

Grand Junction, Colorado
August 31, 1922

The City Council of the City of Grand Junction, Colo. met in regular adjourned session at 8:00 o'clock P.M. with President Hirons presiding. The Councilmen present were Hirons, Miller, Meders, Dowrey and Hampson. Councilmen Marshall, and Murr were absent. City Manager Geo. Garrett, City Clerk Peck, City Attorney Jordan and City Engineer Thompson were present.

The following resolution was read by the Clerk:

RESOLUTION

WHEREAS at a meeting of the City Council of the City of Grand Junction, Colorado, held on the 19 day of July, A.D. 1922, it was ordered that notice be given to the property owners owning land within the proposed paving District No. 6, of the time when the Council would sit to hear objections ect, to said proposed paving, and

WHEREAS it provided in said notice that the interest on all unpaid installments would be 8% per annum, and

WHEREAS said rate of interest on all unpaid installments should be 6% per annum instead of 8% per annum, and

WHEREAS in said notice it was specified that there should be twenty installments and the time in which the cost of improvements will be payable will be ten years, and

WHEREAS there should be ten annual installments and payable in 12 years.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLO.

Section 1. That the rate of interest on unpaid installments of said bonds shall be six per cent per annum, payable semi-annually.

Section 2. That there shall be ten equal annual installments of said principal and interest, and the bonds shall be payable in twelve years.

It was moved by Councilman Dowrey, seconded by Councilman Meders that the resolution as read be passed and adopted. The motion being put, upon call of roll the Councilmen present voted as follows: Hiron, yea; Miller, yea; Meders, yea; Dowrey, Yea; Hampson, yea. All, the Councilmen present voting yea, the motion was declared carried and the resolution declared duly adopted.

The following resolution was read by the Clerk.

RESOLUTION.

CREATING AND ESTABLISHING WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, A PAVING DISTRICT TO BE KNOWN AND DESIGNATED AS PAVING DISTRICT NO. 6"; AUTHORIZING THE PAVING OF CERTAIN STREET THEREIN: AUTHORIZING THE CONSTRUCTION OF CURBS AND GUTTERS OF SAID STREET; PROVIDING FOR CONNECTING THE LOTS FRONTING ON SAID STREET WITH THE CITY WATER MAINS WITH LEAD PIPE; ALL IN STRICT CONFORMITY WITH THE DETAILS, SPECIFICATIONS, MAPS, ESTIMATES, NOTICE AND ORDER HERETOFORE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, IN THE PREMISES; DESCRIBING THE REAL ESTATE CONSTITUTING THE SAID DISTRICT AND TO BE ASSESSED FOR THE COST OF SAID LOCAL IMPROVEMENTS; PROVIDING FOR THE MANNER OF ASSESSING THE COST THEREOF AND THE PAYMENT THEREOF; PROVIDING FOR THE ISSUE OF PUBLIC IMPROVEMENT BONDS TO PROVIDE FUNDS TO PAY FOR SAID LOCAL IMPROVEMENTS AND GUARANTYING THE PAYMENT OF THE SAME BY THE CITY; PRESCRIBING 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, A. D. 1910, AS AMENDED.

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, providing a method of payment therefor", adopted and approved the 11th day of June, 1910, as amended, the City Council of the City of Grand Junction, Colorado, by a resolution duly adopted and approved the 19 day of July A. D. 1922, declared the intention of the City Council to create a local improvement district in the City of Grand Junction, Colorado, to be known and designated as "Paving District No. 6"; and

Whereas, by resolution and motion, duly adopted and approved the 19 day of July A. D. 1922, details and specifications for

paving a certain street, for constructing curbs and gutters on said street and for connecting the lots fronting with the city water mains with lead pipe in said proposed paving district within the corporate limits of the City of Grand Junction, Colorado, to be known and designated as "Paving District No. 6"; a provision was made for requisite notice to all persons interested in the improvements proposed, the number of installments, the time in which the cost of the improvements will be payable, the rate of interest on unpaid installments, extent of the district to be assessed, by setting forth the boundaries thereof, including a description of the street to be improved, and a list of the lots and parcels of land to be assessed, a 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 included within the district, and the time when the council will consider the ordering of the proposed improvements and hear all complaints and objections that may be made in writing concerning the proposed improvements; and that all maps and estimates, and all proceedings of the council in the premises were on file and could be seen and examined at the office of the City Clerk, during business hours at any time to and including the 21st day of August, A. D. 1922, by any person interested; and

Whereas, at the time and place specified in said resolution and in said notice, no complaints or objections or remonstrances, in writing or otherwise, were made concerning the proposed improvements, and all conditions have now transpired, authorizing the said City Council to create said Paving District No. 6, and construct the said proposed improvements therein.

Wherefore be it resolved by the City Council of the City of Grand Junction:

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 the 11th day of June, A. D. 1910, as amended, the said improvements, consisting of the paving of a certain street in said paving District No. 6, the construction of curbs and gutters of said street, and the connection of the lots fronting on said street with the city water mains with lead pipes, were duly ordered after notice was duly given; that there were no remonstrances, complaints or objections filed concerning the same; that the City Council of the City of Grand Junction, in creating said Paving District No. 6, 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 said ordinances thereof, designated as Ordinance No. 178, approved June 11th, A. D. 1910, as amended.

Section 2. That a local improvement district be and the same is hereby established and created out of that portion of the City of Grand Junction, Colorado, bounded and described as follows, to-wit:

Beginning at the Northeast (NE) corner of lot ten (10) in block one hundred fifteen (115) in the said City of Grand Junction, Mesa County, Colorado, thence South (S) to a point 140.5 feet East of the Southwest (SW) corner of lot eleven (11) in block eleven (11) in Milldale Subdivision of the City of Grand Junction, Colorado, thence West (W) to the North and South center line of Section 23, Township 1, South, Range 1 West of the Ute Meridian; thence North to the Northwest (NW) corner of lot eleven (11) in block one hundred sixteen (116) of said City of Grand Junction, thence East to the point of beginning.

DESCRIPTION OF STREET TO BE IMPROVED IN THE PROPOSED PAVING DISTRICT NO. 6, IN THE CITY OF GRAND JUNCTION, COLORADO: Seventh Street from the South line of Main Street to the North line of Third Avenue.

CURB AND GUTTERING: Curb and guttering to be extended, constructed and re-constructed on the street to be paved, to conform with ordinances governing the location of curbing, except where curbings are now constructed in accordance with the ordinances, also gutters are to be constructed to conform to the curbing.

WATER CONNECTIONS, CONSTRUCTED OR RENEWED: Lead service pipe connections from the city mains shall be made to all lots not already so connected before the paving foundation is laid.

THAT THE MANNER OF ASSESSMENT to be adopted in said district is as follows: The method of assessment to be adopted in said district shall be an assessment per front foot upon the lots or lands within said district abutting upon said street in which said improvements are to be made. Said lots or lands to be divided into four equal zones parallel with the street to be improved.

The maximum shares of the total estimate per front foot that will be assessed upon the lots or lands, within said district, abutting upon the street in which said improvements are to be made are as follows:

From Main Street to Colorado Avenue	\$10.69
From Colorado Avenue to Pitkin Avenue	\$9.415
From Pitkin Avenue to Third Avenue	\$7.13

To the above rates or to so much thereof as may be necessary to pay the actual cost of said improvements and general expenses, there will be added six per centum for cost of collection and other incidentals and also interest at the rate of six per cent per annum on the bonds issued and sold to raise funds for the payment of the total cost hereinafter stated; said interest to run from the time of the issue of said bonds to the time of the first installments when the assessments become due; The manner of apportioning the cost of each zone will be as follows.

40% of the cost per front foot upon the zone immediately in front of which such improvements are made, being zone No. 1.

30% upon the next adjoining or second zone.

20% upon the next adjoining or third zone.

10% upon the remaining or fourth zone.

Lists of lots and parcels of land to be assessed:

Block 115, Lots 1 to 10 inclusive.

Block 116, Lots 11 to 20 inclusive.

Block 127, Lots 11 to 20 inclusive.

Block 128, Lots 1 to 10 inclusive.

Block 137, Lots 1 to 10 inclusive.

Block 138, Lots 11 to 20 inclusive.

Block 149, Lots 11 to 20 inclusive.

Block 150, Lots 1 to 10 inclusive.

Block 159, Lots 6 to 10 inclusive.

Block 160, Lots 11 to 15 inclusive.

Block 1 Milldale Subdivision to the City of Grand Junction, Colorado, Lots 1 to 5 inclusive.

Block 5 Milldale Subdivision to the City of Grand Junction, Colorado, Lot 2, and the following described tract:

Beginning at the Southwest corner of lot 2 in block 5, Milldale Subdivision to the City of Grand Junction, Colorado, thence East 140.5 feet, thence South 210 feet to the right of way of The Denver & Rio Grande Western Railroad Company, thence Southwesterly along the said right of way of The Denver and Rio Grande Western Railroad Company 145 feet; thence North 250 feet to the place of beginning.

Beginning at the North one-quarter corner of Section 23, Township 1 South of Range 1 West of the Ute Meridian, thence East 132 feet, thence South 150 feet; thence West 132 feet; thence North to the place of beginning, being in the City of Grand Junction, Mesa County, Colorado.

Beginning 150 feet South of the North one-quarter corner of Section 23 Township 1 South of Range 1, West of the Ute Meridian, thence East 132 feet; thence South 100 feet; thence West 132 feet; thence North to the place of beginning, being in the City of Grand Junction, Mesa County, Colorado.

Beginning 250 feet South of the North one-quarter corner of Section 23, Township 1 South of Range 1, West of the Ute Meridian, thence South 100 feet; thence East 132 feet; thence North 100 feet; thence West 132 feet to place of beginning, being in Grand Junction, Mesa County, Colorado.

Beginning 350 feet South of the North one-quarter corner of Section 23, Township 1 South of Range 1 West of the Ute Meridian, thence East 132 feet; thence South 125 feet; thence West 132 feet; thence North 125 feet to place of beginning, being in Grand Junction, Mesa County, Colorado.

Beginning 475 feet South of the North one-quarter corner of Section 23, Township 1 South of Range 1 West of the Ute Meridian, thence East 132 feet; thence South 47.85 feet; thence Southwesterly along the right of way of the Denver & Rio Grande Western Railroad Company, to the point due South of place of beginning; thence North 88.45 feet to place of beginning, being in Grand Junction, Mesa County, Colorado.

Beginning at a point 400 feet North of the Southwest corner of the Northwest quarter of the Northeast quarter of Section 23, Township 1 South of Range 1 West of the Ute Meridian, thence East 132 feet; thence North to the right of way of the Denver and Rio Grande Western Railroad Company; thence Southwesterly along the said right of way to a point due North of the place of beginning; thence South to the place of beginning, being in Grand Junction, Mesa County, Colorado.

Beginning at a point 350 feet North of the Southwest corner of the Northwest quarter of the Northeast quarter of Section 23, Township 1 South of Range 1 West of the Ute Meridian, thence North 50 feet; thence East 132 feet; thence South 50 feet; thence West 132 feet to place of beginning, being in Grand Junction, Mesa County, Colorado.

Beginning at the intersection of the East line of South Seventh Street, Grand Junction, Colorado, with the South line of the right of way of the Denver & Rio Grand Western Railroad Company, thence South 258.8 feet; thence East 140.5 feet; thence North to the said South right of way line of the Denver & Rio Grande Western Railroad Company, thence Southwesterly along the said right of way line 145 feet to the place of beginning, being in Grand Junction, Mesa County, Colorado.

Beginning 258.8 feet South of the intersection of the East line of Seventh Street and the South line of the right of way of the Denver & Rio Grande Western Railroad Company, thence South 108.25 feet; thence East 140.5 feet; thence North 108.25 feet; thence West 140.5 feet to the place of beginning, being in Grand Junction, Mesa County, Colorado.

Description of The Grand Junction and Grand River Valley Railway Company's portion for tracts lying within the proposed paving District Number 6:

Beginning on South Avenue at the West line of Seventh Street; thence East to the East line of Seventh Street, being 100 linear feet, the width being two feet on the outside of each side of the track, that is to say, the width of the track and two feet

on the outside of each rail, the total width being equal to approximately nine feet, equal to 100 square yards.

Description of The Denver & Rio Grande Western Railroad Company's portion for right of way and tracts lying within the proposed Paving District Number 6: to be assessed:

Beginning at the Southeast corner of Lot 2 in Block 5 in Milldale Subdivision to the City of Grand Junction, Colorado, thence South to a point on the North line of the Right of Way of The Denver & Rio Grande Western Railroad Company, as place of beginning; thence South to the south line of said Right of Way; thence Southwesterly along the south line of said Right of way to a point where the south line of said right of way produced intersects the North and South center line of Section 23, township 1 South, Range 1 West of the Ute Meridian; thence North along said North and South center line of said Section 23, 104.3 feet to a point where said north right of way line produced intersects said North and South Center line of said Section 23; thence Northeasterly along said north right of way line to the place of beginning. The surface to be improved being that portion of the lands of said The Denver & Rio Grande Western Railroad Company intersecting South Seventh Street, in width being 17 feet on each side of the center of said South Seventh street, excepting therefrom however that portion of South Seventh Street occupied by its three tracks and two feet outside of each rail.

Section 3. That said District shall be known as, and the same is hereby designated as "Paving District Number 6".

Section 4. That the paving of the street hereinbefore described, the constructing of the curbing and guttering on said street, and the connection of the lots fronting on said street with the city water mains with lead pipe, all strictly in accordance with the full details, plans, specifications, maps, estimates, notices and orders heretofore adopted and given by said council in the premises, be and the same are hereby authorized and ordered, and the City Clerk is hereby authorized to advertise for bids for the construction of said improvements, ordered by and in conformity with this resolution and the charter of the City of Grand Junction; provided however, that the cost of the same, including general expenses, but excluding cost of street and alley intersections to be paid by the city, shall not exceed the estimates of the Engineer, viz: \$33,432.79.

Section 5. That of said total amount, viz: \$33,432.79, Four Hundred ninety-eight Dollars and eighty-one cents ----- or so much thereof as may be required to pay the actual proportionate cost of said improvements, together with six per cent additional for the cost of collection and other incidentials, 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 to The Grand Junction and Grand River Valley Railway Company, based upon that portion of the street occupied by, or required by franchise obligation to be paved by or chargeable or assessed to said The Grand Junction and Grand River Valley Railway Company as hereinbefore described; and that of said total amount viz: \$33,432.79, One Thousand eighty-five Dollars and seventy-six cents (\$1085.76) ----- or so much thereof as may be required to pay the actual proportionate cost of said improvements, together with six per cent additional for the 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 to The Denver & Rio Grande Western Railroad Company, based upon that portion of the street occupied by it right of way and tracts, as hereinbefore described; and the balance of said total amount, to-wit: \$31,848.22, or so much thereof as may be required to pay the actual proportionate cost of said improvements together with six per cent additional for the 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 of the first installment will be due, shall be assessed wholly upon the real estate hereinbefore described; the manner of apportioning the costs and collecting the assessments and all other matters incidental to said improvements, shall be as heretofore and herein prescribed, and set forth in previous motions and resolutions adopted by the Council.

Section 6. That by virtue of and in pursuance of the Charter of the City of Grand Junction, and Ordinance No. 178 thereof, approved June 11th, 1910, as amended, 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 District No. 6, 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 estimates of the cost of said improvements made by the Engineer of said city, pursuant to the preliminary order of said council, adopted July 19 A. D. 1922, to-wit: \$33,432.79, with six per centum additional for the cost of collection and other incidentals and interest.

Section 7. That said bond shall be dated Oct. 1st. A. D. 1922, and 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 President of the Council and the City Manager, attested by the Clerk, and the seal of the City thereunto affixed, and registered by the Treasurer, that said bonds shall be payable out of the moneys collected on account of assessments made for said improvements, shall bear interest at the rate of six per cent per annum, payable semi-annually on the 1st day of October and the 1st day of April in each year, shall have 24 coupons thereto 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 five hundred dollars each, and shall be numbered consecutively from one upward. Both principal and interest shall be payable at the office of the City Treasurer in Grand Junction Colorado, or at the banking house of Kountze Brothers of the City of New York, United States of America, at the option of the holder.

Section 8. When said bonds are ready for delivery, they shall be delivered to: the highest reliable and responsible bidder for said bonds upon payment by said bidder of the purchase price therefor. (The Council however reserving the right to reject any or all bids)

Section 9. That said bonds and the coupons thereto attached shall be in substance in the following form:

UNITED STATES OF AMERICA

State of Colorado

CITY OF GRAND JUNCTION

PUBLIC IMPROVEMENT BOND

Paving District No. 6.

No. _____

\$500.00

The City of Grand Junction, County of Mesa, State of Colorado, for value received, acknowledges itself indebted and hereby promises to pay to the bearer hereof, the sum of five hundred dollars, lawful money of the United States of America, on the 1 day of Oct. A. D. 1934, 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 Oct. and the first day of April in each year, both principal and interest, being payable at the office of the City Treasurer of the City of Grand Junction, or the banking house of Kountze Brothers in the City of New York, United States of America, at the option of the holder, upon 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 District No. 6, 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 District No. 6, especially benefited 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 the 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 the bonds of said city for said district, including this bond, does not exceed the estimate of the City Engineer of the cost of said improvements, 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 District No. 6, and the making of said improvement, and the issue of this bond, have been fully complied with by proper officers of said city, and that all the conditions required to exist and those 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 City Manager and the President of the Council, 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 _____ day of _____ A. D. 1922.

City Manager

President of Council

Attest:

City Clerk.

(FORM OF COUPON)

No. _____

\$ _____

On the _____ day of _____ A. D. 19_____, the City of Grand Junction will pay the bearer Fifteen dollars, 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 Brothers in the City of New York, U. S. A., at the option of the holder, being six months interest on its local public improvement bond, issued for the construction of public improvements of Paving District No. 6 provided the bond to which this coupon is attached shall not have been paid.

Attached to bond, Dated Oct. 1 1922.

No. _____

/s/ (Fac-simile signature)

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 ordinances under which the same is issued.

Dated at Grand Junction, Colorado, this _____ day of _____
A. D. _____

City Treasurer.

(GUARANTY CERTIFICATE)

Payment of the within bond is guaranteed by the City of Grand Junction, Colorado.

City Manager

President of Council

Attest:

City Clerk.

Section 10. That pursuant to the authority vested in the City Council of the City of Grand Junction, by the Charter and Ordinances thereof, the City of Grand Junction does hereby guaranty the payment of all the local public improvement bonds of Paving District No. 6, which bonds are particularly described in

and authorized by this resolution, and the City Manager, President of the City Council and the City Clerk are hereby authorized and directed to endorse on each of the aforesaid bonds, the following guarantee:

(GUARANTY CERTIFICATE)

Payment of the within bonds is guaranteed by the City of Grand Junction, Colorado.

City Manager

President of Council

Attest:

City Clerk

Said guaranty on said bonds may be authenticated by the engraved, printed, written or lithographed signatures of the City Manager, President of City Council and City Clerk.

Section 11. 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 authorized by the City Council.

It was moved by Councilman Hampson, seconded by Councilman Dowrey that the resolution as read be passed and adopted. The motion being put, upon call of roll the Councilmen present voted as follows, Hiron, yea; Miller, yea; Meders, yea, Dowrey, yea;

Hampson, yea. All the Councilmen present voting yea, the motion was declared carried and the resolution duly adopted.

It was moved by Councilman Dowrey, seconded by Councilman Hampson that a certified check for 5% of the bond issue must accompany each bid for bonds of Paving Dist. #6. Motion carried.

It was moved by Councilman Hampson, seconded by Councilman Dowrey that the City Clerk notify the property owners, according to the ordinances of the City, to connect with lead pipe all services that are not lead in said Paving Dist. No. 6. Said owners to have thirty days from the date of said notice to comply with the same. Motion carried.

It was moved by Councilman Hampson, seconded by Councilman Dowrey that the City Clerk be directed and authorized to advertise for bids on construction for Paving District No. 6. Said bids to be sealed and filed with the City Clerk and opened at a meeting of the City Council to be held at 7:00 o'clock P.M. September 15, 1922. The motion being put, upon call of roll the Councilmen present voted as follows, Hirons, yea; Meders, yea; Miller, yea; Dowrey, yea; Hampson, yea. All the Councilmen present voting yea, the motion was declared carried.

Moved by Councilman Hampson, seconded by Councilman Dowrey that the meeting adjourn. Motion carried.

/s/ Fred A. Peck

City Clerk