



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

Receipt 1103
 Date 4-4-94
 Rec'd By MP
 File No. 62-94

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 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 type="checkbox"/> Zone of Annex					
<input type="checkbox"/> Text Amendment					
<input type="checkbox"/> Special Use					
<input checked="" type="checkbox"/> Vacation			487 28 1/4 Rd	C-1	<input type="checkbox"/> Right-of-Way <input checked="" type="checkbox"/> Easement

<input checked="" type="checkbox"/> PROPERTY OWNER	<input type="checkbox"/> DEVELOPER	<input checked="" type="checkbox"/> REPRESENTATIVE
<u>Hilltop Foundation</u>	<u>Same</u>	<u>Pat Edwards</u>
Name	Name	Name
<u>1100 Patterson Rd.</u>		<u>1401 N 1st</u> <u>0499 Highway 6450</u>
Address	Address	Address
<u>Grand Junction, Colo. 81506</u>		<u>Grand Jct, Colo. 81501</u>
City/State/Zip	City/State/Zip	City/State/Zip
<u>244-6006</u>		<u>243-0456</u> <u>241-4000</u>
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.

X Pat Edwards Signature of Person Completing Application
 Date 3/24/94

X Denise Stutz Signature of Property Owner(s) - Attach Additional Sheets if Necessary
 Date 3/24/94

#62-94

Kathy's Car Wash
2823 North Avenue
Grand Junction CO 81501-5105

2186 501 Manitoba LTD
c/o Earl I. Essers
175 Carleton St.
Winnipeg R3C-3H9 Canada F.C. 00062

R.M. 18 Corporation
c/o Autax Inc. (Furr's Cafeteria)
P.O. Box 2798
Littleton CO 80161-2798

Hilltop Foundation, Inc.
ATT: Thomas Piper
1100 Patterson Road
Grand Junction CO 81506

Sheldon J. Mandell
c/o K-Mart #7000 - Tax Department
700 South Orange
West Covina CA 91790-2613

Cecil D. Caster
3094 Pinyon Place
Grand Junction CO 81504

Tim McDonald
Richard Brennan
3050 Hall Avenue
Grand Junction CO 81504-5720

Pat Edwards
Remax 4000
1401 N 1st Street
Grand Junction, CO 81501

Home Appliance Service & Parts
493 28 1/4 Road
Grand Junction CO 81501-5164

City of Grand Junction
Community Development Dept.
250 N 5th Street
Grand Junction, CO 81501

Centennial Savings Bank
P.O. Box 1590
Durango CO 80302-1590

Kathy's Car Wash, Inc.
2823 North Avenue
Grand Junction CO 81501-5105

Pera
Attn: Real Estate
1300 Logan Street
Denver CO 80203-2309

Cahoos Partnership
490 28 1/4 Road
Grand Junction CO 81501-5182

Florence D. Wilcox
2700 G Road, 8C
Grand Junction CO 81506-1408

SUBMITTAL CHECKLIST

VACATION

Location: 487 28 1/4 Road

Project Name: _____

ITEMS	DISTRIBUTION																				
DESCRIPTION	SSID REFERENCE	<input type="checkbox"/> City Community Development	<input type="checkbox"/> City Dev. Eng.	<input type="checkbox"/> City Utility Eng.	<input type="checkbox"/> City Property Agent	<input type="checkbox"/> City Fire Department	<input type="checkbox"/> City Police Department	<input type="checkbox"/> City Attorney	<input type="checkbox"/> City Sanitation	<input type="checkbox"/> City G.J.P.C. (8 sets)	<input type="checkbox"/> City Downtown Dev. Auth.	<input type="checkbox"/> City Council	<input type="checkbox"/> County Planning	<input type="checkbox"/> Irrigation District - Grand Valley	<input type="checkbox"/> Drainage District - GJ	<input type="checkbox"/> Water District	<input type="checkbox"/> Sewer District - Fruitvale	<input type="checkbox"/> U.S. West	<input type="checkbox"/> Public Service	<input type="checkbox"/> GVRP	TOTAL REQ'D.
● Application Fee \$360	VII-1	1																			
● Submittal Checklist*	VII-3	1																			
● Review Agency Cover Sheet*	VII-3	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
● Application Form*	VII-1	1	1	1	1	1	1	1	1	8	1	1	1	1	1	1	1	1	1	1	1
● 11"x17" Reduction of Assessor's Map	VII-1	1	1	1	1	1	1	1	1	8	1	1	1	1	1	1	1	1	1	1	1
● Names and Addresses	VII- 2	1																			
● Legal Description - <i>of easements</i>	VII-2	1			1									1							
● General Project Report	X-7	1	1	1	1	1	1	1	1	8	1	1	1	1	1	1	1	1	1	1	1
● Vicinity Sketch	IX- 33	1	2	1	1	1	1	1	1	8	1	1	1	1	1	1	1	1	1	1	1

8/21

17 TOTAL REQ'D.

NOTES: 1) An asterisk in the item description column indicates that a form is supplied by the City.
 2) Required submittal items and distribution are indicated by filled in circles, some of which may be filled in during the pre-application conference. Additional items or copies may be subsequently requested in the review process.
 3) Each submitted item must be labeled, named, or otherwise identified as described above in the description column.

PRE-APPLICATION CONFERENCE

Date: 3/17/94
Conference Attendance: Pat Edwards, Kristen Ashbeck
Proposal: Easement Vacation
Location: 487 28 1/4 Road

Tax Parcel Number: 2943-182-08-003
Review Fee: \$360

(Fee is due at the time of submittal. Make check payable to the City of Grand Junction.)

Additional ROW required?
Adjacent road improvements required?
Area identified as a need in the Master Plan of Parks and Recreation?
Parks and Open Space fees required? Estimated Amount:
Recording fees required? Estimated Amount:
Half street improvement fees required? Estimated Amount:
Revocable Permit required?
State Highway Access Permit required?

Applicable Plans, Policies and Guidelines

Located in identified floodplain? FIRM panel #

Located in other geohazard area?

Located in established Airport Zone? Clear Zone, Critical Zone, Area of Influence?

Avigation Easement required?

While all factors in a development proposal require careful thought, preparation and design, the following "checked" items are brought to the petitioner's attention as needing special attention or consideration. Other items of special concern may be identified during the review process.

- Access/Parking, Drainage, Floodplain/Wetlands Mitigation, Other, Screening/Buffering, Landscaping, Availability of Utilities, Land Use Compatibility, Traffic Generation, Geologic Hazards/Soils

Related Files: 82-93

It is recommended that the applicant inform the neighboring property owners and tenants of the proposal prior to the public hearing and preferably prior to submittal to the City.

PRE-APPLICATION CONFERENCE

WE RECOGNIZE that we, ourselves, or our representative(s) must be present at all hearings relative to this proposal and it is our responsibility to know when and where those hearings are.

In the event that the petitioner is not represented, the proposed item will be dropped from the agenda, and an additional fee shall be charged to cover rescheduling expenses. Such fee must be paid before the proposed item can again be placed on the agenda. Any changes to the approved plan will require a re-review and approval by the Community Development Department prior to those changes being accepted.

WE UNDERSTAND that incomplete submittals will not be accepted and submittals with insufficient information, identified in the review process, which has not been addressed by the applicant, may be withdrawn from the agenda.

WE FURTHER UNDERSTAND that failure to meet any deadlines as identified by the Community Development Department for the review process may result in the project not being scheduled for hearing or being pulled from the agenda.

Signatures of Petitioner(s) and Representative(s) with handwritten names and an arrow pointing from the petitioner's signature to the representative's signature.



December 6, 1993

Planning Department
City of Grand Junction
559 White Avenue, Room 60
Grand Junction, Colorado 81501

RE: Project Narrative

Vacation of Utility and Access Easement, Lot 2, Woodland Subdivision. To assist you in your review of the above referred project, this summary is provided:

Petitioner:

Hilltop Foundation, Inc., 1100 Patterson Road, Grand Junction, Colorado 81506

Concept:

This proposal is to vacate current utility and access easements on the property known as Woodland Subdivision, Lot 2. The land is located at 28 1/4 Road and South of North Avenue, lying directly South of Home Appliance and Repair.


With the exception of an active 10' public service easement along the north boundary, the easements in question have never been utilized and upon conferring with all utility agencies that are subject to the easement, all do not have any utilities in the easement area and further do not have any long range plans to do so.

Upon further research all needed utility services are available on the street (28 1/4 Road) in front of Lot 2 Woodland Subdivision.

Adjacent land use and zoning is C1.

If you have additional questions or need additional information, please contact us.

For the Petitioners,

 For the Petitioner
~~Thomas Piper & Cecil Gaster~~

TP/CC:kh

REVIEW COMMENTS

Page 1 of 2

FILE #62-94

TITLE HEADING: Vacation of Easement

LOCATION: 487 28 1/4 Road

PETITIONER: Hilltop Foundation

PETITIONER'S ADDRESS/TELEPHONE: 1100 Patterson Road
Grand Junction, CO 81506
244-6006

PETITIONER'S REPRESENTATIVE: Pat Edwards
243-0456

STAFF REPRESENTATIVE: Kristen Ashbeck

NOTE: WRITTEN RESPONSE BY THE PETITIONER TO THE REVIEW COMMENTS IS REQUIRED ON OR BEFORE 5:00 P.M., APRIL 26, 1994.

U.S. WEST 4/6/94
Leon Peach 244-4964

No comments at this time.

CITY DEVELOPMENT ENGINEER 4/7/94
Jody Kliska 244-1591

No comment.

CITY UTILITY ENGINEER 4/11/94
Bill Cheney 244-1590

SEWER - Fruitvale Sanitation District. Check with them for location of sewer line across south portion of property. Show sewer line easement on drawing if one exists.

WATER - City Water. Easement shown across south portion of property is adequate provided there is enough distance to install water if sewer is already in easement.

CITY ATTORNEY 4/11/94
Dan Wilson 244-1501

None.

PUBLIC SERVICE COMPANY
Dale Clawson

4/11/94
244-2695

ELECTRIC: No objection.

GAS: As previously stated on File #82-93, Public Service Company requires the twenty foot of easement immediately west of 28 1/4 Road be retained as utility easement because there is an existing gas main located in it.

COMMUNITY DEVELOPMENT DEPARTMENT
Kristen Ashbeck

4/12/94
244-1437

1. Provide written verification from property owner to north (Kucel - Kathy's Car Wash) that this proposal is acceptable.
2. Was a shorter route for ingress/egress easement considered? (e.g. attached drawing)

GRAND JUNCTION FIRE DEPARTMENT
George Bennett

4/8/94
244-1400

In any development is proposed for this lot, plans will have to be submitted to our office for review and approval.

GRAND JUNCTION DRAINAGE DISTRICT
John Ballagh

4/14/94
242-4343

The Grand Junction Drainage District operates and maintains an open drain ditch (The Goodwill Drain) which is along the easterly side of 28 1/4 Road. The Drainage District removes debris, cleans, burns and sprays along the open drain which begins just south of the end of pavement on 28 1/4 Road. No easements or right-of-way adjacent to the open drain for 20' (twenty feet) each side should be vacated.

SOLID WASTE MANAGEMENT DIVISION
Rob Laurin

4/15/94
244-1570

Okay.

STAFF REVIEW

FILE: 62-94

DATE: April 28, 1994

STAFF: Kristen Ashbeck

REQUEST: Easement Vacation

LOCATION: 487 28-1/4 Road

APPLICANT: Hilltop Foundation, Inc.

EXISTING LAND USE: Vacant

SURROUNDING LAND USE:

NORTH: Commercial

SOUTH: Vacant

EAST: Service Business (ambulance)

WEST: Commercial

EXISTING ZONING: Light Commercial (C-1)

SURROUNDING ZONING:

NORTH: Light Commercial (C-1)

SOUTH: Planned Business (PB) and Planned Residential 20 units per acre (PR-20)

EAST: Light and Heavy Commercial (C-1 and C-2)

WEST: Light Commercial (C-1)

RELATIONSHIP TO COMPREHENSIVE PLAN: No comprehensive plan exists for this portion of the City.

STAFF ANALYSIS: The owner of Lot 2, Woodland Subdivision is proposing to vacate utility and access easements that currently run through the middle of the lot and relocate (by rededication) a utility/accesss easements along the western and southern property lines. An easement will also be dedicated along 28-1/4 Road at the request of Public Service. It is imperative that the easement be for access as well as utility in order for Lot 1, Woodland Subdivision to have reasonable access. The only other access to Lot 1 is a 12-foot driveway off of 28-1/4 Road which is currently used as a one-way access into this developed commercial parcel. Access out of Lot 1 is via the easement through Lot 2 which is proposed to be vacated. The 12-foot driveway is not a reasonable access because it is not wide enough for two-way traffic and it is not accessible by emergency equipment. The owner of the property has not objected to the relocation of the access. Therefore, the proposal meets the criteria set forth in Section 8-3 of the Zoning and Development Code for vacation of easements.

STAFF RECOMMENDATION: Approval

SUGGESTED PLANNING COMMISSION MOTION: Mr. Chairman, on item 62-94, a request for an easement vacation at 487 28-1/4 Road, I move that we forward this item on to City Council with a recommendation for approval.



*Above
the
Crowd!*[®]

Kristen Ashbeck
Community Development Department
Grand Junction, CO 81501

April 25, 1994

RE: Review Comments File #62-94

Ms. Kristen Ashbeck:

Following are the petitioners written response to review comments on the above referenced file #62-94:

1. City Utility Engineer
 - a. Contact with Fruitvale Sanitation indicated their sewer line is located on the South boundary of the subject property. Utility Easement is provided.
 - b. See above comment regarding sewer line location.
2. Public Service Company
 - a. Twenty foot utility easement provided along west side of 28 1/4 Road. See attached map.
3. Community Development Department
 - a. Mr. Kucel was provided with a map showing the vacation and proposed ingress/egress easement. No objections were raised by Mr. Kucel.
 - b. Alternate routes of ingress/egress were considered, however the proposed route incorporates the same with utility easements leaving the subject property more usable.
4. Grand Junction Fire Department
 - a. No development is now proposed.
5. Grand Junction Drainage District
 - a. No vacation of easements proposed on east side of 28 1/4 Road.

If you have questions contact me at 241-4000.

Sincerely,

Pat Edwards
For the Petitioner Hilltop Foundation

RECEIVED GRAND JUNCTION
PLANNING DEPARTMENT

APR 25 1994

RE/MAX The Grand Junction
Real Estate Group, Inc.
1401 N. 1st Street
Grand Junction, Colorado 81501-2105
Phone: (303) 241-4000

Each Office Independently Owned and Operated



STAFF REVIEW

FILE: 62-94

DATE: May 6, 1994

STAFF: Kristen Ashbeck

REQUEST: Easement Vacation

LOCATION: 487 28-1/4 Road

APPLICANT: Hilltop Foundation, Inc.

EXISTING LAND USE: Vacant

SURROUNDING LAND USE:

NORTH: Commercial

SOUTH: Vacant

EAST: Service Business (ambulance)

WEST: Commercial

EXISTING ZONING: Light Commercial (C-1)

SURROUNDING ZONING:

NORTH: Light Commercial (C-1)

SOUTH: Planned Business (PB) and Planned Residential 20 units per acre (PR-20)

EAST: Light and Heavy Commercial (C-1 and C-2)

WEST: Light Commercial (C-1)

EXECUTIVE SUMMARY: A proposal to vacate existing and dedicate new utility and ingress/egress easements on Lot 2, Woodland Subdivision located at 487 28-1/4 Road.

STAFF ANALYSIS: The owner of Lot 2, Woodland Subdivision is proposing to vacate utility and access easements that currently run through the middle of the lot and relocate (by rededication) a utility/access easements along the western and southern property lines. A 20-foot easement will also be dedicated along 28-1/4 Road at the request of Public Service. It is imperative that the easement be for access as well as utility in order for Lot 1, Woodland Subdivision to have reasonable access. The only other access to Lot 1 is a 12-foot driveway off of 28-1/4 Road which is currently used as a one-way access into this developed commercial parcel. Access out of Lot 1 is via the easement through Lot 2 which is proposed to be vacated. The 12-foot driveway is not a reasonable access because it is not wide enough for two-way traffic and it is not accessible by emergency equipment. The owner of the property has not objected to the relocation of the access. Therefore, the proposal meets the criteria set forth in Section 8-3 of the Zoning and Development Code for vacation of easements.

PLANNING COMMISSION RECOMMENDATION (5/3/94): Approval (5-0)

CITY OF GRAND JUNCTION FILE 62-94 EASEMENT VACATION
LOCATED AT 487 28-1/4 ROAD IN THE CITY OF GRAND JUNCTION
HAS BEEN REVIEWED AND APPROVED BY THE UTILITY
COORDINATING COMMITTEE.



CHAIRMAN



DATE

August 15, 1994

Mr. J.D. Snodgrass
Williams, Turner & Holmes
PO Box 338
Grand Junction, Colorado 81502

Dear Mr. Snodgrass,

Pat Edwards provided the City a copy of the proposed easement to be granted to Public Service across Lot 2 of the Woodland Subdivision. Attached are comments on the draft from John Shaver, Assistant City Attorney. We are also awaiting a similar document for the ingress-egress and utility easement to be granted across the same property. The ordinance vacating previous easements (approved by City Council in June, 1994) cannot be recorded until the new easements are in place. If you have questions regarding the easements, please contact me at 244-1437 or if you have specific questions regarding John's comments, please contact him at 244-1506.

Sincerely,

Kristen Ashbeck
Planner

WILLIAMS, TURNER & HOLMES, P.C.

ATTORNEYS AT LAW

September 12, 1994

*KRIS
ASHBECK*

ALL ATTORNEYS ADMITTED
IN COLORADO
ANTHONY W. WILLIAMS
BERNDT C. HOLMES
J. D. SNODGRASS
WILLIAM D. PRAKKEN
DAVID J. TURNER -
ALSO ADMITTED IN UTAH
MARK A. HERMUNDSTAD -
ALSO ADMITTED IN UTAH
SUSAN M. CORLE
THOMAS C. VOLKMANN -
ALSO ADMITTED IN ARIZONA
OF COUNSEL
WARREN L. TURNER
BERNARD A. BUESCHER
DONALD E. JORDAN

HAND DELIVERED

*PLEASE REVIEW.
I HAVE NO PROBLEM
W/ THE CURRENT FORM
J. SHAPER*

**John Shaver
Assistant City Attorney
City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501**

Re: Hilltop Foundation, Inc. - 28 1/4 Rd property

Dear John:

Enclosed find three separate forms of easement documents relating to the above referenced property. Please review these at your earliest convenience so that we can get these finalized.

Yours very truly,

WILLIAMS, TURNER & HOLMES, P. C.

J. D. Snodgrass

JDS/csc
enclosures

pc: Pat Edwards, ReMAX
Tom Piper, Hilltop
(w/copies of enclosures)

COURTHOUSE PLACE BUILDING
200 N. 6TH STREET
PO BOX 338
GRAND JUNCTION, COLORADO
81502-0338
PHONE 303/242-6262
FAX 303/241-3026

MOAB OFFICE:
94 EAST GRAND AVENUE
MOAB, UTAH 84532-2830
PHONE 801/259-4381

September 19, 1994

Mr. J.D. Snodgrass
Williams, Turner & Holmes
PO Box 338
Grand Junction, Colorado 81502

Dear Mr. Snodgrass,

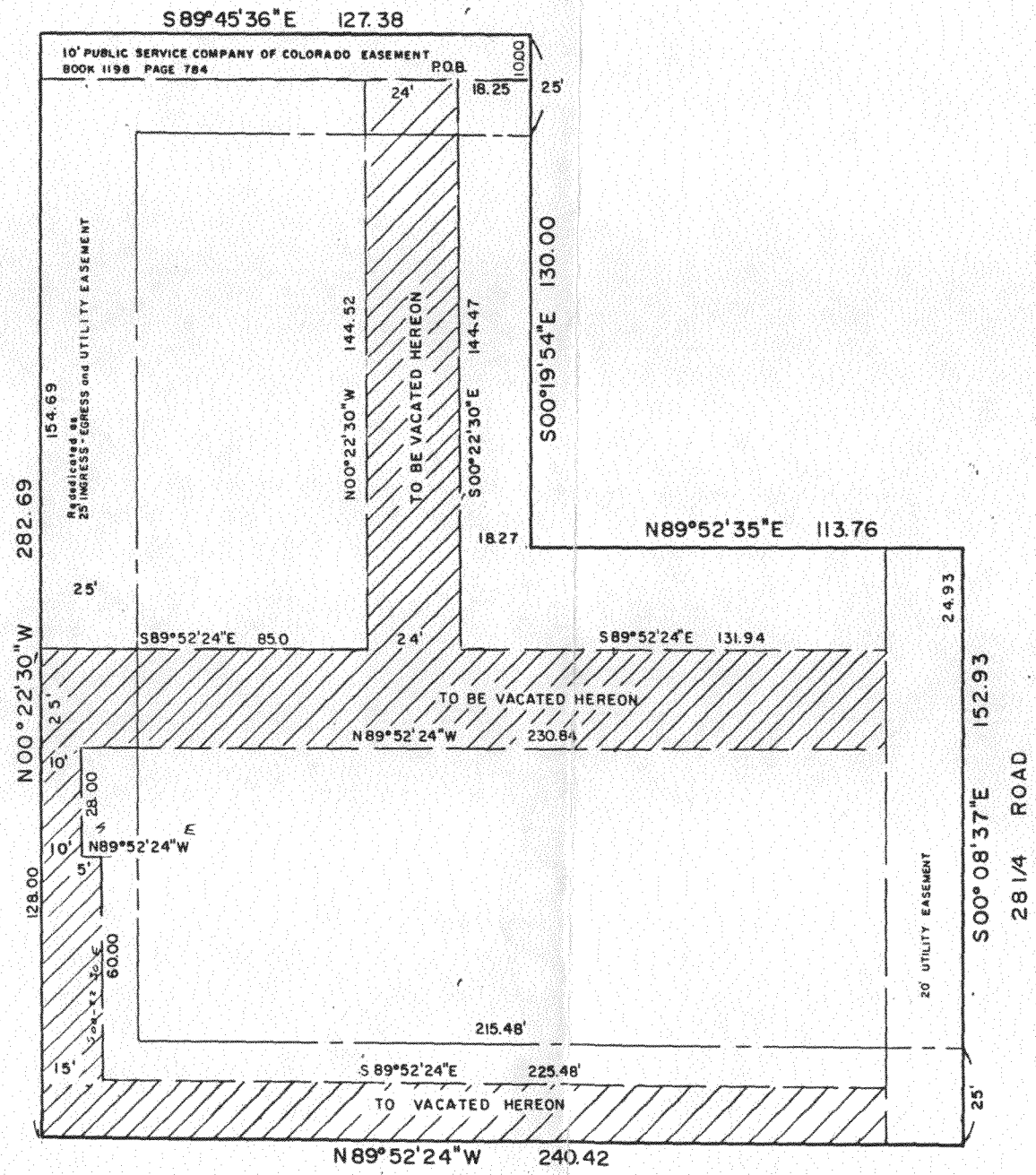
John Shaver has reviewed the current draft of the easements to be granted across Lot 2 of the Woodland Subdivision and has no further comments. He forwarded them to me for review relative to the file on the easement vacation. The only remaining comment I have is that Public Service requested a twenty foot easement rather than the twenty-five feet reflected in the proposed grant of easement.

Once all three documents are signed, please return them to me with a check in the amount of \$30.00 (\$5.00 per page) payable to the Mesa County Clerk and I will have them recorded along with the ordinance vacating previous easements. Thank you for your continued attention to this matter.

Sincerely,

Kristen Ashbeck
Planner

EASEMENT VACATION LOT 2, WOODLAND SUBDIVISION



Description of Easement to be vacated in Lot 2 of WOODLAND SUBDIVISION:
 Commencing at the Northeast corner of Lot 2 Woodland Subdivision, whose North line is recorded as bearing S89°45'36"E in Plat Book 12 at Page 108 in the Mesa County Clerk and Recorder's office and all bearings contained herein to be relative thereto; thence S00°19'54"E 10.00 feet; thence N89°45'36"W 18.25 feet to the Point of Beginning; thence S00°22'30"E 144.47 feet; thence S89°52'24"E 131.94 feet to the East line of said Lot 2; thence along said East line of Lot 2 S00°08'37"E 25.00 feet; thence leaving said East line of Lot 2, N89°52'24"E 230.84 feet; thence S00°22'30"E 28.00 feet; thence S89°52'24"E 5.00 feet; thence S00°22'30"E 60.00 feet; thence S89°52'24"E 225.48 feet to the East line of said Lot 2; thence along said East line of Lot 2 S00°08'37"E 15.00 feet to the South line of said Lot 2; thence along said South line of Lot 2 N89°52'24"W 240.42 feet to the West line of said Lot 2; thence along said West line of Lot 2, N00°22'30"W 128.00 feet; thence leaving said West line of Lot 2, S89°52'24"E 85.00 feet; thence N00°22'30"W 144.52 feet; thence S89°45'36"E 24.00 feet to the Point of Beginning, Mesa County, Colorado.

Description of Rededicated 25.00 foot Ingress-Egress and Utility Easement:
 The North, West and South 25.00 feet of Lot 2 WOODLAND SUBDIVISION, Mesa County, Colorado.

24
24.48

Revised 12/29/93

EASEMENT VACATION LOT 2 WOODLAND SUBDIVISION
 NW 1/4, SEC. 18, T1S, R1E, U.M.

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.

	Monument Surveying Co. 755 Road Avenue Grand Junction, CO 81501	DESIGNED _____ F.E.L.D. APPROVAL _____ DRAWN _____ CDC _____ TECHNICAL APPROVAL _____ CHECKED _____ APPROVED _____
	245-4189 5/30/93	PREPARED FOR HILLTOP FOUNDATION INC. JOB NO. UM-93-23