

CITY OF GRAND JUNCTION, COLORADO

Resolution No. 63-98

VACATING A TEMPORARY DRAINAGE EASEMENT

Recitals:

The developer of Del-Mar Subdivision located at 29-3/8 and F Roads, is in the process of platting Filing 4 of the subdivision. A detention pond within the limits of Filing 4 has always been identified as providing the drainage facilities required for the entire subdivision. Completion of the pond was guaranteed with Filing 3 and a separate tract (Tract A) to be dedicated to the homeowners' association will be platted with Filing 4 for the permanent location of the pond. A temporary drainage easement was granted with Filing 3 to convey stormwater to the detention pond. With Filing 4, the stormwater will be conveyed in the street, therefore, the developer is requesting to vacate the temporary drainage easement.

The Planning Commission, having heard and considered the request and found the criteria of Section 8-3 of the Zoning and Development Code to have been met, recommended approval of the vacation request.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE TEMPORARY DRAINAGE EASEMENT DESCRIBED BELOW IS HEREBY VACATED SUBJECT TO THE FOLLOWING CONDITION BEING MET PRIOR TO THIS RESOLUTION BEING EFFECTIVE:

Completion and acceptance by the City of Grand Junction of all street and drainage improvements as approved with the construction plans for Filing 4 Del-Mar Subdivision;

or

An alternative easement is granted to replace the temporary drainage easement requested to be vacated.

Beginning at the southwesterly corner of the easement, which is identical with the southwesterly corner of an Irregular tract of land as recorded in Bk 1746 at Pg 17, Mesa County, Colorado, whence the W1/16 corner common to Sec 5 and Sec 8, T1S, R1E, U.M. bears S75°39'42"W 201.90' and N89°59'59"E, with all other bearings herein relative thereto; thence N00°12'46"W 306.66'; thence N90°00'00"E 69.14'; thence N04°58'54"E 270.58'; thence 97.17' along the arc of a circular curve to the right with a radius of 171.00', a delta of 32°33'25" and a chord bearing N21°15'36"E 95.86'; thence N37°32'19"E 15.99'; thence S53°16'46"E 20.00'; thence S37°32'19"W 16.28'; thence 85.50' along the arc of a circular curve to the left with a radius of 151.00', a delta of 32°33'25" and a chord bearing S21°15'36"W 84.65'; thence S04°58'54"W 274.02'; thence S24°29'07"W 81.15'; thence S00°02'38"E 227.64'; thence N89°59'59"W 54.17' to the POB, containing 0.590 acres more or less.

PASSED and APPROVED this 16th day of September, 1998.

ATTEST:

/s/ Christine English  
Acting City Clerk

/s/ Reford C. Theobald  
President of Council Pro Tem