

RESOLUTION NO. 79-05

A RESOLUTION AMENDING RESOLUTION NO. 56-05 TO VACATE A TEMPORARY TURNAROUND EASEMENT, UTILITY EASEMENT, AND INGRESS/EGRESS ACCESS EASEMENT IN THE NORTH CREST INDUSTRIAL PARK

Recitals.

On or about April 6, 2005, City Council approved Resolution No. 56-05. The Resolution did not clearly set forth the easements to be vacated and did not state all conditions for vacation of said easement.

As a part of the development of the proposed North Crest Industrial Park Filing No. Two, ("Filing No. Two") new roads are to be built. An existing temporary turnaround easement, utility easement, and ingress/egress access easement, dedicated with the filing of the North Crest Industrial Park plat will no longer be needed once the new roads serving Filing No. Two are constructed.

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 conditionally approved. The conditions are the same conditions being approved by City Council, except that the Planning Commission required approval of the Utilities Coordinating Commission ("UCC"). The UCC has granted that approval.

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

On or about April 6, 2005, City Council approved Resolution No. 56-05. The Resolution did not clearly set forth the easement to be vacated and did not state all conditions for vacation of said easement. The Resolution is amended to read as follows:

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 and the plat for North Crest Industrial Park Filing No. Two;
 - (b) The City's approval of and recordation of a final plat of the replat of Block 2, Lot 1 of the North Crest Industrial Park to be known as the North Crest Industrial Park Filing No. Two within two years from the approval of the vacation by City Council with dedication of equivalent right-of-way replacing the need for the easements; and
 - (c) The Resolution vacating the easements shall be recorded concurrent with the plat.
2. The easement description is as shown on the attached Exhibit "A," to wit:

The Easements for Temporary Turnaround, Utility, and Ingress/Egress Access purposes located in Lot 1, Block 2 NORTH CREST INDUSTRIAL PARK subdivision, as recorded in Plat Book 18, at Page 283, Mesa County, Colorado records and being more particularly described as follows:

Beginning at the corner of the south line of Lot 1, Block 2, said point being the Northeast corner of Lot 2, Block 1, NORTH CREST INDUSTRIAL PARK as recorded in Plat Book 18, at Page 283, Mesa County, Colorado records, whence the southwest corner of Lot 1, Block 2, bears N 88° 03'49"W, a distance of 229.67 feet, for a basis of bearings, with all bearings herein relative thereto; thence along a non-tangent curve to the right, with a radius of 324.00 feet, having a central angle of 02°26'46", an arc length of 13.83 feet, with a chord bearing of N 16°58'40"W, a chord distance of 13.83 feet to a point on a non-tangent curve; thence along a non-tangent curve to the right, with a radius of 53.00 feet, having a central angle of 306°00'07", an arc length of 283.06 feet, with a chord bearing of N 78°00'09"E, a chord distance of 48.12 feet to a point on a non-tangent curve; thence along a non-tangent curve to the left, with a radius of 276.00 feet, having a central angle of 02°37'24", an arc length of 12.64 feet, with a chord bearing of S 17°43'16"E, a chord distance of 12.64 feet; thence S 76°34'07"W, along the south line of said Lot 1, a distance of 48.20 feet, more or less, to the Point of Beginning.

Exhibit A attached hereto and incorporated herein depicts the easement to be vacated.

PASSED and ADOPTED this 4th day of May, 2005.

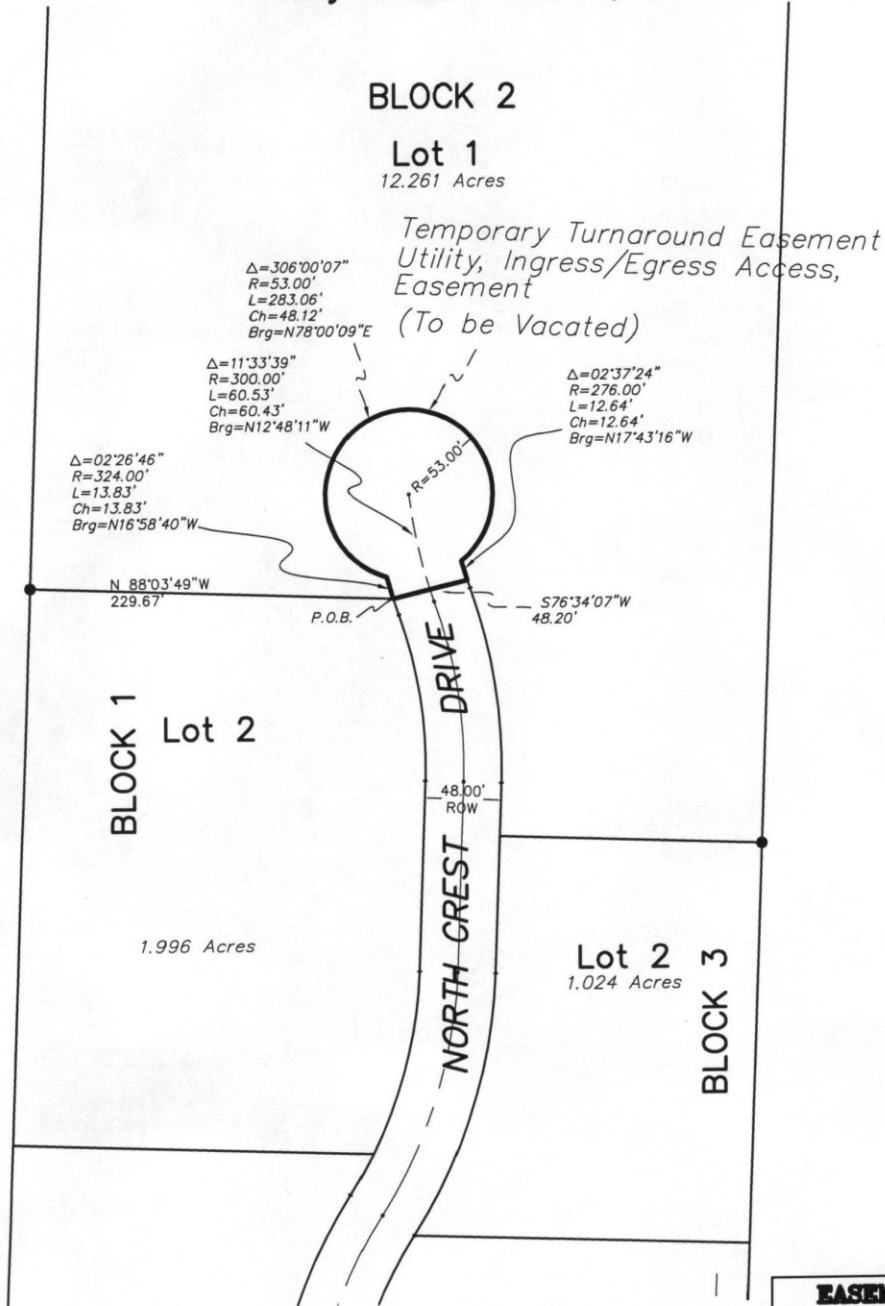
/s/: Bruce Hill
President of City Council

ATTEST:

/s/: Stephanie Tuin
City Clerk

Exhibit "A" EASEMENT VACATION

**Temporary Turnaround Easement
Utility/Ingress/Egress Access
Block 2, Lot 1
North Crest Industrial Park
City of Grand Junction, CO.**



NOTE:

This exhibit does not constitute a survey. It is for the purpose of vacating existing easements only.

EASEMENT VACATION	
LOT 1, BLOCK 2 NORTH CREST INDUSTRIAL PARK GRAND JUNCTION, CO	
LANDesign	
ENGINEERS • SURVEYORS • PLANNERS 244 N 7th Street GRAND JUNCTION, COLORADO 81501 (970) 245-4099	
SUR. DATE:	DRAWN DATE: 11/23/04
SUR. BY:	DRAWN BY: PRG
JOB NO. 204088.10	SHEET 1 OF 1