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File FPP-1995-085

Name: Cimarron North – Final Plat Plan - 25 ¼ Rd. and F Road

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. 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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		*Review Sheet Summary
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X		Reduction of assessor's map.
		Evidence of title, deeds, easements
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		Reduction of any maps – final copy
X	X	*Final reports for drainage and soils (geotechnical reports)
		Other bound or non-bound reports
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X	X	*Review Comments
		*Petitioner's response to comments
X	X	*Staff Reports
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		*Summary sheet of final conditions

DOCUMENT DESCRIPTION:

X	X	Easement – Bk 2337 / Pg 557 - **	X	X	Certification of plat – 6/30/97
X	X	Correspondence	X	X	Utility Composite
X	X	Resolution No. MCM-94-72-Mesa Co. – C31-94	X	X	Plat – GIS Historical Maps - **
X		Commitment for Title Insurance – Chicago Title Ins. Co.4/12/95	X	X	Sanitary Sewer Plan & Profile – GIS Historical Maps-**
X		Mesa Co. Treasurer's Certificate of Taxes Due – 4/26/95	X	X	Sanitary Sewer Realignment - GIS Historical Maps-**
X		Posting of Public Notice Signs – 5/24/95	X	X	Street Plan and Profile - GIS Historical Maps-**
X	X	Planning Commission Minutes – 7/11/95	X	X	Storm Sewer Plan, Profile and Drainage Plan
X	X	City Council Minutes – 8/2/95 - **	X		Pictures
X		E-mails	X		Planning Commission –Notice of Pub. Hearing mail-outs – 6/30/95
X	X	DIA – Bk 2337 / Pg 569 – Release - plat	X		Handwritten Notes
X		DIA – sent to City Clerk	X	X	DIA - NOT RECORDED VERSION - SCANNED WITH FILE
X		Declaration of Covenants, Conditions, Restrictions and Easements – Bk 2337 / Pg 559			



DEVELOPMENT APPLICATION

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

Receipt 2317
 Date 5-2-95
 Rec'd By me
 File No. FP-95-85

We, the undersigned, being the owners of property
 situated in Mesa County, State of Colorado, as described herein do hereby petition this:

PETITION	PHASE	SIZE	LOCATION	ZONE	LAND USE
<input checked="" type="checkbox"/> Subdivision Plat/Plan	<input type="checkbox"/> Minor <input checked="" type="checkbox"/> Major <input type="checkbox"/> Resub	5 acres	Approx. 25 1/2 Road and F 1/2 Road	PR	Single Family Residential
<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"/> 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					

<input checked="" type="checkbox"/> PROPERTY OWNER	<input type="checkbox"/> DEVELOPER	<input checked="" type="checkbox"/> REPRESENTATIVE
<u>Clinton E. Sparks</u> Name	<u>Wayne Lizer</u> Name	
<u>2574 F 1/2 Road</u> Address	<u>576 - 25 Road</u> Address	
<u>Grand Junction, CO 81505</u> City/State/Zip	<u>Grand Junction, CO 81505</u> City/State/Zip	
<u>(970) 243-9439</u> Business Phone No.	<u>(970) 241-1129</u> 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 required 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.

Wayne A. Lizer Signature of Person Completing Application 5/1/95 Date

Clinton E. Sparks Signature of Property Owner(s) - attach additional sheets if necessary 5/1/95 Date
 Clinton E. Sparks

PPP-95-85

Laffey, John R. 2575 Young Court Grand Junction, CO 81505-1417	Taylor, Beverlee A. 633 Fletcher Lane Grand Junction, CO 81505-1403	Millias, Leah E. 653 Fenton Street Grand Junction, CO 81506
Wilson, Bernadine R. 2570 Young Court Grand Junction, CO 81505-1417	Palmer, David A. 2577 F $\frac{1}{2}$ Road Grand Junction, CO 81505-1426	Perry, Tony 515 28 $\frac{1}{2}$ Road, Apt. 7 Grand Junction, CO 81501-4965
Watson, Richard L. 653 26 Road Grand Junction, CO 81506-1418	Sheader, Harold C. 3041 $\frac{1}{2}$ Stoneybrook Lane Grand Junction, CO 81504-4244	Taylor, Boyd Dean 2556 Janece Drive Grand Junction, CO 81505
Davis, John 1023 24 Road Grand Junction, CO 81505-9637	Perry, Tony 2558 Janece Drive Grand Junction, CO 81505	Westra, Michael L. 2554 Janece Drive Grand Junction, CO 81505
Keeling, Kathryn G. 2576 Young Court Grand Junction, CO 81505-1417	Briggs, Ruby Lee 654 Fenton Street Grand Junction, CO 81505	Clinton E Sparks 2574 F 1/2 Road Grand Junction, CO 81505
Ralston, Patrick A. 652 Young Street Grand Junction, CO 81505-1416	Campbell, David L. 656 Fenton Street Grand Junction, CO 81505	Wayne H Lizer, P.E., P.L.S. W H Lizer & Associates 576 25 Road Unit #8 Grand Junction, CO 81505
Harris, Sanford G. 653 Young Street Grand Junction, CO 81505	Miller, Les 2558 Janece Drive Grand Junction, CO 81505	John Williams, Esq. P O Box 55245 Grand Junction, CO 81505
Wright, Martha J. 2559 F $\frac{1}{2}$ Road Grand Junction, CO 81505-1426	Midwest Motor Lodges, Inc. 2558 Janece Drive Grand Junction, CO 81505	City of Grand Junction Community Development Dept. 250 N 5th Street Grand Junction, CO 81501
Puckett, Daniel V. 2563 F $\frac{1}{2}$ Road Grand Junction, CO 81505-1426	Hill, Marilyn K. 524 Kansas Avenue Grand Junction, CO 81503	
Hetzel, Kenneth M. 514 River View Drive Grand Junction, CO 81503-1414	Davis, John 1023 24 Road Grand Junction, CO 81505-9637	

\$50.00 by advertising fee paid
 account # 2484

SUBMITTAL CHECKLIST

MAJOR SUBDIVISION: FINAL

Location: 25 1/2 #F18

Project Name: Cimarron North

ITEMS		DISTRIBUTION																												
Date Received	SSID REFERENCE	City Community Development	City Dev. Eng.	City Utility Eng.	City Property Agent	City Parks/Recreation	City Fire Department	City Attorney	City G.J.P.C. (8 sets)	City-Downtown-Dev. Auth.	City Police	County Planning	County Building-Department	County Surveyor	Walker-Field	School Dist. #51	Irrigation District G.V.	Drainage District S.D.	Water District Ute	Sewer-District	U.S. West	Public Service	GVFP	CDOT	Corps-of-Engineers	Colorado-Geologic-Survey	U.S. Postal Service	Persigo WWTF	TCI Cable	TOTAL REQ'D.
DESCRIPTION																														
Application Fee \$720 + 415/acre	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	1	1	1	1	1	1	1	1	1
Application Form*	VII-1	1	1	1	1	1	1	1	8	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Reduction of Assessor's Map PAT	VII-1	1	1	1	1	1	1	1	8	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
Evidence of Title	VII-2	1		1				1																						
Appraisal of Raw Land	VII-1	1		1	1																									
Names and Addresses*	VII-2	1																												
Legal Description*	VII-2	1		1																										
Deeds	VII-1	1		1				1																						
Easements	VII-2	1	1	1	1			1													1	1	1						1	
Avigation Easement	VII-1	1		1				1							1															
ROW	VII-2	1	1	1	1			1													1	1	1						1	
Covenants, Conditions & Restrictions	VII-1	1	1					1																						
Common Space Agreements	VII-1	1	1					1																						
County Treasurer's Tax Cert.	VII-1	1																												
Improvements Agreement/Guarantee*	VII-2	1	1	1				1																						
CDOT Access Permit	VII-3	1	1																											
404 Permit	VII-3	1	1																											
Floodplain Permit*	VII-4	1	1																											
General Project Report	X-7	1	1	1	1	1	1	1	8	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Composite Plan	IX-10	1	2	1	1																									
11"x17" Reduction Composite Plan	IX-10	1			1	1	1	1	8	1	1	1	1				1	1	1	1	1	1	1	1	1	1	1	1	1	1
Final Plat	IX-15	1	2	1	1	1	1	1	8	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
11"x17" Reduction of Final Plat	IX-15	1							8	1	1	1				1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Cover Sheet	IX-11	1	2																											
Grading & Stormwater Mgmt Plan	IX-17	1	2															1							1	1			1	
Storm Drainage Plan and Profile	IX-30	1	2															1			1	1	1						1	
Water and Sewer Plan and Profile	IX-34	1	2	1			1											1	1	1	1	1						1	1	
Roadway Plan and Profile	IX-28	1	2															1												
Road Cross-sections	IX-27	1	2																											
Detail Sheet	IX-12	1	2																											
Landscape Plan	IX-20	2	1	1					8																					
Geotechnical Report	X-8	1	1																								1			
Phase I & II Environmental Report	X-10, 11	1	1																											
Final Drainage Report	X-5, 6	1	2															1												
Stormwater Management Plan	X-14	1	2															1							1					
Sewer System Design Report	X-13	1	2	1																1										
Water System Design Report	X-16	1	2	1														1												
Traffic Impact Study	X-15	1	2																							1				
Site Plan	IX-29	1	2	1	1		1		8																					

NOTES: * An asterisk in the item description column indicates that a form is supplied by the City.

PROJECT NARRATIVE
FOR
CIMARRON NORTH SUBDIVISION

A PART OF THE SW 1/4 NE 1/4 OF SECTION 3, T1S, R1W, UTE PM
MESA COUNTY, COLORADO
MAY 1, 1995

OWNER:

CLINTON E. SPARKS
2574 F 1/2 ROAD
GRAND JUNCTION, COLORADO 81505

ENGINEER:

W.H. LIZER & ASSOCIATES
Engineering Consulting and Land Surveying
576 25 Road, Unit #8
Grand Junction, Colorado 81505
241-1129

CIMARRON NORTH SUBDIVISION

GENERAL

The site is located 660 feet East of 25 1/2 Road and F 1/2 Road, and is a part of the SW 1/4 NE 1/4 of Section 3, T1S, R1W of the Ute Meridian in Mesa County, Colorado.

SCOPE OF PROJECT/COMPATIBILITY WITH SURROUNDING USES

It is proposed to subdivide a 5.3 acre parcel of land currently zoned PR 3.6 into 19 lots resulting in an average density of 3.6 units/acre.

The parcel of land has Grand Valley Irrigation Company water and is made up of 1 single family residence, out buildings and pasture. Adjacent land uses to the West, Northeast, East, and Southeast are subdivisions. To the Northwest is a parcel approximately 14 acres in agricultural use and to the South is an approximate 28 parcel used for agriculture.

To the Southwest is located the Public Service Co. building and property, Foresite Park for Industry, School District 51/Mesa State College Unified Technical Education Center (Foresite Park Campus), and the Sheriff's Posse Arena.

The proposed development, CIMARRON NORTH SUBDIVISION, is located close to Mesa Mall for general shopping and services as well as other businesses/services on 25 Road, F Road, and US Hwy 6 & 50. Pomona Elementary School is nearby at F and 25 1/2 Roads. At 1st Street & Orchard Ave., approximately 2 miles away, is located West Middle School and also City Market. Grand Junction High is approximately 2 1/2 miles from the proposed development.

The densities proposed in the "Northwest Plan" range from "Rural 1 Dwelling Unit/Acre" to the East, Residential Low to Medium: 2-5 DU/AC (which includes the proposed subdivision), and Residential Med. to High: 6-12 DU/AC to the West and South.

ACCESS TO THE SUBDIVISION

Access to the subdivision is proposed from F 1/2 Road.

AMOUNT OF TRAFFIC GENERATED

There will be 19 single-family units in the proposed subdivision. It is estimated that each unit will generate 10 trips/day or 190 trips/day total.

LAND USE SUMMARY

NUMBER OF LOTS	19	
AREA IN LOTS	3.24 AC	61.4%
	(0.13 AC in landscaping)	
AREA IN OPEN SPACE	0.143	2.7%
AREA IN GRAND VALLEY CANAL ROW	0.67	12.7%
AREA IN STREETS	1.22	23.2%
	TOTAL	5.28 AC
	DENSITY	3.6 UNITS/AC
		100.0%

PUBLIC SERVICES AND UTILITY SUMMARY

GRAND JUNCTION RURAL FIRE PROTECTION DISTRICT
UTE WATER CONSERVANCY DISTRICT
CITY OF GRAND JUNCTION - SEWER
PUBLIC SERVICE CO. - GAS & ELECTRIC
U.S. WEST - TELEPHONE
GRAND JUNCTION DRAINAGE DISTRICT
GRAND VALLEY IRRIGATION COMPANY

PROPOSED BUILDING SETBACKS

FRONT	20'	
SIDE YARD	5'	Minimum 15' between principal buildings
REAR	20'	

FEATURES TO BE A PART OF THE DEVELOPMENT

Landscaped open space which is located in the Southeast corner of the proposed subdivision will also be used for stormwater detention.

A pressurized irrigation system is planned for the development.

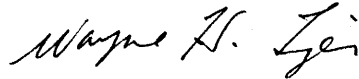
Grand Valley Irrigation Company requests that no sidewalks or walkways be constructed along canal ROW, however, the City of Grand Junction is planning to work with the developer and Grand Valley Irrigation Company to utilize the space as some type of parkway.

Project Narrative
Cimarron North Subdivision
May 1, 1995
Page 3

DEVELOPMENT SCHEDULE

The proposed development will be completed in one phase; improvements will be completed within one year from recording of final plat.

Respectfully submitted,



Wayne H. Lizer, P.E., P.L.S.

WHL/s1

W.H. LIZER & ASSOCIATES
Engineering Consulting and Land Surveying
576 25 Road, Unit #8
Grand Junction, Colorado 81505
241-1129

May 1, 1995

DRAINAGE REPORT
FOR
CIMARRON NORTH SUBDIVISION
CITY OF GRAND JUNCTION
MESA COUNTY, COLORADO

GENERAL

Cimarron North Subdivision is located approximately 660 feet East of the intersection of F 1/2 and 25 1/2 Roads and lies on the North side of F 1/2 Road. It is bounded on the North by the Grand Valley Canal.

The site consists of 5.3 acres and generally drains North to South at approximately 1% slope, then East along the North side of F 1/2 Road and then into a Grand Junction Drainage District ditch at the Easterly end of the property.

There is no exterior contribution to the site.

METHOD OF ANALYSIS

The Rational Method was used to determine the amount of storm runoff, using the formula $Q = CIA$ since this is a very small area,

where Q = runoff in cfs

C = runoff coefficient

I = rainfall intensity (in./hr.)

A = area in acres

Historic

A value of 0.22 was used for "C" for a 2-year event and 0.27 for a 100-year event.

After Development

There will be 3 basins created by the development. Basin 1 will drain to the East along Cimarron Court. Basin 2 will drain West, then South along Cimarron Court. Basin 3 will be the area where the Grand Valley Canal and right-of-way is located and will generally drain into the canal.

Drainage Report
Cimarron North Subdivision
May 1, 1995
Page 2

A value of 0.55 was used for Basin 1 and a value of 0.52 for Basin 2 was used for "C" for a 2-year event and 0.58 for Basin 1 and 0.56 for Basin 2 for "C" for a 100-year event which were determined by the composite method. For pavement, walks and roofs, 0.94 was used for "C", and for grassed areas 0.18 was used for "C" for a 2-year storm and 0.24 for a 100-year storm.

Basins 1 and 2 will discharge into a storm sewer system which will carry the flow to a storm detention basin at the Southeast corner of the subdivision, which will discharge into a Grand Junction Drainage District drain.

Computations attached.

SUMMARY

	Q ₂ cfs	Q ₁₀₀ cfs
Historic	1.1	3.5
After Development	2.45	8.9

CONCLUSIONS

A 100-year storm detention basin is designed at the Southeast corner of the subdivision which will discharge at a rate less than the historic rate into a Grand Junction Drainage District drain will runs along the Northeast side of the site.

Respectfully submitted,

Wayne H. Lizer

Wayne H. Lizer, P.E., P.L.S.

WHL/s1

Attachments



Cimarron North

Historical

$$T_{0.2} = \frac{1.8(1.1 - C)(L)^{1/2}}{S^{1/3}}, \quad 300 \text{ max for } L$$

$$= \frac{1.8(1.1 - 0.22)(300)^{1/2}}{1^{1/3}} = 27 \text{ min}$$

$$T_{0.100} = \frac{1.8(1.1 - 0.27)(300)^{1/2}}{1^{1/3}} = 26 \text{ min}$$

$$I_2 = 0.94$$

$$I_{100} = 2.46$$

$$Q_2 = CIA = (0.22)(0.94)(5.3) = 1.1 \text{ CFS}$$

$$Q_{100} = CIA = (0.27)(2.46)(5.3) = 3.5 \text{ CFS}$$

AFTER DEVELOPMENT

Composite method

Basin 1

1.15 Acre, 0.56 Ac in Streets, Sidewalks
and roofs, and 0.59 Ac in Lawn.

2 year C

$$\frac{\Sigma (0.18)(0.59) + (0.56)(0.94)}{1.15} = 0.55$$

100 year C

$$\frac{\Sigma (0.24)(0.59) + (0.56)(0.94)}{1.15} = 0.58$$

Cimarron North

2/

Average Slope = 0.4070 - BASIN 1

$$T_{0.2} = \frac{1.8 (1.1 - C)(L)^{1/2}}{S^{1/3}} = \frac{1.8 (1.1 - 0.55)(300)^{1/2}}{(0.4)^{1/3}} = 23 \text{ min}$$

$$T_{100} = \frac{1.8 (1.1 - 0.58)(300)^{1/2}}{S^{1/3}} = 22 \text{ min}$$

$$I_2 = 1.02, I_{100} = 2.7$$

$$Q_2 = CIA = (0.55)(1.02)(1.15) = 0.6 \text{ CFS}$$

$$Q_{100} = CIA = (0.58)(2.7)(1.15) = 1.8 \text{ CFS}$$

BASIN 2 3.3 Acres

1.8 Acres in Lawns

1.5 Acres in Streets, Roofs, Sidewalks

2 year C

$$\bar{C} = \frac{(0.18)(1.8) + (1.5)(0.94)}{3.3} = 0.52$$

100 year C

$$\bar{C} = \frac{0.24(1.8) + (1.5)(0.94)}{3.3} = 0.56$$

Average Slope \approx 0.7070

$$T_{0.2} = \frac{1.8 (1.1 - 0.52)(300)^{1/2}}{(0.7)^{1/3}} = 20 \text{ min}$$

$$T_{100} = \frac{1.8 (1.1 - 0.56)(300)^{1/2}}{(0.7)^{1/3}} = 19 \text{ min}$$

Cimarron North - Basin 2 cont.

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$$I_2 = 1.11, I_{100} = 2.91$$

$$Q_2 = CIA = (0.52)(1.11)(3.3) = 1.9 \text{ CFS}$$

$$Q_{100} = CIA = (0.56)(2.91)(3.3) = 5.4 \text{ CFS}$$

Total - Basins 1 and 2

$$Q_2 = 0.55 + 1.9 = 2.45 \text{ CFS}$$

$$Q_{100} = 3.5 + 5.4 = 8.9 \text{ CFS}$$

V From page N-4

$$T_{d2} = \left\{ \frac{633.4 (0.57)(4.6)}{2 - \frac{(2)^2(21)}{(81.2)(0.57)(4.6)}} \right\}^{1/2} - 15.6 = 16.6 \text{ min}$$

$\frac{1669.77}{11}$
 $\frac{11}{0.39}$
 $\frac{11}{1.60}$

$$T_{d100} = \left\{ \frac{1832 (0.57)(0.46)}{2 - \frac{(2)^2(21)}{213(0.57)(4.6)}} \right\}^{1/2} - 17.2 = 34 \text{ min}$$

$\frac{4827.50}{11}$
 $\frac{11}{1.849}$

$$I_{d2} = \left(\frac{40.6}{16.6 + 15.6} \right) = 1.26$$

$$I_{d100} = \frac{106.5}{34 + 17.2} = 2.1$$

$$Q_{d2} = C_d A I_d = (0.57)(4.6)(1.26) = 3.3 \text{ CFS}$$

$$Q_{d100} = C_d A I_d = (0.57)(4.6)(2.1) = 5.5 \text{ CFS}$$

Cimarron North

4

$$K = \frac{T_{ch}}{T_{cd}} = \frac{27}{23} = 1.17$$

$$\begin{aligned} V_2 &= 60 \left[Q_d T_d - Q_r T_d - Q_r T_{cd} + \frac{K Q_r T_{cd}}{2} + \frac{Q_r^2 T_{cd}}{2 Q_d} \right] \\ &= 60 \left[(3.3)(16.6) - (2)(16.6) - (2)(22) + \frac{(1.17)(22)}{2} + \frac{(2)^2 (22)}{(2)(3.3)} \right] \\ &= 60 [54.78 - 33.2 - 44 + 12.87 + 13.33] \\ &= 60 [3.78] = 226.8 \text{ ft}^3 \end{aligned}$$

$$\begin{aligned} V_{100} &= 60 \left[(5.5)(34) - (2)(34) - (2)(22) + \frac{(1.17)(22)}{2} + \frac{(2)^2 (22)}{(2)(5.5)} \right] \\ &= 60 [187 - 68 - 44 + 12.87 + 8] \\ &= 60 [95.87] = 5752 \text{ ft}^3 \end{aligned}$$

RESOLUTION NO. MCM 94- 72
Planning Department No. C31-94APPROVAL OF AN OFFICIAL DEVELOPMENT PLAN (ODP) AND REZONE TO PLANNED UNIT
DEVELOPMENT (PUD) FOR CIMMARON NORTH SUBDIVISION AND FINAL PLAN/PLAT FOR
FILING 1 OF THE ODP FOR CIMMARON NORTH SUBDIVISION

WHEREAS, Clinton E. Sparks, sought to have approval of an Official Development Plan (ODP) AND Planned Unit Development (PUD) for the Cimmaron North Subdivision and Final Plat/Plan for Filing 1 of the Cimmaron North Subdivision in the following location in Mesa County, to wit:

(See Attachment A)

WHEREAS, the public hearing before the Board of County Commissioners was held on April 12, 1994.

NOW THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MESA FINDS AS FOLLOWS:

That the hearing before the Board was held after proper notice;

That the staff recommendation was contained in a staff report dated March 14, 1994;

That the Mesa County Planning Commission made a recommendation for approval on the consent agenda at the public hearing held on March 24, 1994;

That the Official Development Plan and Planned Unit Development (PUD) met with relevant Mesa County Land Use Policies, and Section 5.1.5, Official Development Plan and Section 7.2.2, Official Development Plan Requirements in the Mesa County Land Development Code.

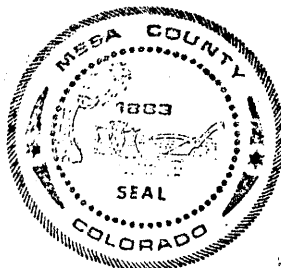
That the Final Plat/Plan for Filing 1 met with relevant Mesa County Land Use Policies, in particular Section 5.5, Resubdivision; and Section 7.3.2, Final Plat - Subdivisions and Planned Unit Developments Requirements in the Mesa County Land Development Code.

That the approval is in accordance with the health, safety and welfare of the residents of Mesa County.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS IN THE COUNTY OF MESA, STATE OF COLORADO:

That the Official Development Plan (ODP) and Planned Unit Development (PUD) for the Cimmaron North Subdivision and Final Plat/Plan for Filing 1 of the Cimmaron North Subdivision is approved subject to the following stipulations and review agency comments (See Attachment B).

PASSED AND ADOPTED THIS THE 19th day of April, 1994.



Dorothy B. Genova
~~John Crouch~~, Chair of the
Board of Mesa County Commissioners

ATTEST:

Monika Todd
Monika Todd, County Clerk

Attachment A:

C31-94 CIMARRON NORTH SUBDIVISION -- ONE STEP APPLICATION FOR AN OFFICIAL DEVELOPMENT PLAN (ODP), REZONE TO PLANNED UNIT DEVELOPMENT (PUD) AND PRELIMINARY/FINAL PLAN AND PLAT FOR PHASE 1

Petitioner: Clinton E. Sparks
Representative: Wayne Lizer
Location: 620 feet east of the intersection of 25 1/2 Road and F 1/2 Road

A request for a Official Development Plan (ODP), rezone to Planned Unit Development (PUD) for nineteen (19) lots on a 5.19 acre parcel in a Agricultural, Forestry Transitional (AFT) zone. This is a one step process for a preliminary/final plan and plat for Phase 1 of a two (2) phase PUD subdivision. Phase 1 contains ten (10) lots. If you have any questions or concerns, please contact Mike Joyce at 244-1642.

That part of the E 1/2 SW 1/4 NE 1/4 of Section 3, Township 1 South, Range 1 West of the Ute Meridian, lying South of the centerline of the Grand Valley Canal, Mesa County, Colorado.

Attachment B:

1. Establish a maximum building height not to exceed 30 feet;
2. Setbacks for the cluster homes are:

Principal Building -- 20 foot - Front
 20 foot, except 30 feet on lots abutting F
 1/2 road - Rear
 10 foot (including corner lots or easement
 width - Side

Accessory Buildings -- Limited to the rear 1/2 of Lot
 5 foot - Rear
 5 foot or Easement Width - Side

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 feet for the garage portion of the principal structure, with the remaining portions of the principal structure meeting a 10 foot or easement width setback;

3. Minimum lot size shall be 4,981 square feet;
4. There shall not be any direct driveway access onto F 1/2 Road;
5. Road right-of-way and improvements to urban standards are required. Cimarron Court is required to have a 42 foot right-of-way with 26 feet of paving mat. Roll-over curb and gutter are required on Cimarron Court. The City of Grand Junction has requested that sidewalks be required on Cimarron Court, as well due to the possible annexation of this subdivision. Contribute to road improvements, including sidewalks for a half section urban collector for F 1/2 Road. Road plans must be approved by the County Development Engineer;
6. Submit a landscaping plan for property along F 1/2 Road;
7. Neighborhood mailboxes be located at convenient locations throughout the subdivision rather than grouped together in one location. These units shall not be located in zones designated for sight distance, such as intersection corners with all neighborhood mailbox locations subject to approval of Mesa County Traffic Section;
8. That engineered foundations for each lot be accomplished due to the Geologic Hazard Survey indicating that there severe soil limitations for local roads, streets and foundations;
9. The Drainage and Irrigation Plan must be approved by the County Development Engineer;
10. This detention structure is proposed to be built on open space. A neighborhood association or other provision for the maintenance of this structure must be provided must be addressed in the Restrictive Covenants;
11. An improvements agreement and guarantee for each filing must be prepared with the cost estimates for any improvements to be completed;
12. Recording of the corrected and approved Official Development Plan and Development Permit with the Mesa County Clerk and Recorder within three (3) months of approval and recording of the Final Plat/Plan step for Phase 1 within one (1) year of approval; and,
13. Review agency comments consistent with these stipulations.

REVIEW COMMENTS

Page 1 of 4

FILE #FPP-95-85

TITLE HEADING: Final Plan/Plat - Cimarron North
Subdivision

LOCATION: 25 1/2 Road & F 1/2 Road

PETITIONER: Clinton E. Sparks

PETITIONER'S ADDRESS/TELEPHONE: 2574 F 1/2 Road
Grand Junction, CO 81505
243-9439

PETITIONER'S REPRESENTATIVE: Wayne Lizer

STAFF REPRESENTATIVE: Kathy Portner

NOTE: THE PETITIONER IS REQUIRED TO SUBMIT FOUR (4) COPIES OF WRITTEN RESPONSE AND REVISED DRAWINGS ADDRESSING ALL REVIEW COMMENTS ON OR BEFORE 5:00 P.M., MAY 24, 1995.

PARKS & RECREATION DEPARTMENT
Don Hobbs

5/5/95
244-1542

1. We request that land dedication be made to the City of Grand Junction adjacent to the Grand Valley Canal for future pathway. Trail easement between lots 10, 11 & 12 would allow neighborhood access to future trail.
2. Open space fees based upon 19 lots @ \$225.00 each = \$4,725.00 due.

GRAND JUNCTION POLICE DEPARTMENT
Dave Stassen

5/9/95
244-3587

This development poses no problems for the Police Department.

UTE WATER
Gary R. Mathews

5/11/95
242-7491

1. A valve is needed at Cimarron Court and F 1/2 Road, also one is needed near the end of the main on F 1/2 Road.
2. An 8" C-900 main is needed for Cimarron Court. Location of fire hydrants are needed before approval.
3. Stub outs are installed approximately 3' from property lines.
4. The 8" main at Kay Subdivision is a protected line and requires an assessment paid.
5. Policies and fees in effect at time of application will apply.

U.S. POSTAL SERVICE
Cheryl Fiegel

5/8/95
244-3435

Mail delivery options:

1. Centralized - available immediately
2. Curbside or behind the sidewalk - available after 50% of homes complete (10).

CITY ATTORNEY
Dan Wilson

5/14/95
244-1505

1. Need proof that, before plat is recorded, Homeowner's Association is formed and necessary conveyances to the association are in place.
2. See comments regarding attached page 3 of CCR's; Section 12.4 needs City consent to amendment language added.
3. CCR's to be recorded with plat.
4. Some evidence that 8 shares of irrigation water is sufficient.
5. See language on plat regarding canal right-of-way dedication.

CITY DEVELOPMENT ENGINEER
Jody Kliska

5/15/95
244-1591

PLAT

1. Is that portion labeled as Grand Valley Canal right-of-way already dedicated as right-of-way?
2. What is the purpose of outlot B? Who will own it? The storm sewer line apparently discharges into it, rather than the area labeled for detention.
3. Outlot A - is it a separate parcel? It needs to have utility, drainage easements dedicated.
4. All easements need to be clearly labeled - i.e. multi-purpose easements. Each easement labeled should have accompanying dedication language.

SEWER

1. No note requiring all Ute Water lines be tested in accordance with City Standards prior to street construction is on plans and is required.
2. All plan sheets - add approval signature block.

STREET PLAN

1. Street name sign and stop sign required at F 1/2 Road intersection. Please show on plans. Installation is the responsibility of the developer.
2. Show the storm drain inlets on this plan. Provide a detail on the detail sheet, call out size and type of inlet, grates.
3. The pavement design was not submitted with this application. The section shown on the plans says as per design. Please submit the design and change the drawing to reflect the design.
4. Sidewalk on F 1/2 Road is not shown on plans. Please show on plans and provide a detail for the sidewalk.

DRAINAGE REPORT

1. Storm drain inlets - use Appendix G of SWMM manual to show the proposed storm drain inlets are sized appropriately. Street flows - Appendix G - indicate the street flows will be below maximum flows allowed.

2. Storm sewer line - provide calculations showing the pipe is appropriately sized and meets minimum velocity flow as required in Appendix H of SWMM manual.
3. Outlet structure - follow the summary of procedures in Appendix N of SWMM manual for detention pond design which includes the outlet structure design. The selection of the type of outlet structure will determine Q_r as shown in Figures N-2 a & b. This is also related to the volume required for detention. The calculations need to clearly state how Q_r was determined. Calculations for the outlet structure need to be included in the report.
4. Slopes - Section VIII, Figure VIII-4 of SWMM requires slopes up to a maximum of 3:1 to be sodded or seeded. This needs to be noted in the report that seeding or sodding is required and shown on the plans for the type of application.
5. Please submit a revised drainage report and grading and drainage plan reflecting these changes.

GENERAL

Prior to commencement of construction, all plans must be approved and four (4) sets of approved given to the City. An improvements agreement must be in place and a pre-construction meeting with City personnel, the developer, his contractor, his engineer, and his quality control testing company is required.

CITY PROPERTY AGENT
Steve Pace

5/15/95
244-1452

1. The centerline shown running thru the northerly portions of Lot 19 and Outlot B needs to be labeled and needs to be dimensioned.
2. The bearing and distance needs to be labeled on the west line of the subdivision.
3. The distance between C1/4COR and the S.W. COR of the subdivision needs to be labeled.
4. The distance on the west line of Lot 9 is illegible.
5. In the dedication, irrigation lines need to be added to the multi-purpose and utility easements.
6. In the dedication, GVWUA, Detention and GJDD easements are addressed but not shown on the plat.

GRAND VALLEY IRRIGATION COMPANY
Phil Bertrand

5/15/95
242-2762

1. See February 23, 1994 comment sheet (attached).
2. Have major concerns about dedication statement for the subdivision. This is a major encroachment problem.

GRAND JUNCTION DRAINAGE DISTRICT
John L. Ballagh

5/15/95
242-4343

See attached comments.

PUBLIC SERVICE COMPANY
Dale Clawson

5/15/95
244-2695

No objections.

MESA COUNTY SCHOOL DISTRICT #51
Lou Grasso

5/15/95
242-8500

<u>SCHOOL</u>	<u>CURRENT CAPACITY/ENROLLMENT</u>	<u>IMPACT</u>
Pomona Elementary	325 / 305	5
West Middle School	500 / 530	3
Grand Junction High School	1630 / 1548	3

COMMUNITY DEVELOPMENT DEPARTMENT
Kathy Portner

5/16/95
244-1446

See attached comments.

CITY UTILITY ENGINEER
Trent Prall

5/16/95
244-1507

SEWER: City

1. Out Lot A not defined as common or openspace.
2. Form base of MH "A" to accommodate greater than 90 degree junction.
3. 1995 Sewer Extension will not be constructed. Therefore a 10" sewer line in F 1/2 Road will have to be constructed by developer. Please show profile for sewer in F 1/2 Road. (City will pay for material cost for upgrade from 8" pipe to 10" pipe)
4. When running pipe straight through manhole, elevation should be called out for center of manhole rather than having the same elevation for both east and west.
5. Construct transition on MH#2 since drop is greater than 1'.
6. Provide 8' stub out east of MH #3 at +0.16% grade for future expansion.
7. 20' upstream of each manhole, a clay plug will be placed in the backfill material to prevent groundwater from traveling along the pipe bedding. This clay plug will be constructed so that it will extend to the width of the trench to below the depth of granular stabilization and bedding material placed in that section of the pipe line, and for a distance at least five feet (5') upstream. Clay backfill material shall consist of material with a CL classification according to the Unified Soil Classification System, at least 60 percent passing the No. 200 sieve and a minimum Plasticity Index of 10.
8. Please get revised Exhibit "I". Revision dated 6/15/94.

WATER: Ute

1. Waterline around radius cannot be constructed as shown (Curve 7). Use bends.
2. Waterline bends need to show degrees of bend.
3. Relocate fire hydrant so that it is no more than 250' to farthest lot corner.

TO DATE, COMMENTS HAVE NOT BEEN RECEIVED FROM:

Mesa County Planning
Mesa County Surveyor
U.S. West
TCI Cablevision

STAFF REVIEW

FILE: #FPP-95-85
DATE: May 15, 1995
STAFF: Kathy Portner
REQUEST: Final Plat--Cimarron North Subdivision
LOCATION: NE of 25 1/2 and F 1/2 Roads
APPLICANT: Clinton Sparks

EXISTING LAND USE: One Single Family Home

PROPOSED LAND USE: Single Family Residential, 3.6 units per acre

SURROUNDING LAND USE:

NORTH: Single Family Residential/Agriculture
SOUTH: Single Family Residential (approx. 1 unit per 2 acres)
EAST: Single Family Residential/Agriculture
WEST: Single Family Residential (approx. 3.8 units per acre)

EXISTING ZONING: Planned Residential (PR), 3.8 units per acre

PROPOSED ZONING: No change

SURROUNDING ZONING:

NORTH: County AFT
SOUTH: County AFT
EAST: PR 3.8
WEST: County AFT

RELATIONSHIP TO COMPREHENSIVE PLAN:

No Comprehensive Plan exists for this area.

STAFF ANALYSIS:

Cimarron North Subdivision received Preliminary Plan approval for 19 lots on 5.19 acres at the time of annexation. The setbacks established with the zoning are as follows:
Principal Building Front--20'

Rear--20' and 30' on lots abutting F 1/2 Road
Side--10' (including corner lots or easement width)

Accessory Buildings Limited to the rear 1/2 of lot
Rear--5'
Side--5' or easement width

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 feet for the garage portion of the principal structure, with the remaining portions of the principal structure meeting a 10' or easement width setback. The maximum building height is 30'.

Access is proposed to be provided from a cul-de-sac with on access point on F 1/2 Road. Individual driveway access will not be allowed directly onto F 1/2 Road.

The Mesa County Development File for previous approvals of Cimarron North Subdivision (C31-94) includes a letter from the Colorado Geological Survey reviewing the summary geologic report for the subdivision. In the letter it is recommended that each building site have an individual, site-specific soils and foundation investigation by a qualified soils and foundation engineer because of the soils conditions and shallow water table. The County approval of the subdivision included a condition that engineered foundations be required for all lots. The City acceptance of the Preliminary Plan approval also included that condition.

The following issues/concerns must be addressed:

1. Contained in the submitted materials is a document titled "Easement and Agreement" concerning a tiled drain constructed across the property in conjunction with the Grand Junction Drainage District. Please indicate the location and status of the easement/improvements.
2. For purposes of maintaining all common open space and the detention and irrigation systems, proof of formation of the Home Owner's Association is required prior to the City recording the plat.
3. All easements must be identified on the plat drawing as to type and width. The types of easements shown on the drawing must match the easements listed in the dedication.
4. The accessway along the south side of the canal must be dedicated to the City of Grand Junction for future trail purposes. The City will determine the type of dedication necessary prior to the plat being recorded.
5. Access from Cimarron Court to the canal trail must be provided between two lots, preferably the lots toward the end of Cimarron Court. The access must be a minimum 10' wide easement.
6. What is being designated by the 3 dashed lines with a center line indicated across the

north portion of outlot B and lot 19?

7. What is the purpose of outlot A?
8. The detention facility must be located in a separate tract and dedicated to the homeowners.
9. Verify on the plat drawing the width of lot three's frontage on Cimarron Court. A dimension seems to be missing.
10. As per the County approval, accepted by the City, a landscaping plan for the F 1/2 Road frontage must be submitted for review and approval. If fencing along F 1/2 Road is proposed it must be shown on a site plan, with details on height and materials, for review and approval.
11. Parks and Open Space fees of \$225 per lot must be paid prior to recording the plat.
12. Half street improvements for F 1/2 Road is required.

STAFF RECOMMENDATION:

A staff recommendation will be made upon receipt of petitioner's response to comments.

(City Attorney)

surface water to adjoining Lots unless along a natural drainage path, nor shall grading cause soil erosion. Grading shall be confined to each Lot, and shall be subject to review by the Design Review Committee.

ARTICLE III
DESIGN REVIEW COMMITTEE

Section 3.1. Composition of Committee. The Design Review Committee ("Committee") shall consist of between three and seven persons, as determined by the Board of Directors of the Owner's Association from time to time, appointed by the Board; provided, however, that until all Lots have been conveyed by Declarant, the Declarant shall appoint the Design Review Committee. A majority of the Committee may designate a representative to act for it.

for some date certain which first occur

Section 3.2. Review by Committee. No building, home, structure or any attachment to an existing structure, whether a residence, an accessory building, a tennis court, a swimming pool, fence, wall, barrier, exterior lighting facility, athletic facility, or other similar improvement or attachment sign, shall be constructed upon the Property, and no alteration of the exterior of a structure shall be made, and no change in the final grade, nor the installation of any landscaping shall be performed, unless complete plans and specifications therefor (said plans and specifications to show exterior design, height, materials, color, location of the structure or addition to the structure, plotted horizontally and vertically, location and size of driveways, general plan of landscaping, fencing, walls, windbreaks and the grading plan) shall have been first submitted to and approved in writing by the Committee. The Committee shall exercise its best judgment to the end that all attachments, improvements, height of improvements, construction, landscaping and alterations to structures and on land within the Property conform to and harmonize with existing surroundings and structures.

Section 3.3. Procedures. The Design Review Committee shall approve or disapprove all plans within thirty (30) days after submission. In the event that the Committee fails to approve or disapprove such design and location within thirty (30) days after said plans and specifications have been submitted to it, approval will not be required and this Article will be deemed to have been fully complied with.

Section 3.4. Vote. A majority vote of the Committee is required to approve a proposed improvement, unless the Committee has designated a representative to act for it, in which case the decision of the representative shall control.

Section 3.5. Records. The Committee shall maintain written records of all applications submitted to it and of all actions taken by it, and such records shall be available to Owners for inspection at reasonable hours.

THE GRAND VALLEY IRRIGATION COMPANY

688 - 26 Road
GRAND JUNCTION, COLORADO
81506

February 23, 1994

1. Our records show Clinton E. Sparks owns 8 shares of GVIC stock ordered out of headgate HL55
8 shares = 36 gallons per minute
Normal residential house pump pulls 5 to 7 shares
2. Are water shares going to be held by HOA or individual? this needs to be declared
3. Source of water needs to be shown on plat, where it enters property
4. No future alternate point of delivery will be authorized by GVIC , i.e., from the Mainline canal which borders the north side of the project

5. Special Note: Major concerns: of Geologic report dated 2/10/94
CONSTRUCTION FACTORS

There is evidence of a high water table in the area which should be determined prior to construction. Slightly expanding soils in this area that are composed of and derived from shale would require soil testing prior to placement of foundations.

WATER TABLE

From discussions above, the water table depth should be determined prior to construction. It is estimated to be 3 to 4 feet below ground surface.

It is very important that high water table and proper sub-surface drainage be addressed.

6. Lateral irrigation and drainage ditch to adjoining property must be honored and respected with acknowledgement of the easement of record

Homeowner's Association Covenants

1. No stock piling of debris, grassclippings, brush, vehicles, animal refuse etc., on canal right-of-way
2. No horizontal or vertical encroachment of canal ROW by live trees or shrubs
3. Canal ROW is considered a 'No Trespass' area not to be used for walking, biking, vehicular use, etc
4. No run off of irrigation, garden, or lawn water, etc., is to come onto ROW that would inhibit ROW use or damage such access road

GRAND JUNCTION DRAINAGE DIST.

722 23 ROAD P.O. BOX 55246 GRAND JUNCTION, CO 81505
(303) 242-4343

REVIEW COMMENTS May 15, 1995

The plans for CIMARRON NORTH SUBDIVISION, file no. FPP-95-85, have been reviewed. The area is known to have a high water table. Replacement of the HETZEL TILE and the deteriorated pipe under the Grand Valley Irrigation Company mainline canal by the Drainage District in the last ninety days confirmed that the ground water is very close to the surface in the area. Ground water was encountered at about the same elevation as the bottom of the canal even after having had a very dry winter to drain away. It is believed that the high water table is persistent.

The old HETZEL TILE is shown correctly on the plans. It is no longer used. The pipe had deteriorated since installation in the late 1950's / early 1960's. The new alignment is wholly within the right-of-way claimed by the Grand Valley Irrigation Company. The easement granted to the Grand Junction Drainage District by Mr. Hetzel is rather vague and might cause a cloud on title. The developer needs to contact the Drainage District to resolve the situation.

The area to be subdivided drains into what is known by the District as the BEEHIVE DRAIN (the City knows it as the 26 ROAD CHANNEL, see NHPQ Grand Junction Master Drainage Plan, 1975). None of the downstream facilities are anywhere as large as recommended in the 1975 report. The BEEHIVE DRAIN flows through a 36" concrete pipe into the Independent Ranchman's Ditch north of Pomona School. Given the site location within the basin and the downstream facilities in place, there does need to be on site detention of surface runoff.

The drainage report does include historic and developed runoff calculations. The report also reports the volume of the detention facility. The report does not have a stage inflow / outflow comparison for the detention facility and discharge pipe. The flow comparison would enable one to decide if the proposed detention facility is of adequate capacity. There are figures on the "storm sewer plan & profile & drainage plan" which do not correlate to similar numbers in the drainage report. It must be realized that the BEEHIVE DRAIN originates well north of the site and drains an area that includes property near 26 3/4 and G 1/4 lines. The proposed 12" pvc detention facility spill pipe on the design grade should allow almost 3 cubic feet per second to empty into the BEEHIVE DRAIN (with no head pressure). That compares to the reported historic 100 year runoff but exceeds the historic two year runoff by a factor of three. Some reduction in the discharge rate for less frequent storms is warranted. A smaller discharge pipe is strongly recommended. Holding back the "big one" is appropriate only if the downstream properties are not flooded much more often due to greater flows during more frequent storm events (where there is actually less rainfall) due to collection and transport of surface runoff in pipes and gutters sized to address only the 100 year event.

GRAND JUNCTION DRAINAGE DIST.

722 23 ROAD P.O. BOX 55246 GRAND JUNCTION, CO 81505
(303) 242-4343

CIMARRON NORTH SUBDIVISION
review comments, page 2
May 15, 1995

The pipe from the detention facility should be taken to a manhole, not the open drain. Either use the newly installed manhole shown on the plans, or the developer can install another manhole closer to the easterly line of the subdivision. In either case the developer needs an easement from the Grand Valley Irrigation Company or from the private property owner east of him to cross their property with the storm drain line from the detention pond. The Drainage District does not have the authority to grant such a right.

Who will take title to the "outlots" shown on the plat? Who will have perpetual responsibility for the maintenance of the drainage facilities, the detention pond, and the inlets? The inlets are in the streets, does the City have responsibility for them? The proposed facilities are not part of the Drainage District subsurface drain system.

The dedication statement where the City of Grand Junction will "be dedicated" all GJDD easements is hopefully not serious. The Drainage District is not intending to dedicate any of the GJDD easements to the City. The developer does not have the legal right to transfer any interest that the Grand Junction Drainage District has to any other agency. Grant of any easement over an existing GJDD easement will be considered subservient to an existing GJDD easement. The functions of the Drainage District to meet our statutory responsibilities will be exercised. The BEEHIVE DRAIN is in place to help preserve and improve properties within the boundaries of the Grand Junction Drainage District. The pipes and drains of the District are to collect and transport seep, return flow irrigation water, and (since 1983 action of the Colorado Legislature) storm waters. It is vitally important that unimpeded access to the District facilities be maintained.

The identification of the canal is not wholly accurate. The Grand Valley Irrigation Company is the owner of the canal. The dedication statement refers to the Grand Valley Water User's Association (the operator of the US Government Highline Canal) and the Stub Ditch (which is operated by the Mesa County Irrigation District) neither agency has any facility on or near the site.

Reviewed

John L. Balogh

May 15, 1995

COLEMAN, JOUFLAS & WILLIAMS

ATTORNEYS AT LAW

2452 Patterson Road, Suite 200

P.O. Box 55245

Grand Junction, CO 81505

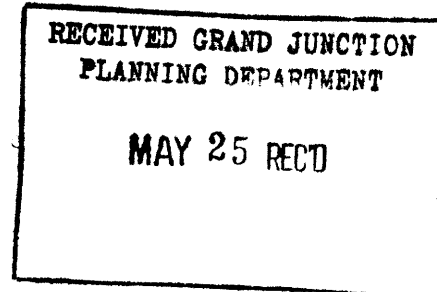
Joseph Coleman
Gregory Jouflas
John Williams

Telephone
(970) 242-3311

Telecopier
(970) 242-1893

May 25, 1995

Kathy Portner
Staff Representative
Grand Junction Community Development Department
City Hall
250 North 5th
Grand Junction, CO 81501



RE: Response to Review Comment - Cimarron North Subdivision

Dear Kathy:

It is my understanding from Clinton E. Sparks, owner of the proposed Cimarron North Subdivision, that Wayne Lizer will respond to most of the comments contained in the Review Comments. However, I have the following comments concerning legal issues raised:

1. With regard to the dedication of the canal bank, I have discussed the matter with Dan Wilson. Mr. Wilson has asked that we determine from the title company if Mr. Sparks owns to the edge of the canal or the centerline of the canal. If he does, Mr. Sparks is willing to make some type of conveyance to the City for a trail easement. Any such conveyance will, by necessity, be subject to the rights of Grand Valley Irrigation Company. We are trying to determine what those rights are now via the title company. I am not sure at this point whether the conveyance will be by way of dedication on the plat or conveyance. Therefore, the dedication will not be changed in Lizer's submittal. Please be assured, however, that it is Mr. Sparks intent to cooperate with the City to solve this problem.

2. With regard to Dan Wilson's comments, I make the following representations to you:

a. A Homeowner's Association will be formed and appropriate conveyances placed of record at the time the plat recorded.

b. The covenants will be amended per Dan Wilson's suggestions concerning Section 3.1. With regard to Section 12.4, I need to have further discussions with Dan Wilson, but do not believe his request will cause problems.

c. The covenants will be recorded with the plat.

d. It is Wayne Lizer's opinion that 8 shares of irrigation water is more than sufficient for the property.

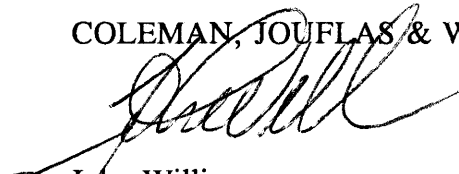
Kathy Portner
May 25, 1995
Page 2

e. The canal right away will be solved prior to plat recording.

I have no further comments, anticipating that Wayne Lizer will take care of the remainder stated in the Review Comments. However, if you have questions, please do not hesitate to contact me.

Sincerely,

COLEMAN, JOUFLAS & WILLIAMS



John Williams

COLEMAN, JOUFLAS & WILLIAMS

ATTORNEYS AT LAW

2452 Patterson Road, Suite 200

P.O. Box 55245

Grand Junction, CO 81505

Telephone
(970) 242-3311

Telecopier
(970) 242-1893

Joseph Coleman
Gregory Jouflas
John Williams

May 25, 1995

Dan Wilson
City Attorney
250 North 5th
Grand Junction, CO 81501

RE: Cimarron North Subdivision

Dear Dan:

Two matters I need to discuss in this letter. First, I have asked Western Colorado Title to research ownership of the Cimarron North property as it concerns the canal. I will let you know the results. Mr. Sparks intends to cooperate with the City in some kind of conveyance of an easement if he has the right to do so. Any such conveyance will be subject to the rights of the canal company. This may take the form of a dedication or an actual deed, but the exact form will be determined through additional discussions between you and I.

Secondly, in your comments you have requested that the City will need to consent to any amendments of the CCRs. Is this a new requirement that the City imposes on all CCRs? I am resistant to the notion that the City has the right to impose this requirement. Let's talk further and see if we can get this resolved.

Please call if you have any questions or comments.

Sincerely,

COLEMAN, JOUFLAS & WILLIAMS



John Williams



Grand Junction Community Development Department
Planning • Zoning • Code Enforcement
250 North Fifth Street
Grand Junction, Colorado 81501-2668
(970) 244-1430 FAX (970) 244-1599

June 1, 1995

Clinton E. Sparks
2574 F 1/2 Road
Grand Junction, CO 81505

RE: Cimarron North Subdivision (FPP-95-85)

Dear Mr. Sparks:

City staff has reviewed the response to comments submitted for Cimarron North Subdivision and find it to be incomplete. The following responses were found to be inadequate:

1. Storm drain inlets and street name signs are not shown on plans as noted in the response to comments.
2. Plat notations and dedications have not been modified.
3. A pavement design report was not submitted for this subdivision.
4. A drainage report was not submitted and the drainage plan is incomplete.

The response would not be deemed to be incomplete based on the omission of items 1 through 3 individually; however, those in combination with the drainage report not being submitted does make the submittal incomplete. The drainage report and plan are a major design component of the subdivision and must be a part of the Planning Commission's consideration.

Section 6-7-4 and 6-8-3 of the Zoning and Development Code states:

A submittal with insufficient information, identified in the review process, which has not been addressed by the applicant, may be withdrawn from the agenda by the Administrator.

Therefore, consideration of the final plat for Cimarron North Subdivision has been pulled from the June 6, 1995 Planning Commission agenda. The above deficiencies must be addressed with a submittal of revised plans and reports by 5:00 p.m., June 16th for the subdivision to be put on the July 11th Planning Commission agenda. Because the item was already advertised for the June Planning Commission hearing, there will be a \$50.00 re-advertising fee for the July hearing. This fee must also be submitted by the June 16th deadline.

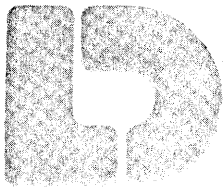
I hope this is an opportunity for you and your engineer to work closely with us to submit the additional information and finalize all of the technical concerns before the July Planning Commission hearing. Thank you for your cooperation.

Sincerely,



Katherine M. Portner
Planning Supervisor

xc: John Williams
Wayne Lizer



Lincoln DeVore, Inc.
Geotechnical Consultants
1441 Motor St.
Grand Junction, CO 81505

TEL: (303) 242-8968
FAX: (303) 242-1561

June 15, 1995

Clinton Sparks
2754 F 1/2 Road
Grand Junction, CO 81505

Re: Road Pavement Section Recommendations
Cimarron North Subdivision, Grand Junction, CO

At the request of Mr. Wayne Lizer of W.H. Lizer and Associates, the proposed road section for Cimarron Court, at the above reference subdivision was sampled by personnel of LINCOLN-DeVORE, INC.. The samples were subjected to Laboratory Testing and appropriate road sections were computed. Following are our findings and recommendations.

Samples of the surficial native soils at this property that may be required to support pavements have been evaluated using the Hveem-Carmany method (ASTM D-2844) to determine their support characteristics. The results of the laboratory testing are as follows:

AASHTO Classification - A-4(7) Unified Classification - CL

R = 11
Expansion @ 300 psi = 13.0 psf
Displacement @ 300 psi = 4.09

Displacement values higher than 4.00 generally indicate the soil is unstable and may require confinement for proper performance.

No estimates of traffic volumes have been provided to Lincoln DeVore. However, we assume that the roads will be classified as residential. The design procedures utilized are those recognized by the Colorado Department of Highways and the 1986 AASHTO design procedure.

Based upon the existing topography, the anticipated final road grades and the anticipated future irrigation practices in the local area, a Drainage Factor of 0.6(1986 AASHTO procedure) has been utilized for the section analysis.

PROPOSED PAVEMENT SECTIONS

Based on the soil support characteristics outlined above, the following pavement sections are recommended:

Residential Roadway, 18k EAL = 5 :

The terminal Serviceability Index of 2.0, a Reliability of 70 and a design life of 20 years have been utilized, based on recommendations by the Highway Department. An 18 kip EAL of 5, also recommended by the Highway Department, was used for the analysis.

Asphalt-Base Coarse

3 inches of asphaltic concrete pavement
on 9 inches of aggregate base coarse
on a Geotextile Fabric for separation & minor reinforcement
on 8 inches of recompacted native material

OR For Very Soft, Pumping Subgrade Conditions

3 inches of asphaltic concrete pavement
on 6 inches of aggregate base coarse
on 12 inches of imported structural fill (Hveem Carmany <70)

Full Depth Asphalt:

Full depth asphalt is not recommended on this site due to the difficulty of obtaining proper compaction of the asphaltic concrete.

Rigid Concrete:

Doweled, not tied to shoulder slabs or curbing
6 inches of portland cement pavement
on 4 inches of aggregate base coarse
on 8 inches of recompacted native material

Due to the possibility of very high soil moisture in the subgrade soils, the use of a Geotextile Fabric placed between the aggregate base course is required on this site.

PAVEMENT SECTION CONSTRUCTION

We recommend that the asphaltic concrete pavement meet the State of Colorado requirements for a Grade C mix. In addition, the asphaltic concrete pavement should be compacted to a minimum of 95% of its maximum Hveem density. The aggregate base coarse should meet the requirements of State of Colorado Class 5 or Class 6 material, and have a minimum R value of 78. We recommend that the base coarse be compacted to a minimum of 95% of its maximum Modified Proctor dry density (ASTM D-1557), at a moisture content within + or -2% of optimum moisture. The native subgrade shall be scarified and recompacted to a minimum of 90% of their maximum Modified Proctor dry density (ASTM D-1557) at a moisture content within + or -2% of optimum moisture.

All pavement should be protected from moisture migrating beneath the pavement structure. If surface drainage is allowed to pond behind curbs, islands or other areas of the site and allowed to seep beneath pavement, premature deterioration or possibly pavement failure could result.

Concrete Pavement

We recommend that the rigid concrete pavement have a minimum flexural strength (F_t) of 650 psi at 28 days. This strength requirement can be met using Class P or AX or A or B Concrete as defined in Section 600 of the Standard Specifications for Road and Bridge Construction, Colorado DOT. It is recommended that field control of the concrete mix be made utilizing compressive strength criteria.

Flexural Strength should only be used for the design process. Concrete with a lower flexural strength may be allowed by the agency having jurisdiction however, the design section thicknesses should be confirmed. In addition, the final durability of the pavement should be carefully considered.

Control joints should be placed at a minimum distance of 12 feet in all directions. If it is desired to increase the spacing of control joints, then 66-66 welded wire fabric should be placed in the mid-point of the slab. If the welded wire fabric is used, the control joint spacing can be increased to 40 feet. Construction joints designed so that positive joint transfer is maintained by the use of dowels is recommended.

Clinton Sparks
Road Pavement Section Recommendations
Cimarron North Subdivision, Grand Junction, CO
June 15, 1995 Page 4

The concrete should be placed at the lowest slump practical for the method of placement. In all circumstances, the maximum slump should be limited to 4 inches. Proper consolidation of the plastic concrete is important. The placed concrete must be properly protected and cured.

It is believed that all pertinent points have been addressed. If any further questions arise regarding this project or if we can be of any further assistance, please do not hesitate to contact this office at any time.

Respectfully Submitted,

LINCOLN DeVORE, Inc.

Preliminary

by: Edward M. Morris EIT Reviewed By: George D. Morris, PE
Engineer/Western Slope Manager

LD Job No.: 83380-J

W.H. LIZER & ASSOCIATES
Engineering Consulting and Land Surveying
576 25 Road, Unit #8
Grand Junction, Colorado 81505
241-1129

June 16, 1995

Jody Kliska
City Development Engineer
City of Grand Junction
250 N. 5th Street
Grand Junction, CO 81501

RE: Cimarron North Subdivision - Drainage

1. Storm Drain Inlets

Appendix G, Figure G-6 (c) is approximately the closest type to the Grand Junction Standards.

Figure G-7b combination shows 1.4 cfs inlet capacity for gutter slope of 0.40% and 1.8 cfs for a slope of 1.58% for a single combination inlet.

This will require 1 single combination inlet at the South end of the cul-de-sac and at the intersection of F 1/2 Road according to the table G-1, page G-14.

Based on a reduction factor of 0.8 the minimum calculated flow for 0.40% gutter grade is 4.8 cfs for a 1/2 street section.

2. The storm sewer line will need to be 15" instead of 12" as previously submitted.
3. Attached are hydraulic calculations.

Sincerely yours,



Wayne H. Lizer, P.E., P.L.S.

WHL/s1

.. Cimarron No. 4 Storm Drain

$Q_{max} = 3.3$ to F/2 and Cimarron Court

then 3.9 to Detention Basin

15" line PVC

$$Q = \frac{1.49 R_h^{2/3} S^{1/2} A}{n} \quad (\text{PIPE FLOWING FULL})$$

$$A = \frac{\pi D^2}{4} = \frac{\pi (1.25)^2}{4} = 1.23$$

$$P = \pi D = \pi (1.25) = 3.92$$

$$R_h = \frac{A}{P} = \frac{1.23}{3.92} = 0.32$$

$$Q = \frac{1.49 (0.32)^{2/3} (0.003)^{1/2} (1.23)(0.91)}{0.011} = 3.9 \text{ CFS}$$

$$V = \frac{Q}{A} = \frac{3.9}{1.23} = 3.2 \text{ FT/SEC} < 2.5 \text{ ft/sec.}$$

Q_r - Figure N-2a, page N-8

For 8" pipe outlet

$$Q_r = CA (2gd)^{1/2}, \quad d_{max} = 2.29'$$

$C \approx 0.6$ For 8" Dia pipe outlet

$$A = \frac{\pi D^2}{4} = \frac{\pi (0.67)^2}{4} = 0.35 \text{ ft}^2$$

$$Q_r = (0.6)(0.35)[2(32.2)(2.29)]^{1/2} = 2.55$$

$$d_{Ave} = 2/3 d_{max} = 2.29 \times 0.67 = 1.53$$

$$Q_r @ d_{Ave} = 0.6(0.35)[2(32.2)(1.53)]^{1/2} = 2.1 \text{ CFS}$$



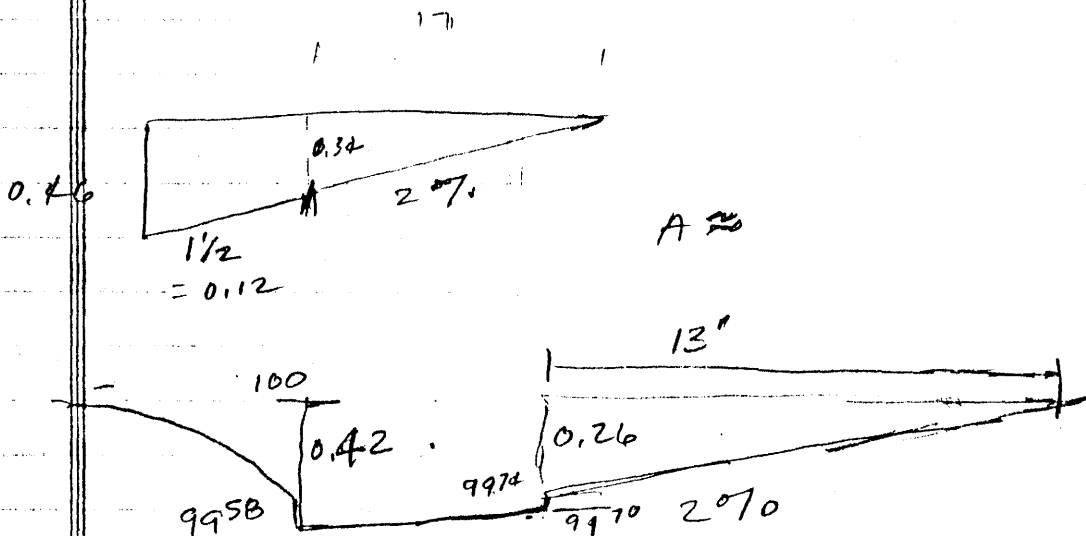
$$A \approx 3.22$$

$$P = 14.46$$

$$S = \frac{A}{P} = \frac{3.22}{14.46} = 0.22$$

$$Q = \frac{1.49}{0.013} (0.22)^{2/3} (0.004)^{1/2} 3.2 \approx 7.6 \text{ cfs}$$

1/2 Street Section



$$14.5 \times 0.42 \times 0.5 = 3 \text{ SQ FT}$$

$$P = 14.92 \quad R = \frac{A}{P} = 0.20$$

For 0.4070 min

$$Q = \frac{1.49}{0.013} (0.20)^{2/3} (0.004)^{1/2} (3) = 7.43$$

$$Q = \frac{1.49}{0.016} (0.20)^{2/3} (0.004)^{1/2} (3) \approx 4.8$$

W.H. LIZER & ASSOCIATES
Engineering Consulting and Land Surveying
576 25 Road, Unit #8
Grand Junction, Colorado 81505
241-1129

June 16, 1995

Katherine M. Portner
Planning Supervisor
City of Grand Junction
250 N. 5th Street
Grand Junction, CO 81501

RE: Cimarron North Subdivision

Dear Mrs. Portner,

Attached are the response items for 1, 3, and 4 as per your letter dated June 1, 1995.

Also included are sewer sheets that Trent Prall requested.

Plat revisions were made with the last submittal and it was my understanding that some of the legal wording in the dedication may have to be worked out before recording the plat.

In addition, Clinton Sparks is requesting 7.50 foot sideyards instead of 10.0 feet.

Sincerely yours,



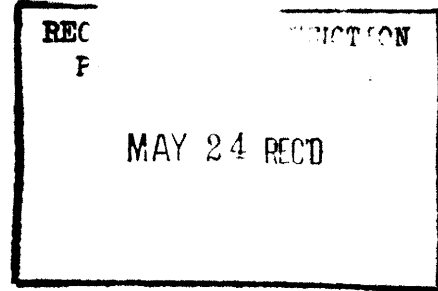
Wayne H. Lizer, P.E., P.L.S.

WHL/sl

Attachments

W.H. LIZER & ASSOCIATES
Engineering Consulting and Land Surveying
576 25 Road, Unit #8
Grand Junction, Colorado 81505
241-1129

May 24, 1995



Kathy Portner, Staff Representative
City of Grand Junction Community Development
250 N. 5th Street
Grand Junction, CO 81501

RE: Cimarron North Subdivision - Review Agency Comments Responses

Parks & Recreation - Don Hobbs

1. The land adjacent to the Grand Valley Canal is dedicated to the City of Grand Junction for future trail. Agreements or conditions will have to be completed between the City of Grand Junction and the Grand Valley Irrigation Co. prior to recording the subdivision plat and other appropriate language may have to be added to the plat.

A 10-foot trail easement will be dedicated to the City between Lots 18 and 19.

2. The open space fee will be paid prior to recording the plat.

Grand Junction Police Department - Dave Stassen

No response required.

Ute Water - Gary R. Mathews

1. Valves have been added to plan.
2. 8" C-900 is specified for Cimarron Court. Location of fire hydrants are shown on the utility composite.
3. Stub outs will be stubbed approximately 3' from property lines and shown on utility composite.
4. Assessments will be paid prior to construction or according to Ute's policies.
5. No response required.

U.S. Postal Service - Cheryl Fiegel

1. Utility composite shows centralized mail box between Lots 14 and 15.

City Attorney - Dan Wilson

1. - 3. Requirements of Homeowner's Association and CCR's will be completed prior to recording plat as requested.
4. Eight shares of water is the equivalent of 36 gallons per minute or 51840 gallons per day. This would allow each homeowner 2728 gal/day.

According to the Master Gardener's Program, lawns should be watered for 15 minutes every 2 to 3 days. This equates to approximately 15 gallons/day x 36 gal/household = 540 gallons per watering, which is well below the daily allowance. Over-watering should be addressed in the restrictive covenants.
5. Plat corrected to reflect canal right-of-way dedication.

City Development Engineer - Jody Kliska

Plat

1. The Grand Valley Canal right-of-way will be dedicated with the recording of the plat. Presently, the
2. Outlot B is the storm detention basin. The Homeowner's Association will own and maintain Outlot B. Outlot labeling is required by the County Surveyor's office.
3. Outlet A is a separate parcel for sewer and water lines and will be dedicated accordingly.
4. Easements have been labeled accordingly on the plat with accompanying dedication language.

Sewer

1. Note added to plan regarding testing.
2. Approval blocks added.

Street Plan

1. Street name sign and stop sign added to plans.
2. Storm drain inlets shown on plans.
3. Pavement design is shown on the plans. The design is based on recommendations done on Kay Subdivision directly to the West by Colorado West Testing Laboratory. The soils had a R value of 17 but due to the high water table and during construction of utilities a much greater section was recommended that what was based on the R value. This was 12" of pitrun sub-base, 6 inches of Class 6 roadbase, and 3 inches of asphalt.

4. The side walk along F 1/2 Road has been added to the plans. A detail of the sidewalk is shown on Sheet 2 of 2 of the street plans.

Drainage Report

1. Appendix G of SWMM used to show sizing of storm drain inlets and street flows.
2. Storm sewer gradient based on topographical conditions but will be checked for minimum velocity flow.
3. Outlet structure will be sized for Qr and calculations will be submitted.
4. Slope stability is addressed and shown on the plans.
5. Revised drainage report and grading plan is ~~orthcoming~~.

City Property Agent - Steve Pace

1. - 6. Plat corrections or additions have been completed on the plat.

Grand Valley Irrigation Company - Phil Bertrand

Item
1. February 23, 1994 Comment Sheet

1. Eight shares of water is the equivalent of 36 gallons per minute or 51840 gallons per day. This would allow each homeowner 2728 gal/day.

According to the Master Gardener's Program, lawns should be watered for 15 minutes every 2 to 3 days. This equates to approximately 15 gallons/day x 36 gal/household = 540 gallons per watering, which is well below the daily allowance. Over-watering should be addressed in the restrictive covenants.
2. Water shares will be held by the Homeowner's Association and will be shown in the covenants.
3. The writer of this report has individually met with Phil Bertrand, Clint Sparks, and Tony Perry concerning one common headgate which Phil Bertrand has indicated he would like to see accomplished. Other users will be contacted and it is proposed in the very near future to have all interested parties meet and discuss the possibility.
4. See "3." above.

5. Soil testing and determining depth to water table is planned prior to construction.
6. See "3." on preceding page. (Feb. 23, 1994 Comment Sheet)

Homeowner's Association Covenants

Items 1,2, and 4 will be included in the covenants.
Item 3 is subject to discussion with the City of Grand Junction concerning a "trail" for recreational use.

- Item 2. See "Item 3" above under "Homeowner's Association Comments.

Grand Junction Drainage District - John L. Ballagh

From attached review comments dated May 15, 1995:

The writer of this report has had discussions with John Ballagh and the discharge of the storm detention area will tie into the new construction of the BEEHIVE DRAIN.

The following will be addressed:

- a. Stage Discharge
- b. Tie directly into a manhole.
- c. Contact Grand Valley Irrigation Co. concerning any required easements.

The GJDD easement to City of Grand Junction is deleted from the plat, however, it is the City of Grand Junction's requirement that this be shown on the plat, therefore, the City may contact the Drainage District concerning the verbage.

The Homeowner's Association will be responsible for the ownership and maintenance of the outlots and drainage and storm detention facilities.

The identification of the canal has been corrected.

It is also the understanding of the writer of this report that the drain crossing Lots 18 and 19 and Outlot B can be vacated.

Public Service - Dale Clawson

No response required.

Mesa County School District #51 - Lou Grasso

No response required.

Community Development Department - Kathy Portner

1. The existing tile drain crossing Lots 18 and 19 and Outlet B has been replaced with a new line within the canal right-of-way. It is planned to have the abandoned line vacated.
2. Formation of a Homeowner's Association and proof will be completed prior to recording the plat.
3. Easements as to type and width are now indicated on the plat.
4. Accessway along the South side of the canal dedicated to the City of Grand Junction which will require agreements with Grand Valley Irrigation Company.
5. Access to the South side of the canal from North Cimarron Court is shown on the plat between Lots 18 and 19.
6. Abandoned drainage tile easement which is planned to be vacated.
7. ROW for sewer and water lines.
8. The detention facility is within Outlet B and is clarified on the plat.
9. Dimensions are on plat. Curve No. 8 is part of the frontage.
10. Fencing is proposed on F 1/2 Road and a detail shown on the site plan.
11. Fee will be paid prior to recording of the plat.
12. Sidewalk only is planned on F 1/2 Road to match what was done on Kay Subdivision.

City Utility Engineer - Trent Prall

SEWER, City

1. Outlet A shown as "POS" but is clarified on the plat.
2. Note added to plan concerning trough for bend greater than 90°.
3. F 1/2 Road plans on file at City designed by Gerald Williams, however, copies will be provided.
4. Invert el corrected to center of MH.

5. Note added to plans for beavertail for MH 2.
6. 8 foot stub to East a +0.16% grade noted for MH 3.
7. Clay plug noted on plans.
8. Revised Exhibit "I" obtained.

WATER, Ute

1. Water line around radius corrected on plan.
2. Degree of bends shown.
3. One fire hydrant added at Lot 19.

Respectfully submitted,

Wayne H. Lizer

Wayne H. Lizer, P.E., P.L.S.

REVIEW COMMENTS
(based on Petitioners Response to Comments)

Page 1 of

FILE #FPP-95-85

TITLE HEADING: Final Plan/Plat - Cimarron North
Subdivision

LOCATION: 25 1/2 Road & F 1/2 Road

PETITIONER: Clinton E. Sparks

PETITIONER'S ADDRESS/TELEPHONE: 2574 F 1/2 Road
Grand Junction, CO 81505
243-9439

PETITIONER'S REPRESENTATIVE: Wayne Lizer

STAFF REPRESENTATIVE: Kathy Portner

NOTE: THE PETITIONER IS REQUIRED TO SUBMIT FOUR (4) COPIES OF WRITTEN RESPONSE AND REVISED DRAWINGS ADDRESSING ALL REVIEW COMMENTS.

CITY UTILITY ENGINEER
Trent Prall

6/28/95
244-1590

SEWER - CITY

1. Please note your utility composite and sanitary sewer plan and profile that the 1995 Sewer Extension on F 1/2 Road is 10" not 8".
2. As previously mentioned (May 16 comments), please provide 8' stub-out east of MH#3 at +0.16% grade for future expansion.
3. As previously mentioned (May 16 comments), the clay plugs have still not been addressed.
4. Just a reminder, according to Bill Cheney's 2/25/5 comments, there is a trunk extension fee to the Joint Sewer System of \$500 per lot for sewer constructed to southwest corner of property in 1989. Extension fee is due prior to the filing of the plat. The extension fee of \$1000 per lot, due at the time of building construction, will be waived because the developer is installing the trunk extension in F 1/2 Road.

STAFF REVIEW

FILE: #FPP-95-85
DATE: July 3, 1995
STAFF: Kathy Portner
REQUEST: Final Plat--Cimarron North Subdivision
LOCATION: NE of 25 1/2 and F 1/2 Roads
APPLICANT: Clinton Sparks

EXISTING LAND USE: One Single Family Home

PROPOSED LAND USE: Single Family Residential, 3.6 units per acre

SURROUNDING LAND USE:

NORTH: Single Family Residential/Agriculture
SOUTH: Single Family Residential (approx. 1 unit per 2 acres)
EAST: Single Family Residential/Agriculture
WEST: Single Family Residential (approx. 3.8 units per acre)

EXISTING ZONING: Planned Residential (PR), 3.8 units per acre

PROPOSED ZONING: No change

SURROUNDING ZONING:

NORTH: County AFT
SOUTH: County AFT
EAST: PR 3.8
WEST: County AFT

RELATIONSHIP TO COMPREHENSIVE PLAN:

No Comprehensive Plan exists for this area.

STAFF ANALYSIS:

Cimarron North Subdivision received Preliminary Plan approval for 19 lots on 5.19 acres at the time of annexation. The setbacks established with the zoning are as follows:
Principal Building Front--20'

Rear--20' and 30' on lots abutting F 1/2 Road
Side--10' (including corner lots or easement width)

Accessory Buildings Limited to the rear 1/2 of lot
Rear--5'
Side--5' or easement width

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 feet for the garage portion of the principal structure, with the remaining portions of the principal structure meeting a 10' or easement width setback. The maximum building height is 30'.

The developer is now proposing that the sideyard setback for principal structures be changed from 10' to 7.5'. The required sideyard setback in the most similar straight zone (RSF-4) is 7'. Staff concurs with the proposed 7.5' sideyard setback.

Access is proposed to be provided from a cul-de-sac with on access point on F 1/2 Road. Individual driveway access will not be allowed directly onto F 1/2 Road.

The Mesa County Development File for previous approvals of Cimarron North Subdivision (C31-94) includes a letter from the Colorado Geological Survey reviewing the summary geologic report for the subdivision. In the letter it is recommended that each building site have an individual, site-specific soils and foundation investigation by a qualified soils and foundation engineer because of the soils conditions and shallow water table. The County approval of the subdivision included a condition that engineered foundations be required for all lots. The City acceptance of the Preliminary Plan approval also included that condition.

The developer has agreed to the following conditions of approval:

1. The owner will cooperate with the City in conveying a trail easement along the canal bank. He will work with the City Attorney on how it is conveyed.
2. A Homeowner's Association will be formed and appropriate conveyances placed of record at the time the plat is recorded.
3. The covenants will be amended as per the City Attorney's comments and will be recorded with the plat.
4. A 10' trail easement will be dedicated to the City between Lots 18 and 19.

The following conditions shall also apply:

1. Proposed subdivision fencing must meet the requirements of the Zoning and Development Code and site distance requirements. Provision for landscaping and maintenance for the area between any fencing and sidewalk must be provided for in the Improvements Agreement and Covenants for the subdivision.

2. Half-street improvements, as required by City Engineering, must be provided for F 1/2 Road. The cost of required improvements to F 1/2 Road will be credited to future Transportation Capacity Payments.
3. All technical requirements of the plat must be addressed and final construction drawing submitted and approved prior to recording the plat.
4. Parks and Open Space fees shall be paid prior to recording the plat.
5. An ^{4'}8' wide concrete ^{sidewalk}~~trail~~ section shall be provided between lots 18 and 19 as access to the future canal trail.

STAFF RECOMMENDATION:

Staff recommends approval of Cimarron North Subdivision subject to the conditions as listed above and recommends approval of a 7.5' sideyard setback.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on item #FPP-95-85, I move we approve the Cimarron North Subdivision as recommended by staff.

COLEMAN, JOUFLAS & WILLIAMS

ATTORNEYS AT LAW

2452 Patterson Road, Suite 200

P.O. Box 55245

Grand Junction, CO 81505

Telephone
(970) 242-3311

Telecopier
(970) 242-1893

Joseph Coleman
Gregory Jouflas
John Williams

July 12, 1995

Ms. Cathy Portner
c/o Grand Junction Community Development Department
250 North 5th Street
Grand Junction, Colorado 81501

RECEIVED GRAND JUNCTION
PLANNING DEPARTMENT

JUL 13 RECD

Re: FPP-95-85
Final Plat/Plan - Cimarron North

Dear Cathy:

Please consider this letter as the filing of an appeal in writing by Clinton Sparks concerning part of the Planning Commission's decision about Cimarron North Subdivision. Specifically, Mr. Sparks requests the Planning Commission relieve him of the obligation to put in half-street improvements on F 1/2 Road. As stated at the meeting, Mr. Sparks believes this is unnecessary and, in fact, a burden upon F 1/2 Road in a way that the City does not want because of increased traffic. As a result, Mr. Sparks desires to appeal that part of the decision to the City Council.

I ask that you place us on the City Council agenda at the earliest possible date and time. We talked last night about possibly getting on the first week of August. Please do everything you can do to make sure that this happens. If I can assist you in any way, please call me.

Thank you.

Very truly yours,

COLEMAN, JOUFLAS & WILLIAMS



John Williams

JW:jc

xc: Clinton Sparks

STAFF REVIEW

FILE: #FPP-95-85
DATE: July 27, 1995
STAFF: Kathy Portner
REQUEST: Final Plat--Cimarron North Subdivision
Appeal of Planning Commission requirement for 1/2 Street Improvements
LOCATION: NE of 25 1/2 and F 1/2 Roads
APPLICANT: Clinton Sparks

EXECUTIVE SUMMARY:

Appeal of a Planning Commission condition of approval to require half street improvements on F 1/2 Road.

EXISTING LAND USE: One Single Family Home

PROPOSED LAND USE: Single Family Residential, 3.6 units per acre

SURROUNDING LAND USE:

NORTH: Single Family Residential/Agriculture
SOUTH: Single Family Residential (approx. 1 unit per 2 acres)
EAST: Single Family Residential/Agriculture
WEST: Single Family Residential (approx. 3.8 units per acre)

EXISTING ZONING: Planned Residential (PR), 3.8 units per acre

PROPOSED ZONING: No change

SURROUNDING ZONING:

NORTH: County AFT
SOUTH: County AFT
EAST: PR 3.8
WEST: County AFT

RELATIONSHIP TO COMPREHENSIVE PLAN:

No Comprehensive Plan exists for this area.

STAFF ANALYSIS:

Cimarron North Subdivision received Preliminary Plan approval for 19 lots on 5.19 acres at the time of annexation. The setbacks established with the zoning are as follows:

Principal Building Front--20'
 Rear--20' and 30' on lots abutting F 1/2 Road
 Side--10' (including corner lots or easement width)

Accessory Buildings Limited to the rear 1/2 of lot
 Rear--5'
 Side--5' or easement width

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 feet for the garage portion of the principal structure, with the remaining portions of the principal structure meeting a 10' or easement width setback. The maximum building height is 30'.

The developer is now proposing that the sideyard setback for principal structures be changed from 10' to 7.5'. The required sideyard setback in the most similar straight zone (RSF-4) is 7'. Staff concurs with the proposed 7.5' sideyard setback.

Access is proposed to be provided from a cul-de-sac with an access point on F 1/2 Road. Individual driveway access will not be allowed directly onto F 1/2 Road.

The Mesa County Development File for previous approvals of Cimarron North Subdivision (C31-94) includes a letter from the Colorado Geological Survey reviewing the summary geologic report for the subdivision. In the letter it is recommended that each building site have an individual, site-specific soils and foundation investigation by a qualified soils and foundation engineer because of the soils conditions and shallow water table. The County approval of the subdivision included a condition that engineered foundations be required for all lots. The City acceptance of the Preliminary Plan approval also included that condition.

The developer has agreed to the following conditions of approval:

1. The owner will cooperate with the City in conveying a trail easement along the canal bank. He will work with the City Attorney on how it is conveyed.
2. A Homeowner's Association will be formed and appropriate conveyances placed of record at the time the plat is recorded.
3. The covenants will be amended as per the City Attorney's comments and will be recorded with the plat.
4. A 10' trail easement will be dedicated to the City between Lots 18 and 19.

The following conditions shall also apply:

1. Proposed subdivision fencing must meet the requirements of the Zoning and Development Code and site distance requirements. Provision for landscaping and maintenance for the area between any fencing and sidewalk must be provided for in the Improvements Agreement and Covenants for the subdivision.
2. Half-street improvements, as required by City Engineering, must be provided for F 1/2 Road. The cost of required improvements to F 1/2 Road will be credited to future Transportation Capacity Payments.
3. All technical requirements of the plat must be addressed and final construction drawing submitted and approved prior to recording the plat.
4. Parks and Open Space fees shall be paid prior to recording the plat.
5. An 8' wide concrete trail section shall be provided between lots 18 and 19 as access to the future canal trail.

Planning Commission, at their July 11, 1995 hearing approved the final plat for Cimarron North Subdivision subject to the conditions listed above, including the requirement for half street improvements to F 1/2 Road. The applicant is appealing that condition to City Council. Section 5-4-1.H.6 of the Zoning and Development Code states the following:

If the development abuts an existing unimproved or underimproved street, the developer may request, or the Director may require the developer, to construct half street improvements all or a portion of the abutting street to current City street standards in lieu of payment of the TCP. The Director may require such construction if the Director determines that the construction is necessary for the safe ingress and/or egress of traffic to the development, or, if the improvements are proximate to partially improved or under-improved rights-of-way.

City staff feels that curb, gutter and sidewalk and additional pavement width is needed on this section of F 1/2 Road to accommodate this density of development and the existing and potential development in the surrounding area.

STAFF RECOMMENDATION:

Staff recommends requiring the half street improvements to F 1/2 Road.

PLANNING COMMISSION RECOMMENDATION:

At their July 11, 1995 hearing, Planning Commission recommended approval of the subdivision with the requirement for half street improvements to F 1/2 Road.

Joseph Coleman
Gregory Joufflas
John Williams

COLEMAN, JOUFLAS & WILLIAMS
ATTORNEYS AT LAW
2452 Patterson Road, Suite 200
P.O. Box 55245
Grand Junction, CO 81505

Telephone
(970) 242-3311

Telecopier
(970) 242-1893

August 2, 1995

Larry

*(Council members
have photos
for 5 views...)*

Mark K. Achen, City Manager
City of Grand Junction
250 North 5th Street
Grand Junction, Colorado 81501

Re: Cimarron North Subdivision
Owner: Clinton E. Sparks

Dear Mr. Achen:

I will be representing Mr. Clinton Sparks concerning Cimarron North Subdivision at the City Council meeting on August 2, 1995. This property is located on F $\frac{1}{2}$ Road, east of 25 $\frac{1}{2}$ Road. The purpose of this letter is to provide information to you about the history of the property and issues I will address at the meeting. Hopefully, this information will provide for a better decision-making process and also shorten the time needed by the Council on the subdivision.

Cimarron North Subdivision was first approved by the County. Mesa County approved one-half of the property for final plat and one-half for preliminary plat. The City of Grand Junction then annexed the property. Mr. Sparks did not file his Subdivision Improvements Agreement and County-approved plat. Mr. Sparks resubmitted the subdivision for approval by the City after annexation. It has gone through preliminary and final approval before the Grand Junction Planning Commission. Cimarron North Subdivision is now approved for final plat.

Mr. Sparks appeals one issue to the City Council. The issue is the requirement by the Community Development Department and the Planning Commission that Mr. Sparks put in half-street improvements along F $\frac{1}{2}$ Road. Mr. Sparks requests that the City Council relax its requirement for half-street improvements and allow Mr. Sparks to put in a six-foot sidewalk and fence similar to that at the subdivision immediately to the west of Cimarron North.

There are two primary reasons for the request to relax the half-street improvement requirement. First, the widening of F $\frac{1}{2}$ Road and installation of half-street improvements will become a problem on F $\frac{1}{2}$ Road. F $\frac{1}{2}$ Road, as it exists, is a quiet country lane. Approximately one-quarter mile east of Cimarron North Subdivision, F $\frac{1}{2}$ Road jogs south and then east along the canal flume and then runs up a steep hill into a blind corner. It is not the sort of road upon which the City should encourage traffic. The addition of half-street improvements would only

encourage traffic from the area to use F¹/₂ Road to 26 Road.

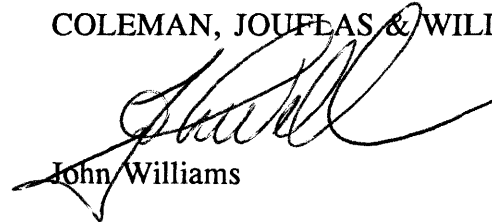
This logic was acknowledged by County officials when Mr. Sparks was going through the County subdivision process. It was the County's goal to discourage additional traffic on F¹/₂ Road going east to 26 Road. The County approved a six-foot sidewalk and fence, as it had on the adjoining Kay Subdivision.

The second major reason why Clinton Sparks is resistant to half-street improvements is the overall cost of the subdivision. The cost of developing the 19 lots of Cimarron North has almost doubled from preliminary estimates of approximately one year ago. Admittedly, some of the estimates of cost were naive. However, one-half of the cost of developing the lots lies in improvements to water, sewer, drainage and half-street improvements that lie in F¹/₂ Road. Less than one-half of the cost of water, sewer, drainage, irrigation and street and sidewalk improvements lie within the Cimarron North Subdivision itself.

I have enclosed a small plat map of Cimarron North Subdivision. In addition, I enclose a packet of pictures showing, in numerical order, F¹/₂ Road from 26 Road going west to Cimarron North and then Kay Subdivisions. I hope this letter and the pictures give you some insight into the issue we will be discussing. Thank you.

Sincerely,

COLEMAN, JOUFLAS & WILLIAMS



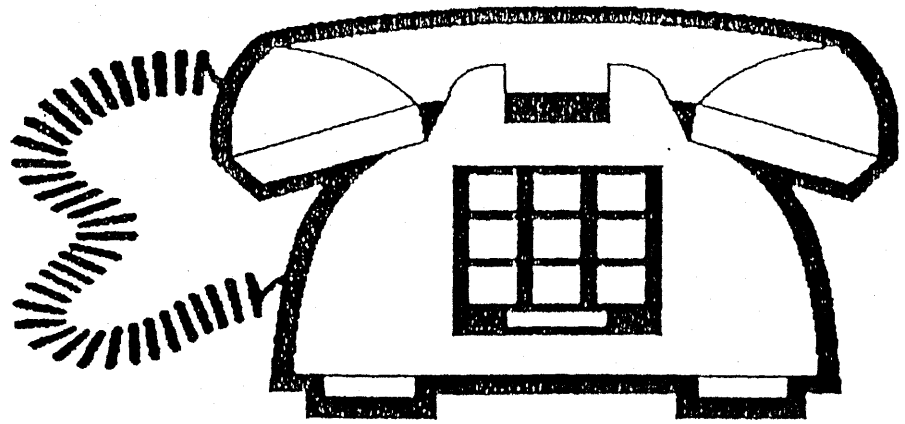
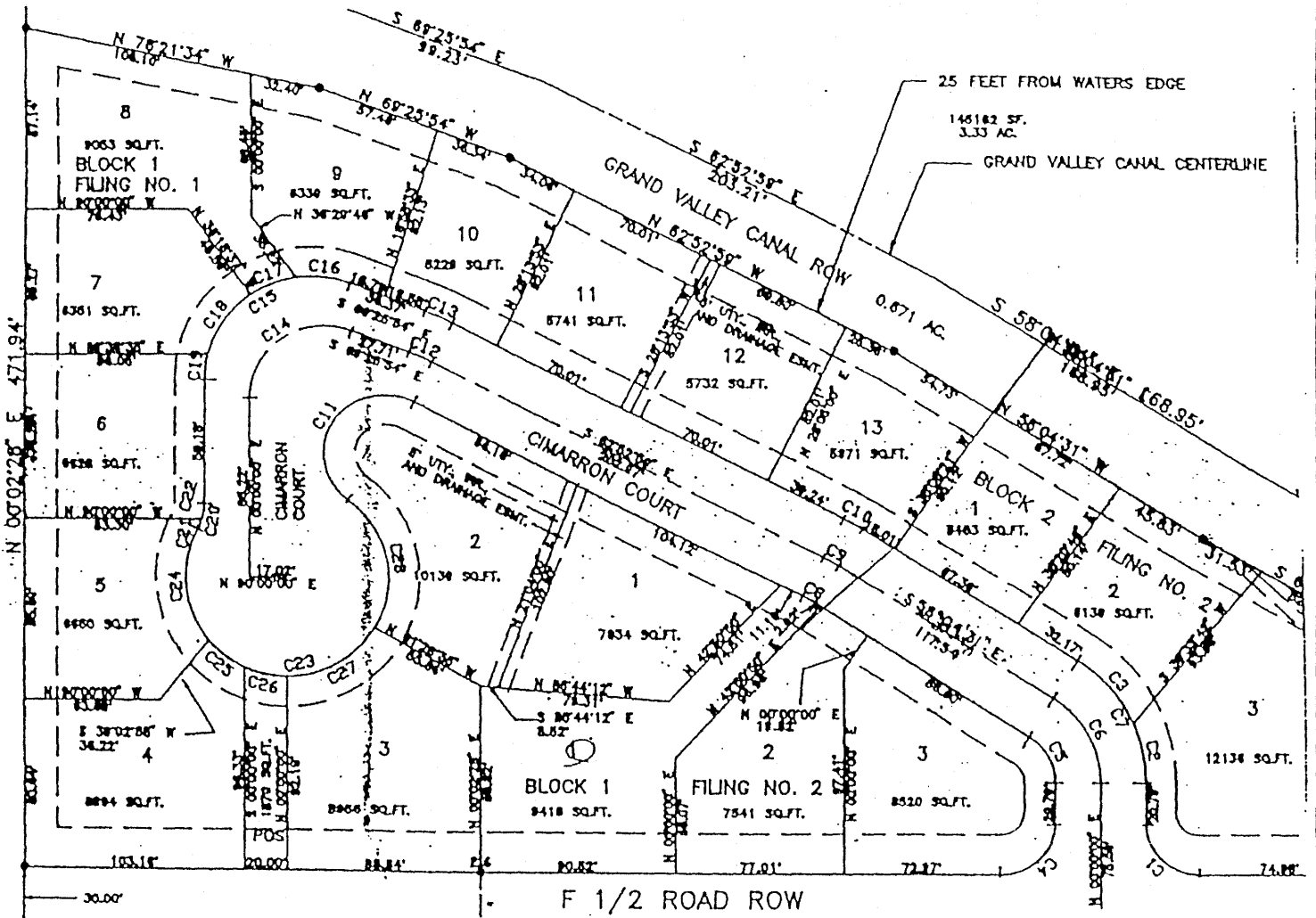
John Williams

JW:jc
Enclosure



Office: 243-4890
Home: 243-4038

CIMARRON SUBDIVISION





Grand Junction Community Development Department
Planning • Zoning • Code Enforcement
250 North Fifth Street
Grand Junction, Colorado 81501-2668
(970) 244-1430 FAX (970) 244-1599

August 11, 1995

Clinton E. Sparks
2574 F 1/2 Road
Grand Junction, CO 81505

RE: File #FPP-95-85, Cimarron North Subdivision

Dear Mr. Sparks:

The purpose of this letter is summarize the approvals for Cimarron North Subdivision. As per the staff comments and the Planning Commission and City Council hearings the following requirements shall apply to developing and recording the Cimarron North Subdivision plat:

1. Final approval of the plat by the Utility Coordinating Committee (UCC) shall be required prior to recording the plat. The petitioner must notify our office when the revised plat is ready for UCC review. UCC meets on the 2nd Wednesday of each month.
2. A Transportation Capacity Payment of \$20,000 pro-rated to each lot shall be required to be paid prior to the issuance of a Planning Clearance on each lot. In addition to the TCP, a sidewalk matching that which exists along Kay Subdivision shall be required along the F 1/2 Road frontage. The construction of the sidewalk shall be a part of the Improvements Agreement/Guarantee for the subdivision.
3. The setbacks for the subdivision shall be as follows:
Principal Building--Front--20'
Rear--20' and 30' on lots abutting F 1/2 Road
Side--7.5'
Corner lots--Front yard setback shall apply to one street frontage. The required setback on the side street shall be 14' (easement width) except for garages which shall have a required setback of 20'.

Accessory Buildings--Limited to the rear 1/2 of lot
Rear--5'
Side--5' or easement width

Maximum Building Height--30'

*Include
highlighted
info on plat*

**City of Grand Junction
Construction Approval & Progress**

Project Name: CIMARRON NORTH
Location: F 1/2 RD E. OF 25 1/2 RD.
Developer: STAN SELIGMAN
Engineer: WAYNE LIZEL

A Licensed Professional Engineer is required to oversee construction of public improvements.

Date Construction Plans Approved: 3-6-96

Submittal of four sets of prints is required for approval and signature. Distribution: Development Engineer, City Inspector, Community Development, Developer/Contractor.

Improvements Agreement in Place: YES

Construction Meeting: 3-6-96

1. Attendance by developer's engineer, contractor(s), testing lab, city engineering representative, city inspector is required.
2. Submit list of contractors and approximate starting dates.
3. Submit quality assurance plan for testing and inspection. A test location map will be required prior to final acceptance of work.
4. Notification of city inspector 24 hours prior to commencement of work is required.

Permit for Construction and Installation of Facilities in Public Right of Way required: YES

Date of Final Inspection : _____

Reinspections: _____

Final Acceptance: _____

Warranty Period Ends: _____

Note: City inspection of work does not relieve developer or contractor of their duties regarding inspection, monitoring, and testing.

Submittal Requirements for Final Acceptance of Improvements

CIMARRON NORTH

The following items must be submitted prior to the acceptance of streets, drainage, and utilities by the City of Grand Junction.

As-Built Drawings (Reference SSID IX-5,6,7,8,9)

- ▶ Sealed by a Professional Engineer
- ▶ Two Blue-line copies
- ▶ One Mylar Copy
- ▶ One 3 1/2" Floppy Disk with drawing files

Report (Reference SSID X-2,3,4)

- ▶ Testing Location Map
- ▶ Inspection Diaries
- ▶ Testing Reports

Certification of Detention/Retention Basin
(Reference SSID IX-6)

- ▶ Sealed by a Professional Engineer

Note: A one-year warranty period begins once public facilities are accepted by the City of Grand Junction. Any defects or deficiencies which occur during this period must be corrected by the developer. (Reference Zoning and Development Code 5-4-12, A-4)

W.H. LIZER & ASSOCIATES
Engineering Consulting and Land Surveying
576 25 road, Unit #8
Grand Junction, Colorado 81505
(970) 241-1129

March 6, 1996

Trent Prall
Utilities Engineer
City of Grand Junction Dept. of Public Works
250 N. 5th Street
Grand Junction, Colorado 81501

RE: Cimarron North - F 1/2 Road Sewer Line Extension

Dear Mr. Prall,

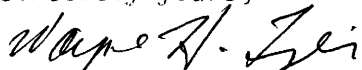
On March 5, 1996, I met with Jim Patty with the Grand Junction Drainage District and we worked out the grades for the sewer line extension where the sewer line will cross under the proposed 18" Drainage District Line at Young Street and determined that there will be no conflict between the sanitary sewer line and the Drainage District line based upon the elevation datum being used by the Drainage District and Cimarron North Subdivision.

I had given the Bench Mark Data to Both Gerald Williams and to Bill Roy who did the survey work for Gerald when Gerald was doing the design work for the F 1/2 Road sewer line extension. I also gave Gerald a copy of the Beehive Drain Line plans by the Grand Junction Drainage District which the District had provided me with.

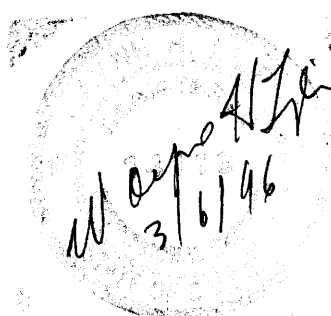
For some reason Gerald Williams and Bill Roy did not use the same datum which is 0.42' different than the Datum both the Drainage District was using and what I was using on Cimarron North Subdivision.

Should you have any questions, please contact me at your convenience.

Sincerely yours,


Wayne H. Lizer P.E., P.L.S.

cc Jim Patty, Grand Junction Drainage District
Stan Seligman, Great New Homes


Wayne H. Lizer
3/6/96

Steve Pace
6/3/96

MEMORANDUM

TO: Steve Pace
FROM: Kathy Portner *KP*
DATE: 3/7/96
RE: Cimarron North Subdivision

Please review the attached plat for Cimarron North Subdivision and return with comments to Community Development. Thank you.

Steve -

Attached are 2 plats for Cimarron North. One is the copy to redlined in March and is marked "Outdated". The other is the most recent version done by another Surveyor and is marked "Revised". Dan Wilson has already noted his comments on the revised version. Please add your own comments to his.
Thanks.

Kathy



Grand Junction Community Development Department
Planning • Zoning • Code Enforcement
250 North Fifth Street
Grand Junction, Colorado 81501-2668
(970) 244-1430 FAX (970) 244-1599

March 8, 1996

Stan Seligman
Great New Homes, Inc.
3032 I-70 Business Loop
Grand Junction, CO 81504

RE: Cimarron North

Dear Mr. Seligman:

In reviewing the construction drawings for Cimarron North Subdivision I noticed that two required elements were missing. As stated in the letter to Mr. Clinton Sparks, dated August 11, 1995, outlining the conditions of approval, the following items must also be included in the construction:

1. A 4' wide concrete sidewalk, within a 10' easement, must be provided between lots 18 and 19.
2. Subdivision fencing, if desired, meeting the requirements of the Zoning and Development Code, and landscaping between the fencing and the sidewalk.

Please provide a plan for any proposed fencing and the required landscaping for our review and approval. The construction drawings must be revised to include the required 4' sidewalk between lots 18 and 19. We are reviewing the plat that was submitted and will return it soon with any required changes noted.

Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Katherine M. Portner".

Katherine M. Portner
Planning Supervisor

xc: Jody Kliska
Wayne Lizer



Grand Junction Community Development Department
 Planning • Zoning • Code Enforcement
 250 North Fifth Street
 Grand Junction, Colorado 81501-2668
 (970) 244-1430 FAX (970) 244-1599

April 19, 1996

Stan Seligman
 Great New Homes, Inc.
 3032 I-70 Business Loop
 Grand Junction, CO 81504

RE: Cimarron North Subdivision

Dear Mr. Seligman:

There have been concerns raised by two property owners near Cimarron North Subdivision regarding irrigation water. Phil Bertrand with the Grand Valley Irrigation Company indicates that irrigation water to two nearby properties has historically flowed through the Cimarron North property. The construction activity on the Cimarron North property has obliterated the irrigation ditches. According to Mr. Bertrand, you are now refusing to replace the facilities for the irrigation water to flow through your property. Certainly if this issue had come up at the Planning Commission hearing, the Commission would have required that an easement be provided and that the flow of water be maintained.

This issue must be resolved prior to the acceptance of any improvements in Cimarron North Subdivision and prior to recording the final plat. The final plat must include any easements needed to accommodate the irrigation flow through the property.

I have also not received revised plans as required by the letter dated March 8, 1996 (see attached). The plat will not be recorded, nor will improvements be accepted until all of the above issues are resolved.

Thank you for your cooperation.

Sincerely,

Katherine M. Portner

Katherine M. Portner
 Planning Supervisor

xc: Phil Bertrand

PS Form 3800, June 1985

Postmark or Date	4/22/96
TOTAL Postage and Fees	\$
Return Receipt showing to whom and Date Delivered	
Return Receipt showing Date and Address of Delivery	
Special Delivery Fee	
Registered Delivery Fee	
Certified Fee	
Package	3032 I-70 Business Loop Grand Junction, CO 81504
Street and No	Great New Homes, Inc
P.O. Name and Zip Code	
Sent to	Stan Seligman

RECEIVED FOR CERTIFIED MAIL
 MAIL ROOM
 (See Reverse)
 9-113 691 704

**GREAT HOMES, LTD.
RESOLUTION
CIMARRON NORTH SUBDIVISION**

The undersigned being all of the Directors of Great Homes, Ltd., A Colorado Corporation, do hereby consent to the following resolution:

RESOLVED, that the corporation shall undertake the platting of land at F ½ Road and Cimarron Court, Grand Junction, Colorado into a subdivision of 19 lots to be designated as CIMARRON NORTH SUBDIVISION, and

FURTHER, authorize Bret D. Seligman, Vice President of Great Homes, Ltd. to record the subdivision plat with Mesa County, Colorado, and execute all documents as necessary to complete recording in the county records.

IN WITNESS THEREOF, the undersigned have executed this RESOLUTION as of the date hereof.

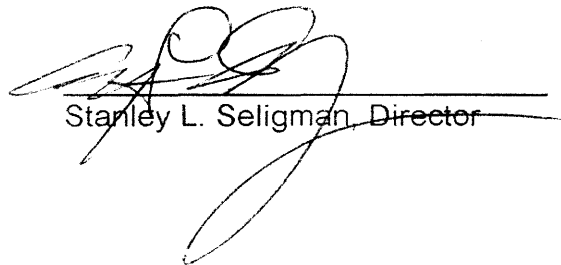
June 11, 1996



Bret D. Seligman, Director



Kia Beth Seligman, Director



Stanley L. Seligman, Director

C. C. Hisebe
7/15/96
Completed
7/15/96

July 12, 1996

To Whom It May Concern:

Thank you for taking the time to read over the enclosed letter. I think other potential homeowner's should be aware of Great New Homes when looking at buying a home. We have seen poor workmanship and have often been told many things that were to be done and have yet to be done. I understand that some things take time, however, we have been living here for four months and nothing has been done to finish our home. I also understand there are other homeowner's like us that have similar requests of Great New Homes, however, we have been put off time and time again by these people and given numerous reasons as to why things have not be done or are not going to be done.

Of most concern to us is the water leaking excessively from Great Homes Rental Property and their stand that this is our problem to rectify. If this was our drainage I would be happy to do that, however the way the houses are built and the slope that the 2992 Kia Drive property sits on causes great difficulty. Even if we were to dig a trench the standing water is such that it would overflow. The guttering is also of great concern as without this guttering, our foundation has the potential to corrode and wear away.

Thank you for your time and whatever assistance you can offer us or others asking about new builders in the area. We would most assuredly not recommend Great New Homes to anyone and would strongly urge them to look elsewhere.

Sincerely yours,

William R. Myers
Joni L. Myers

2990 1/2 Kia Drive
Grand Jct, Co 81504

July 12, 1996

William R. Myers
Joni L. Myers
2990 1/2 Kia Drive
Grand Junction, CO 81504

Great New Homes
3032 I-70 Business Loop
Grand Junction, CO 81504

RE: WARRANTY WORK

To Whom It May Concern:

We are the homeowners of a house built by Great New Homes on 2990 1/2 Kia Drive. We purchased this house on March 5, 1996, and have a one year warranty. This letter is to state, in writing, items that are not yet completed on our home at the time of this letter.

First, the molding and knobs have not been installed in the hallway over the laundry room. Second, the window screen on the front window has not been installed therefore we have been unable to open the window. Thirdly, drywall needs to be repaired on the ceiling above the hallway, behind the toilet in the main bathroom and behind the door in the master bathroom to the left of the heating register. This is a fairly large crack allowing ants to enter the home. We also have two cracks in the masterbathroom on the left and right side of the bathtub. Someone did come two weeks ago to repair it but was unable to finish it and has yet to return. Also in the living room along the molding on the floor there appears to be glue to the left side of the heating register, this needs to be removed and repainted. Next, the door leading into the garage from the house only has two hinges and looks as if one was installed and then removed and repaired very poorly. The door frame also has been sloppily repaired looking as if a hinge was also placed there. Every other door in the house has three hinges. Also for safety reasons the door leading from the house to the garage should be self shutting and is not. Next, the doorway leading outside from the garage has a very large crack in the door frame at the bottom of the frame on the side with hinges. Next, gutters have been installed around the front of the house only. When we initially wrote up our contract for this home the gutters were not yet installed and we asked Anne Hayes, the realtor if these would be installed and she assured us they would be. As this house is built on an

engineered concrete slab, and we were told repeatedly not to have standing water within four feet of our foundation as doing this would cause deterioration of our foundation, we understood that gutters would be installed around the entire house with drains to ensure that water was properly drained away from the foundation. As we were told these would be installed we were concerned about this not being done around the entire house with the amount of rain we have sustained thus far. The guttering around our front door on the South side of our house leaks down the wood nearly up to the door under the porch over hang. Next, we have water leakage into the garage from the door leading to the outside on the West side of the house. Next, in our contract we asked that the outside trim be changed from brown to white which was done. However the brown color still shows through around all windows including the sliding glass door. Next, there is a large chunk out of the siding on the front of the house along the bottom board. This has been painted over but is not acceptable. We would like the entire board replaced. There are also large nicks in the siding on the west side of the house. Next, along the front of the house on the left side of the garage door at the bottom of the house there is a rusty nail poking out 1/4 of an inch.

Excess water from rental property owned by Great Homes at 2992 Kia Drive runs onto our property with four inches minimum of standing water at fence line with water seepage reaching up to 2 feet from our house, closer than advised by Great New Homes on our house which is built on a concrete slab. This needs to be taken care of immediately.

We would appreciate all of these things being seen to and taken care as soon as possible. We do have pictures of all of the above mentioned items that need to be fixed should they be needed.

Sincerely,

William R. Myers
Joni L. Myers

cc: Better Business Bureau,
Homebuilders Association
Chamber of Commerce
Grand Junction City Council

To: Kathy Portner

THOMAS C. VOLKMANN, P.C.

ATTORNEY AT LAW

655 North 12th Street
Grand Junction, Colorado 81501
Phone: (970) 256-0440 • Fax (970) 256-0457

August 21, 1996

Dan Wilson, City Attorney
City of Grand Junction
250 North 5th Street
Grand Junction, Colorado 81501

Mr. Phil Bertrand
Grand Valley Irrigation Company
688 26 Road
Grand Junction, Colorado 81506

Re: CIMARRON NORTH SUBDIVISION

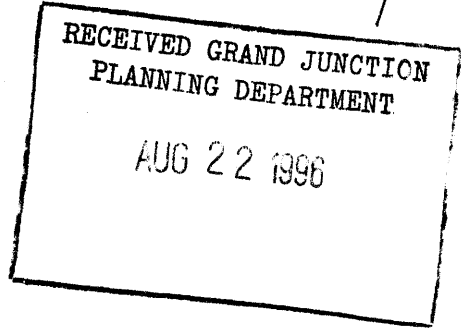
Gentlemen:

Enclosed is proposed language for the dedication of Tracts C and D on a revised plat of Cimarron North Subdivision. Tract C is a tract along and under the existing Grand Valley Irrigation Company canal to the north of Cimarron North and Tract D is an easement dedication over a piece of property between two of the lots within Cimarron North, allowing access to Tract C.

Great Homes, Ltd. has had me put the enclosed language together in its continuing efforts to try to satisfy both the City of Grand Junction and Grand Valley Irrigation Company regarding the language of these dedicated easements. However, Great Homes' desire to satisfy the concerns of both entities is about to give way to its necessity to advance the development of Cimarron North as soon as possible to limit the costs and losses incurred as a result of these delays.

Accordingly, I ask that you each please review the enclosed language as soon as possible and call me with any questions or comments you have. It remains Great Homes' strong desire to remain out of any battles between the City of Grand Junction and the Grand Valley Irrigation Company regarding access to these canal banks, and it is to that end that Great Homes desires to have the language on this plat agreed upon by the parties, even if the actual battle relative to usage of the easements is preserved for a later date between the City of Grand Junction and Grand Valley Irrigation Company.

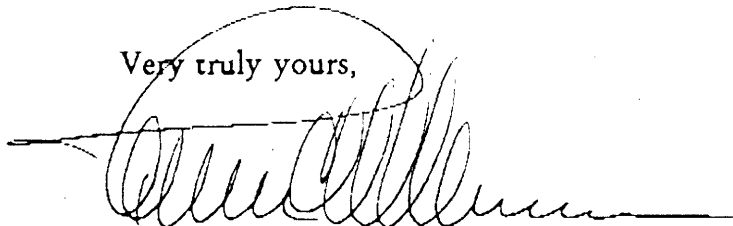
*C: Kathy P
John S
(w/enclosed)*
*if tract D is the
entirely tract, this
should work fine.
Any concerns?*
*thx Dan
8/22/96
CR / file*



Dan Wilson, City Attorney
City of Grand Junction
Mr. Phil Bertrand
Grand Valley Irrigation Company
August 21, 1996
Page - 2 -

I will look forward to hearing from you, and I thank you in advance for your cooperation in promptly reviewing the enclosed language.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Tom Volkmann', written over a horizontal line. The signature is fluid and cursive.

THOMAS C. VOLKMANN

TCV:cez
Enclosure
cc: Mr. Stan Seligman

TRACT C to the Cimarron North Homeowners Association subject to a non-exclusive perpetual easement to the City of Grand Junction for its use and for the use of the public over such part of TRACT C as is not carrying irrigation water from time to time; provided, however, that no motorized use by the public thereon is authorized hereby; and further provided that such easement is subject to an easement to the Grand Valley Irrigation Company, its successors and assigns, in the scope of its historical rights and usage, for the installation, operation, maintenance and repair of irrigation water transmission facilities, which easement is also dedicated hereby:

TRACT D to the Cimarron North Homeowners Association, subject to a perpetual non-exclusive easement to the City of Grand Junction for use by the public for ingress and egress to and from TRACT C and for bicycling, walking and other access; provided, however, that no motorized use by the public is authorized hereby, but the City of Grand Junction shall have access by motorized maintenance vehicles and equipment for the purpose of maintaining its easement on TRACT C and this TRACT D.

Barry L. Haag
Professional Land Surveyor
3004 Bookcliff Avenue
Grand Junction, Colorado 81504
Phone: (970) 434-4679

Dan Wilson
City Attorney
City of Grand Junction
250 North Fifth Street
Grand Junction, Colorado 81501

To Kathy P

August 23, 1996

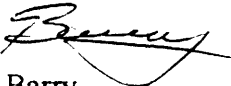
Dear Dan;

As per Kathy Portner's request I am faxing you the new dedication language, for the Cimarron North Subdivision plat, for your review.

I am leaving town next week and would like to have this plat in its final form by Monday if possible so that it can be recorded next week and Mr. Seligman can begin obtaining building permits.

Please call me with any questions if it will help expedite this matter.

Thank you,



Barry

cc: Tom Volkmann

OK

* TRACT C to the Cimarron North Homeowners Association subject to an easement to the City of Grand Junction for its use and for the use of the public; provided, however, that no motorized use by the public thereon is authorized hereby; and further provided that such easement is subject to any rights and/or easements, prescriptive or otherwise, of the Grand Valley Irrigation Company, its successors and assigns;

* TRACT D to the Cimarron North Homeowners Association, subject to a perpetual non-exclusive easement to the City of Grand Junction for use by the public for ingress and egress to and from TRACT C and for bicycling, walking and other access; provided, however, that no motorized use by the public is authorized hereby, but the City of Grand Junction shall have access by motorized maintenance vehicles and equipment for the purpose of maintaining its easement on TRACT C and this TRACT D.

I called + noted the typo.
8/23

August 29, 1996

Stan Seligman
Great New Homes, Inc.
3032 I-70 Business Loop
Grand Junction, CO 81504

RE: Cimarron North

Dear Mr. Seligman:

The following requirements must be fulfilled prior to recording the final plat for Cimarron North Subdivision. All of the requirements have been outlined in previous letters to Clinton E. Sparks and yourself, dated August 11, 1995, March 8, 1996 and April 19, 1996, or in comments returned with red-lined plats. The requirements are as follows:

1. Final approval of the plat by the Utility Coordinating Committee (UCC) shall be required prior to recording the plat. The petitioner must notify our office when the revised plat is ready for UCC review. UCC meets on the 2nd Wednesday of each month. You also have the option of a mid-month approval by obtaining individual signatures from all the required utilities.
2. Engineered foundations are required and must be so noted on the plat.
3. A Homeowner's Association must be formed and appropriate conveyances placed of record at the time the plat is recorded.
4. The covenants must be amended as per the City Attorney's comments and recorded with the final plat.
5. Proposed subdivision fencing must meet the requirements of the Zoning and Development Code. Fencing along F 1/2 Road will only be allowed as a subdivision perimeter fence and must be built as one unit. Individual fencing of yards along F 1/2 Road will not be allowed. Fencing along F 1/2 Road must include provisions for landscaping and maintenance of the area between the fence and sidewalk.
6. Parks and Open Space fees in the amount of \$225 per unit must be paid prior to recording the plat.

7. School Impact fees of \$292 per unit shall apply and is payable prior to issuance of individual Planning Clearances.
8. A Transportation Capacity Payment of \$20,000 pro-rated to each lot shall be paid prior to the issuance of a Planning Clearance on each lot.
9. Once the final mylar plat is signed by the City, two additional full-size mylar copies and one reduced 11" x 17" mylar copy must be provided to the City.
10. All required improvements for the subdivision must be completed and accepted by the City, or an acceptable Development Improvements Agreement and Guarantee must be provided for the remaining improvements, prior to recording the plat.
11. The issue of providing irrigation water flow through to two nearby property owners must be satisfactorily addressed, with any required easements being shown on the plat and the flow restored.
12. Proof of incorporation and original corporate resolution authorizing the plat and signatory's capacity to sign.
13. The plat must conform to all technical requirements and reflect all required changes.
14. The applicant shall pay for all recording fees. Documents to be recorded include the plat, covenants and Development Improvements Agreement if required. Recording fees are paid directly to the Mesa County Clerk and Recorder at the time of recordation.

I had also received a call from a property owner in Kay Subdivision who said a portion of their fence had been removed by your contractor, and at that time, still not replaced. It is your responsibility to assure that the fencing has been properly replaced.

All of the above must be satisfied prior to recording the plat.

Sincerely,

Katherine M. Portner
Acting Community Development Director

Mail to: Secretary of State
Corporations Section
1560 Broadway, Suite 200
Denver, CO 80202
(303) 894-2251
Fax (303) 894-2242

For office use only

MUST BE TYPED
FILING FEE: \$50.00
MUST SUBMIT TWO COPIES

961129687 C \$50.00
SECRETARY OF STATE
10-04-96 11:10

FILED COPY
ARTICLES OF INCORPORATION
OF A COLORADO NONPROFIT
CORPORATION

Please include a typed
self-addressed envelope

The undersigned person(s) acting as incorporator(s) of a nonprofit corporation under the Colorado Nonprofit Corporation Act execute(s) the following Articles of Incorporation for such corporation:

FIRST: The name of the nonprofit corporation is: Cimarron North Subdivision Homeowner's Association, In

SECOND: The address of the initial registered office of the nonprofit corporation in Colorado is: 3032 I-70 Business Loop, Grand Junction, CO 81504
(Address must include building number and suite number, street [or rural route number], town or city and zip code. Include a P.O. Box if mailing address is different than street address)

and the name of its initial registered agent at such address is Bret D. Seligman

THIRD: The nonprofit corporation will not) (circle one) have members.

FOURTH: Provisions regarding the distribution of assets on dissolution are: Assets will be distributed
equally among current members.

FIFTH: The nonprofit corporation shall have 2 directors who shall serve as the initial board of directors.

The name and address of each director is: (This information is not required)

NAME OF DIRECTOR

ADDRESS (include zip code)

SIXTH: The name and address of each incorporator is:

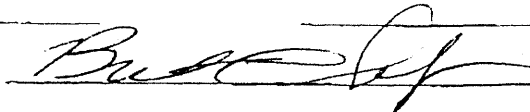
NAME OF INCORPORATOR

ADDRESS (include zip code)

Bret D. Seligman

3032 I-70 Business Loop, Grand Junction, CO
81504

The signature of each incorporator:



Research



Final Inspection Checklist

CIMARRON NORTH Subdivision

City of Grand Junction, Colorado
250 North Fifth Street
81501-2668
FAX: (303) 244-1599

Date: 1-28-97

Streets

Pavement

Concrete

BACKFILL SIDEWALK ALONG F 1/2 RD. - LOW SPOTS AROUND MHH'S

Manholes

UNCOVER STORM SEWER MH SOUTH OF CUL-DE SAC - RAISE TO GRADE -
POUR CONCRETE RINGS

Signs

Lighting

Site Grading

Other

AS-BUILTS & TEST REPORTS

Utilites & Drainage

Water Lines

Sewer Lines

Inlet Structures

Detention Facilities

SEEDING - COULDN'T SEE V-PAN

Outlet Structures

WHAT IS THE STATUS OF THE INLET AT THE SOUTHWEST
CORNER OF THE PROPERTY?

Inspected by:

[Signature]
City Development Engineer

Developer or Representative:

[Signature]

Final Acceptance of the Streets and Drainage Facilities will be made when the above items have been corrected and inspected. Please call 244-1591 when ready for final acceptance.

#PP-95-85

City of Grand Junction

Community Development Department
Planning • Zoning • Code Enforcement
250 North 5th Street
Grand Junction, CO 81501-2668

Phone: (970) 244-1430
FAX: (970) 244-1599



February 13, 1997

Stan Seligman
Great New Homes, Inc.
3032 I-70 Business Loop
Grand Junction, CO 81504

RE: Cimarron North

Dear Mr. Seligman:

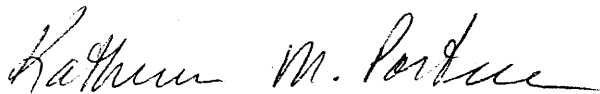
The following requirements must be fulfilled prior to recording the final plat for Cimarron North Subdivision, as have been outlined in previous letters:

- 1. Final approval of the plat by the Utility Coordinating Committee (UCC). At the UCC meeting yesterday we were only able to obtain the signature for the Grand Junction Drainage District. Fire Department and City Utility Engineer signatures are still required.
- 2. Proof of formation of the Homeowner's Association is required and appropriate conveyances placed of record at the time the plat is recorded.
- 3. Final copy of the signed covenants, as approved by the City Attorney, to be recorded with the final plat.
- 4. If fencing along F 1/2 Road is not being provided at the time of development, the covenants must state the type of fencing that will be allowed and include provisions for landscaping and maintenance of the area between the fence and the sidewalk by the Homeowner's Association.
- 5. Parks and Open Space fees in the amount of \$225 per unit must be paid prior to recording the plat.
- 6. School Impact fees of \$292 per unit shall apply and is payable prior to issuance of individual Planning Clearances.
- 7. A Transportation Capacity Payment of \$20,000 pro-rated to each lot shall be paid prior to the issuance of a Planning Clearance on each lot (\$1,052.63 per lot).

8. Once the final mylar plat is signed by the City, two additional full-size mylar copies and one reduced 11" x 17" mylar copy must be provided to the City. A computer disk with the plat information is also required.
9. All required improvements for the subdivision must be completed and accepted by the City, or an acceptable Development Improvements Agreement and Guarantee must be provided for the remaining improvements, prior to recording the plat. Those improvements include required pathway connections and landscaping of all common areas. I'm not sure why Tract A is a separate tract rather than an easement. If it remains a tract, a plan must be submitted for landscaping or surfacing and included in the Improvements Agreement. It would make more sense to change it to an easement on lots 6 and 7 to be maintained by those lot owners. Perhaps the separate tract was a requirement of Ute Water?
10. Sewer trunk line extension fee of \$500 per lot (\$9,500) must be paid prior to recording the plat.
11. Proof of incorporation and original corporate resolution authorizing the plat and signatory's capacity to sign.
12. The applicant shall pay for all recording fees. Documents to be recorded include the plat, covenants and Development Improvements Agreement. Recording fees are paid directly to the Mesa County Clerk and Recorder at the time of recordation.
13. It is the applicants responsibility to assure that prior complaints on irrigation flows to adjacent properties and removal of a section of fence in Kay Subdivision are satisfactorily addressed.

All of the above must be satisfied prior to recordation of the plat.

Sincerely,



Katherine M. Portner
Acting Community Development Director

CITY OF GRAND JUNCTION FILE #FPP-95-85 FINAL PLAT/PLAN - CIMARRON
NORTH SUBDIVISION LOCATED AT NE CORNER 25 1/2 ROAD AND F 1/2 ROAD HAS
BEEN REVIEWED AND APPROVED BY THE UTILITY COORDINATING
COMMITTEE.

CHAIRMAN

DATE

* *John L. Ballagh* MANAGER
GRAND JUNCTION DRAINAGE DIST.

April 15, 1997
DATE

* *[Signature]*
CITY UTILITY ENGINEER

5/21/97
DATE

* *Hank Masters*, FIRE INSPECTOR
CITY FIRE DEPARTMENT

4-25-97
DATE



May 1, 1997

City of Grand Junction, Colorado
250 North Fifth Street
81501-2668
FAX: (970)244-1599

Mr. Stan Seligman
Great New Homes
501 Fruitvale Court
Grand Junction, CO 81504

RE: Cimarron North Subdivision

Dear Mr. Seligman:

This letter is written to ask that you address several outstanding issues concerning Cimarron North Subdivision. Primarily, the detention pond has not been constructed in accordance with the approved plan. As a result, the functionality and capacity of the pond are suspect. Please note and address in writing to the following concerns.

1. The outlet apparently discharges at a different point than what was approved. The approved discharge point was into the Grand Junction Drainage facility located on your property; however, the constructed discharge is on an adjacent property for which we have no evidence of your right to use. Do you have an easement or other right to discharge other than as shown on the approved plan? If so, please provide documentation of such.
2. Assuming you have a lawful right to use the adjacent property for runoff, the constructed outlet pipe will not function properly. From my conversations with you, Alan Parkerson and John Ballagh, it appears some modifications may be necessary in order for the pond to drain; as constructed water in the open ditch may fill the pond and use the capacity designed for detention from the subdivision. The grade of this pipe and inlet and outlet elevations need to be determined. When the cap that is currently on the outlet is removed from the pipe it appears that water will flow into, not out of the detention pond.
3. A "preliminary as-built" of the pond was prepared by Mr. Lizer and filed with me. Since the drawing is labeled "preliminary", is Mr. Lizer conceding that the construction was not to approved design? Are the construction activities not complete? Is the construction, the alternative design, or the drawing "preliminary"?
4. The same drawing indicates in the notes that rip-rap may be necessary where the sideslopes exceed 3:1 slope. Do any of the slopes exceed 3:1? If so, then the placement of rip-rap needs to be shown. Please provide a drawing indicating areas where rip-rap is needed and will be installed. As well, please provide an estimate of the cost of this installation. Please understand that the constructed pond is not approved and that the detail

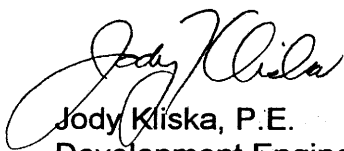
requested is not necessarily for the purposes for approving what has been constructed but is instead necessary for the purpose of evaluating the pond as constructed. If you would rather not retrofit the construction, please let me know your timetable for construction of the facility as originally designed and approved.

5. I am unclear as to why the pond outlet was not constructed as approved. Is there an explanation?
6. I am well aware from our prior conversations that it is your desire to defer the remaining improvements until some future time. Deferring the construction is not an option and as such please provide a detailed plan showing whether two manholes are to be provided or whether one is existing and one is to be newly constructed.
7. The plans show a 2' wide v-pan to be constructed in the bottom of the pond. Please provide an estimate from a concrete contractor for the construction of the pan.
8. The detention pond is required to be grassed as indicated on the plans. Please provide an estimate from a company which does this type of work.
9. Please detail, for the purposes of completing an improvements guarantee, any other outstanding items which are not yet constructed.

While I can appreciate your willingness to give us money to complete the project, the fact is that a financial guarantee is not sufficient to address the fundamental problems with the drainage.

If you or Mr. Lizer have any questions, please give me a call. I look forward to your prompt and thorough response to the issues.

Sincerely,



Jody Kliska, P.E.
Development Engineer
City of Grand Junction

cc: Kathy Portner

GRAND JUNCTION DRAINAGE DIST.

722 23 ROAD P.O. BOX 55246 GRAND JUNCTION, CO 81505
(303) 242-4343

KATHY PORTNER

DATE: May 8, 1997

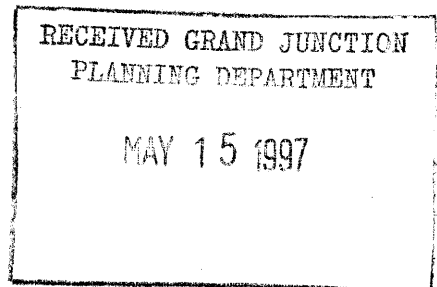
TO: Jody Kliska, P.E.
Wayne Lizer, P.E.

FROM: John L. Ballagh, Manager *John*

SUBJECT: Cimarron North Subdivision

The developer is working with the Drainage District to relocate the outlet from the detention basin when the pipe through the intersection of F 1/2 and Young Street is lowered in early 1998. Mr. Seligman has purchased the materials for the relocation. The district is providing Wayne Lizer a detail drawing for the tie in to the District's manhole.

Once relocated, the detention pond discharge pipe will be in the easement for the Drainage District line which parallels the GVIC canal. The developer's engineer did show District staff an old "spill" pipe that transported surface water from the site soon to be Cimarron North into the open drain that the District calls the BEEHIVE DRAIN. The discharge limitation from the detention basin to that of historic rate is within the parameters of the City's drainage planning. The relocation of the BEEHIVE DRAIN contemplated by GJDD (to straighten the channel across Mr. Harris' property) will require the District to accommodate the pipe from the detention basin in Cimarron North. The above mentioned pipe purchase, to be installed by GJDD, and the explanation of historic discharge from the raw ground which will be Cimarron North satisfies the District on the question of right to drain into the District facility.



From: Kathy Portner
To: Paulson, Bobbie
Subject: Cimarron North

\$735.00 was deposited with the City to guarantee the completion of the detention pond in Cimarron North Subdivision (File #FPP-95-85). The required improvements have been completed. Please release the deposit. Thank you.

CC: McNally, Nina

172-115-000

CITY OF GRAND JUNCTION
DEPARTMENT OF PUBLIC WORKS & UTILITIES
250 NORTH 5TH STREET
GRAND JUNCTION, CO 81501
(970) 244-4003

TO THE MESA COUNTY CLERK & RECORDER:

THIS IS TO CERTIFY that the herein named Subdivision Plat,

CIMARRON NORTH SUBDIVISION

Situated in the NE 1/4 of Section 3,

Township 1 SOUTH, Range 1 WEST,

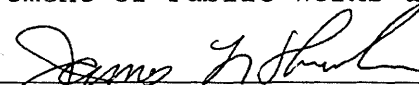
of the UTE Meridian in the City of Grand Junction, County of Mesa, State of Colorado, has been reviewed under my direction and, to the best of my knowledge, satisfies the requirements pursuant to C.R.S. 38-51-106 and the Zoning and Development Code of the City of Grand Junction for the recording of subdivision plats in the office of the Mesa County Clerk and Recorder.

This certification makes no warranties to any person for any purpose. It is prepared to establish for the County Clerk and Recorder that City review has been obtained. This certification does not warrant: 1) title or legal ownership to the land hereby platted nor the title or legal ownership of adjoining; 2) errors and/or omissions, including, but not limited to, the omission(s) of rights-of-ways and/or easements, whether or not of record; 3) liens and encumbrances, whether or not of record; 4) the qualifications, licensing status and/or any statement(s) or representation(s) made by the surveyor who prepared the above-named subdivision plat.

Dated this 30 day of June, 1997.

City of Grand Junction,
Department of Public Works & Utilities

By:


James L. Shanks, P.E., P.L.S.
Director of Public Works & Utilities

Recorded in Mesa County

Date: 6/30/97

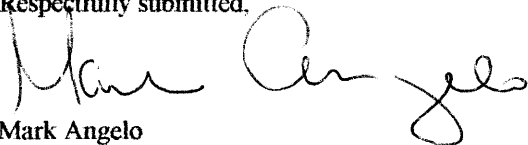
Plat Book: 15 Page: 337

Drawer: DD70

g:\special\platcert.doc

I'm in the process of collecting the information referred to above to forward to [redacted], the Mesa County Building Department, and the Grand Junction Planning Department.

Respectfully submitted,

A handwritten signature in black ink that reads "Mark Angelo". The signature is written in a cursive, flowing style.

Mark Angelo

cc:

Robert Lee-Mesa County Building Department

Grand Junction Planning Department

To: KATHYP (Kathy Portner)
Cc: Kerrie Ashbeck
From: Jody Kliska
Subject: Re: Cimarron North Sub.
Date: 5/13/99 Time: 12:59PM

Originated by: KATHYP @ CITYHALL on 5/13/99 12:54PM
Replied by: JODYK @ CITYHALL on 5/13/99 12:59PM

Kathy,

As I remember, the \$734 was to cover seeding of the detention pond. The delay was due to the Drainage District, as they had told Stan they would install a pipe for an outlet as part of their drain system. At the time, Stan's pond was retaining water so it was a little tough to seed.

I don't think we ever did go back out there. I sort of remember getting phone calls from Rob at Great New Homes, but I don't know if it was on this subdivision.

Fun, fun, fun.

Jody



May 20, 1997

City of Grand Junction, Colorado
250 North 5th Street
81501-2668
Phone (970) 244-1501
FAX (970) 244-1456

Mr. John Ballagh
c/o Grand Junction Drainage District
P.O. Box 55246
Grand Junction, Colorado 81505

Dear Mr. Ballagh,

I am writing in response to your letter dated May 8, 1997, sent to Jody Kliska and Wayne Lizer. Ms. Kliska came to see me and I offered to respond to your correspondence.

From my meeting with Ms. Kliska I understand that the drainage facility in Cimarron North may be burdened by three problems: the first problem is that the facility was not constructed in accordance with the approved plan; the second problem is that the outlet from the pond is capped and may be at or below the elevation of an adjacent ditch, causing the pond to fill from the water flowing in the ditch if the cap were removed; and the third problem is that the discharge from the pond will be on to property for which there is not a demonstrated easement.

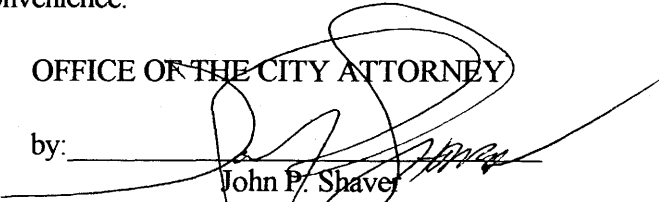
While the City appreciates the information about the relocation and reconstruction of the Beehive Drain, the information provided does not address any of the concerns noted above or those raised in Ms. Kliska's recent correspondence to Mr. Seligman. Your letter suggests that work will be done but provides no timeline. When is the work is anticipated to begin and to be completed?

Until the Cimarron North drainage facility is built to the approved design, the concerns raised by Ms. Kliska in her May 5, 1997 letter to Mr. Seligman are addressed, or the Beehive Drain is reconstructed to provide Cimarron North with acceptable drainage, as determined by the City, via the Beehive Drain, the subdivision will not be complete.

Should there be any questions or if you desire to meet with me, Ms. Kliska or any of the city staff, please call or write at your earliest convenience.

OFFICE OF THE CITY ATTORNEY

by:


John P. Shaver

Assistant City Attorney
250 N. 5th Street
Grand Junction, CO 81501
(970) 244-1501

pc: Jody Kliska
Kathy Portner
Jim Shanks

Mark and Michelle Angelo

2571 Trails End Ct.
Grand Junction, Co. 81505
Home Phone 242-3714

3RD REQUEST!

First request was delivered on 10-15-99

SECOND REQUEST WAS DELIVERED ON 11-02-99

December 07, 1999

Great New Homes
3032 I-70 Business Loop
Grand Junction, Co. 81504
434-2000
Fax: 434-6024

INFORMATION REQUESTED:

1. What is the type and name of the plastic pipe used in our in floor heat system.

Request response in writing.

2. How many shares of irrigation water does our subdivision have and what account is our subdivision in? Is it in Stan's name or in Great New Homes' name?

I was told by Grand Valley Irrigation that there is no account for our subdivision. They told me that there were two accounts, one under Stan's name and one under Great New Homes. One account has 4 shares and the other account has 5 shares. I have obtained information from one of the other developments in the area and they provided me information from Grand Valley Irrigation showing we have 5 shares.

3. When do you plan on landscaping and finishing the retention pond area?

I called Kathy with the planning department to ask them how the retention pond area was to be completed. Kathy said it had to be irrigated and grassed.

4. What do you plan to do with your sign at the entrance to the subdivision?

Do you plan on taking it down and if you do, when are you going to? If not, I plan on asking the residence about taking it down and cutting off the top and bottom of the sign and only using the middle.

5. Attached to the first request was the information requested to complete the change in the Covenants.

Has the information been completed and filed?

Respectfully submitted,

Mark Angelo



CC: Grand Junction Planning Department
Mesa County Building Department

City of Grand Junction

Community Development Department
 Planning • Zoning • Code Enforcement
 250 North 5th Street
 Grand Junction, CO 81501-2668

Phone: (970) 244-1430
 FAX: (970) 256-4031



September 20, 2000

Bret Seligman
 Great New Homes
 3032 I-70 Business Loop
 Grand Junction, CO 81504

Re: Cimarron North Subdivision

Dear Mr. Seligman:

It has come to our attention that you have not completed the improvements to the Cimarron North detention pond. Completion of the detention pond, including irrigation and the establishment of grass was a part of the approved plans and required by the Improvements Agreement recorded at Book 2337, Page 569, Mesa County Clerk and Records Office. A check in the amount of \$734.00 was deposited with the City to guarantee the completion of the pond. The detention pond must be completed by October 11, 2000 for the release of the Development Improvements Agreement and funds. Failure to do so will result in the City using the money for the completion of the improvements. If the completion costs more than the amount that was deposited with the City, you will be billed for the remainder.

Thank you for your cooperation.

Sincerely,

Katherine M. Portner
 Acting Community Development Director

xc: Code Enforcement
 Cimarron North HOA

PS Form 3800, April 1995

Z 470 389 383

US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
 Do not use for International Mail (See 3901)

Send to: **BRET SELIGMAN**

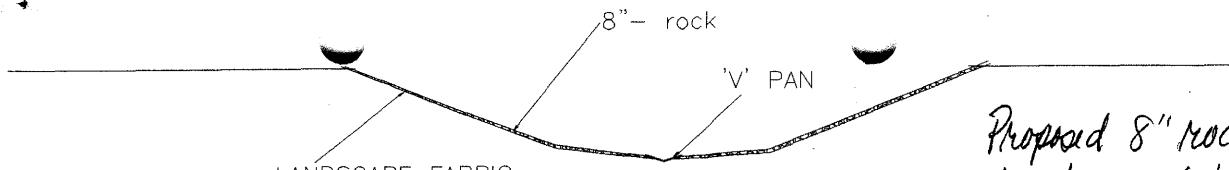
Street & Number: **GREAT NEW HOMES**

Post Office, State, & ZIP Code: **3032 I-70 BUSINESS LOOP**

Postage: **GRAND JUNCTION CO 81504**

Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	9/21/00

(Use)

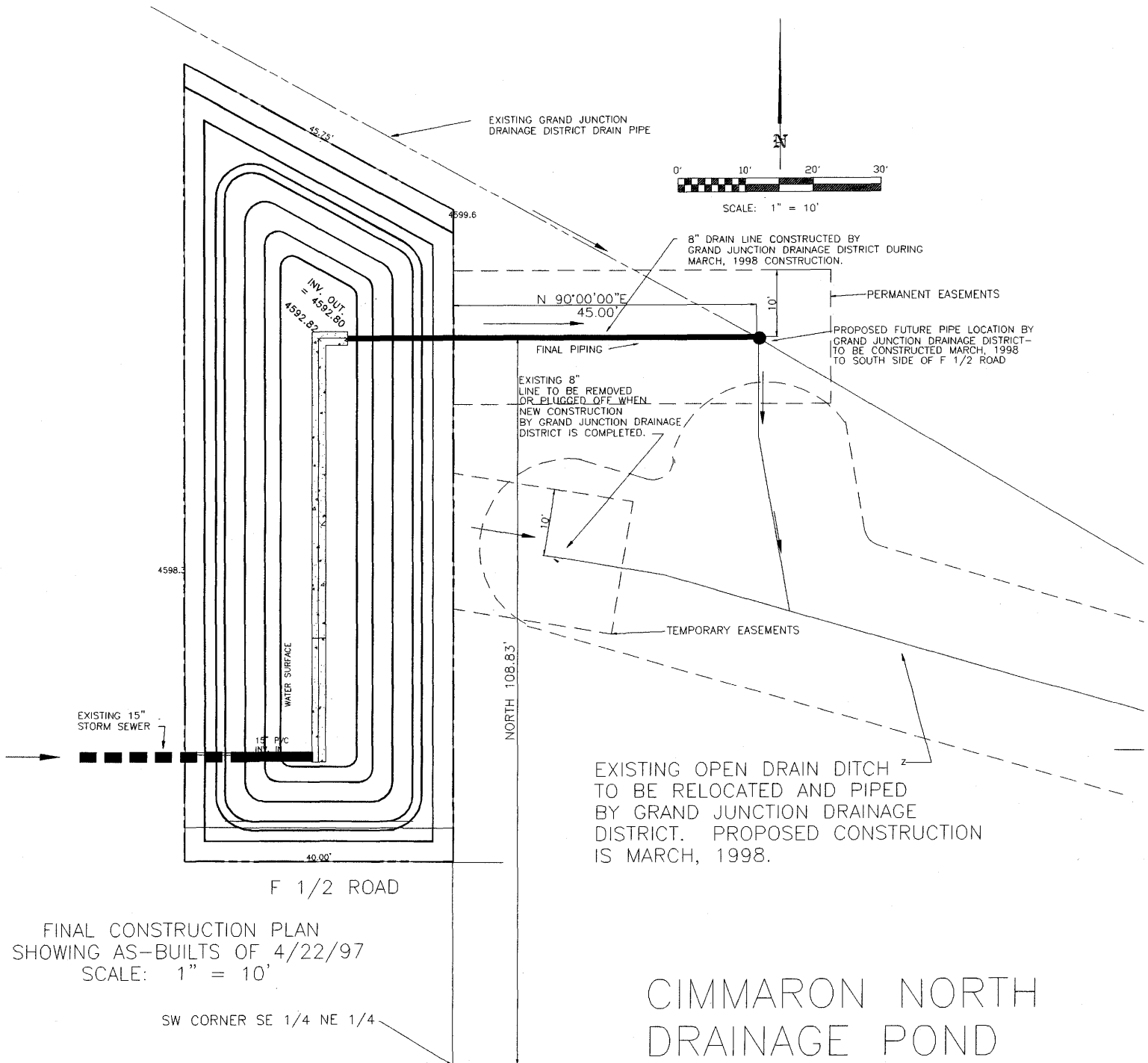


LANDSCAPE FABRIC

X-SECTION DRAINAGE POND
NOT TO SCALE

*Proposed 8" rock and
landscape fabric approved.*

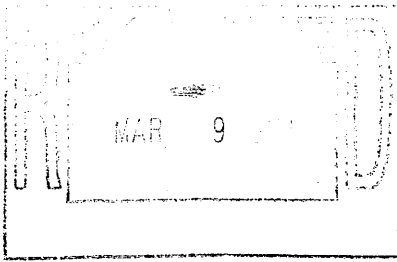
*Kathy Porter
3-20-01*



FINAL CONSTRUCTION PLAN
SHOWING AS-BUILTS OF 4/22/97
SCALE: 1" = 10'

SW CORNER SE 1/4 NE 1/4

CIMMARON NORTH
DRAINAGE POND



CITY OF GRAND JUNCTION

Code Enforcement Division 2549 River Road
Grand Junction, CO 81501
(970) 244-1593 FAX (970) 256-4114

March 7, 2001

Stan Seligman
3032 I-70 Bus. Loop
Grand Junction CO 81504

Re: Cimarron North detention pond

Dear Mr. Seligman:

This letter will confirm our conversation yesterday. My understanding is that you will provide the Community Development Department with a plan for completion of the detention pond using rock by March 14, 2001. The work will be completed within 30 days from the date the plans are approved.

If these dates are not met I will request that Community Development proceed to complete the work as indicated by letter to you from Kathy Portner dated September 20, 2000.

I appreciate your cooperation and prompt responses to my calls over the past few months regarding the detention pond. If you have any questions please do not hesitate to call me at 256-4103.

Sincerely

Nina McNally
Code Enforcement Officer

c. K. Portner, Acting Community Dev. Director

03-11-01

City Of Grand Junction
Planning Department
970-244-1446
250 N. 5th St.
Grand Junction, Colorado 81501
ATTN: Kathy Portner

Kathy,

We the homeowners/ property owners in Cimarron North Subdivision, agree to, Stan with Great New Homes, finishing the retention pond area by covering it with a commercial grade weed barrier and the large river type rock.

We understand that this agreement will replace what he was supposed to finish the retention pond with and that was with grass. With the weed barrier and rock, we believe it will reduce the maintenance needed to keep it clean and free of weeds.

Submitted by the homeowners/ property owners of:



2575 Trails End Court
2573 Trails End Court
2569 Trails End Court
2561 Trails End Court
2558 Trails End Court
2570 Trails End Court
2572 Trails End Court


2571 Trails End Court


2567 Trails End Court


2565 Trails End Court


2563 Trails End Court


2559 Trails End Court


2560 Trails End Court


2562 Trails End Court


2564 Trails End Court


2566 Trails End Court


2568 Trails End Court

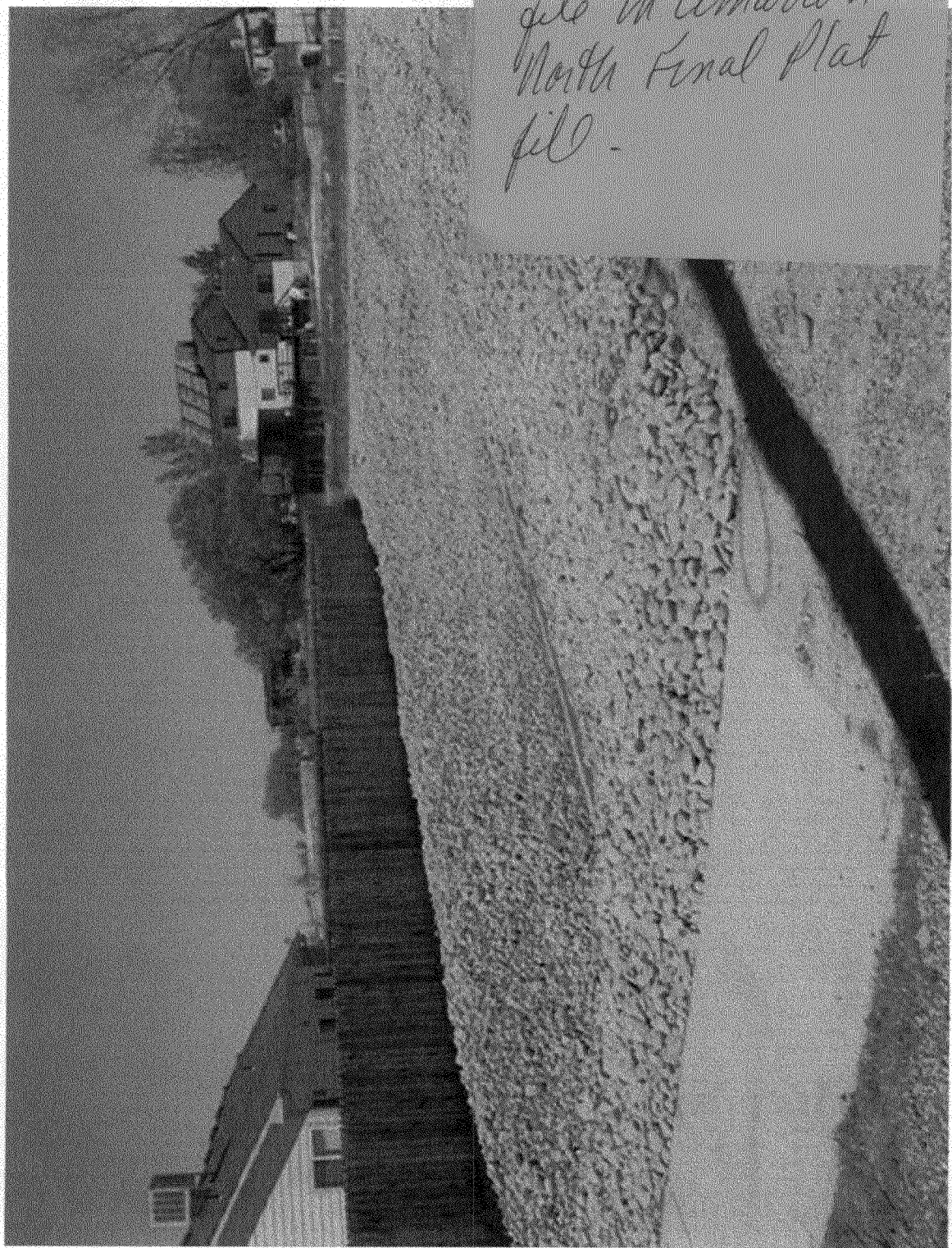

2574 Trails End Court


2576 Trails End Court

95-005 4/19/01

~~K. Foster~~

file in Amarron
North Final Plat
file.



4-19-01
Amarron North detention pond
1/2 Rd. at Fenton

AKM

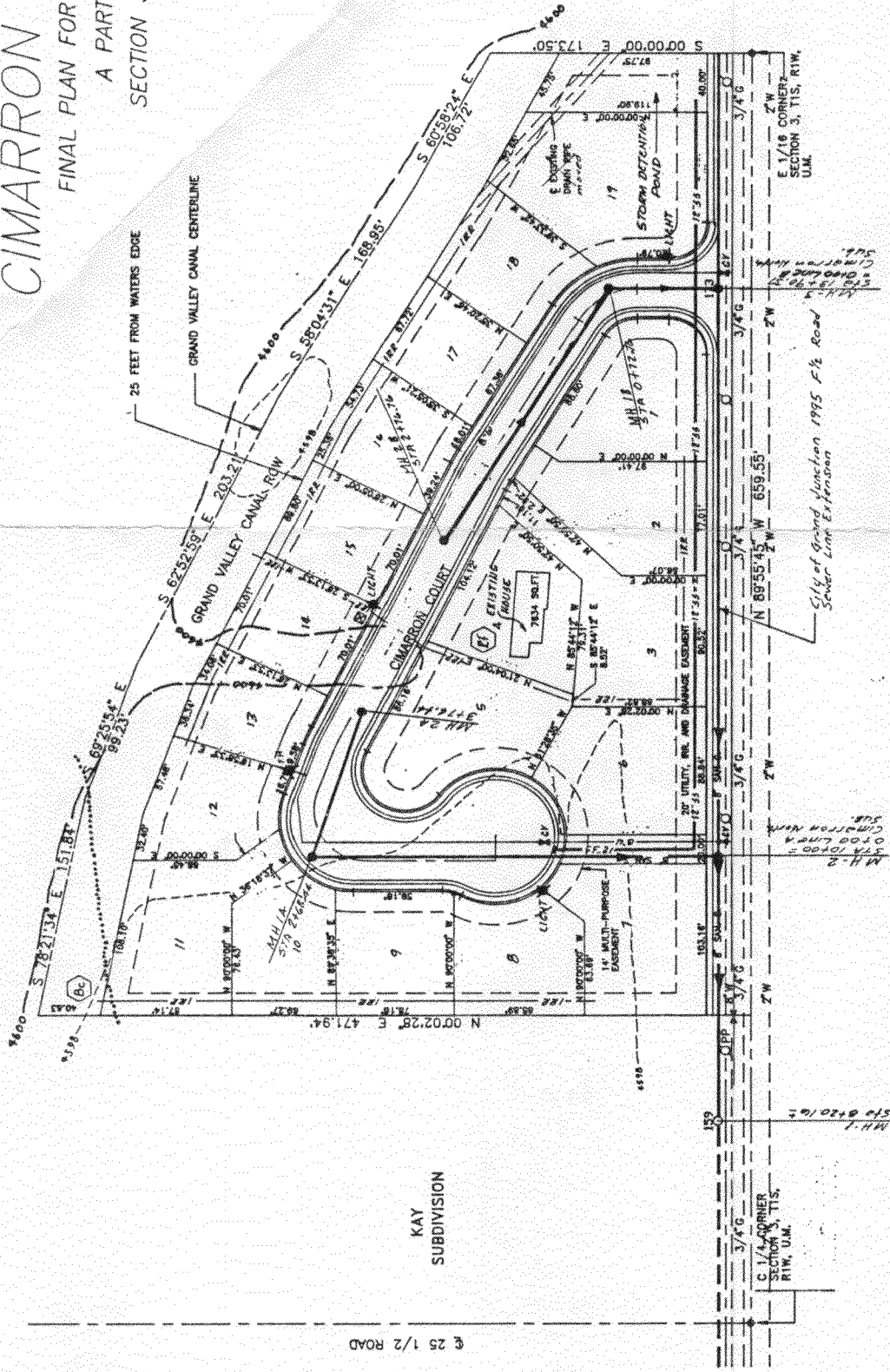
TYPE LEGAL DESCRIPTION(S) BELOW, USING ADDITIONAL SHEETS AS NECESSARY. USE
SINGLE SPACING WITH A ONE INCH MARGIN ON EACH SIDE.

That part of the E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3
1 S 1 W lying South of the center line
of the Grand Valley Canal.

CIMARRON NORTH SUBDIVISION

FINAL PLAN FOR CIMARRON SUBDIVISION-UTILITY COMPOSITE

A PART OF THE SW 1/4 NE 1/4,
SECTION 3, T.1S. R.1W., UTE MERIDIAN



LEGEND

- OT— EXISTING OVERHEAD TELEPHONE
- OH— EXISTING OVERHEAD ELECTRIC
- PP EXISTING POWER POLE
- 3/4" O— EXISTING 3/4" GAS MAIN
- 2" WATER— EXISTING 2" WATER MAIN
- S— EXISTING SANITARY SEWER MAINHOLE
- S— EXISTING 8" SEWER LINE WITH FLOW DIRECTION
- S— PROPOSED 8" SANITARY SEWER LINE WITH FLOW DIRECTION
- 6" W— PROPOSED 6" WATER MAIN
- G— PROPOSED 6" GATE VALVE
- FH— PROPOSED FIRE HYDRANT
- 12" S— PROPOSED 12" STORM SEWER LINE
- L— PROPOSED STREET LIGHT
- S— SOILS TYPE DIVISION LINE
- B— BILLINGS SILTY CLAY LOAM
- R— RAVOLA VERY SANDY LOAM
- IR— PROPOSED IRRIGATION LINE
- C— EXISTING CONTOUR LINE
- F— FINISHED CONTOUR LINE
- M— NEIGHBORHOOD MAILBOX

SCALE: 1" = 50'

UTILITY COMPOSITE FOR	
CIMARRON NORTH SUBDIVISION	
A PART OF THE SW 1/4 NE 1/4, SECTION 3, T. 1S. R.1W. UTE MERIDIAN	
W. H. LIZER & ASSOCIATES	
ENGINEERING CONSULTING & LAND SURVEYING	
676 26 ROAD UNIT 6 241-1129	
GRAND JUNCTION, COLORADO 81508	
DATE	PROJECT NO.
MAY 5, 1984	83282-12
BY	CHECKED
WHL	

DEVELOPMENT IMPROVEMENTS AGREEMENT

1. **Parties:** The parties to this Development Improvements Agreement ("the Agreement") are GREAT NEW HOMES, Inc. ("the Developer") and THE CITY OF GRAND JUNCTION, Colorado ("the City").

THEREFORE, for valuable consideration, the receipt and adequacy of which is acknowledged, the Parties agree as follows:

2. **Effective Date:** The Effective Date of the Agreement will be the date that this agreement is signed.

RECITALS

The Developer seeks permission to develop property within the City to be known as CIMARRON NORTH SUBDIVISION, which property is more particularly described on Exhibit "A" attached and incorporated by this reference (the "Property"). The City seeks to protect the health, safety and general welfare of the community by requiring the completion of various improvements in the development and limiting the harmful effects of substandard developments. The purpose of this Agreement is to protect the City from the cost of completing necessary improvements itself and is not executed for the benefit of materialmen, laborers, or others providing work, services or material to the development or for the benefit of the purchasers or users of the development. The mutual promises, covenants, and obligations contained in this Agreement are authorized by state law, the Colorado Constitution and the City's land development ordinances.

DEVELOPER'S OBLIGATION

3. **Improvements:** The Developer will design, construct and install, at its own expense, those on-site and off-site improvements listed on Exhibit "B" attached and incorporated by this reference. The Developer agrees to pay the City the actual amount for inspection services performed by the City. The estimated amount is shown in Exhibit B. The Developer's obligation to complete the improvements is and will be independent of any obligations of the City contained herein.

4. **Security:** To secure the performance of its obligations under this Agreement (except its obligations for warranty under paragraph 6), the Developer will enter into an agreement which complies with either option identified in paragraph 28, or other written agreement between the City and the Developer.

5. **Standards:** The Developer shall construct the Improvements according to the standards and specifications required by the City Engineer or as adopted by the City.

6. **Warranty:** The Developer warrants that the Improvements, each and every one of them, will be free from defects for a period of twelve (12) months from the date that the City Engineer accepts or approves the improvements completed by the Developer.

7. **Commencement and Completion Periods:** The improvements, each and every one of them, will be completed within (1) one year from the Effective Date of this Agreement (the "Completion Period").

8. **Compliance with Law:** The developer shall comply with all relevant federal, state and local laws, ordinances, and regulations in effect at the time of final approval when fulfilling its obligations under this Agreement.

9. **Notice of Defect:** The Developer's Engineer shall provide timely notice to the Developer, contractor, issuer of security and the City Engineer whenever inspection reveals, or the Developer's Engineer otherwise has knowledge, that an improvement does not conform to City standards and any specifications approved in the development application or is otherwise defective. The developer will have thirty (30) days from the issuance of such notice to correct the defect.

10. **Acceptance of Improvements:** The City's final acceptance and/or approval of improvements will not be given or obtained until the Developer presents a document or documents, for the benefit of the City, showing that the Developer owns the improvements in fee simple and that there are no liens, encumbrances, or other restrictions on the improvements. Approval and/or acceptance of any improvements does not constitute a waiver by the City of any rights it may have on account of any defect in or failure of the improvement that is detected or which occurs after approval and/or acceptance.

11. **Use of Proceeds:** The City will use funds deposited with it or drawn pursuant to any written disbursement agreement entered into between the parties only for the purpose of completing the Improvements or correcting defects in or failure of the Improvements.

12. **Events of Default:** The following conditions, occurrences or actions will constitute a default by the Developer during the Completion Period:

- a. Developer's failure to complete each portion of the Improvements in conformance with the agreed upon time schedule; the City may not declare a default until a fourteen (14) calendar day notice has been given to the Developer;
- b. Developer's failure to demonstrate reasonable intent to correct defective construction of any improvement within the applicable correction period; the City may not declare a default until a fourteen (14) calendar day notice has been given to the Developer;
- c. Developer's insolvency, the appointment of a receiver for the Developer or the filing of a voluntary or involuntary petition in bankruptcy respecting the Developer; in such event the City may immediately declare a default without prior notification to the Developer;
- d. Notification to the City, by any lender with a lien on the property, of a default on an obligation; the City may immediately declare a default without prior notification to the Developer;
- e. Initiation of any foreclosure action of any lien or initiation of mechanics lien(s) procedure(s) against the Property or a portion of the Property or assignment or conveyance of the Property in lieu of foreclosure; the City may immediately declare a default without prior notification to the Developer.

13. **Measure of Damages:** The measure of damages for breach of this Agreement by the Developer will be the reasonable cost of satisfactorily completing the Improvements plus reasonable City administrative expenses. For improvements upon which construction has not begun, the estimated costs of the Improvements as shown on Exhibit "B" will be prima facie evidence of the minimum cost of completion; however, neither that amount nor the amount of a letter of credit, the subdivision improvements disbursement agreement or cash escrow establish the maximum amount of the Developer's liability.

14. **City's Rights Upon Default:** When any event of default occurs, the City may draw on the letter of credit, escrowed collateral, or proceed to collect any other security to the extent of the face amount of the credit or full amount of escrowed collateral, cash, or security less ninety percent (90%) of the estimated cost (as shown on Exhibit "B") of all improvements previously accepted by the City or may exercise its rights to disbursement of loan proceeds or other funds under the improvements disbursement agreement. The City will have the right to complete improvements itself or it may contract with a third party for completion, and the Developer grants to the City, its successors, assigns, agents, contractors, and employees, a nonexclusive right and easement to enter the Property for the purposes of constructing, reconstructing, maintaining, and repairing such improvements. Alternatively, the City may assign the proceeds of the letter of credit, the improvements disbursement agreement, the escrowed collateral, cash, or other funds or assets to a subsequent developer (or a lender) who has acquired the development by purchase, foreclosure or otherwise who will then have the same rights of completion as the City if and only if the subsequent developer (or lender) agrees in writing to complete the unfinished improvements and provides reasonable security for the obligation. In addition, the City may also enjoin the sale, transfer, or conveyance of lots within the development, until the improvements are completed or accepted. These remedies are cumulative in nature and are in addition to any other remedies the City has at law or in equity.

15. **Indemnification:** The Developer expressly agrees to indemnify and hold the City, its officers, employees and assigns harmless from and against all claims, costs and liabilities of every kind and nature, for injury or damage received or sustained, or alleged to be received or sustained, by any person or entity in connection with, or on account of, any act or failure to act concerning the performance of work at the development or the Property pursuant to this Agreement. The Developer further agrees to aid and defend the City in the event that the City is named in an action concerning the performance of work or the failure to perform work pursuant to this Agreement. The Developer is not an agent or employee of the City.

16. **No Waiver:** No waiver of any provision of this Agreement by the City will be deemed or constitute a waiver of any other provision, nor will it be deemed or constitute a continuing waiver unless expressly provided for by a written amendment to this Agreement signed by both City and Developer; nor will the waiver of any default under this Agreement be deemed a waiver of any subsequent default or defaults of the same type. The City's failure to exercise any right under this Agreement will not constitute the approval of any wrongful act by the Developer or the acceptance of any improvement.

17. **Amendment or Modification:** The parties to this Agreement may amend or modify this Agreement only by written instrument executed on behalf of the City by the City Manager or his designee and by the Developer or his authorized officer. Such amendment or modification shall be properly notarized before it shall be deemed effective.

18. **Attorney's Fees:** Should either party be required to resort to litigation to enforce the terms of this Agreement, the prevailing party, plaintiff or defendant, will be entitled to costs, including reasonable attorney's fees and expert witness fees, from the opposing party; any City obligation under this section shall be subject to the overriding provisions of section 15, above. If the court awards relief to both parties, the attorney's fees may be equitably divided between the parties by the decision maker, subject to the overriding provisions of section 15, above.

19. **Vested Rights:** The City does not warrant by this Agreement that the Developer is entitled to any other approval(s) required by the City, if any, before the Developer is entitled to commence development or to transfer ownership of property in the development.

20. **Third Party Rights:** No person or entity who or which is not a party to this Agreement will have any right of action under this Agreement.

21. **Time:** For the purpose of computing the Abandonment and Completion Periods, and time periods for City action, such times in which war, civil disasters, or acts of God occur or exist will not be included if such times prevent the Developer or City from performing its obligations under the Agreement.

22. **Severability:** If any part, term, or provision of this Agreement is held by a court or courts of competent jurisdiction to be illegal or otherwise unenforceable, such illegality or unenforceability will not affect the validity of any other part, term, or provision and the rights of the parties will be construed as if the part, term, or provision was never part of the Agreement.

23. **Benefits/burdens:** The benefits of this Agreement to the Developer are personal and may not be assigned without the express written approval of the City. Such approval may not be unreasonably withheld, but any unapproved assignment is void. Notwithstanding the foregoing, the burdens of this Agreement are personal obligations of the Developer and also shall be binding on the heirs, successors, and assigns of the Developer, and shall be a covenant(s) running with the Property. There is no prohibition on the right of the City to assign its rights under this Agreement. The City will expressly release the original Developer's guarantee or obligations under the improvements disbursement agreement if it accepts new security from any developer or lender who obtains the Property. However, no other act of the City will constitute a release of the original Developer from his liability under this Agreement.

24. **Notice:** Any notice required or permitted by this Agreement will be deemed effective when personally delivered in writing or three (3) days after notice is deposited with the U.S. Postal Service, postage prepaid, certified, and return receipt requested, and addressed as follows:

If to Developer:

GREAT NEW HOMES, INC.
3032 I-70 BUSINESS LOOP
GRAND JUNCTION, CO. 81504

If to City:

City of Grand Junction
Community Development Director
250 N. 5th Street
Grand Junction, Colorado 81501

25. **Recordation:** Developer shall pay for all costs to record a copy of this Agreement in the Clerk and Recorder's Office of Mesa County, Colorado.

26. **Immunity:** Nothing contained in this Agreement constitutes a waiver of the City's immunity under any applicable law.

27. **Personal Jurisdiction and Venue:** Personal jurisdiction and venue for any civil action commenced by either party to this Agreement whether arising out of or relating to the Agreement, letter of credit, improvements disbursements agreement, or cash escrow agreement or any action to collect security will be deemed to be proper only if such action is commenced in Mesa County, Colorado. The Developer expressly waives his right to bring such action in or to remove such action to any other court whether state or federal.

28. **Improvements guarantee.** The improvements guarantee required by the City to ensure that the improvements described in the improvements agreement are constructed to City standards may be in one of the following forms: (If I or II, then attach as Exhibit C.)

___ (I) disbursement agreement between a bank doing business in Mesa County and the City, or

___ (II) a good and sufficient letter of credit acceptable to the City, or

___ (III) depositing with the City cash equivalent to the estimated cost of construction of the improvements under the following terms:

(a) The Finance Department of the City may act as disbursing agent for disbursements to Developer's contractor(s) as required improvements are completed and accepted if agreed to in writing pursuant to a disbursement agreement; and

(b) The Finance Department of the City will disburse any deposit or any portion thereof, with no more than three checks, at no charge. If disbursements are made in excess of three checks, the developer will be charged \$100 per transaction for every transaction in excess of three.

✓
___ (IV) Hold recording of plat.

29. **Conditions of Acceptance.**

a. The City shall have no responsibility or liability with respect to any street, or other improvement(s), notwithstanding the use of the same by the public, unless the street or other improvements shall have been accepted by the City. "Acceptance by the City" means a separate writing wherein the City specifies which improvements have been accepted and the date from which warranty(ies) shall run.

b. Prior to requesting final acceptance of any street, storm drainage facility, or other required improvement(s), the Developer shall: (i) furnish to the City Engineer as-built drawings in reproducible form, blue-line stamped and sealed by a professional engineer and in computer disk form and copies of results of all construction control tests required by City specifications; (ii) provide written evidence to the City Engineer under signature of a qualified expert that the earth,

soils, lands and surfaces upon, in and under which the improvements have been constructed, or which are necessary for the improvements, are free from toxic, hazardous or other regulated substances or materials; (iii) provide written evidence to the City Engineer that the title to lands underlying the improvements are merchantable and free and clear from all liens and encumbrances, except those liens and encumbrances which may be approved in writing by the City Engineer.

30. **Phased Development.** If the City allows a street to be constructed in stages, the Developer of the first one-half street opened for traffic shall construct the adjacent curb, gutter and sidewalk in the standard location and shall construct the required width of pavement from the edge of gutter on his side of the street to enable an initial two-way traffic operation without on-street parking. That Developer is also responsible for end-transitions, intersection paving, drainage facilities, and adjustments to existing utilities necessary to open the street to traffic.

Larry Tenni

Director of Community Development 3/7/96 Date

City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501

GREAT NEW HOMES, INC.

Gary J. Smith *Bret D. ...*

Developer *11. Dec.*
Date

(If Corporation, to be signed by President and attested to by Secretary together with the Corporate seals)

s::impagre2:6/28/95

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned are the owners of that real property being located in the East Half (E 1/2) Southwest Quarter(SW 1/4) Northeast Quarter(NE 1/4) of Section 3, Township 1 South, Range 1 West of the Ute Meridian in Mesa County, Colo., as recorded in Book 1882, Page 626 of the deed records of Mesa County, Colorado, and being more specifically described as follows:

Beginning at the Southeast corner of the SW 1/4 NE 1/4 of Section 3, T1S, R1W, U.M.; thence N89°55'45"W 659.55 feet along the South line of the E 1/2 SW 1/4 NE 1/4 of said Section 3; thence N00°02'28"E 471.94 feet along the West line of the E 1/2 SW 1/4 NE 1/4 of said Section 3 to a point in the center of the Grand Valley Canal; thence following the center of the Grand Valley Canal the following five courses and distances: S78°21'34"E 151.84 feet; thence S69°25'54"E 99.23 feet; thence S62°52'59"E 203.21 feet; Thence S58°04'31"E 168.95 feet; thence S60°58'24"E 106.72 feet to a point on the East line of the E 1/2 SW 1/4 NE 1/4 of said Section 3; thence S00°00'00"E 173.50 feet along the East line of the E 1/2 SW 1/4 NE 1/4 of said Section 3 to the point of beginning containing 5.278 acres, more or less.

That said owners have caused the said real property to be laid out and surveyed as CIMARRON NORTH SUBDIVISION, a subdivision of a part of the City of Grand Junction, County of Mesa, State of Colorado.

That said owners do hereby dedicate and set apart real property as shown and labeled on the accompanying plat as follows:

* All Streets and Rights-of-Way to the City of Grand Junction for the use of the public forever;

Exhibit A

EXHIBIT "A"

TYPE LEGAL DESCRIPTION BELOW, USING ADDITIONAL SHEETS AS NECESSARY. USE SINGLE SPACING WITH A ONE (1) INCH MARGIN ON EACH SIDE.

EXHIBIT "B"

IMPROVEMENTS LIST/DETAIL

(Page 1 of 3)

DATE: 3/6/96

NAME OF DEVELOPMENT: CIMARRON NORTH SUBDIVISION

LOCATION: F 1/2 Road east of 25 1/2 Road

PRINTED NAME OF PERSON PREPARING: STANLEY L. SELIGMAN

	UNITS	TOTAL QTY.	UNIT PRICE	TOTAL AMOUNT
I. SANITARY SEWER				
1. Clearing and grubbing				
2. Cut and remove asphalt				
3. PVC sanitary sewer main (incl. trenching, bedding & backfill)	LF	1,383	17 ⁰⁰	23,511 ⁰⁰
4. Sewer Services (incl. trenching, bedding, & backfill)	LF	730	12 ⁰⁰	8,760 ⁰⁰
5. Sanitary sewer manhole(s)	EA	6	1,300	7,800 ⁰⁰
6. Connection to existing manhole(s)	EA	1	500	500 ⁰⁰
7. Aggregate Base Course				
8. Pavement replacement				
9. Driveway restoration				
10. Utility adjustments				
II. DOMESTIC WATER				
1. Clearing and grubbing				
2. Cut and remove asphalt				
3. Water Main (incl. excavation, bedding, backfill, valves and appurtenances)	LF	1,510	18 ⁰⁰	27,180 ⁰⁰
4. Water services (incl. excavation, bedding, backfill, valves, and appurtenances)	LF	735	13 ⁰⁰	9,555
5. Connect to existing water line				
6. Aggregate Base Course				
7. Pavement Replacement				
8. Utility adjustments				
III. STREETS				
1. Clearing and grubbing				
2. Earthwork, including excavation and embankment construction	CY	3,389	1.00	3,389 ⁰⁰
3. Utility relocations				

4. Aggregate sub-base course (square yard)	<u>SY</u>	<u>3,713</u>	<u>1.00</u>	<u>3,713.00</u>
5. Aggregate base course (square yard)	<u>SY</u>	<u>3,713</u>	<u>3.00</u>	<u>11,139.00</u>
6. Sub-grade stabilization	<u>TN</u>	<u>1,495</u>	<u>5.00</u>	<u>7,475.00</u>
7. Asphalt or concrete pavement (square yard)				<u>21,000.00</u>
8. Curb, gutter & sidewalk (linear feet)				<u>27,000.00</u>
9. Driveway sections (square yard)				
10. Crosspans & fillets				<u>3,000.00</u>
11. Retaining walls/structures				
12. Storm drainage system	<u>LS</u>		<u>18,252</u>	<u>18,252.00</u>
13. Signs and other traffic control devices				<u>800.00</u>
14. Construction staking				<u>1,300.00</u>
15. Dust control				
16. Street lights (each)				<u>580.00</u>
IV. LANDSCAPING				
1. Design/Architecture				<u>2,000.00</u>
2. Earthwork (includes top soil, fine grading, & berming)				<u>2,000.00</u>
3. Hardscape features (includes walls, fencing, and paving)				
4. Plant material and planting				
5. Irrigation system				<u>3,800.00</u>
6. Other features (incl. statues, water displays, park equipment, and outdoor furniture)				
7. Curbing				
8. Retaining walls and structures				
9. One year maintenance agreement				
V. MISCELLANEOUS				
1. Design/Engineering				
2. Surveying				<u>4,000.00</u>
3. Developer's inspection costs				<u>1,000.00</u>
4. Quality control testing				
5. Construction traffic control				<u>500.00</u>
6. Rights-of-way/Easements				

7. City inspection fees				800 ⁰⁰
8. Permit fees				1,000 ⁰⁰
9. Recording costs				500 ⁰⁰
10. Bonds				
11. Newsletters				
12. General Construction Supervision				
13. Other				
14. Other				

TOTAL ESTIMATED COST OF IMPROVEMENTS: \$ 188,554⁰⁰

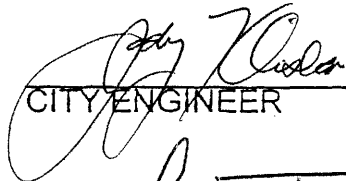
GREAT NEW HOMES, INC.

 pres Bret D. Seligman Sec. 3/6/96

SIGNATURE OF DEVELOPER DATE

(If corporation, to be signed by President and attested to by Secretary together with the corporate seals.)

I have reviewed the estimated costs and time schedule shown above and, based on the plan layouts submitted to date and the current costs of construction, I take no exception to the above.



CITY ENGINEER

3-6-96

DATE



COMMUNITY DEVELOPMENT

3/7/96

DATE