

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. 90-19

**A RESOLUTION VACATING A PORTION OF A UTILITY EASEMENT LOCATED
WITHIN THE PROPOSED HOFFMAN III SUBDIVISION**

LOCATED ON PARCEL 2943-212-06-100

RECITALS:

A vacation of a portion of a publically dedicated Utility Easement has been requested by the developer, Habitat for Humanity of Mesa County, in anticipation of further subdividing and developing the property for future residential development for the proposed Hoffman III Subdivision. The applicant's request is to vacate a portion of the existing Utility Easement, then record a new utility easement on the western edge of the property as part of the subdivision development for Hoffman III Subdivision. The applicant would relocate existing Xcel Power equipment into the new easement.

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 a portion of a public Utility Easement with conditions is 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 portion of a publically dedicated Utility Easement is 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 easement described herein shall be vacated when any and all public utilities within the easement to be vacated have been relocated in a manner and to a location acceptable to the City Manager or the City Manager's designee and the City has been granted an easement and/or right-of-way, as determined by the City Manager and/or City Manager's designee in a form specified and found acceptable by the City.

Portion of Utility Easement to be vacated:

A parcel of land located in the Northeast Quarter of the Northwest Quarter of Section 21, Township 1 South, Range 1 East of the Ute Meridian located in Grand Junction, Mesa County, Colorado and being described as follows:

That portion of the 10.0' Wide Utility Easement granted by the Arna Hoffman plat as recorded at Reception 2317477 that crosses the Westerly portion Lot 100, Hoffman II Subdivision, as described in Reception 2675156, Mesa County records and more particularly described as follows:

Commencing at the Southwest corner of Tract C, said Hoffman II Subdivision whence the Southeast corner of said Hoffman II Subdivision bears North 89°56'32" East, a distance of 660.46 feet for a basis of bearings, with all bearings contained herein relative thereto; thence North 00°03'33" East, a distance of 23.49 feet along the West line of said Tract C, Hoffman II Subdivision; thence North 45°35'52" East, a distance of 31.20 feet, along the North line of Tract C, Hoffman II Subdivision, to the POINT OF BEGINNING; thence North 00°20'03" East, a distance of 354.60 feet; thence North 00°12'58" West, a distance of 25.21 feet to the North line of said Lot 100, Hoffman II Subdivision; thence North 89°54'30" East, a distance of 10.00 feet, along said North line of said Lot 100; thence South 00°12'58" East, a distance of 25.24 feet; thence South 00°20'03" West, a distance of 344.74 feet, to the North line of Tract C, Hoffman II Subdivision; thence South 45°35'52" West, a distance of 14.08 feet, along said North line of Tract C, Hoffman II Subdivision to the POINT OF BEGINNING.

Said parcel containing 3749 square feet or 0.09 Acres, as herein described

PASSED and ADOPTED this 18th day of December, 2019

ATTEST:

W Winkelman
City Clerk

C. E. Pyle W. Zuma
Mayor Pro Tem



