

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2012

COUNCIL BILL NO. CB12-0724

COMMITTEE OF REFERENCE:

Land Use, Transportation & Infrastructure

A BILL

For an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Phase II Broadway Pedestrian Mall 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 Phase II Broadway Pedestrian Mall, for the upcoming year, 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 Phase II Broadway Pedestrian Mall, was created by Ordinance No. 819, Series of 1993;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the Phase II Broadway Pedestrian Mall is \$256,700.00 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 Phase II Broadway Pedestrian Mall 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 cost of the continuing care, operation, repair, maintenance and replacement of the Phase II Broadway Pedestrian Mall to be assessed against the real properties, exclusive of improvements thereon, benefited are hereby approved.

Section 3. The annual costs of the continuing care, operation, repair, maintenance and replacement of the Phase II Broadway Pedestrian Mall in the amount of \$256,700.00 are hereby assessed against the real properties, exclusive of improvements thereon, within said local maintenance district as follows:

1	NOTE: Where a series of lots is followed by "inclusive", the amount appearing after the series	
2	shall be the total for all lots in the series. Where a series of lots is not followed by "inclusive", the	
3	amount appearing after such series shall be the assessment for each lot in the series.	
4	ALKIRE BROTHER'S ADDITION TO BROADWAY TERRACE	
5	BLOCK 1	
6	Lots	
7	11-13 and the North 1/2 of Adj. Vacated West Irvington Place, inclusive	\$3,282.89
8	14-17, inclusive	\$2,853.89
9	18-20, inclusive	\$2,140.42
10		
11	MONTELIUS & WALKER ADDITION	
12	BLOCK 1	
13	Lots	
14	1-3, inclusive	\$7,711.69
15		
16	BROADWAY TERRACE	
17	BLOCK 13	
18	Lots	
19	15-16, South 16.24' 17, inclusive	\$2,998.99
20	North 33.76' 17, 18, South 1/2 19, inclusive	\$3,106.38
21	North 1/2 19, 20, inclusive	\$2,142.14
22		
23	BUSBY AND WILLIAMS RESUBDIVISION OF BLOCK SIX AND PART OF	
24	BLOCK SEVEN IN GALLUP'S SOUTH BROADWAY SUBDIVISION	
25	BLOCK 6	
26	Lots	
27	2-6, Exc rear 6', inclusive	\$4,876.64
28		
29	BYERS SUBDIVISION	
30	BLOCK 38	
31	Lots	
32	1-5 and the South 1/2 of Adj. Vacated West Nevada Place, inclusive	\$4,655.57
33	41-43 and the South 1/2 of Vacated Alley and Adj. Vacated Dakota, inclusive	\$999.67
34	44-48, inclusive	\$3,655.91
35		
36	BLOCK 40	
37	Lots	
38	1-5, inclusive	\$3,655.91
39	Byers Sub B40 43-48 Exc	
40	Beg SW Cor 43 Th N 128.03' W	
41	5.39' S 128.03Ft W 5.39' to	
42	POB, inclusive	\$3,655.91
43		
44	BLOCK 44	
45	Lots	
46	1-24, and the West 1/2 of Adj. Vacated South Bannock Street, inclusive	\$18,136.74
47		
48	BLOCK 45	
49	Lots	
50	25-27, inclusive	\$2,142.14

1	28, West 1/2 29, inclusive	\$1,071.06
2	East 1/2 29, 30, inclusive	\$1,071.06
3	31-34, inclusive	\$2,856.18
4	35-39, West 1/2 40, inclusive	\$3,927.24
5	East 1/2 40, 41, inclusive	\$1,071.06
6	42, West 1/2 43, inclusive	\$1,071.06
7	44-48 & East 1/2 43, inclusive	\$3,927.24
8		
9	BYERS RESUBDIVISION OF BLOCKS 37 AND 39	
10	BYERS SUBDIVISION	
11	BLOCK 37	
12	Lots	
13	1-24, 44-49, the vacated alley adj. to Lot 6, the East 1/2 of Adj. Vacated South	
14	Bannock Street and the North 1/2 of Adj. Vacated West Nevada Place, inclusive	
15		\$26,162.60
16		
17	BLOCKS 39 - 42	
18	Lots	
19	1-6, 49 and Adjacent Vacated Alley, inclusive	\$3,741.60
20	44 and Vacated Alaska Place, inclusive	\$3,570.23
21	The North 2.0' of Vacated West Alaska Place	\$57.12
22	Block 39-42 & T4 R68 S15 NW/4 & Vac Ss. & Alys. Adj. Dif Und. Doc 4/9/96A, inclusive	
23		\$18,262.13
24		
25	EXPOSITION ADDITION	
26	BLOCK 1	
27	Lots	
28	1-7, inclusive	\$4,998.32
29	8-10, inclusive	\$2,142.14
30	11-12, inclusive	\$1,428.09
31	13-14, inclusive	\$1,428.09
32	15-16, inclusive	\$1,428.09
33	17	\$714.05
34	18-21, North 6.25' 22, inclusive	\$3,034.69
35	South 1/2 23, 24, inclusive	\$1,963.63
36		
37	GALLUP'S RESUBDIVISION OF BLOCK 4 AND PART OF BLOCK 5 OF GALLUP'S	
38	BROADWAY SUBDIVISION	
39	BLOCK 4	
40	Lots	
41	1-4, inclusive	\$2,599.12
42	5-6, inclusive	\$1,428.09
43	7-9, North 20.8' 10, inclusive	\$2,736.22
44	South 4.2' 10, 11-12, inclusive	\$834.01
45		
46	Block 5	
47	Lots	
48	North 50' West 1/2 Block 5	\$1,428.09
49	South 50' North 100' West 1/2 Block 5	\$1,428.09
50		

1	GREENWAY'S RESUBDIVISION OF BLOCK 36 BYER'S SUBDIVISION	
2	BLOCK 36	
3	Lots	
4	9-10, inclusive	\$3,827.28
5	11, East 8.33' 12, inclusive	\$951.97
6	West 16.67' 12, East 21.67' 13, inclusive	\$1,095.06
7	West 3.33' 13, 14, East 5' 15, inclusive	\$951.97
8	West 20' 15, East 11.67' 16, inclusive	\$904.56
9	West 13.33' 16, East 18.33' 17, inclusive	\$904.27
10	West 6.67' 17, 18, inclusive	\$904.56
11	19, East 1/2 20, inclusive	\$1,071.06
12	West 1/2 20, 21, 22, inclusive	\$1,785.11
13	23-28, inclusive	\$4,284.27
14		
15	KETTLE'S ADDITION TO DENVER	
16	BLOCK 3	
17	Lots	
18	1-24 & Vacated Alley, inclusive	\$8,568.54
19		
20	ONE BROADWAY PLAZA SUBDIVISION	
21	BLOCK 1	
22	That part of One Broadway Plaza Subdivision, defined as follows: Beginning at the southwest	
23	corner of Broadway and Vacated West Irvington Place; thence southerly along the west line of	
24	Broadway a distance of 259.93 feet; thence westerly on an angle to the right of 89°56' 37" a	
25	distance of 165.50 feet; thence northerly on an angle to the right of 90°03'23" a distance of	
26	112.70 feet; thence easterly on an angle to the right of 90°00'00" a distance of 17.50 feet;	
27	thence northerly on an angle to the right of 90°00'00" a distance of 33.00 feet; thence on an	
28	angle to the right of 90°00'00" a distance of 18.75 feet; thence northerly on an angle to the	
29	right of 90°00'00" a distance of 114.21 feet to the south line of Vacated West Irvington Place;	
30	thence easterly along said south line a distance of 166.75 feet to the Point of Beginning, and	
31	the south 1/2 of adjacent Vacated West Irvington Place.	
32		\$8,566.54
33	PATTERSON'S SUBDIVISION	
34	BLOCK 1	
35	Lots	
36	1-5, 47, adj. vacated alley, inclusive	\$3,570.23
37	North 75' 6-8, and the North 75' of the East 15' 9, inclusive	\$2,142.14
38	9 Exc. the North 75' of the East 15' and 10-12, inclusive	\$1,428.09
39		
40	PIERCE AND HINMAN'S ADDITION TO BROADWAY TERRACE	
41	BLOCK 1	
42	Lots	
43	1-4, inclusive	\$2,852.75
44	5	\$713.19
45	6	\$713.19
46	7	\$713.19
47	8, North 16' 9, inclusive	\$1,170.17
48	South 8.97' 9, 10, North 16' 11, inclusive	\$1,426.38
49	South 8.97' 11, 12, inclusive	\$969.38
50	13	\$713.19

1	14	\$713.19
2	15	\$713.19
3	16-17, inclusive	\$1,426.38
4	18-19, inclusive	\$1,426.38
5	20-22, inclusive	\$2,139.57
6	23-24, inclusive	\$1,312.13
7		
8	POMEROY'S SOUTH BROADWAY SUBDIVISION	
9	BLOCK 1	
10	1-6, and the North 22.5' Lot 1, Block 2, inclusive	\$4,795.53
11		
12	BLOCK 2	
13	Lots	
14	1 Exc. the North 22.5', 2-3, inclusive	\$1,505.50
15	4, North 10.07' 5, inclusive	\$1,003.66
16	South 15'5, 6, inclusive	\$1,144.47
17		
18	BLOCK 3	
19	Lots	
20	1-2, inclusive	\$1,432.09
21	3-4, inclusive	\$1,432.09
22	5-6 and Lot 1, Block 4, inclusive	\$2,148.14
23		
24	BLOCK 4	
25	2	\$716.05
26	3	\$716.05
27	4-6, inclusive	\$2,004.75
28		
29	SNYDER'S SUBDIVISION TO DENVER	
30	BLOCK 1	
31	West 125' 1-5, inclusive	\$3,497.39
32	West 125' 6-7, inclusive	\$1,398.96
33	West 125' 8-9, inclusive	\$1,398.96
34	West 125' 10-15, inclusive	\$4,196.87
35	West 125' 16-17, inclusive	\$1,398.96
36	West 125' 18-19, inclusive	\$1,398.96
37	West 125' 20-21 and a Strip 0.85' Wide on the West and 0.95' Wide on the East on the North	
38	Side of the West 125' Lot 22, inclusive	\$1,423.23
39	West 125' 22 Exc. a Strip 0.85' Wide on the West and 0.95' Wide on the East on the North	
40	Side of the West 125' Lot 22, West 125' 23-24, inclusive	\$2,074.15
41		
42	UNPLATTED	
43	That part of the SE 1/4, NW 1/4, Section 15, T.4S., R.68W. of the 6th P.M. bounded by the	
44	west line of South Broadway, a line 158 feet west of and parallel with said west line, the south	
45	line of Vacated West Virginia Avenue and a line 589.77 feet south of and parallel with said	
46	south line.	\$3,513.12
47		
48	That part of the SE 1/4, NW 1/4, Section 15, T.4S., R.68W. of the 6th P.M. described as	
49	follows: Beginning at a point on the west line of South Broadway 589.77 feet south of the south	
50	line of Vacated West Virginia Avenue; thence west a distance of 158.0 feet; thence south and	

parallel with the west line of South Broadway a distance of 40.23 feet; thence east a distance of 158.0 feet to a point on the west line of South Broadway; thence north to the Point of Beginning. \$ 1,149.04

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

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

Section 6. Any unspent revenue and revenue generated through investment shall be retained and credited to the Phase II Broadway Pedestrian Mall Local Maintenance District for future long term or program maintenance of the District.

COMMITTEE APPROVAL: (by Consent) September 27, 2012

MAYOR-COUNCIL DATE: October 2, 2012

PASSED BY THE COUNCIL _____ 2012

- PRESIDENT

APPROVED: _____ - MAYOR _____ 2012

ATTEST: _____ - CLERK AND RECORDER,
EX-OFFICIO CLERK OF THE
CITY AND COUNTY OF DENVER

NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2012; _____ 2012

PREPARED BY: Jo Ann Weinstein - ASSISTANT CITY ATTORNEY - October 4, 2012

Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §3.2.6 of the Charter.

Douglas J. Friednash, City Attorney

BY: _____, _____ City Attorney - _____ 2012