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File 1979-0016
Date 10/23/00

Project Name: Crown Heights Subdivision – Filing #1 (1 of 2)

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>		
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)		
<u>DOCUMENTS SPECIFIC TO THIS DEVELOPMENT FILE:</u>				
X	X	Follow-Up Form	X	Certification of plat from Roger Head, Mesa Co. Surveyor
X		Review Sheets	X X	Letter from Robert Coburn to Wesly Painter re: installation of the 6" water line – 10/6/80
X	X	Action Sheet	X x	Planning Commission Hearing Minutes - 1980
X	X	Review Sheet Summary	X	Planning Commission Minutes - ** -3/13/79, 9/30/80
X		Commitment for Title Ins. From Chicago Title Ins. Co.	X	Final Plat Application
X	X	Letter from Michael Sutherland to John Pearson re: minutes of Planning Commission Hearing – 3/28/85	X X	City Council Minutes – ** - 4/4/79, 4/18/79
X	X	Letter from Norman Luepschen, Hort. Pest Inspector of Mesa Co. to John Pearson Home Owners Assoc. re: pest control – 3/27/85	X X	Subdivision Summary Form
X	X	Improvements Needed for Crown Heights from Jack Dwyer – no date	X X	Final Plat Application
X	X	Memo from Mike Sutherland to Ken Reedy re: sink hole in pavement – 6/6/84	X X	Letter from Paul Bowers to Karl Metzner re: Airport Comments Regarding Item 79-16
X	X	Letter from Ron Rish to E. Conahan re: City maintenance of streets – 3/30/81	X X	Letter from Alex Candelaria to Lloyd Unfred re: denial of petition for final plat – 10/3/80
X	X	Subdivision Improvements Agreement	X X	Adjacent Property List
X	X	Letter from Ron Rish to Robert Coburn, Coburn Eng. re: review of detailed construction plans – 5/4/81	X	Avigation Easement Agreement

res 12.1
Units 39 LOTS
Density 8 UNITS/ACRES

CITY ACTION SHEET

File # 16-79

Zone RD-8

Activity CROWN HEIGHTS-1st FILING Date Neighbors Notified--
Phase FINAL City Council _____
Date Submitted 8/1/80 Date CIC Legal Ad _____
Date Mailed Out 8/6/80 Hearing Date--
Date Posted 8/15/80 Planning Commission 8/26/80
Legal Ad Date _____ Hearing Date--
Date Neighbors Notified-- City Council _____
Planning Commission 8-19-80
9-19-80 10 Review Period-Return By 8/18/80

Review Agencies

Send
 COUNTY ROAD DEPARTMENT
 MOUNTAIN BELL
 PUBLIC SERVICE COMPANY
 FIRE
 IRRIGATION HIGHLINE CANAL
 DRAINAGE G.V PROJECT
 SEWER CITY UTE
 WATER (UTE) CLIFTON
FLOODPLAIN
 CITY ENGINEER
 CITY UTILITIES
 CITY POLICE
 TRANSPORTATION ENGINEER
 PARKS AND RECREATION
 ENERGY OFFICE
 TECH REVIEW
WATER AND POWER RESOURCES
 AIRPORT AUTHORITY
 Bldg Dept.

Common Location SE COR OF 27 1/2 & G Rd.

Board	Date	Comments
GTRC	8/30/80	Tabled - until until 9/30/80
GTAC	9/30/80	Denied
CIC	10/15/80	Tabled for Fact Finding until 11/5/80
CIC	11/5/80	Approved - Subject to STAFF & review comments.

Staff Comments

Original Documents
____ Improvement Agreement
____ Improvement Guarantee
____ Covenants
____ Development Schedule

REVIEW SHEET SUMMARY

FILE# 16-79

ITEM CROWN HEIGHTS FIL #1 Final Plat

DATE SENT TO REVIEW DEPT. 8-06-80

DATE DUE 8-18-80

PETITIONER Leland & Floyd Unfred

LOCATION S.E. corner of 27½ & G Road

<u>DATE REC.</u>	<u>AGENCY</u>	<u>COMMENTS</u>
8-07-80	BLDG	OK
8-13-80	CITY UTIL	<ol style="list-style-type: none">1. MH #14 should be stubbed to north beyond road improvements.2. If lots north of East Piazza are to be served from sewer line in East Piazza, service lines should be installed at this time.3. Truck mounted sewer maintenance machine should have access to MH #124. If any lots in blocks 3 & 4 of future filing need to flow back to sewer line in South Piazza, stub outs past street improvements need to be provided at this time. A future line in easements to connect to MH #5 or #6 should be avoided.5. MH #6 & #5 should not be covered with one (1) ft. of earth and access must be provided until future filing is developed.
8-18-80	UTE WATER	<p>Six inch water lines, when looped, will meet the necessary fire flow requirements for residential development. In order to create this loop it is requested that the future water line indicated in West Piazza be installed with this first phase of development. Another reason for this request is that a 18" mainline valve is located between these two connection locations and the development could be served from either direction.</p> <p>The overall development utility composite of the preliminary plan indicates continued use of six inch water line loops providing a very good grid system for the subdivision.</p>

STAFF RECOMMENDATIONS

Recommend that comments from preliminary review and Planning Commission Hearing be adhered to on 1st filing.

UTE WATER CON" T Development fees, tap fees and connection fees in effect will apply.

8-18-80 TRANSP ENG I was not working for the City at the time that the preliminary plat was submitted. Therefore, my comments relate only to the final plat of the 1st filing.

1. The traffic circle (Piazza Circle) is not a good traffic engineering design for any intersection. It is confusing and could result in wrong way travel on one-way sections.
2. The "East Piazza " Blvd. configuration will probably result in two-way traffic on a 17' wide street.
3. The blvd. configuration on "South Piazza" is OK since no lots face on it. Consideration might be given to a left turn bay in the median at Courtland Ave.

8-18-80 G.J. FIRE This office has no objections to this sub-division. There is adequate water at this location and the proposed hydrant spacing is adequate. A hydrant guarantee must be signed from this office.
Ute water will want to review these.
(note) Fire hydrants spacing not over 500' between hydrants. The 6 inch water line must be looped back to 27½ Road-on East Piazza at this time. There is too much dead end 6 inch pipe to give adequate fire flow.

8-20-80 AIRPORT AUTHORITY See file for attached letter.

8-20-80 CITY ENG. Power of attorney for full street improvements to Cortland Avenue should be granted prior to recording plat. Detailed road and sewer plans will be reviewed by me and I will respond separately by letter to their engineer on the details of those construction plans prior to construction authorization.
How long will that "temporary" gravel street be in service on East Piazza?
The ground on which the sanitary sewer and storm drainage outlet are routed (west of this filing) needs somehow to be "dedicated" or easements provided to the City until that filing is platted and recorded with appropriate dedications.

8-26-80 PUBLIC SERVICE Gas: Request 6 ft. front lot easements adjacent to all streets and cul-de-sacs. Cannot use 4 ft. area as shown due to water meters, street lights and fire hydrants.
Electric: No objections.

8-26-80 MT. BELL Did not receive SL 1 of 2 of final plat. Check dedication against the attached. No other comments or requests.

8-27-80 PARKS & REC. None

8/26/80-GJPC/FLAGER/FRANK PASSED 6-0 A MOTION TO TABLE THIS ITEM FOR FACT FINDING, AND AT SUCH TIME IN THE FUTURE AS ALL THE FACTS AND ALL THE PROPER AGENCIES HAVE BEEN REVIEWED THAT WE THEN PLACE THIS ITEM BACK ON THE AGENDA.

9/30/80 GJPC FLAGER/SCHOENBECK PASSED 5-0 A MOTION TO RECOMMEND DENIAL TO THE CITY COUNCIL OF #16-79. THIS DECISION IS ABOVE AND BEYOND THE ABILITY OF THIS COMMISSION TO DETERMINE THE LEGAL STATUS OF THIS FILING IN EXACT RELATIONSHIP TO THE CONFLICTING EMOTIONS AND OPTIONS THAT HAVE BEEN EXPRESSED TO THE COMMISSION, INASMUCH AS WE HAVE HEARD FROM ONE COUNSEL AND DO NOT HAVE THE DIRECT TESTIMONY OF THE CITY AND COUNTY ATTORNEY; THAT THIS IS A DECISION TO BE FACED BY THE ELECTED OFFICIALS OF THE CITY; THAT APPROVAL OF THIS REQUEST WOULD NOT BE IN THE BEST INTERESTS OR WELFARE OF THE GENERAL PUBLIC.

Acres 40
Lots 213
Density

ACTION SHEET

File # 16-79
Zone PD8
Tax Area Code

Activity Crown Heights Sub - Request for extension of time
Phase Final on final plat submitted
Date Submitted 7-2-80 Date Neighbors Notified

Date Submitted 7-2-80 Date CIC MCC Legal Ad 7-16-80
Date Mailed Out NA PC Hearing Date NA

Review Agencies Review Period - Return By NA

<u>Send</u>	<u>Send</u>
<input type="checkbox"/> COUNTY ROAD DEPARTMENT	<input type="checkbox"/> FIRE
<input type="checkbox"/> COUNTY HEALTH DEPARTMENT	<input type="checkbox"/> IRRIGATION
<input type="checkbox"/> COUNTY SURVEYOR	<input type="checkbox"/> DRAINAGE
<input type="checkbox"/> COMPTONICS	<input type="checkbox"/> WATER (UIE, CLIFTON)
<input type="checkbox"/> GRAND VALLEY RURAL POWER	<input type="checkbox"/> SEWER
<input type="checkbox"/> MOUNTAIN BELL	<input type="checkbox"/> CITY ENGINEER/UTILITIES
<input type="checkbox"/> PUBLIC SERVICE	<input type="checkbox"/> MACK, LOMA, MESA, COLLBRAN
<input type="checkbox"/> SOIL CONSERVATION SERVICE	<input type="checkbox"/> FRUITA, PALISADE
<input type="checkbox"/> SCHOOL DISTRICT #1	
<input type="checkbox"/> STATE HIGHWAY	
<input type="checkbox"/> STATE GEOLOGICAL	
<input type="checkbox"/> STATE HEALTH - RADIOLOGICAL	
<input type="checkbox"/> TRANSAMERICA TITLE	

<u>Card</u>	<u>Date</u>	<u>Comments</u>
<u>CIC</u>	<u>7/16/80</u>	<u>Extension approved until 9/1/80</u>

Common Location

Staff Comments

Original Documents

Imp. Agreement \$ Appraisal x .05 = \$ Open Space;

Imp. Guarantee Receipt # Check #

Covenants Open Space Dedication

Power of Attorney

Dev. Schedule

Acres _____
Units _____
Density _____

ACTION SHEET

File # 16-79
Zone _____
Tax Area Code _____

Activity Crown Heights Sub. - Request extension for Final Plat Submittal

Phase _____ Date ^{Ret.} ~~Neighbors~~ Notified 3-17-80

Date Submitted _____ Date CIC/MCC Legal Ad _____

Date Mailed Out _____ PC Hearing Date _____

Review Agencies _____ Review Period - Return By _____

- | Send | Send |
|-----------------------------------|-------------------------------------|
| _____ COUNTY ROAD DEPARTMENT | _____ FIRE _____ |
| _____ COUNTY HEALTH DEPARTMENT | _____ IRRIGATION _____ |
| _____ COUNTY SURVEYOR | _____ DRAINAGE _____ |
| _____ COMTRONICS | _____ WATER (UTE, CLIFTON) _____ |
| _____ GRAND VALLEY RURAL POWER | _____ SEWER _____ |
| _____ MOUNTAIN BELL | _____ CITY ENGINEER/UTILITIES _____ |
| _____ PUBLIC SERVICE | _____ MACK, LOMA, MESA, COLLBRAN |
| _____ SOIL CONSERVATION SERVICE | _____ FRUITA, PALISADE _____ |
| _____ SCHOOL DISTRICT 51 | _____ _____ |
| _____ STATE HIGHWAY | _____ _____ |
| _____ STATE GEOLOGICAL | _____ _____ |
| _____ STATE HEALTH - RADIOLOGICAL | _____ _____ |
| _____ TRANSAMERICA TITLE | _____ _____ |

Board	Date	Comments
<u>GYPC</u>	<u>25 MAR 80</u>	<u>Rec. approval</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Common Location _____

Staff Comments

Original Documents
_____ Imp. Agreement \$ _____ Appraisal x .05 = \$ _____ Open Space;
_____ Imp. Guarantee Receipt # _____ Check # _____
_____ Covenants _____ Open Space Dedication
_____ Power of Attorney
_____ Dev. Schedule

REVIEW SHEET SUMMARY

FILE# 16-79

ITEM CROWN HEIGHTS SUBDIVISION DATE SENT TO REVIEW DEPT. _____

Request for time extension for final plat submittal DATE DUE _____

PETITIONER Crown Heights Development

LOCATION Southeast corner of 27.5 and G Road

DATE REC. AGENCY COMMENTS

STAFF RECOMMENDATION

No objection, since conditions in area have not changed. Petitioner has contacted staff and is in process of proceeding with development.

GJPC/ 3-25-80/SIMONETTI/GRAHAM PASSED 4-0 A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL FOR THE TIME EXTENSION TO JULY, 1980

Acres 40
Units 213
Density _____

ACTION SHEET

File # 116-79
Zone PDS
Tax Area Code _____

Activity Crown Heights

Phase Preliminary

Date Submitted 2-1-79

Date Mailed Out 2-2-79

Date Neighbors Notified _____

Date CIC/MCC Legal Ad _____

PC Hearing Date _____

Review Agencies _____

10 day Review Period - Return By 2-16-79

Send

- ____ COUNTY ROAD DEPARTMENT
- ____ COUNTY HEALTH DEPARTMENT
- ____ COUNTY SURVEYOR
- ____ COMTRONICS
- ____ GRAND VALLEY RURAL POWER
- MOUNTAIN BELL
- PUBLIC SERVICE
- ____ SOIL CONSERVATION SERVICE
- ____ SCHOOL DISTRICT 51
- ____ STATE HIGHWAY
- ____ STATE GEOLOGICAL
- ____ STATE HEALTH - RADIOLOGICAL
- ____ TRANSAMERICA TITLE

Send

- FIRE 65
- IRRIGATION Highline Canal
- DRAINAGE 6V Project
- WATER (UTE, CLIFTON)
- SEWER City Util.
- CITY ENGINEER/UTILITIES
- ____ MACK, LOMA, MESA, COLLEBRAN
- ____ FRUITA, PALISADE
- Parks
- P.D.
- Airport Authority
- Pest Control District

Board	Date	Comments
G.J.P.C.	13-MAR-79	APPROVE SUBJECT TO STAFF COMMENTS + defining method of dealing w. fruit trees, Home Owners Association est. to maintain open space & LANDSCAPED AREAS IN R.O.W.; complete design/const. details on lake.
Council	4-4-79	spraying, concern over H.O. association, make city part of it. Fact finding April 18.

Common Location SE corner of 27 1/2 + 6 Rd
(Apple orchard)

Staff Comments
* Note: In any
avagation easement the
altitude to be used is
4835 not 4910

Original Documents
____ Imp. Agreement \$ _____ Appraisal x .05 = \$ _____ Open Space;
____ Imp. Guarantee Receipt # _____ Check # _____
____ Covenants _____ Open Space Dedication
____ Power of Attorney
____ Dev. Schedule

IL

REVIEW SHEET SUMMARY

FILE # 16-79

ITEM CROWN HEIGHTS SUBDIVISION - PRELIMINARY

PC MEETING DATE _____

MCC/CC MEETING DATE _____

DATE REC. COMMENTS

2-9-79	PEST CONTROL DISTRICT	<p>The two pest control districts, both upper Grand Valley and the Central Grand Valley, are unalterably opposed to the practice on incorporating fruit trees, particularly apple, pear, and peach trees, into urban plantings.</p> <p>If they are properly pruned for fruit production they do not make good ornamental trees. If they are just allowed to grow, they become difficult to manage from a pest control standpoint.</p> <p>There is no way that developers can justify the practice of leaving fruit trees in proposed developments of this kind except that they may offer a selling point to prospective homeowners who, usually, are grossly misinformed about the advantages of having their very own fruit tree.</p>
2-15-79	CITY UTILITIES	<p>Curved sewer lines not allowed. Sewer at end may need to be 10" instead of 8". Who is "others" to provide sewer line to the property? No fire hydrants shown: six inch loop water lines may not be large enough.</p>
2-15-79	CITY PARKS	<p>I fail to see how Ranch Style, Spanish Architecture, English Tudor and (Italian) Floral Piazza, can be related into a development that will be unified and a design that will complement the community. A "Lake" that is only 4' deep and has the regular outline suggested on the drawing will not be an asset. I can see some problems with mosquitos, a muddy shore line at times of little or no runoff, and will probably will be full of algae most of the summer. On site retaining ponds are a good idea only if they can be utilized for a positive effect. By being deeper, a more irregular outline and a year-round water would help. A lake similar to the one at Lakeside would be an asset.</p>
2-15-79	UTE WATER	<p>We have an 18" line in 27½ Road and in F ¾ Road that will serve this subdivision. A tap to Ute's 18" line on 27½ Road and also on F ¾ Road will be required. Tap fees and extension policies in effect will apply.</p>
2-15-79	CITY POLICE	<p>None</p>
2-16-79	CITY ENGINEER (MCKEE)	<p>The traffic circle may need special sign treatment as it is uncommon and unfamiliar in this area.</p>
2-16-79	CITY ENGINEER (RISH)	<p>1. The basis street layout looks good but no information is shown (or even a statement made) as to what street hardware and dimensions will be used. I assume 55' ROW's will be City standards. What will typical section be for divided roadways? <u>Incomplete submittal.</u></p> <p>2. No information (or even basic hydro-logic and hydraulic data) on storm runoff</p>

(COMPREHENSIVE PLANNER CONT.)

In addition, the delineation of the County's "Airport Area of Influence" by the Highline Canal back in 1976 may also deserve reevaluation. The irregular path of the Highline seems far less justifiable than a straight line paralleling runway 11/29. Without being a professional airport consultant, I'm not qualified to argue that the Jones property property lies within the Area of Influence. However, the defensibility of the Highline Canal as a proper line of delineation is certainly questionable.

In light of this, and the anticipated extension of runway 4/22, I believe that at a minimum requiring Avigation Easements (waiving the right to sue the airport) would be necessary to protect the unhindered operation of this facility of regional importance. Until the Airport Master Plan is amended, you may also want to prohibit all development outright in the projected Clear Zone for runway 4/22.

DESIGN AND DEVELOPMENT PLANNER

Recommend approval subject to staff and review comments and specific avigation easements and suggest additional soundproofing.

GRAND JUNCTION PLANNING COMMISSION

Recommend approval of the zoning to the City Council. Recommend approval of the preliminary development plan and uses to the City Council, subject to all staff and review sheet comments, and specifically recommending killing the blossoms on the fruit trees on the property to aid pest control; that the engineering and sewer details be worked out; that the irrigation pipeline that affects adjacent property owners be recognized; that the petitioner work with the airport authority to insure that the avigation easements are included in the chain of title; and that the petitioner address possible problems with the lake. Recommend that the City Council look into correction or improvement of the G Road/Horizon Drive Intersection.

CITY COUNCIL 4-4-79

FACT FINDING ON 4-18-79.

CITY COUNCIL 4-18-79

MOVED BY COUNCILMAN BROWN: THAT THE PROPOSED ORDINANCE BE PASSED FOR PUBLICATION. SECONDED BY COUNCILMAN HOLMES.

is shown. Something better than a statement referring to final plat info is appropriate on preliminary to address and solve basic engineering questions. Incomplete submittal.

3. Power of attorney for full street improvements should be obtained for G Road, 27½ Road and Cortland Avenue.

4. I really like the way they oriented the lots and the resulting street layout.

5. Some pedestrian ways seem appropriate thru lots where using the street route means going a long way out of your way.

2-16-79 AIRPORT AUTHORITY

See attached.

2-22-79 GRAND VALLEY PROJECT

requires irrigation easement
There is an underground irrigation pipeline that crosses this proposed development tract and that pipeline conveys irrigation water from the facilities of the Grand Valley Water Users' Assoc. near the NE corner of this tract to landowner/water users located northwest of the 27½ and F3/4 intersection, namely Davis & Etter. While the pipeline is not part of the Assoc's facilities, it is the link by which the previously named users receive irrigation water and said pipeline should be properly recognized throughout the planning and development of this tract, so as to insure the continued existence of the service provided by that pipeline.

2-22-79 PUBLIC SERVICE

Electric: requires 15' perimeter easements, 10' each side back to back on all interior lots and the following side lot easements-

1. West 5' lot 3 blk 1. Westerly 5' lot 5 blk 2.
2. West 5' lot 2 blk 2. West 5' lot 9 blk 4
3. South 5' lot 11 blk 2. South 5' lot 31 blk 7
4. West 5' lot 4 blk 4. West 5' lot 16 blk 7.
5. East 5' lot 3 blk 5. Gas may require front
6. West 5' lot 9 blk 5. lot line easements
7. West 5' lot 4 blk 6. depending on street
8. West 5' lot 9 blk 6. section.
9. West 5' lot 4 blk 7.
10. North 5' lot 10 blk 7.
11. West 5' lot 39 blk 7.

2-21-79 MOUNTAIN BELL

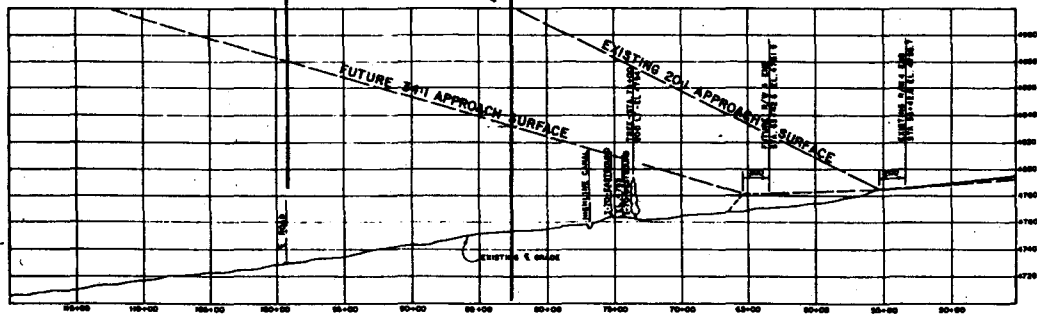
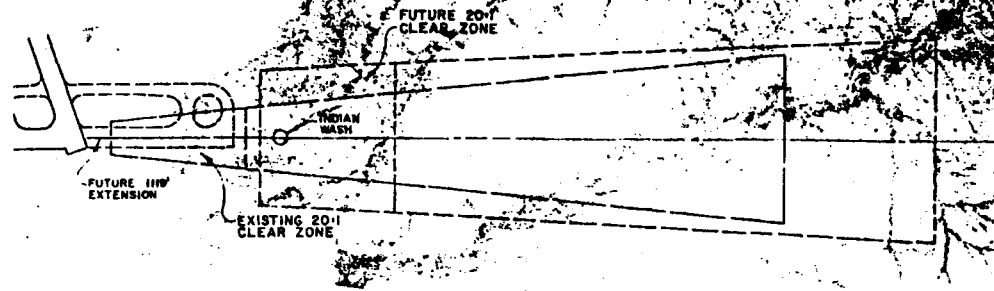
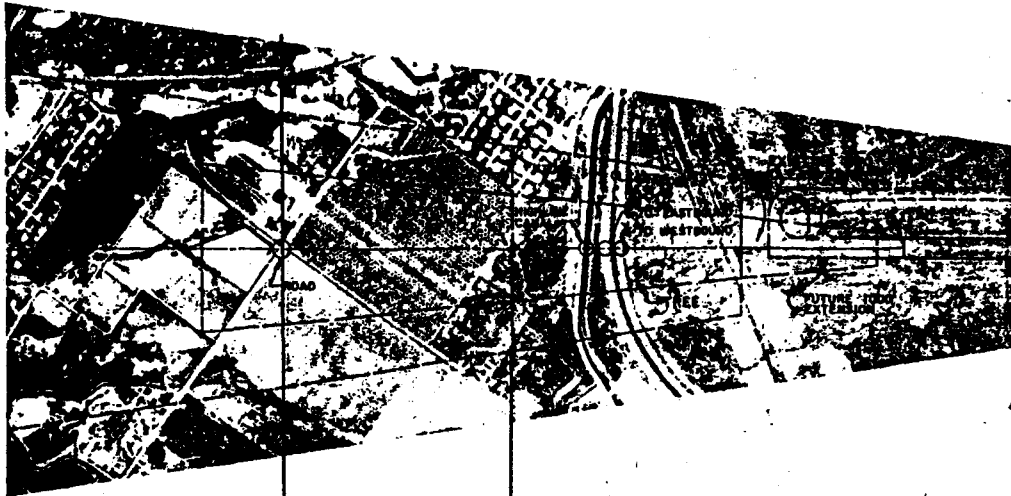
Require utility easements as shown in red on plat.

2-22-79 CITY FIRE

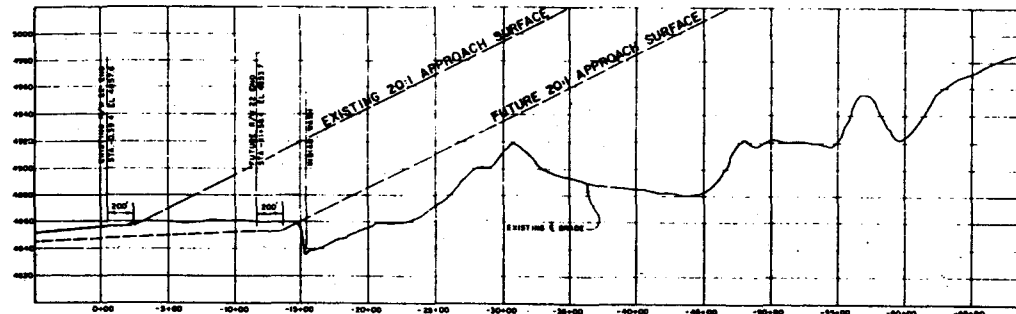
Estimated required fire flow for single family will be 1000-1500 gpm at the most remote points. Flows for townhouse/condominiums cannot be determined from information provided, however the proposed water system will not be adequate for units such as these. A single 6" tap does not constitute a looped system and may not provide adequate flows for single families otherwise proposed interior piping appears adequate for single family - submit plan of proposed hydrant locations for approval.

COMPREHENSIVE PLANNER

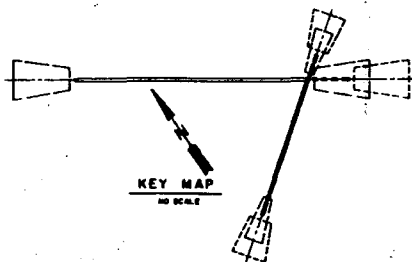
The Jones PD doesn't lie within any of the airport-related areas presently identified and regulated by the County's Resolution on 4/14/76. However, if runway 4/22 were to be significantly extended, as has been endorsed within the Airport Master Plan, a portion of the subject property would lie within the FAA's "Clear Zone", within which there should be no obstructions whatsoever to the flight path. In other words, there should be no residential development within an identified FAA Clear Zone. Unless the Airport Master Plan is amended, we must anticipate that the extension of runway 4/22 will indeed take place.



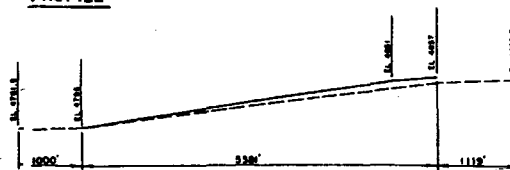
RUNWAY 4




RUNWAY 22



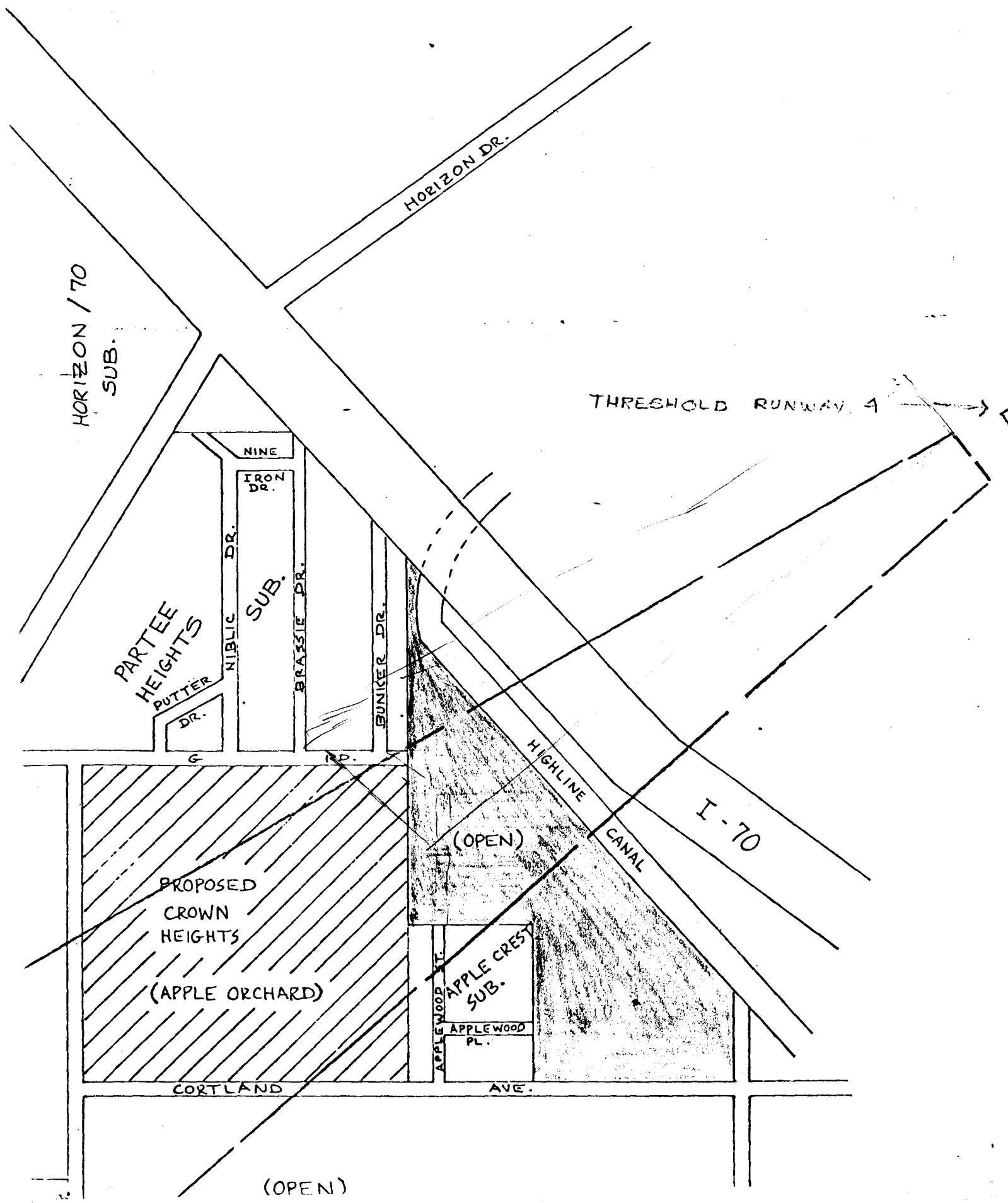
PROFILE

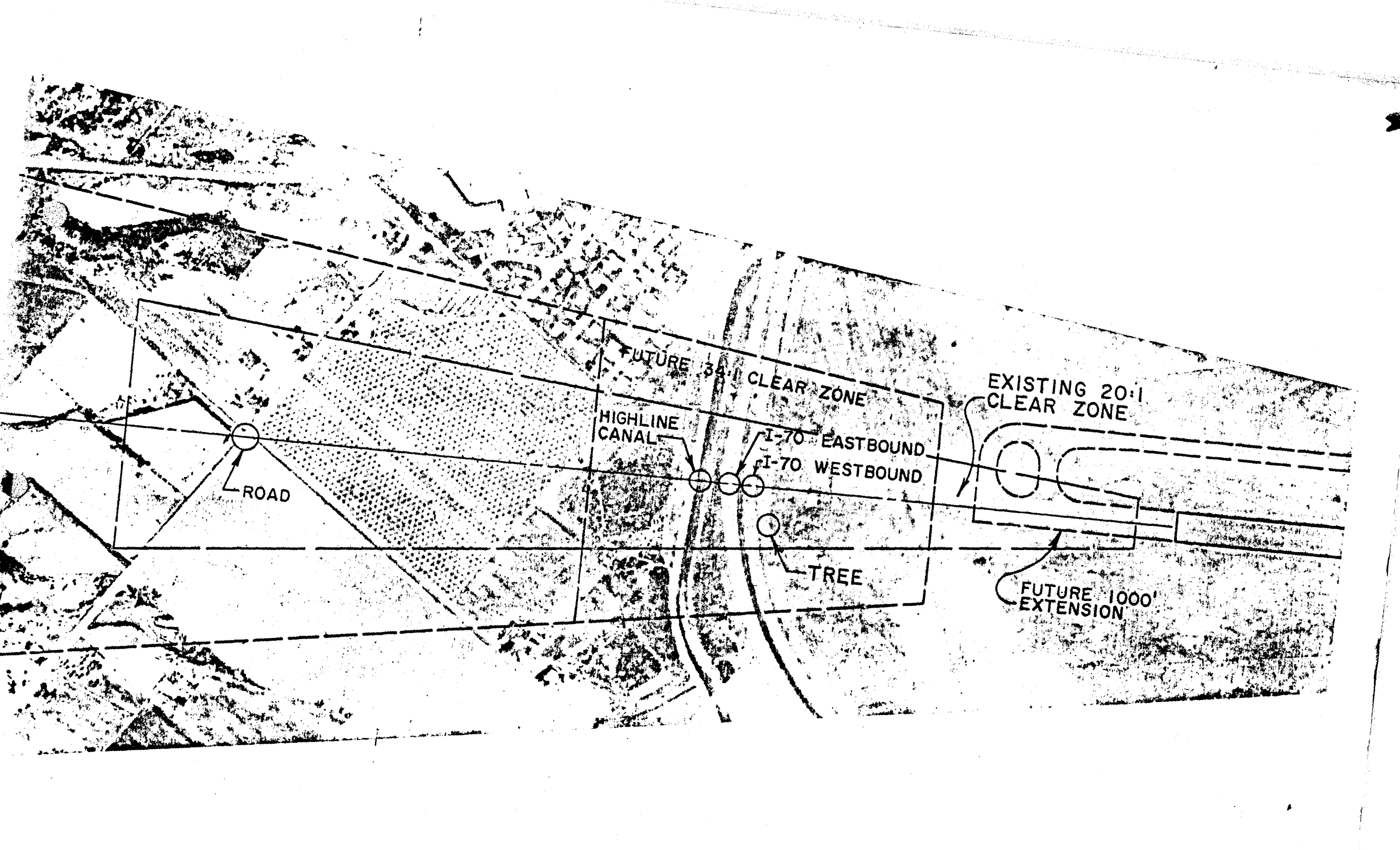


RUNWAY 4/22 PROFILE

 ISBILL ASSOCIATES IN AIRPORT CONSULTANTS DENVER,	
DES. H.G.I.	WALKER FIELD GRAND JUNCTION, COL.
DR. N.E.R.	
CH. B.J.M.	
APP. H.G.I.	CLEAR ZONE PLAN & PROFILE RUNWAY 4/22
DATE	1975
	EXHIBIT X

CROSSROADS COLO.
WEST





ROAD

HIGHLINE
CANAL

I-70 EASTBOUND

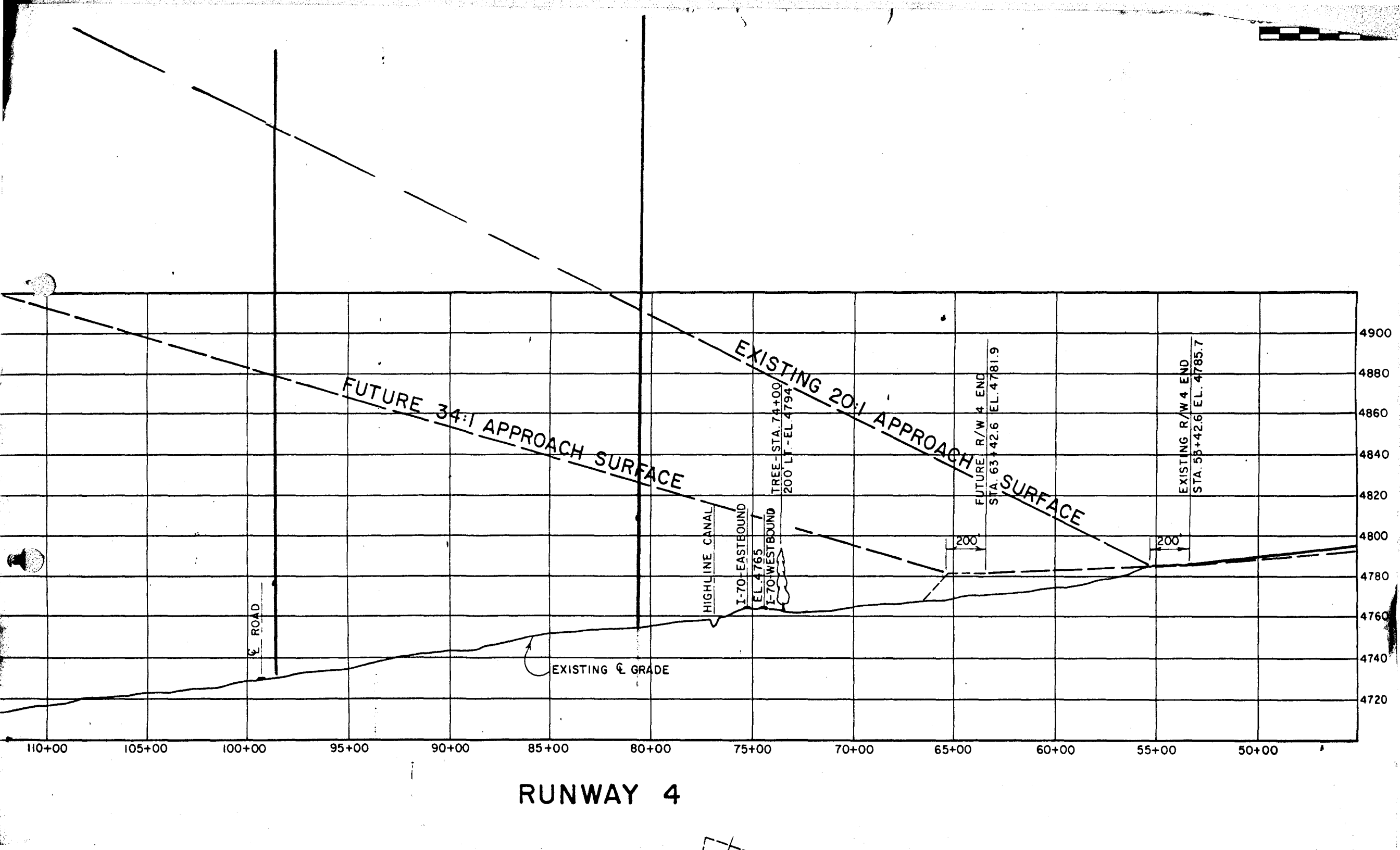
I-70 WESTBOUND

TREE

FUTURE 34:1
CLEAR ZONE

EXISTING 20:1
CLEAR ZONE

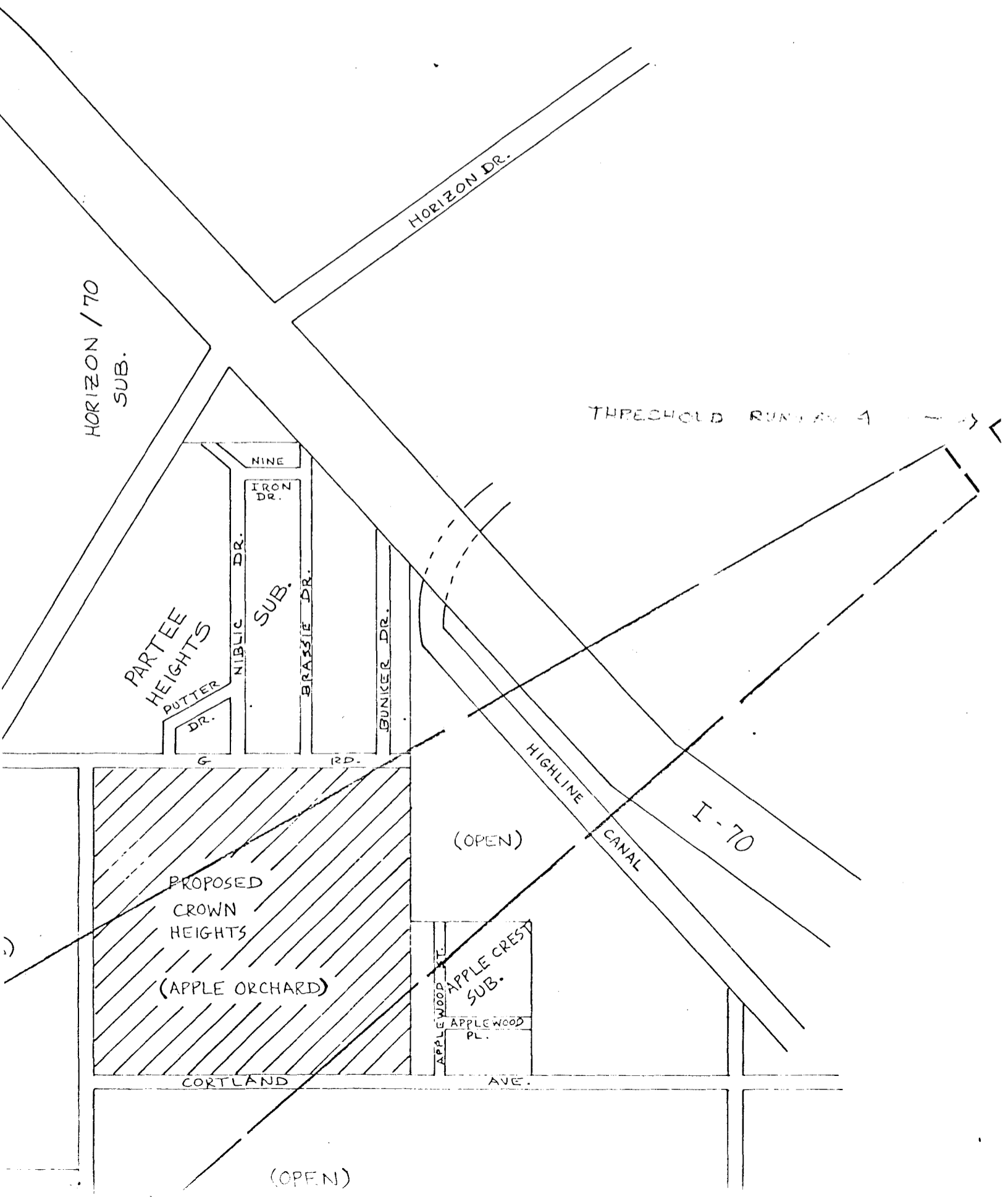
FUTURE 1000'
EXTENSION



RUNWAY 4



CROSSROADS COLO.
WEST



HORIZON / 70
SUB.

HORIZON DR.

THRESHOLD RUNWAY 1

PARTEE
HEIGHTS
PUTTER
DR.

NINE
IRON
DR.

NIBLIC DR.

BRASSIE DR.

BUNKER DR.

G RD.

PROPOSED
CROWN
HEIGHTS

(APPLE ORCHARD)

(OPEN)

HIGHLINE
CANAL

I-70

APPLEWOOD ST.

APPLE CREST
SUB.

APPLEWOOD
PL.

CORTLAND

AVE.

(OPEN)



Grand Junction Planning Department
559 White Ave. Room 60
Grand Junction, Colorado 81501-2643

March 28, 1985

Mr. John Pearson
2954 Seville Circle
Grand Junction, CO 81501

Dear John:

Enclosed you will find copies of the minutes of the March 13, 1979 Grand Junction Planning Commission hearing during which Crown Heights was approved.

The issue of fruit trees was one which the representatives of the City were opposed to, but these were allowed due to assurances from Mr. Unfred that the Homeowner's Association would take care of them. I suspect that if the City was to assume responsibility for those trees in the right-of-way, the fruit trees would be removed and replaced with a more desirable type of tree.

My recommendation for the Homeowner's Association would be to find someone willing to remove all of the fruit trees in the common space areas and take the \$500 or so that is required each year for spraying of the fruit trees, and purchase another type of low maintenance tree to replace the apple trees.

Mr. Bishard had some questions regarding these minutes also, so if you wouldn't mind sharing this information with him, it would be appreciated.

If I can help in any further matters, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Michael E. Sutherland".

Michael E. Sutherland
City Planning Official

MES/tt

Enclosure

File Copy

NORMAN S. LUEPSCHEN

Horticulture Pest Inspector
Mesa County

Nursery Stock Inspection

Upper & Central Grand Valley
Pest Control Districts

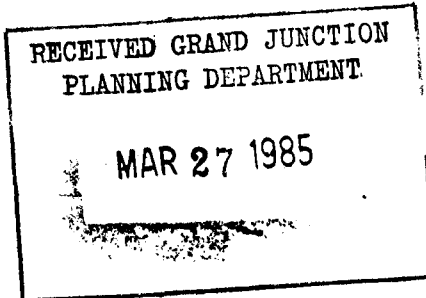
Phone (303) 243-3865
or 245-3875

2964 I-70 Business Loop
Grand Junction, CO 81504

COPY

March 25, 1985

Mr. John Pearson
Sub-Division Home Owners Assoc.
3954 Seville Circle
Grand Junction, CO 81506



Dear Mr. Pearson:

Enclosed is a reprint of the notice published last season regarding Pest District regulations. The Crown Heights - Apple Crest Sub-Division is within the Central Pest Control District, therefore pest control is required on all the lots and commons areas within your sub-division.

The Pest District Board is especially concerned this year that all fruit trees be either sprayed or removed since we are threatened by two new pests from Utah that thrive in un-cared-for or weed trees.

I'm also enclosing a spray schedule supplied by CSU Extension Service. Apple trees should be receiving the first spray (dormant) now. Cover sprays for codling moth will start sometime around May 1st. If each lot owner does not control insects on his/her trees we will have to enforce tree removal. The same would apply to common areas and street trees. The land owners would be assessed costs of removal or spraying. Due to the extent of trees involved and different owners involved, I would prefer tree removal if we can't get a satisfactory policy of regular tree care. I will be happy to answer any questions concerning this matter, and again emphasize that we need to get moving on this.

Sincerely yours,

A handwritten signature in cursive script that reads "Norman S. Luepschen".

Norman S. Luepschen
Hort. Pest Inspector

cc: Larry Fore, Sec. Pacific
Mike Sutherland ✓

Attention Fruit Growers & Land Owners in Central/Upper Grand Valley of Mesa County

All Fruit Trees—commercial and backyard plantings—need to be treated regularly to control insect pests. Areas of Mesa County east of Grand Junction city limits including Orchard Mesa (east of 30 Rd.) are within the Central and Upper Grand Valley Pest Districts. District regulations make it mandatory to control fruit tree pests. Failure to control pests results in infestations that threaten commercial and home fruit orchards with diseased trees and wormy fruit and requires extra chemical spraying.

Insects to be controlled according to pest regulations:

1. Codling Moth - *Laspeyresia pomonella*
2. Peach Tree Borer - *Synanthedon exitiosa*
3. Twig Borer - *Anarsia lineatella*
4. San Joe Scale - *Aspidiotus perniciosus*
5. Pear Psylla - *Psylla pyricola*
6. Shot Hole Borer - *Scolytus rugulosus*
7. Oriental Fruit Moth - *Grapholitha molesta*

Owners of fruit trees should follow regular control measures recommended by Colorado State University Extension Service. Fruit trees within the Pest Control Districts are inspected for compliance so that Mesa County growers can produce high quality fruit. Your cooperation is requested.

If property owners do not control insect pests they should remove all uncared-for fruit trees. Failure to control pests may result in tree spraying or removal ordered by the pest districts and county commissioners at owners' expense. C.R.S. Chap. 35, Article 5, Section 108 par. 2, revised 1983.

For fruit spray recommendations call CSU Extension Service 244-1834 or 434-8852. For further information on Pest district regulations or to report neglected fruit trees, call the Mesa County Horticulture Pest Inspector.

Norm Luepschen
Mesa County Horticulture Pest Inspector
243-3865 or 245-3875

IMPROVEMENTS NEEDED FOR.
- CROWN HEIGHTS -

- 1) Fill sidewalk core holes.
- 2) storm drainage from subdivision runs to one point on So. Scuille Circle; need buried drain to 27 1/2 Rd.
- 3) Proper barricades need to be constructed at street dead ends.
- 4) If Lots 18 thru 24 are built out EAST Pizzeria must be constructed to City standards.
- 5) dirt & rock piles must be removed from streets.
- 6) Home owners Assn. must be formed & maintained in order that common areas can be groomed.
consider right to vacate open space - 5% open space fee
- 7) We need proof of irrigation agreements,
for subdivision



M.C. (Jack) Dwyer
3910 Applewood
245-4911
(possibly irrigation contact)

First State Bank of Hotchkiss 872-3111

6-18-84: spoke w/ Bob Colburn @ 2:00 p.m. - He will contact Lee Emory @ Sec. Pacific & get back to me.

To: Ken Reedy
From: Mike Sutherland - City Planning
re: Crown Heights Subdivision
date: 6-6-84

I have been working on the problems of the 1st phase, the sink hole in the pavement, rock piles, etc.

Security Pacific Mortgage in Denver is taking back the Subdivision and are planning a meeting with Ulfred's (the developers) June 12 or 13th. S.C.M. would like details regarding improvements and asked that I meet w/ you A.S.A.P. to list items for discussion w/ Ulfred's.

The bank may reschedule the meeting w/ Ulfred's so it could be held in Grand Jct. with us. present.

Let me know when we can get together. Friday after 10:00 a.m. would work for me. —



City of Grand Junction, Colorado 81501
250 North Fifth St. 303 ~~XXXXXXXXXX~~
March 30, 1981

AL GELHAR @
2256 S. Scuille Circle
243-0378
Bank of Holdings

Mr. E. Cohahan
Assistant V.P.
Residential Construction Loan Dept.
Security Pacific Mortgage Corp.
2460 W. 26th Ave.
Denver, CO 80211

Dear Mr. Cohahan:

Re: Crown Heights Subdivision - Filing No. 1

This letter will confirm that the City of Grand Junction will accept ownership and will operate and maintain the streets, sidewalks, curbs and gutters, storm sewers, and the sanitary sewers in Crown Heights Subdivision-Filing No. 1 upon completion of construction of those facilities to City specifications and upon inspection and acceptance of those facilities by the City Engineer.

Very truly yours,

Ronald P. Rish
Ronald P. Rish, P.E.
City Engineer

RPR/hm

cc - Lloyd Unfred
Bob Bright
Jim Patterson
File

NORMAN S. LUEPSCHEN

Horticulture Pest Inspector
Mesa County

Nursery Stock Inspection
Upper & Central Grand Valley
Pest Control Districts

Phone (303) 243-3865
or 245-3875
2964 I-70 Business Loop
Grand Junction, CO 81504

MIXE. (Spoke w/ Norm 8-1-89 @ 9:55)

This gentleman is also having problems with Crown HTs/Applewood please call him & bring him up to date on yr work & have him attend mtg. with BANK. KAT

MESA COUNTY
SUBDIVISION IMPROVEMENTS AGREEMENT

In re: Crown Heights 27 1/2 & Cortland Ave.
Name of Subdivision Location

Intending to be legally bound, the undersigned subdivider hereby agrees to provide throughout this subdivision and as shown on the subdivision plat of _____, dated _____, 19____, the following improvements to County or special district standards.

Improvements	Unit or Description	Total cost	Completion Date
Street grading	First Filing	13,750.00	December, 1980
Street base	"	43,749.00	"
Street paving	"	33,788.00	"
Curbs	"	26,487.00	"
Sidewalks	"	26,643.00	"
Storm sewer facilities	"	2,788.00	"
Sanitary sewers	"	47,713.00 (total)"	"
Trunk lines			
Mains			
Laterals or House Connections		↓	
On-site sewage facilities		N/A	
Water mains	"	33,500.00	"
On-site water supply		N/A	
Fire hydrants	"	7,800.00	"
Monuments		N/A	
Street lights		N/A	
Street name signs		N/A	
Survey monuments boxes		N/A	
Irrigation system*	"	6,760.00 (part existing)	"
SUB TOTAL		242,978.00	

Supervision of all installations
(should normally not exceed 4% of subtotal 7,289.00)

TOTAL ESTIMATED COST OF IMPROVEMENTS AND SUPERVISION \$ 250,267.00

* If desert landscaping is proposed a notarized letter to that effect will be required.

The above improvements shall be constructed in accordance with all County requirements and specifications, and conformance with this provision shall be determined solely by the below-named County or its duly authorized agent.

The improvements shall be constructed in accordance with the time schedules shown above.

Leland R. Ulfund
Lloyd E. Ulfund
Signature of Subdivider

(If corporation, to be signed by President and attested to by Secretary, together with the corporate seal.)

Dated: July 29, 19 80.

ACCEPTANCE

Approved by resolutions of the _____
at the meeting of _____, 19____.

Signature of Authorized Office of County

16-79



Grand Junction, Colorado 81501
100 South Fifth St. 303 243-2633

May 4, 1981

Mr. Robert Coburn
Coburn Engineers
2820½ North Avenue
Grand Junction, CO 81501

Dear Bob:

Re: Crown Heights Subdivision-Filing No. 1

As requested, I have reviewed the detailed construction plans for streets and storm drains for the above and have the following comments:

1. The copy of the subdivision plat which I have in my file does not include the north half of Piazza Circle or East Piazza. Please submit a copy of the instrument recording the dedication of this right-of-way. It is not my policy to approve construction of improvements for which the right-of-way has not been dedicated.
2. We have in our file a copy of an unrecorded power-of-attorney for street improvements on Cortland Avenue. This power of attorney apparently needs to be recorded.
3. No horizontal alignments are shown on these plans. They should be shown or a note should reference the contractor (and anyone else) to the subdivision plat for horizontal alignments. You should at least show the stationing on this plan view so a reader can follow the profiles which are shown on sheet 2.
4. Horizontal alignment is not shown on the subdivision plat for the north line of Piazza Circle or East Piazza. Therefore, that alignment should be shown on the plans.
5. Show dimensions locating all median ends and insure they will not intrude into the intersections so as to hamper vehicle turning movements. I recommend that a Single-unit(SU) design vehicle be used in your design check of turning movements.
6. A left-turn bay should be provided in the median on South Piazza at Cortland Avenue as recommended by the City Transportation Engineer in his review comments of August 18, 1980.

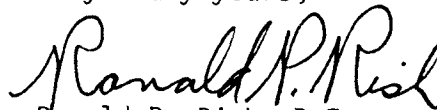
May 4, 1981

7. The pavement sections shown are acceptable based on your design calculations of July 17, 1980. The table labeling of "South Half East Piazza" should be changed to read "East Piazza."
8. I assume all sewer tap stubs to lots will be installed prior to paving streets.
9. The storm outlet ditch to 27½ Road should be shown as to horizontal location, grade and typical cross-section. A note or other control should be added to the plan to insure the ditch is kept in the easement shown on the subdivision plat but also is not inadvertently allowed to permit storm flow to enter the sanitary sewer manholes which occupy the same 20 ft. wide easement.
10. The Piazza Circle Detail and street profiles shown on sheet 2 appear to result in the gutter on the north side of East Piazza draining to elevation 738.7 near the circle with no apparent outlet. Where will the north gutter of East Piazza outlet?
11. All grade changes in the streets profiles require vertical curves.

When the above comments have been addressed, please submit revised plans and at that time consider them approved by this office for construction. Please contact us for final inspection when the improvements are completed.

I apologize for taking so long to respond to your request for plan review.

Very truly yours,



Ronald P. Rish, P.E.
City Engineer

RPR/hm

cc - Leland Unfred
Jim Patterson
Daryl Shrum ✓
File

City
County
Development
Department

CITY OF GRAND JUNCTION—MESA COUNTY—COLORADO 81501
559 WHITE AVE.—ROOM 60—DIAL (303) 243-9200 EXT. 343

December 12, 1980

Lloyd E. Unfred
4010 Applewood Street
Grand Junction, CO 81501

Dear Mr. Unfred:

For your records, Crown Heights - 1st Filing was recorded on December 11, 1980. It is recorded in Book 12, Page 336-337 and its Reception Number is 1242624.

If you have any question regarding this matter feel free to contact me at this office.

Sincerely,

Alex Candelaria
Staff Planner

xc: Coburn Engineering
✓ File # 16-79

CA



COBURN ENGINEERS, INC.

(303) 245-5808

2820 1/2 NORTH AVENUE
GRAND JUNCTION
COLORADO 81501

October 6, 1980

RECEIVED MESA COUNTY
DEVELOPMENT DEPARTMENT

OCT 08 1980

Mr, Wesly Painter
Fire Prevention Officer
Grand Junction Fire Department
330 South 6th Street
Grand Junction, Colorado
81501

RE: Crown Heights Subdivision

Dear Wes:

This is to confirm our discussion as of September 30, 1980 concerning the installation of the 6 inch water line from the 1st Filing of the subdivision west thru the orchard to connect with the 18" Ute water line in 27 1/2 Road. Our plan had indicated that this would be installed in the future and your review sheet comment requested that the line be installed with the development of the 1st Filing.

As we discussed, although the developer was fully agreeable to installing the line, several problems arose with release of the land which made installation at this time unfeasible.

We appreciate your cooperation in concurring with the installation of the line concurrent with the development of the southwest portion of the subdivision. The developer anticipates that this will occur before the 1st Filing is more than 70% occupied or within one year after approval of the Filing.

Ute Water Company and the Development Department have been advised and have no objection to this approach.

Personal Regards,

Robert S. Coburn, P.E.

RSC:lm

cc: Charley stockton, Ute Water Co.
Development Department - Alex ✓

#16-79 CROWN HEIGHTS SUBDIVISION - FILING #1 - FINAL PLAT

Petitioner: Leland and Lloyd Unfred.
Location: Southeast corner of 27.5 and G Road.

Contains 12.1 acres designed for 39 lots in a planned residential zone.

JIM PICKENS read the request and opened the public hearing.

LLOYD UNFRED appeared for the petitioners and outlined the Final Plat, Crown Heights Subdivision, Filing #1.

FRANK SIMONETTI joined the meeting at 8:11 p.m.

JIM PICKENS: Do you give, other than in your title commitments that go with the property, do you actually hand your prospective buyers a statement saying there are avigational easements here?

LLOYD UNFRED: Actually a separate sheet? No.

BOB BRIGHT outlined the Review Sheet Comments and gave the Staff Recommendations.

FRANCIS McALLISTER appeared on behalf of a group of property owners in the area, in opposition to the proposal, and based their opposition on the density, the proximity of the development to the Airport, the utilities, and parking and traffic problems.

JANINE RIDER: Could we see the hands of the people here you are speaking for?

There were approximately twenty interested citizens that raised their hands at this request.

JIM PICKENS closed the public hearing.

The Commission discussed a letter received from Mr. Bauers of the Airport.

BOB COBURN appeared on behalf of the petitioner and requested a copy of the letter.

JIM PICKENS: Here is another copy. It's a letter dated August 13, 1980, from Paul Bowers of the Airport.

LLOYD UNFRED: We have no knowledge of negotiations to buy any land.

REBECCA FRANK: This is in the critical zone.

VIRGINIA FLAGER: The proposal of the extension of Runway 422, and that is the only alternative to the main runway we have, and probably will have for twenty years.

DON WARNER: May I suggest one thing, too, I think it would be well to look at. Mr. Bauers' letter said he was negotiating with these people. They say there are no negotiations. I think you need to know what's happening.

FLAGER/FRANK PASSED 6-0 A MOTION TO TABLE THIS ITEM FOR FACT FINDING, AND AT SUCH TIME IN THE FUTURE AS ALL THE FACTS AND ALL THE PROPER AGENCIES HAVE BEEN REVIEWED THAT WE THEN PLACE THIS ITEM BACK ON THE AGENDA.

#53-80 FLYNN SUBDIVISION - FINAL PLAT

Petitioner: WGM Investment.
Location: Northeast corner of 29 Road and North Avenue.

Contains 1.55 acres designed for 2 lots in a commercial zone.

JIM PICKENS read the request and opened the public hearing.

REED GUTHRIE appeared for the petitioner and outlined the proposed final plat, Flynn Subdivision.

BOB BRIGHT outlined the Review Sheet Comments and gave the Staff Recommendations.

SIMONETTI/GRAHAM PASSED 6-0 A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE FINAL PLAT, FLYNN SUBDIVISION, SUBJECT TO STAFF COMMENTS AND REVIEW OF THE DRAINAGE AND UTILITY PLAN.

#48-80 DRAWIN SUBDIVISION - FINAL PLAT

Petitioner: Darwin and Florence Wilcox.
Location: 462 feet south of North Avenue, and east of 28.5 Road.

Contains 9.7 acres designed for 2 lots in a commercial zone.

JIM PICKENS read the request and opened the public hearing.

DEL BEAVER, of Paragon Engineering, appeared for the petitioner and outlined the proposed Final Plat, Darwin Subdivision.

BOB BRIGHT outlined the Review Sheet Comments and gave the Staff Recommendations.

DEL BEAVER responded to the Review Sheet Comments, stating they intended to bring 28.25 Road far enough south to permit reasonable access in to the smaller parcel.

JIM PICKENS closed the public hearing.

RIDER/FLAGER PASSED 6-0 A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE FINAL PLAT, DARWIN SUBDIVISION, PROVIDED THAT THE WATER AND SEWER MAINS BE INSTALLED PRIOR TO STREET IMPROVEMENTS, AND THAT THE STREET IMPROVEMENTS BE IN PLACE PRIOR TO ISSUANCE OF BUILDING PERMITS.

WALKER FIELD, COLORADO
PUBLIC AIRPORT AUTHORITY

THIRD FLOOR
TOWER BUILDING, WALKER FIELD
Grand Junction, Colorado 81501

Telephone (303)-243-3695



BOARD OF COMMISSIONERS
MAXINE ALBERS, Chairman
LOUIS R. BRACH
RICK ENSTROM
DALE J. HOLLINGSWORTH
MIKE KELLY
BILL O'DWYER
AIRPORT MANAGER
PAUL D. BOWERS

August 13, 1980

Mr. Carl Metzner
Planning Administration
City/County Planning Department
Room 60
559 White Avenue
Grand Junction, Co. 81501

Re: Airport Comments Regarding Item 16-79;
Crown Heights First Filing, Final Plat
Application

Dear Mr. Metzner:

The above referenced first filing of the Crown Heights plat application will create substantial safety and noise problems for future residents of this proposed subdivision due to its airport proximity and geographic location directly in line with runway 4/22. Runway 4/22 is designated as a general aviation runway and, as the only crosswind runway at Walker Field, it is used extensively in cross wind situations, particularly throughout the Spring and early Summer season. The (County adopted) Airport Master Plan calls for a 1,000 foot southerly extension of this runway (toward this proposed subdivision), with a 34:1 angle approach surface. This would position aircraft on landing approach for runway 04 from 150' to 80' above ground level (or 125' to 55' above rooftop level) over this entire proposed subdivision. Even with the existing runway length and 20:1 angle approach surface, aircraft on landing approach for runway 04 would be 230' to 170' above ground level (or 205' to 155' above rooftop level) over this entire proposed subdivision. This is graphically illustrated on the attached Exhibit V, Runway 4/22 Clear Zone Plan and Profile, excerpted from the Walker Field Airport Master Plan.

This above noted 1,000 foot runway extension and concomitant extended clear zone (clear of all obstacles, with no above ground development) would penetrate into the Northeast part of this proposed subdivision. Although this does not directly effect this first filing, it does indicate the geographic proximity to the runway, proximity which is not depicted on the plat plan attached to the application or on the initial preliminary plat plan filing.

Both the existing and future "critical" or "approach" zones for this runway encompass all of the entire proposed subdivision. This zone is defined as critical to aircraft operations (i.e. more prone to accidents) because of the takeoff/landing mode of aircraft in this particular area. The rectangularly shaped critical zone for this runway extends 5,000 feet from the end of the runway pavement, at a 2,000 foot width (1,000 feet on either side of an imaginary extended runway centerline). With the proposed high density development of this area, a landing or takeoff mode aircraft crashing into this area would be catastrophic.

Use of runway 4/22 is expected to continuously increase. The Five Year (1980-1985) Capital Improvement Program for Walker Field development calls for regular, continued use of an improved runway 4/22 and, as this airport serves all of the energy development area of Northwestern Colorado and Southeastern Utah, significant growth in business and recreational aircraft use is anticipated. Thus, although additional residential development will be necessary, it is also apparent that adequate airport/aircraft operation areas must be preserved. In fact, because this property is so strategically located for aircraft operations, this particular area, now known as the Bookcliff Orchards, is under purchase consideration by the Airport Authority. Under Federal land acquisition requirements (which the Airport must follow if Airport Development Aid Program funds are involved) three separate property appraisals must be completed. This acquisition process is now well underway; however, it will still be several months before this lengthy process is complete. Nevertheless, the Airport Authority is actively pursuing acquisition of this parcel. Hence, although residential development is not by law proscribed within the approach or critical zones of runways, it is apparent that residential development within such areas is somewhat less than desirable. The undesirability of having aircraft flying directly overhead, in their most critical mode of operation, while emitting fumes, noise and vibrations, plus interrupting/interfering with radio, television, telephone and other voice communications, should not go without notice. Runway 4/22 has been in existence since 1942 and has historically had large aircraft (DC 3, DC 6, CV 580) using it. Hence, right of overflight exists and new development should recognize this activity.

Therefore, based on the above, the position of the Airport Authority is that although this area is not a desirable parcel for residential development because of the adverse impact of existing and future overflight, if such residential development should take place, all prospective buyers of such property should be clearly advised of such overflight by a clearly worded avigation easement within the property title for each parcel. Such an avigation easement should clearly indicate the geographic proximity of that particular parcel to the runway, as well as recognize the right of existing and future aircraft overflight.

Sincerely,


Paul D. Bowers

PDB/mm

Attachment: Exhibit V, Runway 4/22 Clear Zone Plan & Profile

**City
County
Development
Department**CITY OF GRAND JUNCTION—MESA COUNTY—COLORADO 81501
339 WHITE AVE.—ROOM 60—DIAL (303) 243-9200 EXT. 343

October 3, 1980

Lloyd E. Unfred
4010 Applewood St.
Grand Junction, CO 81501

Dear Mr. L.E. Unfred:

On September 30, 1980, the Grand Junction Planning Commission voted to deny your petition for a final plat with the following stipulations:

- 1) Need a letter stating that you request this item to be scheduled before the City Council.
- 2) Need to clarify Seville Circle, so addresses will not be duplicated.

You are encouraged to resolve all unresolved review agency comments mentioned on the enclosed review sheet prior to your public hearing with the City Council on October 15, 1980, at 7:30 p.m..

The petitioner or a representative must be present at this public hearing for the request to be heard and acted upon.

Please contact this office if you have any questions or concerns.

Sincerely,

Alex Candelaria
City Staff Planner

AC:CA

xc: Coburn Engineering
File #16-79

2945-011-24-016 —

-001 —

-002 —

-003 —

-004 —

-005 —

-006 —

-00 -036 -NOT

✓ GSN
3154 Lakeside - No 310
City - 01

Leland Unfed
604 Ronlin Dr.
City - 01

J. Copeland
1251 Bookcliff - Apt 4
City - 01

R. Unfed
3925 Applewood St.
City - 01

✓ Allen R. Jones
688 27 1/2 Rd.
City - 01

✓ Charlotte Schindel
1580 S. Otis St.
Lakewood, Co 80216

✓ Leland & Lloyd Unfed
3900 Applewood St.
City - 01

16-79

Q. L. Partee
Box 667
City 81502

Willard H. Pease
Box 548
City 81502

Walter Klein
701 Brassie Dr.
City 81501

William Evans
702 Brassie Dr.
City 81501

W. Wilcox
701 Bunker
City 81501

O. Robinson
702 Bunker
City 81501

A. Christensen
132 Walnut
City 81501

E. Davis
681 2 1/2 Rd.
City 81501

B. O'Rear
704 Bunker
City 81501

Mr. McAlister
707 Putter
City 81501

adj. prop list
for #16-79

Q. L. Partee
Box 667
City 81502

Willard H. Pease
Box 548
City 81502

Walter Klein
701 Brassie Dr.
City 81501

William Evans
702 Brassie Dr.
City 81501

W. Wilcox
701 Bunker
City 81501

O. Robinson
702 Bunker
City 81501

A. Christensen
132 Walnut
City 81501

E. Davis
681 27 1/2 Rd.
City 81501

B. O'Rear
704 Bunker
City 81501

Mr. McAlister
707 Putter
City 81501

adj. prop. list
for #16-79

STATE OF COLORADO, COUNTY OF MESA
RECORDED AT 11:30 O'CLOCK A.M. AUG 27 1980
RECEPTION NO. 1232632 EARL WYER, RECORDER

A V I G A T I O N E A S E M E N T

THIS EASEMENT, made and entered into this 14 day of
July, ¹⁹⁸⁰ ~~1980~~, by and between Lloyd E. Unfred
& Leland R. Unfred DBA Crown Heights Development Co.

hereinafter, Grantor and the WALKER FIELD, COLORADO, PUBLIC
AIRPORT AUTHORITY, a body corporate and politic and con-
stituting a political subdivision of the State of Colorado
hereinafter, Grantee,

W I T N E S S E T H

WHEREAS, the Grantee is the owner of the public airport,
Walker Field Airport, situated in the County of Mesa, State
of Colorado, and included thereon a public use paved runway
designated as Runway 4/22, which has been used for more than
twenty years and it continues to be used by the public for
the landing and takeoff of aircraft, along a visual runway
approach surface as defined by the Federal Air Regulation
(14 C.F.R. 77.25),

WHEREAS, the Grantor proposes platting and developing
a Planned Development Subdivision as hereinafter described
as Crown Heights, and the bulk of which subdivision lies within
the boundaries of the said approach surface to Runway 4/22.

NOW THEREFORE, for Ten Dollars (\$10.00) acknowledgement
of prescriptive rights heretofore acquired and other good and
valuable consideration the Grantor does hereby grant, bargain,
sell and quit claim unto the Grantee its successors and assigns,
for the benefit of the general public at large, an easement
and right-of-way for the free and unobstructed passage of
aircraft, by whomsoever owned or operated, in and through the
air space over and across those parts of the Grantor's said land
situated in Mesa County and described as follows:

X

The Northwest quarter of the Northeast quarter of Section 1, Township 1 South, Range 1 West of the Ute Meridian; which land is also described as Lots 11, 12, 17, and 18 of Jaynes Subdivision, Mesa County, Colorado. Also known as Bookcliff Orchard or 688 - 27½ Road, Grand Junction, Colorado.

Provided, however, that the air space in which the said easement and right-of-way is herein granted shall be that which lies above an elevation of 4910 grade feet above mean sea level as established by the United States Geological Survey, and in furtherance of the said easement and right-of-way, the Grantor, for the consideration hereinabove set forth, does hereby grant, bargain, sell, convey and quit claim to the Grantee, its successors and assigns, a right of flight for the passage of aircraft in the air space above the surface of the real property herein above described, together with right to cause such noise as may be inherent in the operation of aircraft, now known or hereinafter used, for navigation of or flight in the said airspace, and for the use of said airspace for the landing on, takingoff from, or operating on Walker Field Airport.

TO HAVE AND TO HOLD SAID EASEMENT and all rights appertaining thereto unto the Grantee, its successors and assigns, until the said airport shall be abandoned and shall cease to be used for the public airport purpose.

IN WITNESS WHEREOF, the Grantor has hereunto subscribed its name on the date first above mentioned.

Lloyd E. Unfred
Lloyd E. Unfred

Leland R. Unfred
Leland R. Unfred

STATE OF COLORADO)
) SS
COUNTY OF MESA)

The foregoing instrument was acknowledged before me
this 14 day of July, ¹⁹⁸⁰~~1980~~, by Lloyd E. Unfred
& Leland R. Unfred

my commission expires June 1, 1984

Linda V. Kemple
Notary Public



X

Sanctity of Contract

STEWART TITLE

OF GRAND JUNCTION, INC.

S. LEE SHEHEE, JR.
President

660 Rood Avenue
Grand Junction, Colorado 81501
(303) 245-6950

Examination of the Mesa County Records on the following described real property, to wit:

Lots 11, 12, 17 and 18 of JAYNES SUBDIVISION, City of Grand Junction, County of Mesa, State of Colorado.

Indicate the present and legal owners are:

Charlotte A. Schindel, Sharon A. Murray, Kenneth Charles Schindel and Allen R. Jones, as Tenants in Common.

ENCUMBRANCES upon said property: NONE

EASEMENTS:

1. Easement to Grand Valley Rural Power Lines, Inc. to enter upon to Construct, operate and maintain its lines for the transmission or distribution of electric energy and telephone and telegraph lines including the necessary poles, ground connections, etc., upon, over and across the NW1/4NE1/4 Sec. 1, Twp. 1S, R. 1W, of the Ute Meridian, including the right to trim, cut and keep clear all trees, limbs and undergrowth along said lines and all trees adjacent thereto that may in any way endanger the proper operation of the same as granted by instrument recorded November 15, 1937 in Book 369 at Page 137, Mesa County Records.
2. Easement for road purposes across a tract 16 feet square in the Southwest corner of Lot 17 of JAYNES SUBDIVISION as shown by deed recorded May 21, 1948 in Book 487 at Page 467, Mesa County Records.
3. Easement to Colorado-Ute Electric Association, Inc., as Colorado Corporation, to construct, reconstruct, repair, operate and maintain an electric transmission and/or distribution line or system, cutting, trimming and controlling growth of trees and shrubbery that may interfere with or threaten to endanger the operation and maintenance thereof, 75 feet in width across within described property as granted by instrument recorded April 13, 1961 in Book 800 at Page 343, and conveyed to Grand Valley Rural Power Lines, Inc., by Deed and Bill of Sale recorded October 2, 1975 in Book 1048 at Page 72, Mesa County Records.

RIGHTS-of-Way:

1. Right-of-Way to Public Service Company of Colorado to enter upon to survey, construct, maintain, operate, repair, replace, control and use pipe lines and related fixtures and devices and to remove objects interfering therewith, 20 feet in width, 10 feet on each

CONTINUED

RIGHTS-of-WAY (CONTINUED)

1. (CONTINUED)

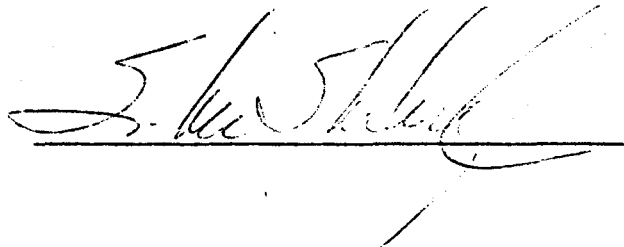
side of a center line over and across the South 10 feet of the NW1/4 NE1/4 of Section 1, Township 1S, Range 1W, Ute Meridian, as shown by instrument recorded October 6, 1975 in Book 889 at Page 10, Mesa County Records.

2. Rights-of-Way for G Road across the North portion of hereing described property, 271/2 Road across the West portion of herein described property, and F3/4 Road across the South portion of herein described porperty.

RESTRICTIONS:

1. Right of proprietor of a vein or lode to extract and remove his ore therefrom should the same be found to penetrate of intersect the premises as provided by law as granted in U.S. Patent recorded February 7, 1916 in Book 163 at Page 539, Mesa County Records.
2. Obligations and restrictions of Grand Valley Water Users' Association.

This Ownership and Encumbrance Report does not constitute a commitment to insure title to the subject property.

A handwritten signature in cursive script, appearing to read "J. W. Smith", is written over a horizontal line. The signature is located in the lower right quadrant of the page.

ARTICLES OF INCORPORATION

OF

CROWN HEIGHTS HOMEOWNERS ASSOCIATION INC.

In compliance with the requirements of Title 7, Article 40-101 thru 105 of Colorado Revised Statutes, the undersigned, all of whom are residents of Colorado and all of whom are of full age, have this day voluntarily associated themselves together for the purpose of forming a corporation not for profit and do hereby certify:

ARTICLE I

The name of the corporation is Crown Heights Homeowners Association, Inc., hereafter called the "Association".

ARTICLE II

The principal office of the Association is located at 3900 Applewood Street, Grand Junction, Colorado.

ARTICLE III

Lloyd E. Unfred, whose address is 3900 Applewood Street, Grand Jct., is hereby appointed the initial registered agent of this Association.

ARTICLE IV

PURPOSE AND POWERS OF THE ASSOCIATION

This Association does not contemplate pecuniary gain or profit to the members thereof, and the specific purposes for which it is formed are to provide for maintenance, preservation and architectural control of the residence Lots and Common Area within that certain tract of property described as: That real property situated in the County of Mesa, State of Colorado, and lying within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 1, Township 1 South, Range 1 West of the Ute Meridian; being more particularly described as follows:

Beginning at the SE corner NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 35;
Thence N89°55'41"W 775.00 ft.; thence N00°03'10"E 152.00ft.;
thence N00°09'03"W 55.00 ft.; thence N00°03'10"E 86.00 ft.;
thence N89°55'41"W 14.80 ft.; thence N00°03'10"E 86.00 ft.;

thence N10°27'30"W 55.94 ft.; thence N00°03'10"E 99.99 ft.;
thence N89°55'41"W 9.00 ft.; thence N00°03'10"E 136.00 ft.;
thence S89°38'46"E 612.15 ft.; thence N79°12'38"E 67.18 ft.;
thence S77°12'31"E 90.99 ft.; thence S89°56'12"E 42.00 ft. to
the East Line of the NW¼ NE¼ Sec. 35; thence S00°01'19"W
659.60 ft. along the East line of the NW¼ NE¼ Sec. 35 to the
POINT OF BEGINNING, and containing 11.5237 acres more or less,
as shown by the accompanying plat therof;

and to promote the health, safety and welfare of the residents within the
above-described property and any additions thereto as may hereafter be
brought within the jurisdiction of this Association for this purpose to:

(a) exercise all of the powers and privileges and to perform all
of the duties and obligations of the Association as set forth in that
certain Declaration of Covenants, Conditions and Restrictions, herein-
after called the "Declaration", applicable to the property and recorded
or to be recorded in the Office of Mesa County Clerk and Recorder and
as the same may be amended from time to time as therein provided, said
Declaration being incorporated herein as if set forth at length;

(b) fix, levy, collect and enforce payment by any lawful means,
all charges or assessments pursuant to the terms of the Declaration;
to pay all expenses in connection therewith and all office and other
expenses incident to the conduct of the business of the Association,
including all licenses, taxes or governmental charges levied or im-
posed against the property of the Association;

(c) acquire (by gift, purchase or otherwise), own, hold, improve,
build upon, operate, maintain, convey, sell lease, transfer, dedicate
for public use or otherwise dispose of real or personal property in
connection with the affairs of the Association;

(d) borrow money, and with the assent of two-thirds (2/3) of each
class of members mortgage, pledge, deed in trust, or hypothecate any
or all of its real or personal property as security for money borrowed
or debts incurred;

(e) dedicate, sell or transfer all or any part of the Common Area
to any public agency, authority, or utility for such purposes and
subject to such conditions as may be agreed to by the members. No

such dedication or transfer shall be effective unless an instrument has been signed by two-thirds (2/3) of each class of members, agreeing to such dedication, sale or transfer;

(f) participate in mergers and consolidations with other nonprofit corporations organized for the same purposes or annex additional residential property and Common Area, provided that any such merger, consolidation or annexation shall have the assent of two-thirds (2/3) of each class of members;

(g) have and to exercise any and all powers, rights and privileges which a corporation organized under the Non-Profit Corporation Law of the State of Colorado by law may now or hereafter have or exercise.

ARTICLE V

MEMBERSHIP

Every person or entity who is a record owner of a fee or undivided fee interest in any Lot which is subject by covenants of record to assessment by the Association, including contract sellers, shall be a member of the Association. The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation. Membership shall be appurtenant to and may not be separated from ownership of any Lot which is subject to assessment by the Association.

ARTICLE VI

VOTING RIGHTS

The Association shall have three classes of voting membership:

Class A. Class A members shall be all Owners with the exception of the Declarant and shall be entitled to one vote for each Lot owned. When more than one person holds an interest in any Lot, all such persons shall be members. The vote for such Lot shall be exercised as they among themselves determine, but in no event shall more than one vote be cast with respect to any Lot.

Class B. The Class B member(s) shall be the Declarant and shall be entitled to three (3) votes for each Lot owned. The Class B membership shall cease and be converted to Class A membership on the happening of either of the following events, whichever occurs earlier;

(a) when the total votes outstanding in Class A and C

memberships equal the total votes outstanding in the Class B membership, or

(b) on January 1, 1985.

Class C. The Class C membership shall be those in the Apple Crest Subdivision having water rights only and will be limited to votes on water matters only.

ARTICLE VII

BOARD OF DIRECTORS

The affairs of this Association shall be managed by a Board of four (4) Directors, who need not be members of the Association. The number of directors may be changed by amendment of the By-Laws of the Association. The names and addresses of the persons who are to act in the capacity of directors until the selection of their successors are:

<u>NAME</u>	<u>ADDRESS</u>
_____	_____
_____	_____
_____	_____
_____	_____

At the first annual meeting the members shall elect three directors for a term of one year, three directors for a term of two years and three directors for a term of three years; and at each annual meeting thereafter the members shall elect three directors for a term of three years.

ARTICLE VIII

DISSOLUTION

The Association may be dissolved with the assent given in writing and signed by not less than two-thirds (2/3) of each class of members. Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association shall be dedicated to an appropriate public agency to be used for purposes similar to those for which this Association was created. In the event that such dedication is refused acceptance, such assets shall be granted, conveyed and assigned to any nonprofit corporation, association, trust or other organization to be devoted to such similar purposes.

ARTICLE IX

DURATION

The corporation shall exist perpetually.

ARTICLE X

AMENDMENTS

Amendment of these Articles shall require the assent of 75 percent (75%) of the entire membership.

ARTICLE XI

FHA/VA APPROVAL

As long as there is a Class B membership, the following actions will require the prior approval of the Federal Housing Administration or the Veterans Administration: annexation of additional properties, mergers and consolidation, mortgaging of Common Area, dedication of Common Area, dissolution and amendment of these Articles.

IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Colorado, we, the undersigned, constituting the incorporators of this Association, have executed these Articles of Incorporation this _____ day of _____, 19__.

BY-LAWS
OF
CROWN HEIGHTS HOMEOWNERS ASSOCIATION

ARTICLE I

NAME AND LOCATION. The name of the corporation is Crown Heights Homeowners Association, Inc., hereinafter referred to as the "Association". The principal office of the corporation shall be located at 3900 Applewood Street but meetings of members and directors may be held at such places within the State of Colorado, County of Mesa, as may be designated by the Board of Directors.

ARTICLE II

DEFINITIONS

Section 1. "Association" shall mean and refer to Crown Heights Homeowners Association, Inc., its successors and assigns.

Section 2. "Properties" shall mean and refer to that certain real property described in the Declaration of Covenants, Conditions and Restrictions, and such additions thereto as may hereafter be brought within the jurisdiction of the Association.

Section 3. "Common Area" shall mean all real property owned by the Association for the common use and enjoyment of the Owners.

Section 4. "Lot" shall mean and refer to any plot of land shown upon any recorded subdivision map of the Properties with the exception of the Common Area.

Section 5. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any Lot which is a part of the Properties, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.

Section 6. "Declarant" shall mean and refer to Lloyd E. and Leland R. Unfred DBA Crown Heights Development Co., its successors or assigns should acquire more than one undeveloped Lot from the Declarant for the purpose of development.

Section 7. "Declaration" shall mean and refer to the Declaration of Covenants, Conditions and Restrictions applicable to the Properties recorded in the Office of Mesa County Clerk and Recorder.

Section 8. "Member" shall mean and refer to those persons entitled to membership as provided in the Declaration.

ARTICLE III
MEETING OF MEMBERS

Section 1. Annual Meetings. The first annual meeting of the members shall be held within one year from the date of incorporation of the Association, and each subsequent regular annual meeting of the members shall be held on the same day of the same month of each year thereafter, at the hour of 7 o'clock, P.M. If the day for the annual meeting of the members is a legal holiday, the meeting will be held at the same hour on the first day following which is not a legal holiday.

Section 2. Special Meetings. Special meetings of the members may be called at any time by the president or by the Board of Directors, or upon written request of the members who are entitled to vote one-fourth ($\frac{1}{4}$) of all of the votes of the Class A & C memberships.

Section 3. Notice of Meetings. Written notice of each meeting of the members shall be given by, or at the direction of, the secretary or person authorized to call the meeting, by mailing a copy of such notice, postage prepaid, at least 15 days before such meeting to each member entitled to vote thereat, addressed to the member's address last appearing on the books of the Association, or supplied by such member to the Association for the purpose of notice. Such notice shall specify the place, day and hour of the meeting, and, in the case of a special meeting, the purpose of the meeting.

Section 4. Quorum. The presence at the meeting of members entitled to cast, or of proxies entitled to cast, one-tenth ($\frac{1}{10}$) of the votes of each class of membership shall constitute a quorum for any action except as otherwise provided in the Articles of Incorporation, the Declaration, or these By-Laws. If, however, such quorum shall not be present or represented at any meeting, the members entitled to vote thereat shall have power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum as aforesaid shall be present or be represented.

Section 5. Proxies. At all meetings of members, each member may vote in person or by proxy. All proxies shall be in writing and filed with the secretary. Every proxy shall be revocable and shall automatically cease upon conveyance by the member of his Lot.

ARTICLE IV

BOARD OF DIRECTORS: SELECTION: TERM OF OFFICE

Section 1. Number. The affairs of this Association shall be managed by a Board of four (4) directors, who need not be members of the Association.

Section 2. Term of Office. At the first annual meeting the members shall elect two directors for a term of one year, one director for a term of two years and one director for a term of three years; and at each annual meeting thereafter the members shall elect the respective number of director or directors to maintain a complete Board of four (4) directors.

Section 3. Removal. Any director may be removed from the Board, with or without cause, by a majority vote of the members of the Association. In the event of death, resignation or removal of a director, his successor shall be selected by the remaining members of the Board and shall serve for the unexpired term of his predecessor.

Section 4. Compensation. No director shall receive compensation for any service he may render to the Association. However, any director may be reimbursed for his actual expenses incurred in the performance of his duties.

Section 5. Action Taken Without a Meeting. The directors shall have the right to take any action in the absence of a meeting which they could take at a meeting by obtaining the written approval of all the directors. Any action so approved shall have the same effect as though taken at a meeting of the directors.

ARTICLE V

NOMINATION AND ELECTION OF DIRECTORS

Section 1. Nomination. Nomination for election to the Board of Directors shall be made by a Nominating Committee. Nominations may also be made from the floor at the annual meeting. The Nominating Committee shall consist of a Chairman, who shall be a member of the Board of Directors, and two or more members of the Association. The Nominating Committee shall

be appointed by the Board of Directors prior to each annual meeting of the members, to serve from the close of such annual meeting until the close of the next annual meeting and such appointment shall be announced at each annual meeting. The Nominating Committee shall make as many nominations for election to the Board of Directors as it shall in its discretion determine, but not less than the number of vacancies that are to be filled. Such nominations may be made from among members or non-members.

Section 2. Election. Election to the Board of Directors shall be by secret written ballot. At such election the members or their proxies may cast, in respect to each vacancy, as many votes as they are entitled to exercise under the provisions of the Declaration. The persons receiving the largest number of votes shall be elected. Cumulative voting is not permitted.

ARTICLE VI

MEETINGS OF DIRECTORS

Section 1. Regular Meetings. Regular meetings of the Board of Directors shall be held monthly without notice, at such place and hour as may be fixed from time to time by resolution of the Board. Should said meeting fall upon a legal holiday, then that meeting shall be held at the same time on the next day which is not a legal holiday.

Section 2. Special Meetings. Special meetings of the Board of Directors shall be held when called by the president of the Association, or by any two directors, after not less than three (3) days notice to each director.

Section 3. Quorum. A majority of the number of directors shall constitute a quorum for the transaction of business. Every act or decision done or made by a majority of the directors present at a duly held meeting at which a quorum is present shall be regarded as the act of the Board.

ARTICLE VII

POWERS AND DUTIES OF THE BOARD OF DIRECTORS

Section 1. Powers. The Board of Directors shall have power to:

- (a) adopt and publish rules and regulations governing the use of the Common Area and facilities, and the personal conduct of the members and their guests thereon, and to establish penalties for the infraction thereof;

(b) suspend the voting rights and right to use of the recreational facilities of a member during any period in which such member shall be in default in the payment of any assessment levied by the Association. Such rights may also be suspended after notice and hearing, for a period not to exceed 60 days for infraction of published rules and regulations;

(c) exercise for the Association all powers, duties and authority vested in or delegated to this Association and not reserved to the membership by other provisions of these By-Laws, the Articles of Incorporation, or the Declaration;

(d) declare the office of a member of the Board of Directors to be vacant in the event such member shall be absent from three (3) consecutive regular meetings of the Board of Directors; and

(e) employ a manager, an independent contractor, or such other employees as they deem necessary, and to prescribe their duties.

Section 2. Duties. It shall be the duty of the Board of Directors to:

(a) cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the members at the annual meeting of the members, or at any special meeting when such statement is requested in writing by one-fourth ($\frac{1}{4}$) of the Class A & C members who are entitled to vote;

(b) supervise all officers, agents and employees of this Association, and to see that their duties are properly performed;

(c) as more fully provided in the Declaration, to:

(1) fix the amount of the annual assessment against each Lot at least thirty (30) days in advance of each annual assessment period;

(2) send written notice of each assessment to every Owner subject thereto at least thirty (30) days in advance of each annual assessment period; and

(3) foreclose the lien against any property for which assessments are not paid within thirty (30) days after due date or to bring an action at law against the owner personally obligated to pay the same.

(d) issue, or to cause an appropriate officer to issue, upon demand by any person, a certificate setting forth whether or not any assessment has been paid. A reasonable charge may be made by

the Board for the issuance of these certificates. If a certificate states and assessment has been paid, such certificate shall be conclusive evidence of such payment;

(e) procure and maintain adequate liability and hazard insurance on property owned by the Association;

(f) cause all officers or employees having fiscal responsibilities to be bonded, as it may deem appropriate;

(g) cause the Common Area to be maintained.

ARTICLE VIII

OFFICERS AND THEIR DUTIES

Section 1. Enumeration of Offices. The officers of this Association shall be a president and vice-president, who shall at all times be members of the Board of Directors, a secretary, and a treasurer, and other officers as the Board may from time to time by resolution create.

Section 2. Election of Officers. The election of officers shall take place at the first meeting of the Board of Directors following each annual meeting of the members.

Section 3. Term. The officers of this Association shall be elected annually by the Board and each shall hold office for one (1) year unless he shall sooner resign, or shall be removed, or otherwise disqualified to serve.

Section 4. Special Appointments. The Board may elect such other officers as the affairs of the Association may require, each of whom shall hold office for such period, have such authority, and perform such duties as the Board may, from time to time, determine.

Section 5. Resignation and Removal. Any officer may be removed from office with or without cause by the Board. Any officer may resign at any time giving written notice to the Board, the president or the secretary. Such resignation shall take effect on the date of receipt of such notice or at any later time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Section 6. Vacancies. A vacancy in any office may be filled by appointment by the Board. The officer appointed to such vacancy shall serve for the remainder of the term of the officer he replaces.

Section 7. Multiple Offices. The offices of secretary and treasurer may be held by the same person. No person shall simultaneously hold more than one of any of the other offices except in the case of special offices created pursuant to Section 4 of this Article.

Section 8. Duties. The duties of the officers are as follows:

President

(a) The president shall preside at all meetings of the Board of Directors; shall see that orders and resolutions of the Board are carried out; shall sign all leases, mortgages, deeds and other written instruments and shall co-sign all checks and promissory notes.

Vice-President

(b) The vice-president shall act in the place and stead of the president in the event of his absence, inability or refusal to act, and shall exercise and discharge such other duties as may be required of him by the Board.

Secretary

(c) The secretary shall record the votes and keep the minutes of all meetings and proceedings of the Board and of the members; keep the corporate seal of the Association and affix it on all papers requiring said seal; serve notice of meetings of the Board and of the members; keep appropriate current records showing the members of the Association together with their addresses, and shall perform such other duties as required by the Board.

Treasurer

(d) The treasurer shall receive and deposit in appropriate bank accounts all monies of the Association and shall disburse such funds as directed by resolution of the Board of Directors; shall sign all checks and promissory notes of the Association; keep proper books of account; cause an annual audit of the Association books to be made by a public accountant at the completion of each fiscal year; and shall prepare an annual budget and a statement of income and expenditures to be represented to the membership at its regular annual meeting, and deliver a copy of each to the members.

ARTICLE IX

COMMITTEES

The Association shall appoint an Architectural Control Committee, as provided in the Declaration, and a Nominating Committee, as provided in these By-Laws. In addition, the Board of Directors shall appoint

other committees as deemed appropriate in carrying out its purpose.

ARTICLE X

BOOKS AND RECORDS

The books, records and papers of the Association shall at all times, during reasonable business hours, be subject to inspection by any member. The Declaration, the Articles of Incorporation and the By-Laws of the Association shall be available for inspection by any member. The Declaration, the Articles of Incorporation and the By-Laws of the Association shall be available for inspection by any member at the principal office of the Association, where copies may be purchased at reasonable cost.

ARTICLE XI

ASSESSMENTS

As more fully provided in the Declaration, each member is obligated to pay to the Association annual and special assessments which are secured by a continuing lien upon the property against which the assessment is made. Any assessments which are not paid when due shall be delinquent. If the assessment is not paid within thirty (30) days after the due date, the assessment shall bear interest from the date of delinquency at the rate of 18% (percent) per annum, and the Association may bring an action at law against the Owner personally obligated to pay the same or foreclose the lien against the property, and interest, costs, and reasonable attorney's fees of any such action shall be added to the amount of such assessment. No Owner may waive or otherwise escape liability for the assessments provided for herein by nonuse of the Common Area or abandonment of his Lot.

ARTICLE XII

CORPORATE SEAL

The Association shall have a seal in circular form having within its circumference the words: Crown Heights Home Owners Association Inc.

ARTICLE XIII

AMENDMENTS

Section 1. These By-Laws may be amended, at a regular or special meeting of the members, by a vote of a majority of a quorum of members present in person or by proxy, except that the Federal Housing Administration or the Veterans Administration shall have the right to veto amendments while there is Class B membership.

Section 2. In the case of any conflict between the Articles of Incorporation and these By-Laws, the Articles shall control; and in the case of any conflict between the Declaration and these By-Laws, the Declaration shall control.

ARTICLE XIV

MISCELLANEOUS

The fiscal year of the Association shall begin on the first day of January and end on the 31st day of December of every year, except that the first fiscal year shall begin on the date of incorporation.

IN WITNESS WHEREOF, we, being all of the directors of the Crown Heights Home Owners Association Inc., have hereunto set our hands this _____ day of _____, 19 ____.

CERTIFICATION

I, the undersigned, do hereby certify:

THAT I am the duly elected and acting secretary of the Crown Heights Home Owners Association, Inc., a Colorado corporation, and,

THAT the foregoing By-Laws constitute the original By-Laws of said Association, as duly adopted at a meeting of the Board of Directors thereof, held on the _____ day of _____, 19 ____.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said Association this _____ day of _____, 19 ____.

Secretary

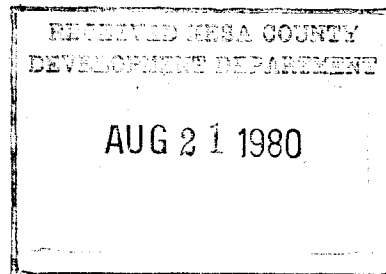
COLORADO DEPARTMENT OF HEALTH

Richard D. Lamm
Governor

Frank A. Traylor, M.D.
Executive Director



August 20, 1980



Robert S. Coburn, P.E.
Coburn Engineers
2820.5 North Avenue
Grand Junction CO 81501

Re: Plans and Specifications Review for Sewer Line Extension for
Crown Heights First Filing-Mesa County

Dear Mr. Coburn:

This is to inform you that the plans and specifications for your sewer line extension have been reviewed by the Water Quality Control Division and they conform to the Colorado Department of Health Criteria Used in the Review of Wastewater Treatment Facilities. This review is subject to the following condition:

A certification from the engineer must be furnished prior to commencement of operation stating that the facilities were constructed as shown on the plans submitted or a justification by the engineer and/or operating entity of any changes that were made.

This review does not relieve the owner from compliance with all county regulations prior to construction nor from responsibility for proper engineering, construction, and operation of the facility.

Please retain this letter for your permanent records.

Very truly yours,

FOR DIRECTOR, WATER QUALITY CONTROL DIVISION

Richard H. Bowman, P.E.
District Engineer

RHB/zp

cc: Mesa County Development Dept
Mesa County Health Dept
City of Grand Junction
Denver Office
File

**City
County
Development
Department**CITY OF GRAND JUNCTION—MESA COUNTY—COLORADO 81501
559 WHITE AVE.—ROOM 60—DIAL (303) 243-9200 EXT. 343

February 21, 1980

Mr. Jerry Alfs
634 Main Street
Grand Junction, Colorado 81501

Re: #16-79 Crown Heights Subdivision (27½ & F 3/4 Roads)

Dear Jerry,

The following is the history and present status of the Crown Heights planned development.

- 1.) Outline (concept) development plan was approved by the City Council on September 20, 1978.
- 2.) The Rezone, R-2 (County) to PD-8 (City) and preliminary plan was approved by the Council on April 18, 1979. The planned development regulations allow for a one year time limitation from the time of preliminary approval until final application. If a final application is not submitted within this time the preliminary approval becomes null and void.
- 3.) The preliminary approval consisted of 113 single family units on 17.56 acres, 100 condominium units on 8.43 acres and 3.27 acres of private open space incorporating some recreational amenities.
- 4.) Review comments and conditions are on attached sheet. The major considerations of the approval were: a) buffering from the single family development to the north by leaving several rows of trees and locating the condominium area away from the existing single family uses. b) avigation easement over the entire property and building restricting a small portion of the Northeast corner of the property. c) establishment of a maintenance and spraying program for the apple trees to satisfy pest control district requirements. d) access to the project site was restricted to 27½ and F 3/4 Roads. G Road will someday be improved to connect with 29 Road and will be a limited access arterial. Present access is via 27½ Road to Patterson Road and G Road to Horizon Drive.

5.) Generally the project as presented at the preliminary stage seems very appropriate for the area and can fit into the existing neighborhood with a minimum of impact. Specific concerns about appearance and orientation of structures and landscaping will have to be addressed at the final stage but I am confident that this can be done appropriately to create a quality development.

I hope this adequately addresses your questions and concerns on this project.

Sincerely,

Karl G. Metzner
Assistant Director

KGM/kms

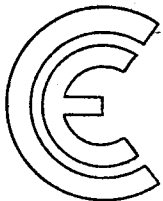
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E. SUMMARY OF COST ESTIMATES

TABLE VI - 5
 Airport Development (1974-1994)

	<u>Total Cost</u>	<u>FAA Funds</u>	<u>Sponsor Funds</u>
Phase I - Low Estimate	\$13,765,700	\$ 7,693,426	\$ 6,072,274 *
Phase I - High Estimate	16,565,700	9,336,766	7,228,934 .
Phase II Estimate	\$ 4,585,000	\$ 1,272,222	\$ 3,312,778
Phase III Estimate	\$15,100,000	\$ 9,640,440	\$ 5,459,560
Total Phase Development Costs			
Total Low Estimate	\$33,450,700	\$18,606,088	\$14,794,612
Total High Estimate	\$36,250,700	\$20,249,428	\$16,001,272

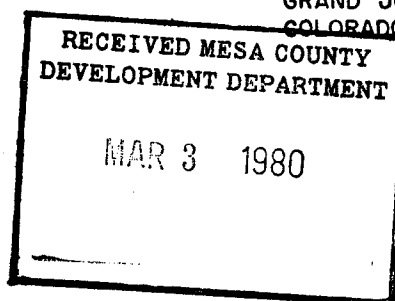
* If the Public Airport Authority determines that all developments must be exclusively supported by user generated funds, a modified development schedule is essential. This modified plan is illustrated on Tables VI-6, VI-7, VI-8, VI-9 and VI-10.



COBURN ENGINEERS, INC.

(303) 245-5808

2820 1/2 NORTH AVENUE
GRAND JUNCTION
COLORADO 81501



February 29, 1980

Mr. Karl Metzner
Senior Planner
Development Department
Court House Annex
Grand Junction, Colorado
81501

RE: Crown Heights Development

Dear Karl:

The preliminary plan for Crown Heights Subdivision was approved by the City Council on April 18, 1979.


Due to the general economic slowdown and tight money supply over the past few months, the developer, Crown Heights Development, have had to delay their development schedule.

It is requested that the submittal of the final plat be extended ninety (90) days beyond the normal one year period or to July 18, 1980.

Written confirmation of this extension is requested or if it is scheduled before the Planning Commission or City Council please advise.

We will be pleased to provide any additional information you may need.

Sincerely,


Robert S. Coburn, P. E.

RSC:lm

WALKER FIELD, COLORADO
PUBLIC AIRPORT AUTHORITY

TOWER BUILDING, WALKER FIELD
P.O. Box 2400
Grand Junction, Colorado 81501



BOARD OF COMMISSIONERS
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Telephone 1 - 303 - 243-3695

March 21, 1979

Mr. Carl Johnson, Mayor
City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501

Re: Crown Heights Subdivision Development Plan Hearing
April 4, 1979

Dear Mr. Mayor:

Chairman Brown of the Airport Authority has requested that I submit to your attention, the Airport Authority's position and recommendations relating to the Crown Heights Subdivision to be placed in the orchard off the threshold of Walker Field's Runway 4. As you can see from the comments made to the Planning Commission on the attached review sheet, page 3, the Airport Authority's interest and requirement is that an existing avigation easement be placed in the chain of title to this property for the protection of passengers and aircraft and notice of potential noise to the purchasers of dwellings in the subdivision.

Further it is our recommendation only, that with respect to the Colorado Land Use Act, the City prior to granting any permit should undertake to designate the area and adopt guidelines for its use in accordance with Part 4 of the State Land Use Act. I would point out that a one hearing mechanism for accomplishing this may be provided for at C.R.S. 73, 24-65.1-501, where it states that the developer shall apply for permit and in the case where no designation has been made:

"(b) If a person proposes to engage in development in an area of State interest or conduct an activity of State interest not previously designated and for which guidelines have not been adopted, the local government may hold one hearing for determination of designation and guidelines and granting or denying the permit".

Mr. Carl Johnson

-2-

March 21, 1979

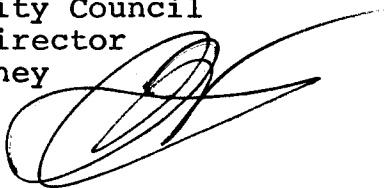
A copy of the guidelines of the Colorado Land Use Commission are available in the office of the City Attorney and we would recommend that the Development Department be directed to obtain these and establish the hearing for the designation and adoption of local guidelines for the use of the property in accordance with the Statute. I am available as advisor for such designation and establishment of guidelines.

Very truly yours,

Jim Spelman

JS:mah

cc Members of the Grand Junction City Council
Ms. Conni McDonough, Planning Director
Gerald Ashby, City/County Attorney



COMP. TEAM REVIEW COMMENT ON CITY ITEM 16-79

The Jones PD doesn't lie within any of the airport-related areas presently identified and regulated by the County's Resolution on 4/14/76. However, if runway 4/22 were to be significantly extended, as has been endorsed within the Airport Master Plan, a portion of the subject property would lie within the FAA's "Clear Zone, within which there should be no obstructions whatsoever to the flight path. In other words, there should be no residential development within an identified FAA Clear Zone. Unless the Airport Master Plan is amended, we must anticipate that the extension of runway 4/22 will indeed take place.

In addition, the delineation of the County's "Airport Area of Influence" by the Highline Canal back in 1976 may also deserve reevaluation. The irregular path of the Highline seems far less justifiable than a straight line paralleling runway 11/29. Without being a professional airport consultant, I'm not qualified to argue that the Jones property properly lies within the Area of Influence. However, the defensibility of the Highline Canal as a proper line of delineation is certainly questionable.

In light of this, and the anticipated extension of runway 4/22, I believe that at a minimum requiring Avigation Easements (waiving the right to sue the airport) would be necessary to protect the unhindered operation of this facility of regional importance. Until the Airport Master Plan is amended, you may also want to prohibit all development outright in the projected Clear Zone for runway 4/22.

16-79
CITY OF GRAND JUNCTION, COLORADO

MEMORANDUM

Reply Requested

Yes No

Date

4/11/79

To: ~~(From:)~~ City Council From: ~~(To:)~~ Gerald J. Ashby, City Attorney

We are where we are in the relationship among the City, the County and Walker Field for the same reason that all other areas with airports are where they are in such relationships. Whether one calls it a question of "turf" or something else, one has to recognize, as we may now be doing, that the Airport Master Plan, the statements and regulations arrived at under the Land Use Act, the City Zoning Ordinance and the County Zoning Resolution all must say the same things in those areas concerning the airport. At the present time they do not. We are moving rapidly now to correct this. It will be done only after at least one painful hearing.

The difficulty is high at the south approach to the north-south runway, affecting Crown Heights Subdivision and the other lands indicated by the shaded area on the map attached; it is of somewhat lesser import on the east approach to the east-west runway; a little less than that on the west approach to the east-west runway; and of no present consequence on the remaining approach, the north approach on runway 4-22.

In the past, as the airport has needed lands for airport operation or for clear zone, it purchased the lands or the clear zone easement. This will change if the acquisition of clear zone areas occurs through the method of zoning or other land use controls imposed by the City or the County or jointly by them. Succinctly, if the City and County place restrictions on the use of land they will be required to pay the owner for the diminution in value of the land because of the restrictions. This may not be undesirable, but it probably is the reason cities and counties have not leaped into the breach to solve airport problems through land use controls.

The proposal is that a hearing be held to review the airport land use designation to conform it to the Airport Master Plan and include the Master Plan within the Master Plan of the City and County and then to consider regulations within zoning controls which would implement the Airport Master Plan. We do not have that hearing set at this time. I do not believe that the suggested one-time hearing for Crown Heights Subdivision under the Land Use Act is possible because there has been a hearing to designate the airport under the Act and the Crown Heights land was determined to be outside the area of concern.

Crown Heights comes to you as a proposed Planned Development. You have powers under that method of development which would not exist under conventional zoning. I propose to you that an aviation easement be taken containing the usual acceptance of noise provision and with an altitude control based upon the height which would be permitted were the north-south runway to be extended, as it says it will in the Airport Master Plan. In addition, if it is possible, we should look closely at the fifty foot encroachment of the clear zone into the subdivision to see what affect a restriction prohibiting any building or shrubbery, other than low-lying, would have on the lots involved with a view toward placing that restriction. If it is suggested that there is no consideration for what is being taken, I would feel that there may well be some right by user as the airport has been there longer than this

non-precision instrument approach runway.

CITY OF GRAND JUNCTION RESPONSIBILITY

Walker Field Airport Authority in whatever standing it may have, hereby undertakes to encourage the City of Grand Junction to meet its responsibilities under the Colorado Land Use Act, to designate the proposed subdivision, as its area was incorporated into the City (Jones-Schindel Annexation, Ordinance #1758, effective 9/3/78), as an area of State interest, promulgate guidelines and undertake the administration thereof as an area having a material effect upon the airport as a key facility. Particularly note Sections of the Colorado Revised Statutes of 1973, 24-65.1-101 and 24.65.1-104, and 24-65.1-201. No conditional approval should be granted the planned unit development or permit for development should be allowed until there is a hearing and designations of the area and guidelines adopted. See C.R.S. 1973, Sections 24-65.1-107 and 24.65.1-501. Subsection (2)(b) of the latter mentioned section suggests a mechanism for holding one hearing for adoption of guidelines and thereon granting or denying the permit.

With respect to the area around the airport the Colorado Land Use Act, as amended, sets out the following criteria that the local government or permit authority having jurisdiction shall use:

"(a) Areas around airports shall be administered so as to:

(I) Encourage land use pattern for housing and other government needs that will separate uncontrollable noise sources from residential and other noise-sensitive areas; and

(II) Avoid danger to public safety and health or to property due to aircraft crashes."

(C.R.S. 73,24-65.1-202)

As to the safety of residents and property on the ground from crashes, the Authority is not directly privy to what standards or guidelines, are reasonable. Suggested guidelines have been developed by the Colorado Land Use Commission and it is solely the responsibility of the local government having jurisdiction, i.e. the City, to adopt or modify these as they see fit. We do ask that guidelines for the type of permitted development and its density be established.

AIRPORT AUTHORITY'S INTEREST

The Walker Field, Colorado, Public Airport Authority does take a position as to reasonable standards for the safety of the passengers, crew and the aircraft in this area to which it has acquired prescriptive rights. This area is defined as the approach surface to Runway 4 which as it has existed for more than 20 years is outlined on the said Exhibit A. The lower boundary of this surface is at a glideslope of 20:1 for a horizontal distance of 5,000' from a point 200' beyond the end of the said Runway 4. By estimate, which could be further refined upon engineering review, the lowest point of this approach surface over the said subdivision is at 4910' above mean sea level or approximately 155' above the ground level at that point.

In addition to the right of aircraft through this area of the approach surface there is also claimed, and notice is given of, their accompanying noise within the area of the proposed Crown Heights. In the future this may be noise generated by any and all manner of aircraft including jet powered aircraft.

Whereas zoning ordinances of the City do incorporate as minimum the Federal Aviation Agency (Administration) standards (see zoning ordinances of the City of Grand Junction, June 1977, Sec. 6 f.(2)), we would urge, for the notice and protection of potential purchasers of property of the said development, that notice of these acquired rights be inserted into the record title in the form of an avigation easement from the current owners. "Appendix B" sets out such a proposed avigation easement to which the names of the record title holders should be included, correct legal description of the entire subdivision inserted, recalculation and survey by qualified engineer may vary the building height limitation, and execution with acknowledgement given by and for each of the said record title holders.

cc Allen R. Jones, Owner
K. Charles Schindel, Owner
Leland and Lloyd Unfred, Option Holder and Developer
Gerald Ashby, City/County Attorney
Don Warner, City Planner and Analyst
Theodore Rodenbeck, Chairman, Colorado Land Use Commission
Conni McDonough, Planning Director

STATE OF COLORADO, COUNTY OF MESA
 RECORDED AT 11:30 O'CLOCK A M AUG 27 1980
 RECEPTION NO. 1232632 EARL J. TYER, RECORDER

A V I G A T I O N E A S E M E N T

THIS EASEMENT, made and entered into this 14 day of
 July, 1980, by and between Lloyd E. Unfred
 & Leland R. Unfred DBA Crown Heights Development Co.

hereinafter, Grantor and the WALKER FIELD, COLORADO, PUBLIC
 AIRPORT AUTHORITY, a body corporate and politic and con-
 stituting a political subdivision of the State of Colorado
 hereinafter, Grantee,

W I T N E S S E T H

WHEREAS, the Grantee is the owner of the public airport,
 Walker Field Airport, situated in the County of Mesa, State
 of Colorado, and included thereon a public use paved runway
 designated as Runway 4/22, which has been used for more than
 twenty years and it continues to be used by the public for
 the landing and takeoff of aircraft, along a visual runway
 approach surface as defined by the Federal Air Regulation
 (14 C.F.R. 77.25),

WHEREAS, the Grantor proposes platting and developing
 a Planned Development Subdivision as hereinafter described
 as Crown Heights, and the bulk of which subdivision lies within
 the boundaries of the said approach surface to Runway 4/22.

NOW THEREFORE, for Ten Dollars (\$10.00) acknowledgement
 of prescriptive rights heretofore acquired and other good and
 valuable consideration the Grantor does hereby grant, bargain,
 sell and quit claim unto the Grantee its successors and assigns,
 for the benefit of the general public at large, an easement
 and right-of-way for the free and unobstructed passage of
 aircraft, by whomsoever owned or operated, in and through the
 air space over and across those parts of the Grantor's said land
 situated in Mesa County and described as follows:

X

The Northwest quarter of the Northeast quarter of Section 1, Township 1 South, Range 1 West of the Ute Meridian; which land is also described as Lots 11, 12, 17, and 18 of Jaynes Subdivision, Mesa County, Colorado. Also known as Bookcliff Orchard or 688 - 27½ Road, Grand Junction, Colorado.

Provided, however, that the air space in which the said easement and right-of-way is herein granted shall be that which lies above an elevation of 4910 grade feet above mean sea level as established by the United States Geological Survey, and in furtherance of the said easement and right-of-way, the Grantor, for the consideration hereinabove set forth, does hereby grant, bargain, sell, convey and quit claim to the Grantee, its successors and assigns, a right of flight for the passage of aircraft in the air space above the surface of the real property herein above described, together with right to cause such noise as may be inherent in the operation of aircraft, now known or hereinafter used, for navigation of or flight in the said air-space, and for the use of said airspace for the landing on, takingoff from, or operating on Walker Field Airport.

TO HAVE AND TO HOLD SAID EASEMENT and all rights appertaining thereto unto the Grantee, its successors and assigns, until the said airport shall be abandoned and shall cease to be used for the public airport purpose.

X

IN WITNESS WHEREOF, the Grantor has hereunto subscribed its name on the date first above mentioned.

Lloyd E. Unfred
Lloyd E. Unfred

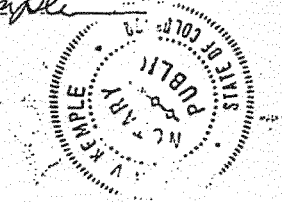
Leland R. Unfred
Leland R. Unfred

STATE OF COLORADO)
) ss
COUNTY OF MESA)

The foregoing instrument was acknowledged before me
 1980
this 14 day of July , 1980, by Lloyd E. Unfred
& Leland R. Unfred

my commission expires June 1, 1984

Linda V. Kemple
Notary Public



X