

CITY OF GRAND JUNCTION

Resolution No. 41-02

Vacating a 20- foot wide Utility Easement
(VE-2002-025) in the Rimrock Marketplace Subdivision Development.

Recitals.

As a part of the development of the proposed Rimrock Marketplace Subdivision, new utilities are to be built. An existing twenty foot (20') wide utility easement located on the property at 2526 River Road will not be needed once the new utilities required by the Rimrock Marketplace Subdivision are installed and accepted.

The Planning Commission, having heard and considered the request and found the criteria of the Code to have been met, recommends that the vacation be approved.

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

1. The following described easement is vacated, subject to three conditions: (a) the Applicant shall pay all recording/documentary fees and costs for this Resolution; (b) this resolution and easement vacation is not effective unless on or before December 1, 2002, a replacement sewer line and related facilities needed to serve the property and other properties, as determined by the City Utility Director, are accepted following construction; and (c) the existing sewer line located within the easement being vacated hereby is taken out of service and appropriately removed or filled with concrete, as determined by the City Engineer.

2. The easement description is as shown on the attached Exhibit "A," to wit:

A portion of Lot 1, Rimrock Marketplace Subdivision, as recorded in Plat Book 16, Pages 2 and 3, Mesa County records, the centerline of which is particularly described as follows:

Commencing at the North Quarter corner of Section 15, Township 1 South, Range 1 West of the Ute Meridian from whence the North 1/16th Corner of said Section 15 bears South 00 degrees 06 minutes 33 seconds East, a distance of 1325.14 feet for a basis of bearing, with all bearings contained herein relative thereto;
thence South 00 degrees 06 minutes 33 seconds East, a distance of 30.00 feet;
thence North 89 degrees 46 minutes 08 seconds West, a distance of 33.00 feet to a point on the East line of said Lot 1, Rimrock Marketplace Subdivision, and the POINT OF BEGINNING;

thence North 89 degrees 46 minutes 08 seconds West, a distance of 1494.09 feet to a point on the Southwest line of said Lot 1, Rimrock Marketplace Subdivision, being the POINT OF TERMINUS; whence the said North Quarter corner of Section 15 bears North 89 degrees 06 minutes 20 seconds East, a distance of 1527.21 feet, with all sidelines being lengthened or shortened, as necessary.

For reference, also see instruments recorded at Book 1519, Page 454 and Book 1519, Page 494.

PASSED and ADOPTED this 1st day of May, 2002.

ATTEST:

/s/Stephanie Tuin
City Clerk

/s/Cindy Enos-Martinez
President of City Council

