





January 8, 1993

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

Mr. Joe Pace  
Century 21 Old Homestead Realty  
737 Horizon Drive  
Grand Junction, CO 81506

RE: Subdivision requirements for the Addition to Orchard Mesa Heights

Dear Mr. Pace:

After reviewing your request to straighten out several property line conflicts in the Addition to Orchard Mesa Heights Subdivision we have determined that a resubdivision (commonly referred to as a replat) of the lots in the boundary line conflict will be required. A resubdivision process is required rather than a boundary line adjustment process because as spelled out in Chapter six of the Zoning and Development Code the purpose of subdivisions includes the following: 1) to improve land survey monuments and records by establishing minimal standards for survey and plots; 2) to safeguard the interests of the public, the homeowner, and the subdivider; and 3) to secure equitable handling of all subdivision plans by providing uniform procedures and standards. Similar subdivisions in the past that have also made boundary changes have been required to accomplish those changes through a resubdivision.

A resubdivision of all parcels concerned will reap benefit to all property owners involved. The improvement to land records and monuments that will be accomplished through the resubdivision will clarify property lines for current and future property owners and will help future buyers know exactly what they are buying. The resubdivision will be recorded with the Mesa County Clerk and Records Office and therefore will have a greater chance of being included in any future title work done on the concerned parcels.

If you have any questions as to the resubdivision application process, please contact me at your earliest convenience. Thank You.

Respectfully,

A handwritten signature in black ink, appearing to read "Dave Thornton".

Dave Thornton  
Planner

2487 Industrial Blvd., Suite 2  
Grand Junction, CO 81505  
303/242-0201  
FAX: 1-242-8343



## Daggett Surveying, Inc.

January 27, 1993

Dave Thornton  
Grand Junction Community Development Department  
250 North Fifth Street  
Grand Junction, CO 81501

Dear Mr. Thornton:

After discussions with Joe Pace relating to your letter dated January 8, 1993 requiring a replat to resolve property line deed inconsistencies, we have contacted adjoining landowners.

We have attempted to resolve these issues by use of the replat procedure you requested. However, agreement with only four of five landowners has been possible. The failure to agree with the final landowner has negated the possibility of replatting, since there will still be a disputed boundary which is unacceptable on a replat. However, a boundary line adjustment would still be possible between the remaining landowners and would still accomplish the same benefits as the replat procedure reasons listed below from Chapter Six of the Zoning and Development Code...

1) To improve land survey monuments and records by establishing minimal standards for survey and plots; 2) to safeguard the interests of the public, the homeowner, and the subdivider; and 3) to secure equitable handling of all subdivision plans by providing uniform procedures and standards."

Colorado Revised Statute 38-44-112 provides "any line or disputed corner or boundary may be determined and permanently established by written agreement of all parties thereby affected, signed and acknowledged by each as required for conveyances of real estate, clearly designating the same, and accompanied by a map or plat thereof which shall be recorded as an instrument affecting real estate, and shall be binding upon their heirs, successors, and assigns."

The survey will still be governed by Colorado Revised Statutes 38-51-101 and 102 for monumentation as well as "plat" requirements for land survey deposits. Discussion with personnel of several title companies, Ken Swearingen and Fred Webber of the County Survey office, have shown a general agreement that a boundary line adjustment is the most logical solution under existing conditions and statutes.

Local title companies have experience with boundary line adjustments throughout Mesa County and will be asked to complete

Page 2

the necessary title work. A boundary line adjustment can still benefit four owners who are in general agreement with the lines of occupation. It is unfortunate that one dissenting landowner has been able to negate the replat solution but we would hope an amicable and more inexpensive solution for all remaining landowners may still be undertaken. A boundary line adjustment will not substantially change the existing lines of occupation but will legally eliminate the deed inconsistencies and perpetuate the boundary locations by reference to the accepted city monuments at the centerline of Grand Mesa Ave. I would ask that you might reconsider our request in light of the current situation and the desire to benefit to all those concerned.

Please feel free to contact myself or the Mesa County Surveying Office concerning this matter.

Respectfully,



Lee J. McCutchen  
Division Manager

LJH/rtb

cc: Joe Face



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

**A** Receipt \_\_\_\_\_  
 Date \_\_\_\_\_  
 Rec'd By \_\_\_\_\_  
 File No. 58 93

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 checked="" type="checkbox"/> Resub		540 GRAND MESA AVE	PMH C-1 RSF-8	
<input type="checkbox"/> Rezone		N/A	N/A	From: _____ To: _____	
<input type="checkbox"/> Planned Development	<input type="checkbox"/> ODP <input type="checkbox"/> Prelim <input type="checkbox"/> Final	N/A	N/A	N/A	N/A
<input type="checkbox"/> Conditional Use		"	"	"	"
<input type="checkbox"/> Zone of Annex		"	"	"	"
<input type="checkbox"/> Text Amendment					
<input type="checkbox"/> Special Use		N/A	N/A	N/A	N/A
<input type="checkbox"/> Vacation			N/A	"	<input type="checkbox"/> Right-of-Way <input type="checkbox"/> Easement N/A

PROPERTY OWNER       DEVELOPER Property Owner       REPRESENTATIVE

Name	Name	Name
Address	Address	Address
City/State/Zip	City/State/Zip	City/State/Zip
Business Phone No.	Business Phone No.	Business Phone No.

Original  
 Do NOT Remove  
 From Office

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.

X [Signature] 4/8/93  
 Signature of Person Completing Application Date

X Robert M. Mattar 3-4-93  
 Signature of Property Owner(s) - Attach Additional Sheets if Necessary

X Dianna C. Mather 3-4-93



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

**A** Receipt \_\_\_\_\_  
 Date \_\_\_\_\_  
 Rec'd By \_\_\_\_\_  
 File No. **58 93**

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 checked="" type="checkbox"/> Resub( <u>REPLAT</u> )		540, 538 GRAND MESA AVE	PMH C-1 RSF-B	
<input type="checkbox"/> Rezone		N/A	N/A	From: _____ To: _____	
<input type="checkbox"/> Planned Development	<input type="checkbox"/> ODP <input type="checkbox"/> Prelim <input type="checkbox"/> Final	N/A	N/A	N/A	N/A
<input type="checkbox"/> Conditional Use		"	"	"	"
<input type="checkbox"/> Zone of Annex		"	"	"	"
<input type="checkbox"/> Text Amendment					
<input type="checkbox"/> Special Use		N/A	N/A	N/A	N/A
<input type="checkbox"/> Vacation			N/A	"	<input type="checkbox"/> Right-of-Way <input type="checkbox"/> Easement N/A

PROPERTY OWNER      ~~PROPERTY OWNER~~ Property Owner       REPRESENTATIVE

Name	Name	Name
Address	Address	Address
City/State/Zip	City/State/Zip	City/State/Zip
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.

Original  
Do NOT Remove  
From Office\*

X [Signature] \_\_\_\_\_ Date 4/8/93  
 Signature of Person Completing Application

X [Signature] \_\_\_\_\_ Date 3/10/93  
 X [Signature] \_\_\_\_\_ Date 3/10/93  
 Signature of Property Owner(s) - Attach Additional Sheets if Necessary



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

**A** Receipt 210  
 Date 4-27-93  
 Rec'd By cm  
 File No. **58 93**

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 checked="" type="checkbox"/> Resub		540 GRAND MESA AVE	PMH C-1 RSF-8	
<input type="checkbox"/> Rezone				From: To:	
<input type="checkbox"/> Planned Development	<input type="checkbox"/> ODP <input type="checkbox"/> Prelim <input type="checkbox"/> Final				
<input type="checkbox"/> Conditional Use					
<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

PROPERTY OWNER       DEVELOPER *Property owner*       REPRESENTATIVE

*Joe Pace*

Name	Name	Name
Address	Address	Address
City/State/Zip	City/State/Zip	City/State/Zip
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]* \_\_\_\_\_ Date 4/24/93  
 Signature of Person Completing Application  
*[Signature]* \_\_\_\_\_ **58 93**  
 Signature of Property Owner(s) - Attach Additional Sheets if Necessary

Original  
 Do NOT Remove  
 From Office





2945-233-14-016  
Kathleen Grandy  
560 Grand Ave  
Grand Jct. Co.  
81503-1888

2945-233-14-016  
Ivan Dodson  
2405 Broadway  
Grand Jct. Co.  
81503-1513

2945-233-14-012  
T&B Inc.  
2746 1/2 Laguna Dr.  
Grand Jct Co.  
81503-2837

2945-233-14-013  
Mary Ann Stevens  
360 Grand Ave  
Grand Jct Co.  
81503-1828

2945-233-24-011  
W.R. Bray  
702 Gulfmore  
Grand Jct. Co.  
81506

2945-233-09-002  
Anthony Ippolito  
1609 Dolores Ave  
Grand Jct. Co.  
81503

2945-233-09-003  
Ronald Elliot  
1619 Dolores  
Grand Jct. Co.  
81503

2945-233-09-022  
Munequita Allen  
560 Sol Lane  
Grand Jct. Co.  
81504-4411

2945-233-07-001  
Noel Crim  
1602 Dolores  
Grand Jct. Co.  
81503

2945-233-07-005  
Noel Crim  
1602 Dolores  
Grand Jct. Co.  
81503

2945-233-07-003  
Noel Crim  
1602 Dolores  
Grand Jct. Co.  
81503

2945-233-07-004  
Douglas Tuff  
1620 Dolores  
Grand Jct. Co.  
81503

2945-233-07-005  
Glen Heutel  
1661 Dolores  
Grand Jct. Co.  
81503

2945-233-07-006  
Paul Leo Gaenlein  
1638 Dolores  
Grand Jct. Co.  
81503

2945-233-07-018  
Ronald Foxall  
1631 LaVeta  
Grand Jct. Co.  
81503

2945-233-07-019  
Joseph Lumbardy  
Omar Neil  
1625 LaVeta  
Grand Jct. Co. 81503

2945-233-07-023  
Ronald Ashley  
545 Grand Mesa  
Grand Jct. Co.  
81503

2945-233-07-024  
Roger Martin  
1615 LaVeta  
Grand Jct. Co.  
81503

2945-233-07-025  
Clyde Theobold  
Ronald & Angela Ashley  
1625 LaVeta  
Grand Jct Co. 81503

2945-233-07-026  
Verna Loyd  
515 Santa Clara  
Grand Jct. Co.  
81503

2945-233-06-008  
Bennie Hatch  
1640 LaVeta  
Grand Jct. Co  
81503

2945-233-06-024  
Richard Weisberger  
2200 1/2 Gates Ave.  
Redundo Beach Ca.  
90278-2026

2945-233-06-025  
Gregory McGlothlin  
625 Grand Mesa  
Grand Jct. Co.  
81503

58 93

Original  
Do NOT Remove  
From Office



# Daggett Surveying, Inc.

CORPORATE OFFICE:  
P.O. Box 2789  
Farmington, New Mexico 87499-2789  
Phone: 505-326-1772  
Fax: 505-326-6019

HENRY P. BROADHURST, JR.  
Registered Land Surveyor  
Colorado License No. 18974

IMPACT STATEMENT  
REPLAT OF LOTS 12, 13, 14, 15, 16, BLOCK 35,  
LOTS 10 & 11, BLOCK 34 AND A VACATED PORTION  
OF PARK AVENUE OF THE 1908 FLAT OF MOON & DAY'S  
ADDITION TO ORCHARD MESA

58 93

March 1, 1993

A replatting within the boundaries of the Moon and Day's Subdivision of Orchard Mesa Heights (1908) is proposed to clear some ambiguities in several metes and bounds descriptions previously established within the old subdivision.

In the course of trying to locate the boundary lines along the properties owned by the Thorson's, Finocchio's, Mather's and Mr. Waymeyer, errors have been discovered in the written deeds which make the boundary lines overlap mathematically. Even a complete boundary survey of found monumentation could not correct the mathematical problems in the deeds. In other words, if the corners for all deeds involved were placed on the ground, the lines would not match. The sale of any or all of these properties, in the future, will be hindered because of these title problems. Discussions with the involved title companies, have showed the desire to clear these overlaps. The purpose of this proposed replat is to legally establish the boundaries to clear title overlaps. The new legal lines will very closely represent the lines of actual occupation in most instances and there will not be any case where major changes in the lines of occupation will be established by the replat. The area has been developed for an excess of 20 to 30 years and replatting changes should have no effect upon the course of future development in properties or the compatibility of this replatted area with the surrounding neighborhoods.

No re-zoning changes or changes in services are planned relating to this replat since services are already in usage. However, some easements were established on the replat to perpetuate legal rights where visible existing services are already in existence.

In summary, the replat is only to clarify boundary lines and will have little impact upon the remainder of the neighborhood.

DAGGETT SURVEYING, INC.  
Lee J. McCutchen, Division Manager

Original  
Do NOT Remove  
From Office

ROCKY MOUNTAIN OFFICE:  
2487 Industrial Blvd. Suite #2  
Grand Junction, Colorado 81505  
Phone: 303-242-0201  
Fax: 303-242-8343

# REVIEW COMMENTS

Page 1 of 2

FILE NO. #58-93

TITLE HEADING: Resubdivision

LOCATION: 540 Grand Mesa Avenue

PETITIONER: Walter K. Waymeyer

PETITIONER'S ADDRESS/TELEPHONE: P.O. Box 7997  
Laverne, CA 91750  
(909) 868-4164

PETITIONER'S REPRESENTATIVE:

STAFF REPRESENTATIVE: David Thornton

---

**NOTE: WRITTEN RESPONSE BY THE PETITIONER TO THE REVIEW COMMENTS IS REQUIRED ON OR BEFORE 5:00 P.M., MAY 24, 1993.**

---

**ORCHARD MESA IRRIGATION** **5/3/93**  
**Paul Calder**

---

No objections.

**PUBLIC SERVICE COMPANY** **5/3/93**  
**Dale Clawson** **244-2695**

---

Electric and Gas: No objections.

**U.S. WEST** **5/5/93**  
**Leon Peach** **244-4964**

---

No comments at this time.

**CITY ENGINEER** **5/7/93**  
**Gerald Williams** **244-1591**

---

No comment.

**CITY POLICE DEPARTMENT** **5/10/93**  
**Mark Angelo** **244-3587**

---

No comment.

**CITY UTILITIES ENGINEER**  
**Bill Cheney**

**5/13/93**  
**244-1590**

---

There are no known City utilities within the proposed replatted boundaries. No other comments.

**GRAND JUNCTION FIRE DEPARTMENT**  
**George Bennett**

**5/6/93**  
**244-1400**

---

No problems - emergency access must remain.

**COMMUNITY DEVELOPMENT DEPT.**  
**David Thornton**

**5/13/93**  
**244-1447**

---

Already submitted to petitioner's representative under separate cover.



