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File 1994-0185

Name: Vacation of Right of Way - G Road between Niblic Drive / 27 3/4 Road

P r e s e n t	S c a n n e d	<p>A few items are denoted with an asterisk (*), which means they are to be scanned for permanent record on the ISYS retrieval system. In some instances, items are found on the list but are not present in the scanned electronic development file because they are already scanned elsewhere on the system. These scanned documents are denoted with (**) and will be found on the ISYS query system in their designated categories.</p> <p>Documents specific to certain files, not found in the standard checklist materials, are listed at the bottom of the page. Remaining items, (not selected for scanning), will be listed and marked present. This index can serve as a quick guide for the contents of each file.</p>
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		*Review Sheet Summary
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		Review Sheets
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		Evidence of title, deeds, easements
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		Reduction of any maps - final copy
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X	X	*Staff Reports
		*Planning Commission staff report and exhibits
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DOCUMENT DESCRIPTION:

X	X	Correspondence	X	X	Notice of Land Use Application mail-out - sent 1/24/97
X	X	Minutes of the Board of Directors Meeting - Grand Valley Water Users Assoc. - 3/9/94	X		Planning Commission Notice of Public Hearing mail-out - sent 1/27/95
X	X	Current Conditions and Existing Infrastructure	X	X	Plat for Vista Del Norte Subdivision - GIS Historical Maps - **
X	X	Planning Commission Minutes - 12/6/94, 2/7/94, 12/5/95, - **			
X	X	Posting of Public Notice Signs - 12/12/95			
X	X	City Council Minutes - 1/17/96, 12/4/96, 2/5/97 - **			
X		Utility Coordinating Committee Meeting Agenda - 1/8/97			
X	X	Form letter (example scanned) - dated 1/10/97			
X	X	Plat Illustration			
X	X	Utility Illustration			
X	X	Canal / Trail Feasibility Study Canal Bank Analysis			
X	X	Ordinance No. 2888 - DENIED - scanned with file			

COPY

Minutes Of The Board Of Directors Meeting
Grand Valley Water Users Association
March 9, 1994

President Currier called the meeting to order at 7:45 PM in the Association's Grand Junction Office, with all directors present except Messrs. Archuleta and Wells. Also present were Messrs. Harper, Byers and Klapwyk of the Association staff. The following business was conducted during the meeting.

1. The minutes of the meeting of February 4, 1994 were read and approved on motion by Director Cronk. Motion was seconded by Director Mannel and carried unanimously.
2. Paul Miller of Miller, Thompson and Associates, certified Public Accountants, presented his firms report of its audit of the Grand Valley Water Users Association Construction Division as of December 31, 1993 and for the year then ending. The affairs of the Division were found to be in order and a copy of such audit report will be on file with the 1993 Board Meeting minutes.
3. Tom Rolland, Mark Young and Dale Cole were present to request the Board's authorization for the discharge of run-off water into an Association drain ditch from approximately two-thirds of the area to be utilized in the development of Vista Del Norte Subdivision. Among other things, in exchange for such authorization, Mr. Cole is to transfer ownership of Lot 5, Block 2 (out-lot) of the subdivision to Grand Valley Water Users Association. The foregoing was approved in principle on motion by Director Pitts, with the details, including suitable fencing, to be handled by Rolland; Cole, et al and Association management. Motion was seconded by Director Buniger and carried.

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COLEMAN, JOUFLAS & WILLIAMS**ATTORNEYS AT LAW**

2452 Patton Road

P.O. Box 55245

Grand Junction, Colorado 81505

Joseph Coleman
Gregory Joufflas
John WilliamsTelephone
(303) 242-3311Telecopier
(303) 242-1893

March 25, 1984

John Shaver
Assistant City Attorney
Grand Junction City Hall
250 N. 5th Street
Grand Junction, CO 81501RE: Vista Del Norte
Final Plat/Plan

Dear John:

Dale Cole has asked this firm to respond to the City's request for "written comment as to why the canal easement cannot be provided". The simple answer is: Mr. Cole does not own or have an interest in the canal bank.

The Vista Del Norte property is subject to the right-of-way for the Government Highline Canal. Historically this right-of-way was not specifically defined, but is a right-of-way of sufficient width to provide whatever the Grand Valley Water Users Association deems necessary for the use and maintenance of the canal. Because of the pending Vista Del Norte Subdivision, the canal company agreed to specifically define its right-of-way.

Dale Cole and Tom Rolland negotiated with the U.S. Government and the Grand Valley Water Users Association to determine the right-of-way rights. The right-of-way has been determined by a survey. A quit claim deed has been prepared to confirm the right-of-way. This quit claim deed is corrective in nature, is not a conveyance of property to Grand Valley Water Users Association and is to be signed and delivered only for the purpose of confirming the right-of-way.

The City has requested an easement for a walking path along the canal bank. Cole and Rolland have discussed this request with Mr. Klapwych and the Board of Directors of the Grand Valley Water Users Association. The Association will not allow or agree to the walking trail easement.

To: John Shaver
RE: Vista Del Norte
Final Plat/Plan
March 25, 1994
Page 2

Once again, I emphasize to you that the deed to the Grand Valley Water Users Association is corrective in nature. Its purpose is to set forth specifically the historical ownership of the right-of-way by the canal company.

Please call if you have additional questions.

Sincerely,

COLEMAN, JOUFLAS & WILLIAMS



JOHN WILLIAMS

JEW/kep

- FILE

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Special Meeting Of The Board Of Directors
Grand Valley Water Users Association
March 31, 1994

President Currier called the meeting to order at 7:40 PM in the Association's Grand Junction Office, with all directors present except Messrs. Archuleta and Wells. Manager Klapwyk and Richard Proctor were also present.

This meeting was set primarily to follow-up on the action taken by the Board after its interviews of March 24, 1994. That action concerned talking with Mr. Proctor about the job of O & M manager.

As per motion of 3/24/94, Mr. Proctor was offered the job at a starting salary of year on a 6 month trial basis, afterwhich, depending on performance, permanent appointment and salary adjustment will be considered. Mr. Proctor was agreeable to this arrangement and advised that he would plan to start work April 11, 1994 and would also plan to attend the April 7th 1994 regular Board meeting.

Richard introduced his wife "Carol" to the Board and soon thereafter was excused.

In addition to the above, the manager was authorized to work with Grand Valley Irrigation Company and Orchard Mesa Irrigation District to select a suitable person to jointly represent all 3 entities as a member of a consultant selection committee for the upcoming Countywide Land Use Plan. Such representative is to be made known to the county by tomorrow, April 1, 1994.

The Board also re-affirmed its policy against authorizing recreational uses of the ditch banks in response to the City's request for such use in conjunction with development of Vista del Nor'te subdivision ^{west} east of 28 Road and adjacent to the canal bank.

At the conclusion of the foregoing business, President Currier adjourned the meeting at 9:15 PM.



Secretary

GRAND VALLEY WATER USERS ASSOCIATION

GRAND VALLEY PROJECT, COLORADO

500 South Tenth Street (303) 242-5065 FAX (303) 243-4871
GRAND JUNCTION, COLORADO 81501-3740

April 1, 1994

COPY

To Whom It May Concern

Re: File No. 37-94

The developers of Vista Del Nor'te Subdivision have petitioned the Board of Directors of the Grand Valley Water Users Association (Association) for permission to discharge storm water from only areas "B & C" of the subdivision into the adjacent Association controlled drainage ditch. Such permission has been granted by the Association and as part of that arrangement, Lot 5, Block 2 (out-lot) is to be deeded by the developer(s), to the Association.

Suitable fencing for safety, privacy, etc., along the perimeter of the subdivision adjacent to the drain ditch and canal on the east and an irrigation easement on the north will be a condition of the subdivision's approval by the Association. (See attached marked up composite plan).

The developers have advised of the City's request for a walking path easement along the canal bank at the subdivision's location. As stated in Mr. John William's letter of March 25th 1994 to John Shaver, Assistant City Attorney, "the Association will not allow or agree to the walking trail easement." This is in accordance with Association policy which was re-confirmed last night (3/31/94) during a meeting of the Association Board of Directors.

Thank you for the opportunity to comment. Please advise if there are any questions.

L.W. Kopyak, Mgr.
(4/1/94)



DEVELOPMENT APPLICATION
 Community Development Department
 250 North 5th Street Grand Junction, CO 81501
 (303) 244-1430

Receipt 1738
 Date 11-2-94
 Rec'd By MD
 File No. 185 94

**Do NOT Remove
 From Office**

We, the undersigned, being the owners of property situated in Mesa County,
 State of Colorado, as described herein do hereby petition this:

PETITION	PHASE	SIZE	LOCATION	ZONE	LAND USE
<input type="checkbox"/> Subdivision Plat/Plan	<input type="checkbox"/> Minor <input type="checkbox"/> Major <input type="checkbox"/> Resub				
<input type="checkbox"/> Rezone				From: To:	
<input type="checkbox"/> Planned Development	<input type="checkbox"/> ODP <input type="checkbox"/> Prelim <input type="checkbox"/> Final				
<input type="checkbox"/> Conditional Use					
<input type="checkbox"/> Zone of Annex					
<input type="checkbox"/> Text Amendment					
<input type="checkbox"/> Special Use					
<input checked="" type="checkbox"/> Vacation			G Road btw Niblic & 27 3/4		<input checked="" type="checkbox"/> Right-of-Way <input type="checkbox"/> Easement

<input checked="" type="checkbox"/> PROPERTY OWNER(S)	<input type="checkbox"/> DEVELOPER	<input checked="" type="checkbox"/> REPRESENTATIVE
<u>R. Arnold Burton</u>		<u>same</u>
Name	Name	Name
<u>4060 PTARMIGAN</u>		
Address	Address	Address
<u>Grand Junction CO 81501</u>		
City/State/Zip	City/State/Zip	City/State/Zip
<u>W. 241-2710 H 242-1803</u>		
Business Phone No.	Business Phone No.	Business Phone No.

NOTE: Legal property owner is owner of record on date of submittal.

We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application and the review comments. We recognize that we or our representative(s) must be present at all hearings. In the event that the petitioner is not represented, the item will be dropped from the agenda, and an additional fee charged to cover rescheduling expenses before it can again be placed on the agenda.

R. Arnold Burton 10/3/94
 Signature of Person Completing Application Date

 Signature of Property Owner(s) - Attach Additional Sheets if Necessary

PARTEE HEIGHTS

ADDRESS: 702 BUNKER DRIVE
LEGAL: LOT 1, BLOCK 1
TAX PARCEL NO: 2701-364-01-001
OWNERS NAME: GERALDINE R. CREIGHTON

OWNERS SIGNATURE:

Geraldine R. Creighton

ADDRESS: 702 BRASSIE DRIVE
LEGAL: LOT 1, BLOCK 2
TAX PARCEL NO: 2701-364-02-001
OWNERS NAME: ELMA EVELYN BOWER STONE

OWNERS SIGNATURE:

Elma Evelyn Bower Stone

ADDRESS: 701 BUNKER DRIVE
LEGAL: LOT 10, BLOCK 2
TAX PARCEL NO: 2701-364-02-010
OWNERS NAME: WAYNE WILCOX

OWNERS SIGNATURE:

Wayne Wilcox

ADDRESS: 702 NIBLIC DRIVE
LEGAL: LOT 1, BLOCK 3
TAX PARCEL NO: 2701-364-03-001
OWNERS NAME: BILLY J. & EVA D. THOMPSON

OWNERS SIGNATURE:

Eva D. Thompson Billy D. Thompson

ADDRESS: 701 BRASSIE DRIVE
LEGAL: LOT 10, BLOCK 3
TAX PARCEL NO: 2701-364-03-001 010
OWNERS NAME: WILHELMINA C. KLEIN

OWNERS SIGNATURE:

Wilhelmina C. Klein

ADDRESS: 701 NIBLIC DRIVE
LEGAL: LOT 3, BLOCK 4
TAX PARCEL NO: 2701-364-04-003
OWNERS NAME: DOROTHY I. STONE

OWNERS SIGNATURE:

Dorothy I. Stone

PTARMIGAN ESTATES

ADDRESS:

VACANT LAND

LEGAL:

LOT 1, REPLAT OF LOT 1, BLOCK 1

TAX PARCEL NO: LINDA SACCO

2945-011-46-022

OWNERS NAME: Robert K SACCO

ROBERT AND LINDA SACCO

OWNERS SIGNATURE:

Robert K Sacco

*new address 21656 Chestnut CT
Linda Sacco*

ADDRESS:

4040 PTARMIGAN PIAZZA

LEGAL:

LOT 3, BLOCK 1,

TAX PARCEL NO:

2945-011-46-003

OWNERS NAME:

LERROY AND BEVERLY COLEMAN

OWNERS SIGNATURE:

Leroy Coleman

Beverly Coleman

ADDRESS:

~~4050~~ PTARMIGAN PIAZZA

LEGAL:

LOT 3, BLOCK 1

TAX PARCEL NO:

2945-011-46-004

OWNERS NAME:

CLARENCE & THELMA HARR

Lot 4 Block 1

OWNERS SIGNATURE:

Clarence Harr

ADDRESS:

4060 PTARMIGAN PIAZZA

LEGAL:

LOT 5, BLOCK 1

TAX PARCEL NO:

2945-011-46-005

OWNERS NAME:

R. ARNOLD & KAREN S. BUTLER

OWNERS SIGNATURE:

R. Arnold Butler Karen S Butler

PRE-APPLICATION CONFERENCE

185 94

Date: 5/5/94
Conference Attendance: Arnie Butler, Kristen Ashbeck
Proposal: Vacation
Location: 4 Rd betw Niblic Dr & 27 3/4

Tax Parcel Number:
Review Fee: \$450
(Fee is due at the time of submittal. Make check payable to the City of Grand Junction.)

Original Do NOT Remove From Office

Additional ROW required?
Adjacent road improvements required?
Area identified as a need in the Master Plan of Parks and Recreation?
Parks and Open Space fees required? Estimated Amount:
Recording fees required? Estimated Amount:
Half street improvement fees required? Estimated Amount:
Revocable Permit required?
State Highway Access Permit required?

Applicable Plans, Policies and Guidelines

Located in identified floodplain? FIRM panel #
Located in other geohazard area?

Located in established Airport Zone? Clear Zone, Critical Zone, Area of Influence?
Avigation Easement required?

While all factors in a development proposal require careful thought, preparation and design, the following "checked" items are brought to the petitioner's attention as needing special attention or consideration. Other items of special concern may be identified during the review process.

- Access/Parking, Screening/Buffering, Land Use Compatibility, Drainage, Landscaping, Traffic Generation, Floodplain/Wetlands Mitigation, Availability of Utilities, Geologic Hazards/Soils, Other

Related Files:

It is recommended that the applicant inform the neighboring property owners and tenants of the proposal prior to the public hearing and preferably prior to submittal to the City.

PRE-APPLICATION CONFERENCE

WE RECOGNIZE that we, ourselves, or our representative(s) must be present at all hearings relative to this proposal and it is our responsibility to know when and where those hearings are.

In the event that the petitioner is not represented, the proposed item will be dropped from the agenda, and an additional fee shall be charged to cover rescheduling expenses. Such fee must be paid before the proposed item can again be placed on the agenda. Any changes to the approved plan will require a re-review and approval by the Community Development Department prior to those changes being accepted.

WE UNDERSTAND that incomplete submittals will not be accepted and submittals with insufficient information, identified in the review process, which has not been addressed by the applicant, may be withdrawn from the agenda.

WE FURTHER UNDERSTAND that failure to meet any deadlines as identified by the Community Development Department for the review process may result in the project not being scheduled for hearing or being pulled from the agenda.

Signature(s) of Petitioner(s)

Signature(s) of Representative(s)

5
Geraldine F. Creighton
702 Bunker Drive
Grand Junction CO 81506

Willard H. & Mable B. Pease
702 Putter Drive
Grand Junction, CO 81506

Richard Gene & Sharla
Jamilla
8732 Tierra Montana Pl. N.E.
Albuquerque, N.M. 87122

Elma Evelyn Bowers Stone
702 Brassie Drive
Grand Junction, CO 81506

Patricia L. Thamm
704 Niblic Drive
Grand Junction, CO 81506

Wayne Wilcox
701 Bunker Drive
Grand Junction, CO 81506

William W. & Alyce W. Price
703 Brassie Drive
Grand Junction, CO 81506

Billy J. & Eva D. Thompson
702 Niblic Drive
Grand Junction, CO 81506

Theresa Marie & James Kent
Stoddard
704 Brassie Drive
Grand Junction, CO 81506

185 94

Wilhelmina C. Klein
701 Brassie Drive
Grand Junction, CO 81506

Vera J. Gilbert
703 Bunker Drive
Grand Junction, CO 81506

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Dorothy I. Stone
701 Niblic Drive
Grand Junction, CO 81506

Guy R. O'Rear
704 Bunker Drive
Grand Junction, CO 81506

Robert and Linda Sacco
2656 Chestnut Court
Grand Junction, CO 81506

Lynn D. & M.O. Robinson
704 Putter Drive
Grand Junction, CO 81506

Leroy and Beverly Coleman
4040 Ptarmigan Piazza
Grand Junction, CO 81506

Billy L. & Lavonne K. Wheeler
2757 G. Road
Grand Junction, CO 81506

Clarence and Thelma Harr
4050 Ptarmigan Piazza
Grand Junction, CO 81506

Michael S. Bullen
701 Putter Drive
Grand Junction, CO 81506

R. Arnold & Karen S. Butler
4060 Ptarmigan Piazza
Grand Junction, CO 81506

Dale G. Cole
2370 East Piazza Place
Grand Junction, CO 81506

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From Office

185 94

PROPOSED

- 1) **G ROAD VACATION BETWEEN PARTEE HEIGHTS AND PTARMIGAN ESTATES**
 - 2) **VACATION OF IRRIGATION EASEMENT ALONG NORTH BOUNDARY OF PTARMIGAN ESTATES**
-

CURRENT CONDITIONS AND EXISTING INFRASTRUCTURE

At the present time there is a sixty foot (60) road Right of Way for G Road that extends from Lot 7 of Ptarmigan Estates on the west, to the east end of Partee Heights and Ptarmigan Estates. Within this right of way is an existing alley located within the north twenty-five (25) feet of the right of way.

The south thirty-five feet (35) of the right of way have historically been used as part of an apple orchard. It has not been used for any type of utility corridor nor access road.

Existing improvements within the G - Road Right of Way include the following.

- 1) City sewer line located 10 feet north of the Center Line in the existing alley.
- 2) Public Service Power line located approximately on the Center Line of the Right of Way. This is located on the south side of the existing alley.
- 3) Cable T.V. and Telephone located along the Center Line and the south side of the existing alley.
- 4) Ptarmigan Estates irrigation line/Apple Crest waste water line extends along the Center Line of Right of Way and the south side of the existing alley.

Note: This line is thirty feet north of the irrigation easement for Ptarmigan Estates.

- 5) Power line along the north right of way line adjacent to Partee Heights.
- 6) Partee Heights Irrigation line along the north right of way line of Partee Heights.
- 7) The Apple Crest/Crown Heights pump and irrigation system appear

to be within a portion of the east end of this right of way. Ptarmigan Estates has irrigation pipes and valves within the right of way.

PTARMIGAN ESTATES 20 FOOT IRRIGATION EASEMENT

The 20 foot easement located along the north boundary of Lots 1, 3, 4, 5, and 7, of Ptarmigan Estates, is located in an area where there is no irrigation systems. The Ptarmigan Estates water line is located along the Center line of the Right of Way, approximately 30 feet north of the Ptarmigan Estates property line.

Because there are no utilities within this easement, this easement should be adjusted north approximately 30 feet to the location of the irrigation line and other utilities. Power, Sewer, Cable T.V., Telephone are all located along the Center Line of the Right of Way and not along the south line which is the north boundary of Ptarmigan Estates.

It is requested that the twenty-foot easement be vacated along the north boundary of the existing Lot lines.

IMPROVEMENTS LOCATED WITHIN THE 100 FOOT EXISTING RIGHT OF WAY

PARTEE HEIGHTS

- 1) 2701-364-01-001 - 702 BUNKER - CREIGHTON RESIDENCE
LOT AREA: 12,075 SQUARE FEET; 115 FEET OF FRONTAGE TO G ROAD
R.O.W.

IMPROVEMENTS:

Wood fence on R. O.W. line.
Mature landscaping trees, shrub and grass
House - 15 feet north of R.O.W.

- 2) 2701-364-02-010 - 701 BUNKER - WILCOX RESIDENCE
LOT AREA: 12,075 SQUARE FEET; 115 FEET OF FRONTAGE TO G ROAD
R.O.W.

IMPROVEMENTS:

Underground irrigation system
Metal fence on R.O.W. line
Asphalt driveway
House 15 feet north of R. O. W.
Pool in rear year 25 feet north of R.O. W.
landscaping and mature trees

- 3) 2701-364-02-001 - 701 BRASSIE - STONE RESIDENCE
LOT AREA: 12,075 SQUARE FEET; 115 FEET OF FRONTAGE TO G ROAD
R.O.W.

IMPROVEMENTS:

Underground irrigation system
Garage 40 feet from R.O. W.
House 40 feet from R. O. W.
Gravel landscaping and grape vines on north side of R.O.W.

- 4) 2701-364-03-010 - 701 BRASSIE - KLEIN RESIDENCE
LOT AREA: 12,075 SQUARE FEET; 115 FEET OF FRONTAGE TO G ROAD
R.O.W.

IMPROVEMENTS:

Underground irrigation system
House 21 feet from R.O.W.
Mature landscaping

- 5) 2701-364-03-001 - 702 NIBLIC - THOMPSON RESIDENCE
LOT AREA: 12,075 SQUARE FEET; 115 FEET OF FRONTAGE TO G ROAD
R.O.W.

IMPROVEMENTS:

Irrigation ditch system and Pump house
Mature landscaping and garden along R.O.W.
House 30 feet from R. O. W.
Metal fence

- 6) 2701-364-04-003 - 701 NIBLIC - STONE RESIDENCE
LOT AREA: 12,075 SQUARE FEET; 115 FEET OF FRONTAGE TO G ROAD
R.O.W.

IMPROVEMENTS:

Underground irrigation system
Wood fence
Concrete driveway
House 21 feet from R.O.W.
Storage Building
Mature landscaping

- 7) 2701-364-04-001 - 702 PUTTER - PEASE RESIDENCE
LOT AREA: , SQUARE FEET; 115 FEET OF FRONTAGE TO G ROAD
R.O.W.

IMPROVEMENTS:

Open irrigation ditch
House 21 feet from R.O. W.
Mature landscaping and hedge.

PTARMIGAN ESTATES

- 1) 2945-011-46-005 - 4060 PTARMIGAN - BUTLER RESIDENCE
LOT AREA: .94 ACRES; 219.8 FEET OF FRONTAGE TO G ROAD R.O.W.

IMPROVEMENTS:

Landscaping and apple trees

- 2) 2945-011-46-004 - 4050 PTARMIGAN - HARR VACANT LOT
LOT AREA: .99 ACRES: 232.55 FEET OF FRONTAGE TO G ROAD R.O.W.

IMPROVEMENTS:

Vacant lot; old agricultural wire fence

- 3) 2945-011-46-003 - 4030 PTARMIGAN - COLEMAN RESIDENCE
LOT AREA: 1.08 ACRES; 24.52 FEET OF FRONTAGE TO G ROAD R.O.W.

IMPROVEMENTS:

Old fence
new storage building 90 feet from R.O. W.
Split rail fence
Chain link fence
Irrigation line and pump system

- 4) 2945-011-46-022 - EAST PIZZA - SACCO RESIDENCE
LOT AREA: 2 ACRES: 400 FEET OF FRONTAGE TO G ROAD R.O.W.

IMPROVEMENTS:

Apple trees
New Chain link fence with a license to be on City R.O.W.
New house 81 feet from R.O.W.

House and site under construction.

October 19, 1994

City of Grand Junction
Planning and Development Department
200 North 5th Street
Grand Junction, Colorado 81501

Re: Vacation of G Road Right of Way,
adjacent to Ptarmigan Estate and
Partee Heights Subdivisions.

To Whom it May Concern:

The following residents of Partee Heights and Ptarmigan Estates own residential property adjacent to the above described Right-of-Way.

G Road has recently been vacated immediately east of our subdivisions and there does not appear to be any need for the existing Right-of-Way that is located adjacent to our lots. At this time we would like to apply for a vacation of the sixty (60) foot right of way.

Our intentions are not to materially change the existing use of the area, but, rather to control the current use. While we do not want to preclude access to the adjacent lot owners, we would like to limit some of the unsolicited and recreational use of the road.

The following residents live adjacent to the Right-of-Way and have signed the appropriate space if they are in agreement with the proposed Right-of-Way vacation.

Page

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The above home owners request the City of Grand Junction to begin the process of vacating that portion of G Road that is outlined in red on the enclosed map. This area is located between the northeast corner of Lot 1, Replat of Lot 1, Ptarmigan Estates and the southeast corner of Lot 1, Block 1, Partee Heights, as the east boundary; and, the northwest corner of Lot 5, Block 1, Ptarmigan Estates and the southwest corner of Lot 3, Block 4, Partee Heights for the west boundary.

This portion of G Road has increased traffic. The number of vehicles using this dirt road as recreational vehicles and stirring up dust has increased. There are apple trees and fences in the right of way. We feel it to be appropriate at this time from a legal standpoint to return G Road to the owners of adjacent land. We do not intend to prevent utilities and others needing access to the area.

October 19, 1994

City of Grand Junction
Planning and Development Department
200 North 5th Street
Grand Junction, Colorado 81501

Re: Vacation of G Road Right of Way,
adjacent to Ptarmigan Estate and
Partee Heights Subdivisions.

To Whom it May Concern:

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Page

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The above home owners request the City of Grand Junction to begin the process of vacating that portion of G Road that is outlined in red on the enclosed map. This area is located between the northeast corner of Lot 1, Replat of Lot 1, Ptarmigan Estates and the southeast corner of Lot 1, Block 1, Partee Heights, as the east boundary; and, the northwest corner of Lot 5, Block 1, Ptarmigan Estates and the southwest corner of Lot 3, Block 4, Partee Heights for the west boundary.

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REVIEW COMMENTS

Page 1 of 2

FILE #185-94

TITLE HEADING: Vacation of Easement and
Right-of-way

LOCATION: G Road between Niblic Drive and 27 3/4 Road

PETITIONER: R. Arnold Butler

PETITIONER'S ADDRESS/TELEPHONE: 4060 Ptarmigan
Grand Junction, CO 81506
241-2716 or 242-1803

STAFF REPRESENTATIVE: Kristen Ashbeck

NOTE: THE PETITIONER IS REQUIRED TO SUBMIT FOUR (4) COPIES OF WRITTEN RESPONSE, AND REVISED DRAWINGS, ADDRESSING ALL REVIEW COMMENTS ON OR BEFORE 5:00 P.M., NOVEMBER 28, 1994.

CITY SOLID WASTE DIVISION
Rob Laurin

11/4/94
244-1570

Okay.

GRAND VALLEY RURAL POWER
Perry Rupp

11/8/94
242-0040

Grand Valley Power has a 3-phase power line along the north side of the G Road right-of-way. If the right-of-way is vacated, Grand Valley Power would like to see it become a utility easement.

GRAND JUNCTION FIRE DEPARTMENT
Hank Masterson

11/8/94
244-1414

The Fire Department requires turn around areas such as cul-de-sacs or hammerheads designed according to City standards when access roads exceed 150' in length. The proposal to vacate G Road will turn Bunker Drive and Brassie Drive into dead end roads greater than 150' long. Approved turn around areas at the south end of these roads will need to be provided.

APPLECREST IRRIGATION COMPANY
M.Coe/T.Jordan/C.McSpadden

11/10/94
241-2295

We approve the G Road right-of-way vacation subject to the following condition. The Applecrest Irrigation Company will maintain the integrity of its wastewater piping - its irrigation pumps and access right-of-way to the pumps and irrigation system. The integrity of our entire irrigation system must be permanently preserved. We do not foresee any conflict with our irrigation system and the proposed vacation of the G Road right-of-way.

PUBLIC SERVICE COMPANY
Dale Clawson

11/7/94
244-2695

ELECTRIC & GAS: Public Service Company has both gas and electric facilities in this road right-of-way so requires that it be retained as utility easement.

CITY DEVELOPMENT ENGINEER
Jody Kliska

11/15/94
244-1591

Easements for existing utilities must be retained. Need turn-arounds at end of Bunker Drive and Brassie Drive - either hammerheads or a looped connection.

COMMUNITY DEVELOPMENT DEPARTMENT
Kristen Ashbeck

11/16/94
244-1437

G Road Right-of-way

1. Retain for pedestrian easement.
2. Retain for utility easement.
3. Retain for cul-de-sac or some type of turnaround for Brassie and Bunker Drives.

Easement vacation in Ptarmigan Estates appears to be no problem.

PARKS AND RECREATION DEPARTMENT
Joe Stevens, Director

11/29/94
244-1543

The City of Grand Junction Parks and Recreation Department believes this area may have potential as a trail head and/or linkage to the trail network.

#185-94

RECEIVED GRAND JUNCTION
PLANNING DEPARTMENT
NOV 28 1994

November 28, 1994

Ms. Kristen Ashbeck
Community Development Department
City of Grand Junction
City Hall
200 North Fifth Street
Grand Junction, CO 81501

Re: Answers to review comments
G Road vacation.

Dear Kristen:

In response to the review for the possible vacation of G Road between Partee Heights and Ptarmigan Estates, I have the following comments.

- 1) - Using the existing alley as a utility corridor it totally acceptable.

Note: the existing alley is located in the north 30 feet of the right of way and north of the current center line.

- 2) - Turn arounds at the south ends of Brassie and Bunker Streets are also acceptable. The home owners in Ptarmigan Estate would like to keep these areas open for rear access to their lots.

As exhibited by the enclosed map all of the abutting lots to the south side of G Road Right of Way would have access points.

- 3) - A pedestrian access trail is not a problem. However, the amount of traffic that this route might create should be addressed.

Part of the past problems have been from late night parties in the alley that have caused some property damage and disturbance.

- 4) Access to the Applecrest Irrigation Company pump should not be a problem as it could be achieved through the Bunker Drive turn around. Their waste water line is in an area that will be part of other easements.

- 5) - The current G Road right of way consists of 60 feet. The south 30 feet, more or less have historically been used as an orchard. They now have been incorporated into developed lots.

The alley is located 5 to 10 feet south of Partee Heights and 30 feet north of the Ptarmigan Estate north lot lines.

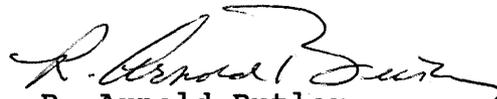
The paved street into Mr. Wheeler's (Lot 7 Ptarmigan) house is located within the existing alley 30 feet north of his actual property line. He has a wood rail fence along the south side of the alley. Lot 5, Butler's, and Lot 1, Sacco's, also have fences along the south side of the alley and north of the actual right of way line.

- 6 - The vacation of this right of way is not intended to interrupt the existing utility services in the area. It is to allow the Partee Heights and Ptarmigan Estates home owners full use of lands that they have been taking care for several years. G Road at this location has no destination and only serves the adjacent residents and late night joy rides.

After the vacation of the R.O.W. the physical appearance of the existing alley will not change. This area will be maintained as a utility corridor, including the Applecrest waste water line. The current barricade has been very successful in limiting some of the adverse traffic. These barricades should be kept in place if the vacation is granted.

The Ptarmigan Estates irrigation easement is obviously not needed and this should be vacated at the same time. The easements that are located along the north/south lot lines will remain intact and are sufficient for any lot utilities.

Sincerely,


R. Arnold Butler

memo TO: Larry

X1543

From: *Je*

Re: Vacation of ROW/G Road
between N. 101st Dr. & 2734th St.

Date: 11/27/94

The City of Grand Junction Parks & Recreation Dept. believes the area may have potential as a trail head for I-Home to the trail network.

[Signature]
11/29/94

PARTEE HEIGHTS

ADDRESS: 702 BUNKER DRIVE
LEGAL: LOT 1, BLOCK 1
TAX PARCEL NO: 2701-364-01-001
OWNERS NAME: GERALDINE R. CREIGHTON

OWNERS SIGNATURE:

Geraldine R. Creighton

Original
Do NOT Remove
From Office

ADDRESS: 702 BRASSIE DRIVE
LEGAL: LOT 1, BLOCK 2
TAX PARCEL NO: 2701-364-02-001
OWNERS NAME: ELMA EVELYN BOWER STONE

185 94

OWNERS SIGNATURE:

Elma Evelyn Bower Stone

ADDRESS: 701 BUNKER DRIVE
LEGAL: LOT 10, BLOCK 2
TAX PARCEL NO: 2701-364-02-010
OWNERS NAME: WAYNE WILCOX

OWNERS SIGNATURE:

Wayne Wilcox

ADDRESS: 702 NIBLIC DRIVE
LEGAL: LOT 1, BLOCK 3
TAX PARCEL NO: 2701-364-03-001
OWNERS NAME: BILLY J. & EVA D. THOMPSON

OWNERS SIGNATURE:

Eva D. Thompson Billy Thompson

ADDRESS: 701 BRASSIE DRIVE
LEGAL: LOT 10, BLOCK 3
TAX PARCEL NO: 2701-364-03-001
OWNERS NAME: WILHELMINA C. KLEIN

OWNERS SIGNATURE:

Wilhelmina C. Klein

ADDRESS: 701 NIBLIC DRIVE
LEGAL: LOT 3, BLOCK 4
TAX PARCEL NO: 2701-364-04-003
OWNERS NAME: DOROTHY I. STONE

OWNERS SIGNATURE:

Dorothy I. Stone

PTARMIGAN ESTATES

ADDRESS: VACANT LAND
LEGAL: LOT 1, REPLAT OF LOT 1, BLOCK 1
TAX PARCEL NO: LINDA SACCO 2945-011-46-022
OWNERS NAME: Robert K SACCO ROBERT AND LINDA SACCO
OWNERS SIGNATURE: Robert K SACCO Linda SACCO

ADDRESS: 4040 PTARMIGAN PIAZZA
LEGAL: LOT 3, BLOCK 1,
TAX PARCEL NO: 2945-011-46-003
OWNERS NAME: LEROY AND BEVERLY COLEMAN

OWNERS SIGNATURE: Leroy Coleman Beverly Coleman

ADDRESS: 4050 PTARMIGAN PIAZZA
LEGAL: LOT 5, BLOCK 1
TAX PARCEL NO: 2945-011-46-004
OWNERS NAME: CLARENCE & THELMA HARR

OWNERS SIGNATURE: Clarence Harr

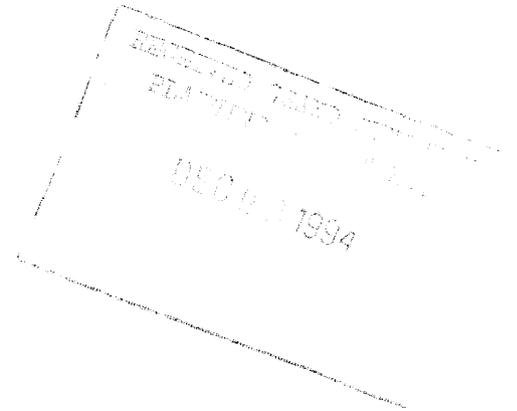
ADDRESS: 4060 PTARMIGAN PIAZZA
LEGAL: LOT 5, BLOCK 1
TAX PARCEL NO: 2945-011-46-005
OWNERS NAME: R. ARNOLD & KAREN S. BUTLER

OWNERS SIGNATURE: R. Arnold Butler Karen S Butler

185 04

Original
Do NOT Remove
From Office

November 30, 1994



City of Grand Junction
Community Development Department
250 N. 5th St.
Grand Junction, CO 81501
RE: 185-94-vacation of easement & right-of-way of G Road

To whom it may concern,

We would like to see G Road opened to take part of the traffic off of Putter Dr. It would eliminate a lot of traffic that runs through our neighborhood and frequent turn-arounds in our driveways. We also are concerned because 27½ & G Road is a very dangerous intersection. We have to yield both east & west because the majority of the time the traffic fails to stop on 27½.

If the city closes ^{GRL} ~~Niblic~~ Dr. to 27¾ what will happen in the way of improvements to G Road to Niblic? We feel very strongly that the city should own the right-of-way for access to emergency vehicles.

Please take our comments into consideration for we are very concerned.

Thank you,

Arlene Vogel - 705 Putter Dr 2431680

RECEIVED
PLANNING DEPARTMENT
NOV 30 1994

November 30, 1994

City of Grand Junction
Community Development Department
250 N. 5th St.
Grand Junction, CO 81501
RE: 185-94-vacation of easement & right-of- way of G Road

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If the city closes Niblic Dr. to 27¾ what will happen in the way of improvements to G Road to Niblic? We feel very strongly that the city should own the right-of-way for access to emergency vehicles.

Please take our comments into consideration for we are very concerned.

Thank you,

Willard Pease
702 Putter Dr.
242-8486 Home
245-5917 OFFICE

Mabel Pease
702 Putter Dr.
242-8486

STAFF REVIEW

FILE: 185-94

DATE: November 30, 1994

REQUEST: Right-of-Way Vacation and Easement Vacation

LOCATION: G Road Between Niblic Drive and 27-3/4 Road and Northern Property Line of Ptarmigan Estates

APPLICANT: R. Arnold Butler

STAFF: Kristen Ashbeck

EXISTING LAND USE: Undeveloped Right-of-Way

PROPOSED LAND USE: Private Property with Easements as Requested

SURROUNDING LAND USE:

NORTH: Single Family Residential
SOUTH: Single Family Residential
EAST: Undeveloped - Vista Del Norte
WEST: Single Family Residential

SURROUNDING ZONING:

NORTH: Residential Single Family 5 units per acre (RSF-5)
SOUTH: Planned Residential (PR) - Ptarmigan Estates
EAST: Planned Residential 2 units per acre (PR-2)
WEST: RSF-5 and PR

STAFF ANALYSIS: This application is two-fold. The first request is to vacate a utility easement along the northern property lines of the Ptarmigan Estates lots that abut G Road. The petitioner is proposing to retain the portions of the easement that intersect with the north-south easements between lots 7 and 8 and lots 4 and 5 and that portion of the easement across lot 3. The reason to retain these portions is to accommodate existing utility facilities in these locations. The review agencies did not have any objections to this proposal.

The second part of the request is to vacate a portion of the G Road right-of-way between Niblic Drive and the alignment with 27-3/4 Road. The Grand Junction City Council vacated a portion of the G Road right-of-way east of 27-3/4 to the U.S. Government Highline Canal in April 1994. The reason for the vacation was that the right-of-way would not be developed as a street because of the unlikely construction of both a canal and an interstate highway crossing. The property owners along the north and south sides of the remaining G Road right-of-way to the west are requesting that this segment be similarly vacated.

If approved, the proposed vacation would result in creating three dead-end streets on the north side: Niblic, Brassie and Bunker Drives. Consequently, the Grand Junction Fire Department has requested that a turnaround be retained as right-of-way, particularly for Brassie and Bunker Drives. A "hammer-head" design, as proposed by the applicant in the response to review agency comments, is acceptable to the Fire Department.

Staff is also recommending that a minimum of 30 feet of the right-of-way be retained for a future pedestrian trail to link to the pedestrian easement in the Vista Del Norte subdivision and the U.S. Government Highline Canal to the east. In addition, the Parks and Recreation Department foresees the need to retain a part of the right-of-way (full 60-foot width) in in this area to provide space for ~~the potential future development of a trailhead with a limited number of parking stalls. Finally,~~ the utility companies have requested that the entire right-of-way (or whichever portions are vacated) be retained as utility easement to accommodate existing utility lines and facilities.

The issue then, to be resolved between the City and the surrounding property owners, is to determine which portion(s) of the right-of-way are to be retained. Should the northern 30 feet be retained to allow for the required turnarounds as well as the public pedestrian access? or should the 30 feet of right-of-way be retained in the middle of the existing right-of-way to provide for the same (with the need then to extend the rights-of-way for Brassie and Bunker Drives to meet this narrower "G Road" right-of-way)? and where is it best to retain the full width of the right-of-way to accommodate the potential future development of a trailhead?

Staff feels that the petitioners must agree to resolve these issues prior to the application proceeding for final action by City Council.

STAFF RECOMMENDATION: 1) Denial of the vacation of the full width of the right-of-way. 2) Approval of vacation of portions of the right-of-way if the petitioners agree to resolve the issues discussed above prior to proceeding to City Council. 3) Approval of the easement vacation along the northern property lines of the Ptarmigan Estates lots abutting the G Road right-of-way.

SUGGESTED PLANNING COMMISSION MOTIONS: Mr. Chairman, on item 185-94, vacation of the G Road right-of-way, I recommend that we forward the item to City Council with the recommendation of approval of vacation for portions of the right-of-way subject to the petitioners and staff resolving the issues outlined in the Staff Report prior to proceeding to City Council, final approval by the Utility Coordinating Committee and reservation of the entire vacated portion as utility easement.

Mr. Chairman, on item 185-94, I move that we forward the vacation of the utility easement along the northern property lines of the Ptarmigan Estates lots abutting the G Road right-of-way to City Council with the recommendation of approval.

Row of turn-arounds-
Hammurheads- would need bollards at each
intersection

20' utility easement along back of lots- would
like to vacate (retaining N/S easements to
N Rd Row

Sketch what's needed for hammurheads
location of driveways

10 spaces 100 ft. x 60 ft. wide -
2 rows of 90° plus aisle

Show all improvements in relation to ROW -
landscaping, fences, irrigation, driveway

Plan to go out & walk G Rd w/ Arnie, Don H,
Jody K etc

We're taking television
into tomorrow.



TCI Cablevision of Western Colorado, Inc.

January 27, 1995

F. Arnold Butler
% Mesa County Planning and Development Division
P.O. Box 20000
Grand Junction, CO 81502-5022

RECEIVED
JAN 31 1995
PLANNING DEPARTMENT

Ref. No. TCICON.056

Dear Mr. Butler;

We are in receipt of the request to vacate the 20 foot irrigation easement along the north boundary of Lots 1, 3, 4, 5, and 7 of Block 1 ptarmigan Estates. Your request states that there are no utilities in this easement. Unfortunately, this is not correct, there are utilities within this easement and cable TV is one of them. In addition, phone and power as well as irrigation is also within this easement.

As we are currently located within this easement it would be impossible for us to agree to a vacate of the easement at this time.

I hope this letter clarifies the easement use within the questioned area and that you can understand our position in this matter.

Should you have any questions or concerns please feel free to contact me at any time. If I am out of the office when you call please leave your name and phone number with our office and I will get back in contact with you as soon as I can.

Sincerely,

Glen Vancil,
Construction Supervisor 245-8777

2502 Foresight Circle
Grand Junction, CO 81505
(303) 245-8750

We're taking television
into tomorrow.



RECEIVED
FEB 06 1995
PLANNING DEPARTMENT

February 2, 1995

F. Arnold Butler
% Mesa County Planning and Development Division
P.O. Box 20000
Grand Junction, CO 81502-5022

Ref. No. TCICON.061

Dear Mr. Butler;

In reference to our letter dated January 27, 1995 (our Ref. No.: TCICON.056) and per our discussion of this date.

After conferring with you regarding the easement situation at Ptarmigan Estates, and going out with you to look this over, I can agree to a vacate of the 20' easement provided that you supply us with access easements to each lot as we discussed. This will allow us the opportunity to provide necessary service to all customers in the area and at the same time allow you to vacate all but those small ingress areas of the easement.

Should you have any questions or concerns please feel free to contact me at any time. If I am out of the office when you call please leave your name and phone number with our office and I will get back in contact with you as soon as I can.

Sincerely,

A handwritten signature in cursive script that reads "Glen Vancil".

Glen Vancil,
Construction Supervisor 245-8777



Grand Junction Community Development Department
Planning • Zoning • Code Enforcement
250 North Fifth Street
Grand Junction, Colorado 81501-2668
(970) 244-1430 FAX (970) 244-1599

October 25, 1995

Mr. Karl Fitzpatrick
705 Bunker Drive
Grand Junction, Colorado 81506

Dear Mr. Fitzpatrick,

City staff reviewed the G Road vacation proposal (file #185-94) at the Development Review meeting on October 24, 1995. In order to continue the review and hearing process for the project, the City will need a letter from you requesting that the file be re-activated and that the vacation of G-Road proceed. Please reiterate in your letter what exactly you are requesting to be vacated (e.g. the entire width of G Road from Niblic Drive to 27-3/4 Road or just a part of the width, etc.) and why the vacation is being requested. Also, please check with Arnie Butler as to whether the easement vacation that was part of the original request should proceed or if that part of the proposal should be dropped and include that information in the letter as well.

The City will not require a re-application fee in order to continue processing the request; however, a \$50.00 re-advertising fee will be required in order to post the legal advertisements in the newspaper. The fee must be paid prior to scheduling the item for a Planning Commission hearing. I will let you know when that will need to be paid. Assuming that I receive a letter from you within the next week, the item could be processed for inclusion on the December Planning Commission agenda.

Please do not hesitate to contact me if you have further questions regarding this application.

Sincerely,

A handwritten signature in cursive script that reads "Kristen".

Kristen Ashbeck
Planner

November 2, 1995

Grand Junction Community Development Center
Planning
250 North 5th St.
Grand Junction, Colorado 81501-2668

Attn: Kristin Ashbeck

Dear Kristen;

I have talked with Mr. Arnie Butler, and we would like to re-activate the file and proceed with the vacation of G Road, from Niblic Dr. to 27 3/4 Road. We would also like to vacate the twenty (20) foot easement adjacent to the South R.O.W. line of G road.

Since G Rd has been dedicated for several years, and has never been opened or used, except for utilities, we request that it be vacated and used only as a utility easement. I also recommend cul-de-sacs at the south ends of Niblic Dr., Brassie Dr. and Bunker Dr., for use of sanitation, emergency, delivery and other vehicles.

The only access to Partee Heights Subdivision for the last forty years has been from G Rd. onto Putter Dr., and there have been no problems. The cul-de-sacs at the ends of Niblic, Brassie and Bunker Drives would allow access to all property owners south of G Rd.

Since there are no utilities in the twenty(20) foot easement and will be no reason to be used as an easement, it should be vacated also. Any future utilities, (if there are any) can be installed in G Rd. when it is designated as an easement.

If you need any further information I will be glad to help in any way I can. I can be reached at 245-2606.

Thank You.


Karl Fitzpatrick
705 Bunker Dr.

NOV 2 REC'D

APPLECREST IRRIGATION COMPANY

11/10/94

M.Coe/T.Jordan/C.McSpadden

241-2295

We approve the G Road right-of-way vacation subject to the following condition: The Applecrest Irrigation Company will maintain the integrity of its wastewater piping - its' irrigation pumps and access right-of-way to the pumps and irrigation system. The integrity of our entire irrigation system must be permanently preserved. We do not foresee any conflict with our irrigation system and the proposed vacation of the G Road right-of-way.

GRAND VALLEY RURAL POWER

11/8/94

Perry Rupp

242-0040

Grand Valley Power has a 3-Phase power line along the north side of the G Road right-of-way. If the right-of-way is vacated, Grand Valley Power would like to see it become a utility easement.

TCI CABLEVISION

2/2/95

Glen Vancil

245-8777

See attached letter (copy).

COMMUNITY DEVELOPMENT DEPARTMENT

11/16/95

Kristen Ashbeck

244-1437

EASEMENT VACATION - Easement is wholly within setback required for the affected Ptarmigan Estates lots. Therefore, even if easement is vacated, the area cannot be built upon. Otherwise, vacation of the easement (with the exception of the intersections with the cross easements) presents no problems.

G ROAD RIGHT-OF-WAY VACATION - City staff will recommend that the full width of the 60-foot G Road right-of-way be retained (as right-of-way) for utility purposes and for pedestrian access. This will require that any property owners that have private improvements (e.g. fencing, landscaping) existing in the right-of-way obtain a Revocable Permit to be approved by City Council (except the Sacco property which has already obtained a Revocable Permit for the existing orchard and fencing). The full width of the right-of-way is needed due to existing encroachments into the right-of-way that would be difficult to eliminate and the uncertainty at this time as to the exact design of a potential pedestrian access and connection to other pedestrians easements to the east. Retaining the entire right-of-way width gives the City more flexibility for design of pedestrian access as well as design of controls to reduce, if not eliminate, vehicular access along the right-of-way. The City will attempt to mitigate any problems the neighborhood may be experiencing from motor vehicle traffic on the unimproved G Road right-of-way by design of the pedestrian improvements as well as other controls such as barriers, bollards and/or signage.

CITY PARKS & RECREATION DEPARTMENT

11/20/95

Shawn Cooper

244-3869

In the interest of preserving the intent and purpose of the Multi-Modal Plan by creating pedestrian and bike-ways throughout the Valley and providing easy access to these trails and because we are hopeful that the Highline Canal will become a major section of this trail system, the Parks Department concurs with the Urban Trails Committee's concept of preserving this right-of-way as a viable trail connection for the residents of the area to access this section of the trail.

The Parks Department is intending to coordinate with the Public Works Department in establishing the area as a "no motor vehicles" area. The corridor will become accessible to Pedestrians and Bicycles only.

URBAN TRAILS COMMITTEE

11/17/95

Stephanie Schmid

245-0045

The Grand Junction Urban Trails Committee, at its regular monthly meeting on November 14, considered the proposal for a right-of-way vacation on a portion of G Road from Niblic Drive to 27 3/4 Road. Because of its proximity and potential connection to the Government Highline Canal and future canal bank trails, the Committee decided unanimously to recommend that the Planning Commission deny the vacation request.

TO DATE, COMMENTS NOT RECEIVED FROM:

City Property Agent

U.S. West

Grand Valley Water Users

City Attorney

185-94

VACATION - G Rd ROW & Ptarmigan Estates Easement
Community Development - Kristen Ashbeck 244-1437 11/16/95

EASEMENT VACATION: Easement is wholly within setback required for the affected Ptarmigan Estates lots. Therefore, even if easement is vacated, the area cannot be built upon. Otherwise, vacation of the easement (with the exception of the intersections with the cross easements) presents no problems.

G Road ROW: City staff will recommend that the full width of the 60-foot G Road right-of-way be retained (as right-of-way) for utility purposes and for pedestrian access. This will require that any property owners that have private improvements (e.g. fencing, landscaping) existing in the right-of-way obtain a Revocable Permit to be approved by City Council (except for the Sacco property which has already obtained a Revocable Permit for the existing orchard and fencing). The full width of the right-of-way is needed due to the existing encroachments into the right-of-way that would be difficult to eliminate and the uncertainty at this time as to the exact design of a potential pedestrian access and connection to other pedestrians easements to the east. Retaining the entire right-of-way width gives the City more flexibility for design of pedestrian access as well as design of controls to reduce, if not eliminate, vehicular access along the right-of-way. The City will attempt to mitigate any problems the neighborhood may be experiencing from motor vehicle traffic on the unimproved G Road right-of-way by design of the pedestrian improvements as well as other controls such as barriers, bollards, and/or signage.

We're taking television
into tomorrow.



TCI Cablevision of Western Colorado, Inc.

November 20, 1995

Easement & R.O.W. Vacation
at 705 Bunker
% Community Development Department
250 North 5th Street
Grand Junction, CO 81501

Ref. No. TCICON.092

Dear Mr. Karl Fitzpatrick;

We are in receipt of the information concerning the Easement and Right of Way vacation at 705 Bunker Drive.

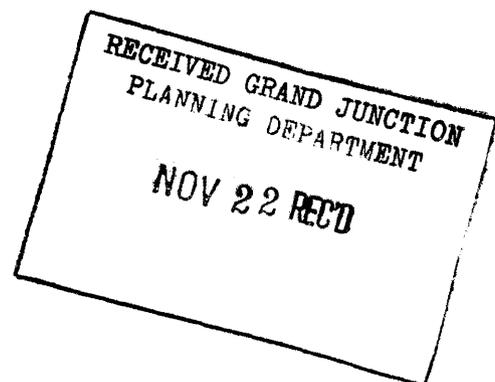
We have no problem with this so long as any existing easements containing cable TV lines at this time are not included in the vacation request. Any area that is not currently used for providing cable TV service would pose no problem for us.

Should you have any other questions or concerns please feel free to contact me at any time. If I am out of the office when you call please leave your name and phone number with our office and I will get back in contact with you as soon as I can.

Sincerely,

Glen Vancil,
Construction Supervisor 245-8777

LATE



POSTING OF PUBLIC NOTICE SIGNS

The posting of the Public Notice Sign is to make the public aware of development proposals. The requirement and procedure for public notice sign posting are required by the City of Grand Junction Zoning and Development Code.

To expedite the posting of public notice signs the following procedure list has been prepared to help the petitioner in posting the required signs on their properties.

1. All petitioners/representatives will receive a copy of the Development Review Schedule for the month advising them of the date by which the sign needs to be posted. IF THE SIGN HAS NOT BEEN PICKED UP AND POSTED BY THE REQUIRED DATE, THE PROJECT WILL NOT BE SCHEDULED FOR THE PUBLIC HEARING.
2. A deposit of \$50.00 per sign is required at the time the sign is picked up.
3. You must call for utility locates before posting the sign. Mark the location where you wish to place the sign and call 1-800-922-1987. You must allow two (2) full working days after the call is placed for the locates to be performed.
4. Sign(s) shall be posted in a location, position and direction so that:
 - a. It is accessible and readable, and
 - b. It may be easily seen by passing motorists and pedestrians.
5. Sign(s) MUST be posted at least 10 days before the Planning Commission hearing date and, if applicable, shall stay posted until after the City Council Hearing(s).
6. After the Public Hearing(s) the sign(s) must be taken down and returned to the Community Development Department within ~~three~~^{five} working days to receive full refund of the sign deposit. For each working day thereafter the petitioner will be charged a \$5.00 late fee. After eight working days Community Development Department staff will retrieve the sign and the sign deposit will be forfeited in its' entirety.

Community Development Department staff will field check the property to ensure proper posting of the sign. If the sign is not posted, or is not in an appropriate place, the item will be pulled from the hearing agenda.

I have read the above information and agree to its terms and conditions.

Debra K. Armes
SIGNATURE

Nov. 25, 1994
DATE

FILE #/NAME: #185-94 Vacation of G Road RECEIPT # 1801

PETITIONER/REPRESENTATIVE: Arnold Butler PHONE # ~~422-1100~~

DATE OF HEARING: 12-6-94 POST SIGN(S) BY: 11-25-94

DATE SIGN(S) PICKED-UP: 11-25-94

DATE SIGN(S) RETURNED: sign pickup no refund RECEIVED BY: _____

PETITIONER'S RESPONSE TO COMMENTS

November 27, 1995

Community Development Department
City of Grand Junction
250 No. 5th St.
Grand Junction, CO. 81501

Attn: Kristen Ashbeck;

Dear Kristen,

I have reviewed the comments concerning the vacation of G Rd and a twenty foot (20') easement in Ptarmigan Estates Subdivision.

In my letter of November 2, 1995, I recommended that the entire sixty foot (60') right-of-way, which is G Road, be vacated and designated as a utility easement. I also requested turn around areas at the south ends of Niblic Dr., Brassie Dr., and Bunker Dr. Although the City Fire Department will not require turn around areas, I still believe these are necessary, since the home owners in Ptarmigan Estates need rear access to their lots. I am also aware that City Sanitation Trucks, UPS Trucks and US Mail Carriers use these areas.

I disagree with the comments from the City Development Engineer, City Parks and Recreation Department and the Urban Trails Committee.

Since it isn't even a certainty that there ever will be a trail along the Highline Canal, I believe they should investigate other possibilities, that already exist.

Due to the Thanksgiving Holiday and the closure of County and other offices, I have been unable to prepare any maps and drawings. I will have these for the Planning Commission to review at the meeting on December 5. These will detail other possibilities.

Sincerely

Karl Fitzpatrick
Karl Fitzpatrick

GRAND VALLEY WATER USERS ASSOCIATION

GRAND VALLEY PROJECT, COLORADO

500 South Tenth Street (303) 242-5065 FAX (303) 243-4871
GRAND JUNCTION, COLORADO 81501-3740

November 29, 1995

Grand Junction Community Development Department
Planning, Zoning, Code Enforcement
250 North Fifth Street
Grand Junction, CO 81501

Subject: G Road ROW Vacation Between Niblic Drive and 27 3/4 Road / Vista
Del Nor'te Subdivision

Dear Ladies/Gentlemen:

It has been brought to our attention that the Planning Department, City of Grand Junction, has scheduled a hearing concerning vacation of the 60 foot G Road Right-of-Way (ROW) between Niblic Drive and 27 3/4 Road on December 5, 1995 at 7:00 PM.

We understand that the Urban Trails Committee desires that the City of Grand Junction retain the said described ROW for possible purposes such as public parking for recreationalists who would seek access through the Vista Del Nor'te subdivision via Grand Valley Water Users' Association (Association) Lateral 3 1/2 to the canal bank of the Government Highline Canal. The Association is by contract with the United States, the managing entity of the Grand Valley Project which includes but is not limited to Lateral 3 1/2, drainage ditches in the area and the Government Highline Canal. The Association's Board of Directors is on record as opposing any and all recreational activities at this site or on any Grand Valley Project facilities.

The 60 foot G Road ROW, beginning at what would be 27 3/4 Road or as described as beginning at or near the southeast corner of SW1/4, SE1/4, Section 36, T1N, R1W, Ute Meridian within the Vista Del Nor'te subdivision has been vacated for subdivision purposes.

The developers of Vista Del Nor'te Subdivision petitioned the Board of Directors of the Association for permission to discharge storm water run-off from within the subdivision into the adjacent Association controlled drainage ditch. Such permission was granted provided that Lot 5, Block 2 ("Tract A") be deeded by the developer to the Association. Lot 5 is not considered suitable for development because of considerations for right-of-ways required by the Association for operation and maintenance of said lateral drainage ditches and canal.

Suitable fencing for safety, privacy, etc., along the perimeter of the subdivision adjacent to the drain ditch and canal on the east and an irrigation easement on the north was part of the condition of the subdivision's approval by the Association. (See Attached).

The developers advised the Association of the City's request for walking path easements on Association controlled ditch banks. The Association informed the developers that the Association would not allow or agree to recreational use of the Association controlled ditch banks in conjunction with development of Vista Del Nor'te subdivision. (See attachments). Permission and authorization granted by the Association for considerations and arrangements requested by the Vista Del Nor'te developers were also conditioned so that no walking trail easements would be included in the subdivision's plot plan on Association controlled ditch banks.

Its the Association's opinion that the developers and the City have breached said agreement-authorization, as set forth by the Association's Board of Directors, with the inclusion of a 20 ft pedestrian easement within the 40 ft irrigation easement as shown on the filed subdivision plat.

It is clear that the 20 ft pedestrian easement within the 40 ft irrigation easement was added without the Association's knowledge and directly against our specific opposition of such. This matter may need to be dealt with latter in a different form.

Notwithstanding, the Bureau of Reclamation and City of Grand Junction's Cooperative Agreement for a feasibility study for recreational activities on the Government Highline Canal, the Association remains steadfast in it's policy against recreational uses of Association controlled irrigation facilities.

As a landowner, the Association is opposed to public access of a dead-end, unused, unnecessary G Road ROW between Niblic Drive and western boundary of our property line.

In respect of the quiet isolated neighborhood and for the safety of those residents of the adjacent neighborhood, the Association respectfully requests that the said G Road ROW be vacated.

Thank-you for the opportunity to comment.

Sincerely,

A handwritten signature in cursive script that reads "Richard Proctor".

Richard Proctor, Manager

December 9, 1995

City Development Department
City of Grand Junction
250 North 5th St.
Grand Junction, CO 81501

ATTN: Kristen Ashbeck;

Dear Kristen,

This is to inform you that we are appealing the Planning Commission's denial of the vacation of G Rd. (File # VR 94-185.

The January 3rd date that you spoke of will be satisfactory with us.

Sincerely,



Karl Fitzpatrick

RECEIVED GRAND JUNCTION
PLANNING DEPARTMENT

DEC 11 REC'D

1/3/96 Council

STAFF REVIEW

FILE: VR 94-185

DATE: December 22, 1995

REQUEST: Vacation of G Road Right-of-Way

*Nilblic - Niblic 01/21/96
by City Council 1/21/96
Resolution 46-93.*

LOCATION: G Road between Niblic Drive and 27-3/4 Road

APPLICANT: Karl Fitzpatrick

STAFF: Kristen Ashbeck

EXISTING LAND USE: Single Family Residential

PROPOSED LAND USE: Same

SURROUNDING LAND USE:

- NORTH: Single Family Residential
- SOUTH: Single Family Residential
- EAST: Single Family Residential (Vista del Norte Subdivision)
- WEST: Single Family Residential

SURROUNDING ZONING:

- NORTH: Residential Single Family 5 units per acre (RSF-5) - Partee Heights
- SOUTH: PR - Ptarmigan Estates
- EAST: PR - Vista del Norte
- WEST: RSF-5 & PR

EXECUTIVE SUMMARY: The residents of the Partee Heights and Ptarmigan Estates neighborhoods are appealing Planning Commission's decision denying their request to vacate portions of the undeveloped G Road right-of-way between Niblic Drive and 27-3/4 Road.

STAFF ANALYSIS:

The residents within the area of this undeveloped portion of G Road are requesting that most of the right-of-way be vacated as a means of controlling unwanted vehicular traffic on the road. There are various utility lines in the right-of-way, both above and below ground. Thus, at a minimum, the full width of the right-of-way must be retained as utility easement. Improvements on several of the properties on the south side of the road encroach approximately 30 feet into the right-of-way. The property owner on the far southeastern end has a revocable permit approved by City Council for fencing and an apple orchard. Most of the improvements on the properties on the north side appear to be on private property.

The neighborhood is also requesting that portions of the right-of-way be retained as extensions of Bunker, Brassie and Niblic Drives in order for property owners on the south side to have access to

the rear of their lots. In addition, the neighborhood suggests that some sort of turn-arounds for emergency, sanitation and other large vehicles be provided at the ends of Bunker, Brassie and Niblic Drives. While the City sanitation, fire and engineering departments did not require that turn-arounds be provided, it does not seem reasonable to vacate a right-of-way that would create three dead-end streets. Good planning principals typically discourage the creation of dead-end streets. If Council considers approval of the vacation, planning staff recommends that turn-arounds be retained as right-of-way. However, it must also be noted that, if extensions, "hammerhead" turn-arounds, cul-de-sacs or the like are retained, there may be some expectation by the neighborhood to improve them--an additional cost to the City.

The Vista del Norte subdivision lies directly east of this portion of the G Road right-of-way. The G Road right-of-way was vacated through this subdivision (27-3/4 Road to the U.S. Government Highline Canal) as it was not needed for access and it split several of the proposed lots. The City approved of the right-of-way vacation with the condition that the developer provide some east-west pedestrian connection across the property to provide access to the canal. The developer did provide a diagonal pedestrian easement from the G Road alignment northeast to the canal. In addition, the Vista del Norte plat includes pedestrian easements on the western and southern perimeter of the site.

Staff and the recently-formed Urban Trails Committee are recommending that this section of G Road be retained as right-of-way because of its potential for connection to the easements within Vista del Norte and, ultimately, to the canal. The Urban Trails Committee is currently conducting a feasibility study regarding use of the canal banks for non-motorized recreational trails. Until the study is complete, and more detailed study of the route completed, the City cannot know whether there should or would be trail access along this part of G Road. However, if access is desirable along this route it would be much easier to develop if it is kept as right-of-way than to vacate the right-of-way and try to obtain easement or right-of-way at a later date. Generally, staff feels it is premature to consider this vacation until more information is known as to its usefulness in potential plans for a canal trail system.

In the meantime, if the right-of-way is not vacated, the City Parks and Recreation and Police departments staff feels that additional measures can be taken immediately to deter the undesirable vehicular traffic which is presently occurring. In the future, design of the trail itself can also help deter any motorized vehicle traffic as the many existing trails in the City already do. Staff also feels that, although the right-of-way would be for non-motorized traffic, arrangements could be made to allow periodic use by residents of the area for yard maintenance or other purposes.

The petitioner will point out that there are alternative routes that could be used for access should a trail ever be developed along the canal. Three specific locations in the vicinity could be along the Interstate 70 right-of-way from the Visitors Center (VCB), from the end of the intersection of Brassie and Nine Iron Drives, and from the end of 28 Road. While staff agrees that these could be trail access points it does not rule out the potential need for access at G Road because of its direct connection through the Vista del Norte subdivision. It does not seem reasonable to give up an assured access (G Road) to a deeded section of the canal (Tract B) with the hope that another access might be gained somewhere else.

The G Road trail access offers to serve a greater portion of the community's population. It would be more visible and easily accessible and it would connect with the rest of G Road which is designated as a bicycle route in the adopted Multi-Modal Transportation Study. The access points off of Interstate 70 or 28 Road would best serve only the adjacent or nearby residential neighborhoods.

Findings of Review: Section 8-3 of the Zoning and Development Code lists the criteria by which a vacation of right-of-way is reviewed. Staff has the following findings for the G Road vacation request.

Landlocking. The G Road vacation proposal does not landlock any parcel of land.

Restrictive Access. The proposal for the G Road vacation may restrict access to the rear of the parcels to the south more so than if the right-of-way is retained. Vacation may also restrict public pedestrian access to points east on a potential trail system.

- * **Quality of Services.** Generally, the proposal has no adverse impacts on the health, safety, and/or welfare of the community; however, it may reduce the quality of public services (e.g. police protection) to the public using a potential trail system to the east. It may also reduce the quality of service in the availability of trail access to a broad portion of the community.
- * **Adopted Plans and Policies.** The Multi-Modal Transportation Study adopted by City Council designates the length of G Road from Horizon Drive west to Highway 6 & 50 as a proposed off-road bicycle/pedestrian route. The study also designates the U.S. Government Highline Canal as a proposed off-road bicycle/pedestrian route. Thus, the extension of this route along the G Road right-of-way east to the access points in Vista del Norte and through to the canal is logical and consistent with the goals of the Multi-Modal Transportation Study.
- * **Benefits to City or County.** The vacation proposal appears to benefit only those persons with property directly adjacent to the G Road right-of-way. There is no benefit to the City if the right-of-way is vacated.

PLANNING COMMISSION RECOMMENDATION (12/4/95 Meeting): Denial of right-of-way vacation (4-1)



City of Grand Junction, Colorado
250 North Fifth Street
81501-2668
FAX: (970)244-1599

January 10, 1997

Mr. Guy O'Rear
704 Bunker Drive
Grand Junction, Colorado 81506

RE: 185-94 Vacation of G Road

Dear Mr. O'Rear,

As you may recall, the item referenced above was heard by the Grand Junction City Council last January. At that time, Council's decision was to continue the hearing to the February 5, 1997 meeting. Since we are approaching that date, I am in the process of preparing an updated staff report to City Council for that meeting. I would like to include an update from the Partee Heights/Ptarmigan Estates neighborhood as to 1) whether or not the vacation is still being sought; and 2) if so, is the full right-of-way width requested to be vacated or only a portion in order to continue to provide some access for adjoining property owners.

I will need to have information for Council no later than January 28, 1997. Therefore, if you and your neighbors could discuss the vacation within the next few weeks it would be greatly appreciated. I would also like the opportunity to meet with representatives of the neighborhood at your earliest convenience. Please give me a call at 244-1437 if you have comments, questions or when you are ready to schedule a meeting.

Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Kristen".

Kristen Ashbeck
Planner

Right-of-Way to be Vacated

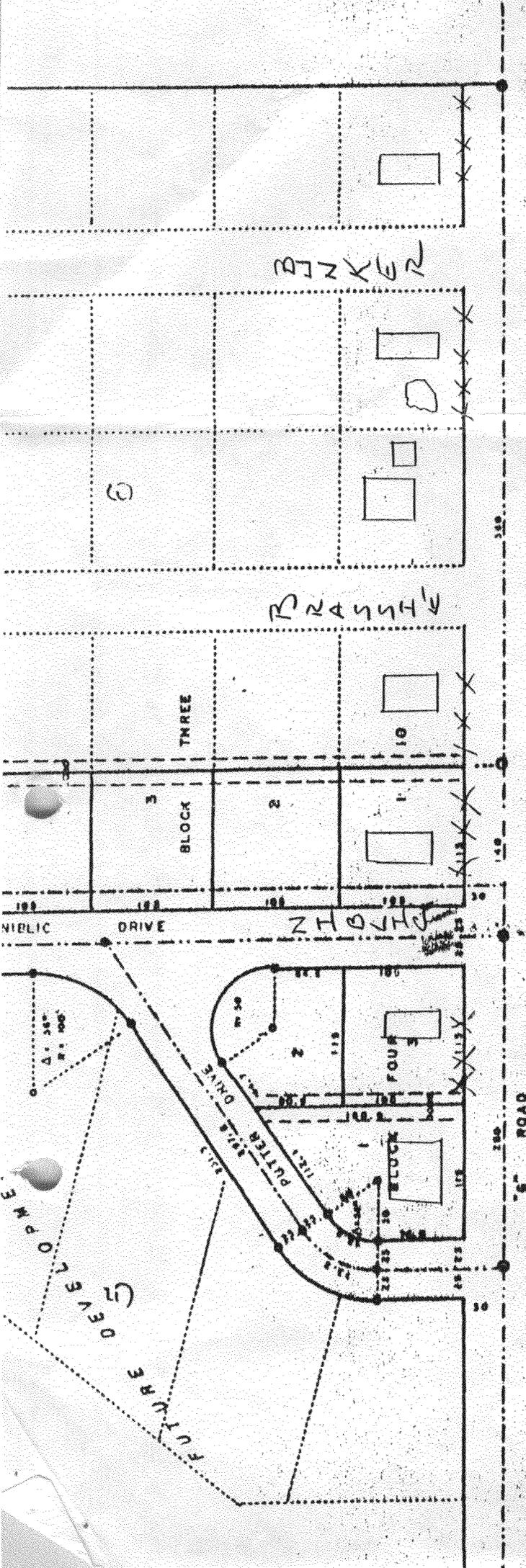
~~Part of~~ southeast
A Road: 60' R.O.W of A Road from the ~~Northwest~~ corner of Lot 1, Block 1 Partee Heights - West to the northwest corner of Lot 5, Block 1 of Parmigan Estates

Utility Easement: 20' easment along the north property line of lots 3, 4, 5, & 7 & 8 Block 1 / Parmigan Estates and Lot 1, Sept of Lot 1, Block 1 Parmigan Estates except for those portions that overlap the north-south easements between lots 4 & 5 and lots 7 & 8.

185 04

Original
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From Office

1 Roy L. George, h
plat of survey of t
of the same.



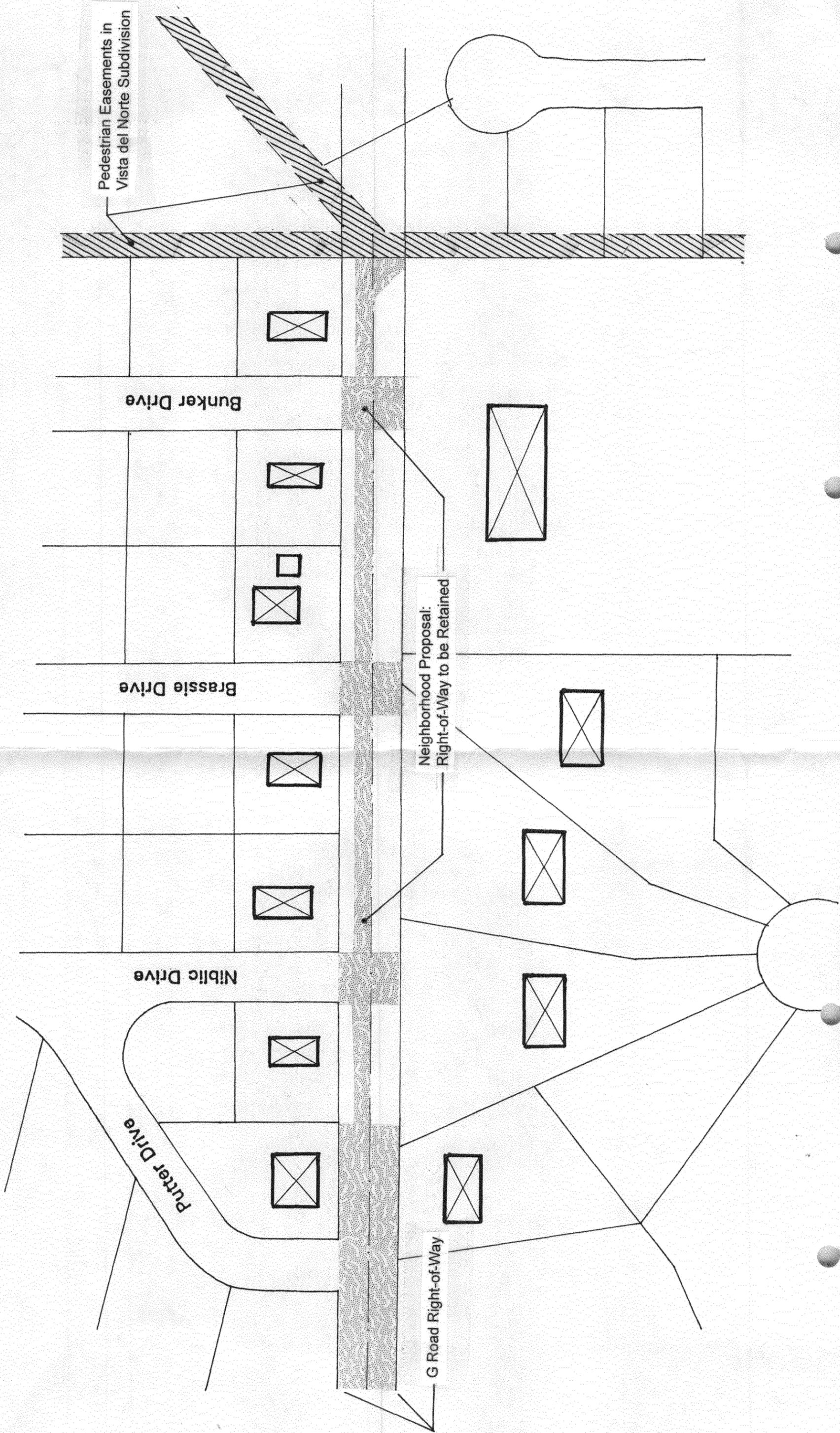
SE corner SW 1/4 SE 1/4 sec. 36
T 1 N R 1 W Ute Meridian

HOUSE
FENCE

Utility and irrigation easements shown there.

185 94

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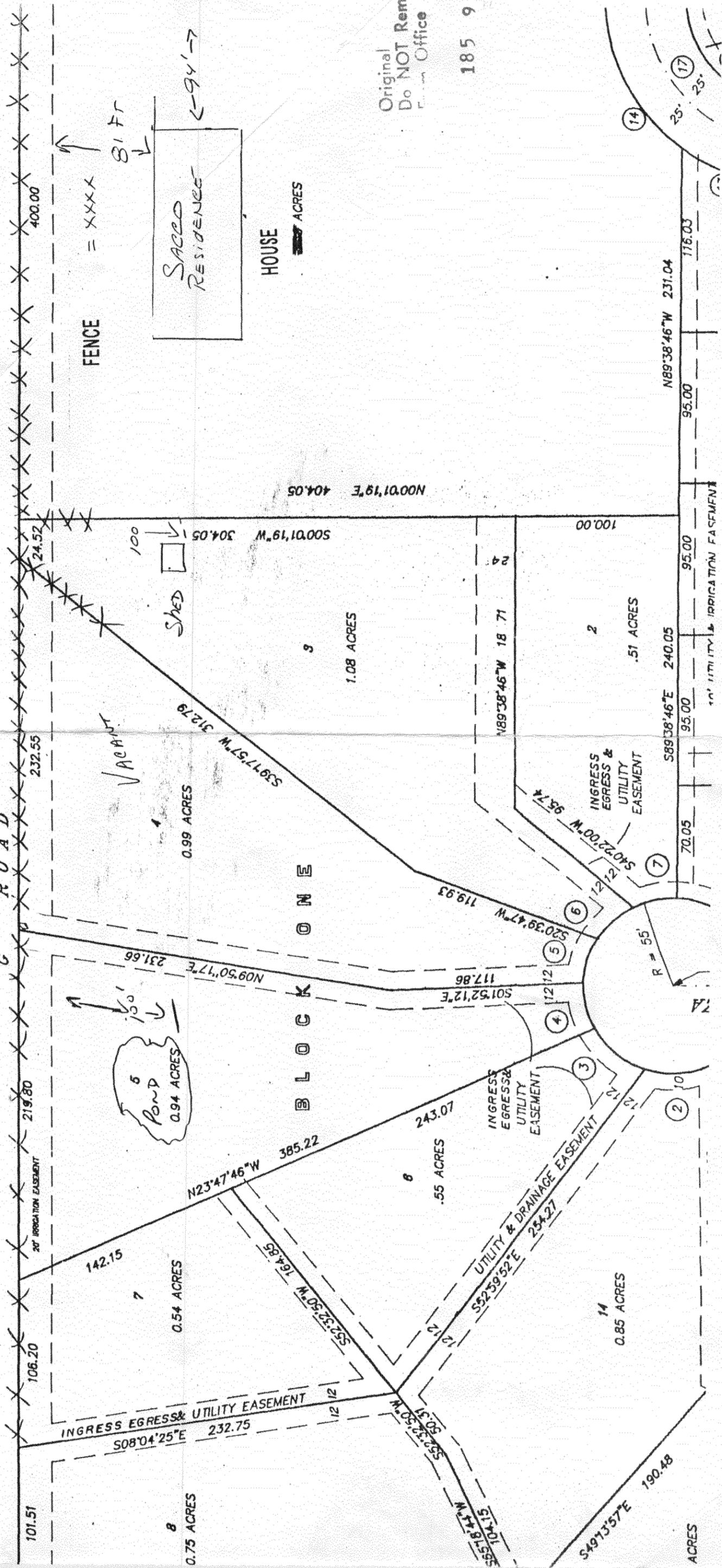
or 0 lot

S89°55'46"E 1320.05

ROAD

BLOCK

ONE



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From Office

185 94

ACRES

CITY OF GRAND JUNCTION

DATE: February 5, 1997

CITY COUNCIL

STAFF PRESENTATION: Kristen Ashbeck

Motion to adopt ordinance 2888 0-7 failed.
Therefore right-of-way not vacated

AGENDA TOPIC: VR-94-185 - Vacation of G Road Right-of-Way

SUMMARY: The residents of the Partee Heights and Ptarmigan Estates neighborhoods are appealing Planning Commission's decision denying their request to vacate portions of the undeveloped G Road right-of-way between Niblic Drive and 27-3/4 Road. This item was continued at the January 17, 1996 City Council hearing.

ACTION REQUESTED: Adoption of Ordinance 2888

BACKGROUND INFORMATION:

Location: G Road between Niblic Drive and 27-3/4 Road

Applicant: Bill Price

Existing Land Use: Single Family Residential

Proposed Land Use: Same

Surrounding Land Use: All Single Family Residential

Surrounding Zoning:

North: Residential Single Family 5 units per acre (RSF-5) - Partee Heights

South: PR - Ptarmigan Estates

East: PR - Vista del Norte

West: RSF-5 and PR

Staff Analysis:

Background. The residents within the area of this undeveloped portion of G Road are requesting that most of the right-of-way be vacated as a means of controlling unwanted vehicular traffic on the road. There are various utility lines in the right-of-way, both above and below ground. Thus, at a minimum, the full width of the right-of-way must be retained as utility easement. Improvements on several of the properties on the south side of the road encroach approximately 30 feet into the right-of-way. The property owner on the far southeastern end has a revocable permit approved by City Council for fencing and an apple orchard. Most of the improvements on the properties on the north side appear to be on private property.

Planning Commission denied the vacation request in December 1995. At that time, the Urban Trails Committee was working on the trails feasibility study for the canals in the area. Planning Commission agreed with staff and the Committee that it was premature to approve the vacation and thus denied the request but with the recommendation that City Council re-visit the issue when the feasibility study was completed.

The neighborhood then appealed the Planning Commission decision to City Council. At its January 17, 1996 hearing, Council came to the same conclusion and delayed a decision on the item to the February 5, 1997 meeting to allow time for the trails feasibility study to be completed. In the meantime, Council directed staff to attempt to eliminate any vehicular traffic on the undeveloped right-of-way.

Trails Feasibility Study and Other Trails Networks. The *Feasibility Study - Recreation Use of a Portion of the Grand Valley Government Highline Canal* was completed in September 1995. While the overall feasibility of use of the canal banks for trail use is still subject to negotiations and cooperation between the entities involved, the maps included in the study indicate that this section of G Road would have a role as an off-dike trail route to access the canal trail system (see Attachment A).

The Vista del Norte subdivision lies directly east of this portion of the G Road right-of-way. The G Road right-of-way was vacated through this subdivision (27-3/4 Road to the U.S. Government Highline Canal) as it was not needed for access and it split several of the proposed lots. The City approved the right-of-way vacation with the condition that the developer provide some east-west pedestrian connection across the property to provide access to the canal. The developer did provide a diagonal pedestrian easement from the G Road alignment northeast to the canal.

Perhaps more important than, and in addition to, the canal access easements, the Vista del Norte plat includes pedestrian easements on the western and southern perimeter of the site. As illustrated on the *Draft Urban Trails Plan* (to be considered for adoption by Council in February-March 1997) the G Road connection to these easements provides linkages to points east through Spring Valley and ultimately to Machett Park (see Attachment B).

Traffic Deterrents. As requested by Council, the Parks and Recreation, Police and Public Works Departments met with representatives of the neighborhood early last year and the Public Works Department did install a number of new barriers at both ends of and within the undeveloped right-of-way (see Attachment C). The neighborhood indicated that these new traffic deterrents have virtually eliminated any unwanted vehicular traffic within the G Road right-of-way.

Neighborhood Proposal. Staff recently met with representatives of the neighborhood to determine whether they were still interested in pursuing the vacation request and, if so, whether they were requesting a full or partial vacation. The neighborhood proposal is

illustrated in Attachment D. They are requesting that the right-of-way be vacated except for a 15-foot strip on the north side of the centerline and the extensions of Bunker, Brassie and Niblic Drives across the full 60-foot width of the right-of-way. These extensions would be retained in order for property owners on the south side to continue access the rear of their lots.

The neighborhood is willing to allow a trail to be developed within the remaining 15-foot right-of-way strip but still has concerns with security and privacy. The Partee Heights neighborhood in particular is concerned about trail users parking on their streets in order to access the trail where it would cross the street extensions. If Council considers approval of the partial vacation as proposed by the neighborhood, there will be some expectation that the City improve the street extensions and install privacy fencing on both sides of the remaining 15 feet of right-of-way the length of the undeveloped portion of G Road.

Staff Proposal/Recommendation. Staff is recommending that the entire width of this section of G Road be retained as right-of-way because of its potential for connection to the easements within Vista del Norte and, ultimately, to other trail networks in neighborhoods to the southeast and to the canal. The 60-foot right-of-way width offers the most design flexibility to create a pleasant and secure walking or biking experience, provide some landscaping for screening to adjacent properties, allow existing improvements in the south half of the potential to remain, and allow periodic access by property owners to the south.

Staff is opposed to the 15-foot right-of-way alternative due to the likelihood that privacy fences would be erected on either side, creating a “tunnel” effect for the length of the trail in this area. This would create a greater safety concern for users of the trail and adjacent property owners since the fencing would block vision between the trail and neighboring properties. The fencing would be more of an attraction to vandals and other undesirable users since they could not be easily observed. The more open design concept as illustrated on Attachment E would be somewhat “self-policing” due to the visibility of the trail from adjacent properties.

Findings of Review: Section 8-3 of the Zoning and Development Code lists the criteria by which a vacation of right-of-way is reviewed. Staff has the following findings for the G Road vacation request.

Landlocking. The G Road vacation proposal does not landlock any parcel of land.

Restrictive Access. The proposal for the G Road vacation may restrict access to the rear of the parcels to the south more so than if the right-of-way is retained. Vacation may also restrict public pedestrian access to points east on a potential trail system.

Quality of Services. Generally, the proposal has no adverse impacts on the health, safety, and/or welfare of the community; however, it may reduce the quality of public services

(e.g. police protection) to the public using a potential trail system to the east. It may also reduce the quality of service in the availability of trail access to a broad portion of the community.

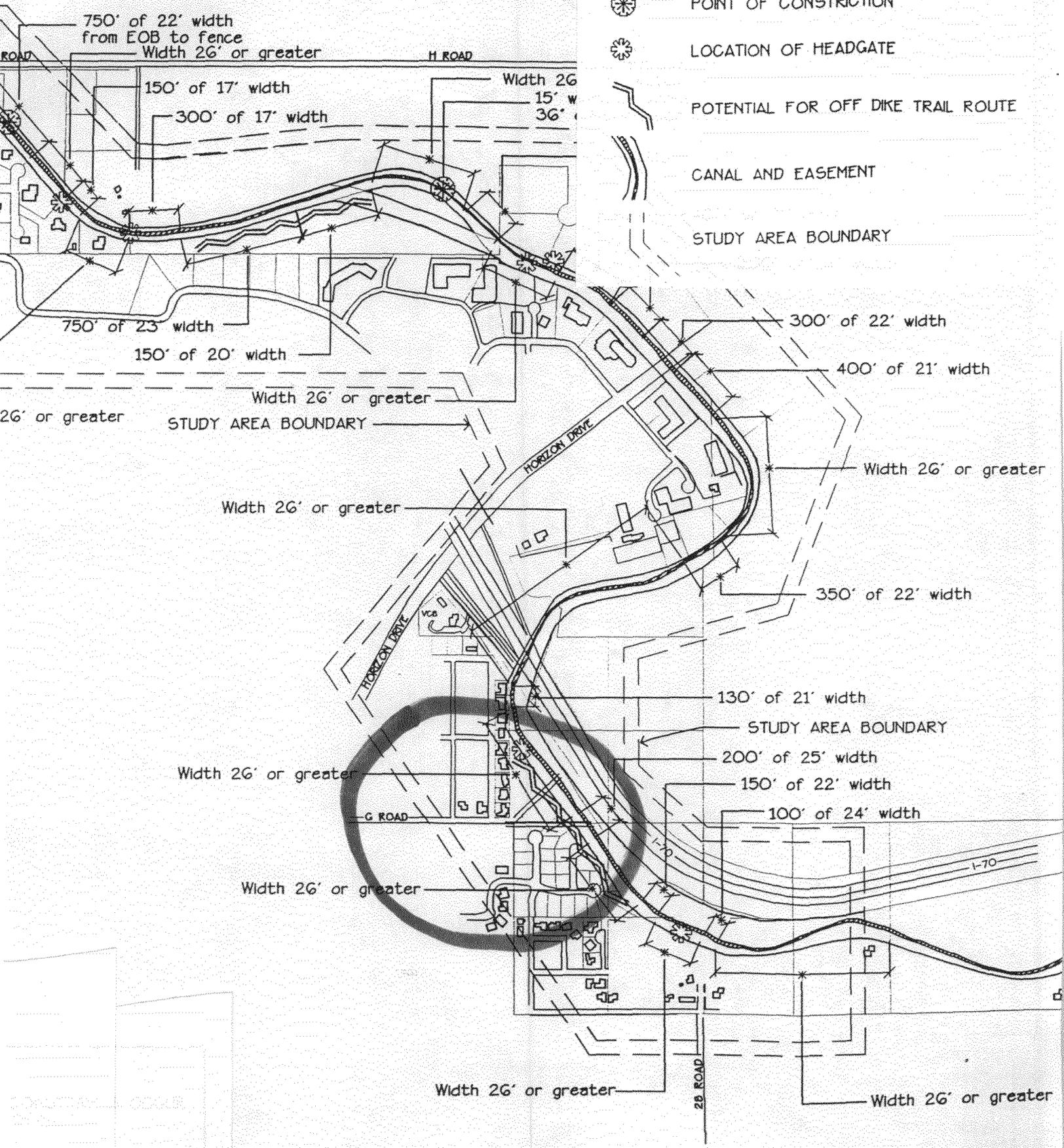
Adopted Plans and Policies. The *Multi-Modal Transportation Study* adopted by City Council designates the length of G Road from Horizon Drive west to Highway 6 & 50 as a proposed off-road bicycle/pedestrian route. Thus, the extension of this route along the G Road right-of-way east to the access points in Vista del Norte and through to the canal or through neighborhoods to the southeast is logical and consistent with the goals of the *Multi-Modal Transportation Study*. Also, the Draft Urban Trails Plan indicates this portion of the G Road right-of-way as a "Detached Bike & Pedestrian Path".

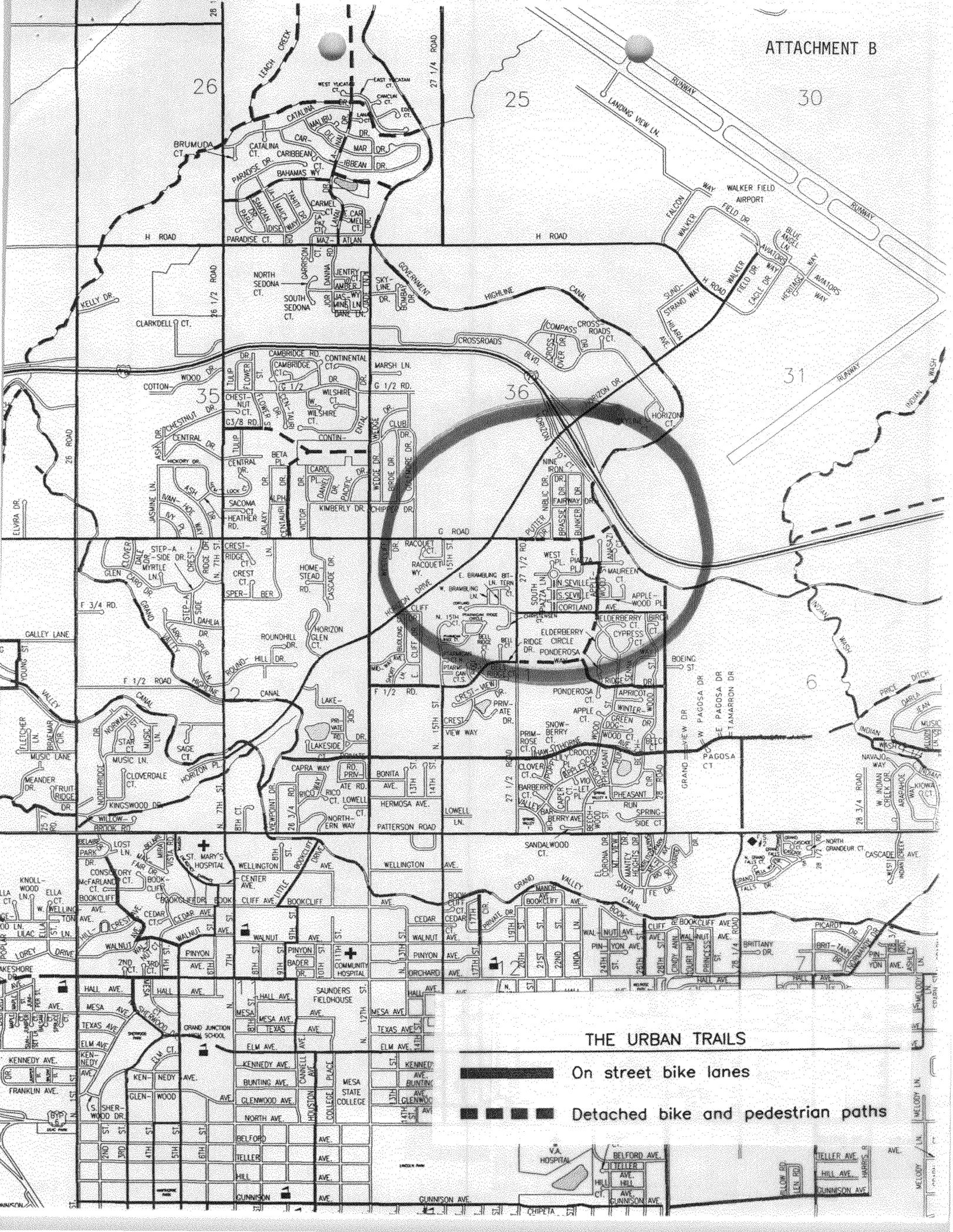
Benefits to the City or County. The vacation proposal appears to benefit only those persons with property directly adjacent to the G Road right-of-way. There is no benefit to the City if any part of the right-of-way is vacated. In fact, the vacation could actually cost the City more due to the expectations that site improvements be provided by the City.

STAFF RECOMMENDATION: Denial of the G Road vacation request--uphold decision of the Planning Commission.

LEGEND

-  POINT OF CONSTRICTION
-  LOCATION OF HEADGATE
-  POTENTIAL FOR OFF DIKE TRAIL ROUTE
-  CANAL AND EASEMENT
-  STUDY AREA BOUNDARY



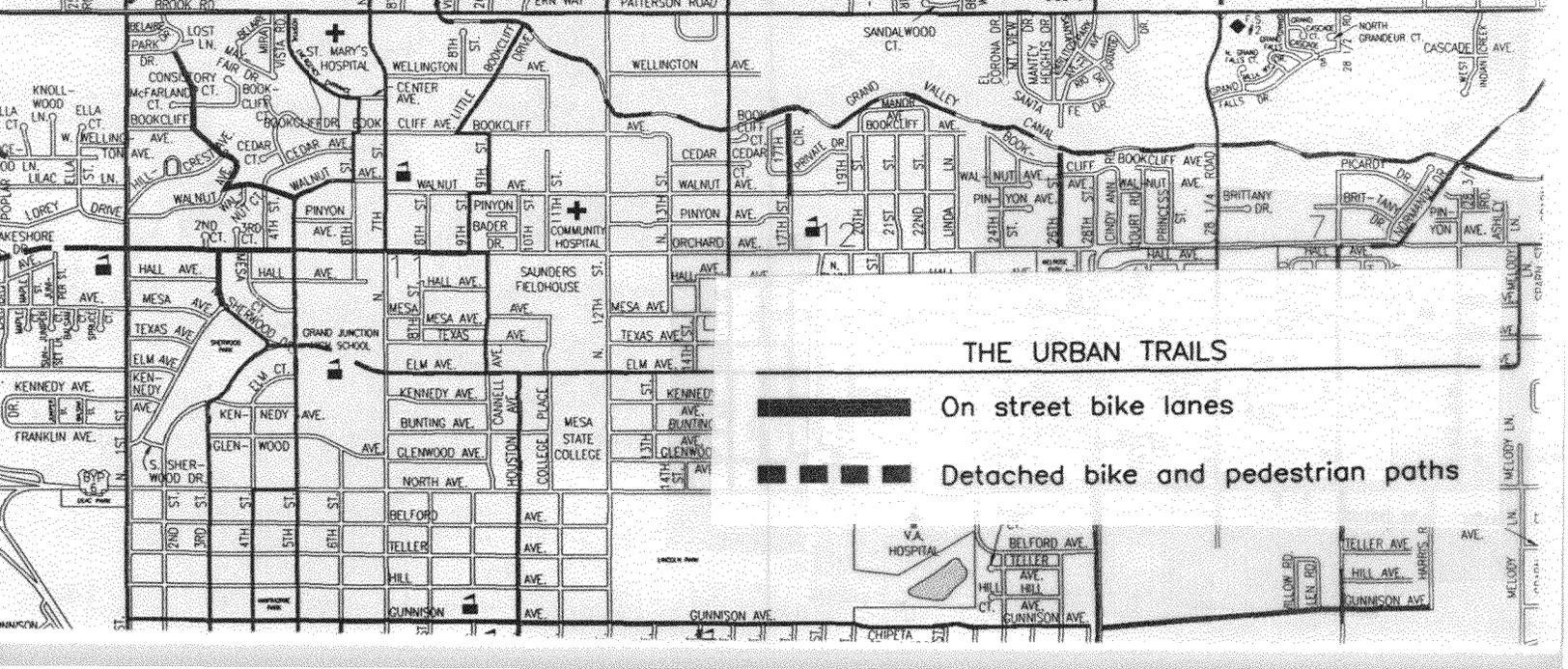


THE URBAN TRAILS



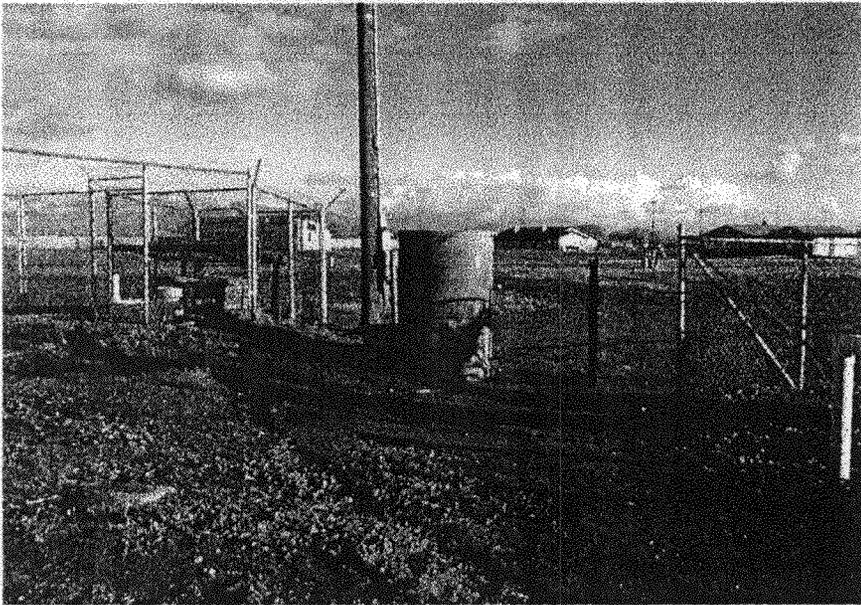
On street bike lanes

Detached bike and pedestrian paths



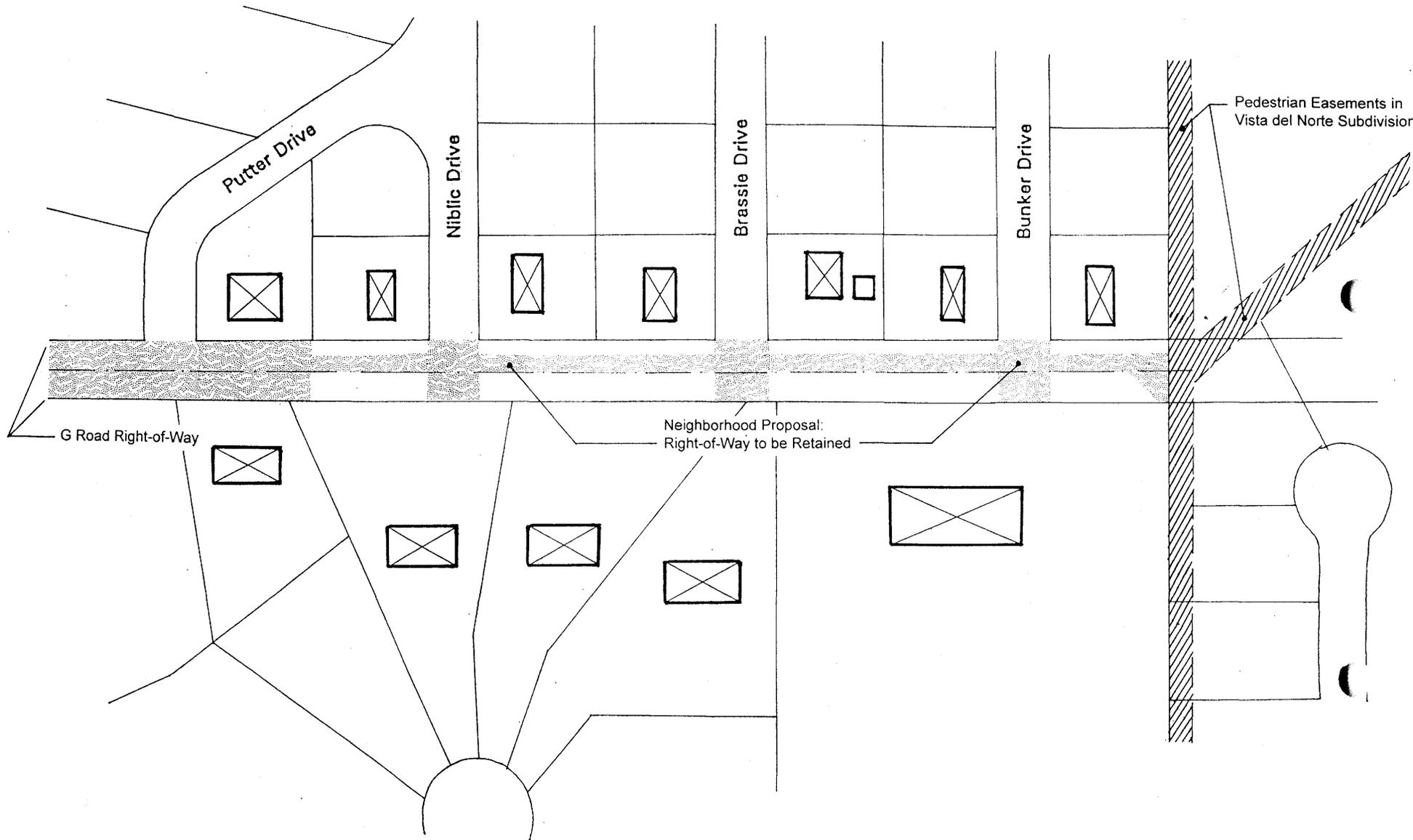


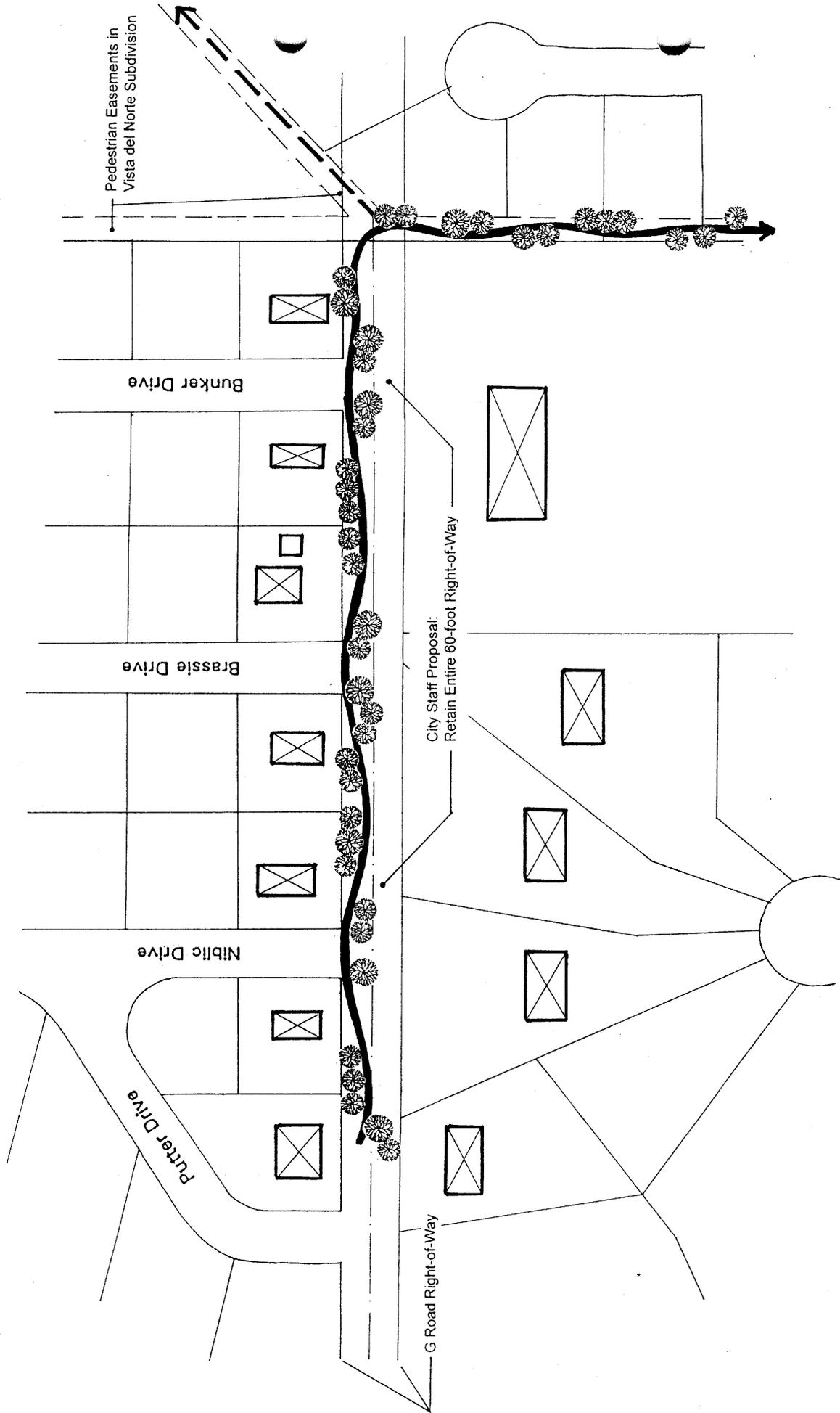
NEW BARRIERS CONSTRUCTED BY CITY WITHIN
UNDEVELOPED G ROAD RIGHT-OF-WAY



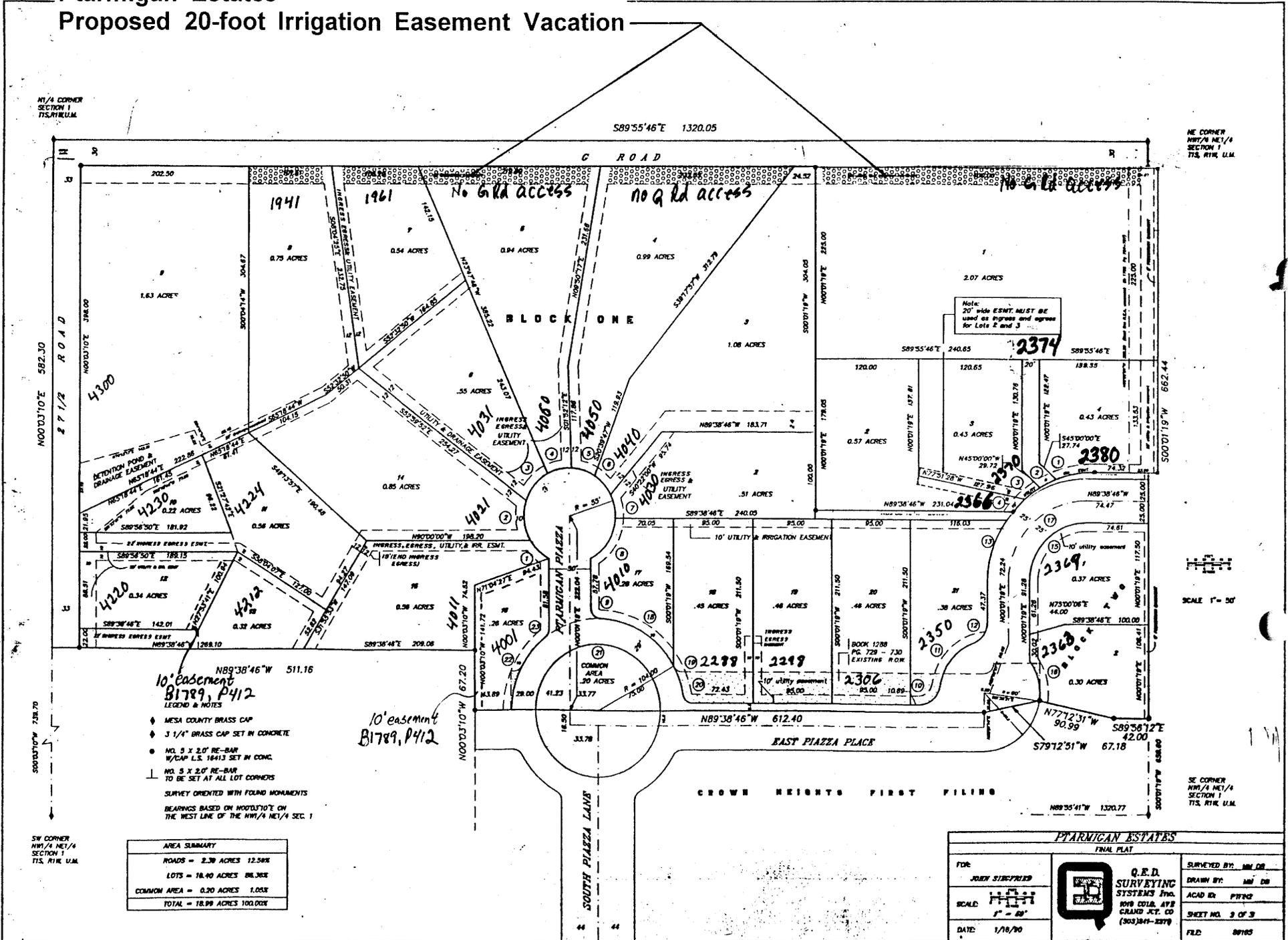
NEW BARRIER AT WEST END OF G ROAD RIGHT-OF-WAY (TOP)

NEW POST BETWEEN FENCE AND TELEPHONE POLE AT EAST END OF G ROAD RIGHT-OF-WAY (BOTTOM)





Ptarmigan Estates Proposed 20-foot Irrigation Easement Vacation



N1/4 CORNER
SECTION 1
T15S, R14E, U1M

NE CORNER
N1/4 NE1/4
SECTION 1
T15S, R14E, U1M

Note:
20' wide ESENT MUST BE
used as ingress and egress
for Lots 2 and 3

10' Easement
B1789, P412
LEGEND & NOTES

10' easement
B1789, P412

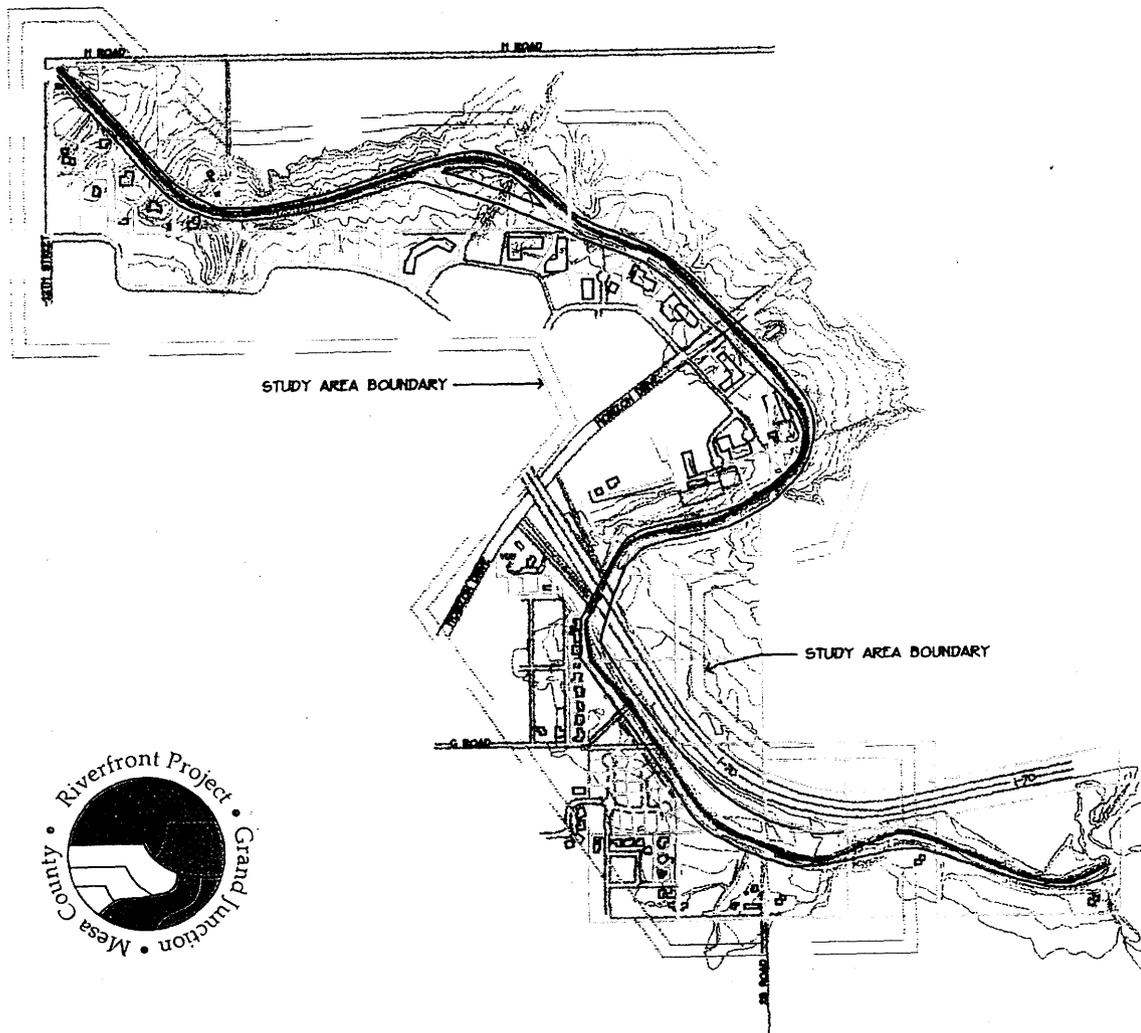
AREA SUMMARY	
ROADS =	2.39 ACRES 12.58%
LOTS =	18.40 ACRES 88.36%
COMMON AREA =	0.20 ACRES 1.05%
TOTAL =	18.99 ACRES 100.00%

SW CORNER
N1/4 NE1/4
SECTION 1
T15S, R14E, U1M

SE CORNER
N1/4 NE1/4
SECTION 1
T15S, R14E, U1M

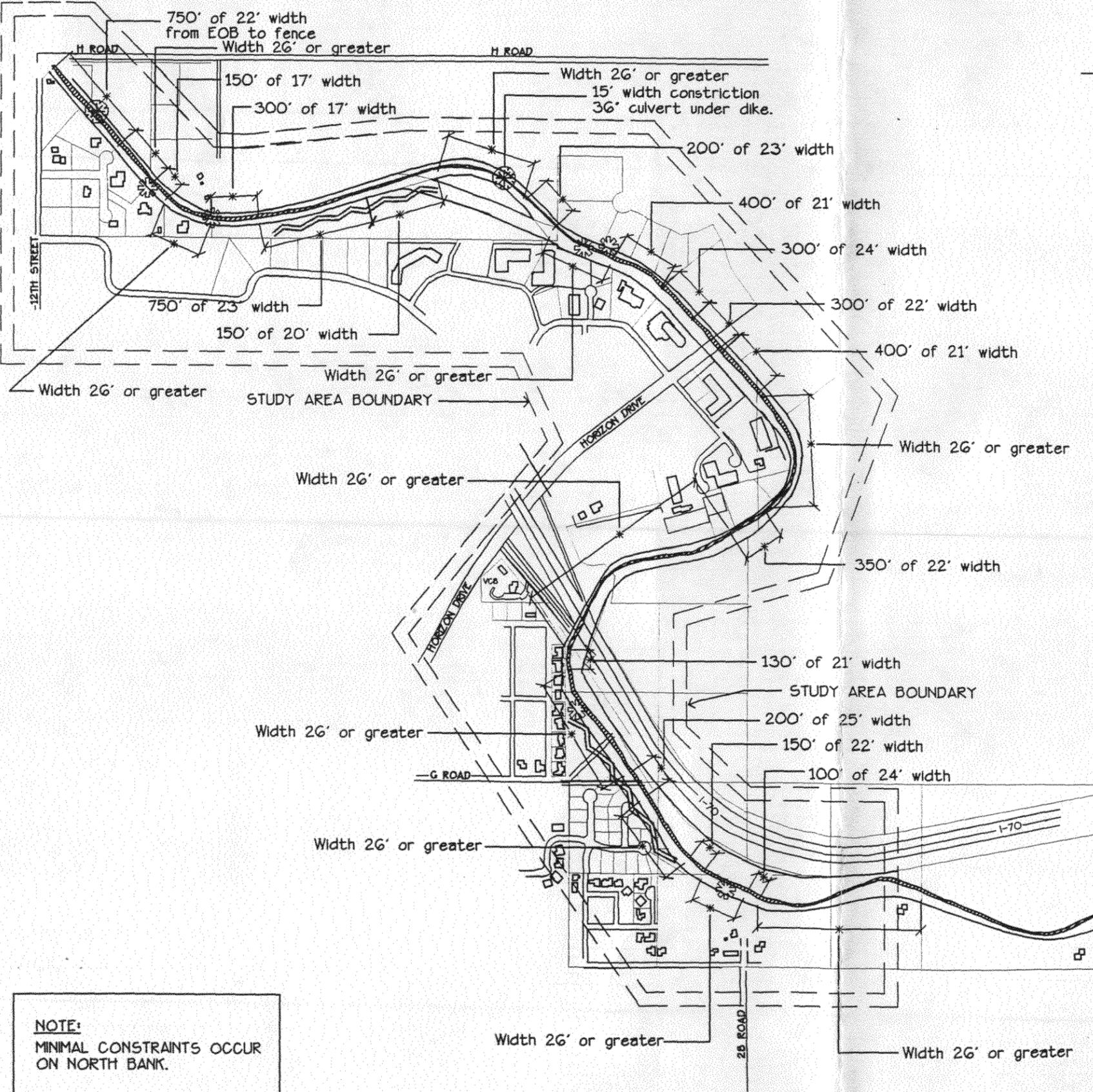
PTARMIGAN ESTATES FINAL PLAT		
FOR: JOHN STEINBERG		SURVEYED BY: MM DB
SCALE: 1" = 80'		DRAWN BY: MM DB
DATE: 1/16/90	Q.E.D. SURVEYING SYSTEMS Inc. 890 DOLA AVE GRAND JCT. CO (303)241-2878	ACAD ID: P772 SHEET NO. 3 OF 3 FILE: 89105

FEASIBILITY STUDY RECREATION USE OF A PORTION OF THE GRAND VALLEY GOVERNMENT HIGHLINE CANAL



PREPARED BY
THE GRAND JUNCTION
URBAN TRAILS COMMITTEE

SEPTEMBER 1, 1996

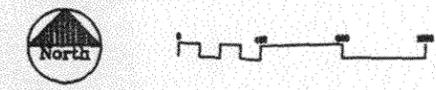


LEGEND

- POINT OF CONSTRICTION
- LOCATION OF HEADGATE
- POTENTIAL FOR OFF DIKE TRAIL ROUTE
- CANAL AND EASEMENT
- STUDY AREA BOUNDARY

- NOTES:**
- A MINIMUM OF A 26' (FOOT) WIDTH REQUIRED FOR A SHARED USE SCENARIO BY CANAL MAINTAINENCE AND OPERATION PERSONNEL AND THE POTENTIAL RECREATION TRAIL USER.
- * 12250 FEET OF TOTAL BANK LENGTH
 - * 4330 FEET OF BANK • LESS THAN 26 FEET WIDE
 - * 7920 FEET OF BANK • 26 FEET OR WIDER.
 - * 35% OF BANK • LESS THAN 26 FEET WIDE
 - * 65% OF BANK • 26 FEET OR WIDER.

NOTE:
MINIMAL CONSTRAINTS OCCUR ON NORTH BANK.

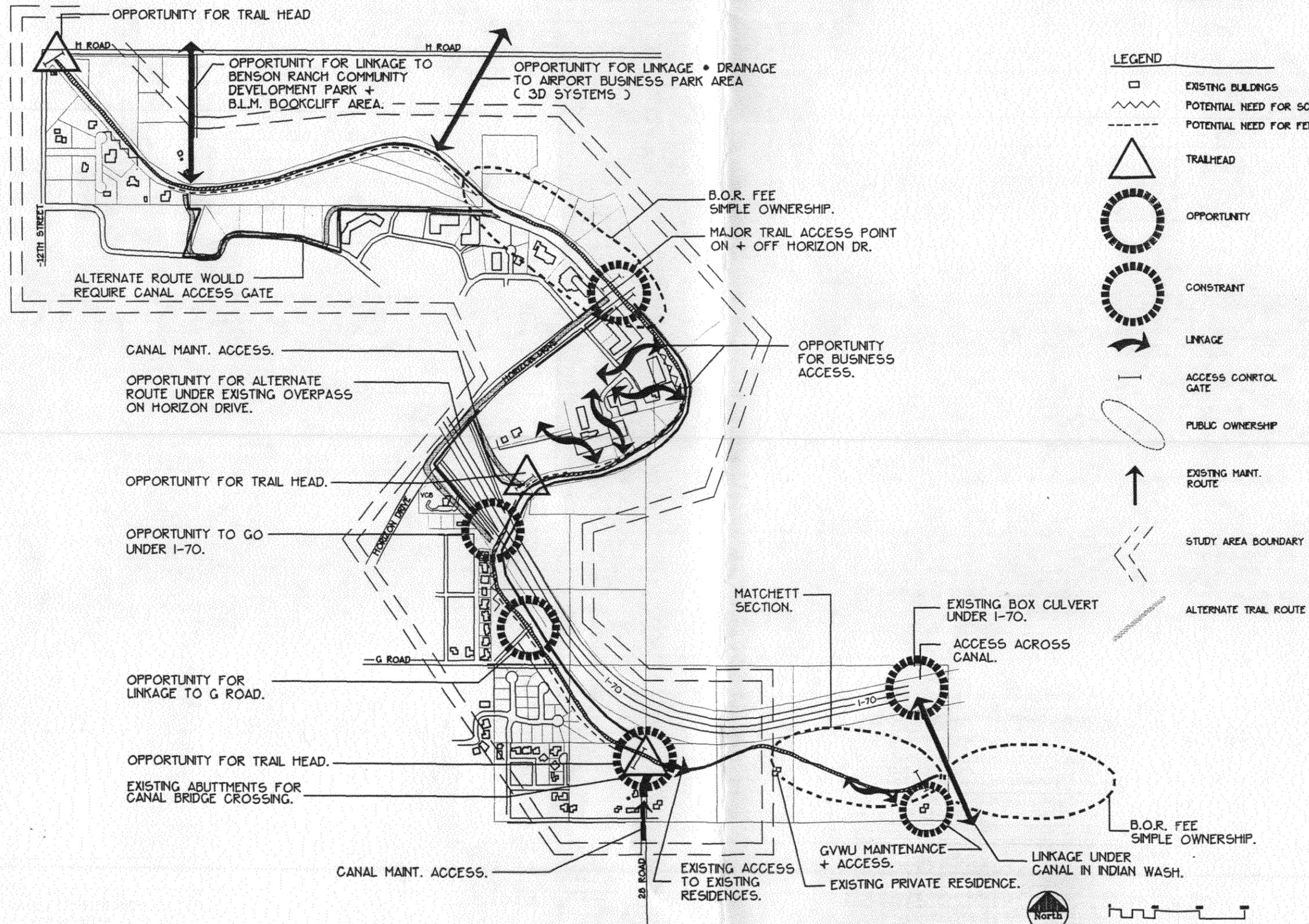


**CANAL / TRAIL FEASIBILITY STUDY
CANAL BANK ANALYSIS**

DRAWN BY: JC
 CHECKED BY: TC
 JOB NO.: 9547
 DATE: 05-06-96
 REVISIONS: 08-19-96
 9547PCN

SHEET NO. 3 of 5
 9547-05-06-02

CIAVONNE & ASSOCIATES, INC.
 LANDSCAPE AND PLANNING ARCHITECTS
 844 GRAND AVE. #1
 GRAND JUNCTION, CO
 970-241-0745
 FAX 970-241-0765



**CANAL / TRAIL FEASIBILITY STUDY
 OPPORTUNITIES AND CONSTRAINTS**

DRAWN BY JC
 CHECKED BY TC
 JOB NO. 9547
 DATE 05-06-96
 REVISIONS 08-19-96
 9547DPCN

SHEET NO. 2 of 5
 9547-05-06-02

CIAVONNE & ASSOCIATES, INC.
 LANDSCAPE AND PLANNING ARCHITECTS
 844 GRAND AVE. #1
 GRAND JUNCTION, CO
 970-241-0745
 FAX 970-241-0765

4-20-02

WATER PROVIDED BY:
 UTE WATER
 SANITARY SEWER BY:
 CITY OF GRAND JUNCTION
 ELECTRIC & GAS BY:
 PUBLIC SERVICE
 TELEPHONE BY:
 U.S. WEST
 CABLE TV BY:
 UNITED ARTIST (TCI)

Note: Streets will be developed per City
 of Grand Junction standards

PARTEE HEIGHTS
 SUBDIVISION

Limits of NO STRUCTURE ZONE
 GRAND VALLEY
 POWER EASEMENT

INGRESS-EGRESS EASEMENT

PTARMIGAN ESTATES

UNDERGROUND UTILITIES
 (9' Back of ROW Typ. 3)

CROWN HEIGHTS
 SUBDIVISION

APPLECREST
 SUBDIVISION

APPLEWOOD
 STREET

A REPEAT OF LOT FIFTEEN
 APPLE CREST SUBDIVISION

INGRESS-EGRESS EASEMENT

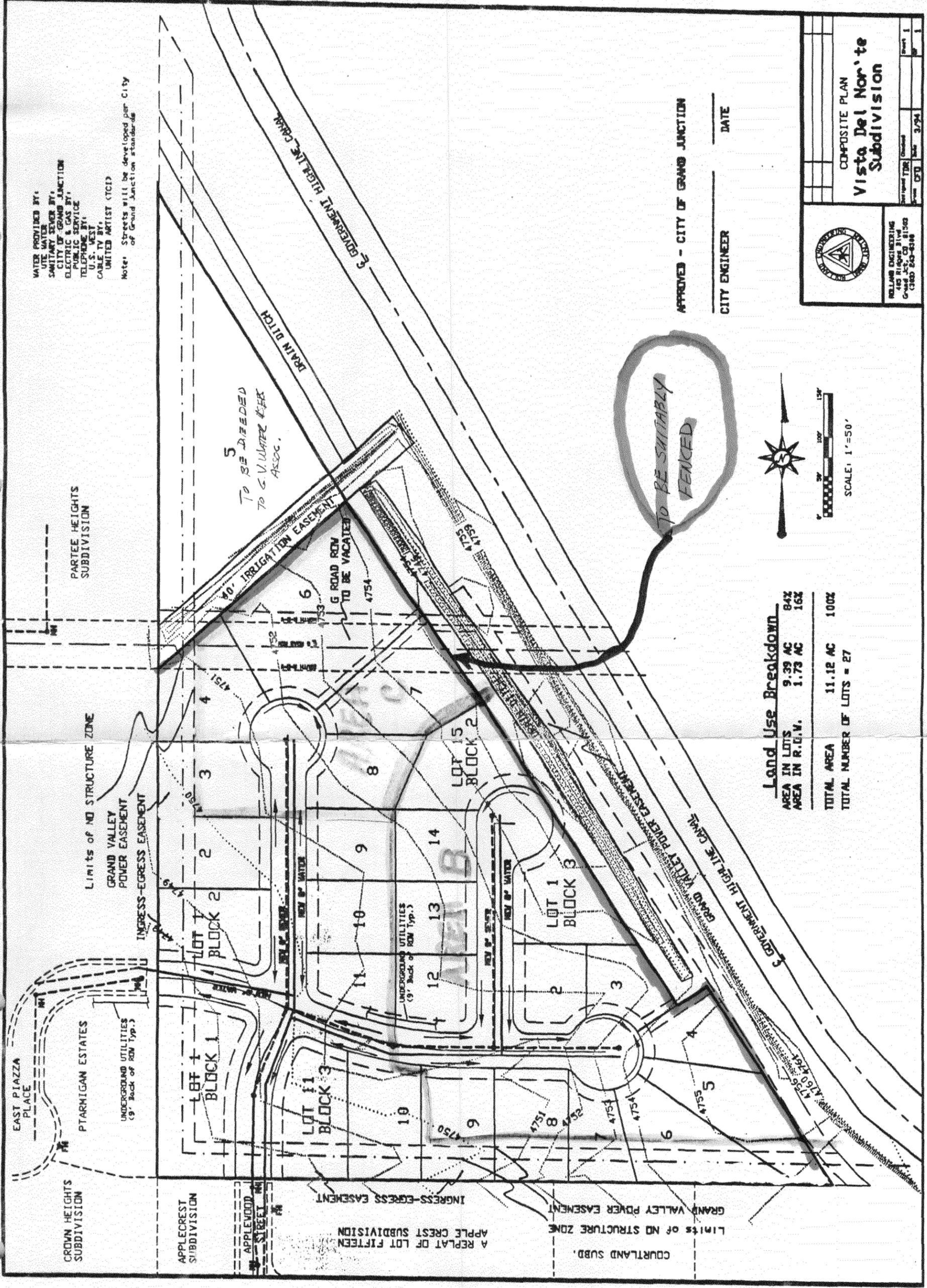
Limits of NO STRUCTURE ZONE
 GRAND VALLEY POWER EASEMENT

COURTLAND SUBD.

5
 TO BE DIVEDED
 TO G.V. WATER & ERS
 ASSOC.

G ROAD ROW
 TO BE VACATED

TO BE SUITABLY
 FENCED

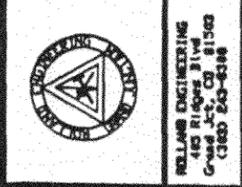


SCALE: 1" = 50'

Land Use Breakdown

AREA IN LOTS	9.39 AC	84%
AREA IN R.O.V.	1.73 AC	16%
TOTAL AREA	11.12 AC	100%
TOTAL NUMBER OF LOTS	= 27	

APPROVED - CITY OF GRAND JUNCTION
 CITY ENGINEER _____ DATE _____



COMPOSITE PLAN
 Vista Del Norte
 Subdivision

Sheet 1	of 1
Checked	3/24
Drawn	CFB

Q:\BENSON\COMP 272 MAR 1 09:55:15 1992 QUABAND ENGINEERING

CITY OF GRAND JUNCTION, COLORADO

Ordinance No. _____

VACATING A PORTION OF G ROAD BETWEEN NIBLIC DRIVE AND 27-3/4 ROAD

Recitals.

The residents within the area of this undeveloped portion of G Road are requesting that most of the right-of-way be vacated as a means of controlling unwanted vehicular traffic on the road. There are various utility lines in the right-of-way, both above and below ground. Thus, at a minimum, the full width of the right-of-way must be retained as utility easement.

The Vista del Norte subdivision lies directly east of this portion of the G Road right-of-way. The G Road right-of-way was vacated through this subdivision (27-3/4 Road to the U.S. Government Highline Canal) as it was not needed for access and it split several of the proposed lots. The City approved of the right-of-way vacation with the condition that the developer provide some east-west pedestrian connection across the property to provide access to the canal. The developer did provide a diagonal pedestrian easement from the G Road alignment northeast to the canal. In addition, the Vista del Norte plat includes pedestrian easements on the western and southern perimeter of the site.

Staff and the recently-formed Urban Trails Committee recommended that this section of G Road be retained as right-of-way because of its potential for connection to the easements within Vista del Norte and, ultimately, to the canal. The Urban Trails Committee is currently conducting a feasibility study regarding use of the canal banks for non-motorized recreational trails. Until the study is complete, and more detailed study of the route completed, the City cannot know whether there should or would be trail access along this part of G Road.

Utilizing this portion of G Road to access the canal can serve a greater portion of the community's population. It connects with the rest of G Road which is designated as a bicycle route in the adopted Multi-Modal Transportation Study. Even if the right-of-way is not vacated, staff feels there are additional measures that can be taken to help alleviate any traffic problems the neighborhood might be experiencing.

The Grand Junction Planning Commission, at its December 4, 1995 hearing, denied this right-of-way vacation due to its potential need as a trail system connection.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE RIGHT-OF-WAY DESCRIBED BELOW IS HEREBY VACATED AND RETAINED AS UTILITY EASEMENT:

The 60-foot right-of-way of G Road from the southeast corner of Lot 1, Block 1 Partee Heights, west to the northwest corner of Lot 5, Block 1 of Ptarmigan Estates.

Denied

INTRODUCED for FIRST READING and PUBLICATION this 3rd day of January, 1996.

PASSED on SECOND READING this 17th day of January, 1996.

ATTEST:

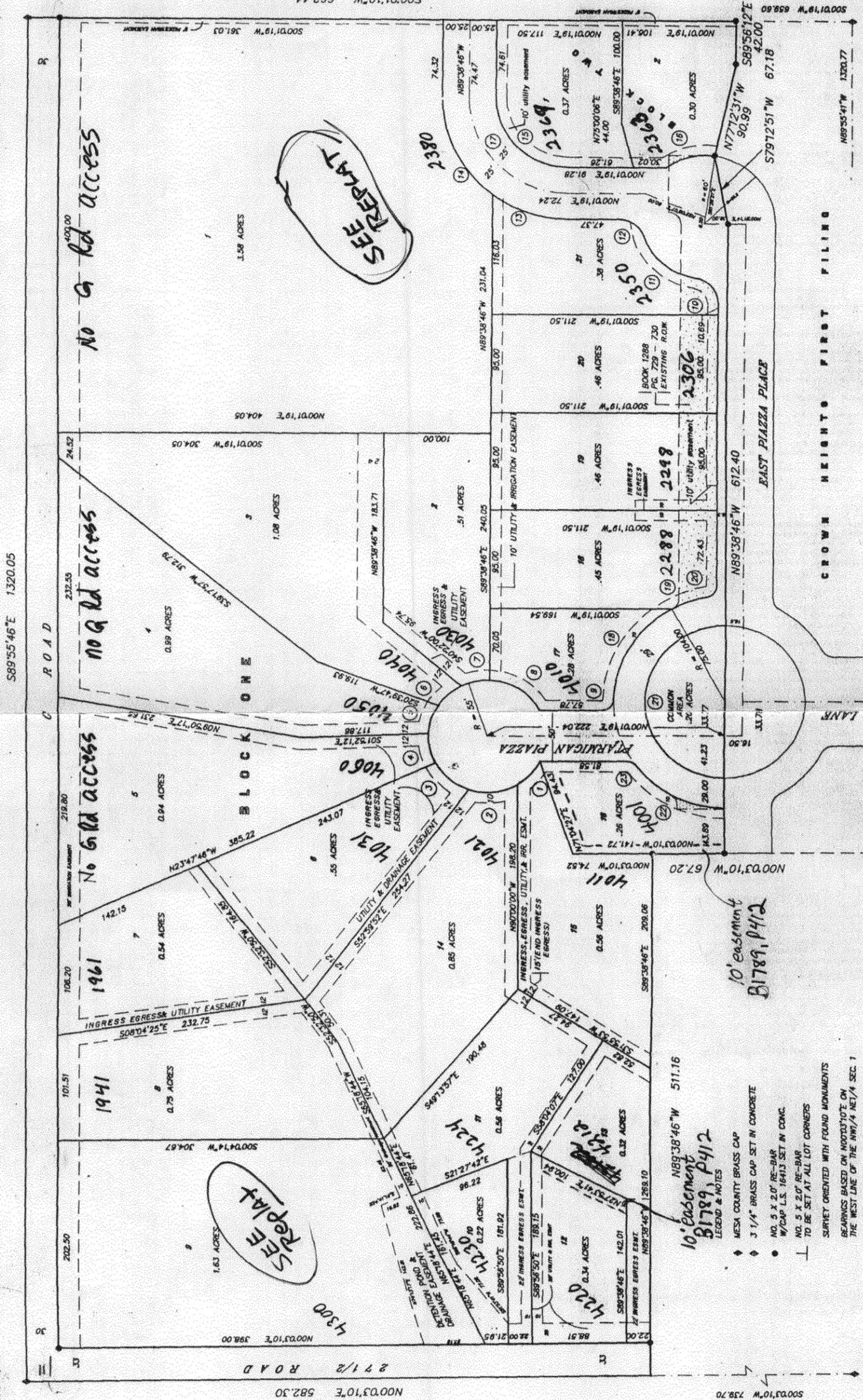
City Clerk

President of Council

Lot 9 can be split into 2 lots
 Lot 1 " " " " 4 lots
 otherwise no resub, as per covenants

RL

NW 1/4 CORNER
 NW 1/4 NE 1/4
 SECTION 1
 T15S, R17W, U4M



S89°55'46"E 1320.05

CROWN HEIGHTS ROAD

NO G Rd access

NO G Rd access

NO G Rd access

BLOCK ONE

NO G Rd access

NW 1/4 CORNER
 NW 1/4 NE 1/4
 SECTION 1
 T15S, R17W, U4M

S00°03'10"E 582.30

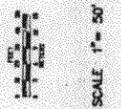
2 1/2 ROAD

NO G Rd access

SEE REPLAT

NO G Rd access

NOTE: 40' REAR EASEMENT
 ALONG EAST SUB. LINES
 WITH 25' NO STRUCTURE
 ZOMB. KCM



SE CORNER
 NW 1/4 NE 1/4
 SECTION 1
 T15, R17W, U4M

PTARMIGAN ESTATES
 FINAL PLAT

FOR: JOEY STEPHENSON

DATE: 1/16/90

Q.E.D. SURVEYING SYSTEMS INC.
 1015 S. 10th St. CO
 GRAND JCT. CO
 (303) 941-2370

SHEET NO. 2 OF 3

FILE: 89105

AREA SUMMARY

ROADS =	2.38 ACRES	12.58%
LOTS =	16.40 ACRES	86.30%
COMMON AREA =	0.20 ACRES	1.05%
TOTAL =	18.99 ACRES	100.00%

SW CORNER
 NW 1/4 NE 1/4
 SECTION 1
 T15, R17W, U4M

LEGEND & NOTES

- 3 1/4" BRASS CAP SET IN CONCRETE
- NO. 5 X 2.0" RE-BAR W/CAP L.S. 16413 SET IN CONC.
- NO. 5 X 2.0" RE-BAR TO BE SET AT ALL LOT CORNERS
- SURVEY ORIENTED WITH FOUND MONUMENTS
- BEARINGS BASED ON N00°01'01"E ON THE WEST LINE OF THE NW 1/4 NE 1/4 SEC. 1

10' easement
 B1789, P412

10' easement
 B1789, P412

10' easement
 B1789, P412