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PAGE DOCUMENT

**CITY OF GRAND JUNCTION**

**ORDINANCE NO. 4563**

**AN ORDINANCE VACATING THE KIRBY SUBDIVISION PLAT, RIGHT-OF-WAY  
FOR CLAIRE DRIVE AND PORTIONS OF UTILITY, IRRIGATION, AND DRAINAGE  
EASEMENTS**

**LOCATED 2856 B 3/4 ROAD**

RECITALS:

The property owner and the City of Grand Junction have requested vacation of the Kirby Subdivision plat and portions of the rights-of-way and Utility, Irrigation and Drainage easements dedicated thereon.

The City Council finds that the request is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Sections 21.02.090 and 21.02.100 of the Grand Junction Municipal Code.

The Planning Commission, having heard and considered the request and found the criteria of the Code to have been met, recommends that the vacations be approved.

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

The following described subdivision plat and rights-of-way dedicated thereon are hereby vacated subject to the following:

1. Excepting 5' of the right-of-way for B 3/4 Road adjacent to the property and excepting the 10' wide perimeter utility, irrigation and drainage easements along the north, west and east property lines, which the City shall retain on behalf of the public.

The Kirby Subdivision Plat is shown on "Exhibit A".

Legal description:

A certain parcel of land lying in the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of Kirby Subdivision, as same is recorded in Plat Book 11, Page 28, Public Records of Mesa County, Colorado lying North of a line 25.00 feet North of and parallel with the South line of the NW 1/4 NE 1/4 of said Section 30;

With the exception of the above-described right-of-way and easements to be retained by the City on behalf of the public.

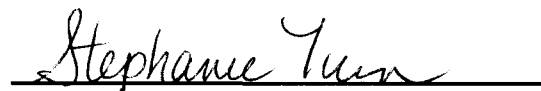
INTRODUCED for first reading on this 5<sup>th</sup> day of December, 2012 and ordered published in pamphlet form.

PASSED and ADOPTED on second reading this 19<sup>th</sup> day of December, 2012 and ordered published in pamphlet form.

ATTEST:

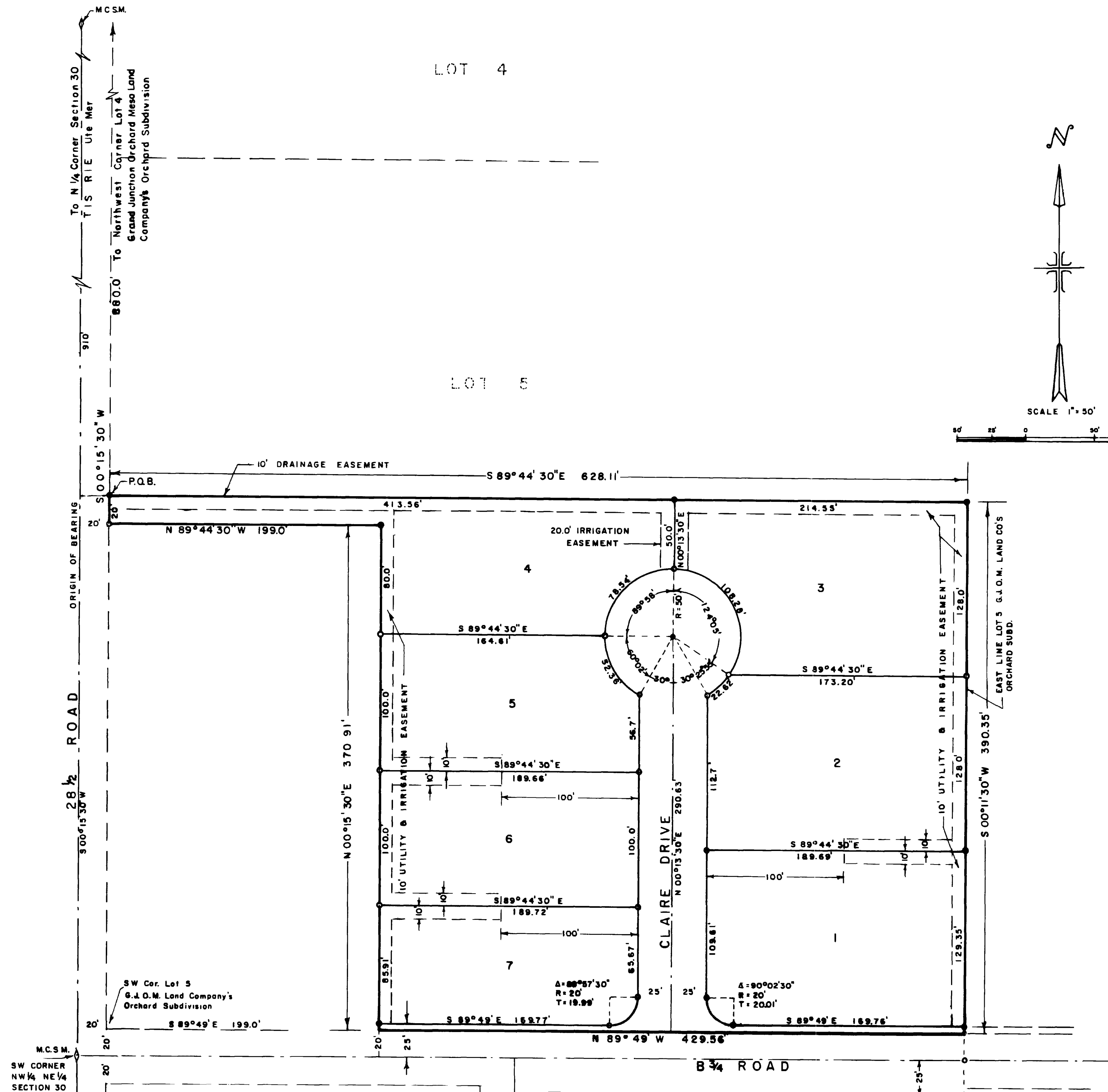


\_\_\_\_\_  
President of City Council

  
\_\_\_\_\_  
City Clerk







# KIRBY SUBDIVISION

## DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned Joseph K Kirby and Clara L. Kirby are the owners of that real property situated in the County of Mesa, State of Colorado and lying in the NW 1/4 NE 1/4 of Section 30, Township 1 South, Range 1 East of the Ute Meridian as shown by the accompanying plat thereof; said tract being more specifically described by metes and bounds as follows:

Beginning at a point on the West line of Lot 5, Grand Junction Orchard Mesa Land Company's Orchard Subdivision which bears S 00°15'30"W 880.0 feet from the Northwest corner of Lot 4 of said subdivision, thence S 89°44'30"E 628.11 feet to the East line of said subdivision, thence S 00°11'30"W 390.35 feet to the South line of said Lot 5, thence N 89°49'W along the South line of said Lot 5 429.56 feet to a point which bears S 89°49'E 199.0 feet from the Southwest corner of said Lot 5, thence N 00°15'30'E 370.91 feet, thence N 89°44'30"W 199.0 feet, thence N 00°15'30"E 20.0 feet to the point of beginning.

That the said owners have caused the said real property to be laid out and surveyed as Kirby Subdivision, a subdivision of a part of the County of Mesa.

That said owners do hereby dedicate and set apart all of the streets and roads as shown on the accompanying plat to the use of the public forever and hereby dedicate those portions of said real property which are labeled as utility easements on the accompanying plat as easements for the installation and maintenance of such utilities as telephone and electric lines, poles and cables; storm and sanitary sewer mains, water mains, gas pipe lines, and those portions of said real property which are labeled as irrigation easements on the accompanying plat as easements for the installation and maintenance of irrigation ditches flumes and conduits.

That all expenses for installation of utilities or ditches referred to above, for grading or landscaping, and for street graveling or improvements shall be financed by the seller or purchaser--not the County of Mesa.

IN WITNES WHEREOF, said owners Joseph K Kirby and Clara L. Kirby have caused their names to be hereunto subscribed this 25th day of January A D, 1971.

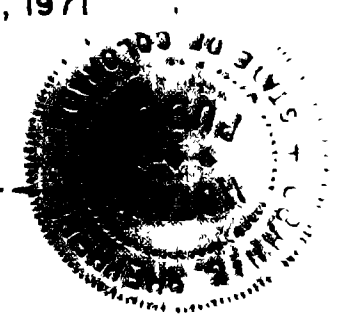
*Joseph K Kirby*  
Joseph K Kirby  
*Clara L Kirby*  
Clara L Kirby

STATE OF COLORADO } ss  
COUNTY OF MESA }

The foregoing instrument was acknowledged before me this 25th day of January AD, 1971 by Joseph K Kirby and Clara L. Kirby.

My Commission expires November 12, 1973  
Witness my hand and official seal.

*John C Shepherd*  
Notary Public



### CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO } ss  
COUNTY OF MESA } ss 1000803

I hereby certify that this instrument was filed in my office at 9:24 o'clock A.M. Feb. 18 A.D., 19 71, and is duly recorded in Plat Book No. 11, Page 22

*Annie M. Tunstom*  
Clerk and Recorder

Fees \$ 10.00

By: \_\_\_\_\_ Deputy

### COUNTY PLANNING COMMISSION CERTIFICATE

Approved this 9th day of February, A.D., 1971.  
County Planning Commission of the County of Mesa, Colorado.

By: *James R. Smoger*  
Chairman

### BOARD OF COUNTY COMMISSIONER'S CERTIFICATE

Approved this 16th day of February, A.D., 1971  
Board of County Commissioners of the County of Mesa, Colorado.

By: *Jack Wadlow*  
Chairman

### SURVEYOR'S CERTIFICATE

I, William F. Quinn do hereby certify that the accompanying plat of Kirby Subdivision, a subdivision of a part of the County of Mesa has been prepared under my direct responsibility, supervision and checking, and accurately represents a field survey of same.

*William F. Quinn*  
Registered Land Surveyor

Approved for content and form only and not to the accuracy of surveys, calculations and drafting. Pursuant to C.R.S. 1963, 136-2-2 as amended

*Robert C. Head* 2/11/71  
Mesa County Surveyor



- LEGEND
- Steel Pin set in Concrete
  - Steel Pin
  - ◆ Mesa County Survey Monument

WESTERN ENGINEERS, INC.  
PLAT OF  
KIRBY SUBDIVISION  
MESA COUNTY, COLORADO

SURVEYED <u>R.S.R.</u>	DRAWN <u>R.S.R.</u>	TRACED <u>R.S.R.</u>
GRAND JUNCTION, COLO. DWG. 1-581-2 1/19/71		