

CITY OF GRAND JUNCTION

ORDINANCE NO. 4339

AN ORDINANCE VACATING RIGHTS-OF-WAY FOR PORTIONS OF WEST COLORADO/NORTH-SOUTH RIGHT-OF-WAY FOR ALLEY LOCATED BETWEEN NORTH 1ST STREET AND SPRUCE STREET, SOUTH OF MAIN STREET/A PORTION OF A DIAGONAL UNIMPROVED UN-NAMED ROAD RIGHT-OF-WAY LOCATED SOUTH AND WEST OF NORTH 1ST STREET AND WEST MAIN STREET (GCK, LLC DEVELOPMENT)

RECITALS:

A vacation of the dedicated rights-of-way for has been requested by the adjoining property owners.

The City Council finds that the request is consistent with the Growth Plan, the Grand Valley Circulation 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 Code to have been met, and recommends that the vacation be approved.

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 subject to the listed conditions:

1. Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.
2. The West Colorado Avenue and alley rights-of-way are to be retained in full as a public ingress/egress and utility easements.

Dedicated right-of-way to be vacated:

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

That part of Colorado Avenue located in the SE $\frac{1}{4}$ of Section 15, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado lying within Richard D. Mobley's First Subdivision, being more particularly described as follows:

Commencing at a City Monument for the 20-foot offset line at the intersection of Spruce Street and Colorado Avenue, whence a City Monument for the 20-foot offset line at the intersection of Spruce Street and Main Street bears N 00°18'46" W, 370.52 feet; thence

N 62°05'07" E, 21.56 feet to the Point of Beginning;

1. Thence N 89°43'24" E, 40.90 feet;
2. Thence N 00°18'46" W, 10.00 feet;
3. Thence N 89°43'24" E, 269.24 feet;
4. Thence S 00°17'39" E, 80.00 feet;
5. Thence N 89°43'24" E, 250.96 feet;
6. Thence N 40°29'40" W, 91.67 feet to the Point of Beginning.

A drawing depicting the above is attached hereto as Exhibit "A".

Tract of land as described above contains 0.513 acres more or less.

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

That part of a 20-foot alley located in the SE¼ of Section 15, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado lying within Block 7 of Richard D. Mobley's First Subdivision, being more particularly described as follows:

Commencing at a City Monument for the 20-foot offset line at the intersection of Spruce Street and Colorado Avenue, whence a City Monument for the 20-foot offset line at the intersection of Spruce Street and Main Street bears N 00°18'46" W, 370.52 feet; thence N 89°43'24" E, 184.62 feet and N 00°18'13" W, 20.00 feet to the Point of Beginning;

1. Thence N 00°18'46" W, 135.18 feet;
2. Thence N 89°44'48" E, 10.00 feet;
3. Thence S 00°18'13" W, 72.68 feet;
4. Thence N 89°43'24" E, 10.00 feet;
5. Thence S 00°18'13" E, 62.50 feet;
6. Thence S 89°43'24" W, 20.00 feet to the Point of Beginning.

A drawing depicting the above is attached hereto as Exhibit "B".

Tract of land as described above contains 0.045 acres more or less.

The following unimproved and unnamed right-of-way is shown on "Exhibit C" as part of this vacation of description.

A tract of land located in the SE¼ of Section 15, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado lying within Richard D. Mobley's First Subdivision, being more particularly described as follows:

Commencing at a City Monument for the 20-foot offset line at the intersection of Spruce Street and Colorado Avenue, whence a City Monument for the 20-foot offset line at the intersection of Spruce Street and Main Street bears N 00°18'46" W, 370.52 feet; thence N 62°05'07" E, 21.56 feet to the Point of Beginning;

1. Thence N 89°43'24" E, 40.90 feet;
2. Thence N 00°18'46" W, 44.59 feet;
3. Thence S 40°29'40" E, 325.00 feet;
4. Thence S 89°33'28" W, 78.38 feet;
5. Thence N40°29'40" W, 266.90 feet to the Point of Beginning.

A drawing depicting the above is attached hereto as Exhibit "C".

Tract of land as described above contains 0.387 acres more or less.

Introduced for first reading on this 18th day of February, 2009

PASSED and ADOPTED this 4th day of March, 2009.

ATTEST:

/s/: Gregg Palmer
President of City Council

/s/: Stephanie Tuin
City Clerk

EXHIBIT A

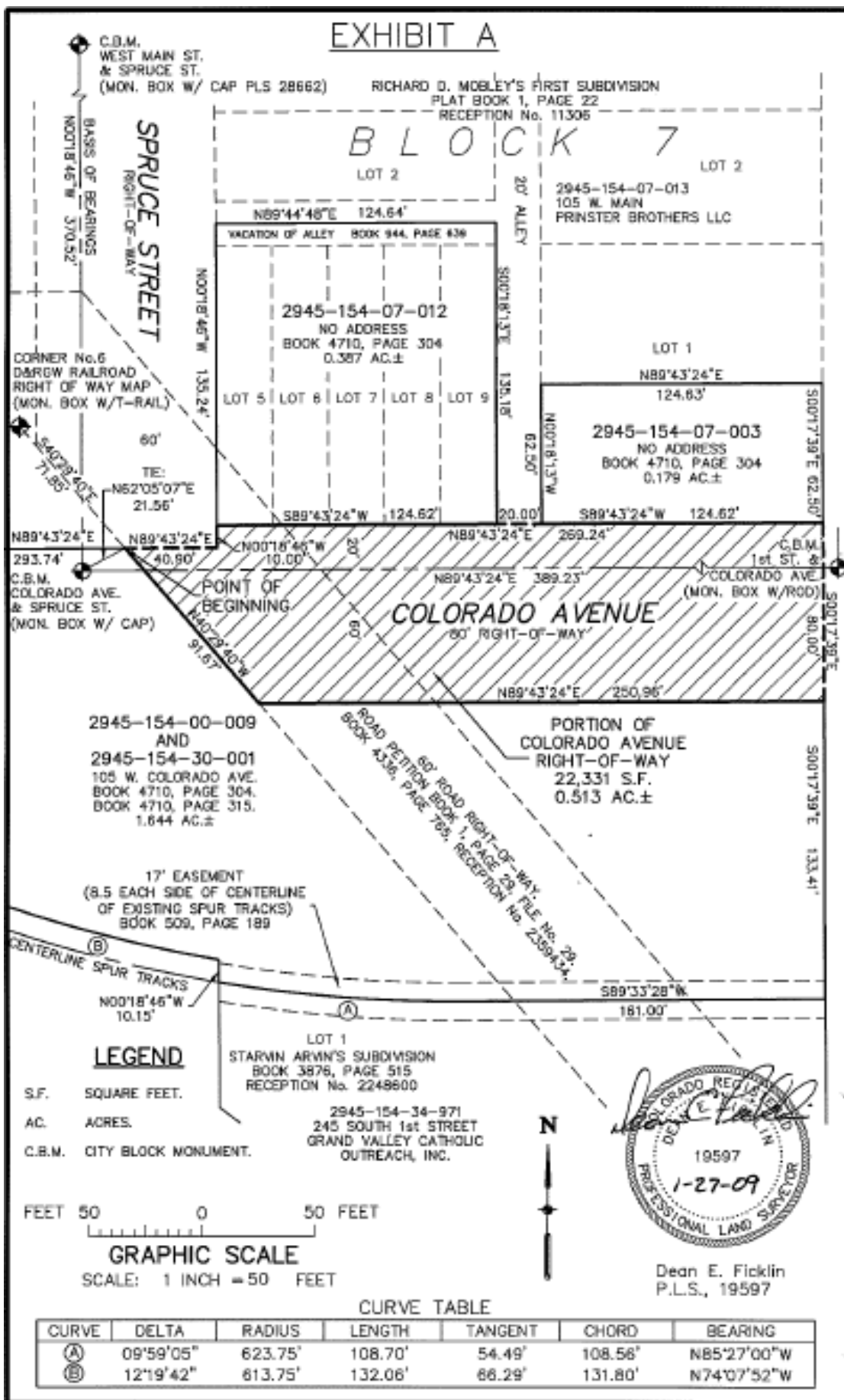


EXHIBIT B

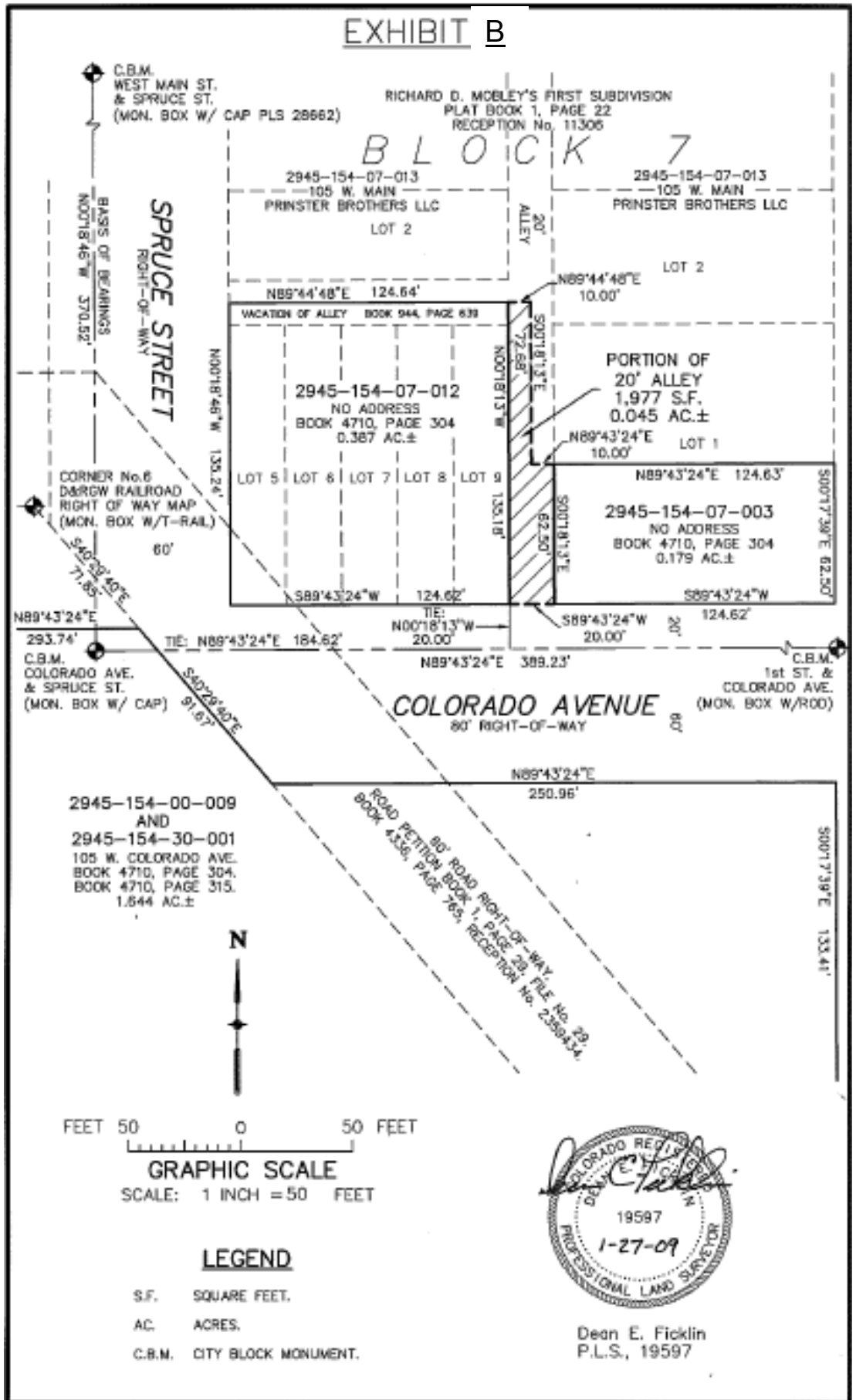


EXHIBIT C

