

Grand Junction, Colo.

February 9, 1946

The City Council of the City of Grand Junction, Colorado, met in special session at 10:00 o'clock A. M. Councilmen present and answering at roll call were: Treece, Hoisington, O'Daniel, Boston, Carson and President Harris. Also present were City Manager Fritz, City Attorney Banks, and City Clerk Tomlinson.

It was moved by Councilman Carson and seconded by Councilman Treece that the 24-hour formal notice of meeting be waived. Motion carried.

An application for the renewal of the 3.2 beer license for Sam Pantuso at 811 South 7th St. was presented. It was moved by Councilman O'Daniel and seconded by Councilman Carson that the license be granted. Motion carried.

James P. Kyle presented an application for a license to operate an employment agency at 131 South Fifth Street. It was moved by Councilman O'Daniel and seconded by Councilman Carson that the license be granted to James P. Kyle. Motion carried.

Members of the Board of Directors of the Grand Valley Irrigation Co. were present. The matter of moving the ditch in the northeast part of the City had been under consideration, also that of deeding the easement across the Teller 40 to the City.

The following resolution was presented and read:

RESOLUTION

WHEREAS, the City of Grand Junction, Colorado, has heretofore entered into an agreement to convey to the United States of America for use in the operation of a Veterans Hospital, the NW1/4 NE1/4 of Section 13, Township 1 South, Range 1 West of the Ute Meridian in Mesa County, Colorado, less canal;

AND WHEREAS, the United States of America has refused to accept a conveyance to the said property subject to the right of way of the Grand Valley Irrigation Company for its Mesa County Ditch;

AND WHEREAS, the United States of America has agreed to give the Grand Valley Irrigation Company a revocable license to continue the operation of the said Mesa County Ditch in its present location for a period of two years; and has further agreed to give the said company a license for a right of way along the east and south boundaries of the aforesaid tract for the construction and maintenance of a ditch to replace the one in present use;

AND WHEREAS, the Grand Valley Irrigation Company has long been considering the discontinuance of the use of that portion of its Mesa County Ditch which now runs through the City of Grand Junction and the re-routing thereof by another route which will not run through the City of Grand Junction;

AND WHEREAS, the discontinuance of the use of the said ditch through the City, as well as the acquisition of whatever rights the said Ditch Company may have in and to the said right of way, will be of value to the City of Grand Junction;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

That for and in consideration of the execution and delivery of a quitclaim deed by the Grand Valley Irrigation Company to the City of Grand Junction, Colorado, conveying all of its right, title and interest in and to the above described tract of land, and more especially the right of way for the Mesa County Ditch across the said described tract, to the City of Grand Junction, the City of Grand Junction does hereby agree to pay for the construction of a pipe line, in accordance with the plans and specifications of the Grand Valley Irrigation Company, along the east and south boundaries of the said tract sufficient to carry 200 Colorado miner's inches of water, if the construction of such a pipe line should be considered necessary by the Grand Valley Irrigation Company;

BE IT FURTHER RESOLVED that for and in consideration of the discontinuance of the use of that part of the said Mesa County Ditch which now runs through the City of Grand Junction, and the execution of another quit claim deed by the Grand Valley Irrigation Company to the City of Grand Junction, conveying whatever right the said Ditch Company may have in and to the right of way through the City of Grand Junction, the said City does hereby agree to pay to the Grand Valley Irrigation Company 30 per cent of the cost of the construction of the new ditch, but in no event shall this payment exceed the sum of \$10,000.

It was moved by Councilman Carson and seconded by Councilman O'Daniel that the resolution be passed and adopted as read. Roll was called on the motion with the following result: Councilmen voting AYE - Treece, Hoisington, O'Daniel, Boston, Carson and Harris. Councilmen voting No - None. All of the Councilmen voting AYE, the President declared the motion carried.

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

/s/ Helen C. Tomlinson
City Clerk