

ORDINANCE NO. 3621

AN ORDINANCE CREATING AND ESTABLISHING THE HORIZON DRIVE ASSOCIATION BUSINESS IMPROVEMENT DISTRICT AND APPROVING AN OPERATING PLAN AND BUDGET THEREFOR

Recitals:

On March 30, 2004, the Horizon Drive Association business improvement district organizing committee filed a petition with the City Council of the City of Grand Junction requesting formation of a business improvement district.

Upon review of the petition and signatures thereon, it appears that the petition meets the requirements of the *Business Improvement District Act*, Part 12 of Article 25 of Title 31, of the Colorado Revised Statutes.

The formation of the district will provide continuing, dedicated resources to promote business activity in the area.

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

Section 1. Upon consideration of the petition requesting the formation of the Horizon Drive Association Business Improvement District, the Council finds:

- (a) That the proposed district was initiated by petition filed with the City Clerk, that the petition was duly signed and presented in conformity with the Business Improvement District Act, Part 12 of Article 25 of Title 31 of the Colorado Revised Statutes and that the allegations of the petition are true;
- (b) That the City Council has fixed a place and time for a hearing on the petition;
- (c) That notice of such hearing has been duly published and mailed in accordance with the *Business Improvement District Act*;
- (d) That an operating plan and budget for 2004, together with an ongoing district service plan, has been filed with the City Clerk of the City of Grand Junction;
- (e) That the Horizon Drive Association Business Improvement District is lawful and necessary, should be created and established and should include the area described and set forth herein.

Section 2. The Horizon Drive Association Business Improvement District is hereby created and established for the purposes and with the powers set forth in the service plan and the 2004 operating plan.

Section 3. The District is located within the boundaries of the City of Grand Junction and a general description of the boundaries of its area is: all commercial property bounded on the south by G Road, north on Horizon Drive Association through and including H Road, bounded on the west by 27 Road/15th Street, and on the east by 27 ½ Road northeast to Walker Field Airport Authority. The boundaries shall include, but are not limited to Horizon Court, compass Drive Association, Crossroads Boulevard, crossroads Court, Skyline Court, Sundstrand Way and Hilara Avenue. The District will include the following parcels:

Parcel #	Parcel #	Parcel #	Parcel #	Parcel #
2701-361-00-091	2701-361-29-018	2701-363-00-121	2701-364-00-123	2705-312-01-034
2701-361-00-941	2701-361-30-009	2701-363-27-001	2701-364-26-012	2705-312-01-035
2701-361-21-005	2701-361-30-010	2701-363-27-005	2701-364-26-013**	2705-312-01-036
2701-361-21-006	2701-361-30-015	2701-363-27-006	2701-364-26-014**	2705-312-01-037
2701-361-21-007	2701-361-31-004	2701-363-27-007	2701-364-26-018	2705-312-01-038
2701-361-21-008	2701-361-32-001	2701-364-00-025	2701-364-26-019	2705-312-01-039
2701-361-21-009	2701-361-32-003	2701-364-00-026	2701-364-26-020	2705-312-01-040
2701-361-21-010	2701-361-32-004	2701-364-00-054	2701-364-26-033	2705-312-01-109
2701-361-22-014	2701-361-32-005	2701-364-00-055	2701-364-26-034**	2705-312-01-110
2701-361-22-022	2701-361-32-007	2701-364-00-073	2701-364-26-036	2705-312-01-115
2701-361-22-023	2701-361-39-010	2701-364-00-074	2701-364-28-008	2705-312-01-117
2701-361-22-024	2701-361-41-001	2701-364-00-075	2701-364-33-001	2705-312-01-118
2701-361-22-025	2701-362-34-014	2701-364-00-081	2701-364-33-007	2705-312-01-120
2701-361-26-002	2701-362-34-015	2701-364-00-106	2701-364-33-010	2705-312-01-121
2701-361-26-026	2701-362-34-016	2701-364-00-109	2701-364-33-011	2705-312-01-122
2701-361-26-027	2701-362-34-017	2701-364-00-111	2701-364-40-002	2705-312-02-001
2701-361-26-028	2701-362-34-018	2701-364-00-113	2701-364-44-001	2705-312-02-002
2701-361-26-029	2701-362-35-006	2701-364-00-114	2701-364-44-002	2705-312-03-001
2701-361-26-031	2701-362-35-007	2701-364-00-117	2705-312-01-001	2705-312-03-002
2701-361-26-035	2701-362-35-010	2701-364-00-118	2705-312-01-030	2701-364-26-037
2701-361-29-010	2701-362-35-012	2701-364-00-119	2705-312-01-031	
2701-361-29-011	2701-362-35-013	2701-364-00-120	2705-312-01-032	
2701-361-29-012	2701-362-35-014	2701-364-00-122	2705-312-01-033	

** these three parcels have been combined and renumbered as 2701-364-26-037

The Horizon Drive Association Business Improvement District shall consist only of taxable real property located within the service area which is not classified for property tax purposes as either residential or agricultural together with any taxable personal property located on such taxable real property. Any residential or agricultural property located within the boundaries of the service area is not subject to the District's revenue-raising powers until such time as the property changes classification for property tax purposes.

Section 4. The Horizon Drive Association Business Improvement District shall be governed by a five member board of directors elected as provided in the *Business Improvement District Act* and the District's service plan except that until the initial board is elected, the Grand Junction City Council shall govern the District. The terms of office of the elected board of directors shall be four years except that, of the directors first elected, three shall be elected for a two-year term and two shall be elected for a four-year term.

Section 5. The service plan and 2004 operating plan and budget, as filed with the City Clerk of the City of Grand Junction, are hereby approved. The District will levy a tax of no more than 5.0 mills upon every dollar of the valuation for assessment of taxable property within the District.

Section 6. This ordinance shall be in full force and effect from and after its passage and publication as provided by the Charter.

Introduced on first reading this 7th day of April, 2004.

Passed and adopted on second reading, after a duly noticed public hearing, this 21st day of April, 2004.

/s/: Jim Spehar
President of the Council

ATTEST:

/s/: Stephanie Tuin
City Clerk