



DEVELOPMENT APPLICATION

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

Receipt 3280
Date 12-18-95
Rec'd By _____
File No. RZ-95-222

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

PETITION	PHASE	SIZE	LOCATION	ZONE	LAND USE
<input type="checkbox"/> Subdivision Plat/Plan	<input type="checkbox"/> Minor <input type="checkbox"/> Major <input type="checkbox"/> Resub				
<input checked="" type="checkbox"/> Rezone			<u>2507 Orchard</u>	From: <u>RSF-8</u> To: <u>PR 8.7</u>	<u>Duplex</u>
<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 checked="" type="checkbox"/> DEVELOPER <u>Buyer</u>	<input checked="" type="checkbox"/> REPRESENTATIVE
<u>Hasty Trust / Alex Mirrow</u>	<u>Elaine Davis</u>	<u>Alex Mirrow</u>
Name	Name	Name
<u>532 E. Valley Dr.</u>	<u>2507 Orchard # A</u>	<u>532 E. Valley Dr.</u>
Address	Address	Address
<u>Grand Junc, CO 81504</u>	<u>Grand Junc, CO 81501</u>	<u>Grand Junc, CO 81504</u>
City/State/Zip	City/State/Zip	City/State/Zip
<u>434-8480</u>	<u>256-0430</u>	<u>434-8480</u>
Business Phone No.	Business Phone No.	Business Phone No.

NOTE: Legal property owner is owner of record on date of submittal.

We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application and the review comments. We recognize that we or our representative(s) must be present at all 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.

X Alex Mirrow Signature of Person Completing Application Date 12/17/95

X Alex Mirrow Signature of Property Owner(s) - attach additional sheets if necessary Date 12/17/95

David Hasty

SUBMITTAL CHECKLIST

REZONE

RZ-95-222

 Location: 2507 Orchard

 Project Name: Duplex

ITEMS	DISTRIBUTION											TOTAL REQ'D.		
Date Received _____ Receipt # _____ File # _____ PC - Jan. 16 CC - Feb. 7 CC - Feb. 21	SSID REFERENCE	● City Community Development	● City Dev. Eng.	○ City Utility Eng.	○ City Property Agent	● City Attorney	● City G.J.P.C. (8 sets) ✓	○ City Downtown Dev. Auth.	● City Council	○ City Parks and Rec.	○ City Fire Department		○ County Planning	○ Walker Field
● Application Fee \$330	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
● Application Form *	VII-1	1	1	1	1	1	8	1	1	1	1	1	1	1
● Reduction of Assessor's Map	VII-1	1	1	1	1	1	8	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									
○ Deed	VII-1	1			1	1								
○ Easement	VII-2	1	1	1	1	1								
○ Avigation Easement	VII-1	1			1	1								
○ ROW	VII-2	1	1	1	1	1								
● General Project Report	X-7	1	1	1	1	1	8	1	1	1	1	1	1	1
● Location Map 2995-124	IX-21	1												
○ Vicinity Sketch	IX-33	1	1	1	1	1	8	1	1	1	1	1	1	1
● Site Plan - 8'12" x 11" 11	IX-29	1	1	1	1	1	8	1	1	1	1	1	1	1

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

GENERAL PROJECT REPORT

A. Project Description

1. Location: 2507 Orchard Avenue, Units A and B
2. Lot Size: 72.08 X 139.75
3. Proposed Use: Re-zone for use as a Duplex

B. Public Benefit:

Enables a new buyer to obtain financing on the property.

C. Project Compliance, Compatibility, and Impact

1. Proposed re-zone is very similar to what the City is hoping to do in the near future. According to the City's new plan, our lot is large enough for 1.8 units.

This particular structure has been in existence since around 1910. When we purchased it it had already been in use as a four-plex for many decades. The condition was extremely bad and quite dangerous with between five and seven families occupying the premises. There were many fights and wild parties for which the police had to be called upon numerous occasions. There were extensive problems with pest control. We decided that instead of patching up the old plumbing, electrical and other deteriorating features, it would be best to do a complete remodel.

Since the property had been Grandfathered in as a multi-family unit long before any zoning was in effect we decided that it would only be a worthwhile venture as a complete redo if we could leave the unit as a multi-family dwelling. As the individual units were extremely small as a four-plex we opted to remodel it as a duplex thereby bringing it closer to conformity with the existing zoning. To our surprise the City's initial reaction was that it must be kept either as a four-plex or revert back to a single family dwelling. At that point we decided to leave it as a four-plex but when we requested permission to remodel the City stated that after considering the matter, it would be to the neighborhood's advantage for us to make it into a duplex. Thereafter a building permit for a duplex was issued and eventually a certificate of occupancy. After a one-year remodeling effort and extensive cost over-runs, the project was at last complete. The entire neighborhood greatly benefited not only by the upgrading of the biggest eyesore round but by the providing of fine accommodations for upper class tenants, eliminating the need for regular police activity, reducing the risks of fire and greatly reducing the amount of traffic.

We are happy that our efforts have resulted in a benefit for the entire neighborhood. The problem for us has been that we are forced to sell the unit at a financial loss to ourselves. To further complicate the problem, no-one has been able to obtain financing as the unit was never re-zoned since it was Grandfathered in. We have at this time, a contract to sell the property to the tenant that is residing in Unit A. Thereby creating an owner-occupied residence as opposed to simple rental property. Our buyer is pre-qualified to buy this property provided we are able to obtain this re-zone.

We believe our request is reasonable as the unit has already been multi-family for decades and will not change the use of the structure or the neighborhood in any way.

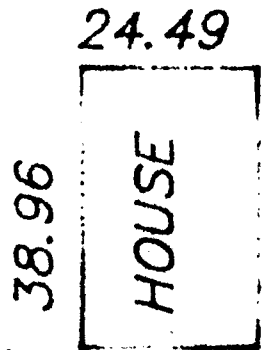
Carole Moyes 2015 Linda Lande Grand Junction, CO 81501-6735	George L. & Wilda A. Lee 1915 N. 26th St. Grand Junction, CO 81501-6823	David L. & Carol J. McDonald 2528 Orchard Avenue Grand Junction, CO 81501-6870
Bowden Enterprises 6303 County Road 214 New Castle, CO 81647-9786	Orchard Community Church 2430 Orchard Avenue Grand Junction, CO 81501-6869	Jill C. Jacobs-Burger 2520 Orchard Avenue Grand Junction, CO 81501-6870
Shaun Adell Freeburg 1140 Walnut Avenue Apt. 41 Grand Junction, CO 81501-2970	City of Grand Junction Melrose Park Grand Junction, CO 81501	James M. & Georgia I. Green 2437 Orchard Avenue Grand Junction, CO 81501-6834
Marcus C. & Kelley E. Taylor 2429 Orchard Avenue Grand Junction, CO 81501-6834	Arnold B. Felicia M. Simmons 2514 Hall Avenue Grand Junction, CO 81501-6238	Irving & Josephine Haines 2460 Hall Avenue Grand Junction, CO 81501-6236
Judy Dee Lumbardy P.O. Box 1904 Gillette, WY 82717-1904	Pearl Edward & Ruth Connolly 2428 Hall Avenue Grand Junction, CO 81501-6236	Robert & Viona Stabenow 2414 Hall Avenue Grand Junction, CO 81501-6236
Robert O. Hage 2421 Orchard Avenue Grand Junction, CO 81501-6834	Robert J. Colleen J. Juarez P.O. Box 40541 Grand Junction, CO 81501-0541	Benito & Piedad Martinez c/o Provident Savings Bank P.O. Box 17 Jersey City, NJ 07302-0017
Orville A. & V.E. Travis 2445 Hall Avenue Grand Junction, CO 81501-6235	Alfred J. & Nola M. Heyne 2435 Hall Avenue Grand Junction, CO 81501-6235	Shirley Mae Moyer 2425 Hall Avenue Grand Junction, CO 81501-6235
Stephen L. & Linda K. Crow 2415 Hall Avenue Grand Junction, CO 81501-6235	Phyllis Bush Thomas Etal 2559 Hall Avenue Grand Junction, CO 81501-6237	Byron R. & Tamalyn K. Fox 2551 Hall Avenue Grand Junction, CO 81501-6237
Chalane M. & Thomas L. Coitt 2535 Hall Avenue Grand Junction, CO 81501-6237	Thomas P. & Bonnie F. Campbell 2527 Hall Avenue Grand Junction, CO 81501-6237	Clyde H. & Joyce A. Corneille 2519 Hall Avenue Grand Junction, CO 81501-6237
Charley R. & Becky A. Stoddart 1737 N. 26th St. Grand Junction, CO 81501-6291	Albert S. & Terry J. Lasalle 617 26 Road Grand Junction, CO 81506-1967	

S

O R C H A

N89°56'00"E 72.02

S00°45'22"E 139.65



∞

S00°47'00"E 139.75

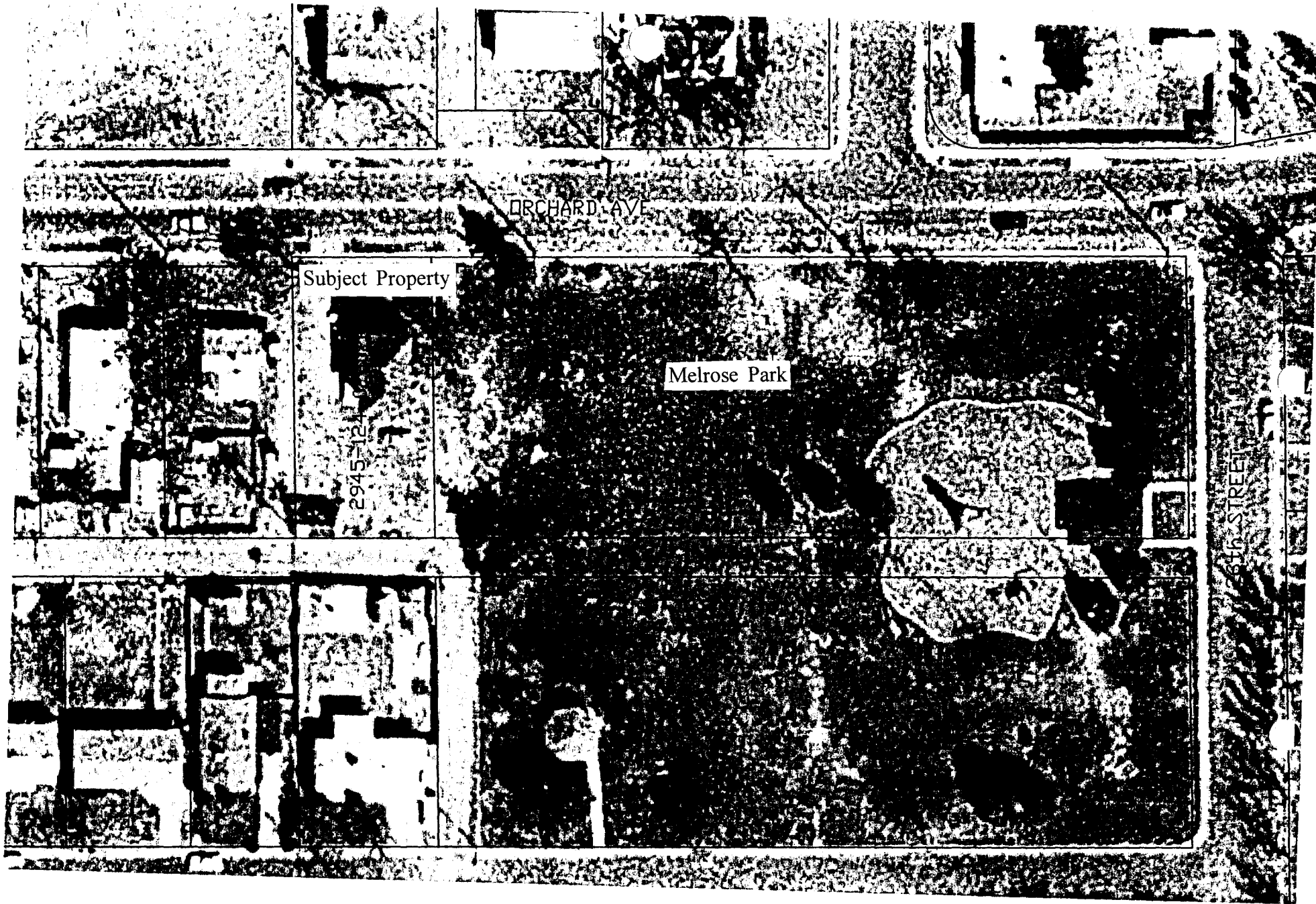
7

6

S89°59'02"E 72.08

B L O

5



Subject Property

2945-12

Melrose Park

ORCHARD AVE

6th STREET

STAFF REVIEW

FILE: #RZ-95-222
DATE: January 2, 1996
STAFF: Kathy Portner
REQUEST: Rezone RSF-8 to PR-8.7
LOCATION: 2507 Orchard Avenue
APPLICANT: Alex Mirrow

EXISTING LAND USE: Residential--Duplex

PROPOSED LAND USE: Same

SURROUNDING LAND USE:

NORTH: Single Family Residential
SOUTH: Single Family Residential
EAST: Melrose Park
WEST: Single Family Residential

EXISTING ZONING: RSF-8 (Residential Single Family, 8 units per acre)

PROPOSED ZONING: PR-8.7 (Planned Residential, 8.7 units per acre)

SURROUNDING ZONING:

NORTH: RSF-8
SOUTH: RSF-8
EAST: PZ (Public Zone)
WEST: RSF-8

RELATIONSHIP TO COMPREHENSIVE PLAN:

No Comprehensive Plan exists for this area.

STAFF ANALYSIS:

The large home at 2507 Orchard Avenue was built in 1910 as a single family home. In 1956 the area around and including this home was platted as Melrose Subdivision. At some point after 1956 the single family residence was converted into a 4-plex. Research by the title

company shows that the conversion happened sometime before 1969. We have not been able to substantiate if the conversion to a 4-plex was done in compliance with the zoning in place at the time. The original City zoning, at the time of annexation which was in 1956, was Residence A District, which at one point allowed single family, two-family and multiple family dwellings. That zone district was later changed to allow only single family dwellings.

In the last 10 years the 4-plex had become extremely run-down and was a source of many police and code enforcement calls and violations. In 1994 the current owner requested a building permit to convert the 4-plex into a duplex. Section 4-9-1.C and D of the Zoning and Development Code states that normal maintenance or minor repair of a non-conforming use is not prohibited. It also states that a non-conforming use may be changed only to a use which makes is conform with the zone in which it is located. If the owner was not allowed to convert the units into a duplex, he was proposing to upgrade the structure as a 4-plex, which would be allowed under the provisions of the non-conforming section. Staff allowed the conversion to a duplex, which brought the structure closer to conformance with the zone and lessened the impact to the neighborhood. It was noted on the Planning Clearance, however, that the use would remain non-conforming.

The conversion to a duplex and all the work the current owner has put into the structure has greatly improved the property and made it an asset to the neighborhood. It is no longer a hot spot for Police and Code Enforcement complaints. The owner is now attempting to sell the property and the potential buyer cannot get financing because of the non-conforming status. As a non-conforming use, the duplex could not be rebuilt under the current zoning if it were to be destroyed to greater than 50% of its value. The applicant is requesting a rezoning to PR-8.7 to make the duplex conforming.

The planned zones are normally intended for larger developments, however staff recommended a planned zone in this case because the least dense straight zone that could be used is RMF-16 which would not be compatible with the neighborhood. The following criteria must be considered for the rezone (Section 4-4-4):

A. Was the existing zone an error at the time of adoption?

It is difficult to tell if the zone was an error at the time of adoption. The original zoning would have allowed for the duplex or the 4-plex, but we have not been able to determine when the conversion to multiple dwelling occurred in relation to the zoning.

B. Has there been a change of character in the area due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.?

The only change in character of this area is the increased traffic on Orchard Avenue and the development of Melrose Park; however, the area remains a strong single family neighborhood.

C. Is there an area of community need for the proposed rezone?

There does seem to be a need for this type of rental property.

D. Is the proposed rezone compatible with the surrounding area or will there be adverse impacts?

The property has been used for multiple dwelling since at least 1969. The conversion to a duplex was certainly an improvement and does seem to be compatible with the neighborhood. The property is somewhat unique in that it is bordered by Melrose Park to the east.

E. Will there be benefits derived by the community, or area, by granting the proposed rezone?

The benefits will be to the existing owner and potential buyer.

F. Is the proposal in conformance with the policies, intents and requirements of this Code, with the City Master Plan, and other adopted plans and policies.

There is no adopted master plan for the area, however, the preferred alternative of the Growth Plan Steering Committee shows this area for medium density residential, 4-8 units per acre. In addition, one of the recommended text amendments in the Code rewrite will be to allow duplexes in the higher density single family zones, such as RSF-8. This proposal puts the density slightly over the 8 units per acre to 8.7 units per acre, however, if it were looked at in the context of the overall density of the subdivision it would be within the 8 units per acre and it is already existing.

G. Are adequate facilities available to serve development for the type and scope suggested by the proposed zone?

Adequate facilities are available and being used.

Another issue with the use of the property for a duplex is that the covenants as recorded in 1956 allow only single family homes. Although the City normally does not get involved in covenant issues, in this case the City is a property owner within the subdivision. Melrose Park consists of 14 lots of the Melrose Subdivision. If City Council approves the rezone they will also be asked to sign a request to change the covenants to allow the duplex.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed rezone.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on item #RZ-95-222, a request to rezone property from RSF-8 to PR-8.7 to allow the duplex, I move we forward this onto City Council with a recommendation of approval.

STAFF REVIEW

FILE: #RZ-95-222
DATE: January 29, 1996
STAFF: Kathy Portner
REQUEST: Rezone RSF-8 to PR-8.7
LOCATION: 2507 Orchard Avenue
APPLICANT: Alex Mirrow

EXISTING LAND USE: Residential--Duplex

PROPOSED LAND USE: Same

SURROUNDING LAND USE:

NORTH: Single Family Residential
SOUTH: Single Family Residential
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NORTH: RSF-8
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EAST: PZ (Public Zone)
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RELATIONSHIP TO COMPREHENSIVE PLAN:

No Comprehensive Plan exists for this area.

STAFF ANALYSIS:

The large home at 2507 Orchard Avenue was built in 1910 as a single family home. In 1956 the area around and including this home was platted as Melrose Subdivision. At some point after 1956 the single family residence was converted into a 4-plex. Research by the title

company shows that the conversion happened sometime before 1969. We have not been able to substantiate if the conversion to a 4-plex was done in compliance with the zoning in place at the time. The original City zoning, at the time of annexation which was in 1956, was Residence A District, which at one point allowed single family, two-family and multiple family dwellings. That zone district was later changed to allow only single family dwellings.

In the last 10 years the 4-plex had become extremely run-down and was a source of many police and code enforcement calls and violations. In 1994 the current owner requested a building permit to convert the 4-plex into a duplex. Section 4-9-1.C and D of the Zoning and Development Code states that normal maintenance or minor repair of a non-conforming use is not prohibited. It also states that a non-conforming use may be changed only to a use which makes is conform with the zone in which it is located. If the owner was not allowed to convert the units into a duplex, he was proposing to upgrade the structure as a 4-plex, which would be allowed under the provisions of the non-conforming section. Staff allowed the conversion to a duplex, which brought the structure closer to conformance with the zone and lessened the impact to the neighborhood. It was noted on the Planning Clearance, however, that the use would remain non-conforming.

The conversion to a duplex and all the work the current owner has put into the structure has greatly improved the property and made it an asset to the neighborhood. It is no longer a hot spot for Police and Code Enforcement complaints. The owner is now attempting to sell the property and the potential buyer cannot get financing because of the non-conforming status. As a non-conforming use, the duplex could not be rebuilt under the current zoning if it were to be destroyed to greater than 50% of its value. The applicant is requesting a rezoning to PR-8.7 to make the duplex conforming.

The planned zones are normally intended for larger developments, however staff recommended a planned zone in this case because the least dense straight zone that could be used is RMF-16 which would not be compatible with the neighborhood. The following criteria must be considered for the rezone (Section 4-4-4):

A. **Was the existing zone an error at the time of adoption?**

It is difficult to tell if the zone was an error at the time of adoption. The original zoning would have allowed for the duplex or the 4-plex, but we have not been able to determine when the conversion to multiple dwelling occurred in relation to the zoning.

B. **Has there been a change of character in the area due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.?**

The only change in character of this area is the increased traffic on Orchard Avenue and the development of Melrose Park; however, the area remains a strong single family neighborhood.

C. **Is there an area of community need for the proposed rezone?**

There does seem to be a need for this type of rental property.

D. Is the proposed rezone compatible with the surrounding area or will there be adverse impacts?

The property has been used for multiple dwelling since at least 1969. The conversion to a duplex was certainly an improvement and does seem to be compatible with the neighborhood. The property is somewhat unique in that it is bordered by Melrose Park to the east.

E. Will there be benefits derived by the community, or area, by granting the proposed rezone?

The benefits will be to the existing owner and potential buyer.

F. Is the proposal in conformance with the policies, intents and requirements of this Code, with the City Master Plan, and other adopted plans and policies.

There is no adopted master plan for the area, however, the preferred alternative of the Growth Plan Steering Committee shows this area for medium density residential, 4-8 units per acre. In addition, one of the recommended text amendments in the Code rewrite will be to allow duplexes in the higher density single family zones, such as RSF-8. This proposal puts the density slightly over the 8 units per acre to 8.7 units per acre, however, if it were looked at in the context of the overall density of the subdivision it would be within the 8 units per acre and it is already existing. Also, the total square footage of the lot, 10,065 s.f. exceeds twice the minimum lot size for a single family home in the RSF-8 zone (the minimum lot size is 4,000 s.f.).

G. Are adequate facilities available to serve development for the type and scope suggested by the proposed zone?

Adequate facilities are available and being used.

Another issue with the use of the property for a duplex is that the covenants as recorded in 1956 allow only single family homes. Although the City normally does not get involved in covenant issues, in this case the City is a property owner within the subdivision. Melrose Park consists of 14 lots of the Melrose Subdivision. If City Council approves the rezone they will also be asked to sign a request to change the covenants to allow the duplex.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed rezone.

PLANNING COMMISSION RECOMMENDATION:

At their January 16, 1996 hearing, the Planning Commission recommended approval of the rezone.

CONSENT TO VARY COVENANTS
for Blocks 1 and 3 and Lots 1-11 of Block 2
Melrose Subdivision
City of Grand Junction, Colorado

BOOK 2217 PAGE 431

Recitals.

The restrictions/covenants for Blocks 1 and 3, and Lots 1 through 11 in Block 2, Melrose Subdivision were recorded October 22, 1956. The restrictions limit uses to detached single-family residential only. The City of Grand Junction has owned and operated a public park on Lots 1-7 inclusive and Lots 9-15 inclusive, Block 1 for many years. In addition, a large home built years ago on Lot 8, Block 1 (2507 Orchard Ave.) was, at some point, converted to a four-plex and was recently remodeled into a duplex.

The covenants may be changed if a majority of the lot owners agree in writing and the writing is recorded.

Consent to amend the covenants.

The undersigned property owner(s) of Lot 8, Block 1, Melrose Subdivision, City of Grand Junction, CO do hereby consent to the two uses described above and further agree to amend the covenants described above to allow such uses; specifically, I/we agree that the second sentence of section 1 is amended by adding a clause at the end to read: "except that the public park located on Lots 1-7 inclusive and Lots 9-15 inclusive, Block 1 and the duplex located on Lot 8, Block 1 are approved and allowed."

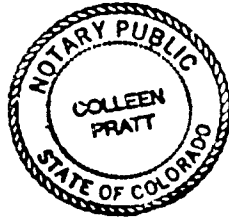
_____	<u>Alex Minnow</u>	<u>David Hasty</u>
_____	Signature	Date
_____	<u>Alex Minnow / David Hasty</u>	
_____	Print Name	
_____	<u>2507 Orchard GS, CO 81501</u>	
_____	Address	
_____	<u>8 1 Melrose Subdivision</u>	
_____	Lot # & Block #	

The foregoing instrument was executed before me this 12th day of MARCH, 1996 by ALEX MIRROW AND DAVID H. HASTY.

Witness my hand and official seal.

My commission expires 6-27-99

Colleen Pratt
Notary Public



The foregoing instrument was executed before me this ___ day of _____, 1996 by _____.

Witness my hand and official seal.

My commission expires _____.

Notary Public

122334

Recorded by
First American Title

CONSENT TO VARY COVENANTS
for Blocks 1 and 3 and Lots 1-11 of Block 2
Melrose Subdivision
City of Grand Junction, Colorado

BOOK 2217 PAGE 432

Recitals.

The restrictions/covenants for Blocks 1 and 3, and Lots 1 through 11 in Block 2, Melrose Subdivision were recorded October 22, 1956. The restrictions limit uses to detached single-family residential only. The City of Grand Junction has owned and operated a public park on Lots 1-7 inclusive and Lots 9-15 inclusive, Block 1 for many years. In addition, a large home built years ago on Lot 8, Block 1 (2507 Orchard Ave.) was, at some point, converted to a four-plex and was recently remodeled into a duplex.

The covenants may be changed if a majority of the lot owners agree in writing and the writing is recorded.

Consent to amend the covenants.

The undersigned property owner(s) of Lot 7, Block 2, Melrose Subdivision, City of Grand Junction, CO do hereby consent to the two uses described above and further agree to amend the covenants described above to allow such uses; specifically, I/we agree that the second sentence of section 1 is amended by adding a clause at the end to read: "except that the public park located on Lots 1-7 inclusive and Lots 9-15 inclusive, Block 1 and the duplex located on Lot 8, Block 1 are approved and allowed."

Joyce A. Corneille

Joyce A. Corneille

Clyde H. Corneille

Signature

2-8-96

Date

Clyde H. Corneille

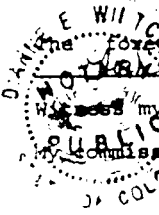
Print Name

2519 Hall Ave., Grand Junction, Co 81501

Address

Lot 7, Blk 2 Melrose Subdivision
Lot # & Block #

Recorded by
First American Title



The foregoing instrument was executed before me this 8th day of February, 1996 by Clyde H. Corneille.

Witness my hand and official seal.

My commission expires 8/30/98.

Dianna E. Wilfong
Notary Public

The foregoing instrument was executed before me this ___ day of _____, 1996 by _____.

Witness my hand and official seal.

My commission expires _____.

Notary Public

CONSENT TO VARY COVENANTS
for Blocks 1 and 3 and Lots 1-11 of Block 2
Melrose Subdivision
City of Grand Junction, Colorado

BOOK 2217 PAGE 433

Recitals.

The restrictions/covenants for Blocks 1 and 3, and Lots 1 through 11 in Block 2, Melrose Subdivision were recorded October 22, 1956. The restrictions limit uses to detached single-family residential only. The City of Grand Junction has owned and operated a public park on Lots 1-7 inclusive and Lots 9-15 inclusive, Block 1 for many years. In addition, a large home built years ago on Lot 8, Block 1 (2507 Orchard Ave.) was, at some point, converted to a four-plex and was recently remodeled into a duplex. The covenants may be changed if a majority of the lot owners agree in writing and the writing is recorded.

Consent to amend the covenants.

The undersigned property owner(s) of Lot 5, Block 2, Melrose Subdivision, City of Grand Junction, CO do hereby consent to the two uses described above and further agree to amend the covenants described above to allow such uses; specifically, I/we agree that the second sentence of section 1 is amended by adding a clause at the end to read: "except that the public park located on Lots 1-7 inclusive and Lots 9-15 inclusive, Block 1 and the duplex located on Lot 8, Block 1 are approved and allowed."

Chalane M. Coit
Chalane M. Coit

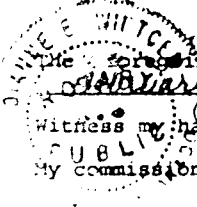
Signature *Thomas L. Coit II*
Print Name Thomas L. Coit II

2/8/96
Date

Address 2535 Hall Ave. Grand Junction, Co 81501

Lot 5, Blk 2, Melrose Subdivision

Lot # & Block #



The foregoing instrument was executed before me this 8th day of February, 1996 by Chalane M. Coit & Thomas L. Coit II.

Witness my hand and official seal.

My commission expires 8/30/98.

Dennis E. Wiltgen
Notary Public

Recorded by
First American Title

The foregoing instrument was executed before me this ___ day of _____, 1996 by _____.

Witness my hand and official seal.

My commission expires _____.

Notary Public

1233

CONSENT TO VARY COVENANTS
for Blocks 1 and 3 and Lots 1-11 of Block 2
Melrose Subdivision
City of Grand Junction, Colorado

BOOK 2217 PAGE 434

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The restrictions/covenants for Blocks 1 and 3, and Lots 1 through 11 in Block 2, Melrose Subdivision were recorded October 22, 1956. The restrictions limit uses to detached single-family residential only. The City of Grand Junction has owned and operated a public park on Lots 1-7 inclusive and Lots 9-15 inclusive, Block 1 for many years. In addition, a large home built years ago on Lot 8, Block 1 (2507 Orchard Ave.) was, at some point, converted to a four-plex and was recently remodeled into a duplex.

The covenants may be changed if a majority of the lot owners agree in writing and the writing is recorded.

Consent to amend the covenants.

The undersigned property owner(s) of Lot 10, Block 2, Melrose Subdivision, City of Grand Junction, CO do hereby consent to the two uses described above and further agree to amend the covenants described above to allow such uses; specifically, I/we agree that the second sentence of section 1 is amended by adding a clause at the end to read: "except that the public park located on Lots 1-7 inclusive and Lots 9-15 inclusive, Block 1 and the duplex located on Lot 8, Block 1 are approved and allowed."

Kathryn L. Goodale
Signature

2-6-96
Date

Kathryn L. Goodale
Print Name

2263 Willow Wood Rd., Grand Junction, Co 81503
Address

Lot 10, Blk 2, Melrose Subdivision
Lot # & Block #

The foregoing instrument was executed before me this 6th day of February, 1996 by Kathryn L. Goodale

Witness my hand and official seal.

My commission expires 8/30/98

Dianna E. Weltgen
Notary Public

The foregoing instrument was executed before me this _____ day of _____, 1996 by _____

Witness my hand and official seal.

My commission expires _____

Notary Public

Recorded by
First American Title

CONSENT TO VARY COVENANTS
for Blocks 1 and 3 and Lots 1-11 of Block 2
Melrose Subdivision
City of Grand Junction, Colorado

Book 2217 Page 435

Recitals.

The restrictions/covenants for Blocks 1 and 3, and Lots 1 through 11 in Block 2, Melrose Subdivision were recorded October 22, 1956. The restrictions limit uses to detached single-family residential only. The City of Grand Junction has owned and operated a public park on Lots 1-7 inclusive and Lots 9-15 inclusive, Block 1 for many years. In addition, a large home built years ago on Lot 8, Block 1 (2507 Orchard Ave.) was, at some point, converted to a four-plex and was recently remodeled into a duplex.

The covenants may be changed if a majority of the lot owners agree in writing and the writing is recorded.

Consent to amend the covenants.

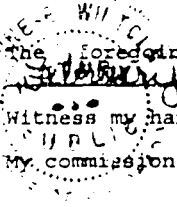
The undersigned property owner(s) of Lot 6, Block 2, Melrose Subdivision, City of Grand Junction, CO do hereby consent to the two uses described above and further agree to amend the covenants described above to allow such uses; specifically, I/we agree that the second sentence of section 1 is amended by adding a clause at the end to read: "except that the public park located on Lots 1-7 inclusive and Lots 9-15 inclusive, Block 1 and the duplex located on Lot 8, Block 1 are approved and allowed."

Thomas P. Campbell

Thomas P. Campbell

Bonnie F. Campbell 2-13-96
Signature Date

Print Name
Bonnie F. Campbell
2527 Hall Ave., Grand Junction, Co 81501
Address
Lt 6, Blk 2 Melrose Subdivision
Lot # & Block #



The foregoing instrument was executed before me this 27th day of February, 1996 by Thomas P. Campbell & Bonnie F. Campbell.

Witness my hand and official seal.

My commission expires 8/30/96.

Dianne & Wilgan
Notary Public

Recorded by
First American Title

The foregoing instrument was executed before me this _____ day of _____, 1996 by _____.

Witness my hand and official seal.

My commission expires _____.

Notary Public

CONSENT TO VARY COVENANTS
for Blocks 1 and 3 and Lots 1-11 of Block 2
Melrose Subdivision
City of Grand Junction, Colorado

Recitals.

The restrictions/covenants for Blocks 1 and 3, and Lots 1 through 11 in Block 2, Melrose Subdivision were recorded October 22, 1956. The restrictions limit uses to detached single-family residential only. The City of Grand Junction has owned and operated a public park on Lots 1-7 inclusive and Lots 9-15 inclusive, Block 1 for many years. In addition, a large home built years ago on Lot 8, Block 1 (2507 Orchard Ave.) was, at some point, converted to a four-plex and was recently remodeled into a duplex. The covenants may be changed if a majority of the lot owners agree in writing and the writing is recorded.

Consent to amend the covenants.

The undersigned property owner(s) of Lot * , Block * , Melrose Subdivision, City of Grand Junction, CO do hereby consent to the two uses described above and further agree to amend the covenants described above to allow such uses; specifically, I/we agree that the second sentence of section 1 is amended by adding a clause at the end to read: "except that the public park located on Lots 1-7 inclusive and Lots 9-15 inclusive, Block 1 and the duplex located on Lot 8, Block 1 are approved and allowed."

Signature David Varley 2/27/96
Date

Print Name David Varley, Asst. City Manager

Address 250 N. 5th St., Grand Jct, Co. 81501

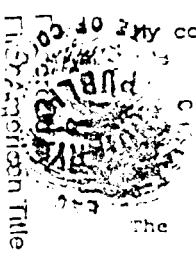
* Lot 1 thru 7 & Lots 9 thru 15 Blk 1, Melrose Sub
Lot # & Block # Sec 12 1S 1W

The foregoing instrument was executed before me this 29th day of February, 1996 by David Varley.

Witness my hand and official seal.

My commission expires 2-2-98.

Christine English
Notary Public



The foregoing instrument was executed before me this _____ day of _____, 1996 by _____.

Witness my hand and official seal.

My commission expires _____.

Notary Public