

ORDINANCE NO. 2156

AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR IMPROVEMENT DISTRICT NO. ST-82, PHASES A, B AND C, IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS AMENDED; APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; APPROVING THE APPORTIONMENT OF SAID COST AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS.

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 Improvement District No. ST-82, Phases A, B and C, in the City of Grand Junction, pursuant to Ordinance No. 178 of said City, adopted and approved June 11, 1910, as amended, being Chapter 18 of the Code of Ordinances of the City of Grand Junction, Colorado, 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 Improvement District No. ST-82, Phases A, B and C, and the apportionment of the cost thereof to all persons interested and to the owners of real estate which is described therein, said real estate comprising the district of land known as Improvement District No. ST-82, Phases A, B and C, 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 on October 12, 1983, and the last publication thereof appearing on October 20, 1983); and

WHEREAS, said Notice recited the share to be apportioned to and upon each lot or 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 (30) days from the first publication of said Notice, to wit: on or before and up to 5:00 o'clock P.M. on the 14th day of November, 1983, and recited that such complaints would be heard and determined by the Council at its first regular meeting after the said thirty days and before the passage of any ordinance assessing the cost of said improvements; and

WHEREAS, pursuant to said Notice no written complaints were filed with respect to the proposed assessment of the cost of said improvements, except Pioneer Steel and Tube Distributors, Inc., of 1227 Winters Avenue filed an objection not to the amount of the assessment but as to the responsibility for its payment. This is a legal issue which will have to be later determined by the City Council. In addition objections have been made to the amount of

the assessments on the Etter-Epstein tracts; and

WHEREAS, the City Council has fully confirmed the statement prepared by the City Engineer and certified by the President of the City Council showing the assessable cost of said improvements and the apportionment thereof heretofore made as contained in that certain Notice to property owners in Improvement District No. ST-82, Phases A, B and C, duly published in the Daily Sentinel, the official newspaper of the City, and has duly ordered that the cost of said improvements in said Improvement District No. ST-82, Phases A, B and C, be assessed and apportioned against all of the real estate in said District in the portions contained in the aforesaid Notice, except for the assessments for Pioneer Steel and Tube Distributors, Inc., and Etter-Epstein, both of which will be determined in a supplementary assessing ordinance; and

WHEREAS, from the statement made and filed with the City Clerk by the City Engineer, it appears that the assessable cost of the said improvements is \$509,541.55 for Phase A, \$113,940.49 for Phase B and \$405,427.28 for Phase C, said amounts including six percent additional for cost of collection and other incidentals and including interest to the 8th day of January, 1984, at the average rate of 12.2636 percent per annum for Phase A and 9.52773 percent per annum for Phases B and C, 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 assessable cost to each lot or tract of land in said District in the following portions and amounts, severally, to wit:

LEGAL DESCRIPTIONS AND ASSESSMENTS

Lot 8 Blk 10 Foresight Park for Industry Fil No. 3 Sec 3 1S 1W
\$22,493.35

Lot 7 Blk 10 Foresight Park for Industry Fil No. 3 Sec 3 1S 1W
\$22,499.60

Lot 6 Blk 10 Foresight Park for Industry Fil No. 3 Sec 3 1S 1W
\$22,499.60

Lot 5 Blk 10 Foresight Park for Industry Fil No. 3 Sec 3 1S 1W
\$22,499.60

Lot 4 Blk 10 Foresight Park for Industry Fil No. 3 Sec 3 1S 1W
\$22,499.60

Lot 3 Blk 10 Foresight Park for Industry Fil No. 3 Sec 3 1S 1W
\$683.74

Lot 9 Blk 10 Foresight Park for Industry Fil No. 2 Sec 3 1S 1W
\$22,187.10

Lot 10 Blk 10 Foresight Park for Industry Fil No. 2 Sec 3 1S 1W
\$19,017.16

Beg 20 Rods W of SE Cor W2SW4SE4 Sec 3 1S 1W N 20 Rods W 20 Rods S
20 Rods E 20 Rods to Beg Exc N 70 ft & Exc W 33 ft for Rd as Per
B-1381 P-247 & Exc R-O-W on S as Per B-1427 P-877 & 878 Mesa Co
Records \$15,417.16

Lot 1 Foresight Village - A Replat of Dewey Sub Fil 1 Exc Lot 8
Sec 3 1S 1W \$26,187.04

Lot 2 Foresight Village - A Replat of Dewey Sub Fil 1 Exc Lot 8
Sec 3 1S 1W \$29,999.46

Lot 3 Foresight Village - A Replat of Dewey Sub Fil 1 Exc Lot 8
Sec 3 1S 1W \$18,124.68

Lot 4 Foresight Village - A Replat of Dewey Sub Fil 1 Exc Lot 8
Sec 3 1S 1W \$21,800.86

Lot 5 Foresight Village - A Replat of Dewey Sub Fil 1 Exc Lot 8
Sec 3 1S 1W \$23,053.34

Beg 30 ft N & 30 ft E of W4 Cor Sec 11 1S 1W E 255 ft N 300.8 ft W
255.5 ft S 300 ft to Beg Exc 5 ft on N for R-O-W as Desc in B-1381
P-246 of Mesa Co Records \$11,453.59

Lot 1 & E 5 ft Lot 3 Blk 6 Grand River Sub \$4,681.61

Lots 8-10-12-14 Blk 6 Grand River Sub \$7,503.63

W2 of Lot 4 & All of Lot 6 Blk 6 Grand River Sub \$3,223.21

Lot 2 & E2 of Lot 4 Blk 6 Grand River Sub \$7,904.81

Lots 1 & 3 Blk 5 Grand River Sub \$4,297.61

Lots 7-9-11-13 Blk 5 Grand River Sub \$7,503.63

Lot 5 Blk 5 Grand River Sub \$2,148.81

Lot 1 West Grand Sub Sec 15 1S 1W \$7,821.27

Lot 2 West Grand Sub Sec 15 1S 1W \$4,825.12

Lot 1 Winters Avenue Industrial Park Sec 23 1S 1W \$21,171.35

Lot 2 Winters Avenue Industrial Park Sec 23 1S 1W \$14,652.98

Lot 1 Colorado West Development Park Filing Two Sec 24 1S 1W
\$31,378.93

Beg NW Cor SW4SW4SE4 Sec 24 1S 1W S 76 ft E 249 ft N 76 ft W to
Beg \$264.00

Beg 76 ft S of NE Cor SW4SW4SE4 Sec 24 1S 1W E 249 ft S 76 ft W
249 ft N to Beg \$264.00

Beg 508 ft N & 249 ft E of S4 Cor Sec 24 1S 1W W 62 ft S 150 ft E
62 ft N to Beg \$531.48

Beg 328 ft N & 249 ft E of S4 Cor Sec 24 1S 1W W 62 ft S 158 ft E
62 ft N to Beg \$548.85

Beg 199 ft E of SW Cor SE4 Sec 24 1S 1W N 170 ft E 50 ft S 170 ft
W to Beg Exc E 15 ft for Rd \$486.33

Beg 249 ft E of S4 Cor Sec 24 1S 1W N 260 ft E 58.5 ft S 260 ft W
to Beg Exc S 30 ft for Rd \$798.96

Beg 279 ft E and 260 ft N of S4 Cor Sec 24 1S 1W E 117 ft N 80 ft
W 117 ft S to Beg \$277.90

Beg 279 ft E and 340 ft N of S4 Cor Sec 24 1S 1W E 117 ft N 100 ft
W 117 ft S to Beg \$347.37

Beg 279 ft E and 440 ft N of S4 Cor Sec 24 1S 1W E 117 ft N 100 ft
W 117 ft S to Beg \$347.37

Beg 279 ft E and 540 ft N of S4 Cor Sec 24 1S 1W N 120 ft E 117 ft
S 120 ft W to Beg \$416.85

Lots 6 to 11 and that Pt of Lots 12 and 13 W of W Bdry Fischer Ave
and N of Hwy R-O-W Blk 6 Artesia Hts Sec 25 1S 1W R-O-W Desc in B-
705 P-96 of Mesa Co Records \$33456.45

Lot 1 Blk 6 Artesia Heights Sec 25 1S 1W \$691.64

Lot 3 Blk 6 Artesia Heights Sec 25 1S 1W \$2593.66

Lot 2 Blk 6 Artesia Heights Sec 25 1S 1W \$2593.66

Lot 4 Blk 6 Artesia Heights Sec 25 1S 1W \$2593.66

Lot 5 Blk 6 Artesia Heights Sec 25 1S 1W \$2593.66

Beg SE Cor Lot 15 Blk 6 Artesia Heights N Alg E Li Lot and across
Vac Fischer Ave btn Lots 14 and 15 Blk 6 and Lot 10 Blk 7 Sd Sub
and Alg E Li Lots 5 to 10 Inc Sd Blk 7 to a Pt 523.74 ft N of Beg
W 125.36 ft to E Li Fischer Ave S Alg E Li and W Li Blk 7 and
across Vac Ave and Lots 13 and 14 Blk 6 sub to SWly Li Lot 14 SEly
10 ft to S Li Lot 14 E 115.7 ft to Beg Exc for R-O-W Desc in B-705
P-96 of Mesa Co Records \$32094.85

Lot 1 and N 30 ft Lot 2 Blk 7 Artesia Heights Sec 25 1S 1W
\$3073.48

Lot 2 Exc N 30 ft Blk 7 Artesia Hts and N 30 ft of Lot 3 Blk 7

Artesia Hts in Sec 25 1S 1W \$2593.66

S 30 ft of Lot 3 and N 30 ft Lot 4 Blk 7 Artesia Heights Sec 25 1S 1W \$2593.66

S 30 ft of Lot 4 and N 32.96 ft of Lot 5 Blk 7 Artesia Heights Sec 25 1S 1W \$2721.61

PHASE B

Beg SW Cor E4SW4NW4 Sec 7 1S 1E N 200 ft E 102.5 ft S 200 ft to Beg Exc S 60 ft for R-O-W \$4314.95

Beg 102.5 ft E of SW Cor E4 SW4NW4 Sec 7 1S 1E N 200 ft E 102.50 ft S 200 ft W to Beg Exc S 60 ft for R-O-W \$4314.95

Beg N 0 deg. 23 min. 16 sec. W 60 ft fr SW Cor SE4NW4 Sec 7 1S 1E N 0 deg. 23 min. 16 sec. W 991.98 ft N 34 deg. 28 min. 04 sec. E 35.35 ft 1 88 deg. 24 min. 51 sec. E 307.15 ft S 0 deg. 21 min. 35 sec. E 917.81 ft N 89 deg. 58 min. 1 sec. W 80 ft S 0 deg. 21 min. 35 sec. E 112 ft N 89 deg. 58 min. 01 sec. W 246.79 ft to Beg Exc for Rd R-O-W as Desc in B-1239 P-450, 451, 453, 454, 457, 458 B-1264 P-820 County Records

Beg 395 ft E of SW Cor NW4 Sec 7 1S 1E N 154 ft E 78 ft S 154 ft W to Beg & Pt of Lot 2 Laurie Ann Sub Sd Sec 7 as Desc in B-1421 P-1000 Exc Rd ROW as Per B-1385 P 709 & B-1386 P-743 Mesa Co Records \$4651.74

Tr A Blk 2 Replat of Blk 2 Cindy Ann Sub Sec 7 1S 1E Exc the N 79.7 ft of Sd Tr a Replat Blk 2 Cindy Ann Sub \$84.20

Lot 1 Blk 2 Princess Sub Sec 7 1S 1E \$63.14

Lot 3 Laurie Ann Sub Sec 7 1S 1E \$2736.32

Lot 1 Barger Sub Sec 7 1S 1E Exc Rd R-O-W as Per B-1397 P-304 Mesa Co Records \$1094.52

Beg 112 ft E of SW Cor SE4NE4 Sec 12 1S 1W E 80 ft N 207 ft W 80 ft S to Beg \$3998.02

S 207 ft of W 112 ft SE4NE4 Sec 12 1S 1W Exc E 60 ft of S 182 ft \$922.04

Beg 53 ft W of SE Cor W2S2W4SE4NE4 Sec 12 1S 1W N 182 ft W 60 ft S 182 ft E to Beg Exc S 30 ft for Rd \$2998.52

Beg 30 ft N and 51 ft W of SE Cor W2E2SE4NE4 Sec 12 1S 1W W 118 ft N 276 ft E 118 ft S to Beg Exc N 141 ft \$6346.86

Beg 30 ft N of SE Cor W2SE4NE4 Sec 12 1S 1W W 330 ft N 281 ft E 330 ft S 281 ft to Beg and Also Beg SE Cor W2SE4NE4 E 75 ft N 150 ft W 75 ft S 150 ft to Beg Exc St R-O-W Desc in B-1088 P-153 and

B-1392 P-442 Mesa Co Records

Lot 1 Blk 1 Melrose Estates Sub Grand Junction \$7996.05

Beg SE Cor Lot 21 Blk 1 Melrose Estates Sub N to NE Cor Sd Lot 21 W 75 ft S to S Li Lot 21 N 79 deg. 35 min. E Alg Sd S Li to Beg \$3798.12

Lot 21 Blk 1 Melrose Estates Sub Grand Junction Exc E 75 ft thereof \$4172.93

W 1 ft of Lot 1 and All Lot 2 McClure Park Sub Sec 12 1S 1W \$2498.76

E 48 ft of Lot 1 McClure Park Sub Sec 12 1S 1W \$2848.59

Lot 11 Blk 2 1st Add Arbor Village Sub Sec 12 1S 1W \$999.51

Lot 12 Blk 2 1st Add Arbor Village Sub Sec 12 1S 1W \$3298.37

Lot 1 Blk 3 Melrose Sub Sec 12 1S 1W \$299.85

Lot 8 Blk 1 Melrose Sub Sec 12 1S 1W \$3598.22

Lot 15 Blk 1 Regent Sub Sec 12 1S 1W \$3248.39

Lot 14 Blk 1 Regent Sub Sec 12 1S 1W \$3198.42

Lot 11 Blk 1 Regent Sub Sec 12 1S 1W \$4647.70

Lot 9 Bailey Sub \$3298.37

Lot 9 Blk 1 Regent Sub Sec 12 1S 1W \$3298.37

Lot 4 Blk 5 Regent Sub Sec 12 1S 1W \$2998.52

N 70 ft of Lot 1 Blk 5 Regent Sub \$4070.48

Lot 13 and E 4 ft Lot 12 Blk 1 Regent Sub Sec 12 1S 1W \$3398.32

Lot 12 Blk 1 Regent Sub Sec 12 1S 1W Exc E 4 ft \$3098.46

PHASE C

Beg N 89 deg. 57 min. 30 sec. W 275 ft and N 0 deg. 02 min. 30 sec. E 389.3 ft fr S4 Cor Sec 36 1N 1W N 31 deg. 32 min. 30 sec. E 175 ft N 58 deg. 27 min. 30 sec. W 344.95 ft S 150 deg. 36 min. W 189.18 ft S 58 deg. 27 min. 30 sec. E 300 ft to Beg \$12265.59

Beg N 89 deg. 57 min. 30 sec. W 275 ft and N 0 deg. 02 min. 30 sec. E 389.3 ft N 31 deg. 32 min. 30 sec. E 175 ft fr S4 Cor Sec 36 1N 1W N 31 deg. 32 min. 30 sec. E 431.33 ft N 58 deg. 27 min. 30 sec. W 258.32 ft S 32 deg. 45 min. 48 sec. W 178.59 ft S 53 deg. 04 min. W 245.04 ft S 15 deg. 36 min. W 25.82 ft S 58 deg. 27

min. 30 sec. E 344.95 ft to Beg \$30231.51

Lot 1 Northside Park Sec 36 1 N 1W Exc for R-O-W Beg SE Cor Sd Lot 1 N 37 deg. 54 min. 18 sec. E 19.3 ft S 63 deg. 58 min. 24 sec. W 10.78 ft N 89 deg. 57 min. 30 sec. W 142.55 ft S 14 deg. 06 min. 44 sec. W 10.86 ft S 89 deg. 57 min. 30 sec. E 143 ft to Beg for R-O-W as Per B-1431 P-525 Mesa Co Records \$18743.22

Lot 2 Northside Park Sec 36 1N 1W \$6602.39

Lot 3 Northside Park Sec 36 1N 1W \$6657.75

Lot 4 Northside Park Sec 36 1N 1W \$6658.46

Beg 659.44 ft E of SW Cor NW4SE4 Sec 36 1N 1W E 329.72 ft N 83.42 ft N 45 deg. 50 min. W 313.39 ft S 51 deg. 25 min. W 134.15 ft S 217.83 ft to Beg \$9402.44

Fr NW Cor SW4SE4 Sec 36 1N 1W N 27 deg. 20 min. E 282 ft N 31 deg. 22 min. E 107.3 ft N 89 deg. 48 min. E 293.1 ft for Beg N 27 deg. 20 min. E Alg Hwy 150 ft N 62 deg. 40 min. W at Rt Angle to Hwy 244.1 ft to Pt on E Li W2SW4NW4SE4 Sec 36 S Alg E Li 168.8 ft S 62 deg. 40 min. E 166.7 ft to Beg \$10513.36

Beg at a Pt on Ely Li Horizon Dr 640.7 ft N and S 31 deg. 32 min. 30 sec. W 50 ft fr S4 Cor Sec 36 1N 1W S 31 deg. 32 min. 30 sec. W 185 ft S 58 deg. 27 min. 30 sec. E 185 ft N 31 deg. 32 min. 30 sec. E 106.09 ft N 58 deg. 27 min. 30 sec. W 50 ft N 31 deg. 32 min. 30 sec. E 78.91 ft N 58 deg. 27 min. 30 sec. W 135 ft to Beg \$12966.47

Beg at a Pt on Ely R-O-W Horizon Dr N 640.7 ft and S 31 deg. 32 min. 30 sec. W 235 ft fr S4 Cor Sec 36 1N 1W S 58 deg. 27 min. 30 sec. E 185 ft N 31 deg. 32 min. 30 sec. E 106.09 ft S 58 deg. 27 min. 30 sec. E 200.66 ft S 39 deg. 30 min. W 155.03 ft S 10 ft N 78 deg. 11 min. 31 sec. W 393.44 ft to Horizon Dr N 31 deg. 32 min. 30 sec. E 118.81 ft to Beg \$13233.52

Beg N 38 deg. 27 min. 42 sec. W 356.45 ft fr S4 Cor Sec 36 1N 1W S 31 deg. 32 min. 30 sec. W 82.55 ft 217.4 ft Alg Arc of Curve to R which bears S 34 deg. 42 min. 37 sec. W to Nly R-O-W G Rd Alg R-O-W E 552.12 ft to SW Cor Lot 1 Blk 5 Partee Hts Sub N 168.6 ft N 78 deg. 11 min. 31 sec. W 393.44 ft to Beg Exc Rd R-O-W as Per B-1354 P-827 Mesa Co Records \$51717.32

Beg at a Pt on S Li Horizon Dr 640.3 ft N and S 31 deg. 32 min. 30 sec. W 50 ft fr S4 Cor Sec 36 1N 1W S 58 deg. 27 min. 30 sec. E 135 ft S 31 deg. 32 min. 30 sec. W 78.91 ft S 58 deg. 27 min. 30 sec. E 251.56 ft N 39 deg. 30 min. E 267.27 ft N 29 deg. 45 min. E 176 ft S 51 deg. 18 min. E 102.2 ft N 252.6 ft W 137.8 ft N 41 deg. 43 min. E 26.8 ft N 80 ft N 70 deg. W 96.2 ft S 31 deg. 32 min. 30 sec. W 114.7 ft N 58 deg. 27 min. 30 sec. W 141.25 ft S 31 deg. 22 min. 30 sec. W 451.2 ft to Beg Exc St R-O-W \$31624.18

Beg N 831.9 ft and N 31 deg. 32 min. 30 sec. E 80 ft fr S4 Cor Sec 36 1N NW N 58 deg. 27 min. 30 sec. W 261.93 ft N 32 deg. 40 min. E 227.44 ft S 58 deg. 27 min. 30 sec. E 257.47 ft S 31 deg. 32 min. 30 sec. W 227.4 ft to Beg \$15941.05

Beg NW Cor SW4SE4 Sec 36 1N 1W N 89 deg. 48 min. 30 sec. E 293.1 ft S 31 deg. 32 min. 30 sec. W 259.99 ft N 57 deg. 27 min. 30 sec. W 257.47 ft N 32 deg. 40 min. E to Beg \$18222.45

Beg E 411.92 ft fr NW Cor of S2 SE4 Sec 36 1N 1W E 247.08 ft S 0 deg. 07 min. 30 sec. W 128.98 ft W 60.54 ft S 85.50 ft to SE Cor Lot 4 Blk 8 Partee Hts N 77 deg. 50 min. 56 sec. W 179.74 ft to SW Cor Sd Lot 4 S 43 deg. 34 min. 03 sec. W 72.63 ft N 58 deg. 51 min. 01 sec. W 85.33 ft N 31 deg. 17 min. 50 sec. E 216.66 ft to Beg and Also That Pt Beg E 411.92 ft fr NW Cor of S2SE4 Sec 36 N 31 deg. 55 min. 48 sec. E 44.90 ft N 51 deg. 01 min. 55 sec. E 287.86 ft S 0 deg. 07 min. 30 sec. W 219.14 ft W 247.08 ft to Beg and a Portion of R-O-W of Niblic and Nine Iron Dr as Vac in B-1335 P-292 Mesa Co Records \$38508.33

Beg S 89 deg. 42 min. 30 sec. E 411.92 ft and S 31 deg. 32 min. 30 sec. W 217 ft fr NW Cor SW4SE4 Sec 36 1N 1W S 31 deg. 32 min. 30 sec. W 174.90 ft S 58 deg. 14 min. E 141.20 ft N 31 deg. 32 min. 30 sec. E 114.70 ft N 69 deg. 50 min. W 73.80 ft N 43 deg. 49 min. E 77.08 ft N 58 deg. 27 min. 30 sec. W 85.32 ft to Beg \$12342.68

Lots 1 thru 4 Horizon/70 Sec 36 1N 1W and That Pt of Vac R-O-W Adj as Desc in B-1274 P-1 thru 3 Mesa Co Records \$7499.53

Lot 1 Homestead Sub Sec 36 1N 1W \$3599.07

Lot 2 Homestead Sub Sec 36 1N 1W \$2832.30

Lot 3 Homestead Sub Sec 36 1N 1W \$7637.61

Lot 4 Homestead Sub Sec 36 1N 1W \$12391.75

1/2 Int in That Pt of NW4NE4NW4 Sec 1 1S 1W N and W of Co Hwy Exc Rd R-O-W as Per B-1426 P-244 thru 245 Mesa Co Records \$15489.68

1/2 Int in That Pt of NW4NE4NW4 Sec 1 1S 1W N and W of Co Hwy Exc Rd R-O-W as Per B-1426 P-244 thru 245 Mesa Co Records \$15489.68

1/2 Int in Beg NE Cor NE4NW4 Sec 1 1S 1W S 782.5 ft W 408 ft S 82 deg. 49 min. W 220 ft S 55 deg. 57 min. W 596 ft W 190 ft to W Li NE4NW4 N to Co Hwy NEly Alg Hwy to N Li NE4NW4 E to Beg Exc Rd on E and Exc N 230 ft of E 230 ft of NE4NW4 Exc Rd R-O-W as Per B-1426 P-244 thru 245 Mesa Co Records

1/2 Int in Beg NE Cor NE4NW4 Sec 1 1S 1W S 782.5 ft W 408 ft S 82 deg. 49 min. W 220 ft S 55 deg. 57 min. W 596 ft W 190 ft to W Li NE4NW4 N to Co Hwy NEly Alg Hwy to N Li NE4NW4 E to Beg Exc Rd on E and Exc N 230 ft of E 230 ft of NE4NW4 Exc Rd R-O-W as Per B-1426 P-244 thru 245 Mesa Co Records \$22428.50

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

Section 1. That the assessable cost and apportionment of 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 in the portions and amounts which are severally hereinbefore set forth and described.

Section 2. That said assessments, together with all interests and penalties for default in payment thereof, and all cost of collecting same, shall from the time of final publication of this Ordinance, constitute a perpetual lien against each lot of land herein described, on a parity with the tax lien for general, State, County, City and school taxes, and no sale of such property to enforce any general, State, County, City or school tax or other lien shall extinguish the perpetual lien of such assessments.

Section 3. That said assessment shall be due and payable within thirty days after 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 the 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 considered and held as a waiver of any and all rights to question the power and jurisdiction of the City to construct the improvements, the quality of the work and 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 annually in accordance with the coupons on the bonds issued to fund the District. The first of said installments of principal shall be due and payable within ninety days after the final publication of this Ordinance and the remainder of said installments shall be due on the first day of January of each year thereafter until all of said installments are paid in full.

Section 5. That the failure to pay any installments, whether of principal or interest, as herein provided, when due, shall cause the whole unpaid principal to become due and payable immediately and the whole amount of the unpaid principal and accrued interest shall thereafter draw interest at the rate of ten percent per annum until the day of sale, as by law provided; but at any time prior to the day of sale, the owner may pay the amount of such delinquent installment or installments, with interest at ten percent per annum as aforesaid, and all penalties accrued, and

shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any piece of real estate not in default as to any installments, may at the time pay the whole of the unpaid principal, with interest accrued.

Section 6. That payment may be made to the City Finance Director at any time within thirty days after the final publication of this Ordinance, and an allowance of the six percent added for cost of collection and other incidentals shall be made on all payments made during said period of thirty days.

Section 7. That monies remaining in the hands of the City Finance Director as the result of the operation and payments under Improvement District No. ST-82, Phases A, B and C, after the retirement of all bonds and proper payment of monies owing by the District shall be retained by the Finance Director and shall be used thereafter for the purpose of further funding of past or subsequent improvement districts which may be or may become in default.

Section 8. That all provisions of Ordinance No. 178 of the City of Grand Junction, as amended, being Chapter 18 of the Code of Ordinances of the City of Grand Junction, Colorado, shall govern and be taken to be a part of this Ordinance with respect to the creation of said Improvement District No. ST-82, Phases A, B and C, the construction of the improvements therein, the apportionment and assessment of the cost thereof and the collection of such assessments.

Section 9. 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 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 signature of the President of the Council and the City Clerk, and shall be in full force and effect on and after the date of such final publication, except as otherwise provided by the Charter of the City of Grand Junction.

Introduced and read at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 16th day of November, 1983.

Gary S. Lucero

President of the Council

Attest:

Neva B. Lockhart, CMC

City Clerk

I HEREBY CERTIFY that the foregoing ordinance, being Ordinance No. 2156, was introduced, read, and ordered published by the City Council of the City of Grand Junction, Colorado, at a regular meeting of said body held on the 16th day of November, 1983, and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, at least ten days before its final passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 8th day of December, 1983.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk

Published: November 18, 1983

Published: December 9, 1983

Effective: January 8, 1984