

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. 28-18

**A RESOLUTION VACATING A UTILITIES EASEMENT ON PROPERTY LOCATED
AT 2489 HIGHWAY 6 & 50**

Recitals:

The Freddy's Frozen Custard and Steakburgers restaurant establishment located at 2489 Highway 6 & 50 completed construction in early 2017. A utilities easement that runs east-west across the site originally protected various dry utilities. However, prior to construction of the building, all utilities were relocated elsewhere on the site so the east-west easement was no longer needed but it was not formally vacated at that time. The easement must be vacated in order for the owner to clear the property of the encumbrance and be able to perform a number of real estate activities, including the sale or refinance of the property.

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 utilities easement 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.

An existing utility easement across that property located in in the Northeast Quarter of the Southeast Quarter Section 9, Township I South, Range I West of the Ute Meridian in Grand Junction, Mesa County, Colorado and more particularly described as follows:

Lot I, Highway Six Subdivision, in the City of Grand Junction, Mesa County, Colorado as shown on plat recorded in Reception Number 2774408, Mesa County records.

Commencing at the most Southeasterly Northeast corner of said Lot I, whence the most Northwesterly Northeast corner bears North 58°09'43' West, a distance of 63.90 feet with all bearings contained herein relative thereto; thence North 58°09'43" West, a distance of 20.02 feet, along the most Northerly South line to the POINT OF BEGINNING; thence North 29°07'57" East, a distance of 7.69 feet; thence North 57°44'21" West, a distance of 82.69 feet; thence South 28°37'03" West, a distance of 7.76 feet; thence North 57°30'42" West, a distance of 15.03 feet; thence North 28°37'03" East, a distance of 7.70 feet; thence North 57°44'21" West, a distance of 65.01 feet; thence South 32°17'24" West, a distance of 7.29 feet; thence South 57°23'38" East, a distance of 4.43 feet; thence South 28°41'17" West, a distance

of 2.69 feet; thence South 57°44'21" East, a distance of 114.81 feet; thence North 28°41'17" East, a distance of 2.00 feet; thence South 58°09'43" East, a distance of 43.88 feet to the POINT OF BEGINNING.

Said parcel containing an area of 0.03 Acres, as herein described and depicted on "exhibit A".

Approved this 16th day of May 2018.

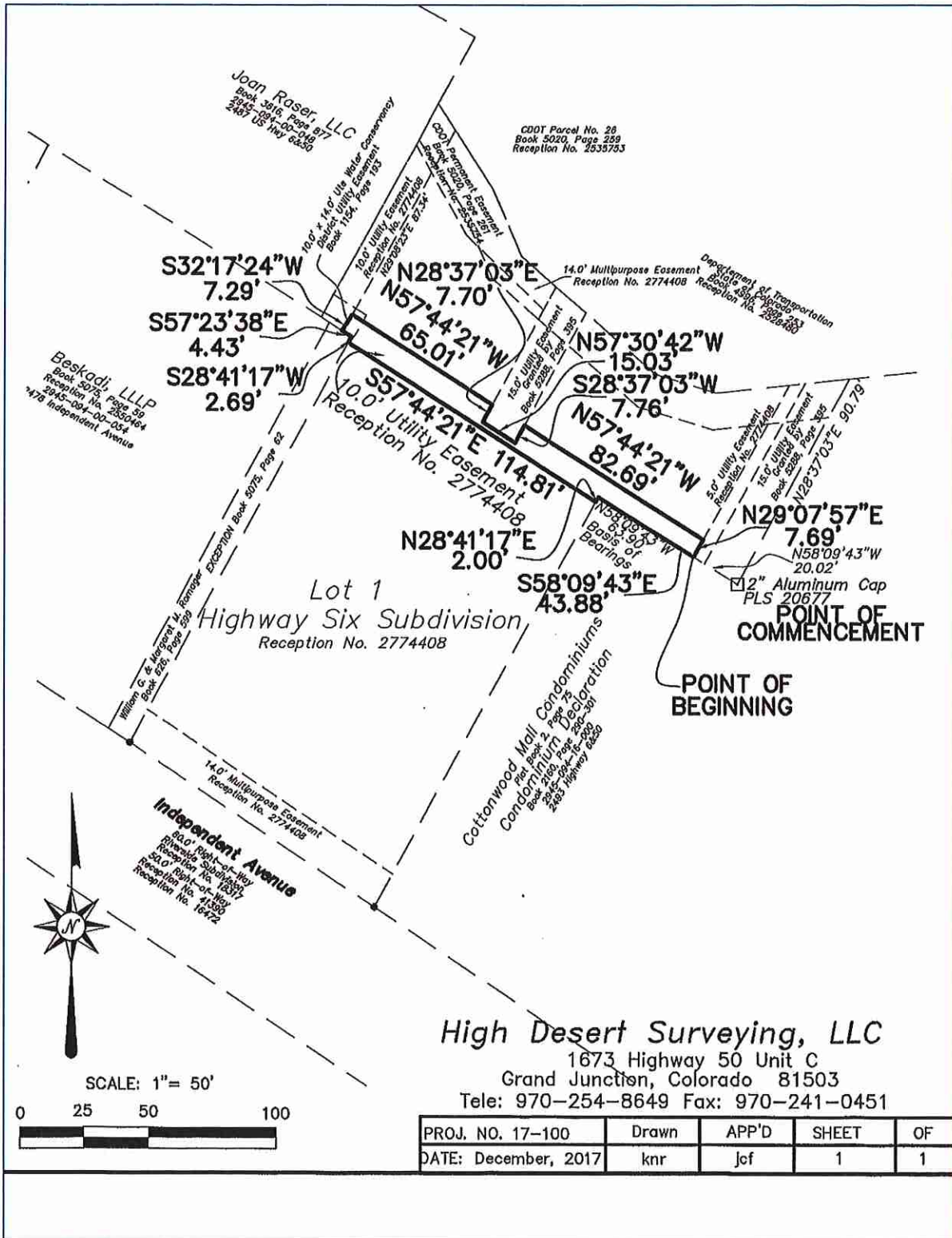
ATTEST:

W Winkelman
City Clerk

Robin Taylor Smith
Mayor



EXHIBIT A



Joan Raser, LLC
Book 3916, Page 677
2945-091-00-034
178 Independent Avenue

COOT Parcel No. 26
Book 5020, Page 259
Reception No. 2535753

Beskadi, LLP
Book 5075, Page 59
Reception No. 2550164
2945-091-00-034
178 Independent Avenue

S32°17'24"W
7.29'
S57°23'38"E
4.43'
S28°41'17"W
2.69'

N28°37'03"E
7.70'
N57°44'21"W
65.01'

14.0' Multipurpose Easement
Reception No. 2774408
Department of Transportation
Book 436, Page 253
Reception No. 2894483

N57°30'42"W
15.03'
S28°37'03"W
7.76'

S57°44'21"E
114.81'
10.0' Utility Easement
Reception No. 2774408

N57°44'21"W
82.69'

N28°41'17"E
2.00'

S58°09'43"E
43.88'

N29°07'57"E
7.69'
N58°09'43"W
20.02'

2" Aluminum Cap
PLS 20677
POINT OF COMMENCEMENT

POINT OF BEGINNING



SCALE: 1" = 50'



Independent Avenue
14.0' Right-of-Way
Reception No. 16337
50.0' Right-of-Way
Reception No. 41302
Reception No. 16472

14.0' Multipurpose easement
Reception No. 2774408

Cottonwood Mall Condominiums
Condominium Declaration
Book 2120, Page 29
Book 2120, Page 301
2003 Highway 2400

15.0' Utility Easement
Reception No. 2774408
15.0' Utility Easement
Book 2928, Page 388

10.0' x 14.0' Ute Water Conservancy
20.0' Utility Easement
Reception No. 2774408
10.0' x 14.0' Ute Water Conservancy
Book 1154, Page 183

20.0' Easement
Book 2020, Page 251
20.0' Easement
Book 2020, Page 252

N57°09'53"W
63.90'
Basis of Bearings