

CITY OF GRAND JUNCTION, COLORADO

Ordinance No. 3006

VACATING A PORTION OF A GENERAL UTILITIES EASEMENT
IN PHEASANT RUN, SPRING VALLEY FILING 6

Recitals.

The plat for Spring Valley Filing 6, within which the property at 3530 Senna Way is located, created a 10-foot easement along the southern lot line of that parcel. Rather than being centered on the property line as is typically done, the entire 10-foot easement is on the 3530 Senna Way property. There may have been some confusion at the time the existing residence on the property was constructed in 1981 as to whether the easement was centered or not, but for whatever reason, the existing home encroaches in the easement by 10 feet. It appears that this encroachment occurred with the original construction not with a later addition to the residence.

This encroachment was identified during recent title work being prepared for the property. The encumbrance on the property renders the property unsaleable through conventional financing methods. Therefore, the property owners have requested that five feet of the easement be vacated in order to clear the title.

Both research done by the owners and comments on the proposal through the review process determined that there are no utilities located in the easement.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THAT PORTION OF THE UTILITIES EASEMENT DESCRIBED BELOW IS HEREBY VACATED:

The north 5 feet of the 10-foot utility easement on the south side of Lot 5, Block 14 of Pheasant Run, Spring Valley Filing 6, Mesa County, Colorado.

INTRODUCED for FIRST READING and PUBLICATION this 2nd day of April, 1997.

PASSED on SECOND READING this 16th day of April, 1997.

ATTEST:

/s/ Theresa F. Martinez
Deputy City Clerk

/s/ Linda Afman
President of Council