

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. 3895**

**AN ORDINANCE VACATING RIGHT-OF-WAY LOCATED ADJACENT TO  
215 FRANKLIN AVENUE**

Recitals:

A request to vacate the southern 3 feet of right-of-way adjacent to 215 Franklin Avenue has been submitted to the City of Grand Junction. The City will reserve and retain the area by incorporating the area into a 14' Multi-Purpose Easement.

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 recommended that the vacation be approved as requested subject to the condition that the City shall reserve and retain the area in a Multi-Purpose Easement.

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 conditionally vacated:

**EXHIBIT A**

A parcel of land for a Three foot (3') Wide Right-of-Way Vacation located in the South Half of the Southeast Quarter of the Southeast Quarter (S $\frac{1}{2}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 10, Township 1 South, Range 1 West of the Ute Meridian, and being more particularly described as follows:

BEGINNING at the Northeast corner of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 10, T1S, R1W of the U.M.; whence the Northwest corner of said SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 10, bears N89°56'41"W, a distance of 1319.87 feet, for a basis of bearings, with all bearings contained herein relative thereto; thence S00°15'47"E, a distance of 655.50 feet, along the East line of said SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 10, to a point at the intersection of said East line and the North line of the South Half of said SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 10; thence N89°52'11"W, a distance of 493.00 feet, along said North line of S $\frac{1}{2}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 10; thence S00°29'34"W, a distance of 22.00 feet to the POB; thence S00°29'34"W, a distance of 3.00 feet; thence N89°52'11"W, a distance of 143.03 feet; thence N00°16'02"W, a distance of 3.00 feet; thence S89°52'11"E, a distance of 143.07 feet to the POB.

Said parcel containing an area of 0.010 acres, as described and depicted on Exhibit B, attached.

This right-of-way vacation is conditioned and contingent upon the dedication of the 14' multi-purpose easement for the benefit of future and anticipated utilities.

2. The City hereby reserves and retains the said area in a Multi-Purpose Easement on, long, 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 Multi-Purpose 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.

Introduced for first reading on this 3<sup>rd</sup> day of May, 2006

PASSED and ADOPTED this 17<sup>th</sup> day of May, 2006

ATTEST:

/s/ James J. Doody  
President of City Council

/s/ Stephanie Tuin  
City Clerk

