

RESOLUTION NO. 42-98

AUTHORIZING THE VACATION OF CERTAIN EASEMENTS BY RESOLUTION

RECITALS:

The City currently vacates all easements pursuant to City ordinance.

This process of vacating easements by ordinance is time consuming and relatively expensive.

The *Zoning and Development Code* does not require that ordinances are necessary or even preferable to vacate easements but does provide for a public hearing by the Planning Commission.

The City Council considers all vacation requests after Planning Commission's review.

The City Charter allows for the disposition of easements by resolution which can be accomplished at one meeting with less expense which provides necessary public notice.

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

That except for right-of-way easements, all applications to vacate an easement which have been duly filed, processed, considered and recommended by staff and the Planning Commission, in accordance with the Zoning and Development Code, shall be determined by resolution of the City Council. Following an affirmative vote of a majority of the City Council considering an easement vacation resolution, the easement shall be deemed vacated and the resolution recorded with the Clerk and Recorder of Mesa County.

ADOPTED AND APPROVED THIS 15TH DAY OF JULY, 1998

ATTEST:

/s/ Stephanie Nye

City Clerk

APPROVED:

/s/ Janet L. Terry

President of the Council