

To access the Agenda and Backup Materials electronically, go to www.gjcity.org



**PLANNING COMMISSION AGENDA
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET**

TUESDAY, JANUARY 22, 2019 @ 6:00 PM

Call to Order - 6:00 PM

1. Minutes of Previous Meeting

Action: Adopt the minutes from the December 11, 2018 meeting.

**2. Microgrid Solar Landscape Standards
Variance**

FILE # VAR-2018-763

Consider a request for a Variance from landscape standards in Zoning and Development Code section 21.06.040 for development of a solar garden on 13 acres in an I-1 zone district, located at 2169 River Road.

Action: Final Decision

Applicant: Jon Fitzpatrick, Pivot Energy
Location: 2169 River Road
Staff Presentation: Andrew Gingerich, Associate Planner

**3. Cottonwood Easement Vacation /
Sewer Variance**

FILE # VAC-2018-646

Consider a request to vacate a public utility easement and a request for a sewer variance, located at 2626 Cottonwood Drive.

Action: Recommendation to City Council

Applicant: Muddy Gap, LLC - Owner
Location: 2626 Cottonwood Drive
Staff Presentation: Jace Hochwalt, Associate Planner

4. South Twenty Zone of Annexation

FILE # ANX-2018-659

Consider a request to zone approximately 20.18-acres from County RSF-R (Residential Single Family – Rural) to a City R-4 (Residential – 4 du/ac) and R-8 (Residential – 8 du/ac) for the South Twenty Annexation, located at 2335 H Road.

Action: Recommendation to City Council

Applicant: South Twenty LLC, Owner
Location: 2335 H Rd
Staff Presentation: Scott D. Peterson, Senior Planner

5. Stocker Suites Rezone

FILE # RZN-2018-724

Request to rezone 0.62 acre from a City R-16 (Residential 16 du/ac) to a City R-24 (Residential 24+ du/ac) zone district.

Action: Recommendation to City Council

Applicant: Jeff Stocker
Location: 1213 N 15th St & 1420 Glenwood Ave
Staff Presentation: Tom Dixon

Other Business**Adjournment**

GRAND JUNCTION PLANNING COMMISSION
December 11, 2018 MINUTES
6:00 p.m. to 7:55 p.m.

The meeting of the Planning Commission was called to order at 6:00 p.m. by Chairman Reece.

Those present were Planning Commissioners; Bill Wade, George Gatseos, and Kathy Deppe.

Also present were Community Development Department–Kathy Portner, (Community Services Manager), and David Thornton, (Principal Planner).

Deputy City Attorney Jamie Beard and Secretary Lydia Reynolds.

There were approximately 20 citizens in attendance during the hearing.

1. Minutes of Previous Meetings

Action: Approve the minutes from the November 13, 2018

Chairman Reece asked for a motion to approve the minutes.

Commissioner Wade moved to approve the minutes as corrected.

Commissioner Deppe seconded the motion. The motion passed unanimously by a vote of 4-0.

Chairman Reece made clear the purpose of the meeting and outlined the order of the public hearing.

*** * * INDIVIDUAL CONSIDERATION * * ***

2. Tiara Rado East Rezone FILE # CPA-2018-728 / RZN-2018-729

Consider a request to for a Comprehensive Plan Amendment to change the Future Land Use designation from Park to Residential Medium Low on 4.27 acres and rezone the property from CSR (Community Services and Recreation) to R-4 (Residential, 4 du/ac) zone district.

<i>Action:</i>	Recommendation to City Council
Applicant:	City of Grand Junction - Rob Schoeber
Location:	2064 S BROADWAY
Staff Presentation:	Kathy Portner

Staff Presentation

Kathy Portner (Community Services Manager) stated that this request is to consider a request for a Comprehensive Plan Amendment to change the Future Land Use designation from Park to Residential Medium Low on 4.27 acres and rezone the property from CSR (Community Services and Recreation) to R-4 (Residential, 4 du/ac) zone district.

Ms. Portner continued with a PowerPoint presentation.

Public Comment

Chairman Reece opened the public hearing for public comment. Tom Abbot, Mike Anton, Dana Cooper, Darlene Homes, Bill Lintott, Mark Brown, Steve Voytilla, Jake Brown and Neil Sitko addressed concerns about the requested change.

Questions for Staff

Ms. Portner addressed concerns regarding density, access, infrastructure, sewer issues, golf paths, traffic analysis, potential of future rezoning, densities in the area, location of the existing lift station, event parking, and why the proposed density was chosen.

Commissioner Discussion

Commissioner Gatseos thought R-4 zoning was reasonable. Commissioner Deppe felt the density does not fit due to traffic. Commissioner Wade stated he was in favor of the Comprehensive Plan amendment but was concerned about the rezone even though it met one of the criteria. Chairman Reece felt the infrastructure was not in place for that density.

Ms. Beard stated that based on discussion, she would recommend that there are two motions, one for the Comprehensive Plan amendment and the other for the rezone.

Motion and Vote

Commissioner Wade moved to approve the Comprehensive Plan Amendment.

Commissioner Deppe seconded the motion. The motion failed by a vote of 2-2.

Motion and Vote

Commissioner Wade moved to rezone the property.

Commissioner Deppe seconded the motion. The motion failed by a vote of 0-4.

3. Zoning Code Amendments

FILE# ZCA-2018-734

Consider a request to amend various sections of the Zoning and Development Code regarding performance standards, accessory dwelling units, flag lots, loop lane setbacks,

architectural standards related to garage doors, rezoning and planned development.

Action: Recommendation to City Council

Applicant: City of Grand Junction

Location: Citywide

Staff Presentation: Kathy Portner

Staff Presentation

Kathy Portner (Community Services Manager) stated that this request is to amend various sections of the Zoning and Development Code regarding performance standards, accessory dwelling units, flag lots, loop lane setbacks, architectural standards related to garage doors, rezoning and planned development.

Ms. Portner continued with a PowerPoint presentation.

Questions for Staff

Ms. Portner answered questions about default standards vs default zone and how to determine what a lapsed zone should be. Ms. Beard added clarification about lapsed zones.

Public Comment

Chairman Reece. opened the public hearing for public comment. Ted Ciavonne expressed his concerns about the amendments specific to rezoning and planned development.

Commissioner Discussion

Commissioners Gatseos, Deppe, Wade and Chairman Reece all agreed that they would like to have a workshop to further discuss the rezoning and planned development amendments.

Motion and Vote

Commissioner Wade moved to approve the performance standards of the zoning districts, accessory dwelling units, flag lots and architectural standards related to garage doors.

Commissioner Gatseos seconded the motion. The motion passed unanimously by a vote of 4-0.

Motion and Vote

Commissioner Wade moved to table the rezone criteria and the Planned Development criteria until the full Planning Commission has had a workshop to further discuss the proposed amendments.

Commissioner Deppe seconded the motion. The motion passed unanimously by a vote of 4-0.

Other Business

Mr. Thornton stated that since the fourth Tuesday is Christmas Day, the Planning Commission meeting is cancelled.

Adjournment

The meeting was adjourned at 7:55.

[illegible]

PLANNING COMMISSION AGENDA ITEM

Project Name:	Microgrid Solar aka Murdock Community Solar Garden
Applicant:	Jon Fitzpatrick, Pivot Energy
Address:	2169 River Road
Zoning:	I-1 (Light Industrial)
Staff:	Andrew Gingerich, Associate Planner
File No.	VAR-2018-763
Date:	January 22, 2019

I. SUBJECT

Consider a request for a Variance from landscape standards in Zoning and Development Code section 21.06.040 for development of a solar garden on 13 acres in an I-1 zone district, located at 2169 River Road.

II. EXECUTIVE SUMMARY

The Applicant, Jon Fitzpatrick of TCA Microgrid Energy, LLC, dba Pivot Energy LLC, is requesting a Variance from landscape standards in ZDC section 21.06.040 for development of a community solar garden on 13 acres in an I-1 zone district, located at 2169 River Road. The code requires landscaping in I-1 zone district for parking lot perimeter, street frontage, and public right-of-way. Due to the proposed use and interstate frontage, the street frontage landscape is the only applicable landscape requirement for this project. The Applicant is requesting the Variance to the landscaping requirements of the I-1 zone district due to the unique aspects of the site in conjunction with the proposed use. Per ZDC section 21.02.200(d), this Variance is heard and decided by the Planning Commission.

III. BACKGROUND

The Applicant is proposing a community solar garden on 13 acres, located at 2169 River Road. The Applicant is proposing to build a 2 MW DC solar array comprised of approximately 6,000 solar panels. The project would be built as part of Xcel Energy's Solar Rewards Community Program. The program allows Xcel Energy customers to subscribe to the energy created by the solar array. The site fronts I-70 to the south but is accessed from River Road via an access easement across 2173 River Road, the property to the north.

The Applicant has submitted an application for Major Site Plan review of the solar garden, which is currently in process (SPR-2018-661).

The property is zoned I-1, which requires landscaping for parking lot perimeter, street frontage, and public right-of-way (ZDC section 21.06.040(h)). The parking lot perimeter landscape requirement is not applicable because there is no proposed parking lot. The public right-of-way landscape requirement is not applicable because the only adjacent right-of-way to the site is that of Interstate-70, which is maintained by the Colorado Department of Transportation (CDOT). According to Dan Roussin, Permit Unit Manager for CDOT Region 3, CDOT does not allow private entities to maintain interstate right-of-

way. Street frontage landscaping along I-70 is the only applicable landscape requirement for the proposed project per the code, which requires a 14-foot-wide street frontage landscaped area adjacent to the public right-of-way to include trees and shrubs at one tree for every 40 linear feet of street frontage. The street frontage of the site along I-70 is approximately 1,350 linear feet, making the landscaping requirement 34 trees, 80% of which must be shade trees.

The Applicant is seeking a Variance from the street frontage landscape requirements due to several challenges related to unique aspects of the site in conjunction with the proposed use of a solar garden. The Applicant has stated that placing trees along I-70, which is located south of the proposed solar collectors, would significantly curtail solar productivity as a result of regular shading on the solar array.

As an alternative, the Applicant is proposing to retain large areas of existing landscaping, native saltbush on 3.03 acres, or 23% of the site, which includes the I-70 frontage area, and is greater in overall area than the street frontage landscaping area which is .43 acres or 3.3% of the site.

IV. NOTIFICATION REQUIREMENTS

A Neighborhood Meeting was held on January 3, 2019 consistent with the requirements of Section 21.02.080(e) of the Zoning and Development Code. No members of the public attended the meeting and no public comments concerning the variance have been submitted.

V. ANALYSIS

1. Site specific factors and intent of landscape standards.

The purpose of the landscaping, buffering and screening standards of the Code (Section 21.06.040) is to enhance the aesthetic appeal of new development. Landscaping in particular is to reduce heat and glare, facilitate movement of traffic within parking areas, shade cars and parking surfaces to reduce local and ambient temperatures, buffer and screen cars from adjacent properties, promote natural percolation of surface waters, improve air quality, buffer and screen potentially incompatible uses from one another, and conserve the value of property and neighborhoods within the City.

Many of the goals listed above are not applicable to this site in conjunction with the proposed use. The proposed project will not include a parking lot and therefore will have no cars to screen or shade, and will have no parking lot traffic to facilitate. The site is currently a vacant lot in a natural state and the project will not add any impervious surface.

Moreover, some of the other goals and purposes of the landscape standards would not be fulfilled by requiring I-70 frontage landscaping. Interstate highways move automobiles at high speeds over long distances with limited access. Shrubs in street frontage landscaping would be difficult to see by drivers traveling by at highway speeds and are likely to be obscured by existing saltbush located in the interstate right-of-way.

Trees required by the code may be noticed and enjoyed by drivers on I-70, but would cast shade onto the solar collectors and compromise their performance. While the code does give the Director the ability to allow the landscaping to be placed elsewhere on the site, there is no other location on site where landscaping could be placed in a manner that is consistent with the goals and purposes of the landscaping standards (see ZDC section 21.06.040(b)(18)(ii)(E)).

The proposal by the Applicant to retain a large portion of the existing mature saltbush is an appropriate way to achieve some of the goals of the landscape standards. It would provide visual continuity with the saltbush located in the interstate-right of-way and would also provide some level of screening from the interstate. The proposal would result in more vegetation than the applied landscape standards, thereby contributing more to air quality and drainage. Moreover, the saltbush is already established vegetation and well suited for the site's challenging soil, as described in the Applicant's general project report. Therefore, City staff finds the Applicant's proposal an appropriate alternative to the street frontage landscape requirements, and still protects and promotes the goals and purposes of the landscaping requirements of the code.

1. Variance criteria.

Pursuant to Section 21.02.200 of the Zoning and Development Code, a variance may only be granted if the Applicant establishes that all of the following criteria have been met:

- a. ***Hardship Unique to Property, Not Self-Inflicted.*** *There are exceptional conditions creating an undue hardship, applicable only to the property involved or the intended use thereof, which do not apply generally to the other land areas or uses within the same zone district, and such exceptional conditions or undue hardship was not created by the action or inaction of the applicant or owner of the property;*

Staff concurs with the applicant that landscape requirements for shade trees along the I-70 street frontage would cause undue hardship by casting shade on the solar panels, significantly reducing their energy output.

This hardship is specific to the proposed use as a solar garden in conjunction with specific site characteristics and does not apply generally to other land uses or sites located within an I-1 zone district.

Therefore, staff finds this criterion has been met.

- b. ***Special Privilege.*** *The variance shall not confer on the applicant any special privilege that is denied to other lands or structures in the same zoning district;*

The specific use of a solar garden in conjunction with specific characteristics of the site creates conditions atypical of other industrial uses and other sites zoned industrial. The solar garden use has solar access needs that are atypical of other industrial uses. The site is atypical in that the street frontage, being located south of the property, would compromise the solar access. The site is also

atypical in that the property does not have other locations to relocate the required landscaping in a manner that is consistent with the goals and purposes of the landscape standards. The characteristics the site, having a southern I-70 frontage, in conjunction with the proposed use as a solar garden are currently not found on other properties in the City in this zone district.

Therefore, staff finds this criterion has been met.

- c. ***Literal Interpretation.*** *The literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant;*

Staff concurs with the Applicant that literal interpretation of the street frontage landscape would deprive the Applicant the ability to develop the southern portion of the property for solar energy generation by requiring shade trees that would shade the solar array and curtail the project's energy generation capacity. Furthermore, there is no other area onsite where landscaping could be placed in a manner that is consistent with the goals and purposes of the landscaping standards.

Therefore, Staff finds this criterion has been met.

- d. ***Reasonable Use.*** *The applicant and the owner of the property cannot derive a reasonable use of the property without the requested variance;*

The requested Variance is necessary for reasonable use of the property as a community solar garden. The provision of shade trees along I-70 frontage would significantly and unreasonably curtail the solar operation.

Moreover, the site is uniquely suited to be used as a solar garden. Staff concur with the applicant that the site is made unattractive to development by its limited access and poor visibility from River Road, where the property gains access. A solar garden, with no on-site employees, is an industrial use not affected by these limitations.

Therefore, Staff finds this criterion has been met.

- e. ***Minimum Necessary.*** *The variance is the minimum necessary to make possible the reasonable use of land or structures;*

The Variance from street frontage landscaping requirements is the minimum necessary to make possible the use of the land as a community solar garden. The Applicant is proposing to retain large areas of existing mature saltbush, and is not requesting variance from any other development standards.

Therefore, Staff finds this criterion has been met.

- f. ***Conformance with the Purposes of this Code.*** *The granting of a variance shall not conflict with the purposes and intents expressed or implied in this code;*

Granting the requested Variance will not conflict with the goals and purposes of the landscape, buffering and screening standards (see ZDC section 21.06.040(a)). Many of the goals are irrelevant to this site in conjunction with the proposed development, such as shading of parking, facilitating site circulation, and percolation of surface waters. The goals that are relevant, such as screening, buffering, and enhancing aesthetic appeal, are better addressed by the Applicant's proposal to retain large areas of existing mature saltbush, which will help to provide vegetation and screening and also provide visual continuity with the existing saltbush located in the interstate-right of-way. The saltbush in the interstate highway may also obscure shrubs if street frontage landscaping was to be implemented.

Therefore, Staff finds this criterion has been met.

- g. ***Conformance with the Comprehensive Plan.*** *The granting of a variance shall not conflict with the goals and principles in the City's Comprehensive Plan.*

This Variance does not conflict with the goals and principles of the Comprehensive Plan. The goal and principles do not specifically mention landscaping except in encouraging xeriscaping in Goal 8: Policy B. Moreover, natural saltbush vegetation is by definition xeric.

Developing the site as a community solar garden is consistent with Goal 12: Policy B to "provide appropriate commercial and industrial development opportunities." Moreover, the development of the solar garden is consistent with the Future Land Use Designation of "Industrial," which fulfills Goal 1: Policy A that land use decisions "be consistent with the Future Land Use Map."

Therefore, Staff finds this criterion has been met.

V. STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing VAR-2018-768, a request for a Variance from landscape standards in ZDC section 21.06.040, for development of a community solar garden on 13 acres in an I-1 zone district located at 2169 River Road, staff finds that the Applicant has established that all of the review criteria of Section 21.02.200(c) of the Zoning and Development Code have been met. Staff therefore recommends approval of the requested Variance.

VI. RECOMMENDED MOTION

Madam Chairman, on the request for a Variance to the landscaping standards, VAR-2018-763, I move to approve the request with findings of fact in the staff report.

Attachments:

Vicinity Map
Zoning Map
Future Land Use Map
Site Map
Annotated Site Map
Isometric View
Street View
Screening Vegetation Plan
Previous Plat
Approved Plat

2169 River Road Vicinity Map

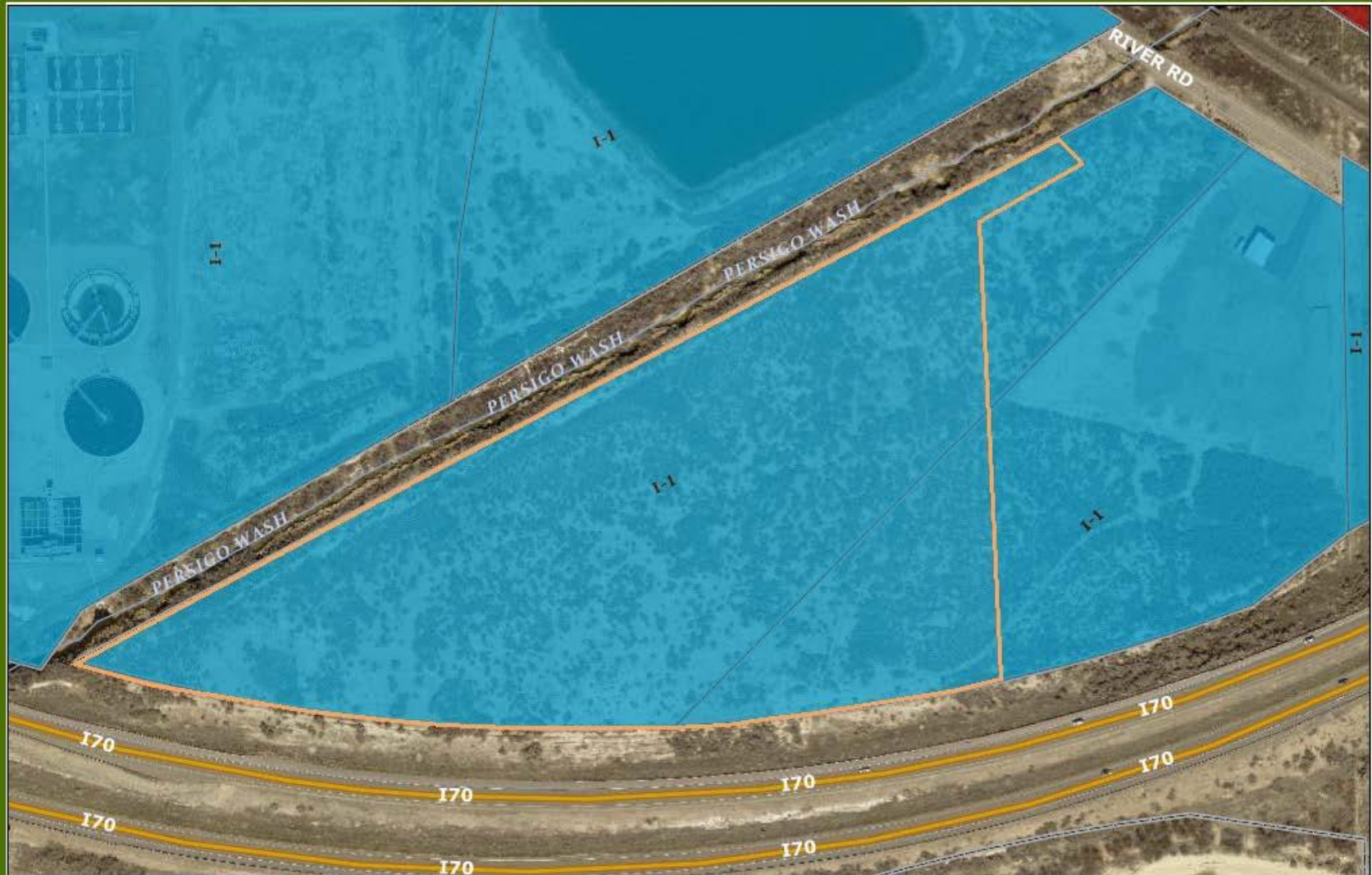


Printed: 1/2/2019

1 inch = 752 feet

CITY OF
Grand Junction
COLORADO
— COLORADO'S GEMSTONE VALLEY —

2169 River Road Zoning Map



0 0.05 0.1
mi

Printed: 1/2/2019

1 inch = 188 feet

CITY OF
Grand Junction
COLORADO
PLANNING & ZONING DEPARTMENT

2169 River Road Future Land Use Map



0 0.05 0.1
mi

Printed: 1/2/2019

1 inch = 188 feet

CITY OF
Grand Junction
COLORADO
— a community of sustainable solutions —

2169 River Road Site Map



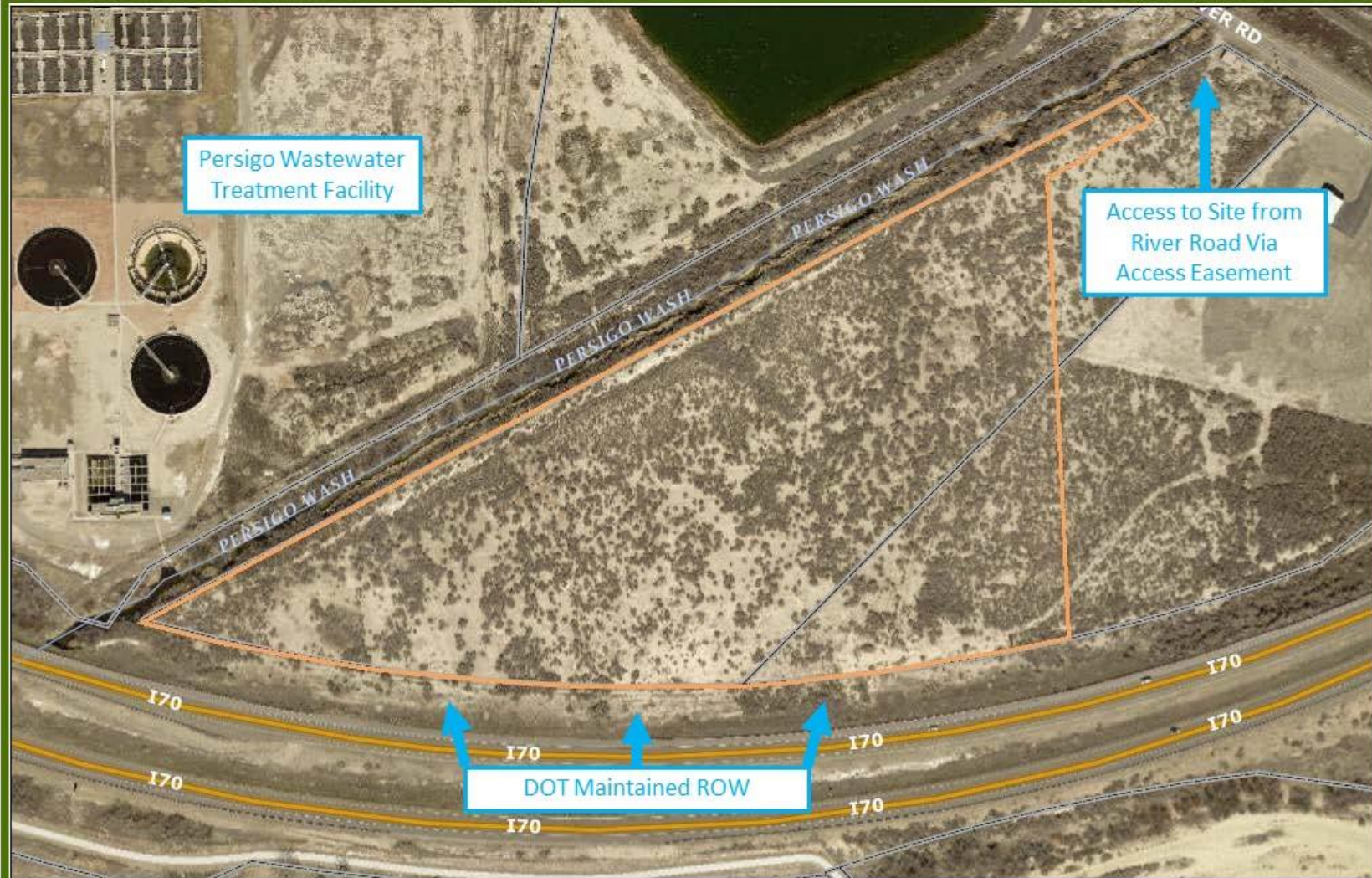
0 0.05 0.1
mi

Printed: 1/2/2019

1 inch = 188 feet

City of
Grand Junction
COLORADO
1000 WEST ZION AVENUE

2169 River Road Annotated Site Map



0 0.05 0.1
mi

Printed: 1/2/2019

1 inch = 188 feet

CITY OF
Grand Junction
COLORADO
PLANNING & ZONING DEPARTMENT

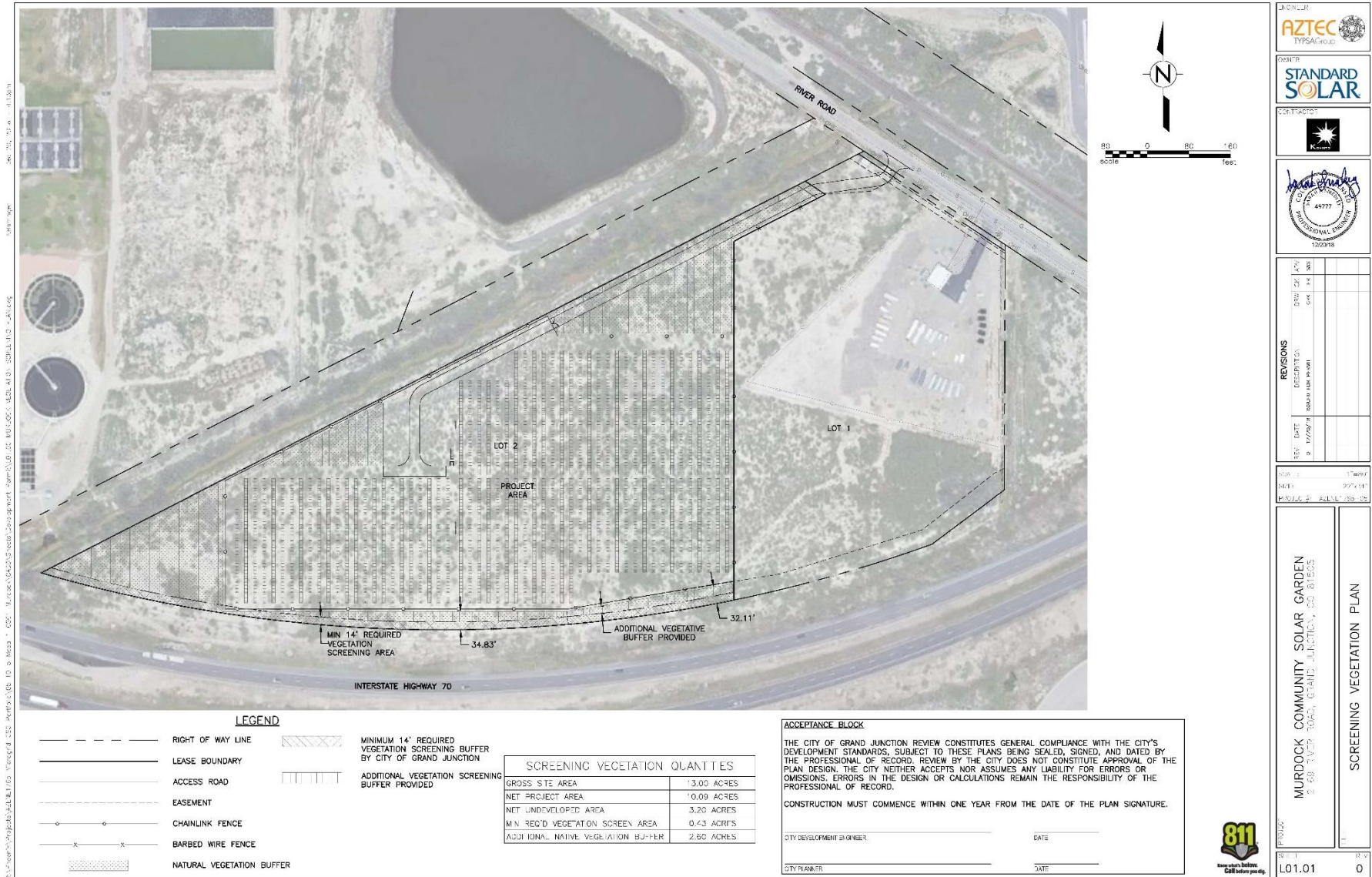
2169 River Rd Isometric View



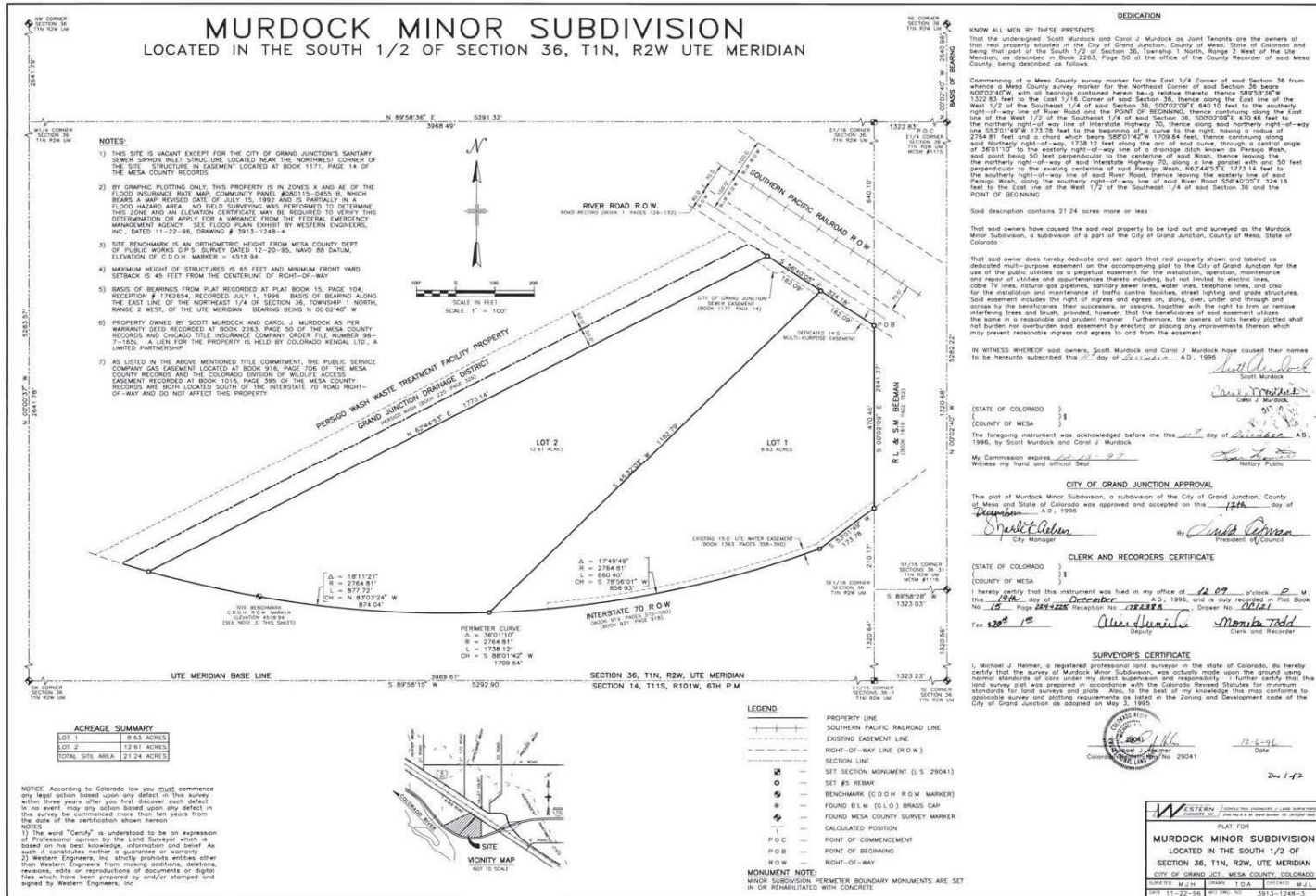
03/22/2018

2169 River Road Street View





Previous Plat



RIVER ROAD CSG



Development Application

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado, as described herein do petition this:

Petition For: Variance

Please fill in blanks below only for Zone of Annexation, Rezones, and Comprehensive Plan Amendments:

Existing Land Use Designation

Existing Zoning

Proposed Land Use Designation

Proposed Zoning

Property Information

Site Location: 2169 River Road

Site Acreage: 13

Site Tax No(s): R015186

Site Zoning: I-1

Project Description: Variance from landscaping irrigation requirements

Property Owner Information

Name: R Scott Murdock

Street Address: 3550 S. CR 5

City/State/Zip: Loveland, CO 80537

Business Phone #: 970-613-2094

E-Mail: scott@murdocktrailers.com

Fax #:

Contact Person: Theresa Englbrecht

Contact Phone #: 970-201-1849

Applicant Information

Name: Microgrid Energy LLC, dba Piv

Street Address: 1536 Wynkoop St, #40

City/State/Zip: Denver, CO 80202

Business Phone #: 303-506-7792

E-Mail: jfitzpatrick@pivotenergy.net

Fax #:

Contact Person: Jon Fitzpatrick

Contact Phone #: 303-506-7792

Representative Information

Name: Jon Fitzpatrick

Street Address: 1536 Wynkoop St, #40

City/State/Zip: Denver, CO 80202

Business Phone #: 303-506-7792

E-Mail: jfitzpatrick@pivotenergy.net

Fax #:

Contact Person: Jon Fitzpatrick

Contact Phone #: 303-506-7792

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 may be dropped from the agenda and an additional fee may be charged to cover rescheduling expenses before it can again be placed on the agenda.

Signature of Person Completing the Application

Date December 12, 2018

Signature of Legal Property Owner

Date 12/20/18

R Scott Murdock
R Scott Murdock Trustee

December 20, 2018

City of Grand Junction Community Development
Attn: Andrew Gingerich, Associate Planner
250 N. 5th St
Grand Junction, CO 80501

RE: General Project Report for Variance Request

A) Project Description

- 1) Location – Mesa County assessor parcel ID: 2697-364-09-002, aka 2169 River Road
- 2) Acreage – 13-acre parcel, approx. 0.81 acres of disturbance, negligible increase in impervious area
- 3) Proposed use – 2 MW community solar garden (“solar array”) that will provide area Xcel Energy electrical customers a subscription benefit of reducing their electrical bills

- B) Public Benefit – Solar arrays, generally, contribute significant overall public benefit by increasing deployment of clean, renewable energy sources. This project will generate an amount of energy equivalent to the needs of 400 – 500 homes annually. It will generate this energy quietly without producing odor from a clean, renewable fuel source – the sun – and the project will bring energy generation resources to the locations where energy is being used. Subscribers to the output from the solar array will receive a financial benefit each month on their energy bills with no risk. They only get billed for credits that are delivered to their bill. They are not responsible for any capital expenses, operational or maintenance costs, etc.

- C) If a “Neighborhood Meeting” has been held, proof of those who attended, along with the date, time and place shall be provided. See the Zoning and Development Code for details on Neighborhood Meetings. Update: Meeting was held on January 3, 2019 at 5:30 pm at the Red Roof Inn located at 2210 Highway 6 & 50, Grand Junction, CO. No one attended other than applicant’s representative, applicant’s land broker, and Andrew Gingerich from City of Grand Junction. The meeting concluded shortly after 6:00 pm.

D) Project Compliance, Compatibility, and Impact

- 1) Adopted plans and/or policies (for rezones, variances, conditional and special use, revocable permits, and vacations, discuss the circumstances that justify the request, as required by the Zoning and Development Code). Variance Requests from the following code:
 - i) **21.06.040 Landscape, buffering and screening standards**
 - ii) Applicant requests variance from landscaping requirements, generally, because the code requirements would result in significant damage to applicant and project, as further discussed below. Applicant proposes in exchange to use native vegetation already existing on site and commits to maintain an amount of screening vegetation well in excess of minimum requirements for this zone district without diverting scarce water resources.
- 2) Land use in the surrounding area. Industrial. The southern and western sides of the site are bordered by Interstate 70, which generally is above the site. To the east is Murdock Trailer Sales, which is not currently operational. To the north is the Persigo Waste Water Treatment plant. Beyond these boundaries are more traditional commercial and industrial uses.
- 3) Site access and traffic patterns. Access will be from River Road and has been approved via a recent replat which has not yet been recorded. There are no permanent staff at the site, and there will be no parking area. The site operates without personnel and generates negligible traffic after construction is complete. It is anticipated that 4 – 8 visits will occur annually once the project is operational, and the project will operate for a minimum of 20 years.
- 4) Availability of utilities, including proximity of fire hydrants. No water, waste water, or electrical utilities are needed for the project. The nearest fire hydrant is located on River Road.
- 5) Special or unusual demands on utilities (high water or sewage quantities, grease, or sediment contribution, pre-treatment needs, etc.). The project will have minimal impacts on the site, and

- areas surrounding the site. Uniquely, the project requires no water, waste water, or sewer services.
- 6) Effects on public facilities (fire, police, sanitation, roads, parks, schools, irrigation, etc.). There are no anticipated effects on public facilities. The site is secure and there are no on-site personnel. The solar array is monitored remotely. The project does not pose a fire risk, does not generate waste, and is not open to the public. This variance request addresses the City's code requirements for irrigation.
 - 7) Hours of operation. Daylight hours, every day of the year.
 - 8) Number of employees. No on-site employees.
 - 9) Signage plans (required with Conditional Use Permits and Planned Development). Only as required by the National Electric Code.
 - 10) Site soils and geology (such as Soils Conservation Service (SCS) soils mapping). According to analysis from the NRCS Web Soil Survey, the site is 100% Sagers silty clay loam, saline, 0 to 2 percent slopes. It has a "land capacity classification" of 7s for irrigated situations and 7c for non-irrigated situations. Soils classified as *Class 7* "have very severe limitations that make them unsuited to cultivation and that restrict their use mainly to grazing, forestland, or wildlife." Subsection s "is made up of soils that have soil limitations within the rooting zone, such as shallowness of the rooting zone, stones, low moisture-holding capacity, low fertility that is difficult to correct, and salinity or sodium content." Subsection c "is made up of soils for which the climate (the temperature or lack of moisture) is the major hazard or limitation affecting their use." Generally, the soils on the project site are not suited for ornamental cultivation. Very few species can successfully exist on a site with these soil conditions. Geotechnical report is attached as Exhibit A. NRCS soils data are attached as Exhibits B and C.
 - 11) Impact of project on site geology and geological hazards, if any. None anticipated.
- E) Must address the review criteria contained in the Zoning and Development Code for the type of application being submitted.
- 1) 21.02.200 Variance.
 - a) Purpose. The purpose of this section is to provide a process for consideration of variances from certain standards of the code.
 - b) Applicability.
 - (1) A variance may be requested for a departure from bulk standards, performance or use-specific standards of Chapter 21.04 GJMC, all overlay district regulations of Chapter 21.07 GJMC, excluding corridor overlay districts, and the sign regulations of Chapter 21.06 GJMC.
 - (2) Variances shall not be requested for:
 - (i) The establishment or expansion of a use in a district in which such use is not permitted by this code;
 - (ii) Residential development which would result in an increase in density greater than that permitted in the applicable zoning district; and
 - (iii) Changes or modifications to any definition contained in this code.
 - c) Approval Criteria. A variance may be granted only if the applicant establishes that all of the following criteria have been met:
 - (1) There are exceptional conditions creating an undue hardship, applicable only to the property involved or the intended use thereof, which do not apply generally to the other land areas or uses within the same zoning district, and such exceptional conditions or undue hardship was not created by the action or inaction of the applicant or owner of the property;
 - (i) **Applicant response:** The GJMC requirements for shade trees along the street frontage (in this case along Interstate 70) would cause undue hardship by creating shade on the solar panels, significantly reducing their energy output. This impact would cascade to all local subscribers to this Community Solar Array, reducing anticipated energy production, which translates to lower monetary bill credits. The unique characteristics of solar energy require that the solar panels remain unshaded during operation, making shade trees planted immediately south of the solar array a significant problem for maximizing energy produced, and decreases the project

subscriber's energy credits and monetary savings. Allowing a lower-growing shrub that is spaced more frequently *and* provides more screening coverage than the zone district's 40' spacing for shade trees without negatively impacting the solar array's production is a fair compromise. In this case, the shrubs are already in place, already established, and exceed the minimum sizes required for new shrub plantings. Because the solar array is relatively low to the ground when compared to other uses in this zone district, the proportional visual screening effect is still met because the shrubs are already approximately 5' above the ground while the solar panels will only be about 7' above the ground at their highest point.

All of this is accomplished without the use of irrigation water. Because the project itself does not have any other need for water, waste water, or sewer, the addition of any infrastructure of this nature would be unnecessary and wasteful. Further, the applicable agencies capable of providing water for irrigation do not support irrigation for this project. They demonstrate this by charging triple for tap fees and water usage (Ute Water), and by deeming water available for "beneficial" uses only (Colorado State Engineer of Division of Water Resources). The nature of our projects are that they bring about a positive impact to the environment by reducing fossil fuel consumption, creating cleaner air and water, and maintaining a harmonious relationship between people and the planet. Using water to grow non-native landscaping in the desert is counter to the project's goals, especially when considering that native, established, unirrigated, drought-tolerant vegetation can remain in place, fulfilling and exceeding the landscaping requirements for the I-1 zone district.

Regarding landscaping in the adjacent public ROW, the CDOT already maintains that property and would not allow applicant to access this space due to safety concerns connected to the high rate of speed of vehicles using the Interstate.

- (2) The variance shall not confer on the applicant any special privilege that is denied to other lands or structures in the same zoning district; **Applicant response:** The unique characteristics of this site and this project are unlikely to be found on any other property in this zone district.
- (3) The literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant; **Applicant response:** The right of the applicant to generate energy (revenue for applicant, energy bill savings for all subscribers) in the most efficient capacity would be significantly curtailed as a result of regular shading on the solar array and the results would cascade down to the project subscribers resulting in lower-than-forecast energy credits. In a worst-case scenario, production could fall below required minimums compromising the long-term viability of the project. Due to the very poor nature of the soils on site, and the inability to properly amend them to become more fruitful, applicant has concerns about the ability to establish any non-native vegetation on the site, which could become an ongoing and costly – yet never solvable – problem. Because water is not required for the project itself, the costs associated with irrigating the parcel are marginally much higher than if the project itself required water on site. Subsequent development on the parcel would likely require water, waste water, and sewer services, making additional investments in water infrastructure marginally less costly. Such development would also likely include other applicable improvements further mentioned in 21.06.040 such as parking lots, lighting, etc. The overall impact of the solar array in this zone district is dramatically less than almost any other project that would be commonly found in this zone district, and is proportionally less expensive to build, generating significantly less revenue as well.

- (4) The applicant and the owner of the property cannot derive a reasonable use of the property without the requested variance; **Applicant response:** Because this property is located immediately east southeast of a waste water treatment facility, there are frequently pungent and unpleasant odors on this site that severely restrict the site's use by the public. The south side of the site is bordered by Interstate 70, but not serviced by an off ramp, meaning the site is subjected to very loud noises at all times of the day and night, as well as exhaust fumes, but without the benefit of the increased accessible traffic. The parcel to the immediate east of the site takes up the entirety of the frontage on River Road, making access to the site severely limited due to the long "flag parcel" shape of the land. The land has been on the market for sale for years without any interest in a purchase despite a healthy economy. There are no higher or better uses for this site than the proposed project.
- (5) The variance is the minimum necessary to make possible the reasonable use of land or structures; **Applicant response:** The proposed variance, which incorporates use of existing, native, drought-tolerant vegetation in lieu of non-native, poorly adapted species will maximize the project's effectiveness for the developer, the subscribers, and the citizens of the Grand Valley. Applicant proposes leaving significantly more native vegetation on the site than is required by code without using any water for irrigation.
- (6) The granting of a variance shall not conflict with the purposes and intents expressed or implied in this code; **Applicant response:** The stated Purpose and Goals of 21.06.040 Landscape, buffering and screening standards read as follows: *The purpose of this section is to enhance the aesthetic appeal of new development. Landscaping reduces heat and glare, facilitates movement of traffic within parking areas, shades cars and parking surfaces reducing local and ambient temperatures, buffers and screens cars from adjacent properties, promotes natural percolation of surface waters, improves air quality, buffers and screens potentially incompatible uses from one another, and conserves the value of property and neighborhoods within the City.*

Currently, the site appears as native, undisturbed desert habitat. Granting the requested variance, and allowing the existing native, established, drought-tolerant plants to remain in place, would enhance the nature and aesthetic appeal of the project. Because the equipment for the solar array is low-profile, a lower-profile natural vegetative screen is appropriate and consistent with the nature of the development. The amount of proposed landscaping on the site far exceeds the minimum requirements for this zone district, meaning that there will be even more heat and glare reduction on the site. There are no parking areas associated with this project, so those provisions are not applicable. Leaving the maximum amount of undisturbed soil maximizes water infiltration and percolation of natural waters, and more plants will work to improve more air quality (along with the benefits of the project itself). There are no incompatible uses in the area as solar is a very low-impact use, generating negligible traffic impacts, no noise or odors, and no impact to views. There will be no negative impact to property or neighbor values as a result of the variance.

- (7) The granting of a variance shall not conflict with the goals, policies and guiding principles of the City's Comprehensive Plan. **Applicant response:** Granting the variance will not conflict with the above.

d) Decision-Making.

- (1) A variance from bulk standards, performance or use-specific standards of Chapter 21.04 GJMC, all overlay district regulations of Chapter 21.07 GJMC, excluding corridor overlay districts, and the sign regulations of Chapter 21.06 GJMC shall be heard and decided by the Zoning Board of Appeals.
- (2) Variances to all other standards, unless otherwise specified, shall be heard and decided by the Planning Commission.

(Ord. 4778, 1-3-18; Ord. 4419, 4-5-10)

- F) Development Schedule and Phasing. The project is scheduled to begin construction as early in 2019 as possible. Building and electrical permits have been reviewed and are pending issuance by Mesa County until the Site Plan Review is completed by City staff. The project will be completed in a single phase, and construction is expected to be complete by April 2019. The project will operate for at least 20 years and may operate as long as 40 or more years.
- G) Additional information: Landscaping requirements for the I-1 zone district in Grand Junction, when applied to this project site, would require a minimum landscaped area of approximately 0.43 acres, all of which as specified by GJMC would be exceptionally difficult-to-keep-alive trees given the soil conditions on site. These trees would be uniformly (and unnaturally) spaced at 40', with 80% of the trees being shade trees (which would significantly impact solar production from the project, affecting area subscribers as discussed above). Based on the length of the frontage of I-70 and the spacing requirements, this would mean approximately 35 trees would be planted. There would be no additional landscaping or screening requirements in this zone district.

Applicant proposes to utilize existing native saltbush (*Atriplex* sp.) plants to greatly exceed the minimum landscaping requirements in this zone district and maintain the existing feel of the site. Solar is a low-impact use, generating no traffic, noise, or air pollution. The equipment is very low to the ground (approx. 7' above grade) and requires infrequent maintenance visits. These saltbush plants have existed on this site for decades and are well adapted to the poor-quality soils mentioned above. Furthermore, because these plants have established on this site naturally, they require no additional water for survival, and their spacing has organically developed as one would expect in nature, with areas of higher and lower concentrations. Nature has allowed these plants to find the most suitable locations across the site, and they have thrived when other plants have not. Because these plants do not grow tall enough to shade the solar panels, solar energy production is not impacted for local subscribers to the project, making them a perfect fit to meet and exceed the requirements of the 21.06.040 for the I-1 zone district.

If approved, more than 3 acres of the 13-acre site (3.03 acres, or 23% of the site area) would remain naturally and natively vegetated at no detriment to the project all while providing screening characteristics in excess of the GJMC requirements at no impact to the project's energy production. This would constitute a 7-fold increase in landscaped area on the site above and beyond the minimum requirements for this zone district. Please see attached Exhibit D, Screening Vegetation Plan, for additional reference.

Thank you for your consideration of this request for a variance.

Regards,



Jon Fitzpatrick
Director, Project Development
Pivot Energy

2216120 BK 3746 PG 595
 09/27/2004 03:43 PM
 Janice Ward CLK&REC Mesa County, CO
 RecFee \$5.00 SurChg \$1.00
 DocFee NO FEE

QUITCLAIM DEED

Grantor(s) R. Scott Murdock

whose address is 3550 S. County Road 5, Loveland, CO 80537

Colorado *County of Larimer and State of

for the consideration of
 Ten dollars and other good and valuable considerations-----

in hand paid, hereby sell(s) and quitclaims(s) to R. Scott Murdock Trust of the Dollars,

whose address is 3550 S. County Road 5, Loveland, CO 80537

County of Larimer, and State of Colorado, the following
 real property, in the County of Mesa and State of Colorado, to wit:

ALL THAT PART OF THE SW $\frac{1}{4}$ SE $\frac{1}{4}$ AND ALL THAT PART OF THE NW $\frac{1}{4}$ SE $\frac{1}{4}$ AND SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ AND SE $\frac{1}{4}$ SW $\frac{1}{4}$ OF SECTION 36, TOWNSHIP 1 NORTH, RANGE 2 WEST OF THE UTE MERIDIAN, LYING SOUTH AND EAST OF THE DRAINAGE DITCH AS NOW CONSTRUCTED ALSO KNOWN AS PERSIGO WASH, AND LYING SOUTH AND WEST OF THE SOUTHERLY RIGHT-OF-WAY LINE OF RIVER ROAD, AND LYING NORTHERLY OF INTERSTATE HIGHWAY 70

also known as street and number: 2173 and 2169 River Road, Grand Junction, CO

assessor's schedule or parcel number:
 with all its appurtenances

Signed this 14th day of September, 2004
 R. Scott Murdock

STATE OF COLORADO,

County of Larimer

The foregoing instrument was acknowledged before me this
 by R. Scott Murdock

Witness my hand and official seal.
 My commission expires;

14th day of September, 2004
 Anita W. Baland
 Notary Public

Name and Address of Person Creating Newly Created Legal Description (§ 38-35-106.5, C.R.S.)

Return to Thomas W. Metcalf
 1015 E. Oak St., Ft. Collins, CO 80526



Huddlestone-Berry
Engineering & Testing, LLC

640 White Avenue
Grand Junction, Colorado 81501
Phone: 970-255-8005
Fax: 970-255-6818
Info@huddlestoneberry.com

August 7, 2018
Project#01669-0006

Microgrid Energy
1644 Platte Street, 4th Floor
Denver, Colorado 80202

Attention: Mr. Jonathan Fitzpatrick

Subject: Geotechnical Investigation
Murdock Property
Grand Junction, Colorado

Dear Mr. Fitzpatrick,

This letter presents the results of a geotechnical investigation conducted by Huddlestone-Berry Engineering & Testing, LLC (HBET) at the Murdock Property in Grand Junction, Colorado. The site location is shown on Figure 1. The proposed construction is anticipated to include a new solar array. The scope of our investigation included evaluating the subsurface conditions at the site to aid in developing foundation recommendations for the proposed construction.

Site Conditions

At the time of the investigation, most the site was heavily vegetated with tall brush, weeds, grasses, and small trees. However, an existing structure and open area were present in the northeastern portion of the site. The site was fairly flat. The site was bordered to the northeast by River Road, to the south by I-70, to the east by a vacant lot, and to the northwest by Persigo Wash and the Persigo water treatment plant.

Subsurface Investigation

The subsurface investigation included eight borings as shown on Figure 2 – Site Plan. The borings were drilled to depths of between 9.5 and 20.0 feet below the existing ground surface. Typed boring logs are included in Appendix A.

As indicated on the logs, the subsurface conditions at the site were slightly variable. However, the borings generally encountered interbedded layers of brown, moist to wet, dense to very loose / hard to soft silty sand, sandy silt, and lean clay from the ground surface to depths of between 7.0 and 17.0 feet. Below the sand, silt, and clay soils, brown, moist to wet, dense sandy gravel and cobbles extended to the bottoms of the borings. Groundwater was encountered in the subsurface at depths of between 9.0 and 11.0 feet at the time of the investigation.

Laboratory Testing

Laboratory testing was conducted on samples of the native soils collected from the borings. The testing included grain-size analysis, Atterberg limits determination, natural moisture content determination, water soluble sulfates content determination, resistivity testing, pH determination, and maximum dry density and optimum moisture content (Proctor) determination. The laboratory testing results are included in Appendix B.

The laboratory testing results indicate that the native clay soils are moderately plastic. Based upon the plasticity of the materials, the native clay soils are anticipated to be slightly expansive.

The native silt and sand soils were indicated to be non-plastic. Based upon our experience with similar soils in the vicinity of the subject site, the native silt and sand soils are anticipated to be slightly collapsible.

Water soluble sulfates were detected in the site soils in a concentration of 0.2%. The pH of the soil was determined to be 8.0 and the soil resistivity was determined to be 980 ohm-cm.

Foundation Recommendations

Based upon information provided to HBET, shallow driven steel are likely for support of the solar arrays. However, control structures, transformers, etc. will likely be constructed above monolithic structural slabs.

Driven Steel Piles

HBET understands that the piles are anticipated to range from eight to twelve feet in length. As a result, most of the piles will bear in the native clay, silt, and sand soils. However, some of the piles may bear on the dense gravel and cobble soils. Based upon the results of the subsurface investigation, an allowable skin friction capacity of 250 psf may be used for driven steel piles.

Based upon the variable soil conditions, HBET recommends that end bearing be ignored in the clay, sand, and silt soils. However, an allowable end bearing capacity of 2,500 psf may be used for the dense gravel and cobble soils.

For lateral capacity of the piles, the following soil parameters are recommended for use in lateral pile capacity analyses:

Soil Type	Soft Clay
Density (pci)	0.0607
Cohesion (psi)	2.5
Friction Angle (ϕ)	0
ϵ_{50} (in/in)	0.02
K (pci)	30

Monolithic Structural Slabs

As discussed previously, the shallow native soils are moisture sensitive. Therefore, in order to provide a uniform bearing stratum and reduce the risk of excessive differential movements, it is recommended that the foundations be constructed above a minimum of 24-inches of structural fill.

Due to the plasticity of the native clays, the native soils are not suitable for reuse as structural fill. Imported structural fill should consist of a granular, non-expansive, non-free draining material such as crusher fines or CDOT Class 6 base course. Unless it can be demonstrated that they are not free draining, pit-run materials may not be used as structural fill.

Structural fill should extend across the entire building pad area to a depth of 24-inches below the turndown edges. Structural fill should extend laterally beyond the edges of the foundations a distance equal to the thickness of structural fill.

Prior to placement of structural fill, it is recommended that the bottom of the foundation excavation be scarified to a depth of 6 to 8 inches, moisture conditioned, and compacted to a minimum of 95% of the standard Proctor maximum dry density, within $\pm 2\%$ of the optimum moisture content as determined in accordance with ASTM D698. However, as discussed previously, soft soil conditions were encountered at the site and compaction of the subgrade may be difficult. It may be necessary to utilize geotextile and/or geogrid in conjunction with up to 30-inches of additional granular fill to stabilize the subgrade. HBET should be contacted to provide specific recommendations for subgrade stabilization based upon the actual conditions encountered during construction.

Structural fill should be moisture conditioned, placed in maximum 8-inch loose lifts, and compacted to a minimum of 95% of the standard Proctor maximum dry density for fine grained soils and 90% of the modified Proctor maximum dry density for coarse grained soils, within $\pm 2\%$ of the optimum moisture content as determined in accordance with ASTM D698 and D1557, respectively. Structural fill should be extended to within 0.1-feet of the bottom of the foundation. No more than 0.1-feet of gravel should be placed below the turndown edge as a leveling course.

For structural fill consisting of imported granular materials, and foundation building pad preparation as recommended, a maximum allowable bearing capacity of 1,500 psf may be used. In addition, a modulus of subgrade reaction of 200 pci may be used for structural fill consisting of crusher fines or base course. Foundations subject to frost should be at least 24 inches below the finished grade

Corrosion of Concrete and Steel

As discussed previously, water soluble sulfates were detected in the site soils in a concentration of 0.2%. This concentration represents a severe degree of potential sulfate attack on concrete. The International Building Code (IBC) specifies Type V cement for this concentration of sulfates. However, Type V cement can be difficult to obtain in Western Colorado. Where Type V cement is unavailable, Type I-II sulfate resistant cement is recommended.

Also, as discussed previously, the soil resistivity was determined to be 980 ohm-cm. In general, soil resistivity of less than 1,000 ohm-cm suggests an aggressive environment with regard to steel corrosion. Therefore, HBET recommends that steel corrosion be considered in the design of the solar array support pilings.

Lateral Earth Pressures

Any retaining walls should be designed to resist lateral earth pressures. For backfill consisting of the native soils or imported granular, non-free draining, non-expansive material, we recommend that the walls be designed for an active equivalent fluid unit weight of 55 pcf in areas where no surcharge loads are present. Lateral earth pressures should be increased as necessary to reflect any surcharge loading behind the walls.

Seismic Site Classification

Based upon the results of the subsurface investigation, the site generally classifies as Seismic Site Class D for a stiff soil profile.

Drainage and Grading

As discussed previously, the shallow native soils range from slightly collapsible to slightly expansive. Therefore, the long-term performance of the arrays is dependent on proper grading and drainage. As a result, it is recommended that grading at the site carry water away from the bases of the solar arrays. Water should not be permitted to pond and infiltrate into the subsurface.

Excavations

Excavations in the soils at the site may stand for short periods of time but should not be considered to be stable. Trenching and excavations should be sloped back, shored, or shielded for worker protection in accordance with applicable OSHA standards. The soils generally classify as Type C soil with regard to OSHA's *Construction Standards for Excavations*. For Type C soils, the maximum allowable slope in temporary cuts is 1.5H:1V. However, the classification is based solely on the boring data. If necessary, HBET should be contacted to further evaluate the classification of the soils during construction.

General Notes

The recommendations included above are based upon the results of the subsurface investigation and on our local experience. These conclusions and recommendations are valid only for the proposed construction.

As discussed previously, the subsurface conditions at the site were slightly variable. However, the precise nature and extent of any subsurface variability may not become evident until construction. Therefore, HBET should be retained to provide materials testing and engineering oversight during **ALL** phases of the construction to verify the subsurface conditions and ensure conformance with the recommendations herein.

We are pleased to be of service to your project. Please contact us if you have any questions or comments regarding the contents of this report.

Murdock Property
#01669-0006
08/07/18



Respectfully Submitted:
Huddleston-Berry Engineering and Testing, LLC



Michael A. Berry, P.E.
Vice President of Engineering

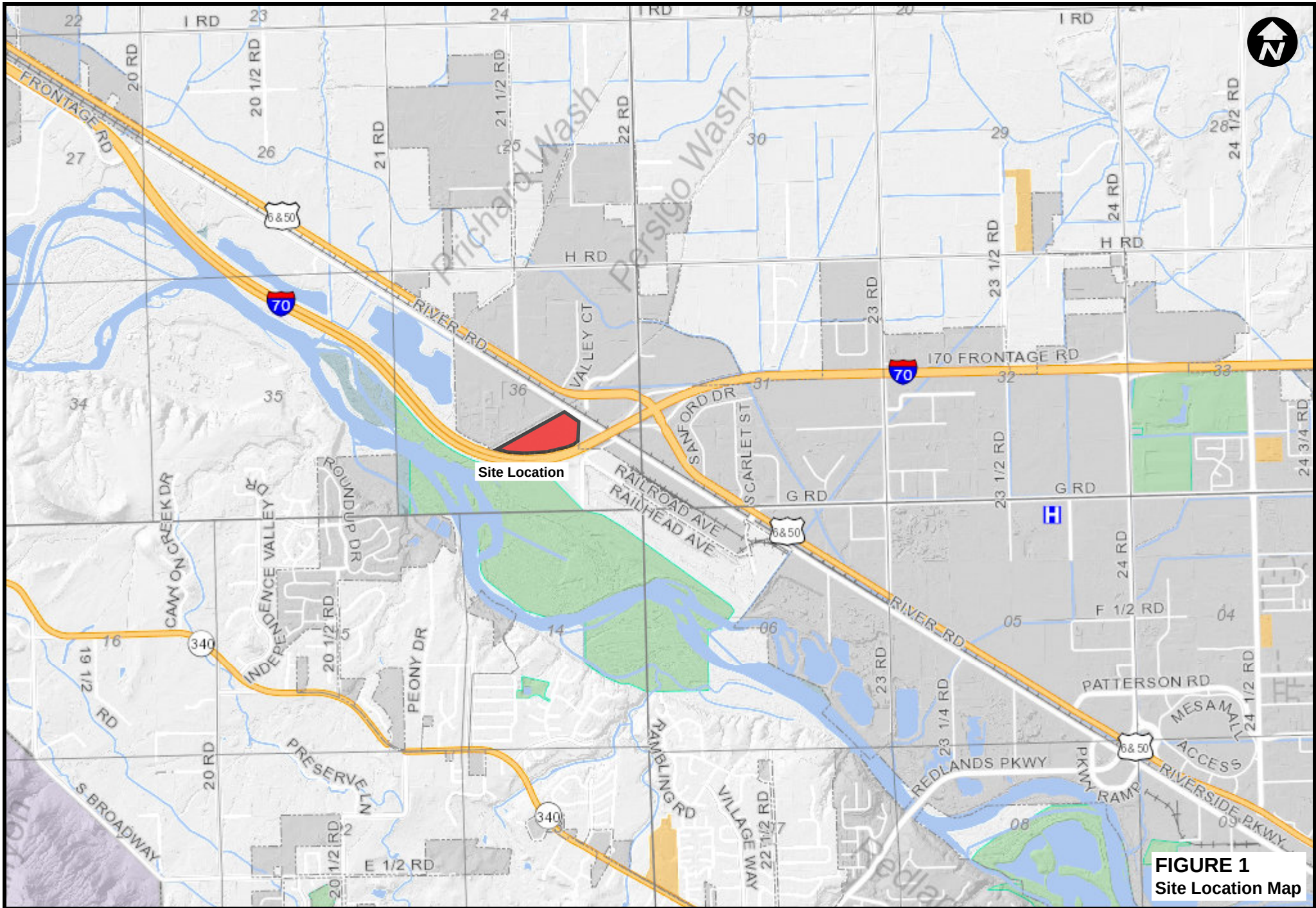
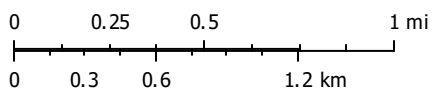


FIGURE 1
Site Location Map

Mesa County Map

The Geographic Information System (GIS) and its components are designed as a source of reference for answering inquiries, for planning and for modeling. GIS is not intended or does not replace legal description information in the chain of title and other information contained in official government records such as the County Clerk and Records office or the courts. In addition, the representations of location in this GIS cannot be substitute for actual legal surveys. The information contained herein is believed accurate and suitable for the limited uses, and subject to the limitations, set forth above. Mesa County makes no warranty as to the accuracy or suitability of any information contained herein. Users assume all risk and responsibility for any and all damages, including consequential damages, which may flow from the user's use of this information.

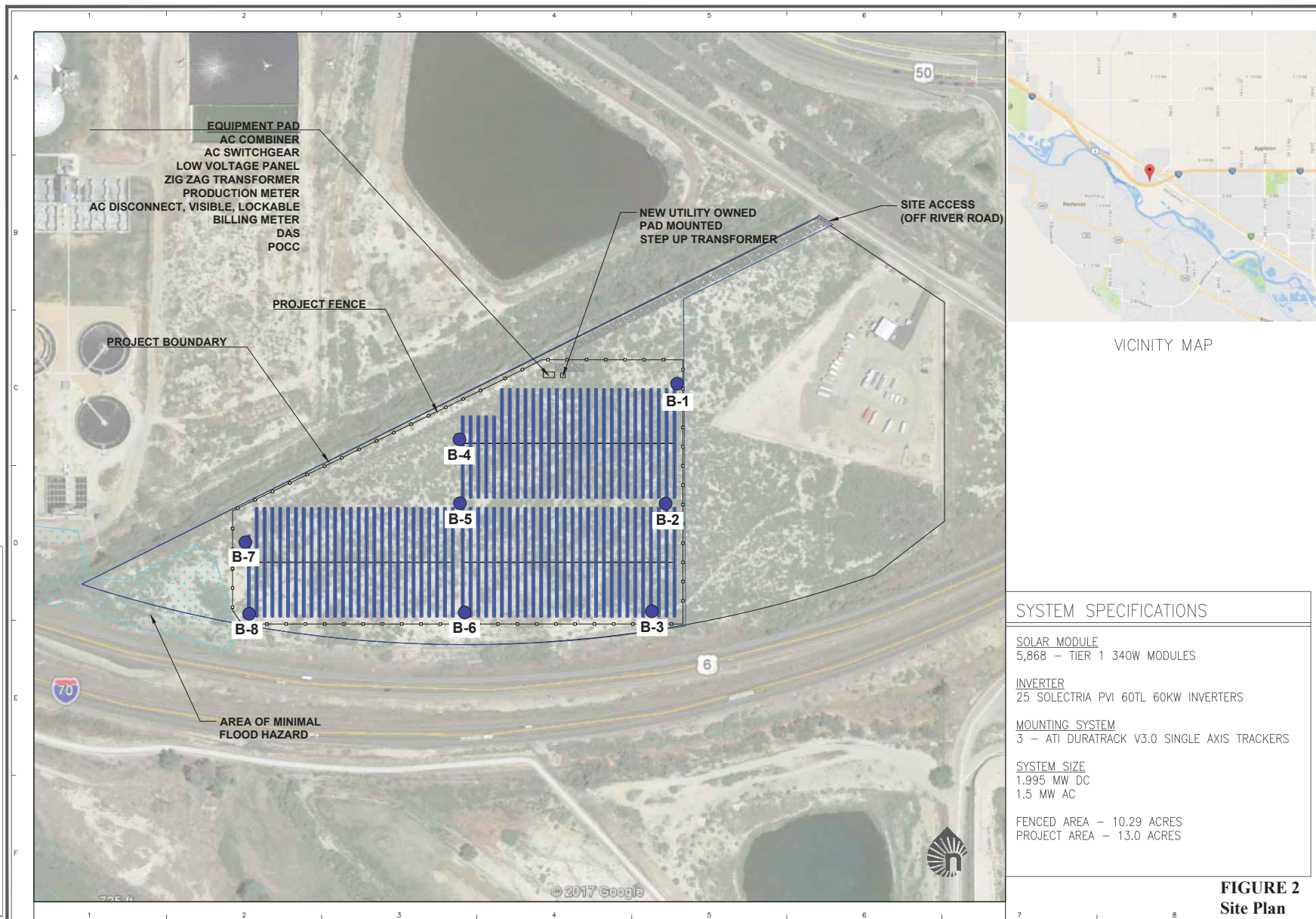


Print Date: July 26, 2018



Mesa County, Colorado

GIS/IT Department
gis.mesacounty.us



PRELIMINARY SITE PLAN

SCALE
1/8"=1'-0"

PRELIMINARY SITE PLAN SOLAR ARRAY WORK PLAN	DRAWING NUMBER: X-1	SHEET NUMBER: 1	REVISION 1
	PROJECT NO.: TBA	DATE: 6/29/17	CHECK DATE: APPROVED DATE:
	MICROGRID ENERGY 2014 17TH STREET DENVER, CO 80202 www.microgridenergy.com		
	MURDOCK SOLAR GARDEN 2169 RIVER ROAD GRAND JUNCTION, CO 81505		

APPENDIX A
Typed Boring Logs



AFTER DRILLING ---

GEOTECH BH COLUMNS 01669-0006 MURDOCK PROPERTY.GPJ GINT US LAB.GDT 8/7/18



Huddlestone-Berry Engineering & Testing, LLC
640 White Avenue, Unit B
Grand Junction, CO 81501
970-255-8005
970-255-6818

BORING NUMBER B-5

PAGE 1 OF 1

CLIENT	Microgrid Energy	PROJECT NAME	Murdock Property
PROJECT NUMBER	01669-0006	PROJECT LOCATION	Grand Junction, CO
DATE STARTED	7/13/18	COMPLETED	7/13/18
DRILLING CONTRACTOR	S. McCracken	GROUND ELEVATION	
DRILLING METHOD	Simco 2000 Track Rig	HOLE SIZE	4-inches
LOGGED BY	SD	CHECKED BY	MAB
NOTES			
		GROUND WATER LEVELS:	
		AT TIME OF DRILLING	dry
		AT END OF DRILLING	dry
		AFTER DRILLING	---

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS			FINES CONTENT (%)
									LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	
0.0		Interbedded layers of Silty SAND(sm), Sandy SILT (ML), and Lean CLAY (cl), brown, moist, medium dense to very loose / very stiff to medium stiff										
2.5			SS 1	89	6-8-9 (17)							
5.0												
7.5		*** Lab Classified SS1	SS 2	78	3-3-1 (4)			11	NP	NP	NP	52
10.0												
12.5		Sandy GRAVEL and COBBLES (gw), brown, moist, dense										
		Bottom of hole at 13.5 feet.										

GEOTECH BH COLUMNS 01669-0006 MURDOCK PROPERTY.GPJ GINT US LAB.GDT 8/7/18



Huddlestone-Berry Engineering & Testing, LLC
640 White Avenue, Unit B
Grand Junction, CO 81501
970-255-8005
970-255-6818

BORING NUMBER B-6

PAGE 1 OF 1

CLIENT	Microgrid Energy	PROJECT NAME	Murdock Property
PROJECT NUMBER	01669-0006	PROJECT LOCATION	Grand Junction, CO
DATE STARTED	7/13/18	COMPLETED	7/13/18
DRILLING CONTRACTOR	S. McCracken	GROUND ELEVATION	
DRILLING METHOD	Simco 2000 Track Rig	HOLE SIZE	4-inches
LOGGED BY	SD	CHECKED BY	MAB
NOTES	Auger Refusal at 9.5 Ft		
GROUND WATER LEVELS:		AT TIME OF DRILLING	
		dry	
		AT END OF DRILLING	
		dry	
		AFTER DRILLING	

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS			FINES CONTENT (%)
									LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	
0.0		Interbedded layers of Silty SAND (sm), Sandy SILT (ml), and Lean CLAY (cl), brown, moist, medium dense to dense / stiff to hard										
2.5			SS 1	76	7-7-8/5"							
5.0												
7.5		Sandy GRAVEL and COBBLES (gw), brown, moist, dense to very dense	SS 2	89	4-10-22 (32)							
		Bottom of hole at 9.5 feet.										

GEOTECH BH COLUMNS 01669-0006 MURDOCK PROPERTY.GPJ GINT US LAB.GDT 8/7/18

APPENDIX B

Laboratory Testing Results



Huddlestone-Berry Engineering & Testing, LLC
640 White Avenue, Unit B
Grand Junction, CO 81501
970-255-8005
970-255-6818

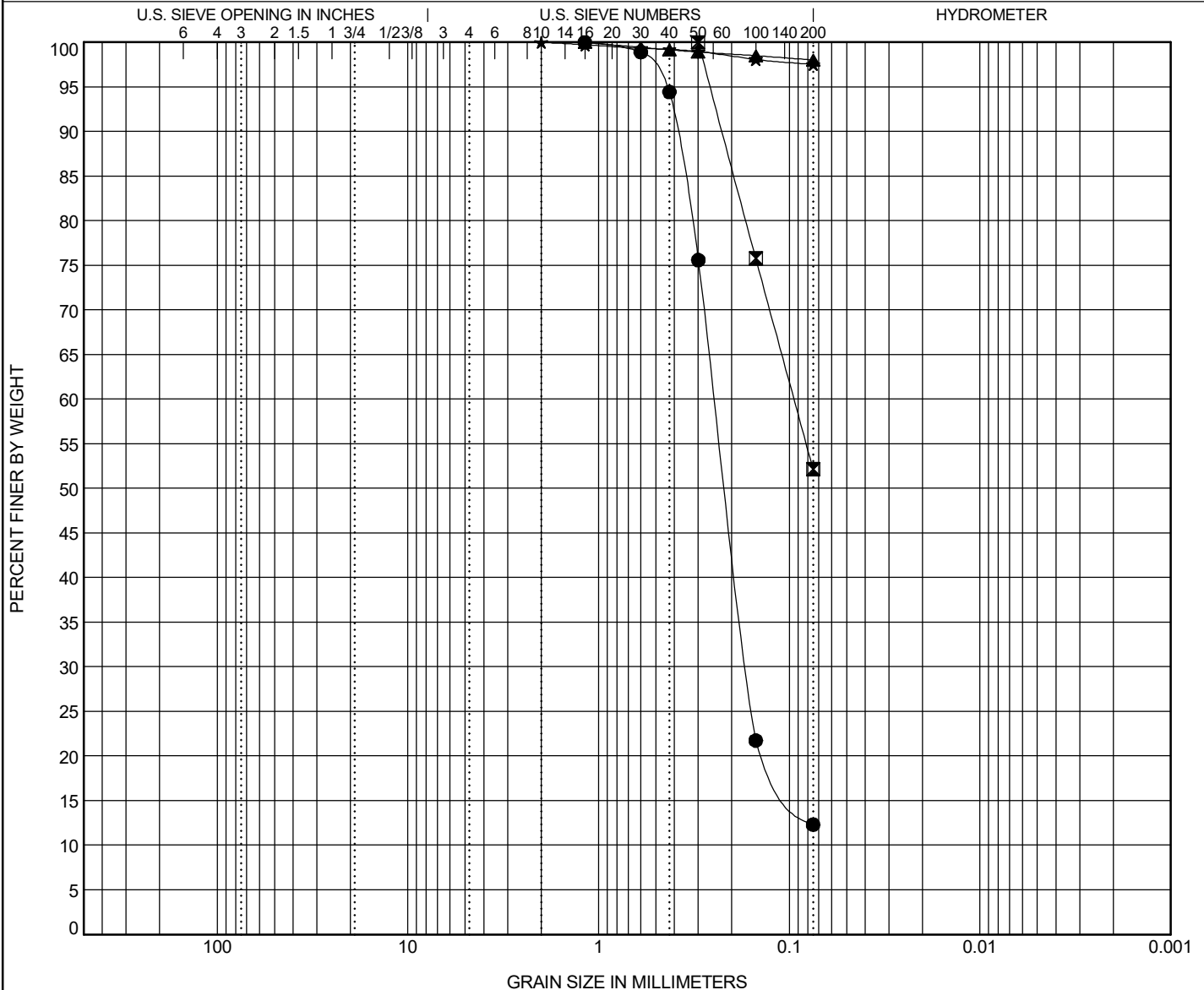
GRAIN SIZE DISTRIBUTION

CLIENT Microgrid Energy

PROJECT NAME Murdock Property

PROJECT NUMBER 01669-0006

PROJECT LOCATION Grand Junction, CO





Huddlestone-Berry Engineering & Testing, LLC
640 White Avenue, Unit B
Grand Junction, CO 81501
970-255-8005
970-255-6818

MOISTURE-DENSITY RELATIONSHIP

CLIENT Microgrid Energy

PROJECT NAME Murdock Property

PROJECT NUMBER 01669-0006

PROJECT LOCATION Grand Junction, CO

Sample Date: 7/13/2018
Sample No.: 1
Source of Material: Composite
Description of Material: LEAN CLAY(CL)
Test Method: ASTM D698A

TEST RESULTS

Maximum Dry Density 104.5 PCF
Optimum Water Content 22.5 %

GRADATION RESULTS (% PASSING)

<u>#200</u>	<u>#4</u>	<u>3/4"</u>
<u>98</u>	<u>100</u>	<u>100</u>

ATTERBERG LIMITS

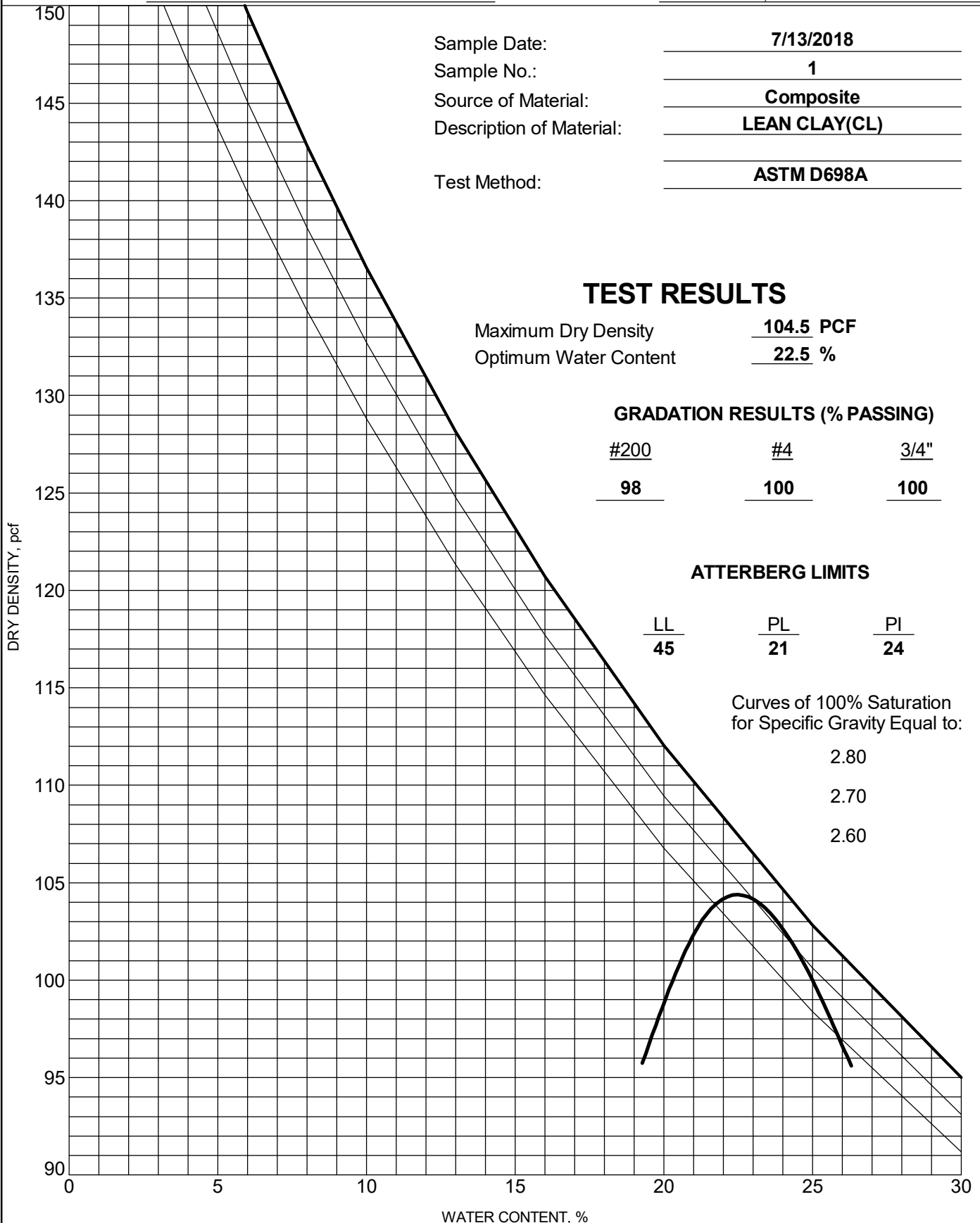
<u>LL</u>	<u>PL</u>	<u>PI</u>
<u>45</u>	<u>21</u>	<u>24</u>

Curves of 100% Saturation
for Specific Gravity Equal to:

2.80

2.70

2.60



Mesa County Area, Colorado

BcS—Sagers silty clay loam, saline, 0 to 2 percent slopes

Map Unit Setting

National map unit symbol: k0bs

Elevation: 4,490 to 4,920 feet

Mean annual precipitation: 6 to 9 inches

Mean annual air temperature: 50 to 55 degrees F

Frost-free period: 140 to 180 days

Farmland classification: Not prime farmland

Map Unit Composition

Sagers, saline, and similar soils: 90 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Sagers, Saline

Setting

Landform: Terraces

Landform position (three-dimensional): Tread

Down-slope shape: Linear, concave

Across-slope shape: Linear

Parent material: Cretaceous source alluvium derived from sandstone and shale

Typical profile

Ap - 0 to 12 inches: silty clay loam

C - 12 to 25 inches: silty clay loam

Cy - 25 to 60 inches: silty clay loam

Properties and qualities

Slope: 0 to 2 percent

Depth to restrictive feature: More than 80 inches

Natural drainage class: Well drained

Runoff class: Low

Capacity of the most limiting layer to transmit water (Ksat):

Moderately high (0.21 to 0.71 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum in profile: 15 percent

Gypsum, maximum in profile: 5 percent

Salinity, maximum in profile: Strongly saline (16.0 to 32.0 mmhos/cm)

Available water storage in profile: Low (about 4.9 inches)

Interpretive groups

Land capability classification (irrigated): 7s

Land capability classification (nonirrigated): 7c

Hydrologic Soil Group: C

Ecological site: Desert Loam (Shadscale) (R034BY106UT)
Hydric soil rating: No

Data Source Information

Soil Survey Area: Mesa County Area, Colorado
Survey Area Data: Version 9, Sep 10, 2018

Land Capability Classification:

- a. **Definition.** Land capability classification is a system of grouping soils primarily on the basis of their capability to produce common cultivated crops and pasture plants without deteriorating over a long period of time.
- b. **Classes.** Land capability classification is subdivided into capability class and capability subclass nationally. Some states also use a capability unit.
- c. **Significance.** Land capability classification has value as a grouping of soils. National Resource Inventory information, Farmland Protection Policy Act, and many field office technical guides have been assembled according to these classes. The system has been adopted in many textbooks and has wide public acceptance. Some state legislation has used the system for various applications. Users should reference Agriculture Handbook No. 210 ([Exhibit 622-2](#)) for a listing of assumptions and broad wording used to define the capability class and capability subclass.
- d. **Application.** All map unit components, including miscellaneous areas, are assigned a capability class and subclass. Agriculture Handbook No. 210 ([Exhibit 622-2](#)) provides general guidance, and individual state guides provide assignments of the class and subclass applicable to the state. Land capability units can be used to differentiate subclasses at the discretion of the state. Capability class and subclass are assigned to map unit components in the national soil information system.

e. **Categories:**

1. **Capability Class:**

Definition. Capability class is the broadest category in the land capability classification system. Class codes I (1), II (2), III (3), IV (4), V (5), VI (6), VII (7), and VIII (8) are used to represent both irrigated and non-irrigated land capability classes.

Classes and definitions:

Class I (1) soils have slight limitations that restrict their use.

Class II (2) soils have moderate limitations that reduce the choice of plants or require moderate conservation practices.

Class III (3) soils have severe limitations that reduce the choice of plants or require special conservation practices, or both.

Class IV (4) soils have very severe limitations that restrict the choice of plants or require very careful management, or both.

Class V (5) soils have little or no hazard of erosion but have other limitations, impractical to remove, that limit their use mainly to pasture, range, forestland, or wildlife food and cover.

Class VI (6) soils have severe limitations that make them generally unsuited to cultivation and that limit their use mainly to pasture, range, forestland, or wildlife food and cover.

Class VII (7) soils have very severe limitations that make them unsuited to cultivation and that restrict their use mainly to grazing, forestland, or wildlife.

Class VIII (8) soils and miscellaneous areas have limitations that preclude their use for commercial plant production and limit their use to recreation, wildlife, or water supply or for esthetic purposes.

2. Capability Subclass:

Definition: Capability subclass is the second category in the land capability classification system. Class codes e, w, s, and c are used for land capability subclasses.

Subclasses and definitions:

Subclass e is made up of soils for which the susceptibility to erosion is the dominant problem or hazard affecting their use. Erosion susceptibility and past erosion damage are the major soil factors that affect soils in this subclass.

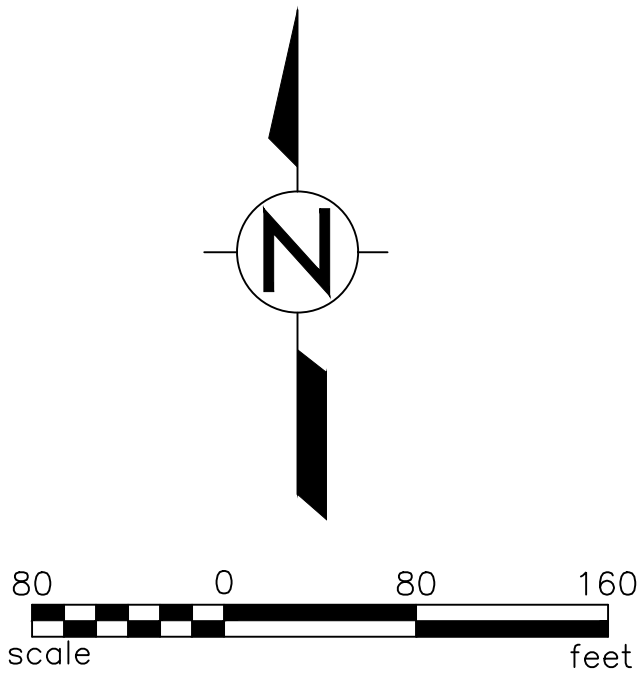
Subclass w is made up of soils for which excess water is the dominant hazard or limitation affecting their use. Poor soil drainage, wetness, a high water table, and overflow are the factors that affect soils in this subclass.

Subclass s is made up of soils that have soil limitations within the rooting zone, such as shallowness of the rooting zone, stones, low moisture-holding capacity, low fertility that is difficult to correct, and salinity or sodium content.

Subclass c is made up of soils for which the climate (the temperature or lack of moisture) is the major hazard or limitation affecting their use.

Application: The subclass represents the dominant limitation that determines the capability class. Within a capability class, where the kinds of limitations are essentially equal, the subclasses have the following priority: e, w, s, and c. Subclasses are not assigned to soils in capability class I (1) and subclass “e” is not used in class V (5).

U.S.D.A. Natural Resources Conservation Service National Soil Survey Handbook, part 622.



ENGINEER
AZTEC
TYPESA Group

OWNER
STANDARD SOLAR

CONTRACTOR
KUNSTO

REVISIONS				REV	DATE	DESCRIPTION	DRW	CK	APV
				0	12/20/18	ISSUED FOR PERMIT	CRK	TFR	SAS

SCALE: 1"=80'
SIZE: 22"x34"
PROJECT#: AZENE1765-05

PROJECT
MURDOCK COMMUNITY SOLAR GARDEN
2169 RIVER ROAD, GRAND JUNCTION, CO 81505

TITLE
SCREENING VEGETATION PLAN

SHEET
L01.01

REV
0

— — — — —

—————

—————

—○—

—x—

RIGHT OF WAY LINE

LEASE BOUNDARY

ACCESS ROAD

EASEMENT

CHAINLINK FENCE

BARBED WIRE FENCE

NATURAL VEGETATION BUFFER

MINIMUM 14' REQUIRED
VEGETATION SCREENING BUFFER
BY CITY OF GRAND JUNCTION

ADDITIONAL VEGETATION SCREENING
BUFFER PROVIDED

SCREENING VEGETATION QUANTITIES	
GROSS SITE AREA	13.00 ACRES
NET PROJECT AREA	10.09 ACRES
NET UNDEVELOPED AREA	3.20 ACRES
MIN REQ'D VEGETATION SCREEN AREA	0.43 ACRES
ADDITIONAL NATIVE VEGETATION BUFFER	2.60 ACRES

ACCEPTANCE BLOCK

THE CITY OF GRAND JUNCTION REVIEW CONSTITUTES GENERAL COMPLIANCE WITH THE CITY'S DEVELOPMENT STANDARDS, SUBJECT TO THESE PLANS BEING SEALED, SIGNED, AND DATED BY THE PROFESSIONAL OF RECORD. REVIEW BY THE CITY DOES NOT CONSTITUTE APPROVAL OF THE PLAN DESIGN. THE CITY NEITHER ACCEPTS NOR ASSUMES ANY LIABILITY FOR ERRORS OR OMISSIONS. ERRORS IN THE DESIGN OR CALCULATIONS REMAIN THE RESPONSIBILITY OF THE PROFESSIONAL OF RECORD.

CONSTRUCTION MUST COMMENCE WITHIN ONE YEAR FROM THE DATE OF THE PLAN SIGNATURE.

CITY DEVELOPMENT ENGINEER

DATE

CITY PLANNER

DATE



U.S. Postal Service
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

NOAA **OFFICIAL USE**
NOA-84531
Certified Mail Fee \$3.45
Extra Services & Fees (check box, add fee)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.50
Total Postage and Fees \$3.95
Sent To Beeman Properties LLC
Street and Apt. No., or PO Box No. PO Box 358
City, State, ZIP+4® Moab, UT 84532
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions
Domestic Mail Only

GRAND JUNCTION, CO 81502
Certified Mail Fee \$3.45
Extra Services & Fees (check box, add fee)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.50
Total Postage and Fees \$3.95
Sent To Mesa Country
Street and Apt. No., or PO Box No. PO Box 2000
City, State, ZIP+4® Grand Junction, CO 81502
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions
Domestic Mail Only

GRAND JUNCTION, CO 81507
Certified Mail Fee \$3.45
Extra Services & Fees (check box, add fee)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.50
Total Postage and Fees \$3.95
Sent To Marie + Ronald Tipping
Street and Apt. No., or PO Box No. 1967 Broadway
City, State, ZIP+4® Grand Junction, CO 81507
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions
Domestic Mail Only

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

LOVELAND, CO 80537
Certified Mail Fee \$3.45
Extra Services & Fees (check box, add fee)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.50
Total Postage and Fees \$3.95
Sent To Scott Murock
Street and Apt. No., or PO Box No. 3550 S. CRS
City, State, ZIP+4® Loveland, CO 80537
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions
Domestic Mail Only

LEXINGTON, KY 40555
Certified Mail Fee \$3.45
Extra Services & Fees (check box, add fee)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.50
Total Postage and Fees \$3.95
Sent To Pilot Travel Centers
Street and Apt. No., or PO Box No. PO Box 54470
City, State, ZIP+4® Lexington, KY 40555
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions
Domestic Mail Only

GRAND JUNCTION, CO 81501
Certified Mail Fee \$3.45
Extra Services & Fees (check box, add fee)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.50
Total Postage and Fees \$3.95
Sent To City of Grand Junction, Attn: Andy Gingrich
Street and Apt. No., or PO Box No. 250 N. 5th St
City, State, ZIP+4® Grand Junction, CO 81501
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions
Domestic Mail Only

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

GRAND JUNCTION, CO 81505
Certified Mail Fee \$3.45
Extra Services & Fees (check box, add fee)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.50
Total Postage and Fees \$3.95
Sent To United Companies of Mesa County
Street and Apt. No., or PO Box No. 2273 River Road
City, State, ZIP+4® Grand Junction, CO 81505
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions
Domestic Mail Only

GRAND JUNCTION, CO 81502
Certified Mail Fee \$3.45
Extra Services & Fees (check box, add fee)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.50
Total Postage and Fees \$3.95
Sent To Martin + Donna Azcarra
Street and Apt. No., or PO Box No. PO Box 2022
City, State, ZIP+4® Grand Junction, CO 81502
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions
Domestic Mail Only

DENVER, CO 80201
Certified Mail Fee \$3.45
Extra Services & Fees (check box, add fee)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.50
Total Postage and Fees \$3.95
Sent To Division of Wildlife
Street and Apt. No., or PO Box No. 6060 Broadway
City, State, ZIP+4® DENVER, CO 80201
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions
Domestic Mail Only

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com.

0070 81



PORTLAND **97143** **97143**

Certified Mail Fee \$3.45

Extra Services & Fees (check box, add fee)

☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.50

Total Postage and Fees \$3.95

Sent To **High Ground Holdings LLC**

Street and Apt. No., or PO Box No. **2606 N. Newcomb St**

City, State, Zip+4[®] **Portland, OR 97217**

PS Form 3800, April 2015 PSN 7530-02-000-9001

0647 EE98 0000 0400 8702

Neighborhood meeting sign in sheet

Jonathan Fitzpatrick <jfitzpatrick@pivotenergy.net>

Tue 1/8/2019 3:34 PM

To: Andrew Gingerich <andrewg@gjcity.org>;

 1 attachments (327 KB)

Sign in sheet.pdf;

Andy,

Per our conversation last week, please find attached the sign in sheet from the neighborhood meeting I held last week at the Red Roof Inn in Grand Junction for the variance application.

No one attended the meeting, which began at 5:30 pm on Thursday January 3, 2019. We concluded the meeting shortly after 6:00 pm.

If you need anything else for the variance application, please let me know.

Additionally, I spoke with Mark Barslund today and he mentioned he'd talk to you soon about the site plan. It sounded like we were in good shape to move things forward very soon. Please let me know how the conversation went/goes.

I also talked to our construction partner and they're going to push the fence back. It seems they've ID'd an engineering solution to address the proximity of the fence to the equipment that will allow us to respect the 15' front setback.

If you have some time to talk after you catch up with Mark, perhaps we could "reset" the table of required items necessary before we can get the site plan approved.

Thanks

Jon

--

JON FITZPATRICK | Director, Project Development
jfitzpatrick@pivotenergy.net

D 303.506.7792 | [LinkedIn](#)

Pivot Energy | *Clean Energy. Clear Choice*
pivotenergy.net

January 3, 2019 5:30 pm

5:30 pm

Name	Phone	Role	Comments
Jon Fitzpatrick	303-506-7792	developer; host	the one requesting variance; he
Amy Gierich	970-256-4026	CITY PLANNER	
Theresa Englbrecht	970-201-1849	BROKER	

CERTIFIED MAIL®

Pivot Energy

1536 Wynkoop St, # 400
Denver, CO 80202



7018 0040 0000 8633 1476

DENVER

00002

13 DEC 18



1000

U.S. POST
FCM LETTER
DENVER, CO
80202
DEC 13, 18
AMOUNT

81501-2628

\$3.00

R2304E1056

City of Grand Junction

Attn: Andrew Gingrich

250 N. 5th St

Grand Junction, CO 81501

81501-266699



[illegible]

Development Application

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado, as described herein do petition this:

Petition For: Variance

Please fill in blanks below only for Zone of Annexation, Rezones, and Comprehensive Plan Amendments:

Existing Land Use Designation

Existing Zoning

Proposed Land Use Designation

Proposed Zoning

Property Information

Site Location: 2169 River Road

Site Acreage: 13

Site Tax No(s): R015186

Site Zoning: I-1

Project Description: Variance from landscaping irrigation requirements

Property Owner Information

Name: R Scott Murdock

Street Address: 3550 S. CR 5

City/State/Zip: Loveland, CO 80537

Business Phone #: 970-613-2094

E-Mail: scott@murdocktrailers.com

Fax #:

Contact Person: Theresa Englbrecht

Contact Phone #: 970-201-1849

Applicant Information

Name: Microgrid Energy LLC, dba Piv

Street Address: 1536 Wynkoop St, #40

City/State/Zip: Denver, CO 80202

Business Phone #: 303-506-7792

E-Mail: jfitzpatrick@pivotenergy.net

Fax #:

Contact Person: Jon Fitzpatrick

Contact Phone #: 303-506-7792

Representative Information

Name: Jon Fitzpatrick

Street Address: 1536 Wynkoop St, #40

City/State/Zip: Denver, CO 80202

Business Phone #: 303-506-7792

E-Mail: jfitzpatrick@pivotenergy.net

Fax #:

Contact Person: Jon Fitzpatrick

Contact Phone #: 303-506-7792

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 may be dropped from the agenda and an additional fee may be charged to cover rescheduling expenses before it can again be placed on the agenda.

Signature of Person Completing the Application

Date December 12, 2018

Signature of Legal Property Owner

Date 12/20/18

R Scott Murdock
Trustee

December 20, 2018

City of Grand Junction Community Development
Attn: Andrew Gingerich, Associate Planner
250 N. 5th St
Grand Junction, CO 80501

RE: General Project Report for Variance Request

A) Project Description

- 1) Location – Mesa County assessor parcel ID: 2697-364-09-002, aka 2169 River Road
- 2) Acreage – 13-acre parcel, approx. 0.81 acres of disturbance, negligible increase in impervious area
- 3) Proposed use – 2 MW community solar garden (“solar array”) that will provide area Xcel Energy electrical customers a subscription benefit of reducing their electrical bills

- B) Public Benefit – Solar arrays, generally, contribute significant overall public benefit by increasing deployment of clean, renewable energy sources. This project will generate an amount of energy equivalent to the needs of 400 – 500 homes annually. It will generate this energy quietly without producing odor from a clean, renewable fuel source – the sun – and the project will bring energy generation resources to the locations where energy is being used. Subscribers to the output from the solar array will receive a financial benefit each month on their energy bills with no risk. They only get billed for credits that are delivered to their bill. They are not responsible for any capital expenses, operational or maintenance costs, etc.

- C) If a “Neighborhood Meeting” has been held, proof of those who attended, along with the date, time and place shall be provided. See the Zoning and Development Code for details on Neighborhood Meetings. Update: Meeting was held on January 3, 2019 at 5:30 pm at the Red Roof Inn located at 2210 Highway 6 & 50, Grand Junction, CO. No one attended other than applicant’s representative, applicant’s land broker, and Andrew Gingerich from City of Grand Junction. The meeting concluded shortly after 6:00 pm.

D) Project Compliance, Compatibility, and Impact

- 1) Adopted plans and/or policies (for rezones, variances, conditional and special use, revocable permits, and vacations, discuss the circumstances that justify the request, as required by the Zoning and Development Code). Variance Requests from the following code:
 - i) **21.06.040 Landscape, buffering and screening standards**
 - ii) Applicant requests variance from landscaping requirements, generally, because the code requirements would result in significant damage to applicant and project, as further discussed below. Applicant proposes in exchange to use native vegetation already existing on site and commits to maintain an amount of screening vegetation well in excess of minimum requirements for this zone district without diverting scarce water resources.
- 2) Land use in the surrounding area. Industrial. The southern and western sides of the site are bordered by Interstate 70, which generally is above the site. To the east is Murdock Trailer Sales, which is not currently operational. To the north is the Persigo Waste Water Treatment plant. Beyond these boundaries are more traditional commercial and industrial uses.
- 3) Site access and traffic patterns. Access will be from River Road and has been approved via a recent replat which has not yet been recorded. There are no permanent staff at the site, and there will be no parking area. The site operates without personnel and generates negligible traffic after construction is complete. It is anticipated that 4 – 8 visits will occur annually once the project is operational, and the project will operate for a minimum of 20 years.
- 4) Availability of utilities, including proximity of fire hydrants. No water, waste water, or electrical utilities are needed for the project. The nearest fire hydrant is located on River Road.
- 5) Special or unusual demands on utilities (high water or sewage quantities, grease, or sediment contribution, pre-treatment needs, etc.). The project will have minimal impacts on the site, and

- areas surrounding the site. Uniquely, the project requires no water, waste water, or sewer services.
- 6) Effects on public facilities (fire, police, sanitation, roads, parks, schools, irrigation, etc.). There are no anticipated effects on public facilities. The site is secure and there are no on-site personnel. The solar array is monitored remotely. The project does not pose a fire risk, does not generate waste, and is not open to the public. This variance request addresses the City's code requirements for irrigation.
 - 7) Hours of operation. Daylight hours, every day of the year.
 - 8) Number of employees. No on-site employees.
 - 9) Signage plans (required with Conditional Use Permits and Planned Development). Only as required by the National Electric Code.
 - 10) Site soils and geology (such as Soils Conservation Service (SCS) soils mapping). According to analysis from the NRCS Web Soil Survey, the site is 100% Sagers silty clay loam, saline, 0 to 2 percent slopes. It has a "land capacity classification" of 7s for irrigated situations and 7c for non-irrigated situations. Soils classified as *Class 7* "have very severe limitations that make them unsuited to cultivation and that restrict their use mainly to grazing, forestland, or wildlife." Subsection s "is made up of soils that have soil limitations within the rooting zone, such as shallowness of the rooting zone, stones, low moisture-holding capacity, low fertility that is difficult to correct, and salinity or sodium content." Subsection c "is made up of soils for which the climate (the temperature or lack of moisture) is the major hazard or limitation affecting their use." Generally, the soils on the project site are not suited for ornamental cultivation. Very few species can successfully exist on a site with these soil conditions. Geotechnical report is attached as Exhibit A. NRCS soils data are attached as Exhibits B and C.
 - 11) Impact of project on site geology and geological hazards, if any. None anticipated.
- E) Must address the review criteria contained in the Zoning and Development Code for the type of application being submitted.
- 1) 21.02.200 Variance.
 - a) Purpose. The purpose of this section is to provide a process for consideration of variances from certain standards of the code.
 - b) Applicability.
 - (1) A variance may be requested for a departure from bulk standards, performance or use-specific standards of Chapter 21.04 GJMC, all overlay district regulations of Chapter 21.07 GJMC, excluding corridor overlay districts, and the sign regulations of Chapter 21.06 GJMC.
 - (2) Variances shall not be requested for:
 - (i) The establishment or expansion of a use in a district in which such use is not permitted by this code;
 - (ii) Residential development which would result in an increase in density greater than that permitted in the applicable zoning district; and
 - (iii) Changes or modifications to any definition contained in this code.
 - c) Approval Criteria. A variance may be granted only if the applicant establishes that all of the following criteria have been met:
 - (1) There are exceptional conditions creating an undue hardship, applicable only to the property involved or the intended use thereof, which do not apply generally to the other land areas or uses within the same zoning district, and such exceptional conditions or undue hardship was not created by the action or inaction of the applicant or owner of the property;
 - (i) **Applicant response:** The GJMC requirements for shade trees along the street frontage (in this case along Interstate 70) would cause undue hardship by creating shade on the solar panels, significantly reducing their energy output. This impact would cascade to all local subscribers to this Community Solar Array, reducing anticipated energy production, which translates to lower monetary bill credits. The unique characteristics of solar energy require that the solar panels remain unshaded during operation, making shade trees planted immediately south of the solar array a significant problem for maximizing energy produced, and decreases the project

subscriber's energy credits and monetary savings. Allowing a lower-growing shrub that is spaced more frequently *and* provides more screening coverage than the zone district's 40' spacing for shade trees without negatively impacting the solar array's production is a fair compromise. In this case, the shrubs are already in place, already established, and exceed the minimum sizes required for new shrub plantings. Because the solar array is relatively low to the ground when compared to other uses in this zone district, the proportional visual screening effect is still met because the shrubs are already approximately 5' above the ground while the solar panels will only be about 7' above the ground at their highest point.

All of this is accomplished without the use of irrigation water. Because the project itself does not have any other need for water, waste water, or sewer, the addition of any infrastructure of this nature would be unnecessary and wasteful. Further, the applicable agencies capable of providing water for irrigation do not support irrigation for this project. They demonstrate this by charging triple for tap fees and water usage (Ute Water), and by deeming water available for "beneficial" uses only (Colorado State Engineer of Division of Water Resources). The nature of our projects are that they bring about a positive impact to the environment by reducing fossil fuel consumption, creating cleaner air and water, and maintaining a harmonious relationship between people and the planet. Using water to grow non-native landscaping in the desert is counter to the project's goals, especially when considering that native, established, unirrigated, drought-tolerant vegetation can remain in place, fulfilling and exceeding the landscaping requirements for the I-1 zone district.

Regarding landscaping in the adjacent public ROW, the CDOT already maintains that property and would not allow applicant to access this space due to safety concerns connected to the high rate of speed of vehicles using the Interstate.

- (2) The variance shall not confer on the applicant any special privilege that is denied to other lands or structures in the same zoning district; **Applicant response:** The unique characteristics of this site and this project are unlikely to be found on any other property in this zone district.
- (3) The literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant; **Applicant response:** The right of the applicant to generate energy (revenue for applicant, energy bill savings for all subscribers) in the most efficient capacity would be significantly curtailed as a result of regular shading on the solar array and the results would cascade down to the project subscribers resulting in lower-than-forecast energy credits. In a worst-case scenario, production could fall below required minimums compromising the long-term viability of the project. Due to the very poor nature of the soils on site, and the inability to properly amend them to become more fruitful, applicant has concerns about the ability to establish any non-native vegetation on the site, which could become an ongoing and costly – yet never solvable – problem. Because water is not required for the project itself, the costs associated with irrigating the parcel are marginally much higher than if the project itself required water on site. Subsequent development on the parcel would likely require water, waste water, and sewer services, making additional investments in water infrastructure marginally less costly. Such development would also likely include other applicable improvements further mentioned in 21.06.040 such as parking lots, lighting, etc. The overall impact of the solar array in this zone district is dramatically less than almost any other project that would be commonly found in this zone district, and is proportionally less expensive to build, generating significantly less revenue as well.

- (4) The applicant and the owner of the property cannot derive a reasonable use of the property without the requested variance; **Applicant response:** Because this property is located immediately east southeast of a waste water treatment facility, there are frequently pungent and unpleasant odors on this site that severely restrict the site's use by the public. The south side of the site is bordered by Interstate 70, but not serviced by an off ramp, meaning the site is subjected to very loud noises at all times of the day and night, as well as exhaust fumes, but without the benefit of the increased accessible traffic. The parcel to the immediate east of the site takes up the entirety of the frontage on River Road, making access to the site severely limited due to the long "flag parcel" shape of the land. The land has been on the market for sale for years without any interest in a purchase despite a healthy economy. There are no higher or better uses for this site than the proposed project.
- (5) The variance is the minimum necessary to make possible the reasonable use of land or structures; **Applicant response:** The proposed variance, which incorporates use of existing, native, drought-tolerant vegetation in lieu of non-native, poorly adapted species will maximize the project's effectiveness for the developer, the subscribers, and the citizens of the Grand Valley. Applicant proposes leaving significantly more native vegetation on the site than is required by code without using any water for irrigation.
- (6) The granting of a variance shall not conflict with the purposes and intents expressed or implied in this code; **Applicant response:** The stated Purpose and Goals of 21.06.040 Landscape, buffering and screening standards read as follows: *The purpose of this section is to enhance the aesthetic appeal of new development. Landscaping reduces heat and glare, facilitates movement of traffic within parking areas, shades cars and parking surfaces reducing local and ambient temperatures, buffers and screens cars from adjacent properties, promotes natural percolation of surface waters, improves air quality, buffers and screens potentially incompatible uses from one another, and conserves the value of property and neighborhoods within the City.*

Currently, the site appears as native, undisturbed desert habitat. Granting the requested variance, and allowing the existing native, established, drought-tolerant plants to remain in place, would enhance the nature and aesthetic appeal of the project. Because the equipment for the solar array is low-profile, a lower-profile natural vegetative screen is appropriate and consistent with the nature of the development. The amount of proposed landscaping on the site far exceeds the minimum requirements for this zone district, meaning that there will be even more heat and glare reduction on the site. There are no parking areas associated with this project, so those provisions are not applicable. Leaving the maximum amount of undisturbed soil maximizes water infiltration and percolation of natural waters, and more plants will work to improve more air quality (along with the benefits of the project itself). There are no incompatible uses in the area as solar is a very low-impact use, generating negligible traffic impacts, no noise or odors, and no impact to views. There will be no negative impact to property or neighbor values as a result of the variance.

- (7) The granting of a variance shall not conflict with the goals, policies and guiding principles of the City's Comprehensive Plan. **Applicant response:** Granting the variance will not conflict with the above.

d) Decision-Making.

- (1) A variance from bulk standards, performance or use-specific standards of Chapter 21.04 GJMC, all overlay district regulations of Chapter 21.07 GJMC, excluding corridor overlay districts, and the sign regulations of Chapter 21.06 GJMC shall be heard and decided by the Zoning Board of Appeals.
- (2) Variances to all other standards, unless otherwise specified, shall be heard and decided by the Planning Commission.

(Ord. 4778, 1-3-18; Ord. 4419, 4-5-10)

- F) Development Schedule and Phasing. The project is scheduled to begin construction as early in 2019 as possible. Building and electrical permits have been reviewed and are pending issuance by Mesa County until the Site Plan Review is completed by City staff. The project will be completed in a single phase, and construction is expected to be complete by April 2019. The project will operate for at least 20 years and may operate as long as 40 or more years.
- G) Additional information: Landscaping requirements for the I-1 zone district in Grand Junction, when applied to this project site, would require a minimum landscaped area of approximately 0.43 acres, all of which as specified by GJMC would be exceptionally difficult-to-keep-alive trees given the soil conditions on site. These trees would be uniformly (and unnaturally) spaced at 40', with 80% of the trees being shade trees (which would significantly impact solar production from the project, affecting area subscribers as discussed above). Based on the length of the frontage of I-70 and the spacing requirements, this would mean approximately 35 trees would be planted. There would be no additional landscaping or screening requirements in this zone district.

Applicant proposes to utilize existing native saltbush (*Atriplex* sp.) plants to greatly exceed the minimum landscaping requirements in this zone district and maintain the existing feel of the site. Solar is a low-impact use, generating no traffic, noise, or air pollution. The equipment is very low to the ground (approx. 7' above grade) and requires infrequent maintenance visits. These saltbush plants have existed on this site for decades and are well adapted to the poor-quality soils mentioned above. Furthermore, because these plants have established on this site naturally, they require no additional water for survival, and their spacing has organically developed as one would expect in nature, with areas of higher and lower concentrations. Nature has allowed these plants to find the most suitable locations across the site, and they have thrived when other plants have not. Because these plants do not grow tall enough to shade the solar panels, solar energy production is not impacted for local subscribers to the project, making them a perfect fit to meet and exceed the requirements of the 21.06.040 for the I-1 zone district.

If approved, more than 3 acres of the 13-acre site (3.03 acres, or 23% of the site area) would remain naturally and natively vegetated at no detriment to the project all while providing screening characteristics in excess of the GJMC requirements at no impact to the project's energy production. This would constitute a 7-fold increase in landscaped area on the site above and beyond the minimum requirements for this zone district. Please see attached Exhibit D, Screening Vegetation Plan, for additional reference.

Thank you for your consideration of this request for a variance.

Regards,



Jon Fitzpatrick
Director, Project Development
Pivot Energy

2216120 BK 3746 PG 595
 09/27/2004 03:43 PM
 Janice Ward CLK&REC Mesa County, CO
 RecFee \$5.00 SurChg \$1.00
 DocFee NO FEE

QUITCLAIM DEED

Grantor(s) R. Scott Murdock

whose address is 3550 S. County Road 5, Loveland, CO 80537

Colorado *County of Larimer and State of

for the consideration of
 Ten dollars and other good and valuable considerations-----

in hand paid, hereby sell(s) and quitclaims(s) to R. Scott Murdock Trust of the Dollars,
 R. Scott Murdock Trust

whose address is 3550 S. County Road 5, Loveland, CO 80537

County of Larimer, and State of Colorado, the following
 real property, in the County of Mesa and State of Colorado, to wit:

ALL THAT PART OF THE SW $\frac{1}{4}$ SE $\frac{1}{4}$ AND ALL THAT PART OF THE NW $\frac{1}{4}$ SE $\frac{1}{4}$ AND SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ AND SE $\frac{1}{4}$ SW $\frac{1}{4}$ OF SECTION 36, TOWNSHIP 1 NORTH, RANGE 2 WEST OF THE UTE MERIDIAN, LYING SOUTH AND EAST OF THE DRAINAGE DITCH AS NOW CONSTRUCTED ALSO KNOWN AS PERSIGO WASH, AND LYING SOUTH AND WEST OF THE SOUTHERLY RIGHT-OF-WAY LINE OF RIVER ROAD, AND LYING NORTHERLY OF INTERSTATE HIGHWAY 70

also known as street and number: 2173 and 2169 River Road, Grand Junction, CO

assessor's schedule or parcel number:
 with all its appurtenances

Signed this

14th day of September

2004

R. Scott Murdock
 R. Scott Murdock

STATE OF COLORADO,

County of Larimer

The foregoing instrument was acknowledged before me this
 by R. Scott Murdock

ss.

14th day of September, 2004

Witness my hand and official seal.

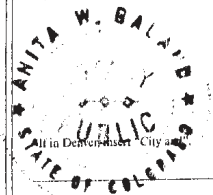
My commission expires;

Dec 17, 2005

Anita W. Baland
 Anita W. Baland

Notary Public

Name and Address of Person Creating Newly Created Legal Description (§ 38-35-106.5, C.R.S.)



Return to Thomas W. Metcalf, 71 Collins, CO 80501-4



Huddlestone-Berry
Engineering & Testing, LLC

640 White Avenue
Grand Junction, Colorado 81501
Phone: 970-255-8005
Fax: 970-255-6818
Info@huddlestoneberry.com

August 7, 2018
Project#01669-0006

Microgrid Energy
1644 Platte Street, 4th Floor
Denver, Colorado 80202

Attention: Mr. Jonathan Fitzpatrick

Subject: Geotechnical Investigation
Murdock Property
Grand Junction, Colorado

Dear Mr. Fitzpatrick,

This letter presents the results of a geotechnical investigation conducted by Huddlestone-Berry Engineering & Testing, LLC (HBET) at the Murdock Property in Grand Junction, Colorado. The site location is shown on Figure 1. The proposed construction is anticipated to include a new solar array. The scope of our investigation included evaluating the subsurface conditions at the site to aid in developing foundation recommendations for the proposed construction.

Site Conditions

At the time of the investigation, most the site was heavily vegetated with tall brush, weeds, grasses, and small trees. However, an existing structure and open area were present in the northeastern portion of the site. The site was fairly flat. The site was bordered to the northeast by River Road, to the south by I-70, to the east by a vacant lot, and to the northwest by Persigo Wash and the Persigo water treatment plant.

Subsurface Investigation

The subsurface investigation included eight borings as shown on Figure 2 – Site Plan. The borings were drilled to depths of between 9.5 and 20.0 feet below the existing ground surface. Typed boring logs are included in Appendix A.

As indicated on the logs, the subsurface conditions at the site were slightly variable. However, the borings generally encountered interbedded layers of brown, moist to wet, dense to very loose / hard to soft silty sand, sandy silt, and lean clay from the ground surface to depths of between 7.0 and 17.0 feet. Below the sand, silt, and clay soils, brown, moist to wet, dense sandy gravel and cobbles extended to the bottoms of the borings. Groundwater was encountered in the subsurface at depths of between 9.0 and 11.0 feet at the time of the investigation.

Laboratory Testing

Laboratory testing was conducted on samples of the native soils collected from the borings. The testing included grain-size analysis, Atterberg limits determination, natural moisture content determination, water soluble sulfates content determination, resistivity testing, pH determination, and maximum dry density and optimum moisture content (Proctor) determination. The laboratory testing results are included in Appendix B.

The laboratory testing results indicate that the native clay soils are moderately plastic. Based upon the plasticity of the materials, the native clay soils are anticipated to be slightly expansive.

The native silt and sand soils were indicated to be non-plastic. Based upon our experience with similar soils in the vicinity of the subject site, the native silt and sand soils are anticipated to be slightly collapsible.

Water soluble sulfates were detected in the site soils in a concentration of 0.2%. The pH of the soil was determined to be 8.0 and the soil resistivity was determined to be 980 ohm-cm.

Foundation Recommendations

Based upon information provided to HBET, shallow driven steel are likely for support of the solar arrays. However, control structures, transformers, etc. will likely be constructed above monolithic structural slabs.

Driven Steel Piles

HBET understands that the piles are anticipated to range from eight to twelve feet in length. As a result, most of the piles will bear in the native clay, silt, and sand soils. However, some of the piles may bear on the dense gravel and cobble soils. Based upon the results of the subsurface investigation, an allowable skin friction capacity of 250 psf may be used for driven steel piles.

Based upon the variable soil conditions, HBET recommends that end bearing be ignored in the clay, sand, and silt soils. However, an allowable end bearing capacity of 2,500 psf may be used for the dense gravel and cobble soils.

For lateral capacity of the piles, the following soil parameters are recommended for use in lateral pile capacity analyses:

Soil Type	Soft Clay
Density (pci)	0.0607
Cohesion (psi)	2.5
Friction Angle (ϕ)	0
ϵ_{50} (in/in)	0.02
K (pci)	30

Monolithic Structural Slabs

As discussed previously, the shallow native soils are moisture sensitive. Therefore, in order to provide a uniform bearing stratum and reduce the risk of excessive differential movements, it is recommended that the foundations be constructed above a minimum of 24-inches of structural fill.

Due to the plasticity of the native clays, the native soils are not suitable for reuse as structural fill. Imported structural fill should consist of a granular, non-expansive, non-free draining material such as crusher fines or CDOT Class 6 base course. Unless it can be demonstrated that they are not free draining, pit-run materials may not be used as structural fill.

Structural fill should extend across the entire building pad area to a depth of 24-inches below the turndown edges. Structural fill should extend laterally beyond the edges of the foundations a distance equal to the thickness of structural fill.

Prior to placement of structural fill, it is recommended that the bottom of the foundation excavation be scarified to a depth of 6 to 8 inches, moisture conditioned, and compacted to a minimum of 95% of the standard Proctor maximum dry density, within $\pm 2\%$ of the optimum moisture content as determined in accordance with ASTM D698. However, as discussed previously, soft soil conditions were encountered at the site and compaction of the subgrade may be difficult. It may be necessary to utilize geotextile and/or geogrid in conjunction with up to 30-inches of additional granular fill to stabilize the subgrade. HBET should be contacted to provide specific recommendations for subgrade stabilization based upon the actual conditions encountered during construction.

Structural fill should be moisture conditioned, placed in maximum 8-inch loose lifts, and compacted to a minimum of 95% of the standard Proctor maximum dry density for fine grained soils and 90% of the modified Proctor maximum dry density for coarse grained soils, within $\pm 2\%$ of the optimum moisture content as determined in accordance with ASTM D698 and D1557, respectively. Structural fill should be extended to within 0.1-feet of the bottom of the foundation. No more than 0.1-feet of gravel should be placed below the turndown edge as a leveling course.

For structural fill consisting of imported granular materials, and foundation building pad preparation as recommended, a maximum allowable bearing capacity of 1,500 psf may be used. In addition, a modulus of subgrade reaction of 200 pci may be used for structural fill consisting of crusher fines or base course. Foundations subject to frost should be at least 24 inches below the finished grade

Corrosion of Concrete and Steel

As discussed previously, water soluble sulfates were detected in the site soils in a concentration of 0.2%. This concentration represents a severe degree of potential sulfate attack on concrete. The International Building Code (IBC) specifies Type V cement for this concentration of sulfates. However, Type V cement can be difficult to obtain in Western Colorado. Where Type V cement is unavailable, Type I-II sulfate resistant cement is recommended.

Also, as discussed previously, the soil resistivity was determined to be 980 ohm-cm. In general, soil resistivity of less than 1,000 ohm-cm suggests an aggressive environment with regard to steel corrosion. Therefore, HBET recommends that steel corrosion be considered in the design of the solar array support pilings.

Lateral Earth Pressures

Any retaining walls should be designed to resist lateral earth pressures. For backfill consisting of the native soils or imported granular, non-free draining, non-expansive material, we recommend that the walls be designed for an active equivalent fluid unit weight of 55 pcf in areas where no surcharge loads are present. Lateral earth pressures should be increased as necessary to reflect any surcharge loading behind the walls.

Seismic Site Classification

Based upon the results of the subsurface investigation, the site generally classifies as Seismic Site Class D for a stiff soil profile.

Drainage and Grading

As discussed previously, the shallow native soils range from slightly collapsible to slightly expansive. Therefore, the long-term performance of the arrays is dependent on proper grading and drainage. As a result, it is recommended that grading at the site carry water away from the bases of the solar arrays. Water should not be permitted to pond and infiltrate into the subsurface.

Excavations

Excavations in the soils at the site may stand for short periods of time but should not be considered to be stable. Trenching and excavations should be sloped back, shored, or shielded for worker protection in accordance with applicable OSHA standards. The soils generally classify as Type C soil with regard to OSHA's *Construction Standards for Excavations*. For Type C soils, the maximum allowable slope in temporary cuts is 1.5H:1V. However, the classification is based solely on the boring data. If necessary, HBET should be contacted to further evaluate the classification of the soils during construction.

General Notes

The recommendations included above are based upon the results of the subsurface investigation and on our local experience. These conclusions and recommendations are valid only for the proposed construction.

As discussed previously, the subsurface conditions at the site were slightly variable. However, the precise nature and extent of any subsurface variability may not become evident until construction. Therefore, HBET should be retained to provide materials testing and engineering oversight during **ALL** phases of the construction to verify the subsurface conditions and ensure conformance with the recommendations herein.

We are pleased to be of service to your project. Please contact us if you have any questions or comments regarding the contents of this report.

Respectfully Submitted:
Huddleston-Berry Engineering and Testing, LLC



Michael A. Berry, P.E.
Vice President of Engineering

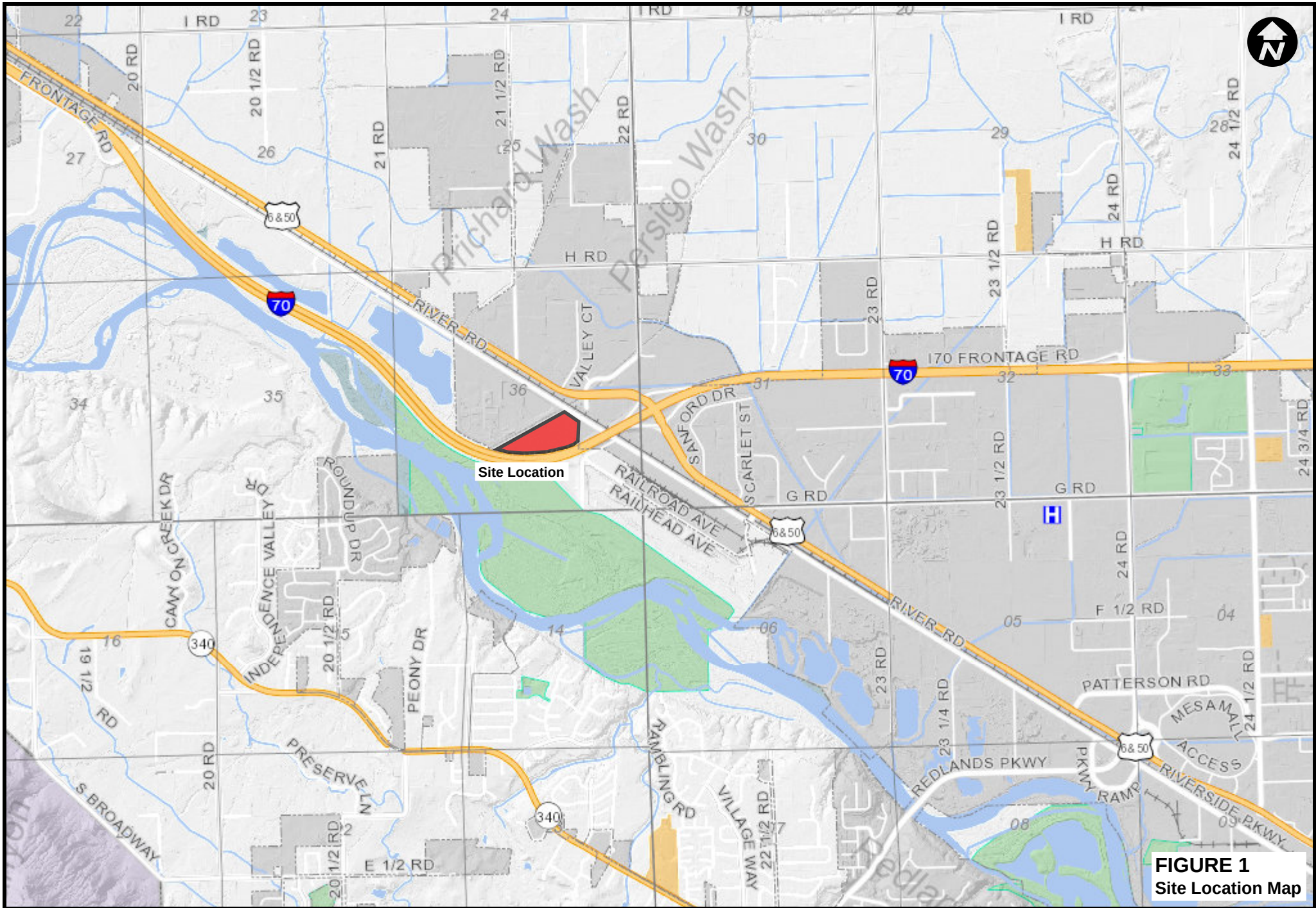
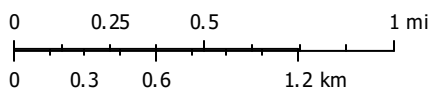
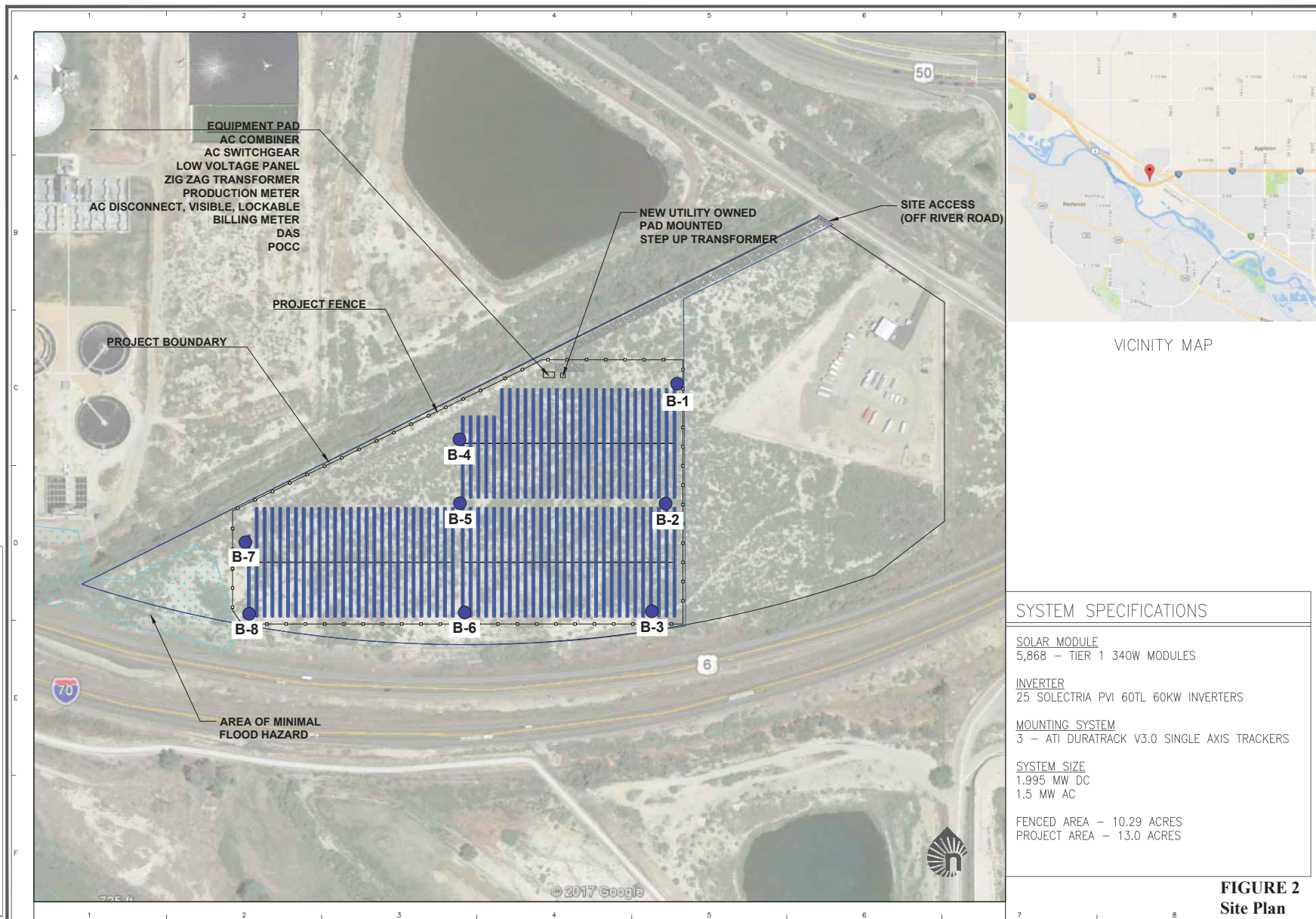


FIGURE 1
Site Location Map

Mesa County Map

The Geographic Information System (GIS) and its components are designed as a source of reference for answering inquiries, for planning and for modeling. GIS is not intended or does not replace legal description information in the chain of title and other information contained in official government records such as the County Clerk and Records office or the courts. In addition, the representations of location in this GIS cannot be substitute for actual legal surveys. The information contained herein is believed accurate and suitable for the limited uses, and subject to the limitations, set forth above. Mesa County makes no warranty as to the accuracy or suitability of any information contained herein. Users assume all risk and responsibility for any and all damages, including consequential damages, which may flow from the user's use of this information.





PRELIMINARY SITE PLAN

SCALE
1/8"=1'-0"

PRELIMINARY SITE PLAN SOLAR ARRAY WORK PLAN	DRAWING NUMBER: X-1	SHEET NUMBER: 1	REVISION 1
	PROJECT NO.: TBA	DATE: 6/29/17	CHECK DATE: APPROVED DATE:
	MICROGRID ENERGY 2014 17TH STREET DENVER, CO 80202 www.microgridenergy.com		
	MURDOCK SOLAR GARDEN 2169 RIVER ROAD GRAND JUNCTION, CO 81505		

APPENDIX A
Typed Boring Logs



Huddlestone-Berry Engineering & Testing, LLC
640 White Avenue, Unit B
Grand Junction, CO 81501
970-255-8005
970-255-6818

BORING NUMBER B-1

PAGE 1 OF 1

CLIENT	Microgrid Energy	PROJECT NAME	Murdock Property
PROJECT NUMBER	01669-0006	PROJECT LOCATION	Grand Junction, CO
DATE STARTED	7/13/18	COMPLETED	7/13/18
DRILLING CONTRACTOR	S. McCracken	GROUND ELEVATION	
DRILLING METHOD	Simco 2000 Track Rig	HOLE SIZE	4-inches
LOGGED BY	SD	CHECKED BY	MAB
NOTES			
GROUND WATER LEVELS:			
▽ AT TIME OF DRILLING		9.0 ft	
▼ AT END OF DRILLING		9.0 ft	
AFTER DRILLING		---	

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS			FINES CONTENT (%)
									LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	
0		interbedded layers of Silty Sand (SM), Sandy SILT (ml), and Lean CLAY (cl), brown, moist to wet, medium dense to very loose / stiff to soft										
5			SS 1	72	9-10-10 (20)							
10			SS 2	72	2-1-1 (2)							
15		*** Lab Classified SS3	SS 3	100	1-1-2 (3)			24	NP	NP	NP	12
20		Sandy GRAVEL and Cobbles (gw), brown, wet, dense	SS 4	39	2-20-30 (50)							
		Bottom of hole at 20.0 feet.										

GEOTECH BH COLUMNS 01669-0006 MURDOCK PROPERTY.GPJ GINT US LAB.GDT 8/7/18



Huddlestone-Berry Engineering & Testing, LLC
640 White Avenue, Unit B
Grand Junction, CO 81501
970-255-8005
970-255-6818

BORING NUMBER B-3

PAGE 1 OF 1

CLIENT	Microgrid Energy	PROJECT NAME	Murdock Property
PROJECT NUMBER	01669-0006	PROJECT LOCATION	Grand Junction, CO
DATE STARTED	7/13/18	COMPLETED	7/13/18
DRILLING CONTRACTOR	S. McCracken	GROUND ELEVATION	
DRILLING METHOD	Simco 2000 Track Rig	HOLE SIZE	4-inches
LOGGED BY	SD	CHECKED BY	MAB
NOTES			
		GROUND WATER LEVELS:	
		▽ AT TIME OF DRILLING	11.0 ft
		▼ AT END OF DRILLING	11.0 ft
		AFTER DRILLING	---

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS			FINES CONTENT (%)
									LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	
0.0		Interbedded layers of Silty SAND (sm), Sandy SILT (ml), and Lean CLAY (cl), brown, moist to wet, medium dense to loose / very stiff to medium stiff										
2.5			SS 1	78	6-6-9 (15)							
5.0												
7.5			SS 2	89	3-3-3 (6)							
10.0												
12.5		Sandy GRAVEL and COBBLES (gw), brown, wet, dense	SS 3	72	4-30-20 (50)							
		Bottom of hole at 14.5 feet.										

GEOTECH BH COLUMNS 01669-0006 MURDOCK PROPERTY.GPJ GINT US LAB.GDT 8/7/18

640 White Avenue, Unit B
Grand Junction, CO 81501
970-255-8005
970-255-6818



Huddlestone-Berry Engineering & Testing, LLC
640 White Avenue, Unit B
Grand Junction, CO 81501
970-255-8005
970-255-6818

BORING NUMBER B-5

PAGE 1 OF 1

CLIENT	Microgrid Energy	PROJECT NAME	Murdock Property
PROJECT NUMBER	01669-0006	PROJECT LOCATION	Grand Junction, CO
DATE STARTED	7/13/18	COMPLETED	7/13/18
DRILLING CONTRACTOR	S. McCracken	GROUND ELEVATION	
DRILLING METHOD	Simco 2000 Track Rig	HOLE SIZE	4-inches
LOGGED BY	SD	CHECKED BY	MAB
NOTES			
GROUND WATER LEVELS:			
AT TIME OF DRILLING		dry	
AT END OF DRILLING		dry	
AFTER DRILLING		---	

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS			FINES CONTENT (%)
									LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	
0.0		Interbedded layers of Silty SAND(sm), Sandy SILT (ML), and Lean CLAY (cl), brown, moist, medium dense to very loose / very stiff to medium stiff										
2.5			SS 1	89	6-8-9 (17)							
5.0												
7.5		*** Lab Classified SS1	SS 2	78	3-3-1 (4)			11	NP	NP	NP	52
10.0												
12.5		Sandy GRAVEL and COBBLES (gw), brown, moist, dense										
		Bottom of hole at 13.5 feet.										

GEOTECH BH COLUMNS 01669-0006 MURDOCK PROPERTY.GPJ GINT US LAB.GDT 8/7/18



Huddlestone-Berry Engineering & Testing, LLC
640 White Avenue, Unit B
Grand Junction, CO 81501
970-255-8005
970-255-6818

BORING NUMBER B-6

PAGE 1 OF 1

CLIENT	Microgrid Energy	PROJECT NAME	Murdock Property
PROJECT NUMBER	01669-0006	PROJECT LOCATION	Grand Junction, CO
DATE STARTED	7/13/18	COMPLETED	7/13/18
DRILLING CONTRACTOR	S. McCracken	GROUND ELEVATION	
DRILLING METHOD	Simco 2000 Track Rig	HOLE SIZE	4-inches
LOGGED BY	SD	CHECKED BY	MAB
NOTES	Auger Refusal at 9.5 Ft		
GROUND WATER LEVELS:		AT TIME OF DRILLING	
		dry	
		AT END OF DRILLING	
		dry	
		AFTER DRILLING	

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS			FINES CONTENT (%)
									LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	
0.0		Interbedded layers of Silty SAND (sm), Sandy SILT (ml), and Lean CLAY (cl), brown, moist, medium dense to dense / stiff to hard										
2.5			SS 1	76	7-7-8/5"							
5.0												
7.5		Sandy GRAVEL and COBBLES (gw), brown, moist, dense to very dense	SS 2	89	4-10-22 (32)							
		Bottom of hole at 9.5 feet.										

GEOTECH BH COLUMNS 01669-0006 MURDOCK PROPERTY.GPJ GINT US LAB.GDT 8/7/18



Huddlestone-Berry Engineering & Testing, LLC
640 White Avenue, Unit B
Grand Junction, CO 81501
970-255-8005
970-255-6818

BORING NUMBER B-7

PAGE 1 OF 1

CLIENT	Microgrid Energy	PROJECT NAME	Murdock Property
PROJECT NUMBER	01669-0006	PROJECT LOCATION	Grand Junction, CO
DATE STARTED	7/13/18	COMPLETED	7/13/18
DRILLING CONTRACTOR	S. McCracken	GROUND ELEVATION	
DRILLING METHOD	Simco 2000 Track Rig	HOLE SIZE	4-inches
LOGGED BY	SD	CHECKED BY	MAB
NOTES			
		GROUND WATER LEVELS:	
		AT TIME OF DRILLING	dry
		AT END OF DRILLING	dry
		AFTER DRILLING	---

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS			FINES CONTENT (%)
									LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	
0.0		Interbedded layers of Silty SAND (sm), Sandy SILT (ml), and Lean CLAY (cl), brown, moist, medium dense to loose / medium stiff to soft										
2.5			SS 1	83	4-4-4 (8)							
5.0												
7.5			SS 2	83	2-1-2 (3)							
10.0												
12.5		Sandy GRAVEL and COBBLES (gw), brown, moist, dense										
		Bottom of hole at 14.5 feet.										

APPENDIX B

Laboratory Testing Results



Huddlestone-Berry Engineering & Testing, LLC
640 White Avenue, Unit B
Grand Junction, CO 81501
970-255-8005
970-255-6818

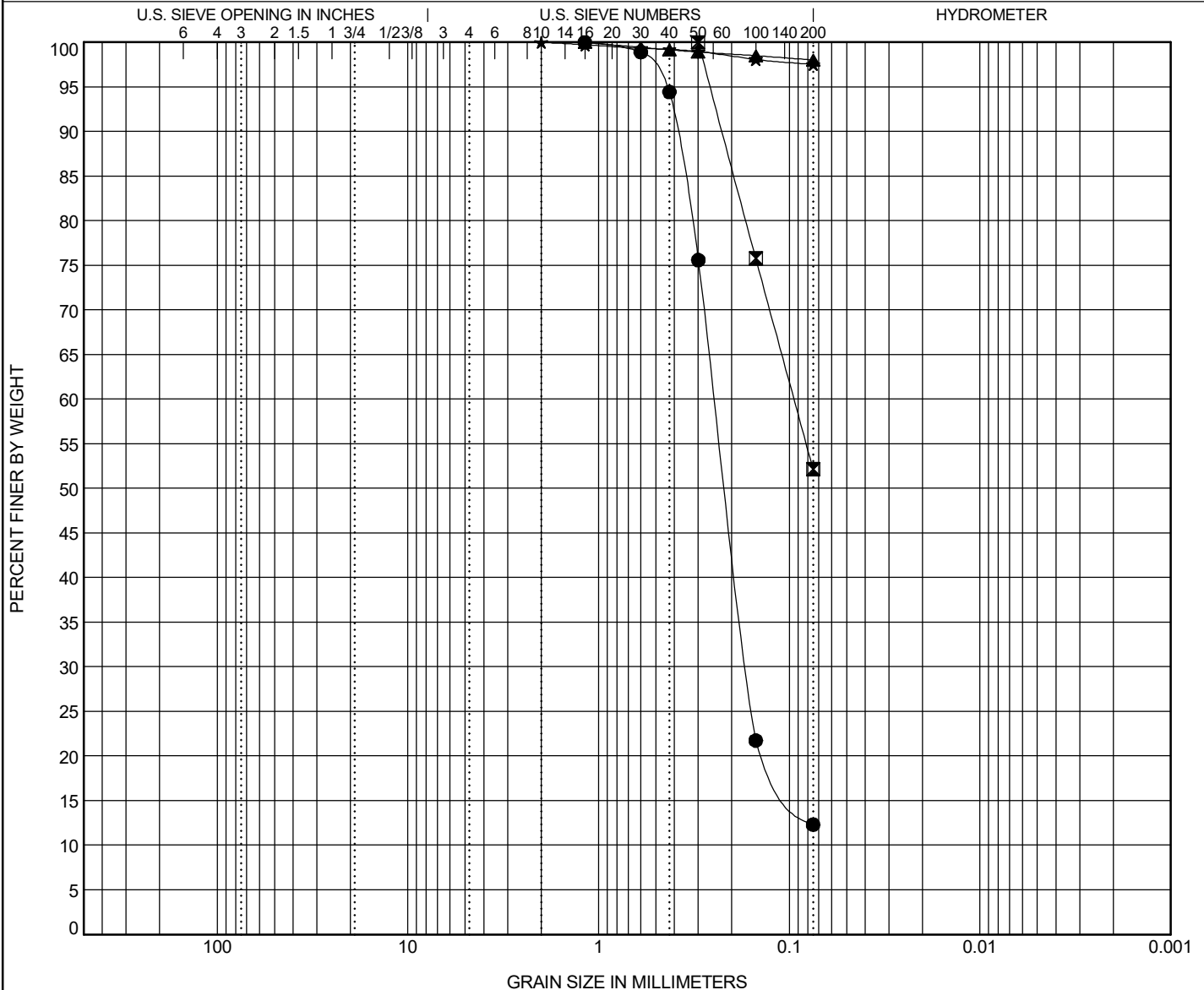
GRAIN SIZE DISTRIBUTION

CLIENT Microgrid Energy

PROJECT NAME Murdock Property

PROJECT NUMBER 01669-0006

PROJECT LOCATION Grand Junction, CO



COBBLES	GRAVEL		SAND			SILT OR CLAY
	coarse	fine	coarse	medium	fine	

Specimen Identification			Classification			LL	PL	PI	Cc	Cu
●	B-1, SS3	7/18	SILTY SAND(SM)			NP	NP	NP	1.79	3.88
☒	B-5, SS2	7/18	SANDY SILT(ML)			NP	NP	NP		
▲	B-8, SS1	7/18	LEAN CLAY(CL)			44	23	21		
★	Composite	7/18	LEAN CLAY(CL)			45	21	24		
Specimen Identification			D100	D60	D30	D10	%Gravel	%Sand	%Silt	%Clay
●	B-1, SS3	7/18	1.18	0.245	0.167		0.0	87.7	12.3	
☒	B-5, SS2	7/18	0.3	0.094			0.0	47.8	52.2	
▲	B-8, SS1	7/18	1.18				0.0	2.0	98.0	
★	Composite	7/18	2				0.0	2.5	97.5	



Huddlestone-Berry Engineering & Testing, LLC
640 White Avenue, Unit B
Grand Junction, CO 81501
970-255-8005
970-255-6818

MOISTURE-DENSITY RELATIONSHIP

CLIENT Microgrid Energy

PROJECT NAME Murdock Property

PROJECT NUMBER 01669-0006

PROJECT LOCATION Grand Junction, CO

Sample Date: 7/13/2018
Sample No.: 1
Source of Material: Composite
Description of Material: LEAN CLAY(CL)
Test Method: ASTM D698A

TEST RESULTS

Maximum Dry Density 104.5 PCF
Optimum Water Content 22.5 %

GRADATION RESULTS (% PASSING)

<u>#200</u>	<u>#4</u>	<u>3/4"</u>
<u>98</u>	<u>100</u>	<u>100</u>

ATTERBERG LIMITS

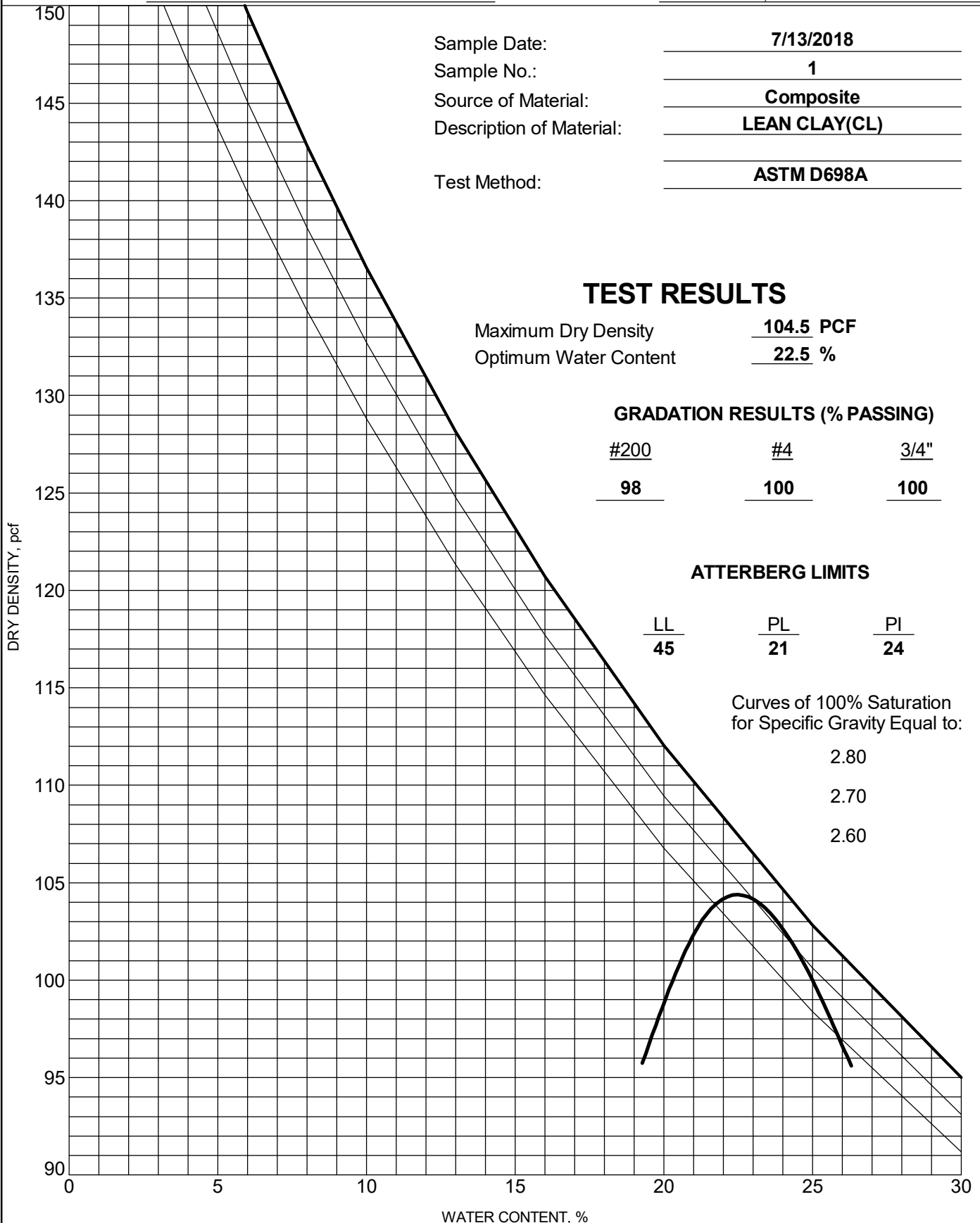
<u>LL</u>	<u>PL</u>	<u>PI</u>
<u>45</u>	<u>21</u>	<u>24</u>

Curves of 100% Saturation
for Specific Gravity Equal to:

2.80

2.70

2.60



Mesa County Area, Colorado

BcS—Sagers silty clay loam, saline, 0 to 2 percent slopes

Map Unit Setting

National map unit symbol: k0bs

Elevation: 4,490 to 4,920 feet

Mean annual precipitation: 6 to 9 inches

Mean annual air temperature: 50 to 55 degrees F

Frost-free period: 140 to 180 days

Farmland classification: Not prime farmland

Map Unit Composition

Sagers, saline, and similar soils: 90 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Sagers, Saline

Setting

Landform: Terraces

Landform position (three-dimensional): Tread

Down-slope shape: Linear, concave

Across-slope shape: Linear

Parent material: Cretaceous source alluvium derived from sandstone and shale

Typical profile

Ap - 0 to 12 inches: silty clay loam

C - 12 to 25 inches: silty clay loam

Cy - 25 to 60 inches: silty clay loam

Properties and qualities

Slope: 0 to 2 percent

Depth to restrictive feature: More than 80 inches

Natural drainage class: Well drained

Runoff class: Low

Capacity of the most limiting layer to transmit water (Ksat):

Moderately high (0.21 to 0.71 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum in profile: 15 percent

Gypsum, maximum in profile: 5 percent

Salinity, maximum in profile: Strongly saline (16.0 to 32.0 mmhos/cm)

Available water storage in profile: Low (about 4.9 inches)

Interpretive groups

Land capability classification (irrigated): 7s

Land capability classification (nonirrigated): 7c

Hydrologic Soil Group: C

Ecological site: Desert Loam (Shadscale) (R034BY106UT)
Hydric soil rating: No

Data Source Information

Soil Survey Area: Mesa County Area, Colorado
Survey Area Data: Version 9, Sep 10, 2018

Land Capability Classification:

- a. **Definition.** Land capability classification is a system of grouping soils primarily on the basis of their capability to produce common cultivated crops and pasture plants without deteriorating over a long period of time.
- b. **Classes.** Land capability classification is subdivided into capability class and capability subclass nationally. Some states also use a capability unit.
- c. **Significance.** Land capability classification has value as a grouping of soils. National Resource Inventory information, Farmland Protection Policy Act, and many field office technical guides have been assembled according to these classes. The system has been adopted in many textbooks and has wide public acceptance. Some state legislation has used the system for various applications. Users should reference Agriculture Handbook No. 210 ([Exhibit 622-2](#)) for a listing of assumptions and broad wording used to define the capability class and capability subclass.
- d. **Application.** All map unit components, including miscellaneous areas, are assigned a capability class and subclass. Agriculture Handbook No. 210 ([Exhibit 622-2](#)) provides general guidance, and individual state guides provide assignments of the class and subclass applicable to the state. Land capability units can be used to differentiate subclasses at the discretion of the state. Capability class and subclass are assigned to map unit components in the national soil information system.

e. **Categories:**

1. **Capability Class:**

Definition. Capability class is the broadest category in the land capability classification system. Class codes I (1), II (2), III (3), IV (4), V (5), VI (6), VII (7), and VIII (8) are used to represent both irrigated and non-irrigated land capability classes.

Classes and definitions:

Class I (1) soils have slight limitations that restrict their use.

Class II (2) soils have moderate limitations that reduce the choice of plants or require moderate conservation practices.

Class III (3) soils have severe limitations that reduce the choice of plants or require special conservation practices, or both.

Class IV (4) soils have very severe limitations that restrict the choice of plants or require very careful management, or both.

Class V (5) soils have little or no hazard of erosion but have other limitations, impractical to remove, that limit their use mainly to pasture, range, forestland, or wildlife food and cover.

Class VI (6) soils have severe limitations that make them generally unsuited to cultivation and that limit their use mainly to pasture, range, forestland, or wildlife food and cover.

Class VII (7) soils have very severe limitations that make them unsuited to cultivation and that restrict their use mainly to grazing, forestland, or wildlife.

Class VIII (8) soils and miscellaneous areas have limitations that preclude their use for commercial plant production and limit their use to recreation, wildlife, or water supply or for esthetic purposes.

2. Capability Subclass:

Definition: Capability subclass is the second category in the land capability classification system. Class codes e, w, s, and c are used for land capability subclasses.

Subclasses and definitions:

Subclass e is made up of soils for which the susceptibility to erosion is the dominant problem or hazard affecting their use. Erosion susceptibility and past erosion damage are the major soil factors that affect soils in this subclass.

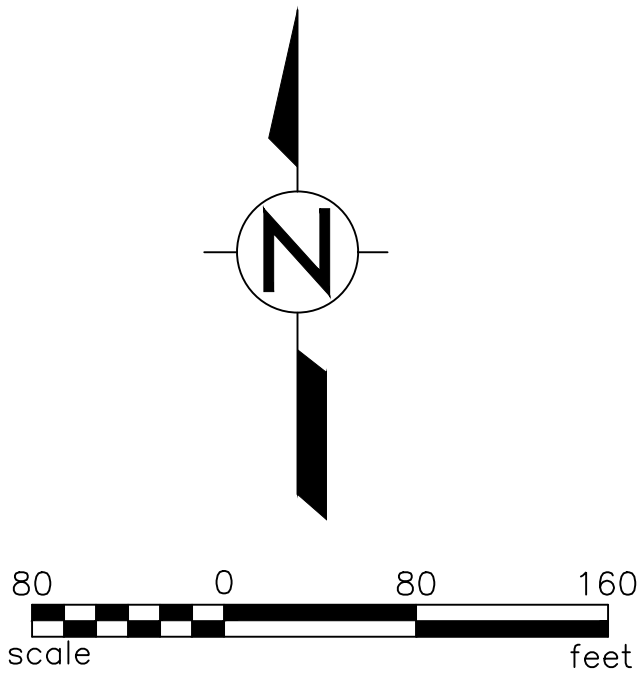
Subclass w is made up of soils for which excess water is the dominant hazard or limitation affecting their use. Poor soil drainage, wetness, a high water table, and overflow are the factors that affect soils in this subclass.

Subclass s is made up of soils that have soil limitations within the rooting zone, such as shallowness of the rooting zone, stones, low moisture-holding capacity, low fertility that is difficult to correct, and salinity or sodium content.

Subclass c is made up of soils for which the climate (the temperature or lack of moisture) is the major hazard or limitation affecting their use.

Application: The subclass represents the dominant limitation that determines the capability class. Within a capability class, where the kinds of limitations are essentially equal, the subclasses have the following priority: e, w, s, and c. Subclasses are not assigned to soils in capability class I (1) and subclass “e” is not used in class V (5).

U.S.D.A. Natural Resources Conservation Service National Soil Survey Handbook, part 622.



ENGINEER
AZTEC
TYPESA Group

OWNER
STANDARD SOLAR

CONTRACTOR
KUNSTO

REVISIONS				
REV	DATE	DESCRIPTION	DRW	CK
0	12/20/18	ISSUED FOR PERMIT	CRK	TFR

SCALE: 1"=80'
SIZE: 22"x34"
PROJECT#: AZENE1765-05

PROJECT
MURDOCK COMMUNITY SOLAR GARDEN
2169 RIVER ROAD, GRAND JUNCTION, CO 81505

TITLE
SCREENING VEGETATION PLAN

SHEET
L01.01

REV
0

— — — — —

—————

—————

—○—

—x—

RIGHT OF WAY LINE

LEASE BOUNDARY

ACCESS ROAD

EASEMENT

CHAINLINK FENCE

BARBED WIRE FENCE

NATURAL VEGETATION BUFFER

MINIMUM 14' REQUIRED
VEGETATION SCREENING BUFFER
BY CITY OF GRAND JUNCTION

ADDITIONAL VEGETATION SCREENING
BUFFER PROVIDED

SCREENING VEGETATION QUANTITIES	
GROSS SITE AREA	13.00 ACRES
NET PROJECT AREA	10.09 ACRES
NET UNDEVELOPED AREA	3.20 ACRES
MIN REQ'D VEGETATION SCREEN AREA	0.43 ACRES
ADDITIONAL NATIVE VEGETATION BUFFER	2.60 ACRES

ACCEPTANCE BLOCK

THE CITY OF GRAND JUNCTION REVIEW CONSTITUTES GENERAL COMPLIANCE WITH THE CITY'S DEVELOPMENT STANDARDS, SUBJECT TO THESE PLANS BEING SEALED, SIGNED, AND DATED BY THE PROFESSIONAL OF RECORD. REVIEW BY THE CITY DOES NOT CONSTITUTE APPROVAL OF THE PLAN DESIGN. THE CITY NEITHER ACCEPTS NOR ASSUMES ANY LIABILITY FOR ERRORS OR OMISSIONS. ERRORS IN THE DESIGN OR CALCULATIONS REMAIN THE RESPONSIBILITY OF THE PROFESSIONAL OF RECORD.

CONSTRUCTION MUST COMMENCE WITHIN ONE YEAR FROM THE DATE OF THE PLAN SIGNATURE.

CITY DEVELOPMENT ENGINEER

DATE

CITY PLANNER

DATE



U.S. Postal Service
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

NOAA **OFFICIAL USE**
NOA-84531
Certified Mail Fee \$3.45
Extra Services & Fees (check box, add fee)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.50
Total Postage and Fees \$3.95
Sent To
Street and Apt. No., or PO Box No.
City, State, ZIP+4®
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions
Domestic Mail Only

Sent To
Beeman Properties LLC
Po Box 358
Moab, UT 84532
City, State, ZIP+4®
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

GRAND JUNCTION, CO 81502
Certified Mail Fee \$3.45
Extra Services & Fees (check box, add fee)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.50
Total Postage and Fees \$3.95
Sent To
Street and Apt. No., or PO Box No.
City, State, ZIP+4®
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions
Domestic Mail Only

Sent To
Mesa County
Po Box 2000
Grand Junction, CO 81502
City, State, ZIP+4®
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

GRAND JUNCTION, CO 81507
Certified Mail Fee \$3.45
Extra Services & Fees (check box, add fee)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.50
Total Postage and Fees \$3.95
Sent To
Street and Apt. No., or PO Box No.
City, State, ZIP+4®
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions
Domestic Mail Only

Sent To
Marie + Ronald Tipping
1967 Broadway
Street and Apt. No., or PO Box No.
City, State, ZIP+4®
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions
Domestic Mail Only

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

LOVELAND, CO 80537
Certified Mail Fee \$3.45
Extra Services & Fees (check box, add fee)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.50
Total Postage and Fees \$3.95
Sent To
Street and Apt. No., or PO Box No.
City, State, ZIP+4®
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions
Domestic Mail Only

Sent To
Scott Murock
3550 S. CRS
Loveland, CO 80537
City, State, ZIP+4®
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

LEXINGTON, KY 40555
Certified Mail Fee \$3.45
Extra Services & Fees (check box, add fee)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.50
Total Postage and Fees \$3.95
Sent To
Street and Apt. No., or PO Box No.
City, State, ZIP+4®
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions
Domestic Mail Only

Sent To
Pilot Travel Centers
Po Box 54470
Lexington, KY 40555
City, State, ZIP+4®
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

GRAND JUNCTION, CO 81501
Certified Mail Fee \$3.45
Extra Services & Fees (check box, add fee)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.50
Total Postage and Fees \$3.95
Sent To
Street and Apt. No., or PO Box No.
City, State, ZIP+4®
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions
Domestic Mail Only

Sent To
City of Grand Junction, Attn: Andy Gingrich
250 N. 5th St
Street and Apt. No., or PO Box No.
City, State, ZIP+4®
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions
Domestic Mail Only

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

GRAND JUNCTION, CO 81505
Certified Mail Fee \$3.45
Extra Services & Fees (check box, add fee)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.50
Total Postage and Fees \$3.95
Sent To
Street and Apt. No., or PO Box No.
City, State, ZIP+4®
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions
Domestic Mail Only

Sent To
United Companies of Mesa County
2273 River Road
Grand Junction, CO 81505
City, State, ZIP+4®
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

GRAND JUNCTION, CO 81502
Certified Mail Fee \$3.45
Extra Services & Fees (check box, add fee)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.50
Total Postage and Fees \$3.95
Sent To
Street and Apt. No., or PO Box No.
City, State, ZIP+4®
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions
Domestic Mail Only

Sent To
Martin + Donna Azcarra
Po Box 2022
Grand Junction, CO 81502
City, State, ZIP+4®
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

DENVER, CO 80201
Certified Mail Fee \$3.45
Extra Services & Fees (check box, add fee)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00
Postage \$0.50
Total Postage and Fees \$3.95
Sent To
Street and Apt. No., or PO Box No.
City, State, ZIP+4®
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions
Domestic Mail Only

Sent To
Division of Wildlife
6060 Broadway
Street and Apt. No., or PO Box No.
City, State, ZIP+4®
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions
Domestic Mail Only

REC-100

© postal & MAIL

DISCONTINUED

007081

810276711
DEC 13 2018
HARRISON
DENVER, CO

PORTLAND 15

PORTLAND 33 45

Item	Price
1.00	
2.00	
3.00	
4.00	
5.00	
6.00	
7.00	
8.00	
9.00	
10.00	
11.00	
12.00	
13.00	
14.00	
15.00	
16.00	
17.00	
18.00	
19.00	
20.00	
21.00	
22.00	
23.00	
24.00	
25.00	
26.00	
27.00	
28.00	
29.00	
30.00	
31.00	
32.00	
33.00	
34.00	
35.00	
36.00	
37.00	
38.00	
39.00	
40.00	
41.00	
42.00	
43.00	
44.00	
45.00	
46.00	
47.00	
48.00	
49.00	
50.00	
51.00	
52.00	
53.00	
54.00	
55.00	
56.00	
57.00	
58.00	
59.00	
60.00	
61.00	
62.00	
63.00	
64.00	
65.00	
66.00	
67.00	
68.00	
69.00	
70.00	
71.00	
72.00	
73.00	
74.00	
75.00	
76.00	
77.00	
78.00	
79.00	
80.00	
81.00	
82.00	
83.00	
84.00	
85.00	
86.00	
87.00	
88.00	
89.00	
90.00	
91.00	
92.00	
93.00	
94.00	
95.00	
96.00	
97.00	
98.00	
99.00	
100.00	

fees & fees (ch)

Extra Service

☐ Return Receipt (hard copy)

☒ Return Receipt (electronic)

☐ Signature and Delivery

☐ Return Receipt ☐ Return Mail Restricted ☐ Delivery \$

☐ Adult Signature Restricted 20

☐ Adult Signature

56-57 pure

Partnership

464

Sent to 1772 No. of 1772

100

City State, Zip

Form 2800, 1974

post

Neighborhood meeting sign in sheet

Jonathan Fitzpatrick <jfitzpatrick@pivotenergy.net>

Tue 1/8/2019 3:34 PM

To: Andrew Gingerich <andrewg@gjcity.org>;

 1 attachments (327 KB)

Sign in sheet.pdf;

Andy,

Per our conversation last week, please find attached the sign in sheet from the neighborhood meeting I held last week at the Red Roof Inn in Grand Junction for the variance application.

No one attended the meeting, which began at 5:30 pm on Thursday January 3, 2019. We concluded the meeting shortly after 6:00 pm.

If you need anything else for the variance application, please let me know.

Additionally, I spoke with Mark Barslund today and he mentioned he'd talk to you soon about the site plan. It sounded like we were in good shape to move things forward very soon. Please let me know how the conversation went/goes.

I also talked to our construction partner and they're going to push the fence back. It seems they've ID'd an engineering solution to address the proximity of the fence to the equipment that will allow us to respect the 15' front setback.

If you have some time to talk after you catch up with Mark, perhaps we could "reset" the table of required items necessary before we can get the site plan approved.

Thanks

Jon

--

JON FITZPATRICK | Director, Project Development
jfitzpatrick@pivotenergy.net

D 303.506.7792 | [LinkedIn](#)

Pivot Energy | *Clean Energy. Clear Choice*
pivotenergy.net

Neighborhood Meeting for Variance Request

January 3, 2019

5:30 pm

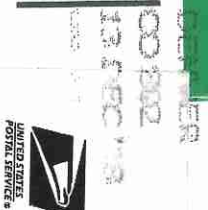
Name	Phone	Role	Comments
Jon Fitzpatrick	303-506-7792	developer; host	the one requesting variance; he
Andy Gingrich	970-256-4026	CITY PLANNER	
Theresa Englbrecht	970-201-1849	BROKER	

CERTIFIED MAIL®

Pivot Energy
1536 Wynkoop St, # 400
Denver, CO 80202



7018 0040 0000 8633 1476



1000

81501-2628

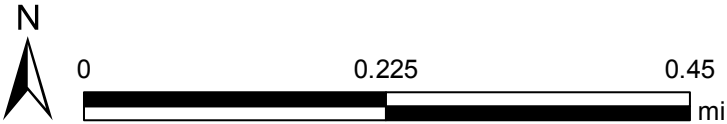
U.S. POST
FCM LETTER
DENVER, CO
80202
DEC 13, 18
AMOUNT
\$3.00
R2304E1056

City of Grand Junction
Attn: Andrew Gingrich
250 N. 5th St
Grand Junction, CO 81501

81501-266699



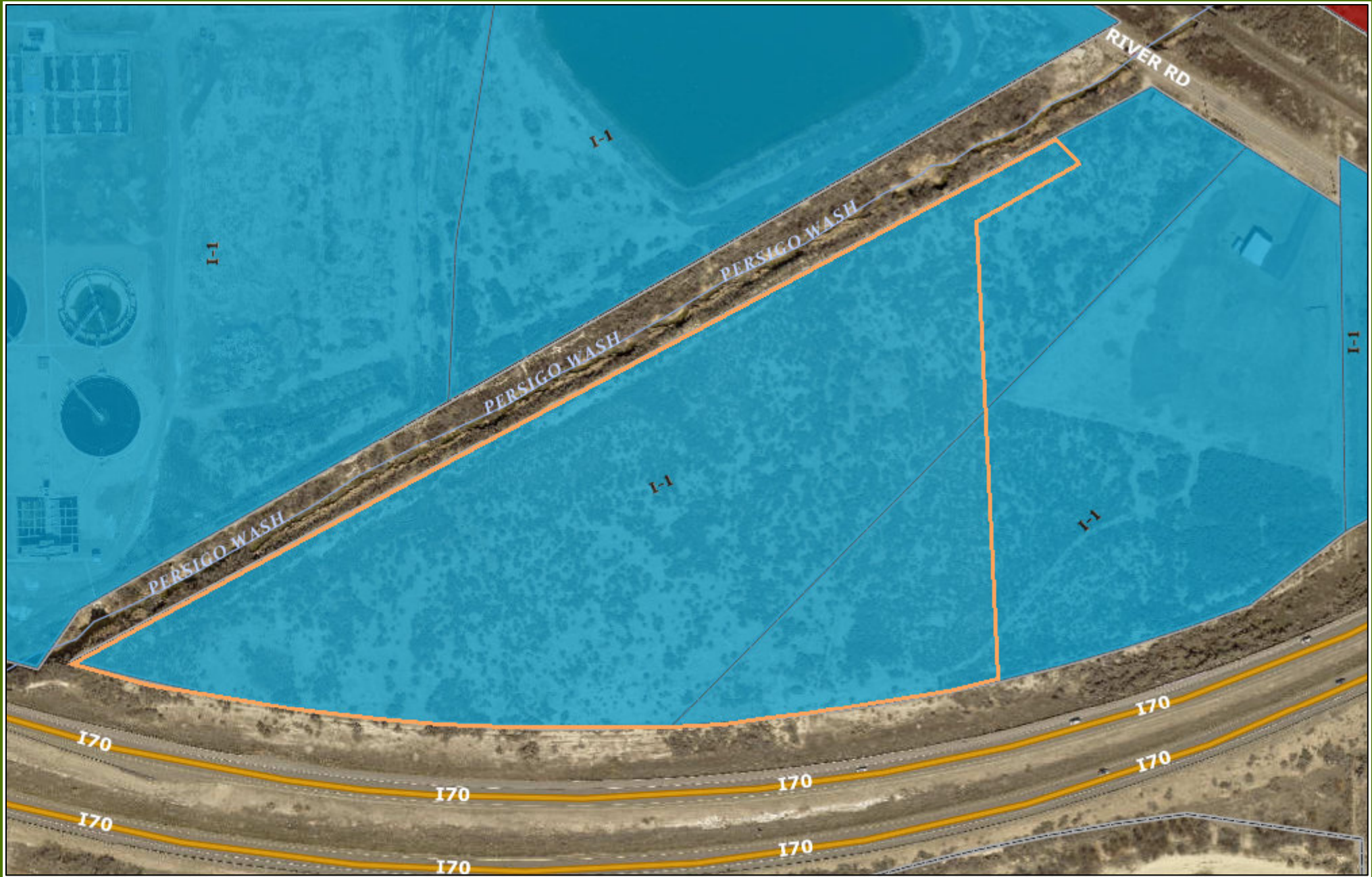
2169 River Road Vicinity Map



Printed: 1/2/2019

1 inch = 752 feet

2169 River Road Zoning Map



0 0.05 0.1
mi

Printed: 1/2/2019

1 inch = 188 feet

2169 River Road Future Land Use Map

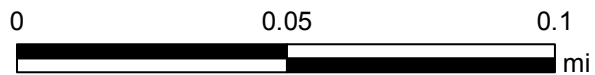


0 0.05 0.1
mi

Printed: 1/2/2019

1 inch = 188 feet

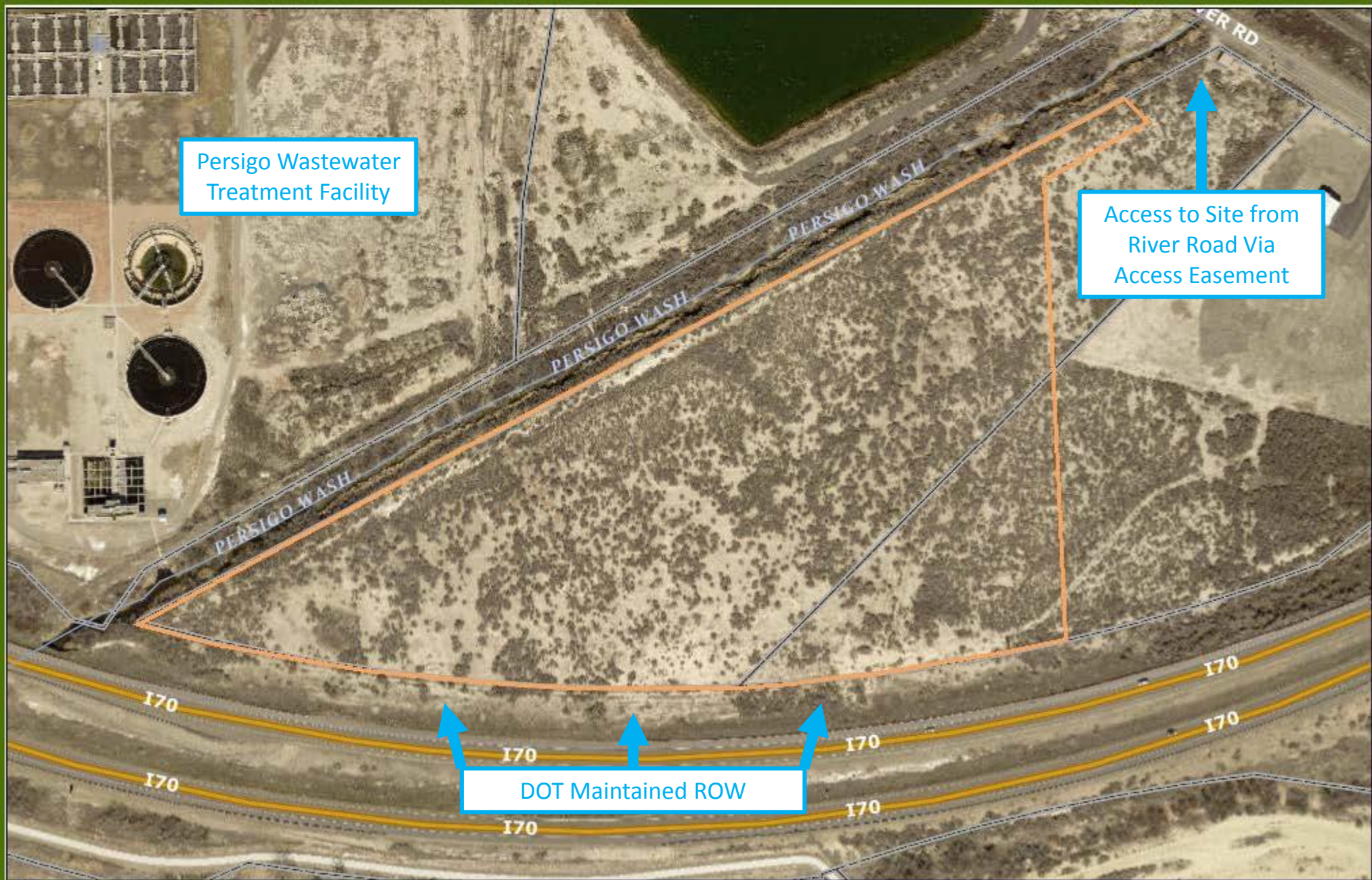
2169 River Road Site Map



Printed: 1/2/2019

1 inch = 188 feet

2169 River Road Annotated Site Map



Printed: 1/2/2019

1 inch = 188 feet



2169 River Rd Isometric View



© 2018 Pictometry



Google

Image capture: Jun 2018

R:\Phoenix\Projects\azene1765_microgrid_cdg_portfolio\05_to_3_mesa_1_csg_murdoch\CAD\Sheets\Development perm\LOT1.00 MURDOCK VEGETATION SCREENING PLAN.dwg
nborfinger
Jan 10, 2019 - 2:28pm



LEGEND

- | | | | |
|-------|---------------------------|--|--|
| ----- | RIGHT OF WAY LINE | | MINIMUM 14' REQUIRED VEGETATION SCREENING BUFFER BY CITY OF GRAND JUNCTION |
| ===== | LEASE BOUNDARY | | ADDITIONAL VEGETATION SCREENING BUFFER PROVIDED |
| ----- | ACCESS ROAD | | |
| ----- | EASEMENT | | |
| ----- | CHAINLINK FENCE | | |
| | NATURAL VEGETATION BUFFER | | |

SCREENING VEGETATION QUANTITIES	
GROSS SITE AREA	13.00 ACRES
NET PROJECT AREA	10.09 ACRES
NET UNDEVELOPED AREA	3.20 ACRES
MIN REQ'D VEGETATION SCREEN AREA	0.43 ACRES
ADDITIONAL NATIVE VEGETATION BUFFER	2.60 ACRES

ACCEPTANCE BLOCK

THE CITY OF GRAND JUNCTION REVIEW CONSTITUTES GENERAL COMPLIANCE WITH THE CITY'S DEVELOPMENT STANDARDS, SUBJECT TO THESE PLANS BEING SEALED, SIGNED, AND DATED BY THE PROFESSIONAL OF RECORD. REVIEW BY THE CITY DOES NOT CONSTITUTE APPROVAL OF THE PLAN DESIGN. THE CITY NEITHER ACCEPTS NOR ASSUMES ANY LIABILITY FOR ERRORS OR OMISSIONS. ERRORS IN THE DESIGN OR CALCULATIONS REMAIN THE RESPONSIBILITY OF THE PROFESSIONAL OF RECORD.

CONSTRUCTION MUST COMMENCE WITHIN ONE YEAR FROM THE DATE OF THE PLAN SIGNATURE.

CITY DEVELOPMENT ENGINEER	DATE
CITY PLANNER	DATE



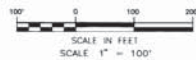
ENGINEER																																																													
OWNER																																																													
CONTRACTOR																																																													
<table><thead><tr><th>REV</th><th>DATE</th><th>DESCRIPTION</th><th>DRW</th><th>CHK</th><th>APP</th></tr></thead><tbody><tr><td>0</td><td>12/20/18</td><td>ISSUED FOR PERMIT</td><td>DRK</td><td>TTR</td><td>ISG</td></tr><tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr></tbody></table>		REV	DATE	DESCRIPTION	DRW	CHK	APP	0	12/20/18	ISSUED FOR PERMIT	DRK	TTR	ISG																																																
REV	DATE	DESCRIPTION	DRW	CHK	APP																																																								
0	12/20/18	ISSUED FOR PERMIT	DRK	TTR	ISG																																																								
SCALE: 1"=80'																																																													
SIZE: 22"x34"																																																													
PROJECT#: AZENE1765-05																																																													
PROJECT: MURDOCK COMMUNITY SOLAR GARDEN 2169 RIVER ROAD, GRAND JUNCTION, CO 81505																																																													
TITLE: SCREENING VEGETATION PLAN																																																													
SHEET: L01.01	REV: 0																																																												

MURDOCK MINOR SUBDIVISION

LOCATED IN THE SOUTH 1/2 OF SECTION 36, T1N, R2W UTE MERIDIAN

NOTES:

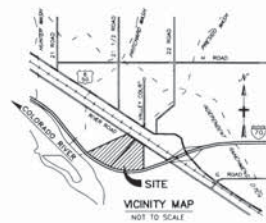
- THIS SITE IS VACANT EXCEPT FOR THE CITY OF GRAND JUNCTION'S SANITARY SEWER SIPHON INLET STRUCTURE LOCATED NEAR THE NORTHWEST CORNER OF THE SITE. STRUCTURE IN EASEMENT LOCATED AT BOOK 1171, PAGE 14 OF THE MESA COUNTY RECORDS.
- BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONES X AND AE OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL #000115-0455 B, WHICH BEARS A MAP REVISED DATE OF JULY 15, 1992 AND IS PARTIALLY IN A FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE AND AN ELEVATION CERTIFICATE MAY BE REQUIRED TO VERIFY THIS DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY. SEE FLOOD PLAN EXHIBIT BY WESTERN ENGINEERS, INC., DATED 11-22-96, DRAWING # 3913-1248-4.
- SITE BENCHMARK IS AN ORTHOMETRIC HEIGHT FROM MESA COUNTY DEPT. OF PUBLIC WORKS G.P.S. SURVEY DATED 12-20-95, NAVD 88 DATUM, ELEVATION OF C.D.O.M. MARKER = 4518.84.
- MAXIMUM HEIGHT OF STRUCTURES IS 65 FEET AND MINIMUM FRONT YARD SETBACK IS 45 FEET FROM THE CENTERLINE OF RIGHT-OF-WAY.
- BASIS OF BEARINGS FROM PLAT RECORDED AT PLAT BOOK 15, PAGE 104, RECEPTION # 1762654, RECORDED JULY 1, 1996. BASIS OF BEARING ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 36, TOWNSHIP 1 NORTH, RANGE 2 WEST, OF THE UTE MERIDIAN. BEARING BEING N. 00°02'40" W.
- PROPERTY OWNED BY SCOTT MURDOCK AND CAROL J. MURDOCK AS PER WARRANTY DEED RECORDED AT BOOK 2263, PAGE 50 OF THE MESA COUNTY RECORDS AND CHICAGO TITLE INSURANCE COMPANY ORDER FILE NUMBER 96-7-1651. A LIEU FOR THE PROPERTY IS HELD BY COLORADO KENDAL LTD. A LIMITED PARTNERSHIP.
- AS LISTED IN THE ABOVE MENTIONED TITLE COMMITMENT, THE PUBLIC SERVICE COMPANY GAS EASEMENT LOCATED AT BOOK 916, PAGE 706 OF THE MESA COUNTY RECORDS AND THE COLORADO DIVISION OF WILDLIFE ACCESS EASEMENT RECORDED AT BOOK 1016, PAGE 395 OF THE MESA COUNTY RECORDS ARE BOTH LOCATED SOUTH OF THE INTERSTATE 70 ROAD RIGHT-OF-WAY AND DO NOT AFFECT THIS PROPERTY.



ACREAGE SUMMARY	
LOT 1	8.63 ACRES
LOT 2	12.61 ACRES
TOTAL SITE AREA	21.24 ACRES

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

- NOTES:
- The word "Certify" is understood to be an expression of Professional opinion by the Land Surveyor, which is based on his best knowledge, information and belief. As such it constitutes neither a guarantee or warranty.
 - Western Engineers, Inc. strictly prohibits entities other than Western Engineers from making additions, deletions, revisions, edits or reproductions of documents or digital files which have been prepared by any/or stamped and signed by Western Engineers, Inc.



LEGEND

- PROPERTY LINE
- SOUTHERN PACIFIC RAILROAD LINE
- EXISTING EASEMENT LINE
- RIGHT-OF-WAY LINE (R.O.W.)
- SECTION LINE
- SET SECTION MONUMENT (L.S. 29041)
- SET #5 REBAR
- BENCHMARK (C.D.O.M. ROW MARKER)
- FOUND B.L.M. (C.L.O.) BRASS CAP
- FOUND MESA COUNTY SURVEY MARKER
- CALCULATED POSITION
- P.O.C. - POINT OF COMMENCEMENT
- P.O.B. - POINT OF BEGINNING
- R.O.W. - RIGHT-OF-WAY

MONUMENT NOTE:
MINOR SUBDIVISION PERIMETER MONUMENTS ARE SET IN OR REHABILITATED WITH CONCRETE.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS

That the undersigned Scott Murdock and Carol J. Murdock as Joint Tenants are the owners of that real property situated in the City of Grand Junction, County of Mesa, State of Colorado and being that part of the South 1/2 of Section 36, Township 1 North, Range 2 West of the Ute Meridian, as described in Book 2263, Page 50 at the office of the County Recorder of said Mesa County, being described as follows:

Commencing at a Mesa County survey marker for the Northeast Corner of said Section 36 from whence a Mesa County survey marker for the Northeast Corner of said Section 36 bears N00°02'40"W, with all bearings contained herein being relative thereto, thence S89°58'28"W 1322.83 feet to the East 1/4 Corner of said Section 36, thence along the East line of the West 1/2 of the Southeast 1/4 of said Section 36, S00°02'09"E 640.10 feet to the southerly right-of-way line of River Road and the POINT OF BEGINNING, thence continuing along the East line of the West 1/2 of the Southeast 1/4 of said Section 36, S00°02'09"E 470.46 feet to the northerly right-of-way line of Interstate Highway 70, thence along said northerly right-of-way line S53°01'49"W 173.78 feet to the beginning of a curve to the right, having a radius of 1709.64 feet and a chord which bears S80°14'42"W 1709.64 feet, thence continuing along said northerly right-of-way, 1738.12 feet along the arc of said curve, through a central angle of 36°01'10" to the easterly right-of-way line of a drainage ditch known as Persigo Wash, said point being 50 feet perpendicular to the centerline of said Wash, thence leaving the northerly right-of-way of said Interstate Highway 70, along a line parallel with and 50 feet perpendicular to the existing centerline of said Persigo Wash, N62°44'53"E 1773.14 feet to the southerly right-of-way line of said River Road, thence leaving the easterly line of said Persigo Wash, along the southerly right-of-way line of said River Road S56°40'00"E 324.18 feet to the East line of the West 1/2 of the Southeast 1/4 of said Section 36 and the POINT OF BEGINNING.

Said description contains 21.24 acres more or less.

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

That said owner does hereby dedicate and set apart that real property shown and labeled as dedicated multi-purpose easement on the accompanying plat to the City of Grand Junction for the use of the public utilities as a perpetual easement for the installation, operation, maintenance and repair of utilities and appurtenances thereto including, but not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, water lines, telephone lines, and also for the installation and maintenance of traffic control facilities, street lighting and grade structures. Said easement includes the right of ingress and egress on, along, over, under and through and across by the beneficiaries their successors, or assigns, together with the right to trim or remove interfering trees and brush, provide however, that the easement shall not be used for any purpose other than the use of the public utilities and appurtenances thereto. Furthermore, the owners of the lots hereinafter platted shall not burden nor overburden said easement by erecting or placing any improvements thereon which may prevent reasonable ingress and egress to and from the easement.

IN WITNESS WHEREOF said owners, Scott Murdock and Carol J. Murdock have caused their names to be hereunto subscribed this 12th day of December, A.D., 1996.

Scott Murdock
Scott Murdock
Carol J. Murdock
Carol J. Murdock

(STATE OF COLORADO))
(COUNTY OF MESA))
The foregoing instrument was acknowledged before me this 12th day of December, A.D., 1996, by Scott Murdock and Carol J. Murdock.

My Commission expires 12-15-97
Witness my hand and official Seal
Notary Public

CITY OF GRAND JUNCTION APPROVAL

This plat of Murdock Minor Subdivision, a subdivision of the City of Grand Junction, County of Mesa and State of Colorado was approved and accepted on this 12th day of December, A.D., 1996.

Shirley Cohen
City Manager
David Cohen
President of Council

CLERK AND RECORDERS CERTIFICATE

(STATE OF COLORADO))
(COUNTY OF MESA))
I hereby certify that this instrument was filed in my office at 12:09 o'clock P.M. this 12th day of December, A.D., 1996, and is a duly recorded in Plat Book No. 15, Page 224-225 Reception No. 1782382. Drawer No. 00121.
Fee \$20.00
Michael J. Helmer
Deputy
Monika Todd
Clerk and Recorder

SURVEYOR'S CERTIFICATE

I, Michael J. Helmer, a registered professional land surveyor in the state of Colorado, do hereby certify that the survey of Murdock Minor Subdivision, was actually made upon the ground using normal standards of care under my direct supervision and responsibility. I further certify that this land survey plat was prepared in accordance with the Colorado Revised Statutes for minimum standards for land surveys and plats. Also, to the best of my knowledge this map conforms to applicable survey and plotting requirements as found in the Zoning and Development code of the City of Grand Junction as adopted on May 3, 1995.

Michael J. Helmer
Colorado State License No. 29041
Date 12-6-96

WESTERN ENGINEERS, INC. LAND SURVEYORS			
REGISTERED PROFESSIONAL LAND SURVEYORS			
PLAT FOR			
MURDOCK MINOR SUBDIVISION			
LOCATED IN THE SOUTH 1/2 OF			
SECTION 36, T1N, R2W, UTE MERIDIAN			
CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO			
SUPERSED	BY	DATE	CHANGED
11-22-96	NO	11-22-96	NO

A REPLAT OF LOTS 1 AND LOT 2 OF MURDOCK MINOR SUBDIVISION (RECEPTION NUMBER 1782383)
IN THE SOUTH 1/2 OF SECTION 36, TOWNSHIP 1 NORTH, RANGE 2 WEST,
OF THE UTE MERIDIAN, CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO

A REPLAT OF LOTS 1 AND LOT 2 OF MURDOCK MINOR SUBDIVISION (RECEPTION NUMBER 1782383)
IN THE SOUTH 1/2 OF SECTION 36, TOWNSHIP 1 NORTH, RANGE 2 WEST,
OF THE UTE MERIDIAN, CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO

1. Basis of bearings from Mess County Local Coordinate System and GPS observations. The bearing is S00°05'45" for a distance of 264.26 feet, located between a 3 1/4" stop cap for the Center East 1/16 Corner and a 3 1/4" Mess County Survey Marker for the Center East 1/16 Corner on the south line of Section 34, Township 1 North, Range 2 West, of the 1st Meridian.
2. This information is from Mess County Public Report No. F081670-396-KV-E02, Effective Date 03/23/2018.
3. The existing sewer easement at Reception Number 1174579, contains an incorrect bearing which results in the easement falling 440 feet east of the intended location by the Surveyor. The bearing was incorrectly recorded on this plot to eliminate any future problems with the existing description.

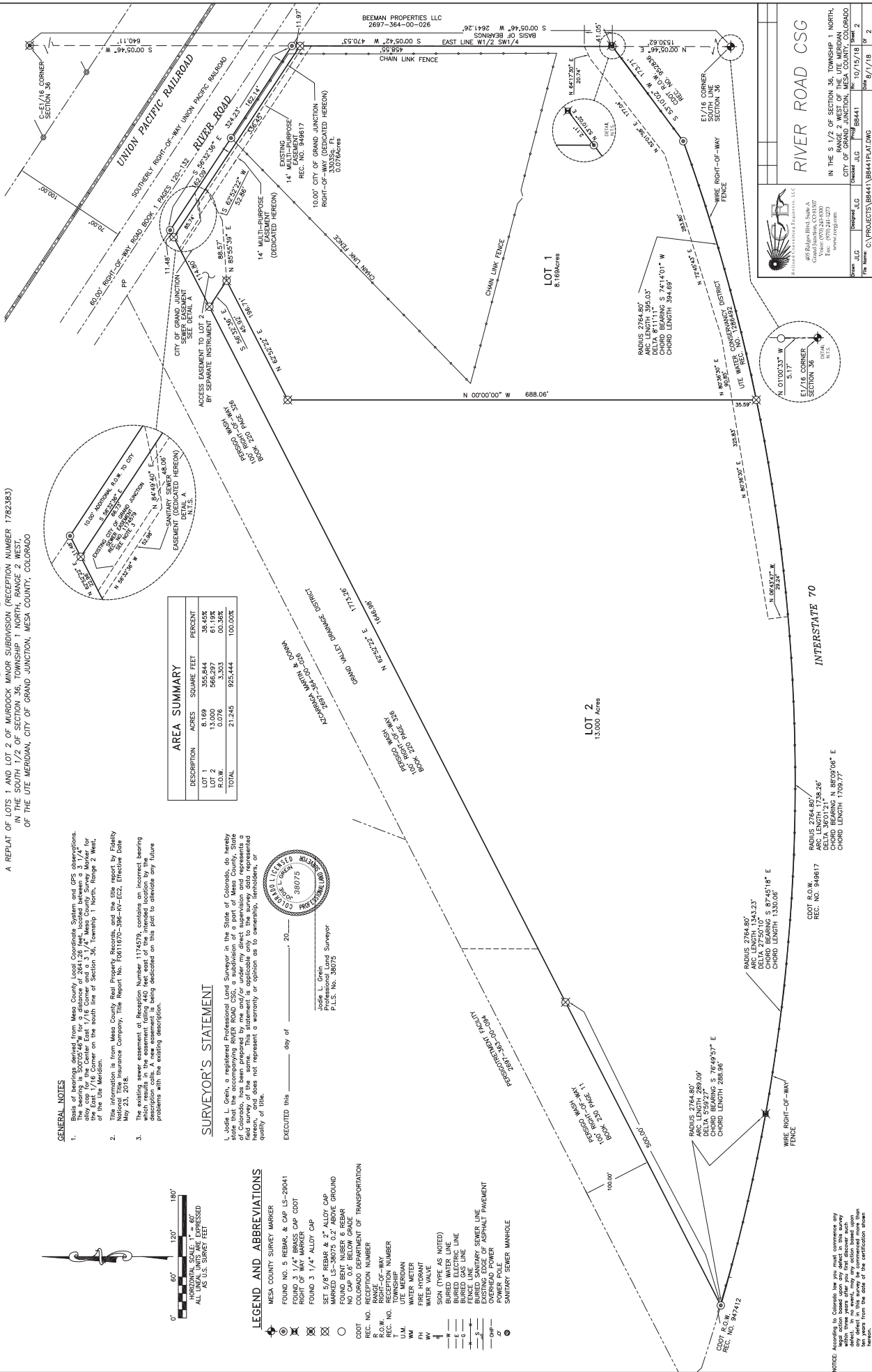
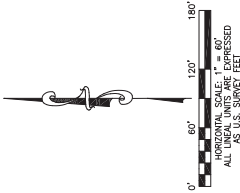
I, Jodie L. Grein, a registered Professional Land Surveyor in the State of Colorado, do hereby state that the accompanying RIVER ROAD CSG, a subdivision of a part of Mesa County, State of Colorado, has been prepared by me and/or under my direct supervision and represents a field survey of the same. This statement is applicable only to the survey data represented hereon, and does not represent a warranty or opinion as to ownership, liensholders, or quality of title.

Jodie L. Grein
Professional Land Surveyor

MESA COUNTY SURVEY MARKER

- [illegible]

AREA SUMMARY			
DESCRIPTION	ACRES	SQUARE FEET	PERCENT
LOT 1	8.169	355,844	38.45%
LOT 2	13.000	566,297	61.19%
R.O.W.	0.076	3,303	00.36%
TOTAL	21.245	925,444	100.00%



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

EXHIBIT LIST

Cottonwood Easement Vacation / Sewer Variance
FILE NO. VAC-2018-646

Exhibit Item #	Description
1	Staff Report dated January 22, 2019
2	Supplemental Maps and Exhibits
3	Development Application dated September 27, 2018
4	Staff Presentation dated January 22, 2019

PLANNING COMMISSION AGENDA ITEM

Project Name:	Cottonwood Easement Vacation/Sewer Variance
Applicant:	Muddy Gap, LLC - Bert Hammond
Representative:	Upland Companies Inc. - Nathan Rindele
Location:	2626 Cottonwood Drive
Existing Zoning:	R-2 (Residential, 2 dwelling units/acre)
Staff:	Jace Hochwalt, Associate Planner
File No.	VAC-2018-646
Date:	January 22, 2018

I. SUBJECT

Consider a request to vacate a public utility easement and a request for a sewer variance, located at 2626 Cottonwood Drive.

II. EXECUTIVE SUMMARY

The Applicant, Muddy Gap, LLC is requesting the vacation of a public utility easement on the property located at 2626 Cottonwood Drive. There is currently a 15-foot utility easement near the north end of the subject property. Said easement contains no equipment per Grand Valley Power, and there are no objections from the utility providers to vacate the easement. The Applicant is also requesting a sewer variance for the property. City development and engineering staff have determined that there is no practical and logical public sewer connection for the subject property. There are no objections by City staff regarding a sewer variance for the subject property.

III. BACKGROUND

The Applicant of the subject property is Muddy Gap, LLC. The property, located at 2626 Cottonwood Drive, is a vacant residential lot platted in the North Rolling Acres subdivision in 1955. The Applicant plans to construct a single family residence and detached shop building on the site. In the planning process, the Applicant discovered there is a 15-foot utility easement that extends east to west in the northern portion of the property (as shown in Attachment #2 at the end of this report). There is no utility equipment in the easement, as confirmed by Grand Valley Power. In addition, Xcel Energy, CenturyLink, and Ute Water have no objection to the utility easement vacation. As such, the Applicant of the property would like to vacate the easement, as it hinders the development potential of the site.

In addition to the utility easement vacation, the Applicant is seeking a sewer variance for the site to allow for an on-site wastewater treatment system. In addition to the properties developing originally in the County and likely due to topographic features of the site and surrounding area, many adjacent and nearby properties along Cottonwood Drive (particularly on the north side of Cottonwood Drive) are on private septic systems. It is the opinion of the City's development review and engineering team that providing

sanitary sewer to the subject property (and Cottonwood Drive as a whole) at this point in time would be cost prohibitive for the Applicant. There is a public sewer connection point approximately 630' south of the subject site, along Ash Drive. However, given the topographical nature of the site, a lift station would likely be required to make this connection to the south. In addition, there is a possible sewer connection to the southwest along 26 Road, approximately 1,335 feet from the subject site. This location would not require a lift station and is the most feasible connection per City engineering staff. With that said, both connection points would require private sewer service line easements through the neighboring lot(s), which may or may not be attainable. Notably, once the adjacent property at 738 26 Road to the west of this subject parcel does develop, the developer will be required to stub sewer to Cottonwood Drive. However, at this time, City engineering staff concludes that it is not practical to extend sewer infrastructure to the subject site.

Section 21.06.010(e) provides that "All lots and uses must be served by a sewer system connected to a public wastewater treatment facility. Requests for variances to this requirement shall be decided by the City Council, upon recommendation by the Planning Commission, in accordance with GJMC 21.02.200(c)(5). Sewer variance requests shall also be subject to "Permit Application for Sewer Variance" administered by the Manager of the Persigo Wastewater Treatment Plant." The Manager of Persigo through her designee has reviewed this request and has issued approval of the sewer variance in the attached "waiver" as provided in Attachment #4 to this staff report.

IV. NOTIFICATION REQUIREMENTS

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the City's Zoning and Development Code. Mailed notice of the application submittal in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on January 11, 2019 and the subject property was posted with an application sign on October 31, 2018. The notice of this public hearing was published January 15, 2019 in the Grand Junction Daily Sentinel.

V. ANALYSIS

Easement Vacation:

Pursuant to Section 21.02.100 of the Zoning and Development Code, the vacation of the utility easement shall conform to the following:

- a. *The Comprehensive Plan, Grand Valley Circulation Plan, and other adopted plans and policies of the City.*

The proposed public utility easement vacation is addressed by the following Goal of the Comprehensive Plan.

Goal 11: *Public facilities and services for our citizens will be a priority in planning for growth.*

Vacation of this utility easement will have no impact on public facilities or services provided to the general public as no utilities are currently located within this easement nor are any proposed to be located within this easement. Staff therefore finds this request conforms with this criterion.

b. No parcel shall be landlocked as a result of the vacation.

The request to vacate the public utility easement will not render any parcel landlocked. Therefore, staff finds the vacation request meets with this criterion.

c. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive or reduces or devalues any property affected by the proposed vacation.

No access to any parcel will be restricted by the vacation of this public utility easement. Staff finds this criterion has been met.

d. There shall be no adverse impacts on the health, safety, and/or welfare of the general community and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g. police/fire protection and utility services).

There is currently no equipment in the utility easement that is being requested to be vacated. Grand Valley Power recently moved power lines near the subject property, and have no plans to utilize the easement in the future. In addition, the application was reviewed by all potentially-affected utilities and there were no concerns raised with the vacation request. As such, staff has found there will be no adverse impacts to the community and no impacts on the public facilities and services that serve this or any adjacent parcel of land and therefore has found this request conforms with this criterion.

e. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06 of the Grand Junction Municipal Code.

Adequate public facilities and services exist for these properties without the need for this public utility easement, as no utilities are located within the easement. No facilities and services will be impacted or inhibited by this request. Staff has therefore found this request to conform with this criterion.

f. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.

Vacation of this easement will provide benefit to the City by removing an unnecessary encumbrance on the property and allow the area to be used for development of the new use on the property (residential development). Staff finds this request conforms with this criterion.

Sewer Variance:

Pursuant to Section 21.02.200 of the Zoning and Development Code, the sewer variance shall conform to the following:

- (1) There are exceptional conditions creating an undue hardship, applicable only to the property involved or the intended use thereof, which do not apply generally to the other land areas or uses within the same zoning district, and such exceptional conditions or undue hardship was not created by the action or inaction of the applicant or owner of the property.*

If required to extend sewer onto the subject property, it would create an undue hardship for the Applicant. Neighboring properties on the north side of Cottonwood Drive are currently served by private septic systems. However, due to the topographic nature of the surrounding area, the most feasible sewer connection to the subject property is nearly 1,300 feet to the southwest of the subject site and a potential connection is challenged due to a drainage ditch and the existing invert elevations of existing sewer man holes. City planning and engineering staff believe it is impractical and cost prohibitive to require the property owner to extend public sewer infrastructure to the subject site at this time due to the existing site constraints. Staff therefore finds this request conforms with this criterion.

- (2) The variance shall not confer on the applicant any special privilege that is denied to other lands or structures in the same zoning district.*

In accordance with the Code, all lots and uses must be served by a sewer system connected to a public wastewater treatment facility but are able to seek a variance from this requirement. In addition, per the Persigo Wastewater Treatment Plant guidelines and Section 13.04.090 of the Grand Junction Municipal Code, a property that is within 400 feet of any existing public sewer infrastructure, via platted rights-of-way or easements, must connect to City sewer services. At the time that public sewer becomes available to a property being served by a private sewage disposal system, a direct connection shall be made to the public sewer in compliance with the code within 120 days after the date of official notice to do so, and any private sewage disposal systems shall be abandoned and filled with suitable material.

As shown in attachment #3, there are two potential public sewer connections for the subject site. The public sewer to the south that is situated in Ash Drive is approximately 630 feet from the subject property. However, due to the topographical nature of the subject site, extending a private sewer line to public sewer to the south would be exceedingly difficult, and a lift station would likely be required. As such, the nearest reasonable public sewer line is approximately

1,300 feet to the southwest of the subject property, and no easements to that sewer exist at this time. However, no easements for private sewer service lines exist for either of the connection points at this time, and may not be attainable from the neighboring properties.

There are currently seven improved parcels along Cottonwood Drive that are served by private sewage disposal systems, and all seven of those properties are over 400 feet from the nearest public sewer infrastructure. Although there are five improved parcels along Cottonwood Drive that are connected to public sewer services, said properties are no further than 300 feet from existing public sewer infrastructure, and are therefore required by the Grand Junction Municipal Code to be connected to public sewer services. In conclusion, a sewer variance for the subject site does not confer any special privilege that other properties in the same zoning district with similar circumstances would be able to obtain. Staff therefore finds this request conforms with this criterion.

- (3) *The literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant.*

The subject property is allowed by code to seek a sewer variance for the required sewer connection. Due to the topographic features of the surrounding area, the distance to the most feasible sewer connection, roughly estimated cost for extension and required acquisition by the City's engineering staff, of an easement across an adjacent property, City staff has found that the Applicant would face undue hardship if required to extend sewer onto the subject property. Therefore, staff has found this request conforms with this criterion.

- (4) *The applicant and the owner of the property cannot derive a reasonable use of the property without the requested variance.*

Without a sewer variance, the Applicant would be hindered substantially on what can reasonably be done on the site. Residential development consistent with the property's zoning would likely not be feasible. Therefore, staff finds the variance request meets with this criterion.

- (5) *The variance is the minimum necessary to make possible the reasonable use of land or structures.*

Granting a sewer variance would be the minimum necessary to allow for reasonable use of the property. Without a sewer variance, it would not be financially feasible to develop the land for single-family residential use. As such, staff finds the variance request meets with this criterion.

(6) The granting of a variance shall not conflict with the purposes and intents expressed or implied in this code.

The Code mandates connections to the City sewer system for all properties within 400 feet of the service lines. The Code also explicitly allows for a variance to this provision with the finding this it is not reasonable or practical for this connection to occur, as represented by the City's engineering staff. For the subject property and its site constraints, staff believes that the granting of a variance does not conflict with the purposes and intents expressed or implied in the City Code. Staff therefore finds the variance request meets this criterion.

(7) The granting of a variance shall not conflict with the goals, policies and guiding principles of the City's Comprehensive Plan.

The proposed sewer variance is addressed by the following Policy of the Comprehensive Plan.

Policy 2: Sustainable Growth Patterns – Fiscal sustainability where we grow efficiently and cost-effectively.

The request of granting a sewer variance for the subject property does not conflict with the goals, policies, and guiding principles of the City's Comprehensive. Requiring the applicant to hook up to sewer services at this time would not be efficient or cost effective for either the City or the Applicant. Therefore, staff finds the variance request meets with this criterion.

VI. STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing VAC-2018-356, a request to (1) vacate a public utility easement and (2) allow for a sewer variance, located on the property at 2626 Cottonwood Drive, the following findings of fact were made:

1. The easement vacation request conforms with Section 21.02.100 (c) of the Grand Junction Zoning and Development Code;
2. The sewer variance request conforms with Section 21.06.010 (e) and Section 21.02.200 (c) of the Grand Junction Zoning and Development Code;

Therefore, staff recommends approval of the request to vacate the public utility easement; and the request for a sewer variance.

VII. RECOMMENDED MOTIONS

Motion 1

Madam Chairman, on the request to vacate a public utility easement located on the property at 2626 Cottonwood Drive, file number VAC-2018-646, I move that the

Planning Commission forward a recommendation of approval with the findings of fact listed in the staff report.

Motion 2

Madam Chairman, on the request to allow for a sewer variance for the property located at 2626 Cottonwood Drive, file number VAC-2018-646, I move that the Planning Commission forward a recommendation of approval with the findings of fact listed in the staff report.

Attachments:

1. Vicinity Map
2. Easement Vacation Exhibit
3. Sewer Connection Illustration
4. Sewer Variance Approval Waiver

2626 Cottonwood Drive



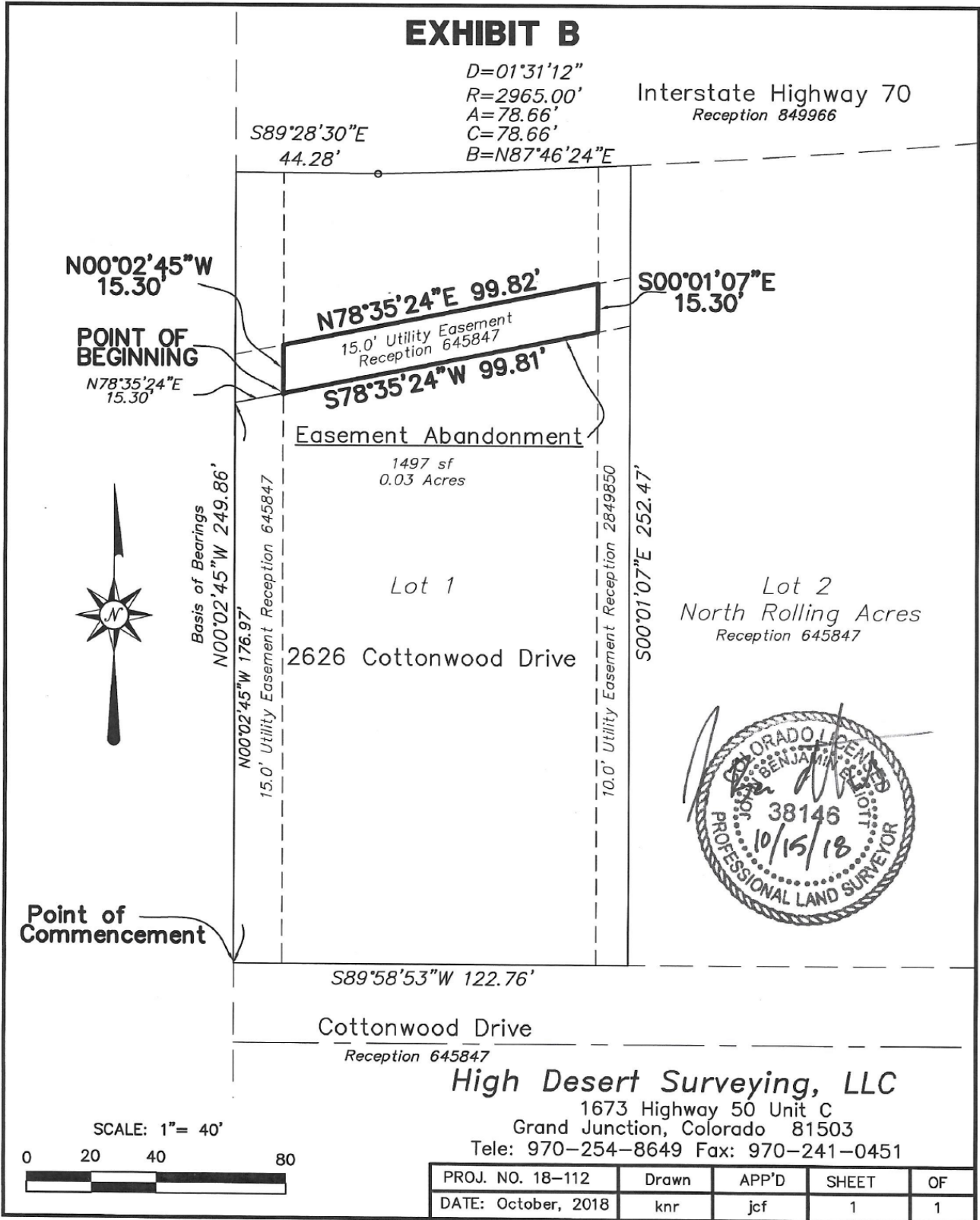
0 0.05 0.1
mi

Printed: 12/26/2018

1 inch = 188 feet

CITY OF
Grand Junction
COLORADO
GEOGRAPHIC INFORMATION SYSTEM

EXHIBIT B



High Desert Surveying, LLC

1673 Highway 50 Unit C

Grand Junction, Colorado 81503

Tele: 970-254-8649 Fax: 970-241-0451

PROJ. NO. 18-112	Drawn	APP'D	SHEET	OF
DATE: October, 2018	knr	jcf	1	1



Nathan Rinderle

From: Lee Cooper <leec@gjcity.org>
Sent: Wednesday, August 29, 2018 1:46 PM
To: Jennifer Caldwell
Cc: >nathan@uplandcoinc.com; Daniel Tonello; Randi Kim
Subject: 2626 Cottonwood Drive - Sewer Service Waiver

Jennifer,

The vacant property at **2626 Cottonwood Drive** is getting ready to have a house built on it. This property is greater than 400-feet from any existing City sewer infrastructure, via platted rights-of-way or easements. The contractor installing the septic system is Upland Company.

Eventually when the adjacent large 738 26 Road property develops, there will be sewer infrastructure available to extend up Cottonwood Drive to serve this property and others along Cottonwood Drive. The future plan is for sanitary sewer to be extended from 26 Road east up to Cottonwood Drive as part of a future development. Until the 738 26 Road property develops, there will be no sewer infrastructure on Cottonwood Drive.

Please consider this email as documentation of a waiver to allow the 2626 Cottonwood Drive property to install a complete septic system.

Thanks,
Lee

Lee Cooper, P.E.

City of Grand Junction
Project Engineer
P 970.256.4155 | C 970.589.4985
250 N. 5th St., Grand Junction, CO 81501

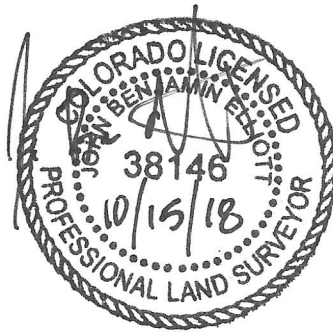
EXHIBIT A
Utility Easement Vacation

A parcel of land located in Lot 1, North Rolling Acres as shown on plat recorded in Reception Number 645847 of the Mesa County records and in the Southeast Quarter of the Northwest Quarter (SE¼ NW¼) of Section 35, Township 1 North, Range 1 West of the Ute Meridian, in Mesa County, Colorado and more particularly described as follows:

That 15 five foot wide (15.0') Utility Easement running East and West across the Northerly portion of Lot 1, North Rolling Acres, as shown on plat recorded in Reception Number 645847 of the Mesa County records and more particularly described as follows:

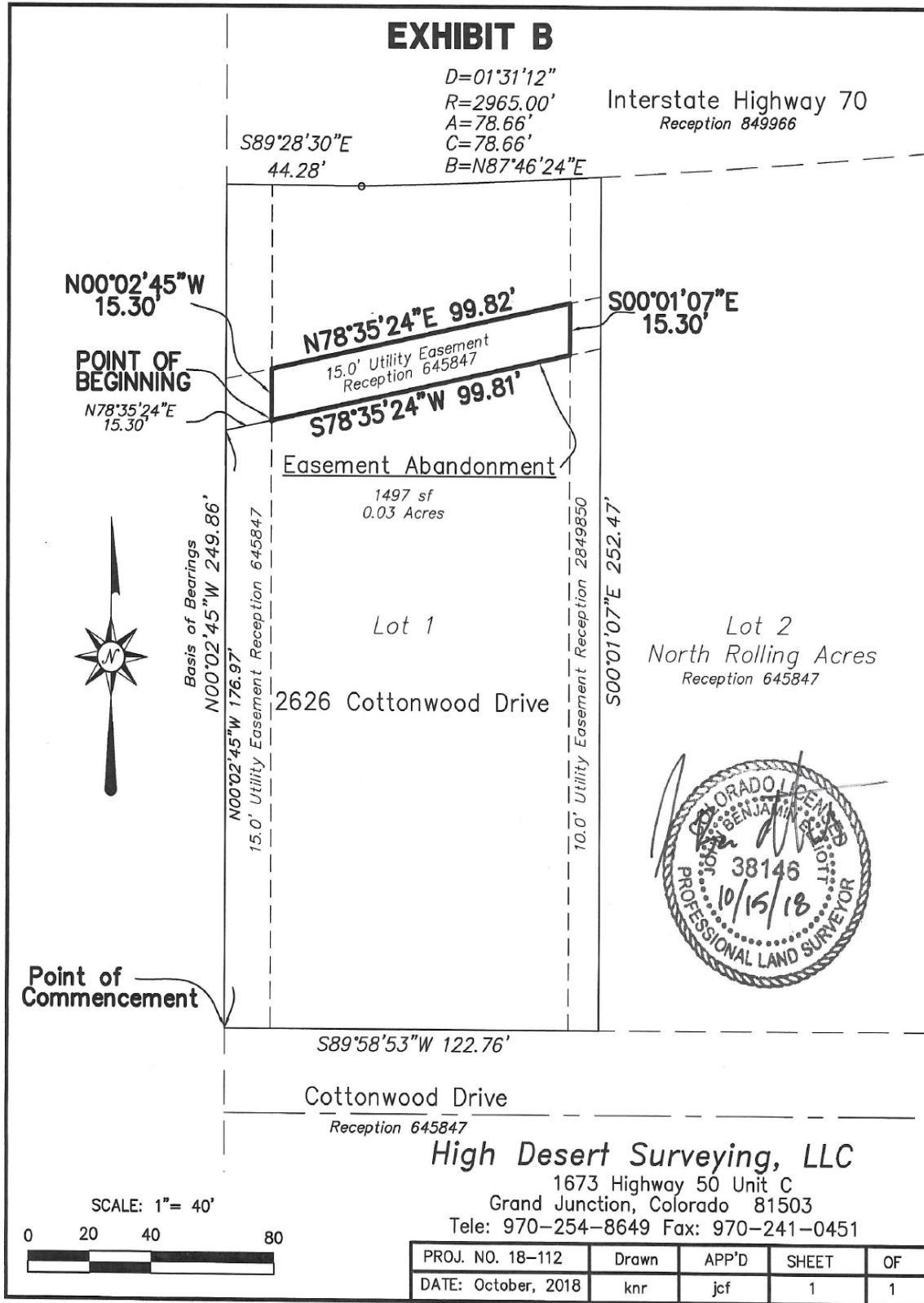
Commencing at the Southwest corner of said Lot 1, North Rolling Hills, whence the Northwest corner of said Lot 1 bears North 00°02'45" West, a distance of 249.86 feet for a basis of bearings, with all bearings contained herein relative thereto; thence North 00°02'45" West, a distance of 176.97 feet; thence North 78°35'24" East, a distance of 15.30 feet to the POINT OF BEGINNING; thence North 00°02'45" West, a distance of 15.30 feet; thence North 78°35'24" East, a distance of 99.82 feet; thence South 00°01'07" East, a distance of 15.30 feet; thence South 78°35'24" West, a distance of 99.81 feet to the POINT OF BEGINNING.

Said parcel containing an area of 1497 Square Feet, 0.03 Acres, as herein described.

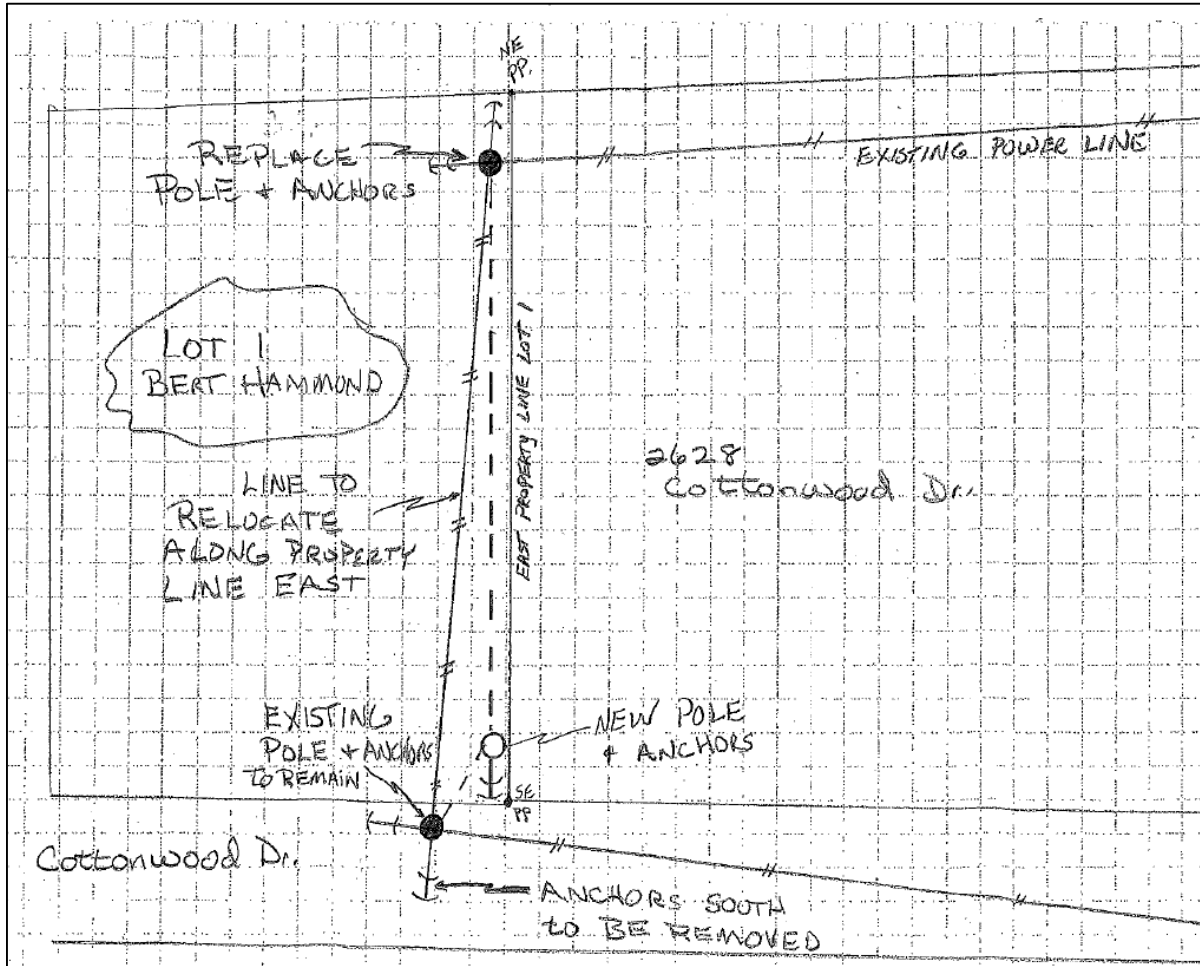


Easement Vacation Exhibit

EXHIBIT B

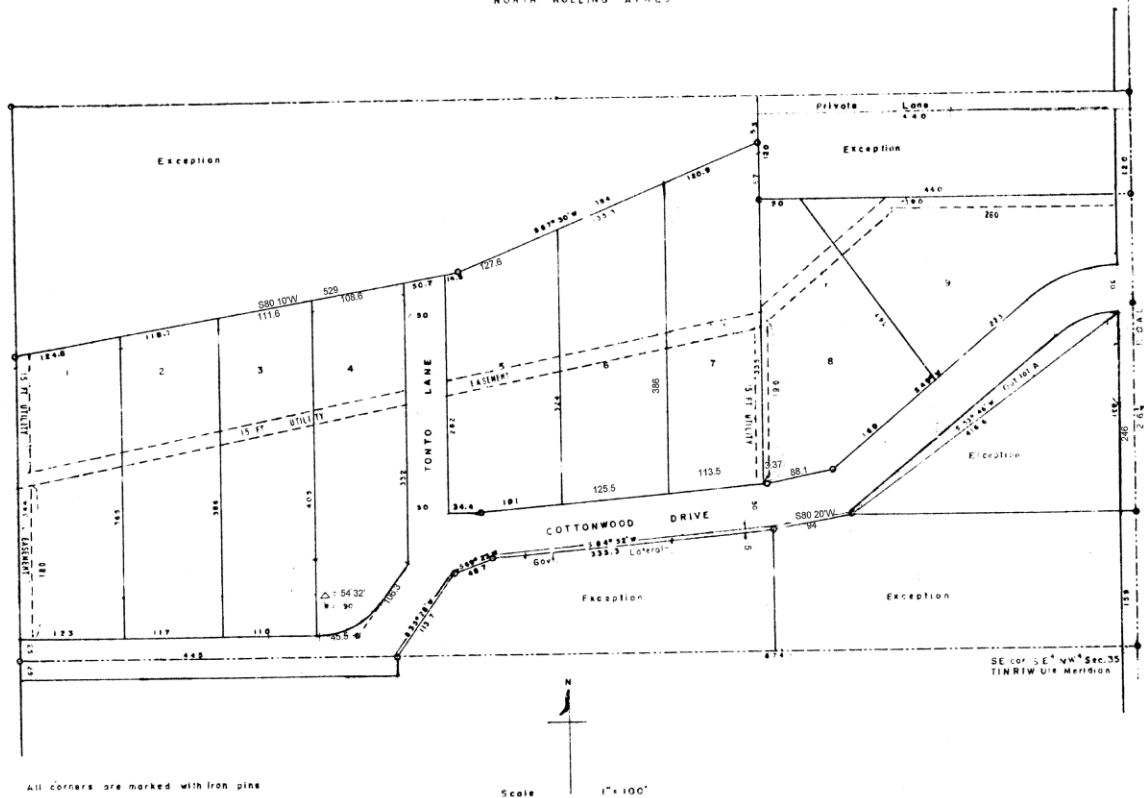


Revised Grand Valley Power Utility Easement Illustration



North Rolling Hills Plat - 1955

MESA COUNTY RECORDS
NORTH ROLLING ACRES



Approved by the Mesa County Planning Commission

- 30 Aug 1955 -

Ray R. Rabinovich
Chairman

Approved by the County Commissioners of Mesa County Colorado.

Henry J. Zupers
Chairman 8/30/55

Attest *Donald W. Anderson*
County Clerk

KNOW ALL MEN BY THESE PRESENTS: That the undersigned being the owners of the following described land, beginning at a point 400 feet North of the SE corner of the SE¹ NW⁴ Section 35 T1N R1W Ute Meridian, thence along a Government lateral S53°46'W 416.6 feet, thence S80°20'W 94 feet, thence S84°52'W 335.3 feet, thence S69°23'W 48.7 feet, thence S35°26'W 113.7 feet, to the South line of the SE¹ NW⁴ said Section 35, thence West 445 feet to the SW cor. of the said SE¹ NW⁴, thence North 303.6 feet, thence N80°10'E 529 feet, thence N 67°30'E 384 feet, thence South 67 feet, thence East 440 feet to the East line of the said SE¹ NW⁴, thence South 130 feet to the point of beginning; have caused the same to be surveyed and plotted as shown hereon, have named and easements said place North Rolling Acres, and they do hereby dedicate the roadway to the use of the public forever. In witness whereof we have hereunto placed our hands.

J. J. Patton

Homer C. Bignall and Correll S. Wilcox being the owners of the North 25 feet of the West 445 feet of the NE¹ SW⁴ sec. 35 T1N R1W Ute Meridian do hereby dedicate said land to the use of the public forever for road purposes.

STATE OF COLORADO: SS
County of Mesa

The foregoing was acknowledged

before me by *J. J. Patton* and *Correll S. Wilcox*
on the *31st* day of *August*.

E. M. Lawrence
Notary Public

I hereby certify that this is a true and correct plat of survey of the above described land and of the subdivision of the same

Ray S. George
County Surveyor R.S.

Approved by the Crest Ridge Planning Commission

Chairman

Persigo Sewer Waiver

Nathan Rinderle

From: Lee Cooper <leec@gjcity.org>
Sent: Wednesday, August 29, 2018 1:46 PM
To: Jennifer Caldwell
Cc: nathan@uplandcoinc.com; Daniel Tonello; Randi Kim
Subject: 2626 Cottonwood Drive - Sewer Service Waiver

Jennifer,

The vacant property at **2626 Cottonwood Drive** is getting ready to have a house built on it. This property is greater than 400-feet from any existing City sewer infrastructure, via platted rights-of-way or easements. The contractor installing the septic system is Upland Company.

Eventually when the adjacent large 738 26 Road property develops, there will be sewer infrastructure available to extend up Cottonwood Drive to serve this property and others along Cottonwood Drive. The future plan is for sanitary sewer to be extended from 26 Road east up to Cottonwood Drive as part of a future development. Until the 738 26 Road property develops, there will be no sewer infrastructure on Cottonwood Drive.

Please consider this email as documentation of a waiver to allow the 2626 Cottonwood Drive property to install a complete septic system.

Thanks,
Lee

Lee Cooper, P.E.

City of Grand Junction
Project Engineer
P 970.256.4155 | C 970.589.4985
250 N. 5th St., Grand Junction, CO 81501

Vicinity Map

2626 Cottonwood Drive



0 0.05 0.1
mi

Printed: 12/26/2018

1 inch = 188 feet

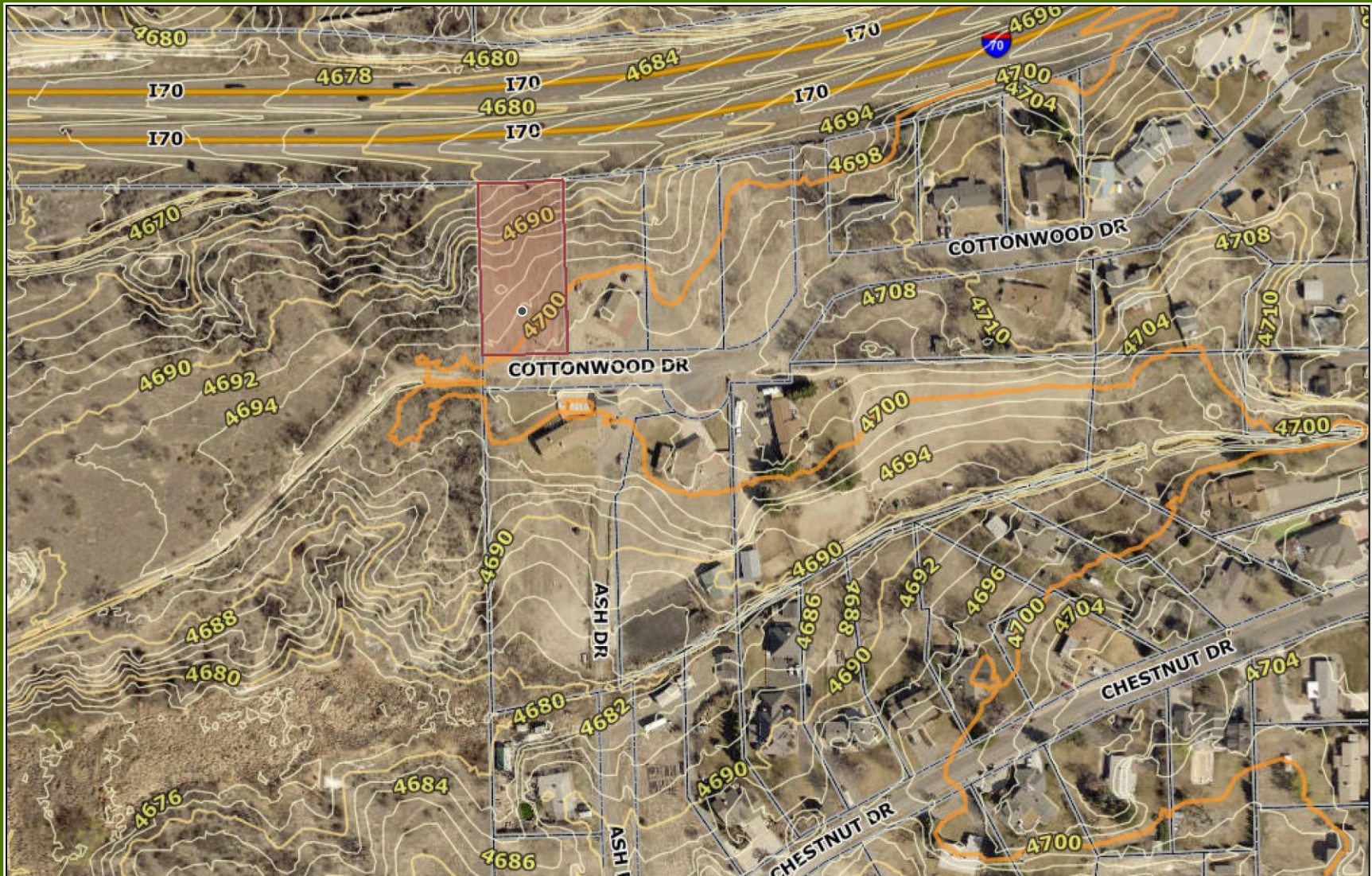
CITY OF
Grand Junction
COLORADO
GEOGRAPHIC INFORMATION SYSTEM

Sewer Connection Illustration



Topography Map

2626 Cottonwood Topography



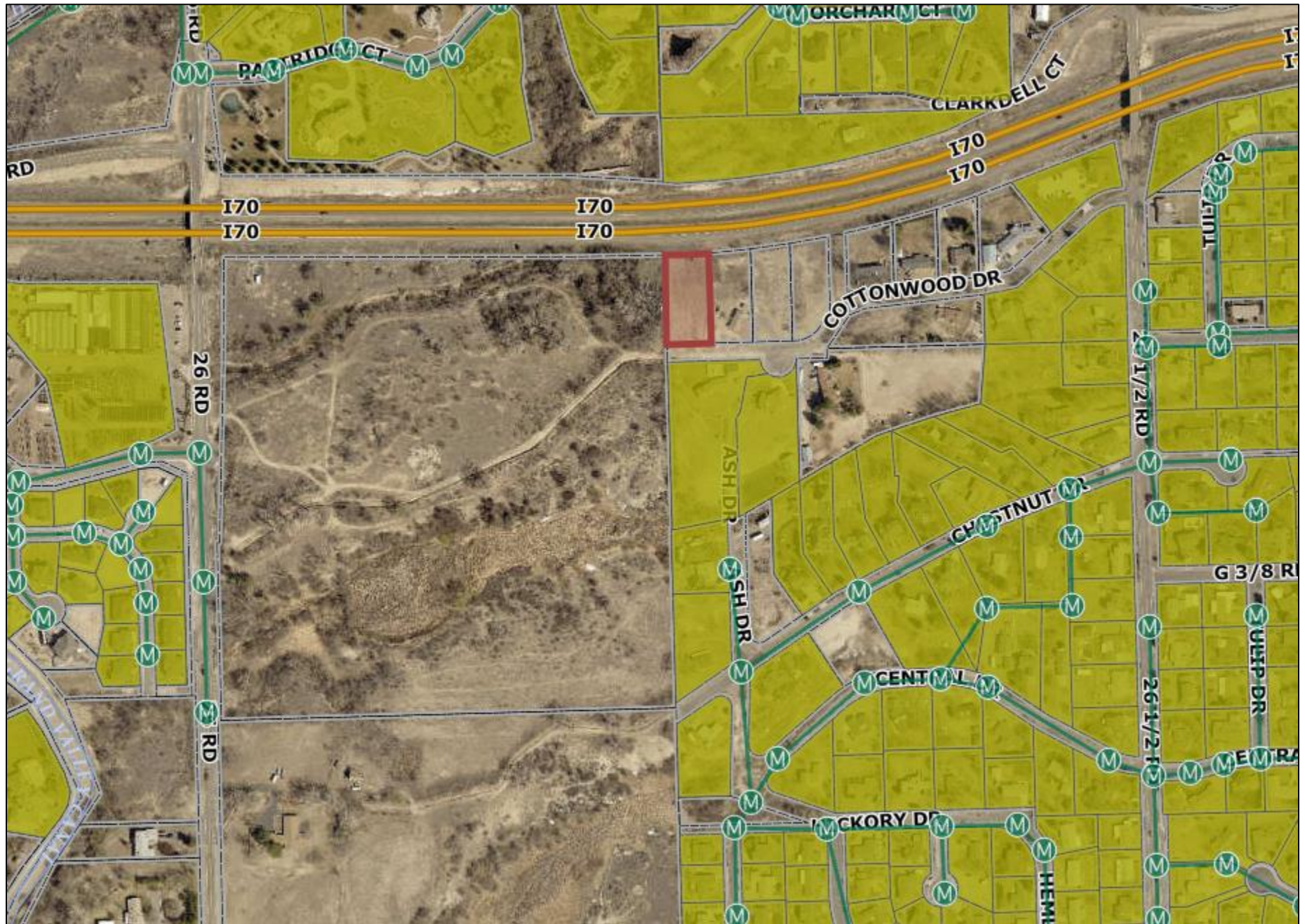
0 0.05 0.1
mi

Printed: 1/17/2019

1 inch = 188 feet

CITY OF
Grand Junction
COLORADO
GEOGRAPHIC INFORMATION SYSTEM

Sewer Tap and Service Line Map



Development Application

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado, as described herein do petition this:

Petition For: Variance

Please fill in blanks below only for Zone of Annexation, Rezones, and Comprehensive Plan Amendments:

Existing Land Use Designation Vacant Land

Existing Zoning R-2

Proposed Land Use Designation Single family Residence

Proposed Zoning R-2

Property Information

Site Location: 2626 Cottonwood Dr.

Site Acreage: .70

Site Tax No(s): 2701-352-02-001

Site Zoning: R-2

Project Description: Easment Vacation / Sewer Variance

Property Owner Information

Name: Muddy Gap LLC

Street Address: 818 Coffen Ave St B

City/State/Zip: Sheridan, WY 82801

Business Phone #: 307-259-9307

E-Mail: muddygap@gmail.com

Fax #:

Contact Person: Bert

Contact Phone #: 307-259-9307

Applicant Information

Name: Bert Hammond

Street Address:

City/State/Zip:

Business Phone #: 307-259-9307

E-Mail: muddygap@gmail.com

Fax #:

Contact Person: Bert

Contact Phone #: 307-259-9307

Representative Information

Upland Companies Inc
Name: Nathan Rindler

Street Address: 3202 Springfield Rd

City/State/Zip: GJ, CO, 81503

Business Phone #: 970-434-0510

E-Mail: nathan@uplandcoinc.com

Fax #: 970 434 6510

Contact Person: Nathan

Contact Phone #: 970-986-5591

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 may be dropped from the agenda and an additional fee may be charged to cover rescheduling expenses before it can again be placed on the agenda.

Signature of Person Completing the Application

Date: 9-26-18

Signature of Legal Property Owner

Date: 9-27-18

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Muddy Gap LLC ("Entity") is the owner of the following property:

(b) 2626 Cottonwood Dr./Lot 1 North Rolling Acres Sub, Sec 35, 1N, 1W,
Parcel 2701-352-02-001/Reception #2829329 5 of 1-70

A copy of the deed(s) evidencing the owner's interest in the property is attached. Any documents conveying any interest in the property to someone else by the owner are also attached.

I am the (c) Owner for the Entity. I have the legal authority to bind the Entity regarding obligations and this property. I have attached the most recent recorded Statement of Authority of the Entity.

☒ My legal authority to bind the Entity both financially and concerning this property is unlimited.

☐ My legal authority to bind the Entity financially and/or concerning this property is limited as follows:

☒ The Entity is the sole owner of the property.

☐ The Entity owns the property with other(s). The other owners of the property are:

On behalf of Entity, I have reviewed the application for the (d) Sewer Variance/Easement Vacation

I have the following knowledge or evidence of a possible boundary conflict affecting the property:

(e) _____

I understand the continuing duty of the Entity to inform the City planner of any changes regarding my authority to bind the Entity and/or regarding ownership, easement, right-of-way, encroachment, lienholder and any other interest in the land.

I swear under penalty of perjury that the information in this Ownership Statement is true, complete and correct.

Signature of Entity representative: Bert K Hammond

Printed name of person signing: Bert K Hammond

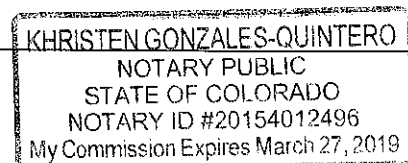
State of Colorado)

County of Mesa) ss.

Subscribed and sworn to before me on this 27 day of September, 20 18
by Bert Hammond

Witness my hand and seal.

My Notary Commission expires on 3-27-19



Kristen Gonzales-Quintero
Notary Public Signature



Building customer confidence by consistently providing quality products and services.

3202 Springfield Road
Grand Junction, Co 81503

Office: 970-434-0510
Fax: 970-434-6510

To whom it my concern:

Bert Hammond who is the owner of Muddy Gap LLC purchased the property at 2626 Cottonwood Drive. He is wanting to develop the property with a single family residence and detached shop/garage building. The property lies within the City of Grand Junction. The property was initially subdivided in 1955 and sewer was not available at that time and is still not within reasonable distance.

- (i) This has created hardship for this property and all properties along Cottonwood Drive.
- (ii) I believe there are 7 properties along Cottonwood Drive that are currently on septic systems. Therefore, I do not see this request as a special privilege.
- (iii) I believe that our request is following the literal interpretation of the code.
- (iv) The owner of this property will not be able to use the property as the intended use without approval of the requested variance.
- (v) The request for the variance is the minimum needed to make use of the property.
- (vi) I believe our request is conforming with the purpose of the code.
- (vii) I believe that our request is conforming with the comprehensive plan.

We are also seeking to vacate the utility easement that crosses the property.

I have attached a letter from Grand Valley Power stating that they do not have anything in this easement and are ok with vacating it. We have called in locates and nothing has been located in the easement. We would like to vacate this easement to allow ample room for the replacement area for the septic system.

To address the approval criteria:

- (1) I believe we meet the requirements of the Comprehensive plan.
- (2) No parcel will be landlocked by vacating the easement.
- (3) No access is restricted by vacating the easement.
- (4) There will be no adverse impacts by vacating the easement.
- (5) No public facilities will be inhibited by vacating the easement.
- (6) I do not believe there is a need for the easement as it is in the middle of private property. I do not see a benefit or a detriment to the City by vacating the easement.

Thank you for your time in reviewing our request.

Respectfully,

Nathan Rinderle and Bert Hammond



State Documentary Fee
Date: February 01, 2018
\$8.00

Warranty Deed
(Pursuant to 38-30-113 C.R.S.)

THIS DEED, made on February 1st, 2018 by CORA LEE PATTON Grantor(s), of the County of Mesa and State of Colorado for the consideration of (\$80,000.00) ***Eighty Thousand and 00/100*** dollars in hand paid, hereby sells and conveys to MUDDY GAP LLC Grantee(s), whose street address is 818 COFFEN AVE, STE B, SHERIDAN, WY 82801, County of Sheridan, and State of Wyoming, the following real property in the County of Mesa, and State of Colorado, to wit:

**LOT 1 OF NORTH ROLLING ACRES,
EXCEPTING THAT PORTION CONVEYED TO THE DEPARTMENT OF HIGHWAYS, STATE OF COLORADO IN DEED
RECORDED OCTOBER 7, 1963 UNDER RECEPTION NO. 849966 IN BOOK 856 AT PAGE 287.**

also known by street and number as: TBD COTTONWOOD DRIVE, GRAND JUNCTION, CO 81506

with all its appurtenances and warrants the title to the same, subject to general taxes for the year 2018 and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Grantee(s) in accordance with Record Title Matters (Section 8.2) of the Contract to Buy and Sell Real Estate relating to the above described real property; distribution utility easements, (including cable TV); those specifically described rights of third parties not shown by the public records of which Grantee(s) has actual knowledge and which were accepted by Grantee(s) in accordance with Off-Record Title Matters (Section 8.3) and Current Survey Review (Section 9) of the Contract to Buy and Sell Real Estate relating to the above described real property; inclusions of the Property within any special tax district; Any special assessment if the improvements were not installed as of the date of Buyer's signature on the Contract to Buy and Sell Real Estate, whether assessed prior to or after Closing; and other NONE

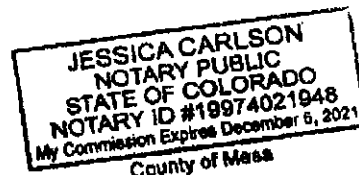
Cora L. Patton

CORA LEE PATTON

State of Colorado)

)ss.

County of MESA)



The foregoing instrument was acknowledged before me on this day of February 1st, 2018 by CORA LEE PATTON

Witness my hand and official seal

My Commission expires:

12-5-21

J. Carlson
Notary Public

When Recorded Return to:

MUDDY GAP LLC

818 COFFEN AVE, STE B, SHERIDAN, WY 82801



STATEMENT OF AUTHORITY
(§38-30-172, C.R.S.)

1. This Statement of Authority relates to an entity¹ named
MUDDY GAP, LLC
2. The type of entity is a:

☐ Corporation	☐ Registered Limited Liability Partnership
☐ Nonprofit Corporation	☐ Registered Limited Liability Limited Partnership
☒ Limited Liability Company	☐ Limited Partnership Association
☐ General Partnership	☐ Government or Governmental Subdivision or Agency
☐ Limited Partnership	☐ Trust
3. The entity is formed under the laws of WYOMING
4. The mailing address for the entity is 818 COFFEN AVE, STE B, SHERIDAN, WY 82801
5. The ☒ name ☒ position of each person authorized to execute instruments conveying, encumbering or otherwise affecting title to real property on behalf of the entity is BERT K. HAMMOND, MEMBER AND CAROL S. HAMMOND MEMBER
6. The authority of the foregoing person(s) to bind the entity: ☒ is² not limited ☐ is limited as follows:
7. Other matters concerning the manner in which the entity deals with interests in real property:
8. This Statement of Authority is executed on behalf of the entity pursuant to the provisions of §38-30-172, C.R.S.³
9. This Statement of Authority amends and supersedes in all respects any and all prior dated Statements of Authority executed on behalf of the entity.

(Signature and Notary Acknowledgement on Second Page)

¹This form should not be used unless the entity is capable of holding title to real property.

²The absence of any limitation shall be prima facie evidence that no such limitation exists.

³The statement of authority must be recorded to obtain the benefits of the statute.



Executed this 1st day of Feb. 2018


BERT K. HAMMOND, MEMBER


CAROL S. HAMMOND, MEMBER

State of Colorado)
)ss
County of Mesa)

The foregoing instrument was acknowledged before me on this 1st day of Feb. 2018
by BERT K. HAMMOND, AS MEMBER AND CAROL S. HAMMOND AS MEMBER OF MUDDY GAP, LLC

Witness my hand and official seal.
My Commission expires 12-5-21


Notary Public

WHEN RECORDED RETURN TO: MUDDY GAP, LLC
818 COFFEN AVE, STE B
SHERIDAN, WY 82801
Attn:

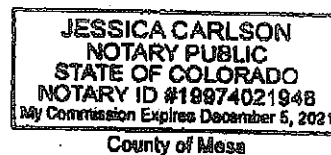


EXHIBIT A
Utility Easement Vacation

A parcel of land located in Lot 1, North Rolling Acres as shown on plat recorded in Reception Number 645847 of the Mesa County records and in the Southeast Quarter of the Northwest Quarter (SE¼ NW¼) of Section 35, Township 1 North, Range 1 West of the Ute Meridian, in Mesa County, Colorado and more particularly described as follows:

That 15 five foot wide (15.0') Utility Easement running East and West across the Northerly portion of Lot 1, North Rolling Acres, as shown on plat recorded in Reception Number 645847 of the Mesa County records and more particularly described as follows:

Commencing at the Southwest corner of said Lot 1, North Rolling Hills, whence the Northwest corner of said Lot 1 bears North 00°02'45" West, a distance of 249.86 feet for a basis of bearings, with all bearings contained herein relative thereto; thence North 00°02'45" West, a distance of 176.97 feet; thence North 78°35'24" East, a distance of 15.30 feet to the POINT OF BEGINNING; thence North 00°02'45" West, a distance of 15.30 feet; thence North 78°35'24" East, a distance of 99.82 feet; thence South 00°01'07" East, a distance of 15.30 feet; thence South 78°35'24" West, a distance of 99.81 feet to the POINT OF BEGINNING.

Said parcel containing an area of 1497 Square Feet, 0.03 Acres, as herein described.



EXHIBIT B

$D=01^{\circ}31'12''$

$R=2965.00'$

$A=78.66'$

$C=78.66'$

$B=N87^{\circ}46'24''E$

Interstate Highway 70

Reception 849966

$S89^{\circ}28'30''E$

44.28'

$N00^{\circ}02'45''W$
15.30'

POINT OF
BEGINNING

$N78^{\circ}35'24''E$
15.30'

$N78^{\circ}35'24''E$ 99.82'

15.0' Utility Easement
Reception 645847

$S78^{\circ}35'24''W$ 99.81'

$S00^{\circ}01'07''E$
15.30'

Easement Abandonment

1497 sf
0.03 Acres

Lot 1

2626 Cottonwood Drive

Lot 2

North Rolling Acres

Reception 645847

Basis of Bearings

$N00^{\circ}02'45''W$ 249.86'

$N00^{\circ}02'45''W$ 176.97'

15.0' Utility Easement Reception 645847

10.0' Utility Easement Reception 2849850

$S00^{\circ}01'07''E$ 252.47'

$S89^{\circ}58'53''W$ 122.76'

Cottonwood Drive

Reception 645847

High Desert Surveying, LLC

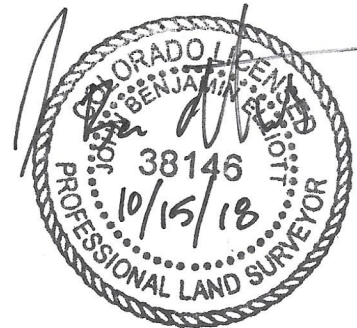
1673 Highway 50 Unit C

Grand Junction, Colorado 81503

Tele: 970-254-8649 Fax: 970-241-0451

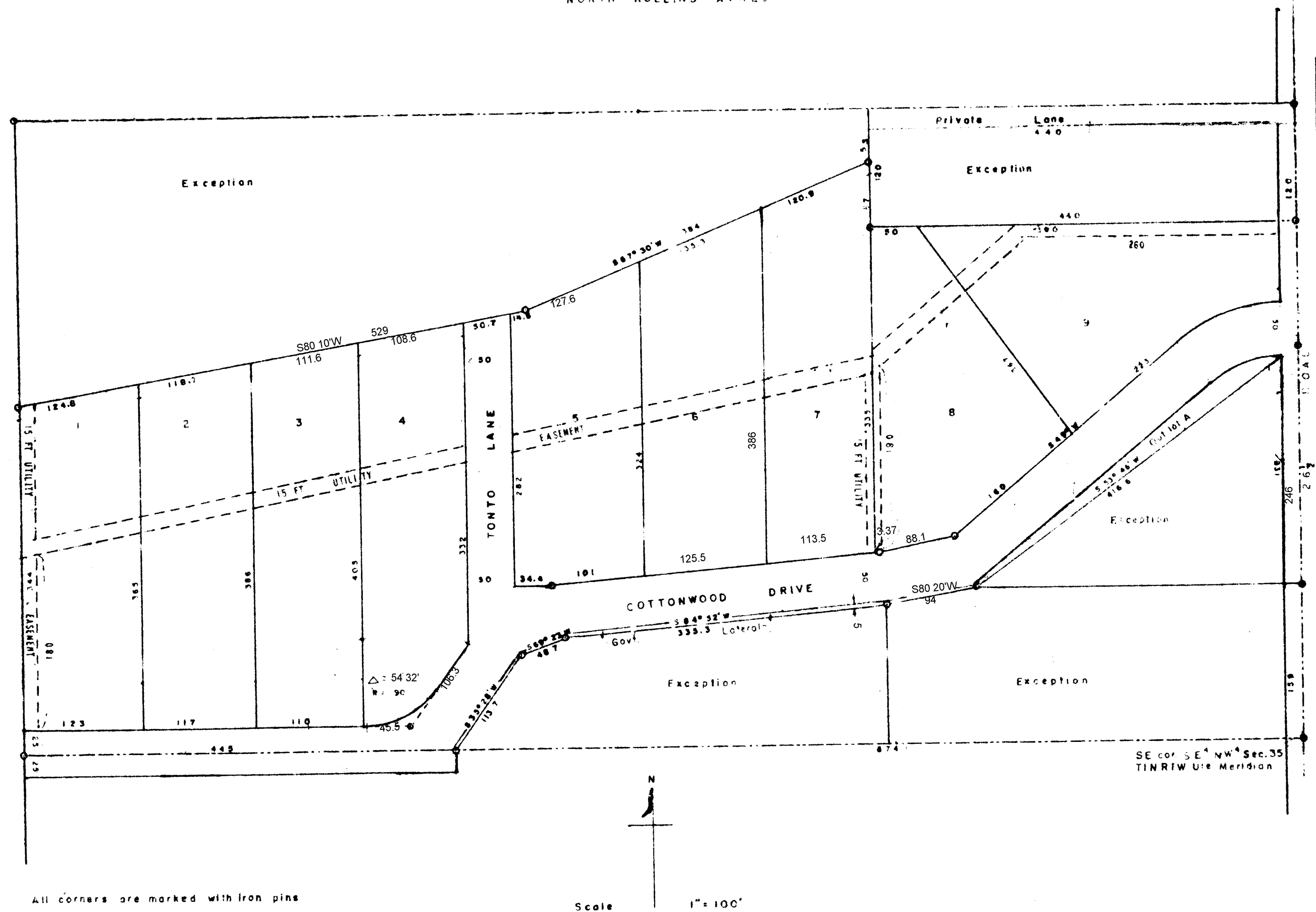
SCALE: 1"= 40'

0 20 40 80



PROJ. NO. 18-112	Drawn	APP'D	SHEET	OF
DATE: October, 2018	knr	jcf	1	1

MESA COUNTY, COLORADO
NORTH ROLLING ACRES



All corners are marked with iron pins

Scale 1" = 100'

KNOW ALL MEN BY THESE PRESENTS: That the undersigned being the owners of the following described land, beginning at a point 405 feet North of the SE corner of the SE⁴ NW⁴ Section 35 T1N R1W Ute Meridian, thence along a Government lateral S53°46'W 416.6 feet, thence S80°20'W 94 feet, thence S84°52'W 335.3 feet, thence S69°23'W 48.7 feet, thence S35°26'W 113.7 feet, to the South line of the SE⁴ NW⁴ said Section 35, thence West 445 feet to the SW cor. of the said SE⁴ NW⁴, thence North 363.6 feet, thence N80°10'E 529 feet, thence N67°30'E 384 feet, thence South 67 feet, thence East 440 feet to the East line of the said SE⁴ NW⁴, thence South 130 feet to the point of beginning; have caused the same to be surveyed and plotted as shown hereon, have named said place North Rolling Acres, and they do hereby dedicate the roads to the use of the public forever. In witness whereof we have hereunto placed our hands.

Homer C Biggs and Corral S Wilcox being the owners of the North 25 feet of the West 445 feet of the NE⁴ SW⁴ sec. 35 T1N R1W Ute M. do hereby do hereby dedicate said land to the use of the public forever for road purposes

STATE OF COLORADO
County of Mesa

The foregoing was acknowledged before me by Homer C Biggs and Corral S Wilcox on the 31st day of August, 1955

R. M. Lawrence
Notary Public

I hereby certify that this is a true and correct plot of survey of the above described land and of the subdivision of the same

Ray S. George
County Surveyor R S

Approved by the Mesa County Planning Commission

- 30 Aug 1955 -

Ray S. George
Chairman

Approved by the County Commissioners of Mesa County Colorado.

Henry J. Lippert
Chairman 8/30/55

Attest: Charles H. Wilcox
County Clerk

Approved by the Crest Ridge Planning Commission

Chairman

DEPARTMENT OF
HIGHWAYS
STATE OF COLORADO
RECEPTION # 894375

APOGEE, LLC
738 26 ROAD
RECEPTION # 2571322

BASIS OF BEARINGS
WEST LINE SE 1/4 SECTION 35
N0° 02' 45"W 1313.36'

249.86'

15' UTILITY EASEMENT
RECEPTION # 645847

179.99'

54.43'

S89° 28' 30"E
44.28'

R=2965.00'
L=78.66'
CHORD=78.66'
CHORD BEARING
N87°46'24"E
Δ=1°31'12"

15' UTILITY EASEMENT
RECEPTION # 645847
N78° 35' 24"E 110.01'

LOT 1
NORTH ROLLING ACRES
SOUTH OF INTERSTATE 70
0.71 ACRES

LOT 2
NORTH ROLLING ACRES
RECEPTION # 645847

S0° 01' 07"E 252.47'

50.75'

S89° 58' 53"W 122.76'

25.0'

122.88'
(MEASURED)

123.00'
(PLAT)

50' R.O.W.
RECEPTION # 645847

25.00'

FOUND
WEST 1/16 CORNER
SECTION 35 T1N, R1W UTE
3.25 INCH ALUMINUM CAP
BLM 1986 0.25' BELOW SURFACE

FOUND
CENTER 1/4 CORNER
SECTION 35 T1N, R1W
3-1/4 INCH ALUMINUM
STAMPED MCSM No.
0.50' BELOW SURFACE

**ELECTRIC UTILITY EASEMENT
18/8208**

KNOW ALL MEN BY THESE PRESENTS, that we the undersigned, (whether one or more)
MUDDY GAP LLC (hereinafter called
"Grantor", whether one or more) in consideration of the sum of Ten Dollars (\$10.00) and other
good and valuable consideration, the receipt thereof is hereby acknowledged, do hereby grant unto
Grand Valley Rural Power Lines, Inc., a Colorado corporation (hereinafter called the "Utility") and to
its successors or assigns, a perpetual Easement with rights described herein, twenty (20) feet in
width, with easement extending in width when necessary to include guys and anchors, for the
purpose to construct, operate and maintain a power-line or power-lines for the distribution of
electric energy upon, over, under and across the lands of the Grantor, situated in the County of
MESA State of COLORADO and more particularly described as follows:

PARCEL# 2701-352-02-001

LOT 1 NORTH ROLLING ACRES SEC 35 1N 1W S OF I-70

reception #
2429329

With the Easement across said lands described as:

**A General Easement, upon, under and across the above described lands, to allow the
installation and maintenance of overhead and underground electrical lines to that property.
The easement in the afore said lands shall be twenty (10) feet in width, being the east (10)
foot of said lot. The approximate location being shown on Exhibit "A", attached hereto and
made a part hereof.**

This easement shall carry with it the right of ingress and egress to and from and access on and
along said easement, with the right to use existing roads to survey, construct, repair, remove,
replace, reconstruct, patrol, inspect, improve, enlarge and maintain overhead and underground
electric distribution lines and communication (licensed joint use) facilities both overhead and
underground, including poles, and other supports or whatever materials; together with braces,
guys, anchors, cross-arms, cables, conduits, wires, conductors, manholes, transformers, trans-
closures, cabinets, junction boxes, street lighting and other devices and appurtenances used or
useful in connection therewith, and full right and authority to cut, remove, trim or otherwise control
all trees/landscaping, brush and other growth on or overhanging said easement that may interfere
with installation, emergency repairs or operation/maintenance of electric equipment.

The Utility shall install the above facilities in the easement with respect to "final grade" existing or
established at the time of installation by the Grantor. The Grantor agrees not to modify the grade
later over underground or around above grade equipment and is responsible for restoration of "final
grade" as necessary.

Grantor reserves the right to the use and enjoyment of said property except for the purposes
herein granted, but such use shall not hinder, conflict, or interfere with the Utilities rights hereunder
or disturb Utilities facilities, and no building, structures, shall be erected placed or permitted to
remain on said easement without the Utilities review for safety and access consideration.

The Grantor covenants that they are the owners of the above described lands and that said lands
are free and clear of encumbrances and liens of whatsoever character except those held by the
following persons:

IN WITNESS WHEREOF, the undersigned Grantor(s) have set their hands and seal this
27th day of July, 2018.

Bert K Hammond
SIGNER for Muddy Gap LLC

Bert K Hammond
SIGNER for Muddy Gap LLC

STATE OF CO)
COUNTY OF MESA) ss.

The above and foregoing instrument was acknowledged before me this 27th day of
July, 2018, by Bert K Hammond

Thomas D. Holman
Notary Public

845 22 Rd Grand Jet CO
Notary Address

My Commission expires 11/16, 2020

(Form Revised 7/11/2012)
7.10.12





eAssessor (Parcel Info)

Search By...



EXHIBIT "A"

PAGE 3 OF 3

Parcel Number:
2701-352-02-001

MUDDY GAP LLC
GVP EASEMENT
THE EAST 10 FT
OF LOT

2628

LOT 1 NORTH
ROLLING ACRES
SEC 35 1N 1W S
OF 1-70

COTTONWOOD DR



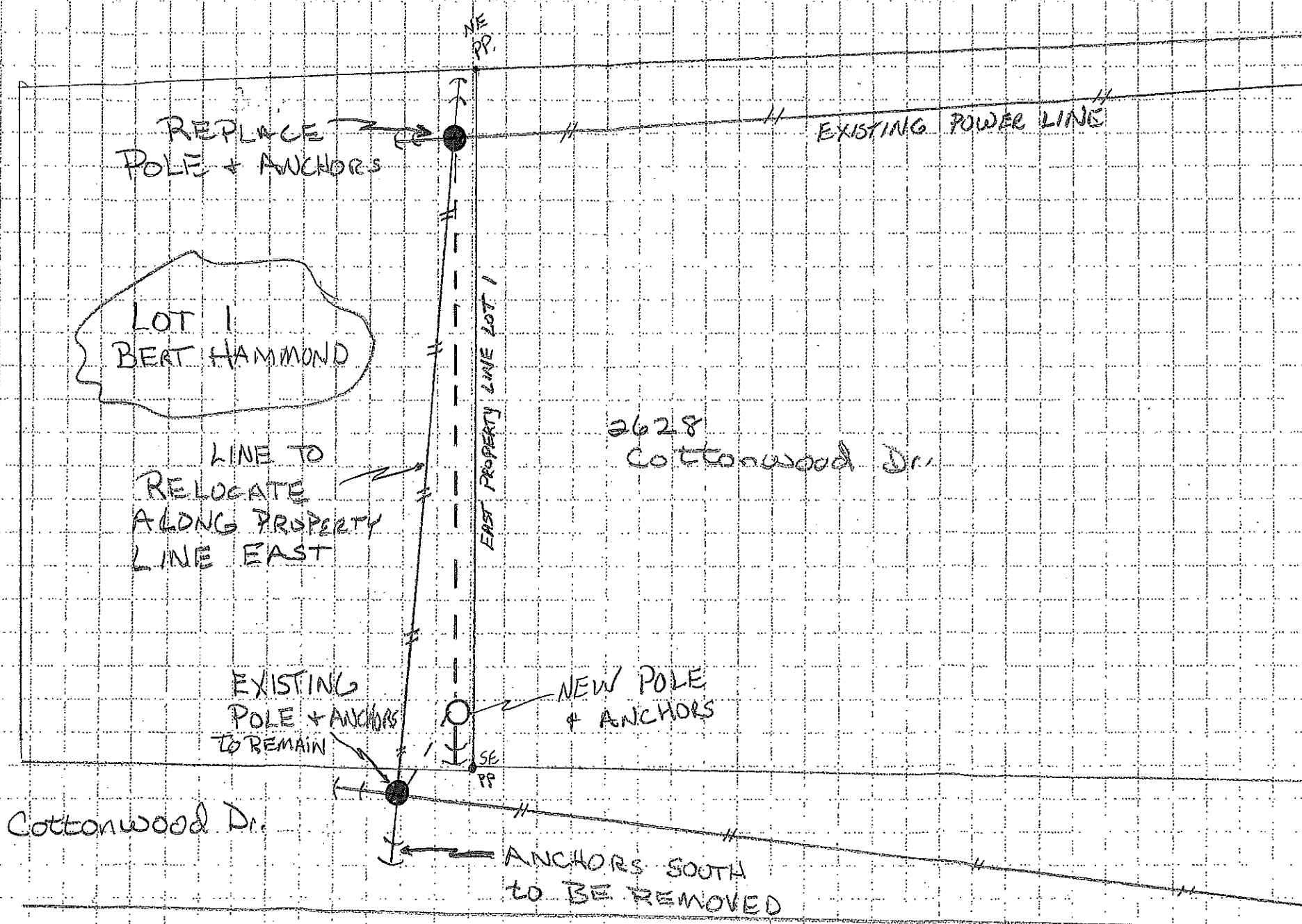
Mesa County, Colorado
GIS/IT Department

X=710262.7 Y=4332307.3

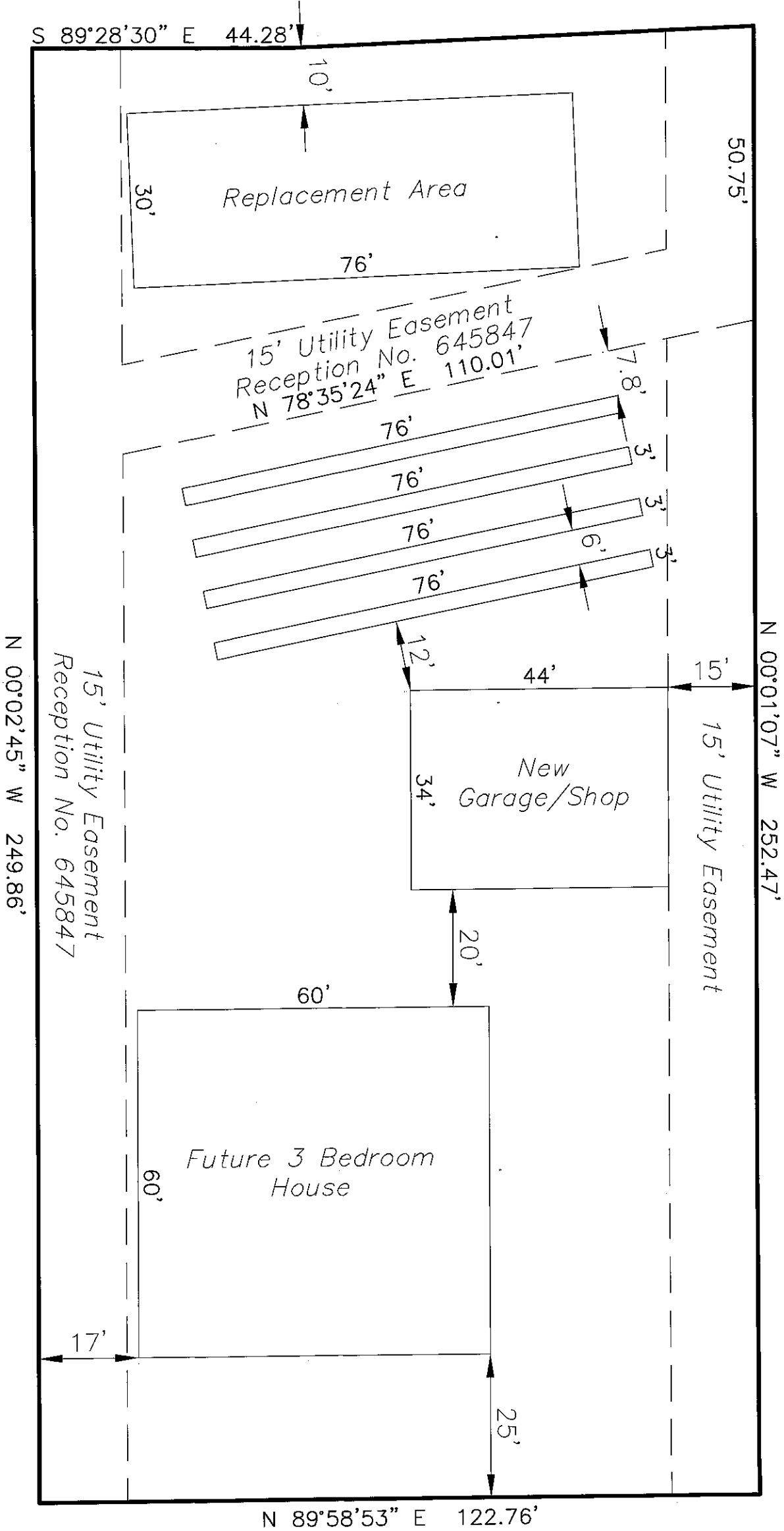
SKETCH SHEET COLO-7-MESA

CONSUMER NAME _____ ACCOUNT NO. _____
ADDRESS _____

WORK ORDER _____ JOB ORDER _____
SHEET _____ OF _____
ENGINEER _____ DATE _____
SCALE NOT



2626 COTTONWOOD DRIVE



Nathan Rinderle

From: Perry Rupp <prupp@gvp.org>
Sent: Monday, August 27, 2018 7:19 AM
To: Nathan Rinderle
Subject: RE: [EXTERNAL] 2626 Cottonwood Dr

Nathan,
It looks fine. GVP has no equipment in the easement.
Perry

Perry Rupp
Service Planner
Grand Valley Power
845 22 Road
Grand Junction, Co. 81502
Phone: 970.623-8571
Cell: 970.270.5888

-----Original Message-----

From: Nathan Rinderle [mailto:nathan@uplandcoinc.com]
Sent: Thursday, August 23, 2018 4:57 PM
To: Perry Rupp <prupp@gvp.org>
Subject: [EXTERNAL] 2626 Cottonwood Dr

Perry,

Here is the drawing that we discussed.

Let me know if you have any questions.

Thank you,

Nathan Rinderle
Owner/President
Upland Companies Inc.
Upland Gravel LLC.
3202 Springfield Rd.
Grand Junction, CO 81503
Cell 970.986.5591
Office 970.434.0510
Fax 970.434.6510

Building customer confidence by consistently providing quality products and services.
3202 Springfield Road Office:

Nathan Rinderle

From: Lee Cooper <leec@gjcity.org>
Sent: Wednesday, August 29, 2018 1:46 PM
To: Jennifer Caldwell
Cc: >nathan@uplandcoinc.com; Daniel Tonello; Randi Kim
Subject: 2626 Cottonwood Drive - Sewer Service Waiver

Jennifer,

The vacant property at **2626 Cottonwood Drive** is getting ready to have a house built on it. This property is greater than 400-feet from any existing City sewer infrastructure, via platted rights-of-way or easements. The contractor installing the septic system is Upland Company.

Eventually when the adjacent large 738 26 Road property develops, there will be sewer infrastructure available to extend up Cottonwood Drive to serve this property and others along Cottonwood Drive. The future plan is for sanitary sewer to be extended from 26 Road east up to Cottonwood Drive as part of a future development. Until the 738 26 Road property develops, there will be no sewer infrastructure on Cottonwood Drive.

Please consider this email as documentation of a waiver to allow the 2626 Cottonwood Drive property to install a complete septic system.

Thanks,
Lee

Lee Cooper, P.E.

City of Grand Junction
Project Engineer
P 970.256.4155 | C 970.589.4985
250 N. 5th St., Grand Junction, CO 81501

Development Application

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado, as described herein do petition this:

Petition For: Variance

Please fill in blanks below only for Zone of Annexation, Rezones, and Comprehensive Plan Amendments:

Existing Land Use Designation Vacant Land

Existing Zoning R-2

Proposed Land Use Designation Single family Residence

Proposed Zoning R-2

Property Information

Site Location: 2626 Cottonwood Dr.

Site Acreage: .70

Site Tax No(s): 2701-352-02-001

Site Zoning: R-2

Project Description: Easment Vacation / Sewer Variance

Property Owner Information

Name: Muddy Gap LLC

Street Address: 818 Coffen Ave St B

City/State/Zip: Sheridan, WY 82801

Business Phone #: 307-259-9307

E-Mail: muddygap@gmail.com

Fax #:

Contact Person: Bert

Contact Phone #: 307-259-9307

Applicant Information

Name: Bert Hammond

Street Address:

City/State/Zip:

Business Phone #: 307-259-9307

E-Mail: muddygap@gmail.com

Fax #:

Contact Person: Bert

Contact Phone #: 307-259-9307

Representative Information

Name: Nathan Rindler
Upland Companies Inc

Street Address: 3202 Springfield Rd

City/State/Zip: GJ, CO, 81503

Business Phone #: 970-434-0510

E-Mail: nathan@uplandcoinc.com

Fax #: 970 434 6510

Contact Person: Nathan

Contact Phone #: 970-986-5591

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 may be dropped from the agenda and an additional fee may be charged to cover rescheduling expenses before it can again be placed on the agenda.

Signature of Person Completing the Application

Date: 9-26-18

Signature of Legal Property Owner

Date: 9-27-18

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) Muddy Gap LLC ("Entity") is the owner of the following property:

(b) 2626 Cottonwood Dr./Lot 1 North Rolling Acres Sub, Sec 35, 1N, 1W,
Parcel 2701-352-02-001/Reception #2829329 5 of 1-70

A copy of the deed(s) evidencing the owner's interest in the property is attached. Any documents conveying any interest in the property to someone else by the owner are also attached.

I am the (c) Owner for the Entity. I have the legal authority to bind the Entity regarding obligations and this property. I have attached the most recent recorded Statement of Authority of the Entity.

☒ My legal authority to bind the Entity both financially and concerning this property is unlimited.

☐ My legal authority to bind the Entity financially and/or concerning this property is limited as follows:

☒ The Entity is the sole owner of the property.

☐ The Entity owns the property with other(s). The other owners of the property are:

On behalf of Entity, I have reviewed the application for the (d) Sewer Variance/Easement Vacation

I have the following knowledge or evidence of a possible boundary conflict affecting the property:

(e) _____

I understand the continuing duty of the Entity to inform the City planner of any changes regarding my authority to bind the Entity and/or regarding ownership, easement, right-of-way, encroachment, lienholder and any other interest in the land.

I swear under penalty of perjury that the information in this Ownership Statement is true, complete and correct.

Signature of Entity representative: Bert K Hammond

Printed name of person signing: Bert K Hammond

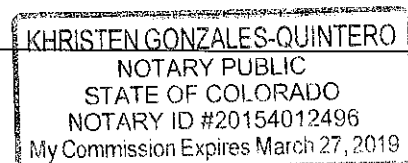
State of Colorado)

County of Mesa) ss.

Subscribed and sworn to before me on this 27 day of September, 20 18
by Bert Hammond

Witness my hand and seal.

My Notary Commission expires on 3-27-19



Kristen Gonzales-Quintero
Notary Public Signature



Building customer confidence by consistently providing quality products and services.

3202 Springfield Road
Grand Junction, Co 81503

Office: 970-434-0510
Fax: 970-434-6510

To whom it my concern:

Bert Hammond who is the owner of Muddy Gap LLC purchased the property at 2626 Cottonwood Drive. He is wanting to develop the property with a single family residence and detached shop/garage building. The property lies within the City of Grand Junction. The property was initially subdivided in 1955 and sewer was not available at that time and is still not within reasonable distance.

- (i) This has created hardship for this property and all properties along Cottonwood Drive.
- (ii) I believe there are 7 properties along Cottonwood Drive that are currently on septic systems. Therefore, I do not see this request as a special privilege.
- (iii) I believe that our request is following the literal interpretation of the code.
- (iv) The owner of this property will not be able to use the property as the intended use without approval of the requested variance.
- (v) The request for the variance is the minimum needed to make use of the property.
- (vi) I believe our request is conforming with the purpose of the code.
- (vii) I believe that our request is conforming with the comprehensive plan.

We are also seeking to vacate the utility easement that crosses the property.

I have attached a letter from Grand Valley Power stating that they do not have anything in this easement and are ok with vacating it. We have called in locates and nothing has been located in the easement. We would like to vacate this easement to allow ample room for the replacement area for the septic system.

To address the approval criteria:

- (1) I believe we meet the requirements of the Comprehensive plan.
- (2) No parcel will be landlocked by vacating the easement.
- (3) No access is restricted by vacating the easement.
- (4) There will be no adverse impacts by vacating the easement.
- (5) No public facilities will be inhibited by vacating the easement.
- (6) I do not believe there is a need for the easement as it is in the middle of private property. I do not see a benefit or a detriment to the City by vacating the easement.

Thank you for your time in reviewing our request.

Respectfully,

Nathan Rinderle and Bert Hammond



State Documentary Fee
Date: February 01, 2018
\$8.00

Warranty Deed
(Pursuant to 38-30-113 C.R.S.)

THIS DEED, made on February 1st, 2018 by CORA LEE PATTON Grantor(s), of the County of Mesa and State of Colorado for the consideration of (\$80,000.00) ***Eighty Thousand and 00/100*** dollars in hand paid, hereby sells and conveys to MUDDY GAP LLC Grantee(s), whose street address is 818 COFFEN AVE, STE B, SHERIDAN, WY 82801, County of Sheridan, and State of Wyoming, the following real property in the County of Mesa, and State of Colorado, to wit:

**LOT 1 OF NORTH ROLLING ACRES,
EXCEPTING THAT PORTION CONVEYED TO THE DEPARTMENT OF HIGHWAYS, STATE OF COLORADO IN DEED
RECORDED OCTOBER 7, 1963 UNDER RECEPTION NO. 849966 IN BOOK 856 AT PAGE 287.**

also known by street and number as: TBD COTTONWOOD DRIVE, GRAND JUNCTION, CO 81506

with all its appurtenances and warrants the title to the same, subject to general taxes for the year 2018 and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Grantee(s) in accordance with Record Title Matters (Section 8.2) of the Contract to Buy and Sell Real Estate relating to the above described real property; distribution utility easements, (including cable TV); those specifically described rights of third parties not shown by the public records of which Grantee(s) has actual knowledge and which were accepted by Grantee(s) in accordance with Off-Record Title Matters (Section 8.3) and Current Survey Review (Section 9) of the Contract to Buy and Sell Real Estate relating to the above described real property; inclusions of the Property within any special tax district; Any special assessment if the improvements were not installed as of the date of Buyer's signature on the Contract to Buy and Sell Real Estate, whether assessed prior to or after Closing; and other NONE

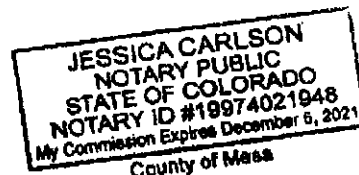
Cora L. Patton

CORA LEE PATTON

State of Colorado)

)ss.

County of MESA)



The foregoing instrument was acknowledged before me on this day of February 1st, 2018 by CORA LEE PATTON

Witness my hand and official seal

My Commission expires:

12-5-21

J. Carlson
Notary Public

When Recorded Return to:

MUDDY GAP LLC

818 COFFEN AVE, STE B, SHERIDAN, WY 82801



STATEMENT OF AUTHORITY
(§38-30-172, C.R.S.)

1. This Statement of Authority relates to an entity¹ named
MUDDY GAP, LLC
2. The type of entity is a:

☐ Corporation	☐ Registered Limited Liability Partnership
☐ Nonprofit Corporation	☐ Registered Limited Liability Limited Partnership
☒ Limited Liability Company	☐ Limited Partnership Association
☐ General Partnership	☐ Government or Governmental Subdivision or Agency
☐ Limited Partnership	☐ Trust
3. The entity is formed under the laws of **WYOMING**
4. The mailing address for the entity is **818 COFFEN AVE, STE B, SHERIDAN, WY 82801**
5. The ☒ name ☒ position of each person authorized to execute instruments conveying, encumbering or otherwise affecting title to real property on behalf of the entity is **BERT K. HAMMOND, MEMBER AND CAROL S. HAMMOND MEMBER**
6. The authority of the foregoing person(s) to bind the entity: ☒ is² not limited ☐ is limited as follows:
7. Other matters concerning the manner in which the entity deals with interests in real property:
8. This Statement of Authority is executed on behalf of the entity pursuant to the provisions of §38-30-172, C.R.S.³
9. This Statement of Authority amends and supersedes in all respects any and all prior dated Statements of Authority executed on behalf of the entity.

(Signature and Notary Acknowledgement on Second Page)

¹This form should not be used unless the entity is capable of holding title to real property.

²The absence of any limitation shall be prima facie evidence that no such limitation exists.

³The statement of authority must be recorded to obtain the benefits of the statute.



Executed this 1st day of Feb. 2018


BERT K. HAMMOND, MEMBER


CAROL S. HAMMOND, MEMBER

State of Colorado

)
)ss
)

County of Mesa

The foregoing instrument was acknowledged before me on this 1st day of Feb. 2018
by BERT K. HAMMOND, AS MEMBER AND CAROL S. HAMMOND AS MEMBER OF MUDDY GAP, LLC

Witness my hand and official seal.

My Commission expires 12-5-21


Notary Public

WHEN RECORDED RETURN TO: MUDDY GAP, LLC
818 COFFEN AVE, STE B
SHERIDAN, WY 82801
Attn:

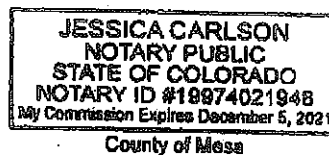


EXHIBIT A
Utility Easement Vacation

A parcel of land located in Lot 1, North Rolling Acres as shown on plat recorded in Reception Number 645847 of the Mesa County records and in the Southeast Quarter of the Northwest Quarter (SE¼ NW¼) of Section 35, Township 1 North, Range 1 West of the Ute Meridian, in Mesa County, Colorado and more particularly described as follows:

That 15 five foot wide (15.0') Utility Easement running East and West across the Northerly portion of Lot 1, North Rolling Acres, as shown on plat recorded in Reception Number 645847 of the Mesa County records and more particularly described as follows:

Commencing at the Southwest corner of said Lot 1, North Rolling Hills, whence the Northwest corner of said Lot 1 bears North 00°02'45" West, a distance of 249.86 feet for a basis of bearings, with all bearings contained herein relative thereto; thence North 00°02'45" West, a distance of 176.97 feet; thence North 78°35'24" East, a distance of 15.30 feet to the POINT OF BEGINNING; thence North 00°02'45" West, a distance of 15.30 feet; thence North 78°35'24" East, a distance of 99.82 feet; thence South 00°01'07" East, a distance of 15.30 feet; thence South 78°35'24" West, a distance of 99.81 feet to the POINT OF BEGINNING.

Said parcel containing an area of 1497 Square Feet, 0.03 Acres, as herein described.



EXHIBIT B

$D=01^{\circ}31'12''$

$R=2965.00'$

$A=78.66'$

$C=78.66'$

$B=N87^{\circ}46'24''E$

Interstate Highway 70

Reception 849966

$S89^{\circ}28'30''E$

44.28'

$N00^{\circ}02'45''W$
15.30'

POINT OF BEGINNING

$N78^{\circ}35'24''E$
15.30'

$N78^{\circ}35'24''E$ 99.82'

15.0' Utility Easement
Reception 645847

$S78^{\circ}35'24''W$ 99.81'

$S00^{\circ}01'07''E$
15.30'

Easement Abandonment

1497 sf
0.03 Acres

Lot 1

2626 Cottonwood Drive

Lot 2

North Rolling Acres

Reception 645847

Basis of Bearings

$N00^{\circ}02'45''W$ 249.86'

$N00^{\circ}02'45''W$ 176.97'

15.0' Utility Easement Reception 645847

10.0' Utility Easement Reception 2849850

$S00^{\circ}01'07''E$ 252.47'

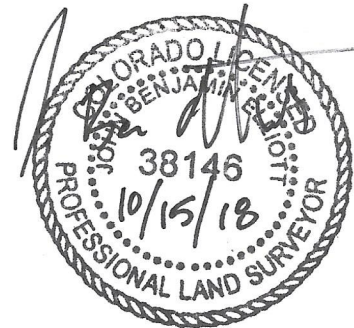


Point of Commencement

$S89^{\circ}58'53''W$ 122.76'

Cottonwood Drive

Reception 645847



SCALE: 1"= 40'

0 20 40 80



High Desert Surveying, LLC

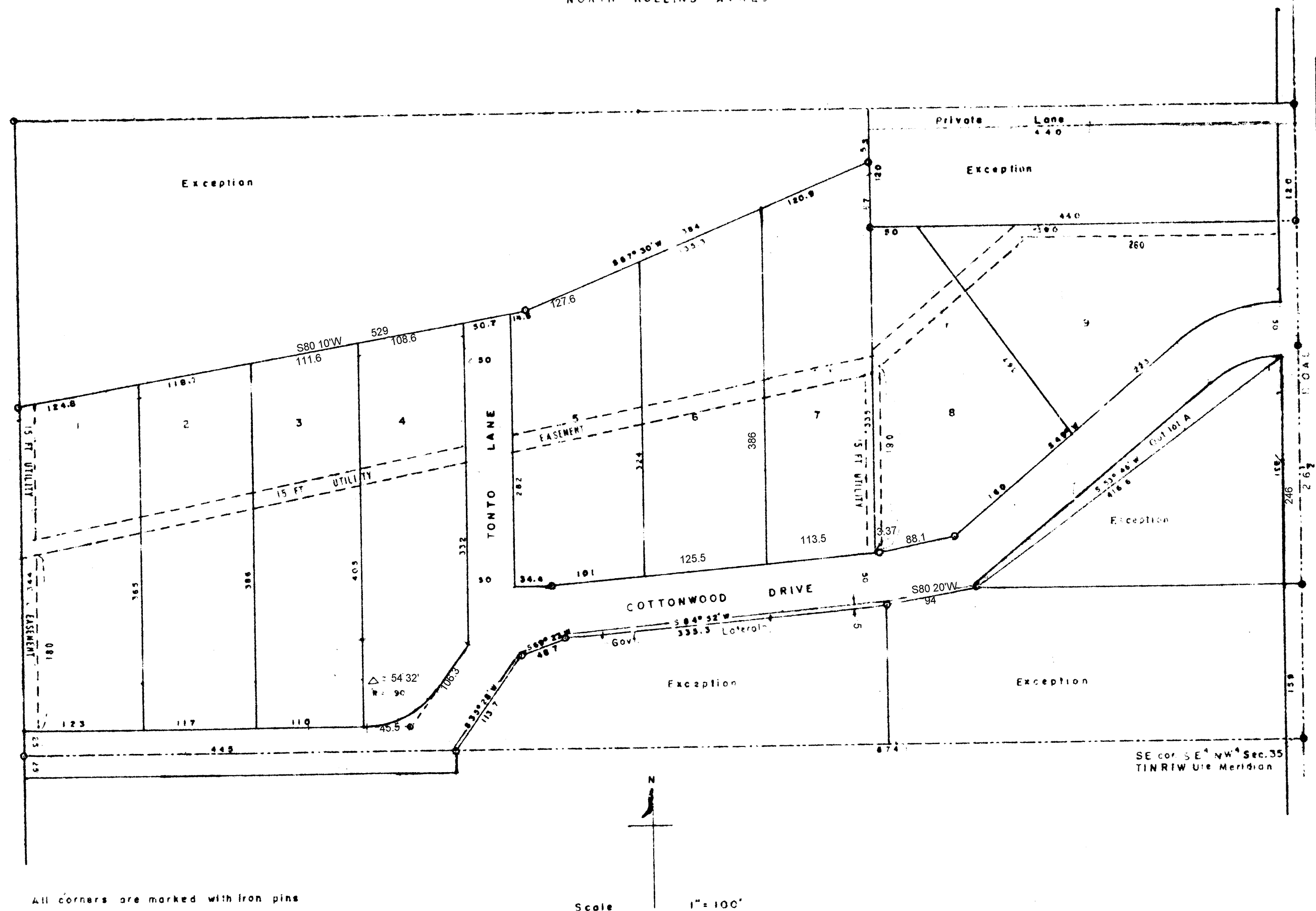
1673 Highway 50 Unit C

Grand Junction, Colorado 81503

Tele: 970-254-8649 Fax: 970-241-0451

PROJ. NO. 18-112	Drawn	APP'D	SHEET	OF
DATE: October, 2018	knr	jcf	1	1

MESA COUNTY, COLORADO
NORTH ROLLING ACRES



All corners are marked with iron pins

Scale 1" = 100'

KNOW ALL MEN BY THESE PRESENTS: That the undersigned being the owners of the following described land, beginning at a point 405 feet North of the SE corner of the SE 1/4 NW 1/4 Section 35 T1N R1W Ute Meridian, thence along a Government lateral S53°46'W 416.6 feet, thence S80°20'W .94 feet, thence S84°52'W 335.3 feet, thence S69°23'W 48.7 feet, thence S35°26'W 113.7 feet, to the South line of the SE 1/4 NW 1/4 said Section 35, thence West 445 feet to the SW cor. of the said SE 1/4 NW 1/4, thence North 363.6 feet, thence N80°10'E 529 feet, thence N67°30'E 384 feet, thence South 67 feet, thence East 440 feet to the East line of the said SE 1/4 NW 1/4, thence South 130 feet to the point of beginning; have caused the same to be surveyed and plotted as shown hereon, have named and easements said place North Rolling Acres, and they do hereby dedicate the roads to the use of the public forever. In witness whereof we have hereunto placed our hands.

J. S. Patton

Homer C. Biggs and Corral S. Wilcox being the owners of the North 25 feet of the West 445 feet of the NE 1/4 SW 1/4 sec. 35 T1N R1W Ute M. do hereby do hereby dedicate said land to the use of the public forever for road purposes

STATE OF COLORADO
County of Mesa

The foregoing was acknowledged

before me by *J. S. Patton* and *Corral S. Wilcox*

on the *31st* day of *August*

R. M. Lawrence
Notary Public

I hereby certify that this is a true and correct plot of survey of the above described land and of the subdivision of the same

Ray S. George
County Surveyor R S

Approved by the Mesa County Planning Commission

- 30 Aug 1955 -

Ray S. George
Chairman

Approved by the County Commissioners of Mesa County Colorado.

Henry J. Lippert
Chairman 8/30/55

Attest: *Charles H. Wilcox*
County Clerk

Approved by the Crest Ridge Planning Commission

Chairman

DEPARTMENT OF
HIGHWAYS
STATE OF COLORADO
RECEPTION # 894375

APOGEE, LLC
738 26 ROAD
RECEPTION # 2571322

BASIS OF BEARINGS
WEST LINE SE 1/4 SECTION 35
N0° 02' 45"W 1313.36'

249.86'

15' UTILITY EASEMENT
RECEPTION # 645847

179.99'

54.43'

S89° 28' 30"E
44.28'

R=2965.00'
L=78.66'
CHORD=78.66'
CHORD BEARING
N87° 46' 24"E
Δ=1° 31' 12"

15' UTILITY EASEMENT
RECEPTION # 645847
N78° 35' 24"E 110.01'

LOT 1
NORTH ROLLING ACRES
SOUTH OF INTERSTATE 70
0.71 ACRES

LOT 2
NORTH ROLLING ACRES
RECEPTION # 645847

S0° 01' 07"E 252.47'

50.75'

S89° 58' 53"W 122.76'

25.0'

122.88'
(MEASURED)

123.00'
(PLAT)

50' R.O.W.
RECEPTION # 645847

25.00'

FOUND
WEST 1/16 CORNER
SECTION 35 T1N, R1W UTE
3.25 INCH ALUMINUM CAP
BLM 1986 0.25' BELOW SURFACE

FOUND
CENTER 1/4 CORNER
SECTION 35 T1N, R1W
3-1/4 INCH ALUMINUM
STAMPED MCSM No.
0.50' BELOW SURFACE

**ELECTRIC UTILITY EASEMENT
18/8208**

KNOW ALL MEN BY THESE PRESENTS, that we the undersigned, (whether one or more)
MUDDY GAP LLC (hereinafter called
"Grantor", whether one or more) in consideration of the sum of Ten Dollars (\$10.00) and other
good and valuable consideration, the receipt thereof is hereby acknowledged, do hereby grant unto
Grand Valley Rural Power Lines, Inc., a Colorado corporation (hereinafter called the "Utility") and to
its successors or assigns, a perpetual Easement with rights described herein, twenty (20) feet in
width, with easement extending in width when necessary to include guys and anchors, for the
purpose to construct, operate and maintain a power-line or power-lines for the distribution of
electric energy upon, over, under and across the lands of the Grantor, situated in the County of
MESA State of COLORADO and more particularly described as follows:

PARCEL# 2701-352-02-001

LOT 1 NORTH ROLLING ACRES SEC 35 1N 1W S OF I-70

reception #
2429329

With the Easement across said lands described as:

**A General Easement, upon, under and across the above described lands, to allow the
installation and maintenance of overhead and underground electrical lines to that property.
The easement in the afore said lands shall be twenty (10) feet in width, being the east (10)
foot of said lot. The approximate location being shown on Exhibit "A", attached hereto and
made a part hereof.**

This easement shall carry with it the right of ingress and egress to and from and access on and
along said easement, with the right to use existing roads to survey, construct, repair, remove,
replace, reconstruct, patrol, inspect, improve, enlarge and maintain overhead and underground
electric distribution lines and communication (licensed joint use) facilities both overhead and
underground, including poles, and other supports or whatever materials; together with braces,
guys, anchors, cross-arms, cables, conduits, wires, conductors, manholes, transformers, trans-
closures, cabinets, junction boxes, street lighting and other devices and appurtenances used or
useful in connection therewith, and full right and authority to cut, remove, trim or otherwise control
all trees/landscaping, brush and other growth on or overhanging said easement that may interfere
with installation, emergency repairs or operation/maintenance of electric equipment.

The Utility shall install the above facilities in the easement with respect to "final grade" existing or
established at the time of installation by the Grantor. The Grantor agrees not to modify the grade
later over underground or around above grade equipment and is responsible for restoration of "final
grade" as necessary.

Grantor reserves the right to the use and enjoyment of said property except for the purposes
herein granted, but such use shall not hinder, conflict, or interfere with the Utilities rights hereunder
or disturb Utilities facilities, and no building, structures, shall be erected placed or permitted to
remain on said easement without the Utilities review for safety and access consideration.

The Grantor covenants that they are the owners of the above described lands and that said lands
are free and clear of encumbrances and liens of whatsoever character except those held by the
following persons:

IN WITNESS WHEREOF, the undersigned Grantor(s) have set their hands and seal this
27th day of July, 2018.

Bert K Hammond
SIGNER for Muddy Gap LLC

Bert K Hammond
SIGNER for Muddy Gap LLC

STATE OF CO)
COUNTY OF MESA) ss.

The above and foregoing instrument was acknowledged before me this 27th day of
July, 2018, by Bert K Hammond

Thomas D. Holman
Notary Public

845 22 Rd Grand Jet CO
Notary Address

My Commission expires 11/16, 2020

(Form Revised 7/11/2012)
7.10.12





eAssessor (Parcel Info)

Search By...



EXHIBIT"A"

PAGE 3 OF 3

Parcel Number:
2701-352-02-001

MUDDY GAP LLC
GVP EASEMENT
THE EAST 10 FT
OF LOT

2628

LOT 1 NORTH
ROLLING ACRES
SEC 35 1N 1W S
OF 1-70

COTTONWOOD DR



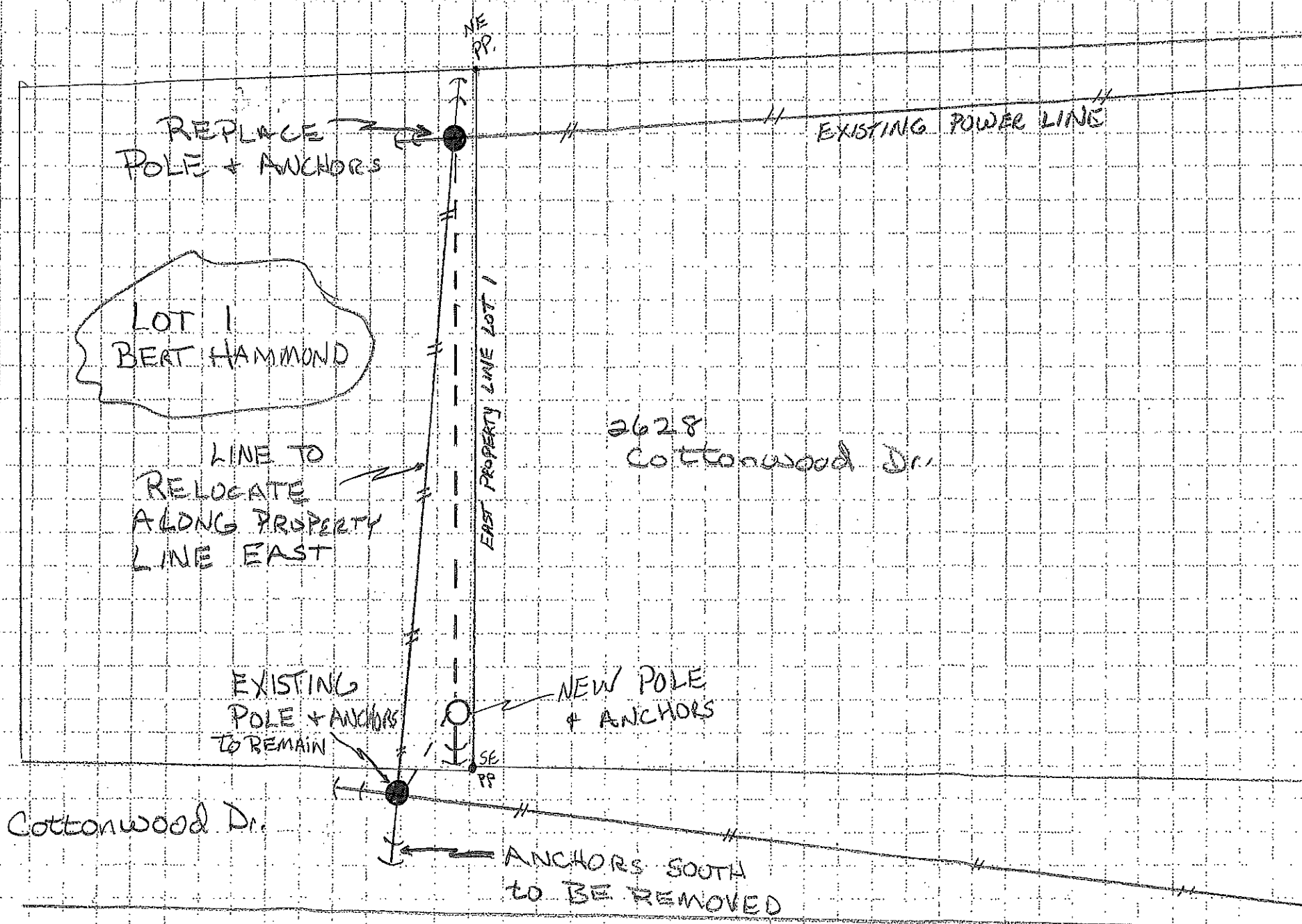
Mesa County, Colorado
GIS/IT Department

X=710262.7 Y=4332307.3

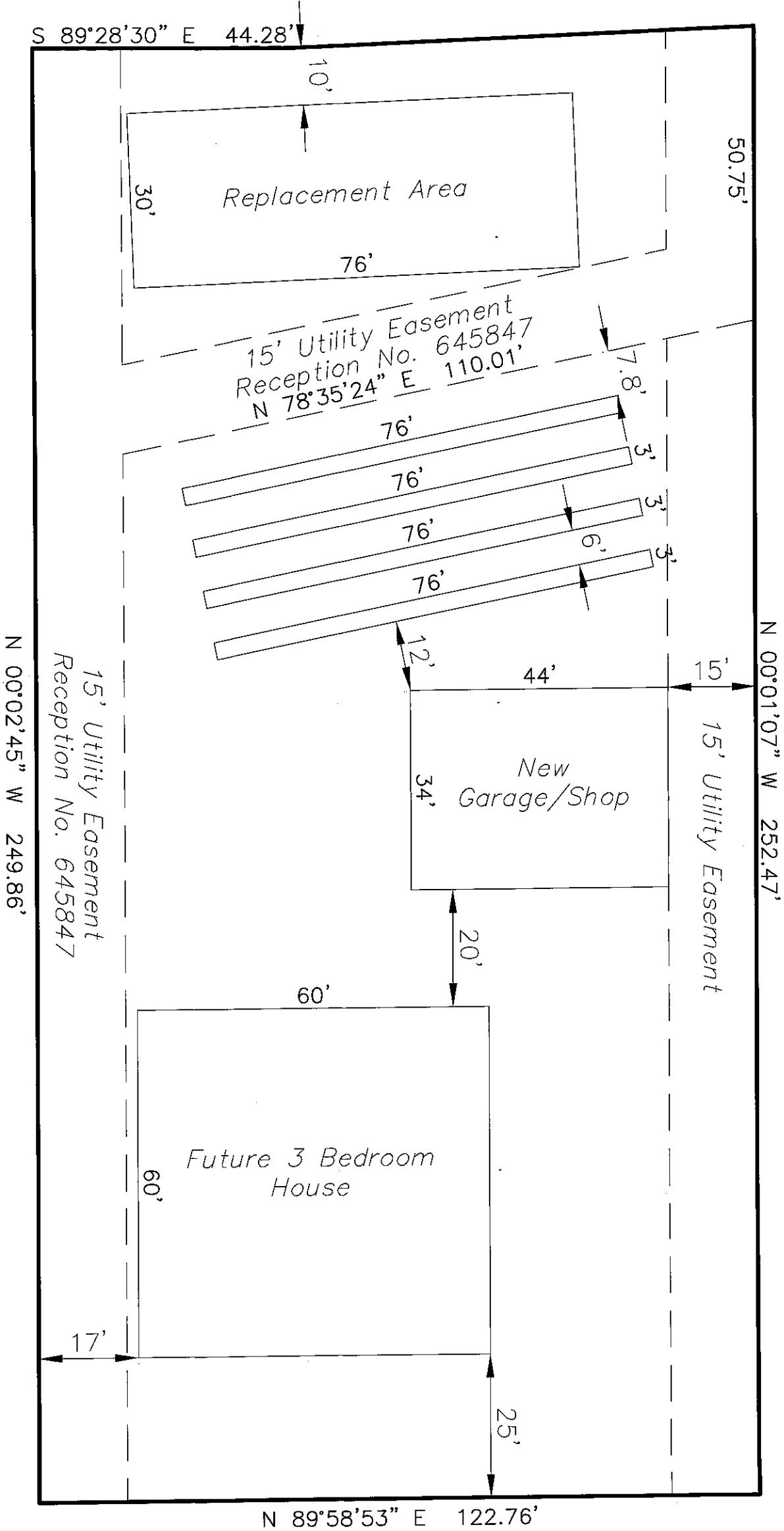
SKETCH SHEET COLO-7-MESA

CONSUMER NAME _____ ACCOUNT NO. _____
ADDRESS _____

WORK ORDER _____ JOB ORDER _____
SHEET _____ OF _____
ENGINEER _____ DATE _____
SCALE NOT



2626 COTTONWOOD DRIVE



Nathan Rinderle

From: Perry Rupp <prupp@gvp.org>
Sent: Monday, August 27, 2018 7:19 AM
To: Nathan Rinderle
Subject: RE: [EXTERNAL] 2626 Cottonwood Dr

Nathan,
It looks fine. GVP has no equipment in the easement.
Perry

Perry Rupp
Service Planner
Grand Valley Power
845 22 Road
Grand Junction, Co. 81502
Phone: 970.623-8571
Cell: 970.270.5888

-----Original Message-----

From: Nathan Rinderle [mailto:nathan@uplandcoinc.com]
Sent: Thursday, August 23, 2018 4:57 PM
To: Perry Rupp <prupp@gvp.org>
Subject: [EXTERNAL] 2626 Cottonwood Dr

Perry,

Here is the drawing that we discussed.

Let me know if you have any questions.

Thank you,

Nathan Rinderle
Owner/President
Upland Companies Inc.
Upland Gravel LLC.
3202 Springfield Rd.
Grand Junction, CO 81503
Cell 970.986.5591
Office 970.434.0510
Fax 970.434.6510

Building customer confidence by consistently providing quality products and services.
3202 Springfield Road Office:

Nathan Rinderle

From: Lee Cooper <leec@gjcity.org>
Sent: Wednesday, August 29, 2018 1:46 PM
To: Jennifer Caldwell
Cc: nathan@uplandcoinc.com; Daniel Tonello; Randi Kim
Subject: 2626 Cottonwood Drive - Sewer Service Waiver

Jennifer,

The vacant property at **2626 Cottonwood Drive** is getting ready to have a house built on it. This property is greater than 400-feet from any existing City sewer infrastructure, via platted rights-of-way or easements. The contractor installing the septic system is Upland Company.

Eventually when the adjacent large 738 26 Road property develops, there will be sewer infrastructure available to extend up Cottonwood Drive to serve this property and others along Cottonwood Drive. The future plan is for sanitary sewer to be extended from 26 Road east up to Cottonwood Drive as part of a future development. Until the 738 26 Road property develops, there will be no sewer infrastructure on Cottonwood Drive.

Please consider this email as documentation of a waiver to allow the 2626 Cottonwood Drive property to install a complete septic system.

Thanks,
Lee

Lee Cooper, P.E.

City of Grand Junction

Project Engineer

P 970.256.4155 | C 970.589.4985

250 N. 5th St., Grand Junction, CO 81501

970-434-0510

Grand Junction, Co 81503

Fax:

970-434-6510

-----Original Message-----

From: Copier <khristenuplandcoinc@gmail.com>

Sent: Thursday, August 23, 2018 5:56 PM

To: Nathan Rinderle <nathan@uplandcoinc.com>

Subject: Send data from MFP07828637 08/23/2018 16:55

Scanned from MFP07828637

Date:08/23/2018 16:55

Pages:1

Resolution:200x200 DPI

Vicinity Map

2626 Cottonwood Drive



0 0.05 0.1
mi

Printed: 12/26/2018

1 inch = 188 feet

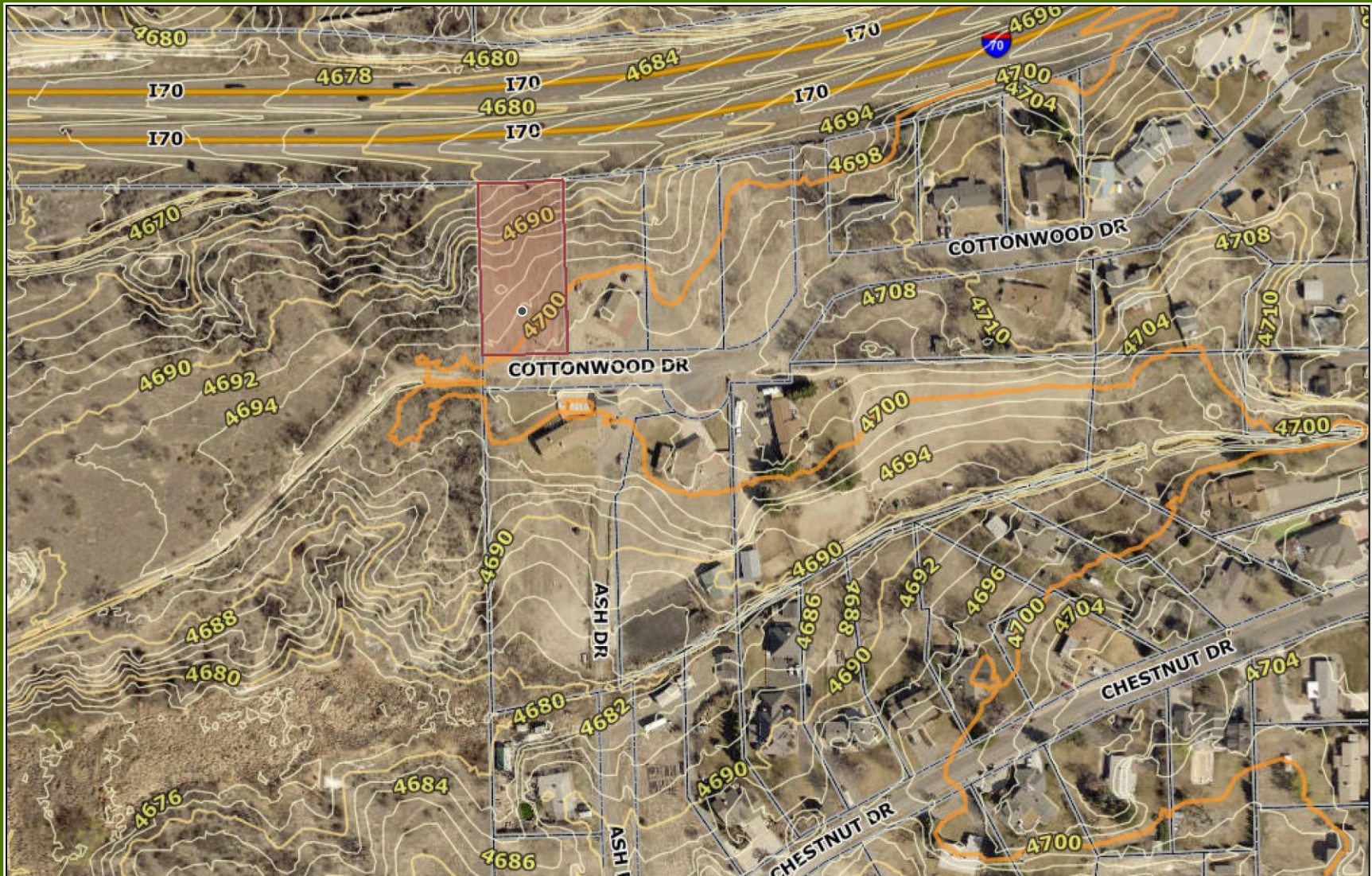
CITY OF
Grand Junction
COLORADO
GEOGRAPHIC INFORMATION SYSTEM

Sewer Connection Illustration



Topography Map

2626 Cottonwood Topography



0 0.05 0.1
mi

Printed: 1/17/2019

1 inch = 188 feet

CITY OF
Grand Junction
COLORADO
GEOGRAPHIC INFORMATION SYSTEM

Sewer Tap and Service Line Map

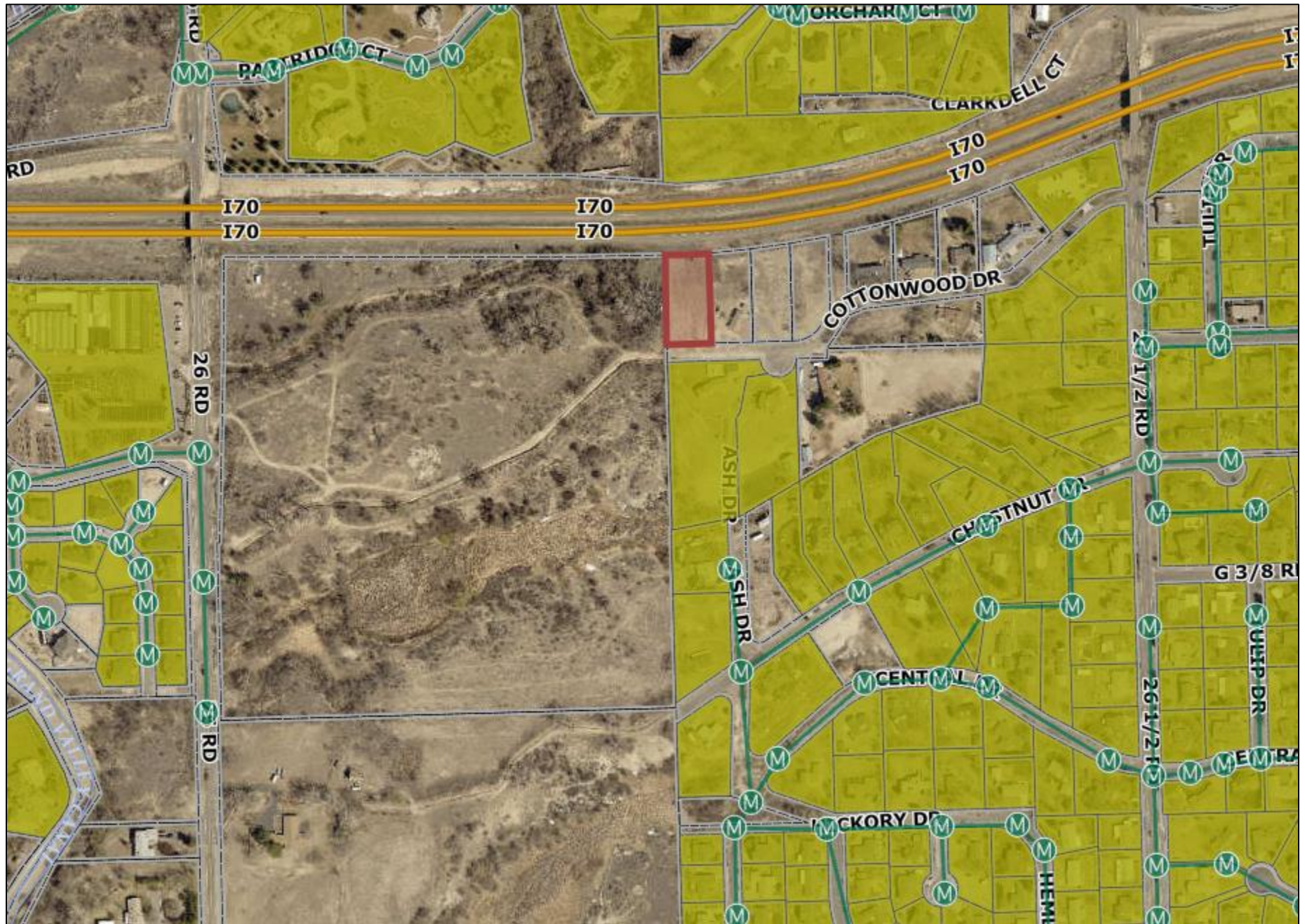


EXHIBIT A
Utility Easement Vacation

A parcel of land located in Lot 1, North Rolling Acres as shown on plat recorded in Reception Number 645847 of the Mesa County records and in the Southeast Quarter of the Northwest Quarter (SE¼ NW¼) of Section 35, Township 1 North, Range 1 West of the Ute Meridian, in Mesa County, Colorado and more particularly described as follows:

That 15 five foot wide (15.0') Utility Easement running East and West across the Northerly portion of Lot 1, North Rolling Acres, as shown on plat recorded in Reception Number 645847 of the Mesa County records and more particularly described as follows:

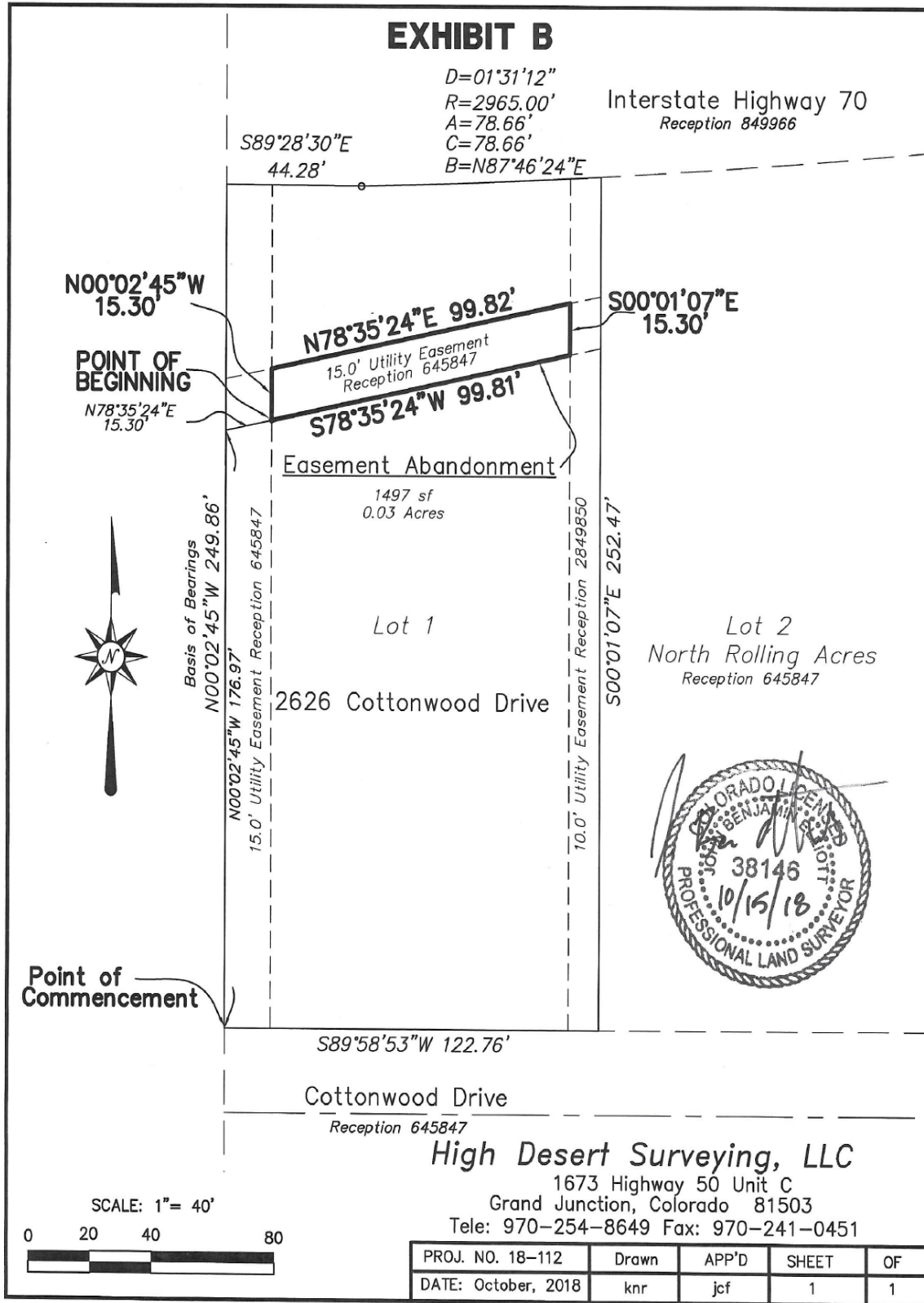
Commencing at the Southwest corner of said Lot 1, North Rolling Hills, whence the Northwest corner of said Lot 1 bears North 00°02'45" West, a distance of 249.86 feet for a basis of bearings, with all bearings contained herein relative thereto; thence North 00°02'45" West, a distance of 176.97 feet; thence North 78°35'24" East, a distance of 15.30 feet to the POINT OF BEGINNING; thence North 00°02'45" West, a distance of 15.30 feet; thence North 78°35'24" East, a distance of 99.82 feet; thence South 00°01'07" East, a distance of 15.30 feet; thence South 78°35'24" West, a distance of 99.81 feet to the POINT OF BEGINNING.

Said parcel containing an area of 1497 Square Feet, 0.03 Acres, as herein described.

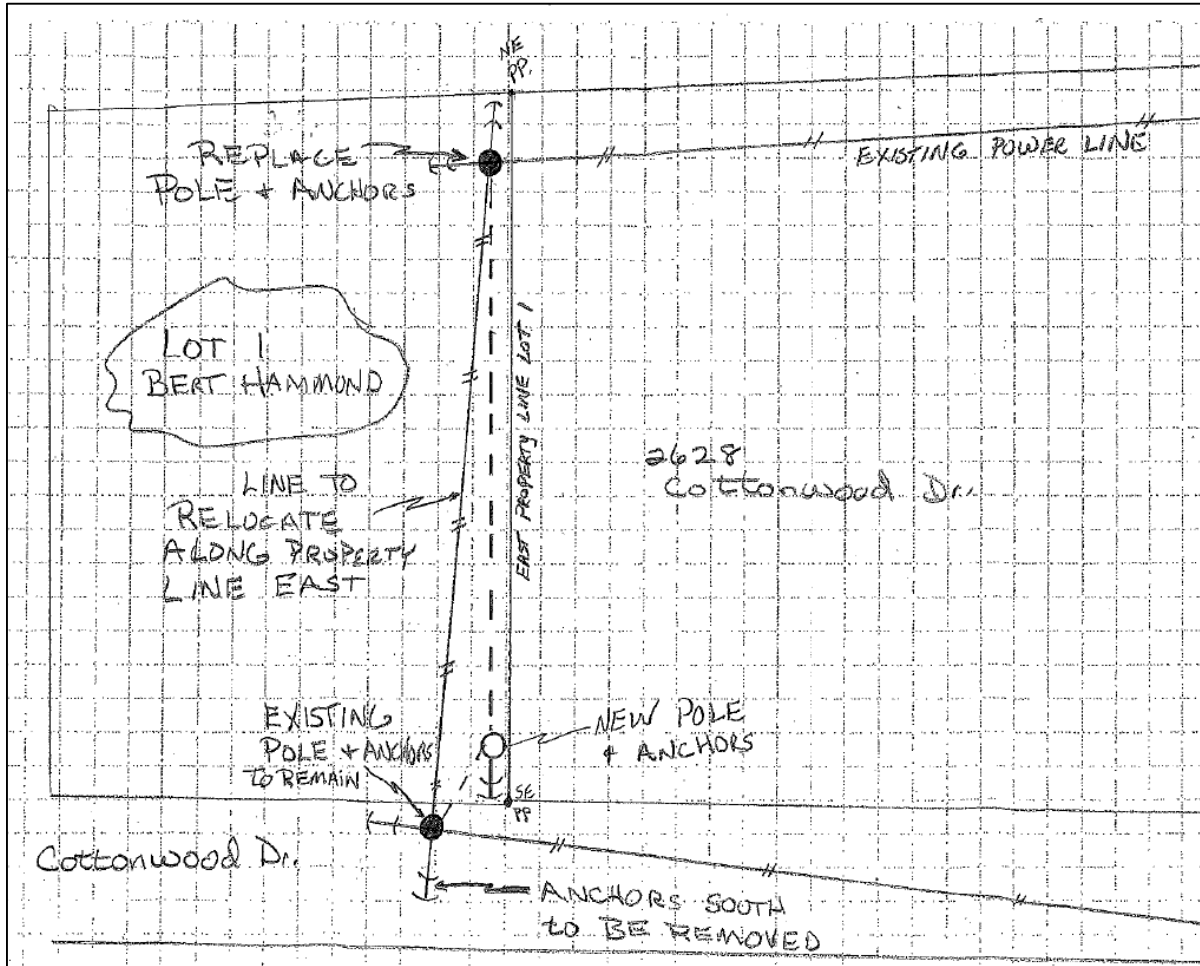


Easement Vacation Exhibit

EXHIBIT B

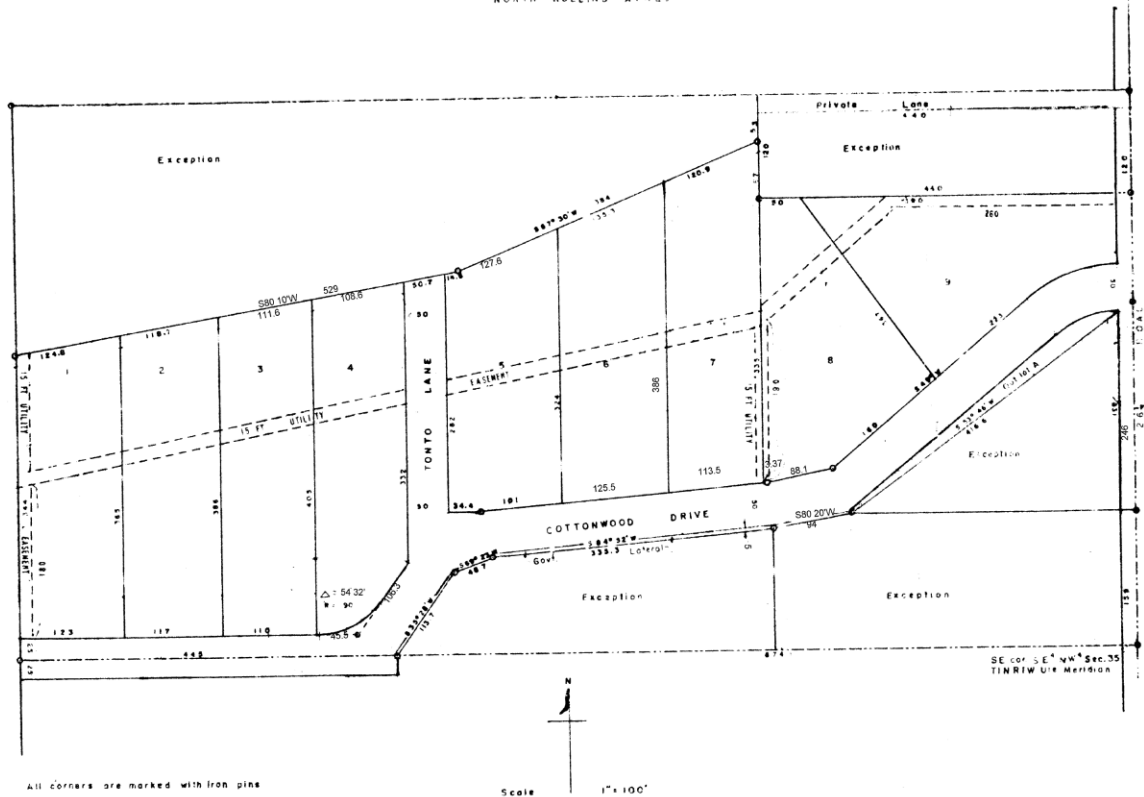


Revised Grand Valley Power Utility Easement Illustration



North Rolling Hills Plat - 1955

MESA COUNTY RECORDS
NORTH ROLLING ACRES



KNOW ALL MEN BY THESE PRESENTS: That the undersigned being the owners of the following described land, beginning at a point 400 feet North of the SE corner of the SE¹ NW⁴ Section 35 T1N R1W Ute Meridian, thence along a Government lateral S53°46'W 416.6 feet, thence S80°20'W 94 feet, thence S84°52'W 335.3 feet, thence S69°23'W 48.7 feet, thence S35°26'W 113.7 feet, to the South line of the SE¹ NW⁴ said Section 35, thence West 445 feet to the SW cor. of the said SE¹ NW⁴, thence North 303.6 feet, thence N80°10'E 529 feet, thence N 67°30'E 384 feet, thence South 67 feet, thence East 440 feet to the East line of the said SE¹ NW⁴, thence South 130 feet to the point of beginning; have caused the same to be surveyed and plotted as shown hereon, have named and appointed said place North Rolling Acres, and they do hereby dedicate the roadway to the use of the public forever. In witness whereof we have hereunto placed our hands.

J. J. Patton

Homer C. Briggs and Correll S. Wilcox being the owners of the North 25 feet of the West 445 feet of the NE¹ SW⁴ sec. 35 T1N R1W Ute M. do hereby do hereby dedicate said land to the use of the public forever for road purposes

STATE OF COLORADO: SS
County of Mesa

The foregoing was acknowledged before me by J. J. Patton and Correll S. Wilcox on the 31st day of August.

E. M. Lawrence
Notary Public

I hereby certify that this is a true and correct plat of survey of the above described land and of the subdivision of the same

W. S. George
County Surveyor R.S.

Approved by the Mesa County Planning Commission
- 30 Aug 1955 -

Ray R. Rabinovich
Chairman

Approved by the County Commissioners of Mesa County Colorado.

Henry J. Zuppers
Chairman 8/30/55

Attest *Donald W. Anderson*
County Clerk

Approved by the Crest Ridge Planning Commission

Chairman

Persigo Sewer Waiver

Nathan Rinderle

From: Lee Cooper <leec@gjcity.org>
Sent: Wednesday, August 29, 2018 1:46 PM
To: Jennifer Caldwell
Cc: nathan@uplandcoinc.com; Daniel Tonello; Randi Kim
Subject: 2626 Cottonwood Drive - Sewer Service Waiver

Jennifer,

The vacant property at **2626 Cottonwood Drive** is getting ready to have a house built on it. This property is greater than 400-feet from any existing City sewer infrastructure, via platted rights-of-way or easements. The contractor installing the septic system is Upland Company.

Eventually when the adjacent large 738 26 Road property develops, there will be sewer infrastructure available to extend up Cottonwood Drive to serve this property and others along Cottonwood Drive. The future plan is for sanitary sewer to be extended from 26 Road east up to Cottonwood Drive as part of a future development. Until the 738 26 Road property develops, there will be no sewer infrastructure on Cottonwood Drive.

Please consider this email as documentation of a waiver to allow the 2626 Cottonwood Drive property to install a complete septic system.

Thanks,
Lee

Lee Cooper, P.E.

City of Grand Junction
Project Engineer
P 970.256.4155 | C 970.589.4985
250 N. 5th St., Grand Junction, CO 81501

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____

**A RESOLUTION VACATING A UTILITIES EASEMENT ON PROPERTY LOCATED
AT 2626 COTTONWOOD DRIVE**

Recitals:

Muddy Gap, LLC is planning to construct a single-family residence and detached shop building on the lot located at 2626 Cottonwood Drive. There is currently a 15-foot utility easement near the north end of the subject property that has been in place since the original plat recording for North Rolling Hills subdivision in 1955. Said easement contains no equipment per Grand Valley Power, and there are no objections from utility providers to vacate the easement. Therefore, the east-west easement is no longer needed and can be vacated.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, and upon recommendation of approval by the Planning Commission, the Grand Junction City Council finds that the request to vacate the utility easement is consistent with the Comprehensive Plan and Section 21.02.100 of the Grand Junction Municipal Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE FOLLOWING DESCRIBED DEDICATED EASEMENT IS VACATED:

EXHIBIT A
Utility Easement Vacation

A parcel of land located in Lot 1, North Rolling Acres as shown on plat recorded in Reception Number 645847 of the Mesa County records and in the Southeast Quarter of the Northwest Quarter (SE¼ NW¼) of Section 35, Township 1 North, Range 1 West of the Ute Meridian, in Mesa County, Colorado and more particularly described as follows:

That 15 five foot wide (15.0') Utility Easement running East and West across the Northerly portion of Lot 1, North Rolling Acres, as shown on plat recorded in Reception Number 645847 of the Mesa County records and more particularly described as follows:

Commencing at the Southwest corner of said Lot 1, North Rolling Hills, whence the Northwest corner of said Lot 1 bears North 00°02'45" West, a distance of 249.86 feet for a basis of bearings, with all bearings contained herein relative thereto; thence North 00°02'45" West, a distance of 176.97 feet; thence North 78°35'24" East, a distance of 15.30 feet to the POINT OF BEGINNING; thence North 00°02'45" West, a distance of 15.30 feet; thence North 78°35'24" East, a distance of 99.82 feet; thence South 00°01'07" East, a distance of 15.30 feet; thence South 78°35'24" West, a distance of 99.81 feet to the POINT OF BEGINNING.

Said parcel containing an area of 1497 Square Feet, 0.03 Acres, as herein described.

And as depicted on “Exhibit B”.

Approved this 20th day of February, 2019.

ATTEST:

City Clerk

Mayor

EXHIBIT B

$D=01^{\circ}31'12''$

$R=2965.00'$

$A=78.66'$

$C=78.66'$

$B=N87^{\circ}46'24''E$

Interstate Highway 70

Reception 849966

$S89^{\circ}28'30''E$
44.28'

$N00^{\circ}02'45''W$
15.30'

POINT OF BEGINNING

$N78^{\circ}35'24''E$
15.30'

$N78^{\circ}35'24''E$ 99.82'

15.0' Utility Easement
Reception 645847

$S78^{\circ}35'24''W$ 99.81'

$S00^{\circ}01'07''E$
15.30'

Easement Abandonment

1497 sf
0.03 Acres

Lot 1

2626 Cottonwood Drive

Basis of Bearings

$N00^{\circ}02'45''W$ 249.86'

15.0' Utility Easement Reception 645847

10.0' Utility Easement Reception 2849850

$S00^{\circ}01'07''E$ 252.47'

Lot 2

North Rolling Acres

Reception 645847

Point of Commencement

$S89^{\circ}58'53''W$ 122.76'

Cottonwood Drive

Reception 645847

High Desert Surveying, LLC

1673 Highway 50 Unit C

Grand Junction, Colorado 81503

Tele: 970-254-8649 Fax: 970-241-0451

SCALE: 1" = 40'



PROJ. NO. 18-112	Drawn	APP'D	SHEET	OF
DATE: October, 2018	knr	jcf	1	1

[illegible]

PLANNING COMMISSION AGENDA ITEM

Project Name:	South Twenty Zone of Annexation
Applicant:	South Twenty LLC, Owner
Representative:	N/A
Address:	2335 H Road
Zoning:	Proposed R-4 (Residential – 4 du/ac) & R-8 (Residential – 8 du/ac)
Staff:	Scott D. Peterson, Senior Planner
File No.	ANX-2018-659
Date:	January 22, 2019

I. SUBJECT

Consider a request to zone approximately 20.18-acres from County RSF-R (Residential Single Family – Rural) to a City R-4 (Residential – 4 du/ac) and R-8 (Residential – 8 du/ac) for the South Twenty Annexation, located at 2335 H Road.

II. EXECUTIVE SUMMARY

The Applicant, South Twenty LLC, is requesting a split zone of annexation to R-4 (Residential – 4 du/ac) and R-8 (Residential – 8 du/ac) for the South Twenty Annexation. The approximately 20.18-acre parcel is located on the south side of H Road and has split Comprehensive Plan Future Land Use Map designations of Residential Medium (4 – 8 du/ac) and Residential High Mixed Use (16 – 24 du/ac). The property is currently vacant.

The proposed split zoning designations of R-4 and R-8 meets with the intent of achieving the desired overall density for the property as a compromise between the two land use categories. Section 21.02.130 (d) of the Zoning and Development Code allows for the consideration of zoning without a plan amendment when the property is adjacent to the land use designation that would support the requested zone district. In this case, the applicant is proposing zone districts at the low and high end of the Residential Medium land use designation. The Applicant is requesting annexation into the City limits per the Persigo Agreement between Mesa County and the City of Grand Junction in order to develop a residential subdivision in the near future, in conformance with the requested R-4 and R-8 zone districts. The request for annexation will be considered separately by the City Council.

III. BACKGROUND

The Applicant, South Twenty LLC, has requested annexation of land into the City limits, located at 2335 H Road, in anticipation of future residential development. The property is approximately 20.18-acres in size, which includes 0.441-acres of the adjacent H Road right-of-way. The Applicant is requesting a zone of annexation to R-4 (Residential – 4 du/ac) and R-8 (Residential – 8 du/ac).

The property is currently in the County and retains a County zoning of RSF-R (Residential Single Family - Rural) and surrounding properties are also zoned RSF-R in the County, ranging in size from 4.66 acres to 26.9 acres. The subject property has split Future Land Use designations of Residential Medium (4 – 8 du/ac) and Residential High Mixed Use (16 – 24 du/ac). The Applicant's proposed split zoning designations of R-4 and R-8 meets with the intent of achieving the desired overall density for the property as a compromise between these two land use categories in order for a portion of the property to be developed at the high end of the Residential Medium category.

As reference, the existing Future Land Use Map categories that divide the property are not legal descriptions, but rather serve as guidance in determining the proper zone district. When a Future Land Use designation splits a property, either or both land use categories can be used to determine the appropriate zoning district. Section 21.02.130(d) (v) of the Zoning and Development Code allows for consideration of zoning without a Plan amendment when the property is adjacent to the land use designation that would support the requested zone district.

The surrounding area is largely undeveloped, rural in nature and zoned RSF-R in Mesa County. Properties that have been annexed into the City include Apple Glen Subdivision (2366 H Road) which is zoned R-4 (Residential – 4 du/ac) and the Mosaic property located at the intersection of H Road and 23 Road which is zoned Planned Development with an overall average residential density between 7 to 9 dwelling units an acre.

The Applicant is requesting the R-4 zone district for the south 14.3 acres and the R-8 zone district for the north 5.46 acres adjacent to H Road. See attached map exhibits for additional information.

IV. NOTIFICATION REQUIREMENTS

Neighborhood Meeting:

A Neighborhood Meeting regarding the proposed Annexation and Zoning was held on June 28, 2018 in accordance with Section 21.02.080 (e) of the Zoning and Development Code. The Applicant's and City staff were in attendance along with nine (9) citizens. Comments and concerns expressed by the attendees centered on the proposed higher density and the desire to see larger acreage lots of at least a-half acre or more. Concerns were also expressed about the increase in traffic in the area. The application for annexation and zoning was submitted on October 11, 2018.

Notice was completed consistent with the provisions in Section 21.02.080 (g) of the City's Zoning and Development Code. The subject property was posted with an application sign on October 29, 2018. Mailed notice of the public hearings before Planning Commission and City Council in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on January 11, 2019. The notice of this public hearing was published January 15, 2019 in the Grand Junction Daily Sentinel.

V. ANALYSIS

The criteria for review is set forth in Section 21.02.140 (a) and includes that the City may rezone property if the proposed changes are consistent with the vision, goals and policies of the Comprehensive Plan and must meet one or more of the following rezone criteria as identified:

- (1) Subsequent events have invalidated the original premises and findings; and/or

The property owners have petitioned for annexation into the City limits with a requested zoning district of R-4 and R-8 which is compatible with the existing Comprehensive Plan Future Land Use Map designation of Residential Medium (4 – 8 du/ac), in accordance with Section 21.02.130 (d) (1) (iii) & (v) of the Zoning & Development Code. Since the property is currently in the County, the annexation of the property is a subsequent event that has invalidated the original premise. The requested annexation and zoning is also in accordance with the Persigo Agreement between Mesa County and the City of Grand Junction, which states that all new development shall be annexed into the City limits. Therefore, Staff has found this criterion has been met.

- (2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or

The adoption of the Comprehensive Plan in 2010, designated this property as split Future Land Use designations of Residential Medium (4 – 8 du/ac) and Residential High Mixed Use (16 – 24 du/ac). The character and/or condition of the area has not changed in recent years as the adjacent residential properties are currently large acreage and have not yet fully developed with the exception of the new Apple Glen development. Nearby, the Mosaic development has received project entitlements but has not yet begun construction. The subject property is underutilized in terms of the residential development potential anticipated by the Comprehensive Plan designation of Residential Medium (4 -8 du/ac) that would allow for densities up to 8 units per acre. The Applicant is requesting a split zone of R-4 and R-8 which furthers the goals and policies of the Comprehensive Plan by providing for density in the mid-range of the Residential Medium (4 – 8 du/ac) land use classification. Because there has been no apparent change of character and/or condition and the area has not significantly changed, Staff finds that this criterion has not been met.

- (3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or

Adequate public and community facilities and services are available to the property and are sufficient to serve land uses associated with the R-4 and R-8 zone districts. Ute Water is presently available within the H Road right-of-way and the applicant has represented they have an easement across adjacent properties to the south to connect into City sanitary sewer that is available in the I-70 Frontage Road. Property can also be served by Xcel Energy natural gas and both Xcel Energy and Grand Valley Power electric. A short distance away is Appleton Elementary School and further to the southeast along 24 Road is Canyon View Park. Further to the south along Patterson Road are commercial retail centers that includes Mesa Mall, offices, convenience stores and gas islands, restaurants, commercial businesses and a grocery store. Community Hospital is also nearby on G Road.

Grand Junction Fire Department finds the public and community facilities regarding fire and emergency medical services are adequate to serve the type and scope of the residential land use proposed. Primary response is from Fire Station 3 located at 582 25 ½ Road and response time are longer than other areas due to the distance from existing fire stations. Evaluating the last two years of fire and EMS incident data, shows an average response time to this area of H Road as being 12 minutes and 33 seconds, which is significantly longer than National Fire Protection Association response time standards. This response time is also approximately 8 minutes and 5 seconds longer than for the core area of the City. However, the City has been working to address the current and future fire and EMS coverage demands of this area and is planning for a new Fire Station immediately adjacent to this property on the west side of 23 and H Road with the Mosaic development.

The public and community facilities are adequate to serve the type and scope of the residential land use proposed, therefore, staff finds this criterion has been met.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or

The property and surrounding area has split Comprehensive Plan Future Land Use Map designations of Residential Medium (4 – 8 du/ac) and Residential High Mixed Use (16 – 24 du/ac). The property is currently vacant. The proposed split zoning designations of R-4 and R-8 meets with the intent of achieving the desired overall density for the property as a compromise between the two categories in order for a portion of the property to be developed at the high end of the Residential Medium category. This area of the community currently has no R-8 zoning. The lack of supply for this zone type impedes the ability to provide a diverse supply of housing types; a key principle in the Comprehensive Plan. Staff

finds that there is an inadequate supply of the requested zoning designations in the area and, therefore, has found this criterion to have been met.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

The community and area will benefit from this proposed request. Annexation and zoning of the property will create consistent land use jurisdiction within the City consistent with an Intergovernmental Agreement with the County. The requested zones will also provide an opportunity for a variety of housing within a range of densities that are consistent with the Comprehensive plan in this area to meet the needs of the growing community. This principle is supported and encouraged by the Comprehensive Plan and furthers the plan's goal of promoting a diverse supply of housing types; a key principle in the Comprehensive Plan. Therefore, Staff finds that this criterion has been met.

Section 21.02.160 (f) of the Grand Junction Zoning and Development Code provides that the zoning of an annexation area shall be consistent with the adopted Comprehensive Plan and the criteria set forth. Generally, future development should be at a density equal to or greater than the allowed density of the applicable County zoning district. Though other zone districts could also be considered, these zone districts comport with the recommendations of the Plan's Future Land Use Map.

Further, the zoning request is consistent with the following goals and policies of the Comprehensive Plan:

Goal 1 / Policy A: Land use decisions will be consistent with Future Land Use Map.

Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.

Goal 5: To Provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages.

V. STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the South Twenty Annexation, ANX-2018-659, for a Zone of Annexation from County RSF-R (Residential Single Family – Rural) to a City R-4 (Residential – 4 du/ac) and R-8 (Residential – 8 du/ac), the following findings of fact have been made:

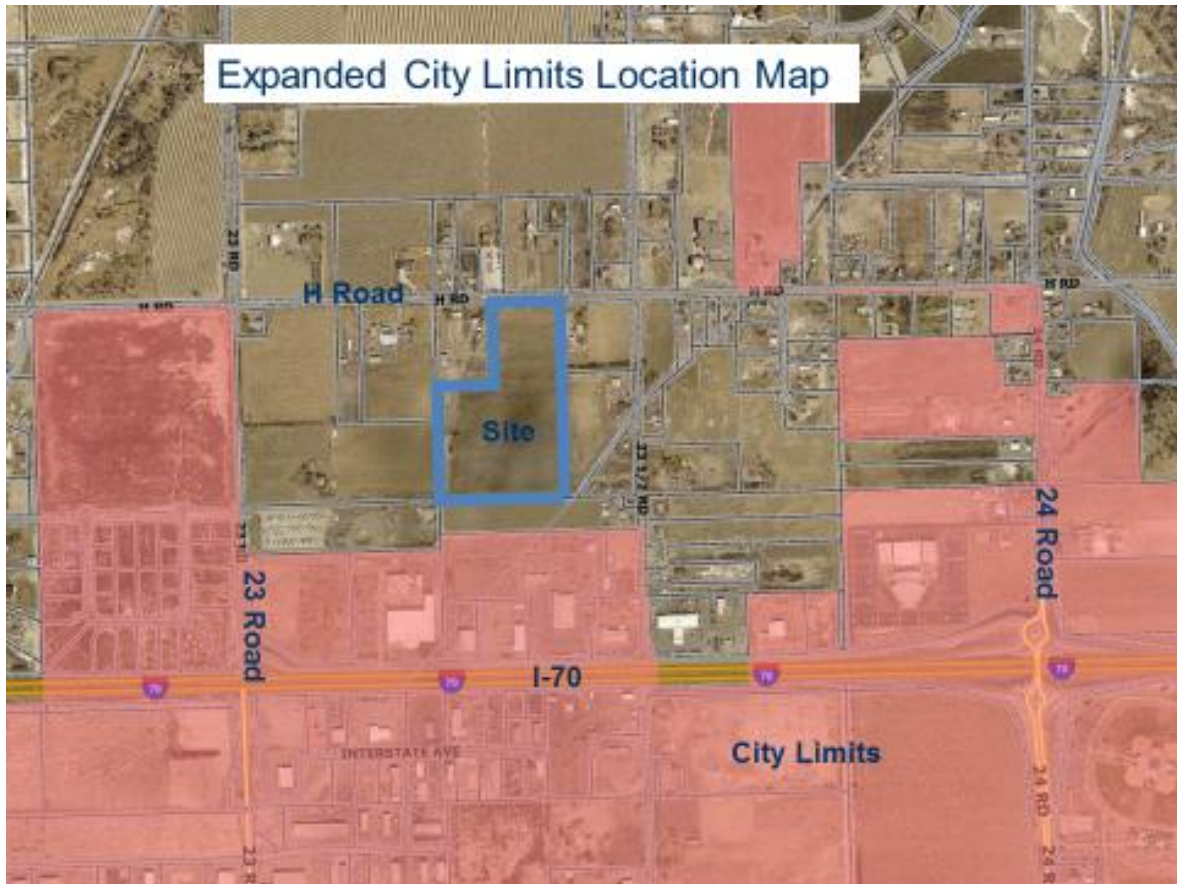
1. In accordance with Section 21.02.140 (a) of the Zoning and Development Code, the application meets one or more of the rezone criteria.
2. In accordance with Section 21.02.160 (f) of the Zoning and Development Code, the application is consistent with the adopted Comprehensive Plan.

Therefore, Staff recommends approval of the requested Zone of Annexation.

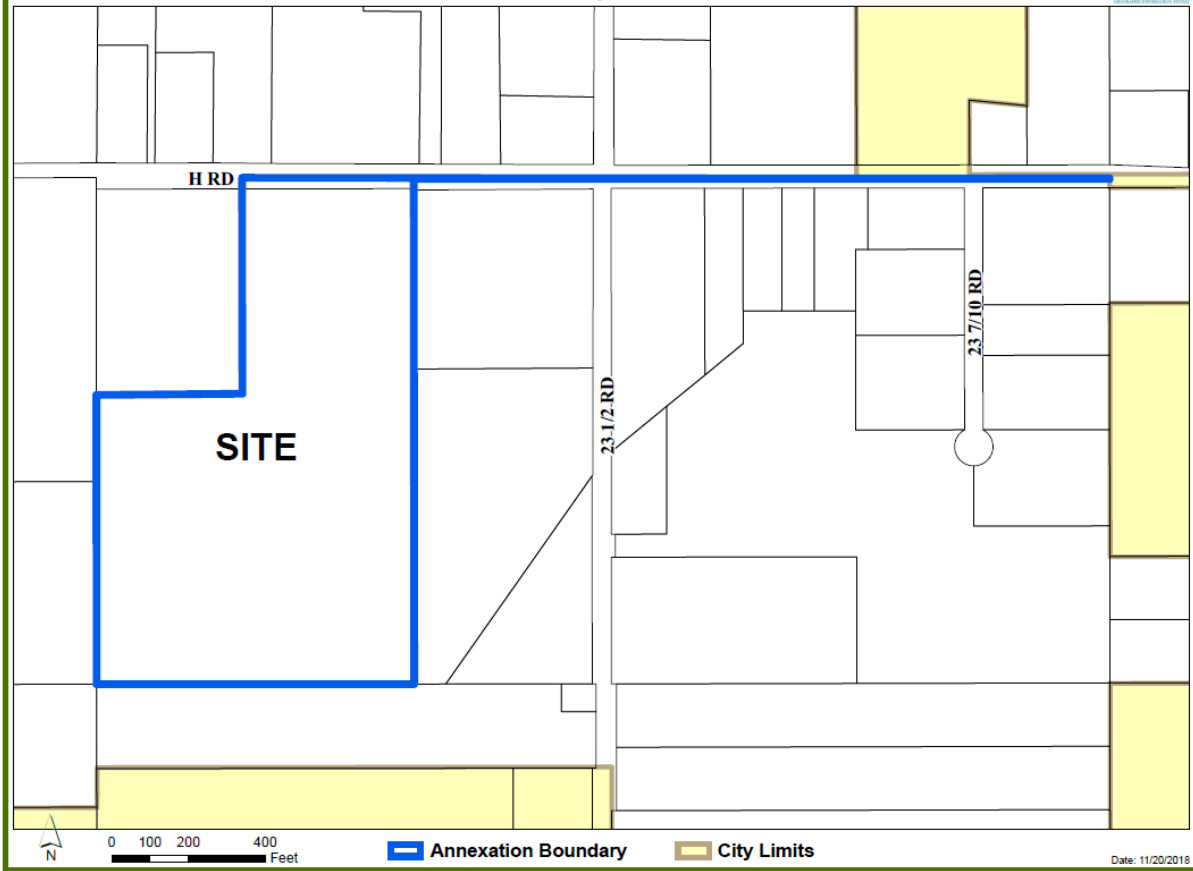
VI. RECOMMENDED MOTION

Madam Chairman, on the Zone of Annexation for the South Twenty Annexation to R-4 (Residential – 4 du/ac) & R-8 (Residential – 8 du/ac) zone district, file number ANX-2018-659, I move that the Planning Commission forward a recommendation of approval to City Council with the findings of fact listed in the staff report.

Expanded City Limits Location Map



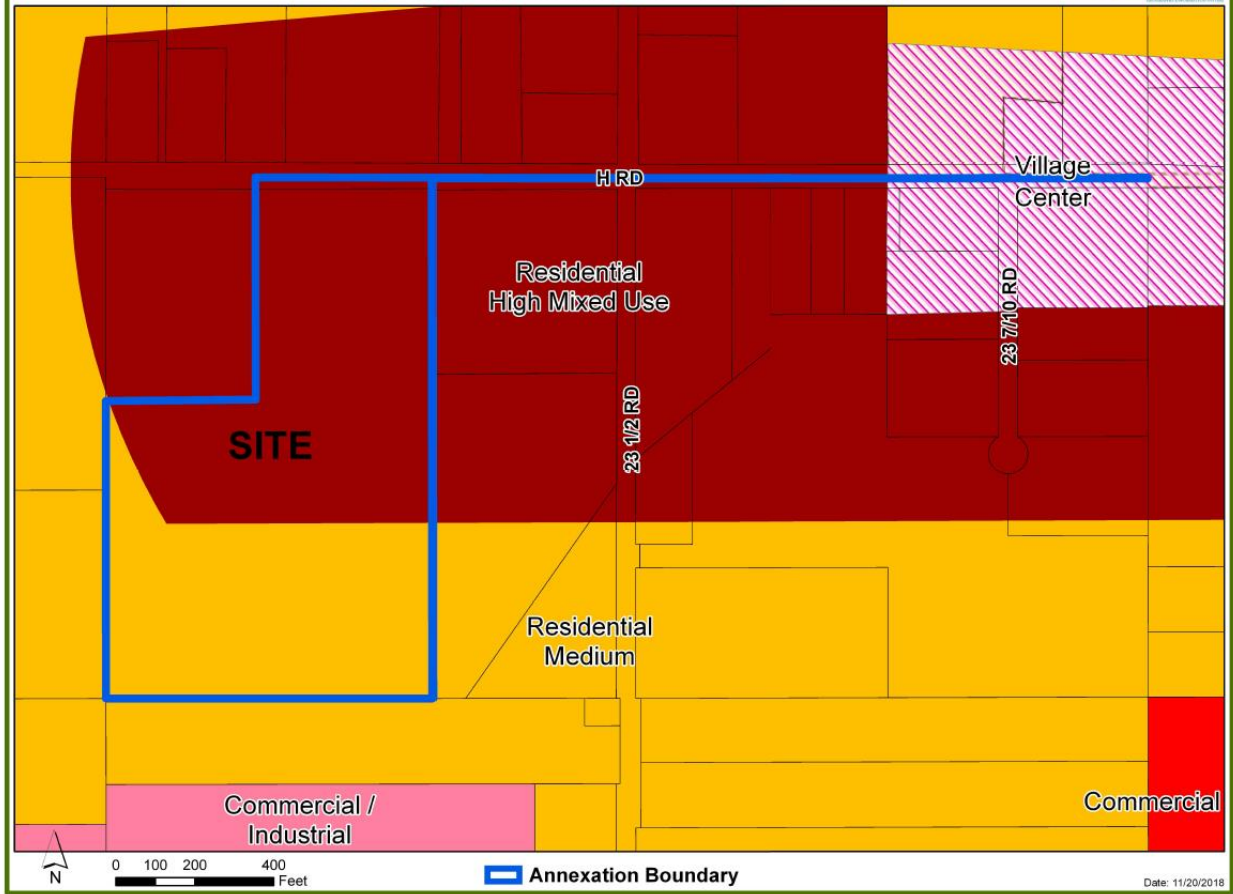
South Twenty Annexation



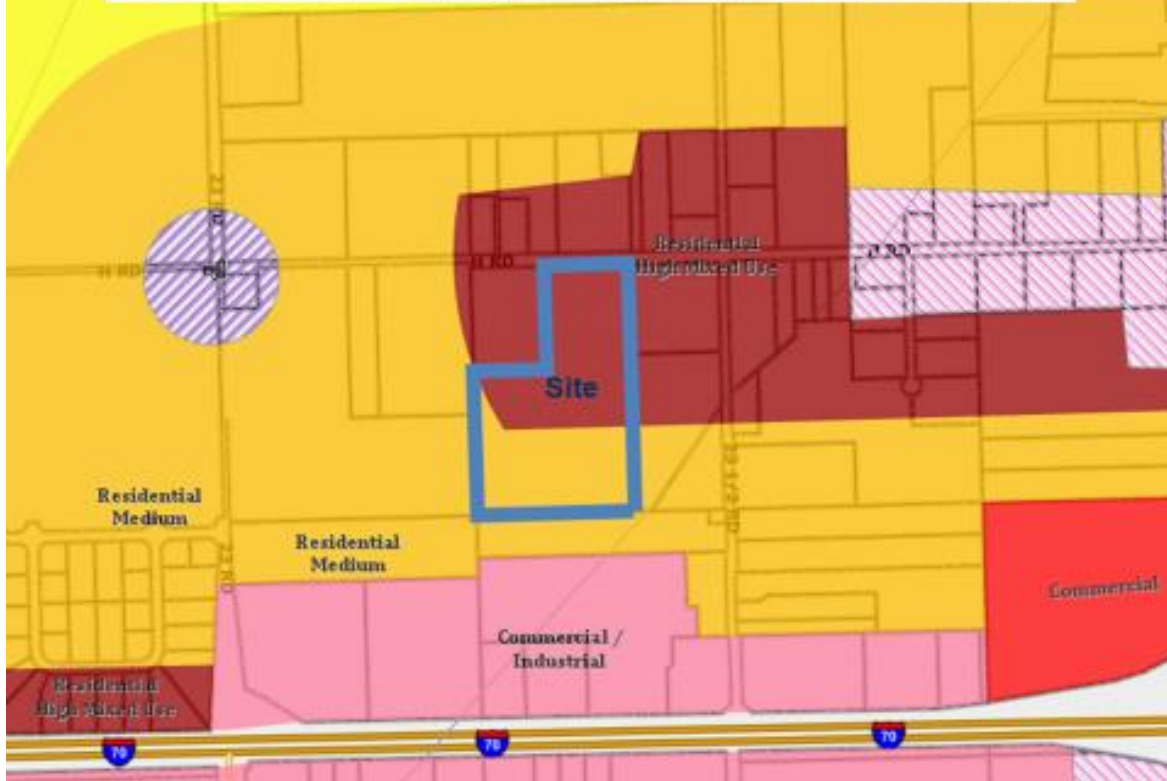
South Twenty Annexation



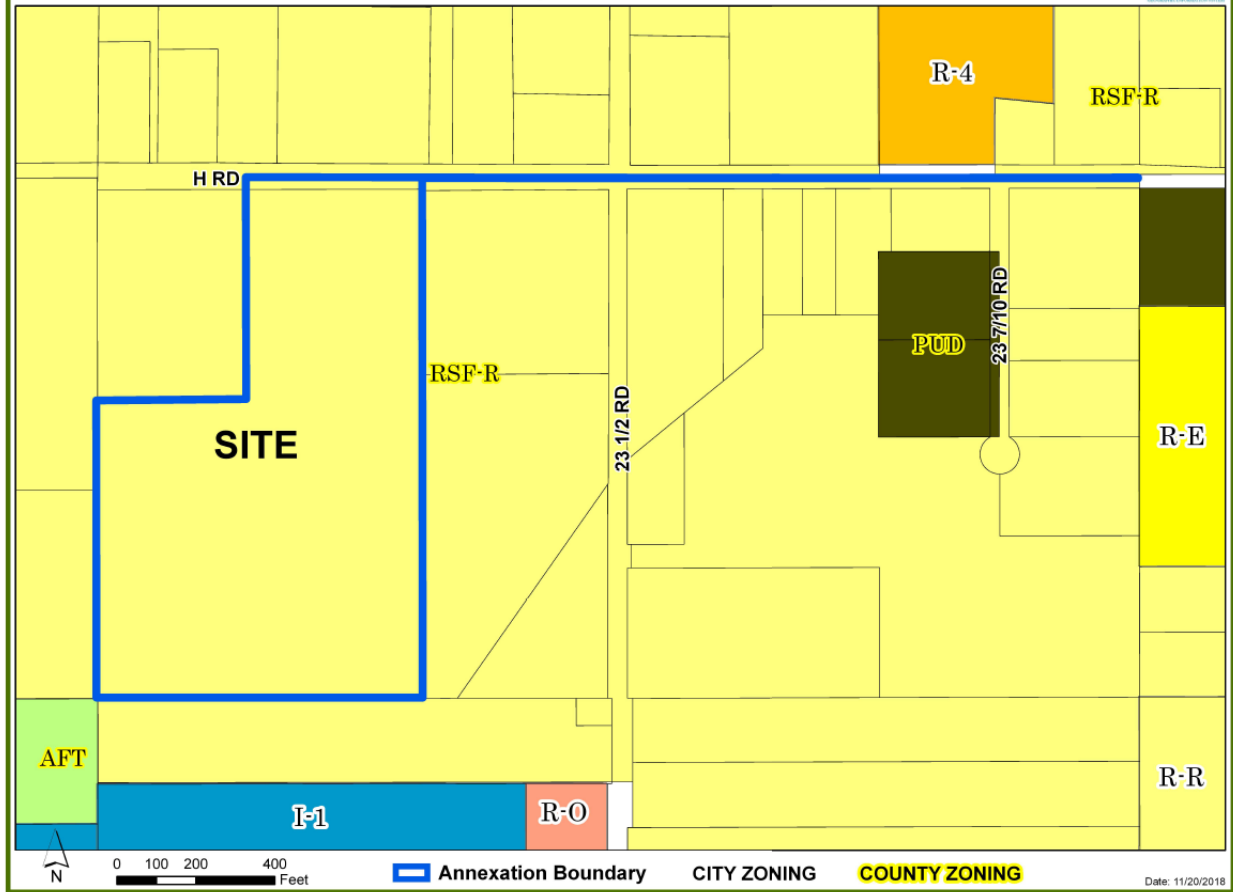
South Twenty Annexation - Future Land Use

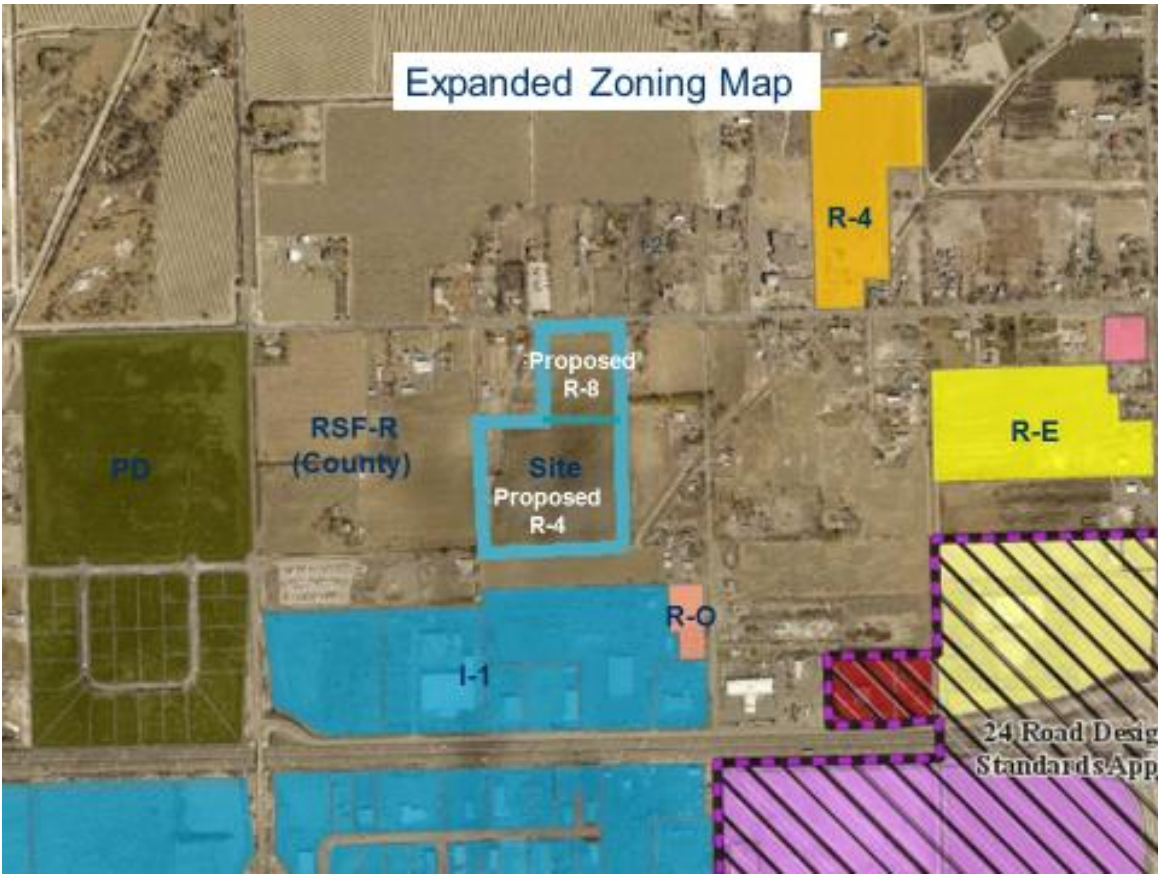


Expanded Comprehensive Plan Future Land Use Map



South Twenty Annexation - Zoning







View of property from H Road

South Twenty ANNEXATION
PETITION FOR ANNEXATION

WE THE UNDERSIGNED do hereby petition the City Council of the City of Grand Junction, State of Colorado, to annex the following described parcels to the said City:

GENERAL LOCATION: 2335 H Road
Tax ID # 2701-322-00-103

PARCEL 1

MULLER SIMPLE LAND DIVISION

COUNTY OF MESA, STATE OF COLORADO

This foregoing description describes the parcel; the perimeter boundary description, for purposes of the Annexation Act, is shown on the attached "Perimeter Boundary Legal Description, South Twenty Annexation."

As grounds therefore, the petitioner respectfully state that annexation to the City of Grand Junction, Colorado is both necessary and desirable and that the said territory is eligible for annexation in that the provisions of the Municipal Annexation Act of 1965, Sections 31-12-104 and 31-12-105 CRS 1973 have been met.

This petition is accompanied by four copies of a map or plat of the said territory, showing its boundary and its relation to established city limit lines, and said map is prepared upon a material suitable for filing.

Your petitioners further state that they are the owners of more than fifty percent of the area of such territory to be annexed, exclusive of streets and alleys; that the mailing address of the signer and the date of signature are set forth hereafter opposite the name of the signer, and that the legal description of the property owned by the signer of said petition is attached hereto.

WHEREFORE, these petitioners pray that this petition be accepted and that the said annexation be approved and accepted by ordinance. These petitioners by his/her/their signature(s) acknowledge, understand and agree that if any development application concerning the property which is the subject hereof is denied, discontinued or disapproved, in whole or in part, that the annexation of the property to the City of Grand Junction shall proceed.

Mandy Rush
South Twenty LLC

2306 H. Road, Grand Junction, CO 81505
ADDRESS

Mandy Rush
SIGNATURE

8/13/2018
DATE

N/A
NAME

N/A
ADDRESS

n/a
SIGNATURE

n/a
DATE

( Annexation Petition)

STATE OF COLORADO

SS

AFFIDAVIT

COUNTY OF MESA

Mandy Rush, of lawful age, being first duly sworn, upon oath, deposes and says:

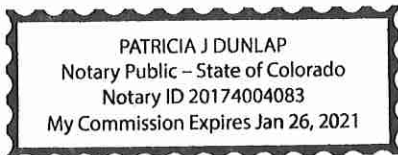
That he is the circulator of the forgoing petition:

That each signature on the said petition is the signature of the person whose name it purports to be.

Mandy Rush

Subscribed and sworn to before me this 13th day of August, 2018.

Witness my hand and official seal.



Patricia J Dunlap
Notary Public

250 N 5th St, Grand Junction, CO 81501
Address

My commission expires: Jan. 26, 2021

Development Application

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado, as described herein do petition this:

Petition For: Annexation + Rezone

Please fill in blanks below only for Zone of Annexation, Rezones, and Comprehensive Plan Amendments:

Existing Land Use Designation Ag

Existing Zoning AFT

Proposed Land Use Designation Residential

Proposed Zoning RSF.8 / RSF.4

Property Information

Site Location: 2335 H. Road, Grand Junction, CO 81505

Site Acreage: 19.76 Acres

Site Tax No(s): 2701.322.00.103

Site Zoning: AFT

Project Description: Rezone + Annexation

Property Owner Information

Name: South Twenty, LLC

Street Address: 2306 H. Rd

City/State/Zip: Grand Jct., CO 81505

Business Phone #: 970.260.1310

E-Mail: mandy@mandyrush.com

Fax #: 970.241.4015

Contact Person: Mandy Rush

Contact Phone #: 970.260.1310

Applicant Information

Name: Mandy Rush

Street Address: 2306 H. Road

City/State/Zip: Grand Jct., CO 81505

Business Phone #: 970.260.1310

E-Mail: mandy@mandyrush.com

Fax #: 970.241.4015

Contact Person: Mandy Rush

Contact Phone #: 970.260.1310

Representative Information

Name: Mandy Rush

Street Address: 2306 H. Road

City/State/Zip: Grand Junction, CO

Business Phone #: 970.260.1310

E-Mail: mandy@mandyrush.com

Fax #: 970.260.1310

Contact Person: Mandy Rush

Contact Phone #: 970.260.1310

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 may be dropped from the agenda and an additional fee may be charged to cover rescheduling expenses before it can again be placed on the agenda.

Signature of Person Completing the Application Mandy Rush

Date 9.24.2018

Signature of Legal Property Owner Mandy Rush

Date 9.24.2018

OWNERSHIP STATEMENT - NATURAL PERSON

I, (a) Mandy Rush with South Twenty, LLC am the owner of the following real property:

(b) 2335 H. Road
Grand Junction, CO 81505

A copy of the deed evidencing my interest in the property is attached. All documents, if any, conveying any interest in the property to someone else by the owner, are also attached.

☒ I am the sole owner of the property.

☒ I own the property with other(s). The other owners of the property are (c):

Eric Noblitt + Kyle Rush, managing members of
South Twenty, LLC

I have reviewed the application for the (d) Annexation + Rezone pertaining to the property.

I have the following knowledge and evidence concerning possible boundary conflicts between my property and the abutting property(ies): (e) n/a

I understand that I have a continuing duty to inform the City planner of any changes in interest, including ownership, easement, right-of-way, encroachment, lienholder and any other interest in the property.

I swear under penalty of perjury that the information contained in this Ownership Statement is true, complete and correct.

Owner signature as it appears on deed: Mandy Rush

Printed name of owner: MANDY RUSH w/ SOUTH TWENTY, LLC

State of Colorado)

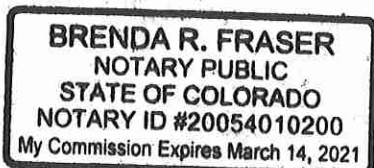
County of Mesa) ss.

Subscribed and sworn to before me on this 9th day of October, 20 18

by Mandy Rush

Witness my hand and seal.

My Notary Commission expires on 3/14/21



Brenda R Fraser
Notary Public Signature

PERSONAL REPRESENTATIVE'S DEED
(Sale)

THIS DEED is dated 6/6/18, and is made between BECKY ANN DELK, Personal Representative of the estate of MAVIS D. MCNEW, a/k/a MAVIS DELETHA MCNEW, deceased, the "Grantor," and SOUTH TWENTY, LLC, a Colorado limited liability company, the "Grantee," whose legal address is 2306 H Road, Grand Junction, CO 81505 of the County of Mesa, State of Colorado.

WHEREAS, the decedent died on the date of December 16, 2017 and Grantor was duly appointed Personal Representative of said estate by the District Court in and for the County of Mesa, State of Colorado, Probate No. 2017PR30388, on the date of January 3, 2018, and is now qualified and acting in said capacity.

NOW THEREFORE, pursuant to the powers conferred upon Grantor by the Colorado Probate Code, Grantor does hereby sell and convey unto Grantee for and in consideration of Four Hundred Thirty Five Thousand and no/100 Dollars, (\$435,000.00), the following described real property situate in the County of Mesa, State of Colorado:

PARCEL 1 OF MULLER SIMPLE LAND DIVISION,
COUNTY OF MESA,
STATE OF COLORADO,

also known by street address as: 2335 H Road, Grand Junction, CO 81505.
and assessor's schedule or parcel number: 2701-322-00-103

With all appurtenances.

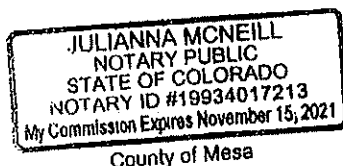
IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth above.

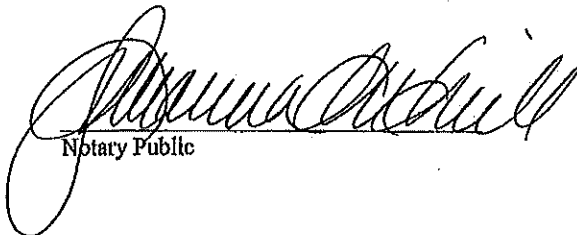
Becky Ann Delk, Personal Representative
Becky Ann Delk, Personal Representative of the estate of
Mavis D. McNew, a/k/a Mavis Deletha McNew, Deceased

STATE OF COLORADO)
) SS.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 6th day of June, 2018, by Becky Ann Delk as Personal Representative of the estate of Mavis D. McNew, a/k/a Mavis Deletha McNew, Deceased.

Witness my hand and official seal.
My commission expires: 11-15-21




Notary Public

MESA COUNTY CERTIFICATE OF TAXES DUE

Account Number R017675

Parcel 270132200103

Assessed To

MCNEW MAVIS D
631 29 1/2 RD APT B
GRAND JUNCTION, CO 81504-7203

Certificate Number 67866

Acres 19.760

Order Number 35650

Vendor ID LAND

LAND TITLE GUARANTEE CO
2454 PATTERSON RD., STE 100
GRAND JUNCTION, CO 81505

Legal Description

PARCEL 1 MULLER SIMPLE LAND DIVISION SEC 32 1N 1W - 19.76AC

Situs Address

2335 H RD

Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2017	\$480.52	\$0.00	\$0.00	\$0.00	\$480.52
Total Tax Charge					\$480.52
Grand Total Due as of 04/27/2018					\$480.52

Tax Billed at 2017 Rates for Tax Area 10800 - 10800

Authority	Mill Levy	Amount	Values	Actual	Assessed
COLORADO RIVER WATER CONSER	0.2540000	\$1.77	IRRIGATED LAND -	\$24,010	\$6,960
GRAND JUNCTION RURAL FIRE	5.9380000	\$41.39	AG		
GRAND RIVER MOSQUITO CTRL	1.4520000	\$10.12	GRAZING LAND - AG	\$10	\$10
GRAND VALLEY DRAINAGE DIST	1.7440000	\$12.16	Total	\$24,020	\$6,970
LIBRARY DISTRICT	3.0210000	\$21.06			
MESA COUNTY	11.8030000	\$82.26			
COUNTY ROAD & BRIDGE-FULL L	0.4430000	\$3.09			
SCHOOL DIST #51 GEN	29.7630000	\$207.45			
SCHOOL DIST# 51 BOND	10.1400000	\$70.68			
SCHOOL DIST# 51 2017 OVERRI	3.8810000	\$27.05			
UTE WATER CONSERVANCY	0.5000000	\$3.49			
Taxes Billed 2017	68.9390000	\$480.52			

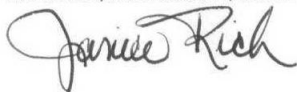
All tax lien sale amounts are subject to change due to endorsement of current taxes by the lienholder or to advertising and distraint warrant fees. Changes may occur and the Treasurer's office will need to be contacted prior to remittance after the following dates: Personal Property and Mobile Homes, Real Property - September 1. Tax lien sale redemption amounts must be paid by cash or cashiers check.

Special taxing districts and the boundaries of such districts may be on file with the board of County Commissioners, the County Clerk, or the County Assessor.

This certificate does not include land or improvements assessed under a separate account number, personal property taxes, transfer tax or misc. tax collected on behalf of other entities, special or local improvement district assessments or mobile homes, unless specifically mentioned.

I, the undersigned, do hereby certify that the entire amount of taxes due upon the above described parcels of real property and all outstanding sales for unpaid taxes as shown by the records in my office from which the same may still be redeemed with the amount required for redemption are as noted herein. In witness whereof, I have hereunto set my hand and seal.

TREASURER, MESA COUNTY, JANICE RICH




Mesa County Treasurer
Dept. 5027 - PO Box 20,000
544 Rood Ave, Room 100
Grand Junction CO 81502-5001



Land Title Guarantee Company Customer Distribution



PREVENT FRAUD - Please remember to call a member of our closing team when initiating a wire transfer or providing wiring instructions.

Order Number: **GJR65035650-5**

Date: **06/05/2018**

Property Address: **2335 H RD, GRAND JUNCTION, CO 81505**

PLEASE CONTACT YOUR CLOSER OR CLOSER'S ASSISTANT FOR WIRE TRANSFER INSTRUCTIONS

For Closing Assistance

Juli McNeill
2454 PATTERSON RD #100
GRAND JUNCTION, CO 81505
(970) 248-3881 (Work)
(800) 320-4211 (Work Fax)
jmcneill@ltgc.com
Contact License: CO337875
Company License: CO68747

Closer's Assistant

Rebecka Temmer
2454 PATTERSON RD #100
GRAND JUNCTION, CO 81505
(970) 248-3884 (Work)
(800) 322-4072 (Work Fax)
btemmer@ltgc.com
Contact License: CO472208
Company License: CO68747

For Title Assistance

Mesa County Title Team
2454 PATTERSON RD #100
GRAND JUNCTION, CO 81505
(970) 245-0550 (Work)
(970) 245-0089 (Work Fax)
gjresponse@ltgc.com

Agent for Buyer

RE/MAX 4000 INC
Attention: MANDY RUSH
120 W PARK DRIVE #200
GRAND JUNCTION, CO 81505
(970) 241-4000 (Work)
(970) 260-1310 (Home)
(970) 241-4015 (Work Fax)
mandy@mandyrush.com
Delivered via: Electronic Mail

Agent for Seller

HILL & HOMES
Attention: DARREN DAVIDSON
1204 N 7TH STREET #100
GRAND JUNCTION, CO 81501
(970) 241-7653 (Work)
(970) 242-7304 (Work Fax)
darren5515@aol.com
kbowen52@juno.com
Delivered via: Electronic Mail

html>



Land Title Guarantee Company Estimate of Title Fees

Order Number: **GJR65035650-5**

Date: **06/05/2018**

Property Address: **2335 H RD, GRAND JUNCTION, CO 81505**

Parties: **SOUTH TWENTY, LLC, A COLORADO LIMITED LIABILITY COMPANY**

BECKY ANN DELK AS PERSONAL REPRESENTATIVE OF THE ESTATE OF MAVIS D. MCNEW

Visit Land Title's Website at www.ltgc.com for directions to any of our offices.

Estimate of Title insurance Fees	
"ALTA" Owner's Policy 06-17-06	\$1,440.00
Deletion of Standard Exception(s)	\$65.00
Tax Certificate	\$26.00
	Total \$1,531.00
If Land Title Guarantee Company will be closing this transaction, the fees listed above will be collected at closing.	
Thank you for your order!	

Note: The documents linked in this commitment should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the effect of these documents on your property.

Chain of Title Documents:

[Mesa county recorded 01/08/2018 under reception no. 2826700](#)

[Mesa county recorded 01/13/2017 under reception no. 2787159](#)

[Mesa county recorded 12/30/1999 under reception no. 1933924](#)

Plat Map(s):

[Mesa county recorded 12/28/1999 under reception no. 1933582](#)

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule A

Order Number: GJR65035650-5

Property Address:

2335 H RD, GRAND JUNCTION, CO 81505

1. Effective Date:

05/15/2018 at 5:00 P.M.

2. Policy to be Issued and Proposed Insured:

"ALTA" Owner's Policy 06-17-06

\$435,000.00

Proposed Insured:

SOUTH TWENTY, LLC, A COLORADO LIMITED LIABILITY
COMPANY

3. The estate or interest in the land described or referred to in this Commitment and covered herein is:

A Fee Simple

4. Title to the estate or interest covered herein is at the effective date hereof vested in:

BECKY ANN DELK AS PERSONAL REPRESENTATIVE OF THE ESTATE OF MAVIS D. MCNEW

5. The Land referred to in this Commitment is described as follows:

PARCEL 1 OF MULLER SIMPLE LAND DIVISION , COUNTY OF MESA, STATE OF COLORADO.

Copyright 2006-2018 American Land Title Association. All rights reserved.

The use of this Form is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

**AMERICAN
LAND TITLE
ASSOCIATION**



ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part I
(Requirements)

Order Number: GJR65035650-5

All of the following Requirements must be met:

This proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.

Pay the agreed amount for the estate or interest to be insured.

Pay the premiums, fees, and charges for the Policy to the Company.

Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

NOTE: NO IMPROVEMENT LOCATION CERTIFICATE REQUIRED

1. SUPPLEMENTARY AFFIDAVIT WITH RESPECT TO PAUL D. MCNEW, DECEASED, WHICH SHALL BE PROPERLY SWORN TO OR AFFIRMED BY A PERSON OF LEGAL AGE HAVING PERSONAL KNOWLEDGE OF THE FACTS, AND WHICH INCLUDES THE LEGAL DESCRIPTION OF THE SUBJECT PROPERTY AND A STATEMENT THAT PAUL D. MCNEW, THE PERSON REFERRED TO IN THE CERTIFICATE OF DEATH, OR VERIFICATION OF DEATH DOCUMENT IS THE SAME PERSON WHO IS NAMED IN THE DEED OR SIMILAR INSTRUMENT RECORDED JANUARY 13, 2017 UNDER RECEPTION NO. [2787159](#) AS PAUL D. MCNEW.

NOTE: LETTERS CERTIFIED BY A COLORADO COURT EVIDENCING THE APPOINTMENT OF A PERSONAL REPRESENTATIVE IN THE ESTATE OF MAVIS D. MCNEW, DECEASED, APPOINTING BECKY ANN DELK, AS PERSONAL REPRESENTATIVE, WERE RECORDED JANUARY 8, 2018 UNDER RECEPTION NO. [2826700](#).

2. DULY EXECUTED AND ACKNOWLEDGED STATEMENT OF AUTHORITY SETTING FORTH THE NAME OF SOUTH TWENTY, LLC, A COLORADO LIMITED LIABILITY COMPANY AS A COLORADO LIMITED LIABILITY COMPANY. THE STATEMENT OF AUTHORITY MUST STATE UNDER WHICH LAWS THE ENTITY WAS CREATED, THE MAILING ADDRESS OF THE ENTITY, AND THE NAME AND POSITION OF THE PERSON(S) AUTHORIZED TO EXECUTE INSTRUMENTS CONVEYING, ENCUMBERING, OR OTHERWISE AFFECTING TITLE TO REAL PROPERTY ON BEHALF OF THE ENTITY AND OTHERWISE COMPLYING WITH THE PROVISIONS OF SECTION 38-30-172, CRS.

NOTE: THE STATEMENT OF AUTHORITY MUST BE RECORDED WITH THE CLERK AND RECORDER.

3. PERSONAL REPRESENTATIVE'S DEED TO SOUTH TWENTY, LLC, A COLORADO LIMITED LIABILITY COMPANY IN THE ESTATE OF MAVIS D. MCNEW, DECEASED.

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part I
(Requirements)

Order Number: GJR65035650-5

All of the following Requirements must be met:

REQUIREMENTS TO DELETE THE PRE-PRINTED EXCEPTIONS IN THE OWNER'S POLICY TO BE ISSUED

A. UPON RECEIPT BY THE COMPANY OF A SATISFACTORY FINAL AFFIDAVIT AND AGREEMENT FROM THE SELLER AND PROPOSED INSURED, ITEMS 1-4 OF THE PRE-PRINTED EXCEPTIONS WILL BE DELETED. ANY ADVERSE MATTERS DISCLOSED BY THE FINAL AFFIDAVIT AND AGREEMENT WILL BE ADDED AS EXCEPTIONS.

B. IF LAND TITLE GUARANTEE CONDUCTS THE CLOSING OF THE CONTEMPLATED TRANSACTIONS AND RECORDS THE DOCUMENTS IN CONNECTION THEREWITH, ITEM NO. 5 OF THE PRE-PRINTED EXCEPTIONS WILL BE DELETED.

C. UPON RECEIPT OF PROOF OF PAYMENT OF ALL PRIOR YEARS' TAXES AND ASSESSMENTS, ITEM NO. 6 OF THE PRE-PRINTED EXCEPTIONS WILL BE AMENDED TO READ:

TAXES AND ASSESSMENTS FOR THE YEAR 2018 AND SUBSEQUENT YEARS.

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part II
(Exceptions)

Order Number: GJR65035650-5

This commitment does not republish any covenants, condition, restriction, or limitation contained in any document referred to in this commitment to the extent that the specific covenant, conditions, restriction, or limitation violates state or federal law based on race, color, religion, sex, sexual orientation, gender identity, handicap, familial status, or national origin.

1. Any facts, rights, interests, or claims thereof, not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
2. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date of the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
6. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
7. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water.
8. RIGHT OF PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES AS RESERVED IN UNITED STATES PATENT RECORDED JULY 13, 1892 IN BOOK 11 AT PAGE [205](#)
9. TERMS, CONDITIONS, STIPULATIONS, OBLIGATIONS AND PROVISIONS OF EASEMENT AND DEED AGREEMENT , RECORDED DECEMBER 20, 1999, UNDER RECEPTION NO. [1932714](#).
10. TERMS, CONDITIONS, STIPULATIONS, OBLIGATIONS AND PROVISIONS OF EASEMENT AND DEED AGREEMENT , RECORDED DECEMBER 20, 1999, UNDER RECEPTION NO. [1932715](#).
11. TERMS, CONDITIONS, STIPULATIONS, OBLIGATIONS AND PROVISIONS OF EASEMENT AND DEED AGREEMENT , RECORDED DECEMBER 20, 1999, UNDER RECEPTION NO. [1932716](#).
12. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF MULLER SIMPLE LAND DIVISION RECORDED DECEMBER 28, 1999 UNDER RECEPTION NO. [1933582](#).

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part II
(Exceptions)

Order Number: GJR65035650-5

13. TERMS, CONDITIONS, STIPULATIONS, OBLIGATIONS AND PROVISIONS OF MESA COUNTY DEVELOPMENT PERMIT, RECORDED DECEMBER 28, 1999, IN BOOK 2666 AT PAGE [334](#).
14. TERMS, CONDITIONS, STIPULATIONS, OBLIGATIONS AND PROVISIONS OF UTE WATER CONSERVANCY DISTRICT AFFIDAVIT , RECORDED APRIL 19, 2000, IN BOOK 2700 AT PAGE [467](#).
15. ANY LEASE NOT OF RECORD BUT IN EXISTENCE, AND ANY AND ALL ASSIGNMENTS OF INTEREST THEREIN.



LAND TITLE GUARANTEE COMPANY DISCLOSURE STATEMENTS

Note: Pursuant to CRS 10-11-122, notice is hereby given that:

- (A) The Subject real property may be located in a special taxing district.
- (B) A certificate of taxes due listing each taxing jurisdiction will be obtained from the county treasurer of the county in which the real property is located or that county treasurer's authorized agent unless the proposed insured provides written instructions to the contrary. (for an Owner's Policy of Title Insurance pertaining to a sale of residential real property).
- (C) The information regarding special districts and the boundaries of such districts may be obtained from the Board of County Commissioners, the County Clerk and Recorder, or the County Assessor.

Note: Effective September 1, 1997, CRS 30-10-406 requires that all documents received for recording or filing in the clerk and recorder's office shall contain a top margin of at least one inch and a left, right and bottom margin of at least one half of an inch. The clerk and recorder may refuse to record or file any document that does not conform, except that, the requirement for the top margin shall not apply to documents using forms on which space is provided for recording or filing information at the top margin of the document.

Note: Colorado Division of Insurance Regulations 8-1-2 requires that "Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed". Provided that Land Title Guarantee Company conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 5 will not appear on the Owner's Title Policy and the Lenders Policy when issued.

Note: Affirmative mechanic's lien protection for the Owner may be available (typically by deletion of Exception no. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

- (A) The land described in Schedule A of this commitment must be a single family residence which includes a condominium or townhouse unit.
- (B) No labor or materials have been furnished by mechanics or material-men for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.
- (C) The Company must receive an appropriate affidavit indemnifying the Company against un-filed mechanic's and material-men's liens.
- (D) The Company must receive payment of the appropriate premium.
- (E) If there has been construction, improvements or major repairs undertaken on the property to be purchased within six months prior to the Date of Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and or the contractor; payment of the appropriate premium fully executed Indemnity Agreements satisfactory to the company, and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

Note: Pursuant to CRS 10-11-123, notice is hereby given:

This notice applies to owner's policy commitments disclosing that a mineral estate has been severed from the surface estate, in Schedule B-2.

- (A) That there is recorded evidence that a mineral estate has been severed, leased, or otherwise conveyed from the surface estate and that there is substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and
- (B) That such mineral estate may include the right to enter and use the property without the surface owner's permission.

Note: Pursuant to CRS 10-1-128(6)(a), It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.

Note: Pursuant to Colorado Division of Insurance Regulations 8-1-3, notice is hereby given of the availability of a closing protection letter for the lender, purchaser, lessee or seller in connection with this transaction.



**JOINT NOTICE OF PRIVACY POLICY OF
LAND TITLE GUARANTEE COMPANY,
LAND TITLE GUARANTEE COMPANY OF SUMMIT COUNTY
LAND TITLE INSURANCE CORPORATION AND
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY**

This Statement is provided to you as a customer of Land Title Guarantee Company and Meridian Land Title, LLC, as agents for Land Title Insurance Corporation and Old Republic National Title Insurance Company.

We want you to know that we recognize and respect your privacy expectations and the requirements of federal and state privacy laws. Information security is one of our highest priorities. We recognize that maintaining your trust and confidence is the bedrock of our business. We maintain and regularly review internal and external safeguards against unauthorized access to non-public personal information ("Personal Information").

In the course of our business, we may collect Personal Information about you from:

- applications or other forms we receive from you, including communications sent through TMX, our web-based transaction management system;
 - your transactions with, or from the services being performed by us, our affiliates, or others;
 - a consumer reporting agency, if such information is provided to us in connection with your transaction;
- and
- The public records maintained by governmental entities that we either obtain directly from those entities, or from our affiliates and non-affiliates.

Our policies regarding the protection of the confidentiality and security of your Personal Information are as follows:

- We restrict access to all Personal Information about you to those employees who need to know that information in order to provide products and services to you.
- We maintain physical, electronic and procedural safeguards that comply with federal standards to protect your Personal Information from unauthorized access or intrusion.
- Employees who violate our strict policies and procedures regarding privacy are subject to disciplinary action.
- We regularly assess security standards and procedures to protect against unauthorized access to Personal Information.

WE DO NOT DISCLOSE ANY PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT PERMITTED BY LAW.

Consistent with applicable privacy laws, there are some situations in which Personal Information may be disclosed. We may disclose your Personal Information when you direct or give us permission; when we are required by law to do so, for example, if we are served a subpoena; or when we suspect fraudulent or criminal activities. We also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce our rights arising out of any agreement, transaction or relationship with you.

Our policy regarding dispute resolution is as follows: Any controversy or claim arising out of or relating to our privacy policy, or the breach thereof, shall be settled by arbitration in accordance with the rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.



Commitment For Title Insurance

Issued by Old Republic National Title Insurance Corporation

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON. .

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, Old Republic National Title Insurance Company, a Minnesota corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured. If all of the Schedule B, Part I—Requirements have not been met within 6 months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I—Requirements; and
- (f) Schedule B, Part II—Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - i. comply with the Schedule B, Part I—Requirements;
 - ii. eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
 - iii. acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.

- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

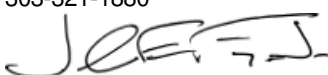
8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

IN WITNESS WHEREOF, Land Title Insurance Corporation has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A to be valid when countersigned by a validating officer or other authorized signatory.

Issued by:
Land Title Guarantee
Company
3033 East First Avenue Suite
600
Denver, Colorado 80206
303-321-1880

President



Old Republic National Title Insurance Company, a Stock
Company
400 Second Avenue South
Minneapolis, Minnesota 55401
(612)371-1111



Mark Bilbrey, President



Rande Yeager, Secretary

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Land Title Insurance Corporation. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2006-2016 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

LEGAL DESCRIPTION:

PARCEL 1

MULLER SIMPLE LAND DIVISION

COUNTY OF MESA, STATE OF COLORADO

General Project Report for Annexation and Rezone of 2335 H Road, Grand Junction, CO 81505

Owners of the property request annexation of the 19.76 acres currently zoned AFT in Mesa County into the City of Grand Junction and Re-zone of the North portion as described in Attached Legal Description to RSF-8 and the South portion as described in Attached Legal Description to RSF-4.

Future Land Use Plan calls for RSF 8-16 on the North portion and RSF 4-8 on the South portion.

Grand Junction Fire Department New Development Fire Flow Form

Instructions to process the application: Step 1) Applicant's engineer should first fill out all items in Section A. Step 2) Deliver/mail this form to the appropriate water purveyor.¹ The water supplier signs and provides the required information of Section B. Step 3) Deliver/mail the completed and fully signed form to the City or County Planning Department.²

SECTION A

Date: 8.14.2018
Project Name: South Twenty (REZONE + ANNEXATION)
Project Street Address: ~~20~~ 2335 H. Road, GT 81505
Assessor's Tax Parcel Number: 2701.322.00.103
Project Owner Name: South Twenty, LLC (Mandy Rush)
City or County project file #: _____
Name of Water Purveyor: Ute Water
Applicant Name/Phone Number: Mandy Rush / 970.260.1310
Applicant E-mail: mandyrush@remax.net or mandy@mandyrush.com

1. If the project includes one or more one or two-family dwelling(s):
 - a. The maximum fire area (see notes below) for each one or two family dwelling will be 3600 square feet.
 - b. All dwelling units will ☐, will not ☒ include an approved automatic sprinkler system.Comments: _____
2. If the project includes a building other than one and two-family dwelling(s):
 - a. List the fire area and type of construction (See International Building Code [IBC] for all buildings used to determine the minimum fire flow requirements:
n/a
 - b. List each building that will be provided with an approved fire sprinkler system:
n/a
3. List the minimum fire flow required for this project (based on Appendix B and C in the International Fire Code [IFC]):

Comments: _____

Note:

Fire Area: The aggregate floor area enclosed and bounded by fire walls, fire barriers, exterior walls or horizontal assemblies of a building. Areas of the building not provided with surrounding walls shall be included in the fire area if such areas are included within the horizontal projection of the roof or floor next above.

Fire Flow Rule: The City's Fire Code³ sets minimum fire flows for all structures. In general, at least 1000 g.p.m. at 20 p.s.i. is required for residential one or two family dwellings up to 3,600 square feet (sf) of fire area. For dwellings greater than 3,600 sf of fire area or all commercial structures, the minimum fire flow is 1,500 gpm at 20 p.s.i. (See Fire Flow Guidance Packet⁴). Inadequate fire flows are normally due to water supply pipes that are too small or too little water pressure, or a combination of both.

Applicant/Project Engineer: Refer to City of Grand Junction most recently adopted IFC, Appendix B and C, [IFC 2012], to determine the minimum fire flow required for this project, based on the Water Purveyor's information (*i.e.*, location, looping and size of water lines; water pressure at the site, *etc.*) and the type, density and location of all structures. Base your professional judgment on the City approved utility plans and Water Provider information shown on this Form. Each time the utility plans/other information relating to treated water changes, resubmit this form just as you did the first time.

End of Section A. Section B continues on the next page

Grand Junction Fire Department New Development Fire Flow Form

SECTION B

[To be completed by the Water Supplier]

Attach fire flow test data for the hydrants

Failure to attach the fire flow test data and/or diagram may delay your project review.

1. Circle the name of the water supplier: Ute Clifton Grand Junction
2. List the approximate location, type and size of supply lines for this project, or attach a map with the same information:

See the attached map.

3. Attach the fire flow test data @ 20 p.s.i. for the fire hydrants nearest to the development/project that must be use to determine available fire flow. Test data is to be completed within the previous 12 months or year. Identify the fire hydrants used to determine the fire flow:

See the attached flow test results.

[Or: 1. attach a map or diagram with the same information, or 2. attach a map/diagram with flow modeling information.]

4. If new lines are needed (or if existing lines must be looped) to supply the required fire flows, or if more information is needed to state the available minimum g.p.m. @ 20 p.s.i. residual pressure, please list what the applicant/developer must do or obtain:

Print Name and Title of Water Supplier Employee completing this Form:

Robert Yates - Fire Hydrants Division

Date: September 10, 2018

Contact phone/E-mail of Water Supplier: hydrant@utewater.org (970) 256-2882

Note: Based on the facts and circumstances, the Fire Chief may require the applicant/developer to engage an engineer⁵ to verify/certify that the proposed water system improvements, as reflected in the approved utility plans submitted in support of the application/development, will provide the minimum fire flows to all structures in this project. If required, a State of Colorado Licensed Professional Engineer shall submit a complete stamped-seal report to the Grand Junction Fire Department. All necessary support documentation shall be included.

¹ There are three drinking water suppliers: Ute Water 970-242-7491, Clifton Water 970-434-7328 and City of Grand Junction water 970-244-1572.

² Address: City – 250 N 5th St, Grand Junction, CO 81501; County – PO Box 20000, Grand Junction, CO 81502

³ International Fire Code, 2012 Edition

⁴ <http://www.gjcity.org/residents/public-safety/fire-department/fire-prevention-and-contractors/>

⁵ City Code defines engineer as one who is licensed as a P.E. by the state of Colorado.

Fire Flow Hydrant Master With Graph

Report Generated by: IMS by Hurco Technologies Inc.

Page: 1



Company Name: Ute Water Conservancy District
Address: 2190 H 1/4 Rd
City: Grand Junction
State: Colorado
Zip: 81505

Test Date: 1/5/18 3:00 pm

NFPA Classification:

Blue AA
 5515.68

Work Order: 667
Operator: Robert/Dusty

Test did not reach recommended drop of 25% per NFPA 291

Test Hydrant: 4367
Address: 2395 H RD
Cross Street:
Location:
District:
Sub-Division:

Latitude:
Longitude:
Elevation:
State X / Y: /

Pumpers:

Nozzles:

Open Dir:

Manuf: Kennedy Valve
Model: Guardian

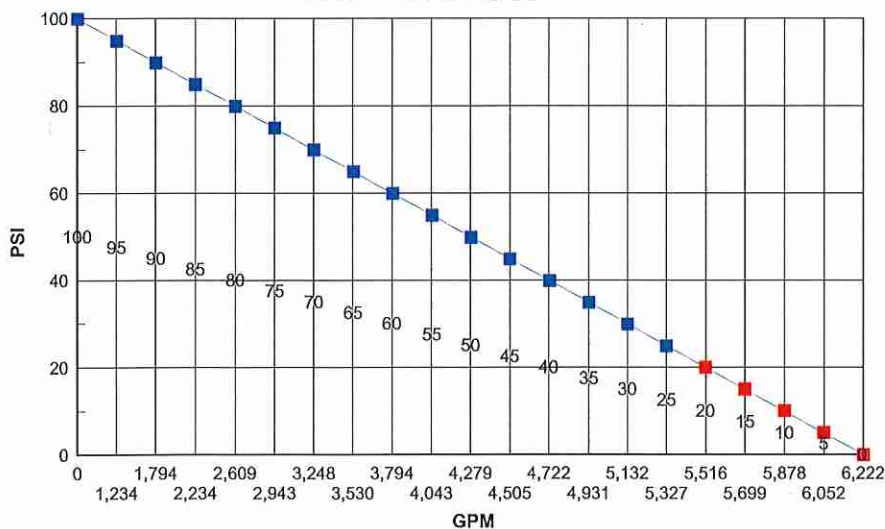
Installed: 01/01/2013
Main Size:

Vandal Proof:
Bury Depth:

	Flow Hydrant	Flow Device	Diameter	GPM	Gallon Used
1:	494	2.5" Hose Monster	2.50	1480.07	7400.37
2:					
3:					
4:					
5:					

Pitot / Nozzle PSI: 77.00	Total Gallons Used: 7400.37
Static PSI: 100.00	Max GPM during test: 1,480.07
Residual PSI: 93.00	Elapsed Time Min:Sec: 5 : 0
Percent Drop: 7.00	Predicted GPM @ 20 PSI: 5515.68

4367 Flow GPM



GPM rounded to nearest gallon

Values inside grid below flow line are PSI @ predicted flow

Test Hydrant 4367

Flow Hydrant 494



SOUTH TWENTY ANNEXATION SCHEDULE

January 16, 2019	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
January 22, 2019	Planning Commission considers Zone of Annexation
February 6, 2019	Introduction of a Proposed Ordinance on Zoning by City Council
February 20, 2019	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
March 24, 2019	Effective date of Annexation

ANNEXATION SUMMARY

File Number:		ANX-2018-659
Location:		2335 H Road
Tax ID Numbers:		2701-322-00-103
# of Parcels:		1
Existing Population:		0
# of Parcels (owner occupied):		0
# of Dwelling Units:		0
Acres land annexed:		20.18
Developable Acres Remaining:		19.74
Right-of-way in Annexation:		0.44 acres
Previous County Zoning:		RSF-R (Residential Single Family – Rural)
Proposed City Zoning:		R-8 (Residential – 8 du/ac) & R-4 (Residential – 4 du/ac)
Current Land Use:		Vacant land
Future Land Use:		Residential High Mixed Use (16 – 24 du/ac) & Residential Medium (4 – 8 du/ac)
Values:	Assessed:	\$6,970
	Actual:	\$24,020
Address Ranges:		2335 H Road
Special Districts:	Water:	Ute Water Conservancy District
	Sewer:	City of Grand Junction
	Fire:	Grand Junction Rural Fire District
	Irrigation/Drainage:	GVIC/GVDD
	School:	Fruita Monument HS / Fruita Middle / Appleton Elementary
	Pest:	Grand River Mosquito Control District

City of Grand Junction

Review Comments

Date: November 21, 2018

Comment Round No. 1

Page No. 1 of 4

Project Name: South Twenty Annexation

File No: ANX-2018-659

Project Location: 2335 H Road

Check appropriate ☒ if comments were mailed, emailed, and/or picked up.

Property Owner(s): South Twenty LLC – Attn: Mandy Rush

Mailing Address: 2306 H Road, Grand Junction, CO 81505

☒ **Email:** mandy@mandyrush.com **Telephone:** (970) 260-1310

☐ **Date Picked Up:** _____ **Signature:** _____

Representative(s):

Mailing Address:

Email:

Telephone:

Date Picked Up: _____ **Signature:** _____

Developer(s):

Mailing Address:

Email:

Telephone:

Date Picked Up: _____ **Signature:** _____

CITY CONTACTS

Project Manager: Scott D. Peterson, Senior Planner

Email: scottp@gjcity.org

Telephone: (970) 244-1447

Dev. Engineer: Jarrod Whelan

Email: jarrodw@gjcity.org

Telephone: (970) 244-1443

City of Grand Junction

REQUIREMENTS

(with appropriate Code citations)

CITY PLANNING

1. Application is for Annexation into the City limits with a proposed split zoning designation of R-8 (Residential – 8 du/ac) & R-4 (Residential – 4 du/ac) zone district. Comprehensive Plan Future Land Use Map identifies the property as having a split designation of Residential High Mixed Use (16 – 24 du/ac) & Residential Medium (4 – 8 du/ac). Existing property is 19.77 +/- acres in size. No additional response required.

Applicant's Response:

Document Reference:

2. Planning Commission and City Council Public Hearings:

Planning Commission and City Council review and approval required for proposed Annexation and Zoning requests. City Project Manager will **tentatively** schedule application(s) for the following public hearing schedule:

- a. City Council Referral of Petition, Land Use Jurisdiction and 1st Reading of Annexation: **January 16, 2019** (Consent Agenda – no need to attend meeting).
- b. Planning Commission review of zoning designation to R-8 (Residential – 8 du/ac) & R-4 (Residential – 4 du/ac): **January 22, 2019** (Please plan on attending meeting in case the Planning Commission has any questions).
- c. City Council review of zoning designation to R-8 (Residential – 8 du/ac) & R-4 (Residential – 4 du/ac) (1st Reading): **February 6, 2019** (Consent Agenda – no need to attend meeting).
- d. City Council review of Annexation and R-8 & R-4 zoning designations (2nd Reading): **February 20, 2019** (Please plan on attending meeting in case the City Council has any questions).

Please plan on attending the January 22, 2019 Planning Commission meeting and the February 20, 2019 City Council meeting. The Consent Agenda meetings you do not need to attend as that is only scheduling the hearing date and the item is placed on the Consent Agenda with no public testimony taken. Both the Planning Commission and City Council meetings begin at 6:00 PM at City Hall in the City Council Chambers.

If applicant cannot make the above scheduled public hearing dates, please notify City Project Manager and we can reschedule for later meeting dates.

Code Reference: Sections 21.02.140 and 160 of the Zoning & Development Code.

Applicant's Response:

Document Reference:

CITY DEVELOPMENT ENGINEER

No exceptions taken.

Applicant's Response:

Document Reference:

CITY SURVEYOR – Peter Krick – peterk@gjcity.org (970) 256-4003

No comments at this time.

Applicant's Response:

Document Reference:

CITY FIRE DEPARTMENT – Mike Gazdak – mikega@gjcity.org (970) 549-5854

The fire department has no objections to the request for annexation/rezone.

Applicant's Response:

Document Reference:

CITY ADDRESSING – Pat Dunlap – patd@gjcity.org (970) 256-4030

1. South Twenty Annexation No. 1 is acceptable.

2. South Twenty Annexation No. 2 is acceptable.

Applicant's Response:

Document Reference:

OUTSIDE REVIEW AGENCY COMMENTS

(Non-City Agencies)

Review Agency: Mesa County Engineering

Contact Name: Dana Brosig

Email / Telephone Number: dana.brosig@mesacounty.us (970) 255-5035

No comments.

Applicant's Response:

Review Agency: Mesa County Building Department

Contact Name: Darrell Bay

Email / Telephone Number: Darrell.bay@mesacounty.us (970) 244-1651

MCBD has no objections.

Applicant's Response:

Review Agency: Grand Valley Drainage District

Contact Name: Tim Ryan

Email / Telephone Number: tim.admin@gvdd.org (970) 242-4343

The platted easement, R#1933582, circa 1999, is inadequate in its description. The District will prepare a current accurate description that we will provide to the project surveyor to be incorporated into the improvement survey plat.

Applicant's Response:

Review Agency: Ute Water Conservancy District

Contact Name: Jim Daugherty

Email / Telephone Number: jdaugherty@utewater.org (970) 242-7491

- No objection to rezone and annexation.
- ALL FEES AND POLICIES IN EFFECT AT TIME OF APPLICATION WILL APPLY.
- If you have any questions concerning any of this, please feel free to contact Ute Water.

Applicant's Response:

Review Agency: Xcel Energy

Contact Name: Brenda Boes

Email / Telephone Number: Brenda.k.boes@xcelenergy.com (970) 244-2698

Xcel has no objections at this time.

Completion of this City/County review approval process does not constitute an application with Xcel Energy for utility installation. Applicant will need to contact Xcel Energy's Builder's Call Line/Engineering Department to request a formal design for the project. A full set of plans, contractor, and legal owner information is required prior to starting any part of the construction. Failure to provide required information prior to construction start will result in delays providing utility services to your project. Acceptable meter and/or equipment locations will be determined by Xcel Energy as a part of the design process. Additional easements may be required depending on final utility design and layout. Engineering and Construction lead times will vary depending on workloads and material availability. Relocation and/or removal of existing facilities will be made at the applicant's expense and are also subject to lead times referred to above. All Current and future Xcel Energy facilities' must be granted easement.

Applicant's Response:

Review Agency: Grand Valley Power

Contact Name: Steve Don

Email / Telephone Number: sdon@gvp.org (970) 242-0040

1. The south half of the project is in the Grand Valley Power (GVP) service area.
2. Need GVP electric layout on FINAL Utility Composite Plan. Showing the locations of street lights, transformers, junction boxes, road crossings (number of conduits, type, size, depth & length) and any other needed equipment.
3. Please make application for service by calling 242-0040, to start the design process. A cost estimate will also be prepared.
4. Need Final Plat with addresses before going to Contract for Construction with Grand Valley Power.
5. Need 14' Multi-Purpose Easement along all Roads and streets.
6. No trees to be planted over utility portion of Multi-Purpose Easement.
7. Any Utility / Multi-Purpose Easement that is also used for landscaping will need to have underground power lines built in duct system.
8. Irrigation and drainage lines should not be in the utility portion of the Multi-Purpose Easement.
9. Any relocation of existing overhead power lines, poles, guy/anchors, underground lines, transformers or any other Grand Valley Power equipment is at the developer's expense.

Applicant's Response:

REVIEW AGENCIES

(Responding with "No Comment" or have not responded as of the due date)

The following Review Agencies have not responded as of the comment due date.

1. Mesa County Planning
2. Grand Valley Irrigation Company

The Petitioner is required to submit electronic responses, labeled as "**Response to Comments**" for the following agencies:

1. **N/A. No further response required. See City Planning review comments for proposed public hearing schedule.**

Date due: N/A.

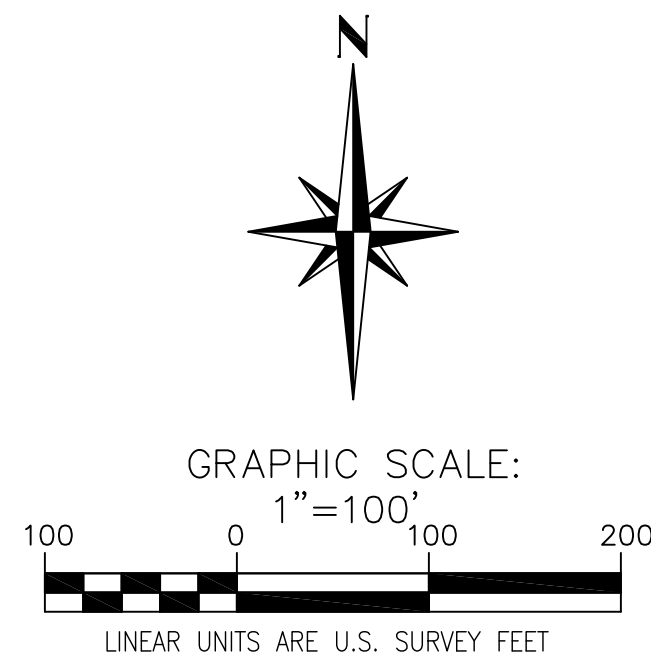
Please provide a written response for each comment and, for any changes made to other plans or documents indicate specifically where the change was made.

I certify that all of the changes noted above have been made to the appropriate documents and plans and there are no other changes other than those noted in the response.

Applicant's Signature

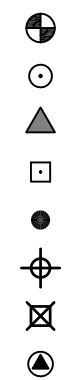
Date

BOUNDARY SURVEY
SITUATED IN THE NE $\frac{1}{4}$ NW $\frac{1}{4}$ SECTION 32
TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN
AND BEING A PART OF MULLER SIMPLE LAND DIVISION
COUNTY OF MESA, STATE OF COLORADO



LEGEND:

- FOUND CITY SURVEY MARKER AS DESCRIBED
SET MAGNETIC NAIL WITH 1-1/2 INCH BRASS DISC PLS 37904
SET No. 5 REBAR WITH 2 INCH ALUMINUM CAP PLS 37904
FOUND
FOUND
FOUND
FOUND
FOUND



LEGAL DESCRIPTION:

PARCEL 1
MULLER SIMPLE LAND DIVISION
COUNTY OF MESA, STATE OF COLORADO

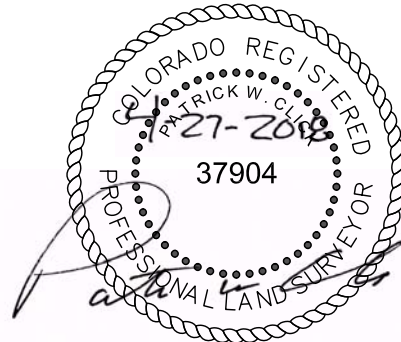
Said parcel contains 19.77 ACRES.

NOTES

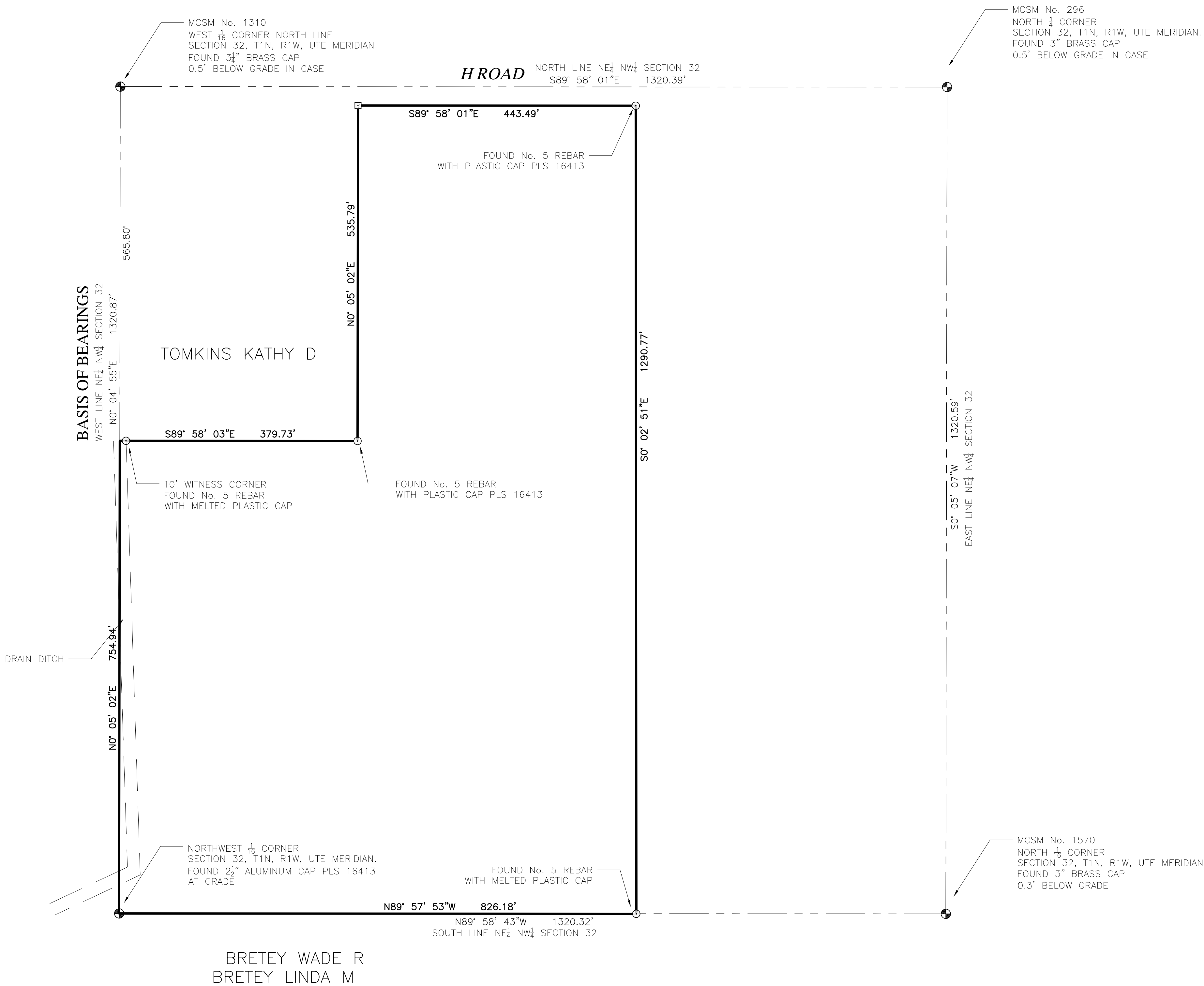
- OWNERSHIP, RECORDED RIGHTS-OF-WAY, AND EASEMENT INFORMATION WAS DONE WITHOUT USING A CURRENT TITLE POLICY.
- BEARINGS ARE BASED ON THE WEST LINE OF THE NE $\frac{1}{4}$ NW $\frac{1}{4}$ SECTION 32, T1N, R1W OF THE UTE MERIDIAN, MESA COUNTY, COLORADO. FOUND IN PLACE WERE A MESA COUNTY SURVEY MARKER AT THE NORTH END OF SAID LINE AND A ALUMINUM CAP PLS 16413 AT THE SOUTH OF SAID LINE AS SHOWN HEREON. THE BEARING USED S0°11'16"E IS BASED ON GPS OBSERVATIONS WHILE USING THE MESA COUNTY SURVEY INFORMATION MANAGEMENT SYSTEM.
- ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- THIS BOUNDARY SURVEY IS BASED ON THE DEED AS RECORDED AT RECEPTION NUMBER 2787159, OF THE MESA COUNTY RECORDS.
- THE BEARINGS SHOWN HERON ARE BASED ON THE PLAT BEARINGS AS RECORDED AT RECEPTION NUMBER 1933582, ROTATED TO THE MESA COUNTY SURVEY INFORMATION MANAGEMENT SYSTEM.

SURVEYOR'S CERTIFICATION:

I, Patrick W. Click, a registered Professional Land Surveyor in the State of Colorado, do hereby certify that this Plat represents a field survey completed by me and / or under my direct supervision. Both conform to the standards of practice, statutes and laws of the State of Colorado to the best of my knowledge and belief. This statement is not a guaranty or warranty, either expressed or implied.



COLORADO REGISTERED LAND SURVEYOR PLS #37904



BOUNDARY SURVEY 2335 H ROAD SITUATED IN THE NE $\frac{1}{4}$ NW $\frac{1}{4}$ SECTION 32 TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN COUNTY OF MESA, STATE OF COLORADO	
JOB # 2018049 DATE: 4/27/18	FIELD WORK: SL DRAWING NAME: 2335 H ROAD DRAWN BY: PC
POLARIS SURVEYING PATRICK W. CLICK P.L.S. 3194 MESA AVE. #B GRAND JUNCTION, CO 81504 PHONE/FAX (970)434-7038	

SITUATED IN THE NE¼ NW¼ SECTION 32
TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN
AND BEING A PART OF MULLER SIMPLE LAND DIVISION
COUNTY OF MESA, STATE OF COLORADO



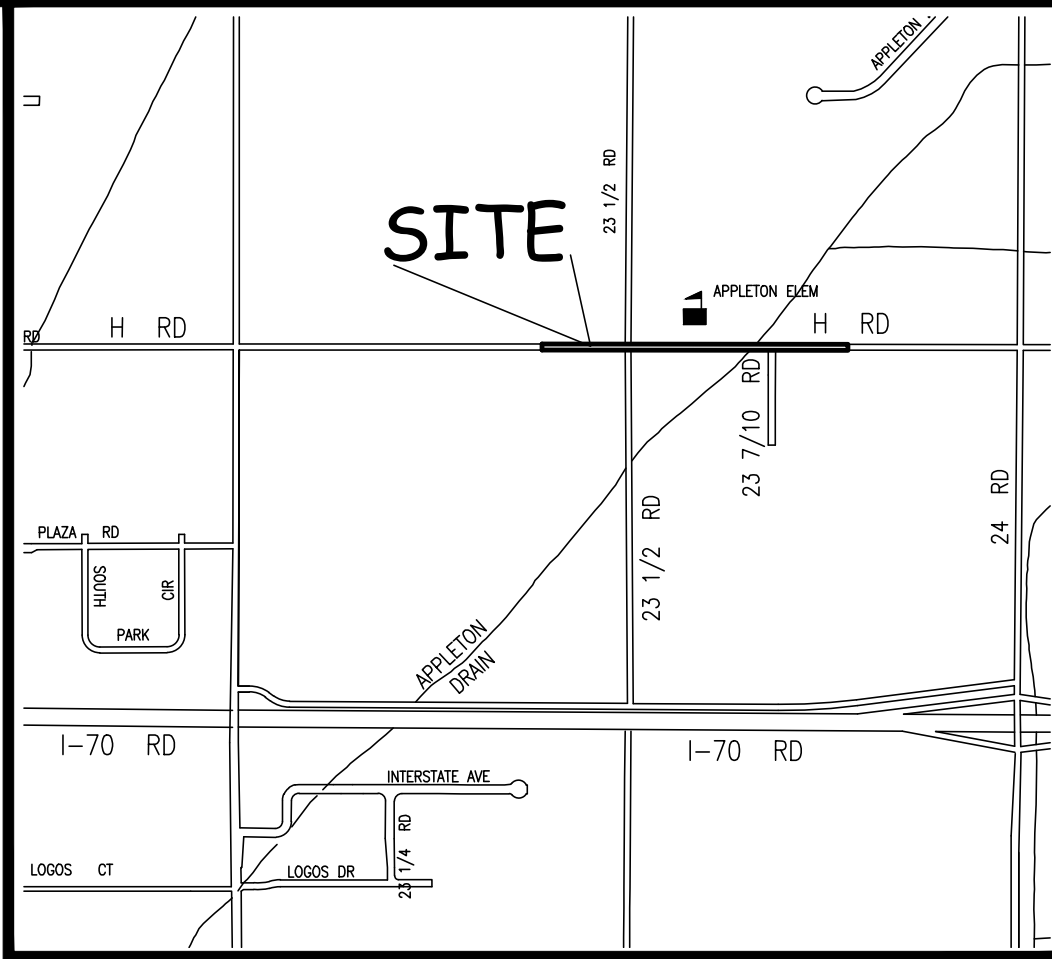
Said parcel contains 19.77 ACRES.

5. THE BEARINGS SHOWN HEREON ARE BASED ON THE PLAT BEARINGS AS RECORDED AT RECEPTION NUMBER 1933582, ROTATED TO THE MESA COUNTY SURVEY INFORMATION MANAGEMENT SYSTEM.

I, Patrick W. Click, a registered Professional Land Surveyor in the State of Colorado, do hereby certify that this Plat represents a field survey completed by me and / or under my direct supervision. Both conform to the standards of practice, statutes and laws of the State of Colorado to the best of my knowledge and belief. This statement is not a guaranty or warranty, either expressed or implied.

3194 MESA AVE. #B
GRAND JUNCTION, CO 81504
PHONE/FAX (970)434-7038

SOUTH TWENTY ANNEXATION NO. 1
LYING IN THE NE 1/4 NW 1/4 AND NW 1/4 NE 1/4 OF SECTION 32, TOWNSHIP 1 NORTH, RANGE 1 WEST
UTE PRINCIPAL MERIDIAN
COUNTY OF MESA, STATE OF COLORADO



LOCATION MAP: NOT-TO-SCALE

DESCRIPTION

A certain parcel of land lying in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4 and the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section 32, Township 1 North, Range 1 West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCING at the Northeast corner of the NW 1/4 NE 1/4 of said Section 32 and assuming the North line of the NW 1/4 NE 1/4 of said Section 32 bears N 89°57'52" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 00°03'26" W, along the East line of the NW 1/4 NE 1/4 of said Section 32, a distance of 5.00 feet to a point on the South line of Apple Glen Annexation No. 2, Ordinance No. 4191 as same is recorded in Book 4637, Page 687, Public Records of Mesa County, Colorado, also being the POINT OF BEGINNING; thence from said Point of Beginning, S 00°03'26" W, along said East line, a distance of 2.00 feet; thence N 89°57'52" W along a line 7.00 feet South of and parallel with the North line of the NW 1/4 NE 1/4 of said Section 32, a distance of 660.88 feet; thence N 00°01'45" E, a distance of 5.00 feet; thence N 89°57'52" W along a line 2.00 feet South of and parallel with the North line of the NW 1/4 NE 1/4 of said Section 32, a distance of 656.88 feet, more or less, to a point on the East line of the NE 1/4 NW 1/4 of said Section 32; thence N 89°58'01" W along a line 2.00 feet South of and parallel with the North line of the NE 1/4 NW 1/4 of said Section 32, a distance of 497.19 feet, more or less, to a point on the Northerly projection of the East line of Parcel 1, Muller Simple Land Division, as same is recorded in Plat Book 17, Page 236, Public Records of Mesa County, Colorado; thence N 00°02'51" W, along said Northerly projection, a distance of 2.00 feet to a point on the North line of the NE 1/4 NW 1/4 of said Section 32; thence S 89°58'01" E, along said North line, a distance of 497.20 feet, more or less, to a point being the Northeast corner of the NE 1/4 NW 1/4 of said Section 32; thence S 89°57'52" E, along the North line of the NW 1/4 NE 1/4 of said Section 32, a distance of 658.88 feet to a point on the West line of Apple Glen Annexation No. 3, Ordinance No. 4192, as same is recorded in Book 4637, Page 691, Public records of Mesa County, Colorado; thence S 00°01'45" W, along said West line, a distance of 5.00 feet; thence S 89°57'52" E along a line 5.00 feet South of and parallel with the North line of the NW 1/4 NE 1/4 of said Section 32, a distance of 658.88 feet, more or less, to the Point of Beginning.

ABBREVIATIONS	
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT OF WAY
SEC.	SECTION
TWP.	TOWNSHIP
RGE.	RANGE
U.P.M.	UTE PRINCIPAL MERIDIAN
NO.	NUMBER
SQ. FT.	SQUARE FEET
Δ=	CENTRAL ANGLE
RAD	RADIUS
AL	ARC LENGTH
CHL	CHORD LENGTH
CHB	CHORD BEARING
BLK	BLOCK
PB	PLAT BOOK
BK	BOOK
PG	PAGE

The Sketch and Description contained herein have been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This plat does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

PREPARED BY

PETER T. KRICK, PLS No. 32824
Professional Land Surveyor for the
City of Grand Junction

DATE: _____



EFFECTIVE DATE

????

ORDINANCE NO.

????

THIS IS NOT A BOUNDARY SURVEY

AREA OF ANNEXATION

ANNEXATION PERIMETER	3,643.91 FT.
CONTIGUOUS PERIMETER	663.88 FT.
AREA IN SQUARE FEET	3,640***
AREA IN ACRES	0.083
*** (995 SQ. FT. LIES IN DEEDED R/W AND 2,645 SQ. FT. LIES IN R/W BY USE)	

LEGEND

ANNEXATION BOUNDARY	—————
EXISTING CITY LIMITS	— · — · —

GRAPHIC SCALE



LINEAL UNITS USED HEREIN = U.S. SURVEY FOOT, AS ESTABLISHED

SCALE

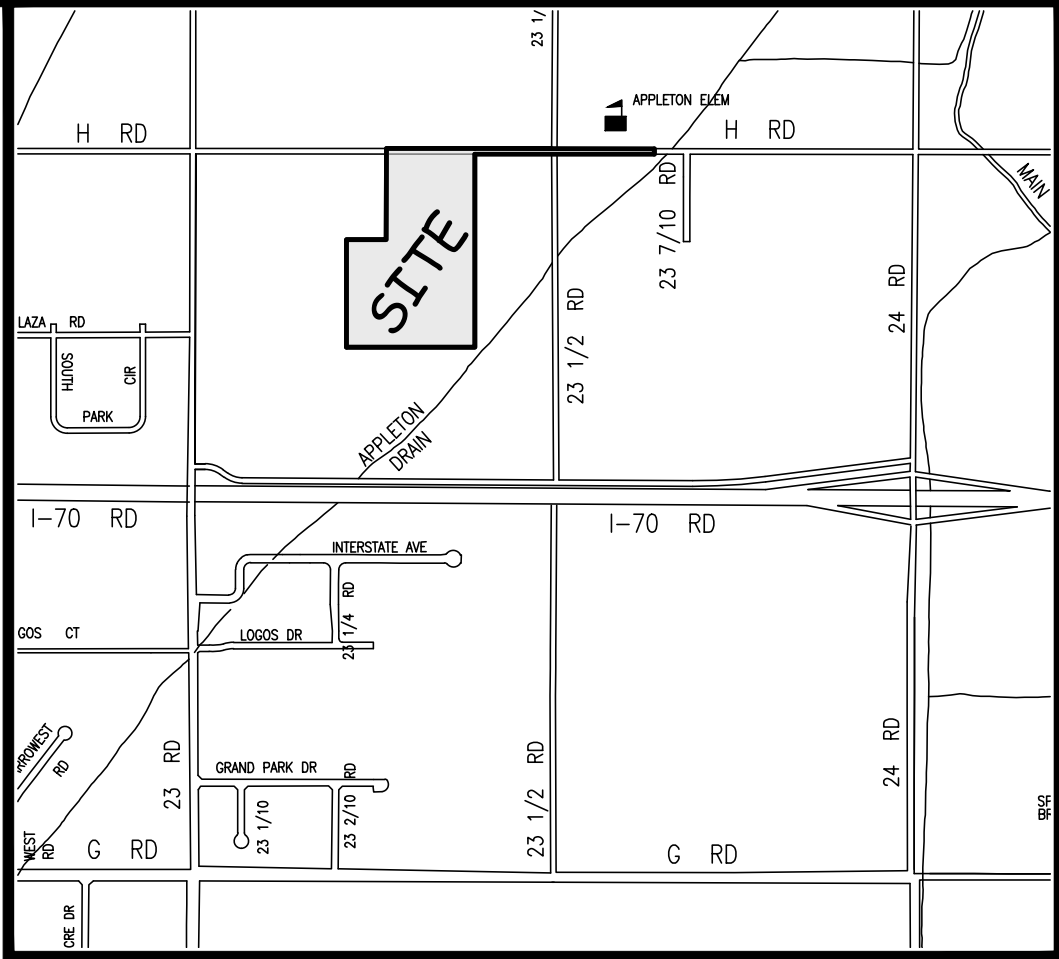
1" = 200'



PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

SOUTH TWENTY
ANNEXATION NO. 1

SOUTH TWENTY ANNEXATION NO. 2
LYING IN THE NE 1/4 NW 1/4 AND NW 1/4 NE 1/4 OF SECTION 32, TOWNSHIP 1 NORTH, RANGE 1 WEST
UTE PRINCIPAL MERIDIAN
COUNTY OF MESA, STATE OF COLORADO



LOCATION MAP: NOT-TO-SCALE

DESCRIPTION

A certain parcel of land lying in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4 and the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section 32, Township 1 North, Range 1 West of the Ute Principal Meridian and being more particularly described as follows:

BEGINNING at the Southwest corner of the NE 1/4 NW 1/4 of said Section 32, said point also being the Southwest corner of Parcel 1, Muller Simple Land Division, as same is recorded in Plat Book 17, Page 236, Public Records of Mesa County, Colorado and assuming the West line of the NE 1/4 NW 1/4 of said Section 32 bears N 00°04'55" E and all other bearings shown hereon are relative thereto; thence from said Point of Beginning, N 00°04'55" E along the West line of the NE 1/4 NW 1/4 of said Section 32, a distance of 754.94 feet, more or less, to a point being the Southwest corner of Parcel 2 of said Muller Simple Land Division; thence S 89°58'03" E, along the South line of said Parcel 2, a distance of 379.73 feet, more or less, to a point being the Southeast corner of said Parcel 2; thence N 00°05'02" E, along the East line of said Parcel 2 and the West line of said Parcel 1, a distance of 565.92 feet, more or less, to a point on the North line of the NE 1/4 NW 1/4 of said Section 32; thence S 89°58'01" E, along said North line, a distance of 443.45' to a point on the West line of South Twenty Annexation No. 1; thence S 00°02'51" E, along said West line, a distance of 2.00 feet; thence S 89°58'01" E along the South line of said South Twenty Annexation No. 1, a distance of 497.19 feet to a point on the East line of the NW 1/4 NE 1/4 of said Section 32; thence S 89°57'52" E, along the South line of said South Twenty Annexation No. 1, a distance of 656.88 feet; thence S 00°01'45" W, a distance of 5.00 feet; thence N 89°57'52" W, a distance of 2.00 feet; thence N 00°01'45" E, a distance of 3.00 feet; thence N 89°57'52" W, along a line 4.00 feet South of and parallel with, the North line of the NW 1/4 NE 1/4 of said Section 32, a distance of 654.89 feet, more or less, to a point on the East line of the NW 1/4 NE 1/4 of said Section 32; thence N 89°58'01" W, along a line 4.00 feet South of and parallel with, the North line of the NE 1/4 NW 1/4 of said Section 32, a distance of 497.19 feet to a point on the Northerly projection of the East line of said Parcel 1; thence S 00°02'51" E, along the East line of said Parcel 1, a distance of 1316.70 feet, more or less, to a point on the South line of the NE 1/4 NW 1/4 of said Section 32, said point also being the Southeast corner of said Parcel 1; thence N 89°58'43" W, along the South line of the NE 1/4 NW 1/4 of said Section 32, a distance of 826.18 feet, more or less, to the Point of Beginning.

ABBREVIATIONS	
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT OF WAY
SEC.	SECTION
TWP.	TOWNSHIP
RGE.	RANGE
U.P.M.	UTE PRINCIPAL MERIDIAN
NO.	NUMBER
SQ. FT.	SQUARE FEET
Δ	CENTRAL ANGLE
RAD	RADIUS
AL	ARC LENGTH
CHL	CHORD LENGTH
CHB	CHORD BEARING
BLK	BLOCK
PB	PLAT BOOK
BK	BOOK
PG	PAGE

The Sketch and Description contained herein have been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This plat does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



PETER T. KRICK, PLS No. 32824
Professional Land Surveyor for the
City of Grand Junction

DATE: _____

AREA OF ANNEXATION

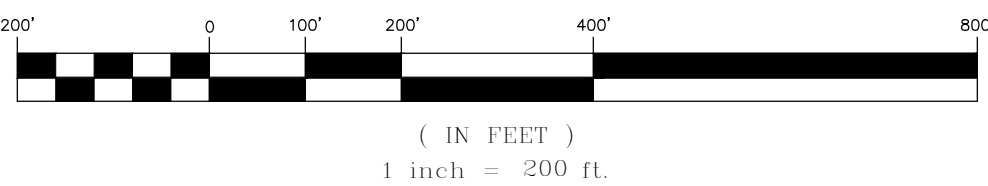
ANNEXATION PERIMETER	5,285.30 FT.
CONTIGUOUS PERIMETER	1,161.07 FT.
AREA IN SQUARE FEET	875,322***
AREA IN ACRES	20.095

***[PARCEL INCLUDES 14,298 SQ. FT. (0.328 ACRES) WITHIN PLATTED OR DEEDED ROAD R/W AND AN ADDITIONAL 1,320 SQ. FT. (0.030 ACRES) WITHIN RIGHT OF WAY BY USE]

LEGEND

ANNEXATION BOUNDARY	—————
EXISTING CITY LIMITS	— · — · —

LINEAL UNITS USED HEREIN = U.S. SURVEY FOOT, AS ESTABLISHED
GRAPHIC SCALE



ORDINANCE NO.

????

EFFECTIVE DATE

????

THIS IS NOT A BOUNDARY SURVEY

Notice:

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

DRAWN BY	P.T.K.	DATE	08-24-2018
DESIGNED BY		DATE	
CHECKED BY	P.T.K.	DATE	
APPROVED BY		DATE	

SCALE

1" = 200'



PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

SOUTH TWENTY
ANNEXATION NO. 2

Exhibit 3

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE ZONING THE SOUTH TWENTY ANNEXATION TO R-4 (RESIDENTIAL – 4 DU/AC) & R-8 (RESIDENTIAL – 8 DU/AC)

LOCATED AT 2335 H ROAD

Recitals

The property owners have requested annexation of the 19.76-acre Unplatted property into the City limits in anticipation of future residential subdivision development

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended approval of zoning the South Twenty Annexation to the R-4 (Residential – 4 du/ac) and R-8 (Residential – 8 du/ac) zone district respectfully, finding that it conforms with the split designation of Residential Medium (4 – 8 du/ac) and Residential High Mixed Use (16 - 24 du/ac) as shown on the Future Land Use Map of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the R-4 (Residential – 4 du/ac) and R-8 (Residential – 8 du/ac) zone districts are in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

SOUTH TWENTY ANNEXATION

The following portion of the property be zoned R-4 (Residential – 4 du/ac). See Exhibit A.

A tract of land situated in the Northeast Quarter of Northwest Quarter of Section 32, Township 1 North, Range 1 West of the Ute Meridian and being a part Parcel 1 Muller Simple Land Division as recorded at Reception Number 1933582 of the Mesa County Records, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Northeast corner of said Parcel 1 thence S0°02'51"E along the East line of said Parcel 1a distance of 535.79 feet to the Point of Beginning; thence S0°02'51"E along the East line of said Parcel 1a distance of 754.98 feet to the Southeast corner of said Parcel 1; thence N89°58'25"W along the South line of said

Parcel 1 a distance of 826.14 feet to the Southwest corner of said parcel 1 and the Northwest Sixteenth Corner of said Section 32; thence N0°04'55"E along the West line of said Parcel 1 a distance of 755.07 to an angle point on the West line of said Parcel 1; thence S89°58'03"E a distance of 379.71 feet to an angle point on the West line of said Parcel 1; thence S89°58'01"E a distance of 444.72 feet to the Point of Beginning.

Said tract of land contains 14.30 acres as described.

The following portion of the property be zoned R-8 (Residential – 8 du/ac). See Exhibit B.

A tract of land situated in the Northeast Quarter of Northwest Quarter of Section 32, Township 1 North, Range 1 West of the Ute Meridian and being a part Parcel 1 Muller Simple Land Division as recorded at Reception Number 1933582 of the Mesa County Records, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Northeast corner of said Parcel 1 thence S0°02'51"E along the East line of said Parcel 1 a distance of 535.79 feet; thence N89°58'01"W a distance of 444.72 feet to an angle point on the West line of said Parcel 1; thence N0°05'02"E along the West line of said Parcel 1 a distance of 535.79 feet to the Northwest corner of said Parcel 1; thence S89°58'01"E along the North line of said Parcel 1 a distance of 443.49 feet to the Point of Beginning.

Said tract of land contains 5.46 acres as described.

INTRODUCED on first reading this ____ day of ____, 2019 and ordered published in pamphlet form.

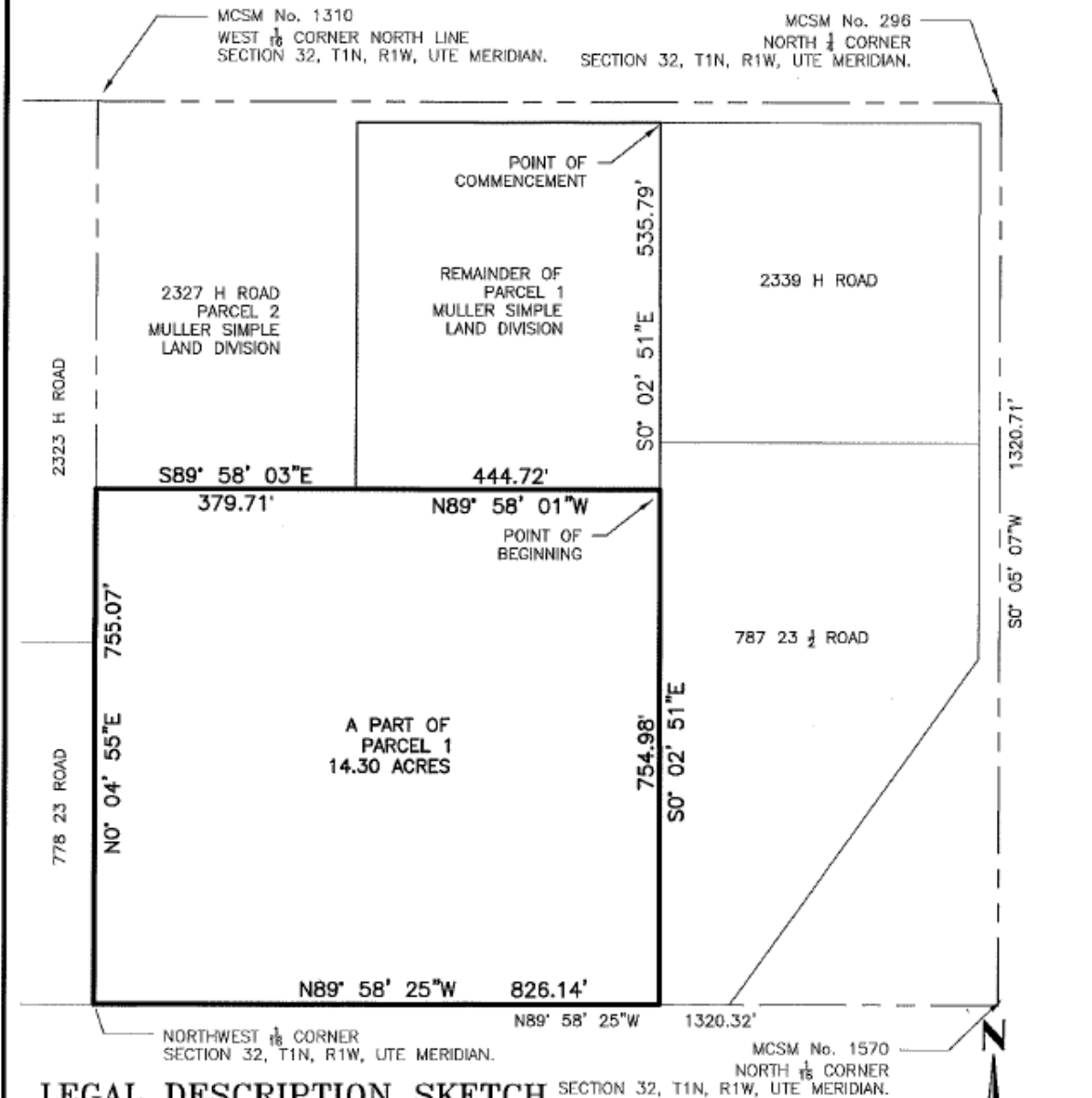
ADOPTED on second reading this _____ day of _____, 2019 and ordered published in pamphlet form.

ATTEST:

President of the Council

City Clerk

EXHIBIT A



LEGAL DESCRIPTION SKETCH

PARCEL 1
MULLER SIMPLE LAND DIVISION
SOUTH PORTION
SITUATED IN THE NE $\frac{1}{4}$ NW $\frac{1}{4}$ SECTION 32
TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN
COUNTY OF MESA, STATE OF COLORADO

POLARIS SURVEYING

PATRICK W. CLICK P.L.S.

3194 MESA AVE. #B
GRAND JUNCTION, CO 81504
PHONE (970)434-7038

GRAPHIC SCALE:

1"=200'



LINEAR UNITS ARE U.S. SURVEY FEET

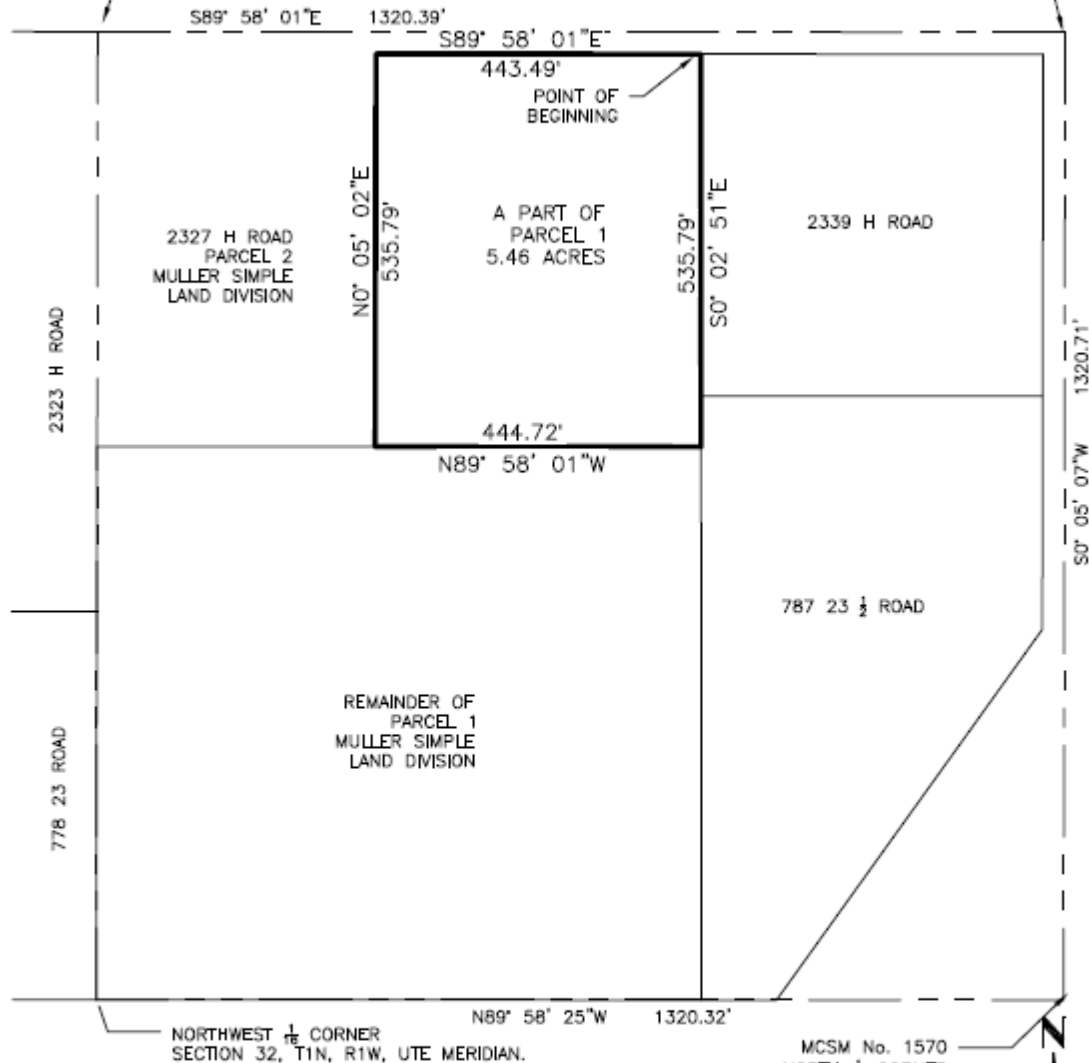


EXHIBIT B

MCSM No. 1310
WEST $\frac{1}{4}$ CORNER NORTH LINE
SECTION 32, T1N, R1W, UTE MERIDIAN.

MCSM No. 296
NORTH $\frac{1}{4}$ CORNER
SECTION 32, T1N, R1W, UTE MERIDIAN.

H ROAD



LEGAL DESCRIPTION SKETCH

PARCEL 1
MULLER SIMPLE LAND DIVISION
NORTH PORTION
SITUATED IN THE NE $\frac{1}{4}$ NW $\frac{1}{4}$ SECTION 32
TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN
COUNTY OF MESA, STATE OF COLORADO

POLARIS SURVEYING

PATRICK W. CLICK P.L.S.

3194 MESA AVE. #8
GRAND JUNCTION, CO 81504
PHONE (970)434-7038

MCSM No. 1570
NORTH $\frac{1}{4}$ CORNER
SECTION 32, T1N, R1W, UTE MERIDIAN.

GRAPHIC SCALE:
1"=200'



LINEAR UNITS ARE U.S. SURVEY FEET



[illegible]

South Twenty ANNEXATION
PETITION FOR ANNEXATION

WE THE UNDERSIGNED do hereby petition the City Council of the City of Grand Junction, State of Colorado, to annex the following described parcels to the said City:

GENERAL LOCATION: 2335 H Road
Tax ID # 2701-322-00-103

PARCEL 1

MULLER SIMPLE LAND DIVISION

COUNTY OF MESA, STATE OF COLORADO

This foregoing description describes the parcel; the perimeter boundary description, for purposes of the Annexation Act, is shown on the attached "Perimeter Boundary Legal Description, South Twenty Annexation."

As grounds therefore, the petitioner respectfully state that annexation to the City of Grand Junction, Colorado is both necessary and desirable and that the said territory is eligible for annexation in that the provisions of the Municipal Annexation Act of 1965, Sections 31-12-104 and 31-12-105 CRS 1973 have been met.

This petition is accompanied by four copies of a map or plat of the said territory, showing its boundary and its relation to established city limit lines, and said map is prepared upon a material suitable for filing.

Your petitioners further state that they are the owners of more than fifty percent of the area of such territory to be annexed, exclusive of streets and alleys; that the mailing address of the signer and the date of signature are set forth hereafter opposite the name of the signer, and that the legal description of the property owned by the signer of said petition is attached hereto.

WHEREFORE, these petitioners pray that this petition be accepted and that the said annexation be approved and accepted by ordinance. These petitioners by his/her/their signature(s) acknowledge, understand and agree that if any development application concerning the property which is the subject hereof is denied, discontinued or disapproved, in whole or in part, that the annexation of the property to the City of Grand Junction shall proceed.

Mandy Rush
South Twenty LLC

2306 H. Road, Grand Junction, CO 81505
ADDRESS

Mandy Rush
SIGNATURE

8/13/2018
DATE

N/A
NAME

N/A
ADDRESS

n/a
SIGNATURE

n/a
DATE

( Annexation Petition)

STATE OF COLORADO

SS

AFFIDAVIT

COUNTY OF MESA

Mandy Rush, of lawful age, being first duly sworn, upon oath, deposes and says:

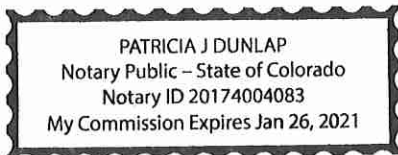
That he is the circulator of the forgoing petition:

That each signature on the said petition is the signature of the person whose name it purports to be.

Mandy Rush

Subscribed and sworn to before me this 13th day of August, 2018.

Witness my hand and official seal.



Patricia J Dunlap
Notary Public

250 N 5th St, Grand Junction, CO 81501
Address

My commission expires: Jan. 26, 2021

Development Application

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado, as described herein do petition this:

Petition For: Annexation + Rezone

Please fill in blanks below only for Zone of Annexation, Rezones, and Comprehensive Plan Amendments:

Existing Land Use Designation Ag

Existing Zoning AFT

Proposed Land Use Designation Residential

Proposed Zoning RSF.8 / RSF.4

Property Information

Site Location: 2335 H. Road, Grand Junction, CO 81505

Site Acreage: 19.76 Acres

Site Tax No(s): 2701.322.00.103

Site Zoning: AFT

Project Description: Rezone + Annexation

Property Owner Information

Name: South Twenty, LLC

Street Address: 2306 H. Rd

City/State/Zip: Grand Jct., CO 81505

Business Phone #: 970.260.1310

E-Mail: mandy@mandyrush.com

Fax #: 970.241.4015

Contact Person: Mandy Rush

Contact Phone #: 970.260.1310

Applicant Information

Name: Mandy Rush

Street Address: 2306 H. Road

City/State/Zip: Grand Jct., CO 81505

Business Phone #: 970.260.1310

E-Mail: mandy@mandyrush.com

Fax #: 970.241.4015

Contact Person: Mandy Rush

Contact Phone #: 970.260.1310

Representative Information

Name: Mandy Rush

Street Address: 2306 H. Road

City/State/Zip: Grand Junction, CO

Business Phone #: 970.260.1310

E-Mail: mandy@mandyrush.com

Fax #: 970.260.1310

Contact Person: Mandy Rush

Contact Phone #: 970.260.1310

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 may be dropped from the agenda and an additional fee may be charged to cover rescheduling expenses before it can again be placed on the agenda.

Signature of Person Completing the Application Mandy Rush

Date 9.24.2018

Signature of Legal Property Owner Mandy Rush

Date 9.24.2018

OWNERSHIP STATEMENT - NATURAL PERSON

I, (a) Mandy Rush with South Twenty, LLC am the owner of the following real property:

(b) 2335 H. Road
Grand Junction, CO 81505

A copy of the deed evidencing my interest in the property is attached. All documents, if any, conveying any interest in the property to someone else by the owner, are also attached.

☒ I am the sole owner of the property.

☒ I own the property with other(s). The other owners of the property are (c):

Eric Noblitt + Kyle Rush, managing members of
South Twenty, LLC

I have reviewed the application for the (d) Annexation + Rezone pertaining to the property.

I have the following knowledge and evidence concerning possible boundary conflicts between my property and the abutting property(ies): (e) n/a

I understand that I have a continuing duty to inform the City planner of any changes in interest, including ownership, easement, right-of-way, encroachment, lienholder and any other interest in the property.

I swear under penalty of perjury that the information contained in this Ownership Statement is true, complete and correct.

Owner signature as it appears on deed: Mandy Rush

Printed name of owner: MANDY RUSH w/ SOUTH TWENTY, LLC

State of Colorado)

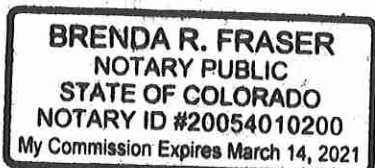
County of Mesa) ss.

Subscribed and sworn to before me on this 9th day of October, 20 18

by Mandy Rush

Witness my hand and seal.

My Notary Commission expires on 3/14/21



Brenda R Fraser
Notary Public Signature

PERSONAL REPRESENTATIVE'S DEED
(Sale)

THIS DEED is dated 6/6/18, and is made between BECKY ANN DELK, Personal Representative of the estate of MAVIS D. MCNEW, a/k/a MAVIS DELETHA MCNEW, deceased, the "Grantor," and SOUTH TWENTY, LLC, a Colorado limited liability company, the "Grantee," whose legal address is 2306 H Road, Grand Junction, CO 81505 of the County of Mesa, State of Colorado.

WHEREAS, the decedent died on the date of December 16, 2017 and Grantor was duly appointed Personal Representative of said estate by the District Court in and for the County of Mesa, State of Colorado, Probate No. 2017PR30388, on the date of January 3, 2018, and is now qualified and acting in said capacity.

NOW THEREFORE, pursuant to the powers conferred upon Grantor by the Colorado Probate Code, Grantor does hereby sell and convey unto Grantee for and in consideration of Four Hundred Thirty Five Thousand and no/100 Dollars, (\$435,000.00), the following described real property situate in the County of Mesa, State of Colorado:

PARCEL 1 OF MULLER SIMPLE LAND DIVISION,
COUNTY OF MESA,
STATE OF COLORADO,

also known by street address as: 2335 H Road, Grand Junction, CO 81505.
and assessor's schedule or parcel number: 2701-322-00-103

With all appurtenances.

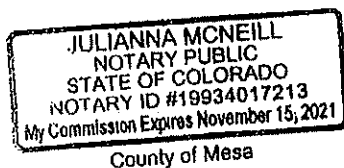
IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth above.

Becky Ann Delk, Personal Representative
Becky Ann Delk, Personal Representative of the estate of
Mavis D. McNew, a/k/a Mavis Deletha McNew, Deceased

STATE OF COLORADO)
) SS.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 6th day of June, 2018, by Becky Ann Delk as Personal Representative of the estate of Mavis D. McNew, a/k/a Mavis Deletha McNew, Deceased.

Witness my hand and official seal.
My commission expires: 11-15-21



Notary Public

MESA COUNTY CERTIFICATE OF TAXES DUE

Account Number R017675

Parcel 270132200103

Assessed To

MCNEW MAVIS D
631 29 1/2 RD APT B
GRAND JUNCTION, CO 81504-7203

Certificate Number 67866

Acres 19.760

Order Number 35650

Vendor ID LAND

LAND TITLE GUARANTEE CO
2454 PATTERSON RD., STE 100
GRAND JUNCTION, CO 81505

Legal Description

PARCEL 1 MULLER SIMPLE LAND DIVISION SEC 32 1N 1W - 19.76AC

Situs Address

2335 H RD

Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2017	\$480.52	\$0.00	\$0.00	\$0.00	\$480.52
Total Tax Charge					\$480.52
Grand Total Due as of 04/27/2018					\$480.52

Tax Billed at 2017 Rates for Tax Area 10800 - 10800

Authority	Mill Levy	Amount	Values	Actual	Assessed
COLORADO RIVER WATER CONSER	0.2540000	\$1.77	IRRIGATED LAND -	\$24,010	\$6,960
GRAND JUNCTION RURAL FIRE	5.9380000	\$41.39	AG		
GRAND RIVER MOSQUITO CTRL	1.4520000	\$10.12	GRAZING LAND - AG	\$10	\$10
GRAND VALLEY DRAINAGE DIST	1.7440000	\$12.16	Total	\$24,020	\$6,970
LIBRARY DISTRICT	3.0210000	\$21.06			
MESA COUNTY	11.8030000	\$82.26			
COUNTY ROAD & BRIDGE-FULL L	0.4430000	\$3.09			
SCHOOL DIST #51 GEN	29.7630000	\$207.45			
SCHOOL DIST# 51 BOND	10.1400000	\$70.68			
SCHOOL DIST# 51 2017 OVERRI	3.8810000	\$27.05			
UTE WATER CONSERVANCY	0.5000000	\$3.49			
Taxes Billed 2017	68.9390000	\$480.52			

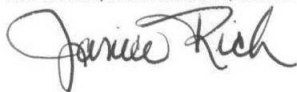
All tax lien sale amounts are subject to change due to endorsement of current taxes by the lienholder or to advertising and distraint warrant fees. Changes may occur and the Treasurer's office will need to be contacted prior to remittance after the following dates: Personal Property and Mobile Homes, Real Property - September 1. Tax lien sale redemption amounts must be paid by cash or cashiers check.

Special taxing districts and the boundaries of such districts may be on file with the board of County Commissioners, the County Clerk, or the County Assessor.

This certificate does not include land or improvements assessed under a separate account number, personal property taxes, transfer tax or misc. tax collected on behalf of other entities, special or local improvement district assessments or mobile homes, unless specifically mentioned.

I, the undersigned, do hereby certify that the entire amount of taxes due upon the above described parcels of real property and all outstanding sales for unpaid taxes as shown by the records in my office from which the same may still be redeemed with the amount required for redemption are as noted herein. In witness whereof, I have hereunto set my hand and seal.

TREASURER, MESA COUNTY, JANICE RICH




Mesa County Treasurer
Dept. 5027 - PO Box 20,000
544 Rood Ave, Room 100
Grand Junction CO 81502-5001



Land Title Guarantee Company Customer Distribution



PREVENT FRAUD - Please remember to call a member of our closing team when initiating a wire transfer or providing wiring instructions.

Order Number: **GJR65035650-5**

Date: **06/05/2018**

Property Address: **2335 H RD, GRAND JUNCTION, CO 81505**

PLEASE CONTACT YOUR CLOSER OR CLOSER'S ASSISTANT FOR WIRE TRANSFER INSTRUCTIONS

For Closing Assistance

Juli McNeill
2454 PATTERSON RD #100
GRAND JUNCTION, CO 81505
(970) 248-3881 (Work)
(800) 320-4211 (Work Fax)
jmcneill@ltgc.com
Contact License: CO337875
Company License: CO68747

Closer's Assistant

Rebecka Temmer
2454 PATTERSON RD #100
GRAND JUNCTION, CO 81505
(970) 248-3884 (Work)
(800) 322-4072 (Work Fax)
btemmer@ltgc.com
Contact License: CO472208
Company License: CO68747

For Title Assistance

Mesa County Title Team
2454 PATTERSON RD #100
GRAND JUNCTION, CO 81505
(970) 245-0550 (Work)
(970) 245-0089 (Work Fax)
gjresponse@ltgc.com

Agent for Buyer

RE/MAX 4000 INC
Attention: MANDY RUSH
120 W PARK DRIVE #200
GRAND JUNCTION, CO 81505
(970) 241-4000 (Work)
(970) 260-1310 (Home)
(970) 241-4015 (Work Fax)
mandy@mandyrush.com
Delivered via: Electronic Mail

Agent for Seller

HILL & HOMES
Attention: DARREN DAVIDSON
1204 N 7TH STREET #100
GRAND JUNCTION, CO 81501
(970) 241-7653 (Work)
(970) 242-7304 (Work Fax)
darren5515@aol.com
kbowen52@juno.com
Delivered via: Electronic Mail

html>



Land Title Guarantee Company Estimate of Title Fees

Order Number: **GJR65035650-5**

Date: **06/05/2018**

Property Address: **2335 H RD, GRAND JUNCTION, CO 81505**

Parties: **SOUTH TWENTY, LLC, A COLORADO LIMITED LIABILITY COMPANY**

BECKY ANN DELK AS PERSONAL REPRESENTATIVE OF THE ESTATE OF MAVIS D. MCNEW

Visit Land Title's Website at www.ltgc.com for directions to any of our offices.

Estimate of Title insurance Fees	
"ALTA" Owner's Policy 06-17-06	\$1,440.00
Deletion of Standard Exception(s)	\$65.00
Tax Certificate	\$26.00
	Total \$1,531.00
If Land Title Guarantee Company will be closing this transaction, the fees listed above will be collected at closing.	
Thank you for your order!	

Note: The documents linked in this commitment should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the effect of these documents on your property.

Chain of Title Documents:

[Mesa county recorded 01/08/2018 under reception no. 2826700](#)

[Mesa county recorded 01/13/2017 under reception no. 2787159](#)

[Mesa county recorded 12/30/1999 under reception no. 1933924](#)

Plat Map(s):

[Mesa county recorded 12/28/1999 under reception no. 1933582](#)

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule A

Order Number: GJR65035650-5

Property Address:

2335 H RD, GRAND JUNCTION, CO 81505

1. Effective Date:

05/15/2018 at 5:00 P.M.

2. Policy to be Issued and Proposed Insured:

"ALTA" Owner's Policy 06-17-06

\$435,000.00

Proposed Insured:

SOUTH TWENTY, LLC, A COLORADO LIMITED LIABILITY
COMPANY

3. The estate or interest in the land described or referred to in this Commitment and covered herein is:

A Fee Simple

4. Title to the estate or interest covered herein is at the effective date hereof vested in:

BECKY ANN DELK AS PERSONAL REPRESENTATIVE OF THE ESTATE OF MAVIS D. MCNEW

5. The Land referred to in this Commitment is described as follows:

PARCEL 1 OF MULLER SIMPLE LAND DIVISION , COUNTY OF MESA, STATE OF COLORADO.

Copyright 2006-2018 American Land Title Association. All rights reserved.

The use of this Form is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

**AMERICAN
LAND TITLE
ASSOCIATION**



ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part I
(Requirements)

Order Number: GJR65035650-5

All of the following Requirements must be met:

This proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.

Pay the agreed amount for the estate or interest to be insured.

Pay the premiums, fees, and charges for the Policy to the Company.

Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

NOTE: NO IMPROVEMENT LOCATION CERTIFICATE REQUIRED

1. SUPPLEMENTARY AFFIDAVIT WITH RESPECT TO PAUL D. MCNEW, DECEASED, WHICH SHALL BE PROPERLY SWORN TO OR AFFIRMED BY A PERSON OF LEGAL AGE HAVING PERSONAL KNOWLEDGE OF THE FACTS, AND WHICH INCLUDES THE LEGAL DESCRIPTION OF THE SUBJECT PROPERTY AND A STATEMENT THAT PAUL D. MCNEW, THE PERSON REFERRED TO IN THE CERTIFICATE OF DEATH, OR VERIFICATION OF DEATH DOCUMENT IS THE SAME PERSON WHO IS NAMED IN THE DEED OR SIMILAR INSTRUMENT RECORDED JANUARY 13, 2017 UNDER RECEPTION NO. [2787159](#) AS PAUL D. MCNEW.

NOTE: LETTERS CERTIFIED BY A COLORADO COURT EVIDENCING THE APPOINTMENT OF A PERSONAL REPRESENTATIVE IN THE ESTATE OF MAVIS D. MCNEW, DECEASED, APPOINTING BECKY ANN DELK, AS PERSONAL REPRESENTATIVE, WERE RECORDED JANUARY 8, 2018 UNDER RECEPTION NO. [2826700](#).

2. DULY EXECUTED AND ACKNOWLEDGED STATEMENT OF AUTHORITY SETTING FORTH THE NAME OF SOUTH TWENTY, LLC, A COLORADO LIMITED LIABILITY COMPANY AS A COLORADO LIMITED LIABILITY COMPANY. THE STATEMENT OF AUTHORITY MUST STATE UNDER WHICH LAWS THE ENTITY WAS CREATED, THE MAILING ADDRESS OF THE ENTITY, AND THE NAME AND POSITION OF THE PERSON(S) AUTHORIZED TO EXECUTE INSTRUMENTS CONVEYING, ENCUMBERING, OR OTHERWISE AFFECTING TITLE TO REAL PROPERTY ON BEHALF OF THE ENTITY AND OTHERWISE COMPLYING WITH THE PROVISIONS OF SECTION 38-30-172, CRS.

NOTE: THE STATEMENT OF AUTHORITY MUST BE RECORDED WITH THE CLERK AND RECORDER.

3. PERSONAL REPRESENTATIVE'S DEED TO SOUTH TWENTY, LLC, A COLORADO LIMITED LIABILITY COMPANY IN THE ESTATE OF MAVIS D. MCNEW, DECEASED.

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part I
(Requirements)

Order Number: GJR65035650-5

All of the following Requirements must be met:

REQUIREMENTS TO DELETE THE PRE-PRINTED EXCEPTIONS IN THE OWNER'S POLICY TO BE ISSUED

A. UPON RECEIPT BY THE COMPANY OF A SATISFACTORY FINAL AFFIDAVIT AND AGREEMENT FROM THE SELLER AND PROPOSED INSURED, ITEMS 1-4 OF THE PRE-PRINTED EXCEPTIONS WILL BE DELETED. ANY ADVERSE MATTERS DISCLOSED BY THE FINAL AFFIDAVIT AND AGREEMENT WILL BE ADDED AS EXCEPTIONS.

B. IF LAND TITLE GUARANTEE CONDUCTS THE CLOSING OF THE CONTEMPLATED TRANSACTIONS AND RECORDS THE DOCUMENTS IN CONNECTION THEREWITH, ITEM NO. 5 OF THE PRE-PRINTED EXCEPTIONS WILL BE DELETED.

C. UPON RECEIPT OF PROOF OF PAYMENT OF ALL PRIOR YEARS' TAXES AND ASSESSMENTS, ITEM NO. 6 OF THE PRE-PRINTED EXCEPTIONS WILL BE AMENDED TO READ:

TAXES AND ASSESSMENTS FOR THE YEAR 2018 AND SUBSEQUENT YEARS.

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part II
(Exceptions)

Order Number: GJR65035650-5

This commitment does not republish any covenants, condition, restriction, or limitation contained in any document referred to in this commitment to the extent that the specific covenant, conditions, restriction, or limitation violates state or federal law based on race, color, religion, sex, sexual orientation, gender identity, handicap, familial status, or national origin.

1. Any facts, rights, interests, or claims thereof, not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
2. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date of the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
6. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
7. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water.
8. RIGHT OF PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES AS RESERVED IN UNITED STATES PATENT RECORDED JULY 13, 1892 IN BOOK 11 AT PAGE [205](#)
9. TERMS, CONDITIONS, STIPULATIONS, OBLIGATIONS AND PROVISIONS OF EASEMENT AND DEED AGREEMENT , RECORDED DECEMBER 20, 1999, UNDER RECEPTION NO. [1932714](#).
10. TERMS, CONDITIONS, STIPULATIONS, OBLIGATIONS AND PROVISIONS OF EASEMENT AND DEED AGREEMENT , RECORDED DECEMBER 20, 1999, UNDER RECEPTION NO. [1932715](#).
11. TERMS, CONDITIONS, STIPULATIONS, OBLIGATIONS AND PROVISIONS OF EASEMENT AND DEED AGREEMENT , RECORDED DECEMBER 20, 1999, UNDER RECEPTION NO. [1932716](#).
12. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF MULLER SIMPLE LAND DIVISION RECORDED DECEMBER 28, 1999 UNDER RECEPTION NO. [1933582](#).

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part II
(Exceptions)

Order Number: GJR65035650-5

13. TERMS, CONDITIONS, STIPULATIONS, OBLIGATIONS AND PROVISIONS OF MESA COUNTY DEVELOPMENT PERMIT, RECORDED DECEMBER 28, 1999, IN BOOK 2666 AT PAGE [334](#).
14. TERMS, CONDITIONS, STIPULATIONS, OBLIGATIONS AND PROVISIONS OF UTE WATER CONSERVANCY DISTRICT AFFIDAVIT , RECORDED APRIL 19, 2000, IN BOOK 2700 AT PAGE [467](#).
15. ANY LEASE NOT OF RECORD BUT IN EXISTENCE, AND ANY AND ALL ASSIGNMENTS OF INTEREST THEREIN.



LAND TITLE GUARANTEE COMPANY DISCLOSURE STATEMENTS

Note: Pursuant to CRS 10-11-122, notice is hereby given that:

- (A) The Subject real property may be located in a special taxing district.
- (B) A certificate of taxes due listing each taxing jurisdiction will be obtained from the county treasurer of the county in which the real property is located or that county treasurer's authorized agent unless the proposed insured provides written instructions to the contrary. (for an Owner's Policy of Title Insurance pertaining to a sale of residential real property).
- (C) The information regarding special districts and the boundaries of such districts may be obtained from the Board of County Commissioners, the County Clerk and Recorder, or the County Assessor.

Note: Effective September 1, 1997, CRS 30-10-406 requires that all documents received for recording or filing in the clerk and recorder's office shall contain a top margin of at least one inch and a left, right and bottom margin of at least one half of an inch. The clerk and recorder may refuse to record or file any document that does not conform, except that, the requirement for the top margin shall not apply to documents using forms on which space is provided for recording or filing information at the top margin of the document.

Note: Colorado Division of Insurance Regulations 8-1-2 requires that "Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed". Provided that Land Title Guarantee Company conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 5 will not appear on the Owner's Title Policy and the Lenders Policy when issued.

Note: Affirmative mechanic's lien protection for the Owner may be available (typically by deletion of Exception no. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

- (A) The land described in Schedule A of this commitment must be a single family residence which includes a condominium or townhouse unit.
- (B) No labor or materials have been furnished by mechanics or material-men for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.
- (C) The Company must receive an appropriate affidavit indemnifying the Company against un-filed mechanic's and material-men's liens.
- (D) The Company must receive payment of the appropriate premium.
- (E) If there has been construction, improvements or major repairs undertaken on the property to be purchased within six months prior to the Date of Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and or the contractor; payment of the appropriate premium fully executed Indemnity Agreements satisfactory to the company, and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

Note: Pursuant to CRS 10-11-123, notice is hereby given:

This notice applies to owner's policy commitments disclosing that a mineral estate has been severed from the surface estate, in Schedule B-2.

(A) That there is recorded evidence that a mineral estate has been severed, leased, or otherwise conveyed from the surface estate and that there is substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and

(B) That such mineral estate may include the right to enter and use the property without the surface owner's permission.

Note: Pursuant to CRS 10-1-128(6)(a), It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.

Note: Pursuant to Colorado Division of Insurance Regulations 8-1-3, notice is hereby given of the availability of a closing protection letter for the lender, purchaser, lessee or seller in connection with this transaction.



**JOINT NOTICE OF PRIVACY POLICY OF
LAND TITLE GUARANTEE COMPANY,
LAND TITLE GUARANTEE COMPANY OF SUMMIT COUNTY
LAND TITLE INSURANCE CORPORATION AND
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY**

This Statement is provided to you as a customer of Land Title Guarantee Company and Meridian Land Title, LLC, as agents for Land Title Insurance Corporation and Old Republic National Title Insurance Company.

We want you to know that we recognize and respect your privacy expectations and the requirements of federal and state privacy laws. Information security is one of our highest priorities. We recognize that maintaining your trust and confidence is the bedrock of our business. We maintain and regularly review internal and external safeguards against unauthorized access to non-public personal information ("Personal Information").

In the course of our business, we may collect Personal Information about you from:

- applications or other forms we receive from you, including communications sent through TMX, our web-based transaction management system;
 - your transactions with, or from the services being performed by us, our affiliates, or others;
 - a consumer reporting agency, if such information is provided to us in connection with your transaction;
- and
- The public records maintained by governmental entities that we either obtain directly from those entities, or from our affiliates and non-affiliates.

Our policies regarding the protection of the confidentiality and security of your Personal Information are as follows:

- We restrict access to all Personal Information about you to those employees who need to know that information in order to provide products and services to you.
- We maintain physical, electronic and procedural safeguards that comply with federal standards to protect your Personal Information from unauthorized access or intrusion.
- Employees who violate our strict policies and procedures regarding privacy are subject to disciplinary action.
- We regularly assess security standards and procedures to protect against unauthorized access to Personal Information.

WE DO NOT DISCLOSE ANY PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT PERMITTED BY LAW.

Consistent with applicable privacy laws, there are some situations in which Personal Information may be disclosed. We may disclose your Personal Information when you direct or give us permission; when we are required by law to do so, for example, if we are served a subpoena; or when we suspect fraudulent or criminal activities. We also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce our rights arising out of any agreement, transaction or relationship with you.

Our policy regarding dispute resolution is as follows: Any controversy or claim arising out of or relating to our privacy policy, or the breach thereof, shall be settled by arbitration in accordance with the rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.



Commitment For Title Insurance

Issued by Old Republic National Title Insurance Corporation

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON. .

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, Old Republic National Title Insurance Company, a Minnesota corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured. If all of the Schedule B, Part I—Requirements have not been met within 6 months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I—Requirements; and
- (f) Schedule B, Part II—Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - i. comply with the Schedule B, Part I—Requirements;
 - ii. eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
 - iii. acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.

- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

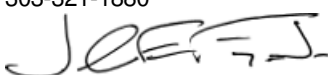
8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

IN WITNESS WHEREOF, Land Title Insurance Corporation has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A to be valid when countersigned by a validating officer or other authorized signatory.

Issued by:
Land Title Guarantee
Company
3033 East First Avenue Suite
600
Denver, Colorado 80206
303-321-1880

President



Old Republic National Title Insurance Company, a Stock
Company
400 Second Avenue South
Minneapolis, Minnesota 55401
(612)371-1111



Mark Bilbrey, President



Rande Yeager, Secretary

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Land Title Insurance Corporation. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2006-2016 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

LEGAL DESCRIPTION:

PARCEL 1

MULLER SIMPLE LAND DIVISION

COUNTY OF MESA, STATE OF COLORADO

General Project Report for Annexation and Rezone of 2335 H Road, Grand Junction, CO 81505

Owners of the property request annexation of the 19.76 acres currently zoned AFT in Mesa County into the City of Grand Junction and Re-zone of the North portion as described in Attached Legal Description to RSF-8 and the South portion as described in Attached Legal Description to RSF-4.

Future Land Use Plan calls for RSF 8-16 on the North portion and RSF 4-8 on the South portion.

Grand Junction Fire Department New Development Fire Flow Form

Instructions to process the application: Step 1) Applicant's engineer should first fill out all items in Section A. Step 2) Deliver/mail this form to the appropriate water purveyor.¹ The water supplier signs and provides the required information of Section B. Step 3) Deliver/mail the completed and fully signed form to the City or County Planning Department.²

SECTION A

Date: 8.14.2018
Project Name: South Twenty (REZONE + ANNEXATION)
Project Street Address: ~~20~~ 2335 H. Road, GT 81505
Assessor's Tax Parcel Number: 2701.322.00.103
Project Owner Name: South Twenty, LLC (Mandy Rush)
City or County project file #: _____
Name of Water Purveyor: Ute Water
Applicant Name/Phone Number: Mandy Rush / 970.260.1310
Applicant E-mail: mandyrush@remax.net or mandy@mandyrush.com

1. If the project includes one or more one or two-family dwelling(s):
 - a. The maximum fire area (see notes below) for each one or two family dwelling will be 3600 square feet.
 - b. All dwelling units will ☐, will not ☒ include an approved automatic sprinkler system.Comments: _____
2. If the project includes a building other than one and two-family dwelling(s):
 - a. List the fire area and type of construction (See International Building Code [IBC] for all buildings used to determine the minimum fire flow requirements:
n/a
 - b. List each building that will be provided with an approved fire sprinkler system:
n/a
3. List the minimum fire flow required for this project (based on Appendix B and C in the International Fire Code [IFC]):

Comments: _____

Note:

Fire Area: The aggregate floor area enclosed and bounded by fire walls, fire barriers, exterior walls or horizontal assemblies of a building. Areas of the building not provided with surrounding walls shall be included in the fire area if such areas are included within the horizontal projection of the roof or floor next above.

Fire Flow Rule: The City's Fire Code³ sets minimum fire flows for all structures. In general, at least 1000 g.p.m. at 20 p.s.i. is required for residential one or two family dwellings up to 3,600 square feet (sf) of fire area. For dwellings greater than 3,600 sf of fire area or all commercial structures, the minimum fire flow is 1,500 gpm at 20 p.s.i. (See Fire Flow Guidance Packet⁴). Inadequate fire flows are normally due to water supply pipes that are too small or too little water pressure, or a combination of both.

Applicant/Project Engineer: Refer to City of Grand Junction most recently adopted IFC, Appendix B and C, [IFC 2012], to determine the minimum fire flow required for this project, based on the Water Purveyor's information (*i.e.*, location, looping and size of water lines; water pressure at the site, *etc.*) and the type, density and location of all structures. Base your professional judgment on the City approved utility plans and Water Provider information shown on this Form. Each time the utility plans/other information relating to treated water changes, resubmit this form just as you did the first time.

End of Section A. Section B continues on the next page

Grand Junction Fire Department New Development Fire Flow Form

SECTION B

[To be completed by the Water Supplier]

Attach fire flow test data for the hydrants

Failure to attach the fire flow test data and/or diagram may delay your project review.

1. Circle the name of the water supplier: Ute Clifton Grand Junction
2. List the approximate location, type and size of supply lines for this project, or attach a map with the same information:

See the attached map.

3. Attach the fire flow test data @ 20 p.s.i. for the fire hydrants nearest to the development/project that must be use to determine available fire flow. Test data is to be completed within the previous 12 months or year. Identify the fire hydrants used to determine the fire flow:

See the attached flow test results.

[Or: 1. attach a map or diagram with the same information, or 2. attach a map/diagram with flow modeling information.]

4. If new lines are needed (or if existing lines must be looped) to supply the required fire flows, or if more information is needed to state the available minimum g.p.m. @ 20 p.s.i. residual pressure, please list what the applicant/developer must do or obtain:

Print Name and Title of Water Supplier Employee completing this Form:

Robert Yates - Fire Hydrants Division

Date: September 10, 2018

Contact phone/E-mail of Water Supplier: hydrant@utewater.org (970) 256-2882

Note: Based on the facts and circumstances, the Fire Chief may require the applicant/developer to engage an engineer⁵ to verify/certify that the proposed water system improvements, as reflected in the approved utility plans submitted in support of the application/development, will provide the minimum fire flows to all structures in this project. If required, a State of Colorado Licensed Professional Engineer shall submit a complete stamped-seal report to the Grand Junction Fire Department. All necessary support documentation shall be included.

¹ There are three drinking water suppliers: Ute Water 970-242-7491, Clifton Water 970-434-7328 and City of Grand Junction water 970-244-1572.

² Address: City – 250 N 5th St, Grand Junction, CO 81501; County – PO Box 20000, Grand Junction, CO 81502

³ International Fire Code, 2012 Edition

⁴ <http://www.gjcity.org/residents/public-safety/fire-department/fire-prevention-and-contractors/>

⁵ City Code defines engineer as one who is licensed as a P.E. by the state of Colorado.

Fire Flow Hydrant Master With Graph

Report Generated by: IMS by Hurco Technologies Inc.

Page: 1



Company Name: Ute Water Conservancy District
Address: 2190 H 1/4 Rd
City: Grand Junction
State: Colorado
Zip: 81505

Test Date: 1/5/18 3:00 pm

NFPA Classification:

Blue AA
 5515.68

Work Order: 667
Operator: Robert/Dusty

Test did not reach recommended drop of 25% per NFPA 291

Test Hydrant: 4367
Address: 2395 H RD
Cross Street:
Location:
District:
Sub-Division:

Latitude:
Longitude:
Elevation:
State X / Y: /

Pumpers:

Nozzles:

Open Dir:

Manuf: Kennedy Valve
Model: Guardian

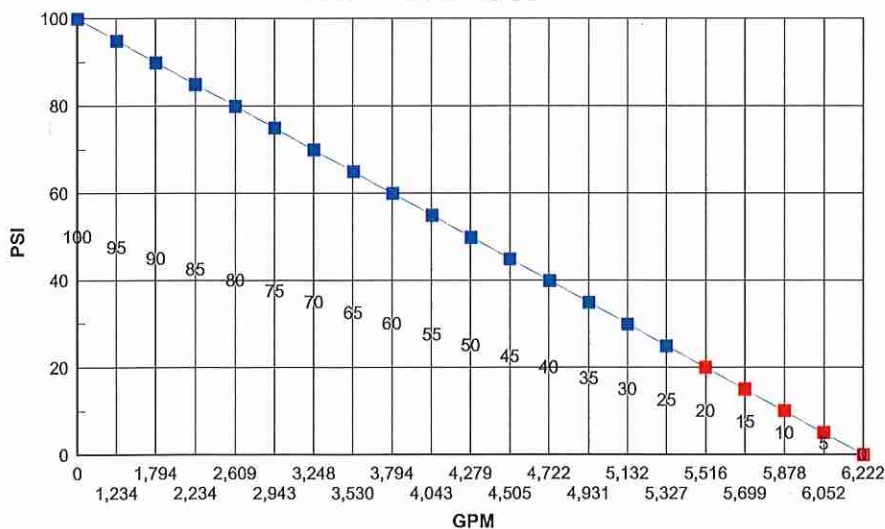
Installed: 01/01/2013
Main Size:

Vandal Proof:
Bury Depth:

	Flow Hydrant	Flow Device	Diameter	GPM	Gallon Used
1:	494	2.5" Hose Monster	2.50	1480.07	7400.37
2:					
3:					
4:					
5:					

Pitot / Nozzle PSI: 77.00	Total Gallons Used: 7400.37
Static PSI: 100.00	Max GPM during test: 1,480.07
Residual PSI: 93.00	Elapsed Time Min:Sec: 5 : 0
Percent Drop: 7.00	Predicted GPM @ 20 PSI: 5515.68

4367 Flow GPM

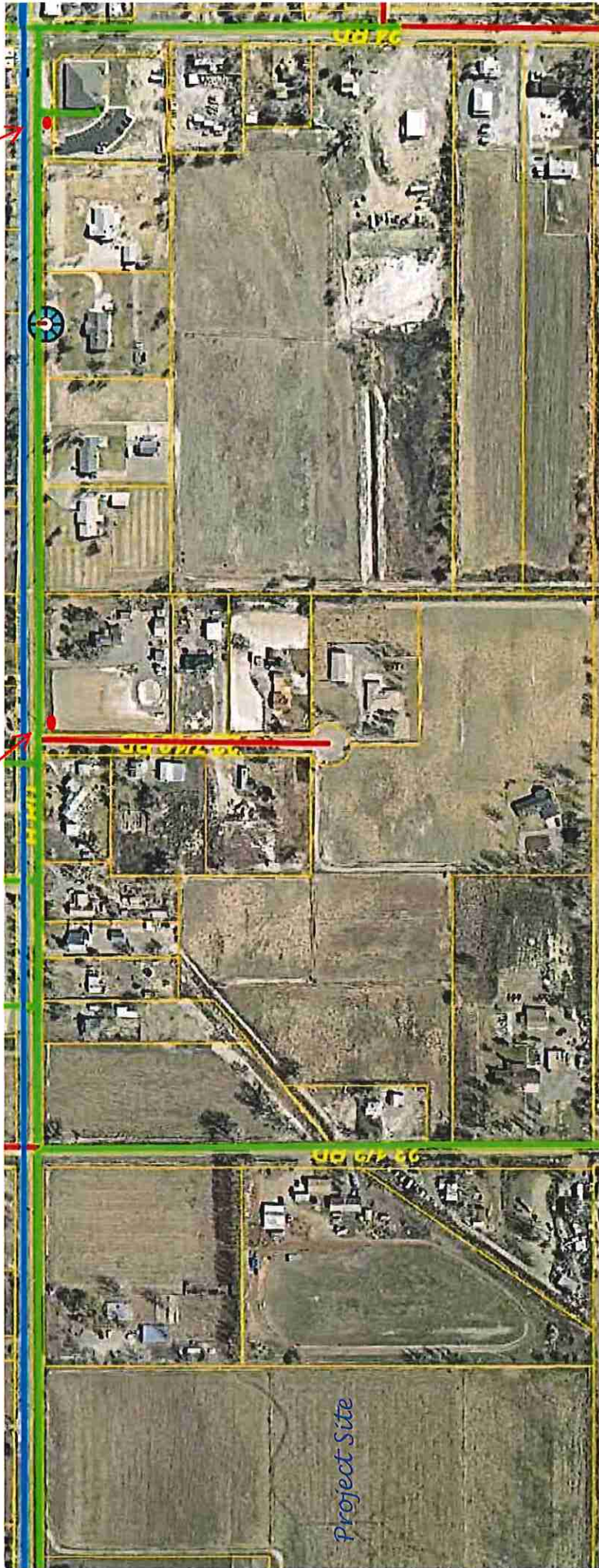


GPM rounded to nearest gallon

Values inside grid below flow line are PSI @ predicted flow

Test Hydrant 4367

Flow Hydrant 494



SOUTH TWENTY ANNEXATION SCHEDULE

January 16, 2019	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
January 22, 2019	Planning Commission considers Zone of Annexation
February 6, 2019	Introduction of a Proposed Ordinance on Zoning by City Council
February 20, 2019	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
March 24, 2019	Effective date of Annexation

ANNEXATION SUMMARY

File Number:		ANX-2018-659
Location:		2335 H Road
Tax ID Numbers:		2701-322-00-103
# of Parcels:		1
Existing Population:		0
# of Parcels (owner occupied):		0
# of Dwelling Units:		0
Acres land annexed:		20.18
Developable Acres Remaining:		19.74
Right-of-way in Annexation:		0.44 acres
Previous County Zoning:		RSF-R (Residential Single Family – Rural)
Proposed City Zoning:		R-8 (Residential – 8 du/ac) & R-4 (Residential – 4 du/ac)
Current Land Use:		Vacant land
Future Land Use:		Residential High Mixed Use (16 – 24 du/ac) & Residential Medium (4 – 8 du/ac)
Values:	Assessed:	\$6,970
	Actual:	\$24,020
Address Ranges:		2335 H Road
Special Districts:	Water:	Ute Water Conservancy District
	Sewer:	City of Grand Junction
	Fire:	Grand Junction Rural Fire District
	Irrigation/Drainage:	GVIC/GVDD
	School:	Fruita Monument HS / Fruita Middle / Appleton Elementary
	Pest:	Grand River Mosquito Control District

City of Grand Junction

Review Comments

Date: November 21, 2018

Comment Round No. 1

Page No. 1 of 4

Project Name: South Twenty Annexation

File No: ANX-2018-659

Project Location: 2335 H Road

Check appropriate ☒ if comments were mailed, emailed, and/or picked up.

Property Owner(s): South Twenty LLC – Attn: Mandy Rush

Mailing Address: 2306 H Road, Grand Junction, CO 81505

☒ **Email:** mandy@mandyrush.com **Telephone:** (970) 260-1310

☐ **Date Picked Up:** _____ **Signature:** _____

Representative(s):

☐ **Mailing Address:**

☐ **Email:**

Telephone:

☐ **Date Picked Up:** _____ **Signature:** _____

Developer(s):

☐ **Mailing Address:**

☐ **Email:**

Telephone:

☐ **Date Picked Up:** _____ **Signature:** _____

CITY CONTACTS

Project Manager: Scott D. Peterson, Senior Planner

Email: scottp@gjcity.org

Telephone: (970) 244-1447

Dev. Engineer: Jarrod Whelan

Email: jarrodw@gjcity.org

Telephone: (970) 244-1443

City of Grand Junction

REQUIREMENTS

(with appropriate Code citations)

CITY PLANNING

1. Application is for Annexation into the City limits with a proposed split zoning designation of R-8 (Residential – 8 du/ac) & R-4 (Residential – 4 du/ac) zone district. Comprehensive Plan Future Land Use Map identifies the property as having a split designation of Residential High Mixed Use (16 – 24 du/ac) & Residential Medium (4 – 8 du/ac). Existing property is 19.77 +/- acres in size. No additional response required.

Applicant's Response:

Document Reference:

2. Planning Commission and City Council Public Hearings:

Planning Commission and City Council review and approval required for proposed Annexation and Zoning requests. City Project Manager will **tentatively** schedule application(s) for the following public hearing schedule:

- a. City Council Referral of Petition, Land Use Jurisdiction and 1st Reading of Annexation: **January 16, 2019** (Consent Agenda – no need to attend meeting).
- b. Planning Commission review of zoning designation to R-8 (Residential – 8 du/ac) & R-4 (Residential – 4 du/ac): **January 22, 2019** (Please plan on attending meeting in case the Planning Commission has any questions).
- c. City Council review of zoning designation to R-8 (Residential – 8 du/ac) & R-4 (Residential – 4 du/ac) (1st Reading): **February 6, 2019** (Consent Agenda – no need to attend meeting).
- d. City Council review of Annexation and R-8 & R-4 zoning designations (2nd Reading): **February 20, 2019** (Please plan on attending meeting in case the City Council has any questions).

Please plan on attending the January 22, 2019 Planning Commission meeting and the February 20, 2019 City Council meeting. The Consent Agenda meetings you do not need to attend as that is only scheduling the hearing date and the item is placed on the Consent Agenda with no public testimony taken. Both the Planning Commission and City Council meetings begin at 6:00 PM at City Hall in the City Council Chambers.

If applicant cannot make the above scheduled public hearing dates, please notify City Project Manager and we can reschedule for later meeting dates.

Code Reference: Sections 21.02.140 and 160 of the Zoning & Development Code.

Applicant's Response:

Document Reference:

CITY DEVELOPMENT ENGINEER

No exceptions taken.

Applicant's Response:

Document Reference:

CITY SURVEYOR – Peter Krick – peterk@gjcity.org (970) 256-4003

No comments at this time.

Applicant's Response:

Document Reference:

CITY FIRE DEPARTMENT – Mike Gazdak – mikega@gjcity.org (970) 549-5854

The fire department has no objections to the request for annexation/rezone.

Applicant's Response:

Document Reference:

CITY ADDRESSING – Pat Dunlap – patd@gjcity.org (970) 256-4030

1. South Twenty Annexation No. 1 is acceptable.

2. South Twenty Annexation No. 2 is acceptable.

Applicant's Response:

Document Reference:

OUTSIDE REVIEW AGENCY COMMENTS

(Non-City Agencies)

Review Agency: Mesa County Engineering

Contact Name: Dana Brosig

Email / Telephone Number: dana.brosig@mesacounty.us (970) 255-5035

No comments.

Applicant's Response:

Review Agency: Mesa County Building Department

Contact Name: Darrell Bay

Email / Telephone Number: Darrell.bay@mesacounty.us (970) 244-1651

MCBD has no objections.

Applicant's Response:

Review Agency: Grand Valley Drainage District

Contact Name: Tim Ryan

Email / Telephone Number: tim.admin@gvdd.org (970) 242-4343

The platted easement, R#1933582, circa 1999, is inadequate in its description. The District will prepare a current accurate description that we will provide to the project surveyor to be incorporated into the improvement survey plat.

Applicant's Response:

Review Agency: Ute Water Conservancy District

Contact Name: Jim Daugherty

Email / Telephone Number: jdaugherty@utewater.org (970) 242-7491

- No objection to rezone and annexation.
- ALL FEES AND POLICIES IN EFFECT AT TIME OF APPLICATION WILL APPLY.
- If you have any questions concerning any of this, please feel free to contact Ute Water.

Applicant's Response:

Review Agency: Xcel Energy

Contact Name: Brenda Boes

Email / Telephone Number: Brenda.k.boes@xcelenergy.com (970) 244-2698

Xcel has no objections at this time.

Completion of this City/County review approval process does not constitute an application with Xcel Energy for utility installation. Applicant will need to contact Xcel Energy's Builder's Call Line/Engineering Department to request a formal design for the project. A full set of plans, contractor, and legal owner information is required prior to starting any part of the construction. Failure to provide required information prior to construction start will result in delays providing utility services to your project. Acceptable meter and/or equipment locations will be determined by Xcel Energy as a part of the design process. Additional easements may be required depending on final utility design and layout. Engineering and Construction lead times will vary depending on workloads and material availability. Relocation and/or removal of existing facilities will be made at the applicant's expense and are also subject to lead times referred to above. All Current and future Xcel Energy facilities' must be granted easement.

Applicant's Response:

Review Agency: Grand Valley Power

Contact Name: Steve Don

Email / Telephone Number: sdon@gvp.org (970) 242-0040

1. The south half of the project is in the Grand Valley Power (GVP) service area.
2. Need GVP electric layout on FINAL Utility Composite Plan. Showing the locations of street lights, transformers, junction boxes, road crossings (number of conduits, type, size, depth & length) and any other needed equipment.
3. Please make application for service by calling 242-0040, to start the design process. A cost estimate will also be prepared.
4. Need Final Plat with addresses before going to Contract for Construction with Grand Valley Power.
5. Need 14' Multi-Purpose Easement along all Roads and streets.
6. No trees to be planted over utility portion of Multi-Purpose Easement.
7. Any Utility / Multi-Purpose Easement that is also used for landscaping will need to have underground power lines built in duct system.
8. Irrigation and drainage lines should not be in the utility portion of the Multi-Purpose Easement.
9. Any relocation of existing overhead power lines, poles, guy/anchors, underground lines, transformers or any other Grand Valley Power equipment is at the developer's expense.

Applicant's Response:

REVIEW AGENCIES

(Responding with "No Comment" or have not responded as of the due date)

The following Review Agencies have not responded as of the comment due date.

1. Mesa County Planning
2. Grand Valley Irrigation Company

The Petitioner is required to submit electronic responses, labeled as "**Response to Comments**" for the following agencies:

1. **N/A. No further response required. See City Planning review comments for proposed public hearing schedule.**

Date due: N/A.

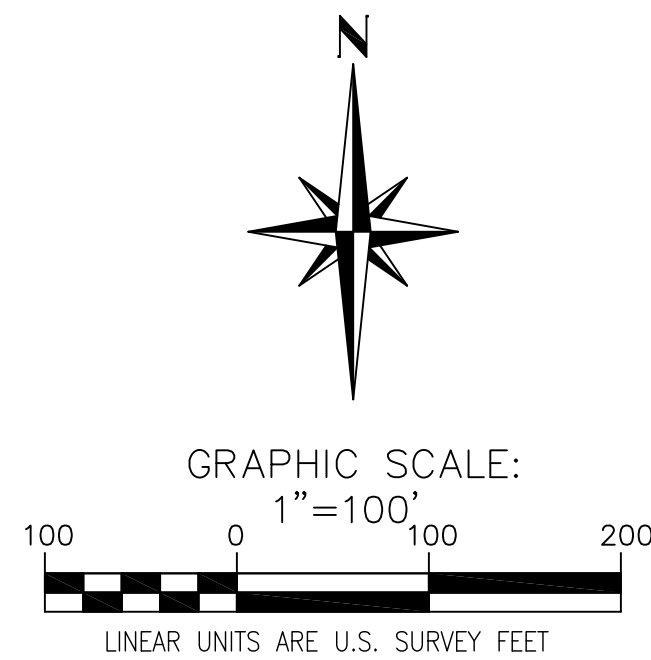
Please provide a written response for each comment and, for any changes made to other plans or documents indicate specifically where the change was made.

I certify that all of the changes noted above have been made to the appropriate documents and plans and there are no other changes other than those noted in the response.

Applicant's Signature

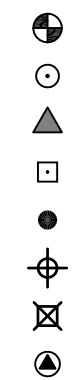
Date

BOUNDARY SURVEY
SITUATED IN THE NE¹/₄ NW¹/₄ SECTION 32
TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN
AND BEING A PART OF MULLER SIMPLE LAND DIVISION
COUNTY OF MESA, STATE OF COLORADO



LEGEND:

- FOUND CITY SURVEY MARKER AS DESCRIBED
SET MAGNETIC NAIL WITH 1-1/2 INCH BRASS DISC PLS 37904
SET No. 5 REBAR WITH 2 INCH ALUMINUM CAP PLS 37904
FOUND
FOUND
FOUND
FOUND



LEGAL DESCRIPTION:

PARCEL 1
MULLER SIMPLE LAND DIVISION
COUNTY OF MESA, STATE OF COLORADO

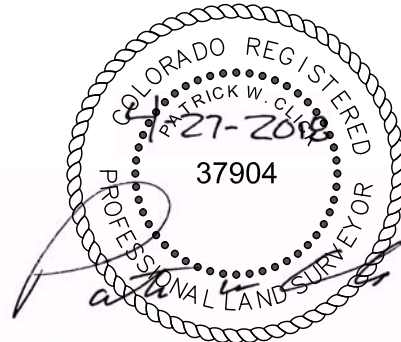
Said parcel contains 19.77 ACRES.

NOTES

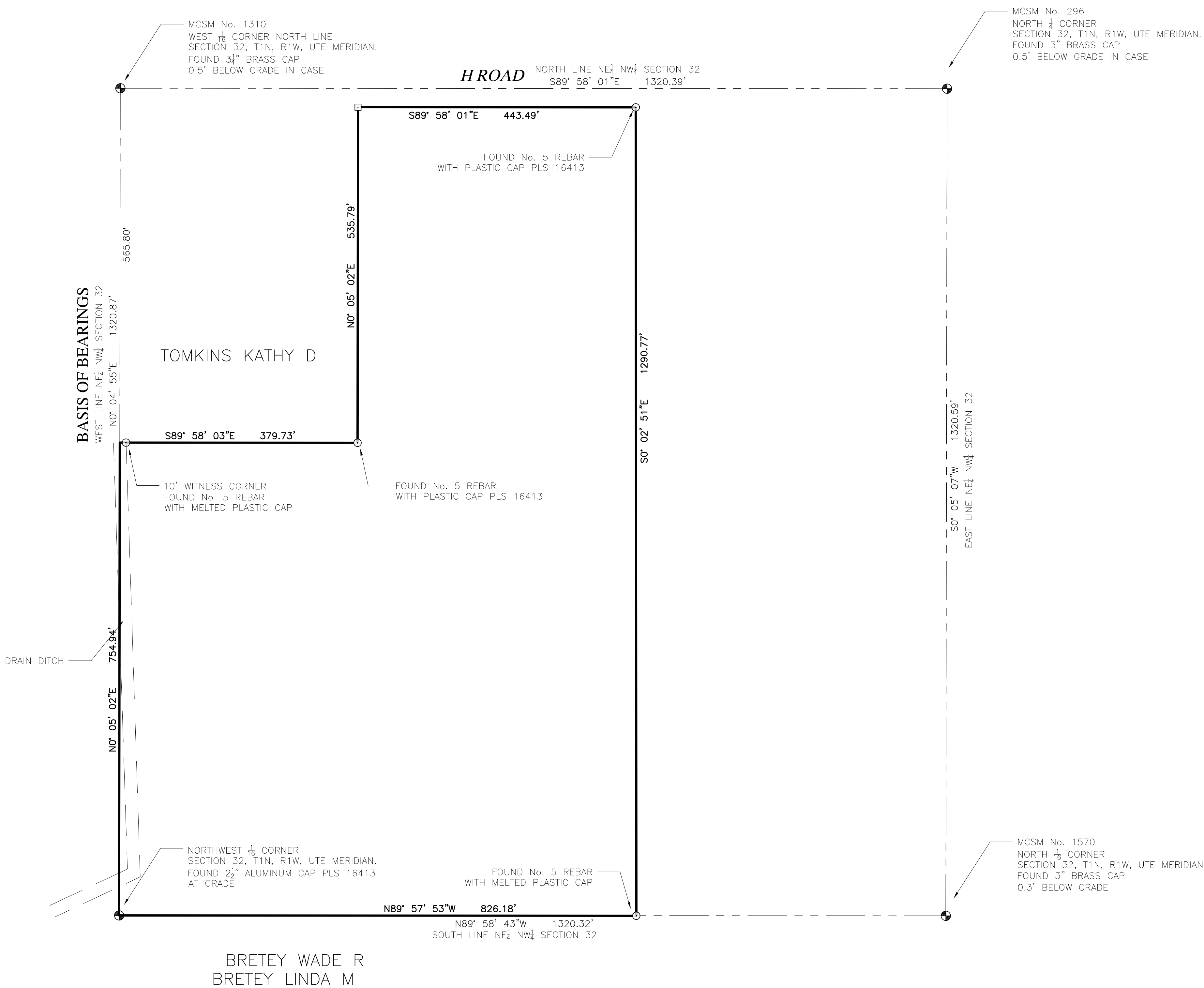
- OWNERSHIP, RECORDED RIGHTS-OF-WAY, AND EASEMENT INFORMATION WAS DONE WITHOUT USING A CURRENT TITLE POLICY.
- BEARINGS ARE BASED ON THE WEST LINE OF THE NE¹/₄ NW¹/₄ SECTION 32, T1N, R1W OF THE UTE MERIDIAN, MESA COUNTY, COLORADO. FOUND IN PLACE WERE A MESA COUNTY SURVEY MARKER AT THE NORTH END OF SAID LINE AND A ALUMINUM CAP PLS 16413 AT THE SOUTH OF SAID LINE AS SHOWN HEREON. THE BEARING USED S0°11'16"E IS BASED ON GPS OBSERVATIONS WHILE USING THE MESA COUNTY SURVEY INFORMATION MANAGEMENT SYSTEM.
- ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- THIS BOUNDARY SURVEY IS BASED ON THE DEED AS RECORDED AT RECEPTION NUMBER 2787159, OF THE MESA COUNTY RECORDS.
- THE BEARINGS SHOWN HERON ARE BASED ON THE PLAT BEARINGS AS RECORDED AT RECEPTION NUMBER 1933582, ROTATED TO THE MESA COUNTY SURVEY INFORMATION MANAGEMENT SYSTEM.

SURVEYOR'S CERTIFICATION:

I, Patrick W. Click, a registered Professional Land Surveyor in the State of Colorado, do hereby certify that this Plat represents a field survey completed by me and / or under my direct supervision. Both conform to the standards of practice, statutes and laws of the State of Colorado to the best of my knowledge and belief. This statement is not a guaranty or warranty, either expressed or implied.



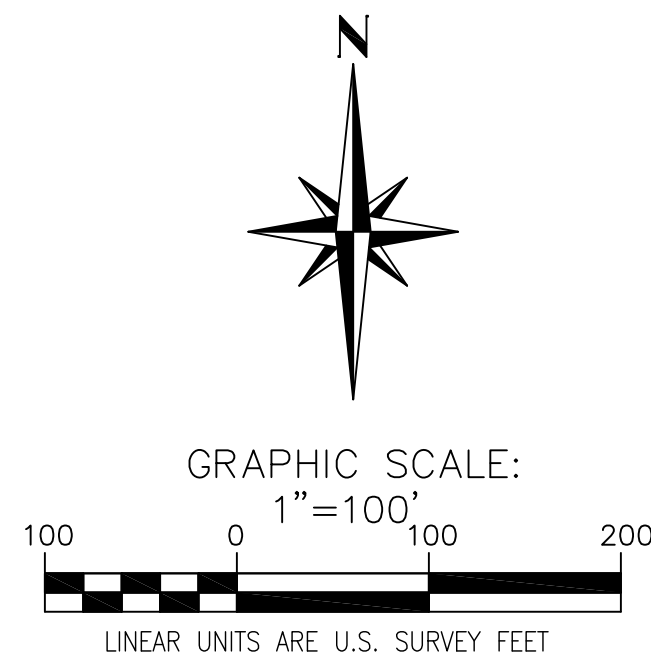
COLORADO REGISTERED LAND SURVEYOR PLS #37904



BOUNDARY SURVEY 2335 H ROAD SITUATED IN THE NE ¹ / ₄ NW ¹ / ₄ SECTION 32 TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN COUNTY OF MESA, STATE OF COLORADO	
JOB # 2018049 DATE: 4/27/18	FIELD WORK: SL DRAWING NAME: 2335 H ROAD DRAWN BY: PC
POLARIS SURVEYING PATRICK W. CLICK P.L.S. 3194 MESA AVE. #B GRAND JUNCTION, CO 81504 PHONE/FAX (970)434-7038	

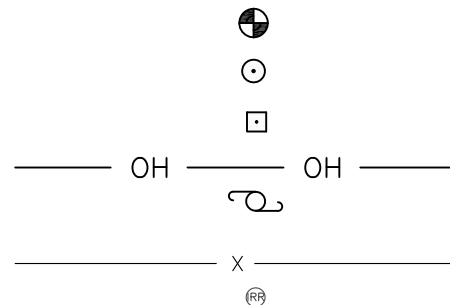
IMPROVEMENT SURVEY PLAT

SITUATED IN THE NE $\frac{1}{4}$ NW $\frac{1}{4}$ SECTION 32
TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN
AND BEING A PART OF MULLER SIMPLE LAND DIVISION
COUNTY OF MESA, STATE OF COLORADO



LEGEND:

FOUND SURVEY MARKER AS DESCRIBED
FOUND MONUMENT AS DESCRIBED HEREON
SET No. 5 REBAR WITH 2 INCH ALUMINUM CAP PLS 37904
EXISTING OVERHEAD UTILITY LINE
EXISTING UTILITY POLE
EXISTING FENCE LINE
EXISTING IRRIGATION FEATURE



LEGAL DESCRIPTION:

PARCEL 1
MULLER SIMPLE LAND DIVISION
COUNTY OF MESA, STATE OF COLORADO

Said parcel contains 19.77 ACRES.

NOTES

- OWNERSHIP, RECORDED RIGHTS-OF-WAY, AND EASEMENT INFORMATION WAS DONE USING A CURRENT TITLE POLICY BY LAND TITLE GUARANTEE COMPANY, ORDER NUMBER GJR65035650-5.
- BEARINGS ARE BASED ON THE WEST LINE OF THE NE $\frac{1}{4}$ NW $\frac{1}{4}$ SECTION 32, T1N, R1W OF THE UTE MERIDIAN, MESA COUNTY, COLORADO. FOUND IN PLACE WERE A MESA COUNTY SURVEY MARKER AT THE NORTH END OF SAID LINE AND A ALUMINUM CAP PLS 16413 AT THE SOUTH OF SAID LINE AS SHOWN HEREON. THE BEARING USED N0°04'55"E IS BASED ON GPS OBSERVATIONS WHILE USING THE MESA COUNTY SURVEY INFORMATION MANAGEMENT SYSTEM.
- ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- THIS SURVEY IS BASED ON THE DEED AS RECORDED AT RECEPTION NUMBER 2787159, OF THE MESA COUNTY RECORDS.
- THE BEARINGS SHOWN HERON ARE BASED ON THE PLAT BEARINGS AS RECORDED AT RECEPTION NUMBER 1933582, ROTATED TO THE MESA COUNTY SURVEY INFORMATION MANAGEMENT SYSTEM.

SURVEYOR'S CERTIFICATION:

I, Patrick W. Click, a registered Professional Land Surveyor in the State of Colorado, do hereby certify that this Plat represents a field survey completed by me and / or under my direct supervision. Both conform to the standards of practice, statutes and laws of the State of Colorado to the best of my knowledge and belief. This statement is not a guaranty or warranty, either expressed or implied.

COLORADO REGISTERED LAND SURVEYOR PLS #37904

IMPROVEMENT SURVEY PLAT

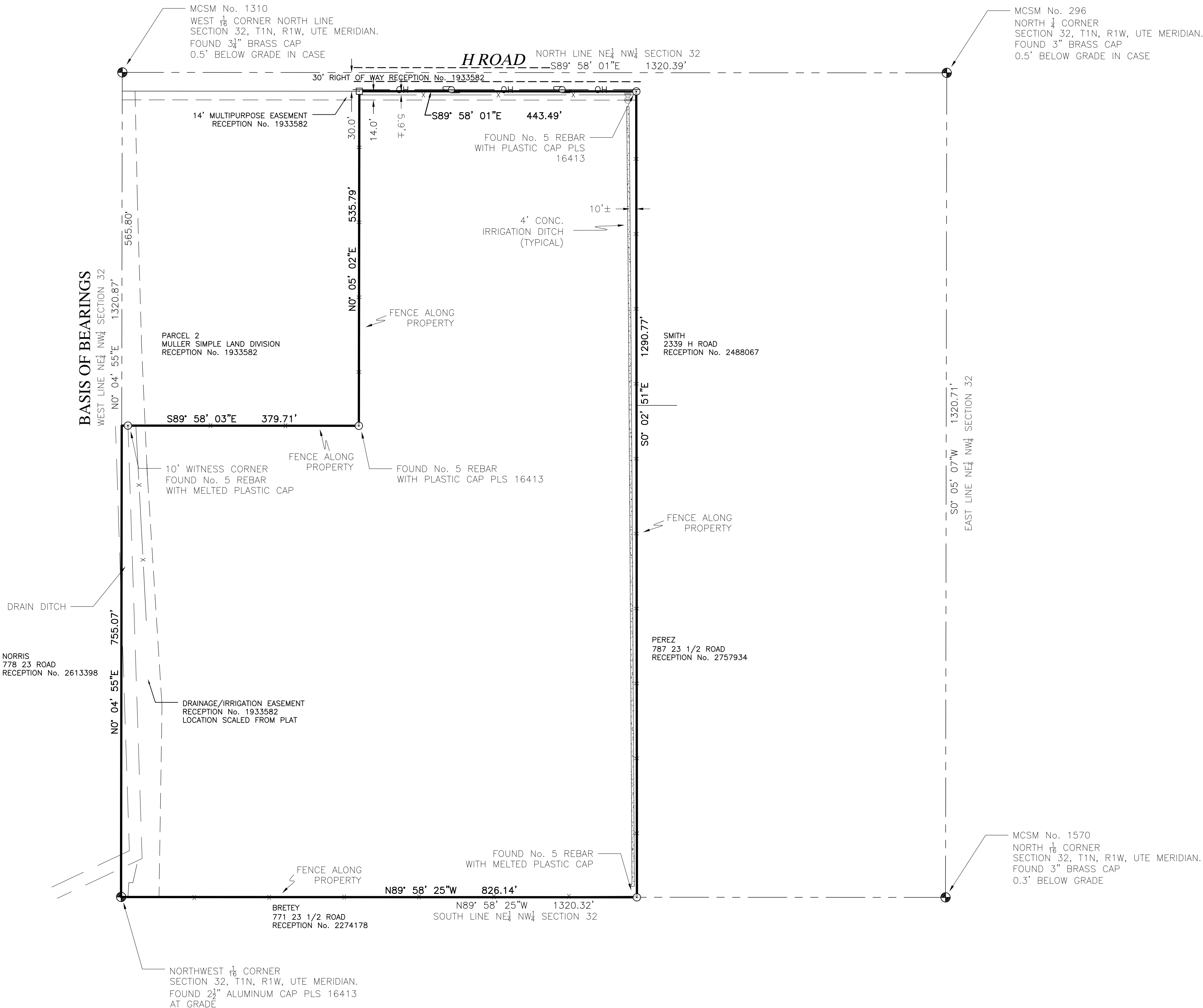
2335 H ROAD
SITUATED IN THE NE $\frac{1}{4}$ NW $\frac{1}{4}$ SECTION 32
TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN
COUNTY OF MESA, STATE OF COLORADO

JOB #: 2018049 FIELD WORK: SL
DATE: 8/06/18 DRAWING NAME: 2335 H ROAD DRAWN BY: PC

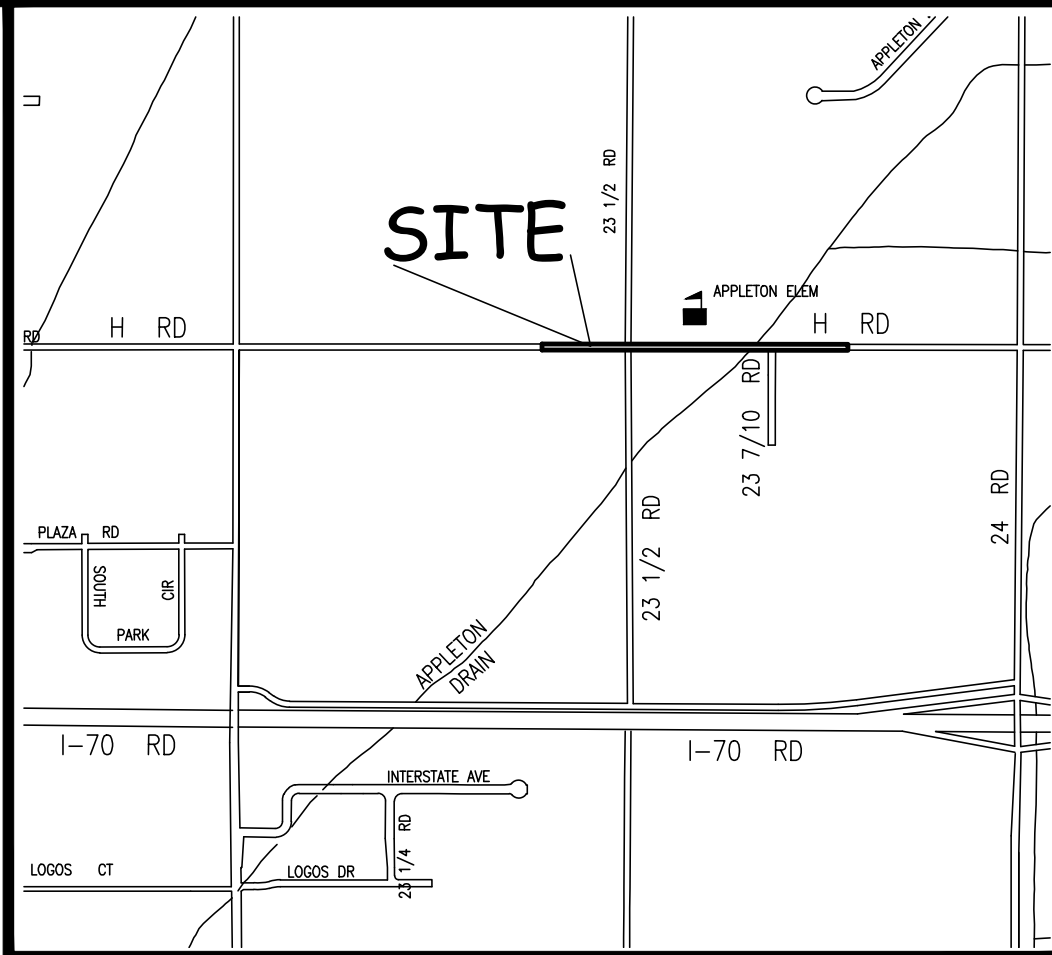
POLARIS SURVEYING

PATRICK W. CLICK P.L.S.

3194 MESA AVE. #B
GRAND JUNCTION, CO 81504
PHONE/FAX (970)434-7038



SOUTH TWENTY ANNEXATION NO. 1
LYING IN THE NE 1/4 NW 1/4 AND NW 1/4 NE 1/4 OF SECTION 32, TOWNSHIP 1 NORTH, RANGE 1 WEST
UTE PRINCIPAL MERIDIAN
COUNTY OF MESA, STATE OF COLORADO



LOCATION MAP: NOT-TO-SCALE

DESCRIPTION

A certain parcel of land lying in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4 and the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section 32, Township 1 North, Range 1 West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCING at the Northeast corner of the NW 1/4 NE 1/4 of said Section 32 and assuming the North line of the NW 1/4 NE 1/4 of said Section 32 bears N 89°57'52" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 00°03'26" W, along the East line of the NW 1/4 NE 1/4 of said Section 32, a distance of 5.00 feet to a point on the South line of Apple Glen Annexation No. 2, Ordinance No. 4191 as same is recorded in Book 4637, Page 687, Public Records of Mesa County, Colorado, also being the POINT OF BEGINNING; thence from said Point of Beginning, S 00°03'26" W, along said East line, a distance of 2.00 feet; thence N 89°57'52" W along a line 7.00 feet South of and parallel with the North line of the NW 1/4 NE 1/4 of said Section 32, a distance of 660.88 feet; thence N 00°01'45" E, a distance of 5.00 feet; thence N 89°57'52" W along a line 2.00 feet South of and parallel with the North line of the NW 1/4 NE 1/4 of said Section 32, a distance of 656.88 feet, more or less, to a point on the East line of the NE 1/4 NW 1/4 of said Section 32; thence N 89°58'01" W along a line 2.00 feet South of and parallel with the North line of the NE 1/4 NW 1/4 of said Section 32, a distance of 497.19 feet, more or less, to a point on the Northerly projection of the East line of Parcel 1, Muller Simple Land Division, as same is recorded in Plat Book 17, Page 236, Public Records of Mesa County, Colorado; thence N 00°02'51" W, along said Northerly projection, a distance of 2.00 feet to a point on the North line of the NE 1/4 NW 1/4 of said Section 32; thence S 89°58'01" E, along said North line, a distance of 497.20 feet, more or less, to a point being the Northeast corner of the NE 1/4 NW 1/4 of said Section 32; thence S 89°57'52" E, along the North line of the NW 1/4 NE 1/4 of said Section 32, a distance of 658.88 feet to a point on the West line of Apple Glen Annexation No. 3, Ordinance No. 4192, as same is recorded in Book 4637, Page 691, Public records of Mesa County, Colorado; thence S 00°01'45" W, along said West line, a distance of 5.00 feet; thence S 89°57'52" E along a line 5.00 feet South of and parallel with the North line of the NW 1/4 NE 1/4 of said Section 32, a distance of 658.88 feet, more or less, to the Point of Beginning.

ABBREVIATIONS

P.O.C. POINT OF COMMENCEMENT
P.O.B. POINT OF BEGINNING
R.O.W. RIGHT OF WAY
SEC. SECTION
TWP. TOWNSHIP
RGE. RANGE
U.P.M. UTE PRINCIPAL MERIDIAN
NO. NUMBER
SQ. FT. SQUARE FEET
Δ= CENTRAL ANGLE
RAD. RADIUS
AL. ARC LENGTH
CHL. CHORD LENGTH
CHB. CHORD BEARING
BLK. BLOCK
PB. PLAT BOOK
BK. BOOK
PG. PAGE

The Sketch and Description contained herein have been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This plat does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

PREPARED BY

PETER T. KRICK, PLS No. 32824
Professional Land Surveyor for the
City of Grand Junction

DATE: _____



EFFECTIVE DATE

????

ORDINANCE NO.

????

THIS IS NOT A BOUNDARY SURVEY

AREA OF ANNEXATION

ANNEXATION PERIMETER 3,643.91 FT.
CONTIGUOUS PERIMETER 663.88 FT.
AREA IN SQUARE FEET 3,640***
AREA IN ACRES 0.083
*** (995 SQ. FT. LIES IN DEEDED R/W AND 2,645 SQ. FT. LIES IN R/W BY USE)

LEGEND

ANNEXATION BOUNDARY
EXISTING CITY LIMITS

GRAPHIC SCALE



LINEAL UNITS USED HEREIN = U.S. SURVEY FOOT, AS ESTABLISHED

SCALE

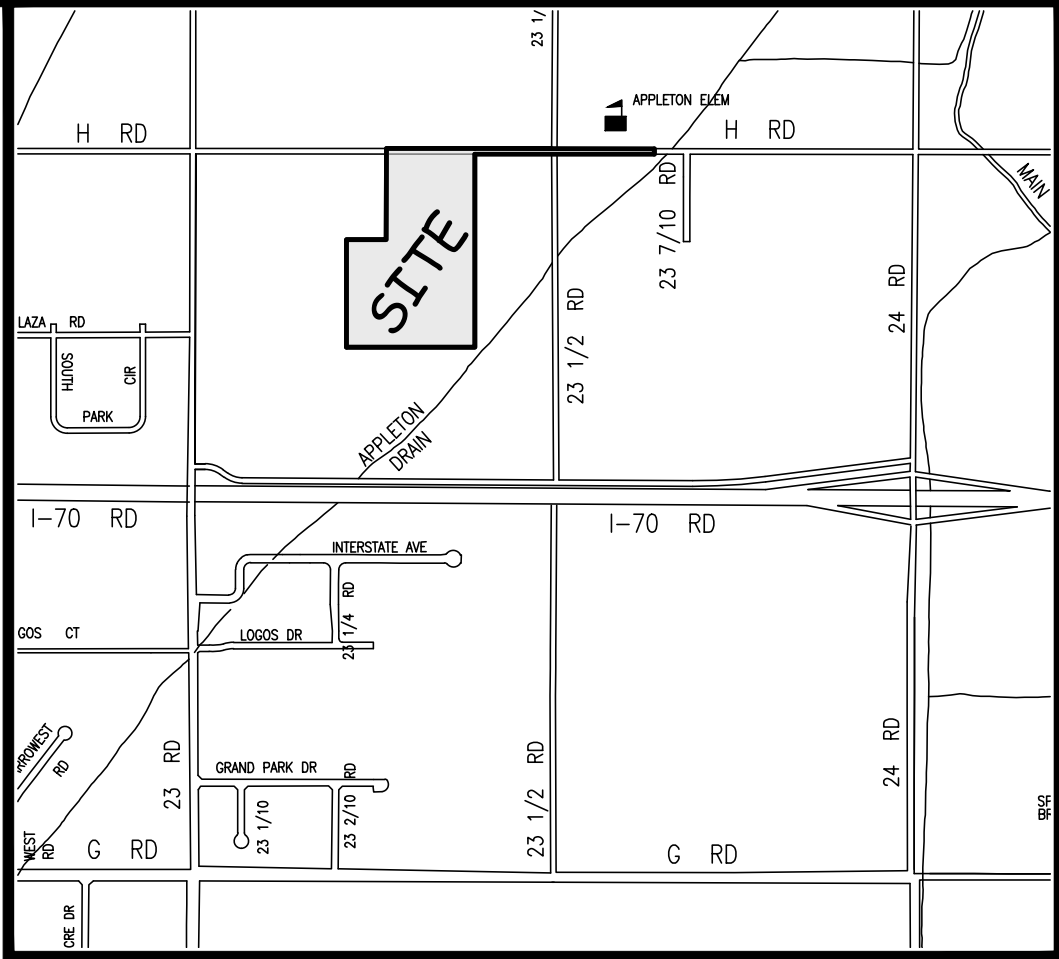
1" = 200'



PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

SOUTH TWENTY
ANNEXATION NO. 1

SOUTH TWENTY ANNEXATION NO. 2
LYING IN THE NE 1/4 NW 1/4 AND NW 1/4 NE 1/4 OF SECTION 32, TOWNSHIP 1 NORTH, RANGE 1 WEST
UTE PRINCIPAL MERIDIAN
COUNTY OF MESA, STATE OF COLORADO



LOCATION MAP: NOT-TO-SCALE

DESCRIPTION

A certain parcel of land lying in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4 and the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section 32, Township 1 North, Range 1 West of the Ute Principal Meridian and being more particularly described as follows:

BEGINNING at the Southwest corner of the NE 1/4 NW 1/4 of said Section 32, said point also being the Southwest corner of Parcel 1, Muller Simple Land Division, as same is recorded in Plat Book 17, Page 236, Public Records of Mesa County, Colorado and assuming the West line of the NE 1/4 NW 1/4 of said Section 32 bears N 00°04'55" E and all other bearings shown hereon are relative thereto; thence from said Point of Beginning, N 00°04'55" E along the West line of the NE 1/4 NW 1/4 of said Section 32, a distance of 754.94 feet, more or less, to a point being the Southwest corner of Parcel 2 of said Muller Simple Land Division; thence S 89°58'03" E, along the South line of said Parcel 2, a distance of 379.73 feet, more or less, to a point being the Southeast corner of said Parcel 2; thence N 00°05'02" E, along the East line of said Parcel 2 and the West line of said Parcel 1, a distance of 565.92 feet, more or less, to a point on the North line of the NE 1/4 NW 1/4 of said Section 32; thence S 89°58'01" E, along said North line, a distance of 443.45' to a point on the West line of South Twenty Annexation No. 1; thence S 00°02'51" E, along said West line, a distance of 2.00 feet; thence S 89°58'01" E along the South line of said South Twenty Annexation No. 1, a distance of 497.19 feet to a point on the East line of the NW 1/4 NE 1/4 of said Section 32; thence S 89°57'52" E, along the South line of said South Twenty Annexation No. 1, a distance of 656.88 feet; thence S 00°01'45" W, a distance of 5.00 feet; thence N 89°57'52" W, a distance of 2.00 feet; thence N 00°01'45" E, a distance of 3.00 feet; thence N 89°57'52" W, along a line 4.00 feet South of and parallel with, the North line of the NW 1/4 NE 1/4 of said Section 32, a distance of 654.89 feet, more or less, to a point on the East line of the NW 1/4 NE 1/4 of said Section 32; thence N 89°58'01" W, along a line 4.00 feet South of and parallel with, the North line of the NE 1/4 NW 1/4 of said Section 32, a distance of 497.19 feet to a point on the Northerly projection of the East line of said Parcel 1; thence S 00°02'51" E, along the East line of said Parcel 1, a distance of 1316.70 feet, more or less, to a point on the South line of the NE 1/4 NW 1/4 of said Section 32, said point also being the Southeast corner of said Parcel 1; thence N 89°58'43" W, along the South line of the NE 1/4 NW 1/4 of said Section 32, a distance of 826.18 feet, more or less, to the Point of Beginning.

ABBREVIATIONS	
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT OF WAY
SEC.	SECTION
TWP.	TOWNSHIP
RGE.	RANGE
U.P.M.	UTE PRINCIPAL MERIDIAN
NO.	NUMBER
SQ. FT.	SQUARE FEET
Δ	CENTRAL ANGLE
RAD	RADIUS
AL	ARC LENGTH
CHL	CHORD LENGTH
CHB	CHORD BEARING
BLK	BLOCK
PB	PLAT BOOK
BK	BOOK
PG	PAGE

The Sketch and Description contained herein have been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This plat does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



PETER T. KRICK, PLS No. 32824
Professional Land Surveyor for the
City of Grand Junction

DATE: _____

AREA OF ANNEXATION

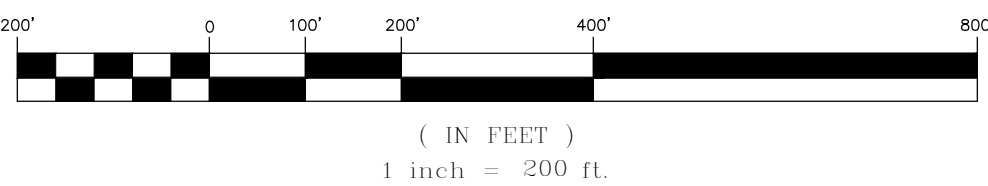
ANNEXATION PERIMETER	5,285.30 FT.
CONTIGUOUS PERIMETER	1,161.07 FT.
AREA IN SQUARE FEET	875,322***
AREA IN ACRES	20.095

***[PARCEL INCLUDES 14,298 SQ. FT. (0.328 ACRES) WITHIN PLATTED OR DEEDED ROAD R/W AND AN ADDITIONAL 1,320 SQ. FT. (0.030 ACRES) WITHIN RIGHT OF WAY BY USE]

LEGEND

ANNEXATION BOUNDARY	—————
EXISTING CITY LIMITS	

LINEAL UNITS USED HEREIN = U.S. SURVEY FOOT, AS ESTABLISHED
GRAPHIC SCALE



ORDINANCE NO.

????

EFFECTIVE DATE

????

THIS IS NOT A BOUNDARY SURVEY

Notice:

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

DRAWN BY	P.T.K.	DATE	08-24-2018
DESIGNED BY		DATE	
CHECKED BY	P.T.K.	DATE	
APPROVED BY		DATE	

SCALE

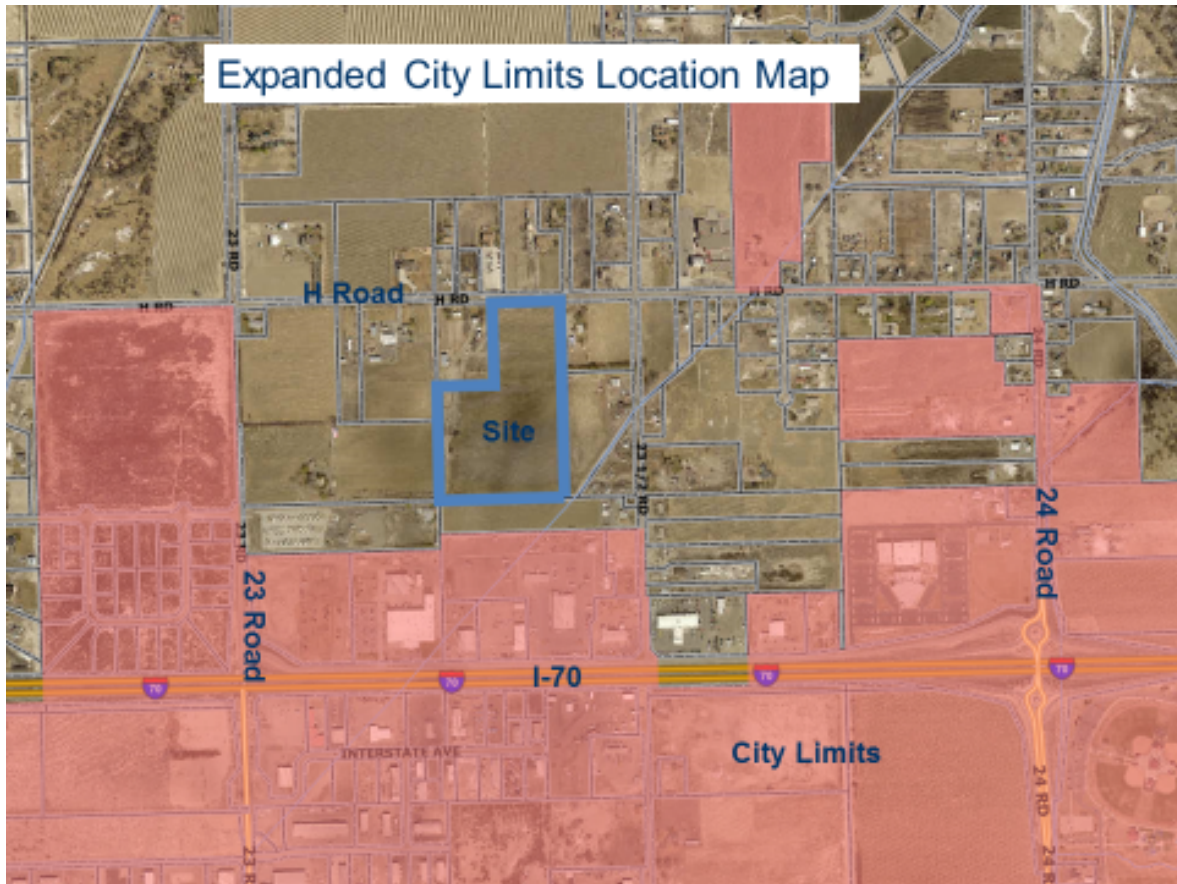
1" = 200'



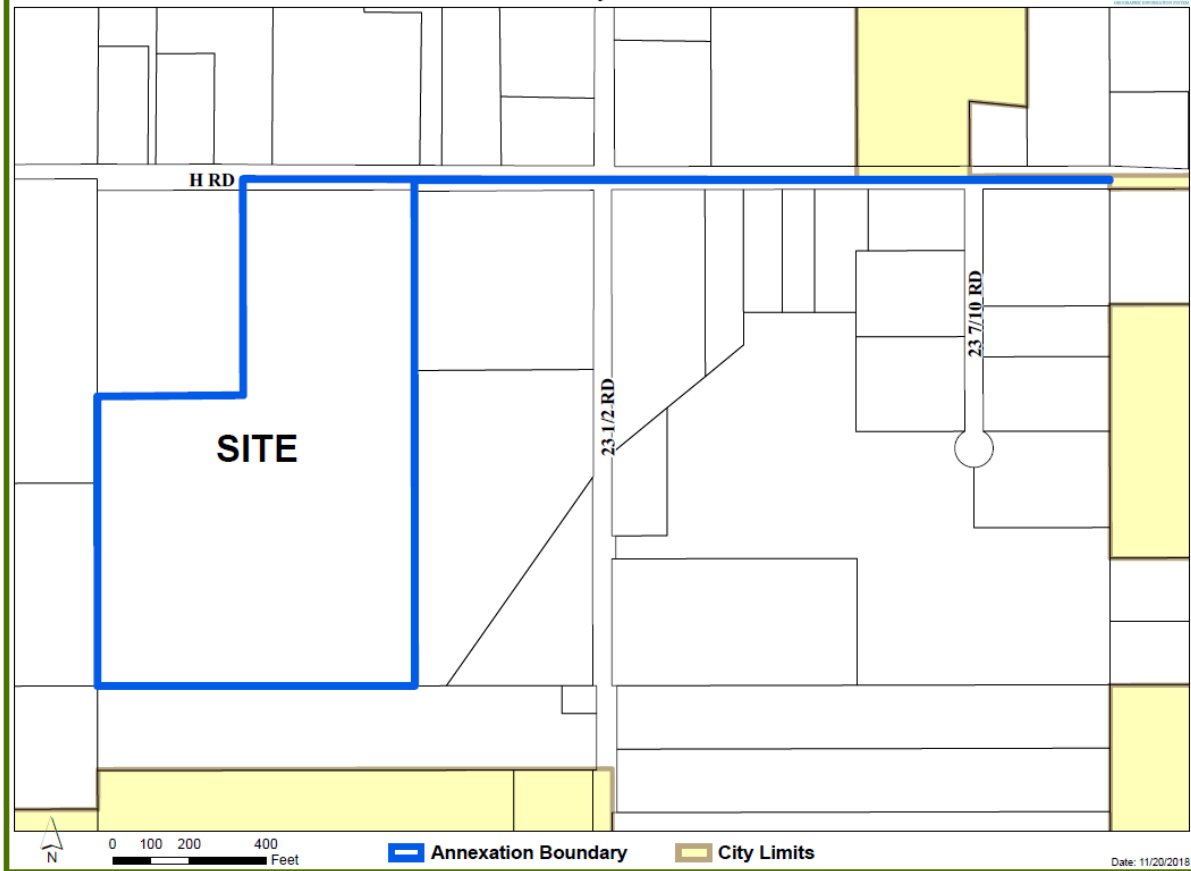
PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

SOUTH TWENTY
ANNEXATION NO. 2

Expanded City Limits Location Map



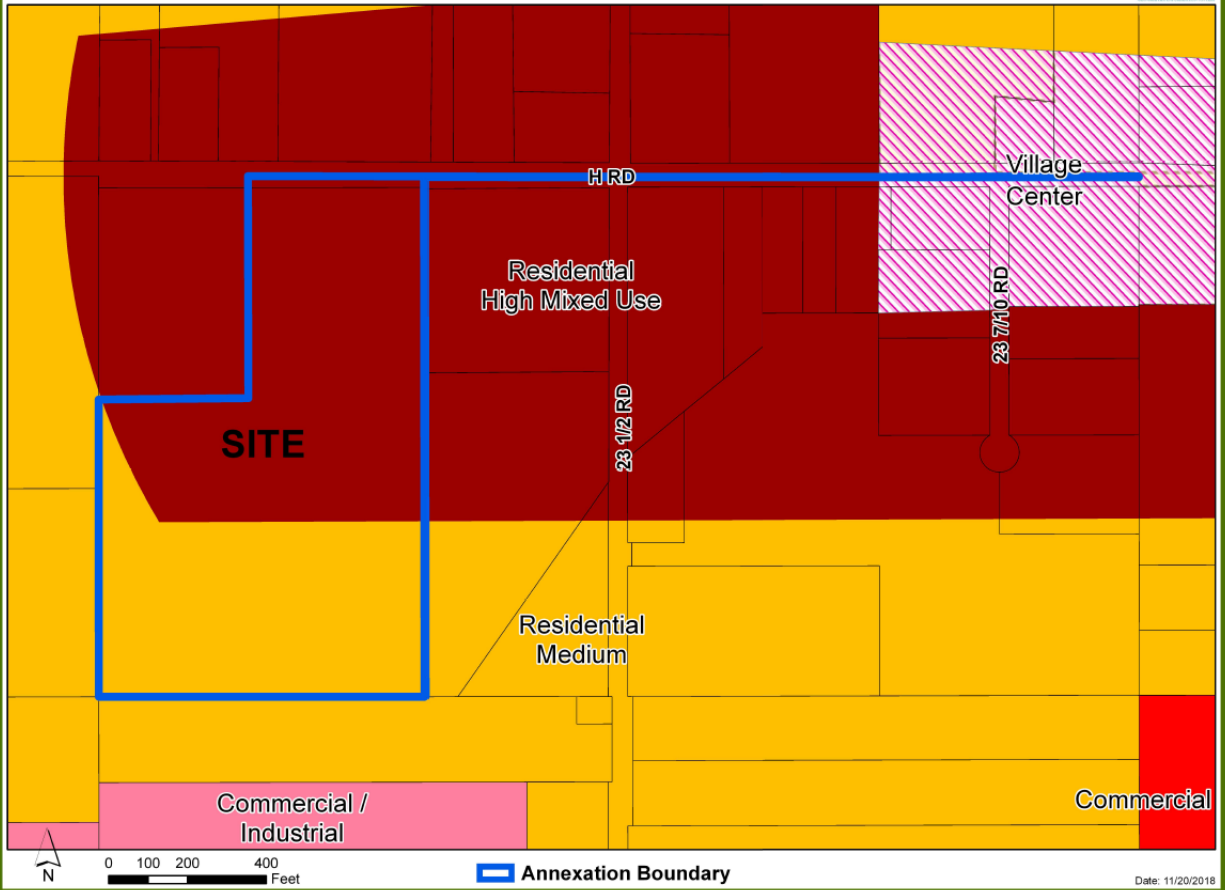
South Twenty Annexation



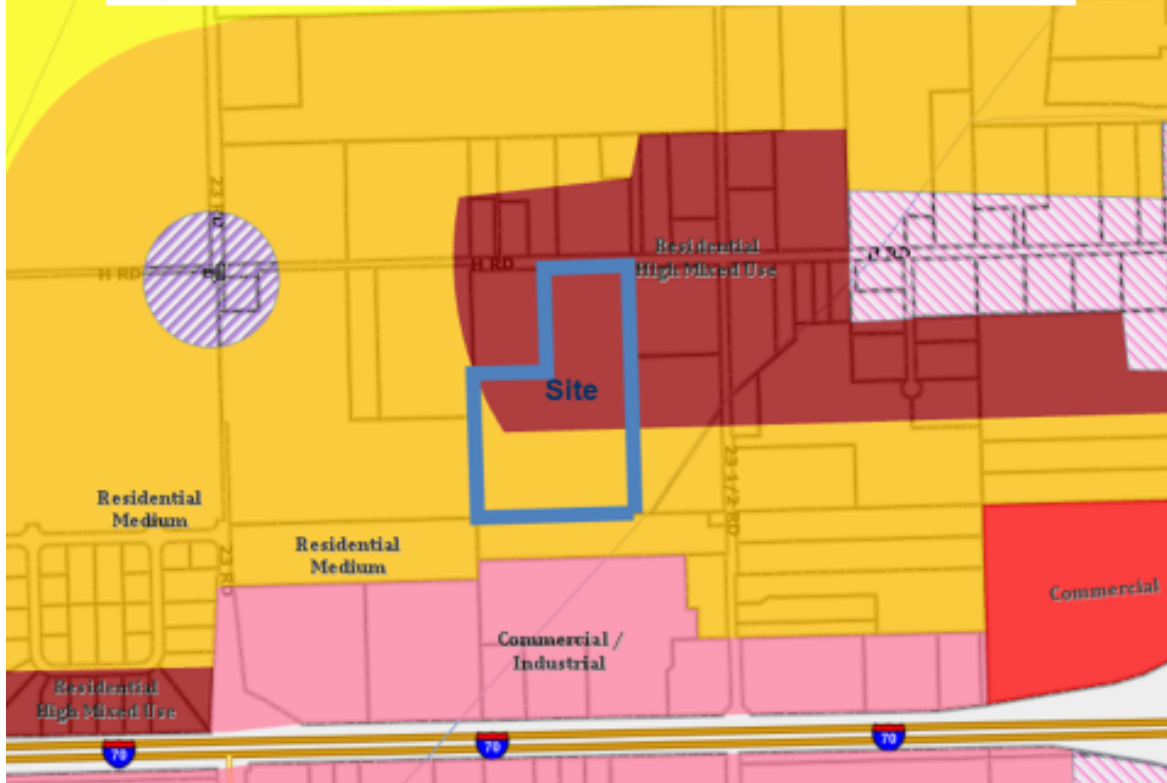
South Twenty Annexation



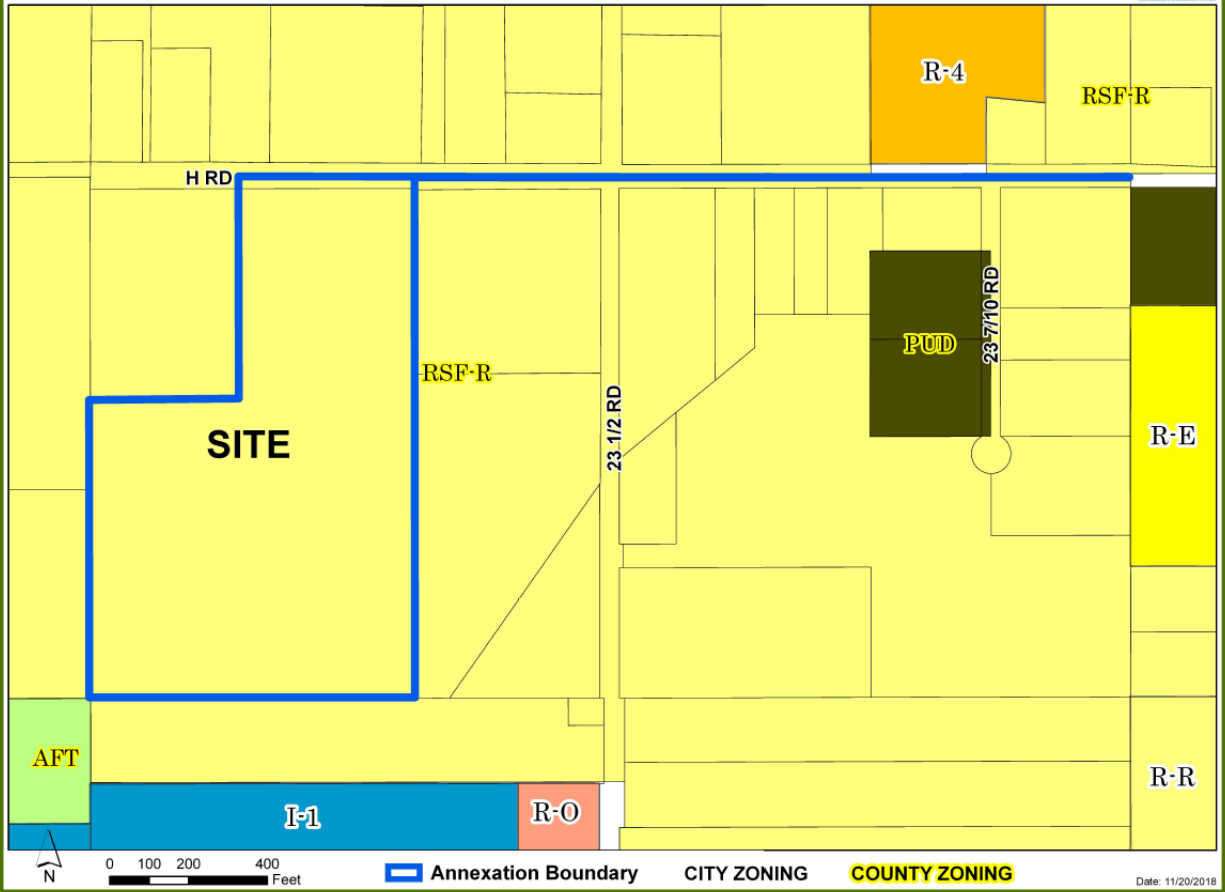
South Twenty Annexation - Future Land Use

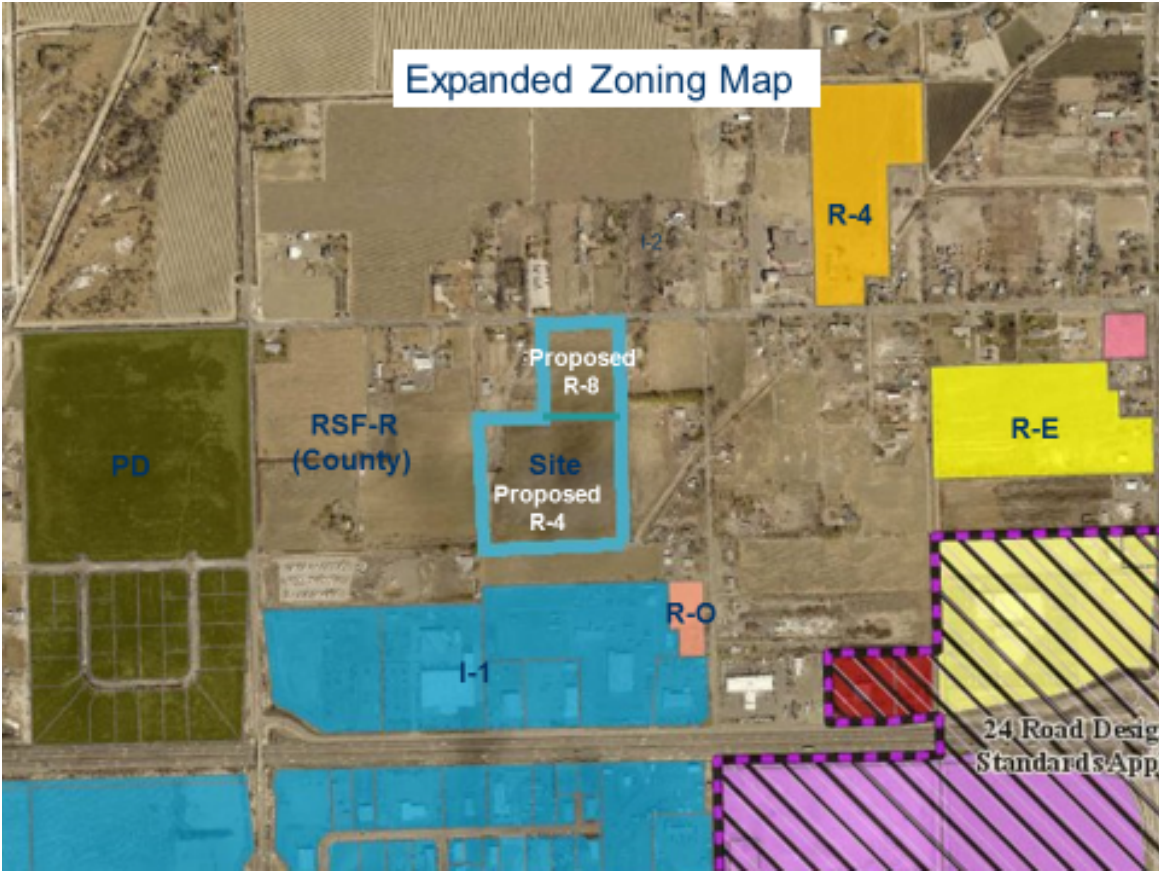


Expanded Comprehensive Plan Future Land Use Map



South Twenty Annexation - Zoning







View of property from H Road

Exhibit 3

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE ZONING THE SOUTH TWENTY ANNEXATION TO R-4 (RESIDENTIAL – 4 DU/AC) & R-8 (RESIDENTIAL – 8 DU/AC)

LOCATED AT 2335 H ROAD

Recitals

The property owners have requested annexation of the 19.76-acre Unplatted property into the City limits in anticipation of future residential subdivision development

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended approval of zoning the South Twenty Annexation to the R-4 (Residential – 4 du/ac) and R-8 (Residential – 8 du/ac) zone district respectfully, finding that it conforms with the split designation of Residential Medium (4 – 8 du/ac) and Residential High Mixed Use (16 - 24 du/ac) as shown on the Future Land Use Map of the Comprehensive Plan and the Comprehensive Plan's goals and policies and is generally compatible with land uses located in the surrounding area.

After public notice and public hearing, the Grand Junction City Council finds that the R-4 (Residential – 4 du/ac) and R-8 (Residential – 8 du/ac) zone districts are in conformance with at least one of the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION
THAT:**

SOUTH TWENTY ANNEXATION

The following portion of the property be zoned R-4 (Residential – 4 du/ac). See Exhibit A.

A tract of land situated in the Northeast Quarter of Northwest Quarter of Section 32, Township 1 North, Range 1 West of the Ute Meridian and being a part Parcel 1 Muller Simple Land Division as recorded at Reception Number 1933582 of the Mesa County Records, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Northeast corner of said Parcel 1 thence S0°02'51"E along the East line of said Parcel 1a distance of 535.79 feet to the Point of Beginning; thence S0°02'51"E along the East line of said Parcel 1a distance of 754.98 feet to the Southeast corner of said Parcel 1; thence N89°58'25"W along the South line of said

Parcel 1 a distance of 826.14 feet to the Southwest corner of said parcel 1 and the Northwest Sixteenth Corner of said Section 32; thence N0°04'55"E along the West line of said Parcel 1 a distance of 755.07 to an angle point on the West line of said Parcel 1; thence S89°58'03"E a distance of 379.71 feet to an angle point on the West line of said Parcel 1; thence S89°58'01"E a distance of 444.72 feet to the Point of Beginning.

Said tract of land contains 14.30 acres as described.

The following portion of the property be zoned R-8 (Residential – 8 du/ac). See Exhibit B.

A tract of land situated in the Northeast Quarter of Northwest Quarter of Section 32, Township 1 North, Range 1 West of the Ute Meridian and being a part Parcel 1 Muller Simple Land Division as recorded at Reception Number 1933582 of the Mesa County Records, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Northeast corner of said Parcel 1 thence S0°02'51"E along the East line of said Parcel 1 a distance of 535.79 feet; thence N89°58'01"W a distance of 444.72 feet to an angle point on the West line of said Parcel 1; thence N0°05'02"E along the West line of said Parcel 1 a distance of 535.79 feet to the Northwest corner of said Parcel 1; thence S89°58'01"E along the North line of said Parcel 1 a distance of 443.49 feet to the Point of Beginning.

Said tract of land contains 5.46 acres as described.

INTRODUCED on first reading this ____ day of ____, 2019 and ordered published in pamphlet form.

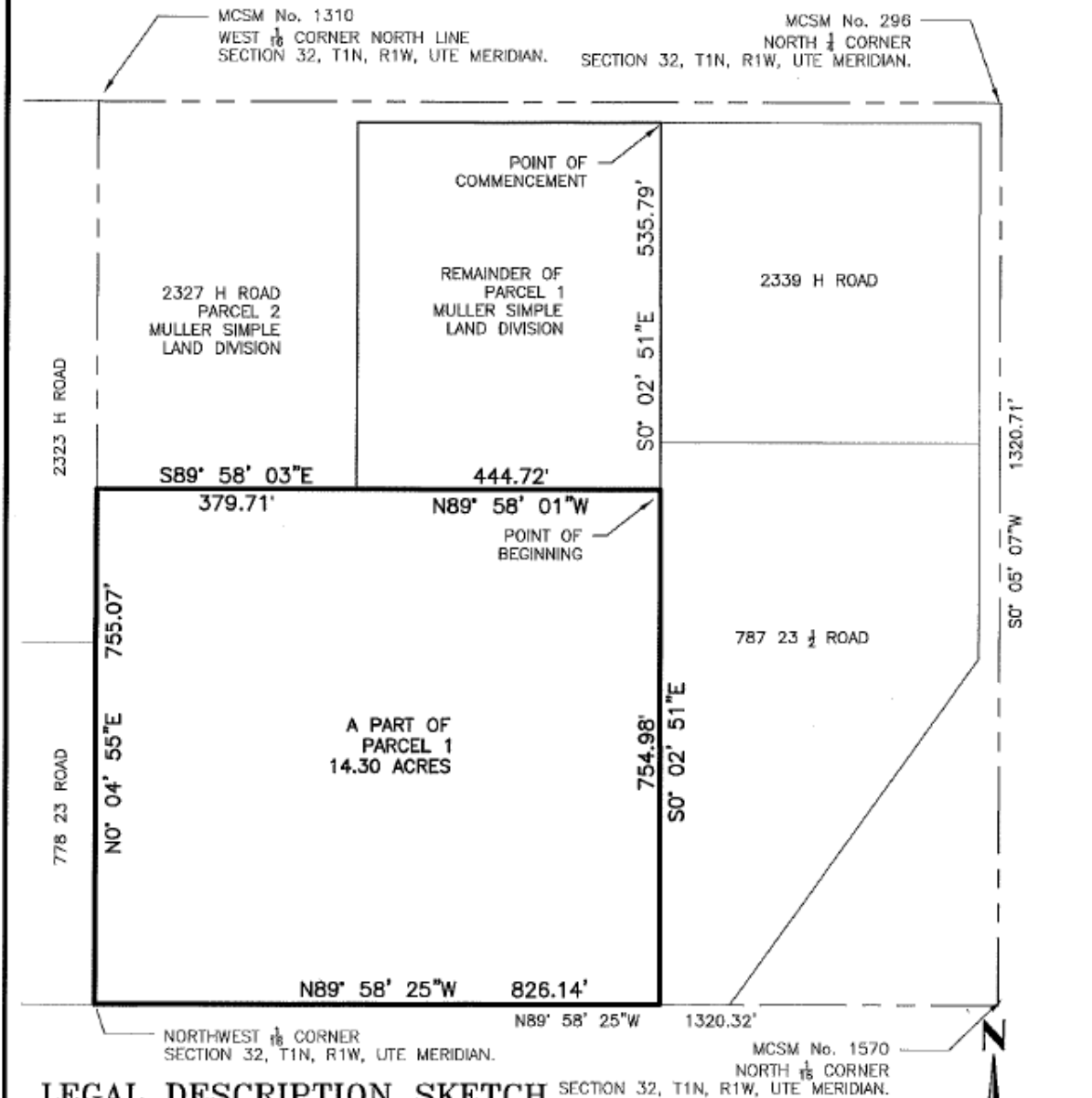
ADOPTED on second reading this _____ day of _____, 2019 and ordered published in pamphlet form.

ATTEST:

President of the Council

City Clerk

EXHIBIT A



LEGAL DESCRIPTION SKETCH

PARCEL 1
MULLER SIMPLE LAND DIVISION
SOUTH PORTION
SITUATED IN THE NE $\frac{1}{4}$ NW $\frac{1}{4}$ SECTION 32
TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN
COUNTY OF MESA, STATE OF COLORADO

POLARIS SURVEYING

PATRICK W. CLICK P.L.S.

3194 MESA AVE. #B
GRAND JUNCTION, CO 81504
PHONE (970)434-7038

GRAPHIC SCALE:

1"=200'



LINEAR UNITS ARE U.S. SURVEY FEET

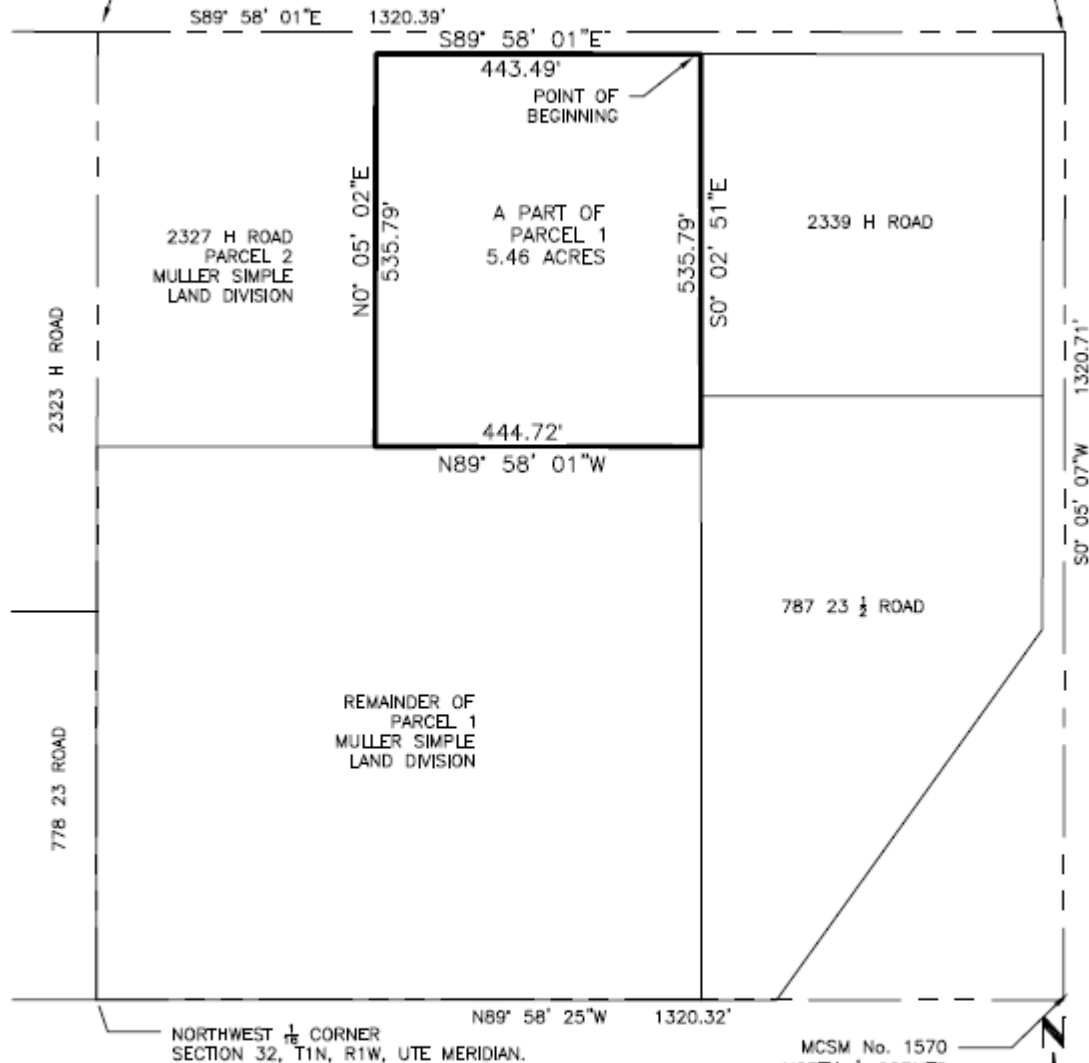


EXHIBIT B

MCSM No. 1310
WEST $\frac{1}{4}$ CORNER NORTH LINE
SECTION 32, T1N, R1W, UTE MERIDIAN.

MCSM No. 296
NORTH $\frac{1}{4}$ CORNER
SECTION 32, T1N, R1W, UTE MERIDIAN.

H ROAD



LEGAL DESCRIPTION SKETCH

PARCEL 1
MULLER SIMPLE LAND DIVISION
NORTH PORTION
SITUATED IN THE NE $\frac{1}{4}$ NW $\frac{1}{4}$ SECTION 32
TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN
COUNTY OF MESA, STATE OF COLORADO

POLARIS SURVEYING

PATRICK W. CLICK P.L.S.

3194 MESA AVE. #8
GRAND JUNCTION, CO 81504
PHONE (970)434-7038

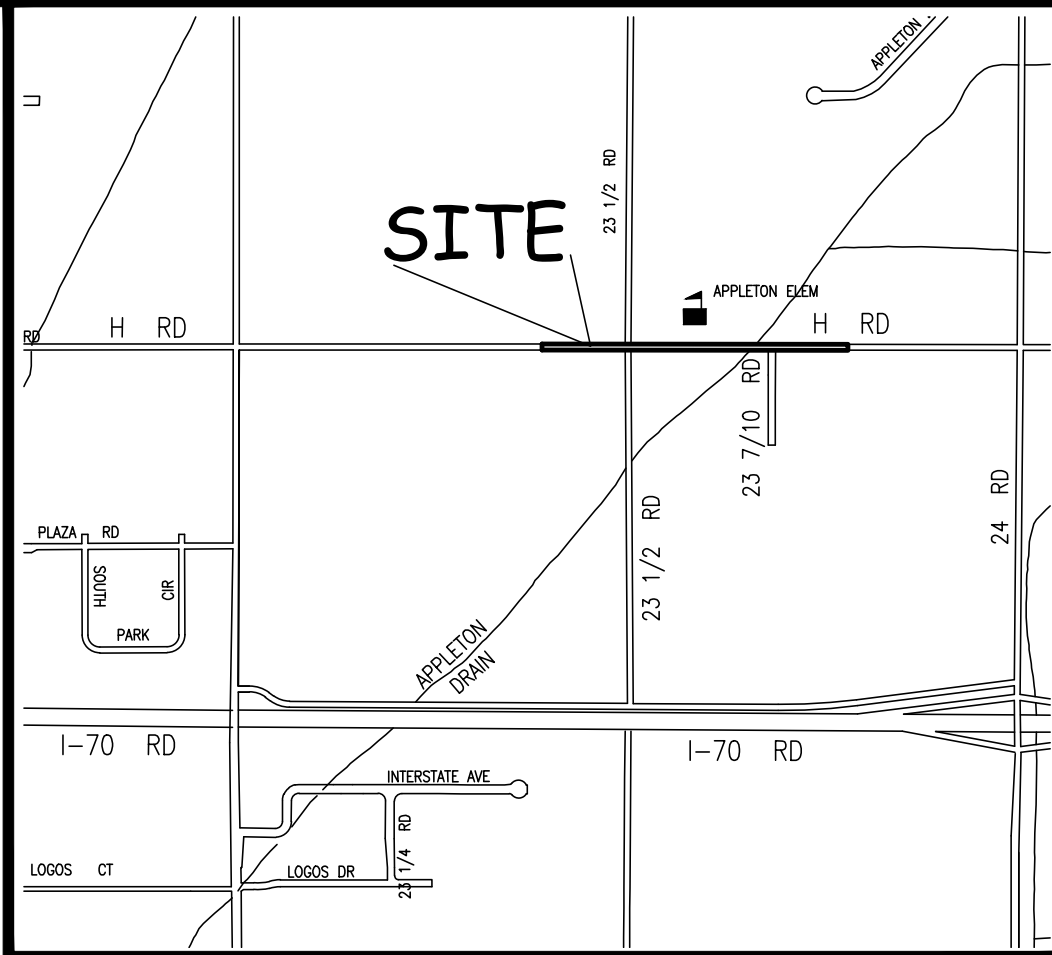
GRAPHIC SCALE:
1"=200'



LINEAR UNITS ARE U.S. SURVEY FEET



SOUTH TWENTY ANNEXATION NO. 1
LYING IN THE NE 1/4 NW 1/4 AND NW 1/4 NE 1/4 OF SECTION 32, TOWNSHIP 1 NORTH, RANGE 1 WEST
UTE PRINCIPAL MERIDIAN
COUNTY OF MESA, STATE OF COLORADO



LOCATION MAP: NOT-TO-SCALE

DESCRIPTION

A certain parcel of land lying in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4 and the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section 32, Township 1 North, Range 1 West of the Ute Principal Meridian and being more particularly described as follows:

COMMENCING at the Northeast corner of the NW 1/4 NE 1/4 of said Section 32 and assuming the North line of the NW 1/4 NE 1/4 of said Section 32 bears N 89°57'52" W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 00°03'26" W, along the East line of the NW 1/4 NE 1/4 of said Section 32, a distance of 5.00 feet to a point on the South line of Apple Glen Annexation No. 2, Ordinance No. 4191 as same is recorded in Book 4637, Page 687, Public Records of Mesa County, Colorado, also being the POINT OF BEGINNING; thence from said Point of Beginning, S 00°03'26" W, along said East line, a distance of 2.00 feet; thence N 89°57'52" W along a line 7.00 feet South of and parallel with the North line of the NW 1/4 NE 1/4 of said Section 32, a distance of 660.88 feet; thence N 00°01'45" E, a distance of 5.00 feet; thence N 89°57'52" W along a line 2.00 feet South of and parallel with the North line of the NW 1/4 NE 1/4 of said Section 32, a distance of 656.88 feet, more or less, to a point on the East line of the NE 1/4 NW 1/4 of said Section 32; thence N 89°58'01" W along a line 2.00 feet South of and parallel with the North line of the NE 1/4 NW 1/4 of said Section 32, a distance of 497.19 feet, more or less, to a point on the Northerly projection of the East line of Parcel 1, Muller Simple Land Division, as same is recorded in Plat Book 17, Page 236, Public Records of Mesa County, Colorado; thence N 00°02'51" W, along said Northerly projection, a distance of 2.00 feet to a point on the North line of the NE 1/4 NW 1/4 of said Section 32; thence S 89°58'01" E, along said North line, a distance of 497.20 feet, more or less, to a point being the Northeast corner of the NE 1/4 NW 1/4 of said Section 32; thence S 89°57'52" E, along the North line of the NW 1/4 NE 1/4 of said Section 32, a distance of 658.88 feet to a point on the West line of Apple Glen Annexation No. 3, Ordinance No. 4192, as same is recorded in Book 4637, Page 691, Public records of Mesa County, Colorado; thence S 00°01'45" W, along said West line, a distance of 5.00 feet; thence S 89°57'52" E along a line 5.00 feet South of and parallel with the North line of the NW 1/4 NE 1/4 of said Section 32, a distance of 658.88 feet, more or less, to the Point of Beginning.

ABBREVIATIONS

P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT OF WAY
SEC.	SECTION
TWP.	TOWNSHIP
RGE.	RANGE
U.P.M.	UTE PRINCIPAL MERIDIAN
NO.	NUMBER
SQ. FT.	SQUARE FEET
Δ=	CENTRAL ANGLE
RAD	RADIUS
AL	ARC LENGTH
CHL	CHORD LENGTH
CHB	CHORD BEARING
BLK	BLOCK
PB	PLAT BOOK
BK	BOOK
PG	PAGE

The Sketch and Description contained herein have been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This plat does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

PREPARED BY

PETER T. KRICK, PLS No. 32824
Professional Land Surveyor for the
City of Grand Junction

DATE: _____



EFFECTIVE DATE

????

ORDINANCE NO.

????

THIS IS NOT A BOUNDARY SURVEY

AREA OF ANNEXATION

ANNEXATION PERIMETER	3,643.91 FT.
CONTIGUOUS PERIMETER	663.88 FT.
AREA IN SQUARE FEET	3,640***
AREA IN ACRES	0.083
*** (995 SQ. FT. LIES IN DEEDED R/W AND 2,645 SQ. FT. LIES IN R/W BY USE)	

LEGEND

ANNEXATION BOUNDARY	—————
EXISTING CITY LIMITS	— · — · —

GRAPHIC SCALE



(IN FEET)

1 inch = 200 FT.

LINEAL UNITS USED HEREIN = U.S. SURVEY FOOT, AS ESTABLISHED

Notice:

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

DRAWN BY	P.T.K.	DATE	08-15-2018
DESIGNED BY	DATE		
CHECKED BY	P.T.K.	DATE	
APPROVED BY	DATE		

SCALE

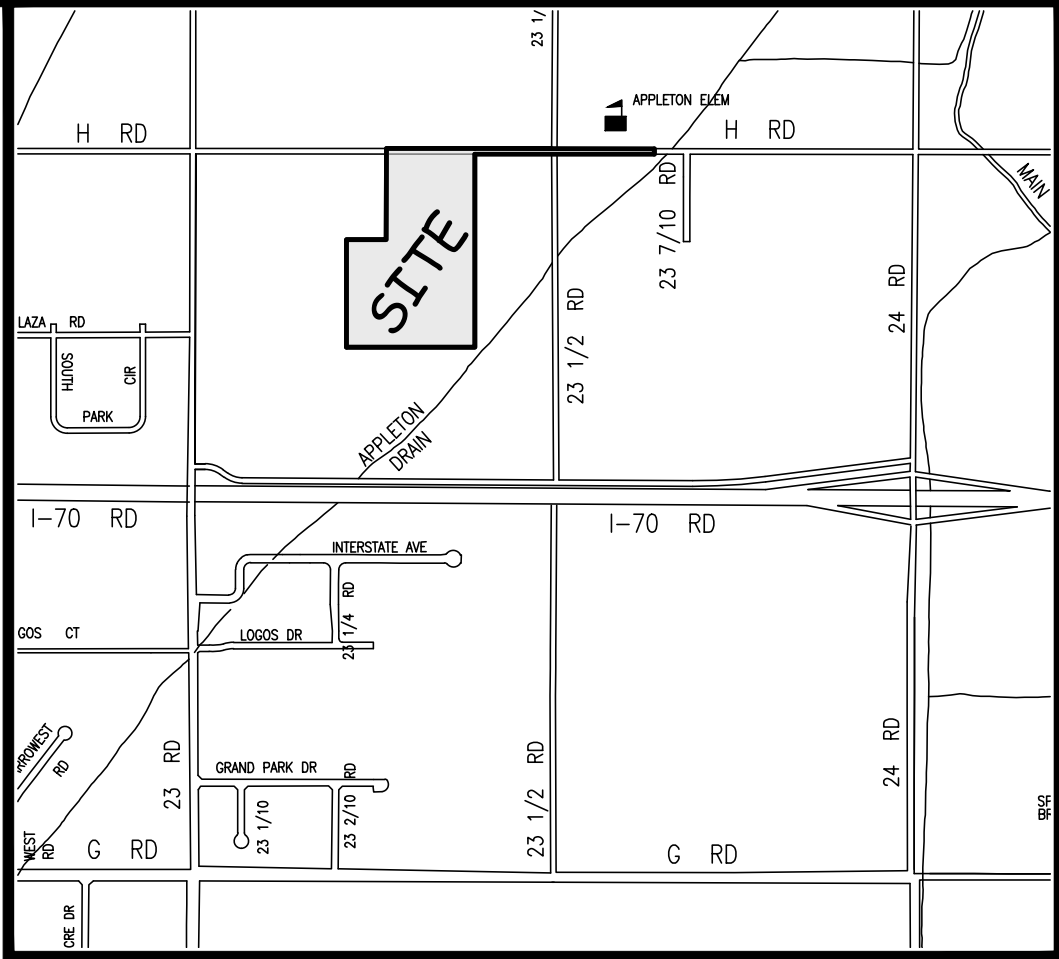
1" = 200'



PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

SOUTH TWENTY
ANNEXATION NO. 1

SOUTH TWENTY ANNEXATION NO. 2
LYING IN THE NE 1/4 NW 1/4 AND NW 1/4 NE 1/4 OF SECTION 32, TOWNSHIP 1 NORTH, RANGE 1 WEST
UTE PRINCIPAL MERIDIAN
COUNTY OF MESA, STATE OF COLORADO



LOCATION MAP: NOT-TO-SCALE

DESCRIPTION

A certain parcel of land lying in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4 and the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section 32, Township 1 North, Range 1 West of the Ute Principal Meridian and being more particularly described as follows:

BEGINNING at the Southwest corner of the NE 1/4 NW 1/4 of said Section 32, said point also being the Southwest corner of Parcel 1, Muller Simple Land Division, as same is recorded in Plat Book 17, Page 236, Public Records of Mesa County, Colorado and assuming the West line of the NE 1/4 NW 1/4 of said Section 32 bears N 00°04'55" E and all other bearings shown hereon are relative thereto; thence from said Point of Beginning, N 00°04'55" E along the West line of the NE 1/4 NW 1/4 of said Section 32, a distance of 754.94 feet, more or less, to a point being the Southwest corner of Parcel 2 of said Muller Simple Land Division; thence S 89°58'03" E, along the South line of said Parcel 2, a distance of 379.73 feet, more or less, to a point being the Southeast corner of said Parcel 2; thence N 00°05'02" E, along the East line of said Parcel 2 and the West line of said Parcel 1, a distance of 565.92 feet, more or less, to a point on the North line of the NE 1/4 NW 1/4 of said Section 32; thence S 89°58'01" E, along said North line, a distance of 443.45' to a point on the West line of South Twenty Annexation No. 1; thence S 00°02'51" E, along said West line, a distance of 2.00 feet; thence S 89°58'01" E along the South line of said South Twenty Annexation No. 1, a distance of 497.19 feet to a point on the East line of the NW 1/4 NE 1/4 of said Section 32; thence S 89°57'52" E, along the South line of said South Twenty Annexation No. 1, a distance of 656.88 feet; thence S 00°01'45" W, a distance of 5.00 feet; thence N 89°57'52" W, a distance of 2.00 feet; thence N 00°01'45" E, a distance of 3.00 feet; thence N 89°57'52" W, along a line 4.00 feet South of and parallel with, the North line of the NW 1/4 NE 1/4 of said Section 32, a distance of 654.89 feet, more or less, to a point on the East line of the NW 1/4 NE 1/4 of said Section 32; thence N 89°58'01" W, along a line 4.00 feet South of and parallel with, the North line of the NE 1/4 NW 1/4 of said Section 32, a distance of 497.19 feet to a point on the Northerly projection of the East line of said Parcel 1; thence S 00°02'51" E, along the East line of said Parcel 1, a distance of 1316.70 feet, more or less, to a point on the South line of the NE 1/4 NW 1/4 of said Section 32, said point also being the Southeast corner of said Parcel 1; thence N 89°58'43" W, along the South line of the NE 1/4 NW 1/4 of said Section 32, a distance of 826.18 feet, more or less, to the Point of Beginning.

ABBREVIATIONS	
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT OF WAY
SEC.	SECTION
TWP.	TOWNSHIP
RGE.	RANGE
U.P.M.	UTE PRINCIPAL MERIDIAN
NO.	NUMBER
SQ. FT.	SQUARE FEET
Δ	CENTRAL ANGLE
RAD	RADIUS
AL	ARC LENGTH
CHL	CHORD LENGTH
CHB	CHORD BEARING
BLK	BLOCK
PB	PLAT BOOK
BK	BOOK
PG	PAGE

The Sketch and Description contained herein have been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This plat does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



PETER T. KRICK, PLS No. 32824
Professional Land Surveyor for the
City of Grand Junction

DATE: _____

AREA OF ANNEXATION

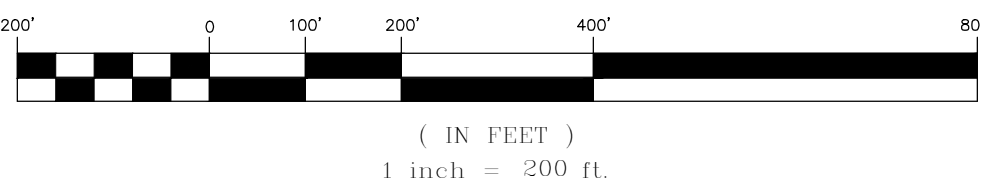
ANNEXATION PERIMETER	5,285.30 FT.
CONTIGUOUS PERIMETER	1,161.07 FT.
AREA IN SQUARE FEET	875,322***
AREA IN ACRES	20.095

***[PARCEL INCLUDES 14,298 SQ. FT. (0.328 ACRES) WITHIN PLATTED OR DEEDED ROAD R/W AND AN ADDITIONAL 1,320 SQ. FT. (0.030 ACRES) WITHIN RIGHT OF WAY BY USE]

LEGEND

ANNEXATION BOUNDARY	—————
EXISTING CITY LIMITS	

LINEAL UNITS USED HEREIN = U.S. SURVEY FOOT, AS ESTABLISHED
GRAPHIC SCALE



ORDINANCE NO.

????

EFFECTIVE DATE

????

THIS IS NOT A BOUNDARY SURVEY

Notice:

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

DRAWN BY	P.T.K.	DATE	08-24-2018
DESIGNED BY		DATE	
CHECKED BY	P.T.K.	DATE	
APPROVED BY		DATE	

SCALE

1" = 200'



PUBLIC WORKS
ENGINEERING DIVISION
SURVEY DEPARTMENT

SOUTH TWENTY
ANNEXATION NO. 2

[illegible]

PLANNING COMMISSION AGENDA ITEM

Project Name:	Stocker Suites Rezone
Applicant:	W&C Stocker Family Trust (owner)
Representative:	Robert W. Jones II, Vortex Engineering and Architecture, Inc.
Address:	1213 North 15 th Street and 1420 Glenwood Avenue
Zoning:	R-16 (Residential, 12-16 du/ac)
Staff:	Tom Dixon
File No.	RZN-2018-724
Date:	January 22, 2019

I. SUBJECT

Consider a request by the W&C Stocker Family Trust to rezone 0.62 acre from R-16 (Residential, 12-16 du/ac) to R-24 (Residential, 24+ du/ac).

II. EXECUTIVE SUMMARY

The Applicant, W&C Stocker Family Trust, is requesting the rezone of the combined 0.62-acre properties (total) located at 1213 North 15th Street and 1420 Glenwood Avenue from the R-16 (Residential, 12-16 du/ac) to the R-24 (Residential, 24+ du/ac) zone district in anticipation of future multi-family residential development. The requested R-24 zone district is consistent with the Comprehensive Plan Future Land Use designation of Village Center.

III. BACKGROUND

The subject properties are located at 1213 North 15th Street and 1420 Glenwood Avenue. Each of the two properties is presently developed with an older stock single-family residence; in addition, the 1213 North 15th Street property contains an old, partly re-furnished barn structure which is located near the Glenwood Avenue frontage. Both the residence and barn on the 1213 North 15th property were constructed in 1913; the house at 1420 Glenwood was built in 1950. The development plan, provided that the rezone request is granted, is to demolish all structures to allow for the construction of a new multi-family development.

In the vicinity surrounding the subject properties to the east, north, and west is both single-family and multi-family residential development. To the south is commercial development predominantly oriented toward North Avenue and its business-focused corridor. An R-16 zone district is in place for the area to the east, north, and west while a transition to C-1 (Commercial) occurs south of Glenwood Avenue to North Avenue. The North Avenue Overlay Zone abuts North Avenue and on some properties extends to Glenwood Avenue, but does not extend north of Glenwood Avenue to this site.

The Village Center Employment overlay is a mixed use designation for residential, service, park and retail. It is intended to be at a smaller scale (1 – 5 stories and smaller land area) than Downtown Mixed Use.

IV. NOTIFICATION REQUIREMENTS

A Neighborhood Meeting was held on November 14, 2018 consistent with the requirements of Section 21.02.080 (e) of the Zoning and Development Code. Two citizens, along with the Applicant's representative and City planning staff were in attendance. Comments and concerns expressed at the meeting centered around the difference between the current R-16 and the proposed R-24 zone districts, when demolition of the site might begin, the placement of upper story windows of a new structure's north side, the process for the rezone, and how access to and traffic impacts from the potential new development might occur.

Notice was completed consistent to the provisions in Section 21.02.080 (g) of the City's Zoning and Development Code. Mailed notice of the Public Hearing, in the form of notification cards was sent to surrounding property owners within 500 feet of the subject property on January 11, 2019 and was also sent to those in attendance at the neighborhood meeting. The subject property was posted with an application sign on December 21, 2018 and notice of the public hearing was published January 15, 2019 in the Grand Junction Daily Sentinel.

V. ANALYSIS

Pursuant to Section 21.02.140 of the Grand Junction Zoning and Development Code, the City may rezone property if the proposed changes are consistent with the vision, goals and policies of the Comprehensive Plan and must meet one or more of the following criteria:

(1) Subsequent events have invalidated the original premise and findings; and/or

The Comprehensive Plan includes a Future Land Use Map which identifies these two properties designated as Village Center. Both the Applicant's proposed zoning of R-24 as well as the existing designation of R-16, implements the Future Land Use Map designation of Village Center. The existing zoning of R-16 continues to be a valid zone district under the Comprehensive Plan as does the proposed R-24.

Since the adoption of the Village Center designation more than seven years ago there have been incremental improvements to the North Avenue corridor and to the surrounding residential neighborhood largely due to the implementation of the North Avenue Overlay Zone. Staff recognizes these changes in aggregate as subsequent events that work to challenge the original premise of the existing zoning (R-16). However, changes in the area, such as improvements that include a 16-unit apartment building constructed in 2012 directly across the street from the residence at 1213 North 15th and a Taco John's drive through restaurant built in 2014 and located at 1430 North Avenue, illustrate that transition of the area has been slow.

Staff finds that, despite positive changes and the ability to increase densities through rezones that are supported by the Future Land Use Map, the original premises and findings of the current R-16 are not necessarily invalidated.

Therefore, this criterion has not been satisfied by the proposed rezone nor by the Village Center designation.

(2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or

The City has seen the land use character within the immediate vicinity of the proposed rezone incorporate some gradual yet steady improvements since the adoption of the North Avenue Corridor Plan and Zoning Overlay over seven years ago. New or redeveloped sites one block to the south along North Avenue and the City's sidewalk and streetscape improvements along North Avenue between 12th Street and 23rd Street are upgrades to the commercial neighborhood. In residential areas north of Glenwood Avenue, there are scattered sites being redeveloped with higher densities which is in contrast to a number of properties (including the subject ones) that are suffering from upkeep and other issues having the effect of eroding property values and creating an undesirable impact upon the neighborhood. The opportunity to up-zone property through owner initiation provides expanded opportunities and incentives to continue and, perhaps, even increase the timing of enhanced neighborhood change.

The proposed rezone will support the City's objective to make progressive improvements to the neighborhood with the intention of changing the character and conditions of the area while combating or reducing potential urban blight and reduction of property values. Likewise, the rezone to R-24 will provide greater value and opportunity to upgrade this visible corner of the neighborhood and support the North Avenue and North 12th Street businesses.

Based on the existing character and the condition of these depressed properties, as well as new development that has occurred on selected sites in the neighborhood, staff finds that both the condition and the character have changed such that this amendment is consistent with the Plan and therefore this criterion has been met.

(3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or

The subject properties are within a fully urbanized area of the City of Grand Junction and adequate public and community facilities and services are available and sufficient to serve the anticipated re-development. The properties are currently served by City water and sewer, Xcel Energy electricity and natural gas, and cable network links. Access to nearby commercial facilities, retail, offices, and restaurants along North Avenue and the proximity of Colorado Mesa University and the North 12th Street mixed-use corridor are within three or four blocks. In addition, Grand

Valley Transit provides bus service along both directions of North Avenue with stops just west of North 14th Street.

Based on the provision and concurrency of public utilities and community facilities to serve the rezone request, staff finds that this criterion has been met.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or

By virtue of designating this area as appropriate for higher residential density and greater commercial and residential intensity, the presiding bodies that adopted the Comprehensive Plan and the Future Land Use Map acknowledged that there was an inadequate supply of suitably designated land to accomplish the goals and objectives in supporting the designation of Village Center. Otherwise, there would not have been a basis for zoning classifications that provided greater intensities of use.

In the neighborhood for this proposed rezone, there is presently an absence of R-24 zoning that is needed to provide additional development incentives and opportunities to create timely upgrades to the area and to create the desired higher density residential units to expand housing options. Therefore, the proposed rezone appears to be a reasonable request in response to the need and desire to increase the supply of suitably designated higher density residential land within the City and in particular the City Center as called out in the Comprehensive Plan.

Based on these considerations, this criterion is deemed to be sufficiently satisfied.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

The community will derive benefits from the proposed rezone by creating an opportunity for the land to be developed with greater density which is a reflection of the transition occurring in neighborhoods to the east of Colorado Mesa University.

The Future Land Use designation of Village Center contemplates a mix of employment, residential, service, park and retail uses at higher densities and intensities of development that should result in community benefits which is equally or better implemented by the R-24 than the R-16 zone district. Therefore, staff finds that this criterion is satisfied.

This rezone request is consistent with the following vision, goals and/or policies of the Comprehensive Plan:

Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.

Policy A: To create large and small “centers” throughout the community that provide services and commercial areas.

Policy B: Create opportunities to reduce the amount of trips generated for shopping and commuting and decrease vehicle miles traveled thus increasing air qualities.

Goal 5: To provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages.

Policy A: In making land use and development decisions, the City and County will balance the needs of the community.

Policy B: Encourage mixed-use development and identification of locations for increased density.

Policy C: Increasing the capacity of housing developers to meet housing demand.

VI. STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the Stocker Suites Rezone, RZN-2018-724, a request to rezone 0.62 acre from the R-16 (Residential, 12-16 du/ac) to the R-24 (Residential, 24+ du/ac) zone district, the following findings of fact have been made:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan;
2. In accordance with Section 21.02.140 of the Grand Junction Zoning and Development Code, one or more of the criteria have been met.

Therefore, Staff recommends approval of the request to rezone the property located at 1213 North 15th Street and 1420 Glenwood Avenue from the R-16 (Residential, 12-16 du/ac) to R-24 (Residential, 24+ du/ac) zone district.

VI. RECOMMENDED MOTION

Madam Chairman, on the Rezone request RZN-2018-724, I move that the Planning Commission forward a recommendation of approval for the rezone of the 0.62-acre properties located at 1213 North 15th Street and 1420 Glenwood Avenue from the R-16 (Residential, 12-16 du/ac) to R-24 (Residential, 24+ du/ac) zone district, with the findings of fact listed in the staff report.

Attachments:

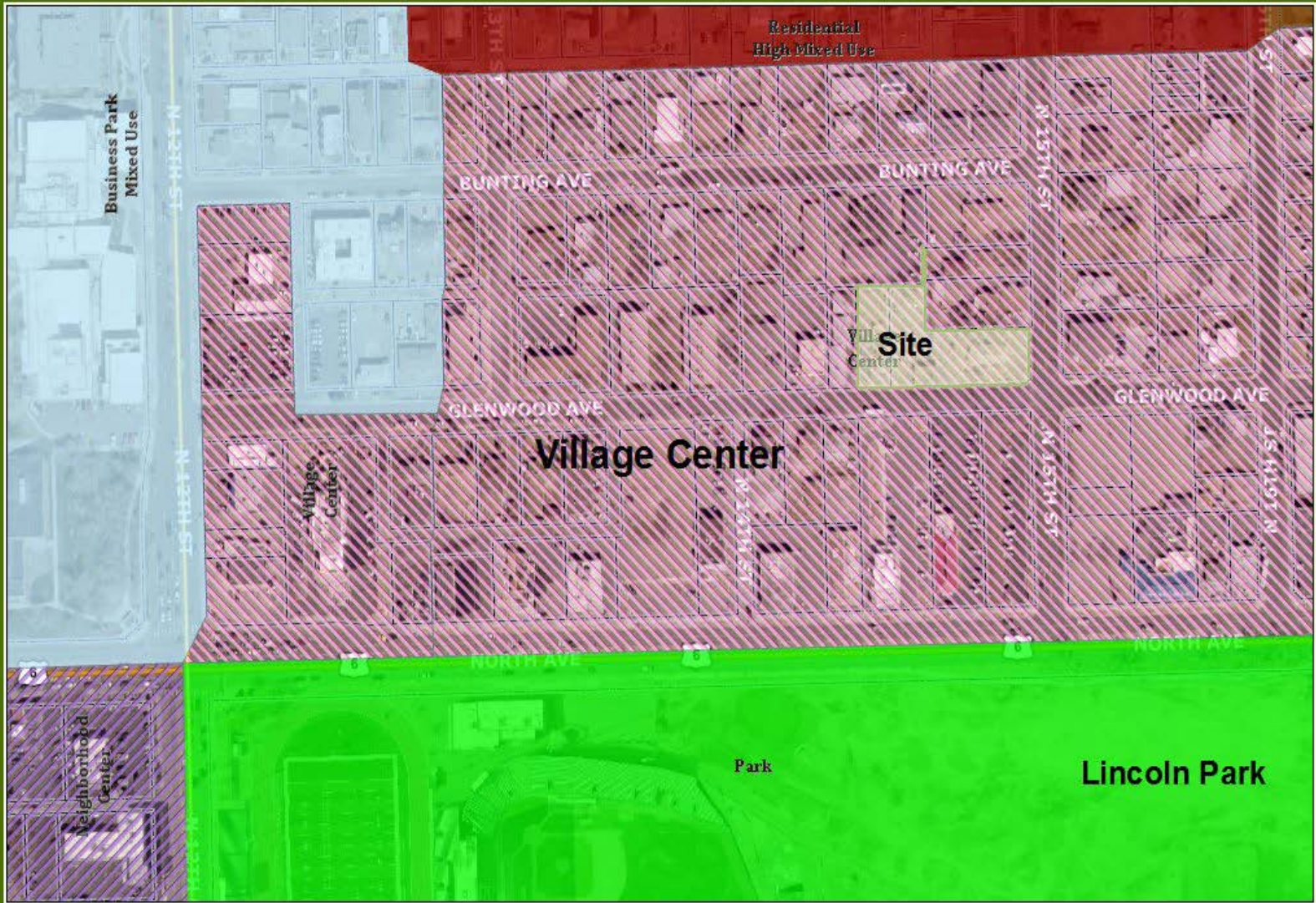
1. Site Location Map
2. Future Land Use Map
3. Existing Zoning Map
4. Site photo 1

5. Site photo 2
6. Site photo 3
7. Site photo 4
8. Site photo 5
9. Site photo 6
10. Site photo 7

Site Location Map



Future Land Use Map



Existing Zoning Map





Photo 1 - 1213 N. 15th St. looking from SE



Photo 2 – back of 1213 N. 15th St. looking north from Glenwood Ave.



Photo 3 – barn along Glenwood Ave.



Photo 4 – back of barn and auto repair business with entry from Glenwood Ave.



Photo 5 –1420 Glenwood Ave.



Photo 6 – fast food restaurant with ingress/egress across from 1420 Glenwood Ave.



Photo 7 – new multi-family residential across (east) from 1213 N. 12th St.

Exhibit 2



Development Application

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado, as described herein do petition this:

Petition For: Rezone

Please fill in blanks below only for Zone of Annexation, Rezones, and Comprehensive Plan Amendments:

Existing Land Use Designation VCMU, 8-24 du/ac

Existing Zoning R16

Proposed Land Use Designation VCMU, 8-24 du/ac

Proposed Zoning R24

Property Information

Site Location: 1213 N. 15th Street & 1420 Glenwood Avenue

Site Acreage: .62

Site Tax No(s): 2945-123-00-091 and -092

Site Zoning: R16

Project Description: Request to Rezone to R24.

Property Owner Information

Name: W&C Stocker Family Trust

Street Address: 1878 K Road

City/State/Zip: Fruita, CO 81521

Business Phone #: (970) 314-1093

E-Mail: stockerheating@gmail.com

Fax #:

Contact Person: Jeff Stocker

Contact Phone #: (970) 314-1093

Applicant Information

Name: Jeff Stocker

Street Address: 1878 K Road

City/State/Zip: Fruita, CO 81521

Business Phone #: (970) 314-1093

E-Mail: stockerheating@gmail.com

Fax #:

Contact Person: Jeff Stocker

Contact Phone #: (970) 314-1093

Representative Information

Name: Vortex Engineering, Inc.

Street Address: 2394 Patterson Rd, S

City/State/Zip: Grand Jct, CO 81505

Business Phone #: (970) 245-9051

E-Mail: rjones@vortexengineering.us

Fax #: (970) 245-7639

Contact Person: Robert W. Jones, II

Contact Phone #: (970) 245-9051

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 may be dropped from the agenda and an additional fee may be charged to cover rescheduling expenses before it can again be placed on the agenda.

Signature of Person Completing the Application

Date 11/14/18

Signature of Legal Property Owner

Date 11/14/18

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) W&C Stocker Family Trust ("Entity") is the owner of the following property:

(b) 1420 Glenwood Avenue & 1213 N. 15th Street

A copy of the deed(s) evidencing the owner's interest in the property is attached. Any documents conveying any interest in the property to someone else by the owner are also attached.

I am the (c) Trustee for the Entity. I have the legal authority to bind the Entity regarding obligations and this property. I have attached the most recent recorded Statement of Authority of the Entity.

☒ My legal authority to bind the Entity both financially and concerning this property is unlimited.

☐ My legal authority to bind the Entity financially and/or concerning this property is limited as follows:

☒ The Entity is the sole owner of the property.

☐ The Entity owns the property with other(s). The other owners of the property are:

On behalf of Entity, I have reviewed the application for the (d) Rezone

I have the following knowledge or evidence of a possible boundary conflict affecting the property:

(e) N/A

I understand the continuing duty of the Entity to inform the City planner of any changes regarding my authority to bind the Entity and/or regarding ownership, easement, right-of-way, encroachment, lienholder and any other interest in the land.

I swear under penalty of perjury that the information in this Ownership Statement is true, complete and correct.

Signature of Entity representative: *Cheryl Ann Stocker*

Printed name of person signing: Wendell H. Stocker & Cheryl Ann Stocker

State of Colorado)

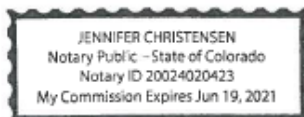
County of Mesa) ss.

Subscribed and sworn to before me on this 14th day of November, 20 18

by Cheryl Ann Stocker and Wendell H. Stocker

Witness my hand and seal.

My Notary Commission expires on June 19, 2021



Jennifer Christensen
Notary Public Signature

**General Project Report
for
Stocker Suites Rezone Request**

Date: November 20, 2018

Prepared by: Robert W. Jones II, P.E.
Vortex Engineering and Architecture, Inc.
2394 Patterson Road, Suite 201
Grand Junction, CO 81505
(970) 245-9051
VEI# F18-047

Submitted to: City of Grand Junction
250 N. 5th Street
Grand Junction, CO 81501

Type of Design: Rezone from R16 (Residential, 12-16 du/ac)
to R24 (Residential, 16+du/ac)

Property Owner: W&C Stocker Family Trust
1878 K Road
Fruita, CO 81521

Property Address: 1213 N. 15th Street and 1420 Glenwood Avenue
Grand Junction, CO 81501

Tax Schedule No: 2945-123-00-091 and -092

1. Project Intent

This application is made to request a rezone of approximately .62 acres located at 1213 N. 15th Street and 1420 Glenwood Avenue from R16 (Residential 12-16 du/ac) to R24 (Residential, 16+ du/ac) in anticipation of future multi-family residential development.

2. Project Background and Description

The subject properties are located at 1213 N. 15th Street and 1420 Glenwood Avenue and are currently zoned R16 (12-16 du/ac). The applicant would like to rezone to the R24 zone district to construct multi-family dwelling units to be known as Stocker Suites.

The site is made up of two parcels with a total of approximately .62 acres. The site is bounded by residential uses to the north, east and west, commercial uses to the south. There is one single family home located on each of the two parcels with an older barn structure also located on 1213 N. 15th Street. These structures will either be removed or demolished to allow construction of the development.

The applicant would like to construct approximately 15 multi-family dwelling units on the two parcels. The current R16 would allow up to 12 dwelling units; therefore a



The applicant would like to construct a multi-family development that is very similar to what exists in the surrounding area with duplex, triplex and higher density multi-family dwelling units. Existing conditions of the surrounding area are noted on the map below.



Legal Description

The legal description of this site is as follows:

1420 Glenwood Avenue (2945-123-00-091):

BEG S 0DEG01'06SEC W 294.35FT & W 215.03FT FR NE COR LOT 2 GRANDVIEW SUB SEC 12 1S 1W W 50FT N 142.50FT E 50FT S 142.50FT TO POB

1213 N. 15th Street (2945-123-00-092):

BEG S 0DEG01'06SEC W 294.35FT & W 10.84FT FR NE COR LOT 2 GRANDVIEW SUB SEC 12 1S 1W W 204.19FT N 142.50FT E 52FT N 51.85FT E 3FT S 116FT E 155.06FT S 0DEG01'06SEC W 71.84FT S 41DEG55'51SEC W 8.75FT TO BEG

3. Neighborhood Meeting

A Neighborhood Meeting was held on Wednesday, November 14, 2018 at 5:30 pm at the Four Winds Coffee and Tea, located at 1235 Bookcliff Avenue, Grand Junction. The owner's representative provided an overview of the rezone request and a brief overview of the proposed development. Kris Ashbeck, Senior Planner with the City of Grand Junction also attended the meeting to answer questions about the City's rezone review process. A list of all those attending the meeting is attached to this report, as well as the primary issues of concern that were discussed during the meeting.

The meeting was attended by two (2) citizens and comments and questions were addressed by the applicant's representative and Kris Ashbeck from the City of Grand Junction.

Public notice for this application will be provided in accordance with Sec. 21.02.080(g) of the Grand Junction Municipal Code, including posting the subject properties on all public rights-of-way.

4. Comprehensive Plan

The Comprehensive Plan's Future Land Use Map shows the subject property as Village Center Mixed Use (VCMU, 8-24 du/ac). The proposed density of the R24 zone district (minimum 16 du/ac) is in keeping with existing land use development patterns of the surrounding neighborhood where up to 31 du/ac exist, and what is anticipated by the Village Center land use classification.

Redevelopment of the existing parcels would be considered an infill development due to the location within the community and the presence of existing utilities to serve the site. The subject property is located within the 201 Sewer Service Boundary and the Urban Development Boundary which is expected to develop and/or redevelop with urban densities and services.

The proposed development meets a number of the goals and policies of the Comprehensive Plan:

Goal 1, Policy D: For development that requires municipal services, those services shall be provided by a municipality or district capable of providing municipal services.

Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.

In addition to the goals and policies, the proposed development also meets the following Guiding Principles of the Comprehensive Plan:

Guiding Principle 2: Sustainable Growth Patterns – Fiscal sustainability where we grow efficiently and cost-effectively. Encourage infill and redevelopment and discourage growth patterns that cause disproportionate increases in cost of services.

Guiding Principle 3: Housing Variety – Allow, encourage more variety of housing types (more than just large lot single family homes) that will better meet the needs of our diverse population – singles, couples, families, those just starting out, children who have left home, retirees, etc.



5. Zoning and Surrounding Areas

The applicant is requesting a rezone from the current R16 (Residential 12-16 du/ac) to R24 (Residential, 16+ du/ac) for future multi-family residential development. This request is consistent with, and supports, the Comprehensive Plan's Future Land Use Map classification of Village Center Mixed Use (VCMU, 8-24 du/ac).



Surrounding area zoning and land uses include:

- North – R16 (Residential, 12-16 du/ac) with single and multi-family residential land uses
- South – Light Commercial (C-1) with commercial land uses
- West – R16 (Residential, 12-16 du/ac) with single and multi-family residential land uses
- East – R16 (Residential, 12-16 du/ac) with single and multi-family residential land uses

The purpose of the R24 zone district is to provide for high density residential use. This district allows multi-family development within specified densities. R-24 may serve as a transitional district between single-family and trade zones. This district is intended to allow high density residential unit types and densities to provide a balance of housing opportunities in the community. It is appropriate in the Village and Neighborhood Centers.

The area surrounding the subject property is already an area of residential transition between North Avenue located one block to the south which is zoned Light Commercial, C-1, and the area to the north which is a mix of single and multi-family land uses primarily zoned R16.

It should be noted that although the area to the north, east and west of the subject property is zoned R16, there are several properties that are developed at a density higher than 16 dwelling units per acre, which is the maximum density permitted by the R16 zone district. This trend in the existing land use would suggest that a higher density is more desirable and acceptable given the proximity to North Avenue and the C-1 zoning along that corridor. Higher density housing is a logical support for the commercial land uses of the North Avenue corridor.

6. Utility Providers

All required and necessary utilities shall be provided concurrent with development of the subject property. Utility providers for the Elevation 4591 development have the capacity and willingness to serve the development. Public facilities such as medical, schools, parks and public safety are available to serve development on this site.

Utility providers for the site are as follows:

- Sewer: City of Grand Junction/Persigo Wastewater Treatment Plant
- Water: City of Grand Junction Water District
- Gas/Electric: Xcel Energy
- Drainage: Grand Valley Drainage District
- Irrigation: Grand Valley Irrigation Company
- Cable: Spectrum

7. Drainage

The topography of the site is generally flat with a high point of 4624' at the northeast corner of the property, then gently sloping to the southwest with a low point of 4622'. Stormwater drainage will be addressed under a separate development application at the time of actual construction of the multi-family dwelling units.

8. Wetlands and Floodplain

There are no known wetlands or floodplains associated with the subject property. The property is located within Flood Zone X which is outside the .02% annual chance of floodplain.

9. Approval Criteria

Section 21.02.140(a), **Approval Criteria**. In order to maintain internal consistency between this code and the zoning maps, map amendments must only occur if:

- (1) Subsequent events have invalidated the original premises and findings; and/or

Response: Subsequent events have not invalidated the original premises for the anticipated land development of this area of the community. Both the Growth Plan and subsequent Comprehensive Plan anticipated residential development in this area of the community.

This criterion is not applicable.

- (2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or

Response: The majority of this neighborhood was developed prior to adoption of the current Comprehensive Plan and 2010 Zoning and Development Code. As such, there are pockets of development in the surrounding neighborhood that have been developed at densities that exceed the maximum permitted density for the current R16 zoning. In addition to the existing mix of single and multi-family development, the North Avenue Overlay district was also adopted subsequent to the Comprehensive Plan and 2010 Zoning and Development Code. The North Avenue corridor is zoned Light Commercial, C-I, and permits land uses that are compatible with the proposed R24 zone district.

Another change in this area of the community is reflected in the expansion of the Colorado Mesa University (CMU) campus. Numerous classroom buildings have been constructed on campus in recent years to support the growing study body and curriculum. Many of the CMU students chose to live off-campus which puts growing pressure on the community to provide additional housing units such as those proposed for the subject property should it be rezoned.

The proposed rezone to R24 supports and is consistent with the Village Center Mixed Use land use classification of the Comprehensive Plan.

This criterion has been MET.

(3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or

Response: All required and necessary utilities shall be constructed concurrent with development of the subject property. Utility providers for the subject property have the capacity and willingness to serve future development. Public facilities such as medical facilities, schools, library and parks are adequate to serve the scope of anticipated residential development and are currently available within walking distance of the subject property.

This criterion has been MET.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or

Response: There are very few parcels of land within the community with a zoning of R24 that allows higher density development. The fact that several nearby parcels are developed at a density level that exceeds 16 dwelling units per acre (the maximum density permitted in the R16 zone district) suggests that there is in fact an inadequate supply of land designated for higher residential density.

This criterion has been MET.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

Response: The immediate area, and the community overall, will benefit from the provision of higher density residential development that is constructed near the City Center and so many services within walking distance, including upper level education, medical, recreational and multiple food services. In addition to being in a walkable part of the community, the higher density provides much needed housing and makes more efficient use of the existing infrastructure such as streets, water and sewer lines, sidewalks, etc. More compact development benefits the community as a whole through more efficient use of infrastructure.

This criterion has been MET.

10. Development Schedule

It is anticipated that the request to rezone will be reviewed and scheduled for Planning Commission recommendation to City Council in approximately 8-10 weeks. The proposed residential development will be submitted under a separate land use application upon approval of the rezone request.

11. Conclusion

The request to rezone from R16 (Residential 12-16 du/ac) to R24 (Residential, 16+ du/ac) supports the Comprehensive Plan's Future Land Use Map classification of Village Center Mixed Use. After demonstrating how the requested rezone meets the goals, policies and Guiding Principles of the Comprehensive Plan and the approval criteria of the Zoning and Development Code, we respectfully request approval of the request to rezone to the R24 zone district.

12. Limitations/Restrictions

This report is a site-specific report and is applicable only for the client for whom our work was performed. The review and use of this report by City of Grand Junction, affiliates, and review agencies is fully permitted and requires no other form of authorization. Use of this report under other circumstances is not an appropriate application of this document. This report is a product of Vortex Engineering, Inc. and is to be taken in its entirety. Excerpts from this report when taken out of context may not convey the true intent of the report. It is the owner's and owner's agent's responsibility to read this report and become familiar with recommendations and findings contained herein. Should any discrepancies be found, they must be reported to the preparing engineer within 5 days.

The recommendations and findings outlined in this report are based on: 1) The site visit and discussion with the owner, 2) the site conditions disclosed at the specific time of the site investigation of reference, 3) various conversations with planners and utility companies, and 4) a general review of the zoning and transportation manuals. Vortex Engineering, Inc. assumes no liability for the accuracy or completeness of information furnished by the client or municipality/agency personnel. Site conditions are subject to external environmental effects and may change over time. Use of this report under different site conditions is inappropriate. If it becomes apparent that current site conditions vary from those reported, the design engineering should be contacted to develop any required report modifications. Vortex Engineering, Inc. is not responsible and accepts no liability for any variation of assumed information.

Vortex Engineering, Inc. represents this report has been prepared within the limits prescribed by the owner and in accordance with the current accepted practice of the civil engineering profession in the area. No warranty or representation either expressed or implied is included or intended in this report or in any of our contracts.

**Neighborhood Meeting Notes/List of Attendees
November 14, 2018**



November 19, 2018

City of Grand Junction
Kris Ashbeck, Senior Planner
250 N. 5th Street
Grand Junction, CO 81501

RE: Neighborhood Meeting - Rezone
Stocker Suites
Date: Wednesday, November 14, 2018
Time: 5:30 p.m. – 6:30 p.m.
Location: Four Winds Coffee & Tea

Dear Ms. Ashbeck:

On Wednesday, November 14, 2018, a Neighborhood Meeting was held from 5:30 – 6:30 pm at the Four Winds Coffee & Tea for the proposed Stocker Suites rezone. An overview of the proposed rezone to R24 was presented by Lisa Cox of Vortex Engineering, Inc., followed by questions from the neighborhood residents.

The meeting was attended by two (2) residents. Comments and concern were voiced during the meeting. No written comments were received.

The following is a synopsis of the questions posed by the neighborhood residents:

- What is the difference between R16 and R24?
- When will demolition begin?
- Concern regarding windows on the north side looking down on other property.
- What is the process?
- Where will access be to the property?
- What will the impact of traffic be?

Lisa Cox with Vortex Engineering, Inc., stated that the property is currently zoned R16 and we are submitting for a R24 zone. She explained that the Comprehensive Plan, which is the City of Grand Junction and Mesa County's long range plan, designates parcels with a range of densities that are implemented by various zone districts and the R24 zone is consistent with the vision of the city.

Kris Ashbeck, Senior Planner with the City of Grand Junction was there to provide information and answer questions specific to City Policies and Procedures. Kris explained that residents will be notified of future applications; however another neighborhood meeting is not required.

At 5:53 p.m. Lisa Cox thanked those who attended the neighborhood meeting and shared their concerns. The meeting was then closed.

Upon your review of the meeting notes, should you have any questions or amendments, please do not hesitate to contact me at 970-245-9051.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert W. Jones II". The signature is fluid and cursive, with a large, stylized "R" at the end.

Robert W. Jones II, P.E.
Vortex Engineering & Architecture, Inc.

Cc: File

Stocker Suites Rezone
Neighborhood Meeting Sign In Sheet
November 14, 2018

	Full Name (Printed)	Address	City	Zip
1	Jennifer Kristensen	2394 Patterson Rd, Ste 201	GJ, CO	81505
2	Richard H. Wigner	3274 F 3/0 Rd	Clinton, CO	81520
3	Lisa Cox	2394 Patterson Rd; Ste. 201	GJ, CO	81505
4	Matt Telinde	2755 W. 4th Ave	GJ CO	81501
5	Wendell Frank Stocker	1878 K Rd	Avon, CO	81501
6	Kristen Ashbeck	City Hall	GJ CO	81501
7	Jeff Stocker	338 Hill Ave	GJ CO	81501
8				
9	*858-7784 (Chevy's phone number)			
10				
11				
12				
13				
14				
15				

11/14/18 5:30 → 5:53
Neighborhood Meeting / Stocker Suites

2 Residents Present: Matt Talbot &
Dick Wagner

Applicants: Cheryl
Wendell } Stocker present
Jeff

Lisa Ashbeck
Lisa Orr
myself

Lisa explained some to R24 explained
met's City's comprehensive plan and
is consistent w/ City's vision.

Jeff ~~before~~ Stocker talked about what
his plan is

Lisa Ashbeck went through policies &
procedures of city

Mr. Wagner was in favor of
project as long as the applicant
is respectful to his property
and his mother's house.

Residents discussed history of
area and meeting was held at
5:53 p.m.



October 30, 2018

VIA: US Mail

Adjacent Property Owner
Grand Junction, CO

RE: Stocker Suites Rezone
1420 Glenwood Ave. & 1213 N. 15 St.
Grand Junction, CO 81501

Dear Property Owner:

The above referenced property will soon be the subject of a Rezone application with the City of Grand Junction's Community Development Department. A Neighborhood Meeting will be held to introduce the proposed rezone to you and to answer any questions that you might have about the project.

A Neighborhood meeting will be held on Wednesday, November 14, 2018 at 5:30 pm at the Four Winds Coffee & Tea, located at 1235 Bookcliff Avenue, Grand Junction.

The Neighborhood Meeting is held to allow the neighborhood an opportunity to understand the rezone request, answer questions and to collect neighbor's thoughts and ideas about the new development. The property owner's representative and a City Planner will be at the meeting to discuss the new development. We hope to see you there too!

Please don't hesitate to contact me at 970-245-9051, or by email at rjones@vortexeng.us should you have any questions about this project.

Sincerely,

Vortex Engineering & Architecture, Inc.

A handwritten signature in black ink, appearing to read "Robert W. Jones, II".

Robert W. Jones, II, P.E.

cc: File

[illegible]

Attach this form to the name and address list at submittal to ensure credit for payment.

**ADJACENT PROPERTY OWNER
NAME & ADDRESS ORDER FORM**

☒ Please check if labels are needed for a Neighborhood Meeting. Name & address lists are valid for 6 months only. If the project goes to Planning Commission later than 6 months from submittal, another request for names & addresses must be submitted, along with an additional \$50.

TAX PARCEL #: 2945-123-00-091 & 2945-123-00-092

PROPERTY ADDRESS: 1420 Glenwood Avenue & 1213 N 15th Street, Grand Junction, CO 81501

PROPERTY OWNER: Stocker W & C Trust

CONTACT PERSON: Jeff Stocker

MAILING ADDRESS: 1878 K Road
Fruita, CO 81521

APPLICANT: Stocker W & C Trust

CONTACT PERSON: Jeff Stocker

MAILING ADDRESS: 1878 K Road
Fruita, CO 81521

PROJECT REPRESENTATIVE: Vortex Engineering, Inc.

CONTACT PERSON: Jennifer Christensen

MAILING ADDRESS: 2394 Patterson Road, Ste 201
Grand Junction, CO 81501 81505-1872

PHONE NUMBER: (970) 245-9051

*This request for labels and/or the name and address list **MUST BE SUBMITTED A MINIMUM OF 2 WEEKS PRIOR** to the Neighborhood Meeting or prior to the submittal of the project.

FEE: \$50.00

DATE PAID: _____ **RECEIPT #:** _____

The adjacent property mailing list is created by pulling all property owners within 500 feet and all Homeowners Associations or citizens groups within 1000 feet of all properties involved in the project. The property owner information is put together using the information in the Mesa County Assessor's records and the HOA's and citizens groups on record with the City of Grand Junction Public Works and Planning Department.

1307 LLC
138 VISTA GRANDE RD
GRAND JUNCTION CO 81507-1468

1313 GLENWOOD LLC
2221 IDELLA CT
GRAND JUNCTION CO 81505-7019

1401 GLENWOOD LLC
3131 B RD
GRAND JUNCTION CO 81503-9618

1402 LLC
2439 H RD
GRAND JUNCTION CO 81505-9647

1530 NORTH AVE LLC
120 PONDEROSA DR
RIDGWAY CO 81432-9418

1600 NORTH AVE LLC
1241 GUNNISON AVE
GRAND JUNCTION CO 81501-4448

AESCHLIMANN MARK
PO BOX 9
GRAND JUNCTION CO 81502-0009

ASA CO PROPERTIES LLC
30 N GOULD ST STE R
SHERIDAN WY 82801-6317

BAYLEY DENNIS R
BAYLEY DEBORAH D
311 APPLEWOOD CT
FRUITA CO 81521-8811

BERENTIS CHERYL
2890 ORCHARD AVE
GRAND JUNCTION CO 81501-5375

BERTRAMI MATTHEW A
GALLO DEBORAH ANN
PO BOX 88230
COLORADO SPRINGS CO 80908-8230

BJORK MELISSA A
1312 BUNTING AVE
GRAND JUNCTION CO 81501-4320

BRODAK J&M FAMILY TRUST
360 PIKES PEAK DR
GRAND JUNCTION CO 81507-1740

BURD VICKI M
BURD MONTE L
1302 BUNTING AVE
GRAND JUNCTION CO 81501-4320

CHESKATY RUTH A
1240 N 15TH ST
GRAND JUNCTION CO 81501-4302

CITY OF GRAND JUNCTION
KRISTEN ASHBECK
250 N 5TH ST
GRAND JUNCTION CO 81501-2628

CITY OF GRAND JUNCTION
LINCOLN PARK
1340 GUNNISON AVE
GRAND JUNCTION CO 81501-4403

CLAEYS SUSAN MARIE TRUST
2884 TEXAS AVE
GRAND JUNCTION CO 81501-5015

CLEMENTS PATRICK M
1402 N 15TH ST
GRAND JUNCTION CO 81501-4306

COCHRAN ENTERPRISES LLC
749 W WILSHIRE CT
GRAND JUNCTION CO 81506-1826

COOK JAMES STACEY
2332 W RIDGES BLVD
GRAND JUNCTION CO 81507-1680

COX ROSA E
1304 N 15TH ST
GRAND JUNCTION CO 81501-4304

DAKOTA WEST PROPERTIES LLC
PO BOX 551
FRUITA CO 81521-0551

DARLING ANN
1358 N 15TH ST
GRAND JUNCTION CO 81501-4304

DEROSE MELISSA ANN
1237 N 16TH ST
GRAND JUNCTION CO 81501-4307

DIDONATO RANDY J
DIDONATO CHERYL J
611 N 1ST ST
GRAND JUNCTION CO 81501-2233

DOCKERY ROGER D
DOCKERY TAMMY R
1215 N 16TH ST
GRAND JUNCTION CO 81501-4307

EDENS KAREN L
623 SIERRA CT
GRAND JUNCTION CO 81507-1018

ESPINOZA SI D
ESPINOZA TAWNY C
2609 KELLEY DR
GRAND JUNCTION CO 81506-8381

F&E GRAND JUNCTION LLC
166 E 14000 S STE 210
DRAPER UT 84020-5455

FORTY BELOW LLC
1725 8 RD
MACK CO 81525-9737

GEGENHEIMER GAYLE
GARTETZ HOLLY
PO BOX 232
TUMACACORI AZ 85640-0232

GJRES LLC
549 PINNACLE CT
GRAND JUNCTION CO 81507-1430

GRAND JUNCTION HOUSING
AUTHORITY
1011 N 10TH ST
GRAND JUNCTION CO 81501-3166

GRCS PROPERTIES LLC
3662 G 4/10 RD
PALISADE CO 81526-9750

HAMS JEFFREY C
CALVERT JILL
PO BOX 49536
COLORADO SPRINGS CO 80949-9536

HARRISON RYAN T
3334 MUSIC LN
GRAND JUNCTION CO 81506-1918

HARTER AMANDA M
2015 N 8TH ST
GRAND JUNCTION CO 81501-2902

HAYES HENRY HOWARD
HAYES ANN J B
624 30 RD
GRAND JUNCTION CO 81504-5560

HEALD DAVID D
HEALD STEPHANIE
2432 SPANISH BRANCH CT
GRAND JUNCTION CO 81505-9753

HOFFER ANDREW P
HOFFER CATHERYN CHRISTENSEN
1612 GLENWOOD AVE
GRAND JUNCTION CO 81501-4336

JAMES GALE M
JAMES FRANK A
1300 N 16TH ST
GRAND JUNCTION CO 81501-4310

JODAN HOLDINGS LLC
686 39 RD
PALISADE CO 81526-9312

JOHNSON ROBERT L
JOHNSON JACQUELINE V
1611 CREST VIEW CT
GRAND JUNCTION CO 81506-5235

KING MARILYN TRUSTEE
9732 HIBISCUS DR
GARDEN GROVE CA 92841-1717

LIPTON MARGARET J
381 1/2 EXPLORER CT APT B
GRAND JUNCTION CO 81507-2690

LLG FAMILY TRUST
1259 N 16TH ST
GRAND JUNCTION CO 81501-4307

LUSBY ERIC W
2584 PATTERSON RD UNIT 1
GRAND JUNCTION CO 81505-1451

M & W PROPERTIES LLC
1410 NORTH AVE
GRAND JUNCTION CO 81501-6420

MARASCO RAE O TRUST
653 26 1/2 RD
GRAND JUNCTION CO 81506-1444

MARTINEZ DANIEL R
1218 N 15TH ST
GRAND JUNCTION CO 81501-4302

MAZZUCA INVESTMENTS LLC
1340 NORTH AVE
GRAND JUNCTION CO 81501-6419

MCGILL IAN
KUNCIR-MCGILL KRISTA A
1450 BUNTING AVE
GRAND JUNCTION CO 81501-4322

MCGOVERN ENTERPRISES INC PIZZA
HUT #771
PO BOX 2438
LIBERAL KS 67905-2438

MOJO PROPERTY MANAGEMENT LLC
1946 STAR CANYON DR
GRAND JUNCTION CO 81507-9528

MORSE LIVING TRUST
1018 TWINING AVE
SAN DIEGO CA 92154-2559

MOUNTAIN PROPERTIES WEST LLC
3755 HORIZON GLEN CT
GRAND JUNCTION CO 81506-5424

NICHOLS JEFFERY B
NICHOLS JENNY L
1315 N 16TH ST
GRAND JUNCTION CO 81501-4309

NIESLANIK MATT
NIESLANIK HEATHER
1445 KENNEDY AVE
GRAND JUNCTION CO 81501-4341

NOBLE MARIA A SERAFINO-
236 GUNNISON AVE UNIT A
GRAND JUNCTION CO 81501-2312

NORTH AVENUE OWNERS
ASSOCIATION
POPPY WOODY
1708 NORTH AVE
GRAND JUNCTION CO 81501-6423

ON TRACK INVESTMENTS LLC
965 E OTTLEY AVE
FRUITA CO 81521-2421

PARK DARRIN J
1325 BUNTING AVE
GRAND JUNCTION CO 81501-4319

PELIS PAUL J
6976 PIN OAKS DR
DENVER NC 28037-7610

PERRY DOUGLAS
PERRY VICKI, PERRY CONNIE
2215 OAKRIDGE LN
COLORADO SPRINGS CO 80915-1017

PHOENIX APARTMENTS
HRWC - COLEEN SIMPSON
524 30 RD STE 3
GRAND JUNCTION CO 81504-4437

REAMS LIVING TRUST
899 24 1/2 RD
GRAND JUNCTION CO 81505-9629

RIEVES SARAH KATHLEEN
RIEVES CLARK MICHAEL
307 PARK DR
GLENWOOD SPRINGS CO 81601-4137

RITTWAGER THOMAS MARTIN
1402 BUNTING AVE
GRAND JUNCTION CO 81501-4322

SCHAEFER BRADLEY J
SCHAEFER LESLIE A
726 CENTAURI CT
GRAND JUNCTION CO 81506-1993

SCHMIDT DANIEL L
SCHMIDT PATRICIA M
1236 N 16TH ST
GRAND JUNCTION CO 81501-4308

SMITH CHRISTOPHER MICHAEL
1244 N 16TH ST
GRAND JUNCTION CO 81501-4308

SMITH GREGORY M
SMITH CONSTANCE M
216 ALCOVE DR
GRAND JUNCTION CO 81507-1463

SPARKS JENNIFER J
535 FRUITWOOD DR
GRAND JUNCTION CO 81504-5782

STEVES LESLIE PETER
STEVES SANDRA K
2982 CRAIG ST
GRAND JUNCTION CO 81503-2442

STICKEROD HALEY A
1805 GRAND AVE
GRAND JUNCTION CO 81501-4521

STOCKER W&C TRUST
JEFF STOCKER
1878 K RD
FRUITA CO 81521-9064

SUMMIT PARTNERS - GLENWOOD
LLC
2455 HOME RANCH CT
GRAND JUNCTION CO 81505-8646

TAMBURELLO GREGORY J
TAMBURELLO ANNE E
2446 RUBY MESA CT
GRAND JUNCTION CO 81505-8629

TAYLOR RONALD C
TAYLOR J BRETT, TAYLOR K ELAINE
1267 N 15TH ST
GRAND JUNCTION CO 81501-4301

TELINDE MATT
1412 GLENWOOD AVE UNIT 4
GRAND JUNCTION CO 81501-4361

TJH VENTURES LLC
PO BOX 2749
GRAND JUNCTION CO 81502-2749

VENABLE LAURA
545 W GREENWOOD DR
GRAND JUNCTION CO 81507-2517

VORTEX ENGINEERING INC
JENNIFER CHRISTENSEN
2394 PATTERSON RD STE 201
GRAND JUNCTION CO 81505-1472

WACOCOLO LLC
PO BOX 2206
GRAND JUNCTION CO 81502-2206

WAGNER HELEN GERTRUDE
WAGNER JOY B, WAGNER RICHARD H
1215 N 15TH ST
GRAND JUNCTION CO 81501-4301

WATTS ZACHARY M
WATTS DARRIN
1359 BUNTING AVE
GRAND JUNCTION CO 81501-4319

WILSON GREGORY N
1224 N 16TH ST
GRAND JUNCTION CO 81501-4308

WITHERS GARY PATRICK
WITHERS BRENDA F
2700 G RD APT 12D
GRAND JUNCTION CO 81506-1408

ZASTROW STEPHEN P
ZASTROW BRIDGET M
525 REED MESA DR
GRAND JUNCTION CO 81507-1108

ZIEMBA JON PAUL
3332 F 5/8 RD
CLIFTON CO 81520-8117

Development Application

We, the undersigned, being the owner's of the property adjacent to or situated in the City of Grand Junction, Mesa County, State of Colorado, as described herein do petition this:

Petition For: Rezone

Please fill in blanks below only for Zone of Annexation, Rezones, and Comprehensive Plan Amendments:

Existing Land Use Designation VCMU, 8-24 du/ac

Existing Zoning R16

Proposed Land Use Designation VCMU, 8-24 du/ac

Proposed Zoning R24

Property Information

Site Location: 1213 N. 15th Street & 1420 Glenwood Avenue

Site Acreage: .62

Site Tax No(s): 2945-123-00-091 and -092

Site Zoning: R16

Project Description: Request to Rezone to R24.

Property Owner Information

Name: W&C Stocker Family Trust

Street Address: 1878 K Road

City/State/Zip: Fruita, CO 81521

Business Phone #: (970) 314-1093

E-Mail: stockerheating@gmail.com

Fax #:

Contact Person: Jeff Stocker

Contact Phone #: (970) 314-1093

Applicant Information

Name: Jeff Stocker

Street Address: 1878 K Road

City/State/Zip: Fruita, CO 81521

Business Phone #: (970) 314-1093

E-Mail: stockerheating@gmail.com

Fax #:

Contact Person: Jeff Stocker

Contact Phone #: (970) 314-1093

Representative Information

Name: Vortex Engineering, Inc.

Street Address: 2394 Patterson Rd, S

City/State/Zip: Grand Jct, CO 81505

Business Phone #: (970) 245-9051

E-Mail: rjones@vortexengineering.us

Fax #: (970) 245-7639

Contact Person: Robert W. Jones, II

Contact Phone #: (970) 245-9051

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 may be dropped from the agenda and an additional fee may be charged to cover rescheduling expenses before it can again be placed on the agenda.

Signature of Person Completing the Application

Date

Signature of Legal Property Owner

Date

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) W&C Stocker Family Trust ("Entity") is the owner of the following property:

(b) 1420 Glenwood Avenue & 1213 N. 15th Street

A copy of the deed(s) evidencing the owner's interest in the property is attached. Any documents conveying any interest in the property to someone else by the owner are also attached.

I am the (c) Trustee for the Entity. I have the legal authority to bind the Entity regarding obligations and this property. I have attached the most recent recorded Statement of Authority of the Entity.

☒ My legal authority to bind the Entity both financially and concerning this property is unlimited.

☐ My legal authority to bind the Entity financially and/or concerning this property is limited as follows:

☒ The Entity is the sole owner of the property.

☐ The Entity owns the property with other(s). The other owners of the property are:

On behalf of Entity, I have reviewed the application for the (d) Rezone

I have the following knowledge or evidence of a possible boundary conflict affecting the property:

(e) N/A

I understand the continuing duty of the Entity to inform the City planner of any changes regarding my authority to bind the Entity and/or regarding ownership, easement, right-of-way, encroachment, lienholder and any other interest in the land.

I swear under penalty of perjury that the information in this Ownership Statement is true, complete and correct.

Signature of Entity representative: *Cheryl Ann Stocker*

Printed name of person signing: Wendell H. Stocker & Cheryl Ann Stocker

State of Colorado

County of Mesa

)

) ss.

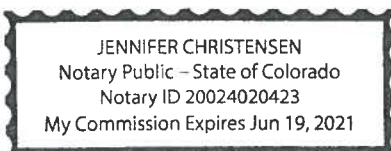
Subscribed and sworn to before me on this 14th day of November, 20 18

by Cheryl Ann Stocker and Wendell H. Stocker

Witness my hand and seal.

My Notary Commission expires on

June 19, 2021



Jennifer Christensen
Notary Public Signature

STATEMENT OF AUTHORITY

The undersigned, Wendell H. Stocker and Cheryl Ann Stocker, state as follows:

1. The name of the entity is the "W&C Stocker Family Trust."
2. The entity is a trust formed under the laws of the state of Colorado.
3. The mailing address for the entity is:

1878 K Road
Fruita, Colorado 81521

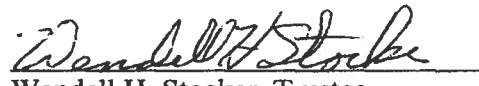
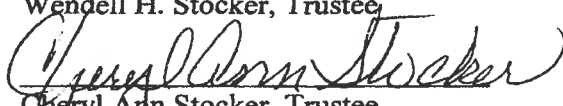
4. The names and positions of the persons authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity are:

Wendell H. Stocker, Trustee
Cheryl Ann Stocker, Trustee

5. The concurrence and joinder of a majority of the Trustees, if more than one Trustee is acting, shall control in all matters pertaining to the administration of the trust. If only two Trustees are acting, the concurrence and joinder of both shall be required.

This Statement of Authority is intended to comply with the provisions of C.R.S. 38-30-108.5 and C.R.S. 38-30-172. Upon recording, this Statement of Authority shall constitute prima facie evidence of the facts recited in this Statement of Authority insofar as the facts affect title to real property and prima facie evidence of the authority of the person executing this Statement of Authority to execute and record this Statement of Authority on behalf of the entity.

Dated: June 1, 2010.

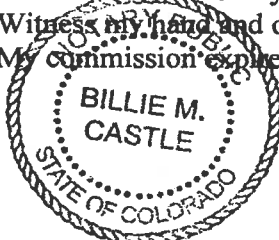

Wendell H. Stocker, Trustee

Cheryl Ann Stocker, Trustee

STATE OF COLORADO)
) ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 1st day of June, 2010, by Wendell H. Stocker and Cheryl Ann Stocker, Trustees.

Witness my hand and official seal.

My commission expires: 8.12.10




Notary Public

**General Project Report
for
Stocker Suites Rezone Request**

Date: November 20, 2018

Prepared by: Robert W. Jones II, P.E.
Vortex Engineering and Architecture, Inc.
2394 Patterson Road, Suite 201
Grand Junction, CO 81505
(970) 245-9051
VEI# F18-047

Submitted to: City of Grand Junction
250 N. 5th Street
Grand Junction, CO 81501

Type of Design: Rezone from R16 (Residential, 12-16 du/ac)
to R24 (Residential, 16+du/ac)

Property Owner: W&C Stocker Family Trust
1878 K Road
Fruita, CO 81521

Property Address: 1213 N. 15th Street and 1420 Glenwood Avenue
Grand Junction, CO 81501

Tax Schedule No: 2945-123-00-091 and -092

1. Project Intent

This application is made to request a rezone of approximately .62 acres located at 1213 N. 15th Street and 1420 Glenwood Avenue from R16 (Residential 12-16 du/ac) to R24 (Residential, 16+ du/ac) in anticipation of future multi-family residential development.

2. Project Background and Description

The subject properties are located at 1213 N. 15th Street and 1420 Glenwood Avenue and are currently zoned R16 (12-16 du/ac). The applicant would like to rezone to the R24 zone district to construct multi-family dwelling units to be known as Stocker Suites.

The site is made up of two parcels with a total of approximately .62 acres. The site is bounded by residential uses to the north, east and west, commercial uses to the south. There is one single family home located on each of the two parcels with an older barn structure also located on 1213 N. 15th Street. These structures will either be removed or demolished to allow construction of the development.

The applicant would like to construct approximately 15 multi-family dwelling units on the two parcels. The current R16 would allow up to 12 dwelling units; therefore a



The applicant would like to construct a multi-family development that is very similar to what exists in the surrounding area with duplex, triplex and higher density multi-family dwelling units. Existing conditions of the surrounding area are noted on the map below.



Legal Description

The legal description of this site is as follows:

1420 Glenwood Avenue (2945-123-00-091):

BEG S 0DEG01'06SEC W 294.35FT & W 215.03FT FR NE COR LOT 2 GRANDVIEW SUB SEC 12 1S 1W W 50FT N 142.50FT E 50FT S 142.50FT TO POB

1213 N. 15th Street (2945-123-00-092):

BEG S 0DEG01'06SEC W 294.35FT & W 10.84FT FR NE COR LOT 2 GRANDVIEW SUB SEC 12 1S 1W W 204.19FT N 142.50FT E 52FT N 51.85FT E 3FT S 116FT E 155.06FT S 0DEG01'06SEC W 71.84FT S 41DEG55'51SEC W 8.75FT TO BEG

3. Neighborhood Meeting

A Neighborhood Meeting was held on Wednesday, November 14, 2018 at 5:30 pm at the Four Winds Coffee and Tea, located at 1235 Bookcliff Avenue, Grand Junction. The owner's representative provided an overview of the rezone request and a brief overview of the proposed development. Kris Ashbeck, Senior Planner with the City of Grand Junction also attended the meeting to answer questions about the City's rezone review process. A list of all those attending the meeting is attached to this report, as well as the primary issues of concern that were discussed during the meeting.

The meeting was attended by two (2) citizens and comments and questions were addressed by the applicant's representative and Kris Ashbeck from the City of Grand Junction.

Public notice for this application will be provided in accordance with Sec. 21.02.080(g) of the Grand Junction Municipal Code, including posting the subject properties on all public rights-of-way.

4. Comprehensive Plan

The Comprehensive Plan's Future Land Use Map shows the subject property as Village Center Mixed Use (VCMU, 8-24 du/ac). The proposed density of the R24 zone district (minimum 16 du/ac) is in keeping with existing land use development patterns of the surrounding neighborhood where up to 31 du/ac exist, and what is anticipated by the Village Center land use classification.

Redevelopment of the existing parcels would be considered an infill development due to the location within the community and the presence of existing utilities to serve the site. The subject property is located within the 201 Sewer Service Boundary and the Urban Development Boundary which is expected to develop and/or redevelop with urban densities and services.

The proposed development meets a number of the goals and policies of the Comprehensive Plan:

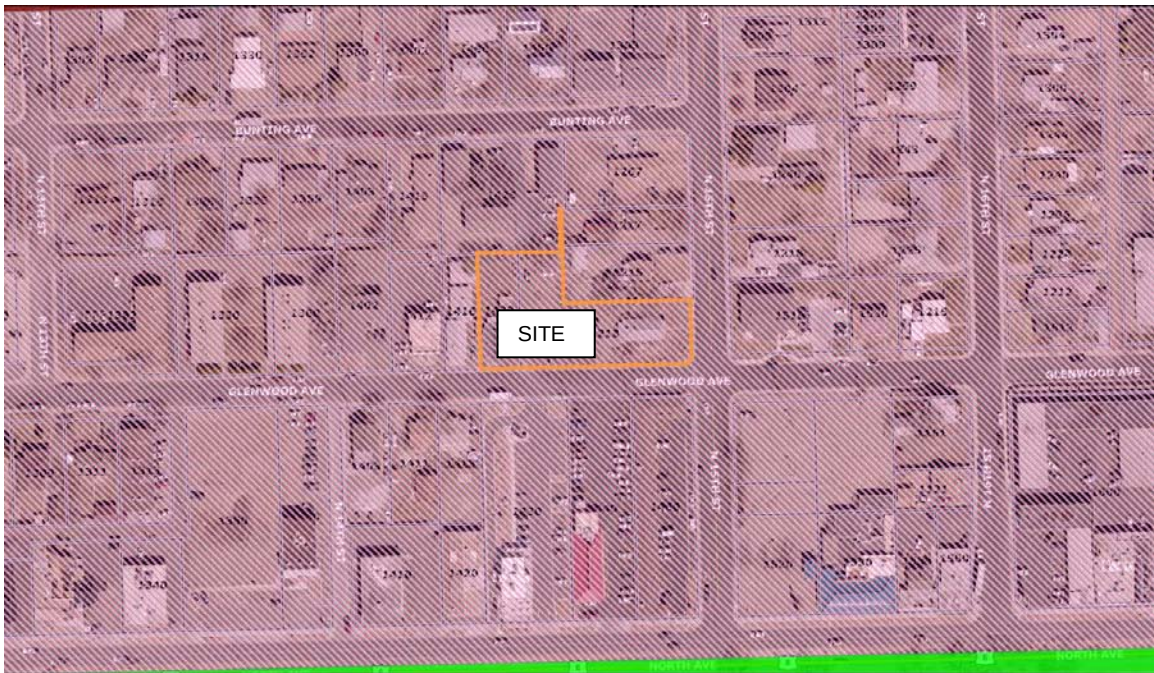
Goal 1, Policy D: For development that requires municipal services, those services shall be provided by a municipality or district capable of providing municipal services.

Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.

In addition to the goals and policies, the proposed development also meets the following Guiding Principles of the Comprehensive Plan:

Guiding Principle 2: Sustainable Growth Patterns – Fiscal sustainability where we grow efficiently and cost-effectively. Encourage infill and redevelopment and discourage growth patterns that cause disproportionate increases in cost of services.

Guiding Principle 3: Housing Variety – Allow, encourage more variety of housing types (more than just large lot single family homes) that will better meet the needs of our diverse population – singles, couples, families, those just starting out, children who have left home, retirees, etc.



5. Zoning and Surrounding Areas

The applicant is requesting a rezone from the current R16 (Residential 12-16 du/ac) to R24 (Residential, 16+ du/ac) for future multi-family residential development. This request is consistent with, and supports, the Comprehensive Plan's Future Land Use Map classification of Village Center Mixed Use (VCMU, 8-24 du/ac).



Surrounding area zoning and land uses include:

North – R16 (Residential, 12-16 du/ac) with single and multi-family residential land uses

South – Light Commercial (C-1) with commercial land uses

West – R16 (Residential, 12-16 du/ac) with single and multi-family residential land uses

East – R16 (Residential, 12-16 du/ac) with single and multi-family residential land uses

The purpose of the R24 zone district is to provide for high density residential use. This district allows multi-family development within specified densities. R-24 may serve as a transitional district between single-family and trade zones. This district is intended to allow high density residential unit types and densities to provide a balance of housing opportunities in the community. It is appropriate in the Village and Neighborhood Centers.

The area surrounding the subject property is already an area of residential transition between North Avenue located one block to the south which is zoned Light Commercial, C-1, and the area to the north which is a mix of single and multi-family land uses primarily zoned R16.

It should be noted that although the area to the north, east and west of the subject property is zoned R16, there are several properties that are developed at a density higher than 16 dwelling units per acre, which is the maximum density permitted by the R16 zone district. This trend in the existing land use would suggest that a higher density is more desirable and acceptable given the proximity to North Avenue and the C-1 zoning along that corridor. Higher density housing is a logical support for the commercial land uses of the North Avenue corridor.

6. Utility Providers

All required and necessary utilities shall be provided concurrent with development of the subject property. Utility providers for the Elevation 4591 development have the capacity and willingness to serve the development. Public facilities such as medical, schools, parks and public safety are available to serve development on this site.

Utility providers for the site are as follows:

Sewer: City of Grand Junction/Persigo Wastewater Treatment Plant

Water: City of Grand Junction Water District

Gas/Electric: Xcel Energy

Drainage: Grand Valley Drainage District

Irrigation: Grand Valley Irrigation Company

Cable: Spectrum

7. Drainage

The topography of the site is generally flat with a high point of 4624' at the northeast corner of the property, then gently sloping to the southwest with a low point of 4622'. Stormwater drainage will be addressed under a separate development application at the time of actual construction of the multi-family dwelling units.

8. Wetlands and Floodplain

There are no known wetlands or floodplains associated with the subject property. The property is located within Flood Zone X which is outside the .02% annual chance of floodplain.

9. Approval Criteria

Section 21.02.140(a), **Approval Criteria**. In order to maintain internal consistency between this code and the zoning maps, map amendments must only occur if:

- (1) Subsequent events have invalidated the original premises and findings; and/or

Response: Subsequent events have not invalidated the original premises for the anticipated land development of this area of the community. Both the Growth Plan and subsequent Comprehensive Plan anticipated residential development in this area of the community.

This criterion is not applicable.

- (2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or

Response: The majority of this neighborhood was developed prior to adoption of the current Comprehensive Plan and 2010 Zoning and Development Code. As such, there are pockets of development in the surrounding neighborhood that have been developed at densities that exceed the maximum permitted density for the current R16 zoning. In addition to the existing mix of single and multi-family development, the North Avenue Overlay district was also adopted subsequent to the Comprehensive Plan and 2010 Zoning and Development Code. The North Avenue corridor is zoned Light Commercial, C-I, and permits land uses that are compatible with the proposed R24 zone district.

Another change in this area of the community is reflected in the expansion of the Colorado Mesa University (CMU) campus. Numerous classroom buildings have been constructed on campus in recent years to support the growing study body and curriculum. Many of the CMU students chose to live off-campus which puts growing pressure on the community to provide additional housing units such as those proposed for the subject property should it be rezoned.

The proposed rezone to R24 supports and is consistent with the Village Center Mixed Use land use classification of the Comprehensive Plan.

This criterion has been MET.

(3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or

Response: All required and necessary utilities shall be constructed concurrent with development of the subject property. Utility providers for the subject property have the capacity and willingness to serve future development. Public facilities such as medical facilities, schools, library and parks are adequate to serve the scope of anticipated residential development and are currently available within walking distance of the subject property.

This criterion has been MET.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or

Response: There are very few parcels of land within the community with a zoning of R24 that allows higher density development. The fact that several nearby parcels are developed at a density level that exceeds 16 dwelling units per acre (the maximum density permitted in the R16 zone district) suggests that there is in fact an inadequate supply of land designated for higher residential density.

This criterion has been MET.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

Response: The immediate area, and the community overall, will benefit from the provision of higher density residential development that is constructed near the City Center and so many services within walking distance, including upper level education, medical, recreational and multiple food services. In addition to being in a walkable part of the community, the higher density provides much needed housing and makes more efficient use of the existing infrastructure such as streets, water and sewer lines, sidewalks, etc. More compact development benefits the community as a whole through more efficient use of infrastructure.

This criterion has been MET.

10. Development Schedule

It is anticipated that the request to rezone will be reviewed and scheduled for Planning Commission recommendation to City Council in approximately 8-10 weeks. The proposed residential development will be submitted under a separate land use application upon approval of the rezone request.

11. Conclusion

The request to rezone from R16 (Residential 12-16 du/ac) to R24 (Residential, 16+ du/ac) supports the Comprehensive Plan's Future Land Use Map classification of Village Center Mixed Use. After demonstrating how the requested rezone meets the goals, policies and Guiding Principles of the Comprehensive Plan and the approval criteria of the Zoning and Development Code, we respectfully request approval of the request to rezone to the R24 zone district.

12. Limitations/Restrictions

This report is a site-specific report and is applicable only for the client for whom our work was performed. The review and use of this report by City of Grand Junction, affiliates, and review agencies is fully permitted and requires no other form of authorization. Use of this report under other circumstances is not an appropriate application of this document. This report is a product of Vortex Engineering, Inc. and is to be taken in its entirety. Excerpts from this report when taken out of context may not convey the true intent of the report. It is the owner's and owner's agent's responsibility to read this report and become familiar with recommendations and findings contained herein. Should any discrepancies be found, they must be reported to the preparing engineer within 5 days.

The recommendations and findings outlined in this report are based on: 1) The site visit and discussion with the owner, 2) the site conditions disclosed at the specific time of the site investigation of reference, 3) various conversations with planners and utility companies, and 4) a general review of the zoning and transportation manuals. Vortex Engineering, Inc. assumes no liability for the accuracy or completeness of information furnished by the client or municipality/agency personnel. Site conditions are subject to external environmental effects and may change over time. Use of this report under different site conditions is inappropriate. If it becomes apparent that current site conditions vary from those reported, the design engineering should be contacted to develop any required report modifications. Vortex Engineering, Inc. is not responsible and accepts no liability for any variation of assumed information.

Vortex Engineering, Inc. represents this report has been prepared within the limits prescribed by the owner and in accordance with the current accepted practice of the civil engineering profession in the area. No warranty or representation either expressed or implied is included or intended in this report or in any of our contracts.

**Neighborhood Meeting Notes/List of Attendees
November 14, 2018**

November 19, 2018

City of Grand Junction
Kris Ashbeck, Senior Planner
250 N. 5th Street
Grand Junction, CO 81501

RE: Neighborhood Meeting - Rezone
Stocker Suites
Date: Wednesday, November 14, 2018
Time: 5:30 p.m. – 6:30 p.m.
Location: Four Winds Coffee & Tea

Dear Ms. Ashbeck:

On Wednesday, November 14, 2018, a Neighborhood Meeting was held from 5:30 – 6:30 pm at the Four Winds Coffee & Tea for the proposed Stocker Suites rezone. An overview of the proposed rezone to R24 was presented by Lisa Cox of Vortex Engineering, Inc., followed by questions from the neighborhood residents.

The meeting was attended by two (2) residents. Comments and concern were voiced during the meeting. No written comments were received.

The following is a synopsis of the questions posed by the neighborhood residents:

- What is the difference between R16 and R24?
- When will demolition begin?
- Concern regarding windows on the north side looking down on other property.
- What is the process?
- Where will access be to the property?
- What will the impact of traffic be?

Lisa Cox with Vortex Engineering, Inc., stated that the property is currently zoned R16 and we are submitting for a R24 zone. She explained that the Comprehensive Plan, which is the City of Grand Junction and Mesa County's long range plan, designates parcels with a range of densities that are implemented by various zone districts and the R24 zone is consistent with the vision of the city.

Kris Ashbeck, Senior Planner with the City of Grand Junction was there to provide information and answer questions specific to City Policies and Procedures. Kris explained that residents will be notified of future applications; however another neighborhood meeting is not required.

At 5:53 p.m. Lisa Cox thanked those who attended the neighborhood meeting and shared their concerns. The meeting was then closed.

Upon your review of the meeting notes, should you have any questions or amendments, please do not hesitate to contact me at 970-245-9051.

Sincerely,

A handwritten signature in dark ink, reading "Robert W. Jones II". The signature is fluid and cursive, with the "II" at the end being particularly prominent.

Robert W. Jones II, P.E.
Vortex Engineering & Architecture, Inc.

Cc: File

**Stocker Suites Rezone
Neighborhood Meeting Sign In Sheet
November 14, 2018**

	Full Name (Printed)	Address	City	Zip
1	Jennifer Kristensen	2394 Patterson Rd., Ste 201	Ag. CO	81505
2	Richard H. Wagner	3274 F 3/0 Rd	Clifton CO	81520
3	Lisa Cox	2394 Patterson Rd; Ste. 201	GJ, CO	81505
4	Matt Telunde	2755 North Ave	GJ CO	81501
5	Wendell Frank Stocker	1878 K Rd	Hunter CO	81521
6	Kristen Ashbeck	City Hall	GJ CO	81501
7	Jeff Stocker	338 Hill Ave	GJ CO	81501
8				
9	*858-7784 (Cheryl's phone number)			
10				
11				
12				
13				
14				
15				

11/14/18 @ 5:30 → 5:53
Neighborhood Meeting / Stocker Suites

2 Residents Present: Matt Tilinde &
Dick Wagner

Applicants: Cheryl
Windell
Jeff

Stocker. present

Kris Ashbeck

Lisa Cox

myself

Lisa explained some to RTH explained
met's City's comprehensive plan and
is consistent w/ City's vision.

Jeff ~~before~~ Stocker talked about what
this plan is

Kris Ashbeck went through policies &
procedures of city

Mr. Wagner was in favor of
project as long as the applicant
is respectful of his property
and his mother's house.

Residents discussed listing of
area and meeting was ended at
5:53 p.m.

October 30, 2018

VIA: US Mail

Adjacent Property Owner
Grand Junction, CO

RE: Stocker Suites Rezone
1420 Glenwood Ave. & 1213 N. 15 St.
Grand Junction, CO 81501

Dear Property Owner:

The above referenced property will soon be the subject of a Rezone application with the City of Grand Junction's Community Development Department. A Neighborhood Meeting will be held to introduce the proposed rezone to you and to answer any questions that you might have about the project.

A Neighborhood meeting will be held on Wednesday, November 14, 2018 at 5:30 pm at the Four Winds Coffee & Tea, located at 1235 Bookcliff Avenue, Grand Junction.

The Neighborhood Meeting is held to allow the neighborhood an opportunity to understand the rezone request, answer questions and to collect neighbor's thoughts and ideas about the new development. The property owner's representative and a City Planner will be at the meeting to discuss the new development. We hope to see you there too!

Please don't hesitate to contact me at 970-245-9051, or by email at rjones@vortexeng.us should you have any questions about this project.

Sincerely,

Vortex Engineering & Architecture, Inc.



Robert W. Jones, II, P.E.

cc: File

This aerial map displays a residential neighborhood in North Platte, Nebraska. The map features several streets, including Bunting Ave, Glenwood Ave, and North Ave. A specific lot is highlighted with an orange border, located between Bunting Ave and Glenwood Ave, and between N 15th St and N 16th St. The lot number 1215 is visible on the highlighted lot. Other lot numbers are visible throughout the neighborhood, such as 1302, 1316, 1330, 1352, 1360, 1402, 1450, 1303, 1312, 1309, 1304, 1259, 1243, 1240, 1237, 1218, 1225, 1510, 1530, 1215, 1612, 1309, 1311, 1313, 1350, 1360, 1409, 1411, 1413, 1430, 1440, 1460, 1520, 1530, 1556, 1560, 1600, 1614, 1244, 1286, 1273, 1212, and 1612. The map also shows various street names, including N 13th St, N 14th St, N 15th St, and N 16th St.

Attach this form to the name and address list at submittal to ensure credit for payment.

**ADJACENT PROPERTY OWNER
NAME & ADDRESS ORDER FORM**

☒ Please check if labels are needed for a Neighborhood Meeting. Name & address lists are valid for 6 months only. If the project goes to Planning Commission later than 6 months from submittal, another request for names & addresses must be submitted, along with an additional \$50.

TAX PARCEL #: 2945-123-00-091 & 2945-123-00-092

PROPERTY ADDRESS: 1420 Glenwood Avenue & 1213 N 15th Street, Grand Junction, CO 81501

PROPERTY OWNER: Stocker W & C Trust

CONTACT PERSON: Jeff Stocker

MAILING ADDRESS: 1878 K Road
Fruita, CO 81521

APPLICANT: Stocker W & C Trust

CONTACT PERSON: Jeff Stocker

MAILING ADDRESS: 1878 K Road
Fruita, CO 81521

PROJECT REPRESENTATIVE: Vortex Engineering, Inc.

CONTACT PERSON: Jennifer Christensen

MAILING ADDRESS: 2394 Patterson Road, Ste 201
Grand Junction, CO 81521 81505-1472

PHONE NUMBER: (970) 245-9051

*This request for labels and/or the name and address list **MUST BE SUBMITTED A MINIMUM OF 2 WEEKS PRIOR** to the Neighborhood Meeting or prior to the submittal of the project.

FEE: \$50.00

DATE PAID: _____

RECEIPT #: _____

The adjacent property mailing list is created by pulling all property owners within 500 feet and all Homeowners Associations or citizens groups within 1000 feet of all properties involved in the project. The property owner information is put together using the information in the Mesa County Assessor's records and the HOA's and citizens groups on record with the City of Grand Junction Public Works and Planning Department.

1307 LLC
138 VISTA GRANDE RD
GRAND JUNCTION CO 81507-1468

1313 GLENWOOD LLC
2221 IDELLA CT
GRAND JUNCTION CO 81505-7019

1401 GLENWOOD LLC
3131 B RD
GRAND JUNCTION CO 81503-9618

1402 LLC
2439 H RD
GRAND JUNCTION CO 81505-9647

1530 NORTH AVE LLC
120 PONDEROSA DR
RIDGWAY CO 81432-9418

1600 NORTH AVE LLC
1241 GUNNISON AVE
GRAND JUNCTION CO 81501-4448

AESCHLIMANN MARK
PO BOX 9
GRAND JUNCTION CO 81502-0009

ASA CO PROPERTIES LLC
30 N GOULD ST STE R
SHERIDAN WY 82801-6317

BAYLEY DENNIS R
BAYLEY DEBORAH D
311 APPLEWOOD CT
FRUITA CO 81521-8811

BERENTIS CHERYL
2890 ORCHARD AVE
GRAND JUNCTION CO 81501-5375

BERTRAMI MATTHEW A
GALLO DEBORAH ANN
PO BOX 88230
COLORADO SPRINGS CO 80908-8230

BJORK MELISSA A
1312 BUNTING AVE
GRAND JUNCTION CO 81501-4320

BRODAK J&M FAMILY TRUST
360 PIKES PEAK DR
GRAND JUNCTION CO 81507-1740

BURD VICKI M
BURD MONTE L
1302 BUNTING AVE
GRAND JUNCTION CO 81501-4320

CHESKATY RUTH A
1240 N 15TH ST
GRAND JUNCTION CO 81501-4302

CITY OF GRAND JUNCTION
KRISTEN ASHBECK
250 N 5TH ST
GRAND JUNCTION CO 81501-2628

CITY OF GRAND JUNCTION
LINCOLN PARK
1340 GUNNISON AVE
GRAND JUNCTION CO 81501-4403

CLAEYS SUSAN MARIE TRUST
2884 TEXAS AVE
GRAND JUNCTION CO 81501-5015

CLEMENTS PATRICK M
1402 N 15TH ST
GRAND JUNCTION CO 81501-4306

COCHRAN ENTERPRISES LLC
749 W WILSHIRE CT
GRAND JUNCTION CO 81506-1826

COOK JAMES STACEY
2332 W RIDGES BLVD
GRAND JUNCTION CO 81507-1680

COX ROSA E
1304 N 15TH ST
GRAND JUNCTION CO 81501-4304

DAKOTA WEST PROPERTIES LLC
PO BOX 551
FRUITA CO 81521-0551

DARLING ANN
1358 N 15TH ST
GRAND JUNCTION CO 81501-4304

DEROSE MELISSA ANN
1237 N 16TH ST
GRAND JUNCTION CO 81501-4307

DIDONATO RANDY J
DIDONATO CHERYL J
611 N 1ST ST
GRAND JUNCTION CO 81501-2233

DOCKERY ROGER D
DOCKERY TAMMY R
1215 N 16TH ST
GRAND JUNCTION CO 81501-4307

EDENS KAREN L
623 SIERRA CT
GRAND JUNCTION CO 81507-1018

ESPINOZA SI D
ESPINOZA TAWNY C
2609 KELLEY DR
GRAND JUNCTION CO 81506-8381

FAE GRAND JUNCTION LLC
166 E 14000 S STE 210
DRAPER UT 84020-5455

FORTY BELOW LLC
1725 8 RD
MACK CO 81525-9737

GEGENHEIMER GAYLE
GARTETZ HOLLY
PO BOX 232
TUMACACORI AZ 85640-0232

GJRES LLC
549 PINNACLE CT
GRAND JUNCTION CO 81507-1430

GRAND JUNCTION HOUSING
AUTHORITY
1011 N 10TH ST
GRAND JUNCTION CO 81501-3166

GRCS PROPERTIES LLC
3662 G 4/10 RD
PALISADE CO 81526-9750

HAMS JEFFREY C
CALVERT JILL
PO BOX 49536
COLORADO SPRINGS CO 80949-9536

HARRISON RYAN T
3334 MUSIC LN
GRAND JUNCTION CO 81506-1918

HARTER AMANDA M
2015 N 8TH ST
GRAND JUNCTION CO 81501-2902

HAYES HENRY HOWARD
HAYES ANN J B
624 30 RD
GRAND JUNCTION CO 81504-5560

HEALD DAVID D
HEALD STEPHANIE
2432 SPANISH BRANCH CT
GRAND JUNCTION CO 81505-9753

HOFFER ANDREW P
HOFFER CATHERYN CHRISTENSEN
1612 GLENWOOD AVE
GRAND JUNCTION CO 81501-4336

JAMES GALE M
JAMES FRANK A
1300 N 16TH ST
GRAND JUNCTION CO 81501-4310

JODAN HOLDINGS LLC
686 39 RD
PALISADE CO 81526-9312

JOHNSON ROBERT L
JOHNSON JACQUELINE V
1611 CREST VIEW CT
GRAND JUNCTION CO 81506-5235

KING MARILYN TRUSTEE
9732 HIBISCUS DR
GARDEN GROVE CA 92841-1717

LIPTON MARGARET J
381 1/2 EXPLORER CT APT B
GRAND JUNCTION CO 81507-2690

LLG FAMILY TRUST
1259 N 16TH ST
GRAND JUNCTION CO 81501-4307

LUSBY ERIC W
2584 PATTERSON RD UNIT 1
GRAND JUNCTION CO 81505-1451

M & W PROPERTIES LLC
1410 NORTH AVE
GRAND JUNCTION CO 81501-6420

MARASCO RAE O TRUST
653 26 1/2 RD
GRAND JUNCTION CO 81506-1444

MARTINEZ DANIEL R
1218 N 15TH ST
GRAND JUNCTION CO 81501-4302

MAZZUCA INVESTMENTS LLC
1340 NORTH AVE
GRAND JUNCTION CO 81501-6419

MCGILL IAN
KUNCIR-MCGILL KRISTA A
1450 BUNTING AVE
GRAND JUNCTION CO 81501-4322

MCGOVERN ENTERPRISES INC PIZZA
HUT #771
PO BOX 2438
LIBERAL KS 67905-2438

MOJO PROPERTY MANAGEMENT LLC
1946 STAR CANYON DR
GRAND JUNCTION CO 81507-9528

MORSE LIVING TRUST
1018 TWINING AVE
SAN DIEGO CA 92154-2559

MOUNTAIN PROPERTIES WEST LLC
3755 HORIZON GLEN CT
GRAND JUNCTION CO 81506-5424

NICHOLS JEFFERY B
NICHOLS JENNY L
1315 N 16TH ST
GRAND JUNCTION CO 81501-4309

NIESLANIK MATT
NIESLANIK HEATHER
1445 KENNEDY AVE
GRAND JUNCTION CO 81501-4341

NOBLE MARIA A SERAFINO-
236 GUNNISON AVE UNIT A
GRAND JUNCTION CO 81501-2312

NORTH AVENUE OWNERS
ASSOCIATION
POPPY WOODY
1708 NORTH AVE
GRAND JUNCTION CO 81501-6423

ON TRACK INVESTMENTS LLC
965 E OTTLEY AVE
FRUITA CO 81521-2421

PARK DARRIN J
1325 BUNTING AVE
GRAND JUNCTION CO 81501-4319

PELIS PAUL J
6976 PIN OAKS DR
DENVER NC 28037-7610

PERRY DOUGLAS
PERRY VICKI, PERRY CONNIE
2215 OAKRIDGE LN
COLORADO SPRINGS CO 80915-1017

PHOENIX APARTMENTS
HRWC - COLEEN SIMPSON
524 30 RD STE 3
GRAND JUNCTION CO 81504-4437

REAMS LIVING TRUST
899 24 1/2 RD
GRAND JUNCTION CO 81505-9629

RIEVES SARAH KATHLEEN
RIEVES CLARK MICHAEL
307 PARK DR
GLENWOOD SPRINGS CO 81601-4137

RITTWAGER THOMAS MARTIN
1402 BUNTING AVE
GRAND JUNCTION CO 81501-4322

SCHAEFER BRADLEY J
SCHAEFER LESLIE A
726 CENTAURI CT
GRAND JUNCTION CO 81506-1993

SCHMIDT DANIEL L
SCHMIDT PATRICIA M
1236 N 16TH ST
GRAND JUNCTION CO 81501-4308

SMITH CHRISTOPHER MICHAEL
1244 N 16TH ST
GRAND JUNCTION CO 81501-4308

SMITH GREGORY M
SMITH CONSTANCE M
216 ALCOVE DR
GRAND JUNCTION CO 81507-1463

SPARKS JENNIFER J
535 FRUITWOOD DR
GRAND JUNCTION CO 81504-5782

STEVES LESLIE PETER
STEVES SANDRA K
2982 CRAIG ST
GRAND JUNCTION CO 81503-2442

STICKEROD HALEY A
1805 GRAND AVE
GRAND JUNCTION CO 81501-4521

STOCKER W&C TRUST
JEFF STOCKER
1878 K RD
FRUITA CO 81521-9064

SUMMIT PARTNERS - GLENWOOD
LLC
2455 HOME RANCH CT
GRAND JUNCTION CO 81505-8646

TAMBURELLO GREGORY J
TAMBURELLO ANNE E
2446 RUBY MESA CT
GRAND JUNCTION CO 81505-8629

TAYLOR RONALD C
TAYLOR J BRETT, TAYLOR K ELAINE
1267 N 15TH ST
GRAND JUNCTION CO 81501-4301

TELINDE MATT
1412 GLENWOOD AVE UNIT 4
GRAND JUNCTION CO 81501-4361

TJH VENTURES LLC
PO BOX 2749
GRAND JUNCTION CO 81502-2749

VENABLE LAURA
545 W GREENWOOD DR
GRAND JUNCTION CO 81507-2517

VORTEX ENGINEERING INC
JENNIFER CHRISTENSEN
2394 PATTERSON RD STE 201
GRAND JUNCTION CO 81505-1472

WACOCOLO LLC
PO BOX 2206
GRAND JUNCTION CO 81502-2206

WAGNER HELEN GERTRUDE
WAGNER JOY B, WAGNER RICHARD H
1215 N 15TH ST
GRAND JUNCTION CO 81501-4301

WATTS ZACHARY M
WATTS DARRIN
1359 BUNTING AVE
GRAND JUNCTION CO 81501-4319

WILSON GREGORY N
1224 N 16TH ST
GRAND JUNCTION CO 81501-4308

WITHERS GARY PATRICK
WITHERS BRENDA F
2700 G RD APT 12D
GRAND JUNCTION CO 81506-1408

ZASTROW STEPHEN P
ZASTROW BRIDGET M
525 REED MESA DR
GRAND JUNCTION CO 81507-1108

ZIEMBA JON PAUL
3332 F 5/8 RD
CLIFTON CO 81520-8117

Attach this form to the name and address list at submittal to ensure credit for payment.

**ADJACENT PROPERTY OWNER
NAME & ADDRESS ORDER FORM**

☒ Please check if labels are needed for a Neighborhood Meeting. Name & address lists are valid for 6 months only. If the project goes to Planning Commission later than 6 months from submittal, another request for names & addresses must be submitted, along with an additional \$50.

TAX PARCEL #: 2945-123-00-091 & 2945-123-00-092

PROPERTY ADDRESS: 1420 Glenwood Avenue & 1213 N 15th Street, Grand Junction, CO 81501

PROPERTY OWNER: Stocker W & C Trust

CONTACT PERSON: Jeff Stocker

MAILING ADDRESS: 1878 K Road
Fruita, CO 81521

APPLICANT: Stocker W & C Trust

CONTACT PERSON: Jeff Stocker

MAILING ADDRESS: 1878 K Road
Fruita, CO 81521

PROJECT REPRESENTATIVE: Vortex Engineering, Inc.

CONTACT PERSON: Jennifer Christensen

MAILING ADDRESS: 2394 Patterson Road, Ste 201
Grand Junction, CO 81521

PHONE NUMBER: (970) 245-9051

*This request for labels and/or the name and address list **MUST BE SUBMITTED A MINIMUM OF 2 WEEKS PRIOR** to the Neighborhood Meeting or prior to the submittal of the project.

FEE: \$50.00

DATE PAID: _____

RECEIPT #: _____

The adjacent property mailing list is created by pulling all property owners within 500 feet and all Homeowners Associations or citizens groups within 1000 feet of all properties involved in the project. The property owner information is put together using the information in the Mesa County Assessor's records and the HOA's and citizens groups on record with the City of Grand Junction Public Works and Planning Department.