

CITY OF GRAND JUNCTION, COLORADO

Ordinance No. 2793  
VACATING A DRAINAGE RIGHT-OF-WAY BETWEEN 27 ROAD AND  
MOUNTAIN VIEW STREET NORTH OF SUNSHINE LANE

Recitals.

The subdivision plats for both the Cox and Towns subdivisions on Orchard Mesa indicated a drainage right-of-way on the northern edge of the property. The dedication statements on the plat did not specify to whom the right-of-way was to be dedicated. The Orchard Mesa Irrigation District does not claim the property nor does any other utility or public or private entity. Consequently, through this process, the City of Grand Junction is claiming ownership of the right-of-way due to its historic use for public purposes.

The Orchard Mesa Irrigation and Drainage District has indicated that it is not opposed to the vacation provided appropriate easement for the ditch and access is retained. Parks and Recreation staff does not feel that this portion of the drainage ditch would provide a viable linkage to a pedestrian trail network on Orchard Mesa. The easements requested by Public Service Company will remain intact. The Utility Coordinating Committee (UCC) approved this vacation request at its December 14, 1994 meeting.

The Grand Junction Planning Commission, at its December 6, 1994 hearing, recommended approval of this right-of-way vacation subject to reservation of the entire right-of-way as a utility and drainage easement and final approval by the Utility Coordinating Committee.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE DRAINAGE RIGHT-OF-WAY DESCRIBED BELOW IS HEREBY VACATED AND RETAINED AS UTILITY AND DRAINAGE EASEMENT:

A parcel of land situated in the NE1/4, SEC25, T1S, R1W, Ute Meridian more particularly described as follows: Commencing at the NW corner of SW1/4, of section 25; thence E 30.00 feet along the N line of said SW1/4 NE1/4 to the true point of beginning. Thence continuing E 630.00 along said N line being the N line of second Replat of lots 10, 11, and 12 Cox Subdivision and town subdivision; thence S 30.00 feet along the easterly line of said second replat of Lots 10, 11, and 12 Cox Subdivision; thence W 630.00 feet 30.00 feet from and parallel with said N line of the SW1/4 NE1/4 of section 25; thence N 30.00 feet along the easterly right-of-way line of 27 1/2 Road to the true point of beginning.

INTRODUCED for FIRST READING and PUBLICATION this 21st day of December, 1994.

PASSED on SECOND READING this 4th day of January, 1995.

ATTEST:

/s/ Stephanie Nye  
City Clerk

/s/ Reford C. Theobald  
President of Council Pro Tem