

REVIEW SHEET SUMMARY

FILE # 74-78

ITEM Street & Alley Vacation - Grand Junction Steel

MEETING DATE

COMMENTS:

MOUNTAIN BELL

No objections to the vacation of 2nd Street; however, we have a cable on Power Company poles for two spans and a buried cable on the east. If the alley is to be vacated, we will require an easement east to 11th and north on 11th to 2nd Avenue.

PUBLIC SERVICE

Public Service Electric has no objections.

Public Service Gas: No objections to the portion of the alley between 2nd & 3rd Ave. & the portion of 11th St. Also no objection to the portion of 3rd Ave., but a 2" Gas Line must be cut off and abandoned. Public Service Company is working with Grand Junction Steel on status of service to house still being served by a gas main in 2nd Ave., which may require an easement.

City Utilities Engineer: Alley through parking lot must be at least 25 feet wide to provide access for through vehicles. The existing water line on the proposed area of vacation could become a private fire line with all taps except the hydrant as fire protection removed and value placed at property line and all cost of changing lines and values and function maintenance would be funded by the petitioner. All domestic water meters would have to be moved to the new property lines at petitioners expense.

Planning Staff: Petitioner should investigate vacating all of the E.W. alley between 2nd and 3rd Avenues. Recommend that he check with the three property owners affected.

Fire Department: OK, Maintain convenient access to all parts of the area for Fire Department pumper, with due regard to hydrant locations. To allow this vacation, owners will be required to bring Hydrant spacing and water supply up to I.S.O. Standards on all existing property. Five Hydrants that are needed for protection of other properties must remain accessible or be relocated. Existing water line across property must be accessible, and clean of storage at all time.

Police Department: Turn around needed east end of 3rd. Parking lot accidents probable in parking area (Blocks 22-24), no dimensions. Require access to Blocks 25-32, Police Protection. Vacation will hinder Police Protection to petitioner.

Park and Recreation: No comment

City Public Works Engineer:

1. 20' additional ROW and Power-of-attorney for sidewalks on South side of D Road Recommended.
2. Petitioner should construct cul-de-sac at East end of 3rd Avenue (proposed) with 40' Radius mat and gutter to match existing on a 50' Radius R.O.W dedication. Suggest offset to South side of 3rd Ave.
3. Alley thru parking lot seems inadvisable. Potential operations problems with parked cars and maintenance of "strip" thru lot is future awkward.

DEVELOPMENT DEPARTMENT RECOMMENDATION

OK. No Recommendation.

PLANNING COMMISSION RECOMMENDATION

GOVERNING BODY DECISION

REVIEW COMMENTS FOR: #74-78 Street and Alley Vacation - G.J Steel

AS OF AUGUST 22, 1978

Fire Department: OK, Maintain convenient access to all parts of the area for Fire Department pumpers, with due regard to hydrant locations. To allow this vacation, owners will be required to bring Hydrant spacing and water supply up to I.S.O. Standards on all existing property. Five Hydrants that are needed for protection of other properties must remain accessible or be relocated. Existing water line across property must be accessible, and clean of storage at all time.

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GOLDEN, MUMBY & SUMMERS

ATTORNEYS AT LAW

JAMES GOLDEN
KEITH G. MUMBY
K. K. SUMMERS
J. RICHARD LIVINGSTON

COURTHOUSE PLACE BUILDING - 200 N. 6TH STREET
P. O. BOX 398
GRAND JUNCTION, COLORADO 81501

AREA CODE 303
TELEPHONE 242-7322

July 27, 1978

File Cy

Director of Development
City of Grand Junction
Mesa County Courthouse
Grand Junction, CO 81501

Re: Vacation of the Unvacated Portion of Second Avenue East of South Tenth Street, a Portion of Third Avenue East of South Tenth Street, all Unvacated Portions of South Eleventh Street Lying South of E Road and North of Winters Avenue, and a Portion of an East-West Alleyway Situated in the Block Located Between South Tenth Street and South Eleventh Street and Second Avenue and Third Avenue

Gentlemen:

In behalf of Grand Junction Steel Fabricating Co., a Colorado corporation, we hereby request you process this application for vacation. In connection with this request, we forward herewith our client's check made payable to the City of Grand Junction's order in the amount of \$235.00, to cover your fees, and an original and fourteen copies of this application. In support of this application, we supply the following information.

1. Reasons why vacation is requested:

As your records will reflect, and the accompanying site plan demonstrates, the applicant has been acquiring parcels of property in the area where the applicant conducts its business for the purpose of positioning the applicant to enlarge its facilities. The City Planning Commission and the City Council have been of great assistance to the applicant in its efforts by acting favorably on applicant's previous petitions for vacations of rights-of-way. As disclosed in prior applications for vacations, and in statements made to the City Planning Commission and the City Council, the applicant's long-term plans have included the acquisition of these adjoining areas sought to be vacated by this application in order that this application may be presented.

We reiterate the points previously made to the effect that the applicant conducts a non-noxious, non-polluting steel fabricating business from its properties which join the areas sought to be vacated by this application. The applicant employs approximately 190 persons.

2. The legal description of the parcels sought to be vacated:

Parcel No. 1 -

"The unvacated portion of Second Avenue situated east of the east line of South Tenth Street";

Parcel No. 2 -

"The unvacated portions of South Eleventh Street situated South of D Road and North of Winters Avenue";

Parcel No. 3 -

"That portion of Third Avenue which lies East of a line which starts at a point on the South line of Lot 22 of Block 14, Milldale Subdivision, which is 15 feet East of the Southwest Corner of said Lot 22 and proceeds directly South to a point on the North line of Lot 11 of Block 17 of Milldale Subdivision which is 15 feet East of the Northwest Corner of said Lot 11";

Parcel No. 4 -

"That part of the East-West alleyway situated in Block 14 of Milldale Subdivision which lies East of a line which commences at a point on the South line of Lot 11 of Block 14 of Milldale Subdivision 15 feet East of the Southwest Corner of said Lot 11 and proceeds to a point on the North line of Lot 22 of Block 14 of Milldale Subdivision which is 15 feet East of the Northwest Corner of said Lot 22";

All of said property situated in the City of Grand Junction, County of Mesa, State of Colorado.

3. The name and address of the petitioner:

Grand Junction Steel Fabricating Co.,
a Colorado corporation,
1101 Third Avenue, Grand Junction, CO 81501

4. Names and addresses of all surrounding property owners presently using right-of-way for ingress or egress:

There are improvements situated at the southwest corner of the intersection of Second Avenue and South Eleventh Street. This property was recently acquired by the applicant. Under the terms of this acquisition, the former owner of this property, and his tenants, are entitled to the use, possession and occupancy of these improvements until October 1, 1978. To avoid any conflict with this owner's rights, it is proposed that the proposed vacation ordinance shall not become effective until October 1, 1978.

All the hereinafter listed property owners, to wit:

✓ K. E. M. Housing Products
1008 Third Avenue, Grand Junction, CO 81501

✓ Ola Hofferber
1020 Third Avenue, Grand Junction, CO 81501

✓ James H. Dugan
1036 Third Avenue, Grand Junction, CO 81501

have adequate ingress and egress by way of Third Avenue and, in the case of K. E. M. Housing Products, there is adequate ingress and egress on South Tenth Street. This petition seeks a vacation of a portion of the east-west alleyway lying east of these owners' property, which is located in the same block where the owners' property is located and the unvacated portion of South Eleventh Street between Second Avenue and Third Avenue and the unvacated portion of Second Avenue east of South Tenth Street. The result is the alleyway remaining deadends and there is no circulation available.

To provide for the circulation that would be lost by granting the vacation of the requested parcels, the

applicant proposes to dedicate the west 20 feet of Lot 23, Block 14, Milldale Subdivision, City of Grand Junction, County of Mesa, State of Colorado, which connects with the south line of the unvacated portion of the east-west alleyway and the north line of the unvacated portion of Third Avenue lying east of South Tenth Street.

Currently, Lots 22, 23 and 24 of Block 14, Milldale Subdivision, are blacktopped and used by the applicant as a parking lot for the applicant's employees.

5. Site plan:

A site plan showing the property owned by the company, rights-of-way previously vacated, and the rights-of-way desired to be vacated by this application is included herewith.

5.1. Other than property owned by the company, the properties which may make use of a portion of the property sought to be vacated by this application are located in Lots 25 through 32 of Block 14 of Milldale Subdivision and are shown by the red "x". Their usage is more particularly set forth in Item 4 above.

5.2. The zoning for this property is I-2.

5.3. Utilities which would be affected by this vacation are a fire plug and water line serving the fire plug located in the east portion of Third Avenue, and power lines and a sewer line located in the alleyway of Block 14 of Milldale Subdivision. The company desires that the fire plug and the water line serving it remain undisturbed for fire safety purposes. The company would suggest reasonable arrangements be made to accommodate this desire.

The sewer line in Block 14 will have to remain to serve the company's business office building. The company suggests that some reasonable accommodation be concluded between the company and the City with regard to this.

Except for serving the company's facilities, there would be no further need for the power lines in the alleyway of Block 14.

5.4. The site plan reflects all streets bordering the area in question.

5.5. Presently, the contemplated use of the area sought to be vacated, and the adjoining property owned by the applicant, would be for storage purposes.

5.6. The property is level and there are no contours shown on the site plan for that reason.

Would you kindly process this application in accordance with your procedures. It is hoped that this application may be scheduled for consideration by the Planning Commission at its regular August meeting.

If you desire any additional or further information with regard to this matter, would you kindly contact the undersigned.

Sincerely yours,

GOLDEN, MUMBY & SUMMERS

BY 

JG/ck

Enclosures

cc: Grand Junction Steel Fabricating Co.

harsco CORPORATION

January 11, 1980

Director of Development
City of Grand Junction
Mesa County Courthouse
Grand Junction, Colorado 81501

RE: 74-78 Street and alley vacation
Grand Junction Steel

Gentlemen:

As consideration for the City of Grand Junction acting to vacate certain streets and alleyways in the Milldale Subdivision of the City of Grand Junction, at the request of Grand Junction Steel, it was requested that Harsco Corporation:

(a) Convey to the City of Grand Junction the north 20 feet of Lots 21 to 32 of Block 8 of Milldale Subdivision, and the west 20 feet of Lot 23 of Block 14 of Milldale Subdivision for public right-of-way.

(b) Execute a power of attorney in favor of the City Clerk of the City of Grand Junction authorizing and permitting the City Clerk to act in behalf of Harsco Corporation to sign a petition to form a special improvement district to construct a sidewalk on that portion of the property conveyed by paragraph (a) hereof, which fronts on D Road; and

(c) Agree that in the event Harsco Corporation, acting through Grand Junction Steel, should move to close that portion of Third Avenue which lies east of South Tenth Street and west of the west line of South Eleventh Street, Harsco Corporation would, at its expense, construct a cul-de-sac at the east end of Third Avenue as vacated, with a 40 foot radius mat and gutter to match existing roadway on a 50 foot radius right-of-way and dedicate and supply the City of Grand Junction with the necessary quitclaim deed conveying the property to be dedicated. It is understood that the proposed cul-de-sac will be completed by utilizing the northerly portions of Lots 8, 9, and 10, as well as small portions of Lots 7 and 11, of Block 17 of Milldale Subdivision.

Director of Development
City of Grand Junction
January 11, 1980
Page Two

Consonant with the City's request, we have executed and are delivering herewith the instruments described at paragraphs (a) and (b) above and do hereby agree to the provisions of paragraph (c) above.

Sincerely yours,

HARSCO CORPORATION

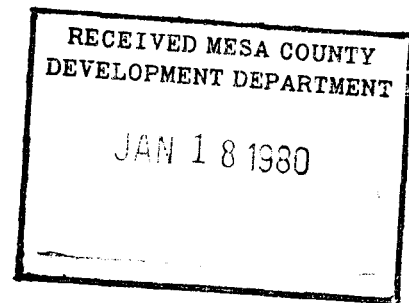
By G. F. Gilbert, Jr.
G. F. Gilbert, Jr.
Vice President and Secretary

GOLDEN, MUMBY, SUMMERS & LIVINGSTON
ATTORNEYS AT LAW
MESA UNITED BANK CENTER - 2808 NORTH AVENUE
P. O. BOX 398
GRAND JUNCTION, COLORADO 81501

File
Road Vac. - Grand
Jct. Steel
74-78
AREA CODE 303
TELEPHONE 242-7322

JAMES GOLDEN
KEITH G. MUMBY
K. K. SUMMERS
J. RICHARD LIVINGSTON

January 18, 1980



Karl G. Metzner
Senior Planner
City/County Development Department
559 White Avenue
Grand Junction, CO 81501

RE: Petition of Grand Junction Steel for vacation
of streets and alleys--Your File No. 74-78

Dear Karl:

In connection with this matter, in June, 1979, you approved a form of certain documents which we prepared for execution of Harsco Corporation, which we had submitted to you under our letter of April 25, 1979.

These documents have now been executed by the appropriate authorities of Harsco Corporation.

To complete this matter, I am forwarding herewith the following:

1. Letter of Harsco Corporation dated January 11, 1980, to Director of Development.
2. Irrevocable Power of Attorney executed by Harsco Corporation.
3. Quit Claim Deed executed by Harsco Corporation.

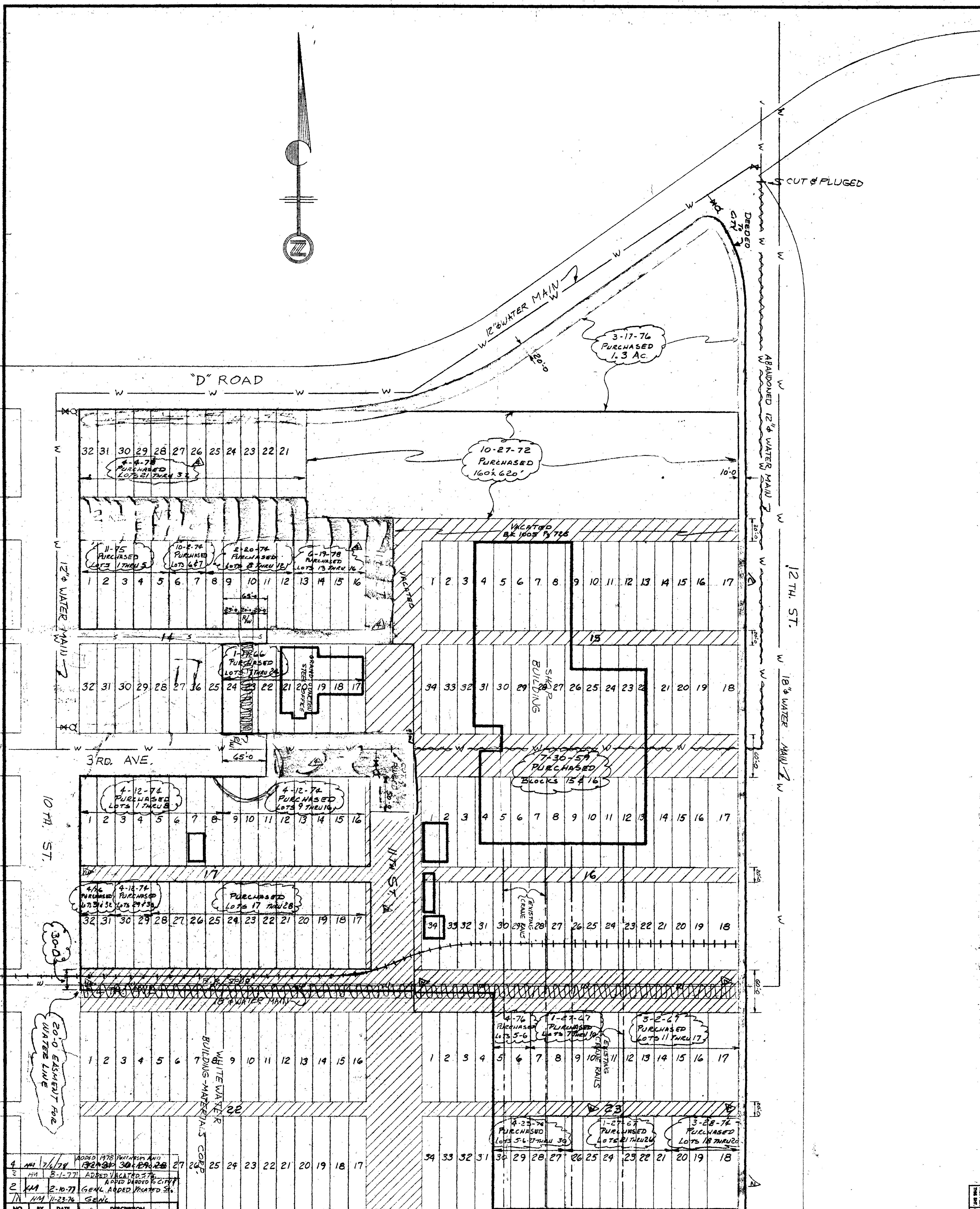
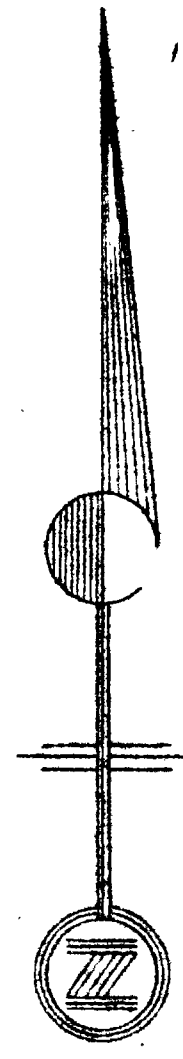
It is my belief that upon supplying you with these documents, we will have fulfilled all obligations undertaken by Grand Junction Steel, and its successor, Harsco Corporation, in connection with the referenced matter. If you find that there is a shortfalling in the documentation, please advise us.

Sincerely yours,

GOLDEN, MUMBY, SUMMERS & LIVINGSTON

By James Golden
James Golden

JG/ds
Enclosures
cc: Michael M. Ford, Grand Junction Steel



NO.	BY	DATE	DESCRIPTION
4	MM	7/1/74	ADDED 1978 PERMITS AND 32-33 30-29-28 27 26 25 24 23 22 21 20 19 18 17
3	MM	8-1-77	ADDED VACATED 376
2	MM	2-10-77	ADDED DEDDED TO CITY
1	MM	11-23-76	GENL. ADDED VACATED 376

REVISIONS

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LEGEND

- VACATED
- REVOCABLE PERMITS
- PROPOSED TO BE VACATED
- DEDEDDED TO CITY

SCALE 1" = 60'-0"

GRAND JUNCTION

DATE: 3-25-75

NO.	DATE	DESCRIPTION	LENGTH	REMARKS