

copy
An Ordinance No 153

To Amend an Ordinance Entitled "an Ordinance No. 152 granting to Horace K. Devereux and Eugene A. Sembolin, their heirs and assigns, the right, privilege and franchise to erect, construct, operate and maintain a street railway on certain streets, avenues, alleys and public places of and within the City of Grand Junction, and to use the same for such street railway purposes," passed July 17, 1908, and approved July 21, 1908.

Section I. Be it Ordained by the City Council of the City of Grand Junction:

That upon the written consent heretofore submitted to the City Council and filed with the City Clerk of the owner of the land representing more than one-half of the frontage of the following described portions of streets and avenues sought to be used for railway purposes, Section I of an Ordinance entitled,

an Ordinance No. 152 granting to Horace K. Devereux and Eugene A. Sembolin, their heirs and assigns, the right, privilege and franchise to erect, construct, operate and maintain a street railway on certain streets, avenues, alleys and public places of and within the City of Grand Junction, and to use the same for such street railway purposes,"

passed July 17, 1908, and approved July 21, 1908, be and the same hereby is amended by inserting at the end of said Section I the following words, to-wit:—

"Fourth Street from South City limits to North Avenue; Gunnison Avenue from First Street to Twelfth Street; Tenth Street from South Avenue to North Avenue."

Section II.

That Section V of said Ordinance No. 152 be amended by insertion at the end thereof of the words:—

"No freight shall be hauled on that portion of Fourth Street between the north line of Main Street and the south line of North Avenue; on Gunnison Avenue or on that portion of Tenth Street from the north line of Main Street to the south line of North Avenue."

Section III.

That said amendments and each of them shall have like force and effect from and

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Section IV

after the passage, approval and publication of this Ordinance as if originally contained in said Ordinance No 152 as passed July 17, 1908, and approved July 21, 1908.

This Ordinance shall be in force from and after its passage and publication as required by law.

Passed and adopted this 2nd day of February A.D. 1909.

attest:
John M. Coonley
City Clerk.

J. H. Westworth
Mayor

State of Colorado }
County of Mesa } SS.
City of Grand Junction }

I hereby Certify that the foregoing Ordinance entitled "An Ordinance to amend an Ordinance entitled "An Ordinance No 152 granting to Horace K. Devereux and Eugene H. Semblerlin, their heirs and assigns, the right, privilege and franchise to erect, construct, operate and maintain a street railway on certain streets, avenues, alleys and public places of and within the city of Grand Junction, and to use the same for such street railway purposes," passed July 17, 1908, and approved July 21, 1908. Was introduced and read in full at the time of its introduction at a regular meeting of the City Council of Grand Junction, Colorado, held on January 12, 1909.

I further certify that prior to the introduction or reading of said ordinance and at said meeting of the City Council held January 12, 1909, there was presented to such Council proof of compliance by Horace K. Devereux and Eugene H. Semblerlin with Section 2 of an act of the Legislature of the State of Colorado entitled "an act concerning the initiation, introduction, publication and passage of Ordinances granting franchises or licenses for street Railways, Electric Light works, Telegraph and Telephone Systems in Incorporated Towns and Cities of the first and second class and Repealing all acts and parts of acts in conflict therewith." approved April 6, 1905. Said proof being in the form of an affidavit of Walter Walker City Editor of the Daily Sentinel, a daily newspaper of general circulation published in the City of Grand Junction, showing the publication

in that newspaper daily from December 23, 1908, to January 12, 1909, inclusive, of a notice of the intention of said Horace K. Devereux and Eugene H. Sumnerlin to apply to the City Council of the City of Grand Junction at its regular meeting to be held on January 12, 1909, for the passage of an ordinance entitled as aforesaid, granting the franchises and licenses described therein, which notice specified the names of the applicants therefor, a general description of the rights and privileges to be applied for and the time for and term upon which such franchises and licenses were desired. All as more fully shown in said printed notice.

I further certify that at the regular session held on January 12, 1909, of the said City Council the aforesaid ordinance was by said Council ordered to be published daily for a period of two weeks in The Daily Sentinel, a daily newspaper of general circulation published in said City of Grand Junction, and that in pursuance of such order the said ordinance was published in full daily for a period of two weeks in the said the Daily Sentinel, the first publication thereof being on January 30, 1909.

I further certify that at an adjourned regular meeting held upon February 2, 1909, of said City Council of said Grand Junction, the said ordinance was again read in full, and thereupon at said last mentioned adjourned regular meeting the said ordinance was duly and regularly passed by the said City Council and was upon February 2, 1909, approved by Honorable J. R. Wentworth, Mayor of said City.

In testimony whereof I have hereto set my hand and affixed the seal of the City hereto this 2nd, day of February, 1909.

John M. Conley
City Clerk