

Grand Junction, Colorado
August 25, 1955

The City Council of the City of Grand Junction met in special session at 4:00 P. M. Councilmen answering roll call were Shults, Lowe, Colescott, Harper, Emerson and President Wright. Councilman Orr was absent. Also present were City Attorney Groves, Deputy City Attorney Nelson and City Clerk Tomlinson. City Manager Toyne was absent.

It was moved by Councilman Colescott and seconded by Councilman Lowe that the twenty-four hour formal notice of call for special meeting be waived. Motion carried.

START CONDEMNATION PROCEEDINGS FOR R/W FLOWLINE. Deputy City Attorney Wm. Nelson spoke to the Council concerning right of way for the new flowline and stated that there were six tracts of land necessary for which they could not locate the owners or could not negotiate with them on a reasonable price for easements across the property. He presented a resolution giving the City Attorney permission to proceed with condemnation of the necessary right of way for the flowline. The following resolution was presented and read:

RESOLUTION

WHEREAS, the City of Grand Junction, Colorado, has acquired necessary additional water for use in and near the City of Grand Junction from the Kannah Creek Water Shed in Mesa County, Colorado, and

WHEREAS, it is necessary to secure rights-of-way across lands lying between the Kannah Creek Water Shed and the City of Grand Junction for the purposes of conveying said water by pipeline to the City of Grand Junction, and

WHEREAS, the City Council of the City of Grand Junction does find and determine that it is necessary to condemn and take a right-of-way 40 feet in width across the following described property by virtue of the fact that it is unable to agree with owners thereof in the amount of compensation to be paid for said rights-of-way for the following reasons:

TRACT NO. 1

NE1/4 NW1/4 Section 18, Township 2 South, Range 2 East, Ute P. M.

The centerline of said right-of-way across the above described tract is as follows: Beginning at a point on the South line of NE1/4 NW1/4 Section 18 which bears South 48⁰ East, 2050 feet more or less from the Northwest corner of Section 18, said point being Station 378 plus 70 more or less on the centerline of the proposed pipe line; thence North 53⁰ 25' West, 190 feet more or less to the

West line of NE1/4 NW1/4 Section 18. Said point being Station 380 plus 60 more or less on the centerline of the proposed pipe line.

Said right-of-way is approximately 190 linear feet in length and contains approximately 0.17 acres.

The record owners of said Tract No. 1 are Beret Hale and Joran Johnson and that said owners are non-residents of the State of Colorado and although having received letters by United States Registered Mail, Return Receipt Requested soliciting their cooperation, no answers from said respondents have been received.

TRACT NO. 2

NE1/4 SW1/4, SE1/4 NW1/4, Section 12, Township 2 South, Range 1 East, Ute P.M.

The center line of said right-of-way across the above described tract is as follows: Beginning at a point on the East line of NE1/4 SW1/4 Section 12 which bears North, 1700 feet more or less from the S1/4 corner Section 12, said point being Station 429 plus 60 more or less on the centerline of the proposed pipe line; thence North $53^{\circ} 25'$ West, 1630 feet more or less to the West line of SE1/4 NW1/4 Section 12. Said point being Station 445 plus 90 more or less on the centerline of the proposed pipe line.

Said right-of-way is approximately 1630 linear feet in length and contains approximately 1.50 acres.

The record owner of said Tract No. 2 is Georgia McArthur Kint, a non-resident of the State of Colorado and after voluminous correspondence, including several long distance telephone calls, she has declined to grant this easement.

TRACT NO. 3

N1/2 NE1/4 and NE1/4 NW1/4 Section 11, Township 2 South, Range 1 East, Ute P.M.

The centerline of said right-of-way across the above described tract is as follows: Beginning at a point on the South line of N1/2 NE1/4 Section 11 which bears West, 400 feet more or less from the Southeast corner NE1/4 NE1/4 Section 11, said point being Station 467 plus 00 on the centerline of the proposed pipeline; thence North $53^{\circ} 25'$ West, 2225 feet more or less thence South $82^{\circ} 41'$ West, 595 feet more or less, thence North $84^{\circ} 23'$ West, 350 more or less; thence North $71^{\circ} 02'$ West, 270 more or less to the North line of NE1/4 NW1/4 Section 11. Said point being Station 501 plus 40 on the centerline of the proposed pipe line.

Said right-of-way is approximately 3440 linear feet in length and contains approximately 3.16 acres.

The address of the Record Owner, Joseph D. Henry, is unknown.

TRACT NO. 4

SE1/4 SW1/4 Section 17, Township 2 South, Range 2 East, Ute P.M.

The centerline of said right-of-way across the above described tract is as follows: Beginning at a point on the South line of SE1/4 SW1/4 Section 17, which bears East, 1260 feet more or less from the said point being Station 312 plus 60 on the centerline of the proposed pipeline; thence North 53⁰ 25' West, 250 feet more or less to the West line of SE1/4 SW1/4 Section 17. Said point being Station 315 plus 10 on the centerline of the proposed pipeline.

Said right-of-way is approximately 250 linear feet in length and contains approximately 0.23 acres.

The address of the record owner, Orville Budlong, is unknown.

TRACT NO. 5

N1/2 SE1/4 SE1/4 Section 18, Township 2 South, Range 2 East, Ute P.M.

The centerline of said right-of-way across the above described tract is as follows: Beginning at a point on the East line of N1/2 SE1/4 SE1/4 Section 18 which bears North 1150 feet more or less from the Southeast corner Section 18 said point being Station 331 plus 90 more or less on the centerline of the proposed pipeline; thence North 53⁰ 25' West, 260 feet more or less to the North line of N1/2 SE1/4 SE1/4 Section 18. Said point being Station 334 plus 50 more or less on the centerline of the proposed pipeline.

Said right-of-way is approximately 260 linear feet in length and contains approximately 0.24 acres.

The address of the record owner, George F. Keller, is unknown.

TRACT NO. 6

NW1/4 NW1/4 Section 18, Township 2 South, Range 2 East, Ute P. M.

The centerline of said right-of-way across the above described tract is as follows: Beginning at a point on the East line of NW1/4 NW1/4 Section 18 which bears South 47⁰ 30' East, 1825 feet more or less from the Northwest corner Section 18

said point being Station 380 plus 60 more or less on the centerline of the proposed pipeline; thence North 53° 25' West, 1640 feet more or less to the West line of NW1/4 NW1/4 Section 18. Said point being Station 397 plus 00 more or less on the centerline of the proposed pipeline.

Said right-of-way is approximately 1640 linear feet in length and contains approximately 1.5 acres.

The address of the record owner, Thomas J. Hedges, is unknown. According to information received from Hazel Hedges Boatright and Elinor Delphine Asplund, they are the daughters and the only heirs of the record owner. They are non-residents of the State of Colorado.

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

THAT the City Attorney in and for the City of Grand Junction shall be and is hereby authorized to file and prosecute to completion any action or actions necessary to condemn and take the above described rights-of-way, and that said City Attorney is authorized to terminate all or any part of any actions commenced under this resolution upon effecting a reasonable settlement with any of the owners of said lands approved by the City Treasurer and the City Engineer.

It was moved by Councilman Harper and seconded by Councilman Shults 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.

PROP. ORD. - SPEED LIMITS EXPRESSWAY. On Nov. 3, 1954, the City Council passed a resolution stating that when the new East-West Expressway was completed ordinances would be passed setting the speed limit governing traffic on Ute and Pitkin Avenues and setting them up as one-way streets. In accordance with this Resolution, the following entitled proposed ordinance was introduced and read:

(Proposed Ordinance Not Provided)

It was moved by Councilman Colescott and seconded by Councilman Lowe that the ordinance be passed for publication. Motion carried.

NOT TO SELL LAND AT WHITEWATER AT PRESENT. A letter was read from John Foster, Whitewater, asking that the City sell him a tract of land at Whitewater known as the Phillips place. City Attorney Groves stated that it was unwise for the

Council to sell any of this recently purchased land at this time, and the letter was referred to the Water Committee.

It was moved by Councilman Lowe and seconded by Councilman Colescott that the meeting adjourn. Motion carried.

/s/ Helen C. Tomlinson
City Clerk