

Grand Junction, Colorado

June 7, 1978

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in regular session on Wednesday, June 7, 1978, at 7:30 p.m. in the Council Chambers at City Hall. Council members present: Larry Brown, Robert Holmes, Lawrence Kozisek, Bill O'Dwyer, Jane Quimby, and President of the Council Karl Johnson. Elvin Tufly was absent. Also present were City Manager Jim Wysocki, City Attorney Gerald Ashby, and City Clerk Neva Lockhart.

MINUTES

The minutes of the regular meeting May 3, 1978, and special meeting May 11, 1978, were approved as written.

The minutes of the regular meeting May 17, 1978, were corrected as follows:

Parking Regulations Ordinance numbered 1738, and Rezoning from R-2 to P, 626 Belford Avenue, Ordinance numbered 1739. The minutes of May 17, 1978, were approved as corrected.

INTRODUCTION OF NEW CITY EMPLOYEES

The following new City employees were present and introduced to Council:

Bruce Johneson - Water Plant

Jack Pittman, Jr. - Parks and Recreation Department

Gerald Krug - Recreation Department

Everett Reese - Fire Department

FLOOD PLAIN REGULATION PETITION

Pam Davignon, with Country West Realty, residing at 647 35 Road in Clifton, appeared before Council with additional signatures of petitioners to the list of 196 signatures submitted earlier to the City Manager. Efforts are being made to get some legislation concerning the flood plain in Riverside, and petition the Federal Government for flood plain insurance. Council acknowledged receipt of the petition and ordered staff to validate the signatures. Councilman Kozisek stressed the fact that regardless of any action taken by Council in the affirmative, once flood plain insurance becomes available, it does not become effective immediately.

It was moved by Councilman Kozisek and seconded by Councilman Holmes that this item be tabled to July 5, 1978, with a hearing

conducted at that meeting. Motion carried.

3.2% BEER - RENEWAL OF 3.2% FERMENTED MALT BEVERAGE LICENSES

Submitted for consideration were the following applications to renew 3.2% fermented malt beverage licenses:

- (1) Shakey's Pizza Parlor, 2560 North Avenue
- (2) Circle K Food Store, NE Corner 1st and Chipeta
- (3) City Market Store No. 2, 865 North Avenue
- (4) City Market Store No. 9, 1909 North 1st Street
- (5) Pizza Hut No. 2, 704 Horizon Drive

American Family Annexation effective June 4, 1978, has brought Pizza Hut No. 2, 704 Horizon Drive, under the City's jurisdiction.

Reports from the Police Department advised that during the past licensing period there have been no complaints or violations concerning the sale of 3.2% beer at any of the above establishments. A Fire Department Report advised that an inspection of Shakey's Pizza Parlor, 2560 North Avenue, was made on June 6, 1978.

The report stated that the rear exit door was out, the hood system and duct work needs cleaning. The Fire Department would recommend approval contingent upon the licensee correcting the above conditions.

It was moved by Councilman Kozisek and seconded by Councilman Brown that the application be approved and the licenses issued when the State licenses have been received subject to the conditions placed on the license for Shakey's Pizza Parlor, 2560 North Avenue, by the Fire Department having been corrected. Motion carried with Councilman HOLMES voting NO.

RESOLUTION OF DECISION REGARDING APPLICATION BY RALPH AND MARY QUARLES TO MOVE RETAIL LIQUOR STORE LICENSE FROM 901 NORTH 1ST STREET TO 817 NORTH 1ST STREET - APPROVED

The following Resolution was presented and read:

RESOLUTION

OF DECISION ON APPLICATION FOR CHANGE OF LOCATION OF RETAIL LIQUOR STORE, CITY LIQUOR DRIVE-IN.

A public hearing having been held on May 17, 1978, on the application by Ralph Quarles and Mary Quarles for relocation of City Liquor Drive-In from 901 North First Street to 817 North First Street, Grand Junction, and the City Council having

considered the evidence adduced at said hearing:

FINDS:

1. That the hearing was held after proper notice under the Liquor Code.
2. That the survey conducted by the City indicated that the needs of the neighborhood were not being met by other outlets within the neighborhood and there was a need for this outlet in that 216 persons so stated while 41 felt the needs were being met by other outlets.
3. That no one appeared at the hearing in opposition to the granting of the relocation and no petitions or letters of disapproval were received by the City Council.
4. That evidence supports the position that the needs of the neighborhood are not being met by other outlets of the same type and the position that the desires of the inhabitants of the neighborhood are that the relocation be approved.

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

That the relocation of City Liquor Drive-In from 901 North First Street to 817 North First Street, Grand Junction, Colorado, be approved.

PASSED and ADOPTED this 7th day of June, 1978.

President of the Council

Attest:

City Clerk

It was moved by Councilman Brown and seconded by Councilwoman Quimby that the Resolution be passed and adopted as read. Upon roll call Council members O'DWYER, BROWN, QUIMBY, KOZISEK and JOHNSON voted AYE. Councilman HOLMES voted NO. The President declared the motion carried and the Resolution duly passed and adopted.

HEARING - ID ST-77 ASSESSMENTS

A hearing was held on this item. No letters had been filed and there was no one in the audience who indicated a desire to speak.

The following entitled proposed ordinance was presented and read:

AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR IMPROVEMENT DISTRICT NO. ST-77, IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS AMENDED, APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; APPROVING THE APPORTIONMENT OF SAID COST AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS. It was moved by Councilman Kozisek and seconded by Councilwoman Quimby that the proposed ordinance be passed for publication. Motion carried.

HEARING - APPLICATION FOR TAVERN LIQUOR LICENSE CORK 'N EMBERS,
105 N. 2ND STREET

Advertised for hearing this date was the application by Mel Mulder and Hine-Quarter, Inc. for a tavern liquor license for Cork 'N Embers, located at 105 North 2nd Street. They are presently operating under a Hotel-Restaurant Liquor License; however, less than 25% of the gross income is from food items. This change of type license is a State request. The application was complete. There were no letters or counter petitions filed in opposition to the change of license. Vera Mulder is being dropped from the license. Corporate officers of Hine-Quarter, Inc. are:

President/Manager: John Fox, 3227 B1/4 Road

Vice Pres/Sec'y/Treas: Diann Fox, 3227 B1/4 Road

The area for the City's independent survey included both sides of Grand Avenue on the north, both sides of 5th Street on the east, both sides of Pitkin Avenue on the south, and both sides of Rice Avenue on the west. There was a total of 392 properties in the area. Results are:

(1) Yes, I am in favor of the issuance of the license as I believe the needs of the neighborhood are not being met by existing outlets. 187

(2) No, I am not in favor of the issuance of the license as I believe the needs of the neighborhood are being met by existing outlets. 29

(3) Neutral 18

(4) Refused to Vote 3

(5) Did not speak English 2

(6) Vacant 15

Total 254

The Police Department report advised Melvin William Mulder is clear NCIC, CCIC, and local files. Teletypes were sent to areas of former residency and have all returned indicating "no record found." Print cards were mailed on Melvin Mulder on May 5, 1978, with no return to date. John and Diann Fox are clear in all respects including print cards.

Number of similar type outlets within one mile: 6.

The Mesa County Health Department and Fire Department made inspections on May 19, 1978, with follow-up inspections on June 5, 1978. The following violations remain:

- (1) Floors around ice machine need resurfaced for each in cleaning;
- (2) The area behind the gas fireplace must be cleaned. (Logs and tree bark are scattered all over the area). Also, a letter of approval from the Building Department and Fire Department is needed stating that the gas fireplace meets all codes;
- (3) Carpet by front door needs repaired;
- (4) The walls in the men's restroom on the south end of the building must be resurfaced so as to be smooth and easy cleanable;
- (5) There is a plumbing leak in the men's restroom (located at the center of the building) around the stool;
- (6) Operable fans are needed in all restrooms;
- (7) Some shelves behind the bar have not been completed (painted);
- (8) There is no food being served in this facility at this time;
- (9) No floor plans have been submitted for remodeling to the Health Department;
- (10) Toilet facilities must be increased to meet seating capacity.

The Mesa County Health Department advised it cannot approve any changes in the license until the above items have been addressed and all codes as described by the Building Department and Fire Department have been met.

It was moved by Councilman Kozisek and seconded by Councilman Holmes that a Resolution of Findings and Decision be scheduled on the June 21 agenda, said Resolution to state all deficiencies that have been reported, and that no action of approval be taken until all deficiencies have been corrected. Motion carried.

HEARING - VIOLATION OF LIQUOR CODE AT JIM'S LIQUORS, 1560 NORTH AVENUE - SALE TO A MINOR

Notice of Hearing was served to Mr. Dick Will, dba Jim's Liquors, 1560 North Avenue. The violation of liquor code is sale to a minor on February 17, 1978. Subpoenas were served on Dick Will Enterprises, Ltd., Bryan Joseph Busch. Mr. William H. Flett, the clerk, had moved to Minnesota and was unable to appear, but submitted his statement in writing - said statement was read by City Attorney Ashby and made a part of the hearing. Mr. Bryan Joseph Busch, the purchaser, failed to appear. Officer Elmer Martinez of the Grand Junction Police Department appeared and testified. Mr. Clayton Tipping, attorney for Dick Will Enterprises, was present. Both Mr. Busch and Mr. Flett were found guilty in court. Penalties resulted as follows: Mr. Busch was fined \$50 and \$8 court costs; the clerk, Mr. Flett, was fined \$25 and \$8 court costs.

It was moved by Councilman Kozisek and seconded by Councilwoman Quimby that the liquor license for Dick Will Enterprises, Ltd., dba Jim's Liquors, 1560 North Avenue, be suspended for a period of one week, effective June 8, 1978, with the suspension being held in abeyance for a period of one year providing there are no further violations during that period. Motion carried with Councilmen HOLMES and BROWN voting NO.

HEARING - ORDINANCE NO. 1740 - ADOPTING BY REFERENCE THE 1976 EDITION OF THE UNIFORM BUILDING CODE

A hearing was held after proper notice. There was no one in the audience who indicated a desire to speak, and no letters had been filed.

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE RELATING TO THE REGULATION OF CONSTRUCTION, ALTERNATION, MOVING, DEMOLITION, REPAIR AND USE OF ANY BUILDING OR STRUCTURE WITHIN THE CITY OF GRAND JUNCTION, COLORADO; ADOPTING BY REFERENCE THERETO THE UNIFORM BUILDING CODE OR THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS, 1976 EDITION, TOGETHER WITH THE APPENDIX THERETO, EXCEPT CHAPTER 15 OF SAID APPENDIX AND TOGETHER WITH THE UNIFORM BUILDING CODE STANDARDS, 1976 EDITION, OF THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; DECLARING AND ESTABLISHING FIRE DISTRICTS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH. It was moved by Councilman Kozisek and seconded by Councilman O'Dwyer that the Proof of Publication be accepted for filing. Motion carried with Councilman HOLMES voting NO.

It was moved by Councilman O'Dwyer and seconded by Councilwoman Quimby that the proposed ordinance be called up for final passage and read. Motion carried with Councilman HOLMES voting NO.

The Ordinance was read. There being no comments, it was moved by Councilman Kozisek and seconded by Councilwoman Quimby that the Ordinance be passed, adopted, numbered 1740, and ordered

published. Upon roll call Council members O'DWYER, BROWN, QUIMBY, KOZISEK and JOHNSON voted AYE. Councilman HOLMES voted NO. The President declared the motion carried.

HEARING - ORDINANCE NO. 1741 - ADOPTING BY REFERENCE THE 1976 EDITION OF THE UNIFORM MECHANICAL CODE

A hearing was held after proper notice. There was no one in the audience who indicated a desire to speak, and no letters had been filed.

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE PROVIDING MINIMUM STANDARDS TO SAFEGUARD LIFE OR LIMB, HEALTH, PROPERTY AND PUBLIC WELFARE BY REGULATING AND CONTROLLING THE DESIGN, CONSTRUCTION, INSTALLATION, QUALITY OF MATERIALS, LOCATION, OPERATION AND MAINTENANCE OF HEATING, VENTILATING, COOLING, REFRIGERATION SYSTEMS, INCINERATORS AND OTHER MISCELLANEOUS HEAT-PRODUCING APPLIANCES: ADOPTING BY REFERENCE THE UNIFORM MECHANICAL CODE OF THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS, 1976 EDITION, TOGETHER WITH APPENDICES THERETO; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF. It was moved by Councilman Brown and seconded by Councilman Kozisek that the Proof of Publication be accepted for filing. Motion carried with Councilman HOLMES voting NO.

It was moved by Councilwoman Quimby and seconded by Councilman Kozisek that the proposed ordinance be called up for final passage and read. Motion carried with Councilman HOLMES voting NO.

The Ordinance was read. There being no comments, it was moved by Councilman O'Dwyer and seconded by Councilman Brown that the Ordinance be passed, adopted, numbered 1741, and ordered published. Upon roll call Council members BROWN, QUIMBY, KOZISEK, O'DWYER and JOHNSON voted AYE. Councilman HOLMES voted NO. The President declared the motion carried.

HEARING - ORDINANCE NO. 1742 -ADOPTING BY REFERENCE THE 1976 EDITION OF THE UNIFORM PLUMBING CODE

A hearing was held after proper notice.

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE RELATING TO THE REGULATION OF THE ERECTION, INSTALLATION, ALTERATION, ADDITION, REPAIR, RELOCATION, REPLACEMENT, MAINTENANCE OR USE OR ANY PLUMBING SYSTEM; ADOPTING BY REFERENCE THE UNIFORM PLUMBING CODE OF THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS, 1976 EDITION; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH. It was moved by Councilman Brown and seconded by Councilman Kozisek that the Proof of Publication be accepted for

filing. Motion carried with Councilman HOLMES voting NO.

It was moved by Councilman O'Dwyer and seconded by Councilwoman Quimby that the proposed ordinance be called up for final passage and read. Motion carried with Councilman HOLMES voting NO.

The Ordinance was read. Mr. Chuck Osborne, 3094 E Road, appeared before Council and questioned the fee schedule. Mr. Hollinger advised him that there are no changes in the fees, but that at some point in the future the City fees and County fees will become the same. There being no other comments, it was moved by Councilman Kozisek and seconded by Councilman O'Dwyer that the Ordinance be passed, adopted, numbered 1742, and ordered published. Upon roll call Council members QUIMBY, KOZISEK, O'DWYER, BROWN and JOHNSON voted AYE. Councilman HOLMES voted NO. The President declared the motion carried.

HEARING - ORDINANCE NO. 1743 - ADOPTING BY REFERENCE THE 1976 EDITION OF THE UNIFORM FIRE CODE

A hearing was held after proper notice. There was no one in the audience who indicated a desire to speak, and no letters had been filed.

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE PRESCRIBING REGULATIONS CONSISTENT WITH NATIONALLY RECOGNIZED GOOD PRACTICE FOR THE SAFEGUARDING TO A REASONABLE DEGREE OF LIFE AND PROPERTY FROM THE HAZARDS OF FIRE AND EXPLOSION ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES, AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE USE OR OCCUPANCY OF BUILDINGS OR PREMISES IN THE CITY OF GRAND JUNCTION, COLORADO; ADOPTING BY REFERENCE THERETO THE UNIFORM FIRE CODE OF THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS AND WESTERN FIRE CHIEFS ASSOCIATION, 1976 EDITION, TOGETHER WITH THE APPENDICES THERETO; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH. It was moved by Councilman Kozisek and seconded by Councilwoman Quimby that the Proof of Publication be accepted for filing. Motion carried with Councilman HOLMES voting NO.

It was moved by Councilman O'Dwyer and seconded by Councilwoman Quimby that the proposed ordinance be called up for final passage and read. Motion carried with Councilman HOLMES voting NO.

The Ordinance was read. There being no comments, it was moved by Councilman O'Dwyer and seconded by Councilman Kozisek that the Ordinance was passed, adopted, numbered 1743, and ordered published. Upon roll call Council members KOZISEK, O'DWYER, BROWN, QUIMBY and JOHNSON voted AYE. Councilman HOLMES voted NO. The President declared the motion carried.

HEARING - ORDINANCE NO. 1744 - ADOPTING BY REFERENCE THE COLORADO MODEL ENERGY EFFICIENCY CONSTRUCTION AND RENOVATION STANDARDS

A hearing was held after proper notice. There was no one in the audience who indicated a desire to speak, and no letters were filed.

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE ADOPTING BY REFERENCE THE COLORADO MODEL ENERGY EFFICIENCY CONSTRUCTION AND RENOVATION STANDARDS FOR NONRESIDENTIAL BUILDINGS OF THE STATE OF COLORADO AND THE COLORADO RECOMMENDED ENERGY CONSERVATION "PERFORMANCE" CODE FOR NEW CONSTRUCTION AND RENOVATION OF RESIDENTIAL BUILDINGS, REPEALING ALL ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO, IN CONFLICT OR INCONSISTENT THEREWITH, AND PROVIDING A PENALTY FOR VIOLATION THEREOF. It was moved by Councilman Kozisek and seconded by Councilman O'Dwyer that the Proof of Publication be accepted for filing. Motion carried.

It was moved by Councilman O'Dwyer and seconded by Councilman Brown that the proposed ordinance be called up for final passage and read. Motion carried.

The Ordinance was read. There being no comments, it was moved by Councilman O'Dwyer and seconded by Councilwoman Quimby that the Ordinance be passed, adopted, numbered 1744, and ordered published. Upon roll call Council members O'DWYER, BROWN, QUIMBY, KOZISEK and JOHNSON voted AYE. Councilman HOLMES voted NO. The President declared the motion carried.

HEARING - CONDITIONAL USE AND APPLICATION FOR HOTEL-RESTAURANT LIQUOR LICENSE FOR T-BONE RESTAURANT, 120 NORTH 7TH STREET

Senior Planner Del Beaver reviewed the plan. The Planning Commission approved the Conditional Use application subject to the following condition: Petitioner submitting a letter which will state his cooperation in providing sufficient parking for his business establishment. Petitioner John C. Hanna was present, as well as his attorney, Mr. Eddie Distel. A hearing was held after proper notice. There was no one in the audience who opposed. A letter was read by Mr. Johnson that was received from Mr. Nowell Crim of Valley Radiator Shop, stating that the parking situation would become a neighborhood problem. A letter was submitted by Mr. Hanna stating his agreement to cooperate with parking facility regulations that may be placed on him by the Downtown Development Authority in the future.

Advertised and posted for hearing on June 7, 1978, is the application by Feedlot, Inc., for a hotel-restaurant liquor license for the T-Bone Restaurant & Lounge, 120 North 7th Street. This is an application for a second, or additional, hotel-restaurant liquor license by Feedlot, Inc. The Feed Lot at 118 Main Street is owned and operated by Feedlot, Inc., with John C. Hanna registered as its manager. Corporate officers are:

President: John C. Hanna

Vice Pres/Manager: Theresa A. Hanna

Sec'y/Treasurer: Victor T. Roushar

Mr. Roushar owns no stock issued by Feedlot, Inc. He does own one share of stock in T.G.N., Ltd. doing business as Red Barn Restaurant & Lounge, 1413 East Main Street in Montrose, Colorado, which has a hotel-restaurant liquor license.

The sign giving Notice of Hearing was posted Friday, May 26, 1978, and the display ad giving Notice of Hearing was published in The Daily Sentinel Friday, May 26.

The area of the City's independent survey was both sides of 10th Street on the east, both sides of Grand Avenue on the north, both sides of 4th Street on the west, and both sides of Ute Avenue on the south. There were approximately 824 controllers of property in the area. Response was as follows:

(1) Yes, I am in favor of the issuance of the license as I believe the needs of the neighborhood are not being met by existing outlets. 362

(2) No, I am not in favor of the issuance of the license as I believe the needs of the neighborhood are being met by existing outlets. 112

(3) Neutral 40

(4) Refused to Sign 11

(5) Vacant 6

Total 531

The Police Department reports that "John C. Hanna, Theresa A. Hanna, and Victor T. Roushar were clear in all respects including print cards during background check during January of this year. A subsequent check reveals clear status still prevails."

A Resolution of Findings and Decision is scheduled on the June 21 agenda.

GREENWOOD ESTATES 31-LOT SUBDIVISION, PRELIMINARY PLAN, NW CORNER OF 17TH STREET AND WALNUT AVENUE

City Manager Jim Wysocki submitted an appraisal from Mountain Realty for the proposed intersection at 17th and Walnut for the property at \$36,500 (fair market price). Both buildings on said piece of property may be moved, allowing for some return of the \$36,500, along with the possibility of a portion of the lot being sold at a later date. There are no definite figures on the latter two options; it has been estimated to be worth \$1000 to \$1500. The

property itself has been valued at \$36,500.

Senior Planner Del Beaver reviewed the area.

It was moved by Councilwoman Quimby and seconded by Councilman O'Dwyer that the City negotiate the purchase of the property at 17th and Walnut for the acquisition of right-of-way in order to line up and bring up to code the intersection at 17th and Walnut.

It was moved by Councilman Kozisek that the motion be amended to limit the negotiations to \$30,000. Motion lost for lack of a second.

The original motion failed to carry with a vote of 3-3.

It was moved by Councilman Brown and seconded by Councilman Kozisek that the terms of the agreement with the developer be accepted with 6 additional feet of right-of-way in lieu of \$5000, and that staff be directed to assist the people on that street with an improvement district with a two-lane street. Motion failed to carry with a vote of 3-3.

The following were present and spoke before Council:

Jill Kincaid, 525 Hill Avenue (representing O.K. Clifton, owner of property at 15th and Walnut)

Mary Kuntz, 2021 N. 17th Street

Mr. and Mrs. Gilford Weaver, 1625 Walnut Avenue

Mrs. Busch, 2005 N. 17th Street

It was moved by Councilwoman Quimby and seconded by Councilman Brown that this item be tabled, and direct the City Manager to negotiate and finalize all cost figures and present to Council. Motion carried.

It was moved by Councilman O'Dwyer and seconded by Councilwoman Quimby that the Preliminary Plan for Greenwood Estates be accepted as submitted with the exception of the intersection approval. Motion carried with Councilman KOZISEK voting NO.

RECESS

A five-minutes recess was declared by the President. Upon reconvening, six members of Council were present.

HEARING - REQUEST FOR BOATING AND WATER SPORTS SALES DEVELOPMENT IN H.O. (HIGHWAY-ORIENTED) ZONE, S OF HWY 50 AND E OF CANNON AVENUE

Senior Planner Del Beaver reviewed the request. Planning Staff has requested additional landscaping around the building and near the

intersection. The fence on U.S. Hwy 50 should be set back 3 feet at Unawep corner and 5 feet at the exit. The existing 36-foot curb shown would be abandoned, and closed with new curb and gutter. Employee parking should be contained entirely on site. A letter of credit for landscaping and closure of curb with new gutter - sidewalk sections to be requested of petitioner.

A hearing was held after proper notice. Mr. Andrew PETERSON, 617 29 1/2 Road, petitioner, was present. No letters were filed and no one in the audience indicated a desire to speak.

It was moved by Councilman Kozisek and seconded by Councilwoman Quimby that the request for Boating and Water Sports Sales Development in H.O. be approved subject to staff comments. Motion carried.

HEARING - FINAL PLAT FOR MALDONADO SUBDIVISION - 9-LOT SUBDIVISION IN R-3 (MULTI-FAMILY ZONE), 350 WEST GRAND AVENUE

Senior Planner Del Beaver reviewed this item. A hearing was held after proper notice. There was no one in the audience who indicated a desire to speak, and no letters were filed.

It was moved by Councilman O'Dwyer and seconded by Councilman Kozisek that the Final Plat for Maldonado Subdivision be approved subject to staff comments. Motion carried.

HEARING - PROPOSED ROAD VACATION (VACATING A PORTION OF R-O-W ALONG CANAL), 279 CEDAR STREET - PROPOSED ORDINANCE

Mr. Beaver outlined the area in question. A hearing was held after proper notice. No letters were filed and no one in the audience indicated a desire to speak.

The following entitled proposed ordinance was introduced and read: AN ORDINANCE VACATING A PORTION OF RIGHT OF WAY ALONG CANAL. It was moved by Councilman Kozisek and seconded by Councilman O'Dwyer that the proposed ordinance be passed for publication. Motion carried.

HEARING - SROUFE SUBDIVISION (COUNTY TRANSITIONAL SW OF 29 1/4 ROAD AND F ROAD

Mr. Beaver outlined the area in question. No letters were filed and no one in the audience indicated a desire to speak.

It was moved by Councilman Kozisek and seconded by Councilman O'Dwyer that the Sroufe Subdivision (County Transitional) be approved subject to the conditions of the Planning Commission. Motion carried.

ORDINANCE NO. 1745 - VACATING DRIVEWAY AND ROAD EASEMENT (LAURIE ANN SUBDIVISION)

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE VACATING DRIVEWAY AND ROAD EASEMENT. It was moved by Councilman Brown and seconded by Councilman Kozisek that the Proof of Publication be accepted for filing. Motion carried.

It was moved by Councilman Holmes and seconded by Councilman Brown that the proposed ordinance be called up for final passage and read. Motion carried.

The Ordinance was read. There being no comments, it was moved by Councilman Holmes and seconded by Councilwoman Quimby that the Ordinance be passed, adopted, numbered 1745, and ordered published. Upon roll call all Council members present voted AYE. The President declared the motion carried.

ORDINANCE NO. 1746 - REZONE FROM R-1-C TO R-2-A, ELVALEE SUBDIVISION, E END OF SANTA CLARA AVE

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE AMENDING THE ZONING MAP, A PART OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION BY CHANGING THE ZONING ON CERTAIN LANDS WITHIN THE CITY. It was moved by Councilman Brown and seconded by Councilwoman Quimby that the Proof of Publication be accepted for filing. Motion carried.

It was moved by Councilman Holmes and seconded by Councilman Brown that the proposed ordinance be called up for final passage and read. Motion carried.

The Ordinance was read. There being no comments, it was moved by Councilman Holmes and seconded by Councilman Kozisek that the Ordinance be passed, adopted, numbered 1746, and ordered published. Upon roll call all Council members presented voted AYE. The President declared the motion carried.

ORDINANCE NO. 1747 - REZONE FROM R-2 TO PD-B, THE NW CORNER OF 7TH AND GLENWOOD

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE AMENDING THE ZONING MAP, A PART OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION BY CHANGING THE ZONING ON CERTAIN LANDS WITHIN THE CITY. It was moved by Councilwoman Quimby and seconded by Councilman Holmes that the Proof of Publication be accepted for filing. Motion carried.

It was moved by Councilwoman Quimby and seconded by Councilman Kozisek that the proposed ordinance be called up for final passage and read. Motion carried.

The Ordinance was read. There being no comments, it was moved by Councilman Kozisek and seconded by Councilman Brown that the

Ordinance be passed, adopted, numbered 1747, and ordered published. Upon roll call all Council members present voted AYE. The President declared the motion carried.

ORDINANCE NO. 1748 - ZONING ETTER-EPSTEIN ANNEXATION PD-B

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE AMENDING THE ZONING MAP, A PART OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, BY ADDING THE ZONING OF CERTAIN LANDS WITHIN THE CITY. It was moved by Councilman Brown and seconded by Councilwoman Quimby that the Proof of Publication be accepted for filing. Motion carried.

It was moved by Councilwoman Quimby and seconded by Councilman Brown that the proposed ordinance be called up for final passage and read. Motion carried.

The Ordinance was read. There being no comments, it was moved by Councilman Kozisek and seconded by Councilwoman Quimby that the Ordinance be passed, adopted, numbered 1748, and ordered published. Upon roll call all Council members present voted AYE. The President declared the motion carried.

ORDINANCE NO. 1749 - ZONING TEXT AMENDMENT SECTION 3, PARAGRAPH 15a.3.e

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF GRAND JUNCTION IN REGARD TO PLANNED DEVELOPMENT BUSINESS ZONES. It was moved by Councilman Brown and seconded by Councilman Kozisek that the Proof of Publication be accepted for filing. Motion carried.

It was moved by Councilman O'Dwyer and seconded by Councilman Brown that the proposed ordinance be called up for final passage and read. Motion carried.

The Ordinance was read. There being no comments, it was moved by Councilman Holmes and seconded by Councilman Kozisek that the Ordinance be passed, adopted, numbered 1749, and ordered published. Upon roll call all Council members present voted AYE. The President declared the motion carried.

ORDINANCE NO. 1750 - VACATING THREE (3) FEET OF E-W ALLEY N OF 23RD STREET SUBDIVISION

The Proof of Publication to the following entitled proposed ordinance was presented: AN ORDINANCE VACATING A PORTION OF ALLEY WITHIN THE CITY OF GRAND JUNCTION. It was moved by Councilman Brown and seconded by Councilman O'Dwyer that the Proof of Publication be accepted for filing. Motion carried.

It was moved by Councilman Kozisek and seconded by Councilwoman

Quimby that the proposed ordinance be called up for final passage and read. Motion carried.

The Ordinance was read. There being no comments, it was moved by Councilman Kozisek and seconded by Councilwoman Quimby that the Ordinance be passed, adopted, numbered 1750, and ordered published. Upon roll call all Council members present voted AYE. The President declared the motion carried.

VACATION OF EASEMENT IN MOTOR CITY SUBDIVISION - PROPOSED ORDINANCE

The following entitled proposed ordinance was presented and read: AN ORDINANCE VACATING AN EASEMENT IN MOTOR CITY SUBDIVISION. It was moved by Councilman Kozisek and seconded by Councilwoman Quimby that the proposed ordinance be passed for publication. Motion carried with Councilman BROWN voting NO.

ID ST-78, PHASE B - BUNKER DRIVE, NINE IRON DRIVE, MELODY LANE, ETC. AND SIDEWALKS - RESOLUTION OF INTENT TO CREATE AND ESTABLISH DISTRICT - RESOLUTION ADOPTING DETAILS, PLANS, AND SPECS AND GIVING NOTICE OF HEARING

The following Resolution of Intent to Create and Establish ID ST-78, Phase B, was presented and read:

RESOLUTION

DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, TO CREATE WITHIN SAID CITY A LOCAL IMPROVEMENT DISTRICT NO. ST-78, PHASE B, AND AUTHORIZING THE CITY ENGINEER TO PREPARE DETAILS AND SPECIFICATIONS FOR THE SAME.

WHEREAS, the City Council has determined the desirability of the construction of the following improvements:

Streets and Alleys:

1. 28 1/4 Road, South from North Avenue 655 feet. To include vertical curb and gutter with 5 foot wide detached sidewalk and a base course material under a 41 foot wide mat of Hot Mix Bituminous Paving from lip of gutter to lip of gutter and such storm drainage facilities as are deemed necessary by the City Engineer.

2. North 8th Street, North of Wellington Avenue terminating at a cul de sac South of Grand Valley Canal right of way. To include combination vertical curb, gutter and sidewalk with a base course material under a 34 foot wide mat of Hot Mix Bituminous Paving from lip of gutter to lip of gutter.

3. State Highway 6 & 24 North Frontage Road from 21st Street to 24th Street. To include combination curb, gutter and sidewalk on the north side of said street with a 24 foot wide overlay of Hot

Mix Bituminous Paving from lip of gutter to the graveled shoulder, and such storm drainage facilities that are deemed necessary by the City Engineer.

4. Bunker Drive from Fairway Drive to Nine Iron Drive, between Brassie Drive and Interstate 70. To include combination vertical curb, gutter and sidewalk with a base course material under a 34 foot wide mat of Hot Mix Bituminous Paving from lip of gutter to lip of gutter.

5. Nine Iron Drive from Brassie Drive to Bunker Drive, between Fairway Drive and Interstate 70. To include combination vertical curb, gutter and sidewalk with a base course material under a 34 foot wide mat of Hot Mix Bituminous Paving from lip of gutter to lip of gutter and such storm drainage facilities as are deemed necessary by the City Engineer.

6. "T" Alley from 6th Street to 7th Street, between Gunnison Avenue and Hill Avenue. To include paving 16 feet wide east-west and 11 feet wide north-south with a base course material under a mat of Hot Mix Bituminous Paving.

7. Melody Lane, North of North Avenue, between Pear Street and 29 Road. To include grading and leveling base course material under a 22 foot wide mat of double penetration surfacing using rubberized oil with 3/4" chips on the bottom course and 3/8" chips on the top course. The City does not guarantee the service life of this surfacing.

8. Hill Avenue East of 28 1/2 Road. To include combination vertical curb, gutter and sidewalk with a base course material under a 34 foot wide mat of Hot Mix Bituminous Paving from lip of gutter to lip of gutter.

9. Alley from Kennedy Avenue to Elm Avenue between 13th Street to 15th Street. To include paving 16 feet wide with a base course material under a mat of Hot Mix Bituminous Paving.

10. North 15th Street from Walnut Avenue to Cedar Avenue, between 13th Street and 17th Street. To include combination vertical curb, gutter and sidewalk with a base course material under a 34 foot wide mat of Hot Mix Bituminous Paving from lip of gutter to lip of gutter and such storm drainage facilities as are deemed necessary by the City Engineer.

11. Elm Avenue from 28 3/4 Road to Melody Lane and Melody Lane from Elm Avenue to Texas, between 28 3/4 Road and 29 Road. To include combination vertical curb, gutter and sidewalk with a base course material under a 34 foot wide mat of Hot Mix Bituminous Paving from lip of gutter to lip of gutter and such storm drainage facilities as are deemed necessary by the City Engineer.

12. 21st Street from State Highway 6 & 24 to Rood Avenue between 19th Street and 24th Court. To include combination curb, gutter

and sidewalk on the east side of said street with one lift overlay of hot Mix Bituminous Paving over a base course material.

Sidewalks:

13. Orchard Avenue from 1st Street to 5th Street, between Walnut Avenue and Hall Avenue. To include a base course material under a 3 foot wide concrete sidewalk to match existing sidewalk within the public right of way of the aforementioned street.

14. Orchard Avenue from 1st Street to 5th Street, between Walnut Avenue and Hall Avenue. To include a base course material under a 3 1/2 foot wide concrete sidewalk to match existing sidewalk within the public right of way of the aforementioned street.

15. Orchard Avenue from 13th Street to 15th Street, between Walnut Avenue and Hall Avenue. To include a base course material under a 4 foot wide detached concrete sidewalk within the public right of way of the aforementioned street.

16. First Street (west side) from Lorey Drive to the Northeast Corner of Lot 1 Cherrilynn Subdivision. To include a base course material under a 5 foot wide concrete sidewalk.

17. First Street (east side) from Walnut Avenue to a Point 150 feet North of the North Right of Way Line of Bookcliff Avenue (March, 1978). To include a base course material under a 5 foot wide concrete sidewalk.

Where acceptable curb, gutter and/or sidewalk exists, credit will be given;

WHEREAS, the City Council deems it advisable to take the necessary preliminary proceedings for the creation of a special improvement district;

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

That the district of land to be assessed is described as follows:

1. Beginning at the Northwest Corner of the Northeast Quarter of the Northwest Quarter of Section 18, Township 1 South, Range 1 East of the Ute Meridian; thence West a distance of 155.00 feet; thence South a distance of 654.93 feet; thence East a distance of 316.00 feet; thence North a distance of 654.93 feet; thence West a distance of 161.00 feet to the point of beginning.

2. Beginning at a point on the centerline of Patterson Road (February, 1978), from whence the Northeast Corner of the Northwest Quarter of the Northeast Quarter of Section 11, Township 1 South, Range 1 West of the Ute Meridian bears East a distance of 83.87 feet; thence West along said centerline a distance of 360.00 feet; thence South a distance of 404.43 feet; thence East a

distance of 360.00 feet; thence North a distance of 404.43 feet to the point of beginning.

3. Lots 1 and 27 of Pinyon Park II Subdivision and the South 100.00 feet of Tracts A, B and C and Lot 3 of Peterson - Irwin Subdivision, and the South 100.00 feet of a tract of land described as follows: Commencing at a point from whence the East Quarter Corner of Section 13, Township 1 South, Range 1 West of the Ute Meridian, bears West 1,024.87 feet; thence South 431.74 feet; thence West 828.51 feet to the true point of beginning; thence South 424.26 feet to the Northerly right of way line of State Highway 6 & 24; thence South 72° 52' 00" West 100.00 feet; thence North 453.00 feet; thence East 95.73 feet to the true point of beginning.

4. Lots 6 to 10 inclusive of Block 10 and Lots 6 to 11 inclusive of Block 1, Partee Heights Subdivision, Section 36, Township 1 North, Range 1 West of the Ute Meridian.

5. Lots 5 and 6 of Block 10, and Lots 3, 4 and 5 of Block 11 of Partee Heights Subdivision.

6. Lots 1 to 31 inclusive of Block 39 of the City of Grand Junction.

7. Beginning at the Northwest Corner of the Southeast Quarter of the Southeast Quarter of the Southeast Quarter of Section 7, Township 1 South, Range 1 East of the Ute Meridian; thence West a distance of 110.00 feet; thence South a distance of 620.00 feet to the North right of way line of North Avenue (State Highway 6 & 24 Bypass, February, 1978); thence East a distance of 220.00 feet; thence North a distance of 620.00 feet; thence West a distance of 110.00 feet to the point of beginning.

8. Lots 5 to 13, inclusive, and Lot 1 of Block 4 and Lots 14 to 22, inclusive, and Lot 4 of Block 3 of Meeks Subdivision in Section 18, Township 1 South, Range 1 East of the Ute Meridian.

9. Beginning at a point from which the Northwest Corner of Lot 7 Grandview Subdivision, Section 12, Township 1 South, Range 1 West of the Ute Meridian, bears North a distance of 10.00 feet and West a distance of 380.00 feet; thence South a distance of 283.85 feet more or less to a point on the North right of way line of Kennedy Avenue (February, 1978); thence East along said North right of way line a distance of 130.00 feet; thence North a distance of 283.85 feet more or less to a point on the South right of way line of Elm Avenue (February, 1978); thence West along said South right of way line a distance of 130.00 feet to the point of beginning.

10. Lot 7 of Cedar Circle Subdivision and the West 80.00 feet of the South 125.00 feet of Lot 21, Block 7, Fairmount Subdivision, and the East 150.00 feet of Lot 20, Block 6, Fairmount Subdivision, Section 12, Township 1 South, Range 1 West of the Ute

Meridian.

11. Beginning at the Southwest Corner of the Northeast Quarter of the Southeast Quarter of Section 7, Township 1 South, Range 1 East of the Ute Meridian; thence South along the centerline of 28 3/4 Road (40th Street, February, 1978) a distance of 125.00 feet; thence South 89° 41' 00" East a distance of 659.33 feet; thence North a distance of 125.00 feet; thence South 89° 41' 00" East a distance of 94.84 feet; thence North a distance of 305.00 feet to a point on the South right of way line of Texas Avenue (February, 1978); thence North 89° 41' 00" West along said right of way line a distance of 209.96 feet to the Northwest Corner of Lot 1, Block 2 of Lamm Subdivision; thence South along the West line of Lot 1 and Lot 15 Block 2 of Lamm Subdivision a distance of 180.00 feet; thence North 89° 41' 00" West a distance of 544.33 feet to a point on said centerline; thence South along said centerline a distance of 125.00 feet to the point of beginning.

12. Commencing at a point from whence the East Quarter Corner of Section 13, Township 1 South, Range 1 West of the Ute Meridian, bears West 1,024.87 feet; thence South 431.74 feet; thence West 828.5 feet to the true point of beginning; thence South 424.26 feet to the Northerly right of way line of State Highway 6 & 24; thence South 72° 52' 00" West 100.00 feet; thence North 453.40 feet; thence East 95.73 feet to the true point of beginning.

13. Lots 4 and 5, of Block 3, Sherwood Addition, also Lot 7 of Block 1 and Lots 1 and 2 of Block 2 of Amended Plat of Mt. View Addition, also Lot 9 of Block 4 of Bookcliff Park Subdivision, all of Section 12, Township 1 South, Range 1 West of the Ute Meridian.

14. Lots 1, 2 and 3 of Block 3, Sherwood Addition, also Lot 1 of Block 1 of Amended Plat of Mt. View Addition, all in Section 12, Township 1 South, Range 1 West of the Ute Meridian.

15. Lots 1, 2, 3 and 4 of Treichler Addition, also Lots 6, 7, 8, 9 and 10 of Block 1 of N. W. Smith Subdivision, also Lot 1 of Block 1 of Weaver Subdivision, also Lots 1, 2, 3, 4 and 9 of Block 1 of Eastholme in Grand View Subdivision, all in Section 12, Township 1 South, Range 1 West of the Ute Meridian.

16. Beginning at a point from which the East Quarter Corner of Section 10, Township 1 South, Range 1 West of the Ute Meridian, bears South a distance of 246.80 feet; thence North 81° 71' 00" West a distance of 101.16 feet; thence North, running parallel to the East line of said Section 10 to a point on the North boundary line of Lot 1, Cherrilyn Subdivision from which the East boundary line of said Section 10, bears East a distance of 100.00 feet (said North line also being the City limits of the City of Grand Junction, Colorado); thence East along the said North boundary line a distance of 100.00 feet to a point on the said East boundary line; thence South along said East boundary line to the

point of beginning.

17. Beginning at a point from which the West Quarter Corner of Section 11, Township 1 South, Range 1 West of the Ute Meridian, bears South a distance of 375.78 feet; thence East a distance of 100.00 feet to a point on the North right of way line of Walnut Avenue (March, 1978); thence North running parallel to the West boundary line of said Section 11, a distance of 1,115.09 feet; thence West a distance of 100.00 feet to a point on the said West boundary line; thence South along said West boundary line a distance of 1,115.09 feet to the point of beginning.

That the City Engineer be, and he is hereby, authorized and directed to have prepared and filed full details, plans and specifications for such sidewalk, curb, gutter and street paving, and estimate of the total costs thereof, exclusive of the per centum for cost of collection and other incidentals; and of interest to the time the first installment becomes due; and a map of the District to be assessed, from which the approximate share of said total cost that will be assessed upon each piece of real estate in the District may be readily ascertained, all as required by Ordinance No. 178, as amended, of the City of Grand Junction, Colorado.

ADOPTED and APPROVED this 7th day of June, 1978.

President of the Council

Attest:

City Clerk

It was moved by Councilman Kozisek and seconded by Councilman Holmes that the Resolution be passed and adopted as read. Upon roll call all Council members present voted AYE. The President declared the motion carried and the Resolution duly passed and adopted.

The following Resolution Adopting Details, Plans and Specs and Giving Notice of Hearing was presented and read:

RESOLUTION

ADOPTING DETAILS, PLANS AND SPECIFICATIONS FOR CONSTRUCTING SIDEWALKS, CURBS AND GUTTERS AND PAVING STREETS AND AVENUES IN THE CITY OF GRAND JUNCTION, COLORADO, IN IMPROVEMENT DISTRICT ST-78, PHASE B, DETERMINING THE NUMBER OF INSTALLMENTS AND THE TIME IN WHICH THE COST OF SAID IMPROVEMENTS SHALL BE PAYABLE, THE RATE OF INTEREST ON UNPAID INSTALLMENTS AND THE DISTRICT OF LANDS TO BE ASSESSED WITH THE COST OF THE PROPOSED IMPROVEMENTS, AND

AUTHORIZING NOTICE OF INTENTION TO CREATE SAID DISTRICT AND OF A HEARING THEREON.

WHEREAS, on June 7, 1978, the City Council of the City of Grand Junction, Colorado, by a Resolution, authorized the City Engineer to prepare and file full details, plans and specifications for constructing sidewalks, curbs, gutters and paving streets and avenues in said City within proposed Improvement District No. ST-78, Phase B, together with an estimate of the total cost of such improvements and a map of the District to be assessed; and

WHEREAS, said City Engineer has fully and strictly complied with the directions so given, and has filed such details, plans and specifications, estimate and map, all in accordance with said Resolution and the requirements of Ordinance No. 178, as amended, of said City;

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

Section 1. That said details, plans and specifications, estimates and map be and the same are hereby approved and adopted.

Section 2. That the district of lands to be assessed are as follows:

1. Beginning at the Northwest Corner of the Northeast Quarter of the Northwest Quarter of Section 18, Township 1 South, Range 1 East of the Ute Meridian; thence West a distance of 155.00 feet; thence South a distance of 654.93 feet; thence East a distance of 316.00 feet; thence North a distance of 654.93 feet; thence West a distance of 161.00 feet to the point of beginning.

2. Beginning at a point on the centerline of Patterson Road (February, 1978), from whence the Northeast Corner of the Northwest Quarter of the Northeast Quarter of Section 11, Township 1 South, Range 1 West of the Ute Meridian bears East a distance of 83.87 feet; thence West along said centerline a distance of 360.00 feet; thence South a distance of 404.43 feet; thence East a distance of 360.00 feet; thence North a distance of 404.43 feet to the point of beginning.

3. Lots 1 and 27 of Pinyon Park II Subdivision and the South 100.00 feet of Tracts A, B and C and Lot 3 of Peterson-Irwin Subdivision, and the South 100.00 feet of a tract of land described as follows: Commencing at a point from whence the East Quarter Corner of Section 13, Township 1 South, Range 1 West of the Ute Meridian, bears West 1,024.87 feet; thence South 431.74 feet; thence West 828.51 feet to the true point of beginning; thence South 424.26 feet to the Northerly right of way line of State Highway 6 & 24; thence South $72^{\circ} 52' 00''$ West 100.00 feet; thence North 453.40 feet; thence East 95.73 feet to the true point of beginning.

4. Lots 6 to 10 inclusive of Block 10 and Lots 6 to 11 inclusive of Block 1, Partee Heights Subdivision, Section 36, Township 1 North, Range 1 West of the Ute Meridian.

5. Lots 5 and 6 of Block 10, and Lots 3, 4 and 5 of Block 11 of Partee Heights Subdivision.

6. Lots 1 to 31 inclusive of Block 39 of the City of Grand Junction.

7. Beginning at the Northwest Corner of the Southeast Quarter of the Southeast Quarter of the Southeast Quarter of Section 7, Township 1 South, Range 1 East of the Ute Meridian; thence West a distance of 110.00 feet; thence South a distance of 620.00 feet to the North right of way line of North Avenue (State Highway 6 & 24 Bypass, February, 1978); thence East a distance of 220.00 feet; thence North a distance of 620.00 feet; thence West a distance of 110.00 feet to the point of beginning.

8. Lots 5 to 13, inclusive, and Lot 1 of Block 4 and Lots 14 to 22, inclusive, and Lot 4 of Block 3 of Meeks Subdivision in Section 18, Township 1 South, Range 1 East of the Ute Meridian.

9. Beginning at a point from which the Northwest Corner of Lot 7 Grandview Subdivision, Section 12, Township 1 South, Range 1 West of the Ute Meridian, bears North a distance of 10.00 feet and West a distance of 380.00 feet; thence South a distance of 283.85 feet more or less to a point on the North right of way line of Kennedy Avenue (February, 1978); thence East along said North right of way line a distance of 130.00 feet; thence North a distance of 283.85 feet more or less to a point on the South right of way line of Elm Avenue (February, 1978); thence West along said South right of way line a distance of 130.00 feet to the point of beginning.

10. Lot 7 of Cedar Circle Subdivision and the West 80.00 feet of the South 125.00 feet of Lot 21, Block 7, Fairmount Subdivision, and the East 150.00 feet of Lot 20, Block 6, Fairmount Subdivision, Section 12, Township 12 South, Range 1 West of the Ute Meridian.

11. Beginning at the Southwest Corner of the Northeast Quarter of the Southeast Quarter of Section 7, Township 1 South, Range 1 East of the Ute Meridian; thence South along the centerline of 28 3/4 Road (40th Street, February, 1978) a distance of 125.00 feet; thence South 89° 41' 00" East a distance of 659.33 feet; thence North a distance of 125.00 feet; thence South 89° 41' 00" East a distance of 94.84 feet; thence North a distance of 305.00 feet to a point on the South right of way line of Texas Avenue (February, 1978); thence North 89° 41' 00" West along said right of way line a distance of 209.96 feet to the Northwest Corner of Lot 1, Block 2 of Lamm Subdivision; thence South along the West line of Lot 1 and Lot 15 Block 2 of Lamm Subdivision a distance of 180.00 feet;

thence North 89° 41' 00" West a distance of 544.33 feet to a point on said centerline; thence South along said centerline a distance of 125.00 feet to the point of beginning.

12. Commencing at a point from whence the East Quarter Corner of Section 13, Township 1 South, Range 1 West of the Ute Meridian bears West 1,024.87 feet thence South 431.74 feet; thence West 828.5 feet to a true point of beginning; thence South 424.26 feet to the Northerly right of way line of State Highway 6 & 24; thence South 72° 52' 00" West 100.00 feet; thence North 453.40 feet; thence East 95.73 feet to the true point of beginning.

13. Lots 4 and 5 of Block 3, Sherwood Addition, also Lot 7 of Block 1 and Lots 1 and 2 of Block 2 of Amended Plat of Mt. View Addition, also Lot 9 of Block 4 of Bookcliff Park Subdivision, all of Section 12, Township 1 South, Range 1 West of the Ute Meridian.

14. Lots 1, 2 and 3 of Block 3, Sherwood Addition, also Lot 1 of Block 1 of Amended Plat of Mt. View Addition, all in Section 12, Township 1 South, Range 1 West of the Ute Meridian.

15. Lots 1, 2, 3 and 4 of Treichler Addition, also Lots 6, 7, 8, 9 and 10 of Block 1 of N. W. Smith Subdivision, also Lot 1 of Block 1 of Weaver Subdivision, also Lots 1, 2, 3, 4 and 9 of Block 1 of Eastholme in Grand View Subdivision, all in Section 12, Township 1 South, Range 1 West of the Ute Meridian.

16. Beginning at a point from which the East Quarter Corner of Section 10, Township 1 South, Range 1 West of the Ute Meridian, bears South a distance of 246.80 feet; thence North 81° 71' 00" West a distance of 101.16 Feet; thence North, running parallel to the East line of said Section 10 to a point on the North boundary line of Lot 1, Cherrilyn Subdivision from which the East boundary line of said Section 10, bears East a distance of 100.00 feet (said North line also being the City limits for the City of Grand Junction, Colorado); thence East along the said North boundary line a distance of 100.00 feet to a point on the said East boundary line; thence South along said East boundary line to the point of beginning.

17. Beginning at a point from which the West Quarter Corner of Section 11, Township 1 South, Range 1 West of the Ute Meridian, bears South a distance of 375.78 feet; thence East a distance of 100.00 feet to a point on the North right of way line of Walnut Avenue (March, 1978); thence North running parallel to the West boundary line of said Section 11, a distance of 1,115.09 feet; thence West a distance of 100.00 feet to a point on the said West boundary line; thence South along said West boundary line a distance of 1,115.09 feet to the point of beginning.

All installations to be constructed in accordance with General Conditions, Specifications and Details for Street Improvement Projects, City of Grand Junction, Colorado. Where acceptable curb,

gutter and/or sidewalk exists, credit will be given.

Section 3. The assessments to be levied against the property in the said District to pay the cost of such improvements shall be due and payable, without demand within thirty (30) days after the ordinance assessing such costs becomes final, and, if paid during this period, the amount added for costs of collection and other incidentals shall be deducted; provided that all such assessments may, at the election of the owners of property in said District be paid in ten (10) equal installments, the first of which shall be payable at the time the next installment of general taxes is, by the laws of the State of Colorado, made payable, after the expiration of said thirty-day period; and the following annual installments shall be paid on or before the same date each year thereafter, with interest, in all cases, on unpaid principal, payable annually at a rate not to exceed eight percent per annum.

Section 4. Notice of Intention to Create said Improvement District No. ST-78, Phase B, and of a hearing thereon, shall be given by advertisement in one issue of the Daily Sentinel, a newspaper of general circulation published in said City, which Notice shall be in substantially the following form:

NOTICE

OF INTENTION TO CREATE IMPROVEMENT DISTRICT NO. ST-78, PHASE B, IN THE CITY OF GRAND JUNCTION, COLORADO, AND OF A HEARING THEREON.

PUBLIC NOTICE IS HEREBY GIVEN to the owners of real estate in the District hereinafter described, and to all persons generally interested that the City Council of the City of Grand Junction, Colorado, intends to create Improvement District No. ST-78, Phase B, in said City for the purpose of constructing sidewalks, curbs and gutters and paving streets and avenues to serve the property hereinafter described, which lands are to be assessed with the cost of the improvements, to wit:

PARCEL NO. LEGAL DESCRIPTION

2701-364-01-006 Lot 6 Blk 1 Partee Heights Sec 36 1N 1W

2701-364-01-007 Lot 7 Blk 1 Partee Heights Sec 36 1N 1W

2701-364-01-008 Lot 8 Blk 1 Partee Heights Sec 36 1N 1W

2701-364-01-009 That Pt of Lot 9 Blk 1 Partee Heights Sec 36 1N 1W S and W of I-70

2701-364-01-010 That Pt of Lots 10 and 11 Blk 1 Partee Heights Sec 36 1N 1W S and W of I-70

2701-364-10-005 Lot 5 Blk 10 Partee Heights Sec 36 1N 1W

2701-364-10-006 Lot 6 Blk 10 Partee Heights Sec 36 1N 1W

2701-364-10-007 Lot 7 Blk 10 Partee Heights Sec 36 1N 1W
2701-364-10-008 Lot 8 Blk 10 Partee Heights Sec 36 1N 1W
2701-364-10-009 Lot 9 Blk 10 Partee Heights Sec 36 1N 1W
2701-364-10-010 Lot 10 Blk 10 Partee Heights Sec 36 1N 1W
2701-364-11-003 Lot 3 Blk 11 Partee Heights Sec 36 1N 1W
2701-364-11-004 Lot 4 Blk 11 Partee Heights Sec 36 1N 1W
2701-364-11-005 That Pt of Lot 5 Blk 11 Partee Heights Sec 36 1N
1W S and W of I-70
2943-074-00-040 N 130Ft of E2SW4SE4SE4 Sec 7 1S 1E Exc W 110Ft
2943-074-00-041 N 97Ft of W 110Ft of W2SE4SE4SE4 Sec 7 1S 1E
2943-074-00-043 S 77Ft of N 174Ft of W 110Ft of W2SE4SE4SE4 Sec 7
1S 1E
2943-074-00-044 Beg 465Ft N of SE Cor SW4SE4SE4 Sec 7 1S 1E N 65Ft
W 220Ft S 65Ft E to Beg
2943-074-00-045 Beg 15Ft W + 400Ft N of SE Cor SW4SE4SE4 Sec 7 1S
1E N 65Ft W 205Ft S 65Ft E to Beg
2943-074-00-046 S 91Ft of N 265Ft of W 110Ft of W2SE4SE4SE4 Sec 7
1S 1E
2943-074-00-050 S 100Ft of N 365Ft of W 110Ft of W2SE4SE4SE4 Sec 7
1S 1E
2943-074-00-051 Beg 330Ft N of SE Cor SW4SE4SE4 Sec 7 1S 1E N 70Ft
W 220Ft S 70Ft E to Beg Exc E 15Ft on E for Rd
2943-074-00-057 Beg 250Ft N of SE Cor SW4SE4SE4 Sec 7 1S 1E W
100Ft N 80 Ft E 100Ft S to Beg
2943-074-00-058 N 100Ft of S 295Ft of W 110Ft of W2SE4SE4SE4 Sec 7
1S 1E
2943-074-00-060 S 195Ft of W 110Ft of W2SE4SE4SE4 Sec 7 1S 1E Exc
S 50Ft for Hwy + Exc W 20FT for Rd
2943-074-00-061 Beg SE Cor SW4SE4SE4 Sec 7 1S 1E W 65Ft N 250Ft E
65Ft S to Beg Exc E 15Ft for Rd + Exc S 40Ft for Hwy
2943-074-00-091 Beg 25Ft N + S 89DEG41' E 25Ft Fr SW Cor SW4NE4SE4
Sec 7 1S 1E N 190Ft S 89DEG41' E 177.5Ft S 190Ft N 89DEG41' W
177.5Ft to Beg

2943-074-00-935 NW4SE4SE4 Sec 7 1S 1E Exc W 298Ft of S 160Ft + Exc
W + N 25Ft for Road

2943-074-10-005 Lot 1 Beasley Sub Sec 7 1S 1E

2943-074-10-007 Lot 3 Beasley Sub Sec 7 1S 1E

2943-074-10-008 Lot 4 Beasley Sub Sec 7 1S 1E

2943-074-10-009 Lot 5 Beasley Sub Sec 7 1S 1E

2943-074-11-007 Lot 7 + 8 Blk 2 Epps Sub Sec 7 1S 1E

2943-074-22-001 Lot 1 Blk 2 Lamm Sub Sec 7 1S 1E

2943-074-22-009 Lot 9 Blk 2 Lamm Sub Sec 7 1S 1E

2943-074-22-010 Lot 10 Blk 2 Lamm Sub Sec 7 1S 1E

2943-074-22-011 Lot 11 Blk 2 Lamm Sub Sec 7 1S 1E

2943-074-22-012 Lot 12 Blk 2 Lamm Sub Sec 7 1S 1E

2943-074-22-013 Lot 13 Blk 2 Lamm Sub Sec 7 1S 1E

2943-074-22-014 Lot 14 Blk 2 Lamm Sub Sec 7 1S 1E

2943-074-22-015 Lot 15 Blk 2 Lamm Sub Sec 7 1S 1E

2943-181-03-004 Lot 4 Blk 3 Meeks Sub Sec 18 1S 1E

2943-181-03-014 Lot 22 Blk 3 Meeks Sub Sec 18 1S 1E

2943-181-03-015 Lot 21 Blk 3 Meeks Sub Sec 18 1S 1E

2943-181-03-016 Lot 20 Blk 3 Meeks Sub Sec 18 1S 1E

2943-181-03-017 Lot 19 Blk 3 Meeks Sub Sec 18 1S 1E

2943-181-03-018 Lot 18 Blk 3 Meeks Sub Sec 18 1S 1E

2943-181-03-019 Lot 17 Blk 3 Meeks Sub Sec 18 1S 1E

2943-181-03-020 Lot 16 Blk 3 Meeks Sub Sec 18 1S 1E

2943-181-03-021 Lot 15 Blk 3 Meeks Sub Sec 18 1S 1E

2943-181-03-022 Lot 14 Blk 3 Meeks Sub Sec 18 1S 1E

2943-181-04-001 Lot 1 + N 12 Ft of Lot 2 Blk 4 Meeks Sub Sec 18 1S
1E

2943-181-04-002 Lot 5 Blk 4 Meeks Sub Sec 18 1S 1E

2943-181-04-003 Lot 6 Blk 4 Meeks Sub Sec 18 1S 1E

2943-181-04-004 Lot 7 Blk 4 Meeks Sub Sec 18 1S 1E

2943-181-04-005 Lot 8 Blk 4 Meeks Sub Sec 18 1S 1E

2943-181-04-006 Lot 9 Blk 4 Meeks Sub Sec 18 1S 1E

2943-181-04-007 Lot 10 Blk 4 Meeks Sub Sec 18 1S 1E

2943-181-04-008 Lot 11 Blk 4 Meeks Sub Sec 18 1S 1E

2943-181-04-009 Lot 12 Blk 4 Meeks Sub Sec 18 1S 1E

2943-181-04-010 Lot 13 Blk 4 Meeks Sub Sec 18 1S 1E

2943-182-00-007 Beg 40Ft S + 25Ft W of NE Cor W2NW4 Sec 18 1S 1E S
190Ft W 130Ft N 190Ft E to Beg

2943-182-00-009 Beg 1317.4Ft E + 242Ft S of NW Cor Sec 18 1S 1E W
155Ft S 130Ft E 155Ft N to Beg Exc E 40Ft for Rd ROW

2943-182-00-010 Beg 1317.4Ft E + 372Ft S of NW Cor Sec 18 1S 1E W
155Ft S 130Ft E 155Ft N to Beg Exc E 40Ft for Rd

2943-182-00-011 Beg S 89DEG54MIN E 1317.4Ft + S 502Ft Fr NW Cor
Sec 18 1S 1E S 152.93Ft N 89DEG54MIN W 284.55Ft N 152.93Ft S
89DEG54MIN E 284.28Ft to Beg Exc 25Ft on E for Rd

2943-182-00-012 Beg NW Cor NE4NW4 Sec 18 1S 1E E 136Ft S 320Ft W
136Ft N 320Ft to Beg Exc W 40Ft + Exc N 50Ft for Hwy ROW

2943-182-00-056 Beg At A Pt S 40Ft W 25Ft N 89DEG54' W 130Ft + S
0DEG06' E 190Ft Fr NE Cor NW4NW4 Sec 18 1S 1E E 155Ft S 12Ft W
155Ft S 260Ft W 128.3Ft N 272Ft S 89DEG54' E 128.2Ft to Beg

2943-182-00-063 Beg 264Ft E + 50Ft S of NW Cor NE4NW4 Sec 18 1S 1E
S 412Ft W 224Ft N 142Ft E 96Ft N 270Ft E 128Ft to Beg

2943-182-00-064 Beg NW Cor NE4NW4 Sec 18 1S 1E E 16Rd S 28Rd E
14Rd S 52Rd W 30Rd N 80Rd to Beg Exc N 462Ft of W 264Ft + Exc W
25Ft for Rd

2945-101-00-014 Beg 115.7Ft N of SE Cor NE4NE4 Sec 10 1S 1W W
336.2Ft N 124.7Ft E 336.2Ft S to Beg

2945-101-00-015 Beg NE Cor SE4NE4 Sec 10 1S 1W N 115.7Ft W 448.2Ft
S 115.7Ft E 266.2Ft S 3.5Ft E 182Ft N 3.5Ft to Beg

2945-101-00-018 Beg 3.5Ft S of NE Cor SE4NE4 Sec 10 1S 1W S 79Ft W
182Ft N 79Ft E to Beg Exc Rd in B 939 P63 Co Clerks Off

2945-101-00-020 E 182Ft of S3/4N4SE4NE4 Sec 10 1S 1W Exc S 8.5Rd
Less S 12Ft for Roadway

2945-101-00-023 Beg SE Cor S3/4N4SE4NE4 Sec 10 1S 1W N 128.25Ft W
162Ft S 128.25Ft E to Beg

2945-101-00-024 N 90Ft of E 300Ft of S3/4SE4NE4 Sec 10 1S 1W

2945-101-00-025 Beg 90Ft S of NE Cor of S3/4SE4NE4 Sec 10 1S 1W S
to PT 155Ft N of SE Cor N2SE4NE4 W 300Ft N to A Pt W of Beg E to
Beg

2945-101-00-026 Beg 80Ft N of SE Cor S2S2N2SE4NE4 Sec 10 1S 1W W
300Ft N 75Ft E 300Ft S 75Ft to Beg

2945-101-00-027 Beg SE Cor S2S2N2SE4NE4 Sec 10 1S 1W W 300Ft N
80Ft E 300Ft S 80Ft to Beg

2945-101-00-028 Beg 16Ft S of NE Cor S2SE4NE4 Sec 10 1S 1W W 215Ft
S 132Ft E 215Ft N to Beg Exc Rd in B 939 P 64 Co Clerks Off

2945-101-00-029 Beg 148Ft S of NE Cor S2SE4NE4 Sec 10 1S 1W W
215Ft S 90Ft E 215Ft N 90Ft to Beg Exc Rd in B 939 P 64 Co Clerks
Off

2945-101-00-031 Beg Inters of N Li Mesa Co Cnl + E Li of S2SE4NE4
Sec 10 1S 1W N 90Ft W 330Ft S to N Li of Cnl Sely Alg Cnl to Beg
Exc Rd in B 939 P 65 Co Clerks Off

2945-101-15-001 Lot 1 Cherrilyn Sub Sec 10 1S 1W

2945-111-15-002 Lot 2 Wellington Medical Sub Fil No 1 Sec 11 1S 1W

2945-111-15-005 Unit 1 Wellington Medical Building Condominium as
filed Recp No 1125623 + 1125624 + Declaration Recd B-1094 P-559
thru 582 Co Clks Off in Lot 1 Wellington Medical Sub Fil No 1

2945-111-15-006 Unit 2 Wellington Medical Building Condominium as
filed Recp No 1125623 + 1125624 + Declaration Recd B-1094 P-559
thru 582 Co Clks Off in Lot 1 Wellington Medical Sub Fil No 1

2945-111-15-007 Unit 3 Wellington Medical Building Condominium as
Filed Recp No 1125623 + 1125624 + Declaration Recd B-1094 P-559
thru 582 Co Clks Off in Lot 1 Wellington Medical Sub Fil No 1

2945-111-15-008 Unit 4 Wellington Medical Building Condominium as
filed Recp No 1125623 + 1125624 + Declaration Recd B-1094 P-559
thru 582 Co Clks Off in Lot 1 Wellington Medical Sub Fil No 1

2945-111-15-009 Unit 5 Wellington Medical Building Condominium as
filed Recp No 1125623 + 1125624 + Declaration Recd B-1094 P-559
thru 582 Co Clks Off in Lot 1 Wellington Medical Sub Fil No 1

2945-111-15-010 Unit 6 Wellington Medical Building Condominium as
filed Recp No 1125623 + 1125624 + Declaration Recd B-1094 P-559
thru 582 Co Clks Off in Lot 1 Wellington Medical Sub Fil No 1

2945-111-15-011 Unit 7 Wellington Medical Building Condominium as filed Recp No 1125623 + 1125624 + Declaration Recd B-1094 P-559 thru 582 Co Clks Off in Lot 1 Wellington Medical Sub Fil No 1

2945-111-15-012 Unit 8 Wellington Medical Building Condominium as filed Recp No 1125623 + 1125624 + Declaration Recd B-1094 P-559 thru 582 Co Clks Off in Lot 1 Wellington Medical Sub Fil No 1

2945-111-15-013 Unit 9 Wellington Medical Building Condominium as filed Recp No 1125623 + 1125624 + Declaration Recd B-1094 P-559 thru 582 Co Clks Off in Lot 1 Wellington Medical Sub Fil No 1

2945-111-15-014 Unit 10 Wellington Medical Building Condominium as filed Recp No 1125623 + 1125624 + Declaration Recd B-1094 P-559 thru 582 Co Clks Off in Lot 1 Wellington Medical Sub Fil No 1

2945-111-16-001 Lot 1 Blk 1 La Villa Grande Sec 11 1S 1W

2945-111-16-002 Lot 2 Blk 1 La Villa Grande Sec 11 1S 1W

2945-111-16-004 Lot 4 Blk 1 La Villa Grande Sec 11 1S 1W

2945-112-00-011 Beg 1170Ft S of NW Cor Sec 11 1S 1W E 514Ft N 18DEG30MIN E to a pt 922Ft S + 600Ft E of NW Cor E 95Ft M-L S to a pt 132Ft N of S Li NW4NW4 Sec 11 W to W li NE4NW4 N 18Ft to Beg

2945-112-00-015 Beg SW Cor NW4NW4 Sec 11 1S 1W E 238Ft N 132Ft W 283Ft S to Beg Exc S 20Ft for Rd

2945-112-08-009 Lot 9 Blk 4 Bookcliff Park

2945-112-14-007 W 130.97Ft Lot 1 Amended Roper Sub Sec 11 1S 1W

2945-112-15-008 Lot 6 Blk 1 Hillcrest Manor

2945-112-15-009 Lot 5 Blk 1 Hillcrest Manor

2945-112-15-010 Lot 4 Blk 1 Hillcrest Manor

2945-112-15-013 Lot 3 Blk 1 Hillcrest Manor

2945-112-15-014 Lot 2 Blk 1 Hillcrest Manor

2945-112-15-015 Lot 1 Blk 1 Hillcrest Manor

2945-112-16-020 Lot 1 First and Walnut Sub Sec 11 1S 1W

2945-112-20-001 Lot 1 Blk 2 Mt View Add

2945-112-20-002 Lot 2 Blk 2 Mt View Add

2945-112-21-001 Lot 1 Blk 1 Mt View Add

2945-112-21-007 Lot 7 Blk 1 Mt View Add

2945-113-01-001 Lot 1 Blk 3 Sherwood Add

2945-113-01-002 Lot 2 + W 6Ft of Lot 3 Blk 3 Sherwood Add

2945-113-01-003 E 51Ft Lot 3 + W 12Ft Lot 4 Blk 3 Sherwood Add

2945-113-01-004 E 45Ft of Lot 4 + W 14Ft Lot 5 Blk 3 Sherwood Add

2945-113-01-005 E 43Ft Lot 5 + W 24Ft Lot 6 Blk 3 Sherwood Add

2945-122-00-059 S 125Ft of Lot 21 Blk 7 Fairmount Sub Sec 12 1S 1W

2945-122-00-073 Beg 20Ft S of NE Cor Lot 20 Blk 6 Fairmount Sub Sec 12 1S 1W S 55Ft W 150Ft N 55Ft E to Beg

2945-122-00-079 Beg 75Ft S of NE Cor Lot 20 Blk 6 Fairmount Sub Sec 12 1S 1W W 150Ft S 40Ft E 150Ft N to Beg

2945-122-00-080 Beg 115Ft S of NE Cor Lot 20 Blk 6 Fairmount Sub W 150Ft S 40Ft E 150Ft N to Beg

2945-122-00-087 Beg 75Ft N of SE Cor Lot 20 Blk 6 Fairmount Sub Sec 12 1S 1W N 50Ft W 150Ft S 50Ft E to Beg

2945-122-00-088 S 75Ft of E2 Lot 20 Blk 6 Fairmount Sub Sec 12 1S 1W

2945-122-04-013 S 80.35Ft of Lot 1 Treichler Add

2945-122-04-014 Lot 2 Treichler Add Sec 12 1S 1W

2945-122-04-015 Lot 3 Treichler Add

2945-122-04-016 Lot 4 Treichler Add Sec 12 1S 1W

2945-122-04-017 Lot 6 Blk 1 N W Smith Add Sec 12 1S 1W

2945-122-04-018 Lot 7 Blk 1 N W Smith ADd Sec 12 1S 1W

2945-122-04-019 Lot 8 Blk 1 N W Smith Add Sec 12 1S 1W

2945-122-04-020 Lot 9 Blk 1 N W Smith Sub Sec 12 1S 1W

2945-122-04-951 Lot 10 Blk 1 N W Smith Sub Sec 12 1S 1W

2945-122-06-019 Lot 1 Blk 1 Weaver Sub

2945-122-08-007 Lot 7 Cedar Circle Sub Sec 12 1S 1W

2945-123-00-018 Beg 380Ft E + 10Ft S of NW Cor Lot 7 Grand View Sub E 50Ft S 115.2Ft W 50Ft N to Beg Exc Aly on S

2945-123-00-019 Beg 10Ft S + 112.37 Ft W of NE Cor Lot 7 Grand View Sub W 71Ft S 118.85Ft E 60Ft N 49.25Ft E 11Ft N 69.6Ft to Beg

2945-123-00-028 Beg 380Ft E + 135.2Ft S of NW Cor Lot 7 Grand View Sub E 50Ft S to S Li N2 Lot 7 W 50Ft N to Beg Exc Aly on N

2945-123-00-029 N 50Ft of S 180Ft of E 231.6Ft of NE4 Lot Grand View Sub Exc Aly on N + Exc 20Ft Aly on W

2945-123-00-086 N 50Ft of S 130Ft of E 231.6Ft of N4 Lot 7 Grand View Sub + S 80Ft of E 231.6Ft of N2 Lot 7 Grand View Sub Exc Kennedy Ave + Exc 20Ft Alley on W all in Sec 12 1S 1W

2945-123-02-001 Lot 9 + N 30.75Ft of Lot 10 Blk 1 Eastholme in Grandview Sub

2945-123-02-006 E 19.27Ft of Lot 3 + all Lot 4 Blk 1 Eastholme-In-Grandview Sub Exc E 3Ft of N 101.5Ft of Lot 4

2945-123-02-007 E 38.53Ft of Lot 2 + W 38.53Ft of Lot 3 Blk 1 Eastholme-In-Grandview Sub

2945-123-02-008 Lot 1 + W 19.27Ft of Lot 2 Blk 1 Eastholme-In-Grandview Sub

2945-134-00-011 Fr E4 Cor Sec 13 1S 1W W 1024.87Ft S 431.74Ft W 828.51Ft for Beg S 424.26Ft to Nly Li Hwy 6 + 24 S 72DEG52MIN W 100Ft N 453.4Ft E 95.73Ft to Beg

2945-134-03-010 E 135Ft Lot 3 Peterson-Irwin Sub Sec 13 1S 1W

2945-134-03-011 W 15Ft Lot 3 Peterson-Irwin Sub Sec 13 1S 1W

2945-134-03-017 Tract A of Lot 7 Peterson Irwin Sub Replat of Lots 5 + 7 Sec 13 1S 1W

2945-134-03-018 Tract B of Lot 7 Peterson Irwin Sub Replat of Lots 5 + 7 Sec 13 1S 1W

2945-134-03-019 Tract C of Lot 7 Peterson Irwin Sub Replat of Lots 5 + 7 Sec 13 1S 1W

2945-134-03-023 Lot 1 Pinyon Park 2 Sub Sec 13 1S 1W

2945-134-03-049 Lot 27 Pinyon Park 2 Sub Sec 13 1S 1W

2945-141-24-001 Lot 11 + N2 of Lot 12 Blk 39 Grand Junction

2945-141-24-002 S2 of Lot 12 + all of Lot 13 Blk 39 Grand Junction

2945-141-24-003 Lots 14 + 15 Blk 39 Grand Junction

2945-141-24-004 Lots 16-17-18 + N2 of Lot 19 Blk 39 Grand Junction

2945-141-24-005 S2 Lot 19 + all Lots 20 _ 21 Blk 39 Grand Junction
2945-142-19-001 Lots 1 + 2 Blk 39 Grand Junction
2945-142-19-002 Lots 3 + 4 Blk 39 Grand Junction
2945-142-19-003 Lots 5 + 6 Blk 39 Grand Junction
2945-142-19-004 Lots 9 + 10 Blk 39 Grand Junction
2945-142-19-005 Lots 7 + 8 Blk 39 Grand Junction
2945-142-19-006 Lots 22 + 23 Blk 39 Grand Junction
2945-142-19-007 Lots 24 + 25 Blk 39 Grand Junction
2945-142-19-008 Lots 26 + 27 Blk 39 Grand Junction
2945-142-19-009 Lots 28 + 29 Blk 39 Grand Junction
2945-142-19-010 Lots 30 + 31 Blk 39 Grand Junction

Where acceptable curb, gutter and/or sidewalk exists, credit will be given. Any portion of the District cost not covered by said assessment shall be paid by the City.

The probable total cost of said improvements as shown by the estimate of the City Engineer is \$395.325. inclusive of collection, interest and incidentals. The estimated assessable cost is \$258.176. also exclusive of costs of collection interest and incidentals.

The maximum share of such total cost shall be as follows:

28 1/4 Road, South of North Avenue 655 feet Full cost, per front foot . . . \$50.00

North 8th Street, North of Wellington Avenue terminating at a cul de sac South of Grand Valley Canal right of way Full cost, per front foot . . . \$50.00

State Highway 6 & 24 North frontage road from 21st Street to 24th Street Full cost, per front foot . . . \$35.00

Bunker Drive from Fairway Drive to Nine Iron Drive, between Brassie Drive and Interstate 70 Per front foot . . . \$20.00

Nine Iron Drive from Brassie Drive to Bunker Drive, between Fairway Drive and Interstate 70 Per front foot . . . \$20.00

"T" Alley 6th Street to 7th Street between Gunnison Avenue and Hill Avenue East-West, per front foot . . . \$ 5.00 North-South, per front foot . . . \$ 3.44

Melody Lane, north of North Avenue, between Pear Street and 29 Road Full cost, per front foot . . . \$ 3.50

Hill Avenue east of 28 1/2 Road Per front foot . . . \$20.00

Alley from Kennedy Avenue to Elm Avenue between 13th Street to 15th Street Per front foot . . . \$ 5.00

North 15th Street from Walnut Avenue to Cedar Avenue, between 13th Street and 17th Street Per front foot . . . \$20.00

Elm Avenue from 28 3/4 Road to Melody Lane and Melody Lane from Elm Avenue to Texas, between 28 3/4 Road and 29 Road Per front foot . . . \$20.00

21st Street from State Highway 6 & 24 to Rood Avenue, between 19th Street and 24th Street Full cost, per front foot . . . \$20.00

Orchard Avenue from 1st Street to 5th Street, between Walnut Avenue and Hall Avenue Per front foot . . . \$ 2.50

Orchard Avenue from 13th Street to 15th Street, between Walnut Avenue and Hall Avenue Per front foot . . . \$ 2.50

First Street from Lorey Drive to Northeast Corner of Lot 1 Cherrilynn Subdivision Per front foot . . . \$ 2.50

First Street from Walnut Avenue to a point 150.00 feet North of the North right of way line of Bookcliff Avenue (March 1978) Per front foot . . . \$ 2.50

To the estimated assessable cost of \$258.176. (said amount reflects estimated credit for existing curb, gutter and sidewalk) to be borne by the property owners, there shall be added six (6) percent for costs of collection and incidentals, and also interest at the rate borne by the special assessment bonds of said District to the next succeeding date upon which general taxes, or the first installment thereof, are by the laws of the State of Colorado, made payable. The said assessment shall be due and payable, without demand, within (30) days after the ordinance assessing such cost shall have become final, and if paid during such period the amount added for costs of collection and incidentals shall be deducted; provided that all such assessments, at the election of the owners of the property in said District, may be paid in ten (10) annual installments which become due upon the same date upon which general taxes, or the first installment thereof, are by the laws of the State of Colorado, made payable. Interest not to exceed eight percent per annum shall be charged on unpaid installments.

On July 19, 1978 at the hour of 7:30 o'clock P.M. in the Council Chambers in City Hall of said City, the City Council will consider objections that may be made in writing concerning the proposed improvements, by the owners of any real estate to be assessed, or

That the Public Utilities Commission again be strongly urged on behalf of the citizens of Grand Junction to reject the application of the Public Service Company of Colorado for rate increases because of the tremendous burden being placed upon these citizens by continued increases awarded by the Commission.

PASSED and ADOPTED this 7th day of June, 1978.

President of the Council

Attest:

City Clerk

It was moved by Councilman Kozisek and seconded by Councilman Brown that the Resolution be passed and adopted as read. Upon roll call all Council members present voted AYE. The President declared the motion carried and the Resolution duly passed and adopted.

DOWNTOWN DEVELOPMENT AUTHORITY APPOINTMENTS

City Manager Jim Wysocki stated that Patrick Gormley and Kenneth Johnson have been appointed to three-year terms on the Downtown Development Authority Board. It was moved by Councilman Brown and seconded by Councilman O'Dwyer that the appointments be ratified. Motion carried.

ADJOURNMENT

It was moved by Councilman Brown and duly seconded that the meeting be adjourned. Motion carried.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk