

RESOLUTION NO. 51-16

**A RESOLUTION CONCERNING
THE ISSUANCE OF A REVOCABLE PERMIT TO
JDC REAL ESTATE LLC, LOCATED AT 1141 GUNNISON AVENUE**

Recitals.

A. JDC Real Estate LLC, hereinafter referred to as the Petitioner, represents it is the owner of the following described real property in the City of Grand Junction, County of Mesa, State of Colorado, to wit:

Lots 13 and 14, Block 45, City of Grand Junction

B. The Petitioner has requested that the City Council of the City of Grand Junction issue a Revocable Permit to allow the Petitioner and the City to officially document an existing residence within the following described public right-of-way:

That portion of the residence located within the alley right-of-way adjacent to Lots 13 and 14, Block 45, City of Grand Junction, as depicted and dimensioned on the attached Boundary Survey signed November 22, 2016.

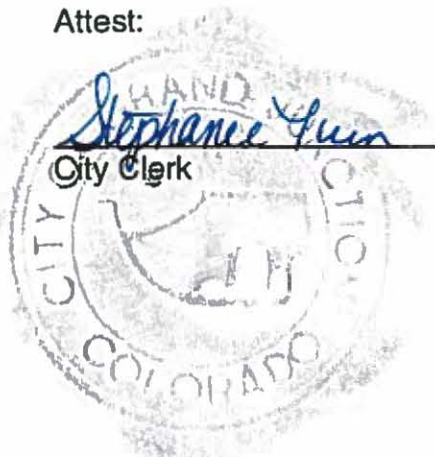
C. Relying on the information supplied by the Petitioner and contained in File No. RVP-2016-541 in the office of the City's Community Development Division, the City Council has determined that such action would not at this time be detrimental to the inhabitants of the City of Grand Junction.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

1. That the City Manager is hereby authorized and directed to issue the attached Revocable Permit to the above-named Petitioner for the purpose aforescribed and within the limits of the public right-of-way aforescribed, subject to each and every term and condition contained in the attached Revocable Permit.

PASSED and ADOPTED this 7th day of December, 2016.

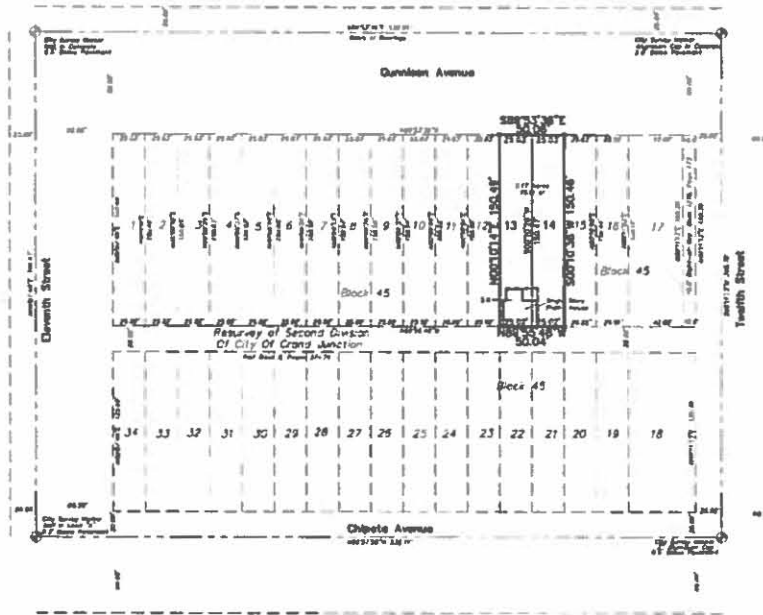
Attest:



Stephanee Gunn

President of the City Council

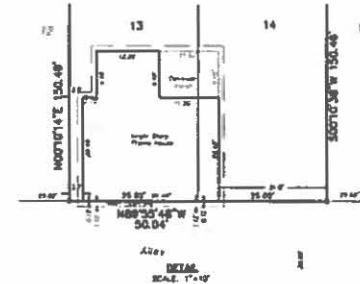
BOUNDARY SURVEY OF PARCELS LOCATED IN SE1/4 NE1/4 SECTION 14, T1S, R1W, UTE MERIDIAN LOTS 13 AND 14, BLOCK 45 CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO



BOUNDARY DESCRIPTION

Those parcels of land lying in the Southwest Quarter of the Northeast Quarter (SEE HERE) of Section 14, Township 1 South, Range 1 West of the Ute Meridian and more particularly described as follows:

Lots 13 and 14 in Block 45 of the City of Grand Junction, Mesa County, Colorado and also being known as 2241 Durand Avenue.



LAND SURVEY REPORTS

MESA COUNTY SURVEYOR'S OFFICE
BOOK _____ PAGE _____
DATE _____
REPORT NO. _____

Prepared for:
JSC Real Estate Group, LLC

GENERAL NOTES

In Assent and the information was provided.

Scale of bearings is the South line on Durand Avenue between Eleventh Street and Twelfth Street which bears South 07°37'37" East, a distance of 132.59 feet, established by observation of the NAD83 control network, which is based on the NAD 83 datum for Northings and NAD 83 datum for Westings information. Both monuments on the line are City Book Survey markers, as shown on the face of this plat.

All units shown herein in U.S. Survey feet.

NOTICE: A copy of this plat may be obtained from the Surveyor's Office upon payment of the fee therefor. This plat is not valid unless it is accompanied by the original field notes and a true and correct copy of the field notes. The Surveyor's Office is not responsible for the accuracy of the information contained herein.



- ⊕ ALLOY SURVEY MARKER, AS NOTED
- FOUND NODAL, AS NOTED
- SET ALLUMINUM CAP (IN THE S. CORNER, PLS)

SURVEYOR'S CERTIFICATION

I hereby certify that this plat represents a true and correct copy of the original field notes and that the same have been compared according to the standards of practice and the laws of the State of Colorado, and are correct to the best of my knowledge.



BOUNDARY SURVEY	
SE 1/4 NE 1/4 SECTION 14 T1S, R1W, UTE MERIDIAN LOTS 13 AND 14, BLOCK 45 GRAND JUNCTION, MESA COUNTY, COLORADO	
High Desert Surveying, LLC 1673 Highway 80, Unit C Grand Junction, Colorado 81501 Telephone: 873-256-8640 Fax: 873-241-0441	
Map No. 17-15	Scale: 1"=40'
BY: Jeffrey S. Penner	DATE: August 2016

REVOCABLE PERMIT

Recitals.

A. JDC Real Estate LLC, hereinafter referred to as the Petitioner, represents it is the owner of the following described real property in the City of Grand Junction, County of Mesa, State of Colorado, to wit:

Lots 13 and 14, Block 45, City of Grand Junction

B. The Petitioner has requested that the City Council of the City of Grand Junction issue a Revocable Permit to allow the Petitioner and the City to officially document an existing residence within the following described public right-of-way:

That portion of the residence located within the alley right-of-way adjacent to Lots 13 and 14, Block 45, City of Grand Junction, as depicted and dimensioned on the attached Boundary Survey signed November 22, 2016.

C. Relying on the information supplied by the Petitioner and contained in File No. RVP-2016-541 in the office of the City's Community Development Division, the City Council has determined that such action would not at this time be detrimental to the inhabitants of the City of Grand Junction.

NOW, THEREFORE, IN ACCORDANCE WITH THE ACTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

There is hereby issued to the above-named Petitioner a Revocable Permit for the purpose aforescribed and within the limits of the public right-of-way aforescribed; provided, however, that the issuance of this Revocable Permit shall be conditioned upon the following terms and conditions:

1. The Petitioner's use and occupancy of 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 to avoid creating hazardous or dangerous situations and to avoid damaging public improvements and public utilities or any other facilities presently existing or which may in the future exist in said right-of-way.

2. The City hereby reserves and retains a perpetual right to utilize all or any portion of the aforescribed 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 reason.

3. The Petitioner, for itself and for its successors, assigns and for all persons claiming through the Petitioner, agrees that it shall defend all efforts and claims to hold, or attempt to hold, the City of Grand Junction, its officers, employees and agents, liable for damages caused to any 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 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 in good condition and repair.

5. This Revocable Permit shall be issued only upon the concurrent execution by the Petitioner of an agreement that the Petitioner and the Petitioner's 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 Petitioner shall, at the sole cost and expense of the Petitioner, within thirty (30) days of notice of revocation (which may occur by mailing a first class letter to the last known address), peaceably surrender said public right-of-way and, at its own expense, remove any encroachment so as to make the aforescribed public right-of-way available for use by the City or the general public. The provisions concerning holding harmless and indemnity shall survive the expiration, revocation, termination or other ending of this Permit.

6. This Revocable Permit, the foregoing Resolution 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.

7. Permittee shall obtain all applicable Planning Clearance's from City Planning and Mesa County Building Department.

Dated this 14 day of December, 2016.

The City of Grand Junction,
a Colorado home rule municipality

Attest:

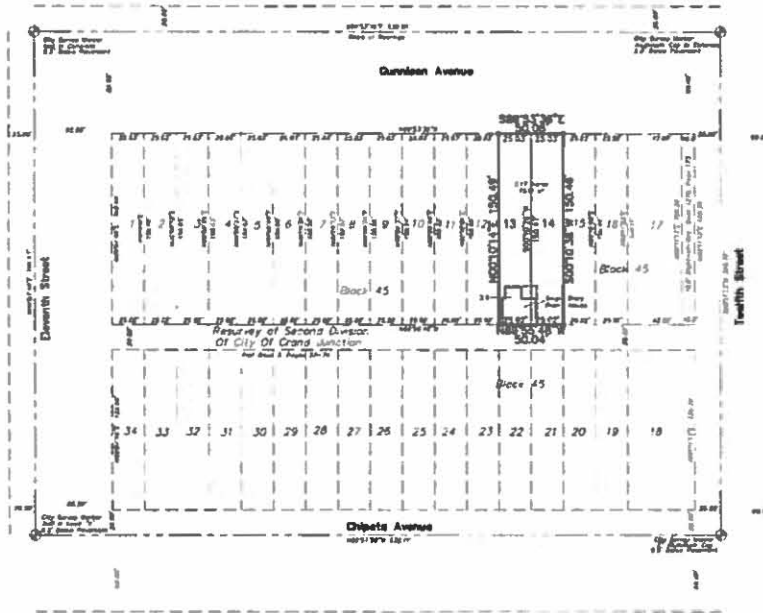
Stephanie Turner
City Clerk

[Signature]
City Manager



Acceptance by the Petitioner:
[Signature]
For JDC Real Estate LLC

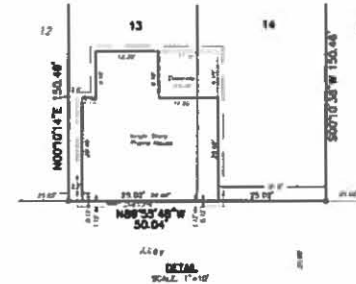
BOUNDARY SURVEY OF PARCELS LOCATED IN SE1/4 NE1/4 SECTION 14, T1S, R1W, UTE MERIDIAN LOTS 13 AND 14, BLOCK 45 CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO



BOUNDARY DESCRIPTION

Those parcels of land lying in the Southwest Quarter of the Northeast Quarter (SW/4 NE/4) of Section 14, Township 1 South, Range 1 West of the 10th Meridian and more particularly described as follows:

Lots 13 and 14 in Block 45 of the City of Grand Junction, Mesa County, Colorado and also being shown as 1141 Eastland Avenue.



LAND SURVEY REPORT

MESA COUNTY SURVEYOR'S OFFICE
BOOK _____ PAGE _____
DATE _____
REPORT NO. _____

Prepared for:
JC Real Estate Group, LLC

GENERAL NOTES

The Elevation and Site Information was provided.

Grade of bearings is the true line on Durand Avenue between Eleventh Street and Twelfth Street which bears South 89°57'34" East, a distance of 132.59 feet, established by observation of the NAD83 control network, which is based on the NAD 83 datum for horizontal and NAD 83 datum for vertical information. Such monuments on this line are City Block Survey Markers, as shown on the face of this plat.

All units shown herein in U.S. Survey feet.

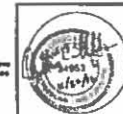
NOTICE: I warrant to the extent that I, my employees or agents have exercised reasonable care and skill in the performance of the survey and that the same is true and correct as shown on this plat.



- LEGEND**
- ⊕ ALIQUOT SURVEY MARKER, AS NOTED
 - FOUND REMAIN, AS NOTED
 - SET ALLIQUOT CAP ON THE S REMAIN, PLS

SURVEYOR'S CERTIFICATION

I hereby certify that this plat represents a field survey completed under my direct supervision during August, 2010, and that same have been completed according to the requirements of statute and the laws of the State of Colorado, and are correct to the best of my knowledge.



BOUNDARY SURVEY
SE 1/4 NE 1/4 SECTION 14
T1S, R1W, UTE MERIDIAN
LOTS 13 AND 14, BLOCK 45
GRAND JUNCTION, MESA COUNTY, COLORADO

High Desert Surveying, LLC
1873 Highway 98, Unit C
Grand Junction, Colorado 81503
Telephone: 870-254-8648 Fax: 870-241-0851

FIELD NO. 10-16	DATE 10/15/10	SCALE 1"=40'
BY J. Ripstein	CHK'd	DATE 10/15/10

