

Grand Junction, Colo.

November 10, 1948

The City Council of the City of Grand Junction, Colorado, met in regular adjourned session at 7:30 o'clock P. M. Councilmen present and answering at roll call were: Carson, Hoisington, Bagby, Colescott, Martin and President Harper. Councilman Harris was absent. Also present were City Manager Moore, City Attorney Banks and City Clerk Tomlinson.

The following explanation was offered for Sidewalk Distr. No. 12

The City Engineer, Carl Bennett, reported that an error had been made in the published notice of the completion of Sidewalk District No. 12 and the apportionment of the cost thereof, in that the tract described as Lot 13 in Block 3 of Prospect Park should have been described as Lot 12 in Block 3 of Prospect Park. Mr. Bennett further reported that the owners of the property affected were Ronald R. Skinner and Gertrude Skinner; that after noticing the error, he personally contacted Gertrude Skinner on October 6, 1948, and told her of the error in the notice and that she then advised him that they would make no objection to the proposed assessment; and that on October 11, 1948, Mr. Bennett gave further notice of the assessment by letter.

The City Clerk reported that no protest had been filed against the assessments for Sidewalk District No. 12.

The following proposed ordinance was introduced and read by the City Clerk:

A proposed ordinance entitled, AN ORDINANCE APPROVING THE WHOLE COST OF THE IMPROVEMENTS MADE IN AND FOR SIDEWALK DISTRICT NO. 12, IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS AMENDED: APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT: ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT: AND APPROVING THE APPORTIONMENT OF SAID COST: AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS", was introduced and read. It was moved by Councilman Bagby and seconded by Councilman Hoisington that the proposed ordinance be passed for publication. Motion carried.

The City Clerk reported that there were no protests filed in connection with Sidewalk District No. 13. The following resolution was presented and read:

RESOLUTION

CREATING AND ESTABLISHING SIDEWALK DISTRICT NO. 13 WITHIN THE

CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE CONSTRUCTION OF SIDEWALKS THEREIN AND PROVIDING FOR THE PAYMENT THEREFOR.

WHEREAS, on the 6th day of October, A. D. 1948, the City Council of the City of Grand Junction, Colorado, passed a Resolution adopting details, plans and specifications for Sidewalk District No. 13 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, no written complaints or objections have been made concerning the proposed improvements;

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

1. That said Sidewalk District No. 13 be and the same is hereby created and established, and that the construction of the sidewalks 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 construction of the said sidewalks shall be made by contract let to the lowest reliable and responsible bidder after public advertisement, except that if it be determined by the City Council that the bids are too high, and that the proposed improvements can be efficiently made by the City, the City may provide that the construction shall be made under the direction and control of the City Manager by hiring labor by the day or otherwise, and by purchasing all necessary material, supplies and equipment;

3. That the improvements in said District were duly ordered, after Notice duly given; 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;

4. That the description of the sidewalks to be constructed, the boundaries of said Sidewalk District, the amounts to be assessed, the number of installments and 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 6th day of October, A. D. 1948, and in accordance with the published notice of intention to create said District;

5. That for the purpose of paying the cost and expenses of constructing said improvements in said District, including

engineering, inspection, and other incidental expenses, the City shall issue Public Improvement Bonds of said Sidewalk District No. 13, dated the 1st day of December, 1948, in the denomination of \$1,000.00 each, numbered 1 to 17 inclusive, due and payable on the first day of December, 1958, subject to call and payment, however, at any time prior to the maturity of said bonds, to bear interest at the rate of four per centum per annum, payable semi-annually on the first day of June and the first day of December 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 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.

6. Said bonds shall be payable out of the proceeds of a special assessment to be levied upon real estate situate in the City of Grand Junction, in said Sidewalk District No. 13, especially benefited by said improvement, and shall also be payable out of available proceeds of an annual one mill tax to be levied on the taxable property in said City, pursuant to People's Ordinance No. 27 of said City, which tax was voted and authorized to make up deficits in special improvement district funds.

7. Said bonds, the coupons to be attached thereto and the registration certificate 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  
SIDEWALK DISTRICT NO. 13

No.

\$1,000.00

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

ONE THOUSAND DOLLARS

lawful money of the United States of America, on the first day of December, 1958, subject to call and payment, however, at any time prior thereto, with interest thereon from date until payment at the rate of four per centum per annum, payable semi-annually on the first day of June and the first day of December 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 local improvements in Sidewalk District No. 13, 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 Sidewalk District No. 13, especially benefited by said improvement, and is also payable out of available proceeds of an annual one mill tax to be levied on the taxable property in said City, pursuant to People's Ordinance No. 27 of said City, which tax was voted and authorized to make up deficits in special improvement district funds, and the amount of the assessments upon the real estate in said District for the payment hereof, with the accrued interest, shall be 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.

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 said Sidewalk District No. 13 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 facsimile signature of the City Treasurer, this 1st day of December, A. D. 1948.

\_\_\_\_\_  
President of the City Council

ATTEST:

\_\_\_\_\_  
City Clerk

(FORM OF COUPON)

No. \_\_\_\_\_

\$20.00

On the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 194\_\_\_\_\_, the City of Grand Junction will pay the bearer Twenty 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 public improvement bond of Sidewalk District No. 13, provided the bond to which this coupon is attached shall not have been paid.

Attached to bond dated December 1, A. D. 1948.

(Facsimile 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. 1948.

\_\_\_\_\_  
City Treasurer

8. 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.

ADOPTED AND APPROVED this 10th day of November, A. D. 1948.

\_\_\_\_\_  
President of the Council

(SEAL)

ATTEST:

/s/

\_\_\_\_\_  
City Clerk

It was moved by Councilman Hoisington and seconded by Councilman Bagby 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 bids had been received, as follows, for the construction of Sidewalk District No. 13:

R. A. Wills . . . . .	\$17,683.65
J. C. Bauman . . . . .	13,152.70
Schmidt Construction Co. . . . .	16,831.50

It was moved by Councilman Carson and seconded by Councilman Bagby that the contract be awarded to J. C. Bauman for the amount of \$13,152.70. 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 no remonstrances had been filed with the City Clerk against the creation of San. Sewer Dist. #12.

The following resolution was presented and read:

RESOLUTION

CREATING AND ESTABLISHING SANITARY SEWER DISTRICT NO. 12 WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE CONSTRUCTION OF SANITARY SEWERS THEREIN AND PROVIDING FOR THE PAYMENT THEREFOR.

WHEREAS, on the 6th day of October, A. D. 1948, the City Council of the City of Grand Junction, Colorado, passed a Resolution adopting details, plans and specifications for Sanitary Sewer District No. 12 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, no written complaints or objections have been made concerning the proposed improvements;

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

1. That said Sanitary Sewer District No. 12 be and the same is hereby created and established, and that the construction of the sanitary sewers 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 construction of the said sanitary sewers can be efficiently made by the City, and the work shall be done and the

construction shall be made under the direction and control of the City Manager by hiring labor by the day or otherwise, and by purchasing all necessary material, supplies and equipment;

3. That the improvements in said District were duly ordered, after Notice duly given; 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;

4. That the boundaries of said Sanitary Sewer District, the amounts to be assessed, the number of installments and 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 6th day of October, A. D. 1948, and in accordance with the published notice of intention to create said District;

5. That for the purpose of paying the cost and expenses of constructing said improvements in said District, including engineering, inspection, and other incidental expenses, the City shall issue Public Improvement Bonds of said Sanitary Sewer District No. 12, dated the 1st day of December, 1948, in the denomination of \$500.00 each, numbered 1 to 51 inclusive, due and payable on the first day of December, 1958, subject to call and payment, however, at any time prior to the maturity of said bonds, to bear interest at the rate of four per centum per annum, payable semi-annually on the first day of June and the first day of December 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 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.

6. Said bonds shall be payable out of the proceeds of a special assessment to be levied upon real estate situate in the City of Grand Junction, in said Sanitary Sewer District No. 12, especially benefited by said improvement, and shall also be payable out of available proceeds of an annual one mill tax to be levied on the taxable property in said City, pursuant to People's Ordinance No. 27 of said City, which tax was voted and authorized to make up deficits in special improvement district funds.

7. Said bonds, the coupons to be attached thereto and the registration certificate 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  
SANITARY SEWER DISTRICT NO. 12

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 December, 1958, subject to call and payment, however, at any time prior thereto, with interest thereon from date until payment at the rate of four per centum per annum, payable semi-annually on the first day of June and the first day of December 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 local improvements in Sanitary Sewer District No. 12, 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 thereof.

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 Sanitary Sewer District No. 12, especially benefited by said improvement, and is also payable out of available proceeds of an annual one mill tax to be levied on the taxable property in said City, pursuant to People's Ordinance No. 27 of said City, which tax was voted and authorized to make up deficits in special improvement district funds, and the amount of the assessments upon the real estate in said District for the payment hereof, with the accrued interest, shall be 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.

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 said Sanitary Sewer District No. 12 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 facsimile signature of the City Treasurer, this 1st day of December, A. D. 1948.

\_\_\_\_\_  
President of the City Council

ATTEST:

\_\_\_\_\_  
City Clerk

(FORM OF COUPON)

No. \_\_\_\_\_

\$ 10.00

On the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 194\_\_\_\_\_, the City of Grand Junction will pay the bearer Ten 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 public improvement bond of Sanitary Sewer District No. 12, provided the bond to which this coupon is attached shall not have been paid.

Attached to bond dated December 1, A. D. 1948.

(Facsimile 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. 1948.

\_\_\_\_\_  
City Treasurer

8. 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.

ADOPTED AND APPROVED this 10th day of November, A. D. 1948.

\_\_\_\_\_  
President of the Council

(SEAL)

ATTEST:

\_\_\_\_\_  
City Clerk

It was moved by Councilman Bagby and seconded by Councilman Colescott 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.

An application from John B. Russell and Glen L. Robb to purchase the liquor store owned by John Cadez at 357 Main St. and to be granted a retail liquor store license for 1949, was read. It was moved by Councilman Carson and seconded by Councilman Bagby that the City Clerk be instructed to advertise this liquor application, hearing to be set for Dec. 1st. Motion carried.

A plat of the property from Spruce to 1st on Rood Ave. owned by John R. Bonella was introduced. This property has been surveyed and subdivided as shown on the map and the approval of the City Council is requested. It was moved by Councilman Colescott and seconded by Councilman Carson that the Subdivision of the North 54 feet of the East 125 feet of Lot 13, Block 6, Mobley's Subdivision, City of Grand Junction, Colorado be approved by the President of the City Council and attested by the City Clerk and that it be placed on file in the County Clerk and Recorder's office. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried.

The Boy Scouts had held a Court of Honor at the Lincoln Park Auditorium on Tuesday, November 9th, and request the use of this building at cost. It was moved by Councilman Carson and seconded by Councilman Hoisington that the use of the Auditorium for the Boy Scout Court of Honor be granted at cost. Motion carried.

The Home Gas and Appliance Co. requested permission to install a propane gas line to serve 1536 Main Street in the alley between Main St. and Rood Ave. It was moved by Councilman Carson and seconded by Councilman Martin that a revocable permit be granted to the Home Gas and Appliance Co. to allow them to construct a propane gas line. Motion carried.

The balance of the meeting was devoted to the discussion of the Plateau Creek project. Mr. Larson and Mr. Sands from the Salt Lake Reclamation office were present. Also E. H. Carter and Lew Osborn from R. J. Tipton & Associates, Clif. Jex and Mr. Black from the Grand Junction Reclamation office, Sen. Wayne Aspinall and Rep. Tom Barker, F. C. Merriell and Silmon Smith and members of the City Engineering staff.

Mr. Carter stated that if the City were to grow in accordance with the schedule and all plans, by 1955 they would need 10,000,000 gallons of water per day. This could only be provided by securing water from Plateau project or taking it from the High line canal or from the Colorado river. The cheapest and best water will be provided by the Plateau project.

Mr. Larson spoke on the financing of the project through the Reclamation project, and what proportionate share should be borne by the City. He stated that as the project is now being prepared for submittal to the various Government agencies, it does not include the flow line from Power Plant no. 2 to the present filter plant site, and that as a general thing the Bureau of Reclamation does not finance municipal water plant improvements. He also spoke of a Water Conservancy district and stated that the Bureau Attorneys would be glad to assist the City of Grand Junction in working out the most feasible way for everyone to utilize the water to the best advantage.

It was moved by Councilman Carson and seconded by Councilman Martin that the City of Grand Junction get behind the whole Collbran project as it has been presented and do everything to cooperate in expediting reports, etc. Motion carried.

A meeting of the Colorado Resources Development Conference has been called by Governor Knous to be held in Denver on November 15th. It was moved by Councilman Hoisington and seconded by Councilman Martin that Councilman Carson be requested to attend this meeting. Motion carried.

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

/s/Helen C. Tomlinson  
City Clerk