

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2013

COUNCIL BILL NO. CB13-0790
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance assessing the cost of the construction and installation of the streetscape improvements in South Broadway Streetscape (Iowa Avenue to Wesley Avenue) Local Public Improvement District, including but not limited to sidewalks, brick pavers, trees, tree grates, irrigation, benches, trash receptacles and pedestrian lights (including amenities within the medians), providing for the assessment of the real estate included in the district, the payment of costs, and other matters incidental to the making of said improvements 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 cost of construction and installation of the streetscape improvements of South Broadway Streetscape (Iowa Avenue to Wesley Avenue) Local Public Improvement District, for the upcoming year, Council finds as follows:

(a) A local public improvement district providing for construction and installation of the streetscape improvements along South Broadway located in the South Broadway Streetscape (Iowa Avenue to Wesley Avenue) Local Public Improvement District, was created by Ordinance No. 236, Series of 2011;

(b) The cost of construction and installation of the streetscape improvements along South Broadway located in the South Broadway Streetscape (Iowa Avenue to Wesley Avenue) Local Public Improvement District is \$1,361,124.00;

(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, if any, filed with the Manager of Public Works;

(d) The cost of construction and installation of the streetscape improvements along South Broadway located in the South Broadway Streetscape (Iowa Avenue to Wesley Avenue) Local Public Improvement District to be assessed against the properties benefited is \$1,361,124.00, inclusive of incidentals, the costs of collection and interest; and

(e) The real property within the South Broadway Streetscape (Iowa Avenue to Wesley Avenue) Local Public Improvement District will be benefited in an amount equal to or in excess of

1 the amount to be assessed against said property because of construction and installation of the
2 streetscape improvements of said South Broadway Streetscape (Iowa Avenue to Wesley Avenue)
3 Local Public Improvement District.

4 **Section 2.** The cost of construction and installation of the streetscape improvements along
5 South Broadway located in the South Broadway Streetscape (Iowa Avenue to Wesley Avenue)
6 Local Public Improvement District is hereby assessed against the real properties, within said local
7 maintenance district as follows:

8 NOTE: Where a series of lots is followed by "inclusive", the amount appearing after the series
9 shall be the total for all lots in the series. Where a series of lots is not followed by "inclusive", the
10 amount appearing after such series shall be the assessment for each lot in the series.
11

12 BREENLOW SUBDIVISION OF SOUTH DENVER

13 BLOCK 8

14 Lots

| | |
|---|-------------|
| 15 25-27, inclusive | \$10,830.49 |
| 16 28-32, inclusive | \$18,050.85 |
| 17 33-35, inclusive | \$10,830.49 |
| 18 36 | \$3,610.12 |
| 19 37-40, inclusive | \$14,440.61 |
| 20 41-42, inclusive | \$7,220.36 |
| 21 43-46 & south 1/2 of Lot 47, inclusive | \$16,245.73 |
| 22 48 & north 1/2 of Lot 47, inclusive | \$5,415.24 |

23
24 CARTERDALE

25 BLOCK 1

26 Lots

| | |
|---|-------------|
| 27 West 87' of Lot 1-2 & of north 4.5' of Lot 3 & west 89.8' of 28 south 20.5' of Lot 3, inclusive | \$10,830.49 |
| 29 4-5, inclusive | \$7,220.36 |
| 30 6-7, inclusive | \$7,220.36 |
| 31 8-10, inclusive | \$10,830.49 |
| 32 11-12, inclusive | \$7,220.36 |
| 33 13-24, inclusive | \$43,321.95 |

34
35 BLOCK 4

36 Lots

| | |
|--|-------------|
| 37 1-6, inclusive, excluding the south 6' of Lot 6 & west 1/2 of vacated alley | \$20,794.55 |
| 38 7-10 & north 1/4 of Lot 11 & south 6' of Lot 6 & west 1/2 of vacated alley, inclusive | \$16,209.60 |
| 39 12-19 & south 18.75' of Lot 11, inclusive, excluding the west 5' of 40 said lots & west 1/2 of vacated alley | \$31,596.13 |
| 41 20-23 & west 1/2 of vacated alley, inclusive | \$14,440.61 |

42
43 GRANT SUB-DIVISION

44 BLOCK 1

45 Lots

| | |
|--|------------|
| 46 1-2, inclusive, excluding part to City for street | \$7,220.36 |
|--|------------|

| | | |
|----|--|-------------|
| 1 | 3-4, inclusive, excluding part on west to City | \$7,220.36 |
| 2 | 5-6, inclusive, excluding part on west to City | \$7,220.36 |
| 3 | 7-8, inclusive, excluding part on west to City | \$7,220.36 |
| 4 | 9-15, inclusive, excluding part on west to City | \$25,271.22 |
| 5 | 16-18, inclusive, excluding part on west to City | \$10,830.49 |
| 6 | 19 and north ½ of Lot 20, inclusive | \$5,415.24 |
| 7 | North 22.5' of Lot 21 & south ½ of Lot 20, inclusive, excluding part to City | \$5,054.24 |
| 8 | 22 & 23 & south 2.5' of Lot 21, inclusive, excluding part on west to City | \$7,581.36 |
| 9 | | |
| 10 | BLOCK 16 | |
| 11 | Lots | |
| 12 | 1-2, inclusive, excluding part on west to City | \$7,220.36 |
| 13 | 3-4, inclusive, excluding part on west to City | \$7,220.36 |
| 14 | 5-8, inclusive, excluding part on west to City | \$14,440.61 |
| 15 | 9, excluding part on west to City | \$3,610.12 |
| 16 | 10, excluding part on west to City | \$3,610.12 |
| 17 | 11-16, inclusive, excluding part to City | \$21,660.98 |
| 18 | 17, excluding part on west to City | \$3,610.12 |
| 19 | 18-19, inclusive, excluding part on west to City | \$7,220.36 |
| 20 | 20-22, inclusive, excluding part on west to City | \$10,830.49 |
| 21 | 23-24, inclusive, excluding part on west to City | \$7,220.36 |
| 22 | | |
| 23 | LAWNDALE SUBDIVISION | |
| 24 | BLOCK 1 | |
| 25 | 1-6 & 43-48 & portion of vacated alley, inclusive, excluding northerly | |
| 26 | portions of Lot 1 & Lot 48 | \$17,112.16 |
| 27 | 7-15, inclusive | \$32,491.47 |
| 28 | 16-19, inclusive | \$14,440.61 |
| 29 | 20 | \$3,610.12 |
| 30 | 21-22, inclusive | \$7,220.36 |
| 31 | 23-24, inclusive | \$7,220.36 |
| 32 | | |
| 33 | OVERLAND PARK SUB-DIVISION | |
| 34 | BLOCK 9 | |
| 35 | Lots | |
| 36 | 25-36 & east ½ of vacated alley, inclusive | \$43,321.95 |
| 37 | 37-38, inclusive | \$7,220.36 |
| 38 | 39-40, inclusive | \$7,220.36 |
| 39 | 41-48, inclusive | \$28,881.34 |
| 40 | | |
| 41 | BLOCK 10 | |
| 42 | Lots | |
| 43 | 25-28, inclusive | \$14,440.61 |
| 44 | 29-31, inclusive | \$10,830.49 |
| 45 | 32-34, inclusive | \$10,830.49 |
| 46 | 35-40, inclusive | \$21,660.98 |
| 47 | 41-43, inclusive | \$10,830.49 |
| 48 | 44-48, inclusive | \$18,050.85 |

| | | |
|----|---|-------------|
| 1 | BLOCK 13 | |
| 2 | Lots | |
| 3 | 25-26 & south ½ of Lot 27, inclusive | \$9,025.37 |
| 4 | 28-29 & north ½ of Lot 27 & south ½ of Lot 30, inclusive | \$10,830.49 |
| 5 | 31 and north ½ of Lot 30, inclusive | \$5,415.24 |
| 6 | 32-33, inclusive | \$7,220.36 |
| 7 | 34-35, inclusive | \$7,220.36 |
| 8 | 36 and south 8.33' of Lot 37, inclusive | \$4,808.76 |
| 9 | North 2/3 of Lot 37 and south 2/3 of Lot 38, inclusive | \$4,813.35 |
| 10 | North 1/3 of Lot 38 & Lots 39-43, inclusive | \$19,249.37 |
| 11 | 44-48, inclusive | \$18,050.85 |
| 12 | | |
| 13 | ROSEDALE | |
| 14 | BLOCK 1 | |
| 15 | Lots | |
| 16 | 25-26, inclusive | \$7,220.36 |
| 17 | 27-28, inclusive | \$7,220.36 |
| 18 | 29-32, inclusive | \$14,440.61 |
| 19 | 33-36, inclusive | \$14,440.61 |
| 20 | 37-38, inclusive | \$7,220.36 |
| 21 | 39-42, inclusive | \$14,440.38 |
| 22 | 43-46, inclusive | \$14,440.38 |
| 23 | 47 | \$3,610.12 |
| 24 | 48 | \$3,610.12 |
| 25 | | |
| 26 | BLOCK 8 | |
| 27 | 26-32 & Clarks Addition to Denver Lot 25 defined as follows; beginning | |
| 28 | 4.2' south of the northwest corner of Lot 32 east 119' south 167.78' west | |
| 29 | 119.01' to point on west line of Lot 26 Clarks Addition to Denver north | |
| 30 | to point of beginning, inclusive | \$24,231.46 |
| 31 | 33-38 & north 4.2' of Lot 32, inclusive | \$22,267.46 |
| 32 | 39-42, inclusive | \$14,440.61 |
| 33 | 43-45, inclusive | \$10,830.49 |
| 34 | 46-48, inclusive | \$10,830.49 |
| 35 | | |
| 36 | BLOCK 9 | |
| 37 | 25-29 & east ½ of vacated alley, inclusive | \$18,050.85 |
| 38 | 30 & south ½ of Lot 31 & east ½ of vacated alley, inclusive | \$5,415.24 |
| 39 | 32-44 & north ½ of Lot 31 & east ½ of vacated alley, inclusive, excluding | |
| 40 | a portion of the easterly part of Lots 42-44 | \$48,737.20 |
| 41 | 45-46 & east ½ of vacated alley, inclusive, excluding a portion of the | |
| 42 | easterly part of Lots 45-46 & northerly part of Lot 46 | \$6,382.73 |
| 43 | | |
| 44 | BLOCK 16 | |
| 45 | Lots | |
| 46 | 25-29, inclusive | \$18,050.85 |
| 47 | 30-31, inclusive | \$7,220.36 |
| 48 | 32-33, inclusive | \$7,220.36 |
| 49 | 34-38, inclusive | \$18,050.85 |
| 50 | 39-40, inclusive | \$7,220.36 |

| | | |
|----|---|-------------|
| 1 | 41-43 & south ½ of Lot 44, inclusive | \$12,635.61 |
| 2 | 45-48 & north ½ of Lot 44, inclusive | \$16,245.50 |
| 3 | | |
| 4 | BLOCK 17 | |
| 5 | Lots | |
| 6 | 1-7, inclusive | \$25,271.22 |
| 7 | 8 | \$3,610.12 |
| 8 | 9-10, inclusive | \$7,220.36 |
| 9 | 11 | \$3,610.12 |
| 10 | 12-13 & north 12.5' of Lot 14, inclusive | \$9,025.37 |
| 11 | 14, excluding north 12.5' thereof & Lot 15, inclusive | \$5,415.24 |
| 12 | 16-17, inclusive | \$7,220.36 |
| 13 | 18-21, inclusive | \$14,440.61 |
| 14 | 22-23, inclusive | \$7,220.36 |
| 15 | 24 | \$3,610.12 |
| 16 | | |
| 17 | BLOCK 20 | |
| 18 | Lots | |
| 19 | 1-9, inclusive, excluding the west 5' thereof | \$32,491.47 |
| 20 | 10 and north 1/3 of Lot 11, inclusive | \$4,812.31 |
| 21 | South 2/3 of Lot 11 and north 2/3 of Lot 12, inclusive | \$4,808.76 |
| 22 | 13 and south 1/3 of Lot 12, inclusive | \$4,812.31 |
| 23 | 14-15, inclusive | \$7,220.36 |
| 24 | 16-17, inclusive | \$7,220.36 |
| 25 | 18 & north ½ of Lot 19, inclusive | \$5,415.24 |
| 26 | 20 & south ½ of Lot 19, inclusive | \$5,415.24 |
| 27 | 21-22, inclusive | \$7,220.36 |
| 28 | 23-24, inclusive | \$7,220.36 |
| 29 | | |
| 30 | THE FIRST SANTA FE ADDITION TO THE TOWN OF SOUTH DENVER | |
| 31 | BLOCK 1 | |
| 32 | Lots | |
| 33 | 1-9, inclusive, excluding part on west to City | \$32,491.47 |
| 34 | 10-13, inclusive, excluding part on west to City | \$14,440.61 |
| 35 | 14-16, inclusive, excluding part on west to City | \$10,830.49 |
| 36 | 17, excluding part on west to City | \$3,610.12 |
| 37 | 18-19, inclusive, excluding part on west to City | \$7,220.36 |
| 38 | 20-24, inclusive, excluding part on west to City | \$16,751.16 |

39 **Section 3.** The cost of construction and installation of the streetscape improvements along
40 South Broadway in the South Broadway Streetscape (Iowa Avenue to Wesley Avenue) Local
41 Public Improvement District to be assessed against the real properties is hereby approved.

42 **Section 4.** All assessments levied hereunder shall be payable, with a five percent (5%)
43 discount, within thirty (30) days after the effective date of this assessing ordinance or, without
44 discount, in twelve (12) equal annual installments beginning sixty (60) days next following the
45 effective date of the assessing ordinance with interest of five percent (5%) per annum on the
46 deferred payments.

1 **Section 5.** The assessments made pursuant hereto shall be a lien in the several amounts
2 assessed against each lot or tract of land set forth in Section 2 herein, and such lien shall have
3 priority over all other liens except general taxes.

4 **Section 6.** This Ordinance is to become effective on January 1, 2014.

5 **Section 7.** This Ordinance shall be recorded among the records of the Clerk and Recorder
6 of the City and County of Denver.

7 COMMITTEE APPROVAL DATE: (by Consent) October 31, 2013

8 MAYOR-COUNCIL DATE: November 5, 2013

9 PASSED BY THE COUNCIL: _____, 2013
10 _____ - PRESIDENT

11 APPROVED: _____ - MAYOR _____, 2013

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

15 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2013; _____, 2013

16 PREPARED BY: Jo Ann Weinstein - ASSISTANT CITY ATTORNEY - November 7, 2013

17 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
18 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
19 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
20 §3.2.6 of the Charter.

21 Douglas J. Friednash, City Attorney

22 BY: _____, Assistant City Attorney DATE: _____, 2013