

ORDINANCE NO. 3592

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE CITY'S ORDINANCE NO. 3585; AUTHORIZING THE ISSUANCE OF THE CITY OF GRAND JUNCTION, COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY TAX INCREMENT REVENUE BONDS, SERIES 2003; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

Section 1. Definitions. Except as specifically modified herein, terms used in this Ordinance shall have the meanings specified in Ordinance 3585 adopted by the City Council on November 19, 2003 ("Ordinance 3585") for all purposes of this Ordinance.

Section 2. Recitals.

A. The City has previously adopted Ordinance 3585 which authorized the issuance of the City's Downtown Development Authority Tax Increment Revenue Bonds, Series 2003.

B. The City now wishes to amend certain provisions of Ordinance 3585 to: (i) reduce the aggregate principal amount of the 2003 Bonds and (ii) reduce the principal amount of the 2003 Bonds coming due on the December 22, 2007 maturity date.

C. The City has previously utilized \$4,824,500 of the existing authorization, leaving authorization of \$5,175,500 before issuance of the 2003 Bonds. Following the issuance of the 2003 Bonds, as hereby amended, the remaining authorization will be \$2,180,500.

Section 3. Authorization of 2003 Bonds; Reduction of Aggregate Principal Amount of 2003 Bonds. In accordance with the Constitution of the State, the Election, the Act, the Supplemental Act and all other laws of the State thereunto enabling, the City Council authorizes to be issued the 2003 Bonds. The aggregate principal amount of the 2003 Bonds shall be reduced from \$3,000,000 to \$2,995,000, and all references in Ordinance 3585 to \$3,000,000 in principal amount shall be revised to refer to \$2,995,000 in principal amount.

Section 4. Reduction in Principal Amount of 2007 Maturity. The 2003 Bonds shall mature on December 22 in the following years and in the following amounts:

<u>Maturity (December 22)</u>	<u>Principal Amount</u>
2004	\$690,000
2005	730,000
2006	770,000
2007	805,000

Section 5. Ratification. All actions heretofore taken (not inconsistent with the provisions of this Ordinance) by the City Council and other officers of the City in the creation of the Tax Increment Fund, the pledging of the Tax Increments (to the extent described herein) the implementation of the Project, and selling and issuing the 2003 Bonds for those purposes are ratified, approved and confirmed.

Section 6. Applicability of Supplemental Act. Section 11-57-204 of the Supplemental Public Securities Act, constituting Title 11, Article 57, part 2, Colorado Revised Statutes (the “Supplemental Act”), provides that a public entity, including the City, may elect in an act of issuance to apply all or any of the provisions of the Supplemental Act. The City Council hereby elects to apply portions of the Supplemental Act to the 2003 Bonds.

Section 7. Repealer. All bylaws, orders, resolutions and ordinances, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revise any bylaw, order, resolution or ordinance, or part thereof, heretofore repealed. Except as specifically amended herein, all the provisions of Ordinance 3585 shall be and remain in full force and effect.

Section 8. Ordinance Irrepealable. After any of the 2003 Bonds authorized by Ordinance 3585 as hereby amended are issued, this Ordinance and Ordinance 3585, taken together, shall constitute a contract between the City and the Owners of the 2003 Bonds, and this Ordinance and Ordinance 3585 shall be and remain irrepealable until the 2003 Bonds and interest thereon shall be fully paid, canceled and discharged as in Ordinance 3585 provided.

Section 9. Disposition of Ordinance. This Ordinance, as adopted by the City Council, shall be numbered and recorded by the City Clerk in the official records of the City. The adoption and publication shall be authenticated by the signatures of the President of the City Council and City Clerk, and by the certificate of publication.

Section 10. Declaration of Emergency; Effective Date. In order to deliver the 2003 Bonds to the Purchaser prior to the close of the current fiscal year and upon the favorable rates and terms set forth in the Purchaser's winning bid for the 2003 Bonds, the City Council hereby declares that an emergency exists and that this Ordinance shall be in full force and effect immediately upon passage.

INTRODUCED, FINALLY PASSED AND ORDERED PUBLISHED IN FULL  
this 17<sup>th</sup> day of December, 2003.

CITY OF GRAND JUNCTION, COLORADO

/s/ Jim Spehar  
President of the City Council

Attest:

/s/ Stephanie Tuin  
City Clerk

STATE OF COLORADO            )  
                                           )  
 COUNTY OF MESA                ) SS.  
                                           )  
 CITY OF GRAND JUNCTION    )

I, Stephanie Tuin, the City Clerk of the City of Grand Junction, Colorado (the “City”) and Clerk to the City Council of the City (the “Council”), do hereby certify that:

1. The foregoing pages are a true, correct and complete copy of an ordinance (the “Ordinance”) which was introduced as an emergency ordinance, and was duly adopted and ordered published in full by the Council at a regular meeting thereof held on December 17, 2003 which Ordinance has not been revoked, rescinded or repealed and is in full force and effect on the date hereof.

2. The Ordinance was duly moved and seconded, and the Ordinance was finally passed as an emergency ordinance at the meeting of December 17, 2003, by a unanimous affirmative vote of all of the members of the Council as follows:

<u>Councilmember</u>	<u>Voting “Aye”</u>	<u>Voting “Nay”</u>	<u>Absent</u>	<u>Abstaining</u>
Cindy Enos-Martinez	X			
Bruce Hill	X			
Dennis Kirtland	X			
Jim Spehar	X			
Gregg Palmer	X			
William McCurry	X			
Harry Butler	X			

3. The members of the Council were present at such meeting (which includes “presence” through telecommunications devices as permitted by Section 11-57-211 of the Supplemental Public Securities Act) and voted on the passage of such Ordinance as set forth above.

4. The Ordinance was approved and authenticated by the signature of the President of the Council, sealed with the City seal, attested by the City Clerk and recorded in the minutes of the Council.

5. There are no bylaws, rules or regulations of the Council which might prohibit the adoption of said Ordinance as an emergency.

6. Notice of the meeting of December 17, 2003, in the form attached hereto as Exhibit A was posted at City Hall in accordance with law.

7. The Ordinance was published in full in The Daily Sentinel, a daily newspaper of general circulation in the City, within three (3) days of its passage as required by the City Charter. A true and correct copy of the affidavit of publication is attached hereto as Exhibit B.

WITNESS my hand and the seal of the City affixed this 17th day of December, 2003.

/s/ Stephanie Tuin  
City Clerk and Clerk to the Council

(SEAL)

EXHIBIT A

(Notice of Meeting of December 17, 2003)

**GRAND JUNCTION CITY COUNCIL  
CITY HALL AUDITORIUM, 250 NORTH 5<sup>TH</sup> STREET  
AGENDA**

**WEDNESDAY, DECEMBER 17, 2003, 7:30 P.M.**

**CALL TO ORDER**

Pledge of Allegiance  
Invocation – Pastor Jim Hale, Spirit of Life Christian  
Fellowship

**PRESENTATION OF CERTIFICATE OF APPOINTMENT**

TO FORESTRY BOARD MEMBER

**PROCLAMATIONS / RECOGNITIONS**

PROCLAIMING JANUARY AS “VOLUNTEER BLOOD DONOR MONTH”

**APPOINTMENTS**

TO VISITOR AND CONVENTION BUREAU BOARD OF DIRECTORS

**SCHEDULED CITIZEN COMMENTS**

BERNIE BUESCHER – UPDATE ON THE D. O. E. LABORATORY CLOSURE

**\*\*\* CONSENT CALENDAR \*\*\***

1. **Minutes of Previous Meetings** **Attach 1**  
*Action: Approve the Summary of the December 1, 2003 Workshop and the Minutes of the December 3, 2003 Regular Meeting*
2. **Advertising Services Contract Renewal** **Attach 2**

This is the annual renewal of a contract with Hill & Company Integrated Marketing and Advertising to provide advertising services to the Visitor and Convention Bureau.

Action: Authorize the City Manager to Sign a Contract with Hill & Company Integrated Marketing and Advertising in the Amount of \$375,000.00.

Staff presentation: Debbie Kovalik, VCB Executive Director

3. **Special Event Funding Recommendations** **Attach 3**

Fourteen applications for funding were received. After review and discussion, the Visitor and Convention Bureau Board recommends funding the following events:

\$ 2,500	Colorado Mountain Winefest
\$ 2,650	Downtown Car Show
\$ 2,000	Wells Fargo Art & Jazz Festival
\$ 5,000	Grand Valley Arts Festival
\$ 600	Rim Rock Run
\$ 1,500	Annual Spring Barrel Tasting
\$ 1,500	Holiday Wine & Food Pairing
\$ 1,000	Tour of the Vineyards
\$ 3,000	Grand River Indian Artists Gathering
\$ 500	Rocky Mountain Adventure Race
\$ 1,800	Fruita Fat Tire Festival
\$ 400	Rose Hill Rally
\$22,450	

4. **Setting a Hearing for the Tomkins Annexation Located at 2835 & 2837 D Road** [File #ANX-13-360]

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 13.360 acre Tomkins Annexation consists of 2 parcels of land. A petition for annexation has been presented as part of a Preliminary Plan, in accordance with the 1998 Persigo Agreement with Mesa County.

a. **Referral of Petition, Setting a Hearing and Exercising Land Use Jurisdiction**

Resolution No. 119 -03 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation and Exercising Land Use Control, Tomkins Annexation Located at 2835 and 2837 D Road

®Action: Adopt Resolution No. 119-03

b. **Setting a Hearing of Proposed Ordinance**



Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Tomkins Annexation, Approximately 13.360 Acres, Located at 2836 and 2837 D Road

Action: *Introduction of Proposed Ordinance and Set a Hearing for February 4, 2004*

Staff presentation: Lori V. Bowers, Senior Planner

5. **Setting a Hearing on Rezoning Blue Heron Meadows, Located at 2587 G ½ Road** [File #RZ-2003-212] **Attach 5**

A request for approval to rezone 18 acres of land from RSF-2 (Residential single-family, not to exceed 2 units per acre) to RSF-4 (Residential single-family, not to exceed 4 dwelling units per acre) and set the Public Hearing for January 7, 2004.

Proposed Ordinance Zoning Blue Heron Meadows, 18 Acres of Land Located at 2587 G ½ Road

Action: *Introduction of Proposed Ordinance and Set a Hearing for January 7, 2004*

Staff presentation: Lori V. Bowers, Senior Planner

6. **Setting a Hearing for the Bogart Annexation Located at 563 22 ½ Road** [File #ANX-2003-254] **Attach 7**

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 4.791 acre Bogart Annexation consists of 1.409 acres parcel and 3.382 acres within the right-of-way. The Bogart Annexation is a part of a development proposal to split the property into 2 lots.

a. **Referral of Petition, Setting a Hearing and Exercising Land Use Jurisdiction**

Resolution No. 120-03 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation and Exercising Land Use Control, Bogart Annexation, Located at 563 22 ½ Road and Including a Portion of the 22 ½ Road and Highway 340 Rights-of-Way

Action: *Adopt Resolution No. 120-03*

b. **Setting a Hearing of Proposed Ordinance**

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Bogart Annexation, Approximately 4.791 Acres, Located at 563 22 ½ Road and Including a Portion of the 22 ½ Road and Highway 340 Rights-of-Way

Action: *Introduction of Proposed Ordinance and Set a Hearing for February 4, 2004*

Staff presentation: Senta Costello, Associate Planner

7. **Setting a Hearing on Vacating Right-of-Way on the Files Property Located at 631 26 ½ Road** [File #VR-2003-227] **Attach 8**

The petitioners, City of Grand Junction and the current property owners, Shirley Howard, Donald Files & Robert Files, wish to vacate an existing 30' right-of-way located west of 26 ½ Road, between the platted right-of-ways of F ½ Road and North Acres Road that was originally dedicated in 1969 but due to a legal description error, was incorrectly conveyed. The only utility that is located in this right-of-way is a sanitary sewer line that will be covered by the recording of a 20' Public Utilities Easement. The proposed vacation has never been utilized or constructed as a road right-of-way. The Planning Commission recommended approval at its December 16<sup>th</sup>, 2003 meeting.

Proposed Ordinance Vacating a 30' Wide Right-of-Way Located West of 26 ½ Road and South of the Grand Valley Canal and Reserving a 20' Public Utilities Easement Known As: 631 26 ½ Road

Action: *Introduction of Proposed Ordinance and Set a Hearing for January 7, 2004*

Staff presentation: Scott D. Peterson, Associate Planner

8. **Designate the Hetland House to the City Register of Historic Sites, Structures and Districts** [File #HBD-2003-02.02] **Attach 9**

Hospice and Palliative Care of Western Colorado, owner of the Lawrence and Amelia Miller residence located at 3090 North 12<sup>th</sup> Street, is requesting that the building be designated as historic in the City Register of Historic Sites, Structures and Districts.

Resolution No. 121-03 – A Resolution Designating the Lawrence and Amelia Miller Residence Located at 3090 North 12<sup>th</sup> Street in the City Register of Historic Sites, Structures and Districts

Action: *Adopt Resolution No. 121-03*

Staff presentation: Kristen Ashbeck, Senior Planner

9. **Sewer Plant Investment Fees**

**Attach 10**

Effective January 1, 2004, the Wastewater Treatment Plant Investment (PIF) shall be increased by \$250 to \$1,250 for a single family equivalent.  
Resolution No. 122-03 – A Resolution Adopting a Wastewater Plant Investment Fee Effective January 1, 2004

Resolution No. 122-03 – A Resolution Adopting a Wastewater Plant Investment Fee Effective January 1, 2004

®Action: *Adopt Resolution No. 122-03*

Staff presentation: Greg Trainor, Utility Manager

10. **Alley Improvement District 2003**

**Attach 11**

Improvements to the following alleys have been completed as petitioned by a majority of the property owners to be assessed:

- “T” Shaped Alley from 2<sup>nd</sup> to 3<sup>rd</sup>, between E. Sherwood Avenue and North Avenue
- “Cross” Shaped Alley from 6<sup>th</sup> to 7<sup>th</sup>, between Rood Avenue and White Avenue
- East/West Alley from 11<sup>th</sup> to 12<sup>th</sup>, between Rood Avenue and White Avenue
- East/West Alley from 13<sup>th</sup> to 14<sup>th</sup>, between Main Street and Colorado Avenue
- East/West Alley from 13<sup>th</sup> to 14<sup>th</sup>, between Chipeta Avenue and Ouray Avenue
- East/West Alley from 13<sup>th</sup> to 14<sup>th</sup>, between Hall Avenue and Orchard Avenue

A Public Hearing is scheduled for February 4, 2004

Resolution No. 123-03 – A Resolution Approving and Accepting the Improvements Connected with Alley Improvement District No. ST-03

®Action: *Adopt Resolution No. 123-03*

Staff presentation: Mark Relph, Public Works and Utilities Director

**\*\*\* END OF CONSENT CALENDAR \*\*\***

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**\*\*\* ITEMS NEEDING INDIVIDUAL CONSIDERATION \*\*\***

11. **CDOT Enhancement Grant Project**

**Attach 13**

Approval of application for enhancement funds for 7<sup>th</sup> Street Pedestrian and Landscaping Project from Grand Avenue to Ute Avenue, Main Street from 7<sup>th</sup> to 8<sup>th</sup> Street. Colorado Department of Transportation is requesting applications for local government enhancement projects for state fiscal years 2006, 2007, 2008. Applications are due to CDOT by December 26, 2003. Staff has prepared an application and resolution for Council consideration.

Resolution No. 124 -03 – A Resolution Supporting the Application for Enhancement Funds for 7<sup>th</sup> Street Streetscaping/Medians – Grand Avenue to Ute Avenue

**®Action:** *Adopt Resolution No. 124-03*

Staff presentation: Mark Relph, Public Works and Utilities Director

12. **Public Hearing- Washington Annexation Located at 287 Coulson Drive** [File #ANX-2003-200] **Attach 14**

Hold a public hearing and consider final passage of a Resolution for Acceptance of the Petition to Annex and Annexation Ordinance for the Washington Annexation located at 287 Coulson Drive and including a portion of the UnawEEP Avenue, Coulson Drive and Capitol Lane rights-of-way. The petitioner is seeking annexation in conjunction with a proposed residential simple subdivision, pursuant to the 1998 Persig Agreement with Mesa County.

**a. Accepting Petition**

Resolution No. 125-03 - A Resolution Accepting a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Washington Annexation, Located at 287 Coulson Drive and Including a Portion of UnawEEP Avenue, Coulson Drive and Capitol Lane Rights-of-Way

*®Action: Adopt Resolution No. 125-03*

**b. Annexation Ordinance**

Ordinance No. 3590 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Washington Annexation, Located at 287 Coulson Drive and Including a Portion of UnawEEP Avenue, Coulson Drive and Capitol Lane Rights-of-Way, Approximately 1.317 Acres

*®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3590*

Staff presentation: Ronnie Edwards, Associate Planner

13. **Public Hearing – Zoning the Washington Annexation Located at 287 Coulson Drive** [File #ANX-2003-200] **Attach 15**

The Washington Annexation is comprised of one parcel of land of 1.317 acres and includes UnawEEP Avenue, Coulson Drive and Capitol Lane rights-of-way. The petitioner is requesting a zone of Residential Single Family with a density not to exceed four units per acre (RSF-4), which conforms to the Growth Plan Future Land Use Map. Planning Commission recommended approval at its November 25, 2003 meeting.

Ordinance No. 3591- An Ordinance Zoning the Washington Annexation to Residential Single Family with a Density not to Exceed Four Units Per Acres (RSF-4) Located at 287 Coulson Drive

*®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3591*

Staff presentation: Ronnie Edwards, Associate Planner

14.\*\*\* **Public Hearing – An Emergency Ordinance Amending the Amount of the Downtown Tax Increment Revenue Bonds** **Attach 16**

An ordinance amending the TIF Ordinance #3585 to reduce the total amount of the bonds from \$3 million to \$2,995,000.

Ordinance No. 3592 - An Ordinance Amending Certain Provisions of the City's Ordinance No. 3585; Authorizing the Issuance of the City of Grand Junction, Colorado, Downtown Development Authority Tax Increment Revenue Bonds, Series 2003; and Declaring an Emergency

*®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3592*

Staff presentation: Ron Lappi, Administrative Services and Finance Director

15. **NON-SCHEDULED CITIZENS & VISITORS**

16. **OTHER BUSINESS**

17. **ADJOURNMENT**

EXHIBIT B

(Attach Affidavit of Publication)

State PROOF OF PUBLICATION

PUBLIC NOTICE PUBLIC NOTICE

ORDINANCE NO. 3592

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE CITY'S ORDINANCE NO. 3585; AUTHORIZING THE ISSUANCE OF THE CITY OF GRAND JUNCTION, COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY TAX INCREMENT REVENUE BONDS, SERIES 2003; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

Section 1. Definitions. Except as specifically modified herein, terms used in this Ordinance shall have the meanings specified in Ordinance 3585 adopted by the City Council on November 19, 2003 ( Ordinance 3585 ) for all purposes of this Ordinance.

Section 2. Recitals. A. The City has previously adopted Ordinance 3585 which authorized the issuance of the City's Downtown Development Authority Tax Increment Revenue Bonds, Series 2003.

B. The City now wishes to amend certain provisions of Ordinance 3585 to: (f) reduce the aggregate principal amount of the 2003 Bonds and (g) reduce the principal amount of the 2003 Bonds coming due on the December 22, 2007 maturity date.

C. The City has previously utilized \$4,824,500 of the existing authorization, leaving authorization of \$5,175,500 before issuance of the 2003 Bonds. Following the issuance of the 2003 Bonds, as hereby amended, the remaining authorization will be \$2,180,500.

Section 3. Authorization of 2003 Bonds. Reduction of Aggregate Principal Amount of 2003 Bonds. In accordance with the Constitution of the State, the Election, the Act, the Supplemental Act and all other laws of the State thereto enabling, the City Council authorizes to be issued the 2003 Bonds. The aggregate principal amount of the 2003 Bonds shall be reduced from \$3,000,000 to \$2,995,000, and all references in Ordinance 3585 to \$3,000,000 in principal amount shall be revised to refer to \$2,995,000 in principal amount.

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Maturity (December 22)	Principal Amount
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Section 5. Ratification. All actions heretofore taken (not inconsistent with the provisions of this Ordinance) by the City Council and other officers of the City in the creation of the Tax Increment Fund, the pledging of the Tax Increments (to the extent described herein) the implementation of the Project, and selling and issuing the 2003 Bonds for those purposes are ratified, approved and confirmed.

Section 6. Applicability of Supplemental Act. Section 11-57-204 of the Supplemental Public Securities Act, constituting Title 11, Article 57, part 2, Colorado Revised Statutes (the Supplemental Act ), provides that a public entity, including the City, may elect in an act of issuance to apply all or any of the provisions of the Supplemental Act. The City Council hereby elects to apply portions of the Supplemental Act to the 2003 Bonds.

Section 7. Repealer. All bylaws, orders, resolutions and ordinances, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revise any bylaw, order, resolution or ordinance, or part thereof, heretofore repealed. Except as specifically amended herein, all the provisions of Ordinance 3585 shall be and remain in full force and effect.

Section 8. Ordinance Irrepealable. After any of the 2003 Bonds authorized by Ordinance 3585 as hereby amended are issued, this Ordinance and Ordinance 3585, taken together, shall constitute a contract between the City and the Owners of the 2003 Bonds, and this Ordinance and Ordinance 3585 shall be and remain irrepealable until the 2003 Bonds and interest thereon shall be fully paid, canceled and discharged as in Ordinance 3585 provided.

Section 9. Disposition of Ordinance. This Ordinance, as adopted by the City Council, shall be numbered and recorded by the City Clerk in the official records of the City. The adoption and publication shall be authenticated by the signatures of the President of the City Council and City Clerk, and by the certificate of publication.

Section 10. Declaration of Emergency, Effective Date. In order to deliver the 2003 Bonds to the Purchaser prior to the close of the current fiscal year and upon the favorable rates and terms set forth in the Purchaser's winning bid for the 2003 Bonds, the City Council hereby declares that an emergency exists and that this Ordinance shall be in full force and effect immediately upon passage.

INTRODUCED, FINALLY PASSED AND ORDERED PUBLISHED IN FULL this 17th day of December, 2003.

CITY OF GRAND JUNCTION, COLORADO

/s/ Jim Spehar  
President of the City Council

Attest:

/s/ Stephanie Tunn  
City Clerk  
Published December 18, 2003

Subscribed and sworn to before me, this 19th day of December 2003

*Gita M. Hater*

My Commission Expires 11/08/2003

STATE OF COLORADO

County of Mesa )

) ss.

Karen Sabra

Being duly sworn, says that I am Legal Secretary of the Daily Sentinel a daily newspaper, published and duly printed in Grand Junction, Colorado in said County and State; that said newspaper has a general circulation in said County and has been continuously and uninterruptedly published therein, during a period of at least fifty-two consecutive weeks next prior to the first publication of the annexed notice; that said newspaper is a newspaper within the meaning of the act of the general Assembly of the State of Colorado, entitled "An Act to regulate the printing of legal notices and advertisements," and amendments thereto; that the notice of which the annexed is a printed copy taken from said newspaper, was published in said newspaper, and in the regular and entire issue of every number thereof, once a day for 1 successive day ; that said notice was so published in said newspaper proper and not in any supplement thereof, and that first publication of said notice as aforesaid, was on the 19th day of December, 2003, and the last, on the 19th day of December, 2003.

*[Signature]*