

CITY OF GRAND JUNCTION

Ordinance No. 3156

VACATING BOEING STREET EAST OF 28 ROAD

Recitals.

In conjunction with a request to subdivide Grand View Subdivision Filing 4, the applicant requests that Boeing Street be vacated. Boeing Street is a 200 foot long cul-de-sac beginning in the Garfield View Subdivision on the east side of 28 Road, and ending within Grand View Subdivision Filing 4 at lot 2 & 3, block 1. The street has never been constructed and serves no useful purpose. None of the three lots with frontage on this street use it for access, other than for driveway purposes. All of the lots have access on another public street. A utility easement must to be retained within the vacated street along 28 Road and just west of the Grand View property line.

At its June 8, 1999 hearing the Planning Commission found that the right-of-way vacation conforms to the criteria in Section 8-3 in the Zoning and Development Code and recommends approval of the vacation.

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

City Council finds that the vacation meets the criteria set forth in Section 8-3 of the Grand Junction Zoning and Development Code and in accordance therewith the following described right-of-way is hereby vacated:

All of Boeing Street as dedicated on the plat of Garfield View Subdivision, situate in the Northwest $\frac{1}{4}$ of Section 6, Township 1 South, Range 1 East of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, as recorded in Plat Book 10 at Page 56 in the office of the Mesa County Clerk and Recorder, being more particularly described as follows:

Beginning at the northwest corner of Lot 2 of said Garfield View Subdivision, and considering the north line of said Lot 2 to bear S $89^{\circ}53'35''$ E with all bearings contained herein to be relative thereto; thence S $89^{\circ}53'35''$ E along said north line a distance of 135.04 feet to the northeast corner of said Lot 2; thence 261.80 feet along the arc of a curve concave to the west, whose radius is 50.00 feet, whose chord bears N $00^{\circ}03'42''$ E a distance of 50.00 feet and whose radius point is located at the end of a line that bears N $60^{\circ}03'42''$ E a distance of 50.00 feet from the beginning of the curve; thence N $89^{\circ}53'35''$ W along the south line of Lot 3 of said Garfield View Subdivision a distance of 135.04 feet to the southwest corner of said Lot 3; thence S $00^{\circ}03'50''$ W along the east right of way line for 28 Road a distance of 50.00 feet to the point of beginning, containing 0.33 acres more or less.

reserving unto the City, for the use and benefit of the City, the Public Utilities and the Persigo 201 Sewer System, a ten (10) foot wide perpetual easement for the installation, operation, maintenance, repair and replacement of public utilities, including, but not limited to, electric lines and facilities appurtenant thereto, telecommunications lines and facilities appurtenant thereto, natural gas lines and facilities appurtenant thereto, sanitary sewer lines and facilities appurtenant thereto, water lines and facilities appurtenant thereto, on, along, over, under, through and across the following portion of the above described right-of-way for Boeing Street:

Beginning at the northeast corner of Lot 2 of Garfield View Subdivision as recorded in Plat Book 10 at Page 56 in the office of the Mesa County Clerk and Recorder; thence N 00°03'42" E a distance of 50.00 feet to the southeast corner of Lot 3 of said Garfield View Subdivision; thence N 89°53'35" W along the south line of said Lot 3 a distance of 10.00 feet; thence S 00°03'42" W a distance of 50.00 feet to a point on the north line of said Lot 2; thence S 89°53'35" E along the north line of said Lot 2 a distance of 10.00 feet to the point of beginning, containing 500.00 square feet.

and also reserving unto the City, for the use and benefit of the City, the Public Utilities and the Persigo 201 Sewer System, a fourteen (14) foot wide perpetual multi-purpose easement for the installation, operation, maintenance, repair and replacement of public utilities and facilities, including, but not limited to, electric lines and facilities appurtenant thereto, telecommunications lines and facilities appurtenant thereto, natural gas lines and facilities appurtenant thereto, sanitary sewer lines and facilities appurtenant thereto, water lines and facilities appurtenant thereto, street lighting, street signs, and drainage facilities, on, along, over, under, through and across the following portion of the above described right-of-way for Boeing Street:

Beginning at the northwest corner of Lot 2 of Garfield View Subdivision as recorded in Plat Book 10 at Page 56 in the office of the Mesa County Clerk and Recorder; thence N00°03'50" E along the east right of way for 28 Road a distance of 50.00 feet to the southwest corner of Lot 3 of said Garfield View Subdivision; thence S 89°53'35" E along the south line of said Lot 3 a distance of 14.00 feet; thence S 00°03'50" W a distance of 50.00 feet to a point on the north line of said Lot 2; thence N 89°53'35" W along the north line of said Lot 2 a distance of 14.00 feet to the point of beginning, containing 700.00 square feet.

All easements reserved hereby shall include the right of ingress and egress for workers and equipment to survey, operate and utilize said easements and to remove objects interfering therewith, including the trimming of trees and bushes, and also including the removal of any structure or any other item or fixture which may be detrimental to the facilities of the City, the Public Utilities or the Persigo 201 Sewer System, or which may act to impede or prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across said easements.

INTRODUCED for FIRST READING and PUBLICATION this 16th day of June, 1999.

PASSED on SECOND READING this 7th day of July, 1999.

ATTEST:

/s/ Stephanie Nye
City Clerk

/s/ Gene Kinsey
President of City Council