

CITY OF GRAND JUNCTION

Resolution No. 115-99

VACATING A TEMPORARY DRAINAGE EASEMENT ON LOT 1, BLOCK 3, CANYON VIEW FILING 2 AND ADJACENT TO LIME KILN WAY

Recitals.

In conjunction with a final plat approved by the Planning Commission, it is requested that a temporary drainage easement located on lot 1, block 3, Canyon View Filing 2 and the adjacent Lime Kiln Way right-of-way, be vacated. When Filing 2 was platted, this lot was designated as a temporary drainage easement and constructed as a retention pond. The easement was to be vacated when an alternate drainage solution for the area was found. Since the developer of this subdivision has been unable to acquire an off-site stormwater easement it is clear that the stormwater pond must remain permanently on the property. The lot will be replatted into Tract D, Canyon View Filing 8, designated as a permanent drainage facility, and deeded to the Canyon View Filings 1-6 Homeowner's Association. The applicant will reshape the pond to exclude the street right-of-way and seed it with natural grasses.

At its September 14, 1999 hearing the Planning Commission found that the easement vacation conforms with the criteria in Section 8-3 of the Zoning and Development Code and recommended approval of this request.

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

City Council finds that the vacation meets the criteria set forth in Section 8-3 of the Grand Junction Zoning and Development Code and in accordance therewith the following described temporary drainage easement is hereby vacated:

A parcel of land located in Canyon View Subdivision – Phase II, a subdivision of a part of Mesa County situated in Tract 37, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado, being all of Lot 1, Block Three and a portion of Lime Kiln Way, said parcel being more particularly described as follows:

Beginning at the northwest corner of said Lot 1;
Thence along the north line of said subdivision, North 89°42'13" East, a distance of 195.28 feet to the intersection of said north line and the east right-of-way line of said Lime Kiln Way;
Thence along said east right-of way line, South 00°17'47" East, a distance of 42.61 feet;
Thence continuing along said right-of-way line, 70.76 feet along the arc of a 178.00 foot radius tangent curve to the left, through a central angle of 22°46'37", with a chord bearing South 11°41'06" East, a distance of 70.30 feet to a point of cusp;

Thence South 88°59'10" West, a distance of 207.84 feet to the southwest corner of said Lot 1;
Thence along the west line of said subdivision, North 00°57'47" West, a distance of 114.13 feet
to the Point of Beginning.

PASSED and ADOPTED this 6th day of October, 1999.

ATTEST:

/s/ Stephanie Nye
City Clerk

/s/ Gene Kinsey
President of City Council