

CITY OF GRAND JUNCTION

Ordinance No. 3230

VACATING A PORTION OF THE PUBLIC RIGHT-OF-WAY
FOR SOUTH COMMERCIAL DRIVE BETWEEN WEST PINYON AVENUE AND
NORTHGATE DRIVE

Recitals:

This ordinance vacates the western 10 feet of a 60-foot wide right-of-way on South Commercial Drive. All relevant utility companies have agreed to the vacation and the Staff recommends approval with the condition that a multi-purpose easement be reserved by the City prior to the vacation being effective.

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

NOW, THERE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION;

1. That the following described public right-of-way is hereby vacated:

That portion of an existing 60 foot right-of-way situated on South Commercial Drive in the City of Grand Junction, more particularly described as:

A strip of land currently dedicated as a part of South Commercial Drive as platted on Westgate Park Subdivision, situate in the NW $\frac{1}{4}$ of Section 10, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the southeast corner of Lot 1 of Commonwealth Subdivision as found recorded in Plat Book 15 at Page 173 of the records of the Mesa County Clerk and Recorder (said southeast corner of Lot 1 also being the northeast corner of Lot 8, Block 5 of Westgate Park Subdivision as found recorded in Plat Book 12 at Page 134 of the records of said Mesa County Clerk and Recorder); thence N 00°06'00" W along the west right of way line for South Commercial Drive a distance of 137.01 feet to a point; thence 31.38 feet along said west right of way line and arc of a curve to the left, having a radius of 20.00 feet, a delta angle of 89°54'00" and a long chord bearing N 45°02'52" W a distance of 28.26 feet to a point; thence leaving said west right of way line N 90°00'00" E a distance of 22.36 feet to a point; thence along a line 10.00 feet east of and parallel with the west right of way line for said South Commercial Drive the following 3 courses:

- 1) 21.84 feet along the arc of a curve concave to the southwest, having a radius of 30.00 feet, a delta angle of 41°42'37" and a long chord bearing S 20°57'19" E a distance of 21.36 feet to a point;
- 2) S 00°06'00" E a distance of 645.70 feet;

- 3) 18.90 feet along the arc of a curve to the right, having a radius of 30.00 feet, a delta angle of $36^{\circ}05'43''$ and a long chord bearing $S 17^{\circ}56'52'' W$ a distance of 18.59 feet;

thence leaving said line $S 84^{\circ}11'06'' W$ a distance of 22.36 feet to a point north right of way line for West Pinyon Avenue; thence along the west right of way line for South Commercial Drive the following 2 courses:

- 1) 29.42 feet along the arc of a curve concave to the northwest, having a radius of 20.00 feet, a delta angle of $84^{\circ}17'06''$ and a long chord bearing $N 42^{\circ}02'33'' E$ a distance of 26.84;
- 2) $N 00^{\circ}06'00'' W$ a distance of 508.70 feet to the point of beginning, containing 6906.82 square feet more or less.

2. That the City hereby reserves and retains unto the City a Perpetual Multi-Purpose Easement, on, along, over, under, through and across the entire portion of the hereinabove described right-of-way, for the use and benefit of the City and for the use and benefit of the Public Utilities, as a perpetual easement for the installation, operation, maintenance, repair and replacement of utilities and appurtenances related thereto, including, but not limited to, electric lines, cable television lines, natural gas pipelines, sanitary sewer lines, water lines, telephone lines, storm drainage facilities, and also for the installation, operation, maintenance, repair and replacement of traffic control facilities, street lighting and grade structures.

INTRODUCED ON FIRST READING this 19th day of January, 2000.

PASSED and ADOPTED this 16th day of February, 2000.

ATTEST:

/s/ Stephanie Nye
City Clerk

/s/ Gene Kinsey
President of City Council