

Grand Junction, Minn.

Sept. 7, 1929.

The City Council of the City of Grand Junction, Colorado, met in regular adjourned session at 7:30 o'clock P. M. All members were present. City Manager Thompson, City Attorney Hinman, and City Clerk Niles were present.

Bids for bonds for Proposed Paving District No. 23 and Alley Paving District No. 2 were opened. The following bids were tabulated:

PAVING DISTRICT NO. 23	6%	ALLEY PAVING DIST. #2	6%
Sidlo, Simons, Day & Co.	940.00		940.00
Geo. W. Vallery & Co.	934.00		934.00
Joseph D. Grigsby & Co.	937.50		937.50
New Mex. Construction Co.	980.00		

The sealed bids of contractors, for the construction of Paving District No. 23 were thereupon opened. The following bids were tabulated:

			NAMES OF CONTRACTORS			
			J. B. BERTRAND INC.		NEW MEX. CONST. CO.	
NO.	DESCRIPTION	UNITS	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1-A	Pavement - 2" W.B. Top on 5" Conc.	13,009 s.y.	\$2.75	\$35,774.75	\$2.65	\$34,473.85
3-C	Pavement 1 1/2" W.B. Top on 2 1/2" As. Conc. Base	5,925 s.y.	2.00	11,850.00	1.98	11,731.50
3.	Concrete Alley Returns	80 s.y.	2.00	160.00	1.90	152.00
4.	Excavation	4,540 c.y.	.95	4,313.00	.96	4,358.40
5.	Comb. Curb & Gutter	6,473 l. ft.	1.05	6,796.65	.96	6,214.08
TOTALS				\$58,894.40		\$56,929.83
2-B	1 1/2" W. B. Top 2 1/2" As. Conc Base 3"					

	Crushed Rock Sub Base	13,009 s.y.	2.22	28,879.98	2.25	29,270.25
3-C	Pavement 1 1/2" W.B. Top on 2 1/2" As. Conc. Base	5,925 s.y.	2.00	11,850.00	1.98	11,731.50
3.	Con. Alley Ret. Pavement	80 s.y.	2.00	160.00	1.90	152.00
4.	Excavation	4,540 s.y.	.95	4,313.00	.96	4,358.40
5.	Comb. Curb & Gutter	6,473 l.ft.	1.05	<u>6,796.65</u>	<u>.96</u>	<u>6,214.08</u>
TOTALS				\$51,999.63		\$51,726.23

A petition of remonstrance against the paving of Ute Avenue from Second to Fifth Streets was presented. This petition was signed by 21.45% of the petition of owners of property along the street. Mr. Adams, Attorney, appeared in behalf of the objectors and asked the Council to not proceed further on the paving on Ute Avenue.

Councilman Penberthy moved and Councilman Hall seconded the motion that inasmuch as there were fewer signers on the remonstrance petition than on the petition requesting the improvement, that the City go ahead with the paving on Ute Avenue. Upon which motion the following vote was cast:

Councilmen voting YEA - Penberthy, Hall, Rogers.

Councilmen voting NO - Glassford, Bear, Hirons, Sievert.

A majority of the Councilmen voting NO, the President declared the motion lost.

A petition signed up by 48.4% of the property owners along Ouray Avenue from Third Street to Seventh Street and remonstrating against the paving of their street, was filed. The petition for the improvement having been signed by 47% of the property owners. There being a majority of the property owners against the proposed improvement, it was decided to discontinue any further plans for the paving of Ouray Avenue.

Councilman Glassford moved and Councilman Hirons seconded the motion that further action of the Council in consideration of the bids on bonds and all matters concerning Paving District No. 23, be laid over until the 12th day of September at 7:30 o' clock P.M. Upon which motion the following vote was cast:

Councilmen voting YEA - Glassford, Bear, Hirons, Sievert.

Councilmen voting NO - Penberthy, Hall, Rogers

A majority of the Councilmen voting YEA, the President declared the motion carried.

Mr. Martin Crest, employee of the Western Union Telegraph Co., presented the following telegram for the consideration of the Council:

PLEASE GET IN TOUCH WITH CITY OFFICIALS AND ASCERTAIN IF BOND WILL BE REQUIRED RELATIVE LAYING UNDERGROUND FROM RIOGRANDE TO OUR NEW OFFICE IF SO HOW MUCH STOP ALSO INQUIRE OF THE CITY OFFICIALS IF THEY WILL ARRANGE FOR REPAVING OF SOME TWO HUNDRED SQUARE YARDS SURFACE PAVING AND BILL US OR WILL IT BE NECESSARY FOR US TO HANDLE OURSELVES STOP IF THERE IS A PAVING CONTRACTOR IN GRAND JUNCTION NOW GET IN TOUCH WITH HIM AND FIND OUT WHAT COST WOULD BE TO REPLACE SOME TWO HUNDRED SQUARE YARDS OF SURFACE PAVING WHEN UNDERGROUND IS COMPLETED STOP ALSO INQUIRE ABOUT PERMIT RELATIVE OPENING TRENCH IN ALLEYS AND STREETS ADVISE

GRASSE

Councilman Penberthy moved and Councilman Hirons seconded the motion that the request be referred to the City Manager with full power for him to act as he thinks proper. Motion carried.

Protests were filed against the proposed paving of alleys in Block 125, 126, and 94.

Councilman Sievert moved and Councilman Bear seconded the motion that the alley paving in Block 125, 126, and 94 be omitted from Proposed Alley Paving District No. 2. Upon which motion the following vote was cast: Councilmen voting YEA - Penberthy, Glassford, Bear, Hirons, Hall, Sievert, Rogers. Councilmen voting NO - None. All the Councilmen voting YEA, the President declared the motion carried.

Mr. Means, of the Utah Rock Asphalt Co. was present and appeared before the Council on behalf of his company regarding the repaving of the street car tracks which have been abandoned by the Grand River Valley Railway Co.

Councilman Glassford moved and Councilman Hall seconded the motion that the City Manager be authorized to make whatever arrangements he may deem advisable with the Public Service Company for further tests, as well as the completion of the surfacing of the paved streets where the street car tracks are laid, and he may permit the Public Service Company to use Utah Rock Asphalt in so far as he may deem advisable for that purpose. Motion carried.

The following resolution was presented and read:

RESOLUTION

CREATING AND ESTABLISHING WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, PAVING DISTRICT TO BE KNOWN AND DESIGNATED AS "ALLEY PAVING DISTRICT NO. 2", AUTHORIZING THE PAVING OF CERTAIN ALLEYS 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 7th day of August, A. D. 1929, 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 Alley Paving District No. 2; and

WHEREAS, By resolution duly adopted and approved the 7th day of August, A. D. 1989, adopting details and specifications for paving certain alleys in said proposed alley paving district within the corporate limits of the City of Grand Junction, Colorado, to be known and designated as Alley Paving District No. 2, 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 alleys 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 Saturday, the 7th day of September, A. D. 1929, 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 objections filed by property owners to the inclusion of alleys described as follows:

Beginning at the Northwest corner of Lot 1, Block 125, thence east to the Northeast corner of Lot 16, Block 126; thence south to the southeast corner of lot 17, Block 126; thence west to the southwest corner of Lot 32, block 125; thence North to the northwest corner of lot 1, Block 125, the place of beginning.

Beginning at the Northwest corner of Lot 1, Block 94, thence east to the northeast corner of Lot 11, Block 94; thence south to the southeast corner of Lot 20, Block 94; thence west to the southeast corner of Lot 30, Block 94; thence north to the northwest corner of Lot 1, Block 94, the place of beginning.

in said proposed district which the Council finds and determines to be sufficient and said alleys are therefore taken out of said proposed district, and all conditions have now transpired authorizing the said City Council to create said Alley Paving District No. 2 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 the said city, duly adopted and approved on the 11th day of June, A. D. 1910, as amended, the said improvements consisting of the Const. of certain alleys in said Alley Paving District No. 2, using the following type of pavement, to-wit:

7" Portland Cement concrete pavement;

and provisions for the necessary drainage were duly ordered after notice was duly given; that there were no remonstrances, complaints, or objections filed concerning the same except to improvements on certain alleys as heretofore noted which have been taken from said district;

that the City Council of the City of Grand Junction, in creating said Alley Paving District No. 2 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 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 124; thence east to the northeast corner of lot 16, block 124;

thence south to the southeast corner of lot 17, block 124;  
thence west to the southwest corner of lot 32, block 124;  
thence north to the northwest corner of lot 1, block 124,  
the place of beginning.

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

Beginning at the northwest corner of lot 10, block 93;  
thence east to the northeast corner of lot 15, block 93;  
thence south to the southeast corner of lot 15, block 115;  
thence east to the northeast corner of lot 19, block 115;  
thence south to the southeast corner of lot 20, block 115;  
thence west to the southwest corner of lot 1, block 115;  
thence north to the northwest corner of lot 10, block 93,  
the place of beginning.

DESCRIPTION OF ALLEYS TO BE IMPROVED IN THE PROPOSED ALLEY  
PAVING DISTRICT NO. 2 IN THE CITY OF GRAND JUNCTION,  
COLORADO:

The alley between Colorado and Ute from Third Street to  
Fourth Street; the alley between Main Street and Rood Avenue  
from First Street to Second Street; the alley between  
Seventh Street and Eighth Street from White Avenue to  
Colorado Avenue; the alley between Rood Avenue and White  
Avenue from Seventh Street to the alley east of Seventh  
Street; the alley between Main Street and Rood Avenue from  
Seventh Street to the alley east of Seventh Street; the  
alley between Main Street and Colorado Avenue from Seventh  
Street to Eighth Street.

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

THAT THE MANAGER 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 alleys in which said improvements  
are to be made. Said lots or lands to be divided into four equal  
zones paralleling the alleys 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 alleys in which said improvements are to be  
made is as follows:

Alley between Ute and Colorado-Third St. To Fourth St.	\$3.249
Alley between Main and Rood-First St. to Second St.	3.111
Alley between 7th & 8th Streets-White to Colorado	2.44
Alley between White and Rood-7th to Alley East of 7th	3.299
Alley between Main and Rood-7th to Alley East of 7th	3.336
Alley between Main and Colorado - 7th to 8th	3.13

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 assessment becomes 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.

Section 3. That the said district shall be known as, and the same is hereby designated as, Alley Paving District No. 2.

Section 4. That the paving of the alleys hereinbefore described, and the provision for the necessary drainage, 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: \$12,310.09.

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 alleys to be paved in said Alley Paving District No. 2 is \$544.40. That 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 Alleys Paving District No. 2 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 \$12,310.09, or so much thereof as may be required to pay the actual proportionate cost of said improvements, plus two per centum 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 Alley Paving District No. 2 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 the said Council, adopted August 7th, 1929, to wit: \$12,310.09, with 2% added for the cost of collection and other expenses, 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 1st, 1929 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 September and the firstday of March 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  
ALLEY PAVING DISTRICT NO. TWO

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 \_\_\_\_\_, A. D. 19 \_\_\_\_\_, 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 \_\_\_\_\_ and the first day of \_\_\_\_\_ 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 Alley Paving District No. 2 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 Alley Paving District No. 2, especially benefited by said improvements, 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 on a parity with 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 Alley Paving District No. 2 and the making of said improvement and the issue of this bond has 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 \_\_\_\_\_, A. D. 19\_\_\_\_\_.

/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 in lawful money of the United States of America, at the office of the City Treasurer in Grand Junction, Colorado, or at the Banking House of Kountze Brothers in the City of New York, U. S. A., at the option of the holder, being six months' interest on its local public improvement bond of Alley Paving District No. 2, provided the bond to which this coupon is attached shall not have been paid.

Attached to bond dated \_\_\_\_\_.

/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 ordinance under which the same is issued.

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

/s/

\_\_\_\_\_

City Treasurer.

(GUARANTY CERTIFICATE)

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

/s/

\_\_\_\_\_  
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 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; 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.

Councilman Hall moved and Councilman Hirons seconded the motion that the resolution be adopted as read. Upon which motion the following vote was cast:

Councilmen voting YEA - Penberthy, Glassford, Bear, Hirons, Hall, Sievert, Rogers.

Councilmen voting NO - None.

All the Councilmen voting YEA, the President declared the motion carried.

Councilman Hall moved and Councilman Sievert seconded the motion that the meeting adjourn until Thursday evening September, 12th, 1929 at 7:30 o'clock P. M.

/s/ Helen C. Niles  
City Clerk