

Grand Junction, Colorado

September 20, 1944

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: Carson, Harris, Robb, Treece and President Hoisington. Councilmen Boston and Campbell were absent. Also present were City Attorney Banks and City Clerk Tomlinson. City Manager Brownson was absent.

The minutes of the regular meeting held Sept. 6th were read and approved.

The Proof of Publication to the proposed ordinance entitled, "An Ordinance Amending Sections 12 (b), 25, 29 (a) and 49 (c) of Ordinance No. 529, as Amended, was introduced and read. It was moved by Councilman Robb and seconded by Councilman Carson that the Proof of Publication be accepted and filed. Motion carried.

It was then moved by Councilman Carson and seconded by Councilman Harris that the Ordinance be called up for final passage. Motion carried.

The ordinance was then read, and upon motion of Councilman Treece, seconded by Councilman Carson, was passed and adopted, number 675 and ordered published. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried.

The Burkey Lumber Co. applied for a permit to construct an additional 15 foot of driveway at 418 South Seventh Street. They now have a 21-foot and 14-foot driveway, and also to pave between the sidewalk and curbing in this area. A similar driveway was constructed at the Mesa Lumber Co. a few years ago. It was moved by Councilman Carson and seconded by Councilman Harris that the request be granted. Motion carried.

The Jaros Coal Co. have applied for permission to construct and operate a coal hopper and elevator pit under the railroad tracks in the alley abutting on their property at 638 South Avenue. The following resolution was presented and read:

RESOLUTION

Whereas the alley which runs North and South through Block 149 in the City of Grand Junction has heretofore been closed to public use by a revocable permit granted on September 7th, 1920;

And Whereas Frank Jaros, Jr., doing business as the Jaros Coal and Grain Company, has made application for permission to construct and operate a coal hopper and elevator pit under the railroad tracks located in said alley in the South one-half of

said Block 149;

And Whereas the City Council is of the opinion that the said permit should be granted;

NOW THEREFORE, be it resolved by the City Council of the City of Grand Junction:

That a revocable permit be granted to Frank Jaros, Jr., doing business as the Jaros Coal and Grain Company, in and upon the alley which runs North and South across the South one-half of Block 149, in the City of Grand Junction, for the purpose of the construction and operation of a coal hopper and elevator pit under the railroad side track; provided that the said permit may be revoked by the City Council at its pleasure at any time; provided further that the said Frank Jaros, Jr., doing business as the Jaros Coal and Grain Company, shall construct and maintain the said coal hopper and elevator pit so that there will be no danger caused thereby to abutting owners or persons using the said alleyway, and in such a manner that it will not create or constitute a nuisance; and provided further that the said Frank Jaros, Jr., doing business as the Jaros Coal and Grain Company shall agree to indemnify the City and save it harmless from any and all claims, demands, damages, actions, costs and expenses of every nature in any manner arising or resulting from the construction or operation of the said coal hopper and elevator pit.

It was moved by Councilman Carson and seconded by Councilman Harris 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.

It was reported that Mr. Mather, from the Land Office in Salt Lake City had been in Grand Junction and was investigating the matter of the City filing on a reservoir site on Grand Mesa.

The payloader had been ordered from H. W. Moore & Co. provided permission could be obtained from W.P.B. for same.

It was moved by Councilman Carson and seconded by Councilman Robb that the meeting adjourn. Motion carried.

/s/ Helen C. Tomlinson  
City Clerk

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TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: REVOCABLE PERMIT

NAME OF PETITIONER/GRANTOR: FRANK JAROS JR., JAROS COAL  
AND GRAIN COMPANY

LOCATION: 638 SOUTH AVENUE

PURPOSE: COAL HOPPER AND ELEVATOR PIT

PARCEL NO.: VICINITY OF 636 SOUTH AVENUE -  
2945-144-41-931

CITY DEPARTMENT: COMMUNITY DEVELOPMENT

YEAR: 1944

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

## R E S O L U T I O N

Whereas the alley which runs North and South through Block 149 in the City of Grand Junction has heretofore been closed to public use by a revocable permit granted on September 7, 1920;

And whereas Frank Jaros, Jr., doing business as the Jaros Coal and Grain Company, has made application for permission to construct and operate a coal hopper and elevator pit under the railroad tracks located in said alley in the South one-half of said Block 149;

And whereas the City Council is of the opinion that the said permit should be granted;

NOW THEREFORE be it resolved by the City Council of the City of Grand Junction:

That a revocable permit be granted to Frank Jaros, Jr., doing business as the Jaros Coal and Grain Company, in and upon the alley which runs North and South across the South one-half of Block 149, in the City of Grand Junction, for the purpose of the construction and operation of a coal hopper and elevator pit under the railroad side track; provided that the said permit may be revoked by the City Council at its pleasure at any time; provided further that the said Frank Jaros, Jr., doing business as the Jaros Coal and Grain Company, shall construct and maintain the said coal hopper and elevator pit so that there will be no danger caused thereby to abutting owners or persons using the said alleyway, and in such a manner that it will not create or constitute a nuisance; and provided further that the said Frank Jaros, Jr., doing business as the Jaros Coal and Grain Company shall agree to indemnify the City and save it harmless from any and all claims, demands, damages, actions, costs and expenses of every nature in any manner arising or resulting from the construction or operation of the said coal

hopper and elevator pit.

Passed and adopted this 20th day of September, 1944.

F. A. Livingston  
President of the Council

Attest:

Helen C. Tomlinson  
City Clerk

I hereby agree that I will abide by the conditions contained in the above permit and that I will indemnify the City and hold it harmless from all claims, as recited in the above revocable permit.

Doing business as the Jarvis Coal  
and Grain Company.

**CITY OF GRAND JUNCTION  
COLORADO**

September 19, 1944

Mr. Bruce Brownson  
City Manager  
Grand Junction, Colorado

Dear Sir:

Herewith is an application from the Jaros Coal and Grain Company, asking permission to install a concrete coal hopper and elevator pit under the existing railroad track in the north-south alley between Pitkin Avenue and South Avenue, and 6th and 7th streets, together with construction plans for the proposed installation.

Mr. Jaros' letter is self-explanatory as to the reason for the proposed installation. If granted, this permit would be an addition to the use permitted for the alley by a revocable permit granted on September 7th, 1920 to the Castell Lumber Company and other petitioners.

Mr. Jaros' equipment for this installation has been ordered and is being shipped. It seems to me that since there already exists a revocable permit for the use of this alley that this installation would not change the status of the alley in any way.

Yours truly,

  
\_\_\_\_\_  
J. D. McGillis  
City Engineer

JDM/w

# JAROS COAL & GRAIN COMPANY

DOMESTIC AND STEAM COAL      DAIRY AND POULTRY FEED  
GRAIN, FIELD AND GARDEN SEEDS

Phone 7      +      638 South Avenue

GRAND JUNCTION, COLORADO

September 1, 1944

Honorable City Council Members  
City of Grand Junction, Colorado

Gentlemen,

Due to the extreme shortage of labor we are finding it very difficult to get sufficient help to keep the railroad cars of coal unloaded as fast as the O.D.T. desires. We feel we can largely overcome this shortage of labor that is facing us at present by making some improvements in our unloading facilities.

We have consulted the engineering department of the Rio Grande Railroad about constructing a pit beneath the railroad tracks to enable us to unload our coal easier and faster. The Railroad Co. has given us complete assurance that they will give us permission to construct this pit as soon as we can furnish them with blue print specifications to meet their requirements.

We have applied to the W.P.B. in Denver for the authority to purchase the necessary elevating equipment which has been granted us and this equipment is being assembled for us at this time.

We are asking for permission to construct this pit beneath the railroad track which is located in the north and south alley between South Avenue and Pitkin Avenue and 6th & 7th streets in block 149 which was closed to public use on Sept. 7, 1920 by a revokable permit granted to the Castell Lumber Co. and other petitioners. Said spur track was constructed and is in use.

As we own the lots on both sides of the railroad track, this installation will not inconvenience any other property owner.

We are attaching a blue print of construction specifications for your approval.

Yours very truly,

JAROS COAL & GRAIN CO.

By Frank Jaros Jr.  
Frank Jaros Jr.