

CITY OF GRAND JUNCTION

RESOLUTION NO. 40-05

**A RESOLUTION VACATING A 50' EMERGENCY ACCESS EASEMENT
AND 30' OF A 50' DRAINAGE EASEMENT LOCATED
IN LOT 2 OF THE BLUE HERON LAKE INDUSTRIAL PARK
AT 559 SANDHILL LANE**

RECITALS:

The applicant proposes to vacate a 50' emergency access easement and 30' of a 50' drainage easement located in Lot 2 of the Blue Heron Lake Industrial Park. The emergency access easement is to be relocated to the cul-de-sac on Blue Heron Drive.

At its February 8, 2005 hearing the Grand Junction Planning Commission found that the request to vacate the 50' emergency access easement satisfies the review criteria set forth in Section 2.11.C of the Zoning and Development Code and recommended conditional approval. Regarding the vacation of the 30' of the 50' drainage easement, the Planning Commission found that the request satisfies the review criteria set forth in Section 2.11.C.

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

The 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 is accordance therewith the following described easements are hereby vacated with the conditions set forth:

1. The 50' emergency access easement dedicated on the plat for the City Market Subdivision recorded with the Mesa County Clerk and Recorder in book 3602 at Page 397 is vacated conditioned upon the dedication to the City of an equivalent emergency access easement acceptable to City staff and either the construction of the new emergency access easement or the applicant providing a Development Improvements Agreement with the appropriate security acceptable to the City Attorney for the construction of the emergency access, and the applicant paying the recording/documentary fees and costs for this Resolution and the conveyance document for the new easement. The 50' emergency access easement is depicted in the attached Exhibit A, which is incorporated herein.
2. The 50' drainage easement dedicated on the City Market Subdivision plat recorded with the Mesa County Clerk and Recorder in book 3602 at Page 397, except for the 20' drainage easement located within the same area that was dedicated on the Blue Heron Lake Industrial Park recorded with the Mesa County

Clerk and Recorder at Reception Number 2230829 is hereby vacated conditioned upon the applicant paying the recording/documentary fees and costs for this Resolution. The 50' drainage easement is depicted in the attached Exhibit B, which is incorporated herein. All that portion of the 50' drainage easement, except the 20' drainage easement depicted with cross hatch marks, is the portion to be vacated.

PASSED and ADOPTED this 2nd day of March, 2005.

ATTEST:

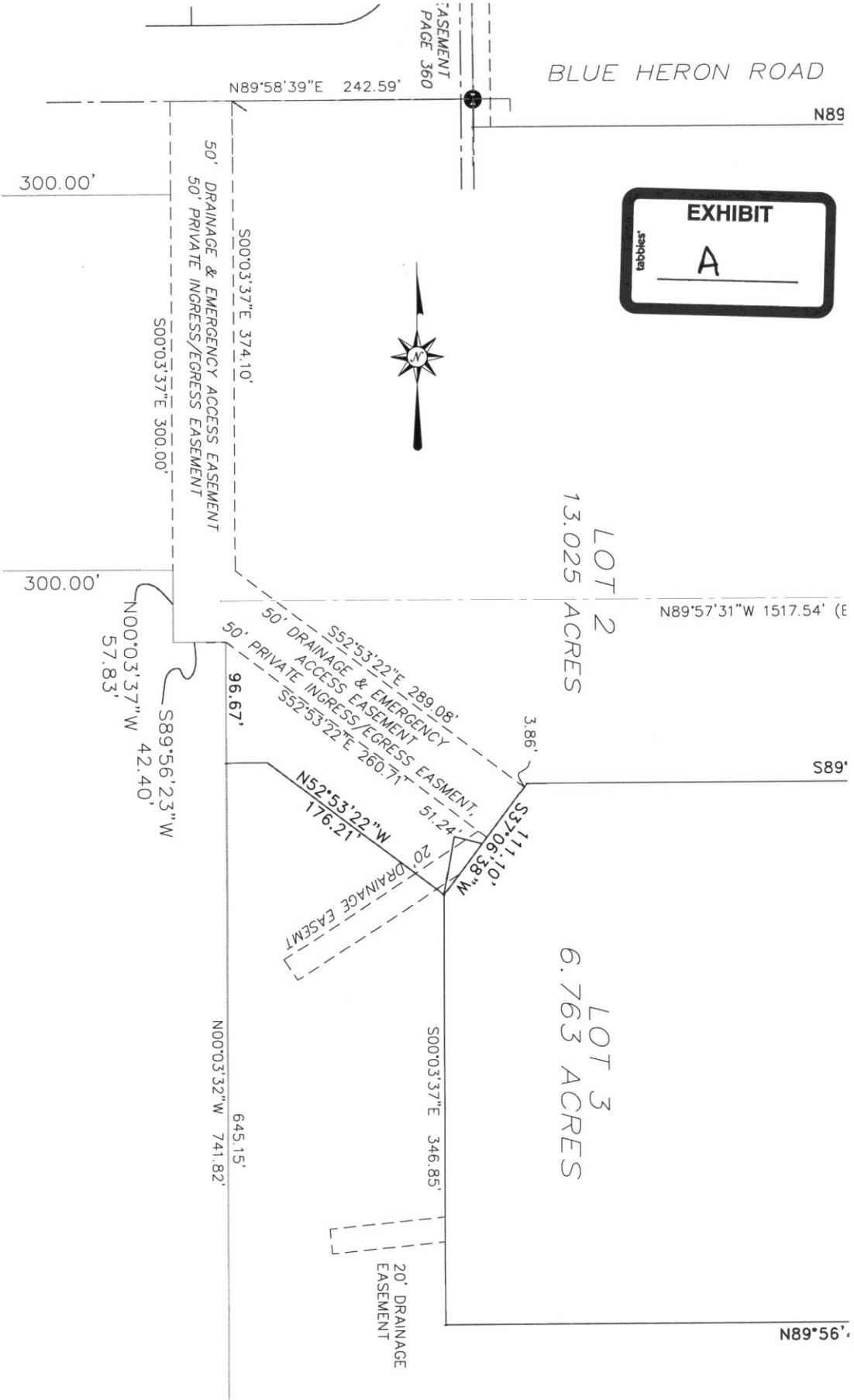
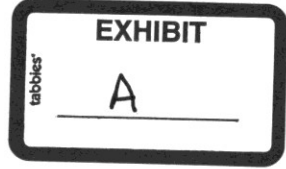
/s/ Stephanie Tuin
City Clerk

/s/ Bruce Hill
President of City Council

EASEMENT
PAGE 360

BLUE HERON ROAD

N89



N89°58'39"E 242.59'

300.00'

50' DRAINAGE & EMERGENCY ACCESS EASEMENT
50' PRIVATE INGRESS/EGRESS EASEMENT

S00°03'37"E 374.10'

S00°03'37"E 300.00'

300.00'

LOT 2
13.025 ACRES

N89°57'31"W 1517.54' (E)

N00°03'37"W 57.83'
S89°56'23"W 42.40'

50' DRAINAGE & EMERGENCY ACCESS EASEMENT
50' PRIVATE INGRESS/EGRESS EASEMENT
S52°53'22"E 289.08'
S52°53'22"E 260.71'

96.67'

3.86'

S89°

N52°53'22"W 176.21'
20' DRAINAGE EASEMENT
S37°06'38"W 51.24'
111.10'
37.06'38"

LOT 3
6.763 ACRES

N00°03'32"W 741.82'
645.15'

S00°03'37"E 346.85'

20' DRAINAGE EASEMENT

N89°56'

BLUE HERON ROAD

N89°58'39"E 416.68'



RR LEAD TR
BOOK 1218 PA



N08°15'18"E 377.17'

50' PRIVATE INGRESS/EGRESS EASEMENT**

50' DRAINAGE & EMERGENCY ACCESS EASEMENT**

20' DRAINAGE EASEMENT

S00°03'37"E 374.10'

"E 146.28'

20' DRAINAGE EASEMENT

50' DRAINAGE & EMERGENCY ACCESS EASEMENT**

TRACT K

S52°53'22"E 289.08'

S52°53'22"E 280.71'

N52°53'22"W 176.21'

S40°54'53"W 141.57'

20' DRAINAGE EASEMENT**