

ORDINANCE NO. 3695

**AN ORDINANCE VACATING RIGHT-OF-WAY LOCATED WITHIN BLOCK 13 OF
THE MILLDALE SUBDIVISION**

Recitals:

A request to vacate the remaining portion of the public right-of-way within Block 13 of the Milldale Subdivision adjacent to the southern edge of Lots 1 through 13 and adjacent to the north edge of Lots 20 through 32. The City shall reserve and retain a perpetual Multipurpose 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 with the reservation to retain the easement 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 on November 9, 2004, found the criteria of the Zoning and Development 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 Multipurpose 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:

The described right-of-way in the attached Exhibit A which is incorporated herein as if fully rewritten is hereby vacated and a perpetual Multipurpose Easement is hereby reserved and retained on, along, over, under, through and across the entire area of the described right-of-way for the use of City-approved: utilities and public providers as perpetual easement for the installation, operation, maintenance and repair of utilities and appurtenances including, but not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, and also for the installation and maintenance of traffic control facilities, street lighting, landscaping, trees and grade structures 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.

Introduced for first reading on this 17th day of November, 2004.

PASSED and ADOPTED this 1st day of December, 2004.

/s/: Gregg Palmer
Mayor Pro Tem

ATTEST:

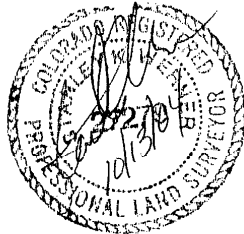
/s/: Stephanie Tuin
City Clerk

EXHIBIT A

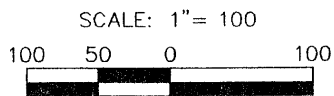
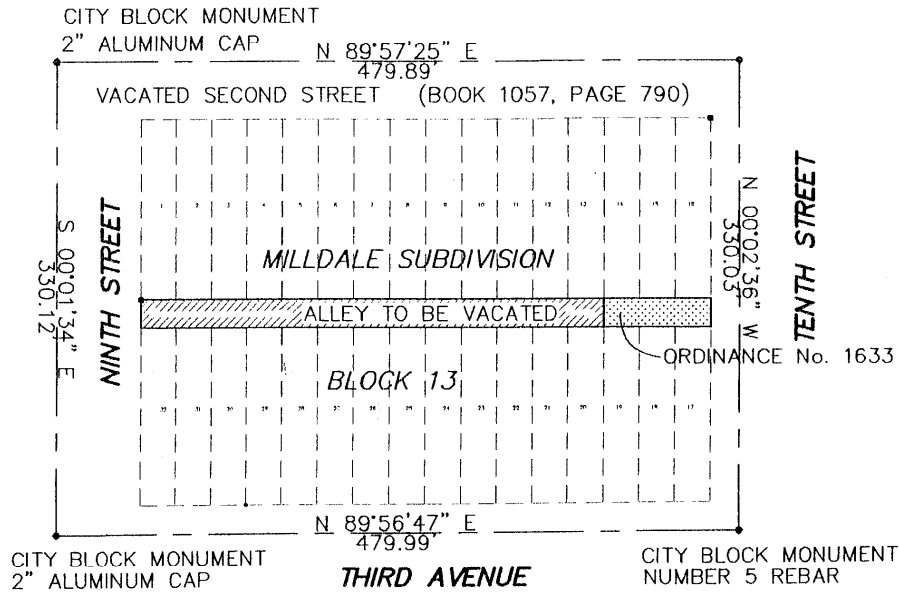
HIGH DESERT SURVEYING
2591 B3/4 Road
Grand Junction, CO 81506
Tel: 970-254-8649, Fax: 970-255-7047

Date: July 1, 2004

That certain 20.00 foot wide Alley lying in the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) of Section 23, Township 1 South, Range 1 West, Ute Meridian, lying within Block 13 of the Milldale Subdivision, as same is recorded in Plat Book 2, Page 30, Public Records of Mesa County, Colorado; bounded on the West by the East right of way for Ninth Street; bounded on the East by previously vacated alley document, Ordinance No. 1633 recorded November 18, 1976 in Book 1086 at Page 639, Mesa County, Colorado; bounded on the North by Lots 1 through 13, of said Block 13; bounded on the South by Lots 20 through 32 of said Block 13, all within said Milldale Subdivision, Grand Junction, Mesa County, Colorado.



ALLEY VACATION
BLOCK 13, MILLDALE SUBDIVISION
SECTION 23, TOWNSHIP 1 SOUTH, RANGE 1 WEST, UTE MERIDIAN
GRAND JUNCTION, MESA COUNTY, COLORADO



Basis of bearings assume between City of Grand Junction block monuments on the corners of 3rd and 9th and 3rd and 10th to bear N89°54'37"E a distance of 479.98 feet.

ALLEY VACATION	
BLOCK 13, MILLDALE SUBDIVISION SECTION 23, T1S, R1W, UTE MERIDIAN GRAND JUNCTION, MESA COUNTY, COLORADO	
High Desert Surveying, LLC 2581 B 3/4 Road, Grand Jct., CO 81503 970-264-8646 Fax 970-255-7047	
SUR. BY: CW/SKW	DRAWN BY: SKW
JOB NO. 04-24	SHEET 1 OF 1
REVISION DATE:	