

Grand Junction, Colorado
October 19, 1955

The City Council of the City of Grand Junction met in regular session at 7:30 P. M. Councilmen answering roll call were Shults, Harper, Orr, Colescott and Lowe. President Wright and Councilman Emerson were absent. Also present were City Attorney Groves, City Manager Toyne and City Clerk Tomlinson.

It was moved by Councilman Colescott and seconded by Councilman Shults that Councilman Lowe act as President Pro Tem. Motion was carried, and Councilman Lowe took the chair and presided during the meeting.

It was moved by Councilman Harper and seconded by Councilman Colescott that the minutes of the regular meeting held October 5th be approved as written. Motion carried.

ORD. 934 - ZONING. The Proof of Publication to the proposed ordinance entitled AN ORDINANCE AMENDING CHAPTER 83 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, AND THE ZONING MAP INCORPORATED THEREIN was introduced and read. It was moved by Councilman Colescott and seconded by Councilman Orr that the Proof of Publication be accepted and filed. Motion carried.

It was moved by Councilman Orr and seconded by Councilman Harper that the ordinance be called up for final passage. The ordinance was then read and upon motion of Councilman Colescott and seconded by Councilman Shults was passed, adopted, numbered 934 and ordered published. Roll was called on the motion with all members of the Council present voting "AYE." President Pro Tem declared the motion carried.

ORD. 935 - ANNEXING WEST SIDE CITY PROPERTY. The Proof of Publication to the proposed ordinance entitled AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION was presented and read. It was moved by Councilman Orr and seconded by Councilman Harper that the Proof of Publication be accepted and filed. Motion carried.

It was then moved by Councilman Colescott and seconded by Councilman Shults that the ordinance be called up for final passage. Motion carried.

The ordinance was then read and upon motion of Councilman Harper and seconded by Councilman Shults was passed, adopted, numbered 935 and ordered published. Roll was called on the motion with all members of the Council present voting "AYE." President Pro Tem Lowe declared the motion carried.

ORD. 936 - VACATING STREETS IN WEST SIDE ANNEX. The Proof of Publication to the following entitled proposed ordinance was presented and read: AN

ORDINANCE VACATING PORTIONS OF ROOD AVENUE, WHITE AVENUE AND THE ALLEY BETWEEN ROOD AVENUE AND WHITE AVENUE IN THE CITY OF GRAND JUNCTION. It was moved by Councilman Colescott and seconded by Councilman Orr that the Proof of Publication be accepted and filed. Motion carried.

It was then moved by Councilman Orr and seconded by Councilman Shults that the ordinance be called up for final passage. Motion carried.

The ordinance was then read and upon motion of Councilman Harper and seconded by Councilman Colescott was passed, adopted, numbered 936 and ordered published. Roll was called on the motion with all members of the Council present voting "AYE." The President Pro Tem declared the motion carried.

RECLASSIFICATION 800 BLOCK ON BELFORD. City Manager Toyne reported on recent meetings of the Planning Commission. He stated that a petition to reclassify property on the north side of Belford between 8th and 9th had been presented to the Commission. This petition called for changing the property from Residence "B" District to a Business "A" District. The Planning Commission recommended that the petition be denied as there are two homes on the west end of the block the owners of which did not sign the petition, and as they are newer homes and could not be moved, it was felt that the zoning should not be changed at the present time.

There is no business area on Belford in any other part of the City. It was moved by Councilman Colescott and seconded by Councilman Shults that the Council advertise for hearing on the change of zoning in the 800 block on Belford Avenue, the hearing to be set for November 16th, and that all the property owners affected be notified. Motion carried.

PAULSON SUBDIVISION. The Commission also considered the Paulson Subdivision between Elm and Texas immediately east of 15th Street and recommended approval. It was moved by Councilman Harper and seconded by Councilman Orr that the plat be accepted and that the President of the Council and the City Clerk be instructed to sign same; that the plat be made of record in the office of the County Clerk and Recorder and in the office of the City Engineer. Roll was called on the motion with all members of the Council present voting "AYE." The President Pro Tem declared the motion carried.

WEAVER SUBDIVISION. The Commission also considered Weaver Subdivision which is north of Orchard and east of 15th Street. Part of this area is in the City limits and part is outside. The part inside the City limits has not been subdivided. The Planning Commission recommended that that area between Pinion Avenue and Walnut Avenue and east of 15th Street, 659 feet, be annexed to the City and that between Orchard and Walnut Avenues east of 15th Street 659 feet be subdivided as Weaver Subdivision in accordance with the plans filed with the Planning Commission. The following petition for annexation was presented and the following resolution read:

PETITION FOR ANNEXATION

WE THE UNDERSIGNED do hereby petition the City Council of the City of Grand Junction, State of Colorado, to annex the following described property to the said City:

The North Half of the Southwest Quarter of the Southeast Quarter of the Northwest Quarter of Section 12, Township 1 South, Range 1 West of the Ute Meridian, situate in the County of Mesa and State of Colorado.

As grounds therefor, the petitioners respectfully show to the said council that the said territory is eligible for annexation in that it is not embraced within any city or town, that it abuts upon or is contiguous to the City of Grand Junction in a manner which will afford reasonable ingress and egress thereto, that more than one-sixth of the aggregate exterior boundary of the territory proposed to be annexed coincides with the existing boundary of the said city, and that the non-contiguous boundary of the said territory coincides with the existing block lines, street lines, or governmental subdivision lines.

This petition is accompanied by four copies of a map or plat of the said territory, showing its boundary and its relation to established city limit lines, and said map is prepared upon a material suitable for filing.

Your petitioners further state that they are the owners of more than fifty per cent of the area of such territory to be annexed and also comprise a majority of the land owners residing in the said territory; that a description of the land owned by each signer, together with his residence address and other descriptive facts are set forth hereafter opposite the name of each signer.

WHEREFORE these petitioners pray that this petition be accepted and that the said annexation be approved and accepted by ordinance.

DATE SIGNED		Name and Address	
7-21	Benjamin B. Eldred	2030 N. 15th St.	Qualified elector and landowner
7-21	Mary E. Eldred	2030 N. 15th St.	Qualified elector and landowner
7-21	Thomas H. Evans & Adah E. Evans	2050 No. 15th St.	Qualified elector and landowner

7-21	Martha J. Maurice	2020 No. 15th St.	Qualified elector but not a landowner as defined in Colorado revised statutes.
7-25	Millard Gilbert	562 White	Qualified elector but not a landowner as defined in Colorado revised statutes.
7-25	Arthur L. Gilbert	319 N. 6th	Qualified elector but not a landowner as defined in Colorado revised statutes.
7-21-55	Fred Wede Mrs. Fred Wede	2000 N. 15th St.	Qualified elector and landowner
7-26-55	William Knoch	2060 N. 15th	Qualified elector and landowner
	Dorothy Knoch	2060 N. 15th	Qualified elector and landowner
7-26-55	Angie Weaver	1555 Walnut	Qualified elector and landowner
7-26-55	G. M. Weaver	1555 Walnut	Qualified elector and landowner

The description of the property owned by the above signers are set forth hereafter opposite their typewritten names:

Benjamin B. Eldred and Mary E. Eldred	Lot 4, Lutkiewicz Subdivision
Thomas H. Evans and Adah E. Evans	Lot 2, Lutkiewicz Subdivision
Martha J. Maurice	Lot 5, Lutkiewicz Subdivision

Millard Gilbert and Arthur L. Gilbert	Beginning 220 feet East and 330 feet North of the Southwest corner of the East Half of the Southwest Quarter of the Southeast Quarter of the Northwest Quarter in Section 12, Township 1 South, Range 1 West of the Ute Meridian, thence North 66 feet, thence West 20 feet, thence North 214 feet, thence East 130 feet, thence South 280 feet, thence West to the point of beginning.
Fred Wede and Pauline Wede, also known as Mrs. Fred Wede	Lot 6, Lutkiewicz Subdivision
William Knoch and Dorothy Knoch	Lot 1, Lutkiewicz Subdivision
Angie Weaver and G. M. Weaver	Parcel 1 -- South 220 feet of the North 440 feet of the East 197.7 feet of the West Half of the Southwest Quarter of the Southeast Quarter of the Northwest Quarter of Section 12, Township 1 South, Range 1 West of the Ute Meridian.
	Parcel 2 -- North 220 feet of the East 197.7 feet of the West Half of the Southwest Quarter of the Southeast Quarter of the Northwest Quarter in Section 12, Township 1 South, Range 1 West of the Ute Meridian.

STATE OF COLORADO)	
)	SS
COUNTY OF MESA)	

G. M. Weaver, being first duly sworn, states that he circulated the petition hereinabove, and that each signer of said petition signed in his presence and each signature thereon is the signature of the person whose name it purports to be.

(Signed) G. M. Weaver

Subscribed and sworn before me this 1st day of August, 1955 by G. M. Weaver.

Witness my hand and official seal.

My Commission expires July 22, 1956.

(Signed) Anthony W. Williams
Notary Public

(SEAL)

RESOLUTION

WHEREAS, a Petition to annex the following described property, to wit:

The North Half of the Southwest Quarter of the Southeast Quarter of the Northwest Quarter of Section 12, Township 1 South, Range 1 West of the Ute Meridian, situate in the County of Mesa and State of Colorado

has been filed with the City Clerk and is now presented to the City Council; and

WHEREAS, upon examination of the said Petition and hearing the testimony presented, the City Council does hereby find: That the said territory is eligible for annexation to the City of Grand Junction; that the Petition is signed by the owners of more than fifty per cent of the area of the territory sought to be annexed and by a majority of the landowners residing in the territory; that there is attached to the said Petition four copies of a map or plat of such territory which is suitable for filing; that the said Petition and maps are sufficient and substantially meet the requirements of Section 2, of Chapter 314, Session Laws of Colorado, 1947;

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

That the said Petition for annexation shall be and the same is hereby accepted and approved, and that notice of the filing of the said Petition shall be published once each week for four publications in The Daily Sentinel, the official newspaper of the said City of Grand Junction.

It was moved by Councilman Shults and seconded by Councilman Orr that the Resolution be passed and adopted as read and that Dec. 7th be set as the date for hearing on the Weaver annexation. Roll was called on the motion with all members of the Council present voting "AYE." The President Pro Tem declared the motion carried.

PROP. ORD. - VAN DEREN-FORD HEIGHTS. There were no objections filed to the Van Deren-Ford Heights Subdivision. This being the date set for hearing on the annexation of this plot of ground, the following proposed ordinance was presented and read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION. It was moved by Councilman Shults and seconded by Councilman Harper that the proposed ordinance be passed for publication. Motion carried.

It was moved by Councilman Shults and seconded by Councilman Orr that the City accept 5% of the land value in cash in connection with the annexation of the Van Deren-Ford Heights plat. Roll was called on the motion with all members of the Council present voting "AYE." The President Pro Tem declared the motion carried.

It was moved by Councilman Colescott and seconded by Councilman Shults that City Manager Toyne be instructed to investigate the value of the land representing the Van Deren-Ford Heights Subdivision and report to the Council. Motion carried.

HOULTON RE-PLAT. The agreement with Earle Barbour concerning the Houlton Re-Plat Subdivision was presented and the following proposed ordinance was introduced and read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION. It was moved by Councilman Shults and seconded by Councilman Orr that the proposed ordinance be passed for publication. Motion carried.

It was moved by Councilman Shults and seconded by Councilman Orr that the City Manager check into the land value of this area and to negotiate with Mr. Barbour on the amount of 5% of the land value and to report back to the Council at the next meeting. Mr. Barbour had filed a check for \$390 to cover the 5% of the land value but this amount was not definitely accepted. Motion carried.

2ND HOULTON RESUBDIV. A petition was presented asking that two lots between the waste ditch and the Houlton Re-Plat and area north of Houlton Re-Plat to Elm Avenue be annexed to the City. This area to be known as the Second Houlton Resubdivision. It was moved by Councilman Orr and seconded by Councilman Harper that the following resolution be passed and adopted as read and that hearing be set for Dec. 7th on this subdivision. Roll was called on the motion with all Councilmen present voting "AYE." The President Pro Tem declared the motion carried.

PETITION FOR ANNEXATION

TO THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

We, the undersigned do hereby petition the City Council of the City of Grand Junction, Colorado, to annex the following described property to the said City:

Beginning 300.57 feet west of the Northeast corner of the Southeast Quarter of the Southeast Quarter of Section 12 Township 1 South, Range 1 West of the Ute Meridian, thence South 328.58 feet; thence East 160.57 feet; thence South 250 feet; thence East 70 feet; thence North 578.58 feet; thence West 230.57 feet to the point of beginning.

As grounds for this petition we respectfully show to the Council that the said territory is eligible for annexation in that it is not embraced within any city or town, it abuts upon or is contiguous to the City of Grand Junction in a manner which will afford

reasonable ingress and egress thereto, more than one-sixth of the aggregate external boundaries of the territory proposed to be annexed coincide with existing boundaries of the City, and the non-contiguous boundaries of the said territory coincide with existing block lines, street lines, or governmental subdivision lines.

Your petitioners state that curbs and gutters will be provided for the streets within the proposed property, all sewer lines will be put in and the cul-de-sac will be paved, all at the expense of your petitioners.

Your petitioners further state that they are the owners of all the area of the territory sought to be annexed, and that Mr. and Mrs. Charles A. Hobbs and Mr. and Mrs. E. J. Adams are electors and residents within the territory proposed to be annexed, while the undersigned are land owners therein.

This petition is accompanied by four copies of a map or plat of such territory showing its boundaries and its relation to established city limit lines, which said map is prepared upon a material suitable for filing.

WHEREFORE these petitioners pray that this petition be accepted and the said annexation be approved by ordinance.

Signed this 18th day of October, 1955.

(Signed)	Residence Address:
Earle J. Barbour	536 North 18th
Ralph Houlton	1338 North 25th
Loyd Files	900 North 23rd
Charles A. Hobbs	2615 Elm Rout 11
May Hobbs	2615 Elm Ave.
Elmer J. Adams	2629 Elm
Russell Grant	256 Lake Road
Audrey B. Grant	256 Lake Road

STATE OF COLORADO)	
)	ss.

COUNTY OF MESA)
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James L. Gale being first duly sworn upon oath deposes and says:

That he is the person that circulated the foregoing petition for annexation; that each signature thereon was signed in his presence; and that each signature thereon is the signature of the person whose name it purports to be.

(Signed) James L. Gale

Subscribed and sworn to before me this 19th day of October, 1955.

(Signed) Mamie Barbour
Notary Public

My commission expires: April 12, 1958

RESOLUTION

WHEREAS, a Petition to annex the following described property, to wit:

Beginning 300.57 feet West of the Northeast Corner of the Southeast Quarter of the Southeast Quarter of Section 12, Township 1 South, Range 1 West of the Ute Meridian; thence South 328.58 feet, thence East 160.57 feet, thence South 250 feet, thence East 70 feet, thence North 578.58 feet, thence West 230.57 feet to the point of beginning.

has been filed with the City Clerk and is now presented to the City Council; and

WHEREAS, upon examination of the said Petition and hearing the testimony presented, the City Council does hereby find: That the said territory is eligible for annexation to the City of Grand Junction; that the Petition is signed by the owners of more than fifty per cent of the area of the territory sought to be annexed; that said Petition has been signed by all of the residents of said territory; that there is attached to the said Petition four copies of a map or plat of such territory which is suitable for filing; that the said Petition and maps are sufficient and substantially meet the requirements of Section 2, of Chapter 314, Session Laws of Colorado, 1947;

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

That the said Petition for annexation shall be and the same is hereby accepted and approved, and that notice of the filing of the said Petition shall be published once each week for four publications in The Daily Sentinel, the official newspaper of the said City of Grand Junction.

WATER BILL ADJUSTMENTS. There were three requests for adjustments in water bills as follows which were all due to service line breaks and which had been repaired:

<u>Name</u>	<u>Address</u>	<u>1955</u>	<u>1954</u>	<u>1955</u>	<u>1954</u>
Evan Lopez	1125 So. 7th	107,100	53,300	\$22.97	\$13.65
Coe Van Deren	418 So. 7th	312,400	68,900	80.24	21.88
Chas. H. Tripp	1015 S. 7th	95,500	55,900	22.68	14.14

It was moved by Councilman Harper and seconded by Councilman Colescott that the water bills be adjusted in accordance with the 1954 gallonage used. Roll was called on the motion with all members of the Council present voting "AYE." The President Pro Tem declared the motion carried.

CURB CUTS 5TH & UTE. A letter from J. A. Burton, City Engineer, was read reporting on the curb cuts for the gas station and bus depot at 5th and Ute. He and Karl Johnson, Chief of Police, had gone over the property and made the following recommendations: that on the curb cut into the bus depot off 5th Street that a ten foot maximum be allowed; for the driveway which was requested into the gas station off 5th Street they would recommend that this not be allowed as they felt that the extension of the driveway would create a hazard by allowing cars to approach pumps on a diagonal and would tend to cause them to back across the walkway in order to get into position at the pumps; that the driveway into the gas station off Ute Avenue was satisfactory as shown, that is, a 16 foot extension to the driveway and that if written consent of the owner of Lot 26 can be obtained approval be given to the driveway cut on Lot 26. It was moved by Councilman Shults and seconded by Councilman Harper that the recommendations of the City Engineer and Chief of Police be accepted and that the request of Mr. Claud Smith be granted in accordance with their recommendations. Motion carried.

GRANT 1" WATER TAP TO ROUSSIN. Mr. Roussin asked the Council for permission for a one inch water tap on Orchard Mesa. It was moved by Councilman Shults and seconded by Councilman Orr that the application be approved. Motion carried.

CM TO GRANT WATER TAPS 1". It was moved by Councilman Harper and seconded by Councilman Shults that water taps outside the City limits may be granted by the City Manager up to and including one inch. Motion carried.

GOLF COURSE. Richard Warren, Senior, appeared before the Council and asked that the Council give consideration to selling the present golf course and purchasing ground on the outskirts and constructing an eighteen hole course. He stated

that a good many people felt that the ground where the present course is located is too valuable and should be sold for residences and business property and an eighteen hole golf course be constructed in another location.

It was moved by Councilman Shults and seconded by Councilman Orr that the President Pro Tem appoint a committee to investigate this matter. President Pro Tem Lowe appointed City Manager Toyne, Councilmen Colescott and Shults and Mr. Warren to act on this committee.

BUDGET. City Manager Toyne stated that he had a transmittal letter ready for the 1956 Budget and asked if the Council would like for him to read it. It was moved by Councilman Shults and seconded by Councilman Orr that Mr. Toyne furnish each member of the Council a copy of the Budget transmittal letter and that they read it themselves. Motion carried.

ZONING ON FILES PROPERTY. It was moved by Councilman Colescott and seconded by Councilman Harper that the matter of the change of zoning on the property known as the Files Junk Yard and which is being purchased by Western States Construction Company be continued until the next regular meeting. Motion carried.

AIRPORT RESTAURANT LEASE NOT SIGNED. Councilman Colescott asked whether or not the lease with Mrs. Irene Felmlee for a restaurant at Walker Field had been signed and suggested that as it had not been signed that some consideration be given to another lessee if one might be found as he felt that if the lease with Mrs. Felmlee was drawn up, there would not be any waiting room left at the Airport. It was moved by Councilman Shults and seconded by Councilman Colescott that Mrs. Felmlee be given another week to sign the lease for the restaurant at Walker Field. If it is not signed by that time, it is to be withdrawn and to be renegotiated possibly with another party. Motion carried.

REQUEST OF MR. HOLLAND. Mr. David Holland appeared before the Council concerning the building that he is having constructed at 545 Grand. This brought considerable discussion concerning set-back of buildings in business areas such as the one where he is to be located, and it was decided that Mr. Holland could put his building directly on the property line if he so desired.

It was moved by Councilman Shults and seconded by Councilman Orr that the meeting adjourn.

/s/ Helen C. Tomlinson
City Clerk