

REVOCABLE PERMIT

Recitals.

1. Paradise Hills Properties, 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 Spring Crossing, Amber Spring Way and Amber Spring Court, to wit:

Permit Area:

Revocable Permit Area #1:

A parcel of land situated in the northeast quarter of the northeast quarter of Section 26, Township 1 North, Range 1 West of the Ute Meridian, Mesa County, Colorado, being more particularly described as follows:

Beginning at a point on the westerly right of way line of Spring Crossing at the southeasterly angle point of Lot 27 of Summer Hill Filing No. 7a, a plat recorded in the Mesa County Clerk and Recorder's office.

Thence along said westerly right of way line and the easterly line of Lot 27 North 00°06'55" West, a distance of 1.58 feet to the Point of Beginning;
Thence along said right of way line North 00°06'55" West, a distance of 10.00 feet;
Thence South 88°34'02" East, a distance of 40.01 feet to the easterly right of way of Spring Crossing and the westerly line of Lot 26 of said Summer Hill Filing No. 7a;
Thence along said line South 00°06'55" East, a distance of 10.00 feet;
Thence North 88°34'02" West, a distance of 40.01 feet to the Point of Beginning.

Containing 400 square feet, more or less.

Revocable Permit Area #2:

A parcel of land situated in the northeast quarter of the northeast quarter of Section 26, Township 1 North, Range 1 West of the Ute Meridian, Mesa County, Colorado, being more particularly described as follows:

Beginning at a point on the southerly right of way line of Amber Spring Court and the northwesterly angle point of Lot 10 of Summer Hill Filing No. 7a, a plat recorded in the Mesa County Clerk and Recorder's office.

Thence along said southerly right of way line and the northerly line of Lot 10 North 89°53'05" East, a distance of 1.58 feet to the Point of Beginning;
Thence North 01°39'48" West, a distance of 40.01 feet to the northerly right of way of Amber Spring Court and the southerly line of Lot 26 of said Summer Hill Filing No. 7a;
Thence along said right of way line North 89°53'05" East, a distance of 10.00 feet;

Thence South 01°39'48" East, a distance of 40.01 feet to the southerly right of way line of said Amber Spring Court;

Thence along said line South 89°53'05" West, a distance of 10.00 feet to the Point of Beginning.

Containing 400 square feet, more or less.

Revocable Permit Area #3:

A parcel of land situated in the northeast quarter of the northeast quarter of Section 26, Township 1 North, Range 1 West of the Ute Meridian, Mesa County, Colorado, being more particularly described as follows:

Beginning at a point on the westerly right of way line of Spring Crossing being South 15°35'23" East, a distance of 29.19 feet from the common corner of said line and Lot 1 and Lot 2 of Summer Hill Filing No. 7a, a plat recorded in the Mesa County Clerk and Recorder's office.

Thence North 74°24'37" East, a distance of 44.00 feet to the easterly right of way of Spring Crossing and the westerly line of Tract 7-2 of said Summer Hill Filing No. 7a;

Thence along said line South 15°35'23" East, a distance of 10.00 feet;

Thence South 74°24'37" West, a distance of 44.00;

Thence along said westerly right of way line and the easterly line of Lot 1 North 15°35'23" West, a distance of 10.00 feet to the Point of Beginning;

Containing 440 square feet, more or less.

Revocable Permit Area #4:

A parcel of land situated in the northeast quarter of the northeast quarter of Section 26, Township 1 North, Range 1 West of the Ute Meridian, Mesa County, Colorado, being more particularly described as follows:

Commencing at an angle point of Lot 10 of Summer Hill Filing No. 7a on the easterly right of way line of Spring Crossing being North 15°35'23" East, a distance of 45.50 feet from the common corner of said line and Lot 10 and Lot 9 of said Summer Hill Filing No. 7a, a plat recorded in the Mesa County Clerk and Recorder's office;

Thence along the northwesterly line of said Lot 10 North 44°43'05" west, a distance of 13.74 feet to the Point of Beginning;

Thence North 45°06'55" West, a distance of 49.85 feet; Thence North 44°53'05" East, a distance of 10.00 feet; Thence South 45°06'55" East, a distance of 49.85 feet to the northwesterly line of said Lot 10; Thence along said northwesterly line South 44°53'05" West, a distance of 10.00 feet to the Point of Beginning;

Containing 499 square feet, more or less.

2. Based on the authority of the Charter and § 21.02.180 of the Grand Junction Zoning and Development Code applying the same, the City, by and through the Community Development Division, has determined that such action would not at this time be detrimental to the inhabitants of the City.

NOW, THEREFORE, IN ACCORDANCE WITH HIS LAWFUL AUTHORITY, GREG MOBERG, AS DEVELOPMENT SERVICES 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 27TH day of MARCH, 2015.

Written and Recommended by:



Planner

The City of Grand Junction,
a Colorado home rule municipality


Development Services Manager,
Community Development Division

Acceptance by the Petitioners:



Paradise Hills Properties, LLC
Kevin Bray, Manager

AGREEMENT

Paradise Hills Properties, 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 27th day of March, 2015.

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.



Paradise Hills Properties, LLC
Kevin Bray, Manager

State of Colorado)
)ss.
County of Mesa)

The foregoing Agreement was acknowledged before me this 27th day of March, 2015, by Kevin Bray, Manager, Paradise Hills Properties, LLC.

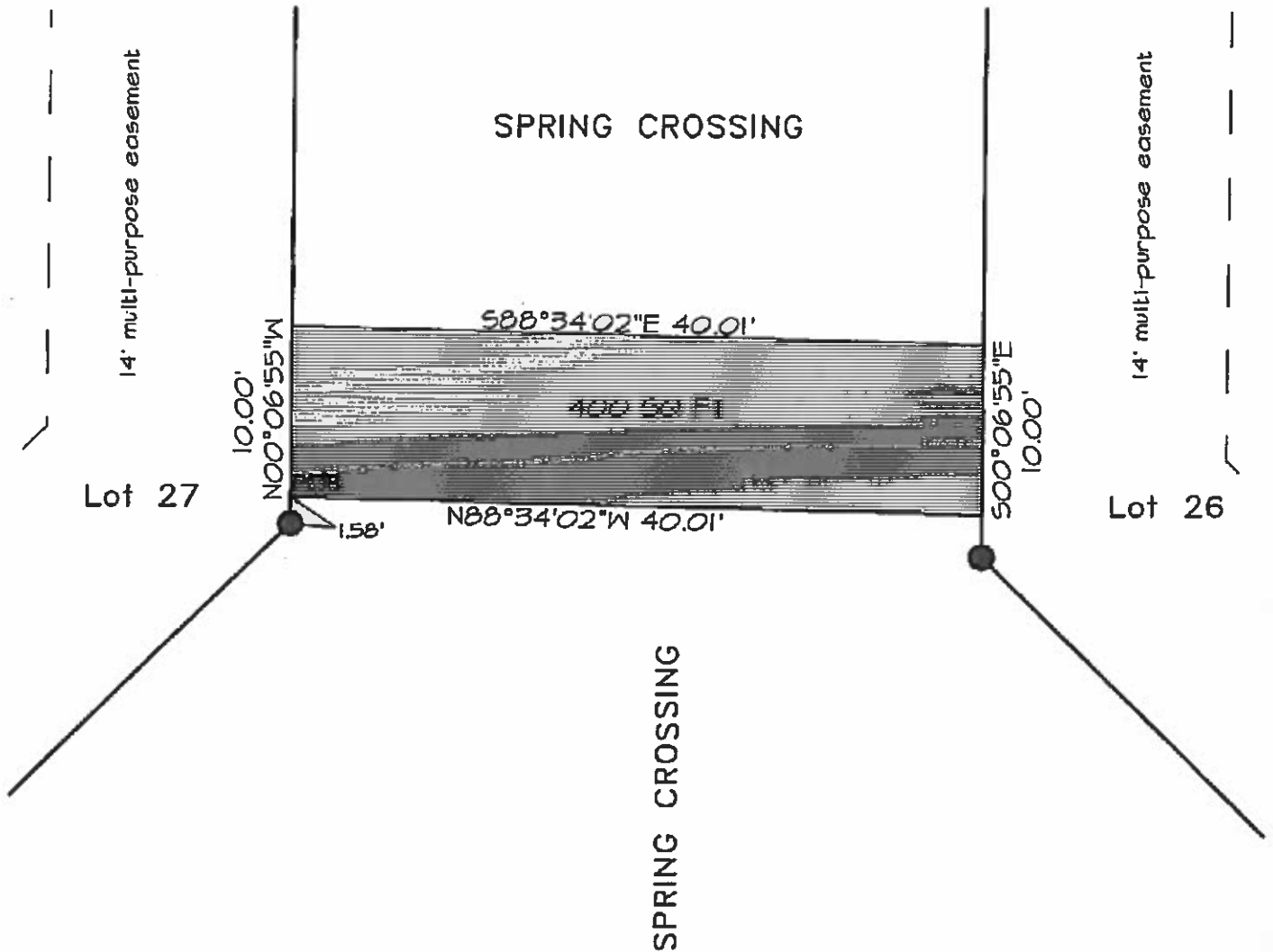
My Commission expires: October 29, 2017
Witness my hand and official seal.

Gayleen Henderson
Notary Public

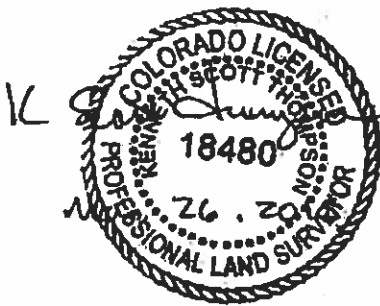
GAYLEEN HENDERSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #20014034093
My Commission Expires October 29, 2017

EXHIBIT A

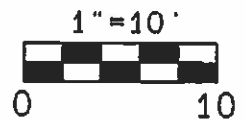
REVOCABLE PERMIT 1 - SUMMER HILL FILING No. 7a



50 FT = square feet



Bearings based on the recorded plat of Summer Hill Filing No. 7.



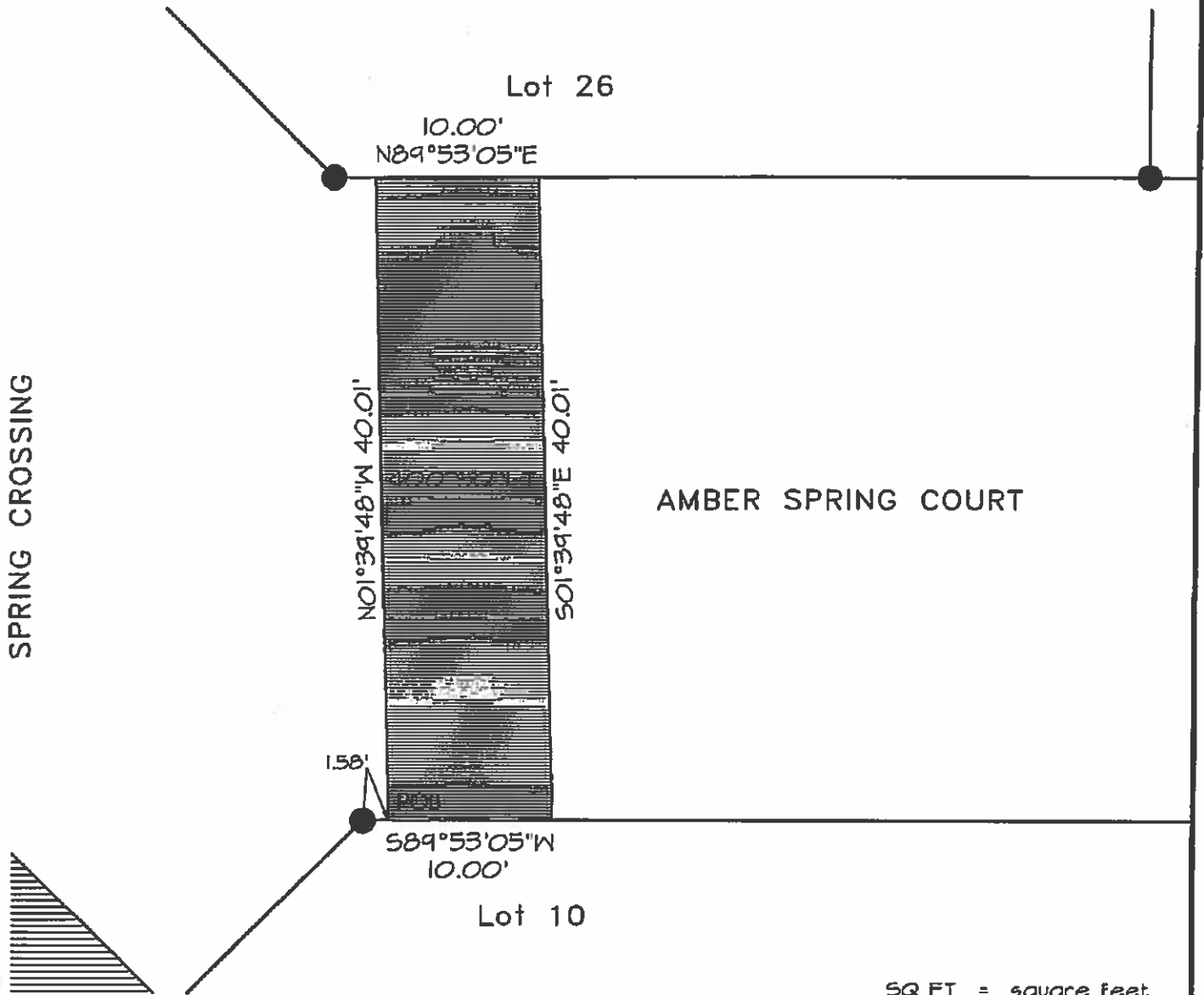
THIS EXHIBIT IS FOR THE PURPOSE OF GRAPHICALLY REPRESENTING A WRITTEN DESCRIPTION - IT DOES NOT REPRESENT A MONUMENTED BOUNDARY SURVEY

K. Scott Thompson
Colo. PLS 18480

		744 Horizon Ct. Suite 110 Grand Junction CO 81506 970-241-4722
Drawn: kst	Checked: iakt	Mar 26, 2015
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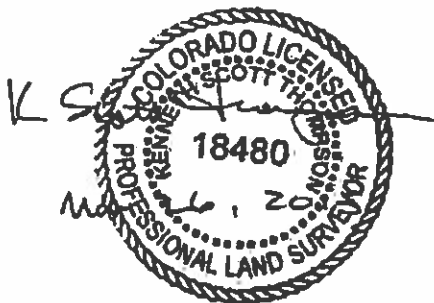
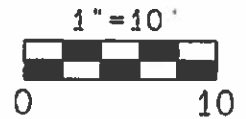
EXHIBIT A

REVOCABLE PERMIT 2 - SUMMER HILL FILING No. 7a



SQ FT = square feet

Bearings based on the recorded plat of Summer Hill Filing No. 7.



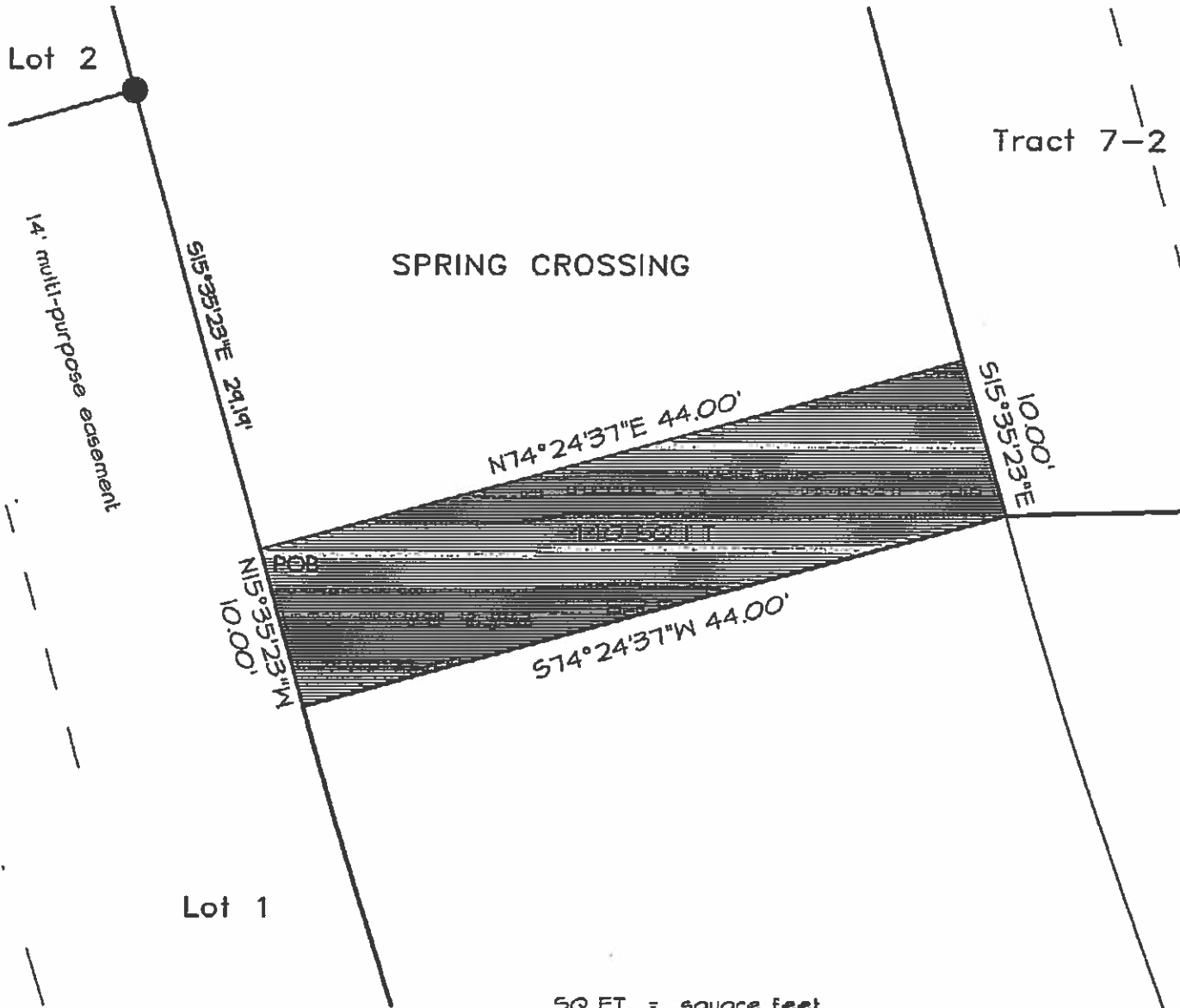
THIS EXHIBIT IS FOR THE PURPOSE OF GRAPHICALLY REPRESENTING A WRITTEN DESCRIPTION - IT DOES NOT REPRESENT A MONUMENTED BOUNDARY SURVEY

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Drawn:kst	Checked:akt	Mar 26, 2015	RP2
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K. Scott Thompson
Colo. PLS 18480

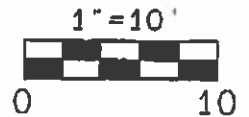
EXHIBIT A

REVOCABLE PERMIT 3 - SUMMER HILL FILING No. 7a

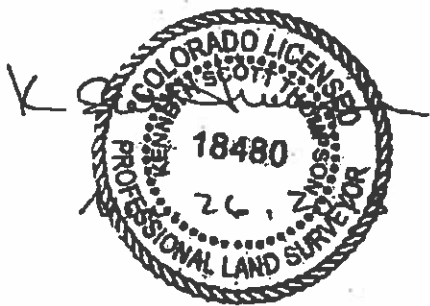


SQ FT = square feet

Bearings based on the recorded plat of Summer Hill Filing No. 7.



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K. Scott Thompson
Colo. PLS 18480

RIVERCITY
CONSULTANTS

744 Horizon Ct.
Suite 110
Grand Junction
CO 81506
970-241-4722

Drawn:kst Checked:akt Mar 26, 2015

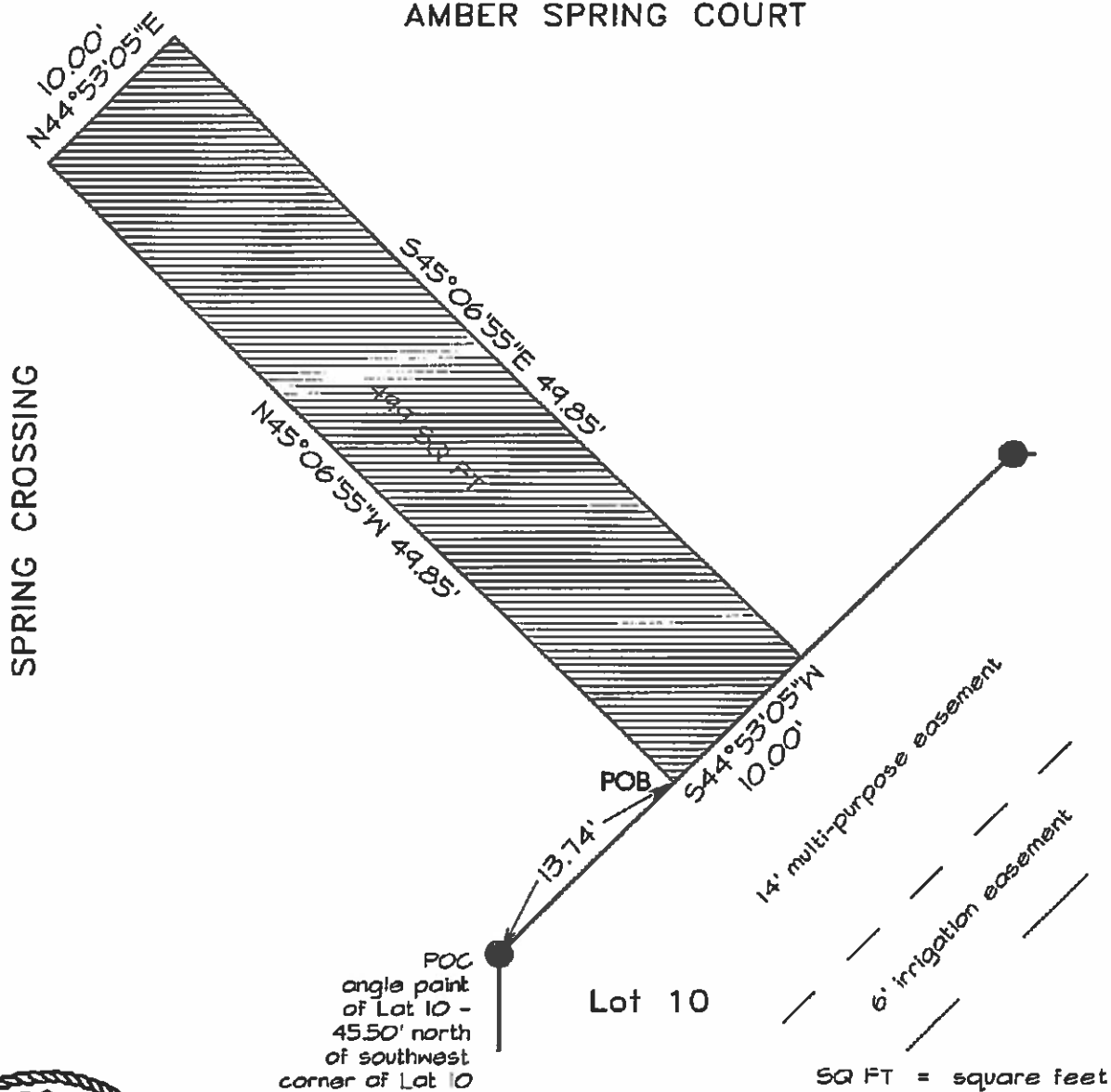
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EXHIBIT A

REVOCABLE PERMIT 4 - SUMMER HILL FILING No. 7

AMBER SPRING COURT



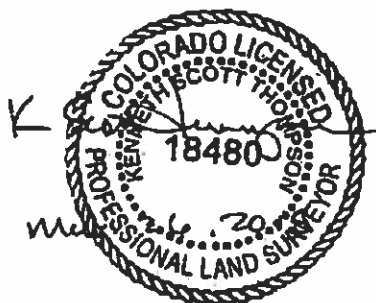
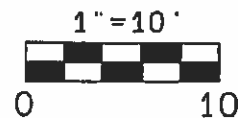
SPRING CROSSING

POC
angle point
of Lot 10 -
45.50' north
of southwest
corner of Lot 10

Lot 10

SQ FT = square feet

Bearings based
on the recorded
plat of Summer
Hill Filing No. 7.



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		744 Horizon Ct. Suite 110 Grand Junction CO 81506 970-241-4722	
Drawn:kst	Checked:akt	Mar 26, 2015	RP4
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