

**CITY OF GRAND JUNCTION, COLORADO**

**RESOLUTION NO. 47-19**

**A RESOLUTION VACATING PORTIONS OF UTILITY, DRAINAGE AND SANITARY  
SEWER EASEMENTS LOCATED WITHIN THE PROPOSED  
PEPPER RIDGE SUBDIVISION**

**LOCATED AT THE SOUTH END OF WEST INDIAN CREEK DRIVE**

**RECITALS:**

A vacation of portions of publically dedicated Utility, Drainage and Sanitary Sewer Easements has been requested by the developer, Ronald Vincent in anticipation of further subdividing and developing the property for future residential development for the proposed Pepper Ridge Subdivision. The applicant's request is to vacate portions of the existing Utility & Drainage Easements and separate Sanitary Sewer Easements and relocate and reroute the existing sanitary sewer main/pipe within the proposed new street right-of-way (an extension of W. Indian Creek Drive) as part of the subdivision development for Pepper Ridge Subdivision. The applicant would grant new easements as necessary on the proposed subdivision plat to avoid the anticipated building locations and lot lines and also by doing a general clean-up of the property by removing excess easements from the property that are no longer necessary.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, and upon recommendation of approval by the Planning Commission, the Grand Junction City Council finds that the request to vacate public Utility, Drainage and Sanitary Sewer Easements with conditions are consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Zoning & Development Code.

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

The following described portions of publicly dedicated Utility, Drainage and Sanitary Sewer Easements are hereby vacated subject to the listed conditions:

1. Applicant shall pay all recording/documentary fees for the Vacation Resolution, any easement documents and/or dedication documents.
2. The vacation of the sanitary sewer easements are conditioned upon a new sanitary sewer main/pipe being rerouted and installed in accordance with City standards within new right-of-way granted to the City in a location approved by the City either by separate instrument or on a subdivision plat.

Easement #1: Portion of 15' Utility & Drainage Easement to be vacated:

A PART OF THAT 15-FOOT-WIDE UTILITY AND DRAINAGE EASEMENT DESCRIBED IN BOOK 1385 AT PAGE 731 IN THE RECORDS OF THE OFFICE OF THE MESA COUNTY CLERK AND RECORDER, LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO, BEING DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF SAID 15-FOOT-WIDE UTILITY AND DRAINAGE EASEMENT LYING WITHIN LOT 6 OF PEPPER TREE FILING No. 4, A SUBDIVISION RECORDED AT RECEPTION NUMBER 1911395, SAID MESA COUNTY RECORDS.

Easement #2: Portion of 15' Drainage Easement to be vacated:

A PART OF THAT 15-FOOT-WIDE SANITARY SEWER EASEMENT DESCRIBED IN BOOK 1385 AT PAGE 732 IN THE RECORDS OF THE OFFICE OF THE MESA COUNTY CLERK AND RECORDER, LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO, BEING DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF SAID 15-FOOT-WIDE DRAINAGE EASEMENT LYING WITHIN LOT 6 OF PEPPER TREE FILING No. 4, A SUBDIVISION RECORDED AT RECEPTION NUMBER 1911395, SAID MESA COUNTY RECORDS.

Easement #3: Sanitary Sewer Easement to be vacated:

A PART OF THAT SANITARY SEWER EASEMENT DESCRIBED IN BOOK 1384 AT PAGE 473 IN THE RECORDS OF THE OFFICE OF THE MESA COUNTY CLERK AND RECORDER, LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE UTE MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO, BEING DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF SAID SANITARY SEWER EASEMENT LYING WITHIN LOT 6 OF PEPPER TREE FILING No. 4, A SUBDIVISION RECORDED AT RECEPTION NUMBER 1911395, SAID MESA COUNTY RECORDS.

Easement #4: Portion of 20' Sanitary Sewer Easement to be vacated:

A PART OF THAT 20-FOOT-WIDE SANITARY SEWER EASEMENT DESCRIBED IN BOOK 1384 AT PAGE 474 IN THE RECORDS OF THE OFFICE OF THE MESA COUNTY CLERK AND RECORDER, LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 1

EAST OF THE UTE MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA,  
STATE OF COLORADO, BEING DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF SAID 20-FOOT-WIDE SANITARY SEWER EASEMENT  
LYING WITHIN LOT 6 OF PEPPER TREE FILING No. 4, A SUBDIVISION RECORDED  
AT RECEPTION NUMBER 1911395, SAID MESA COUNTY RECORDS.

PASSED and ADOPTED this 7<sup>th</sup> day of August, 2019

  
\_\_\_\_\_  
Council President Pro Tem

ATTEST:

  
\_\_\_\_\_  
City Clerk



Easement #1: Portion of 15' Utility & Drainage Easement

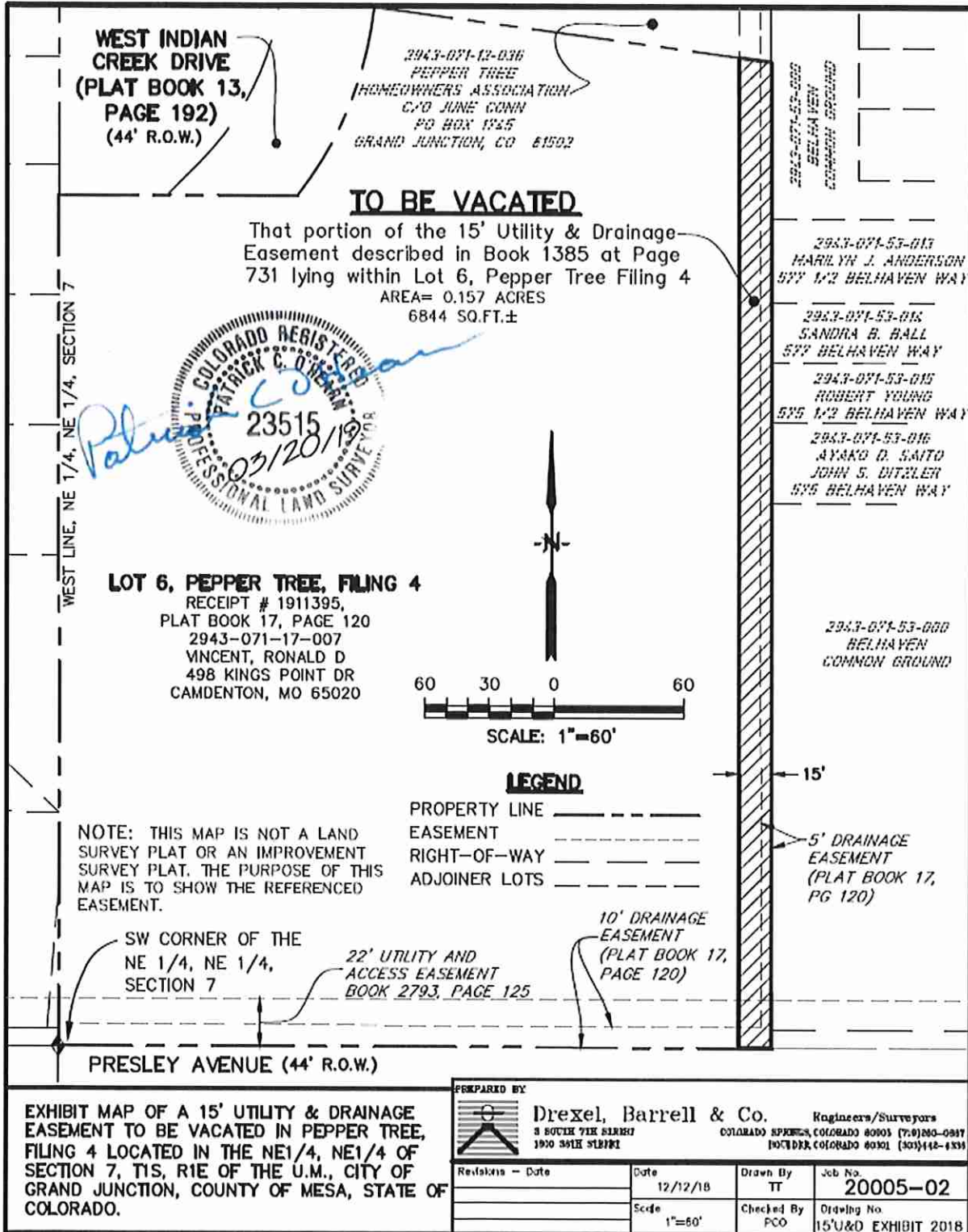


EXHIBIT MAP OF A 15' UTILITY & DRAINAGE EASEMENT TO BE VACATED IN PEPPER TREE, FILING 4 LOCATED IN THE NE1/4, NE1/4 OF SECTION 7, T1S, R1E OF THE U.M., CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO.

PREPARED BY			
		<b>Drexel, Barrell &amp; Co.</b> Engineers/Surveyors 3 SOUTH 7TH STREET 1900 36TH STREET COLORADO SPRINGS, COLORADO 80905 (719)260-0987 FORT COLLINS, COLORADO 80501 (970)442-4333	
Revisions - Date	Date	Drawn By	Job No.
	12/12/18	TT	20005-02
	Scale	Checked By	Drawing No.
	1"=60'	PCO	15'U&D EXHIBIT 2018

**Easement #2: Portion of 15' Drainage Easement**

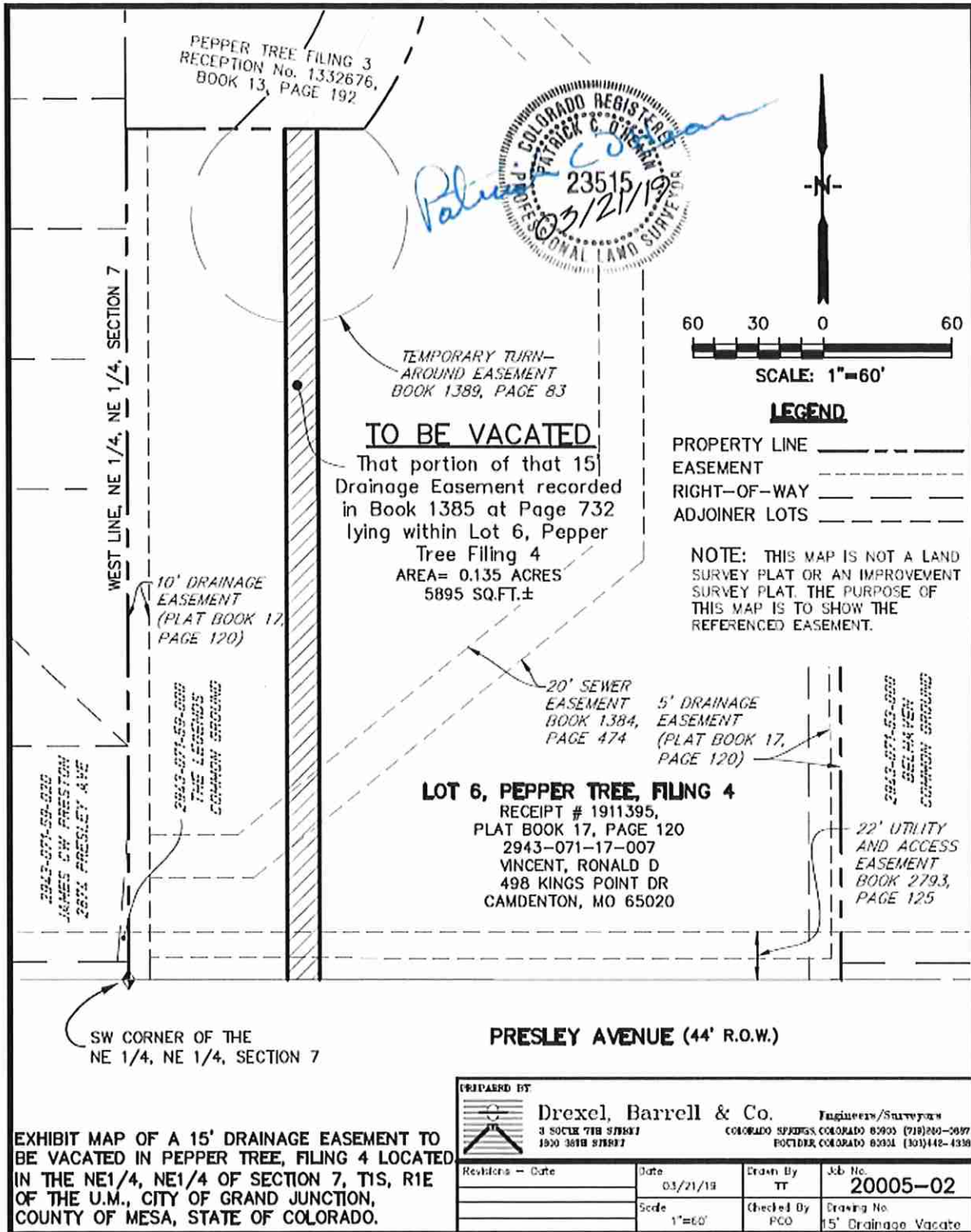

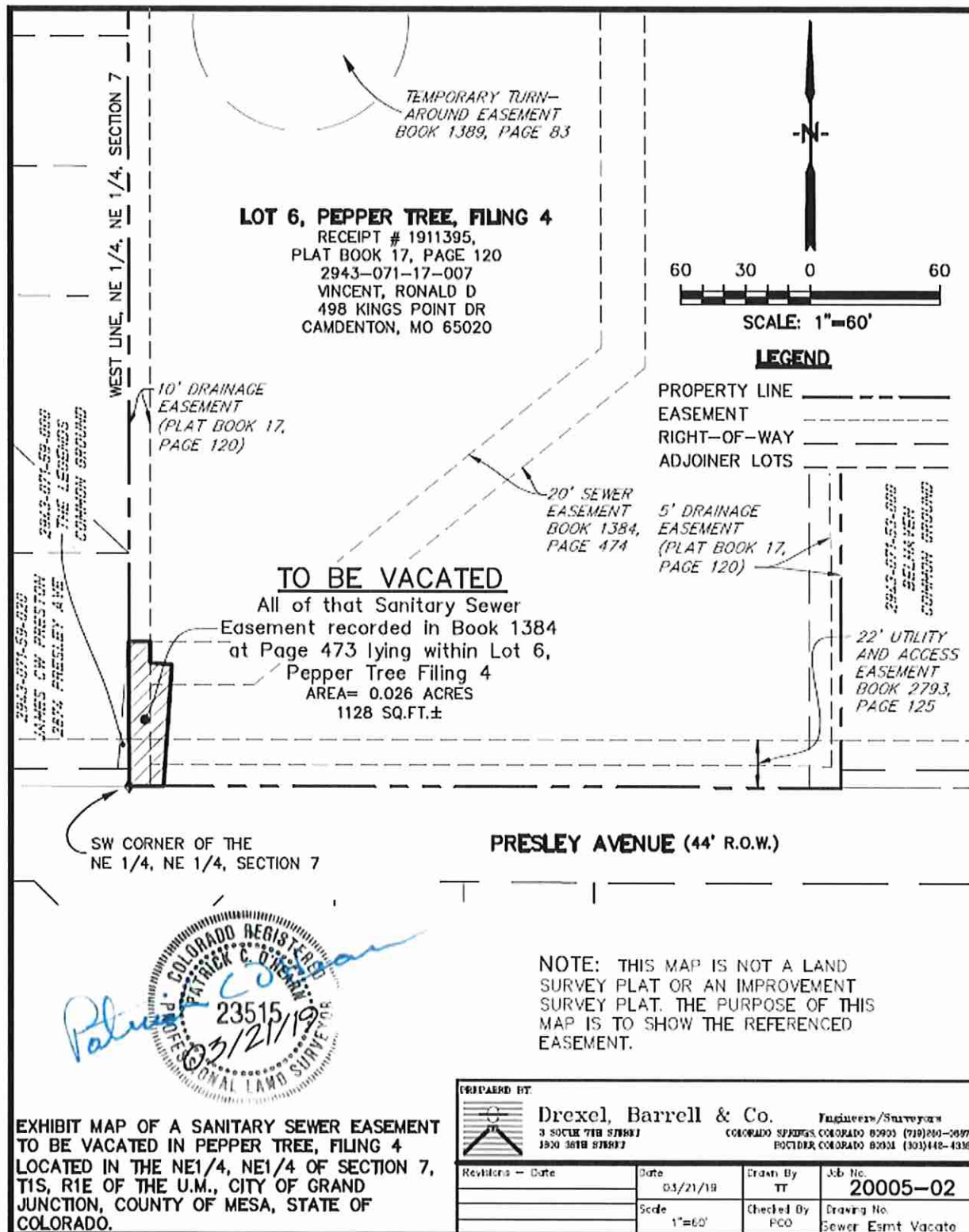


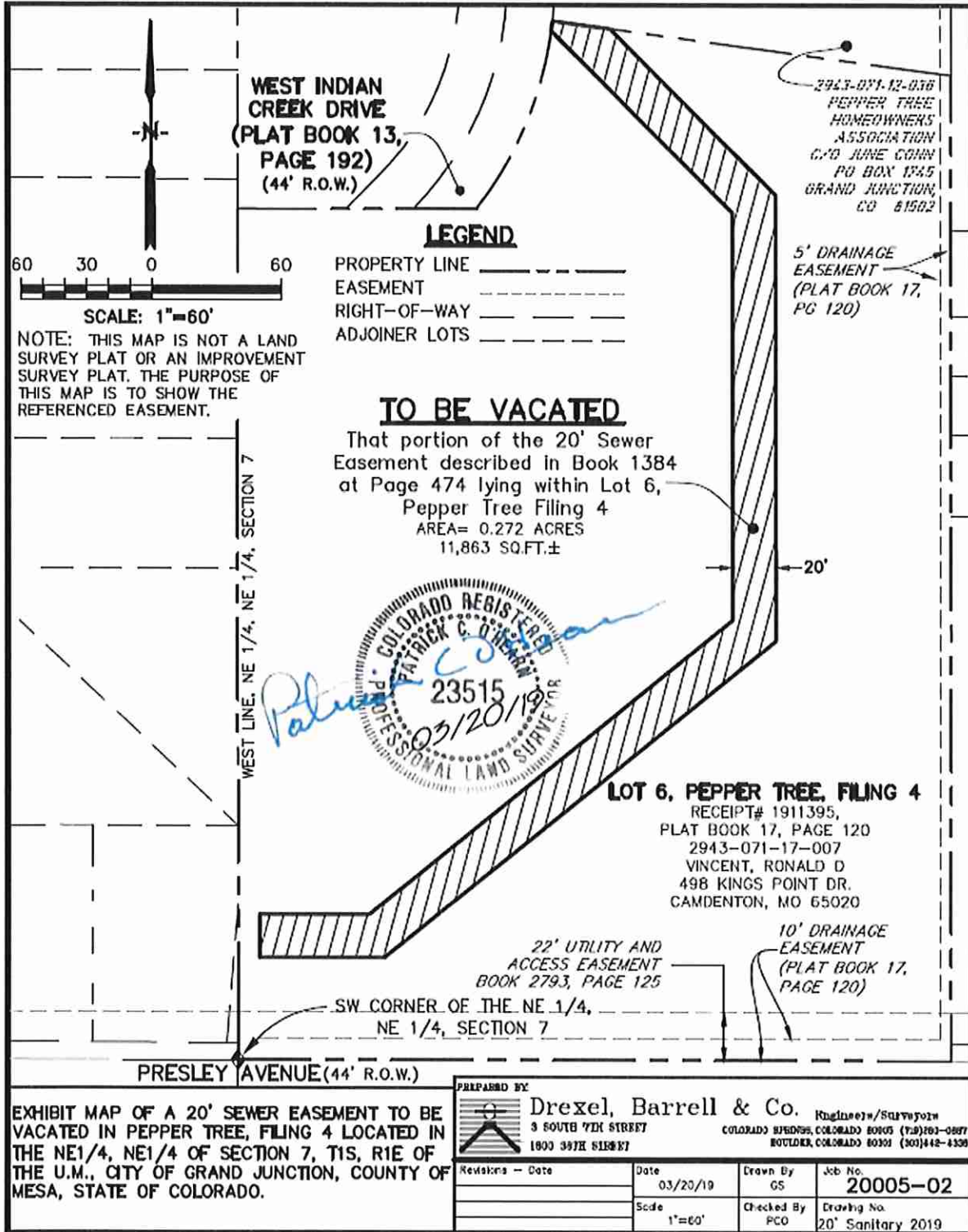
EXHIBIT MAP OF A 15' DRAINAGE EASEMENT TO BE VACATED IN PEPPER TREE, FILING 4 LOCATED IN THE NE1/4, NE1/4 OF SECTION 7, T1S, R1E OF THE U.M., CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO.

PREPARED BY  <b>Drexel, Barrell &amp; Co.</b> Engineers/Surveyors 3 SOUTH 7TH STREET 1900 36TH STREET COLORADO SPRINGS, COLORADO 80903 (719)299-2697 FORT COLLINS, COLORADO 80501 (303)442-4338			
Revisions - Date	Date	Drawn By	Job No.
	03/21/19	TT	20005-02
	Scale	Checked By	Drawing No.
	1"=60'	PCO	15' Drainage Vacate

### Easement #3: Sanitary Sewer Easement



**Easement #4: Portion of 20' Sanitary Sewer Easement**



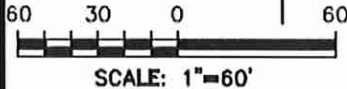
**WEST INDIAN CREEK DRIVE  
(PLAT BOOK 13,  
PAGE 192)  
(44' R.O.W.)**

2943-071-12-016  
PEPPER TREE  
HOMEOWNERS  
ASSOCIATION  
C/O JUNE COHN  
PO BOX 1745  
GRAND JUNCTION,  
CO 81502

**LEGEND**

- PROPERTY LINE ————
- EASEMENT - - - - -
- RIGHT-OF-WAY ————
- ADJOINER LOTS - - - - -

5' DRAINAGE  
EASEMENT  
(PLAT BOOK 17,  
PG 120)



NOTE: THIS MAP IS NOT A LAND SURVEY PLAT OR AN IMPROVEMENT SURVEY PLAT. THE PURPOSE OF THIS MAP IS TO SHOW THE REFERENCED EASEMENT.

**TO BE VACATED**

That portion of the 20' Sewer Easement described in Book 1384 at Page 474 lying within Lot 6, Pepper Tree Filing 4  
AREA= 0.272 ACRES  
11,863 SQ.FT.±



**LOT 6, PEPPER TREE, FILING 4**

RECEIPT# 1911395,  
PLAT BOOK 17, PAGE 120  
2943-071-17-007  
VINCENT, RONALD D  
498 KINGS POINT DR.  
CAMDENTON, MO 65020


10' DRAINAGE  
EASEMENT  
(PLAT BOOK 17,  
PAGE 120)

22' UTILITY AND  
ACCESS EASEMENT  
BOOK 2793, PAGE 125

SW CORNER OF THE NE 1/4,  
NE 1/4, SECTION 7

**PRESLEY AVENUE (44' R.O.W.)**

EXHIBIT MAP OF A 20' SEWER EASEMENT TO BE VACATED IN PEPPER TREE, FILING 4 LOCATED IN THE NE1/4, NE1/4 OF SECTION 7, T1S, R1E OF THE U.M., CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO.

<b>PREPARED BY</b>  <b>Drexel, Barrell &amp; Co.</b> Engineers/Surveyors 3 SOUTH 7TH STREET BOULDER, COLORADO 80505 (720)203-0887 1800 39TH STREET BOULDER, COLORADO 80301 (303)442-4336			
Revisions - Date	Date	Drawn By	Job No.
	03/20/19	GS	20005-02
	Scale	Checked By	Drawing No.
	1"=60'	PCO	20' Sanitary 2019