

DISTRICT COURT, MESA COUNTY, COLORADO Court Address: 125 North Spruce St. Grand Junction, CO 81501 Telephone: (970) 257-3625	
In the Matter of the Petition of the CITY OF GRAND JUNCTION, a home rule city, For the exclusion of certain territory from the LOWER VALLEY 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: 21760 Division: 9
ORDER FOR EXCLUSION OF LANDS	

The Petition for the exclusion of lands from the Lower Valley 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. have been met or will reasonably be met by the parties.
3. The City has provided for the necessary and orderly provision of fire and other emergency response to the excluded areas. There are no District facilities in 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 excluded from the Lower Valley Fire Protection District and that the legal and common descriptions contained in said Petition are incorporated by this reference as if fully set forth.

BY THE COURT THIS 5th DAY OF March ~~2018~~ 2019


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 LOWER VALLEY 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: 21760</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 Lower Valley Fire Protection District:

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

YORK ANNEXATION
Comprising a serial annexation consisting of
York Annexation No. 1 and York Annexation No. 2
Ordinance No. 4800

YORK ANNEXATION NO. 1

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 25, Township 1 North, Range 2 West of the Ute Principal Meridian and being more particularly described as follows:

BEGINNING at the Northeast corner of the SW 1/4 SW 1/4 of said Section 25 and assuming the East line of the SW 1/4 SW 1/4 of said Section 25 bears S 00°01'26" W with all other bearings

contained herein being relative thereto; thence from said Point of Beginning, S 00°01'26" W, along the East line of the SW 1/4 SW 1/4 of said Section 25, a distance of 390.00 feet; thence N 89°58'34" W, a distance of 10.00 feet; thence N 00°01'26" E, a distance of 380.02 feet; thence N 89°51'42" W, a distance of 186.07 feet; thence N 00°01'26" E, a distance of 10.00 feet to a point on the North line of the SW 1/4 SW 1/4 of said Section 25; thence S 89°51'42" E, along said North line, a distance of 196.07 feet, more or less, to the Point of Beginning.

CONTAINING 5,671 Square Feet or 0.132 Acres, more or less, as described.

YORK ANNEXATION NO. 2

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 25, Township 1 North, Range 2 West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCING at the Northeast corner of the SW 1/4 SW 1/4 of said Section 25 and assuming the East line of the SW 1/4 SW 1/4 of said Section 25 bears S 00°01'26" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 00°01'26" W, along the East line of the SW 1/4 SW 1/4 of said Section 25, a distance of 390.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue S 00°01'26" W, along said East line, a distance of 930.43 feet to a point being the Southeast corner of the SW 1/4 SW 1/4 of said Section 25; thence N 89°52'23" W, along the South line of the SW 1/4 SW 1/4 of said Section 25, a distance of 196.07 feet; thence N 00°01'26" E, a distance of 1310.46 feet; thence S 89°51'42" E, along a line 10.00 feet South of and parallel with, the North line of the SW 1/4 SW 1/4 of said Section 25, a distance of 186.07 feet; thence S 00°01'26" W, along a line 10.00 feet West of and parallel with, the East line of the SW 1/4 SW 1/4 of said Section 25, a distance of 380.02 feet; thence S 89°58'34" E, a distance of 10.00 feet, more or less, to the Point of Beginning.

CONTAINING 253,139 Square Feet or 5.811 Acres, more or less, as described.

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. 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

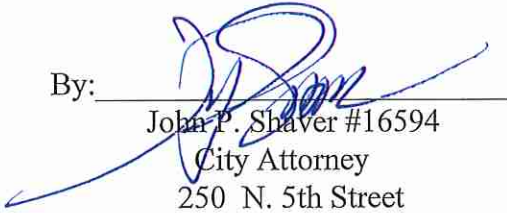
such exclusion. As a result, fire insurance premiums should not change by virtue of the exclusion.

5. 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 5TH day of DECEMBER, 2016.

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

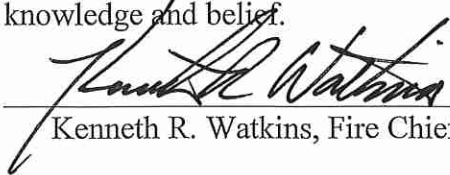
I hereby certify that I mailed a copy of the attached document, postage prepaid, this 7th day of December, 2016, addressed to: THE CHAIRMAN OF THE BOARD OF THE LOWER VALLEY FIRE PROTECTION DISTRICT.



**Terry Nash, President
Lower Valley Fire District
168 North Mesa Street
Fruita, CO 81521**

VERIFICATION

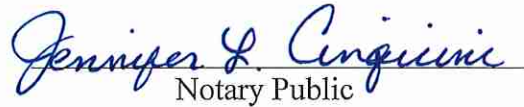
I, Kenneth R. Watkins, Fire Chief in and for the City of Grand Junction, do hereby state under oath that the facts contained in paragraphs 4 and 5 are true and correct to the best of my knowledge and belief.



Kenneth R. Watkins, Fire Chief

STATE OF COLORADO)
COUNTY OF MESA)

Subscribed and sworn to before me by Kenneth R. Watkins this 5th day of December,
2018.



Notary Public

My commission expires: May 25, 2021

