

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 5296

**AN ORDINANCE VACATING PUBLIC RIGHT-OF-WAY
LOCATED NORTHEAST OF 30 ROAD AND E ROAD AND SOUTH OF THE
DENVER AND RIO GRANDE RAILROAD**

Recitals:

42 E Road Storage, LLC ("Owner") has requested vacation of a public right-of-way located at/near 3004 E Road. The Owner is proposing future commercial development consisting of a mixed-use retail flex space and ministorage on the property at 3004 E Road.

The 0.89-acre area proposed for vacation is located north of E Road, east of 30 Road, and south of the Denver and Rio Grande Railroad, and lies on the northern portion of Lot 2, Dollar General Subdivision. The subdivision was recorded in 2025, creating Lot 2 (3004 E Road), the site of the proposed development, and Lot 1 (492 30 Road), which contains the existing Dollar General store. A roadbook petition right-of-way currently extends across the northern portion of Lot 2. Plat Note 5 on the Dollar General Subdivision requires that the petitioned right-of-way occupying the northerly 60 feet of Lot 2 be vacated prior to any future development of Lot 2.

A sanitary sewer line and corresponding sanitary sewer easement are located within the portion of the right-of-way requested to be vacated. As a condition of approval, the City requires that the Owner grant a new sanitary sewer easement to the City, extending 10 feet on either side of the sewer line's centerline, for a total width of at least 20 feet. This required easement area will be accommodated within the 27-foot strip south of the north property line.

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, IN CONSIDERATION OF THE RECITALS, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE FOLLOWING DESCRIBED DEDICATED RIGHT-OF-WAY IS HEREBY CONDITIONALLY VACATED SUBJECT TO THE FOLLOWING CONDITIONS:

1. The property includes a sanitary sewer line and a sanitary sewer easement within the area of the right-of-way requested to be vacated. As a condition of vacating

the right-of-way, the City requires a sanitary sewer easement be granted to the City by the property owner which covers 10 feet on either side of the centerline where the sewer line is installed for a total of no less than 20 feet. The easement area will be covered in the 27 feet south of the north property line.

2. 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:

The area to be vacated is described below and depicted in the attached Exhibit A:

That Portion of Road Right-of-Way described in Commissioners Book 2, Pages 117 and 233, also described in Road Book 2, Page 121 and shown in Road Plat Book 1, Page 46, located within Lot 2, Dollar General Subdivision, same as recorded at Reception Number 3132526, also being the northerly 60 feet of said Lot 2, located with the City of Grand Junction, County of Mesa, State of Colorado.

See Exhibit Sketch attached and incorporated herein.

Said area is retained and reserved as a sanitary easement as described herein:

An easement being the northerly twenty-seven feet (27') of Lot 2, Dollar General Subdivision, same as recorded at Reception Number 3132526, located within the City of Grand Junction, County of Mesa, State of Colorado.

A portion of said area as depicted in the attached Exhibit B and incorporated herein is retained and reserved as a sanitary sewer 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 17th day of December 2025, and ordered published in pamphlet form.

Adopted on second reading this 7th day of January 2026, and final publication is ordered in pamphlet form.

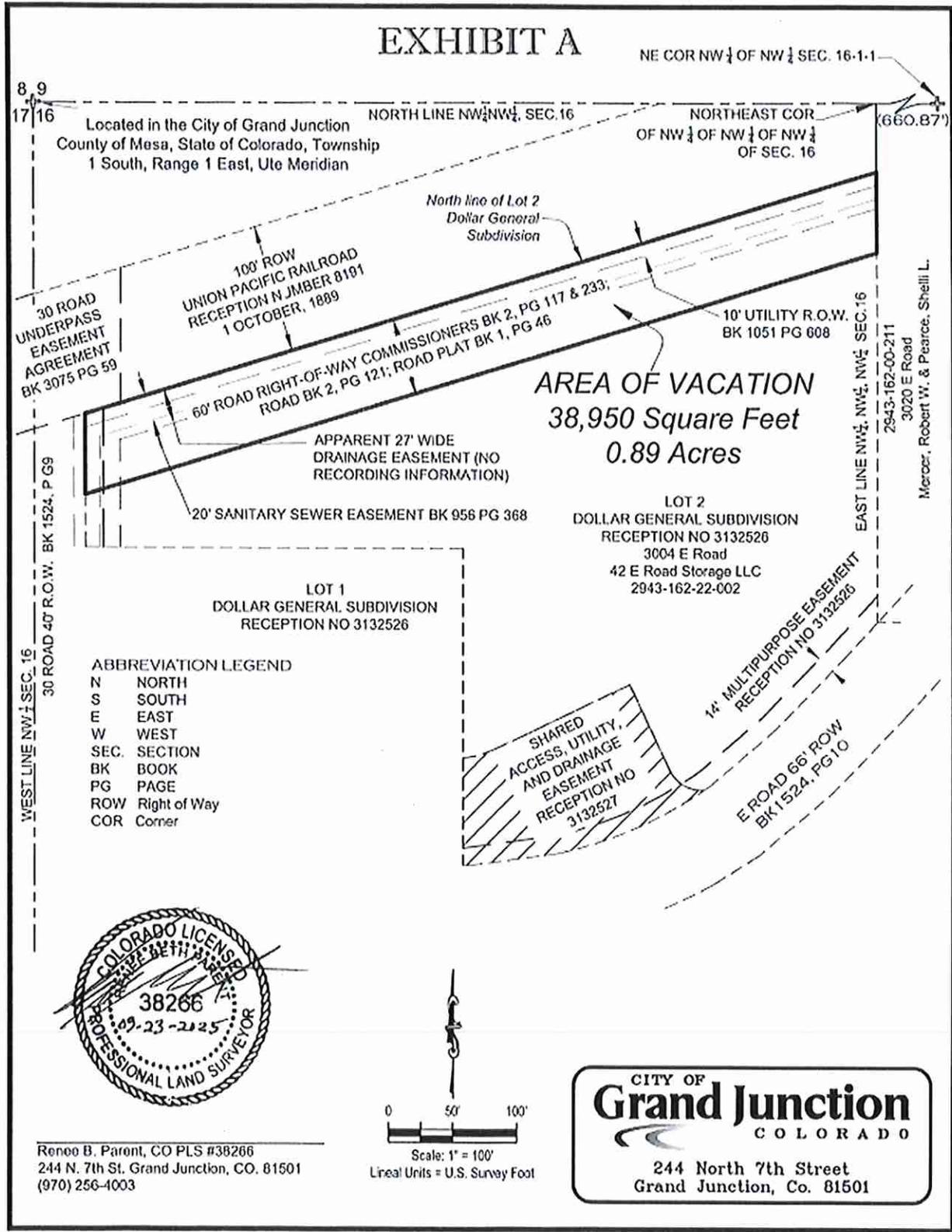
ATTEST:


Selestina Sandoval
City Clerk




Cody Kennedy
City Council President

EXHIBIT A



8, 9
17, 16

Located in the City of Grand Junction
County of Mesa, State of Colorado, Township
1 South, Range 1 East, Ute Meridian

NORTH LINE NW 1/4 NW 1/4 SEC. 16

NE COR NW 1/4 OF NW 1/4 SEC. 16-1-1

NORTHEAST COR
OF NW 1/4 OF NW 1/4 OF NW 1/4
OF SEC. 16 (660.87')

North line of Lot 2
Dollar General
Subdivision

100' ROW
UNION PACIFIC RAILROAD
RECEPTION NUMBER B191
1 OCTOBER, 1889

30 ROAD
UNDERPASS
EASEMENT
AGREEMENT
BK 3075 PG 59

60' ROAD RIGHT-OF-WAY COMMISSIONERS BK 2, PG 117 & 233;
ROAD BK 2, PG 121; ROAD PLAT BK 1, PG 46

10' UTILITY R.O.W.
BK 1051 PG 608

AREA OF VACATION
38,950 Square Feet
0.89 Acres

APPARENT 27' WIDE
DRAINAGE EASEMENT (NO
RECORDING INFORMATION)

20' SANITARY SEWER EASEMENT BK 956 PG 368

EAST LINE NW 1/4, NW 1/4 SEC. 16
2943-162-00-211
3020 E Road
Mercer, Robert W. & Pearce, Shelli L.

LOT 2
DOLLAR GENERAL SUBDIVISION
RECEPTION NO 3132526
3004 E Road
42 E Road Storage LLC
2943-162-22-002

LOT 1
DOLLAR GENERAL SUBDIVISION
RECEPTION NO 3132526

WEST LINE NW 1/4 SEC. 16
30 ROAD 40' R.O.W. BK 1524, P. G. 9

- ABBREVIATION LEGEND
- N NORTH
 - S SOUTH
 - E EAST
 - W WEST
 - SEC. SECTION
 - BK BOOK
 - PG PAGE
 - ROW Right of Way
 - COR Corner

SHARED
ACCESS, UTILITY,
AND DRAINAGE
EASEMENT
RECEPTION NO
3132527

14' MULTIPURPOSE EASEMENT
RECEPTION NO 3132525

E ROAD 66' ROW
BK 1524, PG 10



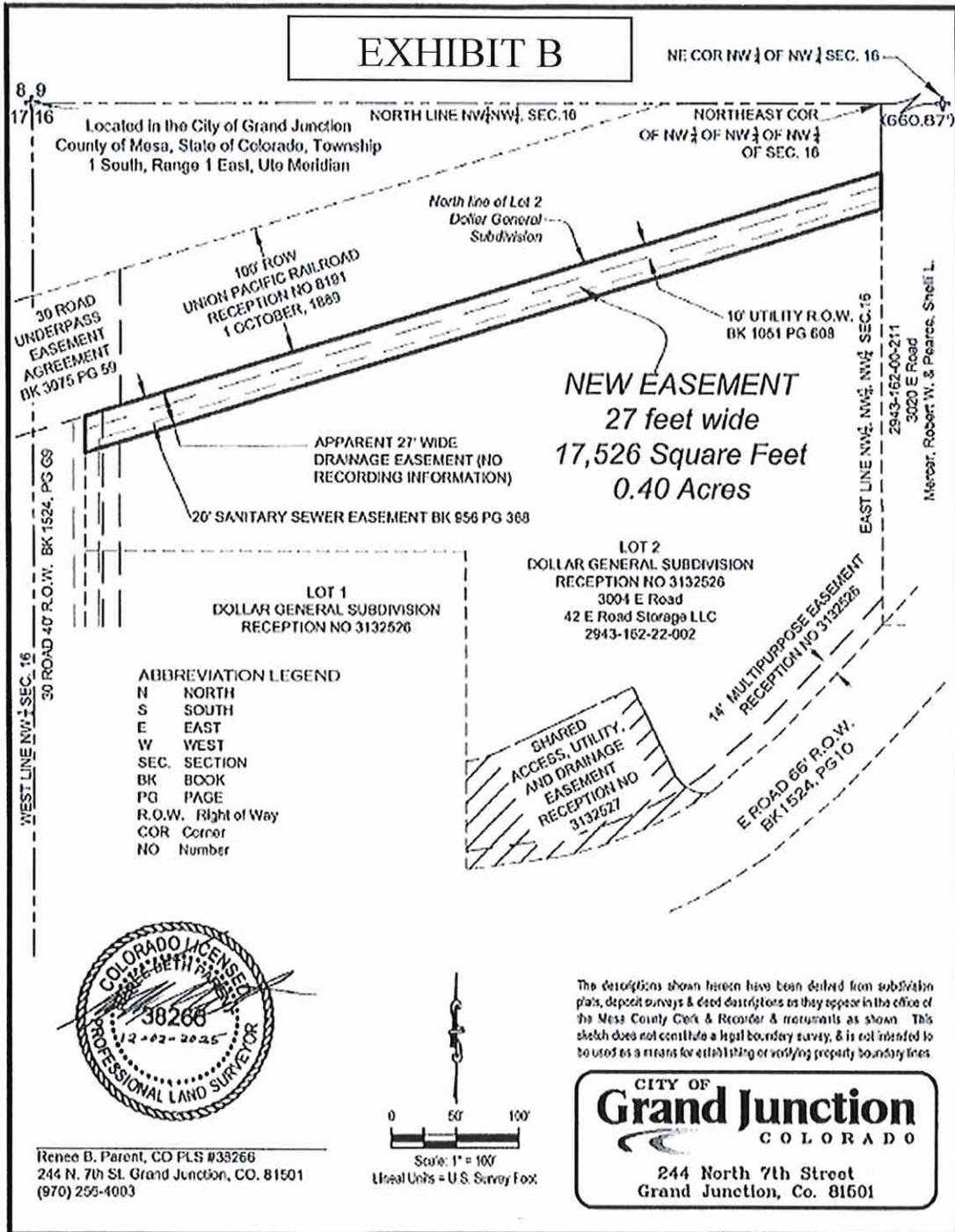
Reneo B. Parent, CO PLS #38266
244 N. 7th St. Grand Junction, CO. 81501
(970) 256-4003

Scale: 1" = 100'
Linear Units = U.S. Survey Foot

CITY OF
Grand Junction
COLORADO

244 North 7th Street
Grand Junction, Co. 81501

EXHIBIT B



Renee B. Parent, CO FLS #38266
244 N. 7th St. Grand Junction, CO. 81601
(970) 255-4003