

Table of Contents

File 1992-0033

Name: Toys R Us 585 24 1/2 Road - CUP/Minor Subdivision

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
		*Review Sheet Summary
X	X	*Application form
		Review Sheets
X		Receipts for fees paid for anything
		*Submittal checklist
		*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
x		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
		*Review Comments
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

DOCUMENT DESCRIPTION:

X	X	Action Sheet - Approved - 7/7/92	X	X	Development Improvements Agreement - ** - rec. 9/4/92
X	X	Traffic Impact Analysis - 5/92	X	X	Agreement to Amend/Extend Contract - 8/20/92
X		Legal Ad - 5/26/92	X		Public Notice Posting
X		Study on lighting patterns from Superior Performance	X	X	Release from Improvements Agreement / Guarantee - Rec. - 8/19/93 - **
X		Computer Files Indexing Information Sheet	X		Site Lease Plan
X		Operating Agrmt Mesa Mall - rec. 3/5/1980	X		Floor Plan & Details/Detail Plan
X		Commitment for Title Insurance	X		Exterior Elevations
X		Design Worksheet - 5/27/92	X		Satelite Disk Details
X	X	Staff Report	X		Foundation Plan
X	X	Design Worksheet	X		Site Lighting Plan
X	X	Planning Commission Minutes - 7/7/92 - **	X		Preliminary Site Plan
X	X	Correspondence	X		Utility Plan / Site Details
X	X	Utility Coordinating Committee reviewed and approved - 7/8/92	X		Copy of Easement and Mineral Rights



GEOFFREY

TOYS "R" US®

NATIONAL OFFICES: 461 FROM ROAD, PARAMUS, NJ 07652

RECEIVED

APR 30 1992

WBDC GROUP

(VIA FAX & DHL)

April 29, 1992

Mr. Rick Willinger
WBDC
50 Monroe Place
Grand Rapids, MI 49503

RE: TOYS "R" US
GRAND JUNCTION, CO

Dear Rick:

The following schedule will be used to progress our drawings through completion and obtaining a building permit:

<u>ACTION</u>	<u>DATE</u>
Feasibility Authorization	March 23, 1992
Feasibility Due	May 4, 1992
Soil Proposals Due	May 7, 1992
Soil Investigation Starts	May 11, 1992
Design Authorization	May 8, 1992
Soil Investigation Complete	May 21, 1992
75% Drawings Due	May 29, 1992
Submit C.U.P. and Reparcelsization	May 29, 1992
90% Drawings Due	June 5, 1992
100% Drawings Due and Submit for Building Permit	June 12, 1992
Bid Out	June 23, 1992
C.U.P. Meeting	July 7, 1992
Bids Due	July 14, 1992
Building Permit Due	July 31, 1992
Construction Starts	August 3, 1992
Fixture	October 30, 1992
Completion	November 13, 1992

#33 92

Original
Do NOT Remove
From Office

Page 2

Please review the schedule and contact me immediately with any comments you may have. At this time you need to execute the project appendix from our Architectural Agreement and forward it to my attention.

Sincerely,

TOYS "R" US, INC.

A handwritten signature in cursive script, appearing to read "Jim S. Brendle".

Jim S. Brendle
Sr. Architectural Project Manager

/lt
jb4291.let

cc: Carlos Viveros
Cai Eberhardt
Maria Bunstine
Tom Scelba
Rick Thames

TRAFFIC IMPACT ANALYSIS

Proposed Toys "R" Us Store

Grand Junction, Colorado

Prepared for:

Toys "R" Us, Inc.

Prepared by:

The WBDC Group

May, 1992

33 92

**Original
Do NOT Remove
From Office**

Introduction

Toys "R" Us, Inc. is proposing to construct a 31,000 square foot store adjacent to the existing Mesa Mall in Grand Junction, Colorado. The location of the proposed site is illustrated on Figure 1.

The proposed site is located adjacent to 24 1/2 Road north of U.S. 6 (U.S. 50). Access to the site will be provided by three driveways; one full movement driveway to 24 1/2 Road and two driveways to the Mesa Mall internal roadway system.

The following sections summarize the various analyses performed to identify any impacts to the adjacent roadway system that this project may generate and to define the operational characteristics of the site driveways.

Adjacent Roadway System

The site is bounded by 24 1/2 Road on it's east side, by the mall's internal circulation road on the west and by a mall driveway to the north. 24 1/2 Road has a four-lane divided (narrow raised median) cross section that carries approximately 5,500-6,000 vehicles on an average weekday.

Counts completed by city staff on 24 1/2 Road adjacent to the site indicate that the afternoon peak hour occurs from 4:45 to 5:45 pm. Approximately 255 southbound vehicles and 260 northbound vehicles use this roadway during this time period.

Future Conditions

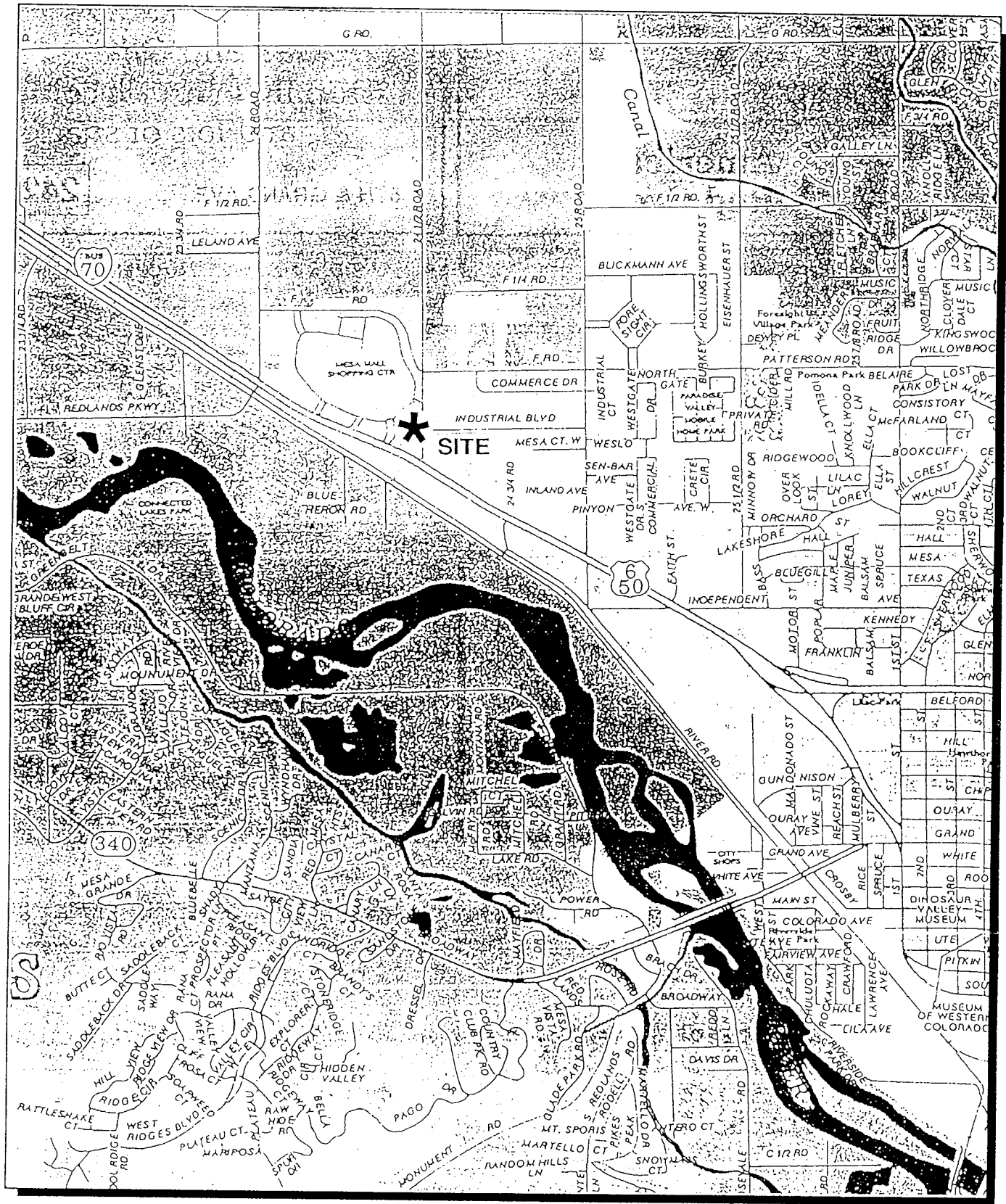
Trip Generation

The trip generation estimates for the proposed store are based upon equations contained in a manual prepared by the Institute of Transportation Engineers (ITE) called Trip Generation, Fifth Edition, 1991. This manual is a summary of thousands of trip generation counts taken at different sites throughout the country for various land uses. Although a Toys "R" Us store does not fit precisely within one of the land use definitions in the manual, a "discount store" generation rate was used as a worse case analysis.

Based upon the manual, the proposed store will generate approximately 204 afternoon peak hour trips (106 inbound, 98 outbound) and approximately 2,150 daily trips.

Directional Distribution and Assignment

The directional distribution of project traffic is an identification of the primary routes project traffic will take to approach to or depart from the site. The analysis is usually based upon current traffic volume



Site Location

Figure 1



characteristics in the area and the population distribution. Based upon these factors and discussions with city staff, the directional distribution of project-generated traffic is expected to be as follows:

- To/from the north: 35%
- To/from the south/southeast: 35%
- To/from the west/southwest: 30%

The estimated project peak hour volumes were assigned to the proposed site driveways using the above directional distribution. These volumes and the directional distribution percentages are illustrated in Figure 2.

As shown, most of the project traffic will arrive at or leave from the site using the primary 24 1/2 Road driveway. A total of 72 inbound and 65 outbound vehicles will use this driveway during the peak hour. The other two driveways will process site traffic coming from the southwest and minor internal traffic coming from or to the mall itself. No outbound left turns are currently expected at the southwest driveway as the existing median in the mall driveway appears to make that movement difficult at best.

Level of Service Analysis

Intersection level of service calculations were performed in order to evaluate the operational efficiency of the 24 1/2 @ site driveway "intersection." Levels of service are a way to identify how well an intersection is operating under a certain set of conditions. The analyses were performed using techniques presented in the Highway Capacity Manual, Special Report 209, 1985, by the Transportation Research Board.

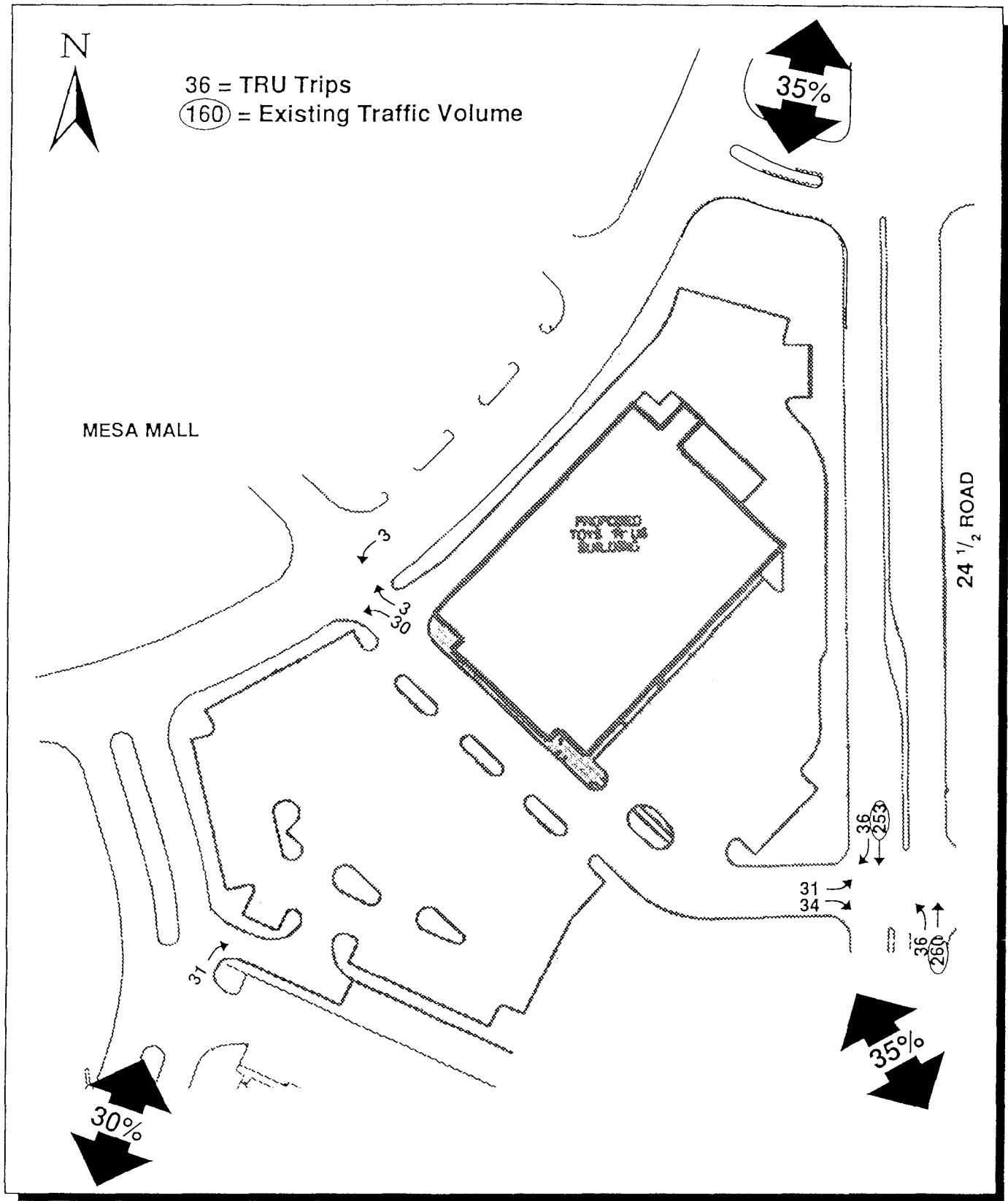
Level of service for unsignalized intersections is defined in terms of available reserve capacity for a particular critical movement. When a large reserve capacity is available for a particular movement, the movement is considered to be operating at a high level of service. A Level of Service D is usually considered the limit of acceptable operation. Table 1 shows the reserve capacities as they relate to specific levels of service.

Table 1
Level of Service Criteria for Unsignalized Intersections

<u>Reserve Capacity</u>	<u>Level of Service</u>	<u>Expected Delay to Minor Street Traffic</u>
> 400	A	Little or no delay
300 - 399	B	Short delays
200 - 299	C	Average delays
100 - 199	D	Long delays
0 - 99	E	Very long delays
< 0	F	Extreme delays

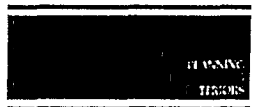
Source: 1985 Highway Capacity Manual

The results of the calculations indicate that the three critical movements at this intersection will all operate well within acceptable levels as shown below.



Directional Distribution & PM Peak Hour Volumes

Figure 2



<u>Movement</u>	<u>Reserve Capacity</u>	<u>LoS</u>
Eastbound Left	372	B
Eastbound Right	911	A
Northbound Left	761	A

In addition, the peak hour queue for the northbound left turn movement is expected to be a maximum of two to three vehicles. Since the existing left turn lane is 75 feet long, there will be adequate storage to accommodate the expected peak hour volume.

Conclusion

Analyses were performed to identify the expected traffic the proposed Toys "R" Us store would generate, if that traffic would allow the site driveways to operate efficiently and if there would be any significant impacts to the adjacent roadways.

Based upon the given data and results of the above analyses regarding trip generation, distribution and level of service, traffic generated by the proposed store will not have any appreciable impacts to the adjacent roadways and will provide an access system that operates safely and efficiently.

500 MONROE PLACE, GRAND RAPIDS, MICHIGAN 49503
9070 TELEGRAPH ROAD, SUITE 340 BINGHAM FARMS, MI 48028

TELEPHONE (616) 235-0000
TELEPHONE (616) 642-3999

FAX (616) 235-6132
FAX (616) 642-4184

May 20, 1992

David L. Thornton, Planner
Community Development Department
City of Grand Junction
Grand Junction, CO 81501
(303) 244-1447

Re: Proposed Toys "R" Us Store
Mesa Mall
Grand Junction, CO
WBDC File No.268192

Dear Dave:

We are sending you copies of a Traffic Impact Study, a Site Plan and a Planting Plan for your preliminary review of the proposed project prior to submitting for the formal "CONDITIONAL USE PERMIT APPLICATION" on June 1, 1992. It is our intent that we can resolve any major problems before the formal submittal in order that we can expedite this project as well as satisfying the requirements of those concerned with this development.

We look forward to working with you on this project. Please contact Greg Scott at (616) 235-6349 or myself at (616) 235-6178 if you have any questions. Thank you.

Sincerely,

The WBDC Group



Rick T. Willinger, AIA
Project Manager

cc: Toys "R" Us - Jim Brendle, APM
WBDC - Greg Scott, Pete LaMourie

rtw\prelim.cup

Paul D. Bowers, Jr., FAIA
Charles A. Gaskill, PE
Donald D. Sibley, AIA
John H. Edson
Pam A. Habka, AIA
William L. Bont
Douglas M. Brant, PE
Charles T. Gilbert, AIA
Robert P. Jensen, AIA
Gary L. Johnson, PE
David L. Kozak, AIA
William E. Swanson, PE
Robert J. Mitchell, AIA
Robert E. Self, AIA
John W. Weiss
Lucinda L. Gezon
Dan J. Sandie

David L. Swanson, AIA
James Escamilla, PE
Timothy A. Hochm, AIA
Diane Lessien, AIA
George M. Lewis, AIA
Cath McGlynn, IBD
Denis G. Moneron, AIA
Ralph W. Messier, AIA
Michael F. Perry, AIA
Steven R. Ronsek, PE
Gordon L. Berndge, CIPE
Thomas W. Beebe, AIA
Paul L. Bott
Robert W. Boverhof, PE
Cynthia A. Bregé, IBD
Robert B. Bush, AIA, CCS
Jeffery S. Clapp, PE

Steven S. Cornwell, RA
Edwin C. DeKorte, AIA
Kim DeStigter, AIA
Kathleen E. Dussault, PE
Lorene S. Elzinga, ASID, IBD
Jim E. Ferro
James B. Harrison, PE
Kerstin L. Hoehn, AIA
Timothy J. Hoffman, PE
James R. Hognacker, CCS
Craig H. Hondorp, ASLA
JoAnn Juliette
Mark L. Kastner, AIA
Martin W. Katsma, PE
Richard M. Kenyon
Steven W. Kinder, PE
Robert P. Klynsma, PE

Michael D. Kinsely, AIA
Gregory S. Koenig, AIA
Dale H. Kraker, RA
Paul N. Kreutziger, RA
Thomas J. Krupansky
Debra Laakso
Peter C. LaMourie, PE
Dennis P. Larkin, PE, AIA, AICP
John C. Limon, PE
Thomas R. Mathison, AIA
Gordon McCarty, AIA
Rudolph C. McKnight
Thomas G. Metzdorf, ASLA
Thomas R. Morgan, AIA
Richard C. Peterson, AIA
Richard M. Pratt, AIA
Paul E. Rood, AIA

Gregory H. Scott, AIA
Kay E. Scott, IBD
Michael J. Stuszyk
Bradley K. Strain, AICP
Susan S. Taylor, ASID
Barry A. Terosini, AIA
Leonard E. Tombs, AIA
Arthur G. Van Dyke, PE
Robert J. Walters, AIA
Lee A. Warnick, AIA
Steven West
Walter L. Wilson
Rick T. Willinger, AIA
Brian R. Whitcomb, AIA
Thomas J. Witham, ASLA



CTL/THOMPSON, INC.
CONSULTING GEOTECHNICAL AND MATERIALS ENGINEERS

May 28, 1992

The WBDC Group
50 Monroe Place
Grand Rapids, MI 49503

Attention: Mr. Rick Willinger, A.I.A.

Subject: Toys "R" Us/Kids "R" Us
Grand Junction, Colorado
WBDC File No. 268192
Job No. 18921

Gentlemen:

Our firm is in the process of preparing a geotechnical investigation for the Toys "R" Us/Kids "R" Us site in Grand Junction, Colorado. This letter is to inform you of the subsurface conditions we encountered during our field investigation, results of laboratory testing completed at this writing and preliminary opinions and recommendations regarding foundations, slab-on-grade floors and pavements, and results of gamma ray survey.

We found 2 to 9 feet of loose to medium dense silty sands and silty clays above soft to medium stiff clays underlain at 17.5 to 22 feet by sandy gravels. Free groundwater was at 9 to 18 feet the day of drilling and at 11 to 12 feet during measurements performed six days later.

The upper soils compressed when subjected to moderate load when wetted. The sandy clays tested were moderately to highly compressive. The clay strengths were considered weak based on unconfined compressive testing. The gravels are a strong soil strata based on our test holes and experience.

At this writing driven piles will be the most appropriate foundation. Steel H-piles or concrete filled pipe piles driven to "refusal" in the sandy gravels are likely best. Slab-on-grade floors bearing on the upper soils should perform well, however, a densely compacted granular structural fill layer or processing of a couple feet of the existing subgrade materials to create a comparatively uniform bearing surface may be recommended. Design pavement sections presented will consist of asphalt above road base, full depth asphalt and concrete sections. The existing subgrade will provide fair to good support. Actual thicknesses could not be determined at this time.

33 92

A gamma ray radiation survey was performed. We found no radiation levels greater than background levels. Measured levels were between 10 and 16 micro rems/hr. The Colorado Department of Health requires no remediation for levels less than 20 micro rems/hr.

Please call if you have questions.

Very truly yours,

CTL/THOMPSON, INC.

John Mechling, P.E.
Branch Manager

JM:gs

50 MONROE PLACE, GRAND RAPIDS, MICHIGAN 49503
30150 TELEGRAPH ROAD, SUITE 340 BINGHAM FARM, MI 48025

TELEPHONE (616) 235-6000
TELEPHONE (313) 642-3999

FAX (616) 235-6132
FAX (313) 642-4184

May 30, 1992

Mr David L. Thornton, Planner
Community Development Department
City of Grand Junction
Grand Junction, CO 81501
(303) 244-1447

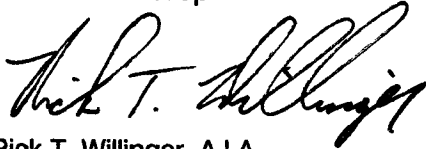
Dear Dave:

Please find enclosed, the packets and fees required for application for "Conditional Use Permit" for the proposed Toys "R" Us Store to be located near the Mesa Mall. As we have previously discussed, you will be receiving within the next several days, signed "DEVELOPMENT APPLICATIONS" and certified land appraisals. In addition, I would like to point out that certain items indicated on the "ACTION SHEET" are grouped into one, this would include such items as R,S,T,V,X and parts of Z being included with item Q.

If you have any questions regarding this submittal please contact me at (616) 235-6178. Thank you again for your services.

Sincerely,

The WBDC Group



Rick T. Willinger, A.I.A.
Project Coordinator

33 92

Original
Do NOT Remove
From Office

Paul D. Bowers, Jr., F.A.I.A.
Charles A. Gaskill, PE
Harold O. Sibley, A.I.A.
John H. Edison
Paul A. Habka, A.I.A.
William J. Bott
Douglas M. Brant, PE
Herbert P. Jensen, A.I.A.
Gary L. Johnson, PE
Donald J. Koster, A.I.A.
David E. Mester, PE
Rowland J. Mitchell, A.I.A.
Robert E. Self, A.I.A.
John W. Weiss
Lucinda L. Gezon
Dan J. Sandie
David L. Swanson, A.I.A.

Janis Escamilla, PE
Timothy A. Hoehn, A.I.A.
Diane Lessien, A.I.A.
George M. Lewis, A.I.A.
Cath McGlynn, IBD
Dennis G. Moncion, A.I.A.
Ralph W. Moxley, A.I.A.
Michael L. Perry, A.I.A.
Steven R. Romsek, PE
David A. Bauer, A.I.A.
Dennis J. Bekken, A.I.A.
Gordon L. Berridge, CIPE
Thomas W. Bisbee, A.I.A.
Paul L. Bott
Robert W. Boyerhof, PE
Robert B. Bush, A.I.A./C.S.
Jeffery S. Clapp, PE

Steven S. Cornwell, RA
Edwin C. DeKorte, A.I.A.
Kim DeStigter, A.I.A.
Kathleen E. Dussault, PE
Lorene S. Elzinga, ASID, IBD
Jim E. Ferro
Darwin J. Feuerstein, ASLA
Brian W. Gurd, A.I.A.
James B. Harrison, PE
Kristine L. Hoehn, A.I.A.
Timothy J. Hoffman, PE
James R. Hojnacki, CCS
Craig H. Hondorp, ASLA
JoAnn Juliette
Mark L. Kastner, A.I.A.
Martin W. Katsma, PE
Richard M. Kenyon

Glenn I. Klopfer, PE
Robert P. Klynsmo, PE
Michael D. Knisely, A.I.A.
Gregory S. Koenig, A.I.A.
Dale H. Kraker, RA
Paul N. Kreuziger, RA
Thomas J. Krupansky
Debra Laakso
Peter C. LaMourie, PE
Dennis P. Larkin, P.C.P.A.S.I.A./MCP
John C. Linton, PE
Thomas R. Mathison, A.I.A.
Gordon McCarty, A.I.A.
Thomas G. Metzdorf, ASLA
Thomas R. Morgan, A.I.A.
Robert E. Partak, PE
Richard C. Peterson, A.I.A.

Richard M. Pratt, A.I.A.
Paul E. Rood, A.I.A.
Gregory H. Scott, ASLA
Michael J. Staszel
Bradley K. Strader, MCP
Susan S. Taylor, ASID
Harry A. Terpstra, A.I.A.
Leonardo E. Tombelli, A.I.A.
Arthur G. Veneklase, PE
Robert T. Walters, A.I.A.
Lee A. Warnick, A.I.A.
Steven West
Walter L. Weston
Bradley D. Williams, A.I.A.
Rick T. Willinger, A.I.A.
Brian R. Winkelmann, A.I.A.
Thomas J. Wittman, ASLA



DEVELOPMENT APPLICATION
 Community Development Department
 250 North 5th Street Grand Junction, CO 81501
 (303) 244-1430

A Receipt _____
 Date _____
 Rec'd By _____
 File No. _____

We, the undersigned, being the owners of property situated in Mesa County,
 State of Colorado, as described herein do hereby petition this:

PETITION	PHASE	SIZE	LOCATION	ZONE	LAND USE
<input checked="" type="checkbox"/> Subdivision Plat/Plan	<input type="checkbox"/> Minor <input type="checkbox"/> Major <input type="checkbox"/> Resub			H.O.	Retail/Commercial
<input type="checkbox"/> Rezone				From: To:	
<input type="checkbox"/> Planned Development	<input type="checkbox"/> ODP <input type="checkbox"/> Prelim <input type="checkbox"/> Final				
<input checked="" type="checkbox"/> Conditional Use				H.O.	Retail/Commercial
<input type="checkbox"/> Zone of Annex					
<input type="checkbox"/> Text Amendment					
<input type="checkbox"/> Special Use					
<input type="checkbox"/> Vacation					<input type="checkbox"/> Right-of-Way <input type="checkbox"/> Easement
<input checked="" type="checkbox"/> PROPERTY OWNER		<input checked="" type="checkbox"/> DEVELOPER			<input checked="" type="checkbox"/> REPRESENTATIVE

Name: Equitable Life Assurance Society of the U.S.	Name: General Growth Management, Inc.	Name: General Growth Management, Inc.
Name: General Growth Mgmt. Inc., Agent for The Equitable	Name: 400 South Highway 169 Suite 800	Name: 400 South Highway 169 Suite 800
Address: 400 So. Highway 169 Suite 800 Minneapolis, MN 55426	Address: Minneapolis MN 55426	Address: Minneapolis MN 55426
City/State/Zip	City/State/Zip	City/State/Zip
(612)525-1200	(612)525-1200	(612)525-1200
Business Phone No.	Business Phone No.	Business Phone No.

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 and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application and the review comments. We recognize that we 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 rescheduling expenses before it can again be placed on the agenda.

Signature of Person Completing Application: Daniel R. Owen, Senior Vice President, General Growth Management, Inc.
 Agent for The Equitable

Date

Signature of Property Owner(s): Daniel R. Owen, Senior Vice President, General Growth Management, Inc.
 Agent for The Equitable

ATTACHMENT TO DEVELOPMENT APPLICATION
Community Development Department
250 North 5th Street
Grand Junction, CO 81501

By virtue of Commercial Federal Bank selling a portion of the ground that is being Subdivided and the Conditional Use being changed to retail commercial, it has been requested by the Community Development Department of Grand Junction, Colorado to sign the Development Application. Commercial Federal hereby signs the Development Application, under the premise the property is under contract for sale and within 30 days or less it will no longer be owner of the tract that is a part of the subdivision plan and conditional use change as provided for in the Development Application. Commercial Federal will not be liable to any entity whatsoever including the City of Grand Junction and its various departments for the actions of the developer in subdividing and changing the conditional use of the property. Commercial Federal, by virtue of its signing the Application, acknowledges that the developer is desiring to subdivide the property and change the use from highway oriented zoning to allow the construction of a retail commercial facility at the site. Commercial Federal reserves the right to retract the Development Application, or any portion thereof, should the sale of the land not be consummated to the developer or its assigns.

Jan

PARCEL NO: 2945-091-13-001
LEGAL: Lot 1, Jacobs Commercial Subdivision
OWNER OF Anthony Properties of Grand Junction
RECORD: 12740 Hillcrest #210
Dallas, TX 75230

PARCEL NO: 2945-091-13-002
LEGAL: Lot 2, Jacobs Commercial Subdivision
OWNER OF Anthony Properties of Grand Junction
RECORD: c/o Carmike Cinemas, Inc.
P.O. Box 391, Columbus, GA 31994

PARCEL NO: 2945-091-03-001
LEGAL: Lot 1, Durham Center Subdivision
OWNER OF Richard A & Connie J. Salazar
RECORD: 2039 Surrey Court
Grand Junction, CO 81503

PARCEL NO: 2945-091-03-002
LEGAL: Lot 2, Durham Center Subdivision
OWNER OF Arrow Gas Company
RECORD: P.O. Box 1777
Roswell, NM 88201

PARCEL NO: 2945-091-03-003
2945-091-03-004
LEGAL: Lot 3, Durham Center Subdivision
Lot 4, Durham Center Subdivision
OWNER OF Henry P. Lackey & Co.
RECORD: 756 Flower St. Grand Junction, Co. 81506

PARCEL NO: 2945-092-10-003
LEGAL: Lot 3, Mesa Mall Subdivision
OWNER OF J. C. Penney Properties, Inc. #559-5
RECORD: Property Tax Office A-4
P.O. Box 659000
Dallas, TX 75265-9000

PARCEL NO: 2945-092-10-016
LEGAL: A portion of Lot 2, Mesa Mall
Subdivision (Sizzler Restaurant)
OWNER OF Equitable Life Assurance Society of U.S.
RECORD: c/o Intermountain SFS11 Enterprises
310 East - 4500 South, Murray, UT 86107

PARCEL NO: 2945-092-10-013
LEGAL: A portion of Lot 2, Mesa Mall
Subdivision (McDonald's)
OWNER OF Equitable Life Assurance Society of U.S.
RECORD: c/o McDonald's 005-0164
P.O. Box 66207 AMF O'Hare Airport
Chicago, IL 60666

33 9 2

Original
Do NOT Remove
From Office



June 4, 1992

Mr. David Thornton
City of Grand Junction
Community Development Department
250 N. 5th
Grand Junction, CO 81501

RE: Development Application
581 24 1/2 Road, Mesa Mall
Grand Junction, Colorado

Dear Mr. Thornton:

Enclosed herewith please find an executed Development Application regarding the above referenced property. Should you have any questions, please feel free to call me at (303) 331-3545.

Sincerely,

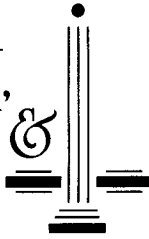
A handwritten signature in black ink, appearing to read 'T. Dubel', is written over a horizontal line.

Thomas C. Dubel
Commercial Loan
Account Executive

TCD:bbm

enclosures

NELSON,
HOSKIN &
FARINA



Professional Corporation

ATTORNEYS AT LAW

June 4, 1992

HAND DELIVERED

Mr. David Thornton
Community Development Department
250 North Fifth Street
Grand Junction, Colorado 81501

Re: Toys R Us

Dear David:

Enclosed please find the fully completed and signed Development Application for the portion of the parcels owned by The Equitable Life Assurance Society of the United States concerning the Toys R Us parcel. I have spoken with Dick Scariano concerning Commercial Federal's parcel and expect to have a fully signed Development Application or a faxed copy later today or tomorrow. As soon as I receive that, I will have it delivered to you as well.

In accordance with our conversation, I hope to provide you with a letter from a qualified appraiser stating that the fair market value of the parcels is the purchase price being paid by Toys R Us. I anticipate having that letter in your hands before the end of next week.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Edward A. Lipton

EAL:rlp
Enclosure

pc: Daniel R. Owen, Senior Vice President
General Growth Center Companies, Inc.

200 Grand Avenue, Suite 400, Post Office Box 40, Grand Junction, Colorado 81502
(303) 242-4903 • FAX: (303) 241-3760

1700 Broadway, Suite 200, Denver, Colorado 80290

222 W. Main Street, Rangely, Colorado 81648

Gregory K. Hoskin
Terrance Farina
Frederick G. Aldrich
Gregg K. Kampf

Edward A. Lipton
Curtis G. Taylor
David A. Younger
David M. Scanga

Michael J. Russell
Susan R. Lundberg
John T. Howe

Of Counsel:
William H. Nelson

NELSON,
HOSKIN &
FARINA



Professional Corporation

ATTORNEYS AT LAW

June 5, 1992

HAND DELIVERED

Mr. David Thornton
Community Development Department
250 North Fifth Street
Grand Junction, Colorado 81501

Re: Toys R Us

Dear David:

Enclosed please find a faxed copy of the Development Application for the portion of the parcels owned by Commercial Federal Savings and Loan Association which has been signed by John W. Robbins.

Sincerely,

Edward A. Lipton

EAL:rlp

Enclosure

pc: Daniel R. Owen, Senior Vice President
General Growth Center Companies, Inc.
Richard Scariano, Omega Realty

200 Grand Avenue, Suite 400, Post Office Box 40, Grand Junction, Colorado 81502
(303) 242-4903 • FAX: (303) 241-3760

1700 Broadway, Suite 200, Denver, Colorado 80290

222 W. Main Street, Rangely, Colorado 81648

Gregory K. Hoskin
Terrance Farina
Frederick G. Aldrich
Gregg K. Kampf

Edward A. Lipton
Curtis G. Taylor
David A. Younger
David M. Scanga

Michael J. Russell
Susan R. Lundberg
John T. Howe

Of Counsel:
William H. Nelson

FORMAL RESPONSE

FOR

CITY OF GRAND JUNCTION REVIEW COMMENTS

FILE NO. #33-92 TITLE HEADING: TOYS "R" US STORE

ACTIVITY: Toys "R" Us Store

LOCATION: US Hwy 6 and 50 and 24 1/2 Road / Mesa Mall

PHASE: Final ACRES:

PETITIONER: Toys "R" Us, Inc.

PETITIONER'S ADDRESS/TELEPHONE: 461 From Road
Paramus, NJ 07652
(201) 599-7800

ENGINEER/REPRESENTATIVE: The WBDC Group, Grand Rapids, Michigan

STAFF REPRESENTATIVE: David Thornton/Kristen Ashbeck

CITY FIRE DEPARTMENT 06/08/92
George Bennett 244-1400

COMMENT: A fire flow survey will need to be conducted to determine required flows. Please submit a complete stamped set of building plans.

RESPONSE: The City Fire Department was issued a complete set of building plans on June 17, 1992. This was acknowledged by Mr. Bennett on July 2, 1992 who also stated that the Fire Department will perform the required fire flow survey.

COMMENT: Fire sprinkler plans and calculations will need to be submitted to our office for review and approval.

RESPONSE: These plans and calculations shall be prepared and submitted by the successful Fire Protection Sub-Contractor per the requirements of NFPA 13 as outlined in the Construction Documents. These documents have been issued for bidding purposes.

COMMENT: The north drive/access is to be designated as "Fire Lane No Parking" see SP-1.

RESPONSE: Drawing SP-1 has been revised to indicate this and has been approved by the Fire Department.

COMMENT: Fire hydrants are to be placed as marked on SP-1 and supplied from an eight (8) inch looped line.

RESPONSE: Drawing Sp-1 has been revised to reflect the hydrant requirement. This has been reviewed and approved by the Fire Department.

CITY PARKS & RECREATION DEPT. 06/11/92
Don Hobbs 244-1542

COMMENT: We need an appraisal for the site to use as a basis for determining the open space fee.

RESPONSE: The appraisal has been received by this department.

CITY POLICE DEPARTMENT 06/10/92
Marty Currie 244-3563

COMMENT: No problems noted.

U.S. WEST 06/05/92
Leon Peach 244-4964

COMMENT: No comments at this time.

PUBLIC SERVICE 06/08/92
Dale Clawson 244-2695

COMMENT: ELECTRIC: Easements will be decided at time service is requested.

RESPONSE: Easements surrounding the site have been indicated on the Final Plat, easements on the site leading to the building indicating primary service need to be located on the plat as as-built conditions.

COMMENT: GAS: No Objections.

UTE WATER 06/12/92
CE Stockton 242-7491

COMMENT: The Preliminary Site Plan, and other materials submitted for review on this project, indicate the project plan with sufficient detail for conceptual approval.

RESPONSE: No response required.

COMMENT: The proposed water plan is in keeping with understandings between General Growth, Mesa Mall, and Ute Water. The 6" line size is adequate for domestic demands and internal sprinkled fire protection.

RESPONSE: No response required.

COMMENT: Ute has no objections to the project.

RESPONSE: No response required.

COMMENT: Existing AGREEMENTS, policies and fees in effect at the time of application will apply.

RESPONSE: Statement duly noted, no response required.

CITY UTILITIES ENGINEER 06/15/92
Bill Cheney 244-1590

Water - Ute Water.

COMMENT: Sewer - The six inch sanitary service shown will need to be connected to the eight inch main and not into the manhole. A minimum grade of 1% will be required from the building to the tie into the main. If you're proposing that the City take over the line, the line will have to be eight inches in diameter and the design approved by City Public Works. An easement for the line will also be required.

RESPONSE: The proposed six inch sanitary service has been changed to tie into the 8" main instead of the manhole. The pipe grade is greater than 1%. The sanitary line is intended to be a private service connection.

BUILDING DEPARTMENT 06/15/92
Bob Lee 244-1656

COMMENT: We have no special concerns at this time.

GRAND JUNCTION DRAINAGE 06/16/92
John L. Ballagh 242-4343

COMMENT: The surface runoff from this site does not drain into facilities maintained by the Drainage District.

RESPONSE: No response required.

COMMENT: There are no known or planned subsurface drains in or through the site. There are no recurring high water problems known to the Drainage District.

RESPONSE: No response required.

CITY PROPERTY AGENT 06/18/92
Tim Woodmansee 244-1565

COMMENT: Lot 1: Lot 1 does not close. Please check all distances, bearings, and curve data. Please provide data for the curve along the northerly boundary line of Lot 1. The arc distance of 36.84 feet near the intersection of Lot 3 appears to be in error.

RESPONSE: A revised plat was issued to the city on July 1, 1992 which addresses the comments by the City Property Agent.

COMMENT: Lot 2: Should the roadways crossing Lot 2 be dedicated as easements for ingress and egress? Please provide data for the northern portion of the reverse curve along the westerly boundary line of Lot 2.

RESPONSE: Same as above.

COMMENT: General: The brass cap identified as the NW corner of Section 4 is identified as the SW corner of Section 4 on the original plat. The brass cap identified as the N 1/4 corner of Section 4 is identified as the S 1/4 corner on the original plat. Please check.

RESPONSE: Same as above.

CITY ENGINEER 06/18/92
J. Don Newton 244-1559

COMMENT: A street light will be required at the main entrance on 24 1/2 Road.

RESPONSE: A street light location has been identified on the plan and preliminary discussions have taken place with Public Service Company as to the procedure for installing a light. TRU will make application for a street light once CUP approval has been granted.

COMMENT: Is the existing median in the center of the Mall access road to remain in place? If so, the access to and from the proposed curb cut will be limited to north bound traffic only. The curb cut appears to be too narrow for two-way traffic at the Mall access road.

RESPONSE: The service drive mentioned is no longer being proposed at this time.

MISSING COMMENTS FROM: Transportation Engineer
Grand Valley Irrigation
City Attorney

CITY DEVELOPMENT ENGINEER
Gerald Williams 244-1577

PREVIOUS COMMENTS - May 28, 1992:

COMMENT: 1. The perimeter existing facilities are too light to read. (OK)

RESPONSE: The survey has been screened back less for better clarity.

COMMENT: 2. Perimeter existing grades at driveway entrances and along proposed curbing which is close to the property line must be provided.

RESPONSE: Perimeter grades have been provided.

COMMENT: 3. Concrete valley pan gutters must be shown and called out per City standards at all driveway entrances.

RESPONSE: Concrete valley pan gutters are shown on the plans and are called out to be built according to City standards at all driveway entrances.

COMMENT: 4. The southwest entrance is only 20 feet wide from flowline to flowline, and therefore only adequate for one traffic lane. This must be widened or signed at both ends as a one-wy lane.

RESPONSE: The southwest entrance is no longer being proposed at this time.

COMMENT: 5. The aforementioned 20 foot wide lane is outside of the site, and therefore an easement or agreement must be obtained and submitted.

RESPONSE: The southwest entrance is no longer being proposed at this time.

COMMENT: 6. Grades must be provided at top of concrete curb or sidewalk and at pavement level at all angle points and points of curvature of concrete and asphalt facilities, at end points of all grade breaks and changes and swales, and at all handicap ramps.

RESPONSE: Grades have been provided at all locations indicated.

COMMENT: 7. Minimum grades allowed for asphalt are 1.0%, and 0.5% for concrete. Sidewalks shall have a cross-slope of 2%. Maximum grades for concrete and asphalt surfaces shall be 8.33%.

RESPONSE: The site has been designed within the aforementioned parameters.

COMMENT: 8. A drainage report is required which will address hydrology, hydraulics, and detention or retention. Development of the site may not result in an increase in runoff to 24 1/2 Road nor Highway 6 and 50 in the 2-year and 100-year storm. Also, any increased discharge from the site to surrounding properties will only be allowed if necessary agreements are obtained from affected property owners.

RESPONSE: A drainage report has been issued for review. Minimal discharge onto 24 1/2 Road was required to make site development feasible. The requirements of building floor elevation to be 4552 or greater for floodplain protection in combination with no underground storm system to tie into, created a condition where some storm runoff into 24 1/2 Road was unavoidable. A site detention pond has been designed for a controlled release to the aforementioned 2-yr and 100-yr storms, with the uncaptured runoff taken into account.

COMMENT: 9. Detention and retention ponding allowed on parking areas is limited to 1.0 foot of depth.

RESPONSE: Detention ponding on the parking areas does not exceed 1.0 foot in depth.

COMMENT: 10. If the Rational Method is used for hydrologic calculations, then detention/retention volume required is determined by using the following equation:

$$\text{Vol. (ft}^3\text{)} = 60[Q_D/2 - Q_O]T_C + 60[Q[(Q_D + Q_H)/2 - Q_O] [T_O - T_C]$$

- where:
- Q_D = Developed peak runoff (cfs);
 - Q_O = Average release rate during the increase and decrease of ponding, the peak of which may not exceed the undeveloped runoff rate in cfs;
 - T_C = Time of concentration in minutes (5 minute minimum);
 - Q_H = Historic or undeveloped runoff rate in cfs;
 - T_O = $2.67 T_C$

NOTE: Use of the Modified Rational Method for sizing detention facilities is NOT allowed unless: 1) the critical duration is calculated by a maximum of 5 minute increments; 2) the release rate must be the average rate that the proposed outlet facility will be able to release, and not just assume a constant rate at the peak historic runoff rate; and 3) volume obtained must be increased by 10% to account for truncation of the hydrograph which is inherent with the Modified Rational Method.

RESPONSE: The revised drainage report has used this criteria for drainage calculations.

COMMENT: 11. An improvement agreement and guarantee is required for off-site improvements such as sidewalk, the driveway entrance off 24 1/2 Road which will result in removal of existing facilities, and handicap ramps.

RESPONSE: A letter of credit will be issued by Toys 'R' Us to cover the improvement guarantee once all costs have been identified.

COMMENT: 12. Handicap ramps are required where proposed driveways intersect sidewalks.

RESPONSE: Handicap ramps are proposed at all locations where driveways intersect with sidewalks. A depressed curb has been proposed for the south side of the drive to 24 1/2 Road to accommodate a future sidewalk and handicap ramp.

ADDITIONAL COMMENTS - June 11, 1992:

COMMENT: 13. Delineate the ponded water surface for the 2- and 100-year storm runoff condition.

RESPONSE: The 2-yr and 100-yr storm levels have been delineated on the grading plan.

- COMMENT: 14. The detention basin bottom, if soil or grass, should have a minimum slope of 2.0% to the outlet. (If you are already along in your design and have provided at least 1.0% bottom slope, we will accept that. However, we will not accept a flat bottom detention basin.)
- RESPONSE: The detention basin bottom was well along in the design process so we provided a 1.0% slope to drain any standing water.
- COMMENT: 15. A maintenance agreement is required for maintenance of the detention volume and outlet control and conveyance facilities.
- RESPONSE: Toys 'R' Us will issue a maintenance agreement once an application is received from the City of Grand Junction.
- COMMENT: 16. A 6" outlet from the detention basin is called out. Is it a pipe or what? How does it enter the curb and gutter? Provide details and existing grades at the gutter flowline.
- RESPONSE: A detail of the 6" outlet has been provided. It has been designed to City standards.
- COMMENT: 17. Detail/size the scupper channel from the parking lot to the detention basin.
- RESPONSE: A detail of the scupper channel has been provided.
- COMMENT: 18. Provide a benchmark on the plan which will have grades.
- RESPONSE: A benchmark in the NE corner of the property has been noted on the drawings.
- COMMENT: 19. The drainage report must be more complete and provide hydraulic calculations of inlets, scuppers, outlet control over range of ponding depth (weir and orifice control), and volume/depth/discharge information on the detention pond.
- RESPONSE: A revised drainage report has been completed and has addressed these issues.
- COMMENT: 20. Provide a note regarding asphalt pavement surfacing, and detail pavement/aggregate base section.
- RESPONSE: Paving section details have been provided on Drawing C3.A.
- COMMENT: 21. Show curb and gutter in the legend or call it out (typical) on the plans.
- RESPONSE: Curb and gutter has been shown in the legend and a detail has been provided on Drawing C3.A.
- COMMENT: 22. Call out sidewalk on 24 1/2 Road.
- RESPONSE: Sidewalk has been shown and noted on the plan.

COMMENT: 23. Call out conformance to City standard details for curb, gutter, sidewalk, handicap ramps, valley pan gutters, driveways, service connections, manholes, etc.

RESPONSE: City standards have been noted or used in drawing details.

COMMENT: 24. Entrances and the building must be tied to property lines and full parking lot dimensioning and curb radii provided, or provide point numbers and coordinates of all angle points, curvature points, etc, as is required for construction. These same points may be used, if desired, to identify design grades in tabular form in lieu of putting them on the drawing.

RESPONSE: Revised drawings show all necessary coordinates and dimensions necessary for construction.

COMMENT: 25. Provide detention volume calculations.

RESPONSE: Revised drainage report contains detention volume calculations.

COMMENT: 26. Handicap ramps are required at all sidewalks which intersect pavement at curbs.

RESPONSE: Handicap ramps have been provided at all applicable locations.

COMMENT: 27. The water service may come from the water line in 24 1/2 Road as discussed on the phone.

RESPONSE: Water service has been proposed to connect to water line on 24 1/2 Road.

COMMENT: 28. Provide a detail of the on-site inlet.

RESPONSE: Details of all on-site inlets have been provided on drawings.

COMMENT: 29. The sewer line as shown is unacceptable. See forthcoming Utility Engineer comments.

RESPONSE: Sanitary sewer line has been changed to tie into 8" main rather than the manhole.

COMMENT: 30. Comments regarding the improvements agreement:

- (i) The sewer line may be private or public, depending on your response to the Utility Engineer's comments. If private, do not include on agreement.

RESPONSE: The sewer line will be a private line.

COMMENT: (ii) For the revised water service, only existing facilities that must be removed and replaced must be included in the agreement.

RESPONSE: A letter of credit will be issued by Toys 'R' Us to cover the costs of any existing facilities which will be replaced.

COMMENT: (iii) For streets, all existing facility removal and proposed facility construction in the 24 1/2 Road right-of-way must be included. Be sure to include handicap ramps, which are not listed on the form.

RESPONSE: A letter of credit will be issued by Toys 'R' Us to cover the costs of all existing facility removal and proposed facility construction in the 24 1/2 Road right-of-way once all costs have been determined.

COMMENT: (iv) All on-site and off-site landscaping which is proposed must be included on the agreement. This, however, would not include fill on the side to raise it.

RESPONSE: A letter of credit will be issued by Toys 'R' Us to cover the costs of all existing facility removal of all proposed facility construction in the 24 1/2 Road right-of-way once all costs have been determined.

COMMENT: (v) City inspection fees may be estimated at 4% of the total cost of the aforementioned work.

RESPONSE: Inspection fees are duly noted, no response required.

COMMENT: 31. Curve data is missing from Lot 1 of the Plat.

RESPONSE: Curve data has been corrected and placed on Lot 1 of the Plat.

COMMENT: 32. Discuss your irrigation plans. Will you use a pressurized system? What is your source of water?

RESPONSE: Irrigation will be a pressurized system tying into the Mesa Mall irrigation line around the perimeter Mall Ring Road.

COMMENT: 33. What is your estimated water/sewer quantities?

RESPONSE: Estimated water usage is 65 GPM and sewer quantity is estimated at 6,000 gallons per day.

COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

Review Comments:

Landscaping

COMMENT: 1. Boundary of Landscaping plan does not match boundary shown on site plan.

RESPONSE: Boundary of Landscape plan has been corrected.

COMMENT: 2. The total amount of landscaping shown is adequate. We do question what type of ground cover is being proposed in the SE corner of the property? If it is grass, it needs to be labeled as such.

RESPONSE: All plants are identified on planting plan.

COMMENT: 3. We suggest that you use Blue Spruce rather than White Spruce since Blue Spruce are more available in this area.

RESPONSE: White Spruce has been changed to Blue Spruce.

COMMENT: 4. An underground pressurized irrigation system is required for all landscaped areas. All landscaping shall be maintained in a health condition. Plants which die or are unhealthy shall be replaced. Please include such language on the landscaping plan.

RESPONSE: A note covering all of the above items is in the general notes section of the Landscape plan.

COMMENT: 5. The minimum allowable plant size for new installations for shrubs is 5 gallons, the landscaping plan shows 24" spr. This may be the same size of plant but the plan needs to specify this.

RESPONSE: All shrubs are identified as 5 gallon minimum size.

Final Plat:

COMMENT: 6. General Growth will need to show ownership of all lots prior to signing the Final plat for recording.

RESPONSE: General Growth will show ownership of all lots prior to signing of Final Plat.

COMMENT: 7. On the Final Plat: a) dedication statement needs to read: "That said owner does hereby dedicate to the City of Grand Junction for the use of the public 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, sewer lines, telephone lines, and appurtenances; together with the right to trim interfering trees and brush; with perpetual right of ingress and egress for installation and maintenance of such lines." b) The benchmark needs to reference lot 1 of the Mesa Mall Subdivision.

RESPONSE: The above statement has been added to the Plat by the surveyor and the amended plat will be delivered to the City.

COMMENT: 8. An Ingress/Egress Easement needs to be shown on lot 2. (See #13, below)

RESPONSE: The access drive on Lot 2 is no longer being proposed at this time.

Parking and Access:

COMMENT: 9. The number of parking spaces is sufficient. 158 are proposed and 101 spaces are required, the number of handicapped spaces and the dimensions of those spaces as proposed meet ADA requirements.

RESPONSE: No response required.

COMMENT: 10. The SW entrance due to the angle of the turn will only be allowed as a one way entrance or a one way exit only. The plan needs to show this.

RESPONSE: The access drive on Lot 2 is no longer being proposed at this time.

COMMENT: 11. What is being proposed for the median as to its alignment with the SW access point to the site?

RESPONSE: Nothing is planned for the median at this time (see above response).

COMMENT: 12. All illumination of parking lot lighting as per section 5-1-3 shall be arranged so as to confine direct light beams to the lighted property and away from the vision of passing motorists.

RESPONSE: All parking lot lighting is fixtures using 45 degree cutoff lenses so light will not spill over to neighboring properties or effect passing motorists.

COMMENT: 13. An Ingress/Egress Easement is required for access from the Mall property. This easement can be shown on the plat. (See #8, above)

RESPONSE: An Easement has been prepared by the surveyor and a revised plat will be delivered to the City.

Signage:

COMMENT: 14. The total signage (464 sq ft) being proposed is acceptable. Section 5-7 of the Zoning and Development code allows a development through a conditional use permit to aggregate the total sign allowance for a parcel and redistribute that allowance on the parcel. This allows the petitioner to have signs on all four sides of the building.

RESPONSE: No response required.

General Comments:

COMMENT: 15. All review agency summary sheet comments must be addressed by the petitioner and written response to the comments must be in our office by Thursday at 5 p.m., July 2, 1992. (We are closed on Friday, July 3rd.)

RESPONSE: All review comments will be addressed and delivered to your office by the above date.

COMMENT: 16. The improvements agreement and guarantee must be signed and executed prior to issuance of a building permit.

RESPONSE: Duly noted, no response required.

COMMENT: 17. An Open Space fee of \$34,000 must be paid prior to issuance of a building permit prior to issuance of a building permit.

RESPONSE: Duly noted, no response required.

COMMENT: 18. Streets need to be labeled on site plan and landscaping plan.

RESPONSE: Streets are labeled on all plans.

COMMENT: 19. City Engineering must approve this site plan as to Flood Plain Regulations.

RESPONSE: Duly noted, no response required.

COMMENT: 20. All recording fees are to be paid by the petitioner.

RESPONSE: Duly noted, no response required.

ADDITIONAL COMMENTS: 6-30-92 and 7-1-92
City Utilities Engineer
Bill Cheney 244-1590

COMMENT: 6/30/92 Water - Ute Water
Sewer - The city is assuming that the 234 c.f. of 8" P.V.C. sewer line is a private line since there is no manhole shown at the end of the line and there has been no easement provided for operation and maintenance.
GENERAL - Utility plan requires stamp or seal of the Professional Engineer preparing the plan.

7/01/92 No comment on plat.

ADDITIONAL COMMENTS: 6-24-92
Community Development Department Staff Report

Landscape Plan

COMMENT: 1. Need to include note on landscape plan indicating: an underground pressurized irrigation system will be provided for all landscaped areas; all landscaping shall be maintained in a healthy condition; and plants which die or are unhealthy shall be replaced.

RESPONSE: The above mentioned requirements have been completed and are shown on the Landscape Plan.

COMMENT: 2. Although off-site Toys "R" Us should address landscaping the mall entrance drive off 24 1/2 Road (north access). Is there any existing landscaping (not shown)? Is landscaping of this area part of Toys "R" Us contract or is it a mall responsibility?

RESPONSE: Existing landscaping may be present but is not shown on the survey. Landscaping of this area is not in the Toys "R" Us contract and is Masa Mall's responsibility.

FINAL PLAT

COMMENT: 1. An Ingress/Egress Easement needs to be shown along the Mall Ring Road (particularly across Lot 3 Mesa Mall Subdivision) as access to Toys "R" Us site.

RESPONSE: An easement is being prepared by the surveyor and will be delivered to the City of Grand Junction.

COMMENT: 2. Note regarding project benchmark needs to reference Lot 1 of Mesa Mall Subdivision.

RESPONSE: Note has been provided on revised plat.

COMMENT: 3. Need to add standard City dedication statement which reads: That said owner does hereby dedicate to the City of Grand Junction for the use of the public those portions of said real property which are labeled as utility easements within 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, sewer lines, telephone lines, and appurtenances; together with the right to trim interfering trees and brush; with perpetual right of ingress and egress for installation and maintenance of such lines.

RESPONSE: Dedication statement is being added to revised Plat which will be delivered to the City of Grand Junction.

REVIEW COMMENTS

Gerald Williams 6-24-92

COMMENT: Item 6. "Grades must be provided ... at all angle points and points of curvature or concrete and asphalt facilities, and at end points of all grade breaks and changes and swales, and at all handicap ramps." Grades have been provided at only about half of the curbing, both interior and perimeter, and grade break and change lines and swales are not even shown, let alone graded. Grades around curb returns at handicap ramps are also not shown.

RESPONSE: All above mentioned grades have been provided at necessary points.

COMMENT: Item 8. The drainage report must thoroughly discuss hydraulics and how there will be no net increase in runoff from the site due to development. This was inadequately done - but discussed further with respect to a later review comment.

RESPONSE: The revised drainage report discusses all the necessary hydraulics and addresses the runoff due to site development.

COMMENT: Item 10. Detention pond sizing was done by the Modified Rational Method. We noted that use of this method was acceptable only if:

1. "The critical duration is calculated by a maximum of 5 minute increments" (which was not done);

RESPONSE: The revised drainage plan uses the modified rational method and has incorporated calculations using a maximum of 5 minute increments.

COMMENT: 2. "the release rate must be the average rate that the proposed outlet facility will be able to release, and not just assume a constant rate at the peak historic runoff rate" (which comment was ignored, and the rate used was the historic rate, which is not achievable by design); and

RESPONSE: The revised drainage report uses an average release rate for the proposed outlet facility.

COMMENT: 3. "volume obtained must be increased by 10% to account for truncation", or immediate stoppage of rainfall, which does not occur, which is a well recognized defect of the Modified Rational Method. This comment was ignored.

RESPONSE: A 10% excess capacity of volume was designed to allow for the event of truncation.

Furthermore, the purpose of detention calculations are to provide a means of preventing an increase in runoff from the site due to development. This you have not really done, because the detention basin must over-detain to counteract direct runoff from other areas: flowing past catch basin #2 (which was not calculated); and potential overflow from catch basin 1A to 24 1/2 Road. The latter overflow in the 100 year event is unlikely, but inasmuch as an inlet detail and interception calculations were not provided, how would we know? The criteria that runoff may not be increased requires an accounting of all sub-watersheds for the developed condition, and not just the major one.

RESPONSE: The detention basin was designed to overdetain the amount of runoff to counteract direct runoff from areas which unavoidably could not be detained. An inlet detail and interception calculations have been provided in the revised drainage report.

COMMENT: Item 11. A corrected improvements guarantee is still lacking.

RESPONSE: A corrected improvements guarantee will be forthcoming with a letter of credit by Toys "R" Us to guarantee all offsite improvements.

- COMMENT: Item 15. "A maintenance agreement is required for maintenance of the detention volume and outlet control and conveyance facilities." This has not been done; however, inasmuch as the City is preparing and should have available within days a standard agreement form for this, we will submit a blank agreement for your use when available.
- RESPONSE: Toys "R" Us will furnish a maintenance agreement for the maintenance of the detention volume and outlet control and conveyance facilities once they have received the necessary application from the City of Grand Junction.
- COMMENT: Item 17. "Detail/size the scupper channel from the parking lot to the detention basin."
- RESPONSE: The scupper channel from the parking lot to the detention basin has been sized and detailed on the civil drawings.
- COMMENT: Item 19. "The drainage report must be more complete and provide hydraulic calculations of inlets [not done], scuppers [one done inadequately, the other ignored], outlet control over the range of ponding depths (weir and orifice control), and volume/depth/discharge information on the detention pond." The outlet control and detention pond calculations are inadequate and/or incorrect. Errors were made in the single stage outlet control (2-year storm condition), and the two-stage outlet control calculations show significant misunderstanding of hydraulics. More is provided on the plans.
- RESPONSE: The revised drainage report addresses the above mentioned hydraulic calculations. All errors have been corrected.
- COMMENT: item 24. Full parking lot dimensioning and curb radii, or complete coordinates must be provided at all angle points, curvature points, etc. Curb radii (but not length or angle) are provided, but the radii plus the scattered coordinates without extra dimensioning is inadequate. Complete the required information around the perimeter curbing, and provide all the information that is missing on the interior curbing.
- RESPONSE: All coordinates, dimensions and curb radii have been provided.
- COMMENT: Item 25. "Provide detention volume calculations" The report showed volume to be 0.15 acre feet of volume. Where did this number come from? Provide calculations, and use the conic rather than average end method of volume calculations. Detention volume at various stages, i.e., a depth-storage curve or relationship, is necessary to be able to analyze a detention and outlet works facility. Please provide these.
- RESPONSE: The revised drainage report addresses the acre feet of volume and where this figure was derived from. The conic average end method was used to accomplish the volume calculations. A graph has been provided with this response document showing the depth storage curve.

COMMENT: Item 28. "Provide a detail of the on-site inlet." If the inlets vary, provide more than one detail. Use of a simple manhole cone and grated rim is not acceptable because of extremely shallow depths. The detail is required not only for construction purposes, but for review for feasibility and hydraulic calculations.

RESPONSE: All on-site inlets are detailed on the civil drawings. A manhole has been used that will allow for the extremely shallow depths.

COMMENT: Item 30. Improvements agreement - already discussed.

RESPONSE: See above.

COMMENT: Item 31. "Curve data is missing from Lot 1 of the Plat." We have not received a revised plat.

RESPONSE: Revised plat shall be forthcoming.

COMMENT: Item 32. "Discuss your irrigation plans. Will you use a pressurized system? What is your source of water?" Still unanswered.

RESPONSE: See "ADDITIONAL COMMENTS: 6-24-92 Community Development Department Staff Report Landscape Plan COMMENT 1" above

COMMENT: Item 33: "What is your estimated water/sewer quantities?" Still unanswered.

RESPONSE: Refer to previous comments

Additional 6/30/92 Review Comments:

COMMENT: Item 1. Engineered plans must be signed and sealed by a Colorado registered engineer for all final plan and report submittals per state law. Future submittals without those will not be reviewed. This pertains to the Site Plan (Layout Plan), Grading Plan, Utility Plan, Site Details, Details, and Drainage Report.

RESPONSE: Sealed engineering plans and drainage report have been submitted to the City of Grand Junction.

COMMENT: Item 2: See attached red-lined drawings and report. Please return red-lined drawings and report with re-submittal.

RESPONSE: To be submitted under separate cover.

TRANSPORTATION ENGINEER 07/01/92
Dave Tontoli 244-1430
(Received too late for WBDC to incorporate changes in design in time for submittal)

COMMENT: Stop signs exiting access

RESPONSE: Stop signs will be provided for the development at all exiting access points.

COMMENT: Eight foot aisle ways between and side of handicap ramps

RESPONSE: The parking layout is to ADA standards. We would like to discuss this requirement with the City. The real estate agreement calls for 170 parking spaces minimum (170 spaces shown on plan). The above requirement would remove parking spaces with nowhere to replace them.

COMMENT: Standard handicap striping and signing at all handicap stalls per [REDACTED] (fax illegible)

RESPONSE: All handicapped parking spaces will be signed and adjacent aisles striped according to ADA standards. We will clarify this with Transportation Engineer.

COMMENT: Street light installation at 24 1/2 Road and 24 1/2 access.

RESPONSE: A street light has been located at south side of 24 1/2 entrance access drive.

COMMENT: Parking lot stalls to be painted white.

RESPONSE: All parking lot stalls will be painted white to conform to City's requirements.

ARNIE BUTLER & COMPANY
APPRAISERS/CONSULTANTS
115 NORTH FIFTH STREET, SUITE 210
GRAND JUNCTION, COLORADO 81501

R. ARNOLD BUTLER, MAI

AREA CODE 303
TELEPHONE 241-2716

June 15, 1992

Mr. Edward A. Lipton
Attorney at Law
Nelson, Hoskin & Farina, P.C.
200 Grand Avenue, Fourth Floor
Grand Junction, CO 81501

Re: Letter of value of the Toys "R"
Us, Inc. Property.

Dear Mr. Lipton:

As requested, this letter is provided to determine the current market value of the above described property. The legal description of the property is included as an attachment to this letter. This letter is limited in scope as per your authorization.

The effective date of this analysis is June 15, 1992. The property is appraised based upon its present market value as defined by the Appraisal Institute. The value conclusion provided in this letter will be used to provide a basis for City of Grand Junction development and administration fees.

The subject property consists of a 3.404 acre parcel of vacant land located in the northwest quadrant of U. S. Highway 6 and 50 and 24 1/2 Road. It has a highest and best use of commercial/retail development in conjunction with the Mesa Mall.

This parcel is in assemblage of a 1.33 acre parcel that was owned by The Empire Savings and Loan Association that is now controlled by the RTC, and The Equitable Life Assurance Company. Equitable has contracted to purchase the Empire parcel for a reported price of \$125,000. This equates to a per square foot price of \$2.16. This price was negatively impacted by severe deed restrictions that are controlled by Equitable Assurance Company. Without the deed restrictions the property would have sold for twice the price, if not more.

The contract price for the subject parcel of 3.404 acres is \$680,000, cash. This equates to a per square foot price of \$4.59 per square foot.

The contract price for the subject is within the price range supported by other pad sites adjacent to malls and shopping centers. It is also supported by prices of retail/commercial

sales with good street frontage and neighborhood locations. It is concluded that the contract price for the subject property is reflective of its present market value. Therefore, as of the effective date of this appraisal, the subject property has a present market value of:

\$680,000

Copies of the basic data analyzed, property descriptions and other pertinent information is in file and available upon request. If you have any questions regarding the information used or the logic employed please do not hesitate to call.

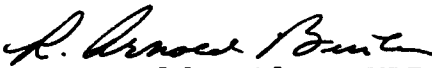
Very truly yours,
ARNIE BUTLER & COMPANY


R. Arnold Butler, MAI

CERTIFICATE OF APPRAISAL

I certify that, to the best of my knowledge and belief, the statements of fact contained in this report are true and correct. The reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased, professional analyses, opinions, and conclusions. I have no present or prospective interest in the subject of this report, and I have no personal interest or bias with respect to the parties involved. My compensation is not contingent on an action or event resulting from the analyses, opinions, or conclusions in, or the use of, this report. My compensation is based only on time and expense. The appraisal assignment was not based on a required minimum valuation, or the approval of a loan. My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Practice of the Appraisal Institute. I have made a personal inspection of the property that is the subject of this report. I am currently certified under the continuing education program of the Appraisal Institute. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives. No one provided significant professional assistance to the person or persons signing this report.

Sincerely,


R. Arnold Butler, MAI

ASSUMPTIONS AND LIMITING CONDITIONS

The certification of the Appraiser appearing in the appraisal report is subject to the following conditions and to such other specific and limiting conditions as are set forth by the Appraiser in the report.

1. No responsibility is assumed for the legal description or for matters including legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated.

2. The property is appraised free and clear of any or all liens or encumbrances unless otherwise stated.

3. Responsible ownership and competent property management are assumed.

4. The information furnished by others is believed to be reliable. No warranty, however, is given for its accuracy.

5. All engineering is assumed to be correct. The plot plans and illustrative material in this report are included only to assist the reader in visualizing the property.

6. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.

7. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless noncompliance is stated, defined, and considered in the appraisal report.

8. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconformity has been stated, defined, and considered in the appraisal report.

9. It is assumed that all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.

10. It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted in the report.

11. The distribution, if any, of the total valuation in this report between land and improvements applies only under that stated program of utilization. The separate allocations for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.

12. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the appraiser, and in any event only the proper written qualification and only in its entirety.

13. The appraiser herein by reason of this appraisal is not required to give further consultation, testimony, or be in attendance in court with reference to the property in question unless arrangements have been previously made.

14. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relations, news, sales, or other media without the prior written consent and approval of the appraiser.

15. Unless otherwise stated in this report, the existence of hazardous material, which may or may not be present on the property, was not observed by the appraiser. The appraiser has no knowledge of the existence of such materials on or in the property. The appraiser, however, is not qualified to detect such substances. The presence of substances such as asbestos, urea-formaldehyde foam insulation, or other potentially hazardous materials may affect the value of the property. The value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in the field, if desired.

QUALIFICATIONS OF R. ARNOLD BUTLER, MAI

PROFESSION: Independent Real Estate Appraiser and Real Estate Consultant from 1975 to present.

GRADUATE: University of Northern Colorado, major in Business Finance.

LICENSE: State of Colorado; Certified Appraiser
AC01313160

PROFESSIONAL DESIGNATIONS: MAI - Appraisal Institute

MEMBER OF: Appraisal Institute;
International Right of Way Association,
Past President Chapter 70, IR/WA ;
Grand Junction Board of Realtors, Colorado and
National Association of Realtors.

COURSES AND SEMINARS:

Principles of Real Estate - University of Northern Colorado. Real Estate Appraising 1 and 2, sponsored by the Colorado Real Estate Commission. Course I-A and I-B, American Institute of Real Estate Appraisers. Standards of Professional Practice, American Institute of Real Estate Appraisers. Case Studies and Real Estate Valuation, American Institute of Real Estate Appraisers. Tax Consideration in Real Estate, by Society of Real Estate Appraisers. Narrative Appraisal Seminar, by Society of Real Estate Appraisers. Capitalization Methods and Techniques, American Institute of Real Estate Appraisers. Water Valuation, American Institute of Real Estate Appraisers. Effective Communication-International Right of Way. R41c - A.I.R.E.A. & S.R.E.A. Ad Valorem Tax and assessed Values, A.I.R.E.A.

APPRAISAL CLIENTS
HAVE INCLUDED:

Bankers Trust	Burkey Lumber Co.
Central Bank of G.J.	Chevron Oil Co.
Colo National Bank	Colony Oil Shale
Colorado Ute Electric	Commercial Federal
Continental Oil Co.	Columbia S & L
Denver & Rio Grande	Enstrom Candies
Exxon, Inc.	FDIC & FSLIC

Grand Mesa Properties	Holiday Inn
Metropolitan Life	Multi-Mineral Corp.
NCNB Bank of Texas	Northwest Pipeline
New York Life Ins.	Occidental Petroleum
Phoenix Federal	Public Service of
Savings & Loan	Colorado
Rocky Mountain Bank	Rocky Mountain Gas
Southern Calif. S & L	Texaco, Inc.
UNC Geotech	Union Carbide
United Bank of Denver	United Bank of Grand
	Junction

Various individuals, lending institutions and attorneys.

CITY GOVERNMENTS: Grand Junction, Rifle, Meeker, Moab, Rangely, Denver, Aurora, Gunnison.

COUNTY GOVERNMENTS: Mesa, Gunnison, Rio Blanco, Ouray.

GOVERNMENT: Bureau of Reclamation, Division of Wildlife, Department of Energy.

LOCATIONS WHERE WORK HAS BEEN COMPLETED:	Aspen	Gunnison
	Avon	Hayden
	Basalt	Meeker
	Buford	Mesa
	Carbondale	Moab, Utah
	Collbran	Molina
	Crested Butte	Montrose
	Debeque	Ouray
	Delta	Palisade
	Denver	Paonia
	Dillon	Parachute
	Durango	Piceance Basin
	Eagle	Ridgway
	Edwards	Rifle
	Englewood	Steamboat Springs
	Fort Collins	Sterling
	Fort Lupton	Uravan
	Fort Morgan	Vail
	Fruita	Vernal, Utah
	Glenwood Springs	Wolcott
	Granby	Grand Junction

Qualified as expert of valuations in Denver, Jefferson, Garfield, La Plata, Gunnison, Montrose and Mesa County District Courts and Federal Bankruptcy Court.

A portion of Lot 2 of Mesa Mall Subdivision, a plat recorded in Book 12 at Page 233 in the Mesa County Clerk and Recorder's Office, being more particularly described as follows:

Beginning at the northeast corner of said Lot 2, a point on the westerly right-of-way line of 24 1/2 Road;

Thence along said right-of-way and the easterly line of said Lot 2

S00°11'39"W a distance of 419.39 feet;

Thence departing said right-of-way and easterly line N89°48'05"W a distance of 178.28 feet;

Thence S26°28'08"W a distance of 104.69 feet;

Thence N63°31'52"W a distance of 230.51 feet to a point on a curve

Thence 57.55 feet along the arc of a curve concave to the west, having a radius of 305.00 feet, a central angle of 10°48'40" and a chord bearing N10°17'42"W a distance of 57.46 feet;

Thence N15°42'00"W a distance of 62.50 feet

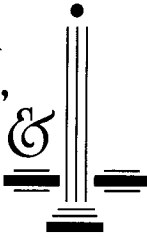
Thence 36.81 feet along the arc of a curve to the right, having a radius of 25.00 feet, a central angle of 84°16'19" and a chord bearing N26°32'01"E a distance of 33.58 feet to a point on a curve on the westerly line of said Lot 2;

Thence along the westerly and northerly line of said Lot 2 the following seven (7) courses:

1. 250.23 feet along the arc of a curve concave to the northwest, having a radius of 605.00 feet, a central angle of 23°41'53" and a chord bearing N56°50'56"E a distance of 248.45 feet
2. N45°00'00"E a distance of 57.00 feet
3. 126.08 feet along the arc of a curve to the left, having a radius of 505.00 feet, a central angle of 14°18'16" and a chord bearing N37°50'52"E a distance of 125.75 feet
4. 36.78 feet along the arc of a curve to the right, having a radius of 25.00 feet, a central angle of 84°18'16" and a chord bearing N72°50'52"E a distance of 33.56 feet
5. S65°00'00"E a distance of 22.92 feet
6. 58.44 feet along the arc of a curve to the left, having a radius of 135.00 feet, a central angle of 24°48'05" and a chord bearing S77°24'03"E a distance of 57.98 feet
7. S89°48'05"E a distance of 10.00 feet to the point of beginning.

Containing 3.404 acres (148,282 square feet) more or less.

NELSON,
HOSKIN &
FARINA



Professional Corporation

ATTORNEYS AT LAW

June 16, 1992

HAND DELIVERED

Mr. David Thornton
City of Grand Junction
Planning and Development Department
250 North Fifth Street
Grand Junction, Colorado 81501

Dear Dave:

Enclosed please find an Appraisal of the parcels making up the Toys "R" Us property at the Mesa Mall.

I believe the application of Toys "R" Us is now complete. If this is incorrect, would you kindly notify me immediately.

Thank you for your assistance.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'E. Lipton'.

Edward A. Lipton

EAL:rlp
Enclosure
pc: John Malone
Daniel R. Owen

200 Grand Avenue, Suite 400, Post Office Box 40, Grand Junction, Colorado 81502
(303) 242-4903 • FAX: (303) 241-3760

1700 Broadway, Suite 200, Denver, Colorado 80290

222 W. Main Street, Rangely, Colorado 81648

Gregory K. Hoskin
Terrance Farina
Frederick G. Aldrich
Gregg K. Kampf

Edward A. Lipton
Curtis G. Taylor
David A. Younger
David M. Scanga

Michael J. Russell
Susan R. Lundberg
John T. Howe

Of Counsel:
William H. Nelson

June 18

COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

File #33-92

PROPOSAL "Toy R Us" 585 24 1/2 Road, Mesa Mall

Review Comments:

Landscaping:

1. Boundary of Landscaping plan does not match boundary shown on site plan.
2. The total amount of landscaping shown is adequate. We do question what type of ground cover is being proposed in the SE corner of the property? If it is grass, it needs to be labeled as such.
3. We suggest that you use Blue Spruce rather than White Spruce since Blue Spruce are more available in this area.
4. An underground pressurized irrigation system is required for all landscaped areas. All landscaping shall be maintained in a healthy condition. Plants which die or are unhealthy shall be replaced. Please include such language on the landscaping plan.
5. The minimum allowable plant size for new installations for shrubs is 5 gallons. the landscaping plan shows 24" spr. This may be the same size of plant but the plan needs to specify this.

Final Plat:

6. General Growth will need to show ownership of all lots prior to signing the Final plat for recording.
7. On the Final Plat: a) dedication statement needs to read: "That said owner does hereby dedicate to the City of Grand Junction for the use of the public 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, sewer lines, telephone lines, and appurtenances; together with the right to trim interfering trees and brush; with perpetual right of ingress and egress for installation and maintenance of such lines." b) The benchmark needs to reference lot 1 of the Mesa Mall Subdivision.
8. An Ingress/Egress Easement needs to be shown on lot 2. (See #13, below)

Parking and Access:

9. The number of parking spaces is sufficient. 158 are proposed and 101 spaces are required. the number of handicapped spaces and the dimensions of those spaces as proposed meet ADA requirements.

10. The SW entrance due to the angle of the turn will only be allowed as a one way entrance or a one way exit only. The plan needs to show this.

11. What is being proposed for the median as to its alignment with the SW access point to the site?

12. All illumination of parking lot lighting as per section 5-1-3 shall be arranged so as to confine direct light beams to the lighted property and away from the vision of passing motorists.

13. An Ingress/Egress Easement is required for access from (eh) Mall property. This easement can be shown on the plat. (See #8, above)

Signage:

14. The total signage (464 sq ft) being proposed is acceptable. Section 5-7 of the Zoning and Development code allows a development through a conditional use permit to aggregate the total sign allowance for a parcel and redistribute that allowance on the parcel. This allows the petitioner to have signs on all four sides of the building.

General Comments:

15. All review agency summary sheet comments must be addressed by the petitioner and written response to the comments must be in our office by Thursday at 5 p.m., July 2, 1992. (We are closed on Friday, July 3rd.)

16. The improvements agreement and guarantee must be signed and executed prior to issuance of a building permit.

17. An Open Space fee of \$34,000 must be paid prior to issuance of a building permit prior to issuance of a building permit.

18. Streets need to be labeled on site plan and landscaping plan.

19. City Engineering must approve this site plan as to Flood Plain Regulations.

20. All recording fees are to be paid by the petitioner.

**COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT
TOYS"R" US - MESA MALL**

COMMENTS 6/24/92 SUBMITTAL

LANDSCAPE PLAN

1. Need to include note on landscape plan indicating: an underground pressurized irrigation system will be provided for all landscaped areas; all landscaping shall be maintained in a healthy condition; and plants which die or are unhealthy shall be replaced.
2. Although off-site, Toys "R" Us should address landscaping the mall entrance drive off 24-1/2 Road (north access). Is there any existing landscaping (not shown)? Is landscaping of this area part of Toys "R" Us contract or is it a mall responsibility?

FINAL PLAT

1. An Ingress/Egress Easement needs to be shown along the Mall Ring Road (particularly across Lot 3 Mesa Mall Subdivision) as access to Toys "R" Us site.
2. Note regarding project benchmark needs to reference Lot 1 of Mesa Mall Subdivision.
3. Need to add standard City dedication statement which reads: That said owner does hereby dedicate to the City of Grand Junction for the use of the public 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, sewer lines, telephone lines, and appurtenances; together with the right to trim interfering trees and brush; with perpetual right of ingress and egress for installation and maintenance of such lines.

DESIGN WORKSHEET

FILE NUMBER: 76819L
DATE: 7-02-92
PAGE:
BY: A.P. MARQUEZ

50 MONROE PLACE GRAND RAPIDS, MICHIGAN 49503

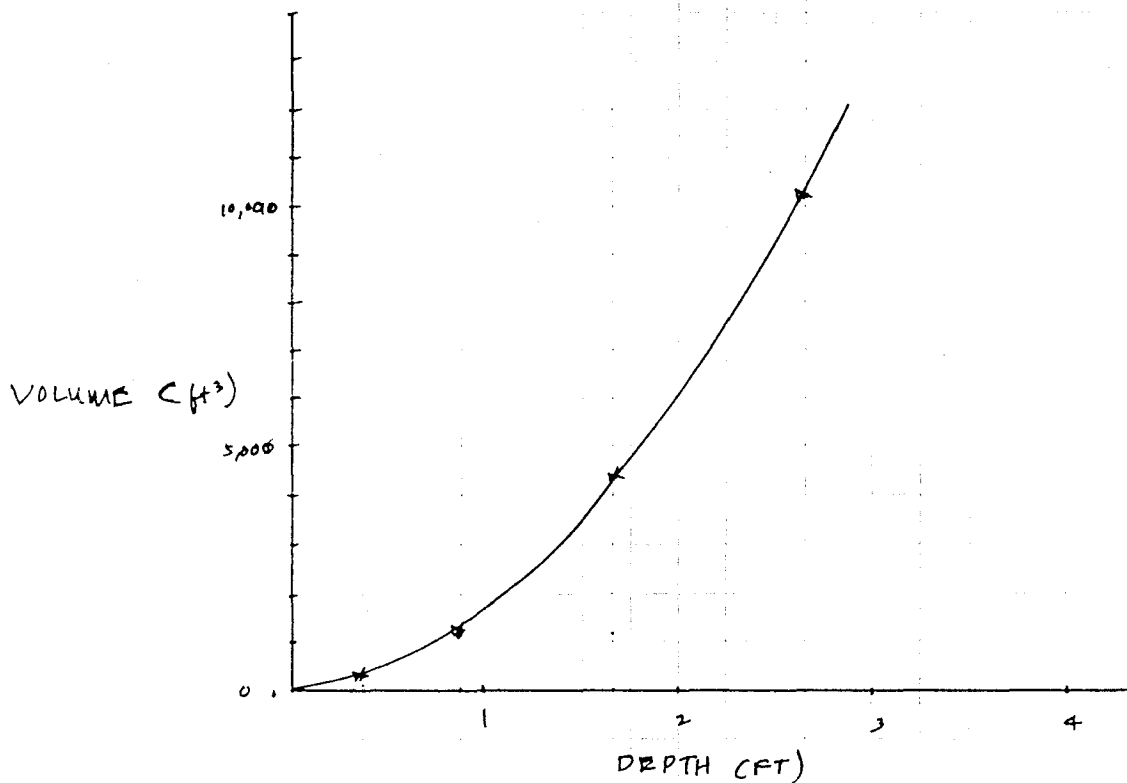
TELEPHONE (616) 235-6000

TELEX 226423

EASY LINK 62723190

TELECOPIER (616) 235-6132

PROJECT: TOYS R U.S. GRAND JUNCTION, COLORADO
DESCRIPTION: DETENTION POND



DESIGN WORKSHEET

FILE NUMBER: 76892
 DATE: 7-02-92
 PAGE:
 BY: A. P. MARQUEZ

50 MONROE PLACE GRAND RAPIDS, MICHIGAN 49503

TELEPHONE (616) 235-6000

TELEX 226423

EASY LINK 62723190

TELECOPIER (616) 235-6132

PROJECT: TOYS "R" US GRAND JUNCTION, COLORADO
 DESCRIPTION:

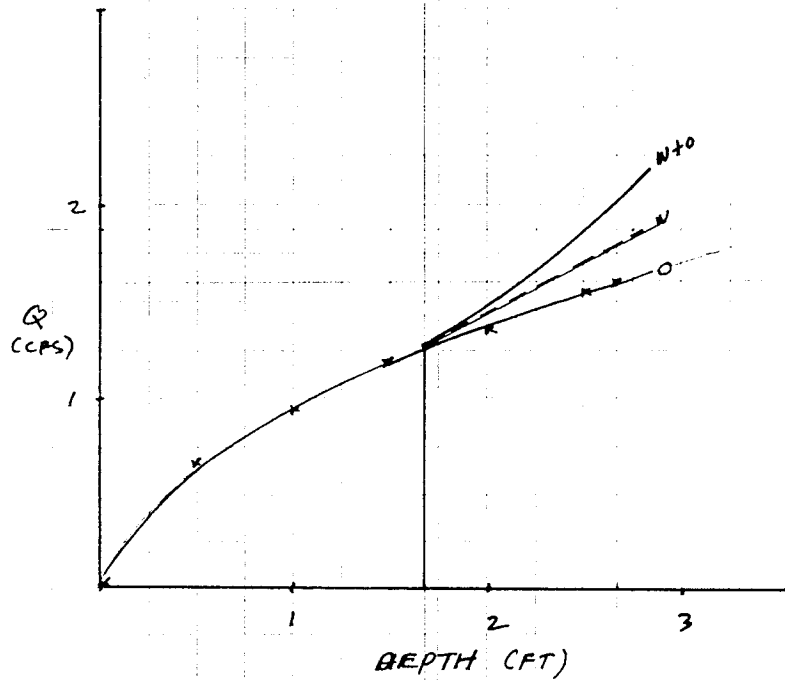
$$Q = C_c A \sqrt{2gH}$$

$$C_c = 0.62 \quad \text{dia} = 6"$$

$$Q = .62 \left(\frac{\pi}{4}\right) (1.5)^2 \sqrt{2(32.2)H}$$

$$Q = 0.9769 h^{1/2}$$

h	Q
0	0
0.15'	0.690
1.0'	0.977
1.5'	1.200
2.0'	1.382
2.5'	1.545
2.68	1.600
3.0	1.692



FF



ACTION SHEET

ACRES 3.426

FILE NUMBER #33 92

UNITS N/A

CONDITIONAL USE

ZONE H.O

DENSITY N/A

& MINOR SUBDIVISION

TAX SCHEDULE #2945-094-10 - c - a

ACTIVITY Conditional Use permit for A high Volume Retail in A H.O Zone

PHASE FINAL

COMMON LOCATION 585 24 1/2 Rd (Mesa Mall)

DATE SUBMITTED _____ DATE MAILED OUT _____ DATE POSTED _____

DAY REVIEW PERIOD _____ RETURN BY _____

OPEN SPACE DEDICATION (acreage) _____ OPEN SPACE FEE REQUIRED \$ _____ PAID RECEIPT # _____

RECORDING FEE REQUIRED \$ _____ PAID (Date) _____ DATE RECORDED _____

X = DO NOT NEED

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 AA BB CC DD EE FF GG

	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	AA	BB	CC	DD	EE	FF	GG	
<input checked="" type="checkbox"/> Planning Department	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●
<input checked="" type="checkbox"/> City Engineer (2 sets)	●	●								●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	
<input checked="" type="checkbox"/> Transportation Engineer	●	●											●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	
<input checked="" type="checkbox"/> City Parks/Recreation	●	●		●									●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	
<input checked="" type="checkbox"/> City Fire Department	●	●											●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	
<input checked="" 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 GRAND Valley Irr	●	●											●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	
<input checked="" type="checkbox"/> Drainage GRAND JCT	●	●											●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	
<input checked="" type="checkbox"/> Water (Ute, Clifton)	●	●											●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	
<input type="checkbox"/> Sewer Dist. (FV, CGV, OM)	●	●											●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	
<input checked="" type="checkbox"/> U.S. West	●	●											●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	
<input checked="" type="checkbox"/> Public Service (2 sets)	●	●											●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	
<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	●	●							●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	
<input checked="" type="checkbox"/> City Attorney	●	●		●									●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	
<input checked="" type="checkbox"/> Building Department	●	●							●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	
<input type="checkbox"/> DDA	●	●											●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	
<input checked="" type="checkbox"/> GJPC (7 packets)	●	●											●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	
<input type="checkbox"/> CIC (11 packets)	●	●											●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	
<input type="checkbox"/> Other	●	●											●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	
TOTALS																																		

TOTALS

CITY OF GRAND JUNCTION DEVELOPMENT FILE 33-92, MESA MALL MINOR SUBDIVISION, LOCATED AT 585 24-1/2 ROAD IN THE CITY OF GRAND JUNCTION HAS BEEN REVIEWED AND APPROVED BY THE UTILITY COORDINATING COMMITTEE.

Jay R. Mathews
VICE-CHAIRMAN

7-8-92
DATE



Grand Junction Community Development Department
Planning • Zoning • Code Enforcement
250 North Fifth Street
Grand Junction, Colorado 81501-2668
(303) 244-1430 FAX (303) 244-1599

June 9, 1992

John Robbins
c/o Commercial Federal
2 Steele Street
Suite 201
Denver, Colorado 80206

Dear Mr. Robbins:

Enclosed are copies of the signed development application from all current owners for the property at 585 24 1/2 Road (the bank property) and the property just south of 585 25 1/2 Road (Mesa Mall property), Grand Junction, Colorado you requested. Thank you for your promptness in returning your application to us. If for some unforeseen reason the property transaction does not go through, please contact me as soon as possible, so I can withdraw the development proposal. Thank you for your help in this important matter.

Respectfully,

A handwritten signature in black ink, appearing to read "Dave Thornton", is written over the typed name.

Dave Thornton
Planner

cc: file #33-92

4 August 1992

Toys "R" Us
Mr. Jim S. Brendle, Project Manager
461 From Road
Paramus, New Jersey 07652

Dear Jim,

Enclosed please find the final copy of the Development Improvements Agreement for the Grand Junction Toys "R" Us store. If the revisions made to the Improvements List/Detail are acceptable to you, then it is ready for the Toys "R" Us signature on the last page. Once returned, it will be approved/signed by City personnel and recorded. At that time, we will issue the full building permit. As agreed, a grading/foundation permit will be issued in the interim. A fee of \$50.00 (\$5.00 per page) made payable to the Mesa County Clerk and Recorder will be required to record the Improvements Agreement. Please include a check in that amount when you return the agreement to the City. If ready, you can return the Maintenance Agreement and Letter of Credit at the same time. Neither of these need to be recorded.

Let me know if there is anything else I can do for you from this end.

Sincerely,

Kristen Ashbeck, AICP
Planner



14 August 1992

City of Chicago
Department of Community Development
111 North Dearborn Street
Chicago, Illinois 60610
Tel: 312/744-3100
Fax: 312/744-3101

Mr. Jim Brendle
c/o Toys R Us
461 From Road
Paramus, NJ 07652

re: Improvement agreement

Dear Jim,

This letter is written in response to a facsimile which I received from you this morning.

I have reviewed the faxed comments of your lawyer Mr. Jones, and am able to accommodate some but not all of his proposed revisions. Those that cannot be made will be explained hopefully to your satisfaction.

The term final plan as used in paragraph 2 refers to the site plan for your store. If you need further explanation please ask Kristen Ashbeck in the community Development Department.

Paragraph 6 will not be modified as proposed. The developer's warranty reasonably includes defects and/or damages not caused by the developer. To exclude from warranty coverage those defects not caused by the developer negates the effect of the guarantee. The developer is in the best position to supervise the work of its agents or contractors and as well to contractually protect against inferior materials or workmanship.

Mr. Jones' comments pertaining to paragraph 9 of the agreement may be incorporated into a letter amendment and submitted to my office for review. The City's normal practice is as he has described, but if he or you desire additional assurance on this point please send an amendment letter as described.

Paragraph 10 has been revised to refer to liens on improvements to be dedicated to the City.

Paragraph 12 as revised deletes the initiation of a mechanics lien as an event of default.

Mr. Jim Brendle
23 July 1992
page 2

Paragraph 13 is clear and will not be revised.

Paragraph 14 refers to two separate financing alternatives. The fifth line says "... accepted by the City or may exercise its rights...".

The indemnification in paragraph 15 is limited to "... injury or damage received or sustained ... in connection with or on account of the performance of work at the development or the property pursuant to this Agreement." By its terms the indemnification is limited to the term of the agreement.

Paragraph 21 will not be modified as suggested. Shortages of materials or inability to obtain labor or materials may be a function of cost rather than actual scarcity. The paragraph was previously modified at your request to include strikes and moratoriums.

Paragraph 23 has been clarified to refer to the "development guarantee" rather than the "developer's guarantee".

Paragraph 24 now refers any notices to the Senior Vice-President of Real Estate.

Paragraph 28 will not be revised. The text refers to an agreement between a Colorado bank and the City not that the bank must be doing business in Colorado and the City.

If you have any questions or if I may be of assistance, please call at your earliest convenience.

OFFICE OF THE CITY ATTORNEY
DAN E. WILSON, CITY ATTORNEY

by: 

John P. Shaver

Assistant City Attorney
250 North 5th Street
Grand Junction, CO 81501
(303) 244-1506



18 August 1992

City of Grand Junction, Colorado
250 North Fifth Street
81501-2668
FAX: (303) 244-1599

Facsimile and regular mail

Mr. Michael E. Jones
c/o Cole, Bernstein, Meisel & Forman
P.O. Box 800
Hackensack, NJ 07602-800

re: Conversations of August 18, 1992

Dear Michael,

This letter will confirm our telephone conversations of August 18, 1992, wherein we discussed my letter of August 14 regarding the improvements agreement for the Toys R Us project in Grand Junction.

At your request I have reviewed the latest draft of the improvements agreement and agree that it is not explicit on the issue of termination and on question of the cessation of warranty and indemnification liability for improvements constructed by the City or the City's contractor in the event of a default by Toys and/or its contractor. Therefore, those provisions of the improvements agreement will be amended as follows. Likewise, the paragraph pertaining to encumbrances has been modified following our second conversation of the this date. Please review these proposed changes and see if they meet with your approval.

Paragraph 6 of the Improvements Agreement shall be amended to read "[T]he Developer warrants that the improvements, each and every one of them, will be free from defects for a period of twelve (12) months from the date that the City Engineer accepts or approves the improvements completed by the Developer and/or its contractors, subcontractors or agents. The Developer's warranty obligation under this paragraph does not extend to improvements installed or constructed by the City of Grand Junction and/or its contractor, if such are required by default of the Developer under its obligations pursuant to this agreement."

Mr. Michael Jones
18 August 1992
page 2

Paragraph 10 of the Agreement shall be amended to read "[T]he City's final acceptance and/or approval of the improvements will not be given or obtained until the Developer presents a document or documents, for the benefit of the City, showing that the Developer owns the improvements in fee simple and that there are no liens on the improvements to be dedicated to the City. The City acknowledges that the property and improvements are subject to an Operating Agreement, a Reciprocal Easement and Operation Agreement and other utility and ingress/egress easements which do not constitute a financial encumbrance on the property or the improvements. Approval and/or acceptance of any or all improvements does not constitute a waiver by the City of any rights it may have on account of any defect in or failure of, the improvement that is detected or which occurs after the approval and/or acceptance."

Paragraph 15 shall read "[T]he Developer expressly agrees to indemnify and hold the City, its officers, employees and assigns harmless from and against all claims, costs and liabilities of every kind and nature, for injury or damage received or sustained by any person or entity in connection with, or on account of the performance of work at the development or the Property pursuant to this Agreement. The Developer further agrees to aid and defend the City in the event that the City is named as a defendant in an action concerning the performance of work pursuant to this Agreement. The Developer further agrees to aid and defend the City in the event that the City is named as a defendant in an action concerning the performance of work pursuant to this Agreement except where such suit is brought by the Developer against the City. The Developer is not an agent or employee of the City. [The Developer's indemnification liability under this paragraph does and shall not extend to indemnification for injury or damage received or sustained by any person or entity in connection with or on account of the performance of work at the development or the Property by the City of Grand Junction and/or its contractor, if such is required by virtue of default of the Developer under its obligations pursuant to this agreement."

A new paragraph 30, **Termination**, shall be added and shall read as follows. "The Developer's obligations pursuant to this agreement shall terminate twelve months from the date that the City Engineer accepts or approves the improvements completed by the Developer."

Mr. Michael Jones
18 August 1992
page 3

The second revised Agreement incorporating the above described changes will be prepared by the Development Department and will be forwarded to you.

If you have any questions or if I may be of assistance, please call at your earliest convenience.

OFFICE OF THE CITY ATTORNEY
DAN E. WILSON, CITY ATTORNEY

by: _____


John P. Shaver

Assistant City Attorney
250 North 5th Street
Grand Junction, CO 81501
(303) 244-1506

pc: Jim Brendle
Kris Ashbeck

18 August 1992

Toys "R" Us
Mr. Jim S. Brendle, Project Manager
461 From Road
Paramus, New Jersey 07652

Dear Jim,

Enclosed please find a revised final copy of the Development Improvements Agreement for the Grand Junction Toys "R" Us store and the letter from John Shaver regarding the changes made. If the revisions made are acceptable to you, then it is ready for the Toys "R" Us signature on the last page. Once returned, it will be approved/signed by City personnel and recorded. At that time, we will issue the full building permit.

In addition to recording the Improvements Agreement, we will be recording the final site plan. Please have WBDC send a full-size mylar of the plan to this office. Cost of recording the plan is \$10.00, so a check made payable to the Mesa County Clerk and Recorder in the amount of \$60.00 will cover expenses for both the site plan and the Improvements Agreement. Also, at the request of the City Development Engineer, Gerald Williams, please have WBDC send one (1) full set of final prints which have been stamped. The last set(s) we received were not stamped.

One final item of importance -- after Gerald Williams and John Shaver met yesterday, the decision was made to scrap use of the Maintenance Agreement at this time for Toys "R" Us as well as other developments currently in review. Thus, disregard the agreement previously sent to you. The only outstanding items, then, are the Improvements Agreement and the Letter of Credit.

Again, let me know if there is anything else I can do for you from this end.

Sincerely,

Kristen Ashbeck, AICP
Planner

**BULLETIN
NO. 2**

**FILE
NO:** 268192
DATE: 08/19/92

50 MONROE PLACE GRAND RAPIDS, MICHIGAN 49503

TELEPHONE (616) 235-6000

FAX (616) 235-6132

PROJECT: NEW TOYS 'R' US STORE

LOCATION: Grand Junction, Colorado

DISTRIBUTION

5 **copies** Toys 'R' Us, Inc.

2 **copies** The WBDC Group

I. NOTICE:

A. QUOTATION: Fill in amounts in blanks provided for each item and submit with breakdown of cost for following work showing credits and extras in accordance with Contract Documents previously issued under this file. Fill in Contractor's name and authorized signature.

B. PROCEDURE: Change Order will be written for those items authorized by Owner involving cost, adjusting contract sum accordingly.

C. DRAWINGS ISSUED HERewith: A1,A8,S3,UE1 and New Drawing A14

D. SPECIAL REMARKS: _____

E. TOTAL YOUR QUOTE: ADD \$ _____ DEDUCT \$ _____

CONTRACTOR Toys 'R' Us, Inc., Construction Manager

AUTHORIZED SIGNATURE _____

II. ITEMS:

A. CIVIL DRAWING ITEMS:

1. **Drawing C.0: (Not Reissued)** Revise "LAYOUT PLAN" to include architectural and electrical items noted hereinafter.

CLARIFICATION ONLY

B. ARCHITECTURAL DRAWING ITEMS:

1. **Drawing A1,A8 and S3: (Reissued)**
 - a. Added exterior stair and pipe bollards at Door No.14.

ADD \$ _____

- b. Revised size of concrete stoop at Door No.06 and added pipe bollards.

ADD \$ _____

2. Drawing A14: (New Drawing) Added satellite dish and related details.

ADD \$ _____

C. ELECTRICAL DRAWING ITEMS:

1. Drawing UE1: (Reissued) Revised layout of drawing to correspond with city approved drawings including relocation of pylon sign and city light pole. Parking lot lighting is to be installed per this drawing.

NO COST CHANGE

TRANSMITTAL

FILE
NO: 268192
DATE: 08/20/92

50 MONROE PLACE GRAND RAPIDS, MICHIGAN 49503 TELEPHONE (616) 235-6000 FAX (616) 235-6132

PROJECT: NEW TOYS "R" US STORE

LOCATION: Grand Junction, Colorado

TO: Rick Thames
Toys "R" Us, West Coast Engineering
1624 Army Court
Stockton, CA 95206
(209) 462-2311

RE: Construction Documents Issued
for Bids 06/24/92

We are sending you the following material:

herewith
 separate cover

COPIES	DESCRIPTION	DRAWING NOS.	DATED
1 Each	Mylar Sepia, Print and Write-Up of Bulletin No.2	As Noted	08/19/92

CC: Toys "R" US - Jim Brendle, APM, (w/sepia & write-up)
Milo Johnson, Superintendent, (w/mylar sepia, print & write-up)
City of Grand Junction Fire Department - George Bennett, (w/print & write-up)
WBDC - TRU Stick Set

NOTES: For your use.

rtw\bull2.trn

BY: Rick T. Willinger, Project Coordinator

AUG 21 1992 15:23
FRI AUG 21 1992 15:00
AUG-20-92 THU 13:20

FROM BANK OF GRAND JUNCTION
CITY OF GRAND JUNCTION

TO
FRA NO. 0032441000

2441599 P.01
FAX

AGREEMENT TO AMEND/EXTEND CONTRACT

August 20, 1992

RE: Contract to Exchange Real Estate dated July 2, 1992 between the City of Grand Junction, a Colorado home rule municipality ("City"), and the Bank of Grand Junction ("Bank"), relating to the exchange of the following described real estate, to wit:

City to Bank:

Lots 3, 4, 5 and 6 of Block 102 of the City of Grand Junction;

Bank to City:

Lots 17, 18, and 19 of Block 101 of the City of Grand Junction.

The City and the Bank hereby agree to amend the aforesaid contract as follows:

1. The date for closing and delivery of deed is changed to September 30, 1992, or, by mutual agreement, at an earlier date. Pursuant to paragraph 9 of said contract, possession of the properties shall be delivered to each party concurrently with the transfer of title on the date of closing. *

All other terms and conditions of said contract shall remain the same.

The City of Grand Junction,
Colorado

Attest:

Mark X. Achen 8/20/92
Mark X. Achen, Date
City Manager

Theresa J. Martini 8/21/92
Theresa J. Martini, Date
Acting City Clerk

The Bank of Grand Junction

Attest:

Robert E. Johnson 08/21/92
Robert E. Johnson, Date
President

Stephanie J. Taylor 8/21/92
Stephanie J. Taylor, Date
Cashier

Closing and delivery of deed on or before September 30, 1992, is expressly contingent upon the bank being satisfied that all hazardous waste and/or hazardous waste materials have been removed from the property currently owned by the City and to be conveyed to the Bank described above. In the event that the Bank is not satisfied that the subject property shall be conveyed to the Bank, the Bank shall have the right to terminate this agreement.



Grand Junction Community Development Department
Planning • Zoning • Code Enforcement
250 North Fifth Street
Grand Junction, Colorado 81501-2668
(303) 244-1430 FAX (303) 244-1599

August 26, 1992

Jim Brendle
TOYS "R" US
461 From Road
Paramus, NJ 07652

RE: Improvements Agreement for Grand Junction Toys "R" US Store

Dear Jim:

We received the signed copy of the Improvements Agreement form from you, but noted that the Exhibit was not signed by TOYS "R" US. I've enclosed a copy the Exhibit for a signature. Please have this document signed and return it to us. We make it a part of your file. John Shaver has received the letter of credit from your bank for the amount of \$ 77,870.00 as specified in the Improvements Agreement. Thank you for your assistance. If you have any questions, please contact Kris Ashbeck (244-1446) or myself at 244-1447.

Respectfully,

A handwritten signature in cursive script, appearing to read "Dave", is written over a large, loopy initial "D".

Dave Thornton
Planner

File #33-92



GEOFFREY

TOYS "R" US®

NATIONAL OFFICES: 461 FROM ROAD, PARAMUS, NJ 07652

September 2, 1992

Kris Ashbeck
Community Development Department
City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501

RE: TOYS "R" US
GRAND JUNCTION, CO

Dear Kris:

Enclosed is the exhibit to the improvements agreement executed by Toys "R" Us.

Please forward a copy of the fully executed document to my attention after it is recorded.

Thank you for your help.

Sincerely,

TOYS "R" US, INC.

A handwritten signature in black ink, appearing to read "J. S. Brendle".

Jim S. Brendle
Sr. Architectural Project Manager

/wf
jb92.let

cc: Rick Thames

Full Building
Permit was
issued 8/24/92