

ORDINANCE NO. 2791

AN ORDINANCE SUBMITTING TO THE ELECTORATE OF THE
CITY OF GRAND JUNCTION THE QUESTION OF THE
SALE OR TRADE OF CERTAIN LANDS OWNED BY THE CITY

WHEREAS, the City Council has determined that the City owned real properties herein described are surplus and not necessary for governmental purposes; and

WHEREAS, Section 48 of The Charter of the City of Grand Junction, as amended, requires that, before any sale of real property shall be made, the question of such sale and terms and consideration thereof shall be submitted to and ratified by a majority vote of the registered electors of the City.

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

1. That the herein described real property is not necessary for governmental purposes.
2. That there be submitted to the registered electors of the City of Grand Junction, at the regular election on April 4, 1995, the question of the sale or trade of certain lands owned by the City as hereinafter set forth:
 - A. Shall the City Council be authorized to sell, no less than the fair market value thereof, the following described real property consisting of approximately 40-acres of vacant land located south of Whitewater, Colorado and currently leased to Maranatha Broadcasting, Inc.:

Lot 3 in Section 30, Township 2 South, Range 2 West of the Ute Meridian, County of Mesa, State of Colorado, together with a 25-foot wide nonexclusive easement for ingress and egress purposes across Lot 2 in said Section 30, the center line of said easement being more particularly described as follows: Beginning at a point on the South Line of said Lot 2 from whence the Southeast Corner of said Lot 2 bears East a distance of 180.0 feet; thence running Northeasterly to a point on the East Line of said Lot 2 from whence the Southeast Corner of said Lot 2 bears South a distance of 260.0 feet, said point being the Point of Terminus of said easement.

_____ FOR THE SALE

_____ AGAINST THE SALE

- B. Shall the City Council be authorized to sell or trade, for no less than the fair market value thereof, the following described real property consisting of approximately 80 acres of vacant land located west of 24 Road and south of the Mainline of the Grand Valley Canal, commonly known as Berry Park; if traded, the lands traded for shall be at least equal in value and shall be used for park purposes, and, if sold, the monies received shall be used to acquire other park lands:

The E ½ of the NW ¼ of the SE ¼ and the NE ¼ of the SE ¼ and that part of the SE ¼ of the NE ¼ lying South of the Grand Valley Canal, all in Section 29, Township 1 North, Range 1 West of the Ute Meridian, except that part of said NE ¼ of the SE ¼ of said Section 29 lying East of Berry Creek Canal and South of the East-West Drain Canal; and also

Beginning at a point N 00°03'45" W 660.0 feet and N 89°57'45" E 330.09 feet of the S ¼ Corner of Section 29, Township 1 North, Range 1 West of the Ute Meridian, thence N 00°03'34" W 659.82 feet; thence S 89°57'45" W 65.09 feet; thence N 00°03'45" W 330 feet; thence S 89°57'45" W 264 feet; thence N 00°03'45" W 989.82 feet; thence N 89°57'16" E 660.08 feet; thence S 00°02'07" E 1979.55 feet; thence S 89°57'45" W 329.05 feet to the Point of Beginning, Excepting therefrom the following described real property:

Commencing at the S ¼ Corner of said Section 29; thence N 00°03'45" W 660.0 feet; thence N 89°57'45" E 330.09 feet; thence N 00°03'45" W 659.82 feet; thence S 89°57'45" W 66.09 feet to the Point of Beginning; thence N 00°03'45" W 330.0 feet; thence S 89°57'45" W 231.0 feet; thence N 00°03'45" W 19.72 feet; thence S 88°58'57" E 284.39 feet; thence S 00°03'45" E 344.48 feet; thence S 89°57'45" W 53.34 feet to the Point of Beginning.

_____ FOR THE SALE OR TRADE

_____ AGAINST THE SALE OR TRADE

- C. Shall the City Council be authorized to sell, for no less than the fair market value thereof, the following described real property formerly used as Fire Substation No. 2, a portion of which is currently leased to JESST, Inc.:

Lots 9, 10, 11 in Block 7 of Elmwood Plaza Subdivision Replat, located in Section 12, Township 1 South, Range 1 West of the Ute Meridian, together with the East ½ of the vacated alley adjacent to the West of said Lot 11, also known as 1135 North 18th Street.

_____ FOR THE SALE

_____ AGAINST THE SALE

- D. Shall the City Council be authorized to sell, for no less than the fair market value thereof, the following described real property consisting of approximately 240-acres of vacant land located south of Whitewater, Colorado and currently leased to William Arthur Mertz:

The SE ¼ of the NE ¼ and the NE ¼ of the SE ¼ of Section 25, Township 2 South, Range 1 East of the Ute Meridian; and also

Lots 2 and 4 in Section 30, Township 2 South, Range 2 East of the Ute Meridian, Subject to a 25-foot wide nonexclusive easement for ingress and egress purposes across Lot 2 in said Section 30, the center line of said easement being more particularly described as follows: Beginning at a point on the South Line of said Lot 2 from whence the Southeast Corner of said Lot 2 bears East a distance of 180.0 feet; thence running Northeasterly to a point on the East Line of said Lot 2 from whence the Southeast Corner of said Lot 2 bears South a distance of 260.0 feet, said point being the Point of Terminus of said easement, and Excepting therefrom right-of-way for U.S. Highway No. 50

_____ FOR THE SALE

_____ AGAINST THE SALE

- E. Shall the City Council be authorized to sell, for no less than the fair market value thereof, the following described real property consisting of approximately 191 acres of vacant land located south of Whitewater, Colorado and currently leased to Sally Marie Smith:

The SE ¼ of the NE ¼ of Section 23, Township 2 South, Range 1 East of the Ute Meridian, and also, commencing at a point which is 90.0 feet South of the Northwest Corner of the NE ¼ SE ¼ of said Section 23; thence North to the Northwest Corner of the NE ¼ SE ¼ of said Section 23; thence East a distance of 1320.0 feet to the

Northeast corner of the NE ¼ SE ¼ of said Section 23; thence South a distance of 630.0 feet to a point on the East line of the NE ¼ SE ¼ of said Section 23; thence Northwesterly in a straight line to the Point of Beginning; and also

The SE ¼ of the NW ¼, the NE ¼ of the SW ¼, the NW ¼ of the SE ¼, the N ½ of the NW ¼, and the East 25.0 feet of the SW ¼ of the NW ¼, all in Section 24, Township 2 South, Range 1 East of the Ute Meridian, together with a nonexclusive easement for ingress and egress purposes which is more particularly described as follows: The South 35.0 feet of Lots 30 through 36 of Meserve Fruit Tracts lying South and West of U.S. Highway No. 50; and also a strip of land 50.0 feet in width lying South and West and adjacent to the Southwesterly right-of-way line for U.S. Highway No. 50, said strip of land being across Lots 35 and 36 of Meserve Fruit Tracts, excepting therefrom the North 25.0 feet of the N ½ of the NW ¼ SW ¼ of said Section 24.

_____ FOR THE SALE

_____ AGAINST THE SALE

INTRODUCED ON FIRST READING AND ORDERED
PUBLISHED THIS 21st DAY OF DECEMBER, 1994.

PASSED and ADOPTED this 4th day of January, 1995.

Attest:

/s/ Reford Theobald
President of the Council Pro Tem

/s/ Stephanie Nye
City Clerk