

**CITY OF GRAND JUNCTION, COLORADO**

**RESOLUTION NO. 153-07**

**A RESOLUTION VACATING PORTIONS OF THE 15' UTILITY EASEMENTS ALONG THE FRONTAGE OF ALL LOTS AND PORTIONS OF THE DRAINAGE EASEMENTS WITHIN THE INDIAN ROAD INDUSTRIAL SUBDIVISION**

**Recitals**

The applicant proposes to vacate portions of the 15' utility easements along the frontage of all lots and portions of the drainage easements within the Indian Road Industrial Subdivision.

At its July 10, 2007 hearing the Grand Junction Planning Commission found that the request satisfies the review criteria set forth in Section 2.11.C of the Zoning and Development Code and recommended approval.

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

The following described dedicated easements are hereby vacated subject to the listed conditions:

1. Applicants shall pay all recording/documentary fees for the Vacation Resolution and dedication documents.
2. The Indian Road Industrial Subdivision Filing No. 2 plat must be approved and recorded for this ordinance to be effective.

Dedicated easements to be vacated:

**Vacation of portions of 14' MPE's  
within the Indian Road Industrial Subdivision**

The following described parcels of land lying in the Northeast Quarter (NE 1/4) of Section 24, Township 1 South, Range 1 West of the Ute Meridian lying entirely within and being portions of those certain 14.0 foot wide Multipurpose Easements as recorded in Book 3946, Pages 720 through 722, inclusive, Public Records of Mesa County, Colorado and within the plat of Indian Road Industrial Subdivision, as same is recorded in Plat Book 12, Page 43, Public Records of Mesa County, Colorado:

The Easterly 6.0 feet of that certain 14.0 foot wide Multipurpose Easement lying East of and adjacent with the East line of the 60.0 foot right of way for Indian Road, as said easement is recorded in Book 3946, Page 719, Public Records of Mesa County, Colorado; together with..

The Northerly 6.0 feet of those certain 14.0 foot wide Multipurpose Easements lying North of and adjacent with the North line of the 60.0 foot right of way for Lang Drive, as said easements are recorded in Book 3946, Pages 719 and 720, Public Records of Mesa County, Colorado; together with..

The Southerly 6.0 feet of those certain 14.0 foot wide Multipurpose Easements lying South of and adjacent with the South line of the 60.0 foot right of way for Lang Drive, as said easements are recorded in Book 3946, Page 719 and Book 3946, Page 720, Public Records of Mesa County, Colorado; together with..

The Westerly 6.0 feet of those certain 14.0 foot wide Multipurpose Easements lying West of and adjacent with the West line of the 60.0 foot right of way for Indian Road, as said easements are recorded in Book s 3946, Pages 720 through 722, inclusive, Public Records of Mesa County, Colorado;

Whereby the City specifically retains an 8.0 foot wide multipurpose easement adjacent to and along each right-of-way included within the Indian Road Industrial Subdivision and as those easements are recorded in Book 3946, Page 719 – 722, Public Records of Mesa County, Colorado.

**Vacation of portions of easements  
within the Indian Road Industrial Subdivision**

The following described parcels of land lying in the Northeast Quarter (NE 1/4) of Section 24, Township 1 South, Range 1 West of the Ute Meridian lying entirely within and being portions of those certain 15.0 foot wide Utility Easements and Utility and Drainage Easements within the plat of Indian Road Industrial Subdivision, as same is recorded in Plat Book 12, Page 43, Public Records of Mesa County, Colorado:

The Easterly 7.0 feet of that certain 15.0 foot wide Utility Easement lying East of and adjacent with the East line of the 60.0 foot right of way for Indian Road; together with..

The Westerly 7.0 feet of that certain 15.0 foot wide Utility Easement lying West of and adjacent with the West line of the 60.0 foot right of way for Indian Road; together with ..

The Northerly 7.0 feet of that certain 15.0 foot wide Utility Easement lying North of and adjacent with the North line of the 60.0 foot right of way for Lang Drive, not including however, any portion of said 15.0 foot Utility Easement lying within the 20.0 foot Utility Easement within Lot 7, Block Two; together with..

The Southerly 7.0 feet of that certain 15.0 foot wide Utility Easement lying South of and adjacent with the South line of the 60.0 foot right of way for Lang Drive, not including however, any portion of said 15.0 foot Utility Easement lying within the 20.0 foot Utility Easement within Lot 1, Block Four; together with..

The Northerly 7.0 feet of that certain 15.0 foot wide Utility Easement lying North of and adjacent with the North line of the 60.0 foot right of way for Winters Avenue that lies West of Indian Road, not including however, any portion of said 15.0 foot Utility Easement lying within the 20.0 foot Utility Easement within Lot 10, Block Four and the 15.0 foot Utility and Drainage Easement within Lot 12, Block Four; together with..

The Southerly 7.0 feet of that certain 15.0 foot wide Utility Easement lying South of and adjacent with the South line of the 60.0 foot right of way for Winters Avenue that lies West of Indian Road, not including however, any portion of said 15.0 foot Utility Easement lying within the 30.0 foot Utility Easement within Lots 3 and 4, Block Five and the 15.0 foot Utility and Drainage Easement within Lot 1, Block Five, and any portion of said 15.0 foot Utility Easement lying within the 20.0 foot Utility Easement within Lot 3, Block Five; together with..

The Easterly 1.0 foot of that certain 15.0 foot wide Utility and Drainage Easement lying East of and adjacent with the East line of the 30.0 foot right of way for 27-1/2 Road; together with..

The Northerly 1.0 foot of that certain 15.0 foot wide Utility Easement lying North of and adjacent with the North line of the 30.0 foot right of way for C-1/2 Road, not including however, any portion of said 15.0 foot Utility Easement lying within the 20.0 foot Utility Easement within Lot 7, Block Five; together with ..

The 15.0 foot wide Utility Easement lying on both sides of that portion of Winters Avenue lying East of the East line of Indian Road except for 8.0 feet on each side of Winters Avenue lying adjacent to the east side of Indian Road;

Whereby the City specifically retains an 8.0 foot wide utility easement adjacent to and along each right-of-way included within the Indian Road Industrial Subdivision, except for that portion of Winters Avenue lying East of the East line of Indian Road.

PASSED and ADOPTED this 5<sup>th</sup> day of November, 2007.

ATTEST:

/s/ Stephanie Tuin  
City Clerk

/s/ James J. Doody  
President of City Council