

CITY OF GRAND JUNCTION

ORDINANCE NO. 4590

**AN ORDINANCE VACATING A PORTION OF THE TEXAS AND CANNEL AVENUES
RIGHT-OF-WAY AND RETAINING A UTILITY EASEMENT OVER THE NORTHERN 25'
LOCATED IN THE COLORADO MESA UNIVERSITY AREA**

RECITALS:

Colorado Mesa University has requested the vacation of a portion of the Texas and Cannell Avenues intersection (1,048 sq. ft.) in order to accommodate a new dormitory building for the campus which has been constructed within the existing right-of-way.

The surrounding properties are all owned by Colorado Mesa University and the proposed vacation of a portion of this intersection will not impede traffic or public access along Cannell Avenue.

With the vacation, the City of Grand Junction ("City") reserves a utility easement over the northern 25' of the area for the existing water, sanitary sewer and storm drain infrastructure that bisects the northern portion of the requested right-of-way vacation.

The City Council finds that the request is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Zoning and Development Code with the reservation of the utility easement as described within this ordinance.

The Planning Commission, having heard and considered the request, found the criteria of the Code to have been met, and recommends that the vacation be approved with the retention of an easement for the utilities.

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

The following described dedicated right-of-way for is hereby vacated with an easement for utilities retained as described below:

1. Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.

The following right-of-way is shown on "Exhibit A" as part of this vacation of description.

Dedicated right-of-way to be vacated:

A Portion of the Cannell Avenue Road Right-of-Way dedicated on the plat Garfield Park Subdivision as recorded in Plat Book 6 Page 23 of the Mesa County Records,

situated in the Southeast Quarter of section 11, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado; being more particularly described as follows:

Commencing at the City Block Monument at the intersection of Elm Avenue and Cannell Avenue whence the City Block Monument at the intersection of Texas Avenue and Cannell Avenue bears North 0 degrees 12 minutes 12 seconds West, a distance of 340.63 feet, with all bearings herein being relative thereto; thence along the East Right-of-Way line of Cannell Avenue North 0 degrees 12 minutes 12 seconds West, a distance of 300.50 feet to the POINT OF BEGINNING; thence North 0 degrees 12 minutes 12 seconds West, a distance of 10.00 feet; thence North 30 degrees 46 minutes 32 seconds East, a distance of 58.28 feet, to the Southwest corner Block 6 of Garfield Park Subdivision; thence South 0 degrees 08 minutes 27 seconds East, a distance of 60.00 feet, to the North line of South Garfield Park Subdivision; thence South 89 degrees 47 minutes 41 seconds West, a distance of 29.93 feet to the POINT OF BEGINNING.

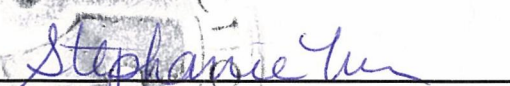
And retaining a utility easement over the northerly 25' of this description for the purpose of installing, maintaining and repairing water, sanitary sewer and storm drainage structures and facilities.

Said parcel containing an area of 1,048 square feet more or less, as described herein and depicted on "EXHIBIT A"

Introduced for first reading on this 19th day of June, 2013 and ordered published in pamphlet form.

PASSED and ADOPTED this 3rd day of July, 2013 and ordered published in pamphlet form.

ATTEST:



City Clerk



President of City Council

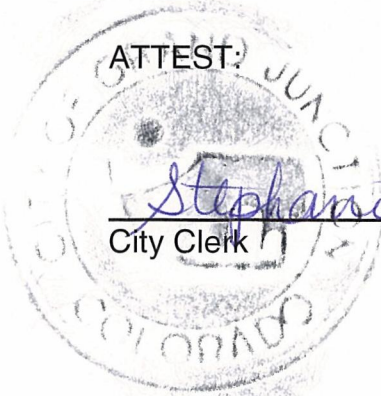
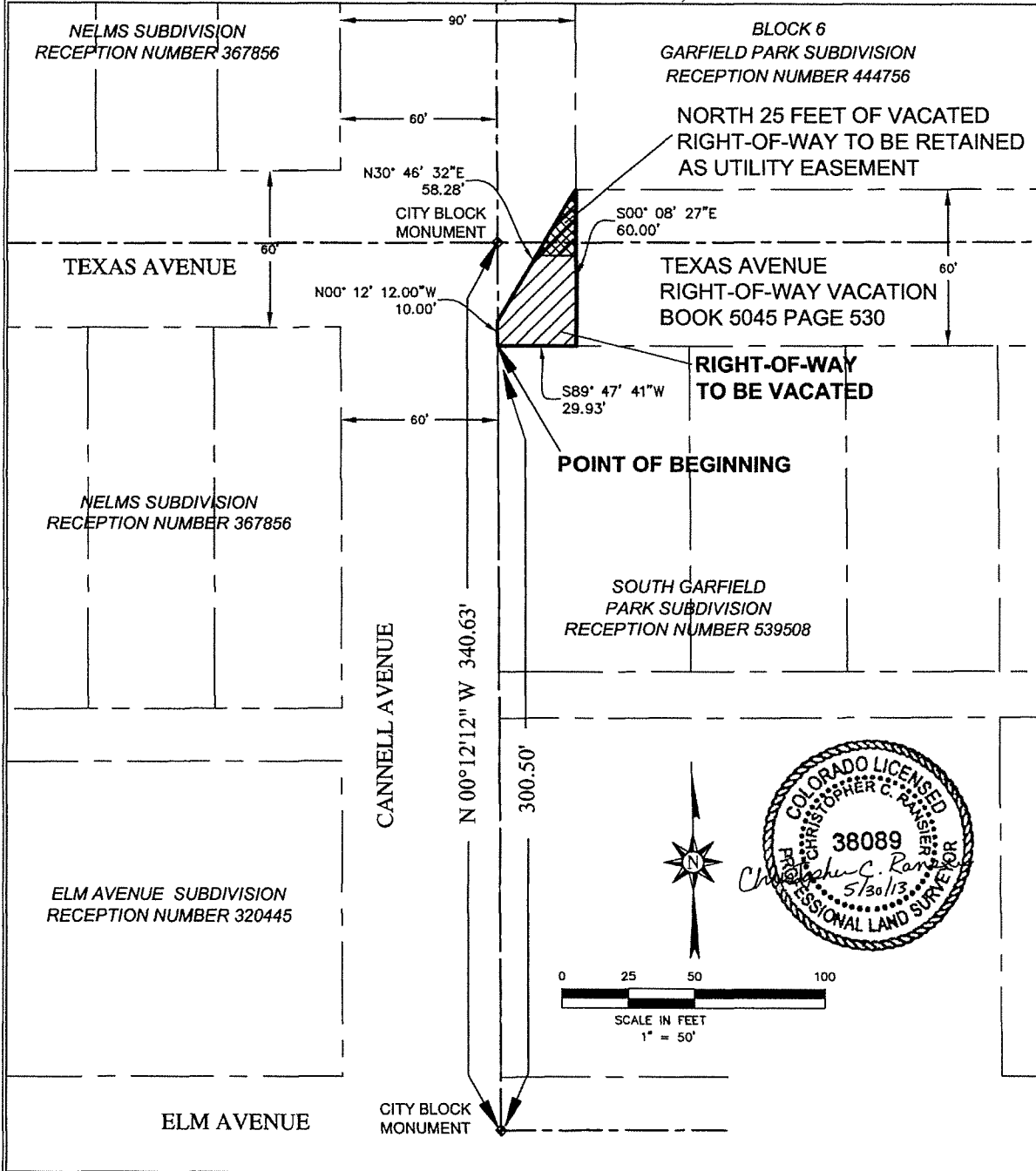


EXHIBIT A


CANNELL AVENUE RIGHT-OF-WAY VACATION CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO



I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 4590 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 19th day of June, 2013 and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, in pamphlet form, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the 3rd day of July, 2013, at which Ordinance No. 4590 was read, considered, adopted and ordered published in pamphlet form by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 5th day of July 2013.



Stephanie Tuin, MMC
City Clerk

Published: June 21, 2013
Published: July 5, 2013
Effective: August 4, 2013

