

Grand Junction, Colorado

July 3, 1940

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: Luebbert, Garrison, Campbell, Boston, Carson, Treece and President Ross. City Manager Brownson, City Attorney Hinman, and City Clerk Tomlinson were present.

The minutes of the meeting held June 19th were read and approved.

This was the date set for hearing of objections and complaints for Combined Sewer District No. 8, and the City Clerk reported that none had been filed. The following resolution was then presented and read:

RESOLUTION

CREATING AND ESTABLISHING COMBINED SEWER DISTRICT NO. 8 WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE CONSTRUCTION OF A COMBINED SERVICE SEWER, AND PROVIDING FOR THE ISSUANCE OF BONDS THEREFOR.

WHEREAS, On the 22nd day of May, A. D. 1940, the City Council of the City of Grand Junction, Colorado, passed a Resolution adopting details, plans, and specifications for Combined Sewer District No. 8 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 protests were filed against the 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 Combined Sewer District No. 8 be and the same is hereby created and established, and that the construction of a combined 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 said 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; 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 of said City, as amended, have been strictly complied with.

3. That the construction of a combined sewer service, the boundaries of said combined 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 22nd day of May, A. D. 1940, 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 Combined Sewer District No. 8, dated the 1st day of September, A. D. 1940, in the denomination of \$500.00 each, numbered 1 to 10 inclusive, due and payable on the 1st day of September, A. D. 1952, 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 1st day of September and the 1st 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
COMBINED SEWER DISTRICT NO. 8

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, 1952, 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 of 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 Combined Sewer District No. 8, 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 Combined Sewer District No. 8, 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 Combined Sewer District No. 8 and the making of said improvements and the issue of this bond has been fully complied with by property 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. 1940.

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 Combined Sewer District No. 8, provided the bond to which this coupon is attached shall not have been paid.

Attached to bond dated September 1st, 1940.

/s/ (Fac-simile signature)
City Treasurer

(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. 1940.

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 Projects 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 3rd day of July, A. D. 1940.

President of the Council

ATTEST:

City Clerk

It was moved by Councilman Carson and seconded by Councilman Treece 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 final estimate and statement of cost for Combined Sewer District No. 7 were presented. The following Resolution was presented and read:

STATEMENT

Showing the whole cost of the improvements of Grand Junction Combined Sewer District Number 7, including the two percentum additional for the cost of collection and apportioning the same upon each lot or tract of land to be assessed for the same; the sum of \$2,194.24 is to be apportioned against the real estate in said district and against the owners thereof respectively as by law provided in the following proportions and amounts as follows, to-wit:

Cost of Construction	\$1,648.95
Engineering & Contingencies	215.00
Advertising and Bonds	<u>165.50</u>
Total Improvements	\$2,029.45
6% interest from March 1, 1940, to Feb. 28, 1941	121.77

2% for collection	<u>43.02</u>
	\$2,194.24

/s/ James D. McGillis
 JAMES D. MCGILLIS
 Acting City Engineer

OFFICE OF CITY ENGINEER

Grand Junction, Colorado

FINAL ESTIMATE

Herein is the final estimate of work done by the City of Grand Junction on Combined Sewer District Number 7.

404.0 Lin. ft. 12" sewer tile @ \$0.89	\$359.56
491.5 Lin. ft. 10" sewer tile @ 0.72	353.88
1030.8 Lin. ft. 8" sewer tile @ 0.55	566.94
16 Each 10" x 6" Y's @ 2.20	35.20
32 Each 8" x 6" Y's @ 1.60	51.20
5 Each Manholes @ 45.00	225.00
127.2 Sq. Yds. Paving (replaced) @ 0.4495	57.17
Construction Cost \$1,648.95 Engineering and Contingencies \$215.00 Advertising and bonds 165.50 Construction costs to be assessed \$2,029.45	

I hereby certify that the foregoing is a full, true and correct final estimate of the work done by the City of Grand Junction on Combined Sewer District Number 7.

/s/ James D. McGillis

Acting City Engineer

ATTEST:

/s/ Helen C. Tomlinson
City Clerk

RESOLUTION

WHEREAS, the City Council of the City of Grand Junction, Colorado has reported the completion of Combined Sewer District No. 7, and

WHEREAS, the City Council has caused to be prepared a statement showing the whole cost of the improvements of said Combined Sewer District No. 7, including therein two percent additional for cost of collection and other incidentals, and including interest to and including the 28th day of February, 1941, and apportioning the same upon each lot or tract of land or other real estate, to be assessed for the same.

THEREFORE, BE IT RESOLVED, That the improvements connected therewith in said district be and the same are hereby accepted; that the said statement be and the same is hereby approved and accepted as the statement of the whole cost of the entire improvements of said Combined Sewer District No. 7, including two percent additional for cost of collection and other incidentals and including interest to and including the 28th day of February, 1941; and

BE IT FURTHER RESOLVED, That the same be apportioned on each lot or tract of land or other real estate, to be assessed for the same, and that the same be certified by the President of the Council and filed in the office of the City Clerk; and

BE IT FURTHER RESOLVED, That the Clerk shall immediately advertise three days in The Daily Sentinel, a newspaper of general circulation published in said City, notice to the owners of the real estate to be assessed, and to all persons interested generally without naming such owner or owners; that said improvements have been completed and accepted, specifying the whole cost of the improvements and the share so apportioned, to each lot or tract of land; that any complaints or objections that may be made in writing by such owners or persons shall be made to the Council and filed with the Clerk within thirty days from the first publication of said notice; that the same may be heard and determined by the Council at their first regular meeting after said thirty days and before the passage of the ordinance assessing the cost of the improvements, all being in pursuance of the terms and provisions of Ordinance No. 178 of said City, as amended.

NOTICE

OF THE COMPLETION OF A LOCAL IMPROVEMENT IN THE CITY OF GRAND

JUNCTION, COLORADO, AND APPORTIONMENT OF THE COST THEREOF.

NOTICE IS HEREBY GIVEN To the owners of the real estate hereinafter described, said real estate comprising the district of lands known as Combined Sewer District No. 7, and to all persons interested therein, as follows:

That the improvements in and for said district, which are authorized by and are in accordance with the terms and provisions of a resolution passed and adopted on the 7th day of February, A. D. 1940, declaring the intention of the City Council of the City of Grand Junction, Colorado, to create a local improvement district to be known as Combined Sewer District No. 7; with the terms and provisions of a Resolution passed and adopted on the 7th day of February, A. D. 1940, adopting details and specifications for said District; and with the terms and provisions of a Resolution passed and adopted on the 20th day of March, A. D. 1940, creating and establishing said district, all being in accordance with the terms and provisions of Ordinance No. 178 of said City, as amended, have been completed and have been accepted by the City Council of the City of Grand Junction.

That the whole cost of said improvements has been definitely ascertained and is in the sum of \$2,194.24, said amount including two percentum additional for cost of collection and also including interest to and including February 28th, 1941, at the rate of six percentum per annum on the bonds issued from time to time in payment of the cost of said improvements; that the part apportioned to and upon each lot and tract of land within said District and assessable for said improvements is hereinafter set forth; that payment may be made to the Treasurer of the City of Grand Junction at any time within thirty days after the final publication of the assessing ordinance, assessing the real estate in said district for the cost of said improvements, and that the owner so paying would be entitled to an allowance of two percent for all payments made during said period, and of interest from date of payment to the date the first installment becomes due.

That any complaints or objections that may be made in writing by the said owner or owners of land within said district and assessable for said improvements, or any other person interested, made to the City Council and filed in the office of the City Clerk of said City within thirty days from the first publication of this Notice, to-wit: On or before and up to 5:00 o'clock P.M. on the 5th day of August, 1940, will be heard and determined by the said City Council at its first regular meeting after said last mentioned date and before the passage of any ordinance assessing the cost of said improvements against the real estate in said district, and against said owners respectively as by law provided.

That the said sum of \$2,194.24 for improvements is to be apportioned against real estate in said district and against the owners respectively as by law provided in the following proportions and amounts severally as follows, to-wit:

NOTE	Whenever in the following descriptions, the numbers of the first and last lots of a series of lots are mentioned, they shall be taken to include the first, the intermediate and last named lots, and the amounts given shall be for each lot.
A TRACT OF LAND	Beginning at a point 174.4' east and 40' north of the SW corner of Sec. 11, T 1S, R 1W, thence east 165.6' to west line of Second Street, thence north 360', thence west 60', thence south 44°27 1/2' W 146.5', thence south 255.4' to point of beginning in North Avenue Addition, \$243.38.
A TRACT OF LAND	Beginning at a point 40' north and 420' east of the SW corner of Sec. 11, T 1S, R 1W, thence east 150', thence north 360', thence west 150', thence south 360' to a point of beginning in North Avenue Addition, \$242.94.
BLOCK #4 SHAFROTH-ROGERS SUBDIVISION	Lot 1, \$83.49; Lot 2, \$161.97; Lot 3, \$161.97, all in North Avenue Addition.
A TRACT OF LAND	Beginning at a point 40' north and 901.55' east of the SW corner of Sec. 11, T 1S, R 1W, thence east 75', thence north 360', thence west 75' thence south 360' to point of beginning in North Avenue Addition, \$121.48.
BLOCK #5 SHAFROTH-ROGERS SUBDIVISION	Lot 1, \$43.32; Lots 2, to 4 inclusive, \$161.96, all in North Avenue Addition.
BLOCK #6 SHAFROTH-ROGERS	Lots 1 and 2 inclusive,

motion with the following result: Councilmen voting AYE - Luebbert, Campbell, Garrison, Boston, Carson, Treece, and Ross. Councilmen voting NO - None. All of the Councilmen voting AYE, the President declared the motion carried.

Several requests were made for the installation of street lights. It was moved by Councilman Luebbert and seconded by Councilman Campbell that the request for a street light on Third and North be granted, and the light installed. Roll was called on the motion with all members of the Council voting AYE. The President declared the motion carried.

It was moved by Councilman Carson and seconded by Councilman Campbell that the requests for street lights in the alley at the rear of 333 White and on 8th and Pitkin be tabled. Motion carried.

A letter from Mr. J. F. Waldron, Durango, concerning a liquor license was read.

A letter from Stearns- Roger Mfg. Co. enclosing a check, was also read City Manager Brownson was instructed to write to them stating the City's position in the matter of the repairs to the Filtration plant.

It was moved by Councilman Carson and seconded by Councilman Treece that the meeting adjourn until July 10th at 7:30 o'clock P.M. Motion carried.

/s/ Helen C. Tomlinson
City Clerk