

ORDINANCE NO. 91.

A Bill for an Ordinance Creating Sanitary Sewer District No. 2, of the City of Grand Junction, Colorado, and Ordering the Construction of a District Sanitary Sewer with the Appurtenances in and for Said District.

Be it ordained by the City Council of the City of Grand Junction, Colorado:

SECTION 1. Whereas, In pursuance of an act of the General Assembly of the State of Colorado entitled "An Act to Provide for the Construction of Local Improvements in Cities of all Classes Having a Population of Less than One Hundred Thousand, and Incorporated Towns, the Issuance of Local Improvement Bonds Therefor, and the Assessment and Payment of the Cost of Said Improvements," approved April 8th, A. D. 1899, the City Council of the City of Grand Junction, Colorado, in and by Ordinance No. 84 of said city, adopted on July 24th, A. D. 1899, created a sanitary sewer district known as "Sewer District No. 2, of the City of Grand Junction," aforesaid, said district consisting of all that territory in said city hereinafter described; and

Whereas, By a resolution and preliminary order adopted on June 13th, 1899, the City Council aforesaid duly authorized and required the preparation by E. W. Hathaway, as city engineer in the premises, of full de-

tails and specifications for said improvements, together with an estimate of the cost of the same, a map of said district, and a schedule showing the approximate amounts to be assessed upon the several lots and parcels of property within said district; which full details, specifications, estimate, map and schedule prepared by the city engineer aforesaid were thereafter submitted to the City Council for consideration and filed in the office of the City Clerk; and

Whereas, Thereafter by another resolution and preliminary order and made on the 9th day of January, A. D. 1900, the City Council aforesaid declared the construction of a district sanitary sewer in and for said district to be necessary for sanitary reasons, adopted full details and specifications for

said improvements so reported and filed, therein definitely describing the material to be used therefor; determined the number of installments and time in which the cost of said improvements shall be payable, the rate of interest on unpaid and deferred installments, and the property to be assessed for the same, and also adopted and approved said estimate, map and schedule; said estimate and schedule showing a total probable cost of forty-five thousand, two hundred and forty dollars and fifty-two cents (\$45,240.52) for the whole of said improvements, or the sum of forty-six hundredths cents (.46) per square foot of the real estate to be assessed therefor, or the sum of fourteen dollars and forty-four cents (\$14.44) per lot for each lot twenty-five feet by one hundred and twenty-five feet in size in said district, and other lots in the same proportion; and

Whereas, The City Clerk of the City of Grand Junction aforesaid has, by advertisement for twenty days in the Grand Junction News, a newspaper of general circulation in said city, given notice to the owners of the property to be assessed, of the kind of improvements proposed, the number of installments and the time in which the cost will be payable, the rate of interest on unpaid and deferred installments, the extent of the district to be improved, the probable cost as shown by the estimates and schedule of the city engineer aforesaid, and the time, to-wit: Tuesday, the 13th day of February, A. D. 1900, at the hour of 8 o'clock p. m., the same being more than thirty days after the first publication of said advertisement (the first publication being on the 13th day of January, A. D. 1900) when a resolution or ordinance ordering said improvements would be finally considered by the City Council; that said map, estimate and schedule, showing the amounts to be assessed, and all resolutions and proceedings in the premises were on file and could be seen and

examined by any person interested at the office of the City Clerk at any time within said period of thirty days; and that all complaints and objections that might be made in writing concerning said proposed improvements by the owner or owners of any real estate to be assessed therefor would be heard and determined by the City Council before the final action of the City Council thereon; and

Whereas, No complaints or objections have been made in writing concerning said improvements by the owner or owners of said real estate.

SEC. 2. The construction of said improvements, to-wit: a district sanitary sewer with the appurtenances in and for said district under the direction of the city engineer aforesaid, and in accordance with said details, specifications, map, estimate and schedule is hereby finally authorized and ordered; provided, that the cost of said improvements shall not exceed the estimate of the city engineer above set forth, the same being exclusive of interest and costs of collection, as provided by law.

SEC. 3. For the purposes aforesaid said district after due notice is hereby finally prescribed and approved; the same consisting of the following described portion of the City of Grand Junction aforesaid, to-wit:

Commencing at a point on the south side of Pitkin avenue, at the north-west corner of block 145, in the said city of Grand Junction, running thence east along the south line of said Pitkin avenue to a point at its intersection with the west line of Third street; thence north to the south side of Ute avenue; thence east along the south line of Ute avenue to its intersection with the alley running north and south at the north-east corner of lot 10, in block 138; thence north along the west line of said alley to a point at its intersection with the north line of Rood avenue; thence west along the north line of Rood avenue to a point at the intersection of the north line of Rood avenue with the section line running north and south on the west side of Section 14, Township 1 South, Range 1 West, Ute Meridian; thence north along said section line to a point at its intersection with the north line of North avenue; thence east to a point on the north line of North avenue due north of the north-east corner of lot 10, in block 6; thence south to the south line of Hill avenue to a point at the north-east corner of lot 10, in block 39; thence east along the south line of said Hill avenue to a point at its intersection with the west line of Ninth street, thence south along the west line of Ninth street to a point at its intersection with the south line of Chipeta avenue; thence east along the south line of Chipeta avenue to a point at its intersection with the section line running north and south on the east side of said section 14; thence south along said section line to a point at its intersection with the north line of Ute avenue; thence west along the north line of Ute avenue to a point at its intersection with the west line of Ninth street; thence south along the west line of Ninth street to a point on the south section line of said section 14; thence west along said section line to a point where said line intersects the

right of way of the D. & R. G. R. R. Co.; thence in a north-westerly direction along said right of way to its intersection with the south line of Pitkin avenue; thence east along the south line of Pitkin avenue to the place of beginning.

And said district shall be known as "Sewer District No. 2, of the City of Grand Junction, Colorado."

SEC. 4. All bonds and warrants to be issued for said improvements shall bear interest at the rate of six per cent per annum, payable annually in advance.

SEC. 5. The City Council upon due consideration of the premises doth find that said improvements are now and hereby duly ordered after notice duly given as required by law; that the City Clerk, by advertisement for twenty days in said newspaper, has given due and sufficient notice to the owners of the real estate in said district as hereinabove set forth, and has in all things complied with the law in the matter of giving said notice.

SEC. 6. The mayor is hereby authorized and directed by public advertisement for not less than ten (10) days in said newspaper to invite sealed proposals for the construction of said improvements strictly in accordance with said plans, specifications and estimate, therein stating that such proposals will be received by the Mayor, and opened in public at his office in the city hall, in the City of Grand Junction aforesaid, on the 12th day of March, A. D. 1900, at the hour of 8 o'clock p. m., and publicly read aloud. That each bid must be accompanied with a cashier's check or certified check on some bank approved by the mayor for at least three per cent of the aggregate amount of the bid as a guarantee and security that the successful bidder will enter into the contract and bond required by the city, which bond shall be in the sum \$30,000 for the performance of any contract that may be awarded to the bidder; and indemnifying the city against loss, injury or damages in the construction of the same, with such other information to bidders as to the Mayor may seem proper; therein reserving the right to reject any or all bids; said bids to be reported by the Mayor to the City Council with his recommendations for consideration.

Adopted this 13th day of February, A. D. 1900.

[Seal]

W. P. ELLA,
Mayor.

Attest,

M. O. DELAPLAIN,
City Clerk.

Published in the Grand Junction News,
this 17th day of February, A. D. 1900.