

**CITY OF GRAND JUNCTION**

**ORDINANCE NO. 4441**

**AN ORDINANCE VACATING A PORTION OF G ½ ROAD FOR THE  
BUESCHER RIGHT-OF-WAY VACATION  
LOCATED ADJACENT TO 749 GOLFMORE DRIVE**

RECITALS:

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

The City Council finds that the request is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Title 21.02.100 of the Grand Junction Municipal 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. Written consent of Grand Valley Water Users' Association for the reserved easement.

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

Dedicated right-of-way to be vacated:

A portion of the G-1/2 Road right-of-way fronting Lot 7, Block No.1 of Fairway Park, as dedicated on the plat of same recorded at Reception No. 749186 of the Mesa County records, situated in the NW1/4 SW1/4 of Section 36, Township 1 North, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado; with said vacation parcel being more particularly described as follows:

Beginning at a #6 rebar at the Northwest corner of Fairway Park, whence the Mesa County survey marker for the West one-quarter corner of said Section 36 bears North 89°54'27" West, a distance of 482.19 feet, and with all bearings herein being relative to

South 89°54'27" East on the North line of Fairway Park as defined by said West one-quarter corner and a rebar and cap PLS 10097 at the Northeast corner of Fairway Park; Thence along the North line of Fairway Park and the North right-of-way line of G-1/2 Road, South 89°54'27" East, a distance of 159.81 feet to a point which is North 89°54'27" West, a distance of 60.00 feet from the centerline of Golfmore Drive; Thence South 01°06'27" East, a distance of 30.01 feet to the South right-of-way line of G-1/2 Road; Thence along said right-of-way line, North 89°54'27" West, a distance of 189.36 feet to the Westerly right-of-way line of G-1/2 Road; Thence along said right-of-way line, North 44°02'34" East, a distance of 41.67 feet to the Point of Beginning.

Containing 5237.4 square feet (0.120 acres), more or less.

AND

Commencing at the aforesaid Northwest corner of Fairway Park; Thence along the North line of Fairway Park and the North right-of-way line of G-1/2 Road, South 89°54'27" East, a distance of 159.81 feet to a point which is North 89°54'27" West, a distance of 60.00 feet from the centerline of Golfmore Drive; Thence South 01°06'27" East, a distance of 30.01 feet to the South right-of-way line of G-1/2 Road; Thence along the South right-of-way line of G-1/2 Road, South 89°54'27" East, a distance of 10.53 feet to the **Point of Beginning**; Thence South 89°54'27" East, a distance of 24.48 feet; Thence South 01°06'27" East, a distance of 24.48 feet to a point of cusp on a 25.00 foot radius curve to the left; Thence 38.75 feet northwesterly along the arc of said curve, through a central angle of 88°48'00", with a chord bearing North 45°30'27" West, a distance of 34.98 feet to the Point of Beginning.

Containing 127.7 square feet (0.003 acres), more or less.

Reserving, however, a 15' wide perpetual, non-exclusive easement, for conveyance of irrigation water, maintenance, pipes and other irrigation facilities as shown on Exhibit A.

This description was prepared by: Dennis R. Shellhorn, Colorado P. L. S. 18478, 744 Horizon Court, Suite 110, Grand Junction, CO 81505

Introduced for first reading on this 4<sup>th</sup> day of October 2010.

PASSED and ADOPTED this 18<sup>th</sup> day of October, 2010.

ATTEST:

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

/s/: Stephanie Tuin  
City Clerk

