

CITY OF GRAND JUNCTION**ORDINANCE NO. 4628****AN ORDINANCE VACATING PORTIONS OF CANNELL AND ELM AVENUES AND ASSOCIATED ALLEY RIGHTS-OF-WAY AND RETAINING A UTILITY EASEMENT LOCATED IN THE COLORADO MESA UNIVERSITY AREA****RECITALS:**

Colorado Mesa University (CMU) has requested to vacate portions of Cannell and Elm Avenue between Kennedy and Texas Avenues and adjacent alley rights-of-way in order to enable the continued westward expansion efforts planned for the campus, specifically to develop new residence halls, a new rugby field, parking lots and in the future construct new campus improvements within this area.

The properties abutting the sections of right-of-way for which vacation is sought are owned by CMU. The City does not expect that the proposed vacations would impede traffic, pedestrian movement or access to private property because a temporary circulation drive will be provided by CMU. As a condition of approval, CMU will construct a new 20' wide north/south circulation drive (fire access lane) at the termination of Elm Avenue and adjacent alleys that will connect to Texas and Kennedy Avenues (which the public could utilize). CMU is not proposing to dedicate an Access Easement, right-of-way or construct a sidewalk for the new north/south connection, however it will be constructed to meet City standards for fire access. The driving surface treatment proposed would be recycled asphalt. CMU will have discretion when the north/south connection would be closed or modified in the future, provided that new fire replacement access lanes are constructed. Access and maneuverability of fire and other emergency equipment will be accommodated utilizing the extensive network of emergency lanes currently existing on the main campus of CMU.

With the vacations, the City of Grand Junction ("City") will retain a utility easement for the existing electric, gas, water, sewer and storm drain lines that are located within the existing rights-of-way of Cannell and Elm Avenues and associated alleys.

The City Council finds that the request is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Zoning and Development Code with the reservation of the utility easement as described within this ordinance and the construction of a new 20' wide north/south circulation drive (fire access lane) with retention of a utility easement over all of the rights-of-way being vacated for the existing utilities.

The Planning Commission, having heard and considered the request, found the criteria of the Code to have been met, and recommends that the vacation be approved with the retention of an easement for the existing utilities and the construction of a new 20' wide north/south circulation drive (fire access lane). Access and maneuverability of

fire and other emergency equipment will be accommodated utilizing the extensive network of emergency lanes currently existing on the main campus of CMU.

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

The following described dedicated right-of-way is hereby vacated subject to the listed conditions:

1. Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.
2. CMU shall construct a new 20' wide north/south circulation drive and allow usage of the circulation drive by the public, trash collection trucks and fire/ambulance vehicles and meet City construction standards for fire access.
3. CMU shall continue to provide fire and other emergency vehicle access utilizing the extensive network of emergency lanes currently existing throughout the main campus.

The following right-of-way is shown on "Exhibit A" as part of this vacation of description.

Dedicated right-of-way to be vacated:

A portion of the Cannell Avenue road Right-of-Way and a portion of the Elm Avenue road Right-of-Way and associated alleys as dedicated on South Garfield Park at reception #539508 of the Mesa County Records and Rose Park Subdivision at reception #456038 of the Mesa County Records situated in the SE1/4 of Section 11, Township 1 South, Range 1 West of the Ute Meridian, in the City of Grand Junction, County of Mesa, State of Colorado; being more particularly described as follows:

All of Cannell Avenue lying north of the most northerly right-of-way line of Kennedy Avenue and south of the most southerly right-of-way line of Texas Avenue.

Also the east 96.89 feet of Elm Avenue lying west and adjoining to the westerly Right-of-Way line of Cannell Avenue.

Also the east 96.96 feet of the 20.00 foot wide Alley between Texas Avenue and Elm Avenue lying west and adjoining to the westerly Right-of-Way line of Cannell Avenue.

Also the east 52.15 feet of the 15.00 feet wide Alley between Elm Avenue and Kennedy Avenue lying west and adjoining to the westerly Right-of-Way line of Cannell Avenue.

Said dedicated Rights-of-Way to be vacated containing an area of 1.183 acres more or less, as described herein and depicted on "Exhibit A".

Said vacated Rights-of-Way to be retained as a Utility Easement.

Introduced for first reading on this 2nd day of April, 2014 and ordered published in pamphlet form.

PASSED and ADOPTED this 16th day of April, 2014 and ordered published in pamphlet form.

ATTEST:

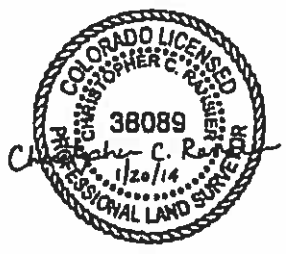
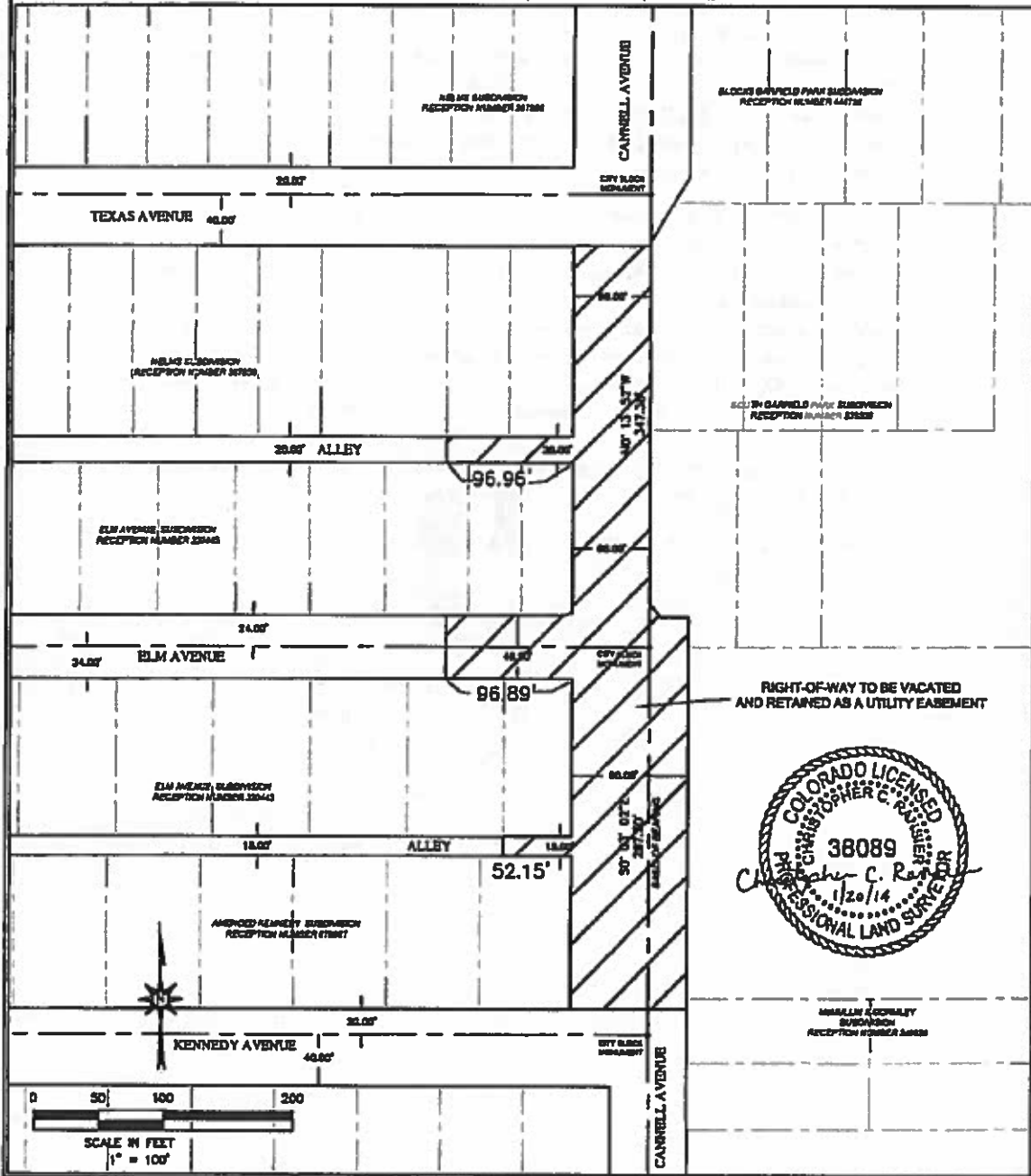
Sam Susuran
President of City Council

Stephanie Tur
City Clerk



EXHIBIT A

RIGHT-OF-WAY VACATION OF CANNELL AVENUE BETWEEN TEXAS AND KENNEDY AVENUES
AND A PORTION OF ELM AVENUE AND ASSOCIATED ALLEYS
CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO



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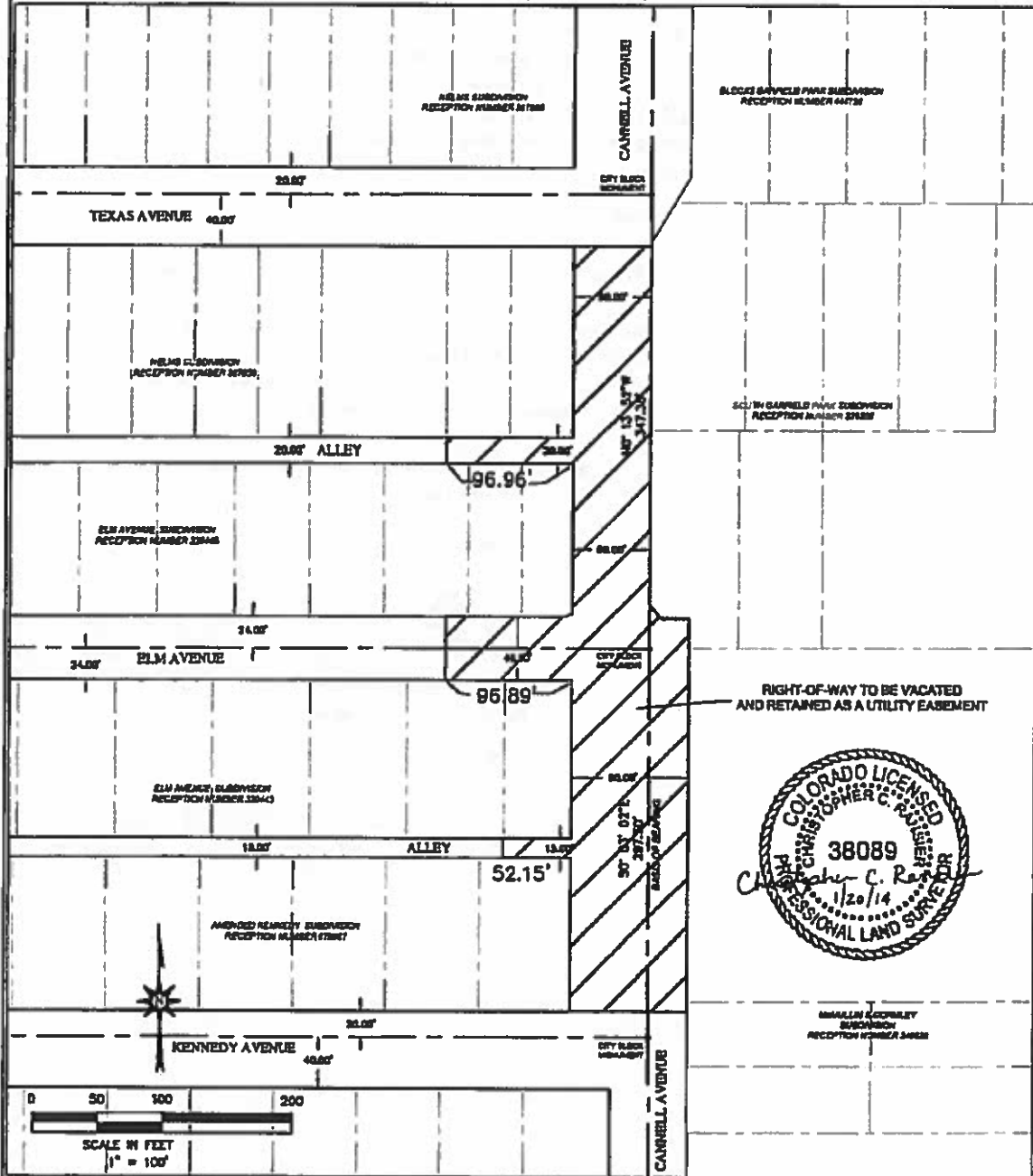
ATTEST:

Sam Susunan
President of City Council

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City Clerk



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CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO



I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 4628 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 2nd day of April, 2014 and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, in pamphlet form, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the 16th day of April, 2014, at which Ordinance No. 4628 was read, considered, adopted and ordered published in pamphlet form by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this ____ day of April, 2014.

Stephanie Tuin, MMC
City Clerk

Published: April 4, 2014
Published: April 18, 2014
Effective: May 18, 2014

