

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. 4877**

**AN ORDINANCE VACATING A PORTION OF ALLEY RIGHT-OF-WAY LOCATED  
BETWEEN ORCHARD AVENUE AND HALL AVENUE ON THE SOUTH SIDE OF THE  
PROPERTY LOCATED AT 845 ORCHARD AVENUE**

RECITALS:

Colorado Mesa University has requested to vacate a portion of alley right-of-way located between Orchard Avenue and Hall Avenue on the south side of the property located at 845 Orchard Avenue in order to enable the continued westward expansion efforts planned for the campus, specifically in the future to develop a new track and field sports venue.

Colorado Mesa University is under contract to acquire the 845 Orchard Avenue property. City staff does not expect that the proposed right-of-way vacations would impede traffic, pedestrian movement or access to private property. As conditions of approval, CMU will need to demonstrate ownership of the property at 845 Orchard Avenue prior to recording the vacation ordinance and meet all Grand Junction Fire Department requirements for construction of the proposed campus facilities.

Presently, the segment of alley right-of-way requested to be vacated contains a City public sewer line as well as Xcel electric and gas infrastructure. The existing electric utilities will be moved and relocated by Xcel Energy as part of the construction of the new track and field sports venue and an appropriate easement to Xcel Energy will be dedicated at that time, if necessary. Applicant is also required to meet all terms and conditions of the *Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus* and any requirements of the Grand Junction Fire Department.

The City Council finds that the request is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Zoning and Development Code.

The Planning Commission, having heard and considered the requests, found the criteria of the Code to have been met, and recommended that the portion of east-west alley right-of-way adjacent to the south side of the property located at 845 Orchard Avenue be approved.

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

The following described dedicated alley right-of-way is hereby vacated subject to the listed conditions:

A Portion of Alley Right-of-Way as dedicated on the plat Mesa Subdivision as recorded at Reception Number 449854 of the Mesa County Records, situated in the Southeast Quarter of

Section 11, Township 1 South, Range 1 West of Ute Meridian, County of Mesa, State of Colorado; being more particularly described as follows:

All of the Alley Right-of-Way lying West of the Southerly projection of the East line of Lot 8, Block 2 of said Mesa Subdivision and East of the of the Southerly projection of the East line of Lot 6, Block 2 of said Mesa Subdivision.

Containing an area of 2,348 square feet (0.054 acres) more or less, as described herein and on Exhibit A.

Conditions of Approval:


1. Applicant shall provide evidence of ownership of the property located at 845 Orchard Avenue (parcel number 2945-114-08-006) prior to this Ordinance being recorded with the Mesa County Clerk and Recorder in order for the vacation to take effect.
2. Applicant shall pay all recording/documentary fees for the Vacation Ordinance.
3. Applicant shall meet all terms and conditions of the *Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus* and all requirements of the Grand Junction Fire Department for construction of proposed campus facilities.

Introduced for first reading on this 18<sup>th</sup> day of September, 2019 and ordered published in pamphlet form.

PASSED and ADOPTED this 2<sup>nd</sup> day of October, 2019 and ordered published in pamphlet form.

  
\_\_\_\_\_  
President of City Council

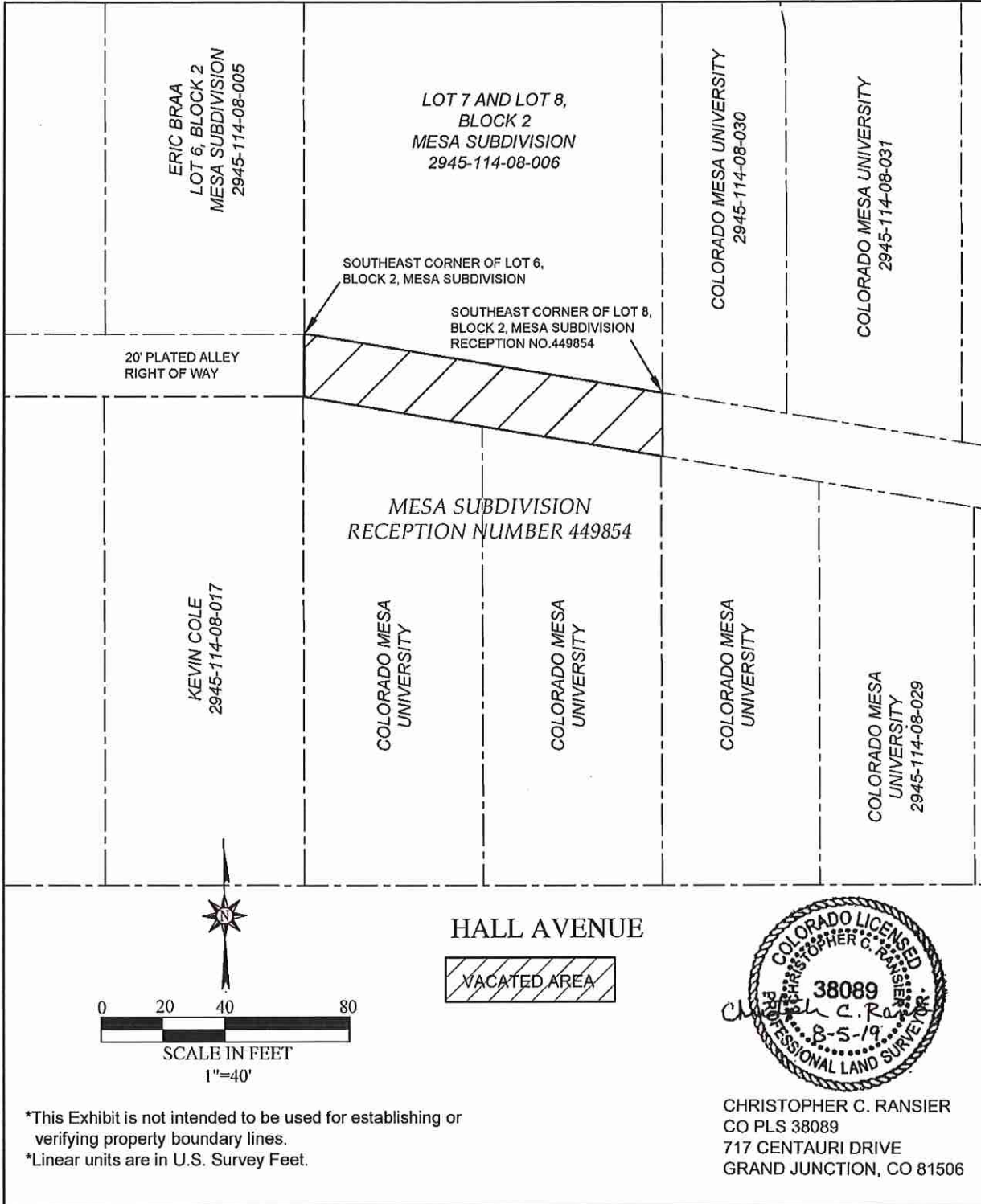
ATTEST:

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



# EXHIBIT A

SOUTHEAST 1/4 OF SECTION 11,  
TOWNSHIP 1 SOUTH, RANGE 1 WEST, UTE MERIDIAN,  
CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO



\*This Exhibit is not intended to be used for establishing or verifying property boundary lines.  
\*Linear units are in U.S. Survey Feet.



I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 4877 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 18<sup>th</sup> day of September, 2019 and the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, in pamphlet form, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the 2<sup>nd</sup> day of October, 2019, at which Ordinance No. 4877 was read, considered, adopted and ordered published in pamphlet form by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 4<sup>th</sup> day of October, 2019.

  
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Deputy City Clerk

Published: September 20, 2019  
Published: October 04, 2019  
Effective: November 03, 2019