

Grand Junction, Colorado
April 3, 1915.

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 Mayor Cherrington in the chair.

The following Commissioners, upon call of roll, responded as present: Cherrington, Vorbeck, Rankin, Carson, Holmburg.

City Attorney Tupper was present.

The following resolution was introduced and read:

RESOLUTION

RESOLUTION CREATING AND ESTABLISHING WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, PAVING AND SIDEWALK DISTRICT TO BE KNOWN AND DESIGNATED AS PAVING AND SIDEWALK DISTRICT NUMBER FIVE, AUTHORIZING THE PAVING OF CERTAIN ALLEYS IN CERTAIN BLOCKS THEREIN, AND THE CONSTRUCTION OF SIDEWALKS ON CERTAIN STREETS THEREON, ALL IN CONFORMITY WITH THE FULL DETAILS, SPECIFICATIONS, MAPS, ESTIMATES, NOTICES AND ORDERS 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 COSTS OF SAID LOCAL IMPROVEMENTS, 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 CERTAIN 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 local 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 No. 178, entitled 'An Ordinance Providing For the Creation of Local Improvement Districts, the Construction Therein of Certain Local Improvements, and Providing for a Method of Payment Therefor' passed and adopted the 11th day of June, 1910", adopted and approved the 4th day of March, 1913, the City Council of the city of Grand Junction, by resolution duly adopted and approved March 2d 1915, 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 Paving and Sidewalk District Number Five; and

WHEREAS, by resolution duly adopted and approved March 2d 1915, details and specifications for paving certain alleys in certain blocks and for constructing sidewalks on certain streets within the corporate limits of the city of Grand Junction, to be known and designated as Paving and Sidewalk District Number Five, provisions were made for the requisite notice to all persons interested in the improvements proposed, the number of installments, the time within 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 the description of the streets to be improved, and the probable cost of said improvements, as shown by the estimate of the engineer, the maximum share of said total estimate per front foot that will be assessed upon any lot or lands that will be improved within the district, and the time when the council will cause the ordering 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 4 o'clock on the 3rd day of April, 1915, by any person interested; and

WHEREAS, at the time and place specified in said resolution, and in said notices, no complaints or objections in writing or otherwise were made concerning the proposed improvements, and all conditions have not transpired, authorizing said City Council to create said Paving and Sidewalk District Number Five, and the construction of said proposed improvements therein.

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

Section 1. That upon due consideration the City 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, certain improvements consisting of the paving of certain alleys in certain blocks therein, and the construction of sidewalks on certain streets in said Paving and Sidewalk District Number Five, 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 Paving and Sidewalk District Number Five, and ordering the improvements therein, as above specified, has in all things complied with the requirements of the Charter of the City of Grand Junction, and said 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.

The description of the alleys to be paved in the proposed paving and sidewalk District Number Five in the City of Grand Junction, Colorado, is as follows:

The alley in Block 103 in the city of Grand Junction and the alley in Block 104 in the city of Grand Junction, beginning with the Southeast corner of Lot 10, thence East to the west line of Sixth Street.

The sidewalks to be constructed in said proposed district are on the following streets, as follows, to-wit:

BELFORD AVENUE: On both sides thereof beginning with the west line of Seventh Street, thence East to the East line of Third Street.

TELLER AVENUE: On the North side thereof from the west line of Seventh Street to the East line of Second Street. On the South side thereof from the West side of Seventh Street to the East line of First Street.

HILL AVENUE: On both sides thereof from the west line of Seventh Street to the East line of Second Street.

GUNNISON AVENUE: On both sides thereof from the west line of Seventh Street to the East line of First Street.

CHIPETA AVENUE: On both sides thereof from the west line of Seventh Street to the East line of First Street.

OURAY AVENUE: On both sides thereof from the west line of Seventh Street to the East line of First Street.

GRAND AVENUE: On both sides thereof from the west line of Seventh Street to the East line of First Street.

WHITE AVENUE: On the North side thereof from the West line of Seventh Street to the East line of Spruce Street. on the South side thereof from the west line of Seventh Street to a point 150 feet west of the Northeast corner of Block 4, in Mobley's Subdivision.

ROOD AVENUE: On both sides thereof from the West line of Seventh Street to the East line of Spruce Street.

MAIN STREET: From the west line of Ninth Street to the east line of Spruce Street.

COLORADO AVENUE: On both sides thereof from the west line of

Second Street west to the right of way of the Denver & Rio Grande Railroad.

UTE AVENUE: On both sides thereof from the west line of Seventh Street to the west line of Second Street.

PITKIN AVENUE: On the north side thereof from the west line of Seventh Street to the East line of Second Street. On the South side thereof from the west line of Lot 13, in Block 150 to the east line of Seventh Street and from the west line of Sixth Street to the East line of Second Street.

SOUTH AVENUE: On the north side thereof from the west line of Fifth Street west to the Denver & Rio Grande Railroad right of way. On the south side thereof from the west line of Fourth Street west to the Denver & Rio Grande Railroad right of way, and from the west line of Seventh Street to the east line of Fifth Street.

SEVENTH STREET: On the west side thereof from a point 150 feet south of the southeast corner of Block 160 to a point 110 feet north of the Southeast corner of Lot 22 in Capitol Hill Subdivision.

SIXTH STREET: On both sides thereof from the north line of Pitkin Avenue to the south line of Belford Avenue.

FIFTH STREET: On the west side thereof from the north line of Struthers Avenue extended to the south line of the alley in Block 8, in the city of Grand Junction. On the East side thereof from the north line of South Avenue to the South line of North Avenue.

FOURTH STREET: On the west side thereof from the North line of South Avenue to the south line of Teller Avenue. On the East side thereof from the north line of South Avenue to the South line of Belford Avenue.

THIRD STREET: On both sides thereof from the north line of South Avenue to the south line of Teller Avenue.

SECOND STREET: On both sides thereof from the Denver & Rio Grande Railroad right of way north to the south side of Gunnison Avenue.

FIRST STREET: On the west side thereof from the North line of Colorado Avenue to the south line of Grand Avenue, and on the East side thereof from the north line of Colorado Avenue to the south line of Gunnison Avenue.

SPRUCE STREET: On the west side thereof from the North line of Colorado Avenue to the south line of White Avenue and on the East side thereof from the North line of Colorado Avenue to the city-limits.

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 approximating fifty feet immediately in front of which the improvements are to be made.

Sec. 3. That said district be known, and the same is hereby designated, as Paving and Sidewalk District Number Five.

Sec. 4. That the paving of certain alleys in certain blocks, and 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 City 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 and ordinances 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 of the first installments of said cost becomes due, shall not exceed the estimate of the engineer, namely - \$19,428.00.

Sec. 5. That said total amount, namely, \$19,428.00, or so much thereof as will be required to pay the actual proportionate cost of said improvements, together with six per cent interest 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 resolutions adopted by the city 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 Paving and Sidewalk District Number Five, 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 improvements made by the engineer of said city, pursuant to the preliminary order of the city council, adopted March 2d 1915, to-wit, \$19,428.00 with six percentum additional for the cost of collection and other incidentals, and with interest.

Sec. 7. That said bonds shall be dated May first, A. D. 1915, 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; said bonds shall be payable out of the moneys collected on account of the assessments made for said improvements, shall bear interest at the rate of six per cent per annum, payable semi-annually, on the first day of May and the first day of November, in each year; shall have twenty-four coupons attached, subscribed by the facsimile signature of the City Treasurer, and evidencing the semi-annual installments of said interest, shall be in the denomination of Five Hundred (\$500) 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 Kountze 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

PAVING AND SIDEWALK DISTRICT NUMBER FIVE

NO.

\$500.00

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 Five Hundred (\$500) Dollars lawful money of the United States of America, on the first day of May, A. D. 1927, 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 May and the fifth day of November, 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 Paving and Sidewalk District Number Five, 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 Paving and Sidewalk District Number Five 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 Paving and Sidewalk District Number Five, 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 May, A. D. 1915.

/s/
Mayor.

Attest:
"/s/
City Clerk."

FORM OF COUPON.

NO.

\$15.00

On the day of A. D. 19 the City of Grand Junction will pay the bearer fifteen Dollars 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 "Paving and Sidewalk District Number Five", provided this bond shall not have been paid.

Attached to Bond

No.

(Fac-simile signature of)

/s/

City Treasurer.

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 ordinance under which the same is issued.

Done at Grand Junction, Colorado, this first day of May, A. D. 1915.

/s/

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 Vorbeck, that the resolution as read be passed and adopted.

The motion being put, upon call of roll, the Commissioners voted as follows: Cherrington, yea; Vorbeck, yea; Rankin, yea; Carson, yea; Holmburg, yea.

All the Commissioners having voted yea, the Mayor declared the

motion carried and the resolution passed and adopted.

On motion of Commissioner Carson, seconded by Commissioner Vorbeck, the Council then adjourned.

/s/ Charles K. Holmburg
City Clerk.