

Grand Junction, Colorado

June 2, 1982

The City Council of the City of Grand Junction, Colorado, convened in regular session the 2nd day of June, 1982, at 7:30 p.m. in the Council Chambers at City Hall. Those present were Council members Betsy Clark, Frank Dunn, Arlene Harvey, Robert Holmes, Karl Johnson, President of the Council, Louis Brach. Councilman Gary Lucero was absent. Also present were City Manager Jim Wysocki, City Attorney Gerald Ashby, and City Clerk Neva Lockhart.

The President called the meeting to order and led in the Pledge of Allegiance.

INVOCATION

Councilman Robert Holmes.

MINUTES

Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried, the minutes of the regular meeting May 19, 1982, were approved as submitted.

GOVERNOR'S PROCLAMATION DECLARING DAY OF JUNE 16, 1982, LISTING GRAND JUNCTION AS "HONORARY CAPITOL OF THE STATE OF COLORADO"

PROCLAMATION DECLARING MONTH OF JUNE, 1982, "CENTENNIAL/WESTERN WEAR MONTH"

LIQUOR AND BEER - APPLICATIONS TO RENEW LICENSES APPROVED

Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried with Councilman HOLMES voting NO, the applications by the following businesses to renew liquor and beer licenses were approved:

Pizza Hut No. 2, 704 Horizon Drive (3.2% Beer)

Lincoln Park Golf Club, 14th and Gunnison (3.2% Beer)

Harry M's, 715 Horizon Drive (Hotel-Restaurant)

LIQUOR - APPLICATION BY CHAS. R. FINKEL AND CAROLE E. FINKEL FOR RETAIL LIQUOR STORE LICENSE AT TELLER ARMS LIQUOR SHOPPE, 2353 BELFORD AVENUE APPROVED - CHANGE OF OWNERSHIP

Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried with Councilman HOLMES voting NO, the application by Charles and Carole Finkel for retail liquor store license at Teller Arms Liquor Shoppe, 2353 Belford Avenue, was approved. This is a change of ownership dissolving partnership between the Finkels and Stengers.

HEARINGS - APPLICATION FOR CONDITIONAL USE AND FOR TAVERN LIQUOR LICENSE AT THE HABERDASHERY, 464 28-1/2 ROAD - HAROLD LEE FETTERS AND JOAN FETTERS

Hearings were held after proper notice on the application by Harold Lee Fetters and Joan Frances Fetters for a conditional use and for a tavern liquor license at The Haberdashery, 464 28-1/2 Road, on approximately .61 acre in a light industrial area. The following report was read:

"On April 23, 1982, the City accepted the application filed by Harold Lee and Joan Frances Fetters for a Tavern Liquor License which permits the sale of malt, vinous and spirituous liquor by the drink for consumption on the premises of the licensee under the trade name of The Haberdashery, 464 28-1/2 Road.

The display ad giving notice of hearing on this application was published in The Daily Sentinel May 21, 1982, and the sign giving notice of hearing was posted at 464 28-1/2 Road on May 21, 1982.

A survey of the area from Belford Avenue on the north, Harris Road on the east, I-70 Business Loop and Railroad right-of-way on the south, to Willow Road on the west has been completed. Results:

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. 77

a. An owner of property in the neighborhood. 25

b. An employee or business lessee of property in the neighborhood. 38

c. An inhabitant of the neighborhood. 33

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. 195

a. An owner of property in the neighborhood. 99

b. An employee or business lessee of property in the neighborhood. 72

c. An inhabitant of the neighborhood. 104

3. No Opinion. 6

a. An owner of property in the neighborhood. 0

b. An employee or business lessee of property in the neighborhood. 2

c. An inhabitant of the neighborhood. 1

June 2, 1982, the applicant filed a petition containing 175 signatures favoring the granting of the license.

The Police Department report indicates nothing of a derogatory nature pertaining to the background of the applicants.

Similar-type outlets within the area: 0.

Similar-type outlets within one mile: 3."

The map showing similar type outlets was reviewed. Lee Fetters, 620 N. 7th Street, appeared on behalf of the applications. There were no opponents or counterpetitions. One letter of opposition from Cal Gas, 460 28-1/2 Road, was filed. A Resolution of Findings and Decision is scheduled June 16, 1982.

STREET IMPROVEMENT DISTRICT ID ST-82 - CONSIDERATION OF BIDS ON BONDS - AWARD OF CONTRACT TO KIRCHNER, MOORE & COMPANY - RESOLUTION NO. 34-82 PROVIDING FOR ISSUANCE OF PUBLIC IMPROVEMENT BONDS

Four bids were received May 20, 1982, for the sale of \$376,000 Special Improvement District Bonds. Bidders were:

<u>Avg Int Rate</u> <u>Interest</u>		
Kirchner, Moore and Company 12.2636 \$251,404 .00		
Dain Bosworth, Inc. 12.3189 \$252,536.67		
E. F. Hutton 12.7822 \$262,035. 00		
George K. Baum and Company 13.2676 \$271,985 .83		

Staff recommended acceptance of the Kirchner, Moore and Company bid.

It was moved by Councilman Johnson, seconded by Councilman Dunn

and carried, to accept the bid by Kirchner, Moore and Company.

The following Resolution No. 34-82 was read:

RESOLUTION NO. 34-82

PROVIDING FOR THE ISSUANCE OF PUBLIC IMPROVEMENT BONDS OF IMPROVEMENT DISTRICT NO. ST-82

WHEREAS, the City Council of the City of Grand Junction, Colorado, adopted Resolution Creating Improvement District No. ST-82, on the 5th day of May, 1982, within said City;

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

1. That for the purpose of paying the cost and expenses of constructing the improvements in said Improvement District No. ST-82, including engineering, inspection and other incidental expenses, the City shall issue public improvement bonds of said Improvement District ST-82, dated June 1, 1982, in the denomination of \$1,000.00 each, numbered 1 to 376, inclusive, due and payable on the 1st day of June, 1992, subject to call and payment, however, at any time prior to the maturity of said bonds, said bonds shall bear interest, payable semi-annually, on the 1st day of June and the 1st day of December of each year, as evidenced by coupons to be attached to said bonds as follows:

Bond Nos. Principal Interest Rate Maturity			
01- 40\$40,000 9.50% 6-1-83			
41- 8040,000 10.00% 6-1-84			
81- 11535,000 10.50% 6-1-85			
116-			

15035,00011.00%6 -1-86			
151- 18535,00011.50%6 -1-87			
186- 22540,00012.00%6 -1-88			
226- 26540,00012.25%6 -1-89			
266- 30540,00012.50%6 -1-90			
306- 34540,00012.50%6 -1-91			
346- 37631,00012.50%6 -1-92			

In addition to the above interest rates, bonds will bear Supplemental Coupons commencing to accrue interest on July 1, 1982, and continuing until June 1, 1983, on Bond Nos. 1 through 376, inclusive, all at 1.8%.

The principal of, and interest on, said bonds shall be payable at the office of the City Finance Director of the City of Grand Junction, Colorado, the said bonds shall be signed by the President of the City Council, sealed with the seal of the City and attested by the City Clerk, the coupons shall be signed with the original or facsimile signature of the City Finance Director, and when so executed, said bonds shall be registered by the City Finance Director.

2. Said bonds shall be payable out of the proceeds of a special assessment to be levied upon the real estate situate in the City of Grand Junction, in said improvement district, especially benefited by said improvements, and shall also be payable out of available proceeds of an annual one mill tax to be levied on the taxable property in said City, pursuant to People's Ordinance No.

27 of the said City, which tax was voted and authorized to make up deficits in special improvement district funds.

3. Said bonds, the coupons to be attached and the registration certificate to be endorsed thereon, shall be in substantially the following form:

UNITED STATES OF AMERICA		
STATE OF COLORADO COUNTY OF MESA		
CITY OF GRAND JUNCTION PUBLIC IMPROVEMENT BOND IMPROVEMENT DISTRICT NO. ST-82		
No. _____ \$1,000.00		

The City of Grand Junction, County of Mesa, State of Colorado, for value received, acknowledges itself indebted and hereby promises to pay to the bearer hereof, the sum of

ONE THOUSAND DOLLARS (\$1,000.00)

in lawful money of the United States of America, on the 1st day of June, 1992, subject to call and payment, however, at any time prior thereto with interest thereon from date until payment according to the interest coupons hereto attached, payable semi-annually on the 1st day of June and the 1st day of December each year, both principal and interest being payable at the office of the City Finance Director in Grand Junction, Colorado, upon surrender of the attached coupons and this bond as they severally come due, or are called for payment.

This bond is issued for the purpose of paying the cost of local improvements in Improvement District No. ST-82 in the City of Grand Junction, by virtue of, and in full conformity with, the Constitution and laws of the State of Colorado, the Charter of the City of Grand Junction, and requisite resolutions and ordinances of the said City, duly adopted, approved, published and made laws of said City prior to the issuance hereof.

This bond is payable out of the proceeds of a special assessment to be levied upon real estate situate in the City of Grand Junction in said Improvement District No. ST-82, especially

benefited by said improvements, and is also payable out of available proceeds of an annual one mill tax to be levied on the taxable property in said City, which tax was voted and authorized to make up deficits in special improvement district funds, and the amount of the assessments upon real estate in said District for the payment hereof, with the accrued interest, shall be a lien upon said real estate in the respective amounts to be apportioned to said real estate, and assessed under the Charter and ordinances of said City.

It is hereby certified and recited that the total issue of bonds of said City for said District including this bond, does not exceed the estimate of the City Engineer of the cost of said improvements, nor the amount authorized by law, and it is further hereby certified and recited that every requirement of law relating to the creation of said Improvement District No. ST-82 and the making of said improvements and the issuance of this bond has been fully complied with by proper officers of said City, and that all conditions required to exist and to be done precedent to and in the issuance of this bond, to render the same lawful and valid, have happened, been properly done and performed, and did exist in regular and due time, form and manner, as required by law.

IN TESTIMONY WHEREOF, the City of Grand Junction has caused this bond to be subscribed by the President of the City Council, attested by the City Clerk under the seal of the City, and the interest coupons hereto attached to be attested by the facsimile signature of the City Finance Director, as of the 1st day of June, 1982.

President of the Council

Attest:

City Clerk

(SEAL)

(Form of Coupon)

No. _____

\$ _____

On the first day of June (December), A.D., 19_____, the City of Grand Junction, Colorado, will pay the bearer

_____ DOLLARS

in lawful money of the United States of America, at the office of the City Finance Director, in Grand Junction, Colorado, being six months' interest on its local public improvement bond of Improvement District No. ST-82 provided the bond to which this coupon is attached has not been called for prior payment.

Attached to bond dated June 1, 1982.

NO. _____

(Facsimile Signature)

City Finance Director

(Registration Certificate)

It is hereby certified that the within and foregoing bond has been registered in a suitable book kept for that purpose in the office of the City Finance Director of the City of Grand Junction, Colorado, in accordance with the laws and ordinances under which the same is issued.

Dated at Grand Junction, Colorado, this _____ day of _____, A.D., 1982.

City Finance Director

The City Clerk is hereby authorized and directed to have printed the bonds authorized by this Resolution and when the same have been executed, to deposit the same with the City Finance Director, who shall deliver them to the lawful purchaser thereof, on receipt of the purchase price.

ADOPTED and APPROVED this 2nd day of June, 1982.

President of the Council

Attest:

City Clerk

Upon motion by Councilman Dunn, seconded by Councilman Johnson and carried by roll call vote, the Resolution was passed and adopted as read.

HEARING - APPLICATION BY FOLKLORICO DE LA GENTE LATINA FOR MALT, VINOUS AND SPIRITUOUS LIQUOR SPECIAL EVENTS PERMIT ON JULY 3-4, 1982, 9 P.M. TO 1 A.M. AT TWO RIVERS PLAZA, 159 MAIN ST. DEEOGEE'S

ENTERPRISES DANCE APPROVED - 1ST PERMIT

A hearing was held after proper posting of property on the application by Folklorico de La Gente Latina for a malt, vinous and spirituous liquor special events permit July 3-4, 1982, 9 p.m. to 1 a.m. at Two Rivers Plaza, 159 Main Street, for Deeogee's Enterprises dance. Salvador Salas, Vice President of the organization, was present for the hearing. There were no opponents, letters, or counterpetitions. Upon motion by Councilman Dunn, seconded by Councilman Johnson and carried with Councilman HOLMES voting NO, the application was approved.

HEARING - AMENDMENT TO DOWNTOWN DEVELOPMENT AUTHORITY PLAN OF DEVELOPMENT - RESOLUTION NO. 35-82 APPROVING AMENDMENT

A hearing was held after proper notice on the amendment to the Downtown Development Authority plan of development. Skip Grkovic, Executive Director of the DDA, was present for the hearing. There were no opponents, letters, or counterpetitions.

The following Resolution No. 35-82 was read:

RESOLUTION NO. 35-82

APPROVING AMENDMENTS TO THE PLAN OF DEVELOPMENT FOR THE GRAND JUNCTION, COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY

WHEREAS, the Grand Junction, Colorado, Downtown Development Authority (the Authority) has adopted a Plan of Development for the central business district within the boundaries of the Authority and such plan of development was approved by the Grand Junction, Colorado, City Council (the Council) on December 16, 1981; and

WHEREAS, since the approval of such plan of development, several individuals, pursuant to C.R.S. 1973, section 31-25-822, as amended, and Article X of the Authority's Plan of Development, have petitioned for inclusion within the boundaries of the Grand Junction, Colorado, Downtown Development Authority, and the boundaries of the Grand Junction, Colorado, Downtown Development Authority were expanded by the Council by Ordinance 2045; and

WHEREAS, on May 7, 1982, the Board of the Authority passed a Resolution amending the Plan of Development to show such boundary changes and to make other minor changes in the Plan of Development; and

WHEREAS, such amendments were submitted to the Council on May 19, 1982, at which time the Council referred the Plan of Development to the City Planning Commission for its review and recommendations; and

WHEREAS, the Planning Commission has made written its recommendations to the City Council concerning the Plan of

Development, which recommendations are attached hereto as Exhibit F; and

WHEREAS, a Notice of Public Hearing before the City Council was given by publication once by one publication during the week immediately preceding the hearing in The Daily Sentinel, a newspaper having a general circulation in the City, on May 28, 1982; and

WHEREAS, a Public Hearing was held before the City Council on June 2, 1982, wherein comments were taken from those in attendance concerning the Plan of Development; and

WHEREAS, Mesa County Valley School District #51, within which the entire Plan of Development area designated in the amendments to the Plan of Development lies, was permitted to participate in an advisory capacity with respect to the amendments of the Plan of development of the provision for the utilization of tax increment financing and, furthermore, has petitioned for the inclusion of its property within the boundaries of the authority; and

WHEREAS, the City Council has been adequately informed in this matter because of public input prior to the amendments of the Plan of Development, public hearing on the amendments to the Plan of Development, the evidence presented, and the Plan of Development previously adopted, a review of the previous Resolution passed, and personal knowledge of the members of the Council.

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

1. The findings made by the Council in the Resolution adopting the Plan of Development on December 16, 1981, concerning the existence of blight within the authority within the meaning of section 31-25-802(1.5), of Colorado Revised Statutes, 1973, as amended, still exist - there being no substantial change within such area between December 16, 1981, and June 2, 1982.

2. The Council hereby finds and determines that the approval of the amendments to the Plan of Development will serve a public use; will promote the health, safety, prosperity, security, and general welfare of the inhabitants of the City and of its central business district; will halt or prevent the deterioration of property values or structures within said central business district; will halt or prevent the growth of blighted areas within said district, will assist the City and the Authority in the development and redevelopment of said district and in the overall planning to restore or provide for the continuance of the health thereof; and will be of specific benefit to the property to be included within the amended boundaries of the Authority.

3. The amendments to the Plan of Development are hereby approved by the Council, and the Authority is authorized to undertake development projects as described in the amended Plan of

Development.

4. The Plan of Development is hereby amended in the following respects:

A. The boundaries of the Grand Junction, Colorado, Downtown Development Authority, are amended to read as shown on the attached Exhibit "A", and Pages 8, 9 and 10 of the Plan of Development are amended by substituting Pages 8(a), 9(a), 10(a), 10(ab), 10(ac) and 10(ad) in the form of Exhibit "A".

B. The boundaries of the Plan of Development area within which tax increment financing will be used are amended to read as shown on the attached Exhibit "B" and Pages 11, 12 and 13 of the Plan of Development are amended by substituting pages 11(a), 12(a), 13(a), 13(ab), 13(ac), 13(ad) and 13(ae) in the form of Exhibit "B".

C. The boundaries of the Plan of Development area for commercial renovation districts are amended to read as shown on Exhibit "C" and Page 14 of the Plan of Development is amended by substituting Page 14(a) in the form of Exhibit "C".

D. The map of the boundaries of the Grand Junction, Colorado, Downtown Development Authority is amended to read as shown on the attached Exhibit "D" and Page 15 of the Plan of Development is amended by substituting Page 15(a) in the form of Exhibit "D".

E. Page 19 of the Plan of Development is amended as shown on the attached Exhibit "E" to show further statutory requirements and legal actions taken toward the implementation of the Downtown Development Authority Plan of Development and the planned events leading to the election for the authorization to pledge tax increment revenue, and Page 19 shown on the Plan of Development is amended by substituting Page 19(a) and Page 19(ab) in the form of Exhibit "E".

F. Section VI, Plan Implementation Activities, (B) Implementation Tools, Paragraph 4, Page 20, is amended to read as follows:

"4. Improvement (General Improvement) and special improvement districts offer an opportunity to fund public improvements. Such districts may be of importance here as an overlay to allow wider improvement throughout the downtown area. General improvement districts become a taxing unit with the power to construct or install public improvements including off-street parking facilities."

5. The separate special fund of the City created by the Resolution by the Council of December 16, 1981, and designated as the "Tax Increment Fund" shall continue to receive the deposit of the ad valorem and municipal sales tax increment funds described in Section 31-25-807, Colorado Revised Statutes 1973, as amended, and derived from and attributable to development and redevelopment within the Plan of Development Area, as amended, in which tax

increment financing is used. Said funds shall be held, invested, reinvested and applied as permitted by law. For the purpose of ascertaining the amount of funds to be deposited in the Tax Increment Fund as provided by law, the County Assessor is hereby requested to certify to the City Council by September 1, 1982, the valuation for assessment of such Plan of Development Area as of the date of the last certification. For the same purpose, the City Finance Director is hereby directed to certify to the City Council on or before September 1, 1982, the amount of municipal sales taxes collected within such Plan of Development Area for the period from June 1, 1981, to May 31, 1982.

6. Those parcels described on page 14a of the amended Plan of Development are a part of a development or redevelopment area designated by the City Council pursuant to Section 39-5-105, Colorado Revised Statutes 1973, as amended, and commercial buildings or structures on such parcels are therefore entitled to the benefits granted under said statute.

7. No public servant of the City who is authorized to take part in any manner in preparing, presenting, or approving the Plan of Development or any contract contemplated thereby has a potential interest in the Plan of Development or any such contract which has not been disclosed in accordance with the requirements of Section 18-8-308, Colorado Revised Statutes 1973, as amended, and no such public servant has received any pecuniary benefit from the Plan of Development or any such contract.

8. If any provision of this Resolution is judicially adjudged invalid or unenforceable, such judgment shall not affect the remaining provisions hereof, it being the intention of the City Council that the provisions hereof are severable.

9. This Resolution shall be effective immediately upon its adoption and approval.

ADOPTED and APPROVED this 2nd day of June, 1982.

President of the Council

Attest:

City Clerk

EXHIBIT "A"

BOUNDARIES OF THE GRAND JUNCTION, COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY

Beginning at the Northwest Corner of Wilson's Subdivision of Block

2 of Mobley's Subdivision; thence East along the South right-of-way line of Grand Avenue to the North corner point common to Lots 4 and 5 of Block 78, City of Grand Junction; thence North to a point on the North right-of-way line of Grand Avenue; which point is 15.835 feet West of the East boundary line of Lot 20, Block 77, City of Grand Junction; thence North to the North right-of-way line of the East-West alley in said Block 77; thence East to the Southerly point common to Lots 10 and 11, Block 77, City of Grand Junction; thence North along the Western boundary of said Lot 11 to the Southern right-of-way line of Ouray Avenue; thence East along the Southern right-of-way line of Ouray Avenue to the West right-of-way line of 3rd Street; thence South along the West right-of-way line of 3rd Street to the North right-of-way line of Grand Avenue; thence West along the North right-of-way line of Grand Avenue to the Southern point common to Lots 20 and 21, Block 76, City of Grand Junction; thence Southerly to the Northerly common corner of Lots 12 and 13 in Block 79, City of Grand Junction, thence South along the common lot line to a point on the South right-of-way line of East-West alley in Block 79, City of Grand Junction; thence West along such South right-of-way line to a point 12 feet West of the Eastern line of Lot 7, Block 79, City of Grand Junction; thence North to the South right-of-way line of Grand Avenue; thence West to the North corner point common to Lots 9 and 10 of Block 78, City of Grand Junction; thence South along the common line of Lots 9 and 10 and the common line of Lots 15

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and 16, all in Block 78, to the South right-of-way line of White Avenue; thence East to the West right-of-way line of 2nd Street; thence South to the North right-of-way line of the East-West alley in Block 99, City of Grand Junction; thence East along the North line of the East-West alley Block 98, City of Grand Junction, to the West right-of-way line of 3rd Street; thence North along the West right-of-way line of 3rd Street to the South right-of-way line of Grand Avenue; thence East along the South right-of-way line of Grand Avenue to the Northwest corner of Lot 12, Block 80, City of Grand Junction; thence in a Northerly direction to the Southwest corner of Lot 21, Block 75, City of Grand Junction; thence North along the West line of Lot 21, Block 75, to the North right-of-way of the East-West alley in Block 75 to the Southwest corner of Lot 9, Block 75, City of Grand Junction; thence North along the West line of Lot 9, Block 75, to the South right-of-way line of Ouray Avenue; thence East along the South right-of-way line of Ouray Avenue to the Northeast point of Lot 11, Block 73, to the South right-of-way line of the vacated East-West alley in Block 73; thence to the Northeast corner of Lot 21, Block 73, City of Grand Junction; thence along the East line of Lot 21, Block 73, to the North right-of-way line of Grand Avenue; thence along the North right-of-way line of Grand Avenue to the Southwest corner of Lot 28, Block 73, City of Grand Junction; thence North along the West line of Lot 28, Block 73, to the North right-of-way line of the vacated East-West alley in Block 73; thence West to the West right-of-way line of 5th Street; thence South along the West

right-of-way line

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of 5th Street to the North right-of-way line of the East-West alley in Block 81, City of Grand Junction, thence East along the North right-of-way line of the East-West alley in Blocks 81 and 82 to the Southwest corner of Lot 9, Block 82, City of Grand Junction; thence North along the West line of Lot 9, Block 82, City of Grand Junction, to the South right-of-way line to the East line of Lot 10, Block 82, City of Grand Junction; thence South along the East line of Lot 10, to the North right-of-way line of the East-West alley in Block 82, City of Grand Junction; thence East to the Southwest corner of Lot 13 Block 82, City of Grand Junction to the South right-of-way line of Grand Avenue; thence East along the South right-of-way of Grand Avenue to the East line of Lot 16, Block 82, City of Grand Junction; thence South along the East line of said Lot 16 to the North right-of-way line of the East-West alley in Block 82; thence East along the North right-of-way line of the East-West alley in Block 83 to the West line of Lot 9, Block 83, City of Grand Junction; thence North along the West line of said Lot 9 to the South right-of-way line of Grand Avenue; thence East along the South right-of-way line of Grand Avenue to the West right-of-way line of 8th Street; thence South along the West right-of-way line of 8th Street to the South right-of-way line of White Avenue; thence West along the South right-of-way line of White Avenue to the West right-of-way line of the North-South alley in Block 93, City of Grand Junction; thence South along the West right-of-way line of the North-South alley in Block 93 to the South right-of-way line of the East-West alley in Block 93, City of Grand Junction; thence East to the North point common to Lots 23 and 24, Block 93,

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City of Grand Junction; thence South along the common line of Lots 23 and 24 to the South right-of-way line of Rood Avenue; thence West to the North point common to Lots 14 and 15 in Block 106, City of Grand Junction; thence South along the common line of Lots 14 and 15 to the North boundary of the East-West alley in Block 106, City of Grand Junction; thence West to the South point common to Lots 12 and 13, Block 106, City of Grand Junction; thence North to the South right-of-way line of Rood Avenue; thence West to the West right-of-way line of the North-South alley in Block 106, City of Grand Junction; thence South along the West right-of-way line of the North-South alleys in Block 106, 115 and 128, City of Grand Junction, to the North right-of-way line of Ute Avenue; thence East along the North right-of-way line of Ute Avenue to the South point common to Lots 25 and 26, Block 128, City of Grand Junction; thence South on the common line between Lots 13 and 14, Block 137, City of Grand Junction; thence West to the West right-of-way line of the North-South alley in Block 137, City of Grand Junction; thence North along the West right-of-way line of the North-South alley in Block 137, City of Grand Junction, to the South right-of-

way line of Ute Avenue; thence West to the West right-of-way line of 7th Street; thence South to the North right-of-way line of Pitkin Avenue; thence West to the West right-of-way line of 6th Street; thence North to the South right-of-way line of Ute Avenue; thence West to the North point common to Lots 12 and 13, Block 139, City of Grand Junction; thence South to the North right-of-way line of the East-West alley in Block 139, City of Grand Junction; thence West to the south point common to Lots 8 and 9, Block 139, City of Grand Junction; thence North along the West line

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of Lot 9, Block 139, City of Grand Junction, to the South right-of-way line of Ute Avenue; thence West to the West right-of-way line of 5th Street; thence South to the North right-of-way line of Pitkin Avenue; thence West to the East right-of-way line of 4th Street; thence North to the South right-of-way line of Ute Avenue; thence West along the South right-of-way line of Ute Avenue to the North point separating the East one-half of Lot 9 from the West one-half of Lot 9, Block 141, City of Grand Junction; thence South to a point on the North right-of-way line of the East-West alley in Block 141; thence West along the North right-of-way line of the East-West alleys in Blocks 141 and 142 to the East right-of-way line of 2nd Street; thence North to the North right-of-way line of Ute Avenue; thence West along the North right-of-way line of Ute Avenue to the Southwest Corner Block 10 Mobley Subdivision; thence Northwest along the Southwest line of Block 10 Mobley Subdivision to the intersection with the Southerly projection of the East right-of-way line of Spruce Street; thence North along said East line to the Northwest corner Block 10, Mobley Subdivision, thence Northwesterly to a point which lies 415.8 feet West and South 41 deg. 03 min. East 68.97 feet from the Northeast Corner of the Southeast 1/4 Southeast 1/4 of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North 89 deg. 57 min. West for 271.8 feet along a line parallel to the North line of the Southeast 1/4 of the Southeast 1/4 of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North 53 deg. 03 min. West 16.66 feet; thence North 53 deg. 03 min. West 70 feet to the East right-of-way line of the County Road to the East of the right-of-way of the Denver and Rio Grande Western right-of-way; thence Northwesterly along the East right-of-way of said County Road to the South right-of-way of State Highway 340;

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thence Northeasterly along the South right-of-way of State Highway 340 to the Northwest Corner of Lot 9, Block 1, Richard D. Mobley's First Subdivision; thence South along the West line of said Lot 9 to the Southwest corner; thence South to the Center line of vacated alley; thence 25 feet East; thence North to a point 78 feet South of the North line of said Block 1, thence East to a point 7-1/2 feet West of the East line of Lot 11, Block 1, Richard D. Mobley's First Subdivision, thence North to the South right-of-

way line of State Highway 340; thence along the South right-of-way line of State Highway 340 and Grand Avenue to the Point of Beginning.

However, excluding from the Grand Junction, Colorado, Downtown Development Authority all of Block 5 of Richard D. Mobley's First Subdivision, and Lots 1 to 5, inclusive, of Block 4, Richard D. Mobley's First Subdivision and Lots 12 to 16 inclusive, of Block 4, Richard D. Mobley's First Subdivision except the North 50 feet of Lots 12 to 16. And also excluding from the boundaries of the Grand Junction, Colorado, Downtown Development Authority, that part of Tract 8 and Tract 9 of the AMENDED SURVEY OF THE LITTLE BOOKCLIFF RAILROAD YARDS described as beginning at a point which is South 44 deg. 11 min. West 901.66 feet and South 0 deg. 01 min. East 197.50 feet from East 1/4 corner of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North 89 deg. 58 min. West 126.00 feet; thence South 0 deg. 01 min. East 150.00 feet; thence South 89 deg. 58 min. East 126.00 feet; thence North 0 deg. 01 min. West 150.00 feet to the point of beginning. AND ALSO excluding 14 feet adjoining said Tract 9 on the East thereof.

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EXHIBIT "B"

DESCRIPTION OF THE PLAN OF DEVELOPMENT AREA WITHIN WHICH TAX INCREMENT FINANCING WILL BE USED

Beginning at the Northwest Corner of Wilson's Subdivision of Block 2 of Mobley's Subdivision; thence East along the South right-of-way line of Grand Avenue to the North corner point common to Lots 4 and 5 of Block 78, City of Grand Junction; thence North to a point on the North right-of-way line of Grand Avenue; which point is 15.835 feet West of the East boundary line of Lot 20, Block 77, City of Grand Junction; thence North to the North right-of-way line of the East-West alley in said Block 77; thence East to the Southerly point common to Lots 10 and 11, Block 77, City of Grand Junction; thence North along the Western boundary of said Lot 11 to the Southern right-of-way line of Ouray Avenue; thence East along the South right-of-way line of Ouray Avenue to the West right-of-way line of 3rd Street; thence South along the West right-of-way line of 3rd Street to the North right-of-way line of Grand Avenue; thence West along the North right-of-way line of Grand Avenue to the Southern point common to Lots 20 and 21, Block 76, City of Grand Junction; thence Southerly to the Northerly common corner of Lots 12 and 13 in Block 79, City of Grand Junction, thence South along the common lot line to a point on the South right-of-way line of the East-West alley in Block 79, City of Grand Junction; thence West along such South right-of-way line of Grand Avenue; thence West to the North corner point common to Lots 9 and 10 of Block 78, City of Grand Junction; thence South along the common line of Lots 9 and 10 and the common line of Lots 15 and 16, all in Block 78, to the South right-of-way line of White Avenue; thence East to the West right-of-way line of 2nd

Street;

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thence South to the North right-of-way line of the East-West alley in Block 99, City of Grand Junction; thence East along the North line of the East-West alley Block 98, City of Grand Junction, to the West right-of-way line of 3rd Street; thence North along the West right-of-way line of 3rd Street to the South right-of-way line of Grand Avenue; thence East along the South right-of-way line of Grand Avenue to the Northwest corner of Lot 12, Block 80, City of Grand Junction; thence in a Northerly direction to the Southwest corner of Lot 21, Block 75, City of Grand Junction; thence North along the West line of Lot 21, Block 75, City of Grand Junction; thence North along the West line of Lot 21, Block 75, to the North right-of-way of the East-West alley in Block 75; thence West along the North right-of-way of the East-West alley in Block 75 to the Southwest corner of Lot 9, Block 75, City of Grand Junction; thence North along the West line of Lot 9, Block 75, to the South right-of-way line of Ouray Avenue; thence East along the South right-of-way line of Ouray Avenue to the Northeast point of Lot 11, Block 73, which borders the alley parallel to said Lot 11, Block 73; thence South along the West right-of-way of said alley bordering Lot 11, Block 73, to the South right-of-way line of the vacated East-West alley in Block 73; thence to the Northeast corner of Lot 21, Block 73, City of Grand Junction; thence along the East line of Lot 21, Block 73, to the North right-of-way line of Grand Avenue; thence along the North right-of-way line of Grand Avenue to the Southwest corner of Lot 28, Block 73, City of Grand Junction; thence North along the West line of Lot 28, Block 73; thence West to the West right-of-way line of 5th Street; thence South along the West right-of-way line of 5th Street to the North right-of-way line of the East-West alley in Block 81, City of Grand Junction, thence East along the North right-of-way line of the East-West alley in Blocks 81 and 82 to the Southwest corner of Lot 9, Block 82, City of Grand Junction; thence

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North along the West line of Lot 9, Block 82, City of Grand Junction, to the South right-of-way line of Grand Avenue, thence East along said South right-of-way line to the East line of Lot 10, Block 82, City of Grand Junction; thence South along the East line of Lot 10, to the North right-of-way line of the East-West alley in Block 82, City of Grand Junction; thence East to the Southwest corner of Lot 13, Block 82, City of Grand Junction; thence North along the West line of Lot 13, Block 82, City of Grand Junction, to the South right-of-way line of Grand Avenue; thence East along the South right-of-way of Grand Avenue to the East line of Lot 16, Block 82, City of Grand Junction, thence South along the East line of said Lot 16 to the North right-of-way line of the East-West alley in Block 82, thence East along the North right-of-way line of the East-West alley in Block 83 to the West line of Lot 9, Block 83, City of Grand Junction; thence North

along the West line of said lot 9 to the South right-of-way line of Grand Avenue; thence East along the South right-of-way line of Grand Avenue to the West right-of-way line of 8th Street; thence South along the West right-of-way line of 8th Street to the South right-of-way line of White Avenue; thence West along the South right-of-way line of White Avenue to the West right-of-way line of the North-South alley in Block 93, City of Grand Junction; thence South along the West right-of-way line of the North-South alley in Block 93 to the South right-of-way line of the East-West alley in Block 93, City of Grand Junction; thence East to the North point common to Lots 23 and 24, Block 93, City of Grand Junction; thence South along the common line of Lots 23 and 24 to the South right-of-way line of Rood Avenue; thence West to the North point common to Lots 14 and 15 in Block 106, City of Grand Junction; thence South along the common line of Lots 14 and 15 to the North boundary of the East-West alley in Block 106, City of Grand Junction; thence West to the South point common to Lots 12 and 13, Block 106,

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City of Grand Junction; thence North to the South right-of-way line of Rood Avenue; thence West to the West right-of-way line of the North-South alley in Block 106, City of Grand Junction; thence South along the West right-of-way line of the North-South alleys in Block 106, 115 and 128, City of Grand Junction, to the North right-of-way line of Ute Avenue; thence East along the North right-of-way line of Ute Avenue to the South point common to Lots 25 and 26, Block 128, City of Grand Junction; thence South on the common line between Lots 13 and 14, Block 137, City of Grand Junction, to the North right-of-way line of the East-West alley in Block 137, City of Grand Junction; thence West to the West right-of-way line of the North-South alley in Block 137, City of Grand Junction; thence North along the West right-of-way line of the North-South alley in Block 137, City of Grand Junction, to the South right-of-way line of Ute Avenue; thence West to the West right-of-way line of 7th Street; thence South to the North right-of-way line of Pitkin Avenue; thence West to the West right-of-way line of 6th Street; thence North to the South right-of-way line of Ute Avenue; thence West to the North point common to Lots 12 and 13, Block 139, City of Grand Junction; thence South to the North right-of-way line of the East-West alley in Block 139, City of Grand Junction; thence West to the South point common to Lots 8 and 9, Block 139, City of Grand Junction; thence North along the West line of Lot 9, Block 139, City of Grand Junction, to the South right-of-way line of Ute Avenue; thence West to the West right-of-way line of 5th Street; thence South to the North right-of-way line of Pitkin Avenue; thence West to the East right-of-way line of 4th Street; thence North to the South right-of-way line of Ute Avenue; thence West along the South right-of-way line of Ute Avenue to the North point separating the East one-half of Lot 9 from the West one-half of Lot 9, Block 141, City of Grand Junction; thence South to a point on the

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North right-of-way line of the East-West alley in Block 141; thence West along the North right-of-way line of the East-West alleys in Blocks 141 and 142 to the East right-of-way line of 2nd Street; thence North to the North right-of-way line of Ute Avenue; thence West along the North right-of-way line of Ute Avenue to the Southwest Corner Block 10 Mobley Subdivision; thence Northwest along the Southwest line of Block 10 Mobley Subdivision to the intersection with the Southerly projection of the East right-of-way line of Spruce Street; thence North along said East line to the Northwest corner of Block 10, Mobley Subdivision, thence Northwesterly to a point which lies 415.8 feet West and South 41 deg. 03 min. East 68.97 feet from the Northeast Corner of the Southeast 1/4 Southeast 1/4 of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North 89 deg. 57 min. West for 271.8 feet along a line parallel to the North line of the Southeast 1/4 of the Southeast 1/4 of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North 53 deg. 03 min. West 16.66 feet; thence North 53 deg. 03 min. West 70 feet to the East right-of-way line of the County Road to the East of the right-of-way of the Denver and Rio Grande Western right-of-way; thence Northwesterly along the East right-of-way of said County Road to the South right-of-way of State Highway 340; thence Northeasterly along the South right-of-way of state Highway 340 to the Northwest Corner of Lot 9, Block 1, Richard D. Mobley's First Subdivision; thence South along the West line of said Lot 9 to the Southwest corner; thence South to the center line of vacated alley; thence 25 feet East; thence North to a point 78 feet South of the North line of said Block 1, thence East to a point 7-1/2 feet West of the East line of Lot 11, Block 1, Richard D. Mobley's First Subdivision, thence North to the South right-of-way line of State Highway 340; thence along the South right-of-way line of State Highway 340 and Grand Avenue to the Point of Beginning.

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However, excluding from the Grand Junction, Colorado, Downtown Development Authority all of Block 5 of Richard D. Mobley's First Subdivision, and Lots 1 to 5, inclusive, of Block 4, Richard D. Mobley's First Subdivision, and Lots 12 to 16, inclusive, of Block 4, Richard D. Mobley's First Subdivision except the North 50 feet of Lots 12 to 16.

And also excluding from the boundaries of the Grand Junction, Colorado, Downtown Development Authority, that part of Tract 8 and Tract 9 of the AMENDED SURVEY OF THE LITTLE BOOKCLIFF RAILROAD YARDS described as beginning at a point which is South 44 deg. 11 min. West 901.66 feet and South 0 deg. 01 min. East 197.50 feet from East 1/4 corner of Section 15, Township 1 South, Range 1 West of the Ute Meridian; thence North 89 deg. 58 min. West 126.00 feet; thence South 0 deg. 01 min. East 150.00 feet; thence South 89 deg. 58 min. East 126.00 feet; thence North 0 deg. 01 min. West 150.00 feet to the point of beginning. AND ALSO excluding 14 feet

adjoining said tract 9 on the East thereof.

And except the following parcels:

Lots 11 to 16, inclusive, in Block 83, City of Grand Junction, Mesa County, Colorado; and

The North 75 feet of Lots 1, 2 and 3 of Block 104, City of Grand Junction, Mesa County, Colorado; and

Lots 17 to 25, inclusive, in Block 102; Lots 17 to 32, inclusive, in Block 103, Lots 17 to 32, inclusive, in Block 104; Lots 16 to 30, inclusive, except all the East 71.95 feet of Lots 16 to 20, inclusive, except the North 30 feet of the East 71.95 feet of Lots 16 to 20 inclusive, in Block 105; Lots 1 to 15, inclusive, in Block 117; and Lots 1 to 16, inclusive, in

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Block 118, and Lots 1 to 11 in Block 84, all in the City of Grand Junction, Mesa County, Colorado.

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EXHIBIT "C"

DESCRIPTION OF THE COMMERCIAL RENOVATION DISTRICTS

Lots 11 to 16, inclusive, in Block 83, City of Grand Junction, Mesa County, Colorado; and

The North 75 feet of Lots 1, 2 and 3 of Block 104, City of Grand Junction, Mesa County, Colorado; and

Lots 17 to 25, inclusive, in Block 102; Lots 17 to 32, inclusive, in Block 103, Lots 17 to 32, inclusive, in Block 104; Lots 16 to 30, inclusive, except all the East 71.95 feet of Lots 16 to 20, inclusive, except the North 30 feet of the East 71.95 feet of Lots 16 to 20 inclusive, in Block 105; Lots 1 to 15, inclusive, in Block 117; and Lots 1 to 16, inclusive, in Block 118, and Lots 1 to 11 in Block 84, all in the City of Grand Junction, Mesa County, Colorado.

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EXHIBIT "E"

B. DATE OF ACTION. STATUTORY REQUIREMENTS.		
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OPTIONAL ACTIVITIES		
22. 12-31-82Freezing of Ad Valorem tax base and sales tax base as of effective date of Plan 31-25-807(3)		
23. 5-7-82Resolution of DDA Board to amend Plan of Development to show recent approved inclusions of property and make other minor changes and referral to City Council for approval		
SCHEDULED FUTURE ACTIONS		
24. 5-19-82City Council review of Plan of Development amendments and referral to Planning Commission		
25. 5-25-82Planning Commission review and comments on Plan of Development amendments		
26. 5-26-82Public notice of public meeting before City Council on Plan of Development amendments		
27. 6-2-82City Council public hearing on Plan of Development and adoption of resolution adopting Plan of Development amendments		
28. 6-4-82Resolution of DDA Board to have election for pledging		

of tax increment funds 35-25-807(3) (b)		
29. 6-16-82Approval by City Council of election at least 30 days prior to election 35-25-807(3) (b)		
30. 7-23-82Publication of Public Notice of Election		
31. 8-3-82Election - qualified electors of district 35-25- 807(3) (b)		
32. 8-4-82Canvass of votes		
33. To be determined during 1982City Council adoption of ordinance authorizing the issuance of bonds		
34. To be determined during 1982Bonds issued for project		

Pages 19(a) and 19(ab)

EXHIBIT "F"

MEMORANDUM

TO: GRAND JUNCTION CITY COUNCIL
FROM: GRAND JUNCTION PLANNING COMMISSION
DATE: MAY 25, 1982

RE: AMENDMENTS TO THE PLAN OF DEVELOPMENT OF THE GRAND JUNCTION,
COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY

On May 19, 1982, the Grand Junction City Council, pursuant to C.R.S. 1973, §31-25-807(4) (b) submitted amendments to the Plan of Development of the Grand Junction, Colorado, Downtown Development Authority to the Planning Commission for review and recommendations.

We have reviewed the proposed amendments in light of the Plan of Development as adopted by the City and the Downtown Development Authority and we have considered these amendments in light of the comments of the employees of the Planning Department, and in light of past policies for development and renovation and considered the questions and comments of the members of the Commission. After this review, we offer the following comments and recommendations:

1. The proposed amendments to the Plan of Development are consistent with the Downtown Development Strategy which has been adopted as an element of the Master Plan for Grand Junction, as well as consistent with other current policies.

2. The proposed amendments to include other areas within the boundary of the Downtown Development Authority are largely technical in nature, and the properties sought to be included are within the limits of the ultimate DDA boundary as defined in the Downtown Development Strategy and the DDA Plan of Development.

On the basis of this review, we find the proposed amendments to the Plan of Development to be consistent with existing City policies and not in conflict with development patterns on a City-wide basis.

We, therefore, endorse the proposed amendments to the Plan of Development as being consistent with existing City policies and recommend that the City Council hold a Public Hearing on these amendments to the Plan of Development.

Respectfully submitted,

/s/ Jane Quimby

Chairman

Upon motion by Councilman Johnson, seconded by Councilwoman Clark and carried by roll call vote, the Resolution was passed and adopted as read.

RESOLUTION NO. 36-82 FINDINGS & DECISION RE: REPLAT OF LOT 1, BLOCK 5, CROSSROADS COLORADO WEST SUBDIVISION FILING #2, LOCATED SE CORNER OF CROSSROADS BOULEVARD AND 27 ROAD - APPROVED

The following Resolution was read:

RESOLUTION NO. 36-82

Planning Department No. 2-80

CONCERNING A REPLAT OF LOT 1 IN BLOCK 5, CROSSROADS COLORADO WEST FILING NO. TWO

WHEREAS, Planners and Developers, Ltd. and C.B.W. Builders, Inc.

have presented a Replat of Lot 1 in Block 5, Crossroads Colorado West Filing No. Two for approval by the City Council; and

WHEREAS, the Grand Junction Planning Commission recommended disapproval of the replat because of neighborhood objection and because the replat did not include a plan of development under the planned development rezoning; and

WHEREAS, after hearing, the City Council is of the opinion that the major concerns of the neighbors have been met by the applicants and the requirements for a plan of development may better be met as some development is proposed;

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

That the proposed Replat of Lot 1 in Block 5, Crossroads Colorado West Filing No. Two is approved.

PASSED and ADOPTED this 2nd day of June, 1982.

President of the Council

Attest:

City Clerk

Upon motion by Councilman Dunn, seconded by Councilwoman Harvey and carried by roll call vote, the Resolution was passed and adopted as read.

ORDINANCES ON FINAL PASSAGE

Proofs of Publication had been received on all Ordinances proposed for final passage.

ORDINANCE NO. 2056 - REZONE FROM RMF-32 TO PB, 1445 AND 1447 N. 7TH STREET

Upon motion by Councilman Dunn, seconded by Councilman Holmes and carried, the following entitled proposed ordinance was called up for final passage and read: 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.

There were no comments. Upon motion by Councilman Holmes, seconded by Councilwoman Harvey and carried by roll call vote, the ordinance was passed, adopted, numbered 2056, and ordered published.

ORDINANCE NO. 2057 - RIGHT-OF-WAY VACATION, 815 N. 1ST STREET

Upon motion by Councilwoman Clark, seconded by Councilman Holmes and carried, the following entitled proposed ordinance was called up for final passage and read: VACATING A RIGHT-OF-WAY IN THE CITY OF GRAND JUNCTION.

There were no comments. Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried by roll call vote, the Ordinance was passed, adopted, numbered 2057, and ordered published.

ORDINANCE NO. 2058 - RIGHT-OF-WAY VACATION IN HORIZON 70 SUBDIVISION, NW CORNER OF HORIZON DRIVE AND I-70

Upon motion by Councilman Holmes, seconded by Councilwoman Clark and carried, the following entitled proposed ordinance was called up for final passage and read: VACATING A RIGHT-OF-WAY IN THE CITY OF GRAND JUNCTION.

There were no comments. Upon motion by Councilman Holmes, seconded by Councilman Johnson and carried by roll call vote, the ordinance was passed, adopted, numbered 2058, and ordered published.

ORDINANCE NO. 2059 - REZONE FROM RMF-64 TO PB, 844 GRAND AVENUE

Upon motion by Councilwoman Clark, seconded by Councilman Holmes and carried, the following entitled proposed ordinance was called up for final passage and read: 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.

There were no comments. Upon motion by Councilman Holmes, seconded by Councilwoman Clark and carried by roll call vote, the Ordinance was passed, adopted, numbered 2059, and ordered published.

ORDINANCE NO. 2060 - CORRECTING AN ERROR IN DESCRIPTION OF ORDINANCE NO. 1683 PASSED AND ADOPTED JUNE 1, 1977, CORNER OF B-1/2 ROAD AND HWY 50 SOUTH

Upon motion by Councilman Dunn, seconded by Councilwoman Harvey and carried, the following entitled proposed ordinance was called up for final passage and read: 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.

There were no comments. Upon motion by Councilman Johnson, seconded by Councilman Holmes and carried by roll call vote, the Ordinance was passed, adopted, numbered 2060, and ordered published.

ORDINANCE NO. 2061 - 1480 ANNEXATION, SW CORNER OF F-1/2 ROAD AND

25-1/2 ROAD

Upon motion by Councilwoman Harvey, seconded by Councilman Holmes and carried, the following entitled proposed ordinance was called up for final passage and read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO.

There were no comments. Upon motion by Councilman Holmes, seconded by Councilwoman Clark and carried by roll call vote, the Ordinance was passed, adopted, numbered 2061, and ordered published.

3.2% BEER - MR. G'S PLACE, 1320 N. 12TH STREET

City Attorney Ashby summarized the previous meeting when the question of a decision was presented on Mr. G's, there was a representation made by Mr. Gillin as to parking. He believed Council understood that Mr. Gillin had indicated he had some written relationship with the owner of the property next door, Mr. Rohwer, who was present for this evening's discussion, that would permit him to count that parking there within the required parking for the premises. The Council, at its meeting May 19, 1982, requested that the City Attorney be furnished with a copy of whatever the written document was, and Mr. Ashby indicated that he has not been furnished with that copy. In the interim Mr. Rohwer came in to see Mr. Ashby and indicated that in fact there is no relationship providing parking between him and the Gillins. Mr. Gillin was present and wanted to address that particular fact, also Mr. Rohwer. Carroll Multz, attorney for the Gillins was present, and prior to the meeting submitted to Mr. Ashby a document which states "Mr. G's has permission to use the COX MOTORS lot at 1220 North Avenue for parking, Monday thru Sunday from 7:00 p.m. to 12:30 a.m. PERMISSION GRANTED BY MR. KEN COX. This can be terminated at notice of either party. Signed by Kenneth Ray Cox, William P. Gillin, Mike Gillin." Mr. Ashby suggested that before it became acceptable to the Council, there would have to be something added that would provide that the City Council would also be notified of any termination, because that may affect the parking that he has as required by the regulations.

Councilman Johnson noted that there was no date on the document. Mr. Ashby stated that he was assuming the document was of rather recent origin to which Mr. Multz stated that it was. Councilman Johnson stated that the document should be dated.

William P. Gillin, father of Mike Gillin, stated that Mike and Mr. Rohwer had an agreement that read August, 1980, to August of 1981, that Michael would have parking at his place of business. In the interim, according to Mr. Gillin, perhaps at the fault of Michael . . . Mr. Gillin wanted to make it clear to Council that Michael would not lie to anyone of the Council as he has a heavy responsibility at Mr. G's. Mr. Gillin submitted some documents to Council that according to Mr. Gillin would prove that Michael was quite honest about the whole thing and wasn't trying to pull the wool over anybody's eyes here at City Council nor would he ever do

this to any one of them. The documents referenced show that Michael went in at the request of Mr. Dick Waldref, son-in-law of Mr. Rohwer, to replace parking blocks and also a chain and three posts around the back area so Mr. Waldref could get to his place of business at night. These modifications took place September and November of 1981 which was after the period of August, 1981. Mr. Gillin stated that Mike felt that since he went to this expense which was \$600 some dollars that he had the parking at that time; that it was continuing on because he had not been told by Mr. Rohwer or Dick that he did not have this parking. Mr. Gillin noted that Michael does send a crew out each evening to clean up the litter, and once a month Ted's Sweeping goes in to do the professional cleaning. Mr. Gillin stated that on his word of honor the agreement for parking with Mr. Kenneth Cox was obtained just this past week. Mr. Gillin indicated that Michael will board up the windows to the building on that parking lot, keep it clean, carry the liability insurance, and provide security service during the time of business.

Mr. Rohwer, owner of the property directly north of Mr. G's, said that a contract was written up on the 20th of August, 1980, to September 5, 1981. At the end of the contract, it read that it was for one year only. After that there was no contract but the paint store was not open at night and they continued using the parking which they did not object to. Mr. Rohwer stated that they met Mike Gillin and his wife out at the Mall around Christmas time and told them the property had been rented to the game room on the first of December and that the Gillins would not be permitted to use the parking.

A decision will be given at the regular City Council meeting June 16, 1982.

Cora Massa indicated there were ten people present for the discussion on Mr. G's.

JUCO CONTRACT EXTENDED FOR THREE YEARS

Upon motion by Councilman Johnson, seconded by Councilman Holmes and carried the JUCO Contract was extended for three years, and the President of the Council was authorized to sign.

MAYOR'S REPORT

Acknowledged invitation to Pas in Manitoba for 70th celebration July 8th to 11th.

May 20 - Attended Credit Union Conference
Attended Anciano Awareness Day with Juanita Ulibarri

May 24 - Lunched with Earl Hunt, Chevron Representative
Attended Hilltop House Dedication. Governor Lamm was present.

June 1 - Lunched with Representative Brown

June 4 - Open House for new City Services Center at 10:00 a.m.
Open House at Joy Manufacturing
Centennial promenade at Mesa Mall at 7:00 p.m.

June 11 - Centennial promenade downtown at noon.

June 12 - Caravan to Delta, Olathe and Montrose - antique cars

June 16 - Rio Blanco County Commissioners meeting on energy development in the northwest region. Tour of the Western Fuels Coal Company from 2 to 5 p.m.

RECREATION CENTER - PETITION OPPOSING LOCATION AT SHERWOOD PARK -
PETITION ENDORSING RECREATION CENTER

Submitted for the record was a petition signed by 236 people opposing the selection of Sherwood Park as the location for the new recreation center. Mayor Brach stated that the petition was delivered to his home May 31 by Mrs. Irene Learn, 1450 East Sherwood Drive.

The Mayor also submitted a petition signed by 593 people endorsing the recreation center. He did not know who circulated the petition, when it was turned in, nor by whom.

ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk