

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. 61-02

**VACATING A UTILITY AND DRAINAGE EASEMENT
LOCATED ON THE EAST SIDE OF PEPPER TREE FILING 4A AT THE
SOUTH END OF INDIAN CREEK DRIVE, SOUTH OF F ROAD**

Recitals.

In conjunction with a request to develop Pepper Tree Subdivision, Filing 4A, the applicant has requested that the City vacate a portion of a drainage and utility easement. The easement is located along the east-end of the subdivision; an existing residential dwelling was constructed in the easement. No utilities were located in the to be vacated easement.

After public notice and hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission found that the proposed easement vacation meets the criteria set forth in Section 2.11.C of the Zoning and Development Code. The Planning Commission recommended approval of vacation of that portion of the easement described in this resolution.

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

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 easement for drainage and utility purposes is hereby vacated:

A portion of a 15 foot utility and drainage easement as recorded in Book 1385 at Page 731 of the records of the Mesa County Clerk and Recorder, located in the NE 1/4 of Section 7, Township 1 South, Range 1 East of the Ute Meridian, Mesa County, Colorado, being more particularly described as follows:

Commencing at the southwest corner of the NE 1/4 NE 1/4 of said Section 7, the basis of bearing being N00°02'00"E along the west line of said NE 1/4 NE 1/4; thence S89°55'17"E a distance of 330.20 feet along the south line of said NE 1/4 NE 1/4; thence N00°01'29"E a distance of 455.28 feet to the southeast corner of Tract A, Pepper Tree Filing No. 4 and the point of beginning; thence N82°17'01"W a distance of 15.14 feet along the south line of said Tract A; thence N00°01'29"E a distance of 58.52 feet to the north line of said Tract A; thence S82°17'01"E a distance of 15.14 feet to the northeast corner of said Tract A; thence S00°01'29"W a distance of 58.52 feet to the point of beginning.

PASSED and ADOPTED this 26th day of June, 2002.

Attest:

/s/ Stephanie Tuin
City Clerk

/s/ Cindy Enos-Martinez
President of the Council