

Grand Junction, Colorado

July 19th, 1928

The City Council of the City of Grand Junction, Colo. met in regular adjourned session at 9:00 o'clock A. M.. Those present and answering at roll call were Councilmen Meders, Bear, Rogers, Hall, Ellison, Moslander. Councilman Penberthy was absent. City Manager Thompson, City Attorney Hinman, and City Clerk Niles were present.

It was moved by Councilman Rogers, seconded by Councilman Bear that the City Council consider the resolutions creating Paving District No. 20 and Sidewalk District No. 10. Motion carried.

Sidewalk Dist. 10

The following resolution was presented and read:

RESOLUTION

RESOLUTION CREATING AND ESTABLISHING WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, A SIDEWALK DISTRICT TO BE KNOWN AND DESIGNATED AS "SIDEWALK DISTRICT NO. 10"; AUTHORIZING THE CONSTRUCTION OF SIDEWALKS ON CERTAIN STREETS THEREOF, ALL IN CONFORMITY WITH FULL DETAILS, SPECIFICATIONS, MAPS, ESTIMATES, NOTICE AND ORDER HERETOFORE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION IN THE PREMISES; DESCRIBING THE REAL ESTATE CONSTITUTING SAID DISTRICT TO BE ASSESSED FOR THE COST OF SAID LOCAL IMPROVEMENTS; PROVIDING FOR THE MANNER OF ASSESSING, THE COST THEREOF AND THE PAYMENT THEREFOR; PROVIDING FOR THE ISSUANCE OF PUBLIC IMPROVEMENT BONDS TO PROVIDE FUNDS TO PAY FOR SAID LOCAL IMPROVEMENTS; DESCRIBING 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, 1910, AS AMENDED.

WHEREAS, In conformity with the Charter of the City of Grand Junction, Colorado, and Ordinance No. 178 entitled "An ordinance providing for the creation of local improvement districts for the construction therein of certain local improvements, and providing a method of payment therefor", adopted and approved the 11th day of June, 1910, as amended, the City Council of the City of Grand Junction by resolution duly adopted and approved May 16, 1928, declaring the intention of the City Council to create a local improvement district in the City of Grand Junction to be known and designated as "Sidewalk District No. 10"; and

WHEREAS, By resolution and motion duly adopted and approved May 16, 1928, details and specifications for constructing cement sidewalks on certain streets within the corporate limits of the

City of Grand Junction to be known and designated as "Sidewalk District No. 10", provisions were made for the requisite notice to all persons interested in the improvements proposed; the number of installments, the time in which the cost of said improvements will be payable, the rate of interest on unpaid installments, the extent of the district to be assessed by setting forth the boundaries thereof, including a description of the streets to be improved, the probable cost of said improvements as shown by the estimate of the Engineer, the maximum share of said total estimate pro rata per front foot that will be assessed upon any lot or lands that will be included in the district, and the time when the Council will consider the ordering of the proposed improvements and hear all complaints and objections and remonstrances that may be made in writing concerning the proposed improvements; 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 7:30 o'clock P. M. on the 20th day of June, 1928, by any person interested; and

~~WHEREAS, At the time and place specified in said resolution and in said notice~~

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

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 June 11, 1910, as amended, the said improvements consisting of the construction of cement sidewalks on certain streets in said Sidewalk District No. 10 were duly ordered after notice duly given; that there were no sufficient and valid complaints, objections or remonstrances filed in writing or otherwise concerning the same; that the City Council of the City of Grand Junction in creating said Sidewalk District No. 10 and ordering the improvements therein as above 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 City Ordinance No. 178, 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:

DESCRIPTION OF PROPOSED SIDEWALK DISTRICT NO. 10.

All of the real estate without regard to lot or land lines to a depth of fifty feet immediately in front of which the improvements are made.

First Street, on the east side thereof, from the north line of Teller Avenue to the alley between Teller Avenue and Belford Avenue.

Teller Avenue, on the north side thereof, from the east line of First Street to the east line of Lot 19, Block 12.

Hill Avenue, on the north side thereof, beginning on the west side of Second Street, thence west one hundred feet.

Belford Avenue, on the south side thereof, from Eighth Street to Ninth Street.

Second Street, on the west side thereof, from the alley between Gunnison Avenue and Hill Avenue to Belford Avenue.

Second Street, on the east side thereof, from Gunnison Avenue to Belford Avenue.

Belford Avenue, on the north side thereof, from Second Street to Third Street.

Fourth Street, on the east side thereof, from Belford Avenue to North Avenue.

Fifth Street, on the west side thereof, beginning at a point one hundred feet south of the south line of North Avenue, thence north to the south line of North Avenue.

North Avenue, on the south side thereof, from Fourth Street to Fifth Street.

North Avenue, on the south side thereof, beginning at Fifth Street, thence east one hundred feet.

North Avenue, on the south side thereof, beginning at a point one hundred feet west of Sixth Street, thence east one hundred feet to the west line of Sixth Street.

Sixth Street, on the west side thereof, from Belford Avenue to North Avenue.

North Avenue, on the south side thereof, from Sixth Street to Seventh Street.

North Avenue, on the south side thereof, from Eighth Street to Eleventh Street.

Ninth Street, on the west side thereof, from Belford Avenue to North Avenue.

Eighth Street, on the east side thereof, from Teller Avenue to Belford Avenue.

White Avenue, on the north and south sides thereof, from Fourteenth Street east to the city limits.

Rood Avenue, on the north side thereof, from Fourteenth Street east to the city limit line.

Fourteenth Street, on the east side thereof, from Rood Avenue to Grand Avenue.

Fourteenth Street, on the east side thereof, from Main Street to Ute Avenue.

Twelfth Street, on the east side thereof, from Main Street to Ute Avenue.

Ninth Street, on the west side thereof, from Ute Avenue to Pitkin Avenue.

Eleventh Street, on the west side thereof, from Belford Avenue to North Avenue.

All of said 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 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 pro rata per front foot upon all the lots or land in said district in front of which said improvements are made. The maximum share of the total estimate pro rata per front foot that will be assessed upon the lots or lands within said district in front of which said improvements are made is \$0.866.

To the above rate, or 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 to exceed six per cent per annum on the bonds issued and sold to raise funds for the payment of a total cost hereinafter stated; said interest to run from the date of issue of said bonds to the time the first installment of the assessment becomes due.

Section 3. That said district shall be known as, and be hereby designated as, Sidewalk District No. 10

Section 4. That the construction of the sidewalks on the said streets hereinbefore described, all strictly in accordance with full details, plans, specifications, maps, estimates, notices and orders heretofore adopted and given by the 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 street and alley crossings, to be

paid by the city, shall not exceed the estimate of the Engineer, viz.: \$8,014.09.

Section 5. That said total amount, namely \$8,014.09, or so much thereof as may be required to pay the actual proportionate costs of said improvements, together with two percentum additional for cost of collection and other incidentals, and the cost of 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 installments will be due, shall be assessed wholly upon the 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 and herein 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, passed and adopted 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 Sidewalk District No. 10 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 estimate of the cost of said improvements made by the Engineer of said City pursuant to the preliminary order of said Council adopted May 16, 1928, to-wit: \$8,014.09, with two percentum additional for cost of collection and other incidentals, and with interest.

Section 7. That said bonds shall be dated July 1, 1928, 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 and the City Manager of the City of Grand Junction, attested by the City 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 not to exceed six percentum per annum, payable semi-annually on the first day of July and the first day of January 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 \$500.00 each, shall be numbered consecutively from one upward, both principal and interest shall be payable at the office of the City Treasurer, Grand Junction, Colorado, or at the banking house of Kountze Brothers in the City of New York, U. S. A., at the option of the holder.

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

UNITED STATES OF AMERICA

STATE OF COLORADO

CITY OF GRAND JUNCTION

\_\_\_\_\_

PUBLIC IMPROVEMENT BOND

SIDEWALK DISTRICT NO. TEN

No. \_\_\_\_\_

\$500.00

The City of Grand Junction, in the County of Mesa and State of Colorado, for value received, acknowledges itself indebted and hereby promises to pay to the bearer hereof the sum of Five Hundred Dollars (\$500.00), lawful money of the United States of America, on the first day of July, 1940, subject to call and payment, however, at any time prior thereto, with interest thereon from date until payment at the rate of \_\_\_\_\_ percentum per annum, payable semi-annually on the first day of July and the first day of January in each year, both principal and interest being payable at the office of the City Treasurer of the City of 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, 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 improvements in Sidewalk District No. 10 in the City of Grand Junction, Colorado, 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 Sidewalk District No. 10 specially 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 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 bonds of said City for said district, including this Bond, does not exceed the estimate of the City Engineer of the cost of said improvement, 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 "Sidewalk District No. 10", the making of said improvements, and the issuing of this bond have been fully complied with by the

proper officers 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 the President of the Council and the City Manager of said city. attested by the City Clerk, under the seal of the city, and the interest coupons hereto attached to be attested by the fac-simile signature of the City Treasurer, this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 1928.

ATTEST: \_\_\_\_\_  
President of the Council.

City Clerk.

\_\_\_\_\_  
City Manager.

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, United States of America, at the option of the holder, being six months' interest on its local public improvement bond, issued for the construction of public improvements in "Sidewalk District No. 10", provided the bond to which this coupon is attached shall not have been paid.

Attached to Bond, dated \_\_\_\_\_, 1928.

No. \_\_\_\_\_.

\_\_\_\_\_  
(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.

Done at Grand Junction, Colorado, this \_\_\_\_\_ day of \_\_\_\_\_,  
A. D. 1928.

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

Section 9. 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 sold as authorized by the City Council.

Section 10. When said bonds are ready for delivery they shall be delivered to the highest reliable, responsible bidder for said bonds upon payment by said bidder of the purchase price bid therefor (the Council reserving the right to reject any and all bids).

Section 11. It appearing to the said City Council and the said City Council doth find and determine that said improvements can be efficiently made by the City and that the original petitions for such improvements requested; therefore it is hereby provided that all said improvements shall be made under the direction and control of the City Manager by hiring labor by the day or otherwise, and by the purchase of all necessary material, supplies, and equipment, and subject to the further supervision of the City Council, as provided in Section 2, Ordinance No. 178, as amended.

It was moved by Councilman Hall and seconded by Councilman Ellison that the resolution as read, be passed and adopted. Upon which motion the following vote was cast. Councilmen voting YEA, Meders, Bear, Rogers, Hall, Ellison, Moslander. All the Councilmen present voting YEA, the President declared the motion carried.

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. 20", 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 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 "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 16th day of May, A. D. 1928, 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. 20; and

WHEREAS, By resolution duly adopted and approved the 16th day of May, A. D. 1928, 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. 20, 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 Wednesday, the 20th day of June, A. D. 1928, 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 except

and all conditions have now transpired authorizing the said City Council to create said Paving District No. 20 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. 20 using the following types of pavement, to-wit:

Two course gravel surfacing, six inches thick after compression, with a portland cement concrete curb and gutter on all streets described, except

Seven inch portland cement concrete pavement, with a portland cement curb and gutter on Rood Ave. from east line of 7th St. to east line of 8th Street.

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 ~~except~~

that the City Council of the City of Grand Junction, in creating said Paving District No. 20 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:

Spruce Street--

Beginning at the southwest corner of Lot 5, Block 1, Mobley's Subdivision; thence east to the southeast corner of Lot 13, Wilson's Subdivision of Block 2, Mobley's Subdivision; thence south to the southeast corner of Lot 9, Block 7, Mobley's Subdivision; thence west 330 feet; thence north to the southwest corner of Lot 5, Block 1, Mobley's Subdivision, the place of beginning.

Teller Avenue--

Beginning at the southwest corner of Lot 1, Block 33; thence north to the northwest corner of Lot 24, Block 12; thence east to the northwest corner of Lot 32, Block 20; thence south to the southwest corner of Lot 1, Block 25; thence west to the southwest corner of Lot 1, Block 33, the place of beginning.

Rood Avenue--

Beginning at the southwest corner of Lot 6, Block 106; thence north to the northwest corner of Lot 5, Block 93; thence east to the northwest corner of Lot 32, Block F, Keith's Addition; thence south to the southwest corner of Lot 1, Block I, Keith's Addition; thence west to the southwest corner of Lot 6, Block 106, the place of beginning.

Ninth Street--

Beginning at the southwest corner of Lot 21, Block 129; thence north to the northwest corner of Lot 12, Block 41; thence east 330 feet to a point 125 feet east of the northwest corner of Block 42; thence south to the southeast corner of Lot 28, Block 130; thence west to the place of beginning.

Also North Tenth Street--

Beginning at the northeast corner of Lot 5, Block 65; thence south to the southeast corner of Lot 28, Block 65; thence west to the southwest corner of Lot 21, Block 64; thence north to the northwest corner of Lot 12, Block 64; thence west to the northeast corner of Lot 5, Block 65, the place of beginning.

DESCRIPTION OF STREETS TO BE IMPROVED IN THE PROPOSED DISTRICT NO. 20 IN THE CITY OF GRAND JUNCTION, COLORADO:

Spruce Street from the north line of White Avenue to the north line of Colorado Avenue; Teller Avenue from the east line of First Street to the east line of Ninth Street; Rood Avenue from the east line of Seventh Street to the east line of Fourteenth Street; Ninth Street from the north line of Ute Avenue to the south line of Hill Avenue; and North Tenth Street from Ouray Avenue to Chipeta Avenue.

#### 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:

Rood Avenue	- 7th to 8th	\$7.518
Rood Avenue	- 8th to 14th	\$2.826
Spruce Street	- Colo. to White	\$2.464
Teller Avenue	- 1st to 9th	\$2.947
Ninth Street	- Hill to Ute	\$2.091
Tenth Street	- Ouray to Chipeta	\$1.913

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 percentum for cost of collection and other incidentals, and also interest at the rate of not exceeding six percentum 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 or 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. 20 IN THE CITY OF GRAND JUNCTION:

Beginning at the south line of Rood Avenue on Twelfth Street, thence north to the north line of Rood 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. 20.

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., \$55,582.23. with 20% added for the cost of collection & other incidentals & with interest on the bond from 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 the street and alley intersections in the streets to be paved in said Paving District No. 20 is \$12,677.61. 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. 20 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 \$138.22, 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. 20 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 May 16, 1928, to-wit: \$55,582.23, 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 July 1, A. D. 1928, and shall bear the name of the district improved, shall be payable to the 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 monies 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 July and the first day of January in each year, and have twenty-four coupons thereto attached, subscribed by the fac-simile signature of the City Treasurer, and evidencing the semi-annual installments of said interest, shall be in the denomination of \$500.00 each, and shall be numbered consecutively from one upward. Both principal and interest shall be payable at the office of the City Treasurer in Grand Junction, Colorado, or at the banking house of Kountze Brothers in the City of New York, 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. 20

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 July, A. D. 1940, 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 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. 20, 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. 20, 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. 20, and the making of said improvement, and the issue of this bond, have been fully complied with by proper officers of said city, and that all the conditions required to exist and those required to be done precedent to and in the issue of this bond, to render the same lawful and valid, have happened, been properly done and performed, and did exist in regular and due time, form and manner, as required by law.

IN TESTIMONY WHEREOF, The City of Grand Junction has caused this bond to be subscribed by the President of the Council, attested by the City Clerk under the seal of the city, and the interest coupons hereto attached to be attested by the fac-simile signature of the City Treasurer this 1st day of July, A. D. 1928.

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

ATTEST:

City Clerk.

(FORM OF COUPON)

No. \_\_\_\_\_ \$ \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_\_\_\_, \_\_\_\_\_ 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. 20, provided the bond to which this coupon is attached shall not have been paid.

Attached to bond, dated July 1, 1928.

\_\_\_\_\_  
(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\_\_\_\_\_.

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 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.

Section 12. It appearing to the said City Council and the said City Council doth find and determine that said improvements can



be efficiently made by the City and that the original petitions for such improvements requested; therefore it is hereby provided that all said improvements shall be made under the direction and control of the City Manager by hiring labor by the day or otherwise, and by the purchase of all necessary material, supplies, and equipment, and subject to the further supervision of the City Council, as provided in Section 2, Ordinance No. 178, as amended.

It was moved by Councilman Rogers and seconded by Councilman Bear that the resolution as read be passed and adopted. Upon which motion the following vote was cast: Councilmen voting YEA, Meders, Bear, Rogers, Hall, Ellison, Moslander. All the Councilmen present voting YEA, the President declared the motion carried.

The bids for bonds which had been submitted at the meeting Wednesday, July 18th, were brought up for consideration.

#### Bonds sold

It was moved by Councilman Rogers and seconded by Councilman Bear that the bid of the U. S. National Company for Paving District No. 20 bonds, 5% at \$950.11 per \$1000.00, and for Sidewalk District No. 10 bonds, 6% at \$950.11 per \$1000.00, be accepted as the highest and best bid, and that said bonds be sold and delivered to said bidder as per their offer. Upon which motion the following vote was cast: Councilmen voting YEA, Meders, Bear, Rogers, Hall, Ellison, Moslander. All the Councilmen present voting YEA, the President declared the motion carried.

#### Contract for gravel

The bid of Winterburn and Lumsden heretofore submitted for furnishing sand and gravel for Paving District No. 20 and Sidewalk District No. 10 at \$1.60 per cubic yard, delivered and measured in the vehicle at the point of delivery, heretofore made in writing, was next considered. A form of contract between the City of Grand Junction and Winterburn and Lumsden for furnishing said sand and gravel, dated July 19th, 1928 was read. A statement was made by the City Attorney that the lease and negotiations with the H. W. Moore Equipment Company for a sand and gravel plant had been canceled, by said company.

It was moved by Councilman Bear and seconded by Councilman Rogers that the bid of Winterburn and Lumsden, as aforesaid, be accepted, that the President of the Council and the City Clerk be authorized to execute, on behalf of the City, the agreement as read. Upon which motion the following vote was cast: Councilmen voting YEA, Meders, Bear, Rogers, Hall, Ellison, Moslander. All the Councilmen present voting YEA, the President declared the motion carried.

There being no further business to come before the meeting on motion of Councilman Rogers, seconded by Bear that the meeting adjourn.

/s/ Helen C. Niles  
City Clerk