

**CITY OF GRAND JUNCTION, COLORADO  
PERMIT NO. 2011-01**

RECEPTION #: 2596486, BK 5244  
PG 613 01/05/2012 at 03:16:11 PM,  
1 OF 10, R \$55.00 S \$1.00  
Sheila Reiner, Mesa County, CO  
CLERK AND RECORDER

**SPECIAL PERMIT PURSUANT TO SECTION 21.02.120 OF THE GRAND JUNCTION  
MUNICIPAL CODE (ZONING AND DEVELOPMENT CODE) FOR INTERIM USES ON  
PROPERTY LOCATED AT 711 SOUTH 6<sup>TH</sup> STREET IN GRAND JUNCTION,  
COLORADO IN THE DOWNTOWN MIXED USE FUTURE LAND USE AREA**

Findings:

An application for a Special Permit has been reviewed by staff in accordance with the Zoning and Development Code (Code). Applicant Grand Junction Metal Movers, LLC, is a tenant of the property located at 711 South 6<sup>th</sup> Street in Grand Junction Colorado, consisting of three lots. Co-Applicant John Spendrup is the landowner. The applicant is requesting two uses that require a Conditional Use Permit (CUP): the primary use proposed is auto and scrap metal salvage operations, and the other is for large truck repairs (for applicant's own equipment and vehicles owned by Well Waste Services, LLC and Grand Junction Metal Mover's LLC).

Applicants requested a CUP in February 2011; City Staff recommended denial based on non-compliance with the Comprehensive Plan. Planning Commission in March 2011 remanded the CUP application to Staff based on a finding that the application was incomplete. Staff and the applicant have worked as instructed to bring a more complete proposal forward.

The property is zoned I-1, while the Comprehensive Plan's designation for the property is Downtown Mixed Use. To resolve the tension between the zoning and the community's vision for future uses that conflict with current zoning, the City Council provided for a Special Permit in the Code (Section 21.02.120).

The City is engaged in a planning process to re-evaluate the types of uses that should be allowed for properties in the greater downtown area, including this property. Although it will be several months or longer before that process is complete, it is anticipated that an 'overlay' zone will result which will allow industrial uses in the area of this property to make good use of the adjacent railway. It is expected that the applicants' primary use of the property for auto and scrap metal salvage operations will require a CUP in the overlay zone, because that use requires a CUP in Industrial zones in the City.

The Special Permit allows applicant's uses as particularly described herein, subject to the stated conditions, while adequately providing for future implementation of the Comprehensive Plan's Downtown Mixed Use designation if an overlay zone is not adopted. In approving the Special Permit, the City Council has considered the approval criteria for a CUP and the approval criteria for a Special Permit as set forth in the Staff Report. The findings and conclusions in the Staff Report support the issuance of this Special Permit.

The Special Permit complies with the Comprehensive Plan in the following ways:

1) The Special Permit is valid for a term of twenty years. If at any time during this term, the City adopts an overlay zone and/or area plan which acknowledges that uses such as the applicant's are appropriate on the subject property, the Special Permit will convert to a permanent CUP, subject to compliance with the other terms hereof. The Council acknowledges that the City is in the process of considering adoption of a "Rail District" overlay which, as presently drawn, includes the subject property. If the Council adopts the "Rail District" overlay, or its equivalent, which would resolve the present tension between the Comprehensive Plan and the property's industrial zoning designation (even though the applicant must also operate pursuant to a CUP), such adoption will cause this Special Permit to convert to a permanent CUP, as described herein. If not converted to a permanent CUP, the 20 year term will give the community an opportunity to review the applicant's land uses in light of the rules and circumstances then prevailing.

2) Code Section 21.02.120 allows a Special Permit in those parts of the City designated Neighborhood Center, Village Center, City Center (which includes Downtown) and Mixed Use Opportunity Corridors on the Future Land Use Map of the Comprehensive Plan. See Section 21.02.120(b) (1) of the Zoning and Development Code.

3) The current uses in the area are commercial and industrial. This Special Permit allows the future land use vision of Downtown Mixed Use (less intense commercial combined with residential use) to be phased in over time, while allowing the applicant's light industrial uses on the property as described herein.

4) Approval of the Special Permit promotes the following goals of the Comprehensive Plan.

*Goal 12: Being a regional provider of goods and services the City and County will sustain, develop and enhance a healthy, diverse economy.* The salvage yard and other approved uses on the site will enhance a healthy and diverse economy in the existing industrial uses abutting the rail system, near the original City square mile, by providing jobs near the City Center, promoting the green benefit of recycling and giving the public a convenient place to sell its metals that can be recycled, whether by crushing and delivery to re-users of metals or by providing a ready and convenient supply of used auto parts.

*Goal 7: New development adjacent to existing development (of a different density/unit type/land use type) should transition itself by incorporating appropriate buffering.* The applicant will pay a fee to the City for screening of the applicant's salvage operations from the gateway 5<sup>th</sup> Street elevated viaduct. The applicant is also providing ground level screening and buffering.

*Goal 4: Support the continued development of the downtown area of the City Center into a vibrant and growing area with jobs, housing and tourist attractions.* The salvage yard will provide new jobs in the downtown area and salvage materials, services and other benefits to the community.

Because no new buildings or infrastructure are foreseen and because the recycled materials and necessary equipment can readily be removed when/if the use terminates, there is negligible impediment to future implementation of the current Comprehensive Plan designation. In fact, the permittee is required to remove the materials and equipment at the end of the permit term. Section 21.02.120(b) (2) (ii) (A) and (B).

Thus, as required by the Code, the Special Permit furthers the goals and policies of the Comprehensive Plan. This Special Permit determines the location and character of the site, as required by Section 21.02.120(c) (1).

The Permit complies with the underlying zoning district standards for I-1 established in Chapter 21.03 of the Code. It satisfies the Conditional Use Permit criteria including compliance with site plan review standards, use-specific standards established in Chapter 21.04, availability of complementary uses, compatibility with adjoining properties through measures such as protection of privacy, protection of use and enjoyment, compatible design and integration and signage.

NOW THEREFORE, BE IT MOVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT A SPECIAL PERMIT IS APPROVED, PURSUANT TO SECTION 21.02.120 OF THE GRAND JUNCTION MUNICIPAL CODE (ZONING AND DEVELOPMENT CODE), ALLOWING THE FOLLOWING USES ON THE PROPERTY DESCRIBED BELOW WITH THE FOLLOWING CONDITIONS, WITH THE ABOVE FINDINGS BEING AN INTEGRAL PART HEREOF:

1) The site is described as follows: Lots 4, 5 and 6, D & R G W Railroad Subdivision, Filing 6 in the City of Grand Junction, County of Mesa, known as 711 South 6<sup>th</sup> Street. The area governed by this Special Permit includes the entire area of the three lots, except the area covered by the existing off-premise advertising billboard sign, and shall be referred to herein as the Site.

2) Use of the Site is limited to the following light industrial operations:

- Metal recycling, using equipment such as crushers, and/or shredders and/or balers (referred to as "Recycling Machines") with a combined total capacity (through-put) of up to 100 tons per hour, in Area 1 not to exceed 13,000 square feet (including circulation areas) as designated on the approved Site Plan. The Director may authorize changes to the boundaries of the designated Areas shown on the Site Plan, so long as, in his discretion, the intent of the CUP criteria and Special Permit criteria continue to be fulfilled, upon the applicant's request. In Area 1, large machinery may be used to convert recyclables into smaller, more manageable sizes.
- On site storage of up to 18,000 square feet of "Area 2" which is for reclaimed (crushed and/or shredded) metal in the location shown on the approved Site Plan. Recyclables will be stored in Area 2 until sold at retail on site or until shipped off of the property via rail or trucks. The Area 2 metals will typically have already been shredded or otherwise reduced in size;

- On site storage of up to 28,000 square feet of to-be-processed/reclaimed (unprocessed) metal in Area 3, as shown on the approved Site Plan. The recyclables in Area 3 are those that await further shredding or reduction in size, and movement to Area 2 or moved directly off-site for shipping or sale;
- On site storage of up to 65,000 square feet of used/salvage/wrecked motor vehicles in Area 4, as specified on the approved Site Plan. The “flowchart” for motor vehicles starts with delivery of the vehicle, then to the area within Area 4 marked “automobile processing & operations” and the existing concrete pad, where any fluids will be lawfully removed and disposed of. Any tires that will be sold at retail will be removed and taken to the tire storage area; the rest of the vehicle will be located in the other part of Area 4, for retail sales of parts;
- On site storage of up to 3,000 square feet of tires in Area 5, kept in racks or stacks meeting the adopted standards of the International Fire Code and condition 20, below;
- Retail sales of used/salvage/wrecked motor vehicles and parts inside the existing building, and in Area 4, with no more than 500 square feet of outdoor display space, in the location shown on the approved Site Plan;
- On site repair facilities for the applicant/permittee’s and the related enterprise named Well Waste Services, LLC leased or owned vehicles and equipment only, including large trucks, trailers and metal processing equipment, inside the existing 20,600 square foot building, except that emergency repairs may be performed outside of the building but only as needed to allow the broken/malfunctioning equipment or motor vehicle to be moved inside the building to complete the repair or maintenance, or in an emergency;
- The existing, already “Site Plan” approved sand operations operated by a third party entity pursuant to a lease with the co-applicant landowner, more particularly described as follows: loading, weighing and unloading of sand via dump truck using the rail spur on the property, in the locations shown on the approved Site Plan and following the route of circulation shown on the approved Site Plan.

3) Uses not specifically described herein, regardless of type or classification and regardless of whether such uses appear as “allowed” uses in the zone/use table of the City’s Zoning and Development Code, are prohibited on this site during the term of this Special Permit, unless the Director determines that such a use is reasonably incidental and necessary for the specified uses, in which case the Director shall so specify in writing.

4) Appropriate screening, buffering and landscaping for the ground level, consisting of fencing, trees and shrubs, as shown on the approved Landscaping Plan. All such screening and buffering shall be installed in a professional and workmanlike manner, and maintained in good condition by the permittee.

- 5) A fee of \$20,000.00, \$10,000 of which shall be paid within 90 days of the date of approval of this Special Permit, and \$10,000 of which shall be paid to the City within one year of the issuance hereof, to be used by the City to install screening on the adjacent elevated portion of the 5<sup>th</sup> Street frontage. If such screening is not installed by December 31, 2016, the City shall repay said sums to the applicant, or its designee, within thirty days of written demand by applicant or applicant's designee.
- 6) The existing off-premise advertising billboard on the property is not considered a part of the Site for purposes of this Special Permit and is not affected by this Special Permit. The billboard will remain a non-conforming use due to visibility from the Riverside Parkway and conflict with the Comprehensive Plan. This Special Permit does not make the billboard conforming.
- 7) No free-standing signs are allowed on the Site. Three (3) building signs are permitted as proposed by the applicant's sign submission, subject to the following limitations: Maximum of 206 sq. ft. on the 5<sup>th</sup> Street side of the building, 206 square feet on the S. 6<sup>th</sup> Street side of the building, and 240 sq. ft. on the south or east building façade, for a total square footage of 652 square feet of façade signage. No other signage shall be permitted, except that the Director may approve minor changes to signage.
- 8) The buildings on the Site shall not be increased in size without a reduction in other operations on the Site and a modification of the Special Permit.
- 9) No new permanent or temporary, principle or accessory, buildings shall be constructed or installed on the Site. Building removal is allowed with modification of the Special Permit.
- 10) The cutting, shredding and materials handling operations involving heavy equipment (and the concomitant noise) shall not commence before 6 a.m. and shall not continue after 8:00 p.m. on Mondays through Saturdays, and 6 a.m. to 6 p.m. on Sundays. The retail sales of motor vehicle parts are not subject to such hour limitations.
- 11) The Special Permit is valid for a term of twenty (20) years. The Special Permit shall expire 20 years from the date of approval. If at any time during the 20-year term, the City adopts an overlay zone or area plan which acknowledges that uses such as the applicant's are appropriate on the subject property, the Special Permit will convert to a permanent CUP, subject to compliance with the other terms herein. In that regard, and for example, the City Council acknowledges that the City is in the process of considering adoption of a "Rail District" overlay which, as presently drawn, includes the subject property. If the City Council adopts the "Rail District" overlay, or its equivalent, which would resolve the present tension between the Comprehensive Plan and the property's industrial zoning designation (even though the applicant must also operate pursuant to a CUP), such adoption will cause this Special Permit to convert to a permanent CUP, as described herein. Notwithstanding any of the above, the Special Permit shall terminate if the salvage yard operation is abandoned (by non-use) for six months or longer.

12) The uses on the Site shall continuously meet the following minimum standards regarding smoke, odor, noise, glare, wastes, fire hazards and hazardous materials:

- Noise. The owner, occupant and operator shall regulate uses and activities on the Site so that the day-night average sound level does not exceed 85 decibels (85 dB) at any point along the eastern or northern property lines, and the day-night average shall not exceed 100 dB at any point along the western or southern property lines. This sound level is not intended to apply to limited periods of landscape maintenance activity for the property nor for episodic periods when metals are being shredded, moved or loaded.
- Glare. Night lighting needed for operations or safety, including spotlights, shall be directed onto the working area or equipment or as needed for security, but shall not be aimed so as to shine on adjacent non-industrial or non-commercial uses. The Viaduct is not to be considered an adjacent use for purposes of this condition.
- Solid and liquid waste. All putrescible solid waste, debris and garbage shall be contained within a closed and screened dumpster, refuse bin and/or trash compactor(s). Incineration of trash or garbage is prohibited. No sewage or liquid wastes shall be unlawfully discharged or spilled on the property. No garbage or other putrescent waste, likely to attract vermin or create noxious odors, shall be kept on the premises, other than in regularly serviced dumpster or other trash container.
- Hazardous materials. Gasoline, oil, or other vehicle fluids shall be removed from scrapped vehicles and parts of vehicles kept on the premises and not allowed to leak, drip or drain onto the ground, except in accordance with applicable federal, State and local regulations. All hazardous materials shall be used or stored on the site only in accordance with applicable law.

13) The failure of this permit to specify other applicable local, state or federal laws or regulations shall not be construed to affect the enforcement thereof. A violation of such applicable laws or regulations may constitute a basis for revocation of the Special Permit, in addition to and not in lieu of any other appropriate remedies or penalties.

14) Outdoor storage and permanent display areas shall only be located on the property as shown on the Site Plan, subject to the other conditions hereof which includes the notes and details of the Site Plan. Portable display of retail merchandise may be permitted as provided in Section 21.04.040 of the Zoning and Development Code, as shown on the approved Site Plan.

15) The Director may administratively approve minor changes to the Site Plan and this Permit, if he determines that the intent of this Special Permit is maintained, the operational needs of the applicant will be benefitted, and no injury to the public will ensue.

16) No materials shall be placed, stored or maintained within the setbacks specified on the Site Plan. Due to the unique aspects of the property, the west side setback shall be 5 feet, rather than 15 feet. Fire Department has determined this 5' setback to be acceptable per Section 315.3.2 of the 2006 IFC for the west property line only.

17) Stacking of recycled and recyclable materials shall not exceed 20' feet in height at any time, except that for no more than 90 days per calendar year, the applicant may stack up to 30 feet if the applicant gives the Director at least one day's written notice of applicant's intent to do so, which notice shall include the duration of time during which the height limit will be exceeded. The purpose of such extra stacking height is to accommodate unusual amounts of delivery of recyclable materials, or to allow the applicant to take advantage of the market prices of the wholesale/end user of applicant's materials, and/or in case of unavailability of rail road cars at the adjacent spur.

18) Stored items shall not project above the screening except for integral units as defined in Chapter 21.10 of the Zoning and Development Code, Definitions and stacking of no more than two vehicles on top of a wheel stand, or except as provided for in section 17, above. Integral units shall include shelving up to 20 feet in height for the purpose of storing recyclable materials. Integral units shall not be stored within the first 20 feet of the property from any street frontage property line, except that along the west boundary, such rule shall not apply.

19) Unusable items (items which cannot or will not be used by the permittee in the normal course of permittee's business) shall be disposed of and not be allowed to unreasonably collect on the premises.

20) All tires salvaged, kept and/or offered for sale shall be neatly stacked or placed in racks. If stacked, the stacks shall not be over six feet in height; if on racks, the top of any tire on any rack shall not be over 10 feet in height.

21) Parking shall include 22 permanent parking spaces to be located as shown on the approved Site Plan. Parking shall be located and/or managed so as not to interfere with site circulation for the sand operations. Paving of the site according to the approved Site Plan shall be completed on or before June 1, 2012.

22) Landscaping shall be installed on or before June 1, 2012, and permanently maintained in a healthy condition on the site, as shown in detail on the approved Landscaping Plan.

23) Access and site circulation shall be in accordance with the approved Site Plan.

24) When utilities in the southwest corner of the property require repair, maintenance or replacement, the cost of removing items stored there as well as the risk of any damage or loss to such items during the repair, maintenance or replacement work shall be borne by the applicant/permittee.


25) Landowner shall grant the City a 20' utility easement in the southwest corner of the Site in the location shown on the Site Plan. The applicant shall prepare the legal description and conveyance documents to the City's standards.

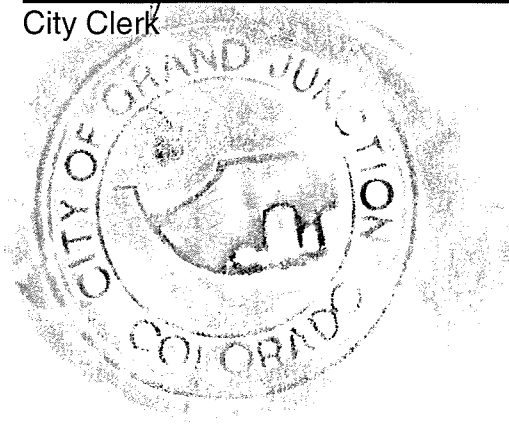
26) Applicant or permittee shall, within 30 days of expiration of the Special Permit or abandonment of the salvage operation on the Site, remove all salvage items, materials, equipment, scrap, junk, rubbish, and other items from the Site at their expense.

Passed and adopted this 5<sup>th</sup> day of October, 2011.

ATTEST:

  
\_\_\_\_\_  
President of City Council

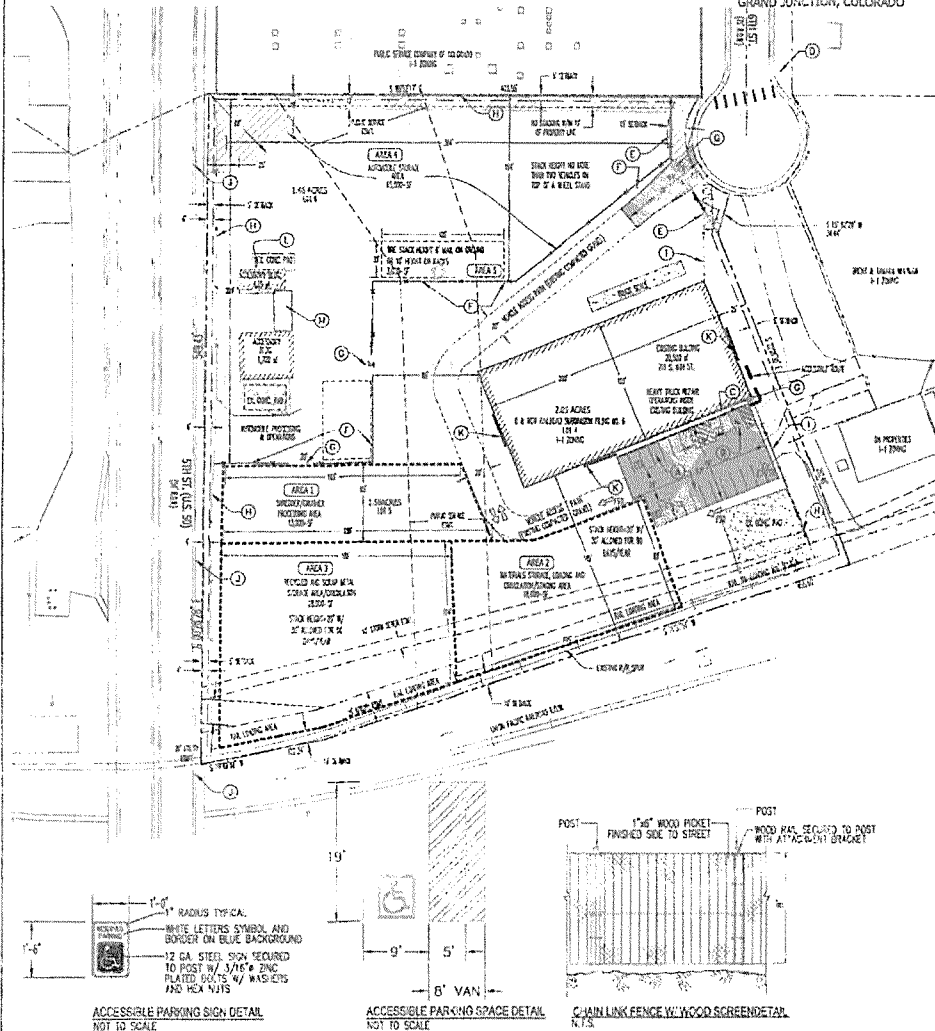
  
\_\_\_\_\_  
City Clerk





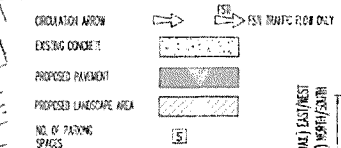
# GRAND JUNCTION METAL MOVERS

A PORTION OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 1 WEST, U.M.  
GRAND JUNCTION, COLORADO



## SITE PLAN FLAG NOTES/LEGEND

- (A) 8'x15' PARING STALL W/ CLUB SHOP, TYP.
- (B) 8'x15' PARING STALL W/ CLUB SHOP
- (C) ACCESSIBLE PARKING SIGN
- (D) FIRE HYDRANT (EXISTING)
- (E) RELOCATED 6" CHAIN LINK FENCE W/ WOOD SCREEN
- (F) PROPOSED CHAIN LINK FENCE  
AREA WITH WOOD FENCE SCREEN, 8' HEIGHT
- (G) PROPOSED CHAIN LINK GATE, 10'x10' PER PLAN
- (H) EXISTING 4" HEIGHT CHAIN LINK FENCE  
AREA WITH WOOD FENCE SCREEN
- (I) EXISTING CHAIN LINK GATE (SECONDARY EMERGENCY ACCESS)
- (J) EXISTING CONCRETE 6IN. ST. CONCRETE BARBER WALL
- (K) PROPOSED BUILDING SIGN LOCATION, MOUNTING HEIGHT 25' +/-
- (L) EXISTING DISPLAY PAD
- (M) OUTDOOR DISPLAY AREA



## UTILITY PROVIDERS

- WATER CITY OF GRAND JUNCTION
- SEWER CITY OF GRAND JUNCTION
- GAS WEL - PUBLIC SERVICE CO
- ELECTRIC WEL - PUBLIC SERVICE CO
- SMART METER CITY OF GRAND JUNCTION
- TELEPHONE WEL
- FIRE CITY OF GRAND JUNCTION

- NOTES:
- MATERIAL CONTENT OF THE APPROVED SITE PLAN FOR FSD (MUSP 2008-043) ARE INCORPORATED INTO THIS COPY SITE PLAN FOR GRAND JUNCTION METAL MOVERS. THE SOUTHWESTMOST 12' PARING STALLS SHALL REMAIN UNPAVED DURING TIMES FSD IS UTILIZING THE EXISTING CONCRETE LOADING PAD AND RAIL SPUR.
  - NO STORAGE OF MATERIALS IS PERMITTED WITHIN THE REQUIRED SETBACKS.
  - SQUARE FOOTAGES AND DIMENSIONS OF SPECIFIC USE AREAS 1-5 SHOWN HEREON ARE APPROXIMATE MAXIMUMS AND ARE NOT INTENDED TO BE EXACT MEASUREMENTS DURING BUSINESS OPERATION, DUE TO THE INHERENTLY DYNAMIC CHANGING USAGE OF THE MATERIALS AND AUTOMOTIVE RECYCLING INDUSTRY.
  - HAZARDOUS MATERIALS HANDLING AND STORAGE: REFERENCE BEST MANAGEMENT PRACTICES CONTAINED IN THE STORMWATER MANAGEMENT PLAN ASSOCIATED WITH THE CERTIFICATION TO DISCHARGE UNDER CORP GENERAL PERMIT COR-0000000. STORMWATER DISCHARGES ASSOCIATED WITH THE RECYCLING INDUSTRY, CERTIFICATION NO. LDR08-0208, AS APPROVED BY THE STATE OF COLORADO.

| SITE DATA                          |  | SQUARE FEETAGE     |    |
|------------------------------------|--|--------------------|----|
| PROPERTY AREA                      | 10,440 S.F.                                | 2,880 S.F. (27.5%) |    |
| TOTAL BUILDING COVERAGE (EXISTING) | 2,880 S.F. (27.5%)                         |                    |    |
| OPERATION (MANUFACTURING)          | 10,440 S.F.                                |                    |    |
| ACCESSORY BLDG. AREAS              | 2,880 S.F.                                 |                    |    |
| HARD SURFACE AREA                  | 21,600 S.F. (20.7%)                        |                    |    |
| LANDSCAPE AREA                     | 2,880 S.F. (27.5%)                         |                    |    |
| EXISTING EXISTING PAVEMENT         |  |                    |    |
| PROPOSED CONCRETE/PAVEMENT         |  |                    |    |
| PERMITTED MANUFACTURING AREA       | 10,440 S.F. (100%)                         |                    |    |
| PROPOSED SIGNS                     | 3 TOTAL                                    |                    |    |
| PARKING                            | REQUIRED                                   | 21                 | 21 |
|                                    | ACCESSIBLE PARKING SPACES (PER ACCESSIBLE) | 3                  | 3  |
| TOTAL SIGNS                        |  | 27                 | 27 |

**OWNER:**  
JOHN O. SPENDRUP LLC  
ATTN: JOHN SPENDRUP  
403 MAIN ST.  
GRAND JUNCTION, CO 81506  
PHONE 970.260.5356

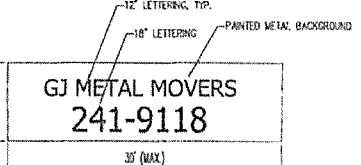
**APPLICANT:**  
GRAND JUNCTION METAL MOVERS, INC.  
ATTN: CHUCK MYERS  
2336 GRAND PARK DR.  
GRAND JUNCTION, CO 81506  
PHONE 970.254.1010

## LEGAL DESCRIPTION

LOTS 4, 5 AND 6, DRGRW SUBDIVISION FILING 6

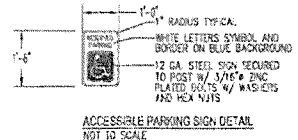
## CITY OF GRAND JUNCTION APPROVALS:

CITY PLANNING \_\_\_\_\_ DATE: \_\_\_\_\_  
CITY DEVELOPMENT ENGINEER \_\_\_\_\_ DATE: \_\_\_\_\_

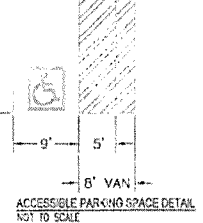


## TYPICAL BUILDING MOUNTED SIGNS

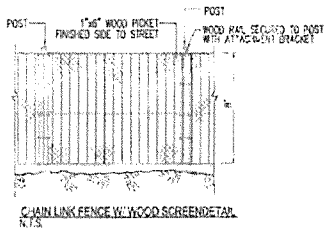
NOT TO SCALE - ACTUAL TEXT AND DIMENSIONS MAY VARY  
TOTAL COMBINED AREA OF SIGNAGE NOT TO EXCEED ALLOWABLE  
S' PERMITTED IN SITE DATA TABLE



ACCESSIBLE PARKING SIGN DETAIL  
NOT TO SCALE



ACCESSIBLE PARKING SPACE DETAIL  
NOT TO SCALE



CHAIN LINK FENCE W/ WOOD SCREEN DETAIL  
N.T.S.

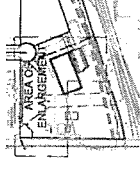
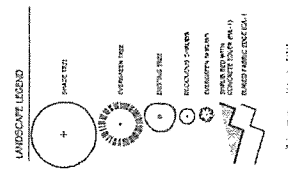
**Aperio**  
Property Consultants, LLC

1800W E GRAND PKWY  
GRAND JUNCTION, CO 81505  
PHONE: 970.241.9000  
FAX: 970.479.7708



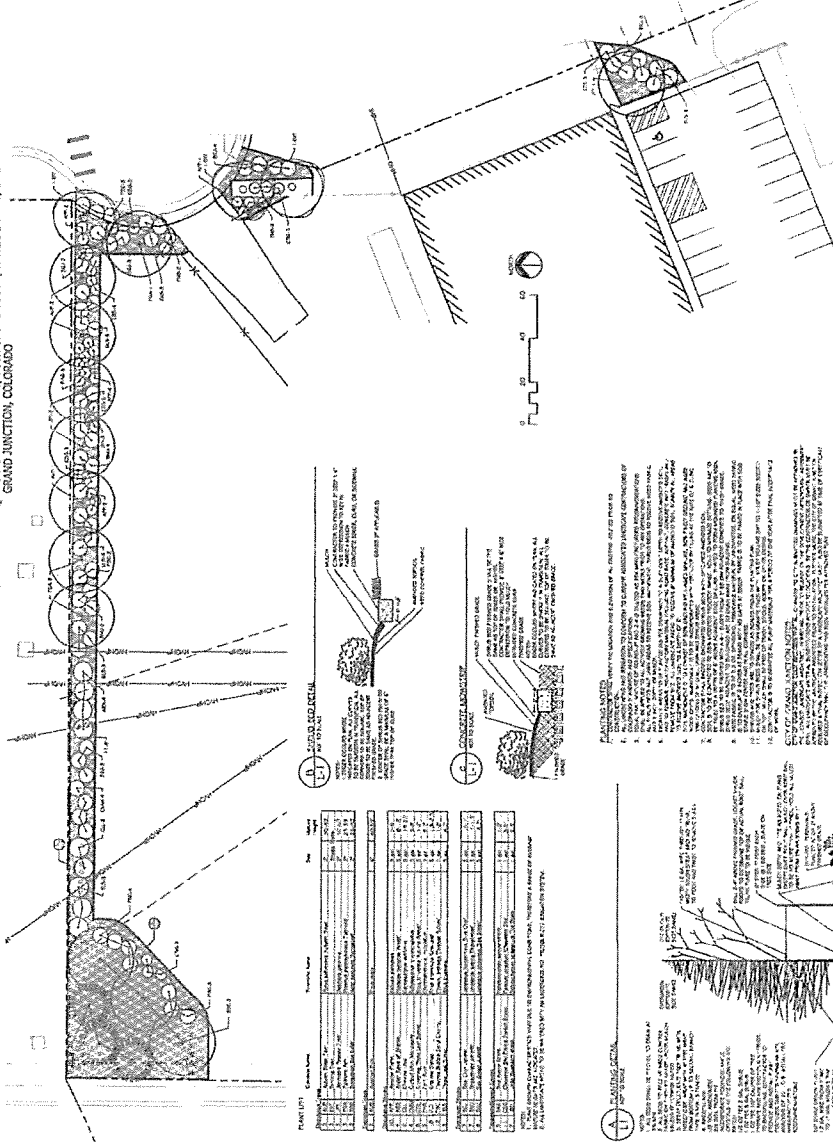
# GRAND JUNCTION METAL MOVERS

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GRAND JUNCTION, COLORADO

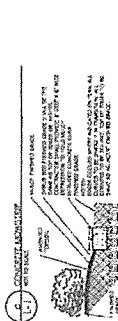
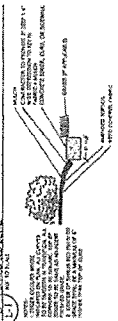


### LANDSCAPE CALCULATIONS

**PLANTING SCHEDULE**  
 1. PLANTING SCHEDULE FOR THE 1/4 SECTION - SEE PLAN SHEET FOR THE LOCATION OF THE PLANTING SCHEDULE.  
 2. PLANTING SCHEDULE FOR THE 1/4 SECTION - SEE PLAN SHEET FOR THE LOCATION OF THE PLANTING SCHEDULE.  
 3. PLANTING SCHEDULE FOR THE 1/4 SECTION - SEE PLAN SHEET FOR THE LOCATION OF THE PLANTING SCHEDULE.  
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 9. PLANTING SCHEDULE FOR THE 1/4 SECTION - SEE PLAN SHEET FOR THE LOCATION OF THE PLANTING SCHEDULE.  
 10. PLANTING SCHEDULE FOR THE 1/4 SECTION - SEE PLAN SHEET FOR THE LOCATION OF THE PLANTING SCHEDULE.

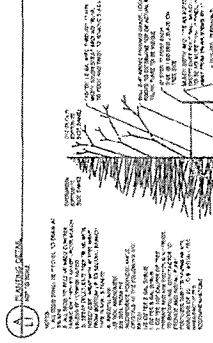


### LANDSCAPE CALCULATIONS



| Plant Name           | Quantity | Notes            |
|----------------------|----------|------------------|
| SPREAD TREE          | 10       | 10' x 10' canopy |
| OVERHANG TREE        | 5        | 10' x 10' canopy |
| BUSHY TREE           | 10       | 10' x 10' canopy |
| DECIDUOUS SPREAD     | 10       | 10' x 10' canopy |
| DECIDUOUS UPRIGHT    | 10       | 10' x 10' canopy |
| CONIFEROUS UPRIGHT   | 10       | 10' x 10' canopy |
| BROAD LEAF DECIDUOUS | 10       | 10' x 10' canopy |

**PLANTING SCHEDULE**  
 1. PLANTING SCHEDULE FOR THE 1/4 SECTION - SEE PLAN SHEET FOR THE LOCATION OF THE PLANTING SCHEDULE.  
 2. PLANTING SCHEDULE FOR THE 1/4 SECTION - SEE PLAN SHEET FOR THE LOCATION OF THE PLANTING SCHEDULE.  
 3. PLANTING SCHEDULE FOR THE 1/4 SECTION - SEE PLAN SHEET FOR THE LOCATION OF THE PLANTING SCHEDULE.  
 4. PLANTING SCHEDULE FOR THE 1/4 SECTION - SEE PLAN SHEET FOR THE LOCATION OF THE PLANTING SCHEDULE.  
 5. PLANTING SCHEDULE FOR THE 1/4 SECTION - SEE PLAN SHEET FOR THE LOCATION OF THE PLANTING SCHEDULE.  
 6. PLANTING SCHEDULE FOR THE 1/4 SECTION - SEE PLAN SHEET FOR THE LOCATION OF THE PLANTING SCHEDULE.  
 7. PLANTING SCHEDULE FOR THE 1/4 SECTION - SEE PLAN SHEET FOR THE LOCATION OF THE PLANTING SCHEDULE.  
 8. PLANTING SCHEDULE FOR THE 1/4 SECTION - SEE PLAN SHEET FOR THE LOCATION OF THE PLANTING SCHEDULE.  
 9. PLANTING SCHEDULE FOR THE 1/4 SECTION - SEE PLAN SHEET FOR THE LOCATION OF THE PLANTING SCHEDULE.  
 10. PLANTING SCHEDULE FOR THE 1/4 SECTION - SEE PLAN SHEET FOR THE LOCATION OF THE PLANTING SCHEDULE.



OWNER: STATE OF COLORADO  
 PROJECT: GRAND JUNCTION METAL MOVERS  
 DATE: 12/15/10

GRAND JUNCTION METAL MOVERS



CITY OF GRAND JUNCTION METAL MOVERS

DECEMBER 15, 2010  
 SHEET 1 OF 3  
 LANDSCAPE PLAN - IS

CITY OF GRAND JUNCTION COMMUNITY PLANNING  
 MANAGER: [Name]

## GRANT OF UTILITY EASEMENT

**John O. Spendrup, LLC, a Colorado limited liability company, Grantor**, whose address is 409 West Main Street, Grand Junction, Colorado, 81506, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted and conveyed, and by these presents does hereby grant and convey to the **City of Grand Junction, a Colorado home rule municipality, Grantee**, whose address is 250 North 5th Street, Grand Junction, Colorado 81501, a Perpetual Utility Easement for the use and benefit of Grantee and for the use and benefit of the Public Utilities, as approved by Grantee, as a perpetual easement for the installation, operation, maintenance, repair and replacement of said utilities and appurtenances which may include but are not limited to electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, equivalent other public utility providers and appurtenant facilities, on, along, over, under, through and across the following described parcel of land, to wit:

A parcel of land for easement purposes, located in Lot 5 of Second Amended Plat D & R G W Railroad Subdivision Filing Six, recorded January 22, 1992 as Reception No. 1591255 of the Records of Mesa County, situate within the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of Section Twenty-three (23), Township One South (T.1S.), Range One West (R.1W.), Ute Meridian, Mesa County, Colorado, more particularly described as follows:

**COMMENCING** at the Southwest corner of Lot 5, Second Amended Plat D & R G W Railroad Subdivision Filing Six, and assuming the West line of Lot 5 as bearing North 00°28'28" East, being a grid distance of 371.98 feet with all bearings contained herein relative thereto.

THENCE North 00°28'28" East along the West line of said Lot 5 a distance of 33.11 feet to the **POINT OF BEGINNING**;

THENCE North 00°28'28" East along the West line of said Lot 5 a distance of 20.04 feet;  
THENCE South 86°01'37" East a distance of 100.26 feet to the Northerly line of an existing 25.00 foot utility easement as labeled on the Second Amended Plat D & R G W Railroad Subdivision Filing Six;  
THENCE South 71°37'51" West along said Northerly line of an existing 25.00 foot utility easement a distance of 6.79 feet to an angle point;  
THENCE South 78°49'32" West along the Northerly line of an existing 25.00 foot utility easement a distance of 66.66 feet;  
THENCE North 86°01'37" West a distance of 28.42 feet to the West line of Lot 5 and to the **POINT OF BEGINNING**.

Said easement contains 1,315 square feet or 0.030 Acres, more or less, as described herein and depicted on "**Exhibit A**" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns forever, together with the right to enter upon said premises with workers and equipment, to survey, maintain, operate, repair, replace, control and use said Easement, and to remove objects interfering therewith, including the trimming of trees and bushes as may be required to permit the operation of standard construction and repair machinery, subject to the terms and conditions contained herein.

1. The interest conveyed is an Easement for the limited purposes and uses and upon the terms stated herein. Grantor reserves the right to use and occupy the real property burdened by this Easement for any lawful purpose which is not inconsistent with and which will not substantially interfere with the full use and quiet enjoyment of the rights herein granted; provided, however, that Grantor hereby covenants with Grantee that the Easement shall not be burdened or overburdened by the installation, construction or placement of any improvements, structures or fixtures thereon which may be detrimental to the facilities of Grantee or which may act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement.

### SHEET 1 OF 3

2. Grantor hereby covenants with Grantee it has good title to the herein described premises; that it has good and lawful right to grant this Easement; that it will warrant and forever defend the title and quiet possession thereof against the lawful claims and demands of all persons whomsoever.

Executed and delivered this 5th day of January, 2012.

John O. Spendrup, LLC  
a Colorado limited liability company

By: *John O. Spendrup*  
John O. Spendrup, Manager

State of Colorado )  
                                  )ss.  
County of Mesa    )

The foregoing instrument was acknowledged before me this 5th day of January, 2012, by John O. Spendrup, Manager for John O. Spendrup, LLC, a Colorado limited liability company.

My commission expires 10/29/2013.

Witness my hand and official seal.



*Gayleen Henderson*  
Notary Public

20' UTILITY EASEMENT

**EXHIBIT "A"**

SECTION 23, T.1S. R.1W.

**LOT 6**

S89°31'32"E 156.59'

S00°00'00"E 63.47'

PUBLIC SERVICE EASEMENT

**LOT 5**

**LOT 4**

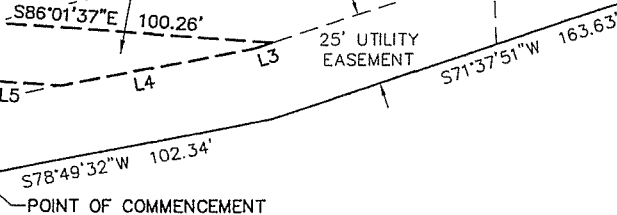
**SECOND AMENDED PLAT  
D & R G W RAILROAD SUB.  
FILING SIX**

EXISTING 10' EASEMENT  
BOOK 1835, PAGE 513

**20' UTILITY EASEMENT**  
1,315 sq. ft. / 0.030 acres

BASIS OF BEARINGS  
N00°28'28"E 371.98'

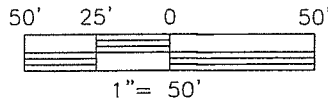
S22°09'30"E 254.60'



| LINE TABLE |             |        |
|------------|-------------|--------|
| LINE       | BEARING     | LENGTH |
| L1         | N00°28'28"E | 33.11' |
| L2         | N00°28'28"E | 20.04' |
| L3         | S71°37'51"W | 6.79'  |
| L4         | S78°49'32"W | 66.66' |
| L5         | N86°01'37"W | 28.42' |

NOTE: This exhibit drawing is not intended to be a monumented land survey. It's sole purpose is as a graphic representation to aid in the visualization of the written property description which it accompanies. The written property description supersedes the exhibit drawing.

*Paul B. Groves*  
 8/11/11  
 (P.F.Z.)



Paul B. Groves - On Behalf Of King Surveyors, Inc.  
Colorado Registered Professional  
Land Surveyor #38209

**SHEET 3 OF 3**



**KING SURVEYORS, INC.**

650 E. Garden Drive | Windsor, Colorado 80550  
phone: (970) 686-5011 | fax: (970) 686-5821  
www.kingsurveyors.com

PROJECT NO: 2011222

DATE: 08/11/11

CLIENT: Aperio Property Consultants

DWG: 2011222EXH\_01

DRAWN: PG CHECKED: PG