

Grand Junction, Colorado

April 20 1925.

The City Council of the City of Grand Junction met in regular adjourned session at 8:00 o'clock P.M. with President Hiron presiding. Those present and answering at roll call were Councilmen: Hiron, Miller, Meders, Bear & Murr; City Manager Garrett, City Attorney Tupper and City Clerk Peck. Councilmen Hampson and Dowrey were absent.

The minutes of the last regular session and of the adjourned sessions held April 9th 1925, were read and approved.

The President of the Council announced that the Council was now ready to auction the lots described as: Lots 1-2-3-4, Block 68; Lot No. 1; Block 130 and Lot No. 17; Block 52 under the following conditions:

That the minimum price on said lots for which they would be sold would be as follows:

Lots Nos. 1-&2-Block 68\	\$650.00
Lots Nos. 3 & 4 Block 68\	550.00
Lot No. 1 Block 130\	100.00
Lot No. 17 Block 52\	200.00.

That the taxes (special assessments) are paid to date but that the buyer

would pay the taxes due in 1926 and thereafter.

A check for 10% of the bid price must be deposited with the City Clerk and the balance would be due and payable on delivery of the abstract. In case the successful bidder failed to close the deal the deposit check would be forfeited.

J.F. Schults then proceeded to auction off the lots.

Lot. No. 1, Block 130 was sold to Mrs. Emma Parsons for \$100.00.

Lot. No. 17, Block 52 was sold to Wayne Schaffer for \$200.00.

No bids were received on Lots. 1-2-3-4, Block 68.

The following letter was read.

A. SCOTT MCKINNEY

COUNTY TREASURER

AND PUBLIC TRUSTEE

MRS. VIRGINIA O. WALLACE

DEPUTY

OFFICE OF

COUNTY TREASURER

MESA COUNTY, COLORADO

GRAND JUNCTION, COLORADO

April 17, 1925

To the Honorable Council of the
City of Grand Junction, Colorado.

Gentlemen:

The following properties were sold for taxes in error, and this office is petitioning your honorable body to authorize the cancellation of the tax sales, and grant to the County Treasurer the right to collect these taxes as originally assessed.

For your information, we wish to explain that these tax sales occurred by reason of the failure of this office to make the usual check of unpaid special assessments between the dates of publication of the delinquent list and the sale of taxes for the year 1924, and taxes not posted to the tax roll, through clerical errors in this office, etc. were sold without notice to the owner.

Owner	Description	Tax Sale No.	Orig. Amt.
W.H. Vaughn	S1/2 E100 ft. Lot B. 3, Mobleys	25642 W.M.	\$2.50
	Not posted to tax roll		
Mary Milburn	Lots 10 and 11, B. 73, G. Jct	25594-5 W.M.	
	Paid--Not marked paid on		

	special roll		
S.B.& M.H. Streit	Lots 1 and 2, B1. 31, G. Jct.	25653-4 W.M.	
	Paid--Not marked paid on Sp.Roll		
D.H.Killen	Lot 26, B1. 128, G. Jct.	25600 W.M.	
	Paid--Not marked paid on Sp. Roll		
W.H. Bale	Metes & Bounds, S 5th St.	25629 W.M.	4.00
	Marked out on tax roll--in error owner tendered tax to clerk--refused		
H.M. Homan	S 50 ft. Lots 17 & 18, B.54 G.J.	25682-3 Sidewk 5	\$3.12
	Not posted to Tax Roll		
T. E. Gardner	Lots 13-14, B. E Keiths	25611-2 W.M.	2.00

	Not posted to Tax Roll		
L & D Fazio	Lots 5, 6, 7, Blk. 7 Mobleys	24830-1 Sidewk #1	\$5.37
	Not posted to tax roll		
Mrs. W.C. Belz	Lots 1 and 2, Blk 35, G.J.	25680-1 Paving #5	6.50
	Not posted to tax roll		
M. A. Mast	Lots 1 and 2, Blk 152, G.J.	24848-8 Sidewk #2	
	1923 payment credited in 1924 column special assessment roll		
	1923 tax sold--All taxes paid when due.		

Your petitioner requests that your honorable body pass upon the matters hereinbefore submitted, and to furnish this office a copy of your resolution when adopted.

Respectfully submitted,

/s/ A. Scott McKinney
Treasurer Mesa County, Colorado.

The following resolution was introduced and read:

RESOLUTION

WHEREAS the following tax sales were erroneously made by the County Treasurer: Tax Sale No. 25642; 25594-5; 25653-4; 25600; 25629; 25682-3; 25611-2; 24830-1; 25680-1; 24848-8;

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLO., That the City Treasurer of the City of Grand Junction, Colo., be and is hereby authorized and instructed to turn over to the County Treasurer the certificates above for cancellation.

Councilman Miller moved, seconded by Councilman Bear that the resolution as read be passed and adopted, upon which motion the following vote was cast:

Councilmen voting YEA, Hirons, Miller, Meders, Bear & Murr. All the Councilmen present voting Yea, the President declared the motion carried and the resolution duly passed and adopted.

The following resolution was introduced and read:

RESOLUTION

WHEREAS, the Massachusetts Bonding and Insurance Company the Surety Co. on the Prender gast-Connor Construction Company contract for the construction of the South Trunk Line of Combined Sewer District No. 2, have paid all claims against said Prendergast-Connor Construction Company filed with the City Clerk and

WHEREAS said Mass. Bonding and Ins. Company has an assignment from

said Prendergast-Connor Construction Company assigning the balance due said company to said Mass. Bonding and Ins. Company,

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION?, that the City Manager be and is hereby authorized to pay the balance (\$4,470.65) in the hands of the City owing to The Prendergast-Connor Construction Company to the Massachusetts Bonding and Insurance Company upon surrender to the City of Grand Junction of receipts in full for all claims filed with the City Clerk and of the assignment of the Prendergast-Connor Construction Company to the said Surety company of said balance.

Moved by Councilman Meders, seconded by Councilman Miller that the resolution as read be passed and adopted, upon which motion the following vote was cast: Councilmen voting Yea, Hirons, Meders, Miller, Bear & Murr. All the Councilmen present voting Yea, the President declared the motion carried and the resolution duly passed and adopted.

The following resolution was introduced and read:

RESOLUTION

CREATING AND ESTABLISHING WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, A SANITARY SEWER DISTRICT, TO BE KNOWN AS SANITARY SEWER DISTRICT NUMBER SEVEN; AUTHORIZING CONSTRUCTION IN SAID DISTRICT OF A SYSTEM OF SANITARY DRAINAGE, ALL IN STRICT CONFORMITY WITH FULL DETAILS, SPECIFICATIONS, MAPS, ESTIMATES, NOTICES AND ORDER HERETOFORE ADOPTED, BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, IN THE PREMISES, DESCRIBING THE REAL ESTATE CONSTITUTING SAID DISTRICT AND TO BE ASSESSED FOR THE COST OF SAID LOCAL IMPROVEMENT, 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 IMPROVEMENT, PRESCRIBING THE FORM OF SAID BONDS.

WHEREAS, in conformity with said Charter of the City of Grand Junction and Ordinance No. 178, adopted and approved the 11th day of June, A. D. 1910, as amended, the City Council of the City of Grand Junction, by resolution duly adopted and approved the 18th day of March, A. D. 1925, which declared the intention of the City Council to create a local improvement district, in the City of Grand Junction, to be known as Sanitary Sewer District Number Seven; and

WHEREAS, by resolution duly adopted and approved the 18th day of March, A. D. 1925, details and specifications for the construction of a system of sanitary sewers within said proposed sanitary sewer district were duly adopted and approved, and provision made for the requisite notice to all persons interested in the improvement proposed, the number of installments, and 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, the probable cost as shown by the estimate of the engineer, the maximum share of said total estimate per square foot and per lot that will be assessed upon any lot or lands included in the district, and the time when the Council will consider the ordering of the proposed improvement, 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 in the office of the City Clerk, during business hours, at any time prior to 8 o'clock P. M. on Monday the 20th day of April, 1925, by any persons interested; and

WHEREAS, at the time and place specified in said resolution and in said notice, no complaints or objections, in writing or otherwise, were made concerning the proposed improvements, and all conditions have now transpired authorizing said City Council to create said Sanitary Sewer District Number Seven, and construct therein the said proposed improvements.

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, as amended, the said improvements, consisting of a system of sanitary sewers for sanitary drainage in said Sanitary Sewer District No. 7 were duly ordered after notice given; that there were no complaints or objections filed concerning the same; that the City Council of the City of Grand Junction, in creating said Sanitary Sewer District No. 7 and ordering the construction therein of a system of sanitary sewers, 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 Ordinance No. 178, approved June 11, 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:

CITY OF GRAND JUNCTION

SANITARY SEWER DISTRICT NO. 7

Beginning at the Northwest corner of Block 1, Lincoln Park addition to the City of Grand Junction, Colorado; thence East to the North east corner of Block 3, said Lincoln Park Addition; thence South to the Southeast corner of said Block 3, Lincoln Park Addition; thence West to the Southwest Corner of said Block 1, Lincoln Park Addition; thence North to the said Northwest corner of Block 1, Lincoln Park Addition, the place of beginning. All of the above described lands lying and being within the corporate limits of the City of Grand Junction.

Section 3. That said district shall be known as, and the same is hereby designated, SANITARY SEWER DISTRICT NUMBER SEVEN.

Section 4. That the construction of a system of sanitary sewers within said district, all strictly in accordance with the full details, plans, specifications, maps, estimates, notices and orders heretofore adopted by said Council in the premises be, and the same is, hereby authorized and ordered, and the City Manager is hereby authorized, on behalf of said City to construct the said improvements; provided, however, that the cost of the same, including general expenses, shall not exceed the estimates of the Engineer, viz. \$2191.09.

Section 5. That said amount, viz. \$2191.09, or so much thereof as may be required to pay the actual cost of said improvements, together with six per cent additional for the cost of collection and other incidentals, and the cost and interest on the bonds to be issued from time to time to raise funds for the payment of said actual cost, said interest to run from the time of issue of said bonds to the time the first installment will be due, shall be assessed wholly upon the said real estate hereinbefore described, and the manner of apportioning the cost and collecting the assessments and all other matters incidental to said improvements shall be as heretofore prescribed, and set forth in previous 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 11, 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 Sanitary Sewer District No. 7, 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 March 18th, 1925, to-wit: \$2191.09, with six per cent additional for the cost of collection and other incidentals, and interest.

Section 7. That said bonds shall be dated May 1, A. D. 1925, shall bear the name of the district improved, shall be payable to the bearer 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 Clerk, and the seal of the City thereunto affixed, and registered by the Treasurer; the said bonds shall be payable out of moneys collected on account of assessments made for said improvements, shall bear interest at the rate of six per cent per annum, payable semi-annually on the first days of May and November in each year; shall have twenty-four coupons thereto attached, subscribed by the fac-simile signature of the City Treasurer evidencing said interest, shall be in denomination of \$100.00 each, and shall be numbered consecutively from one (1) upward. Both principal and interest shall be payable at the office of the City Treasurer or at the banking house of Kountze Brothers, in the City of New York, U. S. A. at the option of the holder.

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

UNITED STATES OF AMERICA

State of Colorado

CITY OF GRAND JUNCTION

Public Improvement Bond

SANITARY SEWER DISTRICT NUMBER 7

No. _____

\$ _____

The City of Grand Junction, in the County of Mesa and State of Colorado, for value received, acknowledged itself indebted, and hereby promises to pay to the bearer hereof the sum of _____ dollars in 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 paid at the rate of six per cent per annum, payable semi-annually on the first days of May and 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, U. S. A., 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 Sanitary Sewer District No. 7 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 Sanitary Sewer District No. 7, 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 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 certified and recited that every requirement of law relating to the creation of said Sanitary Sewer District No. 7, the making of said improvements, and the issue of this bond, have been fully complied with by the proper officer 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. 1925.

/s/

Mayor

ATTEST:

/s/

City Clerk

(FORM OF COUPON)

No. _____

\$ _____

On the _____ day of _____, A. D. 19_____, the City of Grand Junction will pay the bearer _____ 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 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 local improvements in Sanitary Sewer District Number 7, provided this bond shall not have been paid. Attached to bond

No. _____

/s/

City Treasurer

(Registration Certificate)

It is hereby certified that the within and foregoing bond has been duly 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 9. The City Clerk is hereby authorized and directed to have prepared 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.

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

Councilman Miller moved, seconded by Councilman Meders that the bonds for the construction of Sanitary Sewer District No. 7 be offered to the board in charge of the Firemans Pention Fund of the City, at par an if said offer was acceptable to the Board that the bonds be delivered at once and the funds for the sale of the same be used only for the construction of said Sanitary Sewer District No. 7. Upon which motion the following vote was cast: Councilmen voting YEA, Hirons, Meders, Miller, Bear & Murr. All the Councilmen present voting Yea, thr. President declared the motion carried.

There being no further business to come before the meeting the Council adjourned at the call of the Chair, upon motion of Councilman Meders,

seconded by Councilman Murr.

/s/ Fred A. Peck

City Clerk