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lander & Bell. City Manager Thompson, City Attorney Hinman & City Clerk Peck were present.

The P. & M. Oil Co. made application to install another gasoline pump at the curb at 7th & Main Street. Upon motion of Councilman Moslander, seconded by Councilman Bear the application for a permit was refused.

Councilman Moslander moved, seconded by Councilman Bear that no more gasoline pumps be allowed at the curb in the city. Motion lost.

The City Clerk reported that there were no remonstrances filed with him upto Feb 10, 1926 against the creation of Paving District No. 12.

Councilman Moslander moved, seconded by Councilman Meders that the bid of the Orman Construction Company for vitrified tile construction in Comb. Sewer District No. 4 be accepted as their bid of \$25,325.68 was the lowest & best bid for vitrified tile construction and that the President of the Council & the City Clerk be authorized & instructed to sign the contract for said construction on behalf of the city. The motion being put the following vote was cast: Councilmen voting YEA; Ellison, Fairley, Meders, Moslander & Bell. Councilmen Voting NAY: Bear & Logsden. The majority of the Councilman voting YEA the president declared the motion carried, the contract awarded to Orman Construction Co.

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 10th day of January, A. D. 1926, 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.

WHEREAS, 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 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:

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 50' 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

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

Tract beginning at the intersection of East line of Plank and Forth line of Ute; thence East 84.'; thence N. 18°15' W. for 218' intersecting the east line 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 No. 12; thence North 76' West 74' S. 18°15' E. 79.4' to point of beginning.

Tract beginning at S.E. corner of Plank and Colorado; thence South 68'; thence S. 18°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, 1926, 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 facsimile signature of the City Treasurer and evidencing the semi-annual installments of said interest, shall be in the denomination of \$250.00 each; and shall be numbered consecutively from 1 upward. Both principal and interest shall be payable at the office of the City Treasurer in Grand Junction, Colorado, or

at the Banking house of Kountze Brothers of the City of New York, United States of America, at the option of the holder.

Section 9. When said bonds are ready for delivery, they shall be delivered to the highest, reliable and responsible bidder for said bonds upon the payment by said bidder of the purchase price therefor. The Council however, reserves the right to reject any or all bids.

Section 10. That said bonds and the coupons thereto attached shall be in substance in the following form:

UNITED STATES OF AMERICA

STATE OF COLORADO

CITY OF GRAND JUNCTION

PUBLIC IMPROVEMENT BOND

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:

\_\_\_\_\_  
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 Fairley moved, seconded by Councilman Meders that the resolution as read be passed and adopted. Upon which motion the following vote was cast: Councilmen voting YEA, 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.

Councilman Fairley moved, seconded by Councilman Bear that the City Manager be authorized to issue a revocable permit for the construction of bins for the storage of bentonite on city owned land west of the I.O.O.F. Cemetary on Orchard Mesa. Motion carried.

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

/s/ Fred A. Peck

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