

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 5214

**AN ORDINANCE VACATING PUBLIC RIGHT-OF-WAY
LOCATED AT 2076 FERREE DRIVE**

Recitals:

A vacation of public right-of-way has been requested by Monument Ridge Estates, LLC ("Monument Ridge") who owns the land at 2074 Broadway and 2076 Ferree Drive. Monument Ridge is developing a major subdivision on its property, named Monument Ridge Estates. The design for the subdivision includes a public roadway connection to Ferree Drive, referred to on the preliminary subdivision plan as Blue Moon Drive, and another to Broadway, referred to on the preliminary subdivision plan as Manzanita Drive.

Broadway is under the jurisdiction of the Colorado Department of Transportation ("CDOT"). The connection in the new subdivision is too close to Ferree Drive's connection to Broadway so a portion of Ferree Drive is requested to be vacated to satisfy CDOT's requirements for the connection from the new subdivision. The connectivity from the remaining Ferree Drive to Blue Moon Drive and Manzanita Drive provides sufficient access to those who previously relied on that portion of Ferree Drive requested to be vacated.

There is a waterline in the roadway that requires a utility easement be retained by the City of Grand Junction ("City") for the benefit of public utilities. In addition, CDOT requires a sight distance easement for the new connection which will also be retained by the City.

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 a portion of Ferree Drive included within the subdivision plat known as Ellie Heights at Reception No. 731636 in the Mesa County Clerk and Records Records and described in the attached Exhibit Sketch, is consistent with the Comprehensive Plan, the Grand Junction Circulation Plan and Section 21.02.100 of the Grand Junction Municipal Code as long as the conditions set forth herein are met.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE FOLLOWING DESCRIBED DEDICATED RIGHT-OF-WAY IS HEREBY VACATED SUBJECT TO THE LISTED CONDITIONS:

CONDITIONS:

1. The roads referred to as Blue Moon Drive and that portion of Manzanita Drive which connects to Blue Moon Drive and Broadway as shown on the preliminary subdivision plan for Monument Ridge Estates in the City file numbered SUB-2021-

643 shall be constructed and approved for use as determined acceptable by City staff and dedicated to the City for use of the public as roadway.

2. A perpetual utility easement for the installation, operation, maintenance, and repair of utilities and appurtenances of utilities is retained and reserved by the City in all that area vacated for the use of public utilities approved by the City.
3. A sight distance easement for the purpose of maintaining intersection sight distance across the easement which may not have any solid structures, including but not limited to solid fences, utility boxes, trees or tree trunks, landscaping, or other objects, improvements, or structures installed or permitted on the easement which interferes in anyway with or obstructs the sight distance area is retained and reserved by the City for public use.
4. Applicant shall pay all recording/documentary fees for the Vacation Ordinance, any right-of-way/easement documents and/or dedication documents.

RIGHT-OF-WAY DESCRIPTION:

A parcel of land for a fifty (50) foot Right of Way as described at Reception Number 731636 of the Mesa County Records situated in Section 15, Township 11 South, Range 101 West of the 6th Principal Meridian, City of Grand Junction, Mesa County, Colorado, said tract being located entirely within the Ferree Drive Right of Way as shown at Reception Number 731636 of the Mesa County Records, being more particularly described as follows:

Commencing at the Southeast Corner of said Section 15, from whence the South Quarter Corner of Section 15 bears N89°26'45"W a distance of 2640.84 feet for a Basis of Bearings, all bearings herein related thereto; thence N89°26'45"W along the South line of the Southeast Quarter of Section 15 a distance of 1556.46 feet; thence N0°33'15"E a distance of 170.40 feet to the Southeast Corner of the Ferree Drive Right of Way as shown on the Subdivision of Ellie Heights at Reception Number 731636, and the Point of Beginning; thence along said Right of way the following three (3) courses and distances;

1. 50.16 feet along the length of a non-tangent curve to the right with a radius of 676.30 feet and a central angle of 4°14'59" whose chord bears N49°04'07"W a distance of 50.15 feet;
2. N36°28'51"E a distance of 72.21 feet to the start of a tangent curve to the left;
3. 158.32 feet along the length of a tangent curve to the left with a radius of 115.00 feet and a central angle of 78°52'50" whose chord bears N2°57'40"W a distance of 146.11 feet;
4. N42°24'09"W a distance of 28.85 feet;

thence N89°59'53"E a distance of 66.64 to the Easterly line of said Ferree Drive;
thence along said Easterly line the following two (2) courses and distances;

1. 211.04 feet along the length of a non-tangent curve to the left with a radius of 165.00 feet and a central angle of 73°17'02" whose chord bears S0°09'45"E a distance of 196.95 feet;
2. S36°28'51"W a distance of 76.10 feet to the Point of Beginning.

Said tract of land contains 0.32 Acres as described. See Exhibit Sketch attached and incorporated herein.

Said area is retained and reserved as a utility easement as described above.

A portion of said area as depicted in the attached Exhibit B and incorporated herein is retained and reserved as a sight distance easement for the City as described above.

All conditions set forth above shall be met on or before two years from the effective date of this ordinance or the ordinance shall lapse and be held for naught.

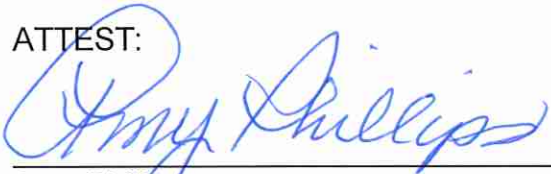
Introduced on first reading this 3rd day of April 2024 and ordered published in pamphlet form.

Adopted on second reading this 17th day of April 2024 and ordered published in pamphlet form.



Anna M. Stout
President of the City Council

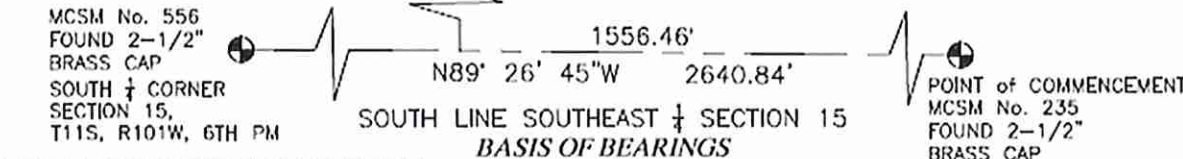
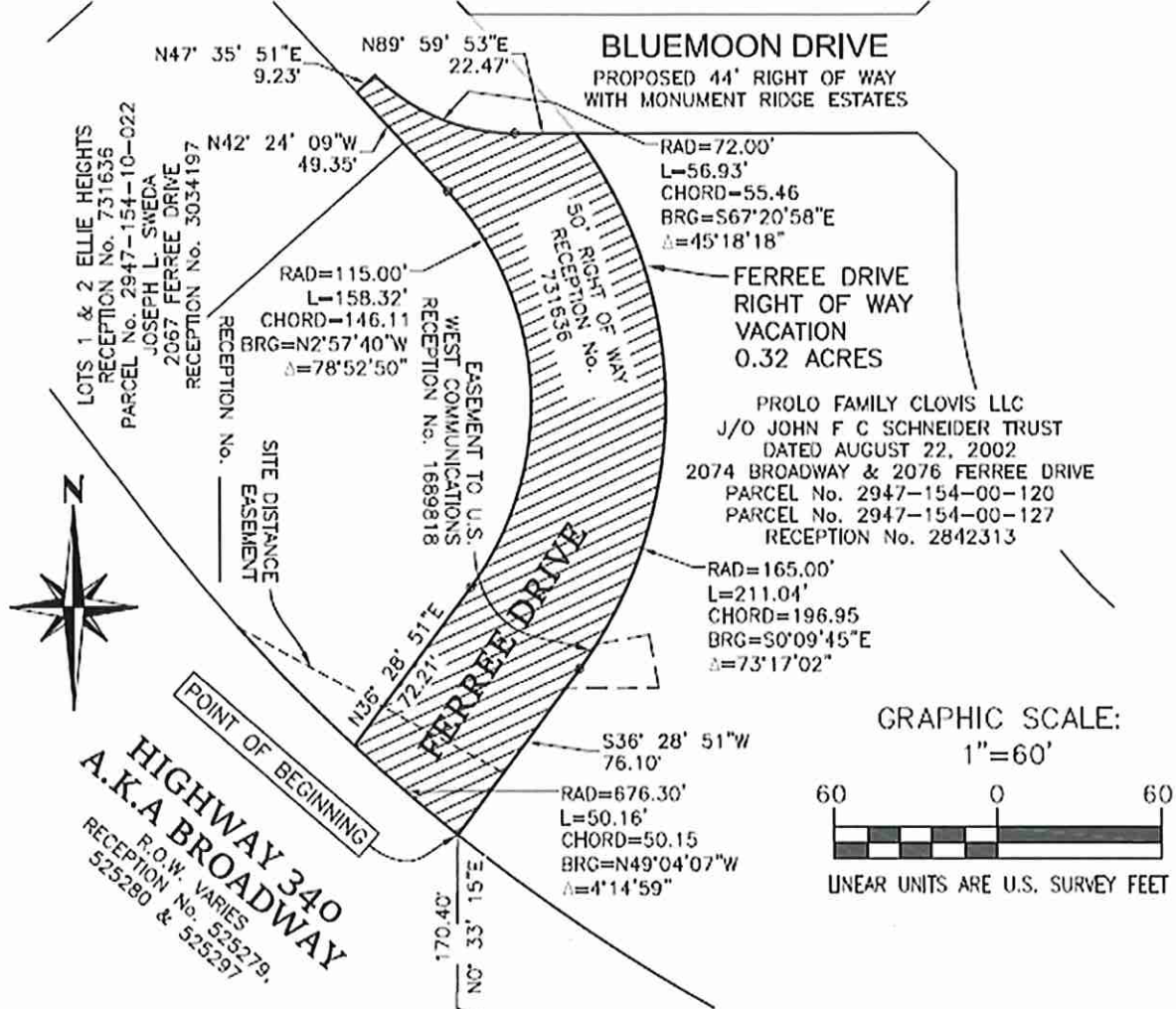
ATTEST:



Amy Phillips
City Clerk



EXHIBIT SKETCH



LEGAL DESCRIPTION SKETCH
 JOB: 2019-112 DATE: 6/27/2023
 RIGHT OF WAY VACATION
 MONUMENT RIDGE ESTATES
 GRAND JUNCTION, COLORADO
 SE1/4 OF SECTION 15
 T11S, R101W, 6TH P.M.
 CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO



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

I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 5214 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 3rd day of April 2024 and 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 17th day of April 2024, at which Ordinance No. 5214 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 19th day of April 2024.


Deputy City Clerk

Published: April 05, 2024
Published: April 19, 2024
Effective: May 19, 2024

