

**Ordinance 2015-11**

**AN ORDINANCE VACATING A PORTION OF THE BRANDON DRIVE AND ELMONT COURT RIGHT-OF-WAY ADJACENT TO TRACT E IN THE BRANDON ESTATES FILING 1 SUBDIVISION**

**WHEREAS**, the subject right-of-way is located at the southeast corner of the intersection of Brandon Drive and Elmont Court as shown and described on attached Exhibit A, and

**WHEREAS**, the right-of-way has been determined to be unnecessary for the traffic circulation system in this area, and

**WHEREAS**, the Planning Commission recommended approval of the right-of-way vacation request at their August 12, 2014, public meeting as part of the review of the replat and rezone of a portion of the Brandon Estates Filing 1 subdivision, and

**WHEREAS**, the Fruita City Council finds that vacation of this right-of-way meets the approval criteria that must be met for a right-of-way vacation as identified in Section 17.13.080 of the Fruita Land Use Code if a 14-foot multi-purpose easement is retained along the edges of the right-of-way.

**NOW THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRUITA COLORADO AS FOLLOWS:**

**THAT** the City of Fruita hereby vacates the right-of-way as shown and described on attached Exhibit A with the condition that a 14-foot wide multi-purpose easement is retained along the edges of the right-of-way.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL, THIS  
7<sup>th</sup> DAY OF JULY, 2015.**

City of Fruita

---

Lori Buck, Mayor

ATTEST:

---

City Clerk

**EXHIBIT A**  
Ordinance 2015-11

**LEGAL DESCRIPTION**

A portion of the Brandon Drive and Derby Court right-of-way situated in the Southwest Quarter of the Southeast Quarter of Section 9, Township 1 North, Range 2 West, of the Ute Meridian, City of Fruita, Mesa County, Colorado, more fully described as follows:

Commencing at the southwest corner of the southeast quarter of Section 9, Township 1 North, Range 2 West, Ute Meridian and bearing N 89°54'52" E a distance of 678.47 feet, the basis of bearing being the Final Plat of the Brandon Estates Filing III subdivision recorded in Plat Book 4671, at Page 719, thence N 00° 00'00" E a distance of 681.38 feet to the Point of Beginning, thence S 90°0'00" E a distance of 21.00 feet, thence N 00°00'00" W a distance of 103.50 feet, thence a distance of 13.35 feet along the arc of a curve to the to the left having a radius of 8.50 feet and a central angle of 90°0'00", the chord of which bears N 45° 00'00" E a distance of 12.02 feet, thence N 90°00'00" E a distance of 96.80 feet, thence N 00°00'00" W a distance of 21.00 feet, thence N 90°00'00" W a distance of 109.87 feet, thence S 45°00'00" W a distance of 23.24 feet, thence S 00°00'00" E a distance of 116.56 feet to the Point of Beginning.

**LOCATION MAP**

