

Grand Junction, Colorado

September 7, 1949

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, Dufford, Colescott, Martin, Hansen and President Hoisington. Councilman Harper was absent. Also present were City Manager Moore, City Attorney Banks and City Clerk Tomlinson.

The minutes of the regular meeting held August 17th and the regular adjourned meeting held August 18th were read and approved.

This was the date set for the hearing on the application of Johnnie Retolaza for a liquor license at 115 South Fifth St. This liquor store is being purchased from Mr. White. As there were no protests filed, it was moved by Councilman Carson and seconded by Councilman Colescott that the license be granted. Motion carried.

A petition was presented signed by residents of Texas, Elm and Mesa Avenues asking that Texas Avenue be opened up to the City Limits before winter. All except one property owner has offered to deed the required land for streets and alleys. It was moved by Councilman Carson and seconded by Councilman Martin that the petition be accepted and filed and that the City Manager and City Attorney be instructed to proceed with condemnation proceedings on the Gross land for alleys and for Texas, Elm and half of Mesa Avenues. Motion carried.

This was the date set for hearing on creation of Alley Paving District No. 3. This includes repairs and resurfacing of both Main Street alleys from 2nd to 7th Streets. There were no protests filed so the following resolution was presented and read:

RESOLUTION

CREATING AND ESTABLISHING ALLEY PAVING DISTRICT NO. 3 WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE PAVING OF CERTAIN ALLEYS THEREIN AND PROVIDING FOR THE PAYMENT THEREFOR.

WHEREAS, on the 3rd day of August, A. D. 1949, the City Council of the City of Grand Junction, Colorado, passed a Resolution adopting details, plans and specifications for Alley Paving District No. 3 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 Alley Paving District No. 3 be and the same is hereby created and established, and that the paving 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 paving of the said alleys can be efficiently made by the City, and the work shall be done 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 Alley Paving District No. 3, 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 3rd day of August, A. D. 1949, 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 paving in said District, including engineering, inspection, and other incidental expenses, the City shall issue Public Improvement Bonds of said Alley Paving District No. 3, dated the 1st day of October, 1949, in the denomination of \$500.00 each, numbered 1 to 17 inclusive, due and payable on the 1st day of October, 1959, subject to call and payment, however, at any time prior to maturity of said bonds, to bear interest at the rate of four per centum per annum, payable semi-annually on the first day of April and the first day of October 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 Alley Paving District No. 3, 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  
ALLEY PAVING DISTRICT NO. 3

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 October, 1959, 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 April and the first day of October 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 local improvements in Alley Paving District No. 3, 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 Alley Paving District No. 3, 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 Alley Paving District No. 3 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 October, A. D. 1949.

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 Alley Paving District No. 3, provided the bond to which this coupon is attached shall not have been paid.

Attached to bond dated October 1, A. D. 1949.

/s/ (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. 1949.

\_\_\_\_\_  
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 7th day of September, A. D. 1949.

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

(SEAL)

ATTEST:

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

As there were no protests filed, it was moved by Councilman Colescott and seconded by Councilman Carson that the resolution be passed and adopted as read. Roll was called on the motion with all Councilmen present voting "AYE." The President declared the motion carried.

This was the date set for hearing on Sanitary Sewer District No. 14. There were no protests filed and the following resolution was presented and read:

RESOLUTION

CREATING AND ESTABLISHING SANITARY SEWER DISTRICT NO. 14 WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE CONSTRUCTION OF A SANITARY SEWER THEREIN AND PROVIDING FOR THE PAYMENT THEREFOR.

WHEREAS, on the 20th day of July, A. D. 1949, the City Council of the City of Grand Junction, Colorado, passed a Resolution adopting details, plans and specifications for Sanitary Sewer District No. 14 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. 14 be and the same is hereby created and established, and that the construction of a sanitary 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 the construction of the said sanitary sewer 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 20th day of July, A. D. 1949, 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. 14, dated the 1st day of October, 1949, in the denomination of \$500.00 each, numbered 1 to 10 inclusive, due and payable on the 1st day of October, 1959, subject to call and payment, however, at any time prior to maturity of said bonds, to bear interest at the rate of four per centum per annum, payable semi-annually on the first day of April and the first day of October 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. 14, 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. 14

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 October, 1959, 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 April and the first day of October 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. 14, 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. 14, 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. 14 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 October, A. D. 1949.

\_\_\_\_\_  
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. 14, provided the bond to which this coupon is attached shall not have been paid.

Attached to bond dated October 1, A. D. 1949.

/s/ (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. 1949.

\_\_\_\_\_  
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 7th day of September, A. D. 1949.

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

(SEAL)

ATTEST:

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

It was moved by Councilman Hansen and seconded by Councilman Martin that the resolution be passed and adopted as read. Roll was called on the motion with all Councilmen present voting "AYE". The President declared the motion carried.

Bids had been received on Paving and Sidewalk District No. 14 and only one bid was received which was that of John Bauman in the amount of \$11,501.44. The engineer's estimate on the work was for \$11,579.95. It was moved by Councilman Martin and seconded by Councilman Carson that the contract for the construction of Paving and Sidewalk District No. 14 be awarded to John Bauman and that the City Manager be authorized to sign same on behalf of the City.

H. K. Baker made an offer of \$25.00 for a lot to effect a trade for Lots 29 & 30 in Block 133 for Lots in Block 134. It was moved by Councilman Carson and seconded by Councilman Martin that the offer be rejected. Motion carried.

Mr. and Mrs. Kenneth Marks had purchased the grocery owned by Valey Coster and made application for a 3.2 beer license. It was moved by Councilman Colescott and seconded by Councilman Martin that the license be advertised and a hearing held on October 5th. Motion carried.

The Disabled American Veterans, Chapter #9, requested that Saturday, September 10th, be proclaimed as "Disabled American Veterans Forget-Me-Not Day," and that the President of the Council issue a proclamation. It was moved by Councilman Martin and seconded by Councilman Colescott that the request be granted.

City Attorney Banks brought up the matter of a claim of Mr. Desrosiers for feed damaged by water during the past winter. It was claimed that Mr. Desrosiers requested the City to shut off the water at his feed storage establishment and that the City men shut off the wrong line. Mr. Desrosiers removed the meter but when the line thawed out, leakage caused damage to stored feed in the amount of \$130.50. It was moved by Councilman Dufford and seconded by Councilman Colescott that the City pay Mr. Desrosiers \$130.50. Roll was called on the motion with the following results:

Those voting "AYE":

Councilmen: Dufford, Colescott, Martin, Hoisington

Those voting "NO":

Councilmen: Carson, Hansen

A majority of the members of the Council present having voted "AYE", the President declared the motion carried.

President Hoisington stated that he had received a request from Governor Knous to appoint a committee on the employment of the physically handicapped and that he had taken care of this before the Council meeting.

The Salvation Army Committee requested that they be granted permission to use a lot on Pitkin Avenue owned by the City for the purpose of giving employment to transients who are becoming very numerous and requesting meals. They want to bring in old apple trees and have the wood prepared for use. It was moved by Councilman Carson and seconded by Councilman Martin that the request be granted. Motion carried.

Several hundred names were on a petition presented to the Council requesting that a traffic light be placed at the intersection of 1st and North Ave. They stated that

the situation is very critical and that school children's lives are endangered. The traffic coming in on the new Fruita Highway does not slow down to allow the children to cross North Avenue. It was moved by Councilman Carson and seconded by Councilman Martin that the petitions be accepted and filed; that the City Manager be instructed to paint signs several hundred yards from the City Limits to slow up traffic and also to paint crosswalks for children and to investigate the advisability of putting a traffic light at this intersection. Motion carried.

Mr. Houlton, who owns property on 25th St., desires to have it platted and brought into the City Limits. It was moved by Councilman Carson and seconded by Councilman Martin that the City Attorney be authorized to set a hearing on Houlton's subdivision. Motion carried.

City Manager Moore reported on the new construction work going on; that the stadium was getting along very well and that the terminal building was waiting for steel and the City Hall was waiting for plans. The Council confirmed their decision of a few weeks ago in requesting that the City Manager build the City Hall by letting sub-constricts where necessary and doing the rest of the work under his supervision.

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

/s/ Helen C. Tomlinson  
City Clerk