

ORDINANCE NO. 2489

VACATING A PORTION OF A UTILITY EASEMENT ON LOT 18, BLOCK 1, CROWN HEIGHTS SUBDIVISION, FIRST FILING

RECITALS. The owners of a residential property in Crown Heights Subdivision have requested that an easement be vacated. The plat of that subdivision reflects that the easement which is requested to be vacated was dedicated to the public utilities which serve to be vacated was dedicated to the public utilities which serve the subdivision. Because the dedication was not, on its face, made to the City of Grand Junction, the petitioners have been required to obtain the written consent of the affected utility providers. The role of the City is that of facilitator. The requirements for vacating an easement, set forth in section 8-3 of the Zoning and Development Code, have been satisfied.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

The Northernmost 2 feet of a 20 foot utility and irrigation easement located on the souther portion of lot 18, Block 1, Crown Heights First Filing, as recorded in Book 12 at Page 336-337 of the records of the Mesa County Clerk and Recorder's Office is hereby vacated.

The plat by which the subject easement was created dedicated said easement to the Utilities. Therefore, the Council acknowledges that this Ordinance serves only to extinguish any interest the City of Grand Junction may have as a potential utility provider and to clarify the general public's interest in said easement and does not attempt to affect the rights of the utilities.

INTRODUCED this 19th day of September, 1990.

PASSED and ADOPTED this 3rd day of October, 1990.

William E. McCurry

President of the Council

Attest:

Neva B. Lockhart, CMC

City Clerk

I HEREBY CERTIFY that the foregoing ordinance, being Ordinance No. 2489, was introduced, read, and ordered published by the City Council of the City of Grand Junction, Colorado, at a regular meeting of said body held on the 19th day of September, 1990, and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, at least ten days before its final passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official Seal of said City this 4th day of October, 1990.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk

Published: September 21, 1990

Published: October 5, 1990

Effective: November 4, 1990