

ORDINANCE NO. 2914

ORDINANCE CONSIDERING A SUBSTANTIAL MODIFICATION OF AN APPROVED PLAN OF DEVELOPMENT BY EXPANDING THE BOUNDARIES OF THE GRAND JUNCTION, COLORADO DOWNTOWN DEVELOPMENT AUTHORITY AND TAX INCREMENT FINANCING DISTRICT

RECITALS.

The Grand Junction, Colorado, Downtown Development Authority ("Authority" or "DDA") has adopted a Plan of Development establishing the boundaries of the Authority. The Plan and boundaries of the DDA were initially approved by the Grand Junction City Council on December 16, 1981.

Since that time, several individual property owners, pursuant to section 31-25-822 C.R.S. 12A and Article X of the Authority's Plan of Development have petitioned for inclusion within the boundaries of the Authority. The Board of the Authority has determined that the boundary of the DDA should be co-terminus with the boundary of the Tax Increment Financing ("TIF") District, requiring expansion of the tax increment finance district boundary.

The Board of the Authority has reviewed and approved current petitions for the inclusion of certain properties with the Authority's boundary and requests the Council's approval to expand the Authority's boundary to include the properties that have petitioned for inclusion and to expand the Authority to receive a portion or increment of ad valorem and sales taxes collected within the expanded Plan of Development Area in accordance with state law, the Plan of Development and other applicable law, rules or regulations.

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

Section 1. Findings. The City Council finds that (a) blight exists within the boundary of the Authority within the meaning of 31-25-802(1.5) C.R.S. and that the approval of the expansion of the boundaries for the DDA and the Plan of Development, as shown on the attached exhibit "DDA Plan of Development Boundary 1996", will serve a public purpose and use; (b) that the health, safety, prosperity, security and general welfare of the inhabitants of the City and its central business district will be served; (c) that deterioration of property values and/or structures will be halted, prevented or diminished; (d) this Ordinance will assist the City and the authority in the development and re-development of the property within the Authority boundary and in the overall planning to restore or provide for the continuance of economic health; and (e) this Ordinance will be a specific benefit to the property to be

included within the boundary of the DDA and the Tax Increment Financing District.

Section 2. Approval. Amendment of "The Plan of Development Area" for the expansion of the Authority's boundary, as shown in the attached exhibit, is approved by the City Council and is thereby incorporated into the Plan of Development Area for TIF purposes. The Authority is therefore authorized to undertake development projects as described in the Plan and to act consistently with Article X of the Plan including, but not necessarily limited, to receiving and expending for development and re-development efforts a portion or increment of ad valorem and sales taxes generated in the area in accordance with 31-25-801 et. seq. C.R.S.

Section 3. Certification. The City Council hereby requests that the County Assessor certify the valuation for the assessment of the property included by this Ordinance within the DDA boundary and the TIF district as of the date of the last certification. The City Director of Finance is hereby directed to certify the sales tax receipts for the properties included in and described by the attached exhibit for the twelve (12) months prior to inclusion.

Section 4. Effect. Adoption of this Ordinance and amendment to, or expansion of the boundary of the DDA and the TIF district, does not, shall not and will not provide for or allow or authorize receipt or expenditure of tax increments without requisite statutory and plan compliance.

Section 5. Judicial Invalidity. If any provision of this ordinance is judicially adjudged invalid or unenforceable, such judgment shall not affect the remaining provisions hereof, it being the intention of the City Council that the provisions hereof are severable.

INTRODUCED THIS 17TH DAY OF APRIL, 1996.

PASSED AND ADOPTED THIS 1ST DAY OF MAY, 1996.

ATTEST:

/s/ Linda Afman  
President of City Council

/s/ Stephanie Nye  
City Clerk

## EXHIBIT 1

Expanding the boundaries of the Grand Junction Downtown Development Authority

The boundaries of the Authority shall be expanded to include the following properties into the Plan of Development area within which tax increment financing is used. All properties in the Assessor's TAC 10109 within the Authority's boundaries, but not within the DDA TIF TAC 10108 will be included and any additional new inclusions.

Assessor TAC 10109 properties to be included in DDA/TIF, TAC 10108:

<u>TAX Parcel #</u>	<u>LEGAL DESCRIPTION</u>
2945-231-01-001	Block 1, Lots 1-14, Milldale Sub.
2945-231-01-002	
2945-231-01-003	
2945-231-01-025	Block 5, Lot 1, Milldale Sub.
2945-231-02-023	BEG A PT ON N LI 3RD AV 15FT E OF SE COR LOT 10 BLK 11 MILLDALE SUB N ALG A LI 15FT & PARA TO W LI S 8TH ST 149.1 FT TO A LI BET SE COR LOT 4 BLK 11 & E LI S 8TH ST N ALG E LI & PROJECTION 292FT TO A PT 16FT NWLV RT ANG FR N RAIL OF RR SPUR & AS DESC IN B-1203 P-150 ETC THEN BACK TO BEG E 404.8FT & ALSO BEG INTERS OF E LI 7RH ST WI S LI RR ROW S 96FT TO LOADING TRACK E 132.8FT NELY ON A CVE LEFT A CH OF 215.6FT N 52DEG30' E 47FT N 52DEG30' E 285FT TO RR ROW SWLY ALG RR ROW TO BEG SEC 23 1S 1W & BEG INTER OF ORIG E LI 7TH ST WI S LI RR ROW S 73DEG02' 2 15.62FT TO PT ON LI 15FT W OF ORIG E LI 7TH ST S 91.65 FT N 89DEG12'E 15FT N 96FT TO BEG EXC THAT PT TAKEN INTO DDA BOUNDARY PER CITY ORD 2400 B-1712 P-49 & ALSO EXC RD ROW ON N
2945-142-36-013	Block 56, Lot 21 & E 1/2 of Lot 22
2945-142-37-003	Block 77, Lots 5-10
2945-142-37-004	
2945-142-37-005	
2945-142-37-006	
2945-143-02-979	Block 79, Lots 19,20, 23-26
2945-143-02-010	
2945-143-02-011	
2945-143-02-978	Block 98, Lots 12-16
2945-143-02-014	
2945-143-11-951	
2945-143-11-007	
2945-143-06-001	Block 83, Lots 1,2
2945-143-41-004	Block 149 Lots 28-30, plus W portion Lot 27 to RR spur
2945-143-47-002	Lot 2, D & RGW RR Sub Filing 5 Sec 14, 1S 1W
2945-143-48-001	Lot 1, Filing 7, D & RGW RR Minor Sub Sec 14, 1S 1W
2945-143-32-007	Block 139, Lots 29-32
2945-143-36-941	Block 143, Lots 13-17
2945-143-40-008	Block 148, Lots 13-16, 24-32
2945-143-40-010	
2945-143-40-011	
2945-143-40-939	
2945-143-40-938	
2945-143-43-941	Block 161, Lots 1-14, Sec 14, 1S 1W & SLY 5.27FT OF S AVE ADJ N LI OF LOTS 1-14 INC SD BLK 161 & BEG 150FT E OF SW COR SD LOT 1 SLY AT R ANG TO S LI SD BLK 161.20FT ELY 251.06FT TO W LI OF 6TH ST N 20FT W 251.03FT TO POB EXC

BEG SW COR LOT 1 SD BLK 161 N 92FT SELY 92.4FT TO APT ON S LI SD LOT 1 W  
9.1FT TO BEG

2945-143-44-007 Block 162, Lots 15, 16  
2945-143-47-001 Lot 1 D & RGW RR Sub 5

**TAX PARCEL #      LEGAL DESCRIPTION**

2945-144-04-006 Block 85, Lots 11-14  
2945-144-04-015

2945-144-21-012 Block 114, Lots 1-16, 23-28  
2945-144-21-013  
2945-144-21-014  
2945-144-21-941  
2945-144-17-005 Block 106, Lots 11,12, 20-25, 3ft of Lot 26  
2945-144-17-931  
2945-144-16-019 Block 107, Lots 17-32

2945-231-00-001 BEG N4 COR SEC 23 1S 1W ALG W LI OF NE4 53.3FT E 132FT N 53.3FT W 132FT TO  
BEG  
2945-231-00-026 BEG 200FT N OF SW COR NW4NE4 SEC 23 1S 1W E 132FT N 50FT W 132FT S 50FT  
TO BEG & W 11.5FT STRIP OF S 7TH ST ROW ADJ SD PARCEL  
2945-231-00-027 BEG 175FT N OF SW COR NW4NE4 SEC 23 1S 1W E 132FT N 25FT W 132FT S 25FT  
TO BEG & W 11.5FT STRIP OF S 7TH ST ROW ADJ SD PARCEL ON E  
2945-231-00-036 BEG 307FT N OF SW COR NW4NE4 SEC 23 1S 1W E 132 FT N 98FT W 132FT S TO  
BEG & W 11.5FT STRIP OF S 7TH ST ROW ADJ SD PARCEL ON E AS DESC IN B-  
1685 P-222 & B-1687 P-163, ALSO THAT PT GEB 400FT N OF SW COR NW4NE4 SD  
SEC 23 N 4FT S 89DEG42' F 140FT S FT N 89DEG42' W 140FT TO BEG  
2945-231-00-037 BEG 400FT N OF SW COR NW4 NE4 SEC 23 1S 1W E 140FT N 295FT TO RR S  
73DEG30' W 145FT 259.8FT TO BEG EXC THAT PT BEG 400FT N OF SW COR NW4  
NE4 SD SEC 23 N 4.0FT S 89DEG42' E 140FT S 4.0FT N 89DEG42' W 140FT TO BEG  
2945-231-00-046 BEG S ODEG27' E 96FT OF S ROW LINE RR ON ORIG E LI OF SOUTH 7TH ST SEC  
23 1S 1W N 89DEG12' E 131.94FT ALG ARC OF CVE TO LEFT CH BEARS N  
70DEG53' E 213.35FT N 52DEG34' E 349.89FT TO S LI OF RR ROW S 73DEG02' W  
636.6FT TO ORIG E BNDRY S 7TH ST S ODEG27' E 96FT TO BEG

2945-151-00-107 BEG 489FT N & 50FT W OF SE COR NE4 SEC 15 1S 1W N 09DEG36'E 121.7FT W TO  
STATE HWY SELY ALG HWY TO A PT W OF BEG E TO BEG

2945-154-03-937 S 50' OF LOTS 12-16 INC BLK 4 MOBLEY SUB SEC 15 1S 1W  
2945-154-03-939 N 25' OF S 75' OF LOTS 12-16 INC BLK 4 MOBLEY SUB SEC 15 1S 1W  
2945-154-06-931 BEG W 535FT & S 666.1FT FR NE COR SE4 SEC 15 1S 1W N 89DEG58' W 63.7FT S  
ODEG01' E 125FT S 89DEG58' E 63.7FT N ODEG01' W 80FT TO POB EXC ROW FOR  
RICE ST ACROSS W BNDRY B-453 P-84 & THAT PT OF ADJ STREET(S) AS  
VACATED IN ORD 2808 B-2128 P-509/510

2945-154-06-932 LOTS 1-6 INC & E 24.70FT OF LOT 7 BLK 5 MOBLEY'S FIRST SUB SEC 15 1S 1W &  
THAT PT OF ADJ STREET(S) AS VACATED IN ORD 2808 B-2128 P-509/510  
2945-154-06-933 PT OF LOT 9 BLK 5 MOBLEY'S 1ST SUB LYG S OF A LI BEG AT A PT ON E 1 SD  
LOT 9 S 181.27FT & N 89DEG58' W 20 FT FROM CITY MONUMENT AT SPRUCE &  
ROOD STS N 89DEG28' W 174.7FT TO A PT ON W LI SD LOT 9 & THAT PT OF ADJ  
STREET(S) AS VACATED IN ORD 2808 P-2128 P-509-510

2945-154-06-936 BEG 753.6FT S & 410FT W OF NE COR SE4 SEC 15 1S 1W W 125FT S 37.5FT E 125FT  
N TO BEG BEING A PT OF BLK 5 MOBLEY SUB  
2945-154-06-937 PT OF LOT 9 BLK 5 MOBLEY SUB BEG 666.1FT S & 410FT W OF NE COR SE4 SEC  
15 1S 1W S 50FT FOR BEG W 125FT S 30 FT E 125FT N TO BEG  
2945-154-06-938 BEG NE COR LOT 9 BLK 5 RICHARD MOBLEY'S 1ST SUB SEC 15 1S 1W 125FT S

50FT E 125FT N 50FT TO BEG & THAT PT OF ADJ STREET(S) AS VACATED IN ORD

2808 B-2128 P-509/510

2945-154-06-939 BEG S 0DEG01' E 125FT & N 89DEG58' W 20FT FR CITY MONUMENT AT SPRUCE &  
ROOD STS 89DEG58' W 188.7FT S 0DEG01' W 56.27 TO BEG & THAT PT OF ADJ  
STREET(S) AS VACATED IN ORD 2808 B-2128 P-509/510

**TAX PARCEL #                      LEGAL DESCRIPTION**

***Western Colorado Plumbing & Heating***

2945-144-02-006                      Block 115, Lots 18 & 19

***Public Service Company Substation***

2945-232-07-073                      69KV DISTR SUB; UTE, R1W, T1S, S 23, NE4NW4, VACAT S ST, BLK 161, LT2-13

***Sterling Properties***

2945-232-02-026                      Block 1, Lot 20, South 5th Street-600 Noland Ave.

2945-232-02-027                      Block 1, Lot 22, South 5th Street - 645 4th Ave.

2945-232-02-028                      Block 1, Lot 23, South 5th Street - 645 4th Ave.

2945-232-02-029                      Block 1, Lot 24, South 5th Street - 645 4th Ave.

2945-232-02-015                      Block 1, Lot 21, South 5th Street - 645 4th Ave.

2945-231-14-001                      Block 1, Lots 1 & 2, Benton Canyon - 7th Street

2945-231-14-002                      Block 1, Lots 3 - 7, Benton Canyon - 7th Street

2945-231-14-003                      Block 1, Lots 8 - 10, Benton Canyon - 7th Street

***City of Grand Junction***

2945-232-02-948                      Block 1, Lot 13

2945-232-02-945                      Block 1, Lots 14 and 19

2945-232-03-020                      Block 2, Lots 13 & 14

2945-232-03-945                      Block 2, Lots 6 & 7

2945-232-03-948 & 022                      Block 2, Lots 9 & 11

2945-232-03-941                      Block 2, Lot 1

2945-232-03-949                      Block 2, Lot 2

2945-232-03-019                      Block 2, Lot 3

2945-232-03-011                      Block 2, Lot 4

Property leased to Botanical Society south of Struthers Avenue, north and south of the Colorado River Trail as hereafter constructed, between approximately 8th Street on the east and 5th Street on the west, in the City of Grand Junction, County of Mesa, State of Colorado, consisting of 12.6 acres, more or less, described with particularly as follows:

Commencing at the S 1/4 corner of Section 23, Township 1 South, Range 1 West, Ute Meridian, thence South 89° 37' 00" East 270.0 feet; thence South 00° 23' 00" West 170.00 feet; thence North 89° 37' 00" East 68.00 feet; thence North 00° 23' 00" East 170.00; thence South 89° 37' 00" East 87.00 feet; thence South 02° 11' 00" East 317.00 feet; thence South 02° 32' 00" East 186.00 feet; thence South 15° 17' 21" East 102.12 feet; thence North 88° 51' 04" West 85.13 feet; thence North 79° 32' 00" West 213.74 feet; thence North 67° 47' 04" West 194.68 feet; thence South 89° 40' 42" West 150.01 feet; thence North 79° 44' 01" West 176.23 feet; thence North 77° 12' 33" West 102.39 feet; thence North 71° 52' 17" West 105.00 feet; thence North 73° 00' 00" West 290.24 feet; thence South 89° 37' 00" East 88.12 feet; thence North 00° 23' 00" East 325.00 feet; thence South 89° 37' 00" East 563.62; thence South 89° 37' 00" East 78.00 feet; thence South 00° 23' 00" West 190.00 feet; thence South 89° 37' 00" East 72.00 feet; thence North 00° 23' 00" East 190.00 feet to the point of beginning, Mesa County, Colorado.

ADMINISTRATIVE SERVICES DEPARTMENT  
MEMORANDUM

DATE: January 14, 1997

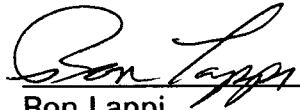
TO: City Council

FROM: Ron Lappi

RE: Tax Increment Fund Sales Tax Base Certification

Ordinance No. 2914, passed by the City Council May 1, 1996, established a new area for sales tax increments with the addition of properties to the tax increment district. Sales tax receipts by the City for the twelve months prior to inclusion at the 2.75% tax rate from the properties being added to the district were \$173,877.16. As directed by the ordinance, I certify the \$173,877.16 as the base for this new area and designate the area as "Area 4" for increment calculations and reports. The base has been calculated from returns due between the dates of June 1, 1995 and May 31, 1996.

The first three sales tax increment areas all have a base set at a 2% sales tax rate. They are "Area 1" with a base of \$569,770.20 measured from December 1st to November 30th, "Area 2" with a base of \$0.00 and "Area 3" with a base of \$272,932.39 both measured from April 1st to March 31st.



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Ron Lappi  
Director of Administrative Services

cc: Mark Achen  
Barbara Creasman  
Stephanie Nye  
Randy Booth

State of Colorado  
County of Mesa  
City of Grand Junction

Subscribed and sworn to before me on the 14<sup>th</sup> day of January, 1997.



\_\_\_\_\_  
Notary Public

My commission expires 10-10-98.

\_\_\_\_\_  
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