

ORDINANCE NO. 1066

AN ORDINANCE RELATING TO STATE HIGHWAYS WITHIN THE CITY OF GRAND JUNCTION; PROVIDING FOR CERTAIN TRAFFIC REGULATIONS THEREON; AND PARTICULARLY RELATING TO STATE HIGHWAY NO. 4 ALONG NORTH AVENUE BETWEEN EIGHTH STREET AND EAST CITY LIMITS IN THE CITY OF GRAND JUNCTION, COLORADO; DEDICATING THE SAME TO THE PEOPLE OF THE STATE OF COLORADO AS A PART OF STATE HIGHWAY NO. 4, AND RECOGNIZING THE RIGHT OF THE DEPARTMENT OF HIGHWAYS OF THE STATE OF COLORADO TO CONSTRUCT AND MAINTAIN THE SAME, AND DECLARING AN EMERGENCY.

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

Section 1. That the public necessity and convenience requires the widening and reconstruction of a portion of State Highway No. 4, which lies in and on a street of said City, in accordance with the plans and specifications of Project No. F 001-1(17) of the Colorado Department of Highways.

Section 2. That the portion of the said Street is hereby dedicated to the People of the State of Colorado as a connecting link in and as a part of Colorado State Highway No. 4; that this Ordinance shall constitute an agreement on behalf of the City with the Colorado Department of Highways, that said portion of said Street shall be included in said Colorado State Highway No. 4 as a necessary and convenient connecting link for carrying such highway through said City, subject to relocation or abandonment, as provided by law for State Highways.

Section 3. That this Ordinance shall be, and is, recognition by the said City of the right of the Colorado Department of Highways, and its contractor or contractors, to proceed at once or at any time in the future, to construct said connecting link of said Colorado State Highway No. 4, in the City of Grand Junction, on the portion of the street involved.

Section 4. That said portion of said street, when constructed and improved, shall remain a through Street, and this Ordinance is recognition by said City of the right of the Colorado Department of Highways to place signs and warnings at points selected by the Department for the purpose of informing the traveling public that the said portion of the said Street is a through Street, and for the purpose of requiring such stops and speeds as may be necessary to protect the traveling public in the use of said portion of said Street.

Section 5. That on no portion of any State Highway or connecting link within the said City shall any person violate any of the provisions of Chapter 13, Colorado Revised Statutes, 1953, nor any of the laws amending the same, or any of the rules or regulations issued in pursuance thereof.

Section 6. That parking is hereby prohibited at all times along the said portion of said Street which is included in this project. Upon the basis of engineering and traffic investigations by the Colorado Department of Highways, and by the said City, it has been determined that a reasonable and true prima facie speed limit on said portion of said Street shall be thirty (30) miles per hour, between Eighth Street and Twelfth Street, and thirty-five (35) miles per hour from Twelfth Street to the East City Limits, provided that standard signs are erected giving notice of the authorized speed as provided by Chapter 13, Article 4, Sections 33 (4), & 34 (2) Colorado Revised Statutes, 1953.

Section 7. That there shall be no parking whatsoever on any roadway or contiguous shoulder of any State Highway or connecting link within said City during the times and at the places where snow removal operations are in progress.

Section 8. That any violation of this Ordinance shall be punishable in the police court of said City, by penalty as provided by Chapter 47, 1953 Compiled Ordinances of the said City regulating the use of public streets. Any police officer of the said City is hereby authorized and required to enforce the provisions of this Ordinance and the Police Magistrate shall have jurisdiction to hear and try any person charged with violating this Ordinance and if such person be guilty, to punish such person as provided in the above-mentioned City Ordinance regulating the use of public streets.

Section 9. That all traffic and parking regulations hereafter adopted pertaining to the streets and roadways forming a part of the State Highway System or being a connecting link thereof, shall be submitted to the Colorado Department of Highways for approval in accordance with the provisions of Chapter 202, Section 35 (d), of the Session Laws of Colorado, 1953, before they shall become effective.

Section 10. That all parts of Ordinances in conflict herewith are hereby repealed.

Section 11. That if any provision of this Ordinance, or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are declared to be severable.

Section 12. That this Ordinance is necessary for the immediate protection and preservation of the public health, safety, convenience and general welfare, and that certain funds now available for the construction of portions of said Highways must be used within a short limitation of time or be forfeited and it is enacted for that purpose and shall be in force and effect immediately after passage and final publication.

PASSED AND ADOPTED this 4th day of February, 1959.

/s/Harold H. Shults
President of the City Council

ATTEST:

/s/Helen C. Tomlinson
City Clerk

I HEREBY CERTIFY that the foregoing emergency ordinance, entitled, AN ORDINANCE RELATING TO STATE HIGHWAYS WITHIN THE CITY OF GRAND JUNCTION; PROVIDING FOR CERTAIN TRAFFIC REGULATIONS THEREON; AND PARTICULARLY RELATING TO STATE HIGHWAY NO. 4 ALONG NORTH AVENUE BETWEEN EIGHTH STREET AND EAST CITY LIMITS IN THE CITY OF GRAND JUNCTION, COLORADO; DEDICATING THE SAME TO THE PEOPLE OF THE STATE OF COLORADO AS A PART OF STATE HIGHWAY NO. 4, AND RECOGNIZING THE RIGHT OF THE DEPARTMENT OF HIGHWAYS OF THE STATE OF COLORADO TO CONSTRUCT AND MAINTAIN THE SAME, AND DECLARING AN EMERGENCY, was introduced, read, passed and adopted as an emergency ordinance, numbered 1066 and ordered published by the unanimous vote of the members of the City Council of the City of Grand Junction, at a regular meeting of said Council held on the 4th day of February, 1959.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of said City, this 5th day of February, 1959.

/s/Helen C. Tomlinson
City Clerk

Published February 7, 1959

A G R E E M E N T

THIS AGREEMENT, Made this 30th day of December, 1958, by and between THE STATE HIGHWAY COMMISSION OF COLORADO, a body corporate, for the use and benefit of the DEPARTMENT OF HIGHWAYS of the STATE OF COLORADO, hereinafter called the "Department", and the CITY OF GRAND JUNCTION, hereinafter called the "City", WITNESSETH: That

WHEREAS, the Department is currently designing a highway improvement in the City on North Avenue - 8th St. to 28th Road, S. H. No. 4, which improvement requires and includes proper drainage, and

WHEREAS, the City has requested that the Department install additional storm sewers at the expense of the City as a complement to the storm sewers now in place, as part of the Department project, and

WHEREAS, the Department is agreeable to having its Contractor install the storm sewers for the reason that it will not inconvenience the Department and will materially benefit the City and the Department.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements herein contained, and the faithful performance thereof, the parties hereto agree as follows:

1. The Department will cause to be installed 2918 lineal feet, more or less, of a storm sewer line from approximately Engineer's Centerline Station 83+58 to Sta. 111+65 of Department Project No. F 001-1(17) along the centerline of North Avenue in the City from 18th St. to and emptying into Indian Wash. Said installation shall include the necessary manholes and connections.

The City is to pay for the cost of the sewer line and manholes. Inlets and inlet connections necessary for draining the project will be connected into the storm sewer at Department expense.

2. The Department's plans and specifications for the project will provide for alternate bids on a 24" reinforced concrete sewer or 30" asbestos-bonded, asphalt-coated corrugated metal pipe.

3. The cost of the Department's operation as set forth in Paragraph 1 hereof to be paid for by the City, is estimated at \$22,000.00; however, the City shall make payment to the Department on the basis of the actual cost of said installations which may be more or less than the estimate and the City hereby agrees to pay the actual cost of the installation of the storm sewer and manholes upon receipt of the Department's billing which will be made with the completion of the work.

4. This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto respectively.

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5. This Agreement shall not be deemed valid until it shall have been approved by the Controller of the State of Colorado, or by such assistant as he may designate.

6. This Agreement is executed under the authority of Section 6, Article 2, Chapter 120, C.R.S. 1953, and with reference to the signatories on behalf of the City by virtue of a resolution passed at a meeting of the City Council held on Jan. 21, 1954, a certified copy of which is attached hereto.

IN WITNESS WHEREOF, the parties hereto have caused the foregoing Agreement to be executed the day and date first above written.

ATTEST:

William J. Paine
Chief Clerk

THE STATE HIGHWAY COMMISSION OF COLORADO,
A Body Corporate
For the Use and Benefit of the
DEPARTMENT OF HIGHWAYS
of the STATE OF COLORADO
MARK U. WATROUS, Chief Administrative
Officer and Chief Engineer

Mark U. Watrous

(SEAL)

ATTEST:

Helene C. Donlinson
City Clerk

CITY OF GRAND JUNCTION, COLORADO

BY *W. E. Shaver*
City Manager

APPROVED AS TO FORM:
DUKE W. DUNBAR, Attorney General

BY *Harold A. Shultz*
President, City Council

By *Frank P. Beck*
Deputy Attorney General

APPROVED:
Lacy L. Wilkinson
State Purchasing Agent

APPROVED:
Strom Thurmond
Governor

APPROVED:
E. J. Garrison
State Controller

Grand Junction, Colorado

Jan 23, 1959

This is to certify that at a City Council meeting of the City Council, City of Grand Junction, Colorado, held on Jan 21, 1959, the following resolution was adopted:

"Resolved that this Council hereby approves a certain Agreement with the Colorado Department of Highways, dated December 30, 1958, whereby the City obligates itself to reimburse the Department for installation of storm sewers in the City of Grand Junction, as per the terms of said Agreement, and authorizes the execution of said Agreement on behalf of the City of Grand Junction by the signatures of its City Manager and President of the City Council".

Helen C. Tomlinson
City Clerk

(SEAL)

EASEMENTS REQUIRED
 for Sidewalks + Curb Returns
 Project F001-1(17)
 Scale 1" = 20ft.

Mesa College

