

CITY OF GRAND JUNCTION, CO

RESOLUTION NO. 48-09

A RESOLUTION VACATING A PORTION OF DRAINAGE EASEMENT ADJACENT TO THE EASTERN PROPERTIES LOCATED ALONG INDIAN ROAD

RECITALS:

A request to vacate 15 feet of the northernmost drainage easement and 10 feet of the southernmost drainage easement located adjacent to the eastern properties along Indian Road. This request has been made by Indian Road Industrial Park LLC. The City shall reserve and retain a perpetual 25 foot Utility Easement on, along, over, under, through and across 10 feet of the area of the easement to be vacated.

The City Council finds that the request to vacate the herein described portion of drainage easement with the reservation to retain an easement is consistent with the Growth Plan and Section 2.11 of the Zoning and Development Code.

The Planning Commission, having heard and considered the request on April 28, 2009, found the criteria of the Zoning and Development Code to have been met, and recommends that the vacation be approved as requested subject to the condition that the City shall reserve and retain a perpetual Utility Easement on, along, over, under, through and across 10 feet of the area of the hereinafter described drainage easement.

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

The following described Drainage Easement is hereby vacated subject to the listed conditions:

1. Applicants shall pay all recording/documentary fees for the Vacation Resolution

The following easement vacation is shown on "Exhibit B" through "Exhibit E" as part of this vacation of description.

A DRAINAGE EASEMENT VACATION

A Drainage Easement across that real property located in part of the Southwest Quarter Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) Section 24, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado, known as Indian Road Industrial Subdivision, Filing No. Two, as recorded in recorded in Book 4557, Page 848, Mesa County Records and being more particularly described as follows:

That Drainage Easement being the East 25.00 feet of Lots 4 through 7, Block One, Inclusive, and being the East 30.00 feet Lots 1 through 6, Block Four, Inclusive, and

Lots 1 through 7, Block Six, Inclusive, all being located in said Indian Road Industrial Subdivision, Filing No. Two.

A 15.00 FOOT WIDE DRAINAGE EASEMENT

A 15.00 foot wide Drainage Easement across that real property located in part of the Southwest Quarter Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) Section 24, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado, known as Indian Road Industrial Subdivision, Filing No. Two, as recorded in recorded in Book 4557, Page 848, Mesa County Records and being more particularly described as follows:

The East 15.00 feet of Lots 4 through 7, Block One, Inclusive, Lots 1 through 6, Block Four, Inclusive, and Lots 1 through 7, Block Six, Inclusive, all being located in said Indian Road Industrial Subdivision, Filing No. Two.

PASSED and ADOPTED this 18th day of May, 2009.

ATTEST:

/s/: Bruce Hill
President of City Council

/s/: Stephanie Tuin
City Clerk

EXHIBIT B - DRAINAGE EASEMENT VACATION

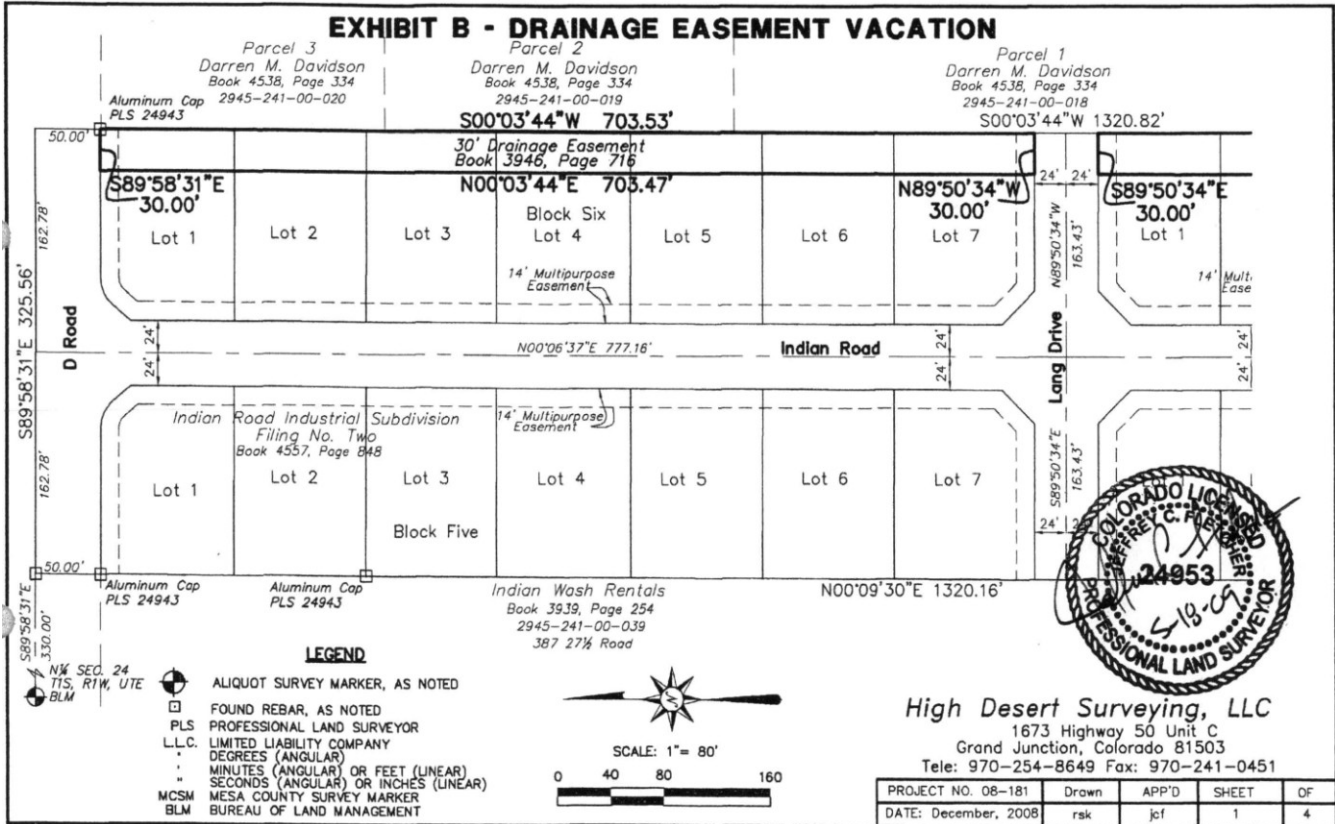


EXHIBIT C - DRAINAGE EASEMENT VACATION

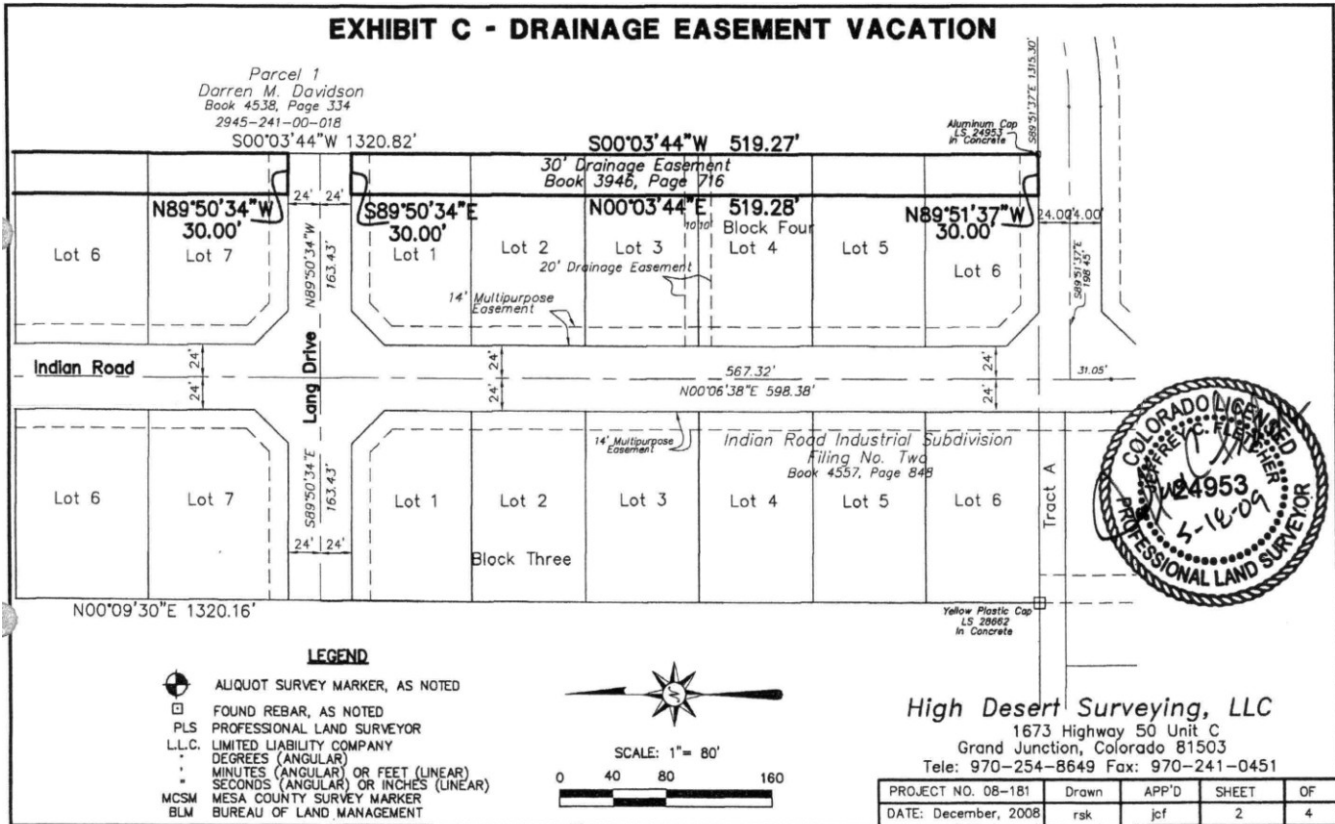


EXHIBIT D - DRAINAGE EASEMENT VACATION

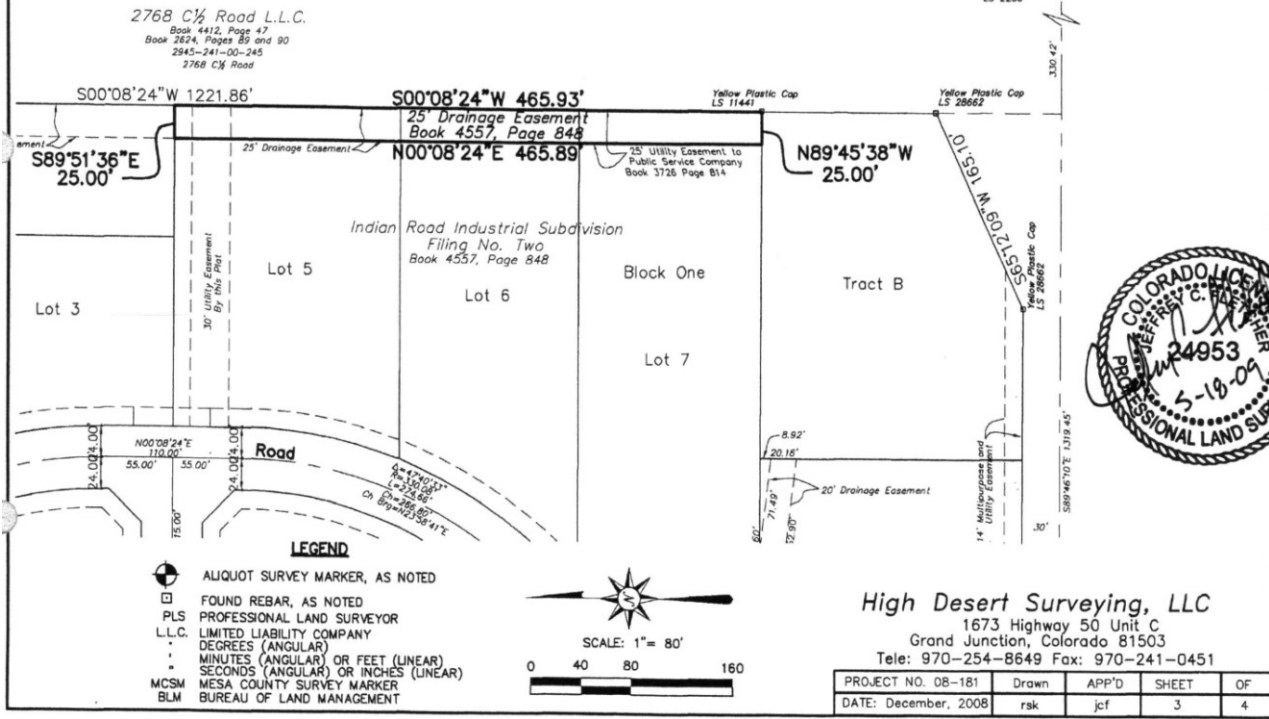


EXHIBIT E - DRAINAGE EASEMENT VACATION

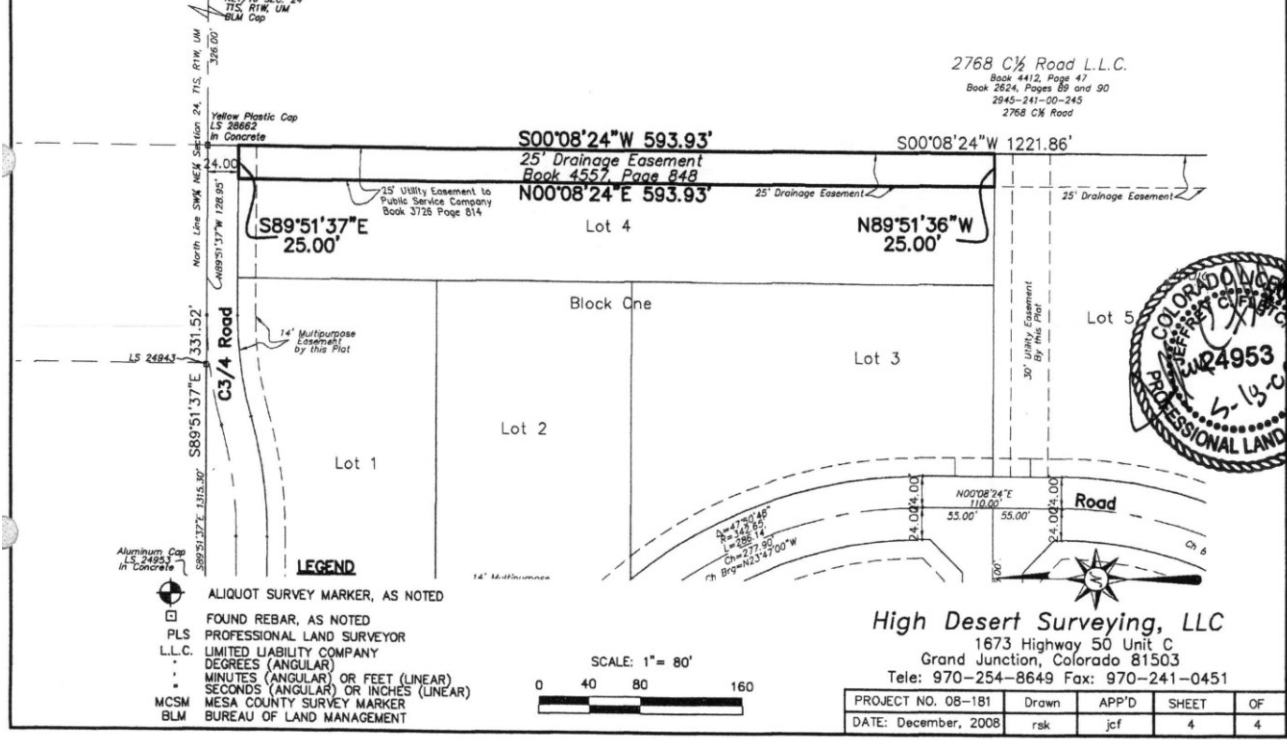


EXHIBIT B - DRAINAGE EASEMENT DEDICATION

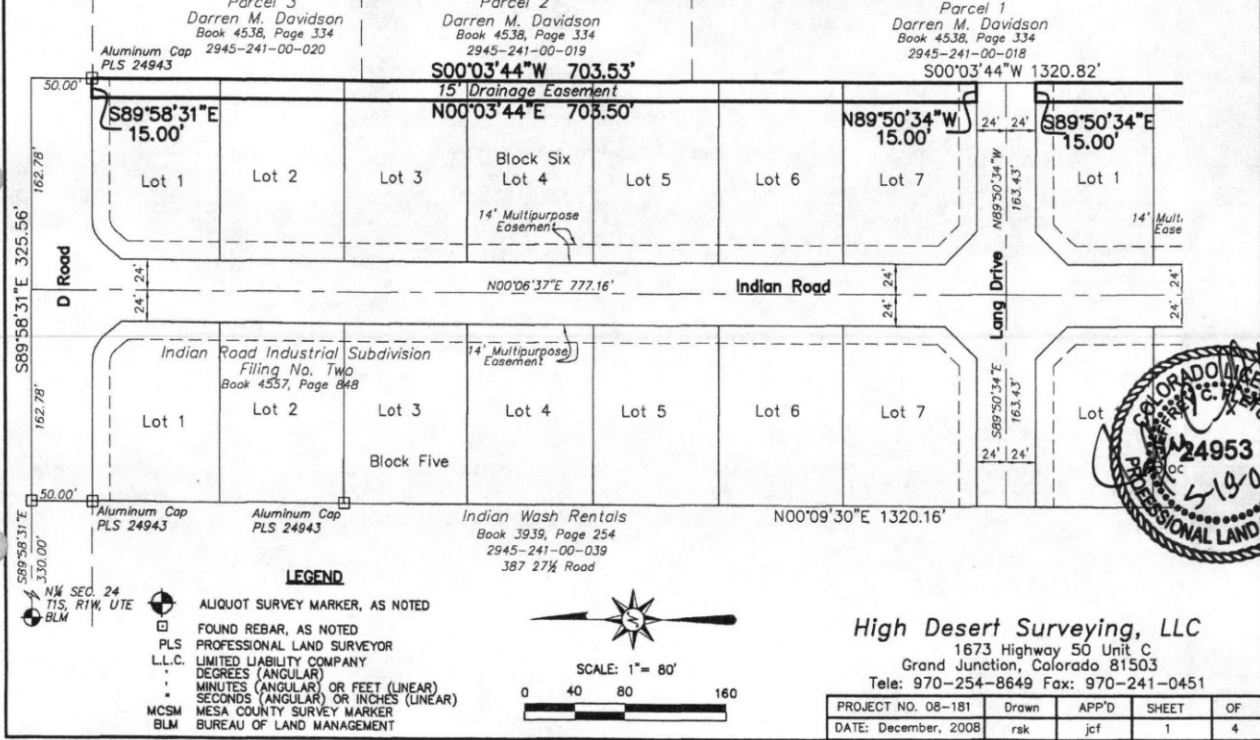


EXHIBIT C - DRAINAGE EASEMENT DEDICATION

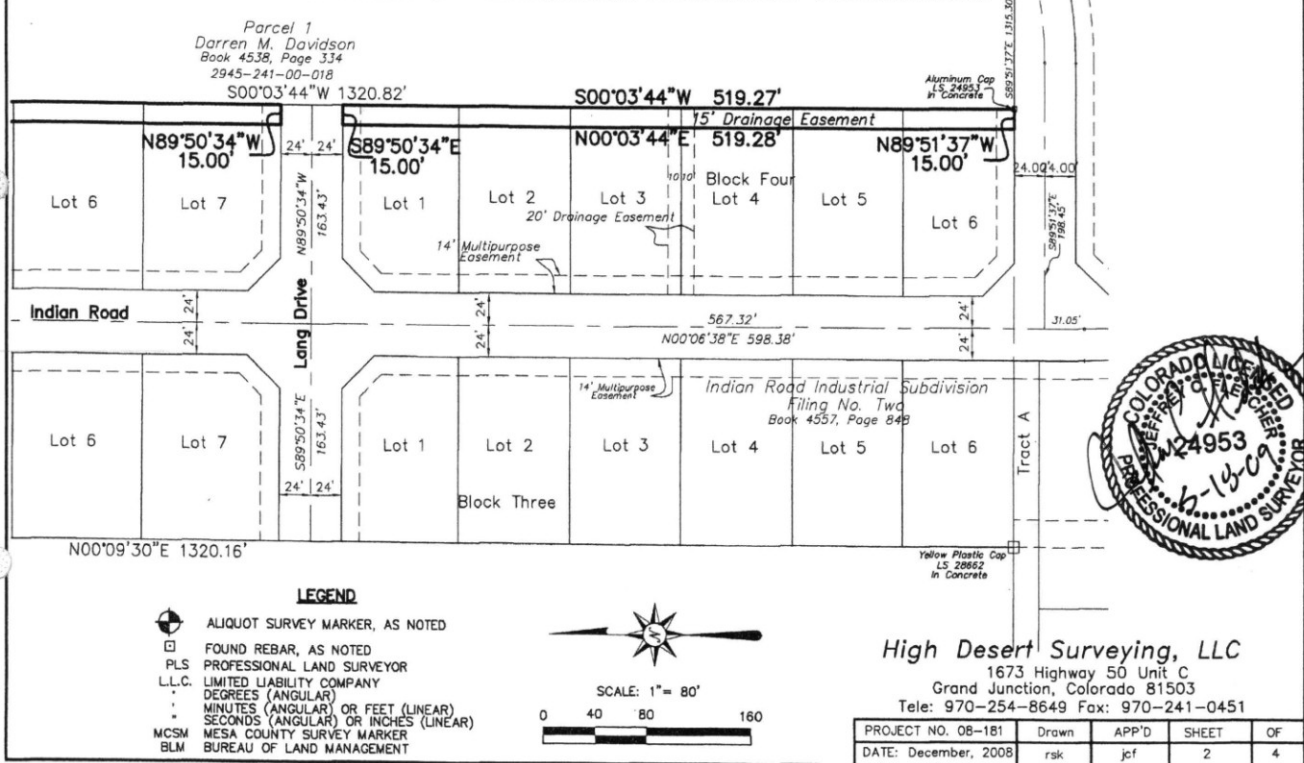
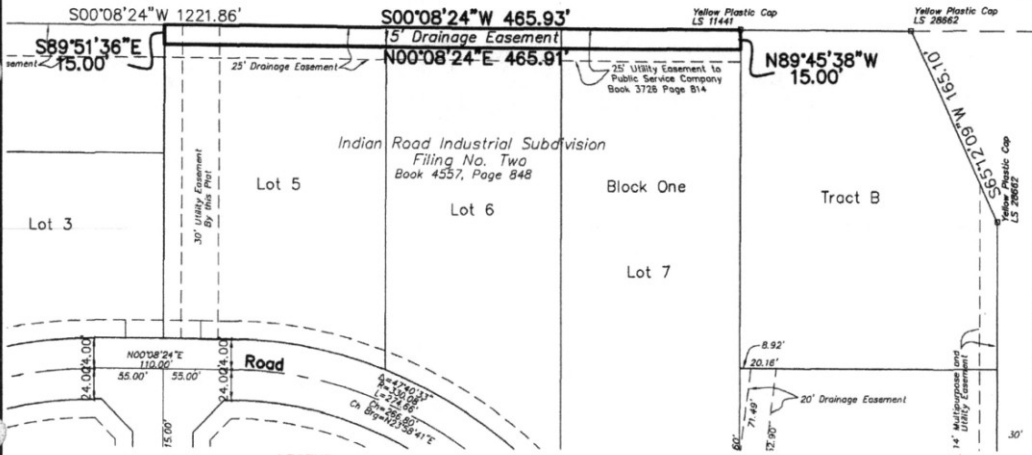


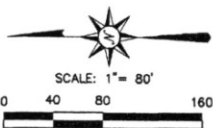
EXHIBIT D - DRAINAGE EASEMENT DEDICATION

2768 C³/₄ Road L.L.C.
 Book 4412, Page 47
 Book 2624, Pages 89 and 90
 2945-241-00-245
 2768 C³/₄ Road

NE 1/4 SEC. 24
 T15S, R17E, LM
 MCSM #1033
 LS 2280



- LEGEND**
- ALIQUOT SURVEY MARKER, AS NOTED
 - FOUND REBAR, AS NOTED
 - PLS PROFESSIONAL LAND SURVEYOR
 - L.L.C. LIMITED LIABILITY COMPANY
 - DEGREES (ANGULAR)
 - ' MINUTES (ANGULAR) OR FEET (LINEAR)
 - SECONDS (ANGULAR) OR INCHES (LINEAR)
 - MCSM MESA COUNTY SURVEY MARKER
 - BLM BUREAU OF LAND MANAGEMENT

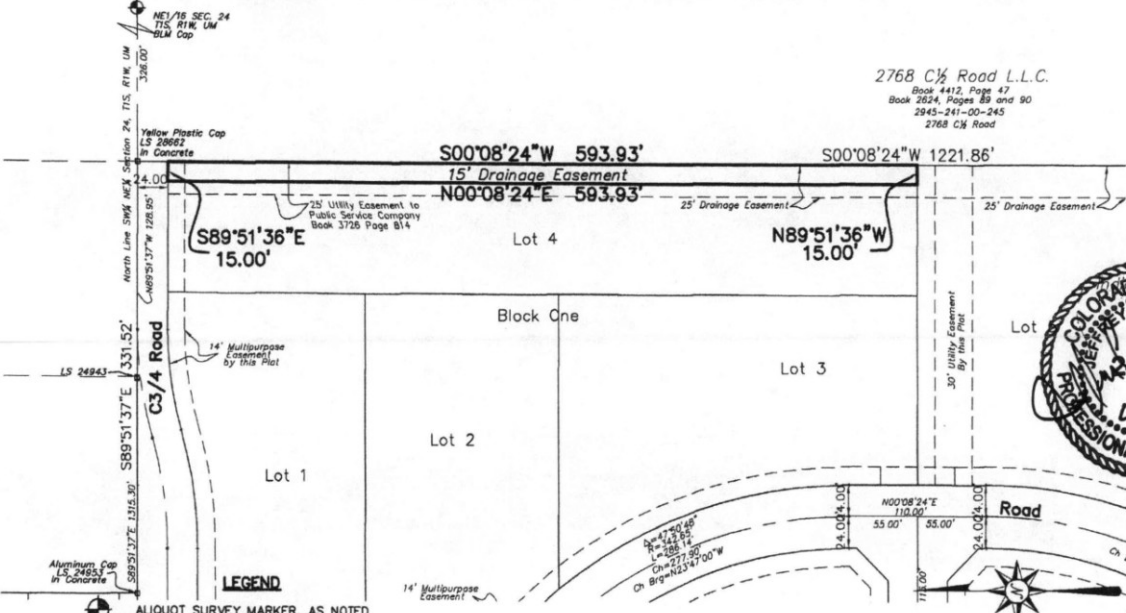


High Desert Surveying, LLC
 1673 Highway 50 Unit C
 Grand Junction, Colorado 81503
 Tele: 970-254-8649 Fax: 970-241-0451

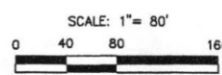
PROJECT NO. 08-181	Drawn rsk	APP'D jcf	SHEET 3	OF 4
DATE: December, 2008				

EXHIBIT E - DRAINAGE EASEMENT DEDICATION

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