

ORDINANCE NO. 2293

AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR IMPROVEMENT DISTRICTS NO. ST-84, PHASES B AND C, AND NO. ST-85, PHASE A, 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 DISTRICTS; 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 Districts No. ST-84, Phases B and C, and No. ST-85, Phase A, 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 Notices of Completion of said local improvements in said Improvement Districts No. ST-84, Phases B and C, and No. ST-85, Phase A, 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 districts of land known as Improvement Districts No. ST-84, Phases B and C, and No. ST-85, Phase A, in the City of Grand Junction, Colorado, which said Notices were caused to be published in The Daily Sentinel, the official newspaper of the City of Grand Junction (the first publication appearing on March 21, 1986, and the last publication thereof appearing on March 23, 1986); and

WHEREAS, said Notices recited the share to be apportioned to and upon each lot or tract of land within said districts 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 Notices, to wit: on or before and up to 5:00 o'clock p.m. on the 7th day of May, 1986, 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, proper complaints were received from various owners of properties in the districts; and

WHEREAS, the protests against assessments came from owners of residentially zoned properties, fully developed and partially or undeveloped; and

WHEREAS, as to these protests, the Council determines as follows:

METHODS OF ASSESSMENT IN THE DISTRICTS:

Initially, the Council determined that the standard method of front-foot assessment developed by it in recent years would be the basis for assessments against individual properties. Business and commercially zoned properties would be required to pay one-half of a commercial street constructed in the area. Residentially zoned properties were to pay two-thirds of one-half of a residential street constructed in the area. Subdivided corner lots were to be assessed for only the street on the longer side.

After the initial assessment the appraiser retained by the Council to consider those assessments advised that fully developed single-family residentially zoned properties did not benefit to the extent produced by the two-third of one-half of a residential street assessment when those properties were located on an arterial or collector street (Seventh Street and 15th Street are such streets), the assessments were reduced on these fully developed single-family residential properties to reflect the benefits occurring in the opinion of the appraiser. In addition, this same reduced assessment was provided for portions of residential properties partially developed through construction of a single-family residence. These are the assessments given in the Notices of Hearing on this Assessing Ordinance.

The assessments arrived at by the methods stated produced about 14% of the cost of the project in ST-84, Phase B; about 5% of the cost of the project in ST-84, Phase C, and about 49% of the cost of the project in ST-85, Phase A, this latter because the construction was of residential streets on Hermosa and 13th Street.

Properties on 14th Street in Fairmount North Subdivision were assessed for improvements on 15th Street, 13th Street and Hermosa Avenue where those streets abutted the subdivision because of the recorded Power of Attorney which indicated that all lots within the subdivision should be assessed for those streets when they were improved.

While information was provided the City Council at the assessment hearing as to a comparison of monies received for the purchase of right-of-way from certain property owners in the districts and the amount of the assessments being made against these properties, the comparison was considered only as it might shed some light on the ability of the particular owner to pay the assessment.

HISTORY OF ASSESSMENTS:

Property owners in these districts are not being asked to do anything more than has been asked of property owners in the City since about 1910. Since that time, streets in the City has been put in by developers as an area was developed, with the costs

being added to lots within the developments, or through improvement districts. Until the 1960's the City did not even pickup a share of the cost of a residential street. These earlier improvement districts included arterial and collector streets and no reduction was made for single-family residences on those streets until in the present districts.

In 1980 an owner of a residentially zoned, undeveloped property objected to the assessment of his property for the construction of 28 1/4 Road from Orchard Avenue to F Road. It was determined by the Supreme Court of Colorado that the method of assessment used in that district (the same as being used in the districts here) was proper and the assessment should stand. The arguments in that case were the same as the ones used in the present districts now being considered.

CONCLUSION:

The evidence supports the methods of assessment as used by the City Council in ST-84, Phase B, ST-84, Phase C and ST85, Phase A, as being in accord with Chapter 18 of the Code of Ordinances of the City and case law of Colorado. The benefit to the lands involved in the districts by the construction of the project is at least equal to the assessment being made against those lands. The assessments should stand as the assessments against the various properties.

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 costs of said improvements and the apportionment thereof heretofore made as contained in that certain Notice to property owners in Improvement Districts No. ST-84, Phases B and C, and No. ST-85, Phase A, duly published in The Daily Sentinel, the official newspaper of the City, and has duly ordered that the costs of said improvements in said Improvement Districts No. ST-84, Phases B and C, and No. ST-85, Phase A, be assessed and apportioned against all of the real estate in said districts in the portions contained in the aforesaid Notices; 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 \$167,911.06 as to ST-84, Phase B, and \$357,119.80 as to ST-84, Phase C and ST-85, Phase A, said amount including six per centum additional for cost of collection and other incidentals and including interest to the 23rd day of June, 1986, at the average rate of 9.2107 per annum as to ST-84, Phase B, and to the 23rd day of June, 1986, at the average rate of 8.8936 per annum as to ST-84, Phase C and ST-85, Phase A on the bonds heretofore sold to raise funds for the construction of said improvements; and

WHEREAS, from said statement and the adjustments made to it, it appears that there should be apportioned a share of the assessable cost to each lot or tract of land in said districts in the following portions and amounts, severally, to wit:

2945-023-00-023

Beg SE Cor NE4SW4 Sec 2 1S 1W N 470 ft W 367 ft SWly to a Pt 430 ft W + 450 ft M-L N of Beg S 450 ft M-L E 430 ft to Beg Exc Pt S of GV Cnl Exc Rd in B-939 P-72 & Exc R-O-W in B-1507 P-690 & B-1528 P-483 Mesa County Records \$4689.16

2945023-00-023

Beg SE Cor NE4SW4 Sec 2 1S 1W N 470 ft W 367 ft SWly to a Pt 430 ft W + 450 ft M-L N of Beg S 450 ft M-L E 430 ft to Beg Exc Pt S of GV Cnl Exc Rd in B-939 P72 & Exc R-O-W in B-1507 P-690 & B-1528 P483 Mesa County Records \$4573.47

2945-023-00-026

NE4SE4SW4 N of Ind R Cnl + S of GV Cnl Sec 2 1S 1W Exc N 100 ft of E 395 ft & also Exc Rd R-O-W as Desc in B-1516 P-987 thru 989 Mesa County Records \$21758.16

2945-023-00-027

That Pt of NE4SE4SW4 S of Wash Sec 2 1S 1W Exc Rd R-O-W as Desc in B-1506 P-44 thru 46 Mesa County Records \$4089.16

2945-023-00-027

That Pt of NE4SE4SW4 S of Wash Sec 2 1S 1W Exc Rd R-O-W as Desc in B-1506 P-44 thru 46 Mesa County Records \$9400.86

2945-023-00-028

Beg 598 ft N of SE Cor SW 4 Sec 2 1S 1W S 78 deg. 56 min. W 132 ft S 51 deg. 20 min. W 225 ft S 54 ft NEly alg N Bdry Fairmount Hts 325.6 ft to E Li of SW4 N 104 ft to Beg + Lot A Fairmount Hts Sec 2 \$5082.52

2945-023-00-029

Beg 598 ft N of SE Cor SW4 Sec 2 1S 1W N 60.5 ft W 619 ft to Wash SWly alg Wash to W Li SE4SW4 Sec 2 S to a Pt 157.8 ft N of SW Cor SE4SW4 E 412 ft to NW Cor Lot 10 Fairmount Hts NEly Alg N Lis of Lots 5-6-7-8-9-10 Fairmount Hts to NE Cor Lot 5 Sub N 54 ft to A Pt which is S 78 deg. 58 min. W 132 ft + S 51 deg. 20 min. W 225 ft fr Beg N 51 deg. 20 min. E 225 ft N 78 deg. 58 min. E 132 ft to Beg Exc Rd R-O-W on E as Desc in B-1493 P-294 & 295 Mesa County Records \$3207.15

2945-023-15-001

Lot 1 PDC Sub Sec 2 1S 1W Exc W 5 ft for Rd R-O-W per B-1415 P-776 Mesa County Records \$1665.66

2945-023-15-002

Lot 1 PDC Sub Fil No. 2 A Replat of Lot 1 and A Portion of Lots 2 and 3 Fairmount Hts Sub Sec 2 1S 1W \$5680.73

2945-023-15-003

Lot 2 PDC Sub Fil No. 2 A Replat of Lto 1 and A Portion of Lots 2 and 3 Fairmount Hts Sub Sec 2 1S 1W \$9865.17

2945-024-00-015

Beg 315 ft N and 30 ft E of S4 Cor Sec 2 1S 1W N 140 ft E 160 ft S 140 ft W to Beg Exc R-O-W on W as Desc in B-1540 P-570 & 571 Mesa County Records \$4406.55

2945-024-00-022

Beg 160 ft N and 30 ft E of S4 Cor Sec 2 1S 1W N 155 ft E 160 ft S 155 ft W to Beg Exc Rd R-O-W as Desc in B-1505 P-105 Mesa County Records \$4875.54

2945-024-00-023

Beg S4 Cor Sec 2 1S 1W N 160 ft E 190 ft S 160 ft W 190 ft to Beg Exc Rd R-O-W as Desc in B-1505 P-921 Mesa County Records \$4439.58

2945-024-00-028

Beg 455 ft N and 40 ft E of S4 Cor Sec 2 1S 1W E 100 ft N 151.75 ft to Sly R-O-W County Rd W 100 ft S 151.75 ft to beg \$4773.32

2945-024-00-038

Beg 455 ft N + 140 ft E of S4 Cor Sec 2 1S 1W S 89 deg. 545 min. E 70.37 ft N 2 25 deg. 54 sec. E 22.6 ft N 88 deg. 51 min. 46 sec. E 118.74 ft N to N Li SW4SW4SE4 N 89 deg. 56 min. W Alg N Li SW4SW4SE4 to a Pt 185 ft E of W Li SE4 S 50 ft W 45 ft S 151.75 ft to Beg \$1572.75

2945-024-00-048

N2SW4SE4 W of GV Mainline Cnl & S2NW4SE4 S & W of GV Mainline Cnl Sec 2 1S 1W Exc That Pt of the N2SW4SE4 Lyg S of N Li of Driveway as ext to the E & W Property Lines exc County Rd & Exc 40 ft for Rd on W & also Exc R-O-Ws as Desc in B-1489 P-547 thru 552 of Mesa County Records \$38418.57

2945-024-00-049

That Pt of N2SW4SE4 Sec 2 1S 1W Lyg W of GV Mainline Cnl & S of N Li of Driveway as ext to the E & W Property Lines Exc R-O-W on W \$3090.46

2945-024-10-001

Lot 1 Walker Hts Sub Sec 2 1S 1W Exc S 10 ft as Recd B-1063 P-116
County Clerks Office \$1561.75

2945-024-10-012

Lot 12 Walker Hts Sub Sec 2 1S 1W \$3434.87

2945-111-00-030

Beg 286 ft E of N4 Cor Sec 11 1S 1W S 195.1 ft N 79 deg. 50 min. E
51 ft N 185 ft W 50 ft to Beg Exc N 50 ft for Rd as Desc in B-1501
P-438 thru 440 Mesa County Records \$3902.67

2945-111-00-031

Beg 363.1 ft S & N 63 deg. 50 min. E 215 ft fr N4 Cor Sec 11 1S 1W
N 63 deg. 50 min. E 10 ft N 15 deg. 12 min. E 55.8 ft N 79 deg. 50
min. E 119.8 ft N 34 ft S 79 deg. 19 min. W 143 ft S 05 deg. 33
min. W 84.3 ft to Beg & Beg 215 ft E of N4 Cor S 05 deg. 33 min. W
212.1 ft NEly 143 ft to a Pt 185 ft S of N Li Sec 11 N 185 ft W
121ft to Beg Exc S 30.1 ft thereof & that Pt Beg 215 ft E of N4
Cor S 05 deg. 33 min. W 256.3 ft Nly to a Pt 205 ft S of N4 Cor E
10 ft to Beg Exc Beg 286 ft E of N4 Cor S 195.1 ft N 79 deg. 50
min. E 51 ft N 185 ft W 50 ft to Beg & also Exc N 30 ft for Rd as
Desc in B-1501 P-438 thru 439 Mesa County Records \$6548.68

2945-111-00-032

Beg N4 Cor Sec 11 1S 1W S 105 ft E 100 ft N 105 ft W to Beg Exc W
& N 50 ft for R-O-W as Desc in B-1030 P-309 & B-1501 P-438 thru
440 Mesa County Records \$12195.86

2945-111-00-142

Beg 340 ft E of N4 Cor Sec 11 1S 1W S 150 ft NEly 140 ft N 125 ft
to N Bdry Li Sec 11 W to Beg Exc that Pt Beg 449 ft E of N4 Cor S
175 ft E 100 ft N 175 ft W 100 ft to Beg Exc N 50 ft for Red R-O-W
as Desc in B-1501 P-438 thru 440 Mesa County Records \$8898.09

2945-122-03-010

Lot 2 A C Nelms Sub Sec 12 1S 1W \$1342.32
2945-122-03-011

N2 of Lots 10 + 11 A C Nelms Sub Sec 12 1S 1W \$1903.81

2945-122-04-011

S 62.2 ft of Lot 8+ S 62.2 ft of E 25 ft of Lot 7 Treichler Add
Sec 12 1S 1W \$1905.34

2945-122-04-012

N 44.40 ft of Lot 1 Treichler Add \$1360.09

2945-122-05-001

Lot 1 Lutkiewicz Sub Sec 12 1S 1W Exc N 6 ft for Street & Also Exc Rd R-O-W on W as Desc in B-1513 P-575 Mesa County Records \$183.79

2945-122-05-002

Lot 2 Lutkeiwicz Sub Sec 12 1S 1W Exc W 11.50 ft for Rd R-O-W as Desc in B-1514 P-41 Mesa County Records \$306.33

2945-122-05-014

Lot 3 Lutkiewicz Sub Sec 12 1S 1W Exc W 12 ft for R-O-W as Desc in B-1490 P-58 Mesa County Records \$306.33

2945-122-05-015

Lot 4 Lutkiewicz Sub Sec 12 1S 1W Exc W 11.50 ft for Rd R-O-W as Desc in B-1511 P-342 Mesa County Records \$306.33

2945-122-05-020

Lot 5 Lutkiewicz Sub Sec 12 1S 1W Exc W 31.50 ft as Desc in B-1516 P-629 Mesa County Records \$306.33

2945-122-05-021

Lot 6 Lutkiewicz Sub Sec 12 1S 1W Exc Rd R-O-W on W as Desc in B-1514 P-42 Mesa County Records \$361.46

2945-122-06-010

S 74.1 ft of Lot 19 Blk 1 Weaver Sub \$454.53

2945-122-06-019

Lot 1 Blk 1 Weaver Sub \$821.99

2945-012-00-092

Lot 27 Jaynes Sub Sec 1 1S 1W Exc that Pt taken up by Bellridge Sub & Exc 60 ft R-O-W as Desc in B-1153 P-766 County Clerk Office \$1067.44

2945-012-00-092

Lot 27 Jaynes Sub Sec 1 1S 1W Exc that Pt taken up by Bellridge Sub & Exc 60 ft R-O-W as Desc in B-1153 P-766 County Clerks Office \$4761.23

2945-012-26-001

Lot 1 Spomer Sub Sec 1 1S 1W \$5933.78

2945-012-26-002

Lot 2 Spomer Sub Sec 1 1S 1W \$1773.13

2945-013-00-001

E2W2 NE4SW4 Sec 1 1S 1W N of Lt 1 2 BB&USRS & that Pt of Vac Rd as Per B-1160 P-303 Exc R-O-W on N as Desc in B-1548 P-57 Mesa County Records \$2855.10

2945-013-00-006

NE4NW4SW4 Sec 1 1S 1W Exc 18 ft R-O-W on E as Desc in B-1539 P-920 & 921 Mesa County Records \$3854.63

2945-013-00-006

NE4NW4SW4 Sec 1 1S 1W Exc 18 ft R-O-W on E as Desc in B-1539 P-920 & 921 Mesa County Records \$12146.70

2945-013-00-009

SE4NW4SW4 Sec 1 1S 1W Exc E 18 ft for R-O-W as Desc in B-1554 P-778 & 779 Mesa County Records \$23870.96

2945-013-00-016

S2N2SE4SW4 & N2NE4SE4SW4 Sec 1 1S 1W Exc Rd on E & also Exc R-O-W on W as Desc in B-1535 P-388 & P-389 Mesa County Records \$18185.87

2945-013-00-026

Beg 145 ft N of SW Cor SE4SW4 Sec 1 1S 1W E 114 ft N to N Li S4SE4SW4 Sec 1 W to W Li S4SE4SW4 S to Beg Exc N 25 ft for Rd & also Exc R-O-W on SW Cor Sd Parcel Desc in B-1539 P-295 Mesa County Records \$4438.80

2945-013-00-037

N2S2SE4SW4 Sec 1 1S 1W Exc E 698.5 ft & Exc Treehaven Sub & Exc S 25 ft for Rd and also Exc R-O-W on W as Desc in B-1535 P-712 Mesa County Records \$1379.61

2945-013-00-044

Beg SE Cor W4NE4SW4 Sec 1 1S 1W N 338.56 ft to C Li on W Alg Sd C Li Dn to W Li W4NE4SW4 S to SW Cor W4NE4SW4 E to Beg Exc W 25 ft & ^ also Exc 2.5 ft for Rd as Desc in B-1544 P-83 & 884 Mesa County Records \$4190.68

2945-013-00-044

Beg SE Cor W4NE4SW4 Sec 1 1S 1W N 338.56 ft to C Li on W Alg Sd C Li Dn to W Li W4NE4SW4 S to SW Cor W4NE4SW4 E to Beg Exc W 25 ft & also Exc 2.5 ft for Red as Desc in B-1544 P-883 & 884 Mesa County Records \$9383.47

2945-013-00-050

That Pt of NW4NW4NE4SW4 Sec 1 1S 1W Lyg N of Govt Lateral No. 2 Exc R-O-W on W as Per B-948 P-584 & Exc R-O-W on N as Per B-1532 P-248 & 249 & B-1541 P-768 Mesa County Records \$3386.45

2945-013-00-050

That Pt of NW4NW4NE4SW4 Sec 1 1S 1W Lgy N of Govt Lateral No. 2 Exc R-O-W on W as Per B-948 P-584 & Exc R-O-W on N as Per B-1532 P-248 & 249 & B-1541 P-769 Mesa County Records \$9112.54

2945-013-00-933

N2NW4SE4SW4 Sec 1 1S 1W Cont 5A M-L Exc W 33 ft N 14.5 ft R-o-Ws as Per B-1502 P-291 Mesa County Records \$26095.25

2945-013-01-010

Lot 11 blk 1 Eagleton Sub Sec 1 1S 1W Exc R-O-W on NE Cor as Desc in B-1547 P-95 Mesa County Records \$3402.41

2945-013-01-011

Lot 10 Blk 1 Eagleton Sub Sec 1 1S 1W Exc R-O-W on SE Cor as Desc in B-1544 P-180 Mesa County Records \$6154.35

2945-013-02-001

Lot 9 Blk 2 Eagleton Sub \$2805.48

2945-013-02-002

Lot Blk 2 Eagleton Sub Sec 1 1S 1W Exc R-O-W on SE Cor as Desc in B-1538 P-906 Mesa County Records \$3402.41

2945-013-03-001

Lot 6 Treehaven Sub Sec 1 1S 1W Exc R-O-W on NW Cor Sd Lot 6 as Desc in B-1533 P-746 Mesa County Records \$3716.75

2945-013-03-002

Lot 1 Treehaven Sub Sec 1 1S 1W \$4592.94

2945-013-05-001

Lot 1 Blk 1 Fairmount North a Replat of Lots 57 thru 60 Blk 16 Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-05-002

Lot 2 Blk 1 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-05-003

Lot 3 Blk 1 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-05-004

Lot 4 Blk 1 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-05-005

Lot 5 Blk 1 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-05-006

Lot 6 Blk 1 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-05-007

Lot 7 Blk 1 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-05-008

Lot 8 Blk 1 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-05-009

Lot 9 Blk 1 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-05-010

Lot 10 Blk 1 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-05-011

Lot 11 Blk 1 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-05-012

Lot 12 Blk 1 Fairmount North a Replat of Lots 57 thru 60 Blk 16

Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-05-015

Lot 15 Blk 1 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-05-018

Lot 18 Blk 1 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-05-941

Lots 13 & 14 Blk 1 Fairmount North a Replat of Lots 57 thru 60 Blk
16 Fairmount Sub Sec 1 1S 1W \$4565.05

2945-013-05-948

Lots 16 & 17 Blk 1 Fairmount North a Replat of Lots 57 thru 60 Blk
16 Fairmount Sub Sec 1 1S 1W \$4565.05

2945-013-05-949

Lots 19 & 20 Blk 1 Fairmount North a Replat of Lots 57 thru 60 Blk
16 Fairmount Sub Sec 1 1S 1W \$4565.05

2945-013-06-001

Lot 1 Blk 2 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-01306-002

Lot 2 Blk 2 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-06-003

Lot 3 Blk 2 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-06-004

Lot 4 Blk 2 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-06-005

Lot 5 Blk 2 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-06-006

Lot 6 Blk 2 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-06-007

Lot 7 Blk 2 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-06-008

Lot 8 Blk 2 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-06-009

Lot 9 Blk 2 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-06-010

Lot 10 Blk 2 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-06-011

Lot 11 Blk 2 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-06-012

Lot 12 Blk 2 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-06-013

Lot 13 Blk 2 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-06-014

Lot 14 Blk 2 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-06-015

Lot 15 Blk 2 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-06-016

Lot 16 Blk 2 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-06-017

Lot 17 Blk 2 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-06-018

Lot 18 Blk 2 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-06-019

Lot 19 Blk 2 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-06-020

Lot 20 Blk 2 Fairmount North a Replat of Lots 57 thru 60 Blk 16
Fairmount Sub Sec 1 1S 1W \$2282.53

2945-013-07-020

Lot 8 of a Replat of Lots 5 thru 14 Crestview Sub Sec 1 1S 1W
\$5450.94

2945-013-07-021

Lot 9 of a Replat of Lots 5 thru 14 Crestview Sub Sec 1 1S 1W
\$7631.32

2945-013-07-026

Lot 16-1 of Crestview Townhomes a Replat of Lots 16 & 17 Crestview
Sub Sec 1 1S 1W \$1526.26

2945-013-07-027

Lot 16-2 of Crestview Townhomes a Replat of Lots 16 & 17 Crestview
Sub Sec 1 1S 1W \$1635.28

2945-013-07-028

Lot 16-3 of Crestview Townhomes a Replat of Lots 16 & 17 Crestview
Sub Sec 1 1S 1W \$1526.26

2945-013-07-029

Lot 16-4 of Crestview Townhomes a Replat of Lots 16 & 17 Crestview
Sub Sec 1 1S 1W \$3532.76

2945013-08-004

Lot 17-2 of Crestview Townhomes a Replat of Lots 16 & 17 Crestview
Sub Sec 1 1S 1W \$1526.26

2945-013-08-005

Lot 17-3 of Crestview Townhomes a Replat of Lots 16 & 17 Crestview
Sub Sec 1 1S 1W \$1635.28

2945-01308-006

Lot 17-4 of Crestview Townhomes a Replat of Lots 16 & 17 Crestview
Sub Sec 1 1S 1W \$2357.54

2945-013-08-007

Lot 17-5 of Crestview Townhomes a Replat of Lots 16 & 17 Crestview
Sub Sec 1 1S 1W \$1636.38

2945-013-08-008

Lot 17-6 of Crestview Townhomes a Replat of Lots 16 & 17 Crestview
Sub Sec 1 1S 1W \$1636.38

2945-013-11-001

Lot 1 Blk 1 Hilltop Sub Sec 1 1S 1W \$35297.74

2945013-11-001

Lot 1 Blk 1 Hilltop Sub Sec 1 1S 1W \$31816.04

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 districts and to and upon each lot or tract of land within said districts and against such persons and 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 assessment.

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, 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 districts. 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, when due as herein provided 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 provided by law; 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 any 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 Districts No. ST-84, Phase B and C, and ST-85, Phase A, after the retirement of all bonds and proper payment of monies owing by the districts 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 Districts No. ST-84, Phase B and C,

and ST-85, Phase A, 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 City 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 21st day of May, 1986.

PASSED and ADOPTED this 2nd day of July, 1986.

President of the Council

Attest:

Neva B. Lockhart, CMC

City Clerk

I HEREBY CERTIFY that the foregoing ordinance, being Ordinance No. 2293, 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 21st day of May, 1986, 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 3rd day of July, 1986.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk

Published: May 30, 1986

Published: July 6, 1986

Effective: August 5, 1986