

CITY OF GRAND JUNCTION, COLORADO

Ordinance No. 3016

VACATING A PORTION OF A UTILITIES, DRAINAGE AND IRRIGATION EASEMENT  
IN THE VICINITY OF THE NORTHWEST CORNER OF 28 AND PATTERSON ROADS

Recitals.

The Pheasant Ridge Estates project is located on a vacant parcel of land just west of the Spring Valley Townhouses northwest of the 28 and Patterson Road intersection. A Final Plan and Plat for Pheasant Ridge has been approved by Planning Commission. Staff has approved the construction plans and work is underway on the infrastructure. As excavation work commenced on the sewer and storm sewer systems in the northwest corner of the property, it was determined that some existing irrigation lines and facilities needed to be relocated. These lines apparently belong to the City Parks and Recreation Department and to the Spring Valley Homeowners' Association. In researching whether these lines were in easements on the property, it was discovered that an easement along the northern property line was platted in error in the early 1980s. The easement was platted as being 30 feet wide but only shown as a 25-foot easement that appears on the initial plat of this parcel and on the current titlework for the property. The design and plans for Pheasant Ridge were all based on the easement being only 25 feet wide as the building envelopes for the proposed residences coincide with the 25-foot limit. Therefore, the developer is requesting that the 5 feet of the easement (which is assumed to not be needed) be vacated at this time. The developer's surveyor shows that there are no existing lines in this southern 5 feet of the easement.

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

A portion of the southerly five feet of an easement shown as a 40-foot utility, drainage and irrigation easement adjoining and contiguous with the southerly line of Block 5 Pheasant Run Spring Valley Filing No. 5 according to the plat thereof recorded in Book 11 at Pages 338 & 339 of the Mesa County records; the vacated portion of said easement being more particularly described as follows:

Beginning at a point on the southerly line of said Block 5, also being the south line of said 40' utility, drainage and irrigation easement, whence the southeast corner of Lot 28 of said Block 5 bears South 89 degrees 46 minutes East a distance of 291.52 feet; thence North 59 seconds West a distance of 5 feet; thence five feet northerly of and parallel with the southerly line of said Block 5, South 89 degrees 46 minutes East a distance of 718.52 feet; thence South 00 degrees West a distance of 5 feet to the southerly line of said Block 5; thence along said southerly line North 89 degrees 46 minutes West a distance of 718.52 feet to the Point of Beginning.

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

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

ATTEST:

/s/ Stephanie Nye  
City Clerk

/s/ Janet Terry  
President of Council