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CLERK AND RECORDER

FILED IN
NOVEMBER 2015

DISTRICT COURT, MESA COUNTY, COLORADO Court Address: 125 North Spruce St. Grand Junction, CO 81501 Telephone: (970) 257-3625	2015 DEC 30 AM 7:56
In the Matter of the Petition of the CITY OF GRAND JUNCTION, a home rule city, For the exclusion of certain territory from the GRAND JUNCTION RURAL FIRE PROTECTION DISTRICT	▲ COURT USE ONLY ▲
John P. Shaver, No. 16594 City Attorney 250 North 5th Street Grand Junction, CO 81501 (970) 244-1508	Case Number: 7097 Division: 9
ORDER FOR EXCLUSION OF LANDS	

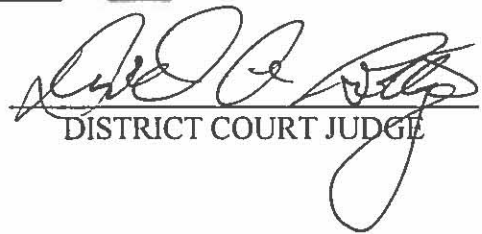
The Petition for the exclusion of lands from the Grand Junction Rural Fire Protection District having been called for hearing by the Court and the Court having been duly advised in the premises hereby finds that:

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 20th DAY OF Jan, 2016.



DISTRICT COURT JUDGE

ORIGINAL FILED BY
JSA CITY CLERK/REG. CLERK

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<p style="text-align: center;">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:

SKUNK HOLLOW ANNEXATION

A certain parcel of land lying in the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 35, Township 1 North, Range 1 West 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 NW 1/4 NW 1/4 of Section 35, Township 1 North, Range 1 West of the Ute Principal Meridian and assuming the North line of the NW 1/4 NW 1/4 of said Section 35 bears N 89°55'47" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 89°55'47" E along the North line of the NW 1/4 NW 1/4 of said Section 35, a distance of 30.00 feet; thence S 00°10'31" E, along the West line of Skunk Hollow Minor Subdivision, as same is recorded in Plat Book 15, Page 22, Public Records

of Mesa County, Colorado, said line being 30.00 feet East of and parallel with, the West line of the NW 1/4 NW 1/4 of said Section 35, a distance of 1104.12 feet; thence S 89°49'29" W, a distance of 30.00 feet to a point on the West line of the NW 1/4 NW 1/4 of said Section 35; thence N 00°10'31" W, along the West line of the NW 1/4 NW 1/4 of said Section 35, a distance of 1104.18 feet, more or less, to the Point of Beginning.

CONTAINING 33,124 Sq. Ft. or 0.760 Acres, more or less, as described.

MORSE ANNEXATION

A certain parcel of land lying in the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) and the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of Section 29, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of the land bounded as follows:

Bounded on the North by the North line of the NE 1/4 SE 1/4 of said Section 29;

Bounded on the South by the North line of Hawks Nest Annexation No. 3, City of Grand Junction Ordinance No. 3738, as same is recorded in Book 3868, Page 155, Public Records of Mesa County, Colorado;

Bounded on the East by the East line of the SE 1/4 SE 1/4 of said Section 29 and by the East line of the NE 1/4 SE 1/4 of said Section 29;

Bounded on the West by:

1. The centerline of Orchard Mesa Irrigation District drain ditch OM-2,
2. The East line of Chipeta Glen Annexations No. 1 and No. 2, City of Grand Junction Ordinance No.'s 3627 and 3628, as same is recorded in Book 3659, Pages 638 and 641, Public Records of Mesa County, Colorado,
3. The East line of Chipeta Pines Annexation No. 2, City of Grand Junction Ordinance 3191, as same is recorded in Book 2646, Page 301, Public Records of Mesa County, Colorado.

CONTAINING 39.77 Acres, more or less, as described above.

The following 2015 annexation(s) are located within the Grand Junction Rural Fire District and Redlands Subdistrict boundary and are subject to exclusion from those districts:

BOOKENDS ANNEXATION

A certain parcel of land lying in the Northeast Quarter (NE 1/4) of Section 29, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section 29, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado,

TOGETHER WITH the following described portion of the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of said Section 29; BEGINNING at the Northeast corner of the NW 1/4 NE 1/4 of said Section 29 and assuming the East line of the NW 1/4 NE 1/4 of said Section 29 bears S 00°04'21" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S 00°04'21" E, along the East line of the NW 1/4 NE 1/4 of said Section 29, a distance of 1310.96 feet to a point being the Southeast corner of the NW 1/4 NE 1/4 of said Section 29; thence N 89°50'56" W, along the South line of the NW 1/4 NE 1/4 of said Section 29, a distance of 330.41 feet; thence N 00°04'58" W, along the East line of that certain parcel of land as described in Book 2410, Page 975, Public Records of Mesa County, Colorado, a distance of 1311.71 feet; thence S 89°44'23" E, along the North line of NW 1/4 NE 1/4 of said Section 29, a distance of 234.84 feet to a point being the Southwest corner of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 20, Township 1 South, Range 1 West, Ute Principal Meridian; thence S 89°38'26" E, along the South line of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of said Section 20, a distance of 95.72 feet, more or less, to the Point of Beginning.

HUTTO-PANORAMA ANNEXATION

A certain parcel of land lying in the North-half (N 1/2) of Section 15, 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 Parcel 1, Hutto Subdivision, as same is recorded in Plat Book 18, Page 134, Public Records of Mesa County, Colorado.

CONTAINS 345,051 Square Feet or 7.921 Acres, more or less, as described.

RODGERS ANNEXATION

A certain parcel of land lying in the East-half of the Northeast Quarter (E 1/2 NE 1/4) of Section 27, Township 11 South, Range 101 West of the 6th Principal Meridian and being more particularly described as follows:

BEGINNING at the Northwest corner of Lot 19, The Seasons at Tiara Rado Filing No. 4, as same is recorded in Plat Book 14, Page 221, Public Records of Mesa County Colorado and assuming the West line of the E 1/2 NE 1/4 of said Section 27 bears N 00°46'55" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 00°46'55" W, along the West line of the E 1/2 NE 1/4 of said Section 27, a distance of 541.89 feet; thence S 88°50'57" E, a distance of 75.13 feet; thence Southerly and Southeasterly along a line being described in a Boundary Line Agreement, as same is recorded in Book 5680, Page 607, the following four (4) courses:

1. S 00°00'00" W, a distance of 102.60 feet; thence
2. S 28°15'00" E, a distance of 189.26 feet; thence
3. S 18°44'00" E, a distance of 193.90 feet; thence
4. S 30°12'00" E, a distance of 101.59 feet; thence departing said line,

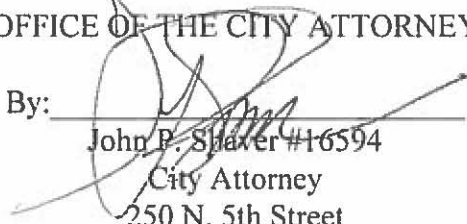
N 89°54'43" W, along the North line of The Seasons at Tiara Rado Filing No. 4, a distance of 270.68 feet, more or less, to the Point of Beginning.

CONTAINING 83,825 Square Feet or 1.924 Acres, 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 29th day of December, 2015.

OFFICE OF THE CITY ATTORNEY
By: 
John P. Shaver #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 30th day of December, 2015, addressed to the Chairman of the Board of the Grand Junction Rural Fire Protection District.

Melinda 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 29th day of December, 2015.

Mary E. Sparks
Notary Public

My commission expires: 04/07/2018

