

CITY OF GRAND JUNCTION

RESOLUTION NO. 11-01

**VACATING A UTILITY, DRAINAGE AND IRRIGATION EASEMENT ON LOT 5, BLOCK 2,
FOUNTAIN GREENS SUBDIVISION FILING NO. 1 LOCATED AT 709 EIDER COURT**

Recitals.

The applicant requests to vacate a utility, drainage and irrigation easement to allow for a larger building envelope for the lot located at 709 Eider Court. The drainage line within the easement will be relocated on adjacent property within The Helm at Fountainhead Subdivision. The applicant has an agreement with The Helms Homeowners Association to relocate the line in their common area in a drainage easement. There are no utilities or irrigation facilities in the easement.

At its January 16, 2000 hearing the City Planning Commission found that the request to vacate the easements conforms to the review criteria set forth in Section 2.11C and recommended approval of the easement vacation.

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 2-11C of the Grand Junction Zoning and Development Code and in accordance therewith the following described utility, drainage and irrigation easement is hereby vacated:

A parcel of land being a portion of Lot 5, Block 2, of Fountain Greens Subdivision Filing One, as recorded in Plat Book 17, Pages 237-239, being more particularly described as follows:

COMMENCING at the Southwest corner of Lot 5, Block 2, of Fountain Greens Subdivision Filing One; thence North 89 degrees 48 minutes 31 seconds East, along the south line of said Lot 5, a distance of 48.32 feet; thence North 18 degrees 26 minutes 03 seconds East, along the westerly line of an existing 10 foot Irrigation, Drainage, and Utility Easement, a distance of 10.55 feet to the POINT OF BEGINNING, being a point on the North line of an existing 10 foot Irrigation, Drainage, and Utility Easement; thence North 18 degrees 26 minutes 03 seconds East, a distance of 10.55 feet; thence North 89 degrees 48 minutes 31 seconds East, a distance of 30.19 feet; thence South 00 degrees 03 minutes 19 seconds West, a distance of 7.42 feet; thence South 74 degrees 51 minutes 12 seconds West, a distance of 9.99 feet; thence South 89 degrees 48 minutes 31seconds West, a distance of 23.87 feet to the POINT OF BEGINNING.

PASSED and ADOPTED this 7th day of February, 2001.

ATTEST:

/s/ Stephanie Nye
City Clerk

/s/ Gene Kinsey
President of City Council