

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. 4861**

**AN ORDINANCE OF THE CITY OF GRAND JUNCTION, COLORADO  
ESTABLISHING THE GRAND JUNCTION DOS RIOS GENERAL IMPROVEMENT  
DISTRICT AND OTHER DETAILS RELATING THERETO**

**WHEREAS**, the City of Grand Junction (the "City") is a home-rule municipal corporation duly organized and existing under the laws of the State of Colorado and the City's Home Rule Charter; and

**WHEREAS**, the City has received a petition (the "Petition") to organize the Grand Junction Dos Rios General Improvement District (the "GID") within the City; and

**WHEREAS**, the Petition has been signed by Jennifer R. Taylor (the "Petitioner"), who is owner of one hundred percent (100%) of the taxable real property to be included in the GID, and contains a request, pursuant to Section 31-25-607(3.5), C.R.S., for a waiver of all requirements for an organizational bond, notice, publication and a hearing set forth in Sections 31-25-605, 606 and 607, C.R.S.; and

**WHEREAS**, the City Council of the City of Grand Junction ("Council") wishes to organize the GID and waive the notice, hearing, election and bond requirements because the Petition is signed by the owner of one hundred percent (100%) of the taxable real property to be included in the GID, pursuant to Section 31-25-607(4)(c), C.R.S.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION AS FOLLOWS:**

1. **Findings and Determinations.** The Council hereby finds and determines the following with respect to the Petition and proposed GID:

(a) The Petition is duly signed by the owners of one hundred percent (100%) of the taxable real property of the proposed GID, has been presented in conformity with Part 6, Article 25, Title 31, C.R.S., and contains a request for a waiver of all requirements for an organization bond, notice, publication and a hearing set forth in Sections 31-25-605, 606 and 607, C.R.S.

(b) The allegations of the Petition in all respects appear to be true.

(c) The creation of the GID and proposed improvements therein will confer a general benefit on the area of the GID.

(d) The organization of the GID will serve a public use and will promote the health, prosperity, security and general welfare of the inhabitants of and visitors to the City and the GID.

2. **Waiver of Notice, Hearing, Bond, and Election.** Pursuant to Section 31-25-607(3.5), C.R.S., the Council waives all requirements for notice, publication and a hearing, organizational bond, and the organization election set forth in Sections 31-25-606 and 607, C.R.S.; except that the Council will hold a public hearing on the question of adoption of this Ordinance pursuant to Section 51 of Article XI of the City's Home Rule Charter.

3. **Establishment of District.** In accordance with the provisions of Section 31-25-607(4)(c), C.R.S., the Council, having jurisdiction, power and authority under the law to adopt this Ordinance, hereby declares the GID organized and that it shall be known as the Grand Junction Dos Rios General Improvement District, by which, in all proceedings, it shall be known. The GID shall be a public or quasi-municipal subdivision of the State of Colorado and a body corporate with the powers set forth in Part 6, Article 25, Title 31, C.R.S. The ex officio Board of Directors of the GID shall be the Council. The GID may not, until authorized by the eligible voters thereof, incur any indebtedness or other financial obligations or liabilities.

4. **District Boundaries.** The GID is located entirely within the boundaries of the City and the legal description of the GID boundaries is set forth in Exhibit A hereto, and incorporated herein by this reference.

5. **District Improvements and Services.** A general description of the anticipated improvements to be acquired, constructed and installed within the GID and the services to be provided are as follows:

Improvements to be acquired, constructed, installed, operated and/or maintained may include, but are not limited to all utilities, gas, electric, water, storm sewer, sanitary sewer, drainage, all communications facilities such as cable, fiber, and broadband, roadways and alleyways, trails and sidewalks, environmental remediation, fill, street lights, landscaping, irrigation, public parking areas, signage, parks, and open space, together with land, easements and extensions of and improvements to said facilities within and without the boundaries of the District.

6. **Recording.** Within thirty (30) days after the effective date of this Ordinance, the City Clerk shall transmit for recording to the County Clerk and Recorder in Mesa County, Colorado, a copy of this Ordinance, including but not limited to, recording a certified copy of the Ordinance upon the public records of Mesa County, Colorado in accordance with the provisions of Section 31-25-608, C.R.S.

7. **Authorized Actions.** The City Manager, City Clerk, and City Attorney are authorized and directed to take all action necessary and appropriate to effectuate the provisions of this Ordinance.

8. **Ordinance Conclusive.** This Ordinance shall finally and conclusively establish the regular organization of the District against all persons unless an action attacking the validity of the organization is commenced in a court of competent

jurisdiction within thirty (30) days after the adoption of this Ordinance. Thereafter, any such action shall be perpetually barred.

9. **Repealer Clause.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.

10. **Severability.** If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall in no manner affect any remaining provision of this Ordinance.

**INTRODUCED ON FIRST READING AND ORDERED PUBLISHED** this 1<sup>st</sup> day of July, 2019.

**ADOPTED ON SECOND READING AND ORDERED PUBLISHED** this 17<sup>th</sup> day of July, 2019.



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President of City Council

Attest:

W Winkelman  
City Clerk



## EXHIBIT A

### LEGAL DESCRIPTION WITH BOUNDARY MAP

A certain parcel of land lying in the Southeast Quarter (SE 1/4) of Section 15, the Northeast Quarter (NE 1/4) of Section 22 (Government Lot 1) and the West Half (W-1/2) of Section 23, all within Township; 1 South, Range 1 West of the Ute Principal Meridian, City of Grand Junction, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of the lands lying East and North of the centerline (thalweg) of the Colorado River; West of the Westerly right of way for the Union Pacific Railroad Company; South of the South line of Lot 1, D & R G W Railroad Subdivision Filing One, as same is recorded in Plat Book 13, Page 363, Public Records of Mesa County, Colorado; West of the Northerly and Easterly lines of Lot 1, Jarvis Subdivision Filing One, as same is recorded with Reception Number 2790938, Public Records of Mesa County, Colorado; West of the Easterly right of way for that portion of the Riverside Parkway lying North of Lot 1 of said Jarvis Subdivision Filing One; East of the East right of way for Lawrence Avenue, as same is recorded by the plat of Joseph A. K. Crawford and Thomas B. Crawford Subdivision, as same is recorded in Plat Book 1, Page 23, Public Records of Mesa County, Colorado; South of the North right of way for Hale Avenue, said plat of Joseph A. K. Crawford and Thomas B. Crawford Subdivision; East of the West right of way for Park Avenue, per said plat of Joseph A. K. Crawford and Thomas B. Crawford Subdivision and South of the North line of Lot 17, Dos Rios Subdivision Filing One, as same is recorded with Reception Number 2880032, Public Records of Mesa County, Colorado.

LESS HOWEVER, the following described two (2) parcels of land:

1. Lot 12, Jarvis Subdivision Filing Three, as same is recorded with Reception Number 2834555, Public Records of Mesa County, Colorado
2. BEGINNING at the Northeast corner of Tract A, O'Boyles Sub-Division, as same is recorded in Plat Book 2, Page 43, Public Records of Mesa County, Colorado and assuming the South right of way for Hale Avenue bears S 89°56'43" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S 89°56'43" E, along said South right of way, a distance of 255.20 feet; thence S 00°13'53" W, a distance of 339.98 feet; thence N 89°56'44" W, a distance of 50.00 feet; thence S 00°13'53" W, a distance of 158.02 feet; thence N 89°56'44" W, a distance of 200.00 feet; thence N 00°13'53" E, a distance of 158.02 feet; thence N 89°56'44" W, a distance of 5.20 feet; thence N 00°13'53" E, a distance of 339.98 feet, more or less, to the Point of Beginning.

CONTAINING 135.54 Acres, more or less, as described above.



I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 4861 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 1<sup>st</sup> day of July, 2019 and the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, in pamphlet form, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the 17<sup>th</sup> day of July, 2019, at which Ordinance No. 4861 was read, considered, adopted and ordered published in pamphlet form by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 19<sup>th</sup> day of July, 2019.

  
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Deputy City Clerk

Published: July 03, 2019  
Published: July 19, 2019  
Effective: August 18, 2019