

SD125WAS

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: CONTRACT

NAME OF AGENCY OR CONTRACTOR: SCHOOL DISTRICT NUMBER 1

STREET ADDRESS/PARCEL NAME/SUBDIVISION/PROJECT: WASHINGTON PARK ADJACENT
TO EAST MIDDLE SCHOOL BETWEEN 9TH AND 10TH STREETS AND GUNNISON AND HILL
AVENUES CONTRACT TO CONVEY PROPERTY

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 1925

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

7-11-25

C O N T R A C T

THIS AGREEMENT Made and entered into this 24th day of April, A. D. 1925, by and between THE CITY OF GRAND JUNCTION, a municipal corporation, of Mesa County, Colorado, and SCHOOL DISTRICT NUMBER ONE, of Mesa County, Colorado, WITNESSETH:

That whereas said City is the owner of Block Forty-two (42) in said City in Mesa County, Colorado, which has been partly developed for park purposes; and

Whereas the said School District desires to secure the said Block to be maintained and used by the said School District as a public playground and park; and

Whereas the City Council of the said City submitted to the qualified electors of said City for their adoption or rejection an ordinance authorizing the transfer to the said School District of said Block; said Ordinance being in words and figures as follows, to-wit:

"PEOPLE'S ORDINANCE NO. 16

"AN ORDINANCE CONCERNING THE CONVEYANCE OF BLOCK FORTY-TWO (42) IN THE CITY OF GRAND JUNCTION, COLORADO, NOW KNOWN AS WASHINGTON PARK, TO SCHOOL DISTRICT NO. 1, IN MESA COUNTY, COLORADO.

"Whereas Block numbered Forty-two (42) in the City of Grand Junction, Colorado, is now owned by the City of Grand Junction and is being held and used by said City for Park purposes; and

"Whereas School District No. 1 of Mesa County, Colorado, is the public school district which includes the City of Grand Junction; and

"Whereas the said School District has two school buildings at the present time in the near vicinity of said Block No. Forty-two (42) and desires to secure from the said City said Block No. Forty-two (42) to be held and owned by said School District for public park and playground purposes.

"Therefore, Be it Ordained by the City Council of the City of Grand Junction, Colorado, and be it ordained by the qualified electors of said City of Grand Junction, Colorado, upon referendum by the City Council thereof;

"Section 1. The City Council of the City of Grand Junction, Colorado, by its President and City Clerk under the seal of said City, are hereby authorized, directed and required to convey by good and sufficient deed of conveyance to the said School District No. 1, in Mesa County, Colorado, the said Block No. Forty-two (42).

"Section 2. The deed of conveyance to be made by the City of Grand Junction, Colorado, to said School District No. 1 shall not be delivered nor take effect as a deed of the said City until the said School District No. 1 shall enter into an agreement in writing, through its properly constituted Board of Directors, with the City of Grand Junction, which agreement shall obligate the said School District to maintain the said Block for public park and playground purposes; at least one-half of said Block to be at all times maintained by said School District as a public park; the remainder of said Block to be maintained at all times by the said School District for public playground purposes; that no school building shall ever be erected upon said Block by said School District, and that no other building shall be erected thereon of any kind or character, unless it shall be necessary for use on said Block in connection with the use of said Block as a public park or public playground. That the said contract shall further provide that should at any time the said School District fail to maintain the said Block for the purposes herein specified, that the said Block shall revert at the option of said City to the said City.

"Passed and adopted this 7th day of April, A. D. 1925."

and

Whereas at said election 1400 votes were cast in favor of the adoption of said Ordinance, and 228 votes were cast against the adoption of said Ordinance. The majority of all votes cast on the said question being in favor of the adoption of said Ordinance, the said Ordinance was declared passed and adopted; and

Whereas the said School District desires to accept the said Block Forty-two (42) under the terms and conditions as set forth in said People's Ordinance No. 16.

THEREFORE, BE IT AGREED between the parties hereto that in pursuance to the said Ordinance the City of Grand Junction, by its proper officers, shall convey the said Block to the said School District, and the said School District does hereby accept the said Block under the terms and conditions as set out in said Ordinance and does agree with the said City that the said School District shall maintain at all times the said Block for public

park and playground purposes; that at least one-half the said Block shall be at all times maintained by the said School District as a public park; that the remainder of said Block shall be maintained by the said School District at all times for public playground purposes; that no school buildings shall ever be erected on the said Block by the said School District, and that no other building shall be erected thereon of any kind or character, unless it shall be necessary for use on said Block in connection with the use of the said Block as a public park or public playground.

It is further agreed that should the said School District at any time fail to keep and maintain the said Block for the purposes herein specified, that the said Block shall revert, at the option of said City, to the said City.

IN WITNESS WHEREOF the parties hereto have executed this agreement the day and year first above written.

THE CITY OF GRAND JUNCTION

By

W. G. Larsons
President of the Council

ATTEST:

Lucas Rink
City Clerk

SCHOOL DISTRICT NUMBER ONE

By

T. J. Hampson
President of the Board

ATTEST:

Chas K. Holmberg
Secretary.