

# Table of Contents

File 1976-0086

Date 5/10/00

Project Name: Grand Junction Steel

<b>P</b>	<b>S</b>	<p><b>A few items are denoted with an asterisk (*), which means they are to be scanned for permanent record on the ISYS retrieval system. In some instances, not all entries designated to be scanned are present in the file. There are also documents specific to certain files, not found on the standard list. For this reason, a checklist has been included.</b></p> <p><b>Remaining items, (not selected for scanning), will be marked present on the checklist. This index can serve as a quick guide for the contents of each file.</b></p> <p><b>Files denoted with (**) are to be located using the ISYS Query System. Planning Clearance will need to be typed in full, as well as other entries such as Ordinances, Resolutions, Board of Appeals, and etc.</b></p>
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X	X	*Summary Sheet – Table of Contents
		Application form
		Receipts for fees paid for anything
		*Submittal checklist
		*General project report
		Reduced copy of final plans or drawings
X		Reduction of assessor's map
		Evidence of title, deeds
		*Mailing list
		Public notice cards
		Record of certified mail
		Legal description
		Appraisal of raw land
		Reduction of any maps – final copy
		*Final reports for drainage and soils (geotechnical reports)
		Other bound or nonbound reports
		Traffic studies
		Individual review comments from agencies
		*Consolidated review comments list
		*Petitioner's response to comments
		*Staff Reports
		*Planning Commission staff report and exhibits
		*City Council staff report and exhibits
		*Summary sheet of final conditions
		*Letters and correspondence dated after the date of final approval (pertaining to change in conditions or expiration date)

**DOCUMENTS SPECIFIC TO THIS DEVELOPMENT FILE:**

X	X	Follow-Up Form
X		Review Sheets
X	X	Letter from James Golden of Attys. Golden, Mumby & Summers to Don Warner – 2/14/77
X	X	Letter from James Golden to Don Warner – 3/24/77
X	X	Letter from James Golden to Don Warner – 2/1/77
X	X	Letter from Whitewater Bldg. Materials to Don Warner – 5/20/77
X	X	Letter from James Golden to Director of Development – 11/30/76
X	X	Memo from Karl Metzner to Duane R. Jensen – 12/29/76
X	X	Proposed Fabrication Facilities
X	X	Plot Plan

Subdivision GRAND Jet Steel Rd Vacation

Date 2-10-77

Item # 86-76

Petitioner GRAND Jet Steel

Preliminary Review Agencies Comments

Final Review Agencies Comments

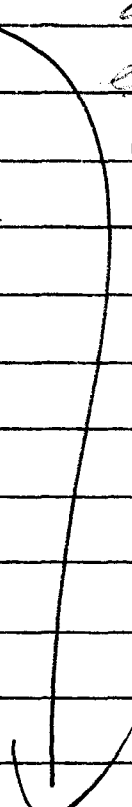
Eng. Req. 50' ROW. on N. end 11<sup>th</sup> for TURN AROUND.

Utilities - need at least 8' between water line & vacation

P.S. - overhead distribution line in alley & N. side of 4<sup>th</sup> Ave. 2" Gas main in alley from 10<sup>th</sup> - 11<sup>th</sup> & 2" gas in 11<sup>th</sup>. Easement should be dedicated.

30' easment req'd - 15' ea side Centerline.

also subject to easment on existing utilities.



Action Taken

P.C. Tabled 23 Feb 77

C.C. \_\_\_\_\_

Comments

→ Look at VACATING ENTIRE ST.

Action Taken

P.C. approved 25 May 77

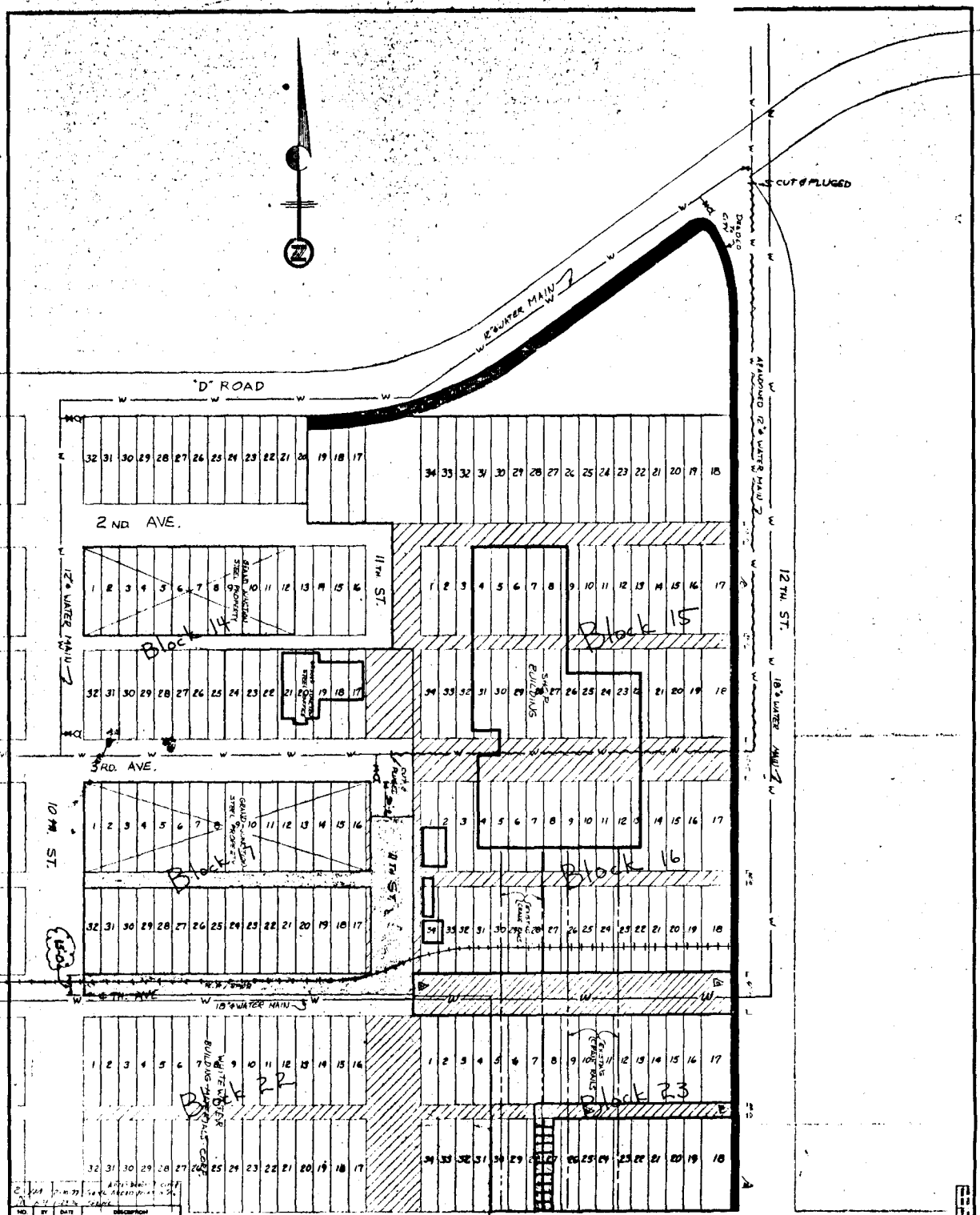
C.C. approved 15 Jun 77

Comments

Subject to easement.

ITEMS REQUIRED FROM DEVELOPER

- Check
- Drainage
- Improvements
- Utility Agreement
- Landscaping
- Guarantee
- Title Investigation
- Covenants
- Annexation
- Other (Specify)



NO.	DATE	DESCRIPTION
1	10-1-77	APPROVED
2	10-1-77	APPROVED
3	10-1-77	APPROVED
4	10-1-77	APPROVED
5	10-1-77	APPROVED
6	10-1-77	APPROVED
7	10-1-77	APPROVED
8	10-1-77	APPROVED
9	10-1-77	APPROVED
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29	10-1-77	APPROVED
30	10-1-77	APPROVED
31	10-1-77	APPROVED
32	10-1-77	APPROVED

**LEGEND**

- VACATED
- RENEWABLE PERMIT
- PROPOSED TO BE VACATED
- CEDED TO CITY
- Full-time Examined**  
Renovated by  
City for Adams.

SCALE 1" = 60.00'

**GRAND JUNCTION STEEL**  
GRAND JUNCTION, COLORADO

**TITLE OF MAP**



SURVEY OF 4TH AVE @ 10TH ST.

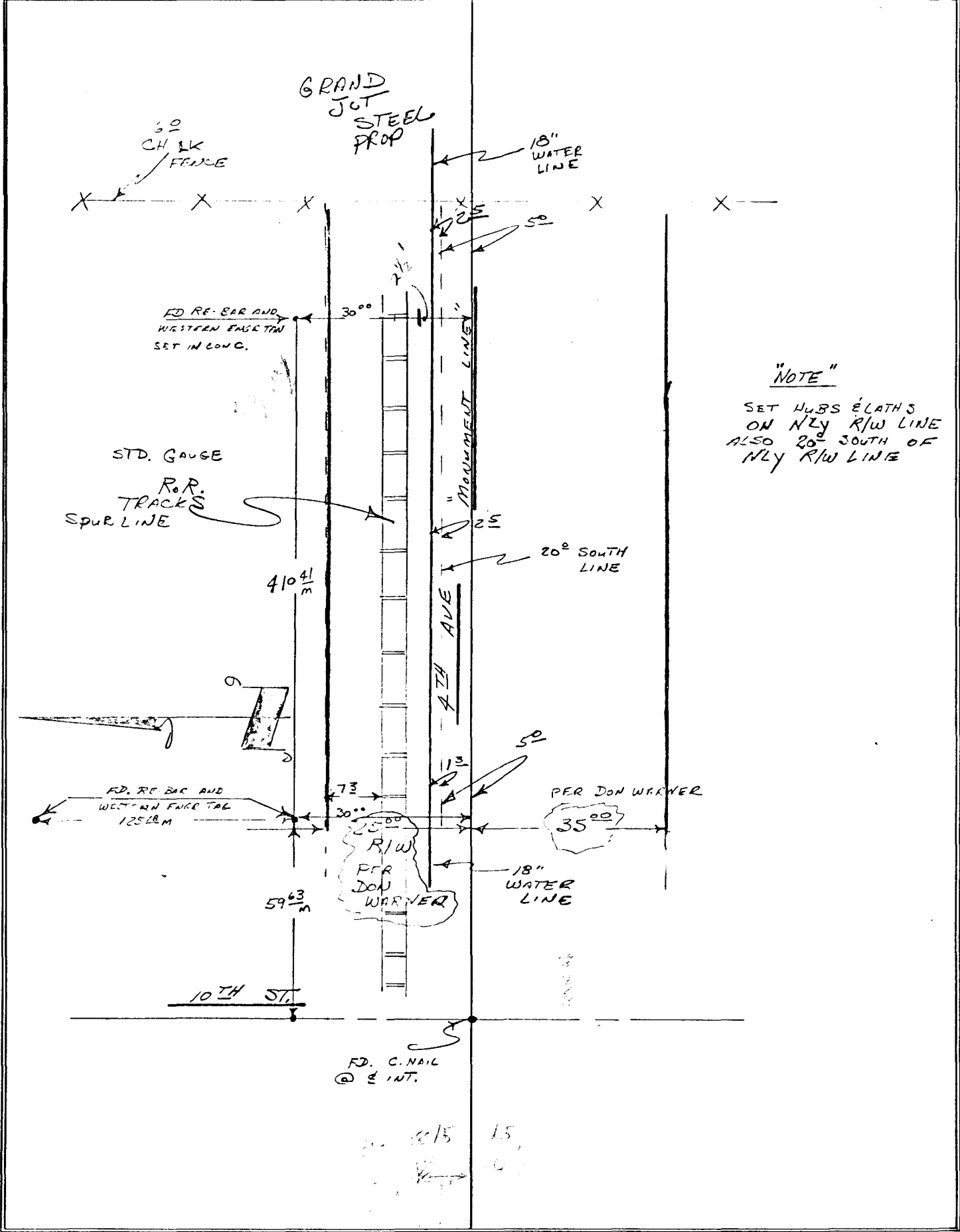
INDEX 12-27-76

PAGE 1

SURVEY BY MATHER

JOB NO. 051

SURVEY NOTES



GOLDEN, MUMBY & SUMMERS

ATTORNEYS AT LAW

COURTHOUSE PLACE BUILDING - 200 N. 6TH STREET

P. O. BOX 398

GRAND JUNCTION, COLORADO 81501

JAMES GOLDEN  
KEITH G. MUMBY  
K. K. SUMMERS

AREA CODE 303  
TELEPHONE 242-7322

J. RICHARD LIVINGSTON

November 30, 1976

Director of Development  
City of Grand Junction  
Grand Junction City Hall  
Grand Junction, CO 81501

Re: Vacation Application of Grand Junction Steel  
Fabricating Co.

Gentlemen:

1. Description of petitioner and land to be vacated.

As corporate counsel for Grand Junction Steel Fabricating Co., of 1101 Third Avenue, Grand Junction, Colorado, 81501, we hereby request the favorable consideration of the City Planning Commission and the City Council for the vacation of the following described parcels:

PARCEL NO. 1

Commencing at the Southwest Corner of Block 17 of Milldale Subdivision, City of Grand Junction, County of Mesa, State of Colorado, thence South 20 feet, thence East to a point 20 feet South and 10 feet West of the Southwest Corner of Block 16 of said Milldale Subdivision, thence North 20 feet to a point 10 feet West of the Southwest Corner of Block 16 of said Milldale Subdivision, thence West to a point of beginning. (This parcel may be commonly described as the North 20 feet of 4th Avenue lying East of South 10th Street and West of the east line of South 11th Street, except the East 10 feet of South 11th Street).

PARCEL NO. 2

All that part of the East-West Alleyway situated in Block 17 of Milldale Subdivision, City of Grand Junction, County of Mesa, State of Colorado. (This parcel may be commonly described as the East-West alleyway located in the block south of 3rd Avenue and north of 4th Avenue between South 10th Street on west and South 11th Street on the east.)

PARCEL NO. 3

Commencing at the Southeast Corner of Lot 16 Block 17 of Milldale Subdivision, City of Grand Junction, County of Mesa, State of Colorado, thence East 10 feet, thence South 20 feet to a point that is 10 feet East of the Northeast corner of Lot 17 of Block 17 of said Milldale Subdivision, thence West 10 feet to the Northeast Corner of Lot 17 of Block 17 of said Milldale Subdivision, thence North 20 feet to the point of beginning. (This parcel may be commonly described as a parcel 10 feet by 20 feet located in South 11th Street adjoining the East-West alleyway in the block located south of 3rd Avenue and north of 4th Avenue between South 10th Street on the west and South 11th Street on the east.)

PARCEL NO. 4

Commencing at a point 10 feet West of the Northwest Corner of Block 16 of Milldale Subdivision, City of Grand Junction, County of Mesa, State of Colorado, thence South to a point 10 feet West of the Southwest Corner of Block 16 of said Milldale Subdivision, thence West to a point 10 feet East of the Southeast Corner of Block 17 of said Milldale Subdivision, thence North to a point 10 feet East of the Northwest Corner of Block 17 of said Milldale Subdivision, thence East to the point of beginning. (The parcel herein described is commonly known as the unvacated portion of South 11th Street of the City of Grand Junction which lies South of 3rd Avenue and North of 4th Avenue in the City of Grand Junction.

2. Reasons for vacation.

The reasons that the petitioner is seeking the above vacation of the above tracts are as follows:

(a) The petitioner is an expanding and growing industrial firm. The petitioner owns all of Block 15 and Block 16 of

Milldale Subdivision upon which the petitioner has its fabricating facility.

(b) In order to expand its operations, petitioner has recently acquired title to those lots in Block 17 of Milldale Subdivision which the petitioner did not previously own. If the alleyway situated in Block 17 and the unvacated portion of 11th Street situated between Blocks 16 and 17 are vacated, petitioner will have the area of Block 17 totally integrated and incorporated with the area of petitioner's property in Blocks 15 and 16 to permit the petitioner to plan future expansion of its plant facilities.

(c) That portion of South 11th Street which the petitioner desires to have vacated (Parcels 3 and 4) is presently not of benefit to the general public for right-of-way purposes for the reason that the segments of South 11th Street north of 3rd Avenue and south of 4th Avenue and a segment of 3rd Avenue east of 11th Street have all been vacated, and there has been established by the D&RG railroad, under a revocable permit issued by the City in 1952, on the south end of South 11th Street and north of 4th Avenue a railroad spur serving the petitioner's plant. As a result of these conditions, South 11th Street south of 3rd Avenue and north of 4th Avenue is a dead end street used primarily for parking by the petitioner's employees.

(d) The alleyway in Block 17 of Milldale Subdivision (Parcel No. 2) has no purpose other than serving the lots situated in Block 17 of Milldale Subdivision.

(e) The North 20 feet of 4th Avenue east of South 10th Street and west of the east line of South 11th Street, except for the 10 feet thereof (Parcel No. 1), has not been used by the general public for access since the establishment of the aforementioned railroad spur in 1952. It is contemplated that if this petition for vacation is granted, permitting the consolidation and integration of all the petitioner's property, the petitioner plans to ultimately relocate this railroad spur a short distance north of its present location so that it may better able serve East-West craneways which the petitioner plans to establish in Block 17 to connect with craneways now situated south of petitioner's improvements in Block 16.

(f) By reason of non-usage by the general public of the above-described parcels, the petitioner shows and represents there is not a necessity in the interests of the general public for the continued use of these parcels for public right-of-way. These areas could be better utilized if they were vacated so



that the petitioner could integrate and incorporate them with petitioner's adjoining property for the purpose of permitting the petitioner greater utilization of the petitioner's property. Furthermore, by vacating these parcels, the parcels will be placed on the tax rolls and the general public will be benefited by the petitioner paying real property taxes.

3. Names and addresses of surrounding property owners and persons affected by the petition.

The only property owner of interest who owns property adjoining the area sought to be vacated, and who may be affected by said vacation, is Whitewater Building Materials Corp., (Whitewater), whose address is Box 1769, Grand Junction, Colorado, 81501. Whitewater owns all of Block 22 and Lots 1 to 4, both inclusive, and 31 to 34, both inclusive, of Block 23 of Milldale Subdivision. Petitioner has reviewed with the management of Whitewater petitioner's plans for vacating these parcels herein described and the purposes for which said vacation has been sought and the management of Whitewater has indicated that it has no objection to said vacation.

4. Site Plan.

In accordance with the filing and processing procedures adopted by the City, the following information and data is supplied relative to the site:

(a) There is submitted herewith fifteen (15) copies of this petition and of a site plan of the property of the petitioner indicating the relationship between the petitioner's property and the property sought to be vacated.

(b) The property is presently zoned for industrial use and is used for that purpose.

(c) No utility rights would be directly affected by the granting of the petition for the vacation of the parcels herein described.

There is located 10 feet South of that portion of the 4th Avenue (Parcel No. 1) which is sought to be vacated an 18-inch City water main. If this petition to vacate is granted, there will be available as right-of-way an area 10 feet North and 30 feet South of the centerline of this water main to the City for access to the water main for maintenance and upkeep purposes.

Director of Development  
City of Grand Junction  
November 30, 1976  
Page 5.....

As we have previously noted, located within that portion of 4th Avenue which is sought to be vacated by the petitioner is a railroad spur. This spur was established in the City right-of-way under the terms of revocable permit granted by the City of Grand Junction on June 4, 1952, which was recorded October 9, 1952, in Book 572, Page 494, Mesa County Records. The adjoining property owners agreed by an instrument dated June 11, 1952, and filed June 18, 1952, at Book 567, Page 410, Mesa County Records, that they would not raise any objection to the presence of this railroad spur in the right-of-way. Coincidental with the vacation of this parcel, the petitioner is prepared to enter into such agreement as may be satisfactory to the petitioner and the railroad for the railroad to continue with its spur located in its present place in order that it may continue to serve the petitioner's plant. Implicit with the granting of a vacation of this tract, the revocable permit would be terminated.

(d) The site plan submitted herewith shows all surrounding streets and current access to the petitioner's plant.

(e) The site plan submitted herewith does not show contours. For our purposes, the petitioner deems that all parcels owned by the petitioner, and the parcels sought to be vacated, are level.

5. Payment of fee.

In accordance with your filing and processing rules and regulations, there is forwarded herewith our firm's check made payable to the order of the City of Grand Junction, in the amount of \$235.00, in payment of the required fee.

6. General Matters.

If there is any further or additional information which you may require for preliminary consideration of this petition, please contact the undersigned.

Sincerely yours,

GOLDEN, MUMBY & SUMMERS

BY   
\_\_\_\_\_

JG/ck  
Enclosures

cc: M. A. Cornelison, Grand Junction Steel  
Maurice Gardner, Whitewater Building Materials

CITY : GRAND JUNCTION, COLORADO

MEMORANDUM

Reply Requested

Yes  No

Date

12-29-76

To: (From:) Karl Metzner  
Planning Department

From: (To:) Duane R. Jensen, P. E. *D.R.J.*  
City Engineer-Utilities

SUBJECT: Vacation of 4th Avenue, near Grand Junction Steel

On December 22, Jim Patterson, Ron Rish, and I met with Mr. Golden and Mr. Cornelison representing Grand Junction Steel Fabrication.

During the meeting it was pointed out by these representatives that our 18" water line, as indicated on their map of 4th Avenue, is located at such a position that it would fall 10 feet outside the right-of-way that is proposed to be vacated.

On December 29, 1976, I received the results of a survey conducted by the city survey crew which indicates that the 18" water line is in fact only 2.5 ft. outside from the right-of-way which is to be vacated.

The 2 1/2 Ft. does not give the city adequate amount of space to maintain the water line, as at least ~~20~~<sub>8</sub> feet from the water line is required.

Therefore, I recommend that only a ~~14~~ 1/2 Ft. R. O. W. vacation be granted.

GOLDEN, MUMBY & SUMMERS

ATTORNEYS AT LAW

COURTHOUSE PLACE BUILDING - 200 N. 6TH STREET

P. O. BOX 398

GRAND JUNCTION, COLORADO 81501

AREA CODE 303  
TELEPHONE 242-7322

JAMES GOLDEN  
KEITH G. MUMBY  
K. K. SUMMERS  

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J. RICHARD LIVINGSTON

February 1, 1977

Don Warner  
Director of Development  
Grand Junction City Hall  
Grand Junction, CO 81501

Re: 1976 Vacation Application of Grand  
Junction Steel Fabricating Co.

Dear Sir:

As your records will indicate, we requested the above Vacation Application to be deferred until the City Council took action on the 1975 Vacation Application of the company which had been previously approved by the Planning Commission.

In the light of the City Council's favorable action on the prior matter, we would like to proceed forward with the request embodied in our letter of November 30, 1976. We would also like to supplement that request to include a request that the City quit claim to Grand Junction Steel Fabricating Co., all right, title and interest which it received from Grand Junction Building Materials Co., Inc., by instrument dated September 15, 1954 which was recorded on October 15, 1954 at Book 621, Page 346 to a 20 foot easement for alley and public purposes to be situated in such portions of Lots 27 & 28 in Block 23 of Milldale Subdivision in the City of Grand Junction, Mesa County, Colorado.

It would appear that these rights were obtained by the City at the time the City was requested by Grand Junction Building Materials Co., Inc., to vacate all that part of the east/west alleyway which lay west of Lots 27 & 28 of Block 23 of Milldale Subdivision for the purpose of perserving some method of ingress and egress for the balance of the east/west alleyway.

Now that the aforementioned east/west alleyway has been closed, we submit, that there is no further reason existing for the City to retain the right to establish an easement 20 feet in width in Lots 27 & 28 of the area in Block 23. For greater clarity, we are enclosing herewith a copy of the recorded instrument by which this grant was created in the City's favor.

Page Two

Since submitting our letter to you of November 30, 1976, my client has advised me that there is located in the east/west alleyway of the Block situated between 3rd Avenue and 4th Avenue and South 10th Street and South 11th Street (property described as Parcel #2 in our letter of November 30, 1976) a 2 inch high pressure gas line which was installed by Public Service Company to provide gas service to the company's plant. The company recognizes that it will be necessary for Public Service to retain an easement of ingress and egress for the purpose of maintaining and repairing this gas pipeline.

Since we are enlarging upon the request submitted by November 30, 1976 to include the easement as it affected Lots 27 & 28 in Block 23, we are submitting herewith 15 copies of this letter. The area that is affected by this enlarged request is reflected on the plat that we previously submitted with our request of November 30, 1976.

We are hopeful that with this information, you may be able to schedule this request for vacation for the Planning Commission hearing scheduled for the month of February.

Sincerely yours,

GOLDEN, MUMBY & SUMMERS

BY 

JG/jl  
Enclosures

cc: M. A. Cornelison  
Grand Junction Steel  
Fabricating Co.  
1101 3rd Avenue  
Grand Junction, CO 81501

GOLDEN, MUMBY & SUMMERS

ATTORNEYS AT LAW

JAMES GOLDEN  
KEITH G. MUMBY  
K. K. SUMMERS

COURTHOUSE PLACE BUILDING - 200 N. 6TH STREET

P. O. BOX 398

GRAND JUNCTION, COLORADO 81501

AREA CODE 303  
TELEPHONE 242-7322

J. RICHARD LIVINGSTON

February 14, 1977

Don Warner  
Director of Development  
Grand Junction City Hall  
Grand Junction, CO 81501

Re: 1976 Vacation Application of Grand  
Junction Steel Fabricating Co.

Dear Sir:

Since our initial letter of November 30, 1976 on this matter, we have had conversations with members of the City Staff relative to the areas which our client desires to be vacated.

1. PARCEL 1 (Part of 4th Avenue between South 10th Street and South 11th Street). The request made by the company in our letter of November 30, 1976 was premised upon the assumption that the 18" water main located in 4th Avenue between South 10th Street and South 11th Street was located at the centerline of 4th Avenue. Investigation made subsequent to the company's application of November 30, 1976 has indicated that the waterline is located on an irregular course North of the centerline of 4th Avenue with a maximum variation of approximately 7 feet from the centerline of 4th Avenue. In order to allow the Utility Department of the City sufficient opportunity to gain access to this waterline for maintenance and repair purposes, it has been suggested to our client that our client modify the request for vacation by 5 feet. Initially, our client requested the North 20 feet of 4th Avenue be vacated. Our client is agreeable to the suggestion made by Mr. Jensen of the Utility Department that the request be modified by a reduction of 5 feet, and therefore, does hereby amend its request and the description contained in its request to provide for the vacation of only the North 15 feet of 4th Avenue situated between South 10th Street and the East line of South 11th Street.

2. PARCEL 4 (Part of South 11th Street South of 3rd Avenue and North of 4th Avenue except the East 10 feet of this part of South 11th Street which has been previously vacated and the East 10 feet of South 11th Street adjoining Lot 16 and Lot 17 of Block 17 of Milldale Subdivision). Mr.

Rish has indicated that the North 50 feet of this proposed Parcel remain as City right-of-way in order to allow turn around room for vehicles that will be using the adjoining 3rd Avenue. As we understand it, Mr. Rish has made his determination by calculating the area that a large motor vehicle would need to turn around to make a turn on 3rd Avenue. Our client is agreeable to modifying the request, and the description, to provide for the exclusion of this area from the application for vacation.

In order that we will have available a Plat showing the areas that our client seeks vacation of, as modified as hereinabove stated, I am forwarding herewith two Plats. PPlat #1 shows the property owned by our clients and the areas which are the subject matter of this vacation request, as have been modified. Additionally, this Plat shows the area in Block 23 which was reserved by the City for future easement, in red. We requested by our letter of February 1, 1977 that this future easement area be quitclaimed to our client in connection with these proceedings.

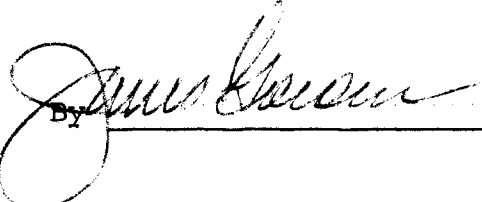
Plat #2 is prepared at Mr. Jensen's request specifically to show a profile of 4th Avenue and, the waterline, the present lot line, and the relationship between the 15 foot area sought to be vacated and the waterline. This profile reflects our client's intended use of the vacated area by establishing a fence on the boundary line thereof and after providing for a passageway of approximately 3 feet from the boundary line the rest of the area to be used for purposes of steel storage upon railroad ties.

In order that there will be free and complete circulation of this letter and the Plats referred to herein, I am supplying you with 14 copies of this letter and the Plats.

As always, if you have any questions concerning any of the matters contained herein, or the Plats, if I am unable to answer the questions, I will obtain an answer from Mr. Cornelison.

Sincerely yours,

GOLDEN, MUMBY & SUMMERS

By   
\_\_\_\_\_

JG/jl  
Enclosures

cc: Mr. M. A. Cornelison

GOLDEN, MUMBY & SUMMERS

ATTORNEYS AT LAW

COURTHOUSE PLACE BUILDING - 200 N. 6TH STREET

P. O. BOX 398

GRAND JUNCTION, COLORADO 81501

AREA CODE 303  
TELEPHONE 242-7322

JAMES GOLDEN  
KEITH G. MUMBY  
K. K. SUMMERS  

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J. RICHARD LIVINGSTON

March 24, 1977

Don Warner  
Director of Development  
Grand Junction City Hall  
Grand Junction, CO 81501

Re: No. 86-76 Road Vacation - Grand  
Junction Steel

Dear Mr. Warner:

When the referenced matter was considered at the February meeting of the City of Grand Junction Planning Commission, it was suggested to the applicant, Grand Junction Steel, that it might be well for the applicant to meet with the representatives of the City Utilities Department and Whitewater Building Materials for the purpose of determining whether or not all of 4th Avenue lying between South 10th Street and South 11th Street could be vacated rather than only the North 15 feet of 4th Avenue as requested in the application.

I am pleased to report that representatives of Whitewater Building Materials, Grand Junction Steel, and Mr. Duane Jensen from the City Utilities Department met and considered the Planning Commission's request.

All parties agreed that it would be desirable to vacate the entire street with the understanding that the vacation ordinance would provide that the City would reserve a right of way 15 feet on each side of the centerline of the street for purposes of reserving a right of ingress and egress to service and maintain an 18" water main now located within the reserved area; with the further understanding that the area reserved for right of way shall not be used for storage, no improvements shall be placed thereon and the right of way may not be fenced except that the North and South boundary lines of the right of way may be fenced so long as such fence runs parallel with the centerline of the vacated street.

It is hoped that this matter may be scheduled to be considered by the Planning Commission at its March, 1977 meeting.

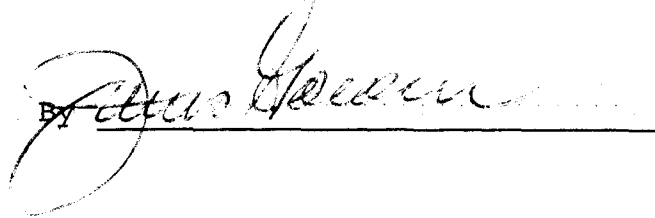


Page Two

It is further hoped that this arrangement will be found acceptable by the Planning Commission at the meeting.

Sincerely yours,

GOLDEN, MUMBY & SUMMERS

  
BY Duane Jensen

JG/jl

cc: Duane Jensen  
City Utilities Department  
Grand Junction City Hall  
Grand Junction, CO 81501

Maurice Gardner  
Whitewater Bldg. Materials  
940 South 10th  
Grand Junction, CO 81501

M. A. Cornelison  
Grand Junction Steel  
1101 3rd Avenue  
Grand Junction, CO 81501



SAND & GRAVEL  
PRODUCTS

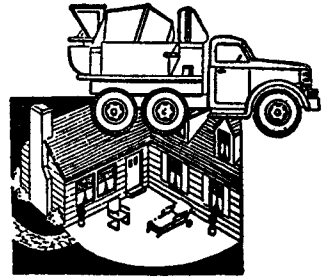
# WHITEWATER-BUILDING MATERIALS CORPORATION

Phone 242-4843 or 242-7537

P. O. Box 1769

940 South 10th Street

GRAND JUNCTION, COLORADO 81501



READY MIXED  
CONCRETE

May 20, 1977

Don Warner  
Director of Development  
Grand Junction City Hall  
Grand Junction, Colorado 81501

Re: No. 86-76 Road Vacation -  
Grand Junction Steel

Dear Mr. Warner:

We have a copy of Mr. Golden's letter addressed to you dated March 24, 1977.

By this letter we wish to advise that we completely agree with the agreement as reported by Mr. Golden in his letter of March 24 concerning the vacation of part of 4th Avenue between south 10th and south 11th street.

Sincerely yours,

WHITEWATER BUILDING MATERIALS CORP

By *Edward M. Gardner*  
Vice President

EMG/amc