

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. 3663**

**AN ORDINANCE VACATING RIGHT-OF-WAY LOCATED AT THE  
NORTHWEST CORNER OF G ROAD AND HORIZON DRIVE**

Recitals:

A request to vacate a portion of the public right-of-way at the Northwest corner of the intersection of G Road and Horizon Drive has been submitted by the City of Grand Junction. The City will reserve and retain a Perpetual Multi-Purpose Easement on, along, over, under, through and across the entire area of the right-of-way to be vacated.

The City Council finds that the request to vacate the herein described right-of-way is consistent with the Growth Plan and Section 2.11 of the Zoning and Development Code.

The Planning Commission, having heard and considered the request, found the criteria of the Zoning Code to have been met, and recommends that the vacation be approved as requested subject to the condition that the City shall reserve and retain a Perpetual Multi-Purpose Easement on, along, over, under, through and across the entire area of the hereinafter described right-of-way.

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

1. The following described right-of-way is hereby vacated:

Beginning at the Southwest Corner of Lot 1 of Northside Park, a subdivision situate in the Southwest  $\frac{1}{4}$  of Section 36, Township 1 North, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, as recorded in Plat Book 11 at Page 279 in the office of the Mesa County Clerk and Recorder, and considering the South line of the Southwest  $\frac{1}{4}$  of said Section 36 to bear N 89°57'30" W with all bearings contained herein being relative thereto; thence N 14°06'44" E along the Westerly boundary line of said Lot 1 a distance of 10.86 feet to the Northwesterly corner of that certain parcel of land conveyed to the City of Grand Junction by instrument recorded in Book 1431 at Page 525 in the office of the Mesa County Clerk and Recorder; thence along the Northerly and Easterly boundary of said parcel of land the following three (3) courses:

1. S 89°57'30" E a distance of 142.55 feet;
2. N 63°58'24" E a distance of 10.78 feet;
3. S 37°54'18" W a distance of 19.34 feet to the Southeast Corner of said Lot 1;

thence S 41°39'58" E a distance of 9.84 feet; thence 104.74 feet along the arc of a non-tangent curve concave to the Northwest, having a radius of 1839.02 feet, a central angle of 03°15'48", and a long chord bearing S 41°41'06" W a distance of 104.73 feet; thence N 82°53'10" W a distance of 29.53 feet; thence N 46°09'45" W a distance of 8.17 feet; thence S 43°01'09" W a distance of 6.00 feet; thence 82.14 feet along the arc of a

non-tangent curve concave to the Southwest, having a radius of 280.00 feet, a central angle of 16°48'28", and a long chord bearing N 55°23'05" W a distance of 81.84 feet; thence N 37°59'39" E a distance of 43.45 feet to the Point of Beginning, containing 11,307 square feet, more or less (0.260 acres, more or less), as described herein and depicted on **Exhibit "A"** attached hereto and incorporated herein by reference.

2. The City hereby reserves and retains a Perpetual Multi-Purpose Easement on, along, over, under, through and across the entire area of the above described right-of-way, for the use and benefit of the City and for the use and benefit of the Public Utilities, as approved by the City, as a Perpetual Easement for the installation, operation, maintenance, repair and replacement of existing and future utilities and appurtenances related thereto, as approved by the City, including, but not limited to, electric lines, cable television lines, natural gas pipelines, sanitary sewer lines, storm sewers and storm water drainage facilities, water lines, telephone lines, and also for the installation, operation, maintenance, repair and replacement of traffic control facilities, street lighting, landscaping, trees and grade structures, as approved by the City, together with the right of ingress and egress for workers and equipment to survey, maintain, operate, repair, replace, control and use said Easement, and to remove objects interfering therewith, including the trimming of trees and bushes as may be required to permit the operation of standard utility construction and repair machinery.

3. Title to the above-described right-of-way, subject to the reserved Multi-Purpose Easement, shall vest in the owners of the abutting property located at 705 Horizon Drive and identified by Mesa County Tax Schedule Number 2701-363-27-001. The present and future owners of the above described right-of-way shall not burden or overburden said right-of-way by the installation, construction or placement of any structures or any other item or fixture which might be detrimental to the existing or future facilities of the City and/or the Public Utilities or which might act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the reserved Perpetual Multi-Purpose Easement.

Introduced for first reading on this 4<sup>th</sup> day of August, 2004.

PASSED and ADOPTED this 18<sup>th</sup> day of August, 2004.

/s/ Bruce Hill  
President of City Council

ATTEST:

/s/ Stephanie Tuin  
City Clerk

