

ORDINANCE NO. 320

An Ordinance Adjudicating All Questions of Jurisdiction and Establishing and Creating the North Side General Improvement District of the City of Las Animas, Bent County, Colorado.

BE IT ORDAINED by the City Council of the City of Las Animas, Colorado:

Section 1. (a) It is hereby FOUND, DETERMINED and DECLARED that at the regular meeting of the City Council of the City of Las Animas, Colorado, held on January 5, 1953, a petition duly signed was filed with and presented to said City Council asking for the formation of the "North Side General Improvement District of the City of Las Animas, Bent County, Colorado," for the purpose of installing sanitary sewers in the above described area together with necessary in-lets, man-holes, connecting mains, lifting station and such appurtenances as necessary to connect said system with the existing system of sewers of Las Animas.

To fix, and as necessity and expediency dictate, from time to time to increase or decrease rates, tolls or charges for service of the facilities requested to be installed, and in addition to other means of providing revenue for such district to levy and collect ad valorem taxes on and against all taxable property within the district for the purposes of defraying the cost, paying for, and for the maintenance and repair of said facilities.

To authorize and issue bonds of said district to be repaid by the property owners of said district according to the tolls, service charges and the levies of ad valorem taxes as above requested; and estimated the cost of the proposed improvements requested at \$22,000.00

(b) It is further FOUND, DETERMINED and DECLARED that this body on January 5, 1953 by order set February 2, 1953 at 8:00 p. m. as the time, and the Council chambers at the office of the Municipal Power Board of the City of Las Animas, Colorado, as the place when and where a hearing should be held on said petition and that this body further ordered its clerk, Dan McAfee, to cause notice by publication to be made of the pendency of the petition, of the purposes and boundaries of the proposed district and of the time and place of hearing thereon and that said clerk also cause a copy of said notice to be mailed to each taxpaying elector at his or her last known address, as disclosed by the tax records of Bent County, Colorado.

(c) It is further FOUND, DETERMINED and DECLARED that such notice has been given conformly with said order and in full conformity with the requirements of Section 6, Chapter 205, Session Laws of Colorado, 1949, and that said notice contained a notice of the fact that if said district was created and debt incurred "that all the property in the district is subject to the lien of the indebtedness" and that said notice set forth the amount of the proposed indebtedness.

(d) It is further FOUND, DETERMINED and DECLARED that said petition is signed by a majority of the taxpaying electors of said proposed district as disclosed by the last official registration list of Bent County, Colorado, and who own personal and real property having a total assessed value of more than one-half of the total assessed value of all the real and personal property in said district.

(e) It is further FOUND, DETERMINED and DECLARED that the proposed Improvement, construction of a sanitary sewer system, will confer a general benefit on said proposed district and that the cost of said proposed improvement will not be excessive as compared with the value of the property in the district.

(f) It is further FOUND, DE-

TERMINED and DECLARED that said petition has been duly signed and presented in full conformity with an Act entitled AN ACT AUTHORIZING AND PROVIDING FOR THE INCORPORATION OF PUBLIC IMPROVEMENT DISTRICTS IN CITIES AND TOWNS, THE CONSTRUCTION OR INSTALLATION OF IMPROVEMENTS THEREIN, THE FINANCING AND RE-FINANCING OF THE COST OF SUCH IMPROVEMENTS BY THE ISSUANCE OF BONDS, THE LEVY OF TAXES ON PROPERTY WITHIN SUCH DISTRICTS AND DEFINING THE POWERS AND PURPOSES OF SUCH DISTRICTS, cited as, Chapter 205, Session Laws of Colorado, 1949, and that the allegations of said petition are true.

(g) It is further FOUND, DETERMINED and DECLARED that this body, the City Council of the City of Las Animas, Colorado, has jurisdiction and the power to create and establish the general improvement district requested in said petition, said improvement district to be a public or quasi-municipal subdivision of the state of Colorado and a body corporate with the proprietary powers set forth in Chapter 205, Session Laws of Colorado, 1949.

Section 2. That a public improvement district be and the same is hereby established and created to be known as "North Side General Improvement District of the City of Las Animas, Colorado," out of that portion of said City of Las Animas, Colorado, bounded and described as follows, to-wit:

Blocks 1, 2, 3, 4, 5, 24, 25, 26, 27, 28, 32, 33 and 34 all in said City of Las Animas, Bent County, Colorado.

Section 3. Said "North Side General Improvement District of the City of Las Animas, Colorado," shall be a public or quasi-municipal subdivision of the State of Colorado and a body corporate with all the proprietary powers conferred by and set forth in Chapter 205, Session Laws of Colorado, 1949, and without limiting the generality of the foregoing, including the power:

(a) To install sanitary sewers in the area described as Blocks 1, 2, 3, 4, 5, 24, 25, 26, 27, 28, 32, 33 and 34, City of Las Animas, Colorado, together with necessary in-lets, man-holes, connecting mains, lifting station and such appurtenances as are necessary to connect said system with the existing system of sewers of Las Animas, Colorado.

(b) To fix, and as necessity and expediency dictate, from time to time to increase or decrease rates, tolls or charges for the service of the facilities requested to be installed, and in addition to other means of providing revenue for such district to levy and collect ad valorem taxes on and against all taxable property within the district for the purposes of defraying the cost, paying for, and for the maintenance and repair of said facilities.

(c) To authorize and issue bonds of said district to be repaid by the property owners of said district according to the tolls, service charges and the levies of ad valorem taxes above authorized.

Section 4. It is hereby found, determined and declared that this ordinance is necessary for the immediate preservation of the public peace, health and safety, and shall take effect from and after five days after the second and last publication hereof.

Introduced, read and adopted on first reading and ordered published at a regular meeting of the City Council of the City of Las Animas, Colorado, this 2nd day of February, 1953.

Read and passed, adopted and approved on second and third reading and ordered published this second day of March, 1953.

Attest: E. A. THAXTON, Mayor. D. A. McAFEE, City Clerk. Published March 5, 1953.

E. A. Thaxton Mayor

STATE OF COLORADO) COUNTY OF BENT) ss. CITY OF LAS ANIMAS)

I, D. A. McAfee, City Clerk of the City of Las Animas, Colorado, do hereby certify that the above and foregoing ordinance was introduced, and read in full and passed on first reading at the regular meeting of the City Council held Monday evening, February 2, 1953, and published in the Las Animas Leader of said city in its issue of February 5, 1953, and was finally passed, adopted and approved at the regular meeting of the City Council held Monday evening March 2, 1953, and ordered published in the Las Animas Leader of said City as Ordinance No. 320 of the City of Las Animas, Bent County, Colorado, that said ordinance was published with said order on March 5, 1953.

IN WITNESS WHEREOF I hereunto set my hand and seal of the City of Las Animas, Colorado, this 9 day of March, 1953.

D. A. McAfee City Clerk