

Grand Junction, Colorado

October 1, 1924

The City Council of the City of Grand Junction met in regular session at 8:00 o'clock P.M. with President Hirons presiding, those present and answering to roll call were Councilmen: Hirons, Hampson, Meders, Miller, Bear, Murr and Dowrey. City Manager Garrett, City Clerk Peck, City Attorney Jordan and City Engineer Thompson were present.

The minutes of the last regular session and of the sessions held Aug. 20, Sept. 3, 11, 17, 24, and 25, 1924. were read and approved.

Councilman Bear took the oath of office and signed the same. City Clerk Peck administering the oath.

A proposed emergency ordinance entitled "AN EMERGENCY ORDINANCE AMENDING SECTION 5 AND SECTION 13 OF ORDINANCE NO. 14, ENTITLED 'AN ORDINANCE CONCERNING PROCEEDINGS BEFORE THE POLICE MAGISTRATE' PASSED AND ADOPTED SEPTEMBER 26TH, 1891" was introduced and read.

It was moved by Councilman Murr, seconded by Councilman Dowrey that the ordinance as read be passed for final reading, upon which motion the following vote was cast: Councilmen voting Yea, Hirons, Meders, Miller, Dowrey, Hampson, Murr and Bear. All the Councilmen voting Yea, the president declared the Ordinance before the Council up for final reading.

The proposed emergency ordinance was then read by the Clerk.

Councilman Meders moved, seconded by Councilman Miller that the proposed emergency ordinance entitled "AN EMERGENCY ORDINANCE AMENDING SECTION 5 AND SECTION 13, OF ORDINANCE NO. 14, ENTITLED 'AN ORDINANCE CONCERNING PROCEEDINGS BEFORE THE POLICE MAGISTRATE' PASSED AND ADOPTED SEPTEMBER 26TH, 1891" be passed and adopted as read as an emergency ordinance, published and numbered 366. Upon which motion the following vote was cast: Councilmen voting yea, Hirons, Miller, Meders, Dowrey, Hampson, Murr, Bear. All the Councilmen voting yea, the President declared the motion carried and the emergency ordinance duly passed and adopted.

Councilman Dowrey reported that he had an interview with the officials of the G.J. Street Railway Company in regard to the graveling of the street parkings on Gunnison Ave, thro which the car lines run. Mr. Dowrey informed the Council that the Railway Company were willing to place gravel in said parking strips but

not at this time, stating that in a few months they would be better equipped to do said work.

Mr. Tupper, appeared as attorney for J.W. Watson in regard to the reduction of water rates on the Green houses operated by Mr. Watson. Mr. Tupper claimed that under the Charter no higher rate than that charged within the city limits could be charged. Upon motion of Councilman Murr, Seconded by Councilman Bear the matter was laid on the table to be taken under consideration and action at a later meeting.

Mr. Tracy was present in regard to the laying of a water main on Pitkin Ave. from 9th St east.

A petition signed by Chas Volland et. al asking that a house situated on North First Street, Lots 23 & 24, Block 56, be declared a nuisance on account of the dangerous condition of the same. Councilman Hampson moved, seconded by Councilman Meders that the petition be granted and that the City Manager notify H.T. DeLong, the owner of the property to at once abate the nuisance. Motion carried.

The following resolution was presented and read:

CITY OF GRAND JUNCTION, COLO.

Office of City Engineer

October 1, 1924

ESTIMATE OF CONTRACTOR, THE STRANGE-MAGUIRE PAVING CO., of Salt Lake City, Utah, on Alley Paving District No. 1.

ESTIMATE NO. 2 (Final)

Total quantities to be paid out of District Bonds:

447.0 cu. yds. Excavation @ \$1.00 per cu. yd.	\$447.00
2342.0 sq. yds. Concrete pavement @ \$2.47 sq. yd.	4784.74
Total of estimate to property owners	\$6231.74
Less amount of previous payment, Estimate No. 1	5608.57
Amount due this estimate from District bonds\	\$623.17

Total quantities to be paid out of Intersection Fund:

73.0 cu. yds. excavation @ \$1.00 per cu. yd.	73.00
97.0 sq. yds. concrete pavement @ \$2.47 sq. yd.	239.59
102.2 sq. yds. Warrenite pavement @ \$2.159 sq. yd.	264.70
32.0 sq. yds. Concrete alley returns @ \$2.25 yd.	72.00
69.0 lin. ft. Curb & gutter @ \$1.25 per lin ft.	86.25
172.0 ft. B. M. lumber headers @ \$80.00 per M ft.	13.76
Total estimate to intersection fund	\$749.30
Less previous payment estimate No. 1	306.49

Amount due this estimate

\$442.81

I hereby certify that the foregoing is a full, true and correct estimate of the work done in Alley Paving Dist. No. 1 by Contractor, Strange-Maguire Paving Company.

/s/ T.E. Thompson

                      
City Engineer

ATTEST:

/s/ Fred A. Peck

                      
City Auditor.

It was moved by Councilman Murr, seconded by Councilman Miller that the estimate as read be allowed and that the City Clerk be authorized to publish the legal notice giving notice to all persons interested that final settlement with the Strange-Maguire Paving Company for the construction of Alley Paving District No. 1 would be made on the 15th day of October at the hour of 7:30 o'clock P.M. and that any claims held against said company should be filed with the City Clerk before said date. Motion carried.

#### 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. 14"; AUTHORIZING THE PAVING OF CERTAIN STREETS THEREIN; AUTHORIZING THE CONSTRUCTION OF CURBS AND GUTTERS OF SAID STREETS; PROVIDING FOR CONNECTING THE LOTS FRONTING ON SAID STREETS WITH THE CITY WATER MAINS WITH LEAD PIPE; ALL IN STRICT CONFORMITY WITH THE DETAILS, 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 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; 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 a Resolution duly adopted and approved the

7th 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 "Paving District No. 14"; and

WHEREAS, by Resolution duly adopted and approved the 22nd day of May, A. D. 1924, details and specifications for paving certain streets, for constructing curbs and gutters and for connecting the lots fronting on said streets to be improved with the City water mains with lead pipe in the said proposed Paving District within the corporate limits of the City of Grand Junction, Colorado, to be known and designated as "Paving District No. 14", were duly adopted and approved, and provision 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 improvements will be payable; the rate of interest on unpaid installments, the extent of the district to be assessed, by setting forth the boundaries thereof, including a description of the streets 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 lot or lands included within the district, and that portion to be paid by The Grand River Valley Railway Company 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 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 in said notice a Petition or remonstrance in writing was made against the making of the improvements proposed for Fifth Street from the North line of Rood Avenue to the South line of White Avenue, and Sixth Street from the North line of Rood Avenue to the South line of White Avenue, and White Avenue from the West line of Twelfth Street to the East line of First Street, within the said proposed Paving District No. 14, by the owners of a portion of the frontage of the real estate to be assessed for the proposed improvements on Fifth Street from the North line of Rood Avenue to the South line of White Avenue, and on Sixth Street from the North line of Rood Avenue to the South line of White Avenue, and on White Avenue from the West line of Twelfth Street to the East line of First Street within said Paving District No. 14; and at the time and place specified in said Resolution and in said notice a petition or remonstrance in writing was made against the making of the improvements proposed for that certain street in said proposed Paving District No. 14, to-wit: Grand Avenue from the East line of First Street to the East line of Thirteenth Street in said City within said Paving District No. 14, by the owners of a portion of the frontage of the real estate

to be assessed for the proposed improvements on Grand Avenue from the East line of First Street to the East line of Thirteenth Street within said Paving District No. 14; and the Council desiring further time in which to consider the ordering of said improvements and desiring further time to thoroughly check over said petitions or remonstrances duly continued further consideration of the ordering of said improvements to Wednesday, the 20th day of August, A. D. 1924, at eight o'clock P. M., and the further consideration of the ordering of the improvements having been continued to this date, and upon due consideration the Council having found that neither of said petitions or remonstrances against the making of the improvements proposed in said Paving District No. 14 is signed by the owners of not less than fifty-one per cent of the frontage of the real estate to be assessed as required by Ordinance, and having found that the percentage of frontage in each petition or remonstrance against said improvements, is less than fifty-one per cent, and all conditions having now transpired authorizing the said City Council to create said Paving District No. 14 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 certain streets and hereinafter described in said Paving District No. 14; the construction of curbs and gutters of said streets, and the connection of the lots fronting on said streets with the City water mains with lead pipe, were duly ordered after notice was duly given; that a petition or remonstrance in writing against the making of the improvements proposed for that portion of the following streets in said proposed Paving District No. 14, to-wit: Fifth Street from the North line of Rood Avenue to the South line of White Avenue; Sixth Street from the North line of Rood Avenue to the South line of White Avenue; and White Avenue from the West line of Twelfth Street to the East line of First Street, by the owners of a portion of the frontage of the real estate to be assessed for the proposed improvements on said Fifth Street from the North line of Rood Avenue to the South line of White Avenue, and on Sixth Street from the North line of Rood Avenue to the South line of White Avenue, and on White Avenue from the West line of Twelfth Street to the East line of First Street, within said Paving District No. 14 was filed within the time specified in said resolution and notice, and that a petition or remonstrance in writing against the making of the improvements proposed for that certain street in said proposed Paving District No. 14, to-wit: Grand Avenue from the East line of First Street to the East line of Thirteenth Street, in said City, by the

owners of a portion of the frontage of the real estate to be assessed for the proposed improvements on said Grand Avenue from the East line of First Street to the East line of Thirteenth Street within said Paving District No. 14, was filed within the time specified in said notice. That upon due consideration, the Council hereby finds that said petition or remonstrance against the making of the improvements proposed for Fifth Street from the North line of Rood Avenue to the South line of White Avenue, and for Sixth Street from the North line of Rood Avenue to the South line of White Avenue, and for White Avenue from the West line of Twelfth Street to the East line of First Street within said Paving District No. 14, and being all of that portion of Fifth Street, Sixth Street and White Avenue within said Paving District No. 14, was not duly subscribed and acknowledged by the owners of fifty-one per cent of the frontage of the real estate to be assessed for the proposed improvements for all of Fifth Street, Sixth Street and White Avenue within said Paving District No. 14, to-wit: Fifth Street from the North line of Rood Avenue to the South line of white Avenue; Sixth Street from the North line of Rood Avenue to the South line of White Avenue; White Avenue from the West line of Twelfth Street to the East line of First Street; and the Council hereby finds that said petition or remonstrance against the making of the improvements proposed for Fifth Street from the North line of Rood Avenue to the South line of White Avenue, and for Sixth Street from the North line of Rood Avenue to the South line of White Avenue, and White Avenue from the West line of Twelfth Street to the East line of First Street, within said Paving District No. 14, was subscribed and acknowledged by the owners of less than fifty-one per cent of the frontage of the real estate to be assessed for the proposed improvements for all of Fifth Street, Sixth Street and White Avenue within said Paving District No. 14, and that said petition or remonstrance against said improvements was not signed and acknowledged by the owners of sufficient percentage of the frontage of the real estate to be assessed for the proposed improvements for said Fifth Street Sixth Street and White Avenue within said district to remonstrate same out of said Paving District as required by Ordinance, and that said petition or remonstrance is insufficient and is hereby denied; and that the improvements proposed for said Fifth Street from the North line of Rood Avenue to the South line of White Avenue; and for Sixth Street from the North line of Rood Avenue to the South line of White Avenue, and for White Avenue from the West line of Twelfth Street to the East line of First Street shall be made. That the paving and other improvements petitioned for Fifth Street from the North line of Rood Avenue to the South line of White Avenue; Sixth street from the North line of Rood Avenue to the South line of White Avenue, and White Avenue from the West line of Twelfth Street to the East line of First Street was a separate petition and by resolution of the Council heretofore passed and adopted was included within the proposed improvements petitioned for, for certain other streets within the City of Grand Junction in one proposed Paving District, to-wit: Paving District No. 14.

That upon due consideration the Council hereby finds that the said petition or remonstrance against the making of the improvements proposed for Grand Avenue from the East line of First Street to the East line of Thirteenth Street in said City, within said Paving District No. 14, being all of that portion of Grand Avenue within said Paving District No. 14, was subscribed and acknowledged by the owners of less than fifty-one per cent of the frontage of the real estate to be assessed for the proposed improvements for all of Grand Avenue within said Paving District No. 14, to-wit: Grand Avenue from the East line of First Street to the East line of Thirteenth Street, and that said petition or remonstrance against the making of the improvements proposed for Grand Avenue from the East line of First Street to the East line of Thirteenth Street in said City within said Paving District No. 14 is insufficient and not a sufficient petition or remonstrance against the making of the improvements proposed for Grand Avenue from the East line of First Street to the East line of Thirteenth Street within said Paving District No. 14, and the City Council doth further find that the improvements proposed for Grand Avenue from the East line of First Street to the East line of Thirteenth Street within said Paving District No. 14 shall be made, and that Grand Avenue from the East line of First Street to the East line of Thirteenth Street has not been remonstrated out of said Paving District No. 14, and is hereby included in said Paving District No. 14, that the paving and other improvements petitioned for Grand Avenue from the East line of First Street to the East line of Thirteenth Street was a separate petition, and by Resolution of the Council heretofore passed and adopted was included within the proposed improvements petitioned for, for certain other streets within the City of Grand Junction in one proposed Paving District, to-wit: Paving District No. 14.

That the City Council of the City of Grand Junction in creating said Paving District No. 14 and ordering the improvements therein as herein 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 Ordinance 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:

Beginning at the Southwest corner of Lot 1, Block 99 in the City of Grand Junction, Colorado; thence North to the Northwest corner of Lot 24, Block 78; thence East to the Northeast corner of Lot 18, Block 88; thence south to the Southeast corner of Lot 17, Block 89; thence West to the Southeast corner of Lot 5, Block 94; thence South to the Southeast corner of Lot 26, Block 94; thence West to the Southwest corner of Block 94; thence West 205 feet; thence North to a point, due West of the Southwest corner of Lot 1, Block 94, thence West to a point 125 Feet East of the West

line of Block 95; thence South to the North line of Rood Avenue; thence West to the Southwest corner of Lot 21, Block 96; thence North to the Southwest corner of Lot 12, Block 96; thence West to the point of beginning. Also beginning at the Northwest corner of Lot 24, Block 77; thence East to the Northeast corner of Lot 17, Block 6 Dundee Place; thence South to the Southeast corner of Lot 16, Block A Keith's Addition to the City of Grand Junction; thence West to the Southwest corner of Lot 1, Block 78; thence North to the place of beginning.

DESCRIPTION OF THE STREETS TO BE IMPROVED IN THE PROPOSED PAVING DISTRICT NO. 14 IN THE CITY OF GRAND JUNCTION, COLORADO: Fifth Street from the North line of Rood Avenue to the South line of White Avenue; Sixth Street from the North line of Rood Avenue to the South line of White Avenue; White Avenue from the West line of Twelfth Street to the East line of First Street, Grand Avenue from the East line of First Street to the East line of Thirteenth Street.

CURB AND GUTTER to be extended, constructed and reconstructed on the streets to be paved to conform to the plans and specifications of the City engineer heretofore filed, accepted and adopted, except where curbings now constructed and are in accordance with said plans and specifications; also gutters are to be constructed to conform to curbing.

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

The Council desiring to secure bids on each of the two types of paving, to-wit: Two inch Warrenite Bithulithic top on a five inch Portland Cement Concrete base; Seven inch Portland Cement Concrete Paving, mentioned in the plans, specifications, maps, and estimates of the City Engineer heretofore filed with the Council and deeming it inadvisable to adopt either of said type of paving before receiving bids on each of said types, the Council hereby reserves the right to hereafter determine which of said types of paving shall be used after bids have been received on each of the two said types of paving.

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 streets in which said improvements are to be made. Said lots or lands to be divided into four equal zones parallel with the Streets to be improved. The depth of each zone on the lots or lands, in said District, abutting or fronting upon that portion of Fifth Street, Sixth Street and White Avenue in which said improvements are to be made, to be approximately thirty-one and one-fourth feet. The depth of each zone on the



lots or lands in said District abutting of fronting on that portion of Grand Avenue in which said improvements are to be made, to be approximately thirty-seven and one-half feet.

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

White Avenue . . . . \$8.195  
Grand Avenue . . . . \$10.24  
Fifth Street . . . . \$7.943  
Sixth Street . . . . \$7.665

To the above amounts and rates including the cost of the improvements to be made by the Street Railway Company or to so much thereof as may be necessary to pay the actual cost of said improvements and general expenses (excepting the amount for paving Street and alley intersections of the streets to be improved) 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 from time to time to raise funds for the payment of said total cost hereinafter stated (excepting the amount for paving street and alley intersections of the streets to be improved) said interest to run from the time of the issue of said bonds to the time of the first installments when the assessment becomes due, that the total cost of said improvements together with interest and the percentage to be added for collection, etc., as aforesaid, except as otherwise herein specified, will be assessed upon the real estate in said District in front of which said improvements are made or abutting on the same, to be divided into four equal zones paralleling the Streets to be improved, as aforesaid. 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 street 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:

Block	99	Lots 1	to	12	inc.
Block	98	Lots 1	to	16	inc.
Block	97	Lots 1	to	16	inc.

Block 96 Lots 1 to 16 inc.  
 Block 96 Lots 7 to 21 Inclusive

All of Block 95, excepting therefrom the following portion thereof, to-wit: Beginning at a point 125 feet West of the Southeast corner of Block 95, thence North to a point due West of the Southwest corner of Lot 1 Block 94; thence West to a point 125 feet East of the West line of Block 95; thence South to the North line of Rood Avenue; thence East to the place of beginning.

Block 94 Lots 1 to 15 inclusive  
 Block 94 Lots 26 to 30 inclusive  
 Block 93 Lots 6 to 10 inclusive  
 Block 93 Lots 11 to 19 inclusive  
 Block 92 Lots 1 to 16 inclusive  
 Block 91 Lots 1 to 16 inclusive  
 Block 90 Lots 1 to 16 inclusive  
 Block 89 Lots 1 to 17 inclusive  
 Block 88 Lots 1 to 34 inclusive  
 Block 87 Lots 1 to 32 inclusive  
 Block 86 Lots 1 to 32 inclusive  
 Block 85 Lots 1 to 32 inclusive

All of Block 84

Block 83 Lots 1 to 31 inclusive  
 Block 82 Lots 1 to 32 inclusive  
 Block 81 Lots 1 to 32 inclusive  
 Block 80 Lots 1 to 32 inclusive  
 Block 79 Lots 1 to 32 inclusive  
 Block 78 Lots 1 to 24 inclusive  
 Block 77 Lots 13 to 24 inclusive  
 Block 76 Lots 17 to 32 inclusive  
 Block 75 Lots 17 to 32 inclusive  
 Block 74 Lots 17 to 32 inclusive  
 Block 73 Lots 17 to 32 inclusive  
 Block 72 Lots 16 to 31 inclusive  
 Block 71 Lots 1 to 6 inclusive  
 Block 71 Lots 21 to 29 inclusive

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Block 79 Lots 17 to 32 Inclusive  
 Block 69 Lots 17 to 32 Inclusive  
 Block 68 Lots 17 to 32 Inclusive  
 Block 67 Lots 18 to 34 Inclusive  
 Block 6 Dundee Place Lots 17 to 32 Inclusive  
 Block A Keith's Addition Lots 1 to 16 Inclusive

Description of The Grand River Valley Railway Company's portion for paving and grading for tracks lying within said Paving District No. 14:

Beginning at the North line of Grand Avenue on Twelfth Street; thence South on Twelfth Street to the South line of Grand Avenue; also beginning at the North line of Grand Avenue on Fourth

Street; thence South on Fourth Street to the South line of Grand Avenue; also beginning at the North line of White Avenue on Fourth Street; thence South on Fourth Street to the South line of White Avenue; also beginning on the North line of Grand Avenue on Tenth Street; thence South on Tenth Street to the South line of Grand Avenue; also beginning on the North line of White Avenue on Tenth Street; thence South on Tenth Street to the South line of White Avenue; being 460 linear feet, the width being two feet on the outside of each side of the track, that is to say, the width of the tract and two feet on the outside of each rail, the total width being equal to approximately nine feet, equal to 460 square yards.

Section 3. That the said district shall be known as and the same is hereby designated as "Paving District No. 14."

Section 4. That the paving of the streets hereinbefore described, the construction of the curbing and guttering on said streets and the connection of the lots fronting on said streets 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 (except as to the type of paving to be laid, which type of the two aforesaid types, the Council reserves the right to hereafter designate after having received bids on each) be and the same are hereby authorized and ordered, providing however, that the cost of the same including general expenses, but excluding cost of street and alley intersections to be paid by the City of Grand Junction, shall not exceed the estimates of the Engineer, viz: \$175168.34.

Section 5. That the total estimate of the City Engineer for the cost of paving the street and alley intersections in the streets to be paved in said Paving District No. 14 to be paid for by the City of Grand Junction is \$45466.16; that \$45466.16, or so much thereof as may be necessary for the cost of paving the street and alley intersections in the streets to be paved in said Paving District No. 14 shall be paid by the City of Grand Junction out of funds to be obtained either from levies to be made for such purposes in the annual tax levy or from bonds which may hereafter be issued for such purposes and sold from time to time.

Section 6. That of said total amount, viz: \$175168.34

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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 until the time when the first installment

will be due shall be assessed wholly to the Grand River Valley Railway Company based upon that portion of the street occupied by or required by franchise obligation to be paved and graded by or charged or assessed to said The Grand River Valley Railway Company as hereinbefore described, and the balance of said total amount, to-wit: \$173094.18, 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 of the first installment will be due shall be assessed wholly upon the real estate hereinbefore described. The manner of apportioning the cost, 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 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 Paving District No. 14, including engineering, inspection, collection and other incidental expenses (excluding the amount to be paid by the City of Grand Junction for the paving of street and 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, 7th, A. D. 1924, to-wit: \$175168.34 with two per cent for the cost of collection and other incidentals and interest.

Section 8. That said bonds shall be dated at a date to be hereafter fixed by the City Council when funds are available for the paving of the street and alley interactions in said Paving District No. 14, and said bonds 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 Clerk and the seal of the City thereunto affixed and registered by the Treasurer, that said bonds shall be payable out of the money 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 \_\_\_\_\_ and the first day of \_\_\_\_\_ in each year (said dates to be hereafter determined and fixed by the Council when money for paving street and alley intersections is available) shall have twenty-four 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 \$500.00 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 in the City of New York, U.S.A. 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 reserved 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

PAVING DISTRICT NO. 14

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 first day of \_\_\_\_\_, A. D. 19\_\_\_\_\_, subject to call and payment however, at any time prior thereto, with interest thereon from date until payment at the rate of \_\_\_\_\_ per centum per annum, payable semi-annually on the first day of \_\_\_\_\_ and the first day of \_\_\_\_\_, 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. 14, 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. 14, 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. 14, 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 \_\_\_\_\_ day of \_\_\_\_\_, A. D. 192\_\_\_\_\_.

/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 of paving District No. 14, provided the bond to which this coupon is attached shall not have been paid.

Attached to bond, dated \_\_\_\_\_

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. 19\_\_\_\_\_.

/s/

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

Section 11. When funds are available for paving the street and alley intersections, the City Clerk is 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, providing however, that if the City Council shall so direct the successful bidder for said bonds shall pay the expense of printing of said bonds.

Section 12. Advertisement 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, shall not be made until funds are available for the payment of the paving of street and alley intersections which is to be paid by the City of Grand Junction. That when said funds for the paving of street and alley intersections in said Paving District are available, the City Clerk shall 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.

Passed and adopted this First day of October, A. D. 1924.

/s/

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

ATTEST:

City Clerk.

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

The City Attorney informed the Council that the taxes were paid on the strip of land recently deeded to the City by the Dioces of Colorado.

A map was presented by the City Engineer showing a proposed site for a storage reservoir for water, said site being located at the head of Kannah Creek. It was moved by Councilman Hampson, seconded by Councilman Murr that the map be accepted and filed and that the President of the Council and the City Clerk be authorized to sign the application, on behalf of the city, and that the same be forwarded to the General Land Office at Montrose Colo for filing. Upon which motion the following vote was cast: Councilmen voting yea, Hirons, Meders, Miller, Dowrey, Hampson, Murr and Bear. All the Councilmen present voting yea, the President declared the motion carried.

Upon motion of Councilman Miller, seconded by Councilman Meders the meeting adjourned.

/s/ Fred A. Peck

City Clerk