



Acres N/A  
Units N/A  
Density N/A

ACTION SHEET

File # 69-79  
Zone N/A  
Tax Area Code N/A

Activity ROW Vacation

Phase N/A

Date Neighbors Notified \_\_\_\_\_

Date Submitted 1 AUGUST 79

Date CIC/MCC Legal Ad \_\_\_\_\_

Date Mailed Out 3 AUGUST 79

PC Hearing Date 28 AUGUST 79

Review Agencies 70 Review Period - Return By 17 AUGUST 79

- |  |   |
|--|---|
| <u>Send</u>  | <u>Send</u>   |
| <input type="checkbox"/> COUNTY ROAD DEPARTMENT      | <input checked="" type="checkbox"/> FIRE <u>city</u>              |
| <input type="checkbox"/> COUNTY HEALTH DEPARTMENT    | <input type="checkbox"/> IRRIGATION _____                         |
| <input type="checkbox"/> COUNTY SURVEYOR             | <input type="checkbox"/> DRAINAGE _____                           |
| <input type="checkbox"/> COMTRONICS                  | <input type="checkbox"/> WATER (UTE, CLIFTON) _____               |
| <input type="checkbox"/> GRAND VALLEY RURAL POWER    | <input type="checkbox"/> SEWER _____                              |
| <input checked="" type="checkbox"/> MOUNTAIN BELL    | <input checked="" type="checkbox"/> CITY ENGINEER/UTILITIES _____ |
| <input checked="" type="checkbox"/> PUBLIC SERVICE   | <input type="checkbox"/> MACK, LOMA, MESA, COLLBRAN               |
| <input type="checkbox"/> SOIL CONSERVATION SERVICE   | <input type="checkbox"/> FRUITA, PALISADE                         |
| <input type="checkbox"/> SCHOOL DISTRICT 51          | <input checked="" type="checkbox"/> <u>P.D. Ed Vander Toob</u>    |
| <input type="checkbox"/> STATE HIGHWAY               | _____   |
| <input type="checkbox"/> STATE GEOLOGICAL            | _____   |
| <input type="checkbox"/> STATE HEALTH - RADIOLOGICAL | _____   |
| <input type="checkbox"/> TRANSAMERICA TITLE          | _____   |

<u>Board</u>	<u>Date</u>	<u>Comments</u>
<u>GJPC</u>	<u>8-28-79</u>	<u>REC APP SUB to Staff Comment</u>
<u>OC</u>	<u>9/19/79</u>	<u>CONSENT AGENCA - APP.</u>

Common Location Nolawd Ave W. of 7<sup>th</sup> ST.

Staff Comments

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Original Documents

Imp. Agreement \$ \_\_\_\_\_ Appraisal x .05 = \$ \_\_\_\_\_ Open Space;

Imp. Guarantee Receipt # \_\_\_\_\_ Check # \_\_\_\_\_

Covenants \_\_\_\_\_ Open Space Dedication

Power of Attorney

Dev. Schedule

REVIEW SHEET SUMMARY

FILE # 69-79

DATE SENT TO REVIEW AGENCIES 8-3-79

ITEM ROAD VACATION - NOLAND AVENUE

DATE DUE 8-17-79

PC MEETING DATE \_\_\_\_\_

MCC/CC MEETING DATE \_\_\_\_\_

<u>DATE REC.</u>	<u>AGENCY</u>	<u>COMMENTS</u>
8-13-79	CITY FIRE	Okay to vacate.
8-13-79	CITY ENGINEER	Item #2 of the petition is incorrect. The street is open to the public and is a maintained gravel street connection to the north-south alley. I have no plans to extend it to the west and the only use I foresee is access to the alleys which are east of the railroad spur.
8-14-79	CITY UTILITY	None.
8-20-79	PUBLIC SERVICE	Gas: no objections. Electric: that the south ten feet of said part of Noland Avenue to be vacated remain a utility easement.

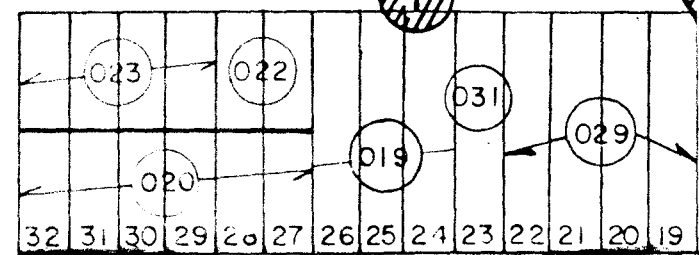
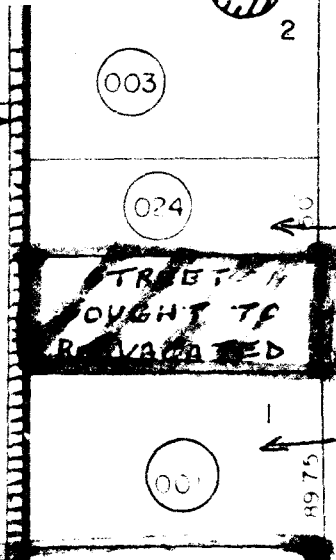
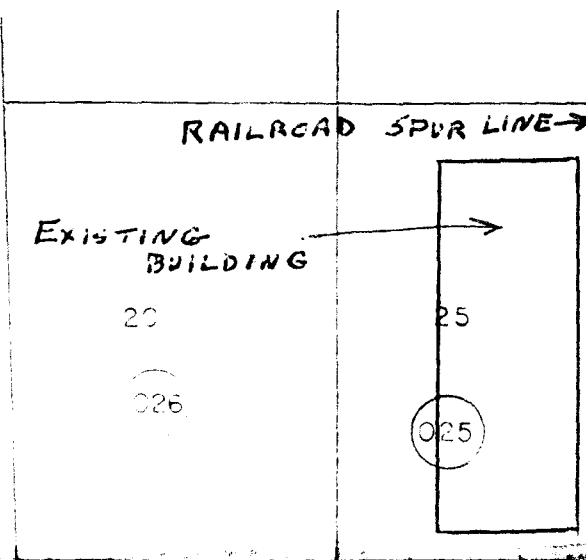
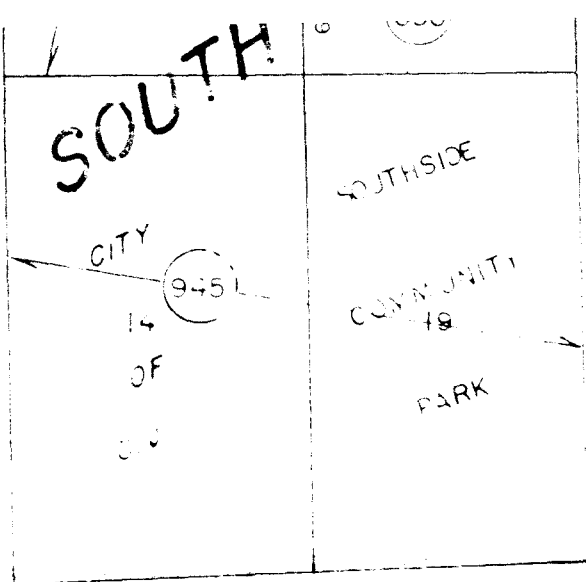
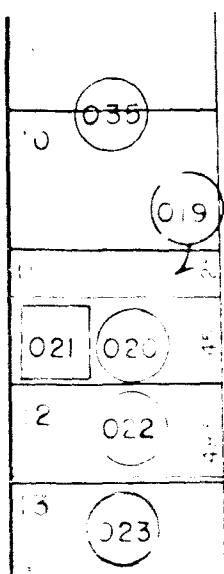
DESIGN & DEVELOPMENT PLANNER

Recommend approval.

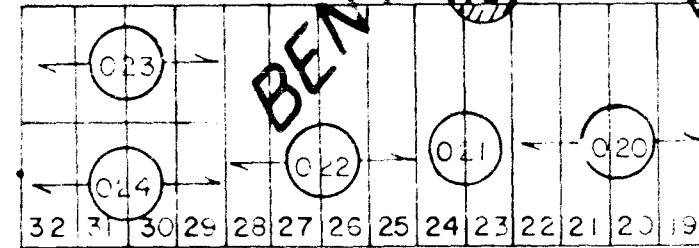
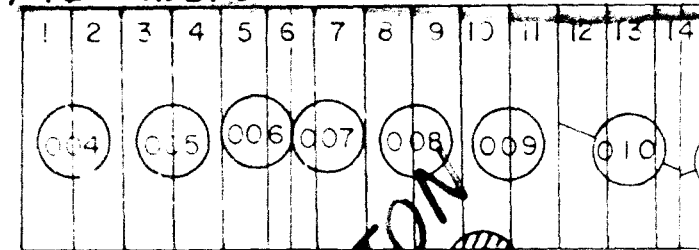
GJPC 8-28-79

RIDER/FLAGER/PASSED 5-0/A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL, SUBJECT TO STAFF COMMENTS.

5TH STREET



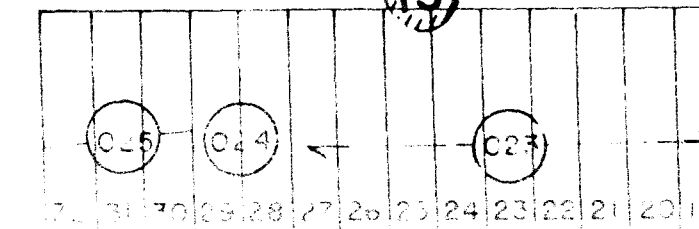
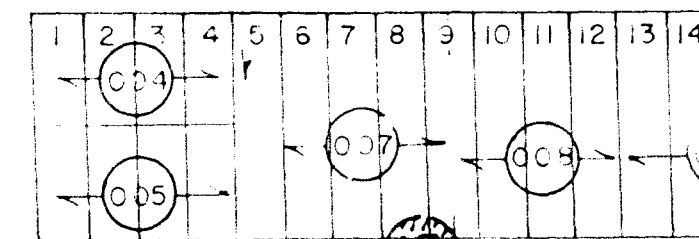
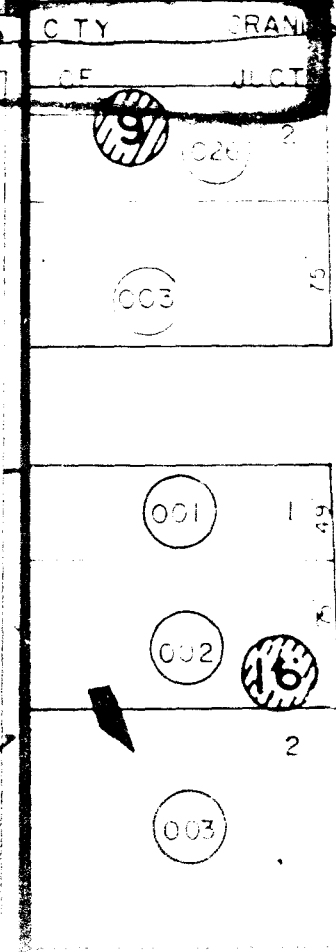
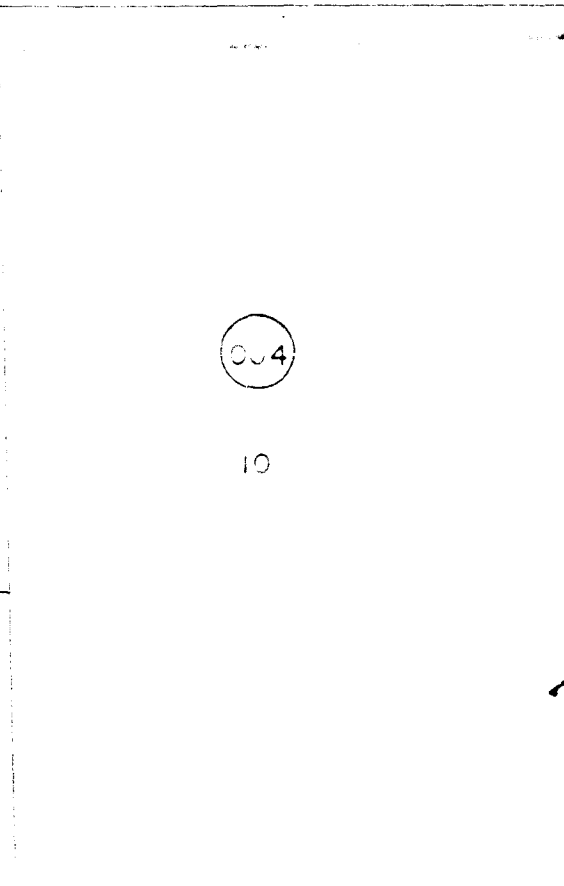
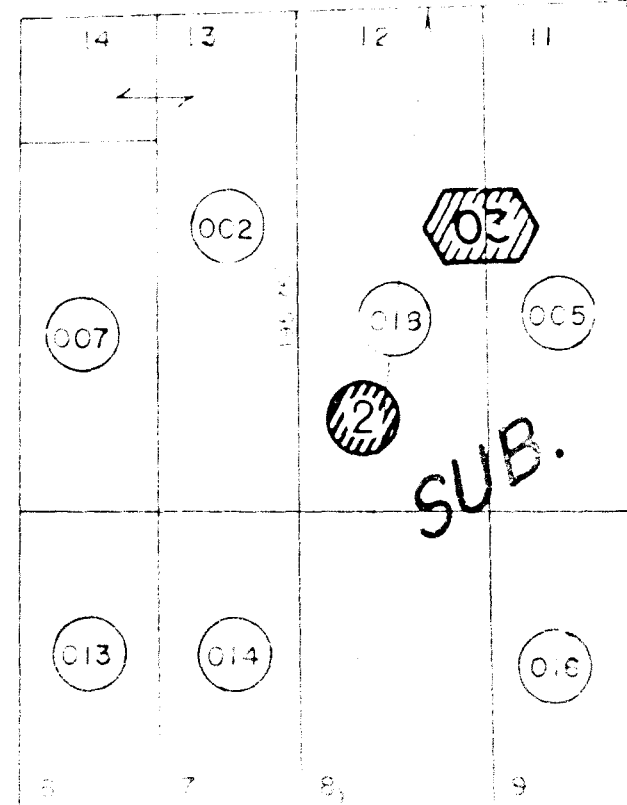
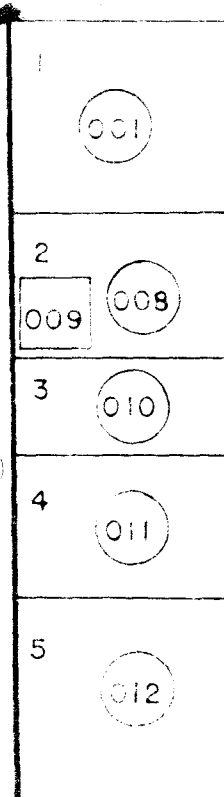
PROPERTIES OWNED NOLAND BY PETITIONERS



SEVENTH

BENTON

NOLAND AVE.



KIMBALL

PETITION FOR ROAD VACATION

CITY OF GRAND JUNCTION

WE, THE UNDERSIGNED, Hereby respectfully petition for the vacation of the following described portion of Noland Avenue, to wit:

Commencing at the SW corner of Lot Two (2), Block Eight (8) of Benton Canon's First Subdivision in the City of Grand Junction, thence Southerly to the NW corner of Lot One (1), Block Nine (9) of Benton Canon's First Subdivision in the City of Grand Junction, thence Easterly along the North line of said Lot One (1), Block Nine (9) to the NE corner of said Lot One (1), Block Nine (9), thence Northerly to the SE corner of said Lot Two (2), Block Eight (8), thence Westerly along the South line of said Lot Two (2), Block Eight (8) to the point of beginning;

and as grounds therefore state and allege:

1. That the street sought to be vacated is delineated on the attached plat.
2. That said street has never been opened or used by the public.
3. That it is a dead end street leading nowhere.
4. That an existing building and railroad spur line located to the immediate West of the terminus of this street (as shown on the attached plat) effectively bars the extension of this street.
5. That the City of Grand Junction has heretofore acquired a right of way to the immediate south of petitioner's property (as shown on the attached plat) and Noland Avenue has been paved and extended to intersect with 7th Street and to provide a public right of way leading from 7th Street to 5th Street.
6. That a revocable permit was granted to petitioner's predecessors in title in March of 1962, a copy of which revocable permit is attached.
7. That petitioners are the owners of all properties adjoining said street as shown on the attached plat.
8. That even with the revocable permit previously granted, the existence of this street estops the petitioners from utilizing

their properties to their fullest and best extent.

9. That such vacation would not be detrimental to the City of Grand Junction or to any inhabitants of the city.

Respectfully submitted,

E. E. LEWIS COMPANY

By: \_\_\_\_\_

E. E. Lewis,

                                  
Gladys R. Lewis  
General Partners

STATE OF COLORADO )  
                                   )  ss.  
COUNTY OF MESA   )

The foregoing instrument was acknowledged before me this 31st  
day of July, 1979, by E. E. Lewis and Gladys R. Lewis, general  
partners of E. E. Lewis Company.

My commission expires: November 21, 1982

Witness my hand and official seal.

    
*Cynthia S. Cole*  
Notary Public

Date Submitted To Development Department: \_\_\_\_\_

Submitted By: Ivan P. Kladder  
Williams, Turner & Holmes  
200 North 6th, Box 338  
Grand Junction, CO 81502

Fee Paid: \_\_\_\_\_

REVOCABLE PERMIT

WHEREAS, Beaver Mesa Uranium, Inc., has made application to the City of Grand Junction for permission to utilize, in connection with its operations, the following described real property situate in the City of Grand Junction, County of Mesa, State of Colorado, to-wit:

Commencing at the SW corner of Lot Two (2), Block Eight (8) of Benton Canon's First Subdivision in the City of Grand Junction, thence Southerly to the NW corner of Lot One (1), Block Nine (9) of Benton Canon's First Subdivision in the City of Grand Junction, thence Easterly along the North line of said Lot One (1), Block Nine (9) to the NE corner of said Lot One (1), Block Nine (9), thence Northerly to the SE corner of said Lot Two (2), Block Eight (8), thence Westerly along the South line of said Lot Two (2), Block Eight (8) to the point of beginning;

and,

WHEREAS, the said property, although a portion of a dedicated street right of way, is not being so utilized by the public; and,

WHEREAS, the City Planning Commission and the City Engineer have approved such use, and the City Council is of the opinion that such use would not be detrimental to the City or to any inhabitants of the City at this time and has directed the City Manager to issue a permit for such use;

NOW, THEREFORE, IN ACCORDANCE WITH THE ACTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

There is hereby granted a revocable permit to the Beaver Mesa Uranium, Inc., permitting such company to utilize the ground above described in connection with the operations of its business; provided, however, that said permit may be revoked by the City Council at its pleasure at any time; and provided further that the Beaver

Mesa Uranium, Inc., shall agree to indemnify the City and save it harmless from any and all claims, damages, actions, costs and expenses of every kind in any manner arising out of, or resulting from, the permitted use.

Dated this \_\_\_\_\_ day of March 1962.

Jim Leary  
City Manager

ATTEST:

\_\_\_\_\_  
City Clerk

We hereby agree that we will abide by the conditions contained in the above permit and that we will indemnify the City and hold it harmless from all claims as recited in the foregoing revocable permit.

Dated at Grand Junction, Colorado, this 22 day of March 1962.

BEAVER MESA URANIUM, INC.

By \_\_\_\_\_  
President

ATTEST:

W. Huck Hollman  
Secretary



City  
County  
Development  
Department

CITY OF GRAND JUNCTION—MESA COUNTY—COLORADO 81501  
359 WHITE AVE.—ROOM 60—DIAL (303) 243-9200 EXT. 343

August 29, 1979

E.E. Lewis Co.  
~~750 North Ave.~~ P.O. Box 1481  
Grand Junction, Co 81501

Re: Road Vacation - Noland Ave.

Dear Sir:

On Tuesday, August 28, 1979, the Grand Junction Planning Commission voted to recommend approval subject to staff and review sheet comments for your petition to vacate Noland Avenue.

Please contact our office if you have any questions.

Sincerely,

*Sue Drissel*  
Sue Drissel,  
Planning Technician

cc file #69-79

# 69-79 ROAD VACATION - NOLAND AVENUE

Petitioner: E.E. Lewis Company. Location: Noland Avenue West of 7th Street. Request to vacate an unnecessary public right-of-way.

Commencing at the Southwest corner of Lot 2, Block 8 of Benton Canon's First Subdivision in the City of Grand Junction, thence Southerly to the Northwest corner of Lot 1, Block 9 of Benton Canon's First Subdivision in the City of Grand Junction, thence Easterly along the North line of said Lot 1, Block 9 to the Northeast corner of said Lot 1, Block 9, thence Northerly to the Southeast corner of said Lot 2, Block 8, thence Westerly along the South line of said Lot 2, Block 8 to the point of beginning.

For copies only - do not remove from file.