

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 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	

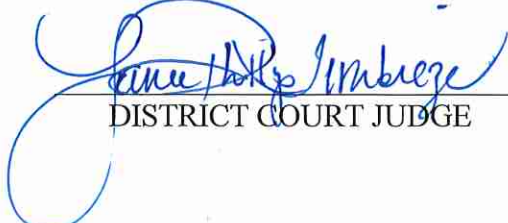
The Petition for the exclusion of lands from the Grand Junction Rural Fire Protection District having been called for hearing by the Court and the Court having been duly advised in the premises hereby finds that:

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 5th DAY OF March, 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 style="text-align: center;">▲ COURT USE ONLY ▲</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 GRAND JUNCTION RURAL FIRE PROTECTION DISTRICT</p>	
<p>John P. Shaver, No. 16594 City Attorney 250 North 5th Street Grand Junction, CO 81501 (970) 244-1508</p>	<p>Case Number 7097</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 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:

The following 2018 annexation(s) are located within the Grand Junction Rural Fire District boundary and are subject to exclusion from the district:

TAURUS PARK PLAZA ANNEXATION
Ordinance No. 4784

A certain parcel of land lying in the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) and the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 31, Township 1 North, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of that certain parcel of land, bounded on the North by the North line of the NE 1/4 NE 1/4 of said Section 31; bounded on the East by the East line of the NE 1/4 NE 1/4 of said Section 31; bounded on the West by the West line of the NE 1/4 NE 1/4 of said Section 31 and Bounded on the South by the North line of the Twenty Three Park Plaza Annexation, City of Grand Junction Ordinance No. 3779, as same is recorded in Book 3914, Page 781, Public Records of Mesa County, Colorado, LESS HOWEVER, any portion of the NE 1/4 NE 1/4 of said Section 31 lying within said Twenty Tree Park Plaza Annexation.

CONTAINING 1,760,453 Square Feet or 40.414 Acres, more or less, as described

ADAMS ANNEXATION

Ordinance No. 4787

A certain parcel of land lying in the North-Half (N 1/2) of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 25, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northeast corner of the SE 1/4 SW 1/4 of said Section 25 and assuming the North line of the SE 1/4 SW 1/4 of said Section 25 bears N 89°55'07" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°55'07" W, along the North line of the SE 1/4 SW 1/4 of said Section 25, a distance of 132.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, S 00°01'59" E along a line 132.00 feet West of and parallel with, the East line of the SE 1/4 SW 1/4 of said Section 25, a distance of 659.77 feet; thence S 89°56'43" W along the South line of the N-1/2 of the SE 1/4 SW 1/4 of said Section 25, a distance of 879.15 feet; thence N 00°06'18" W along a line 310.00 feet East of and parallel with, the West line of the SE 1/4 SW 1/4 of said Section 25, a distance of 639.35 feet; thence N 89°55'07" E along the South line of Anson Annexation No's 2 and 3, Ordinance No's 3765 and 3766, as recorded in Book 3905, Pages 258 thru 263, inclusive, being a line 20.00 feet South of and parallel with, the North line of the SE 1/4 SW 1/4 of said Section 25, a distance of 346.09 feet; thence N 00°04'53" W, a distance of 20.00 feet; thence N 89°55'07" E, along the North line of the SE 1/4 SW 1/4 of said Section 25, a distance of 533.88 feet, more or less, to the Point of Beginning.

CONTAINING 573,208 Square Feet or 13.159 Acres, more or less, as described.

CAMP ANNEXATION

Ordinance No. 4792

A certain parcel of land lying in the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section 15 and the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of Section 16, all in Township 1 South, Range 1 West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCING at the Northeast corner of the NE 1/4 SE 1/4 of said Section 16 and assuming the East line of the NE 1/4 SE 1/4 of said Section 16 bears S 00°17'33" W with all other bearings

contained herein being relative thereto; thence from said Point of Commencement, S 00°17'33" W along the East line of the NE 1/4 SE 1/4 of said Section 16, also being the West line of the Western Annexation, Ordinance No. 1278, as same is recorded in Book 918, Page 495, Public Records of Mesa County, Colorado, a distance of 377.37 feet to the POINT OF BEGINNING; thence continuing along the Westerly line of said Western Annexation the following three (3) courses:

- 1.) S 56°18'07" E, a distance of 63.03 feet, thence...
- 2.) S 17°17'27" E, a distance of 538.00 feet, thence...
- 3.) S 39°10'27" E, a distance of 114.00 feet, thence along the Northerly limits of the Pioneer Village Annexation, Ordinance No. 1847, as same is recorded with Reception No. 1211412 the following three (3) courses:
 - 1.) S 14°42'54" W, a distance of 20.14 feet, thence...
 - 2.) N 75°17'06" W, a distance of 41.75 feet, thence...
 - 3.) S 85°12'35" W, a distance of 243.10 feet, more or less, to a point on the West line of the NW 1/4 SW 1/4 of said Section 15, thence along the Northerly limits of the Brach Annexation, Ordinance No. 2105, as same is recorded in Book 1419, Page 232, Public Records of Mesa County, Colorado the following five (5) courses:
 - 1.) N 00°17'33" E, along said West line, a distance of 16.34 feet, thence...
 - 2.) N 88°54'36" W, a distance of 136.82 feet, thence...
 - 3.) N 89°43'08" W, a distance of 119.70 feet, thence...
 - 4.) N 84°39'05" W, a distance of 50.37 feet, thence...
 - 5.) N 85°01'08" W, a distance of 367.61 feet to a point being the Northwest corner of said Brach Annexation;

thence N 00°42'08" W, a distance of 12.69 feet, more or less, to a point being the Northwest corner of Brach's Commercial Subdivision, as same is recorded in Book 3897, Page 199, Public Records of Mesa County, Colorado; thence S 84°38'45" E, a distance of 1.98 feet to a point being the beginning of a 392.78 foot radius curve, concave North, whose long chord bears S 81°45'02" E with a long chord length of 50.13 feet; thence Easterly along the arc of said curve, thru a central angle of 07°19'04" an arc length of 50.17 feet; thence S 85°19'05" E, a distance of 165.83 feet, more or less, to a point being the Southerly projection of the West line of that certain parcel of land, the description of which is recorded within a Personal Representative's Deed recorded in Book 5589, Page 509, Public Records of Mesa County, Colorado, said parcel surveyed and described by RiverCity Consultants, Survey Deposit 4944-14; thence N 00°10'25" E, along said West line, a distance of 573.09 feet; thence S 69°42'44" E, a distance of 88.90 feet; thence N 41°42'44" W, a distance of 590.05 feet, more or less, to a point on the North line of the NE 1/4 SE 1/4 of said Section 16; thence N 89°02'06" E, along said North line, a distance of 8.92 feet; thence S 46°36'24" E, a distance of 195.09 feet; thence S 75°05'12" E, a distance of 133.32 feet; thence N 26°29'21" E, a distance of 50.00 feet to a point on the Northerly right of way for Lake Road, as same is recorded in Book 1510, Page 569, Public Records of Mesa County, Colorado; thence S 63°30'39" E, along said Northerly line, a distance of 218.54 feet; thence S 59°00'17" E, along said Northerly line, a distance of 314.36 feet, more or less, to a point on the East line of the NE 1/4 SE 1/4 of said Section 16; thence N 00°17'33" E, along said East line, a distance of 18.38 feet, more or less, to the Point of Beginning. (Exhibit A)

CONTAINING 463,986 Square Feet or 10.652 Acres, more or less, as described.

TALLMAN ANNEXATION

Ordinance No. 4797

A certain parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 25, Township 1 South, Range 1 West, Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northwest corner of the NE 1/4 SW 1/4 of said Section 25 and assuming the West line of the NE 1/4 SW 1/4 of said Section 25 bears S 00°00'30" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 00°00'30" E, along said West line, a distance of 233.00 feet to a point on the South right of way for Highway 50 and the POINT OF BEGINNING; thence from said Point of Beginning, S 45°07'00" E, along said South right of way, a distance of 91.00 feet; thence S 59°28'00" E, along said South right of way, a distance of 57.47 feet; thence S 59°04'51" E, along said South right of way, a distance of 31.59 feet, to a point being the Northwest corner of Sunset Condominiums, as same is recorded with Reception Number 1823277; thence S 01°06'24" W, along the West line of said Sunset Condominiums, the West line of Orchard Mesa Commercial Park, as same is recorded in Plat Book 11, Page 139 and the West line of Radford Condominiums, as same is recorded with Reception Number 1806779, all in the Public Records of Mesa County, Colorado, a distance of 374.68 feet; thence continuing along said West lines, S 00°00'01" E, a distance of 338.05 feet to a point being the Southwest corner of said Orchard Mesa Commercial Park; thence N 89°59'59" E, along the South line of said Orchard Mesa Commercial Park, a distance of 435.00 feet to a point being the Southeast corner of said Orchard Mesa Commercial Park; thence S 00°10'23" E, a distance of 1.68 feet; thence N 89°55'45" E, a distance of 0.77 feet; thence S 00°01'18" E, a distance of 243.97 feet, more or less, to a point on the North line of Anson Annexation No. 4, City of Grand Junction Ordinance Number 3767; thence S 89°55'38" W, along said North line, being a line 20.00 feet North of and parallel with, the South line of the NE 1/4 SW 1/4 of said Section 25, a distance of 437.57 feet; thence N 00°00'30" W, a distance of 129.71 feet; thence N 89°56'05" W, a distance of 131.99 feet, more or less, to a point on the West line of the NE 1/4 SW 1/4 of said Section 25; thence N 00°00'30" W, along said West line, a distance of 938.65 feet, more or less, to the Point of Beginning.

CONTAINING 226,401 Square Feet or 5.197 Acres, more or less, as described.

KOA ANNEXATION

Ordinance No. 4805

A certain parcel of land lying in the South-Half of the Southwest Quarter (S 1/2 SW 1/4) of Section 30, Township 1 South, Range 1 East, Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southeast corner of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian and assuming the South line of the SW 1/4 SW 1/4 of said Section 30 bears S 89°58'18" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S

89°58'18" W along the South line of the SW 1/4 SW 1/4 of said Section 30, a distance of 351.08 feet; thence N 00°33'20" W, along that certain boundary line determined and established by those certain Quit Claim Deeds recorded in Book 5581, Pages 510 thru 513, Public Records of Mesa County, Colorado, a distance of 964.25 feet, more or less, to a point on the South line of Chipeta Pines Annexation No. 2, City of Grand Junction Ordinance No. 3191, as same is recorded in Book 2646, Page 301, Public Records of Mesa County, Colorado; thence Southeasterly along the arc of a 11,575.00 foot radius non-tangent curve, concave Southwest, whose long chord bears S 64°43'03" E, with a long chord length of 560.13 feet, thru a central angle of 02°46'22", an arc length of 560.18 feet; thence S 00°00'00" E, a distance of 463.73 feet; thence N 90°00'00" W, a distance of 18.04 feet; thence S 00°00'00" E, a distance of 261.00 feet, more or less, to a point on the South lie of the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of said Section 30; thence S 89°57'55" W, along said South line, a distance of 128.00 feet, more or less, to the Point of Beginning.

CONTAINING 419,753 Square Feet or 9.636 Acres, more or less, as described.

The following GJ Rural Fire District annexation is also within the Redlands Sub-District.

CAMP ANNEXATION

Ordinance No. 4792

A certain parcel of land lying in the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section 15 and the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of Section 16, all in Township 1 South, Range 1 West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCING at the Northeast corner of the NE 1/4 SE 1/4 of said Section 16 and assuming the East line of the NE 1/4 SE 1/4 of said Section 16 bears S 00°17'33" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 00°17'33" W along the East line of the NE 1/4 SE 1/4 of said Section 16, also being the West line of the Western Annexation, Ordinance No. 1278, as same is recorded in Book 918, Page 495, Public Records of Mesa County, Colorado, a distance of 377.37 feet to the POINT OF BEGINNING; thence continuing along the Westerly line of said Western Annexation the following three (3) courses:

- 4.) S 56°18'07" E, a distance of 63.03 feet, thence...
- 5.) S 17°17'27" E, a distance of 538.00 feet, thence...
- 6.) S 39°10'27" E, a distance of 114.00 feet, thence along the Northerly limits of the Pioneer Village Annexation, Ordinance No. 1847, as same is recorded with Reception No. 1211412 the following three (3) courses:
 - 4.) S 14°42'54" W, a distance of 20.14 feet, thence...
 - 5.) N 75°17'06" W, a distance of 41.75 feet, thence...
 - 6.) S 85°12'35" W, a distance of 243.10 feet, more or less, to a point on the West line of the NW 1/4 SW 1/4 of said Section 15, thence along the Northerly limits of the Brach

Annexation, Ordinance No. 2105, as same is recorded in Book 1419, Page 232, Public Records of Mesa County, Colorado the following five (5) courses:

- 6.) N 00°17'33" E, along said West line, a distance of 16.34 feet, thence...
- 7.) N 88°54'36" W, a distance of 136.82 feet, thence...
- 8.) N 89°43'08" W, a distance of 119.70 feet, thence...
- 9.) N 84°39'05" W, a distance of 50.37 feet, thence...
- 10.) N 85°01'08" W, a distance of 367.61 feet to a point being the Northwest corner of said Brach Annexation;

thence N 00°42'08" W, a distance of 12.69 feet, more or less, to a point being the Northwest corner of Brach's Commercial Subdivision, as same is recorded in Book 3897, Page 199, Public Records of Mesa County, Colorado; thence S 84°38'45" E, a distance of 1.98 feet to a point being the beginning of a 392.78 foot radius curve, concave North, whose long chord bears S 81°45'02" E with a long chord length of 50.13 feet; thence Easterly along the arc of said curve, thru a central angle of 07°19'04" an arc length of 50.17 feet; thence S 85°19'05" E, a distance of 165.83 feet, more or less, to a point being the Southerly projection of the West line of that certain parcel of land, the description of which is recorded within a Personal Representative's Deed recorded in Book 5589, Page 509, Public Records of Mesa County, Colorado, said parcel surveyed and described by RiverCity Consultants, Survey Deposit 4944-14; thence N 00°10'25" E, along said West line, a distance of 573.09 feet; thence S 69°42'44" E, a distance of 88.90 feet; thence N 41°42'44" W, a distance of 590.05 feet, more or less, to a point on the North line of the NE 1/4 SE 1/4 of said Section 16; thence N 89°02'06" E, along said North line, a distance of 8.92 feet; thence S 46°36'24" E, a distance of 195.09 feet; thence S 75°05'12" E, a distance of 133.32 feet; thence N 26°29'21" E, a distance of 50.00 feet to a point on the Northerly right of way for Lake Road, as same is recorded in Book 1510, Page 569, Public Records of Mesa County, Colorado; thence S 63°30'39" E, along said Northerly line, a distance of 218.54 feet; thence S 59°00'17" E, along said Northerly line, a distance of 314.36 feet, more or less, to a point on the East line of the NE 1/4 SE 1/4 of said Section 16; thence N 00°17'33" E, along said East line, a distance of 18.38 feet, more or less, to the Point of Beginning. (Exhibit A)

CONTAINING 463,986 Square Feet or 10.652 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 5th day of December, 2018.

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

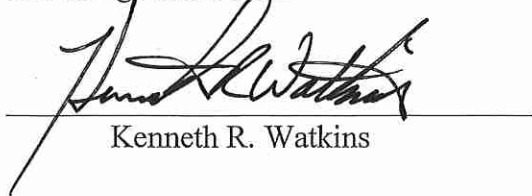
I hereby certify that I mailed a copy of the attached document, postage prepaid, this 7th day of December, 2018, addressed to the Chairman of the Board of the Grand Junction Rural Fire Protection District.

**Kirsten Kurath
Williams, Turner & Holmes, PC
744 Horizon Court, Suite 115
Grand Junction, CO 81506-3915**



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

STATE OF COLORADO)
COUNTY OF MESA)

Subscribed and sworn to before me by Kenneth R. Watkins this 5th day of December
20 18.

Jennifer L. Cinquini
Notary Public

My commission expires: May 25, 2021

