



FOLLOW-UP FORM FOR:

Right-of-way Vacation  
Text Change  
Rezoning

Preliminary Plat  
Final Plat  
Minor Subdivisions

Bulk Development  
Conditional Use  
PUD

ITEM Yocum Subdivision--Right-of-Way

DATE RECEIVED March 26, 1975 ITEM # 6-75

REQUEST Vacation of Road Right-ofway

LOCATION Yocum Subdivision---East of 7th St. and South of Wellington.

PETITIONER Charles A. Buswell

ADDRESS \_\_\_\_\_ PHONE NO. \_\_\_\_\_

Information Submitted

Fee Submitted \_\_\_\_\_

Application: Yes Plats: 15

Progress Chart

Reviewing Agencies (see attached form) \_\_\_\_\_ Sign Posted \_\_\_\_\_

Notice to Adjacent Property Owners \_\_\_\_\_

Planning Commission: April 30, 1975

Action Taken: Rec. of approval

City Council: \_\_\_\_\_

Action Taken: \_\_\_\_\_

vacated: Ord. #1130 B-1033 P-786

PUBLICATION DATES: 7 days 1. \_\_\_\_\_

7 days 2. \_\_\_\_\_

DATE COMPLETED: \_\_\_\_\_

PETITION FOR VACATION OF ROAD

TO: COUNCIL OF THE CITY OF GRAND JUNCTION  
MESA COUNTY PLANNING COMMISSION

The undersigned respectfully requests vacation of that certain purported road bounded on the West by Lots 1, 2 and 3 of Yocum Subdivision and bounded on the East by Lot 4 of Yocum Subdivision and more accurately described as follows:

Beginning at the NE corner of Lot 1 of Yocum Subdivision thence S0°04' W to the SE corner of Lot 3, thence S89°26' E 40 feet to the SW corner of Lot 4, thence N 0°04' E to the NW corner of Lot 4, thence N89°29' W 40 feet to point of beginning, all lots referred to above being in Yocum Subdivision;

and as grounds therefore, states and alleges:

1. That the plat of Yocum Subdivision as filed in Plat Book 5, page 14 of the records of the Clerk and Recorder of Mesa County, a copy of which is attached hereto, does not designate the above described area as being a road.
2. That from the date of the filing of said subdivision plat to March 26, 1947 there was no acceptance of the offer to dedicate set forth in said subdivision plat.
3. That on March 26, 1947, William Preston Knoch, Dorothy Knoch, Winifred Redd and Alice Ellrick, who were at that time the owners of all of the lands in Yocum Subdivision, conveyed to Winifred Redd and Alice Ellrick, who are predecessors in title to the present owner, the purported roadway above described, which quit claim deed contained the following language:

The Grantors herein are the owners of all of the land in The Yocum Subdivision and the intention of this deed is to abandon a 40 foot strip of land dedicated as a street or alley in the plat and dedication of said Subdivision. Said 40 foot strip of land has been enclosed at all times within fences since the platting and dedication of said subdivision and has never been opened or used as a street or alley,

thereby withdrawing any previously outstanding offer of dedication.

4. That at no time after March 26, 1947, has there been any attempted acceptance of dedication of this property.

5. That the purported road above described has never been opened or used by the public.

6. That the undersigned is the owner of all lands adjoining the purported road on the West, East and South.

Respectfully submitted,

THE BISHOP OF PUEBLO  
a corporation sole

By Charles a. Buswell

STATE OF COLORADO     )  
                                  )    ss.  
COUNTY OF                )

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of August, 1974, by

Witness my hand and official seal.

My commission expires: Jan 16, 1976

Elizabeth A Keller  
Notary Public

