

## RESOLUTION NO. 24-06

### **A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, TO CREATE WITHIN SAID CITY STREET IMPROVEMENT DISTRICT NO. ST- 06, PHASE B, 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 a Street Improvement District be created for the construction of improvements as follows:

#### **Location of Improvements:**

- From Maldonado Street to Mulberry Street, between West Grand Avenue and West Chipeta Avenue.

**Type of Improvements** - To include base course material under a mat of Hot Mix Bituminous Pavement and construction of concrete curb, gutter and sidewalk and storm drainage facilities 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 3, inclusive, Trujillo Subdivision, and also;

Lots 1 through 6, inclusive, Maldonado Subdivision, and also;

Lots 9 through 22, inclusive, Block 3, Carpenter's Subdivision No. 2, and also;

Lots 1 through 22, inclusive, Block 4, Carpenter's Subdivision No. 2, and also;

Lots 3, 4, and Lots 12 through 22, inclusive, Block 1 Carpenter's Subdivision No. 2, and also;

Lots 12 through 22, inclusive, Block 2, Carpenter's Subdivision No. 2, and also;

Lots 1 through 3, inclusive, and Lots 9 through 17, inclusive, Block 7, Carpenter's Subdivision No. 2, and also;

Lots 1 and 2, Coleman Subdivision, and also;

Lot 10, Block 6, Six and Fifty West Subdivision, Filing No. Two, and also;

Lots 4 and 5, inclusive, Block 7, Six and Fifty West Subdivision, Filing No. Two, and also;

Lot 1, DeRush Subdivision, and also;

Lot 1, Reman Simple Subdivision, and also;

The East 460 feet of the South 660 feet of the SW 1/4 NE 1/4 of Section 15, T1S, R1W, of the Ute Meridian. All in the City of Grand Junction, Mesa County, Colorado.

2. That the total assessable costs of the District Improvements are estimated to be \$618,776.65. Grant money in the amount of \$500,000 shall be applied to reduce assessments. The total assessable costs shall be assessed against the District lands and

apportioned based on front footage and at the following maximum rates, which as shown are adjusted by the amount of the grant:

\$21.98/foot for residential properties;

\$88.37/foot for commercial properties not included as follows;

\$31.50/foot for those commercial properties having previously signed a Power of Attorney for Alley Improvements on West Chipeta Avenue.

If the actual assessable costs are less than the estimated amount of \$618,776.65, the front footage costs will be decreased accordingly.

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, as required by the Mesa County Treasurer's office, 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 El Poso Area Street Improvement District No. ST-06, Phase B, 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 STREET IMPROVEMENT DISTRICT NO. ST-06, PHASE B, 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 El Poso Area Street Improvement District No. ST-06, Phase B, in said City for the purpose of reconstructing and paving certain streets to serve the property hereinafter described which lands are to be assessed with the cost of the improvements, to wit:

Lots 1 through 3, inclusive, Trujillo Subdivision, and also;  
Lots 1 through 6, inclusive, Maldonado Subdivision, and also;  
Lots 9 through 22, inclusive, Block 3, Carpenter's Subdivision No. 2, and also;  
Lots 1 through 22, inclusive, Block 4, Carpenter's Subdivision No. 2, and also;  
Lots 3, 4, and Lots 12 through 22, inclusive, Block 1 Carpenter's Subdivision No. 2, and also;  
Lots 12 through 22, inclusive, Block 2, Carpenter's Subdivision No. 2, and also;  
Lots 1 through 3, inclusive, and Lots 9 through 17, inclusive, Block 7, Carpenter's Subdivision No. 2, and also;  
Lots 1 and 2, Coleman Subdivision, and also;  
Lot 10, Block 6, Six and Fifty West Subdivision, Filing No. Two, and also;  
Lots 4 and 5, inclusive, Block 7, Six and Fifty West Subdivision, Filing No. Two, and also;  
Lot 1, DeRush Subdivision, and also;  
Lot 1, Reman Simple Subdivision, and also;  
The East 460 feet of the South 660 feet of the SW 1/4 NE 1/4 of Section 15, T1S, R1W, of the Ute Meridian. All in the City of Grand Junction, Mesa County, Colorado.

#### **Location of Improvements:**

- From Maldonado Street to Mulberry Street, between West Grand Avenue and West Chipeta Avenue.

**Type of Improvements:** To include base course material under a mat of Hot Bituminous Pavement and construction of concrete curb, gutter and sidewalk and storm drainage facilities as deemed necessary by the City Engineer.

2. That the total assessable costs of the District Improvements are estimated to be \$620,425.15. Grant money in the amount of \$500,000 shall be applied to reduce assessments. The total assessable costs shall be assessed against the District lands and apportioned based on front footage and at the following maximum rates, which as shown are adjusted by the amount of the grant:

\$21.98/foot for residential properties;

\$88.37/foot for commercial properties not included as follows;

\$31.50/foot for those commercial properties having previously signed a Power of Attorney for Alley Improvements on West Chipeta Avenue.

If the actual assessable costs are less than the estimated amount of \$618,776.65, the front footage costs will be decreased accordingly.

To the total assessable cost of \$618,776.65 to be borne by the property owners, there shall be, as required by the Mesa County Treasurer's Office, 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, as required by the Mesa County Treasurer's Office, 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 May 17, 2006, at the hour of 7:00 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 5<sup>th</sup> day of April, 2006.

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

By: /s/ Stephanie Tuin  
City Clerk

**PASSED** and **ADOPTED** this 5<sup>th</sup> day of April, 2006.

/s/ Bruce Hill  
President of the Council

**Attest:**

/s/ Stephanie Tuin  
City Clerk