

General Project Report

March 7, 1994

Rocky Mountain Health Maintenance Organization is requesting a revocable permit to obtain Right of Way under a section of city street located in the 2700 block of Crossroad Blvd. located within the city limits of Grand Junction Colorado.

This Right of Way will permit the connectivity by fiber optic cable and copper wire of our property at 2784 Crossroad Blvd. and 2775 Crossroads Blvd. for the purpose of data and voice communications.

Easements have been granted by the owners of property adjacent to the Rocky Mountain HMO property to allow crossing their property of these lines.

The granting of this Revocable Permit will greatly assist in Rocky Mountain HMO's state wide expansion efforts and provide the room for growing local operations.

#53 94

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From Office

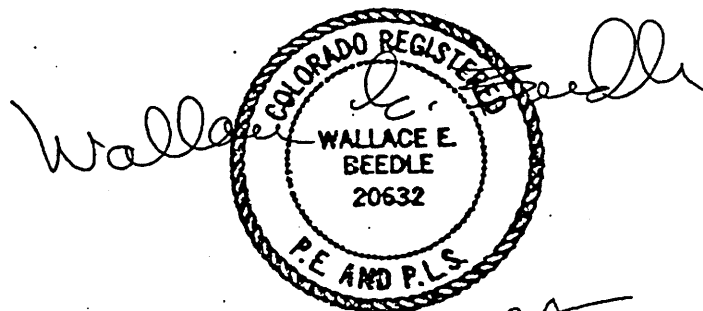
DESCRIPTION OF THAT PORTION OF THE HMO FIBER-OPTICS
EASEMENT IN THE CROSSROADS BOULEVARD RIGHT-OF-WAY

The easement is a strip 10.00 feet in width measured perpendicularly to the centerline of the easement, being 5.00 feet on each side of the centerline and is located in that portion of Crossroads Boulevard between Lot 6, Block 2, and Lot 9, Block 1, Replat of Crossroads Colorado West in the SW 1/4 of the NE 1/4 of Section 36 as shown by the plat thereof recorded in Book 12 at Page 92 and between Lot 4, Block 2, Replat of Lots 1 Thru 5, Block 2, Crossroads Colorado West as shown by the plat thereof recorded in Book 11 at Page 351 and Lot 8, Block 1, Crossroads Colorado West as shown by the plat thereof recorded in Book 11 at Page 149 (all book and page references refer to the records of the Mesa County Clerk and Recorder) and is more particularly described as follows:

Beginning at the northwesterly corner of the easement which is a point identical with the corner on the northerly right-of-way line of Crossroads Boulevard, common to Lot 9 and Lot 8 of the respective aforesaid subdivisions;

1. Thence easterly 10.01 feet along the arc of a circular curve to the right having a central angle of 02 02' 57", a radius of 280.00 feet, and a chord bearing N 87 13' 09" E, 10.01 feet;
2. Thence S 00 09' 02" W, 2.44 feet;
3. Thence S 21 56' 25" W, 64.55 feet;
4. Thence westerly 11.80 feet along the arc of a circular curve to the left having a central angle of 03 04' 20", a radius of 220.00 feet, and a chord bearing S 79 54' 51" W, 11.80 feet;
5. Thence N 21 56' 25" E, 68.88 feet to the Point of Beginning.

The easement as described above contains 0.015 acres (679.0 square feet) more or less.



March 16, 1994

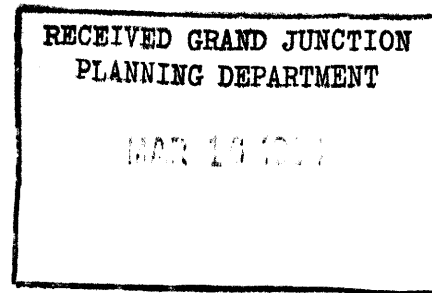


Public Service®

Public Service
Company of Colorado

March 15, 1994

Kristen Ashbeck
Community Planning Dept.
City of Grand Junction
250 N 5th Street
Grand Junction, CO 81501



Dear Kristen,

We received a letter from Bruce Schwenke of Rocky Mountain HMO regarding the proposed street crossing between their buildings on Crossroads Boulevard.

Public Service Co. has a switch cabinet at the southwest corner of 2776 Crossroads and request that their crossing not go under the cabinet. Otherwise, we have no objection to their proposed street crossing.

Please phone me at 244-2693 if I can be of further assistance.

Sincerely,

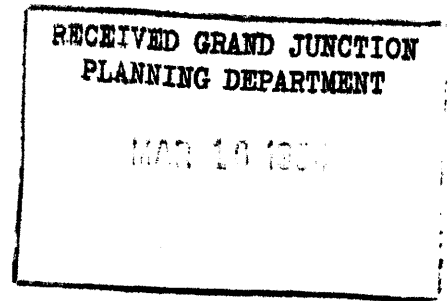
Harold Ball

Harold Ball
Associate Engineer

xc: Bruce Schwenke



ROCKY MOUNTAIN HMO



March 15, 1994

Kristen Ashbeck
Community Development Department
City of Grand Junction
250 North 5th
Grand Junction, Co. 81501

Dear Kris,

I have written a letter to US West, Public Service and TCI cable concerning crossing their easements. I have given them the option to respond to you or me. I felt that they might be more honest if they contacted you directly.

So far, Public Service has responded by FAX with the original going to you.

Also, I checked with our attorney concerning Special Use Revocable permits not having to go to the City Council. Evidently he found that section in the Grand Junction Zoning Ordinances.

Hope you are feeling better and I will talk to you soon.

Sincerely,


Bruce Schwenke
Office Services Supervisor

March 15, 1994

Bruce Schwenke
Rocky Mountain HMO
2775 Crossroads Blvd.
Grand Junction, CO 81506-8758

Dear Mr. Schwenke:

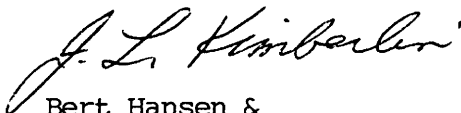
We received your letter dated March 11, 1994.

Per our on-site review, we see no problem with your project. The bore under the roadway between 2775 and 2776 Crossroads Boulevard need only be preceded by a 48 hour notification to locate our underground facilities.

We will forward a copy of this letter to Kristen Ashbeck at the Community Planning Department of the City of Grand Jct.

We appreciate your concern and if you should have any other questions, please feel free to call our office at 244-4520 or 244-4340.

Very Truly Yours,



Bert Hansen &
J.L. Kimberlin
Right of Way Management
US West Communications

JLK/cb

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Public Service
Company of Colorado

March 15, 1994

Kristen Ashbeck
Community Planning Dept.
City of Grand Junction
250 N 5th Street
Grand Junction, CO 81501

| | | |
|--|------------------|----------------|
| Post-It™ brand fax transmittal memo 7671 | | # of pages ▶ 1 |
| To Bruce Schwenke | From Harold Ball | |
| Co. Rky mtn HMO | Co. PSCO | |
| Dept. | Phone # 244-2693 | |
| Fax # 244-7880 | Fax # 244-2661 | |

Dear Kristen,

We received a letter from Bruce Schwenke of Rocky Mountain HMO regarding the proposed street crossing between their buildings on Crossroads Boulevard.

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Please phone me at 244-2693 if I can be of further assistance.

Sincerely,

Harold Ball

Harold Ball
Associate Engineer

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xc: Bruce Schwenke

RECEIVED GRAND JUNCTION
PLANNING DEPARTMENT

MAR 15 1994

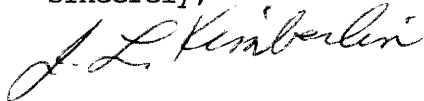
March 15, 1994

Kristen Ashbeck
Community Planning Dept.
City of Grand Junction
250 N. 5th
Grand Junction, CO 81501

Dear Kristen:

Please find enclosed a copy of the letter we sent to Mr. Schwenke in response to his inquiry of March 11, 1994 to bore under the roadway between 2775 and 2776 Crossroads Boulevard.

Sincerely,



J.L. Kimberlin
Right of Way Manager
US West Communications

JLK/cb



TCI Cablevision of Western Colorado, Inc.

March 16, 1994

Ref. No.:TCICON.014

Bruce Schwenke
Rocky Mountain HMO
P.O. Box 60129
Grand Junction,CO 81506

Dear Mr. Schwenke:

We are in receipt of your letter dated March 11, 1994 regarding permission to bore under the roadway between 2775 and 2776 Crossroads Boulevard.

Thank you for seeking our permission to bore at this location.

TCI Cablevision has no problem with your doing the requested bore so long as locates are called in 48 hours in advance of actual boring of roadway as required to allow locators time to properly mark all existing lines, and that you assume full responsibility for any cost of repairs should you accidently damage one of our cable TV lines which run through easement at this location.

Should you have need for further information or clarification please feel free to contact me at any time at 245-8777.

Sincerely,

Glen Vancil,
TCI Cablevision Construction Dept.

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March 17, 1994

To Whom it May Concern:

Utility right of way has been requested from Alpha Real Estate Company, A Michigan General Partnership, who holds legal title to 2776 Crossroads Blvd. The utility easement would run across the aforementioned property. Verbal approval has been given, written approval is pending.

All utilities holding easements within the construction area have also been contacted. Responses have been received and have been positive. Copies of responses are included.

Sincerely,



Bruce Schwenke

#53 94

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Abutting Property Owners - Revokable Permit 2700 Blk Crossroads Blvd
March 11, 1994

2776 Crossroads Blvd.

Alpha Realty
Pat Kinney, General Partner
P.O. Box 23
St. Joseph, Michigan 49085
(616) 983-0103

2775 Crossroads Blvd.

Rocky Mountain Health Maintenance Organization
Robert Denning, President
P.O. Box 60129
Grand Junction, Colorado 81506

#53 94

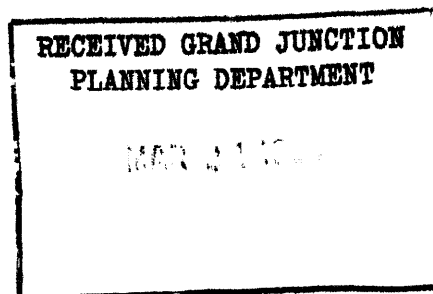
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ROCKY MOUNTAIN HMO

March 21, 1994

Kris Ashbeck
Community Development Department
250 N. 5th
Grand Junction, Co. 81501



Dear Mrs. Ashbeck,

It was just noticed today that the copy of the deed for our property did not show it being recorded. I am sending you with this letter a copy of our deed that shows the recording information.

Please forward it to the department heads as necessary.

Sincerely,


Bruce Schwenke
Office Services Supervisor

REVIEW COMMENTS

Page 1 of 1

FILE #53-94

TITLE HEADING: Revocable Permit

LOCATION: 2775/2776 Crossroads Boulevard

PETITIONER: Rocky Mountain HMO

PETITIONER'S ADDRESS/TELEPHONE: P.O. Box 60129
Grand Junction, CO 81502
244-7760

PETITIONER'S REPRESENTATIVE: Bruce Schwenke

STAFF REPRESENTATIVE: Kristen Ashbeck

NOTE: WRITTEN RESPONSE BY THE PETITIONER TO THE REVIEW COMMENTS IS REQUIRED ON OR BEFORE 5:00 P.M., APRIL 5, 1994.

GRAND JUNCTION FIRE DEPARTMENT
George Bennett

3/23/94
244-1400

No requirements at this time.

CITY ATTORNEY
Dan Wilson

3/22/94
244-1508

No comment.

CITY UTILITY ENGINEER
Bill Cheney

3/31/94
244-1590

WATER - Ute Water

SEWER - City/County - There are no objections as long as the bore does not interfere with the sanitary sewer line located in Crossroads Boulevard. Show on profile view relationship of proposed bore to sewer.

COMMUNITY DEVELOPMENT DEPARTMENT
Kristen Ashbeck

3/31/94
244-1437

No comment.

STAFF REVIEW

FILE: 53-94

DATE: March 31, 1994

STAFF: Kristen Ashbeck

REQUEST: Revocable Permit for Underground Fiber Optic Cable

LOCATION: 2775\2776 Crossroads Boulevard

APPLICANT: Rocky Mountain HMO

EXISTING LAND USE: Office

PROPOSED LAND USE: Same

SURROUNDING LAND USE:

NORTH: Office

SOUTH: Canal / Hotel

EAST: Office

WEST: Vacant

EXECUTIVE SUMMARY: Resolution authorizing the issuance of a Revocable Permit to allow placement of a fiber optic cable under the public right-of-way for Crossroads Boulevard adjacent to the properties located at 2775/2776 Crossroads Boulevard.

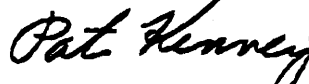
STAFF ANALYSIS: Rocky Mountain HMO is proposing to place a fiber optic cable between their two existing office buildings at 2775 Crossroads Boulevard and 2784 Crossroads Boulevard. Easements have been granted by the owners of property across the street and adjacent to the Rocky Mountain HMO properties. Other utilities within the existing easements and right-of-way will not be disturbed. The placement of the line under the right-of-way will be by boring rather than cutting as required by the City Engineer to minimize disruption of traffic on Crossroads Boulevard. A permit from the Public Works Department is required prior to commencement of the work.

City Charter gives Council authority to allow private use of public right-of-way, provided such use is substantiated by resolution. The Revocable Permit essentially gives the adjacent landowners a license to use the right-of-way. The City may revoke the permit and require the landowner to restore the right-of-way to its original condition by giving 30 days written notice.

STAFF RECOMMENDATION: Review and adopt proposed resolution

KINNEY, COOK & LINDENFELD, P.L.C.**ATTORNEYS AT LAW
LAW & TITLE BUILDING****811 SHIP STREET****P.O. BOX 24****SAINT JOSEPH, MICHIGAN 49085****PATRICK J. KINNEY
MICHAEL K. COOK
RICHARD B. LINDENFELD
MARK S. BOWMAN
WILLIAM M. ENGELN****OF COUNSEL
WILLIAM HOUSEAL****TELEPHONE:
(616) 983-0103****FACSIMILE:
(616) 983-2284****March 30, 1994****VIA FACSIMILE (303) 241-3760****Mr. David M. Scanga
HOSKIN, FARINA, ALDRICH & KAMPF
200 Grand Avenue, Suite 400
Post Office Box 40
Grand Junction, Colorado 81502****Re: Alpha Real Estate Co. - Grant of Easements
to RMHMO****Dear Dave:**

As counsel for Alpha Real Estate Co., this is to confirm that the terms of the Easement Agreement are satisfactory. My daughter, Kathleen K. Bowman, as the managing partner of Alpha Real Estate Co., will be signing the Easement. She is not, however, available for signature until tomorrow at which time I will have her sign and Federal Express it to you.

Yours very truly,**Patrick J. Kinney****PJK/ew**



**TO HEALTH & FITNESS
and
DOWNTOWN**

March 31, 1994

Kristen Ashbeck
City of Grand Junction
Community Development

Dear Kristen:

This letter is to confirm that Rocky Mountain HMO, Crossroads to Health & Fitness, and Reece Investment Corporation have come to equitable terms regarding the land easement. This land will be used for the installation of fiber optic cables.

If you have any further questions, please don't hesitate to call me.

Sincerely,

Dale R. Reece
Owner



ROCKY MOUNTAIN HMO

March 31, 1994

Kristen Ashbeck
Community Development
City of Grand Junction
250 N. 5th
Grand Junction, Co. 81502

Dear Kris,

Attached are the two letters that you were requesting concerning the revocable permit application. Please let me know if there are any concerns or other outstanding issues.

Sincerely,

Bruce Schwenke
Office Services Supervisor
244-7974



*Bill Cheney -
let me know if
okay or not*

Kris

April 4, 1994

Kristen Ashbeck
Community Development
City of Grand Junction
250 N. 5th
Grand Junction, Co. 81501

REF: File #53-94

Dear Mrs. Ashbeck,

Attached is a profile view of the proposed road bore in front of 2775 Crossroads Blvd. that Mr. Cheney requested. Please note that it is not drawn to scale.

The subcontractor, Telephone and Cable Company, has indicated that the bore will be at a depth of 30 inches unless the City of Grand Junction requires a different depth. The As-Builts that we obtained from the City indicate that the sewer lines have been installed at the depth of 8 feet.

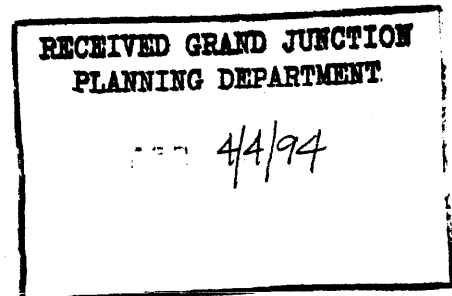
I have contacted Gary Matthews of Ute Water about the project. He stated that they would not have a problem with the bore as long as the lines had been located. Mr. Matthews indicated that their lines are at a depth of 48 inches and are 8 inches in diameter.

If necessary, Telephone and Cable Company will excavate the area around Ute Water's line and observe the actual crossing to insure there are no problems.

Sincerely,
Bruce Schwenke
Bruce Schwenke
Office Services Supervisor

This is O.K. Please put in file.

*Bill Cheney
4-4-94*



File # 53-94

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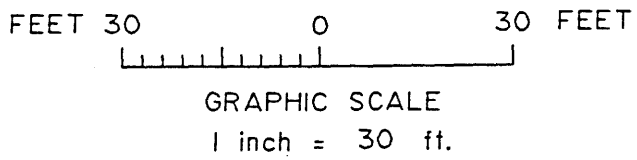
Surface 2775 CROSSROADS BLVD. Grand Junction, CO

Proposed Road Bore
○ 30" Below Surface

WATER LINE 48" Below Surface

SEWER LINE 8' Below Surface

NOT DRAWN TO SCALE



LOT 8

#53 94

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LOT 9

- Δ = 02° 02' 57"
- R = 280.00'
- L = 10.01'
- T = 5.01'
- C = 10.01'
- CB = N 87° 13' 09" E

10' UTILITY EASEMENT

ELEC.
TELE.

225.80' (M)

N 00° 09' 02" E (BASIS OF BEARING)

N 00° 09' 02" E

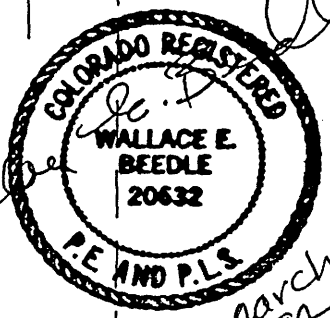
ASPHALT

- Δ = 03° 04' 20"
- R = 220.00'
- L = 11.80'
- T = 5.90'
- C = 11.80'
- CB = S 79° 54' 51" W

POINT OF BEGINNING

TELE.

10' UTILITY EASEMENT



March 16, 1994

LOT 6

LOT 4

100.00'
POWER EASEMENT

HMO CABLE EASEMENT ON CROSSROADS BOULEVARD

