

Grand Junction, Colorado, June 21, 1913.

The City Council of the City of Grand Junction convened in regular adjourned session at 4 o'clock p. m., in the City Hall, with Mayer Todd in the chair.

The following Commissioners, upon call of roll, responded as present: Todd, Vedder, Verbeck, Rankin, Holmburg.

City Attorney Tupper was present.

The following resolution was introduced and read:

R E S O L U T I O N

RESOLUTION CREATING AND ESTABLISHING, WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, A SIDEWALK DISTRICT TO BE KNOWN AND DESIGNATED AS "SIDEWALK DISTRICT NUMBER ONE"; AUTHORIZING THE CONSTRUCTION OF SIDEWALKS ON CERTAIN STREETS THEREON, ALL IN CONFORMITY WITH FULL DETAILS, SPECIFICATIONS, MAPS, ESTIMATES, NOTICE AND ORDER HERETOFORE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION IN THE PREMISES; DESCRIBING THE REAL ESTATE CONSTITUTING SAID DISTRICT TO BE ASSESSED FOR THE COST OF SAID LOCAL IMPROVEMENT; PROVIDING FOR THE MANNER OF ASSESSING THE COST THEREOF AND THE PAYMENT THEREFOR; PROVIDING FOR THE ISSUANCE OF PUBLIC IMPROVEMENT BONDS TO PROVIDE FUNDS TO PAY FOR SAID LOCAL IMPROVEMENTS; DESCRIBING THE FORM OF SAID BONDS, ALL OF SAID PROCEEDINGS BEING IN CONFORMITY WITH ORDINANCE NO. 178 OF THE CITY OF GRAND

JUNCTION, COLORADO, ADOPTED AND APPROVED THE
11th DAY OF JUNE, 1910, AND AS AMENDED BY
ORDINANCE NO. 208 OF THE CITY OF GRAND JUNCTION,
ADOPTED AND APPROVED MARCH 4, 1913.

- - - - -

WHEREAS, in conformity with the Charter of the city of
Grand Junction and Ordinance No. 178, entitled "An Ordinance
Providing for the Creation of Local Improvement Districts,
the Construction therein of certain Loan Improvements, and
Providing a Method of Payment Therefor", adopted and approved
the 11th day of June, 1910, and as amended by Ordinance No.
208, entitled "An Ordinance Amending Section 40 of Ordinance 178
entitled 'An Ordinance Providing for the Creation of Local Improve-
ment Districts, the Construction Therein of Certain Loan Improve-
ments, and Providing a Method of Payment Therefor' passed and
adopted the 11th day of June, 1910", adopted and approved March
4th, 1913, the City Council of the City of Grand

Junction, by resolution duly adopted and approved May 19, 1913,
declaring the intention of the City Council to create a local
improvement district in the city of Grand Junction, to be known
and designated as "Sidewalk District No. One; and

WHEREAS, by resolution duly adopted and approved May
19, 1913, details and specifications for constructing sidewalks
on certain streets within the corporate limits of the City of
Grand Junction to be known and designated as "Side Walk District
No. One", provisions were made for the requisite notice to all
persons interested ⁱⁿ the improvements proposed; the number of
installments, the time in which the cost of said improvements
will be payable, the rate of interest on unpaid installments,
the extent of the district to be assessed, including a descrip-
tion of the streets to be improved, the probable cost of said
improvements as shown by the estimate of the engineer, the
maximu share of said total estimate per front foot that will
be assessed upon any lot or lands that will be improved in the
district, and the time when the Council ^{will} ~~can~~ consider the order-
ing of the proposed improvements and hear all complaints and
objections that may be made in writing concerning the proposed
improvements; that all maps and estimates and all proceedings
of the council in the premises were on file and could be seen
and examined in the office of the City Clerk, during business
hours, at any time prior to four o'clock of the 21st day of
June, 1913, by any person interested; and

WHEREAS, at the time and place specified in said
resolution, and in said notice, no complaints or objections in
writing or otherwise were made concerning the proposed improve-
ments, and all conditions have now transpired authorizing said

City Council to create said Sidewalk District No. One, and constructing the said proposed improvements therein.

WHEREFORE, BE IT RESOLVED BY THE CITY COUNCIL,
OF THE CITY OF GRAND JUNCTION, COLORADO:

Section 1. That upon due consideration the Council hereby finds that by virtue of the authority conferred upon it by the laws of the State of Colorado, the Charter of the City of Grand Junction, and Ordinance No. 178, of said city, duly adopted and approved on June 11, 1910, as amended by Ordinance No. 208 of the City of Grand Junction, adopted and approved March 4, 1913, the said improvements consisting of the construction of sidewalks on certain streets in said Sidewalk District No. One, were duly ordered after notice duly given; that there were no complaints or objections filed in writing, or otherwise, concerning the same; that the City Council of the City of Grand Junction, in creating said Sidewalk District No. One, and ordering the improvements therein, as above specified, has in all things complied with the laws of the State of Colorado, the requirements of the Charter of the City of Grand Junction, and City Ordinance No. 178 as amended by said Ordinance No. 208.

Sec. 2. That a local improvement district be and the same is hereby established and created, and that the description of the streets to be improved in said proposed Sidewalk District No. One, in the City of Grand Junction, Colorado, is as follows:

MAIN STREET, on the north side thereof, from the southwest corner of Lot 18, in Block 3 of Grand River Subdivision, east to the west boundary line of The Denver & Rio Grande Railroad Company's right of way; also from the southwest corner of Block 5 of Mobley's subdivision west to the east boundary line of the Denver & Rio Grande Railroad Company's right of way.

On the south side of said street, beginning with the northeast corner of Lot 2, Block 9, of Mobley's Subdivision, thence west to the city limits; also beginning at the northeast corner of Lot 9, in Block 8 of Mobley's Subdivision, thence west to the east line of the Denver & Rio Grande Railroad Company's right of way.

COLORADO AVENUE: On the north side thereof, beginning with the west line of West Street thence east to the west line of the Denver & Rio Grande Railroad Company's right of way; also along the south side of Block 7, of Mobley's Subdivision. On the south side of said street, beginning with the northwest corner of Lot 11, in Block 10 of Mobley's Subdivision, thence east to the west line of Plank Avenue.

UTM AVENUE: On the north side beginning at the southwest corner of Lot 22, in Block 10, Mobley's Subdivision, thence east to Plank Avenue.

On the south side of said street, beginning with the northwest corner of Lot 16, Block 12, of Mobley's Subdivision, thence east to the northeast corner of Lot 6, in Block 12, of Mobley's Subdivision.

RIVERVIEW AVENUE: On the north side, beginning at the southwest corner of Lot 12, in Block 12, in Mobley's Subdivision, thence east to Crawford Avenue.

On the south side of said street, from the northeast corner of Lot 24, in Block 5, of Crawford's Subdivision, thence east to the Denver & Rio Grande Railroad Company's right of way.

WEST STREET: On the west side thereof, between Main Street and Colorado Avenue.

PLANK AVENUE: On the West side thereof, beginning with the north line of Riverview Avenue north to the south side of Main Street.

OHULUOTA AVENUE: On the West side thereof, beginning with the southeast corner of Lot 1, in Block 4, of Crawford's Subdivision, thence north to the south side of Riverview Avenue.

PARK AVENUE: On the west side thereof, beginning with the northeast corner of Lot 24, in Block 5, of Crawford's Subdivision, thence south to the center of Lot 15, in said Block.

On the east side of said street, from the south side of Riverview Avenue, to the center of Lot 37, in Block 4, of Crawford's Subdivision.

- - - - -

That the extent of the district to be assessed for said improvements is all the real estate without regard to lot or land lines, to a depth of approximating seventy-five feet immediately in front of which the improvements are to be made.

Sec. 3. That said district shall be known as and the same is hereby designated as "Sidewalk District No. One".

Sec. 4. That the construction of the sidewalks on the streets hereinbefore described all strictly in accordance with the full details, plans, specifications, maps, estimates, notices and orders heretofore adopted and given by the said Council in the premises, be and the same are hereby authorized and ordered, and the Commissioner of Highways is hereby authorized, on behalf of said city, to construct the improvements and to do the work ordered by this resolution in conformity with the Charter of the City of Grand Junction; PROVIDED, HOWEVER, that the cost of the same, including general expenses but exclusive of the percentum of the cost of collection and other incidentals, and of the interest to the date the first installment of said cost becomes due, ~~namely \$8,534.72~~, shall not exceed the estimate of the engineer, viz \$8534.72

Sec. 5. That said total amount, namely - \$8,534.72, or

so much thereof as may be required to pay the actual proportionate cost of said improvements, together with six per cent additional for cost of collection and other incidentals, and the cost of and interest on the bonds to be issued from time to time to raise funds for the payment of said actual proportionate cost,

said interest to run from the time of the issue of said bonds to the time the first installment will be due, shall be assessed wholly upon the real estate hereinbefore described, and the manner of proportioning the cost and collecting the assessments and all other matters incidental to said improvements shall be as heretofore described and set forth in previous resolution adopted by the Council.

Sec. 6. That by virtue of and in pursuance of the Charter of the City of Grand Junction, and Ordinance No. 178 thereof, passed and adopted June 11, 1910, as amended by Ordinance No. 208, passed and adopted March 4, 1913, public improvement bonds of the city shall be issued for the purpose of raising funds to pay cash for the local improvements in this resolution described, authorized and provided to be constructed in said Sidewalk District No. One, in an amount not to exceed the whole cost of said improvements, including engineering, inspection, collection and other incidental expenses, and in no event to exceed the estimate of the cost of said improvement made by the Engineer of said City pursuant to the preliminary order of said Council, adopted May 19, 1913, to-wit: \$6,534.72 with six per centum additional for cost of collection and other incidentals, and with interest.

Sec. 7. That said bonds shall be dated July 1, A. D. 1913, shall bear the name of the district improved, shall be payable to bearer on or before twelve years from and after the date thereof, subject to call, and prior payment as by law provided; shall be subscribed by the mayor, attested by the city clerk, and the seal ^{of the City} thereunto affixed, and registered by the Treasurer; the said bonds shall be payable out of moneys collected on account of assessments made for said improvements; shall bear interest at the rate of six per centum per annum, payable semi-annually, on the first day of January and the first day of July, in each year; shall have twenty-four coupons attached, subscribed by the fac-simile signature of the City Treasurer and evidencing the semi-annual installments of said interest, shall be in the denomination of Two hundred fifty Dollars, and shall be numbered consecutively from one upward, both principal and interest shall be payable at the office of the City Treasurer, Grand Junction, Colorado, or at the Banking House of Mountze Brothers, in the city of New York, U. S. A., at the option of the holder.

Sec. 8. That said bonds and coupons thereto attached shall be in substantially the following form:

" United States of America

State of Colorado

City of Grand Junction

PUBLIC IMPROVEMENT BOND

SIDEWALK DISTRICT NUMBER ONE

NO. _____

\$250.00

The City of Grand Junction, in the county of Mesa and State of Colorado, for value received, acknowledges itself indebted and hereby promises to pay to the bearer hereof the sum of Two Hundred Fifty Dollars (\$250.00) lawful money of the United States of America, on the first day of July, A. D. 1925, subject to call and payment, however, at any time prior thereto, with interest thereon from date until payment, at the rate of six per centum per annum, payable semi-annually on the first day of January and the first day of July, in each year, both principal and interest being payable at the office of the City Treasurer of the City of Grand Junction, or at the banking house of Kountze Brothers, in the City of New York, United States of America, at the option of the holder, upon presentation and surrender of the attached coupons, as they severally become due.

This bond is issued for the purpose of paying the cost of local public improvements in Sidewalk District Number One, in the City of Grand Junction, by virtue of and in full conformity with the constitution and laws of the State of Colorado, the Charter of the city of Grand Junction, and the requisite resolutions and ordinances of said City duly adopted, approved, published and made laws of said City prior to the issue hereof.

This bond is payable out of the proceeds of a special assessment to be levied upon real estate situate in the City of Grand Junction, in said Sidewalk District Number One specially benefitted by said improvement, and the amount of the assessments upon the real estate in said district for the payment thereof with accrued interest, is a lien upon said real estate in respective amounts apportioned to said real estate and assessed under the Charter and ordinances of said city; said lien having priority over all other liens except other bonds heretofore issued by said City and the lien of general taxes. And it is hereby certified and recited that the total issue of bonds of said City for said district, including this bond, does not exceed the estimate of the City Engineer of the cost of said improvement, nor the amount authorized by law, and it is

further hereby certified and recited that every requirement of law relating to the creation of said Sidewalk District Number One, the making of said improvements, and the issuing of this bond have been fully complied with by the proper officers of said city, and that all the conditions required to exist, and things required to be done precedent to and in the issue of this bond to render the same lawful and valid, have happened, been properly done and performed, and did exist in regular and due time, form and manner, as required by law.

IN TESTIMONY WHEREOF, the City of Grand Junction has caused this bond to be subscribed by its mayor, attested by the City Clerk, under the seal of the city, and the interest coupons hereto attached to be attested by the fac-simile signature of the City Treasurer, this first day of July, A. D. 1913.

Attest: _____ Mayor.

_____ City Clerk.

FORM OF COUPON.

No. _____ ⁹⁰ \$7.50

On the _____ day of _____ A. D. 19____ the City of Grand Junction will pay the bearer [✓]Seven Dollars and fifty cents, in lawful money of the United States of America, at the office of the City Treasurer, in Grand Junction, Colorado, or at the banking house of Kountze Bros., in the City of New York, United States of America, at the option of the holder, being six months interest on its local public improvement bond, issued for the construction of public improvements in "Sidewalk District Number One", provided this bond shall not have been paid.

Attached to Bond

No. _____
(Fac-simile signature of)
_____ City Treasurer.

-----6-----

REGISTRATION CERTIFICATE.

It is hereby certified that the within and foregoing bond has been registered in a suitable book, kept for that purpose, in the office of the City Treasurer, of the City of Grand Junction, Colorado, in accordance with the laws and ordinances under which the same is issued.

Done at Grand Junction, Colorado, this first day of
July, A. D. 1913.

CITY TREASURER.

Sec. 9. The City Clerk is hereby authorized and directed to have printed the bonds authorized by this resolution, and when said bonds are prepared, to deposit the same with the City Treasurer to be issued and sold as herein provided.

Sec. 10. The City Council shall sell at public or private sale said bonds for the purposes herein specified.

Moved by Commissioner Rankin, seconded by Commissioner Vedder, that the resolution as read be passed and adopted.

The motion being put, upon call of roll, the Commissioners voted as follows:
Todd, yea; Vedder, yea; Verbeck, yea; Rankin, yea; Holmburg, yea.

All the Commissioners having voted yea, the Mayor declared the motion carried, and the resolution passed and adopted.

Moved by Commissioner Holmburg, seconded by Commissioner Vedder, that the Council adjourn.

The motion carried, and the Council then adjourned.

Charles K. Holmburg

City Clerk.