

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 4948

**AN ORDINANCE AMENDING ORDINANCE NO. 4929 VACATING PREVIOUSLY-
PLATTED PUBLIC RIGHTS-OF-WAY WITHIN THE RIVERFRONT AT DOS RIOS
DEVELOPMENT LOCATED ALONG THE NORTHEAST BANK OF THE COLORADO
RIVER BETWEEN HALE AVENUE AND NEAR THE 5th STREET/HIGHWAY 50
VIADUCT**

Recitals:

At a public hearing of May 20, 2020, the City of Grand Junction City Council adopted Ordinance 4929, vacating seven portions of right-of-way within the Riverfront at Dos Rios development. The rights-of-way vacated by Ordinance 4929 include portions of the Lawrence Street right-of-way, the entirety of the Lila Avenue right-of-way, and nearby alleyways originally dedicated as rights-of-way by the O'Boyle's Subdivision platted in 1908. Though Ordinance 4929 was adopted it has not yet gone into effect, as one of the two conditions of the Ordinance were not met. Namely, a final plat for the Riverfront at Dos Rios has not been recorded.

In the process of preparing said plat, planned to be named Riverfront at Dos Rios Filing Three Subdivision, it has become apparent that errors were made in the right-of-way vacations accomplished by Ordinance 4929. Specifically, under Ordinance 4929, portions of Lawrence Avenue and Lila Avenue would, upon vacation, revert to ownership other than that of the City of Grand Junction, significantly disrupting the design and progression of the Riverfront at Dos Rios development.

The City of Grand Junction City Council finds that the right-of-way vacations accomplished by Ordinance 4929 should be amended to serve the public welfare, and that the right-of-way vacations as amended will continue to be consistent with the Comprehensive Plan, the Grand Valley Circulation Plan, and Section 21.02.100 of the Grand Junction Municipal Code. This Ordinance shall not amend the conditions of Ordinance 4929, which shall remain in effect.

Below are descriptions of two areas of right-of-way vacated under Ordinance 4929 that, by recording of this Ordinance, shall not be vacated.

Parcel A – Area Not To Be Vacated

A portion of the 55.0-Foot-wide Lawrence Street Right-of-Way within Block 1 of O'Boyle's Sub-Division, as same is recorded at Reception Number 61369, Public Records of Mesa County, Colorado, described more particularly as follows;

Beginning at the northwest corner of Lot 12 Block 1 of said subdivision, thence Along the

westerly line of said Lot 12 Block 1, S 00°09'53" W, a distance of 129.98 feet to the southwest corner of said Lot 12 Block 1; Leaving said westerly line, N 89°56'44" W, for a distance of 27.50 feet, to the centerline of said Lawrence street right-of-way; Along said centerline of right-of-way N 00°09'53" E, a distance of 129.98 feet; Leaving said centerline S 89°56'44" E, for a distance of 27.50 feet, to the Point of Beginning.

Containing approximately 3,565 square feet. (Exhibit "A")

Parcel B – Area Not To Be Vacated

A portion of the 60.0-Foot-wide right-of-way for Lila Avenue lying within the O'Boyle's Sub-Division, as same is recorded at Reception Number 61369, Public Records of Mesa County, more particularly described as follows;

Beginning at the southeast corner of Lot 8 Block 1 of said subdivision, thence S 00°13'53" W, for a distance of 30.00 feet, to the centerline of said Lila Avenue right-of-way; Along said centerline of right-of-way N 89°56'44" W, a distance of 152.31 feet; Leaving said centerline N 00°09'53" E, for a distance of 30.00 feet to the northerly right-of-way of Lila Avenue; thence along said northerly right-of-way S 89°56'44" E, for a distance of 152.35 feet, to the Point of Beginning.

Containing approximately 4,570 square feet. (Exhibit "A")

This description was prepared by Jodie Grein LS-38075, for the City of Grand Junction, CO.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT ORDINANCE 4929 SHALL BE AMENDED SUCH THAT THE PREVIOUSLY DESCRIBED PORTIONS OF RIGHTS-OF-WAY SHALL NOT BE VACATED.

Introduced on first reading this 15th day of July 2020 and ordered published in pamphlet form.

Adopted on second reading this 5th day of August 2020 and ordered published in pamphlet form.

ATTEST:

W. W. Winkelmann

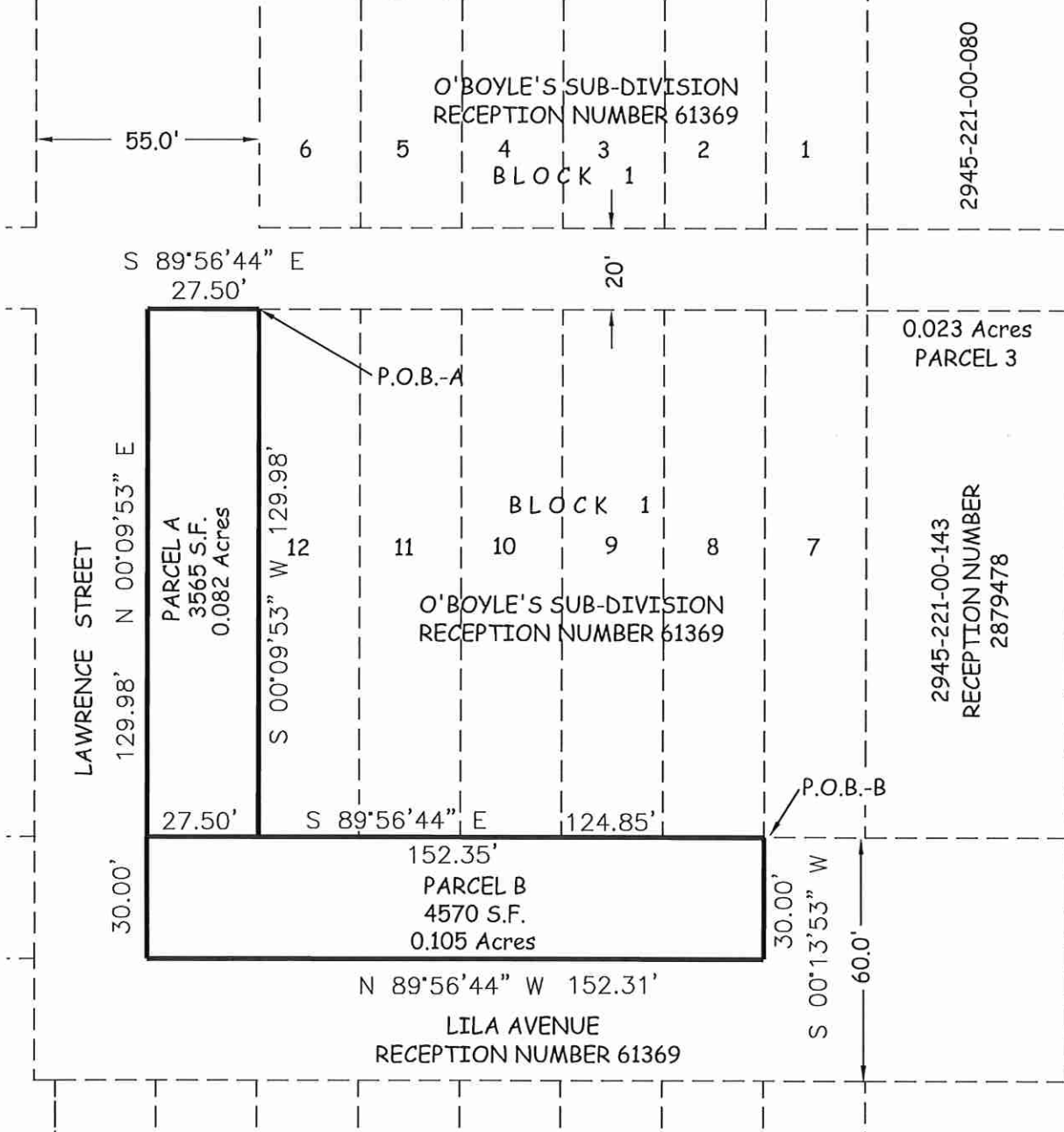
City Clerk

C. S. Steve W. Strana

Mayor



EXHIBIT "A"



LOT 15
RIVERFRONT AT DOS RIOS FILING ONE
RECEPTION #2880032

The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

ABBREVIATIONS
 P.O.B. POINT OF BEGINNING
 SEC. SECTION
 TWP. TOWNSHIP
 RGE. RANGE

0 20' 40'

 1 inch = 40 ft.
 Lineal Units = U.S. Survey Foot

DRAWN BY: J.L.G.
 DATE: 03/19/20
 SCALE: 1" = 40'
 APPR. BY: J.A.M.

RIGHT-OF-WAY, NOT TO BE VACATED
 PARCELS A & B
 T.1S, R.1W, U.M.

CITY OF
Grand Junction
 COLORADO
 PUBLIC WORKS
 & PLANNING

I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 4948 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 15th day of July 2020 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 5th day of August 2020, at which Ordinance No. 4948 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 7th day of August 2020.



Deputy City Clerk

Published: July 17, 2020
Published: August 7, 2020
Effective: September 6, 2020

