

CITY OF GRAND JUNCTION

Ordinance No. 3414

VACATING A PORTION OF 25 ROAD ADJACENT TO FOUNTAIN GREENS FILING 3 SUBDIVISION LOCATED BETWEEN 24 ³/₄ AND 25 ROADS, NORTH OF G ROAD

Recitals.

Prior to Fountain Greens, the previous developer of the Fountainhead Subdivision caused a plat to be recorded that dedicated to the public an additional 20 feet for 25 Road right-of-way. Later with the Replat of Fountainhead Subdivision, the developer attempted to vacate this 20 feet by replat and rededicate an additional 3 feet for right-of-way. Only recently did the City become aware of this platting error. According to city regulations and state law, right-of-way cannot be vacated by replat. The applicant now requests to vacate by ordinance the 17 feet that was previously replatted.

At its March 26, 2002 hearing the City Planning Commission found that the request to vacate this portion of 25 Road conforms to the review criteria as set forth in Section 2.11C and recommended approval.

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

City Council finds that the vacation meets the criteria as set forth in Section 2.11C of the Grand Junction Zoning and Development Code and in accordance therewith the following described portion of 25 Road is hereby vacated:

A parcel of land located in Block 5, Fountain Greens Subdivision Filing No, Two, as recorded in Plat Book 17, at Pages 237 through 239, Mesa County, Colorado records, being more particularly described as follows:

Commencing at the Southeast corner of Section 33, Township 1 North, Range 1 West, of the Ute Meridian; Thence along the East line of said Section 33, North 00° 11' 29" West, a distance of 1185.74 feet, to the intersection of the centerlines of 25 Road and Fountain Greens Place; Thence along the centerline of Fountain Greens Place South 89° 48' 31" West, a distance of 58.00 feet; Thence North 00° 11' 29" West, a distance of 26.00 feet to a point on the South line of Block 5, Fountain Greens Subdivision Filing No, Two, as recorded in Plat Book 17, at Pages 237 through 239, Mesa County, Colorado records; Thence along said South line North 44° 48' 31" East, a distance of 11.32 feet to the POINT OF BEGINNING; Thence North 00° 11' 29" West, a distance of 277.18 feet;

Thence South 56° 42' 17" East, a distance of 20.38 feet to the East line of said Block 5;
Thence along said East line South 00°11' 29" East, a distance of 248.93 feet; Thence
South 44° 48' 31" West, a distance of 24.04 feet to the POINT OF BEGINNING.

INTRODUCED for FIRST READING and PUBLICATION this 3rd day of April, 2002.

PASSED on SECOND READING this 17th day of April, 2002.

ATTEST:

/s/ Stephanie Tuin
City Clerk

/s/ Cindy Enos-Martinez
President of City Council