





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

Engineering & Planning Requirements for  
Property Located at 2847 North Ave.  
October 14, 1988

Engineering Comments/Requirements

1. 6 foot sidewalk along North Avenue.
2. 8 feet of right of way along 28 1/2 Road.
3. Relocate Pump Island.
4. 10 foot minimum distance between curb cuts along North Avenue.
5. 15 foot triangle at intersection of North Avenue & 28 1/2 Road.
6. Revocable permit will be required for any part of the structure or accessory to the structure that is in public right of way.

Planning Department

1. Parking requirements are a minimum of 10 spaces, so your plan shows more than enough parking.
2. 75% of the front yard setback area must be landscaped. Along North Avenue, that is 1630.12 square feet and along 28 1/2 Road, that is 1550.58 square feet. A copy of the Bulk Requirements for the C-1 zone of Zoning & Development Code is enclosed, as well as a pamphlet on Landscaping and Revocable Permits.

If there are questions pertaining to the Engineering concerns, please call Don Newton at 244-1559. For any Planning concerns, please call Linda Weitzel at 244-1430.

*Frank Childs*

*Caf Foods*

*245-0392*



AGREEMENT

Agreement entered into on this 26<sup>th</sup> day of October, 1988, between the City of Grand Junction, State of Colorado, a municipal corporation, herein referred to as "City" and C & F Food Stores, Inc., a Colorado corporation, herein referred to as "C & F".

a. C & F is in the process of developing a tract of land located at 2847 North Avenue, City of Grand Junction, County of Mesa, State of Colorado. C & F intends to remodel the existing building, install gasoline storage tanks and install a pump island on the property.

b. C & F desires that City issue a building permit to C & F so that C & F can commence remodeling the existing building, burying the gasoline storage tanks and constructing the pump island.

c. City desires the installation of certain landscaping and a concrete sidewalk on the property. City also desires that C & F convey to the City a certain parcel of land located on the eastern portion of C & F's property for right-of-way purposes.

d. City, under certain conditions and stipulations is agreeable to issue the building permit to C & F.

In consideration of the mutual agreements and covenants set forth herein, the parties agree as follows:

1. C & F, at its own expense, will construct a 6 foot concrete sidewalk along the North Avenue side of 2847 North Avenue, City of Grand Junction.

2. City understands that there are mill tailings on or under the site that has been designated for the construction of the 6 foot wide concrete sidewalk. Therefore, C & F agrees that it will construct the sidewalk within 60 days after the Department of Energy removes the uranium mill tailings; or, if the Department of Energy decides not to remove the uranium mill tailings, C & F will complete construction of the sidewalk by June 1, 1989, whichever is later.

3. C & F agrees to install approximately 1500 square feet of landscaping per the attached plot plan. The landscaping designated on area A of the plot plan shall be completed by June 1, 1989. The landscaping designated in area B on the plot plan shall be completed within 60 days after the uranium mill tailings removal; or, by June 1, 1989, if the Department of Energy decides not to remove the uranium mill tailings, whichever is later. C & F agrees to submit within 30 days for city approval, a detailed landscaping plan prepared by a professional landscaper.

4. C & F agrees to convey, for right-of-way purposes, a certain parcel of property legally described as follows:

See attached Exhibit "A".

C & F agrees to convey the above-described parcel immediately after the execution of this agreement.

5. Immediately after the execution of this agreement and the delivery by C & F of the deed referenced above, City agrees to issue a building permit to C & F for the building remodel, gasoline storage tank installation and pump island installation.

The plot plan attached as exhibit A to this agreement is acceptable to the City and the building permit shall be issued in accord therewith.

6. This agreement constitutes the entire agreement between the parties hereto. The agreement shall not be altered or amended except by agreement in writing, executed by the parties hereto.

7. Time is of the essence of this contract. Such contract shall be binding upon and inure to the benefit of the heirs, personal representatives successors and assigns of the parties.

In witness whereof, the parties have executed this agreement at Grand Junction, Colorado the day and year first above written.

CITY OF GRAND JUNCTION,  
a municipal corporation

By: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_  
City Clerk

C & F FOOD STORES, INC.,  
a Colorado corporation

By: Frank Childs  
Frank Childs, President

ATTEST:

By: Kathleen Busking  
Kathleen Busking, Secretary

**COLORADO DEPARTMENT OF HIGHWAYS  
STATE HIGHWAY ACCESS PERMIT**

SH No/MP/Side: 6/33.49/R  
Local Jurisdiction: City of Grand  
Dist/Section/Patrol: 30211 (30240)  
DOH Permit No.: 388122  
Permit Fee: \$75.00  
Date of Transmittal: 10-27-88

**THE PERMITEE:**

**C & F Food Stores, Inc.**  
1649 Main Street  
Grand Junction, CO 81501

is hereby granted permission to construct and use an access to the state highway at the location noted below. The access shall be constructed, maintained and used in accordance with the terms and conditions of this permit, including the State Highway Access Code and listed attachments. This permit may be revoked by the issuing authority if at any time the permitted access and its use violate any of the terms and conditions of this permit. The use of advance warning and construction signs, flashers, barricades and flaggers are required at all times during access construction within State right-of-way in conformance with the MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, Part VI. The issuing authority, the Department and their duly appointed agents and employees shall be held harmless against any action for personal injury or property damage sustained by reason of the exercise of the permit.

**LOCATION:**

On the south side of State Highway 6, a distance of 2600 feet east from Mile Post 33, aka 2847 North Avenue.

**ACCESS TO PROVIDE SERVICE TO:**

**C & F food store w/gasoline (2,250 sq.ft.)**

**OTHER TERMS AND CONDITIONS:**

**See Attached Sheet.**

**MUNICIPALITY OR COUNTY APPROVAL**

Required only when the appropriate local authority retains issuing authority.

By (X) Not Required Date \_\_\_\_\_ Title \_\_\_\_\_

Upon the signing of this permit the permittee agrees to the terms and conditions and referenced attachments contained herein. All construction shall be completed in an expeditious and safe manner and shall be finished within 45 days from initiation. The permitted access shall be completed in accordance with the terms and conditions of the permit prior to being used. The permittee shall notify Dale Gilden with the Colorado Department of Highways in \_\_\_\_\_ at 242-4126 at least 48 hours prior to commencing construction within the State Highway right-of-way.

The person signing as the permittee must be the owner or legal representative of the property served by the permitted access and have full authority to accept the permit and all its terms and conditions.

Permittee (X) C&F Food Stores, Inc by James Chubb, Pres Date 10-31-88

This permit is not valid until signed by a duly authorized representative of the State Department of Highways.

STATE OF COLORADO, DIVISION OF HIGHWAYS  
ROBERT C. CLEVENGER, CHIEF ENGINEER

By (X) [Signature] Date 10-31-88 Title Dist. ROW Engr.  
(Date of issue)

- 1 Local ordinance requires a construction permit from City of Grand Junction.
- 2 This driveway is limited to right turns only. Left turns are not approved.
- 3 Driveway shall be constructed 35 feet wide with 20 foot radii. Surfacing for driveway approach is required as follows: 12" of class 1 gravel in 2, 6" lifts; 6" of class 6 gravel in 1, 6" lifts.
- 4 Also 3" of HBP in 2, 1.50" lifts of grade E, EX, or equivalent. The asphalt cement in the HBP shall be AC 10.
- 5 Fill/cut slopes shall be at a 6: 1 slope on the roadway and at 6:1 on the access approach.
- 6 Existing curbcut to be moved to new location.
- 7 No drainage from this site shall enter onto the surface of the highway. All existing drainage structures shall be extended to accommodate all new construction and safety standards.
- 8 The new curb and gutter shall be Standard Type 2 (Sec. II B).
- 9 Construct a 6 feet wide 4" thick concrete sidewalk abutting or behind the curb. Construct handicap ramps at intersections of sidewalk and curbs.
- 10 Contractor shall follow the applicable construction specifications set for by the Department of Highways in the latest manual Standard Specifications for Road and Bridge Construction. The property owner is responsible for any utilities disrupted by the construction of this driveway and all expenses incurred for repair. Any damage to any existing Highway facilities shall be repaired prior to continuing other work.
- 11 Compaction of sub-grade, embankments and backfill shall comply with Section 203.11 of the Division of Highways Standard Specifications.
- 12 Compaction of Hot Bituminous Pavement (HBP) shall comply with Section 401.17 of the division of Highways Standard Specifications.
- 13 If frost is present in the sub-grade, no surfacing material shall be placed until all frost is gone or removed.
- 14 Saw or score asphalt to assure a straight edge for patching.
- 15 The first 20 feet beyond the closest highway lane, including speed change lanes, shall slope down and away from the highway at a 2% grade to ensure proper drainage control.
- 16 All excavations on Utility lines, culverts, other trenches or tunnels shall meet the requirements of Colorado Department of Highways, OSHA, Colorado Industrial Commission and the Colorado Division of Mines whichever applies.
- 17 Work shall BEGIN AFTER 8:30 A.M. and all equipment shall be off the roadway BEFORE 3:30 P.M. each day.





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

March 20, 1989

Mr. Frank Childs  
C&F Food Stores  
1649 Main Street  
Grand Junction, CO 81501

Dear Mr. Childs:

The landscape plan done by Ciavonne & Associates, Inc. dated November 17, 1988 is acceptable to this department. As mentioned to you, the Department does require that the trees, bushes and shrubs along the west property line be of various heights. The total amount of area to be landscaped was reduced because of the amount of right-of-way that was deeded to the City for 28 1/2 Road.

As per the agreement between you and the City dated October 26, 1988, approximately 1500 square feet of area will be landscaped. All landscaping will be completed by June 1, 1989 in Area "A". Area "B" will be landscaped within 60 days after the tailings are removed. The construction of the six foot sidewalk is also in Area "B" and will be completed within 60 days after the tailings removal.

It has been a pleasure working with you on this project. If you have any questions, or if this Department can assist you with future projects, please call.

Sincerely,

*Linda*

Linda A. Weitzel  
Planning Technician

xc: File



SW cor 28 1/2 + No. 44

EXHIBIT 18

BOOK 1716 PAGE 577

