

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2010

COUNCIL BILL NO. 10-1017
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure Committee

A BILL

For an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. Upon consideration of the recommendation of the Manager of Public Works that an ordinance be enacted for the purpose of assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local Maintenance District upon the real property, exclusive of improvements thereon, benefited the Council finds, as follows:

(a) A local maintenance district providing for the continuing care, operation, repair, maintenance and replacement of the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local Maintenance District was created by Ordinance No. 38, Series of 2008;

(b) The annual costs of the continuing care, operation, repair, maintenance and replacement of the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local Maintenance District are \$59,000.00 which amount the Manager of Public Works has the authority to expend for the purposes stated herein;

(c) The Manager of Public Works has complied with all provisions of law relating to the publishing of notice to the owners of real properties to be assessed and to all persons interested generally, and the Council sitting as a Board of Equalization has heard and determined all written complaints and objections filed with the Manager of Public Works;

(d) The real property within the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local Maintenance District will be benefited in an amount equal to or in excess of the amount to be assessed against said property because of the continuing care, operation, repair, maintenance and replacement of said Pedestrian Mall;

Section 2. The annual costs of the continuing care, operation, repair, maintenance and replacement of the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local

1 Maintenance District to be assessed against the real properties, exclusive of improvements thereon,
2 benefited are hereby approved.

3 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and
4 replacement of the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local
5 Maintenance District in the amount of \$59,000.00 are hereby assessed against the real properties,
6 exclusive of improvements thereon, within said local maintenance district as follows:

7 NOTE:Where a series of lots is followed by "inclusive", the amount appearing after the series shall
8 be the total for all lots in the series. Where a series of lots is not followed by "inclusive", the amount
9 appearing after such series shall be the assessment for each lot in the series.

10
11

12 FLEMING'S BROADWAY ADDITION
13 BLOCK 4

14 L 1 - L 5, INCLUSIVE EXC PT OF WEST TO CITY	\$1,562.54
15 L 6 - L 7, INCLUSIVE, EXC PT ON WEST TO CITY	\$ 625.01
16 L 8 - L 10, INCLUSIVE EXC PT ON WEST TO CITY	\$937.52
17 L 11 EXC PT ON WEST TO CITY	\$312.51
18 L 12 - L 13, INCLUSIVE, EXC PT ON WEST TO CITY	\$625.01
19 L 14 - L 15, INCLUSIVE, EXC PT ON WEST TO CITY	\$625.01
20 L 16 - L 17, INCLUSIVE, EXC PT ON WEST TO CITY	\$625.01
21 L 18 - L 19, INCLUSIVE, EXC PT ON WEST TO CITY	\$625.01
22 L 20 - L 22, INCLUSIVE, EXC PT ON WEST TO CITY	\$937.52
23 L 23 - L 24, INCLUSIVE, EXC PT ON WEST TO CITY	\$625.01

24

25 JEROME'S BROADWAY SUBDIVISION SECOND FILING
26 BLOCK 2

27 L 24 DIF RCP #0069707 RCD 12-29-86	\$4,311.30
28 L 25 - L 28, INCLUSIVE	\$1,250.03
29 L 29 - L 34, INCLUSIVE	\$1,875.04

30

31 OVERLAND PARK SUBDIVISION
32 BLOCK 2

33 L 25 - L 30, INCLUSIVE	\$1,875.04
34 L 31 - L 35, INCLUSIVE	\$1,562.53
35 L 36 - L 37, INCLUSIVE	\$625.01
36 L 38 - L 41, INCLUSIVE	\$1,250.03
37 L 42 - L 43, INCLUSIVE	\$625.01
38 L 44 - L 45, INCLUSIVE	\$625.01
39 L 46 - L 48, INCLUSIVE	\$937.52

40

1	BLOCK 5	
2	L 24 - L 25, INCLUSIVE	\$625.01
3	L 26	\$312.51
4	L 27 - 31, INCLUSIVE	\$1,562.53
5	L 32 - L 33, INCLUSIVE	\$625.01
6	L 34 & S 24.25' OF L 35	\$615.64
7	L 36 - 37, INCLUSIVE, & N 9" OF L 35	\$634.39
8	L 38 - 39, INCLUSIVE	\$625.01
9	L 40 - L41, INCLUSIVE	\$625.01
10	L 42 - L43, INCLUSIVE, BEG 16.37' S OF NE COR L 43 TH	
11	W 22.25' SW 3.61' W 34.75' S 0.5' W 65'	
12	S 31.13' E 125' N 33.63' TO POB	\$420.3
13	BEG NE COR L 43 S 16.37' W 22.25' SW 3.62' TO	
14	PT 25.25' W OF E LINE & 18.37' S OF N LINE L 43 W 34.75'	
15	S 0.5' W 65' N 18.87' E 125' M/L	\$204.63
16	L 44	\$312.51
17	L 45 - L 46, INCLUSIVE	\$625.01
18		
19	BLOCK 6	
20	L 25 - L 28, INCLUSIVE	\$1,250.03
21	L 29 - L 30, INCLUSIVE	\$625.01
22	L 31 - L 32, INCLUSIVE	\$625.01
23	L 33 - L 36, INCLUSIVE	\$1,250.03
24	L 37 - L 38, INCLUSIVE	\$625.01
25	L 39	\$312.51
26	L 40	\$312.51
27	L 41 - L 48, INCLUSIVE	\$2,500.06
28		
29	SHERMAN SUBDIVISION	
30	BLOCK 9	
31	L 1 - L 3, INCLUSIVE, AND THAT PART OF L 4 BEG NE COR	
32	L1 TH S 81.47' W 126.47' N 81.12' E 126.45' TO POB	\$1,014.02
33	L 4 – L 8, INCLUSIVE, EXC S 7' OF L 8 & EXC BEG NE COR L 4	
34	TH S 6.47' W 126.47' N 6.12' E 126.45' TO POB	\$1,398.53
35	L 9 & S 7' OF L 8	\$400.01
36	L 10	\$312.51
37	L 11 - L 13, INCLUSIVE & N 1/2 OF L 14	\$1,093.78
38	L 15 & S1/2 OF L 14	\$468.76
39	L 16 - L 23, INCLUSIVE	\$2,500.06
40		
41	BLOCK 24	
42	L 1 - L 2, INCLUSIVE	\$625.02
43	N 24.675' OF L 3	\$308.45
44	L 4 - L 5, INCLUSIVE, & S .325' OF L 3	\$629.08
45	L 6 - L 11, INCLUSIVE	\$1,875.04
46	L 12 - L 17, INCLUSIVE,	\$1,875.04
47	L 18	\$312.51
48	L 19 & N 7 1/2' OF L 20	\$406.26

1	L 21 - L 22, INCLUSIVE, & S 17 1/2' OF L 20	\$843.77
2	L 23	\$312.51
3	L 24	\$312.51
4		
5	BLOCK 25	
6	L 1 - L 3, INCLUSIVE	\$937.52
7	L 4 - L 5, INCLUSIVE	\$625.01
8	BEG NW COR L 6 TH S 37.5' TH E 13.2' TH NW TO PT	
9	ON N L 1 LOT 6 12.98' E OF NW COR TH W TO POB	\$468.76
10	L 8 & S1/2 OF L 7	\$468.76
11	L 9 - L 10, INCLUSIVE	\$625.02
12	L 11 - L 12, INCLUSIVE	\$625.02
13	L 13 EXC S 10.50' THEREOF & EXC PT FOR S BROADWAY	\$181.26
14	S 10.50' OF L 13 & N 9.40' OF L 14 EXC PT FOR S BROADWAY	\$248.76
15	S 15.60' OF L 14 - L15, INCLUSIVE, EXC S 22.60' THEREOF	
16	EXC PT FOR S BROADWAY	\$225.00
17	N 16' OF S 22.60' OF L 15 EXC PT FOR S BROADWAY	\$200.00
18	S 6.60' OF L 15 - L16, INCLUSIVE, EXC S 13.60' THEREOF	
19	& EXC PT FOR S BROADWAY	\$225.00
20	S 13.60' OF L 16 - L 17, INCLUSIVE, EXC S 20.60' THEREOF	
21	EXC PT FOR S BROADWAY	
22		\$225.00
23	N 16' OF S 20.60' OF L 17 EXC PT FOR S BROADWAY	\$200.00
24	S 4.60' OF L 17 - L 18, INCLUSIVE, EXC S 9.70' THEREOF	
25	EXC PT FOR S BROADWAY	\$248.76
26	L 19 & S 9.7' L 18	\$433.76
27	L 20 - L 23, INCLUSIVE	\$1,250.03

28
29 **Section 4.** The assessments made pursuant hereto shall be a lien in the several amounts
30 assessed against each lot or tract of land set forth in Section 3 herein, and such lien shall have
31 the priority of the lien for local public improvement districts.

32 **Section 5.** Without demand, said assessments as set forth in Section 3 herein, shall be due
33 and payable on the first day of January of the year next following the year in which this assessing
34 ordinance became effective, and said assessments shall become delinquent if not paid by the last
35 day of February of the year next following the year in which this assessing ordinance became
36 effective. A failure to pay said assessments as hereinabove set forth shall subject the property
37 subject to the assessment to sale as provided by the Charter of the City and County of Denver.

38 **Section 6.** Any unspent revenue and revenue generated through investment shall be
39 retained and credited to the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local
40 Maintenance District for future long term or program maintenance of the District.

41 **Section 7.** This Ordinance shall be recorded among the records of the Clerk and Recorder of

1 the City and County of Denver.
2 CONSENT AGENDA: November 24, 2010
3 MAYOR-COUNCIL DATE: November 30, 2010
4 PASSED BY THE COUNCIL _____ 2010
5 _____ - PRESIDENT
6 APPROVED: _____ - MAYOR _____ 2010
7 ATTEST: _____ - CLERK AND RECORDER,
8 EX-OFFICIO CLERK OF THE
9 CITY AND COUNTY OF DENVER
10
11 NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2010; _____ 2010
12 PREPARED BY: Mary Toornman, Assistant City Attorney - DATE: December 2, 2010
13
14 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the
15 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
16 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
17 §3.2.6 of the Charter.
18
19 David R. Fine, City Attorney
20 BY: _____, Assistant City Attorney DATE: _____, 2010