

CITY OF GRAND JUNCTION, COLORADO

Ordinance No. 2846

**PROVIDING FOR A FUTURE VACATION OF AN UTILITIES
AND DRAINAGE EASEMENT LOCATED
IN THE SWD SUBDIVISION ON SANFORD DRIVE**

Recitals.

This request for an easement vacation will allow for the relocation of a drainage facility and rededication of a drainage easement in the SWD Subdivision located on Sanford Drive. However, the developer is not ready to record the necessary instrument(s) which will dedicate a replacement easement/facility.

The Grand Junction Planning Commission, at its May 2, 1995 hearing, recommended approval of this easement vacation subject to dedication of a relocated easement and construction of a new drainage facility.

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

1. The easement described below shall be vacated at such time as the Director of Community Development notifies the City Clerk in writing that a duly formed owner's association (for permanent maintenance and operation) has accepted a dedication of a relocated easement and construction of a new drainage facility:

Beginning at the SE corner of Lot 3, SWD Subdivision, Mesa County, Colorado; and considering the south line of Lot 3, SWD Subdivision to bear S89°32'34"E and all other bearings contained herein relative thereto; then along the following eight courses: S27°52'30"E, 22.72' along the west boundary of Lot 4; S89°32'34"E, 420.61'; S44°46'16"E, 132.89'; N45°13'44"E, 160.00'; N44°46'16"W, 161.28'; S45°13'44"W, 131.83'; N89°32'34"W, 434.10'; 20.63' along the arc of a 30.00' radius curve to the left (delta=39°24'24", chord bears 20.33' S08°10'20"E) to the point of beginning, containing 0.98 acres as described.

2. The title to the benefitting properties (being the lots in the SWD Subdivision) shall be subject to the easement described above until either (a) the City approves, and the Developer records with the Clerk and Recorder, a plat which dedicates an acceptable alternate drainage easement/facility; or (b) the owner's association accepts such an alternate dedication by separate instrument as approved by the Director of Community Development.
3. The vacation described herein shall not be effective unless the dedication of a replacement drainage facility, described above, is offered to and accepted by a duly formed owner's association (for permanent maintenance and operation), on or before June 1, 1996, as determined by the Director of Community Development.

4. The vacation described herein shall not be effective until, in addition to the other requirements set forth, the City has accepted a Development Improvements guarantee which provides security for the construction of the relocated easement and new facilities.

INTRODUCED for FIRST READING and PUBLICATION this 17th day of May, 1995.

PASSED on SECOND READING this 7th day of June, 1995.

ATTEST:

/s/ Stephanie Nye
City Clerk

/s/ Ron Maupin
President of Council

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