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File 1987-0034

Project Name: D. & R.G.W. Railroad Sub. 1-7 - Various along R.R. R.O.W.

| | | |
|--|---------------------------------|--|
| P r e s e n t | S c a n n e d | <p>A few items are denoted with an asterisk (*), which means they are to be scanned for permanent record on the in some instances, not all entries designated to be scanned by the department 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 provided.</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 | Table of Contents |
| X | X | Review Sheet Summary |
| X | | Application form |
| X | | Review Sheets |
| X | | Receipts for fees paid for anything |
| | | *Submittal checklist |
| X | X | *General project report |
| | | Reduced copy of final plans or drawings |
| | | Reduction of assessor's map |
| | | Evidence of title, deeds, easements |
| X | X | *Mailing list to adjacent property owners |
| | | 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 non-bound reports |
| | | Traffic studies |
| X | X | *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 | Action Sheet |
| X | X | Review Sheet Summary |
| X | | Review Sheets |
| X | | Certification of Plat - 12/22/87 |
| X | X | Letter from Steve Hebert to Mike Sutherland re: copies of configurations of plats-8/6/87 |
| X | | Letter from John W. Nisley, MAI, Real Estate Appraiser to Don Brungardt, Denver and Rio Grande Western Railroad re: appraisal - scanned in part |
| X | X | Plat of Filing One of D & RGW Railroad Subdivision |
| X | | Development Application - 10/30/87 |
| X | X | Planning Commission Minutes - ** - 12/1/87 |
| X | X | Memo from Karl Metzner to Neva Lockhart re: deferral of open space-8/8/88 |
| X | X | Development Summary - 8/3/88 |
| X | X | Proposed Action "A" Layout & Grading Plan |
| X | X | Memo from Don Hobbs to Mike Sutherland re: fees for open space - 9/29/88 |
| X | X | Memo from Tim Woodmansee to Kathy Portner re: open space fee not paid yet-12/12/95 |
| X | X | Letter from Mike Sutherland to Steve Hebert, The Anschutz Corporation - 3/27/89 |
| X | | Jarvis Trail Section - Bid Form |
| X | X | Letter from Tim Woodmansee to Tom Judkins, Union Pacific Railroad Company - 3/11/99 |

School District No. 51
552 W. Main Street
Grand Junction, CO 81505

Stephen Hardesty
1212 N. 15th Street
Grand Junction, CO 81501

Onofre L. Arguello
520 W. Main Street
Grand Junction, CO 81505

Wade E. Conwell
522 W. Main Street
Grand Junction, CO 81505

Joe Michael Estrada
538 W. Main Street
Grand Junction, CO 81505

Arthur A. Zamora
542 W. Main Street
Grand Junction, CO 81505

Mary Royle
746 N. Arapahoe
Wichita, KS 67212

Ronald Babcock
364 29 Road
Grand Junction, CO 81501

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Grand Junction, CO 81505

Rosa Derose
505 W. Main Street
Grand Junction, CO 81505

Frank Mancuso
517 W. Main Street
Grand Junction, CO 81505

Elmer W. Elsberry
525 W. Main Street
Grand Junction, CO 81505

Col. Dept. of Highways
606 S. 9th Street
Grand Junction, CO 81501

West Cor Inc.
1101 Third Ave.
Grand Junction, CO 81501

Celetino E. Aragon
901 S. 4th Street
Grand Junction, CO 81501

Albert Gonzales
918 S. 4th Street
Grand Junction, CO 81501

Jose M. Rodriguez
1616 N. 48th Lane
Phoenix, AZ 85035

Thomas A. Garcia
2116 21 Rd.
Grand Junction, CO 81503

William Jarvis, Jr.
Box 682
Grand Junction, CO 81502

Rosaire Bolvin
294½ Mountain View Street
Grand Junction, CO 81503

Porfirio Resendiz
1005 S. 5th Street
Grand Junction, CO 81501

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1761 Palisade Street
Grand Junction, CO 81503

Marvin L. Miller
835 25 Road
Grand Junction, CO 81505

Mesa Feed & Farm Supply
715 S. 7th Street
Grand Junction, CO 81501

Sterling Company
Box 756
Grand Junction, CO 81502

American Atto Salvage Ltd.
1001 S. 3rd Street
Grand Junction, CO 81501

Layton Brothers Drum Co.
Box 765
Grand Junction, CO 81502

Anna Company
Box 489
Grand Junction, CO 81502

Thomas G. Litton
Box 1356
Grand Junction, CO 81502

Tommy Muncy
632 Lois Street
Clifton, CO 81520

Burkey Lumber Co.
515 S. 7th Street
Grand Junction, CO 81501

Daniel Fenske
163 Rainbow Drive
Grand Junction, CO 81503

Memorials Carlson
237 South Avenue
Grand Junction, CO 81501

D & RGW Railroad
c/o Anschutz Corp.
555 17th Street
Denver, CO 80202
Attn: Steve Hebert

Charles Esquibel
Box 295
Taos, NM 87571

Armstrong Consultants, Inc.
861 Rood Ave.
Grand Junction, CO 81501
Attn: Tom Logue

Fred Aragon
1337 Orchard Ave.
Grand Junction, CO 81501

Manuel Novella
212 South Avenue
Grand Junction, CO 81501

Lupe Harris
Box 76
Anza, CA 92306

Vera Miller
1114 E. Lancaster Blvd.
Lancaster, CA 93534

Mar Jorie Montgomery
929 Ouray Ave.
Grand Junction, CO 81501

Paul Kuykendall
929 Ouray Avenue
Grand Junction, CO 81501

Western Reserve Life Ins.
Box 609
Grand Junction, CO 81502

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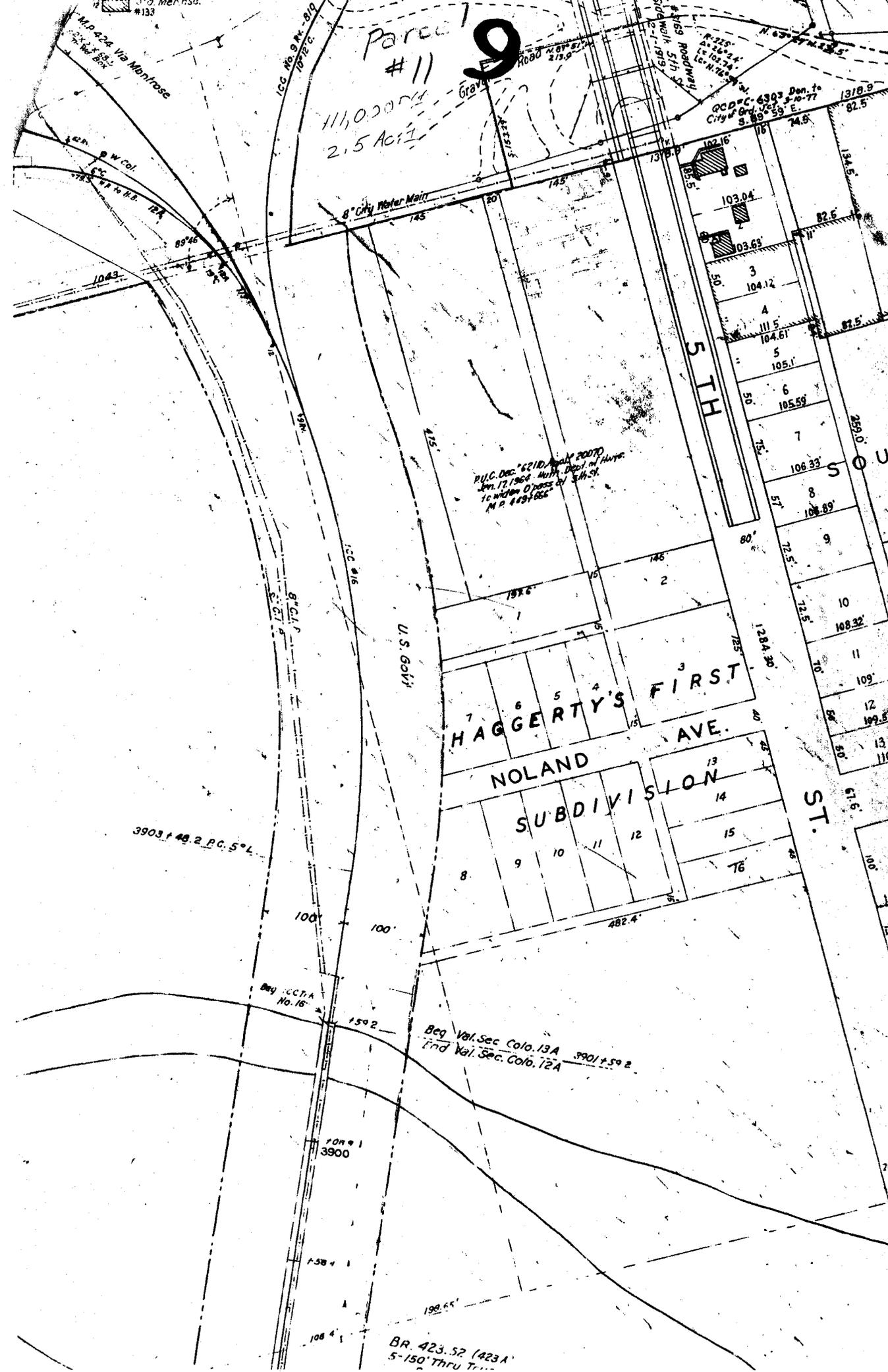
Rosaire Bolvin
294½ Mountain View Street
Grand Junction, CO 81503

Tommy Muncy
632 Lois Street
Clifton, CO 81520

Parcel #11

11402000
2.5 Acs ±

9



P.U.C. DEC. 6210, MAP 20070
APR. 17, 1964. WITH DEPT. OF HWY.
TO WIDEN DRIVE BY S.W. ST.
M.P. 443+000

P.C.D.C. 6303 Don. to
City of Colo. 5-10-77
S. 89° 59' E.

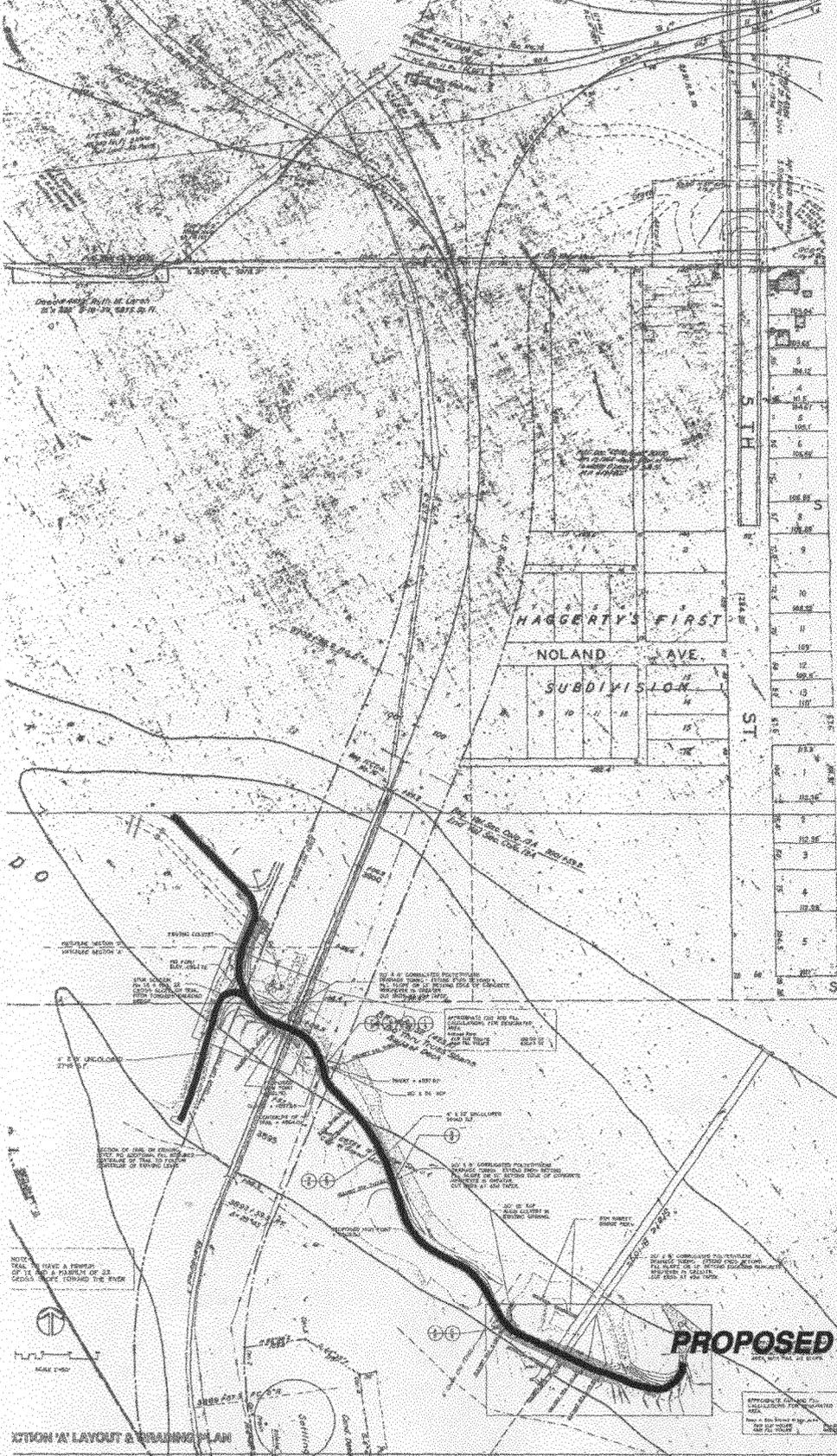
3903 ± 48.2 P.C. 5° L

Reg. CO. 7A
No. 16

Reg. Vol. Sec. Colo. 13A 3901 ± 59.2
2nd Vol. Sec. Colo. 12A

3900

BR. 423.52 (423A)
5-150 Thru Tr...



Drive 4011 with St. Louis
 21' x 33' 8" to 10' 10' 11' 11'

HAGGERTY'S FIRST
 NOLAND AVE.
 SUBDIVISION

| | |
|----|--------|
| 1 | 135.0' |
| 2 | 135.0' |
| 3 | 135.0' |
| 4 | 135.0' |
| 5 | 135.0' |
| 6 | 135.0' |
| 7 | 135.0' |
| 8 | 135.0' |
| 9 | 135.0' |
| 10 | 135.0' |
| 11 | 135.0' |
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| 45 | 135.0' |
| 46 | 135.0' |
| 47 | 135.0' |
| 48 | 135.0' |
| 49 | 135.0' |
| 50 | 135.0' |

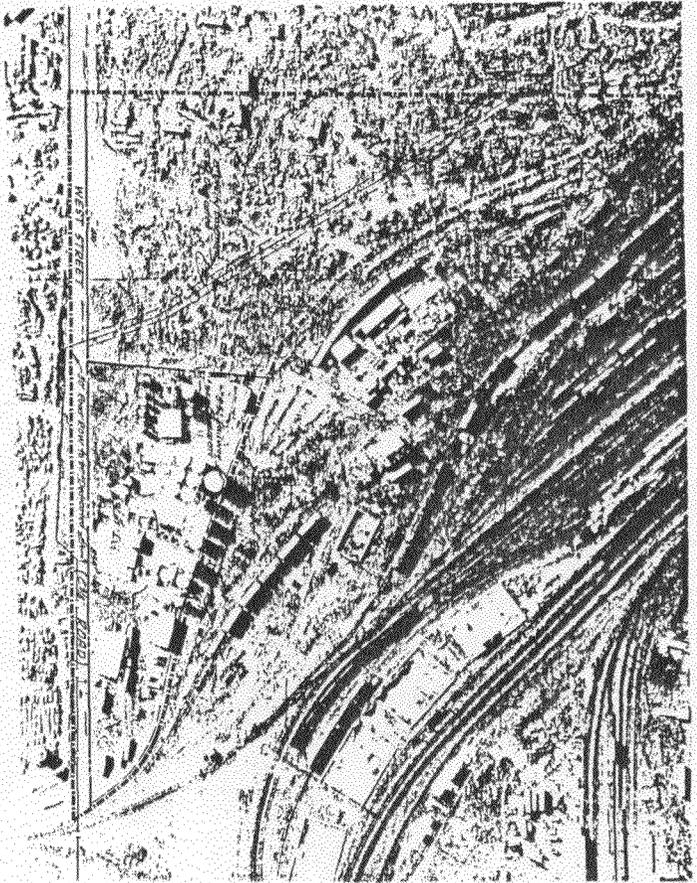
NOTE: THERE IS A 10' RISE IN ELEVATION OF 1/2 MILE TO THE EAST OF THIS SECTION TOWARD THE BRIDGE



PROPOSED

SECTION 'A' LAYOUT & DRAINING PLAN

APPROVED FOR THE
 CITY OF ST. LOUIS
 MAY 10 1907



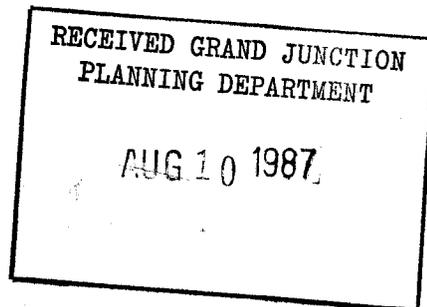
- LEGEND**
- Proposed lot line
 - Existing Row Line
 - Existing Air Line
 - Existing Storm Sewer
 - Direction of Surface Drainage Flow

| DATA SHEET FOR PLUMBING ONE | | WATER AND SEWER SERVICE LAND USE ZONE | | | | | | |
|-----------------------------|------------------------------------|---------------------------------------|---------|-------------|-------|----------|-------|------------|
| AREA | ACCESS | CLASS | SURFACE | SEWER | WATER | LOCATION | DEPTH | REMARKS |
| LOT 1 | INDUSTRIAL, RETAIL/LOW PROGRESSIVE | 1 | ASPH | 12" | 6" | 15' | 2.0' | NO SERVICE |
| LOT 2 | AMMANONIC SALVAGE YARD | 2 | ASPH | 12" | 6" | 15' | 2.0' | NO SERVICE |
| EXISTING | | LAND USE | | SUBORDINATE | | | | |
| NORTH | | MAYNARD ROAD YARD | | | | | | |
| SOUTH | | AMMANONIC YARD SALVAGE | | | | | | |
| EAST | | MAYNARD ROAD | | | | | | |
| WEST | | SALVAGE OPERATION | | | | | | |



2400 ANACONDA TOWER
555 SEVENTEENTH STREET
DENVER, COLORADO 80202
TELEPHONE 303-298-1000
TWX 910-931-2620

August 6, 1987



Mr. Mike Sutherland
City Planning Department
250 N. 5th St.
Grand Junction, Colorado 81501

Dear Mike:

The Denver and Rio Grande Western Railroad is continuing its effort to subdivide several parcels of land just south of downtown Grand Junction. Since we met with you in June, we have been discussing possible land sales with existing tenants. As a result of those discussions, we have arrived at a conceptual plan for lot configuration.

Enclosed you will find copies of those configurations. Please note that the lot lines are very preliminary and only reflect the general areas existing tenants are interested in purchasing. We will obviously need to get more specific in order to meet clearance and right-of-way requirements of the railroad as well as the city's zoning and development code.. Before proceeding further with a local engineering firm, I wanted to have you review these general lot lines to see if there are any obvious problems.

We have received positive responses from most of our tenants and wish to proceed as quickly and effectively as possible. I would appreciate your comments at your earliest convenience. I will call you soon to follow up.

If you have any questions, please feel free to call me.

Sincerely,


Steve Hebert

SH/rm
encl.

cc: Harry A. Phillips
Bill Davies - D&RGW
Don Brumgardt - D&RGW

NOTE: This packet includes preliminary info.
to determine feasibility, methods only.
M.S.

5 TH

4 TH

SOUTH

AVE.

64

ST.

163

16

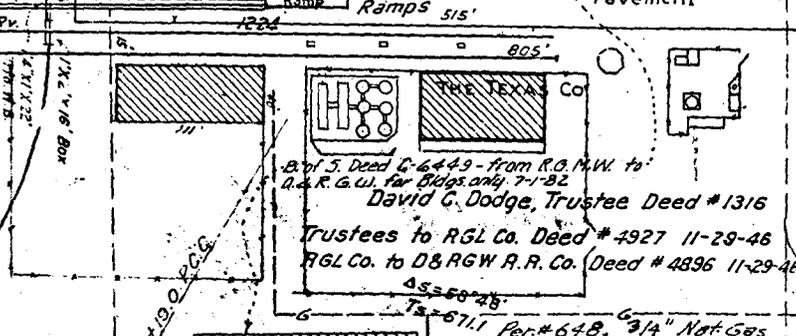
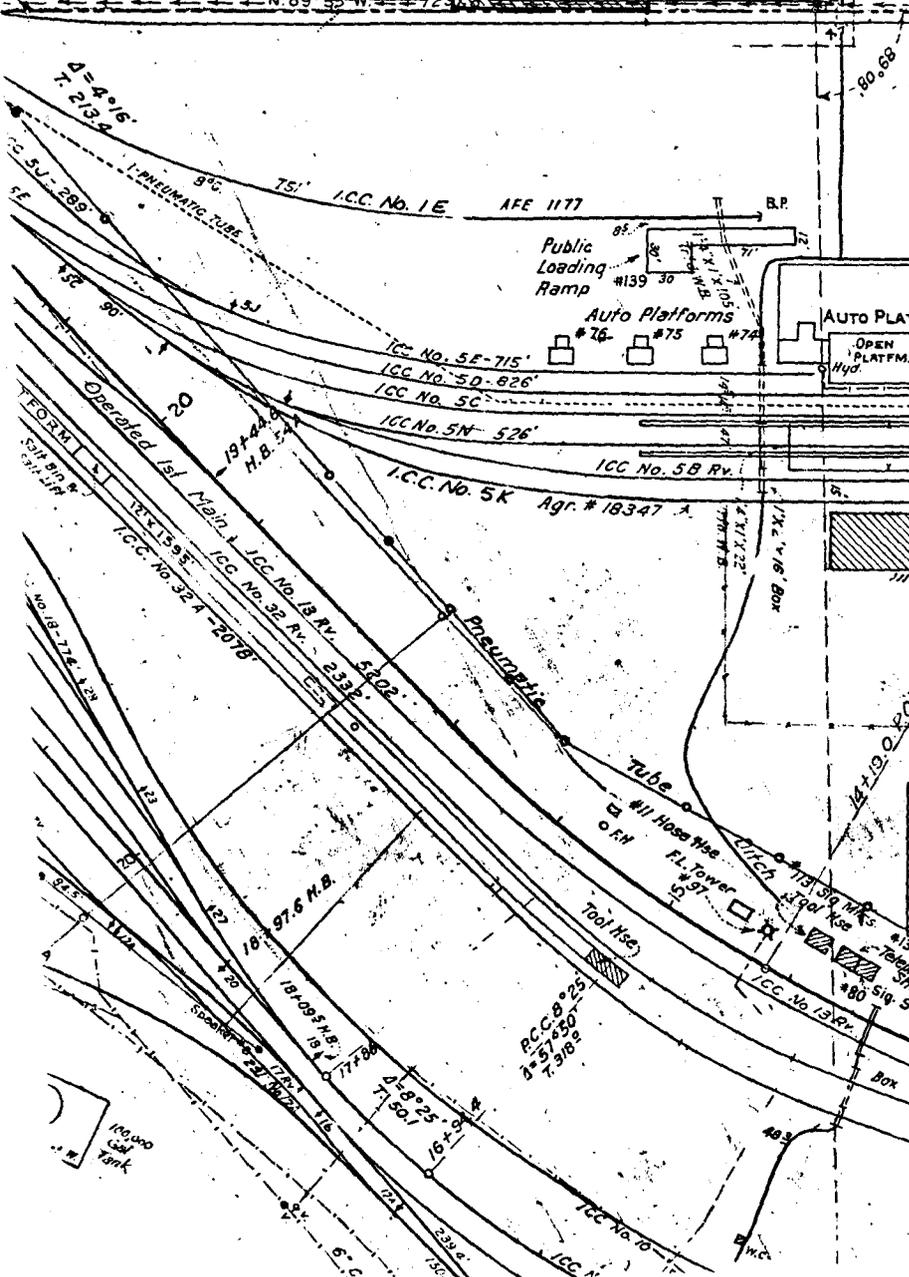
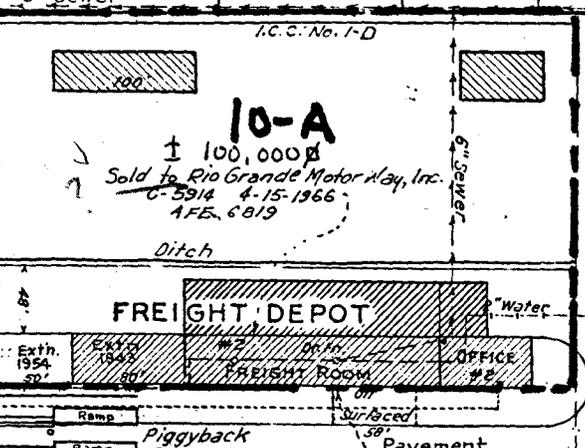
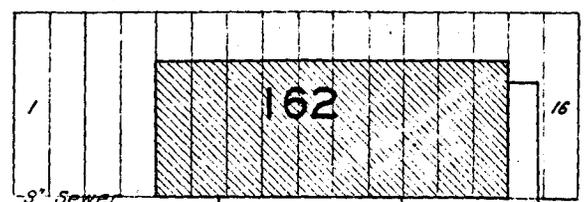
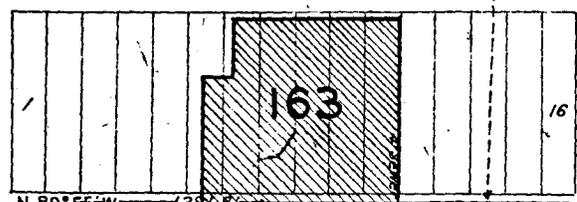
ST.

162

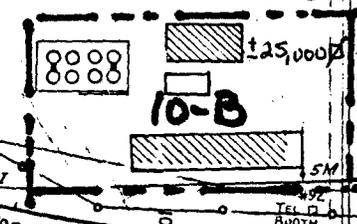
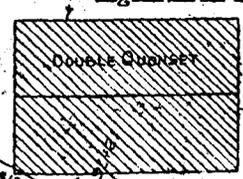
16

ST.

Deed # C-6393, 8-1-79, City of Grand Jet.
To D. & R.G.W., 1757 58. FF, AFE 8832
Q.C. Deed # C-6994, 11-30-79, 1906 56 ft
D. & R.G.W. to John E. & James R.
Cadez dba Central Distributing Co.



Deed # 5, Deed C-6449 - from R.G.W. to
D. & R.G.W. for Bldgs only 7-1-82
David C. Dodge, Trustee Deed # 1316
Trustees to RGL Co. Deed # 4927 11-29-46
RGL Co. to D & R.G.W. R.R. Co. Deed # 4896 11-29-46
45260-28
78-8711 Per. # 648, 3/4" Nat Gas
Public Service Co.



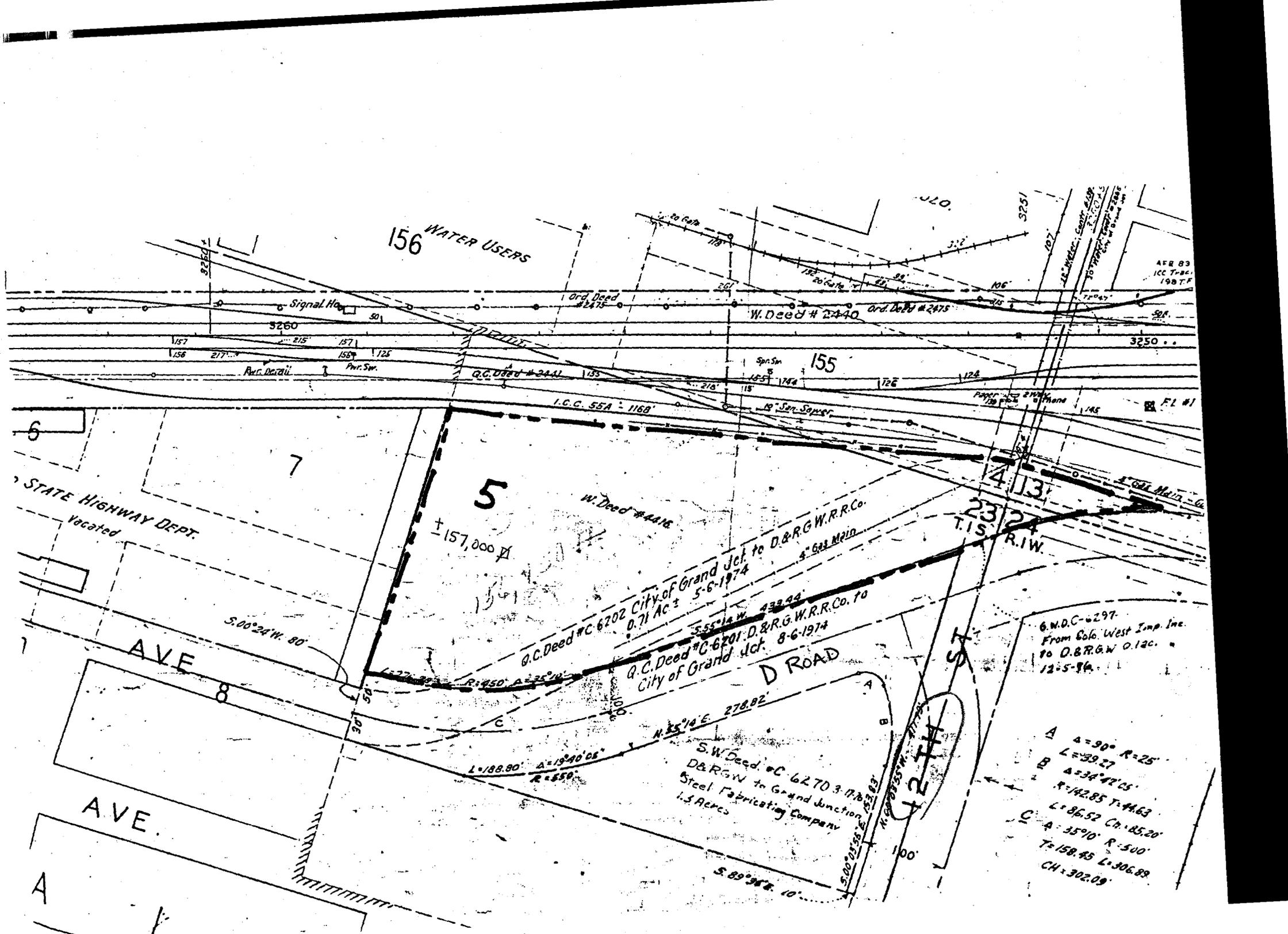
12" City Water Main, 48" W.T. 100'

5" Gas Main

VADUCT

TEL. BOOTH

5'



156 WATER USERS

W. Deed # 2440

155

5

± 157,000 ±

W. Deed # 4416

Q.C. Deed # C-6202 City of Grand Jct. to D. & R.G.W.R.R. Co. 0.71 Ac ± 5-6-1974
 Q.C. Deed # C-6201 D. & R.G.W.R.R. Co. to City of Grand Jct. 8-6-1974

STATE HIGHWAY DEPT. Vacated

AVE

D ROAD

AVE

ST

G.W.D.C. - 6297
 From Cole West Imp. Inc.
 to D. & R.G.W. 0.12c.
 12-5-74.

| | | |
|---|------------------------------|--------------|
| A | $\Delta = 90^\circ$ | $R = 25'$ |
| | $L = 39.27$ | |
| B | $\Delta = 34^\circ 42' 05''$ | |
| | $R = 142.85$ | $T = 44.63$ |
| | $L = 86.52$ | $Ch = 45.20$ |
| C | $\Delta = 35^\circ 10'$ | $R = 500'$ |
| | $T = 158.45$ | $L = 306.88$ |
| | $Ch = 302.09$ | |

AFR 83
 ICC T-84
 198 T.F.

FL #1

23 21
 T.S. R.I.W.

S.W. Deed # C-6270 3.776 Acres
 D. & R.G.W. to Grand Junction
 Steel Fabricating Company
 1.3 Acres

6

7

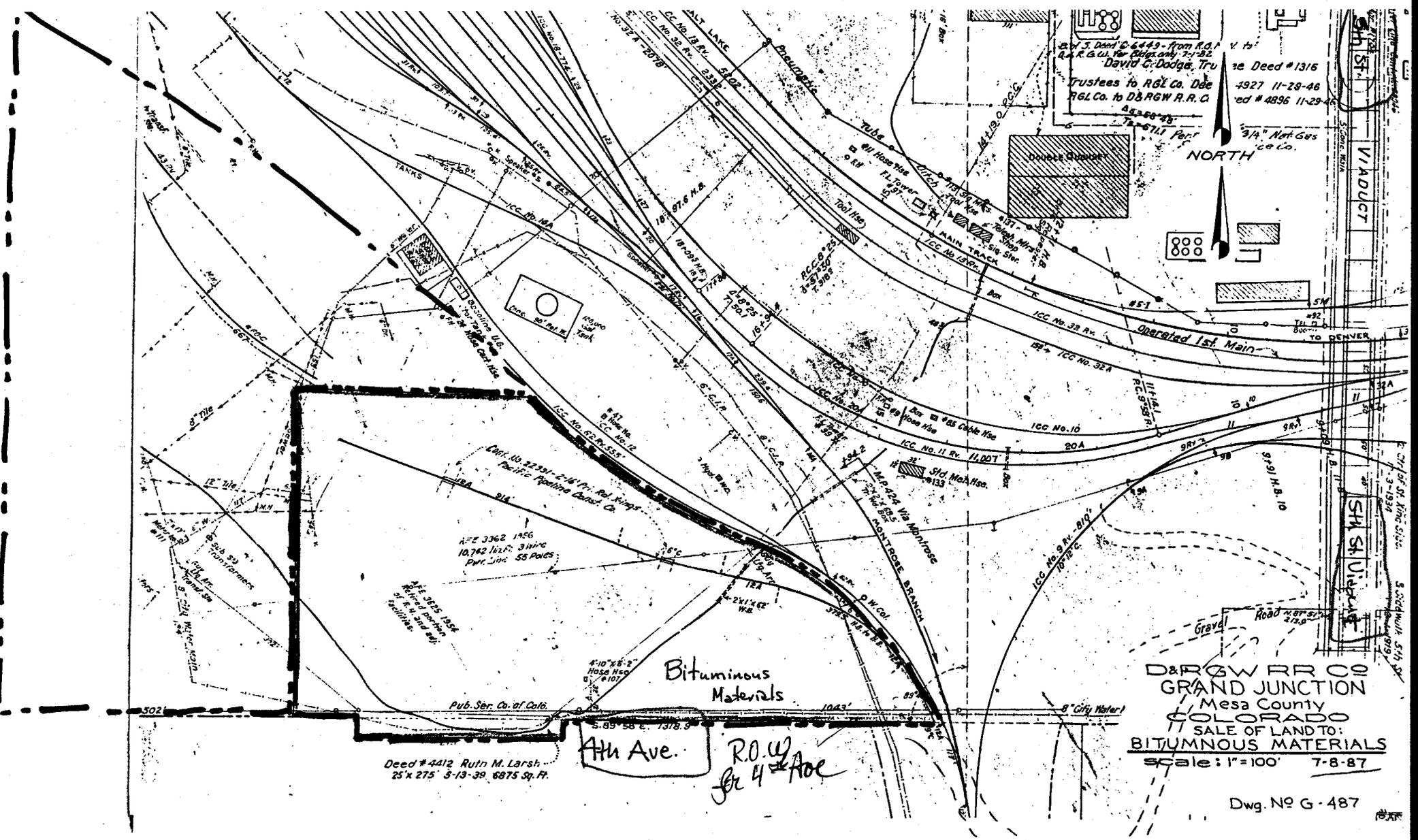
4

13

7

A

K



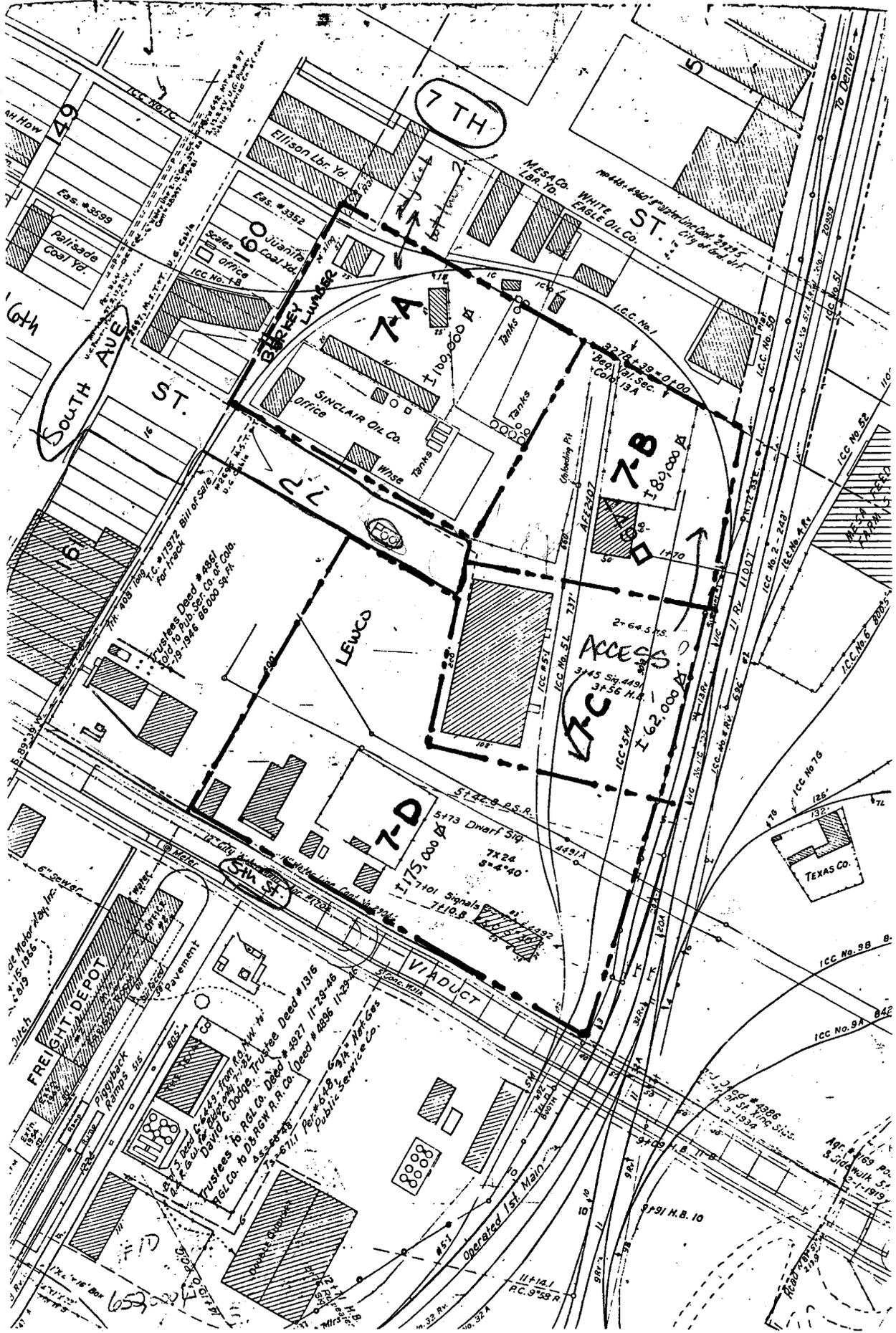
2nd 3. Deed C-6449 - from R.O. V. to
 R.R.G.W. for Cuts only 7-1-22
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 Deed # 1316
 Trustees to RGL Co. Dec 4927 11-28-46
 RGL Co. to D&RGW R.R. Co. Deed # 4896 11-29-46
 3/4" Nat Gas
 Co. Co.
 NORTH

Deed # 4412 Ruth M. Larsh
 25' x 275' 5-13-39, 6875 Sp. Ft.

Ath Ave.
 R.O. W
 Sec 4 Ave

D&RGW RR CO
 GRAND JUNCTION
 Mesa County
 COLORADO
 SALE OF LAND TO:
 BITUMINOUS MATERIALS
 Scale: 1"=100' 7-8-87

Dwg. No G-487



7TH

SOUTH AVE

ST.

Ellison Lbr. Co.

Est. # 3352

Office

SINCLAIR OIL Co.

Office

Wise

LEWCO

7-D

175,000 sq ft

5173 Dwarf St.

7x24

5'x4'40"

7110.9

Signals

7x24

8008

Overhead 1st. Main

VINDUCT

11-11.1

R.C. 9'58 R

MESAD Co.

WHITE ST.

EAGLE OIL Co.

100,000 sq ft

Tanks

7-B

180,000 sq ft

2-64.5 H.S.

3145 Sig. 449

3155 H.A.

1770

1770

1770

1770

1770

1770

1770

1770

1770

1770

1770

TEXAS Co.

ICC No. 76

ICC No. 88

ICC No. 94

ICC No. 98

ICC No. 102

ICC No. 106

ICC No. 110

ICC No. 114

ICC No. 118

To Denver

ICC No. 122

ICC No. 126

ICC No. 130

ICC No. 134

ICC No. 138

ICC No. 142

ICC No. 146

ICC No. 150

ICC No. 154

ICC No. 158

ICC No. 162

ICC No. 166

ICC No. 170

ICC No. 174

ICC No. 178

ICC No. 182

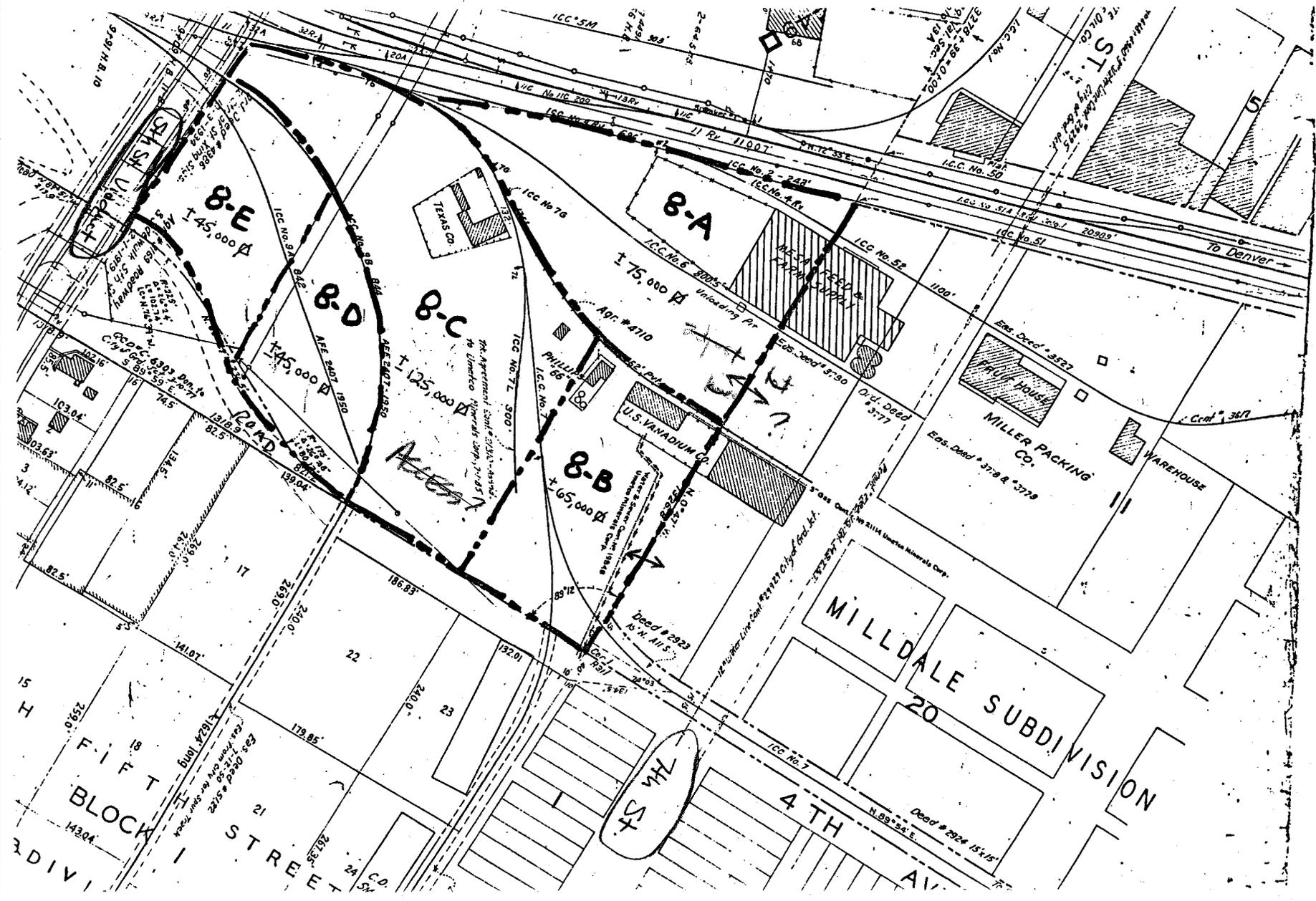
ICC No. 186

ICC No. 190

ICC No. 194

ICC No. 198

ICC No. 202



6169 HB

End Val. St.

59455 HB 13E

55453 HB 55A

58470A

CROSBY AVE.

Telegraph Line

R.D. Mobley Deed #1320 50x50

Main Line

Speaker #12

13 RV

M.P. 450' ASB7

1022

Watch

Line

Lfg. Arr.

13-B ± 25,000 sq

R.D. Mobley Deed #2466

13-A ± 90,000 sq

Pedestrian Underpass
City Water Main
Deed #3920 East 1/2 City
for opening street cancelled

Ug. A.
P.L. Town
#117

Renton
Dee

HOESCH

N.W. & SE. 4 Sec. 15

SHWY 340

WHITE AVE.

ST.

School 1.
Dist.
(Riverside)

N. 31° 10' W.

(PLANK AVE)

M

O

B

L

C

ARMSTRONG CONSULTANTS, INC.

861 Rood Avenue

Grand Junction, Colorado 81501

(303) 242-0101

November 2, 1987

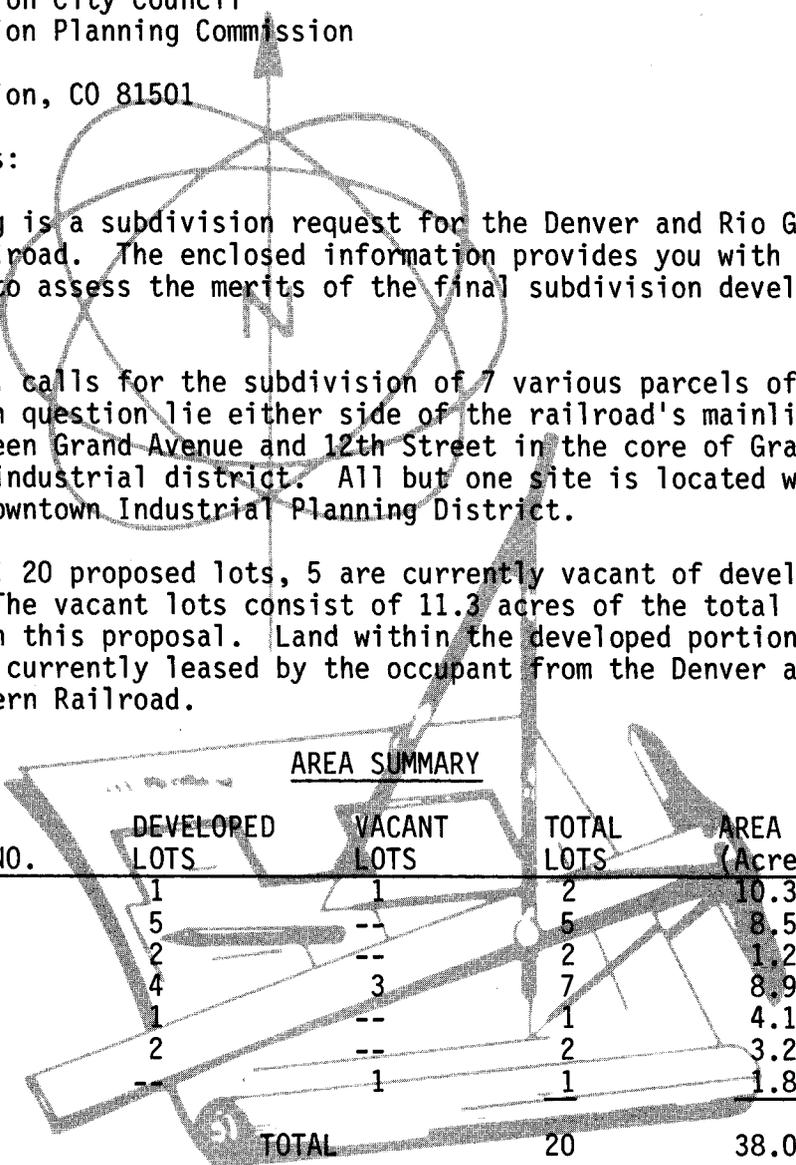
Grand Junction City Council
Grand Junction Planning Commission
City Hall
Grand Junction, CO 81501

Dear Members:

Accompanying is a subdivision request for the Denver and Rio Grande Western Railroad. The enclosed information provides you with sufficient data to assess the merits of the final subdivision development plans.

The proposal calls for the subdivision of 7 various parcels of land. The sites in question lie either side of the railroad's mainline tracks between Grand Avenue and 12th Street in the core of Grand Junction's industrial district. All but one site is located within the Lower Downtown Industrial Planning District.

Of the total 20 proposed lots, 5 are currently vacant of development activity. The vacant lots consist of 11.3 acres of the total 38.0 acres within this proposal. Land within the developed portions of the proposal is currently leased by the occupant from the Denver and Rio Grande Western Railroad.



AREA SUMMARY

| FILING NO. | DEVELOPED LOTS | VACANT LOTS | TOTAL LOTS | AREA (Acres) |
|------------|----------------|--------------|------------|--------------|
| 1 | 1 | 1 | 2 | 10.3 |
| 2 | 5 | -- | 5 | 8.5 |
| 3 | 2 | -- | 2 | 1.2 |
| 4 | 4 | 3 | 7 | 8.9 |
| 5 | 1 | -- | 1 | 4.1 |
| 6 | 2 | -- | 2 | 3.2 |
| 7 | -- | 1 | 1 | 1.8 |
| | | TOTAL | 20 | 38.0 |

Land within the proposed subdivision is zoned I-1 and I-2. Uses permitted by the City in these zones are intended primarily to allow light and heavy manufacturing, warehousing and outdoor industrial storage activities.

Examination of the accompanying "Data Sheet" for each filing reveal numerous uses within the proposed subdivisions and surrounding areas. The most prevalent uses are warehousing and outdoor storage. However,

CONSULTING ENGINEERS

#34 87

some isolated cases of residential single-family housing are identified, particularly in the vicinity of Filing 7.

Existing utility service and access will remain unchanged for those lots which have existing development upon them. Necessary utility extensions will be made to the vacant lots at such time as they are developed. The proposal calls for the dedication of road right-of-way in those areas where an existing road exists and right-of-way has not been obtained in the past.

None of the proposed sites lie within the Colorado River 100 year flood plain. Site drainage follows historical patterns to existing storm sewer facilities.

Review of the City's "Goals Objectives and Policies" show that the proposal is not in major conflict with any of the policies. Policies affecting the proposed subdivision include:

- Economic & Social Factors
- Environmental Resources & Hazards
- General Land Use
- Industrial Land Use
- Transportation
- Energy
- Downtown District

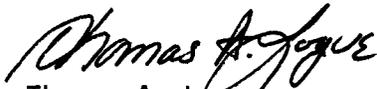
Since 70 percent of the total area within the proposal currently has some type of industrial development, future impacts after development of the vacant sites is envisioned to be minimal.

The rate at which the vacant parcels will be developed can not be determined at this time and is entirely dependent upon the community's future growth and railway needs.

A representative of the railroad and myself will be in attendance at the scheduled public hearings to address review agency comments and answer any questions which may arise.

Respectfully,

ARMSTRONG CONSULTANTS, INC.



Thomas A. Logue
Project Manager

TAL/sh
DALY2

REVIEW SHEET SUMMARY

FILE NO. #34-87 TITLE HEADING D & RGW Railroad Subdivision DUE DATE 11-19-87

ACTIVITY - PETITIONER - LOCATION - PHASE - ACRES Subdivide various parcels along the railroad right of way. Petitioner: Steve Hebert

Location of parcels: approximately from the West Main St. area to North 12th St. along the railroad right of way.

PETITIONER ADDRESS c/o The Anschutz Corp., 555 17th St. Denver

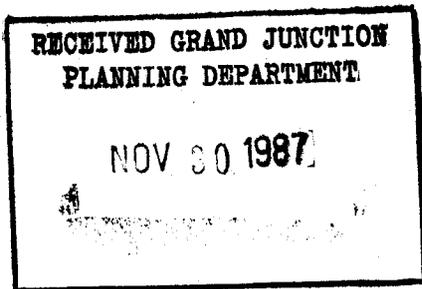
ENGINEER Tom Logue

| <u>DATE REC.</u> | <u>AGENCY</u> | <u>COMMENTS</u> |
|------------------|----------------|--|
| 11-05-87 | Police Dept. | No police concerns. |
| 11-05-87 | City Parks | If this project is required to provide open space funds, then this department will need necessary documentation for each area. |
| 11-06-87 | Public Service | Gas: No objections. Electric: PSCo currently has existing transmission and distribution facilities along or across many of these properties. We are proposing to cross some of them with our 230KV transmission lines. We feel that easements for these facilities should be addressed prior to approval of this subdivision request. |
| 11-10-87 | Fire Dept. | This office has no objections to this subdivision at this time. However, any development of these lots will need to be reviewed by our office to ensure that adequate fire protection and access is provided at that time. Please call 244-1584 if you have any question. |
| 11-18-87 | Mt. Bell | On Filing #1 provide easement on south side of Lots 1 & 2 parallel to C 3/4 Road. When Filings 2 - 7 are subdivided please provide estimates to cover existing buried and/or aerial telephone facilities. |
| 11-18-87 | Public Works | Rights of way for Filings 1, 2, 3, 5, 6, & 7 have been adequately addressed. Filing #4: Lots 1 & 2 show 17 foot wide railway easement leading into parcels. Are these to be interpreted as ingress/egress? If so, they need to be labeled as such. If not, sources of access need to be identified. Matrix does not identify source of access for these two lots. |
| 11-19-87 | Planning Dept. | The proposal is for consideration of seven separate subdivision filings, with preliminary review for Filings 1 through 7. Plats for each filing will be submitted as completed, subject to preliminary review comments. Regarding Filing #1: West Street (as shown on Sheet 2 of 4) is more commonly known as Riverside Drive, but should be referred to as C 3/4 Road on the plat. -What will become of the existing scrap and refuse on Lot 2, Filing #1? Development of a salvage operation would require approval for a Conditional Use Permit. -Are there plans to install a fence along the west property line of Lot 2? Filing #2, no apparent problems. Filing #3, no apparent problems. Filing #4: Lots 1 and 2 should be "added" to properties to the east through recorded deed at the same time as the plat is recorded. Ingress/egress easements from east properties must be dedicated and shown on the plat prior to plat recording to avoid a state subdivision law violation (landlocked parcels would be created; plat must show on easement). |

11/22/87

RESPONSE TO REVIEW AGENCY COMMENTS
File #34-87
DENVER & RIO GRANDE WESTERN RAILROAD SUBDIVISION,
FILINGS 1-7

| AGENCY | RESPONSE |
|---------------------|---|
| Police Department | No response required. |
| City Parks | See Planning Dept. Response. |
| Public Service | Easements for electric lines will be dedicated at such time as the final plat is recorded. |
| Fire Department | As each undeveloped lot is developed, contact will be made with the fire dept. to insure adequate fire protection is provided. |
| Mountain Bell | Required easements will be dedicated with the completion with each final plat. |
| Public Works | Lots 1 & 2 of Filing 4 are to become a part of existing parcels which currently obtain access from Seventh Street. For additional comments see Planning Department Response. |
| Planning Department | <p>✓ Filing One. West Street will be changed and referred to as C 3/4 Road. The existing scrap and refuge on Lot Two is owned by the adjoining property owner to the west. The petitioner will be in contact with the owner to have the scrap removed from Lot Two, <u>in as much as, they are encroaching upon railroad property.</u> Fencing is not planned along the west property line of Lot Two at this time. This is due to the unknown nature of the future development of Lot Two. It is envisioned at such time as Lot Two is developed, fencing will most likely occur along the west property line.</p> <p>Filing 4. Lots 1 and 2 will be added to and become a part of the existing properties to the east which front on 7th Street. Ingress/Egress easements will be dedicated on the final plat which will provide access to Lots 1 & 2 to 7th Street. Thus, avoiding landlocked parcels. The triangular lot labeled "<u>Outlot</u>" will be plated as</p> |



#34-87

AGENCY

RESPONSE

Planning Department
(continued)

O.K.

→ its own lot within the filing. It is envisioned that it would be transferred to the adjoining property at some point in the future when the area to the south is redeveloped. If it is in the City's interest to obtain the parcel for road right-of-way dedication can be accomplished when the final plat is submitted for recording.

Filing 7. An additional 25 foot right-of-way can be dedicated along the existing 20 foot alley if it is the City's desire for future road rerouting.

O.K. per
Code Amendment

→ It is the petitioners desire to pay open space fees in the amount of 5% of the appraised value for the undeveloped portions of the proposal, this amounts to 11.3 acres of the total of the total 38 acres. It is the petitioners understanding that these fees are collected in order to off set any adverse impacts created by new development. Due to the nature of the proposal and the unknown rate at which development of the vacant land would occur the petitioner would propose to make the 5% cash payment at such time as a building permit is requested for each undeveloped lot.

→ Code requires payment @ time of plat recording;
City Council will have to make alternate decision

development summary



File # 26-88 Name D&RGW Subdivision Date 8/3/88

PROJECT LOCATION: 715 South 7th Street area

PROJECT DESCRIPTION: Final plat for filing #2 of a seven filing subdivision which was reviewed and approved under the preliminary plat process.

REVIEW SUMMARY (Major Concerns)

| POLICIES COMPLIANCE | YES NO* | | TECHNICAL REQUIREMENTS | SATISFIED NOT SATISFIED* | |
|--|---------|-----|-------------------------------|--------------------------|----------------|
| | YES | NO* | | SATISFIED | NOT SATISFIED* |
| Complies with adopted policies | X | | Streets/Rights Of Way | X | |
| Complies with adopted criteria | X | | Water/Sewer | X | |
| Meets guidelines of Comprehensive Plan | X | | Irrigation/Drainage | X | |
| | | | Landscaping/Screening | | |
| | | | Other: <u>open space fees</u> | | X |

* See explanation below
 The petitioner's representative, Mr. Steve Hebert, will be providing appraisals for ~~the undeveloped lots in this filing (lots 4 and 6) and~~ lot 2 of filing #1 as soon as possible. Planning Department isn't in a great hurry to have the fees paid prior to recording of the deed (which is common policy) because: a) 5 or 6 more filings will occur over the next year, and b) there may be a need for the dedication of railroad land in lieu of payment for the 5th Street/Riverfront redevelopment project. Mr. Hebert is requesting the deferred payment until perhaps the vacant land can be marketed and sold.

STATUS & RECOMMENDATIONS:

It is possible to record a Building Permit Guarantee preventing the issuance of permits until all fees are paid, so we have future opportunities to ensure payment of the open space fees. If Council agrees to the deferment, it provides more time and opportunity to determine the dollar value of the fees as well as to assess whether railroad property easements, etc. could be of use to reach our goals.

Planning Commission Action

Approval of final plat, and recommendation that Council allow deferred payment providing the petitioner supplies land appraisals within 60 days.



Grand Junction Planning Department
250 North Fifth Street
Grand Junction, Colorado 81501-2668
(303) 244-1430

MEMORANDUM

TO: Neva Lockhart
FROM: Karl Metzner *KM*
DATE: August 8, 1988
RE: D&RGW Subdivision Request to Defer Open Space Fees

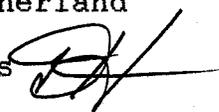
The D&RGW Railroad has asked for a deferral of open space fees on their subdivision. In accordance with 5-4-6E of the Zoning Code, Council may approve such a request after recommendation by the Planning Commission. The Commission has recommended approving the deferral subject to the petitioner providing appraisals within 60 days.

The subdivision has already been approved, so the only item needing Council action is the request for deferral. As such, a legal ad is not required. Planning staff supports this request since it gives us time to negotiate for potential dedication of property in support of the Riverfront Project. I suggest this go on the consent agenda for the next meeting.

KM/tt

*9-7-88
Pending -
2nd sental
Make it on
plan on agenda
again.
Oct 5 agenda?*

*Karl - This came back
from Teddy's office. It's
w/a now, but a new
memo is probably req'd.
MS*

TO: Mike Sutherland
FROM: Don Hobbs 
RE: D&RGW Open Space Fees
DATE: September 29, 1988

I have received and reviewed the appraisals for Filing #1, Lot 2 and for Filing #2, Lots 4 and 5 of the D&RGW Railroad Subdivision. On the basis of those appraisals we will accept the required 5% of the appraised value as open space fees.

It is our understanding that the \$2,300.00 fee for Filing #2, Lots 4 and 5, will be paid immediately, but that the D&RGW is asking for a deferral of the fees due on Filing #1, Lot 2, until such time as the lots are sold. Since we don't know when the lot will sell, and the fees are actually due now, Parks and Recreation staff recommends as a compromise that 1/2 of the \$6,290.00 fee be paid now and the \$3,145.00 balance be paid when the lot is sold, or within one year of City Council approval, whichever occurs first. We feel this is more than fair and would hope the D&RGW would feel the same way.

Should you have questions or need further assistance in the matter please advise.

cc: Ted Novack

file:a:d&rgw

DARWIN

Filing #2 (#26-88)

11/14/88 - open space fee of \$2,300 pd rec'd #2723
(receipt in file)

Filing #1 - memo allowing deferral of 1/2 of filing #1
fees - total fee \$6,290.00 (1 yr. or until lot sells)
(#26-88)

Filing #3 - no open space fees required - property
already developed.

Filing #4 - no open space fees required - property
already developed. (file #47-88)

Filing #5 - no open space fees required - both lots
already developed (file #54-88)

Filing #6 - open space fees required for lot 2 -
receipt in file for fee in amount of \$2,400.00



Grand Junction Planning Department
250 North Fifth Street
Grand Junction, Colorado 81501-2668
(303) 244-1430

March 27, 1989

Mr. Steve Hebert
The Anschutz Corporation
555 Seventeenth Street
Denver, CO 80202

Dear Steve:

Attached are the documents relative to the trail easements requested across and along the Montrose Branch line right-of-way (a drawing and a preliminary description of the easements).

Since we last spoke, factors relative to flood protection were brought to my attention which may affect the railroad right-of-way. The Army Corps of Engineers is currently studying, and intends to construct, needed flood protection dikes in an area which extends down river to include the Montrose Branch right-of-way. At this stage, it would appear that efforts will be made to locate the new dike in approximately the same location as the existing "temporary" dikes, built during past years of high water.

The Corps may or may not want to tie the new dike into the existing dirt and rock levee which traverses the railroad right-of-way near the north end of the bridge. It may prove necessary to construct new diking on the right-of-way, and my feeling is that the Army Corps would be willing to construct in a manner that most benefits railroad needs. Nick Mezei is the local Corps representative should you want to coordinate plans with him.

With so many potential variables in dike location, it has become difficult to pin down the exact location for the bike trail. It is preferable to build the trail on top of the dike and deviate from it only where an underpass is needed to cross below the railroad bridge. After surveying the topography, it appears that the optimum location for the underpass would be just north of the abutment located 150 feet south of the beginning of the bridge (indicated on the drawing by black dots).

If needed, the area in excess of that which proves to be necessary for dike and trail construction could be vacated so that the actual permanent easement would include only the dike and trail.

Mr. Steve Hebert
March 27, 1989
Page 2

Per your request, staff will propose to City Council that this dedication of easements fulfill fifty percent of the outstanding open space obligation (Filing #1) of \$6,290 and that the remaining \$3,145 be due upon sale of the property or any request for a building permit.

Please review the information and let this office know whether to proceed to City Council. As I will soon be leaving this department, I'll bring Karl Metzner up to date so that you can make direct contact with him. Thanks for your cooperation, Steve, and I've enjoyed working with you.

Sincerely,



Michael E. Sutherland
City Development Planner

MES/tt

Attachments

xc: Tom Logue
File #34-87

PRELIMINARY DESCRIPTION OF EASEMENTS - D&RGW RAILROAD

- A) An easement for the purposes of floodplain protection and recreational access located in the full width of the D&RGW right-of-way from approximately the north end of the Montrose Branch Bridge to the bank of the Colorado River, excluding the bridge itself and any appurtenances thereof.

- B) A recreational access easement running north from the above described easement for a distance of approximately 900.0 feet to the existing east/west roadway known as Fourth Avenue; easement to be located 85.0 feet west of the centerline of the railroad mainline at a width of not less than 15.0 feet.

JOHN W. NISLEY, MAI

Real Estate Appraiser

519 GRAND AVENUE - POST OFFICE BOX 446
GRAND JUNCTION, COLORADO 81502-0446

TELEPHONE (303) 242-8076



August 31, 1988

Mr. Don Brungardt
Denver and Rio Grande Western Railroad
P. O. Box 5482
Denver, Colorado 80217

Dear Mr. Brungardt:

As you requested, I have inspected the property legally described as Lot 2, Filing #1 of the D&RGW Railroad Subdivision, and have arrived at an opinion of value for the property. This appraisal is in the form of a letter of opinion, and although somewhat abbreviated from a full narrative report on the property, all information is provided in this letter that would normally be included in a full narrative report.

The purpose of this appraisal is to estimate the Present Market Value of the above described property. Present Market Value is defined as follows:

"The most probable price in terms of money which a property should bring in a competitive and open market, under all conditions, requisite to a fair sale, the buyer and seller each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus."

Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer, under conditions whereby: 1) Buyer and seller are typically motivated, 2) both parties are well informed or well advised and each acting in what he considers his own best interest, 3) a reasonable time is allowed for exposure in the open market, 4) payment is made in cash or its equivalent, 5) the financing, if any, is on terms generally available in the community, at the specified date and typical for the property type in its locale, 6) the price represents a normal consideration for the property, sold unaffected by special financing amounts and/or terms, services, fees, costs, or credits incurred in the transaction.

The property rights appraised are the unencumbered fee simple estate rights of ownership, and the date the appraisal applies is as of August 26, 1988. This is the date of inspection by the appraiser and the date to which all opinions of value apply. The function of this appraisal will be to aid in decision making for park fees for the railroad and the City of Grand Junction.

The subject site consists of 6.42 acres according to a survey provided us and as enclosed in this report. The site is irregular in shape containing around 416.28 square feet of frontage on C-3/4 Road with a depth on its east property line of 339.95 feet, and a depth on its west property line of 1,044.99 feet. There appears to be a 20 foot utility easement that divides the property, with a 10 foot utility easement intersecting the 20 foot easement. These are both shown on the plat included in the report. The property is zoned I-2, and I am appraising the property as if vacant. The property is presently improved with an "abandoned" salvage yard, however, it is my understanding that the salvage on the property is in the process of being removed by the adjacent property owner, which is an existing salvage yard. However, on the date of inspection, cars were still being brought into the subject and dropped.

In addition, there may or may not be hazardous waste on the property. Please note in the Limiting Conditions of this report that we are assuming no hazardous waste materials are on the site, and if EPA or any other agency determines that clean-up of the subject site is necessary, the values presented in this report would be invalid and these cost factors would have to be taken into consideration.

The area surrounding the subject includes Southwest Emulsions being immediately east of the subject and a salvage yard being west of the subject. On the northeast side of the property is Denver and Rio Grande Western Railroad property where numerous spurs and the railroad tracks are located. To the south of the property across C-3/4 Road is American Auto Salvage, and this is a large salvage yard running most of the length of C-3/4 Road on its south side.

Highest and Best Use

Highest and Best Use is defined as: That reasonable and probable use that will support the highest present value, as defined, as of the effective date of the appraisal.

Alternatively, that use, from among reasonably probable and legal alternative uses, found to be physically possible, appropriately supported, financially feasible, and which results in highest land value.

The definition immediately above applies specifically to the highest and best use of land. It is to be recognized that in cases where a site has existing improvements on it, the highest and best use may very well be determined to be different from the existing use. The existing use will continue, however, unless and until land value in its highest and best use exceeds the total value of the property in its existing use.

Implied within these definitions is recognition of the contribution of that specific use to community environment or to community development goals in addition to wealth maximization of individual property owners. Also implied is that the determination of highest and best use results from the appraiser's judgment and analytical skill, i.e., that the use determined from analysis represents an opinion, not a fact to be found. In appraisal practice, the concept of highest and best use represents the premise upon which value is based. In the context of most probable selling price (market value) another appropriate term to reflect highest and best use would be most probable use. In the context of investment value an alternative term would be most profitable use. (Taken from "Real Estate Appraisal Terminology" - The American Institute of Real Estate Appraisers)

The highest and best use of the subject as if vacant under its I-2 zoning would be for the construction of improvements that would conform under the zoning requirements. This would be at a point when it would be economically feasible to construct such improvements and uses under this zoning could be numerous. A copy of the Use/Zone Matrix is included, with the I-2 zoning highlighted. The present use as an abandoned salvage yard appears to be a conditional use under this zoning. Most of the allowed uses would fall under the manufacturing category, as well as electronic fabrication, wholesale business, automotive maintenance, unlimited service business, unlimited retail business, and repair shops/production shops. These classifications can be reviewed in the Use/Zone Matrix.

The property was approached from a Market standpoint only. Because the property is being considered as vacant land, the Cost and Market Approaches would render the same value. No information was available on land leases that would indicate a meaningful value by an Income Approach. Therefore, only the Market Data Approach to value was utilized.

MARKET DATA APPROACH

Sale #1

In December of 1987, D&RGW Railroad Company sold to Southwest Emulsions, Inc. Lot 1 in the subject's subdivision filing for \$163,785.60. This property contains 3.76 acres of land, according to plats on the property, and the property is located on the south side of the Railroad tracks just east of the subject. The sale occurred by a Quit Claim Deed rather than a Warranty Deed, however, the sale was considered to be arms-length according to the seller. It must be noted that it appears that the value of the property was based on appraisal completed on that property on June 11, 1987, and the property was also zoned I-2 by the City of Grand Junction. The sales price would break down to exactly \$1.00 per square foot, and for comparison to the subject, it must be noted that this sale contained a similar shaped parcel to the subject, however, the long side of the sale, at 854 feet, was its frontage along C-3/4 Road rather than its depth. The property would have superior access to the majority of the property, although the very east end of the parcel would not be very usable. This is also true of the subject's north end. This lot also contained 3.76 acres, which is substantially smaller than the subject, and overall, this sale would require downward adjustments for comparison to the subject to consider the subject's larger size, its shape and access, and the utility easements that divide the subject property. It also must be noted that the price paid for the property was established by an appraisal that was completed in June of 1987 prior to numerous other sales that have occurred.

Sale #2

On May 6, 1987, Industrial Land Development Company sold to Janice Anderson 10 acres of land at 2773 D Road for \$100,000.00. Improvements to the property consisted of an old house used for an office building that contained 575 square feet with an estimated construction date of 1950. The improvements would be of little value when compared to the entire 10 acre parcel, and applying the entire sales price to the land area only would indicate that the 10 acres of industrial land sold for approximately 23¢ per square foot. This

property is located in an inferior location to the subject with more restricted access. It is also larger than the subject and for these factors would require an upward adjustment for comparison to the subject.

Sale #3

In November of 1987, N-L Acme Tool, Inc. sold to Homeco International approximately 9.14 acres of land at 2785 D Road. This land is also zoned Industrial by the County, as is the above sale, and improvements to this property consisted of a 7,400 square foot building constructed in 1976, according to assessor's records. The building would have a substantial contributory value but giving all value to the land only would indicate the land selling at an overall price of 38¢ per square foot including the value of the improvements. If the improvement value is extracted at an overall rate of around \$10.00 per square foot, the remaining land value would be around \$76,000.00 for 9.14 acres or approximately \$8,300.00 per acre. This breaks down to approximately 19¢ per square foot and would also require substantial upward adjustments for location and size compared to the subject.

Sale #4

In February of 1987, Fuoco purchased 2 acres of vacant land at 2569 Highway 6 and 50 for \$32,000.00. This sale was recorded on February 2, 1987 with the date of sale being January 23, 1987. The zoning for the parcel was C-2 or Commercial, and the tract was lower than the street grade in elevation and required fill before the property could be utilized. The sales price breaks down to 37¢ per square foot for an inferior tract, smaller in size than the subject, in a superior location. This sale would tend to indicate a value in the area of 40¢ per square foot for the subject.

Sale #5

Webb purchased 50,470 square feet or slightly over one acre of land in November of 1987 for \$32,900.00. The property is Lot 5 of Johnston's Subdivision and the sales price breaks down to 65¢ per square foot. Access to the property is by F-1/2 Road, a gravel road accessed from 24 Road. The property is zoned Commercial by the County, and the tract is substantially smaller than the subject, requiring a major downward adjustment. Access and location overall would be somewhat similar to the subject, considering that this sale is in a somewhat better location for commercial development, but would have inferior access. Overall, a downward adjustment in the area of 30% would be indicated, and dividing 65¢ by 1.25 would indicate a value of around 50¢ per square foot.

Sale #6

In July of 1987, Central Bank sold to Ochs Brothers about 4.9 acres of ground on the northeast corner of Sanford Drive and Highway 6 and 50 for \$91,500.00 or around 43¢ per square foot. The property is located across Sanford Drive from an Acorn station, a property owned by the Ochs Brothers. It is my understanding in confirming this sale that the property was purchased for eventual truck parking and speculation. That property was also zoned Commercial by the County. The tract is somewhat smaller than the subject, and while its location is further from town, it is in fairly close proximity to the Interstate 70 interchange with the highway in that area. Access is good to the

property and overall, this sale would indicate a value for the subject in the area of 45¢ per square foot.

Sale #7

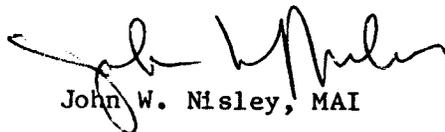
Central Bank sold to Wallace around 50,700 square feet in Foresight Industrial Park for \$15,000.00 in May of 1988. The deed was recorded on May 18, 1988, and the sales price would break down to about 30¢ per square foot for a substantially smaller tract than the subject. Because the property was a bank owned sale, however, the sales price could be somewhat questionable.

There are numerous other sales that have occurred both in the west area and the south area, both commercial-industrial types of areas, however, many of the sales are less than one acre in size and become very difficult to compare to the subject. Based on the limited information available, the value of the subject would appear to be in the range from around 40¢ to 50¢ per square foot considering its size, location, access, and shape. Because of the easements dividing the property, some care will need to be taken in developing the tract, if it were to be used to its highest and best use. The areas, however, could be used for things such as drives, storage areas, or open areas.

Based on the data presented in this report, it would be my opinion that the subject would have an indicated value in the area of 45¢ per square foot. This would indicate the following valuation:

6.42 acres = 279,655 s.f. x 45¢/s.f. = \$125,800.00(rd)

Respectfully submitted,


John W. Nisley, MAI

To: Kathy Portner
From: Tim Woodmansee
Subject: Fwd: Re: Corps of Eng. levee/Riverfr
Date: 12/12/95 Time: 3:11PM

Originated by: MARKR @ CITYHALL on 9/26/94 1:59PM
Replied by: TIMW @ CITYHALL on 9/27/94 3:29PM
Replied by: KATHYP @ CITYHALL on 9/29/94 8:31AM
Forwarded by: TIMW @ CITYHALL on 12/12/95 3:11PM (CHANGED)

Does the railroad still owe open space fee? Is interest accruing? Can we send them a bill? Did they do an appraisal? just curious.

***** ORIGINAL MESSAGE FOLLOWS *****

Just a reminder, the railroad still owes open space fees for one of their subdivision plats. At that time the RR agreed to look at granting access under the tracks for the trail in lieu of paying the open space fee.



City of Grand Junction
Public Works Department
250 North 5TH Street
Grand Junction CO 81501-2668
FAX: (970) 256-4022

March 11, 1999

Mr. Tom Judkins
Union Pacific Railroad Company
Contracts & Real Estate Department
1416 Dodge Street, WP001
Omaha, NE 68179

Re: *Recreational Trail across Railroad Right-of-Way*

Dear Mr. Judkins:

In 1989, the D&RGW Railroad created 7 subdivision filings in the City of Grand Junction. In accordance with applicable requirements, D&RGW paid to the City of Grand Junction certain sums of money as required for open space fees. However, at the request of D&RGW, the City waived open space fees for D&RGW Subdivision Filing No. One with the understanding that D&RGW would dedicate an easement for a recreational trail near Mile Post 423.68 on the Montrose Branch at Grand Junction, Mesa County, Colorado. The City agreed that D&RGW would not be required to dedicate the easement until the City was prepared to construct the trail. Come ten years later, the City is now prepared to construct the trail.

A vicinity map and set of construction drawings are enclosed for your review. Please let me know if we need to generate additional information to aid in your review.

The City desires to begin construction on March 29, 1999. Anything you can do to help expedite this request prior to that date would be greatly appreciated.

Thank you very much for your assistance. Please feel free to contact me at (970) 244-1565 if you have questions or require additional information.

Sincerely,

A handwritten signature in cursive script that reads "Tim Woodmansee".

Tim Woodmansee
City Real Estate Manager

enclosures.