

Grand Junction, Colorado

September 16, 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: Ross, Holcombe, Groves, Boston, Carson, Enstrom, and President Oates. City Manager Soderstrum, City Attorney Bowie, and City Clerk Tomlinson were present.

The minutes of the regular meeting held September 2nd, and the regular adjourned session held September 9th were read and approved.

The City Clerk reported that no remonstrances had been filed in connection with Paving District No. 35.

The following resolution was presented and read:

RESOLUTION

CREATING AND ESTABLISHING PAVING DISTRICT NO. 35 WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE PAVING OF CERTAIN STREETS AND AVENUES THEREIN, AND PROVIDING FOR THE ISSUANCE OF BONDS THEREFOR.

WHEREAS, on the 5th day of August, A. D. 1936, the City Council of the City of Grand Junction, Colorado, passed a Resolution adopting details, plans and specifications for Paving District No. 35 within said City and authorizing Notice of Intention to create said District, and

WHEREAS, Notice of Intention to create said District was duly published, and

WHEREAS, At the time and place specified in said Resolution and said Notice, no complaints or remonstrances in writing or otherwise were made concerning the proposed improvements, and

WHEREAS, the paving specified in the petitions filed therefor, is substantially the same and the improvements therein may be included in one District:

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Grand Junction:

1. That said Paving District No. 35 be and the same is hereby created and established, and that the paving and other improvements therein be and the same are hereby authorized and directed, in accordance with the details, plans and specifications prepared and filed therefor.

2. That the improvements in said District were duly ordered, after

Notice duly given; that petitions therefor, duly subscribed and acknowledged by the required number of property owners, were duly filed; that no remonstrance, protest or objection was filed against the creation or establishment of said District, or any of the proceedings adopted therefor, and that all conditions precedent and all requirements of the laws of the State of Colorado, the Charter of said City, and Ordinance No. 178 as amended, of said City have been strictly complied with.

3. That the alleys to be paved and improved, the boundaries of said Paving District, the amounts to be assessed, the number of installments of assessments, the time in which the cost shall be payable, the rate of interest on unpaid installments, and the manner of apportioning and assessing such cost, shall be as prescribed in the Resolutions adopted for said District on the 5th day of August, 1936, and in accordance with the published Notice of Intention to create said District. That the following type of pavement shall be used, to-wit:

A four-inch gravel base surface with a two-inch layer of plant-mix oil treated gravel, and that said work be done under a W.P.A. project with labor furnished by, and under the terms of the Works Progress Administration.

4. That for the purpose of paying the cost and expenses of constructing said improvements in said District, including engineering, inspection, collection and other incidental expenses (excluding the amount to be paid by the City of Grand Junction for the paving of intersections), the City shall issue Public Improvement Bonds of said Paving District, dated the 1st day of October, A. D. 1936, in the denomination of \$500.00 each, numbered 1 to 12 inclusive, due and payable on the 1st day of October, A. D. 1948, subject to call and payment, however, at any time prior to the maturity of said bonds, to bear interest at the rate of six percentum per annum, payable semi-annually, on the first day of October and the first day of April of each year, as evidenced by coupons attached to said bonds, principal and interest being payable at the office of the City Treasurer of the City of Grand Junction, Colorado. Said bonds and the guaranty certificate endorsed thereon, shall be signed by the President of the City Council and attested by the City Clerk; the coupons shall be signed with the original or facsimile signature of the City Treasurer and when so executed, said bonds shall be registered by the City Treasurer.

5. Said bonds, the coupons to be attached thereto, and the registration and guaranty certificates to be endorsed thereon, shall be in substantially the following form:

UNITED STATES OF AMERICA

STATE OF COLORADO

COUNTY OF MESA

CITY OF GRAND JUNCTION

PUBLIC IMPROVEMENT BOND

PAVING DISTRICT NO. 35

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 October, 1948, subject to call and payment, however, at any time prior thereto, with interest thereon from date until payment at the rate of six per centum per annum, payable semi-annually on the first day of October and the first day of April each year, both principal and interest being payable at the office of the City Treasurer of the City of Grand Junction, upon surrender of the attached coupons and this bond as they severally become due, or are called for payment.

This bond is issued for the purpose of paying the cost of local improvements in Paving District No. 35, in the City of Grand Junction, 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 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 said Paving District No. 35, especially benefited by said improvement, and the amount of the assessments upon the real estate in said District for the payment hereof, with the accrued interest is a lien upon said real estate in the respective amounts to be apportioned to said real estate, and assessed under the Charter and ordinances of said City, on a parity with the lien of general taxes.

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 Paving District No. 35 and the making of said improvements and the issue of this bond has been

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

IN TESTIMONY WHEREOF, The City of Grand Junction has caused this bond to be subscribed by the President of the Council, attested by the City Clerk under the seal of the City, and the interest coupons hereto attached to be attested by the facsimile signature of the City Treasurer, this 1st day of October, A. D. 1936.

/s/

\_\_\_\_\_  
President of the City Council

ATTEST:

\_\_\_\_\_  
City Clerk

(FORM OF COUPON)

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

\$ \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_, A. D. \_\_\_\_\_ 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, being six months' interest on its local public improvement bond of Paving District No. 35, provided the bond to which this coupon is attached shall not have been paid.

Attached to bond dated October 1, A. D. 1936.

/s/ (Facsimile signature)

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

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

(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 \_\_\_\_\_ day of \_\_\_\_\_, A. D. 1936.

/s/

                      
City Treasurer

(GUARANTY CERTIFICATE)

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

/s/

                      
President of the City Council

ATTEST:

                      
City Clerk

6. The City Clerk is hereby authorized and directed to have printed the bonds authorized by this Resolution and when the same have been executed, to deposit the same with the City Treasurer, who shall deliver them to the lawful purchaser thereof, on receipt of the purchase price.

7. The City Council finds and determines that all 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 with work done under a W.P.A. project, using relief labor furnished by and under the terms of the Works Progress Administration, 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.

ADOPTED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_ A. D. 1936.

/s/

                      
President of the Council

SEAL

ATTEST:

                      
City Clerk

IT WAS MOVED BY Councilman Enstrom and seconded by Councilman Ross that the resolution be passed and adopted as read. Roll was called on the motion with the following members voting AYE - Ross, Holcombe, Groves, Boston, Carson, Enstrom, Oates. Councilmen voting NO - None. All of the Councilmen voting AYE, the President declared the motion carried.

It was moved by Councilman Carson and seconded by Councilman

Boston that the bonds of Paving District No. 35 be sold for par value for six per cent bonds. All members of the Council voted AYE, and the motion was declared carried.

Petitions for paving the following streets were filed, having been signed by more than 50% of the property owners along said streets.

Fourth Street - Rood Ave. to Hill Ave.

Third Street - Rood Ave. to North Ave.

Sixth Street - Teller Ave. to North Ave.

It was moved by Councilman Carson and seconded by Councilman Boston that the petitions be accepted and filed. Motion carried.

The following resolution was presented and read:

RESOLUTION

DECLARING THE INTENTION OF THE CITY COUNCIL OF GRAND JUNCTION, COLORADO, TO CREATE WITHIN SAID CITY, A LOCAL IMPROVEMENT DISTRICT TO BE KNOWN AS PAVING DISTRICT NO. 36, AND AUTHORIZING THE CITY ENGINEER TO PREPARE DETAILS AND SPECIFICATIONS FOR THE SAME.

WHEREAS, on the 16th day of September, A. D. 1936, there was presented to the City Council of the City of Grand Junction, Colorado, petitions for the paving of the following streets and avenues in said City, to-wit:

FOURTH STREET from the north line of Rood Avenue to the north line of Hill Avenue.

THIRD STREET FROM the north line of Rood Avenue to the south line of North Avenue.

SIXTH STREET from the north line of Teller Avenue to the south line of North Avenue.

WHEREAS, the City Council has found and determined, and hereby finds and determines, that said petitions are signed and acknowledged by the owners of more than a majority of the property abutting on said streets and avenues, to be assessed with the cost of the proposed paving; and

WHEREAS, the City Council deems it advisable to take the necessary preliminary proceedings for the creation of a special improvement paving district; and

WHEREAS, the paving requested in said petitions is substantially the same, and the Council has determined that it will be an advantage and benefit to include all of said improvements in one paving district;

THEREFORE, BE IT RESOLVED, by the City Council of the City of Grand Junction, and State of Colorado:

1. That the district of lands to be assessed with the cost of the proposed paving improvements shall be included within the following boundaries, to-wit:

Beginning at the southwest corner of Lot 21, Block 97; thence north to the southwest corner of Lot 21, Block 31; thence east to the southeast corner of Lot 28, Block 30; thence south to the southeast corner of Lot 28, Block 96; thence west to the point of beginning.

Beginning at the northwest corner of Lot 12, Block 10; thence east to the northeast corner of Lot 5, Block 9; thence south to the southeast corner of Lot 28, Block 97; thence west to the southwest corner of Lot 21, Block 98; thence north to the place of beginning.

Beginning at the northwest corner of Lot 12, Block 7; thence east to the northeast corner of Lot 5, Block 6; thence south to the southeast corner of Lot 26, Block 17; thence west to the southwest corner of Lot 21, Block 16; thence north to the point of beginning.

Said district shall be divided into five equal zones paralleling the streets to be improved and the estimated cost of such improvements shall be apportioned as follows: 32% of the cost on the first zone; 26% on the second zone; 20% on the third zone; 14% on the fourth zone; and 8% on the fifth zone.

2. That the City Engineer be and he is hereby authorized and directed to prepare and file full details, plans, and specifications for such paving, an estimate of the total cost thereof, exclusive of the percentum for cost of collection and other incidentals, and of interest to the time the first installment becomes due, also a map of the district to be assessed, from which the approximate share of said total cost that will be assessed upon each piece of real estate in the district may be readily ascertained, all as required by the Petitions therefor and the requirements of Ordinance No. 178, as amended, of said City.

Adopted and Approved, this 16th day of September, A. D. 1936.

/s/  
President of the Council

ATTEST:  
City Clerk

It was moved by Councilman Ross and seconded by Councilman

Holcombe that the Resolution be passed and adopted as read. Roll was called on the motion with all members of the Council voting AYE. The President, therefore, declared the motion carried and the resolution duly adopted.

Mr. J. P. Soderstrum, City Engineer, presented maps, plans, and estimates for Paving District No. 36.

The following resolution was presented and read:

RESOLUTION

ADOPTING DETAILS, PLANS AND SPECIFICATIONS FOR PAVING STREETS AND AVENUES IN THE CITY OF GRAND JUNCTION, COLORADO, IN PAVING DISTRICT NO. 36, DETERMINING THE NUMBER OF INSTALLMENTS AND THE TIME IN WHICH THE COST OF SAID IMPROVEMENTS SHALL BE PAYABLE, THE RATE OF INTEREST ON UNPAID INSTALLMENTS AND THE DISTRICT OF LANDS TO BE ASSESSED WITH THE COST OF THE PROPOSED IMPROVEMENTS, AND AUTHORIZING NOTICE OF INTENTION TO CREATE SAID DISTRICT AND OF A HEARING THEREON.

WHEREAS, on the 16th day of September, A. D. 1936, the City Council of said City of Grand Junction, Colorado, by Resolution authorized the City Engineer to prepare and file full details, plans and specifications for paving certain streets and avenues in said City, within proposed Paving District No. 36, together with an estimate of the total cost of such improvements, and a map of the District to be assessed; and

WHEREAS, said City Engineer has fully and strictly complied with the directions so given, and has filed such details, plans and specifications, estimate and map, all in accordance with said Resolution, and the requirements of ordinance No. 178, as amended, of said City:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Grand Junction, Colorado.

1. That said details, plans, specifications, estimates and map be, and the same are hereby approved and adopted.

2. That the streets and avenues to be paved are as follows:

FOURTH STREET from the north line of Rood Avenue to the north line of Hill Avenue.

THIRD STREET from the north line of Rood Avenue to the south line of North Avenue.

SIXTH STREET from the north line of Teller Avenue to the south line of North Avenue.

3. That the District of lands to be assessed with the cost of said



improvements, is described as follows:

Beginning at the southwest corner of Lot 21, Block 97; thence north to the southwest corner of Lot 21, Block 31; thence east to the southeast corner of Lot 28, Block 30; thence south to the southeast corner of Lot 28, Block 96; thence west to the point of beginning.

Beginning at the northwest corner of Lot 12, Block 10; thence east to the northeast corner of Lot 5, Block 9; thence south to the southeast corner of Lot 28, Block 97; thence west to the southwest corner of Lot 21, Block 98; thence north to the place of beginning.

Beginning at the northwest corner of Lot 12, Block 7; thence east to the northeast corner of Lot 5, Block 6; thence south to the southeast corner of Lot 26, Block 17; thence west to the southwest corner of Lot 21, Block 16; thence north to the point of beginning.

4. That said District shall be divided into five equal zones paralleling the streets to be improved, and the cost of the improvement shall be apportioned to such zones as follows: 32% of the cost of the first zone, 26% on the second zone; 20% on the third zone; 14% on the fourth zone; and 5% on the fifth zone.

5. The assessments to be levied against the property in said District to pay the cost of such improvements, shall be due and payable, without demand, within thirty (30) days after the final publication of the ordinance assessing such cost, and if paid during such period the amount added for collection, incidentals and interest shall be deducted; provided, that all such assessments may, at the election of the owners of property in said District, be paid in ten equal installments, the first of which shall be payable at the time the next installment of general taxes is due and payable, after the expiration of said thirty (30) day period, and the following annual installments shall be paid on or before the same date each year thereafter, with interest, in all cases on unpaid principal, payable annually at a rate not to exceed six (6) per centum per annum.

6. Notice of intention to create said Paving District, and a hearing thereon, shall be given by an advertisement in one issue of The Daily Sentinel, a newspaper of general circulation published in said City, which notice shall be in substantially the following form, to-wit:

NOTICE

OF INTENTION TO CREATE PAVING DISTRICT NO. 36 IN THE CITY OF GRAND JUNCTION, COLORADO, AND OF A HEARING THEREON.

PUBLIC NOTICE IS HEREBY GIVEN to the owners of real estate in the

District hereinafter described, and to all persons generally interested, that the City Council of the City of Grand Junction, Colorado, intends to create Paving District No. 36 in said City for the purpose of improving the following streets and avenues therein, by constructing a pavement with a four-inch gravel base surfaced with a two-inch layer of plant-mix oil treated gravel, together with suitable Portland cement concrete curb and gutter, and that said work be done under a W.P.A. project with labor furnished by, and under the terms of the Works Progress Administration, to-wit:

FOURTH STREET from the north line of Rood Avenue to the south line of White Avenue to be paved to a width of fifty feet.

FOURTH STREET from the north line of White Avenue to the north line of Hill Avenue to be paved to a width of thirty-six feet.

THIRD STREET from the north line of Rood Avenue to the south line of North Avenue to be paved to a width of thirty-six feet.

SIXTH STREET from the north line of Teller Avenue to the south line of North Avenue to be paved to a width of thirty-six feet.

Said Paving District shall include all of the real property within the following boundaries, to-wit:

Beginning at the southwest corner of Lot 21, Block 97; thence north to the southwest corner of Lot 21, Block 31; thence east to the southeast corner of Lot 28, Block 30; thence south to the southeast corner of Lot 28, Block 96; thence west to the point of beginning.

Beginning at the northwest corner of Lot 12, Block 10; thence east to the northeast corner of Lot 5, Block 9; thence south to the southeast corner of Lot 28, Block 97; thence west to the southwest corner of Lot 21, Block 98; thence north to the place of beginning.

Beginning at the northwest corner of Lot 12, Block 7; thence east to the northeast corner of Lot 5, Block 6; thence south to the southeast corner of Lot 26, Block 17; thence west to the southwest corner of Lot 21, Block 16; thence north to the point of beginning.

Said district shall be divided into five equal zones paralleling the streets and avenues to be improved and the cost of said improvements, (excluding that part to be paid by said City) shall be assessed on the following basis: 32% of the cost of the first zone; 26% on the second zone; 20% on the third zone; 14% on the fourth zone; and 8% on the fifth zone.

The probable total cost of said improvements, as shown by the estimate of the City Engineer is \$15,472.41. Of said total cost

the said City of Grand Junction shall pay the sum of \$2,014.84 for paving and improving the intersections of streets and avenues.

The maximum share of said total cost to be assessed per front foot for a fifty-foot street is \$1.91. The estimated cost for an ordinary lot of 25 ft. x 125 ft. is \$47.75.

The maximum share of said total cost to be assessed per front foot for a thirty-six foot street is \$1.4711. The estimated cost for an ordinary lot of 25 ft. x 125 ft. is \$36.78.

To all of said estimated costs there shall be added 2% for cost of collection, and also interest at the rate born by the special assessment bonds of said District to the next succeeding date upon which general taxes or the first installment thereof, are, by the laws of the State of Colorado, made payable.

In cases of the construction, repair or extension of lead service pipe connections, the whole cost thereof shall be assessed to the lots to which the connections are made.

On the 21st day of October, A. D. 1936, at the hour of 7:30 o'clock P. M., in the Council Chamber in the City Hall of said City, the Council will consider the ordering of the proposed improvements, and will hear all complaints and objections that may be made in writing, concerning the proposed improvements, by the owner of any real estate to be assessed, or by any person interested.

A map of the District, from which the approximate share of the total estimated cost to be assessed upon each piece of real estate in the District may be readily ascertained, and all proceedings of the Council in the premises are on file and can be seen and examined by any person interested therein, in the office of the City Clerk during business hours, at any time prior to said hearing.

Dated at Grand Junction, Colorado, this 16th day of October, A. D. 1936.

BY ORDER OF THE CITY COUNCIL:

/s/

                      
City Clerk

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

Messrs. C. D. Smith and Reed Miller appeared before the Council requesting that they be allowed to have a fifty-foot driveway on South Fifth Street and two driveways on Ute Avenue, one to be twenty-seven feet and the other thirty-three feet, as entrances to the filling station being constructed on that corner.

It was moved by Councilman Carson and seconded by Councilman Ross that the request of Messrs. Smith and Miller be granted. Motion carried.

The following entitled proposed ordinance was presented: "AN ORDINANCE APPROVING THE WHOLE COST OF THE IMPROVEMENTS MADE IN AND FOR PAVING DISTRICT NO. 32 IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED JUNE 11, 1910, AS AMENDED: APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT: ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT: AND APPROVING THE APPORTIONMENT OF SAID COST: AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS."

It was moved by Councilman Boston and seconded by Councilman Ross that the ordinance be passed for publication. Motion carried.

A letter from Mrs. May Titus in regard to a license for operating a pop corn stand on the street was read. It was moved by Councilman Holcombe and seconded by Councilman Groves that Mrs. Titus be granted a license for a pop corn stand on the street, to be located on 6th Street at Main, on either corner that she may be able to secure, but the machine must be placed off from Main Street. Motion carried.

Mr. Soderstrum reported that the Water Works Convention would be held in Denver Sept. 19, 20, and 21. It was suggested that the Water Committee and the City Manager attend this convention.

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

/s/ Helen C. Tomlinson  
City Clerk