

CITY OF GRAND JUNCTION

Ordinance No. 3384

**VACATING A PUBLIC RIGHT-OF-WAY AND RECREATIONAL EASEMENT
LOCATED ON REDLANDS MARKETPLACE SUBDIVISION
AT HIGHWAY 340 (BROADWAY) AND POWER ROAD**

Recitals.

The applicant has requested to vacate a 12-foot wide public right-of-way and recreational easement for the riverfront trail that was dedicated on the Redlands Marketplace final plat. When the riverfront trail in the southwest corner of this shopping center was reconstructed, it was placed in the wrong location, outside of the easement that was dedicated on the plat. Rather than remove and replace the trail it was decided to leave it in its current location, vacate the existing easement and rededicate a new one. Approval of this vacation will eliminate the easement where it exists now. A new easement will be dedicated concurrently with this vacation so the public interest will be protected.

At its September 11, 2001 hearing the City Planning Commission found that the request to vacate the right-of-way conforms to the review criteria set forth in Section 2.11C and recommended 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 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 condition that the vacation shall not become effective until a new right-of-way dedicated by separate instrument is recorded:

A 12-foot strip of land being part of Lots 1 and 2, Redlands Marketplace Subdivision, as recorded in Plat Book 17, Pages 232 and 233 of the Mesa County Records, in Section 15, Township 1 South, Range 1 West of the Ute Meridian, said easement extending 6 feet parallel on each side of herein described centerline:

Commencing at the Northwest corner of the Southwest Quarter Southwest Quarter (SW1/4 SW1/4) of Section 15, Township 1 South, Range 1 West, of the Ute Meridian, whence the Southwest corner of said Section 15 bears South 00 degrees 08 minutes 26 seconds East, a distance of 1346.76 feet for a basis of bearings, with all bearings contained herein relative thereto; thence South 33 degrees 33 minutes 55 seconds East, a distance of 415.00 feet to a point on the Northeasterly right-of-way line of Highway 340 and the POINT OF BEGINNING; thence North 83 degrees 54 minutes 43 seconds West, a distance of 17.47 feet; thence South 89 degrees 49 minutes 22

seconds West, a distance of 93.78 feet to POINT A and continuing for a total distance of 147.52 feet; thence North 54 degrees 37 minutes 51 seconds West, a distance of 59.53 feet; thence North 40 degrees 30 minutes 58 seconds West, a distance of 24.17 feet to POINT B and continuing for a total distance of 25.76 feet to the POINT OF TERMINUS; whence the Northwest corner of the SW 1/4 SW1/4 of said Section 15 bears North 00 degrees 08 minutes 26 seconds East, a distance of 290.37 feet. Extending and shortening sidelines to meet the existing boundary line.

AND BEGINNING at POINT A; thence North 00 degrees 00 minutes 00 seconds West, a distance of 32.72 feet to the POINT OF TERMINUS and being 5 feet parallel and offset on each side. Extending and shortening sidelines to meet the existing boundary line;

AND BEGINNING at POINT B; thence North 63 degrees 46 minutes 17 seconds East, a distance of 35.64 feet to the POINT OF TERMINUS and being 6 feet parallel and offset on each side. Extending and shortening sidelines to meet the existing boundary line.

Introduced on 1st reading this 3rd day of October, 2001.

PASSED and ADOPTED this 17th day of October, 2001.

ATTEST:

/s/ Stephanie Tuin
City Clerk

/s/ Cindy Enos-Martinez
President of City Council