

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. 94-22

**A RESOLUTION VACATING AN EASEMENT AREA
THAT CONTAINS 0.47 ACRES
(DESCRIBED AS SLOPE EASEMENT P.E. NO 10
IN MESA COUNTY LAND RECORDS
AT RECEPTION NUMBER 2075083, BOOK 3149 PAGE 438)**

LOCATED ON THE PROPERTY AT 702 HORIZON DRIVE

RECITALS:

Vacation of a slope easement has been requested by Horizon Cache, LLC for development on property by them at 702 Horizon Drive. The existing Slope Easement No. 10 on the property was conveyed in 2002 to the City of Grand Junction by separate Mesa County Court document by Reception Number 2075083. The easement was granted to the City for the construction of the 27 ½ Road western extension to G Road that runs east to west adjacent to the property.

The slope easement was acquired by a 2002 condemnation action to provide an area of land where the construction of 27 ½ Road could be done with ample area to construct improvements, including fill material being placed along the roadway, stabilizing the slope area, and to maintain the improvements from the roadway on the property at 702 Horizon Drive.

The City constructed 27 ½ Road soon after securing the Right-of-Way and easements for the road construction project. Slope easement No. 10 was acquired as a permanent easement for construction and maintenance purposes. The slope area is now stable, and the easement is not needed for repairs or other purposes. There have been no repairs to the slope since 27 ½ Road was constructed. Because the slope is stable and has been following construction of the roadway, the City Development Engineer has determined in his professional opinion that none of Slope Easement P.E. No. 10 is needed by the City today or into the future.

The City has conditioned the site plan approval on the recording of the Horizon Cache Subdivision plat. This easement vacation should also condition approval upon the plat being recorded and this condition is recommended as a condition of approval.

As part of the approved site plan of the Horizon Cache commercial building a portion of the existing slope easement will be encroached upon by the new building construction. The slope easement is no longer needed and therefore is being requested to be vacated.

This request is to vacate only Slope Easement P.E. No 10 as shown on the "Etter/Epstein-City-A-5" exhibit found in Book 3149, Page 437 and the legal description found In Book 3149, Page 438 of the Court document recorded and filed on September 6, 2002, at the Mesa County Clerk and Recorder.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, and upon recommendation of conditional approval by the Planning Commission, the Grand Junction City Council finds that the request to vacate an Easement as recorded in Mesa County Records, Reception No. 2075083 is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Zoning & Development Code.

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

The following described publicly dedicated Easement is hereby vacated upon the listed condition being met:

1. Recording of the Horizon Cache Subdivision Plat per Section 21.02.070 of the Grand Junction Municipal Code.

A vacation of a Perpetual Easement for Slope purposes, Parcel P.E. No. 10 as shown at Reception No. 2075083 of the Mesa County Records, situate in Lot 3 of Section 1, Township 1South, Range 1West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the North Quarter Corner of said Section 1, also known as the Northeast Corner of said Lot 3 and considering the East Line of said Lot 3 to bear S 00°03'02" W with all bearings contained herein being relative thereto; thence S 00°03'02" W along said East Line a distance of 363.86 feet to a point; thence leaving said East Line N 89°56'58" W a distance of 40.00 feet to a point on the East Boundary Line of that property as described by instrument recorded at Reception Number 2897211 in the office of the Mesa County Clerk and Recorder; thence, 77.18 feet along the arc of a curve concave to the Northwest, having a radius of 173.00 feet, a central angle of 25°33'38", and a long chord bearing S 3r53'44" W a distance of 76.54 feet; thence S 45°40'32" W a distance of 70.46 feet; thence N 44°19'28" W a distance of 5.00 feet; thence N 89°49' 14" W a distance of 59.21 feet; thence N 44°19'28" W a distance of 34.42 feet; thence N 39°45'02" W a distance of 25.60 feet to the True Point of Beginning:

thence N 39°45'02" W a distance of 124.88

feet; thence N 44°19'28" W a distance of

239.67 feet; thence N 45°40'32" E a distance

of 6.00 feet; thence S 71°27'06" E a distance of 181.24 feet; thence S 44°19'28" E a distance of 90.32 feet; thence S 01°28'12" E a distance of 119.95 feet; thence S 39°38'22" E a distance of 24.68 feet; thence S 45°40'32" W a distance of 15.00 feet to the Point of Beginning, containing 20,614.72 square feet as described.

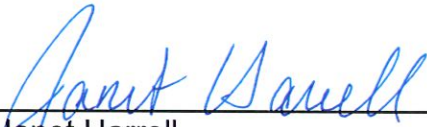
See Exhibit A.

PASSED and ADOPTED this 21st day of December 2022.



Anna M. Stout
President of the City Council

ATTEST:

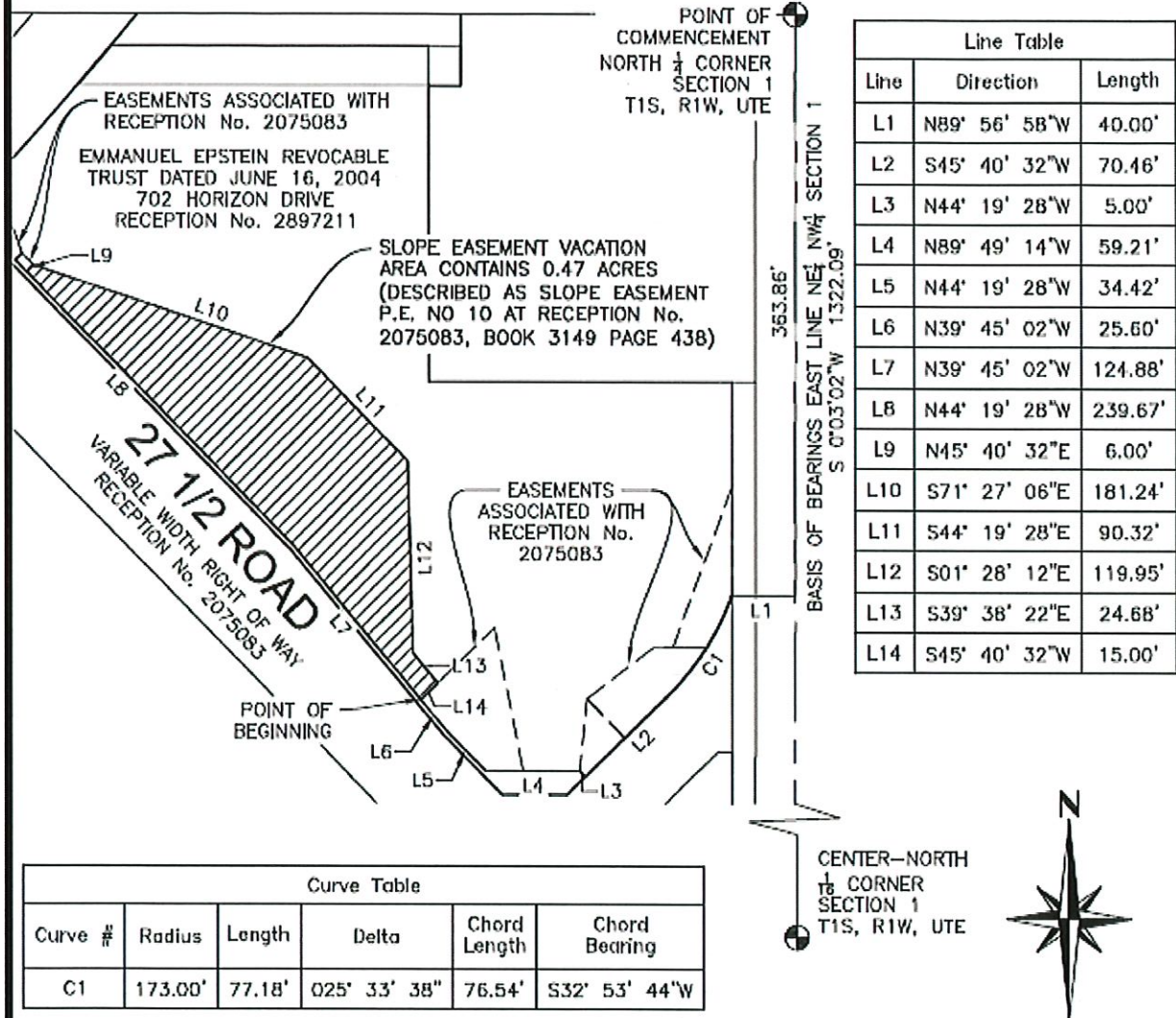


Janet Harrell
Deputy City Clerk



Exhibit A

LEGAL SKETCH



LEGAL DESCRIPTION SKETCH

JOB: 2021-138

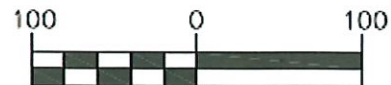
DATE: 11/16/22

SLOPE EASEMENT VACATION
702 HORIZON DRIVE
GRAND JUNCTION, COLORADO
LOT 3 OF SECTION 1
T1S, R1W, UTE.
CITY OF GRAND JUNCTION
MESA COUNTY, COLORADO



GRAPHIC SCALE:

1"=100'



POLARIS SURVEYING

PATRICK W. CLICK P.L.S.

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GRAND JUNCTION, CO 81504
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