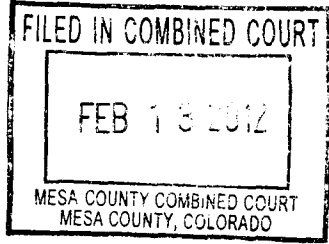


<p>DISTRICT COURT, MESA COUNTY, COLORADO</p> <p>Court Address: 125 North Spruce St. Grand Junction, CO 81501</p> <p>Telephone: (970) 257-3625</p>	
<p>In the Matter of the Petition of the CITY OF GRAND JUNCTION, a home rule city,</p> <p>For the exclusion of certain territory from the GRAND JUNCTION RURAL FIRE PROTECTION DISTRICT</p>	<p>▲ COURT USE ONLY ▲</p>
<p>John P. Shaver, No. 16594 City Attorney 250 North 5th Street Grand Junction, CO 81501 (970) 244-1508</p>	<p>Case Number: 7097</p> <p>Division: 9</p>
<p style="text-align: center;">ORDER FOR EXCLUSION OF LANDS</p>	


The Petition for the exclusion of lands from the Grand Junction Rural Fire Protection District having been called for hearing by the Court and the Court having been duly advised in the premises hereby finds that:

1. The Court has jurisdiction over the subject matter and the parties herein.
2. That the requirements of 32-1-502, C.R.S. has been met or will reasonably be met by the parties.
3. That the parties have provided for the necessary and orderly provision of fire and other emergency response to the excluded areas.

IT IS THEREFORE ADJUDGED, ORDERED AND DECREED BY THE COURT:

That the lands described in the Petition, all situate within Mesa County, Colorado are hereby excluded from the Grand Junction Rural Fire Protection District, and that the legal and common descriptions contained in said Petition are incorporated by this reference as if fully set forth. This Order relates back to the date of the filing of the petition in this case.

BY THE COURT THIS 13th DAY OF FEB., 2012.


DISTRICT COURT JUDGE

<p>DISTRICT COURT, MESA COUNTY, COLORADO</p> <p>Court Address: 125 North Spruce St. Grand Junction, CO 81501</p> <p>Telephone: (970) 257-3625</p>	
<p>In the Matter of the Petition of the CITY OF GRAND JUNCTION, a home rule city,</p> <p>For the exclusion of certain territory from the GRAND JUNCTION RURAL FIRE PROTECTION DISTRICT</p>	<p>▲ COURT USE ONLY ▲</p>
<p>John P. Shaver, No. 16594 City Attorney 250 North 5th Street, Grand Junction, CO 81501 (970) 244-1508</p>	<p>Case Number 7097</p> <p>Division: 9</p>
<p>VERIFIED PETITION</p>	

COMES NOW the City of Grand Junction, a home rule city, by and through the undersigned counsel and affords notice of the filing of a petition with the Court for a Hearing and Order on the exclusion of certain lands within the Grand Junction Rural Fire Protection District:

The City of Grand Junction petitions the Court for exclusion from the Grand Junction Rural Fire Protection District of Mesa County, Colorado, the following described land, to wit:

HOUSING AUTHORITY ANNEXATION

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 8, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northwest corner of the SW 1/4 SW 1/4 of said Section 8 and assuming the West line of the SW 1/4 SW 1/4 of said Section 8 bears N 00°03'58" W with all other bearings mentioned herein being relative thereto; thence, from said Point of Beginning, N 89°57'49" E along the North line of the SW 1/4 SW 1/4 of said Section 8, a distance of 4.00 feet; thence S 00°03'58" E along a line 4.00 feet East of and parallel with the West line of the SW 1/4 SW 1/4 of said Section 8, a distance of 655.25 feet; thence S 89°59'48" E, a distance of 326.98 feet;

thence N 00°03'30" W, a distance of 310.73 feet to a point on the South line of Kennedy Avenue, per Book 1368, Page 467, Public Records of Mesa County, Colorado; thence N 89°58'58" E along the South line of said Kennedy Avenue, a distance of 198.00 feet; thence S 00°03'30" E, a distance of 314.80 feet; thence N 89°59'48" W along a line 20.00 feet South of and parallel with, the North line of Bunting Avenue, per Book 1368, Page 467, Public Records of Mesa County, Colorado, a distance of 528.98 feet to a point on the West line of the SW 1/4 SW 1/4 of said Section 8; thence N 00°03'58" W along the West line of the SW 1/4 SW 1/4 of said Section 8, also being the East line of the Central Fruitvale Annexation, per City of Grand Junction Ordinance No. 1133, a distance of 659.25 feet, more or less, to the Point of Beginning.

Containing 66,268 Square Feet or 1.52 Acres, more or less, as described.

POMONA 24 ROAD ANNEXATION

A certain parcel of land lying in the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section 32 and the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 33, all in Township 1 North, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado, lying entirely within the right of way for 24 Road, being more particularly described as follows:

COMMENCING at the Southeast corner of the NE 1/4 NE 1/4 of said Section 32, thence S 89°50'33" E (the East line of the NE 1/4 NE 1/4 of said Section 32 bears N 00°03'00" E with all bearings contained herein being relative thereto) along the South line of the NW 1/4 NW 1/4 of said Section 33, a distance of 30.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 00°03'00" E along a line 30.00 feet East of and parallel with, the East line of the NE 1/4 NE 1/4 of said Section 32, a distance of 330.29 feet; thence N 89°57'56" W, a distance of 30.00 feet; thence N 00°03'00" E along the East line of the NE 1/4 NE 1/4 of said Section 32, a distance of 330.22 feet; thence N 89°58'07" W, a distance of 29.00 feet; thence N 00°03'00" E along a line 29.00 feet West of and parallel with the East line of the NE 1/4 NE 1/4 of said Section 32, a distance of 330.21 feet; thence N 89°58'16" W, a distance of 59.00 feet; thence N 00°03'00" E along a line 30.00 feet East of and parallel with the East line of the NE 1/4 NE 1/4 of said Section 32, a distance of 88.15 feet to a point on the South line of that certain parcel of land described in Book 3557, Page 963, Public Records of Mesa County, Colorado; thence S 89°48'32" E, along the South line of said parcel, a distance of 20.00 feet; thence S 00°03'00" W, along a line 50.00 feet East of and parallel with the East line of the NE 1/4 NE 1/4 of said Section 32, a distance of 1,078.86 feet to a point on the South line of the NW 1/4 NW 1/4 of said Section 33; thence N 89°50'33" W along the South line of the NW 1/4 NW 1/4 of said Section 33, a distance of 20.00 feet, more or less, to the Point of Beginning.

CONTAINING 50,966 Square Feet or 1.17 Acres, more or less, as described.

CROSSROADS UNITED METHODIST ANNEXATION

A certain parcel of land lying in the Northeast Quarter (NE 1/4) of Section 8 and the Northwest Quarter (NW 1/4) of Section 9, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northeast corner of said Section 8 and assuming the North line of the NE 1/4 of said Section 8 bears N 89°58'34" E with all other bearings contained herein being relative thereto; thence S 00°06'07" E along the East line of the NE 1/4 of said Section 8, a distance of 50.00 feet to the Point of Beginning; thence from said Point of Beginning, S 89°55'10" E along a line 50.00 feet South of and parallel with the North line of the NW 1/4 of said Section 9, a distance of 65.00 feet; thence S 44°59'20" W a distance of 35.30 feet; thence S 00°06'07" E along the East right of way for 30 Road, being a line 40.00 feet East of and parallel with, the West line of the NW 1/4 of said Section 9, a distance of 222.93 feet; thence S 89°58'34" W along the South line of the North 298.0 feet of said Section 8, a distance of 700.71 feet to a point on the East line of Sunny Meadows Subdivision, as same is recorded in Plat Book 13, Page 50, Public Records of Mesa County, Colorado; thence N 00°06'19" W along the East line of said Sunny Meadows Subdivision, a distance of 168.00 feet; thence N 89°58'36" E, along the South line of that certain parcel of land described in Book 1284, Page 168, Public Records of Mesa County, Colorado, a distance of 50.00 feet; thence N 00°06'20" W along the East line of said parcel, a distance of 80.00 feet to a point on the South line of Patterson Road (F Road); thence N 89°58'34" E along the South line of said Patterson Road, being a line 50.00 feet South of and parallel with the North line of the NE 1/4 of said Section 8, a distance of 610.72 feet, more or less, to the Point of Beginning.

CONTAINING 170,089 Square Feet or 3.90 Acres, more or less, as described.

JR ENCLAVE ANNEXATION

A certain parcel of land lying in the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being bounded as follows:

Bounded on the South and West by the Charlesworth Annexation, City of Grand Junction Ordinance 3902, as same is recorded in Book 4187, Page 71, Public Records of Mesa County, Colorado; Bounded on the North by the Rinderle Annexation, City of Grand Junction Ordinance 3411, as same is recorded in Book 3073, Page 654, Public Records of Mesa County, Colorado and Bounded on the East by the Arrowhead Acres Annexation No. 2, City of Grand Junction Ordinance 3117, as same is recorded in Book 2575, Page 337, Public Records of Mesa County, Colorado.

CONTAINING 296,288 Square Feet or 6.80 Acres, more or less, as described.

ASHLEY ANNEXATION

A certain parcel of land lying in the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 19, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest corner of the NW 1/4 NW 1/4 of said Section 19 and assuming the South line of the NW 1/4 NW 1/4 of said Section 19 bears S 89°41'26" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°41'26" E along the South line of the NW 1/4 NW 1/4 of said Section 19, a distance of 250.19 feet to the Point of Beginning; thence from said Point of Beginning, N 00°25'06" W a distance of 239.00 feet to a point on the South line of the Western Slope Warehouse Annexation No. 4, City of Grand Junction Ordinance No. 3122, as same is recorded in Book 2575, Page 352, Public Records of Mesa County, Colorado; thence S 89°41'38" E along the South line of said Annexation, a distance of 208.52 feet; thence S 00°25'06" E a distance of 239.00 feet to a point on the South line of the NW 1/4 NW 1/4 of said Section 19; thence N 89°41'26" W along the South line of the NW 1/4 NW 1/4 of said Section 19, a distance of 208.52 feet, more or less, to the Point of Beginning.

CONTAINING 49,836.3 Square feet or 1.144 Acres, more or less, as described.

The following 2011 annexations are located within the Grand Junction Rural Fire District and the Grand Junction Rural District sub-district boundary and are subject to exclusion from the District:

HATCH ANNEXATION

A certain parcel of land lying in the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section 27, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of the plat of Replat of the Fairway, as same is recorded in Plat Book 13, Page 243, Public Records of Mesa County, Colorado, LESS HOWEVER, Lots 1 through 6 inclusive of Block One and all of Tract A, TOGETHER WITH, all the lands lying East of said Replat of the Fairway; North of the Northerly limits of the Tiara Rado Golf Course Annexation, City of Grand Junction Ordinance No. 2982, as same is recorded in Book 2305, Page 834, Public Records of Mesa County, Colorado; West of the Westerly limits of the South Camp Annexation, City of Grand Junction Ordinance No. 2759, as same is recorded in Book 2092, Page 214, Public Records of Mesa County, Colorado; and South of the North line of the NW 1/4 NE 1/4 of said Section 27.

CONTAINING 191,429 Square Feet or 4.39 Acres, more or less, as described.

The following 2011 annexations cannot be confirmed to be located within the Grand Junction Rural Fire District to the extent that the same are within the District boundary the lands are subject to exclusion from the District by and because of annexation to the City of Grand Junction:

GJ REGIONAL AIRPORT ANNEXATION (PART)

A certain parcel of land lying in the West-half of the Northwest Quarter (W 1/2 of the NW 1/4) of Section 24, Township 1 North, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of the W 1/2 of the NW 1/4 of said Section 24.

CONTAINING 79.82 Acres or 3,476,929 Square Feet, more or less, as described

-TOGETHER WITH-

A certain parcel of land lying in the South-half (S 1/2) of Section 29, the Northwest Quarter (NW 1/4), Southwest Quarter (SW 1/4) and the Southeast Quarter (SE 1/4) of Section 30 and the East-three quarters (E 3/4) of Section 32, all in Township 1 North, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northwest corner of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 30 and assuming the North line of the South-half of the NW 1/4 of said Section 30 bears S 89°49'11" E with all other bearings contained herein relative thereto; thence from said Point of Beginning, S 89°49'11" E along the North line of the South-half of the NW 1/4 of said Section 30, a distance of 2646.70 feet to a point being the Northeast corner of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 30; thence S 00°09'32" W along the East line of the SE 1/4 NW 1/4 of said Section 30, a distance of 1322.96 feet to a point being the Southeast corner of the SE 1/4 NW 1/4 of said Section 30; thence S 89°46'00" E along the North line of the Southeast Quarter (SE 1/4) of said Section 30, a distance of 2643.81 feet to a point being the Northeast corner of the SE 1/4 of said Section 30; thence N 89°34'41" E along the North line of the Southwest Quarter (SW 1/4) of said Section 29, a distance of 2643.14 feet to a point being the Northeast corner of the SW 1/4 of said Section 29; thence S 00°16'19" W along the East line of the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of said Section 29, a distance of 1317.67 feet to a point being the Northeast corner of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of said Section 29; thence N 89°37'46" E along the North line of the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of said Section 29, a distance of 1322.97 feet to a point being the Northeast corner of the SW 1/4 SE 1/4 of said Section 29; thence S 00°05'59" W along the East line of the SW 1/4 SE 1/4 of said Section 29, a distance of 1319.65 feet to a point being the Southeast corner of the SW 1/4 SE 1/4 of said Section 29; thence S 00°05'59" W along the West line of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of said Section 32, a distance of 1323.49 feet to a point being the Northwest corner of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 32; thence N 89°44'14" E along the North line of the SE

1/4 NE 1/4 of said Section 32, a distance of 1316.36 feet to a point being the Northeast corner of the SE 1/4 NE 1/4 of said Section 32; thence S 00°20'13" W along the East line of said Section 32, a distance of 1325.68 feet to a point being the Southeast corner of the SE 1/4 NE 1/4 of said Section 32; thence S 00°20'12" W along the East line of said Section 32, a distance of 1322.59 feet to a point being the Northeast corner of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of said Section 32; thence S 00°20'12" W along the East line of said Section 32, a distance of 20.00 feet; thence S 89°51'51" W along a line 20.00 feet South of and parallel with, the North line of the SE 1/4 SE 1/4 of said Section 32, a distance of 1321.31 feet to a point on the West line of the SE 1/4 SE 1/4 of said Section 32; thence N 90°00'00" W along a line 20.00 feet South of and parallel with the South line of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of said Section 32, a distance of 20.00 feet; thence N 00°18'53" E along a line 20.00 feet West of and parallel with the West line of the SE 1/4 SE 1/4 of said Section 32, a distance of 20.00 feet to a point on the South line of the NW 1/4 SE 1/4 of said Section 32; thence N 00°17'41" E along a line 20.00 feet West of and parallel with the West line of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of said Section 32, a distance of 1321.21 feet to a point on the South line of the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) of said Section 32; thence S 89°52'38" W along the South line of the SW 1/4 NE 1/4 of said Section 32, a distance of 1302.26 feet to a point being the Southwest corner of the SW 1/4 NE 1/4 of said Section 32; thence S 89°52'38" W along the South line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 32, a distance of 1302.26 feet to a point 20.00 feet East of the Southwest corner of the SE 1/4 NW 1/4 of said Section 32; thence N 00°14'23" E along a line 20.00 feet East of and parallel with the West line of the SE 1/4 NW 1/4 of said Section 32, a distance of 1317.64 feet to a point on the North line of the SE 1/4 NW 1/4 of said Section 32; thence N 00°14'23" E along a line 20.00 feet East of and parallel with the West line of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 32, a distance of 1319.24 feet to a point on the North line of said Section 32; thence S 89°38'38" W along the North line of said Section 32, a distance of 20.00 feet to a point being the Southeast corner of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of said Section 29; thence N 00°07'41" E along the East line of the SW 1/4 SW 1/4 of said Section 29, a distance of 1318.98 feet to a point being the Northeast corner of the SW 1/4 SW 1/4 of said Section 29; thence S 89°37'46" W along the North line of the SW 1/4 SW 1/4 of said Section 29, a distance of 1300.00 feet to a point 20.00 feet East of the Northeast corner of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of said Section 30; thence N 00°23'44" E along a line 20.00 feet East of and parallel with the West line of said Section 29, a distance of 20.00 feet; thence S 89°37'46" W along a line 20.00 feet North of and parallel with the North line of the SW 1/4 SW 1/4 of said Section 29, a distance of 20.00 feet to a point on the East line of said Section 30; thence N 89°48'56" W along a line 20.00 feet North of and parallel with the North line of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of said Section 30, a distance of 1321.87 feet to a point on the East line of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of said Section 30; thence N 00°18'19" E along the East line of the NW 1/4 SE 1/4 of said Section 30, a distance of 1276.27 feet to a point 20.00 feet South of the North line of the Southeast Quarter (SE 1/4) of said Section 30; thence N 89°46'00" W along a line 20.00 feet South of and parallel with the North line of the SE 1/4 of said Section 30, a distance of 1321.87 feet to a point on the West line of the NW 1/4 SE 1/4 of said Section 30; thence N 89°45'03" W along a line 20.00 feet South of and parallel with the North line of the Southwest Quarter (SW

1/4) of said Section 30, a distance of 20.00 feet; thence N 62°44'42" W, a distance of 2950.52 feet, more or less, to the Point of Beginning.

CONTAINING 482.13 Acres or 21,001,385 Square Feet, more or less, as described.

For the City's petition:

1. It is intended that the property to be excluded be that located within the perimeter descriptions above setout except as the property is itself described.
2. The Petitioner has represented to the Court that the property above described is and has been duly and lawfully annexed to the City of Grand Junction, Colorado.
3. The Petitioner has further represented to the Court that the conditions for exclusion as set out in §32-1-502, C.R.S. have been met or are inapplicable.
4. The City of Grand Junction provides fire protection service to properties within the Grand Junction Rural Fire Protection District by contract. Service of and to the properties in the District will continue uninterrupted and therefore the provisions for a service plan as required by §32-1-502(2), (4) and (6), C.R.S. are inapplicable.
5. By verification of the Petition by Grand Junction Fire Chief Kenneth R. Watkins, the Petitioner has represented to the Court that the quality of service will not be adversely affected by such exclusion. As a result, fire insurance premiums should not change by virtue of the exclusion.
6. The Court is statutorily empowered to set a hearing and to enter an Order of Exclusion if all statutory conditions are met.

Respectfully submitted this 26th day of January, 2012.

OFFICE OF THE CITY ATTORNEY

By: 

John P. Slaver #16594

City Attorney

250 N. 5th Street

Grand Junction, CO 81501

(970) 244-1508

CERTIFICATE OF MAILING

I hereby certify that I mailed a copy of the attached document, postage prepaid, this 26th day of January, 2012, addressed to the Chairman of the Board of the Grand Junction Rural Fire Protection District.

Belinda White

VERIFICATION

I, Kenneth R. Watkins, Fire Chief in and for the City of Grand Junction, do hereby state under oath that the facts contained in paragraphs 4 and 5 are true and correct to the best of my knowledge and belief.

Kenneth R. Watkins
Kenneth R. Watkins

STATE OF COLORADO)
COUNTY OF MESA)

Subscribed and sworn to before me by Kenneth R. Watkins this 25th day of January, 2012.

Mary E. Sparks
Notary Public

My commission expires: 04/07/2014

