

Grand Junction, Colorado

December 22, 1944

The City Council of the City of Grand Junction, Colorado met in special session at 3:30 o'clock P. M. Councilmen present and answering at roll call were: Carson, Harris, Robb, Boston, Treece, Campbell, and President Hoisington. Also present were City Manager Brownson, City Attorney Banks and City Clerk Tomlinson.

It was moved by Councilman Carson and seconded by Councilman Boston that the Council waive the 24-hour formal notice of Call of Meeting. Motion carried.

City Manager Brownson reported that the Veterans Bureau of the U. S. Government were making a survey of the Teller 40 for the purpose of establishing a Veterans Hospital at that location and had requested that they be furnished with the ground and construct necessary water and sewer facilities for same, should it be decided that the hospital would be built at this location.

It was moved by Councilman Carson and seconded by Councilman Treece that the City Manager be authorized and instructed to enter into the following sales agreement on behalf of the City:

SALES AGREEMENT

This agreement made the 22nd day of December, 1944, between The City of Grand Junction, Colorado, hereinafter called the vendor of the one part, and the United States of America by Frank T. Hines, Administrator of Veterans' Affairs, hereinafter called the purchaser, of the other part:

WITNESSETH:

1. The vendor, for and in consideration of the sum of One Dollar (\$1.00) to be paid by the purchaser on delivery of the deed and approval of the title by the Attorney General pursuant to the provisions of Section 355 of Revised Statutes of the United States, (Sec. 255, Title 40, U.S. Code); and subject to the approval of this agreement by the Federal Board of Hospitalization, has agreed to sell to the purchaser the following described property:

The North-west Quarter (NW 1/4) of the North-east Quarter (NE 1/4) of Section 13, less the canal, Township 1, South, Range 1, West, Ute Meridian, Mesa County, Colorado.

2. The vendor shall promptly deliver to the purchaser an accurate abstract of title, property survey and such other evidence of title as may be required by the regulations of the Department of Justice, for the use of the Attorney General in reporting upon the validity of the title to the lands to be

conveyed to the United States pursuant to the provisions of Section 255, Title 40, United States Code, and the purchaser shall be allowed a reasonable time after delivery of the title papers within which to perform this contract.

3. It is further expressly stipulated and agreed that the vendor has employed no third person to solicit or obtain this contract in his behalf or to cause or procure the same to be obtained upon compensation in any way contingent, in whole or in part, upon such procurement and that he has not paid, or promised or agreed to pay to any third person, in consideration of such procurement, or in compensation for services in connection therewith, any brokerage, commission, or percentage upon the amount receivable by him hereunder; and that he has not, in estimating the contract price demanded by him included any sum by reason of any such brokerage, commission or percentage; and that all moneys payable to him hereunder are free from obligation to any other person for services rendered, or supposed to have been rendered, in the procurement of this contract. Breach of this warranty shall give the Government the right to annul the contract, or in its discretion, to deduct from the contract price or consideration the amount of such commission, percentage, brokerage, or contingent fees. This warranty shall not apply to commissions on sales made by a bona fide commercial representative employed by the vendor in the regular course of his business.

IN WITNESS WHEREOF, the party has hereunto subscribed his name as of the date herein first above written.

The City of Grand Junction, Colorado

By Bruce Brownson
City Manager

Attest:

Helen C. Tomlinson
City Clerk

And that the City further agrees that if a Veterans' Hospital is constructed on the said property that they will construct an eight-inch cast-iron-pipe water main from the City distribution system to the Hospital Site; and that they will construct a combination storm and sanitary sewer line from the fifteen-inch trunk line sewer on Grand Avenue to the said site, if the existing eight-inch sewer line, which is now constructed, is not low enough to provide plumbing connections in the Hospital building.

Roll was called on the motion with the following result; Councilmen voting AYE - Carson, Harris, Robb, Boston, Treece, Campbell and Hoisington. Councilmen voting NO - None. All of the Councilmen voting AYE, the President declared the motion carried.

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

/s/ Helen C. Tomlinson
City Clerk