

CITY OF GRAND JUNCTION, COLORADO

Ordinance No. 3063

VACATING SOUTH 125 FEET OF THE NORTH SOUTH ALLEY
BETWEEN PITKIN AND SOUTH AVENUES AND
BETWEEN 6TH AND 7TH STREETS

Recitals:

By ordinance the south 125 feet of the north south alley between Pitkin and South Avenues and between 6th and 7th Streets is to be vacated. The vacated area has no surface improvements and is anticipated to be incorporated into the site design of the Mesa County Work-Release Program. A condition of approval of vacation is the relocation by the property owner at its sole and absolute cost the sewer line as determined to be acceptable to the Public Works and Utilities Department. The owner has granted and affirms an assent to title granting of a temporary utility easement over, through and in the area described. Such temporary utility easement will be released after the City has accepted if at all, the new sewer line together with a permanent utility easement acceptable to the City.

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 alley right-of-way is hereby vacated and retained as a temporary utility easement as specified in items 2 and 3 below which shall burden the property until such time as released by the City:

A strip of land situated in the SW1/4 Section 14, Township 1 South, Range 1 West, Ute Meridian being described as follows:

Beginning at the Southeast corner of Lot 21 in Block 149, City of Grand Junction;
thence North 125 feet to the Northeast corner of Lot 21 of said Block 149;
thence East 20 feet to the Northwest corner of Lot 16 of said Block 149;
thence South 125 feet to the Southwest corner of Lot 20 of said Block 149;
thence West 20 feet to the Point of Beginning, containing 2,500 square feet as described.

2. 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 described right-of-way.

3. The present and future owners of the real property to which the right-of-way shall revert and become attached, 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 or may be reasonably concluded 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 17th day of June, 1998.

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

ATTEST:

/s/ Stephanie Nye
City Clerk

/s/ Janet L. Terry
President of City Council