

MPC467TH

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: DEED (SPECIAL WARRANTY)

NAME OF AGENCY OR CONTRACTOR: S. J MILLER PACKING COMPANY, A CO-PARTNERSHIP
COMPOSED OF S. J. MILLER AND J. A. MAITLAND

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: RIGHT-OF-WAY FOR WIDENING
SOUTH 7TH STREET

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1946

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

STATE OF COLORADO
COUNTY OF M E S A.

} ss.

A P P R A I S A L

We, the undersigned, being first duly sworn on oath, depose and say: That we are the duly constituted and acting committee appointed under Peoples' Ordinance No. 19 of the City of Grand Junction to appraise the vacated portions of South 7th Street in said city, lying between the south line of the Denver and Rio Grande Western Railroad Company right of way and the north line of Crawford Avenue;

That S. J. Miller Packing Company, a ~~firm~~ partnership, which is the owner of certain property on the east side of South 7th Street, lying between a point 96 feet south of said railroad right of way and Third Avenue, has made a request upon us for an appraisal.

NOW, THEREFORE, We do hereby appraise the following described tract of land in Mesa County, Colorado, to-wit:

Beginning at a point 96 feet south of the intersection of the east line of 7th Street, (before the vacation of the East 15 feet of said 7th Street by Peoples' Ordinance No. 19 of the City of Grand Junction) with the south line of the right of way of the Denver and Rio Grande Western Railroad; thence South 162.8 feet, thence West 15 feet, thence North 162.8 feet, thence East 15 feet;

for the sum of \$ 700⁰⁰.

A. M. Schmidt

William News

L. A. Wood Jr

E. R. Thomas

Hubert D. Fritz

Subscribed and sworn to before me this 29th day of April, 1946.

Thomas K. Young
Notary Public

My commission expires Dec 1, 1947.

April 22, 1946

To The City Council
City of Grand Junction, Colorado

Gentlemen:

On August 18, 1925, Peoples' Ordinance No. 19 was duly and regularly adopted by the qualified electors of the city and under the terms thereof, South 7th Street, in the City of Grand Junction, from the south line of the right of way of the Denver and Rio Grande Western Railroad Company to the north line of Crawford Avenue was reduced in width from 100 feet to 77 feet by taking a 15 foot strip from the east side thereof and a 8 foot strip from the west side and said two strips were vacated for street purposes. Said Ordinance also provided that the right, title and interest to the city to the said vacated portions of the street be sold and conveyed to the adjoining property owners for the reasonable value thereof.

Section 3 of the Ordinance provided that the fair and reasonable value of such vacated property be determined by a committee composed of R. A. Ross, President of the Chamber of Commerce of the City of Grand Junction; William Weiser, President of the Grand Valley National Bank of said city; D. T. Stone, President of the United States Bank and Trust Company of said city; A. M. Schmidt, President of the Bank of Grand Junction of said city and T. E. Thompson, City Manager of said city. It was also provided that should any one or more of said committee refuse or be unable to act on a committee, such vacancies in the committee should be filled by the other members thereof.

R. A. Ross and D. T. Stone are now deceased and T. E. Thompson has now left the City of Grand Junction and State of Colorado and is believed to be in the State of Oklahoma and is unable to act on said committee.

NOW THEREFORE, We, the surviving members of said committee able to act, do hereby appoint the following members of said committee to act with us to determine the reasonable value of any portions of said vacated parts of South 7th Street yet remaining the property of the City of Grand Junction for which an adjoining property owner may wish to make a purchase:

City Council

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April 22, 1946

E. R. Thomas, President of the First National Bank in Grand Junction; Sid Hoel, Jr., President of the Grand Junction Chamber of Commerce; and Herbert Fritz, City Manager of the City of Grand Junction.

Respectfully yours,

A. M. Schmitt

William Weaver

SPECIAL WARRANTY DEED

THIS DEED, Made this 1st day of May, 1946, between THE CITY OF GRAND JUNCTION, a Municipal Corporation duly organized and existing under and by virtue of the laws of the State of Colorado, and S. J. MILLER PACKING COMPANY, a Co-partnership composed of S. J. Miller and J. A. Meitland, both of the County of Mesa and State of Colorado, WITNESSETH:

THAT WHEREAS South Seventh Street in the said City of Grand Junction between the right of way of the Denver and Rio Grande Western Railroad Company, and Crawford Avenue, was, prior to passage of the People's Ordinance No. 19, hereinafter set forth, 100 feet in width, and

WHEREAS said street width of 100 feet was wider than necessary for street purposes and a portion of said right of way having been and now being unused for street purposes, and

WHEREAS, Heretofore, the City Council of the said city submitted to the qualified electors of said city for their adoption or rejection at a special election, held August 18, 1925 an ordinance, which ordinance is in words and figures as follows, to-wit:

"PEOPLE'S ORDINANCE NO. 19"

"An Ordinance Concerning the vacating of a portion of South Seventh Street in the City of Grand Junction, Colorado, and the selling thereof to the adjoining property owners.

WHEREAS, South Seventh Street, in the City of Grand Junction, South of the right of way of the Denver & Rio Grande Western Railroad Company to Crawford Avenue is 100 feet in width; and

WHEREAS, South Seventh Street South of Crawford Avenue to Winters Avenue is 80 feet in width; and

WHEREAS, South Seventh Street South of Winters Avenue to Struthers Avenue is 60 feet in width; and

WHEREAS, South Seventh Street between Crawford Avenue and the South side of said Railroad right of way is wider than necessary, a portion of said right of way being unused and unnecessary for street purposes; and

WHEREAS, A PORTION OF SAID South Seventh Street on the West side thereof between the right of way of said Railroad and said Crawford Avenue is now and has been for a long time occupied by buildings of adjoining property owners to a width of 8 feet.

WHEREAS, That portion of said street which is unnecessary for street purposes is very much needed by the adjoining property owners in their manufacturing and industrial business in order to permit of proper growth and expansion of the same;

THEREFORE, BE IT ORDAINED By the City Council of the City of Grand Junction, and be it ordained by the qualified electors of the said City of Grand Junction, Colorado, upon referendum by the City Council thereof;

Section 1. That South Seventh Street, in the City of Grand Junction, Colorado from the South line of the right of way of the Denver & Rio Grande Western Railroad Company to the North line of Crawford Avenue, be and the same is hereby reduced in width from 100 feet to 77 feet.

Section 2; That said street from said Railroad right of way South to Crawford Avenue is hereby reduced in width by taking a 15 foot strip from the East side and a strip 8 feet wide from the West side of said street as heretofore existing. That the said two strips be and the same are hereby vacated for street purposes. That all the right, title and interest of the said City to the said vacated portions of said street shall be sold and conveyed to the adjoining property owners for the reasonable value thereof, the reasonable value to be fixed as in this ordinance designated. The respective owners of the real estate against which the said strips so vacated adjoin are hereby given the exclusive right and option to purchase the strip of land so vacated lying in front of and adjoining such property; it being the intent hereof that each owner of real estate in front of which a portion of such vacated strip is situated, shall have the exclusive right to purchase the strip so vacated, lying immediately in front of and adjoining such owner's real estate.

Section 3. That the price to be paid by such property owner shall be the fair and reasonable value of the strip to be purchased by such owner, and shall be determined by a Committee as follows: R. A. Ross, President of the Chamber of Commerce of said City; William Weiser, President of the Grand Valley National Bank of said City; D. T. Stone, President of the United States Bank and Trust Company of said City; A. M. Schmidt, President of the Bank of Grand Junction of said City; and T. E. Thompson, City Manager of said City; Should any one or more of said Committee refuse or be unable to act on a Committee, such vacancy in said committee shall be filled by the other members thereof; that if the said Committee is unable to agree on a fair and reasonable price, the amount fixed by any three thereof shall be held to be the reasonable price; that upon the payment of such price so fixed by said Committee or any three members thereof, by any property owner entitled to purchase a portion of said strip, as herein provided, all the right, title and interest of said City therein shall be conveyed to said purchaser by proper deed of conveyance executed in behalf of said City by the President of the City Council, attested by the City Clerk under the seal of said City.

Section 4. Any portion of said strips so vacated shall at all times prior to the conveyance thereof, as herein provided, remain open to public use as a public street."

and, WHEREAS, At said election a majority of the qualified electors of said city, voting on said question, cast their votes in favor of the adoption of said ordinance and said ordinance was thereby duly and legally adopted; and

WHEREAS, of the Committee named by said People's Ordinance No. 19 to appraise said property, R. A. Ross and D. T. Stone are now deceased and T. E. Thompson, former City Manager of Grand Junction, is no longer City Manager and has now left the State of Colorado and is unable to act on said committee, and

WHEREAS, William Weiser and A. M. Schmidt, surviving members of the committee, did on April 22, 1946, appoint three new members to take the places of those now deceased or unable to serve as aforesaid, said new members so appointed being E. R. Thomas, President of the First National Bank in Grand Junction, Sid Hoel, Jr., President of the Grand Junction Chamber of Commerce, and Herbert Fritz, City Manager of the City of Grand Junction, and

WHEREAS, Said committee did on April 22, 1946, appraise the property hereinafter described and set and fix the price to be paid therefor by S. J. Miller Packing Company at \$200.00, and

WHEREAS, Said S. J. Miller Packing Company is the owner, inter alia, of land fronting on said South Seventh Street, adjoining and lying east of the following described line, to-wit:

"Beginning at a point 96 feet south of the intersection of the east line of South Seventh Street (before the vacation of the East 15 feet of said South Seventh Street by People's Ordinance No. 19 of the City of Grand Junction) with the south line of the right of way of the Denver and Rio Grande Western Railroad; running thence South 162.8 feet."

NOW, THEREFORE, in consideration of the premises and in consideration of the sum of \$200.00 to said city in hand paid by said S. J. Miller Packing Company, the receipt whereof is hereby confessed and acknowledged, said City of Grand Junction has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell, convey and confirm unto the said S. J. Miller Packing Company, its successors and assigns forever, all the following described lot or parcel of land lying and being in the City of Grand Junction and County of Mesa and State of Colorado, to-wit:

"Beginning at a point 96 feet south of the intersection of the east line of South Seventh Street (before the vacation of the east 15 feet of said South Seventh Street by People's Ordinance No. 19 of the City of Grand Junction) with the south line of the right of way of the Denver and Rio Grande Western Railroad; thence South 162.8 feet, thence West 15 feet, thence North 162.8 feet, thence East 15 feet to point of beginning."

Said grantee to have and to hold the same together with all and singular the hereditaments and appurtenances thereunto belonging, for in anywise appertaining, and all the estate, right,

title, interest, claim and demand whatsoever of the
Grand Junction, either in law or equity, of, in and to
bargained premises, with the hereditaments and appurtenances; TO
HAVE AND TO HOLD the said premises above bargained and described,
with the appurtenances unto S. J. Miller Packing Company, its
successors and assigns forever.

IN WITNESS WHEREOF, the said City of Grand Junction has
caused its corporate name to be hereunto subscribed by its City
Manager and the President of its City Council and its corporate
seal to be hereto affixed, attested by its City Clerk, the day
and year first above written.

CITY OF GRAND JUNCTION

By Herbert D. Fritz
City Manager

Porter Carson
President of the City Council

Attest:

Helen C. Tomlinson
City Clerk

STATE OF COLORADO,)
) ss.
COUNTY OF M E S A.)

The within and foregoing instrument was acknowledged before
me this 3rd day of May, 1946, by Herbert D. Fritz, the City
Manager, Porter Carson, President of the City Council and Helen
C. Tomlinson, City Clerk of the City of Grand Junction.

Witness my hand and official seal.

Thomas H. Young
Notary Public.

My commission expires:

Dec 1, 1947

MES68TEX

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF AGENCY OR CONTRACTOR: MESA COUNTY JUNIOR COLLEGE DISTRICT (MESA COLLEGE)

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: ORDINANCE NO. 1299
VACATING A PORTION OF TEXAS AVENUE AND A PORTION OF MESA AVENUE WITHIN THE
CITY OF GRAND JUNCTION FROM COLLEGE PLACE TO 12TH STREET AND RESERVING AN
EASEMENT

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1968

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

ORDINANCE NO. 1299

AN ORDINANCE VACATING A PORTION OF TEXAS AVENUE
AND A PORTION OF MESA AVENUE WITHIN THE CITY OF
GRAND JUNCTION

WHEREAS, Mesa County Junior College District has petitioned the City Council of the City of Grand Junction to vacate those portions of streets hereinafter set out; and,

WHEREAS, the District is the owner of the real property abutting said portions of streets; and,

WHEREAS, such vacation has been approved by the City Planning Commission, would not deprive any owner of real property of access to his property, and would be in the best interest of the City and its inhabitants;

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

That the portions of streets in the City of Grand Junction, Mesa County, Colorado, described as:

Texas Avenue between the east right-of-way line of College Place and the west right-of-way line of North 12th Street, the same lying between Block 5, Garfield Park Subdivision on the North and Lots 13 through 20, Block 1 of South Garfield Park Subdivision on the South;

and

Mesa Avenue between the east right-of-way line of College Place and the west right-of-way line of North 12th Street, the same lying between Block 4 of Garfield Park Subdivision on the north and Block 5 of Garfield Park Subdivision on the south;

be, and the same are hereby, vacated, RESERVING, HOWEVER, a permanent easment over, under, along and across said streets for the use and maintenance

of existing utility pipes or lines and the extension of the same as may be required.

PASSED AND ADOPTED this 4th day of December, 1968.

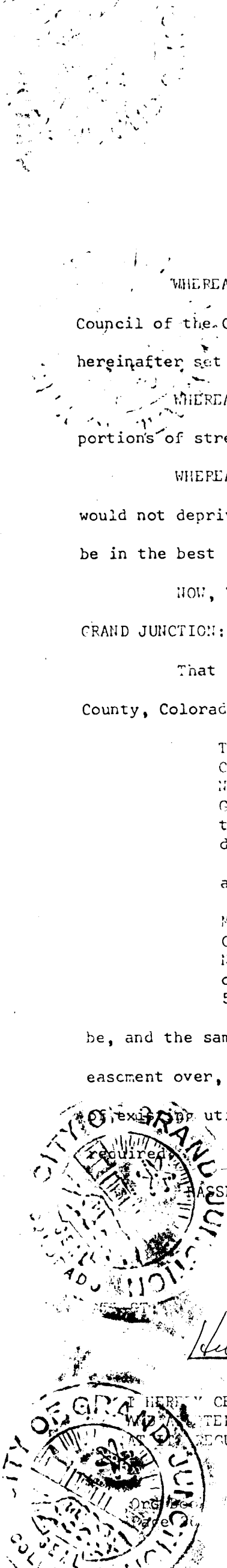
[Signature]
President of the Council

[Signature]
City Clerk

(to be effective 1-9-69)

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF ORD. 1299 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLO. REGULAR MEETING HELD DEC. 4, 1968.

[Signature]
City Clerk



Grand Junction, Colo: Sept. 6, 1949.

To the Mayor and City Council;

We are residents and property owners on Elm and Texas avenues and we ask that the proper procedure be taken by you to open and improve Texas avenue to the East boundary of the city before winter makes it impossible. And to proceed with the proposed plat of this subdivision.

<i>George J. Williams</i>	<i>2600 Texas L</i>
<i>Eva M. Williams</i>	<i>2600 Elm Ave R</i>
<i>Mrs. Florence Dennis</i>	<i>2601 Texas Ave</i>
<i>Virginia M. Lovely</i>	<i>2630 Texas L</i>
<i>R. H. Lovely</i>	<i>2630 Elm R</i>
<i>Geo. Linker</i>	<i>2630 Texas L</i>
<i>Shirley M. Linker</i>	<i>2532 Elm + Texas</i>
<i>J R Dennis</i>	<i>2532 Elm + Texas</i>
<i>May H. McKenzie</i>	<i>2533 Texas L</i>
<i>Mrs. Grace E. Curtis</i>	<i>2600 Texas R</i>
	<i>2631 Texas L</i>
	<i>2601 Texas</i>
	<i>2616 Elm.</i>