

GVP07PIN

TYPE OF RECORD:	PERMANENT
CATEGORY OF RECORD:	REVOCABLE PERMIT
NAME OF PROPERTY OWNER OR GRANTOR:	GRANUM VILLAGE PARK, LLC
PURPOSE:	LANDSCAPE IMPROVEMENTS
ADDRESS:	2526 WEST PINYON AVENUE
CITY DEPARTMENT:	PUBLIC WORKS AND PLANNING
YEAR:	2007
EXPIRATION:	NONE
DESTRUCTION:	NONE

RECEIVED

JAN 12 2007

COMMUNITY DEVELOPMENT DEPT.

REVOCABLE PERMIT

Recitals.

1. Granum Village Park, LLC hereinafter referred to as the Petitioner, has requested that the City of Grand Junction issue a Revocable Permit to allow the Petitioner to install, operate, maintain, repair and replace drainage improvements, as approved by the City, within the limits of the following described public right-of-way for West Crete Circle and West Pinyon Avenue , to wit:

Permit Area:

The improvements are situated in that portion of the public right-of-way for West Crete Circle and West Pinyon Avenue along Lot 15 in Block 1 of Minerva Park, City of Grand Junction, County of Mesa, State of Colorado as shown by the plat thereof recorded in Plat Book 11, Page 317 in the records of the office of the Mesa County Clerk and Recorder and being more particularly described as follows:

Beginning at the northeasterly corner of said Lot 15, being on the westerly right-of-way line of West Crete Circle;

1. Thence N 89°55'22" E, 12.83 feet;
2. Thence S 00°00'36" W, 152.50 feet;
3. Thence southwesterly 51.81 feet along the arc of a circular curve to the right with a radius of 33.0 feet, a delta of 89°57'41", and a chord bearing S 44°59'27" W, 46.65 feet;
4. Thence S 89°58'17" W, 226.95 feet;
5. Thence northwesterly 2.93 feet along the arc of a circular curve to the right with a radius of 4.00 feet, a delta of 41°56'04", and a chord bearing N 69°03'41" W, 2.86 feet;
6. Thence northwesterly 4.51 feet along the arc of a circular curve to the left with a radius of 6.00 feet, a delta of 43°04'02", and a chord bearing N 69°37'40" W, 4.40 feet;
7. Thence S 88°50'19" W, 3.54 feet;
8. Thence N 00°04'42" W, 10.50 feet to the southwesterly corner of said Lot 15, being on the northerly right-of-way line of West Pinyon Avenue;
9. Thence N 89°54'25" E, 237.52 feet;

10. Thence northeasterly 31.38 feet along the arc of a circular curve to the left with a radius of 20.00 feet, a delta of 89°54'25", and a chord bearing N 44°57'12" E, 28.26 feet;

11. Thence N 00°00'00" E, 152.21 feet to the point of beginning.

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, SHERYL TRENT, AS COMMUNITY DEVELOPMENT DIRECTOR DOES HEREBY ISSUE:

to the above-named Petitioner a Revocable Permit for the purposes of 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 Petitioner 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 Petitioner, for itself and for its assigns, agree that it 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 Petitioner within the limits of the public right-of-way (including the removal thereof), or any other property of the Petitioner or any other party, as a result of the Petitioner's 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 Petitioner agrees that it 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 irrigation shall be issued only upon concurrent execution by the Petitioner of an agreement that the Petitioner and the Petitioner's 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 Petitioner shall, at the sole expense and cost of the Petitioner, 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 Petitioner, for itself and for its assigns, agree that it 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 Petitioner 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 Petitioner, at the Petitioner's expense, in the office of the Mesa County Clerk and Recorder.

Dated this 12th day of January, 2007.

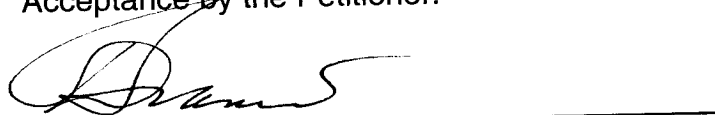
Written and Recommended by:

The City of Grand Junction,
a Colorado home rule municipality


Planner


Asst. Community Development Director

Acceptance by the Petitioner:


Granum Village Park, LLC by Dennis L. Granum

LOT 14
BLOCK 1

EXHIBIT A

N89°55'22"E 257.73'

POINT OF BEGINNING

N89°55'22"E
12.83'

CURVE TABLE						
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD	BEARING
A	89°57'41"	33.00'	51.81'	32.98'	46.65'	N44°59'27"E
B	41°56'04"	4.00'	2.93'	1.53'	2.86'	S69°03'41"E
C	43°04'02"	6.00'	4.51'	2.37'	4.40'	N69°37'40"W
D	89°54'25"	20.00'	31.38'	19.97'	28.26'	N44°57'12"E

LOT 15, BLOCK 1
MINERVA PARK
PLAT BOOK 11, PAGE 317



20' UTILITY, DRAINAGE AND IRRIGATION EASEMENT
S00°04'42"E 172.25'

6' UTILITY EASEMENT
BASIS OF BEARINGS

2-FIT WIDE CONCRETE V-PAN
N00°00'00"E 152.21'
S00°00'36"W 52.50'

WEST CRETE CIRCLE

60' RIGHT-OF-WAY

LOT 6
BLOCK 2

N00°04'42"W
10.50'

15' UTILITY, DRAINAGE AND IRRIGATION EASEMENT

N89°54'25"E 237.52'
S89°58'17"W 226.95'

LOCATION OF IMPROVEMENTS

2-FIT WIDE CONCRETE V-PAN

S88°50'19"W
3.54'

WEST PINYON AVENUE

60' RIGHT-OF-WAY

5-FIT WIDE CONCRETE V-PAN