

ORDINANCE NO. 4326

AN ORDINANCE OF THE CITY COUNCIL OF GRAND JUNCTION, COLORADO
APPROVING EXPANDING THE BOUNDARIES FOR THE GRAND JUNCTION,
COLORADO
DOWNTOWN DEVELOPMENT AUTHORITY

The Grand Junction, Colorado, Downtown Development Authority (the Authority) has adopted a Plan of Development for the boundaries of the Authority and the plan and boundaries were initially approved by the Grand Junction, Colorado, City Council (the Council) on December 16, 1981.

Since that time, several individuals, pursuant to Section 31-25-822, 12A C.R.S., as amended, and Article X of the Authority's Plan of Development have petitioned for inclusion within the boundaries of the Authority, and the boundaries of the Authority have been expanded by the Council by Ordinances No. 2045, 2116, 2382, 2400, 2425, 2470, 2820, 2830 and 4305;

The Board of Directors of the Authority has reviewed and approved a current petition from GCK, LLC, requesting inclusion into the Authority's boundaries for its newly-consolidated property at 105 W. Colorado Avenue and requests Council approval to expand the Authority's boundaries to include the entire property. *[see legal description attached as Exhibit 1]* ST 5-22-09

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, that

1. The Council finds the existence of blight within the Authority within the meaning of C.R.S. 1973, Section 31-25-802(1.5), as amended.
2. The Council hereby finds and determines that the approval of the expansion of boundaries for the Downtown Development Authority Plan of Development as shown on file at the DDA office, will serve a public use; will promote the health, safety, prosperity, security and general welfare of the inhabitants of the city of its central business district; will halt or prevent the deterioration of property values or structures; will halt or prevent the growth of blighted areas; will assist the City and the Authority in the development and redevelopment of the district, and in the overall planning to restore or provide for the continuance of the economic health; and will be of specific benefit to the property to be included within the amended boundaries of the Authority.
3. The expansion of the Authority's boundaries, as shown on file at the DDA office, are hereby approved by the Council and incorporated into the Plan of Development as previously amended, and the Authority is authorized to undertake development projects as described in the Plan.
4. The City Council is requested to ask the County Assessor to certify the valuation for assessment of the new property included as of the date of the last certification, and the City Finance Director is requested to certify the sales tax receipts for the properties for the twelve (12) months prior to the inclusion of such property.

5. If any provision of this ordinance is judicially adjudged invalid or unenforceable, such judgment shall not affect the remaining provisions hereof, it being the intention of the City Council that the provisions hereof are severable.

Introduced on first reading this 4th day of February, 2009.

PASSED and ADOPTED this 18th day of February, 2009.

Attest:

/s/: Stephanie Tuin
City Clerk

/s/: Gregg Palmer
President of the Council

Exhibit 1

DESCRIPTION

(Book 4710, Page 304 and Book 1818, Page 159)

A tract of land located within the SE 1/4 SE 1/4 of Section 15, Township 1 South, Range 1 West, Ute Principal Meridian, described as follows:

Beginning at a point which lies 52 feet South from the North line of the SE 1/4 SE 1/4 of said Section 15, and 325 feet Northeasterly measured at right angles from the center line of the original Main Track of the Denver & Rio Grande Western Railroad Company, said point also being located 10 feet South of the produced North line of Colorado Avenue and 37.46 feet West of the produced East line of Spruce Street; thence South $41^{\circ}03'$ East 52.47 feet to a point 3.0 feet West of the produced East line of Spruce Street; thence South $00^{\circ}10'$ East (3.0 feet West of and parallel to the produced East line of Spruce Street) 147.59 feet; thence Northwesterly along a curve to the right with a radius of 613.5 feet, a distance of 137.4 feet, the long chord of which bears North $78^{\circ}29'$ West 136.71 feet; thence North $53^{\circ}03'$ West 264.72 feet to a point 10.0 feet South of the produced North line of Colorado Avenue; thence North $89^{\circ}52'$ East along a line 10.0 feet South of and parallel to the produced North line of Colorado Avenue 310.41 feet to the point of beginning.