

CITY OF GRAND JUNCTION

ORDINANCE NO. 4455

**AN ORDINANCE VACATING
ALLEY RIGHTS-OF-WAY LOCATED IN BLOCK 138 AND BLOCK 139
OF THE CITY OF GRAND JUNCTION**

**AND
THAT PORTION OF SOUTH 6TH STREET BETWEEN UTE AND PITKIN AVENUES
(911-POLICE-FIRE FACILITIES)**

RECITALS:

A vacation of dedicated rights-of-way 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 Section 21.02.100 of the Grand Junction Municipal Code.

The Planning Commission, having heard and considered the request, found the criteria of the Grand Junction Municipal 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. Temporary Utility Easements are hereby reserved by the City of Grand Junction on, along, over, under, through and across the area of the right-of-ways to be vacated for the benefit of the public for use of City-approved public utilities as perpetual easements for the installation, operation, maintenance and repair of said utilities and appurtenances including, but 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.
2. Temporary Public Access Easements are hereby reserved by the City of Grand Junction on, along, over, under, though and across the areas of the right-of-ways to be vacated for installing, maintaining and repairing an access way for vehicular and pedestrian ingress and egress for the benefit of the public.
3. The easements are reserved as temporary easements as it is understood that the easements are needed for the utilities presently in the right-of-way and for access of the public. Once the utilities have been relocated into new easements or right-of-

ways, to the satisfaction of the City Manager or the City Manager's designee, the City Manager or the City Manager's designee may release all interests in the Temporary Utility Easements pursuant to Section 21.02.100(d)(3) of the Grand Junction Municipal Code. In accordance with the same section, the City Manager or the City Manager's designee may release any and/or all interest in the Temporary Public Access Easements included herein if it is determined that the access is no longer needed.

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

Dedicated right-of-way to be vacated:

BLOCK 138

A certain parcel of land lying in the Southwest Quarter (SW 1/4) of Section 14, Township 1 South, Range 1 West of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of the East-West 20 foot wide alley and the North-South 15 foot wide alley lying entirely within Block 138, the Plat of Part of Second Division Resurvey, as Amended, as same is recorded in Plat Book 3, page 21, Public Records of Mesa County, Colorado, not previously vacated by City of Grand Junction Ordinances 1142 and 1167, lying West of the West right of way for Seventh Street and North of the North right of way for Pitkin Avenue.

CONTAINING 4,913 Square Feet, more or less, as described.

BLOCK 139

A certain parcel of land lying in the Southwest Quarter (SW 1/4) of Section 14, Township 1 South, Range 1 West of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of that certain East-West 20 foot wide alley lying entirely within Block 139 of the Plat of Part of Second Division Resurvey, as Amended, as same is recorded in Plat Book 3, page 21, Public Records of Mesa County, Colorado, lying between the East right of way for Fifth Street and the West right of way for Sixth Street.

CONTAINING 8,031 Square Feet, more or less, as described.

SOUTH SIXTH STREET
(BETWEEN UTE AND PITKIN AVENUES)

A certain parcel of land lying in the Southwest Quarter (SW 1/4) of Section 14, Township 1 South, Range 1 West of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of Sixth Street, lying between Blocks 138 and 139 of the Plat of Part of Second Division Resurvey, as Amended, as same is recorded in Plat Book 3, page 21, Public Records of Mesa County, Colorado, lying between the South right of way for Ute Avenue and the North right of way for Pitkin Avenue.

CONTAINING 21,889 Square Feet, more or less, as described.

INTRODUCED on first reading the 31st day of January, 2011 and ordered published in pamphlet form.

PASSED and ADOPTED on second reading the 14th day of February, 2011 and ordered published in pamphlet form.

ATTEST:



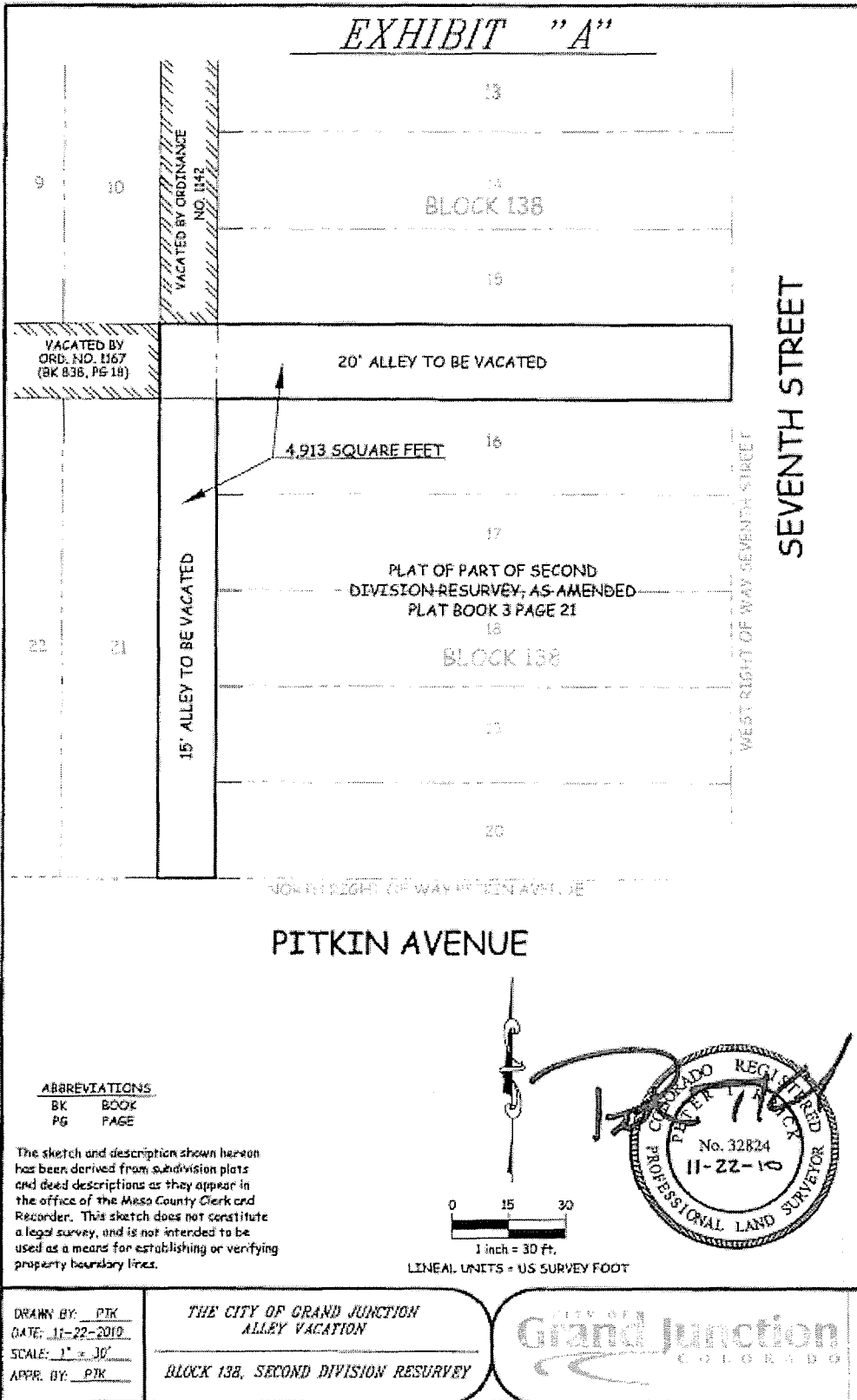
Stephanie Yarr

City Clerk

Teresa L. Coors

President of City Council

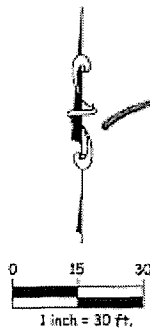
EXHIBIT "A"



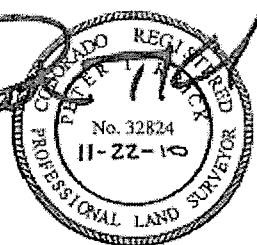
ABBREVIATIONS

BK BOOK
PG PAGE

The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



LINEAL UNITS - US SURVEY FOOT

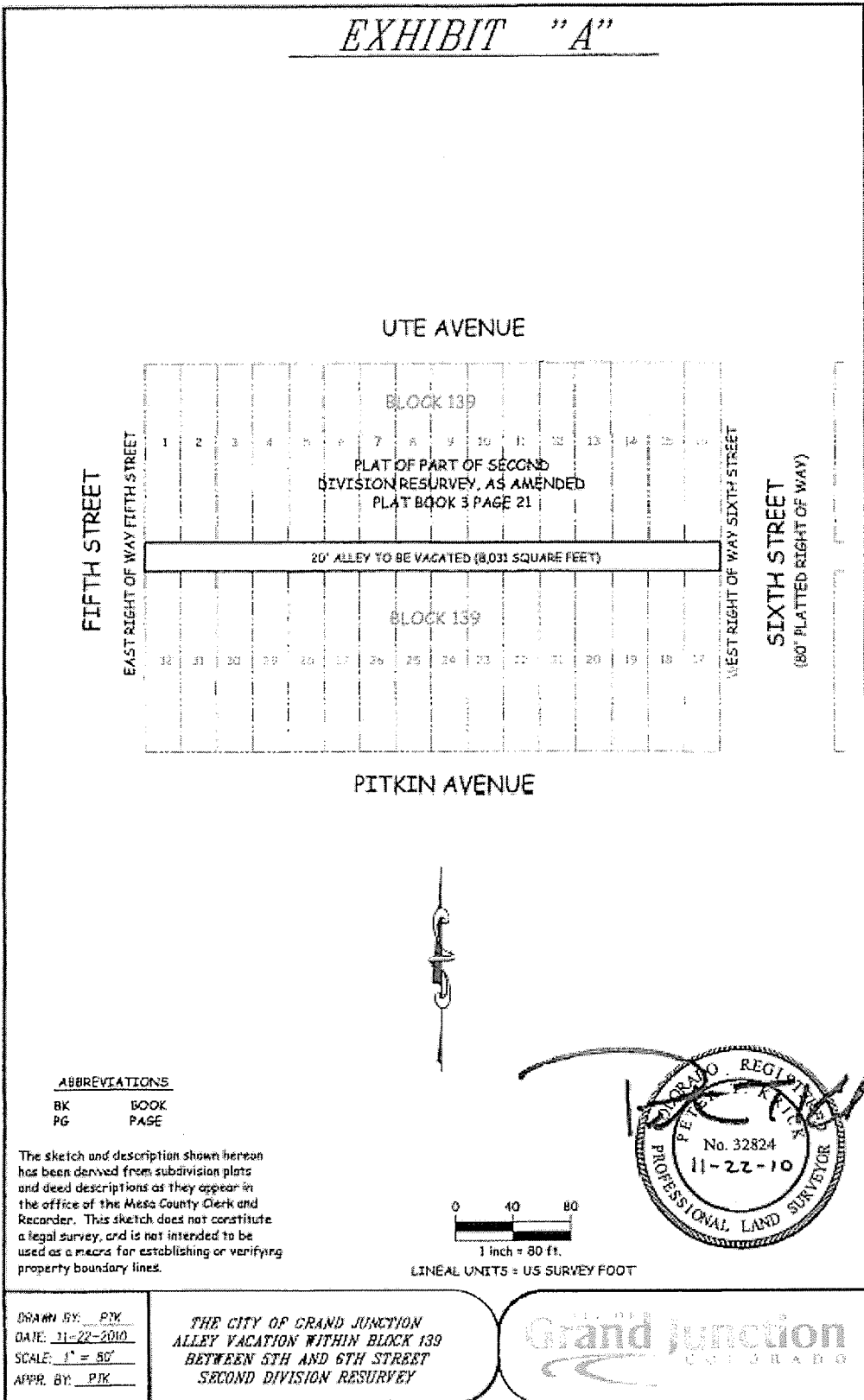


DRAWN BY: PTK
DATE: 11-22-2010
SCALE: 1" = 30'
APPR. BY: PTK

THE CITY OF GRAND JUNCTION
ALLEY VACATION
BLOCK 138, SECOND DIVISION RESURVEY



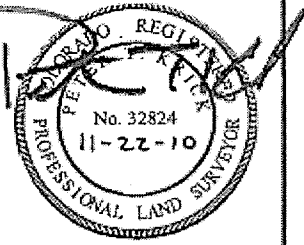
EXHIBIT "A"



ABBREVIATIONS

BK BOOK
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DRAWN BY: PJK
DATE: 11-22-2010
SCALE: 1" = 80'
APPR. BY: PJK

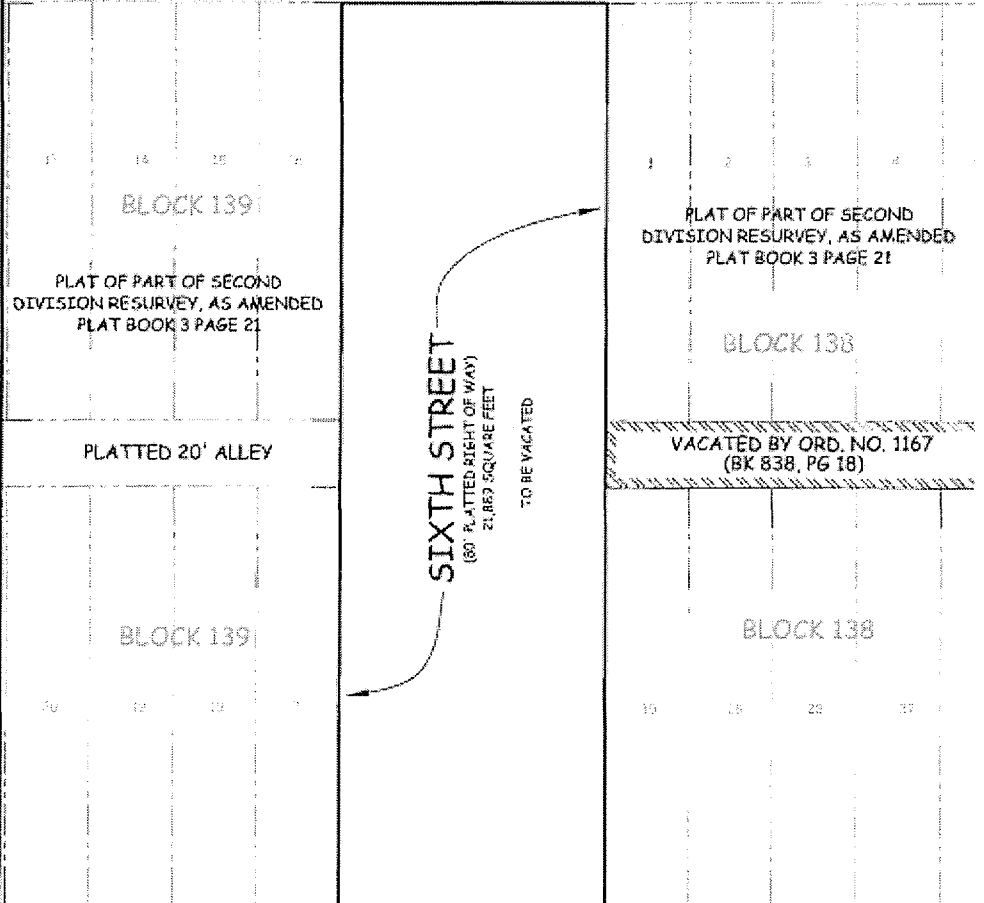
*THE CITY OF GRAND JUNCTION
ALLEY VACATION WITHIN BLOCK 139
BETWEEN 5TH AND 6TH STREET
SECOND DIVISION RESURVEY*



EXHIBIT "A"

UTE AVENUE

SOUTH RIGHT OF WAY UTE AVENUE



SIXTH STREET
(80' PLATTED RIGHT OF WAY)
21,883 SQUARE FEET
TO BE VACATED

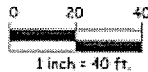
NORTH RIGHT OF WAY PITKIN AVENUE

PITKIN AVENUE

ABBREVIATIONS

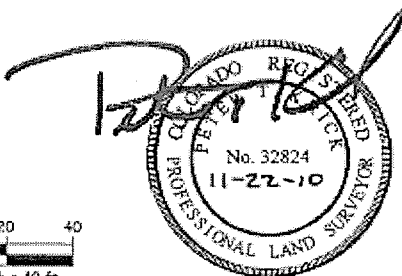
BK BOOK
PG PAGE

The sketch and description shown herein has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



1 inch = 40 ft.

LINEAL UNITS = US SURVEY FOOT



DRAWN BY: PIK
DATE: 11-22-2010
SCALE: 1" = 40'
APPR. BY: PIK

THE CITY OF GRAND JUNCTION
SIXTH STREET VACATION
LYING BETWEEN 5TH AND 7TH STREET
AND UTE AND PITKIN AVENUE



Date: March 21, 2013

TO WHOM IT MAY CONCERN:

This shall serve to release, on behalf of the City of Grand Junction and of the public, all interest in the certain Temporary Utility Easements and Temporary Public Access Easements reserved by Ordinance No. 4455. It has been determined, to the satisfaction of the City Manager, that such easements are no longer needed.



Rich Englehart, City Manager

State of Colorado)
)ss.
County of Mesa)

Subscribed and sworn to before me this 21st day of March 2013 by Rich Englehart, as City Manager for the City of Grand Junction.

Witness my hand and official seal:



Notary public

My commission expires: 04/07/2014

