

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 4823

**AN ORDINANCE VACATING
ALL RIGHTS-OF-WAY AND EASEMENTS WITHIN THE
TWENTY THREE PARK PLAZA FILING NO. ONE REPLAT SUBDIVISION**

Recitals:

The Twenty Three Park Plaza Filing No. One Replat subdivision was platted in Mesa County in 1984 and annexed to the City in 2005. The subdivision plat depicts a 60-foot wide right-of-way for Plaza Road and South Park Circle that was to provide road access to 30 lots in the subdivision. Ten-foot utility easements were dedicated along the rights-of-way for future services to these 30 lots. The roads and other utility infrastructure that was to provide service to the 30 lots was not completed or finished; they are just depicted on the map. The property owner is replatting the property into one lot in anticipation of redevelopment and resubdivision, and as such is requesting that the rights-of-way and easement dedications shown on the plat be vacated.

There are existing utilities in the public rights of way and utility easements to be vacated; however, those are being covered with easements granted directly to the utility companies in a form acceptable to them. Those include water lines, with an easement to Ute Water Conservancy District, and drainage facilities, with an easement to Grand Valley Drainage District. It is likely that these utilities will be relocated when the property is redeveloped, with water lines relocated into the PROW dedicated on the replat, and drainage facilities relocated to accommodate the development and the Drainage District.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, and recommendation of approval by the Planning Commission, the Grand Junction City Council finds that the request to vacate the rights of way and utility easements dedicated on the Twenty Three Park Plaza Filing No. One Replat Subdivision is consistent with the Comprehensive Plan, the Grand Junction Circulation Plan and Section 21.02.090 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 IN EXHIBIT A AND B IS VACATED SUBJECT TO THE FOLLOWING CONDITIONS:

1. The property owner must grant a 20 ft. wide easement to the Ute Water Conservancy District, in a form acceptable to Ute Water Conservancy District, for an existing waterline that runs east-west across the site.
2. The property owner must grant a 30 ft. wide easement to Grand Valley Drainage District in a form acceptable to the Drainage District for an existing drainage facility that runs east-west across the site.

3. The property owner shall replat the property and combine it with property at 789 23 Road to create one lot, thereby eliminating all lots lines for the 30 lots shown on the Twenty Three Park Plaza Filing No. One Replat subdivision.
4. Vacation of the public interest in the rights-of-way and utility easements shown on the Twenty Three Park Plaza Filing No. One Replat Subdivision shall be effective upon recording of this ordinance.

Introduced on first reading this 3rd day of October, 2018 and ordered published in pamphlet form.

Adopted on second reading this 17th day of October, 2018 and ordered published in pamphlet form.

ATTEST:

W Winkelmann

City Clerk

Barbara Taylor Smith

Mayor



EXHIBIT A

A Replat of Twenty Three Road Filing Number One Road and Easement Vacations

ALL of those rights-of-way and all of those utility easements encumbering that property known as "A Replat of Twenty Three Park Plaza, Filing No. One", recorded at Reception Number 1358204, Mesa County records, located in the East Half of the Northeast Quarter ($E\frac{1}{2} NE\frac{1}{4}$), Section 31, Township 1 North, Range 1 West, of the Ute Meridian in Mesa County, Colorado and being described as follows:

That sixty foot (60.0') wide right-of-way for Plaza Road as shown on said plat and that sixty foot (60.0') wide right-of-way for South Park Circle as shown on said plat, as well as the turnouts to the North for proposed future rights-of-way into the "Future Development" tract shown on said plat, including all easements shown on said plat.

17-95 Replat of Twenty Three Road Filing Number One Vacation.doc/knr

Prepared By:

Jeffrey C. Fletcher PLS 24953

High Desert Surveying, LLC

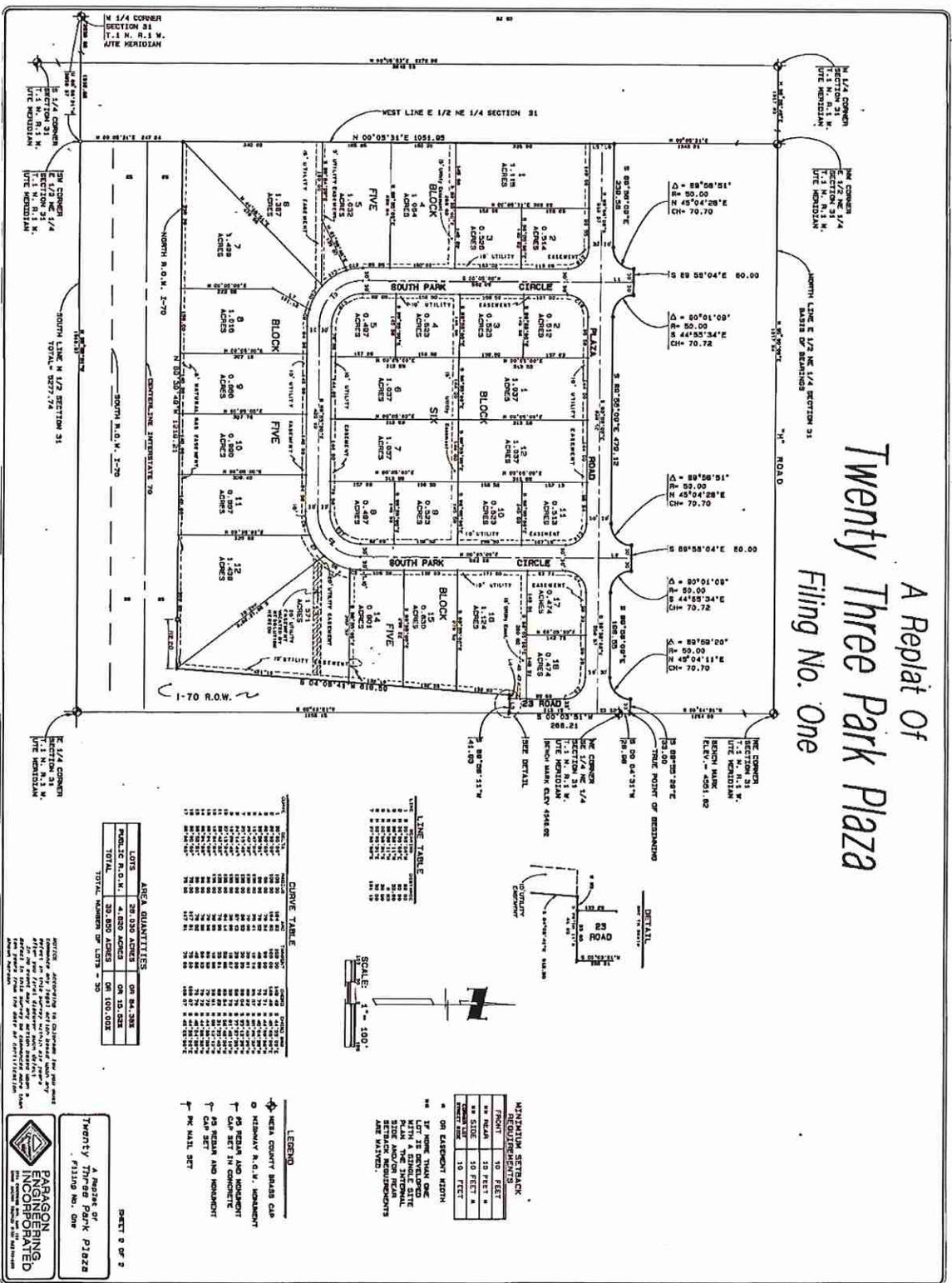
1673 Highway 50 Unit C

Grand Junction, Colorado 81503

Rights-of-Way Vacation and Easement Abandonment Exhibit

EXHIBIT B

A Replat Of Twenty Three Park Plaza Filing No. One



AREA QUANTITIES

LOTS	ON 34.388
30	30.000 ACRES
PUBLIC R.O.W.	4.800 ACRES ON 10.000
TOTAL	30.000 ACRES ON 100.000

TOTAL NUMBER OF LOTS = 30

CURVE TABLE

NO.	START	END	CHORD	ANGLE	AREA
1	100.000	100.000	0.000	0.000	0.000
2	100.000	100.000	0.000	0.000	0.000
3	100.000	100.000	0.000	0.000	0.000
4	100.000	100.000	0.000	0.000	0.000
5	100.000	100.000	0.000	0.000	0.000
6	100.000	100.000	0.000	0.000	0.000
7	100.000	100.000	0.000	0.000	0.000
8	100.000	100.000	0.000	0.000	0.000
9	100.000	100.000	0.000	0.000	0.000
10	100.000	100.000	0.000	0.000	0.000
11	100.000	100.000	0.000	0.000	0.000
12	100.000	100.000	0.000	0.000	0.000
13	100.000	100.000	0.000	0.000	0.000
14	100.000	100.000	0.000	0.000	0.000
15	100.000	100.000	0.000	0.000	0.000
16	100.000	100.000	0.000	0.000	0.000
17	100.000	100.000	0.000	0.000	0.000
18	100.000	100.000	0.000	0.000	0.000
19	100.000	100.000	0.000	0.000	0.000
20	100.000	100.000	0.000	0.000	0.000
21	100.000	100.000	0.000	0.000	0.000
22	100.000	100.000	0.000	0.000	0.000
23	100.000	100.000	0.000	0.000	0.000
24	100.000	100.000	0.000	0.000	0.000
25	100.000	100.000	0.000	0.000	0.000
26	100.000	100.000	0.000	0.000	0.000
27	100.000	100.000	0.000	0.000	0.000
28	100.000	100.000	0.000	0.000	0.000
29	100.000	100.000	0.000	0.000	0.000
30	100.000	100.000	0.000	0.000	0.000

MINIMUM SETBACK REQUIREMENTS

FRONT	REAR	SIDE
10 FEET	10 FEET	10 FEET
10 FEET	10 FEET	10 FEET
10 FEET	10 FEET	10 FEET

LEGEND

- MEER COUNTY BRASS CAP
- HIGHWAY R.O.W. MONUMENT
- AS MEANS AND MONUMENT
- CAP SET IN CONCRETE
- AS MEANS AND MONUMENT
- CAP SET
- PER MAIL SET

SCALE: 1" = 100'

PARAGON ENGINEERING INCORPORATED

2025 10th Street, N.W., Atlanta, Georgia 30309

PH: 404.525.1234

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NOTICE: According to Georgia law, the plat must be filed in the public records office of the county in which the land is located. The plat must be filed within 30 days of the date of recording. The plat must be filed with the appropriate fee. The plat must be filed with the appropriate fee. The plat must be filed with the appropriate fee.

I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 4823 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 3rd day of October, 2018 and 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 17th day of October, 2018, at which Ordinance No. 4823 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 22nd day of October, 2018.


Deputy City Clerk

Published: October 05, 2018
Published: October 19, 2018
Effective: November 18, 2018