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File 1988-0026

Project Name: D & RGW Railroad - Filing 2 - Final Plat

P r e s e n t	S	<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>		
	C	X	X	Table of Contents
		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
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				Evidence of title, deeds, easements
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				Public notice cards
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				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X	X		X	Outdated Plat Maps
X	X		X	Memo from Don Hobbs to Mike Suterland re: Open Space Fees- accepting the required 5% of the appraised value as open space fees - 9/29/88
X				Review Sheets
X	X			Development Summary - 8/3/88
X				Development Application - 7/3/88
X				Certification of Plat - 12/28/88
X	X			Mesa County Survey Dept. - Subdivision Plat Review
X				Appraisal of Land Value Only by Robert O. Stevens, MAI James S. Parman, Stevens Real Estate Services - 8/18/88
X				Public Notice Posting - 7/21/88
X	X			Planning Commission Minutes - ** - 8/2/88
X				Memo from Karl Metzner to Neva Lockhart re: subdivision approved with one item - request for deferral - 8/8/88
X	X			Letter from Carl Metzner to Gary Ferguson, Executive Director DDA re: final plat consistent with existing and future uses of the area but there are a few questions to address - 7/26/88
X	X			Plat Map

ARMSTRONG CONSULTANTS, INC.

861 Rood Avenue

— Grand Junction, Colorado 81501

— (303) 242-0101

July 5, 1988

Grand Junction Planning Commission
250 North Fifth Street
Grand Junction, CO 81501

Dear Members:

Accompanying is a Final Plat Request for the Denver and Rio Grande Western Railroad. This request gained preliminary plan approval from the City in November of 1987. At that time it was known as Filing No. 4 and is to be now know as Filing No. 2. Filing No. 2 lies between the railroad mainline tracks and Fourth Avenue; and East of Fifth Street in the core of Grand Junction's industrial district. The property located within Filing No. 2 is located within the Lower Downtown Industrial Planning District.

Of the total five proposed lots, two are currently vacant of development. Land within the developed portions of the proposal is currently leased by the occupants from the Denver and Rio Grande Western Railroad.

Filing No. 2 is currently zoned I-2 by the City of Grand Junction. Uses permitted in this zone are intended primarily to allow light and heavy manufacturing, warehouse and outdoor industrial storage activities.

Examination of the accompanying Data Sheet for Filing No. 2 reveals numerous uses within the proposed subdivision and surrounding areas. Most prevalent uses include warehousing, outdoor storage and the Daily Sentinel.

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.

According to the United States Corps of Engineers, Flood Hazards Study, Filing No. 2 does not lie within the designated 100 year frequency flood plain of the Colorado River. The Corps of Engineers has identified the most northerly limits of the 100 year flood plain to be at Fourth Avenue. Site drainage follows historic patterns to existing storm sewer facilities.

Since most of Filing No. 2 currently has some type of industrial development, future impacts after development of the vacant sites is envisioned to be minimal.

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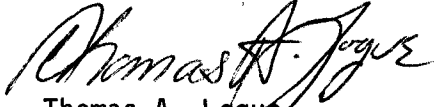
#26 88

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

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

Respectfully,

ARMSTRONG CONSULTANTS, INC.



Thomas A. Logue
Project Manager

TAL/sh
DALY5

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James C. Dible
611 S. Seventh Street
Grand Junction, CO 81501

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

James C. Dible
571 Sunny Meadow Lane
Grand Junction, CO 81503

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

Umetco Minerals Corp.
39 Old Ridgebury Road
Danbury, CT 06817

D & RGW RR
The Anschutz Corp. Steve Herbert
555 17th St.
Grand Junction, CO 81501

Dwight Polard
2449 Broadway
Grand Junction, CO 81503

D&RGW Railroad
The Anschutz Corp, Steve Herbert
555 17th St.
Denver, CO 80202

Donald T. Kucel
814 S. Seventh Street
Grand Junction, CO 81501

Sterling Company
Box 756
Grand Junction, CO 81502

Walter K. Waymeyer
Box 2206
Grand Junction, CO 81502

Elveta E. Vangundy
1761 Palisade Street
Grand Junction, CO 81503

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

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D & R G W RAILROAD SUBDIVISION FILING FOUR

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, THE DENVER & RIO GRANDE WESTERN RAILROAD CO., a Delaware corporation, is the owner of that real property situated in the NE 1/4 NW 1/4, Section 23, Township 1 South, Range 1 West, Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, as shown on the accompanying plat, said property being additionally described as follows:

BEGINNING AT THE SE CORNER OF THE NE 1/4 NW 1/4 OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 1 WEST, OF THE UTE MERIDIAN, AND CONSIDERING THE WEST LINE OF THE NW 1/4 NW 1/4 OF SECTION 23 TO BEAR S00°14'17"W AND CONSIDERING ALL THE BEARINGS CONTAINED HEREIN TO BE RELATIVE THERETO; THENCE S89°47'28"W 334.93 FEET ALONG THE SOUTH LINE OF THE NE 1/4 NW 1/4 TO THE POINT OF BEGINNING OF A PARCEL OF LAND RECORDED IN BOOK 1100 PAGE 318 OF THE MESA COUNTY CLERK AND RECORDERS OFFICE; THENCE ALONG THE NORTH LINE OF SAID PARCEL THE FOLLOWING SIX (6) COURSES:

- 1) N00°13'28"W 5.00 FEET
- 2) S89°51'23"W 27.00 FEET
- 3) THENCE 80.84 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 175.00 FEET, AND WHOSE CHORD BEARS N78°34'38"W 80.12 FEET;
- 4) THENCE N63°40'37"W 236.50 FEET;
- 5) THENCE 103.85 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 225.00 FEET, AND WHOSE CHORD BEARS N76°52'29"W 102.74 FEET;
- 6) THENCE S89°35'23"W 31.87 FEET TO THE EAST LINE OF STATE HWY. PARCEL ER-1, ALSO KNOWN AS THE 5TH STREET VAQUET; THENCE N0°28'28"E 208.09 FEET ALONG THE EAST LINE OF SAID PARCEL ER-1; THENCE N67°21'33"E 465.50 FEET; THENCE N71°50'21"E 372.95 FEET TO A POINT ON THE EAST LINE OF SAID NE 1/4 NW 1/4; THENCE S00°09'37"W 653.53 FEET TO THE POINT OF BEGINNING, CONTAINING 8.44 ACRES AS DESCRIBED.

SUBJECT TO existing rights-of-way for road purposes.

That said owner has caused the said real property to be laid out and surveyed as D & R G W RAILROAD SUB. FILING FOUR, a subdivision of a part of the City of Grand Junction, County of Mesa, State of Colorado.

That said owner does hereby dedicate and set apart all of the streets and roads as shown on the accompanying plat to the use of the public forever, and hereby dedicates to the public utilities those portions of said real property which are labeled as utility easements on the accompanying plat as perpetual easements for the installation and maintenance of utilities, irrigation and drainage facilities, including but not limited to electric lines, gas lines, telephone lines, together with the right to trim interfering trees and bushes; with perpetual right of ingress and egress for installation and maintenance of such lines. Such easements and rights shall be utilized in a reasonable and prudent manner.

IN WITNESS WHEREOF said owner has caused his name to be hereto subscribed this _____ day of _____ A.D., 19__.

THE DENVER & RIO GRANDE WESTERN RAILROAD COMPANY
A DELAWARE CORP. W. J. HOLTMAN, president

STATE OF COLORADO } S.S.
COUNTY OF DENVER }

The foregoing instrument was acknowledged before me this _____ day of _____ A.D., 19__ by W. J. Holman, president of THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY, A DELAWARE CORP.

My commission expires: _____

Notary Public

Address _____

CLERK AND RECORDERS CERTIFICATE

STATE OF COLORADO } S.S.
COUNTY OF MESA }

I hereby certify that this instrument was filed in my office of _____ o'clock _____ M. this _____ day of _____ A.D., 19__ and is duly recorded in Book _____ Page _____.

Clerk and Recorder _____

Deputy _____

CITY APPROVAL

This plat of D & R G W RAILROAD SUBDIVISION, FILING FOUR, a subdivision of the City of Grand Junction, County of Mesa, State of Colorado, is approved and accepted on this _____ day of _____ A.D., 19__.

City Manager _____

President of Council _____

Chairman, Grand Junction City Planning Commission _____

Director of Development _____

Grand Junction City Engineer _____

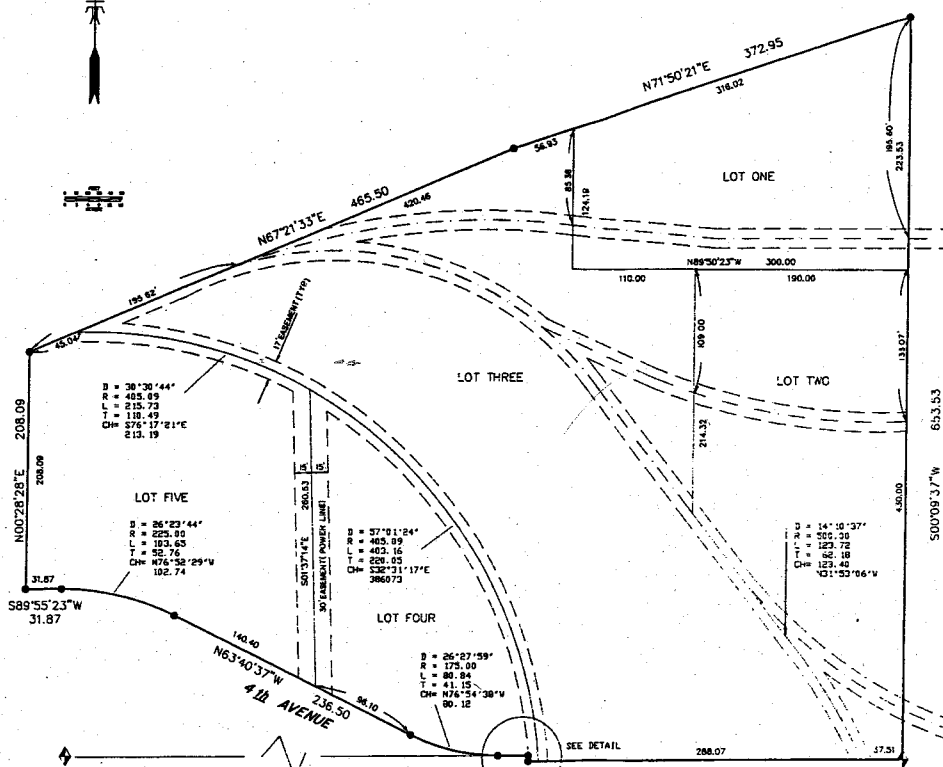
SURVEYOR'S CERTIFICATE

I, Daniel K. Brown, certify that the accompanying plat of D & R G W RAILROAD SUB. FILING FOUR, a subdivision of a part of the City of Grand Junction, County of Mesa, State of Colorado has been prepared under my direct supervision and accurately represents a field survey of same.

Daniel K. Brown, G.E.D. Surveying Systems Inc.
Registered Professional Land Surveyor L.S. 23877

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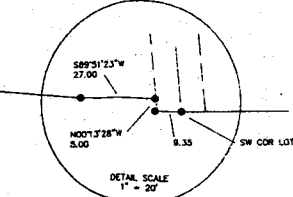
FD. 2 1/2" IRON PIPE
WITH BRASS CAP
LS 16413
SW COR.
NE 1/4 NW 1/4
SECTION 23

LEGEND AND NOTES

- Recovered brass cap as noted
- Set #5 rebar at all lot corners
LS 23877
- Set #5 rebar in concrete
LS 23877

NOTICE:

ACCEPTANCE BY DELIVERY OF THIS PLAT SHALL CONSTITUTE ANY LOCAL ACTING BOARD UNDER ANY ORDER IN THIS MATTER WITHIN 30 DAYS AFTER THE FIRST DAY OF THE MONTH IN WHICH THIS PLAT IS FILED IN THE OFFICE OF THE CLERK AND RECORDERS OFFICE. IN NO CASE SHALL ANY ACTION BRING UNDER ANY ORDER IN THIS MATTER BE HELD VALID UNLESS THE BOARD FILE THE DATE OF THE CORRECTION UNDER PENALTY.



D & R G W RAILROAD SUBDIVISION, FILING FOUR
SITING IN THE NE 1/4 NW 1/4 SECTION 23, TOWNSHIP 1 SOUTH, RANGE 1 WEST, UTE MERIDIAN

Engineer	ARMSTRONG CONSULTANTS, INC.
Planner	
Surveyor	
Field Engineer	
Metrical Engineer	

1611 West Avenue
Grand Junction, Colorado 81501
(263) 245-0101

A.C.I. NO 885135

Grand Junction
Downtown Development Authority

LATE

115 N. 5th Street, Suite 540 P.O. Box 296
Grand Junction, Colorado 81502
Phone (303) 245-2926

RECEIVED GRAND JUNCTION
PLANNING DEPARTMENT

JUL 23 1988

July 26, 1988

To: Grand Junction Planning Commission
From: Gary Ferguson, Executive Director DDA

RE: D & RGW Railroad Subdivision Filing #2

The proposed final plat for the D & RGW Subdivision appears to be consistent with existing and likely future uses of the area.

There is, however, a question regarding whether this hearing is for Filing #2 only or all parcels (Filings 2, 4, 6) listed on their supplemental map.

Additionally, the following issues are raised for you to consider/review:

- o Open Space Fees: What will be the resolution of these fees? The fees associated with the initial filing were delayed until this next round. We would be interested in how this issue is resolved and what cash or in lieu of properties might be appropriate.
- o DDA Expansion: The DDA is in the process of expanding its boundaries southward along 5th and 7th Streets. This subdivision creates a clear need for the D & RGW to participate in this expansion if we are to be able to proceed southward to the salvage yards. Can or will D & RGW agree to commit to inclusion in the DDA District? Can this hearing process help to identify and solidify this commitment?

I will plan to be present for the August 2, 1988 meeting. Please call if I can offer any further information.

GF/mah

cc Carl Metzner
Steve Hebert

ARMSTRONG CONSULTANTS, INC.

861 Rood Avenue

Grand Junction, Colorado 81501

(303) 242-0101

August 2, 1988

Mike Sutherland
Development Department
Grand Junction, CO 81501

RE: Review Agency Response for File No. 26-88
Denver & Rio Grande Western R.R. Filing No. Two

Dear Mike,

In response to the review agency comment we offer the following for your consideration:

PARKS & RECREATION DEPT. (Open Space Fees) The petitioner will provide the City an appraisal of land values for the undeveloped, vacant lots 4 and 5 of Filing 2 and the vacant undeveloped Lot 2 of Filing 1 prior to recording of the final plat. The petitioner will request a deferral of payment for the 5% of the appraised value, to time of building permit application, in accordance with current land use regulations.

PUBLIC SERVICE, ELECTRIC The petitioner will provide all requested electric easements, except for the additional 15 ft. on each side of the proposed dedicated 30 ft. utility easement between Lots 4 and 5. This decision is based on the assumption that the additional easement width is for regional electric improvements, and is not required as a direct result of Filing No. 2. The petitioner will continue to discuss with Public Services its easement requirements and would expect some type of compensation for the loss of use for their property.

DOWNTOWN DEVELOPMENT AUTHORITY (DDA) The petitioner has met with Mr. Gary Ferguson of the DDA to discuss possible inclusion of railroad property within the DDA boundaries. No conclusions have been reached, but discussions will continue. Mr. Ferguson has been invited to make a presentation to the Denver & Rio Grande Western Railroad regarding DDA's powers, objectives and potential benefits to railroad property.

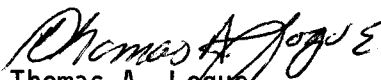
Respectfully,

ANSCHUTZ CORPORATION



Steve Hebert

ARMSTRONG CONSULTANTS, INC.



Thomas A. Logue
Project Manager

srh
DALY2

CONSULTING ENGINEERS

REVIEW SHEET SUMMARY

FILE NO. 26-88 TITLE HEADING Final Plat Filing #2 DUE DATE 7/21/88
 ACTIVITY - PETITIONER - LOCATION - PHASE - ACRES Petitioner: D&RGW Railroad c/o The
Anschutz Corp., attn: Steve Hebert Location: SW railroad line and S. 7th Street

PETITIONER ADDRESS 555 17th Street, Denver, CO 80202

ENGINEER n/a

DATE REC. AGENCY COMMENTS

NOTE: WRITTEN RESPONSE BY THE PETITIONER TO THE REVIEW COMMENTS IS REQUIRED
 A MINIMUM OF 48 HOURS PRIOR TO THE FIRST SCHEDULED PUBLIC HEARING.

7/11/88	Public Works	No right-of-way concerns provided lot 2 has access from a dedicated street. If not, an ingress/egress easement across either lot 1 or lot 3 may be required.
7/11/88	Fire Dept.	We have no objections to this planned subdivision. The only requirements that we have at this time are that adequate access be maintained for fire fighting and emergency response, and if any building is started or planned, adequate water be maintained for fire fighting purposes. We would also need to review plans for this development to ensure all applicable codes are being followed. If you have any questions, please call.
7/11/88	Parks and Rec.	Department will need appraisals for determination of open space fees.
7/15/88	Mtn. Bell	No objections.
7/14/88	Police Dept.	No problems noted.
7/19/88	Public Service gas: electric:	No objections to filing two. Plat is unacceptable "as is" due to lack of easements describing existing electric facilities along the westerly portion of lot 5. Easements shown for electric transmission lines are not adequate to meet requirements of National Electric Safety Codes platted in filing two. The easement running north/south will have to be sixty (60) feet wide. In addition, along the southerly end of the property, an easement is required. Representative of the D&RGW Railroad subdivision should contact John Muir at (303) 329-1554 in Denver to obtain the exact legal description of the required easements.
7/18/88	GJ Drainage	There are no open or tiled (piped) drains maintained by the Grand Junction Drainage District which flow through or abut this development proposal. There are no adopted or proposed plans to extend either open or closed drains to or through this property. Storm runoff in the form of surface drainage apparently is via city streets and/or city maintained storm sewers. I believe the City Engineering has requirements for on- and off-site evaluation of surface water drainage. Some evaluation of where these parcels are in their drainage basin may be of value to size transporting facilities/improvements.

7/21/88 Development Dept.

Parks and open space requirements must be satisfied before recording the plat. All easement requirements must be satisfied. A deed attaching lot 1 to the existing parcel to the east must be recorded at the same time the plat is recorded. As per section 6-8-20, a table showing percent and quantities of lots, walkways, streets, alleys, or excepted parcels must be included on the plat. As per section 6-8-21, areas of irregularly-shaped lots shall be shown in each lot as well as the dimensions. The plat title should be "filing two".

MOTION: (AFMAN/MADSEN) 6-0 TO APPROVE SUBJECT TO STAFF COMMENTS WITH EXCEPTION OF THE PUBLIC SERVICE REQUEST FOR 60 FEET, THAT IT BE REVISED TO 30 FEET, AND THAT OPEN SPACE FEES BE DEFERRED PROVIDING APPRAISALS ARE SUBMITTED FOR LOTS 4 AND 5 OF FILING 2, AS WELL AS LOT 2 OF FILING 1 WITHIN 60 DAYS OF APPROVAL BY COUNCIL.

32nd
7/22/88

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*	
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 5) 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.

MESA COUNTY SURVEY DEPARTMENT
SUBDIVISION PLAT REVIEW

The following items have been taken from the Mesa County Land
Development Code Book, Pages 52 through 56 - Book Date: Nov., 1983

NAME SUBDIVISION D & RGW RAILROAD SUB FILING TWO
NAME OWNER M. E. EHRlich Vice President Denver & RGW RR
SURVEYOR Dan Brown
G.E.D.

PRELIMINARY PLAT DATE _____
MYLAR FINAL DATE 12/17/88

- OK 1. Mylar
OK 2. Size
OK 3. North Arrow
OK 4. Scale
OK 5. Title Block
OK 6. Title Heading
OK 7. Area Summary
OK 8. Base Bearing
OK 9. Roads, streets, and easements
OK 10. Lots, Blocks, Parcels or Tracts & Sites
OK 11. Error of Mathematical Closure
OK 12. Dedication
OK 13. Certification of Approval
OK 14. Clerk and Recorder's Certificate
OK 15. Surveyor's Certification, Seal and Date
N/A 16. Declaration of Covenants
____ 17. Elevation Benchmark
OK 18. Point of Beginning
Resolution 19. Bearing and Distance
Question 20. Monumentation:
____ A. Subdivision Boundaries
____ B. Aliquot Corners
____ C. Monument Records
____ D. Street Centerlines

MESA COUNTY SURVEYOR
P.O. Box 20000-5026
531 White Avenue
Grand Junction, CO 81502
Office (303) 244-1823
244-1822

"Note"

You need arrows to
Lot Line to Identify your
distance

DESCRIPTION OF CORRECTIONS:

Item No. (17) Elevation Benchmark only if City requires it.

(20 "B") = Aliquot Corners

You have called the East Line of this plat as being
the east line of the NE¹/₄ of the NW¹/₄ of section 23,
This line is a control line which must show control
monuments. You have one control monument shown
as the SE corner of the NE¹/₄ of the NW¹/₄ but you show no
basis for control to the north.

(20 "C")

"Note" There is no monument records on the following corner.
SE cor of NE¹/₄ NW¹/₄ — NW ¹/₁₆ corner — North ¹/₁₆ west Bdy
North ¹/₄ corner

(19)

You have omitted a distance on the northerly line
of Lot Five, South of Railroad.