

CITY OF GRAND JUNCTION

ORDINANCE NO. 4365

**AN ORDINANCE VACATING A PORTION OF THE WEST RIDGES BOULEVARD
RIGHT-OF-WAY LOCATED WEST OF 2335, 2335 ½ AND 2337 A RATTLESNAKE
COURT**

RECITALS:

A request to vacate a portion of the West Ridges right-of-way west of 2335, 2335 ½ and 2337 A Rattlesnake Court. The City shall reserve and retain a perpetual 10 foot Utility Easement on, along, over, under, through and across the eastern portion of the right-of-way to be vacated.

The City Council finds that the request to vacate the herein described portion of the West Ridges Boulevard right-of-way with the reservation to retain an easement is consistent with the Growth Plan and Section 2.11 of the Zoning and Development Code.

The Planning Commission, having heard and considered the request on May 26, 2009, found the criteria of the Zoning and Development Code to have been met, and recommends that the vacation be approved as requested subject to the condition that the City shall reserve and retain a perpetual Utility Easement on, along, over, under, through and across 10 feet of the area of the hereinafter described right-of-way.

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

A PORTION OF THE DEDICATED STREET PLATTED AS WEST RIDGES BOULEVARD BY THE RIDGES FILING NO. FIVE SUBDIVISION PLAT RECORDED IN PLAT BOOK 12 AT PAGES 316 THROUGH 320 IN THE OFFICE OF THE CLERK AND RECORDER OF MESA COUNTY, COLORADO AND BEING A PART OF THE SOUTHEAST ¼ NORTHWEST ¼ OF SECTION 20, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH ¼ CORNER OF SAID SECTION 20 (MESA COUNTY SURVEY MONUMENT NO. 1194) THENCE SOUTH 26°55'53" WEST 2051.25 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE WESTERLY RIGHT OF WAY OF WEST RIDGES BOULEVARD AS DEDICATED AND ALSO BEING THE NORTHEAST CORNER OF BLOCK 8, REDLANDS MESA FILING NO. 1, PLAT BOOK 17 AT PAGES 254-362 AND ALSO BEING THE SOUTHWEST CORNER OF THAT PORTION OF WEST RIDGES BOULEVARD AS PREVIOUSLY VACATED BY MESA COUNTY RESOLUTION NO. MCM 84-76 RECORDED IN BOOK 1500 AT PAGE 205.

THENCE SOUTHERLY ALONG THE WESTERLY RIGHT OF WAY OF WEST RIDGES BOULEVARD THE FOLLOWING THREE (3) COURSES:

1. SOUTH 28°58'00" EAST 43.04 FEET;
2. 148.29 FEET ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS IS 260.00 FEET (CHORD BEARS S12°37'37"E 146.29 FT.)

3. 26.76 FEET ALONG THE ARC OF A CURVE TO THE LEFT WHOSE RADIUS IS 290.00 FEET (CHORD BEARS S01°02'34"W 26.75 FT.)

THENCE DEPARTING SAID WESTERLY RIGHT OF WAY EASTERLY 75.72 FEET ALONG THE ARC OF A NON-TANGENTIAL CURVE TO THE RIGHT WHOSE CENTRAL RADIUS POINT BEARS S07°57'44"W 97.17 FEET (CHORD BEARS S59°43'12"E 73.82 FT.) THENCE SOUTH 37°24'08" EAST 15.34 FEET

THENCE NORTH 75°10'39"EAST 14.28 FEET TO THE EASTERLY RIGHT OF WAY LINE OF WEST RIDGES BOULEVARD SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT44A OF THE REPLAT OF LOTS 22A THROUGH 30A, BLOCK 25, THE RIDGES FILING NO. FIVE, PLAT BOOK 12 PAGE 348.

THENCE NORTHERLY ALONG THE EASTERLY RIGHT OF WAY OF WEST RIDGES BOULEVARD THE FOLLOWING THREE (3) COURSES:

1. 67.94 FEET ALONG THE ARC OF A NON-TANGENTIAL CURVE TO THE RIGHT WHOSE CENTRAL RADIUS POINT BEARS N75°10'39"E 210.00 FEET (CHORD BEARS N05°33'17"W 67.64 FT.)
2. 193.92 FEET ALONG THE ARC OF A CURVE TO THE LEFT WHOSE RADIUS IS 340.00 FEET (CHORD BEARS N12°37'37"W 191.30 FT.)
3. NORTH 28°58'00"WEST 43.04 FEET TO THE NORTHWEST CORNER OF LOT 19A, BLOCK 25, THE RIDGES FILING NO. FIVE.

THENCE DEPARTING SAID EASTERLY RIGHT OF WAY SOUTH 61°02'00" WEST 80.00 ALONG THE SOUTHERLY LINE OF VACATED WEST RIDGES BOULEVARD IN BOOK 1500 AT PAGE 205 TO THE POINT OF BEGINNING, CONTAINING 20,755 SQUARE FEET MORE OR LESS.

SUBJECT TO AND ENCUMBERED BY A 10 FOOT WIDE UTILITY EASEMENT RESERVED AND RETAINED BY THE CITY OF GRAND JUNCTION ALONG THE EASTERLY BOUNDARY OF THE HEREIN DESCRIBED PARCEL.

BASIS OF BEARINGS IS THE NORTH LINE OF THE NE ¼ OF SECTION 20, T1S, R1W U.M. OF N 89°49'07"W 2,615.83 FEET BETWEEN FOUND MESA COUNTY SURVEY MONUMENTS: NE SECTION CORNER MON. # 553 AND NORTH ¼ CORNER MON.#1194.

The described right-of-way in the attached Exhibit A which is incorporated herein as if fully rewritten is hereby vacated and a 10 foot perpetual Utility Easement is hereby reserved and retained for City-approved utilities including the installation, operation, maintenance and repair of said utilities and appurtenances which may include but are not limited to electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, waterlines, telephone lines, equivalent other public utility providers and appurtenant facilities.

Introduced for first reading on this 15th day of June 2009

PASSED and ADOPTED this 29th day of June 2009.

ATTEST:

/s/ Bruce Hill
President of City Council

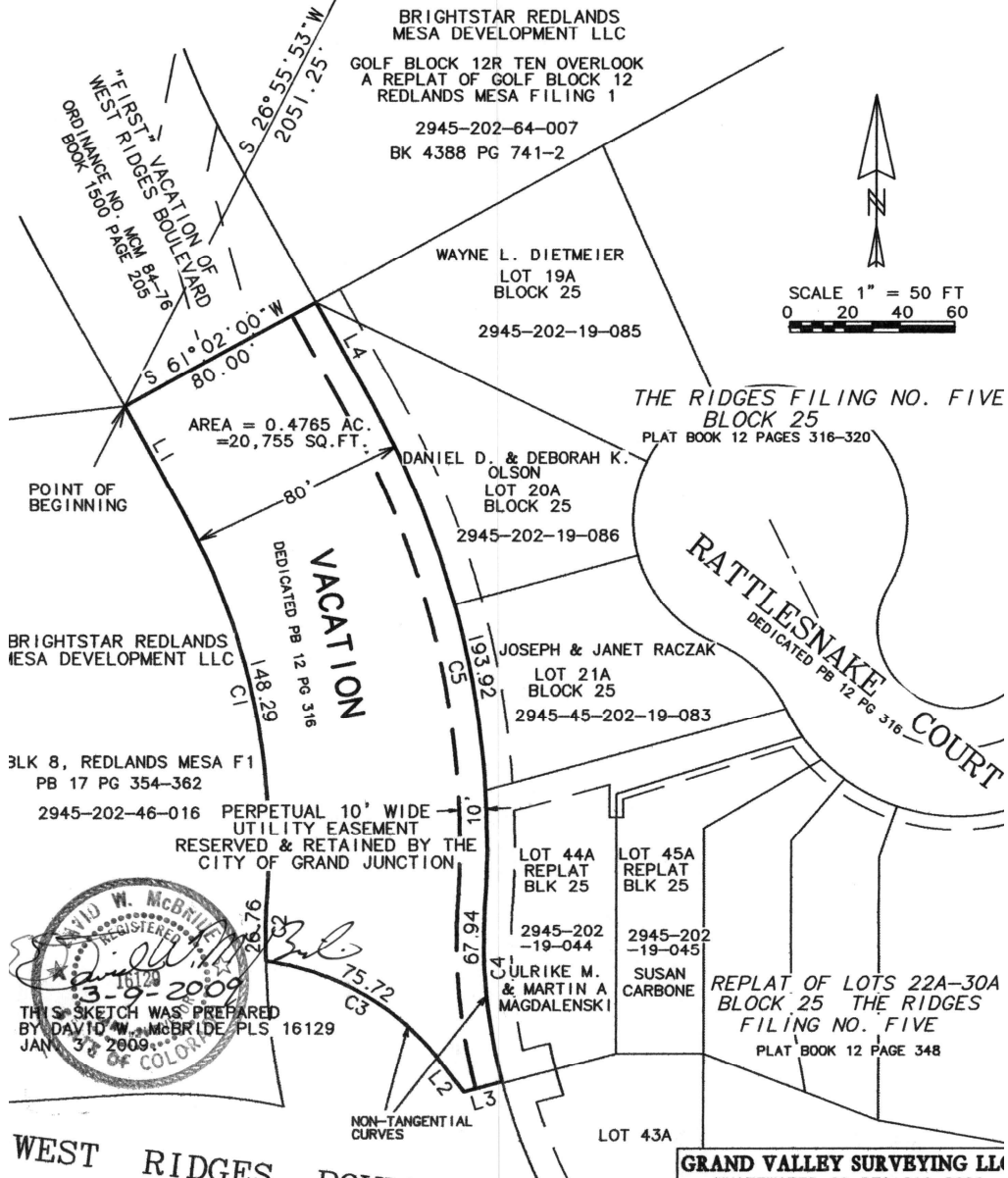
/s/ Stephanie Tuin
City Clerk

Exhibit A

CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO
 SE1/4 NW1/4 SECTION 20, T1S, R1W, U.M.

CURVE	DELTA ANGLE	RADIUS	ARC	CHORD	CHORD BEARING
C 1	32° 40' 44"	260.00'	148.29'	146.29'	S 12° 37' 37" E
C 2	5° 17' 12"	290.00'	26.76'	26.75'	S 01° 02' 34" W
C 3	44° 38' 09"	97.19'	75.72'	73.82'	S 59° 43' 12" E NON-TANG.
C 4	18° 32' 08"	210.00'	67.94'	67.64'	N 05° 33' 17" W NON-TANG.
C 5	32° 40' 44"	340.00'	193.92'	191.30'	N 12° 37' 37" W

LINE	BEARING	DISTANCE	POINT OF COMMENCEMENT	BASIS OF BEARINGS	MCSM #
L 1	S28° 58' 00" E	43.04'	MCSM #1194		
L 2	S37° 24' 08" E	15.34'			
L 3	N75° 10' 39" E	14.28'			
L 4	N28° 58' 00" W	43.04'			
			N 1/4 COR SECTION 20	N 89° 49' 07" W 2,615.83'	MCSM #553 NE CORNER SECTION 20



DAVID W. McBRIDE
 REGISTERED SURVEYOR
 16129
 3-9-2009
 THIS SKETCH WAS PREPARED
 BY DAVID W. McBRIDE, PLS 16129
 JAN 3 8 2009
 STATE OF COLORADO