct.co.us>  
**Date:** Tue, Apr 19, 2005 3:43 PM  
**Subject:** VR-2005-179 Van Gundy Subdivision

AP  
4/20/05

The Development Review Team consists of representatives from the Mesa County Planning Department, Mesa County Public Works Engineering Department and the Regional Transportation Planning Office (RTPO).

The Riverfront/Urban Trails Committee should be allowed to make comments if the proposal has not been sent to them.

RE

**From:** "Robert Traylor" <rst@grandjunctionlaw.com>  
**To:** <CommDev@ci.grandjct.co.us>  
**Date:** Tue, Apr 26, 2005 1:40 PM  
**Subject:** Van Gundy Subdivision

AP  
4/27/05

On behalf of Urban Trails Committee, April 26, 2005, by Robert Traylor:

We have no comment.

*PE*

**From:** "Basford, John A" <John.Basford@XCELENERGY.COM>  
**To:** "review agency (E-mail)" <CommDev@ci.grandjct.co.us>  
**Date:** Sat, Apr 30, 2005 8:05 AM  
**Subject:** VR-2005-079 Van Gundy

*PP  
5/2/05*

No objections. Any relocation of existing Xcel Utilities will be at owners expense.

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

**From:** Donna Ross  
**To:** Jamie Kreiling; Rhonda Edwards  
**Date:** Tuesday, May 03, 2005 10:38:11 AM  
**Subject:** Van Gundy Vacation of Right of Way and Simple Subdivision...

In case it is helpful to you, attached are the Temporary Construction Easement and the permanent Grant of Easement which the City acquired from Van Gundy for the construction of the Duck Pond gravity feed line.

Ronnie, please note the second paragraph under 2.a. of the Temporary Construction Easement Agreement. It says, "The City will delay the recording of the final plat until the Owners purchase the CDOT right-of-way property or August 31, 2005, whichever earlier occurs. Except, if the Owners are unable to purchase the CDOT right-of-way property by August 31, 2005 the City will delay the recording of the final plat for up to an additional ninety (90) days after August 31, 2005. If recordation of the final plat is delayed, such recordation shall occur only if permitted by the City of Grand Junction Zoning and Development Code as interpreted by the City."

Please let me know if you have any questions.

Jamie, please let me know if I can be of any assistance in looking into whether CDOT does, indeed, vacate rights-of-way, or instead, if they can only abandon rights-of-way. Also, please let me know if I can be of assistance in determining whether the City can require that the non-conforming building which is alleged to be on the Van Gundy property be torn down as part of the process for the City's approval of the project.

Donna L. Ross  
 Paralegal  
 Office of the City Attorney  
 (970) 244-1505  
[donnar@gjcity.org](mailto:donnar@gjcity.org)  
 fax: (970) 244-1456

*CC-? 8/3  
 8/17 - el'm gone it?  
 Pat take it?*

*Med new  
 11x17 plat*

*scan for CC*

*finish ord.  
 w/ staff  
 report*

*1531, 1559, 1561*

**LETTER OF TRANSMITTAL**

**RECEIVED**  
JUL 12 2005  
COMMUNITY DEVELOPMENT  
DEPT.

DATE: July 12, 2005  
TO: Community Development

ATTN: RONNIE EDWARDS

PROJECT: VANGUNDY SIMPLE SUBDIVISION FILE # VR-2005-79

SUBMITTED BY:  MAIL  HAND DELIVERY

FAX - FAX NO. \_\_\_\_\_ NO. OF PAGES INCLUDING THIS PAGE \_\_\_\_\_

Items being transmitted:

Date	No. of copies	Description
N/A	1	RESPONSE TO REVIEW COMMENTS (2 COPIES OF ATTACHMENTS)

Purpose of transmittal:

<input type="checkbox"/>	For information only	<input type="checkbox"/>	For review and comment	<input checked="" type="checkbox"/>	For review and approval	<input type="checkbox"/>	For your file or distribution
<input type="checkbox"/>	For your use	<input type="checkbox"/>	Approved	<input type="checkbox"/>	Approved with changes as noted	<input type="checkbox"/>	Not approved. resubmit _____ copies
Please sign and return _____ copy(ies)							

Remarks: PLEASE LET ME KNOW IF YOU NEED ADDITIONAL COPIES.  
THANK YOU!

Signed: *D. Paul Jagim*

D. Paul Jagim, P.E.  
(970) 256-4023

Copies to: RANDY VANGUNDY

**From:** Peggy Holguin  
**To:** Edwards, Rhonda  
**Date:** Tuesday, July 26, 2005 4:09:56 PM  
**Subject:** two topics

1: Van Gundy - Without doing the research I would like to on this, I will ball park -

ROW being vacated: 12,564.1 sf / \$75,000 rd  
Easement being acquired: 11,089.5 sf / \$33,500 rd

Additional factors, we could have put our sewer line in the existing ROW and gotten an easement for the short segment past the end of the CDS. The new alignment benefits Van Gundy as far as the developable land is increased with our sewer along the West side. Add in the value and cost of time and services to survey, prepare and process the Plat.

2: American National Bank Rev Permit has a defective legal, Peter has contacted the surveyor for correction.

# REVIEW COMMENTS

*Emailed  
Stalos*

Page 1 of 3  
May 10, 2005

FILE # VR-2005-079

TITLE HEADING: Van Gundy Simple Subdivision

LOCATION: 1531 High Street

PETITIONER: Randy Van Gundy

PETITIONER'S ADDRESS/TELEPHONE: 1018 South 5th Street  
242-9500

PETITIONER'S REPRESENTATIVE: Paul Jagim – City of Grand Junction  
256-4023256-4011

STAFF REPRESENTATIVE: **Ronnie Edwards**

*CC 8/17  
#9/17*

**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., August 8, 2005.**

## CITY COMMUNITY DEVELOPMENT

5/4/05

Ronnie Edwards

256-4038

1. Please provide an accurate boundary survey, which depicts all existing structures, etc. Checklist is attached.
2. A new title commitment will be required before final approval.
3. Mesa County Clerk's Certificate has incorrect date, please revise.
4. A 14' multi-purpose easement is required adjacent to right-of-way.
5. A Title Certification was not included on the plat and is a requirement of a Platting Submittal Standards. Please provide on revised drawings.
6. The Title Commitment expresses Randy Dean Van Gundy and Dean H. Van Gundy as owners and both should be signing the plat exactly as ownership is shown on deeds, etc.
7. Staff can only review the vacation of right-of-way that has been dedicated to the City of Grand Junction. The applicant is responsible for obtaining the right-of-way that was deeded to the State of Colorado Highway Department. Please contact Keith Sours at CDOT at 248-7260, as a review packet has been sent for his consideration.

*- Peter says not needed due to topo.*

## CITY DEVELOPMENT ENGINEER

5/6/05

Eric Hahn

244-1443

No comments.

## CITY ADDRESSING

5/2/05

Faye Hall

256-4043

Address will remain 1559 High Street.

*Value from Peggy*

REVIEW COMMENTS / VR-2005-079 / PAGE 2 of 3

**CODE ENFORCEMENT**

4/29/05

**Randy Keller**

256-4102

---

1. No comments.

**CITY FIRE DEPARTMENT**

4/25/05

**Hank Masterson**

244-1414

---

No objections to the vacation request.

**CITY SURVEYOR**

4/27/05

**Peter Krick**

256-4003

---

**REVIEW COMMENTS**

1. Plat must have a 2" margin on the left side.
2. Include space for revisions for review purposes only. This can be removed prior to filing the final plat.
3. Include list of abbreviations used (including those for curve information).
4. The notice at bottom of plat must have 1/8" minimum letter size.
5. Include a vicinity map on plat.
6. Check with Community Development on whether a 14' multipurpose easement will be required along the highway frontage. If required also include the proper dedication of said easement in the dedication language.
7. Remove the language "to be vacated by Colorado Department of Transportation". The City of Grand Junction will initiate the vacation process for all rights-of-way in the subdivision and then the vacated portion will be transferred prior to plat recordation. Instead, leave room to fill in ordinance number and book and page of the vacation and a place for transfer of ownership to Mr. Van Gundy.
8. Referring to note 7 above, similar language applies to High Street as labeled. Remove the word "vacated" and replace with wording as above noted.
9. Darken the line representing the indeterminate North boundary of the subdivision.
10. At the Northwest corner of the subdivision, clean up the tie from the found pin to the subdivision corner by moving the description to the other side of the found point and moving the bearing/distance call to the left.
11. The witness corner on the curvilinear line references the subdivision corner by arc length only. Change this to a bearing and distance call.
12. It is unclear whether the northernmost curve information on the plat is tying the easement to the subdivision corner or the witness corner. Also, is it tying the centerline of the easement or the northerly edge? Please clarify. The character depicting the delta angle is also missing.
13. Check the tie to the easement from the westerly subdivision boundary PC south of the easement for accuracy.
14. Label the parcel created by the subdivision and give an area of said parcel. Also include an area summary.
15. Label the line that serves as the basis of bearings as such.
16. Label US Highway 50 adjacent to and easterly of the subdivision.
17. At the southeasterly subdivision corner label what was conveyed (i.e. highway right-of-way?) per Book 339 Pg 87.



**REVIEW COMMENTS / VR-2005-079 / PAGE 3 of 3**

18. An updated title commitment shall be required (less than 90 days old).
19. Include a statement on plat that there are no lienholders by the owner(s) of record.
20. Include Plat Book and Page for Moon and Day Addition south of the subdivision.
21. Submit legal descriptions for the rights-of-way to be vacated for review.
22. Include a title certification on plat.
23. A field inspection will be performed immediately prior to recordation of the plat to verify that exterior boundary monumentation is in place and as noted. Note this especially since the subdivision boundary has changed from the original. Exterior boundary corners shall be set and permanently embedded (i.e. in concrete) before the plat will be recorded.
24. Immediately prior to recordation of the Plat, an electronic version of the Plat must be transmitted/delivered to Mr. Steve Smith in the Community Development Department. Mr. Smith's e-mail address is: [Stevesm@GJCity.org](mailto:Stevesm@GJCity.org)

**MESA COUNTY BUILDING DEPARTMENT**

**4/13/05**

**Bob Lee**

**244-1656**

---

No comments

**MESA COUNTY PLANNING DEPARTMENT**

**4/20/05**

**Christie Barton**

**244-1867**

---

The Development Review Team consists of representatives from the Mesa County Planning Department, Mesa County Public Works Engineering Department and the Regional Transportation Planning Office (RTPO).

The Riverfront/Urban Trails Committee should be allowed to make comments if the proposal has not been sent to them.

**ORCHARD MESA IRRIGATION & DRAINAGE**

**4/13/05**

**Rita Crumpton**

**464-7885**

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None.

**URBAN TRAILS COMMITTEE**

**4/27/05**

**Robert Traylor**

**245-0045**

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We have no comment.

**XCEL**

**5/2/05**

**John Basford**

**244-2693**

---

No objections. Any relocation of existing Xcel Utilities will be at owners expense.

**Comment not available as of 5/10/05:**

Police Department

Orchard Mesa Sanitation District

Bresnan Communications

Qwest

CDOT

RTPO

Corpse of Engineers

USPS



Date: July 11, 2005

Applicant: Randy Van Gundy  
Representative Paul Jagim – City of Grand Junction

The following item (VR-2005-079, Van Gundy Simple Subdivision) has been scheduled for Planning Commission on July 26, 2005.

A sign(s) advertising the Public Hearing will be required to be posted no later than this Friday, July 15, 2005. The signs are available at the Community Development Department. Unless you paid for it when you submitted your application, a \$50.00 fee is required for a Public Hearing sign. A sign is required to be placed facing each/all 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, July 14, 2005.

Please contact the project planner, (Ronnie Edwards, 256-4038 or rhondae@gjcity.org) if you have any questions relating to this notice.

cc: VR-2005-079

**Response to Review Comments: VanGundy Subdivision  
Simple Subdivision and ROW Vacation  
July 11, 2005**

City Community Development Comments:

1. Comment noted. Refer to revised Plat.
2. An updated title commitment has been submitted along with the response to comments.
3. Comment noted. Refer to revised Plat.
4. Peter Krick has waived the requirement for a 14' multi-purpose easement at this location.
5. Comment noted. Refer to revised Plat.
6. Comment noted. Refer to revised Plat.
7. Comment noted. No response necessary.

City Development Engineer:

No Review Comments

City Addressing:

No Review Comments

Code Enforcement:

No Review Comments

City Fire Department:

1. Comment noted. No response necessary.

City Surveyor:

1. Comment noted. Refer to revised Plat.
2. Comment noted. Refer to revised Plat.
3. Comment noted. Refer to revised Plat.
4. Comment noted. Refer to revised Plat.
5. Comment noted. Refer to revised Plat.
6. Peter Krick has waived the requirement for a 14' multi-purpose easement at this location.
7. Comment noted. Refer to revised Plat.
8. Comment noted. Refer to revised Plat.
9. Comment noted. Refer to revised Plat.
10. Comment noted. Refer to revised Plat.
11. Comment noted. Refer to revised Plat.
12. Comment noted. Refer to revised Plat.
13. Comment noted. Refer to revised Plat.
14. Comment noted. Refer to revised Plat.
15. Comment noted. Refer to revised Plat.
16. Comment noted. Refer to revised Plat.
17. Comment noted. Refer to revised Plat.
18. An updated title commitment has been submitted along with the response to comments.
19. Comment noted. Refer to revised Plat.
20. Comment noted. Refer to revised Plat.
21. Comment noted. Refer to revised Plat.

- 22. Comment noted. Refer to revised Plat.
- 23. Comment noted. Refer to revised Plat.
- 24. Comment noted.

Mesa County Building Department:

No Review Comments

Mesa County Planning Department:

Comment noted. No response necessary.

Orchard Mesa Irrigation & Drainage:

No Review Comments

Urban Trails Committee:

No Review Comments

Xcel Energy:

Comment noted. No response necessary.

No Review Comments available from:

- Police Department
- Bresnan Communication
- CDOT
- Corps of Engineers
- Orchard Mesa Sanitation District
- Qwest
- RTPO
- USPS

AGENDA TOPIC: Approval of the vacation of High Street adjacent to Highway 50, File #VR-2005-079, while reserving a 20' wide sanitary sewer easement for the construction of a new gravity sanitary sewer line.

ACTION REQUESTED: Recommend approval to City Council on the requested right-of-way vacation.

BACKGROUND INFORMATION				
Location:		1531, 1559 and 1561 High Street		
Applicants:		Randy D. Van Gundy & Dean H. Van Gundy		
Existing Land Use:		Existing Residential Access		
Proposed Land Use:		Same		
Surrounding Land Use:	North	Colorado River		
	South	Single Family Residence		
	East	Mobile Home Park		
	West	Gunnison River		
Existing Zoning:		C-1		
Proposed Zoning:		C-1		
Surrounding Zoning:	North	C-2		
	South	C-1		
	East	PD		
	West	Mesa County RSF-R & RMF-8		
Growth Plan Designation:		Commercial		
Zoning within density range?		N/A	Yes	No

PROJECT DESCRIPTION: The proposal is to vacate High Street adjacent to Highway 50, while reserving a 20' wide sanitary sewer easement for the construction of a new gravity sanitary sewer line.

RECOMMENDATION: Recommend approval to City Council on the right-of-way vacation.

## ANALYSIS:

### 1. Background:

The subject right-of-way was dedicated with the Moon & Day Subdivision in 1908 and is presently being used as residential access only and is not a through street for local traffic. There are no proposed changes to the use of the right-of-way area or the property as the four lots adjacent to the right-of-way are being reviewed concurrently for a simple subdivision to replat into one large lot. The property owners are also working with the City of Grand Junction to grant a 20' wide sanitary sewer easement for the construction of a gravity sanitary sewer line through the property.

Title to the vacated right-of-way will vest in the property owners of the abutting property located at 1531, 1559 and 1561 High Street, which are the applicants. The property owners will have to purchase the existing Colorado Department of Transportation right-of-way that is located adjacent to High Street and runs diagonally to the southwest corner of subject property. The recordation of the vacation ordinance has to be concurrent with the proposed subdivision plat and this cannot occur until the property owners have purchased the Colorado Department of Transportation right-of-way property.

### 2. Consistency with the Growth Plan:

Policy 10.2 states that the City will consider the needs of the community at large and the needs of individual neighborhoods when making development decisions.

By allowing this subject area to be vacated, the existing driveway access can remain, continued to be utilized as such and become part of the property owners residential parcel. This request will not affect the adjacent properties uses.

### 3. Section 2.11.c of the Zoning and Development Code:

Requests to vacate any public right-of-way or easement must conform to all of the following:

- a. The Growth Plan, major street plan and other adopted plans and policies of the City.

Granting the right-of-way vacation does not conflict with applicable Sections of the Growth Plan, major street plan and other adopted plans and policies of the City. It will allow existing use to remain as a residential driveway access.

- b. No parcel shall be landlocked as a result of the vacation.

No parcel will be landlocked by the requested vacation as all adjacent properties are being replatted as one large lot and will continue to have direct driveway access off of Highway 50.

- c. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive or reduces or devalues any property affected by the proposed vacation.

Access to any parcel will not be restricted to the point where access is unreasonable, economically prohibitive, nor will it reduce or devalue any property.

- d. There shall be no adverse impacts on the health, safety, and/or welfare of the general community and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g. police/fire protection and utility services).

There will be no adverse impacts to the general community and the quality of public facilities and services provided will not be reduced.

- e. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter Six of the Zoning and Development Code.

Provision of adequate public facilities and services will not be inhibited to any property as required in Chapter 6 of the Code.

- f. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.

This proposal provides a benefit to the City as the vacated right-of-way area will be the responsibility of the property owners of the subject parcel to maintain. The City will also benefit by working with the property owners for the necessary easement required to construct the new sanitary sewer line.

#### FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Right-of-Way Vacation application, VR-2005-079, for the vacation of High Street adjacent to Highway 50, staff recommends that the Planning Commission make the following findings of fact and conclusions:

1. The requested right-of-way vacation is consistent with the Growth Plan.
2. The review criteria in Section 2.11.C of the Zoning and Development Code have all been met.

3. The vacation ordinance will be recorded concurrently with the proposed subdivision replat, which cannot occur until existing CDOT right-of-way encumbering the property has been purchased.

**STAFF RECOMMENDATION:**

That the Planning Commission forward a recommendation of approval of the requested right-of-way vacation, VR-2005-079, while reserving a sanitary sewer easement, with the findings and conclusions listed above.

**RECOMMENDED PLANNING COMMISSION MOTION:**

Mr. Chairman, on item VR-2005-079, I move that the Planning Commission forward a recommendation of approval to the City Council on the requested right-of-way vacation, with the findings of fact and conclusions listed in the staff report.

**Attachments:**

Site/Aerial Map  
Future Land Use/ Zoning Map  
Exhibit Map  
Ordinance





**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**An Ordinance Vacating a Right-of-Way Located at  
1531, 1559 and 1561 High Street**

Recitals:

A request to vacate the right-of-way located at 1531, 1559 and 1561 High Street adjacent to Highway 50 has been submitted by the City of Grand Junction. The City will reserve a 20' wide sanitary sewer easement on, along, over, under, through and across the subject property for the construction of a gravity sanitary sewer line. Approval of the right-of-way vacation is conditioned upon the vacation ordinance to be recorded concurrently with a proposed subdivision replat of subject property, which cannot occur until existing Colorado Department of Transportation right-of-way encumbering the property has been purchased.

The City Council finds that the request to vacate the herein described right-of-way is consistent with the Growth Plan and Section 2.11 of the Zoning and Development Code.

The Planning Commission, having heard and considered the request, found the criteria of the Zoning Code to have been met, and recommends that the vacation be approved as requested subject to the conditions listed above.

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

1. The following described right-of-way is hereby vacated:

Beginning at a found original inscribed rail whence the SW corner of Section 23, T 1 S, R 1 W of the Ute Meridian bears S 34°16'46" W a distance of 2065.32 feet for a basis of bearings; thence N 06°43'05" W a distance of 271.00 feet; thence N 56°28'05" W a distance of 117.00 feet; thence N 17°59'43" E a distance of 31.14 feet; thence S 56°28'05" E a distance of 139.25 feet; thence S 06°43'05" E a distance of 259.19 feet; thence S 14°35'51" W a distance of 84.77 feet to a point on a non-tangent curve to the left having a radius of 1738.70 feet, a central angle of 45°19'00" and a chord that bears N 05°50'26" W a distance of 53.27 feet to the Point of Beginning.

2. The City hereby reserves and retains a 20' wide sanitary sewer easement on, long, over, under, through and across the subject property, for the use and benefit of the City and for the use and benefit of the Public Utilities, as approved by the City, as a perpetual easement for the installation, operation, maintenance, repair and replacement of sanitary sewer facilities, as approved by the City, together with the right of ingress and egress for workers and equipment to survey, maintain, operate, repair, replace,