

ORDINANCE NO. 414

AN ORDINANCE APPROVING THE WHOLE COST OF THE IMPROVEMENTS MADE IN AND FOR COMBINED SEWER DISTRICT NO. 4, IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, AS AMENDED AND PURSUANT TO THE RESOLUTIONS AND PROCEEDINGS OF THE CITY COUNCIL, ADOPTED PURSUANT TO SAID ORDINANCE NO. 178, AS AMENDED, APPROVING THE APPORTIONMENT OF SAID COST 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.

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 certain improvements in Combined Sewer District No. 4, in the City of Grand Junction, pursuant to Ordinance No. 178 of said City, as amended 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 Combined Sewer District No. 4 and the apportionment of the cost thereof to all persons interested and to the owners of the real estate which is described Sewer District No. 4 in the City of Grand Junction, Colorado, which said notice was caused to be published in The Daily Sentinel, the official newspaper of the City of Grand Junction (the first publication thereof appearing December 4th, 1926, and the last publication thereof appearing December 6th, 1926.)

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 5 o'clock P. M. on the 4th day of January, 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 improvement; and

WHEREAS, The City Council has duly confirmed the statement prepared by the City Council and certified by the President, showing the whole cost of said improvements and the apportionment thereof heretofore made as contained in that

certain notice to property owners in Combined Sewer District No. 4, duly published in The Daily Sentinel, the official newspaper of the City, and has duly ordered that the cost of said sewers and improvements in said Combined Sewer 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 improvement is the sum of \$29,507.08, said amount including two per cent additional for cost of collection and other incidentals, and including interest to the 28th day of February, 1927, at the rate of four and three-fourths 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:

(NOTE: Wherever in the following descriptions, the numbers of the first and last lots of a series of lots are mentioned, they shall be taken to include the first, the intermediate, and the last named lots, and the amounts given shall be for each lot.)

Block 45 --	Lots 19 to 34	17.01
	Lot 18	35.34
Block 46 --	Lots 17 to 32	17.08
Block 47 --	South 1/2 of block	273.28
Block 48 --	Lots 17 to 32	17.08
Block 49 --	Lots 1 to 5	19.18
	Lots 21 to 29	17.16
Block 50 --	Lots 17 to 21	18.42
	Lots 22 to 31	17.02
Block 51 --	Lots 17 to 32	17.07
Block 52 --	Lots 17 to 32	17.07
Block 53 --	Lots 17 to 32	17.07
Block 54 --	Lots 17 to 32	17.07
Block 55 --	Lots 13 to 24	17.00
Block 56 --	Lots 1 to 24	17.00
Block 57 --	Lots 1 to 32	17.06
Block 58 --	Lots 1 to 32	17.06
Block 59 --	Lots 1 to 32	17.06
Block 60 --	Lots 1 to 32	17.06
Block 61 --	Lots 1 to 10	17.02
	Lots 11 to 20	18.41
	Lots 21 to 30	17.03
Block 62 --	Lots 1 to 5	8.12
	Lots 6 to 10	19.17

	Lots 11 to 19	17.16
	Lots 20 to 28	7.27
Block 63 --	Lots 1 to 16	17.07
	Lots 17 to 32	7.23
Block 64 --	Lots 1 to 16	17.07
	Lots 17 to 32	7.23
Block 65 --	Lots 1 to 16	17.07
	Lots 17 to 32	7.23
Block 66 --	Lots 1 to 16	17.00
	Lot 17	35.33
	Lot 18	14.86
	Lots 19 to 34	7.21
Block 67 --	Lots 1 to 16	7.21
	Lot 17	14.87
	Lot 18	41.74
	Lots 19 to 34	20.41
Block 68 --	Lots 1 to 16	7.24
	Lots 17 to 32	20.48
Block 69 --	Lots 1 to 16	7.24
	Lots 17 to 32	20.48
Block 70 --	Lots 1 to 16	7.24
	Lots 17 to 32	20.48
Block 71 --	Lots 1 to 6	19.15
	Lots 7 to 11	8.13
	Lots 12 to 20	7.27
	Lots 21 to 29	20.55
Block 72 --	Lots 1 to 10	17.04
	Lots 11 to 15	18.42
	Lots 16 to 21	18.45
	Lots 22 to 31	20.45
Block 73 --	Lots 1 to 16	17.07
	Lots 17 to 32	20.49
Block 74 --	Lots 1 to 16	17.07
	Lots 17 to 32	20.48
Block 75 --	Lots 1 to 16	17.07
	Lots 17 to 32	20.50
Block 76 --	Lots 1 to 16	17.07
	Lots 17 to 32	20.49
Block 77 --	Lots 1 to 12	17.01
	Lots 13 to 24	20.41
Block 78 --	Lots 1 to 12	20.34
	Lots 13 to 24	17.02
Block 79 --	Lots 1 to 16	20.42
	Lots 17 to 32	17.08
Block 80 --	Lots 1 to 16	20.43
	Lots 17 to 32	17.09
Block 81 --	Lots 1 to 16	20.41
	Lots 17 to 32	17.07
Block 82 --	Lots 1 to 16	20.42
	Lots 17 to 32	17.08
Block 83 --	Lots 1 to 10	20.39
	Lots 11 to 16	18.37
	Lots 17 to 21	18.44
	Lots 22 to 31	17.06
Block 84 --	Lots, all of block	612.89
Block 85 --	Lots 1 to 16	20.41
	Lots 17 to 32	17.07

Block 86 --	Lots 1 to 16	20.41
	Lots 17 to 32	17.07
Block 87 --	Lots 1 to 16	20.41
	Lots 17 to 32	17.07
Block 88 --	Lots 1 to 16	20.34
	Lot 17	41.60
	Lot 18	34.50
	Lots 19 to 34	17.02
Block 89 --	Lots 1 to 16	16.96
	Lot 17	34.39
Block 90 --	Lots 1 to 16	17.02
Block 91 --	Lots 1 to 16	17.02
Block 92 --	Lots 1 to 16	17.02
Block 93 --	Lots 6 to 10	19.08
	Lots 11 to 19	17.06
Block 94 --	Lots 1 to 10	17.00
	Lots 11 to 15	18.38
Block 95 --	North 1/2 of West 1/2 of blk.	136.23
	North 1/2 of East 1/2 of blk.	136.23
Block 96 --	Lots 1 to 16	17.02
Block 97 --	Lots 1 to 16	17.04
Block 98 --	Lots 1 to 16	17.03
Block 99 --	Lots 1 to 12	16.97
<u>Lincoln Park Addition</u>		
Block 1 --	Lot 17	17.07
	Lots 18 to 32	17.01
Block 2 --	Lots 17 to 32	17.01
Block 3 --	Lots 13 to 24	17.01
<u>Dundee Place Addition</u>		
Block 1 --	Lots 1 to 15 & 18 to 32	17.00
	Lots 16 to 17	17.06
Block 2 --	Lots 1 to 32	17.00
Block 3 --	Lots 1 to 12 & 15 to 26	17.00
Block 4 --	Lots 1 to 12	17.01
	Lots 15 to 26	20.41
Block 5 --	Lots 1 to 16	17.01
	Lots 17 to 32	20.41
Block 6 --	Lots 1 to 15	17.01
	Lot 16	17.07
	Lot 17	20.49
	Lots 18 to 32	20.41
<u>Keiths Addition</u>		
Block A --	Lots 1 to 15	20.36
	Lot 16	20.44
	Lot 17	17.08
	Lots 18 to 32	17.02
Block B --	Lots 1 to 16	20.36
	Lots 17 to 32	17.02
Block C --	Lots 1 to 13	20.36
	Lots 14	17.40
	Lot 19	15.01
	Lots 20 to 32	16.97
Block D --	Lots 1 to 16	16.97
Block E --	Lots 1 to 16	16.97
Block F --	Lots 1 to 13	16.97
	Lot 14	15.57

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. As to any subdivisions in proportion to the respective areas.

Section 3. That said assessments shall be due and payable within thirty days of 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 or 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 four and three-fourths per cent per annum. The first of said installments of said principal shall be due on the 28th day of February. A. D. 1927, and shall be payable on or before said day, and the remainder 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 said assessment to become due and payable immediately, and

the said assessment 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. 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 two per cent added for cost of collection and other incidentals, and of interest from the date of payment to the 28th day of February, A. D. 1927, 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, as amended, shall govern and be taken to be a part of this ordinance, with respect to the creation of said Combined Sewer 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 Sentinel, 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 Sentinel, 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 President 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 on the 5th day of January, A. D. 1927.

Adopted and approved the 19th day of January, A. D. 1927.

/s/ Dr. J. E. Bell

President of the Council

ATTEST:

/s/ Helen C. Niles

City Clerk

I HEREBY CERTIFY That the foregoing ordinance was introduced and read at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 19th day of January, A. D. 1927, and that the same was published in The Daily Sentinel, a daily newspaper published and in general circulation in said City, at least ten days before its passage.

IN WITNESS WHEREOF, I have set my hand and affixed the official seal of said City, this 19th day of January, A. D. 1927.

/s/ Helen C. Niles

City Clerk

1st publication Jan. 7th, 1927.
Last publication Jan. 20th, 1927.