

RESOLUTION NO. 87-00

CONCERNING THE GRANTING OF A NON-EXCLUSIVE SANITARY SEWER EASEMENT TO VILLAGE PARK GJ, LLC

WHEREAS, the City of Grand Junction believes it is the owner of certain real property described as follows: Commencing at the Southwest corner of Section 6, Township 1 South, Range 1 East of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado; thence N 00°03'19" E a distance of 686.19 feet; thence S 89°59'07" E a distance of 40.00 feet to the Point of Beginning; thence S 89°59'07" E a distance of 596.09 feet; thence S 00°01'54" W a distance of 165.00 feet; thence N 89°59'07" W a distance of 187.19 feet; thence S 00°01'06" E a distance of 25.00 feet; thence N 89°59'07" W a distance of 409.00 feet; thence N 00°03'19" E a distance of 190.00 feet to the Point of Beginning; and

WHEREAS, Village Park GJ, LLC, a Colorado Limited Liability Company, has requested an easement across the south boundary of the above described City property for the purposes of installing, operating, maintaining, repairing and replacing a sanitary sewer line to serve the Village Park development to the east and to serve the First Church of the Nazarene property to the south of the above described City property; and

WHEREAS, in consideration of the conveyance of a non-exclusive sanitary sewer easement across the above described City property, Village Park GJ, LLC, has agreed to grant to the City an easement across the west boundary of said Village Park property to allow the installation of an irrigation line to serve the above described City owned property, and has additionally agreed to construct a second pedestrian connection to the above described City property for an eventual trail connection to the City owned Matchett Park property.

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

That the City Manager is hereby authorized to execute any and all documents necessary and appropriate to effectuate the grant and conveyance of a non-exclusive sanitary sewer easement for the purposes aforescribed and for the benefit of the adjoining properties aforescribed; provided, however, that the grant and conveyance of said sanitary sewer easement shall be specifically contingent upon Village Park GJ, LLC, granting and conveying to the City an irrigation easement across the west boundary of said Village Park property for the benefit of the above described City property, and shall additionally be specifically contingent upon said Village Park constructing a second pedestrian connection between said City property and the City owned Matchett Park property.

PASSED and ADOPTED this 20th day of September, 2000.

Attest:

/s/ Gene Kinsey
President of the Council

/s/ Stephanie Nye
City Clerk