

## **RESOLUTION NO. 4-97**

### **RECREATING AND REESTABLISHING SANITARY SEWER IMPROVEMENT DISTRICTS NO. SS-38-95, AMENDED, AND NO. SS- 39-95, WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO AUTHORIZING THE INSTALLATION OF SANITARY SEWER FACILITIES, ADOPTING DETAILS, PLANS AND SPECIFICATIONS FOR THE SAME AND PROVIDING FOR THE PAYMENT THEREOF (COUNTRY CLUB PARK AND DRESSSEL DRIVE)**

**RECITALS:** On the 3rd day of April, 1996, the City Council of the City of Grand Junction, Colorado, passed a Resolution Stating its Intent to Create Sanitary Sewer Improvement District No. SS-38-95, Amended, Authorizing the City Engineer to prepare full details, plans and specifications for the installation of sanitary sewer facilities together with a map of the District to be assessed, and Authorizing Notice of Intention to Create said District.

On the 15th day of February, 1995, the City Council of the City of Grand Junction, Colorado, passed a Resolution Stating its Intent to Create Sanitary Sewer Improvement District No. SS-39-95, Authorizing the City Engineer to prepare full details, plans and specifications for the installation of sanitary sewer facilities together with a map of the District to be assessed, and Authorizing Notice of Intention to Create said District;

On the 19th day of April, 1995, the City Council of the City of Grand Junction, Colorado, passed a Resolution Creating Sanitary Sewer Improvement District No. SS-39-95, Authorizing the installation of sanitary sewer facilities, adopting details, plans and specifications for the same and providing for the payment thereof.

The City Engineer has complied with the directions so given, and has filed such specifications and map, all in accordance with said Resolution and the requirements of Ordinance No. 178, as amended, of said City.

The Notice of Intention to Create said District was duly published. The bid amounts exceeded the original estimate. The City renotified all of the affected owners of the property to be assessed in an effort to inform them of the costs and choices. The affected property owners then gave extensive testimony a the public hearing.

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

1. That said specifications and map be and the same are hereby approved and adopted.
2. That said Sanitary Sewer Improvement District No. SS-38-95, as amended, be and the same is hereby recreated and reestablished. That the installation of sanitary sewer facilities therein be, and the same are hereby authorized and directed, in accordance with the Ordinance No. 178, as amended, of the City of Grand Junction.
3. That the installation of said sanitary sewer facilities shall be made by contract let to the lowest reliable and responsible bidder after public advertisement.
4. That the improvements in said District were duly ordered, after notice duly given, and that all conditions precedent and all requirements of the laws of the State of Colorado, the Charter of the said City, and Ordinance No. 178, as amended (being Chapter 28 of the Code of Ordinances of the City), have been complied with.
5. That the description of the improvements to be constructed, the boundaries of said Sanitary Sewer Improvement District No. SS-38-95, as amended, the number of installments and assessments, the time in which the cost shall be payable, the rate of interest on unpaid installments, and the manner of apportioning and assessing such cost, shall be as prescribed in the Resolution adopted for said District on the 3rd day of April, 1996, and in accordance with the published Notice of Intention to Create said District.
6. The amounts to be assessed against each property is modified, based on the testimony presented at a public hearing held on December 18, 1996, for this purpose. A majority of the owners of the property to be assessed in both districts approved a higher assessment than was shown in the engineer's estimate on the Petition. The total amount of the bid submitted by the lowest reliable and responsible bidder (for Country Club Park, SS-38-95, as amended and Dressel Drive, SS-39-95, combined), shall be apportioned in equal amounts to all of the twenty-nine (29) properties benefitting from the work to be performed. Based on the accepted bid, the maximum amount to be assessed to each benefitted property shall be Seven thousand three hundred thirty-five dollars (\$7,335.00).

**PASSED** and **ADOPTED** this 15th day of January, 1997.

/s/ Linda Afman  
President of the Council

**Attest:**

/s/ Stephanie Nye  
City Clerk