

**CITY OF GRAND JUNCTION**

**ORDINANCE NO. 4413**

**AN ORDINANCE VACATING RIGHT-OF-WAY  
LOCATED WITHIN LOT 20 OF THE SOUTH FIFTH STREET SUBDIVISION  
NORTH OF NOLAND AVENUE ACQUIRED FOR THE RIVERSIDE PARKWAY IN  
BOOK 3973, PAGES 628-631**

RECITALS:

A request to vacate a portion of right-of-way located within Lot 20 of the South Fifth Street Subdivision, north of Noland Avenue acquired for the Riverside Parkway in Book 3973, Pages 628-631, has been made by the City. The City shall reserve and retain a perpetual Multipurpose Easement on, along, over, under, through and across the entire area of the right-of-ways to be vacated.

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 with the reservation of the Multipurpose Easement.

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.

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

Dedicated right-of-way to be vacated:

**Vacation # 2**

A parcel of land lying in the Northwest Quarter (NW1/4) of Section 23, Township One South, Range One West of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado, and being more particularly described as follows:

A portion of that certain right of way, as described in Book 3973, Pages 628-631, as same is recorded in the Public records of Mesa County, Colorado, being that portion of said right of way within Lot 20, Block 1, South Fifth Street Subdivision, recorded in Plat

Book 7, Page 19 in said Public records, lying south and west of the following described line:

Commencing at the Southwest corner of Lot 20, Block 1, South Fifth Street Subdivision, and considering the South line of said Lot 20 to bear N89°06'45"W, with all bearings herein relative thereto; thence N00°52'27"W, along the West line of said Lot 20, a distance of 109.23 feet to the POINT OF BEGINNING; thence 31.71 feet along the arc of a 50.00 foot radius curve, concave southwest, through a central angle of 36°20'05", and which chord bears S64°15'49"E a distance of 31.18 feet to a point of tangency; thence S46°05'46"E a distance of 140.83 feet to the South line of said Lot 20.

Containing 7,718 square feet, more or less, as described.

Introduced for first reading on this 1<sup>st</sup> day of February, 2010.

PASSED and ADOPTED this 1<sup>st</sup> day of March, 2010.

ATTEST:

/s/ Bruce Hill  
President of City Council

/s/ Stephanie Tuin  
City Clerk

Vacation #2 Exhibit A

