

Grand Junction, Colorado

December 16, 1925

The City Council of the City of Grand Junction met in regular session at 7:30 o'clock P.M. with President Hiron presiding. Those present and answering at roll call were Councilman Bear, Ellison, Fairley, Logsdon, Meders, Moslander, Bell. City Manager Thompson, City Clerk Peck and City Attorney Hinman were present.

The minutes of the last regular session, and of the special session of December 9th 1925 were read and approved.

A paving petition petitioning for a paving district on Chipeta Ave. from 8th Street to 13th Street was presented and read.

Upon motion of Councilman Meders, seconded by Councilman Bear the Clerk was instructed to check over the petition as to the signatures and frontage.

The proof of publication of the proposed ordinance entitled "AN ORDINANCE AMENDING SECTIONS 2 AND 6 OF ORDINANCE NO. 89, PASSED AND ADOPTED FEBRUARY 1, 1900" was presented and read. Upon motion of Councilman Meders, seconded by Councilman Bear the proof of publication was accepted and filed.

Upon motion of Councilman, Ellison, seconded by Councilman Moslander the proposed ordinance was brot up for final passage.

It was thereupon moved by Councilman Moslander, seconded by Councilman Bear that the proposed ordinance entitled: AN ORDINANCE AMENDING SECTIONS 2 AND 6 OF ORDINANCE NO. 89, PASSED AND ADOPTED FEBRUARY 1ST, 1900" be passed and adopted, numbered 395 and published, upon which motion the following vote was cast: Councilmen voting YEA, Bear, Ellison, Fairley, Logsdon, Meders,

Moslander & Bell. All the Councilmen present voting YEA, the President declared the motion carried and the ordinance duly passed and adopted.

The Denver Powerine Company made written application for a permit to construct a plant for the bulk storage of gasolene and other petroleum products. Mr. R.F. Puriton of said Company being present and presenting a map showing the location of the contemplated plant.

It was thereupon moved by Councilman Moslander, seconded by Councilman Meders that the permit be granted the Denver Powerine Company for the erection of a plant for the storage of gasolene and other petroleum products at the location designated by the plat filed. The motion being put, all the Councilmen present voted YEA, and the President declared the motion carried.

The following resolution was presented and read:

RESOLUTION

WHEREAS there is due and payable on January 1st 1926 water bonds in the amount of \$25,500.00, and

WHEREAS the Water Sinking Fund from which said bonds are to be paid shows a balance of \$18,057.61, which amount is approximately \$7,500.00 less than the amount of bonds to be paid.

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

That there be and is hereby transferred from the Water Working Fund to the Water Sinking Fund the sum of \$7,500, and that the City Treasurer and the City Auditor be authorized and instructed to make said transfer and to show the same on the books and records of the City.

Moved by Councilman Meders, seconded by Councilman Moslander, that the resolution as read be passed and adopted, upon which motion the

following vote was cast: Councilmen voting YEA, Bear, Ellison, Fairley, Logsdan, Meders, Moslander, & Bell.

A proposed emergency ordinance entitled "AN ORDINANCE PROVIDING FOR AN EMERGENCY APPROPRIATION FOR THE MAINTENANCE OF THE POLICE DEPARTMENT AND FOR THE GENERAL OFFICE EXPENSE" was introduced and read.

Councilman Meders moved, seconded by Councilman Moslander that the ordinance as read be passed and adopted as an emergency ordinance, numbered 396 and published. Upon which motion the following vote was cast: Councilmen voting YEA: Bear, Ellison, Logsdan, Fairley, Meders, Moslander & Bell. All the Councilmen voting YEA, the President declared the motion carried and the ordinance 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 PAVING DISTRICT TO BE KNOWN AND DESIGNATED AS "PAVING DISTRICT NO. 12" AUTHORIZING THE PAVING OF CERTAIN STREETS 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 THEREFORE AND 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 21st day of October, A. D. 1925, 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. 12"; and

WHEREAS, by Resolution duly adopted and approved the 4th day of November, A. D. 1925, adopting details and specifications for paving certain streets 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. 12" 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 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 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 seven-thirty o'clock P. M. on Wednesday the 16th day of December, A. D. 1925, 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 Paving District No. 12 and construct the said proposed improvements therein, said City Council has selected the two course gravel paving as a proper and suitable type of paving to be laid in the streets to be improved and has determined on that type of paving to be used in said improvement.

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 streets in said Paving District No. 12 using a two course gravel 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 Paving District No. 12 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 lot 1, Block 1, Grand River Subdivision in the City of Grand Junction, Colorado; thence south to the southwest corner of lot 13, Block 1, Grand River Subdivision; thence east to the southwest corner of said Lot 13, Block 1, Grand River Subdivision; thence south 185 feet; thence east to a point 125 feet west of Plank Ave; thence south to the south line of Ute Ave.; thence east 300 feet to a point on the north line of Ute Avenue and the east line of Plank Avenue, thence north to a point on the south line of Main Street 125 feet east of the east

line of Plank Avenue; thence west 300 feet to a point on the south line of Main Street 125 feet west of the west line of Plank Avenue; thence south 205 feet; thence west to a point 125 feet east of the east line of West Street; thence north 205 feet to a point on the south line of Main Street; thence west 310 feet to the place of beginning.

Description of the streets to be improved in the proposed Paving District No. 12 in the City of Grand Junction, Colorado:

West Street from the south line of Main Street, south to the south line of Colorado Avenue; and Colorado Avenue from the west line of West Street to the west line of Plank Avenue, and Plank Avenue from the south line of Main Street to the south line of Ute Avenue.

Type of paving to be laid; The type of paving to be laid in said streets shall be a two course gravel 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 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 maximum share of the total estimate per front foot that will be assessed upon the lots or lands within said district abutting upon the streets in which said improvements are to be made is \$2.03

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 streets to be improved.

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 13 inclusive in Block 1

Lots 8 to 13 inclusive in Block 9-Bowers Sub-Div. of Lot 3

Lots 34 to 58 inclusive in Block 9-Bowers Sub-Div. of Lot 3

Block No. 9 Mobley's Sub-Division

Tract beginning N.E. corner lot 2; thence W 70.5'; thence S. 155' thence E. 70.5'; thence N. 155' back to point of beginning.

Tract beginning 70.5' W. of N.E. corner of lot 2; thence W. 29.5'; thence S. 155'; thence E. 29.5'; thence N. 155' to point of beginning.

Tract beginning 100' W. of the N.E. corner of lot 2; thence 41.04' W.; thence 155' S; thence 41.04' E.; thence N. 155' back to point of beginning.

Tract beginning N.W. corner of lot 2; thence E. 45'; thence S. 155'; thence W. 45'; thence N. 155' back to point of beginning.

Tract beginning 45' E. of N.W. corner of lot 2; thence 30' E. thence 155' S.; thence 30' W. thence 155' N. back to point of beginning.

Tract beginning 75' E. of N.W. corner of lot 2; thence 45' E; thence 155' S.; thence 45' W; thence 155' N. back to point of beginning.

Tract beginning 120' E. of N.W. corner of lot 2; thence 42' E; thence 155' S.; thence 42' W.; thence 155' N.; back to point of beginning.

Tract beginning S.E. corner of lot 1; thence 166.76' E.; thence 77.5' N.; thence 166.76' W; thence 77.5' S; to point of beginning.

Tract beginning 77.5' N. of S.W. corner of lot 1; thence 166.76' E; thence 77.5' N; thence 166.76' W; thence 77.5' S. back to point of beginning.

Beginning center S.E. 1/4 Sec. 15, N. 18.5'; W. 140.4' S. 82' W. 194' N. 50' E. 86' to point of beginning.

Beginning 18.5' N. of center S.E. 1/4 Sec. 15 N. 36 1/2' W. 140.04' S. 36 1/2' E. 140.04' to point of beginning.

Beginning 55' N. of center S.E. 1/4 Sec. 15 N. 36 1/2' W. 140.04' S. 36 1/2' E. 140.04' to point of beginning.

Lots 3 to 13 inclusive in Block 10, Mobley's Sub-Division

Beginning at the north west corner of Lot 1, Block 1, Grand River Sub-Division in the City of Grand Junction, Colorado; thence south to the south west corner of Lot 13, Block 1, Grand River Sub-Division; thence east to the south east corner of said Lot 13, Block 1, Grand River Sub-Division; thence south 185 feet; thence east to a point 125 feet west of the west line of Plank Avenue; thence south to the north line of Ute Avenue; thence east 300 feet to a point on the north line of Ute Avenue; 125 feet east of the east line of Plank Avenue; thence north to the south line of Main Street, 125 feet east of the east line of Plank Avenue; thence west 300 feet to a point on south line of Main Street, 125 feet west of the west line of Plank Avenue; thence south 205 feet; thence west to a point 125 feet east of the east line of West Street; thence north 205 feet to the south line of Main Street; thence west 310 feet to point of beginning.

Streets to be paved:

West Street, extending from the south line of Main Street, South to the north line of Colorado Avenue.

Colorado Avenue, extending from the West line of West Street east to the west line of Plank Avenue.

Plank Avenue, extending from the south line of Main Street, south to the south line of Ute Avenue.

Lots 29 and 30 in Block 10, Mobley's Sub-Division

Tract beginning at the intersection of East line of Plank and North line of Ute; thence East 84.'; thence N. $18^{\circ} 15'$ W. for 218' intersecting the eastline of Plank Ave.; thence South 202' to point of beginning.

Tract beginning 84.8' East of N.E. corner of Plank & Ute; thence 40.2 East to boundary of Paving District 12; thence North 76' West 74' S. $18^{\circ} 15'$ E. 79.4' to point of beginning.

Tract beginning at S.E. corner of Plank and Colorado; thence South 68'; thence S. $18^{\circ} 15'$ E. 138.6; thence East 74' to Boundary of Paving District No. 12; thence North 144'; West 125' to point of beginning.

Section 3. That said district shall be known as and the same is hereby designated as "Paving District No. 12".

Section 4. That the paving of the streets 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, provided however, that the cost of the same including general expenses, but excluding cost of said street and alley intersections to be paid for by the City of Grand Junction, shall not exceed the estimate of the Engineer, viz;

\$7,776.31.

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 street and 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 street and alley intersections in the streets to be paved in said Paving District No. 12 is \$730.40; that \$730.40 or so much thereof as may be necessary for the cost of paving the street and alley intersections in the alleys to be paved in said Paving District No. 12 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 \$7776.31 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 Paving District No. 12 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 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 November 4th, 1925, to-wit: \$7776.31, with two per cent additional for the cost of collection and other incidentals and interest.

Section 8. That said bonds shall be dated January 1, 1926, A.D. 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 January and the first day of July in each year, 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 \$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
PAVING DISTRICT NO. 12

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 January, A. D. 1938, 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 January and the first day of July 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 Paving District No. 12 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 requisite requirements and ordinances of said City duly adopted, 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. 12 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. 12, 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 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 January, A. D. 1926.

/s/

President of the Council

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, 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 Paving District No. 12, provided the bond to which this coupon is attached shall not have been paid.

Attached to bond, dated January 1st, 1926, 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 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 by Councilman Meders, seconded by Councilman Moslander that the resolution as read be passed and adopted, upon which motion the following vote was cast: Councilmen voting YEA, Bear, Ellison, Fairley, Logsdan, Meders, Moslander & Bell. All the Councilmen 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 Moyer Pool Fund shows an overdraft of \$318.28, the receipts to the same being curtailed by the unusual cool and wet weather during the month of August and

WHEREAS the City as a whole derives more or less benefit from the Moyer Pool.

THEREFORE BE IT RESOLVED, by the City Council of the City of Grand Junction, Colo.

That there be and is hereby transferred from the General Fund of the City to the Moyer Pool Fund of the City the sum of \$325.00, and that the City Treasurer and the City Auditor cause the same to be shown on the books and records of the City.

Councilman Meders 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: Bear, Ellison, Fairley, Logsdan, Meders, Moslander, & Bell. All the Councilmen voting YEA, the President declared the motion carried and the resolution duly passed and adopted.

A proposed ordinance entitled "AN ORDINANCE CONCERNING JUNK YARDS AND JUNK DEALERS" was introduced and read. Upon motion

of Councilman Meders, seconded by Councilman Bear, the proposed ordinance was passed for publication.

A proposed ordinance entitled AN ORDINANCE AMENDING SECTIONS 2, 4, 5, 8 & 12, OF ORDINANCE NO. 238 PASSED AND ADOPTED AUGUST 10th 1915, AS AMENDED BY ORDINANCE NO. 347 PASSED AND ADOPTED JANUARY 30TH 1924" was introduced and read. Moved by Councilman Meders, seconded by Councilman Fairley that the Ordinance as read be passed for publication. Motion carried.

The following resolution was read.

WHEREAS by resolution duly passed and adopted, Paving Dist. No. 12, in the City of Grand Junction has been created wherein the issuance and sale of \$8250.00 Special Assessment Bonds of said District are authorized as further described in said resolution, and

WHEREAS, Sidlo, Simons, Day & Company of Denver, Colorado, has offered a bid for said bonds as contained in their bid & offer dated December 14th 1925, at par value thereof, namely \$8250.00, and

WHEREAS said bid is, in the opinion of the City Council, the highest and best bid obtainable for said bonds and said bidder the highest, reliable & responsible bidder therefore;

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, That said bid and offer be accepted and said bonds are this day sold to Sidlo, Simons, Day & Company of Denver, Colorado, as per the terms and conditions of said offer and contract.

Councilman Meders thereupon moved, seconded by Councilman Bear that the resolution as read be passed and adopted, upon which motion the following vote was cast: Councilman voting YEA, Bear, Ellison, Fairley, Logsdon, Meders, Moslander, & Bell. All the Councilmen voting YEA, the President declared the motion carried and the resolution duly passed and

adopted.

Councilman Meders moved, seconded by Councilman Logsden that the City Manager proceed with the construction of Paving District No. 12 with City forces as soon as the funds for the construction of the same were available. All the Councilmen voted "YEA" and the President declared the motion carried and the Manager so instructed.

The following resolution was introduced and read:

RESOLUTION

WHEREAS it has been brot to the attention of the City Council that misrepresentations have been made in certain advertisements in the daily newspaper stating that the approval of the City Council had been obtained on metal ash cans now being manufactured by firms in the City, and

WHEREAS the metal ash pits now being constructed by certain manufacturing firms do not conform with the City Ordinance concerning ash pits.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, That notice be given said manufacturies that the metal ash pits & cans now being manufactured by them do not conform with the City Ordinance, and be it further resolved that all ash pits or cans hereafter sold must conform with the City Ordinances.

Councilman Moslander moved, seconded by Councilman Fairley that the resolution as read be passed and adopted, upon which motion the following vote was cast: Councilmen voting YEA, Bear, Ellison, Fairley, Logsden, Meders, Moslander & Bell. All the Councilmen voting YEA, the President declared the motion carried and the resolution duly passed and adopted.

The City Engineer presented maps, estimates ect for the proposed Combined Sewer District No. 4.

Thereupon the following resolution was read.

RESOLUTION

A RESOLUTION ADOPTING DETAILS AND SPECIFICATIONS FOR THE CONSTRUCTION OF A SYSTEM OF COMBINED STORM AND SANITARY SEWERS WITHIN A PROPOSED COMBINED SEWER DISTRICT IN THE CITY OF GRAND JUNCTION, COLORADO, TO BE DESIGNATED AS COMBINED SEWER DISTRICT NO. 4; DESIGNATING THE MATERIALS TO BE USED, ASCERTAINING THE COST THEREOF: AND DETERMINING THE NUMBER OF INSTALLMENTS, AND THE TIME IN WHICH THE COST THEREOF SHALL BE PAYABLE; THE RATE OF DISTRICT ON UNPAID INSTALLMENTS, AND THE DISTRICT OF LANDS TO BE ASSESSED FOR THE SAME.

WHEREAS, by Resolution passed and adopted at a lawful meeting of the City Council of the City of Grand Junction, on the 9th day of December, A. D. 1925, it was found and declared that the establishment of a combined sewer district and the construction therein of a system of combined storm and sanitary sewers, for storm and sanitary drainage was and is a necessity, said district to be known as Combined Sewer District No. 4; and

WHEREAS, by said Resolution, the City Engineer was directed to make and furnish an estimate of the total cost of said improvements and a map of the district to be assessed; and

WHEREAS, T. E. Thompson, the City Engineer of the City of Grand Junction, in pursuance of the order in said resolution made, has reported to the Council the completion of all the matters and things in said Resolution enjoined upon him in the form and manner as therein directed, and has filed with the City Clerk all the maps and certificates of survey of said proposed Combined Sewer District No. 4, as well as all schedules, plans,

specifications and approximations of cost, and all other matters and things required of him in and by said Resolution in such form and substantially as therein required; and

WHEREAS, it appears to the Council, and the City Council of the City of Grand Junction doth hereby find from said maps, certificates of survey, schedules, plans, specifications and approximations of cost so prepared and filed by said Engineer, as aforesaid, that said proposed Combined Sewer District No. 4 is composed of all the lots and parcels of land embraced within the boundaries hereinafter and in said map and surveyor's certificate described, as follows, to-wit:

CITY OF GRAND JUNCTION

COMBINED SEWER DISTRICT NO. 4.

Beginning at the Northwest corner of lot 84, Block 55 in the City of Grand Junction; thence East to the Northeast corner of lot 13, Block 3 of the Lincoln Park Addition to the City of Grand Junction Colorado; thence south to the Northeast corner of lot 12, Block "C" Keiths' Addition to the City of Grand Junction, Colorado; thence East to the Northeast corner of lot 14, said Block "C" Keiths' Addition; thence South to the Southeast corner of lot 14 Block "F" said Keiths' Addition; thence West to the Southwest corner of lot 1 Block 99, thence North to the place of beginning.

All of the land lying and being within the above boundaries as described is within the present corporate limits of the City of Grand Junction, Colorado.

WHEREAS, it further appears from said Engineer's report that the estimated and probable total cost of said combined storm and sanitary sewer system exclusive of the per centum of the cost of collection and other incidentals, and of interest to the time the first installment of said cost becomes due is 33827.86; that the method of assessment to be adopted in the district shall be an assessment according to area; that the maximum share of said total estimate per square foot of in ordinary lot of 25 feet by 125 feet that will be assessed upon the respective lots and parcels of land in

said proposed district is estimated to be as follows:

Per Square Feet of Superficial area of each lot or parcel of land--
\$.0059

Per Lot of 25 feet by 125 feet \$18.44

All other lots or tracts of land of greater or less dimensions and superficial area in proportion to the respective areas.

That all of said estimates of cost are exclusive of the per centum of cost for collection and other incidentals, and of interest to the time the first installment of said cost becomes due; that the schedule showing the approximate amount to be assessed upon the several lots or parcels of property within the district is as follows:

SCHEDULE OF ASSESSMENT

ASSESSABLE AREA, COMBINED SEWER DISTRICT NO. 4

GRAND JUNCTION, COLORADO, 1925

Total estimated cost \$33,827.86

Total assessable area 5,735,316.0 square feet.

Cost estimated per square foot of area \$.0059

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

Section 1. That the report so made by T. E. Thompson, Engineer of said City, with respect to said proposed Combined Sewer District No. 4, be and the same is hereby approved, ratified and confirmed; that the said report together with details, specifications, estimates maps, and schedules prepared and filed with the Clerk, and the recommendation of said

Engineer as to the kind of materials to be used in the construction of said sewer system be and same are hereby approved, ratified, confirmed and adopted by the Council as the details plans, specifications, estimates and materials for use in the construction of said sewer system; that the survey and map of said proposed Combined Sewer District No. 4, be the survey and map of said District.

Section 2. That to the total amount of \$33827.86, and respective portions thereof to be assessed upon the respective lots and lands of said district, as aforesaid, or so much thereof as may be necessary to pay the actual cost of said improvements and the general expenses, there will be added two per cent for the cost of collection and other incidentals, and that there also be added an amount sufficient to pay the interest to the next succeeding date upon which general taxes or the first installment thereof, are by the laws of the State of Colorado, made payable.

Section 3. That the said assessment shall be due and payable within thirty days of the final publication of the assessing ordinance, assessing the whole actual cost of said improvements against said real estate without demand, provided, however, that any owner who shall pay his full assessment within the period of thirty days after the final publication of the assessing ordinance without demand, shall be entitled to an allowance of the per centum added for the cost of collection and other incidentals, and of interest from the date of payment to the time when the first installment becomes due on all payments made during said period of thirty days, or in case any owner of real estate shall fail to pay the whole of said assessment against his property within said thirty days from and after the final publication of the assessing ordinance, assessing the same, then the whole cost of said improvement so assessed against his property shall be payable in ten equal annual installments of the principal with interest upon unpaid installments, payable annually at the rate of not exceeding six per cent per annum; the first of said installments of said principal shall be due and payable upon the next succeeding date after the final publication of the assessing ordinance, assessing the same, upon which date the first installment of the general taxes, is by the laws of the State of Colorado, now in force, made payable and the remainder of said installments shall be

due and payable successively on the same day in each year thereafter until all are paid in full.

Section 4. That the City Attorney be and he is hereby directed to prepare a resolution in conformity with the Charter of the City of Grand Junction, and of Ordinance No. 178, adopted and approved the 11th day of June, 1910, as amended, which resolution when duly adopted and enforced shall create within the corporate limits of the City of Grand Junction a combined sewer district to be known as Combined Sewer District No. 4, with the same territory and boundaries as hereinbefore set forth, and providing in and by said resolution and the order of the City Council for the construction in said district of a system of storm and sanitary drainage, as contemplated by said Charter and City Ordinance No. 178 as amended, and in accordance with the plans, maps, specifications, details, and estimates of the engineer of said City hereinbefore referred to, and now on file in the office of the City Clerk.

Section 5. That said proposed resolution creating said Combined Sewer District and ordering the proposed improvements therein be considered for passage and adoption by the City Council on Wednesday the 20th day of January, 1926, at the hour of seven thirty o'clock P.M.

Section 6. That a notice be issued by the City Clerk and published for two days each week for two consecutive weeks in The Daily Sentinel, a daily newspaper of general circulation, published in the City of Grand Junction, therein giving notice to the owners of real estate in the said proposed Combined Sewer District No. 4, and to all persons interested generally, of the improvement proposed, the number of installments, and the time at which said cost of 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 of 25 feet by 125 feet, the said assessment being made according to area, that will be assessed upon any lots or lands included in the district, and the time as hereinbefore set forth, to-wit on Wednesday the 20th day of January 1926, at the hour of 7:30 o'clock P.M.

or as soon thereafter as the matter can be taken up when the Council will consider the ordering of the proposed improvements and hear all complaints and objections that will be made in writing concerning the proposed improvements by the owners of any real estate to be assessed or any person interested; and that said map, and estimates and all proceedings of the Council in the premises are on file and can be seen and examined in the office of the City Clerk during business hours, at any time prior to 7:30 o'clock P.M. on Wednesday the 20th day of January 1926 by any person interested.

Section 7. That said notice hereinbefore provided for shall be in words and figures as follows, to-wit:

NOTICE

OF A PROPOSITION TO CREATE A COMBINED SEWER DISTRICT IN THE CITY OF GRAND JUNCTION, COLORADO, TO BE KNOWN AND DESIGNATED AS COMBINED SEWER DISTRICT NO. 4; AND TO CONSTRUCT THEREIN A SYSTEM OF COMBINED STORM AND SANITARY SEWERS FOR STORM AND SANITARY DRAINAGE, AS PROVIDED BY ORDINANCE NO. 178 OF THE CITY OF GRAND JUNCTION, AS AMENDED.

All owners of real estate which is included within the boundaries hereinafter described, and all persons interested generally, are hereby notified that the City Council of the City of Grand Junction has adopted full details and specifications for the construction of a system of sewers and appurtenances for storm and sanitary drainage in and for a proposed Combined Sewer District, within the corporate limits of the City of Grand Junction, to be known and designated as Combined Sewer District No. 4, said district being described as follows, to-wit:

CITY OF GRAND JUNCTION--COMBINED SEWER DISTRICT NO. 4.

Beginning at the northwest corner of lot 24, Block 55 in the City of

Grand Junction; thence East to the Northeast corner of lot 13, Block 3 of the Lincoln Park Addition to the City of Grand Junction, Colorado; thence South to the Northeast corner of Lot 12 Block "C" Keith's Addition to the City of Grand Junction, Colorado; thence East to the Northeast corner of Lot 14 said Block "C" Keiths' Addition; thence South to the Southeast corner of Lot 14 Block "F" said Keiths' Addition; thence West to the Southwest corner of Lot 1, Block 99, thence N. to the place of beginning.

All of the land lying and being within the above boundaries as described is within the present corporate limits of the City of Grand Junction, Colorado.

That the probable cost of said sewers, sewer system and appurtenances in said proposed Combined Sewer District No. 4 as shown by the estimate of the Engineer of the City of Grand Junction is \$33,827.86; the maximum share of said amount that will be assessed upon any lot of 25 feet by 125 feet and upon the respective lots or parcels of land in said proposed district being estimated as follows:

Per square foot of superficial area of each lot or parcel of land \$.0059

Per lot of 25 feet by 125 feet \$18.44

And all other lots or parcels of land of greater or less dimensions and superficial area in proportion to their respective areas.

That to the said total estimate and respective shares thereof there will be added two per cent for cost of collection and other incidentals, and also interest at the rate of not exceeding six per cent per annum, on the bonds that will be issued and sold from time to time to raise funds for the payment of cost of said improvements, said interest to run from the time of the issue of said bonds to the time the first installment of the assessment becomes due; that the total cost of said sewers and appurtenances together with interest at the rate of not exceeding six per cent per annum on the bonds issued to raise funds for the payment therefor, and the per centum added for the cost of collection and other incidentals, as aforesaid, will be assessed

against the aforesaid real estate in said district, exclusive of public highways.

That the said assessment shall be due and payable without demand within thirty days from and after the final publication of the assessing ordinance assessing the whole cost against said real estate, provided, however, that any owner who shall pay his full assessment within said period of thirty days may receive a discount of the two per centum added for cost of collection and other incidentals, and also a discount on such payment at not exceeding six per cent per annum from the date of said payment to the time the first installment is payable, or in default thereof in ten equal annual installments of principal with interest thereon at not exceeding six per cent per annum on unpaid installments, and the first of said installments shall be due and payable upon the next succeeding date after the final publication of said assessing ordinance, upon which the first installment of general taxes is, by the laws of the State of Colorado, made payable, and the remainder of the said installments shall be due and payable successively on the same day in each year thereafter until paid in full.

That a map of said proposed Combined Sewer District No. 4 showing the proposed sewers and appurtenances and boundary lines of said district, and also each and every lot and tract of land to be assessed for the cost of said improvements, the estimate of the Engineer and the proceedings of the Council in the premises are on file and can be seen and examined by any person interested at the office of the City Clerk during business hours at any time on or before 7:30 o'clock P.M. on Wednesday, Jan. 20, 1926, on which day and at said hour the Council will hear in the Council Chambers in the City Hall, in the City of Grand Junction, all complaints and objections concerning the proposed improvements that may be made in writing by the owners of any real estate to be assessed or by any person interested.

Dated at Grand Junction, Colorado, December 16, 1925.

BY ORDER OF THE CITY COUNCIL

/s/ Fred A. Peck

City Clerk

(SEAL)

Councilman Fairley moved, seconded by Councilman Ellison that the resolution as read be passed and adopted, upon which motion the following vote was cast: Councilmen voting YEA, Bear, Ellison, Fairley, Logsden, Meders, Moslander & Bell. All the Councilmen voting YEA, the President declared the motion carried.

There being no further business to come before the meeting the Council adjourned until December 21st 1925, upon motion of Councilman Bear, seconded by Councilman Ellison.

/s/ Fred A. Peck

City Clerk