

ORDINANCE NO. 4757

**AN ORDINANCE EXPANDING THE BOUNDARIES OF AND INCLUDING
PROPERTY KNOWN AS LAS COLONIAS 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 City of Grand Junction owns real property in the Downtown area known as Las Colonias which it seeks to have included into the boundaries of the District. The City of Grand Junction 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:

A certain parcel of land lying in the East three-quarters (E 3/4) of Section 23, Township 1 South, Range 1 West of the Ute Principal Meridian and lying in the West-half (W 1/2) of Section 24, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the intersection of the North line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 24 and the East right of way for Riverside Parkway; thence Easterly along said North line to the Northwest corner of the Replat of Pleasant View Subdivision, as same is recorded in Plat Book 8, Page 63, Public Records of Mesa County, Colorado; thence Southerly along the West line of said subdivision to the Southwest corner of said subdivision; thence Easterly along the South line of said subdivision to a point on the West right of way for 27-1/2 Road; thence Southerly along said West right of way to a point on the South line of the SE 1/4 NW 1/4 of said Section 24; thence Westerly along said South line to a point being the Northwest corner of the Northeast Quarter of the Northeast Quarter of the Southwest Quarter (NE 1/4 NE 1/4 SW 1/4) of said Section 24; thence Southerly along the West line of the NE 1/4 NE 1/4 SW 1/4 of said Section 24 to a point on the centerline (thalweg) of the Colorado River; thence Westerly along the centerline of the Colorado River to a point on the East right of way for Highway 50; thence traversing Northeasterly along the East right of way for Highway 50 to a point being the Southwest corner of that certain parcel of land currently assigned Mesa County Parcel Number 2945-233-00-022; thence Southeasterly along the South line of said parcel to a point being the Southeast corner of said parcel; thence Northerly along the East line of said parcel to a point on the South right of way for Struthers Avenue; thence Easterly along said South right of way to a point on the Northerly extension of the West line of Arcieri Subdivision, as same is recorded in Plat Book 12, Page 260, Public Records of Mesa County, Colorado; thence traversing the entire exterior boundary of said Arcieri Subdivision, Southerly, Easterly and Northerly to a point being the intersection of the Northerly extension of the East line of said Arcieri Subdivision with the South right of way for said Struthers Avenue; thence Easterly along said South right of way to a point being the Northwest corner of the certain parcel of land currently assigned Mesa County Parcel Number 2945-234-00-029; thence Southerly along the West line of said parcel to a point being the Southwest corner of said parcel; thence Easterly along the South line of said parcel to a point being the Southeast corner of said parcel and lying on the West line of Edgewater Subdivision, as same is recorded in Book 4986, Page 257, Public Records

of Mesa County, Colorado; thence Southerly along said West line to a point being the Southwest corner of said Edgewater Subdivision; thence Easterly along the South line of said Edgewater Subdivision and the Easterly extension of the South line of Jeffryes Simple Subdivision, as same is recorded in Plat Book 18, Page 393, Public Records of Mesa County, Colorado to a point on the East line of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of said Section 23; thence Northerly along said East line to a point on the South right of way for Riverside Parkway; thence Easterly, Northeasterly and Northerly traversing the South and East right of way of said Riverside Parkway to the Point of Beginning.

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 17th day of May, 2017 and ordered published in pamphlet form.

Adopted on second reading this 7th day of June, 2017 and ordered published in pamphlet form.



President of the City Council

ATTEST:



City Clerk



I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 4757 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 17th day of May, 2017 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 7th day of June, 2017, at which Ordinance No. 4757 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 12th day of June, 2017.

Stephanie Tuin
Stephanie Tuin, MMC
City Clerk

Published: May 19, 2017
Published: June 9, 2017
Effective: July 9, 2017

