

RESOLUTION NO. 160-06

**A RESOLUTION APPROVING DESIGNATION OF CITY OWNED LAND IN
WHITEWATER AS RIGHT-OF-WAY**

Recitals

TKAR Properties, LLC ("TKAR") has applied to the County to develop Gunnison Ranch. The proposed development is 80 acres located approximately 300 feet east of Desert Road and approximately 1 mile south of Highway 141 in Whitewater. TKAR has requested City Council to designate City owned land as right-of-way for access to the parcel.

City staff has reviewed the proposed designation of the City land as right-of-way. Staff recommends that the City Council designate the land included in the legal description set forth in the attached Exhibit A and depicted in the accompanying sketch, incorporated herein as if fully rewritten, as right-of-way for the use and benefit of the public with TKAR paying for the value of the land and with TKAR being responsible for the construction of the road to Mesa County standards and requirements.

City Council has considered the value of the land and the benefit of designating the land for use as right-of-way and consents to the same.

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

Upon the receipt of \$2,450.00 from TKAR Properties, LLC or its successor(s) or assigns, the City shall designate the land described in the attached Exhibit A as right-of-way. The City must receive the funds within one year of the date of the signing of this Resolution. The developer shall be responsible for the construction of the road to Mesa County standards and requirements, which shall not begin until payment is made in full.

PASSED, ADOPTED AND SIGNED this 20th day of December 2006.

/s/ James J. Doody
President of City Council

ATTEST:

/s/ Stephanie Tuin
City Clerk

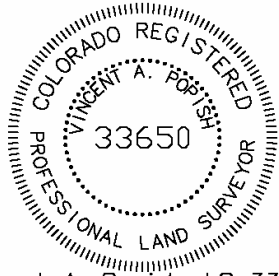
Exhibit A

A parcel of ground 60 feet in width for road Right-of-Way purposes being situate in Section 23, Township 2 South, Range 1 East of the Ute Meridian, being more particularly described as follows:

Beginning at the Center East 1/16 corner of said section 23, being a found 3" Brass Cap LS12085, and considering the West line of the NE 1/4 SE 1/4 of said section 23 to bear S 01°26'48" W and all bearings contained herein to be relative thereto;
thence S 01°26'48" W a distance of 90.00 feet along said West line;
thence N 43°15'25" E a distance of 85.29 feet;
thence along a curve turning to the right,
with an arc length of 125.23 feet,
with a radius of 170.00 feet,
with a chord bearing of N 64°21'38" E,
with a chord length of 122.42 feet,
thence N 85°27'50" E a distance of 149.46 feet to the centerline of Desert Road;
thence N 04°32'10" W a distance of 60.00 feet along said centerline;
thence S 85°27'50" W a distance of 149.46 feet;
thence along a curve turning to the left,
with an arc length of 169.43 feet,
with a radius of 230.00 feet,
with a chord bearing of S 64°21'38" W,
with a chord length of 165.62 feet,
thence S 43°15'25" W a distance of 18.21 feet
to the point of beginning,
having an area of 0.48 acres as described.

Description authored by,
Vincent Popish
Independent Survey, Inc.
133 N. 8th St.
Grand Junction, CO 81501

SKETCH FOR DESCRIPTION



CITY OF GRAND JUNCTION
TAX PARCEL NUMBER
2967-231-00-944

L=169.43'
R=230.00'
 $\Delta=42^{\circ}12'25''$
C LEN=165.62'
BRG=S $64^{\circ}21'38''$ W

LEGEND

FOUND 2 1/2" ALUMINUM CAP L.S. 12085
FOUND MESA COUNTY SURVEY MARKER

Centerline existing Desert Road

Vincent A. Popish, LS 33650

CE $\frac{1}{6}$ Corner Sec. 23
Township 2 South, Range
1 East, Ute Meridian

20912 SQ. FT.
0.480 ACRES

S $43^{\circ}15'25''$ W
18.21'

2967-234-00-914

P.O.B.

N $85^{\circ}27'50''$ E
149.46'

ABBREVIATIONS LIST
ROW=RIGHT OF WAY
P.O.B.=POINT OF BEGINNING
L.S.=LAND SURVEYOR

2967-234-00-110

BASIS OF BEARINGS (ASSUMED)
S $01^{\circ}26'48''$ W 1329.58'

S $01^{\circ}26'48''$ W
90.00'

N $43^{\circ}15'25''$ E
85.29'

L=125.23'
R=170.00'
 $\Delta=42^{\circ}12'25''$
C LEN=122.42'
BRG=N $64^{\circ}21'38''$ E

CITY OF GRAND JUNCTION
TAX PARCEL NUMBER
2967-231-00-944



Scale 1" = 40'

SE $\frac{1}{6}$ Corner Sec. 23
Township 2 South, Range
1 East, Ute Meridian

30' ROAD ROW, BOOK 1365, PAGE 789

N $04^{\circ}32'10''$ W
60.00'

