

Grand Junction, Colorado

July 1, 1936

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock P. M. Councilmen present and answering at roll call were Holcombe, Groves, Boston, Carson, Enstrom, and Oates. Councilman Ross was absent. City Manager Soderstrum, City Attorney Bowie, and City Clerk Tomlinson were present.

The minutes of the regular meeting held June 17th were read and approved.

A notice had been given to the effect that the City Council would hear and vote upon the petition of certain owners of frontage in the Business "A" District located at 7th and North Avenue, to change the zone to Residence "A" District, and that all interested persons might appear before the City Council and be heard on the subject.

A number of property owners who were in favor of having the zone changed were present and were represented by Mr. Tupper, Attorney. A representative of the Standard Oil Co. was also present and protested the changing of the zone.

After a great deal of discussion and argument, it was moved by Councilman Carson and seconded by Councilman Groves that the City Attorney be instructed to draw up an ordinance to amend the zoning ordinance and map, changing the zone of the property in question from Business "A" District to Residence "A" District. Motion carried.

It was moved by Councilman Holcombe and seconded by Councilman Boston that the following resolution be passed and adopted, subject to the provision of Section 48 of the Charter as to time limitations thereof.

RESOLUTION

It is Hereby Resolved by the City Council of the City of Grand Junction, Colorado, that the City Manager, thereof shall make, execute and deliver to the State Highway Department of Colorado, for and in the name of said City, a grant and easement substantially in the form appended hereto, for the purposes and upon the property therein set forth and described.

GRANT OF EASEMENT Project No. NRH 27 & 77

Whereas, the State Highway Department of Colorado, hereinafter referred to as the State Highway Department, has proposed to the City of Grand Junction, Colorado, hereinafter referred to as the City, that, as one of its projects of roadside beautification, it

will plant appropriate and ornamental trees, shrubs, plants and other herbage upon the property of the City hereinafter described, and will attend to and maintain such trees, shrubs, plants and other herbage, all at its expense, if the City will grant it an easement thereon for such purposes, as hereinafter provided; and

Whereas, the City desires to enable the State Highway Department to effect such project, and the City Council of said City has duly authorized the City Manager thereof to execute and deliver to the State Highway Department this Grant of Easement for the aforesaid purposes;

Therefore, in consideration of the premises and the public benefits to be derived by such project, the City has granted and does hereby grant to the State Highway Department, its successors and assigns, the fee and uninterrupted right and privilege of planting, attending to and maintaining ornamental trees, shrubs, plants and other herbage, for the purpose of roadside beautification, at its expense, upon the following described property of and within said City, in Mesa County, Colorado:

A strip of Lincoln Park adjacent to and immediately south of State Highway No. 4, extending from the east line of Twelfth Street to a point approximately 3100 feet east thereof, and varying in width from 10 to 80 feet; as more particularly shown by a sketch of such strip which is hereto appended and made a part hereof, said property being in the northerly part of the NW1/4 and NW1/4 NW1/4 NE1/4 of Sec. 13, T. 1, S. R. 1 W. U.M.,

provided, however, that such easement is granted upon the condition that the State Highway Department shall use said property solely for the above stated purposes, and that all its rights hereunder shall terminate if it fails to so use such premises; or to maintain any trees, shrubs, plants or other herbage planted thereon for a continuous period of one (1) year.

The City, in consideration of the benefits of beautification of its above described premises, agrees with the State Highway Department that it will not erect or grant permission for the erection of any bill boards or advertising signs upon said premises.

In Witness whereof said City has caused this instrument to be duly executed by its City Manager and attested by its City Clerk on this 1st day of July, 1936.

CITY OF GRAND JUNCTION  
By J. P. Soderstrum  
City Manager

Attest:

Helen C. Tomlinson

City Clerk

Roll was called on the motion with the following result: Councilmen voting AYE - Holcombe, Groves, Boston, Carson, Enstrom, and Oates. Councilmen voting NO - None. All of the Councilmen present voting AYE, the President declared the motion carried.

An application from A. Huyser to purchase the tax sale certificates on Lot 23, Block 106 was presented. There are \$243.90 taxes and interest against the lot, for which Mr. Huyser offered face value.

It was moved by Councilman Enstrom and seconded by Councilman Carson that the offer be rejected. Motion carried.

An opinion in regard to certain tax sale certificates was filed by Mr. Sternberg, Attorney for the Modern Building and Loan Association. Mr. Bowie expressed his opinion that Mr. Sternberg was correct in his opinion. The Modern Building and Loan Association also made an offer of \$25.00 for the assignment of Tax sale certificate No. 14,110 covering a special assessment in Sanitary Sewer District No. 4 and Certificate No. 15343 covering assessments in Sidewalk District No. 1.

It was moved by Councilman Carson and seconded by Councilman Groves that the City Treasurer be authorized to sell and assign Special Assessment Tax Sale certificates Nos. 14110 and 15343 for the sum of \$25.00 at any time within thirty days from and after this date, providing the purchaser and assignee thereof pay or settle the general taxes on the property in question within such period. Roll was called on the motion with the following result: All Councilmen voted AYE. The President declared the motion carried.

Applications for double driveway drives for F. R. Davis, 1062 Main St. and Tom Copeland, 1103 Main St. were presented. It was moved by Councilman Holcombe and seconded by Councilman Groves that the requests be granted. Motion carried.

Applications for Jesse Wyrick, 346 Colorado Ave. and LaCourt Hotel, for 3.2 beer licenses were presented. It was moved by Councilman Enstrom and seconded by Councilman Boston that the requests be granted and that the licenses be granted as soon as State licenses are granted. Motion carried.

Some discussion on the recent break in the 16-inch water main under the river was had. It was decided that nothing could be done to repair the leak until the river has gone down several feet. The City Manager was requested to investigate other means of bringing the main across the river.

It was moved by Councilman Carson and seconded by Councilman Groves that the City Manager be authorized to terminate the First

National Bank Trusteeship in connection with the sale of lots in Dundee place and that he be instructed to sign the necessary papers. Roll was called on the motion and all members of the Council present voted AYE. The President declared the motion carried.

The following resolution was presented:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION: That Kuner Empson Co. be granted permission to install and maintain across First Avenue, beneath the surface thereof, a steam line together with a return and a water line, between property owned by them on each side of First Avenue; in accordance with the specifications filed by it with the City, such installation and maintenance to be at the expense of the Kuner Empson Co. and under the supervision of the City; provided that the permission hereby granted shall be revocable by the City Council of said City at any time; and provided further that Kuner Empson Co. shall fully indemnify said City against any liability and expense of any nature which may at any time arise by reason of the installation and maintenance of such steam line together with its return and a water line, and the installation and maintenance of such steam line together with its return, and water line under the permission hereby granted shall constitute an acceptance of such last mentioned provision for an agreement upon the part of Kuner Empson Co. to indemnify said City.

It was moved by Councilman Carson and seconded by Councilman Groves that the resolution be passed and adopted as read. Roll was called on the motion with the following result: Councilmen voting AYE - Holcombe, Groves, Boston, Carson, Enstrom, and Oates. Councilmen voting NO - None. All of the Councilmen present voting AYE, the President declared the motion carried.

A petition was presented requesting that a stairway be built on the new viaduct opposite the first two houses. It was moved by Councilman Holcombe and seconded by Councilman Carson that the petition be accepted and referred to the City Manager for investigation. Motion carried.

It was moved by Councilman Holcombe and seconded by Councilman Groves that the meeting adjourn. Motion carried.

/s/ Helen C. Tomlinson  
City Clerk