

CITY OF GRAND JUNCTION

Ordinance No. 3294

**VACATING A PORTION
OF 25 ROAD AND F1/2 ROAD
ADJACENT TO GARRETT ESTATES SUBDIVISION**

Recitals.

The developer of Garrett Estates Subdivision is requesting that 10-feet of 25 Road and 3-feet of F ½ Road adjacent to the approved subdivision be vacated. Garrett Estates is a 55 lot single family development on approximately 12.16 acres at the northeast corner of 25 Road and F ½ Road. Currently 25 Road has 40 feet of right-of-way on the east side and F ½ Road has 33-feet on the north side. The Major Street Plan designates both streets as Major Collectors, requiring 30-foot half streets. The applicant will be improving both streets as part of final plat approval. The excess right-of-way, if not vacated, must be landscaped and maintained by the homeowner's association. The applicant requests vacation to increase lot sizes and eliminate unnecessary maintenance by the homeowner's association.

At its September 12, 2000 hearing the Planning Commission found that the right-of-way vacation conforms with the approval criteria in Section 2.11C of the Grand Junction Zoning and Development Code with the condition that the vacating ordinance will not become effective until the plat for Garrett Estates has been recorded. The specific findings are found in the staff report in File #FP-2000-128.

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 2.11C of the Grand Junction Zoning and Development Code and in accordance therewith the following described right-of-way is hereby vacated with the provision that this ordinance will not become effective until the plat for Garrett Estates has been recorded:

A strip of land situated in the SW ¼ NW ¼ Section 3, T.1S, R.1W Ute Meridian, Mesa County, Colorado, being more particularly described as follows:

Commencing at the found Mesa County survey marker for the W ¼ corner of said Section 3, the basis of bearing being N00°03'01"E along the west line of said SW ¼ NW ¼ to the N 1/16 corner, being another said found Mesa County survey marker; Thence N00°03'01"E a distance of 30.00 feet;

Thence S89°59'47"E a distance of 30.00 feet to the point of beginning;
Thence N00°03'01"E a distance of 781.32.00 feet;
Thence N89°57'14"E a distance of 10.00 feet;
Thence S00°03'01"W a distance of 778.31 feet;
Thence S89°59'47"E a distance of 619.98 feet;
Thence S00°02'24"W a distance of 3.00 feet;
Thence N89°59'47"W a distance of 629.99.00 feet.
Said parcel contains 0.22 acres more or less.

INTRODUCED for FIRST READING and PUBLICATION this 20th day of
September, 2000

PASSED on SECOND READING this 4th day of October, 2000.

ATTEST:

/s/ Stephanie Nye
City Clerk

/s/ Gene Kinsey
President of City Council