

TRV08LVR

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|---------------------------------------|---|
| TYPE OF RECORD: | PERMANENT |
| CATEGORY OF RECORD: | REVOCABLE PERMIT |
| NAME OF PROPERTY OWNER OR GRANTOR: | TRAVER/WESTLAND DEVELOPMENT, LLC. |
| PURPOSE: | EASEMENT FOR LANDSCAPING AND IRRIGATION |
| ADDRESS: | LURVEY LANE, WILKINS DRIVE AND WESTLAND AVENUE |
| CITY DEPARTMENT: | PUBLIC WORKS AND PLANNING |
| YEAR: | 2008 |
| EXPIRATION DATE: | NONE |
| DESTRUCTION DATE: | NONE |

REVOCABLE PERMIT

Recitals.

1. Traver/Westland Development, LLC, 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 Wilkins Drive, Lurvey Lane and Westland Avenue, to wit:

Permit Area:

Revocable Easements A, B and C as further described in their attached respective Exhibits A & B

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 Public Works and Planning Department, 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, AS PLANNING MANAGER, 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.

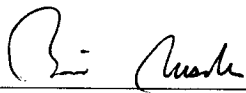
6. The Petitioners, for themselves and for their successors and assigns, agree that they shall be solely responsible for maintaining and repairing the condition of any and all plantings, improvements and/or facilities authorized pursuant to this Permit. The Petitioners shall not install any trees, vegetation 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.

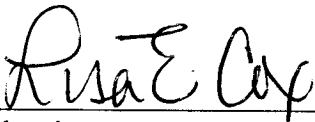
Dated this 4th day of November, 2006.

Written and Recommended by:

The City of Grand Junction,
a Colorado home rule municipality



Planner



Planning Manager,
Public Works and Planning Department

Acceptance by the Petitioners:



Traver/Westland Development, LLC

AGREEMENT

Traver/Westland Development, LLC, 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 3rd day of November, 2008.

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.

Richard Traver

Traver/Westland Development, LLC
By Richard Traver, managing member

State of Colorado)
)ss.
County of Mesa)

The foregoing Agreement was acknowledged before me this 3rd day of November, 2008, by Traver/Westland Development, LLC.

My Commission expires: 10/29/2009
Witness my hand and official seal.

Gayleen Henderson

Notary Public

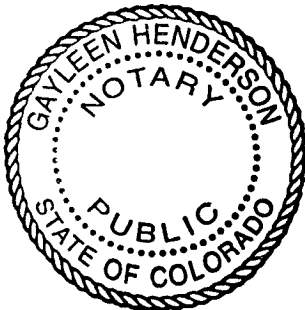
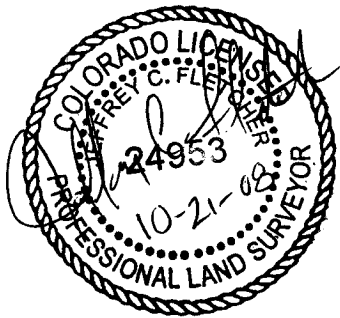


EXHIBIT A

Revocable Easement A

A ten foot wide Revocable Easement for irrigation lines across Lurvey Lane in Westland Estates Filing Five, a subdivision in the City of Grand Junction, Mesa County, Colorado being more particularly described as follows:

BEGINNING at the Northwest corner of Lot 7, Block 1, said Westland Estates Filing Five; thence North 00 degrees 02 minutes 44 seconds West, a distance of 46.07 feet, crossing said Lurvey Lane to the North right-of-way line of said Lurvey Lane, also being the South lot line of Lot 11, Block 2, said Westland Estates Filing Five; thence North 75 degrees 18 minutes 17 seconds East, a distance of 10.34 feet, along said North right-of-way line; thence South 00 degrees 02 minutes 44 seconds East, a distance of 46.81 feet, to a point on the South right-of-way line of said Lurvey Lane, also being the North line of said Lot 7, Block 1, said Westland Estates Filing Five; thence South 79 degrees 18 minutes 34 seconds West, a distance of 10.18 feet, along said South right-of-way line to the POINT OF BEGINNING.



05-147 Revocable Easements.doc.rsk

Prepared by:

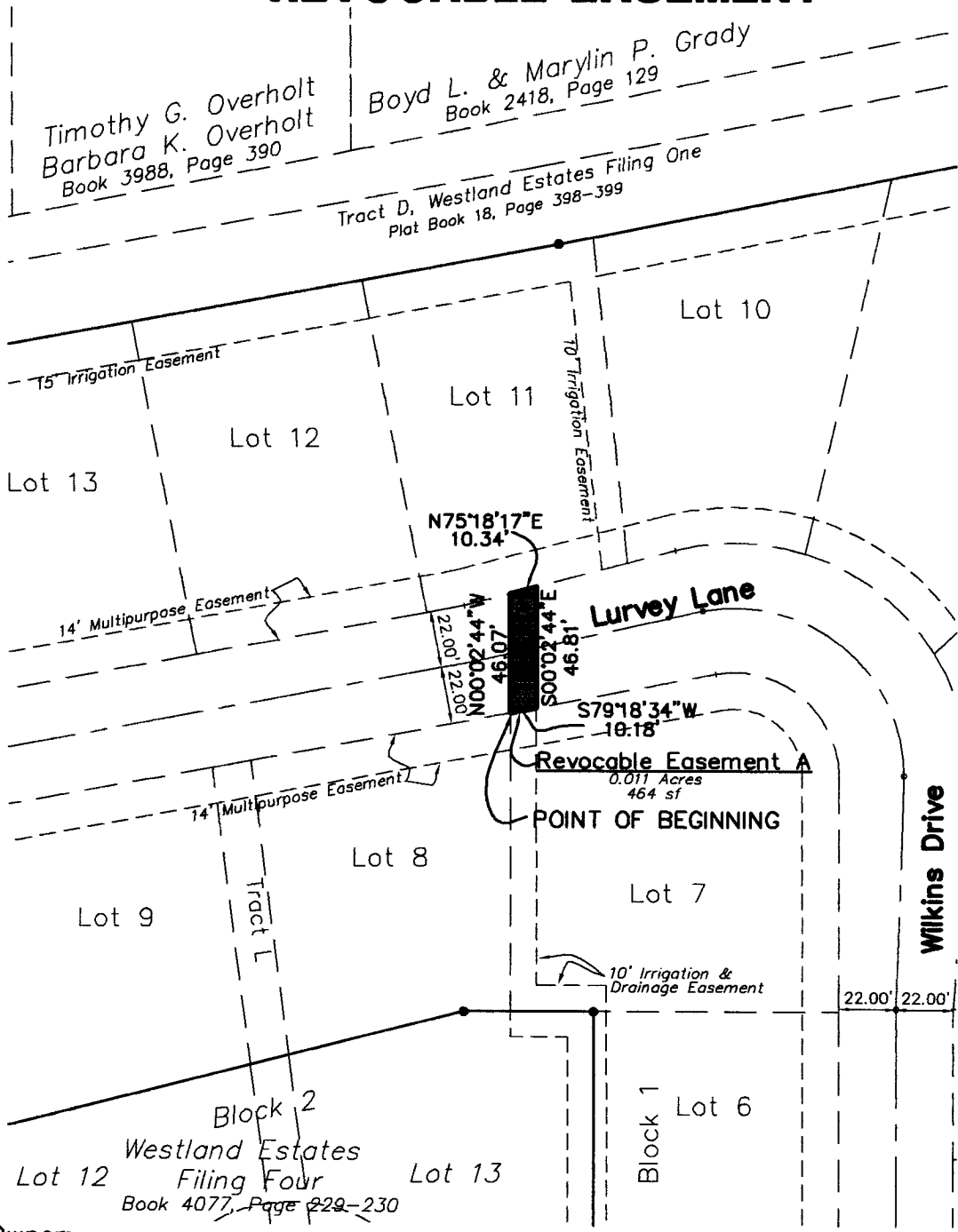
Jeffrey C. Fletcher, PLS 24953

High Desert Surveying, LLC

1673 Highway 50 Unit C

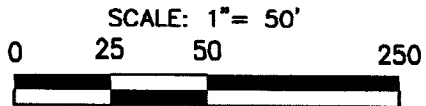
Grand Junction, Colorado 81503

EXHIBIT B REVOCABLE EASEMENT



Owner:
 Traver/Westland Development, LLC
 2697 D $\frac{1}{2}$ Road
 Grand Junction, Colorado 81504

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



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|---------------------|-------|-------|-------|----|
| PROJ. NO. 05-147 | Drawn | APP'D | SHEET | OF |
| DATE: October, 2008 | rsk | jcf | 1 | 1 |

EXHIBIT A

Revocable Easement B

A ten foot wide Revocable Easement for drainage lines across Wilkins Drive in Westland Estates Filing Five, a subdivision in the City of Grand Junction, Mesa County, Colorado being more particularly described as follows:

BEGINNING at the Southwest corner of Lot 4, Block 2, said Westland Estates Filing Five; thence South 68 degrees 33 minutes 34 seconds West, a distance of 50.10 feet, crossing Wilkins Drive to the West right-of-way line of said Wilkins Drive, also being the East line of Lot 1, Block 1, said Westland Estates Filing Five; thence North 00 degrees 01 minutes 35 seconds West, a distance of 10.74 feet, along said East line of Lot 1, Block 1; thence North 68 degrees 33 minutes 34 seconds East, a distance of 49.33 feet, crossing said Wilkins Drive to a point on the West line of said Lot 4, Block 2, said Westland Estates Filing Five; thence South 03 degrees 59 minutes 16 seconds East, a distance of 10.48 feet, along said West line of Lot 4, Block 2 to the POINT OF BEGINNING.

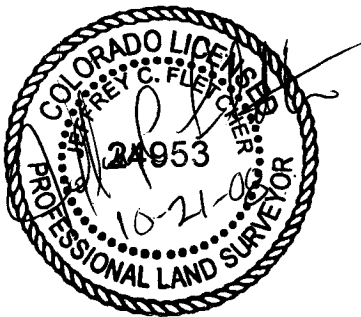
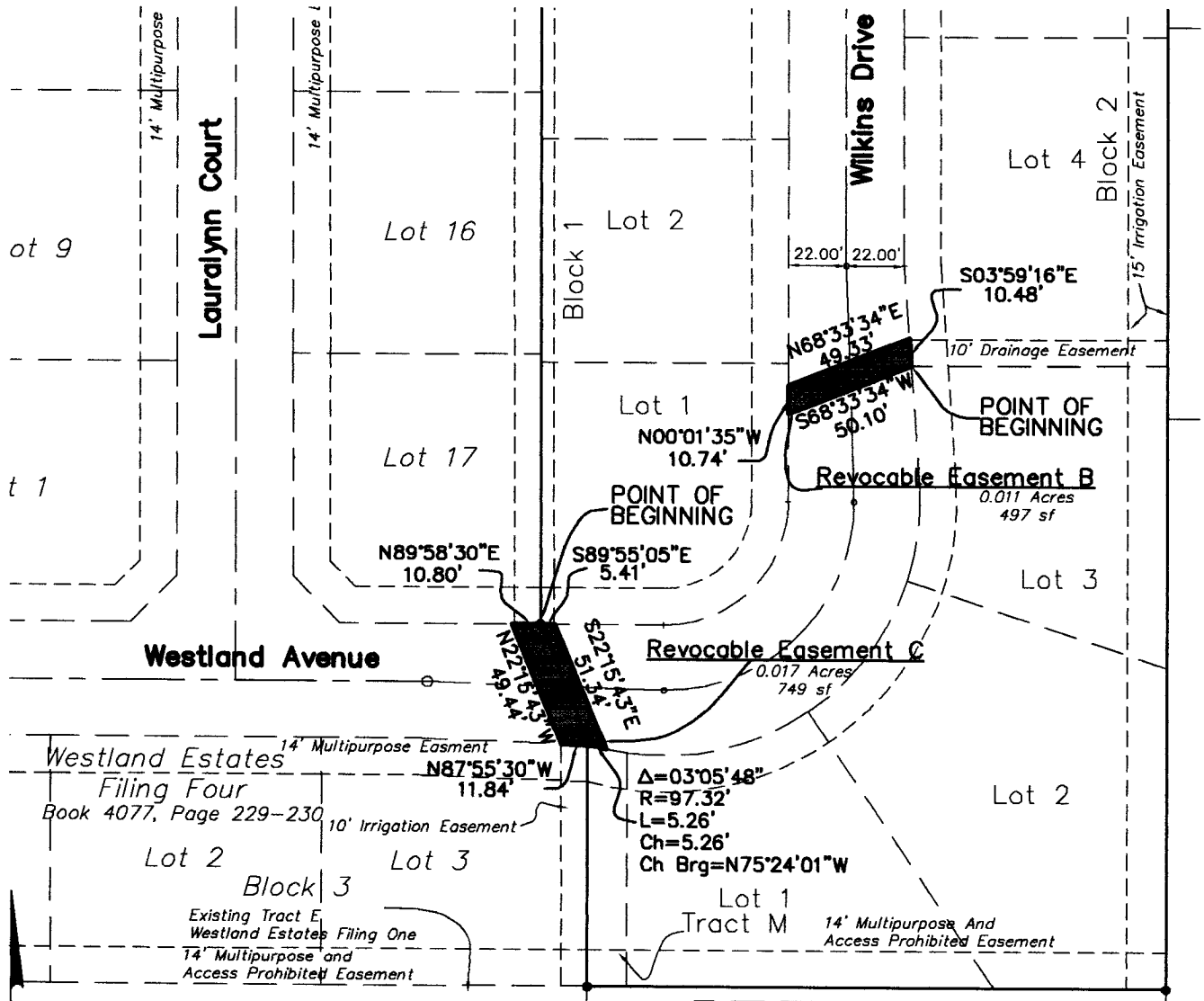


EXHIBIT B REVOCABLE EASEMENTS



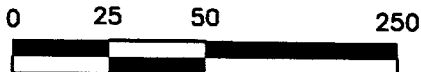
Owner:
 Traver/Westland Development, LLC
 2697 D 1/2 Road
 Grand Junction, Colorado 81504

High Desert Surveying, LLC

1673 Highway 50 Unit C
 Grand Junction, Colorado 81503

Tele: 970-254-8649 Fax: 970-241-0451

SCALE: 1" = 50'



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|---------------------|-------|-------|-------|----|
| PROJ. NO. 05-147 | Drawn | APP'D | SHEET | OF |
| DATE: October, 2008 | rsk | jcf | 1 | 1 |

EXHIBIT A

Revocable Easement C

A fifteen foot wide Revocable Easement for drainage lines across Westland Avenue in Westland Estates Filing Five, a subdivision in the City of Grand Junction, Mesa County, Colorado being more particularly described as follows:

BEGINNING at the Southwest corner of Lot 1, Block 1, said Westland Estates Filing Five; thence South 89 degrees 55 minutes 05 seconds East, a distance of 5.41 feet, along the South line of said Lot 1, Block 1, said Westland Estates Filing Five; thence South 22 degrees 15 minutes 43 seconds East, a distance of 51.34 feet, crossing to the South right-of-way line of said Westland Avenue, also being the North line of Tract M in Block 2, said Westland Estates Filing Five; thence along a non-tangent curve to the right, having a delta angle of 03 degrees 05 minutes 48 seconds, a radius of 97.32 feet, an arc length of 5.26 feet, a chord length of 5.26 feet, and a chord bearing of North 75 degrees 24 minutes 01 seconds West, along said South right-of-way line; thence North 87 degrees 55 minutes 30 seconds West, a distance of 11.84 feet, to a point of intersection with that ten foot wide irrigation easement shown on the plat of Westland Estates Filing Four, as recorded in Book 4077, Pages 229-230 and said South right-of-way line of Westland Avenue; thence North 22 degrees 15 minutes 43 seconds West, a distance of 49.44 feet, crossing Westland Avenue again to the North right-of-way line; thence North 89 degrees 58 minutes 30 seconds East, a distance of 10.80 feet, along said North right-of-way line to the POINT OF BEGINNING.



05-147 Revocable Easements.doc.rsk

Prepared by:

Jeffrey C. Fletcher, PLS 24953

High Desert Surveying, LLC

1673 Highway 50 Unit C

Grand Junction, Colorado 81503

KIN09CRT

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| TYPE OF RECORD: | PERMANENT |
| CATEGORY OF RECORD: | REVOCABLE PERMIT |
| NAME OF PROPERTY OWNER OR GRANTOR: | JERRY D. AND TAMMY M. KING |
| PURPOSE: | LANDSCAPING |
| ADDRESS: | 4300 27 ½ COURT |
| PARCEL NO. | 2945-011-46-027 |
| CITY DEPARTMENT: | PUBLIC WORKS AND PLANNING |
| YEAR: | 2009 |
| EXPIRATION DATE: | NONE |
| DESTRUCTION DATE: | NONE |

REVOCABLE PERMIT

Recitals.

1. Jerry D. King and Tammy M. King, 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 27 1/2 Court, to wit:

Permit Area:

A certain parcel of land lying in the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) and the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 1, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado, lying entirely within the right of way for 27-1/2 Court, being more particularly described as follows:

BEGINNING at the Southwest corner of Lot 2, Replat of Lot 9 Ptarmigan Estates, as same is recorded in Plat Book 14, Page 56, Public Records of Mesa County, Colorado and assuming the West line of the NW 1/4 NE 1/4 of said Section 1 bears N 00°02'37" E with all other bearings contained herein relative thereto; thence from said POINT OF BEGINNING, N 89°57'23" W a distance of 54.00 feet to the beginning of a 344.90 foot radius non-tangent curve, concave West, whose long chord bears N 19°32'09" E a distance of 117.03 feet; thence Northerly 117.60 feet along the arc of said curve, through a central angle of 19°32'09"; thence N 00°02'37" E a distance of 138.00 feet; thence S 89°55'46" E a distance of 15.00 feet to the Northwest corner of said Lot 2; thence S 00°02'37" W along the West line of said Lot 2, a distance of 248.33 feet, more or less, to the Point of Beginning.

CONTAINING 5,486 Square Feet, more or less, as described and as shown in attached Exhibit "B".

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 Public Works and Planning Director, has determined that such action would not at this time be detrimental to the inhabitants of the City.

NOW, THEREFORE, IN ACCORDANCE WITH LAWFUL AUTHORITY, THE PUBLIC WORKS AND PLANNING 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. The Petitioners shall not erect any structures, temporary or permanent in nature, in said area as described above.

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

Dated this 14 day of May, 2009.

Written and Recommended by:

The City of Grand Junction,
a Colorado home rule municipality

Ronnie Edwards
Planner

Teri Noon
Public Works and Planning Department Director

Acceptance by the Petitioners:

Jerry D. King
Jerry D. King

Tammy M. King
Tammy M. King

EXHIBIT "B"

LOT 1

LC

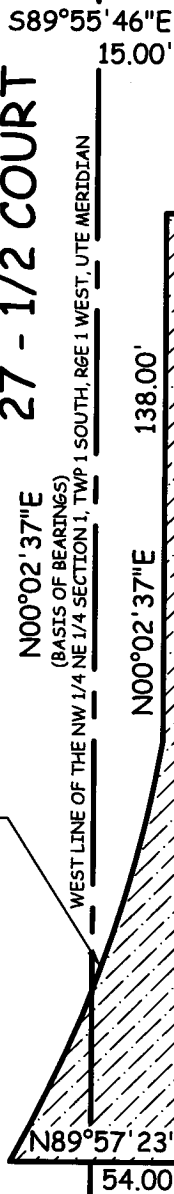
27 - 1/2 COURT

LOT 2

JERRY D. & TAMMY M. KING
 4300 27-1/2 COURT
 2945-011-46-027
 (BK 1909, PG 748)
 PERMIT AREA = 5,486 SQ. FT.

22' INGRESS, EGRESS, UT
 IRRIGATION & DRAINAG

10' UTILITY AND IRRIGATION EASEMENT



RAD=344.90'
 Δ=19°32'09"
 AL=117.60'
 CHB=N19°30'35"E
 CHL=117.03'

DETENTION POND &
 DRAINAGE EASEMENT

P.O.B.
 S.W. CORNER
 LOT 2

10

LOT 11

ABBREVIATIONS

- R.O.W. RIGHT OF WAY
- SEC. SECTION
- TWP. TOWNSHIP
- RGE. RANGE
- U.M. UTE MERIDIAN
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- SSMH SANITARY SEWER MAN HOLE



1 inch = 50 ft.

LINEAL UNITS = US SURVEY FOOT

The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



THIS IS NOT A SURVEY

DRAWN BY: PTK
 DATE: 4-21-09
 SCALE: 1" = 50'
 APPR. BY: PTK

JERRY D. AND TAMMY M. KING
 4300 27-1/2 COURT
 NW 1/4 NE 1/4 SEC 1
 TWP 1S, RGE 1W, U.M

CITY OF
Grand Junction
 COLORADO