

Grand Junction, Colorado  
October 17, 1956

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

It was moved by Councilman Shults and seconded by Councilman Orr that the minutes of the regular meeting held October 3rd be approved as written. Motion carried.

PROP. ORD. SIMADAS PROPERTY ANNEX. This was the date set for hearing on the annexation of the Simadas property being Lots 7, 8, 9, and 10 of Block 4, Lots 7, 8, 9, and 10, Block 3 of Subdivision Del Rey Replat. There were no objections filed to the proposed annexation. The following proposed ordinance was presented and read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION. It was moved by Councilman Wright and seconded by Councilman Harper that the proposed ordinance be passed for publication. Motion carried.

COUNCILMAN EMERSON ARRIVED AT THE MEETING.

ORD. 981 ANNEXATION LINDA LANE. This was also the date set for hearing on the annexation of Linda Lane Subdivision. No objections were filed in connection with this annexation and the following emergency ordinance was presented and read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION AND DECLARING AN EMERGENCY. It was moved by Councilman Wright and seconded by Councilman Harper that the proposed emergency ordinance be passed and adopted, numbered 981 and ordered published. Roll was called on the motion with all Councilmen voting "AYE." The President declared the motion carried.

PROP. ORD. ZONING REGENT, LINDA LANE & SIMADAS RES. A. Notices had also been sent out concerning zoning in Regent and Linda Lane Subdivisions and the Simadas property. A letter from Mr. Lee B. Ford of Van Deren-Ford Construction Company was read in which they requested that Lot 2 of Block 1, Lot 1 of Block 2 and Lot 4 of Block 3 of Regent Subdivision be zoned as Residence B instead of Residence A. It was moved by Councilman Emerson and seconded by Councilman Wright that this matter be referred to the Planning Commission. The following proposed ordinance was presented and read: AN ORDINANCE AMENDING CHAPTER 83 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, AND THE ZONING MAP INCLUDED THEREIN.

It was moved by Councilman Wright and seconded by Councilman Emerson that the proposed ordinance be passed for publication. Motion carried.

RESOL. SAN. SR. DIST. #16.

This was the date set for hearing on the proposed Sanitary Sewer District No. 16. The City Clerk reported that there had been no objections filed in creating Sanitary Sewer District No. 16.

The City Engineer reported that the owners of Lots 6, 7 and 13 of Block 1, Weaver Subdivision, had already layed a sewer line to service their lots and had paid cash for same; therefore, the total cost of Sanitary Sewer District No. 16 should be reduced to \$13,963.00. The following Resolution was presented and read:

### RESOLUTION

CREATING AND ESTABLISHING SANITARY SEWER DISTRICT NO. 16  
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 5th day of September, 1956, the City Council of the City of Grand Junction, Colorado, passed a Resolution adopting details, plans and specifications for Sanitary Sewer District No. 16 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. 16 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 sanitary sewer facilities 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, being Chapter 81 of the 1953 Compiled Ordinances of the City of Grand Junction, 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 5th day of September, A. D. 1956, 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. 16, dated the 1st day of December, 1956, in the denomination of \$500.00 each, numbered 1 to 26 inclusive, due and payable on the 1st day of December, 1966, 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 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. 16, 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

SANITARY SEWER DISTRICT NO. 16

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

in lawful money of the United States of America, on the first day of December, 1966, subject to call and payment, however, at any time prior thereto, with interest thereon from date until payment according to the interest coupons hereto attached, 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 in Grand Junction, Colorado, 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. 16 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 the 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 Sanitary Sewer District No. 16, 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 Dist. No. 16 and the making of said improvements and the issuance 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 issuance 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, as of the 1st day of December, A. D., 1956.

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

(SEAL)

ATTEST:

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

(Form of Coupon)

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

\$10.00

On the 1st day of December, [June] A. D. 19\_\_\_\_\_, the City of Grand Junction, Colorado, will pay the bearer

TEN AND NO/100 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. 16, provided the bond to which this coupon is attached has not been called for prior payment.

Attached to bond dated December 1, A.D. 1956.

(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, Colo., this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 1956

\_\_\_\_\_  
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 17th day of October, A. D. 1956.

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

(SEAL)

ATTEST:

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

It was moved by Councilman Wright and seconded by Councilman Orr that the Resolution be passed and adopted as read. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

AUTHORIZE D.P.W. TO ADVERTISE FOR BIDS. It was moved by Councilman Orr and seconded by Councilman Harper that Mr. Burton, Director of Public Works, be authorized to advertise for bids for the construction of Sanitary Sewer Dist. No. 16. Motion carried.

AUTHORIZE CITY TREAS. TO BUY \$13,000 SAN. SR. #16 BONDS. It was moved by Councilman Wright and seconded by Councilman Harper that the City sell \$13,000 San. Sewer Dist. #16 Special Assessment bonds to the City Treas. of the City of Grand Junction at an interest rate of 4%. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

RESOL. DEFAULT ON CONTRACT MESA GARDENS. The following Resolution was presented and read:

#### RESOLUTION

WHEREAS, on the 25th day of July, 1955, the Western States Construction Corporation, a California corporation, did, in consideration of the annexation by the City of Grand Junction, Colorado, of the Mesa Gardens Subdivision, which annexation has been completed, enter into a contract with the City of Grand Junction, Colorado, for certain improvements in Mesa Gardens, Subdivision, except Lot 24, Block 11 and all of Block 12 among which are:

1. Construction of curbs and gutters on the following streets and avenues:  
Gunnison Ave. from 26th to 27th

Gunnison Ave. from 22nd to alley E. 22nd  
Ouray Ave. from 22nd to alley E. 22nd  
Grand Ave. from 22nd to 27th (North side)  
25th St. from Grand to Gunnison  
26th St. from Grand to Gunnison and along Lot 19, Blk 11  
27th St. from Grand to Gunnison (West side) and from Grand to existing  
curb on East side.

2. Installation of sewer taps and service lines leading from such taps to property lines of each of the following lots in Mesa Gardens Subdivision:

Lot 7, Block 1  
Lots 1, 2, 3, 9, 10 and 11, Block 3  
Lots 1, 2, 3, 9, 10, 11 and 12, Block 5  
Lots 1 to 16 inclusive, Block 7  
Lots 1 to 18 inclusive, Block 8  
Lots 1 to 16 inclusive, Block 9  
Lots 1 to 18 inclusive, Block 10  
Lots 19 to 23, inclusive, Block 11

3. Installation of gas service lines leading to the property lines of each of the following lots in Mesa Gardens Subdivision:

Lot 7, Block 1  
Lots 1, 2, 3, 9, 10 and 11, Block 3  
Lots 1, 2, 3, 4, 9, 10, 11 and 12, Block 5  
Lots 1 to 16 inclusive, Block 7  
Lots 1 to 18 inclusive, Block 8  
Lots 1 to 16, Block 9  
Lots 1 to 18 inclusive, Block 10  
Lots 19 to 23 inclusive, Block 11

4. Installation of water taps and service lines leading to the property lines of each of the following lots in Mesa Gardens Subdivision:

Lot 7, Block 1  
Lots 1, 2, 3, 9, 10 and 11, Block 3  
Lots 1, 2, 3, 4, 9, 10, 11 and 12, Block 5  
Lots 1 to 16 inclusive, Block 7  
Lots 1 to 6 inclusive, and Lots 8 to 18 inclusive, Block 8  
Lots 1 to 16 inclusive, Block 9  
Lots 1 to 18 inclusive, Block 10  
Lots 19 to 23, Block 11

5. Laying of a crushed gravel base on the following streets:

22nd St. from Grand to Gunnison  
24th St. from Grand to North line of Lots 3, Block 5  
25th St. from Grand to Gunnison  
26th St. from Grand to North line of Mesa Gardens Subdivision  
27th St. from Grand to Gunnison  
Gunnison Ave. from 20th to alley East of 22nd  
Gunnison Ave. from 26th to 27th  
Ouray Ave. from 26th to 27th  
Ouray Ave. from 22nd to alley East of 22nd  
Grand Ave. from 22nd to 27th

6. Surfacing with a two-inch asphalt mat on the following streets:

22nd St. from Grand to Gunnison  
23rd St. from Grand to North line of Lot 3, Block 3  
24th St. from Grand to North line of Lot 3, Block 5  
25th St. from Grand to Gunnison  
27th St. from Grand to Gunnison  
26th St. from Grand to North line of Mesa Gardens  
Gunnison Ave. from 20th to alley East of 22nd  
Gunnison Ave. from 26th to 27th  
Ouray Ave. from 25th to 27th  
Ouray Ave. from 22nd to alley East of 22nd  
Grand Ave. from 22nd to 27th

, and

WHEREAS, although demand for performance has been made by the City the Western States Construction Corporation has failed and refused to commence and complete the improvements hereinabove mentioned.

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

1. That the Western States Construction Corporation be and they are hereby declared to be in default under the terms of the afore-mentioned contractual agreement between the Western States Construction Corporation and the City of Grand Junction as to the improvements hereinbefore enumerated.

2. That the City Manager is directed to make formal demand upon the Aetna Casualty and Surety Company, as surety under the Performance Bond of July 25, 1955, under which the Western States Construction Corporation is principal and the Aetna Casualty and Surety Company is surety, covering the obligations entered into in the contract between the City of Grand Junction, Colorado, and Western States Construction Corporation.



3. That this resolution in nowise acts as a waiver of other requirements of said contract performance of which are not required at this time under the terms of the contract.

It was moved by Councilman Orr and seconded by Councilman Emerson that the Resolution be passed and adopted as read. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

RESOL. DEFAULT ON CONTRACT MONTEREY PARK.

RESOLUTION

WHEREAS, on the 6th day of July, 1955, the Hanson Homes, Inc., a Colorado corporation, did, in consideration of the annexation by the City of Grand Junction, Colorado, of the Monterey Park Subdivision, which annexation has been completed, enter into a contract with the City of Grand Junction, Colorado, for certain improvements in Monterey Park Subdivision among which are:

1. Curbs and gutters on both sides of the following streets, unless otherwise indicated:

10th Street from Orchard to Walnut Ave.  
College Place from Orchard to Walnut Ave.  
Orchard Ave. from 10th to College Place (north side only)  
Walnut Ave. from 10th to College Place (south side only)

2. Six inch crushed gravel base and surfacing with a two inch asphalt mat and seal coat on the streets above mentioned,

WHEREAS, although demand for performance has been made by the City, the Hanson Homes, Inc., has failed and refused to commence and complete the improvements hereinabove mentioned.

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

1. That the Hanson Homes, Inc. be and they are hereby declared to be in default under the terms of the aforementioned contractual agreement between the Hanson Homes, Inc. and the City of Grand Junction, as to the improvements hereinbefore enumerated.

2. That the City Manager is directed to make formal demand upon the Royal Indemnity Company, as surety under the Performance Bond of July 25, 1955, under which the Hanson Homes, Inc. is principal and the Royal Indemnity Company is surety, covering the obligations entered into in the contract between the City of Grand Junction, Colorado, and Hanson Homes, Inc.

3. That this resolution in nowise acts as a waiver of other requirements of said contract performance of which are not required at this time under the terms of the contract.

It was moved by Councilman Orr and seconded by Councilman Shults that the Resolution be passed and adopted as read: Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

CLIFTON WATER DIST. - CONTRACT SIGNED. A contract had been presented by the City Attorney concerning the sale of water by the City to the Clifton Water District. It was moved by Councilman Wright and seconded by Councilman Harper that the President of the Council be authorized to enter into a contract with the Clifton Water District in accordance with the contract as read by the City Attorney. Motion carried.

TAX SALE CERTIFICATES CANCELED. The following Resolution was presented and read:

#### RESOLUTION

WHEREAS, the City of Grand Junction is the owner, through Treasurer's deed, of the following described lots all in the City of Grand Junction, Mesa County, Colorado; to-wit:

Lots 5 and 6, Block 13, Milldale Subdivision  
Lots 13-16, Block 13, Milldale Subdivision

and

WHEREAS, tax sale certificates numbers 48957, 48958 and 54793 based on special improvements by the City of Grand Junction chargeable to said lots are still on the books of the Mesa County Treasurer and should be canceled because of the ownership of the lots by the City:

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

1. That the aforementioned tax sale certificates be and the same are canceled and that the Treasurer of Mesa County be directed to cancel the same.

It was moved by Councilman Colescott and seconded by Councilman Orr that the Resolution be passed and adopted as read. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

OFF-STREET PARKING LOTS. City Manager Cheever reported that he had been offered the corner of 6th and Rood for an off-street parking lot for the sum of \$225

per month and the corner of 8th and Main at \$100 per month. The owners of each of these properties desired a ninety day cancellation clause in the contract so that if they had a chance to sell for a permanent building it would be possible for them to have the use of their land for such purpose. He suggested that the City also ask for a ninety day cancellation clause in the contract in case the off-street lots do not pay off financially.

He also stated that he was going to ask that if the leases were canceled that a proportionate share of the improvements be considered in the cancellation process. It was moved by Councilman Harper and seconded by Councilman Orr that the City Manager and City Attorney be authorized to proceed with the negotiations with the off-street parking lots. Motion carried.

WATER BILL ADJUSTMENTS. The following requests for reductions of water bills due to service line leaks which had been repaired were presented:

<u>Name</u>	<u>Address</u>		<u>1956</u>		<u>1955</u>	<u>Dif.</u>
Glen Roulston	1328 Rood	162,500	\$32.53	91,900	\$20.34	\$12.19
Mike Stranger	251 Rood	87,700	25.86	25,100	8.82	17.04
H. C. McCormick	931 Rood	144,900	29.49	80,100	18.32	11.17
Earl Knapp	745 Third Ave.	67,000	16.05	10,100	6.27	9.78
Edith Puckett	525 Chuluota	359,600	66.49	105,300	22.65	43.84
Esther E. Sawyer	405 Park	190,900	37.39	85,300	19.20	18.19

It was moved by Councilman Colescott and seconded by Councilman Harper that the above requests for adjustments be made on the basis of the water used in the corresponding quarter of 1955. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

RENEW RETTIGS BEER LICENSE. Mr. W. A. Sowell, dba Rettig's Supermarket at 725 No. 12th St. requested the renewal of his 3.2 beer license. It was moved by Councilman Emerson and seconded by Councilman Orr that the application be approved and license renewed. Motion carried.

REBATE BUILDING FEES. The Church of Christ asked for a rebate of building permit fees on their new church building. It was moved by Councilman Wright and seconded by Councilman Emerson that the request be granted. Roll was called on the

motion with all members of the Council voting "AYE." The President declared the motion carried.

7TH DAY ADV. CHURCH - 1 FREE QUARTER OF WATER. The Seventh Day Adventist Church, in a letter to the Council, asked that they be granted some free use of water as they do not use the school during the summer months and other churches in the City are allowed free water service. It was moved by Councilman Wright and seconded by Councilman Shults that the Seventh Day Adventist Church be given 3 months free use of water during the year, the quarter nearest the summer use to be designated for the free use of water, and, as now set up, would be for June, July and August. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

NOT TO SUPPORT AMENDMENT #4. A letter from the Members of the Mesa Co. Opposition to Amendment No. 4 Committee was read in which they asked that money from the parking meters be set up as a fund for use in opposing Amendment No. 4 which is an amendment to be voted on in the fall election concerning the re-apportionment of representatives in the State Legislature. It was moved by Councilman Emerson and seconded by Councilman Orr that the request be denied. Motion carried.

TAG DAY NOV. 10, 1956. It was moved by Councilman Emerson and seconded by Councilman Orr that the Navy Mothers be allowed to have Tag Day on November 10th instead of on October 20th. Motion carried.

TO PAY ELECTION OFFICIALS \$15.00 DAY. It was moved by Councilman Shults and seconded by Councilman Wright that the City of Grand Junction pay the Judges and Clerks in the October 18th election \$15.00 each. Roll was called on the motion with all members of the Council voting "AYE." The President declared the motion carried.

STREETS. The City Manager was complimented on the recent street improvements.

It was moved by Councilman Orr, duly seconded and carried that the meeting adjourn until Friday, October 19th at 5:30 P. M. Motion carried.

/s/ Helen C. Tomlinson  
City Clerk