#### CITY OF GRAND JUNCTION

### **ORDINANCE NO. 4429**

# AN ORDINANCE VACATING RIGHT-OF-WAY FOR A PORTION OF 29 5/8 ROAD, AT GOOSE DOWNS SUBDIVISION

#### LOCATED AT 359 29 5% ROAD

## **RECITALS:**

A vacation of the dedicated right-of-way for Goose Downs Subdivision has been requested by the adjoining property owner.

The City Council finds that the request is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan, the Pear Park Plan and Section 2.11.C 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 conditions as listed in the Staff report, dated June 8, 2010.

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

The following described dedicated right-of-way recorded in Book 3040, Page 111 and Book 3041, Page 984, approximately 41,467 square feet or 0.952 Acres ±, 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. Developer shall dedicate and construct sufficient new access prior to the recording of the ordinance vacating 29 \mathbb{5}\mathbb{8} Road.

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

Dedicated right-of-way to be vacated:

Book 3040, Page 111 and Book 3041, Page 984, approximately 41,467 square feet or 0.952 Acres  $\pm$ 

Introduced for first reading on this 7<sup>th</sup> day of July, 2010.

PASSED and ADOPTED this 19<sup>th</sup> day of July, 2010.

ATTEST:

# /s/ Teresa A. Coons President of City Council

/s/: Stephanie Tuin City Clerk

