

C-LINE #62083  
CLEAR TOPPER

CREATING SEWER DISTRICT

ORDINANCE NO. 536  
AN ORDINANCE ADJUDICATING ALL QUESTIONS OF JURISDICTION AND  
ESTABLISHING AND CREAGING THE SOUTHWEST 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 as the regular meeting of the City Council of the  
City of Las Animas, Colorado held on March 1, 1965, a petition  
duly signed was filed with and presented to said City Council  
asking for the formation of the Southwest General Improvement  
Distridt of the City of Las Animas, Bent County, Colorado for  
the purpose of installing sanitary sewers in the above described  
area together with necessary inlets, man-holes, connecting  
mains, ligting station and such appurtenances as are necessary  
to connect said system with the existing system of Las Animas:

To fix, and as necessity and expediency dictate, from time to time 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;

To authorize and issue bonds of said district to be repaid by the property owners if 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 \$10,000.

(b) It is further FOUND, DETERMINED and DECLARED that this body on March 1, 1965, by order set April 5, 1965, at 8:00 p.m. as the time, and the Council Chambers at the Municipal Building 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, Vera Wygle 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 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 in conformity with said order and in full conformity with the requirements of CRS 1963, Section 89 - 4 - 6 , and that said notice contained a notice 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, DETERMINED and DECLARED that said petition has been duly signed and presented in full

conformity with the provisions of CRS 1963, Section 89-4-1 through 89-4-30, 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 CRS 1963, 89-4-1 through 89-4-30, inclusive.

SECTION 2. That a public improvement district be and the same is hereby established and created to be known as "Southwest 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:

Lots 1,2,3,4,5,6,7,8,9,10,11 and 12, Block 133  
 Lots 1,2,3,4,5,6,7,8,9,10,11 and 12, Block 134  
 Lots 1,2,3,4,5,6,7,8,9,10,11 and 12, Block 135  
 Lots 1, 2,3,4,5,6,7,8,9,10,11 and 12, Block 136  
 and all of Blocks 137, 138, 139, 140, 161, 162,  
 163, 164, 166, 167, 168, 169 and 170 all in said  
 City of Las Animas, Bent County, Colorado.

SECTION 3. Said "Southwest General Improvement District of the City of Las Animas, Colorado", shall be a public or of quasi-municipal subdivision of the State of Colorado and a body corporate with all the proprietary powers conferred by and set forth in CRS 1963, 89-4-1 through 89-4-30 inclusive, and without limiting the generality of the foregoing, including the power:

(a) To install sanitary sewers in the area described as follows, to-wit:

Lots 1, 2,3,4,5,6,7,8,9,10,11 and 12, Block 133  
 Lots 1,2,3,4,5,6,7,8,9,10,11, and 12, Block 134  
 Lots 1, 2,3,4,5,6,7,8,9,10,11 and 12, Block 135  
 Lots 1, 2,3,4,5,6,7,8,9,10,11 and 12, Block 136  
 all of Blocks 137, 138, 139, 140, 161, 162, 163,  
 164, 166, 167, 168, 169 and 170 all in said City  
 of Las Animas, Bent County, 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 subdistrict 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 5th day of April, 1965.

Read and s

Approved:

s/s Leonard H. Dnall, Jr.

Attest:

*S/S Vera Wrayle*  
City Clerk

It was moved by Alderman Sisneros, seconded by Alderman Canfield for the adoption of the above ordinance. The question being on the adoption of the ordinance roll call vote was had with the following result:

Those voting Aye: Alderman Bryant, Robinson, <sup>Canfield</sup> Netherton, Sisneros, Netherton and Ratzlaff.

Those voting Nay: None

The mayor declared the motion carried.

Mr. Temple presented a plat of a parcel of land east of the old Sugar factory, that Mr. James K. Williams is desirous of leaseing for a period of 10 years at \$100.00 per year. Discussion was had it was postponed until the next meeting. No further business the meeting adjourned.

*Leonard H. Dnall, Jr.*  
Mayor

Attest:

*Vera Wrayle*  
City Clerk