

CITY OF GRAND JUNCTION, COLORADO

Ordinance No. 3054

VACATING ALLEY RIGHT-OF-WAY  
NORTH OF HIGHWAY 50 AND EAST OF PALISADE STREET

Recitals:

This ordinance vacates two parcels that are within a portion of the north south alley right-of-way between Palisade Street and Linden Avenue and between Highway 50 and the Orchard Mesa Irrigation Waste Ditch. The vacated areas are unimproved and have poor access due to the waste ditch on the north side and private property in the area formerly known as the Dominquez Avenue right-of-way. The vacated areas will be retained as utility easements and to facilitate access the petitioner has dedicated a 20 foot wide utility easement to the City of Grand Junction between the two vacated parcels.

The Planning Commission, having heard and considered the request and found the criteria of the Code to have been met, recommends that the vacation be approved.

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

1. The following described right-of-way areas "Parcel One and Parcel Two" are hereby vacated:

PARCEL ONE:

A strip of land situated in the NE1/4 Section 26, Township 1 South, Range 1 West, Ute Meridian being described as follows:

Beginning at the SE corner of Lot 28, Block 22, ORCHARD MESA HEIGHTS, according to the official plat thereof recorded in Plat Book No. 1 at Page 16, Official Records of Mesa County, Colorado, and considering the East line of Block 22, ORCHARD MESA HEIGHTS, to bear N00°00'00"E and all bearings contained herein to be relative thereto:

thence N90°00'00"E 10.00 feet;

thence N00°00'00"E 37.50 feet;

thence N90°00'00"E 10.00 feet to the West line of Lot 10, Block 22, ORCHARD MESA HEIGHTS;

thence S00°00'00"E 237.50 feet to the SW corner of lot 19, Block 22, ORCHARD MESA HEIGHTS;

thence N90°00'00"W 20.00 feet to the SE corner of lot 20, Block 22, ORCHARD MESA HEIGHTS:

thence N00°00'00"E 200.00 feet to the Point of Beginning, containing 43,750 square feet as described.

PARCEL TWO:

A strip of land situated in the NE1/4 Section 26, Township 1 South, Range 1 West, Ute Meridian being described as follows:

Beginning at the NE corner of Lot 16, Block 25, ORCHARD MESA HEIGHTS, according to the official plat thereof recorded in Plat Book No. 1 at Page 16, Official Records of Mesa County, Colorado, and considering the East line of Block 22, ORCHARD MESA HEIGHTS, to bear N00°00'00"E and all bearings contained herein to be relative thereto:

thence N90°00'00"E 20.00 feet to the NW corner of Lot 1, Block 25, ORCHARD MESA HEIGHTS;

thence S00°00'00"E 55.33 feet to the Northerly right-of-way for U.S. Highway 50;

thence N65°29'11"W 21.98 feet along the Northerly right-of-way for U.S. Highway 50 to the intersection with the East line of Lot 15, Block 25, ORCHARD MESA HEIGHTS;

thence N00°00'00"E 46.21 feet to the Point of Beginning, containing 1015.5 square feet as described.

Reservation of Vacated Parcel One and Parcel Two as Utility Easements:

The above vacated right-of-way provided for in this Ordinance is subject to the reservation and retention by the City of a public utilities easement, for use by the City or any other public utility, for the installation, operation, maintenance, relocation and repair of existing and/or future utilities, together with the right of ingress and egress for workers and equipment, on, along, over, under, through and across the entire area of the hereinabove vacated right-of-way.

The present and future owners of the real property to which the hereinabove vacated right-of-way shall revert and become attached to shall not burden or overburden the reserved and retained public utilities easement by erecting or placing any improvements or structures thereon which might act to damage the functional use and/or integrity of existing and/or future utilities situated therein or which might act to prevent reasonable ingress and egress for workers and equipment on, along, over, under through and across said reserved and retained public utilities easement.

INTRODUCED for FIRST READING and PUBLICATION this 18th day of March, 1998.

PASSED on SECOND READING this 1st day of April, 1998.

ATTEST:

/s/ Stephanie Nye  
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City Clerk

/s/ Janet L. Terry  
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President of City Council