

Grand Junction, Colorado

August 4, 1965

### **ROLL CALL**

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 o'clock P. M. August 4, 1965 in the Civic Auditorium at City Hall. Councilmen present and answering roll call were Charles E. McCormick, R. B. Evans, Harry O. Colescott, Dr. Hurst Otto, Herbert M. Wright and President Ray A. Meacham. Councilman Charles H. Love was absent. Also present were City Attorney Gerald J. Ashby, City Manager J. M. Lacy and City Clerk Helen C. Tomlinson.

### **INVOCATION**

The invocation was given by Rev. F. K. Parker, Pastor, Foursquare Gospel Church.

### **MINUTES**

It was moved by Councilman McCormick and seconded by Councilman Colescott that the minutes of the regular meeting held July 21, 1965 be approved as written. Motion carried. (6 AYES)

### **HEARING - I.D.#60**

This was the date set for hearing on Improvement District No. 60.

#### **First Street**

The first street considered was First Street from North Avenue to Lorey Drive. City Manager Lacy stated that this street would cost approximately \$64,000 of which the City would pay \$28,530 and \$35,282 would be assessable to the property owners. Petitions were not circulated for the improvement of this street, but the Council authorized the construction, or reconstruction, of sidewalks, curbs, gutters and paving by Resolution passed on the 2nd day of June, 1965. Mr. Lacy stated that in years gone by, the City had sold general obligation bonds to cover the cost of street and alley intersections. Then for several years, the property owners had been required to pay the whole cost of the improvements and the cost of intersections. This year, a new policy has been established whereby the City pays all costs over \$8.00 per front foot for curbs, gutters, sidewalks and paving. Mr. Lacy stated that an informal petition had been turned into him stating that "We, the undersigned, property owners, do, respectfully object to the method of cost allocation as proposed in Improvement District No. 60 being created by the City of Grand Junction dated July 2, 1965. It is felt that the property owners immediately adjacent to the East and West sides of North 1st Street from North Avenue to Lorey Drive would be assessed inequitably." The petition was signed by 58.2% of the property owners along the proposed improvement.

City Attorney Ashby stated that the Ordinance states the manner in which petitions should be prepared, and that he did not speak to invalidate the petition, but the requirements were set out in the ordinance. There were several people in the audience who protested building the improvements; some thought the street should not be as wide as planned and others felt it would not be necessary to put in curb and gutter.

Mr. George Todd, 115 Hall Avenue, acted as spokesman for a group of property owners living at First and Hall. This group did not object to the improvements, but did object to the manner of assessment. Mr. Todd suggested that the cost of paving be zoned back further than the ordinance requires. He suggested that the corner property pay \$350; the next property, \$250; the third property, \$166; fourth, \$133; fifth, \$100; sixth, \$50 and the seventh, \$25. It was explained to Mrs. Todd that the only way the assessment plan could be changed would be by an amending ordinance which would not be retroactive for this district. Mrs. Lepinotes, 105 Hall, and Mrs. Nancy Pollack, 100 Hall, stated that the cost of the improvements for corner lots is almost confiscatory. Mr. Lawrence Short, 111 Orchard, stated that he thought the street needed to be paved, but did not think it was necessary to have curb and gutter. Mr. Lacy explained that it was impossible to maintain a paved street if it did not have proper drainage. Art Cook, 1237 N. 1st Street, did not believe the street should be as wide as planned. Mrs. Walsh and Mrs. DesRosiers both felt that the street was going to be wider than necessary. Mr. Lacy explained that with present planning, it is believed that First Street will be one of the main arterial streets into Grand Junction within a short time, and it would be false economy if curbs and gutters and sidewalks were constructed for a narrow street, and then in a few years, the street would have to be widened at a big expense. Councilmen felt that it would be unwise to construct the street narrower than planned, or to exclude curbs, gutters and sidewalks.

### Grand Avenue

The next street to be considered was Grand Avenue from 19th Street to 22nd Street which was included in the Improvement District by Resolution of the Council. The cost is \$21,500 with the City paying \$11,258. An informal petition against the project signed by 40% of the property owners had been presented. The School District is anxious to have the improvements put in, as well as Ultronix, Inc. Mr. and Mrs. Ben Lambert, 1930 Grand Ave., appeared before the Council protesting the improvements stating that a number of years ago, the property owners in this area paid for having the pavement constructed. There were no curbs and gutters or sidewalks put in at this time, so the pavement has deteriorated.

### Fifteenth Street

Fifteenth Street from North Avenue to Orchard Avenue was then considered. This street was also added to Improvement District #60 by Resolution of the Council, not by petition. The total cost of this street would be \$64,500. The City would pay \$29,222 plus about \$30,000 for a storm sewer to eliminate an irrigation ditch. The storm sewer is absolutely necessary if the street is to be built. Thus, the City's portion would be approximately \$59,000. Since Gilbert's Market has expanded, improvements to street and sidewalks are very important. A petition signed by 49.13% of the property owners was presented. This was a non-conforming petition also, and stated that the specific grounds for objection to the construction of curbs, gutters, sidewalks and repaving and

widening Fifteenth Street were:

1. Proposed cost per running foot is excessive and would constitute an undue financial burden upon the participants.
2. Proposed widening of Fifteenth Street would not substantially benefit the residents of the area since it is felt that this is not a collector street, and the benefit, if any, would therefore, primarily, inure to the adjacent residents which includes all Protestants hereunder.
3. That the proposed construction would (a) increase taxes; (b) increase the speed of traffic flow in this residential area and (c) would necessarily require removal of trees and shrubbery to aesthetic detriment of the residents.

Mr. Warren F. Reams, Attorney at Law, appeared before the Council on behalf of the petitioners against the improvements, especially for Mr. William Dean, 1314 N. 15th. Mr. Reams told the Council that this area is a quiet neighborhood and most of the inhabitants are pensioners or people of humble means who can't afford to pay for the improvements. They were opposed to the program and wished to have it deferred. There was also a misunderstanding on his part, and also the property owners, on the manner of assessing the cost of tie improvements back 150 feet on each side of the street.

Mr. Stanley Anderson, 1720 No. 15th St., spoke in favor of the improvements. Other property owners spoke concerning the ditch and the drainage in the area. Mr. Glen Jones, 1660 No. 15th St., spoke in favor of the improvements. Mr. William Foster also spoke in favor of the improvements. He owns rental property on the street. Many children are in the street and near accidents occur often because of the condition of the street and the fact that there are no sidewalks. Mrs. Smith, 1405 No. 15th St., stated that as long as the ditch was open there were no problems, but since it has been enclosed it seems the pipe and culverts are too small. Mr. Lacy stated that for three years the City has been negotiating with the ditch users to close the ditch. The City established a policy several years ago for closing ditches in urban areas. This could be re-negotiated at this time. Mr. W. C. Cheskaty, 1535 N. 15th St., and Mrs. Witt, 1535 N. 15th, St., both spoke against the improvements. Mrs. Witt felt that inasmuch as the people along the street had paid something for the original oiling, they should not have to pay anything more for that part of the project. Councilman McCormick explained that the street was not paved properly in the first place and that the oil had been placed while the area was still outside the City limits of Grand Junction. Curb and gutter is a necessity.

It was brought out by the Council that First Street does have an informal remonstrating petition signed by 58.2% of the property owners, protesting the manner of assessment, not the project itself; that it is one of the most important streets in the City and presents a real problem as it is, and as to cost for the property owners who are obliged to pay for the improvements. Councilman Evans moved that the City accept First Street from North Avenue to Lorey Drive as part of Improvement District No. 60. Councilman Colescott seconded the motion. Roll was called on the motion with the following result: Councilmen voting AYE: Charles E. McCormick, R. B. Evans, Harry O. Colescott, Dr. Hurst F. Otto, Herbert M. Wright. Councilmen voting NAY: President of the Council, Ray A. Meacham. A majority of the Councilmen present voting AYE, the President

declared the motion carried.

It was moved by Councilman Wright and seconded by Councilman Evans that Grand Avenue from 19th Street to 22nd Street be included in Improvement District No. 60. Roll was called on the motion with the following result: Councilmen voting AYE: C. E. McCormick, R. B. Evans, Harry O. Colescott, Dr. Hurst F. Otto, Herbert M. Wright and Council, President Ray A. Meacham. All of the Councilmen present having voted AYE, the President declared the motion carried

It was moved by Councilman Otto and seconded by Councilman Wright that 15th Street from North Avenue to Orchard Avenue be included in Improvement District No. 60. Roll was called on the motion with the following result: Councilmen voting AYE: C. E. McCormick, R. B. Evans, Harry O. Colescott, Dr. Hurst F. Otto, Herbert M. Wright and President of the Council Ray A. Meacham. Councilmen voting NAY: none. All of the Councilmen present having voted AYE, the President declared the motion carried.

#### Walnut Avenue from College Place to 12th Street

Consideration of Walnut Avenue from College Place to 12th Street was then given. Lincoln Park Osteopathic Hospital signed an agreement with Henry Price, who had protested the improvements on this street, and placed \$4,800 in escrow to pay for Mr. Price's share of the improvements. Mr. Price therefor withdrew his objections to the paving of the street.

#### 11th Street in Kister Addition

Mr. Warren Turner, Attorney, appeared before the Council with a protesting petition properly signed, against the improvement of 11th Street in Kister Addition. This petition was signed by all of the property owners on the east side of 11th Street. The alley in Kister Addition is included in the district, and it was agreed that the alley would be included in the district and 11th Street could be graveled, which would give ample ingress and egress for trash collection and service to the Osteopathic Hospital. Members of the Board of Directors of Faith Baptist Church were also present and protested the improvements to 11th Street, stating that they would not use the street, and, therefore, did not need it improved.

It was moved by Councilman Colescott and seconded by Councilman Mc Cormick that 11th Street in Kister Addition be deleted from Improvement District No. 60. Roll was called on the motion with the following result: Councilmen voting AYE: C. E. McCormick, R. B. Evans, Harry O. Colescott, Dr. Hurst F. Otto, Herbert M. Wright and President of the Council Ray A. Meacham. Councilmen voting RAY: None. All of the members of the Council present having voted AYE, the President declared the motion carried.

#### Sparr Street

Mr. Keith Romkee, 531 Sparr Street, was present and asked that Sparr Street be kept in the Improvement District. There have been some problems concerning drainage on this street, but they have been taken care of so that it is feasible to include the street in the district. Notice was given of the intention to create the improvements and the street was therefore left in-the district.

Bookcliff Avenue Lot 12 K.S.L. Subdivision

It was moved by Councilman Colescott and seconded by Councilman Wright that that portion of Bookcliff Avenue adjacent to and lying north of Lot 12 K.S.L. Subdivision, be deleted from the district. Roll was called on the motion with the following result: Councilmen voting AYE: C. E. McCormick, R. B. Evans, Harry O. Colescott, Dr. Hurst F. Otto, Herbert M. Wright and President of the Council Ray A. Meacham. Councilmen voting NAY: none. All of the Councilmen present having voted AYE, the President declared the motion carried.

**I.D. #60 - RESOLUTION CREATING AND ESTABLISHING DISTRICT**

The following Resolution was presented and read:

R E S O L U T I O N

CREATING AND ESTABLISHING IMPROVEMENT DISTRICT NO. 60 WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE CONSTRUCTION OF SIDEWALKS, CURBS AND GUTTERS AND PAVING ON STREETS AND ALLEYS THEREIN AND PROVIDING FOR THE PAYMENT THEREFOR.

WHEREAS, on the 23rd day of June, 1965, the City Council of the City of Grand Junction, Colorado, passed a Resolution adopting details, plans and specifications for Improvement District No. 60 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, except as follows:

1. An informal petition by owners of certain property involved in the paving, curb and gutter and sidewalk proposal for North 1st Street from North Avenue to Lorey Drive objecting to the method of cost allocation for the proposed improvements;
2. An informal petition by owners of certain property involved in the paving, curb and gutter and sidewalk proposal for Grand Avenue from the East line of 19th Street to the West line of 22nd Street objecting to the inclusion of such work within the district;
3. A petition by owners of certain property involved in the paving, curb and gutter and sidewalk proposal for North 15th Street from North Avenue to Orchard Avenue objecting to the inclusion of the proposed improvements within the district.
4. A formal petition by owners of land abutting North 11th Street remonstrating against the proposed paving of North 11th

Street north of Orchard Avenue.

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

1. That said Improvement District No. 60, be and the same is hereby, created and established; and that construction of curbs and gutters, sidewalks and paving therein be, and the same are hereby, authorized and directed in accordance with the resolution adopting the details, plans and specification prepared and filed therefor, except as follows:
  - a. 11th Street from Orchard Avenue to a point 294.64 feet North of Orchard Avenue.
  - b. That portion of Bookcliff Avenue lying adjacent to on North of Lot 12 K. S. L. Subdivision, City of Grand Junction.
2. That the construction of paving, sidewalks and curbs and gutters 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 materials, 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, except the protests above referred to which were considered and found to be without merit except as to those deleted from the District; 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, Colorado, have been strictly complied with;
4. That the description of the curbs and gutters, sidewalks and paving to be constructed, the boundaries of said Improvement 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 Resolution adopted for said District on the 23rd day of June, 1965, and in accordance with the published Notice of Intention to create said District, except as to the deletions from said District;
5. That, after the :contract for the construction of curbs and gutters, sidewalks and paving has been let, the Council shall, by a Resolution, provide for the issuance of public improvement bonds for said Improvement District No. 60 for the purpose of paying the cost and expenses of constructing said improvements in said District.

PASSED AND ADOPTED this 4th day of August, 1965.

Ray A. Meacham  
President of the City Council

ATTEST:

City Clerk

It was moved by Councilman Wright and seconded by Councilman McCormick that the Resolution be passed and adopted as read. Roll was called on the motion with the following result: Councilmen voting AYE: C. E. McCormick, R. B. Evans, Harry O. Colescott, Dr. Hurst F. Otto, Herbert M.

Wright and President of the Council Ray A. Meacham. Councilmen voting NAY: none. All of the Councilmen present, having voted AYE, the President declared the motion carried and the Resolution duly passed and adopted.

**STORM SEWER - 7TH & RAILROAD, BIDS, CONTRACT TO GRAND MESA CONSTRUCTORS - \$42,673**

Bids were opened at 2:00 P. M. M.D. St. July 27, 1965 for construction of storm sewer at 7th Street and Railroad. Two bids had been received as follows:

Engineer's	Grand Mesa	Tilton
<u>Estimate</u>	<u>Constructors</u>	<u>Construction</u>

Furnish & install 36" sewer, 20" Steel Pipe Sewer, install 18" Sewer, construct manholes, etc.	\$49,427	\$42,673	\$65,441.40
---	----------	----------	-------------

It was moved by Councilman McCormick and seconded by Councilman Colescott that the low bid of Grand Mesa Constructors be accepted and that the City Manager be instructed to enter into contract with Grand Mesa Constructors in the amount of \$42,673.00 for construction of Storm Sewer (7th St. & RR). Motion carried. (6 AYES)

**REPORT ON NATIONAL LEAGUE OF CITIES**      **CONFERENCE IN DETROIT**

Mayor Pro Tem McCormick made a short report on the National League of Cities Conference he had attended in Detroit on July 23rd through the 27th. The meeting was well attended with all 50 states represented. Colorado Municipal League was well represented, too. There was more literature from Colorado than they could display on their table to refute the impression that the entire state had been flooded out. He felt it was a very worthwhile conference enabling representatives to talk to others about mutual problems. He stated there is a government program whereby funds are available for 30% for water and sewer expansion; however, there is a bill in Congress now which if passed will make a federal grant of 50% available for water and sewer improvements.

**VACATION OF 11TH STREET BETWEEN 2ND AND 3RD AVENUES - REQUEST BY GRAND JUNCTION STEEL FABRICATING CO.**

The Planning Commission at its meeting on July 28th recommended to the Council that a portion of

11th Street between 2nd and 3rd Avenues be vacated. Mr. Cornelison, President & Manager of Grand Junction Steel Fabricating Company was present and stated this request was made because Grand Junction Steel Fabricating Company was expanding and needed more land. He owns two lots across from the business and the Company has agreed to buy the lots after the 1st of the year. They have been improved and are being used for storage of material and equipment, but due to the nature of the material stored it is illegal to cross the street with it. There is very little traffic on this street.

Mr. Frank Jaros was present and protested the closing of the street. He owns property on 4th Avenue between 10th and 11th. He presented a petition signed by 8 property owners on 2nd and 3rd Avenues protesting the closing of 11th Street. They felt closing of the street would decrease the value of their property and would deprive the public of reasonable right of access to their property.

Mr. Don Warner, Development Director, showed a map of the area and stated that it would be necessary sometime in the future to move water lines in the area. Mr. Cornelison agreed to donate \$1,000 per 25-foot lot to a fund for the moving of water lines. Mr. Warner stated that there is complete right of way circulation of the Jaros property. This area when laid out on the grid system was for residential use, but this area is now becoming primarily an industrial area and should be provided with means to grow.

### **REVOCABLE PERMIT - 6TH STREET AT OURAY - VAN DEUSEN, BLISKA ETAL**

The Planning Commission at its meeting on July 28, 1965, recommended that a revocable permit be granted to use part of the right of way at 6th and Ouray for a parking area. Mr. Charles J. Traylor, Attorney, and Mr. Robert A. Van Deusen, Architect, were present. Mr. Van Deusen presented a model of the building to be built at the corner of 6th and Ouray which showed how they wished to use a portion of the present 21 1/2 foot sidewalk for off-street parking for their building. The area would be landscaped with planters and fixtures such as those in the Shopping Center.

Mr. Don Warner, Development Director, stated that 6th Street traffic at this time does not require a 21 1/2 foot sidewalk area and probably would better serve the public as a parking area. Although this request could have been handled administratively, it was felt best to bring it to the Council. It was brought out that consideration should be given to requests of this nature that a precedent was not being established as it was possible that other requests would be made where the traffic conditions would not be similar. It was felt that each request should be considered individually and on its own merits.

### **BOND APPROVED**

It was moved by Councilman McCormick and seconded by Councilman Evans that the bond for a Special Contractor's license for Security Products being on the approved form, be accepted and filed. Motion carried.

### **3.2 BEER HEARING - 9-1-65 FOR JAMES H. REDDICK DBA LINCOLN PARK GOLF CLUB**



An application for a 3.2 Beer license has been received from James H. Reddick dba Lincoln Park Golf Club. Hearing has been scheduled and will be advertised for September 1, 1965.

**3.2 BEER RENEWAL - CARROLL N. & VERA J. GILBERT DBA GILBERT'S MARKET, 1625 N. 15TH STREET**

An application for renewal of 3.2 beer license was presented by Carroll N. and Vera J. Gilbert dba Gilbert's Market, 1625 N. 15th. Chief of Police Karl Johnson had no objections to renewal of this license as there have been no violations. It was moved by Councilman Colescott and seconded by Councilman Otto that the application be approved and license granted when State license has been received. Motion carried. (6 AYES)

**PROPOSED ORDINANCE - VACATING PORTION OF 11TH STREET FOR GRAND JUNCTION STEEL FABRICATING COMPANY**

The following entitled proposed ordinance was presented and read: AN ORDINANCE VACATING A PORTION OF 11TH STREET IN THE CITY OF GRAND JUNCTION. It was moved by Councilman Wright and seconded by Councilman Otto that the proposed ordinance be passed for publication. Motion carried. (6 AYES)

**ORDINANCE NO. 1215 - SALES & USE TAX AMENDMENTS**

The Proof of Publication to the following entitled proposed ordinance was presented and read: AN ORDINANCE AMENDING SECTIONS 11-6(l), 13-1, 20-1 AND 21-2, ALL OF CHAPTER 94 OF THE 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, THE SAME BEING THE SALES AND USE TAX ORDINANCE OF THE CITY, SAID AMENDMENTS CONCERNING THE APPLICATION OF THE SALES AND USE TAX AND THE EXEMPTIONS OF CONTRACTORS AND OTHERS. It was moved by Councilman McCormick and seconded by Councilman Wright that the Proof of Publication be accepted and filed. Motion carried. (6 AYES)

It was moved by Councilman Colescott and seconded by Councilman Otto that the proposed ordinance be called up for final passage. Motion carried. (6 AYES)

The ordinance was then read, and it was moved by Councilman McCormick and seconded by Councilman Wright that the ordinance be passed and adopted as read, numbered 1215 and ordered published. Roll was called on the motion with all members of the Council present voting AYE. The President declared the motion carried. (6 AYES)

**REVOCABLE PERMIT AND RESOLUTION - 6TH AND OURAY TO VAN DEUSEN, BLISKA, TRAYLOR, ETAL**

The following Resolution was presented and read:

RESOLUTION

WHEREAS, Robert A. Van Deusen, Thomas E. Bliska, Charles J. Traylor, Ivan P. Kladder, T. J. Harshman, David B. Palo, F. Clinton Maxfield and William E. Wyllie have petitioned the City Council of the City of Grand Junction for a revocable permit to encroach upon parts of the rights-of-way of 6th Street and Ouray Avenue, adjacent to Lots 13 through 16 in Block 73, City of Grand Junction, for the purpose of parking and to provide planters for the building to be built on said lots; and

WHEREAS, such action has been heretofore approved by the City Planning Commission and would not be detrimental to the use of the rights-of-way or to the interest of the inhabitants of the City;

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

That the City Manager, on behalf of the City and as the act of the City, be, and he is hereby, authorized to grant such revocable permit to the above-named individuals for the purposes above-described upon the execution by them of an agreement to save and hold the City harmless for any claims arising out of the construction and use granted and agreement that upon the revocation of such permit they will remove said planters or other impediments at their own expense and will restore the right-of-way to its original condition.

PASSED AND ADOPTED this 4th day of August, 1965.

Ray A. Meacham  
President of the City Council

ATTEST:  
City Clerk

It was moved by Councilman Wright and seconded by Councilman Otto that the Resolution be passed and adopted as read. Roll was called on the motion with the following result: Councilmen voting AYE: R. B. Evans, Harry Colescott, Dr. Otto, Herbert M. Wright and President Ray Meacham; Councilman voting NAY: C. E. McCormick. A majority of Councilmen voting AYE. the President declared the motion carried.

REVOCABLE PERMIT

(Revocable Permit Not Filed)

**COMMITTEE TO MAKE RECOMMENDATION ON APPOINTMENT OF AUDITOR FOR 1965**

City Manager Lacy stated that the new state auditing law requires that audits be completed within six months after the auditing period. The City has, in the past, enjoyed a lower price by allowing the appointed auditor to work piece-meal at times convenient to him doing preliminary work so the

report can be wrapped up at the end of the accounting period in sixty to ninety days. The auditing firm needs to be appointed as soon as possible so they can be working on the 1965 audit. Council has usually appointed a 3-man Council committee to make this selection.

President Meacham appointed Councilman C. E. McCormick, Dr. Hurst Otto and Herbert M. Wright as a committee to look into the matter and to bring back recommendations at the next Council meeting.

### **ADJOURNMENT**

It was duly moved, seconded and carried that the meeting adjourn.

/s/ Helen C. Tomlinson  
City Clerk

December 14, 1965

Mr. Charles J. Traylor  
Electric Bldg.  
3rd & Main Street  
Grand Junction, Colo.

Dear Sir:

Inclosed herewith are two copies of Revocable Permit to encroach upon parts of the rights-of-way of 6th Street and Ouray Avenue.

Will you please have the original signed by the proper parties and return to me for my file, retaining the duplicate copy for your file. Thank you.

Very truly yours,

Helen C. Tomlinson  
City Clerk

enc

COPY

TRAYLOR, KLADDER, HARSHMAN & PALO

ATTORNEYS AT LAW

CHARLES J. TRAYLOR      OF COUNSEL:  
IVAN P. KLADDER        E. B. ADAMS  
T. J. HARSHMAN         SCOTT W. HECKMAN  
DAVID B. PALO

201 ELECTRIC BUILDING  
MAILING ADDRESS: P. O. BOX 266  
GRAND JUNCTION, COLORADO 81502  
242-2636  
AREA CODE 303

29 December 1965


Mrs. Helen Tomlinson  
City Clerk  
City Hall  
5th & Rood Avenue  
Grand Junction, Colorado

Dear Helen:

Enclosed find Revocable Permit duly signed by everyone  
with the exception of Thomas E. Bliska, who is now deceased.

Thank you for your kindness in this matter.

Sincerely,

  
Charles J. Traylor

CJT:ds  
encl: (1)  
Revocable Permit

892 627

REVOCABLE PERMIT

WHEREAS, Robert A. VanDeusen, Thomas E. Bliska, Charles J. Traylor, Ivan P. Kladder, T. J. Harshman, David B. Palo, F. Clinton Maxfield and William E. Wyllie have petitioned the City Council of the City of Grand Junction for a revocable permit to encroach upon parts of the rights-of-way of 6th Street and Ouray Avenue, adjacent to Lots 13 through 16 in Block 73, City of Grand Junction, for the purpose of parking and to provide planters for the building on said lots, and

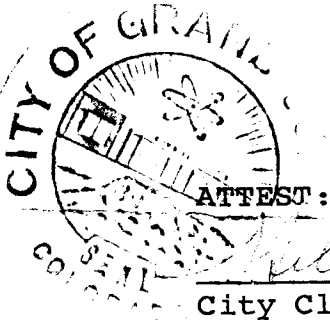
WHEREAS, the City Planning Commission and City Engineer have approved such action, and the City Council is of the opinion that such would not be detrimental to the City or to any of the inhabitants thereof at this time and has directed the City Manager to issue a permit for such use:

NOW, THEREFORE, IN ACCORDANCE WITH THE ACTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

There is hereby granted to the above-named individuals a revocable permit for the purposes above stated; provided, however, that said permit may be revoked by the City Council at its pleasure at any time; provided further that the the named individuals shall agree to indemnify the City and hold it harmless from any and all claims, damages, actions, costs and expenses of every kind in any manner arising out of, or resulting from, the permitted use; provided further that said individuals shall agree to restore the right-of-way to a proper and usable condition after the completion of construction on said lots, and provided further that said individuals

shall agree to restore said right-of-way to its original condition upon the revocation of such permit.

Dated this 14th day of December, 1965.



[Signature]  
City Manager

[Signature]  
City Clerk

The undersigned, for themselves, their heirs, administrators, executors and assigns, hereby agree that they will abide by the conditions contained in the foregoing permit; that they will indemnify the City of Grand Junction and hold it harmless from all claims and demands as stated therein; that after construction, they will restore the right-of-way to a proper and usable condition; and, that, upon revocation of the permit, they will restore the right-of-way to its original condition.

Dated at Grand Junction, Colorado, this 27 ✓  
day of December, 1965.

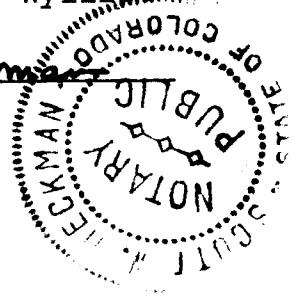
[Signature]  
[Signature]  
[Signature]  
[Signature]

[Signature]  
[Signature]  
[Signature]

STATE OF COLORADO )  
                                  ) ss.  
County of Mesa        )

The foregoing was acknowledged before me this 27th day of December, 1965, by Robert A. VanDeusen, Thomas E. Bliska, Charles J. Traylor, Ivan P. Kladder, T. J. Harshman, David B. Palo, F. Clinton Maxfield and William E. Wyllie.

[Signature]  
Notary Public



My Commission Expires:  
April 21st - 1968