

Grand Junction, Colorado

August 18, 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 and City Attorney Bowie were present. City Clerk Tomlinson was absent.

It was moved by Councilman Boston and seconded by Councilman Ross that the City Manager be appointed City Clerk pro tem. Motion carried.

The minutes of the regular meeting held August 4th and the special meeting held August 11th were read and approved.

McKinney tax offer in Milldale

Mr. John McKinney appeared before the Council protesting the assessments for Special Sanitary Sewer District No. 1 against Lots 1 to 13 include. Block 12, Milldale Subdivision, the face value of which is \$135.41. Mr. McKinney offered \$100.00 for payment in full of this assessment. It was moved by Councilman Groves and seconded by Councilman Oates that the City Treasurer be instructed to sell and assign Special Assessment Tax Sale Certificates Nos. 39875 and 39952 for the sum of \$100.00, within thirty days from and after this date. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

S.S.S. #3

The City Clerk Pro-tem stated that there had been no complaints or protests in connection with Special Sanitary Sewer District No. 3., from 7th to 12th on Elm Avenue.

The following resolution was then presented and read:

RESOLUTION

CREATING AND ESTABLISHING SPECIAL SANITARY SEWER DISTRICT NO. 3 WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE CONSTRUCTION OF A SANITARY SERVICE SEWER, AND PROVIDING FOR THE ISSUANCE OF BONDS THEREFOR.

WHEREAS, on the 7th day of July, A. D. 1937, the City Council of the City of Grand Junction, Colorado, passed a Resolution adopting details, plans and specifications for Special Sanitary Sewer District No. 3 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 improvements specified in the petition filed therefor, may be included in one District:

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

1. That said Special Sanitary Sewer District No. 3 be and the same is hereby created and established, and that the construction of a sanitary service sewer therein be and the same is 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 a petition therefor, duly subscribed and acknowledged by the required number of property owners, was 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 construction of a sanitary service sewer, the boundaries of said Special Sanitary Sewer 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 7th day of July, A. D. 1937, and in accordance with the published Notice of Intention to create said District.

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, the City shall issue Public Improvement Bonds of said Special Sanitary Sewer District, dated the 1st day of September, A. D. 1937, in the denomination of \$500.00 each, numbered 1 to 11 inclusive, due and payable on the 1st day of September, 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 cent per annum, payable semi-annually on the first day of September and the first day of March of each year, as evidenced by coupons to be 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

SPECIAL SANITARY SEWER DISTRICT NO. 3

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 September, 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 September and the first day of March 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 improvements in Special Sanitary Sewer District No. 3, 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 Special Sanitary Sewer District No. 3, 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 Special Sanitary Sewer District No. 3 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 September, 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 improvement bond of Special Sanitary Sewer District No. 3, provided the bond to which this coupon is attached shall not have been paid.

Attached to bond dated September 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, and subject to the further supervision of the City Council, as provided in Section 2, Ordinance No. 178, as amended.

ADOPTED AND APPROVED this 18th day of August, A. D. 1937.

It was moved by Councilman Ross and seconded by Councilman Oates 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.

ask for bids for S.S.S. #3

It was then moved by Councilman Holcombe and seconded by Councilman Groves that the City Manager be instructed to ask for bids on materials necessary for the construction of Special Sanitary Sewer District No. 3, and to purchase same. Motion carried.

SSS #3 bonds sold to City

Councilman Holcombe moved and Councilman Boston seconded the motion that the City Treasurer purchase \$5500.00 Special Sanitary Sewer District No. 3 bonds at par for 6% bonds, for investment of trust funds in his care. Roll was called on the motion and all

members of the Council voted AYE. The President declared the motion carried.

deed to sidewalk area on Elm

When The Home Loan and Investment Co., S. G. McMullin and A. T. Gormley plotted the Elm Avenue Addition a strip four feet wide had been reserved for sidewalk purposes, and in order to place this four-foot strip under the jurisdiction of the City, they offered a deed to the City. It was therefore moved by Councilman Holcombe and seconded by Councilman Groves that the City accept the deed. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

Anderson driveways

A. N. Anderson requested that he be allowed to construct two driveways into his property on the north side of Main Street between 1st and 2nd Streets, in order to build a cottage camp. It was moved by Councilman Carson and seconded by Councilman Holcombe that the request for the driveways be granted, conditioned upon the erection of the buildings as shown upon the accompanying sketch. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

Anderson tax offer rejected

Sam Anderson presented an application to purchase the tax sale certificates against Lots 1 and 2, Block 17. The face value of the special certificates against this property amounts to \$357.11, for which he offers \$48.67. The County certificates amount to \$119.88 face, for which he offers \$16.33, plus \$5.00 for a Klein land certificate. It was moved by Councilman Carson and seconded by Councilman Groves that the offer be rejected, as the same was too low. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

Vic Walker tax offer

Vic Walker presented an offer to purchase the tax sale certificates against Lots 23 and 24, Block 9. He offered \$69.00 for the city certificates, the face of which is \$207.34, plus the 1937 specials amounting to \$15.34. He offered the County \$31.00 for a Klein Land certificate, plus the current taxes of \$7.00.

It was moved by Councilman Holcombe and seconded by Councilman Carson that the City Treasurer be instructed to sell and assign Special Assessment Tax Sale Certificates Nos. 30710; 30711; 30907; 30908; 31062; 31063; 31219; 31220 for the sum of \$69.00 and the 1937 specials in full 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.

quieting titles - City Atty. allowed extra compensation

After very much discussion, relative to the quieting of title of properties taken over by the City on account of delinquent taxes, it was decided that the City Attorney was entitled to extra compensation for the quieting title in the various suits necessary. On account of the great amount of work imposed upon the City Attorney on account of the Watson case and others, and together with the great amount of extra work required in quieting titles in the various tracts taken up by the City, it was moved by Councilman Holcombe and seconded by Councilman Ross that the City Attorney be allowed \$50.00 for each of the suits quieting title, in addition to his regular salary. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

traffic tax violators to be brought in

Discussion of the laxity of the enforcement of traffic violators in the City, the City Manager was instructed to carry on a rigid campaign similar to that carried on some eight or nine years ago.

It was then regularly moved, seconded and carried that the meeting adjourn.

/s/ Helen C. Tomlinson
City Clerk