

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 4839

**AN ORDINANCE VACATING FOUR FEET OF KIMBALL AVENUE RIGHT-OF-WAY
AND THE 14-FOOT WIDE MULTI-PURPOSE EASEMENT LOCATED AT 1015 & 1101
KIMBALL AVENUE**

Recitals.

This ordinance serves to vacate four feet (4') of the Kimball Avenue right-of-way and the 14-foot multi-purpose easement (MPE) adjacent to the street. This ordinance and the vacation of the right of way and 14' MPE are expressly conditioned on the owner of the property at 1015 and 1101 Kimball Avenue deeding the City a new multi-purpose easement (MPE) with a minimum width of eight feet on the south side of the new right-of-way for Kimball Avenue starting from the easterly edge of the South 12th Street alignment and extending approximately 1,177 feet to the west.

The right of way and easement vacations benefit the properties at 1015 and 1101 Kimball Avenue and are being proposed in anticipation of redevelopment of the historic Sugar Beet factory which is located on the property.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Planning Commission considered the request to vacate four feet of the public right-of-way and the 14-foot wide multi-purpose easement. The Planning Commission recommended approval of the request and forwarded that recommendation to City Council with the vacations being conditioned on the owner deeding a new 8-foot wide MPE on the south side of Kimball Avenue (as the same is described less the area vacated) starting from the easterly edge of the South 12th Street alignment and extending 1,177 feet to the West. In support of its recommendation the Planning Commission found that the requested vacations are consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and § 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 RIGHT-OF-WAY (ROW) AND THE 14' MULTI-PURPOSE EASEMENT (MPE) BE VACATED CONDITIONED ON THE OWNER OF THE PROPERTY AT 1015 AND 1101 KIMBALL DEEDING A NEW EIGHT (8)-FOOT WIDE MPE DIRECTLY SOUTH OF THE KIMBALL AVENUE ROW LINE AS THE SAME IS DESCRIBED LESS THE VACATED (4') AREA ALL AS DEPICTED IN EXHIBIT A AND THE FOLLOWING DESCRIPTIONS:

LOT 1 – 1015 Kimball Avenue

Kimball Avenue Right-of-way Vacation to Lot 1, Old Mill Subdivision

Beginning at the NE corner of Lot 1, Old Mill Subdivision, as same is recorded in Book 5008, Pages 27&28, Public Records of Mesa County, Colorado:

Running thence along the existing northerly line of said Lot 1 the following two (2) courses: (1) N89°13'27"W 784.46 feet to a point of curve; (2) thence along said curve to the left 39.63 feet (R=273.00 feet, Delta=8°19'05", Chord Bears S86°37'00"W 39.60

feet); thence N82°27'28"E 36.59 feet to a point of curve; thence along said curve 21.78 feet (R= 150.00 feet, Delta=8°19'05", Chord Bears N86°37'00"E 21.76 feet); thence S89°13'27"E 766.05 feet, said line being 4.00 feet north of and parallel with the existing north line of said Lot 1; thence S00°46'33"W 4.00 feet to the existing NE corner of said Lot 1 and the Point of Beginning.

Parcel contains 3169 sq. ft. (0.073 acres).

LOT 2- 1101 Kimball Avenue

Kimball Avenue Right-of-way Vacation to Lot 2, Old Mill Subdivision

Beginning at the NW corner of Lot 2, Old Mill Subdivision, as same is recorded in Book 5008, Pages 27&28, Public Records of Mesa County, Colorado:

Running thence N00°46'33" E 4.00 feet; thence S89°13'27" E 392.66 feet to the existing easterly right-of-way of S 12th Street, said line being 4.00 feet north of and parallel with the existing north line of said Lot 2; thence along said easterly right-of-way of S 12th Street S00°15'42" E 4.00 feet to the existing north line of said Lot 2; thence along the existing north line of said Lot 2 N89°13'27" W 392.74 feet to the existing NW corner of Lot 2 and the Point of Beginning.

14-foot Multi-purpose easement

The multi-purpose easement as shown on the north side of Lots 1 and 2 of the Old Mill Subdivision, recorded in Book 5008, Pages 27-28.

Introduced on first reading this 20th day of February, 2019 and ordered published in pamphlet form.

Adopted on second reading this 6th day of March, 2019 and ordered published in pamphlet form.



Barbara Traylor Smith
President of the Council

ATTEST:



Wanda Winkelmann
City Clerk



I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 4839 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 20th day of February, 2019 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 6th day of March, 2019, at which Ordinance No. 4839 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 March, 2019.


Deputy City Clerk

Published: February 22, 2019
Published: March 8, 2019
Effective: April 7, 2019