

CITY OF GRAND JUNCTION

ORDINANCE NO. 4677

**AN ORDINANCE VACATING EXCESS RIGHT-OF-WAY FOR THE PROPOSED 1800
MAIN STREET MULTI-FAMILY RESIDENTIAL APARTMENT BUILDING EXPANSION
APPLICATION**

LOCATED AT 1800 MAIN STREET

RECITALS:

The applicant, Gemini Capital of Grand Junction LLC, requests approval from the City of Grand Junction to vacate excess right-of-way (4,112 +/- sq. ft. – 0.09 acres – see attached Exhibit A). This portion of dedicated 15' wide right-of-way has never been constructed nor utilized as a street right-of-way, but rather serves more as a utility easement for an existing 24" storm sewer line and Xcel Energy overhead powerline. The applicant is requesting to vacate the existing right-of-way in order to construct a new 18,360 +/- sq. ft., 3-story, 27-unit multi-family residential apartment building as close to their east property line as possible. The proposed Site Plan Review application for the new apartment building is currently under review administratively (City file number SPN-2015-313). The existing property at 1800 Main Street currently is developed with three individual multi-family apartment buildings which contain a total of 66 units on 3.87 acres.

This right-of-way was dedicated with the filing of the East Main Street Addition subdivision in 1947.

The proposed vacation will not impede traffic, pedestrian movement or access along Main Street to the south nor Rood Avenue to the north. As a condition of approval, the City would retain a Utility Easement for the existing Xcel Energy overhead powerline and the City's storm sewer line.

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.

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.

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

The following described dedicated right-of-way for 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. The City will retain a Utility Easement.

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 certain parcel of land lying in the South Half (S 1/2) of Section 13, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

That certain platted parcel of land, depicted as 15 feet in width, lying entirely within the plat of East Main Street Addition, as same is recorded in Plat Book 7, Page 31, Public Records of Mesa County, Colorado, bounded on the West by the East line of Block 5; bounded on the South by the North right of way of Main Street; bounded on the North by the South line of Rood Avenue and bounded on the East by the West line of said East Main Street Addition.

CONTAINS 4,112 Sq. Ft. or 0.094 Acres as described.

Said vacated right-of-way to be retained as a Utility Easement.

Introduced for first reading on this 16th day of September, 2015 and ordered published in pamphlet form.

PASSED and ADOPTED this 7th day of October, 2015 and ordered published in pamphlet form.

ATTEST:



City Clerk



President of City Council Pro Tem



EXHIBIT A

S89°56'14"E
662.49'

ROOD AVENUE
80' RIGHT OF WAY
PLAT BOOK 7 PAGE 31

N0° 05' 52"W
60.00'

POINT OF BEGINNING
NORTHEAST CORNER
BLOCK 5 OF
EAST MAIN STREET
ADDITION TO THE
CITY OF GRAND
JUNCTION

30.0'
S89° 56' 14"E 617.21'
S89° 56' 14"E 15.00'

VACATED STREET
RIGHT OF WAY
4,112 SQUARE FEET

VACATED EAST-WEST ALLEY
BY ORDINANCE NO. 1459,
RECORDED MAY 18, 1873
AT RECEPTION NO. 1047064.

1900 EAST MAIN STREET
TAX# 2945-134-00-015
FREEWAY BOWL LLC
RECEPTION NO. 2307980

N0°21'31"W
353.38'
17TH STREET
50' RIGHT OF WAY
PLAT BOOK 7 PAGE 31

N0° 21' 31"W 273.41'

50' 05' 52"E
274.11'
RIGHT OF WAY
15' RIGHT OF WAY
PLAT BOOK 7 PAGE 31

FOUND CITY BLOCK CORNER
SURVEY MARKER (TYPICAL)

20.0'

1800 MAIN STREET
TAX# 2945-133-09-024
GEMINI CAPITAL OF GRAND JUNCTION LLC
RECEPTION NO. 2675860



N89° 52' 22"W
15.00'

N89° 52' 22"W 615.97'

S0° 05' 52"E
20.00'

S89°52'22"E
660.88'

MAIN STREET
99.3' RIGHT OF WAY
PLAT BOOK 7 PAGE 31

GRAPHIC SCALE:
1"=40'



LINEAR UNITS ARE U.S. SURVEY FEET



LEGAL DESCRIPTION SKETCH
SITUATED IN SECTION 13, T15, R1W, U1E
GRAND JUNCTION, MESA COUNTY, COLORADO

ROAD RIGHT OF WAY VACATION

TAX# 2945-133-09-024

OWNER: GEMINI CAPITAL OF GRAND JUNCTION LLC

1800 MAIN STREET

POLARIS SURVEYING

PATRICK W. CLICK P.L.S. No 37904
3194 MESA AVENUE #B
GRAND JUNCTION, CO 81504
PHONE (970)434-7038

I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 4677 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 16th day of September, 2015 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 7th day of October, 2015, at which Ordinance No. 4677 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 12th day of October, 2015.

Stephanie Tuin

Stephanie Tuin, MMC
City Clerk

Published: September 18, 2015
Published: October 9, 2015
Effective: November 8, 2015

