

CITY
 COUNTY

VACATION APPLICATION

Date Received _____
Received By _____

ROAD ROW ALLEY EASEMENT

We, the undersigned, hereby petition for the vacation of

See Attached Legal Description

for the following reasons:

The utility easements are currently not used or needed for development of the land involved. They are in conflict with development of lots being developed for construction of Horizon Park Plaza Office Building.

ATTACH A TYPED LEGAL DESCRIPTION ON SEPARATE SHEET.

SUBMITTAL REQUIREMENTS:

- Names and addresses of all property owners within 300 feet of the requested vacation typed on the attached form.
- An assessors' map(s) showing the property requested for vacation outlined in red, and all property within one-half mile, and one reduction of the assessors' map not larger than 11½" x 14".
- Eighteen (18) copies of the application, plus the original.
- Other information that may be required to adequately review the project _____.

WE HEREBY ACKNOWLEDGE that we have familiarized ourselves with the rules and the regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of this application and the review sheet comments. WE RECOGNIZE that we ourselves, or our representative(s) must be present at all hearings. In the event that the petitioner is not represented, the item will be dropped from the agenda, and an additional fee charged to cover re-scheduling expenses before it can again be placed on the agenda.

SIGNATURES OF PROPERTY OWNERS ABUTTING THE PROPOSED VACATION:
Los Luneros, a Colorado Partnership

| | |
|---------------------------------|---------|
| <i>Donald J. Jansen Partner</i> | _____ |
| Signature | Address |
| _____ | _____ |
| Signature | Address |
| _____ | _____ |
| Signature | Address |
| _____ | _____ |
| Signature | Address |
| _____ | _____ |
| Signature | Address |

Horizon Park Properties
131 Riverview Drive
Durango, CO 81301

Walker Field Public Airport
Authority
Grand Junction, CO 81501

Harve R. & Anna Maria Chappell
740 Horizon Court
Grand Junction, CO 81501

Combustion Engineering Inc.
C/O J.D. Townsend
1000 Prospect Hill
Windsor, CT 06095

Redlands Hills Association
258 Grand Avenue
Grand Junction, CO 81501

*Jerome P. Fossenier
90 CBW Builders
2784 Crossroads Blvd.
City - 81501*

Stettner's Inc.
2791 Skyline Court
Grand Junction, CO 81501

Carl H. & Virgie L. Roach
2131 Rainbow Ranch Drive
Grand Junction, CO 81503

Pond Brothers Inc.
C/O Airopplane Restaurant
Walker Field
Grand Junction, CO 81501

Occidental Oil Shale, Inc.
754 Horizon Court
Grand Junction, CO 81501

Bruce C. Currier
Western States Motel
1926 East Meadowmere
Springfield, MO 65803

Howard Johnson Company
250 Granite Street
Braintree, MA 02184

November 6, 1980

The First National Bank of Denver
P. O. Box 5808
Denver, Colorado 80217

Ref: Horizon Park Plaza Office Building
753 Horizon Drive, Grand Junction
Los Luneros Partnership

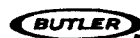
Gentlemen:

The Horizon Park Plaza office building project owned by Los Luneros and currently under construction by C.B.W. Builders, Inc., was reviewed and approved for construction by the City Council and Planning Commission for the City of Grand Junction under the submittal and review process for H0 zoning of the area.

Review comments made during the process recommended vacation of unused utility easements on the site and relocation of any utilities in conflict with construction. As of this date, the vacation of certain easements shown on the attached site plan and described below have not yet been vacated. We recognize this process may take from 60 to 90 days and understand that financing may be delayed as a result thereof.

As requested by the Contractor, and in order to expedite necessary financing, the undersigned here acknowledges no conflict or objections to the proposed vacations of the easements described below and assure our cooperation in the matter.

Utility easements to be vacated in HORIZON PARK PLAZA, City of Grand Junction, Mesa County Colorado:



- Along the north and west lines of Lot 14 except the southerly 15 feet thereof
- Along the south and west lines of Lot 15
- Along the west line of Lot 16 except the northerly 5 feet thereof.
- Along the east and south lines of Lot 17 except the northerly 5 feet and westerly 5 feet thereof

Signed:

Jerome P. Fossenier C.B.W. Builders, Inc.
Ronald P. Rish, 11-6-80 City of Grand Junction
Paul A. Hage, 11/6/80 Public Service Company of Colorado
Warren McKay, 11/6/80 Mountain Bell Telephone Company
G. W. Klapwick, 11/7/80 Grand Valley Water Users
C. E. Stockton Ute Water Conservancy District

Jerome P. Fossenier, Vice President C.B.W. Builders, Inc.
Ronald P. Rish, City Engineer City of Grand Junction
Paul A. Hage, Manager of Engineering Public Service Company
Warren McKay, Assistant Facilities Manager - Mountain Bell
G. W. Klapwick, Manager Grand Valley Water Users
C. E. Stockton, Engineer Ute Water Conservancy District

REVIEW SHEET SUMMARY

FILE# 91-80

ITEM EASEMENT VACATION

DATE SENT TO REVIEW DEPT. 12/03/80

DATE DUE 12/17/80

PETITIONER Jerome Fossenier CBW Builders

LOCATION Lots 14-17 Horizon Park Plaza

| <u>DATE REC.</u> | <u>AGENCY</u> | <u>COMMENTS</u> |
|------------------|---|--|
| 12/08/80 | CITY UTIL. | None |
| 12/10/80 | UTE WATER | No objections |
| 12/10/80 | TRANSP. Eng. | No comments |
| 12/16/80 | MT. BELL | No objection to this vacation provided a 10' x 10' pocket easement is left on each lot #16 and # 17 at Skyline Drive. |
| 12/16/80 | CITY FIRE | At present Skyline Ct. and Horizon Ct. are supplied by an 8" line reduced down to 3" lines to the ends of the cul-de-sacs. These are not adequate sized lines for the development of this area. We recommend that the easement between the two cul-de-sacs be retained in order to provide for looping of water lines in the future. |
| 12/17/80 | CITY ENG. | No comments |
| 12/30/80 | SIMONETTI/SCHOENBECK PASSED 5-0 A MOTION TO RECOMMEND APPROVAL OF #91-80 EASEMENT VACATION, TO THE CITY COUNCIL SUBJECT TO STAFF AND REVIEW COMMENTS EXCEPT FIRE DEPARTMENT COMMENT WHICH HAS BEEN WITHDRAWN. | |

Acres _____
Units _____
Density _____

CITY ACTION SHEET

File # 91-80
23-80
Zone _____

Activity Easement Vacation
Phase _____
Date Submitted _____
Date Mailed Out 12-3-80
Date Posted _____
Legal Ad Date _____
Date Neighbors Notified--
Planning Commission _____

Date Neighbors Notified--
City Council 1-9-81
Date CIC Legal Ad 1-14-81
Hearing Date--
Planning Commission _____
Hearing Date--
City Council 1-21-81
14 Review Period-Return By 12-17-80

Review Agencies

Send

- COUNTY ROAD DEPARTMENT
- MOUNTAIN BELL
- 2 PUBLIC SERVICE COMPANY
- FIRE
- IRRIGATION G.V.
- DRAINAGE G.J.
- SEWER
- WATER (UTE) CLIFTON)
- FLOODPLAIN
- CITY ENGINEER

- CITY UTILITIES
- CITY POLICE
- TRANSPORTATION ENGINEER
- PARKS AND RECREATION
- ENERGY OFFICE
- TECH REVIEW
- WATER AND POWER RESOURCES

Common Location LOTS 14-17 - Horizon Park Plaza

| <u>Board</u> | <u>Date</u> | <u>Comments</u> |
|--------------|-----------------|--|
| <u>PE</u> | <u>12/30/80</u> | <u>Approved Fire comments taken care of at meeting.</u> |
| <u>CIC</u> | <u>1/21/81</u> | <u>App-on consent adj. sub to PC, staff & review comments.</u> |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

Staff Comments

Legal OK

Original Documents

- Improvement Agreement
- Improvement Guarantee
- Covenants
- Development Schedule