

Grand Junction, Colorado

January 21, 1937

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

The minutes of the regular meetings held January 6th and January 20th were read and approved.

The City Clerk announced that this was the time for filing protests against proposed Paving District No. 38. A protest to the alley in Block 83 was made by Mrs. Norgaard and filed with the Clerk. Mrs. Norgaard was present and explained to the Council why she was protesting the improving of the alleys in this block. It was explained to Mrs. Norgaard that 69% of the property owners affected had signed the petition for the improvements and the Council was therefore obliged to order same put in.

The following resolution was presented and read:

CREATING AND ESTABLISHING PAVING DISTRICT NO. 38 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 16th day of December, 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. 38 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. 38 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 16th day of December, 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, 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 February, A. D. 1937, in the denomination of \$500.00 each, numbered 1 to 15 inclusive, due and payable on the 1st day of February, A. D. 1949, 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 February and the first day of August 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 fac-simile 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. 38

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 February, 1949, 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 February and the first day of August 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. 38, 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. 38, 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. 38 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 fac-simile signature of the City Treasurer, this 1st day of February, A. D. 1937.

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. 38, provided the bond to which this coupon is attached shall not have been paid.

Attached to bond dated February 1, A. D. 1937.

/s/ (Fac-simile 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. 1937.

City Treasurer

(GUARANTY CERTIFICATE)

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

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. 1937.

President of the Council

SEAL

ATTEST:

City Clerk

It was moved by Councilman Groves and seconded by Councilman Enstrom 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, Enstrom and Oates. Councilmen voting NO - None. All of the Councilmen present voting AYE, the President declared the motion carried and the resolution duly passed and adopted.

It was moved by Councilman Holcombe and seconded by Councilman Ross that \$7,500.00 Paving District No. 38 bonds be sold for par, plus accrued interest at the rate of 6% per annum. Roll was called on the motion with the following result: Councilmen voting AYE, Ross, Holcombe, Groves, Boston, Enstrom and Oates. Councilmen voting No - None. All of the Councilmen voting AYE, the President declared the motion carried.

Mr. Herr appeared before the Council and requested that the City take his property on North Avenue just west of the Farmer Store into the City limits. It was explained to Mr. Herr that he should have a plot made showing just what the description of his property should be, and file this plot together with a petition to the

Council, asking that he be taken into the City limits, with the Council. It was the consensus of opinion of the members of the Council present that they were heartily in favor of this move.

Mr. McGuire representing the Baptist Church appeared before the Council and asked that they be allowed to purchase the outstanding tax sale certificates against their property for face value.

It was moved by Councilman Enstrom and seconded by Councilman Holcombe that the City Treasurer be instructed to sell and assign Special Assessment Tax Sale Certificate No. 46139 for face value, at any time within thirty days from and after this date. Roll was called on the motion and all the Councilmen present voted AYE on the motion. The motion was declared carried.

A proposed ordinance entitled, "AN ORDINANCE APPROVING THE WHOLE COST OF THE IMPROVEMENTS MADE IN AND FOR PAVING DISTRICT NO. 35 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", was presented and read. It was moved by Councilman Enstrom and seconded by Councilman Boston that the Ordinance be passed for publication. Motion carried.

An application for a 3.2% beer license for East Side Grocery No. 2 was made by Jos. Moser. It was moved by Councilman Holcombe and seconded by Councilman Groves that the license be granted. Motion carried.

License bonds as follows were presented: Chas. Koehler, J.W. Rader, Lane & Co. and P.C. Lowe, plumbers and Winterburn, electrician. It was moved by Councilman Ross and seconded by Councilman Groves that the bonds be accepted and filed. Motion carried.

The Proof of Publication to the ordinance entitled, "AN ORDINANCE AMENDING SECTION V OF ORDINANCE NO. 432", was presented and read. It was moved by Councilman Ross and seconded by Councilman Groves that the Proof of Publication be accepted and filed. Motion carried.

It was then moved by Councilman Enstrom and seconded by Councilman Boston that the ordinance be called up for final passage. Motion carried.

Councilman Groves then moved and Councilman Enstrom seconded the motion that the ordinance entitled, "AN ORDINANCE AMENDING SECTION V OF ORDINANCE NO. 432", be amended by changing the word "and" to "or", in line 9 of the ordinance as presented. Motion carried.

Councilman Enstrom moved and Councilman Boston seconded the motion that the ordinance be passed and adopted, numbered 562 and published. Roll was called on the motion with the following result: Councilmen voting AYE - Ross, Holcombe, Groves, Boston, Enstrom, and Oates. Councilmen voting NO - None. All of the Councilmen present voting AYE, the President declared the motion carried, and the ordinance duly passed and adopted.

The Proof of Publication to the Ordinance entitled, "AN ORDINANCE AMENDING SECTION 26 OF ARTICLE VI OF ORDINANCE NO. 529", was presented and read. It was moved by Councilman Ross and seconded by Councilman Enstrom that the Proof of Publication be accepted and filed.

It was then moved by Councilman Holcombe and seconded by Councilman Groves that the ordinance be called up for final passage. Motion carried.

It was then moved by Councilman Groves and seconded by Councilman Boston that the Ordinance be passed and adopted, numbered 563 and published. Roll was called on the motion with the following result: Councilmen voting AYE - Ross, Holcombe, Groves, Boston, Enstrom, and Oates. Councilmen voting NO - None. All of the Councilmen present voting AYE, the President declared the motion carried, and the ordinance duly passed and adopted.

Mr. A. T. Gormley presented a deed to a forty-foot strip of land for the completion of Elm Avenue to Seventh Street, making a street through from Seventh to Twelfth Streets. It was moved by Councilman Enstrom and seconded by Councilman Groves that the deed be accepted and filed. Roll was called on the motion with the following result: Councilmen voting AYE - Ross, Holcombe, Groves, Boston, Enstrom, and Oates. Councilmen voting NO - None. All of the Councilmen voting AYE, the President declared the motion carried.

Mr. J. G. McKinney offered face valued for Tax Sale Certificate No. 45131, amounting to \$30.75. He also offered \$108.15 for the General Tax sale certificates on the property in question.

It was moved by Councilman Enstrom and seconded by Councilman Holcombe that the City Treasurer be instructed to sell and assign Special Assessment Tax Sale Certificate No. 45131, for the sum of \$30.75, 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 all members of the Council present voting AYE. The President declared the motion carried.

Mr. Soderstrum reported that the High School Athletic Association had finally paid on the Loveland-Grand Junction football game, the specified amount, and read a letter from City Attorney Bowie in

which he expressed his opinion that the Council had no right to make any charges except as specified in the Ordinance regulating the use of Lincoln Park. The School Association filed a statement for \$150.00 for various items. The matter was thoroughly discussed by the Council, and moved by Councilman Holcombe and seconded by Councilman Groves that the bill be rejected. Motion carried.

The following resolution was presented and read:

RESOLUTION

It is Resolved by the City Council of the City of Grand Junction, Colorado, that J. P. Soderstrum, as City Manager of said City, is hereby appointed, authorized and directed, in its name and behalf, to sell Lots 25 and 26, Block 9, in the City of Grand Junction, County of Mesa and State of Colorado, owned by said City and not used or held by it for any park or governmental purpose, for not less than the sum of \$220.00, upon such terms and conditions as he, in his discretion, may determine, and to execute and deliver a good and sufficient quitclaim or special warranty deed of conveyance of said property to the purchaser thereof, and to cause the Seal of said City to be affixed thereto and attested by the City Clerk.

It was moved by Councilman Holcombe and seconded by Councilman Enstrom 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, Enstrom and Oates. Councilmen voting NO - None. All of the Councilmen present voting AYE, the President declared the motion carried.

The following resolution was then presented:

RESOLUTION

Whereas the City Council of the City of Grand Junction, by resolution adopted on this date, has duly appointed, authorized and directed J. P. Soderstrum, as City Manager of said City to sell Lots 25 and 26, Block 9, in the City of Grand Junction, County of Mesa and State of Colorado, owned by said City for not less than the sum of \$220.00, and to execute and deliver a good and sufficient deed of conveyance of said property to the purchaser thereof, all in the name and behalf of said City; and

Whereas said City has purchased and now holds Tax Sale Certificate No. 31605, which includes General taxes against said property, and also holds tax sale certificates Nos. 33366-7; 33456-7; 33566-7; 33666-7; which include special assessments against said property; and

Whereas said property is to be sold and conveyed free and clear of the liens of the aforesaid tax sales for the above mentioned consideration;

It Is Therefore Resolved by the City Council of said City that the City Treasurer is hereby authorized, empowered and directed to surrender said tax sale certificates for redemption, and to cause the same to be redeemed of record, for fees only, in conjunction with the sale and purchase of said property; and as a part of the consideration therefor;

It Is Further Resolved that the proceeds received from the sale of said property shall be applied to reimbursement of the proper funds from which expenditures have been made in the purchase of said property and tax sale certificates of general taxes, and that the residue shall be paid into the proper funds of special improvement districts mentioned in said tax sale certificates for special assessments, in equal proportion.

It was moved by Councilman Holcombe and seconded by Councilman Enstrom 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, Enstrom, and Oates. Councilmen voting NO - None. All of the Councilmen voting AYE, the President declared the motion carried, and the resolution duly passed and adopted.

The following resolution was presented and read:

RESOLUTION

It Is Resolved by the City Council of the City of Grand Junction, Colorado, that J. P. Soderstrum, as City Manager of said City, is hereby appointed, authorized and directed, in its name and behalf, to sell Lots 17 and 18, in Block 2, Dundee Addition, in the City of Grand Junction, County of Mesa and State of Colorado, owned by said City and not used or held by it for any park or governmental purpose, for not less than the sum of \$350.00, upon such terms and conditions as he, in his discretion, may determine, and to execute and deliver a good and sufficient quit-claim or special warranty deed of conveyance of said property to the purchaser thereof, and to cause the Seal of said City to be affixed thereto and attested by the City Clerk.

It was moved by Councilman Groves and seconded by Councilman Boston that the resolution be passed and adopted as read. Roll was called on the motion with all members of the Council present voting AYE. The resolution was declared carried.

The following resolution was then presented:

RESOLUTION

Whereas the City Council of the City of Grand Junction, by resolution adopted on this date, has duly appointed, authorized and directed J. P. Soderstrum, as City Manager of said City to

sell lots 17 and 18, in Block 2, Dundee Addition, in the City of Grand Junction, County of Mesa and State of Colorado, owned by said City for not less than the sum of \$350.00, and to execute and deliver a good and sufficient deed of conveyance of said property to the purchaser thereof, all in the name and behalf of said City; and

Whereas, said City has purchased and now holds Tax Sale Certificate No. 34605, which includes General taxes against said property, and also holds tax sale certificates Nos. 34890-91; 35199-200; 35249-50; 35427-8; 35457-8; 35468-9; which include special assessments against said property; and

Whereas said property is to be sold and conveyed free and clear of the liens of the aforesaid tax sales for the above mentioned consideration;

It Is Therefore Resolved by the City Council of said City that the City Treasurer is hereby authorized empowered and directed to surrender said tax sale certificates for redemption, and to cause the same to be redeemed of record, for fees only, in conjunction with the sale and purchase of said property; and as a part of the consideration therefor;

It Is Further Resolved that the proceeds received from the sale of said property shall be applied to reimbursement of the proper funds from which expenditures have been made in the purchase of said property and tax sale certificates of general taxes, and that the residue shall be paid into the proper funds of special improvement districts mentioned in said tax sale certificates for special assessments, in equal proportion.

It was moved by Councilman Groves and seconded by Councilman Boston 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, Enstrom, and Oates. Councilmen voting NO - None. All of the Councilmen present voting AYE, the President declared the motion carried, and the resolution duly passed and adopted.

The following resolution was presented and read:

RESOLUTION

It Is Resolved by the City Council of the City of Grand Junction, Colorado, that J. P. Soderstrum, as City Manager of said City, is hereby appointed, authorized and directed, in its name and behalf, to sell Lots 31 and 32, Block "E", Keith's Addition, in the City of Grand Junction, County of Mesa and State of Colorado, owned by said City and not used or held by it for any park or governmental purpose, for not less than the sum of \$300.00, upon such terms and conditions as he, in his discretion, may determine, and to execute and deliver a good and sufficient quit-claim or special warranty

deed of conveyance of said property to the purchaser thereof, and to cause the Seal of said City to be affixed thereto and attested by the City Clerk.

It was moved by Councilman Enstrom and seconded by Councilman Holcombe that the resolution be passed and adopted as read. Roll was called on the motion and all members of the Council present voted AYE. The motion was declared carried, and the resolution duly passed and adopted.

The following resolution was then introduced and read:

RESOLUTION

Whereas the City Council of the City of Grand Junction, by resolution adopted on this date, has duly appointed, authorized and directed J. P. Soderstrum, as City Manager of said City to sell Lots 31 and 32, Block "E", Keith's Addition, in the City of Grand Junction, County of Mesa and State of Colorado, owned by said City for not less than the sum of \$300.00, and to execute and deliver a good and sufficient deed of conveyance of said property to the purchaser thereof, all in the name and behalf of said City; and

Whereas, said City has purchased and now holds Tax Sale Certificate No. 32748, which includes General taxes against said property, and also holds tax sale certificates Nos. 28073-4; 28239-40; 28473-4; 33713-4; 28394-5; which include special assessments against said property; and

Whereas said property is to be sold and conveyed free and clear of the liens of the aforesaid tax sales for the above mentioned consideration:

It Is Therefore Resolved by the City Council of said City that the City Treasurer is hereby authorized, empowered and directed to surrender said tax sale certificates for redemption, and to cause the same to be redeemed of record, for fees only, in conjunction with the sale and purchase of said property; and as a part of the consideration therefor:

It Is Further Resolved that the proceeds received from the sale of said property shall be applied to reimbursement of the proper funds from which expenditures have been made in the purchase of said property and tax sale certificates of general taxes, and that the residue shall be paid into the proper funds of special improvement districts mentioned in said tax sale certificates for special assessments, in equal proportion.

It was moved by Councilman Enstrom and seconded by Councilman Holcombe that the resolution be passed and adopted as read. Roll was called on the motion and all members of the Council present voted AYE. The President declared the motion carried, and the

resolution duly passed and adopted.

The following resolution was presented and read:

RESOLUTION

It Is Resolved by the City Council of the City of Grand Junction, Colorado, that J. P. Soderstrum, as City Manager of said City, is hereby appointed, authorized and directed, in its name and behalf, to sell Lots 15 and 16, Block 106, in the City of Grand Junction, County of Mesa and State of Colorado, owned by said City, and not used or held by it for any park or governmental purpose, for not less than the sum of \$500.00, upon such terms and conditions as he, in his discretion, may determine, and to execute and deliver a good and sufficient quit-claim deed of conveyance of said property to the purchaser thereof, and to cause the Seal of said City to be affixed thereto and attested by the City Clerk.

It was moved by Councilman Enstrom and seconded by Councilman Boston that the resolution be passed and adopted as read. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried, and the resolution duly passed and adopted.

The following resolution was then introduced and read:

RESOLUTION

Whereas the City Council of the City of Grand Junction, by resolution adopted on this date, has duly appointed, authorized and directed J. P. Soderstrum, as City Manager of said City to sell Lots 15 and 16, Block 106, in the City of Grand Junction, County of Mesa, and State of Colorado, owned by said City for not less than the sum of \$500.00, and to execute and deliver a good and sufficient deed of conveyance of said property to the purchaser thereof, all in the name and behalf of said City;

Whereas, said City has purchased and now holds Tax Sale Certificate No. 39260, which includes General taxes against said property and also holds tax sale certificates Nos. 40425-6 which include special assessments against said property; and

Whereas said property is to be sold and conveyed free and clear of the liens of the aforesaid tax sales for the above mentioned consideration;

It Is Therefore Resolved by the City Council of said City that the City Treasurer is hereby authorized, empowered and directed to surrender said tax sale certificates for redemption, and to cause the same to be redeemed of record, for fees only, in conjunction with the sale and purchase of said property; and as a part of the consideration therefor;

It Is Further Resolved that the proceeds received from the sale of said property shall be applied to reimbursement of the proper funds from which expenditures have been made in the purchase of said property and tax sale certificates of general taxes, and that the residue shall be paid into the proper funds of special improvement districts mentioned in said tax sale certificates for special assessments, in equal proportion.

It was moved by Councilman Enstrom and seconded by Councilman Boston that the resolution be passed and adopted as read. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried, and the resolution duly passed and adopted.

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

/s/ Helen C. Tomlinson
City Clerk