

CITY OF GRAND JUNCTION, COLORADO

Ordinance No. 2745

VACATING THE WESTERLY TEN (10) FEET OF THE 4TH STREET
RIGHT-OF-WAY FROM SOUTH AVENUE TO THE D&RGW RAILROAD RIGHT-OF-WAY

Recitals.

The petitioner is requesting the 10 foot right-of-way vacation to allow for the a major addition to the Central Distributing warehouse building located at 245 South Avenue. During the review process of this right-of-way vacation request, concerns were expressed by the Colorado Department of Transportation (CDOT). CDOT is in the very early stages of designing the new 5th Street viaduct. Preliminary design concepts include closure of the northbound on-ramp and rerouting northbound traffic to the west. This portion of 4th Street could then become the only access for parcels between 4th and 6th Streets south of South Avenue. Given the representations of the petitioner that truck traffic is negligible and the limited area that 4th Street serves, the expansion of the warehouse will not present a traffic problem. This vacation will allow an existing business to infill this industrial area rather than relocate.

The Petitioner's request to vacate the westerly 10-feet of right-of-way of 4th Street south of South Avenue to it's terminus at the railroad right-of-way will leave 70 feet of right-of-way which exceeds the current right-of-way for an industrial street section.

The Grand Junction Planning Commission, at their April 5, 1994 hearing recommended denial of the request to vacate the westerly 10 feet of 4th Street from South Avenue to the D&RGW right-of-way for the following reasons: 1) since the State's intentions for 5th Street are unknown, the right-of-way should be left open; 2) the commission was opposed to "giving away public right-of-way"; 3) the proposal does not meet the zoning and development code criteria for right-of-way vacations. The petitioner had not made it clear at that time that truck traffic was negligible

The City Council has duly considered the petitioner's request to vacate 10 feet and the recommendation of the Planning Commission and finds that the requirements for vacation of a right-of-way, as set forth in section 8-3 of the Zoning and Development Code, have been satisfied.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

That the right-of-way described below is hereby vacated:

Beginning at the northeast corner of Lot 16, Block 163 of the original plat, City of Grand Junction, thence east 10 feet, thence south 139.33 feet, thence west 10 feet to the southeast corner of Lot 16, thence north along the lot line 139.33 feet to the point of beginning.

INTRODUCED for FIRST READING and PUBLICATION this 4th day of May, 1994.

PASSED on SECOND READING this 18th day of May, 1994.

ATTEST:

/s/ Stephanie Nye
City Clerk

/s/ R. T. Mantlo
President of Council