

MES07COM

TYPE OF RECORD:	PERMANENT
CATEGORY OF RECORD:	REVOCABLE PERMIT
NAME OF PROPERTY OWNER OR GRANTOR:	MESA MOTORS INC.
PURPOSE:	LANDSCAPE IMPROVEMENTS
ADDRESS:	587 NORTH COMMERCIAL DRIVE
PARCEL NO.:	2945-102-13-015
CITY DEPARTMENT:	PUBLIC WORKS AND PLANNING
YEAR:	2007
EXPIRATION:	NONE
DESTRUCTION:	NONE

REVOCABLE PERMIT

Recitals.

1. Mesa Motors, Inc. – David Ward, President, 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 landscaping improvements, as approved by the City, within the limits of the following described public right-of-way for North Commercial Drive, to wit:

Permit Area:

A tract of land situated in the NW¼ of the NW¼ of the NW¼ of Sec 10, T1S, R1W, of the U.M., Mesa Co, CO, being more particularly described as follows: Beg at the SE cor of Lot 14 Blk 2 Westgate Park Sub, thence N0°03'11"W a distance of 29.77' along the W r-o-w for North Commercial Drive; thence N89°58'53"E a distance of 13.00'; thence S0°03'11"E a distance of 29.76'; thence S89°57'47"W a distance of 13.00' to the West right of way for North Commercial Drive and the POB. Said tract of land contains 387 sq ft as described. Above legal description written by Patrick W. Click pls#37904

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, *LISA COX*
~~TRENT, AS COMMUNITY DEVELOPMENT DIRECTOR~~ DOES HEREBY ISSUE:
PLANNING MANAGER

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.

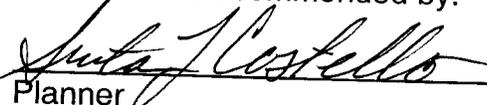
4. The Petitioner agrees that it shall at all times keep the above described public right-of-way and the facilities authorized pursuant to this Permit in good condition and repair.

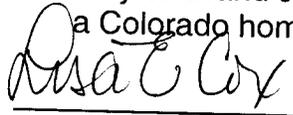
5. This Revocable Permit for irrigation shall be issued only upon concurrent execution by the Petitioner of an agreement that the Petitioner and the Petitioner's assigns shall save and hold the City of Grand Junction, its officers, employees and agents harmless from, and indemnify the City, its officers, 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.

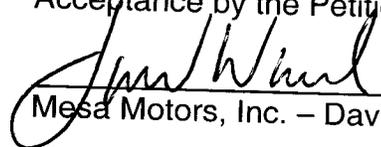
6. The Petitioner, for itself and for its assigns, agree that it shall be solely responsible for maintaining and repairing the condition of any and all plantings, improvements and/or facilities authorized pursuant to this Permit. The Petitioner shall not install any trees, vegetation or other improvements 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 27th day of JUNE, 2008.

Written and Recommended by:

Planner

The City of Grand Junction,
a Colorado home rule municipality

~~Community Development Director~~
Public Works Planning

Acceptance by the Petitioner:

Mesa Motors, Inc. – David Ward, President

NORTH WESTGATE CONDOMINIUMS

UNIT B
TAX#2945-102-15-002
590 N WESTGATE DR STE B
RANDALL M THOMPSON

UNIT C
TAX#2945-102-15-003
590 N WESTGATE DR STE C
HARWARD REAL ESTATE LLC

LOT 15
BLOCK 2
TAX#2945-102-15-000
Commonly Owned Area

WITNESS CORNER
1.00' EAST

S89°58'53"W
WEST

LOT 14
BLOCK 2
WESTGATE PARK
TAX#2945-102-13-015
MESA MOTORS INC.
587 NORTH COMMERCIAL DRIVE
BOOK 4060 PAGE 466

WITNESS CORNER
1.00' EAST

WEST
N89°57'47"E

LANDSCAPE AREA
387 SQUARE FEET

LOT 16
BLOCK 2
WESTGATE PARK
TAX#2945-102-13-042
H JAMES PARUSZEWSKI
585 NORTH COMMERCIAL DRIVE

EXISTING UTILITY EASEMENT
PLAT BOOK 12 PAGE 134

N0°03'11"W 49.77' (M)
N0°06'00"W 50.00' (P)

POINT OF BEGINNING

NORTH COMMERCIAL DRIVE
60' RIGHT-OF-WAY
PLAT BOOK 12 PAGE 134

LINE TABLE

NUM	BEARING	DISTANCE
L1	S0°03'11"E	20.00'
L2	N89°58'53"E	13.00'
L3	S0°03'11"E	29.76'
L4	S89°57'47"W	13.00'
L5	S0°03'11"E	29.77'



GRAPHIC SCALE:

1"=30'



LEGEND:

- ⊠ FOUND #5 REBAR WITH PLASTIC CAP LS 30111
- ⊙ FOUND #5 REBAR WITH ALUMINUM CAP LS 12085
- ⊞ RECOVERED #5 REBAR AND ALUMINUM CAP LS 37904
- (M) MEASURED BEARING AND DISTANCE
- (P) PLAT BEARING AND DISTANCE
- X— CHAIN LINK FENCE

LEGAL DESCRIPTION SKETCH

SITUATED IN THE NW 1/4 NW 1/4 SECTION 10, T 1 S, R 1 W, UTE P.M.

587 NORTH COMMERCIAL DRIVE

TAX # 2945-102-13-015 OWNER: MESA MOTORS INC.

CLIENT: MJB Inc. JOB #: 2005077 FIELD WORK: PWC
DATE: 6/12/06 DRAWING NAME: LEGAL DRAWN BY: PWC

POLARIS SURVEYING

PATRICK W. CLICK P.L.S. No. 37904

695 36 ROAD
PALISADE, CO 81526
PHONE (970)986-0522
FAX (970)464-7569

PROFILE INFORMATION

Project Type: *REVOCABLE PERMIT*
Project ID #: SPR-2006-017
Name: Mesa Motors Office / Warehouse
Location: 587 North Commercial Drive
Parcel #: 2945-102-13-015

Delivered to *[Signature]*