

CITY OF GRAND JUNCTION

RESOLUTION NO. 39-06

**A RESOLUTION VACATING A SEWER EASEMENT WITHIN THE PROPERTY
LOCATED AT 2561 G-1/2 ROAD ALSO KNOWN AS THE WOODRIDGE
SUBDIVISION**

Recitals

A request for the vacation of a sewer easement has been submitted in accordance with the Zoning and Development Code. The applicant has requested that a small portion of the existing the 20-foot sewer easement near the southern boundary of the site be vacated as it encroaches on a proposed lot (Lot 9). This portion of the easement is to be replaced by the sewer system proposed to be constructed in Tract F and the street system within the Woodridge Subdivision. The existing 20-foot sewer easement was originally dedicated via a grant of easement recorded on March 20, 1996 in Book 2217, Pages 144-145 in the records of the Mesa County Clerk and Recorder. The vacation request is required to proceed with completion of the Woodridge Subdivision.

The Grand Junction Planning Commission, at its hearing on April 11, 2006 reviewed vacation request and determined that it satisfied the criteria as set forth and established in Section 2.11 of the Zoning and Development Code. The proposed vacation is also consistent with the purpose and intent of the Growth Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE SEWER EASEMENT AREA DESCRIBED BELOW IS HEREBY VACATED.

The north 15.57 feet of an easement described in a document recorded in Book 2217 at Page 144 of the Mesa County records, situated in the NW1/4 SE1/4 of Section 34, Township 1 North, Range 1 West of the Ute Meridian; said vacation being more particularly described as follows:

Beginning at the northwest corner of said easement;
Thence South 77°42'19" East, a distance of 20.00 feet to the northeast corner of said easement;
Thence along the east line of said easement, South 12°17'41" East, a distance of 15.57 feet;
Thence North 77°42'17" West, a distance of 20.00 feet to the west line of said easement;
Thence North 12°17'41" East, a distance of 15.57 feet to the Point of Beginning.

See Easement Vacation Exhibit attached hereto and incorporated by this reference as if fully set forth.

This vacation shall be effective upon the recording of the Woodridge Subdivision Final Plan and Plat which shall contain the new Tract and Easements replacing the vacated portion of easement and the new sewer line is reconstructed and accepted in accordance with the approved plans contained within Community Development Department File FPP-2005-2004.

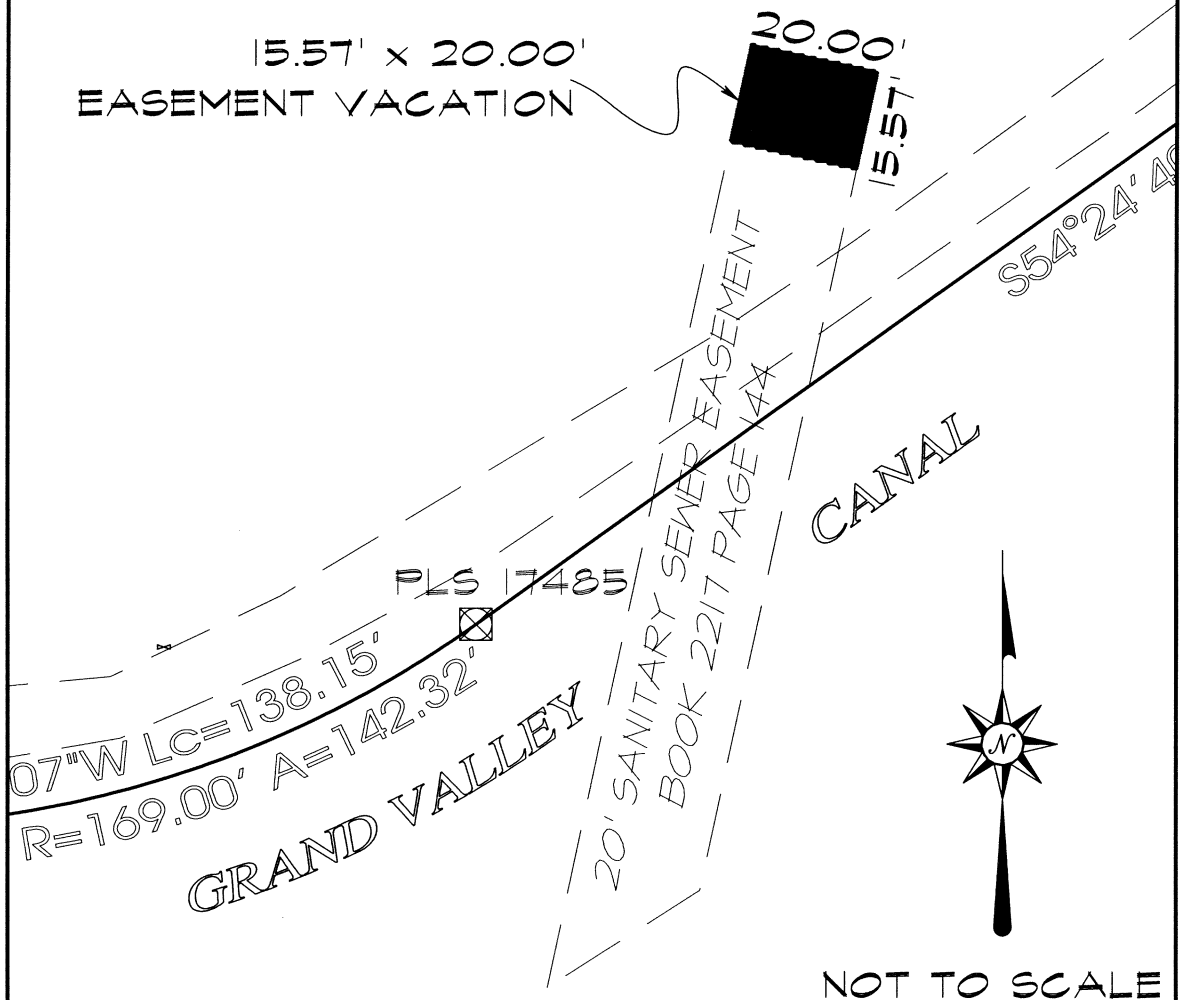
PASSED on this 3rd day of May, 2006.

ATTEST:

/s/ Stephanie Tuin
City Clerk

/s/ Bruce Hill
President of Council

EASEMENT VACATION EXHIBIT



This exhibit is a graphical representation of a written description, and is provided for information only. It is not to be relied upon for boundary or title matters. It is not intended to be a legal document and does not replace, correct or supersede the attached easement description.