

Grand Junction, Colorado

March 29, 1937

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

It was moved by Councilman Carson and seconded by Councilman Ross that owing to the necessity for calling a meeting of the Council on short notice and each member having been duly notified, that the provisions set forth in Ordinance No. 502 providing that notice be served upon the individual Councilman be waived, and that the said call is hereby ratified. Roll was called on the motion with the following result: Councilmen voting Aye - Ross, Groves, Boston, Enstrom, Carson, and Oates. All the Councilmen present voting AYE, the President declared the motion carried.

Mr. Soderstrum, City Manager, read a report recently made by Mr. S. R. DeBoer, in connection with the rezoning of some of the districts within the City.

A proposed ordinance entitled, "AN ORDINANCE AMENDING THAT SUBDIVISION OF SECTION 2 OF ORDINANCE 432 RELATING TO USES PERMITTED IN RESIDENCE "A", RESIDENCE "B" AND RESIDENCE "C" DISTRICTS: REPEALING SECTION 8b OF SAID ORDINANCE: AND AMENDING THE ZONING MAP ACCOMPANYING SAID ORDINANCE NO. 432", was then introduced and read. It was moved by Councilman Enstrom and seconded by Councilman Holcombe that the proposed ordinance be passed for publication. Motion carried.

The Proof of Publication to the ordinance entitled, "AN ORDINANCE RELATING TO THE VACATION OF STREETS AND ALLEYS", was presented and read. It was moved by Councilman Holcombe and seconded by Councilman Carson that the Proof of Publication be accepted and filed. Motion carried.

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

Councilman Boston then moved and Councilman Enstrom seconded the motion that the ordinance be passed and adopted, numbered 569, and published. 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.

The Proof of Publication to the ordinance entitled, "AN ORDINANCE TO AMEND THE ZONING MAP ACCOMPANYING ORDINANCE NO. 432, AND BEING

A PART THEREOF," was introduced and read. It was moved by Councilman Enstrom and seconded by Councilman Carson that the Proof of Publication be accepted and filed. Motion carried.

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

Councilman Ross moved and Councilman Boston seconded the motion that the ordinance be passed and adopted, numbered 571, and published. 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.

The Proof of Publication to the ordinance entitled, "AN ORDINANCE VACATING PARTS OF FIRST AVENUE AND TENTH STREET IN MILLDALE SUBDIVISION IN THE CITY OF GRAND JUNCTION." was introduced and read. It was moved by Councilman Carson and seconded by Councilman Groves that the Proof of Publication be accepted and filed. Motion carried.

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

Councilman Groves then moved and Councilman Holcombe seconded the motion that the ordinance be passed and adopted, numbered 570 and published. 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.

The Denver and Rio Grande Western Railroad Company has acquired that portion of Keith's Addition lying south of the right of way of the Denver and Rio Grande Western Railroad Co., and between Twelfth Street and the east City limits, for the purpose of building new railroad yards. Because of the fact that the construction of the new yards will necessitate the installation of from nine to fourteen tracks upon this property, it becomes necessary that the streets and alleys in this area be vacated, not only for the convenience of the said Denver and Rio Grande Western Railroad Company, in the operation of said yards, but also in the interests of public safety. They have, accordingly, requested the City Council to vacate those parts of 12th Street, 13th Street, 14th Street, Pitkin Avenue and South Avenue lying south of the north line of the right of way of the Denver and Rio Grande Western Railroad, and to vacate the alleys in Blocks "T" and "U", in Keith's Addition.

As a condition to the vacating of the said streets and alleys and so that the general public will not be materially inconvenienced

by such vacation, the D. & R.G.W. R.R. has agreed to furnish the right of way for and construction of a road in accordance with a plat filed by them - said road extending from the intersection of the present County road and Twelfth Street thence in a southwesterly direction to 9th Street, and to improve the Ninth Street Railroad crossing by improving the approaches to the crossing and the installation of automatic signals.

The Denver and Rio Grande Western Railroad Co. further requested that the City of Grand Junction construct the proposed roadway from Twelfth Street to Ninth Street, in a manner satisfactory to the City, and that the costs of same be billed to the Company.

The following entitled proposed ordinance was introduced and read - "AN ORDINANCE VACATING THOSE PARTS OF 12th STREET, 13th STREET, 14th STREET, PITKIN AVENUE AND SOUTH AVENUE LYING SOUTH OF THE NORTH LINE OF THE RIGHT-OF-WAY OF THE D&RGW R.R. AND VACATING THE ALLEYS IN BLOCKS "T" AND "U" IN KEITH'S ADDITION.

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

V. C. Garms presented an application to purchase the tax sale certificates against Lots 21 and 22, Block 133. The face value of the City certificates is \$85.50 and of the General Tax certificates is \$71.00. Mr. Garms offered \$42.75 for the specials and \$35.50, plus the 1936 taxes, \$5.78, for the general taxes.

It was moved by Councilman Ross and seconded by Councilman Enstrom that the City Treasurer be instructed to sell and assign Special Assessment Tax Sale Certificates Nos. 30809-10; 30986-7; 31295-6 for the sum of \$42.75, 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 voting AYE. The President declared the motion carried.

Mr. A. E. Borschell presented an application to purchase the tax sale certificates against Lots 21 and 22, Block 71. The face value of the certificates is \$268.06, and \$13.01 for special assessments for the current year. The face value of the County general tax certificates is \$142.23, and the 1936 taxes is \$22.58. He offered 91.46% of face value for all the certificates.

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 Certificates Nos. 39667 -40338 -40517 - for the sum of \$245.66, plus the 1937 special assessments, \$13.01, 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 voting

AYE. The President declared the motion carried.

Mr. Borschell presented an application to purchase the tax sale certificates against Lots 17-20, Block 69. The face value of the certificates is \$1,040.53, and the general certificates \$601.71. The 1937 specials amount to \$21.90 and the 1936 generals, \$45.17. He offered \$501.71 for the specials and \$290.12 for the generals, plus the current years taxes.

It was moved by Councilman Ross and seconded by Councilman Holcombe that the City Treasurer be instructed to sell and assign Special Assessment Tax Sale Certificates Nos. 29599-02; 29691-2-3-4; 29825-6-7-8; 29380; 29904-5-6-7; 29976-7 for the sum of \$501.71, plus the 1937 special assessments \$21.90, 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 with such period. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

The following resolution was presented.

#### 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 9, 10, 11 and 12, in Block 3, 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 \$125.00 each, 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 Carson 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 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 9, 10, 11, and 12, in Block 3, in the City of Grand Junction, County of Mesa and State of Colorado, owned by said City for not less than the sum of \$125.00 each, 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. 34015, which includes general taxes against said property, and also holds tax sale certificates Nos. 34786-7-8-9; 35103-4-5-6; 35476-8-9, which includes 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 Groves 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 declared the motion carried.

The following Resolution was then presented:

#### 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 29, 30, 31, 32, 33, 34, in Block 111, 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 \$135.00 each, 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 with all members of the Council voting

AYE. The President declared the motion carried.

The following Resolution was then presented 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 29, 30, 31, 32, 33, and 34, in Block 111, in the City of Grand Junction, County of Mesa and State of Colorado, owned by said City, for not less than the sum of \$135.00 each, 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 Nos. 30515 and 31494, which includes general taxes against said property and also holds tax sale certificates Nos. 33408-9-10-11; 33500-1-2-3; 33674-5-6-7; 30805-6; 30982-3; 31107-8; 31281-2, 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 all members of the Council voting AYE. The President declared the motion carried.

Mr. R. W. McCarty presented an application for an 18-foot driveway for his property at 4th and Belford Ave. It was moved by Councilman Holcombe and seconded by Councilman Boston that the application be accepted and permission granted for the driveway. Motion carried.

It was moved by Councilman Carson and seconded by Councilman

Groves that the meeting adjourn. Motion carried.

/s/ Helen C. Tomlinson  
City Clerk