

ORDINANCE NO. 3361

AN ORDINANCE CREATING THE CITY OF GRAND
JUNCTION RIMROCK MARKETPLACE GENERAL
IMPROVEMENT DISTRICT; AND PROVIDING OTHER
DETAILS RELATING THERETO

WHEREAS, a Petition for the Organization of a General Improvement District in the City of Grand Junction, Colorado (the "Petition"), has been filed in the office of the City Clerk of the City of Grand Junction (the "City"); and

WHEREAS, the Petition has been reviewed by the City Clerk; and

WHEREAS, the Petition states that it has been signed by one hundred percent of the owners of taxable real property to be included within the proposed district and contains a request, pursuant to Section 31-25-607 (3.5), C.R.S., for waiver of all requirements for notice, publication, and a hearing set forth in Sections 31-25-606 and 31-25-607, C.R.S., and of the requirement for filing an organizational bond set forth in Section 31-25-605, C.R.S.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

Section 1. Findings and Determinations. The City Council hereby accepts the Petition for the Organization of a General Improvement District in the City of Grand Junction, Colorado, which requests the formation of a general improvement district to be known as "City of Grand Junction Rimrock Marketplace General Improvement District." The Council hereby finds and determines as follows:

- a. that the Petition is signed by one hundred percent of the owners of taxable real property to be included within the proposed district;
- b. that the Petition contains a request for waiver of all requirements for notice, publication, and a hearing set forth in Sections 31-25-606 and 31-26-607, C.R.S., and of the organizational bond set forth in Section 31-25-605, C.R.S.;
- c. that the Petition is signed by not less than thirty percent or two hundred (whichever is less) of the electors of the proposed district in compliance with §31-25-604(1), C.R.S.;
- d. that the signatures on the Petition are genuine;
- e. that a review of the tax rolls and the last official registration list of Mesa

County, together with other available evidence, shows that the total number of electors of the proposed district is three and the total valuation for assessment of the real and personal property within the proposed district is \$\$452,700;

f. that the proposed district is located entirely within the City's boundaries in Mesa County, Colorado;

g. that the proposed district will not provide the same improvements or service as those provided by an existing special district within the territory of such existing special district;

h. that the proposed district's improvements to be acquired, constructed, installed, operated, or maintained:

(1) are improvements that the City is authorized to provide under the City's home rule charter (the "Charter"); and

(2) do not duplicate or interfere with any municipal improvement already constructed or planned to be constructed within the limits of the proposed district;

i. that the costs of the improvements will not be excessive as compared with the value of the property in the proposed district;

j. that the creation of the proposed district and proposed improvements therein will confer a general benefit on the proposed district;

k. that the organization of the proposed district will serve a public use and will promote the health, prosperity, security and general welfare of the inhabitants of the City and the proposed district;

l. that the request for waiver is hereby granted; and

m. that the district should be established.

These findings and determinations of the Council are final and conclusive on all parties in interest, whether appearing or not.

Section 2. Establishment of District. It appearing that the Petition has been duly signed and presented in conformity with Colorado law and that the allegations of the Petition are true, the Council, by this ordinance, hereby finds that it has full jurisdiction under the law to adopt this ordinance, that the proposed district for which the Petition has been filed is hereby declared organized and shall be known as "City of Grand Junction Rimrock Marketplace General Improvement District" (the "District"), by which, in all proceedings, it shall hereafter be known. The District shall be a public or quasi-municipal subdivision of the State of Colorado and a body corporate with the limited proprietary powers set forth in Part 6, Article 25, Title 31, C.R.S.

Section 3. District Boundaries. The District boundaries are as described in

Appendix I hereto.

Section 4. District Improvements. A general description of the improvements to be acquired, constructed, installed, operated, or maintained within the District is as follows:

the construction of public roadways, including sidewalks, access and related parking improvements, landscaping, irrigation, site and traffic lighting within the right of way, and drainage improvements.

Section 5. Recording of Ordinance. Within thirty days after Council action on this ordinance, the City Clerk shall transmit to the County Clerk and Recorder of Mesa County a copy of this ordinance for recording.

Section 6. Ordinance Conclusive. This ordinance shall finally and conclusively establish the regular organization of the District against all persons unless an action attacking the validity of the organization is commenced in a court of competent jurisdiction within thirty days after the adoption of this ordinance. Thereafter, any such action shall be perpetually barred.

Section 7. Repealer. All bylaws, orders, resolutions and ordinances of the City, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency as applicable to this matter only. This repealer shall not be construed to revive any other such bylaw, order, resolution or ordinance of the City, or part thereof, heretofore repealed. All rules of the City Council if any, which might prevent the final passage and adoption of this ordinance measure at this meeting of the City Council be, and the same hereby are, suspended.

Section 8. Severability. If any section, subsection, paragraph, clause or other provision of this ordinance for any reason is invalid or unenforceable, the invalidity or unenforceability of such section, subsection, paragraph, clause or other provision shall not affect any of the remaining provisions of this ordinance, the intent being that the same are severable.

Section 9. Effective Date, Recording and Authentication. This ordinance shall be in full force and effect 30 days after publication following final passage. This ordinance, as adopted by the Council, shall be numbered and recorded by the City Clerk in the official records of the City. The adoption and publication shall be authenticated by the signatures of the President of the Council and City Clerk, and by the certificate of publication.

INTRODUCED, PASSED ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this 18th day of July, 2001.

INTRODUCED, PASSED ON SECOND READING, APPROVED AND ORDERED PUBLISHED IN FULL this 1st day of August, 2001

CITY OF GRAND JUNCTION, COLORADO

(SEAL)

/s/ Cindy Enos-Martinez
President of the Council

Attest:

/s/ Stephanie Nye
City Clerk

STATE OF COLORADO)
)
COUNTY OF MESA) SS.
)
CITY OF GRAND JUNCTION)

I, the duly elected, qualified and acting City Clerk of the City of Grand Junction, Colorado (the "City") do hereby certify:

1. The foregoing pages are a true, correct and complete copy of an ordinance (the "Ordinance") which was introduced, passed on first reading and ordered published in full by the Council at a regular meeting thereof held on July 18, 2001 and was duly adopted and ordered published in full by the City Council at a regular meeting thereof held on August 1, 2001 which Ordinance has not been revoked, rescinded or repealed and is in full force and effect on the date hereof.

2. The Ordinance was duly moved and seconded and the Ordinance was passed on first reading at the meeting of July 18, 2001, by an affirmative vote of a majority of the members of the Council as follows:

Those Voting Aye: Harry Butler

 Dennis Kirtland

 Bill McCurry

 Jim Spehar

 Janet Terry

 Reford C. Theobald

 Cindy Enos-Martinez

Those Voting Nay: None

Those Absent: None

3. The Ordinance was duly moved and seconded and the Ordinance was finally passed at the meeting of August 1, 2001, by an affirmative vote of a majority of the members of the Council as follows:

Those Voting Aye: Harry Butler
 Dennis Kirtland
 Bill McCurry
 Jim Spehar
 Janet Terry
 Cindy Enos-Martinez

Those Voting Nay: None

Those Absent: Reford C. Theobald

4. The members of the Council were present at such meetings and voted on the passage of such Ordinance as set forth above.

5. The Ordinance was approved and authenticated by the signature of the President of the Council, sealed with the City seal, attested by the City Clerk and recorded in the minutes of the Council.

6. There are no bylaws, rules or regulations of the Council which might prohibit the adoption of said Ordinance.

7. Notices of the meetings of July 18, 2001 and August 1, 2001 in the forms attached hereto as Exhibit A were posted at City Hall in accordance with law.

8. The Ordinance was published in full in The Daily Sentinel, a daily

EXHIBIT A
(Attach Notice of Meeting)

**GRAND JUNCTION CITY COUNCIL
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET
AGENDA**

WEDNESDAY, JULY 18 , 2001, 7:30 P.M.

CALL TO ORDER

Pledge of Allegiance
Invocation - Joe Jones
Redlands Pentecostal Church of God

APPOINTMENTS

APPOINTMENTS TO RIDGES ARCHITECTURAL CONTROL COMMITTEE

RATIFY APPOINTMENT TO BUILDING AND FIRE CODE BOARD OF APPEALS

CERTIFICATES OF APPOINTMENT

CERTIFICATES OF APPOINTMENT WILL BE PRESENTED TO NEWLY APPOINTED MEMBERS OF THE BOARD OF APPEALS, DOWNTOWN DEVELOPMENT AUTHORITY BOARD OF DIRECTORS AND WALKER FIELD AIRPORT AUTHORITY

CITIZEN COMMENTS

*** * * CONSENT CALENDAR * * ***

1. **Setting a Hearing on an Optional Premises License for Redlands Mesa Golf Course** **Attach 1**

Redlands Mesa Golf Course has requested that it be permitted to serve alcohol on the newly opened golf course. Section 12-47-310 Colorado Revised Statutes permits a municipality to pass an ordinance to provide optional premises licenses for restaurants that serve liquor on their premises to include an adjacent recreational facility in their license. Service of liquor on the Redlands Mesa Golf Course would benefit the City by an increase in revenue.

Proposed Ordinance Regarding an Optional Premises License for Redlands Mesa Golf Course

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 1, 2001

Staff presentation: Stephanie Rubinstein, City Staff Attorney

2. **Award of Contract for Playground Equipment in Pine Ridge Park** **Attach 2**

Award a contract to Miracle Recreation Equipment Company to provide the play equipment and safety surface materials for the renovation of the playground at Pine Ridge Park. Miracle Recreation Equipment Company was the best-qualified proposal of the six received and publicly read at 2:00 p.m. on June 26, 2001 at the City's purchasing department. The renovation of the playground is needed because of the age and deteriorating condition of the existing equipment.

Action: Award Contract to Purchase Playground Equipment For Pine Ridge Park to Miracle Recreation Equipment Company in the Amount of \$55,000.

Staff presentation: Shawn Cooper, Parks Planner

3. **Setting a Hearing on Rezoning Arrowhead Acres II, Filing 2 , Located at B 1/2 Road and Arlington Drive to PD** [File # RZ-2001-108] **Attach 3**

Request to rezone the Arrowhead Acres II, Filing 2 Subdivision from RMF-5 (Residential Multi-family, 5 units per acre) to PD (Planned Development).

Proposed Ordinance Rezoning Arrowhead Acres II, Filing 2, from RMF-5 to PD

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 1, 2001

Staff presentation: Kathy Portner, Planning Manager

4. **Skyway Area Sewer Design Services Contract** **Attach 4**

This project calls for the design and preparation of bid documents as outlined in the "Request for Proposals" for the extension of 24,000 linear feet of 8" sewer main to benefit 230 properties in the Skyway Area. The subdivision is located northeast of Broadway and east of 23 Road on the Redlands as shown on the map below. This work is preparatory to the creation of a sewer improvement district to eliminate septic systems.

The following qualified, lump sum fee proposals were received on July 9, 2001:

Consultant	From	District	Sewer Fund (for Scenic Lift Station Elimination)	Total Lump Sum Fee
Williams	Fruita	\$130,000	\$15,500	\$145,500
Sear-Brown	Denver	\$146,200	\$6,800	\$153,000

Action: Award Contract for Design Services for the Skyway Area Sewer Design to Williams Engineering in the amount of \$145,500 Contingent upon County Commissioner approval.

Staff presentation: Greg Trainor, Utilities Manager

5. **Setting a Hearing on an Ordinance Creating the City of Grand Junction Rimrock Marketplace General Improvement District** **Attach 5**

First reading of the ordinance to create a general improvement district for Rimrock Marketplace that will lead to an election in November of 2001 of effected property owners (only the owners and developers of Rimrock) to issue Special Assessment Bonds to cover costs of public improvements at the development site. These improvements are estimated to cost \$2.8 million.

Proposed Ordinance Creating the City of Grand Junction Rimrock Marketplace General Improvement District; and Providing Other Details Relating Thereto

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 1, 2001

Staff Presentation: Ron Lappi, Director of Administrative Services
Dan Wilson, City Attorney

6. *** **Executive Session Procedures** **Attach 9**

HB 01-1359 amended the Colorado Open Meetings Law and Open Records Act relative to executive sessions. Staff has drafted a set of procedures, including sample motions and forms, to assist City Council.

Action: Adopt the Procedures and Forms for Use for Executive Sessions

Staff presentation: John Shaver, Assistant City Attorney

7. *** **Downtown Parking Fees and Fines** **Attach 10**

The Resolution authorizes and directs staff to purchase and install 139 additional meters and change the time limits of other meters as requested by the DDA. Change the one and two hour meters from 25 cents and hour to 50 cents, the

four and ten hour meters to 10 cents per hour from 5 cents per hour. Additionally they recommend the formal adoption of an annual parking pass program at \$300 a year, to be restricted to use at four and ten hour meters. Fines for overtime parking to be increased from \$3 to \$10 and other restricted parking from \$5 to \$15. The only other change is a recommendation to increase all fines by \$10 per week the violation remains unpaid instead of the past practice of all fines doubling each week. With the higher proposed fines to start with staff believes this change is appropriate. All changes in fines and fees are to become effective no earlier than 1/01/02, to allow time for education and implementation.

Resolution No. 71-01 - A Resolution Adopting the Municipal Court Fine Schedule for Overtime Parking, Restricted Parking and Handicapped Parking Violations and Setting Meter Rates

**Action: Adopt Resolution No. 71-01*

Staff presentation: Barbara Creasman, DDA Director
Ron Lappi, Administrative Services Director

8.*** **Condemnation of Property at Southeast Corner of 29 Road and North Avenue**

Attach 11

As part of the 29 Road reconstruction a small area of land is needed from the property located at the SE corner of the intersection of 29 Road and North Avenue. City staff has negotiated in good faith with the owner and has made a final offer for the acquisition of the land. The owner and the City have been unable to agree on terms.

Resolution No. 72-01 - A Resolution Determining the Necessity of, and Authorizing the Acquisition of, Certain Property by Either Negotiation or Condemnation, for Municipal Public Facilities

**Action: Adopt Resolution No. 72-01*

Staff presentation: John Shaver, Assistant City Attorney

*** END OF CONSENT CALENDAR ***

*** ITEMS NEEDING INDIVIDUAL CONSIDERATION ***

9. **Storm Event and Storm Water and Sewage Flows**

Staff will present additional information on the storm water and sewage flows that occurred during the last Tuesday and Saturday storm events. There are citizens that wish to speak on this issue.

Staff presentation: Greg Trainor, Utilities Manager

10. **Public Hearing - Laser Junction Annexation, Located at 2547 River Road** [File #ANX-2001-099] **Attach 6**

Referral of petition to annex and second reading of the annexation ordinance for the Laser Junction Annexation located at 2547 River Road and includes a portion of the River Trail. The 3.606-acre Laser Junction Annexation consists of one parcel of land.

a. Resolution Accepting Petition

Resolution No. 70-01 – A Resolution Accepting a Petition for Annexation, Making Certain Findings and Determining Property Known as the Laser Junction Annexation Located at 2547 River Road Including a Portion of the River Trail, is Eligible for Annexation

**Action: Adopt Resolution No. 70-01*

b. Ordinance Annexing

Ordinance No. 3357 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Laser Junction Annexation, Approximately 3.606 Acres Located at 2547 River Road and including a portion of the River Trail

**Action: Adopt Ordinance No. 3357 on Second Reading*

Staff presentation: Pat Cecil, Development Services Supervisor

11. **Public Hearing - Zoning Laser Junction Annexation to I-1 and CSR, Located at 2547 River Road** [File #ANX-2001-099] **Attach 7**
CONTINUED FROM THE JULY 11, 2001 MEETING

Request to zone the Laser Junction Annexation to I-1 and CSR, located at 2547 River Road and including a portion of the River Trail. This approximately 3.606-acre annexation consists of one parcel of land.

Ordinance No. 3358 – An Ordinance Zoning Laser Junction Annexation to I-1 and CSR, Located at 2547 River Road Including a Portion of the River Trail

**Action: Adopt Ordinance No. 3358 on Second Reading*

Staff presentation: Pat Cecil, Development Services Supervisor

12. **Update from "STEAM" for the Public Service Steam Plant Property** **Attach 8**

"STEAM" will update City Council on the status of this project for the steam plant property.

Action: Decision on Update

Staff presentation: Tim Woodmansee, Real Estate Manager

13. **NON-SCHEDULED CITIZENS & VISITORS**

14. **OTHER BUSINESS**

15. **ADJOURNMENT**

Exhibit A cont.

GRAND JUNCTION CITY COUNCIL
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET
AGENDA

WEDNESDAY, AUGUST 1, 2001, 7:30 P.M.

CALL TO ORDER

Pledge of Allegiance
Invocation - Steve Hagerman
Turkish World Outreach

RECOGNITIONS

PRESENTATION OF THE SILVER BUCKLE AWARD FOR 2000 TO THE GRAND JUNCTION POLICE DEPARTMENT BY DUKE SMITH WITH THE COLORADO DEPT. OF TRANSPORTATION

APPOINTMENTS

APPOINTMENTS TO THE PARKS AND RECREATION ADVISORY BOARD

PRESENTATION OF CERTIFICATES OF APPOINTMENT

TO NEWLY APPOINTED MEMBERS OF THE DOWNTOWN DEVELOPMENT AUTHORITY

TO NEWLY APPOINTED MEMBERS OF THE RIDGES ARCHITECTURAL CONTROL COMMITTEE

CITIZEN COMMENTS

***** CONSENT CALENDAR *****

1. **Minutes of Previous Meetings** **Attach 1**
Action: Approve the Summaries of the July 9, 2001 and July 16, 2001 Workshops, the Minutes of the July 11, 2001 Regular Meeting and the Minutes of the July 18, 2001 Regular Meeting
2. **Contract for Signal Communications Design, Phase 2** **Attach 2**

The contract covers six tasks related to the design of the signal system communications project – review of the schedule and cost estimates in the CIP, design of the next construction project, ongoing support, construction support and project management

Action: Award the Contract for the Signal Communications Design, Phase 2 to Kimley-Horn & Associates, Inc. in an Amount not to Exceed \$97,500.00.

Staff presentation: Mark Relph, Public Works & Utilities Director

3. **Joint Resolution Approving Amended FY2002 Unified Planning Work Program** **Attach 3**

Approve and sign a Joint Resolution between Mesa County and the City of Grand Junction adopting the Amended FY 2002 Unified Planning Work Program. The Amended Unified Planning Work Program modifies task A.4 to include a reference to CDOT as a participating entity in the Memorandum of Agreement.

Resolution No. 73-01 – A Joint Resolution of the County of Mesa and the City of Grand Junction Concerning Adoption of the Amended Fiscal Year 2002 Unified Planning Work Program (UPWP)

**Action: Adopt Resolution No. 73-01*

Staff presentation: Mark Relph, Public Works & Utilities Director

4. **Setting a Hearing on Rezoning Colonial Heights Subdivision, Located at SE Corner of 25 Road and G Road** [File #RZP-2001-034] **Attach 4**

First reading of the rezoning ordinance to rezone the Colonial Heights Subdivision from Planned Development, 4.4 units per acre (PD 4.4) zone district, to Residential Multi-Family-5 (RMF-5), located at SE corner of 25 Road and G Road.

Proposed Ordinance Rezoning the Colonial Heights Subdivision from Planned Development, 4.4 units per acre (PD 4.4) to Residential Multi-Family-5 (RMF-5), Located at SE Corner of 25 Road and G Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 15, 2001

Staff Presentation: Lisa Gerstenberger, Senior Planner

5. **Setting a Hearing on Zoning the Parham Annexation, Located at 2960 D Road** [File #ANX-2001-061] **Attach 5**

First reading of the zoning ordinance to zone the Parham Annexation from County RSF-R to City RMF-8 (Residential Multi-Family-8), located at 2960 D Road.

Proposed Ordinance Zoning the Parham Annexation Located at 2960 D Road to RMF-8

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 15, 2001

Staff presentation: Lisa Gerstenberger, Senior Planner

6. **Setting a Hearing on Zoning the Grand Meadows Annexation, Located at 30 Road and Gunnison Way** [File #ANX-2001-080] **Attach 6**

First reading of the zoning ordinance to zone the Grand Meadows Annexation located at 30 Road, south of Gunnison Way, from County RSF-R to City RMF-5 (Residential Multi-Family-5).

Proposed Ordinance Zoning the Grand Meadows Annexation to Residential Multi-Family-5 (RMF-5), Located at 30 Road South of Gunnison Way

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 15, 2001

Staff presentation: Lisa Gerstenberger, Senior Planner

7. **Setting a Hearing on Appleton Corners Veterinary Clinic Annexations No. 1, No. 2 and No. 3, Located at 797 24 Road and Including Portions of the 24 Road Right-of-Way** [File #ANX-2001-154] **Attach 7**

Referral of petition, first reading of the annexation ordinances and exercising land use immediately for the Appleton Corners Veterinary Clinic Annexations No. 1, No. 2 and No. 3 located at 797 24 Road and including portions of the 24 Road right-of-way. The Appleton Corners Veterinary Clinic Annexations No. 1, No. 2 and No. 3 consist of 2.731 acres.

a. Referral of Petition, Setting a Hearing and Exercising Land Use Control and Jurisdiction

Resolution No. 74-01 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation and Exercising Land Use Control – Appleton Corners Veterinary Clinic Annexations No. 1, No. 2 and No. 3 Located at 797 24 Road and including Portions of the 24 Road Right-of-Way

**Action: Adopt Resolution No. 74-01*

b. Set a Hearing on Proposed Ordinances

- i. Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Appleton Corners Veterinary Clinic Annexation No. 1, Approximately 0.004 Acres, Located in the 24 Road Right-of-way South of 797 24 Road
- ii. Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Appleton Corners Veterinary Clinic Annexation No. 2, Approximately 0.008 Acres, Located in the 24 Road Right-of-way South of 797 24 Road
- iii. Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Appleton Corners Veterinary Clinic Annexation No. 3, Approximately 2.719 Acres Located at 797 24 Road and including a Portion of the 24 Road Right-of-way

**Action: Adopt Proposed Ordinances on First Reading and Set a Hearing for September 5, 2001*

Staff presentation: David Thornton, Principal Planner

**8. Setting a Hearing on Zoning Monument Valley Filing 7
[File #ANX-2001-125]**

Attach 8

The applicant proposes a zone of annexation from County PD to City RSF-2 for the 56.7 acre Monument Valley Filing 7 Annexation. A preliminary plan to subdivide the parcel into 87 single-family lots was approved by the Planning Commission at its July 24, 2001 hearing. The Planning Commission recommends approval.

Proposed Ordinance Zoning the Monument Valley Filing 7 Annexation Residential Single Family – 2 (RSF-2), Located on the East Side of South Camp Road, East of Wingate School

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 15, 2001

Staff presentation: Bill Nebeker, Senior Planner

9. Setting a Hearing on Rezoning Elm Avenue PD Rezone [File #RZ-2001-124]

Attach 9

The applicant/owner requests to amend the final plan for the site at 704 Elm Avenue to add a beauty salon as an approved use. Currently only office use is

allowed in this planned development zone. The Planning Commission recommends approval.

Proposed Ordinance Zoning a Planned Development Located at 704 Elm Avenue to Add an Additional Allowed Use

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 15, 2001

Staff presentation: Bill Nebeker, Senior Planner

10. Revocable Permit for Ridges Entry Sign Attach 10

The existing Ridges entrance sign on the west side of Ridges Blvd. and Highway 340 is located within public right-of-way. The Redlands Mesa developer has obtained permission from other affected parties to replace that sign with a new stucco and stone sign. The developer needs a revocable permit to allow the sign.

Resolution No. 75-01 – A Resolution Authorizing the Issuance of a Revocable Permit to Redlands Mesa Master Association

**Action: Adopt Resolution No. 75-01*

Staff presentation: Dan Wilson, City Attorney

***** END OF CONSENT CALENDAR *****

***** ITEMS NEEDING INDIVIDUAL CONSIDERATION *****

11. Parking Update from the DDA Attach 11

Bruce Hill will update Council on the DDA's request to make changes to the parking situation in the downtown area.

Citizen presentation: Bruce Hill, DDA Board Member

12. Public Hearing – Authorizing an Optional Premises Liquor License for Redlands Mesa Golf Course Attach 12

Redlands Mesa Golf Course has requested that it be permitted to serve alcohol on the newly opened golf course. Section 12-47-310 Colorado Revised Statutes

permits a municipality to pass an ordinance to provide optional premises licenses for restaurants that serve liquor on their premises to include an adjacent recreational facility in their license.

Ordinance No. 3359 - An Ordinance For An Optional Premises License for Redlands Mesa Golf Course

**Action: Adopt Ordinance No. 3359 on Second Reading*

Staff Presentation: Stephanie Rubinstein, City Staff Attorney

13. **Public Hearing – Rezone of Arrowhead Acres II, Filing 2, Located at B ½ Road and Arlington Drive to PD** [File #RZ-2001-108] **Attach 13**

Request to rezone the Arrowhead Acres II, Filing 2 Subdivision from RMF-5 (Residential Multi-Family, 5 units per acre) to PD (Planned Development).

Ordinance No. 3360 - An Ordinance Rezoning Arrowhead Acres II, Filing 2, from RMF-5 to PD

**Action: Adopt Ordinance No. 3360 on Second Reading*

Staff Presentation: Kathy Portner, Planning Manager

14. **Public Hearing – Creating the City of Grand Junction Rimrock Marketplace General Improvement District** **Attach 14**

The creation of a general improvement district for Rimrock Marketplace will lead to an election in November of 2001 of affected property owners (only the owners and developers of Rimrock) to issue Special Assessment Bonds to cover costs of public improvements at the development site. These improvements are estimated to cost \$2.8 million.

Ordinance No. 3361 - An Ordinance Creating the City of Grand Junction Rimrock Marketplace General Improvement District; and Providing Other Details Relating Thereto

**Action: Adopt Ordinance No. 3361 on Second Reading*

Staff Presentation: Ron Lappi, Director of Administrative Services
Dan Wilson, City Attorney

15. **NON-SCHEDULED CITIZENS & VISITORS**

16. **OTHER BUSINESS**

17. **EXECUTIVE SESSION TO DISCUSS ONGOING NEGOTIATIONS**
18. **ADJOURNMENT**

EXHIBIT B
(Attach Affidavit of Publication)

PETITION
FOR THE ORGANIZATION OF A GENERAL IMPROVEMENT DISTRICT
IN CITY OF GRAND JUNCTION, COLORADO

We, the undersigned, who electors in the general improvement district proposed herein, hereby petition the City Council (the "Council") of City of Grand Junction, Colorado (the "City") for the organization of a general improvement district within the City, pursuant to Part 6, Article 25, Title 31, Colorado Revised Statutes. In support of this petition, we state as follows:

1. The proposed general improvement district shall be located within the City, and the name of the proposed general improvement district is "City of Grand Junction Rimrock Marketplace. General Improvement District."

2. A general description of the improvements to be acquired, constructed, installed, operated, or maintained or the services to be provided within and for the district is as follows:

the construction of public roadways, including sidewalks, access and related parking improvements, landscaping, irrigation, site and traffic lighting within the right of way, and drainage improvements.

3. The estimated cost of the proposed improvements is \$2,800,000.

4. The proposed general improvement district encompasses approximately 53 acres within the City. The proposed district includes property, which is generally located as follows:

The legal description of the boundaries of the proposed district are Lot 1, Rimrock Marketplace as recorded in Plat Book 16, at page 2 & 3 of the Mesa County Records. A map of the boundaries of the district is attached hereto as Exhibit 1.

5. The undersigned petitioners for the organization of the proposed general improvement district name the following three electors of the district to represent them in the organization of the district and to enter into agreements relating to the organization of the district (which agreements shall be binding on the district, if created):

(a) Thomas C. Volkmann
371 McFarland Court
Grand Junction, Co 81501

(b) Susan M. Volkmann
371 McFarland Court
Grand Junction, Co 81501

(c) John P. Gormley
361 Music Lane
Grand Junction, CO 81506

6. The persons who have signed this petition own 100% of the taxable real property located in the proposed district.

WHEREFORE, we request that the above-described City of Grand Junction, Rimrock Marketplace General Improvement District be organized in accordance with Part 6, Article 25, Title 31, Colorado Revised Statutes, and all other statutes and laws of the State of Colorado amendatory thereof or supplemental thereto, and ask the City Council to take all steps and procedures required by law for the organization of said district; and request that, pursuant to Section 31-25-607(3.5), Colorado Revised Statutes, the City Council waive all the requirements for notice, publication and a hearing set forth in Sections 31-25 -606 and 31-25 -607, Colorado Revised Statutes , and for the organizational bond set forth in Section 31-25-605, Colorado Revised Statutes, and adopt an ordinance declaring the district organized.

Elector Signature Page to the Petition
for the Organization of a General Improvement District
in City of Grand Junction, Colorado

Name	Address of Residence	Signature
Thomas C. Volkmann	371 McFarland Court Grand Junction, Co 81501	_____
Susan M. Volkmann	371 McFarland Court Grand Junction, Co 81501	_____
John P. Gormley	361 Music Lane Grand Junction, CO 81506	_____

"Elector of a district" means a person who, at the designated time or event, is qualified to register to vote in general elections in this state and:

(a) Has been a resident of the district or of the area to be included in the district for not less than thirty days; or

(b) Owns, or whose spouse owns, taxable real or personal property within the district or within the area to be included within the district, whether the person resides within the district or not.

Property Owner Consent to Inclusion
in a General Improvement District
in City of Grand Junction, Colorado

Name	Mailing Address	Signature
THF Belleville, LP	2127 Innerbelt Business	
By: TH F Belleville In c. a Missouri		
a Missouri Center Corporation, General Partner		
Limited Partnership Saint Louis, MO 63114		
By: _____		
Michael K. Staenberg		
Its President		

EXHIBIT I

(Attach map of boundaries for proposed
City of Grand Junction Rimrock Marketplace
General Improvement District)
Rimrock Marketplace

Legal Description:

Parcel 1:

A parcel of land in the Northeast Quarter of Section 15, and the Southeast Quarter of the Southwest Quarter of Section 10, T1S, R1W of the UM, being more particularly desc'd as follows: Beg at the North Quarter Cor of Sec 15, T1S, R1W, UM, whence the CN 1/16 Cor of said Sec 15 bears S 00°06'33"E, a dis of 1325.14' for a basis of bearings with all bearings being relative thereto; Thence S 00°06'33"E, along the East line of the NE1/4 NW1/4 of said Sec 15, a dis of 691.14'; Thence S 89°53'27" W, a dis of 33.0' to the SE corner of Lot 1, Rimrock Marketplace Subdivision; Thence N 00°06'33" W, along the East Line of said Lot 1, a dis of 691.34'; Thence N 00°04'20"E, continuing along said E ln, a dis of 130.0'; Thence S 89°46'00"E, a distance of 33.0', to a pt on the E ln of SE1/4 SW1/4 of Sec 10; Thence S 00°04'20"W, along said E ln, a distance of 130.0' to the POB. The above described parcel contains 0.622 acres.

Parcel 2:

Lot 1 Rimrock Marketplace, as recorded in plat Bk 16, at Pg. 2 & 3, Mesa County records. Said lot contains 52.905 acres as measured.

State PROOF OF PUBLICATION

CITY OF GRAND JUNCTION
PUBLIC NOTICE
NOTICE IS HEREBY GIVEN THAT
a public hearing will be held before
the City Council of the City of
Grand Junction to consider the
adoption of
ORDINANCE NO.
AN ORDINANCE CREATING THE
CITY OF GRAND JUNCTION RIM-
ROCK MARKETPLACE GENERAL
IMPROVEMENT DISTRICT; AND
PROVIDING OTHER DETAILS
RELATING THERETO

WHEREAS, a Petition for the Orga-
nization of a General Improvement
District in the City of Grand Junc-
tion, Colorado (the "Petition"), has
been filed in the office of the City
Clerk of the City of Grand Junction
(the "City"); and

WHEREAS, the Petition has been
reviewed by the City Clerk; and

WHEREAS, the Petition states that
it has been signed by one hundred
percent of the owners of taxable
real property to be included within
the proposed district and contains a
request, pursuant to Section
31-25-607 (3.5), C.R.S., for waiver
of all requirements for notice, publi-
cation, and a hearing set forth in
Sections 31-25-606 and 31-25-607,
C.R.S., and of the requirement for
filing an organizational bond set
forth in Section 31-25-605, C.R.S.
NOW, THEREFORE, BE IT
ORDAINED BY THE CITY COUN-
CIL OF THE CITY
OF GRAND JUNCTION:

Section 1. Findings and Determina-
tions. The City Council hereby
accepts the

Petition for the Organization of a
General Improvement District in the
City of Grand Junction, Colorado,
which requests the formation of a
general improvement district to be
known as "City of Grand Junction
Rimrock Marketplace General
Improvement District." The Council
hereby finds and

determines as follows:

a. that the Petition is signed by one
hundred percent of the owners of
taxable real

property to be included within the
proposed district;

b. that the Petition contains a
request for waiver of all require-
ments for notice, publication, and a
hearing set forth in Sections
31-25-606 and 31-26-607, C.R.S.,
and of the organizational bond set
forth in Section 31-25-605, C.R.S.;

c. that the Petition is signed by not
less than thirty percent or two hun-
dred (whichever is less) of the elec-
tors of the proposed district in
compliance with 831-25-604(1),
C.R.S.;

d. that the signatures on the Peti-
tion are genuine;

e. that a review of the tax rolls and
the last official registration list of
Mesa County, together with other
available evidence, shows that the
total number of electors of the pro-
posed district is three and the total
valuation for assessment of the real
and personal property within the
proposed district is \$452,700;

f. that the proposed district is
located entirely within the City's
boundaries in

Mesa County, Colorado;

g. that the proposed district will not
provide the same improvements or
service

as those provided by an existing
special district within the territory of
such existing special district;

h. that the proposed district's
improvements to be acquired, con-
structed, installed, operated, or
maintained:

(1) are improvements that the City is
authorized to provide under the
City's home rule charter (the "Char-
ter"); and
(2) do not duplicate or interfere with
any municipal improvement already
constructed or planned to be
constructed within the limits of the
proposed district;

i. that the costs of the
improvements will not be excessive
as compared with the value of the
property in the proposed district;

j. that the creation of the proposed

STATE OF COLORADO

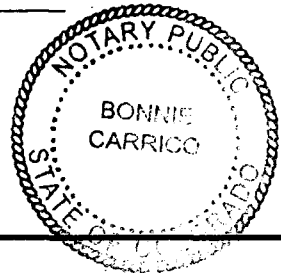
County of Mesa)

ss.

Linda Simms

Being duly sworn, says that I am Legal Secretary of
The Daily Sentinel a daily newspaper, published and duly printed in
Grand Junction, Colorado in said County and State; that said
newspaper has a general circulation in said County and has been
Continuously and uninterruptedly published therein, during a period of
at least fifty-two consecutive weeks next prior to the first publication
of the annexed notice; that said newspaper is a newspaper within the
meaning of the act of the general Assembly of the State of Colorado,
entitled "An Act to regulate the printing of legal notices and
advertisements," and amendments thereto; that the notice of which
the annexed is a printed copy taken from said newspaper, was published
in said newspaper, and in the regular and entire issue of every number
thereof, once a day for 1 successive day ;
that said notice was so published in said newspaper proper and not in
any supplement thereof, and that first publication of said notice as
aforesaid, was on the 20th day of July, 2001,
and the last, on the 20th day of July, 2001.

and sworn to before me, this 20th day of July, 2001



My Commission Expires 08/19/2003

property in the proposed district;
 j. that the creation of the proposed district and proposed improvements therein will confer a general benefit on the proposed district;
 k. that the organization of the proposed district will serve a public use and will promote the health, prosperity, security and general welfare of the inhabitants of the City and the proposed district;
 l. that the request for waiver is hereby granted; and
 m. that the district should be established.

These findings and determinations of the Council are final and conclusive on all parties in interest, whether appearing or not.

Section 2. Establishment of District. It appearing that the Petition has been duly signed and presented in conformity with Colorado law and that the allegations of the Petition are true, the Council, by this ordinance, hereby finds that it has full jurisdiction under the law to adopt this ordinance, that the proposed district for which the Petition has been filed is hereby declared organized and shall be known as "City of Grand Junction Rimrock Marketplace General Improvement District" (the "District"), by which, in all proceedings, it shall hereafter be known. The District shall be a public or quasi-municipal subdivision of the State of Colorado and a body corporate with the limited proprietary powers set forth in Part 6, Article 25, Title 31, C.R.S.

Section 3. District Boundaries. The District boundaries are as described in Appendix I hereto.

Section 4. District Improvements. A general description of the improvements to be acquired, constructed, installed, operated, or maintained within the District is as follows: the construction of public roadways, including sidewalks, access and related parking improvements, landscaping, irrigation, site and traffic lighting within the right of way, and drainage improvements.

Section 5. Recording of Ordinance. Within thirty days after Council action on this ordinance, the City Clerk shall transmit to the County Clerk and Recorder of Mesa County a copy of this ordinance for recording.

Section 6. Ordinance Conclusive. This ordinance shall finally and conclusively establish the regular organization of the District against all persons unless an action attacking the validity of the organization is commenced in a court of competent jurisdiction within thirty days after the adoption of this ordinance. Thereafter, any such action shall be perpetually barred.

Section 7. Repealer. All bylaws, orders, resolutions and ordinances of the City, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency as applicable to this matter only. This repealer shall not be construed to revive any other such bylaw, order, resolution or ordinance of the City, or part thereof, heretofore repealed. All rules of the City Council, if any, which might prevent the final passage and adoption of this ordinance as an emergency measure at this meeting of the City Council be, and the same hereby are, suspended.

Section 8. Severability. If any section, subsection, paragraph, clause or other provision of this ordinance for any reason is invalid or unenforceable, the invalidity or unenforceability of such section, subsection, paragraph, clause or other provision shall not affect any of the remaining provisions of this ordinance, the intent being that the same are severable.

Section 9. Effective Date, Recording and Authentication. This ordinance shall be in full force and effect 30 days after publication following final passage. This ordinance, as adopted by the Council, shall be numbered and recorded by the City Clerk in the official records of the City. The adoption and publication shall be authenticated by the signatures of the President of the Council and City Clerk, and by the certificate of publication.

INTRODUCED, PASSED ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this 18th day of July, 2001.

INTRODUCED, PASSED ON SECOND READING, APPROVED AND ORDERED PUBLISHED IN FULL this day of 2001.
 CITY OF GRAND JUNCTION,
 COLORADO

President of the Council

Attest:
 City Clerk
 (SEAL)

Such public hearing will be held on Wednesday August 1, 2001 at 7:30

EXHIBIT B cont.

adoption and publication shall be authenticated by the signatures of the President of the Council and City Clerk, and by the certificate of publication.

INTRODUCED, PASSED ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this 18th day of July, 2001.

INTRODUCED, PASSED ON SECOND READING, APPROVED AND ORDERED PUBLISHED IN FULL this day of , 2001.

CITY OF GRAND JUNCTION,
COLORADO

President of the Council

Attest:
City Clerk
(SEAL)

Such public hearing will be held on Wednesday, August 1, 2001 at 7:30 p.m. at the City Hall Auditorium, 250 N. 5th Street, Grand Junction, Colorado, 81501. All interested parties are invited to attend.

Copies of the proposed ordinance are on file in the office of the City Clerk, City Hall, 250 N. 5th Street, Grand Junction, CO, 81501 and may be reviewed by any interested citizen, Monday through Friday, 7:30 a.m. - 5:30 p.m.

Stephanie Nye
City Clerk
Published July 20, 2001

State PROOF OF PUBLICATION

ORDINANCE NO. 3361
AN ORDINANCE CREATING
THE CITY OF GRAND JUNCTION
RIMROCK MARKETPLACE
GENERAL IMPROVEMENT
DISTRICT; AND PROVIDING
OTHER DETAIL
RELATING THERETO

WHEREAS, a Petition for the Organization of a General Improvement District in the City of Grand Junction, Colorado (the "Petition"), has been filed in the office of the City Clerk of the City of Grand Junction (the "City"); and
WHEREAS, the Petition has been reviewed by the City Clerk; and
WHEREAS, the Petition states that it has been signed by one hundred percent of the owners of taxable real property to be included within the proposed district and contains a request, pursuant to Section 31-25-607 (3.5), C.R.S., for waiver of all requirements for notice, publication, and a hearing set forth in Sections 31-25-606 and 31-25-607, C.R.S., and of the requirement for filing an organizational bond set forth in Section 31-25-605, C.R.S.
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

Section 1. Findings and Determinations. The City Council hereby accepts the Petition for the Organization of a General Improvement District in the City of Grand Junction, Colorado, which requests the formation of a general improvement district to be known as "City of Grand Junction Rimrock Marketplace General Improvement District." The Council hereby finds and determines as follows:
a. that the Petition is signed by one hundred percent of the owners of taxable real property to be included within the proposed district;
b. that the Petition contains a request for waiver of all requirements for notice, publication, and a hearing set forth in Sections 31-25-606 and 31-25-607, C.R.S., and of the organizational bond set forth in Section 31-25-605, C.R.S.;
c. that the Petition is signed by not less than thirty percent or two hundred (whichever is less) of the electors of the proposed district in compliance with §31-25-604(1), C.R.S.;
d. that the signatures on the Petition are genuine;
e. that a review of the tax rolls and the last official registration list of Mesa County, together with other available evidence, shows that the total number of electors of the proposed district is three and the total valuation for assessment of the real and personal property within the proposed district is \$452,700;
f. that the proposed district is located entirely within the City's boundaries in Mesa County, Colorado;
g. that the proposed district will not provide the same improvements or service as those provided by an existing special district within the territory of such existing special district;
h. that the proposed district's improvements to be acquired, constructed, installed, operated, or maintained:
(1) are improvements that the City is authorized to provide under the City's home rule charter (the "Charter"); and
(2) do not duplicate or interfere with any municipal improvement already constructed or planned to be constructed within the limits of the proposed district;
i. that the costs of the improvements will not be excessive as compared with the value of the property in the proposed district;
j. that the creation of the proposed district and proposed improvements therein will confer a general benefit on the proposed district;
k. that the organization of the proposed district will serve a public use and will promote the health, prosperity, security and general welfare of the inhabitants of the

STATE OF COLORADO

County of Mesa)
ss.

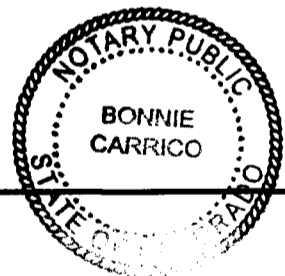
Linda Simms

Being duly sworn, says that I am Legal Secretary of
The Daily Sentinel a daily newspaper, published and duly printed in
Grand Junction, Colorado in said County and State; that said
newspaper has a general circulation in said County and has been
Continuously and uninterruptedly published therein, during a period of
at least fifty-two consecutive weeks next prior to the first publication
of the annexed notice; that said newspaper is a newspaper within the
meaning of the act of the general Assembly of the State of Colorado,
entitled "An Act to regulate the printing of legal notices and
advertisements," and amendments thereto; that the notice of which
the annexed is a printed copy taken from said newspaper, was published
in said newspaper, and in the regular and entire issue of every number
thereof, once a day for 1 successive day ;
that said notice was so published in said newspaper proper and not in
any supplement thereof, and that first publication of said notice as
aforesaid, was on the 07th day of August, 2001,
and the last, on the 07th day of August, 2001.

[Signature]

and sworn to before me, this 7th day of August, 2001

[Signature]



My Commission Expires 08/19/2003

written of the immediate of the City and the proposed district:
l. that the request for waiver is hereby granted; and
m. that the district should be established.

These findings and determinations of the Council are final and conclusive on all parties in interest, whether appearing or not.

Section 2. Establishment of District. It appearing that the Petition has been duly signed and presented in conformity with Colorado law and that the allegations of the Petition are true, the Council, by this ordinance, hereby finds that it has full jurisdiction under the law to adopt this ordinance, that the proposed district for which the Petition has been filed is hereby declared organized and shall be known as "City of Grand Junction Rimrock Marketplace General Improvement District" (the "District"), by which, in all proceedings, it shall hereafter be known. The District shall be a public or quasi-municipal subdivision of the State of Colorado and a body corporate with the limited proprietary powers set forth in Part 6, Article 25, Title 31, C.R.S.

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Section 7. Repealer. All bylaws, orders, resolutions and ordinances of the City, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency as applicable to this matter only. This repealer shall not be construed to revive any other such bylaw, order, resolution or ordinance of the City or part thereof, heretofore repealed. All rules of the City Council, if any, which might prevent the final passage and adoption of this ordinance measure at this meeting of the City Council be, and the same hereby are, suspended.

Section 8. Severability. If any section, subsection, paragraph, clause or other provision of this ordinance for any reason is invalid or unenforceable, the invalidity or unenforceability of such section, subsection, paragraph, clause or other provision shall not affect any of the remaining provisions of this ordinance, the intent being that the same are severable.

Section 9. Effective Date, Recording and Authentication. This ordinance shall be in full force and effect 30 days after publication following final passage. This ordinance, as adopted by the Council, shall be numbered and recorded by the City Clerk in the official records of the City. The adoption and publication shall be authenticated by the signatures of the President of the Council and City Clerk, and by the certificate of publication.

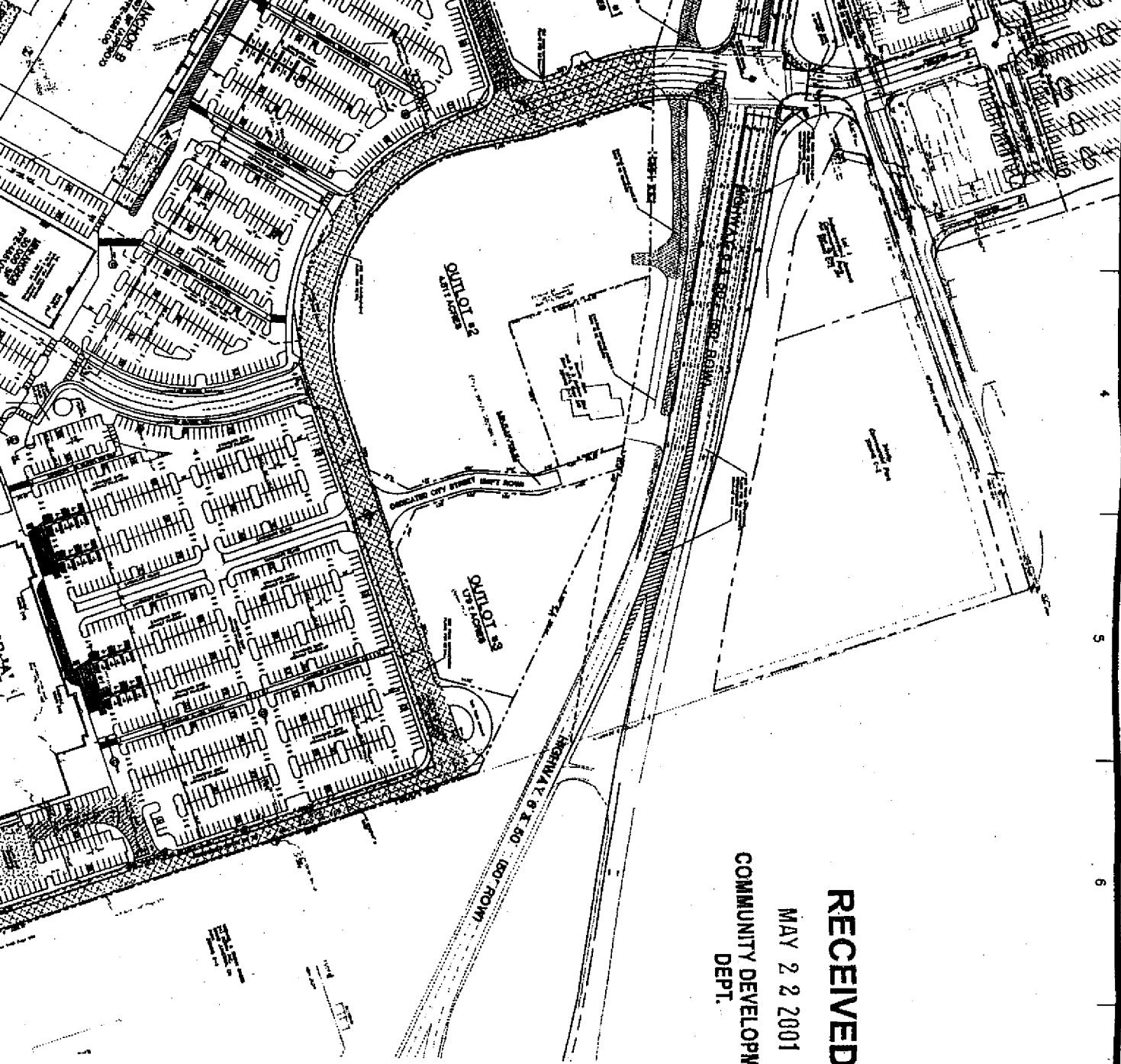
INTRODUCED, PASSED ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this 28th day of July, 2001.

INTRODUCED, PASSED ON SECOND READING, APPROVED AND ORDERED PUBLISHED IN FULL this 1st day of August, 2001
CITY OF GRAND JUNCTION,
COLORADO

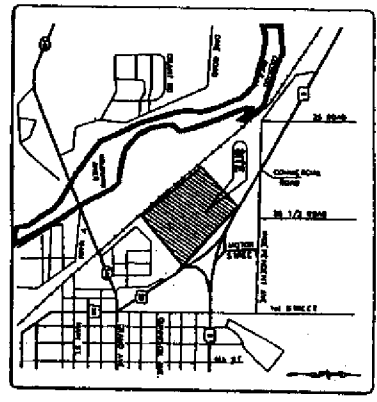
/s/ Cindy Enos-Martinez
President of the Council

Attest:
/s/ Stephanie Nye
City Clerk

(SEAL)
Published August 7, 2001



RECEIVED
MAY 22 2001
COMMUNITY DEVELOPMENT
DEPT.



OVERALL SITE ANALYSIS	
ANCHOR 'A'	206,583 S.F.
ANCHOR 'B'	186,187 S.F.
MINI-ANCHOR	30,000 S.F.
TOTAL BUILDINGS	371,760 S.F.
PARKING	1812 SPACES
RATIO	4.87/1,000 S.F.
TOTAL SITE AREA - 51.19± ACRES	
ANCHOR 'A' SITE ANALYSIS	
ANCHOR 'A'	206,583 S.F.
PARKING	1033 SPACES
RATIO	6.00/1,000 S.F.
ANCHOR 'B' SITE ANALYSIS	
ANCHOR 'B'	186,187 S.F.
PARKING	678 SPACES
RATIO	6.00/1,000 S.F.
MINI-ANCHOR SITE ANALYSIS	
MINI-ANCHOR	30,000 S.F.
PARKING	105 SPACES
RATIO	3.50/1,000 S.F.
OVERALL SITE DEMISE AREAS	
ANCHOR 'A'	21,47± ACRES
ANCHOR 'B'	14,84± ACRES
MINI-ANCHOR	2.41± ACRES
OUTLOT 1	16.4± ACRES
OUTLOT 2	4.81± ACRES
OUTLOT 3	1.79± ACRES
ROAD B/W	4.23± ACRES
TOTAL SITE AREA	61.19± ACRES
TOTAL SITE AREA	51.19± ACRES

Project Title
RIMROCK MARKETPLACE
GRAND JUNCTION, COLORADO
BY THF BELLEVILLE, LLC.
ST. LOUIS, MISSOURI



W
Wolverton & Associates
INCORPORATED
Consulting Engineers & Land Surveyors
2282 Oakbrook Parkway • Suite 100 • Missouri, Georgia 30008
Phone (770) 447-8800 • Fax (770) 447-9078
WWW.WOLVERTON-ASSOCIATES.COM

REVISIONS	BY