

Grand Junction, Colo.

July 7, 1937

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, Oates, and President Enstrom. City Manager Soderstrum, City Attorney Bowie, and City Clerk Tomlinson were present.

The minutes of the regular meeting held June 16th and the regular adjourned meeting held June 30th were read and approved.

A petition, signed by the property owners along Elm Avenue between 7th and 12th Street was presented.

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 SPECIAL SANITARY SEWER DISTRICT NO. 3, AND AUTHORIZING THE CITY ENGINEER TO PREPARE DETAILS AND SPECIFICATIONS FOR THE SAME.

WHEREAS, on the 7th day of July, A. D. 1937, there was presented to the City Council of Grand Junction, Colorado, a petition for the construction of a sanitary service sewer on Elm Avenue from Seventh Street to Twelfth Street, and

WHEREAS, the City Council has found and determined, and hereby finds and determines, that said petition is signed and acknowledged by the owners of more than a majority of the property in the area to be served, to be assessed with the cost of the proposed improvements; and

WHEREAS, the City Council deems it advisable to take the necessary preliminary proceedings for the creation of a special sanitary sewer 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 sewer improvements shall be included within the following boundaries, to-wit:

Beginning at the northwest corner of Lot one (1) of Elm Avenue Sub-Division, of Lot fourteen (14), Capitol Hill Sub-Division, of the City of Grand Junction, Mesa County, Colorado, thence east to a point on the east line of Lot ten (10), Capitol Hill Sub-

Division, said point being one hundred forty-one (141) feet north of the southeast corner of said Lot ten (10), Capitol Hill Sub-Division, thence south one hundred forty-one (141) feet to the southeast corner of said Lot ten (10), thence west eight and eight tenths (8.8) feet, thence south to a point on the west line of Twelfth Street, said point being eight and eight tenths (8.8) feet west and one hundred sixty-one (161) feet south of the southeast corner of Lot ten (10), Capitol Hill Sub-Division, thence west to a point nine (9) feet south of the northwest corner of Lot twenty-nine (29) of the Elm Avenue Sub-Division of Lot fourteen (14), Capitol Hill Sub-Division, thence north to point of beginning.

Said district shall be assessed according to the area as provided in Section 18 of Ordinance No. 178 as amended.

That the City Engineer be and he is hereby authorized and directed to prepare and file full details, plans and specifications for the construction of a sanitary service sewer, 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 comes 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 petition therefor and the requirements of Ordinance No. 178, as amended of said City,

ADOPTED AND APPROVED, this 7th day of July, A. D. 1937.

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 the following result- Councilmen voting AYE - Ross, Holcombe, Groves, Boston, Carson, Oates, and Enstrom. Councilmen voting NO - None. All of the Councilmen voting AYE, the President declared the motion carried.

Res. on S.S.S. #3

Mr. Soderstrum, City Engineer, then presented maps, estimates, and specifications for proposed Special Sanitary Sewer District No. 3.

The following resolution was then presented and read:

#### RESOLUTION

ADOPTING DETAILS, PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF A SANITARY SERVICE SEWER IN THE CITY OF GRAND JUNCTION, COLORADO, IN SPECIAL SANITARY SEWER DISTRICT NO. 3, 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 7th day of July, A. D. 1937, 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 the construction of a sanitary service sewer on Elm Avenue from Seventh Street to Twelfth Street, within Proposed special Sanitary Sewer District No. 3, together with an estimate of the total cost of such improvement, 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 a sanitary service sewer be constructed on Elm Avenue from Seventh Street to Twelfth Street.
3. That the district of lands to be assessed with the cost of said improvements, is described as follows:

Beginning at the northwest corner of Lot one (1) of Elm Avenue Sub-division, of Lot fourteen (14), Capitol Hill Sub-division, of the City of Grand Junction, Mesa County, Colorado, thence east to a point on the east line of Lot ten (10), Capitol Hill Sub-division, said point being one hundred forty-one (141) feet north of the southeast corner of said Lot ten (10), Capitol Hill Sub-division, thence south one hundred forty-one (141) feet to the southeast corner of said Lot ten (10), thence west eight and eight tenths (8.8) feet, thence south to a point on the west line of Twelfth Street, said point being eight and eight tenths (8.8) feet west and one hundred sixty-one (161) feet south of the southeast corner of Lot ten (10), Capitol Hill Sub-division, thence west to a point nine (9) feet south of the northwest corner of Lot twenty-nine (29) of the Elm Avenue Sub-division of Lot fourteen (14), Capitol Hill Sub-division, thence north to point of beginning.

4. Said district shall be assessed according to the area as provided in Section 18 of Ordinance No. 178 as amended.

5. The assessments to be levied against the property in said District to pay the cost of such improvement, 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 special sanitary sewer district, and of 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 SPECIAL SANITARY SEWER DISTRICT NO. 3 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 Special Sanitary Sewer District No. 3 in said City for the purpose of constructing a sanitary service sewer on Elm Avenue between Seventh Street and Twelfth Street.

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

Beginning at the northwest corner of Lot one (1) of Elm Avenue Sub-division, of Lot Fourteen (14), Capitol Hill Sub-division, of the City of Grand Junction, Mesa County, Colorado, thence east to a point on the east line of Lot ten (10), Capitol Hill Sub-division, said point being one hundred forty-one (141) feet north of the southeast corner of said Lot ten (10), Capitol Hill Sub-division, thence south one hundred forty-one (141) feet to the southeast corner of said Lot ten (10), thence west eight and eight tenths (8.8) feet, thence south to a point on the west line of Twelfth Street, said point being eight and eight tenths (8.8) feet west and one hundred sixty-one (161) feet south of the southeast corner of Lot ten (10), Capitol Hill Sub-division, thence west to a point nine (9) feet south of the northwest corner of Lot twenty-nine (29) of Elm Avenue Sub-division of Lot fourteen (14), Capitol Hill Sub-division, thence north to point of beginning.

Said district shall be assessed according to the area as provided in Section 18 of Ordinance No. 178 as amended.

The probable total cost of said improvement, as shown by the estimate of the City Engineer is \$5,312.65.

The maximum share of said total cost to be assessed per square

foot of area is \$.00926.

To all of said estimated costs there shall be added two per cent for cost of collection and other incidentals, and also interest at the rate borne 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.

On the 18th day of August, A. D. 1937, 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 7th day of July, A. D. 1937.

BY ORDER OF THE CITY COUNCIL

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 the following result: Councilmen voting AYE - Ross, Holcombe, Groves, Boston, Carson, Oates, and Enstrom. Councilmen voting NO - None. All of the Councilmen voting AYE, the President declared the motion carried.

Heckman- tax offer

Scott Heckman presented an offer for the tax sale certificates against the tract of land located on West Main Street and known as the Nursery Tract. He offered \$224.20 for certificates, the face value of which is \$602.21.

It was moved by Councilman Holcombe and seconded by Councilman Ross that the City Treasurer be instructed to sell and assign Special Assessment Tax Sale Certificates Nos. 15350-1; 17023-24; 23774-5; 26932; 30871-2; 31060-1; 31169-70; 26971-72-73-74; 31024;37005;31167-68 for the sum of \$224.20 at any time within forty-five 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.

The City Clerk reported that there had been no protests filed against assessments for Paving District No. 38.

Prop. Ord. Pav. 38

The following proposed ordinance was introduced and read - "AN ORDINANCE APPROVING THE WHOLE COST OF THE IMPROVEMENTS MADE IN AND FOR PAVING DISTRICT NO. 38 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 Carson and seconded by Councilman Ross that the proposed ordinance be passed for publication. Motion carried.

Several matters were discussed by the Council, but no definite action taken.

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

/s/ Helen C. Tomlinson  
City Clerk