

**CITY OF GRAND JUNCTION, COLORADO**

**RESOLUTION NO. 90-02**

**DECLARING THE INTENTION OF THE CITY COUNCIL  
OF THE CITY OF GRAND JUNCTION, COLORADO, TO CREATE  
WITHIN SAID CITY ALLEY IMPROVEMENT DISTRICT NO. ST-03 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:**

- "T" Shaped Alley from 2<sup>nd</sup> to 3<sup>rd</sup>, between E. Sherwood Avenue and North Avenue
- "Cross" Shaped Alley from 6<sup>th</sup> to 7<sup>th</sup>, between Rood Avenue and White Avenue
- East/West Alley from 11<sup>th</sup> to 12<sup>th</sup>, between Rood Avenue and White Avenue
- East/West Alley from 13<sup>th</sup> to 14<sup>th</sup>, between Main Street and Colorado Avenue
- East/West Alley from 13<sup>th</sup> to 14<sup>th</sup>, between Chipeta Avenue and Ouray Avenue
- East/West Alley from 13<sup>th</sup> to 14<sup>th</sup>, between Hall Avenue and Orchard 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 lands to be assessed is described as follows:

LOT 1 BLK 13 SHERWOOD ADD; and also,  
ALL THAT PT LOT 2 BLK 13 SHERWOOD ADD N OF A LI EXTENDING FR  
MIDPOINT ON WLY BDRY TO MIDPOINT OF ELYBDRY LOT; and also,  
BEG INTERS OF SWLY LI LOT 3 BLK 13 SHERWOOD ADD WISELY ROW OF  
EAST SHERWOOD DR NELY ALG DR 50FT S43DEG36MIN E 126.24FT TO  
ALY S

28DEG W ALG ALY 52.65FT TO SWLY LI LOT 3 N 43DEG36MIN W ALG LI 143.35FT TO BEG; and also,  
N 80FT OF LOT 5 BLK 13 SHERWOOD ADD; and also,  
S 100FT OF LOT 5 BLK 13 SHERWOOD ADD; and also,  
UNIT 1 + AN UNDIVIDED 1/2 OF THE COMMON ELEMENTS SHERWOOD PARK CONDOMINIUM AS RECD RECEPTION NO 1014611; and also,  
UNIT 2 + AN UNDIVIDED 1/2 OF THE COMMON ELEMENTS SHERWOOD PARK CONDOMINIUM AS RECD RECEPTION NO 1014611; and also,  
A PORTION OF LOT 4 SHERWOOD ADD SEC 11 1S 1W DESC AS FOLLOWS  
BEG SE COR SD LOT 4 N 89DEG42' W 75FT N 0DEG13' W 119.05FT ALG CVE TO RIGHT 51.5FT RAD 583.3FT CHORDBEAR S N 68DEG39'08SEC E 51.48FT ALG CVE TO RIGHT 38.68FT RAD 20FT CHORD BEARS S 55DEG24'13SEC E 32.86FTS 0DEG13' E 119.53FT TO BEG; and also,  
BEG S 0DEG13' E 97FT FR NE COR LOT 6 BLK 13 SHERWOOD ADD SEC 11 1S 1W S 0DEG13' E 43FT N 89DEG36'30SEC W 190.53FT N 44DEG54'45SEC W 7.11FT N 0DEG13' W 112.16FT N 28DEG08' E 25.81FT S 89DEG36'30SEC E 51.78FT S 0DEG13' E 97FT S 89DEG36'30SEC E 131.50FT TO BEG; and also,  
UNITS 101 THRU 105 INC & UNITS 201-202-204 & 205 SHERWOOD PARK PLAZA RECPT NO1274960 DECL RECD B-1343 P-570 THRU P-600 MESA CO RECDS & COMMON ELEMENTS; and also,  
LOTS 1-2-3 BLK 4 SHAFROTH RODGERS ADDITION SEC 11 1S 1W & BEG 520FT E OF SWCOR SD SEC 11 N 400FT E 50FT S 400FT W TO BEG & THAT PT OF W 10FT OF VAC ROWOF 3RD ST ADJ ON E PER CITY ORD DESC IN B-1704 P-668 EXC N 10FT FOR ALLEY AS DESC IN B-1020 P-965 MESA CO RECORDS; and also,  
BEG 470FT E OF SW COR SEC 11 1S 1W N 390FT E 50FT S 390FT W TO BEG EXC S 50FT FOR RD AS PER B-1451 P-530 MESA CO RECORDS; and also,  
BEG 420FT E OF SW COR SEC 11 1S 1W N 390FT E 50FT S 390FT W TO BEG EXC S 50FT FOR RD AS PER B-1451 P-530 MESA CO RECORDS.  
AND ALSO; Lots 1 through 32, inclusive, Block Q, Keiths Addition.  
AND ALSO; Lots 1 through 34, inclusive, Block 89, Grand Junction.  
AND ALSO; Lots 1 through 32, inclusive, Block 2, Dundee Place.  
AND ALSO; Lots 1 through 4, inclusive; and Lots 16 through 20, inclusive, Block 1, Eastholme in Grandview Subdivision.  
AND ALSO; Lots 1 through 32, inclusive, Block K, Keiths Addition.  
All in the City of Grand Junction, and 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 \$31.50 per abutting foot; provided, however, that existing multi-family uses within a non-residential zone shall be assessed at the multi-family rate of \$15.00 per abutting foot; further provided, that any single-family uses within a non-residential zone shall be assessed at the single family rate of \$8.00 per abutting foot.

Properties located in a residential multi-family zone shall be assessed at the residential multi-family rate of \$15.00 per abutting foot; provided, however, that any

single family uses within a multi-family zone shall be assessed at the single family rate of \$8.00 per abutting foot.

Properties located in a single family residential zone shall be assessed at \$8.00 per abutting foot; provided, however, that existing multi-family uses within a residential zone shall be assessed at the multi-family rate of \$15.00 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 any property 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 rate is estimated to be 2,938.40, feet and the total amount of assessable footage for properties receiving the multi-family residential rate is estimated to be 328.40 feet; and the total amount of assessable footage receiving the non-residential rate is 1,958.80.

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-03, 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-03, 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-03, 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:

LOT 1 BLK 13 SHERWOOD ADD; and also,  
ALL THAT PT LOT 2 BLK 13 SHERWOOD ADD N OF A LI EXTENDING FR  
MIDPOINT ON WLY BDRY TO MIDPOINT OF ELYBDRY LOT; and also,  
BEG INTERS OF SWLY LI LOT 3 BLK 13 SHERWOOD ADD WISELY ROW OF  
EAST SHERWOOD DR NELY ALG DR 50FT S43DEG36MIN E 126.24FT TO  
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28DEG W ALG ALY 52.65FT TO SWLY LI LOT 3 N 43DEG36MIN W ALG LI  
143.35FT TO BEG; and also,  
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S 100FT OF LOT 5 BLK 13 SHERWOOD ADD; and also,  
UNIT 1 + AN UNDIVIDED 1/2 OF THE COMMON ELEMENTS SHERWOOD  
PARK  
CONDOMINIUM AS RECD RECEPTION NO 1014611; and also,  
UNIT 2 + AN UNDIVIDED 1/2 OF THE COMMON ELEMENTS SHERWOOD  
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A PORTION OF LOT 4 SHERWOOD ADD SEC 11 1S 1W DESC AS FOLLOWS  
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CVE TO RIGHT 51.5FT RAD 583.3FT CHORD BEARS N 68DEG39'08SEC E  
51.48FT ALG CVE TO RIGHT 38.68FT RAD 20FT CHORD BEARS S  
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UNITS 101 THRU 105 INC & UNITS 201-202-204 & 205 SHERWOOD PARK  
PLAZA RECPT NO1274960 DECL RECD B-1343 P-570 THRU P-600 MESA CO  
RECDS & COMMON ELEMENTS; and also,  
LOTS 1-2-3 BLK 4 SHAFROTH RODGERS ADDITION SEC 11 1S 1W & BEG  
520FT E OF SWCOR SD SEC 11 N 400FT E 50FT S 400FT W TO BEG & THAT  
PT OF W 10FT OF VAC ROW OF 3RD ST ADJ ON E PER CITY ORD DESC IN  
B-1704 P-668 EXC N 10FT FOR ALLEY AS DESC IN B-1020 P-965 MESA CO  
RECORDS; and also,  
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AND ALSO; Lots 1 through 34, inclusive, Block 89, Grand Junction.  
AND ALSO; Lots 1 through 32, inclusive, Block 2, Dundee Place.  
AND ALSO; Lots 1 through 4, inclusive; and Lots 16 through 20, inclusive, Block 1, Eastholme in Grandview Subdivision.  
AND ALSO; Lots 1 through 32, inclusive, Block K, Keiths Addition.  
All in the City of Grand Junction, and Mesa County, Colorado.

**Location of Improvements:**

- “T” Shaped Alley from 2<sup>nd</sup> to 3<sup>rd</sup>, between E. Sherwood Avenue and North Avenue
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**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 \$31.50 per abutting foot; provided, however, that existing multi-family uses within a non-residential zone shall be assessed at the multi-family rate of \$15.00 per abutting foot;

Properties located in a residential multi-family zone shall be assessed at the residential multi-family rate of \$15.00 per abutting foot.

Properties located in a single-family residential zone shall be assessed at \$8.00 per abutting foot.

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assessable footage for properties receiving the multi-family residential rate is estimated to be 328.40 feet; and the total amount of assessable footage receiving the non-residential rate is 1,958.80.

To the total assessable cost of \$90,135.40 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 November 6<sup>th</sup>, 2002, 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 2<sup>nd</sup> day of October, 2002.

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

By: \_\_\_\_\_  
City Clerk

**PASSED** and **ADOPTED** this 2<sup>nd</sup> day of October, 2002.

/s/: Cindy Enos-Martinez  
President of the Council

**Attest:**

/s/: Stephanie Tuin  
City Clerk