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File 1991-0025

Name: 317 Hopi Drive - Easement Vacation

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 ISYS retrieval system. In some instances, items are found on the list but are not present in the scanned electronic development file because they are already scanned elsewhere on the system. These scanned documents are denoted with (**) and will be found on the ISYS query system in their designated categories.</p> <p>Documents specific to certain files, not found in the standard checklist materials, are listed at the bottom of the page.</p> <p>Remaining items, (not selected for scanning), will be listed and marked present. This index can serve as a quick guide for the contents of each file.</p>
X	X	Table of Contents
X	X	Review Sheet Summary
X	X	Application form
		Review Sheets
		Receipts for fees paid for anything
		*Submittal checklist
		*General project report
		Reduced copy of final plans or drawings
X	X	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
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		*Final reports for drainage and soils (geotechnical reports)
		Other bound or non-bound reports
		Traffic studies
		*Petitioner's response to comments
		*Staff Reports
		*Planning Commission staff report and exhibits
		*City Council staff report and exhibits
		*Summary sheet of final conditions
DOCUMENT DESCRIPTION:		
X	X	Action Sheet - 3/28/91 - approved - 5/15/91
X		Public Notice Posting - to be returned 6/13/91
X	X	Letter from Margy Heitt, FBS Mortgage to Planning re: Request for vacation of easement - 3/25/91
X		Commitment for Title Ins., First American Title Ins. Co. - no date
X		Legal Ad - 4/30/91
X	X	Planning Commission Minutes - ** - 5/7/91
X		Planning Commission Agenda for 5/7/91 meeting
X	X	Utility Coordinating Committee Meeting Agenda - 5/8/91
X	X	Memo from Gary R. Mathews to Planning re: approved by the Utilities Coordinating Committee - 5/8/91
X	X	City Council Minutes - ** - 5/15/91
X	X	Ordinance No. 2520 - ** - Book 1849/Page 233
X	X	Improvement Location Certification - 5/15/90



**FBS
Mortgage**

422 White Avenue
Grand Junction, Colorado 81501
303 243-2411

25 91

March 25, 1991

City of Grand Junction, Colorado
250 North 5th Street
Grand Junction, CO 81501

Original
4-10-91
10:10

Re: Request for vacation of easement

Gentlemen:

FBS Mortgage proposes the vacation of the 10 foot utility and irrigation easement affecting property located at 317 Hopi Drive, Grand Junction, Colorado 81503. See attached copy of title commitment for legal description of property; item 9 of Schedule B Section 2 describes the subject easement.

The only area impacted by the proposal would be the property described; the proposal would be compatible in relation to the surrounding area and residents in that it would have no adverse effect on either. No services need be provided in connection with the proposal.

Special conditions of the proposal are that FBS Mortgage is adversely affected by the existence of the easement in that the loan we granted to the owner of the property on April 27, 1990 is rendered unsaleable due to the easement. The house located on the property encroaches on the easement (see copy of improvement location certificate attached). FBS Mortgage was unaware of the encroachment at the time the loan was closed.

To the best of my knowledge, the proposal has no effect on any criteria for rezones, special uses, conditional uses, etc. To best knowledge and belief, the easement is not in use and is non-essential to the benefit of the property and surrounding properties.

Sincerely,

Margy Heitt
Branch Manager

Enclosures

A



Receipt # 4462
Date Rec. 3-28-91
Received By [Signature]

DEVELOPMENT APPLICATION # 25 91

We, the undersigned, Being the owners of property situated in Mesa County, State of Colorado, as described on the attached legal description form do hereby petition this:

Type of Petition	Sq.Ft	Phase	Common Location	Zone	Type of Usage
<input type="radio"/> Subdivision Plat/Plan		<input type="radio"/> Minor <input type="radio"/> Major			
<input type="radio"/> Rezone				Frm <input type="checkbox"/> To <input type="checkbox"/>	
<input type="radio"/> Planned Development		<input type="radio"/> ODP <input type="radio"/> Prelim <input type="radio"/> Final			
<input type="radio"/> Conditional Use					
<input type="radio"/> Hwy-Oriented Development				H.O.	
<input type="radio"/> Text Amendment					
<input type="radio"/> Special Use					
<input checked="" type="radio"/> Vacation				RSF-8	<input type="radio"/> Right-of-way <input checked="" type="radio"/> Easement

PROPERTY OWNER

DEVELOPER

REPRESENTATIVE

Bradley K. & Marlene J. Loucks

FBS Mortgage Corporation

Name

Name

Name

317 Hopi Drive

422 White Avenue

Address

Address

Address

Grand Junction, CO 81503

Grand Junction, CO 81501

City/State

City/State

City/State

303-243-6350

303-244-7262

Business Phone #

Business Phone #

Business Phone #

Note: Legal property owner is owner of record on date of submittal.



WE HEREBY ACKNOWLEDGE THAT WE HAVE FAMILIARIZED OURSELVES WITH THE RULES AND REGULATIONS WITH RESPECT TO THE PREPARATION OF THIS SUBMITTAL, THAT THE FOREGOING INFORMATION IS TRUE & COMPLETE TO THE BEST OF OUR KNOWLEDGE, AND THAT WE ASSUME THE RESPONSIBILITY TO MONITOR THE STATUS OF THE 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



Margaret A. Heeth for FBS Mortgage Corp
Signature of person completing application

3-27-91
Date

Marlene J. Loucks

Bradley K. Loucks

Signature of property owner(s) - attach additional sheets if necessary

Lynn M. & Lila May Briggs
316 Zuni Drive
Grand Junction, CO 81503

Max M. Barnstead
Max M. Barnstead, Jr.
320 Hopi Drive
Grand Junction, CO 81503

J. Homer Wakefield
Louise R. Wakefield
665 S. Main Street
Mapleton, UT 84664

Matthew Sullivan
320 Zuni Drive
Grand Junction, CO 81503

Toni J. Norlene
Tim Schif
318 Hopi Drive
Grand Junction, CO 81503

Marshall M. & BB Scott
317 Zuni Drive
Grand Junction, CO 81503

Donald W. Carlson
322 Zuni Drive
Grand Junction, CO 81503

Robert L. & Helen E. Cunio
316 Hopi Drive
Grand Junction, CO 81503

Frank E. & Dorothy M. Ellis
313 Zuni Drive
Grand Junction, CO 81503

Gustave B. & Paula S. Wilbur
314 Zuni Drive
Grand Junction, CO 81503

Lynn R. & Cynthia L. Graham
3126 B Road
Grand Junction, CO 81503

Lori V. Skike
311 Zuni Drive
Grand Junction, CO 81503

William L. & Annette M. Sharrer
315 Hopi Drive
Grand Junction, CO 81503

Jill Flaherty
312 Hopi Drive
Grand Junction, CO 81503

Robert J. Pedersen
328 Highland Drive
Grand Junction, CO 81503

Harlien Perino
606 Viewpoint Drive
Grand Junction, CO 81501

Michael W. Thorpe
322 Taos Drive
Grand Junction, CO 81503

Haskell A. Heinricy
Audrey F. Heinricy
322 W. Highland Drive
Grand Junction, CO 81503

Roger J. & Constance L. Sharp
319 Hopi Drive
Grand Junction, CO 81503

Steve F. & Carolyn Ganskow
320 Taos Drive
Grand Junction, CO 81503

William H. & Carolyn L. Ross
Route 2
Cass Lake, Minnesota 56633

Donna M. Lenahan
321 Zuni Drive
Grand Junction, CO 81503

Thomas E. & Jennie L. Lillpop
312 Zuni Drive
Grand Junction, CO 81503

Belinda J. Waugh
Glenn H. Tytula
Philip W. & RS Tytula
319 Zunie Street
Grand Junction, CO 81503

~~Max M. Barnstead
Max M. Barnstead, Jr.
320 Hopi~~

ORCHARD MESA IRRIGATION 04/10/91
Paul H. Calder **464-7885**

No objection to vacation of easement.

CITY UTILITIES ENGINEER 04/15/91
Bill Cheney **244-1590**

There are no City utilities located in or proposed to go across the easement. City Utilities therefore approves the "Easement Vacation" as requested.

COMMUNITY DEVELOPMENT 04/19/91
Karl Metzner **244-1439**

This condition has existed for a number of years. Assuming there are no utilities in the easement, there are no objections to the vacation.

ITEM: #25-91 (Page 1 of 1)
PETITIONERS: Bradley K. and Marlene J. Loucks
PROPOSAL: Easement Vacation
PRESENTED BY: Karl Metzner

COMMENTS: SEE REVIEW AGENCY SUMMARY SHEET COMMENTS

APPROVAL: "Mr. Chairman, on item #25-91, a request for an easement vacation, I move that we forward this on to City Council with the recommendation of approval subject to the review agency summary sheet comments."

DENIAL: "Mr. Chairman, on item #25-91, a request for an easement vacation, I move that we recommend denial for the following reasons: (STATE REASONS)."

UTILITY COORDINATING COMMITTEE MEETING
AGENDA

TIME: 1:30 P.M.

DATE: WEDNESDAY, MAY 8, 1991

PLACE: PUBLIC SERVICE MEETING ROOM, 2538 BLICHMANN AVENUE

OLD BUSINESS:

COUNTY PLANNING

- 1) C43-90 R.O.W. VACATION - signoff
C44-90 R.O.W. VACATION - signoff
Petitioner: Phylco Inc.
Locations: IE.25 Road and 48.5 Road, Mesa area
- 2) C28-91 UTILITY EASEMENT VACATION (Approved 4/91, need signature)
Petitioner: Thomas Bentley
Location: 371 Plateau Drive, 7'6" of west side easement

NEW BUSINESS:

CITY PLANNING

- 3) C26-91 BLM OFFICE WAREHOUSE - FINAL PLAN
Location: 2803 Sunstrand Way
- 4) C27-91 PRELIMINARY PLAN/REZONE & VACATION OF RIGHT-OF-WAY
TOWN PARK
Location: 26th Street & Orchard
- 5) C25-91 UTILITY EASEMENT VACATION
Location: 317 Hopi Drive

COUNTY PLANNING:

- 6) C39-91 WILLOW GLEN SUBDIVISION - REPLAT OF 33 LOTS
ADMINISTRATIVE REPLAT
Petitioner: Pros International, Inc.
Location: F-1/2 & 29-1/4 Roads
- 7) C17-91 ELTON HEIGHTS MINOR SUBDIVISION - FINAL PLAT
Petitioner: Measons & Nakanos
Location: 2677 G Road
- 8) C35-91 MEADOWVALE SUBDIVISION - ADMINISTRATIVE REPLAT
Petitioner: Dois G. Webster
Location: NE of D & 30-1/2 Roads
- 9) C23-91 WALTER'S MINOR SUBDIVISION - FINAL PLAT
Petitioner: Randall & Selina Walter
Location: SW 19-1/2 Road & Hwy 340
- 10) DISCUSSION OF MESA COUNTY PLANNING COMMISSION AGENDA - 5/16/91
- 11) GEOTECH VICINITY PROPERTIES
- 12) UTILITY PROJECT COORDINATION
- 13) ADJOURNMENT

If you have any questions on this agenda, please call 244-1636 or
244-1771.

Development File #25-91, Easement Vacation at 317 Hopi Drive in the City of Grand Junction has been reviewed and approved by the Utilities Coordinating Committee.

Gary R. Mathews
VICE - Chairman

5-8-91
Date

management. With particular reference to this problem, Mr. Currier indicated the Company has been working very closely and cooperatively with the Grand Junction Drainage District to alleviate the recurring problem of water coming through the mancos seal that the canal passes through in that area. During the past week, in cooperation with the Grand Junction Drainage District, they have installed an additional length of underground clay drainage. Mr. Currier suggested that there are sources of water other than the canal that contribute to the general ground water intake of the area. They intend to do further testing this summer. Until they know a little more precisely about the nature of the drainwater contribution, he was not prepared to discuss lining.

Doug Cline, Public Works Department, stated that he had talked with John Ballagh of the Grand Junction Drainage District this morning, and Mr. Ballagh said his Board had a very high degree of reluctance to do any major digging at the base of the Canal now because of a concern there might possibly be some failure of the Canal bank.

City Manager Mark Achen said that from the City's perspective when they met in the neighborhood on Monday, the hope was that something could be done sooner rather than later. Part of the Canal Company's argument as he understood it is that these problems occur at the beginning of the irrigation season and then the swelling of the soils causes the problem to abate. If the problem abates and does not return, the urgency to do something isn't as great as long as it's done before the next irrigation season. However, if the problem continues or if it returns, the City would be all the more convinced that if it's possible and if there is not a safety issue that something be done now.

The City will continue to monitor the situation at the Casano's house on a daily basis. It will also continue to work with the Grand Valley Irrigation Company and the Grand Junction Drainage District to find a solution.

HEARING #5-91 - TEXT AMENDMENTS FOR 1991 TO THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE REGARDING SIGNS, PARKING AND MISCELLANEOUS ADMINISTRATIVE PROCEDURES - CONTINUED TO JUNE 5, 1991, MEETING

Upon motion by Councilman Bennett, seconded by Councilman Theobald and carried, the hearing was continued to June 5, 1991.

HEARING #25-91 - PROPOSED ORDINANCE - EASEMENT VACATION IN AN RSF-8 ZONE AT 317 HOPI DRIVE

A hearing was held after proper notice on the petition by Bradley K. and Marlene J. Loucks for an easement vacation in an RSF-8 Zone at 317 Hopi Drive. There were no opponents, letters, or counterpetitions.

The following entitled proposed ordinance was presented and read: AN ORDINANCE VACATING AN EASEMENT IN AN RSF-8 ZONE AT 317 HOPI DRIVE. Upon motion by Councilman Nelson, seconded by Councilman Bennett and carried, the proposed ordinance was passed for publication.

HEARING #30-91 - STREET DESIGN CRITERIA - REQUEST TO ADOPT STREET DESIGN CRITERIA IN THE CITY OF GRAND JUNCTION ZONING AND DEVELOPMENT CODE - CONTINUED TO JUNE 5, 1991 MEETING

Upon motion by Councilman Bennett, seconded by Councilman Bessinger and carried, this item was continued to the June 5, 1991, meeting.

The President declared a five-minute recess. Upon reconvening, all of the above members of Council were present.

PROPOSED ORDINANCE AMENDING ORDINANCE NO. 2104 OF THE CITY OF GRAND JUNCTION

The following entitled proposed ordinance was presented and read: AMENDING ORDINANCE 2104 OF THE CITY OF GRAND JUNCTION. Upon motion by Councilman Bennett, seconded by Councilman Bessinger and carried with Councilman NELSON voting NO, the proposed ordinance was passed for publication.

ORDINANCE NO. 2519 - CHANGING THE ZONING ON CERTAIN LANDS WITHIN THE CITY OF GRAND JUNCTION LOCATED ON THE SOUTHEAST CORNER OF 7TH STREET AND PATTERSON ROAD (F ROAD) FROM B-1 TO PB (ST. MARY'S HOSPITAL)

Proof of Publication on the following Ordinance proposed for final passage has been received and filed. Copies of the Ordinance proposed for final passage were submitted to the City Council prior to the meeting.

Upon motion by Councilman Theobald, seconded by Councilman Nelson and carried, the following entitled proposed ordinance was called up for final passage and read by title only: CHANGING THE ZONING ON CERTAIN LANDS WITHIN THE CITY OF GRAND JUNCTION LOCATED ON THE SOUTHEAST CORNER OF 7TH STREET AND PATTERSON ROAD (F ROAD).

There were no comments. Upon motion by Councilman Theobald, seconded by Councilman Bessinger and carried by roll call vote, the Ordinance was passed and adopted, numbered 2519, and ordered published.

RESOLUTION NO. 28-91 AUTHORIZING THE LEASE OF THE CITY-OWNED BUILDING AT 120 SOUTH FIRST STREET TO RAYMOND GUZIAK, DBA SOUTHWEST IMAGERY, FOR THREE YEARS - \$200/MONTH

The following Resolution was presented and read: (Full copy in P.R.). Upon motion by Councilman Bessinger, seconded by Councilman Baughman and carried by roll call vote, the Resolution was passed and adopted as read.



from Office

ACRES
UNITS
DENSITY

VACATION

FILE NUMBER # 25 91
ZONE RSF-8
TAX SCHEDULE # 2945-244-07-017

ACTIVITY EASEMENT VACATION

PHASE

COMMON LOCATION

DATE SUBMITTED 3-28-91 DATE MAILED OUT DATE POSTED

DAY REVIEW PERIOD RETURN BY

OPEN SPACE DEDICATION (acreage) N/A OPEN SPACE FEE REQUIRED \$ N/A PAID RECEIPT #

RECORDING FEE REQUIRED \$ N/A PAID (Date) DATE RECORDED

REVIEW AGENCIES

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z	BB	CC	DD	EE	FF	GG
<input checked="" type="checkbox"/> Planning Department	X	●	●				●	●									●	●	●	●							●	●	●	●	●	●
<input checked="" type="checkbox"/> City Engineer	X	●	●																													
<input type="checkbox"/> Transportation Engineer		●	●																													
<input type="checkbox"/> City Parks/Recreation		●	●																													
<input type="checkbox"/> City Fire Department		●	●																													
<input type="checkbox"/> City Police Department		●	●																													
<input type="checkbox"/> County Planning		●	●																													
<input type="checkbox"/> County Engineer		●	●																													
<input type="checkbox"/> County Health		●	●																													
<input type="checkbox"/> Floodplain Administration		●	●																													
<input type="checkbox"/> G.J. Dept. of Energy		●	●																													
<input type="checkbox"/> Walker Field		●	●																													
<input type="checkbox"/> School District		●	●																													
<input checked="" type="checkbox"/> Irrigation <u>O.M.</u>	X	●	●																													
<input type="checkbox"/> Drainage		●	●																													
<input checked="" type="checkbox"/> Water <u>(Ute, Clifton)</u>	X	●	●																													
<input checked="" type="checkbox"/> Sewer Dist. (FV, CGV, <u>OM</u>)	X	●	●																													
<input checked="" type="checkbox"/> U.S. West	X	●	●																													
<input checked="" type="checkbox"/> Public Service <u>(2 sets)</u>	X	●	●																													
<input type="checkbox"/> State Highway Department		●	●																													
<input type="checkbox"/> State Geological		●	●																													
<input type="checkbox"/> State Health Department		●	●																													
<input checked="" type="checkbox"/> City Property Agent		●	●																													
<input checked="" type="checkbox"/> City Utilities Engineer	X	●	●																													
<input type="checkbox"/> City Attorney		●	●																													
<input type="checkbox"/> Building Department		●	●																													
<input type="checkbox"/> DDA		●	●																													
<input checked="" type="checkbox"/> GJPC <u>(7 packets)</u>		●	●																													
<input checked="" type="checkbox"/> CIC <u>(11 packets)</u>		●	●																													
<input type="checkbox"/> Other		●	●																													

TOTALS

BOARDS

DATE

GJPC
CIC

5/7/91
5/15/91

recommend approval
approved

STAFF

APPLICATION FEE REQUIREMENTS

\$ 200 Application fee

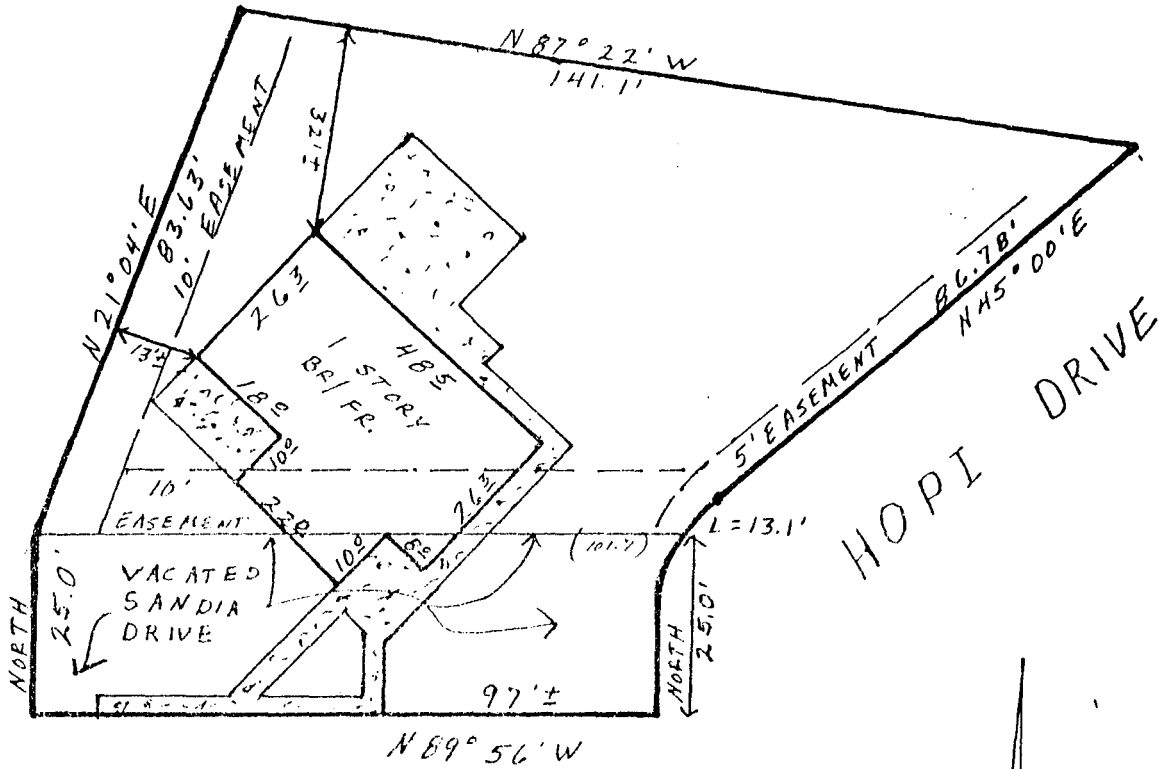


IMPROVEMENT LOCATION CERTIFICATE # 25 91

317 HOPI DRIVE

LOT 1 in Block 2 in the reservation, according to the recorded plat thereof together with that part of the N $\frac{1}{2}$ of the vacated Sandia Drive, lying adjacent to the South line of said Lot 1, in Mesa County, Colorado. Bk. 975 Pg. 149

Original
Do NOT Remove
From Office



Loucks Acct.
First American Title Co. #1102402
NOTE: This property does not fall within any floodplain.

N
1"=30'

I HEREBY CERTIFY THAT THIS IMPROVEMENT LOCATION CERTIFICATE WAS PREPARED FOR F.B.S. Mortgage Co. Maryanne, THAT IT IS NOT A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT, AND THAT IT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF FENCE, BUILDING, OR OTHER FUTURE IMPROVEMENT LINES. I FURTHER CERTIFY THE IMPROVEMENTS ON THE ABOVE DESCRIBED PARCEL ON THIS DATE, 5/16/90 EXCEPT UTILITY CONNECTIONS, ARE ENTIRELY WITHIN THE BOUNDARIES OF THE PARCEL, EXCEPT AS SHOWN, THAT THERE ARE NO ENCHROACHMENTS UPON THE DESCRIBED PREMISES BY IMPROVEMENTS ON ANY ADJOINING PREMISES, EXCEPT AS INDICATED, AND THAT THERE IS NO EVIDENCE OR SIGN OF ANY EASEMENT CROSSING OR BURDENING ANY PART OF SAID PARCEL, EXCEPT AS NOTED.

Kenneth L. Glenn
KENNETH L. GLENN R.L.S. 12770

SURVEYIT



PHONE: 303-245-3777

by GLENN

MAILING: 2004 NORTH 12th, SUITE 7 GRAND JUNCTION, CO. 81501

SURVEYED BY: K.G.

DATE SURVEYED: 5-15-90

DRAWN BY: K.G.

DATE DRAWN: 5-16-90

REVISION:

SCALE: 1" = 30'