

CITY OF GRAND JUNCTION

ORDINANCE NO. 4682

**AN ORDINANCE VACATING ALLEY RIGHTS-OF-WAY BETWEEN S. 7TH STREET
AND S. 8TH STREET ON THE SOUTH SIDE OF SOUTH AVENUE
LOCATED AT 630 S. 7TH STREET AND 735, 737, 741, AND 749 SOUTH AVENUE**

RECITALS:

The applicant, LOJO Partnership LLP, requests approval from the City of Grand Junction to vacate north/south and east/west alley rights-of-way (6,786 +/- sq. ft. – 0.156 acres – see attached Exhibit A) located between S. 7th Street and S. 8th Street on the south side of South Avenue. These alley rights-of-way have never been constructed with asphalt paving or concrete, but rather serve more as a utility easement for an existing sanitary sewer main and Xcel Energy electric and gas line. The applicant is requesting to vacate these existing alley rights-of-way in order to consolidate all seven properties that the applicant owns into one, 5.26 +/- acre lot in anticipation of marketing or development of the property for future general commercial development. The proposed Simple Subdivision application for the consolidation of properties is currently under review administratively (City file number SSU-2015-337).

The proposed alley vacation will not impede traffic, pedestrian movement or access since the applicant owns all the adjacent properties within this block. As a condition of approval, the City would retain a Utility Easement for the existing Xcel Energy electric and gas line and the City's 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. Applicant shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.

2. The City will retain a Utility Easement.
3. Applicant shall also dedicate a utility easement across the consolidated lots between S. 7th Street and S. 8th Street to cover existing utility infrastructure.
4. Applicant shall file a subdivision plat consolidating all existing parcels that will be landlocked as a result of this alley right-of-way vacation.

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 North-half (N 1/2) of Section 23, Township 1 South, Range 1 West of the Ute Principal Meridian and being more particularly described as follows:

ALL of that certain East-West alley lying South of Block 159, Plat of Part of Second Division Resurvey, as Amended, as same is recorded in Plat Book 3, Page 21, Public Records of Mesa County, Colorado, North of Block 1, Milldale Subdivision, as same is recorded in Plat Book 2, Page 30, Public Records of Mesa County, Colorado, West of the West right of way for South Eighth Street and East of the vacated East-West alley vacated by Ordinance No. 692, as recorded in Book 611, Page 201, Public Records of Mesa County, Colorado TOGETHER WITH that certain North-South alley lying North of the North line of Block 1, Milldale Subdivision, as same is recorded in Plat Book 2, Page 30, Public Records of Mesa County, Colorado, South of the South right of way for South Avenue and lying East of the East line of Lots 6 through 10 (and its Southerly extension), Block 159, Plat of Part of Second Division Resurvey, as Amended, as same is recorded in Plat Book 3, Page 21, Public Records of Mesa County, Colorado.

CONTAINING 6,786 Square Feet or 0.156 Acres, more or less, as described.

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

Introduced for first reading on this 21st day of October, 2015 and ordered published in pamphlet form.

PASSED and ADOPTED this 4th day of November, 2015 and ordered published in pamphlet form.

ATTEST:

Angela Forre

President of City Council

Stephanie Tun

City Clerk

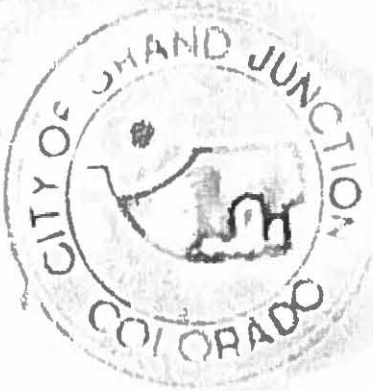
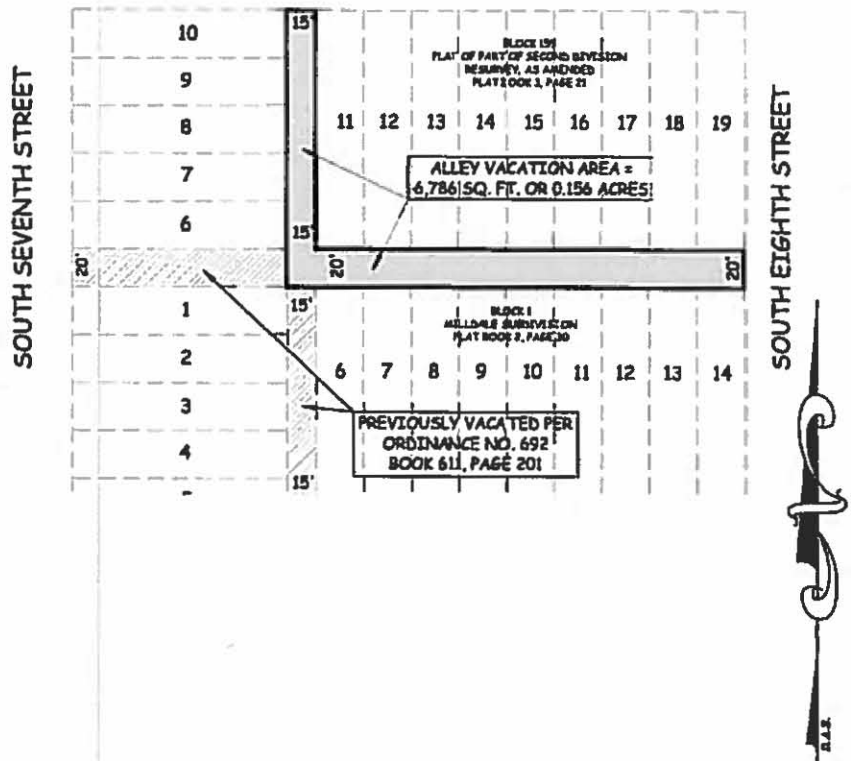


EXHIBIT "A"

SOUTH AVENUE



ABBREVIATIONS

- R.O.W. RIGHT OF WAY
- SEC. SECTION
- TWP. TOWNSHIP
- RGE. RANGE
- U.M. UTE MERIDIAN
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- SSMH SANITARY SEWER MAN HOLE

NOT-TO-SCALE
LINEAL UNITS = US SURVEY FEET

The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



DRAWN BY: PIK
DATE: 09-11-2015
SCALE: N/A
APPR. BY: SD

ALLEY VACATION
LOJO PARTNERSHIP LLP
630 S. 7TH STREET
2945-231-01-028

CITY OF
Grand Junction
COLORADO

I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 4682 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 21st day of October, 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 4th day of November, 2015, at which Ordinance No. 4682 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 6th day of November, 2015.



Stephanie Tuin, MMC
City Clerk

Published: October 23, 2015
Published: November 6, 2015
Effective: December 6, 2015

