

CITY OF GRAND JUNCTION

Ordinance No. 2940

VACATING A 15 FOOT UTILITY AND IRRIGATION EASEMENT AND A  
50 FOOT DRAINAGE DITCH RIGHT-OF-WAY TO ACCOMMODATE  
CONSTRUCTION OF A MOBILE HOME PARK LOCATED ON LOT 2  
DARWIN SUBDIVISION AT THE NORTHEAST CORNER  
OF 28 1/4 ROAD AND GUNNISON AVENUE

Recitals.

To accommodate the construction of the James Park Mobile Home Park located at the northeast corner of 28 1/4 Road and Gunnison Avenue, certain easements are being vacated and relocated through the development process. There are no utilities identified in the utility easement to be vacated. A utility easement will be dedicated in an alternate location to serve this development. The Goodwill Drain is being relocated into the 28 1/4 Road right-of-way.

At its May 7, 1996 hearing, the Grand Junction Planning Commission recommended approval of vacation of the following described easements.

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

City Council finds that the vacation meets the criteria set forth in Section 8-3 of the Zoning and Development Code, including the following:

8-3-1 The proposal does not land lock any parcel of land;

8-3-2 The proposal does not restrict access to any parcel of land;

8-3-3 The proposal has no adverse impacts on the health, safety, and/or welfare of the general community. It does not reduce the quality of utility services because easements will be rededicated in alternate locations to accommodate needed utilities to serve adjacent properties;

8-3-4 The proposal does not conflict with adopted plans and policies;

8-3-5 The proposal benefits the City indirectly by allowing for better efficiency of land area within the mobile home park. At least four additional spaces are gained with the relocation of the easements. Mobile homes parks provide affordable housing alternatives in Grand Junction. The Goodwill Drain is to be undergrounded, relieving maintenance requirements for the drainage district;

Grand Junction Drainage District has agreed to the vacation and relocation of the Goodwill Drain as evidenced by the attached letter from John Ballagh dated July 30, 1996;

in accordance therewith the following described 15 foot utility and irrigation easement located in Lot 2, Darwin Subdivision as recorded in Plat Book 12 at Page 303 in the office of the Mesa County Clerk and Recorder, the south line of which is described as follows:

Commencing at the northwest corner of said Lot 2; thence S00°05'05"E a distance of 584.15 feet along the west line of said Lot 2, to the point of beginning;  
thence S70°06'36"E a distance of 133.74 feet;  
thence S87°37'08"E a distance of 153.95 feet;  
thence S31°19'43"E a distance of 43.81 feet;  
thence S90°00'00"E a distance of 150.71 feet to the point of terminus, being the southeast corner of said Lot 2.

and the 50 foot Grand Junction drainage ditch right-of-way located in Lot 2, Darwin Subdivision as recorded in Plat Book 12 at Page 303 in the office of the Mesa County Clerk, being 25 feet on each side of the following described center line:

Commencing at the northwest corner of said Lot 2; thence S00°05'05"E a distance of 610.75 feet along the west line of said Lot 2, to the point of beginning;  
thence S70°06'36"E a distance of 128.51 feet;  
thence S87°37'08"E a distance of 144.42 feet;  
thence S31°19'43"E a distance of 15.21 feet to the point of terminus.

are hereby vacated. The vacation of each and/or both of the preceding easement and right-of-way is expressly contingent upon recordation of an instrument depicting and describing a 15 foot wide utility and irrigation easement along the west boundary of Lot 2, Darwin Subdivision adjacent to 28 1/4 Road as required by the City. The vacation of the drainage ditch right-of-way is expressly contingent upon the relocation of the drain into the City right-of-way.

INTRODUCED for FIRST READING and PUBLICATION this 17th day of July, 1996

PASSED on SECOND READING this 7th day of August, 1996.

ATTEST:

/s/ Stephanie Nye  
City Clerk

/s/ Linda Afman  
President of City Council

GRAND JUNCTION DRAINAGE DIST,

722 23 ROAD P.O. BOX 55246 GRAND JUNCTION, CO 81505  
(303) 242-4343

July 30, 1996

Mr. Bill Nebeker  
City Development Department  
City of Grand Junction  
250 North 5th Street  
Grand Junction, CO 81501

Re: DARWIN SUBDIVISION, LOT 2

Dear Bill,

The Grand Junction Drainage District is willing to let the developer of the proposed JAMES PARK, a development on Lot 2 DARWIN SUBDIVISION, relocate the GOODWILL DRAIN. The plans for relocation show that the drain will be in road right-of-way of 28 I./4 Road and Gunnison Avenue. Accepting the relocation will negate the District's need for the easement granted on the plat of DARWIN SUBDIVISION.

Sincerely,  
Grand Junction Drainage District

John L. Ballagh, Manager  
cc: John Davis  
Ward Scott

RECEIVED GRAND JUNCTION  
PLANNING DEPARTMENT

JULY 31, 1996

