

**CITY OF GRAND JUNCTION, COLORADO**  
**Ordinance No. 3437**

**VACATING OURAY AVENUE BETWEEN 5TH AND 6TH STREETS AND ESTABLISHING A 30-FOOT UTILITY EASEMENT; VACATING THE EAST/WEST ALLEY BETWEEN 5TH AND 6TH STREETS, NORTH OF OURAY AVENUE AND ESTABLISHING UTILITY AND INGRESS/EGRESS EASEMENTS; VACATING THE REMAINDER OF THE NORTH/SOUTH ALLEYWAY BETWEEN GRAND AVENUE AND OURAY AVENUE; VACATING THE REMAINDER OF THE EAST/WEST ALLEY BETWEEN 5TH AND 6TH STREETS, SOUTH OF OURAY AVENUE AND VACATING AND RELOCATING THE UTILITY EASEMENT IN THIS AREA.**

Recitals:

The Planning Commission at their regularly scheduled meeting of May 14, 2002 recommended approval of the vacation to vacate Ouray Avenue between 5<sup>th</sup> and 6<sup>th</sup> Streets, and providing a 30-foot utility easement in this area. The also recommended approval of vacating the east/west alley between 5<sup>th</sup> and 6<sup>th</sup> Streets, north of Ouray Avenue. There is also a north/south alleyway between Grand Avenue and Ouray Avenue, the remainder of which is recommended by Planning Commission for vacation as well as the remainder of the east/west alley between 5<sup>th</sup> and 6<sup>th</sup> Streets, south of Ouray Avenue and relocating the utility easement in this area.

In order to allow Mesa County to hold an election for a bond issue, for the construction of a new library, and to enable the architects to design a new structure void of the existing right-of-ways and easements, the vacations shall not become affective until the final site plan has been approved and the required Conditional Use Permit obtained. Vacation of the subject right-of-ways will take place upon recording of the approved Final Plat for the Mesa County Public Library.

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

That the land described below, known as Ouray Avenue, between 5<sup>th</sup> and 6<sup>th</sup> Streets is hereby vacated and a 30 (thirty) foot wide utility easement is retained:

All that part of Ouray Avenue in the City of Grand Junction lying between the east right-of-way line of Fifth Street and the west right-of-way line of Sixth Street, situate in the NW1/4 of Section 14, Township One South, Range One West of the Ute Meridian, Mesa County, Colorado; retaining a thirty-foot wide easement lying fifteen feet right and fifteen feet left of the centerline of said Ouray Avenue for utility purposes.

That the land described below, known as the east/west alley between 5<sup>th</sup> and 6<sup>th</sup> Streets, north of Ouray Avenue is hereby vacated and a 20-foot utility easement and ingress/egress easement retained:

All of the twenty-foot public alley across the center of Block 60, City of Grand Junction, situate in the NW1/4 of Section 14, Township One South, Range One West of the Ute Meridian, Mesa County Colorado, said alley running between the east right-of-way line of Fifth Street and the west right-of-way line of Sixth Street; retaining a twenty-foot easement over, above and across said alley for utility purposes. A twenty-foot-wide ingress and egress easement above, over, and across the twenty foot alley. in Block 60, City of Grand Junction, situate in the NW1/4 of Section 14, Township One, South, Range One West of the Ute Meridian, Mesa County, Colorado.

That the land described below, known as the remainder of the east/west alley, south of Ouray Avenue, between 5<sup>th</sup> and 6<sup>th</sup> Streets and the utility easement located therein is hereby vacated:

All of the twenty-foot public alley across the center of Block 73, City of Grand Junction, said alley running between the right of way line of Fifth Street and the west right-of-way line of Sixth Street. All that certain easement retained over an alley vacated by City Ordinance No. 1467 as recorded in Book 1003 at Page 161, said easement being located in Block 73, City of Grand Junction, situate in the NW1/4 of Section 14, Township One South, Range One West of the Ute Meridian, Mesa County Colorado; AND ALSO all that certain easement retained over an alley vacated by City Ordinance NO. 3310 as recorded in Book 2815 at Page 552, said easement being located in Block 73, City of Grand Junction, situate in the NW1/4 of Section 14, Township One South, Range One West of the Ute Meridian, Mesa County, Colorado.

That the land described below, know as the remainder of the north/south alley between Grand Avenue and Ouray Avenue is hereby vacated:

All of the twenty-foot public alley lying between the eastern most property line of Lot 11 to the western most property line of Lot 13, Block 73, and from the northern most property line of Lot 21, Block 73, to Ouray Avenue, City of Grand Junction, situate in the NW1/4 of Section 14, Township One South, Range One West of the Ute Meridian, Mesa County Colorado;

This ordinance is based on the current Master Plan only.

Vacation of the subject right-of-ways shall be effective upon recording of the approved Final Plat for the Mesa County Public Library.

INTRODUCED for FIRST READING and PUBLICATION this 5<sup>th</sup> day of June, 2002

PASSED on SECOND READING this 26<sup>th</sup> day of June, 2002.

ATTEST:

/s/: Cindy Enos-Martinez  
President of City Council

/s/: Stephanie Tuin  
City Clerk