

Grand Junction, Colorado

May 21, 1986

The City Council of the City of Grand Junction, Colorado, convened in regular session the 21st day of May, 1986, at 7:30 p.m. in the City-County Auditorium at City Hall. Those present were James Leland, Gary Lucero, Timothy Mannion, Reford Theobold and President of the Council Pro Tempore Steve Love. President of the Council Ray Phipps was absent. Also present were City Manager Mark Achen, City Attorney Gerald Ashby and City Clerk Neva Lockhart.

Council President Pro Tem Steve Love called the meeting to order and Councilman Theobold led in the Pledge of Allegiance.

INVOCATION

Reverend Eldon Coffey, Orchard Mesa Community Church.

MINUTES

Upon motion of Councilman Theobold, seconded by Councilman Mannion and carried, the minutes of the regular meeting May 7, 1986, were approved as submitted.

PROCLAMATION DECLARING MAY 25, 1986 "JUANITA TRUJILLO DAY" IN THE CITY OF GRAND JUNCTION

STEPHEN C. LOVE ELECTED PRESIDENT OF THE COUNCIL EX-OFFICIO MAYOR - TIMOTHY MANNION ELECTED PRESIDENT PRO TEMPORE EX-OFFICIO MAYOR PRO TEMPORE - OATHS OF OFFICE ADMINISTERED

Upon motion of Councilman Lucero, seconded by Councilman Theobold and carried, Stephen C. Love was elected President of the Council Ex-Officio Mayor, and Timothy Mannion was elected President of the Council Pro Tempore Ex-Officio Mayor Pro Tempore. The Oaths of Office were administered.

HEARING - REVISED CONDITIONAL USE FOR A CHRISTIAN RELIGIOUS EDUCATION CENTER AT 1521 NORTH 7TH STREET - APPROVED

A hearing was held after proper notice on the petition by Gary L. Vanderwood, representing the Church of Jesus Christ of Latter-Day Saints, for a revised conditional use for a Christian Religious Education Center on approximately 0.15 acre in a RMF-32 zone at 1521 North 7th Street. There were no opponents, letters or counterpetitions. Upon motion of Councilman Theobold, seconded by Councilman Mannion and carried, the revised conditional use was approved subject to the conditions of the Planning Commission.

HEARING - CONDITIONAL USE FOR A CHURCH IN A RSF-4 ZONE, NE CORNER OF 27 1/2 ROAD AND CORTLAND AVENUE - APPROVED

A hearing was held after proper notice on the petition by Terry

Larson, representing the First United Presbyterian Church, for a conditional use for a church in a RSF-4 zone to be located on the northeast corner of 27 1/2 Road and Cortland Avenue on approximately 8.97 acres. There were no opponents, letters or counterpetitions. Upon motion of Councilman Theobold, seconded by Councilman Mannion and carried, the conditional use was approved subject to the conditions of the Planning Commission.

HEARING - PROPOSED ORDINANCE - GRAND JUNCTION ZONING AND DEVELOPMENT CODE AMENDMENTS

A hearing was held after proper notice on the proposal by the Planning Commission to amend sections of the Grand Junction Zoning and Development Code. There were no opponents, letters or counterpetitions. The following entitled proposed ordinance was read: AN ORDINANCE AMENDING SECTIONS OF THE ZONING AND DEVELOPMENT CODE AND CONCERNING ENFORCEMENT OF DEVELOPMENT SCHEDULES, THE BOARD OF APPEALS, CHANGES OF VARIOUS USES FROM CONDITIONAL TO SPECIAL, AND ESTABLISHING A RURAL RESIDENTIAL ZONE. Upon motion of Councilman Mannion, seconded by Councilman Leland and carried, the proposed ordinance was passed for publication.

HEARING - GRAND JUNCTION URBANIZED AREA TRANSPORTATION PLAN LONG RANGE STREET CAPACITY ELEMENT APPROVED

A hearing was held after proper notice on the petition by the Metropolitan Planning Organization for the Grand Junction Urbanized Area Transportation Plan Long-Range Street Capacity Element. There were no opponents, letters or counterpetitions. Upon motion of Councilman Theobold, seconded by Councilman Mannion and carried, the Plan was approved.

HEARING - MARY FUOCO SUBDIVISION MINOR SUBDIVISION OF TWO LOTS AT 539-541 NORTH FIRST STREET - APPROVED

A hearing was held on the petition by Mary Green for a minor subdivision of two lots on approximately 0.58 acre in a Heavy Commercial Zone at 539-541 North First Street. There were no opponents, letters or counterpetitions. Upon motion of Councilman Theobold, seconded by Councilman Mannion and carried, the petition for the minor subdivision was approved subject to the conditions of the Planning Commission.

ID ST-84, PHASES B & C, ID ST-85, PHASE A ASSESSMENTS - PROPOSED ORDINANCE

The following entitled proposed ordinance was read: AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR IMPROVEMENT DISTRICTS NO. ST-84, PHASES B AND C, AND NO. ST-85, PHASE A, IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS AMENDED; APPROVING THE APPORTIONMENT OF SAID COSTS TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICTS; ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND

OR OTHER REAL ESTATE IN SAID DISTRICT; APPROVING THE APPORTIONMENT OF SAID COST AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS. Upon motion of Councilman Theobald, seconded by Councilman Mannion and carried, the proposed ordinance was passed for publication.

HEARING - REZONE FROM RSF-8 TO PARKING - 1120 HOUSTON AVENUE - SAINT MATTHEWS EPISCOPAL CHURCH - PETITIONER REQUESTED THIS HEARING BE CONTINUED TO JULY 2, 1986

ID ST-86, PHASE A (PATTERSON ROAD FROM 25 ROAD TO 25 1/2 RD) - RESOLUTION NO. 35-86 OF INTENT TO CREATE DISTRICT - RESOLUTION NO. 36-86 ADOPTING DETAILS, PLANS AND SPECS AND GIVING NOTICE OF HEARING - ID ST-86, PHASE B (MOUNTAIN VIEW COURT FM CHEYENNE NORTH TO CUL-DE-SAC; B-3/4 ROAD EAST OF 27 RD; 17TH ST SOUTH OF MAIN ST) - RESOLUTION NO. 38-86 OF INTENT TO CREATE DISTRICT - RESOLUTION NO. 39-86 ADOPTING DETAILS, PLANS AND SPECS AND GIVING NOTICE OF HEARING

The following Resolution No. 35-86 was read:

RESOLUTION NO. 35-86

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-86, PHASE A, 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 improvements as follows:

F Road from 25 Road to 25 1/2 Road:

To include concrete vertical curb, gutter and sidewalk on the north side of the street, concrete vertical curb and gutter on the south side of the street, base course material under a mat of Hot Mix Bituminous Paving from lip of gutter to lip of gutter, pipe extensions in the Ranchman's Ditch over portions of the project length and such storm drainage facilities as deemed necessary by the City Engineer.

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

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

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

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

Tracts of land being a portion of Section 3, Township 1 South,

Range 1 West, of the Ute Meridian, in the City of Grand Junction, County of Mesa, State of Colorado, more particularly described as follows: Commencing at the Southwest corner of said Section 3; thence North 00 deg. 00 min. 00 sec. East along the West line of the SW4SW4 of said Section 3 a distance of 230.24 feet; thence North 90 deg. 00 min. 00 sec. East 50 ft to the True Point of Beginning; thence N 90 deg. 00 min. 00 sec. East 246.19 ft; thence South 00 deg. 00 min. 00 sec. West 180 ft; thence South 89 deg. 57 min. 20 sec. West 132.55 ft; thence along the arc of a curve to the right whose radius is 123.54 ft and whose long chord bears North 56 deg. 37 min. 41 sec. West 136.07 ft; thence North 00 deg. 00 min. 00 sec. East 105.23 ft to the True Point of Beginning.

Also,

Beginning at the Southwest corner of a parcel of land from whence the Southwest corner of said Section 3 bears South 83 deg. 49 min. 08 sec. West 467.72 ft; thence South 89 deg. 57 min. 20 sec. West 168.89 ft; thence North 325.23 ft; thence North 45 deg. 00 min. 00 sec. East 260.63 ft; thence South 45 deg. 00 min. 00 sec. East 168.89 ft; thence South 45 deg. 00 min. 00 sec. West 190.68 ft; thence South 255.14 ft to the Point of Beginning;

Also,

Beginning at the Southwest corner of a parcel of land from whence the Southwest corner of said Section 3 bears South 83 deg. 49 min. 08 sec. West 467.72 ft; thence North 89 deg. 57 min. 20 sec. East 164/.98 ft; thence along the arc of a curve to the left, said curve having a radius of 75.0 ft to a central angle of 89 deg. 57 min. 20 sec.; thence North 118.62 ft; thence along a curve to the left, said curve having a radius of 220.0 ft and a central angle of 45 deg. 00 min. 00 sec. thence North 45 deg. 00 min. 00 sec. West 57.50 ft; thence South 45 deg. 00 min. 00 sec. West 190.68 ft; thence South 255.14 ft to the Point of Beginning;

Also,

Commencing at the Southwest corner of the SW4 of said Section 3; thence North 89 deg. 57 min. 20 sec. East along the South line of the SW4 of said Section 3, 1319.48 ft; thence North 00 deg. 00 min. 10 sec. West along the East line of the SW4 of the SW4 of said Section 3, 50.00 ft to the True Point of Beginning; thence South 89 deg. 57 min. 20 sec. West 389.42 ft; thence along the arc of a circular curve to the right whose radius is 75.00 ft and whose long chord bears North 45 deg. 01 min. 20 sec. West 106.11 ft; thence North 00 deg. 00 min. 00 sec. East 118.39 ft; thence along the arc of a circular curve to the right whose radius is 220.00 ft and whose long chord bears North 22 deg. 30 min. 00 sec. East 168.38 ft; thence North 45 deg. 00 min. 00 sec. East 90.00 ft; thence South 45 deg. 00 min. 00 sec. East 475.74 ft to a point on the East lien of the SW4 of the SW4 of Section 3; thence South 00 deg. 00 min. 10 sec. East along said East line of the SW4 of the SW4 of Section 3, 75.90 ft to the True Point of Beginning,

being a part of Block 2, Replat of FORESIGHT PARK FOR INDUSTRY FILING NO. 1, Mesa County, Colorado;

Also,

Commencing at the Southwest Corner of said Section 3, thence N 89 deg. 57 min. 20 sec. EAST along the South line of the SW4 of said Section 3 a distance of 1520.11 ft; thence N 00 deg. 00 min. 10 sec. West 30.00 ft; thence S 89 deg. 57 min. 20 sec. West 50.00 ft; thence N 00 deg. 00 min. 10 sec. West 20.00 ft to the True Point of Beginning; thence S 89 deg. 57 min. 20 sec. West 150.63 ft; thence N. 00 deg. 00 min. 10 sec. West 648.96 ft; thence N 90 deg. 00 min. 00 sec. East 200.63 ft; thence S 00 deg. 00 min. 10 sec. East 533.80 ft; thence S 89 deg. 57 min. 20 sec. West 50.00 ft; thence S 00 deg. 00 min. 10 sec. East 115.00 ft to the True Point of Beginning;

Also,

Lot 2 Block 2 Replat of Foresight Park for Industry, Filing No. 1 as recorded in Plat Book 11, Page 90, in the Office of the Mesa County Clerk and Recorder;

Also,

Lots 1 through 4 inclusive, Block 3; and Lots 11 through 12 inclusive Block 9; and Lots 9 through 10 inclusive Block 10; and Lot 8 Block 8, Foresight Park for Industry Filing No. 2 as recorded in Plat Book 12, Page 335, in said office;

Tracts of land being a portion of Section 10, Township 1 South, Range 1 West, of the Ute Meridian, in the City of Grand Junction, County of Mesa, State of Colorado, more particularly described as follows: Beginning at the Northwest corner of said Section 10; thence South 185 ft; thence East 225 ft; thence North 184.59 ft; thence North 89 deg. 53 min. 40 sec. West 225 ft to the point of beginning; EXCEPT for a road right of way on the North and West thereof as appears in document recorded in Book 1043, Page 573;

Also,

The North 376.4 ft of the NW4NW4NW4 of said Section 10, EXCEPT the following described tract: Beginning at the NW corner of said Section 10; thence South 185 ft; thence East 225 ft; thence North 184.59 ft; thence North 89 deg. 53 min. 40 sec. West 225 ft to the Point of Beginning;

Also,

Lots 1, 2, 3 and 4, EXCEPT the South 40.83 ft of said Lot 4 in Block 1, and Lots 1-3 inclusive in Block 3, Westgate Park Filing No. 2, as recorded in Plat Book 11, Page 225, in the Office of the Mesa County Clerk and Recorder;

Also,

A part of Lot Four (4) in Block Three (3) of WESTGATE PARK NO. 2, according to the Plat recorded in Plat Book 11 at Page 225, Mesa County records and being more particularly described as follows: Beginning at the Southeast corner of said Lot Four (4); thence West 150.13 ft to the Southwest corner of said Lot Four (4); thence 49.92 ft along the arc of a curve to the left with a radius of 80 ft and a chord of North 27 deg. 15 min. 43 sec. West 49.12 ft to the Southeast corner of Lot Three (3); thence North 63 deg. 50 min. 25 sec. East 96.48 ft; thence East 86.00 ft to the East line of said Lot Four (4); thence South 00 deg. 01 min. 15 sec. East 86.20 ft to the point of beginning;

Also,

The Northeast quarter of the Northwest quarter of said Section 10, EXCEPT a tract of land conveyed to Mesa County, Colorado, for road purposes by a document received in Book 685 at Page 149 of the Mesa County records, and also EXCEPTING a tract of land described as follows: Beginning at a point 605 ft North of the Southeast corner of the Northeast quarter of the Northwest quarter of Section 10, Township 1 South, Range 1 West, Ute Meridian; thence West 280 ft; thence North 310 ft; thence East 280 ft; thence South 310 ft to the point of beginning.

Tracts of land being a portion of Section 10, Township 1 South, Range 1 West, of the Ute Meridian, in the City of Grand Junction, County of Mesa, State of Colorado, more particularly described as follows: Beginning at the Northwest corner of said Section 10; thence South 185 ft; thence East 225 ft; thence North 184.59 ft; thence North 89 deg. 53 min. 40 sec. West 225 ft to the point of beginning; EXCEPT for a road right of way on the North and West thereof as appears in document recorded in Book 1043, at Page 573;

Also,

The North 376.4 ft of the NW4NW4NW4 of said Section 10, EXCEPT the following described tract: Beginning at the NW corner of said Section 1; thence South 185 ft; thence East 225 ft; thence North 184.59 ft; thence North 89 deg. 53 min. 40 sec. West 225 to the Point of Beginning;

Also,

Lots 1-6 inclusive Block 1, and Lots 1-6 inclusive Block 3, and Lots 1-4 inclusive Block 2, Westgate Park Filing No. 2, as recorded in Plat Book 11, Page 225, in the office of the Mesa County Clerk and Recorder;

Also,

A part of Lot Four (4) in Block Three (3) of WESTGATE PARK NO. 2 according to the Plat recorded in Plat Book 11 at Page 225, Mesa

County records and being more particularly described as follows: Beginning at the Southeast corner of said Lot Four (4); thence West 150.13 ft to the Southwest corner of said Lot Four (4); thence 49.92 ft along the arc of a curve to the left with a radius of 80 ft and a chord of North 27 deg. 15 min. 43 sec. West 49.12 ft to the Southeast corner of Lot Three (3); thence North 63 deg. 50 min. 25 sec. East 96.48 ft; thence East 86.00 ft to the East line of said Lot Four (4); thence South 00 deg. 01 min. 15 sec. East 86.20 ft to the point of beginning;

Also,

The Northeast quarter of the Northwest quarter of said Section 10, EXCEPT a tract of land conveyed to Mesa County, Colorado, for road purposes by a document recorded in Book 685, Page 149, of the Mesa County records, and also EXCEPTING a tract of land described as follows: Beginning at a point 605 ft North of the Southeast corner of the Northeast quarter of the Northwest quarter of Section 10, Township 1 South, Range 1 West, Ute Meridian; thence West 280 ft; thence North 310 ft; thence East 280 ft; thence South 310 ft to the point of beginning.

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

PASSED and ADOPTED this 21st day of May, 1986.

/s/ Stepehn C. Love

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

Upon motion of Councilman Theobold, seconded by Councilman Leland and carried by roll call vote, the Resolution was passed and adopted as read.

The following Resolution No. 36-86 was read:

RESOLUTION NO. 36-86

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-86, PHASE A, DETERMINING THE NUMBER OF INSTALLMENTS AND THE TIME IN WHICH THE COST OF SAID IMPROVEMENTS SHALL BE PAYABLE, THE RATE OF INTEREST ON UNPAID INSTALLMENTS AND THE DISTRICT OF LANDS TO BE ASSESSED WITH THE COST OF THE PROPOSED IMPROVEMENTS, AND AUTHORIZING NOTICE OF INTENTION TO CREATE SAID DISTRICT AND OF A HEARING THEREON.

WHEREAS, on the 21st day of May, 1986, 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-86, Phase A, together with an estimate of the total cost of such improvements and map of the District to be assessed; and

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

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

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

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

(Descriptions identical to those listed in previous Resolution No. 35-86.)

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 exist, credit will be given.

Section 3. The assessments to be levied against the property in the said District to pay the cost of such improvements shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such costs becomes final, and, if paid during this period, the amount added for costs of collection and other incidentals shall be deducted; provided that all such assessments may, at the election of the owner of the property in said District, be paid in ten (10) equal installments, the first of which shall be payable at the time the next installment of general taxes is, by the laws of the State of Colorado, made payable, after the expiration of said thirty-day period, and the following annual installments shall be paid on or before the same date each year thereafter, with interest, in all cases, on unpaid principal,

payable annually at a rate not to exceed the amount established by the City Council in the assessing ordinance.

Section 4. Notice of Intention to Create said Improvement District No. T-86, Phase B, and of a hearing thereon, shall be given by advertisement in one issue of The Daily Sentinel, a newspaper of general circulation published in said City, which Notice shall be in substantially the following form:

NOTICE

OF INTENTION TO CREATE IMPROVEMENT DISTRICT NO. ST-86, PHASE A, 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 in the City Council of the City of Grand Junction, Colorado, intends to create Improvement District No. ST-86, Phase A, 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:

(Descriptions identical to those listed in previous Resolution No. 35-86.)

F Road from 25 Road to 25 1/2 Road:

To include concrete vertical curb, gutter and sidewalk on the north side of the street, concrete vertical curb and gutter on the south side of the street, base course material under a mat of Hot Mix Bituminous Paving from lip of gutter to lip of gutter, pipe extensions in the Ranchman's Ditch over portions of the project length and such storm drainage facilities as deemed necessary by the City Engineer.

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

North side of Patterson Road:

Levied by Power of Attorney:

\$8,435 per platted lot Foresight Park for Industry, Filing #2

Commercial: 1,288 abutting feet at \$74 per abutting foot

South side of Patterson Road:

Commercial:

1. 610 abutting fee at \$66 per abutting foot

2. Westgate Park, Filing #2

(a) \$66 per abutting foot for properties abutting Patterson Road if that assessment method is used;

(b) \$4,945 per lot as originally platted if a zone method of assessment is used, or if abutting lots are assessed 50% with other lots equally sharing the remainder, or if all platted lots in the filing share equally.

Residential: 1,290 abutting feet at \$36.50 per abutting foot

To the estimated assessable cost of \$298,106 (said amount reflects 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 owners of the property in said district, may be paid in ten (10) annual installments which become due upon the same date upon which general taxes, or the first installment thereof, are by the laws of the State of Colorado made payable. Interest not to exceed the amount established by the City Council in the assessing ordinance shall be charged on unpaid installments.

On July 2, 1986, at 7:30 o'clock p.m. in the City-County Auditorium in 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 21st day of May, 1986.

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

;sigl;

By: /s/ Neva B. Lockhart, CMC/City Clerk

PASSED and ADOPTED this 21st day of May, 1986.

/s/ Stephen C. Love

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

Upon motion of Councilman Theobold, seconded by Councilman Mannion and carried by roll call vote, the Resolution was passed and adopted as read.

The following Resolution No. 38-86 was read:

RESOLUTION NO. 38-86

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-86, PHASE B, AND AUTHORIZING THE CITY ENGINEER TO PREPARE DETAILS AND SPECIFICATIONS FOR THE SAME.

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

B-3/4 Road from 27 Road east:

To include grading and leveling base course material under a 30-foot wide mat of double penetration surfacing using rubberized emulsion with 3/8" crushed rock on the bottom course and 3/8" crushed rock on the top course.

Mountain View Court north of Cheyenne Drive, ending at cul-de-sac:

To include six-foot monolithic curb, gutter and sidewalk and base course material under a 3-inch thick, 24-ft wide mat of Hot Mix Bituminous Paving from lip of gutter to lip of gutter ending at a cul-de-sac which includes a 6-foot monolithic curb, gutter and sidewalk and base course material under a 3-inch thick, 80-foot diameter mat of Hot Mix Bituminous Paving and such storm drainage facilities as deemed necessary by the City Engineer.

17th Street south of Main Street, ending at the alley south of Main St:

To include 6-foot monolithic curb, gutter and sidewalk on the east side and a 3-foot wide concrete gutter pan on the west side and base course material under a 3-inch thick, 29-foot wide mat of Hot Mix Bituminous Paving from lip of gutter to lip of pan and base course materials under a 3-inch thick, 11.5-foot wide mat of Hot Mix Bituminous Paving from lip ????

Where acceptable curb, gutter and/or sidewalk exist, credit will be given.

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

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

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

Tracts of land being a portion of Section 25, T1S, R1W, of the Ute Meridian, in the City of Grand Junction, County of Mesa, State of Colorado, more particularly described as follows:

Lots 1 and 8 of Block 1, Lots 1 and 8 of Block 2, and Lots 2 of Block 3 of Cypher's Subdivision, as recorded in Plat Book 8, Page 46, in the Office of the Mesa County Clerk and Recorder;

Also,

Lots 1 and 6, Replat of Lot 1 block 3 Cypher's Subdivision, as recorded in Plat Book 13, Page 19, in the above said office;

Also,

Beginning at the Northwest Corner of the NW4SW4NW4 of said Section 25; thence S 135 ft, thence E 238 ft; thence N 135 feet; thence W 238 ft to the point of beginning;

Also,

Beginning at a point 238 ft E of the NW Cor of the NW4 of the SW4 of the NW4 of said Sec 25; thence S 330 ft; thence E 290 ft; thence N 330 ft; thence W 290 ft to the point of beginning;

Also,

Beginning at the NW Cor of the NW4 of the SW4 of the NW4 of said Sec 25, whose N line bears S 90 deg. 00 min. 00 sec. E and all bearing contained herein to be relative thereto; thence S 90 deg. 00 min. 00 sec. E 238.00 ft; thence S 00 deg. 01 min. 30 sec. E 20.00 ft; thence S 90 deg. 00 min. 00 sec. E 136.00 ft; thence S 00 deg. 01 min. 30 sec. E 5.00 ft to the True Point of Beginning; thence S 90 deg. 00 min. 00 sec. E 154.00 ft; thence S 00 deg. 01 min. 30 sec. E 305.00 ft; thence N 89 deg. 58 min. 39 sec. W 290.00 ft; thence N 00 deg. 01 min. 30 sec. W 199.89 ft; thence S 90 deg. 00 min. 00 sec. E 163.00 ft; thence N 00 deg. 01 min. 30 sec. W 105.00 ft to the True Point of Beginning;

Also,

Beginning at the NW Cor of the NW4SW4NW4 of said Sec 25, whose N line bears S 90 deg. 00 min. 00 sec. E and all bearings contained herein to be relative thereto; thence S 90 deg. 00 min. 00 sec. E 238.00 ft; thence S 00 deg. 01 min. 30 sec. E 20.00 ft; thence S

90 deg. 00 min. 00 sec. E 136.00 ft; thence S 00 deg. 01 min. 30 sec. E 5.00 ft; thence S 90 deg. 00 min. 00 sec. E 154.00 ft to the True Point of Beginning; thence continuing S 90 deg. 00 min. 00 sec. E 54.58 ft; thence S 00 deg. 01 min. 30 sec. W 75.00 ft; thence S 90 deg. 00 min. 00 sec. E 78.00 ft; thence S 00 deg. 01 min. 30 sec. E 230.00 ft; thence S 90 deg. 00 min. 00 sec. W 132.58 ft; thence N 00 deg. 01 min. 30 sec. W 305.00 ft to the True Point of Beginning;

Also,

Beginning at the NE Cor of the N2NW4SW4NW4 of Sec 25; thence S 330 ft, thence W 132 ft; thence N 330 ft; thence E 132 ft to the point of beginning;

Also,

Lots 1 and 2 inclusive, Blk 3 replatting of Blks 3, 4 and 5 Artesia Heights, as recorded in Plat Book 8, Page 8, in the above said office.

Tracts of land being a part of Sec 24, T1S, R1W of the Ute Meridian, in the City of Grand Junction, County of Mesa, State of Colorado, more particularly described as follows:

Lots 2 through 3 inclusive and Lots 7 and 8, Blk 1, Moore Subdivision, as recorded in Plat Book 10, Page 5, in the office of the Mesa County Clerk & Recorder

Also,

Lots 4 through 6 inclusive, Moore Subdivision, First Addition, as recorded in Plat Book 11, Page 27, in the above said office;

Also,

A tract or parcel of land situated in Lot 7 of said Sec 24, lying adjacent to and N of Moore Subdivision, First Addition, and S of the S bank of the Colorado River being more particularly described as follows:

Beginning at a point S 89 deg. 05 min. E 85.73 ft of the NW Cor of Lot 5 Moore Subdivision, First Addition, whose N line is recorded as bearing N 89 deg. 05 min. sec. W in Plat Book 11 at Page 27 in the Mesa County Clerk and Records Office; thence N to said S bank of Colorado River; thence Easterly along said S bank to a point N of the NE Cor of said Lot 5; thence leaving said S bank, S to said NE Cor Lot 5; thence along the N line of said Lot 5, N 89 deg. 05 min. W 116.03 ft to the Point of Beginning;

Also,

All that part of Lot 7 of said Sec 24, lying adjacent to and N of Moore Subdivision and S of the S bank of the Colorado River.

Tracts of land being a part of Sec 13, T1S, R1W, of the Ute Meridian, in the City of Grand Junction, County of Mesa, State of Colorado, more particularly described as follows:

Lots 7 through 10 inclusive Block "C" and Lot 1, Block 6, East Main Street Addition, as recorded in Plat Book 7, Page 31, in the office of the Mesa County Clerk and Recorder.

East 70 ft of that part of the SW4 of the NE4 of the SW4 lying S of East Main Street Subdivision of said Sec 13.

Beginning 631 ft W of the SE Cor of the NE4 of the SW4 of said Sec 13, W 30 ft, N 89.13 ft, E 30 ft, S to Beginning.

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

PASSED and ADOPTED this 21st day of May, 1986.

Upon motion of Councilman Theobold, seconded by Councilman Lucero and carried by roll call vote, the Resolution was passed and adopted as read.

The following Resolution No. 39-86 was read.

RESOLUTION NO. 39-86

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-86, PHASE B, DETERMINING THE NUMBER OF INSTALLMENTS AND THE TIME IN WHICH THE COST OF SAID IMPROVEMENTS SHALL BE PAYABLE, THE RATE OF INTEREST ON UNPAID INSTALLMENTS AND THE DISTRICT OF LANDS TO BE ASSESSED WITH THE COST OF THE PROPOSED IMPROVEMENTS, AND AUTHORIZING NOTICE OF INTENTION TO CREATE SAID DISTRICT AND OF A HEARING THEREON.

WHEREAS, on the 21st day of May, 1986, 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-86, Phase B, together with an estimate of the total cost of such improvements and map of the District to be assessed; and

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

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

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

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

(Descriptions identical to those listed in previous Resolution No. 38-86.)

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 exist, credit will be given.

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

Section 4. Notice of Intention to Create said Improvement District No. ST-86, Phase B, and of a hearing thereon, shall be given by advertisement in one issue of The Daily Sentinel, a newspaper of general circulation published in said City, which Notice shall be in substantially the following form:

NOTICE

OF INTENTION TO CREATE IMPROVEMENT DISTRICT NO. ST-86, PHASE B, IN THE CITY OF GRAND JUNCTION, COLORADO, AND OF A HEARING THEREON.

PUBLIC NOTICE IS HEREBY GIVEN to the owners of real estate in the district hereinafter described, and to all persons generally interested in the City Council of the City of Grand Junction, Colorado, intends to create Improvement District No. ST-86, Phase

B, 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:

(Descriptions identical to those listed in previous Resolution No. 38-86.)

B-3/4 Road from 27 Road east:

To include grading and leveling base course material under a 30-foot wide mat of double penetration surfacing using rubberized emulsion with 3/8" crushed rock on the bottom course and 3/8" crushed rock on the top course.

Mountain View Court north of Cheyenne Drive, ending at cul-de-sac:

To include six-foot monolithic curb, gutter and sidewalk and base course material under a 3-inch thick, 24-ft wide mat of Hot Mix Bituminous Paving from lip of gutter to lip of gutter ending at a cul-de-sac which includes a 6-foot monolithic curb, gutter and sidewalk and base course material under a 3-inch thick, 80-foot diameter mat of Hot Mix Bituminous Paving and such storm drainage facilities as deemed necessary by the City Engineer.

17th Street south of Main Street, ending at the alley south of Main Street:

To include 6-foot monolithic curb, gutter and sidewalk on the east side and a 3-foot wide concrete gutter pan on the west side and base course material under a 3-inch thick, 29-foot wide mat of Hot Mix Bituminous Paving from lip of gutter to lip of pan and base course materials under a 3-inch thick, 11.5-foot wide mat of Hot Mix Bituminous Paving from lip of pan to the edge of a concrete parking lot and such storm drainage facilities as deemed necessary by the City Engineer.

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

B-3/4 Road from 27 Road east:

The assessable project cost of the improvements is estimated to be \$5,508. The total assessable footage of real estate (whether composed of front, side or back footage) directly abutting the proposed improvements is estimated to be 1228 feet, more or less. The assessable cost per abutting foot will not exceed \$4.25.

Mountain View Court north of Cheyenne Drive, ending at cul-de-sac:

The assessable project cost of the improvements is estimated to be \$30,360. The total assessable footage of real estate (whether composed of front, side or back footage) directly abutting the proposed improvements is estimated to be 759 feet, more or less. The assessable cost per abutting foot will not exceed \$40.00.

17th Street south of Main Street, ending at the alley south of Main Street:

The assessable project cost of the improvements is estimated to be \$16,762. The total assessable footage of real estate (whether composed of front, side or back footage) directly abutting the proposed improvements is estimated to be 251 feet, more or less. The assessable cost per abutting foot will not exceed \$58.00.

To the estimated assessable cost of \$52,630.00, (said amount reflects 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 owners of the property in said district, may be paid in ten (10) annual installments (four (4) annual installments for double penetration improvements) 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 July 2, 1986, at 7:30 o'clock p.m. in the City-County Auditorium in 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 21st day of May, 1986.

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

By: /s/ Neva B. Lockhart, CMC

City Clerk

PASSED and ADOPTED this 21st day of May, 1986.

/s/ Stephen C. Love

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

Upon motion of Councilman Mannion, seconded by Councilman Theobold and carried by roll call vote, the Resolution was passed and adopted as read.

PETITION - RESOLUTION NO. 37-86 OF INTENT TO ANNEX AND GIVING NOTICE OF HEARING HEATHERIDGE ESTATES ANNEXATION NO. 1 EAST OF SOUTH REDLANDS ROAD

The following Resolution No. 37-86 was read:

RESOLUTION NO. 37-86

ACCEPTING A PETITION FOR THE ANNEXATION OF LANDS TO THE CITY OF GRAND JUNCTION, COLORADO, AND SETTING A HEARING ON SUCH ANNEXATION.

WHEREAS, on the 21st day of May, 1986, 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:

Commencing at a point which is N 0 deg. 11 min. 26 sec. E 671.56 ft and E 786.97 ft from the SW Cor of Sec 15, T1W, R1W, Ute Meridian, thence N 69 deg. 10 min. 30 sec. E 215.5 ft and S 65 deg. 47 min. 00 sec. E 70.7 ft to the true point of beginning, thence Southerly and Southwesterly along the Westerly right of way line of Monument Road to a point of intersection with the projected centerline of South Redlands Road, thence following said centerline to a point of intersection with the westerly projection of the common lot line between Lot 6 and Lot 7 Block 1, Heatheridge Estates Subdivision, thence easterly along said projected line, said common lot line and easterly project of said line to intersection with centerline of Rodell Drive, thence Northerly along centerline of Rodell Drive to the southeast corner of Lot 2, Block 1, Heatheridge Estates, thence North to the Northeast corner of said Lot 2, thence Westerly to the Northwest corner of Lot 1, Block 1 of said subdivision, thence northerly along the easterly right of way line for Monument Road to a point east of the true point of beginning, thence west to the true point of beginning; and

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal

Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

That a hearing will be held on the 2nd day of July, 1986, in the City-County Auditorium in City Hall of the City of Grand Junction, Colorado, at 7:30 o'clock p.m. to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the City; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is cable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings, and whether an election is required under the Municipal Annexation Act of 1965.

PASSED and ADOPTED this 21st day of May, 1986.

/s/ Stephen C. Love

President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

City Clerk

Upon motion of Councilman Theobald, seconded by Councilman Mannion and carried by roll call vote with Councilman LUCERO voting NO, the Resolution was passed and adopted as read.

DONATION OF PEDESTRIAN BRIDGE TO MESA COUNTY

Upon motion of Councilman Mannion, seconded by Councilman Leland and carried, the donation of a forty-foot pedestrian bridge to Mesa County was approved.

IMPROVEMENT DISTRICTS

Comments were had from Dale Ely, 2736 F Road, and David George, 2941 N. 14th Street, regarding street improvement districts and the methods of assessment.

PINON STREET AT B-3/4 ROAD

Mr. Robert Starkey, 277 Pinon Street at B-3/4 Road, stated that

Pinon Street is not supposed to be a through street but has apparently been opened up. He would like to see it closed off as there is a lot of traffic going through there again.

COUNCILMAN JAMES LELAND APPOINTED TO DDA BOARD

Upon motion of Councilman Lucero, seconded by Councilman Theobold and carried, Councilman Leland was appointed to the Downtown Development Authority.

ADJOURNMENT

Upon motion of Councilman Theobold, seconded by Councilman Mannion and carried, the meeting was adjourned.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk