

Table of Contents

File 1979-002
Date 10/5/00

Project Name: Wimer Subdivision - Final (Minor Subdivision)

| | | |
|---|---|---|
| P | S | <p>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.</p> <p>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.</p> <p>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.</p> |
| r | c | |
| e | a | |
| s | n | |
| e | e | |
| n | n | |
| t | d | |
| 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 |
| | | 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 | X | Review Sheets | | | |
| X | | Development Summary Form | | | |
| X | X | Review Sheet Summary | | | |
| X | X | Letter from Younge, Hockensmith, Griffin, Robb & Rider to Gerald Ashby | | | |
| X | X | Letter from Youge, Hockensmith, Griffin, Robb & Rider to Conni McDonough-12/4/78, 10/12/78 | | | |
| X | X | Power of Attorney - ** | | | |
| X | | Certification of plat review | | | |
| X | X | Letter from Del Beaver to Eugene Wimer re: approval of item - 2/21/79 | | | |
| X | X | List of Adjacent Property Owner | | | |
| X | X | Final Plat - ** - on CD ROM | | | |
| X | | Utility Composite | | | |
| | | | | | |
| | | | | | |
| | | | | | |

Wimer, Eugene R. & Alice E
1321 Main Street
Grand Junction, CO, 81501

Donovan, Paul L. & S.
% Mesa United Bank
2812 North Ave,
Grand Junction, CO. 81501

Herbertson, C.B.
% Central Bank
P. O. Box 7002
Colorado Springs, Co. 80933

Angell, Raymond R. Jr. & Betty D.
615½ East 5th
Delta, Colorado 8141

Cole, Raymond D. Doris M.
Rt. 1 Box 283-A
Palisade, Colorado 81526

Derita, Guy T.
2816 North Avenue
Grand Junction, CO. 81501

Cole, Raymond C. & Doris M
Rt. 1 Box 283-A
Palisade, Colorado 81526

Colorado West Tire Company
2820 North Ave.
Grand Junction, Co. 81501

Miracle, Hubert
510 Court Road
Grand Junction, CO. 81501

McCoy, Maurice H. & Dovia A.
2939 Sunset Drive
Grand Junction, CO. 81501

West, Nita R.
508 Court Road
Grand Junction, CO. 81501

Coleman, George O. & N.M.
506 Court Road
Grand Junction, CO. 81501

Junction Bell Federal Credit
Union
753 Rood Avenue
Grand Junction, CO. 81501

Donovan, Paul L.
% Mesa United Bank
2812 North Ave.
Grand Junction, CO. 81501

REVIEW SHEET SUMMARY

FILE # 2-79

ITEM WIMER SUBDIVISION (MINOR)

PC MEETING DATE _____

MCC/CC MEETING DATE _____

DATE REC. COMMENTS

| | | |
|---------|-------------------------|---|
| 1-12-79 | GRAND JUNCTION DRAINAGE | Drainage ditch along North boundary of subdivision not shown. Right-of-way for channel of drain plus 20' maintenance road required along South Bank of drain or Tiling Agreement signed. No utilities within the Right-of-way. If road for public use is planned, drain must be tiled. Have engineer firm contact Chuck Tilton at 242-4343 before 3:30 P.M. |
| 1-15-79 | MOUNTAIN BELL | Easements and dedication to be satisfactory as shown |
| 1-19-79 | FIRE DEPARTMENT | Submit plan of water system improvements for fire protection for approval when type and use of structures are known |
| 1-19-79 | CITY UTILITIES | All proposed utilities must not be shown? The utility line including service lines should be shown on the utility composit. |
| 1-19-79 | POLICE DEPARTMENT | Approved |
| 1-19-79 | PUBLIC SERVICE | Gas: No objections Electric: No objections - can serve from existing overhead lines. |
| 1-19-79 | CITY ENGINEERING | No comments - Steve McKee |
| | R. Rish - | 1. Power of attorney needed for full street improvements on "Road Dedication" 2. "Road Dedication" needs to align with the "stub" provided from Court Road in the Omega Park development. Does it? |

STAFF RECOMMENDATIONS: Approval subject to review comments.

GJPC: SIMONETTI/FLAGER/PASSED 6-1 (MIKESSELL VOTING AGAINST/A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL, SUBJECT TO STAFF AND REVIEW SHEET COMMENTS.

CITY COUNCIL 2-21-79

MOVED BY COUNCILMAN KOZISEK: THAT THE FINAL PLAT OF WIMER SUBDIVISION BE APPROVED SUBJECT TO THE CONDITIONS OF THE PLANNING COMMISSION. SECONDED BY COUNCILMAN DUNN.
MOVED BY COUNCILMAN BROWN: TO AMEND THE MOTION THAT THE POWER OF ATTORNEY REQUIRE FULL STREET IMPROVEMENTS AND FULL COSTS FOR THEIR SHARE OF IMPROVEMENTS TO THE DRAINAGE DITCH. SECONDED BY COUNCILMAN O'DWYER.

YOUNGE, HOCKENSMITH, GRIFFIN, ROBB & RIDER

THOMAS K. YOUNGE
FRANK M. HOCKENSMITH
DAN G. GRIFFIN
JAMES M. ROBB
KIRK E. RIDER

JAMES S. CASEBOLT

ATTORNEYS AT LAW
GRAND JUNCTION, COLORADO 81501

P. O. BOX 1768
537 ROOD AVENUE
AREA CODE 303
TEL. 242-2645

October 12, 1978

Hand Deliver

Ms. Conni McDonough
Development Department
Mesa County Courthouse
Grand Junction, Colorado 81501

Re: Gene Wimer Property

Dear Conni:

You may recall that on September 12, 1978, John McArthur and I met with you in your office to discuss the possible sale of some property owned by Gene Wimer, said property being located just north of North Avenue and east of Court Road. Enclosed is a xerox copy showing the property in question.

Mr. Wimer owns Parcel No. 125, and it was contemplated that he would convey the West one-half. The purchaser was also contemplating the purchase of property designated as Parcel No. 188 which fronts on Court Road. At the present time, Mr. Wimer has access to the entire parcel through "Rita Place" which is a perpetual right-of-way but is not dedicated.

You may recall that you requested that Karl Metzner confer with Jerry Ashby to see if this division could be made without complying with subdivision regulations. Two days later, Mr. Metzner phoned my office and left word that the subdivision regulations would have to be followed. The attorney for the purchaser is Richard Livingston, and he has now been advised by Mr. Del Beaver that the only way in which Parcel 125 can be divided into two parcels is for Mr. Wimer to obtain dedicated access off of North Avenue. I question why the access must be dedicated when Mr. Wimer does in fact have a perpetual easement and said easement was recorded several years ago in the Mesa County Records. I submit that with the purchaser also purchasing Parcel 188 which would give them access off of Court Road, that it is not necessary

Ms. Conni McDonough

-2-

October 12, 1978

to have a dedicated street going to the property that would be retained by Wimer, which is the East one-half of Parcel 125, and I frankly cannot understand the position being taken by Mr. Ashby and your department concerning this matter.

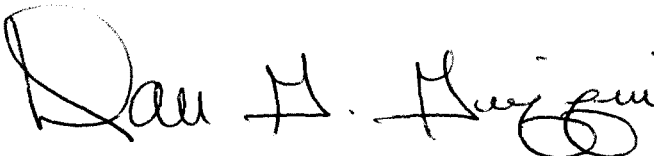
I would appreciate it if you would review this matter more fully, and Richard Livingston and I would then appreciate meeting with you within the next couple of days concerning this matter. Please phone my office and advise as to when we can meet with you.

Thank you for your prompt attention to this matter.

Very truly yours,

YOUNGE, HOCKENSMITH, GRIFFIN,
ROBB & RIDER

By



DGG:ju
Enclosure

xc: Mr. Richard Livingston

Mr. Gene Wimer

YOUNGE, HOCKENSMITH, GRIFFIN, ROBB & RIDER

THOMAS K. YOUNGE
FRANK M. HOCKENSMITH
DAN G. GRIFFIN
JAMES M. ROBB
KIRK E. RIDER

JAMES S. CASEBOLT

ATTORNEYS AT LAW
GRAND JUNCTION, COLORADO 81501

P. O. BOX 1768
537 ROOD AVENUE
AREA CODE 303
TEL. 242-2645

December 4, 1978

Hand Deliver

OK.
They will go
minor sub
Dan

Mr. Gerald Ashby
City and County Attorney
250 North 5th Street
Grand Junction, Colorado 81501

Re: Gene Wimer Property

Dear Jerry:

Enclosed is a copy of a letter I have sent to Conni McDonough concerning the Gene Wimer property that you and I discussed on October 19, 1978. Due to the fact that no additional parcels of land are being created by this split, do you feel that we have to "subdivide" the property? I would appreciate it if you would review this immediately with Conni and advise within the next couple of days as my client may be in danger of losing a sale which could result in substantial damages to him.

Very truly yours,

YOUNGE, HOCKENSMITH, GRIFFIN,
ROBB & RIDER

By *Dan G. Griffin*

DGG:ju

Enclosure

Hold For Wimer
Minor Sub File

YOUNGE, HOCKENSMITH, GRIFFIN, ROBB & RIDER

THOMAS K. YOUNGE
FRANK M. HOCKENSMITH
DAN G. GRIFFIN
JAMES M. ROBB
KIRK E. RIDER
JAMES S. CASEBOLT

ATTORNEYS AT LAW
GRAND JUNCTION, COLORADO 81501

P. O. BOX 1768
537 ROOD AVENUE
AREA CODE 303
TEL. 242-2645

December 4, 1978

Hand Delivery

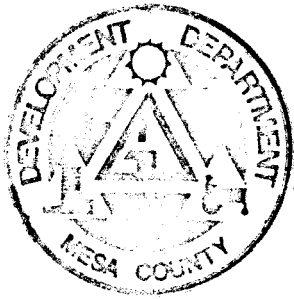
Ms. Conni McDonough
Mesa County Development Dept.
Mesa County Courthouse
Grand Junction, Colorado 81501

Re: Gene Wimer Property

Dear Conni:

You will recall that I talked to you on Thursday, November 30, 1978, and advised you as to my concern concerning the position being taken by the Development Department to the effect that Mr. Wimer would have to follow the subdivision process to split the property. I advised you that no additional parcels were being created since Parcel No. 188 which fronts on Court Road will become part and parcel of the west one-half of the property that Mr. Wimer is selling. You advised me that you would look into this matter and contact me on Friday, December 1st. Therefore, I had the engineers and the owner of the property "in limbo" awaiting your call. When I did not hear from you, I attempted to contact you on three occasions on Friday but you never returned my calls. The confusion surrounding this property since September has reached the point of irritation and total frustration.

You will recall that John McArthur and I first visited with you on September 12, 1978 concerning this problem. At that time, you were sympathetic to our cause and you requested that Carl Metzner of your office ascertain whether or not the subdivision regs would apply. He responded to me and advised that the property would have to be subdivided. Subsequent to that time, word was received from your office that no subdividing would be allowed unless a dedicated right-of-way was obtained over "Rita Place." After consulting with Jerry Ashby and Don Warner, it was determined that the dedicated right-of-way over "Rita Place" would not be necessary. However, Mr. Warner advised me that the City would require a conveyance of



CITY - COUNTY
DEVELOPMENT DEPT.

P.O. BOX 897 - GRAND JUNCTION, COLORADO - 81501
DIAL 303 243-9200 ext. 343

Grand Junction Planning - Mesa County Planning - Building Department

February 6, 1979

Eugene Wimer
2814 North Avenue
Grand Junction, Colorado 81501

Re: File #2-79

Dear Mr. Wimer,

The item referenced above was approved by the Grand Junction Planning Commission on January 30, 1979. This item will be heard before the Grand Junction City Council on February 21, 1979.

Conditions, restrictions or special requirements placed on this approval are as follows:

Staff and Review Comments (for a copy of these, contact the Development Department).

Please contact our office if you have any questions concerning this item.

Yours Truly,

Del Beaver
Senior Planner, Design/Development

cc: John McArthur
Armstrong Engineers & Assoc. Inc.

DB/kms