

Grand Junction, Colorado

November 18, 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, Enstrom, Carson, and President Oates. Councilman Ross was absent. City Manager Soderstrum, City Attorney Bowie, and City Clerk Tomlinson were present.

The minutes of the regular meeting held November 4th were read and approved.

The City Clerk reported that there had been no remonstrances in connection with Paving District No. 37.

The following resolution was presented and read:

CREATING AND ESTABLISHING PAVING DISTRICT NO. 37 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 21st day of October, 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. 37 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. 37 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 remonstrances, protests or objections were 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 streets and avenues 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 21st day of October, 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 surfaced with a two-inch layer of plant-mix oil treated gravel, with a portland cement concrete curb and gutter, said work to be done under a W.P.A. project, using relief labor furnished by and under the terms of the Works Progress Administration.

That all lots fronting on the streets and avenues to be improved be connected with the City water mains with lead pipe where necessary.

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), said City shall issue Public Improvement Bonds of said Paving District, dated the 1st day of December, A. D. 1936, in the denomination of \$500.00 each, numbered 1 to 26 inclusive, due and payable on the 1st day of December, 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 per centum per annum, payable semi-annually on the first day of June and the first day of December 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

PUBIC IMPROVEMENT BOND  
PAVING DISTRICT NO. 37

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 December, 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 June and the first day of December 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. 37, 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. 37, 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 Paving District No. 37 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 December, 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. 37, provided the bond to which this coupon is attached shall not have been paid.

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

/s/ (Facsimile signature)

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

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

(REGISTRATION CERTIFICATION)

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 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 voting AYE, the President declared the motion carried.

It was then moved by Councilman Enstrom and seconded by Councilman Holcombe that the City Clerk be instructed to advertise for bids on \$13,000.00 Pav. District No. 37 bonds; bids to be opened December 2nd. Motion carried.

Messrs. Howard and S. G. McMullin, A. T. Gormley, C. R. McDow, J. A. Cannell, and C. Ritchey appeared before the Council and presented a deed for a forty-foot tract of land described as the north twenty (20) feet of the SE1/4 of the SE1/4 of Section 11, T 1 S, R 1 W, U.M. and the south twenty (20) feet of Lot 10, Capitol Hill Subdivision, in the City of Grand Junction, Colorado, which established and dedicated this property as a public street to be known as Elm Avenue.

The matter was discussed, Mr. Soderstrum stating that he thought a larger street would be more satisfactory. It was explained that this time forty feet is all that could be secured for this right-of-way.

It was then moved by Councilman Holcombe and seconded by Councilman Carson that the deed to the north twenty (20) feet of the SE1/4 of the SE1/4 of Section 11, T 1 S, R 1 W, U.M. and the south twenty (20) feet of Lot 10, Capital Hill Subdivision be accepted and that the property described therein be designated for street purposes to be known as Elm Avenue. 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 voting AYE, the President declared the motion carried.

Mr. Harr and Mr. Frank Hall made a request to the Council that the Council re-consider Mr. Harr's request that he be allowed to connect with the City sewer, from his property on North Ave., but that the connection be made on Seventh Street instead of North Avenue as previously requested. The Council still felt that the sewers were too overloaded to consider having any more outside connections.

It was moved by Councilman Carson and seconded by Councilman Groves that G. C. Harbert be granted permission to construct a 20-foot driveway on 301-307 North Third St. and J. A. Taylor be granted permission to construct a 20-foot driveway at 260 Teller Ave. Motion carried.

A request was made by the Forbush Oil Co., that they be allowed to have a lay-back curb from Rood Ave. north to the alley on Third St. It was moved by Councilman Enstrom and seconded by Councilman Groves that the original application be rejected and that the City Manager be authorized to determine the extent of a reasonable driveway which is granted to the applicant. Motion carried.

The following applications for liquor licenses were presented. These licenses to serve for the year 1937. Liquor stores - John Cadez, Amore Raso, Joe Costanzo, Litman I. Sachter, Chas. Mars. Drug Stores - Mesa Drug, Reynolds Drug, Copeland's Apothecary and Hammer Drug Co. Cafes - beer and wine license - New World Cafe and Manhattan Cafe. Restaurant Liquor license to Golden Pheasant Cafe. Club License to The Elks Club, and a Hotel license to St. Regis

Hotel.

It was moved by Councilman Enstrom and seconded by Councilman Carson that liquor store license be granted to John Cadez, 357 Main St., Charles M. Mars, 119 South 6th St., Joe Costanzo, 627 Main St., Amore Raso, 220 South Second St., Litman I. Sachter, 119 South 4th St. That Liquor Licensed Drug Store licenses be granted to Reynolds Pharmacy, 500 Main St., Hammer Drug Store, 158 Main St., Copeland's Apothecary, 523 Main St., Mesa Drug Co., 402 Main St., that Restaurant Beer and Wine licenses be granted to the New World Cafe and Manhattan Cafe, 339 Main St.; that a Restaurant Liquor license be granted to Golden Pheasant Cafe, 354 Main St.; a Hotel Beer, Wine & Spirituous Liquor license be granted to Harry Burnett for the St. Regis Hotel, and a Club Liquor license be granted to the Elks Club. Motion carried.

W. B. Ely offered face value for certificates against Lots 11 & 12, Block 129, located at 845 Colorado Ave. The value is \$156.96.

It was moved by Councilman Enstrom and seconded by Councilman Holcombe that the offer be accepted. Roll was called on the motion with all members of the Council voting AYE. The motion was declared carried.

Mr. Wm. A. May presented an application to purchase the tax sale certificates on the E1/2 of Lot 3 and all Lot 4, Block 54, located at 2nd St. and Gunnison Ave. There are \$276.30 face value against this property, with the 1936 specials amounting to \$40.30. The general taxes amount to \$99.10 plus \$19.20, 1935 taxes. The assessed valuation of these lots is \$360.00. Mr. May offered \$116.04, plus the \$40.30 1936 specials, and \$41.62, plus the 1935 generals \$19.20.

It was moved by Councilman Carson and seconded by Councilman Holcombe that the City Treasurer be instructed to sell and assign Special Assessment Tax Sale Certificates 36844-45, 37067068, 37308-9 for the sum of \$116.04 plus the 1936 specials amounting to \$40.30, at any time within thirty days, from and after this date, providing the purchaser and assigned thereof pay or settle the general taxes on the property in question within such period. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried.

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

/s/ Helen C. Tomlinson  
City Clerk