

**CITY OF GRAND JUNCTION**

**ORDINANCE NO. 5015**

**AN ORDINANCE VACATING TONTO LANE RIGHT-OF-WAY**

**RECITALS:**

A vacation of right-of-way has been requested by Kraig Andrews to vacate right-of-way that abuts property owned by he and his wife, Jennifer. The right-of-way was dedicated to the public with the North Rolling Acres subdivision plat which is found in Mesa County's Records Reception No. 645847. A road was never built in the area being requested for vacation or it has not been used for such time that there is no indication of the road having been built. The vacation request is limited only to the 50' wide Tonto Lane right-of-way. The vacation area contains 0.204 acres.

A utility easement will be reserved and retained in the area of Tonto Lane to include the overhead utilities that exist. It extends immediately from the existing 15' utility easement on Lot 4 of the North Rolling Acres and cross over and line up with the existing 15' utility easement on Lot 5 of the North Rolling Acres plat so that it will be a continuous utility easement. Additional area will be reserved as the overhead utilities border or go just outside that area where the original utility easement was granted.

The City Council finds that the request is consistent with the 2020 Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Zoning and Development Code.

The Planning Commission, having heard and considered the request, found the criteria of the Code to have been met, and recommended that the vacation be approved with the reservation of the utility easement.

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

**The following described right-of-way is hereby vacated:**

A Parcel of land situated the Southeast Quarter of the Northwest Quarter of Section 35, Township 1 North, Range 1 West, Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, described as follows:

That portion of Tonto Lane as shown on the North Rolling Acres Subdivision, Mesa County, Colorado as recorded at Reception Number 645847 of the Mesa County Records lying North of a line between the Southwest Corner of Lot 5 and the Southeast Corner of Lot 4 both in said North Rolling Acres Subdivision and lying South of the Department of Highways, State of Colorado Right of Way for Interstate 70 and being further described as follows

Commencing at the West Sixteenth Corner of said Section 35 from whence the Center Quarter Corner bears N 89°58'53" E a distance of 1314.79 feet; thence N 89°58'53" E along the South line of the Southeast Quarter of the Northwest Quarter of said Section 35 a distance of 456.72 feet; thence leaving said line N 0°01'07" W a distance of 111.47 feet to the Southeast Corner of said Lot 4 and the Point of Beginning; thence N 0°01'07" W along the East line of said Lot 4 a distance of 202.34 feet to the Southeast Corner of that State of Colorado Right of Way for Interstate 70 as described at Reception Number 849966 of the Mesa County Records; thence 50.76 feet along a non-tangent curve to the left with a radius of 2965.00 feet and a central angle of 0°58'51" whose chord bears N 80°01'59" E a distance of 50.76 feet to the Southwest Corner of that State of Colorado Right of Way for Interstate 70 as described at Reception Number 844384 of the Mesa County Records and a point on the West line of said Lot 5; thence S 0°01'07" E along said West line a distance of 153.02 feet to the Southwest Corner of said Lot 5; thence S 40°42'05" W a distance of 76.64 feet to the Point of Beginning.

Said Parcel contains 0.204 acres as described and graphically shown on Exhibit C.

**A utility easement is reserved and retained in the area of Tonto Lane as shown on Exhibit A and Exhibit B.**

Introduced for first reading on this 18<sup>th</sup> day of August, 2021.

PASSED and ADOPTED this 1<sup>st</sup> day of September, 2021.

ATTEST:

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

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



## Exhibit A

A Parcel of land situated the Southeast Quarter of the Northwest Quarter of Section 35, Township 1 North, Range 1 West, Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, described as follows:

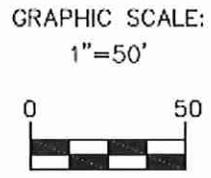
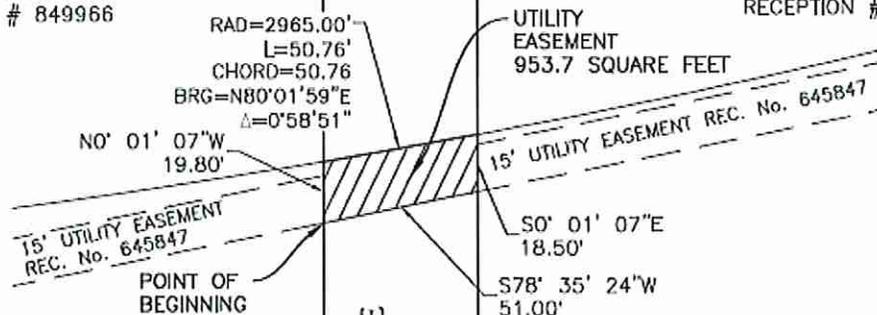
Commencing at the West Sixteenth Corner of said Section 35 from whence the Center Quarter Corner bears N 89°58'53" E a distance of 1314.79 feet; thence N 89°58'53" E along the South line of the Southeast Quarter of the Northwest Quarter of said Section 35 a distance of 456.72 feet; thence leaving said Line N 0°01'07" W a distance of 294.01 feet to the intersection of the East Line of Lot 4 North Rolling Acres Subdivision, Mesa County, Colorado as recorded at Reception Number 645847 and the South Line of a 15 foot Utility Easement as shown on said North Rolling Acres Subdivision and the Point of Beginning; thence N 0°01'07" W along the East Line of said Lot 4 a distance of 19.80 feet to the start of a non-tangent curve to the left at the North end of vacated Right of Way for Tonto Lane; thence 50.76 feet along said non-tangent curve to the left with a radius of 2965.00 feet and a central angle of 0°58'51" whose chord bears N 80°01'59" E a distance of 50.76 feet to the West Line Lot 5 of said North Rolling Acres Subdivision; thence S 0°01'07" E along the West Line of said Lot 5 a distance of 18.50 feet to the South Line of said Utility Easement; thence S 78°35'24" W a distance of 51.00 feet to the Point of Beginning.

Said Parcel contains 953.7 square feet as described.

RIGHT OF WAY  
DEPARTMENT OF HIGHWAYS  
STATE OF COLORADO  
RECEPTION # 849966

EXHIBIT B

DEPARTMENT OF HIGHWAYS  
STATE OF COLORADO  
RECEPTION # 844384



2632 COTTONWOOD DRIVE  
LOT 4  
NORTH ROLLING ACRES  
2701-352-02-004  
RECEPTION # 645847

TONTO LANE  
VACATED  
RIGHT OF WAY

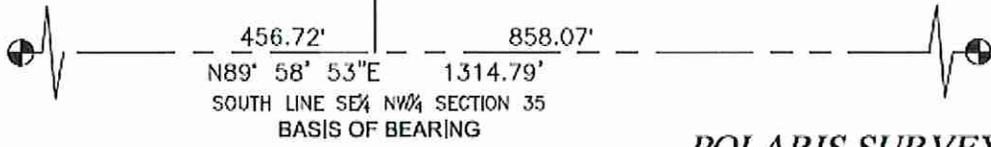
2635 COTTONWOOD DRIVE  
LOT 5  
NORTH ROLLING ACRES  
2701-352-02-005  
RECEPTION # 645847

COTTONWOOD  
DRIVE  
R.O.W. VARIES  
RECEPTION # 645847



POINT OF COMMENCEMENT  
WEST 1/16 CORNER  
SECTION 35,  
T1N, R1W, UTE  
3.25 INCH ALUMINUM CAP  
BLM 1986 0.25'  
BELOW SURFACE

CENTER 1/4 CORNER  
SECTION 35,  
T1N, R1W UTE  
3-1/4 INCH ALUMINUM CAP  
PLS 37904, MCSM No. 1268-2  
0.50' BELOW SURFACE IN BOX



Utility Easement  
SITUATED IN THE SE 1/4 NW 1/4 SECTION 35  
TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN  
CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO

**POLARIS SURVEYING**  
PATRICK W. CLICK P.L.S.  
3194 MESA AVE. #B  
GRAND JUNCTION, CO 81504  
PHONE (970)434-7038

**EXHIBIT C**

RIGHT OF WAY  
DEPARTMENT OF HIGHWAYS  
STATE OF COLORADO  
RECEPTION # 849966

RAD=2965.00'  
L=50.76'  
CHORD=50.76  
BRG=N80°01'59"E  
Δ=0°58'51"

DEPARTMENT OF HIGHWAYS  
STATE OF COLORADO  
RECEPTION # 844384

15' UTILITY EASEMENT  
REC. No. 645847

15' UTILITY EASEMENT  
REC. No. 645847

VACATION AREA  
CONTAINS 0.204  
ACRES

2632 COTTONWOOD DRIVE  
LOT 4  
NORTH ROLLING ACRES  
2701-352-02-004  
RECEPTION # 645847

NO° 01' 07"W 202.34'

TONTO LANE

50' R.O.W.  
RECEPTION # 645847

SO° 01' 07"E 153.02'

2635 COTTONWOOD DRIVE  
LOT 5  
NORTH ROLLING ACRES  
2701-352-02-005  
RECEPTION # 645847



GRAPHIC SCALE:  
1"=50'



POINT OF BEGINNING

COTTONWOOD DRIVE  
R.O.W. VARIES  
RECEPTION # 645847



POINT OF COMMENCEMENT  
WEST 1/16 CORNER  
SECTION 35,  
T1N, R1W, UTE  
3.25 INCH ALUMINUM CAP  
BLM 1986 0.25'  
BELOW SURFACE

NO° 01' 07"W  
111.47'

CENTER 1/4 CORNER  
SECTION 35,  
T1N, R1W UTE  
3-1/4 INCH ALUMINUM CAP  
PLS 37904, MCSM No. 1268-2  
0.50' BELOW SURFACE IN BOX

456.72' 858.07'  
N89° 58' 53"E 1314.79'  
SOUTH LINE SE 1/4 NW 1/4 SECTION 35  
BASIS OF BEARING

RIGHT of WAY VACATION  
SITUATED IN THE SE 1/4 NW 1/4 SECTION 35  
TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE UTE MERIDIAN  
CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO

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