

STAFF REVIEW

FILE: #204-94
DATE: November 29, 1994
STAFF: Kathy Portner
REQUEST: Zone of Annexation to PR and Preliminary Plan, Del Mar Subdivision
LOCATION: North of Patterson Road, East of 29 1/4 Road
APPLICANT: Delbert and Marilyn Parmenter

EXISTING LAND USE: Single family residential (approx. 3 units per acre)

PROPOSED LAND USE: Same

SURROUNDING LAND USE:

NORTH: Undeveloped
SOUTH: Single family residential (3-4 units per acre)
EAST: Undeveloped
WEST: Single family residential (3-4 units per acre)

EXISTING ZONING: PUD (County Planned Unit Development)

PROPOSED ZONING: PR (Planned Residential) with a density not to exceed 3 units per acre

SURROUNDING ZONING:

NORTH: R-2 (County)
SOUTH: R-2 and City proposed PR
EAST: R-2
WEST: R-2

RELATIONSHIP TO COMPREHENSIVE PLAN:

No Comprehensive Plan exists for this area.

STAFF ANALYSIS:

Del Mar Subdivision was given approval of an Official Development Plan for the entire development and final approval for filing #1 in 1994. Subsequent to approval the subdivision was annexed into the City as a part of the Darla Jean Annexation which was effective October

23, 1994. Within 90 days of annexation the City is required to apply a City zoning to properties.

The entire Del Mar Subdivision consists of 41 single family lots on 13.5 acres for an overall density of 3.1 units per acre. The development was zoned PUD (Planned Unit Development) by Mesa County at the time of approval. The County also approved an Official Development Plan for the subdivision and gave final approval for filing 1 consisting of 13 lots on 4.2 acres.

Mesa County Board of County Commissioners' Resolution #94-105 included the following applicable conditions of approval:

1. Follow all recommendations of the Geologic Hazard Survey.
2. Access to F Road be allowed at 29 3/8 Road.
3. Neighborhood mailboxes to be located at convenient locations throughout the subdivision. Locations to be approved by staff.
4. The following setbacks are approved:

Principal Building	20'--Front
	20'--Rear
	10'--Side (including corner lots or easement width)
Accessory Buildings	Limited to the rear 1/2 of lot
	5'--Rear
	5'--Side (or easement width, whichever is greater)

The side yard setback for principal buildings, where the garage and associated parking are proposed to have access from the side yard, be set back 20' for the garage portion of the principal structure, with the remaining portions of the principal structure meeting a 10' setback (or easement width, whichever is greater).

5. Height of buildings be limited to 35'.
6. Minimum lot size of 8,000 sq.ft.
7. Rear lot grading of the lots along the north line of the subdivision must be approved by the Grand Junction Drainage District and the Development Engineer.
8. The drainage detention are is to be constructed in open space. A neighborhood association or other provision for the maintenance of this structure must be provided. Approval of a drainage plan is required.
9. The Palisade Irrigation District recommends that a storage reservoir be used for irrigation water.
10. Provision of adequate fire flow and hydrants.
11. An executed Acknowledgement of Existing Open Drain to the Grand Junction Drainage District with the properly described easement for the F 1/4 Drain be completed and noted on the Final Plat/Plan for each filing that is effected.
12. Provision of an Improvements Agreement/Guarantee for each filing.
13. Recordation of the approved ODP.
14. All construction traffic must use the temporary access off F Road.

STAFF RECOMMENDATION:

Staff recommends approval of the PR zoning and approval of the ODP (as approved by Mesa County) as a Preliminary Plan with the conditions as listed in the Staff Review. All future filings must go through a final plan/plat review and approval process and must meet all City requirements.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on item #204-94, I move we forward this onto City Council with a recommendation of approval for a zoning of Planned Residential (PR) with a density not to exceed 3.1 units per acre. I also move we approve the ODP as a Preliminary Plan subject to the Staff Recommendation.

STAFF REVIEW

FILE: #204-94
DATE: December 15, 1994
STAFF: Kathy Portner
REQUEST: Zone of Annexation to PR, DelMar Subdivision
LOCATION: North of Patterson Road, East of 29 1/4 Road
APPLICANT: Delbert and Marilyn Parmenter

EXISTING LAND USE: Single family residential (approx. 3 units per acre)

PROPOSED LAND USE: Same

SURROUNDING LAND USE:

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SOUTH: Single family residential (3-4 units per acre)
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PROPOSED ZONING: PR (Planned Residential) with a density not to exceed 3 units per acre

SURROUNDING ZONING:

NORTH: R-2 (County)
SOUTH: R-2 and City proposed PR
EAST: R-2
WEST: R-2

RELATIONSHIP TO COMPREHENSIVE PLAN:

No Comprehensive Plan exists for this area.

STAFF ANALYSIS:

Del Mar Subdivision was given approval of an Official Development Plan for the entire development and final approval for filing #1 in 1994. Subsequent to approval the subdivision was annexed into the City as a part of the Darla Jean Annexation which was effective October

23, 1994. Within 90 days of annexation the City is required to apply a City zoning to properties.

The entire Del Mar Subdivision consists of 41 single family lots on 13.5 acres for an overall density of 3.1 units per acre. The development was zoned PUD (Planned Unit Development) by Mesa County at the time of approval. The County also approved an Official Development Plan for the subdivision and gave final approval for filing 1 consisting of 13 lots on 4.2 acres.

The following setbacks apply:

Principal Building	20'--Front
	20'--Rear
	10'--Side (including corner lots or easement width)
Accessory Buildings	Limited to the rear 1/2 of lot
	5'--Rear
	5'--Side (or easement width, whichever is greater)

The side yard setback for principal buildings, where the garage and associated parking are proposed to have access from the side yard, be set back 20' for the garage portion of the principal structure, with the remaining portions of the principal structure meeting a 10' setback (or easement width, whichever is greater).

STAFF RECOMMENDATION:

Staff recommends approval of the PR zoning

PLANNING COMMISSION RECOMMENDATION:

At their December 6, 1994 hearing, Planning Commission approved the Preliminary Plan and recommended approval of the PR zoning.

Planned Residential (PR) for the following parcels:

2943-052-00-133 (Scotts Run Subdivision)

The Southeast Quarter of the Northeast Quarter of the Northwest Quarter of Section 5, Township 1 South, Range 1 East of the Ute Meridian, EXCEPT a tract of land described as follows:
Beginning at a point which bears N89°55'18"W 30.00 feet from the Southeast corner of the Southeast Quarter Northeast Quarter Northwest Quarter (SE¼ NE¼ NW¼) of Section 5, Township 1 South, Range 1 East of the Ute Principal Meridian; thence N89°55'18"W a distance of 117.25 feet; thence N00°00'00"E 371.51 feet; thence S89°55'18"E a distance of 117.25 feet; thence S00°00'00"W a distance of 371.51 feet to the point of beginning, Mesa County, Colorado

2943-052-00-132 (Scotts Run Subdivision)

Beginning at a point which bears N89°55'18"W 30.00 feet from the Southeast corner of the Southeast Quarter Northeast Quarter Northwest Quarter (SE¼ NE¼ NW¼) of Section 5, Township 1 South, Range 1 East of the Ute Principal Meridian; thence N89°55'18"W a distance of 117.25 feet; thence N00°00'00"E 371.51 feet; thence S89°55'18"E a distance of 117.25 feet; thence S00°00'00"W a distance of 371.51 feet to the point of beginning, Mesa County, Colorado.

2943-053-00-145 (Del-Mar Subdivision)

The North 20 feet of the South 50 feet of the tract: Beginning at the Southwest corner of the SE¼ SW¼ of Section 5, Township 1 South, Range 1 East of the Ute Meridian, thence East 195 feet for beginning thence North 660 feet, thence West 70 feet, thence North 660 feet, thence East 205 feet, thence South 1320 thence West 135 feet to beginning.

2943-053-00-049 (Del-Mar Subdivision)

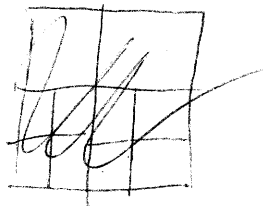
The West half of the East half of the West half of the Southeast quarter of the Southwest quarter of Section 5, in Township 1 South, Range 1 East of the Ute Meridian, Mesa County, Colorado. EXCEPTING THEREFROM the South 440 feet of the West 62.5 feet, ALSO EXCEPTING THEREFROM the South 50 feet for F Road as per instrument recorded in Book 1370 at Page 197, Official Records of Mesa County, Colorado.

2943-053-00-050 (Del-Mar Subdivision)

Beginning at the SW Corner of the E¼ W½ SE¼ SW¼ of Section 5, Township 1 South, Range 1 East, Ute Principal Meridian, thence East 66.2 feet, thence North 229 feet, thence East 99 feet, thence North to the NE Corner of the E¼ W½ SE¼ SW¼ of said Section 5, thence West to the NW Corner of the said E¼ W½ SE¼ SW¼ of said Section 5, thence South to place of beginning; Together with all water and water rights, ditches and ditch rights appertaining thereto; Mesa County, Colorado.

2943-081-28-001 through 003

Lots 1 through 3, Block 4, Cody Subdivision, SEC 8 1S 1E, MESA COUNTY, COLORADO.



2943-081-27-001 through 009

Lots 1 through 9, Block 3, Cody Subdivision, SEC 8 1S 1E, MESA COUNTY, COLORADO.

2943-081-26-001 through 009

Lots 1 through 9, Block 2, Cody Subdivision, SEC 8 1S 1E, MESA COUNTY, COLORADO.

2943-081-25-001 through 003

Lots 1 through 3, Block 1, Cody Subdivision, SEC 8 1S 1E, MESA COUNTY, COLORADO.

2943-081-29-001 through 009

Lots 1 through 9, Block 1, Cody Subdivision filing 2, Mesa County, Colorado.

2943-081-30-001 through 003

Lots 1 through 3, Block 2, Cody Subdivision filing 2, Mesa County, Colorado.

2943-081-31-001 through 003

Lots 1 through 3, Block 3, Cody Subdivision filing 2, Mesa County, Colorado.

2943-081-32-001 through 009

Lots 1 through 9, Block 4, Cody Subdivision filing 2, Mesa County, Colorado.

2943-081-33-001 through 003

Lots 1 through 3, Block 5, Cody Subdivision filing 2, Mesa County, Colorado.

2943-081-00-009 (future Cody #3 & #4)

W2 OF E 25A OF NW4NE4 SEC 8 1S 1E EXC N 50FT FOR RD ROW AS PER B-1370 P-191 MESA CO RECDS

2943-082-31-001 through 010

Lots 1 through 10, Block 1, New Beginnings Subdivision, Mesa County, Colorado.

2943-082-32-001 through 010

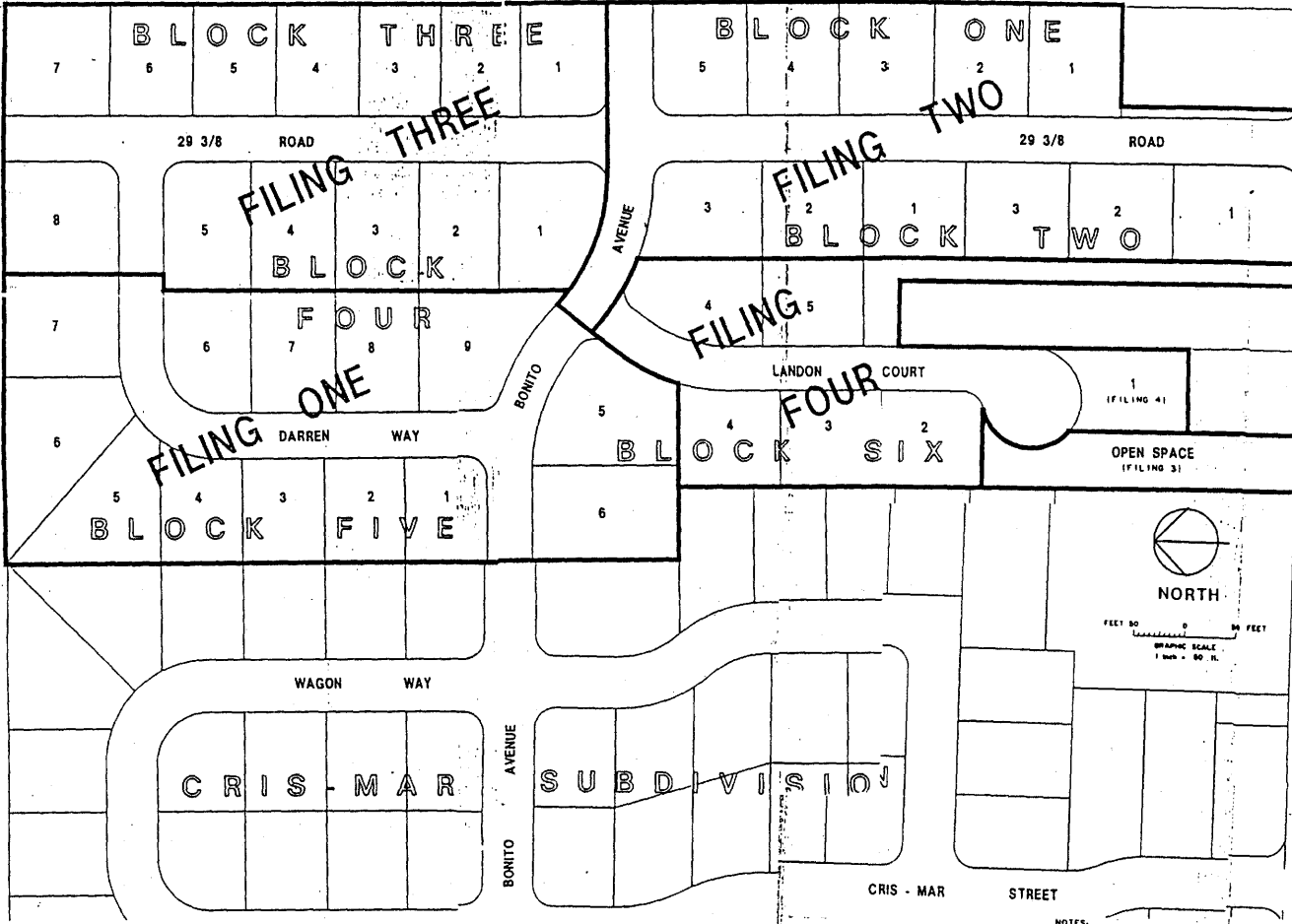
Lots 1 through 10, Block 2, New Beginnings Subdivision, Mesa County, Colorado.

Del Mar Subdivision

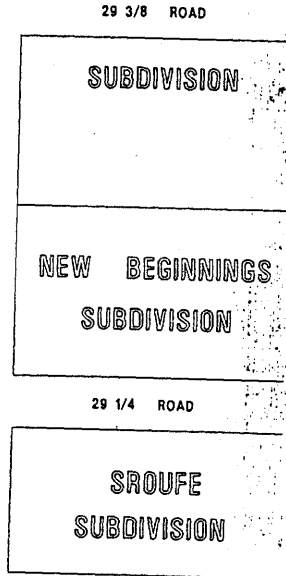
AGRICULTURAL

C10-94-3
MAP #2
 WHITE

AGRICULTURAL



PATTERSON ROAD (IF ROAD)



- NOTES:**
1. THE BOUNDARIES SHOWN ARE REPRESENTATIVE OF CONSTRUCTION FOR THE INFRASTRUCTURE AND ROADS FOR EACH OF THE FILINGS. THE ACTUAL RELATED BOUNDARIES FOR THE FILINGS MAY DIFFER SOMEWHAT.
 2. DETENTION AREA LOCATED IN THE OPEN SPACE TRACT NEAR THE SOUTHWEST CORNER OF THE PROJECT IS TO BE CONSTRUCTED AS PART OF THE IMPROVEMENTS FOR FILING 3.

DESIGNED BY: DEC	REVIEWED BY: _____	DATE: _____
DRAWN BY: DEC	REVIEWED BY: _____	DATE: _____
CHECKED BY: DEC	REVIEWED BY: _____	DATE: _____
IN CHARGE: DEC	REVIEWED BY: _____	DATE: _____



BANNER
 BANNER ASSOCIATES, INC. • ENGINEERS & SURVEYORS
 3777 CROSSROADS BOULEVARD • GRAND JUNCTION, CO 81504 • (970) 743-2244
 500 E. MAIN • FORT COLLINS, CO 80521 • (970) 226-0867

NO.	DATE	BY	CHK.	DESCRIPTION

DEL-MAR CONSTRUCTION
 CLIFTON, COLORADO
 DEL-MAR SUBDIVISION
 SITE DEVELOPMENT PLAN

SCALE: 1" = 50'	DATE: 4-11-94
SHEET NO. 1 OF 1	

C10-94-3

1. Request for a recommendation of approval zoning Del-Mar Subdivision which was recently annexed to the City to Planned Residential (PR) with a density not to exceed 3 units per acre.
2. Request for approval of a Preliminary Plan for future filings consisting of 28 lots on 9.3 acres.

PETITIONER: Delbert & Marilyn Parmenter
 LOCATION: N of Patterson, W of 29 1/2 Road
 LEGAL DESCRIPTION: East 195 feet for beginning thence North 660 feet, thence West 70 feet, thence North 660 feet, thence East 205 feet, thence South 1320 thence West 135 feet to beginning. AND The West half of the East half of the West half of the Southeast quarter of the Southwest quarter of Section 5, in Township 1 South, Range 1 East of the Ute Meridian, Mesa County, Colorado. EXCEPTING THEREFROM the South 440 feet of the West 62.5 feet, ALSO EXCEPTING THEREFROM the South 50 feet for F Road as per instrument recorded in Book 1370 at Page 197, Official Records of Mesa County, Colorado. AND Beginning at the SW Corner of the E 1/4 W 1/2 SE 1/4 SW 1/4 of Section 5, Township 1 South, Range 1 East, Ute Principal Meridian, thence East 66.2 feet, thence North 229 feet, thence East 99 feet, thence North to the NE Corner of the E 1/4 W 1/2 SE 1/4 SW 1/4 of said Section 5, thence West to the NW Corner of the said E 1/4 W 1/2 SE 1/4 SW 1/4 of said Section 5, thence South to place of beginning; Together with all water and water rights, ditches and ditch rights appertaining thereto; Mesa County, Colorado.

#1-94(V)

TEXT AMENDMENT - ANIMALS IN RSF-R

Request for a recommendation of approval of an amendment to Section 5-10-3 of the Zoning and Development Code to clarify the allowance of Agricultural Animals in the RSF-R (Residential Single Family, 1 unit per 5 acres) Zone District.

PETITIONER: City of Grand Junction
 REPRESENTATIVE: Kristen Ashbeck

#1-94(W)

TEXT AMENDMENT - VARIANCE DEADLINES

Request for a recommendation of approval of an amendment to Section 10-1-1.D of the Zoning and Development Code to clarify when an application to the Board of Appeals will be heard following submittal.

PETITIONER: City of Grand Junction
 REPRESENTATIVE: Kathy Portner

#13-94

ZONE OF ANNEXATION - DARLA JEAN AREA

Request for a recommendation of approval zoning lands recently annexed to the City in the Darla Jean Annexation to the following zones.

PETITIONER: City of Grand Junction
 REPRESENTATIVE: Dave Thornton

LEGAL DESCRIPTION: PLANNED AIRPORT DEVELOPMENT (PAD)

A tract of land in Sections 30 and 32, Township 1 N, Range 1 E of the Ute Meridian, Mesa County, Colorado, being more particularly described as follows:

Beginning at the southwest corner of the NW 1/4 NW 1/4 of said Section 30; thence south 54° 54' east a distance of 4610.00 feet to a point on the south line of the NW 1/4 SE 1/4 of said Section

Del Mar file
#204-94

Thomas E. Gieck
2930 Bonito Avenue
Grand Junction, CO 81504
Phone: 256-8889 or 241-5723

September 22, 1999

Ms Kathy Portner
Planning Manager, City of Grand Junction

Ms Ivy Williams
Code Enforcement Supervisor, City of Grand Junction

Mr. Rick Dorris
Development Engineer, City of Grand Junction

Ms Kristen Ashbeck
Senior Planner, City of Grand Junction

Mr. Delbert Parmenter
Developer/General Contractor, Del-Mar Subdivision

Mr. David Chase, P. E.
Developer's Project Engineer, Banner Associates, Inc.

RE: Del-Mar Subdivision

Dear Addresses:

I have previously sent two letters dated August 20, 1999 and September 1, 1999 to the City of Grand Junction (City) requesting response to questions, problems and concerns regarding construction activities in Del-Mar Subdivision. To date I have had no response with the exception of a letter from Mr. Shaver, Assistant City Attorney, who stated in his letter of September 2, 1999, that information from planners, engineers, and code enforcement officers is needed in order to adequately respond. I fail to understand the delay from the City technical staff in addressing these questions as they are all straight forward, easy to verify questions. Apparently, the non-response to these issues does in fact provide the answers to questions and assertions contained in the above mentioned letters.

Mr. Shaver's letter dated September 2, 1999 also urged that I consult with an attorney regarding the issues of the August 20, 1999 letter as well as the September 1, 1999 letter which describes standing water in the crawl space of our home. Accordingly, I have discussed the issue with our attorney as well as three registered engineers and initiated the

process of acquiring the technical data necessary to evaluate the cause of the problem and pursue an appropriate remedy.

Initial evaluation of the cause for water in the crawl space has been relatively simple. Shortly after completion of the house on Lot 1, Block 3, Filing 3, which is the house immediately to the north of our house, 5 to 6-inches of water appeared in the crawl space of our house. In an effort to protect the integrity of our house foundation and to prevent further damage I installed temporary sump pump to dewater the crawl space and determine the source of the water. All plumbing beneath the house is intact, entry of water into the crawl space is occurring from below the spread footings and continues to recharge at a rate of between 10 to 15 gallons per day.

I have completed some initial surveying about the property to evaluate the surface and subsurface drainage characteristics that currently exist. The attached cross sectional plot of our lot and foundation as well as the house and lot immediately to the north indicates a significant amount of fill placed on the original ground surface to the extent that portions of the footing of the north house is probably constructed on unconsolidated fill. This is a common practice in this subdivision as I have observed, on at least one other lot, placement of unconsolidated fill over the vegetated original ground surface with the footing constructed on the fill. Although it is very difficult for me to believe, this practice is apparently acceptable to the City and foundation design engineer.

The as-constructed finished floor elevation of the house to the north of ours is 2.35 feet above the design finished floor elevation shown on the drawings. The fill on the lots upgradient of our house consists of stockpiled waste soils placed during excavation of the Filing 3 road improvements. However, only portions (the top portion) of the stockpiled material were removed from the area prior to construction of houses in this Filing. The stockpile area was not stripped of vegetation prior to stockpiling nor were any attempts made to compact this material as structural fill. The area to the north of our house, even prior to stockpiling of excess soil, caused drainage problems to our property on several occasions during and subsequent to construction of our house. Placement of the unconsolidated fill directly on the existing vegetation has essentially compounded the surface drainage to our property. The vegetation seam existing between the original ground surface and the unconsolidated fill has in essence created a subsurface preferential flow path from the lots up gradient of our house which terminates in our back yard. The lots to the north of our house have recently been completed and have yet to be landscaped, once landscaping is completed and yard irrigation systems are installed the water situation under our house is likely to worsen. The approved plans for filing 3 (upgradient lots) clearly state "IMPROVEMENTS TO DEL-MAR SUBDIVISION HAVE BEEN DESIGNED TO MINIMIZE THE AMOUNT OF DISTURBANCE TO THE SITE. TERE ARE NO MAJOR AREAS OF CUT, OR FILL, THAT WILL BE GENERATED". The proposed grading contours indicate no proposed fill placement with the exception of that necessary to construct road improvements, fill for lots upgradient of our property is not indicated on the drawings. I would suspect the reasoning for not

having specifications for placement of structural fill is because there is no fill soils included in the final design.

Drainage concerns have been repeatedly expressed to the Contractor/Developer and the City (refer to Grand Junction Planning Commission Meeting of August 18, 1998) prior to construction of any houses to the north of our house. The Contractor/Developer, Mr. Parmenter, assured me on several occasions that he was aware of our drainage concerns provided verbal assurance that upgradient grading would be completed in an acceptable manner. What the Contractor/Developer constructed was a trench on the lot immediately to the north of our lot, located a few feet away from and parallel to our north fence. The trench was subsequently filled with gravel to create a type of "french drain" as shown on the attached cross sectional plot. This drain however does not drain or have an outlet, essentially what has been constructed is a leach line, which only serves to enhance infiltration into the subgrade and apparently the crawl space below our house. In the words of one consulting engineer who has observed the existing conditions, if one wanted to construct conditions that would result in saturation of the foundation and crawl space of our house, this would be an excellent way to do so.

Essentially, the result of the fill operations described above is surface and subsurface drainage into the back (north side) of our lot which is essentially level from the north side of the house to the north boundary of the property. It has also created a situation in which surface drainage from the lot to the north of ours discharges beneath the fence onto our property. The Contractor/Developer's enhanced drain leach field induces surface flows to the subsurface. The combination of these factors have now resulted in a condition in which the back portion of our lot is continuously saturated to a depth in which free water appears in the crawl space of our home. Installation of several piezometers in our back yard indicates the subsurface leach line constructed by the Contractor/Developer has saturated the trench backfill for the irrigation line which runs along the west side of our lot. Piezometric measurements indicate a perched phreatic surface at 12-inches to 18-inches below the existing ground surface that extends from the irrigation easement to our house and consequently saturating the house foundation and subsurface.

This situation is quite literally infuriating as drainage concerns were discussed on numerous occasions with Contractor/Developer from the time we purchased this house in 1996, at a homeowners association meeting of May 14, 1998 and with the City at the August 18, 1998 Planning Commission Meeting (over a year prior to construction of the house to the north of ours). Now, as a result of the Contractor/Developers refusal to construct improvements as designed and the City's unwillingness/inability to conduct appropriate oversight, I am forced into a situation in which I must take the necessary legal action to correct the problem and attempt to protect the value of my property. It is ironic that the Development Improvement Agreement (DIA) for this property states "The City seeks to protect the health, safety and general welfare of the community by requiring the completion of various improvements in the Property and limiting the harmful effects of substandard developments." Why are statements such as this even placed in the DIA? Considering;

- the irrigation system was constructed with storage tanks to each lot which are 30% smaller than the minimum sized specified on the approved drawings;
- two to three feet of unconsolidated fill soils have been placed on lots prior to constructing homes when the approved plans indicate no fill;
- footings are constructed on unconsolidated fill placed over vegetative surface of the original ground;
- finished floor elevations to houses specified on the drawings are ignored;
- foundations are constructed and approved without drainage provisions in situations which encourage saturation of footing soils;
- common areas are constructed with out specified synthetic weed barriers;
- the specified height of fire hydrants above the finished grade is ignored creating unsightly installations;
- in my own home, the Contractor/Developer refused to use “Greenboard” dry wall for bathrooms and areas susceptible to moisture (which is now my entire house) which was required by the specifications for construction of the house (I would also suspect that this is a code requirement);
- the electrical system for my house was approved with missing circuit breakers; etc.,

I would really like to know exactly what is it that the City considers substandard construction? What is the purpose of the Planning Department and wasted money on engineering, plan review and plan approval if the plans are never used after they are approved. Apparently, all items described above have been inspected and approved by the City. The City’s response to these issues would be very useful, as it appears litigation is unavoidable if the provisions of the approved plan are to ever be constructed. A response from the City would also provide other homeowners, as well as the general public, applicable information as to how little protection they have when they construct a home in Grand Junction.

As Mr. Shaver suggested, I have discussed this situation with our attorney. The cause of the water entering the crawl space of our house and saturating the foundation is the direct result of placement of unconsolidated fill, grading and construction of “leach or infiltration enhancement” facilities by the Contractor/Developer. However, the appropriate legal process is to first initiate a civil action against the new owner of this property who must take applicable action against the Contractor/Developer, at their discretion. I would suspect that the new owner of this property is not aware of the “leach” facilities constructed on their property. So as a direct result of the Contractor/Developer refusal to construct adequate drainage controls and the City’s inability to enforce the provisions of the approved plan, I am now forced into a situation of taking legal action against a new neighbor. The liability of the municipality in cases such as this is somewhat unclear with conflicting opinions of local attorneys and attorneys from out of this area. However, review of case law summaries provided in the

Denver Urban Drainage Manual indicate a trend toward imposing a greater burden or responsibility on municipalities for the drainage consequences of urban development.


At his time I have no desire to initiate a civil action against my neighbor, or anyone, unless the addresses fail to take reasonable action to correct this situation. Open discussions with Mr. Parmenter and numerous complaints to the City Code Enforcement regarding drainage, trash, and weeds have only resulted in Parmenter's showing up at our front door and requesting the name of our attorney so they could sue us for harassment. Accordingly, civil discussion with the Contractor/Developer is not a reasonable approach to this situation. There are, however, reasonable, cost effective, solutions to the drainage problems that currently exist and will likely become worse. Accordingly, I would like to extend an invitation to any and all of the addresses to examine the problem and discuss reasonable solutions/settlement for this problem. Over the next few weeks, the technical consultants mentioned above will be making their independent evaluations of the situation and preparing applicable documentation. If during this time period I am not contacted by the addresses to discuss this situation, I will assume that there is no desire to resolve this situation by the addresses and will be left with no other choice than to pursue a legal resolution to this situation.

Essentially, this is a problem which could have and should have been easily resolved by the Contractor/Developer or City if someone would have the integrity to step down from their throne and do the right thing.

I can be contacted day or evening at the following numbers:

256-8889 (work)
260-2249 (cell phone)
241-5723 (home)

Regards,



Thomas E. Gieck
2930 Bonito Avenue

Copy: City Council Members
Mark Achen, Grand Junction City Manager
Palisade Irrigation Company
Nina McNally, City Code Enforcement Officer
Kim Martin, City Auditor
Marilynn Benton, Norwest Mortgage
Community Development Department, City of Grand Junction
John Radloff, Del-Mar Homeowners Association
Del-Mar Homeowners Association Board Members

John Shaver City Attorney

Sheet _____ of _____

Designed _____

Checked _____

Date _____

Project _____

Subject _____

Item _____

SCALE: 1" = 30'

Umetco Minerals Corporation
TECHNICAL SERVICES GROUP



2930 BONITO

