

RESOLUTION NO. 48-01

**VACATING A DRAINAGE AND STORMWATER EASEMENT
ON LOT 1, KENWOOD GROVE MINOR SUBDIVISION
LOCATED AT 565 25 ROAD**

Recitals.

In conjunction with a request to develop the 200,000+ square foot Grand Mesa shopping center the applicant requests to vacate any interest the City may have in a private drainage and stormwater easement located within or adjacent to the property. The Grand Mesa Center has assembled several parcels for the development, one of which includes Lot 1 of Kenwood Grove Minor Subdivision. When this lot was platted in 1997 a 15-foot drainage easement and retention easement was dedicated on the lot to the owners of the lots and tracts platted. The Kenwood Grove Condominiums were platted in 1998 on the east-end of Lot 1 and are part beneficiaries of these easements. The drainage and retention easements are no longer needed because a new drainage plan for the Grand Mesa center is proposed which includes stormwater detention and retention basins in alternate locations.

At its May 15, 2001 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 with the condition that the vacation not become effective until the final plat for the Grand Mesa Center is recorded.

**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 2.11.C of the Grand Junction Zoning and Development Code and in accordance therewith the following described easements are hereby vacated. These vacations shall become effective upon the recording of the final plat for the Grand Mesa Center.

Parcel 1:

A drainage easement across a portion of the South fifteen feet of Lot 1 of the Kenwood Grove Minor Subdivision, according to the plat thereof on file with the Mesa County Clerk and Recorder at Reception No. 1805319, Mesa County Colorado; said easement being more particularly described as follows:

Beginning at a point on the South line of said Lot 1, whence the Westerly angle point on said South line bears South 89°58'11" West, a distance of 66.57 feet;
Thence North 00°00'00" East, a distance of 15.00 feet;

Thence fifteen feet Northerly of and parallel with the South line of said Lot 1, North 89°58'11" East, a distance of 431.56 feet;
Thence South 00°00'00" West, a distance of 15.00 feet to the South line of said Lot 1;
Thence along said South line, South 89°58'11" West, a distance of 431.56 feet to the Point of Beginning.

Parcel 2:

A stormwater retention easement across a portion of Lot 1 of the Kenwood Grove Minor Subdivision, according to the plat thereof on file with the Mesa County Clerk and Recorder at Reception No. 1805319, Mesa County Colorado; said easement being more particularly described as follows:

Beginning at the Southerly corner common to said Lot 1 and Lot 2 of said Kenwood Grove Minor Subdivision;

Thence along the line common to said Lots 1 and 2, North 28°38'00" East, a distance of 119.46 feet to the North line of said Lot 1;

Thence along said North line, South 89°59'09" East, a distance of 141.62 feet to an angle point on the North line of said Lot 1;

Thence South 00°00'00" West, a distance of 31.19 feet to the South line of said Lot 1;

Thence along said South line, South 89°58'11" West, a distance of 66.57 feet to an angle point;

Thence along said South line, South 11°01'30" West, a distance of 134.27 feet to an angle point;

Thence along said South line, North 61°22'00" West, a distance of 121.46 feet to the Point of Beginning.

PASSED and ADOPTED this 16th day of May, 2001.

ATTEST:

/s/ Stephanie Nye
City Clerk

/s/ Cindy Enos-Martinez
President of City Council