

Grand Junction, Colorado

August 1, 1984

The City Council of the City of Grand Junction, Colorado, convened in regular session the 1st day of August, 1984, in the City-County Auditorium at City Hall. Those present were Betsy Clark, Frank Dunn, Robert Holmes, Christine Kreissler, Gary Lucero, Ray Phipps, and President of the Council Mike Pacheco. Also present were City Manager Mark Achen, City Attorney Gerald Ashby, and City Clerk Neva Lockhart.

Council President Mike Pacheco called the meeting to order and Councilwoman Clark led in the Pledge of Allegiance.

#### INVOCATION

Councilman Robert Holmes.

#### MINUTES

Upon motion by Councilwoman Clark, seconded by Councilwoman Kreissler and carried, the minutes of the regular meeting July 18, 1984, were approved as submitted.

#### LIQUOR - APPLICATIONS TO RENEW LICENSES APPROVED

Upon motion by Councilman Dunn, seconded by Councilman Lucero and carried with Councilman HOLMES voting NO, the applications by the following business concerns to renew their liquor licenses were approved:

North Avenue Liquors, 801 North Avenue (Retail Liquor Store)

Horizon Liquors, 715 Horizon Drive (Retail Liquor Store)

Dos Hombres Restaurant, 421 Brach Drive (Hotel-Restaurant)

#### LIQUOR - RANDAL S. TURLEY REGISTERED AS MANAGER OF HOWARD JOHNSONS RESTAURANT, 752 HORIZON DRIVE

Upon motion by Councilman Dunn, seconded by Councilman Lucero and carried with Councilman HOLMES voting NO, the application by Howard Johnson's Restaurant, Inc., to register Randal S. Turley as manager of its restaurant at 752 Horizon Drive was approved.

#### BEER - APPLICATION BY DAVID F. SARGEANT FOR 3.2% BEER LICENSE, THIS IS IT GROCERY, 215 S. 11ST STREET APPROVED

Upon motion by Councilman Dunn, seconded by Councilman Lucero and carried with Councilman HOLMES voting NO, the application by David F. Sargeant for a 3.2% beer license at This Is It Grocery, 215 South 11th Street, was approved. This was a change of ownership - license was held by Carol Matthews.

HEARING - PROPOSED ORDINANCE - RIGHT-OF-WAY VACATION OF PORTION OF LITTLE BOOKCLIFF AVENUE N OF WELLINGTON AVENUE TO GRAND VALLEY CANAL

A hearing was held after proper notice on the petition by Wellington V represented by Robert Hirons to vacate a portion of Little Bookcliff Avenue north of Wellington Avenue to the Grand Valley Canal. There were no opponents, letters or counterpetitions.

The following entitled proposed ordinance was read: AN ORDINANCE VACATING A RIGHT-OF-WAY IN THE CITY OF GRAND JUNCTION. Upon motion by Councilman Dunn, seconded by Councilman Holmes and carried, the proposed ordinance was passed for publication.

HEARING - PROPOSED ORDINANCE - REZONE FM RMF-64 TO PB AND MEDICAL OFFICE FINAL PLAN, NW COR OF 11TH AND WELLINGTON

A hearing was held after proper notice on the petition by Wellington V represented by Robert Hirons to rezone from a Residential Multi-Family Zone at 64 units per acre to a Planned Business Zone on approximately 5 acres and a final plan on approximately 1 acre for the northwest corner of 11th Street and Wellington Avenue. There were no opponents, letters or counterpetitions.

The following entitled proposed ordinance was 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. Upon motion by Councilman Lucero, seconded by Councilman Phipps and carried, the proposed ordinance was passed for publication.

Upon motion by Councilman Dunn, seconded by Councilman Lucero and carried, the Final Plan for the Medical Office was approved subject to the conditions of the Planning Commission.

HEARING - LIQUOR - APPLICATION BY PABLO'S ENTERPRISES, INC., FOR HOTEL-RESTAURANT LIQUOR LICENSE AT 2900 NORTH AVENUE, TRADE NAME OF PABLO'S BAR & GRILL, CONDITIONAL USE HEARING - APPROVED

A hearing was held after proper notice on the application by Pablo's Enterprises, Inc., for a hotel-restaurant liquor license at 2900 North Avenue under trade name of Pablo's Bar & Grill, and a conditional use for the property. Officers, Directors and Stockholders are:

Theodora P. Brehmer 50%

Dan Williams 25%

Roberta Kay Williams 25%

The following report was read:

"On June 26, 1984, Theodora P. Brehmer filed an application and supplementary documents for a hotel-restaurant liquor license to be located at 2900 North Avenue under the trade name of Pablo's Bar & Grill. The application was reviewed and accepted, and the hearing date was set for August 1, 1984.

Notice of Hearing was given both by publishing a display ad in The Daily Sentinel and by a sign posted on the property July 20, 1984.

A survey of the area from 281/2 Road on the west, Orchard Avenue on the north, 291/2 Road on the east, to Gunnison Avenue on the south, including both sides of the streets indicated as boundaries, 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. 261

a. An owner of property in the neighborhood. 117

b. An employee or business lessee of property in the neighborhood. 64

c. An inhabitant of the neighborhood. 108

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. 180

a. An owner of property in the neighborhood. 128

b. An employee or business lessee of property in the neighborhood. 13

c. An inhabitant of the neighborhood. 76

Applicant has filed a petition favoring the granting of the license signed by 188 people.

The building wherein the license is sought to be exercised is located more than 500 feet from any public or parochial school or the principal campus of any college, university, or seminary.

The report from the Police Department states that the character of the applicants is good. The Health and Fire Departments have reviewed the plans and state that the building and equipment meet the requirements of the Codes.

Similar-type outlets within survey area and one mile: 2."

The map showing similar-type outlets was reviewed.

Dan Williams and Theodora P. Behmer were present for the hearing.

Opponents: Doris McGill, 5081/2 29 Road; Ernest Hinkle, 339 Epps Dr.

The hearing was closed. Mr. Williams requested that Council waive its policy of fact finding and make its decision at this meeting.

Upon motion by Councilman Phipps, seconded by Councilwoman Kreissler and carried with Council members HOLMES and PACHECO voting NO, the Council waived its policy to take this item to fact finding.

Upon motion of Councilman Phipps, seconded by Councilman Dunn and carried with Council members HOLMES and PACHECO voting NO, the application by Pablo's Enterprises, Inc., for a hotel-restaurant liquor license at 2900 North Avenue under the trade name of Pablo's Bar & Grill was approved and the license was authorized to issue subject to the inclusion that Mr. Williams agree to include the back parking lot under the conditional use provision.

HEARINGS - APPLICATIONS BY SERTOMA CLUB OF GRAND JCT FOR 3.2% BEER SPECIAL EVENTS PERMITS AUGUST 25, 1984, AND AUGUST 26, 1984, FROM 9 A.M. TO 7 P.M. AT WALKER FIELD AIRPORT FOR CENTENNIAL AIR SHOW - 2 PERMITS - APPROVED

Hearings were held after proper notice on the applications by Sertoma Club of Grand Junction for 3.2% beer special events permits on August 25, 1984, from 9 a.m. to 7 p.m. and on August 26, 1984, from 9 a.m. to 7 p.m. at Walker Field Airport for the Chamber of Commerce Centennial Air Show. Tom Walsh was present for the hearing. There were no opponents, letters or counterpetitions. Upon motion by Councilwoman Clark, seconded by Councilman Dunn and carried with Council members HOLMES and KREISSLER voting NO, the applications were approved.

HEARING - APPLICATION BY ANCIANO ADVOCACY OF GRAND JUNCTION FOR MALT, VINOUS AND SPIRITUOUS LIQUOR SPECIAL EVENTS PERMIT SEPTEMBER 1, 1984, FROM 5 P.M. TO 2 A.M. AT TWO RIVERS PLAZA, 159 MAIN STREET, SPONSORING GOLDEN UNICORN DANCE - 2ND PERMIT - APPROVED

A hearing was held after proper notice on the application by Anciano Advocacy of Grand Junction for a malt, vinous and spirituous liquor special events permit on September 1, 1984, from 5 p.m. to 2 a.m. at Two Rivers Plaza, 159 Main Street, sponsoring Golden Unicorn Dance. Juanita Ulibarri was present for the hearing. Upon motion by Councilwoman Clark, seconded by Councilman Phipps and carried with Councilman HOLMES voting NO, the application was approved.

HEARING - APPLICATION BY GRAND JUNCTION MUSICAL ARTS ASSOCIATION FOR MALT, VINOUS AND SPIRITUOUS LIQUOR SPECIAL EVENTS PERMIT SEPTEMBER 14, 1984, FROM 7 P.M. TO MIDNIGHT AT TWO RIVERS PLAZA, 159 MAIN STREET, FOR CONCERT - 1ST PERMIT - APPROVED

A hearing was held after proper notice on the application by the Grand Junction Musical Arts Association for a malt, vinous and spirituous liquor special events permits on September 14, 1984, from 7 p.m. to midnight at Two Rivers Plaza, 159 Main Street, for a concert. Maggie Blanton was present for the hearing. There were no opponents, letters or counterpetitions. Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried with Councilman HOLMES voting NO, the application was approved.

BIDS - AWARD OF CONTRACT - STREET PAVEMENT OVERLAYS, 1984 - CORN PAVING COMPANY - \$215,404.75

Bids were received and opened at 1:30 p.m. July 26, 1984, on the Street Pavement Overlays proposed for 1984. Bidders were:

Elam Construction, Inc. \$277,328.00

United Redi-Mix, Inc. \$24,213.76

Corn Paving Company \$215,404.75

Engineer's Estimate \$243,710.00

Staff recommended award of contract to Corn Paving Company for its low bid. Upon motion by Councilman Phipps, seconded by Councilwoman Kreissler and carried, the contract for Street Pavement Overlays for 1984 was awarded to Corn Paving Company for its bid of \$215,404.75.

HEARING - CONTINUED FROM JULY 5, 1984, COUNCIL MTG - #11-84 - REZONE FROM RMF-32 TO RSF-8 BOTH SIDES OF 7TH STREET FM GRAND AVENUE TO HILL AVENUE - REFERRED BACK TO PLANNING COMMISSION

The hearing was continued from the July 5, 1984, City Council meeting on item No. 11-84 was reopened. This was the petition by Kathy Jordan, representative, requesting a rezone from RMF-32 to RSF-8 for both sides of 7th Street from Grand Avenue to Hill Avenue, the area recently designated as the 7th Street Historic District. Kathy Jordan, 440 North 7th Street, Harold Olson, 445 North 7th Street, and Fern Cook, 737 Ouray, spoke in favor of the rezone.

Opponents: Homer Moody, 416 Lilac Lane, representing the First Baptist Church, 7th and Grand, did not receive notice of hearing and was not contacted by circulators of the petition for the rezone. Letters from Jay Brodell, 712 North 7th Street; Lee Ann Blaney, 626 North 7th Street; Mary M. Colman, 640 North 7th Street. Audrey Thompson, 214 Easter Hill Drive, owner of property at 726 North 7th Street, was also present. The hearing was closed.

Upon motion by Councilman Holmes, seconded by Councilman Phipps and carried unanimously, this item was referred back to the Planning Commission for an advertised re-hearing on the proposal

in order to give everyone in the neighborhood an opportunity to fully understand the ramifications of this proposed zoning change with a subsequent recommendation from the Planning Commission.

The President declared a two-minute recess. Upon reconvening all Council members were present.

FORMER POLICE CHIEF ED VANDER TOOK'S PRESENCE IN AUDIENCE ACKNOWLEDGED

#### PROPOSED ORDINANCE CONCERNING UTILITY BILLING PRACTICES

The following entitled proposed ordinance was read: CONCERNING CHARGES FOR THE READING OF WATER METERS, CHARGES FOR RESTORING WATER SERVICE AND ESTABLISHING A BEGINNING BILLING DATE FOR WATER SERVICE. Upon motion by Councilman Lucero, seconded by Councilwoman Clark and carried, the proposed ordinance was passed for publication.

#### PROPOSED ORDINANCE CONCERNING MINIMUM FEE FOR COMMERCIAL TRASH HAULS

The following entitled proposed ordinance was read: CORRECTING THE MINIMUM CHARGES FOR TRASH HAUL FOR COMMERCIAL CUSTOMERS. Upon motion by Councilman Phipps, seconded by Councilwoman Kreissler and carried, the proposed ordinance was passed for publication.

#### ORDINANCES ON FINAL PASSAGE - PROOFS OF PUBLICATION

The Proofs of Publication to the following Ordinances proposed for final passage had been received and filed. A copy of the Ordinances proposed for final passage had been submitted in writing to the City Council prior to the meeting.

ORDINANCE NO. 2201 - VACATING NORTH/SOUTH ALLEY AND EAST/WEST ALLEY NORTH OF ELM AVENUE, WEST OF 12TH STREET (MESA COLLEGE PROPERTY)

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

There were no comments. Upon motion by Councilman Lucero, seconded by Councilwoman Kreissler and carried by roll call vote, the Ordinance was passed, adopted, numbered 2201, and ordered published.

ORDINANCE NO. 2202 - REZONE FROM RSF-4 TO PR-4 NORTHRIDGE ESTATES FILING NO. 4

Upon motion by Councilwoman Kreissler, seconded by Councilman Holmes and carried, the following proposed ordinance was called up for final passage and the title only was 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 Lucero, seconded by Councilwoman Clark and carried by roll call vote, the Ordinance was passed, adopted, numbered 2202, and ordered published.

ORDINANCE NO. 2203 - REZONE FROM RSF-4 TO PR PROPERTY LOCATED APPROX 1000 FT NORTH OF F ROAD AND WEST OF 7TH STREET (GRAND JUNCTION RETIREMENT RESIDENCE - ALFRED B. CARRICK PROPERTY)

Upon motion by Councilwoman Kreissler, seconded by Councilman Holmes and carried, the following proposed ordinance was called up for final passage and the title only was 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 Lucero, seconded by Councilwoman Kreissler and carried by roll call vote, the Ordinance was passed, adopted, numbered 2203, and ordered published.

SS 35-84 - SANITARY SEWER DISTRICT VENEGAS, S OF HWY 6 & 50 WEST AND 251/2 ROAD - RESOLUTION NO. 43-84 DECLARING INTENT TO CREATE DISTRICT - RESOLUTION NO. 44-84 ADOPTING DETAILS, PLANS AND SPECS AND GIVING NOTICE OF HEARING

The following Resolution was read:

RESOLUTION NO. 43-84

DECLARING THE INTENTION OF THE CITY COUNCIL OF GRAND JUNCTION, COLORADO, TO CREATE WITHIN SAID CITY A LOCAL IMPROVEMENT DISTRICT TO BE KNOWN AS SANITARY SEWER DISTRICT NO. 35-84 AND AUTHORIZING THE CITY ENGINEER TO PREPARE DETAILS AND SPECIFICATIONS FOR THE SAME.

WHEREAS, the City Council has found and determined, and does hereby find and determine, that the construction of a sanitary sewer drainage system within the said described area is necessary for the health and safety of the residents of the territory to be served and would be of special benefit to the property included within the said district; and

WHEREAS, the City Council deems it advisable to take the necessary preliminary proceedings for the creation of a special improvement sanitary sewer district to be known as Sanitary Sewer District No. 35-84;

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

1. That the district of lands to be assessed with the cost of the proposed sanitary sewer improvement shall be as follows:

Land being a portion of Sections 10 and 15, T1S, R1W of the UM in the City of Grand Junction, County of Mesa, State of Colorado, more particularly described as follows:

Beginning at a point 8.25 ft S of the NE Cor of the NW4 of said Sec 15, thence W 1326.3 ft, thence S 298.5 ft, to the right-of-way of the Rio Grande Western Railway, thence SEerly along said right-of-way 39.7 ft, to a point 329 ft S and 1301.2 ft W of the place of beginning, thence E 1301.2 ft, thence N to the place of beginning.

Also,

Commencing at a point 634 ft N of the SE Cor of the NE4NW4 of said Sec 15, thence N 385 ft, thence W 1300 ft to Rio Grande Western Railway, thence S 40 deg. E 512 ft, thence E 963 ft to point of beginning.

Also,

All that portion of the S2NE4NW4 of Sec 15, T1S, R1W of the UM, described as follows:

Beginning at the SE Cor of the S2NE4NW4 of said Sec 15, thence along the Serly line thereof, W 412 ft of the Eerly line of the right-of-way of the Denver & Rio Grande Railway, thence along said Eerly line, N 40 deg. W, 840 ft, thence E 963 ft to the North-South centerline of said Sec 15, thence along said centerline, S 634 ft, to the true point of beginning.

Also,

Beginning at the NW Cor of the NW4NE4 of said Sec 15, thence S 89 deg. 43 min. E 359.60 ft along the N line of said NW4NE4 to the SWerly right-of-way line of U.S. Hwy 6 & 50; thence along said right-of-way S 45 deg. 50 min. 40 sec. E 476.20 ft; thence N 89 deg. 43 min. W 502.78 ft; thence S 00 deg. 17 min. W 150.00 ft; thence S 89 deg. 43 min. E 350.02 ft; thence S 00 deg. 17 min. W 179.32 ft; thence S 89 deg. 47 min. E 494.70 ft to said highway right-of-way; thence S 45 deg. 50 min. 40 sec. E 43.22 ft; thence N 89 deg. 47 min. W 1075.99 ft; thence N 00 deg. 17 min. E 690.00 ft to the point of beginning.

Also,

Beginning at the SW Cor of the NW4 of the NE4 of said Sec 15, thence along the W line of said NW4 of the NE4 N 954 links, thence E 1049 links, thence S 954 links, thence W 1049 links to the place of beginning.

Also,

Commencing at the NE Cor of the NW4NE4 of said Sec 15, thence S 690 ft for a point of beginning, thence W to a point 1049 links E of the W line of the said NW4NE4, thence S to the S line of the said NW4NE4 thence E to the SW Cor of the said NW4NE4, thence N to the point of beginning;

Also,

Beginning at the NE Cor of the NW4 of Sec 15, running thence S 81/4 ft, thence W 1320 ft, thence N 81/4 ft, thence E 1320 ft to the place of beginning;

Also,

Beginning at a point on the N line of right-of-way of the Rio Grande Western Railway, 364 links W of the NW Cor of NW4NW4 said Sec 15, from thence E 364 links to said NW Cor of NW4NW4 said Sec 15, thence S 219 links, thence W 210 links to said right-of-way, thence along said right-of-way to the place of beginning;

Also,

Beginning at a point along the E line of the NW4NW4 said Sec 15, where the same crosses the N line of the right-of-way of the Rio Grande Western Railway, thence N on said E line of the NW4NW4 239 links; thence W on the true line 210 links to said railroad right-of-way; thence in a SEly direction along said right-of-way to the place of beginning;

2. That the City Engineer be, and he is hereby, authorized and directed to prepare and file full details, plans and specifications for such sewer construction, an estimate of the total cost thereof, exclusive of the per centum for cost of collection and other incidentals and of the 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.

PASSED and ADOPTED this 1st day of August, 1984.

/s/ J. P. Mike Pacheco

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President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

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City Clerk

Upon motion by Councilman Holmes, seconded by Councilwoman Clark

and carried by roll call vote, the Resolution was passed and adopted as read.

The following Resolution was read:

RESOLUTION NO. 44-84

ADOPTING DETAILS, PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF A SEWER IN THE CITY OF GRAND JUNCTION, COLORADO, IN SANITARY SEWER DISTRICT NO. 35-84, 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 A HEARING THEREON.

WHEREAS, on the 1st day of August, 1984, the City Council of the City of Grand Junction, Colorado, by Resolution, authorized the City Engineer to prepare and file full details, plans and specifications for construction of a sanitary sewer within proposed Sanitary Sewer District No. 35-84, 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:

1. That said details, plans, specifications, estimates and map be, and the same are, hereby approved and adopted.
2. That the district of lands to be assessed with the cost of said improvements is described as follows:

Land being a portion of Sections 10 and 15, T1S, R1W of the UM in the City of Grand Junction, County of Mesa, State of Colorado, more particularly described as follows:

Beginning at a point 8.25 ft S of the NE Cor of the NW4 of said Sec 15, thence W 1326.3 ft, thence S 298.5 ft, to the right-of-way of the Rio Grande Western Railway, thence SEly along said right-of-way 39.7 ft, to a point 329 ft S and 1301.2 ft W of the place of beginning, thence E 1301.2 ft, thence N to the place of beginning.

Also,

Commencing at a point 634 ft N of the SE Cor of the NE4NW4 of said Sec 15, thence N 385 ft, thence W 1300 ft to Rio Grande Western

Railway, thence S 40 deg. E 512 ft, thence E 963 ft to point of beginning.

Also,

All that portion of the S2NE4NW of Sec 15, T1S, R1W of the UM, described as follows:

Beginning at the SE Cor of the S2NE4NW4 of said Sec 15, thence along the Sly line thereof, W 412 ft of the Ely line of the right-of-way of the Denver & Rio Grande Railway, thence along said Ely line, N 40 deg. W, 840 ft, thence E 963 ft to the North-South centerline of said Sec 15, thence along said centerline, S 634 ft, to the true point of beginning.

Also,

Beginning at the NW cor of the NW4NE4 of said Sec 15, thence S 89 deg. 43 min. E 359.60 ft along the N line of said NW4NE4 to the SWly right-of-way line of u.S. Hwy 6 & 50; thence along said right-of-way S 45 deg. 50 min. 40 sec. E 476.20 feet; thence N 89 deg. 43 min. W 502.78 ft; thence S 00 deg. 17 min. W 150.00 ft; thence S 89 deg. 43 min. E 350.02 ft; thence S 00 deg. 17 min. W 179.32 ft; thence S 89 deg. 47 min. E 494.70 ft to said highway right-of-way; thence S 45 deg. 50 min. 40 sec. E 43.22 ft; thence N 89 deg. 47 min. W 1075.99 ft; thence N 00 deg. 17 min. E 690.00 ft to the point of beginning.

Also,

Beginning at the SW Cor of the NW4 of th NE4 of said Sec 15, thence along the W line of said NW4 of the NE4 N 954 links, thence E 1049 links, thence S 954 links, thence W 1049 links to the place of beginning.

Also,

Commencing at the NE Cor of the NW4NE4 of said Sec 15, thence S 690 ft for a point of beginning, thence W of a point 1049 links E of the W line of the said NW4NE4, thence S to the S line of the said NW4NE4, thence E to the SW Cor of the said NW4NE4, thence N to the point of beginning;

Also,

Beginning at the NE Cor of the NW4 said Sec 15, running thence S 81/4 ft, thence W 1320 ft, thence N 81/4 ft, thence E 1320 ft to the place of beginning;

Also,

Beginning at a point on the N line of right-of-way of the Rio Grande Western Railway, 364 links W of the NW Cor of NW4NW4 said Sec 15, from thence E 364 links to said NW Cor of NW4NW4 said Sec

15, thence S 219 links, thence W 210 links to said right-of-way, thence along said right-of-way to the place of beginning;

Also,

Beginning at a point along the E line of the NW4NW4 said Sec 15, where the same crosses the N line of the right-of-way of the Rio Grande Western Railway, thence N on said E line of the NW4NW4 239 links; thence W on the true line 210 links to said railroad right-of-way; thence in a SEly direction along said right-of-way to the place or beginning;

ALL IN MESA COUNTY, COLORADO.

3. That the cost of said improvement shall be assessed upon the improved real estate in the district against those people with developed property and those who have vacant property who choose to be assessed at the time of construction of the district in accordance with those tap charges as the same are set out in Section 19, Chapter 18 of the Code of Ordinances of the City of Grand Junction, Colorado.

4. The assessments to be levied against the property in said district to pay the cost of such improvement shall be due and payable, without demand, within thirty (30) days after the final publication of the ordinance assessing such cost, and if paid during such period, the amount added for collection, incidentals and interest 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 due and payable, after the expiration of said thirty (30) days, 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 per centum (8%) per annum.

5. Notice of Intention to Create said Sanitary Sewer District No. 35-84 and of hearing thereof 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, to wit:

NOTICE

OF INTENTION TO CREATE SANITARY SEWER DISTRICT NO. 35-84, IN THE CITY OF GRAND JUNCTION, COLORADO, AND 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 Sanitary Sewer District No. 35-84 in said City for the purpose of constructing a sanitary sewer to serve the property hereinafter described:

That Pt of SE4SW4 Sec 10 1S 1W and W of Hwy R-O-W and Beg SE Cor SW4SW4 Sec 10 N 40 Rd N 81 deg. 45 min. W 496 ft S 86 deg. 30 min. W 388 ft S 40 deg. 45 min. E 951 ft E to Beg Exc Beg 509.5 ft N of SE Cor SE4SW4 N 61 deg. 22 min. W 491.7 ft for Beg N 61 deg. 22 min. W 284.8 ft S 247 ft E 250 ft N 110.6 ft to Beg Exc Hwy and Also Exc R-O-W Desc in B-1405 P-969 and 970 of Mesa County Records

Beg 30 ft S and 30 ft W of C N2NE4 Sec 15 1S 1W S 203 ft W 430 ft N 203 ft E to Beg Exc Hwy

Beg SW Cor NW4NE4 Sec 15 1S 1W E 1049 links N 954 links N 1049 links S 954 links to Beg Less an Undi 1/2 Int in Foll Beg SW Cor NW4NE4 Sec 15 1S 1W N 660 ft E 30 ft S 660 ft W to Beg Exc Rd R-O-W Per B-1405 P-971 Mesa County Records

Beg 690 ft S of NE Cor NW4NE4 Sec 15 1S 1W W 30 ft S 203 ft W 430 ft S to S Li NW4NE4 Sec 15 E to SE Cor NW4NE4 N to Beg Exc Hwy

Beg 460 ft W and 535 ft N of SE Cor SW4NE4 Sec 15 1S 1W N 1345 ft W 30 ft S 1345 ft E to Beg

Beg 690 ft S and 490 ft W of NE Cor NW4NE4 Sec 15 1S 1W W 137.66 ft S to S Li NW4NE4 Sec 15 E 137.66 ft N to Beg

Beg at N4 Cor Sec 15 1S 1W S 41 Rods 13.5 ft E to S Li Colo Hwy 4 N 45 deg. 51 min. W along Hwy to a Pt S 89 deg. 43 min. E 359.8 ft and S 45 deg. 51 min. E 692.45 ft fr N4 Cor Sec 15 N 89 deg. 43 min. W 658.82 ft N 0 deg. 17 min. E 150 ft S 89 deg. 43 min. W 502.78 ft to S Li Hwy N 45 deg. 51 min. W 476.2 ft N 89 deg. 43 min. W 359.8 ft to Beg Exc Beg 690 ft S and 550.13 ft E of NW Cor NW4NE4 Sec 15 E 522.77 ft and as Desc in B-1019 P-218 thru 227 County Clerks Office Exc W 33 ft for Rd R-O-W as Per B-1405 P-973 Mesa County Records

Beg 8.25 ft S of NE Cor NW4 Sec 15 1S 1W W 1326.3 ft S 298.5 ft to RR R-O-W SEly along R-O-W 39.7 ft to a Pt 329 ft S and 1301.2 ft W of Beg E 1301.2 ft N to Beg and Beg a Pt whence E Li of NW4NW4 Crosses N Li of RR N 239 links W 210 links to RR SEly along R-O-W to Beg Exc E 33 ft for Rd R-O-W as per B-1405 P-972 Mesa County Records

Beg 634 ft N of SE Cor NE4NW4 Sec 15 1S 1W N as Recorded B-859 P-218 Exc E 33 ft for Rd R-O-W as Per B-1405 P-974 Mesa County Records

Beg SE Cor NE4NW4 Sec 15 1S 1W W 412 ft N 40 deg. W along R-O-W of RR 840 ft E 963 ft to E Bdry NW4 Sec 15 S 634 ft to Beg Exc E 33 ft for Rd R-O-W as per B-1405 P-975 Mesa County Records

ALL IN MESA COUNTY, COLORADO.

The City Engineer has made an estimate of the total cost of the improvement and it is \$158,125.00.

The maximum share of said estimate to be borne by the properties within the district is \$.0520 per square foot of property owned; this does not include costs of collection and other incidentals, interest on the bonds of the district and plant investment fees to be assessed.

Such assessment shall be made against all of the improved property in the district at the time of the installation of the sewers in the district; provided, however, that nothing herein shall relieve the owner of property within the district from paying other tap fees as portions of his property are improved even though they may have been assessed within this district.

To all such estimated costs there shall be added six per centum (6%) 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 thirty (30) days after the final publication of the ordinance assessing such cost, and if paid during such period, the amount added for collection, incidentals and interest shall be deducted; provided that all such assessments may, at the election of the City be paid in ten equal annual installments of principal, with interest in all cases on the unpaid principal payable annually at a rate not exceeding eight per centum (8%) per annum; provided, however, that nothing herein shall prevent the Council from providing that interest may be added onto the principal, the entirety to then be repaid in monthly installments as a part of the sewerage charges on the monthly water bill, as is herein set out. The number of installments, the period of payment and the rate of interest may be determined by the Council.

On the 5th day of September, 1984, at the hour of 7:30 p.m. at the City-County Auditorium, 520 Rood Avenue, the Council will consider the ordering of the proposed improvement and will hear all complaints and objections that may be made in writing concerning the proposed improvement by the owner of any real estate to be assessed or by any person interested.

A map of the district, from which the approximate share of the total estimated cost to be assessed upon each piece of real estate in the district may be readily ascertained, and all proceedings of the Council in the premises are on file and can be seen and examined by any person interested therein, in the office of the City Clerk during business hours, at any time prior to said hearing.

DATED at Grand Junction, Colorado, on this 1st day of August, 1984.

BY ORDER OF THE CITY COUNCIL CITY OF GRAND JUNCTION, COLORADO

By: /s/ Neva B. Lockhart

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

PASSED and ADOPTED this 1st day of August, 1984.

/s/ J. P. Mike Pacheco

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

Attest:

/s/ Neva B. Lockhart, CMC

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

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

I.D. ST-84, PHASES C, D, E AND F - 15TH STREET FR ORCHARD TO WALNUT: 15TH STREET FROM F ROAD TO RIDGE DRIVE AND HERMOSA AVENUE FR 13TH STREET TO 15TH STREET: 15TH STREET FR F ROAD TO CRESTVIEW WAY: 15TH STREET FM CRESTVIEW WAY TO RIDGE DRIVE RESPECTIVELY - RESOLUTION NO. 45-84 DECLARING INTENT TO CREATE DISTRICT - RESOLUTION NO. 46-84 ADOPTING DETAILS, PLANS AND SPECS AND GIVING NOTICE OF HEARING

The following Resolution was read:

RESOLUTION NO. 45-84

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-84, PHASES C, D, E AND F, 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:

As to Phase C: 15th Street from Orchard Avenue to Walnut Avenue:

To include concrete 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 deemed necessary by the City Engineer.

As to Phase D: Hermosa Avenue from 13th Street to 15th Street:

As to Phase E: 15th Street from F Road to Crestview Way; and

As to Phase F: 15th Street from Crestview Way to Ridge Drive:

To include concrete vertical curb, gutter and sidewalks 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 and irrigation facilities as deemed necessary by the City Engineer.

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 RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

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

Land being a portion of Sec 1, T1S, R1W of the UM in the City of Grand Junction, County of Mesa, State of Colorado, more particularly described as follows:

Lots 1 and 6 Treehaven Subdivision as recorded in Plat Book 10 Page 48 in the office of Mesa County Clerk and Recorder;

Lots 9 through 20 inclusive Blk 2 and lots 9 through 12 inclusive Blk 1 Fairmont North Sub a replat of Lots 57, 58, 59 and 60 in Blk 16 of Fairmont Sub, as recorded in Plat Book 11 Page 336 in said office;

Lot 1 Blk 1 Hilltop Sub as recorded in Plat Book 13 Pages 233 and 234 in said office;

Crest View Townhomes, a replat of Lots 16 and 17 Crest View Sub as recorded in Plat Book 12 Pages 351 and 352 in said office;

Lots 15 and 18 of Crest View Sub as recorded in Plat Book 12 Pages 182 and 184 in said office;

Lots 8 and 9, a replat of Lots 5 through 14 Crest View Sub, as recorded in Plat Book 12 Page 235 in said office;

Lots 1 and 2 Spomer Sub as recorded in Plat Book 12 Page 105 in said office;

SE4NW4SW4 said Sec 1;

The N2 of NW4 of SE4 of SW4 of said Sec 1;

The S2N2SE4SW4 said Sec 1;

The N2 of the S2 of the SE4 of the SW4 of said Sec 1; except the E 698.5 ft; also except the S 25 ft; also except Treehaven Sub;

Beginning at the SE Cor of the W4NE4SW4 of said Sec 1, thence N 338.36 ft to the center of the drain ditch, thence Werly along the center of said drain ditch to the W line of said W4NE4SW4, thence S to the SW Cor of said W4NE4SW4, thence E to the point of

beginning;

The NE4 of the NW4 of the SW4 of said Sec 1;

Beginning at the SW Cor of the SE4 of the SW4 of said Sec 1, thence N 105 ft, thence N 77 deg. 32 min. E 196.6 ft, thence S 147 ft, thence W 192 ft, to the point of beginning, excepting therefrom any and all right of way for roads, ditches and all legal highways;

Beginning at a point 105 ft N of the SW Cor of the SE4 of the SW4, said Sec 1, running thence N 40 ft, thence E 194 ft, thence S 77 deg. 32 min. W 198.6 ft to the point of beginning;

Beginning 145 ft N of the SW Cor of the SE4 of the SW4 of said Sec 1, thence E 114 ft, thence N to the N line of the S4 of the SE4 of the SW4 of said Sec 1, thence W to the NW Cor of said S4 of the SE4 of the SW4, thence S to the place of beginning, except tract to Mesa County, Colorado, as described in document recorded in Book 898 on Page 310 of said records;

That part of the NW4NW4 NE4SW4 said Sec 1, lying N of government Lateral #2.

All that part of the E2W2NE4SW4 of said Sec 1 lying N of what is known as Lateral #2 BB of the U.S. Reclamation Service.

Lot 27 Jaynes Sub except Bell Ride Sub Filing #1; also except roads.

Land being a portion of Sec 12, T1S, R1W, of the UM in the City of Grand Junction, County of Mesa, State of Colorado, more particularly described as follows:

Lots 1, 2, 10 and 11, A.C. Nelms Sub as recorded in Plat Book 6 Page 9 in the office of Mesa County Clerk and Recorder;

Lots 1, 8 and the E 25 ft of Lot 7 Treichler Addition as filed under reception number 699099 in said office;

Lots 1 through 6 inclusive Lutkiewicz Sub as recorded in Book 7 Page 47 in said office;

Lots 1 and 19 Blk 1 Weaver Sub as recorded in Plat Book 8 Page 69 in said office.

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 became 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, City of Grand Junction, Colorado.

PASSED and ADOPTED this 1st day of August, 1984.

/s/ J. P. Mike Pacheco

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

Attest:

/s/ Neva B. Lockhart, CMC

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

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

The following Resolution was read:

RESOLUTION NO. 46-84

ADOPTING DETAILS, PLANS AND SPECIFICATIONS FOR CONSTRUCTING SIDEWALKS, CURBS AND GUTTERS AND PAVING STREETS IN THE CITY OF GRAND JUNCTION, COLORADO, IN IMPROVEMENT DISTRICT NO. ST-84, PHASES C, D, E AND F, 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 IMPROVEMENT, AND AUTHORIZING NOTICE OF INTENTION TO CREATE SAID DISTRICT AND OF A HEARING THEREON.

WHEREAS, on August 1, 1984, 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 in said City within proposed Improvement District No. ST-84, Phases C, D, E and F, together with an estimate of the total cost of such improvements and a map of the District to be assessed; and

WHEREAS, the 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 is as follows:

Land being a portion of Sec 1, T1S, R1W of the UM in the City of Grand Junction, County of Mesa, State of Colorado, more particularly described as follows:

PROPERTY DESCRIPTIONS IDENTICAL TO THOSE LISTED IN PREVIOUS RESOLUTION NO. 45-84.

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 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 owner of the property in said District be paid in ten (10) equal installments, the first of which shall be payable at the time of 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 the amount established by the City Council in the assessing ordinance.

Section 4. Notice of Intention to Create said Improvement District No. ST-84, Phases C and D, 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-84, PHASES C AND D, 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-84, Phases C and D, in said City for the purpose of constructing sidewalks, curbs and gutters and paving streets to serve the property hereinafter described, which lands are to be assessed with the cost of the improvements, to wit:

Lot 1 A C Nelms Sub Sec 12 1S 1W

Lot 2 A C Nelms Sub Sec 12 1S 1W

N2 of Lots 10 and 11 A C Nelms Sub sec 12 1S 1W

S2 of Lots 10 and 11 A C Nelms Sub Sec 12 1S 1W

N 62.2 ft of E 25 ft of Lot 7 and N 62.2 ft of Lot 8 Treichler Add  
Sec 12 1S 1W

S 62.2 ft of Lot 8 and S 62.2 ft of E 25 ft of Lot 7 Treichler Add  
Sec 12 1S 1W

N 44.40 ft of Lot 1 Treichler Add

S 80.35 ft of Lot 1 Treichler Add

Lot 1 Lutkiewicz Sub Sec 12 1S 1W Exc N 6 ft for Street

Lot 2 Lutkiewicz Sub Sec 12 1S 1W

Lot 3 Lutkiewicz Sub Sec 12 1S 1W Exc W 12 ft for R-O-W as Desc in  
B-1490 P-58 Mesa County Records

Lot 4 Lutkiewicz Sub Sec 12 1S 1W

Lot 5 Lutkiewicz Sub Sec 12 1S 1W

Lot 6 Lutkiewicz Sub Sec 12 1S 1W

N 60 ft of Lot 19 Blk 1 Weaver Sub

S 74.18 ft of Lot 19 Blk 1 Weaver Sub

Lot 1 Blk 1 Weaver Sub

Lot 9 Blk 1 Fairmont North a Replat of Lots 57 thru 60 Blk 16  
Fairmont Sub Sec 1 1S 1W

Lot 10 Blk 1 Fairmont North a Replat of Lots 57 thru 60 Blk 16  
Fairmont Sub Sec 1 1S 1W

Lot 11 Blk 1 Fairmont North a Replat of Lots 57 thru 60 Blk 16  
Fairmont Sub Sec 1 1S 1W

Lot 12 Blk 1 Fairmont North a Replat of Lots 57 thru 60 Blk 16  
Fairmont Sub Sec 1 1S 1W

Lot 9 Blk 2 Fairmont North a Replat of Lots 57 thru 60 Blk 16  
Fairmont Sub Sec 1 1S 1W

Lot 10 Blk 2 Fairmont North a Replat of Lots 57 thru 60 Blk 16  
Fairmont Sub Sec 1 1S 1W

Lot 11 Blk 2 Fairmont North a Replat of Lots 57 thru 60 Blk 16

Fairmont Sub Sec 1 1S 1W

Lot 1 Blk 1 Hilltop Sub Sec 1 1S 1W

Where acceptable curb, gutter and/or sidewalk exist, 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 \$95,820.00 as to District C and \$95,612.00 as to District D, both being exclusive of collection, interest and incidentals. The estimated assessable cost of \$36,561.00 as to District C and \$79,460.00 as to District D, also exclusive of costs of collection, interest and incidentals.

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

West side of 15th Street - from Orchard Avenue to Walnut Avenue:

Residential:

526 abutting fee . . . \$60.00 per abutting foot

East side of 15th Street from Orchard Avenue to Pinyon Avenue:

Residential:

203 feet at \$5.00 per abutting foot for sidewalks

74 feet at \$7.00 per abutting foot for sidewalks and driveway

East side of 15th Street from Pinyon Avenue to Walnut Avenue:

Residential:

289 abutting feet . . . \$12.00 per abutting foot for sidewalks and partial pavement

Hermosa Avenue from 13th Street to 15th Street:

Levied by Power of Attorney:

Full cost of their half of such improvements

628 abutting feet . . . \$87.00 per abutting foot

Residential:

428 abutting feet . . . \$58.00 per abutting foot

To the estimated assessable costs of \$36,561.00 and \$79,460.00, for Districts C and D respectively, (said amounts reflect estimated credit for existing curb, gutter and/or 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 thirty (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 owner of the property in said district, may be paid in ten (10) equal 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 the amount established by the City Council in the assessing ordinance shall be charged on unpaid installments.

On September 5, 1984, at the hour of 7:30 o'clock p.m., in the City-County Auditorium at City Hall of said City, the 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 by any person interested.

A map of the District, from which the approximate share of the total estimated cost to be assessed upon each piece of real estate in the District may be readily ascertained, and all proceedings of the Council in the premises are on file and can be seen and examined by any person interested therein in the office of the City Clerk during business hours at any time prior to said hearing.

DATED at Grand Junction, Colorado, this 1st day of August, 1984.

BY ORDER OF THE CITY COUNCIL CITY OF GRAND JUNCTION

By: /s/ Neva B. Lockhart, CMC

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

PASSED and ADOPTED this 1st day of August, 1984.

/s/ J. P. Mike Pacheco

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

Attest:

/s/ Neva B. Lockhart, CMC

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

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

FAIRWAY PARK ANNEXATION PETITION - RESOLUTION NO. 47-84 PROPOSED ORDINANCE - LOCATED N OF G ROAD, E OF 12TH STREET

The following petition was accepted:

PETITION

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:

Lots 8 through 14, FAIRWAY PARK SUBDIVISION and Viking Property Condominiums described as follows:

Lots 15 and 16, Fairway Park Subdivision and beginning at the SE Cor of said Lot 16, thence E 100 ft, thence N 310 ft parallel to the E lines of said Lots 15 and 16, thence W 100 ft to the NE Cor of said Lot 15, thence S to the point of beginning. Also G Road right-of-way adjacent to Viking Property Condominiums on the S. Also Golfmore Drive right-of-way adjacent to the total tracts to the W.

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 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 percent 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>			

7/23/84/s/ Neva B. Lockhart City Clerk724 Golfmore Drive Grand Jct CO 81501Lot 8 Blk 6 Fairway Park Sub, POA Book 1002, Page 347			
""722 Golfmore DriveLot 9 Blk 6 Fairway Park Sub, POA Book 1204, Page 560			
""720 Golfmore DriveLot 10 Blk 6 Fairway Park Sub, POA Book 1007, Page 874			
""718 Golfmore DriveLot 11 Blk 6 Fairway Park Sub, POA Book 996, Page 165			
""714 Golfmore DriveLot 12 Blk 6 Fairway Park Sub, POA Book 969, Page 562			
""712 Golfmore DriveLot 13 Blk 6 Fairway Park Sub, POA Book 1036, Page 946			
""708 Golfmore DriveLot 14 Blk 6 Fairway Park Sub, POA Book 1498, Page 219			

<p>7/23/84Neva B.  Lockhart City  Clerk702  Golfmore Drive  Grand Jct CO  81501 Units A  thru J and  LViking Property  Condominiums  described as  Lots 15 and 16  Blk 6, Fairway  Park Sub and  beginning at the  SE Cor of said  Lot 16, thence E  100 ft along N  line of G Road,  thence N 310 ft  parallel to the  E line of said  Lots 15 and 16,  thence W 100 ft  to the NE Cor of  said Lot 15,  thence S to the  point of  beginning. POA  Book 1285, Page  916.</p>			
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The following Resolution was read:

RESOLUTION NO. 47-84

WHEREAS, on the 1st day of August, 1984, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

Lots 8 through 14, FAIRWAY PARK SUBDIVISION and Viking Property Condominiums described as follows: Lots 15 and 16, Fairway Park Subdivision and beginning at the SE Cor of said Lot 16, thence E 100 ft, thence N 310 ft parallel to the E lines of said Lots 15 and 16, thence W 100 ft to the NE Cor of said Lot 15, thence S to the point of beginning. Also G Road right-of-way adjacent to Viking Property Condominiums on the S. Also Golfmore Drive right-of-way adjacent to the total tracts to the W;

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 owners of one hundred percent of the property have petitioned for annexation.

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

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

PASSED and ADOPTED this 1st day of August, 1984.

/s/ J. P. Mike Pacheco

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

Attest:

/s/ Neva B. Lockhart, CMC

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

Upon motion by Councilman Phipps, seconded by Councilwoman Kreissler and carried by roll call vote, 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. Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried, the proposed ordinance was passed for publication.

RESOLUTION NO. 48-84 - CONCERNING THE REFUNDING OF UTILITY DEPOSITS

The following Resolution was read:

RESOLUTION NO. 48-84

CONCERNING THE RELEASE OF UTILITY DEPOSITS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

That utility deposits remaining in the office of the Finance Director shall be returned to the owner of the premises, or to whom he may direct, upon a sale of the premises or a request for a temporary turnoff by the owner, when the owner has made the

deposit; or the deposit shall be returned to a renter, when he has made the deposit and is terminating his tenancy.

PASSED and ADOPTED this 1st day of August, 1984.

/s/ J. P. Mike Pacheco

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

Attest:

/s/ Neva B. Lockhart, CMC

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

A letter from E. Sisac, 440 North 13th Street, was acknowledged. Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried by roll call vote, the Resolution was passed and adopted as read.

STAFF RECOMMENDS SECOND ACCESS FOR NORTHRIDGE FILING #4 AT THE INTERSECTION OF NORTH 7TH STREET AND HORIZON DRIVE

The City Manager reviewed the Council's approval at the last meeting, July 18, 1984, of two conceptual plans, the Grand Junction Retirement Residence north of F Road and west of 7th Street, and the Northridge Estates Filing #4 with the stipulation that resolution of the access issue be determined. He stated that as of August 1, 1984, there was apparent general agreement amongst the property owners that the access be made at the intersection of North 7th Street and Horizon Drive. He reviewed the map showing the proposed traffic pattern.

12TH STREET AND PATTERSON ROAD INTERSECTION MEDIAN - ARMSTRONG ENGINEERS' PROPOSAL FOR PARTIAL REMOVAL OF MEDIAN W OF 12TH ST ON PATTERSON APPROVED SUBJECT TO CENTENNIAL PLAZA OWNERS BEARING ALL EXPENSE INVOLVED IN THE PROCESS

Mr. Joe Hambricht read a letter he submitted May 30, 1984:

"May 30, 1984

Mayor Mike Pacheco  
City of Grand Junction  
City Hall  
Grand Junction, Colorado 81501

Re: 12th and Patterson Intersection

Dear Mr. Mayor:

In response to our discussions, I am herewith making certain requests in regard to the above intersection.

Pursuant to the directions of the Council last fall, representatives of Centennial Plaza and businesses therein met with Hilltop House officials on several occasions in an attempt to work out a common driveway. This was not feasible for several reasons.

We therefore sought a different approach. Armstrong Engineers has prepared a drawing (enclosed) which entailed shortening the median back to approximately the east line of the south driveway into Centennial Plaza. A continuous turn lane would then be established in the place vacated by the median and would extend for a reasonable distance westerly on Patterson. This would permit the traffic movements shown on the drawing including left turns both in and out of Centennial Plaza. It would also involve a "no left turn" sign on the western terminus of the shortened median such that left turns would be prohibited by westward bound traffic on Patterson into the middle exit of Village Fair. Left turns would be permitted into the westernmost Village Fair exit, as at present.

As is shown on the drawing, this new configuration creates 19 potential conflicts. This contrasts with a total of 20 conflicts (18+2) which presently exist for traffic turning north on 12th Street and attempting to enter Centennial Plaza. As can be seen in the enclosed letter from Armstrong, they feel that the safety factors are virtually the same with either proposal.

The existing median has had a dramatic negative impact on the business at Centennial Liquors. We have done a detailed analysis of Centennial sales figures compared with City Sales Tax figures for all liquor stores both before and after the advent of the median. For the year 1983 through August (the median construction started in September) City Sales Tax figures for liquor stores were down 9.5% from the comparable period in 1982. For the same eight months, Centennial's Sales Tax Figures were down 6.9% from 1982 numbers. Therefore Centennial was performing at a rate approximately 2 1/2% better than the City average of all liquor stores. We then compared the same data for the first quarter of 1984. During this time period, the City Liquor Store Tax Figures were off an average of 6.3% over the first quarter of 1983. Centennial's sales tax figures were off 15.1% from the first quarter of 1983. Thus Centennial performed 8.7% worse than the City average for all liquor stores. Since Centennial had been performing 2 1/2% better than the City before the median, we calculate that, of Centennial's 15% drop this year, 11.3% was due to the median and the balance due to general economic conditions. You will note that we did not, in compiling these figures, take into account the months September through December of 1983 during which period the median was under construction. I am perfectly aware that there are other variables which might affect these figures and we cannot be as precise as tenths of a percent. However, I can assure you that the median has had a substantial adverse impact on our sales and we will be happy to furnish our raw data sales figures to support this.

One other aspect of the median deserves mention. Most of our customers enter Centennial Plaza on the east. Left bound traffic on 12th Street was forced to illegally cross a double yellow line with no turning lane in order to make this maneuver. Despite assurances from the City Engineering Department that this was permissible, at least three customers received traffic tickets for illegal left turn.

In summation, the median is causing Centennial Liquors substantial serious problems and I would very much appreciate the Council giving serious consideration to this change. Thank you very much.

Sincerely yours,

;sigl;  
/s/ Joseph A. Hambright

JAH/ko

Enclosure

May 23, 1984

Joseph A. Hambright  
543 Rood Avenue  
Grand Junction, CO 81501

Dear Joe:

This letter is for the purpose of confirming that I am in agreement with your proposed shortening of the median strip on Patterson Road between the Village Fair Shopping Center and Centennial Plaza.

That proposal is illustrated by the attached copy of your engineering drawing.

Very sincerely,

;sigl;  
/s/ Earl A. Jensen  
General Partner  
Village Fair Shopping Center

EAJ:asb

Enclosure

May 24, 1984

Mr. Joe Hambright  
Centennial Liquor  
2721 N. 12th

Grand Junction, CO 81501

Re: Patterson Road Median @ Centennial Plaza #834239

Dear Joe:

We have performed a revised traffic conflict analysis as requested for the subject property.

The revised plan includes ingress and egress for both the west Centennial Plaza entrance and the eastern most Hilltop Drives, as well as somewhat limited access to the east Patterson Road entrance to Village Fair. The median considered is, as shown on the drawing previously forwarded to you, in excess of 200 feet long which will provide the amount of storage requested by the city.

In addition the enlarged west end of the median has been shown removed which would provide unrestricted access to the left turn lane during periods of peak traffic.

Having reviewed this revised plan, we find that there would be one additional potential traffic conflict over current conditions on 12th Street, should the median be revised. As a result of this minor difference, it appears that there is little relative difference in vehicular safety for this solution versus the path now used by east bound Patterson Road traffic in getting to Centennial Plaza.

Should you have any questions, please do not hesitate to call.

Sincerely,

ARMSTRONG & ASSOCIATES, INC.

/s/ Donald G. Pettygrove, PE

\_\_\_\_\_  
Design Director

Approved:

/s/ Edward A. Armstrong, PE LS

\_\_\_\_\_  
President

DGP/bjw"

Mr. Hambright showed a drawing prepared by Armstrong Engineers detailing a shortened median westerly on Patterson Road west of 12th Street. After discussion, it was moved by Councilman Phipps and seconded by Councilman Dunn and carried with Councilman HOLMES voting NO, that authorization be given for the removal of the median as proposed by Armstrong Engineers subject to Centennial Plaza owners paying for all the expense involved in its removal

and any necessary repairs to the paving.

ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

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Neva B. Lockhart, CMC  
City Clerk