

CITY OF GRAND JUNCTION

ORDINANCE NO. 4414

AN ORDINANCE VACATING A PORTION OF THE NOLAND AVENUE RIGHT-OF-WAY LOCATED BETWEEN 5TH STREET AND 7TH STREET SOUTH OF THE RIVERSIDE PARKWAY AND AN ALLEY RIGHT-OF-WAY LOCATED WITHIN BLOCK 2 OF THE SOUTH FIFTH STREET SUBDIVISION BETWEEN STRUTHERS AND THE RIVERSIDE PARKWAY

RECITALS:

A request to vacate a portion of Noland Avenue right-of-way located between 5th Street and 7th Street south of the Riverside Parkway and an alley right-of-way within Block 2 of the South Fifth Street Subdivision between Struthers and the Riverside Parkway, 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 # 3

Two parcels 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:

That portion of Noland Avenue right of way, as depicted in the South Fifth Street Subdivision, recorded in Plat Book 7, Page 19 in the Public records of the Mesa County Clerk and Recorder, lying east of the following described line:

Commencing at the Northwest corner of Lot 14, Block 2, said South Fifth Street Subdivision, and considering the North line of said Lot 14 to bear N89°18'40"E, with all bearings herein relative thereto, thence N89°18'40"E, along the North line of said Lot 14, a distance of 58.65 feet to the POINT OF BEGINNING; thence N51°29'00"E a distance of 108.74 feet to the North line of said Noland Avenue, AND west of the following described line:

Commencing at the Southwest corner of Lot 20, Block 1, said South Fifth Street Subdivision; thence S89°06'45"E, along the South line of said Lot 20, a distance of 127.90 feet to the POINT OF BEGINNING; thence S46°05'46"E a distance of 43.97 feet to the South line of said Noland Avenue, TOGETHER WITH

That portion of that sixteen foot wide alley right of way within Block 2 said South Fifth Street Subdivision, lying North of the North line of Struthers Avenue as extended between Lot 5 and lot 6, said Block 2, and South of the following described curve; Commencing at the Northwest corner of Lot 14, Block 2, said South Fifth Street Subdivision; thence S00°14'02"W, along the West line of said Lot 14, a distance of 51.44 feet to the POINT OF BEGINNING; thence 24.27 feet along the arc of a 400.00 foot radius curve, concave Southeast, through a central angle of 03°28'35" and which chord bears S41°29'10"W a distance of 24.27 feet to the west line of said alley right of way.

Containing 24,395 square feet, or 0.560 acres, more or less, as described.

Introduced for first reading on this 1st day of February, 2010.

PASSED and ADOPTED this 1st day of March, 2010.

ATTEST:

/s/ Bruce Hill
President of City Council

/s/ Stephanie Tuin
City Clerk

Vacation #3 Exhibit A

