

Resolution No. 100-04

A RESOLUTION VACATING 15' OF AN EXISTING DRAINAGE AND UTILITY EASEMENT  
LOCATED AT 641 29 ½ Road

RECITALS:

This resolution vacates the northern 15' portion of an existing 35' drainage and utility easement described in a document recorded at Plat Book 13, Page 485 of the Mesa County records, located at 641 29 ½ Road. Only the southern 20' portion of the existing easement will be required for the development of the property, therefore the northern 15' portion of the easement is to be vacated.

The Planning Commission, having heard and considered the request and found the criteria of Section 2.11.C of the Zoning Code to have been met, recommend that the vacation be approved.

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

The following described easement is hereby vacated subject to the listed conditions:

1. Applicant shall pay all recording/documentation fees for the Vacation Resolution, any easement documents and dedication documents.
2. Any required utility easement(s) be dedicated concurrently with the recordation of the final plat with the first filing of development.

EASEMENT VACATION DESCRIPTION:

The northern 15' portion of the easement described in a document recorded in Plat Book 13 at Page 485 of the Mesa County records, and as shown on the attached Exhibit.

PASSED and ADOPTED this 20<sup>th</sup> day of October, 2004.

ATTEST:

/s/: Bruce Hill  
President of City Council

/s/: Stephanie Tuin  
City Clerk

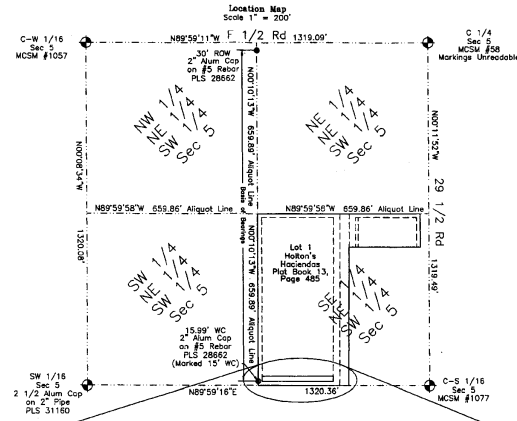
# Lot 1, Holton's Haciendas Utility & Drainage Easement Vacation

in the SE 1/4 NE 1/4 SW 1/4 Section 5  
Township 1 South, Range 1 East of the Ute Meridian, Mesa County, Colorado

### Utility and Drainage Easement Vacation Description:

A strip of land to be vacated in the southern portion of Lot 1, Holton's Haciendas, a subdivision in the SE 1/4 NE 1/4 SW 1/4 Section 5, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, as recorded in the records of said Mesa County of Plat Book 13, Page 485, said strip being the north 15 feet in width measured at right angles of a 35-foot Utility and Drainage Easement in said Lot 1, said 15-foot strip being more particularly described as follows:

Commencing at the southwest corner of Lot 1, Holton's Haciendas in the SE 1/4 NE 1/4 SW 1/4 Section 5, Township 1 South, Range 1 East of the Ute Meridian, whence the southeast corner of said Lot 1 bears N89°59'16"E, 348.62 feet with all other bearings contained herein being relative thereto; thence, N00°10'13"W along the west line of said Lot 1, 30.00 feet; thence, N89°59'16"E, 15.00 feet to the east line of a 15-foot Utility and Irrigation Easement in said Lot 1 and the POINT OF BEGINNING; thence, N89°59'16"E along the north line of an existing 35-foot Utility and Drainage Easement in said Lot 1, a distance of 273.83 feet to the west line of a 25-foot Easement for Operation and Maintenance Road in said Lot 1; thence, S00°10'17"W along said west line, 15.00 feet; thence, S89°59'16"W, 273.74 feet to the east line of a 15-foot Utility and Irrigation Easement in said Lot 1; thence, N00°10'13"W along said east line, 15.00 feet to the POINT OF BEGINNING.



### CITY PLANNING COMMISSION'S CERTIFICATE

Approved this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_\_\_ by the Planning Commission, City of Grand Junction, County of Mesa, State of Colorado.

Chairperson \_\_\_\_\_

### CITY COUNCIL'S CERTIFICATE

Approved this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_\_\_ by the City Council of the City of Grand Junction, County of Mesa, State of Colorado.

Mayor, City of Grand Junction \_\_\_\_\_

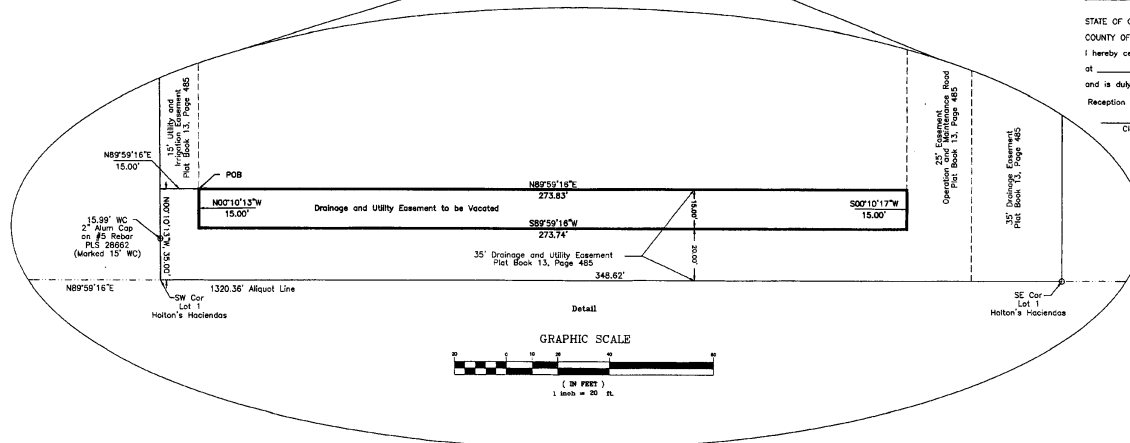
City Manager \_\_\_\_\_

### CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO )  
COUNTY OF MESA )

I hereby certify that this instrument was filed in my office at \_\_\_\_\_ o'clock \_\_\_\_\_ M. this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_\_\_, and is duly recorded in Plat Book No. \_\_\_\_\_ Page \_\_\_\_\_.

Reception No. \_\_\_\_\_ Drawer No. \_\_\_\_\_  
Clerk and Recorder \_\_\_\_\_ Deputy \_\_\_\_\_ Fees \_\_\_\_\_



### LEGEND

- Section Monument as Described
- Found 2" Alum. Cap on #5 Rebar PLS 28662
- Found 2" Alum. Cap on #5 Rebar PLS 24943

E:\M\Documents\13003\0323296.dwg PLS Doc. 11 09 46:36 2004 Merritt LS, L.L.C., Grand Junction, CO 81501

### NOTICE:

According to Colorado Law you must commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.

### BASIS OF BEARING:

The bearing between the found 2" Alum. Cap on #5 Rebar, LS 28662 marked WC 15' located on the east aliquot line of the W 1/2 NE 1/4 SW 1/4 Sec 5, T. 1 S., R. 1 E., U. M. near the SW corner of this surveyed property and the 2" Alum. Cap on #5 Rebar, LS 28662 at the intersection of the 30' ROW line for F 1/2 Road and the east aliquot line of the W 1/2 NE 1/4 SW 1/4 of said Sec 5 is assumed to be N00°10'13"W to correspond to the bearing of the aliquot line as shown on the plat of the Forrest Estates Subdivision.

### SURVEYOR'S STATEMENT:

I, Robert A. Larson, a Registered Professional Land Surveyor in the State of Colorado, do hereby certify that this plat of Lot 1, Holton's Haciendas Drainage and Utility Vacation, was prepared from a survey performed by me or under my direct supervision, and is correct to the best of my knowledge and information.

Preliminary for City Review

Robert A. Larson, PLS 31160 \_\_\_\_\_ Date \_\_\_\_\_

**Merritt LS, L.L.C.**  
743 Horizon Ct., Suite 100B, Grand Junction, CO, 81506  
PHONE (970) 255-7386 FAX (970) 256-7386

**Lot 1, Holton's Haciendas  
Utility & Drainage Easement Vacation**  
in the SE 1/4 NE 1/4 SW 1/4 Section 5  
Township 1 South, Range 1 East,  
Ute Meridian,  
Mesa County, Colorado

DATE: October 6, 2004 SCALE: 1" = 20'  
DRAWN: TWS | CHK: RAL PROJECT NO: 0323  
REVISED: \_\_\_\_\_ SHEET: 1 OF 1