

ORDINANCE NO. 439

AN ORDINANCE AMENDING SECTION 29 OF AN ORDINANCE ENTITLED "AN ORDINANCE PROVIDING FOR THE CREATION OF LOCAL IMPROVEMENT DISTRICTS, THE CONSTRUCTION THEREIN OF CERTAIN LOCAL IMPROVEMENTS AND PROVIDING A METHOD OF PAYMENT THEREFOR," ADOPTED AND APPROVED THE 11th DAY OF JUNE, A. D. 1910.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:-

SECTION 1. That Section 29 of Ordinance No. 178, entitled, "An Ordinance providing for the creation of local improvement districts, the construction therein of certain local improvements and providing a method of payment therefor," adopted and approved the 11th day of June, A. D. 1910, be and the same is hereby amended to read as follows:

Section 29. All assessments made or to be made in pursuance of this ordinance, together with all interest thereon and penalties for default in payment thereof, and all costs in collecting the same, shall constitute a perpetual lien on a parity with the tax lien for general, state, county, city, town or school taxes, and no sale of such property to enforce any general state, county, town or school tax or other lien shall extinguish the perpetual lien of such assessments. As to any subdivisions of any land assessed in pursuance of this ordinance, the assessment shall in each case be a lien upon all the subdivisions in proportion to their respective areas. No delays, mistakes, errors or irregularities in any act or proceeding authorized by this ordinance shall prejudice or invalidate any final assessment; but the same may be remedied by subsequent amending acts or proceedings, as the case may require, and when so remedied, the same shall take effect as of the date of the original act, or proceeding. If in any court of competent jurisdiction any final assessment made in pursuance of this ordinance be set aside, then the ordering authority may, upon notice as required in the making of an original assessment, make a new assessment in accordance with the provisions of this ordinance."

Section 2. All ordinance, or parts thereof, in conflice herewith are hereby repealed.

Section 3. By reason of the fact that the city must take prompt steps to preserve and maintain its credit and the credit of the special improvement districts therein, a special emergency is declared to exist, and the City Council finds and determines that this ordinance is immediately necessary for the preservation of the public peace, health, and safety, and that it shall take effect upon passage.

ADOPTED AND APPROVED this 5th day of December, A. D. 1928.

/s/ C. D. Moslander  
President of the Council

ATTEST:

/s/ Helen C. Niles  
City Clerk

I HEREBY CERTIFY That the foregoing ordinance, being an emergency ordinance entitled "AN ORDINANCE AMENDING SECTION 29 OF AN ORDINANCE ENTITLED, 'AN ORDINANCE PROVIDING FOR THE CREATION OF LOCAL IMPROVEMENT DISTRICTS, THE CONSTRUCTION THEREIN OF CERTAIN LOCAL IMPROVEMENTS AND PROVIDING A METHOD OF PAYMENT THEREFOR.'" ADOPTED AND APPROVED THE 11th DAY OF JUNE, A. D. 1910", was introduced, read, passed, and ordered published, by the unanimous vote of the members of the City Council of the City of Grand Junction, Colorado, at a regular meeting of the said Council held on the 5th day of December, A. D. 1928, and numbered 439.

IN WITNESS WHEREOF, I have set my hand and affixed the official seal of said City this 5th day of December, A. D. 1928.

/s/ Helen C. Niles  
City Clerk

Published December 6th, 1928.