

RESOLUTION NO. 28-96

DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, TO CREATE WITHIN SAID CITY ALLEY IMPROVEMENT DISTRICT NO. ST-96, PHASE C, 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 14th Street to 17th Street between White Avenue and Rood Avenue;
- The alley running east and west from 6th Street to 7th Street between South Avenue and Pitkin 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:

Lots One through 14, inclusive, Block F, Keith addition to the City of Grand Junction;

AND ALSO Lots 19 through 32, inclusive, Block F, Keith addition to the City of Grand Junction;

AND ALSO Lots 1 through 18, inclusive, Block 2, East Main Street Addition to the City of Grand Junction

Lots 1 through 30, inclusive, all in Block 149, 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 single-family zone will be assessed at the single-family rate of \$6.00 per abutting foot;

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

Properties located within any zone other than residential described herein shall be assessed at the non-residential rate of \$22.50 per abutting foot.

If the use of the excepted owner-occupied, single-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 897.75 feet;

The total amount of assessable footage for properties receiving the multi-family residential zone rate is estimated to be 1,072.82 feet;

The total amount of assessable footage for properties receiving the non-residential zone rate is estimated to be 770.00 feet;

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-96, Phase C, 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-96, PHASE C, 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-96, Phase C, 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 One through 14, inclusive, Block F, Keith addition to the City of Grand Junction;

AND ALSO Lots 19 through 32, inclusive, Block F, Keith addition to the City of Grand Junction;

AND ALSO Lots 1 through 18, inclusive, Block 2, East Main Street Addition to the City of Grand Junction

Lots 1 through 30, inclusive, all in Block 149, City of Grand Junction;

All in Mesa County, Colorado.

Location of Improvements:

- The alley running east and west from 14th Street to 17th Street between White Avenue and Rood Avenue;
- The alley running east and west from 6th Street to 7th Street between South Avenue and Pitkin 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 single-family zone will be assessed at the single-family rate of \$6.00 per abutting foot;

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

Properties located within any zone other than residential described herein shall be assessed at the non-residential rate of \$22.50 per abutting foot.

If the use of the excepted owner-occupied, single-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 897.95 feet;

The total amount of assessable footage for properties receiving the multi-family residential zone rate is estimated to be 1,072.82 feet;

The total amount of assessable footage for properties receiving the non-residential zone rate is estimated to be 770.00 feet;

The total amount of assessments to be levied against the abutting properties shall be \$37,721.73.

To the total assessable cost of \$37,721.73 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 May 1, 1996, 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 20th day of March, 1996.

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

By: /s/ Stephanie Nye
City Clerk

PASSED and **ADOPTED** this 20th day of March, 1996.

/s/ Ron Maupin
President of the Council

Attest:

/s/ Theresa F. Martinez
Deputy City Clerk