

CITY OF GRAND JUNCTION

Resolution No. 34-02

**VACATING A PORTION OF A MULTI-PURPOSE EASEMENT
PARALLELING FOUNTAINHEAD BLVD. IN CONJUNCTION WITH
FOUNTAIN GREENS FILING 3 SUBDIVISION LOCATED
BETWEEN 24 ³/₄ AND 25 ROADS, NORTH OF G ROAD**

Recitals.

When Fountain Greens Filing 2 was platted it included the right-of-way returns on Fountainhead Blvd. for future public streets that would access the area included in Filing 3. With the new design of Filing 3 that includes private streets these public street entrances and the 14-foot multi-purposes easements adjoining them are no longer necessary. The applicant requests to vacate these multi-purpose easements. The right-of-way will be vacated by ordinance. New multi-purpose easements paralleling Fountainhead Blvd. will be rededicated on the plat for Fountain Greens Filing 3.

At its March 26, 2002 hearing the City Planning Commission found that the request to vacate this portion of Fountainhead Blvd. conforms to the review criteria as set forth in Section 2.11C and recommended approval.

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 multi-purpose easements are hereby vacated:

Parcel 1:

A 14 foot wide multi purpose easement located in Block 5, Fountain Greens Subdivision Filing no. two, as recorded in Plat Book 17, at Pages 237 - 239, Mesa County, Colorado Records, being more particularly described as follows:

Commencing at the Northwest Corner of the Southeast ¹/₄ of the Southeast ¹/₄ of Section 33 of Township 1 North, Range 1 West of the Ute Meridian; whence the Southwest Corner of the Southeast Quarter, of the Southeast Quarter of Section 33 bears South 00 degrees 07 minutes 59 seconds East, a distance of 1317.69 feet for a basis of bearing, with all bearings contained herein relative thereto; thence North 00 degrees 07 minutes 59 seconds West, a distance of 286.05 feet; thence North 89 degrees 52 minutes 28 seconds East, a distance of 26.00 feet, to the Southwest Corner of Block 5, said Fountain Greens Subdivision Filing no. two; thence along the Northerly Right-of-Way line of said Fountainhead Boulevard, South 45 degrees 07 minutes 46 seconds East, a distance of 35.35 feet; thence continuing along said Right-of-Way line,

North 89 degrees 52 minutes 28 seconds East, a distance of 35.88 feet; thence along Said Right-of-Way line North 44 degrees 52 minutes 28 seconds East, a distance of 19.80 feet to the POINT OF BEGINNING; thence the following three courses along said right-of-way line;

- 1) North 44 degrees 52 minutes 28 seconds East, a distance of 15.56 feet;
- 2) North 89 degrees 52 minutes 28 seconds East, a distance of 44.00 feet;
- 3) South 45 degrees 07 minutes 32 seconds East, a distance of 15.56 feet;

thence North 89 degrees 52 minutes 28 seconds East, a distance of 19.80 feet; thence North 45 degrees 07 minutes 32 seconds West, a distance of 35.36 feet; thence South 89 degrees 52 minutes 28 seconds West, a distance of 55.60 feet; thence South 44 degrees 52 minutes 28 seconds West, a distance of 35.36 feet; thence North 89 degrees 52 minutes 28 seconds East, a distance of 19.80 feet to the POINT OF BEGINNING.

Parcel2:

A 14 foot wide multi purpose easement located in Block 5, Fountain Greens Subdivision Filing no. two, as recorded in Plat Book 17, at Pages 237 - 239, Mesa County, Colorado Records, being more particularly described as follows:

Commencing at the Northwest Corner of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 33 of Township 1 North, Range 1 West of the Ute Meridian; whence the Southwest Corner of the Southeast Quarter, of the Southeast Quarter of Section 33 bears South 00 degrees 07 minutes 59 seconds East, a distance of 1317.69 feet for a basis of bearing, with all bearings contained herein relative thereto; thence North 00 degrees 07 minutes 59 seconds West, a distance of 286.05 feet; thence North 89 degrees 52 minutes 28 seconds East, a distance of 26.00 feet, to the Southwest Corner of Block 5, said Fountain Greens Subdivision Filing no. two; thence along the Northerly Right-of-Way line of said Fountainhead Boulevard, South 45 degrees 07 minutes 46 seconds East, a distance of 35.35 feet; thence continuing along said Right-of-Way line, North 89 degrees 52 minutes 28 seconds East, a distance of 438.78 feet; thence along Said Right-of-Way line North 44 degrees 52 minutes 28 seconds East, a distance of 19.80 feet to the POINT OF BEGINNING; thence the following three courses along said right-of-way line;

- 1) North 44 degrees 52 minutes 28 seconds East, a distance of 15.56 feet;
- 2) North 89 degrees 52 minutes 28 seconds East, a distance of 44.00 feet;
- 3) South 45 degrees 07 minutes 32 seconds East, a distance of 15.56 feet;

thence North 89 degrees 52 minutes 28 seconds East, a distance of 19.80 feet; thence North 45 degrees 07 minutes 32 seconds West, a distance of 35.36 feet; thence South 89 degrees 52 minutes 28 seconds West, a distance of 55.60 feet; thence South 44 degrees 52 minutes 28 seconds West, a distance of 35.36 feet; thence North 89 degrees 52 minutes 28 seconds East, a distance of 19.80 feet to the POINT OF BEGINNING.

PASSED and ADOPTED this 17th day of April, 2002.

ATTEST:

/s/ Stephanie Tuin
City Clerk

/s/ Cindy Enos-Martinez
President of City Council