

ORDINANCE NO. 3758
AN ORDINANCE VACATING A PORTION OF RIGHT-OF-WAY LOCATED
AT THE NORTHERLY PORTION OF CLARKDELL COURT
774 OLD ORCHARD ROAD

Recitals:

A request to vacate the northerly portion of Clarkdell Court has been submitted by the City of Grand Junction. The City will reserve and retain a 15 foot Utility Easement on, along, over, under, through and across the east side of the 245 foot northerly portion of the right-of-way to be vacated. Approval of the right-of-way vacation is conditioned upon the recordation of the vacation ordinance concurrently with the final plat for the Old Orchard Estates subdivision.

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 vacation ordinance concurrently with the final plat for the Old Orchard Estates subdivision.

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:

All that certain right-of-way situated in the SE1/4 NW1/4 of Section 35, Township One North, Range One West of the Ute Meridian, in the City of Grand Junction, Mesa County, Colorado, granted to the public in Book 884 at Page 418 in the Office of the Mesa County Clerk and recorder, being more particularly described as follows:

Commencing at a Mesa County Survey Marker for the C-N1/16 Corner of said Section 35, from whence a Mesa County Survey Marker for C1/4 Corner of said Section 35 bears S00°00'05"E for a distance of 1311.18 feet; thence N89°55'55"W for a distance of 958.73 feet to a point on the northerly line of said SE1/4 NW1/4 Section 35 and the point of beginning; thence the following courses and distances:

1. S00°00'15"E for a distance of 7.44 feet;
2. 104.82 feet on the arc of a non-tangent 50.00 foot radius curve to the right (the central angle of which is 120°06'56" and the chord of which bears S00°00'15"E for a distance of 86.65 feet;
3. S00° for a distance of 487.22 feet;
4. 39.26 feet on the arc of a 25.00 foot radius curve to the left (the central angle of which is 89°58'12" and the chord of which bears S44°W for a distance of 35.35 feet);
5. S89°58'27"E for a distance of 10.07 feet;

6. S00°00'00"W for a distance of 50.00 feet to the southerly line of the N1/2 SE1/4 NW1/4 of said Section 35;
7. N89°58'27"W, on said southerly line for a distance of 85.06 feet;
8. N00°00'15"W for a distance of 562.24 feet;
9. 104.62 feet on the arc of a non-tangent 50.00 foot radius curve to the right (the central angle of which is 119°53'04" and the chord of which bears N00°00'15"W for a distance of 86.55 feet);
10. N00°00'15"W for a distance of 7.55 feet to the northerly line of the SE1/4 NW1/4 of said Section 35;
11. S89°55'55"E for a distance of 50.00 feet to the beginning.

This description contains 0.87 acres more or less, as depicted on Exhibit "A" attached to this ordinance.

2. The City hereby reserves and retains a 15 foot utility easement over the east side of the northerly 245 feet of said vacated right-of-way.

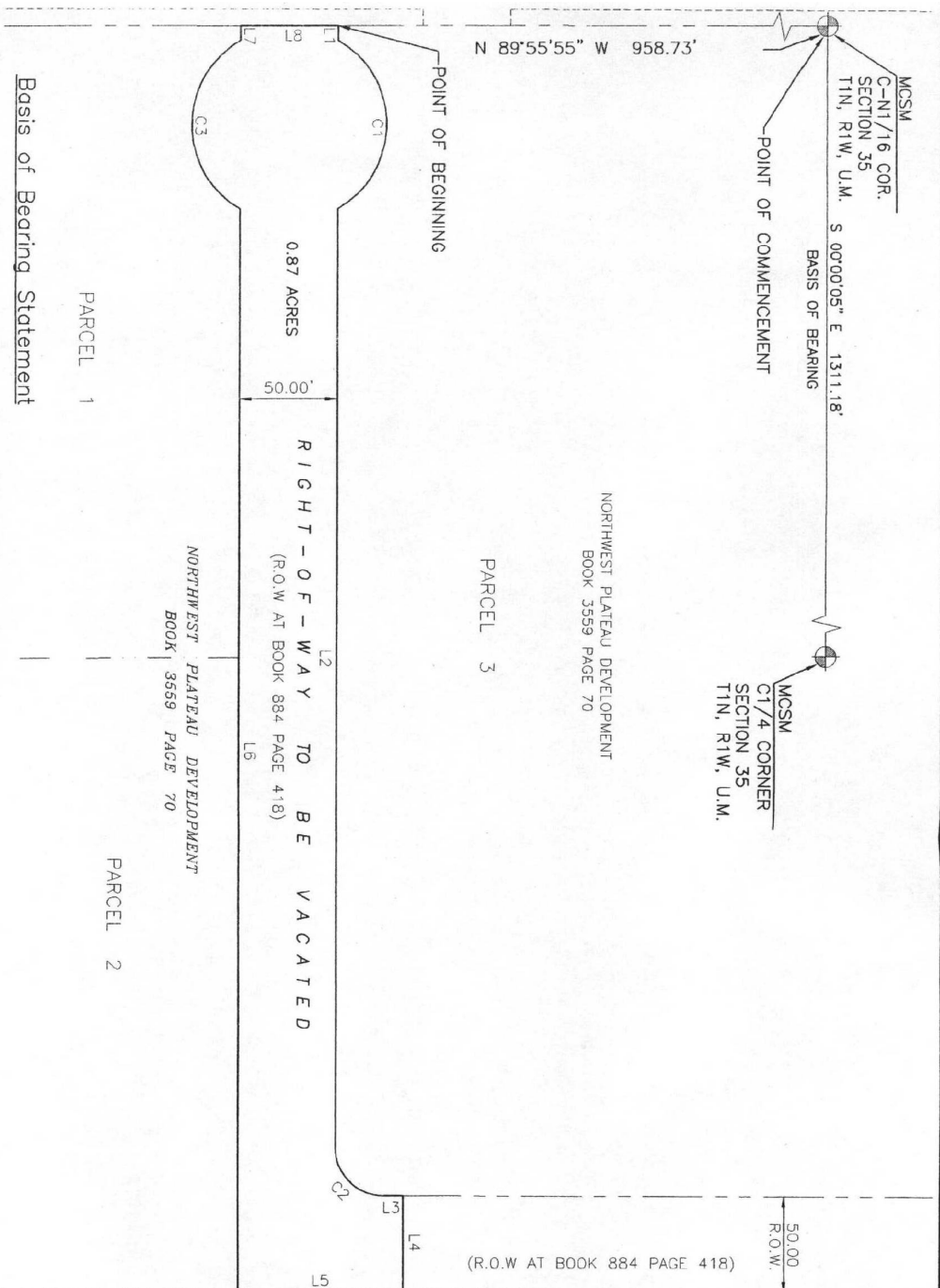
Introduced for first reading on this 20th day of April, 2005.

PASSED and ADOPTED this 4th day of May, 2005.

ATTEST:

/s/: Bruce Hill
President of City Council

/s/: Stephanie Tuin
City Clerk



Basis of Bearing Statement

Bearings are based on the line between Mesa County Survey Markers for the C-N 1/16 Corner and the C1/4 Corner of Section 35. The bearing derived on this line from the Mesa Co LCS = S00°00'05"E 1311.18 feet.

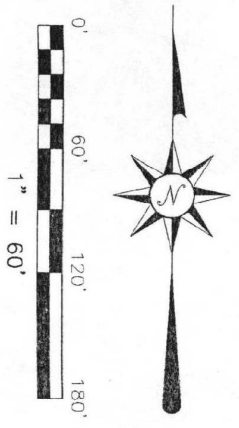
CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	50.00'	104.82'	86.65'	S 00°00'15" E	120°06'56"
C2	25.00'	39.26'	35.35'	S 44°59'21" E	89°58'12"
C3	50.00'	104.62'	86.55'	N 00°00'15" W	119°53'04"

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 00°00'15" E	7.44'
L2	S 00°00'15" E	487.22'
L3	S 89°58'27" E	10.07'
L4	S 00°00'00" W	50.00'
L5	N 89°58'27" W	85.06'
L6	N 00°00'15" W	562.24'
L7	N 00°00'15" W	7.35'
L8	S 89°55'55" E	50.00'


RICHARD J STENMARK HELEN F STENMARK
 BOOK 2176 PAGES 169-170



LEGEND

R.O.W. RIGHT-OF-WAY

MCSM MESA COUNTY SURVEY MARKER



ROLAND ENGOKENG
405 Rogers Blvd
Durango, CO 81301
(970) 244-4300

RIGHT-OF-WAY VACATION EXHIBIT

Project	Created	Print	Scale
11/07/04	11/07/04	2000	1" = 60'
Sheet	of		
1	1		

Exhibit "A"