

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 4789

**AN ORDINANCE VACATING A PORTION OF CANNELL AVENUE RIGHT-OF-WAY
SOUTH OF ORCHARD AVENUE**

Recitals:

Colorado Mesa University (CMU) is requesting to vacate the remaining portion of the Cannell Street right-of-way (ROW) directly south of Orchard Avenue, consisting of 109 linear feet by 60 feet wide, to allow for the future north and westward expansion of the CMU campus. CMU owns the adjacent properties, as well as properties to the south where the Cannell Street ROW was vacated in 2015. The vacated ROW will be subject to the terms and conditions of the *Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus*. Private easement for Xcel Energy's utilities will be provided and access to privately owned properties north of Hall Avenue and east of N. 8th Street via the alley will be maintained. This section of ROW falls outside of CMU's Institutional and Civic Master Plan, therefore the vacation request is not subject to an administrative review and must proceed through the codified process for right of way vacation requests.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, and upon recommendation of approval by the Planning Commission, the Grand Junction City Council finds that the request to vacate the street right-of-way is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Municipal Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE FOLLOWING DESCRIBED DEDICATED RIGHT-OF-WAY IS VACATED SUBJECT TO THE FOLLOWING CONDITIONS:

1. CMU shall plan for and provide circulation and emergency access to standards mutually acceptable and agreed to by the City and CMU, to establish and preserve public safety and legal access for both public and private users; and,
2. All City utilities shall be subject to the terms and conditions of the *Colorado Mesa University and City of Grand Junction Utility Easement and Maintenance Agreement-CMU Main Campus*; and,
3. CMU shall grant, as applicable, necessary utility easements to Xcel Energy.

Dedicated Right-of-Way to be vacated:

A Portion of Cannell Avenue Right-of-Way as dedicated on the plat Mesa Subdivision as recorded at Reception Number 449854 of the Mesa County Records, situated in the Southeast $\frac{1}{4}$ of Section 11, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado; being more particularly described as follows:

All of Cannell Avenue lying south of the south Right-of-Way line of Orchard Avenue Road Book 3, Page 21 and north of the north line of the Cannell Avenue Vacation recorded at Reception No. 2738781.

Containing an area of 6,540 square feet (0.150 acres) more or less, as described herein and depicted on "Exhibit A"

Introduced on first reading this 7th day of February 2018 and ordered published in pamphlet form.

Adopted on second reading this 21st day of February 2018 and ordered published in pamphlet form.

ATTEST:

W. Winkelman

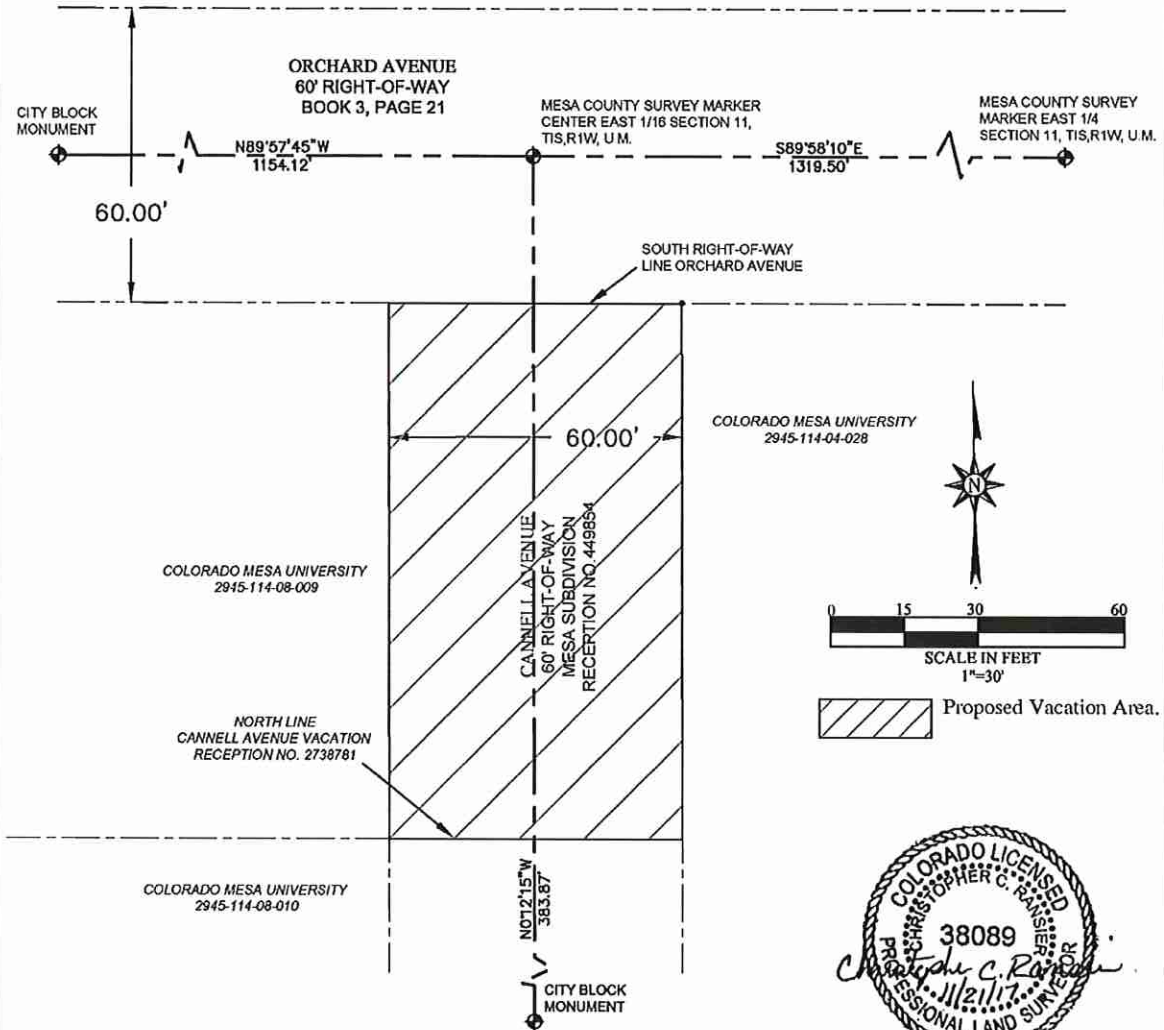
City Clerk

J. Mack

Mayor



EXHIBIT "A"
SOUTHEAST 1/4 OF SECTION 11,
TOWNSHIP 1 SOUTH, RANGE 1 WEST, UTE MERIDIAN,
IN THE CITY OF GRAND JUNCTION,
COUNTY OF MESA, STATE OF COLORADO



*This Exhibit is not intended to be used for establishing or verifying property boundary lines.
 *Title information shown is from Mesa County Clerk and Recorders Office.
 *Linear units are in U.S. Survey Feet.


CHRISTOPHER C. RANSIER
CO PLS 38089

I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 4789 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 7th day of February, 2018 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 21st day of February, 2018, at which Ordinance No. 4789 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 27 day of February, 2018.

W Winkelmann
City Clerk

Published: February 09, 2018
Published: February 23, 2018
Effective: March 25, 2018

