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File 1993-0139

Name: Tailing Pile Enclave Annexation – Climax Mill Site

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>
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X	X	Table of Contents
		*Review Sheet Summary
X	X	*Application form
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X	X	*Staff Reports
		*Planning Commission staff report and exhibits
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		*Summary sheet of final conditions

DOCUMENT DESCRIPTION:

X	X	NOTES TO FILE – CITY COUNCIL DID NOT TAKE ACTION ON SECOND READING OF THE ORDINANCE. THIS ANNEXATION WAS DROPPED!	X	X	Climax Mill Annexation Enclave Map – GIS Historical Maps - **
X	X	Annexation Area Facts Sheet			
X	X	Correspondence			
X	X	Form letter to: Bess Inv., Inc., Colorado Dept. of Health, Sand Extraction Co.,			
X	X	City Council Minutes – 1/5/94, 2/15/94, 3/2/94 - **			
X		More notes to file			
X	X	Quit Claim Deed – Bk 1809/Pg 84-87- not conveyed to City			
X	X	Warranty Deed - Bk 1074 /Pg 616-620 – not conveyed to City			
X		Umtra legal – Bk 1686 / Pg 199			
X		Warranty Deed – Bk 1700 / Pg 748 – not conveyed to City			
X	X	Horizontal and Vertical Control Sheet			
X	X	Resolution No. 2-94 - **			
X	X	Location Map			

THE RECORD SHOWS THAT ON APRIL 6, 1994
CITY COUNCIL DID NOT TAKE ACTION ON SECOND
READING OF THE ORDINANCE. THIS ANNEXATION
WAS DROPPED! SECOND READING HAD BEEN
CONTINUED TO APRIL 6TH



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

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:

PÉTITION	PHASE	SIZE	LOCATION	ZONE	LAND USE
<input type="checkbox"/> Subdivision Plat/Plan	<input type="checkbox"/> Minor <input type="checkbox"/> Major <input type="checkbox"/> Resub				
<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 checked="" type="checkbox"/> Zone of Annex		99.38 acres	S. of Kimball from 9 th to 15 th	PC and PZ	LIGHT COMMERCIAL AND PUBLIC/REC.
<input type="checkbox"/> Variance					
<input type="checkbox"/> Special Use					
<input type="checkbox"/> Vacation					<input type="checkbox"/> Right-of-Way <input type="checkbox"/> Easement
<input type="checkbox"/> Revocable Permit					

PROPERTY OWNER

DEVELOPER

APPLICANT
 REPRESENTATIVE

Name	Name	Name
N/A	N/A	Karl H. Metzner
Address	Address	Address
		250 N. 5 th St.
City/State/Zip	City/State/Zip	City/State/Zip
		Grand Junction CO 81501
Business Phone No.	Business Phone No.	Business Phone No.
		244-1430

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.

Karl H. Metzner
 Signature of Person Completing Application _____ Date _____

Signature of Property Owner(s) - Attach Additional Sheets if Necessary

ANNEXATION AREA FACT SHEET

Name of Area: CLIMAX Mill Enclave Annex Date: 12/17/93

Common Location: North of Colorado River & South of Kimball

Existing Land Use: Vacant & Industrial est. # Acres: 99.38

Projected Land Use: State Recreation Area # of Parcels: _____
& INDUSTRIAL

Dwelling Units: NONE # of parcels owner occupied N/A

Est. Population: NONE

Service Providers and Special Districts

Water: city Sewer: city/country Fire: G.I. Rural

Drainage: city School: School Dist. 51

Irrigation: N/A Other: _____

Legal Requirements: (check as each requirement is confirmed)

- One sixth contiguity to existing city limits
- Land held in identical ownership not divided w/o written consent
- Land in identical ownership greater than \$200,000 assessed valuation not included without written consent.
- Area is or will be urbanized
- Does not extend boundary more than 3 miles/year (except enterprise zone or City owned property)
- Entire width of platted streets included.
- More than 50% of owners and more than 50% land petitioned

Type of Petition: Property Owner _____ P.O.A. _____ Enclave:

Existing County Zoning _____ Proposed City Zoning _____

CLIMAX MILL ENCLAVE ANNEX:

A tract of land situated in Lot 3 and the East ½ of the SE¼ and the South ¼ of the SE¼ NE¼ of Section 23, and in Lot 4 and the SW¼ of the NW¼ and the NW¼ of the SW¼ of Section 24, all in Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Northeast Corner of the S¼ SE¼ NE¼ of Section 23, said point being N 00°16'54" W a distance of 330.32 feet from the E¼ Corner of said Section 23;
thence N 89°56'27" E a distance of 664.48 feet to the Northeast Corner of the S½ SW¼ SW¼ NW¼ of Section 24;
thence S 00°20'07" E a distance of 330.25 feet;
thence N 89°56'05" E a distance of 664.79 feet to the Southeast Corner of the SE¼ SW¼ NW¼ of said Section 24;
thence S 00°23'20" E along the East Line of Lot 4 and the East Line of the NW¼ SE¼ of said Section 24 a distance of 1036.77 feet to a point on the Southerly Line of the Colorado River;
thence Southerly and Westerly along the Southerly Line of the Colorado River a distance of 2755.0 feet, more or less, to a point on the West Line of the E½ SE¼ of Section 23;
thence N 00°12'33" E along the West Line of the E½ SE¼ of said Section 23 a distance of 949.38 feet to a point which is the intersection of the North Bank of the Colorado River and the West Line of Lot 3 of said Section 23;
thence N 00°03'29" W along the West Line of said Lot 3 a distance of 782.85 feet to the Southwest Corner of the S¼ SE¼ NE¼ of Section 23;
thence N 00°03'29" E a distance of 330.29 feet to the Northwest Corner of the S¼ SE¼ NE¼ of said Section 23;
thence S 89°14'53" E along the North Line of said S¼ SE¼ NE¼ a distance of 14.39 feet;
thence S 00°54'42" W a distance of 43.20 feet;
thence S 89°14'53" E a distance of 132.50 feet;
thence N 00°45'15" E a distance of 29.70 feet;
thence S 89°14'53" E a distance of 1171.66 feet to a point on the East Line of the S¼ SE¼ NE¼ of said Section 23;
thence N 00°16'54" W along the East Line of said S¼ SE¼ NE¼ a distance of 13.50 feet to the Point of Beginning.



December 28, 1993

City of Grand Junction, Colorado
81501-2668
250 North Fifth Street

Bess Investments, Inc.
860 4th Avenue
Grand Junction, CO 81501

RE: Property located south of Kimball Avenue, between 9th & 15th Streets

Dear Bess Investments, Inc.

The City is in the process of annexing an area that has been surrounded by the City boundaries for more than three years, known as the Climax Mill Enclave Annexation. Mesa County records show that you own property within that area. Under Colorado State Statutes the City may unilaterally annex such enclaved areas which have been enclaved for more than three years.

The Grand Junction City Council is expected to pass a resolution of intent to annex this area at its regular meeting on January 5, 1994. First reading of the annexation ordinance will be on February 2, 1994 and second reading of the ordinance will be on February 16, 1994. All City Council meetings are held at 7:30 p.m. in the City Hall Auditorium at 5th Street and Rood Avenue. Although enclave annexations do not require a public hearing, we welcome you to attend.

I have enclosed additional information about the City and the services it provides. Please take a moment to review it, and keep it on hand for future reference. I would also be happy to meet with you to discuss how this annexation will effect you as a property owner. I can be reached at 244-1439.

We are very proud of our community and the quality services our City provides. We look forward to including the Climax Mill Enclave in the City and look forward to the opportunity to serve you.

Sincerely,

A handwritten signature in black ink, appearing to read "Karl G. Metzner", is written over a horizontal line.

Karl G. Metzner
Senior Planner

enclosure



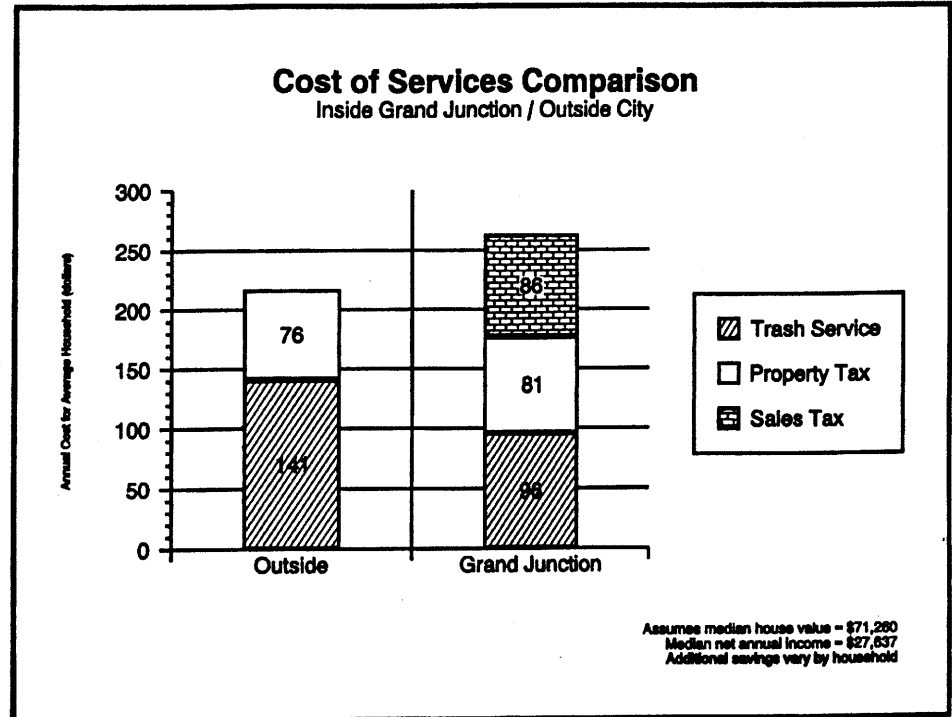
No Cookie Cutters Here

Cookie cutters are great for holiday baking, but not much of an approach to issues involving people. We're all individuals and want to be treated that way; it's no different with annexation. Every potential annexation and every neighborhood is unique.

We don't take a cookie-cutter approach to annexing developed neighborhoods. We like to talk to residents to design an approach that responds to their needs. The people of Western Colorado have a strong sense of individuality. Our needs, our interests, our perspectives reflect our independence and diversity. The City of Grand Junction recognizes this and works with neighborhoods to ensure that their unique needs are met within the annexation process.

Some residents have heard rumors about annexation. This flyer is intended to help clarify information and to dispel rumors. Please take a few moments to read it over. It has been our experience that once people understand the whole picture about annexation (which things change, which things stay the same), they begin to see value in annexing.

If you have additional questions, please feel free to call us. We believe we have a good product, and are happy to talk with people about it. We're also good listeners. **We'd like to hear from you.**



Surprising Choices

Residents are often surprised to learn that the City does **not** force developed neighborhoods to put in **sidewalks and street improvements** when they annex. These amenities are best installed when an area originally develops, and are required in new construction. However, the City **does not** force existing neighborhoods to put them in. To assist neighborhoods who want these improvements, the City provides 1/3 matching funds to a limited number of neighborhood improvement projects annually. All of the major improvements the City provides, such as street overlays, parks, and matching funds for neighborhood improvements, are **paid for by the City's 3/4 cent sales tax.**

Another fact some find amazing is that annexation does **not** mean that a homeowner with a septic system must automatically connect to the sewer

system. The City's standard is the **same** as the County's. As long as the septic system is operating well, the homeowner can continue to use it. The homeowner is required to connect to the sewer system only if a septic system within 400 feet of a sewer line fails. Again, this is true regardless of whether the property is in the City or not.

Surprise again. Street lights are **optional** in existing residential neighborhoods. Some areas request additional street lighting, others prefer not to have it. **It's your choice.** The City has a limited budget for installing new street lights, and responds to requests from citizens.

The density of **zoning does not** necessarily increase if you're in the city. When an area annexes, the City usually applies the zoning that most closely parallels the existing County zoning. However, City

To Estimate Your Annual Cost of Annexing and Receiving City Services:

A. SAVINGS ON TRASH COLLECTION:	Example	Your Costs or Savings
Your current monthly trash rate *	\$ 11.73	\$ _____
<u>Minus City monthly trash rate =</u>	<u>- 8.00</u>	<u>- 8.00</u>
monthly savings	\$ 3.73	\$ _____
x 12 months =	<u>x 12</u>	<u>x 12</u>
Annual Savings	\$44.76	\$ _____

*\$11.73 is an average of the two primary trash haulers, BFI (\$11.95) and United Waste (\$11.50).

B. PROPERTY TAX INCREASE:

Property owners outside the City limits now pay 7.596 mills to the GJ Rural Fire District. This tax will be replaced by the City property tax of 8.071 mills, a net increase of 0.475 mills. A mill = 1/1000th of a dollar, or 1/10th of a cent.

Example: \$71,260 house = median in Mesa County
Assessed Value = approximately 14% of market value for residential property
(or see your current property tax bill)

Market Value	\$71,260	\$ _____
<u>x 14%</u>	<u>x 0.14</u>	<u>x 0.14</u>
Assessed Value	\$9,976	\$ _____
 <u>x mills increase</u>	 <u>x .000475</u>	 <u>x .000475</u>
Property Tax Increase	\$ 4.74	\$ _____

C. SALES TAX INCREASE:

Average household spends 5.9% of net income on automobile, and 5.4% on TV, furniture, and appliances.

Example: \$27,637 = net household income, median in Mesa County

Net Annual Income, after taxes	\$ 27,637	\$ _____
x (5.9% + 5.4%) = 11.3%	<u>x .113</u>	<u>x .113</u>
Estimated cost of auto, TV, furniture, and appliances	\$ 3,123	\$ _____
Multiplied by City Sales Tax	<u>x .0275</u>	<u>x .0275</u>
= Estimated Annual Sales Tax Increase	\$ 85.88	\$ _____

TOTAL COST = - A + B + C	A..	-\$ 44.76	\$ _____
	B.	+\$ 4.74	\$ _____
	C.	+\$ 85.88	\$ _____
ESTIMATED ANNUAL NET COST OF CITY SERVICES		\$ 45.86	\$ _____

Choices, from page 1

zoning may be changed from the previous County zoning if the County zoning is no longer appropriate due to changed circumstances in the area.

The City's nuisance code, dealing with weeds and junk, is similar to Mesa County's, although the County's level of enforcement is much lower.

Are you beginning to hear a theme? We hope so. We genuinely want to work with you, to meet your needs. **We'll be flexible wherever we can.**

Yes, there are some standards that are not so flexible, including **high quality police services, fire protection, and parks.** The City also provides residential trash service to all single-family and smaller multi-family (7 units & under) developments. Homeowners usually notice a **savings of \$3 to \$4 per month** over their previous service.

Most areas close to but outside of the City are currently served by the Grand Junction Rural Fire District through a contract with the City Fire Department. Fire protection will improve in the future in many areas now deficient as the ordinance requiring adequate-sized water lines within the City limits is implemented. Better fire protection can also mean lower homeowners insurance costs -- ask your insurance agent about the potential savings.

What will all this cost? Not as much as you might think. The annual net increase in property tax as a result of annexation will be less than one mill, or about \$4.74 for a \$71,260 home. To estimate the impact on your home, see the chart on page 2.

It's more difficult to say with certainty the amount of sales tax each family will pay as a result of annexation. You're already paying the City sales tax on taxable items purchased in Grand Junction. The sales tax you will begin to pay will be on cars, furniture and appliances.

Again, see page 2 to estimate the impact for yourself. Since most of us don't buy a new car or refrigerator every year, it's important to average the costs over several years.

The Competitive Edge

Grand Junction is actively seeking to annex urban and developing areas adjacent to the city. Annexation has long been a goal of the City Council, with good reason. The economic future of the community depends on it.

Americans are competitive by nature. The free enterprise system was built on the premise that competition results in higher productivity, higher quality goods and services, and lower costs. Although we don't often think of communities as competing, Grand Junction competes with other communities every day -- for relocating businesses and new job creation; for tourism and retail trade; and for recreation and entertainment opportunities. We compete for recognition within the state.

The urbanized area of Grand Junction boasts a population base of 77,600 people and all the resources the number implies. Unfortunately the official census figure for Grand Junction, the one most people see, is only 29,034. The community's people and resources are vastly under-represented and that fact hurts us economically. Population numbers are important to businesses considering relocating. It's an indication of the community's resources, including a skilled workforce. These numbers are also a market indicator for retail stores when considering a new outlet. As the City annexes a larger area and its population figures grow, those from outside the area that make business decisions based upon population figures will begin to realize that Grand Junction is an important, viable community.

Americans also advocate efficiency in government. To the City, that means doing things right the first time. Build-

ing streets, fire lines and other utility systems to urban standards means that we as taxpayers won't later have to pay for costly upgrades. Over and over we find that many urban areas that developed in the county weren't developed to a high enough engineering standard, and must be re-done at a high cost to either the property owner, the public, or both. We like to see new development engineered right the first time -- and our planning and engineering standards for new development reflect that. This saves money in the long run.

Efficiency also means providing day-to-day services in a way that minimizes your total costs. A recent study indicated that improved fire protection in many areas could significantly reduce the cost of homeowners insurance. One example showed a \$100 savings. The savings is based on insurance company fire ratings, which are based in part on having adequate water lines and hydrants for firefighting and the proximity of fire stations.

Grand Junction has the resources to compete with the best in the region. Like any good team, we need to all be working toward the same goal, with the same game plan. The goal is a diversified, healthy, stable economy, sufficient to employ our workers and to provide the quality of life we all hope to enjoy.

Together we can achieve this ambitious goal. We must make the most of the resources we currently have, and aggressively seek new community resources. It will require a greater degree of unity and teamwork throughout the Grand Junction community. Annexation will be one of the keys.

Imagine what we can accomplish if the entire community's resources can be brought to bear on solving problems, providing services, and creating opportunities! That's what we believe annexation is about. That's why it is important for the economic future of the Valley. That's why we need your support.

Answers to Commonly Asked Questions:

Q. Who provides water service after annexation? Who will pay for the water line upgrades needed for improved fire protection?

A. The water service provider will not change as a result of annexation. You will continue to be served by Ute or Clifton Water if applicable. Water line upgrades within the annexed areas will be required if the existing lines are not adequate to supply the required amounts of water for fire protection. The City has worked out an agreement with Ute Water where the cost to install new lines in the Ute Water service area will be shared equally between the City, Ute Water and the residences receiving benefit from the new installation. The City has no input in determining how the payments for the water line improvements will be decided. Ute Water is responsible for establishing the method of payment from each residence. No agreements for cost sharing have been worked out with Clifton Water at this time.

Q. What is the annexation process and timetable?

A. An annexation petition must be accepted by City Council. Once a petition has been accepted, and certified to meet state statutes, a notification is published in the newspaper for five weeks after which the City Council will have a first reading of an ordinance to annex. At their next scheduled meeting, the Council will have a second reading and a public hearing on the annexation ordinance. Should the ordinance be approved, the annexation will be effective 30 days following the public hearing.

Q. Who will provide electricity and natural gas after annexation?

A. The recent agreement between PSC and Grand Valley Power means that your power provider will not change as a result of annexation.

Q. Who will provide trash service after annexation? What about recycling?

A. The City of Grand Junction Solid Waste Division will provide trash service to all residential customers after annexation including multi-family developments of seven units or less. The monthly fee for single family residents is \$8.00 per month for 1993.

The City offers a city-wide recycling program which is contracted with a local company (CRI - Curbside Recycling Indefinitely). This program will be phased-in to the entire city over a five-year period. For the convenience of our newly annexed customers, who may have been recycling with their previous private trash company, CRI will contact them within 180 days of the annexation date and ask if they wish to start the service. The fee for this service is \$1.50 per month.

If you have questions concerning annexation or City services, please feel free to contact the following:

City Council & City Administration	244-1501		
Annexation, Zoning	244-1430	Parks & Recreation	244-1542
Community Development		Ted Novack, Director	
Larry Timm, Director			
Fire, Emergency Medical	244-1400	Police, 911 Communications	244-3560
Fire Chief Michael Thompson		Police Chief Darold Sloan	
Public Works & Utilities	244-1554	Administrative &	
Jim Shanks, Director		Financial Services	244-1515
		Ron Lappi, Director	

STAFF REVIEW

FILE #139-93

DATE: January 12, 1993

STAFF: Karl Metzner

REQUEST: Zone of Climax Mill Enclave Annexation to PC and PZ.

LOCATION: South of Kimball Ave between 9th and 15th Streets.

APPLICANT: City of Grand Junction

EXISTING LAND USE: Vacant

PROPOSED LAND USE: Light Commercial and Recreational

SURROUNDING LAND USE:

NORTH: Vacant/Industrial
EAST: State Tailings Repository
SOUTH: Colorado River
WEST: Residential/Commercial/Industrial

EXISTING ZONING: County Industrial

PROPOSED ZONING: City PC and PZ

SURROUNDING ZONING:

NORTH: I-2
EAST: PZ
SOUTH: none
WEST: I-2

RELATIONSHIP TO COMPREHENSIVE PLAN/POLICIES/GUIDELINES: No adopted plans exist for this area. The area is in the South Downtown study area and the proposed zoning is compatible with the preliminary recommendations of that study.

STAFF ANALYSIS: The Climax Mill Enclave Annexation consists of a privately owned parcel along Kimball Ave. and State owned land south of that parcel extending into the Colorado River. The State property is designated as a future State Recreation Area. The privately owned parcel is proposed for PC (Planned Commercial) zoning. The uses permitted in the PC zone would be those designated as allowed, special, or conditional in the C-1 zone. It is anticipated that uses will develop that are related to the State Recreation Area. All of the State owned property is proposed for PZ.

STAFF RECOMMENDATION: Recommend approval of the requested zone of annexation.

Larry Timm

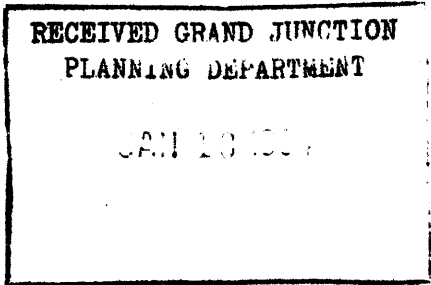


City of Grand Junction, Colorado

81501-2668

250 North Fifth Street

January 18, 1993



Board of County Commissioners
County Administration Building
750 Main Street
Grand Junction, Colorado 81501

Dear County Commissioners:

Attached is a copy of Resolution No. 2-94 adopted by the City Council on January 5, 1994. The Resolution pertains to the annexation of land to the City of Grand Junction, generally described as and commonly known as the Climax Mill Site Enclave Annexation.

By this resolution the City of Grand Junction is stating its intent to annex, and therefore, the City has now assumed jurisdiction of all land use proceedings within the area to be annexed. Accordingly, the processing of all development reviews, including but not necessarily limited to, planning clearances for building permits, fence permits, sign permits, subdivisions, planned developments, rezonings, conditional use permits, right-of-way vacations, and similar applications or proceedings, by the County, for lands within this annexation should be discontinued. Applicants, their agents or representatives, should be referred to the City Community Development Department. Please transmit forthwith all documents, maps, plans, plats and files relating to current or pending applications, reviews or approvals in the annexation area.

If you have questions or need additional information, please contact Mr. Larry Timm, Director of the Community Development Department at 244-1430. Thank you.

Sincerely,

Stephanie Nye
Stephanie Nye, CMC
City Clerk

SN:tm

cc: County Building Inspection Division
County Planning Division
City Department of Community Development ✓

ENGINEERS
AND
CONSTRUCTORS



MK-FERGUSON COMPANY
A MORRISON KNUDSEN COMPANY

HEADQUARTERS OFFICE
1500 WEST 3RD STREET
CLEVELAND, OHIO U.S.A. 44113-1408
PHONE: (216) 523-8600/TELEX: 980342

REPLY TO: MK-FERGUSON COMPANY
REMEDIAL ACTIONS
CONTRACTOR-UMTRA PROJECT
P.O. BOX 8138
ALBUQUERQUE, NEW MEXICO U.S.A. 87119

January 21, 1994

Mr. Mike Joyce
Mesa County Planning Department
P.O. Box 20,000
Grand Junction, CO 81502-5022

**SUBJECT: PROPOSED ANNEXATION OF THE CLIMAX MILL SITE
CONDITIONAL USE PERMIT RESOLUTION #MCM88-30 AS
AMENDED**

Dear Mr. Joyce:

MK-Ferguson Company has recently learned that Mesa County and the City of Grand Junction are discussing the possible annexation of the former Climax uranium mill tailings site to the City of Grand Junction. While MK-Ferguson Company is pleased to report that nearly all of the residual radioactive material (except for a very small amount under one temporary building) has been removed from the Climax Mill site in accordance with the Uranium Mill Tailings Remedial Action (UMTRA) Program, we will continue to be actively grading, adding topsoil and seeding the Climax Mill site during 1994.

Site restoration requirements were included in the original Condition Use Permit, Resolution #MCM88-30, passed by Mesa County in 1988. These requirements were subsequently refined and modified, according to the permit terms, through consultation between the U.S. Department of Energy, the State of Colorado Department of Health, the Mesa County/Grand Junction Riverfront Commission, the Downtown Development Authority, the Mesa County Planning Commission, the Mesa County Citizen's Advisory Group, U.S. Army Corps of Engineers and the State of Colorado Parks and Recreation Division over the past five (5) years. Through the course of numerous meetings, correspondence and consultation with outside agencies, representatives of these groups and the Mesa County Commissioners were able to reach consensus for the final contour, grading, topsoil, and seed requirements for the property. The restoration requirements were then incorporated into the contract specifications to be completed during 1994.

MK-FERGUSON COMPANY
A NORTHWOOD HOLDINGS COMPANY

Mr. Mike Joyce
Page 2
January 21, 1994

MK-Ferguson Company believes that it is the best interest of all parties involved in the development of the final restoration efforts for the Climax Mill site to postpone the annexation efforts for a period of one year to allow the restoration to be completed under the terms of the existing Conditional Use Permit, as amended. MK-Ferguson Company does not believe that any effort will be made to transfer ownership of the Climax Mill site from the State of Colorado Department of Health to another public entity until the restoration activities required by the contract documents are completed.

Sincerely yours,

MK-FERGUSON COMPANY



R. E. Lawrence
Project Director *for*

REL/PMS/edt/0985D

STAFF REVIEW

FILE #139-93

DATE: February 16, 1994

STAFF: Karl Metzner

REQUEST: Zone of Climax Mill Enclave Annexation to PC and PZ.

LOCATION: South of Kimball Ave between 9th and 15th Streets.

APPLICANT: City of Grand Junction

EXISTING LAND USE: Vacant

PROPOSED LAND USE: Light Commercial and Recreational

SURROUNDING LAND USE:

NORTH: Vacant/Industrial
EAST: State Tailings Repository
SOUTH: Colorado River
WEST: Residential/Commercial/Industrial

EXISTING ZONING: County Industrial

PROPOSED ZONING: City PC and PZ

SURROUNDING ZONING:

NORTH: I-2
EAST: PZ
SOUTH: none
WEST: I-2

RELATIONSHIP TO COMPREHENSIVE PLAN/POLICIES/GUIDELINES: No adopted plans exist for this area. The area is in the South Downtown study area and the proposed zoning is compatible with the preliminary recommendations of that study.

STAFF ANALYSIS: The Climax Mill Enclave Annexation consists of a privately owned parcel along Kimball Ave. and State owned land south of that parcel extending into the Colorado River. The State property is designated as a future State Recreation Area. The privately owned parcel is proposed for PC (Planned Commercial) zoning. The uses permitted in the PC zone would be those designated as allowed, special, or conditional in the C-1 zone. It is anticipated that uses will develop that are related to the State Recreation Area. All of the State owned property is proposed for PZ.

STAFF RECOMMENDATION: Recommend approval of the requested zone of annexation.

Comm New

STATE OF COLORADO

COLORADO DEPARTMENT OF HEALTH

Dedicated to protecting and improving the health and environment of the people of Colorado

Grand Junction Regional Office
222 S. 6th Street, Rm. 232
Grand Junction, CO 81501-2768
FAX: (303) 248-7198

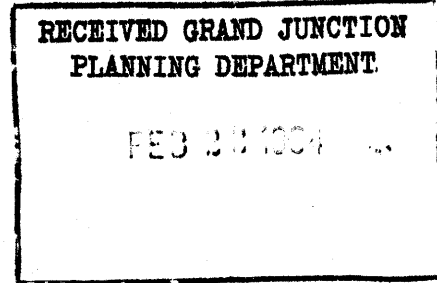
*COMPAN J Shanks,
LT, DV
State 2/18/94
2/18/94
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Roy Romer
Governor
Patricia A. Nolan, MD, MPH
Executive Director

February 17, 1994

Mr. Mark Achen
Grand Junction City Manager
250 North 5th Street
Grand Junction, CO. 81501



Re: Climax Mill Site Annexation

Dear Mr. Achen:

Recently the Colorado Department of Health (CDH) has been involved in several conversations with Mesa County and the City of Grand Junction regarding the City's plans to annex the Climax Mill Site. While CDH recognizes the authority of the City to annex this property, we would like to suggest that the City delay this action for approximately one year.

The Department of Energy's contractor, MK-F, will require one more field season to complete remedial action at the mill site. Removal of remaining tailings is scheduled to be completed in April. This will be followed by final grading, amendment of topsoil, and reseedling. As we have experienced in the past, changes in management or working environment create delays for the UMTRA project. It may be argued that these delays are unnecessary, but they occur nonetheless. We would like to see the mill site work completed on schedule, and feel that changing now would not facilitate this.

In addition, the UMTRA Project is currently trying to amend the Conditional Use Permit (CUP) to allow transport of treated commingled waste to the Cheney disposal cell. We have been working with DOE for three years to get to this point. We have now been told by the County that they cannot process any amendments due to the City's annexation proposal. As you know, several city owned properties contain commingled waste. Since we need to proceed immediately with the amendment in order to maintain our schedule, the current annexation procedure will delay remediation of these properties, leaving the city with liability for this hazardous waste in the interim.

Recent conversations have indicated that the timing of this action is related to the City's need and desire to have input into

Mr. Mark Achen
February 17, 1994
Page 2

discussions regarding "post-UMTRA". The City wishes to both expedite the discussions, and to be a partner in constructing the post UMTRA management plan. CDH shares your frustration at the slow pace of these discussions; however we point out that two years ago post-UMTRA was not even a consideration for DOE. CDH had planned to expedite these discussions ourselves this spring, by holding a value engineering session with interested stakeholders. We encourage you to have someone on the City staff who wishes to participate in these discussions contact us immediately. In addition, I have spoken with DOE headquarters and the DOE UMTRA Project Office, and have been told that post-UMTRA was being elevated on DOE's list of priorities. Their intention is to have a draft post-UMTRA management plan in approximately three months. We will be contacting DOE to join our effort, so that a coordinated plan can be formulated. We have communicated to DOE that any post-UMTRA plan must stress meeting daily needs of the community, and it is our intention to come up with a plan that accomplishes this goal.

Lastly, we do not believe that annexing the site enhances the City's ability to participate in the process, or to complain to DOE regarding post-UMTRA. We have recently seen in the case of Naturita that letters to DOE headquarters are very effective in getting the attention of the Project. In addition, the City is able to participate in CUP hearings regarding any amendments or renewals.

In summary, we feel that the concerns of the City can be addressed without annexing the Climax mill site at this time. Further, annexation of the site causes delays and added costs for both the mill site remediation, and cleanup of vicinity properties containing commingled waste. We request that the City reconsider their current plans to annex the site, and reschedule this annexation procedure in the future.

Sincerely,

J. G. Dean
J.G. Dean

Jeffrey Deckler
UMTRA Program Manager
Hazardous Materials and
Waste Management Division

cc: Mike Joyce/ County Planning
Joe Virgona/ DOE, Grand Junction
file

CLIMAX MILL ENCLAVE ANNEX:

A tract of land situated in Lot 3 and the East $\frac{1}{2}$ of the SE $\frac{1}{4}$ and the South $\frac{1}{4}$ of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, and in Lot 4 and the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 24, all in Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Northeast Corner of the S $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, said point being N 00°16'54" W a distance of 330.32 feet from the E $\frac{1}{4}$ Corner of said Section 23;
thence N 89°56'27" E a distance of 664.48 feet to the Northeast Corner of the S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24;
thence S 00°20'07" E a distance of 330.25 feet;
thence N 89°56'05" E a distance of 664.79 feet to the Southeast Corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 24;
thence S 00°23'20" E along the East Line of Lot 4 and the East Line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 24 a distance of 1036.77 feet to a point on the Southerly Line of the Colorado River;
thence Southerly and Westerly along the Southerly Line of the Colorado River a distance of 2755.0 feet, more or less, to a point on the West Line of the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 23;
thence N 00°12'33" E along the West Line of the E $\frac{1}{2}$ SE $\frac{1}{4}$ of said Section 23 a distance of 949.38 feet to a point which is the intersection of the North Bank of the Colorado River and the West Line of Lot 3 of said Section 23;
thence N 00°03'29" W along the West Line of said Lot 3 a distance of 782.85 feet to the Southwest Corner of the S $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23;
thence N 00°03'29" E a distance of 330.29 feet to the Northwest Corner of the S $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 23;
thence S 89°14'53" E along the North Line of said S $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 14.39 feet;
thence S 00°54'42" W a distance of 43.20 feet;
thence S 89°14'53" E a distance of 132.50 feet;
thence N 00°45'15" E a distance of 29.70 feet;
thence S 89°14'53" E a distance of 1171.66 feet to a point on the East Line of the S $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 23;
thence N 00°16'54" W along the East Line of said S $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 13.50 feet to the Point of Beginning.

Dave Thor

Description of County
C.U.P for UMTRA

TYPE LEGAL DESCRIPTION(S) BELOW, USING ADDITIONAL SHEETS AS NECESSARY.
USE SINGLE SPACING WITH A ONE INCH MARGIN ON EACH SIDE.

FOR DEPARTMENT USE ONLY:

LEGAL DESC. CHECKED AGAINST DEED _____ OK _____ RETURNED FOR CORRECTION.

Legal description of Process Site.

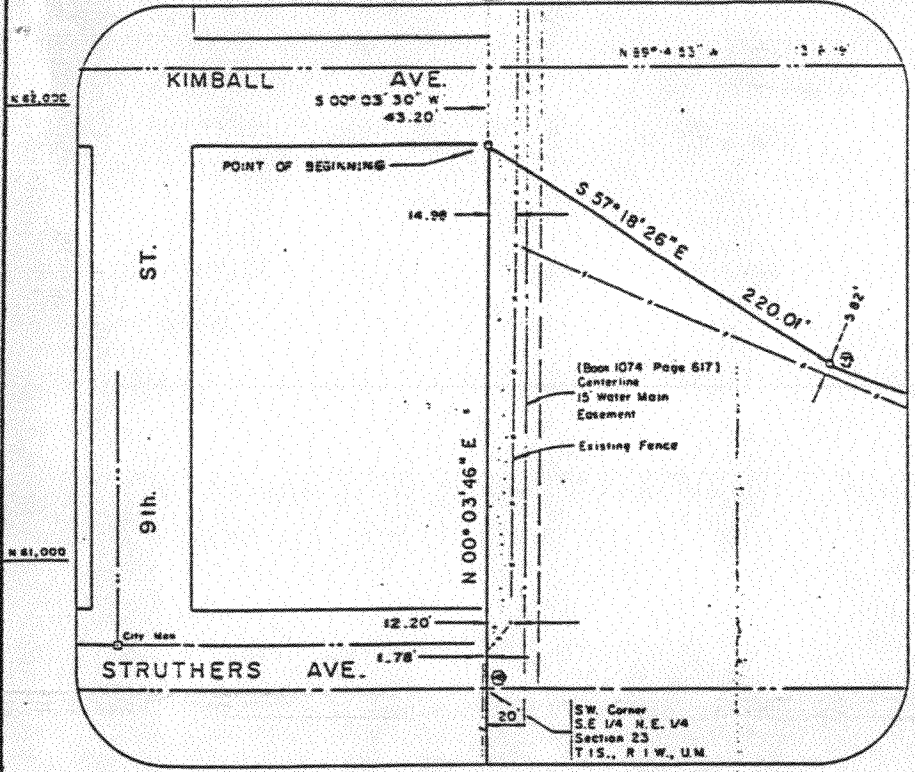
Point of Beginning: (POB) bears 13.82'S and 0.16'E of the SW corner Winters Avenue Industrial Park, found PK Nail, State plan coordinates N60,198.98 and E32,574.84, then N00° 03' 30"E, 43.20'; then S89° 14' 53"E, 1318.19'; then N89° 56' 27"E, 664.39'; then N89° 56' 27"E, 72.40' P.C. (property corner) then N00° 11' 11"W, 67.50' P.C.; then N89° 36' 26"E, 252.36' P.C.; then S00° 23' 34"E, 144.00'; then N89° 42' 38"E, 411.62'; then N00° 22' 48"W, 1064.19' P.C.; then N89° 56' 16"E, 799.91'; then S00° 06' 46"W, 494.90'; then S89° 55' 33"W, 652.10'; then S00° 08' 01"E, 521.56'; then S75° 52' 39"W, 681.87'; then S74° 13' 00"W, 262.06'; then N83° 57' 00"W, 192.50'; then S80° 23' 00"W, 521.30'; then N78° 24' 00"W, 662.60'; then S87° 31' 00"W, 404.40'; then S73° 37' 00"W, 187.60'; then S89° 21' 00"W, 463.96'; then N00° 03' 46"E, 1069.94' to P.O.B.

The above legal description of the site is illustrated in Figure D-1, a horizontal & vertical control sheet prepared by Jacobs Engineering.

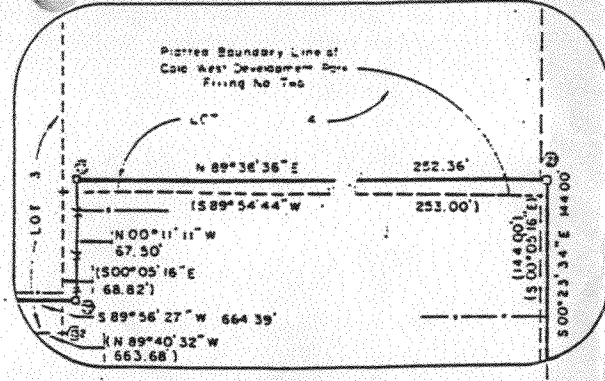
Legal description of Withdrawal Area at Disposal Site:

The East 1/2 of the South East 1/4 of the South West 1/4 and South West 1/4 of the South East 1/4 and South East 1/4 of the South East 1/4 of Section 11. And the West 1/2 of the South West 1/4 of the South West 1/4 of Section 12. And the West 1/2 of the North West 1/4 of the North West 1/4 of Section 13. And the East 1/2 of the North East 1/4 of the North West 1/4 and North West 1/4 of the North East 1/4 and North East 1/4 of the North East 1/4 and East 1/2 of the South East 1/4 of the North West 1/4 and South West 1/4 of the North East 1/4 and South East 1/4 of the North East 1/4 of Section 14, Township 3 South, Range 2 East, Ute Prime Meridian.

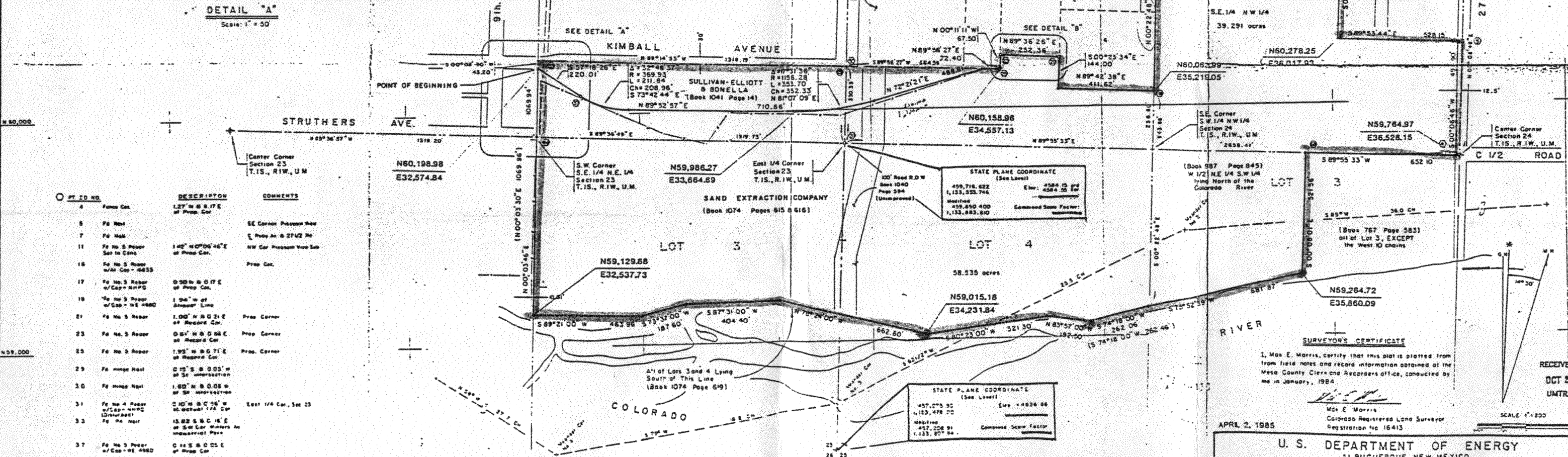
The above legal description of the Disposal Site is illustrated in Figure D-2.



DETAIL "A"
Scale: 1" = 50'



DETAIL "B"
Scale: 1" = 5'



PT. ID NO.	DESCRIPTION	COMMENTS
4	Fence Cor.	
5	Fd Nail	SE Corner Parcel 100
7	Fd Nail	SE Corner Parcel 100
11	Fd No 5 Rebar Set in Conc.	1.42' N 0°06'46"E at Prop. Cor.
16	Fd No 5 Rebar w/Al Cap - #635	Prop. Cor.
17	Fd No 5 Rebar w/Al Cap - #635	0.90' N 0°17'E at Prop. Cor.
18	Fd No 5 Rebar w/Al Cap - #635	1.94' N 0°17'E at Prop. Cor.
21	Fd No 5 Rebar	1.00' N 0°21'E at Record Cor.
23	Fd No 5 Rebar	0.61' N 0°26'E at Record Cor.
25	Fd No 5 Rebar	1.95' N 0°17'E at Record Cor.
29	Fd Hinge Nail	2.75' N 0°03'W at SE Corner
30	Fd Hinge Nail	1.80' N 0°08'W at SE Corner
31	Fd No 4 Rebar w/Al Cap - #635	2.10' N 0°03'W at SE Corner
33	Fd No 4 Rebar	15.82' S 0°16'E at SW Corner
37	Fd No 5 Rebar w/Al Cap - #635	0.75' S 0°05'E at Prop. Cor.
46	Fd No 5 Rebar of Blue Cap	0.54' E of Prop. Line
68	Fence Cor.	2.30' S 0°10'W at Prop. Cor.
132		1.95' S 0°17'W at Record Cor.

- NOTES**
- () indicates Reported Bearing and Distance.
 - Elevations Based On 4574 MASCOS Bench Mark.
 - Prop. Control Based On Four Monuments and Colorado State Plane Coords (See Level) At NW Cor., Section 24.
 - A Title Policy was not available for this survey, therefore, there may be right-of-ways or easements that affect this plot other than those noted herein.

- LEGEND**
- Indicates Mesa County Brass Cap
 - Indicates Fe-20 Monuments
 - Indicates Property Owner
 - Indicates Property Line
 - Indicates Fence Line
 - Indicates Aligned Section Line

- NOTES:**
- ALL BEARINGS SHOWN ARE TRUE NORTH BEARINGS.
 - ALL COORDINATES SHOWN ARE MODIFIED STATE PLANE COORDINATES.

SURVEYOR'S CERTIFICATE

I, Max E. Morris, certify that this plot is plotted from field notes and record information obtained at the Mesa County Clerk and Recorder's office, conducted by me in January, 1984.

Max E. Morris
Colorado Registered Land Surveyor
Registration No. 16413

APRIL 2, 1985

U. S. DEPARTMENT OF ENERGY
ALBUQUERQUE, NEW MEXICO

GRAND JUNCTION, COLORADO
HORIZONTAL AND VERTICAL
CONTROL SHEET

JACOBS ENGINEERING GROUP INC.
JACOBS - WESTON TEAM
ALBUQUERQUE, NEW MEXICO

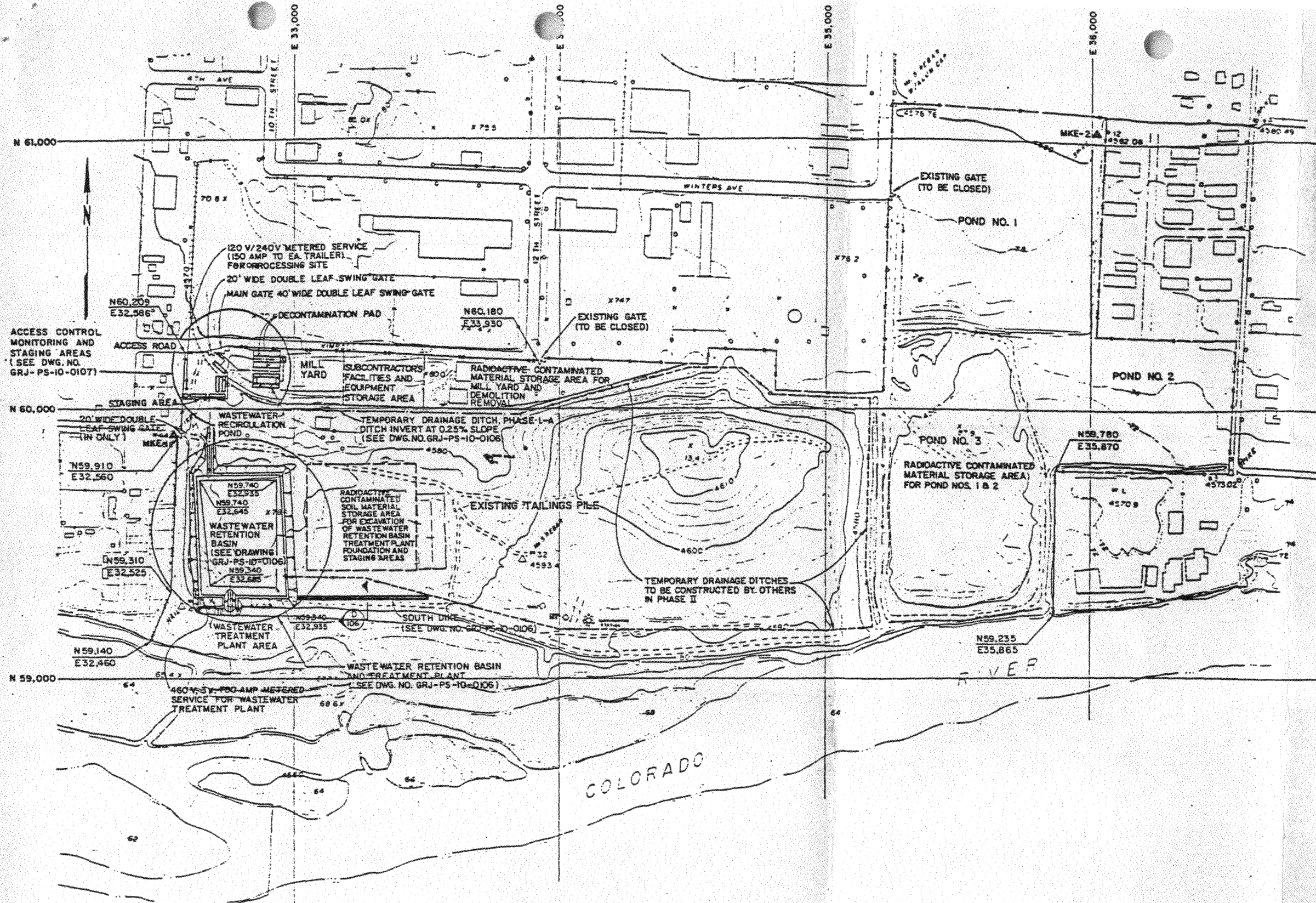
PROJECT NO. _____
DRAWING NO. _____

FIGURE D - 1

NOTICE ACCORDING TO COLORADO LAW:
COMMENTARY AND EXPLANATION OF THIS SURVEY WITHIN SIX YEARS AFTER THE DATE OF THE CERTIFICATE OF RECORDATION. IN THIS SURVEY, IF COMMENTARY IS NOT FILED WITHIN THE CERTIFICATE OF RECORDATION, THE SURVEY IS DEEMED TO BE CORRECT AS SHOWN ON THE PLAT.

RECEIVED - MKE
OCT 23 1985
UMTRA - SE

SCALE: 1" = 200'

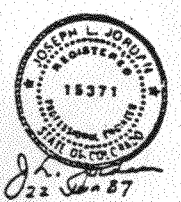


- NOTES:**
1. THE SUBCONTRACTOR SHALL ESTABLISH THE DRAINAGE PATTERN WITHIN ALL WORK AREAS. ALL RUNOFF FROM DISTURBED CONTAMINATED AREAS OF THE SITE SHALL BE DIRECTED TO THE TEMPORARY DRAINAGE DITCHES AND INTO THE WASTEWATER RETENTION BASIN.
 2. THE SUBCONTRACTOR SHALL PROVIDE AND MAINTAIN VEHICLE CROSSINGS OF THE TEMPORARY DRAINAGE DITCHES DURING CONSTRUCTION.
 3. THE SUBCONTRACTOR SHALL BE RESPONSIBLE FOR HANDLING CONTAMINATED WATER. ALL CONTAMINATED WASHWATER AND PONDED WATER WITHIN THE WORK AREAS DURING CONSTRUCTION.
 4. WASTEWATER TREATMENT PLANT PACKAGE WILL BE PROVIDED BY OTHERS.

- REFERENCE DRAWINGS:**
- GRJ-6E-10-0103 FENCE AND GATE DETAILS
 - GRJ-PS-10-0104 SITE PLAN AND DEMOLITION
 - GRJ-PS-10-0106 WASTEWATER RETENTION BASIN AND TEMPORARY DITCHES
 - GRJ-PS-10-0107 ACCESS CONTROL & STAGING AREAS
 - GRJ-PS-10-0108 CONTAMINATED MATERIAL EXCAVATION PLAN (OFF-PILE AREA)
 - GRJ-PS-10-0109 EXISTING UTILITIES AND RELOCATION PLAN
 - GRJ-PS-10-0110 BORINGS AND TEST PITS LOCATION PLAN

PROPRIETARY
 SEE "NOTICE OF LIMITED DISTRIBUTION"
 ON CONSTRUCTION DRAWING INDEX SHEET.

- LEGEND:**
- EXISTING SITE FEATURES & CONTOURS
 - CONSTRUCTION GRID COORDINATE
 - EXISTING FENCE AND GATE
 - NEW CHAIN LINK FENCE AND GATE
 - TEMPORARY DRAINAGE DITCH (SEE NOTES)
 - PERMANENT SURVEY MONUMENT



NO.	DATE	BY	REVISIONS
1	6-18-87		ISSUED FOR CONSTRUCTION

U. S. DEPARTMENT OF ENERGY
 ALBUQUERQUE, NEW MEXICO

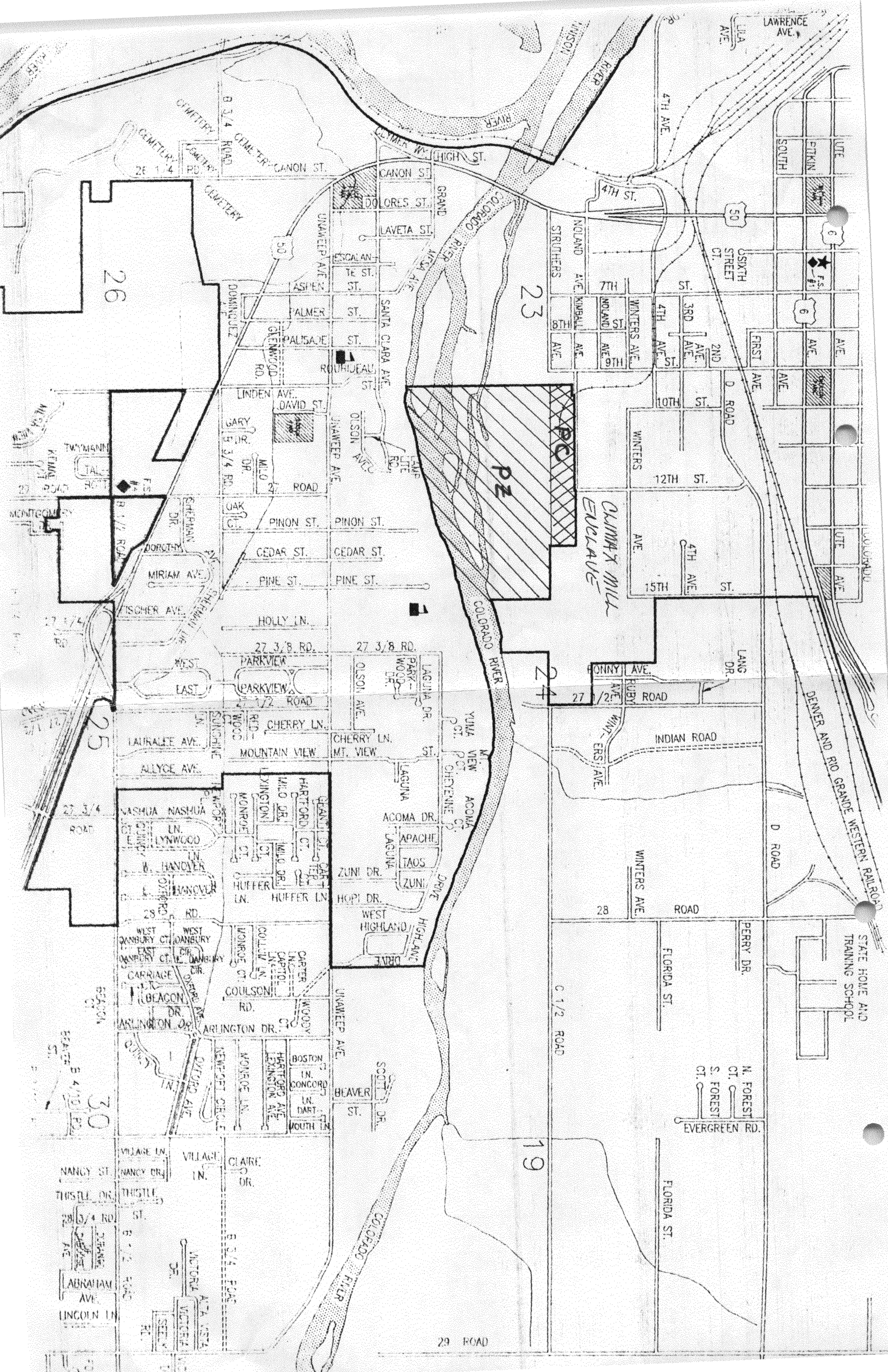
GRAND JUNCTION PROCESSING SITE
 GRAND JUNCTION, COLORADO
 PHASE I-A CONSTRUCTION

CONSTRUCTION FACILITIES
AND SITE DRAINAGE

DESIGNED: [Signature]	DRAWN: [Signature]	DATE: 6/18/87	DATE: 6/18/87
CHECKED: [Signature]	INSPECTED: [Signature]	DATE: 6/18/87	DATE: 6/18/87
APPROVED: [Signature]	DATE: 6/18/87	DATE: 6/18/87	DATE: 6/18/87

MORRISON-KNUDSEN ENGINEERS, INC.
 1000 MARSHALL ST. SAN FRANCISCO, CA 94102

PROJECT NO. **DE-AC04-83AL18796**
 DRAWING NO. **GRJ-PS-10-0105**



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TRAINING SCHOOL

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E. HANOVER LN
WEST DANBURY CT
EAST DANBURY CT
CARRIAGE DR
BEACON DR
ARLINGTON DR
NEWPORT CIRCLE
VILLAGE LN
NANCY DR
THISTLE ST
VICTORIA AVE
ABRAHAM AVE
LINCOLN LN

UNAWEEP AVE
SANTA CLARA AVE
OLSON AVE
UNAWEEP AVE
PINON ST
CEDAR ST
PINE ST
HOLLY LN
27 3/8 RD
PARKVIEW
PARKVIEW
CHERRY LN
MOUNTAIN VIEW
LAUREL AVE
ALLYCE AVE
WASHUA LN
LYNWOOD LN
W. HANOVER LN
E. HANOVER LN
WEST DANBURY CT
EAST DANBURY CT
CARRIAGE DR
BEACON DR
ARLINGTON DR
NEWPORT CIRCLE
VILLAGE LN
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