

Grand Junction, Colo.

June 25, 1924.

The City Council of the City of Grand Junction, Colo. met in regular adjourned session at 7:30 o'clock P.M. with Councilmen Murr presiding as president. Those present and answering at roll call were Councilmen Murr, Meders, Dowrey and Hampson, City Clerk Peck, City Attorney Jordan. Councilmen Hiron, Miller and Marshall were absent also City Manager Garrett. City Engineer Thompson was present.

The minutes of May 19th, May 21st, May 22nd, May 28th and June 4th were read and approved.

Bids were opened for the construction of Paving District No. 11. The only bid being submitted was the bid of the Strange-MaGuire Paving Company. They bid the sum of \$32,301.69.

It was moved by Councilman Dowrey, seconded by Councilman Hampson that the letting of the contract be taken under advisement and considered until the next regular meeting. Motion carried.

The following resolution was introduced and read:

RESOLUTION

CREATING AND ESTABLISHING WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, A PAVING DISTRICT TO BE KNOWN AND DESIGNATED AS "ALLEY PAVING DISTRICT NO. 1" AUTHORIZING THE PAVING OF CERTAIN ALLEYS THEREIN; ALL IN STRICT CONFORMITY WITH THE DETAILS, MAPS, ESTIMATES, NOTICES AND ORDERS HERETOFORE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, IN THE PREMISES; DESCRIBING THE REAL ESTATE CONSTITUTING 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 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 "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, A. D. 1910, as amended, the City Council of the City of Grand Junction, Colorado, by Resolution duly adopted and approved the 19th day of May, A. D. 1924, 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 "Alley Paving District No. 1"; and

WHEREAS, by Resolution duly adopted and approved the 22nd day of May, A. D. 1924, adopting details and specifications for paving certain alleys in said proposed alley paving district within the corporate limits of the City of Grand Junction, Colorado, to be known and designated as "Alley Paving District No. 1" a provision was made for the requisite notice to all persons interested in the improvements proposed; the number of installments; the time in which the cost of the improvement 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 alleys to be improved, the probable cost of said improvements as shown by the estimates of the Engineer; the maximum share of said total estimate per front foot that will be assessed upon any lots or lands included within the district; the time when the Council will consider the ordering of the proposed improvements, hear all complaints or 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 on or before eight o'clock P. M. on Wednesday the 25th day of June, A. D. 1924, by any person interested; and

WHEREAS, at the time and place specified in said Resolution and 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 Alley Paving District No. 1 and construct the said proposed improvements therein, said City Council has selected the seven inch Portland cement concrete type of paving as a proper and suitable type of paving to be laid in the alleys to be improved and has determined on that type of paving to be used in said improvement.

#### SCHEDULE OF ASSESSMENTS

##### ALLEY PAVING DISTRICT NO. 1

Block No. 116	
Lot Number	Assessment
1	\$85.23
2	85.23
3	85.23
4	85.23
5	107.04
6	117.94
7	128.84
8	150.65
9	161.55

10	172.45
11	93.05
12	129.89
13	166.74
14	185.16
15	212.79
16	212.42
17	184.79
18	166.37
19	129.52
20	92.68
21	171.97
22	161.12
23	150.28
24	128.60
25	117.76
26	106.91
27	85.23
28	85.23
29	85.23
30	85.23

Block No. 127

1	85.23
2	85.23
3	85.23
4	85.23
5	106.96
6	117.82
7	128.68
8	150.41
9	161.28
10	172.15
11	92.81
12	129.65
13	166.50
14	184.92
15	212.55
16	147.37
17	119.74
18	101.32
19	64.47
20	27.63
21	85.23
22	85.23
23	85.23
24	85.23
25	85.23
26	85.23
27	85.23
28	85.23
29	85.23
30	85.23

List of lots and parcels of land to be assessed:

Lots 1 to 30 inclusive in Block 116

Lots 1 to 30 inclusive in Block 127.

Section 3. That said district shall be known as and the same is hereby designated as "Alley Paving District No. 1."

Section 4. That the paving of the alleys hereinbefore described

WHEREFORE, be it resolved by the City Council of the City of Grand Junction:

Section 1. 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 certain alleys in said Alley Paving District No. 1 using a Seven inch Portland Cement Concrete pavement 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 Alley Paving District No. 1 and ordering the improvements therein as herein provided, 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 Ordinance thereof designated as Ordinance No. 178 adopted and approved June 11th, 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:

Beginning at the Northwest corner of Block 116 in the City of Grand Junction; thence East to the Northeast corner of Block 116; thence South to the Southeast corner of Block 127; thence West to the Southwest corner of Block 127; thence North to the place of beginning.

Description of the alleys to be improved in the proposed Alley Paving District No. 1 in the City of Grand Junction, Colorado:

The alley running North and South in Blocks 116 and 127 from the South line of Main Street to the North line of Ute Avenue; also the alley running East and West in Block 116 from the East line of Sixth Street to the West line of Seventh Street; also the alley running East and West in Block 127 from the East line of Sixth Street to the West line of Seventh Street.

Type of paving to be laid: The type of paving to be laid in said Alleys shall be a seven inch Portland Cement concrete type of paving mentioned in the plans, specifications, maps and estimates of the City Engineer.

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 alleys in which said improvements are to be made. Said lots or lands to be divided into four equal zones parallel with the alleys to be improved.

The maximum share of the total estimate per front foot that will be assessed upon the lots or lands within said district abutting upon the alleys in which said improvements are to be made is \$3.401

To the above rate or to so much thereof as may be necessary to pay the actual cost of said improvements and general expenses, there will be added two per centum for cost of collection and other incidentals and also interest at the rate of not exceeding 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 installment when the assessment becomes 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 adjoining the alley to be improved, being Zone No. 1

30% upon the next adjoining or second zone

20% upon the next adjoining or third zone

10% upon the next adjoining or fourth zone

List of lots and parcels of land to be assessed:

Lots 1 to 30 inclusive in Block 116

Lots 1 to 30 inclusive in Block 127.

Section 3. That said district shall be known as and the same is hereby designated as "Alley Paving District No. 1."

Section 4. That the paving of the alleys hereinbefore described 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 is 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 said alley intersections to be paid for by the City of Grand Junction, shall not exceed the estimate of the Engineer, viz: \$7,207.20.

Section 5. That the City Council has heretofore, under and by virtue of the authority given by the qualified electors of said City at an election held therein, issued and sold bonds for the paving of alley intersections in said City and funds for such purpose are now available; that the total estimate of the City Engineer for the cost of paving the alley intersections in the alleys to be paved in said Alley Paving District No. 1 is \$384.40; that \$384.40 or so much thereof as may be necessary for the cost of paving the alley intersections in the alleys to be paved in said Alley Paving District No. 1 shall be paid by the City of Grand Junction out of said funds from said bonds heretofore sold for the purpose of paving intersections and now available.

Section 6. That said sum of \$7207.20 or so much thereof as may be required to pay the actual proportionate cost of said improvements together with two 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 upon the real estate hereinbefore described; the manner of apportioning the cost and collecting the assessments and all other matters incidental to said improvements shall be as herein and heretofore specified and set forth in previous motions and resolutions adopted by the Council.

Section 7. 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 Alley Paving District No. 1 in an amount not to exceed the whole cost of said improvements including engineering, inspection, collection and other incidental expenses (excluding the amount to be paid by the City of Grand Junction for the paving of alley intersections) 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 May the 19th, 1924, to-wit: \$7207.20, with two per cent for the cost of collection and other incidentals and interest.

Section 8. That said bonds shall be dated August 1st, A.D. 1924 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, attested by the City 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 not to exceed six per cent per annum, payable semi-annually on the first day of August and the first day of February in each year, shall have twenty-four coupons thereto 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 \$250.00 each; and shall be numbered consecutively from 1 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 9. When said bonds are ready for delivery, they shall be delivered to the highest, reliable and responsible bidder for said bonds upon the payment by said bidder of the purchase price therefor. The Council however, reserves the right to reject any or all bids.

Section 10. 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

ALLEY PAVING DISTRICT NO. 1

NO. \_\_\_\_\_

\$250.00

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 Two Hundred Fifty Dollars, lawful money of the United States of America on the first day of August, A. D. 1936, subject to call and payment however at any time prior thereto, with interest thereon from date until payment at the rate of 6 per centum per annum, payable semi-annually, on the first day of February and the first day of August 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 improvements in Alley Paving District No. 1 in the City of Grand Junction, by virtue of and in full conformity with the Constitution and the Laws of the State of Colorado, the Charter of the City of Grand Junction, and the requisite requirements 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 Alley Paving District No. 1 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 lines, 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 Alley Paving District No. 1, 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 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 first day of August, A. D. 1924.

/s/

\_\_\_\_\_  
President of the Council.

ATTEST:

\_\_\_\_\_  
City Clerk.

(FORM OF COUPON)

No. \_\_\_\_\_



\$ \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_\_\_ the City of Grand Junction will pay the bearer \_\_\_\_\_ 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 in Alley Paving District No. 1, provided the bond to which this coupon is attached shall not have been paid.

Attached to bond, dated August 1st, 1924, 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. \_\_\_\_\_

/s/

\_\_\_\_\_  
City Treasurer

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, provided however, that if the City Council shall so direct, the successful bidder for said bonds shall pay the expense of the printing of said bonds.

Councilman Dowrey moved, seconded by Councilman Meders that the resolution as read be passed and adopted, upon which motion the following vote was cast: Councilmen voting yea, Murr, Meders, Dowrey and Hampson. All the Councilmen present voting yea, the President declared the motion carried and the resolution duly passed and adopted.

Alvin Borshell of the Grand Valley National Bank appeared before the Council seeking an adjustment of the amount due for water used by the Grover Packing Company. Mr. Borshell requested that the water be turned on for a time so that the refrigeration plant

could be tested out. It was moved by Councilman Hampson, seconded by Councilman Meders that the water be turned on at said plant for a period of not exceeding thirty days from date pending the recommendation of the City Manager who is absent from the city. Motion carried.

H.R. Rhone appeared before the Council requesting that the City accept a deed from the Diocese of Colorado for a strip of land 40 feet wide lying an east of Twelfth Street and West of 15th Street on Chipeta Ave. extended. Said strip of land to be used for street purposes, also a deed to four lots No 12, 13, 14 & 15, Blk. 3 Dundee Place said lots to be used for street purposes.

It was moved by Councilman Dowrey, seconded by Councilman Hampson that the deed be accepted. Motion carried.

The question arose as to the description of said land as to whether the same was correct. Thereupon it was moved by Councilman Hampson seconded by Councilman Meders that the motion just passed accepting said deed be reconsidered. Motion carried.

Councilman Dowrey moved seconded by Councilman Meders that the deed be referred to the City Engineer and the City Attorney to check over. Motion carried.

The bond of John Fuite as plumber and Virgil Norton as electrician were presented, the same having the O.K. of the City Attorney. It was moved by Councilman Dowrey seconded by Councilman Meders that the bonds be accepted and filed. Motion carried.

It was moved by Councilman Dowrey, seconded by Councilman Meders that the City Clerk be authorized and directed to advertise for bids on the bonds for Sidewalk District No. 8, Combined Sewer District No. 3, Special Sanitary Sewer District No. 1 and Alley Paving District No. 1, said bids to be opened on July 16th 1924 at the hour of 8:00 o'clock P.M. Motion carried.

Remonstrance petitions against the paving of White and Grand Avenues, included in Paving District No. 14 were presented. Upon motion of Councilman Meders, seconded by Councilman Hampson the same were received and referred to the City Engineer and City Attorney to check over, and that any action on the same be deferred until the regular meeting August 20th 1924. Motion carried.

Permit to erect gas tanks at 518 Colo and at 341 Rood Ave were granted subject to the approval of the Fire chief on motion of Councilman Dowrey, seconded by Councilman Meders.

A complaint regarding a cottonwood tree at 320 Ouray was referred to Bruce Brownson on motion of Councilman Hampson, seconded by Councilman Dowrey.

There being no further business to come before the meeting the Council adjourned upon motion of Councilman Meders seconded by Councilman Hampson.

/s/ Fred A. Peck  
City Clerk