

Grand Junction, Colorado

October 7th, 1931

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock P. M. Those present and answering at roll call were Councilmen Bear, Hall, Hirons, Holcombe, Sievert, and President Glassford. Councilman Roberts was absent. City Manager Soderstrum, City Attorney Adams, and City Clerk Tomlinson were present.

The minutes of the regular meeting held September 16th were read and approved.

Mr. Severson purchase tax certificates on 1 & North

Mr. Severson of the White Eagle Oil Co. made a proposition to buy the tax sale certificates on Lots 1 to 5, Block 11 (corner of 1st & North). He offered \$500.00 cash. The taxes and penalties amount to \$875.45.

Councilman Hirons moved and Councilman Hall seconded the motion that the offer of Mr. Severson of \$500.00 for the tax sale certificates on Lots 1 to 5, Block 11 be accepted. Upon which motion the following vote was cast: Councilmen voting AYE - Bear, Hall, Hirons, Holcombe, Sievert, Glassford. Councilmen voting NO - None. All of the Councilmen voting AYE, the President declared the motion carried.

Mr. Cannell Miniature golf license

Mr. Cannell appeared before the Council and stated that he had built a Miniature Golf Course at his home on Elm Avenue, but due to the fact that the City License was so high, and his home out so far, he had been unable to complete the course and realize anything from his investment.

Councilman Hall moved and Councilman Holcombe seconded the motion that contingent upon Mr. Cannell making application for a Miniature Golf Course license in 1932, the City Attorney be directed to prepare an amendment to the Miniature Golf Course license ordinance reducing the fee from \$50.00 per annum to \$10.00 per annum, and present same to Council at a later date for their consideration.

Standard Oil request to move fire plug

The Standard Oil Co. of Indiana presented an application to move a fire plug in front of their property on 1st and Main Sts. where they are remodeling their filling station, claiming that the fire plug would be in the way of their drive way.

Councilman Holcombe moved and Councilman Bear seconded the motion that the matter be referred to the City Manager; he to

investigate the proposition and with power to act as he thinks advisable. Motion carried.

School Dist #1 request that city pay for smallpox vaccine

Mr. Tope and Dr. Munro requested that the City pay for all or part of the vaccine used in vaccinating the school children this year for small pox. Councilman Hall moved that the City pay \$84.00 for vaccine for vaccinating the school children for small pox. Councilman Hiron seconded the motion. Roll was called with the following result:

Councilmen voting AYE - Hall, Hiron.

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

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

Councilman Holcombe then moved and Councilman Bear seconded the motion that the City pay \$42.00 for vaccine. Roll was called with the following result:

Councilmen voting AYE - Bear, Hall, Hiron, Holcombe, Sievert, Glassford.

Councilmen voting No - None.

All of the Councilmen voting AYE, the President declared the motion carried.

The following resolution was presented and read by the Clerk:

RESOLUTION

CREATING AND ESTABLISHING WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, A SPECIAL SANITARY SEWER DISTRICT TO BE KNOWN AS SPECIAL SANITARY SEWER DISTRICT NO. 2; AUTHORIZING THE CONSTRUCTION IN SAID DISTRICT OF A SYSTEM OF DISTRICT SEWERS AND APPURTENANCES FOR SANITARY DRAINAGE, ALL IN STRICT CONFORMITY WITH FULL DETAILS, SPECIFICATIONS, MAPS, ESTIMATES, NOTICES AND ORDER HERETOFORE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, IN THE PREMISES: DESCRIBING THE REAL ESTATE CONSTITUTING SAID DISTRICT AND TO BE ASSESSED FOR THE COST OF SAID LOCAL IMPROVEMENT: PROVIDING FOR THE MANNER OF ASSESSING THE COST THEREOF, AND THE PAYMENT THEREOF: PROVIDING FOR THE ISSUE OF PUBLIC IMPROVEMENT BONDS TO PROVIDE FUNDS TO PAY FOR SAID LOCAL IMPROVEMENT: GUARANTEEING THE PAYMENT OF SAME BY THE CITY: PRESCRIBING THE FORM OF SAID BONDS.

WHEREAS, In conformity with the Charter of the City of Grand Junction and Ordinance No. 178, adopted and approved the 11th day of June, A. D. 1910, as amended, the City Council of the City of Grand Junction, by resolution duly adopted and approved the 19th

day of August, 1931, declared the intention of the City Council to create a local improvement district in the City of Grand Junction to be known as Special Sanitary Sewer District No. 2; and

WHEREAS, By resolution duly adopted and approved the 19th day of August, A. D. 1931, details and specifications for the construction of a system of district sewers and appurtenances for sanitary drainage within said proposed Special Sanitary Sewer District were duly adopted and approved, and provision made for the requisite notice to all persons interested in the improvement proposed, the number of installments and the time in which the cost of the improvements will be payable, the rate of interest on unpaid installments, the extent of the District to be assessed, by setting forth the boundaries thereof, the probable cost as shown by the estimate of the Engineer, the maximum share of said total estimate per square foot and per lot that will be assessed upon any lot or lands included in the district, and the time when the Council will consider the ordering of the proposed improvement, and hear all complaints and 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 in the office of the City Clerk during business hours at any time prior to 7:30 o'clock on Wednesday, the 7th day of October, A. D. 1931, by any person interested: and

WHEREAS, At the time and place specified in said resolution and in said notice, no complaints or objections in writing or otherwise were made concerning the proposed improvements, and all conditions having now transpired authorizing said City Council to create said Special Sanitary Sewer District No. 2, and construct therein the said proposed improvements:

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

SECTION 1. That on 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, as amended, the said improvements consisting of district sewers and appurtenances for sanitary drainage in said Special Sanitary Sewer District No. 2, were duly ordered and notice given; that there were no complaints or objections filed concerning the same; that the City Council of the City of Grand Junction, in creating said Special Sanitary Sewer District No. 2 and ordering the construction therein of district sewers and appurtenances for sanitary drainage, has in all things complied with the laws of the State of Colorado and the requirements of the Charter of the City of Grand Junction and said ordinance thereof designated as Ordinance No. 178, approved June 11, A. D. 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: to-wit:

Beginning at the Northeast corner of Lot 1, Block 3, Milldale Subdivision, thence South to a point where the east line of Lot 7, Block 3, Milldale Subdivision intersects the North line of the Denver & Rio Grande Western Railroad right of way; thence in a Southwesterly direction to the Southwest corner of lot 1, Block 5, Milldale Subdivision, thence North 100 feet; thence west to the East line of South Seventh Street; thence North to the northwest corner of Lot 1, Block 1, Milldale Subdivision; thence East to the Northeast corner of Lot 1, Block 3, Milldale Subdivision, the place of beginning.

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

Description of the real estate within said Special Sanitary Sewer District No. 2 to be assessed for the cost of said improvements:

All of Block 1, Milldale Subdivision
All of Block 2, Milldale Subdivision
Lots 1 to 7 inclusive, Block 3, Milldale Subdivision.

All of Block 4, Milldale Subdivision
All of Block 5, Milldale Subdivision, except the following described tract of land:
Beginning at a point 149 feet South of the Northwest corner of Block 5, Milldale, Sub., thence east 155 feet, thence south 100 feet, thence in a Southwesterly direction to the Southwest corner of Block 5, Milldale Sub., thence North to a point 149 feet south of the Northwest corner of Block 5, Milldale Sub., the place of beginning.

SECTION 3. That said district shall be known as, and the same is hereby designated as, Special Sanitary Sewer District No. 2.

SECTION 4. That the construction of district sewers and appurtenances for sanitary drainage within said district, all strictly in accordance with the full details, plans, specifications, maps estimates, notices and orders, heretofore adopted 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, shall not exceed the estimates of the Engineer, viz: \$1,244.10.

SECTION 5. That said amount, viz: \$1,244.10, or so much thereof as may be required to pay the actual cost of said improvements, together with two per cent additional for the cost of collection and other incidentals, and the cost and interest on the bonds to be issued from time to time to raise funds for the payment of

said actual cost, said interest to run from the time of issue of said bonds to the time the first installment will be due, shall be assessed wholly upon the said real estate hereinbefore described, and the manner of apportioning the cost and collecting the assessment and all other matters incidental to said improvements shall be as heretofore 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, 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 Special Sanitary Sewer District No. 2, 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 estimates of the cost of said improvements made by the Engineer of the said City pursuant to the preliminary order of the said Council adopted the 19th day of August, 1931, to-wit: \$1,244.10, with two per cent additional for the cost of collection and other incidentals, and interest.

SECTION 7. That said bonds shall be dated November 1st, 1931, shall bear the name of the district improved, shall be payable to the bearer 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 Clerk, and the seal of the City thereunto affixed and registered by the Treasurer; the 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 exceeding six per cent per annum, payable semi-annually on the first days of November and May in each year; shall have twenty-four coupons thereto attached, subscribed by the fac-simile signature of the City Treasurer, evidencing said interest; shall be in denominations of \$100.00 each, and shall be numbered consecutively from one upward. Both principal and interest shall be payable at the office of the City Treasurer in the City of 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 the coupons thereto attached shall be in substantially the following form:

UNITED STATES OF AMERICA

STATE OF COLORADO

CITY OF GRAND JUNCTION

Public Improvement Bond

Special Sanitary Sewer District No. 2

No. _____

\$100.00

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 One Hundred Dollars in lawful money of the United State of America on the 1st day of November, A. D. 1943, 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 May and the first day of November 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 Special Sanitary Sewer 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 Special Sanitary Sewer 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 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 Special Sanitary Sewer District No. 2 and the making of said improvement and the issue of this bond has been fully complied with by the 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 November, A. D. 1931.

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 Special Sanitary Sewer District No. 2, provided the bond to which this coupon is attached shall not have been paid.

Attached to bond dated November 1st, 1931.

(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 1st day of November, A. D. 1931

President of the Council

ATTEST:

City Clerk

(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 sold as authorized by the City Council; provided, however, that if the City Council shall so direct, the City Treasurer shall purchase same for investment of various funds of the City.

SECTION 12. It appearing to the said City Council and the 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.

President of the Council

ATTEST:

City Clerk

Creating S.S.S. #2

Councilman Hall moved and Councilman Hirons seconded the motion that the resolution as read be passed and adopted, and that the City Treasurer be instructed to purchase Special Sanitary Sewer District No. 2 bonds out of funds of the City. Roll was called with the following result: Councilmen voting AYE - Bear, Glassford, Hall, Hirons, Holcombe, Sievert. Councilmen voting NO - None. All of the Councilmen present voting AYE, the President declared the motion carried.

Mrs. J.M.P. Martin request to drain land into sewer denied

Mrs. J. M.P. Martin requested that she be allowed to tile some seep land at the corner of Seventh St. & North Ave., and empty same into the storm sewer. Councilman Sievert moved and Councilman Bear seconded the motion that the application of Mrs. Martin to drain her land into the Storm sewer be refused. Roll was called with the following result: Councilmen voting AYE, Bear, Hall, Hirons, Holcombe, Sievert, Glassford. Councilmen voting NO, None. All of the Councilmen present voting AYE, the President declared the motion carried.

Airport lease to D.B. Bullock

The lease to the airport was made out to The Mesa Air Transport Inc. Since that date the corporation has been dissolved and the airport is used by D.B. Bullock. The following resolution was read:

RESOLUTION

WHEREAS, On May 27, 1931, the City of Grand Junction entered into a written lease with Mesa Air Transport Inc., whereby said city leased and demised its municipal airport field to said corporation until May 1, 1933;

AND WHEREAS, Since the execution of said lease, said corporation has been dissolved by action of its stockholders, and one, D. B. Bullock, has succeeded to its property, including said lease:

AND WHEREAS It is not now feasible for said Bullock to procure an assignment of said lease to him;

AND WHEREAS The City Council is willing to recognize said Bullock as such lessee:

THEREFORE, BE IT RESOLVED That the City Council does hereby recognize the ownership of said lease to be in the said D. B. Bullock, and consents to the transfer of said lease to him, provided that he files with the City Clerk of this City, within ten days from the date hereof, his written acceptance of the terms of said lease and his agreement to abide by and comply with the same.

Councilman Holcombe moved and Councilman Bear seconded the motion that the resolution as read be passed and adopted. Roll was called with the following result:

Councilmen voting AYE - Bear, Hall, Hirons, Holcombe, Sievert, Glassford.

Councilmen voting No - None.

All of the Councilmen voting AYE, the President declared the motion carried.

Ponsford bond

The bond of J. A. Ponsford, cement contractor, having been approved as to form by the City Attorney, was presented. It was moved by Councilman Hirons and seconded by Councilman Hall that the bond be accepted and filed. Motion carried.

N. 7th paving remonstrance

A remonstrance to the paving of North Seventh Street between Teller and North Ave. was presented. It was moved by Councilman Hall and seconded by Councilman Holcombe that the remonstrance be checked and filed. Motion carried.

Request of bank to put up bonds as security instead of a surety bond

The Grand Valley National Bank requested that they be permitted to put up bonds as security of city deposits instead of a surety bond on account of the fact that the surety bond premium has increased so much.

It was moved by Councilman Hall and seconded by Councilman Holcombe that the President appoint a committee, including the City Attorney, to confer with the Grand Valley Bank for the purpose of determining the modus operandi of enabling the bank to put up security rather than Surety Company bonds. Motion carried.

Committee appointed

President Glassford appointed Councilmen Hall and Holcombe, and City Attorney Adams to act as this committee.

Transfer of funds

The following resolution was presented and read:

RESOLUTION

WHEREAS It has been brought to the attention of the City Council that all outstanding bonds heretofore issued by Paving Districts Nos. 6 and 2 and Sewer Districts Nos. 6 and 2 have been fully paid and discharged, but that, by reason of the collection of delinquent taxes, payments are being made into the several funds of said districts;

AND WHEREAS The Council has been advised that through inadvertence some payments which should have been applied to Sewer District No. 5 were applied to Sewer District No. 6;

AND WHEREAS It appears to the Council that there is no further reason for the maintenance of the several funds for the several districts as aforesaid;

THEREFORE, BE IT RESOLVED That all moneys now in or which may hereafter accrue to Paving District No. 6, Paving District No. 2 and Sewer District No. 2 in the City of Grand Junction be forthwith transferred to the general fund of said City, and that all moneys now in or accruing to Sewer District No. 6 be transferred to Sewer District No. 5 of said city until further order of the Council in the premises, and that a certified copy

of this resolution be sent to the County Treasurer of Mesa County, Colorado, for his authority herein.

Councilman Hirons moved and Councilman Holcombe seconded the motion that the resolution as read be passed and adopted. Roll was called with the following result: Councilmen voting AYE, Bear, Hall, Hirons, Holcombe, Sievert, Glassford. Councilmen voting NO - None. All of the Councilmen present voting AYE, the President declared the motion carried.

Councilman Holcombe moved and Councilman Hall seconded the motion that the Council recess until Thursday evening, October 8th, at 7:30 o'clock P. M.

/s/ Helen C. Tomlinson
City Clerk