

RECORD OF PROCEEDINGS

100 LEAVES

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE PUEBLO CONSERVANCY DISTRICT

December 6, 1937

A meeting of the Board of Directors of The Pueblo Conservancy District was held in the council chambers of the City Hall at 2 P.M. Dec. 6, 1937.

Directors present: Holmes and Pryor. Also present were: Paul West City Commissioner, John Barbrick, City Attorney and City Engineer Si. Elliott.

Purpose of the meeting was to present to the District Board the plans for carrying the sewer lines from the Mesa bluffs to the proposed Sewage Disposal plant, by hanging one large 14 to 16 inch pipe on the concrete levee from Boulder Avenue to Santa Fe Ave. about two to three feet above the normal spring flood stage of the river, with five intercepting lines to be carried across the river under the water line and attached to the main hanging pipe.

After a general discussion of the feasibility of the plan and its affect on the works of the District, it was thought that a general easement could be drawn to allow the City to proceed with such excavations as necessary, put in the pipe lines and connect the intercepting lines from the bluffs and carry them on down to connect with the present sewer, with the understanding and agreement in the easement that the City properly recover all excavations, protect the District works while the construction is in progress, make adequate connections of line with the concrete levee and agree to forever maintain the sewer line and connections without expense to the District.

John M. Holmes thereupon instructed the City attorney to prepare such general easement and give it to Charles M. Rose to carefully go over on behalf of the District.

Thereupon the meeting adjourned, the meeting of the Board of The Pueblo Conservancy District to reconvene at the Colorado Bldg.

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John M. Holmes called the reconvened meeting to order and the minutes of the meeting of January 28, 1937 were read and approved.

The following bills were read and allowed, vouchers being ordered drawn on the Treasurer for same:

10158 Winifred Cross	\$100 00
10159 Southern Colorado Inv.Co.	41 00
10160 Pueblo Hardware Co.	50 91
10161 First National Bank, Pueblo	2 35
10162 Pueblo County	136 77
10163 Winifred Cross	100 00
10164 Southern Colorado Inv. Co.	41 00
10165 Pueblo Hardware Co.	49 25
10166 Adams & Gast	10 00
10167 Winifred Cross	100 00
10168 Southern Colorado Inv. Co.	41 0-
10169 The Newton Lumber Company	39 84
10170 The Fountain Sand & Gravel Co.	16 50
10171 Pueblo Hardware Company	135 08

RECORD OF PROCEEDINGS

100 LEAVES

10172 Winifred Cross	\$100 00
10173 Southern Colorado Inv. Co.	41 00
10174 Rocky Mountain Bank Note Co.	2 81
10175 State Compensation Insurance Fund	1 80
10176 First National Bank, Pueblo	19,926 25
10177 R. M. Ogle	23 75
10178 Winifred Cross	100 00
10179 Southern Colorado Inv. Co.	41 00
10180 E. F. Rizer	7 00
10181 First National Bank, Pueblo	63,125 00
10182 Wilmington Savings Fund Society	1,250 00
10183 Knights Life Ins. Co. of America	600 00
10184 Winifred Cross	100 00
10185 Southern Colorado Inv. Co.	41 00
10186 Winifred Cross	100 00
10187 Southern Colorado Inv. Co.	41 00
10188 First National Bank, Pueblo	73 43
10189 Winifred Cross	100 00
10190 Southern Colorado Inv. Co.	41 00
10191 Underwood and Underwood	75 00
10192 J. E. Creel, County Treasurer	2,479 19
10193 Greene & West, Inc.	2 50
10194 Winifred Cross	100 00
10195 The Southern Colorado Inv. Co.	41 00
10196 Winifred Cross	100 00
10197 Southern Colorado Inv. Co.	41 00
10198 First National Bank, Pueblo	43,926 25
10199 R. M. Ogle	23 75
10200 J. E. Creel County Treas.	15 20
10201 Winifred Cross	100 00
10202 Southern Colorado Inv. Co.	41 00

Motion was made by Mr. Pryor that the Board ratify action taken by President Holmes in accepting \$310.30 from Emanuel and Albert Stein for Certs. No. 81050 and 83238; \$554.66 from Trustees of Albert A. Pope Estate, Nos. 83283 and 83284; \$246.51 from Chas. T. Crockett for Certs. 75157 and 77915; \$24.10 from Agnes M. Kogovsek No. 78078; \$2021.81 from Margaret Ann Foote, Nos. 70782; 75115 and 77879; \$299.84 from Rose E. Holloran, Nos. 70776; 75106; 77872; 83242; \$804.37 from C. A. Pannebaker, Nos. 75087; 70762 and 83228; \$14.66 Mary Sevsek, Nos. 75329 and 78087; \$532.88 from Inland Real Est. Co. Nos. 75110; 77876 and 83243; \$47.28 from Jim Stupnik Nos. 75296 and 78064; \$5.70 from Frank Ahlin No. 78083; \$882.32 Pueblo Savings & Trust Co. Nos. 81124, 77859, 75093, 70767 and 64702; \$432.90 Pueblo Savings & Trust Co. Nos. 81043 and 83212; \$635.61 Julius Sterling Nos. 77856 and 83227; \$51.04 Pueblo Savings & Trust Co. Nos. 78002, 75237, 70874 and 64773; \$54.45 Mrs. Susie Van Meter No. 77965; \$50.78 Thos. S. James Nos. 70731, 75046, 77817, 83192; \$7.25 Frank S. Plese No. 78060; \$49.98 E. H. Veith Nos. 75150 and 77909; \$685.52 Wm. Spade Nos. 83249 and 81057; \$70.90 Ed B. Haver, Nos. 2415, 56308, 58152, 59846, 61642, 64817, 70950, 75330, 78088 plus \$15.20 for 1935, 1936 and 1937 assessments.

Motion seconded by Mr. Holmes, the vote being unanimous in favor of same.

Report was made that agreement had been made with purchasers of the Central Block for payment of the delinquent Conservancy tax assessments. The attached letters are copies of those forming the agreement.

Mr. Holmes reported that permission had been granted the D. & R. G. W. to construct a stairway from the north side of the West 4th St. viaduct to the top of the levee, also to construct a stairway from the top of the levee to the track level at a

Oct. 11, 1937

Mr. L. C. Moore,  
Fort Collins, Colorado.

Dear Mr. Moore:

Mr. Ruppel turned over this morning your check in payment of the 1937 Pueblo Conservancy tax on the Central Block this city, but due to a delay in our office the receipts for this tax cannot be mailed until tomorrow to you. Mr. Ruppel asked me to drop this note to you that you might know the delay was in our office and not on his part.

Yours very truly,

THE PUEBLO CONSERVANCY DISTRICT

By

Secretary

Oct. 5, 1937.

Mr. B. V. Ruppel,  
Pueblo, Colorado.

Dear Mr. Ruppel:

As per your request I enclose you copy of letter that was originally written to Mr. Nelson Lindblad on March 26th.

This proposition was made to him on the assumption that they were going to take up this Central Block property at once and that they were going to start paying their taxes at once.

It is not the purpose of the Conservancy District nor their intention to hold this proposition open for any great length of time. It should have been attended to long before this. If the parties in question are willing to go on with this proposition and the purchase of the property and the payment of these taxes immediately, we will still stand by the agreement that was originally made. Otherwise we will just cancel it for I do not intend to play horse on this proposition any longer.

Yours very truly,

THE PUEBLO CONSERVANCY DISTRICT

By



President.

JMH:FK.

March 26, 1937.

C O P Y

Mr. Nelson Lindblad,  
Care The Pueblo Realty & Service Co., Inc.,  
Pueblo, Colorado.

Dear Sir:

In consideration of your purchase of Lots 6 to 8 both inclusive and the west 9.4 feet of Lot 5 in Block 30 in that part of the present City of Pueblo, Colorado, which was surveyed by H. M. Fosdick, Civil Engineer, for the Probate Judge of Pueblo County in March 1869 and the building thereon known as the Central Block, the Pueblo Conservancy District agrees as follows:

The Pueblo Conservancy District holds tax certificates for the following Conservancy District assessments in the amounts below stated:

1930	\$2430.56
1931	2430.58
1932	2430.56
1933	2430.56
1934	2430.56
1936	2430.54

The Conservancy assessment for the year 1935 on the property above described was also not paid by the owner thereof. No tax sale certificate therefor has, however, been issued and this delinquent assessment now amounts to \$2758.70, which may at any time be paid to the County Treasurer.

Your plan and proposal is:-

To promptly pay the Conservancy assessment for 1937

On or before March 1, 1938 to pay the Conservancy assessment for that year and one-half of the delinquent assessment for 1936.

On or before March 1, 1939 and each year thereafter to pay the Conservancy assessment then current and in addition to take up one of the certificates held by the Conservancy District above listed until all of them have so been taken up by you and these delinquent assessments paid and discharged.

C O P Y

Ne. Nelson Lindlad Page 2

If you faithful and promptly do this, the Pueblo Conservancy District will take and accept for each of the above described certificates the amount above stated plus 85 cents to cover its expenses in this connection; and further agrees that it will direct the Treasurer of the County of Pueblo to accept \$2430.56 in full payment of the assessment for 1935.

You of course understand that should you fail to promptly pay future installments of the Conservancy assessment or fail to take up the above described outstanding certificates or to pay the delinquent assessment for 1935, then the District is released from any obligation hereunder and may take whatever steps it deems proper to enforce its rights.

THE PUEBLO CONSERVANCY DISTRICT

By (Signed) J. M. Holmes  
President

Attest:

(Signed) Winifred Cross  
Secretary

C O P Y

March 26, 1937

Mr. Nelson Lindblad,  
Care The Pueblo Realty & Service Co., Inc.,  
Pueblo, Colorado.

Dear Sir:

In consideration of your purchase of Lots 6 to 8 both inclusive and the west 9.4 feet of Lot 5 in Block 30 in that part of the present City of Pueblo, Colorado, which was surveyed by H. M. Fosdick, Civil Engineer, for the Probate Judge of Pueblo County in March 1869 and the building thereon known as the Central Block, the Pueblo Conservancy District agrees as follows:

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Your plan and proposal is:-

To promptly pay the Conservancy assessment for 1937

On or before March 1, 1938 to pay the Conservancy assessment for that year and one-half of the delinquent assessment for 1936.

On or before March 1, 1939 and each year thereafter to pay the Conservancy assessment then current and in addition to take up one of the certificates held by the Conservancy District above listed until all of them have so been taken up by you and these delinquent assessments paid and discharged.

Mr. Nelson Lindblad Page 2

If you faithfully and promptly do this, the Pueblo Conservancy District will take and accept for each of the above described certificates the amount above stated plus 85 cents to cover its expenses in this connection; and further agrees that it will direct the Treasurer of the County of Pueblo to accept \$2470.56 in full payment of the assessment for 1935.

You of course understand that should you fail to promptly pay future installments of the Conservancy assessment or fail to take up the above described outstanding certificates or to pay the delinquent assessment for 1935, then the District is released from any obligation hereunder and may take whatever steps it deems proper to enforce its rights.

THE PUEBLO CONSERVANCY DISTRICT

By \_\_\_\_\_  
President

Attest:

\_\_\_\_\_  
Secretary



March 26, 1937

County Treasurer,  
Pueblo County,  
Pueblo County Court House,  
City.

Dear Sir:

We make reference to 1935 Conservancy District tax assessment against Lots 6 to 8 both inclusive and the west 9.4 feet of Lot 5 in Block 30 in that part of the present City of Pueblo, Colorado, which was surveyed by H. W. Fosdick, known as the Central Block, in the amount of \$2756.70 which includes interest - \$2430.56 being the assessment, the balance of it being interest up to and including March 30, 1937.

This is to authorize you to accept payment any time between now and March 1, 1939 the sum of \$2430.56 in full settlement of this assessment.

Yours very truly,

THE PUEBLO CONSERVANCY DISTRICT

By \_\_\_\_\_ President

Attest:

\_\_\_\_\_  
Secretary

Phone 250 Purple.

March 26, 1937.

Mr. E. V. Ruppel, Pres.,  
The Pueblo Realty and Service Co., Inc.,  
Pueblo, Colo.

Dear Sir:

We understand you are selling the Central Block, being situated on lots 6 to 8 and the West 9-2/5ths feet of Lot 5, Block 30 in that part of the present City of Pueblo, Colorado, which was surveyed and platted by H. M. Fosdick, Civil Engineer, for the Probate Judge of Pueblo County in March, 1869, as shown by the recorded plat thereof, the same being in the City of Pueblo, Pueblo County, Colorado, to Nelson Lindblad of Denver, Colorado, and that Mr. Lindblad wants something in writing from the Pueblo Conservancy Board, setting out the ideas of the board with reference to the payments of the conservancy lien against the above described property. The Board has agreed as follows: One ~~Full~~ yearly installment of \$2,430.56 shall be paid for 1937 on or before August 1, 1937; in 1938 there shall be one and one half yearly installment paid, and in 1939 and each year thereafter, there shall be two full yearly installments paid until delinquency is caught up. If payments are made as above, all interest on delinquency payments will be waived.

This agreement will extend to Nelson Lindblad, his legal heirs or assigns with understanding that if payments are not made as set forth, the Conservancy Board may at its discretion, declare this agreement void and of no further effect.

Yours Truly,  
THE PUEBLO CONSERVANCY BOARD  
By

Pueblo, Colorado, March 26, 1937.

Mr. Nelson Lindblad  
Care of The Pueal Realty & Service Co., Inc.  
Pueblo, Colorado.

Dear Sir:

In consideration of your purchase of Lots 6 to 8 both inclusive and the west 9.4 feet of Lot 5 in Block 30 in that part of the present City of Pueblo, Colorado, which was surveyed by H. M. Fosdick, Civil Engineer, for the Probate Judge of Pueblo County in March 1869 and the building thereon known as the Central Block, The Pueblo Conservancy District agrees as follows:-

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Your plan and proposal is:-

To promptly pay the Conservancy assessment for 1937

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On or before March 1, 1939 and each year thereafter to pay the Conservancy assessment then current and in addition to take up one of the certificates held by the

the Conservancy District above listed until all of them have so been taken up by you and these delinquent assessments paid and discharged.

If you faithfully and promptly do this, The Pueblo Conservancy District will take and accept for each of the above described certificates the amount above stated plus 85 cents to cover its expenses in this connection; and further agrees that it will direct the Treasurer of the County of Pueblo to accept \$2430.56 in full payment of the assessment for 1935.

You of course understand that should you fail to promptly pay future installments of the Conservancy assessment or fail to take up the above described outstanding certificates or to pay the delinquent assessment for 1935, then the District is released from any obligation hereunder and may take whatever steps it deems proper to enforce its rights.

THE PUEBLO CONSERVANCY DISTRICT

By \_\_\_\_\_  
President.

Attest:

\_\_\_\_\_  
Secretary.

## RECORD OF PROCEEDINGS

100 LEAVES

point approximately fifty feet north of the viaduct for the convenience of train and enginemen going to and from work, provided if there was any distance between the foot of the stairs leading from the viaduct to the top of the stairs going down the levee this space must be covered by a concrete walk.

Motion was made by Mr. Pryor and seconded by J. M. Holmes that the bill of the County Treasurer for advertising and cost in preparation of the tax certificates of the Conservancy District tax delinquencies, be paid in full to date. Vote being unanimous in favor of same.

Report was made that the riprapping work at the Rock Canyon Barrier had been completed and tools left were sold the South Side Water Works.

The attached letter from G. G. Robertson was read and report was made that Mr. Holmes and Charles M. Rose considered it illegal for the Board of the District to accept any such proposal or bonds in payment of any assessment. The Secretary was instructed to write Mr. Robertson a letter telling him of the action of the Board.

Letter was read from the North Union Avenue Improvement Association asking permission to fill in the old channel of the Arkansas River from Victoria Avenue to South Main Street, to provide a parking space. No action was taken on this proposal since it was brought out that the Southern Colorado Power Company has a deed covering fifty feet of the land from Victoria Avenue to the intersection of the old channel of the Arkansas River with the new and present channel of said river.

Report was made that this deed to the Southern Colorado Power Co. was signed by the District in September, 1937 and motion was made by Mr. Pryor to ratify the action of the president Mr. Holmes in signing this deed. Seconded by Mr. Holmes vote being unanimous in favor of same.

There being no further business to come before the meeting, it was, upon motion, adjourned.

  
Secretary

March 10, 1937.

Board of Education,  
School District #1,  
Pueblo, Colorado.

--Atten. G. G. Robertson, Secy.--

Gentlemen:

Yours of March 6th to the Pueblo Con-  
servancy District has been received. This  
has been forwarded to our office and will be  
taken up at our next regular meeting.

Yours very truly,

THE PUEBLO CONSERVANCY DISTRICT

By \_\_\_\_\_  
President.

JMH:FK.

THE BOARD OF EDUCATION

DISTRICT NUMBER ONE

PUEBLO, COLORADO

G. G. ROBERTSON.  
SECRETARY

Mar. 6, 1937

Mr. John M. Holmes, President  
Board of Directors Conservancy District  
Pueblo, Colorado

Dear Mr. Holmes:

At a recent meeting of the Board of Directors of School District #1, they passed a resolution instructing me to write your Honorable Board and request permission to pay off the assessments made by your Board against property belonging to the School District, namely, Hinsdale and Riverside Schools. The total of such assessments amount to slightly over \$11,000.00

It is the understanding of our Board that such assessments may not be paid in cash, but they request the privilege of delivering to you Bonds of your Conservancy District in a principal amount equal to the total amount of assessments against the School District. You will mark such assessments paid upon receipt of said bonds, which will then be cancelled, both principal and interest.

The Board does not ask you to adopt this plan so far as individuals are concerned, but they do feel that you should permit Public Bodies to cancel their assessments as outlined above. It is manifestly good business from the standpoint of the Board of Education as it will mean a saving to the School District of over \$5,500.00 in interest charges. It is manifestly good business from the standpoint of the over burdened taxpayer - as he will share in the above saving. It is also manifestly good business from the standpoint of all the Bond owners, whose holdings will increase in value as the indebtedness of the District is decreased.

The Board of Education also believe that it is good business from the standpoint of the Board of Directors of the Conservancy District and they hope that you will see fit to grant this request.

Awaiting your reply with interest, I am

Sincerely,



Secretary.

GGR:EA

KNOW ALL MEN BY THESE PRESENTS:

That THE PUEBLO CONSERVANCY DISTRICT, a body corporate and a political subdivision of the State of Colorado, organized and existing under the Conservancy Act of Colorado, hereinafter called the grantor, in consideration of the sum of One Dollar and other valuable consideration to it in hand paid by SOUTHERN COLORADO POWER COMPANY, a corporation organized and existing under the laws of the State of Colorado, hereinafter called the grantee, the receipt of which consideration is by said grantor hereby acknowledged, does hereby grant and convey unto said grantee, its successors and assigns, forever, the right, privilege and easement to construct, operate and maintain its lines for the transmission of electrical energy, including the necessary poles, steel towers, wires, guys, stubs and other fixtures along, over, upon and across the following described property situate in the County of Pueblo and State of Colorado, to wit:

That certain strip of land described as Parcel 6 in the deed dated August 18, 1926 from said grantor to said grantee, which was filed for record in the office of the County Clerk and Recorder of said Pueblo County on August 19, 1926, and is recorded in Book 649 at Page 1 of the records in said office, said Parcel 6 being a strip of land approximately fifty (50) feet in width, lying and being in the old channel of the Arkansas River, and extending approximately from Victoria Avenue in the City of Pueblo, to the intersection of said old channel of the Arkansas River with the new and present channel of said Arkansas River.

Provided always that the easement hereby granted shall always be subject and subservient to the purposes of the grantor to which the property over which said easement is granted shall be devoted by said grantor, and in case said easement shall ever be inconsistent with such purposes of the grantor, said grantee will at the request of the grantor remove its poles, lines and fixtures from said strip of land hereinbefore described at its own cost and expense; and said grantee shall assume all liability for personal injury or death or for property damage arising or growing out of the easement hereby granted.

IN WITNESS WHEREOF said grantor has caused its corporate name to be hereunto subscribed by its President, and its corporate seal to be hereunto affixed and attested by its Secretary, this \_\_\_\_\_ day of September, A.D. 1937.

THE PUEBLO CONSERVANCY DISTRICT,

ATTEST:

By \_\_\_\_\_ Its President.

\_\_\_\_\_  
Its Secretary.

STATE OF COLORADO )  
COUNTY OF PUEBLO ) ss.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of September, A.D. 1937, by \_\_\_\_\_ as President and by \_\_\_\_\_ as Secretary of THE PUEBLO CONSERVANCY DISTRICT.

My commission expires \_\_\_\_\_  
WITNESS my hand and official seal.

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



KNOW ALL MEN BY THESE PRESENTS:

That THE PUEBLO CONSERVANCY DISTRICT, a body corporate and a political subdivision of the State of Colorado, organized and existing under the Conservancy Act of Colorado, hereinafter called the grantor, in consideration of the sum of One Dollar and other valuable consideration to it in hand paid by SOUTHERN COLORADO POWER COMPANY, a corporation organized and existing under the laws of the State of Colorado, hereinafter called the grantee, the receipt of which consideration is by said grantor hereby acknowledged, does hereby grant and convey unto said grantee, its successors and assigns, forever, the right, privilege and easement to construct, operate and maintain its lines for the transmission of electrical energy, including the necessary poles, steel towers, wires, guys, stubs and other fixtures along, over, upon and across the following described property situate in the County of Pueblo and State of Colorado, to wit:

That certain strip of land described as Parcel 6 in the deed dated August 18, 1926 from said grantor to said grantee, which was filed for record in the office of the County Clerk and Recorder of said Pueblo County on August 19, 1926, and is recorded in Book 649 at Page 1 of the records in said office, said Parcel 6 being a strip of land approximately fifty (50) feet in width, lying and being in the old channel of the Arkansas River, and extending approximately from Victoria Avenue in the City of Pueblo, to the intersection of said old channel of the Arkansas River with the new and present channel of said Arkansas River.

Provided always that the easement hereby granted shall always be subject and subservient to the purposes of the grantor to which the property over which said easement is granted shall be devoted by said grantor, and in case said easement shall ever be inconsistent with such purposes of the grantor, said grantee will at the request of the grantor remove its poles, lines and fixtures from said strip of land hereinbefore described at its own cost and expense; and said grantee shall assume all liability for personal injury or death or for property damage arising or growing out of the easement hereby granted.

IN WITNESS WHEREOF said grantor has caused its corporate name to be hereunto subscribed by its President, and its corporate seal to be hereunto affixed and attested by its Secretary, this day of September, A.D. 1937.

THE PUEBLO CONSERVANCY DISTRICT,

ATTEST:

By \_\_\_\_\_ Its President.

\_\_\_\_\_  
Its Secretary.

STATE OF COLORADO )  
COUNTY OF PUEBLO ) ss.

The foregoing instrument was acknowledged before me this day of September, A.D. 1937, by \_\_\_\_\_ as President and by \_\_\_\_\_ as Secretary of THE PUEBLO CONSERVANCY DISTRICT.

My commission expires \_\_\_\_\_  
WITNESS my hand and official seal.

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