







RESOLUTION NO. 14-98

DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, TO CREATE WITHIN SAID CITY ALLEY IMPROVEMENT DISTRICT NO. ST-98, PHASE A, 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 28 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 "Cross" shaped alley, 6th Street to 7th Street and White Avenue to Grand Avenue;
-  East-West alley from 12th Street to 13th Street between Main Street and Colorado Avenue;
-  East-West alley from 12th Street to 13th Street between Ouray Avenue and Chipeta Avenue;
-  East-West alley from 10th Street to 11th Street between Grand Avenue and Ouray Avenue;
-  East-West alley from 8th Street to 9th Street between Chipeta Avenue and Gunnison Avenue;
-  The south 572 feet of alley from Glenwood Avenue to Hall Avenue between 6th Street and 7th Street just west of Grand Junction High School.

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 lands to be assessed is described as follows:

LOTS 1 through 18 inclusive, Block 86, City of Grand Junction, and also **Lots 22 thru 31**, inclusive, Block 86, City of Grand Junction,

AND ALSO the West 45.35 feet of **lots 19 thru 21**, inclusive, Block 86, City of Grand Junction;

AND ALSO LOTS 1 through 30 inclusive, Block J, Keith Addition, City of Grand Junction;

AND ALSO the north 65.1 feet of **LOTS 31&32**, Block J, Keith Addition, City of Grand Junction;

AND ALSO LOTS 1 through 32 inclusive, Block 1, Dundee Place Subdivision, City of Grand Junction;

AND ALSO LOTS 1 through 32 inclusive, Block 68, City of Grand Junction;

AND ALSO LOTS 1 through 32 inclusive, Block 48, City of Grand Junction;

AND ALSO The South 572 feet of Block 3, High School Addition, City of Grand Junction;

AND ALSO all of **Lot 19** except the North 125 feet, Capitol Hill Subdivision, City of Grand Junction;

AND ALSO the North 180 feet of **Lot 18**, Capitol Hill Subdivision, 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 and properties which are used and occupied for any purpose other than residential shall be assessed \$22.50 per abutting foot; provided, however, that existing 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 the multi-family rate of \$12.00 per abutting foot;

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

Properties located in a single-family residential zone shall be assessed at \$6.00 per abutting foot, provided, however, that any residential multi-family uses within a single-family residential zone shall be assessed at the residential multi-family rate of \$12.00 per abutting foot; further provided, that any non-residential uses in a single-family zone shall be assessed at the non-residential rate of \$22.50 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 single-family or multi-family property use changes, or if a property is rezoned any time prior to the 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 2,942.00 feet; and the total amount of assessable footage for properties located in any other residential zone is estimated to be 362.50 feet; and the total amount of assessable footage receiving the non-residential rate is 2134.50.

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-98, Phase A, 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-98, PHASE A, 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-98, Phase A, 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:

That the District of lands to be assessed is described as follows:

LOTS 1 through 18 inclusive, Block 86, City of Grand Junction, and also **Lots 22 thru 31**, inclusive, Block 86, City of Grand Junction,

AND ALSO the West 45.35 feet of **lots 19 thru 21**, inclusive, Block 86, City of Grand Junction;

AND ALSO LOTS 1 through 30 inclusive, Block J, Keith Addition, City of Grand Junction;

AND ALSO the north 65.1 feet of **LOTS 31&32**, Block J, Keith Addition, City of Grand Junction;

AND ALSO LOTS 1 through 32 inclusive, Block 1, Dundee Place Subdivision, City of Grand Junction;

AND ALSO LOTS 1 through 32 inclusive, Block 68, City of Grand Junction;

AND ALSO LOTS 1 through 32 inclusive, Block 48, City of Grand Junction;

AND ALSO The South 572 feet of Block 3, High School Addition, City of Grand Junction;

AND ALSO all of **Lot 19** except the North 125 feet, Capitol Hill Subdivision, City of Grand Junction;

AND ALSO the North 180 feet of **Lot 18**, Capitol Hill Subdivision, City of Grand Junction;

All in Mesa County, Colorado.





Location of Improvements:



The "Cross" shaped alley, 6th Street to 7th Street and White Avenue to Grand Avenue;



East-West alley from 12th Street to 13th Street between Main Street and Colorado Avenue;

-  East-West alley from 12th Street to 13th Street between Ouray Avenue and Chipeta Avenue;
-  East-West alley from 10th Street to 11th Street between Grand Avenue and Ouray Avenue;
-  East-West alley from 8th Street to 9th Street between Chipeta Avenue and Gunnison Avenue;
-  The south 572 feet of alley from Glenwood Avenue to Hall Avenue between 6th Street and 7th Street just west of Grand Junction High School.

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.

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 and properties which are used and occupied for any purpose other than residential shall be assessed \$22.50 per abutting foot; provided, however, that existing 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 the multi-family rate of \$12.00 per abutting foot;

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

Properties located in a single-family residential zone shall be assessed at \$6.00 per abutting foot, provided, however, that any residential multi-family uses within a single-family residential zone shall be assessed at the residential multi-family rate of \$12.00 per abutting foot; further provided, that any non-residential uses in a single-family zone shall be assessed at the non-residential rate of \$22.50 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 single-family or multi-family property use changes, or if a property is rezoned any time prior to the 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 2,942.00 feet; and the total amount of assessable footage for properties located in any other residential zone is estimated to be 362.50 feet; and the total amount of assessable footage receiving the non-residential rate is 2134.50.

To the total assessable cost of \$70,046.25 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 April 1st, 1998, 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 18th day of February, 1998.

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

By: /s/ Stephanie Nye
City Clerk

PASSED and **ADOPTED** this 18th day of February, 1998.

/s/ Janet L. Terry
President of the Council

Attest:

/s/ Stephanie Nye
City Clerk

RESOLUTION NO. _____

**CREATING AND ESTABLISHING
ALLEY IMPROVEMENT DISTRICT NO. ST-98, PHASE A,
WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION,
COLORADO, AUTHORIZING THE RECONSTRUCTION OF CERTAIN ALLEYS,
ADOPTING DETAILS, PLANS AND SPECIFICATIONS FOR THE PAVING
THEREON AND PROVIDING FOR THE PAYMENT THEREOF**

WHEREAS, on the 18th day of February, 1998, the City Council of the City of Grand Junction, Colorado, passed a Resolution Stating its Intent to Create Alley Improvement District No. ST-98, Phase A, Authorizing the City Engineer to prepare full details, plans and specifications for the paving thereon together with a map of the District to be assessed, and Authorizing Notice of Intention to Create said District; and

WHEREAS, the City Engineer has fully and strictly 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; and

WHEREAS, Notice of Intention to Create said District was duly published.

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 Alley Improvement District No. ST-98, Phase A, be and the same is hereby created and established; and that the reconstruction of a certain alleys 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 reconstruction of said alleys shall be made by contract let to the lowest reliable and responsible bidder after public advertisement, except that if it is determined by the City Council that the bids are too high, and that the proposed improvements can be efficiently made by the City, the City may provide that the construction shall be made under the direction and control of the City Manager by hiring labor by the day or otherwise, and by purchasing all necessary material, supplies and equipment.
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 of Grand Junction, Colorado, have been strictly complied with.
5. That the description of the improvements to be constructed, the boundaries of said Alley Improvement District No. ST-98, Phase A, the amounts to be assessed, 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 18th day of February, 1998, and in accordance with the published Notice of Intention to Create said District.

PASSED and **ADOPTED** this 1st day of April, 1998.

President of the Council

Attest:

City Clerk