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File_1987-0017

Project Name: North Side of Unaweep Ave. at 28 Road - ROW Vacation - Jenkins

P	S	A few items are denoted with an asterisk (*), which means they are to be scanned for permanent record on the in some												
r	С	instances, not all entries designated to be scanned by the department are present in the file. There are also documents												
e	a	specific to certain files, not found on the standard list. For this reason, a checklist has been provided.												
s e	n n	Remaining items, (not selected for scanning), will be marked present on the checklist. This index can serve as a quick												
n	e	guide for the contents of each file.	F	1										
t	d	Files denoted with (**) are to be located using the ISYS Que	rv	System. Planning Clearance will need to be typed in										
		full, as well as other entries such as Ordinances, Resolutions, Boa												
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	_	Application form												
X	-	Review Sheets												
7		Receipts for fees paid for anything												
	\dashv	*Submittal checklist												
v	v													
Λ		*General project report												
v		Reduced copy of final plans or drawings												
X	-	Reduction of assessor's map												
v	v	Evidence of title, deeds, easements												
A	X													
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		*Final reports for drainage and soils (geotechnical reports)												
		Other bound or non-bound reports												
		Traffic studies												
		*Petitioner's response to comments												
		*Staff Reports												
		*Planning Commission staff report and exhibits												
		*City Council staff report and exhibits												
		*Summary sheet of final conditions												
		*Letters and correspondence dated after the date of final approval (pertaining to change in conditions or expiration date)												
		DOCUMENTS SPECIFIC TO THIS I	DE'	VELOPMENT FILE:										
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X	X	Review Sheet Summary Review sheets	╁	<u> </u>										
X		Development Application – 2/19/87	-											
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	X	Memo from Jim Shanks to Karl Metzner re: City would not be able to complete	1											
		necessary irrigation work before water is released into the canal system-2/18/87	$oxed{\bot}$											
X		Memo from Tim Woodmansee to Karl Metzner re: owner would like to pursue vacation again – 5/20/87												
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PROJECT NARRATIVE

Mary Jenkins of 2806 Unaweep Avenue approached the City wishing to petition for improvements to 28 Road north of Unaweep. Her request was based on the premise that the portion of 28 Road next to her property was public right-of-way by County Commissioners Decree. Even though this right-of-way exists technically on paper, the City has never maintained nor made any efforts to improve this right-of-way for public use.

Due to the required scheduling of the improvement district procedure, the City would not be able to complete necessary irrigation work before water is released into the canal system. In order for Ms. Jenkins to have this work completed this year, she would have to initiate and contract for the work herself, which would require the vacation of the right-of-way. Since the City does not wish to be responsible for the future maintenance of improvements installed by Ms. Jenkins, it would be in our best interest if this right-of-way was vacated.

#17 87

Mary Jenkins 2806 Unaweep Ave. Grand Junction, CO 81503

American Eiret Morgage Sempany
310 Bearcat Dr.
Salt Loke City HT 84115

American First Mortgage Co. 310 Beardat Dr. Salt Lake City, UT 84115

Sidney & H. Whetstone 325 W. Highland Dr. Grand Junction, CO 81503

William D. & D.M. Gates 307 W. Highland Dr. Grand Junction, CO 81503

Eldion W. Olive J. Reeves P.O. Box 758 San Antonio, TX 78293

Dennis M. Crities 323 W. Highland Dr. Grand Junction, CO 81503 Claude L. & Olive Mae Ficklin 305 Highland Dr. Grand Junction, CO 81503

Max M. Barnstead 186 Reta Dr. Grand Junction, CO 81503

Paul & Nina Arbogast 321 W. Highland Dr. Grand Junction, CO 81503

Betty M. & Robert J. Pederson 328 Highland Dr. Grand Junction, CO 81503

Kathi J. Arbogast 322 Hopi Dr. Grand Junction, CO 81503

Raymond & D.V. Cosby 319 W. Highland Dr. Grand Junction, CO 81503

Louis J. & Llly A. Veltrie 2798 Unaweep Ave. Grand Junction, CO 81503

John A. & Judy Ann Casper 2798 Cheynne Dr. Grand Junction, CO 81503

Terry D. Kellerby 317 W. Highland Dr. Grand Junction, CO 81503

Robert W. & Tillie M. Sanchez 304 Hopi Dr. Grand Junction, Cô 81503

Carl R. & O.L. Wilson 315 W. Highland Dr. Grand Junction, CO 81503

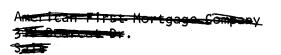
Virginia A. Isenhart 308 Hopi Dr. Grand Junction, CO 81503

Wayne R. & Susan L. Johnson 313 W. Highland Dr. Grand Junction, CO 81503

John & Jane Sondregger 310 Hopi Dr. Grand Junction, CO 81503

Ralph & D. Adair 311 W. Highland Dr. Grand Junction, CO 81503

Charles K. & Linda J. Dyer 312 Hopi Dr. Grand JUnction, CO 81503



Charles F. Boyle 316 Hopi Dr. Grand Junction, CO 81503 #17 87

MEMORANDUM

DATE:

FEBRUARY 18, 1987

TO:

KARL METZNER

FROM:

JIM SHANKS

SUBJ.:

City-initiated right-of-way vacation

Mary Jenkins of 2806 Unaweep Avenue approached the City wishing to petition for improvements to 28 Road north of Unaweep. Her request was based on the premise that the portion of 28 Road next to her property was public right-of-way by County Commissioners Decree. Even though this right-of-way exists technically on paper, the City has never maintained nor made any efforts to improve this right-of-way for public use.

Due to the required scheduling of the improvement district procedure, the City would not be able to complete necessary irrigation work before water is released into the canal system. In order for Ms. Jenkins to have this work completed this year, she would have to initiate and contract for the work herself, which would require the vacation of the right-of-way. Since the City does not wish to be responsible for the future maintenance of improvements installed by Ms. Jenkins, it would be in our best interest if this right-of-way was vacated.

Tim Woodmansee will be providing you with the information you need to initiate this procedure. Please contact him if you have any questions.

xc: Tim Woodmansee

MEMORANDUM

March 3, 1987

Grand Junction Planning Commission TO:

Tim Woodmansee / City Property Agent

Subj.: Right-of-Way vacation; 28 Road north of Unaweep

In the conversations I have had with people involved with the proposed right-of-way vacation of 28 Road, it is evident that there are some areas of concern that need to be addressed prior to the hearing on this matter. With this memorandum, I will attempt to explain the course of events leading to this request, the effects such vacation will have on the surrounding property owners, and how the City of Grand Junction Public Works Department became the petitioner.

Almost one year ago, Mary Jenkins of 2806 Unaweep Avenue approached the City Manager with problems arising from an irrigation lateral crossing her property. The problem was caused by an open concrete ditch running along the 28 Road right-of-way fronting her land that serves the properties in Oplinger Subdivision, which lies to the north and west of her property. Whenever the ditch needed to be cleaned, the residents of Oplinger Subdivision apparently deposited the extracted material on the ditch bank lying on the Jenkins property. This problem was compounded when Miss Jenkins constructed a new house, with the only existing source of access lying adjacent to said ditch bank.

The City Engineer, Don Newton, and myself met with Miss Jenkins in August of 1986 to physically inspect the situation and possibly offer her any advise or possible solutions. Prior to this meeting, I had conducted a title search of her property and concluded that there was an existing 60 feet of road right-of-way along the township line, constituting the 28 Road alignment, which had been declared by County Commissioners Decree. This right-of-way was vacated to the north of the Jenkins property and the Louis Veltrie property, which lies adjacent to the west of the Jenkins property, when the subdivisions to the north were The plat for Oplinger Subdivision shows a 20 foot wide utility and irrigation easement in place of the 28 Road right-of-way, while the plat for Highland Acres subdivision shows a 10 foot wide utility easement in place of said right-of-way.

Based on the existence of the apparent road right-of-way, Miss Jenkins saw a possible solution to her access problem by petitioning the City for a local improvement district. Such improvements would include installing pipe in place of the open ditch and a paved surface within the right-of-way. Although the Grand Junction City Council gave preliminary approval of this district, it was realized that due to the required scheduling of the improvement district procedure, the City would not be able to complete the necessary irrigation work before the release of water into the canal system. Miss Jenkins was then informed that the only possible way of performing the improvements this year would be for her to vacate the right-of-way and then act as her own contractor.

Since the City has never accepted responsibility for the 28 Road right-of-way and does not wish to be responsible for the future maintenance what would appear to be a dead-end private driveway, it was the opinion of various City staff and administration personnel that it would be in the best interest of the City if this right-of-way was vacated. Hence, the City became the petitioner.

Since the residents of Oplinger Subdivision own the ditch lateral and the easement in which it lies, they have total control over any modifications performed to the system. It is my understanding that they do not have any objections to piping the ditch, so long as the location of the ditch is not changed. Their other concern is whether or not they will be provided with access across the area in question once the right-of-way is vacated. This concern would be addressed by reserving a 20 foot wide utility and irrigation easement on the west side of the township line and a 15 foot wide utility and irrigation easement on the east.

I hope this information provides the Planning Commission with sufficient information for making a decision on this matter.

xc: Don Newton

REVIEW SHEET SULMARY

FILE NO. #	17-87 TITLE HEADING	28 Road ROW Vacation	DUE	DATE
ACTIVITY - I	PETITIONER - LOCATION -	PHASE - ACRES 28 Road north c	f Unaweep	
	· · · · · · · · · · · · · · · · · · ·			
7				
PETITIONER A	ADDRESS			
ENGINEER				
DATE REC.	AGENCY	COMMENTS		
2-23-87	Fire Dept.	Upon review of the above reque area can be made by our Depart currently there. We agree to	tment thro	ugh the private road
2-24-87	Police	No police problems.		
3-02-87	Public Service	Gas: No objections. Electric: Have existing overly right of way. This right of way utility easement.	nead power way must bo	line in street e retained as an
2-26-87	Mt. Bell	No objections:		

GRAND JUNCTION PLANNING COMMISSION HEARING MARCH 3, 1987

MOTION:

(COMMISSIONER DUNIVENT) "MADAM CHAIRMAN, ON ITEM #17-87 ROAD RIGHT OF WAY VACATION, PETITIONER, THE CITY OF GRAND JUNCTION, I MOVE THAT WE RECOMMEND APPROVAL OF THE VACATION WHILE MAINTAINING THE EASEMENTS, 20 FEET ON THE WEST AND 15 FEET ON THE EAST."

Commissioner Halsey seconded, passed unanimously 6-0.

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development summary



File	#	17-87	Name 28 Road ROW	Date <u>3/5/87</u>
1116	#		Name	Date

PROJECT LOCATION: North side of Unaweep Ave. at 28 Road.

PROJECT DESCRIPTION:

Proposal by City to vacate an unused portion of right of way 60 feet wide along the Township line.

REVIEW SUMI	MA	RY	(Major Concerns)			
POLICIES COMPLIANCE	YES	№*	TECHNICAL REQUIREMENTS	SATISFIED	NOT SATISFI	
Complies with adopted policies	Х		Streets/Rights Of Way	x		
Complies with adopted criteria			Water/Sewer	X		
Meets guidelines of Comprehensive Plan			lrrigation/Drainage	x		
			Landscaping/Screening	N/A		
			Other:			Τ

^{*} See explanation below

There were numerous concerns by nearby residents of the Oplinger Subdivision regarding the irrigation ditch that lies within the ROW. They are in support of the vacation as long as proper easemments are retained for irrigation, access, and utilities.

STATUS & RECOMMENDATIONS:

It appears to be in the best interest of the City to vacate this right of way since it is uneeded and the right of way to the north was previously vacated.

Planning Commission Action

Recommendation of Approval providing an easement for utilities and drainage be maintanined with 20 feet on the west side of the township line and 15 feet on the east side.