

Grand Junction, Colorado

September 5, 1979

The City Council of the City of Grand Junction, Colorado, convened in regular session the 5th day of September, 1979, at 7:30 p.m. in Council Chambers at City Hall. Those present were Council members Louis Brach, Frank Dunn, Dale Hollingsworth, Robert Holmes, Karl Johnson, Bill O'Dwyer, and Jane Quimby. Also present were City Manager Jim Wysocki, City Attorney Gerald Ashby, and City Clerk Neva Lockhart.

Council President Quimby called the meeting to order.

PLEDGE OF ALLEGIANCE

INVOCATION

Ivy Connor, Minister

FIRE AND POLICE PENSION ASSOCIATION MEMBERSHIP, COLORADO MUNICIPAL EMPLOYERS

Upon motion by Councilman Johnson, duly seconded and carried, the submittal of the name of John Tasker to Fire and Police Pension Membership, Colorado Municipal Employers was ratified.

MINUTES

There being no corrections or addition to the Minutes of August 15, 1979, the minutes were approved as written.

LIQUOR AND 3.2% BEER

Upon motion by Councilman Johnson and duly seconded, the following applications were approved.

1. Skaggs Drug Center, 1834 N. 12th Street
2. Albertsons Food Center, 1838 N. 12th Street
3. DOS, Inc., Williams Market & Delicatessen, 801 N. 1st Street
5. The Grand, Valley Federal Plaza, 225 N. 5th
6. Andy's Liquors, 401 N. 1st Street

Councilman Holmes voted NO on all items. Motion carried.

HEARING - GONZO ANNEXATION, SW CORNER 12TH STREET AND HORIZON DRIVE - RESOLUTION - PROPOSED ORDINANCE

A hearing was held on Gonzo Annexation after proper notice.

The following Resolution was read:

RESOLUTION

WHEREAS, on the 5th day of September, 1979, a hearing was held before the City Council of the City of Grand Junction, Colorado, to determine the eligibility for annexation to said City of the following described territory, situate in Mesa County, Colorado, to wit:

Beginning 40 feet West of the Southeast Corner of the Southeast Quarter of the Northeast Quarter of Section 2, Township 1 South, Range 1 West, Ute Meridian, thence West 488 feet, thence North 165 feet, thence East 134.52 feet, thence North 33° 31' 07" East 197.5 feet, thence West to the Southeasterly right of way line Horizon Drive, thence Northeasterly along said right of way line to intersection with West right of way line 27 Road, thence South along said West line to point of beginning;

and

WHEREAS, the Council has found, and does hereby find, that one-sixth the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the territory is integrated or is capable of being integrated with said City; that no land in single ownership has been divided by the proposed annexation; no land held in identical ownership comprising more than twenty acres which, together with the building and improvements thereon has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; nor is any of the land now subject to other annexation proceedings, and that no election is required under the Municipal Annexation Act of 1965.

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

That said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

PASSED and ADOPTED this 5th day of September, 1979.

President of the Council

Attest:

City Clerk

Upon motion by Councilman O'Dwyer, duly seconded and carried, the Resolution was passed and adopted as read.

The following entitled proposed ordinance was read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO. Upon motion by Councilman Dunn, duly seconded and carried, ordinance was passed for publication.

HEARING - I.D. ST-78 ASSESSMENTS - PROPOSED ORDINANCE

A hearing on the I.D. ST-78 Assessments was held after proper notice.

The following entitled proposed ordinance was read: AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR IMPROVEMENT DISTRICT NO. ST-78, 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. Upon motion by Councilman Johnson, duly seconded and carried, the proposed ordinance was passed for publication.

HEARING - FORESIGHT PARK FILING NO. 1 ANNEXATION, NE CORNER 25 AND F ROADS - RESOLUTION - EMERGENCY ORDINANCE NO. 1833

A hearing on Foresight Park Filing No. 1 Annexation was held after proper notice.

The following Resolution was read:

RESOLUTION

WHEREAS, on the 5th day of September, 1979, a hearing was held before the City Council of the City of Grand Junction, Colorado, to determine the eligibility for annexation to said City of the following described territory, situate in Mesa County, Colorado, to wit:

FORESIGHT PARK FOR INDUSTRY Filing No. 1 and vacated right of way at Southwest Corner File #1066315 and except right of way for F Road on the South and for 25 Road on the West;

and

WHEREAS, the Council has found, and does hereby find, that one-sixth the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that

the territory is integrated or is capable of being integrated with said City; that no land in single ownership has been divided by the proposed annexation; no land held in identical ownership comprising more than twenty acres which, together with the building and improvements thereon has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; nor is any of the land now subject to other annexation proceedings; and that no election is required under the Municipal Annexation Act of 1965.

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

That said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

PASSED and ADOPTED this 5th day of September, 1979.

President of the Council

Attest:

City Clerk

Upon motion by Councilman Johnson, duly seconded and carried, the Resolution was passed and adopted as read.

The following entitled proposed ordinance was read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO, AND DECLARING AN EMERGENCY. Upon motion by Councilman Dunn, duly seconded and carried, the Ordinance was passed, adopted, numbered 1833, and ordered published.

PETITION FOR GENERAL GROWTH PROPERTY ANNEXATION, 24 1/2 ROAD AND PATTERSON ROAD - RESOLUTION - EMERGENCY ORDINANCE NO. 1834

The petition for General Growth Property was accepted:

PETITION FOR ANNEXATION

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

Beginning at the intersection of North right-of-way line F Road and West right-of-way line 25 1/2 Road, thence westerly along North right-of-way line F Road to East right-of-way line 24 1/2 Road, thence North along said East right-of-way line to a point East of the Northeast corner Lot 3 Fisher Subdivision, thence West along North line said subdivision to the Northwest corner Lot 1

said subdivision, thence south along West line said Lot 1 to Southwest corner said lot 1, thence Westerly along North right-of-way line F Road (Re-aligned) to the East right-of-way line 24 Road, thence South along said East right-of-way line 100 feet to the South line F road (Re-aligned), thence Easterly along said South line F Road (Re-aligned) to a point on said south line which bears N 0° 06' 21" E 980.02 feet and N 89° 59' 40" E 602.20 feet from the SW corner of Section 4, T1S R1W of the Ute Meridian, thence S 0° 00' 20" E 25.0 feet, thence along the arc of a 500 foot radius curve to the left 292.01 feet (the chord of which bears S 16° 44' 11" E 287.88 feet), thence S 33° 28' 02" E 28.44 feet, thence along the arc of a 30.0 foot radius curve to the right 40.37 feet (the chord of which bears S 5° 05' 16" W 37.40 feet), thence along the arc of a 230 foot radius curve to the left 135.05 feet (the chord of which bears S 26° 49' 17" W 133.12 feet), thence S 10° 00' 00" W 338.82 feet, thence S 80° 00' 00" E 541.33 feet, thence N 10° 00' 00" E 922.2 feet to point on the south right-of-way line of F Road (Re-aligned), thence Easterly along said South right-of-way line to the west right-of-way line 24 1/2 Road, thence South along said West right-of-way line to intersection with South right-of-way line F Road projected, thence Easterly along said projection and said South right-of-way line F Road to the West right-of-way line 25 1/2 Road, thence North to point of beginning. All being in Sections 3, 4, 9, 10 Township 1 South, Range 1 West, Ute Meridian, Mesa County, Colorado.

As ground therefor, the petitioners respectfully state that annexation to the City of Grand Junction, Colorado, is both necessary and desirable and that the said territory is eligible for annexation in that the provisions of the Municipal Annexation Act of 1965, Sections 31-12-104 and 31-12-105 CRS 1973 have been met.

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

Your petitioners further state that they are the owners of one hundred per cent of the area of such territory to be annexed, exclusive of streets and alleys; that the mailing address of each signer and the date of signature are set forth hereafter opposite the name of each signer, and that the legal description of the property owned by each signer of said petition is attached hereto.

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

<u>DATE</u> <u>SIGNATURE &</u> <u>ADDRESS</u> <u>PROPERTY</u> <u>DESCRIPTION</u>		
<p>9-4-79 General Growth Property /s/ Neva B. Lockhart City Clerk Attorney in Fact 250 N. 5th Street</p> <p>Beginning at a point on the south right-of-way line of F Road (Realigned) which bears N 0° 06' 21" E 980.02 feet and N 89° 59' 40" E 602.20 feet from the SW Corner of Section 4, T1S, R1W of the Ute Meridian, thence S 0° 00' 20" E 25.0 feet, thence along the arc of a 500 foot radius curve to the left 292.01 feet (the chord of which bears S 16° 44' 11" E), thence S 33° 28' 02" E 28.44 feet, thence along the arc of a 30.0 foot radius curve to the right 40.37 feet (the chord of which bears S 5° 05' 16" W 37.40 feet), thence along the arc of a 230 foot radius curve to the left 135.05 feet (the chord of which bears S 26° 49' 17" W 133.12 feet), thence S 10° 00' 00" W 338.82 feet, thence S 80° 00' 00" E 541.33 feet, thence N 10° 00' 00" E</p>		

<p>922.2 feet to a point on the south right-of-way line of F Road (realigned), thence along south right-of-way line S 89° 59' 40" W 669.62 feet to the point of beginning, also Lot 1 Fisher Subdivision Section 4 T1S R1W Ute Meridian.</p>		
<p>9-4-79 Wayne A. Fisher Gertrude Spencer /s/ Neva B. Lockhart City Clerk Attorney in Fact 250 N. 5th Street Fisher Subdivision in Section 4 Township 1 South, Range 1 West of Ute Meridian, except Lot 1.</p>		

STATE OF COLORADO)		
) ss		
COUNTY OF MESA)		

AFFIDAVIT

Don Warner, of lawful age, being first duly sworn, upon oath, deposes and says:

That he is the circulator of the foregoing petition;

That each signature on the said petition is the signature of the

person whose name it purports to be.

;sigl;
/s/ Don Warner

Subscribed and sworn to before me this 4th day of September, 1979.

Witness my hand and official seal.

/s/ Theresa F. Martinez

Notary Public

My Commission expires: June 13, 1983

The following Resolution was read:

RESOLUTION

WHEREAS, on the 5th day of September, 1979, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property, to wit:

Beginning at the intersection of the North right of way line of F Road and the West right of way line of 25 1/2 Road, thence Westerly along the North right of way line of F Road to the East right of way line of 24 1/2 Road, thence North along said East right of way line to a point East of the Northeast Corner of Lot 3, Fisher Subdivision, thence West to said Northeast Corner of Lot 3, thence Westerly along the North line of said subdivision to the Northwest Corner of Lot 1 of said Subdivision, thence South along the West line of said Lot 1 to the Southwest Corner of said Lot 1, thence Westerly along the North right of way line of F Road (realigned) to the East right of way line of 24 Road, thence South along said East right of way line 100 feet to the South line of F Road (realigned), thence Easterly along said South line of F Road (realigned) to a point on said South line which bears North 00° 06' 21" East 980.02 feet and North 89° 59' 40" East 602.20 feet from the Southwest Corner of Section 4, Township 1 South, Range 1 West of the Ute Meridian, thence South 00° 00' 20" East 25.0 feet, thence along the arc of a 500 foot radius curve to the left 292.01 feet (the chord of which bears South 16° 44' 11" East 287.88 feet), thence South 33° 28' 02" East 28.44 feet, thence along the arc of a 30.0 foot radius curve to the right 40.37 feet (the chord of which bears South 05° 05' 16" West 37.40 feet), thence along the arc of a 230 foot radius curve to the left 135.05 feet (the chord of which bears South 26° 49' 17" West 133.12 feet), thence South 10° 00' 00" West 338.82 feet, thence South 80° 00' 00" East 541.33 feet, thence North 10° 00' 00" East 922.2 feet to a point on the South right of way line of F Road, thence Easterly along said South right of way line to the West right of way line of 24

1/2 Road, thence South along said West right of way line to the intersection with the South right of way line of F Road projected, thence Easterly along said projection and said South right of way line of F Road to the West right of way line of 25 1/2 Road, thence North to the point of beginning. All being in Sections 3, 4, 9 and 10 of Township 1 South, Range 1 West, Ute Meridian,

and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefor; that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City, and that no election is required under the Municipal Annexation Act of 1965 as the petition was signed by the attorney in fact to the owner of one hundred percent of the area proposed to be annexed exclusive of streets and rights of way; and the territory is eligible for annexation.

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

That since said territory is eligible for annexation to the City of Grand Junction, Colorado, it should be so annexed by Ordinance.

PASSED and ADOPTED this 5th day of September, 1979.

President of the Council

Attest:

City Clerk

Upon motion by Councilman Hollingsworth, duly seconded and carried, the Resolution was passed and adopted as read.

The following entitled proposed ordinance was read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO, AND DECLARING AN EMERGENCY. Upon motion by Councilman O'Dwyer, duly seconded and carried, the Ordinance was passed, adopted, numbered 1834, and ordered published.

ORDINANCE NO. 1835 - REZONE FROM R-1-C T PR THE WELLINGTON CONDOMINIUMS, E OF 12TH STREET BETWEEN WELLINGTON AVENUE AND GRAND VALLEY CANAL

Proof of Publication to 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 OF CERTAIN LANDS WITHIN THE CITY. Upon motion by Councilman Johnson, duly seconded and carried, the Proof of Publication was accepted for filing.

Upon motion by Councilman Johnson, duly seconded and carried, the proposed ordinance was called up for final passage and read.

Upon motion by Councilman Dunn, duly seconded and carried, the Ordinance was passed, adopted, numbered 1835, and ordered published.

ORDINANCE NO. 1836 - ROAD VACATION - KNOLLWOOD LANE

Proof of Publication to following entitled proposed ordinance was presented: AN ORDINANCE VACATING A ROADWAY WITHIN THE CITY OF GRAND JUNCTION. Upon motion by Councilman O'Dwyer, duly seconded and carried, the Proof of Publication was accepted for filing.

Upon motion by Councilman O'Dwyer, duly seconded and carried, the proposed ordinance was called up for final passage and read.

Upon motion by Councilman Johnson, duly seconded and carried, the Ordinance was passed, adopted, numbered 1836, and ordered published.

ADJOURNMENT

Upon motion by Councilman Johnson, duly seconded and carried, the meeting was adjourned.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk