

CITY OF GRAND JUNCTION, COLORADO

Ordinance No. 3041

VACATING VARIOUS DRAINAGE, IRRIGATION, UTILITY AND MULTIPURPOSE
EASEMENTS IN THE NORTH MALL SUBDIVISION

Recitals:

A request to vacate various easements in the North Mall Subdivision to permit replatting of the lands into the proposed Home Depot U.S.A., Inc. Subdivision and development of a retail center.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE EASEMENTS DESCRIBED BELOW ARE HERBY VACATED AND THAT SAID VACATION SHALL BECOME EFFECTIVE UPON PLATTING OF THE HOME DEPOT U.S.A., INC. SUBDIVISION:

1) A twenty-foot wide utility easement described in Book 1521 at Page 816 of the Mesa County records, being more particularly described as follows:

Beginning at the Southwest corner of Northmall Subdivision;
thence North 00°06'21" East along the west line of said Northmall Subdivision, a distance of 240.00 feet;
thence North 89°59'40" East along the north line of said Northmall Subdivision, a distance of 349.96 feet;
thence South 00°00'20" East, a distance of 20.00 feet;
thence South 89°59'40" West, a distance of 330.00 feet;
thence South 00°06'21" West, a distance of 220.00 feet;
thence South 89°59'40" West, a distance of 20.00 feet along the south line of said Northmall Subdivision to the Point of Beginning.

Containing 0.26 acres, more or less.

2) A fifty-foot ingress, egress and sewer easement recorded on the plat of Northmall Subdivision recorded in the Mesa County records, being more particularly described as follows:

Beginning at the Southwest corner of said Northmall Subdivision;
thence North 00°06'21" East along the west line of said Northmall Subdivision, a distance of 50.00 feet;
thence North 89°59'40" East, a distance of 642.78 feet;
thence 412.88 feet along the arc of a 600.00 foot radius tangent curve to the right, through a central angle of 39°25'38", with a chord bearing South 70°17'30" East, a distance of 404.78 feet;

thence radial to said curve, South $39^{\circ}25'19''$ West along the east line of said Northmall Subdivision, a distance of 50.00 feet to the beginning of a 550.00 foot radius curve concave to the south radial to said line;
thence with the southerly boundary of said Northmall Subdivision northwesterly and westerly 378.48 feet along the arc of said curve, through a central angle of $39^{\circ}25'39''$, with a chord bearing North $70^{\circ}17'30''$ West, a distance of 371.05 feet;
thence continuing with the southerly boundary of said Northmall Subdivision South $89^{\circ}59'40''$ West tangent to said curve, a distance of 642.88 feet to the Point of Beginning.

Containing 1.19 acres, more or less.

3) A twenty-foot utility and irrigation easement referenced on the plat of Northmall Subdivision recorded in the Mesa County records, being more particularly described as follows:
Beginning at the Southwest corner of said Northmall Subdivision;
thence North $00^{\circ}06'21''$ East along the west line of said Northmall Subdivision, a distance of 20.00 feet;
thence North $89^{\circ}59'40''$ East, a distance of 642.85 feet;
thence 392.24 feet along the arc of a 570.00 foot radius tangent curve to the right, through a central angle of $39^{\circ}25'38''$, with a chord bearing South $70^{\circ}17'30''$ East, a distance of 384.54 feet;
thence along the east line of said Northmall Subdivision radial to said curve, South $39^{\circ}25'19''$ West, a distance of 20.00 feet to the beginning of a 550.00 foot radius curve concave to the south radial to said line;
thence along the southerly line of said Northmall Subdivision northwesterly and westerly 378.48 feet along the arc of said curve, through a central angle of $39^{\circ}25'38''$, with a chord bearing North $70^{\circ}17'30''$ West, a distance of 371.05 feet;
thence South $89^{\circ}59'40''$ West tangent to said curve, a distance of 642.88 feet to the Point of Beginning.

Containing 0.47 acres, more or less.

4) A ten-foot utility and drainage easement recorded on the plat of Northmall Subdivision recorded in the Mesa County records, being more particularly described as follows:
Beginning at the northwest corner of said Northmall Subdivision;
thence North $89^{\circ}59'40''$ East along the north line of said Northmall Subdivision, a distance of 1,095.30 feet;
thence South $00^{\circ}09'17''$ West along the east line of said Northmall Subdivision, a distance of 240.00 feet;
thence continuing along said line south $39^{\circ}25'18''$ West, a distance of 162.04 feet; to the beginning of a 550.00 foot radius curve concave to the southwest radial to said line;
thence with the southerly line of said Northmall Subdivision northwesterly 10.00 feet along the arc of said curve, through a central angle of $01^{\circ}02'30''$, with a chord bearing North $51^{\circ}05'56''$ West, a distance of 10.00 feet to a point of cusp;
thence North $39^{\circ}25'18''$ East, a distance of 158.56 feet;
thence North $00^{\circ}09'17''$ East, a distance of 226.40 feet;
thence South $89^{\circ}59'40''$ West, a distance of 1,085.27 feet;

thence North $00^{\circ}06'20''$ West, a distance of 10.00 feet to the Point of Beginning.

Containing 0.34 acres, more or less.

5) A fourteen-foot multi-purpose easement recorded on the plat of Northmall Subdivision recorded in the Mesa County records, being more particularly described as follows:
Beginning at the Southwest corner of said Northmall Subdivision;
thence North $00^{\circ}06'21''$ East along the west line of said Northmall Subdivision, a distance of 14.00 feet;
thence North $89^{\circ}59'40''$ East, a distance of 642.85 feet;
thence 388.11 feet along the arc of a 564.00 foot radius tangent curve to the right, through a central angle of $39^{\circ}25'38''$, with a chord bearing South $70^{\circ}17'30''$ East, a distance of 380.50 feet;
thence radial to said curve, South $39^{\circ}25'18''$ West along the easterly line of said Northmall Subdivision, a distance of 14.00 feet to the beginning of a 550.00 foot radius curve concave to the south radial to said line;
thence with the southerly line of said Northmall Subdivision northwesterly and westerly 378.48 feet along the arc of said curve, through a central angle of $39^{\circ}25'38''$, with a chord bearing North $70^{\circ}17'30''$ West, a distance of 371.05 feet;
thence continuing with said southerly line South $89^{\circ}59'40''$ West tangent to said curve, a distance of 642.88 feet to the Point of Beginning.

Containing 0.33 acres, more or less.

INTRODUCED for FIRST READING and PUBLICATION this 7th day of January, 1998.

PASSED on SECOND READING this 21st day of January, 1998.

ATTEST:

/s/ Stephanie Nye
City Clerk

/s/ Janet L. Terry
President of City Council