

## RESOLUTION NO.72-94

**DECLARING THE INTENTION OF THE CITY COUNCIL  
OF THE CITY OF GRAND JUNCTION, COLORADO, TO CREATE  
WITHIN SAID CITY ALLEY IMPROVEMENT DISTRICT NO. ST-95, AND  
AUTHORIZING THE CITY ENGINEER TO PREPARE  
DETAILS AND SPECIFICATIONS FOR THE SAME.**

**WHEREAS**, a majority of the property owners to be assessed have petitioned the City Council, under the provisions of Chapter 18 of the City of Grand Junction Code of Ordinances, as amended, and People's Ordinance No. 33, that an Alley Improvement District be created for the construction of improvements as follows:

**Location of Improvements:**

- The alley running east and west from 11th Street to 12th Street between Chipeta Avenue and Gunnison Avenue;
- The alley running east and west from 2nd Street to 3rd Street between Grand Avenue and White Avenue;
- The cross alley running east and west between 7th Street and 8th Street and north and south from Chipeta Avenue to Gunnison Avenue ;
- The alley running east and west from 8th Street to Cannell Avenue between Orchard Avenue and Hall Avenue;
- The cross alley running east and west between 7th Street and 8th Street and north and south from Ouray Avenue to Chipeta Avenue and;
- The alley running east and west from 8th Street to 9th Street between Main Street and Colorado Avenue;
- The alley running east and west from 9th Street to 10th Street between Hill Avenue and Teller Avenue;
- The alley running east and west from 8th Street to 9th Street between Grand Avenue and White Avenue.

**Type of Improvements** - To include base course material under a mat of Concrete Pavement and construction or reconstruction of concrete approaches as deemed necessary by the City Engineer; and

**WHEREAS**, the City Council deems it advisable to take the necessary preliminary proceedings for the creation of a Local

Improvement District.

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

1. That the District of land to be assessed is described as follows:

LOTS 1 through 34, inclusive, Block 45,

AND ALSO Lots 1 through 32, inclusive, Block 79,

AND ALSO Lots 1 through 29, inclusive, Block 26,

AND ALSO the East 20 feet of Lot 1, Block 2, Mesa Subdivision;

AND ALSO the South 91 feet of Lot 11, Block 2, Mesa Subdivision;

AND ALSO Lots 12 through 20; Block 2, Mesa Subdivision;

AND ALSO the East 50 feet of Lot 21, Block 2, Mesa Subdivision;

AND ALSO the North 104.98 feet of the West 4.29 feet of Lot 21 and the North 104.98 feet of Lot 22, Block 2, Mesa Subdivision;

AND ALSO Lots 1 through 28, inclusive, Block 62,

AND ALSO Lots 1 through 29, inclusive, Block 114,

AND ALSO the East 19 feet of Lot 30, Block 114,

AND ALSO the North 32 feet of the west 6 feet of Lot 30, Block 114,

AND ALSO the North 32 feet of Lots 31 and 32, Block 114,

AND ALSO Lots 1 through 13, inclusive, Block 85;

AND ALSO the West 11.13 feet of Lot 14, Block 85;

AND ALSO the South 62 feet of the East 14 feet of Lot 14, Block 85;

AND ALSO the South 62 feet of Lots 15 and 16, Block 85;

AND ALSO Lots 17 through 32, inclusive, Block 85;

AND ALSO Lots 1 through 32, inclusive, Block 85, City of Grand Junction.

All in Mesa County, Colorado.

2. That the assessment levied against the respective properties will be as follows per each linear foot directly abutting the alley right-of-way:

Properties located within any zone other than residential shall be assessed \$22.50 per abutting foot; provided, however, that existing owner-occupied single-family uses within a non-residential zone shall be assessed at the single-family residential rate of \$6.00 per abutting foot and, also provided, that existing multi-family uses within a non-residential zone shall be assessed at \$12.00 per abutting foot;

Properties located in a multi-family zone shall be assessed at the multi-family rate of \$12.00 provided, however, that existing owner-occupied single-family uses within a multi-family zone shall be assessed at \$6.00 per abutting foot;

Properties located in a single-family residential zone shall be assessed at \$6.00 per abutting foot.

Properties having alley frontage on more than one side shall be assessed the applicable assessment rate for the frontage on the longest side only.

If the use of the excepted owner-occupied, single-family or multi-family property changes, or if a property is rezoned any time prior to the second assessment hearing, the assessment shall reflect that change.

The total amount of assessable footage for properties receiving the single-family residential zone rate is estimated to be 4,494.41 feet; and the total amount of assessable footage for properties located in any other residential zone is estimated to be 1,706.00 feet; and the total amount of assessable footage receiving the non-residential rate is 1,301.10.

3. That the assessments to be levied against the properties in said District to pay the cost of such improvements shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such costs becomes final, and, if paid during this period, the amount added for costs of collection and other incidentals shall be deducted; provided, however, that failure by any owner(s) to pay the whole assessment within said thirty (30) day period shall be conclusively considered as an election on the part of said owner(s) to pay the assessment, together with an additional six percent (6%) one-time charge for cost of collection

and other incidentals which shall be added to the principal payable in ten (10) annual installments, the first of which shall be payable at the time the next installment of general taxes, by the laws of the State of Colorado, is payable, and each annual installment shall be paid on or before the same date each year thereafter, along with simple interest which has accrued at the rate of 8 percent per annum on the unpaid principal, payable annually.

4. That the City Engineer is hereby authorized and directed to prepare full details, plans and specifications for such paving; and a map of the district depicting the real property to be assessed from which the amount of assessment to be levied against each individual property may be readily ascertained, all as required by Ordinance No. 178, as amended, City of Grand Junction, Colorado.

5. That Notice of Intention to Create said Alley Improvement District No. ST-95, and of a hearing thereon, shall be given by advertisement in one issue of The Daily Sentinel, a newspaper of general circulation published in said City, which Notice shall be in substantially the form set forth in the attached "NOTICE".

## NOTICE

### OF INTENTION TO CREATE ALLEY IMPROVEMENT DISTRICT NO. ST-95, IN THE CITY OF GRAND JUNCTION, COLORADO, AND OF A HEARING THEREON

**PUBLIC NOTICE IS HEREBY GIVEN**, pursuant to the request of a majority of the affected property owners, to the owners of real estate in the district hereinafter described and to all persons generally interested that the City Council of the City of Grand Junction, Colorado, intends to create Alley Improvement District No. ST-95, in said City for the purpose of reconstructing and paving certain alleys to serve the property hereinafter described, which lands are to be assessed with the cost of the improvements, to wit:

LOTS 1 through 34, inclusive, Block 45,

AND ALSO Lots 1 through 32, inclusive, Block 79,

AND ALSO Lots 1 through 29, inclusive, Block 26,

AND ALSO the East 20 feet of Lot 1, Block 2, Mesa Subdivision;

AND ALSO the South 91 feet of Lot 11, Block 2, Mesa Subdivision;

AND ALSO Lots 12 through 20; Block 2, Mesa Subdivision;

AND ALSO the East 50 feet of Lot 21, Block 2, Mesa Subdivision;

AND ALSO the North 104.98 feet of the West 4.29 feet of Lot 21 and the North 104.98 feet of Lot 22, Block 2, Mesa Subdivision;

AND ALSO Lots 1 through 28, inclusive, Block 62,

AND ALSO Lots 1 through 29, inclusive, Block 114,

AND ALSO the East 19 feet of Lot 30, Block 114,

AND ALSO the North 32 feet of the west 6 feet of Lot 30, Block 114,

AND ALSO the North 32 feet of Lots 31 and 32, Block 114,

AND ALSO Lots 1 through 13, inclusive, Block 85;

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City of Grand Junction.

All in Mesa County, Colorado.

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-- The cross alley running east and west between 7th Street and 8th Street and north and south from Chipeta Avenue to Gunnison Avenue ;

-- The alley running east and west from 8th Street to Cannell Avenue between Orchard Avenue and Hall Avenue;

-- The cross alley running east and west between 7th Street and 8th Street and north and south from Ouray Avenue to Chipeta Avenue and;

-- The alley running east and west from 8th Street to 9th Street between Main Street and Colorado Avenue;

-- The alley running east and west from 9th Street to 10th Street between Hill Avenue and Teller Avenue;

-- The alley running east and west from 8th Street to 9th Street between Grand Avenue and White Avenue.

**Type of Improvements** - To include base course material under a mat of Concrete Pavement and construction or reconstruction of concrete approaches as deemed necessary by the City Engineer. The assessment levied against the respective properties will be as follows per each linear foot directly abutting the alley right-of-way:

Properties located within any zone other than residential

shall be assessed \$22.50 per abutting foot; provided, however, that existing owner-occupied single-family uses within a non-residential zone shall be assessed at the single-family residential rate of \$6.00 per abutting foot and, also provided, that existing multi-family uses within a non-residential zone shall be assessed at \$12.00 per abutting foot;

Properties located in a multi-family zone shall be assessed at the multi-family rate of \$12.00 provided, however, that existing owner-occupied single-family uses within a multi-family zone shall be assessed at \$6.00 per abutting foot;

Properties located in a single-family residential zone shall be assessed at \$6.00 per abutting foot.

Properties having alley frontage on more than one side shall be assessed the applicable assessment rate for the frontage on the longest side only.

If the use of the excepted owner-occupied, single-family or multi-family property changes, or if a property is rezoned any time prior to the second assessment hearing, the assessment shall reflect that change.

The total amount of assessable footage for properties receiving the single-family residential zone rate is estimated to be 4,494.41 feet; and the total amount of assessable footage for properties located in any other residential zone is estimated to be 1,706.00 feet; and the total amount of assessable footage receiving the non-residential rate is 1,301.10 feet. The total amount of assessments to be levied against the abutting properties shall be \$ 76,713.21.

To the total assessable cost of \$ 76,713.21 to be borne by the property owners, there shall be added six (6) percent for costs of collection and incidentals. The said assessment shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such cost shall have become final, and if paid during such period, the amount added for costs of collection and incidentals shall be deducted; provided however, that failure by any owner(s) to pay the whole assessment within said thirty (30) day period shall be conclusively considered as an election on the part of said owner(s) to pay the assessment, together with an additional six percent (6%) one-time charge for cost of collection and other incidentals which shall be added to the principal payable in ten (10) annual installments which shall become due upon the same date upon which general taxes, or the first installment thereof, are by the laws of the State of Colorado, made payable. Simple interest at the rate of eight (8) percent per annum shall be charged on unpaid installments.

On September 21, 1994, at the hour of 7:30 o'clock P.M. in the City Council Chambers in City Hall located at 250 North 5th Street in said City, the Council will consider testimony that may be made for or against the proposed improvements by the owners of any real estate to be assessed, or by any person interested.

A map of the district, from which the share of the total cost to be assessed upon each parcel of real estate in the district may be readily ascertained, and all proceedings of the Council, are on file and can be seen and examined by any person interested therein in the office of the City Clerk during business hours, at any time prior to said hearing.

Dated at Grand Junction, Colorado, this 17th day of August, 1994..

**BY ORDER OF THE CITY COUNCIL  
CITY OF GRAND JUNCTION, COLORADO**

**By: /s/ Stephanie Nye  
City Clerk**

**PASSED and ADOPTED** this 17th day of August, 1994.

/s/ R.T. Mantlo  
President of the Council

**Attest:**

/s/ Stephanie Nye  
City Clerk