

**ORDINANCE NO. 4725**

**AN ORDINANCE EXPANDING THE BOUNDARIES OF AND INCLUDING  
PROPERTY LOCATED AT 401 COLORADO AVENUE INTO THE DOWNTOWN  
GRAND JUNCTION BUSINESS IMPROVEMENT DISTRICT**

Recitals:

The Downtown Grand Junction Business Improvement District (District) was formed by the Grand Junction City Council by Ordinance No. 3815 on August 17, 2005 in accordance with the Business Improvement District Act, Part 12 of Article 25 of Title 31 of the Colorado Revised Statutes (the Act). The District's term was extended from ten to twenty years by Ordinance No. 4651 on December 17, 2014.

The District consists of taxable real property that is not classified for property tax purposes as either residential or agricultural (together with the improvements thereon). It was formed to provide resources to promote business activity and improve the economic vitality and overall commercial appeal of the Downtown area. Since its inception the District has operated in compliance with the Act.

The Estate of Nancy B Foltz, Robert W Foltz and Cyrene M Foltz owns real property in the Downtown area at 401 Colorado Avenue which it seeks to have included into the boundaries of the District. The Estate of Nancy B Foltz, Robert W Foltz and Cyrene M Foltz has submitted a Verified Petition for Inclusion of Property into the Downtown Grand Junction Business Improvement District (Petition).

The District's Board of Directors supports inclusion of the Property and finds that the rights, contracts, obligations, liens and charges of the District will not be impaired by the expansion of its boundaries to include the Property, and believes that the District will benefit from the inclusion.

Notice was posted in accordance with C.R.S. §31-25-1220 informing all persons having objection to appear at the time and place stated in the notice and show cause why the petition should not be granted.

The City Council finds that:

- The Petitioner owns the Property requested to be included;
- The Petition is sufficient;
- The Property is not classified for property tax purposes as either agricultural or residential;
- The District will not be adversely affected by the inclusion of the Property;
- The failure of persons to appear and show cause against inclusion of the Property into the boundaries of the District is deemed to be assent on their part to the inclusion;
- No cause has been shown that the Property should not be included;

Expansion of the boundaries of the District to include the Property furthers the goals and policies of the Comprehensive Plan and the Economic Development Plan and serves the interests of the District and the community.

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

The following real property together with improvements thereon shall be included in the Downtown Grand Junction Business Improvement District:

Lots 1, 2 and 3 in block 125 of the City of Grand Junction

Address: 401 Colorado Avenue, Grand Junction, Colorado 81501

Parcel Number: 2945-143-28-020

The City Clerk is directed to file a certified copy of this Ordinance with the Mesa County Clerk and Recorder.

Said property shall thereafter be subject to the levy of taxes for the payment of its proportionate share of any indebtedness of the district outstanding at the time of inclusion.

Introduced on first reading this 16<sup>th</sup> day of November, 2016 and ordered published in pamphlet form.

Adopted on second reading this 7<sup>th</sup> day of December, 2016 and ordered published in pamphlet form.

  
\_\_\_\_\_  
President of the City Council

ATTEST:


  
\_\_\_\_\_  
City Clerk



I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 4725 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 16<sup>th</sup> day of November, 2016 and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, in pamphlet form, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the 7<sup>th</sup> day of December, 2016, at which Ordinance No. 4725 was read, considered, adopted and ordered published in pamphlet form by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 12<sup>th</sup> day of December, 2016.

  
\_\_\_\_\_  
Stephanie Tuin, MMC  
City Clerk

Published: November 18, 2016  
Published: December 09, 2016  
Effective: January 08, 2017

