

74

ORDINANCE No. 74.

An Ordinance to Contract an Indebtedness on Behalf of the City of Grand Junction by Issue of Its Bonds in the Sum of \$55,000 and for the Purchase of the Grand Junction Water Company's System of Water Works, Now in Operation in Said City, the Same to Be Forever Owned, Operated and Managed By Said City for the Purpose of Supplying the City and the Inhabitants Thereof with Water for Fire and Domestic Purposes.

WHEREAS, at a special election held in the town (now city) of Grand Junction on the 3rd day of July, A. D. 1888, and by an ordinance duly and in due form and manner passed by the then town council of the town of Grand Junction, the construction of a water works plant and system was duly approved and authorized, which said water works were duly constructed and erected and are now owned and operated by the Grand Junction Water Company for the purpose of supplying the city of Grand Junction and the inhabitants thereof with water for fire and domestic purposes; and

WHEREAS, the city council of the city of Grand Junction did, on the 28th day of February, A. D. 1898, at a meeting thereof duly called and then held, offer to purchase of the said Grand Junction Water Company the said system of water works for the sum of fifty-five thousand dollars (\$55,000), to be paid for by the exchange of its legally issued bonds, the same to bear interest at the rate of six (6) per centum per annum, payable semi-annually, and

WHEREAS, the said water works company then and there accepted the offer and agreed to sell and deliver for such price and upon the aforesaid payment; and

WHEREAS, the city council of the city of Grand Junction did, upon March 19th, 1898, duly and in due form and manner, pass a resolution submitting the question of such purchase of the said water works and the issuance of bonds therefor to the qualified electors of said city who have paid a property tax therein during the preceding year, the same to be voted upon at the general election of city officers held within the said city on April 5th, A. D. 1898; notice of which said election was duly published for fifteen days prior to said general election; and

WHEREAS, by the official canvass made by the duly organized canvassing board of said election, it appears that there were cast in favor of the purchase of said water works and the issuing of said bonds 205 votes and against the purchase of the water works and the issue of said bonds 123 votes. The said proposition for the purchase of the said water works and the issuing of said bonds having, therefore, carried, now,

THEREFORE, be it ordained by the city council of the city of Grand Junction, Colorado:

Section 1.—That the city of Grand Junction purchase the water works, for fire and domestic purposes, owned by the Grand Junction Water Company, and now operated in the city of Grand Junction and adjacent thereto, and that this city pay therefor fifty-five thousand dollars in the legally issued bonds of this city bearing six per centum per annum, as hereinafter provided.

Section 2.—That the city is hereby authorized to create and does create an indebtedness by the issuance of its bonds in the sum of fifty-five thousand dollars (\$55,000) for the purchase of the Grand Junction Water Company's water works system for the supplying of the city of Grand Junction and the inhabitants thereof with water for fire and domestic purposes. Said water works, when so purchased shall be forever owned and operated by the city of Grand Junction and the said bonds shall be redeemable in ten (10) years and absolutely due and payable in fifteen (15) years from the date of issuance, which said bonds shall bear interest at the rate of six (6) per cent per annum, payable semi-annually, and shall be in the form hereinafter prescribed.

Section 3.—There shall be issued fifty-five (55) bonds of the principal sum of one thousand dollars (\$1,000) each, to be numbered in regular order from one to fifty-five, both inclusive, bearing interest at the rate of six (6) per centum per annum, payable semi-annually on the first days of November and May of each year, which interest shall be evidenced by coupons attached to each of said principal bonds; said coupons shall be numbered from one to thirty, both inclusive, and be authenticated by the signature of the city treasurer.

Said bonds shall bear date of the second day of May, A. D. 1898, shall be signed by the mayor and city clerk, sealed with the seal of the city, countersigned by the city treasurer and issued under the direction of the city council and shall be payable at the banking house of Kountz Brothers in the city of New York or at the office of the city treasurer of the city of Grand Junction, at the option of the legal holder or holders thereof.

Section 4.—Said bonds shall be in the following form, namely:

THE UNITED STATES OF AMERICA.

No. \$1,000.00.

The City of Grand Junction Water Bond.

The City of Grand Junction, in the County of Mesa and State of Colorado, for value received, acknowledges itself indebted and hereby promises to pay to the bearer one thousand dollars (\$1,000), lawful money of the United States of America, on the first day of May, A. D. 1913, with interest thereon at the rate of six (6) per centum per annum, payable semi-annually, in like lawful money, on the first day of November and the first day of May, both principal and in

Grand Junction and the said bonds shall be receivable in ten (10) years and absolutely due and payable in fifteen (15) years from the date of issuance, which said bonds shall bear interest at the rate of six (6) per cent per annum, payable semi-annually, and shall be in the form hereinafter prescribed.

Section 3.—There shall be issued fifty-five (55) bonds of the principal sum of one thousand dollars (\$1,000) each, to be numbered in regular order from one to fifty-five, both inclusive, bearing interest at the rate of six (6) per centum per annum, payable semi-annually on the first days of November and May of each year, which interest shall be evidenced by coupons attached to each of said principal bonds; said coupons shall be numbered from one to thirty, both inclusive, and be authenticated by the signature of the city treasurer.

Said bonds shall bear date of the second day of May, A. D. 1898, shall be signed by the mayor and city clerk, sealed with the seal of the city, countersigned by the city treasurer and issued under the direction of the city council and shall be payable at the banking house of Kountz Brothers in the city of New York or at the office of the city treasurer of the city of Grand Junction, at the option of the legal holder or holders thereof.

Section 4.—Said bonds shall be in the following form, namely:

THE UNITED STATES OF AMERICA.

No. ----- \$1,000.00.

The City of Grand Junction Water Bond.

The City of Grand Junction, in the County of Mesa and State of Colorado, for value received, acknowledges itself indebted and hereby promises to pay to the bearer one thousand dollars (\$1,000), lawful money of the United States of America, on the first day of May, A. D. 1913, with interest thereon at the rate of six (6) per centum per annum, payable semi-annually, in like lawful money, on the first day of November and the first day of May, both principal and interest payable at the office of the city treasurer of the city of Grand Junction, Colorado, or at the banking house of Kountz Brothers in the city of New York, U. S. A., at the option of the legal holder, upon the presentation and surrender of this bond or of the annexed coupons respectively as they severally become due.

It shall be optional with the City of Grand Junction to redeem this bond at any time after ten (10) years from the date hereof.

This bond is one of fifty-five (55) of like tenor, date and amount which the City of Grand Junction has issued to purchase the Grand Junction Water Company's water works system for the supplying of the city of Grand Junction with water for fire and domestic purposes in due form and manner according to law and under and by virtue of and in full and strict compliance with the acts of the general assembly of the state of Colorado relating to municipal corporations.

And it is hereby certified and recited that all acts, conditions and things required to be done, precedent to and in the issuing of this bond, to render the same lawful and valid, have been properly done and performed in regular and due time, form and manner as required by law and that the total indebtedness of said city including this bond and issue exceeds neither the statutory nor the constitutional limitation of the state of Colorado.

IN TESTIMONY WHEREOF, the said City of Grand Junction has caused this bond to be signed by its duly elected qualified and acting mayor, attested by its city clerk under the corporate seal of said city, and countersigned by the city treasurer of said city of Grand Junction, Colorado, this second day of May, A. D. 1898.

----- Mayor.
Attest: -----
----- City Clerk.
Countersigned by -----
----- City Treasurer.

And the said coupon shall be in the following form:

No. ----- \$30.00.

On the first day of ----- A. D. 1----- the City of Grand Junction, in the County of Mesa and State of Colorado, will pay the bearer thirty dollars (\$30), in lawful money of the United States of America, at the office of the city treasurer of the city of Grand Junction or at the banking house of Kountz Brothers in the city of New York, at the option of the holder, being six (6) months interest due on that day on Water Bond No.

----- City Treasurer.

Section 5.—It shall be the duty of the city council annually hereafter and so long as any of the aforesaid bonds shall be outstanding and unpaid, at the time and the manner provided by law, for levying their city taxes, to levy a special tax, sufficient in amount, to pay the accruing interest on said bonds and it shall be the duty of the city council in the year A. D. 1908, and annually thereafter so long as any of said bonds shall be outstanding and unpaid, to levy in addition to the aforesaid tax for interest, a tax sufficient in amount to pay one fifth part of the amount of the principal of said bonds or so much thereof as shall be necessary and such taxes when collected shall be applied only to the payment of the interest and principal of said bonds until such indebtedness shall have been fully paid and discharged.

Section 6.—The city council shall have the power in its discretion to apply any sum in the treasury belonging to the sinking fund so created to the purchase for the city of said bonds before the maturity thereof and the bonds so purchased shall be cancelled or destroyed in such manner as the city council may direct.