

Grand Junction, Colo.

August 1, 1927,

The City Council of the City of Grand Junction met in special session at 6:45 o'clock P.M. Those present were Councilmen Rogers, Hall, Ellison, Bear, Meders, Penberthy, Moslander, City Manager Thompson, City Attorney Hinman, City Clerk Niles.

The bond of J.E. Shue, electrician, having been approved by City Attorney Hinman, was presented. Councilman Meders moved, seconded by Councilman Penberthy, that the bond be accepted and filed. Motion carried.

The City Clerk reported that there had been no remonstrances filed with her protesting against the creation of Paving District No. 18.

The following resolution was presented 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. 18", 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, AND PRESCRIBING THE FORM OF SAID BONDS, ALL OF SAID PROCEEDINGS BEING IN CONFORMITY WITH ORDINANCE NO. 178 OF 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, "AN ORDINANCE PROVIDING FOR THE CREATION OF LOCAL IMPROVEMENT DISTRICTS; THE CONSTRUCTION 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 15th day of June, A. D. 1927, declared the intent 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. 18, and

WHEREAS, By resolution duly adopted and approved the 29th day of June, A. D. 1927, 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. 18, a provision was made for the requisite notice to all persons interested in the

improvement 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 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 7:30 o'clock P. M. on Monday, the 1st day of August, A. D. 1927, by any person interested; and

WHEREAS, At the time and place specified in said resolution and said notice, no complaints 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. 18 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 in said Paving District No. 18 using the following type of pavement, to-wit:

Two course gravel surfacing, six inches thick after compression, with a portland cement concrete curb and gutter;

The construction of curbs and gutters of said streets, provisions for the necessary drainage, and the connection of the lots fronting on said streets to be improved, with the city water mains with lead pipe where necessary 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. 18 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, adopted and approved June 11, 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:

Hill Avenue---

Beginning at the northwest corner of Lot 5, Block 27, thence east to the northeast corner of Lot 18, Block 23, thence south to the southeast corner of Lot 17, Block 44, thence west to the southwest corner of Lot 7, Block 40, thence north to the place of beginning.

Hill Avenue---

Beginning at the northeast corner of Lot 16, Block 28, thence west to the northwest corner of Lot 24, Block 33, thence south to the southwest corner of Lot 1, Block 34, thence east to the southeast corner of Lot 15, Block 39, thence north to the place of beginning.

Belford Avenue---

Beginning at the northeast corner of Lot 17, Block 6, thence west to the northwest corner of Lot 24, Block 11, thence south to the southwest corner of Lot 1, Block 12, thence east to the southeast corner of Lot 15, Block 17, thence north to the place of beginning.

Colorado Avenue---

Beginning at the northwest corner of Lot 5, Block 115; thence east to the northwest corner of Lot 32, Block J of Keith's Addition to the City of Grand Junction, thence south to the southwest corner of Lot 1, Block M of the said Keith's Addition, thence west to the southwest corner of Lot 6, Block 128, thence north to the place of beginning.

Also Rood Avenue---

Beginning at the northwest corner of Lot 24, Block 99, thence east to the northeast corner of Lot 13, Block 99, thence south to the southeast corner of Lot 12, Block 100, thence west to the southwest corner of Lot 1, Block 100, thence north to the place of beginning.

DESCRIPTION OF STREETS TO BE IMPROVED IN THE PROPOSED DISTRICT
NO. 18 IN THE CITY OF GRAND JUNCTION, COLORADO:

Hill Avenue from the east line of Seventh Street to the west line of Twelfth Street; Hill Avenue from the east line of First Street to the west line of Seventh Street; Belford Avenue from the west line of Seventh Street to the east line of First Street; Colorado Avenue from the east line of Seventh Street to the east line of

Twelfth Street; and Rood Avenue from the east line of First Street to the west line of Second Street.

WATER CONNECTIONS CONSTRUCTED OR RENEWED

Lead service pipe connections from the city water mains shall be made to all lots not already so connected, where connections are necessary, before the paving foundation is laid.

Curbing and guttering 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 and accepted, except where curbings are not constructed and are not in accordance with said plans and specifications, also gutters are to be constructed to conform to the curbing and to the aforesaid specifications.

Necessary drainage to be provided as provided in the plans and specifications of the City Engineer heretofore filed and accepted.

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 upon said streets in which said improvements are to be made. Said lots or lands to be divided into four equal zones paralleling 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 \$_____.

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 centum 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 assessments become due; the manner of apportioning the cost to 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.

In case of the construction, repairing or extension of lead water pipe connections, the whole cost thereof shall be assessed to the lots to which the connections are made.

DESCRIPTION OF THE GRAND RIVER VALLEY RAILWAY COMPANY'S PORTION FOR PAVING FOR TRACKS LYING WITHIN THE PROPOSED PAVING DISTRICT NO. 18 IN THE CITY OF GRAND JUNCTION.

Beginning at the south line of Colorado Avenue on Twelfth Street, thence north to the north line of Colorado Avenue. The total linear distance of paving is eighty feet; the width being two feet outside of each rail of the track. The total width being approximately nine feet equal to eighty square yards.

Section 3. That the said district shall be known as, and the same is hereby designated as, Paving District No. 18.

Section 4. That the paving of the streets hereinbefore described, the construction of the curbing and guttering on said streets, the provision for the necessary drainage, and the connection of the lots fronting on said streets with the city water mains with lead pipe where necessary, 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 are 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 estimates of the Engineer, viz., \$61,277.49 with 2% added for the cost of collection & other incidentals and with interest on the bonds from the date of bonds to the date when the first installment of taxes is due.

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 and alley intersections in the streets to be paved in said Paving District No. 18 is \$10,995.54. That 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. 18 shall be paid by the City of Grand Junction, out of said funds from bonds heretofore sold for the purpose of paving intersections and now available.

Section 6. That of said total amount of the cost of construction of the improvements heretofore set forth, the sum of \$124.08, or so much thereof as may be required to pay the actual proportionate cost of said improvements plus two percentum 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 to the Grand River Valley Railway Company, as hereinbefore described. The balance of said total amount of said cost, or so much thereof as may be required to pay the actual proportionate cost of said improvements, together with 2% 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 heretofore and herein specified and as 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 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 Paving District No. 18 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 June 29, 1927, to-wit: \$61,277.49, with 2% added for the cost of collection and other incidentals, and with interest on the bonds from the date thereof to the date when the first installment of taxes is due.

Section 8. That said bonds shall be dated September 1, A.D. 1927, and shall bear the name of the district improved, shall be payable to the bearer on or before 12 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 monies collected on account of assessments made for said improvements, shall bear interest at the rate of not to exceed 6% per annum, payable semi-annually on the first day of September and the first day of March in each year, and 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 \$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, 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:

PUBLIC IMPROVEMENT BOND

PAVING DISTRICT NO. 18

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 September A. D. 1939, 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 March and the first day of September 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. 18, in the City of Grand Junction, by virtue of and in full conformity with the Constitution and the laws of the State of Colorado, the Charter of the City of Grand Junction, and the requisite requirements and ordinances of said city, duly adopted, approved, published and made laws of said city prior to the issue hereof.

This bond is payable out of the proceeds of a special assessment to be levied upon real estate situate in the City of Grand Junction in said Paving District No. 18, especially benefited by said improvement, and the amount of the assessments upon the real estate in said district for the payment thereof, with the 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. 18, 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 facsimile signature of the City Treasurer this first day of September A. D. 1927.

/s/

President of the Council.

ATTEST:

/s/

City Clerk.

(FORM OF COUPON)

No. _____
 \$ _____

On the _____ day of _____, A. D. 19____6, 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 of Paving District No. 18, provided the bond to which this coupon is attached shall not have been paid.

Attached to Bond, dated August 1, 1927.

(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 ordinance under which the name is issued.

Dated at Grand Junction, Colorado, this _____ day of _____, A. D. 19_____.

City Treasurer.

(GUARANTY CERTIFICATE)

Payment of the within bond is guaranteed by the City of Grand Junction, Colorado.

President of the Council

ATTEST;

City Clerk

Section 11. The City Clerk is hereby authorized and directed to have printed the bonds authorized by this resolution and when said bonds are prepared, to deposit the same with the City Treasurer, to be issued and sol 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 Rogers moved, Councilman Penberthy seconded that the resolution, as read, be passed and adopted. Upon which motion the following vote was cast: Councilmen voting YEA, Penberthy, Meders, Bear, Rogers, Hall, Ellison, Moslander. All the Councilmen voting YEA, the President declared the motion carried, and the resolution duly passed and adopted.

The City Clerk proceeded to open the sealed bids for bonds of Paving District No. 18. The following bids were tabulated:

| | | |
|------------------------|--------|--------------------|
| BIDDER | 4 1/2% | 4 3/4% |
| Sidlo Simons Day & Co. | | 985.20 |
| Benwell & Co. | | 985.30 (less 1.47) |
| Peck, Brown & Co. | | 974.39 |
| Geo. W. Vallery & Co. | 975.78 | 986.28 |
| U.S. Natl. Co. | 965.61 | 980.71 |
| Boettcher & Co. | 985.86 | 987.86 |

| | | HINMAN BROS. | | W.D. MIDDLEMIST MONUMENT INV. CO | | WINTERBURN & LUMSDEN | | S.H. WALKER | | ENG'S. EST. |
|--|---|--------------|----------|----------------------------------|----------|----------------------|----------|-------------|----------|---------------|
| SECTION I PAVING DIST. COMPLETE | | | | | | | | | | |
| 1 | Excavation 14111.0 | .77 | 10865.47 | | | .76 | 10724.36 | | | 80 11288.80 |
| 2 | Curb and gutter 20949.0 lin. ft. | .70 | 14664.30 | | | .76 | 15921.24 | | | 80 16759.20 |
| 3 | Gravel surfacing 42148.0 sq yds | 38 | 16016.24 | | | 39 | 16437.72 | | | 40 16859.20 |
| 4 | Concrete alley returns 200.0 | 2.25 | 450.00 | | | 225 | 450.00 | | | 2.25 450.00 |
| 5 | " manholes 18 | 65.00 | 1170.00 | | | 50.00 | 900.00 | | | 50.00 900.00 |
| 6 | " catch basins 52 | 65.00 | 3380.00 | | | 1.40 | 2600.00 | | | 50.00 2600.00 |
| 7 | 15" Sewer pipe 810.8 lin. ft. | 1.60 | 1297.28 | | | 1.20 | 1135.12 | | | 1.50 1216.20 |
| 8 | 12" " " 2997.6 " " | 1.25 | 3747.00 | | | 0.92 | 3597.12 | | | 3912.58 |
| 9 | 10" " " 3430.0 " " | 1.10 | 3773.00 | | | 0.75 | 3155.60 | | | 3237.40 |
| 10 | 8" " " 2424.0 " " | 1.00 | 2424.00 | | | | 1818.00 | | | 0.75 1818.00 |
| | | | 57787.29 | | | | 5673916 | | | 59041.28 |
| SEC 2 MATERIALS AT CRUSHER | | | | | | | | | | |
| 1 | Crushed gravel for surfacing 8435 cu yd | | | 1.10 | 9278.50 | 1.00 | 8435.00 | | | |
| 2 | Concrete 924 | | | 1.10 | 1016.40 | 1.00 | 924.00 | | | |
| 3 | sand 500 | | | 1.10 | 550.40 | 1.00 | 500.00 | | | |
| | | | | | 10844.90 | | 9859.00 | | | |
| SEC 3 MATERIALS DELIVERED | | | | | | | | | | |
| 1 | Crushed gravel for surfacing 8435 cu yd | | | 1.85 | 15604.75 | 1.75 | 14761.25 | | | |
| 2 | Concrete 924 | | | 1.85 | 1709.40 | 1.75 | 1617.00 | | | |
| 3 | sand 500 | | | 1.85 | 925.00 | 1.75 | 875.00 | | | |
| | | | | | 18239.15 | | 17523.25 | | | |
| SEC 4 HAULING SAND & GRAVEL | | | | | | | | | | |
| 1 | Crushed gravel for surfacing 8435 cu yd | | | | | .75 | 6326.25 | | | |
| 2 | concrete " 924 | | | | | .75 | 693.00 | | | |
| 3 | " 500 | | | | | .75 | 375.00 | | | |
| | | | | | | | 7394.25 | | | |
| SEC 5 CURB & GUTTER & ALLEY RETURNS | | | | | | | | | | |
| 1 | Curb and gutter 20949.0 lin. ft. | | | | | | | .74 | 15502.26 | |
| 2 | Concrete alley returns 200 sq yd | | | | | | | 2.00 | 400.00 | |
| | | | | | | | | | 15902.26 | |
| SEC 6 EXC | | | | | | | | | | |
| SEC 7 DRAINAGE | | | | | | | | | | |
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Councilman Ellison moved, Councilman Penberthy seconded that the bids be referred to the City Manager and further action by the Council be delayed until the regular meeting, Wednesday, August 3rd, at 7:30 o'clock P.M. Motion carried.

The City Clerk opened the sealed bids for the construction of Paving District No. 18. The following bids were tabulated:

;comment;
Handwritten text
;\com;

Councilman Hall moved, Councilman Rogers seconded that the consideration of construction bids be continued until the regular meeting of the City Council, Wednesday evening, August 3rd, at 3:30 o'clock P.M. Motion carried.

There being no further business to come before the meeting, on motion of Councilman Bear, seconded by Councilman Rogers, and duly carried, the meeting adjourned.

/s/ Helen C. Niles
City Clerk