

## **ORDINANCE NO. 4395**

### **AN ORDINANCE EXPANDING THE BOUNDARIES FOR THE GRAND JUNCTION, COLORADO DOWNTOWN DEVELOPMENT AUTHORITY**

The Grand Junction, Colorado, Downtown Development Authority (“the Authority” or “DDA”) has adopted a Plan of Development (“Plan”) for the boundaries of the Authority. 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 and entities, pursuant to Section 31-25-822, C.R.S. and Article X of the Authority's Plan, have petitioned for inclusion within the Authority's boundaries. The Board of the Authority has determined that the boundary of the DDA should be co-terminus with the boundary of the Tax Increment Financing (“TIF”) District, requiring expansion of the tax increment finance district boundary. The boundaries of the Authority have been expanded by the Council by Ordinance Nos. 2045, 2116, 2382, 2400, 2425, 2470, 2655, 2820, 2830, 2914, 3008, 4305 and 4326;

The Board of the Authority has reviewed and approved a petition from the Mesa County Board of County Commissioners, requesting inclusion into the Authority's boundaries for its properties at 551 Chipeta Avenue and 537 Chipeta Avenue and requests Council's approval to expand the Authority's boundaries to include all properties.

The Board of the Authority has reviewed and approved a petition from the Mesa County Public Library District, requesting inclusion into the Authority's boundaries for its properties at 502 Grand Avenue, 530 Grand Avenue, 443 N. 6<sup>th</sup> Street, 502 Ouray Avenue, 536 Ouray Avenue, 520 N. 5<sup>th</sup> St, 517 Chipeta Avenue, 525 Chipeta Avenue, and 529 Chipeta Avenue, and requests Council's approval to expand the Authority's boundaries to include all properties.

The Board of the Authority has reviewed and approved a petition from the City of Grand Junction, requesting inclusion into the Authority's boundaries for its properties at 550 Ouray Avenue, an unaddressed parking lot at the corner of Chipeta Avenue and North 5<sup>th</sup> Street, 700 Struthers Avenue, 1200 S. 7<sup>th</sup> Street, 549 Noland Avenue, 1200 S. 5<sup>th</sup> Street, 1222 S. 5<sup>th</sup> Street, and 1236 S. 5<sup>th</sup> Street, and requests Council's approval to expand the Authority's boundaries to include all properties.

The Board of the Authority has approved all current petitions for the inclusion of certain properties within the Authority's boundaries and requests Council's approval to expand the Authority's boundary to include all properties that have currently petitioned for inclusion and to expand the Authority to receive a portion or increment of ad valorem and sales taxes collected with the Plan area in accordance with State law, the Plan and other applicable law, rules or regulations.

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 boundary of the Authority, within the meaning of Section 31-25-802(1.5), C.R.S.

2. The Council hereby finds and determines that the approval of the expansion of boundaries for the Authority and the Plan, as shown on the attached Exhibit A, will serve a public use; will promote the health, safety, prosperity, security and general welfare of the inhabitants of the City and 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 and the TIF district.

3. The expansion of the Authority's boundaries, as shown on the attached Exhibit A, is hereby approved by the Council and incorporated into the Plan for TIF purposes. The Authority is hereby authorized to undertake development projects as described in the Plan and to act consistently with Article of the Plan including, but not necessarily limited to, receiving and expending for development and redevelopment efforts a portion or increment of ad valorem and sales taxes generated in the area in accordance with Section 31-25-801, C.R.S.

4. The Council hereby requests that the County Assessor certify the valuation for the assessment of the new property included by this Ordinance within the Authority's boundaries and the TIF district as of the date of the last certification. The City Financial Operations Manager is hereby directed to certify the sales tax receipts for the properties included in and described by the attached Exhibit A for the twelve (12) months prior to the inclusion.

5. Adoption of this Ordinance and amendment to, or expansion of the boundary of the Authority and the TIF District, does not, shall not and will not provide for or allow or authorize receipt or expenditure of tax increments without requisite statutory and Plan compliance.

6. 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 for FIRST READING and PUBLICATION on the 18<sup>th</sup> day of November, 2009.

PASSED and ADOPTED this 30<sup>th</sup> day of November, 2009.

Attest:

/s/: Stephanie Tuin  
City Clerk

/s/: Bruce Hill  
President of the Council

EXHIBIT A

Expanding the boundaries of the Grand Junction Downtown Development Authority

The boundaries of the Authority shall be expanded to include the following properties into the Plan of Development area within which tax increment financing is used:

Tax Parcel No.	Legal Description
2945-142-32-998	Lots 1 through 32, inclusive, Block 60, City of Grand Junction, except that portion of said Block 60 as described in Book 3011, Page 592; AND ALSO  All that certain alley right of way lying within said Block 60, City of Grand Junction
2945-142-32-999	
2945-142-32-992	
2945-142-32-990	
2945-142-32-932	
2945-14232-930	
2945-142-32-941	
2945-142-32-948	
2945-231-37-946	Lots 1 and 2, inclusive, Struthers Subdivision, as recorded in Book 4870, Pages 668-689; AND ALSO,
2945-231-37-947	
2945-231-37-948	
2945-231-37-949	
2945-232-03-941	Lots 1 through 14, inclusive Block 2, South Fifth Street Subdivision, Plat Book 7, Page 19, including all platted alley right of way within said Block 2; AND ALSO,
2945-232-03-940	
2945-232-03-943	
2945-232-03-944	
2945-232-03-942	All that platted right of way for Noland Avenue that exists within the plat of said South Fifth Street Subdivision; AND ALSO,
2945-232-03-945	
2945-232-03-947	
2945-232-03-019	Lot 1, High Plains Subdivision, as recorded in Book 4263, Page 165; AND ALSO,
2945-232-25-948	
2945-232-22-001	
2945-232-26-948	
2945-232-30-001 2945-232-30-002	Lot 1, Block 1, Van Gundy North Subdivision, as recorded in Book 4250, Page 490-491

**Please note that some existing DDA properties have been included in the legal descriptions above for purposes of clarifying all DDA boundaries in the area.**