

Ordinances of the City of Grand Junction, Colorado

ORDINANCE NO. 205.

AN ORDINANCE APPROVING THE WHOLE COST OF THE IMPROVEMENTS MADE IN AND FOR PAVING DISTRICT NUMBER FOUR, IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED JUNE 11, 1910, AND PURSUANT TO THE RESOLUTIONS AND PROCEEDINGS OF THE CITY COUNCIL ADOPTED PURSUANT TO SAID ORDINANCE NO. 178, APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND IN SAID DISTRICT, ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND IN SAID DISTRICT, AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENT.

WHEREAS, the City Council and municipal officers of the City of Grand Junction, in the State of Colorado, have complied with all the provisions of law relating to said improvements in Paving District No. 4, in the City of Grand Junction, pursuant to Ordinance No. 178 of said city, adopted and approved June 11, 1910, and pursuant to the various resolutions, orders and proceedings taken under said ordinance; and

WHEREAS, the City Council has heretofore caused to be published the notice of completion of said local improvement in said Paving District No. 4, and the apportionment of the cost thereof to all persons interested and to the owners of real estate which is described therein, said real estate comprising the district of land known as Paving District No. 4, in the City of Grand Junction, Colorado, which said notice was caused to be published in the Daily News, the official newspaper of the City of Grand Junction, (the first publication thereof appearing October 19, 1912, and the last publication thereof appearing October 30, 1912); and

WHEREAS, said notice recited the share to be apportioned to and upon each lot and tract of land within said district assessable for said improvements and recited that complaints or objections might be made in writing to the Council and filed with the Clerk within thirty days from the first publication of such notice, to-wit: on or before and up to the 18th day of November, 1912, and recited that such complaints would be heard and determined by the Council at its first regular meeting after said thirty days and before the passage of any ordinance assessing the cost of said improvements; and

WHEREAS, the City Council has duly confirmed the statement prepared by the City Council and certified by the Mayor, showing the whole cost of said improvements and the apportionment thereof heretofore made as contained in that certain notice to property owners in Paving District No. 4, duly published in the Daily News, the official newspaper of the city, and has duly ordered that the cost of said improvements in said Paving District No. 4 be assessed and apportioned against all of the real estate in said district in the proportions contained in the aforesaid notice; and

WHEREAS, from the statement made and filed with the City Clerk by the City Engineer, it appears that the whole cost of said improvements is the sum of Three Thousand seven hundred seventy-four and 46/100 dollars (\$3,774.46), said amount including six per cent. additional for cost of collection and other incidentals, and including interest to the 28th day of February, 1913, at the rate of six per cent. per annum on the bonds heretofore sold to raise funds for the construction of said improvements; and

WHEREAS, from said statement it also appears that the City Engineer has apportioned a share of the said whole cost to each lot or tract of land in said district, in the following proportions and amounts severally, to-wit:

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(Note--Whenever in the following description, the numbers of the first and last lots are mentioned, such description shall, in every case, be understood to include the first, the intermediate and last named lots, and the sum of money is per lot.)

DESCRIPTION AND APPORTIONMENT.

CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO.

Block 5.
 Lot 1, \$18.15; Lots 2 to 5, \$9.99; Lot 6, \$12.99; Lot 7, \$12.48; Lots 8 to 11, \$10.49; Lot 12, \$17.12; Lot 13, \$1.71; Lot 14, \$1.22; Lot 29, \$1.27; Lot 30, \$1.79.

Block 6.
 Lot 8, \$0.52; Lots 9 and 10, \$1.65; Lot 11, \$18.67; Lots 12 to 15, \$10.48; Lot 16, \$13.18; Lot 17, \$11.90; Lots 18 to 21, \$9.08; Lot 22, \$18.67; Lots 23 and 24, \$1.52; Lot 25, \$0.52.

Block 17.
 Lot 8, \$0.52; Lots 9 and 10, \$1.72; Lot 11, \$17.49; Lots 12 to 14, \$10.90; Lots 15 and 16, \$13.61; Lots 17 to 19, \$10.90; Lot 20, \$17.49; Lots 21 and 22, \$1.72; Lot 23, \$0.52.

Block 18.
 Lot 1, \$17.98; Lots 2 to 4, \$10.94; Lots 5 and 6, \$12.90; Lots 7 to 9, \$10.94; Lot 10, \$17.98; Lot 11, \$1.78; Lots 12 and 27, \$1.27; Lot 28, \$1.78.

Block 27.
 Lot 1, \$17.98; Lots 2 to 4, \$10.94; Lots 5 and 6, \$12.90; Lots 7 to 9, \$10.94; Lot 10, \$17.98; Lots 11 and 28, \$1.78; Lots 12 and 27, \$1.27.

Block 28.
 Lot 8, \$0.52; Lots 9 and 10, \$1.72; Lot 11, \$17.49; Lots 12 to 14, \$10.90; Lots 15 and 16, \$13.61; Lots 17 to 19, \$10.90; Lot 20, \$17.49; Lots 21 and 22, \$1.72; Lot 23, \$0.52.

Block 30.
 Lot 8, \$0.52; Lots 9 and 10, \$1.72; Lot 11, \$17.49; Lots 12 to 14, \$10.90; Lot 15, \$13.61; Lot 16, \$13.65; Lots 17 to 20, \$10.90; Lot 21, \$13.83; Lots 22 and 23, \$1.12; Lot 24, \$0.56.

Block 40.
 Lot 1, \$14.10; Lots 2 to 5, \$10.31; Lot 6, \$13.31; Lot 7, \$12.90; Lots 8 to 10, \$10.94; Lot 11, \$17.98; Lot 12, \$1.78; Lot 13, \$1.27; Lot 28, \$0.52; Lot 29, \$1.19.

Block 40.
 Lot 1, \$8.31; Lots 2 to 5, \$1.26; Lots 6 to 10, \$0.65; Lot 11, \$4.42; Lot 12, \$0.66; Lot 13, \$0.49; Lot 28, \$0.90; Lot 29, \$1.29.

Block 50.
 Lot 8, \$0.19; Lots 9 and 10, \$0.65; Lot 11, \$4.15; Lots 12 to 16, \$0.65; Lots 17 to 20, \$1.22; Lot 21, \$7.81; Lots 22 and 23, \$1.22; Lot 24, \$0.50.

Block 61.
 Lot 8, \$0.52; Lots 9 and 10, \$1.72; Lot 11, \$17.49; Lots 12 to 14, \$10.90; Lots 15 and 16, \$13.61; Lots 17 to 19, \$10.90; Lot 20, \$17.49; Lots 21 and 22, \$1.72; Lot 23, \$0.52.

Block 62.
 Lot 1, \$17.98; Lots 2 to 4, \$10.94; Lots 5 and 6, \$12.90; Lots 7 to 9, \$10.94; Lot 10, \$17.98; Lots 11 and 28, \$1.78; Lots 12 and 27, \$1.27.

Block 71.
 Lot 1, \$10.29; Lots 2 to 5, \$11.15; Lot 6, \$14.10; Lot 7, \$12.90; Lots 8 to 10, \$10.94; Lot 11, \$17.98; Lot 12, \$1.78; Lot 13, \$1.27; Lot 28, \$1.41; Lot 29, \$1.98.

Block 72.
 Lot 8, \$0.52; Lots 9 and 10, \$1.72; Lot 11, \$17.49; Lots 12 to 14, \$10.90; Lot 15, \$13.61; Lot 16, \$13.81; Lots 17 to 20, \$10.90; Lot 21, \$18.72; Lots 22 and 23, \$1.91; Lot 24, \$0.58.

Block 82.
 Lot 8, \$0.13; Lots 9 and 10, \$1.41; Lot 11, \$0.94; Lots 12 to 16, \$1.41.

Block 84.
 Northwest quarter of Block 81, \$12.22

Capital Hill Subdivision.
 The West 125 feet of Lot 11, \$152.12
 The West 125 feet of N hlf Lot 12, 76.07
 The West 125 feet of S hlf Lot 12, 76.07
 The West 125 feet of N hlf Lot 13, 76.07
 The West 125 feet of the S hlf Lot 13, 76.07
 The West 125 feet of Lot 14, 152.12
 The West 125 feet of N hlf Lot 15, 76.26
 The West-125 feet of S hlf Lot 15, 76.26
 The West 125 feet of Lot 17, 245.81
 The South 50 feet of Lot 18, 304.19
 N 75 feet of S 125 feet of Lot 18, 33.68
 S 292 feet of N 292 feet of Lot 18, 103.25
 E 125 feet of N 100 feet of Lot 18, 38.71
 E 125 feet of S 50 feet of Lot 19, 19.36
 E 125 feet of N 100 feet of S 100 feet Lot 19, 38.71
 E 125 feet of N 100 feet of S 200 feet Lot 19, 38.71
 E 125 feet of S 112 feet of N 267 feet Lot 19, 54.97
 E 125 feet of S 75 feet of N 125 feet Lot 19, 29.93
 E 125 feet of N 50 feet of Lot 19, 19.36
 E 125 feet of S 92 feet of Lot 20, 35.61
 E 125 feet of N 75 feet of S 167 feet Lot 20, 29.93
 E 125 feet of N 150 feet of S 217 feet Lot 20, 58.07
 E 125 feet of S 50 feet of N 200 feet Lot 20, 19.36
 E 125 feet of S 50 feet of N 150 feet Lot 20, 19.36
 E 125 feet of S 50 feet of N 100 feet Lot 20, 19.36
 E 125 feet of N 50 feet of Lot 20, 19.36
 E 125 feet of S 50 feet of Lot 21, 19.36
 E 125 feet of N 100 feet of S 150 feet Lot 21, 38.71
 E 125 feet of N 150 feet of S 300 feet Lot 21, 58.07
 E 125 feet of S 100 feet of N 215 feet Lot 21, 38.71
 E 125 feet of N 115 feet Lot 21, 44.52
 E 125 feet of S 175 feet Lot 22, 67.74
 E 125 feet of N 192 feet of S 367 feet Lot 22, 74.32
 E 125 feet of S 50 feet of N 150 feet Lot 22, 19.36
 E 125 feet of N 100 feet of Lot 22, 38.71

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

Section 1. That the said whole cost and apportionment of the same, as hereinbefore set forth, is hereby assessed against all the real estate in said district and to and upon each lot or tract of land within said district and against such persons and in the portions and amounts which are severally hereinbefore set forth.

Section 2. That said assessments are hereby declared to be a lien in the several amounts assessed against each lot or tract of land herein described from the final publication of this ordinance, and shall have priority over other liens, except general taxes.

Section 3. That said assessments shall be due and payable within

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thirty days after the final publication of this ordinance without demand; provided, that all such assessments may, at the election of the owner, be paid in installments with interest as hereinafter provided. Failure to pay the whole assessment within said period of thirty days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in such installments. All persons so electing to pay in installments shall be conclusively considered and held as consenting to said improvements, and such election shall be conclusively held and considered as a waiver of any and all rights to question the power and jurisdiction of the City to construct the improvements, the quality of work, the regularity and sufficiency of the proceedings, or the validity or correctness of the assessment.

Section 4. That in case of such election to pay in installments, the assessments shall be payable in ten equal annual installments of the principal, with interest upon unpaid installments, payable semi-annually, at the rate of six per cent. per annum. The first of said installments of said principal shall be due on the twenty-eighth day of February, A. D. 1913, and shall be payable on or before said day, and the remainder of said installments shall be due on the same day of each year thereafter and shall be payable on or before the said day in each year, until all of said installments are paid in full.

Section 5. That the failure to pay any installment, whether of principal or interest as herein provided, when due, shall cause the whole unpaid principal to become due and payable immediately, and the whole amount of the unpaid principal and accrued interest shall thereafter draw interest at the rate of one per cent. per month or fraction of a month until the day of sale, as by law provided, but at any time prior to the day of sale the owner may pay the amount of all delinquent installments, with interest at one per cent. per month or fraction of a month as aforesaid, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any piece of real estate not in default as to any installment, may at any time pay the whole of the unpaid principal, with interest accrued.

Section 6. That payment may be made to the City Treasurer at any time within thirty days after the final publication of this ordinance, and an allowance of the six per cent. added for cost of collection and other incidentals, and of interest from the date of payment to the twenty-eighth day of February, A. D. 1913, shall be made on all payments made during said period of thirty days.

Section 7. That all the provisions of Ordinance No. 178 of the City of Grand Junction, adopted and approved June 11, 1910, shall govern and be taken to be a part of this ordinance, with respect to the creation of said Paving District No. 4, the construction of the improvements therein, the apportionment and assessment of the cost thereof, and the collection of such assessment.

Section 8. That this ordinance after its introduction and first reading shall be published once in full in the Daily News, the official newspaper of the city, at least ten days before its final passage, and after its final passage, it shall again be published once in the Daily News, the official newspaper of the city, and after its final passage shall be numbered and recorded in the city ordinance record, and a certificate of such adoption and publication shall be authenticated by the certificate of the publisher and the signatures of the Mayor and Clerk, and shall be in full force and effect on and after the date of such final publication, except as otherwise by the Charter of the City of Grand Junction provided.

Introduced and read at a regular meeting of the City Council, held the 19th day of November, A. D. 1912.

Adopted and approved the third day of December, A. D. 1912.

Authenticated and approved the third day of December, A. D. 1912.

Attest:

Thos M. Ford
.....
Mayor.


Charles K. Holmberg
.....
City Clerk.

First publication, November 21, 1912.
Final publication, December 4, 1912.

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I HEREBY CERTIFY, that the foregoing ordinance, entitled "An Ordinance Approving the Whole Cost of the Improvements Made in and for Paving District Number Four, in the City of Grand Junction, Colorado, Pursuant to Ordinance No. 178, adopted and approved June 11, 1910, and Pursuant to the Resolutions and Proceedings of the City Council, Adopted Pursuant to said Ordinance No. 178, Approving the Apportionment of said Costs to each Lot or Tract of Land in said District, Assessing a Share of said Cost Against each Lot or Tract of Land in said District, and Prescribing the manner for the Collection and Payment of said Assessment," was introduced and read at a regular meeting of the City Council of the City of Grand Junction, held on the 19th day of November, A. D. 1912, and that the same was published in full in the Daily News, a daily newspaper published and in general circulation in said city, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City, this 3d day of December, A. D. 1912.


Charles K. Holmberg
.....
City Clerk.