

CSJ07ARR

TYPE OF RECORD:	PERMANENT
CATEGORY OF RECORD:	REVOCABLE PERMIT
NAME OF PROPERTY OWNER OR GRANTOR:	CREATH AND SANDRA JESSUP
PURPOSE:	LANDSCAPE IMPROVEMENTS
ADDRESS:	2874 ARRASTA LANE
CITY DEPARTMENT:	PUBLIC WORKS AND PLANNING
YEAR:	2007
EXPIRATION:	NONE
DESTRUCTION:	NONE

REVOCABLE PERMIT

Recitals.

1. Creath and Sandra Jessup hereinafter referred to as the Petitioners, have requested that the City of Grand Junction issue a Revocable Permit to allow the Petitioners to install, operate, maintain, repair and replace landscape improvements, as approved by the City, within the limits of the following described public right-of-way for C Road , to wit:

Permit Area:

A parcel of land situated in the NE1/4 of SEC 30, T1S, R1E, UM, Mesa County Colorado and more particularly described as follows: BEG at the NE COR of Lot 10, Block 1, Unawep Heights Filing No. 4, and considering the east line of said Lot 10 to bear N00°74'41"E as shown on the recorded plat of said subdivision and all other bearings are relative thereto; thence along the north line of said Lot 10 N67°39'49"W a DIS of 24.04 ft to a pt of curve to the right having a radius of 375.00 ft, a central angle of 16°04'08" and a chord bearing N59°37'45"W, 104.83 ft; thence northwesterly along the arc and the north line of said Lot 10 a DIS of 105.17 ft; thence continue along said north line of Lot 10 N51°35'39"W, a DIS of 12.74 ft; thence N00°00'00"E, a DIS of 49.00 ft along the extension of the west line of said Lot 10; thence S61°02'14"E, a DIS of 140.32 t; thence S00°07'41"W a DIS of 51.10 ft along the extension of the east line of said Lot 10 to the POB. As shown on Exhibit B attached hereto and made part hereof. Containing 0.154 acres or 6715.3 sq ft. more of less.

2. Based on the authority of the Charter and § 2.17B of the Grand Junction Zoning and Development Code applying the same, the City, by and through the Community Development Director, has determined that such action would not at this time be detrimental to the inhabitants of the City.

NOW, THEREFORE, IN ACCORDANCE WITH HER LAWFUL AUTHORITY, KATHY PORTNER, AS ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR, DOES HEREBY ISSUE:

to the above-named Petitioners a Revocable Permit for the purposes of landscaping and irrigation within the limits of the public right-of-way described; provided, however, that this Permit is conditioned upon the following:

1. The installation, operation, maintenance, repair and replacement of landscape improvements by the Petitioners within the public right-of-way as authorized pursuant to this Permit shall be performed with due care or any other higher standard of care as may be required by the City to avoid creating hazardous or dangerous situations and to avoid damaging public roadways, sidewalks, utilities, or any other facilities presently existing or which may in the future exist in said right-of-way.

2. The City, on its behalf and on behalf of the County of Mesa, the State of Colorado and the Public Utilities, hereby reserves and retains a perpetual right to utilize all or any portion of the public right-of-way for any purpose whatsoever. The City further reserves and retains the right to revoke this Permit at any time and for any or no reason.
3. The Petitioners, for themselves and for their successors and assigns, agree that they shall not hold, nor attempt to hold, the City of Grand Junction, its officers, employees and agents, liable for damages caused to any improvements and/or facilities to be installed by the Petitioners within the limits of the public right-of-way (including the removal thereof), or any other property of the Petitioners or any other party, as a result of the Petitioners' occupancy, possession or use of said public right-of-way or as a result of any City, County, State or Public Utility activity or use thereof or as a result of the installation, operation, maintenance, repair and replacement of public improvements.
4. The Petitioners agree that they shall at all times keep the above described public right-of-way and the facilities authorized pursuant to this Permit in good condition and repair.
5. This Revocable Permit for landscaping and irrigation shall be issued only upon concurrent execution by the Petitioners of an agreement that the Petitioners and the Petitioners' successors and assigns shall save and hold the City of Grand Junction, its officers, employees and agents harmless from, and indemnify the City, its officers, employees and agents, with respect to any claim or cause of action however stated arising out of, or in any way related to, the encroachment or use permitted, and that upon revocation of this Permit by the City the Petitioners shall, at the sole expense and cost of the Petitioners, within thirty (30) days of notice of revocation (which may occur by mailing a first class letter to Petitioners' last known address), peaceably surrender said public right-of-way and, at their own expense, remove any encroachment so as to make the described public right-of-way available for use by the City, the County of Mesa, the State of Colorado, the Public Utilities or the general public. The provisions concerning holding harmless and indemnity shall survive the expiration, revocation, termination or other ending of this Permit.
6. The Petitioners, for themselves and for their successors and assigns, agree that they shall be solely responsible for maintaining and repairing the condition of any and all plantings, improvements and/or facilities authorized pursuant to this Permit. The Petitioners shall not install any trees, vegetation or other improvements that create sight distance problems.

7. This Revocable Permit and the following Agreement shall be recorded by the Petitioners, at the Petitioner's expense, in the office of the Mesa County Clerk and Recorder.

Dated this 4th day of January, 2007.

Written and Recommended by:

The City of Grand Junction,
a Colorado home rule municipality

C. Jay Hall
Planner

Katherine M. Patino
ASA Community Development Director

Acceptance by the Petitioners:

Creath Jessup
Creath Jessup

Sandra Jessup
Sandra Jessup

AGREEMENT

Creath and Sandra Jessup, for themselves and for their successors and assigns, do hereby agree to abide by each and every term and condition contained in the foregoing Revocable Permit for landscaping and irrigation. Furthermore, they shall indemnify the City of Grand Junction, its officers, employees and agents and hold the City of Grand Junction, its officers, employees and agents harmless from all claims and causes of action as recited in said Permit.

Within thirty (30) days of revocation of said Permit, peaceably surrender said public right-of-way to the City of Grand Junction and, at their sole cost and expense, remove any encroachment so as to make said public right-of-way fully available for use by the City of Grand Junction, the County of Mesa, the State of Colorado, the Public Utilities or the general public.

The Permittee acknowledges the existence of good and sufficient consideration for this Agreement.

Dated this 30 day of Dec., 2006

By signing, the Signatories represent that they have full authority to bind the Permittee to each and every term and condition hereof and/or in the Permit.

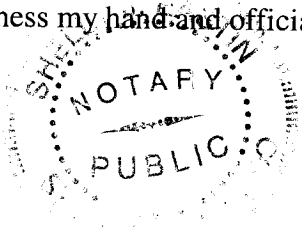
Creath Jessup
Creath Jessup

Sandra Jessup
Sandra Jessup

State of Colorado)
)ss.
County of Mesa)

The foregoing Agreement was acknowledged before me this 30 day of December, 2006 by Creath and Sandra Jessup.

My Commission expires: 04/14/09
Witness my hand and official seal.



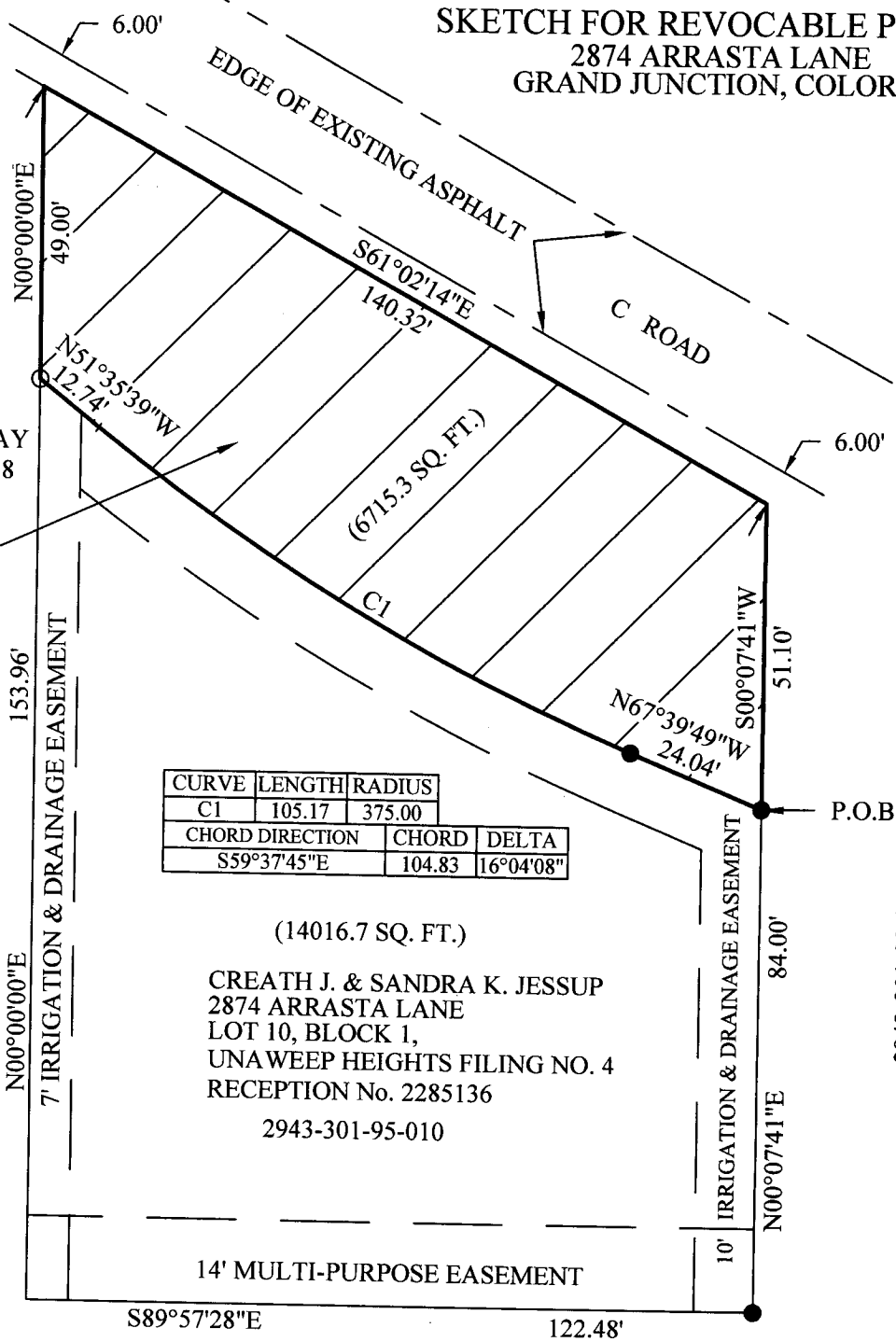
Shelley Eastman
Notary Public

EXHIBIT B

SKETCH FOR REVOCABLE PERMIT
2874 ARRASTA LANE
GRAND JUNCTION, COLORADO

ROAD RIGHT-OF-WAY
BOOK 3261, PAGE 338

LOT 9, BLOCK 1
2943-301-95-009



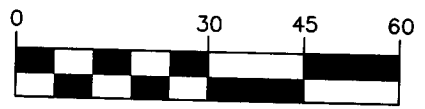
CURVE	LENGTH	RADIUS
C1	105.17	375.00

CHORD DIRECTION	CHORD	DELTA
S59°37'45"E	104.83	16°04'08"

(14016.7 SQ. FT.)
CREATH J. & SANDRA K. JESSUP
2874 ARRASTA LANE
LOT 10, BLOCK 1,
UNA WEEP HEIGHTS FILING NO. 4
RECEPTION No. 2285136
2943-301-95-010

14' MULTI-PURPOSE EASEMENT

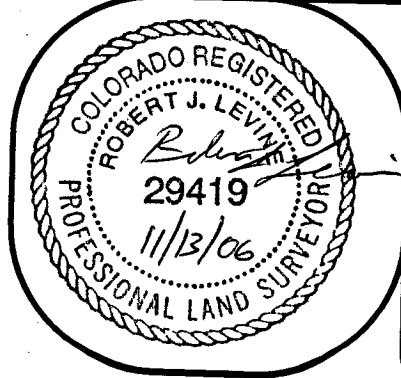
ARRASTA LANE



1 INCH = 30 FT.

AREA OF REVOCABLE PERMIT

- FOUND REBAR AND CAP, LS 18480
- FOUND #5 REBAR



ROBERT J. LEVINE P.L.S. 29419		SURVEYIT, INC 		MAILING: 2754 COMPASS DRIVE SUITE 110 GRAND JUNCTION, CO. 81506 PHONE : 970-245-3777 FAX 970 241-4847	
SURVEYED BY:	KG			DATE SURVEYED:	NOVEMBER 8, 2006
DRAWN BY:	RJL	DATE DRAWN:	NOVEMBER 8, 2006		
REVISION:		SCALE:	1" = 30'		